



TOWN OF NEWMARKET  
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April 1, 2015

## **CORPORATE SERVICES – LEGISLATIVE SERVICES 2015-02**

**TO:** Committee of the Whole

**SUBJECT:** Noise By-law Exemption Request, Ministry of Transportation re: Pan Am & Parapan Am Games Off-Peak Deliveries

**ORIGIN:** Director, Legislative Services/Town Clerk & Supervisor of By-law Enforcement

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### **RECOMMENDATIONS**

**THAT Corporate Services Report – Legislative Services 2015-02 dated April 1, 2015 regarding “Noise By-law Exemption Request, Ministry of Transportation re: Pan Am & Parapan Am Games Off-Peak Deliveries” be received and the following recommendations be adopted:**

- 1. THAT a by-law to exempt the unloading and loading of goods at off-peak deliveries for the duration of the Pan Am & Parapan Am Games from June 26, 2015 to August 15, 2015 between the hours of 7:00 p.m. to 12:00 a.m. Monday through Friday from the Noise By-law (By-law 2004-94) be enacted;**
- 2. AND THAT the Town of Newmarket and Ministry of Transportation provide notice to Newmarket residents in advance of June 26, 2015.**

### **COMMENTS**

The Town's Noise By-law restricts the operation of loading/unloading, packing, deliveries or otherwise handling any container, product or material unless necessary for the maintenance of essential services between 9 p.m. and 7 a.m. Monday through Friday and 9 p.m. to 9 a.m. on Saturday, Sundays and holidays.

The Ministry of Transportation (“MTO”) has requested Council's approval of an exemption from the Noise By-law (2004-94) to allow Off-Peak Deliveries (“OPD”) Monday through Saturday, 7:00 p.m. to 6:00 a.m. between June 26 and August 15, 2015. Shifting daytime deliveries to evening and overnight periods is intended to assist with reducing overall daytime traffic during the Pan Am and Parapan Am Games (“Games”). The request is part of the MTO's broader strategy to reduce regular daytime traffic by 20% during the Games. The same request is being made to all municipalities in the Greater Toronto Area. Within York Region to date, the Town of Aurora has approved an evening and overnight noise exemption and the City of Markham and Town of Richmond Hill have denied an evening and overnight noise exemption request.

Timing of deliveries is dependent on the ability for a business to receive goods and the schedule and service level of the delivery service provider. OPD may not be an option open to all businesses; however, some businesses may be required to accommodate some evening deliveries given the new delivery schedules as a result of the provincial program.

In Newmarket, a small number of noise complaints have been received related to overnight deliveries, principally within Ward 7. Therefore, staff recommend that a noise exemption be granted to allow for evening deliveries only Monday through Friday (7:00 p.m. to 12:00 a.m.), balancing the interests of the community while supporting the objective to reduce daytime traffic.

Should Council approve staff's recommendations, staff will work with the Ministry to provide notice to affected Newmarket residents and communicate other measures the MTO suggests to mitigate traffic, such as encouraging the use of public transit.

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

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

### **CONSULTATION**

The Newmarket Chamber of Commerce and the Recreation and Culture and Corporate Communications departments were consulted in the preparation of this report.

### **HUMAN RESOURCE CONSIDERATIONS**

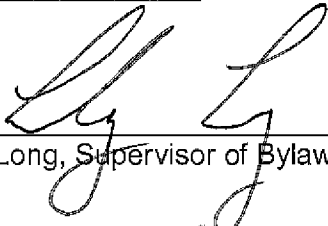
There are no human resources considerations related to this report.

### **BUDGET IMPACT**

There are no budget impacts related to this report.

### **CONTACT**

For more information on this report, contact: Lesley Long, Supervisor of Bylaw Enforcement, [llong@newmarket.ca](mailto:llong@newmarket.ca) or 905 953-5300, ext. 2222



Lesley Long, Supervisor of Bylaw Enforcement



Andrew Brouwer, Director, Legislative Services  
/Town Clerk



Anita Moore, Commissioner of Corporate Services

*per*