



Town of Newmarket

Council

Agenda

Date: Monday, June 18, 2018
Time: 7:00 PM
Location: Council Chambers
Municipal Offices
395 Mulock Drive
Newmarket, ON L3Y 4X7

Pages

1. Open Forum
2. Public Notices (if required)
3. Additions & Corrections to the Agenda
4. Declarations of Pecuniary Interest
5. Presentations & Recognitions
 - 5.1 Lake Simcoe Region Conservation Authority - Environmental Compliance Approval (ECA) 5

Note: Mike Walters, CAO, Lake Simcoe Region Conservation Authority, Geoffrey Dawe, Chair/Mayor, Town of Aurora, and Rob Baldwin, General Manager of Planning and Development, Lake Simcoe Region Conservation Authority will be in attendance. Rob Baldwin will provide a presentation regarding the signing agreement for Lake Simcoe Region Conservation Authority to undertake Environmental Compliance Approval reviews for stormwater features.
6. Deputations
 - 6.1 Deputation regarding Zoning By-law Amendment Application (285 Harry Walker Parkway South) 13

Note: Dawn Adams and Louise Sirisko, York Region District School Board and Sandra Patano, Weston Consulting will be in attendance to provide a deputation on this matter.

Note: This deputation is related to Items 9.5

7. Approval of Minutes

7.1	Council Meeting Minutes of May 28, 2018	19
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8. Reports by Regional Representatives

9. Reports of Committees and Staff

9.1	Committee of the Whole Meeting Minutes of June 11, 2018	35
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9.2	Committee of the Whole (Closed Session) Meeting Minutes of June 11, 2018	
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9.3	Item 5 of the draft Audit Committee Meeting Minutes of June 7, 2018	47
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9.4	2017 Financial Statements and Auditor's Report	
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Note: Report to be distributed when available.

9.5	285 Harry Walker Parkway South Zoning By-law Amendment Application Update	49
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1. That the report entitled 285 Harry Walker Parkway South Zoning By-law Amendment Application Update dated June 18, 2018 be received;
2. That Council amend Zoning By-law 2010-40 for the lands at 285 Harry Walker Parkway South to be substantially in accordance with the draft Zoning By-law Amendment appended as Attachment 2 Planning and Building Services Report Number 2018-33;
3. That Diron Developments Limited, c/o Diego Toneguzzo, 221 Hanlan Road, Unit 9, Woodbridge, ON L4L 3R7, be notified of this action; and
4. That Weston Consulting Inc., c/o Sandra Patano, 201 Millway Avenue, Suite 19, Vaughan, ON L4K 5K8, be notified of this action.

9.6	Correspondence dated June 14, 2018 submitted by Sandra Patano, Weston Consulting regarding 285 Harry Walker Parkway South - Pedestrian Access Considerations Summary	65
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Note: This item is related to Item 9.5

10. By-laws

10.1	2018-35 - A By-law to Amend By-law Number 2017-29, Being a Restricted Area (Zoning) By-law. (400 Park Avenue Inc.)	71
10.2	2018-36 - A By-law to Amend By-law Number 2017-61, Being a Restricted Area (Zoning) By-law. (Lorne Park Gardens Inc.)	73
10.3	2018-37 - A By-law To Exempt Certain Lands From The Part Lot Control Provisions Of The Planning Act. (Marianneville Developments Limited) Blocks 87, 88, 89, 90, 91, 92 and 99 Registered Plan 65M-4565.	75
10.4	2018-38 - A By-law to Amend By-law Number 2017-44, Being a Restricted Area (Zoning) By-law. (711371 Ontario Corp.)	77
10.5	2018-39 - A By-law to Regulate and License Driving Instructors to Operate in the Town of Newmarket.	79
10.6	2018-40 - A By-law to Amend By-law 2017-66 being a By-law to Adopt Fees and Charges for Services or Activities Provided by the Town of Newmarket (Fees and Charges- All Departments- Schedule D- Public Works Services)	89
10.7	2018-41 - A By-law to Amend By-law 2017-71 being a By-Law to Adopt Fees and Charges for Services or Activities Provided by the Town Of Newmarket (Legislative Services - Licensing Fees)	91

11. Notices of Motions

12. Motions

12.1	Ontario Board of Directors for the Ontario Small Urban Caucus (OSUM)
	Whereas the Town of Newmarket is a member of the Associations of Municipalities of Ontario (AMO); and,
	Whereas the Town of Newmarket supports the work of AMO and wishes to support it further by approving a resolution with respect to appointment for the term of 2018 to 2020; and,
	Whereas AMO is instrumental in assuring that the needs of the municipalities are considered by the Ontario Government; and,
	Whereas AMO has played a pivotal role in developing policy framework that has benefited communities throughout Ontario;
	Therefore be it resolved by the Municipal Council of the Corporation of the Town of Newmarket as follows:

1. That the Town of Newmarket Council supports AMO considering Councillor Bob Kwapis as a candidate for election at the AMO elections on the Ontario Board of Directors for the Ontario Small Urban Caucus (OSUM); and,
2. That the Town of Newmarket will cover associated costs with an appointment to the Ontario Board for Councillor Bob Kwapis as per the budgeting process.

13. Announcements & Community Events

14. New Business

15. Closed Session

15.1 Hollingsworth Arena - A proposed or pending acquisition or disposition of land by the municipality or local board, as per Section 239 (2)(c) of the Municipal Act, 2001.

15.2 Item 3 of the draft Appointment Committee (Closed Session) Meeting Minutes of May 22, 2018 - Personal matters about an identifiable individual, including municipal or local board employees as per Section 239 (2)(b) of the Municipal Act, 2001

16. Confirmatory By-law

16.1 2018-42 - A By-law to confirm the proceedings of the June 18, 2018 Council meeting

93

17. Adjournment

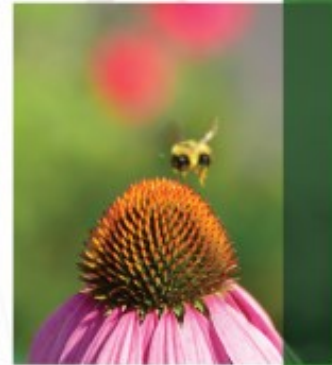
Stormwater Approvals Transfer of Review

Town of Newmarket

June 18, 2018

Rob Baldwin

General Manager, Planning and Development



Lake Simcoe Region
conservation authority

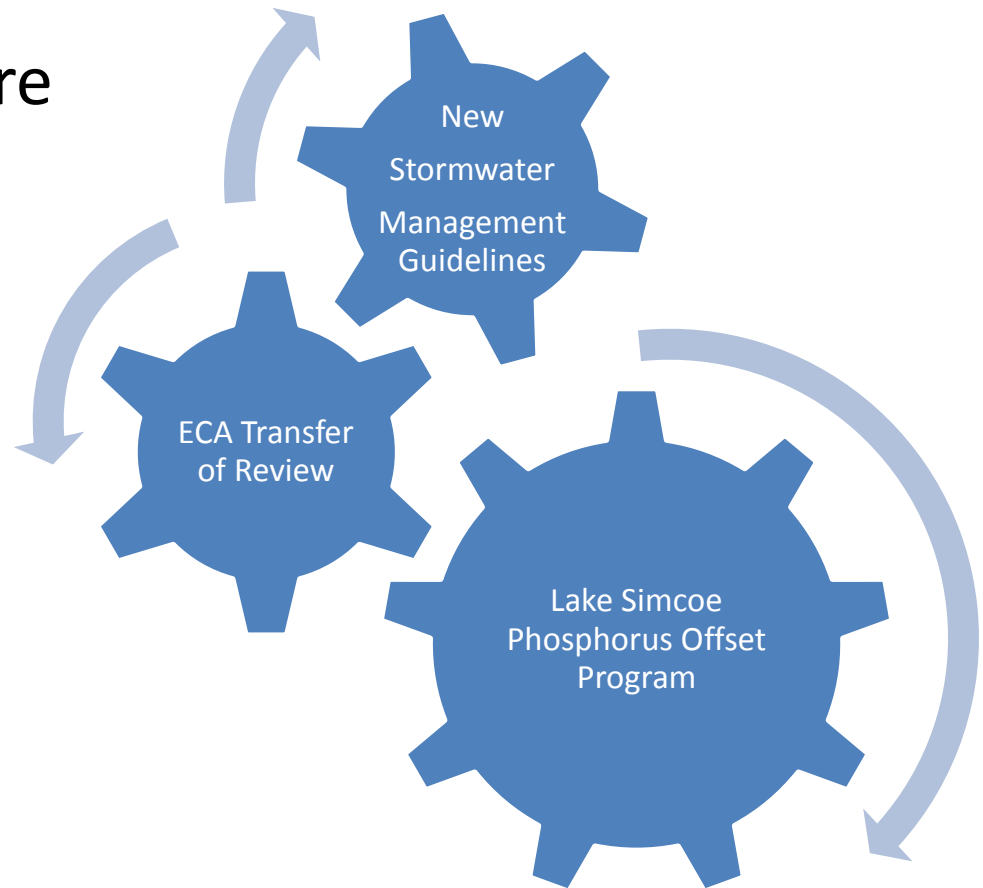
Introduction: How did we get here?

Part of LSRCA's commitment to MOECC is to implement the Lake Simcoe Protection Plan.

- Implement better stormwater controls to minimize phosphorus loading from new development,
- Implement the Lake Simcoe Phosphorus Offsetting Program (LSPOP),
- Undertake urban stormwater retrofits to reduce the phosphorus entering Lake Simcoe and its tributaries

LSRCA's Stormwater Management Strategy

Three components were identified that would assist the LSRCA in achieving these goals,



Environmental Compliance Approval Proposed Opportunity for Change

- LSRCA currently reviews and approves Erosion and Sediment Control and Stormwater Management (SWM) Submissions,
- The current review process whereby both agencies review and approve the SWM reports could be considered a duplication of process,
- The Transfer of Review (TOR) provides an opportunity to improve efficiency by saving costs and reducing approval times.

Environmental Compliance Approval Proposed Opportunity for Change

- MOECC will provide direction to LSRCA on requirements of the Environmental Compliance Approval (ECA) process,
- MOECC could audit LSRCA to ensure that quality control of review is maintained,
- LSRCA will provide quarterly reporting to the MOECC or as it deems necessary,
- Enforcement activities will remain with the MOECC. LSRCA will provide assistance as necessary through its Enforcement Department.

Municipal and BILD Support

- Solicited and received wide support from member municipalities for transfer of review,
- Received the support of the Building Industry and Land Development Association (BILD),
- June 23, 2016 Hon. Glen Murray, Minister of the Environment and Climate Change, provided his support and direction to move forward.



Benefits of Transfer of Review

- Reduced workload to MOECC and an example of partnership that reduces duplication,
- ECAs to be issued shortly after the initial review and not subject to another process (more timely),
- Harmonizing service delivery,
- It's a full cost recovery program,
- ECAs as a prescribed instrument will be used to support the Phosphorus Offset Program – as a condition of approval,
- Bring development to completion in a more expedient manner

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: Dawn Adams	
Organization / Group/ Business represented: York Region District School Board	
Address: 60 Wellington St. W, Box 40	Postal Code: L4G 3H2
Daytime Phone No:	Home Phone:
Email:	Date of Meeting: June 18th
Is this an item on the Agenda? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Agenda Item No: TBD
<input type="checkbox"/> I request future notification of meetings	<input checked="" type="checkbox"/> I wish to address Council / Committee
Describe in detail the reason for the deputation and what action you will be asking Council/Committee to take (if applicable): Address Council with respect to the Zoning By-law Amendment application for 285 Harry Walker Parkway South (D14-NP1725-ZBA)	
Do you wish to provide a written or electronic communication or background information <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Please submit all materials at least 5 days before the meeting.	

Deputation Guidelines:

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

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

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

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Name: Louise Sirisko	
Organization / Group/ Business represented: York Region District School Board	
Address: 60 Wellington St. W, Box 40	Postal Code: L4G 3H2
Daytime Phone No:	Home Phone:
Email:	Date of Meeting: June 18th
Is this an item on the Agenda? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Agenda Item No: TBD
<input type="checkbox"/> I request future notification of meetings	<input checked="" type="checkbox"/> I wish to address Council / Committee
Describe in detail the reason for the deputation and what action you will be asking Council/Committee to take (if applicable): Address Council with respect to the Zoning By-law Amendment application for 285 Harry Walker Parkway South (D14-NP1725-ZBA)	
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Name: Sandra Patano	
Organization / Group/ Business represented: Weston Consulting	
Address:	Postal Code: L4K 5K8
Daytime Phone No:	Home Phone:
Email:	Date of Meeting: June 18th
Is this an item on the Agenda? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Agenda Item No: TBD
<input type="checkbox"/> I request future notification of meetings	<input checked="" type="checkbox"/> I wish to address Council / Committee
Describe in detail the reason for the deputation and what action you will be asking Council/Committee to take (if applicable): Address Council with respect to the Zoning By-law Amendment application for 285 Harry Walker Parkway South (D14-NP1725-ZBA)	
Do you wish to provide a written or electronic communication or background information <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Please submit all materials at least 5 days before the meeting.	

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Council

Monday, May 28, 2018 at 7:00 PM
Council Chambers

The meeting of Council was held on Monday, May 28, 2018 in the Council Chambers, 395 Mulock Drive, Newmarket.

Members Present:	Mayor Van Bynen Deputy Mayor & Regional Councillor Taylor Councillor Vegh Councillor Kerwin Councillor Kwapis Councillor Broome Councillor Bisanz
Members Absent	Councillor Twinney Councillor Hempen
Staff Present:	R.N. Shelton, Chief Administrative Officer P. Noehammer, Commissioner of Development and Infrastructure Services E. Armchuk, Commissioner of Corporate Services C. Service, Director, Recreation and Culture (Acting Commissioner of Community Services) L. Lyons, Director of Legislative Services/Town Clerk H. Leznoff, Council/Committee Coordinator

Open Forum

No one in attendance came forward to address Council during Open Forum.

The meeting was called to order at 7:00 PM.

Mayor Van Bynen in the Chair.

Public Notices

There were no public notices.

Additions & Corrections to the Agenda

There were no additions or corrections to the agenda.

Declarations of Pecuniary Interest

There were no declarations of pecuniary interest.

Presentation & Recognitions

1. Presentation of Heritage Art Contest Winners

Beth Hart, Curator, Elman W. Campbell Museum, along with the Mayor and Members of Council presented awards to the Heritage Art Contest Winners.

Deputations

2. York Pride Fest 2018

Moved by: Councillor Kerwin
Seconded by: Councillor Broome

1. That the deputation by Jacob Gal, Development & Communications, York Pride regarding York Pride Fest 2018 be received.

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

Opposed: None
(7 in favour, 0 opposed)

Carried

3. Zoning By-law Amendment Application – 285 Harry Walker Parkway South

Moved by: Councillor Kerwin
 Seconded by: Councillor Vegh

1. That the deputation by Sandra Patano, Weston Consulting and Louise Sirisko, Director, York Region District School Board regarding Zoning By-law Amendment Application regarding 285 Harry Walker Parkway South be received.

Carried

4. Zoning By-law Amendment Application – 285 Harry Walker Parkway South

Note: This item is related to sub-item 10 of Committee of the Whole Meeting Minutes of May 22, 2018.

An alternate motion was presented and is noted below in bold.

Moved by: Councillor Kerwin
 Seconded by: Deputy Mayor & Regional Councillor Taylor

1. **That the report entitled Zoning By-law Amendment Application – 285 Harry Walker Parkway South, dated May 7, 2018 be deferred to an upcoming Committee of the Whole or Council meeting.**

Carried

Approval of Minutes

5. Council Meeting Minutes of May 7, 2018

Moved by: Councillor Broome
 Seconded by: Councillor Kwapis

1. That the Council Meeting Minutes of May 7, 2018 be approved.

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

Opposed: None
 (7 in favour, 0 opposed)

Carried

Reports by Regional Representatives

(1) York Region Accomplishments

Deputy Mayor & Regional Councillor Taylor advised various achievements in York Region including drinking water standards, water conservation, tree planting, and community health services.

Reports of Committee and Staff

6. Committee of the Whole Meeting Minutes of May 22, 2018

Moved by: Councillor Bisanz
Seconded by: Councillor Kwapis

1. That the Committee of the Whole Meeting Minutes of May 22, 2018 be received and the recommendations noted within be adopted, except sub-items 10 and 13. See the following sub-items 10 and 13 for motions and recorded votes.
 - (1) vivaNext regarding update on the Newmarket construction project
 1. That the presentation regarding vivaNext regarding update on the Newmarket construction project be received.
 - (2) Oleg Karpenko regarding property maintenance concerns on neighbouring Town property
 1. That the deputation by Oleg Karpenko regarding property maintenance concerns on neighbouring Town property be received and referred to staff.
 - (3) Property Tax Rates and By-law for 2018
 1. That the report entitled Property Tax Rates and By-law for 2018 dated May 22, 2018 be received; and,
 2. That the property tax rates for 2018, as applied to the assessment roll returned be set for Town purposes as follows:

Property Class	Tax Rate
Residential	0.341343%
Multi-Residential	0.341343%
Commercial	0.420637%
Industrial	0.511093%
Pipeline	0.313694%
Farm	0.085336%

3. That the applicable tax rate By-law, attached as Appendix 'A' be forwarded to Council for approval; and,
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

(4) Restricted Acts after Nomination Day in an Election Year

1. That the report entitled "Restricted Acts after Nomination Day in a Municipal Election Year" dated May 22, 2018 be received; and,
2. That Council approve the amendment to the Delegation By-law, as provided in Attachment A to this report; and,
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

(5) Newmarket Economic Development Advisory Committee Meeting Minutes of November 23, 2017

1. That the Newmarket Economic Development Advisory Committee Meeting Minutes of November 23, 2017 be received.

(6) Main Street District Business Improvement Area Board of Management Meeting Minutes of March 20, 2018

1. That the Main Street District Business Improvement Area Board of Management Meeting Minutes of March 20, 2018 be received.

(7) Heritage Newmarket Advisory Committee Meeting Minutes of April 3, 2018

1. That the Heritage Newmarket Advisory Committee Meeting Minutes of April 3, 2018 be received.

(8) Newmarket Environmental Advisory Committee Meeting Minutes of April 4, 2018

1. That the Newmarket Environmental Advisory Committee Meeting Minutes of April 4, 2018 be received.

(9) Outstanding Matters List

1. That the list of outstanding matters be received.

(10) Zoning By-law Amendment Application – 285 Harry Walker Parkway South Staff Report

This item was addressed under Deputations. See Item 4 for motion and recorded vote.

(11) Servicing Allocation Policy Update

1. That the report entitled Servicing Allocation Policy Update dated May 22, 2018 be received; and,
2. That Council adopt the Servicing Allocation Policy, updated May, 2018, included as Attachment 1 to this Report.

(12) Road Occupancy By-law

1. That the Staff Report entitled Road Occupancy By-law dated May 7, 2018 be received; and,
2. That the Road Occupancy By-law be adopted; and,

3. That the current Road Occupancy By-law 2015-16 be hereby repealed; and,
4. That the Fees and Charges By-law be updated to reflect the Road Occupancy Fees included herewith; and,
5. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

(13) Delegated Authority for Fees/Charges

An alternate motion was presented and is noted below in bold.

Moved by: Deputy Mayor & Regional Councillor Taylor
 Seconded by: Councillor Broome

1. That the report entitled Delegated Authority for Fees/Charges dated May 22, 2018 be received; and,
2. That Council delegate limited authority to execute increases to the Fees and Charges By-law; and,
3. That the delegated authority be limited to Recreation & Culture and Licensing Fees and Charges and that any increase not exceed the rate of inflation and be in compliance with the Service Pricing Policy; and,
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution; and,
5. **That Council direct staff to prepare an information report on the 2019 major fees and charges, at which point Council may direct the report to be “bumped up” to the next scheduled Committee of the Whole meeting; and,**
6. **That if the information report is not “bumped up”, staff are deemed to have delegated authority to execute the increases to the fees and charges.**

(14) Proposed Corporate Restructuring of Newmarket Tay Group of Companies

1. That the Newmarket-Tay Power Distribution Ltd. Report of the President dated May 16, 2018 regarding the restructuring

of Newmarket Hydro Holdings Inc. and Tay Hydro Inc. be received and the following resolutions be adopted, subject to the confidential governance direction provided in Closed Session:

- a. That the Restructuring is authorized and approved; and,
- b. That the take up by the Corporation of 700 Common Shares in the capital of NT Power and 7 Common Shares in the capital of any affiliate companies from THI as required for the Restructuring is authorized and approved; and,
- c. That the issuance of Common Shares in the capital of the Corporation to the Township of Tay to establish a 7% interest in the Corporation is authorized and approved; and,
- d. That the entering into a Shareholders Agreement with the Corporation and the Township of Tay is authorized and approved; and,
- e. That Paul Ferguson, the Mayor of Newmarket and the Mayor of Tay are elected directors of the Corporation upon the Corporation's issuance of Common Shares to the Township of Tay to hold office until the next annual meeting of shareholders or until their successors are elected or appointed; and,
- f. That Paul Ferguson, the Chief Administrative Officer and the Clerk are authorized for and on behalf of Municipal Council to execute and deliver a Revised Agreement in the form they agree upon with the Chief Administrative Officer of the Township of Tay. Their approval of the Revised Agreement to be conclusively evidenced by their execution and delivery of the Revised Agreement and the Revised Agreement so executed and delivered shall be deemed to be the Shareholders Agreement approved by these resolutions; and,
- g. That Paul Ferguson, acting alone, is authorized for and on behalf of Municipal Council and the Corporation to approve the forms of all other documents contemplated or required to be executed by the Corporation in connection with the

Restructuring or the Shareholders Agreement (collectively, the “Additional Documents”) and to execute (whether under the corporate seal of the Corporation or otherwise) and deliver the Additional Documents each in the form so approved, Paul Ferguson’s approval to be conclusively evidenced by Paul Ferguson’s execution and delivery of the Additional Documents and the Additional Documents so executed and delivered shall be deemed to be the Additional Documents approved by these resolutions.

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

Opposed: None
(7 in favour, 0 opposed)

Carried

7. Committee of the Whole (Closed Session) Meeting Minutes of May 22, 2018

Moved by: Deputy Mayor & Regional Councillor Taylor
Seconded by: Councillor Kwapis

1. That the Committee of the Whole (Closed Session) Meeting Minutes of May 22, 2018 be approved.

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

Opposed: None
(7 in favour, 0 opposed)

Carried

- (1) Proposed Corporate Restructuring of Newmarket and Tay Group of Companies regarding a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of

persons or organization, as per Section 239 (2) (i) of the Municipal Act, 2001

Mayor Van Bynen advised that a presentation regarding Corporate Restructuring of Newmarket and Tay Group of Companies was received.

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

Mayor Van Bynen advised that a presentation regarding Consideration of an Expanded Business Opportunity was received.

Moved by: Deputy Mayor & Regional Councillor Taylor
Seconded by: Councillor Vegh

1. That Council approve further discussion of an expanded Newmarket-Tay Power Business Opportunity.

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

Opposed: None
(7 in favour, 0 opposed)

Carried

- (3) Closed Session Report 2018-04 regarding litigation advice relating to a property matter in Ward 5 related to Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality as per Section 239 (2) (e) of the Municipal Act, 2001.

Moved by: Councillor Kwapis
Seconded by: Councillor Bisanz

1. That Closed Session Report 2018-04 dated May 22, 2018 regarding litigation or potential litigation be received and that the recommendations set out therein be adopted.

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

Opposed: None
(7 in favour, 0 opposed)

Carried

8. Item 1 and Item 2 of the draft Appointment Committee (Closed Session) Meeting Minutes of May 22, 2018

Moved by: Councillor Kerwin
Seconded by: Councillor Bisanz

1. That David Hingsburger be appointed to the Newmarket Accessibility Advisory Committee; and,
2. That Robert Bull be appointed to the Newmarket Economic Development Advisory Committee.

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

Opposed: None
(7 in favour, 0 opposed)

Carried

By-laws

- | | |
|---------|---|
| 2018-25 | A By-Law to Amend By-Law Number 2014-25, being a Restricted Area (Zoning) By-Law (Marianneville Developments Limited). |
| 2018-26 | A By-law to Amend By-law Number 2012-20, being a Restricted Area (Zoning) By-law (Rice Commercial Group) (1250 Davis Drive & 124 Twinney Drive). |
| 2018-27 | A By-law to Authorize the Issuance of a Long-term Loan through the Regional Municipality of York for the Purchase of the Property Known as 16780 Yonge Street. |
| 2018-28 | A By-Law to Authorize Certain New Capital Works of the Corporation of the Town of Newmarket (the "Lower-Tier Municipality") to Authorize the Submission of an Application to Ontario Infrastructure and Lands |

Corporation (“OILC”) for Financing Such Capital Works; to Authorize Temporary Borrowing from OILC to Meet Expenditures in Connection With Such Works; and to Authorize Long Term Borrowing for Such Works through the Issue of Debentures by the Regional Municipality of York (the “Upper-Tier Municipality” to OILC).

- 2018-29 A By-Law To Amend By-Law Number 2010-40, as amended by By-Law 2015-28 (2578909 Ontario Inc.) (17844 Leslie Street).
- 2018-30 A By-law to Amend By-law 2016-17 being a By-law to Delegate Administrative Matters to Staff (Restricted Acts after Nomination Day).
- 2018-31 A By-law to Regulate the Use, Alteration, and Occupancy of Highways Under the Jurisdiction of the Municipality.
- 2018-32 A By-Law to Provide For the Levy and Collection of the Sums Required by the Corporation of the Town Of Newmarket for 2018 and to Provide For The Mailing Of Notices Requisitioning The Payment Of Taxes For 2018.
- 2018-33 A By-law to amend By-law 1984-114 to Correct Title regarding the Legal Description for Dedicating Alexander Road as a Public Highway (Ward 2 – Housekeeping).

Moved by: Councillor Vegh
 Seconded by: Councillor Kerwin

1. That by-laws 2018-25, 2018-26, 2018-27, 2018-28, 2018-29, 2018-30, 201-31, 2018-32 and 2018-33 be enacted.

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

Opposed: None
 (7 in favour, 0 opposed)

Carried

Notices of Motions

None.

Motions

None.

Announcements and Community Events

9. Achievements by Schools in Ward 7

Councillor Bisanz acknowledged notable activities and achievements by three schools in Ward 7. She acknowledged the students of Alexander Muir Public School for creating and hosting a Diversity Fair, which included interactive activities and display booths that raised awareness of diversity and inclusion issues. She further acknowledged Poplar Banks Public School Senior Band for receiving Gold Status at Musicfest Nationals in Toronto under the leadership of Madame Smith. Finally, she advised that Crossland Public School just celebrated its 25th anniversary in the Glennway neighbourhood by opening a time capsule that was buried when the school opened 25 years ago.

10. National Access Awareness Week Celebration – June 2, 2018

Councillor Bisanz invited residents to celebrate Accessibility and Abilities during National Access Awareness Week by attending an event held at the Newmarket Community Centre and Lions Hall on Saturday, June 2 from 9:00 AM to 12:00 PM. She invited residents to come learn, experience and enjoy this free interactive event. Residents are invited to create their own sensory exploration art, follow their pathway to awareness, view the magic talents of The Amazing Andrew and enjoy music by Taylor McKinnon.

11. Public Works Challenge

Councillor Broome thanked staff for their participation and support during the Public Works Challenge.

12. Street Sweeping

Councillor Broome advised that street sweeping is currently underway to remove the build-up of sand and debris on streets from the winter months. She advised that the street sweeper begins at the south end of Town and progresses north and that it will take approximately 3 to 4 weeks to complete this work. The Town asks that residents refrain from parking on streets between 7:00 AM and 5:00PM to ensure a clear path is available for the sweeper.

13. PIC – Proposed Reconstruction Works for Niagara Street and Simcoe Street

Councillor Kwapis advised that notices will be delivered this week to residents of Niagara Street and Simcoe Streets regarding a Public Consultation Centre scheduled for Tuesday, June 12 in Cane A and B meeting rooms in the Municipal Offices at 395 Mulock Drive. He advised that the purpose is to discuss the proposed full reconstruction works for Niagara and Simcoe Streets, and obtain feedback from area residents. He

further advised that the public meeting will begin at 6:00 PM, with a presentation at 6:30 PM followed by a question and answer period. Representatives from our Engineering Services Department and the Town's consultant will be available to answer any questions. Lastly, he advised that the work is expected to start in May, 2020.

14. Public information Centre – Soccer Field Improvements at George Richardson Park

Deputy Mayor & Regional Councillor Taylor advised that a Public Information Centre is being held on Wednesday, June 6 at 6:00 PM in Cane A and B Meeting Rooms at the Municipal Offices. He invited residents to learn about the soccer field improvements at George Richardson Park. Residents will have the opportunity to speak with staff and ask questions about the project. He advised residents to call 905-895-5193 for more information.

15. Easter Seals Run/Walk

Councillor Kerwin thanked the Easter Seals for a successful run/walk, held this year on May 27, 2018.

16. Live Pub Night – Seniors' Meeting Place

Councillor Kerwin invited residents to come to Live Pub Night on Saturday, June 16 at 5:30 PM at the Newmarket Seniors' Meeting Place at 474 Davis Drive. He advised that this fun filled evening features entertainment by Wreckroom Elvis and that the cost is \$20 for members and \$25 for non-members (which includes a meal, coffee, tea and evening treats). He further advised that tickets can be purchased in advance online at play.newmarket.ca using code 113500. For more information call 905-953-5325.

18. E-Waste Recycling Event

Councillor Vegh advised residents that the Newmarket Environmental Advisory Committee held a successful an Electronic Waste Recycling Event at Upper Canada Mall on Saturday, May 26, 2018. He advised that a large amount of e-waste was collected.

19. Traffic and Transportation Survey

Councillor Vegh advised that the Town of Newmarket is looking for residents' feedback on Traffic and Transportation. He encouraged residents to learn about the Town's Traffic Mitigation Strategy and take our survey at newmarket.ca/trafficstrategy today. He further advised that through the survey, residents will have the chance to provide comments on the Town's traffic calming measures, pedestrian safety measures, cyclist safety measures and pilot projects.

20. Battery Recycling Program

Mayor Van Bynen announced that Town of Newmarket is proud to launch its new battery recycling program. He advised that residents can now stop by a Town of Newmarket facility to drop off their used single use batteries for recycling. He invited residents to visit newmarket.ca/wasteandrecycling for more information.

21. Next Council Meeting – June 18, 2018

Mayor Van Bynen advised that the next Council meeting will be held on Monday, June 18, 2018 at 7:00 PM.

New Business

Councillor Broome requested an update regarding licensing of pet stores. The Clerk advised that an information report would be brought forward regarding a future licensing review. She further advised that staff are proposing that a Council Workshop be held in 2019 to discuss new licensing areas with the new term of Council.

Closed Session (if required)

Mayor Van Bynen advised that there was no requirement for a Closed Session.

Confirmatory By-law

2018-34 A By-law to Confirm the proceedings of the May 28, 2018 Council meeting.

Moved by: Councillor Vegh
Seconded by: Councillor Kerwin

1. That Confirmatory by-law 2018-34 be enacted.

Carried

Adjournment

Moved by: Deputy Mayor & Regional Councillor Taylor
Seconded by: Councillor Kwapis

1. That the Council Meeting adjourn at 8:15PM.

Carried

Tony Van Bynen, Mayor

Lisa Lyons, Town Clerk



Town of Newmarket

Minutes

Committee of the Whole

Date: Monday, June 11, 2018
 Time: 11:00 AM
 Location: Council Chambers
 Municipal Offices
 395 Mulock Drive
 Newmarket, ON L3Y 4X7

Members Present: Mayor Van Bynen
 Deputy Mayor & Regional Councillor Taylor
 Councillor Vegh
 Councillor Kerwin (11:26 AM - 5:20 PM)
 Councillor Twinney
 Councillor Hempen
 Councillor Kwapis
 Councillor Broome
 Councillor Bisanz

Staff Present: R. N Shelton, Chief Administrative Officer
 E. Armchuk, Commissioner of Corporate Services
 P. Noehammer, Commissioner of Development & Infrastructure Services
 I. McDougall, Commissioner of Community Services
 L. Lyons, Director of Legislative Services/Town Clerk
 A. Walkom, Council/Committee Coordinator
 M. Mayes, Director of Financial Services/Town Treasurer
 R. Nethery, Director of Planning/Building Services
 R. Prudhomme, Director of Engineering Services
 K. Reynar, Director of Legal Services

For consideration by Council on June 18, 2018.

The meeting was called to order at 11:03 AM.

Mayor Van Bynen in the Chair.

Committee of the Whole resolved into Closed Session at 11:06 AM. Open Session resumed at 12:58 PM. Committee of the Whole recessed at 12:58 PM and reconvened at 1:33 PM.

1. Additions & Corrections to the Agenda

The Chief Administrative Officer advised of the following additions to the agenda:

(1) York Region Municipal Streetscape Partnership Program – Streetscape Improvements at Bathurst Street/Davis Drive

(2) Fire Station 4-5 Update

(3) Petition for Traffic Calming - Lorne Avenue between Millard Avenue and Eagle Street

(4) Notice of Motion by Councillor Kwapis regarding the AMO elections for Ontario Board of Directors of the Ontario Small Urban Caucus

Moved by: Councillor Kwapis

Seconded by: Councillor Broome

1. That the additions to the June 11, 2018 Committee of the Whole agenda be approved.

Carried

2. Declarations of Pecuniary Interest

None.

3. Presentations & Recognitions

3.1 Exterior Building Enhancements - Fairy Lake Gardens

Tony Di Donato, Project Manager, York Region Housing Services provided a presentation on the exterior building enhancements project for the Fairy Lake Gardens apartment building. The presentation included the details of the project including window and door replacements, exterior cladding and landscaping.

Moved by: Councillor Kwapis

Seconded by: Deputy Mayor & Regional
Councillor Taylor

1. That the presentation regarding Exterior Building Enhancements at Fairy Lake Gardens be received.

Carried

3.2 Upper York Sewage Solutions – York Durham Sewage System Forcemain Twinning and Total Phosphorus Offsets Program Status Update

Mike Rabeau, Director of Capital Planning and Delivery, Environmental Services, York Region and Shu He, Manager, Engineering, Capital Planning and Delivery, Environmental Services, York Region provided a presentation on the forcemain twinning project. They provided the details of the project which will construct a second sanitary sewer forcemain as a redundant system to ensure service levels as well as environmental protections. The presentation included an overview of how the project would be accomplished with microtunnelling technology.

The presentation also included an overview of the phosphorous offset program, which is necessary to meet the requirements of the Lake Simcoe Protection Act. The total phosphorous offset program will involve retrofitting stormwater management ponds throughout York Region.

Moved by: Councillor Kerwin

Seconded by: Councillor Kwapis

1. That the presentation regarding York Durham Sewage System Forcemain Twinning and Total Phosphorous Offsets Program Status be received.

Carried

4. Deputations

None.

5. Consent Items

Moved by: Councillor Kerwin

Seconded by: Councillor Broome

1. That the following items be adopted on consent:

Carried

5.3 Urban Centres Zoning By-law: Status Update and Request for Release of Draft Framework

1. That the report entitled Urban Centres Zoning By-law: Status Update and Request for Release of Draft Framework, dated June 11, 2018, be received; and,
2. That the Urban Centres Zoning By-law Draft Framework, dated May 25, 2018, be released for public review over the summer months; and,
3. That following the public review period and subsequent to the Open House and Public Meeting, issues identified in this report, together with comments from the public and Committee, be addressed by staff in a comprehensive report to the Committee of the Whole, if required; and,
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

5.10 Accessibility Advisory Committee Meeting Minutes of March 15, 2018

1. That the Accessibility Advisory Committee Meeting Minutes of March 15, 2018 be received.

5.11 Newmarket Public Library Board Meeting Minutes of April 18, 2018

1. That the Newmarket Public Library Board Meeting Minutes of April 18, 2018 be received.

5.13 Outstanding Matters List

1. That the list of outstanding matters be received.

5.14 York Region Municipal Streetscape Partnership Program – Streetscape Improvements at Bathurst Street/Davis Drive

1. That the report entitled York Region Municipal Streetscape Partnership Program – Streetscape Improvements at Bathurst Street/Davis Drive Intersection dated June 11, 2018 be received; and,
2. That the Engineering Services Department be authorized to submit an application under the Municipal Streetscape Partnership Program offered by York Region for the construction of streetscape improvements on roadways at the intersection of Davis Drive and Bathurst Street;
3. That if successful the Town will fund 50% of the design and construction costs associated with the improvements; and,
4. That once the streetscape and intersection improvements are complete, they be maintained by the Town at its sole cost; and,
5. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

5.15 Fire Station 4-5 Update

1. That the report entitled Fire Station 4-5 Update dated June 11, 2018 be received for information purposes; and,
2. That Council confirm its authorization for the final amount of \$4,812,239 which will be included in the 2019 Capital Budget.

5.1 Mulock Station Area Secondary Plan – Update and Density

Moved by: Deputy Mayor & Regional
Councillor Taylor

Seconded by: Councillor Vegh

1. That the Report entitled Mulock Station Area Secondary Plan – Update and Density be received; and,
2. That Council authorize the submission of this Report, as well as the Density Technical Memorandum regarding Transit-Supportive Density Testing, dated May 30, 2018, included as Attachment 1 to this Report, to Metrolinx; and,
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

5.2 Intensification in Stable Residential Neighbourhoods

An alternate motion was presented and is noted below in bold.

Moved by: Councillor Twinney

Seconded by: Deputy Mayor & Regional
Councillor Taylor

1. That the report entitled Development And Infrastructure Services/Planning & Building Services Report 2018-37 dated June 11, 2018 be received; and,
2. That staff be authorized to issue a Request for Proposals for the Official Plan and Zoning By-law amendments as described in this report; and,
3. That early budget approval be granted to allow for the initiation of the Official Plan and Zoning By-law amendments to address intensification in stable residential areas, to be financed as set out in this report.
4. **That staff bring back an interim control by-law to the August 27, 2018 Committee of the Whole meeting for consideration.**

Carried

5.4 Zoning By-law Review

Moved by: Councillor Kwapis

Seconded by: Deputy Mayor & Regional
Councillor Taylor

1. That the report entitled Zoning By-law Review dated June 11, 2018 be received; and,
2. That staff provide public notice in accordance with the Planning Act of the Town's intent to amend the Zoning By-law; and,
3. That the proposed amendments to Zoning By-Law 2010-40 be referred to a public meeting; and,
4. That following the public meeting, issues identified in this report, together with comments from the public, Committee, and those received through agency and departmental circulation, be addressed by staff in a comprehensive report to the Committee of the Whole, if required.

Carried

5.5 Reserve Fund and Reserve Funds Budget Report

Moved by: Deputy Mayor & Regional
Councillor Taylor

Seconded by: Councillor Kwapis

1. That the report entitled 2018 Reserves and Reserve Funds Budget dated June 11, 2018 be received; and,
2. That the projected revenues for the 2018 Reserves and Reserve Funds Budget as set out in the attachment be approved.

Carried

5.6 Administrative Monetary Penalty System for Parking Offences

Moved by: Councillor Kwapis

Seconded by: Councillor Broome

1. That the report entitled “Administrative Monetary Penalty System for Parking Offences” dated June 11, 2018 be received; and,
2. That staff be directed to implement an Administrative Monetary Penalty System in Q1/Q2 2020; and,
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

5.7 Licensing of Driving School Instructors

Moved by: Councillor Kerwin

Seconded by: Councillor Twinney

1. That the report entitled Licensing of Driving School Instructors dated June 11, 2018 be received; and,
2. That Council repeal the Restricted Area By-law 2017-32 and adopt the Licensing of Driving Instructors By-law (Appendix A); and,

3. That the Fees and Charges By-law be amended to include the Driving School Instructor Licensing Fees; and,
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

5.8 York Durham Sewage System Modifications – Region Easements on Town Land

Moved by: Councillor Kwapis

Seconded by: Councillor Bisanz

1. That the report entitled York Durham Sewage Systems Modifications (YDSS) - Region Easements on Town Land dated June 11, 2018 be received; and,
2. That the Town transfer the temporary and permanent easements set out in this report to the Region to facilitate the YDSS; and,
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

5.9 Petition for Traffic Calming - Patti McCulloch Way

Moved by: Councillor Bisanz

Seconded by: Councillor Vegh

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

Carried

5.12 Main Street District Business Improvement Area Board of Management Meeting Minutes of April 23, 2018

Moved by: Councillor Kwapis

Seconded by: Councillor Bisanz

1. That the Main Street District Business Improvement Area Board of Management Meeting Minutes of April 23, 2018 be received.

Carried

5.16 Petition for Traffic Calming - Lorne Avenue between Millard Avenue and Eagle Street

Moved by: Councillor Kwapis

Seconded by: Councillor Vegh

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

Carried

6. Action Items

None.

7. Reports by Regional Representatives

None.

8. Notices of Motions

8.1 Ontario Board of Directors for the Ontario Small Urban Caucus (OSUM)

Councillor Kwapis presented a notice of motion regarding the AMO elections for the Ontario Board of Directors of the Ontario Small Urban Caucus.

9. Motions

None.

10. New Business

10.1 Fires Started on Tom Taylor Trail

Councillor Twinney advised that fires have been started on the Tom Taylor trail and inquired if any actions could be taken by Town staff or York Region Police to prevent additional fires.

10.2 Gorham Street Water Pipe Installation

Councillor Kerwin requested details on the Gorham Street water pipe installation, including confirmation that the project is following the correct provincial standards.

10.3 Splash Pad Opening

Councillor Broome inquired if an announcement regarding the opening of the Ward 6 splash pad would be made. The Commissioner, Community Services advised that notice of the opening of the splash pad had been made through an associated information report.

11. Closed Session

Moved by: Councillor Bisanz

Seconded by: Councillor Vegh

1. That the Committee of the Whole resolve into Closed Session to discuss the following matters:
 - a. Hollingsworth Arena - A proposed or pending acquisition or disposition of land by the municipality or local board, as per Section 239 (2) (c) of the Municipal Act, 2001.
 - b. A property in Ward 5 - Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality as per Section 239 (2) (e) of the Municipal Act, 2001.
 - c. York Durham Sewage System Modifications – A proposed or pending acquisition or disposition of land by the municipality or local board, as per Section 239 (2) (c) of the Municipal Act, 2001.

Carried

The Committee of the Whole resolved into Closed Session at 11:06 AM.

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

The Committee of the Whole resumed into Open Session at 12:58 PM.

Moved by: Deputy Mayor & Regional
Councillor Taylor

Seconded by: Councillor Kerwin

1. That the Committee of the Whole resolve into Closed Session to discuss the matters listed below.
 - a. Hollingsworth Arena - A proposed or pending acquisition or disposition of land by the municipality or local board, as per Section 239 (2) (c) of the Municipal Act, 2001.
 - b. A property in Ward 5 - Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality as per Section 239 (2) (e) of the Municipal Act, 2001.
 - c. York Durham Sewage System Modifications – A proposed or pending acquisition or disposition of land by the municipality or local board, as per Section 239 (2) (c) of the Municipal Act, 2001.

Carried

The Committee of the Whole resolved into Closed Session at 4:15 PM.

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

The Committee of the Whole resumed into Open Session at 5:19 PM.

12. Public Hearing Matter

None.

13. Adjournment

Moved by: Councillor Kerwin

Seconded by: Councillor Twinney

1. That the meeting of the Committee of the Whole adjourn at 5:20 PM.

Carried

Tony Van Bynen, Mayor

Lisa Lyons, Town Clerk

Item 5 of the draft Audit Committee Meeting Minutes of June 7, 2018

5. Town of Newmarket Consolidated Financial Statements

Moved by: Michael Tambosso
Seconded by: Terrance Alderson

1. That the Audit Committee recommends to Council, that the Consolidated Financial Statements year ended December 31, 2017, as amended, be approved.

Carried



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

285 Harry Walker Parkway South Zoning By-law Amendment Application Update Staff Report

Report Number: 2018-39

Department(s): Planning and Building Services

Author(s): Matthew Peverini

Meeting Date: June 18, 2018

Recommendations

1. That the report entitled 285 Harry Walker Parkway South Zoning By-law Amendment Application Update dated June 18, 2018 be received;
2. That Council amend Zoning By-law 2010-40 for the lands at 285 Harry Walker Parkway South to be substantially in accordance with the draft Zoning By-law Amendment appended as Attachment 2 Planning and Building Services Report Number 2018-33;
3. That Diron Developments Limited, c/o Diego Toneguzzo, 221 Hanlan Road, Unit 9, Woodbridge, ON L4L 3R7, be notified of this action; and
4. That Weston Consulting Inc., c/o Sandra Patano, 201 Millway Avenue, Suite 19, Vaughan, ON L4K 5K8, be notified of this action.

Purpose

Further to Council's deferral of this matter at the May 28, 2018 Council Meeting, the purposes of this Report are to outline the options investigated by the applicant in relation to the proposed Zoning By-law Amendment application at 285 Harry Walker Parkway South, and to recommend approval of the proposed Zoning By-law Amendment as submitted by Diron Developments Limited.

Background

Concurrent applications have been submitted for a Zoning By-law Amendment and Site Plan Approval at 285 Harry Walker Parkway South (herein referred to as the 'subject land'). The applicant is proposing to rezone the subject lands from General Employment Exception 12 (EG-12) Zone to General Employment Exception XX (EG-XX) Zone, to permit a stand-alone overflow parking lot for the York Region District School Board

(YRDSB) offices at 300 Harry Walker Parkway South and 1260 Gorham Street. The proposed parking lot consists of a maximum of 148 parking spaces.

Planning and Building Services Staff Report 2018-33 (Attachment 1) was placed before Committee of the Whole on May 22, 2018. This Report provided the rationale for recommending approval of the proposed Zoning By-law Amendment. Committee voted to deny the application, citing concerns for pedestrian safety (jaywalking) and the proposed land use in an Employment Zone.

Following the Committee of the Whole meeting, the applicant's representatives deputed before Council on May 28, 2018. Council moved to defer the matter to an upcoming Committee of the Whole or Council meeting and expressed that the applicant consult with Town Staff and explore options to curb pedestrian jaywalking.

Discussion

In lieu of the deferral, the applicant has explored the following options:

Option 1: Original Proposal

The applicant's proposal is outlined in the "Proposal" section of Planning and Building Services Report Number 2018-33 (see Attachment 1). This concept intends to curb unsafe pedestrian activity by providing a sidewalk along the eastern leg of Harry Walker Parkway South from the Subject Land to the signalized intersection to the north of the site. It also includes directional signage to encourage users to use the signalized crossing at Harry Walker Parkway South and Gorham Street.

Transportation Services have reviewed the concept and advise that they are satisfied with the proposed sidewalk connection to the signalized intersection. Therefore Engineering Services have no objection at this time. Subject to Council's approval, the pedestrian walkway will be further refined through the ongoing site plan approval process.

Option 2: Tiered Parking Structure

The applicant has assessed the feasibility of installing a pre-fabricated modular tiered parking structure at 300 Harry Walker Parkway South.

Through this assessment, the applicant has determined that this option would not be feasible. This option would result in a marginal cost savings when compared to constructing a traditional tiered parking structure. Further, the cost would be derived from the School Board's operating budget rather than its capital budget.

Option 3: Pedestrian Crosswalk

The applicant has investigated installing a signalized pedestrian crosswalk from the subject land 300 Harry Walker Parkway South. This option would negate the

need for a pedestrian walkway to the signalized intersection, and therefore would be removed from the proposal.

The applicant, his representatives, staff from the YRDSB, and the applicant's Traffic Consultant met with Town Planning and Engineering staff to discuss this option. Engineering Services has advised that they are unable to support this option for the following reasons:

- In accordance to Ontario Traffic Manual (OTM) Book 12, there is insufficient vehicular and pedestrian traffic volumes to warrant a signalized pedestrian-only intersection on Harry Walker Parkway South, 99m south of Gorham Street;
- The distance between the proposed signalization and the Harry Walker Parkway/Gorham Street intersection is insufficient in accordance to Book 12 requirements and will impose traffic movement restrictions; and
- The proposed signalization would introduce new risk for the Town.

Option 4: Secure Parking Lot for YRDSB Maintenance Vehicles

The applicant has investigated modifying the proposed Zoning By-law Amendment to develop a secure parking lot with restricted access to YRDSB maintenance staff. This concept would include fewer proposed parking spaces.

This in effect would result in the freeing up of parking spaces at the YRDBS offices and compensate for the "overflow parking" component of this application. The concern for jaywalking would be alleviated, as YRDSB Maintenance Staff would be parking their personal vehicles at the subject lands, and leaving the site in the maintenance vehicles that would also be parked in this lot.

Through discussion and consultation with Town Staff, representatives for the applicant have provided Options that 1 and 4 are feasible.

Should Council be content with Option 4, Town Staff are of the opinion that the pedestrian walkway along the eastern leg of Harry Walker Parkway South should remain as part of the development concept. It would provide an alternative and safe option for YRDSB Maintenance Staff to access the offices across the street, and it aligns with Table 2: Road Classifications in the Town's Official Plan – whereby the Official Plan envisions sidewalks be provided along a Primary Collector Road.

Regarding concerns around the proposed land use in an Employment Zone, the Discussion section of Planning and Building Services Report 2018-33 outlines the proposal's conformity with Planning documents. The Regional Municipality of York has no objection to the proposed Zoning By-law Amendment application. Section 6.2 of the Town's Official Plan states that "uses incidental to the primary permitted uses are allowed in all Business Park designations". Further, the proposed parking lot development does not preclude redevelopment of the subject land at a future time.

Consultation

The applicant, representatives, staff from the YRDSB, and the applicant's Traffic Consultant met with Town Planning and Engineering staff on Friday, June 8, 2018 to discuss the options outlined in the "Discussion" Section of this Report.

Conclusion

It is recommended that Council approve the proposed Zoning By-law Amendment application, as the project is consistent with the Provincial Policy Statement and conforms to relevant Planning documents.

Business Plan and Strategic Plan Linkages

Well Planned and Connected: Reviewing Zoning By-law Amendment applications with respect to the Town's Official Plan.

Human Resource Considerations

Not applicable to this report.

Budget Impact

Not applicable to this report.

Attachments

Attachment 1 – Planning and Building Services Report Number 2018-33

Approval



Matthew Peverini, BURPI, B.Sc.
Planner



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



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

Contact

Matthew Peverini, Planner, at x 2453; mpeverini@newmarket.ca.

Attachment 1 – Planning and Building Services Report Number 2018-33



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

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

Zoning By-law Amendment Application 285 Harry Walker Parkway South Staff Report

Report Number: 2018-33

Department(s): Planning and Building Services

Author(s): Matthew Peverini, BURPI, B.Sc.

Meeting Date: May 22, 2018

Recommendations

1. That the report entitled Zoning By-law Amendment Application – 285 Harry Walker Parkway South, dated May 7, 2018 be received;
2. That Council amend Zoning By-law 2010-40 for the lands at 285 Harry Walker Parkway South to be substantially in accordance with the draft Zoning By-law Amendment appended as Attachment 3 to this report;
3. That Diron Developments Limited, c/o Diego Toneguzzo, 221 Hanlan Road, Unit 9, Woodbridge, ON L4L 3R7, be notified of this action; and
4. That Weston Consulting Inc., c/o Sandra Patano, 201 Millway Avenue, Suite 19, Vaughan, ON L4K 5K8, be notified of this action.

Purpose

The purpose of this report is to provide Council with the rationale for recommending approval of the proposed Zoning By-law Amendment application at 285 Harry Walker Parkway South, as submitted by Diron Developments Limited.

Background

Location

The subject lands are located on the east side of Harry Walker Parkway South, south of Gorham Street and west of Highway 404 (see Attachment 1 for Location Map), being Plan 65M2558, Part Lot 13, Plan RS65R20749, Parts 4, 8 and 9. The nearest signalized intersection is located approximately 120 metres north of the subject lands at Gorham Street and Harry Walker Parkway South. The lands are municipally recognized as 285 Harry Walker Parkway South.

The subject lands are currently vacant, having an approximate area of 6,945 square metres, with a lot frontage of approximately 53.75 metres on Harry Walker Parkway South. Surrounding land uses include:

North:	Cintas Uniform Services and associated parking
South:	Toronto North (Newmarket) "O" Division Detachment of the Royal Canadian Mounted Police, and associated surface parking
East:	Highway 404
West:	York Region District School Board offices and associated parking

Proposal

Concurrent applications have been submitted for a Zoning By-law Amendment and Site Plan Approval. The applicant is proposing to rezone the subject lands from the existing General Employment Exception 12 (EG-12) Zone to a General Employment Exception XX (EG-XX) Zone to permit the proposed development as outlined below.

The proposed development is a stand-alone overflow parking lot intended to provide parking for the York Region District School Board (YRDSB) offices located across the street at 300 Harry Walker Parkway South and 1260 Gorham Street. As per the submitted Planning Justification Letter, the registered property owner has both undertaken discussions and entered into a lease agreement with the YRDSB for the exclusive use of the proposed parking lot.

The proposed parking lot consists of a maximum of 148 parking spaces oriented in four east-west rows. Of which, 95 parking spaces are to be contained within a fenced portion at the east end of the site, while the remaining 53 parking spaces are to be located in the remaining unsecured portion of the property. These spaces will be the overflow parking for the YRDSB site, while also providing for parking of YRDSB maintenance vehicles.

The development proposes vehicular access via two driveways along Harry Walker Parkway South; 6.0 metre drive aisles interior to the site; and a pedestrian walkway that will extend from the subject lands to the signalized intersection of Gorham Street and Harry Walker Parkway South.

A Conceptual Site Plan is appended to this report as Attachment 2.

Discussion

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. Decisions affecting planning matters "shall be consistent" with the PPS.

Section 1.3 of the PPS encourages planning authorities to promote economic development and competitiveness by providing opportunities for a diversified economic

base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses. The proposed application intends to provide ancillary parking to account for needs of the existing YRDSB offices across the street at 300 Harry Walker Parkway South and 1260 Gorham Street.

Section 1.6.2 of the PPS encourages Planning authorities to promote the implementation of green infrastructure to complement other infrastructure. The proposed development consists of low-impact development (LID) features in the form of bio-swales located within curbed islands, and a dry stormwater management pond.

The Growth Plan for the Greater Golden Horseshoe (The Growth Plan) provides a framework for managing growth in the Greater Golden Horseshoe including: direction on how and where to grow, the provision of infrastructure to support growth, and protecting valuable heritage systems. The proposed development is located within an existing built-up area, and makes use of vacant lands to support the growing needs of an employment use.

Through the analysis provided above, staff is of the opinion that the proposed development is consistent with the PPS and conforms to the Growth Plan.

York Region Official Plan

The York Region Official Plan (YROP) provides objectives to encourage and accommodate economic activity that diversifies and strengthens the Region's economic base, employment opportunities for residents and competitive advantages for its businesses. Map 1: Urban Structure of the YROP identifies the subject lands to be located within the "Urban Area".

The YROP provides in Subsection 4.3.1 that employment forecasts in Table 1: York Region Population and Employment Forecast by Local Municipality, of the Plan be used as the basis for planning employment lands. The property is currently vacant and the proposal makes use of this underutilized site, while at the same time does not preclude the subject lands from being redeveloped at a later date.

Section 4.3 of the YROP allows for limited ancillary uses on employment lands, provided that the proposed uses are intended to primarily service businesses in the employment lands. Further, this section encourages that the development of employment lands be designed to be walkable and transit-accessible where possible.

The proposal intends to serve as an ancillary use to the YRDSB offices west of the subject lands. The applicant is proposing to construct a walkway through the site and within the municipal right-of-way along Harry Walker Parkway South to provide a connection to the signalized intersection at Harry Walker Parkway South and Gorham Street. The walkway will ensure the site and surrounding employment lands are designed to be walkable and accessible where possible.

Planning Staff have circulated the application to the Regional Municipality of York. The Region has advised that they have no concerns or additional submission requirements, and signed off on the proposal. Through the analysis provided above, staff is satisfied that the proposed development is in conformity with the YROP.

Town of Newmarket Official Plan

The Town of Newmarket Official Plan (OP) provides land use policies to guide land use and development in accordance with provincial and regional plans.

The subject lands are designated “Business Park – Mixed Employment” in the Town’s OP, and is located along a Primary Collector Road. The Business Park designation strives to sufficiently provide for employment needs of the community.

Section 6.2 of the OP states that “uses incidental to the primary permitted uses are allowed in all Business Park designations”. The proposed development is intended to be an accessory use to the existing YRDSB offices, and will provide the necessary infrastructure to sustain and encourage the current and continued employment use of the YRDSB facilities.

Section 6.3.2 of the OP requires a high standard of site design and landscaping for lands located within the Business Park – Mixed Employment designation. The applicant has submitted plans that propose to implement areas of landscaping and LID features. Further, a sidewalk on Harry Walker Parkway South and associated signage has been included at the request of the Town. This will provide a safe pedestrian access route for patrons to walk to the signalized intersection at Harry Walker Parkway South and Gorham Street in order to access the YRDSB facilities. This sidewalk along Harry Walker Parkway South is characteristic of what the OP envisions for a Primary Collector Road.

The Planning Department has considered the development to be in accordance with the intent of the Official Plan, therefore not requiring an application for Official Plan Amendment.

Town of Newmarket Zoning By-law 2010-40

The subject lands are currently zoned General Employment Exception 12 (EG-12) by Zoning By-law 2010-40. The applicant is proposing to rezone the subject lands to a General Employment Exception XX (EG-XX) Zone with site-specific provisions reflecting the proposed development.

A draft amendment to the Zoning By-law is appended to this report as Attachment 3. Changes to the proposed zone standards include:

- Addition of a permitted use on the property to allow for a standalone overflow parking lot with 148 parking spaces for exclusive use by the York Region District School Board; and

- A minimum drive aisle width of 6.0 metres, as opposed to the By-law requirement of 6.7 metres.

Staff have reviewed Section 16.1.1, Policy 3, in the OP with regards to the proposed Zoning By-law Amendment and found all requirements are met as outlined below. In considering an amendment to the Zoning By-law, Council shall be satisfied that:

- a) the proposed change is in conformity with the Official Plan

The proposal intends to add a permitted use that is accessory to the existing YRDSB offices at 300 Harry Walker Parkway South and 1260 Gorham Street. The OP specifically outlines that “uses incidental to the primary permitted uses are allowed in all Business Park designations”. With this said, staff have considered the development to be in accordance with the intent of the Official Plan, therefore not requiring an application for an Official Plan Amendment.

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

Figure 1 depicts the land uses immediately adjacent the subject lands. To the immediate north and south of are parking lots that serve the main building on the abutting parcels and to the west are the YRDSB offices. Therefore, the proposed use is generally compatible with adjacent uses. Buffering will be provided in accordance with the Town’s Zoning By-law.



Figure 1: Surrounding land-use context

- 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 considered through the site plan approval process.

- d) adequate municipal services are available;

As the proposed development is a parking lot, no servicing of the lot is required.

- e) the size of the lot is appropriate for the proposed use;

The proposed development can be appropriately accommodated on these lands, while also providing required buffering, low-impact development features, and a pedestrian walkway.

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

This proposal accesses Harry Walker Parkway South, a primary collector road, via 2 points of entrance/egress. Primary collector roads are designed to carry medium volumes of traffic between Arterial, Minor Collector and Local Roads.

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

The proposed overflow parking lot is adequate for the use of the YRDSB offices at 300 Harry Walker Parkway South and 1260 Gorham Street. No loading spaces are proposed or required. Engineering services has no objection with the proposed circulation on-site.

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

Appropriate notice has been given in accordance with the Planning Act through the posting of Notice of Application on the property and the mailing of Notice of Application to all property owners within a 120 metre radius of the subject lands. The Statutory Public Meeting was held on March 19, 2018.

Site Plan Application

The applicant has applied for Site Plan Approval, which is being processed concurrently with this Zoning By-law Amendment application. The Town is currently anticipating

receipt of the second technical site plan submission. The conceptual site plan is appended as Attachment 2 to this report. Staff continues to work with commenting agencies and the applicant to address site plan issues.

Consultation

Community Consultation

A Statutory Public Meeting was held on March 19, 2018 at 7:00 PM in accordance with the requirements of the Planning Act. In attendance were members of Committee of the Whole, Planning Staff, the Applicant, and representatives of the applicant. No members of the public spoke to the application.

There were concerns noted in the Statutory Public Meeting that the proposed development would yield jay-walking from the subject lands to the YRDSB offices across the street. The applicant is proposing an internal pedestrian walkway through the site, and will be constructing a pedestrian walkway along the east side of Harry Walker Parkway South to Gorham Street in an effort to provide safe pedestrian access to the YRDSB site. Engineering Services have reviewed the concept and advise they have no objection at this time. The pedestrian walkway will be further refined through the ongoing site plan approval process.

Agency Circulation

The application was circulated to all the appropriate agencies and Town Departments. These comments were considered by staff in the development of this report's recommendations.

Comments

Newmarket Accessibility Advisory Committee

Upon circulation of the application to the Advisory Committee, the Committee raised concern that there were no barrier-free parking spaces proposed on site. The YRDSB has agreed to provide additional barrier-free parking spaces on their site at 300 Harry Walker Parkway South to address these concerns.

Economic Development

There had been initial concerns that developable industrial lands being purposed for parking, as lands positioned immediately adjacent to Highway 404 are especially valuable for employment development. Upon further discussion with Economic Development, there is no objection to the proposed Zoning By-law Amendment.

Conclusion

It is recommended that Council approve the proposed Zoning By-law Amendment application, as the project is consistent with the PPS and conforms to relevant Planning documents.

Business Plan and Strategic Plan Linkages

Well Planned and Connected: Reviewing Zoning By-law Amendment applications with respect to the Town's Official Plan.

Human Resource Considerations

Not applicable to this report.

Budget Impact

Not applicable to this report.

Attachments

Attachment 1 – Location Map

Attachment 2 – Conceptual Site Plan

Attachment 3 – Draft Zoning By-law Amendment

Approval



Matthew Peverini, BURPI, B.Sc.
Planner



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

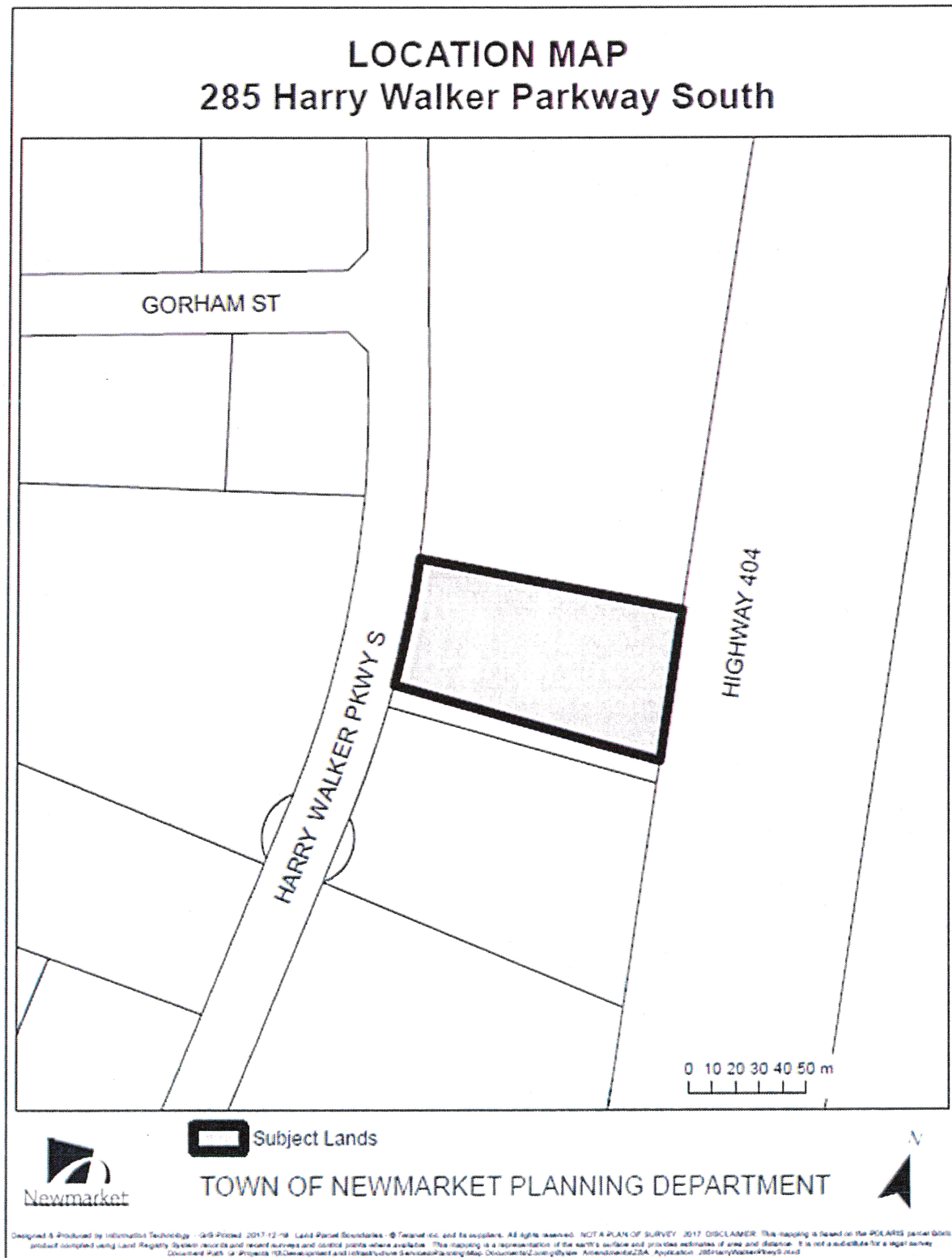


Peter Noehammer, P. Eng.
Commissioner Development and
Infrastructure Services

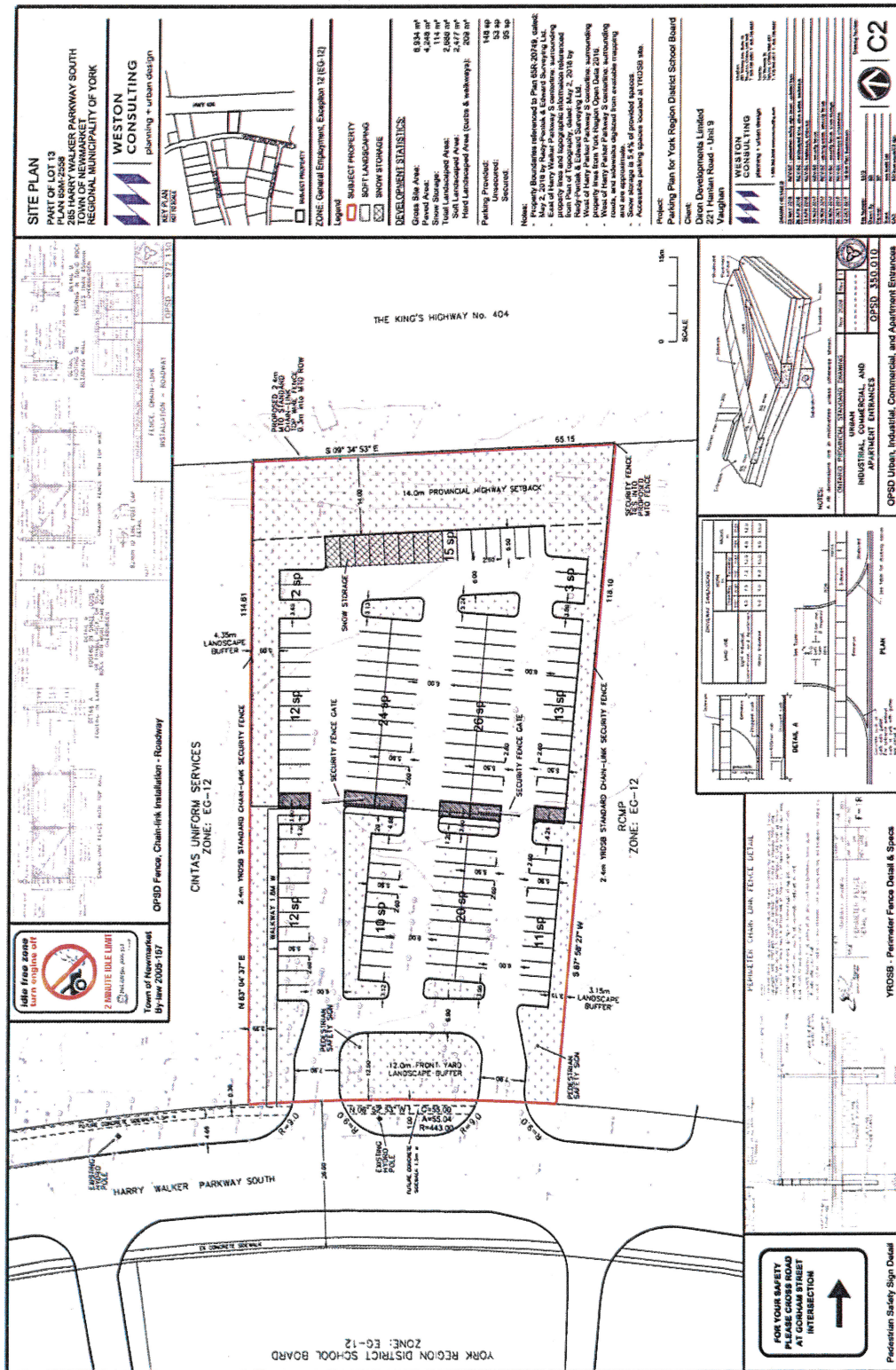
Contact

Matthew Peverini, Planner, at x 2453; mpeverini@newmarket.ca

Attachment 1 – Location Map



Attachment 2 – Conceptual Site Plan



Attachment 3 – Draft Zoning By-law Amendment

Exception XX	Zoning EG-XX	Map 15	By-Law Reference 2018-XX	File Reference D14-NP-17-25
i)	Location:	285 Harry Walker Parkway South		
ii)	Legal Description:	Plan 65M2558, Part Lot 13, Plan RS65R20749, Parts 4, 8 and 9		
iii)	Development Standards:	(a) Building <i>Height</i> (maximum):		15 m
iv)	Uses:	A stand-alone overflow <i>Parking Lot</i> with a maximum of 148 parking stalls for the exclusive use by the York Region District School Board offices located at 300 Harry Walker Parkway South and 1260 Gorham Street shall also be permitted.		
		(a) Only in conjunction with the above additional permitted use, a Drive Aisle Width (minimum) of 6 m shall be permitted.		


**WESTON
CONSULTING**

planning + urban design

Town Clerk
Town of Newmarket
395 Mulock Dr
Newmarket, ON, L3Y 4X7

June 14, 2018
File 8373-1

**RE: Pedestrian Access Considerations Summary
285 Harry Walker Parkway South (D14-NP1725-ZBA)
Town of Newmarket**

Dear Chair and Members of Council,

Weston Consulting is the planning agent for Diron Developments Ltd., the registered owner of the property municipally known as 285 Harry Walker Parkway South in the Town of Newmarket (herein referred to as the “subject property”). The property owner has submitted applications for a Zoning By-law Amendment (D14-NP1725-ZBA) and Site Plan Approval (D11-NP1725-SPA) to permit the development of the subject property for an overflow and maintenance vehicle parking lot for the exclusive use by the York Region District School Board (YRDSB) offices located at 300 Harry Walker Parkway S and 1260 Gorham Street. The property owner has entered into a lease agreement with the YRDSB and has consulted with the YRDSB throughout the development review process. This letter is being provided to summarize the application timeline to date and to outline the various development scenarios that have been investigated for the realization of the development proposal.

The initial proposal for the development of the subject property was discussed through a Pre-Application Consultation meeting on February 1, 2017, in which Town staff had requested that the applicant complete the construction of a sidewalk within the east side of the Harry Walker Parkway S right-of-way. Based on the comments received through the pre-consultation process and through further discussions with staff, it was determined that an Official Plan Amendment to permit the development proposal was not required and that the proposed development conforms Provincial policy and the Official Plan as an ancillary use to the existing YRDSB offices. As such, application materials were prepared and the initial submissions for Site Plan Approval and Zoning By-law Amendment were submitted concurrently on December 1, 2017. The applications were deemed complete and circulated on December 22, 2017.

The Statutory Public Meeting was held on March 19, 2018 in which Local Councillor Kerwin and Regional Councillor and Deputy Mayor Taylor had both raised concerns with respect to pedestrian safety and the prospect that pedestrians would not utilize the proposed sidewalk connecting the property to the existing signalized intersection at Gorham Street but rather would cross Harry Walker Parkway S illegally to access the YRDSB facilities. Based on the comments received at the Statutory Public Meeting and through the application review process, a Traffic Letter was completed by Crozier and Associates, which recommended that additional safety

signage and access pathways be included to direct pedestrians to utilize the proposed sidewalk. Additionally, the YRDSB had agreed to educate their staff to ensure safety compliance. The Traffic Letter also reviewed the prospect of a signalized pedestrian crossing and found that insufficient distance separation from the existing signalized intersection precluded the need/safety of a proposed signalized crossing. As such, the applicant and YRDSB proceeded to generally maintain the site plan configuration, while incorporating additional safety measures as recommended.

Following the completion of the updated site plan to reflect the safety recommendations, Town of Newmarket Planning Staff prepared a final recommendation report (2018-33), which recommended the approval of the Zoning By-law Amendment Application at the Committee of the Whole meeting on May 22, 2018. Based on safety concerns raised by various Councillors at the meeting, the application was denied. Council instructed the applicant to further investigate the potential of a signalized pedestrian crossing and the prospect of a tiered parking structure on the existing YRDSB lands.

At the proceeding Council Meeting on May 28, 2018, Weston Consulting in consultation with the YRDSB requested a deferral of the final decision as to allow the property owner and the YRDSB the opportunity to further investigate the alternative options and site plan configurations for the development of the subject property. Weston Consulting, the property owner and the YRDSB attended a meeting with Planning and Engineering staff on June 8, 2018 to discuss the proposal and review the various options presented by Council.

The YRDSB investigated the potential for a tiered modular parking structure based on recommendations for Council that new technologies and construction methods have greatly reduced the costs of such structures, therefore being more economical to suit the YRDSB's needs. Based on the investigation, it was determined that the tiered parking structure would cost approximately \$2,000,000 and only result in a 20% cost savings. Such a project would be considered a Board capital budget item which would require Ministry of Education approval. It is unlikely that it would be granted as capital budgets are to be spent on student education. Additionally, the construction of the tiered parking structure would result in the closure of a substantial number of current parking spaces to facilitate the construction, which would hinder the current operations of the facility.

Through our discussions with Town staff and our Transportation Engineer, it was further discussed that a pedestrian crossing in front of the subject property does not meet minimum separation distances by providing a 100 metre separation, whereas 215 metre is required by the Ministry of Transportation. Both Engineering staff and our Transportation Engineer agreed that a signalized crossing in the proposed location is not supportable from a technical and safety standpoint. Therefore, staff has recommended that the safest and most appropriate option is to proceed with the development as originally proposed with a sidewalk connecting to the signalized intersection at Gorham Street. The YRDSB supports this position.

In reviewing and investigating the various options identified by Council and through further discussion with Town staff, we recommend that the following options be pursued for the approval of the Zoning By-law Amendment application:

1. Original Site Plan Configuration (Preferred Option)

The preference of the YRDSB and the property owner is to maintain the site plan configuration as previously presented to Committee and Council. This configuration has been reviewed and accepted by staff as the safest and most cost effective option to provide safe access from the site to the adjacent properties. Furthermore, staff has recommended approval and has fully endorsed this development scenario. Through this option, a sidewalk will be constructed within the Harry Walker Parkway S right-of-way at the expense of the YRDSB to provide safe access to the adjacent sites. The proposed parking lot will be primarily utilized by maintenance staff and those working out of 1260 Gorham Street. Employees at 1260 Gorham Street have no need to cross Harry Walker Parkway except at the existing signalized intersection. In addition to safety signage (For your safety please crossroad at Gorham intersection) and a walkway configuration to guide patrons to the proposed sidewalk, the school board will further educate its employees to not cross Harry Walker Parkway illegally. Please refer to Concept C2 for details of the current proposal.

2. Maintenance Vehicles Only (Secondary Option)

As a secondary option, should Council not accept staff's and the YRDSB's preferred approach, the YRDSB is open to accepting that the parking lot be exclusively used for the parking of maintenance vehicles only. Through this approach, the subject property will be fully secured and gated so that it can only be accessed by maintenance workers. The parking of maintenance vehicles at the current YRDSB offices at 300 Harry Walker Parkway has occupied available parking for employees and visitors to the site. As such, moving the maintenance vehicles to the subject property will free up additional employee parking at the YRDSB offices for employees and visitors. Through this option, the subject property will be fully secured with fencing and access gates to ensure that only approved maintenance staff with access to the site will be able to park on the subject property. Furthermore, there has been a reduction in the number of parking spaces to 127 parking spaces. As indicated previously to Committee and Council, employees will drive to the subject property to drop off their personal vehicles and then leave the site with their work/maintenance vehicle. The YRDSB is open to continuing to provide a sidewalk linking the site to the signalized intersection at Gorham Street as it is the intent that the subject property will eventually be redeveloped in the future when the site no longer suits the needs of the YRDSB, and will provide the necessary infrastructure to support the larger area that is characteristic of what the Official Plan envisions for this portion of Harry Walker Parkway S. Please refer to Concept C3 for details.

We trust that the above has provided a sufficient summary of the development review process to date and clearly articulates the safest and preferred development options moving forward as originally recommended by Town staff.

We are hopeful that Council will be satisfied with this proposal and the recommendation of Town staff.

Should you have any question or require additional information, please feel free to contact the undersigned (x245) or Michael Vani (x252).

Yours truly,

Weston Consulting

Per:

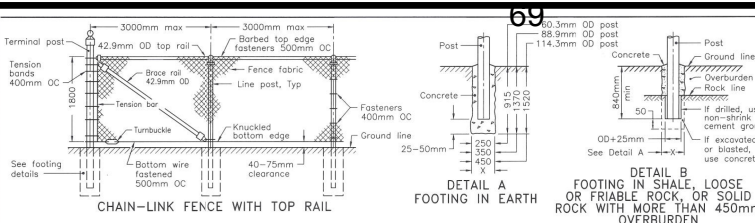


Sandra Patano, BES, MES, MCIP, RPP
Senior Planner

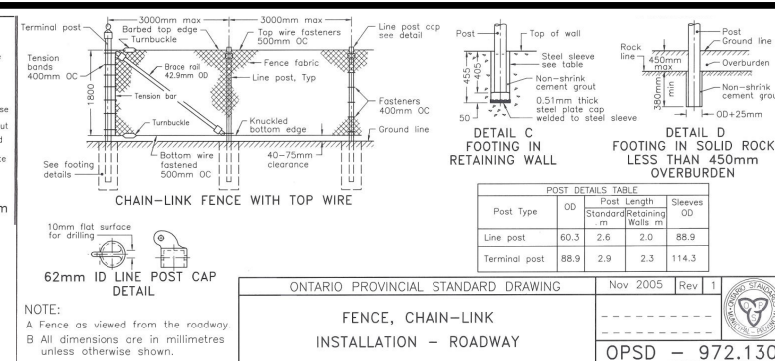
- c. Mayor Tony Van Bynen, Town of Newmarket
Deputy Mayor and Regional Councillor John Taylor, Town of Newmarket
Ward 2 Councillor Dave Kerwin, Town of Newmarket
Rick Nethery, Town of Newmarket
Matthew Peverini, Town of Newmarket
Aaron Wignall, Crozier and Associates
Diego Toneguzzo, Diron Developments Ltd.
The York Region District School Board



Town of Newmarket
By-law 2005-157



OPSD Fence, Chain-link Installation - Roadway



FENCE, CHAIN-LINK
INSTALLATION - ROADWAY

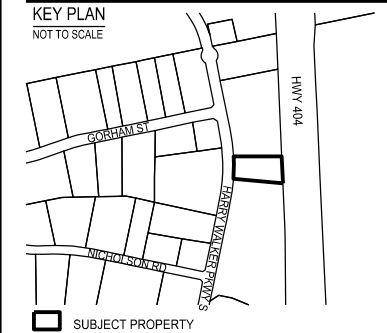
OPSD - 972.130

SITE PLAN

PART OF LOT 13
PLAN 65M-2558
285 HARRY WALKER PARKWAY SOUTH
TOWN OF NEWMARKET
REGIONAL MUNICIPALITY OF YORK



KEY PLAN
NOT TO SCALE



ZONE: General Employment, Exception 12 (EG-12)

Legend

- SUBJECT PROPERTY
- SOFT LANDSCAPING
- SNOW STORAGE

DEVELOPMENT STATISTICS:

Gross Site Area:	6,934 m ²
Paved Area:	4,248 m ²
Snow Storage:	114 m ²
Total Landscaped Area:	2,686 m ²
Soft Landscaped Area:	2,477 m ²
Hard Landscaped Area (curbs & walkways):	209 m ²

Parking Provided:	148 sp
Unsecured:	53 sp
Secured:	95 sp

Notes:

- Property Boundaries referenced to Plan 65R-20749, dated: May 2, 2018 by Rady-Pentek & Edward Surveying Ltd.
- East of Harry Walker Parkway S centerline: surrounding property lines and topographic information referenced from Plan of Topography, dated: May 2, 2018 by Rady-Pentek & Edward Surveying Ltd.
- West of Harry Parker Parkway S centerline: surrounding property lines from York Region Open Data 2016.
- West of Harry Parker Parkway S centerline: surrounding roads, and sidewalks digitized from available mapping and are approximate.
- Snow storage is 5.4% of provided spaces.
- Accessible parking spaces located at YRDSB site.

Project:

Parking Plan for York Region District School Board

Client:

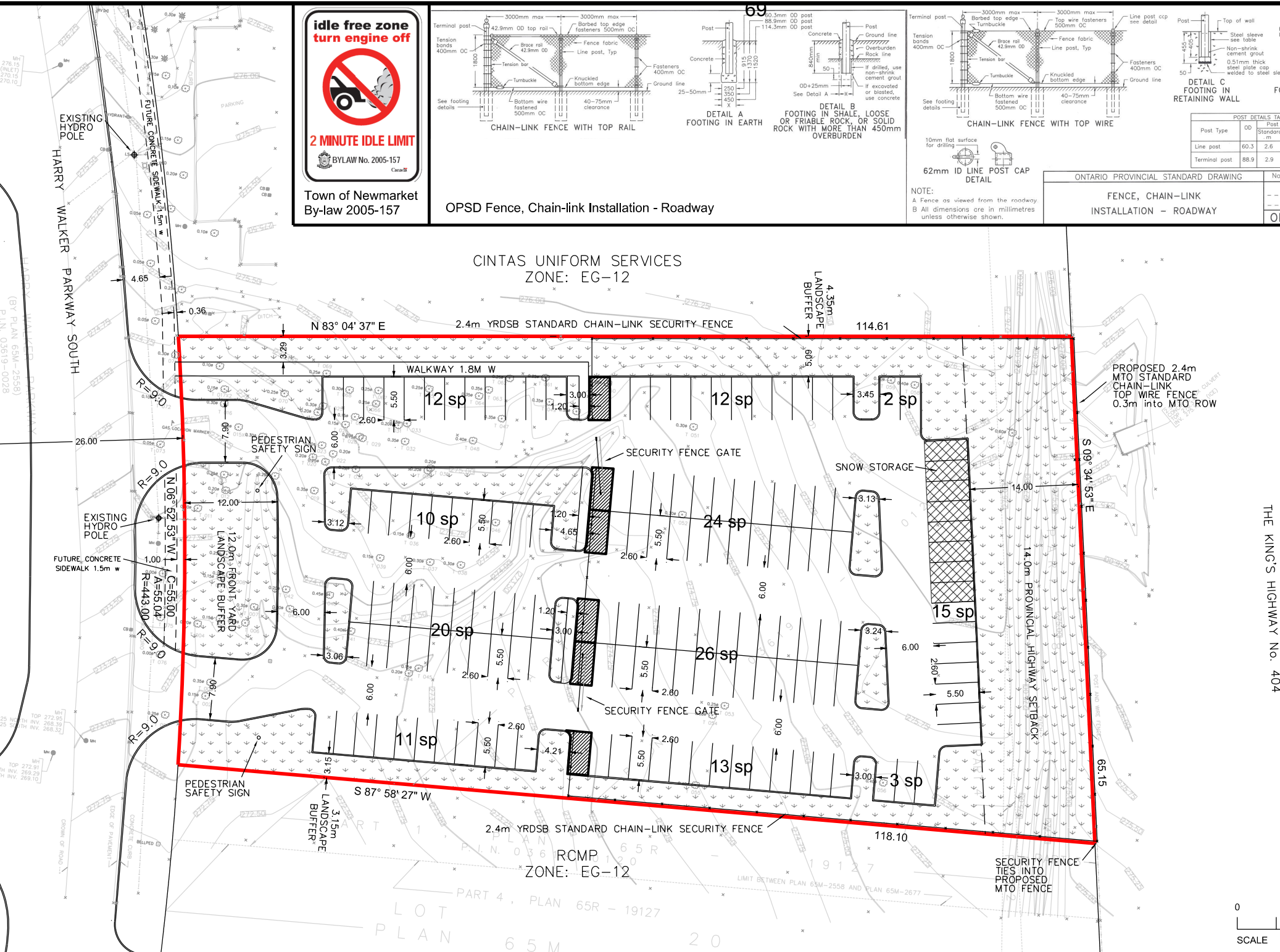
Diron Developments Limited
221 Hanlan Road - Unit 9
Vaughan



DRAWN / REVISED

03 MAY 2018	REVISE - pedestrian safety sign detail, updated topo
26 APR 2018	REVISE - landscaped area, drive aisles, walkways
13 APR 2018	REVISE - walkways, entrance
16 NOV 2017	REVISE - security fence
10 NOV 2017	REVISE - parking aisles, security fence
03 NOV 2017	REVISE - security fence, snow storage
24 OCT 2017	REVISE - walkways & crosswalks
12 OCT 2017	1st Site Plan Submission

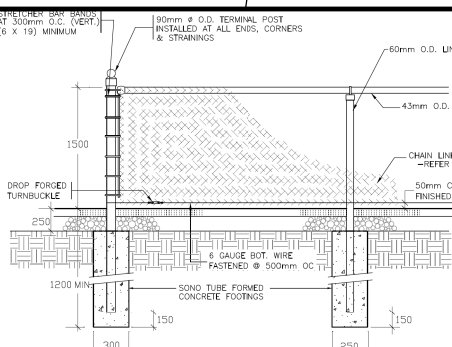
File Number: 8373
Drawn By: SD
Planner: SP
Scale: see scale bar
CAD: 8373/concepts/C2.dgn



THE KING'S HIGHWAY No. 404



Pedestrian Safety Sign Detail



PERIMETER CHAIN LINK FENCE DETAIL

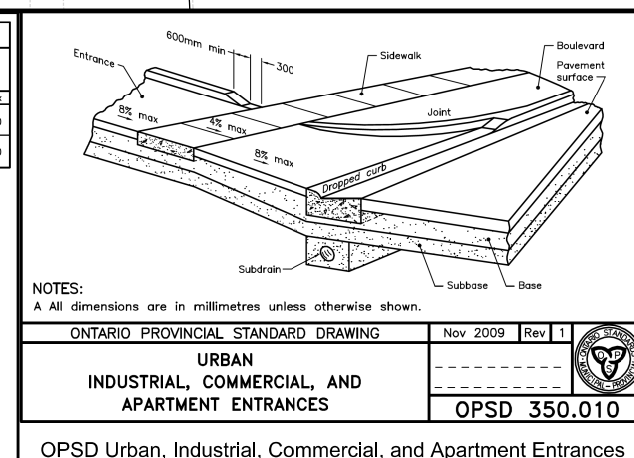
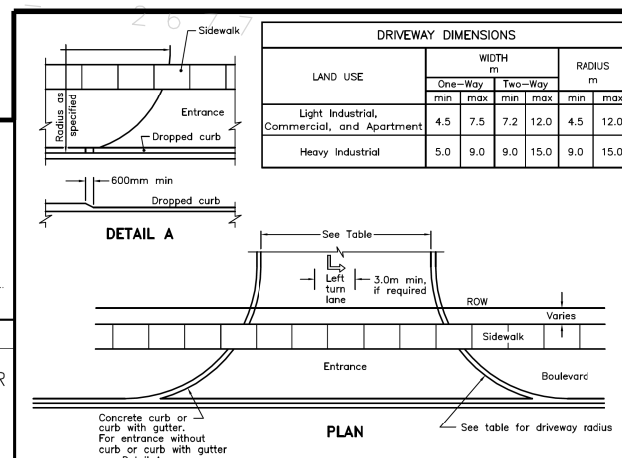
- 1) CHAINLINK FENCE: GALVANIZED, WOVEN MESH SIZE 40mm, CONSTRUCTED WITH 9 GAUGE (3.5mm) GALVANIZED WIRE, STRETCHED TIGHTLY & FASTENED TO END, CORNER & STRAINING POSTS WITH STRETCHER BAR SECURED TO POST WITH STRETCHER BARS. FASTENED TO LINE POSTS AT 500mm O.C. AND "O" TOP, BRACE RAILS & BOTTOM WIRE AT 500mm O.C. BY MEANS OF 6 GAUGE GALV. WIRE.
- 2) STRETCHER: BOTTOM WIRE SECURED BY TURNBUCKLES AT ALL END, CORNER AND STRAINING POSTS.
- 3) ALL FENCE POSTS AND RAILS TO BE GALVANIZED SCHEDULE 40 PIPE.
- 4) ALL POSTS TO HAVE 90mm I.D. CAPS.
- 5) CONCRETE FOOTINGS TO BE 30MPa AT 28 DAYS, 5-8% AIR ENTRAINING, 50mm SLUMP FORMED WITH SOND TUBE.
- 6) SPACE POST AT 3 METRE O.C. AND STRAINING POST AT EQUAL INTERVAL NOT EXCEEDING 10 METRE O.C.



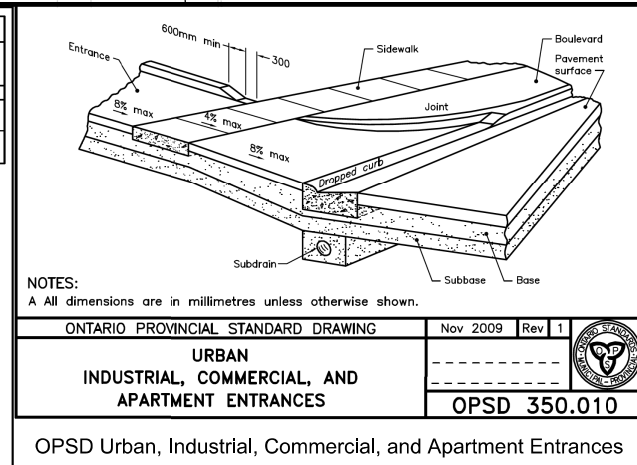
PROJECT : STANDARD DRAWING
TITLE : PERIMETER FENCE DETAIL & SPECS

DRAWN BY: VM
CHK BY: SH
REV. DATE: MAY/17
SCALE: NTS
DWG. NO.: F-1R

YRDSB - Perimeter Fence Detail & Specs



OPSD Urban, Industrial, Commercial, and Apartment Entrances





Corporation of the Town of Newmarket

By-law 2018-35

A By-law to Amend By-law Number 2017-29, Being a Restricted Area (Zoning) By-law. (400 Park Avenue Inc.)

Whereas the lands affected by this By-law are subject to a Holding (H) prefix in conjunction with a zoning category, as permitted under section 34 and 36 of the Planning Act, R.S.O. 1990; and,

Whereas Council is satisfied that the conditions for the removal of the Holding (H) prefix have been met in respect of the subject lands;

Now therefore the Council of the Corporation of the Town of Newmarket enacts as follows:

1. That Schedule 'X', to Zoning By-law 2017-29, as amended is hereby further amended as follows:

That the "(H)" Holding prefix preceding the Residential Townhouse Dwelling 3 Zone (R4-R-136) and the Residential Apartment Dwelling 2 Zone (R5-T-136) on 400 Park Avenue, 405/407 Botsford Street, as shown more particularly on schedule 'X' attached hereto, is hereby removed.

2. That the provisions of this By-law shall come into force and be effective upon the final passage thereof.

Enacted this 18th day of June, 2018.

Tony Van Bynen, Mayor

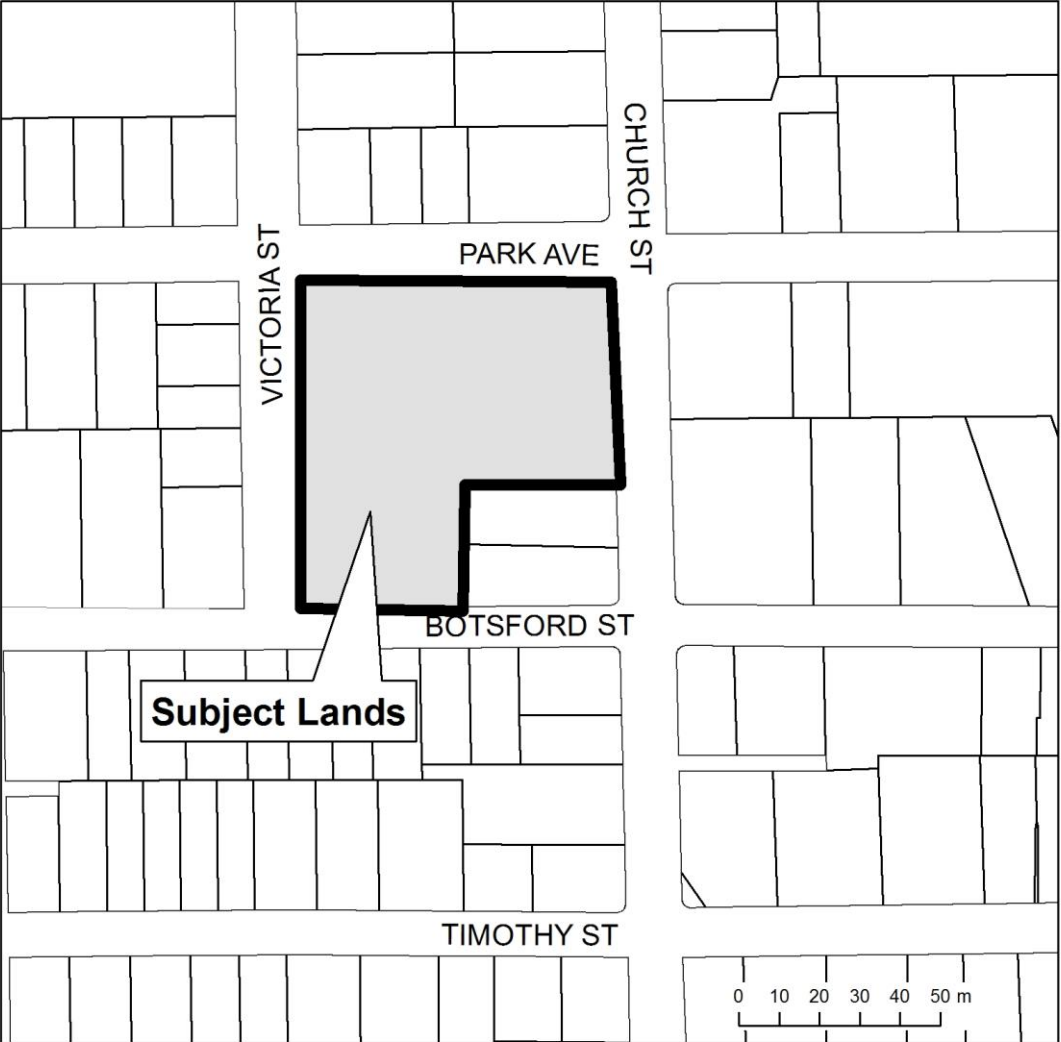
Lisa Lyons, Town Clerk

400 Park Avenue, 405/407 Botsford Street
(Removal of Holding Provision)
Town of Newmarket
Regional Municipality of York

This is Schedule 'X'
To Bylaw 2018-35
Passed this _____ Day
of _____, 2018.

MAYOR _____

CLERK _____



SCHEDULE "X" TO BY-LAW 2018-35
TOWN OF NEWMARKET PLANNING DEPARTMENT



Designed & Produced by Information Technology - GIS Printed: June, 2018. Land Parcel Boundaries - © Teranet Inc. and its suppliers. All rights reserved. NOT A PLAN OF SURVEY. 2015. Zoning - Town of Newmarket, 2015.
DISCLAIMER: This mapping is based on the POLARIS parcel fabric product compiled using Land Registry System records and recent surveys and control points where available. This mapping is a representation of the earth's surface and provides estimates of area and distance. This map has been produced for illustrative purposes only. It is not a substitute for a legal survey.

T:\DI Services\Planning\Dave\file related documentation\King George School\Removal of the H\bylaw schedule King George Holding bylaw.mxd



Corporation of the Town of Newmarket

By-law 2018-36

A By-law to Amend By-law Number 2017-61, Being a Restricted Area (Zoning) By-law. (Lorne Park Gardens Inc.)

Whereas the lands affected by this By-law are subject to a Holding (H) prefix in conjunction with a zoning category, as permitted under section 34 and 36 of the Planning Act, R.S.O. 1990; and,

Whereas Council is satisfied that the conditions for the removal of the Holding (H) prefix have been met in respect of the subject lands;

Now therefore the Council of the Corporation of the Town of Newmarket enacts as follows:

1. That Schedule 'X', to Zoning By-law 2015-61, as amended is hereby further amended as follows:

That the "(H)" Holding prefix preceding the Residential Townhouse Dwelling 3 Zone (R4-R-129) on 955 and 995 Mulock Drive, as shown more particularly on schedule 'X' attached hereto, is hereby removed.

2. That the provisions of this By-law shall come into force and be effective upon the final passage thereof.

Enacted this 18th day of June, 2018.

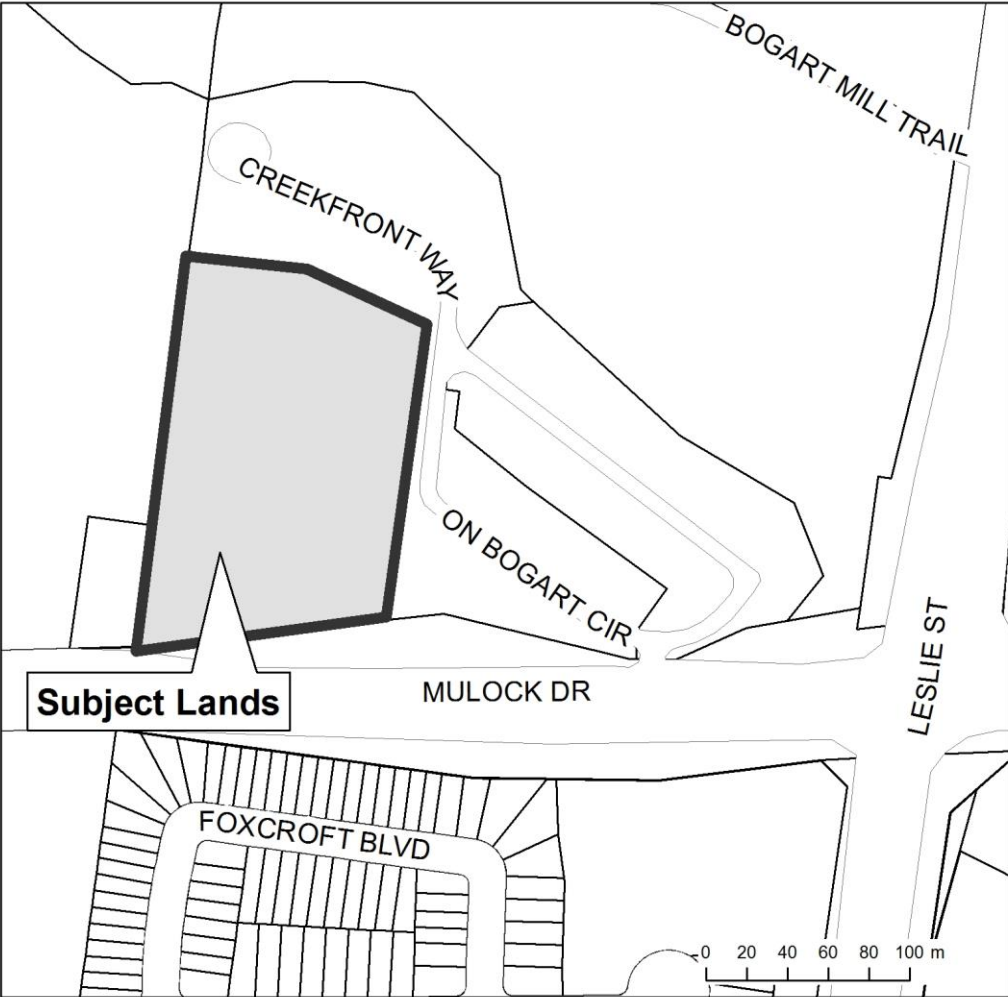
Tony Van Bynen, Mayor

Lisa Lyons, Town Clerk

955 and 995 Mulock Drive
(Removal of Holding Provision)
Town of Newmarket
Regional Municipality of York

This is Schedule 'X'
To Bylaw 2018-36
Passed this _____ Day
of _____, 2018.

MAYOR _____
CLERK _____



SCHEDULE "X" TO BY-LAW 2018-36
TOWN OF NEWMARKET PLANNING DEPARTMENT



Designed & Produced by Information Technology - GIS Printed: June, 2018. Land Parcel Boundaries - © Teranet Inc. and its suppliers. All rights reserved. NOT A PLAN OF SURVEY. 2015. Zoning - Town of Newmarket, 2015.
DISCLAIMER: This mapping is based on the POLARIS parcel fabric product compiled using Land Registry System records and recent surveys and control points where available. This mapping is a representation of the earth's surface and provides estimates of area and distance. This map has been produced for illustrative purposes only. It is not a substitute for a legal survey.

T:\DI Services\Planning\Dave\file related documentation\955 Mulock Drive\removal of H\bylaw schedule 955 995 mulock Holding bylaw.mxd



Corporation of the Town of Newmarket

By-law 2018-37

A By-law To Exempt Certain Lands From The Part Lot Control Provisions Of The Planning Act. (Marianneville Developments Limited) Blocks 87, 88, 89, 90, 91, 92 and 99 Registered Plan 65M-4565.

Whereas it is deemed advisable to exempt certain lands from the provisions of Section 50(5) of the Planning Act, R.S.O. 1990, c.P.13; and,

Whereas the land use to be accommodated by the exemption, the parcel to be created, and any remaining parcel, are in conformity with the governing Official Plan and are permitted and in conformity with the zoning By-law in effect for the area in question; and,

Whereas Plan 65M-4565 was registered on June 28, 2017 and the construction of the units in Blocks 87, 88, 89, 90, 91, 92 and 99 have now advanced to a point where it is appropriate to enact the required By-law;

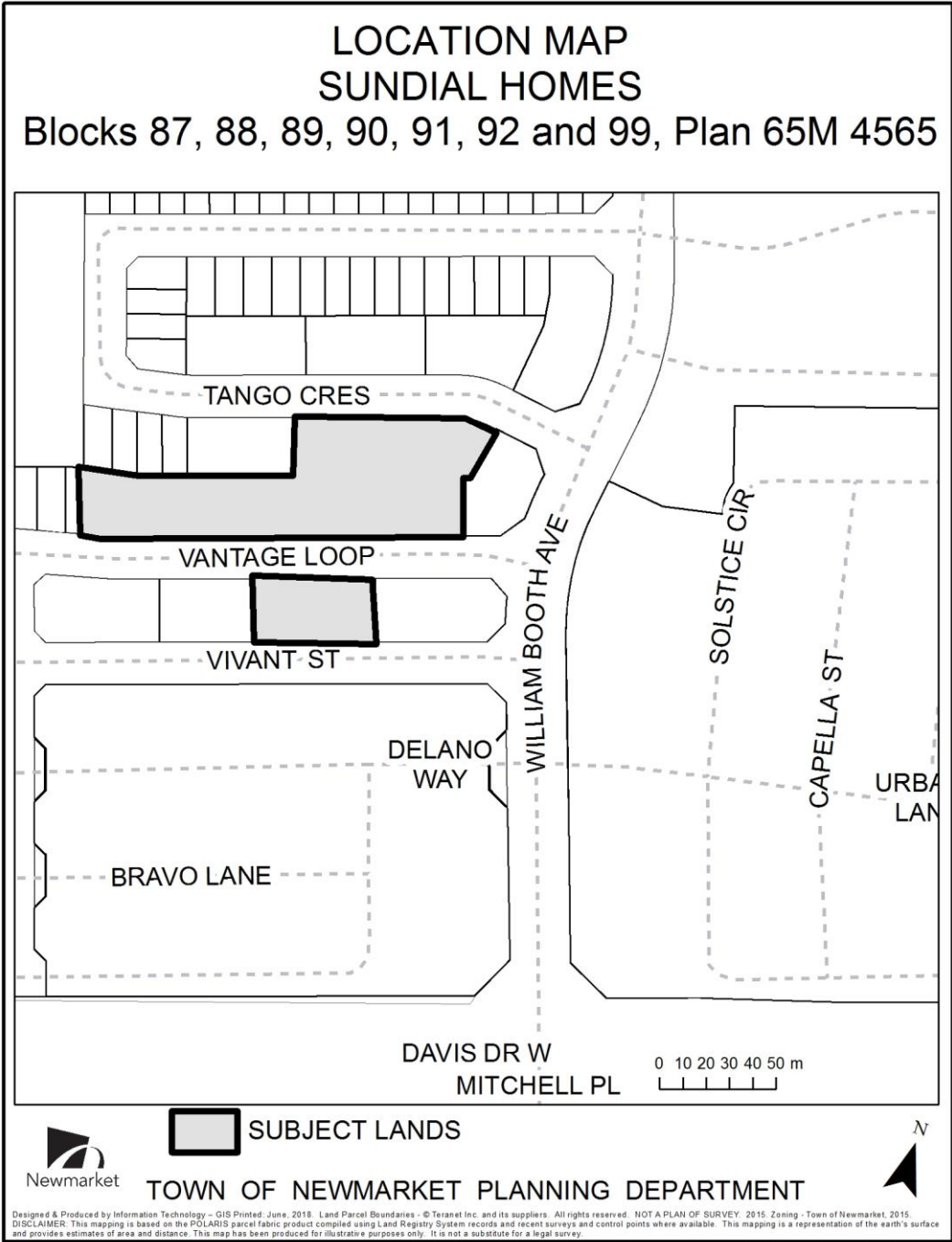
Therefore be it enacted by the Council of the Corporation of the Town of Newmarket as follows:

1. That the provisions of Section 50(5) of the Planning Act, R.S.O. 1990, c.P. 13 do not apply to the lands described as Blocks 87, 88, 89, 90, 91, 92 and 99, Registered Plan 65M-4565, further described as Parts 1 through 25 inclusive, on Plan 65R-37823; Parts 1 through 24 inclusive, on Plan 65R-37812, Parts 1 through 30 inclusive, on Plan 65R-37815, Parts 1 through 22 inclusive, on Plan 65R-37822 Town of Newmarket, Regional Municipality of York.
2. And that the Municipal Solicitor or designate be authorized and directed to electronically sign and register this By-law on title.
3. And that this By-law will lapse after a period of 2 years from the date of enactment.

Enacted this 18th day of June, 2018.

Tony Van Bynen, Mayor

Lisa Lyons, Town Clerk



T:\DI Services\Planning\Dave\related documentation\TOTH\part lot control exemption\PLCE Location Map blocks 87 to 92 and 99 plan 65m456



Corporation of the Town of Newmarket

By-law 2018-38

A By-law to Amend By-law Number 2017-44, Being a Restricted Area (Zoning) By-law. (711371 Ontario Corp.)

Whereas the lands affected by this By-law are subject to a Holding (H) prefix in conjunction with a zoning category, as permitted under section 34 and 36 of the Planning Act, R.S.O. 1990; and,

Whereas Council is satisfied that the conditions for the removal of the Holding (H) prefix have been met in respect of the subject lands;

Now therefore the Council of the Corporation of the Town of Newmarket enacts as follows:

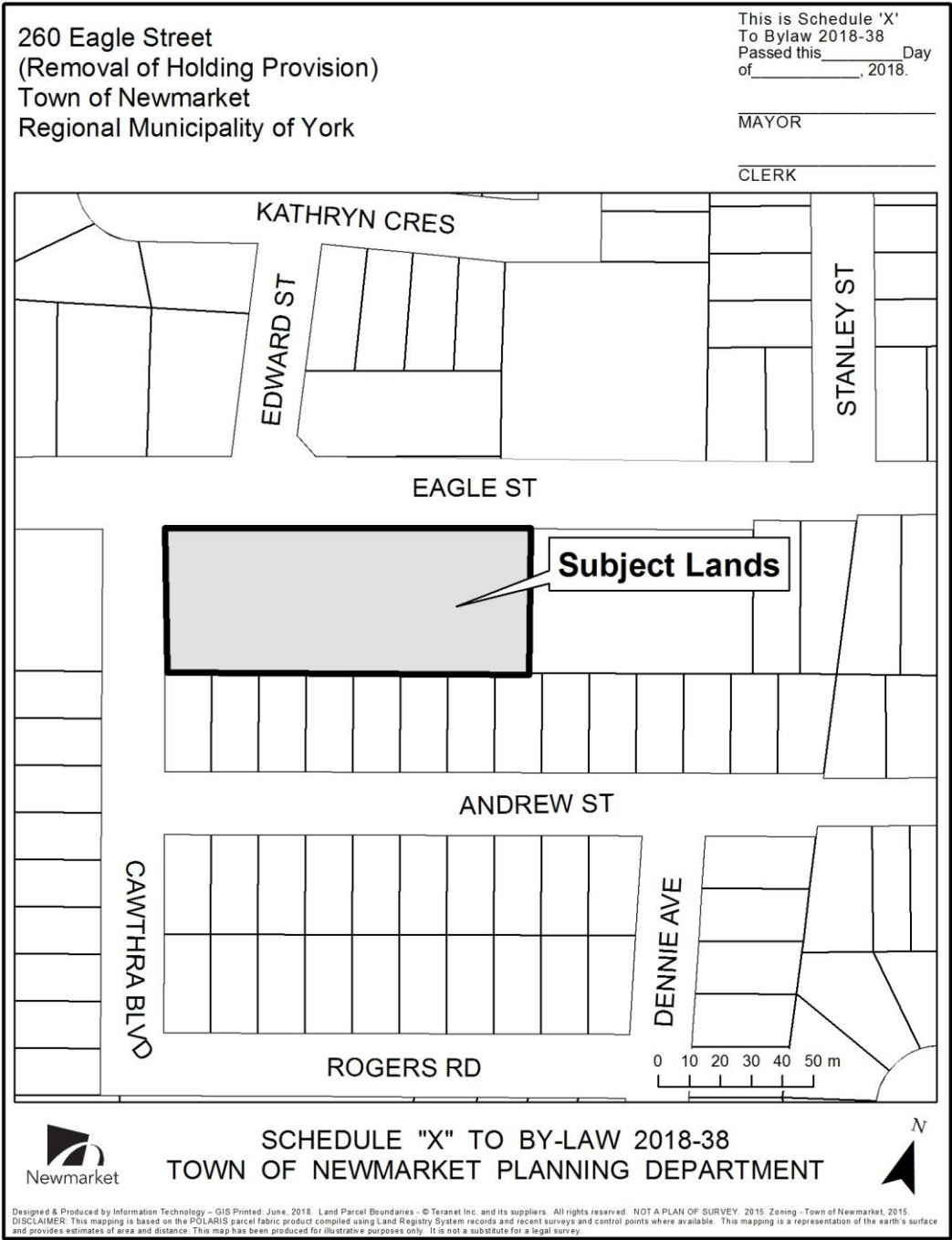
1. That Schedule 'X', to Zoning By-law 2017-44, as amended is hereby further amended as follows:

That the "(H)" Holding prefix preceding the Residential Townhouse Dwelling 3 Zone (R4-R-137) on 260 Eagle Street, as shown more particularly on schedule 'X' attached hereto, is hereby removed.

2. That the provisions of this By-law shall come into force and be effective upon the final passage thereof.

Tony Van Bynen, Mayor

Lisa Lyons, Town Clerk





Corporation of the Town of Newmarket

By-law 2018-39

A By-law to Regulate and License Driving Instructors to Operate in the Town of Newmarket.

Whereas Section 151 of the Municipal Act 2001, S.O. 2001, c25, as amended, establishes that a municipality may provide for a system of licences with respect to a business;

And whereas the Council of the Town of Newmarket deems it advisable to pass such by-law;

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

Section 1 – Definitions

1.1 In this By-law:

“Appeals Committee” means a committee that is appointed from time to time by Council for the purpose of hearing appeals regarding the revocation, suspension, cancellation or refusal to issue or renew a licence pursuant to this By-law;

“Applicant” means a Person applying for a new licence or licence renewal under this By-law;

“Application” means a prescribed form for a licence provided by the Director, and shall include an application for a license renewal, accompanied by appropriate documentation and fee;

“Council” means the Council of the Corporation of the Town of Newmarket;

“Director” means the Director of Legislative Services of the Town and includes his/her designate;

“Driving Instructor” means an individual who provides instruction in the operation of motor vehicles but does not include an individual who provides in-class instruction only;

“Driving Instructor Licence” means the authorization obtained, granted or issued to a Driving Instructor pursuant to this By-law to carry on a business, activity or undertaking issued by the Director;

“Driving School” means a driving school which holds a driving school licence issued by the Ontario Ministry of Transportation;

“Driving School Vehicle” means a motor vehicle that is being used by a Driving Instructor for the purpose of teaching a Person to operate a motor vehicle;

“Fees and Charges By-law” means the Town’s Fees and Charges By-law, as amended from time to time;

“Highway” includes a common and public highway, street, avenue, parkway, driveway, any part of which is intended for or used by the general public for the passage of vehicles and includes the area between the lateral property lines thereof;

“Licensed” means to have in one’s possession a valid and unexpired licence issued pursuant to this By-law;

“Licensee” means any person who is licensed pursuant to this by-law or a licensee applying for renewal of a licence as the context requires;

“Ministry of Transportation Driving Instructor’s Licence” means a licence issued to a Driving Instructor by the Ontario Ministry of Transportation;

“Officer” means a Police Officer as defined under the Police Services Act, R.S.O. 1990, c, P15, as amended, an individual appointed by the Town as a Municipal Law Enforcement Officer pursuant to section 15 of the Police Services Act, as amended, or any other individual designated by the Town to enforce this By-law;

“Operate” when used in reference to a Driving School Vehicle includes driving the said vehicle and to make or have it available to the public in service as a Driving School Vehicle, and operated, operating and operation have corresponding meanings;

“Person” includes an individual, business, firm, corporation, organization, partnership, trust, trustee, agent or legal representative of an individual;

“Plate” means a number plate issued by the Town to a person licensed pursuant to this By-law;

“Restricted Area” means the area on highway used by Drive Test employees for conducting driving tests as contained in Schedule “A” of this By-law;

“Town” means the Corporation of the Town of Newmarket;

Section 2.0 - Prohibitions

- 2.1 No **Person** shall engage in or carry on the business of a **Driving Instructor** within the Town without a valid and unexpired **Driving Instructor Licence**.
- 2.2 No **Person** except an individual may hold a **Driving Instructor Licence**.
- 2.3 No **Person’s Driving Instructor Licence** is valid unless the individual holds a valid **Ministry of Transportation Instructor’s Licence**.
- 2.4 A **Person’s Driving Instructor Licence** ceases to be valid at any time that the **Person’s Ministry of Transportation Driving Instructor’s Licence** ceases to be valid.

Section 3.0 - General Provisions

- 3.1 Every **Driving Instructor Licence** shall be valid for a period of (1) one year from the 1st day of September in the year of issuance or renewal up to and including the 31st day of August of the following year unless:
 - (1) the **Driving Instructor Licence** has been suspended or revoked;

- (2) the **Driving Instructor Licence** has been cancelled at the request of the licensee;
- 3.2 An **Application** for the renewal of a **Driving Instructor Licence** shall be delivered to the office of the **Director** on or before the expiry date.

Section 4.0 – Driving Instructor Licence Requirements

- 4.1 Every Person applying for a **Driving Instructor Licence** or renewal shall:
- (1) submit an **Application** signed by the individual;
 - (2) submit an **Application** by appearing in person at the office of the **Director**;
 - (3) submit a copy of the insurance policy or a certificate of automobile insurance to the **Director** that is issued by an insurer of duly authorized to issue insurance within the Province of Ontario and for each **Driving School Vehicle**, coverage shall be in the amount of \$2 million (\$2,000,000.00) dollars for personal injury and property damage arising out of any one accident or occurrence, and such policy shall be endorsed to the effect that the **Director** will be given fifteen (15) business days' notice in writing of any cancellation;
 - (4) provide a valid current Class "G" Ontario Driver's Licence;
 - (5) provide proof of a valid Ministry of Transportation Driving Instructor's Licence; and
 - (6) submit the fee as set out in the **Fees and Charges By-law**.
- 4.2 Every **Driving Instructor** shall:
- (1) carry a valid and unexpired **Ministry of Transportation Driving Instructor's Licence**;
 - (2) carry a valid and unexpired **Licence**;
 - (3) produce a valid and unexpired **Ministry of Transportation Driving Instructor's Licence** upon request of an Officer;
 - (4) produce a valid and unexpired **Driving Instructor Licence** upon request of the Officer;
 - (5) produce documentation showing dates and times that driving instructions and/or testing are being provided;
 - (6) affix **Plate** to the right rear bumper of the **Driving School Vehicle**;
 - (7) affix a roof sign on the vehicle showing the business name of the **Driving School** as shown on the **Driving Instructor Licence** while providing driving instruction to students;

- (8) affix the **Plate** validation tag to the plate.

Section 5.0 - Restricted Area

- 5.1 No **Driving Instructor** shall **Operate** or permit to **Operate** a **Driving School Vehicle** on any **Highway** within the area marked "**Restricted Area**" in Schedule "A" to this By-law.
- 5.2 No **Driving Instructor** of **Driving School Vehicle** shall **Operate** or permit to **Operate** a **Driving School Vehicle** on any **Highway** within the area marked "**Restricted Area**" in Schedule "A" to this By-law.
- 5.3 Notwithstanding 5.1 and 5.2 a **Driving School Vehicle** may be **Operated** within the area marked "**Restricted Area**" in Schedule "A" provided that:
- (1) The **Driving Instructor** is picking up or dropping off a student residing in the "**Restricted Area**" for the purpose of giving driving instruction; or
 - (2) When a **Driving Instructor** is picking up or dropping off a student from a Secondary School located in the "**Restricted Area**"; or
 - (3) When a **Driving School Vehicle** is used for the purpose of a driving test required by the Ontario Ministry of Transportation.

Section 6.0 - Revoke, Suspend, Cancel, Refuse to Issue or Renew a Driving Instructor Licence

- 6.1 The **Director** may revoke, suspend, cancel, refuse to issue or renew, a **Driving Instructor Licence**:
- (1) where the past conduct of the **Applicant** or **Licensee** affords reasonable grounds for belief that the **Applicant** or **Licensee** will not carry on the activity for which the **Applicant** is applying for or the **Licensee** is **Licensed** for, in accordance with law and with integrity and honesty; and/or
 - (2) where the **Applicant** or **Licensee** has been found by the **Director** to fail to comply with any provision of this by-law or any other by-law or statute; and/or
 - (3) where the past conduct of the **Applicant** affords reasonable grounds for belief that the issuance of a **Driving Instructor Licence** would be adverse to the public interest; and/or
 - (4) where the **Applicant** is in default of any fine or fines which have been imposed by a court as a sentence arising from a conviction for breach of a by-law enacted by the Town, or arising from a conviction for a breach of a law or regulation.
- 6.2 Upon such revocation, suspension, cancellation or refusal to renew or issue, a written notice signed by the **Director** shall be delivered to the **Applicant** or **Licensee** by hand delivered, regular mail, or registered mail within seven (7) business days as provided for hereunder:
- (1) such notice shall set out and give reasonable particulars of the grounds for the decision;

- (2) shall inform the **Applicant** or **Licensee** of his entitlement to a hearing before the **Appeals Committee**, if he delivers within seven (7) business days after the date of service or the date of mailing by registered mail of the notice, whichever is later, a written request for a hearing; and
 - (3) if a written request from the **Applicant** or **Licensee** is not received by the **Director** within the prescribed time, the decision of the **Director** shall be final and the **Licensee** shall deliver within twenty-four (24) hours of the expiration of the appeal period, the **Driving Instructor Licence** or the **Plate**.
- 6.3 Where a hearing held pursuant to this by-law has taken place and the **Driving Instructor Licence** was revoked, suspended, cancelled or refused for renewal, the **Licensee** shall return the **Driving Instructor Licence** to the **Director** within seventy-two (72) hours of receiving the written notice of the decision of the **Appeals Committee** sent pursuant to the provisions of this by-law.
- 6.4 When a **Person** has had his/her **Driving Instructor Licence** revoked, suspended or cancelled under this by-law the **Director** may enter upon the business premise or into the vehicle of the **Licensee** for the purpose of receiving, taking, or removing the said **Driving Instructor Licence** or **Plate**.
- 6.5 When a **Person** has had his/her **Driving Instructor Licence** revoked, suspended or cancelled under this by-law he shall not refuse to deliver or in any way obstruct or prevent the **Director** from obtaining the said **Driving Instructor Licence** or the **Plate**.

Section 7.0 - Appeals Committee Hearing

- 7.1 Upon receipt of a written request for a hearing from an **Applicant** or **Licensee**, the **Director** shall advise the **Appeals Committee** and request the **Appeals Committee** to convene a meeting and shall give the **Applicant** or **Licensee** written notice of the date, time and location of such meeting which shall not be less than seven (7) business days after the date of notice.
- 7.2 The **Director** shall make a recommendation to the **Appeals Committee** with respect to revocation, suspension, cancellation or refusal to renew or issue a **Driving Instructor Licence** or recommend that a **Driving Instructor Licence** be issued subject to certain terms and conditions.
- 7.3 Before the **Appeals Committee** makes any decision, a written notice advising the **Applicant** or **Licensee** of the recommendations being made by the **Director** with respect to the **Driving Instructor Licence** shall be given to the **Applicant** or **Licensee** by the **Director**.
- 7.4 The **Applicant** or **Licensee** shall have the right to make a submission in support of an **Application** or renewal or retention of a **Driving Instructor Licence** at such hearing and if the **Applicant** or **Licensee** who has been given written notice of the hearing does not attend such hearing, the **Appeals Committee** may proceed with the hearing in the **Applicant** or **Licensee's** absence and the **Applicant** or **Licensee** shall not be entitled to any further notice of the proceedings.
- 7.5 The decision of the **Appeals Committee** is final and binding and is not subject to an appeal.

Section 8.0 - Notification of Change of Information

- 8.1 When a **Licensee** who is a natural individual changes their name, address, or any information relating to the **Driving Instructor Licence**, the **Licensee** shall notify the **Director** within seven (7) business days after the change of information relating to the **Driving Instructor Licence** and shall if required by the **Director** return the **Driving Instructor Licence** immediately to the **Director** for amendment.

Section 9 - Order

- 9.1 If an **Officer** is satisfied that this by-law has been contravened, the **Officer** may make an order, known as an Order to Discontinue Activity, requiring the **Person** who contravened the by-law, or who caused or permitted the contravention, or the **Owner** or occupier of the land on which the contravention occurred, to discontinue the contravention.
- 9.2 An Order to Discontinue Activity shall set out:
- (a) the municipal address of the property on which the contravention occurred;
 - (b) the date of the contravention;
 - (c) the reasonable particulars of the contravention of the by-law; and
 - (d) the date by which there must be compliance with the order.
- 9.3 No **Person** shall contravene an Order to Discontinue Activity.

Section 10 - Service of Order

- 10.1 The Order to Discontinue Activity may be served personally on the **Person** to whom it is directed or by registered mail to the last known address of that **Person**, in which case it shall be deemed to have been served on the fifth day after it is mailed.

Section 11.0 – Power of Entry

- 11.1 The **Town** may enter on a property at any reasonable time for the purpose of carrying out an inspection to determine whether or not the following are being complied with:
- (1) the provisions of this by-law;
 - (2) an order issued under this by-law; or
 - (3) an order made under Section 431 of the *Municipal Act*.
- 11.2 Where an inspection is conducted by the **Town**, the **Person** conducting the inspection may;
- (1) require the production for inspection of documents or things relevant to the inspection;
 - (2) inspect and remove documents or things relevant to the inspection for the purpose of making copies and extracts;

- (3) require information from any **Person** concerning a matter related to the inspection including their name, address, phone number and identification; and
- (4) alone or in conjunction with a **Person** possessing special or expert knowledge, make examinations or take tests, samples or photographs necessary for the purpose of inspection.

11.3 The **Town** may undertake an inspection pursuant to an order issued under Section 438 of the Municipal Act.

11.4 The Town's power of entry may be exercised by an employee, **Officer** or agent of the **Town** or by a member of a police force with jurisdiction, as well by any **Person** under his or her direction.

Section 12.0 - Obstruct Officer

12.1 No **Person** shall hinder or obstruct, or attempt to hinder or obstruct, the **Officer**, or other **Person** so authorized who is performing a duty or exercising a power under this By-law pursuant to Section 426 of the Municipal Act, 2001.

Section 13.0 – Penalty

13.1 Every **Person** who contravenes a provision of this by-law is guilty of an offence.

13.2 If a **Person** is in contravention of any provision of this by-law, and the contravention has not been corrected, the contravention of the provision shall be deemed a continuing offence for each day or part of a day that the contravention remains uncorrected.

13.3 Every **Person** who is guilty of an offence under this By-law shall be subject to the following penalties:

13.4 Upon a first conviction, the minimum fine shall be \$350.00 and the maximum fine shall be \$100,000.00;

13.5 Upon a second or subsequent conviction for the same offence, a fine shall be a minimum of \$500.00 and the maximum fine shall be \$100,000.00;

- (1) Upon conviction for a continuing offence, the minimum fine shall be \$500.00 and the maximum fine shall be \$10,000.00 for each day or part of a day that the offence continues;

- (2) Upon conviction of a multiple offence, for each offence included in the multiple offence, the minimum fine shall be \$500.00 and the maximum fine shall be \$10,000.00.

13.6 For the purposes of this By-law, 'multiple offence' means an offence in respect of two or more acts or omissions each of which separately constitutes an offence and is a contravention of a provision of this By-law.

13.7 For the purposes of this By-law, an 'offence' is a second or subsequent offence if the act giving rise to the offence occurred after a conviction had been entered at an earlier date for the same offence.

13.8 Any **Person** who contravenes any of the provisions of this By-law is guilty of an offence and upon conviction is liable to a fine as provided for under *the Provincial Offences Act*.

Section 14.0 – Severability

- 14.1 If a court of competent jurisdiction should declare any section or part of a section of this by-law to be invalid such section or part of a section shall not be construed as having persuaded or influenced **Council** to pass the remainder of this by-law and it is hereby declared that the remainder of this by-law shall be valid and shall remain in force.
- 14.2 Where the provisions of this by-law conflict with the provisions of any other by-law or *Act*, the more restrictive provisions shall apply.

Section 15.0 – Short Title

- 15.1 Licensing of **Driving Instructors**

Section 16.0 – Repeal

- 16.1 By-law Number 2017-32, is hereby repealed and this by-law shall come into force and effect upon its adoption.

Enacted this 18th day of June, 2018.

Tony Van Bynen, Mayor

Lisa Lyons, Town Clerk

Restricted Area

Schedule A

Legend

Restricted Area

Road

Railway

Municipal Boundary



Newmarket

Designed & produced by
Information Technology - GIS
Printed: May, 2017.

MTO
DRIVE TEST
CENTRE



0 100 200 300 400 500
Metres

SOURCES: Railway, Roads, Municipal Boundary - The Regional Municipality of York, © 2017; All other Data Layers - The Town of Newmarket, 2017. DISCLAIMER: This mapping is a representation of the earth's surface and provides estimates of area and distance. The information depicted on this map has been compiled from various sources. While every effort has been made to accurately depict the information, data/mapping errors may exist. This map has been produced for illustrative purposes only. IT IS NOT A SUBSTITUTE FOR A LEGAL SURVEY.



Corporation of the Town of Newmarket
By-law 2018-40

A By-law to Amend By-law 2017-66 Being a By-law to Adopt Fees and Charges for Services or Activities Provided by the Town of Newmarket.
(Fees and Charges –All Departments – Schedule D – Public Works Services)

Whereas the *Municipal Act, 2001* authorizes a municipality to pass by-laws imposing fees or charges for services or activities provided or done by or on behalf of it; and,

Whereas Council enacted By-law 2017-66 to establish Fees and Charges – All Departments; Corporate Services – Finance, Procurement Services and Information Systems; Legal Services; Public Works Services; Engineering Services; Legislative Services – General Fees; and,

Whereas it is deemed necessary to amend Schedule D of By-law 2017-66 as it relates to Road Occupancy Fees;

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

1. That Schedule D of By-law 2017-66 be updated to include fees for the following items:

Road Occupancy Permit	\$80.83	Regular processing time (3 to 5 business days)
Road Occupancy Permit (RUSH)	\$130.83	Same day service (minimum 2 hours)
Existing Permit Revision or Extension	\$45.00	Regular processing times apply. Fee payable prior to re-issuance of permit.
Security deposit	\$2,000.00	Return of deposit subject to inspection.
Post Inspection (and re-inspection, as needed)	\$130.49	Post inspection required prior to release of securities. Re-inspection may be required to inspect the correction of deficiencies cited during the initial post inspection. Re-inspection fee payable prior to release of security. Where applicable, fee is in accordance with the Municipal Access Agreement.
Road Degradation (life cycle losses)		Penalty for decreasing pavement service life where ROP activates (ie: cut, bore, excavate, etc.) degrade road surfaces. Where applicable, fee is in accordance with the Municipal Access Agreement.
	\$50/m ²	Road surface < 2 years
	\$40/m ²	Road surface between 2 and 3 years
	\$30/m ²	Road surface between 4 and 5 years
	\$20/m ²	Road surface between 6 and 10 years
	\$15/m ²	Road surface years > 10 years

Enacted this 18th day of June, 2018.

Tony Van Bynen, Mayor

Lisa Lyons Town Clerk



Corporation of the Town of Newmarket

By-law 2018-41

A By-law to Amend By-law 2017-71 being a By-Law to Adopt Fees and Charges for Services or Activities Provided by the Town Of Newmarket (Legislative Services - Licensing Fees)

Whereas the *Municipal Act, 2001* authorizes a municipality to pass by-laws imposing fees or charges for services or activities provided or done by or on behalf of it; and,

Whereas Council enacted By-law 2017-71 to establish Legislative Services-Licensing Fees for the Corporation of the Town of Newmarket; and,

Whereas it is deemed necessary to amend the Schedule of By-law 2017-71 as it relates to Driving Instructor Licensing Fees.

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

- 1. That the Schedule to the By-law 2017-71 be updated to add the following:

Service Provided	Unit of Measure	Fee
Driving Instructor Licence	Each	\$125.00

Enacted this 18th day of June, 2018.

Lisa Lyons Town Clerk

Tony Van Bynen, Mayor



Corporation of the Town of Newmarket

By-law 2018-42

A By-law to confirm the proceedings of a meeting of Council – June 18, 2018

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

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

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

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

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

Enacted this 18th day of June, 2018.

Tony Van Bynen, Mayor

Lisa Lyons, Town Clerk