



Additions & Corrections to the Agenda

Note: Additional items to this agenda are shown under the addendum header.

Declarations of Pecuniary Interest

Presentations & Recognitions

Deputations

1. **Deputation by Maria Luczka regarding parking concerns on Lundy's Lane** Pg. 1

Consent Items

2. **172 and 174 Victoria Street – Request to remove a structure from the Municipal Register of Non-Designated Heritage Properties** Pg. 6
Planning and Building Services
April 9, 2018
 1. That Development and Infrastructure Services/Planning and Building Services Report 2018-23 dated April 9, 2018 regarding 172 and 174 Victoria Street and the owners request to demolish the structure listed on the Municipal Register of Non-Designated Heritage Properties be received and the following recommendations be adopted:
 - a. That Council permit the removal of 172 and 174 Victoria Street from the Municipal Register of Non-Designated Heritage Properties of Interest subject to the owner of the property providing a photograph inventory of the dwellings interior and exterior; and,
 - b. That Mitch Sauder, 17-1100 Gorham Street, L3Y 8Y8 be notified of this action.

3. Development Application – 172-178 Old Main Street

Pg. 12

Planning and Building Services
April 9, 2018

1. That Report 2018-25 dated April 9, 2018 regarding Applications for Draft Plan of Subdivision and Zoning By-law Amendment for 172-178 Old Main Street be received and the following recommendations be adopted:
2. That approval be given to Draft Plan of Subdivision 19TN-2018 002, subject to the schedule of conditions set out in Appendix “A” attached to and forming part of this Report; and,
3. That the approval for Draft Plan of Subdivision 19TN-2018 002 shall only be issued upon the execution of a “No Pre-Sales Agreement” by the Owner of the said Draft Plan with the Town of Newmarket; and,
4. That the application for Zoning By-law Amendment as submitted by Azure Homes for lands municipally known as 172-178 Old Main Street be approved and that staff be directed to prepare the necessary Zoning By-law Amendments, including the necessary Holding Provisions; and,
5. That Angela Sciberras, #202-520 Industrial Prkwy S., Aurora, Ontario, L4G 6W8 and Azure Homes Inc., Newmarket South P.O. PO Box 71038 Newmarket, Ontario, L3X 1Y8 be notified of this action.

4. Interim Revised Tree Policy

Pg. 51

Planning and Building Services
April 9, 2018

1. That the Interim Revised Tree Policy report 2018-24 dated April 9, 2018 be received; and,
2. That Council approve the revised Tree Preservation Protection Replacement and Enhancement Policy attached as Appendix A to this report.

5. Bee City Canada

Pg. 87

Public Works Services
April 9, 2018

1. That Town of Newmarket Council Report – Public Works Services 2018-18 dated April 9, 2018 regarding Bee City Canada be received; and the following recommendation be adopted;

- a. That the Ontario Nature Youth Council be invited to the Touch a Truck event to set up a booth about pollinators; and,
- b. That Council proclaim June 18-24, 2018 as International Pollinator Week and every third full week of June thereafter; and,
- c. That the Town of Newmarket apply for and accept the designation and commits to the standards of the Bee City Program for annual renewal; and,
- d. That Council Adopt the attached Bee City Canada Resolution in Appendix A as part of the application requirement.

6. Lorne Avenue and Queen Street Traffic Review

Pg. 93

Engineering Services
April 9, 2018

- 1. That the report entitled Lorne Avenue and Queen Street Traffic Review dated April 9, 2018 be received; and,
- 2. That York Regional Police be sent a copy of this report; and,
- 3. That the Town request that York Regional Police include more Town-Specific enforcement measures and programs in their next Municipal Overview; and,
- 4. That enhanced vulnerable road user safety measures be included in the design for the future reconstruction of Lorne Avenue.

7. Carnival – D.A. Campbell Amusement Ltd., Magna Centre

Pg. 98

Legislative Services
April 9, 2018

- 1. That the report entitled Carnival – D.A. Campbell Amusement Ltd. – Magna Centre dated April 9, 2018 be received; and,
- 2. That the application be approved subject to the following terms;
 - a. That the licence be issued for a period of seven consecutive days from May 7, 2018 to May 14, 2018 to permit the setting up and dismantling of the amusement devices; and,
 - b. That the actual operation of the carnival not to exceed five consecutive days within the permitted time period; and,

- c. That D.A. Campbell Amusement Ltd. apply for a noise exemption in accordance with the Noise By-law 2017-76; and,
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

8. Proclamation and Lighting Request Policy

Pg. 101

Legislative Services
April 9, 2018

1. That the Corporate Services- Legislative Services report entitled Proclamation and Lighting Request Policy dated April 9, 2018 be received; and,
2. That Council approve the Proclamation and Lighting Request Policy, attached as Attachment A; and,
3. That the Town Clerk be delegated the authority to amend the Proclamation and Lighting Request Policy from time to time, as required; and,
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

9. Temporary Parking Exemption Program

Pg. 116

Legislative Services
April 9, 2018

1. That the report entitled Temporary Parking Exemption Program dated April 9, 2018 be received; and,
2. That staff amend the Legislative Fees and Charges By-law to reflect a fee for a temporary parking exemption and the bring by-law forward for Council approval and,
3. That staff be directed and authorized to do all things necessary to give effect to this resolution.

10. Newmarket Public Library Board Meeting Minutes of December 11, 2017, January 17, 2018 and February 21, 2018.

Pg. 120

1. That the Newmarket Public Library Board Meeting Minutes of December 11, 2017, January 17, 2018 and February 21, 2018 be received.

- 11. Newmarket Environmental Advisory Committee Meeting Minutes of January 3, 2018** Pg. 132
1. That the Newmarket Environmental Advisory Committee Meeting Minutes of January 3, 2018 be received.
- 12. Accessibility Advisory Committee Meeting Minutes of January 18, 2018** Pg. 136
1. That the Accessibility Advisory Committee Meeting Minutes of January 18, 2018 be received.
- 13. Newmarket Downtown Development Committee Meeting Minutes of February 2, 2018.** Pg. 140
1. That the Newmarket Downtown Development Committee Meeting Minutes of February 2, 2018 be received.
- 14. Main Street District Business Improvement Area Board of Management Meeting Minutes February 20, 2018** Pg. 147
1. That the Main Street District Business Improvement Area Board of Management Meeting Minutes February 20, 2018 be received.
- 15. Proclamation Request – May 2018 - Lyme Disease Awareness Month** Pg. 155
1. That the proclamation request be received; and,
 2. That the Town of Newmarket proclaim May 2018 as “Lyme Disease Awareness Month”; and,
 3. That the proclamation be advertised on the Town page and on the Town’s website; and,
 4. That Riverwalk Commons be illuminated in green on May 1, 2018.
- 16. Outstanding Matters List** Pg. 156
1. That the list of outstanding matters be received.

Action Items

17. 2019 Council Remuneration

CAO/Human Resources

April 9, 2018

Pg. 170

1. That CAO/Human Resources Report 2018-05 be received; and,
2. That Council provide direction to staff on 2019 Council Remuneration; and,
3. That staff be authorized and directed to do all things necessary to give effect to this resolution.

Reports by Regional Representatives

Notices of Motions

Motions

New Business

Closed Session (if required)

Public Hearing Matter (7:00 PM)

18. Zoning By-law Amendment - 175 Deerfield Road

Pg. 178

Attachments:

- Notice of Public Meeting
- Council Extract
- Planning Services Report 2018-17 entitled "175 Deerfield Road – Zoning By-law Amendment"

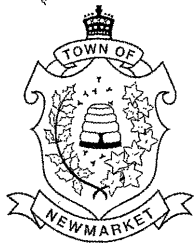
Addendum (Additions and Corrections)

19. Deputation by Shelly Candel regarding Bee City Canada

Pg. 209

Note: This Item is related to Item 5.

Adjournment



TOWN OF NEWMARKET

Clerks Department clerks@newmarket.ca

Request for Deputation

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

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

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

PLEASE PRINT

Council / Committee date: MONDAY APRIL 9, 2018

Agenda Item # _____ Subject: _____

Name: MARIA LUCZKA

Address: _____

Street Address

NEWMARKET
Town/City

Postal Code

Phone: Home: _____

Business: _____ Fax #: _____ E-mail _____

Address: _____

Name of Group or Person(s) being represented (if applicable)

Brief summary of the issue or purpose of your deputation:

Ⓐ PARKING ISSUES ON LUNDY'S LANE

Ⓑ TOWN AND MEDICAL ARTS BUILDING PARTNER TO

INFORM PUBLIC OF 15 MINUTE GRACE PERIOD.

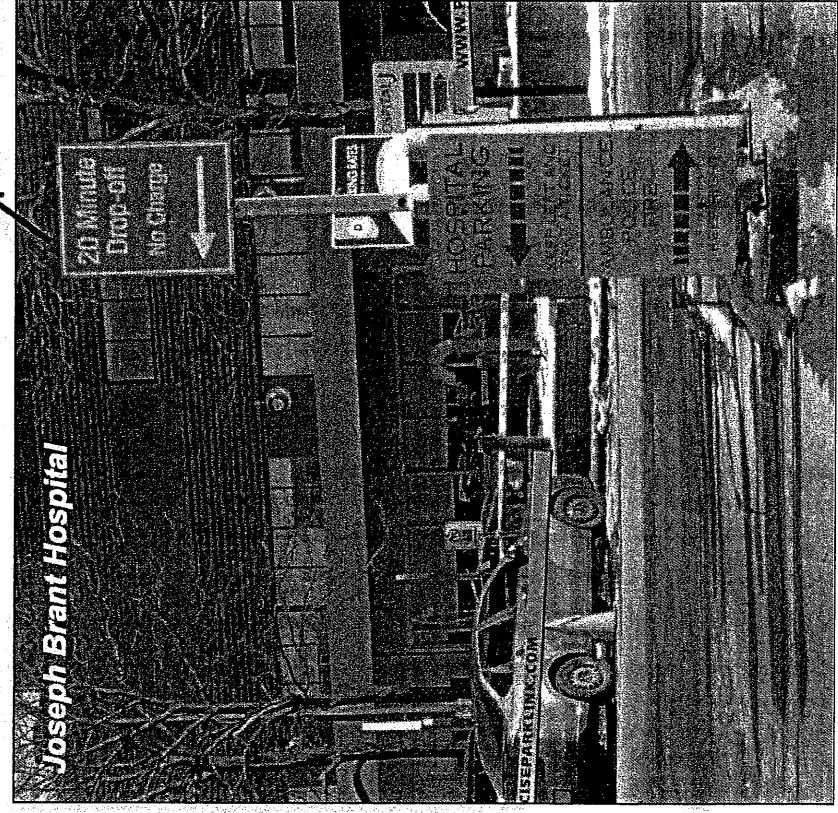
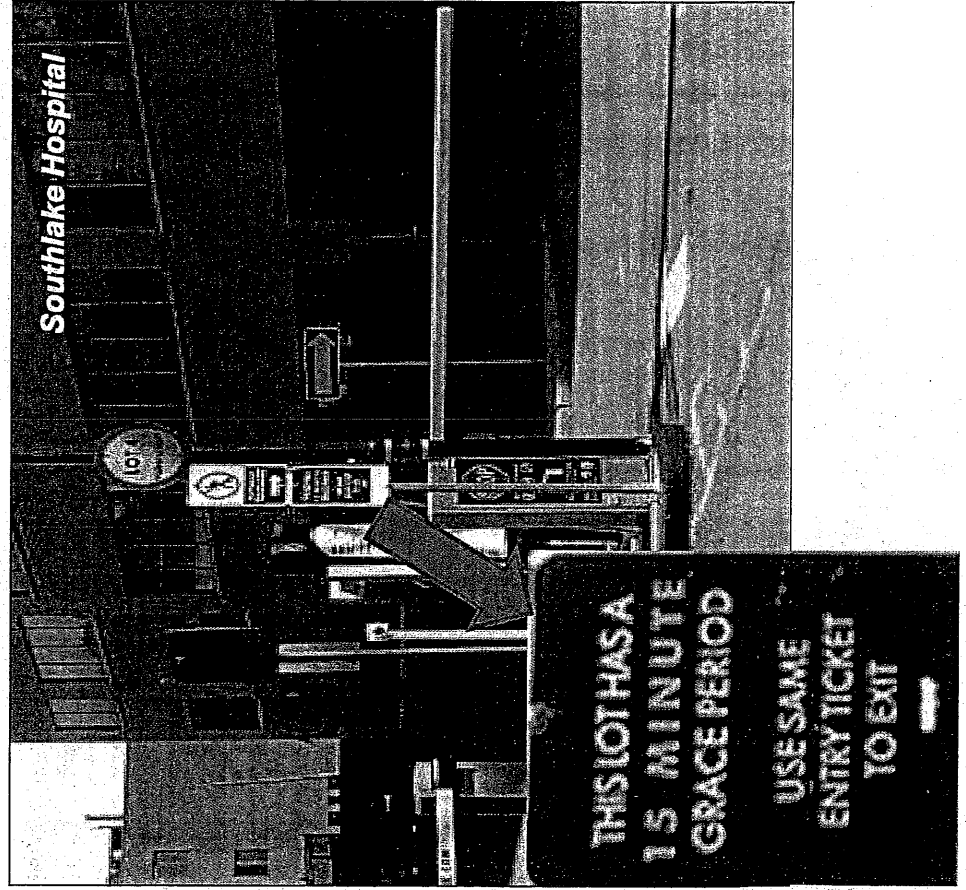
Personal information on this form will be used for the purposes of sending correspondence relating to matters before Council. Your name, address, comments, and any other personal information, is collected and maintained for the purpose of creating a record that is available to the general public in a hard copy format and on the internet in an electronic format pursuant to Section 27 of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M.56, as amended. Questions about this collection should be directed to the Clerk, Town of Newmarket, 395 Mulock Drive, P.O. Box 328, STN Main, Newmarket, ON L3Y 4X7; Telephone 905 895-5193 Ext. 2202; Fax 905-953-5100.

RECOMMENDATIONS - Short Term Strategy

19

1. Town and Hospital partner to inform public of 15 minute grace period
2. Hospital and Town inform public of improved transit service

Clearly
communicated



RECOMMENDATIONS - Long Term Strategy

1. Future developments have adequate pick-up/drop-off or short-term parking on site.
2. Annual program to monitor on-street parking within Hospital Zone.
3. Annual monitoring of signs to improve visibility and effectiveness.
4. Increase level of parking enforcement in priority areas.
5. Town, Region and Hospital expand Transit Incentive Program- staff, patients/caregivers with multiple frequent visits.
6. Conduct review of all on-street parking restriction signs to have consistent time period at appropriate locations.
7. Town and Hospital partner to develop a Parking Master Plan for Hospital Zone.



Fall 2016 Parking on both sides



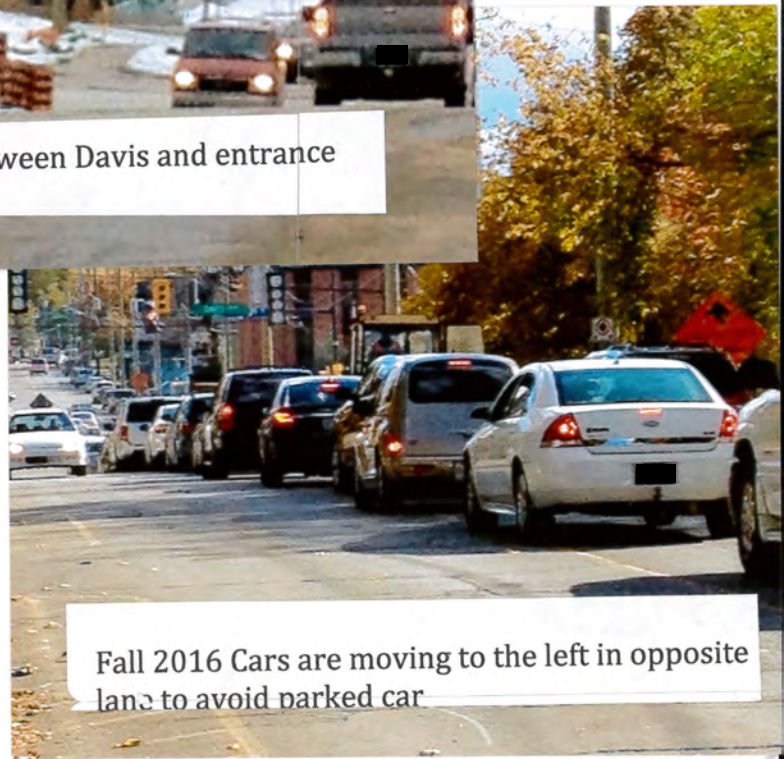
Fall 2016



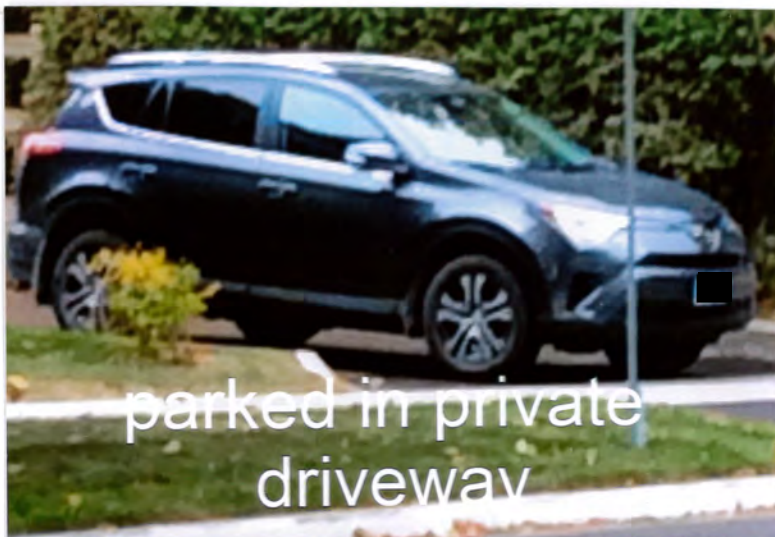
parked in driveway, no driver



Winter 2016 Parking between Davis and entrance to medical building



Fall 2016 Cars are moving to the left in opposite lane to avoid parked car



parked in private driveway



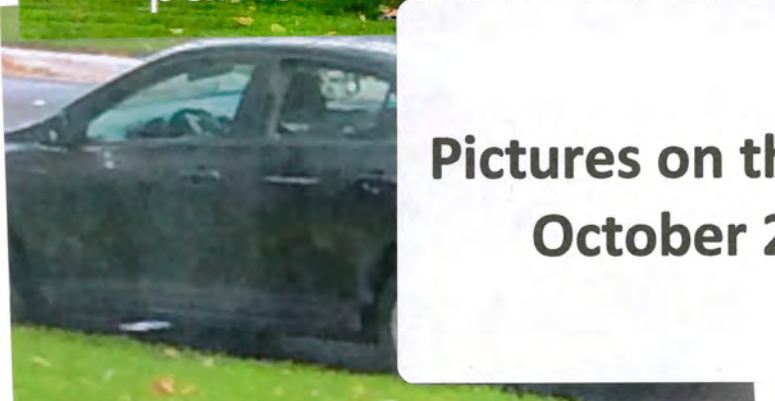
parked on bike lane blocking driveway



parked in bike lane



school bus stopped in order to get around parked cars to avoid oncoming tra



parked in bike lane on wrong side

Pictures on this page from October 2017 only



parked in private driveway



bus must move to other lane to avoid parkd cars



silver car parked sideways in private driveway



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

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

172 and 174 Victoria Street - Request to remove a structure from the Municipal Register of Non-Designated Heritage Properties

Staff Report

Report Number: 2018-23

Department(s): Planning and Building Services

Author(s): D. Ruggle, Senior Planner, Community Planning

Meeting Date: April 9, 2018

Recommendations

1. THAT Development and Infrastructure Services/Planning and Building Services Report 2018-23 dated April 9, 2018 regarding 172 and 174 Victoria Street and the owners request to demolish the structure listed on the Municipal Register of Non-Designated Heritage Properties be received and the following recommendation(s) be adopted:
2. THAT Council permit the removal of 172 and 174 Victoria Street from the Municipal Register of Non-Designated Heritage Properties of Interest subject to the owner of the property providing a photograph inventory of the dwellings interior and exterior; and
3. THAT Mitch Sauder, 17-1100 Gorham Street, L3Y 8Y8 be notified of this action.

Purpose

The purpose of this report is to provide Council with information and a recommendation regarding the property owners request to have the property at 172/174 Victoria Street removed from the Register of non-designated Municipal Properties.

Background

The owner of 172/174 Victoria Street have requested Council remove the property from the Town's Municipal Register of Non-Designated Properties to allow for the demolition of the semi-detached dwelling on the lands. The demolition of a building that is listed on the Register requires Council's approval. Owners of listed properties must give the Council at least 60 days notice of their intention to demolish or remove a building or structure on the property. This allows time for council to decide whether to begin the designation process or consent to the permit request. If Council does not proceed to initiate the process to designate the property, the property will be removed from the Register and the demolition will be permitted.

172/174 Victoria Street contains a 1.5 storey semi detached structure with a stucco exterior on a stone rubble foundation, built circa 1875. It has a gable roof with gables centred on each side of the semi-detached dwelling.

Discussion

Committee of Adjustment

An application for severance and Minor Variance were submitted to Committee of Adjustment in November 2018. The hearing occurred on December 13, 2017 where the committee approved the application to allow the lot to be severed and partially approved the Minor Variance request. The Committee approved the reduced lot frontage and lot area as it reflects the existing condition, but denied the other requests that would allow for a larger structure on the property.

Heritage Newmarket

At their meeting on January 23, 2018, Heritage Newmarket made the following recommendation with regard to the request to remove the application from the Municipal Register of Non-Designated Heritage Properties:

"That the Heritage Newmarket Advisory Committee recommend heritage designation of the property located at 172-174 Victoria Street due to its unique heritage character and as it is the only example of its architectural style in the Town of Newmarket."

Structural Engineers Report

The owner of the property has submitted a structural Engineering report prepared by A-D Engineering Group Ltd. which concludes that there is ongoing foundation wall movement resulting in extensive cracking in the perimeter foundation walls. The report also notes that the framing in the basement level determines that the existing loadbearing beam is inadequate to carry the required loading, resulting in sagging in

172 and 174 Victoria Street - Request to remove a structure from the Municipal Register of Non-Designated Heritage Properties

both the first and second floors. It is the opinion of the engineer that any repair/renovation program would not be feasible, and consideration be given to demolishing and rebuilding to meet current standards.

Property Evaluation

William Keetch House, is a 1.5 storey semi detached dwelling built in the Ontario Farmhouse style, noted as being constructed circa 1875. William Keetch was a local merchant.



The Ontario Farmhouse style of architecture is generally from 1830's on and heavily borrows from Gothic elements with steep roof pitches and gables. Verticality was emphasized wherever possible with features such as board and batten cladding, extra gables and pointed arches for windows and entrances.

When reviewing the property against the evaluation criteria, the William Keetch house would have some design value as it is an interesting example of a semi-detached structure with double gables. However, there does not appear to be much contextual value as the dwelling does not define the character of the area and does not appear to be linked historically or physically to its surroundings.

There is very little integrity value as it appears to have some structural issues as confirmed by a structural engineer. There does not appear to be significant historical or associative value connected to this dwelling. The property at 172/174 Victoria Street, while having some design value, does not appear to have significant heritage value to warrant full designation under the Ontario Heritage Act.

172 and 174 Victoria Street - Request to remove a structure from the Municipal Register of Non-Designated Heritage Properties

While there does not appear to be a structure in Newmarket identical to the subject dwelling, there are other examples of this style of architecture in a semi-detached format in Newmarket with similar style dwellings on Court Street and Millard Avenue.

279 281 Court St



445 and 447 Millard Ave



172 and 174 Victoria Street - Request to remove a structure from the Municipal Register of Non-Designated Heritage Properties

Options/Implications

Council have three options to deal with the requests of the property owners to have their properties be removed from the Register.

Option one: Council can remove the property from Registry as requested by the property owner. Council have the ability to add and remove properties from the register after consulting Heritage Newmarket. It would be understood that the owner of the property would be entitled to apply for and be issued a demolition permit under the normal and usual process through Building Services. If Council are of the opinion that the property does not have sufficient heritage value or interest or that designation would cause undue hardship to the owner they may remove it from the Register. Council should also consider the cost associated with designation as well as the cost associated with potentially defending the designation at the Ontario Municipal Board.

There are no financial costs associated with this option.

Option two: Council can direct staff to initiate the heritage designation process under the Ontario Heritage Act for the property. There are no requirements under the *Ontario Heritage Act* to seek or receive consent of a property owner to designate property for its cultural heritage value.

To ensure owner rights, Council's designation of a property is appealable to the Ontario Municipal Board.

If Council pursue this option, there are costs associated with this decision. The formal property research completed by a Heritage Professional would cost approximately \$2,500-\$3,000. There are minimal costs associated with notices in the newspaper and other incidental processing costs. There may also be costs associated with defending the designation at the Ontario Municipal Board if an Owner files an appeal.

Option three: Council can leave the property on the Register and make a determination at such time a demolition permit is submitted. Council may want to simply leave the properties on the Register for now. As there has not been an application for a demolition permit for the property, Council are under no obligation to make the decision to remove or designate at this time. However, this option is not recommended as it does not provide the certainty the residents' desire regarding their future ability to make changes to their property.

Conclusion

Staff are recommending that Council permit the removal of 172 and 174 Victoria Street from the Municipal Register of Non-Designated Heritage Properties of Interest subject to

the owner of the property providing a photograph inventory of the dwellings interior and exterior.

Business Plan and Strategic Plan Linkages

The recommendations of this report assist the Town in meeting its vision of being:

Well Balanced by ensuring Newmarket's rich built history is acknowledged and preserved through designation and/or documentation.

Consultation

Heritage Newmarket have provided their comments as required by the Ontario Heritage Act.

Human Resource Considerations

N/a

Budget Impact

There is no budget considerations as a result of the recommendations of this report.

Attachments

None

Approval



Commissioner Development and Infrastructure



Director of Planning and Building Services
Services



Senior Planner – Community Planning

Contact

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

172 and 174 Victoria Street - Request to remove a structure from the Municipal Register of Non-Designated Heritage Properties



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

Development Application – 172-178 Old Main Street Staff Report

Report Number: 2018-25

Department(s): Planning & Building Services

Author(s): Meghan White

Meeting Date: April 9, 2018

Recommendations

1. That Report 2018-25 dated April 9, 2018 regarding Applications for Draft Plan of Subdivision and Zoning By-law Amendment for 172-178 Old Main Street be received and the following recommendation(s) be adopted:
2. That approval be given to Draft Plan of Subdivision 19TN-2018 002, subject to the schedule of conditions set out in Appendix "A" attached to and forming part of this Report;
3. That the approval for Draft Plan of Subdivision 19TN-2018 002 shall only be issued upon the execution of a "No Pre-Sales Agreement" by the Owner of the said Draft Plan with the Town of Newmarket;
4. That the application for Zoning By-law Amendment as submitted by Azure Homes for lands municipally known as 172-178 Old Main Street be approved and that staff be directed to prepare the necessary Zoning By-law Amendments, including the necessary Holding Provisions; and,
5. That Angela Sciberras, #202–520 Industrial Pkwy S, Aurora Ontario, L4G 6W8 and Azure Homes, 82 Boothbay Crescent, Newmarket Ontario, L3Y 1Y5 be notified of this action.

Executive Summary

Staff are recommending approval of the submitted applications for Zoning By-law Amendment and Draft Plan of Subdivision approval for plan of subdivision containing 12 dwelling units, stormwater management facilities and natural heritage preservation and

renewal. The applications have been reviewed by internal departments and external agencies providing comments and draft plan conditions as appropriate. As servicing has not been allocated to this proposal, the proposed zoning by-law amendment includes the Holding Provision under the Planning Act to ensure allocation is provided prior to final approval for registration. As required, the Conditions of Draft Plan Approval are attached to this report identifying the standard conditions along with those specific to this development which are discussed in the body of the report.

Purpose

The purpose of this report is to recommend Council approve the applications for Draft Plan of Subdivision and Zoning By-law amendment for the subject lands.

Background

Location

The subject land is located on the north-east side of Old Main Street, north-west of Bexhill Road, being Part of Lot 97, Concession 1, EYS, municipally known as 172 and 178 Old Main Street (see location map attached).

Proposal

Applications have been submitted for a Zoning By-law Amendment and Draft Plan Approval. The applicant is proposing to rezone the subject lands to protect a wooded area and permit the construction of 6 semi-detached dwellings, for a total of 12 new homes. The applicant is requesting site specific zone standards based on the proposed development. There are two existing single detached dwellings on the subject land. The dwelling at 172 Old Main Street will be demolished and the dwelling at 178 Old Main Street (more northerly property) will be retained. The figure below shows the proposed subdivision layout and approximate location of the building footprints.



Site Description

The subject lands are comprised of two parcels and have an approximate area of 7,500 square metres, with a lot frontage of approximately 107 metres on Old Main Street. There is currently a single detached dwelling on each property.

The subject site has a significant rise in grade from street level west towards the cemetery. The rear or westerly part of the site is tree covered forming part of the woodlot located on the adjacent cemetery property. The remainder of the subject site is manicured lawn; and in the case of 178 Old Main Street, is improved with a paved driveway, retaining walls, garden patio and planting beds.

The surrounding land uses are:

North: St. John's Cemetery

South: across Old Main Street, properties zoned OS-2 and a 4 storey residential condominium building on the east side of Main Street North at Bexhill Road (155 Main Street North)

East: residences on Bexhill Road

West: existing low density residential dwellings (along Old Main Street)

Discussion

Community Consultation

The Statutory Public Meeting was held on June 19, 2017 where comments focused on the following:

Increased Traffic – The traffic impact was studied as part of the process and the results of the traffic analysis are discussed under the Engineering Review section of this report.

Compatibility, Scale, Density – The Town's Official Plan speaks to ensuring compatibility by requiring new lots be of a similar size and scale as the existing. In this case, the development is retaining one of the existing single detached homes on the properties, creating a buffer between the new homes and the existing residents. A standard requirement for new subdivisions is to have the applicant create, to the Town's satisfaction, architectural control guidelines. These guidelines will regulate the floor heights and exterior façades of the dwellings to ensure the built form respects the existing character of the area (including perceived heights). As this is an infill development, the styling of the façades should reflect the existing character of homes.

Historical Context – This area has been developed for a long time. Development and re-development has taken place haphazardly and organically over the years resulting in a diverse and eclectic mix of housing styles and ages. Additional changes and adding new housing stock is not out of keeping with how this neighbourhood has changed over the years.

Woodlot and Tree Preservation – The entire properties of 172 & 178 Old Main Street are zoned R1-B and the trees on the property are not protected. If the new zoning by-law is approved the treed area will be under an environmental protection zone which substantially limits development compared to the existing R1 zone. The trees will be better protected under the new zoning than they are currently. Should Council, in future, put a private tree cutting by-law in place, this will strengthen the protection of these trees.

Detailed mapping was obtained from the Region of York regarding the approximate location of the woodlot boundaries. This boundary, as it pertained to the subject site,

was ground-truthed with representatives of the LSRCA and the applicant's environmental consultant, WSP Canada Inc. The LSRCA identified a minimum 3.0 m "no touch" area adjacent to the woodlot edge that will not permit any grading, disturbance, tree removal etc. This area will also be subject to the environmental protection zone, which only allows conservation uses.

An additional buffer area of 7.0 m or more has been provided with the exception of specific locations that were acceptable to the LSRCA. This buffer zone of approximately 7 metres will be zoned Open Space, it will allow for some disturbance and some accessory structures (i.e. a shed and/or patio would be permitted but a pool will not). This area will form the back yard amenity space for 10 of the units. Two of the units (those closest to Bexhill) will not have any buffer zone. The building envelope for the house will directly abut the environmental protection zone. Any purchasers of these units will have to be made aware that they will not have space for accessory structures. There will be warning clauses registered on title through the subdivision agreement. By providing for a reduction in the buffer in key locations, the applicants have provided additional "no touch" areas allowing for extensive tree planting. The LSRCA is supportive of this initiative.

Stormwater Management - Stormwater management has been extensively studied and reviewed through the process. It is further discussed under the Engineering Review section of this report.

Staff have received other comments before and after the public meeting, generally they were focused on similar statements that were heard at the public meeting.

Residents and Weston Planning Consultants have offered FSI calculations of the new lots. The Town's Zoning By-law does not regulate low density lots by FSI, thus there is not a recommended standard to measure against for this kind of built form. The Zoning By-law sets the building envelope by rear yard, front yard, side yard setbacks and a maximum lot coverage. The Zoning By-law directs that when lot coverage and Floor Space Index are calculated, the total lot area, not just the developable area, is considered. Staff considered putting the environmental protection lands into public ownership. However, due to the maintenance cost, the limited connectivity to other public areas, limited opportunity for trails due to the steep topography, and access issues (i.e. there is no public road access to those lands) it was deemed not to be in the best interest of the Town to take it on as another asset. Therefore it is recommended the land remain in private ownership and contributes to the lot coverage calculation required by the Zoning By-law.

The Town has received multiple submissions on this application from residents and property owners of Old Main Street. The comments represent a division of opinion regarding development on this street. Some residents have retained a planning consulting firm and submitted a letter outlining concerns with the development, some of

the concerns are addressed in public meeting section and others are addressed below. However, staff also received submissions from residents who are not opposed to re-development.

Provincial Policy Statement

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. Decisions affecting planning matters “shall be consistent” with this policy statement. The PPS is intended to be read in its entirety and the relevant policies are to be applied to each situation.

Section 1.1.3 of the PPS relates to settlement areas being the focus of growth and promoting their vitality and regeneration. The PPS encourages municipalities to provide for a mix of residential uses. The PPS also encourages infill developments, where appropriate, to ensure efficient use existing infrastructure and services as opposed to building new roads and putting in new pipes for greenfield development.

Section 2.1 of the PPS, the Natural Heritage Section, is relevant as it indicates that development shall not be permitted in significant woodlands south and east of the Canadian Shield, unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions. Significant, in regard to woodlands, means “...an area which is ecologically important in terms of features such as species composition, age of trees and stand history; functionally important due to its contribution to the broader landscape because of its location, size or due to the amount of forest cover in the planning area; or economically important due to site quality, species composition, or past management history”.

Staff and the LSRCA have worked with the developer to preserve a portion of the existing woodlot on the subject land and have included conditions of approval that will assist in ensuring the future health of the remaining woodlot as well as compensating for any loss. Staff and the LSRCA are satisfied that the environmental protection zone and buffers will adequately mitigate any negative impacts and the woodlot’s ecological function will continue.

The application for a residential development is consistent with the Provincial Policy Statement.

Regional Official Plan

The property is located within the Urban Area of Newmarket under the Regional Official Plan. This designation allows for urban development. In addition, the westerly portion of the subject site is designated as “Woodland” in the Regional Official Plan.

The Region's detailed mapping of the woodland designation boundary was ground-truthed by the applicants' environmental consultant together with representatives of the Lake Simcoe Region Conservation Authority (LSRCA).

The woodland is larger than 0.50 hectares (estimated at approximately 3.28 ha); and, does not directly support globally or provincially rare plants, animals or communities, threatened or endangered species; and, is not within 30 metres of a wetland. It is identified as a "cultural" woodland by the applicant's environmental consultant. Based on the above, and as further outlined in the EIS, the woodland is not considered regionally "significant". Based on Regional policy, development and site alteration would be permitted within the woodland area subject to the preparation of a woodland compensation plan which demonstrates a net gain in woodland area. However, as the Town's Natural Heritage policies are more stringent than the Region's staff are recommending approval of the proposed OS-EP zone that will prohibit site alteration in the wooded area.

Town's Official Plan

The subject lands are designated Stable Residential and Natural Heritage by the Official Plan.

The Stable Residential designation permits the semi-detached units contemplated by the applicant. The objectives of the Stable Residential designation are to provide for a range of residential accommodations by housing type, tenure, size, location and price ranges and encourage the provision for a range of innovative and affordable housing types, zoning standards and subdivision design. The Official Plan in Section 3.7 allows for intensification and infill development in Stable Residential areas that is compatible with the surrounding neighbourhood. Based on the work completed by the applicant and with the architectural control guidelines required by the draft plan conditions, staff are satisfied that the proposal is compatible.

The rear or westerly portion of the subject site is designated Natural Heritage by the Official Plan as it is part of a woodlot. The Natural Heritage System designation aims to preserve the Town's woodlots. Development adjacent to a woodlot is permitted if an EIS has demonstrated that there will be no negative impacts on the natural features. The applicant has submitted the required environmental studies which have been reviewed by staff and the Lake Simcoe Region Conservation Authority. The Region, the Conservation Authority, and the applicant have confirmed the developable area on the property.

The Official Plan speaks to not permitting development within Natural Heritage Areas. New lot creation is typically considered "development". The Official Plan offers guidance and direction to Council and landowners. The intent of the policy is to preserve and protect the Natural Heritage features (in this case a woodlot). By implementing the

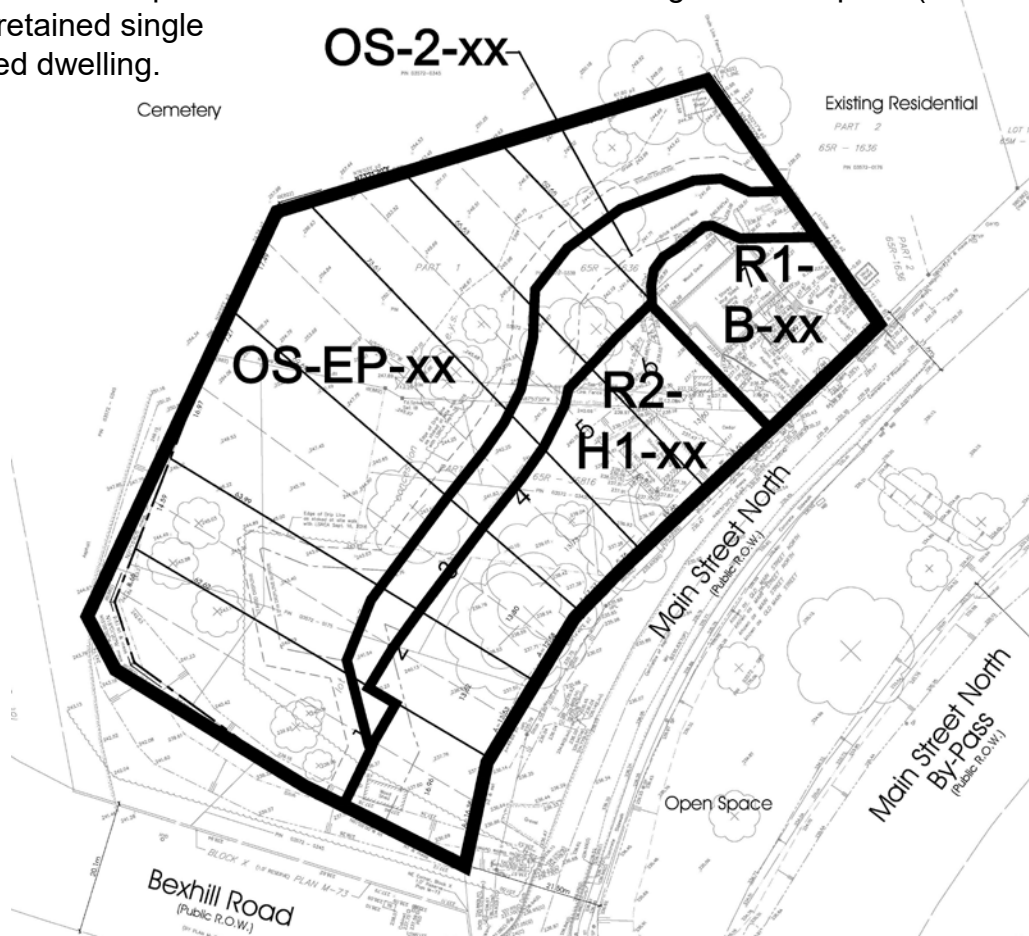
zoning proposed through this development application, the woodlot has stronger protections compared to the existing zoning, thus more fully implementing the intent and purpose of the Official Plan's policies.

Zoning By-law Considerations

The subject lands are currently zoned Residential Detached Dwelling 30m (R1-B) Zone by By-law 2010-40. The applicant is proposing four new zones to reflect the proposed redevelopment and protected natural heritage feature.

Two Open Space zones are proposed to protect the wooded area and provide a buffer from the developable area to the woodlot. As per the figure below, the majority of the site will be in the Open Space Environmental Protection Exception (OS-EP-xx) Zone. There is a buffer zone between the protected area and the area disturbed for construction; a site specific Open Space 2 Exception (OS-2-xx) Zone.

Two residential zones are proposed. A site specific the Residential Semi-Detached Dwelling 13.6m Exception (R2-H-xx) with site specific provisions reflecting the proposed built form for the new semi-detached dwellings. The applicant is proposing side yard setbacks of 0.90m for each side of the buildings for a total of 1.80m separation between them. And a site specific Residential Detached Dwelling 30m Exception (R1-B-xx) zone for the retained single detached dwelling.



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

Staff have reviewed Section 16.1.1, policy 3 in the Official Plan with regards to the Zoning By-Law Amendment. That policy states that: In considering an amendment to the Zoning By-Law, Council shall be satisfied that:

a. the proposed change is in conformity with this Plan;

The proposed use is permitted in the Stable Residential designation and as a result of the review and analysis of the submitted studies and reports, staff are recommending approval of the zoning by-law amendment and draft plan of subdivision as the proposed zoning will better implement the intent of the Official Plan versus the zoning in place today. All relevant policies of the Official Plan have been addressed. Therefore it is staff's opinion that the proposed change is in conformity with the Official Plan.

b. the proposed use is compatible with adjacent uses, and where necessary, buffering is provided to ensure visual separation and compatibility between uses;

The proposal is generally compatible with the surrounding land uses. An existing dwelling is being maintained and will act as a buffer between new and existing residences.

c. potential nuisance effects upon adjacent uses are mitigated;

Nuisance effects typically refer to impact of noise and airborne particles on occupiers of neighbouring properties, usually from employment uses. It is not anticipated that this development will cause any nuisance effects with the exception of construction activities which will be addressed in a construction management plan at the detailed design stage.

d. adequate municipal services are available;

The new lots will be connected to the Town's water and wastewater infrastructure. Servicing is further discussed below.

e. the size of the lot is appropriate for the proposed use;

The proposed development can be appropriately accommodated on these lands by providing reasonable house sizes, amenity areas, stormwater management and preservation of the woodlot.

- f. the site has adequate road access and the boundary roads can accommodate the traffic generated;**

A traffic analysis was submitted and reviewed as part of this application process. It has been determined that the traffic impacts are minimal.

- g. the on-site parking, loading and circulation facilities are adequate; and,**

Driveways and garages will be provided to ensure adequate parking. No new roads are proposed.

- h. public notice has been given in accordance with the *Planning Act*.**

Public Notice was provided in accordance with the *Planning Act* by providing direct mail out to the surrounding community and Notice signs being erected on the property. The Statutory public meeting was held on June 19, 2017.

Draft Plan of Subdivision

The applicant has applied for a Draft Plan of Subdivision to create 6 semi-detached, residential lots comprising of 12 dwellings. The existing dwelling located at 178 Old Main Street will be retained. Through the subdivision application process it is proposed to re-align the property line between 172 and 178 Old Main to provide for more regular shaped lots. Each dwelling will have direct driveway access to Old Main Street.

Parkland

No land dedication is proposed for this development therefore Parkland Dedication shall be provided in the form of cash-in-lieu.

Engineering Review

Roads and Traffic

Old Main Street is a local road. A minimum right-of-way width of 18.0 m is typically required for local roads. The Town would typically require the road to be urbanized along the frontage of this development. The urbanized section would connect to Bexhill Road which is currently urbanized. A hybrid road section with bioswales on the west side of the road and curb and gutter and sidewalk on the east side will be implemented for this subdivision. The limit of the road allowance along the frontage of this development will be determined at the detailed design stage after the bioswales have

been sized. The Developer will be required to reconstruct the entire roadway along the frontage of this development from the intersection of Bexhill Road to the north limit of disturbance, with a hybrid standard to the satisfaction of the Director of Engineering Services.

The Traffic Safety Review/Audit report has been submitted concludes that the proposed development can be adequately accommodated with minimal traffic impact to the adjacent public roadway.

Stormwater Management

Old Main Street is currently serviced by a ditch system and does not contain any storm sewers. Drainage from the site currently splits with some drainage flowing to the north, along the west side of Old Main Street and the remaining drainage flowing to the south, along the west side of Old Main Street to a ditch inlet catchbasin located at the northwest corner of Old Main Street and Bexhill Road.

The drainage flowing to the north ultimately drains across Old Main Street and flows easterly to culverts crossing the Main Street North By-pass. The ditch inlet catchbasin at Bexhill Road is connected to a storm sewer that outlets to a ditch on the east side of the Main Street North By-pass.

Based on groundwater level testing carried out to date, it appears the groundwater levels on the site are relatively high and will have an impact on the proposed house siting elevations. Groundwater will also have an impact on the stormwater management design.

The stormwater design for the proposed subdivision will utilize bioswales and a foundation drain collector sewer. The design has evaluated the impact of post development surface water runoff and groundwater that may contribute to the storm conveyance system.

Bioswales will be constructed along the frontage of Lots 1 through 5 to provide quantity and quality control. A foundation drain collector sewer will be constructed below the bioswales and will outlet to the catchbasin at the corner of Bexhill Road and Old Main Street. All units will have storm laterals connected to the foundation drain collector sewer. At detailed design, all basement floor elevations will be set a minimum 0.50 m above the bioswale 100-year ponding elevation.

Due to the fixed elevation of the downstream storm sewer, the foundation drain collector sewer will be shallow at Lots 4, 5 and 6. The sewer will be insulated in this area. In addition, these lots will be equipped with sump pumps which will discharge to grade along the side yards. The sump pumps are intended to be a backup measure to provide protection for the dwellings should the foundation drain collector sewer freeze. It should be noted that groundwater levels are typically lower during the winter months when the foundation drain collector would be most susceptible to freezing and the sump pumps are not expected to operate frequently.

The proposed design shifts the drainage divide such that the drainage area discharging to the north will be reduced from the existing condition. No stormwater controls are required for the lands discharging to the north. Drainage conditions in the vicinity of 178 and 186 Old Main Street are to be reviewed at the detailed design stage with ditch and culvert improvements/replacement being carried out as deemed practical.

The Functional Servicing Report (FSR) submitted in support of this development has demonstrated that an adequate design can be implemented to control stormwater and groundwater flows from the proposed development such that existing downstream residential properties will not be adversely impacted.

It is noted that the Public Works Department will be performing maintenance in this area. This should result in an improvement to the storm drainage over existing conditions.

Sanitary and Water Services

Sanitary sewage from the proposed development is proposed to discharge to the existing 250 mm diameter sanitary sewer on Old Main Street. The Public Works Department has advised that there is no history of surcharging in the existing sanitary sewer. The proposed method of providing sanitary servicing is acceptable.

An existing 200 mm diameter watermain exists on the west side of Old Main Street. The existing watermain should be adequate to service the proposed development. Flow and pressure testing is to be carried out at the detailed design stage.

Servicing allocation has not yet been granted to this development.

Grading

There is significant drop in elevation (23 m) from the rear of the proposed lots to Old Main Street. The rear half of the lots (approximately) are woodlot and will remain undisturbed. Front walk out type dwellings will be constructed on the lots to best match the topography.

A retaining wall with an approximate height of 0.5 to 2.5 m will be constructed at the rear of the rear lot amenity area. The wall will be owned and maintained by the homeowners. This wall will be necessary to create a useable amenity area with a 5 m depth for Lots 2 to 6. The useable amenity area for Lot 1 will be less than 5 m.

Notices in Purchase and Sale offers and warning clauses registered on title will be required advising perspective purchasers of the limited amenity space.

The FSR notes that additional field testing will be required to determine groundwater levels at the proposed lots to establish the minimum basement elevations for the proposed units. The final house elevations will be determined once the additional information is available.

The Applicant has requested that 0.9 m side yards be permitted between lots. Maintaining adequate side yard widths is critical in this subdivision given that access

may be required in the future for equipment to maintain the retaining walls. The Applicant has agreed to provide access easements over the neighboring lot side yards and to restrict fence construction to the rear yards with rear yard fencing commencing behind the rear building face. Notice in Purchase and Sale offers and warning clauses registered on title will be required advising perspective purchasers of these requirements.

Lake Simcoe Region Conservation Authority

The Lake Simcoe Region Conservation Authority are satisfied with the proposed Zoning By-law Amendment and Draft Plan of Subdivision and have provided a number of conditions to be addressed prior to final approval of the plan for registration. The conditions of draft plan approval are appended to this report.

Region of York

York Region have no objections to the proposed Zoning By-law Amendment and Draft Plan of Subdivision subject to the provided conditions of draft plan approval. The Region also require an agreement to be entered into committing the owner to not enter into any agreements of purchase and sale with end users for the subject lands until such time as servicing allocation has been confirmed.

Draft Plan Conditions

Staff are recommending the usual and standard draft plan conditions for this application. Of note and specific to this development are conditions requiring warning clauses that will be registered on title to advise future residents of “out of the ordinary” situations. Warning clauses will speak to, including but not limited to the following:

- The railway nearby;
- Limited placement of accessory structures (two units won't have any accessory structures);
- Warning clause about “no touch” environmental protection zone;
- Easements for access to maintain retaining walls;
- No fences between houses; and
- The LID features in the road allowance

Conclusion

Staff are recommending Council approve the applications for Draft Plan of Subdivision approval and Zoning By-law amendment for the subject lands.

Business Plan and Strategic Plan Linkages

The development of this parcel of land is in accordance with the Newmarket Official Plan and has linkages to the Community Strategic Plan as follows:

Living Well: protecting and enhancing environmentally sensitive features

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

Well-Planned & Connected: implementing the policies of the Official Plan.

Consultation

This application was circulated to internal departments and external agencies for comment. The statutory public meeting was held on June 19, 2017. Community concerns are discussed in this report under the “Community Consultation” section of this report.

Human Resource Considerations

n/a

Budget Impact

Operating Budget (Current and Future)

The appropriate planning application fees have been received for Zoning By-law Amendment and Draft Plan of Subdivision. The Town will also receive revenue from development charges and assessment revenue with the development of this subdivision in the event the applications are approved.

Capital Budget

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

Attachments

Location map

Draft Plan of Subdivision

Conditions of Draft Plan Approval

Approval

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



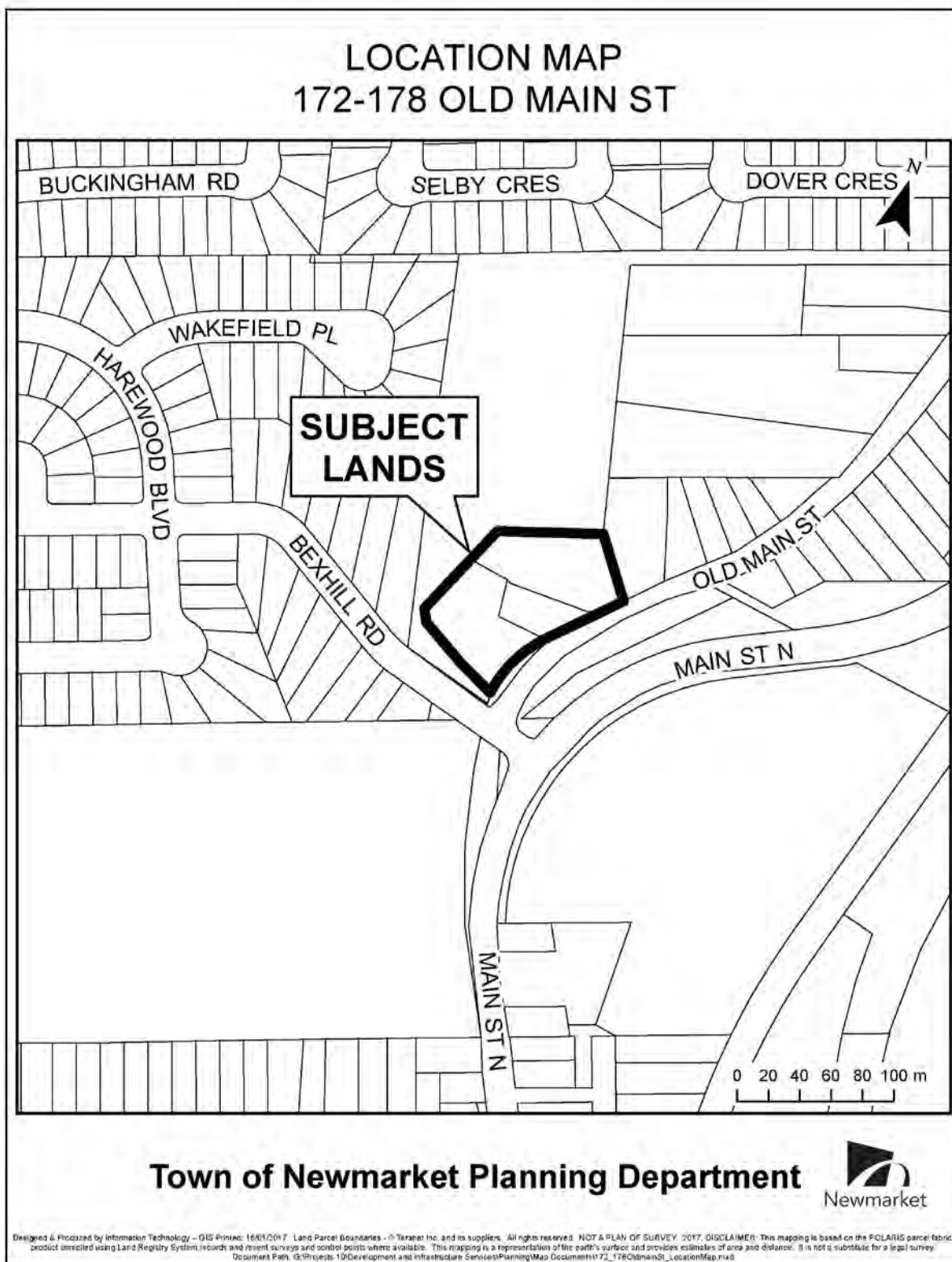
Rick Nethery, BES, MCIP RPP
Director of Planning and Building Services



Meghan White, MCIP RPP
Planner

Contact

Meghan White, Planner mwhite@newmarket.ca or 905-953-5300 x 2460.



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THE CONDITIONS OF THE COUNCIL OF THE TOWN OF NEWMARKET TO BE SATISFIED PRIOR TO RELEASE FOR REGISTRATION OF PLAN OF SUBDIVISION 19TN 2018 002 ARE AS FOLLOWS:

General

- (1) That draft approval shall relate to the draft plan of subdivision prepared by MSH Planning Consultants, dated December 1, 2016 (revised May 5, 2017) showing Lots 1 through 6 inclusive for semi-detached dwellings, and Lot 7 for an existing single detached dwelling.
- (2) The Owner shall enter into a subdivision agreement with the Town of Newmarket, agreeing to satisfy all conditions, financial and otherwise, of the Town of Newmarket; prior to final approval, the subdivision agreement will be registered by the Town of Newmarket against the lands to which it applies as provided for in the *Planning Act*.
- (3) The Owner shall agree in the Subdivision Agreement that lot geometry and street alignments and the total number of lots may have to be varied or adjusted to accommodate the Subdivision design, to the satisfaction of the Town and all other authorities having jurisdiction in the matter. The Owner shall further agree that as a result of revisions to the Plan of Subdivision it may be necessary to amend or revise the other conditions of draft approval accordingly.
- (4) Prior to final approval the Owner shall demonstrate that arrangements for the provision of external roads and municipal services have been made to the satisfaction of the Director of Engineering Services and all other authorities having jurisdiction.
- (5) The Owner shall agree in the Subdivision Agreement to make payment to the Town for all applicable Development Charges, in accordance with the Town's Development Charges By-law which is in effect at the time.
- (6) Prior to final approval, arrangements shall be made to secure permanent access to a public highway to this draft plan of subdivision by way of a dedicated, constructed and paved public roadway, to the satisfaction of the Director of Engineering Services, the Municipal Solicitor and, if applicable, the Regional Municipality of York.

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- (7) The lands within this draft plan of subdivision shall be appropriately zoned by a zoning by-law which has come into effect in accordance with the provisions of the *Planning Act*. The Holding provisions of Section 36 of the *Planning Act* may be used in conjunction with any zone categories to be applied to the subject lands in order to ensure that development does not occur until such time as the Holding "H" symbol is removed in accordance with the provisions of the *Planning Act*. The Zoning Bylaw Amendment shall specify the terms under which Council may consider the removal of the Holding "H" symbol, in accordance with Official Plan policy; said terms may include:

- (i) Confirmation that there is sufficient servicing capacity to accommodate the draft plan or any phase thereof and that said servicing capacity has been allocated to the subject lands;
- (ii) All required agreements between the Owner and the Town of Newmarket have been executed by both parties and can be registered on title;
- (iii) All necessary approvals have been received from all other agencies and/or government bodies;
- (iv) Represents a logical and orderly progression of development; and;

such other matters as may be deemed appropriate by the Council of the Town of Newmarket.

- (8) Such easements as may be required for public utility, servicing or drainage purposes shall be granted to the appropriate authority, without monetary consideration and free of all encumbrances.
- (9) Prior to Final Approval the Owner shall agree to prepare a Tree Preservation, Protection, Replacement and Enhancement Plan to the satisfaction and acceptance by the Town of Newmarket. The Owner shall further agree prior to Final Approval not to remove any trees without the written approval of the Director of Planning and Building Services of the Town of Newmarket, as directed by Council, and carry out or cause to be carried out the recommendations made in the said accepted Plan. In the event that a tree identified as "preserved" on the Plan is destroyed or irreparably damaged, as determined by the Town of Newmarket, as a result of construction, tree planting and/or other associated works, the

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Owner shall agree in the subdivision agreement to replace such a tree with one of suitable species, health and size to the satisfaction of the Town of Newmarket.

- (10) The Owner shall agree in the Subdivision Agreement that all lots or blocks to be left vacant for longer than a specified length of time, and all portions of public highways which are not paved, together with all drainage swales, shall be graded, seeded and/or sodded, and maintained to the satisfaction of the Director of Engineering Services. The Owner shall further agree in the Subdivision Agreement that the balance of lands subject to later phases of development shall be maintained in accordance with the Property Standards Policies and By-laws of the Town, and that such measures such as signage and/or fencing may be required to ensure no unauthorized dumping, filling or access in relation to the lands occurs.
- (11) Prior to final approval the Owner shall provide, to the satisfaction of the Town of Newmarket, comprehensive urban design/architectural design guidelines dealing with such matters as street furniture, streetscape, boulevard planting, pedestrian linkages, bicycle paths, entrance features and architectural compatibility within the development and with adjacent development.
- (12) The Owner shall agree in the subdivision agreement to establish an urban design/architectural review and implementation protocol to be carried out during the construction of the plan to the satisfaction of the Town of Newmarket
- (13) Prior to the registration of this draft plan of subdivision or any phase thereof, the Owner shall have a professional consulting engineer submit to the Town of Newmarket for review and acceptance a report or reports describing the manner in which stormwater will be conveyed from the site, including overland flow routes, storm drainage outlets and any other stormwater management techniques that may be required in accordance with the Provincial "Stormwater Quality Best Management Practices", the "Stormwater Management Practices Planning and Design Manual" and as outlined in the reports submitted in support of the draft plan application. The report shall address both water quantity and quality, particularly the impact of the proposed stormwater management techniques on the water quality of receiving waters as it relates to fish and fish habitat. In addition, the report or reports shall detail the means whereby erosion and siltation and their effect will be minimized on the lands within this draft plan of subdivision both during

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and after the construction period. Further, the Owner shall agree in the subdivision agreement to carry out or cause to be carried out, the recommendations and measures of the said report(s), as accepted by the Town, and to maintain all stormwater management and erosion and sedimentation control structures operating and in good repair, during the construction period, in a manner satisfactory to the Town of Newmarket.

- (14) The Owner shall agree in the subdivision agreement to include a clause on all offers of purchase and sale in wording acceptable to the Town of Newmarket for any lots abutting the stormwater management facilities (including low impact development bioswales), the prime purpose of which is water quality and quantity control, advising of the function of the area and that the area may require maintenance to retain it's proper function.
- (15) Prior to final approval a soils report shall be prepared, at the Owner's expense, to the satisfaction of the Town of Newmarket.
- (16) The Owner shall agree in the subdivision agreement to have a professional Consulting Engineer prepare an Engineering Report or Reports, to the satisfaction of the Town of Newmarket, identifying the specific means by which water distribution, sanitary drainage, including storm water management and overland flow routes, grading, roads and sidewalks will be provided, including the identification of any blocks and/or easements that will be required for municipal servicing and/or storm drainage. A water distribution analysis shall be included to confirm that flows and pressures in accordance with the Town of Newmarket Standard will be attained for all lots and blocks in this plan of subdivision. The report shall also analyse water quality and make recommendations regarding watermain sizing and looping required to ensure that potable water is available at all times once the watermain is commissioned in this subdivision. Further, the Owner shall agree in the subdivision agreement to be responsible, financially and otherwise, for the implementation of all recommendations set out in the said reports, as accepted, including any lot redesign that may be necessary, to the satisfaction of the Town of Newmarket and all other authorities having jurisdiction.
- (17) The Owner shall agree in the subdivision agreement to have a qualified consultant prepare, to the satisfaction of the Town of Newmarket, a Noise Impact and Attenuation Study. Further, the Owner shall agree in the subdivision agreement that any noise attenuation measures

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including warning clauses and any noise control features, including landscaping, berming and/or screening for aesthetic purposes, which are recommended by the said approved study and as accepted by the Town, shall be implemented at the Owner's expense.

- (18) Prior to commencement of the construction including grading or pre-servicing of this plan or any portion thereof, the Owner shall submit to the Town of Newmarket a report from a Qualified Person (QP) as defined by the Ministry of the Environment, stating that to the best of the QP's knowledge all lands within the Plan of Subdivision, including all lands and easements to be conveyed to the Town and/or other public authority, and any lands to be used for development purposes or retained in private ownership, are free of any Hazardous Substance, as defined by the Town. A Phase 1 Environmental Site Assessment (ESA) specifically addressed to the Town, together with any subsequent Assessments as are required may be considered acceptable. The aforementioned Phase 1 ESA and related work shall be completed as per O. Reg. 153/04 as amended or a successor thereto. The Environmental Certification shall be accepted by the Town, and any other authority having jurisdiction in the matter, prior to the commencement of any development or construction on the lands, including any grading, pre-servicing, and/or model homes.
- (19) In the event that the Phase 1 ESA identifies the potential for any Hazardous Substance on, near or adjacent to the Plan, prior to Final Approval a Phase 2 Environmental Site Assessment, and/or a complete, full depth, "pristine state" clean-up of the site, including the preparation of and carrying out of a remediation/restoration plan for the Property or any affected lands nearby, and/or any other measures as deemed appropriate, shall be done to the satisfaction of the Town and any other governmental body having jurisdiction. Where a Phase 2 Environmental Site Assessment is required, it shall be done to CSA Standard CAN/CSA-Z769-00 under O.Reg. 153/04, or a successor thereto. The Owner shall agree in the Subdivision Agreement to implement such measures and/or any site clean-up and any related studies, reports and remediation plans and other requirements in accordance with all applicable Environmental Law, and at the Owner's sole expense.
- (20) The Owner shall agree in the Subdivision Agreement that where a Phase 1 ESA has been undertaken within the Plan, that did not identify any potential for any Hazardous Substance but where subsequent investigations identify Hazardous Substances on the lands within the

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Plan, a Phase 2 Environmental Site Assessment, and/or a complete, full depth, "pristine state" clean-up of the site, including the preparation of and carrying out of a remediation/restoration plan for the Property shall be carried out at the sole expense of the Owner, and to the satisfaction of the Town prior to any transfer of the lands and/or construction or development.

- (21) The Owner shall agree in the Subdivision Agreement that all Environmental Studies, Reports, Assessments and Certifications shall be subject to Peer review by the Town, at the Owner's expense.
- (22) The Owner shall agree in the Subdivision Agreement that in the event that a Hazardous Substance has been determined to exist on, or adjacent to, any portion of the Property intended to be conveyed to the Town, the Town, without relieving the Owner of the requirement to complete the transfer, may in its sole discretion instruct the Owner to do, one or more of the following:
 - (i) defer the transfer of some, or all, of the Property until such time as the clean-up requirements or other measures described herein have been completed to the Town's satisfaction;
 - (ii) provide a cash payment or other additional securities to guarantee the clean-up of the Property;
 - (iii) issue a stop work order on all construction and development related to a portion of, or the entire Plan of Subdivision;
 - (iv) undertake a Risk Assessment and/or provide a Record of Site Condition, in accordance with Ontario Regulation 153/04 under the Environmental Protection Act or a successor thereto;
 - (v) defer registration of a portion of, or the entire Plan of Subdivision;
and
 - (vi) amend the Draft Conditions of Approval for the Plan of Subdivision to deal with any unforeseen environmental issues.

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Further, the Owner shall agree in the Subdivision Agreement to carry out or cause to be carried out any of the foregoing, as may be directed by the Town. The Owner further agrees to cooperate with the Town in regards to their implementation.

- (23) Prior to any site grading and prior to final approval, a Study shall be prepared by a from a Qualified Person (QP) as defined by the Ministry of the Environment, that identifies and documents all sites and buildings of historical and/or archeological significance, and specifies preservation strategies for such sites and buildings within the Plan. This Study shall be prepared to the satisfaction of the Director of Planning and Building Services, in consultation with the Ministry of Tourism, Culture and Sport. Where suitable, such sites and/or buildings shall be incorporated into the development in a manner appropriate to their historical and/or archeological significance. The Owner shall agree in the Subdivision Agreement to carry out or cause to be carried out the recommendations and measures contained within the said Study, as accepted by the Town.
- (24) Prior to final approval, the Owner shall prepare, to the satisfaction of the Town of Newmarket, any additional studies as may be required.
- (25) The Owner shall agree in the subdivision agreement that the location and design of the construction access for the subdivision work shall be provided only as approved by the Town of Newmarket and, if applicable, the Regional Municipality of York.
- (26) Such lands as may be required for temporary road construction, permanent walkways and utility corridors and storm drainage shall be conveyed to the Town of Newmarket without monetary consideration and free of all encumbrances.
- (27) Prior to final approval and the commencement of construction, the Owner shall agree to provide to the Director of Engineering Services, for its review and acceptance, engineering drawings for, and to construct to the satisfaction of the Director Engineering Services, planned road works, watermain, sanitary and storm sewers, and stormwater management works, including approved connections to existing systems, both within and external to this draft plan of subdivision. In addition, the engineering drawings shall include site grading, construction access location(s), mud mat design, utility location plans and landscape plans. The designs contained within said engineering drawings shall be consistent with all Town accepted

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reports, studies, plans and recommendations, as contemplated in the other draft conditions contained herein. Such engineering designs shall also identify any lands external to this plan which are required to be conveyed or dedicated as easements to the Town of Newmarket either of a permanent or temporary nature.

Further, the Owner shall agree in the Subdivision Agreement to be responsible, financially or otherwise, for the construction of the above noted works. The said Subdivision Agreement shall also establish a mechanism, to the satisfaction of the Director of Engineering Services and the Municipal Solicitor, for any conveyances or dedications. Further, where any engineering infrastructure is required in environmental and/or open space areas, the Owner's consultant shall submit for the review and approval of the Town of Newmarket or any affected regulatory agency, alternative proposals which identify and evaluate the advantages and disadvantages of each alternative. Mitigation methods shall be considered and proposed which reduces impacts of the proposed works. The Owner shall agree in the Subdivision Agreement to carry out or cause to be carried out the Town accepted recommended proposals.

- (28) The Owner shall agree in the subdivision agreement that roads, services, and other works installed by the Owner shall be in accordance with the standards and specifications of the Town of Newmarket, and shall include watermains, sanitary sewage works, storm sewage works, adequate pavement width for roadways, curbs, gutters, street lighting, regulatory signs, street signs, transit facilities, community mail boxes, intersection design including daylighting or sight triangles and 0.3 metre reserves, temporary turning circles, and any other services or facilities as required.
- (29) The Owner shall provide a report to the satisfaction of the Director of Engineering Services and the Chief Building Official that confirms how adequate road access, sanitary sewers, storm drainage facilities and in particular, water supply and storage have been provided for to support the issuance of building permits and ultimately occupancy permits. Further, the Owner shall agree in the Subdivision Agreement that no building permits will be applied for, or issued, until the Director of Engineering Services and the Chief Building Official is satisfied that such services are available to service the proposed development, have been allocated by the Town, and such as has been confirmed by any other agency having jurisdiction.

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- (30) The Owner shall agree in the subdivision agreement to grant access, on reasonable terms and conditions, to any telecommunications service provider indicating an interest to locate within a municipal right-of-way.
- (31) Prior to final approval, any telecommunications service provider intending to locate within a municipal right-of-way shall enter into a Municipal Access Agreement with the Town of Newmarket to satisfy all conditions, financial and otherwise, or shall have made arrangements satisfactory to the Town of Newmarket for the execution of a Municipal Access Agreement.
- (32) The Owner shall agree in the subdivision agreement to make available to all perspective purchasers of residential units within the subdivision, and to display in a prominent location within the sales office, the following:
 - (a) the latest version of the approved draft plan;
 - (b) the proposed location of any and all sidewalks, street furniture, community mail boxes, parks (including all recreational facilities to be provided), schools, open space areas, environmental protection areas, stormwater management facilities, landscaping, entranceway features, special features such as tiered retaining walls or similar structures, special lot grading, noise attenuation measures (both internal and external to the dwelling unit), erosion control facilities, buffer areas, watercourses, accurate representations of proposed and existing surrounding land uses within 150 metres of the boundaries of the draft plan, and any proposed warning clauses or restrictive covenants to be registered on title;
 - (c) a copy of the approved zoning by-law for the lands, together with the subdivision agreement (when approved by the Town of Newmarket); and
 - (d) any other requirements as may be set out in the Subdivision Agreement.

Further, the Owner shall agree to keep all of the above material up-to-date, and reflect the most current approvals, and/or submissions regarding the plan, and/or engineering design drawings. Prior to final approval, the owner shall provide a copy of all sales material and promotional literature currently used at the sales office, along with a

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letter from the Owner/Developer confirming that the sales and promotional literature complies with all Agency and Departmental approvals obtained to date to the Director of Planning and Building Services.

- (33) The Owner shall agree in the Subdivision Agreement to abide by any servicing allocation policy as approved by the Town and amended from time to time.
- (34) Prior to final approval, the York Region District School Board shall have confirmed to the Town of Newmarket that pupil places exist within the Town of Newmarket for all pupils emanating from the subdivision.
- (35) The Owner shall agree in the Subdivision Agreement to prepare, to the satisfaction of the Town, a Homeowner's Manual which shall be distributed to all purchasers which outlines:
 - (a) the Town's waste diversion and recycling programs and proper usage of the bins;
 - (b) the environmental sensitivity of the open space areas and trail systems and provides educational material regarding disturbances from residential development and the role that individual homeowners can have such as yard waste composting, reduced fertilizer and pesticide use, natural area re-vegetation, impacts of noise and lighting, domestic pet impacts and controls, invasive plant spreading and discharge of swimming pool water.
- (36) The Owner shall agree in the Subdivision Agreement to pay the Town the cost for the recycling containers (three recycling containers, one Blue box, one Green Bin and one Kitchen collector) required for the Plan of Subdivision and provide said containers to each purchaser at the time of occupancy.
- (37) The Owner shall include a clause in all offers to purchase and sale and within the Subdivision Agreement, in wording acceptable to the Town, for all lots or blocks which contain slopes in rear yards or side yards of 3:1 or steeper, advising of the impacts on the lot useable amenity areas.
- (38) Where required by the Town, the Owner shall agree in the subdivision agreement, where applicable, to cause warning clauses, in wording

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satisfactory to the Town, to be included in all offers of purchase and sale, and to be registered on title, for all lots or blocks within the Plan of Subdivision affected by the following matters:

- (a) Limited outdoor amenity space;
- (b) Environmental protection zone;
- (c) Limited tree removal and land alteration;
- (d) Fence location;
- (e) Proximity of LID for stormwater and their roles and responsibilities;
- (f) Mail from a Community Mailbox;
- (g) Street trees;
- (h) Traffic Calming Measures;
- (i) Lots fronting on a collector road;
- (j) Transit Routes;
- (k) Temporary Cul-de-sacs and Turning Circles;
- (l) Proximity to Active Farms and Agricultural Uses;
- (m) Stormwater Management Facilities;
- (n) Subdivision Design Features and Landscaping Features and/or Special Features;
- (o) Noise;
- (p) Illumination of Athletic Fields;
- (q) Lands abutting a trail system;
- (r) Open Space Lands to remain in their natural state;
- (s) Extended Footings and Engineered Fill;
- (t) Lot Grading and Preservation of Existing Vegetation;
- (u) Basement Walk-outs and Access to Rear Yard;
- (v) Rear Lot Catch basins;
- (w) Private Gates to Open Space Areas and Stormwater Management ponds; and
- (x) Carbon Monoxide Detectors.

- (39) The Owner shall agree in the Subdivision Agreement to provide to all potential purchasers and future landowners, appropriate notice, warnings, and/or restrictions, in wording acceptable to the Town, where the Plan, or implementing design thereof, requires the construction or installation of any subdivision or landscape design features, special features and/or special landscape features, such as retaining walls, tiered retaining walls or similar structures, entrance features, special fencing, other special features or devices, special lot grading, excessive lot grading or the construction of other landforms. The manner of such notice, warnings, and/or restrictions, as determined by the Town, shall

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be set out in the Subdivision Agreement, and shall fully disclose the details of the said Features for all affected and/or abutting lots or blocks. The Owner shall agree in the Subdivision Agreement to guarantee the perpetual maintenance of the said Features, where required by the Town, with respect to the cost of maintenance and periodic renewal/replacement of such Features, and to provide for or maintain such Special Features in perpetuity. The Owner shall further agree in the Subdivision Agreement to provide easements in favour of the Town, for the purposes of maintenance, where required.

- (40) Customized house designs which respect the lot grading design will be required for all homes on lots where the grade differential between the front and rear of building exceeds 2.5 metres.
- (41) The Owner shall agree to include a clause in all offers of Purchase and Sale and to register a notice on title for all lots advising that the dwellings may be equipped with sump pumps. The prime purpose of the sump pumps is to direct/pump stormwater from the house foundations and footings to outside grade. The sump pumps are intended to be operational at all times and it is the homeowner's responsibility to maintain the said sump pump operationally at all times.
- (42) The Owner shall agree to include a clause in all offers of Purchase and Sale and to register a notice on title for Lots 2 through 6, advising that the depth of the rear yard useable amenity area for these lots shall be 5 m. In order to obtain this amenity area, a retaining wall may be located on the lot. The retaining wall is intended to maintain property grade as constructed and may not be removed or altered in any way without the prior written consent of the Town of Newmarket. The purchaser is further advised that they are responsible for maintaining the said retaining wall in a good safe condition, at their sole expense, at all times.
- (43) The Owner shall agree to include a clause in all offers of Purchase and Sale and to register a notice on title for Lot 1 advising that the depth of the rear yard amenity area for this lot shall be less than 5 m and the useable area on this lot is limited. In addition, a retaining wall may be located on the lot. The retaining wall is intended to maintain property grade as constructed and may not be removed or altered in any way without the prior written consent of the Town of Newmarket. The purchaser is further advised that they are responsible for maintaining the said retaining wall in a good safe condition, at their sole expense, at all times.

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- (44) The Owner shall agree to include a clause in all offers of Purchase and Sale and to register a notice on title for all lots advising that a 0.9 m wide side yard access easement is to be provided in favour of each neighboring lot. The prime purpose of this easement is to provide access for maintenance activities.
- (45) The Owner shall agree to include a clause in all offers of Purchase and Sale and to register a notice on title for all lots advising that no side yard fences will be permitted to be constructed adjacent to the dwelling. Any fencing constructed shall be in the rear yards and shall commence behind the rear exterior building wall face.
- (46) The Owner shall be solely responsible for all costs to design, obtain all necessary approvals and carry out the following works:
 - Clean out, or replace the buried culvert crossing Old Main Street in the vicinity of the north limit of Lot 186 to the satisfaction of the Director of Engineering Services.
- (47) The Owner shall be responsible for all costs to design and reconstruct Old Main Street to a standard suitable to the Director of Engineering Services. The width of the road allowance will be determined at the detailed Engineering Design Stage. The road will be reconstructed from its intersection with Bexhill Road to the north limit of Lot 178 or to the limit of road disturbance caused to satisfy Condition 46 as determined by the Director of Engineering Services.

Regional Municipality of York Conditions

- (48) Prior to or concurrent with draft plan approval, the owner shall enter into an agreement with the Town of Newmarket, which agreement shall be registered on title, committing the owner to:
 - A. 1. Not enter into any agreements of purchase and sale with end users (*) for the subject lands until such time as:
 - i. The Council of the Town of Newmarket has allocated, within the limit of the Regional capacity assignment, adequate available water and wastewater servicing capacities to the subject development; and,
 - ii. York Region has advised in writing that it is no earlier than twelve (12) months prior to the expected completion of all

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water and wastewater infrastructure required to support the
 Region's capacity assignment pertaining to the Town of
 Newmarket allocation used for the subject development;

or

2. The Town of Newmarket approves a transfer of servicing allocation to this development that is not dependent upon the construction of infrastructure;

or

3. The Regional Commissioner of Environmental Services and the Town of Newmarket confirm servicing capacity for this development by a suitable alternative method and the Town of Newmarket allocates the capacity to this development.

B. Not enter into any agreements of purchase and sale with non end users for the subject lands unless the agreement of purchase and sale contains a condition that requires the purchaser and any subsequent purchasers to enter into a separate agreement with the Town of Newmarket. This agreement shall be registered on title, committing the owner to the same terms as set out in item A above.

- (49) Prior to draft plan approval, the owner shall enter into an indemnity agreement with York Region. The agreement shall be registered on title, agreeing to save harmless York Region from any claim or action as a result of York Region releasing conditions and pre-conditions of draft approval as part of the draft approval of Plan of Subdivision 19T-17N03 or any phase thereof by the Town of Newmarket, including, but not limited to claims or actions resulting from, water or sanitary sewer service not being available when anticipated. The agreement shall include a provision that requires all subsequent purchasers of the subject lands, who are not end users, to enter into a separate agreement with York Region as a condition of the agreement of purchase and sale, agreeing to indemnify York Region on the same terms and conditions as the owner.

(*) the term 'end users', for the purpose of the above-noted pre-conditions, is defined as the eventual homeowner who is purchasing a dwelling for the purpose of occupancy.

- (50) York Region shall confirm that adequate water supply and sewage capacity are available and have been allocated by the Town of Newmarket for the development proposed within this draft plan of subdivision or any phase thereof. Registration of the plan of subdivision shall occur in phases based on the availability of water supply and sewage servicing allocation.

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- (51) The Owner shall agree in the subdivision agreement that the Owner shall save harmless the Town of Newmarket and York Region from any claim or action as a result of water or sanitary sewer service not being available when anticipated.
- (52) Prior to final approval, an electronic copy of the engineering drawing(s) showing the layout of the watermains and sewers shall be submitted to the Community Planning and Development Services Branch for review and record.
- (53) For all lands, the Holding (H) provisions of Section 36 of the Ontario Planning Act shall be used in conjunction with all residential zone categories in order to ensure that final plan approval and development of these lands does not occur until such time as the Holding (H) symbol is removed in accordance with the provisions of the Ontario Planning Act. The Zoning Bylaw shall specify the terms under which Council may consider the removal of the Holding (H) symbol. Said terms shall include a minimum of the following:
- The Town of Newmarket approves a transfer of servicing allocation to this development that is not dependent upon the completion of infrastructure; or,
 - York Region has advised in writing that the required infrastructure to support the capacity assignment associated with this development will be completed within a time period acceptable to the Region (usually 6 months to 36 months depending on the complexity of the development) to permit the plan registration; or,
 - The Regional Commissioner of Environmental Services confirms servicing allocation for this development by a suitable alternative method and the Town of Newmarket allocates the capacity to this development.
- (54) Prior to final approval, the Owner shall conduct and submit a Source Water Impact and Assessment Mitigation Plan (SWIAMP), to the satisfaction of the Region, to identify and address any potential water quality and water quantity threats to the municipal groundwater supplies. The SWIAMP shall be prepared by a qualified professional, to the satisfaction of Regional Environmental Services staff in the Water Resources Branch. The SWIAMP must follow the York Region document Guidance for Proposed Developments in Wellhead Protection Areas In York Region (October 2014). A SWIAMP is required for any of the

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activities listed below if they will occur on the site for the storage or manufacture of:

- (a) petroleum-based fuels and or solvents;
- (b) pesticides, herbicides, fungicides or fertilizers;
- (c) construction equipment;
- (d) inorganic chemicals;
- (e) road salt and contaminants as identified by the Province;
- (f) the generation and storage of hazardous waste or liquid industrial waste, and waste disposal sites and facilities;
- (g) organic soil conditioning sites and the storage and application of agricultural and non-agricultural source organic materials; and,
- (h) snow storage and disposal facilities.

If a SWIAMP is not required, a letter prepared by a qualified professional will be required in its place stating that the above noted activities will not be occurring.

- (55) Prior to final approval, the Owner shall provide a copy of the Subdivision Agreement to the Corporate Services Department, outlining all requirements of York Region.
- (56) The Owner shall enter into an agreement with York Region, agreeing to satisfy all conditions, financial and otherwise, of the Regional Corporation; Regional Development Charges are payable prior to final approval in accordance with By-law # 2012-36.
- (57) The Regional Corporate Services Department shall advise that Conditions 1 to 7 inclusive, have been satisfied.
- (58) Based on the proposed development of the site as described in the documentation referred to above and the information available at this time, Water Resources has no concerns with respect to the impact of the development on the groundwater quality in the area as it relates to Source Protection Policy. For the portion of the site within Wellhead Protection Area D, any of the activities listed below occurring on the site, including the storage or manufacture of the chemicals listed, require a Source Water Impact and Mitigation Plan (SWIAMP) to be submitted for approval by York Region prior to site plan approval:
 - (a) petroleum-based fuels and or solvents;
 - (b) pesticides, herbicides, fungicides or fertilizers;
 - (c) construction equipment;

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- (d) inorganic chemicals;
- (e) road salt and contaminants as identified by the Province;
- (f) the generation and storage of hazardous waste or liquid industrial waste, and waste disposal sites and facilities;
- (g) organic soil conditioning sites and the storage and application of agricultural and non-agricultural source organic materials; and,
- (h) snow storage and disposal facilities.

If a SWIAMP is not required, a letter prepared by a qualified professional will be required in its place stating that the above noted activities will not be occurring.

Lake Simcoe Region Conservation Authority

- (59) That this approval is applicable to the Draft Plan of Subdivision prepared by MSH Land Use Planning Consultants., (05/05/2017) and may be subject to redline revisions based on the detailed technical plans and studies.
- (60) That prior to final plan approval and any major site alteration, the following shall be prepared to the satisfaction of the LSRCA and the Town:
 - a) A detailed Stormwater Management Report in accordance with Lake Simcoe Region Conservation Authority Technical Guidelines for Stormwater Management Submissions and in conformity with the Stormwater Management Master Plan approved under Strategic Action 4.5-SA of the Lake Simcoe Protection Plan;
 - b) A detailed erosion and sediment control plan;
 - c) A detailed grading and drainage plan;
 - d) A Detailed Low Impact Development (LID) Evaluation demonstrating the means to maximize the use of LID measures consistent with Policy 1.6.6.7 of the Provincial Policy Statement (2014);
- (61) That prior to final plan approval, a detailed Hydrogeological Report shall be prepared to the satisfaction of the LSRCA and Town demonstrating that the anticipated changes in water balance from pre-development to post-development in accordance with Designated Policy 4.8 of the Lake Simcoe Protection Plan and the applicable

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policies of the South Georgian Bay Lake Simcoe Source Protection Plan.

- (62) That prior to final plan approval, a detailed phosphorus budget shall be prepared to the satisfaction of the LSRCA demonstrating that the anticipated changes in phosphorus loadings from pre-development to post-development will be minimized in accordance with Designated Policy 4.8(e) of the Lake Simcoe Protection Plan and the Lake Simcoe Phosphorus Offsetting Policy.
- (63) That prior to final plan approval, the owner shall demonstrate conformity with the Lake Simcoe Phosphorus Offsetting Policy to the satisfaction of the LSRCA.
- (64) That prior to final approval the provisions of the Endangered Species Act shall be addressed to the satisfaction of the Ministry of Natural Resources and Forestry.
- (65) That prior to final plan approval or any major site alteration a restoration planting plan for the vegetation protection zone to natural heritage features shall be prepared to the satisfaction of the LSRCA.
- (66) That prior to final plan approval, the owner shall implement an ecological offsetting strategy to the satisfaction of the LSRCA.
- (67) That prior to final plan approval, the owner shall successfully zone the lands containing the natural heritage feature and associated buffer to "Private Space Exception Zone" and "Environmental Protection Open Space Exception Zone", the remainder of the lands shall be appropriately zoned to reflect the residential development.
- (68) That the owner shall agree in the Subdivision Agreement to either install a cedar rail fence along the 3 metre buffer to the woodland feature or to install a chain link fence along the dripline of the woodland feature.
- (69) That the owner shall agree in the Subdivision Agreement to carry out, or cause to be carried out, the recommendations and requirements contained within the plans and reports as approved by the LSRCA and the Town.
- (70) That the owner shall agree in the Subdivision Agreement to retain a qualified professional to certify in writing that the works were

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constructed in accordance with the plans and reports as approved by the LSRCA and the Town.

- (71) That the owner shall agree in the Subdivision Agreement to ensure that proper erosion and sediment control measures will be in place in accordance with the approved Grading and Drainage Plan, and Erosion and Sediment Control Plan prior to any site alteration or grading.
- (72) That the owner shall agree in the Subdivision Agreement to grant any easements required for storm water management purposes to the Town.
- (73) That prior to final plan approval, the owner shall pay all development fees to the LSRCA in accordance with the approved fees policy, under the Conservation Authorities Act.
- (74) That prior to final plan approval, the owner shall obtain a permit from the LSRCA for any development within an area subject to Ontario Regulation 179/06 under the Conservation Authorities Act.
- (75) That the owner shall agree in the Subdivision Agreement to maintain all existing vegetation up until a minimum of 30 days prior to any grading or construction on-site in accordance with 4.20b.-DP of the Lake Simcoe Protection Plan.

Newmarket Hydro

- (76) The Owner shall agree in the subdivision agreement to make such arrangements as are satisfactory to Newmarket Hydro for the provision of hydro-electric servicing, both overhead and underground and to convey such lands and/or easements as may be required, at no cost and free from encumbrances.

Canada Post

- (77) The owner/developer will consult with Canada Post to determine suitable permanent locations for the placement of Community Mailboxes and to indicate these locations on appropriate servicing plans.
- (78) The Builder/Owner/Developer will confirm to Canada Post that the final secured permanent locations for the Community Mailboxes will not be

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in conflict with any other utility; including hydro transformers, bell pedestals, cable pedestals, flush to grade communication vaults, landscaping enhancements (tree planting) and bus pads.

- (79) The owner/developer will install concrete pads at each of the Community Mailbox locations as well as any required walkways across the boulevard and any required curb depressions for wheelchair access as per Canada Post's concrete pad specification drawings.
- (80) The owner/developer will agree to prepare and maintain an area of compacted gravel to Canada Post's specifications to serve as a temporary Community Mailbox location. This location will be in a safe area away from construction activity in order that Community Mailboxes may be installed to service addresses that have occupied prior to the pouring of the permanent mailbox pads. This area will be required to be prepared a minimum of 30 days prior to the date of first occupancy.
- (81) The owner/developer will communicate to Canada Post the excavation date for the first foundation (or first phase) as well as the expected date of first occupancy.
- (82) The owner/developer agrees, prior to offering any of the residential units for sale, to place a "Display Map" on the wall of the sales office in a place readily available to the public which indicates the location of all Canada Post Community Mailbox site locations, as approved by Canada Post and the City of Toronto.
- (83) The owner/developer agrees to include in all offers of purchase and sale a statement, which advises the prospective new home purchaser that mail delivery will be from a designated Community Mailbox, and to include the exact locations (list of lot #s) of each of these Community Mailbox locations; and further, advise any affected homeowners of any established easements granted to Canada Post.
- (84) The owner/developer will be responsible for officially notifying the purchasers of the exact Community Mailbox locations prior to the closing of any home sales with specific clauses in the Purchase offer, on which the homeowners do a sign off.

Metrolinx (GO Transit)

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- (85) The following warning clause should be included in all development agreements, offers to purchases and agreements of purchase and sale or lease for all residential units within 300 metres of the rail corridor:

Warning: Metrolinx, carrying on business as GO Transit, and its assigns and successors in interest are the owners of lands within 300 metres from the land which is the subject hereof. In addition to the current use of the lands owned by Metrolinx, there may be alterations to or expansions of the rail and other facilities on such lands in the future including the possibility that GO Transit or any railway entering into an agreement with GO Transit to use the Metrolinx lands or Metrolinx and their respective assigns or successors as aforesaid may expand their operations, which expansion may affect the living environment of the residents in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual dwellings. Metrolinx will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under its lands.

- (86) The Owner shall grant Metrolinx an environmental easement for operational emissions, registered on title against the subject residential dwellings in favour of Metrolinx.

Other

- (87) The Town of Newmarket shall advise that Conditions 1 to 47 inclusive and Conditions 90 to 94 inclusive have been satisfied.
- (88) The Region of York shall advise that Conditions 48 to 58 inclusive have been satisfied.
- (89) The Lake Simcoe Region Conservation Authority shall advise that Conditions 59 to 75 inclusive have been satisfied.
- (90) Newmarket Hydro shall advise that Condition 76 has been satisfied.
- (91) Canada Post shall advise that Conditions 77 to 84 inclusive have been satisfied.
- (92) GO Transit shall advise that Conditions 85 and 86 have been satisfied.

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ISSUED at Newmarket this day of , 2018.

Richard Nethery, B.E.S., M.C.I.P., R.P.P.
Director of Planning and Building Services

NOTE: WHERE FINAL APPROVAL FOR REGISTRATION HAS NOT BEEN GIVEN WITHIN THREE YEARS AFTER THE DATE UPON WHICH APPROVAL TO THE PROPOSED PLAN OF SUBDIVISION WAS GIVEN, THE TOWN OF NEWMARKET MAY, AT ITS DISCRETION, AND PURSUANT TO THE PLANNING ACT, R.S.O. 1990, WITHDRAW ITS APPROVAL TO THIS PROPOSED PLAN OF SUBDIVISION, UNLESS APPROVAL HAS BEEN SOONER WITHDRAWN, BUT THE TOWN OF NEWMARKET MAY FROM TIME TO TIME EXTEND THE DURATION OF THE APPROVAL.

The LSRCA will require the following prior to the issuance of a clearance letter:

1. A copy of the executed subdivision agreement.
2. A copy of the draft M-Plan.
3. A letter from the developer's planning consultant detailing how each LSRCA condition of draft plan approval has been fulfilled to the satisfaction of the Conservation Authority.



Town of Newmarket
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Interim Revised Tree Policy Staff Report

Report Number: 2018-24

Department(s): Planning & Building Services

Author(s): Meghan White

Meeting Date: April 9, 2018

Recommendations

1. That the Interim Revised Tree Policy Report 2018-24 dated April 9, 2018 be received; and,
2. That Council approve the revised Tree Preservation Protection Replacement and Enhancement Policy attached as Appendix A to this report.

Executive Summary

The Tree Preservation Protection Replacement and Enhancement Policy (“the Policy”) establishes the Town’s requirements for the preservation, protection, replacement and enhancement of significant trees on lands subject to a Planning Act development application. It also sets out general policies for the preservation and enhancement of trees throughout Newmarket.

Newmarket’s urban canopy is made up of both public and private trees and is a valuable infrastructure asset. As was presented in the 2016 Urban Forestry Study, trees in Newmarket help avoid more than 200,000 cubic metres of water runoff each year, a service valued at nearly \$500,000. Our trees reduce erosion, improve air quality, and increase property values. The urban canopy reduces residential energy costs by more than \$3,000,000 per year. The replacement value of Newmarket’s trees exceeds \$350,000,000.

It is important to develop a comprehensive policy and by-law regime to protect Newmarket’s trees. This is important because of the economic, environmental and

social benefits of trees. A comprehensive approach to tree protection to limit tree removal and ensure tree replacement is an important step to protect and grow the Town's urban canopy and increase the benefits it provides.

As a result of a deputation to Committee of the Whole and a corporate commitment to continuous improvement, a comprehensive review of the regulatory framework used by the Town to protect trees is underway. Staff have completed a substantial review and consultation on proposed changes to the Policy, but have concluded that the adoption of all the revisions to the Policy should be delayed to permit coordination with Council's consideration of any further private tree protection program. This report recommends interim changes to improve the existing Policy related to tree protection, compensation, and to increase the ease of administration. Subsequent report(s) will address a complete update to the Policy and a possible private tree protection by-law as was discussed in Planning and Building Service Report 2017-05.

Purpose

The purpose of this report is to update Council on the review process and outline proposed interim changes to the Tree Preservation Protection Replacement and Enhancement Policy following a review of the Policy by staff and stakeholders combined with public consultation.

Background

Direction to staff has resulted in a comprehensive exploration of the issue of protection and regulation of trees in Newmarket. A review of all tree preservation initiatives was undertaken to consider how our policies and by-laws work together to protect these valuable assets. This resulted in three separate tasks: first, creating a by-law to protect town-owned trees; second, revising and updating the Tree Policy; and third, investigating the possibility of a by-law regulating trees on private property.

First, the Public Tree Protection By-law was brought before Committee of the Whole on October 16, 2017 and approved by Council on November 13, 2017.

Second, this report speaks to proposed revision to the Policy addressing concerns raised over the last decade that the Policy has been in use. The Tree Preservation Protection Replacement and Enhancement Policy was adopted by Council in 2005 and revised in 2008. The Policy has not been revised since then. The Policy guides tree protection, replacement, and compensation for properties that are subject to Planning Act development applications. Staff have completed a substantial review and consultation on updates to the Policy, but have concluded that the adoption of all of the proposed changes to the Policy should be delayed to permit coordination with any private tree protection by-law. This report recommends interim changes to improve the

existing Policy related to tree protection and compensation and an increased ease of administration.

Third, staff are currently investigating possible forms of by-laws that can regulate trees on private property. It is anticipated that options will be presented to the public and then to Council for discussion at our earliest opportunity.

Discussion

Process Update

Further to Council's direction in regard to the Planning & Building Services Report 2017-05, staff reviewed and revised the Policy and presented it to the public for consideration and input. Concurrently, staff have been investigating mechanisms for protecting trees on private property. It has become apparent that depending on the direction Council pursues to protect trees on private property, the Policy may need further revisions to ensure coordination of efforts.

Depending on Council's future decision on whether to implement the regulation or protection of privately-owned trees, the Policy will differ substantially and some of the issues identified in the original report to Council could be addressed outside the Policy (and may be better addressed by another mechanism). As such, staff are recommending maintaining most of the current policy until further work is completed on any future private tree regulation. In the interim, staff recommend certain improvements to the existing policy to address identified deficiencies, primarily the definition of "significant tree" to streamline review and to increase the number of trees that will benefit from the protections of the Policy. This is discussed more fully below.

Revisions

In Planning & Building Services Report 2017-05, staff outlined several challenges with the current state of tree protection in Newmarket. A three 'branched' approach was outlined and adopted by Council as a solution. This report speaks to how the proposed revisions to the Policy and future actions aim to address these concerns.

Narrow application of "significant trees"

The Policy applies to all "significant trees" located on and within 4.5 metres of any land subject to a development application. The Policy describes significant trees as "a mature, small or large, tree specimen", and goes on to indicate in the definitions that a large mature tree is at least 30cm in diameter at breast height (DBH), and a small mature tree at least 10cm. A tree may also be deemed significant based on the following additional characteristics:

- Significant trees of a rare or heritage/native species
- Any tree of historical or cultural significance
- Celebration trees of any size

- A special status tree

The Tree Policy also requires that any tree in the following categories is significant:

- Trees located within a woodland area
- Trees forming a cluster of trees (consisting of 5 or more trees with at least one significant tree)
- Significant trees defining a hedgerow (consisting of 5 or more trees)

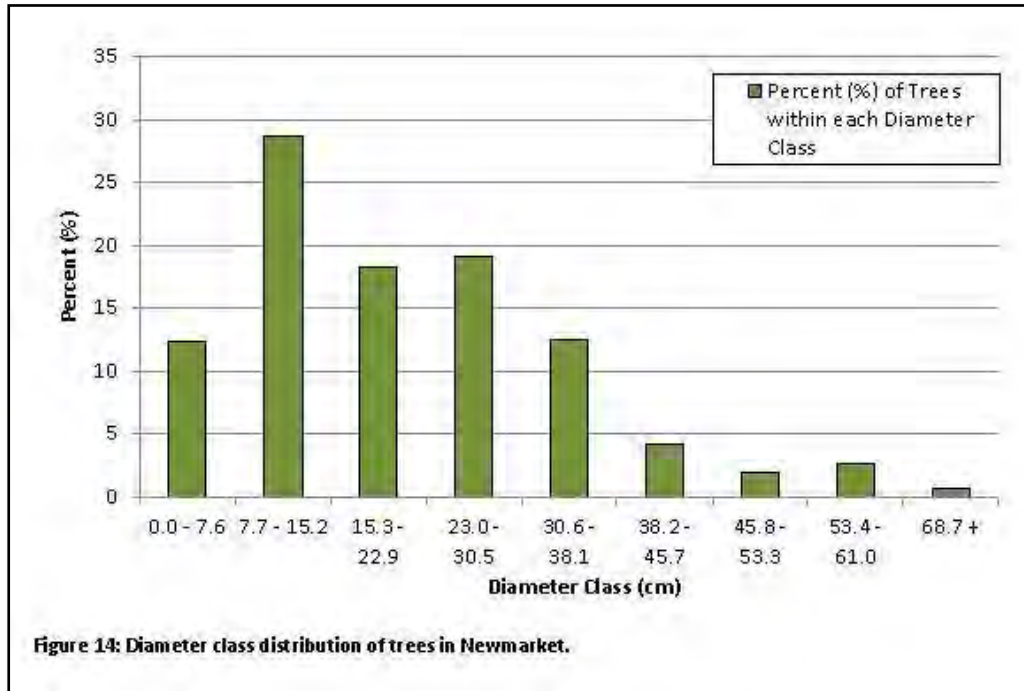
These definitions of “significant trees” have proven confusing for applicants and cumbersome to administer. Consequently, it has been the Town’s practice that only trees that are 30cm DBH or greater are deemed to be significant trees and require protection or compensation. This has left any tree smaller than 30cm to be permitted to be removed without replanting or compensation, meaning that many trees of notable size and value are able to be removed without replanting or compensation, reducing Newmarket’s urban canopy. The benefits of trees smaller than 30cm (i.e. erosion prevention, air quality, stormwater management, and others) are still valuable and, under our current policy regime, is not paid for or captured in any way.

Proposed Policy Response: Staff have simplified and lowered the definition of Significant Tree to all trees that are 20cm at dbh or greater or that were planted as a condition of development approval. There is no longer a distinction for large or small tree species. There is no further classification of hedge row or cluster of trees, etc. These classifications have not been used, and have served only to make the Policy more confusing for applicants. The proposed interim updates to the Policy would cause any tree that is 20 cm dbh or greater to be deemed significant, and therefore be captured by the Policy and require compensation should it be removed to permit development. This new definition will also encompass any tree previously planted as part of a development application, regardless of size. This reflects common practice and causes trees that have not yet reached maturity, but were planted as part of a development approval, to be required to be maintained.

The 2016 Urban Forestry Study demonstrates in the chart below that approximately 37% of our trees fall between 15.3 to 30.5cm dbh; whereas 22% of trees have a dbh greater than 30cm. This indicates the large volume of trees that, were they to be removed as part of a development application, would require no compensation. The Town has been missing opportunities to re-capture the benefits of trees removed to facilitate development. There is still 41% of our trees which are smaller than 15cm dbh which are not captured by the Policy.

Based on the value of trees demonstrated here and in previous reports, staff are of the opinion that it is important to capture the value of as many trees as possible, without being overly onerous to development. It is felt that the single, simplified definition will be

of assistance to developers and arborists to simplify review and expedite application processing.



No prevention of removal in advance of an application

The Policy applies to properties that are the subject of a Planning Act Development Application (such as Official Plan Amendment, Zoning By-law Amendment, Subdivision, Site Plan, Minor Variance, or Consent). The Policy does not address the removal of trees in advance of an application. There have been instances where it appeared that a property owner removed trees in advance of making an application so that the preservation and compensation required under the Policy would not apply; thus attempting to save themselves money and avoid replanting trees or paying compensation.

Proposed Policy Response: A new clause in the Policy addressing this matter could only advise property owners that they cannot remove trees prior to an application to circumvent the requirements of the Policy. A policy alone does not allow staff to impose fines or penalties when the Policy is circumvented, this is further discussed below. Staff continue to exercise the Town's authority under the *Planning Act* to require compensation for removed trees, and to work toward developing options for Council to strengthen these protections. This will be reviewed further in light of what direction Council takes regarding protecting private trees. After that decision is made further refinements to the Policy may be required.

No power of by-law

The Policy lacks the force of a by-law that other municipalities use for tree protection. The effect of this is that contravention of the policy is difficult to enforce when properties are not currently in the process of a development application or no securities are held. A policy has no force other than when the Town has discretionary decision-making powers such as during a development application. A by-law retains its force at all times and can include penalties for infractions. As the existing Policy stands, in cases where trees have been removed and there are not securities that the Town holds to ensure they are protected, the Policy directs that “the owner/applicant shall be contacted by the Director of Planning or his or her designate, to work out an acceptable replacement method to achieve the required replacement plantings”.

Proposed Policy Response: This cannot be addressed through changes to the Policy. However, Council has recently approved the Public Tree Protection By-law 2017-59, which protects all trees on town-owned property, typically street or boulevard trees. Staff also work to ensure that compliance with site plan agreements is maintained on an ongoing basis.

As previously mentioned, staff are investigating various forms of private tree cutting by-laws and will be bringing forward options for discussion.

Should Council ultimately approve a private tree cutting by-law, and with the Public Tree Protection By-law in place, all trees in Newmarket would be regulated and protected.

Permissive removal policy

The existing Tree Policy is permissive in nature. Rather than restricting the removal of any type or size of tree, it requires replanting or compensation for any trees to be removed. The decision of which trees to remove is left to applicants, although staff work to improve designs to maximize the protection of existing trees and the Town plays a role of peer reviewing the provided information to ensure that the trees the applicant wishes to remove are appropriately compensated for through replanting or payment, and that those to be maintained are not damaged.

The effect of this is that no trees under the policy are protected, rather their removal is regulated. Any tree on a property subject to a planning application can be removed, provided that the owner is willing to pay the value of the tree.

Proposed Policy Response: The updated Tree Policy remains permissive in nature. First and foremost the Policy directs that new development be designed in a way to maximize the retention of existing trees. Where this is not possible, rather than restricting the removal of any type or size of tree, it requires replanting or compensation for any trees to be removed. The Town plays a role of working with applicants to review designs and enhance the retention of existing trees, along with peer reviewing the provided information to ensure that the trees the applicant wishes to remove are

appropriately compensated for through replanting or payment, and that those to be maintained are not damaged.

The effect of this is that trees under the policy are not protected, rather their removal is regulated. Any tree on a property subject to a planning application can be removed, subject to the Town's approval and provided that the owner is willing to pay the value of the tree. Town staff will work with applicants to improve submitted plans to maintain existing trees, where possible and desirable for good planning and arboricultural practices.

Inadvertent two-tiered system

Under the current system the Tree Policy only applies to properties that are subject to a Planning Act application. This has created a two-tiered system in Town where certain kinds of development requiring only a building permit are not subject to the Tree Policy. Trees that may be impacted by work done through a building permit are not protected; nor is an investigation done to determine if there are potential negative impacts as a result of the work.

Proposed Policy Response: It was determined that the Tree Policy was not the correct regulating tool to address this issue. Council has enacted a by-law protecting trees on town-owned lands. This by-law protects any tree on town-owned land, including those that may be damaged or injured through the building permit process. If an eventual by-law regulating the injury and damage to private trees is enacted, this will protect trees on private property not subject to a development application.

Consultation

The revised Policy was available for public consultation for the month of October 2017. It was on the website, advertised in the Town Page and it was sent to a targeted list of developers, planners, and residents who had expressed an interest in tree related matters.

On November 1, 2017 a Public Information Centre (PIC) was held at the Municipal Offices. At the PIC the importance of carbon sequestration was raised and that the Town should endeavour to have trees replanted such that the level of carbon sequestration would remain the same. Staff agree that this is a key value of trees and an important role that they play in our community and battling climate change. However, the science is not yet ready for easy and practical use. Re-plantings and compensations must be able to be calculated fairly and consistently for all development applications. The industry is still debating the best way to calculate how much carbon a particular tree would sequester and how many new trees and at what size would have to be planted to achieve those same levels.

Comments were also received about protecting trees on private properties, which staff will address through the private tree by-law creation process, which is currently on going.

Written comments were also received from developers and their agents. From these submissions of particular concern is the effect of changing the definition of significant from 30 cm dbh to 20 cm dbh for applications currently in process. Staff are proposing the following wording in the Policy:

This Policy shall come into effect immediately upon approval by Council. Planning Act Development Applications submitted to the Town that are deemed complete on, or after, the date of approval of this Policy shall be subject to this Policy.

Applications which are dormant for a significant amount of time may be subject to the policies in place at the time of re-activation, at the discretion of the Director.

Thus applications which have already been received and deemed complete would be subject to the current policy (i.e. significant trees at 30cm dbh) and applications received after Council approves the revised Policy would be subject to the new definition of significant trees. However, should a current application be dormant for a significant amount of time, the Director of Planning & Building Services may deem that the policy regime has changed significantly since the time of application and the public would be best served if the revised policy was applied. This is in keeping with good planning practices when it comes to transitions between old and new policy regimes.

Concerns were expressed with the compensation being increased from \$350 per tree to \$400 per tree; this fee had not been increased in five years and needed to be increased to reflect the increase cost of purchasing and planting trees. The fee will now be noted in the Fees and Charges By-law and will be approved annually with all other fees and charges.

A concern was raised regarding the planting of 'prohibited' trees. The Forestry division of Public Works Services maintains a list of trees which are typically planted on town properties. This list has been included in the Policy as suggestions for trees to be planted on private properties. There is also a list of prohibited trees, which are tree species which cannot be planted in Newmarket due to their invasiveness to the environment. This list remains consistent from the original policy. If the removal of an existing tree from the prohibited list is required to support development, it has never been exempt from the replanting or cash in lieu of compensation requirements. This has also been maintained.

The Newmarket Environmental Advisory Committee (NEAC), offered comments which were taken into consideration during the policy review. Specifically they have

recommended a policy to require planting only native species in Newmarket. While there are many benefits to native plant species, the Town is not in a position to limit plants to only native species.

Conclusion

Council has demonstrated a strong commitment to tree preservation in the past. The interim revisions to the Policy are in line with that commitment and seek to continue to preserve and enhance Newmarket's urban forest and canopy. The Town has achieved much through its existing policies and by-laws by ensuring some replanting when trees have been removed.

Further reports and recommendations related to tree protection will be presented to Council as the ongoing work related to private tree protection progresses. Staff will similarly ensure that any changes related to private tree protection are coordinated with the Policy. The proposed interim changes to the Policy represent improved efficiency of administration and protection of trees while ensuring coordination of efforts between the Policy and any future private tree by-law.

The Tree Policy aims to balance the development and growth pressures the Town is facing with the beneficial impact of trees and the increased benefits achieved by allowing them to mature.

Business Plan and Strategic Plan Linkages

Well-planned & Connected:

- Implement key elements of the Region's and Town's Official Plans.

Well-equipped and managed:

- Efficient management of capital assets and municipal services to meet existing and future operational demands
- Small town feel with city amenities

Living well:

- Health education, wellness services, and state-of-the-art medical facilities
- Environmental protection and natural heritage preservation

Human Resource Considerations

None.

Budget Impact

Staff have increased the amount charged for compensation for a tree not planted in order to fully recover the cost of purchasing and planting a tree.

Attachments

Town of Newmarket interim revised Tree Preservation Protection Replacement and Enhancement Policy is attached as Appendix A.

Approval



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



Rick Nethery, BES, MCIP RPP
Director of Planning and Building Services



Meghan White, MCIP RPP
Planner



Ted Horton
Planner

Contact

For more information on this report, contact Ted Horton, Planner at 905-953-5300 x 2458; thorton@newmarket.ca, or Meghan White, Planner, at x 2460; mwhite@newmarket.ca

Appendix A



Tree Preservation, Protection, Replacement and Enhancement Policy

2005

Planning Department
e-mail: planning@newmarket.on.ca
web site: www.newmarket.ca

Revised April, 2018

Background

The Tree Preservation, Protection, Replacement and Enhancement Policy detailed herein, establishes the Town of Newmarket's policy for the preservation, protection, replacement and enhancement of significant trees respecting the development approval process permitted through the Planning Act and specifically applies to lands subject to applications for official plan amendment, zoning bylaw amendment, draft plan of subdivision and site plan approval and respective amendments, minor variance (permitting new construction only) and consent.

It is the intent of this policy to educate and increase awareness within the development industry of the importance of tree preservation and protection for the health of the community by:

- Encouraging the consideration of the location of existing trees in the design of development plans prior to the submission of development applications;
- Encouraging the ongoing protection of trees during development activities on properties subject to development applications;
- Encouraging no net loss of trees through the planting of replacement trees; and
- Encouraging the planting of additional trees to enhance development properties and streetscapes beyond the requirements of boulevard trees.

Community Strategic Plan Linkages

The Town of Newmarket, in achieving and maintaining the Community Vision of - being ***Well beyond the ordinary*** strives to achieve the community expectations within the following three focus areas:

- ❖ **Living well**
- ❖ **Well-balanced**
- ❖ **Well-planned and connected**

The Tree Preservation, Protection, Replacement and Enhancement Policy assists in achieving the Community Vision through these focus areas by promoting environmental protection and natural heritage preservation, encouraging an appropriate mix of green spaces, and a long-term strategy for our natural heritage matched with a short-term action plan.

Natural Heritage Study

Between 2001 and 2003, the Town of Newmarket, in cooperation with the Lake Simcoe Region Conservation Authority, the Region of York and the Ministry of Natural Resources, piloted the Natural Heritage Study project. The goal of this study was to create a reliable and viable framework for the Town of Newmarket to achieve its environmental goals for

the municipality. The Tree Preservation, Protection, Replacement and Enhancement Policy further supports this initiative at the local, individual property level.

2006 Official Plan

The 2006 Official Plan identifies the Tree Preservation, Protection, Replacement and Enhancement Policy as a tool to achieve the Council directive to promote and establish programs to increase the tree cover of the entire Town from its current level of 9% to 12%. (Section 9.3.2 – Woodlots).

Public Tree Preservation By-law 2017-59

In November 2017, Council enacted a by-law protecting trees on town-owned lands. The by-law sets out an application process for residents to request a public tree removal and sets out fines and penalties for injuring or removing a tree without permission.

General Policies

- 1.0 This policy applies to all significant trees situated on and within 4.5 metres of the lands subject to a development application, as described herein.
- 1.1 All significant trees, as identified in Section 2.0 herein, situated in the Town of Newmarket and subject to a development application may not be removed, injured, pruned or destroyed in any way without approval by the Council of the Corporation of the Town of Newmarket. Reference made to a tree herein, refers to any part of a tree, including the root system.
- 1.2 Tree pruning or root cutting of any tree located on a municipal boulevard or municipal park may only be done by Town of Newmarket staff, an authorized Arborist or other qualified professional as approved by the Town of Newmarket, authorized staff of the Regional Municipality of York, an authorized public utility, including Ontario Hydro, or the Lake Simcoe Region Conservation Authority, unless appropriate written authorization has been given by or a legal agreement has been executed with the municipality.
- 1.3 Significant trees that are identified to be protected on the lands subject to a draft plan of subdivision or site plan approval or respective amendment(s), or minor variance or consent application, must be protected by adequate fencing to the satisfaction of the Town. Fencing shall be installed as per the Town's standard detail and in accordance with the recommendations of the Arborist report, to the satisfaction of the Director of Planning. Fencing may be inspected by the Town's consulting arborist.
- 1.4 Any tree to be protected must be identified on a survey, and/or a tree inventory, and within a tree preservation and protection plan, prepared by a qualified tree professional, as defined in the Glossary as a certified arborist, registered professional forester, a qualified ecological consultant, or a landscape architect, qualified in determining the tree species, size, and health. (Refer to Section 3).
- 1.5 Anyone failing to adhere to the following policies and specifications detailed herein, will be financially responsible for any damage to or destruction of any trees, prior to, during and upon request by the owner for release of securities, approximately one year after the completion of the construction stage, and in the case of subdivisions, up to the assumption of the roads by the Corporation of the Town of Newmarket. (Refer to Section 5).

2.0 Identification of Trees to be Protected and Preserved

- 2.1 Significant trees are any tree that meets one or more of the following conditions:
 - 2.1.1 have a Diameter at Breast Height (dbh) of 20cm or greater

- 2.1.2 were planted as a condition of approval of a development application (e.g. appear on an approved site plan and/or landscape plan)
- 2.1.3 are located on an adjacent property within 4.5m of the subject lands.

3.0 Submission Requirements

The following information will be required upon submission of a development application to the Town of Newmarket Planning Department, as described above:

- 3.1 A survey prepared, signed and sealed by an Ontario Land Surveyor identifying the location of all significant trees. The Town acknowledges that it may be difficult to obtain access to adjacent lands to identify significant trees located thereon. As such, the Town shall accept approximate locations and sizes of trees located on adjacent lands.
- 3.2 A Tree Inventory comprises of a base survey (prepared, signed and sealed by an Ontario Land Surveyor) and shall include information regarding the location, size (measured using dbh and height), species, and condition of the existing trees completed by a qualified tree professional.
- 3.3 A Tree Preservation, Protection, Replacement and Enhancement Plan shall include information regarding;
 - Trees to be preserved and protected
 - Species(common and botanical name)
 - Condition
 - Size
 - Health
 - Vigor
 - Defects: Rot, Included bark, Seams, Cracks, Heavy limbs. Cavities, Ribs
 - Insects and diseases
 - Location (if this has a bearing on the condition of the trees such as low lying wet areas etc.)
 - A maintenance plan/program for trees to be preserved, protected or relocated including programs or activities related to;
 - Pruning(Cleaning, Thinning, Reduction etc according to BMP for arboriculture)
 - Fertilization
 - Mulching
 - Aeration
 - Watering
 - Cabling
 - Other

- Protection could include the installation of wood or stone mulch over the root zone for protection in addition to the tree protection fencing
- If trees are to be moved, specific instructions will need to be added to ensure the survival of the transplanted tree(s)
- Trees that may require replacement or approval for removal
- Replacement tree calculations in a legend on the tree planting plan (based on aggregate inch replacement – refer to section 5.1, considering;
 - Species to be removed
 - Condition of the plant to be removed.

For trees that are located on Town property the monetary value shall be calculated based on the “Guide for Plant Appraisal” 9th (or latest) edition established by the International Society of Arboriculture, or other recognized appraisal guide or method.

- 3.4 The Tree Survey, Inventory and/or the Tree Preservation, Protection, Replacement and Enhancement Plan may be submitted as one drawing/plan at the discretion of the applicant’s qualified tree professional.

4.0 Post-Submission: Tree Preservation, Protection and Replacement Plans

The Town shall retain the services of a qualified tree professional to undertake a peer review of any tree preservation, protection and replacement plan submitted, as required.

- 4.1 The Town shall be reimbursed by the applicant at cost for the services rendered by the Town’s consultant.
- 4.2 The Town’s qualified tree consultant shall, using best efforts, review and provide written comments back to the Town Planning Department for consideration within 2 weeks of the date of receipt by the Town’s qualified tree consultant.
- 4.3 No tree removal shall take place prior to official plan, zoning, draft plan or site plan approval, or in the case of minor variance or consent applications, a decision is made by the Committee of Adjustment, is obtained, which includes the approval of a Tree Preservation, Protection, and Replacement Plan.
- 4.4 No site works shall take place that may result in the damaging or destroying of trees identified as significant trees on the Tree Plan, prior to the approval by the Director of Planning.
- 4.5 The Tree Plan shall set out and identify the trees to be preserved, protected and replaced.
- 4.6 Replacement trees shall be protected by the implementation of a tree maintenance program. Every replacement tree and planted boulevard tree shall be cared for by the applicant/developer as recommended and/or approved by the

Town's consulting arborist, every two years to a maximum of 10 years after planting.

- 4.7 The Town may also require the applicant/owner/developer to have a tree enhancement strategy or tree management strategy prepared by a qualified tree professional as a condition of: draft plan of subdivision approval (as identified in the Subdivision Approval Process: Design Submission Requirements and Final Plan Registration); minor variance and/or consent approval; or site plan approval including a clause in the site plan agreement.
- 4.8 The Town may also require the posting of securities for the purposes of tree preservation based on the value of the trees to be preserved, protected and replaced as per the "Guide for Plant Appraisal" 9th (or latest) edition, published by the International Society of Arboriculture, or other recognized appraisal guide or method. The amount of the security deposit shall be 20% of the value of all protected trees. The value of all protected trees shall be provided in the Arborist Report. Generally, the Town shall hold securities for tree protection up to final assumption of all the works, as contemplated by the subdivision agreement, or in the case of site plans, final inspection for the release of securities by the Planning Department. However, there may be special circumstances where a special clause may be included in a subdivision or site plan agreement, or as a condition of approval of a minor variance or consent application to allow for the release of securities three years after the occupancy permit is issued, upon confirmation by the Town that the trees to be protected and preserved exhibit vigorous health and have not sustained any damage as a result of site development activities.
- 4.9 The Town will require replacement trees to be planted as agreed to in the appropriate agreement or as required in the decision made by the Committee of Adjustment.
- 4.10 A qualified tree professional must undertake revisions to the Tree Plan that are required by the Town as a result of the Town's peer review, at the expense of the applicant/owner/developer, and must receive approval by the Planning Department, prior to Planning Department approvals respecting the issuance of any municipal permits.
- 4.11 Should there be any disagreement between the review and assessment made by the Town's consultant and the plans submitted, the applicant may request a decision by the Director of Planning and/or Council.
- 4.12 The Director of Planning and/or Council, may request the submission of a Tree Enhancement Plan (which may be made in combination with a Tree Preservation, Protection and Replacement Plan) as part of the tree management strategy to achieve the environmental goals of the Official Plan and/or Strategic Plan.

5.0 Compliance

It is the intent of this Tree Preservation, Protection, Replacement and Enhancement Policy to ensure that adherence to the policy is maintained on all new development sites in the Town of Newmarket and to protect and preserve significant trees as identified in a tree plan. However, it is recognized that alternate methods of compliance are required in order to balance growth and development within the Town. As such, the Town has identified two alternate methods for calculating replacement value for trees that need to be removed or have sustained damage as a result of construction and/or development.

- 5.1 Trees that have been identified to be preserved and protected in an approved tree plan which cannot be preserved or protected due to development constraints, can be removed and the Town will allow the use of the “Aggregate Inch Replacement” method for calculating tree replacement requirements, i.e. if one 30cm (11.8 inches) dbh tree is to be removed, the replacement will be 2 trees of 15cm, or 3 trees of 10cm, etc.. Note: invasive trees are to be included in any financial compensation requirements of this policy associated with replacement tree plantings, based on the condition of the tree as determined by a qualified tree professional.
- 5.2 It shall be the intent of the policy to plant replacement trees on the subject lands whenever feasible, to the satisfaction of the Director of Planning.
- 5.3 The owner/applicant shall provide financial compensation to the Town for damaged or destroyed trees that have been identified as trees to be protected or preserved in a tree plan submitted as part of a development application. Compensation shall be calculated based on the “Guide for Plant Appraisal” 9th (or latest) edition established by the International Society of Arboriculture, or other recognized appraisal guide or method.
- 5.4 Trees that have been identified in an approved tree plan as trees to be preserved or protected and have been damaged or destroyed as confirmed by the Planning Department (after receiving Council approval of the official plan amendment, zoning bylaw amendment, draft plan of subdivision approval, minor variance approval, consent approval, or site plan approval and prior to the Town’s assumption of a subdivision, receipt of the final and binding notice of a consent application, or request for release of securities in the case of a site plan approval), shall be replaced on public property at a rate of two times the diameter required by the “Aggregate Inch Replacement” method and planted at a location satisfactory to the Director of Engineering, Capital Projects and Asset Management Services in consultation with the Director of Planning. Funding for the purchase and planting of replacement trees shall be derived from drawing upon the letter of credit. Should the letter of credit be insufficient to cover the replacement plantings, the owner/applicant shall be contacted by the Director of Planning or his or her designate, to work out an acceptable replacement method to achieve the required replacement plantings.

- 5.5 Trees identified in an approved tree plan to be preserved or protected, that sustain damage or are destroyed after the Town has no obligations for approvals, shall be valued as per the "Guide for Plant Appraisal" 9th (or latest) edition, published by the International Society of Arboriculture or other recognized appraisal guide or method and the current owner/applicant shall be responsible for the financial requirements and direct payment to the Town accordingly.
- 5.6 Replacement trees are recommended to be planted a minimum of 4.5 metres from any building, fence, walkways or permanent structure that may interfere with the growth of the tree. However, it is understood that site specific consideration is necessary due to planting constraints as approved by the Director of Planning.
- 5.7 The Town may, at its discretion, contribute the funds received from drawing on a letter of credit or fines/penalties for tree replacement requirements to the acquisition of lands of natural heritage significance.

6.0 Effective Date

This Policy shall come into effect immediately upon approval by Council. Planning Act Development Applications submitted to the Town that are deemed complete on, or after, the date of approval of this Policy shall be subject to this Policy.

Applications which are dormant for a significant amount of time may be subject to the policies in place at the time of re-activation, at the discretion of the Director.

Glossary of Terms

Arborist: a person who is a specialist or expert in the area of the care and maintenance of trees and includes an arborist qualified by the Ontario Training and Adjustment Board Apprenticeship and Client Services Branch, an OTA Board certified master arborist or a certified arborist qualified by the International Society of Arboriculture, a consulting arborist registered with the American Society of Consulting Arborists, a registered professional forester or a person with other similar qualifications as approved by the Commissioner.

Caliper: the diameter of a tree measured 30 cm above ground level.

Condition of Tree: is based on factors identified in the ISA methodology for determining condition. For the purposes of this policy, the condition of a tree shall be described as excellent, good, fair, poor, dead/dying, or maintenance recommended.

dbh: the diameter of a tree at breast height; the diameter of the tree measured 1.4 metres above ground level.

Development Application: an application requiring approval of the Planning Department for which a Tree Inventory and Tree Preservation, Protection, and Replacement Plan are required, specifically, applications for draft plan of subdivision and site plan approval and respective amendments, and minor variance and consent.

Natural Heritage: Natural heritage is all living organisms, natural areas and ecological communities which we inherit and leave to future generations (<http://www.mnr.gov.on.ca/MNR/nhic/glossary.cfm#P>).

Qualified tree professional: a person, including an arborist, a registered professional forester, a qualified ecological consultant, or a landscape architect,, who through related training and on-the-job experience, is qualified to determine the size, species and health and condition of trees, and having at least 5 years of practical tree care experience working as a practitioner.

Significant tree: a tree 20cm at dbh or greater, or any tree planted as a condition of approval for a development application.

Survey: a detailed map of an area of land, including its boundaries, area, and elevation, using geometry and trigonometry to measure angles and distances.

Tree Enhancement/Management Strategy: a long term strategy recommending phased tree plantings and woodlot management practices in addition to the minimum requirements of the tree preservation, protection, and replacement plan.

Tree Inventory: a list of trees on the property and within 4.5 metres of the boundary of the property, including information regarding location, species, condition and size.

Tree Maintenance Program: a program to ensure the health, safety and vigor of the trees identified to be maintained, either original plantings or existing trees to be cared for, replaced if necessary, pruned, pest and fungus control, removed, storm damage repaired, staked for a period as recommended by the applicants consulting arborist and approved by the Town

Base Survey: a detailed map of an area of land indicating the location, of all trees within the survey boundary and 4.5 metres of the property boundary.

Cross-References

[2006 Official Plan](#)

[Draft Plan of Subdivision Submission Requirements](#)

[Site Plan Application Process Manual](#)

[Tree Cutting in York Region](#)

[Public Tree Protection By-law 2017-59](#)

[2016 Urban Forestry Study](#)

[Lake Simcoe Protection Plan](#)

[Community Energy Plan](#)

[Urban Centres Secondary Plan](#)

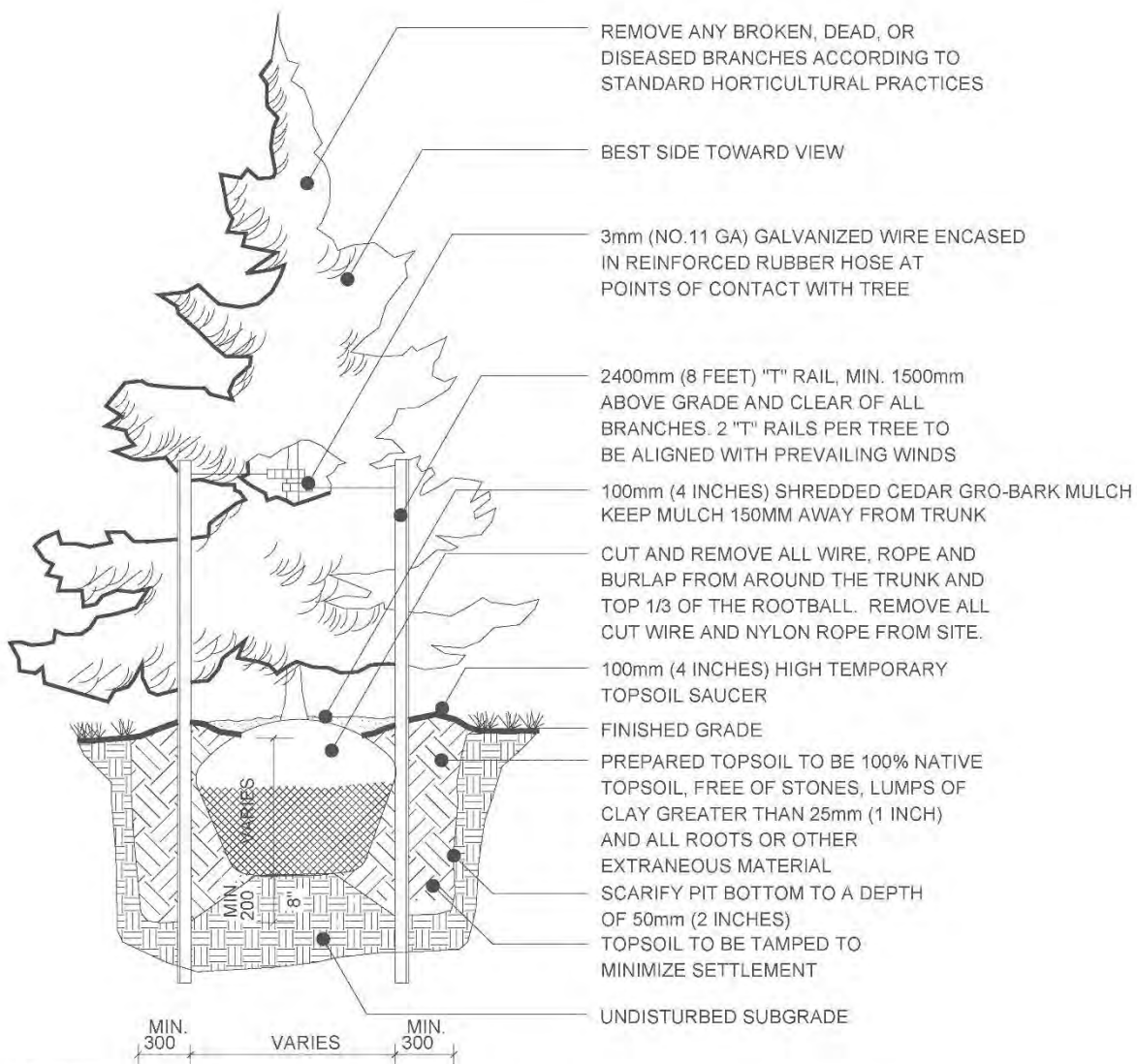
[Stormwater Management Rate and Credit Programs](#)

[Town's Woodlot By-law](#)

[Park's By-law 2013-14](#)

[Lake Simcoe Protection Plan](#)

Appendix A – Tree Planting Details



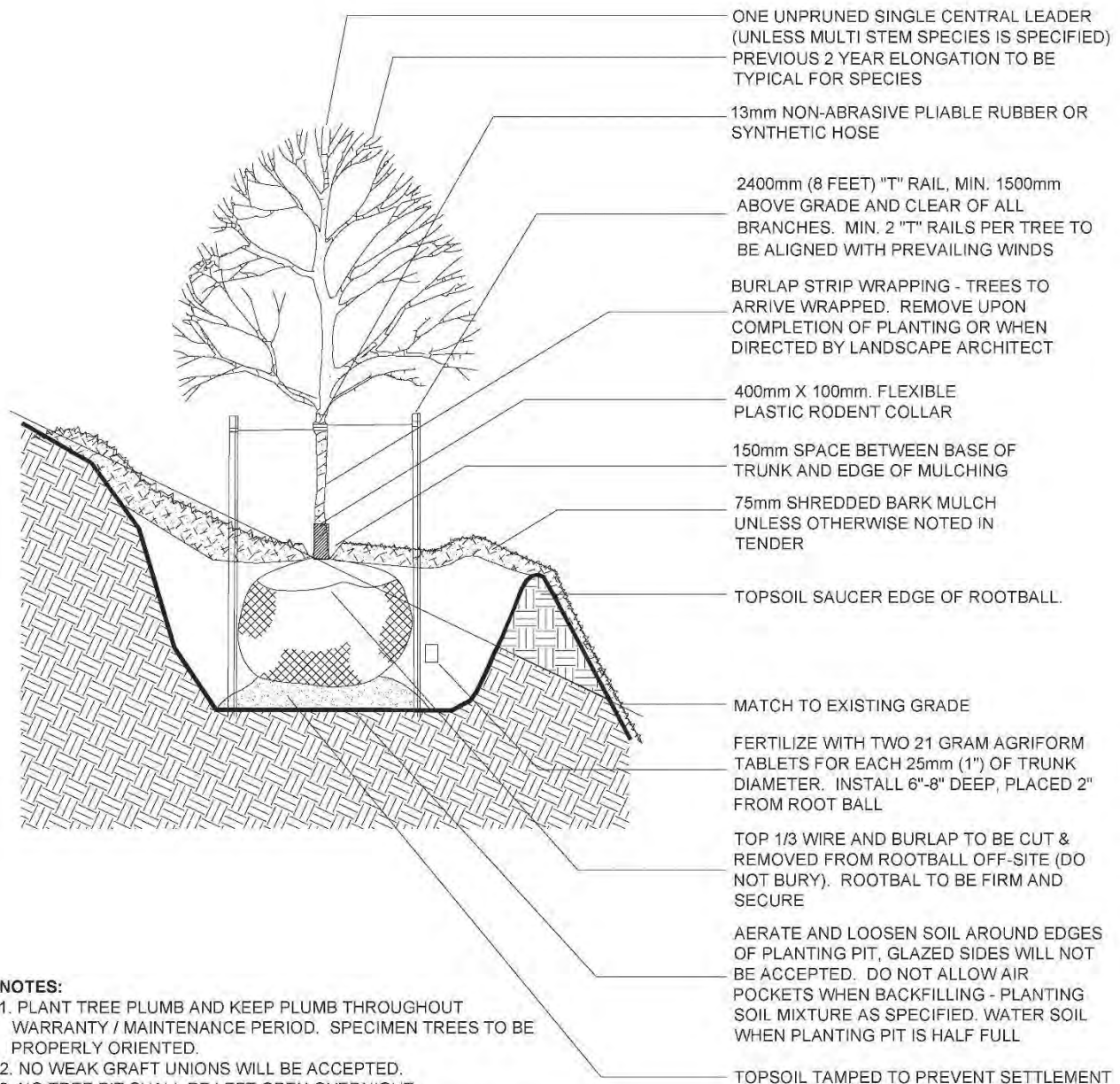
NOTES

- 1) SAUCER SHALL BE SOAKED WITH WATER AND MULCHED IMMEDIATELY FOLLOWING PLANTING
- 2) PLANT STOCK MOVED WHILE IN LEAF SHALL BE COVERED WHILE IN TRANSIT OR IN TEMPORARY STORAGE
- 3) PLANT TREE SO THAT NURSERY SOIL LINE MATCHES FINISHED GRADE AFTER SETTLING
- 4) TAMP TOPSOIL WHEN BACKFILLING TO REMOVE AIR POCKETS
- 5) REMOVE ALL NURSERY TAGS, METAL OR PLASTIC
- 6) IN HEAVY CLAY OR POORLY DRAINED SOIL, ALL WOODY PLANTS TO BE PLACED SO THAT THE ROOT COLLAR IS POSITIONED 75MM-100MM HIGHER THAN SURROUNDING GRADE.

TYPICAL CONIFEROUS TREE PLANTING

WIRE BASKET, BALLED AND BURLAPPED

N.T.S.

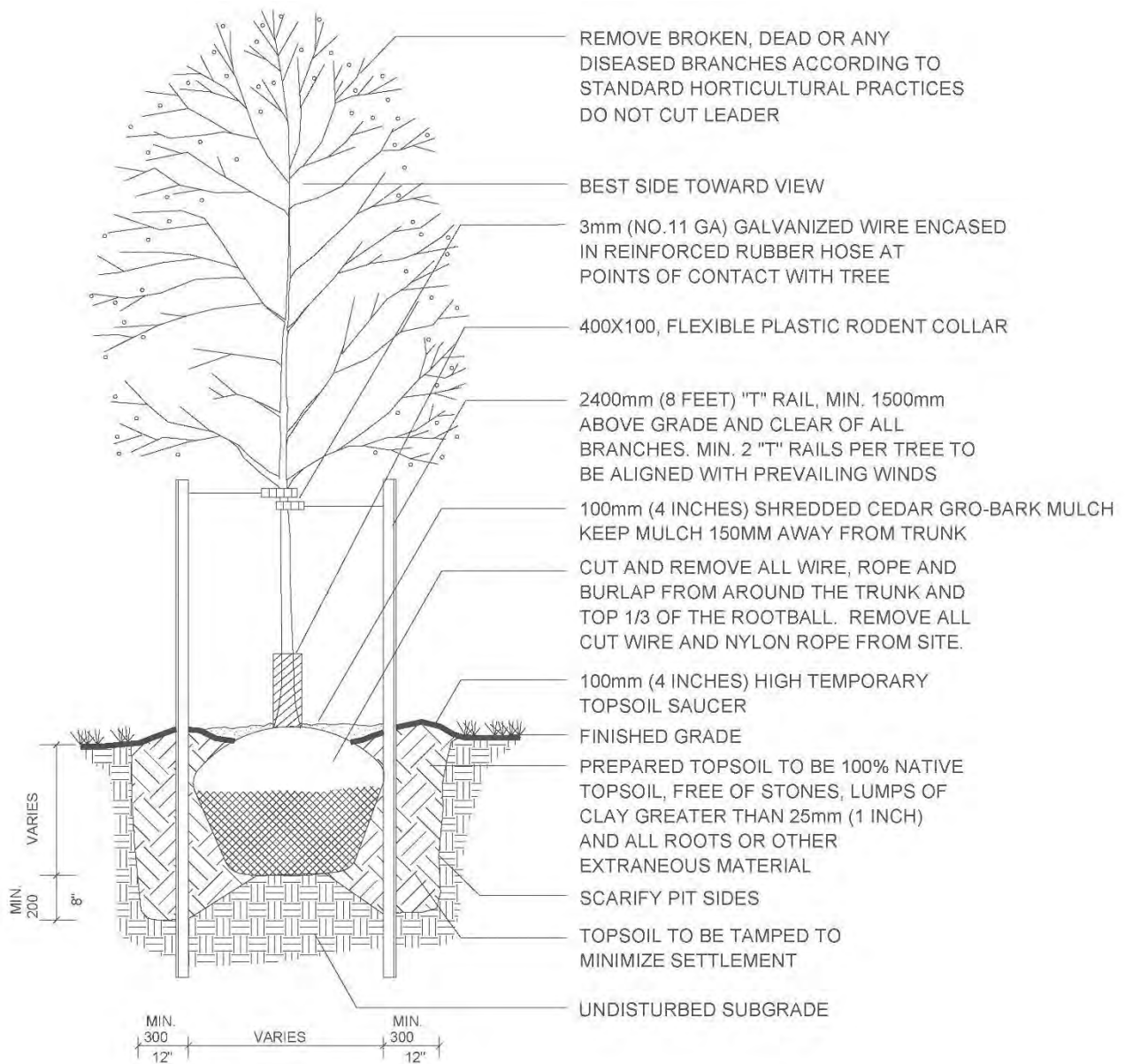
**NOTES:**

1. PLANT TREE PLUMB AND KEEP PLUMB THROUGHOUT WARRANTY / MAINTENANCE PERIOD. SPECIMEN TREES TO BE PROPERLY ORIENTED.
2. NO WEAK GRAFT UNIONS WILL BE ACCEPTED.
3. NO TREE PIT SHALL BE LEFT OPEN OVERNIGHT.
4. ROOT BALL CROWN SHALL BE POSITIONED, GENERALLY 50mm ABOVE THE ORIGINAL UPHILL GRADE MEASURED OPPOSITE THE TRUNK.

DECIDUOUS TREE PLANTING ON SLOPE

WIRE BASKET, BALLED AND BURLAPPED

N.T.S.

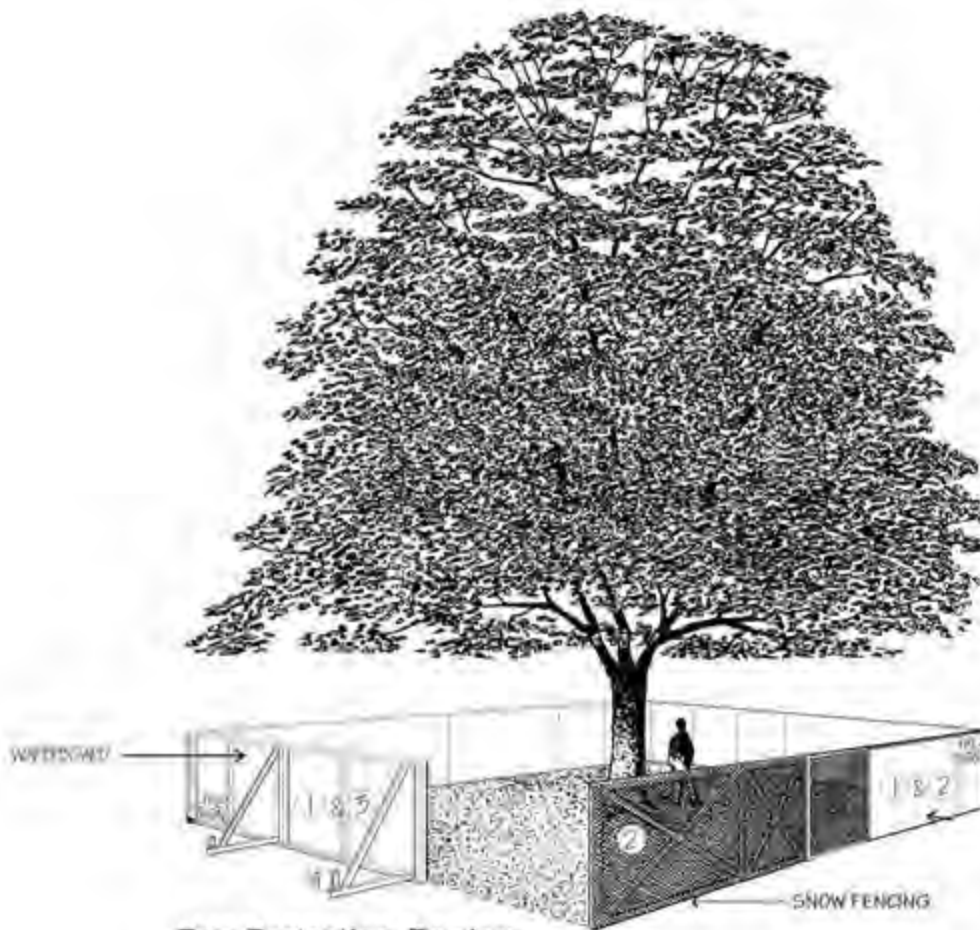


TYPICAL DECIDUOUS TREE PLANTING

N.T.S.

WIRE BASKET, BALLED AND BURLAPPED

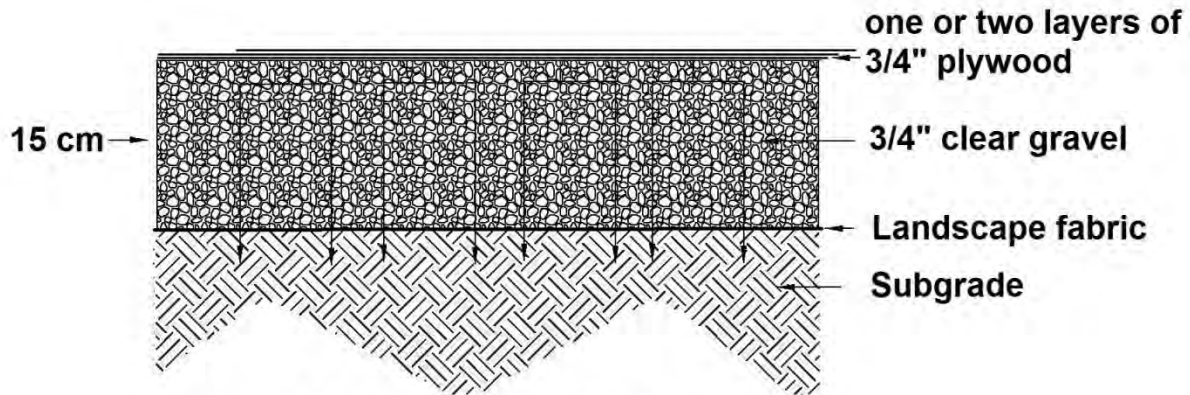
Appendix B – Tree Protection Fence Details



Tree Protection Barriers

- ① Tree protection barriers must be 1.2m (4ft) high, waferboard hoarding or an equivalent.
- ② Tree protection barriers for trees situated on the Town road allowance where visibility must be maintained can be 1.2m (4ft.) high and consist of plastic web snow fencing on a wood frame made of 2" x 4"s.
- ③ Where some excavate or fill has to be temporarily located near a tree protection barrier, plywood must be used to ensure no material enters the Tree Protection Zone.
- ④ All supports and bracing should be outside the Tree Protection Zone. All such supports should minimize damaging roots outside the Tree Protection Barrier.
- ⑤ No construction activity, grade changes, surface treatment or excavations of any kind is permitted within the Tree Protection Zone.

Horizontal Tree Protection



Horizontal tree protection detail

New temporary ground protection should be capable of supporting any traffic entering or using the site without being distorted or causing compaction of underlying soil.

NOTE The ground protection might comprise one of the following:

- a) for pedestrian movements only, a single thickness $\frac{3}{4}$ " plywood placed on top of a compression-resistant layer (e.g. 100 mm depth of woodchip/ $\frac{3}{4}$ " clear gravel), laid onto a geotextile membrane (landscape fabric);
- b) for pedestrian-operated plant up to a gross weight of 2 tones, a single thickness $\frac{3}{4}$ " plywood placed on top of a compression-resistant layer (e.g. 150 mm depth of woodchip/ $\frac{3}{4}$ " clear gravel), laid onto a geotextile membrane(landscape fabric;
- c) for wheeled or tracked construction traffic exceeding 2 tones gross weight, an alternative system (e.g. proprietary systems or pre-cast reinforced concrete slabs) to an engineering specification designed in conjunction with arboricultural advice, to accommodate the likely loading to which it will be subjected.

Appendix C – Sample Arborist Report

A basic arborist report should have at least the following components:

1. Introduction
 - Scope of work
 - When field work was performed
 - What is being proposed
2. Tree Inventory
 - Observations
3. Tree protection
 - Tree preservation specific to individual trees
 - Calculations of securities
4. Tree Removal
 - Compensation
5. Discussion
6. Recommendations/conclusion
7. Appendices

Section 2 - Tree Inventory

- **Observations**

An integral part of an arborist report is a tree inventory. A tree inventory is a list of significant trees on the property and within 4.5 m from the property line on neighbouring properties. The trees shall be marked and numbered on a drawing which corresponds to the list. Information as to the location of the trees shall also be provided.

Identifier #	Species		DBH	Condition	Category		
TP#/TM#TR#	Common Name	Botanical Name	(cm)	E / G / F / P / D	1	2	3

Identifier # *Approximate location of tree marked on a site plan, includes recommendation for preservation, maintenance or removal (TP1 = Tree number 1 to be Preserved, TM2 = Tree number 2 to be Maintained, TR3 = Tree number 3 to be Removed)*

Species *Both common name and botanical name*

DBH *Diameter at breast height (measured at 1.4 m above ground level) must be exact and measured in centimeters*

Condition *When considering the condition and or health of a tree, numerous factors will need to be taken into account. The ISA methodology must be used to arrive at a condition rating identified below:*

Excellent: the tree has a condition factor of 84 to 100%

<i>Good:</i>	<i>the tree has a condition factor of 67 to 83%</i>
<i>Fair:</i>	<i>the tree has a condition factor of 51 to 66%</i>
<i>Poor:</i>	<i>the tree has a condition factor of 26 to 50%</i>
<i>Dead/Dying:</i>	<i>the tree has a condition factor of 0 to 25%</i>

Category

1. *Trees at or above 20 cm DBH on the subject property*
2. *Trees that were planted as a condition of approval of a development application (e.g. appear on an approved site plan or landscape plan)*
3. *Trees that are located on an adjacent property within 4.5m of the subject lands, regardless of the size of the tree*

Section 3 - Tree Protection

- **Tree preservation specific to individual trees**
- **Calculations of securities**

The Tree Protection Plan shall include the following information regarding each tree to be protected:

- Species (common and botanical name);
- Condition including the Size, Health, and Vigor;
- Defects: Rot, Included bark, Seams, Cracks, Heavy limbs. Cavities, Ribs
- Insects and diseases;
- Location (if this has a bearing on the condition of the trees such as low lying wet areas etc.);
- Maintenance plan for trees to be protected; and
- Replacement tree calculations in a legend on the Tree Plan.

The Arborist Report will include actions that will mitigate any adverse effect of the proposed construction. Actions that could be included but are not limited to:

- Pruning (i.e. cleaning, thinning, reduction etc. according to arboriculture best management practices)
- Fertilization
- Mulching
- Aeration
- Watering
- Cabling

Protection could include the installation of wood or stone mulch over the root zone for protection in addition to the tree protection fencing.

If trees are to be moved, specific instructions will need to be added to ensure the survival of the transplanted tree(s).

In this section of the report the arborist will talk about trees that are to be preserved and what is prescribed for each tree in terms of any of the above mentioned work that should be done if the trees are to be preserved.

For trees to be preserved, proposed root pruning will have to be described, including how that is done. A certified arborist will need to perform this work.

Tree protection fencing will need to be discussed in the report, how far this will need to be from the base of the trees. A plan with Tree Protection Fencing marked on it will also need to be provided.

If mulch or other methods are to be used for tree protection, this will need to be discussed in the report in detail, such as distance from the trunk, depth of mulch and any other detail pertinent to the protection method. The locations will also need to be indicated on a drawing.

Section 4 - Tree Removal

• Compensation

Tree replacement and compensation must be described in this report. All trees over 20 cm, if not preserved, will require compensation in the form of planting or cash-in-lieu paid to the Town. If trees are going to be transplanted on site the compensation could be reduced.

Securities will need to be calculated for trees on municipal lands and trees to be preserved.

Condition is to be applied to the aggregate cm of replacements.

The Town collects a fee per 60 mm tree not planted. This fee is updated regularly, confirm the amount in the Town's Fees and Charges By-law (www.newmarket.ca).

It is acknowledged that not all detailed grading can be finalized at an early stage of a project, however, it is the arborist's job to work in conjunction with the planners and engineers of a project to come up with solutions for tree preservation if possible. As the project matures and evolves so does the tree preservation plan. It is one thing to be working off a plan, but once the work in the field starts things can change quickly and in some cases tree preservation can turn into the removal of a tree. All of this is understood but a plan needs to be put in place at an early stage to set the tone for the project.

Depreciated aggregate cm method

This method of arriving at a figure for compensation is a modification of the trunk formula method. The depreciate aggregate cm method (DAM) does not take the location factor into account; it only looks at the condition factor of the tree as it relates to the DBH. In other words the DBH of a particular tree is depreciated by the condition factor of that tree. The number arrived at would be the total cm that would need to be replaced.

Sample:

Species: Red oak
Condition: 80%
Size: 100 cm DBH

DAM: $100 \times 80\% = 80$ cm to be compensated for

If compensation comes in the form of trees planted on the property this would translate into 13, 60 mm trees. $(80 \text{ cm} / 6 \text{ cm (60 mm)}) = 13.3$

If no trees can be planted on the property and cash in lieu is suggested. \$400.00 in lieu per 6 cm (60 mm) tree not planted. In this example: $80 \text{ cm} / 6 \text{ cm (60 mm)} = 13 \times \$400.00 = \$5,200.00$

Section 5 - Discussion

Section 6 - Recommendations/conclusion

Section 7 - Appendices

This is where some standard information can be placed as well as photographs that have not been incorporated in the report but that could be helpful

The report will need to be signed and dated.

Revisions

All revision dates will need to be added to the front cover of the report.

All revisions to a report should be summarized in a letter submitted with the revised report.

PROHIBITED PLANT SPECIES		
TREE SPECIES		NOTES
Botanical Name	Common Name	
<i>Fraxinus species</i>	Ash	Current Ministerial Quarantines in Ontario for Emerald Ash Borer - EAB - (<i>Agrilus planipennis</i>)
<i>Acer platanoides and associated cultivars</i>	Norway Maple	Excessively planted in urban areas, somewhat invasive, Columnar cultivars are accepted
<i>Acer negundo</i>	Boxelder, Manitoba Maple	Highly Invasive species
<i>Ulmus americana</i>	American Elm	Susceptibility to Dutch Elm Disease (<i>Ophiostoma ulmi</i>)
<i>Betula species</i>	Birch	Susceptibility to Bronze Birch Borer (<i>Agrilus anxius</i>)
<i>Prunus species</i>	Cherry, Plum	Ministerial Quarantines in Ontario for Plum Pox Virus (<i>Sharka</i>) and Susceptibility to Black Knot (<i>Dibotryon morbosum</i>)














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LARGE TREE SPECIES: Mature height > 15m (50')										
TREE SPECIES			LOCATIONAL USE			GROWTH			CULTURE	
Botanical Name	Common Name	Street	Park	Utilities	ORIGIN Native	Rate	Max.	Environmental Sensitives	Environmental Tolerances	NOTES
<i>Abies concolor</i>	White Fir		■			medium	15m		Drought / Wide pH	Highly adaptable, good for division of spaces
<i>Acer negundo 'Flamingo'</i>	Boxelder		■			fast	15m		Drought and Flooding / Wide pH	Short lived, weak wooded, good visual interst
<i>Acer nigr</i>	Black maple	■	■		●	medium	20m	wet soils		Needs room to develop, excellent shade tree, great street tree
<i>Acer pseudoplatanus</i>	Sycamore maple	■	■			medium	20m		Soil extremes and salt tolerant	
<i>Acer rubrum</i>	Red Maple		■		●	medium	20m		Wet or dry / Low pH	pH test required / good for low lying areas in parks
<i>Acer saccharinum</i>	Silver Maple	■	■		●	fast	20m	Chlorosis on high pH soils	Varied soils/ Wet or Dry / Shade	Fast growing, tolerates flooding, At least 3m from public hardscapes, single stem only
<i>Acer saccharinum 'Silver Queen'</i>	Silver Queen Maple	■	■			fast	20m		Varied soils/ Wet or Dry / Shade	Fast growing, tolerates flooding, At least 3m from public hardscapes, single stem only
<i>Acer saccharinum 'Wieri'</i>	Wieri Silver Maple	■	■			fast	20m		Varied soils/ Wet or Dry / Shade	Fast growing, tolerates flooding, At least 3m from public hardscapes, single stem only
<i>Acer saccharum</i>	Sugar Maple	■	■		●	medium	15m	Soil extremes / Wet soils		Needs room to develop, excellent shade tree, great street tree
<i>Aesculus hippocastanum</i>	Horsechestnut	■	■			medium	20m	Leaf blight	Soil adaptable	Large Fruit
<i>Aesculus hippocastanum 'Baumannii'</i>	Bauman Horsechestnut	■	■			medium	20m	Hot dry environments	Soil adaptable / Moist soil	Fruitless cultivar, needs room to develop, great in parks and on streets
<i>Aesculus octandra</i>	Yellow buckeye	■	■			medium	20m	Leaf blight		
<i>Alnus cordata</i>	Italian Alder	■	■			medium	20m	Prolonged drought	Infertile high pH soils	Excellent for difficult sites and streets, low lying areas, dry soils
<i>Alnus glutinosa</i>	Common Alder	■	■			medium	15m		Infertile soil / Standing water	Excellent for difficult sites and streets, low lying areas, dry soils
<i>Betula alleghaniensis</i>	Yellow birch				●	medium	25m	Hot, dry soils		Moist, well drained, rich, acidic soils
<i>Betula nigra</i>	River Birch		■		●	fast	20m	High pH soils	Standing water / Low pH	Birch Borer Resistant, showy bark, spring dug and planted only
<i>Carya cordiformis</i>	Bitternut Hickory		■		●	medium	20m	Restricted root zones	Moist soils	Great for naturalized areas
<i>Carya glabra</i>	Pignut Hickory		■		●	medium	15m	Infertile soils	Moist soils	Great for naturalized areas
<i>Carya lociniosa</i>	Shellbark hickory	■	■		●	slow	25m	High clay soils	Drought tolerant	Rare in Ontario
<i>Carya ovata</i>	Shagbark hickery	■	■		●	slow	25m			Unique bark
<i>Catalpa speciosa</i>	Northern Catalpa		■			fast	17m		Adverse soils and conditions	Showy flower and fruit, great for difficult sites, significant litter
<i>Celtis occidentalis</i>	Common Hackberry	■	■		●	fast	17m		Wind / Adverse conditions	Good tree for urban and poor conditions
<i>Fagus grandifolia</i>	American Beech		■			medium	20m	High pH soils / Wet soils	Calcerous soils / drought	Majestic tree for open spaces and parks
<i>Fagus sylvatica 'cultivars'</i>	European Beech		■			medium	20m			Great tree for parks, excellent bark and winter interest, striaght species needs significant room
<i>Fraxinus quadrangulata</i>	Blue ash	■	■		●	medium	20m		Lime stone soils and drought	Seems to be imune to EAB
<i>Gingko biloba</i>	Gingko	■	■			slow	20m	Permenantly Wet Soils	Drought / High pH / Salt	Male species only - Does not bear fruit, one of the best urban tolerant trees




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LARGE TREE SPECIES: Mature height > 15m (50')										
TREE SPECIES			LOCATIONAL USE			GROWTH			CULTURE	
Botanical Name	Common Name	Street	Park	Utilities	ORIGIN Native	Rate	Max.	Environmental Sensitives	Environmental Tolerances	NOTES
<i>Gleditsia tiacanthos</i> var. <i>inermis</i> 'Shademaster'	Shademaster Honeylocust	■	■			medium	20m		Wet or Dry Soils / Salt / High pH	Readily used, light shade tree, one of the best urban tolerant trees
<i>Gymnocladus dioicus</i>	Kentucky Coffee Tree	■	■			medium	20m	Requires large soil volumes	Drought / Salt / Adverse soils	Male preferred - Does not bear fruit
<i>Juglans chinerea</i>	Butternut		■			medium	20m		Moist soils	
<i>Juglans nigra</i>	Black Walnut		■			medium	20m	Prolonged drought	Moist soils	Significant fruit drop, Avoid placement near structures and ornamental planting beds. Best in open spaces.
<i>Larix decidua</i>	European Larch		■			medium	20m	High pH /Soil compaction	Wind / Moist and dry soils	Great park tree, does drop litter
<i>Larix laricina</i>	Tamarack		■			medium	15m	Prolonged drought	Heat and cold / Standing water	Best in groups and naturalized
<i>Liriodendron tulipifera</i>	Tulip Tree	■	■			medium	20m	Prolonged drought and heat	Moist soils / Low pH	Unique native tree
<i>Metsequoia glyptostroboides</i>	Dawn Redwood		■			fast	30m	Early frosts	Wet or dry soils / Wide pH	Fast grower, excellent park tree for wet areas
<i>Nyssa sylvatica</i>	Blackgum	■	■			medium	25m		Clay soil / wet soil	Some sesceptibility to leaf spots, canker, rust, leaf miner, and scale
<i>Phellodendron amurense</i>	Amur Corktree		■			medium	20m	High pH / Prolonged drought	Low pH / Wet and dry soils	Suitable for large open spaces, good tree for tough areas
<i>Picea abies</i>	Norway Spruce		■			medium	20m	Excessive heat	Wind / Highly adaptable / Low pH	Large cones, requires room to develop
<i>Picea glauca</i>	White Spruce		■			medium	20m	Excessive heat	Wind / Drought / Low pH / Salt	Good salt tolerance, good in masses
<i>Picea omerika</i>	Serbian Spruce		■			medium	20m	Wind	Wide pH / Infertile soils	Great narrow evergreen for tight spaces
<i>Picea orientalis</i>	Oriental Spruce		■			medium	20m	Moist soils / Wind	Infertile soils / High pH	Excellent evergreen
<i>Pinus strobus</i>	White Pine		■			fast	25m	High pH / Iron	Wind / drought / Low pH	Great evergreen for parks and buffer plantings
<i>Pinus sylvestris</i>	Scotts Pine		■			medium	20m		Wide pH / Infertile soils / Wind	Great evergreen for screening
<i>Pinus resinosa</i>	Red pine		■			medium	35m	Salt / wind / shade	Low pH	Colder climates
<i>Platanus xacerifolia</i> 'Bloodgood'	Bloodgood London Planetree	■	■			fast	30m		All soil extremes / Salt / Pollution	Great street and park tree where space is available
<i>Prunus serotina</i>	Black cherry	■	■			medium	20m	Shade		Unique bark
<i>Quercus alba</i>	White Oak	■	■			slow	25m	Disruption of root system	Moist soils / Low pH	Long lived slow growing tree, pH test required, some litter
<i>Quercus macrocarpa</i>	Bur Oak	■	■			slow	25m		Wide pH / Infertile soils	Provide ample room for growth, Long lived, some litter
<i>Quercus palustris</i>	Pin Oak		■			medium	20m	Calcerous soils / High pH	Low pH / Moist soils	Requires moist acidic soils, Excellent park tree, pH test required
<i>Quercus rubra</i>	Red Oak	■	■			medium	20m	Prolonged drought / High pH	All Soil extremes / Pollution	Shallow root system, pH test required
<i>Quercus velutina</i>	Black Oak	■	■			medium	20m	Disruption of root system	Moist soils / Low pH	Long lived slow growing tree, pH test required, some litter
<i>Salix alba</i> 'Tristis'	Weeping Willow		■			fast	20m	Prolonged drought	Soil Extremes / Moist soils	Messy tree, Excellent for wet locations, single stem only
<i>Salix nigra</i>	Black Willow		■			fast	25m	Prolonged drought	Soil Extremes / Moist soils	Messy tree, Excellent for wet locations, single stem only

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LARGE TREE SPECIES: Mature height > 15m (50')											
TREE SPECIES			LOCATIONAL USE			GROWTH			CULTURE		
Botanical Name	Common Name	Street	Park	Utilities	ORIGIN Native	Rate	Max.	Environmental Sensitives	Environmental Tolerances	NOTES	
<i>Thuja occidentalis</i>	American Arborvitae		■			fast	15m	Wind / Prolonged flooding	Highly adaptable	Great evergreen for hedges, screening and wet areas	
<i>Tilia americana</i>	Gbasswood	■	■								
<i>Tilia americana 'Boulevard'</i>	Boulevard basswood	■	■			medium	30m				
<i>Tilia americana 'Redmond'</i>	Redmond basswood	■	■			medium	20m				
<i>Tilia cordata 'Greenspire'</i>	Littleleaf Linden	■	■			medium	15m	Prolonged wet soils	Soil extremes/Wide pH/Pollution	Proven to be an excellent and uniform street tree	
<i>Tsuga canadensis</i>	Eastern Hemlock		■			slow	20m	Wind / Heat / Salt	Low pH / Moist soils / Shade	Native shade evergreen, Excellent hedge	
<i>Ulmus glabra</i>	Scotch Elm		■			medium	15m		Highly adaptable	Good tree when located in parks	
<i>Zelkova serrata</i>	Japanese Zelkova	■	■			medium	20m		Adaptable / Drought / Wide pH	Vase shape, Excellent tree for streets and parks	

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MEDIUM TREE SPECIES: Mature height 10-15m (35-50')												
TREE SPECIES			LOCATIONAL USE			ORIGIN		GROWTH		CULTURE		NOTES
Botanical Name	Common Name	Street	Park	Utilities	Native	Rate	Max.	Environmental Sensitives	Environmental Tolerances	Notes		
<i>Acer ginnala</i>	Amur Maple		■	■		fast	10m		Drought / High pH / All soils	Excellent for planters, streets, small spaces		
<i>Acer griseum</i>	Paper bark maple	■	■	■		very slow	10m	Prolonged drought	All pH extremes, all soils	Showy Tree, very tolerant		
<i>Aesculus glabra</i>	Ohio Buckeye		■			medium	12m	Drought	Moist soils / Low pH	Fruit litter, Susceptible to scorch and blight		
<i>Alnus incana</i>	White alder	■	■		■	medium	15m	Full shade	Wet soil	Can tolerate cold winters		
<i>Betula populifolia</i>	Gray birch		■		■	fast	15m	Some suseptability to bronze birch boerer	Dry soil / Wet Soil	Non salt tolerant, peeling bark		
<i>Carpinus betulus 'Fastigiata'</i>	European Hornbeam	■	■			slow	10m	Disruption of root system	Wide pH /Dry or wet soils / Shade	Excellent for planters, streets, small spaces		
<i>Cercidiphyllum japonicum</i>	Katsuratree	■	■			medium	15m	Prolonged drought	Moist soils / Wide pH	Great specimen and street tree		
<i>Corylus colurna</i>	Turkish Filbert	■	■	■		medium	15m		Drought / pH / Adverse soils	Underutilized street and park tree		
<i>Eucommia ulmoides</i>	Hardy rubber tree	■	■			medium	15m		Every thing	Very hardy tree tolerant to almost everything		
<i>Ostrya virginiana</i>	American Hophornbeam	■	■		■	slow	12m		Drought / pH / All soils	Slow to establish, Great street and park tree		
<i>Pyrus calleryana 'Chanticleer'</i>	Chanticleer Ornamental Pear	■	■	■		medium	10m	Wind	Heat / Drought / Compacted soil	Great urban tolerant, 3 season tree		
<i>Quercus muehlenbergii</i>	Chinkapin oak	■	■		■	fast	15m	Acidic Soil	Alkaline soil	Must be pH <6		
<i>Quercus robur</i>	English Oak	■	■			slow	15m		Drought / High pH	Great shade tree that requires room to develop		

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SMALL TREE SPECIES: Mature height < 10m (35')									
TREE SPECIES			LOCATIONAL USE			GROWTH		CULTURE	
Botanical Name	Common Name	Street	Park	Utilities	Native	Rate	Max.	Environmental Sensitives	Environmental Tolerenaces
<i>Acer campestre</i>	Hedge Maple	■		■		fast	10m		Drought/ Compaction / All soils
<i>Acer platanoides 'Globosum'</i>	Globe Maple		■			slow	8m		Drought / All soils
<i>Alnus reugos</i>	Speckled alder	■	■	■	■	medium	6m	Full Shade	Sun / wet soils
<i>Amelanchier arborea</i>	Downy Serviceberry	■	■	■	■	medium	10m		Wide pH / All soils / Wet soils
<i>Amelanchier canadensis</i>	Serviceberry	■	■	■	■	medium	8m		Wide pH / All soils / Wet soils
<i>Carpinus caroliniana</i>	Blue Beech	■	■	■	■	slow	8m	Prolonged drought	Low pH / Moist soils / shade
<i>Cercis canadensis</i>	Eastern Redbud		■		■	slow	8m	Wet soils / prolonged drought	Wide pH / All soils / shade
<i>Cornus alternifolia</i>	Pagoda Dogwood		■		■	medium	8m	Prolonged drought	Low pH / Moist soils / shade
<i>Cornus racemosa</i>	Gray dogwood	■	■	■	■	medium	3m	Shade	Sun
<i>Crataegus crusgalli var. inermis 'Crusader'</i>	Cockspur Hawthorn	■	■	■		medium	8m	Prolonged drought	Wide pH / All soils
<i>Hamamelis virginiana</i>	Witch hazel	■	■	■	■	medium	7m		
<i>Malus 'White Angel', 'Prairiefire'</i>	Crab Apple		■			medium	8m	Extreme stresses	Wide pH / All soils
<i>Syringa reticulata</i>	Japanese Lilac Tree	■	■	■		medium	10m		Highly adaptable



Town of Newmarket
395 Mulock Drive P.O. Box 328,
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Bee City Canada Staff Report

Report Number: 2018-18

Department(s): Development and Infrastructure Services – Public Works Services

Author(s): Jeff Bond, Manager, Parks & Property Services

Meeting Date: April 9, 2018

Recommendations

1. That Town of Newmarket Council Report – Public Works Services 2018-18 dated April 9, 2018 regarding Bee City Canada be received; and the following recommendation be adopted;
2. That the Ontario Nature Youth Council be invited to the Touch a Truck event to set up a booth about pollinators;
3. That Council proclaims June 18-24, 2018 as International Pollinator Week and every third full week of June thereafter;
4. That The Town of Newmarket apply for and accept the designation and commits to the standards of the Bee City Program for annual renewal;
5. That Council Adopt the attached Bee City Canada Resolution in Appendix A as part of the application requirement.

Purpose

The purpose of this report is to provide an update on the Town of Newmarket being eligible to become a member of the Bee City Canada group for one year with the intent of re-applying each year thereafter.

Background

The Ontario Nature Youth Council presented a deputation to Council on June 6, 2017 requesting that the Town apply to become Bee City of Canada designated. The deputation was received and referred to staff, who subsequently contacted Bee City Canada representatives. After reviewing the requirements for designation, it was

determined that the Town has already implemented all physical works required for a successful application and only the public outreach and education is required in the future to meet all other stipulations.

The goal of Bee City certification is to promote healthy, sustainable habitats and communities for bees and other pollinators. Unfortunately bees and other pollinators around the globe have experienced dramatic declines due to a combination of habitat loss, climate change and use of pesticides. By the Town supporting pollinators, Newmarket will be widely known as a municipality that fosters environmental awareness and sustainability. The Town will join Cities like Toronto, Kamloops, Waterloo and Campbellton, New Brunswick as Bee Cities that are committed beautifying the community by selecting pollinator friendly plants including native trees, shrubs, vines, forbs and grasses, along with herbs and vegetables, that provide food not just for wildlife and humans too.

Insect pollinators are required for pollination and reproduction of about 85% of flowering plants; they are responsible for one-third of food we eat and contribute to a healthy and vibrant ecosystem.

Discussion

As part of the Bee City Canada designation staff protect pollinators by the following three steps.

Creating, maintaining and/ or improving pollinator habitat

With the Town's current horticulture program, staff continuously create and maintain existing pollinator habitats in parks, gardens and planting material. Planting of native species in Town gardens such as Purple Coneflower, Black Eyed Susan and Bee Balm, planting over 500 milkweed seeds, and installing bee houses at the Community Gardens are all recent illustrations of the Town's commitment to pollinator habitat.

There is also an opportunity to increase pollinator habitat as new park improvements are implemented by planting new gardens with wild flower seeds and pollinator bulbs.

The current Forestry program helps improve our pollinator habitat by selecting pollinator-friendly tree species in various areas in parks and open spaces. For example, staff plant approximately 20 pollinator friendly Linden trees each year.

Educating the community, employees and/ or customers about the importance of pollinators

Parks & Property Services staff along with the Ontario Nature Youth Council can work cooperatively and educate the community by attending events such as the Touch-a-Truck event, Community Open House, and booths at schools and at the Farmers Market.

There is a signage board at the butterfly garden in Ken Sturgeon Park providing facts about the importance of pollinators and other insects. Staff will continue to add signage around parks and other public areas as appropriate to further promote and educate pollinator awareness.

Staff from Parks & Property Services, Corporate Communications and Recreation & Culture can promote the Bee City Canada goals with marketing and promotion material on the Town's website, local newspapers and at a variety of events.

Celebrating pollinators during International Pollinator Week

It is recommended, as part of the requirement for the application, that Council proclaim June 18-24, 2018 International Pollinator Week and annually thereafter during the third full week of June. During this week, promotion and education of Town initiatives should be advertised through various media to enhance the public's awareness of pollinators and their importance to the environment, economy and food network.

Conclusion

The Town of Newmarket Public Works Services has completed initiatives including planting gardens and trees, which qualify the Town to be Bee City designated. This initiative makes Newmarket more pollinator friendly for a greener and healthier environment. We will be working with Mr. Aiden Kenny from Ontario Youth Council regarding our status of applying to become a Bee City Canada Designate.

Business Plan and Strategic Plan Linkages

Strategic Priorities - Community Engagement

- Using communications Practices to increase public awareness of Bee City Canada best practices.

Strategic Plan - Living Well

- Encouraging environmental protection for pollinators.

Strategic Plan – Well Respected

- Creating strategic partnerships with community organizations, private sector partners and other levels of government to support an environment of collaboration and co-operation

Consultation

There was consultation with Ontario Nature Youth Council, Bee City Canada, Recreation & Culture and Communications.

Human Resource Considerations

No additional human resources considerations.

Budget Impact

There is no budget impact. All costs are covered in existing operating budget. There may be marketing/sponsorship support through Recreation & Culture and Corporate Communications to raise awareness of pollinator diversity and the benefits of using native plants in habitat restoration and to promote Town activities through the web, social media and signage within the community as part of being a Bee City.

Attachments

Appendix A – Resolution for Bee City Canada

Approval

Jeff Bond

Manager, Parks & Property Services

Public Works Services

Christopher Kalimootoo, B.A., P.Eng., MPA, PMP

Director, Public Works Services

Peter Noehammer, P.Eng.

Commissioner, Development & Infrastructure Services

Contact

For more information on this report, contact Jeff Bond, Manager, Parks & Property Services, at 905-953-5300 ext. 2582.



Resolution for

Town of Newmarket

Ontario

Present this document to City/Band Council for approval. Send signed document, along with completed Bee City Canada Application form, to applications@beecitycanada.org for review and to receive official Bee City designation. If you have any questions about this process, please call Shelly Candel (647-402-0133) or Nick Savva (416-388-8856).

Bee City Canada Resolution

WHEREAS the goal of Bee City Canada designation is to promote healthy, sustainable habitats and communities for pollinators;

THAT bees and other pollinators around the globe have experienced dramatic declines due to land fragmentation, habitat loss, use of pesticides, industrialized agriculture, climate change and the spread of pests and diseases, with serious implications for the future health of flora and fauna; and

THAT cities/townships/First Nation communities and their residents have the opportunity to support bees and other pollinators on both public and private land; and

THAT supporting pollinators fosters environmental awareness and sustainability, and increases interactions and engagement among community stewards; and

THAT by becoming a Bee City, the Town of Newmarket can highlight initiatives already in place and further engage local communities in an environment of creativity and innovation which will promote a healthier life for our community;

NOW, THEREFORE, BE IT RESOLVED:

THAT The Town of Newmarket accepts the designation and commits to the standards of the Bee City Canada Program.

Read, approved and adopted this

_____ day of _____, 20_____.

Town of Newmarket

Signature of Mayor

Mayor Tony Van Bynen



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

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Lorne Avenue and Queen Street Traffic Review Staff Report

Report Number: 2018-09

Department(s): Engineering Services

Author(s): Director or Engineering

Meeting Date: April 9, 2018

Recommendations

1. That the report entitled Lorne Avenue and Queen Street Traffic Review dated April 9, 2018 be received; and,
2. That York Regional Police be sent a copy of this report; and,
3. THAT the Town request that York Regional Police include more Town-Specific enforcement measures and programs in their next Municipal Overview; and,
4. That enhanced vulnerable road user safety measures be included in the design for the future reconstruction of Lorne Avenue.

Purpose

The purpose of this report is to provide the results of the traffic operations review of Lorne Avenue and Queen Street, and to provide recommendations for improvement.

Background

At its regular meeting of September 25, 2017, the Committee of the Whole received a petition from residents of the Queen Street/Lorne Avenue Community. Those who signed the petition were responding to three questions / statements that were on the petition. These were:

1. Would you be interested in petitioning the town to put an end to the traffic chaos around our neighbourhood?
2. The amount of traffic violations is getting out of hand, speeding, failure to stop at stop signs, the illegal use of our residential streets by oversized trucks, etc.
3. Do we need a tragedy to get the attention we deserve?

This report provides staff's responses to the above items.

Discussion

Residents of the Town of Newmarket were encouraged to add their input on matters related to questions 1 and 3 of the petition at a Transportation Services booth that was set up during a Community Open House Event held at the Town offices on February 27, 2018. A display at the Transportation booth showed collision statistics for the Town. Collision statistics are considered by the industry to be the best indicator of road safety. An interesting fact that was shared with residents is that, even though Newmarket's population has increased from 66,788 in 2001 to over 84,000 in 2016, the rate of vehicle collisions has remained constant over the same period. Even more striking is that the rate of pedestrian and cyclist collisions has, in fact, decreased. The most recent fatality on a Town road was in 2008, and it was concluded that the death was due to a medical condition and not a road safety issue. There were no other fatalities on Town-owned roads from 2000 to present.

The Lorne Avenue and Queen Street Traffic Review and the discussions with residents at the Community Open House Event confirmed that traffic volumes and driver behaviour within the Queen/Lorne community are typical of what is seen throughout the entire Town. A review of collision statistics confirms that town streets such as Queen Street and Lorne Avenue are getting safer for vulnerable road users, such as pedestrians and cyclists.

The second statement on the petition reflects an issue that is related specifically to enforcement. York Regional Police is responsible to enforce traffic violations, which include speeding and stop compliance, whereas the Town's By-Law Officers enforce oversized truck violations on local roads. It should be understood that heavy trucks are allowed on local roads in Newmarket, only if they are involved in delivering items or materials to or from a destination within that local area, or if they are needed for work that is occurring within that specific neighbourhood.

Currently, Queen Street (west of Lorne Avenue) is under construction, which means that there is an increase in truck traffic related to the construction activities. In 2018, Park Avenue will also be reconstructed, thereby further increasing the number of heavy trucks in the area. Typically, heavy trucks are expected to account for about 2% to 5% of the total vehicle volume on collector roads. Previous studies have concluded that the percentage of heavy truck traffic at the Queen/Lorne intersection was within the tolerance level and was measured at between 2% and 3%. It should be noted that "heavy truck" counts include school buses as well. Performing new counts when there is construction in the area would not be recommended, because such a count would be unreliable and atypical.

Staff is also aware, as was confirmed by discussions with Newmarket residents at the Open House Event, that stop-sign compliance is another Town-wide issue. At a typical intersection, an average of 5% of vehicles do not come to a full stop. This type of violation is usually occurring during off-peak times. However, the Town has measured up to 25% non-compliance in the past for some local residential all-way stops. As noted, this is primarily a York Regional Police enforcement matter and should be reported to the police for monitoring. Engineering Services has no jurisdiction over stop compliance.

The Queen/Lorne community has been impacted by fluctuating traffic volumes over the past several years, first as a result of the vivaNext Davis Drive project, and now by the Queen Street reconstruction activities. The traffic volumes on Queen Street range between 3,500 and 5,500 vehicles per day. Lorne Avenue traffic volumes are a little less and range between 2,500 and 3,800 vehicles per day. These volumes are typical of collector roads throughout the Town, and as a result, they are acceptable volumes by the Town's standards.

Staff conducted a review of the collision database as it relates specifically to Queen Street and Lorne Avenue. The database showed nine collisions over the past 18 years, or about one recorded collision occurring every 2 years. The majority of the collisions were related to right-of-way issues (cars turning into or in front of other oncoming vehicles), which may reflect that the collisions occurred mostly at intersections. There were two collisions that stood out. In 2010, a pedestrian was struck on the east side of the intersection when a southbound vehicle turned left and hit the pedestrian. The second collision, which occurred in 2017, was when a vehicle on the west side of the intersection struck a cyclist. The collision report indicates that the cyclist's actions also contributed to this unfortunate incident.

Aside from driver, pedestrian or cyclist error, the enhancements noted below are expected to mitigate such occurrences in the future. The roadway improvements which will mitigate many traffic safety concerns are as follows:

1. Reconstruction of Lorne Avenue: This is planned for 2020, depending on competing priorities, the timing of approvals and the available budgets. Lorne Avenue will be reduced in width with the addition of low impact development (LID) features or new Active Transportation infrastructure (bicycle lanes), or both. Staff has also been asked to look at the possibility of a turning circle (roundabout) at the intersection as well. The ability to provide a roundabout is doubtful due to property availability and the width that would be required, as well as the ability to still maintain proper cycling facilities; however, this feature will be explored further during the design stage.
2. Intersection Enhancement: The Town is currently undertaking an intersection enhancement program to provide additional protection for pedestrians. This summer, the Queen Street reconstruction project will see ladder-type pedestrian crossover markings painted on the road to visually highlight the intersection.

3. Pedestrian Island: As part of the Queen Street reconstruction, a pedestrian island, similar to the Water Street/Doug Duncan Drive pedestrian refuge island, will be placed on Queen Street near the bridge at Haskett Park. The island will connect the park trail system with a future breathing space project on Davis Drive.

Finally, the Town is continuing to seek public input on its draft Town-wide mitigation strategy, which addresses pedestrian and cycling safety matters, as well as traffic calming. To participate in a survey and contribute to the future of traffic mitigation in the Town, please visit:

<http://www.newmarket.ca/trafficstrategy>

Finally, on a related item, the Town continues to endorse the three 'E's of traffic safety, which are Education, Engineering and Enforcement. Questions and concerns have arisen from our residents over the years about the role of York Regional Police in traffic safety enforcement. York Regional Police provides an annual Municipal Overview about its activities within specific municipalities. Staff will place a request to York Regional Police to provide more details on traffic safety enforcement and programs that they have in place specifically for the Town of Newmarket.

Conclusion

It is recommended that:

1. This report be sent to York Regional Police.
2. A request be placed to York Regional Police to include more Town-specific enforcement measures and programs in its next Municipal Overview.
3. Enhanced vulnerable road user safety measures be explored and that appropriate ones be included in the design for the reconstruction of Lorne Avenue.

Business Plan and Strategic Plan Linkages

This report links to Newmarket's Strategic Plan direction, Well Planned & Connected, by improving travel within Newmarket through inter-connected neighbourhoods, as well as providing varied transit options, including cycling trails, paths, and lanes.

This report also aligns with Council's 2014-2018 Strategic Priority - Traffic Safety & Mitigation, by ensuring safe streets, improving traffic congestion, and supporting major transit service enhancements.

Consultation

As per the Public Consultation and Support Policy, each member of the petition was contacted for further input.

A copy of this report will be forwarded to each petitioner prior to the Committee of the Whole meeting so that residents may attend the meeting or present a deputation if they so wish.

Human Resource Considerations

Not applicable to this report.

Budget Impact

Operating Budget - There is no operating budget impact at this time

Capital Budgets – There is no capital budget impact at this time. Road reconstruction costs will form part of future annual capital budget requests.

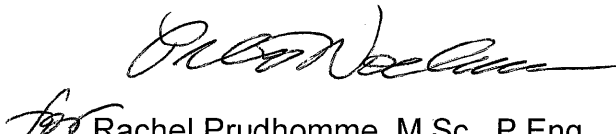
Attachments

None

Approval



Mark Kryzanowski
Manager, Transportation Services



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



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

Contact

For more information of this report, please contact Mark Kryzanowski, Manager, Transportation Services, at 905-953-5300, press "2", then extension 2508 or mkryzanowski@newmarket.ca



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Carnival – D.A. Campbell Amusement Ltd., Magna Centre Staff Report

Report Number: 2018-07

Department(s): Legislative Services

Author(s): Florence DiPassio, Licensing Officer

Meeting Date: April 9, 2018

Recommendations

1. That the report entitled Carnival – D.A. Campbell Amusement Ltd. – Magna Centre dated April 9, 2018 be received; and,
2. That the application be approved subject to the following terms;
 - a. That the licence be issued for a period of seven consecutive days from May 7, 2018 to May 14, 2018 to permit the setting up and dismantling of the amusement devices; and,
 - b. That the actual operation of the carnival not to exceed five consecutive days within the permitted time period; and
 - c. That D.A. Campbell Amusement Ltd. apply for a noise exemption in accordance with the Noise By-law 2017-76; 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 seek Council's approval for the issuance of a Carnival licence to D.A. Campbell Amusement Ltd. This event is to be held at the Magna Centre – West Parking Lot from May 7, 2018 to May 14, 2018 with the operation of the carnival not to exceed five consecutive days within the permitted time period.

Background

Since 2009 Council has approved all Carnival applications submitted to the Town since the Carnival By-law 2009-78 was passed. A Carnival licence is only issued to a person/operator/licensee once in a calendar year unless the carnival is operated in conjunction with a Town event and the approval is obtained by the Commissioner or Director of Community Services.

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

D.A. Campbell Amusements Ltd. together with Persechini Easter Seal Run Walkathon has been hosting a Carnival at the Upper Canada Mall for a number of years. This year Upper Canada Mall is not permitting the Carnival to be hosted at their location.

Discussion

The organizer of Persechini Easter Seal Run Walkathon approached the Town to assist with finding a new location in the Town where the carnival could take place. The Director of Recreation and Culture has advised that there was an Outdoor Facilities Special Event request submitted and approved to host the Carnival at the Magna Centre – West Parking Lot. The Director further advised that there are no other events scheduled for the dates requested for the Carnival and parking should not be an issue. Legislative Services has not received any complaints regarding this Carnival during the time it operated at Upper Canada Mall.

Conclusion

Should Council approve the application for the Carnival to take place at the Magna Centre-West Parking Lot; staff will advise D. A. Campbell Amusement Ltd. that a noise exemption application is required to be submitted to Legislative Services for the event along with the appropriate fee. Staff will process the noise exemption for the temporary noise permit through the delegated authority.

Business Plan and Strategic Plan Linkages

This report relates to the “Well Equipped and Managed” link of the Town’s community vision implementing policy and processes that reflect sound, accountable governance.

Consultation

Staff has consulted with the Director of Recreation and Culture and contributed to the content of this report.

Human Resource Considerations

None

Budget Impact

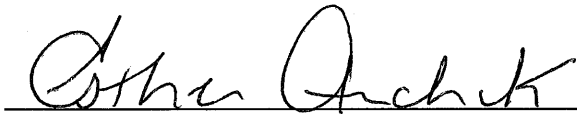
None

Attachments

None

Approval

Lisa Lyons, Director, Legislative Services/Town Clerk.



Esther Armchuk, Commissioner of Corporate Services

Contact

For further information on this report, please contact Florence DiPassio, Licensing Officer at fdipassio@newmarket.ca.



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Proclamation and Lighting Request Policy Staff Report

Report Number: 2018-08

Department(s): Legislative Services

Author(s): H. Leznoff, Council/Committee Coordinator, K. Saini, Deputy Clerk

Meeting Date: April 9, 2018

Recommendations

1. That the Corporate Services- Legislative Services report entitled Proclamation and Lighting Request Policy dated April 9, 2018 be received; and,
2. That Council approve the Proclamation and Lighting Request Policy, attached as Attachment A; and,
3. That the Town Clerk be delegated the authority to amend the Proclamation and Lighting Request Policy from time to time, as required; and,
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Purpose

The purpose of this report is to seek Council approval of the Proclamation and Lighting Policy.

Background

Proclamations are a public announcement about something important, and have historically been completed by municipal Councils through listing these types of requests onto an agenda. However, there has been a recent shift by Councils in delegating that authority to municipal staff. Currently, the process in Newmarket for addressing a proclamation request is as follows:

- The request is received by the Legislative Services Department (directly or through the Mayor's Office)

- The proclamation request is placed on an upcoming Committee of the Whole agenda for consideration at Committee and subsequent approval at a Council meeting.
- The Clerk notifies that applicant that their proclamation request has been approved or denied through a follow up letter (Council Extract) to the applicant.
- If approved, the proclamation request is listed in the Town Page on the Town of Newmarket's Website

In addition to the proclamation requests received, there has also been an increase in the number of requests to light Riverwalk Commons received by the Town. Accordingly, staff has reviewed the Town's current process and compared different processes across municipalities in Ontario (see Consultation section in this report), and has identified an opportunity to create improvements through efficiencies. The attached Policy (**Attachment A**) has been drafted to address general principles, application processes, approval criteria, and communications related to proclamation and lighting requests. This Policy would delegate the authority to the Town Clerk to approve or deny proclamation and lighting requests submitted to the Clerk. Further discussion on the Policy is provided below.

Discussion

Since April of 2017, Legislative Services staff began tracking the number of proclamation requests received and 27 proclamation and/or lighting requests were received in 2017.

Staff is recommending approval of the Proclamation and Lighting Request Policy for the following reasons:

- Currently, there are no established criteria for determining if a proclamation or lighting request should be approved or denied.
- Recently, staff has received lighting requests to illuminate Riverwalk Commons in a specific colour but there is no policy in place to address these requests.
- There is no prescribed application form, and organizations either contact the Legislative Services Department or the Mayor's Office with varying levels of detail regarding their proclamation or lighting request. A formalized Policy and process would assist with gathering accurate and complete information.
- At times, the timeframe for a proclamation request to be placed on an agenda, adopted by Committee, and ratified Council meeting may be quite lengthy, especially if approval is required by a specific day/event. Should approval be delegated to staff, proclamation and lighting requests could be processed within a shorter timeframe, improving efficiency and providing for a better customer service experience.

- Proclamation requests can sometimes inundate Committee of the Whole agendas and often, during meetings, proclamation requests are approved on consent.

It is recommended that the proclamation and lighting request approval process be delegated to staff, as stipulated in the Policy attached as **Attachment A**, and the draft procedures enclosed as **Attachment B**. The Procedure By-law, is currently silent on proclamation requests, therefore a By-law amendment would not be required.

Overview of Approval Criteria

The Proclamation and Lighting Policy provides guidelines for approval of proclamation and lighting requests, detailed below:

“Approved proclamation and lighting requests will demonstrate an interest in or have a relationship with the Town, including but not limited to the following:

- a. arts celebrations
- b. charitable fundraising campaigns
- c. public awareness campaigns
- d. to honor individuals, institutions or organizations for special achievements

Proclamation and lighting requests will not be issued for the following:

- a. political parties or political organizations
- b. religious organizations or the celebration of religious events
- c. promotion of business or commercial enterprise
- d. matters inciting hatred, or those that are discriminatory
- e. intent contrary to corporate policies or by-laws
- f. intent is to defame the integrity of the Town, Ontario or Canada
- g. matters which are untruthful”

Overview of Proclamation Requests under the New Policy

The Policy authorizes the Clerk to approve or deny any proclamation or lighting request submitted to the Legislative Services Department. Approved proclamation requests will be circulated to Members of Council through the Council Information Package, and as part of that process, Members of Council will still have the opportunity to “bump up” any approved or denied request onto a Committee of the Whole agenda for discussion during a meeting. Should an organization’s representative(s) wish to attend a meeting of Council to make a deputation regarding their proclamation request or event, they may do so by submitting a deputation request to Legislative Services, as per the current process.

This Policy does not preclude Council from proclaiming a day, month or year at a meeting of Council, and does not preclude a Member of Council from putting forth a motion to Council to consider a proclamation or lighting request.

In accordance with the Policy, the Clerk will notify the applicant that their request has been either approved or denied.

In lieu of Council considering the proclamation or lighting request during a meeting, staff are proposing that applicants be given the option to request a signed letter by the Mayor, officially proclaiming the event, on behalf of Council. This would be a new service being provided by the Mayor's Office, and is a process that is currently **not** completed.

Requests for the Mayor or Members of Council to attend an event related to a proclamation request would continue to be coordinated through the respective Member of Councils' Offices.

Communication of Approved Proclamation and Lighting Requests under the New Policy

Staff will continue to list approved proclamations in the Town Page. However, staff will also create a dedicated Proclamations and Lightings page on the Town's website. The page will outline proclamation criteria, provide access to a proclamation application form, and list all approved proclamation and lighting requests. This information will help those visiting the website to clearly see what the Town has proclaimed and get further information regarding the Town's proclamation and lighting requests process. In addition, approved proclamation and lighting requests will also be communicated to residents through social media platforms, such as Twitter. Furthermore, the proclamations will also be made available online through the Council Information Packages that are posted to the Town's website in accordance with the Procedure By-law.

Lighting Requests

In recent months, staff has received an increased number of lighting requests. Staff has identified the Riverwalk Commons, the Fred A. Lundy Bridge, located on Water Street and the lights over the Tim Hortons skating and water feature as having the ability to be illuminated in various colours. The Newmarket signs located off Highway 404 at Mulock Drive, and at the intersection of Davis Drive and Bayview Parkway are not included in this Policy, as these signs are intended for Town use (e.g. Corporate events) and not for external events or requests.

Staff has included lighting request as part of the Policy and procedures, as these requests have generally been submitted in tandem. The approval criteria for proclamation requests and for lighting request are the same. Applicants will be given the opportunity to request a proclamation request, lighting request, or both.

Illuminating Riverwalk Commons will help to promote community events, recognize public awareness campaigns and support charitable organizations in a visual and meaningful way. Many municipalities, most notably the City of Toronto (the Toronto Sign and City Hall Towers), the Canadian National (CN) Tower have policies that govern illuminating either a sign or structure.

Conclusion

The Proclamation and Lighting Request Policy delegates the authority to approve proclamation and lighting requests to the Clerk. The Policy will streamline the proclamation and lighting request application and administration process, benefit community members, make the process more efficient, and shorten the approval times of any proclamations and lighting requests.

Next Steps

Should Council approve the Proclamation and Lighting Request Policy at its meeting on April 16, 2018, staff will move forward with the following:

- Create a dedicated Proclamation and Lighting Requests webpage outlining the application criteria and process
- Communicate approved requests through social media
- Provide Council with a copy of approved requests through the bi-weekly Council Information Packages

Business Plan and Strategic Plan Linkages

The Proclamation and Lighting Policy relates to the Well-equipped and managed link of the Town's Community vision –implementing policy and process that reflect sound and accountable governance.

Consultation

In preparing this report and attached Policy, staff consulted with other municipalities including Aurora, Markham, Oakville, Oshawa, Richmond Hill, Vaughan, and Whitby to review how proclamation requests are processed and approved, comparing various proclamation policies. The City of Toronto and the CN Tower's lighting requests policies were consulted in the development of the Town's Policy. In addition, staff consulted with the Public Works, Recreation and Culture, and Communications Departments, and the Mayor's Office when preparing the report and policy.

Human Resource Considerations

There are no human resource considerations.

Budget Impact

There is no budget impact.

Attachments

Attachment A – Proclamation and Lighting Request Policy

Attachment B – Procedures for Proclamation and Lighting Requests

Approval



Lisa Lyons, Director of Legislative Services/Town Clerk

Legislative Services



Esther Armchuk, Commissioner of Corporate Services

Corporate Services

Contact

For more information on this report, contact Kiran Saini, Deputy Clerk at 905-953-5300 extension 2203 or via email at ksaini@newmarket.ca.



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Corporate Policy

Attachment A

Proclamation and Lighting Request Policy

Policy Number:

Topic: Municipal Governance

Applies to: Residents, Organizations and Community groups associated with the Town of Newmarket

Policy Statement and Strategic Plan Linkages

This Policy relates to Council's Strategic Priorities of being "Well-Equipped and Managed", and "Well-Balanced". The **Proclamation** and **Lighting Request** Policy allows for the recognition of significant organizations or community groups within the Town.

Purpose

The purpose of this Policy is to provide a standard to govern **proclamation** and **lighting requests** received and issued by the Town of Newmarket in recognition of events, organizations or community groups of significance in Newmarket. The Policy outlines the general principles, criteria, application process, communications regarding **proclamation** requests and **lighting requests**.

Definitions

Note: Defined terms are in bold font for convenience purposes only.

Proclamation(s) means a formal public statement by the Town designating a period (day, week, month) in recognition of a significant individual, event, or organization.

Lighting request(s) means a request to illuminate Newmarket's Riverwalk Commons in a specific colour to commemorate an event, organization or proclamation request.

Clerk means the Director of Legislative Services/Town Clerk and includes his/her designate.

Newmarket's Riverwalk Commons means the lights located above the Tim Hortons skating and water feature, and the lights under the Fred A. Lundy Bridge, located on Water Street.

Town means the Corporation of the Town of Newmarket.

Provisions

1. Application

- 1.1 This Policy applies to all requests for **proclamation** and **light requests** sent to the **Clerk**.
- 1.2 The Policy does not preclude Council from proclaiming a particular event, day, week or month, or approving a lighting request at a meeting of Council, pursuant to the **Town's** Procedure By-law, as amended from time to time.

2. General Principles

- 2.1 **Proclamations** and **lighting requests** are issued to acknowledge efforts, commitment and achievements of organizations, and community groups and to recognize public awareness campaigns, charitable fundraising campaigns and arts celebrations of significance to the **Town**.
- 2.2 A **proclamation** or **lighting request** may recognize a particular event, day, week or month.
- 2.3 An organization does not have exclusive rights to the day, week or month of their **proclamation** request.
- 2.4 Where the Town issues a **proclamation** in accordance with this Policy, such **proclamation** does not constitute a personal or civic endorsement by the Town.
- 2.5 The Town will not incur any expenses relating to the advertising and promotion of a **proclamation**.
- 2.6 **Lighting requests** for a particular day will be approved on a first come first serve basis. If there is a **Town** event, that requires the lighting of a particular colour, that **Town** event will take precedence over any applications for a **lighting request** received.
- 2.7 **Lighting requests** associated with a week or month long **proclamations** will be recognized on the first date of the proclaimed time period, week or month, unless otherwise specified
- 2.8 The lights located above the Tim Hortons skating and water feature cannot be changed between November 1 and April 1.
- 2.9 **Lighting** will take place from 5:00 PM to 11:00 PM on the day of the request.
- 2.10 Should technical issues arise on the day of the lighting request, an alternate day will be offered.

3. Criteria for Evaluation for Proclamation and Lighting Requests

- 3.1 **Proclamations** and **lighting requests** are issued in accordance with the criteria as outlined in this section of this Policy.
- 3.2 Approved **proclamation** and **lighting requests** will demonstrate an interest in or have a relationship with the Town, including but not limited to the following:
 - a. arts celebrations
 - b. charitable fundraising campaigns
 - c. public awareness campaigns
 - d. to honor individuals, institutions or organizations for special achievements
- 3.3 **Proclamation and lighting requests** will not be issued for the following:
 - a. political parties or political organizations
 - b. religious organizations or the celebration of religious events
 - c. promotion of business or commercial enterprise
 - d. matters inciting hatred, or those that are discriminatory
 - e. intent contrary to corporate policies or by-laws
 - f. intent is to defame the integrity of the Town, Ontario or Canada
 - g. matters which are untruthful
- 3.4 Where a proclamation does not fit into a category as defined in subsections 3.2 and 3.3 of this Policy, the **Clerk** may use proclamations previously recognized by the Ontario or Canadian government as a method of reviewing any such requests. In these situations, the **Clerk** has the authority to exercise discretion when approving or denying such requests, and if deemed required by the **Clerk**, he/she may seek Council's direction on the specific request by placing it on a Committee of the Whole or Council agenda.
- 3.5 The **Clerk's** decision is final.

4. Application Process

- 4.1 **Proclamation** and **lighting requests** must be submitted using the prescribed method as determined by the **Clerk**.
- 4.2 An applicant will have the ability to request a **proclamation** request, **lighting request** or both.
- 4.3 Applications must be submitted a minimum of three weeks in advance of the first date of recognition and shall not be submitted more than three months in advance.

- 4.4 **Proclamation or lighting requests** will not be issued if the first day to be recognized has passed.
- 4.5. The **Town** cannot accept requests made by third parties on behalf of other organizations or individuals. All requests must be made by the organization or individual to ensure that:
 - a. They are aware and approve of the **proclamation** request and that **Newmarket's Riverwalk Commons** will be lit for their event, occasion, or cause; and,
 - b. The lighting colour is consistent with the request.
- 4.6 The **Clerk** will review all applications to determine if the **proclamation or lighting request** meets the criteria in accordance with this Policy.
- 4.7 The **Clerk** will notify the applicant if their **proclamation or lighting request** has been approved or denied.

5. Communication of Proclamations and Lighting Requests

- 5.1 All approved and denied **proclamation or lighting requests** will be provided to Members of Council through the next Council Information Package, for information purposes.
- 5.2 The Clerk will issue a letter advising if the **Proclamation** has been approved or denied, in accordance with the policy. If the **Proclamation** is approved, the applicant will also receive a signed letter from the Mayor on behalf of Council, if requested.
- 5.3 **Proclamations** will be listed on the **Town** page and on the **Town's** website.
- 5.4 The applicant is responsible for notifying the media or advertising the **proclamation** beyond the **Town's** standard advertisement, in accordance with this Policy.
- 5.5 Arrangements for the Mayor and/or Member(s) of Council to attend a specific function or event related to the **proclamation or lighting request** are to be coordinated through the Mayor or Member of Council's offices.

6. Record of Proclamations

- 6.1 The **Clerk** will maintain a record of all **proclamation and lighting requests** received that will include: when the request was received, if the request was approved or denied, the **proclamation** period (day, week, month), the day of the **lighting request** and colour, the date approval was granted and if a letter from the Mayor's Office was requested.

7. Administration and Contact

- 7.1 This Policy shall be administered by the Legislative Services Department. Procedures may be defined, and amended from time to time, by the **Clerk** to address specific implementation of this Policy.
- 7.2 The **Clerk** has the authority to make amendments to this Policy, as may be required from time to time.
- 7.3 All questions, or concerns with respect to this Policy should be directed to the **Clerk**.

Cross-References

Procedure By-law 2015-50

Contact

Lisa Lyons, Director of Legislative Services/Town Clerk
905-953-5300 ext. 2211
llyons@newmarket.ca

Details

Approved by: Council
Adoption Date:
Policy Effective Date:
Last Revision Date:
Revision No: 000



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Corporate Procedure

Attachment B

Procedures for Proclamation and Lighting Requests

Authority and Application:

Section 7.1 of the Proclamation and Lighting Requests **Policy** authorizes the Clerk to develop specific procedures for the implementation of the **Policy**.

These Procedures provide instructions on the process for individuals who wish to submit an application for a proclamation and/or lighting request with the **Town**.

Definitions:

Note: Defined terms are in bold font for convenience purposes only.

Applicant means the individual requesting a proclamation and/or lighting request.

Clerk means the Director of Legislative Services/**Town Clerk**, and includes his or her designate for the purposes of administering these Procedures in accordance with the **Policy**.

Policy means the Proclamation and Lighting Request Policy [insert policy number], as approved by Council on [insert date].

Town means the Corporation of the Town of Newmarket.

Requesting a Proclamation and/or Lighting Procedures

1. **Applicant** shall complete prescribed application form no less than three weeks and no more than three months in advance of the date to be proclaimed or lighting request. The prescribed form can be accessed online at the **Town's** Newmarket website or in-person at the Customer Services department or Legislative Services Department. The **applicant** will be asked to provide information, including but not limited to:
 - a. The type of request: proclamation, lighting or both;
 - b. The title of the proclamation request or reason for lighting request, including a brief summary and background of the subject matter/purpose of the request;

- c. The proposed date of the proclamation and/or lighting request;
 - d. A brief summary and background of the individual or organization requesting a proclamation and/or lighting request;
 - e. **Applicant's** name, and contact information (such as address, telephone and email,) and, if applicable, confirmation indicating that the **applicant** is a representative of the organization they are submitting the proclamation or lighting request on behalf of;
 - f. For a lighting request:
 - i. The requested day for lighting, subject to section three of these Procedures; and,
 - ii. The colour request and a second colour choice (e.g. first choice: teal; second choice: blue).
 - g. Confirmation indicating that the **applicant** assures that their request is not discriminatory and does not contravene any of the **Town's** policies;
 - h. The option to attach additional information such as a formal letter, information sheet or other supporting documents to be circulated with the request.
2. The **applicant** may wish to involve the Mayor and Members of Council in their proclamation and/or lighting request through the following:
- a. Requesting an official letter signed by the Mayor on behalf of Council for any approved proclamations. This request, also outlined on the application form, will require the **applicant** to indicate how he/she would like the letter to be delivered:
 - i. by email
 - ii. by mail
 - iii. picked up in-person from the Legislative Services department
- Note: Letters will only be issued for proclamation requests, and not for lighting requests.**
- b. Should the **applicant** wish to arrange for any Member of Council to attend an event being organized related to the proclamation and/or lighting request, the **applicant** is responsible for contacting the Member of Councils' office directly.

3. For proclamations or lighting requests that extend past one day, the lighting request will be issued on the first day of the period (days, weeks or month) unless:
 - a. That day has already been provided to another **applicant**, in which case an alternate day during the period will be arranged; or,
 - b. The requester specifies a specific day during that time period (e.g. to coincide with an event taking place during that period).
4. Upon completion, the form can be submitted to the Legislative Services department either in-person or via email to clerks@newmarket.ca
5. The **Clerk** will review the request and approve or deny it based on the application criteria identified in the **Policy**.
6. The **Clerk** will endeavor to approve or deny a proclamation request within five business days, where possible.
7. If there is a lighting request, the application will be forwarded to the appropriate staff in Public Works Services (Manager, Parks and Supervisor, Parks) and to staff in Recreation and Culture (Manager, Culture and Community Events)
8. The Supervisor, Parks is responsible for confirming that the request has been received and is scheduled for the date of the approved request.
9. The **Clerk** is responsible for sending a letter to the **applicant**, indicating if the proclamation request and/or lighting request has been approved or denied, and if denied, the reason for denying the request.
9. If the **applicant** has requested a signed letter, the **Clerk** will fill in the letter with the appropriate information and send it to the Mayor's Office for signing on behalf of Council.

Records and Communication of Proclamations and Lighting Requests

10. The **Clerk** will list approved proclamations and lighting requests on the proclamations and lighting requests section of the Council Information Package and will circulate any additional information/documents provided by the individual/organization as part of the Package.
11. The **Clerk** will update the record to include the proclamation and/or lighting request approval. This record will be used to advise Corporate Communications of upcoming proclamation requests and the proclamation request will be included in the **Town Page**.

12. The **Clerk** will update the "Proclamations and Lighting Requests" page on the **Town** website to include approved proclamations and lighting requests. Corporate Communications will create a tweet linking back to the webpage to inform the public of the proclamation/lighting request, where applicable.

Approval and Version Information:

Approved by the Director of Legislative Services/Town Clerk, Lisa Lyons, on [insert date].

Version: 1

Details

Approved by: Town Clerk

Adoption Date:

Policy Effective Date:

Last Revision Date:

Revision No: 000



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

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

Temporary Parking Exemption Program Staff Report

Report Number: 2018-05

Department(s): Legislative Services

Author(s): Lesley Long Supervisor of Bylaw Enforcement

Meeting Date: April 9, 2018

Recommendations

1. That the report entitled Temporary Parking Exemption Program dated April 9, 2018 be received; and,
2. That staff amend the Legislative Fees and Charges By-law to reflect a fee for a temporary parking exemption and bring by-law forward for Council approval and,
3. That staff be directed and authorized to do all things necessary to give effect to this resolution.

Purpose

The purpose of this report is to seek Council's approval to apply an administration fee to the existing temporary parking exemption program.

Background

The Town has been administering a temporary parking exemption program since 2005 the program includes temporary relief from the by-law for circumstances including, overnight guests, driveway maintenance or unforeseen circumstances. In the past, there has not been a technology solution available to efficiently manage the requests or recoup a fee. The Town mainly received a request through Customer Service Department and the after-hours service to administer the program which in 2017 we received approximately 2010 requests.

In November 2017, the Town purchased a new parking management solution, which manages all aspects of parking tickets and parking permits. It allows for a self-service portal for individuals to pay or dispute parking tickets online, without the need for in-person application/payments.

The parking management solution also has the capabilities to manage temporary parking exemptions. Customers can apply for an exemption through the portal, pay the fee, and parking officers are provided all exemptions through hand-held devices.

This report focuses on the existing temporary parking exemption program in residential areas, and does not address long-term on street parking permits. An parking permit program will be reviewed as part of the Town's overall parking strategy and parking review in 2019.

Discussion

Current Process for Applying for an Exemption

The current process for applying for a temporary parking exemption can be considered inefficient. Customers are required to call the Customer Services Department, and if they call during normal business hours, staff will record their information into a system send it to the Legislative Services Associate for approval and then forward the information to Parking Enforcement staff. If a customer calls afterhours, they are required to talk to our answering service, at which point, parking staff receive an email message with the parking exemption request. Customers, who call in after-hours, do not receive confirmation from a live Customer Services staff member that their request has been approved.

An additional consideration is that customers may not know when they will require a temporary exemption, so the current process does not work well for those who have unplanned overnight guests, for example.

Moving this exemption process to an online, self-serve portal would assist with making the process more convenient, efficient, and accessible for customers.

Proposed Online Process for Applying for an Exemption

The proposed online process will allow customers to visit the Town's website and fill in their information such as licence plate, address, and duration requested. Parking officers would be notified of the exemption in real-time, which reduces the likelihood of a person who has requested an exemption receiving a parking ticket because the plate shows up as having an exemption for the officers so they do not issue a ticket.

Who can Apply for an Exemption

Any person can apply for a temporary parking exemption; however, the exemption will only apply to vehicles that are parked for longer than 3 hours and are not interfering with a bike lane. Exemptions will only be granted between April 16 and October 31, after this date no exemption will be granted due to winter maintenance. All other parking offences in By-law 1993-62, as amended, will apply and will be enforced.

Application Permit Fee

Municipalities such as Richmond Hill, London and Toronto have implemented an application permit fee to assist with offsetting the administration costs of the program. There has been a general policy shift to applying fees, such that individuals who use a service now bear the cost of paying for the service. This policy shift reduces the burden on taxpayers, and changes it to a “user-pay” model.

In order to provide residents and their guests with both an accessible and affordable option, the Town will allow residents to receive 15 exemptions per year, per licence plate, at the cost of \$5.00 for a 24-hour period and \$15.00 for a 5-day period.

Staff is recommending a limit of 15 exemptions per year, per licence plate because over the years some households have taken advantage of not having a limit on the temporary exemptions. Staff surveyed other municipalities and the average was 15 exemptions per year. This will provide all households in permitted areas to have an opportunity for temporary parking exemptions.

Conclusion

Following Council, approval staff will communicate the new temporary parking exemption process, including the requirement to obtain the approval online, and the associated fees for such permits.

An amended fees and charges by-law will be brought to the next Council meeting for approval, so this program can commence once winter restrictions are lifted.

Business Plan and Strategic Plan Linkages

This report relates to the “Well Equipped and Managed” link of the Town’s community vision implementing policy and processes that reflect sound, accountable governance.

Consultation

Staff will work closely with Corporate Communications and Customer Service to promote the new on-line parking exemption process.

The following municipalities were consulted; Richmond Hill, London, and Toronto.

Staff from Engineering Services and Planning Departments were also consulted in this report.

Human Resource Considerations

There are no human resources considerations related to this report.

Budget Impact

Based on the number of requests received in 2017, it is anticipated that this new program could generate \$ 10,000 in revenue.

Attachments

None

Approval

X 

Lisa Lyons
Director of Legislative Services/Town Clerk

X 

Esther Armchuk
Commissioner, Corporate Services

Contact

For information on this report, contact Lesley Long, Supervisor of Bylaw Enforcement at 905-953-5300 extension 2222 or via email at llong@newmarket.ca .



**Newmarket Public Library Board
Regular Board Meeting
Monday, December 11, 2017
Newmarket Public Library Board Room**

Present: Joan Stonehocker, Chair
Tara Brown, Vice Chair
Kelly Broome
Darcy McNeill
Jane Twinney
Tom Vegh
Venkatesh Rajaraman

Staff Present: Todd Kyle, C.E.O.
Linda Peppiatt, Deputy C.E.O.
Lianne Bond, Administrative Coordinator

The Library Board Chair called the meeting to order at 5:40 pm

Adoption of Agenda Items

1. Adoption of Regular Agenda
2. Adoption of the Closed Session Agenda
3. Adoption of Consent Agenda items

The Chair asked if there were any additions to the agenda. Two items were added under New Business.

Motion 17.12.247

Moved by Kelly Broome

Seconded by Tara Brown

That Agenda items 1) to 3) be adopted as amended.

Carried

Declarations

None were declared.

Consent Agenda Items:

4. Adoption of the Regular Board Meeting Minutes for Wednesday, November 15, 2017

5. Adoption of the Closed Session Meeting Minutes for Wednesday, November 15, 2017
6. Strategic Operations Report for November, 2017
7. Monthly Bank Transfer

Motion 17.12.248

Moved by Jane Twinney

Seconded by Venkatesh Rajaraman

That Consent Agenda items 4) to 7) be received and approved as presented.

Carried

Closed Session

There were no Closed Session items.

Reports

There were no reports.

Business Arising

8. Library Board Action List

The Library Board reviewed the Action list.

Motion 17.12.249

Moved by Jane Twinney

Seconded by Tom Vegh

That the Library Board receive the Library Board Action List.

Carried

New Business

9. Ontario Library Association 2018 Super Conference

Library Board members are invited to attend the Ontario Library Association 2018 Super Conference that is being held from January 31 to February 3, 2018 at the Metro Toronto Convention Centre. Board members were asked to advise the Administrative Coordinator if they are interested in attending by Wednesday, December 20, 2017.

10. Town of Newmarket request regarding Resident enquiries

The Board discussed the recent request from the Legislative Services Department of the Town of Newmarket that requests for information from a particular resident group to Town of Newmarket entities, including the Library, be forwarded to Legislative Services in order to

provide a single point of contact. The Board was asked whether they would support the Library following this protocol in this particular case.

Motion 17.12.250

Moved by Darcy McNeill

Seconded by Venkatesh Rajaraman

That the Library co-operate with the Town of Newmarket in providing a single point of contact for resident requests for information as requested.

Carried

11. Library Advocacy Jackets for Library Staff

Fleece jackets that advocate Library workers from CUPE 905 Union have been given to Library union members and the Library Board was asked if they would permit staff to wear these jackets when working at the Library. The Library had no objection to this request.

Date(s) of Future Meetings

12. The next Library Board Regular meeting is Wednesday, January 17, 2018 at 5:30 pm in the Library Board room.

Adjournment

Motion 17.12.251

Moved by Darcy McNeill

Seconded by Jane Twinney

That there being no further business meeting adjourned at 6:00 pm.

Carried

Joan Stonehocker
Chair

Todd Kyle, CEO
Secretary/Treasurer



**Newmarket Public Library Board
Regular Board Meeting
Wednesday, January 17, 2018
Newmarket Public Library Board Room**

Present: Joan Stonehocker, Chair
Tara Brown, Vice Chair
Jane Twinney
Tom Vegh

Regrets: Kelly Broome
Darcy McNeill
Venkatesh Rajaraman

Staff Present: Todd Kyle, C.E.O.
Linda Peppiatt, Deputy C.E.O.
Lianne Bond, Administrative Coordinator

The Library Board Chair called the meeting to order at 5:30 pm

Adoption of Agenda Items

1. Adoption of Regular Agenda
2. Adoption of the Closed Session Agenda
3. Adoption of Consent Agenda items

The Chair asked if there were any additions to the agenda. One item was added under New Business.

Motion 18.01.252

Moved by Jane Twinney

Seconded by Tom Vegh

That Agenda items 1) to 3) be adopted as amended.

Carried

Declarations

None were declared.

Consent Agenda Items:

4. Adoption of the Regular Board Meeting Minutes for Monday, December 11, 2017
5. Strategic Operations Report for December, 2017
6. Library Statistical Data for December, 2017
7. Monthly Bank Transfer

Motion 18.01.253**Moved by Tara Brown****Seconded by Jane Twinney**

That Consent Agenda items 4) to 7) be received and approved as presented.

Carried

Closed Session

There were no Closed Session items.

Reports**8. Impact Survey**

Results from the Impact Survey conducted in September, 2017 were reviewed by the Library Board. The subscription ended in November, 2017 and will not be renewed for 2018.

Motion 18.01.254**Moved by Tara Brown****Seconded by Tom Vegh**

That the Library Board receive the report on the Impact Survey.

Carried

Business Arising**9. Bill 148 Budget Implications**

The C.E.O. reviewed the implications of the minimum wage increase in 2018 on the 2018 Operating Budget with Library Board members.

Motion 18.01.255**Moved by Tom Vegh****Seconded by Jane Twinney**

That the Library Board approved the use of the Operating Reserve to cover expenditures in 2018 related to Bill 148 implementation up to \$15,000 if needed.

Carried

10. Knowledge Gap Analysis Discussions

- a) Library Management, Stewardship and Accountability

Motion 18.01.256**Moved by Tara Brown****Seconded by Tom Vegh****That** this item be deferred.**Carried****11. Library Board Action List**

The Library Board reviewed the Action list.

Motion 18.01.257**Moved by Tom Vegh****Seconded by Tara Brown****That** the Library Board receive the Library Board Action List.**Carried****New Business****12. Carpet Replacement**

Options for the plan to replace carpeting in the Library and how the project can be funded were presented to the Library Board. The Board agreed to move forward with first year plan for carpet replacement.

Motion 18.01.257**Moved by Jane Twinney****Seconded by Tara Brown****That** the Library Board approve the replacement of carpet on the main floor and stairs using the Capital Asset Replacement Fund designated for this purpose.**Carried****13. Sunday Openings in December**

In previous years, the Library closed the Sunday before Christmas and New Year's. The Board discussed these closures and agreed that the Library should maintain regular operating hours on Sundays during the month of December.

Motion 18.01.258**Moved by Tom Vegh****Seconded by Jane Twinney**

That the Library Board recommends that regular operating hours on Sundays in the month of December be maintained.

Carried.

Date(s) of Future Meetings

14. The next Library Board Regular meeting is Wednesday, February 21, 2018 at 5:30 pm in the Library Board room.

Adjournment

Motion 18.01.259

Moved by Jane Twinney

Seconded by Tara Brown

That there being no further business meeting adjourned at 6:15 pm.

Carried

Joan Stonehocker
Chair

Todd Kyle, CEO
Secretary/Treasurer



**Newmarket Public Library Board
Regular Board Meeting
Wednesday, February 21, 2018
Newmarket Public Library Board Room**

Present: Joan Stonehocker, Chair
Tara Brown, Vice Chair
Kelly Broome
Jane Twinney
Venkatesh Rajaraman

Regrets: Darcy McNeill
Tom Vegh

Staff Present: Todd Kyle, C.E.O.
Linda Peppiatt, Deputy C.E.O.
Lianne Bond, Administrative Coordinator

The Library Board Chair called the meeting to order at 5:35 pm

Adoption of Agenda Items

1. Adoption of Regular Agenda
2. Adoption of the Closed Session Agenda
3. Adoption of Consent Agenda items

The Chair asked if there were any additions to the agenda.

Motion 18.02.260

Moved by Venkatesh Rajaraman

Seconded by Tara Brown

That Agenda items 1) to 3) be adopted as presented.

Carried

Declarations

None were declared.

Consent Agenda Items:

4. Adoption of the Regular Board Meeting Minutes for Wednesday, January 17, 2018
5. Strategic Operations Report for January, 2018

- 6. Library Statistical Data for January, 2018
- 7. Monthly Bank Transfer

Motion 18.02.261**Moved by Jane Twinney****Seconded by Tara Brown**

That Consent Agenda items 4) to 7) be received and approved as presented.

Carried

The CEO proposed to the Library Board that the Library Statistical Data Consent Agenda item be changed from monthly to quarterly. The Board agreed to the change.

Reports

There were no reports

Business Arising

- 8. Knowledge Gap Analysis Discussions
 - a) Library Management, Stewardship and Accountability
 This item was deferred.

- 9. Library Board Action List

The Library Board reviewed the Action list.

Motion 18.02.262**Moved by Kelly Broome****Seconded by Tara Brown**

That the Library Board receive the Library Board Action List.

Carried

- 10. Operational Efficiencies Review Implementation

The CEO discussed with Library Board members the report on Operational Efficiencies review implementation. The Library Board added that Town of Newmarket Council be requested to consider a Library facility needs study in the first or second quarter of 2019.

Motion to Convene into a Closed Session**Motion 18.02.263**

Moved by Tara Brown
Seconded by Jane Twinney

That the Library Board move in to a Closed Session at 6:05 pm for the purpose of discussing Labour Relation Matters.

Carried

Motion 18.02.264
Moved by Venkatesh Rajaraman
Seconded by Jane Twinney

That the Library Board move out of Closed Session at 6:25 pm.

Carried

Motion arising from Closed Session:

Motion 18.02.265
Moved by Venkatesh Rajaraman
Seconded by Jane Twinney

That the Library Board receive the report on Operational Efficiencies Review implementation;

And That the Library Board authorize the C.E.O. to implement the recommendations of the Newmarket Public Library Effectiveness and Efficiency Study where possible and in line with current and future approved operating budgets;

And That the Library Board request Town of Newmarket Council to grant similar approval;

And That the Library Board request that the Library facility needs study be considered by the Town of Newmarket Council in the first or second quarter of 2019;

And That the Library Board approve the use of up to \$50,000 from the Library Operating Reserve in 2018 and in 2019 to cover possible expenditure over and above approved annual budgets related to the interim organizational structure;

And That the implementation of the recommendations in Marketing and Communication and Information Technology be subject to the completion of service level agreements.

Carried

New Business

11. Ontario Pre-Budget Submissions

The Library Board reviewed the request from the Federation of Ontario Public Libraries (FOPL) in conjunction with the Ontario Library Association (OLA) to pass a motion requesting increased funding to libraries from the Province of Ontario.

Motion 18.02.266

Moved by Tara Brown

Seconded by Kelly Broome

Whereas public libraries provide safe, inclusive, and vibrant community spaces where everyone is welcome to learn, work, connect, and have fun; and,

Whereas the Newmarket Public Library engages with the community to provide a centre of learning, dialogue, and discovery; and,

Whereas the Newmarket Public Library continues to have a limited resource budget despite an increase in digital borrowing of 488 percent, the addition of many technology help and discovery programs, and the establishment of the Maker Hub, a new digital creative space; and,

Whereas the Newmarket Public Library continues to manage public resources with the utmost care and is committed to the sustainability of its services;

Therefore be it Resolved that the Newmarket Public Library Board urges the Province of Ontario to recognize the contribution of local libraries within their communities and to cease the 20 year budget freeze to local libraries in acknowledgement to the services they offer to all residents; and,

Be it Further Resolved that the Newmarket Public Library Board urges the Province of Ontario to reinstate adequate and appropriate funding for local libraries, increasing each year going forward in line with the consumer price index; and,

Be it Further Resolved that the Newmarket Public Library Board urges the Province of Ontario to commit funds to a shared and efficient Ontario Digital Library in order to provide equitable online services to all Ontarians; and,

Be it Further Resolved that a copy of this resolution be sent to Town of Newmarket Council for their endorsement; and,

Be it Finally Resolved that a copy of this resolution be sent to the Minister of Tourism, Culture, and Sport, to the Ontario Minister of Municipal Affairs, to the local MPP, to the Ontario Library Association, and to the Federation of Ontario Public Libraries.

Carried

12. Handout on Library Facilities Needs

The Library Board reviewed the draft handout that has been prepared to be distributed to community members at the Town of Newmarket Community Open House on February 27, 2018.

Motion 18.02.267

Moved by Venkatesh Rajaraman

Seconded by Kelly Broome

That the Library Board receive the report on library facility needs handout.

Carried

13. Library Social Event Expenses

A report on the Library's social event practices was reviewed by the Library Board.

Motion 18.02.268

Moved by Tara Brown

Seconded by Venkatesh Rajaraman

That the Library Board receive the report on library social event expenses.

Carried

Date(s) of Future Meetings

- 14.** The next Library Board Regular meeting is Wednesday, March 21, 2018 at 5:30 pm in the Library Board room.

Adjournment**Motion 18.02.269**

Moved by Kelly Broome

Seconded by Tara Brown

That there being no further business meeting adjourned at 6:40 pm.

Carried

Joan Stonehocker
Chair

Todd Kyle, CEO
Secretary/Treasurer



Town of Newmarket

Minutes

Newmarket Environmental Advisory Committee

Wednesday, January 3, 2018 at 6:30 PM
Cane A&B

The meeting of the Newmarket Environmental Advisory Committee was held on Wednesday, January 3, 2018 in Cane A&B, 395 Mulock Drive, Newmarket.

Members Present: Dena Farsad, Chair
 Steven Kovecevic, Vice-Chair
 John Birchall
 Catherine Ethier

Absent: Councillor Vegh
 Jill King
 Ben Longstaff

Staff Present A. Walkom, Council/Committee Coordinator

The meeting was called to order at 6:40 PM.

Dena Farsad in the Chair.

Additions and Corrections to the Agenda

None.

Declarations & Pecuniary Interest

None.

Presentation

None.

Approval of Minutes

Correction: Correspondence

Add: The Committee received the correspondence previously circulated by email.

Moved by: John Birchall
Seconded by: Catherine Ethier

1. **Newmarket Environmental Advisory Committee Meeting Minutes of November 22, 2017**

1. That the Newmarket Environmental Advisory Committee Meeting Minutes of November 22, 2017 be approved as amended.

Carried

Correspondence

The Committee received the correspondence previously circulated by email.

Items

2. **Public Events for 2018 and Review of Workplan**

- a. E-waste and garage sale

The Committee discussed the possible 2018 public events with a focus on the e-waste collection day and the garage sale. The Committee will examine the possibility of combining the two into one day with a tentative date of May 26. John Birchall will take the next steps for setting up the e-waste collection event, with the Upper Canada Mall parking lot as a planned location.

- b. Earth Hour

There was discussion related to possible activities for Earth Hour 2018. John Birchall gave a summary of the activities which the Committee has coordinated in previous years. The group agreed that each member should return to the next meeting with ideas for activities.

c. Ian Gray Award

John Birchall gave an overview on the history of the award and how the program operated in previous years. The group discussed how the program could be simplified to make it more effective and improve school participation.

d. Farmers Market

There was discussion on the past practice of setting up at the Farmers Market and the challenges of attending the event, especially later in the season. The group discussed the possibility of having a joint event with the Region, since much of the material distributed is the same.

e. Annual Public Forum

The Committee discussed possible opportunities to engage the community and determine what the Town's environmental priorities may be. The Committee agreed that a first step could be to prepare a survey to be distributed through the Town's communication distribution list. The group agreed that each member should bring ideas for possible survey questions to the next meeting.

f. Workplan Review

The Committee discussed the items on the workplan and updated the plan by assigning members to specific items and reorganizing the items. Catherine Ethier to distribute updated workplan via email.

3. Recycling Bin Discussion

John Birchall gave an update on the situation in Town parks where recyclable materials are being diverted to landfill due to high levels of contamination from garbage. The group discussed possible solutions which could lower rates of contamination, including different designs of waste collection containers.

Moved by: John Birchall
Seconded by: Steven Kovecevic

1. That the Newmarket Environmental Advisory Committee express concern that recyclable materials from public parks are going into landfill due to contamination; and,
2. That the Committee offer assistance in helping to improve appropriate diversion rates and minimize contamination.

Carried

New Business

Catherine Ethier provided a brief update on Newmarket-Tay Power Distribution filing for a rate increase.

Adjournment

Moved by: Steven Kovecevic
Seconded by: John Birchall

1. That the meeting adjourn at 8:35 PM.

Carried

Date

Dena Farsad, Chair



Town of Newmarket
Minutes

Accessibility Advisory Committee

Thursday, January 18, 2018 at 10:30 AM
Council Chambers

The meeting of the Accessibility Advisory Committee was held on Thursday, January 15, 2018 in the Council Chambers, 395 Mulock Drive, Newmarket.

Members Present: Steve Foglia ,Chair
Kelsy McIntosh
Linda Jones
Councillor Bisanz
Richard Wilson

Regrets: Sharron Cooke
Aaron Firth
Jeremy Slessor

Staff Present: K Saini, Deputy Town Clerk
H. Leznoff, Council/Committee Coordinator
M. Angioletto, Strategic Business Leader, Public Works
H. Vanwensem, Manager, Facilities Services
G. MacMillan Manager, Capital Projects
S. Scrofano, Capital Works Project Manager
T. Horton, Planner

The meeting was called to order at 10:30 AM, with Steve Foglia in the Chair.

Additions & Corrections to the Agenda

The Chair advised that a discussion regarding the Site Plan Process Review would be added to the agenda.

Declarations of Pecuniary Interest

There were no declarations of pecuniary interest

Presentation & Deputations

There were no presentations or deputations.

Approval of Minutes

1. Newmarket Accessibility Advisory Committee meeting minutes of November 30, 2017

Moved by: Kelsy McIntosh
Seconded by: Councillor Bisanz

1. That the Accessibility Advisory Committee Meeting Minutes of November 30, 2017 be approved.

Carried

Items for Discussion

2. Old Town Hall Discussion

Committee members expressed their concerns regarding the consultation process for the Old Town Hall project. The Strategic Business Leader, Public Works and the Manager, Capital Projects addressed the Committee to discuss the facility audit and provided answers and clarification regarding some of the issues raised by the Committee including the stairs, ramps, and design of interior washrooms. They further advised that staff would be looking into different options for addressing these concerns and would report back to the Committee.

The Manager, Facilities Services advised will schedule a site visit and will invite a Committee representative to attend to gather more feedback at that time. The group discussed the potential for developing a checklist or written component to capture the Accessibility Advisory Committee's feedback during the consultation phases of projects. This would help to ensure that there is a record of comments that stays with the project and can be referred to at any time by staff and the Committee. The Manager, Capital Projects informed the Committee that he would attend the next meeting to present upcoming projects and gather feedback.

3. National Access Awareness Week

The Committee discussed plans for National Access Awareness Week 2018. The Recreation Programmer gave an overview of the proposed plans including visits to elementary and high schools, and advised of possible locations and interactive activities. The group determined that a sub-committee would be established to plan for the event. Steve and Kelsy volunteered to be part of the sub-committee. It was determined that the sub-committee will meet on March 15, 2018 from 9:30-10:30 AM before the next scheduled Accessibility Advisory Committee meeting.

4. Park and Main Street Discussion

The Manager, Capital Projects provided an update regarding the construction at Park Avenue and Main Street and specifically regarding the stairs at the Trinity United Church. He advised that there are some restrictions due to grade, road allowance, and future development in the surrounding areas. The Committee suggested a temporary solution including signage to indicate that the sidewalk ends on one side of the road and to point to the accessible route.

5. Site Plan

The Planner addressed the Committee presentation regarding the Site Plan Process Review manual and proposed updates to the Site Plan Review Process. The Committee raised questions regarding their role in the process, specifically regarding how their feedback should be provided, attendance at Site Plan Review Committee Meetings, the level of detail in the information provided, and the timelines for providing feedback. The Planner provided responses relating to the process and discussion ensued regarding further defining the role of the Committee and how the Committee could best compile its feedback.

Moved by: Richard Wilson
Seconded by: Kelsy McIntosh

The Accessibility Advisory Committee recommends to Council:

1. That the Site Plan Process Review Manual be approved, with the condition that the Accessibility Advisory Committee be further consulted to review and refine their role in the Site Plan approval process, and that the manual be updated accordingly.

Carried**6. Accessibility Plan – 2017 Status Update**

The Council/Committee Coordinator provided an updated final draft of the Status Update report, including updates from each department.

Moved by: Councillor Bisanz
Seconded by: Kelsy McIntosh

1. That the 2017 Status Update - Town of Newmarket Multi-year Accessibility Plan be received; and,
2. That the Accessibility Advisory Committee endorsed the 2017 Status Update - Town of Newmarket Multi-year Accessibility Plan; and,
2. That the 2017 Status Update - Town of Newmarket Multi-year Accessibility Plan be forwarded to Council for consideration.

Carried**New Business**

There were no items of new business.

Adjournment

Being no further business, the Accessibility Advisory Committee meeting adjourned at 12:32 PM.

Date

Steve Foglia, Chair



Town of Newmarket
Minutes

Newmarket Downtown Development Committee

Friday, February 2, 2018
Serpa Boutique, Old Town Hall

The meeting of the Newmarket Downtown Development Committee was held on Friday, February 2, 2018 in the Serpa Boutique, Old Town Hall.

Members Present: Jackie Playter, Chair
Councillor Kwapis
Steve Whitfield
Barbara Leibel
Olga Paiva

Staff Present: C. Kallio, Economic Development Officer
E. Bryan, Business Development Specialist
H. Leznoff, Council/Committee Coordinator

The meeting was called to order at 10:03 AM.

Jackie Playter in the Chair

Additions and Corrections

None.

Declarations of Pecuniary Interest

Olga Paiva advised that due to ongoing litigation, she would not be participating in any discussion or voting pertaining to Item 2 of the agenda, due to a conflict of interest regarding the use of the lane easement.

Presentations & Recognitions

None.

Deputations

None.

Approval of Minutes

1. Newmarket Downtown Development Committee Meeting Minutes of November 3, 2017.

Moved by: Steve Whitfield
 Seconded by: Councillor Kwapis

1. That the Newmarket Downtown Development Committee Meeting Minutes of November 3, 2017 be approved.

Carried

Items

The Economic Development Officer provided opening comments regarding the agenda items, the Committee's budget, the total funding requests from applications at this time, and future applications that will likely be submitted in 2018. Discussion ensued regarding application criteria, prioritizing applications that deal with structural improvements and renovations rather than signage, and the evaluation of long-term versus short-term interests for the downtown area.

The Committee reviewed the applications individually and discussed the funding requests for each application. The decision was made to deny all sign applications at this time, and to reconsider them in the fourth quarter, subject to remaining budget.

Moved by: Barbara Leibel
 Seconded: Steve Whitfield

1. That due to a higher number of funding requests in 2018, all sign applications will be excluded from funding at this time; and,
2. That sign applications will be reconsidered in the fourth quarter of 2018, subject to remaining budget.

Carried

2. Financial Incentives Program Grant Application 2018-01 – Façade Improvement and Restoration Program, Business Sign Program, Interior Renovation and Improvement Program, and Planning and Building Fees Rebate/Credit Program

The Business Development Specialist advised that The Bike Shop is continuing work required to relocate to the former BMO Building at 231 Main Street South.

She further advised that the building needs to refresh it's front and rear façade, install a new business sign and undertake extensive interior renovations.

Moved by: Steve Whitfield
Seconded by: Councillor Kwapis

1. That the Façade Improvement and Restoration Program Grant application in the amount of \$20,000.00 be approved, subject to Heritage Conservation District Permit approvals; and,
2. That the Interior Renovation and Improvement Program Grant application in the amount of \$15,000.00 be approved; and,
3. That the Business Sign Program grant application in the amount of \$2,500.00 be denied, due to 2018 budget availability as explained in the aforementioned motion; and,
4. That the Planning and Building Fees Rebate/Credit Program up to a maximum of \$1,000.00 be approved, subject to confirmation of costs; and,
5. That Bike Sports c/o Penny Zielinski 35 Bridle Path, Sharon, ON L0G 1V0, be notified of this action.

Carried

Olga Paiva took no part in the discussion or vote on the foregoing matter.

3. Financial Incentives Program Grant Application 2018-02 – Project Feasibility Study Program, Façade Improvement and Restoration Program, Business Sign Program, Interior Renovation and Improvement Program, and Planning and Building Fees Rebate/Credit Program

The Business Development Specialist advised that 210 Main Street (formerly Rawlicious) has been rented and the new tenant wishes to convert the restaurant to a noodle shop called Hop Bop Noodle Shop. She further advised that the owner has identified a need to repair the existing façade to bring it back in line with the heritage character of the Main Street, as well as requiring a new sign and extensive interior renovations.

Moved by: Councillor Kwapis
Seconded by: Olga Paiva

1. That the Project Feasibility Study Program grant application in the amount of \$1,825.00 be approved; and,
2. That the Façade Improvement and Restoration Program Grant application in the amount of \$6,000.00 be approved, subject to Heritage Conservation District Permit approvals; and,
3. That the Interior Renovation and Improvement Program Grant application in the amount of \$15,000.00 be approved; and,
4. That the Business Sign Program grant application in the amount of \$2,500.00 be denied, due to 2018 budget availability as explained in the aforementioned motion; and,
5. That the Planning and Building Fees Rebate/Credit Program in the amount of \$849.07 be approved; and,
6. That Boris Fong c/o Hop Bop Noodle Shop 210 Main St South, Newmarket ON, L3Y 3Y9, be notified of this action.

Carried

4. Financial Incentives Program Grant Application 2018-02 – Project Feasibility Study Program, Façade Improvement and Restoration Program, Business Sign Program, Interior Renovation and Improvement Program, and Planning and Building Fees Rebate/Credit Program

The Business Development Specialist advised that 185 Main Street has been rented and the new tenant has identified extensive renovations that need to occur in order to commence business operations. She further advised that the business owner will be repairing the rear facing façade, renovating the interior including remediating water damage and removing and replacing business signage.

Moved by: Olga Paiva
Seconded by: Barbra Leibel

1. That the Project Feasibility Study Program grant application in the amount of \$2,210.00 be approved; and,
2. That the Façade Improvement and Restoration Program Grant application in the amount of \$8907.50 be approved, subject to Heritage Conservation District Permit approvals; and,
3. That the Interior Renovation and Improvement Program Grant application in the amount of \$15,000.00 be deferred until further details are provided; and,

4. That the Business Sign Program grant application in the amount of \$2,300.00 be denied, due to 2018 budget availability as explained in the aforementioned motion; and,
5. That Diana Patrice Bromfield of 185 Main St. South, Newmarket ON , be notified of this action.

Carried

5. Financial Incentive Program Grant Application 2018-05 – Project Feasibility Study Program

The Business Development Specialist advised that 500 Water Street, “Cachét” will be installing a “take-out” window on the Fairy Lake side of the building to provide quick food options in the downtown. She further advised that this will require the addition of kitchen equipment and the corresponding exhaust system.

Moved by: Steve Whitfield
Seconded by: Olga Paiva

1. That the Project Feasibility Study Program grant application in the amount of \$2,875.00 be approved; and,
2. That Planning and Building Fees Rebate/Credit application up to a maximum of \$1000 be approved, subject to confirmation of costs; and,
3. That Jennifer MacLauchlan of 500 Water Street, Newmarket ON be notified of this action.

Carried

6. Community Grant Application

Discussion ensued regarding the total available budget for community grant applications and the importance of encouraging events to take place on both Saturdays and Sundays in the downtown area.

The Business Development Specialist advised that The Newmarket Car Club is requesting funding in the amount of \$2,000.00 to assist with the costs associated with advertising, security and other operations of the Car Show.

Moved by: Barbara Leibel
Seconded by: Olga Paiva

1. That the Community Grants Program application in the amount of \$2,000.00 be approved; and,
2. That Newmarket Car Club of 24 Boothbay Crescent, Newmarket, ON be notified of this action

Carried

7. Community Grant Application

The Business Development Specialist advised that the TD Arts and Music Festival is requesting grant funding in the amount of \$3,000.00 to support the continued re-branding and re-launch of the music festival. The event will now be held over three days at Riverwalk Commons.

Moved by: Steve Whitfield
Seconded by: Barb Leibel

1. That the Community Grants Program application in the amount of \$3,000.00 be approved; and,
2. That Newmarket Music Festival of 1359 Wellington West, King, ON be notified of this action

Carried

New Business

(1) Downtown Garbage Update

The Economic Development Officer provided an update regarding proposed downtown waste management solution and advised that the project is currently on hold. He further advised that staff will continue to evaluate options for a downtown-wide garbage solution. In addition, the Economic Development Officer advised that the Town will be receiving a provincial grant but that the requirements for what projects the grant can be used for have not been established yet. He suggested that a downtown garbage plan might be one option for the use of the grant money, if it meets the criteria. Furthermore, he stated that although the Town is currently collecting commercial garbage, it may not continue to do this in the future, so a new strategy for garbage downtown will be necessary.

Adjournment

Moved by: Olga Paiva
Seconded by: Barbara Leibel

1. That the meeting adjourn at 11:56 AM.

Carried

Date

J. Playter, Chair



Town of Newmarket
Minutes

**Main Street District Business
Improvement Area Board of
Management**

Tuesday February 20, 2018 at 7:30 PM
Community Centre, Hall #2

The meeting of the Main Street District Business Improvement Area Board of Management was held on Tuesday February 20, 2018 in the Community Centre, Hall #2.

Members Present: Glenn Wilson, Chair
Siegfried Wall
Councillor Kwapis
Jackie Playter
Anne Martin
Carmina Pereira
Rory Rodrigo
Elizabeth Buslovich

Regrets: Peter Mertens
Olga Paiva

Staff Present: C. Service, Director of Recreation and Culture
E. Bryan, Business Development Specialist
H. Leznoff, Council/Committee Coordinator

Guests: M. Malone, Civica
G. Masotti, Civica
D. Arnold, Newmarket Car Club
J. Arnold, Newmarket Car Club
J. Dowson, The Very Useful Theatre Company

The meeting was called to order at 7:32 PM.

Glenn Wilson in the Chair.

Additions & Corrections to the Agenda

The Chair advised of the following additions to the agenda:

- (1) Deputation Request from Mr. Dan Arnold regarding the Newmarket Car Club Show.
- (2) Easter event/advertising discussion

Moved by: Councillor Kwapis
 Seconded by: Jackie Playter

1. That the additions and corrections to the agenda be approved.

Carried

Declarations of Pecuniary Interest

Ms. Jackie Playter declared an interest related to Item 2, being the deputation request from Mr. John Dowson, The Very Useful Theatre Company, as she is a member of the organization.

Presentation & Recognitions

None.

Deputations

1. Newmarket Car Club Show

Mr. Dan Arnold representing the Newmarket Car Club addressed the Main Street District Business Improvement Area Board of Management regarding the 2018 Car Show scheduled to take place on Sunday, June 10, 2018. Discussion ensued regarding the show on a Sunday and whether businesses would be open on Main Street, the potential for additional vendors in the Riverwalk Commons area, antique car safety, event and vendor insurance and promotion of the event. The Chair suggested that Mr. Arnold consult with the B.I.A. marketing sub-committee to discuss advertising for the event.

Moved by: Carmina Pereira
 Seconded by: Rory Rodrigo

1. That the deputation by Mr. Dan Arnold of the Newmarket Car Club regarding the event scheduled for Sunday, June 10, 2018 be received.

Carried

2. Mr. John Dowson, The Very Useful Theatre Company

Mr. John Dowson, on behalf of The Very Useful Theatre Company addressed the Main Street District Business Improvement Area Board of Management regarding the "Year in Review." He provided an overview of The Very Useful Theatre Company and the performances that were held in 2017. He requested \$2000.00 from the B.I.A. to assist with funding the 2018 projects which include the second annual One Act Play Festival scheduled for Thanksgiving weekend and the

Christmas performance. He further advised that part of The Very Useful Theatre Company's mandate is to give back to the community and advised that in addition to seeking grants, The Very Useful Theatre Company will be investigating opportunities for other fundraising options.

Moved by: Councillor Kwapis
Seconded by: Siegfried Wall

1. That the deputation by Mr. John Dowson, The Very Useful Theatre Company be received.

Carried

3. Deputation by Mr. Mathew Malone, and Mr. Geoff Masotti, Civica regarding an Inflow and Infiltration Pilot Project

Mr. Matthew Malone, Civica, provided an overview of the proposed Inflow and Infiltration project with an explanation of logistics, benefits of the program and next steps. He advised that the project will replace improper connections to sanitary sewers and involve making improvements to internal and external drains of identified properties. He advised that so far, 17 properties have been identified as having improper connections that these connection improvements will be done at no cost to property owners and coordination of works will be completed by Civica. He further advised of the benefits of these improvements included, but not limited to improving the property value/selling potential and reducing the risk of basement flooding. He concluded by stating that Civica would be moving forward with contacting property owners as well as distributing brochures and fact sheets and Civica is seeking the B.I.A's endorsement for the pilot project.

Moved by: Jackie Playter
Seconded by: Rory Rodrigo

1. That the deputation by Mr. Mathew Malone, and Mr. Geoff Masotti, Civica regarding an Inflow and Infiltration Pilot Project be received.

Carried

Approval of Minutes

4. Main Street District Business Improvement Area Board of Management Minutes of January 23, 2018

A correction was made to the staff attendance portion of the minutes.

Moved by: Rory Rodrigo
 Seconded by: Siegfried Wall

1. That the Main Street District Business Improvement Area Board of Management Minutes of January 23, 2018, as amended, be approved.

Carried

5. Marketing Sub-committee Report/Minutes

Ms. Carmina Pereira advised that the Marketing sub-committee met on February 15, 2018 but that the minutes were not available for distribution at this meeting.

Items

6. Approval of Look Magazine Ad (February/Valentine's Day Issue)

Ms. Carmina Pereira provided an overview of the Look Magazine advertisement and showed the Board of Management a copy of the finished product. She advised that the contest included in the advertising increased the likes and followers on the B.I.A Instagram and Facebook account.

Moved by: Jackie Playter
 Seconded by: Elizabeth Buslovich

1. That an amount of \$675.00, plus HST be confirmed as an additional expense agreed to by e-mail consensus for payment of the Look Magazine advertising write-up.

Carried

Moved by: Rory Rodrigo
 Seconded by: Anne Martin

1. That the advertising contest prize of 100 "Main Street Bucks" contained in the Look Magazine be approved and that \$100 from the "petty cash" fund be utilized to cover this prize.

Carried

7. Street Events Update

Ms. Carmina Pereira provided an overview of the proposed plans for the Easter event including music, story time and a visit with the Easter Bunny. She advised that the date of the event will be Saturday March 24, 2018 from 11:00 AM to 2:00 PM.

Moved by: Rory Rodrigo
 Seconded by: Elizabeth Buslovich

1. That an amount of \$3000.00 be allocated to the Easter event festivities.

Carried

Moved by: Jackie Playter
 Seconded by: Siegfried Wall

1. That the Street Events update be received.

Carried

8. Staff Update

The Director of Recreation and Culture addressed the Main Street District Business Improvement Area Board of Management to provide an update regarding Pride Fest, scheduled for June 16, 2018. He advised that the organizers are considering an afternoon or evening parade and asked for the Board of Management's feedback regarding a preferred time. The Board of Management Members in attendance proposed that an afternoon parade, starting at 1:30 PM would be preferable. The Director of Recreation and Culture further advised that a Craft Beer and Food Festival will be held from 11:00 AM to 10:00 PM on June 16, 2018 and area restaurateurs will have the opportunity to participate as a vendor along Doug Duncan Drive.

Moved by: Councillor Kwapis
 Seconded: Anne Martin

1. That the verbal update by the Director of Recreation and Culture regarding the 2018 Pride Fest and Craft Beer and Food Festival be received.

Carried

9. Financial Update

The Business Development Specialist provided a financial update outlining approved 2018 budget figures, total revenue, net income, funding commitments and remaining B.I.A funds after the fiscal year has passed. She advised that the Budget Balance form will be updated on a regular basis to provide an overview of expenses and revenue.

Moved by: Rory Rodrigo
 Seconded by: Councillor Kwapis

1. That the verbal financial update by the Business Development Specialist regarding the Main Street District Business Improvement Area Board of Management revenue and expenses to date be received.

Carried

10. NDDC Update

The Business Development Specialist provided a verbal update regarding the applications considered at the Newmarket Downtown Development Committee meeting held on February 2, 2018. She provided an explanation of the Project Feasibility Study aspect of funding applications, being an opportunity for business owners to retain architects or other professionals to assess work requirements and determinations. She advised that the next Newmarket Downtown Development Committee meeting date is tentatively scheduled for March 23, 2018.

Moved by: Anne Martin
Seconded by: Elizabeth Buslovich

1. That the verbal update by the Business Development Specialist regarding the applications considered at the Newmarket Downtown Development Committee meeting held on February 2, 2018 be received.

Carried

New Business

(a) Soofa Bench

Discussion ensued regarding the Soofa benches, timing of data collection and training associated with data access. It was determined that in order to give the Soofa benches sufficient time to collect real data, staff would provide an update and training in May.

(b) Civica Inflow and Infiltration Pilot Project

Moved by: Rory Rodrigo
Seconded by: Anne Martin

1. That the Main Street District Business Improvement Area Board of Management endorse the Civica Inflow and Infiltration Pilot Project.

Carried

(c) The Very Useful Theatre Company Request for Funding

Moved by: Carmina Pereira
Seconded by: Councillor Kwapis

1. That an amount of \$2000.00 be allocated to The Very Useful Theatre Company.

Carried

Jackie Playter took no part in the discussion or vote of the aforementioned matter.

(d) King George School and Construction on Park Avenue/Bike Lanes

A query was raised regarding the anticipated time for construction of the King George School townhomes. Councillor Kwapis advised that the project is in process. He further advised that construction is taking place on Park Avenue and, to address the safety concern for cyclists during construction, the bike lanes will be temporary re-routed to Botsford Street and Timothy Street.

(e) Film Permit Applications

Councillor Kwapis provided an overview of three film permit applications. He advised that the applications were submitted for the same movie, with only two of the three applications involving Main Street. The filming will not require road closures and will take place for a minimal amount of time on February 26, 2018 and sometime during March 5 and 6, 2018.

(f) Clock Tower Update

A request was made for an update regarding the Clock Tower property. Councillor Kwapis advised that there is no official update at this time.

(g) Banners on Main Street

A question was raised regarding placing of banners along Main Street. A suggestion was made to establish size and potential location of banners as well as a quote for costs.

(h) Lighting of Trees at Riverwalk Commons

Councillor Kwapis advised that staff is looking into an alternative method of tree illumination at Riverwalk Commons. The proposed method is radiance from the bottom in an effort to avoid tree damage.

Closed Session (if required)

The Chair advised there was no requirement for a closed session.

Adjournment

Moved by: Carmina Pereira
Seconded by: Rory Rodrigo

1. That the meeting adjourn at 8:59 PM.

Carried

Date

G. Wilson, Chair

From: Lea
To: [Leznoff, Hannah](#)
Cc: [Kelly Broome](#)
Subject: Lyme Awareness Day May 1st @ Riverwalk
Date: March 27, 2018 10:34:28 AM

Hello Hannah,

I was told to contact you regarding lighting @ Riverwalk Commons and water feature lit Green for Lyme Awareness.

Lyme Disease has become an epidemic world wide, including in Canada, Ontario and here at home in Newmarket. The entire month of May is Lyme awareness month and May 1st is Lyme Awareness Day.

I am hoping that Newmarket can bring awareness and support their local residents who suffer from this debilitating disease (myself included). Last year major tourist attractions across the world lit up in Green to bring awareness (including the CN Tower & Niagara Falls locally). Lyme is transmitted via a tick bite. Ticks have been found here in town by public health. What ever tools that can bring awareness are necessary. Our biggest tool here in town is Riverwalk Commons and Fairy Lake as thousands drive and walk past daily.

Let me know if you need more information and what day(s) are available to have our town lit Green. If the 1st isn't available, any day or week/month would be appreciated.

Thank you,

Lea

Newmarket resident for over 19 years.
Lyme Sufferer for 2.5 years
Advocate for Lyme Awareness

Inspiring healthy living....
<http://leacalichia.canada.juiceplus.com/>

Town of Newmarket

Outstanding Matters List

Schedule A: Items for the 2014-2018 Term of Council

	Meeting Date and Subject	Recommendation and Responsible Department	Date for reporting back to Committee of the Whole	Staff Comments
1.	<p>Meeting Date: Council – December 5, 2016</p> <p>Subject: Item 44 Development & Infrastructure Services – Planning & Building Services Report 2016-25 – 178, 170, 184, 188, 190 and 194 Main Street s</p>	<p>That in 120 days, staff be directed to bring back an amendment to the Heritage Conservation District Plan and By-law for consideration of Council that would outline the criteria which would need to be met by applicants in order to be considered for approval for a fourth storey set back from the street by a minimum of 15 (fifteen) feet.</p> <p>➤ Planning and Building Services</p>	Q1, 2019 OMB Hearing Scheduled for August 2018.	This direction has been deferred as it will be Council's position at the Ontario Municipal Board hearing related to 178-194 Main Street South
2.	<p>Meeting Date: Committee of the Whole – February 27, 2017</p> <p>Subject: Development & Infrastructure Services – Planning & Building Services and Public Works Services Report 2017-05 – Tree Removal, Protection Policies and Regulations</p>	<p>Recommendation:</p> <ol style="list-style-type: none"> 1. That Council direct staff to update the existing Tree Preservation, Protection, Replacement and Enhancement Policy. 2. That Council direct staff to prepare and bring to a future meeting a by-law regulating and protecting significant trees on private property; and, 3. That Council direct staff to prepare and bring to a future Council meeting a by-law protecting trees on municipal property. <p>Responsible Department: ➤ Planning and Building Services</p>	Q3/Q4, 2017/November 27 Committee of the Whole–Q1, 2018 Q3, 2018 November 13, 2017– Council	156
3.	<p>Meeting Date: Council – March 27, 2017</p> <p>Subject: Zoning By-law Review</p>	<p>Recommendation:</p> <ol style="list-style-type: none"> 1. That staff review Zoning By-law 2010-40 and 2013-40 to address best practices related to infill development standards across the Town as a whole. <p>Responsible Department: ➤ Planning & Building Services</p>	Q3/Q4, 2017 Q1, Q2, 2018	

	Meeting Date and Subject	Recommendation and Responsible Department	Date for reporting back to Committee of the Whole	Staff Comments
4.	<p>Meeting Date: Committee of the Whole – May 8, 2017</p> <p>Subject: Information Document for Residents Related to Construction Sites</p>	<p>Recommendation:</p> <ol style="list-style-type: none"> 1. That Council approve the following motion in principle: 2. That staff be directed to prepare an information document that can be provided to residents in the vicinity of new construction sites, the purpose of which is to advise and to communicate to the residents, the various activities, potential impacts and expected timelines associated with each phase of construction, from site clearing through to house construction; and, 3. That developers, through their consulting engineers, be required to ensure that residents, and the relevant Ward Councillor, in adjacent areas receive advance written notice of construction events to take place, so that they can be better informed and prepared for any disruption that may occur as a result; and, 4. That the aforementioned motions be referred to staff for a report back including options and resource requirements. <p>Responsible Department:</p> <ul style="list-style-type: none"> ➤ Planning & Building Services 	<p>Q4, 2017 Q4 Q2, 2018</p>	

	Meeting Date and Subject	Recommendation and Responsible Department	Date for reporting back to Committee of the Whole	Staff Comments
5.	<p>Meeting Date: Committee of the Whole – May 8, 2017</p> <p>Subject: Development and Infrastructure Services Report – Engineering Services Information Report 2017-15 regarding 2017 Newmarket East-West Bikeway PIC Report</p>	<p>Recommendation:</p> <ol style="list-style-type: none"> 1. That Development and Infrastructure Services Report – Engineering Services Information Report 2017-15 regarding 2017 Newmarket East-West Bikeway PIC Report be received; and, 2. That staff monitor the implementation of the bike lanes, analyze the impacts for a one year period and provide a report back to Council in one year. <p>Responsible Department:</p> <ul style="list-style-type: none"> ➤ Engineering Services 	<p>Q2, 2018</p> <p>Q2, 2018</p>	

	Meeting Date and Subject	Recommendation and Responsible Department	Date for reporting back to Committee of the Whole	Staff Comments
6.	<p>Meeting Date: Committee of the Whole – May 8, 2017</p> <p>Subject: Corporate Services Report – Legislative Services 2017-07 – “Restricted Area for Driving Schools and Instructors”</p> <p>Meeting Date: Committee of the Whole February 26, 2018</p> <p>Subject: Licensing of Driving Schools and Driving Instructors</p>	<p>Recommendation:</p> <ol style="list-style-type: none"> 1. That Option 1 of the Report be implemented; and, 2. That staff provide a status report on the “Restricted Area” within 12 months of implementing Option 1 of the Report. <p>1. That the report entitled Licensing Driving Schools and Driving Instructors dated February 26, 2018 be received; and,</p> <p>2. That Council direct staff to establish a licensing program to regulate Driving Schools and Driving Instructors; and,</p> <p>3. That Staff be directed to hold a Public Information Centre for the Driving School Industry to provide their comments; and,</p> <p>4. That Staff be directed to bring back a report with information from the Public Information Centre and a proposed Licensing By-law.</p> <p>Responsible Department: ➤ Legislative Services</p>	<p>February 26, 2018 Committee of the Whole meeting</p> <p>Q2, 2018</p> <p>PIC held on March 27, 2018.</p>	
7.	<p>Meeting Date: Committee of the Whole - June 19, 2017</p> <p>Committee of the Whole – February 5, 2018</p> <p>Subject: Textile Diversion Program</p>	<p>Recommendation:</p> <ol style="list-style-type: none"> 4. That the PowerPoint presentation entitled “Diabetes Canada – Textile Diversion Program for the Town of Newmarket” by Mr. Ryan Michaels and Mr. Blaine Hobson be received and referred to staff. 1. That staff be directed to prepare an RFP for a textile recycling program. <p>Responsible Department: ➤ Public Works Services</p>	<p>February 5, 2018 Committee of the Whole meeting</p> <p>Q3, 2018</p>	

	Meeting Date and Subject	Recommendation and Responsible Department	Date for reporting back to Committee of the Whole	Staff Comments
8.	<p>Meeting Date: Committee of the Whole – August 28 – Motion</p> <p>Subject: Item 3 of Accessibility Advisory Committee Meeting Minutes of March 23 re: Accessibility in the downtown area</p>	<p>Recommendation: That the Operational Leadership Team recommends that the following recommendation be referred to staff for review and report:</p> <ol style="list-style-type: none"> 1. That The Accessibility Advisory committee recommends to Council that Council consider ways to make as many entrances to Main Street buildings as accessible as possible. <p>Responsible Departments:</p> <ul style="list-style-type: none"> ➤ Legislative Services (lead), Planning and Building Services, Engineering Services & Legal Services 	Q4-Q2, 2018	
9.	<p>Meeting Date: Committee of the Whole September 25, 2017</p> <p>Subject: Diversity and Inclusivity Strategy</p>	<p>Recommendation: 1. That the report entitled “Diversity and Inclusivity Programs” be deferred to a future Committee of the Whole meeting, as York Region is currently amending its Diversity and Inclusivity Charter.</p> <p>Responsible Department:</p> <ul style="list-style-type: none"> ➤ Human Resources Department 	Q4 2017 Q3, 2018	York Region conducting further public consultation
10.	<p>Meeting Date: Committee of the Whole – September 25, 2017</p> <p>Subject: Petition regarding Speed and Traffic Mitigation near Queen Street/Lorne Avenue</p>	<p>Recommendation: 1. That the petition be referred to staff in accordance with the Public Consultation and Support Plan – Transportation Services Policy.</p> <p>Responsible Department:</p> <ul style="list-style-type: none"> ➤ Engineering Services 	Q2, 2018 April 9, 2018 Committee of the Whole	
11.	<p>Meeting Date: Committee of the Whole - September, 25, 2017</p> <p>Subject: Corporate Services – Legislative Services Report 2017-16 Vacant Building Report – Window Wrap Program</p>	<p>Recommendation:</p> <ol style="list-style-type: none"> 1. That Corporate Services – Legislative Services Report 2017-16 dated September 14, 2017 entitled “Vacant Buildings/Storefronts” be received; and, 2. That staff be directed to report back on Option 2, a Window Wrap program. <p>Responsible Departments:</p> <ul style="list-style-type: none"> ➤ Legislative Services/Economic Development 	Q4 Q2, 2018	

	Meeting Date and Subject	Recommendation and Responsible Department	Date for reporting back to Committee of the Whole	Staff Comments
12.	<p>Meeting date: Committee of the Whole – September 25, 2017</p> <p>Subject Welcome Sign on Longford Drive</p>	<p>Recommendation:</p> <ol style="list-style-type: none"> 1. That staff be directed to schedule a meeting for the Mayor, Deputy Mayor & Regional Councillor, Councillor Hempen, Councillor Broome and the property owner to discuss the potential signage on Longford Drive; and, 2. That staff provide an alternative signage and seating area option that would be as cost effective as possible. <p>Responsible Department ➤ Engineering Services</p>	Q4 Q2, 2018	Two meetings held – Signage is subject to funding. Seating area to be removed after feedback from meeting.
13.	<p>Meeting date: Committee of the Whole – September 25, 2017</p> <p>Committee of the Whole – October 16, 2017</p> <p>Subject Development and Infrastructure Services Report – Engineering Services 2017-32- Town Wide Traffic Mitigation Strategy – 2017</p>	<p>Recommendation:</p> <ol style="list-style-type: none"> 1. That Development and Infrastructure Services Report – Engineering Services 2017-32, dated October 2, 2017, entitled “Town-wide Traffic Mitigation Strategy 2017 - Timing” be received and the following recommendations be adopted: <ol style="list-style-type: none"> a. That the final report be brought back to Council by early Quarter 3 2018; and, b. That staff continue to expedite the process to provide the report sooner, if possible; and, c. That all current road safety, speed management and traffic calming programs that are currently underway, and are in accordance with the principles set out in “Appendix A” (draft strategy) from Development and Infrastructure Services Report ES 2017-29 (Town-wide Traffic Mitigation Strategy 2017), continue as planned throughout the consultation period and until the final strategy document is approved by Council, at which time the programs will be reviewed to plan their conformance with the new approved strategy. <p>Responsible Department ➤ Engineering Services</p>	Q3, 2018	

	Meeting Date and Subject	Recommendation and Responsible Department	Date for reporting back to Committee of the Whole	Staff Comments
14.	Meeting date: Committee of the Whole – October 16, 2017 Subject: Low Impact Development	Recommendation: 1. That staff be directed to report to Council in 2018 with best practices and opportunities to implement Low Impact Development (LID) in relation to flooding, flood mitigation, and storm water management in residential neighbourhoods. Responsible Department ➤ Engineering Services	Q3, 2018	
15.	Meeting Date: Committee of the Whole – November 27 Subject: Servicing Allocation Update Report 2017-49	Recommendation: 1. That Development & Infrastructure Services/Planning and Building Services Report 2017-49 dated November 27, 2017 regarding the servicing allocation update be received; and, 2. That Council grant the requested servicing allocation to the following properties: a. King George School b. 680 Gerham; and, 3. That the staff report back on servicing allocation in May 2018 and that this report be brought to a Special Committee of the Whole relating to the topic. 4. That Council grant the requested servicing allocation to the property known as 260 Eagle Street. Responsible Department: ➤ Planning and Building Services	April 16, 2018 Special Committee of the Whole	
16.	Meeting Date: Council – December 4, 2017 Subject: Property at intersection of Davis Drive and Patterson Street	Recommendation: 1. That staff be directed to work with the property owner at Davis Drive and Patterson Street to maintain the property in accordance with the Town's applicable By-laws. Responsible Department: ➤ Legislative Services	Q1, 2018	Information Report to be provided.

	Meeting Date and Subject	Recommendation and Responsible Department	Date for reporting back to Committee of the Whole	Staff Comments
17.	<p>Meeting Date: Committee of the Whole – February 26, 2018</p> <p>Subject: Item 3 of the Heritage Newmarket Advisory Committee meeting Minutes of January 23, 2018 re: Heritage Designation - 172-174 Victoria Street</p> <p>Deputation by Mr. Mitch Sauder/Dario Teofilo regarding Item 3 of the Heritage Newmarket Advisory Committee meeting minutes of January 23, 2018 re: Heritage Designation - 172-174 Victoria Street</p>	<p>Recommendations:</p> <ol style="list-style-type: none"> The Operational Leadership Team recommends to Council that the following be referred to staff for review and report: <ol style="list-style-type: none"> That the Heritage Newmarket Advisory Committee recommends heritage designation of the property located at 172-174 Victoria Street due to its unique heritage character and as it is the only example of its architectural style in the Town of Newmarket. That the deputation by Mr. Mitch Sauder and Mr. Dario Teofilo be received and referred to staff. <p>Responsible Department: ➤ Planning and Building Services</p>	<p>Q2, 2018 April 9, 2018 Committee of the Whole</p>	
18.	<p>Meeting Date: Committee of the Whole – March 19, 2018</p> <p>Subject: Habitat for Humanity – Alternative Fees and Charges for Registered Charities and non Profit Organizations Policy (deputation)</p>	<p>Recommendation:</p> <ol style="list-style-type: none"> That the deputation by Tom Taylor and Daniel Ger on behalf of Habitat for Humanity regarding Habitat amalgamation and land costs be received and referred to staff. <p>Responsible Department: ➤ Planning and Building Services</p>	Q2, 2018	

	Meeting Date and Subject	Recommendation and Responsible Department	Date for reporting back to Committee of the Whole	Staff Comments
19.	<p>Meeting Date: Committee of the Whole – March 19, 2018</p> <p>Subject: Vibration Control and construction activity (deputation)</p>	<p>Recommendation:</p> <ol style="list-style-type: none"> 1. That the deputation by Stuart Hoffman regarding vibration control in regards to construction activity be received and referred to staff for review and report; and, 2. That staff be directed to provide recommendations and approaches to address the issues identified to protect neighbouring sites from the effects of vibrations from adjacent construction projects; and, 3. That the report should include, but not be limited to, potential by-law changes including the requirement of pre-condition surveys, effective monitoring and data reporting, resident notification and a process for complaint handling in all site plan approvals. <p>Responsible Departments:</p> <ul style="list-style-type: none"> ➤ Planning and Building Services & Engineering Services 	Q3, 2018	
20.	<p>Meeting Date: Committee of the Whole – March 19, 2018</p> <p>Subject: Township of King Resolution Regarding Request to the Ministry of Transportation (MTO) to Expedite the Design and Construction of the Highway 400-404 Connecting Link</p>	<p>Recommendation:</p> <ol style="list-style-type: none"> 1. That the resolution from the Township of King regarding Request to the Ministry of Transportation (MTO) to Expedite the Design and Construction of the Highway 400-404 Connecting Link be received and referred to staff. <p>Responsible Departments:</p> <ul style="list-style-type: none"> ➤ Engineering Services 		

	Meeting Date and Subject	Recommendation and Responsible Department	Date for reporting back to Committee of the Whole	Staff Comments
21.	Meeting Date: Council – March 26, 2018 Subject: Bogart House	Recommendation: 1. That Council direct staff to continue to work through the Developer to ensure the rapid restoration of the Bogart House and the permanent preservation of the Bogart House; and, 2. That Council also direct staff to arrange another site visit with the Developers, the Mayor, Deputy Mayor, Councillor Kerwin (as the Ward Councillor) and Councillor Hempen (as the Heritage Committee representative) and staff and the Chair of the Newmarket Heritage Committee to examine avenues for rapid restoration and further protection of the Bogart House; and, 3. That Council reaffirm its position that the Bogart House is a designated heritage house and one of the most important heritage buildings in the community; and, 4. That Council not entertain the demolition or removal of the Bogart House but will seek only full restoration and protection on the current site. Responsible Department: ➤ Planning and Building Services/Legislative Services		TBD pending meetings with land owner
22.	Meeting Date: Council – March 26, 2018 Subject: Aurora Bridge Club	Recommendation: 1. That the deputation by Anna Kennedy regarding the Aurora Bridge Club be received and referred to staff. Responsible Department ➤ Recreation and Culture	Q3, 2018	Memorandum



TOWN OF NEWMARKET

Outstanding Matters Schedule B: Items for the 2018-2022 Term of Council

Item Subject	Recommendations & Responsibility	Date to come back to Committee	Comments
1. Meeting Date: Council – December 14, 2015 Subject: Item 35 - Joint Development and Infrastructure Services – Planning and Building Services/ES 2015-44 – Proposed Trail from Yonge Street to Rita's Avenue Council – January 18, 2016 – Item 35	Recommendation: 1. That staff provide alternate trail options for this area at a lower cost; and, 2. That Item 35 of the Council Minutes of December 14, 2015 being Joint Development and Infrastructure Services - Planning and Building Services and Engineering Services Report 2015-44 dated November 19, 2015 regarding a proposed trail from Yonge Street to Rita's Avenue be reconsidered; and, 3. That staff provide alternate trail options for this area at a lower cost, including the option of extending the trail through George Luesby Park along Clearmeadow Boulevard to Yonge Street and further connecting the trail from Flanagan Court/Rita's Avenue to the George Luesby Park Trail; and, 4. That staff also include in the report the option of installing lighting along the George Luesby Park Trail. Responsible Department: ➤ Planning and Building Services	Timeline to be determined	Deferred subsequent to VivaNext construction October 24, 2017 P. Noehammer advised this item should be moved to Schedule B
2. Meeting Date: Special Committee of the Whole-January 30, 2017 Subject: Internet Voting and Ranked Ballots	Recommendation: 1. That staff report back on Internet Voting and Ranked Ballots in 2019 immediately following the 2018 Municipal Election. Responsible Departments: ➤ Legislative Services	Q1, 2019	

3.	<p>Meeting Date: Council – June 7, 2016 – Item 35</p> <p>Subject: Federal Infrastructure Funding (Joint Office of the CAO and Commissions of Development and Infrastructure Services, Community and Corporate Services Report 2016-08)</p>	<p>Recommendation:</p> <ol style="list-style-type: none"> That staff provide Council with a prioritized list of infrastructure projects currently not funded through Development Charges, the Asset Replacement Fund or Other Reserve Funds for implementation between 2018 to 2025 that augment existing priorities, strategies and master plans or leverage grant funding for initiatives that achieve our Corporate Vision of a 'Community Well Beyond the Ordinary' <p>Responsible Departments:</p> <ul style="list-style-type: none"> ➤ Strategic Initiatives 	2018	Awaiting next phase of funding announcements
4.	<p>Meeting Date: Council – June 26, 2017- Item 10</p> <p>Subject: Application for Official Plan Amendment and Zoning By-law Amendment – 260 Eagle Street</p>	<p>Recommendation:</p> <ol style="list-style-type: none"> That traffic impacts be monitored post construction. <p>Responsible Departments:</p> <ul style="list-style-type: none"> ➤ Engineering Services 	Development is estimated to not be completed before 2020	
5.	<p>Meeting Date: Committee of the Whole – November 27</p> <p>Subject: Procedure By-law Amendment and Electronic Participation in Meetings Policy</p>	<p>Recommendation:</p> <ol style="list-style-type: none"> That the Corporate Services – Legislative Services Report - 2017-26 entitled "Procedure By-Law Update and Draft Electronic Participation in Meetings Policy" be received; and, That Council adopt the amendments to the Procedure By-law attached as Appendix A with an effective date of January 1, 2018; and, That Council approve the Electronic Participation in Meetings Policy attached as Appendix B, with an effective date of January 1, 2018; and, That the Town Clerk be authorized to administer the Electronic Participation in Meetings Policy and develop the necessary Procedures to implement the Policy, as required; and, That Council permit the Accessibility Advisory Committee to participate using the Electronic Participation in Meetings Policy effective January 1, 2018 for a trial period of one year; and, That staff be directed to report back in 2019 with a review of the Electronic Participation in Meetings Policy. <p>Responsible Department:</p> <ul style="list-style-type: none"> ➤ Legislative Services 	2019	

6.	<p>Meeting Date: Committee of the Whole – February 27, 2017</p> <p>Committee of the Whole - November 6, 2017</p> <p>Subject: Residential Parking</p>	<p>Recommendation:</p> <ol style="list-style-type: none"> 4. That staff prepare a report on options and opportunities to address residential on street and off street parking challenges. Specifically, the report should consider the impact that changing economics and demographics have on housing occupancy and ways in which the Town of Newmarket can better balance reasonable parking needs with streetscape aesthetics, active transportation objectives and effective by-laws enforcement. 1. That Development and Infrastructure Services Engineering Services and Planning and Building Services - Report 2017-45 dated November 6th, 2017 regarding Residential Parking Review be received and the following recommendations be adopted: <ol style="list-style-type: none"> b. That staff be directed to include in the 2018 budget a provision for contracting a planning and engineering consultant to undertake a review of parking matters discussed in this report; and, c. That, subject to budget approval, staff be directed to undertake a review of the Parking By-law and report back to Committee of the Whole with recommendations on improvements to parking matters discussed in this report. d. That staff be directed to organize a Council Workshop to present options based on Council's comments and feedback received at the November 6, 2017 Committee of the Whole meeting and that staff receive Council direction regarding the scope, scale and expected deliverables of a parking review prior to moving forward with issuing a Request for Proposal. <p>Responsible Department: Planning and Building Services</p>	<p>Q3/Q4, 2017 November 6, 2017 Committee of the Whole</p> <p>Q1, 2019</p>	
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7.	<p>Meeting Date: Committee of the Whole - February 26, 2018</p> <p>Subject: Newmarket Public Library Study Implementation</p>	<p>Recommendations:</p> <ol style="list-style-type: none"> 1. That staff, in conjunction with the Newmarket Public Library CEO, be authorized to implement the recommendations in accordance with the presentations made at the January 30, 2018 Joint Council and Newmarket Library Board Workshop provided implementation is in line with current and future approved operating budgets; and, 2. That Council refer the further consideration and direction with respect to library facility needs study to the 2018 – 2022 Council Strategic Priority setting process. <p>Responsible Department:</p> <ul style="list-style-type: none"> ➤ Community Services/Newmarket Public Library 	Q1-Q2, 2019	
8.	<p>Meeting date: Committee of the Whole – March 19, 2018</p> <p>Subject: 500 Water Street Parking Information Report 2018-11 (Cachet Parking Lot)</p>	<p>1. That Engineering Services report 2018-11 dated March 8, 2018 entitled “500 Water Street Parking (Cachet Parking Lot Expansion) be referred to the Community Centre Lands Task Force; and,</p> <p>2. That the Community Centre Lands Task Force be directed to immediately reengage in the exploration of all options, including cost and timelines, for enhanced parking in the downtown area, including but not limited to new spaces and temporary structured parking; and,</p> <p>3. That the Community Centre Lands Task Force work form the basis of a report back to Council, to be brought forward in Q1/Q2, 2019.</p> <p>Responsible Department:</p> <ul style="list-style-type: none"> ➤ Engineering Services/ Community Centre Lands Task Force 	Q1/Q2, 2019	
9	<p>Meeting Date: Committee of the Whole – March 19, 2018</p> <p>Subject: Cats at large (deputation)</p>	<p>Recommendation:</p> <ol style="list-style-type: none"> 1. That the presentation by Sharon King Todd regarding cats at large be received and referred to staff <p>Responsible Department:</p> <ul style="list-style-type: none"> ➤ Legislative Services 	Q1, 2019	Information Report to be provided



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

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

2019 Council Remuneration Staff Report

Report Number: CAO/Human Resources Report 2018-05

Department(s): CAO/Human Resources

Author(s): Director, Human Resources

Meeting Date: April 9, 2018

Recommendations

1. That CAO/Human Resources Report 2018-05 be received; and,
2. That Council provide direction to staff on 2019 Council Remuneration; 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 provide Council with information in order to set 2019 Council Remuneration for the next term of Council prior to the formal commencement of the election process. Of note in addressing this matter is recent legislation directing the elimination of the 1/3 tax free provision as of January 1, 2019.

Background

To assist Council with a decision relative to the foregoing, attached you will find a report from Associum Consultants outlining not only the high level results of the 2017 market review but also providing some recommendations that can be used to guide Council's discussion. There are 5 options to consider in the attached report in addition to the recommendation of considering a Citizens Compensation Committee to review/vote on any proposed changes as part of the implementation process.

Discussion

Attached you will find a copy of the Council Policy Statement last updated in December 2010 relative to Council Compensation. The policy confirms our intent to "maintain a policy line relative to pay at the 66.67 percentile as a minimum".

In 2008 Council made a decision to follow the policy line market review results for the Mayor and Regional Councillor roles, however for other Council roles remuneration was adjusted through a phased-in approach to be more in line with the Regional Councillor position in so far as Town compensation is concerned. A market review check was not undertaken in 2013 for Council members but was completed for staff positions at that time. Based on the direction provided in 2008, Council is not at this time bound by the market policy line but rather can use it as a guide to ensure the intent is met.

Ongoing utilization of the Policy Statement ensures:

- ✓ Alignment with staff relative to annual economic adjustments, unless otherwise directed
- ✓ Maintenance of the policy line relative to pay at 66.67 percentile of the marketplace at a minimum.
- ✓ A market survey in year 3 of a 4 year term
- ✓ Alignment with the 13 comparators established during the previous market review
- ✓ Continued public posting of the compensation schedule for members of Council

As you can appreciate, based on the attached there are many ways to address removal of the 1/3 tax free provision, all of which have an impact on either gross or net pay and this becomes even more complex when you consider the results of the market review.

Conclusion

The recommendations/options provided to Council in the attached report reflect the impact of the specific options and when you then factor in the market review, it will be important for Council to provide direction to staff in order to meet the intent of the Council Policy Statement.

On Page 4 of the consultant's report there is reference to considering the establishment of a Citizen's Compensation Committee. Should Council wish to consider this recommendation, noting where we are presently in the election cycle, it may be appropriate to refer the recommendation to the new Council for consideration in 2019.

Business Plan and Strategic Plan Linkages

This report and its contents are in line with ensuring the municipality remains "Well-equipped and managed" through effective policies and processes that reflect sound and accountable governance.

Consultation

Consultation was undertaken with the CAO, the Total Reward Program Specialist, Director, Financial Services and Supervisor, Payroll and the Managing Partner with Associum Consultants who prepared the attached report.

Human Resource Considerations

None at this time

Budget Impact

Budget impact is tied directly to the option selected to set 2019 Council remuneration. It should be noted that should Council decide for example, to reduce remuneration to specific roles to a level that is more closely aligned with the 66.67 percentile policy line, this would reduce costs to the municipality as well as result in reduced net pay for the incumbent. Should Council decide to increase gross pay to offset the loss of the 1/3 tax free provision the estimated budget requirement would be approximately \$100,000, benefits included.

Attachments

Associum Consulting Report
Council Policy Statement

Approval


K. Lynn Georgeff - Director, Human Resources
R. N. Shelton – Chief Administrative Officer

Contact

Should additional information or clarification be required please feel free to contact the writer or Director, Financial Services.

Copy

Director, Financial Services



K. L. Georgeff
Director, Human Resources



R.N. Shelton
Chief Administrative Officer

January 29, 2018

Lynn Georgeff, Director of Human Resources
Town of Newmarket
395 Mulock Drive
P.O. Box 328 (STN MAIN)
Newmarket, ON
L3Y 4X7

Re: Removal of 1/3 Tax Free Status for Municipal Councilors at the Town of Newmarket (Town)

Dear Lynn,

We understand the legislative framework for removing the 1/3 tax free treatment for Councilor pay will come into effect on January 01, 2019 and the Town is requesting advice on base salary adjustment scenarios premised on the recent Council market scan.

Other municipalities including the City of Edmonton and, more recently, the City of Peterborough have already journeyed down this path. Accordingly, we would recommend the Town connect with a subset of these organizations as a basis of gleaning administrative and implementation insights beyond those detailed within the scope of this report.

There are some key compensation management guidelines to consider as a basis of removing the 1/3 tax free pay status. These considerations are essentially the same that guide compensation management for all (non-union) employee groups.

Compensation Management Guidelines:

Key guidelines for establishing base salary include:

- What would we like to pay?
- What is the market paying?
- How do we want to compare to market?
- What can we afford to pay?

Pay Policy and Market Scan Insights:

For Council members, the Town's policy confirms an intent to "maintain a policy line relative to pay of 66.67th percentile of the marketplace at a minimum."

Insights from the recent market competitive assessment report (*The Town of Newmarket Environment Scan 2017- Members of Council*) confirm the following market and Town data points:

Mayor:

- The majority of reporting respondents (8 of 12) provide 1/3 tax free pay treatment.
- Market base salary = \$86,240
- Town base salary = \$95,631 (approx. 9.8% above market)
- Incumbent count = 1

Deputy Mayor:

- The majority of reporting respondents (3 of 4) do not provide 1/3 tax free pay treatment.
- Market base salary = \$50,549
- Town base salary = \$55,304 (approx. 8.6% above market)
- Incumbent count = 1

Municipal Councilor:

- The majority of reporting respondents (8 of 11) provide 1/3 tax free pay treatment.
- Market base salary = \$37,181
- Town base salary = \$49,385 (approx. 32% above market)
- Incumbent count = 7

Affordability

From the market analysis findings we note that base salary for two Council roles is within an acceptable market position (i.e. +/- 10% variance to market). However, the Municipal Councilor role is significantly above market (32.0%). This role also has the highest incumbent count. Given the proportionately higher payroll cost for this role, based collectively on incumbent count and market position, the Town should focus on this role as a priority.

Beyond base salary there are other compensation elements that can impact cost management including provision of perquisites, benefits and pension contributions. Against this background, we recommend the Town conduct a more detailed total cash compensation analysis to gauge other areas of impact as a basis of informing any adjustments to base salary for its elected officials.

The following table provides some impact scenarios for the Town to consider specific to base salary adjustments. Beyond these scenarios which flow directly from the market report noted above, there may be other internal practices/directives specific to Councilor pay that may warrant a review as a basis of determining the path forward in the post 1/3 tax free era.

Table 1: Base Salary Options

	Option	Councilor Impact	Town Impact
1	Maintain current base salary	Reduced net pay (income)	No additional payroll costs Does not address market position
2	Maintain current net pay	Increased gross pay	Increased payroll costs May increase pension contribution Does not address market position
3	Reduce all base to market P66%	Reduced gross pay Reduced income	Reduced payroll costs May decrease pension contribution Pay practice aligns with Town policy
4	Adjust all base to lowest market variance (Deputy Mayor @ 8.6%)	Reduced gross pay Reduced income Most significant impact for M. Councilor role; base salary reduced by 23.4% (32.0% - 23.4% = 8.6%)	Reduced payroll costs May decrease pension contribution Pay practice aligns with Town policy All roles within market variance level (+/- 10%)
5	Option 4 and 2 hybrid	Reduced gross pay, most significantly for M. Councilor Maintain net pay for all roles based on reduced base	Reduced payroll costs May decrease pension contribution Pay practice aligns with Town policy All roles within market variance level (+/- 10%) Address "fairness" consideration

Recommendations:

Option 1: Select if the Town wants to focus on maintaining payroll cost.

Option 2: Select if the Town wants to ensure base salary for elected officials remains constant through the transition. This approach maintains a sense of "fairness", however, it is the most costly.

Option 3: Select if the Town wants to maintain pay for its elected officials in strict accordance with the current policy framework. This approach will also reduce payroll costs.

Option 4: Select if the Town wants to focus on cost control for the Municipal Councilor role while maintaining pay for the Mayor and Deputy Mayor roles within acceptable market variance levels. This approach will also reduce payroll costs.

Option 5: To balance cost control and fairness the Town can consider a hybrid of Option 4 and Option 2. Specifically, the first action would be to reduce base salary levels (Option 4) then maintain the associated net pay (Option 2).

Finally, to ensure a high level of process transparency with respect to setting pay for elected officials, we would recommend forming a Citizens Compensation Committee to review/vote on any proposed changes as part of the implementation process. Through a facilitated approach, this Committee may call on other technical resources (e.g. tax accountant) to support their decisions making process. They may also suggest changes to the Town's pay policy for elected officials relative to the policy for staff roles.

Regards,



Dave Nanderam PhD
Managing Partner
ASSOCIUM *Consultants*



Council Policy Statement

Topic:	Council Compensation	Statement #	CO-1.03
Topic:	Compensation	Covered:	Members of Council
Section:	CAO's Office	Council Adoption Date:	February 11, 2008
Effective Date:	December 1, 2010	Revision No:	Date:

Policy Statement & Strategic Plan Linkages

The Town of Newmarket prides itself on its core values and 'being well equipped and managed'. As the Town strives to ensure fair treatment as well as fiscal accountability, this policy supports the commitment to marketplace competitiveness relative to compensation for Members of Council.

Purpose

The Town of Newmarket will act to conduct a full market assessment on the compensation package for Members of Council the 3rd year of each 4 year term of Council to affect and maintain a policy line relative to pay of 66.67th percentile of the marketplace at a minimum.

Procedures

1. Base pay for Members of Council is revised annually to reflect any economic adjustment applied to staff as at January 1 of every year or as otherwise determined.
2. A market comparison of Members of Council compensation shall be conducted in year 3 of each 4 year term of Council. The review may be referred to an external consultant or conducted by internal staff.
3. The market comparison review will be conducted with the 9 comparator municipalities identified for the purposes of staff salary review.
4. Base compensation schedules for Members of Council will be posted and maintained on the internal public drive.



PLANNING & BUILDING SERVICES

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178

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PUBLIC MEETING CONCERNING PROPOSED ZONING BY-LAW AMENDMENT

TAKE NOTICE that the Council of the Corporation of the Town of Newmarket will hold a statutory public meeting on

MONDAY, APRIL 9, 2018 AT 7:00 P.M.

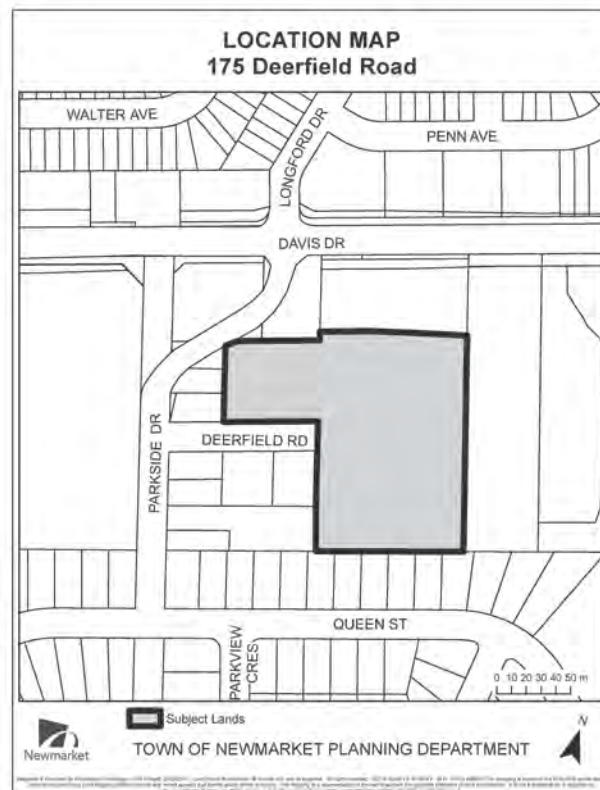
in the **Council Chambers at the Municipal Offices, 395 Mulock Drive**, to consider a proposed Zoning By-Law Amendment under Section 34 of the Planning Act, RSO 1990, c. P. 13 as amended.

This will be immediately preceded by an informational open house on

MONDAY, APRIL 9, 2018 AT 6:00 P.M.

in the **foyer outside of the Council Chambers at the Municipal Offices, 395 Mulock Drive**, to provide members of the public with an additional opportunity to review information on the proposal.

Purpose and Effect: An application has been submitted for a Zoning By-Law Amendment for lands located on Deerfield Road, municipally known as 175 Deerfield Road. The application proposes a residential development comprised of two fifteen-storey buildings and one nine-storey building, each on a four-storey podium, for a total of 462 residential dwelling units. Parking is proposed to be in structured and underground parking areas



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

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

IF A PERSON OR PUBLIC BODY does not make oral submissions at a public meeting or make written submissions to the Town of Newmarket before the by-law is passed, the person or public body may not be entitled to appeal the decision of the Town of Newmarket to the Local Planning Appeal Tribunal or Ontario Municipal Board, as applicable.

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

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

Direct any inquiries to the Planning Department 905-953-5321
Please refer to File No. D14 NP17 20 (ZBA)

Dated: March 20, 2018



Town of Newmarket **Council Extract**

Extract from the Minutes of the Council Meeting held on March 26, 2018.

(12) 175 Deerfield Road – Zoning By-law Amendment

Moved by: Councillor Kerwin

Seconded by: Councillor Bisanz

1. That the report entitled 175 Deerfield Road – Zoning By-law Amendment Application report 2018-17 dated March 19, 2018 be received; and,
2. That the application for Zoning By-law amendment as submitted by Bridon Baker Developments Inc. for lands Municipally known as 175 Deerfield Road be referred to a public meeting; and,
3. That following the public meeting, issues identified in this Report, together with comments of the public, Committee, and those received through the agency and departmental circulation of the application, be addressed by staff in a comprehensive report to the Committee of the Whole, if required; and,
4. That David McKay, MHBC Planning Limited, of 7050 Weston Road, Suite 230, Vaughan, ON L4L 8G7 be notified of this action; and,
5. That the correspondence from Paul Jolie dated March 18, 2018 regarding 175 Deerfield Road – Zoning By-law Amendment Report be received.

In Favour: Mayor Van Bynen, Deputy Mayor & Regional Councillor Taylor, Councillor Vegh, Councillor Kerwin, Councillor Twinney, Councillor Hempen, Councillor Kwapis, Councillor Broome, Councillor Bisanz

Opposed: None
(9 in favour, 0 opposed)

Carried



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

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175 Deerfield Road – Zoning By-law Amendment Application Staff Report

Report Number: 2018-17

File Number: D14-NP17-20

Department(s): Planning Services

Author(s): Ted Horton, Planner

Meeting Date: March 19, 2018

Recommendations

1. That the report entitled 175 Deerfield Road – Zoning By-law Amendment Application report 2018-17 dated March 19, 2018 be received;,
2. That the application for Zoning By-law amendment as submitted by Bridon Baker Developments Inc. for lands Municipally known as 175 Deerfield Road be referred to a public meeting;
3. That following the public meeting, issues identified in this Report, together with comments of the public, Committee, and those received through the agency and departmental circulation of the application, be addressed by staff in a comprehensive report to the Committee of the Whole, if required; and
4. That David McKay, MHBC Planning Limited, of 7050 Weston Road, Suite 230, Vaughan, ON L4L 8G7 be notified of this action.

Executive Summary

The Town has received an application to amend Zoning By-law 2010-40 to permit the redevelopment of the lands known municipally as 175 Deerfield Road from the current industrial building to three multi-unit residential buildings, being two 15-storey towers and one 9-storey building. This report summarizes initial feedback on the application and recommends that the application be referred to a public meeting as required under the Planning Act.

This report provides (1) the context of the site, (2) the details of the proposal, (3) a discussion of the relevant planning policies and how the application addresses them, and (4) an outline of initial review comments.

Purpose

This report serves to inform Committee of the Whole of the application for zoning by-law amendment for 175 Deerfield Road (hereafter referred to as the subject lands) under Section 34 of the Planning Act. This report provides the initial comments from staff from the Town and its development review partners. The recommendations of the report, if adopted, would direct staff to organize a statutory public meeting as required by the Planning Act.

Background

Context

The subject lands are currently occupied by a three-storey industrial building containing a variety of tenants, including a packaging company and office space for a plastic manufacturer.

The subject lands are located on Deerfield Road, with a small frontage on the south side of Parkside Drive. The lands are approximately 1.84 hectares in size, with approximately 63 metres of frontage onto Deerfield Road and 4 metres of frontage onto Parkside Drive. The surrounding context is as follows, and is illustrated in Figure 1 as provided by the applicant:

- North: 200 Davis Drive, Two-storey commercial condominium including a range of retail and service uses on the ground floor with upper-floor offices
- East: 212 Davis Drive, fifteen-storey multi-unit residential rental building.
- South: Single detached residential dwellings fronting onto Queen Street
- South and west: Low-rise buildings including motor vehicle repair facilities, professional offices, and a day care
- West: Parkside Drive and the Newmarket Plaza commercial centre



Figure 1: Subject Lands Context

The subject lands are located in the Urban Centres Secondary Plan (UCSP) area, and designated with a range of applicable policy categories of the UCSP. These include:

- Located in the Davis Drive Regional Corridor (Schedule 1)
- Located in the Davis Drive character area (Schedule 2)
- Designated as Mixed Use (Schedule 3)
- The north portion of the site is within the Medium-High Density area and the south portion of the site is within the Medium Density area (Schedule 4)
- The site is planned to host the extension of Calgain Road along the south edge of the subject lands, a future private road/lanes connecting the Calgain Road extension north to Davis Drive, and Deerfield Road becoming a private road/lane and being extended east (Schedule 5)
- The frontage on Parkside Drive is designated as a Green Street (Schedule 6)

The Urban Centres Secondary Plan (UCSP) was adopted by Council on June 23, 2014 and by the Regional Municipality of York on March 26, 2015. Planning Services is continuing work on a zoning by-law that will implement the policies of the UCSP, as has been reported to Committee of the Whole in Planning & Building Services reports 2016-31, 2017-14, and 2018-04. In advance of the adoption of this general zoning by-law amendment, the applicant has submitted this application to permit site-specific

standards to implement the UCSP policies on the subject lands as an amendment to Zoning By-law 2010-40.

Proposal

This section of the report will present a general outline of the proposal from the applicant, including the built form, open space, road network, tenure, and affordable housing. The conformity of the proposal with Town policies will not be provided in this section, but rather is laid out in the following Discussion section.

Built form

The applicant is seeking to amend Zoning By-law 2010-40 to permit three multi-unit residential buildings, being two 15-storey towers and one 9-storey building. The development is proposed to be implemented in three phases, with the overall statistics for the phases presented in the table below. The phases can be seen in Figure 2, with each building being numbered by its proposed phase (i.e. Building 1 is phase 1, etc).

	Phase 1	Phase 2	Phase 3
Storeys	15	15	9
Gross floor area (m²)	16,582	14,602	13,080
One-bedroom units	89	102	55
Two-bedroom units	64	63	59
Three-bedroom units	21	3	6
Total number of units	174	168	120
Parking Spaces	186	172	130
Barrier-free parking spaces	3	3	2
Bicycle parking spaces	44	42	34

The overall Floor Space Index (FSI) for the proposed development is measured in each development block, being an area enclosed within existing or future streets, and separately categorized by the applicable permitted height and density. In this case, the subject lands are divided into two development blocks, with Parcel A as discussed in the applicant's submitted materials being to the north of the proposed Deerfield Road extension and Parcel B being to the south. Parcel A is proposed to have a total FSI of 2.92, and Parcel B 2.45. The parcels can be seen in Figure 2. It should be noted that the proposed height and density for each parcel would require height and density bonusing under Section 37 of the Planning Act, as is discussed later in this report.

The general built form for each building is similar in its fundamental design; each building begins with a podium or base and a narrower tower above. Phase 1 features a four-storey podium featuring ground-related residential units wrapped around three storeys of above-ground parking and capped with a fifteen storey tower rising from the centre.

Phase 2 consists of a four-storey podium featuring ground-related residential units wrapped around central amenity space, with three storeys of underground parking and a central fifteen-storey tower. Phase 3 is made up of a four-storey podium featuring ground-related residential units wrapped around three storeys of above-ground parking and capped with a fifteen storey tower rising from the centre.

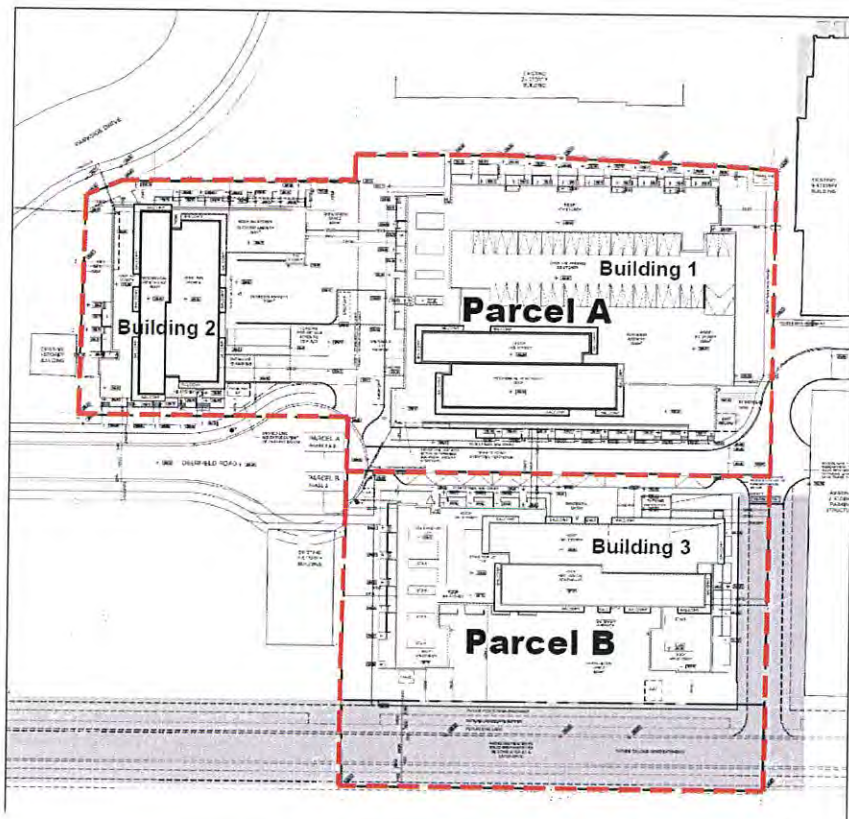


Figure 2: Proposed phasing and development blocks

Open Space

The proposal includes two open space areas. One is proposed to be located at the north edge of the subject lands toward the centre of the site between the Phase 1 and Phase 2 buildings. This open space area is proposed to be accepted by the Town as a POPS (Privately-Owned Public Space). A POPS is a space that is owned by a private landowner, developed in a manner approved by the Town, and open for use by the public. This open space would abut the commercial condominium to the north, although this would not be immediately accessible under the proposed design due to the significant change in grade between the two properties.

A second open space area is proposed at the southern edge of the subject lands in a landscaped area that is encircled on three sides by the Phase 3 building. This open space would abut the future extension of Calgain Road, with access via a ramp to the east and at grade to the west due to the significant change in grade between the open space and the future Calgain extension. The applicant has proposed this open space as a strata park, which would be divided in ownership from the underground parking beneath with the open space being conveyed to the Town. These two proposed areas are indicated in Figure 3 below.

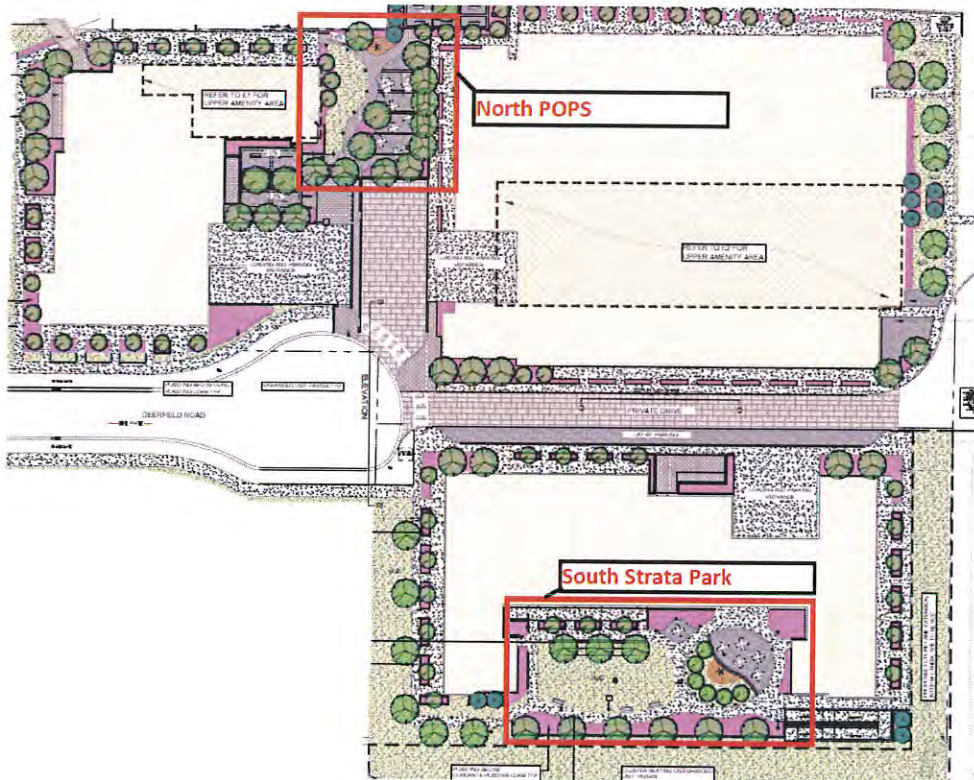


Figure 3: Open Space Locations

Each of these open spaces is proposed as a partial contribution toward the parkland dedication as required by Section 42 of the Planning Act and enacted in Newmarket by By-law 2017-56.

A discussion of the desirability of each space as public open space in light of the Town's policies and best practices in park design is presented in the discussion section later in this report.

Road Network

Schedule 5 of the Urban Centres Secondary Plan (UCSP) indicates the future transportation network in the Yonge Street and UCSP Area. As mentioned in the context section above, the subject lands are planned to be the site of part of the future transportation network. These planned roads can be seen below in Figure 4.

First, the extension of Calgain Road along the south edge of the the subject lands is planned (see Figure 4 in light blue), building on the lands that were secured along the south edge of 212 and 230 Davis Drive. Second, a future north/south private road is planned to connect the Calgain Road extension north to Davis Drive, across 212 and 230 Davis Drive (the Newmarket Church of Christ). Finally, the UCSP designates that Deerfield Road will become a private road and being extended east to meet the aforementioned north-south private road (see Figure 4 in dark blue).

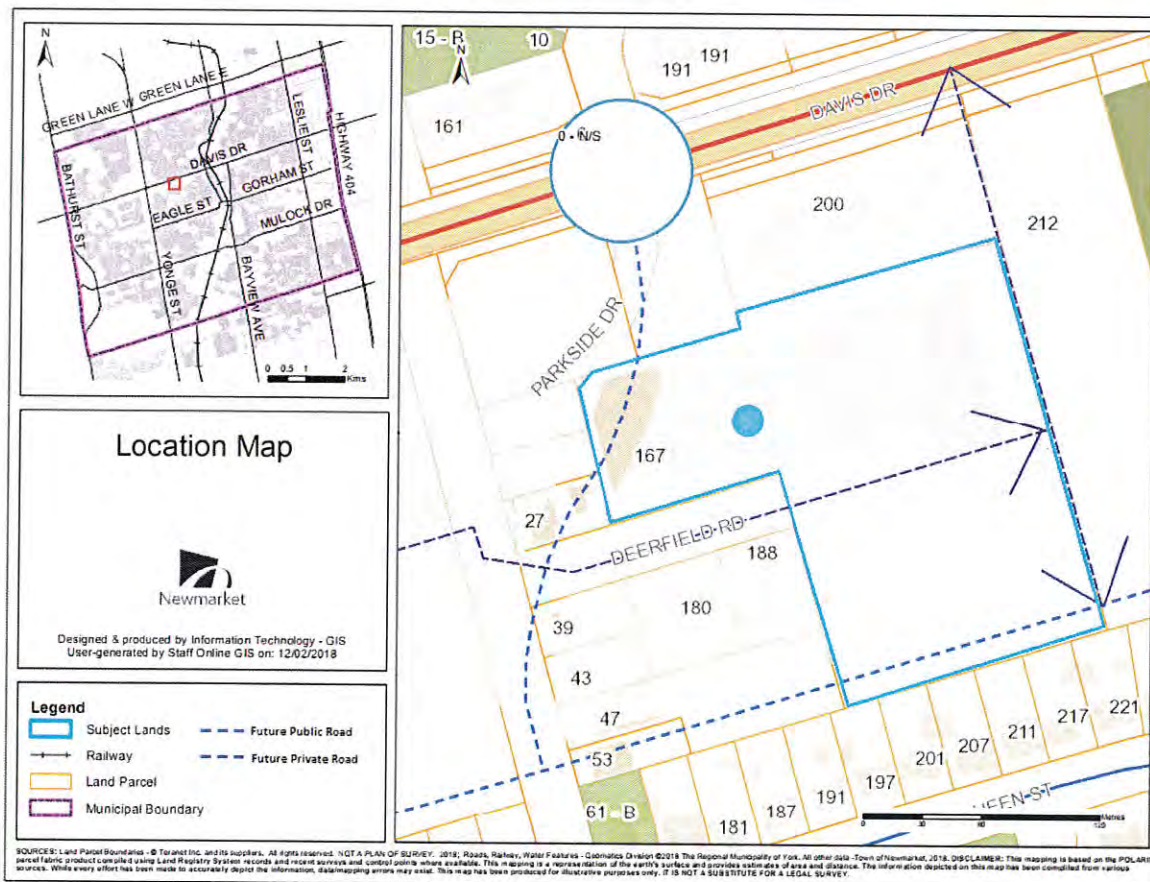


Figure 4: Future Street Network

A discussion of the design of this planned road network and how it aligns with applicable policies is presented in the discussion section later in this report and the individual proposed segments of the network are illustrated in Figure 8 within that section.

Tenure

The applicant has indicated in their Planning Justification report that the intended tenure for Phase 1 is rental, while they have not yet committed to the tenure for the remaining phases. As Council will be aware, while an application may indicate a proposed tenure the Town has limited ability to control the tenure of a development.

The applicant has noted that rental housing is a community benefit that assists in the diversification of the housing stock, and that they are willing to guarantee that all units built as market rental units remain as such for a period of not less than 20 years. This may be eligible as a community benefit in pursuit of height and density bonusing, which may be secured through a Section 37 Agreement under the Planning Act.

Affordable Housing

The applicant has indicated in their Planning Justification report that they intend to meet the affordable housing targets of the UCSP if the Town and Region provide certain financial and procedural incentives. These incentives and the role of government incentives in providing affordable housing are presented in some additional detail in the discussion section below.

Discussion

The Planning Act requires that a decision of Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the policy statements issued under subsection (1) of the Act, and shall conform with provincial plans in effect on that date, or shall not conflict with them. The policy statement is the Provincial Policy Statement 2014 (the “PPS”). The provincial plans comprise the Growth Plan for the Greater Golden Horseshoe 2017 (the “Growth Plan”), the Oak Ridges Moraine Conservation Plan 2017 (the “Oak Ridges Plan”), the Greenbelt Plan 2017 (the “Greenbelt Plan”), and the Niagara Escarpment Plan 2017.

Applicable policies and how they are addressed by this application are discussed below. In certain sections comments from staff regarding how the application might be improved to better align with these policies is presented, beginning principally in the section discussing the Town’s Official Plan.

Provincial Policy Statement

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. As a key part of Ontario’s policy-led planning system, the PPS sets the policy foundation for regulating the development

and use of land. It also supports the provincial goal to enhance the quality of life for the citizens of Ontario.

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

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

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

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

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

Growth Plan

The Growth Plan directs growth to built-up areas designated within municipal official plans. The Urban Centres Secondary Plan (UCSP) will allow the Town to meet its intensification requirements under the Growth Plan. The UCSP directs the majority of the Town's future growth to the Yonge Street and Davis Drive corridors, where this development application is located.

The Growth Plan contains policies directing that municipalities create complete communities, reduce the dependence on private automobile through mixed-use and transit-supportive development; provide for high quality public spaces; support transit, walking, and cycling; implement minimum affordable housing targets in accordance with the PPS; and achieve an appropriate transition of built form to adjacent uses.

This development aligns with the objectives of the Growth Plan and provincial policy by:

- being located in an intensification area;

- being located along the Davis Drive corridor within a major transit station area;
- providing a mix of built forms and public open spaces;
- seeking to meet affordable housing targets;
- providing a range of size and types of dwelling units;
- supporting transportation demand management through limited parking; and
- redeveloping a former industrial site.

The Growth Plan requires that Urban Growth Centres be planned to achieve a minimum gross density target of 160 residents and jobs for major transit station areas on priority transit corridors served by Bus Rapid Transit (BRT) such as the Viva BRT on Davis Drive. The proposal provides 589 people per hectare, which will exceed the Town's density target. While the figure of 589 may seem large compared to the minimum target of 160, it is important to note that the target of 160 is across all major transit station areas on priority transit corridors served by BRT, and other sites within this area will not achieve this density and so it is necessary to permit a range of densities to achieve the overall objective.

The Growth Plan contains policies directing that municipalities create complete communities, reduce the dependence on private automobile through mixed-use, transit-supportive development. This proposal would improve the diversity of housing stock in Newmarket, provide additional dwelling units close to transit and retail options, and provide a parking supply that supports reduced dependence on private automobile use.

The Growth Plan further directs municipalities to provide for high quality public spaces that support transit, walking, and cycling. This is achieved in a range of ways, both through the development of on-site open space amenities and through the provision of public space through parkland. As has been discussed above, this proposal includes two open space areas. The fit of these areas with Town policies is discussed later in this report.

The Growth Plan also directs the implementation of minimum affordable housing targets. This proposal would meet the minimum affordable housing targets of the UCSP, subject to certain financial incentives that are discussed later in this report.

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

York Region Official Plan

Decisions with respect to planning matters are required to conform to the York Region Official Plan (YROP). The YROP designates this site as part of the "Urban Area". Davis Drive is one of the Regional Corridors, which are planned to serve as the primary locations for the most intensive and greatest mix of development. The policy requirements of the YROP have been integrated into the Urban Centres Secondary Plan (UCSP).

Town of Newmarket Official Plan

The subject lands are located in the UCSP area, as is discussed in the Background Context section above.

Use

The subject lands are designated “Mixed Use”. The mixed-use area permits a range of uses including commercial, office, residential, employment, recreational and institutional uses. Apartment buildings are permitted in the Mixed Use designation. While the UCSP does not specifically require each site to provide for a mix of uses, and the site is not within a priority commercial area where commercial uses would be mandatory across the street frontage, UCSP policies address an intent to promote a fine-grained mix of uses to bring activity and provide for resident’s daily needs.

These policies include setting an overall target for retail/commercial space per person at the build-out of the area, and setting approximate gross floor area (GFA) proportion targets for each character area by residential and employment uses. For example, the Davis Drive character area in which the subject lands are located is planned to be approximately 70% residential and 30% in the total GFA, for a final build-out of approximately 4,200 residents at 2,000 jobs. The proposed development would add approximately 942 new residents, and is not proposed to add any commercial space.

Staff have noted in feedback to the applicant that the development may be improved through the inclusion of some amount of commercial GFA. This question of the degree of land-use mix is an important element of reviewing each development in order to create a complete community. A fine grain of land use mixes that include commercial areas in close proximity or on the same site as residential uses meets the objectives of the UCSP of achieving walkability and livability.

Having daily needs and walkable destinations in close proximity to where residents live increases the proportion of daily trips being made on foot and provides jobs close to where residents live. Conversely, limited land-use mix limits economic development and access to goods and services and increases the costs – be they increased time, transportation costs, or reduced exercise – for residents to access services. The inclusion of additional commercial space also helps to support the economic development of the Town as an increased supply of commercial GFA can help to balance the commercial leasing market and provide space for businesses of a range of sizes and types.

The base of apartments are well-suited locations for commercial uses such as grocery stores, and small-scale retail, and service uses such as clinics, gyms, and daycares. Such uses assist residents to achieve their daily needs close to home while supporting vibrant neighbourhoods through all-day street-level activity. An additional method to integrating a mix of uses into the area beyond the commercial uses that are typically seen in the base of high-density residential buildings in other municipalities may also be

to permit and encourage the use of ground-floor residential units for a mix of small-scale commercial uses such as offices and service-related uses.

To that end, staff have requested the applicant to consider how any at-grade mix of uses is possible through the inclusion of space designed for the types of retail and service uses discussed above.

Tenure

The applicant has indicated in their Planning Justification report that the intended tenure for Phase 1 is rental, while they have not yet committed to the tenure for the remaining phases. It is a positive element of this application that it proposes rental units, as this will assist the Town in achieving its policy objectives of providing for a range and mix of unit types and tenures. This section will present an overview of the Town's housing stock in order to provide context of why the tenure of the development is an important consideration.

The UCSP states that the Town will promote new rental development and encourage the retention of existing rental stock. This recognizes that a complete community and a healthy housing market provide a range of housing options, which is important for residents at all stages of life to be able to find housing that suits their needs. Rental housing is a critical element of a balanced housing market. Newmarket's housing market provides a large number of ownership units and few rental units.

Ownership tenure housing in Newmarket continues to be the dominant form over rental housing. This is true in the existing housing stock, proposed developments, and developments under construction. Newmarket continues to experience very low rental vacancy rates, which poses challenges for residents to find housing that suits the needs of their families.

Rental vacancy rates in the past two decades have hovered between 0.7% in 2001 to 1.6% in 2012 and 1.3% in 2017, far short of the 3% vacancy rate that is generally accepted as a marker of a healthy rental market.¹

The stock and growth of ownership housing units has continued to outpace rental by a significant margin. While there have been high-profile developments that have either entertained the prospect of rental tenure, or proposed rental tenure, the underlying trends continue to show that ownership is the dominant tenure in Newmarket. Without a significant change,

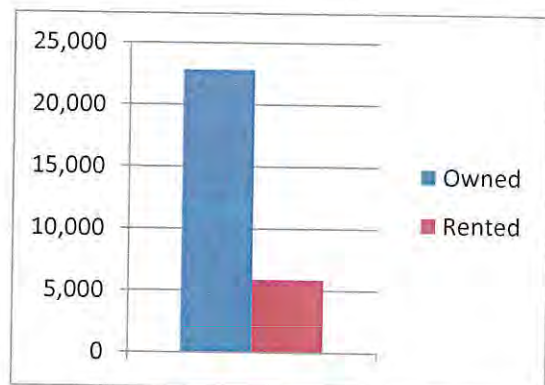


Figure 5: Existing Tenure of Homes in Newmarket

¹ CMHC, Rental Market Reports

rental vacancy rates will continue to be low and Newmarket residents will find it challenging to find rental housing.

The data clearly shows that (1) the majority of homes in Newmarket are owned, (2) the majority of homes being built in Newmarket will be owned, (3) the majority of homes proposed in Newmarket will be owned. The figure below illustrates developments by the number of dwelling units based on the status of their development applications as follows:

- Approved – Zoning By-law amendment approved
- Proposed – Zoning By-law amendment under review
- Under Technical Review - Zoning By-law amendment approved, site plan/subdivision application under review

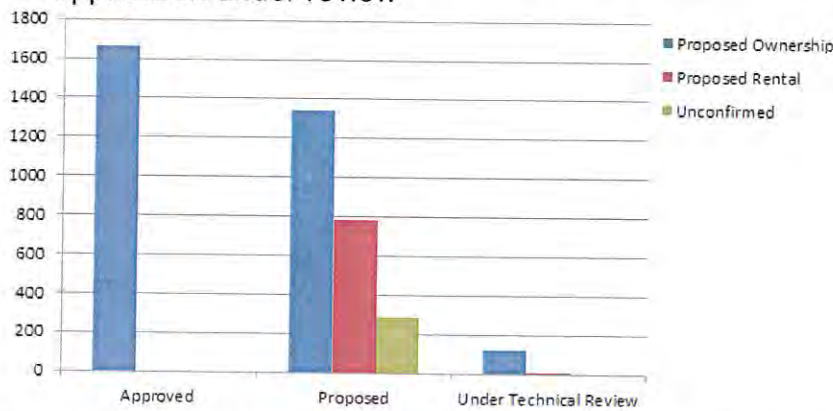


Figure 6: Residential Development Applications in Progress, by Tenure

Newmarket has some 5,875 renter households, compared to 22,795 ownership households. Much of Newmarket's rental stock is provided by small-scale private rentals. These include renting an entire home, an accessory dwelling unit (ADU), a unit within a low-rise development such as a duplex or triplex, or a room within a home. Legislative Services maintains a registry of ADUs which includes 1,340 units. Not all of these units may be available for rent as there is no requirement for an owner to notify the Town if they decide to use the unit for their own purposes.

Higher-density residential developments provide a relatively small number of units. Located principally on Lorne Avenue, Huron Heights, and Crossland Gate, Newmarket's larger purpose-built rental buildings provide approximately 500 dwelling units.

Conversely, Newmarket has more high-density condominiums than it does high-density rental units. While of a similar age to rental buildings, condominiums in Newmarket are concentrated on Davis Drive and William Roe Boulevard. There are approximately 600 condominium units in these developments.

While ADUs and small-scale private rentals provide an important supply of rental housing, this housing stock is inherently less stable than purpose-built rentals.² Tenancy legislation in Ontario permits landlords to require a tenant to vacate a unit for the landlord's own use, which is more common in private rentals such as ADUs or home rentals. York Region does not include condominium units that are rented towards any affordable housing targets, as these units can be removed from the rental market at any time. Purpose-built rental buildings tend to offer greater security of tenure and stability for tenants.

While the Town is seeking development of a range of types across the UCSP area, rental residential development typically proves to be more challenging than condominium development. Fundamental market trends that have led to the growth of the condominium developments across the GTHA far more quickly than rental development continue to shape the development market. These are well explained by the Ryerson City Building Institute in their report on rental and condominium market forces, in which they explain why condominiums are generally preferred by developers:

- Condos generate faster returns than rental buildings
 - Many developers prefer to build condos due to the ability to receive a return on investment more quickly than from a rental development. Profits come from sales, which means that when a building is occupied the developer can walk away.
- Financing is easier to obtain for condo projects
 - Developers have to put less of their own financing into a condominium project than a rental project, as pre-sales and deposits provide an additional source of revenue. This reduces borrowing costs and financial risk for the developer.³

Notwithstanding that there has been an observed increase in interest in rental development in the recent past, the fundamental economic forces that have caused the increase in condominium development over the past twenty years have not shifted significantly. This application supports the Town's goals of promoting new rental development, and will assist in creating a more diverse housing stock.

Affordable Housing

This section will present an overview of housing affordability in Newmarket and how this application addresses housing affordability policies.

The UCSP indicates that a minimum of 25% of new housing units outside of the Yonge & Davis Provincial Urban Growth Centre shall be affordable to low and moderate income

² Ryerson City Building Institute: Getting to 8,000

³ Ryerson City-Building Institute: Getting to 8,000

households. While this 25% is not intended to be achieved on each individual application, but rather within the UCSP area as a whole, Council should consider how these targets will be achieved if development applications proceed without supplying any affordable units. Any development that is approved without any affordable units renders the challenge of meeting this target greater.

Units are deemed to be affordable if they are rented or sold at a price that meets the Region's annual thresholds. Rental thresholds are set at 125% of the average market rent, which in 2016 the rental threshold was \$1,496 per month regardless of the size of the unit. Ownership thresholds are set at a housing cost that is affordable to the 60th percentile of earners. These thresholds can be seen in the figure from the 2016 York Region Housing Solutions Progress Report below.

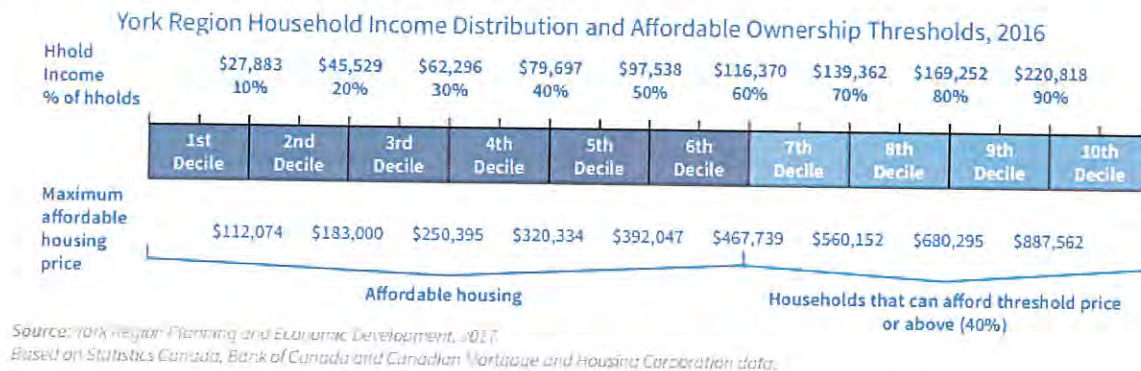


Figure 7: York Region Household Income Distribution and Affordable Ownership Thresholds

While the affordable housing policies are an important step in trying to provide housing that meets the needs of residents from a range of incomes, the depth of affordability of units is a concern. The affordable ownership thresholds provide a maximum affordable price. Homes at the threshold are affordable to the highest income earners representing 40 per cent of all households. As the ownership housing thresholds provide an upper limit, they do not address the need for an appropriate range of housing for households with incomes below this limit. This means that homes that meet the affordability threshold remain unaffordable for 50% of households. When considering lower deciles of income (e.g. a household that makes in the bottom 40% of incomes), the proportion of homes that are affordable to such a household drops significantly. Across York Region in 2016 only 14% of homes were sold at a price point that would meet the definition of affordability for a household earning the 40% income decile of \$79,697.

It is important to note that affordable thresholds are set the same regardless of the size of the dwelling unit. One- and two-bedroom units tend to be more likely to meet affordability thresholds, but such units do not assist in ensuring that families of all sizes can meet their housing needs. The UCSP intends that affordable housing comprise a range and mix of housing forms, unit sizes and tenure and include a significant number of dwelling units which may accommodate households with children, larger families, people with special needs, and rental households.

It is also worth noting the distinction between affordable housing as units that meet the price threshold, and social housing as units that are managed by Housing York Inc. – in order for units to be considered affordable, they must be counted based on rent or price charged and not based on programs – that is to say, units that are leased to Housing York Inc. at a price point above the threshold are not affordable units. In short, an arrangement such as was made at 212 Davis Drive to provide units to Housing York does not provide affordable housing units.

To date, the Town has had limited success in achieving affordable housing units. Data from York Region shows that in 2015 and 2016, 5% of new ownership-tenure and 100% of new rental-tenure households met the affordable price thresholds. However, this data is based on two assumptions that may significantly over-report the affordability of rental units – namely, all accessory dwelling units (ADUs) and all purpose-built rental units are assumed to be affordable as no reliable data on rental prices by building is available.

The proposal for the subject lands indicates that the applicant is prepared to meet the Town's affordable housing target of 25% of the units being at or below the price threshold – if certain financial incentives are provided. In their Planning Justification Report the applicant has characterised this as an extension of the pilot project incentives offered by the Town and the Region as part of the 212 Davis Drive application, although no such formal extension to date exists.

The 212 Davis Drive incentive package included the deferral of Development Charges (DCs), application fees, and cash-in-lieu of parkland for 36 months. The specific incentive requests for 175 Deerfield Road are not presented in the zoning by-law amendment application, but are understood from separate conversations with the applicant to include all incentives included as part of 212 Davis Drive and additional elements.

Staff have been working with York Region and other local municipalities through the York Region Local Municipal Housing Working Group to develop a set of incentives for affordable housing development in order to ensure consistency, fairness, and financial responsibility. It is expected that York Region will present this incentive framework in the coming months to Regional Council, after which time staff will be able to comment in more detail as to a recommendation on the desirability of offering incentives as part of this application.

It should be noted that staff recognize that achieving affordable housing targets will generally require partnerships between developers, the Town, and the Region. Rigorous financial modeling by staff from the Region has demonstrated that affordable housing at even the threshold of affordability will require significant incentives to reach the levels of feasibility of market-price developments. It should not be thought that requests for incentives to reach affordable housing targets are a windfall for developers – while a careful review of incentive tools is important for financial responsibility, it is well understood that affordable housing cannot be achieved without some level of subsidization of the affordable units.

In summary of the aspects of the application related to affordable housing, the applicant has proposed to provide up to 25% of the units at the affordable threshold if certain financial incentives are provided but staff are unable to provide specific details on those incentives or their feasibility at this date.

Urban design

The UCSP has a number of urban design objectives to ensure a high quality of design that is sensitive to the surrounding land uses and create the distinct, livable and vibrant urban place that Newmarket is seeking to achieve.

The proposed built form of the building generally conforms to the urban design policies of the UCSP. Each building provides a podium with setbacks to a tower that rises above it, a transition in scale from adjacent stable residential areas to the south toward Davis Drive, and articulated facades with a range of complementary material types. The angular plane analysis submitted with the application demonstrates that the proposed development will meet the angular plane urban design policies of the UCSP.

Staff have noted to the applicant that further detail regarding the material selection for the elevation plans will be required, along with bird-friendly design elements at the site plan application stage. Staff have further noted that minor revisions may be required at the site plan application stage, including:

- Implementation of features from Urban Design and Landscape Plan such as street furniture, seating, and the design of amenity areas
- Confirming design meets requirements of the Integrated Accessibility Standards Regulation of the Accessibility for Ontarians with Disabilities Act
- Ensuring that proposed planting beds are appropriately sized and separated from foot traffic to ensure viability
- Minimizing conflict areas between pedestrians and vehicles in the access and loading area between Phases 1 and 2
- Revising planting beds that are to serve as buffers between at-grade units and surrounding streets and pedestrian pathways to ensure privacy and comfort in at-grade unit patios

In summary of the aspects of the application related to urban design, the application meets many of the requirements of the UCSP although some minor revisions may be required.

Shadow and Wind Impact

The submitted Planning Justification Report and shadow study indicate that the proposed development has been oriented to minimize shadow and wind impacts. The UCSP prioritizes ensuring that sunlight penetration continues to reach streets, parks, squares and plazas, surrounding neighbourhoods, and shadow-sensitive areas such as schoolyards and amenity areas for seniors.

The submitted shadow study appears to indicate that these policies would be met. The orientation of the building and the path of the sun would limit shadow impacts on the southerly residential neighbourhood. Among the areas that the UCSP prioritizes for protection from shadow impacts, the proposed POPS and strata park and the interior sidewalks would be most directly impacted. The northerly proposed POPS would be significantly shaded due to its location between Phases 1 and 2 to the east and west, respectively. The proposed strata park appears to receive significant sun due to its southerly orientation. The interior sidewalks appear to receive ample sunlight.

The UCSP further directs that new development should minimize wind impact on adjacent properties and public spaces. The wind report submitted with the application indicates that downwashing winds can be expected in immediate proximity to the buildings, but that the impact is generally acceptable. The report notes several pedestrian-level areas such as sidewalks within the subject lands and proposed private amenity areas that may experience uncomfortable levels of wind in the winter. The report continues by recommending wind control measures such as coniferous landscaping, semi-porous wind screens, and minor adjustments to entryways, and appropriate screening for rooftop terraces and amenity areas. These features may be implemented through the site plan approval process, if Council should deem to approve this application.

In summary of the aspects of the application related to shadow and wind impacts, the application meets many of the requirements of the UCSP although some minor revisions may be required.

Sustainability

The UCSP requires the incorporation of certain sustainability measures. Section 7.3.7 (i) of the Plan provides that all development be encouraged to strive for a LEED Gold or higher rating or equivalent standard. The provided Sustainable Development Report provides a list of features that the applicant has indicated they will endeavour to provide. These include high-efficiency heating and cooling systems such as heat pumps, window design that will reduce energy consumption, three-stream waste connection, and various transportation demand management (TDM) elements.

If Council should deem to approve this application certain of these elements may be secured at the site plan approval stage. These include physical common-area TDM elements, exterior window design, bicycle parking, and external design features. Other elements that are interior to the building such as any specifically-proposed heating and cooling system beyond the requirements of the Ontario Building Code (OBC), the design of the private waste collection areas, and water conservation features, are better secured as a condition of any zoning by-law approval.

In summary of the aspects of the application related to sustainability, the application meets many of the requirements of the UCSP although the sustainability features may need to be secured through appropriate agreements.

Communication Technology

The UCSP requires that all mixed use buildings will be designed to facilitate advanced telecommunication. The submission indicates that the applicant will ensure that conduits will be provided from the right-of-way to each building and unit such that the buildings are prepared for “fibre to suite” requirements of telecommunication provides. The applicant has indicated they will enter into agreement(s) with a telecommunications company to install such fibre optic infrastructure throughout the buildings. The application appears to meet the policies of the UCSP related to communication technology.

Transportation

The integration of land use and transportation planning is a critical element of the UCSP and of good planning. The transportation policies of the UCSP encourage a shift away from single occupant vehicles in favor of more active, efficient, and sustainable transportation modes. The UCSP policies prioritize the use of public transit and active transportation, and direct the establishment of a new road network throughout the UCSP area to provide accessibility and permeability.

Figure 8 generally illustrates the planned road network. The application proposes to meet the street network policies of the UCSP. The conveyance of lands at the south of the the subject lands for the future extension of Calgain Road is in line with the Town's expectations (indicated as 1 on Figure 8). Note that only the portion of the future Calgain extension within the subject lands is to be conveyed and existing private property exists to the west that has not been acquired by the Town.

Deerfield is planned to be extended to the east as a private road, as is provided for in this application (indicated as 2 on Figure 8). A north-south private road between the Calgain extension and the Deerfield extension is planned between the subject lands and 212 Davis Drive to the east (indicated as 3 on Figure 8). These streets are also planned to connect to Davis Drive through easements over 212 Davis Drive and 230 Davis Drive (indicated as 4 on Figure 8). These have not yet been secured, although staff have indicated to the applicant that they are necessary in order to fulfill the UCSP policies.

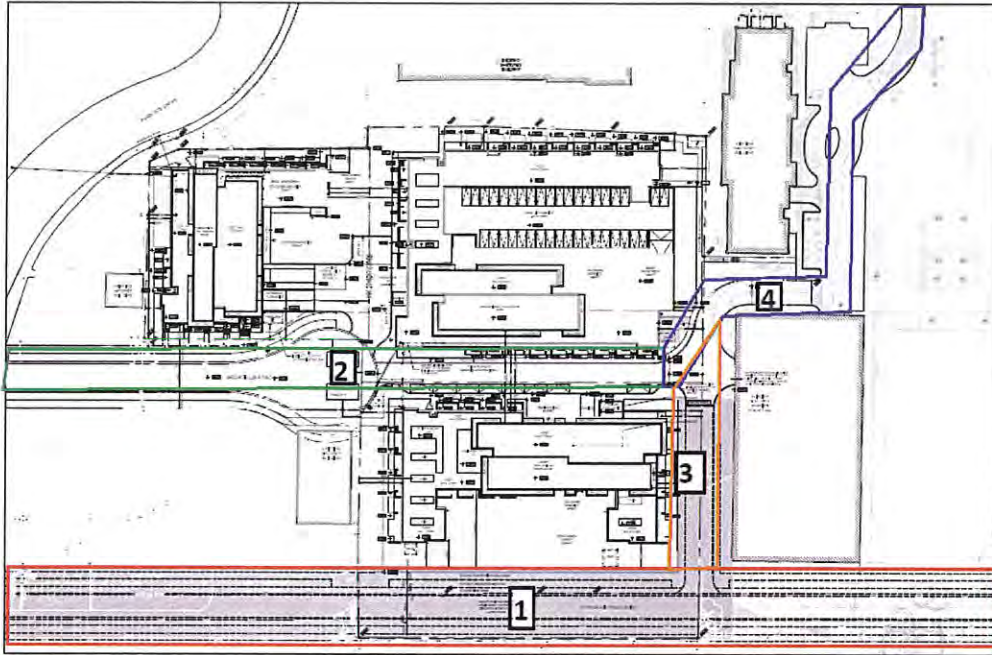


Figure 8: Future Road Network Segments

As discussed in the Road Network section earlier in this report, the subject lands are affected by a number of UCSP policies related to the future street network; in that section is explained the various future roads that are planned on and adjacent to the site.

As is discussed in the Road Network section above and illustrated in Figure 4, the UCSP plans for certain new public roads such as the Calgain extension and new private roads such as Deerfield Road. Where new private roads are to be located the Town will secure an easement over the lands to ensure that the right of all members of the public to use the road in the same manner as a public road is maintained and that appropriate controls for maintenance, operations, and liability are put in place.

The UCSP also directs that certain existing public roads become private roads, such as is the case with the existing Deerfield Road. In order to fulfill this UCSP policy while ensuring the ability of other residents and adjacent property owners to use the road, this necessitates a number of steps. Namely, that staff begin the required process under the Town's Sale of Land Policy, present Council with a by-law to close up the road, obtain Council approval for the sale/transfer of the road, effect the necessary easements over the road to ensure future public access, and approve the design of the road through the site plan approval process.

In short, the Town would treat the newly-private road the same as the future private extension through securing an easement over the property in favor of the Town so that all members of the public have the same access over the road. The Town would also ensure access during construction through the construction management plan, not unlike the process to ensure ongoing access during a reconstruction of a road managed

by the Town. No change to the rights of the property owners abutting the newly-private road would take place vis-à-vis their ability to redevelop their properties, as the zoning by-law permits redevelopment on such lots, as will continue to be permitted in the Urban Centres Secondary Plan Zoning By-law. In the case of future development of these properties where construction impacts to the private road are required, the Town will secure in site plan agreements the ability for these properties to do so subject to restoration of the road to its original state.

While securing public access over private roads is a first for the Town, it will become more common in future developments due to the number of private roads that are planned in the UCSP area. Beyond fulfilling UCSP policy, transferring Deerfield Road to private ownership and securing public access over future private extensions of the road have several benefits. First, it allows the Town to provide a more permeable street network without taking on the burden of owning and maintaining these roads. Second, it allows for a consistent and efficient street design - the provided plans with the initial application included a large cul-de-sac where the current Deerfield Road would terminate and meet the future private extension. If the Town were to maintain ownership of Deerfield Road this design would be necessary for operations and maintenance such as snow clearing, while if this were transferred a more consistent design without the cul-de-sac may be possible, as is encouraged by the UCSP. Third, transferring the road to private ownership may allow for a more efficient design including using lands under Deerfield Road for underground parking.

Without prejudice to Council's final decision on the application and any transfer of the Deerfield Road lands, it is worth noting several salient facts. First, Council has directed through the UCSP that Deerfield Road become a private road. Second, the Sale of Land policy would not oblige the land be declared surplus as this is not a requirement when a highway is closed and sold to an abutting landowner. Third, while the Sale of Land Policy would direct that the Town obtain an appraisal and that Council approve any terms of sale including price, the value of the land may be counterbalanced by the future savings to the Town of removing the land from maintenance obligations while still providing the service of the road. In a future report from Planning Services, if the final recommendation is for the approval of this application in some form, further recommendations will be provided to Council on the process for transferring Deerfield Road.

In summary of the aspects of the application related to transportation, the application meets many of the requirements of the UCSP although the roads, easements, and TDM features may need to be secured through appropriate agreements.

Parkland and Open Space

Parkland Dedication in accordance with Parkland Dedication By-law 2017-56 is required. The by-law requires certain minimum amounts of dedication of land and provides for a calculation of cash in lieu of remaining requirements. The parkland dedication proposal included with the application does not appear to meet the

requirements of the by-law. Staff have noted this with the applicant and requested a revision or response.

As is discussed in the Proposal – Open Space section above, the application includes two open space areas. The first is a proposed Privately Owned Public Space (POPS) in the north of the subject lands between Phases 1 and 2, and the second a strata park located on top of underground parking on the south edge of Phase 3. These are indicated in Figure 3. If the Town consents to accept these areas, the POPS would continue to be owned by the applicant but be publicly accessible as an urban square and the strata park would be conveyed to the Town. Each of these would provide a partial credit for the parkland dedication requirements for the development, reducing the overall cash-in-lieu obligations.

Staff are of the opinion that the northerly POPS not be accepted, but that the southerly open space area may be acceptable as a POPS rather than a strata park. The northerly POPS is not desirable as a public open space, as Town's Parkland Policy Development Manual states that urban squares and plazas such as this should be located along main pedestrian routes with high visual exposure and street frontage.

The location of the proposed POPS, being internal to the Deerfield site, will serve principally the residents of the site and does not meet the Town's expectations of lands acceptable as POPS. As discussed in the Shadow and Wind Impacts section above, the northerly POPS is expected to be limited in its sunlight due to the placement of the proposed buildings, leaving the site to be of a less than desirable nature. The southerly open space, conversely, will be located along the future Calgain Road extension providing direct pedestrian access. Its south-facing position and relative lack of obstructing buildings also will provide it with greater access to sunlight, providing a more amenable location.

It may be more desirable to accept the southern open space as a POPS rather than a strata park. While this would reduce the amount of credit that the area would provide toward the parkland dedication requirements of the applicant, providing the space as a POPS rather than a strata park would maintain the ownership as part of the overall proposed development, obviating the need for long-term Town maintenance. In addition, a strata park over an underground parking area poses additional legal and maintenance uncertainties that the Town has not yet experienced. While strata parks may be appropriate and useful forms of parks in the UCSP area, in this case a POPS may accomplish the same function with less complexity.

In summary of the aspects of the application related to parkland and open space, the application meets many of the requirements of the UCSP although revisions and responses are required.

Height and Density Bonusing

The application as proposed would require height and density bonusing under Section 37 of the Planning Act. The UCSP has a maximum Floor Space Index (FSI) of 2.5 for Parcel A and 2.0 for Parcel B as shown on Figure 2. The application is seeking an increase of 0.5 FSI for each parcel, which comprises an increase of three stories on Parcel A and one storey on Parcel B.

Section 37 of the Planning Act authorizes municipalities to permit increases in height and density in exchange for certain community benefits or cash-in-lieu of the same. The benefits that are eligible for such bonusing are set out in Section 14.2.9 of the UCSP. In order to permit such an increase in height and/or density, the UCSP states that the applicant shall demonstrate that the development:

- a) represents good planning;
- b) is consistent with the objectives of this Plan;
- c) meets the applicable urban design and built form policies of this Plan;
- d) represents appropriate development in the context of the surrounding character;
- e) can be accommodated by existing or improved infrastructure; and
- f) will not adversely impact the transportation network or, where cumulative impacts are identified, such impacts are accommodated through road and transit improvements which are to be provided prior to the time of development.

The applicant has provided a rationale in their Planning Justification Report (PJR) that explains how the application meets these requirements. As particular community benefits to justify the increase in height and density the applicant has proposed that 25% of the proposed dwelling units will meet the affordability threshold as rental units, subject to the incentives discussed above. The applicant has further committed to guaranteeing that all market rental units will remain as rental for a period of not less than 20 years as a community benefit.

It should be noted that height and density bonusing is generally regarded as a means for municipalities to extract benefits that capture the lift in land values that occur when increased height and density is permitted. However, in the case where a municipality is seeking a benefit that exceeds the value of the benefit to be obtained, such as may be the case with securing affordable housing units, it may be that height and density bonusing is only one of several necessary incentives. This is the argument advanced in the applicant's PJR, although staff cannot entirely corroborate this analysis as is discussed in the Affordable Housing section above.

In summary of the aspects of the application related to height and density bonusing, further details and analysis are required.

Conclusion

The application appears to meet many of the policies of the Urban Centres Secondary Plan. Staff continue to review the application and have provided initial comments to the

applicant. Certain responses and revisions are required to the application, some of which may be addressed through revisions before a recommendation is brought to Council and certain that may be addressed at the site plan application stage if Council should deem to approve the application.

The application is sufficiently advanced that it should be presented at a statutory public meeting as required under the Planning Act. Following that meeting, staff will continue to work with the applicant to address comments from the Town and other review partners before bringing a recommendation to Council at a later date.

Comments

Staff routinely circulate zoning by-law amendment applications to the public and the Town's review partners. Many of the comments provided are outlined in the Discussion section above. Additional comments from several review partners are provided below for greater context.

York Region

Staff from the Regional Municipality of York have provided comments on the application. They note that they have no objections to the zoning by-law amendment, and that they have preliminary comments regarding a future site plan application. These comments general address:

- Requirements of Section 59 of the Clean Water Act
- Servicing allocation from the Town, and the eligibility of the application for the Region's 'Sustainable Development Through LEED Incentive Program', which offers additional servicing allocation capacity to the Town for developments that meet the program's requirements
- The proposed street network is consistent with the Regional Official Plan
- A Transportation Demand Management will be required as part of the site plan application to support efforts to reduce single-occupant vehicle use

Comments from York Region will be addressed through the appropriate planning tools.

Engineering Services

Staff from the Engineering Services have provided comments on the application. They note that they believe that the issues they have raised can be satisfactorily addressed. These comments general address:

- Transportation – The ownership and need for reconstruction of Deerfield Road, and the need for connections through 212 Davis Drive and to the future Calgain extension
- Traffic – Further review of projected movement patterns for pedestrians, cyclists, and motor vehicles based on the current and planned street network is required to identify any potential improvements

- Stormwater management – Generally satisfactory, with additional design detail to be reviewed as part of a site plan application
- Servicing – Changes to the technical design will be required as part of the site plan application
- Environmental – A Phase Two Environmental Site Assessment should be conducted prior to a Record of Site Condition (RSC) being filed with the Ministry of the Environment and Climate Change (MOECC)

Comments from Engineering Services will be addressed through the appropriate planning tools.

Town Arborist

The Town's Consulting Arborist, Urban Forest Innovations Inc., has reviewed the application and provided comments.

If Council deems to approve the application, staff will ensure compliance with the Tree Preservation, Protection, Replacement, and Enhancement Policy through the future site plan application.

Lake Simcoe Region Conservation Authority

The Lake Simcoe Region Conservation Authority (LSRCA) has reviewed the application in accordance with the Natural Heritage and Natural Hazard policies of the Provincial Policy Statement (PPS), the Greenbelt Plan, the Lake Simcoe Protection Plan (LSPP), and Ontario Regulation 179/06 under the *Conservation Authorities Act*.

The LSRCA is satisfied that, from a watershed management perspective, that the application is consistent with the applicable policies. Consequently, the LSRCA has no objection to the application. They further note that more detailed comments will be provided at the site plan application stage in order to ensure compliance with applicable policies related to stormwater management and hydrogeology.

Other Review Partners

- Building Services has reviewed the application and they have no comments at this time.
- Central York Fire Services has reviewed the application and they have provided general comments on the site layout and plan detail to ensure appropriate access for emergency vehicles.
- The York Region District School Board has been advised of the application and they have noted that they have no need of a school site within the proposed development application.
- Canada Post has been advised of the application and they have noted their requirements to ensure orderly mail delivery to the development in the event that Council approves the application.

- The Southlake Regional Health Centre has been advised of the application and they have noted the ongoing need for capital investment and public support to meet the needs of the region's growing population.
- Enbridge Gas has been advised of the application and they have noted no objection.
- Rogers Communications has been advised of the application and they have noted no comment.

Conclusion

This application should be referred to a public meeting as required under the Planning Act. Following this meeting, staff will continue to work with the Town's review partners and the applicant to address provided comments. Staff will return to Council with a recommendation report or a by-law, as required, for Council's decision.

Business Plan and Strategic Plan Linkages

Living Well

- Traffic and growth management strategies

Well Balanced

- Meeting the needs of all life-cycle stages

Well-equipped & managed

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

Well planned & connected

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

Consultation

The zoning by-law amendment application has been provided to the Town's review partners per standard practice. Notice has been provided to persons and bodies as required by Ontario Regulation 545/06 of the Planning Act.

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

Budget Impact

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

Attachments

- Location Map
- Proposed Site Plan

Approval



Ted Horton
Planner



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



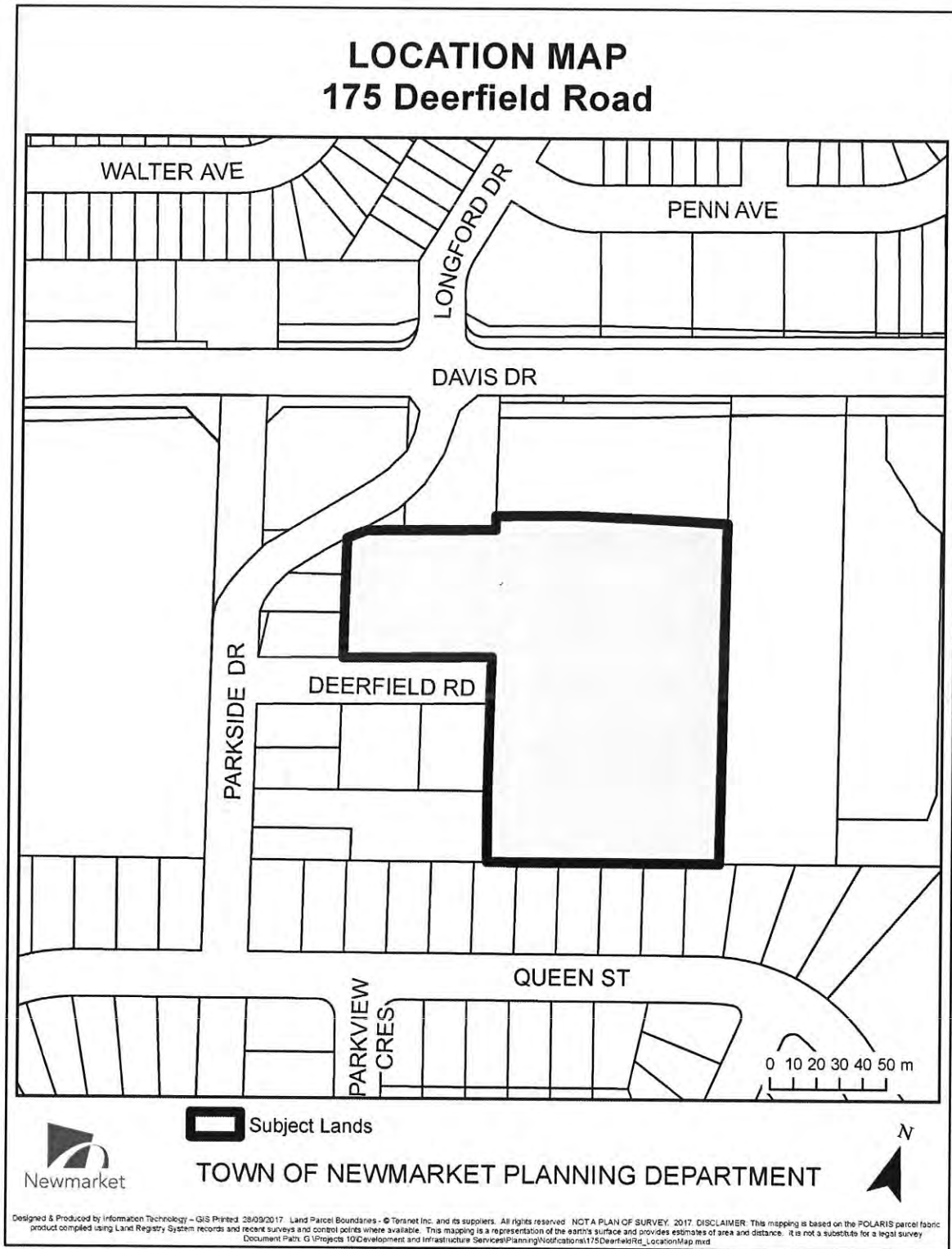
Peter Noehammer, P. Eng.
Commissioner Development and
Infrastructure Services

Contact

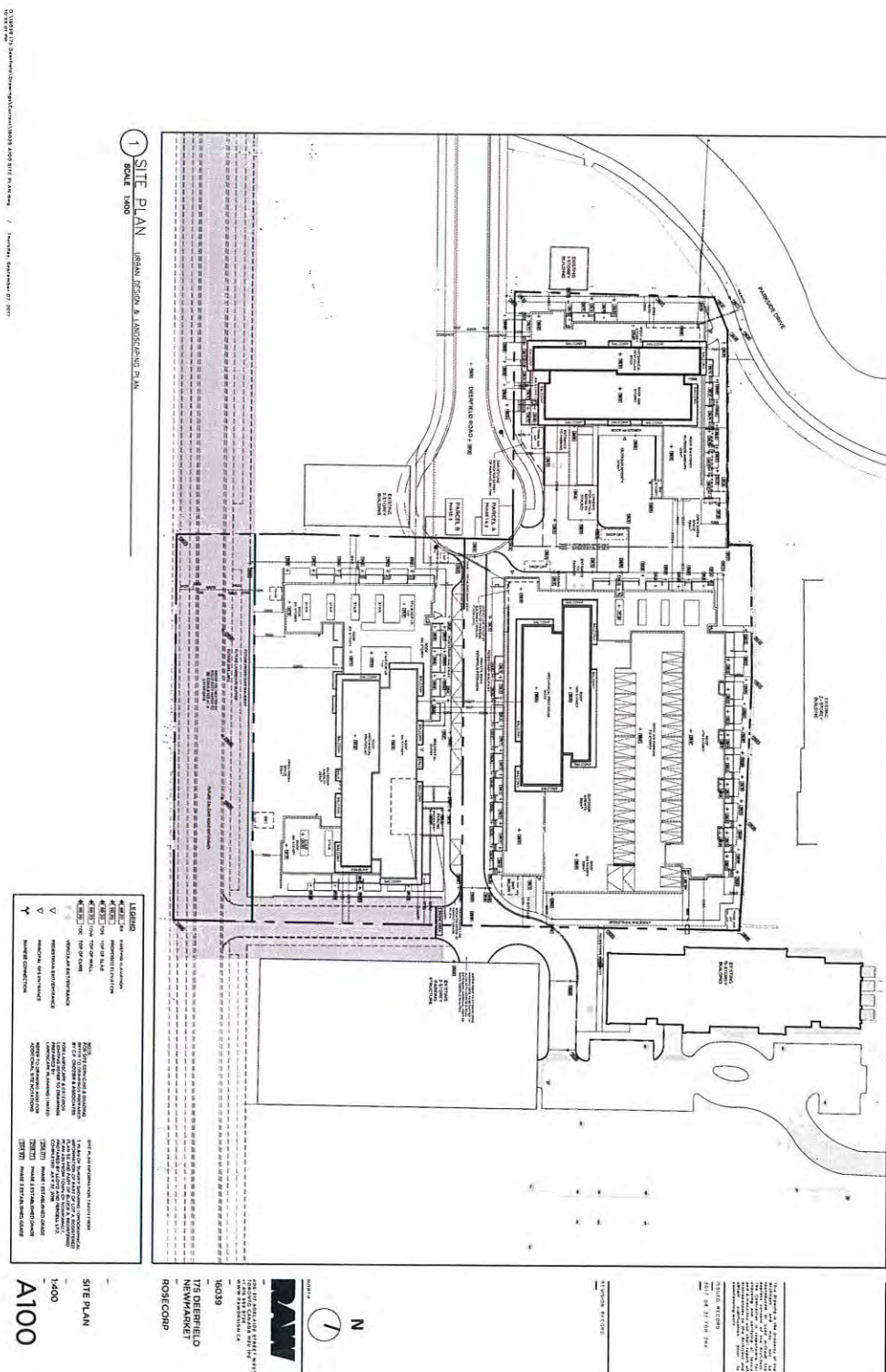
Ted Horton, Planner

thorton@newmarket.ca

Attachment 1: Location Map



Attachment 2: Site Plan



Deputation and Further Notice Request Form

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

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

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

Deputation Guidelines:

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

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

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