



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

Email: [info@newmarket.ca](mailto:info@newmarket.ca) | Website: [newmarket.ca](http://newmarket.ca) | Phone: 905-895-5193

## **Inn from the Cold's Minister's Zoning Order Request Staff Report to Council**

Report Number: 2022-51

Department(s): Planning Services

Author(s): Meghan White

Meeting Date: August 22, 2022

### **Recommendations**

1. That the report entitled Inn from the Cold's Minister's Zoning Order Request dated August 22, 2022 be received; and,
2. That Council supports and has no objection to the Minister of Municipal Affairs and Housing enacting a Minister's Zoning Order for the Subject Lands, which would permit the development of an emergency shelter and transitional housing building; and,
3. That Council direct Staff to work with Inn from the Cold and the Ministry of Municipal Affairs and Housing to prepare a Minister's Zoning Order for the Subject Lands; and,
4. That Council direct staff to expedite the review and approval of the subsequent planning approvals and building permit applications required to move the project forward to construction; and,
5. That this resolution be provided to the applicant to send to the Minister of Municipal Affairs and Housing as a statement of Council's support; and copied to the Regional Municipality of York; and,
6. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

### **Purpose**

The purpose of this memo is to seek Council's support of a request for a Minister's Zoning Order (MZO) for 17046 Yonge Street on behalf of Inn from the Cold (IFTC). The

MZO would amend the current Site Specific 3 (SS3) zone in Zoning By-law 2019-06 to permit the construction of a homeless shelter and transitional housing building.

## **Background**

### **Property and Area Context**

The subject lands are located on the west side of the Yonge Street, north of Clearmeadow Boulevard (refer to Attachment #1). The subject land is comprised of 17046 Yonge Street and a portion of the property to the north (Block 52, Plan 35M-4338).

The subject land is currently vacant. Surrounding land uses include:

- An office building and the Superior Court of Justice to the north;
- Commercial uses to the east;
- The Orthodox Friends Meeting House and Cemetery to the south; and,
- Residential to the west.

### **Proposed Development**

Inn From The Cold (IFTC) is proposing to construct a 3-storey emergency shelter and transitional housing building. The facility would consist of 26 emergency shelter beds, 18 rooms for transitional housing, and administrative space for staff. Figure 1 below is a concept sketch of the proposed building. The design and aesthetic of the building will continue to evolve through the detailed design process (the site plan approval process).

Figure 1 – Artist Concept Sketch of Proposed Building



IFTC currently operates a facility at 510 Penrose Street. The existing lease is expiring in October 2024 and there is no opportunity to extend or renew the lease. As a result, IFTC is requesting a MZO to expedite land use approvals in order to meet their required timeframe to continue operations without a gap in service.

A memorandum received from SHS Consulting, on behalf of Inn from the Cold, provides an overview of the proposed development and additional context for the request (refer to Attachment #2).

### **Minister's Zoning Order (MZO)**

Section 47 of the Planning Act grants the Minister of Municipal Affairs and Housing (MMAH) the ability to authorize a Minister's Zoning Order (MZO) to zone any property in Ontario. Zoning orders are used to protect matters of provincial interest and expedite approvals for critical projects. MZO's are not required to comply with all applicable policies, including the Town's Official Plan and Provincial. The MZO process does not require public notice or consultation and cannot be appealed to the Ontario Land Tribunal (OLT).

Should a Minister's Zoning Order be granted, the applicant would coordinate with the Town and Ministry to prepare the final MZO.

## **Discussion**

### **Existing Zoning**

The subject lands are zoned Site Specific Three (SS3) under the Urban Centres Zoning By-law 2019-06. This zone only permits residential development as allowed under the R4-CP Zone of Zoning By-law 2010-40.

An emergency shelter and transitional housing building is not permitted under the current site-specific zoning. As a result, a Zoning By-law Amendment or MZO is required in order to permit the proposed use and develop site-specific zone provisions for the subject lands.

### **Town of Newmarket Official Plan**

The subject lands are designated Mixed Use in the Urban Centres Secondary Plan and are within the Yonge South Character Area. Although a MZO is not required to conform to the Official Plan, the proposed use is considered a Human Services use and would be permitted within the existing Mixed Use designation and all character areas.

Section 11.3.1 iv) of the Town's Official Plan states, "Community facilities and human services that directly serve the public will be designed and located in proximity to transit stations and, where feasible, provide for transit facilities such as bus bays or shelters." The subject lands are located along an existing transit corridor and are in close proximity to existing bus rapid transit stations on Yonge Street.

While not required, it is staff's opinion that the proposal conforms to the Town's Official Plan and the Urban Centers Secondary Plan.

### **York Region Official Plan**

The subject lands are designated Urban Area in the Regional Official Plan. Although a MZO is not required to comply with all applicable policy, a variety of uses including institutional and community services are permitted within Urban Areas.

### **Other Approvals**

Should the MZO be granted by the Province, a future Site Plan application would still be required to review the overall site design and details.

The proposed development would be required to comply with the Town's Urban Design Guidelines, provide a high quality design, and demonstrate compatibility and transition to surrounding existing land uses. These matters would be considered through the site plan review process.

### **Conclusion**

Due to the pending expiry of IFTC's current lease and the length of time it would take to process regular planning approvals, staff submit that an MZO is appropriate in this instance.

Planning Staff have no objection to the request for a Minister's Zoning Order to permit a land use change for the subject lands.

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

Consideration of this request supports the Strategic Plan goal of being "Well-Equipped and Managed" by creating an environment for extraordinary public service.

Consideration of this request also supports the Strategic Plan goal of being "Well-Respected" by creating partnerships with community organizations and other levels of government to support an environment of collaboration and co-operation.

## **Consultation**

Although the Planning Act does not require notice and/or public consultation for a Minister's Zoning Order, IFTC has committed to providing opportunities for public consultation. IFTC has advised that a future open house will be held to engage the public and receive feedback on the proposal.

## **Human Resource Considerations**

None.

## **Budget Impact**

None.

## **Attachments**

Attachment #1 – Subject Property Location Map

Attachment #2 – Letter to Mayor and Members of Council from SHS Consulting on behalf of Inn from the Cold

## **Submitted by**

Meghan White, Senior Planner, Planning Services

## **Approved for Submission**

Adrian Cammaert, Acting Director, Planning & Building Services

Rachel Prudhomme, Acting Commissioner, Development & Infrastructure Services

## **Contact**

Meghan White – [mwhite@newmarket.ca](mailto:mwhite@newmarket.ca)