



**SITE PLAN APPLICATION
PROCESS MANUAL**

Town of Newmarket Council
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Site Plan Process Manual

Easy section guide



1 - Overview: Types of applications



2 - Process: How it works

Submissions, securities, approval, changes



3 - Studies and Plans: How to do them

Site plans, landscape, servicing, grading



4 - Standards: Designing well

Transportation, inclusivity, urban design



5 - Checklists: Bringing it all together

Standards, sustainability, accessibility



6 - Appendices: What does it mean?

Terms, acronyms, templates

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The Site Plan Process Explained

Site Plan Control is used to examine the design of a proposed development or change in a property to ensure it is functional as well as well designed and compatible with the surrounding area. Features such as site access, servicing, waste, parking, landscaping, and sustainability are reviewed.

How Does The Process Work?

The process begins with a request to staff for a Preliminary Meeting. Planning staff will ensure the proposal is detailed enough for a Preliminary Meeting. After initial conversation(s) with Planning Services, you can formally request a Preliminary Meeting by filling out [the form](#) and paying the \$500 deposit. The Preliminary Meeting will be scheduled by staff. At this meeting you will receive preliminary comments on the application. Following the meeting you will receive a **Letter of Record of the Preliminary Meeting** (Section 2.1) detailing what plans, studies and drawings are required as part of your submission.

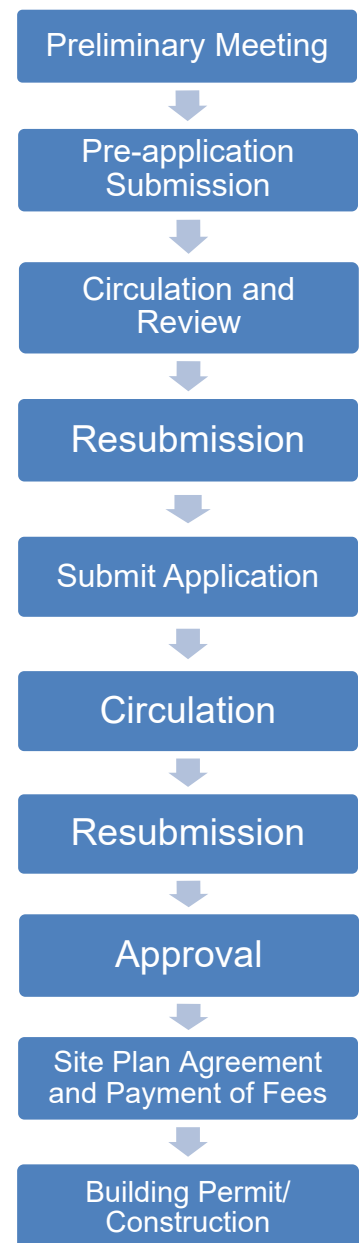
You will engage the services of professionals to **prepare the requirements** laid out in the letter. The required qualifications of your professionals are discussed in Section 2.3. Your plans must conform to the relevant Zoning By-law and reflect the policies of the Town's Official Plan and Secondary Plan and Urban Design Guidelines. Site Development Standards are provided in Section 4.0 to assist you in designing your plan.

You will **make a submission** of all the plans, reports and studies in the format explained to you in the letter.

Your studies will be **circulated** to the Town's internal and external commenting agencies (Section 2.5). Reviewers will provide comments to Planning Services based on their professional discipline. When all comments have been received, the Planner managing the application will provide them to you.

You and your team will revise your application to address comments received (see Section 2.6). You will then **resubmit** your documents with a letter explaining the changes. Resubmission and circulation will continue until any significant design issues are sufficiently addressed.

When the submission documents are ready you will file the formal application and pay the fees (Section 2.3). Staff will review the documents and if/ when approval is granted, you will sign a **Site Plan Agreement** that lays out your obligations when developing and maintaining the site. Payment of required fees ([Fees and Charges web page](#)), Development Charges ([Development Charges web page](#)) and Parkland Dedication ([Parkland Dedication Bylaw](#)) and Cash In Lieu will follow, and you will provide the Town with securities/ Letter of Credit (Section 2.7) to ensure the Agreement is fulfilled, a Certificate of Insurance (Section 6.3), and a Postponement of Interest document (Section 6.7). The agreement will be executed by the Town and registered on title to the property.





You can then apply for building permits. After **construction** is complete and you have fulfilled all the obligations in the Site Plan Agreement, you can contact the Finance Department to request a site inspection (Section 2.12). You are required to maintain the property as laid out in the Agreement in perpetuity.

Contact Information

Subject	Responsible Staff	Contact Information
Site plan process, requirements, and your file	NW Planning Area: Meghan White or Aida Hosseinzadeh	mwhite@newmarket.ca ahosseinzadeh@newmarket.ca
Map of the NW/SE Planning Areas is available here	SE Planning Area: Kaitlin McKay or Joyce Tsui	kmckay@newmarket.ca jtsui@newmarket.ca
Road widenings, dedications, easements, transportation	Brahms Bennett, Senior Engineering Development Coordinator - ICI	bbennett@newmarket.ca
Source water protection	Joanna Miron, Program Coordinator, Risk Management Inspector, Regional Municipality of York	Joanna.Miron@york.ca
Regional approvals	Regional Municipality of York Community Planning & Development Services Team	developmentservices@york.ca
Source water protection, stormwater, Lake Simcoe watershed	Lake Simcoe Region Conservation Authority	905-895-1281 www.lsrca.on.ca
Ministry of Transportation Approvals	Corridor Management Planner Permits Officer	(416) 235-4081 (416) 235-4276



Section 1 - Introduction

As the Town both grows and redevelops, there is a need to ensure good urban design which provides for the needs of all citizens, minimizes potential conflicting land uses, integrates the built environment with the natural environment, and ensures new development fits in with its surrounding community.

The following links are provided for your convenience in locating other information and documents that may be of assistance.

- [Town of Newmarket website](#)
- [Town of Newmarket Planning and Development web page](#)
- [Town of Newmarket Site Plan Application webpage](#)
- [Town of Newmarket Official Plan webpage](#)
- [Zoning By-law webpage](#)

Keep in mind!

This process manual is intended to be read in conjunction with other plans and documents, an example list of which is provided in Section 1.4.

1.1 Site Plan Authority

Under Section 41 of the [Planning Act](#), the Council of the Town of Newmarket passed By-law Number 2010-41, designating all of the lands within the municipality, with certain exceptions, as a Site Plan Control area. This manual has been prepared to assist applicants with the Site Plan Approval process, in an effort to provide efficient and effective service.

1.2 Mandate of Site Plan Process

The Site Plan Approval process is a key component of the implementation of the policies in the Town of Newmarket Official Plan. The policies of the Official Plan relate to a range of technical matters such as transportation, environment, urban design, heritage preservation, natural heritage, public health and safety. The goals of these policies include:

- Ensuring that each project contributes to the character of development envisioned by the [Town of Newmarket Official Plan](#), through landscaping; relationships of buildings to adjacent properties, buildings and the street; streetscape design; developing gateways into the Town; appropriate building façades and appearance; urban design and architecture; sustainable design and sustainable transportation options; water conservation and improve air and water quality;
- Addressing issues such as vehicular access and circulation, site and building accessibility, pedestrian safety, fire routes and security;
- Limiting the adverse impacts of a development on surrounding areas. This includes consideration of limiting acoustic impacts; reducing light trespass and nuisance and limiting conflicts of use by functional and urban design of sites, and
- The protection and enhancement of existing public resources impacted by the proposed development (e.g. parkland, streetscape, roads, trails, etc.).

Technical issues such as road dedications and easements are typically dealt with through the land division process. Where a plan of subdivision is not required, these technical factors cannot be addressed through the rezoning process. The [Planning Act](#) permits road widenings and easements to be required as conditions of Site Plan Approval. Information regarding road



widening, dedications and easements can be obtained from Engineering Services by calling the Town's main information line 905-895-5193.

The [Planning Act](#) sets out what may be requested as a condition of Site Plan Approval which includes:

- Location of buildings and structures
- Massing design of buildings
- The relationship of the proposed building to adjacent buildings and streets
- The provision for public spaces
- Some matters related to exterior design
- Sustainable design elements, and
- Design of facilities for accessibility for persons with disabilities

In addition, site design issues such as access, parking, loading, garbage handling facilities, walkways, lighting, fencing, landscaping and grading can also be required. The maintenance of the site can also be controlled and the Town is empowered to enter onto sites to address issues agreed upon through the Site Plan Approval process.

The Site Plan process occurs only once all applicable Official Plan and Zoning By-law deficiencies or nonconformities have been resolved by way of design changes and/or appropriate planning applications. The flow chart following the Table of Contents in this document lays out the basic steps of the Site Plan process and does not reflect the processes of other applications.

1.3 Types of Site Plan Applications

The entire Town is a Site Plan Control Area. Generally the following classes of development are subject to site plan control:

- all new commercial, industrial, multiple-unit residential (more than 10 units) and institutional developments on lands zoned for such purposes;
- all additions to commercial, industrial, multiple residential, and institutional buildings;
- service extensions or alteration of drainage; or
- parking lot construction or expansion.

1.3.1 Exempt development

Development that is exempt from Site Plan Control does not require an application for Site Plan Control in order to obtain a building permit. Exempt developments are required to obtain all other required approvals including those of the Lake Simcoe Region Conservation Authority and the Regional Municipality of York. Exempt developments are required to comply with the Zoning By-law and design guidelines, and to maintain a high quality of design. The Town reserves the right to employ site plan control for any development to ensure it meets all Town standards.

Typically exempt developments include:

- a minor addition or development that, in the opinion of the Director of Planning & Building Services, has no significance (e.g., vestibules, infilling additions, façade upgrades, stairwells, accessibility ramps, patios, minor landscaping changes);
- a temporary sales centre/pavilion/patio;
- an accessory building associated with a residential dwelling other than an apartment;



- a detached commercial and industrial accessory structure not exceeding 37 square metres of gross floor area;
- development of one single detached, semi-detached, duplex, triplex, or fourplex on an existing lot of record;
- developments of up to 10 residential units;
- exceptions pursuant to Section 41 of the *Planning Act*, R.S.O. 1990, c. P.13;
- such other minor projects as are determined by the Director of Planning & Building Services.

1.3.2 Special developments

Special development projects can be exempted from the Site Plan Application if certain requirements are met. These developments are:

- a commercial rooftop patio (see Section 2.4.1);
- a minor expansion or modification to a parking lot (see Section 2.4.2);
- an outdoor play area accessory to childcare centre/daycare/day nursery (see Section 2.4.3);
- a temporary structures for less than 3 years (see Section 2.4.4).

1.4 Other Guiding Documents

This Manual provides a detailed overview of the Site Plan approval process. It is not an exhaustive presentation of all applicable by-laws, laws, policies, plans, or requirements. A list of potentially applicable matters is provided below for your convenience, organized by responsible authority.

<p>Town of Newmarket</p> <ul style="list-style-type: none"> • Town of Newmarket Official Plan • Urban Centres Secondary Plan • The applicable Zoning By-law(s) • Engineering Design Standards • Streetscape Master Plan • Water/Wastewater Master Plan • Stormwater Master Plan • Tree Policy • Parkland Dedication By-law • Development Charges By-law • Traffic By-law • Noise By-law • Urban Design Guidelines 	<p>Lake Simcoe Region Conservation Authority</p> <ul style="list-style-type: none"> • South Georgian Bay Lake Simcoe Source Protection Plan • Lake Simcoe Protection Plan • LSCRA Ecological Offsetting Plan • Watershed Development Guidelines
<p>Regional Municipality of York</p> <ul style="list-style-type: none"> • York Region Official Plan • Site Plan Submission Requirements 	<p>Utilities and Service Providers</p> <ul style="list-style-type: none"> • Bell Canada Building and Conduit Requirements • Canada Post Standards for Builders and Developers
<p>Ministry of Transportation</p>	<p>Provincial Legislation</p> <ul style="list-style-type: none"> • Ontario Building Code



<ul style="list-style-type: none">• Policies and Standards for Impacts on the Provincial Transportation System• Ontario Traffic Manuals	<ul style="list-style-type: none">• Accessibility for Ontarians with Disabilities Act
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Section 2 - Process

A simple summary of the Site Plan process is laid out following the Table of Contents in this document.

2.1 Preliminary Meeting

Prior to the submission of an application, a preliminary meeting must be scheduled to discuss the proposed project with internal and external review partners. Contact Planning Services to set up a meeting.

Contact Planning Services to organize a preliminary meeting:

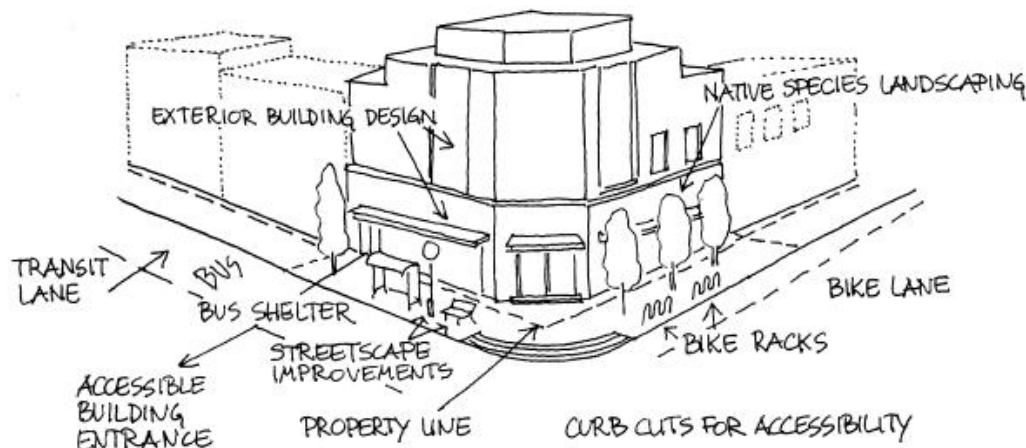
- in person at 395 Mulock Drive, Newmarket;
- by phone at 905-953-5321; or
- by email at planning@newmarket.ca

The purpose of the preliminary meeting is to allow the applicant to present their proposal and provide for an early opportunity for discussion based on the review of documents by internal departments and external agencies. In addition, the studies required to form a complete Site Plan application submission will be identified at this meeting.

Requirements for a preliminary meeting are listed on the [Preliminary Meeting Application form](#). All of the information/plans/drawings required for a preliminary meeting must be received before having a meeting date scheduled.

In addition, the following information is particularly useful when assessing a detailed site plan:

- Spot elevations at property boundaries, corners of the proposed structures, base of significant vegetation and the proposed site development.
- Adjacent land uses and ensuring that concept plans indicate features on adjacent properties
- Confirming that your plans conform with applicable zoning.





2.2 Pre-application Submission

Following the preliminary meeting, the applicant will make a pre-application submission with a full set of plans and documents that are required for the Site Plan application. The Planner will provide you with a link to the FTP site for uploading the required documents. The pre-application submission is to provide a chance for staff and external agencies to review and comment on the application materials before formal Site Plan submission. This will help identify issues and address them in an early stage and prepare the development proposal to go into Site Plan application in a more efficient manner.

2.3 Formal Site Plan Submission

NOTE: Incomplete submissions will not be accepted.

When the pre-application materials are in good standing, Planning staff will advise the applicant to formally file a Site Plan application submission. The up to date required studies, plans, drawings, other documentation and the full application fee are required at this time.

Upon receipt of the application, a Planner will be responsible for processing the application. The Planner will determine which departments and agencies the plans will be circulated to for comments. Your property may also be subject to other governing bodies such as the Ministry of the Environment and Climate Change, the Lake Simcoe Region Conservation Authority, the Ministry of Transportation, the Ministry of Tourism, Culture, and Sport, or others. Town staff will endeavour to advise you of your requirements, but the obligation to conform to the requirements of other governing bodies rests with you.

If a Notice is required under Section 59 of the *Clean Water Act*, an application cannot be made without this notice. Contact the Risk Management Office at York Region for more details.

2.3.1 Reminders

When making a site plan submission, there are a few common mistakes to avoid that can reduce delays:

- Use the FTP link provided and upload the documents with simplified names that accurately reflect the document. Confirm with the Planner on your file what is required before your submission to avoid delays.
- Be sure that you are providing the submission requirements of other agencies whose approval you require (e.g. York Region, LSRCA, MTO). The Town cannot issue site plan approval without the approval of other required agencies.
- Provide an individual response to each comment that you have received through a comment response chart. Your application will proceed more swiftly in review if it is clear how you have addressed the comments.

2.3.2 Qualifications

Documents submitted as part of a Site Plan Application should be prepared by qualified persons. These may include the following:



2.3.2.1 Architects

Appropriate documents accompanying a Site Plan are to be prepared, sealed and signed by an accredited architect. It should be noted that this does not relate to the design of buildings which are exempted under Section 11(3) and (4) of the Architects Act. Refer to the Ontario Architects Act or contact the Ontario Association of Architects for more information. www.oaa.on.ca

2.3.2.2 Engineers

Appropriate documents accompanying a Site Plan are to be prepared sealed and signed by an accredited engineer. Refer to the Professional Engineers Act or contact the Professional Engineers of Ontario for more information. www.peo.on.ca

2.3.2.3 Landscape Architects

Appropriate documents accompanying a Landscape Plan are to be prepared, sealed and signed by an accredited landscape architect. Refer to the Ontario Association of Landscape Architects Act or contact the Ontario Association of Landscape Architects for more information. www.oala.ca

2.3.2.4 Planners

Appropriate documents accompanying a Site Plan are to be prepared, sealed, and signed by an accredited planner. Refer to the Ontario Professional Planners Institute Act or contact the Ontario Professional Planners Institute for more information. www.ontarioplanners.ca

It is recommended that your application be coordinated and managed by a Planner with experience in municipal development approvals.

2.3.2.5 Surveyor

A Survey is to be prepared, sealed, and signed by an Ontario Land Surveyor, licensed in accordance with the Surveyors Act. Contact the Association of Ontario Land Surveyors for more information. www.aols.org

2.4 Process for Special Developments

Special development projects can be exempted from the Site Plan Application if certain requirements are met. These developments are:

- a commercial rooftop patio
- a minor expansion or modification to a parking lot
- an outdoor play area accessory to childcare centre/daycare/day nursery
- a temporary structures for less than 3 years

Each of these Special Developments follows its own process, as outlined below.

2.4.1 Process for a Commercial Rooftop Patio

1. The applicant files a request to have a commercial rooftop patio to Planning Services and concurrently files an application for a business licence through Legislative Services. The business licence will be the last component required in the application process and will not be approved until the modified site plan approval process is complete.
2. The applicant submits a completed application form, the review fee, site plan drawing and relevant details of any required walls, lighting, landscaping etc. The submission



will require details on how noise impacts will be mitigated. This will be reviewed by Staff.

3. Once Council and staff are satisfied the applicant will be required to enter into an undertaking.
4. When the undertaking is executed the business licence can be granted with or without conditions as determined through the site plan process.

2.4.2 Process for a Minor Expansion or Modification to a Parking lot

1. The applicant requests an exemption to site plan approval for a minor expansion or modification to a parking lot to Planning Services, including documentation indicating how the items in the checklist of requirement in Section 5.3.1 are satisfied. This request can be sent by email to planning@newmarket.ca.
2. Should the applicant satisfy the checklist of requirement in Section 5.3.1, the application is exempted from Site Plan Application process and will be advised of such with a letter.
3. Please note that the applicant is fully responsible for any flooding impacts to neighboring properties resulting from the parking lot expansion or modification.

2.4.3 Process for an Outdoor Play Area accessory to Childcare Centre / Daycare / Day Nursery

1. The applicant requests an exemption to site plan approval for an outdoor play area accessory to a childcare centre/daycare/day Nursery, including documentation indicating how the items in the checklist of requirement in Section 5.3.2 are satisfied. This request can be sent by email to planning@newmarket.ca.
2. Should the applicant satisfy the checklist of requirement in Section 5.3.2, the application is exempted from Site Plan Application process and is advised of such with a letter.
3. Please note that all outdoor play area accessory to childcare centre/ daycare/ day nursery must fully meet all Ministry safety requirements.

2.4.4 Process for a Temporary Structure in place for less than 3 years

1. The applicant requests an exemption to site plan approval for a temporary structure in place for less than 3 years, including documentation indicating how the items in the checklist of requirement in Section 5.3.3 are satisfied. This request can be sent by email to planning@newmarket.ca.
2. Should the applicant satisfy the checklist of requirement in Section 5.3.3, the application is exempted from Site Plan Application process and will be advised as such with a letter.



2.5 Who Receives Circulated Documents

Upon submission of an application, your file will be reviewed by internal departments, external agencies and partners. When external agencies require site plan submissions, they should be contacted prior to applying. These agencies may include:

Agency	Jurisdiction
Newmarket Tay Power	Existing and planned utility infrastructure and easements.
Enbridge (formerly Consumers Gas)	Existing and planned utility infrastructure and easements.
Telecommunications Providers	Existing and planned utility infrastructure and easements.
Cable Providers	Existing and planned utility infrastructure and easements.
Region of York Legal Department	Site plans and agreements involving the Region.
Region of York Community Planning & Development Services	Properties adjacent to Regional Roads or if proposed project is of interest to the Region (e.g. high rise development, employment use)
Region of York Risk Management Office	Wellhead Protection Areas and Sourcewater Protection.
Lake Simcoe Region Conservation Authority	Proposed development or associated infrastructure is partially or wholly within a mapped area governed by Ontario Regulation 179/06, Plan of Condominium applications, applications for multi-residential development, or applications for major development within a WHPA-Q2 area.
Metrolinx	Properties in proximity to the GO Train Barrie Line.
Ministry of the Environment and Climate Change	Properties requiring environmental approval.
Ministry of Transportation	Properties within 46 metres of the property line of Highway 404, and within a radius of 800 metres from the centre point of the intersection of Highway 404 and Davis Drive.

Proof of approval or a permit from one or more of the above agencies may be required to be given to the Town prior to final site plan approval and/or the issuance of a building permit.

Depending on the type of Site Plan application submitted, some or all of the following departments and agencies may be requested to comment on the application:

PLANNING SERVICES

- Responsible for the coordination and review of all aspects of site design, including but not limited to built form, building elevations, site layout, impact on adjacent land uses, natural features such as trees, streetscape, development standards checklists, accessibility standards, signage and personal safety.
- Responsible for reviewing the plans to ensure compliance with the relevant zoning by-laws, building setbacks, provision of required parking and loading, etc.
- Responsible for reviewing projects that impact properties that are listed on the Town's Heritage Register or designated under the Ontario Heritage Act
- Responsible for preparation of site plan agreement.



ACCESSIBILITY ADVISORY COMMITTEE

- Responsible for reviewing selected plans and drawings and providing advice related to accessibility as provided for by the Accessibility for Ontarians with Disabilities Act (AODA)

BUILDING SERVICES

- Responsible for reviewing site plans to ensure compliance with the necessary elements of the Ontario Building Code.

ENGINEERING SERVICES

- Responsible for reviewing the plans to ensure compliance with requirements related to landscaping, vehicular access, stormwater management, grading, drainage, compliance with Council Resolutions and Department policies, entrance locations, geometrics, road widenings, transportation/parking, the impact of the proposed development on existing roadways and streetscapes.
- Responsible for administering the peer review of studies when Natural Heritage is involved.

LEGAL SERVICES

- Responsible for reviewing title of property regarding ownership, legal description, encumbrances, registration, and other legal matters.
- Responsible for registering the agreement and obtaining a postponement of interest, when required.

CENTRAL YORK FIRE SERVICES

- Responsible for the review and approval of Fire and Emergency Services access to buildings, location of fixed fire protection equipment, water supply and the location of storage facilities for hazardous materials and community signage.

REGIONAL MUNICIPALITY OF YORK

- Responsible for Regional Roads, water and sanitary sewer servicing, on-site waste storage and removal arrangements, and sanitary landfill sites, source water protection, and woodlots.

LAKE SIMCOE REGION CONSERVATION AUTHORITY

- Review proposals in the context of the Provincial Policy Statement, Lake Simcoe Protection Plan, Oak Ridges Moraine Conservation Plan, and the Growth Plan for the Greater Golden Horseshoe from the perspective of:
 - Natural hazard lands
 - Water quality and quantity
 - Source water protection
 - Sub-watershed plan recommendations

MINISTRY OF TRANSPORTATION

- Responsible for review of impacts on Provincial highways and interchanges

NEWMARKET TAY POWER

- Responsible for the review of proposals with respect to electrical service to ensure there are no on-site conflicts with site design, landscaping and service provision.



UTILITIES COMPANIES

- Bell Canada, Enbridge Gas, Rogers Cable and Newmarket Tay Power do not receive plans circulated from the Town. Rather, you may be required to consult with them to ensure a Composite Utility Plan (if required) receives their sign-off. See Section 3.3 for more details.

METROLINX

- All applications which are in proximity to the Barrie GO Train line.

2.6 Receiving Site Plan Comments

Once all or the majority of the comments have been received and reviewed, the assigned Town of Newmarket Planner will provide the applicant with the comments from the relevant departments and agencies.

It is the responsibility of the applicant to address each of the comments on the Site Plan and drawings and to resubmit the appropriate number of revised drawings, accompanied by a covering letter indicating how each of the items were addressed. If the list of comments is extensive, it is recommended that a document tracking the comments and their responses be submitted. If the revised drawings do not address all of the comments, the Planner will request that the applicant provide a new copy that addresses all comments.

If you are unsure how to address some or all of the comments, the Planner for your file can arrange a coordination meeting between the applicant's staff and commenting departments.

Revised application documents will not be circulated without a satisfactory cover letter outlining how all of the comments have been addressed.

Plans are to have any changes highlighted or clouded to visually indicate where modifications have occurred.

2.7 Securities and Postponement of Interest Requirements

2.7.1 Securities

As a condition of Site Plan Approval, the Town may request securities to ensure that site works comply with the approved plans and all obligations to the Town are fulfilled.

Securities in the form of a letter of credit from an approved financial institution, certified cheque, bank draft, or cash must be received **prior** to Site Plan Approval. The amount of the security is based on a cost estimate for site works which is prepared by the applicant and confirmed by the Town through the review of the application. The amount of securities varies depending on the extent of the proposed development and site works. The Town may require additional securities or deposits for items such as boulevard reinstatement, streetscape works and parkland fencing/protection/reinstatement. Information on security release requirements can be found in Section 2.12.

Securities may also be required for tree protection and preservation in accordance with the Town's [Tree Preservation, Protection, Replacement, and Enhancement Policy](#).



2.7.2 Firebreak Security

A firebreak creates a physical space between areas that are being constructed, in order to prevent or delay the spread of fire on a construction site and to limit the potential intensity of a fire. This is a concern in areas undergoing residential development where the construction of wood-frame buildings is most prevalent, and where fire sources (e.g., propane torches, lightning strikes) can easily come into contact with dry timber and other exposed and highly flammable materials. This is also a primary concern where such new construction is taking place on infill sites adjacent to occupied residential structures.

Firebreak securities ensure there is money to remedy the situation if a builder builds on a fire break lot. Firebreak securities are only applicable to multi-building residential developments, usually single detached, semi-detached, and townhouses. For example, in townhouse developments, every other block is a firebreak (proposed by the builder, reviewed by Central York Fire Services [CYFS]).

CYFS requires **\$5,000 per detached dwelling unit** (“firebreak lot”) and **\$10,000 per townhouse block** (“firebreak block”). CYFS reviews and approves of firebreaks while security holdbacks are dealt with by the town in an agreement with the developer. The builder would provide the CYFS email clearance for their approved firebreak lots, and then advise the town whether firebreaks are “detached homes” (firebreak lot) or “townhouses” (firebreak block).

In the event that the Town draws down on the firebreak security for non-compliance, the Owner shall immediately, upon written request from the Town, repay the firebreak security to its full amount. The Owner acknowledges and agrees that the collective firebreak security may be used for any firebreak non-compliance including multiple instances of non-compliance. Should the Owner construct the building (or part thereof) without the requested fire breaks, the Owner shall pay a damage to reputation fee of \$10,000 per block.

2.7.3 Postponement of Interest

When Town registers a Site Plan Agreement on title and there is a charge/mortgage registered on title, the lending institution or person(s) who holds the registered charge/mortgage must first agree to postpone their interest to the Town's Development Agreement to give the Site Plan Agreement a priority over their charge/mortgage. The Town requires a priority over other registered charges/mortgages to secure the Town's Site Plan Agreement on title in the event there is a foreclosure.

A draft postponement of interest document and more information is available in Section 6.7.

2.8 Payment of Fees

Payment of applicable fees must take place before the execution of the Site Plan Agreement or issuance of any building permits. Payments may be made payable to the Treasurer of the Town of Newmarket. Current fees are found in the document for each department of the Town on the [Fees and Charges web page](#). Fees are non-refundable.

2.9 Development Charges

You may be required to pay development charges to the Town, the local school boards, and the Regional Municipality of York. Consult the Town's [Development Charges web page](#) for information on the Town's Development Charges, and contact the local school boards and the Regional Municipality of York for information on their applicable charges.



2.10 Final Site Plan Approval

Final Site Plan Approval will be issued once all comments have been addressed and cleared, plans have been approved, the required securities posted, the required certificates of insurance provided, and the required agreements have been executed.

The appeal period for an associated Committee of Adjustment and/or Land Division application(s) must have lapsed prior to issuance of Site Plan Approval.

Upon receipt of the approved Site Plan, the applicant may obtain a building permit from the Building Department if all other requirements for the issuance of a building permit are met.

Site Plan Approval is valid for one year from the date of approval by the Town. If a building permit is not issued during this time, Site Plan Approval may be withdrawn.

The applicant may request an extension of Site Plan Approval prior to the approval lapsing. The request is to be submitted to the Director of Planning & Building Services. Planning Services will consider the request in light of current requirements and, if warranted, may require a new application for Site Plan Approval.

2.11 Inactive Site Plan Application

As Site Plan applications and approvals are subject to the review and approval by the Town subject to current criteria, applications or approved site plans that are left to lapse will be required to begin the approval process again.

2.11.1 Unapproved site plans

If there is no significant activity on a file for six (6) months or longer from the date of the last activity by the applicant, the file will be closed by Planning Services without further notice.

If after the file is closed and the applicant wishes to again pursue the application, a new application and application fee in accordance with the current Fees and Charges Bylaw will be required.

2.11.2 Approved site plans

If Site Plan Approval has been issued and construction of the approved development has not started within one year, site plan approval may be withdrawn as discussed in Section 2.10.

2.12 Inspections and Release of Securities

Securities will be required to ensure that sites are developed in conformity with approved site plan agreements. Following the completion of a development and all required works, the property owner may apply to the Town for a site inspection in order to verify that all works are completed as required by the agreement and all obligations to the Town are fulfilled. Following this determination, securities may be released. Site inspections and security release requests will be managed in the manner detailed below.

Note: Ensure that your site complies entirely with the site plan agreement before requesting a release of securities. If there are outstanding deficiencies, fees will apply for each inspection after the first inspection.



2.12.1 General Policies

- All site and landscape works are to be completed in accordance with the approved plans.
- Inspections are undertaken by Town staff on request following notification from the owner that all works have been completed and all site plan obligations discharged.
- The owner must ensure that all works are completed before requesting an inspection.
- Any revisions to the approved works must be approved by Planning Services, which may require a revised Site Plan submission or as-built Landscape drawings, if the built works are substantially different from the approved drawings.
- Contractors' warranties will not be accepted in the place of site works completion for the purpose of a security release.
- Securities will be drawn upon by the Town if steps are not taken by the owner to rectify deficient works.
- Partial releases or reductions or securities may be considered on a site by site basis.

2.12.2 Inspections and Release of Securities

Reductions or releases of Letters of Credit may be done between April 30th and November 1st based on substantial completion of the works required by the Site Plan Agreement, and will be based on the staff assessment of outstanding site works. To verify the state of trees and landscaping, inspections will only be undertaken during this period and a full growing season may be required to ascertain the viability of trees and landscape plantings.

The applicant is to submit a request to the Finance Department for an inspection of the property when they wish to request a release of securities. The request should include digital copies of the following:

1. A **cover letter** requesting inspections and security reduction or release.
 - a. Upon completion of all site works, including construction, landscaping, sodding and paving, the applicant is to submit a notice that their works have been completed and arrange a site inspection. Inspections of the property will be coordinated and securities will be returned to the owner after the inspection and approval of the built works.
2. **Stamped architect certificate** to confirm that all buildings are in conformance with the approved plans.
3. **Stamped landscape architect certificate** to confirm that works have been completed in accordance with the approved landscape plans.
4. **Stamped engineer certification** for grading, retaining walls, storm sewers and stormwater management facilities (including oil/ grit separators, orifice plates/ tubes and ponds) to confirm that all works have been constructed and maintained as per the approved engineering plans.
5. **“Construction Record” drawings** to confirm that site works have been completed in accordance with the Approved Plans. All deviations from the approved plans must be noted.

Note: Templates of these documents are available in Section 6.5 and in Word format for use upon request to Planning Services.



6. A **video of all sewers and service connections** complete with a certifying letter and report is required, where they are installed or extended as part of the site plan works.
7. The **inspection fee** if applicable for release/cancellation of site plan securities as per the Town's current Fees and Charges By-Law located on the Town of Newmarket website.
8. An **Affidavit of Payment for Works** (if applicable, please verify with Planning Services).
9. **Additional certifications** may also be required from time to time as a result of site specific works. e.g. acoustic certification, photometric certification, etc.

Upon satisfactory inspection, an approval notice will be issued to the Finance Department, who will hold any required remaining securities and release any securities whose requirements have been fulfilled.

Fees may be required for reviewing and providing comments upon release, and additional fees may be required if more than one inspection is requested. If there are deficiencies with the site and a second inspection is required, upon written notice of the site works completion and receipt of re-inspection fee in accordance with the Town's fees and charges by-law, staff will re-visit the site for a final inspection.

The owner has a certain period of time under the terms of the Site Plan Agreement to complete the site works from the date of Site Plan Approval. After this time, the Town may draw upon the securities to complete the site works or complete necessary works and recover the costs by adding them in the manner of municipal taxes. Note that tree preservation assessments may require an additional growing season, and that securities may be held for a longer period if the tree protection fencing is not in place during all phases of construction or if damage due to construction practices is observed.

If applicable, additional inspections may be required by the Town for the release of securities held for the preservation of Town owned trees, for parkland protection, reinstatement, streetscape works and fencing. Additional inspections may incur a fee as per the Town's Fees and Charges By-Law.

Ensure that all works have been completed and all obligations of the Site Plan Agreement fulfilled before requesting a release of securities. Fees may apply for additional inspections, or additional legal fees may apply depending on the complexity of the development. Refer to Section 2.12 of this manual for more information on the inspections process.

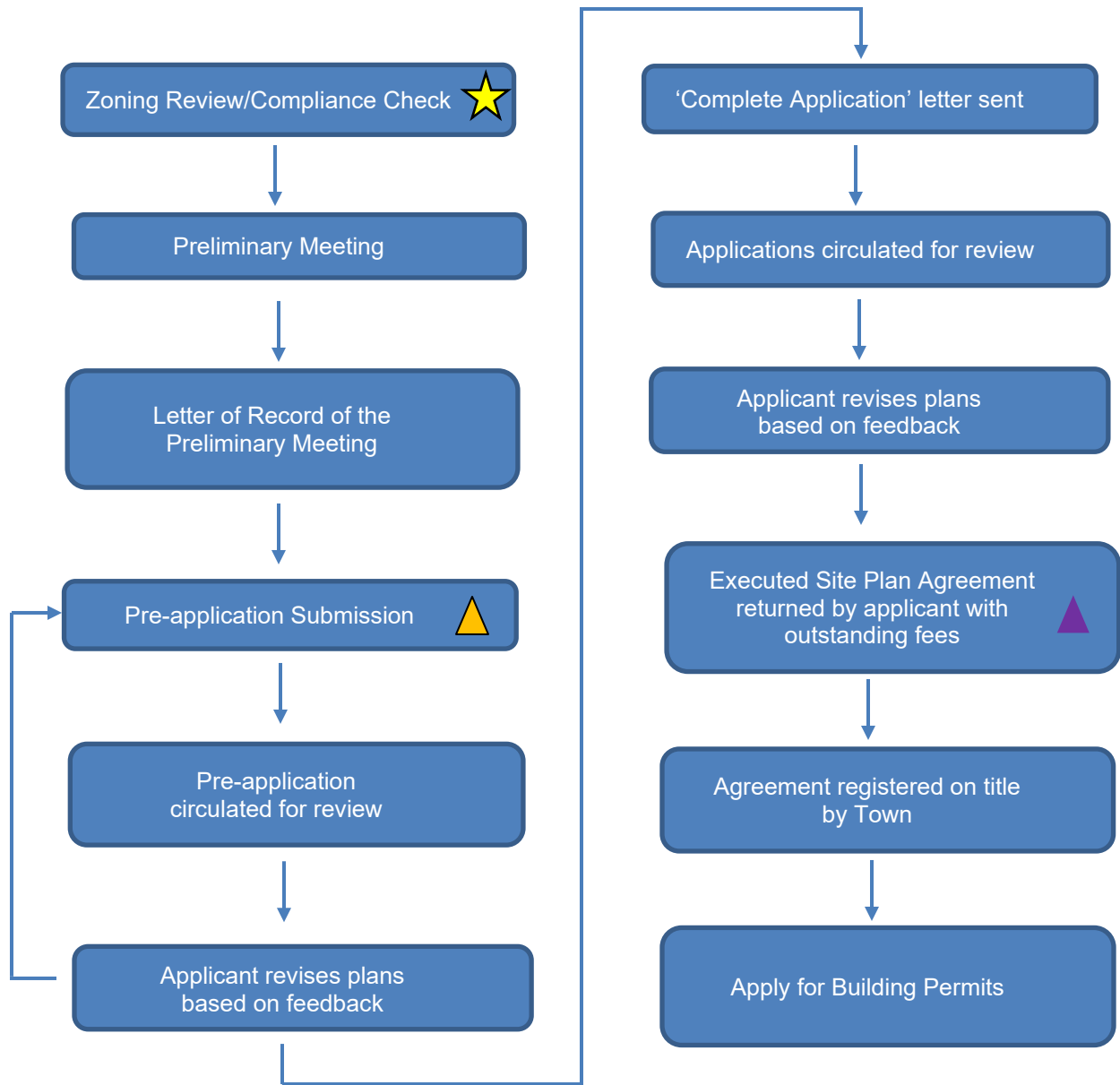
2.13 Site Plan Revisions

Subsequent to receiving Site Plan Approval the applicant may wish to make changes to the project. In this case, the applicant will meet with Planning staff to discuss the proposed revisions. If the revisions are significant, the applicant will be required to submit a revised Site Plan application.

Refer to Section 1.3 of this manual for more information on the various types of Site Plan applications as well as Section 2.1 for preliminary meeting requirements.



2.14 Process Map



This process map provides a general outline of a Site Plan application.

This process map is provided for example purposes. Depending on the nature of the application some steps may not apply or other approvals may be required.

★ *Zoning Bylaw needs to be approved prior to Site Plan submission application.*

▲ *There may be more than one pre-application submission required.*

▲ *See Section 2.8 for additional information on fees due with the signed Site Plan Agreement*



Section 3 - Studies and Plans

The Site Plan Approval process is a key component of the implementation of the policies in the Town of Newmarket Official Plan. The policies of the Official Plan relate to a range of technical matters such as transportation, environment, urban design, heritage preservation, natural heritage, public health and safety.

To ensure that designs meet with expected standards of construction in Newmarket, applicants are encouraged to consult the most recent version of the [Town of Newmarket Engineering Design Standards](#).

All site plan applications are to be filed digitally with Planning Services¹. The applicant will be advised at or following the Preliminary Meeting exactly which studies and documents will be required, and in what quantity and format. As per Section 16.1.6 of the Town's Official Plan, the Director of Planning & Building Services reserves the right to exempt or require such studies as are deemed necessary through the Preliminary Meeting process.

General notes for all submitted documents:

- Applications will not be accepted and/or processed if the mandatory drawings and information are not provided in the requested format.
- Plans should be clear, legible, and should include all information in Section 3.1.3, as appropriate to the plans
- The paper copies of the drawings are to be **individually** folded to approximately 8.5" x 11" and not stapled.
- Do not include any **copyright** and/or drawing reproduction notes on any plans.
- Plans and reports should be submitted as **one .pdf file** for each report/drawing type (e.g. a Site Plan with several pages and details should be only one .pdf file, and an Arborist Report that includes a plan for the location of trees should be only one .pdf file, do not combine all drawings, such as landscaping, site plan, architectural, etc., into one large file).

Drawings must be consistently named and numbered. For example a Site Plan with several pages will be numbered as SP1, SP2, SP3, etc.

- Site Plan – SP
- Grading Plan – GP
- Servicing – SS
- Sediment & Erosion Control – ESC
- Composite Utility – CUP
- General Notes – GN

The following table is provided for **illustrative** purposes to indicate what studies are typically required for different types of Site Plan Applications. The studies required for your application **will vary** depending on the circumstances of your proposal and will be listed for you in your **Letter of Record of the Preliminary Meeting** (Section 2.1).

¹ One paper copy is sent to Engineering Services



Below you will find the reports, plans, studies, and documents required by the Town. A link to an FTP folder will be provided when the submission is ready. Please provide one (1) hard copy along with an electronic submission. All drawing sets must be **bound and not folded**. The hard copies can be mailed to the address below or dropped off at Town Hall.

Town of Newmarket Engineering Services
395 Mulock Drive
PO Box 328 Stn Main
Newmarket ON L3Y4X7

Please use the dropbox at the front of Town Hall for the cheque or have it mailed to Planning Services (same address as above). Reference the address(es) on the cheque so we know which application the payment is for. For payment to the Region and LSRCA, please send it directly to their offices, once the application has been deemed complete.

Application Requirements
Completed Application Form with original signatures
Application fee
Submission and/or Response Letters detailing all documents and numbers of copies
Up-to-date list of all submitted plans with current revision number and date in Word format (SPM 3.16)
USB key containing all plans and reports
Legal and Financial Requirements
Up-to-date parcel abstract of title indicating current owner, legal description, and PIN number
Certificate of status (if on behalf of corporation)
Postponement of Interest Document (SPM 6.7)
Estimated Cost of All External Works (Civil & Landscaping) (SPM 4.13)
Property appraisal for calculation of Parkland Dedication requirements
Construction, Sediment, and Erosion Control
Construction & Traffic Management Report (SPM 3.13)
Erosion & Sediment Control Plan
Development Standards Checklist
Development Standards Checklist (SPM 3.9, 5.2)
Site Plan Accessibility Checklist (SPM 3.9, 5.1)
Elevation Plans
Full size copies (SPM 3.7)
Environmental Reports
Environmental Impact Study
Geotechnical Investigation Report
Noise & Vibration Assessment Study (SPM 3.17)
Phase One Environmental Site Assessment to O. Reg 153/04 (SPM 3.6)
Phase Two Environmental Site Assessment



Record of Site Condition
Section 59 (Sourcewater Protection) Notice
Stormwater Management Report
Sustainable Development Report (UCSP 7.3.7)
SWIAMP - Source Water Impact Assessment and Mitigation Plan
Floor Plans
Full size copies
Grading
Full Size Grading Plan (SPM 3.12)
Landscape Plans
Full size copies (SPM 3.4, 4.8)
Landscape Details
Planting Plan
Electrical
Lighting/Photometric Plan
Electrical site plan
Electric Vehicle Charging Stations
Parking Structure plan
Full size copies
Planning
Communication Implementation Plan
Planning Justification Report (SPM 3.2)
Zoning Matrix
Servicing
Full Size Servicing Plan (SPM 3.14)
Functional Servicing Report w/ SWMR and LID (SPM 3.11)
Site Plans
Full size copies with OBC Data Matrix (SPM 3.1)
Survey, up-to-date
Full size copies
Topographical Survey extending 5m beyond property lines
Transportation Reports
Drive-through Air Quality and Stacking and Queueing Report
Parking Report and/or Justification Study
Sign Inventory and Pavement Marking Plans
Traffic/Transportation Impact Report
Transportation Demand Management Strategy
Tree Preservation, Protection & Replacement Plan
Full size copies of Tree Inventory Map/Plan
Tree Report Form
Arborist Report (SPM 3.5)



Urban Design
Building Mass Model
Shadow Study
Transitional Angular Plane Analysis (UCSP 7.3.3)
Urban Design and Landscaping Plan
Utilities
Full Size Composite Utility Plan (SPM 3.3)
Other Reports and Media
Air Quality Impact Study
Archaeological Assessment
Cultural Heritage Impact Assessment
Hydrological Study and Hydrogeological Study (SPM 3.15)
Letter of Reliance
Pedestrian-level Wind Study
Powerpoint presentation (if required)
Soil Management Report (SPM 3.10)
Soils, Slope Stability, Erosion, Flood Risk Study
Viewshed Analysis
Waste Disposal Site Impact Assessment



3.1 Site Plans

3.1.1 Guiding Principles

Site Plan drawings should adhere to the following basic guiding principles. All drawings should provide:

- Clear presentation of development proposal.
- Comprehensive inclusion of all site works.
- Consideration of adjacent context beyond property lines.
- Integration and complementarity of all other plans – grading, landscaping, utility, etc.

3.1.2 Guidelines and Standards

The Site Plan is a key component of the review of an application to ensure the implementation of the policies in the Town of Newmarket Official Plan. The policies of the Official Plan relate to a range of technical matters such as transportation, environment, urban design, heritage preservation, natural heritage, public health and safety.

The Site Plan is a central part of the development application. Each individual element of the plan will require the review of different standards laid out in Section 4 - Site Development Standards as they relate to walkways, urban design, fire routes, waste management, and other matters.

3.1.3 Submission Requirements

The following are to be included on site plan drawings:

- Drawing name
- Drawing number & submission number
- Date of production
- Schedule of revisions
- Author (contact person)
- Key plan (to indicate location of subject lands)
- A north arrow
- Location/address of property
- Scale(s) of drawings and scale bars
- Project name
- Owners name and address
- Consultant(s) firm name and address, along with signed stamp or seal as appropriate
- All measurements in metric units only
- Surrounding land use map showing features and/or conditions
- Environmental constraint features such as watercourses, slopes, and hazards
- A legible chart showing the following:
 - Total lot area
 - Total building coverage
 - Building coverage as a percentage of property area
 - Height of building in metres





- Floor area of each storey
- Total gross floor area
- Calculation of parking and loading requirements
- Total number of off-street vehicular loading and parking spaces shown on the site plan including designated barrier free parking spaces
- Total number of carpool parking spaces and bicycle stands
- For residential buildings, the number of units in each size category (floor area and bedroom count)
- Calculation of landscape area (hardscape vs softscape)
- Calculation of Green Roof Area (if applicable)
- The location of on-site snow storage areas
- Location of existing and proposed fences
- The location and dimensions of all existing and proposed buildings and accessory facilities such as parking lots, driveways and garbage receptacles
- The dimensions of front, side and rear yards of the building(s) on the subject lot
- Dimensions for radii at all curbs, parking space width and length, driveway entrance width, walkway width and pedestrian clearance
- Accessibility matters such as curb ramp and depressed curb locations
- Signage (traffic control, fire route, etc) and line paintings (stop bars, lanes, etc.)
- Ontario Building Code Data Matrix
- Proposed or existing easements, sight triangles, road widenings, etc.
- Existing or proposed utility poles, transformers, electrical rooms, hydrants, etc. on the property and on adjoining portions of the road allowance, and any required relocations
- Existing or proposed drainage swales, catchbasins, sewers, and watermains on the property and on adjoining portions of the road allowance
- Existing or proposed trees, grassed areas and other landscape features on the property and on adjoining portions of the road allowance
- Fire protection matters (fire route, hydrant and fire department connection locations)

The following notes are to be included on all site plan drawings, where relevant:

- Tree Protection Note: The applicant is responsible for ensuring that tree protection hoarding is maintained throughout all phases of demolition and construction in the location and condition as approved by the Town. No materials (building materials, soil, etc.) may be stockpiled within the area of hoarding. Failure to maintain the hoarding as originally approved or the storage of materials within the hoarding will be cause for the Letter of Credit to be held for three years following completion of all site works. Hoarding must be inspected prior to the removal of any tree hoarding from the site.
- Parking spaces reserved for people with disabilities must be identified by a sign, installed at the applicant's expense, in accordance with the design specifications.
- The structural design of any retaining wall over 0.6 m in height or any retaining wall located on a property line is to be shown on the Site Grading Plan for this project and is to be approved by the Consulting Engineer for the project.
- Continuous 15 cm high barrier type poured concrete curbing will be provided between all asphalt and landscaped areas throughout the site.
- Owner's Signature
- Date



3.2 Planning Justification Report

3.2.1 Guiding Principles

All Planning Justification Reports must include:

- Consideration of applicable Provincial, Regional, Conservation Authority, and Municipal plans and policies and discussion of how the proposal supports them.
- Integration of the diverse factors influencing development – land use, transportation, sustainability, local context, urban design, market forces, accessibility, equity, etc.

3.2.2 Guidelines and Standards

The Planning Justification Report (PJR) is an important tool the Town uses to help assist in the review of the application and should include, at a minimum, discussion on the items submitted in support of the application. The PJR should address applicable Town, Conservation Authority, Regional, and Provincial Policies and explain how the plan has been shaped by consideration of these factors.

3.2.3 Submission Requirements

A Planning Justification Report should be scoped and detailed to the context of the application. Matters to be considered may include the following elements:

- compatibility of built form and use
 - height, angular plane, shadows, solar glare
 - light, view, privacy
 - traffic and transportation
 - urban design
- appropriateness of application, including
 - site accessibility
 - site servicing
 - recreational needs
 - affordable housing
 - public art
 - sustainability including renewable energy and water conservation plans
 - waste reduction and management
 - environmental features and landform conservation
 - conformity with Town, Regional and Provincial Plans and Policies.

3.2.4 Compatibility Analysis Study

In the OP, Section 3.1.2 speaks to the Compatibility Analysis Study and Section 12.4 outlines compatibility elements. The intent of the compatibility study is to demonstrate how the new development “fits in” with the existing neighbourhood. At a minimum, the analysis needs to address Section 12.4 of the OP. In addition to text, we would like to see a series of visuals such as sections, building elevations/material sample or colour palette, and street view of how the new development relates to surrounding properties in terms of height, architectural style etc. It doesn’t have to be a separate study; it can be part of the PJR.



3.3 Composite Utility Plan Requirements

Note: Obtaining sign-offs from utilities for CUPs can take time. Applicants are advised to contact utilities early to avoid delays.

3.3.1 Guiding Principles

Guiding principles for Utility Plans are:

- Coordination of utilities and infrastructure with new development.
- Consideration of long-term infrastructure needs and capital planning.
- Protection of capital infrastructure and utilities.

3.3.2 Guidelines and Standards

Composite Utility Plans (CUPs) are an important tool to coordinate the location of utilities and ensure each site is designed in a manner that takes into account required utility infrastructure. CUPs are based on the physical locates of all existing utilities/services within the municipal boulevard along the frontage(s) of the site. The physical locates must be obtained from test pits at reasonable intervals and/or by surface geophysics. The applicant/owner is responsible for all costs associated with relocating any utilities/services as required to accommodate the streetscape design.

CUPs may be required. CUPs are for information/review in conjunction with streetscape plans when upgraded streetscapes are required. CUPs are to be signed by each utility, including:

Agency	Jurisdiction
Newmarket Tey Power	Existing and planned utility infrastructure and easements.
Enbridge (formerly Consumers Gas)	Existing and planned utility infrastructure and easements.
Telecommunications Providers (i.e. Rogers/Bell)	Existing and planned utility infrastructure and easements.
Cable Providers (i.e. Rogers)	Existing and planned utility infrastructure and easements.

3.3.3 Submission Requirements

The Town of Newmarket Engineering Design Standards set out the requirements for a CUP. Consult the [Town of Newmarket Engineering Design Standards](#).

3.4 Landscape Plan Requirements

3.4.1 Guiding Principles

Landscape Plans will need to adhere to the following guiding principles:

- Design that responds to the context of Newmarket including the functions of neighbourhoods, key destinations, and urban centres.
- Design that takes into consideration the size, scale, and orientation of buildings, as well as circulation and landscaping in relation to surrounding conditions.
- Design that minimizes the impact of development on all aspects of the natural environment.
- Design that considers the context beyond the subject property and ensures that the diverse influences, factors, and users of a site are all taken into account.



- Landscaping that enhances the natural environment, supports biodiversity, and provides four-season visual interest.

3.4.2 Guidelines and Standards

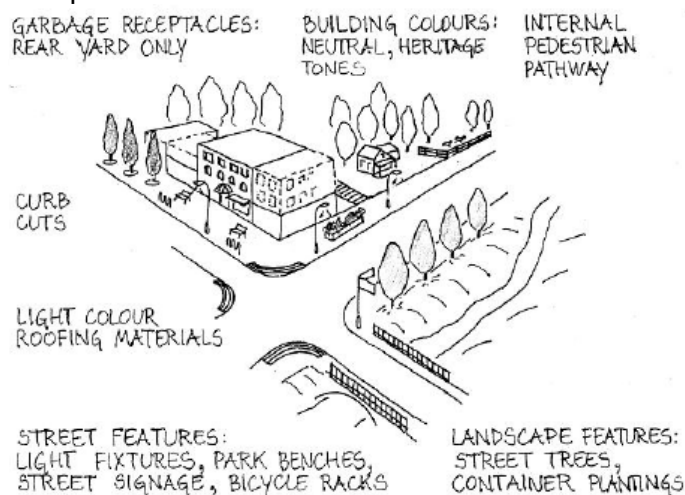
Landscaping design should consider the policies of the Town's Official Plan, best practices from the Ontario Association of Landscape Architects, and the judgement of a qualified professional.

Cross-reference:
Landscaping standards can be found in Section 4.8 Landscaping.

3.4.3 Submission Requirements

Landscape plans must be printed on standard 24" x36" sheets and contain the following information:

- Ontario Association of Landscape Architects Professional stamp and contact information for the landscape architect
- Landscape plans are to be final design and working drawings
- Landscape plans are to conform to the Site Plan and other plans
- An itemized landscape cost estimate is to be provided which contains all landscape work proposed for the site.
- a metric scale of 1:200 or legible alternative
- a key plan, a north arrow and the Site Plan application file number
- the applicant's and owner's name, address and telephone number
- project name, municipal address and legal description
- all bearings and dimensions of the property
- adjacent land uses, zoning and existing structures, bus bays, stops or shelters, above and below ground utilities, municipal sidewalks, boulevards and curbs
- location of sidewalk, tree planting corridor, splash pad, street furniture, etc. (if streetscape plans are required)
- existing and proposed easements and rights-of-way
- location of parking spaces, aisles, loading spaces and location and type of curbing
- all vehicular entrances, driveways, roads and fire routes
- existing trees and other vegetation, including tree species, caliper, canopy and condition - larger groupings or zones of vegetation that are to be preserved or removed are to be identified by the predominant tree species, average diameter and general condition within the zone; the outside limit of the canopy and base of trunk are to be clearly shown
- landscaped areas and existing natural features and location of preservation hoarding
- type and location of all hard surface areas/walkways/stairs/ramps/pervious stable surfaces/bioswales
- garbage storage and handling areas
- neighbourhood sign locations, dimensions, setbacks and elevations



Plans should consider the user's experience



- type, height and location of all existing and proposed free standing walls, retaining walls and fencing
- location, dimension and size of all exterior recreational amenities (at grade or rooftop)
- building entrances/access/service areas, ground floor privacy areas and screens
- location of all proposed plant material, planting beds and sodded areas
- location of existing vegetation to be retained or removed
- location of snow storage areas
- location and type of protection measures for vegetation to be retained
- plant list showing index, type, caliper, height, quantity, botanical name, and common name
- the proposed planting is to be labeled with plant keys
- plant keys will use at least the first letter of the genus and preferably the first letter of the species as well. A, B, C, D, etc. are not acceptable.
- location of all buildings, hard surfaced areas (e.g. driveways, walkways, parking areas, etc.)
- location, height, and material of all fences, screen walls and retaining walls, and lighting facilities
- proposed grades, finished first floor elevations and elevations at the base of trees to remain

The following notes are to be included on all Landscape Plans:

Grading Note:

I hereby certify that the Landscape Plan conforms to the Site Grading and Drainage Plan for this application.

Signature of Landscape Architect Print Name of Landscape Architect

Date

Landscaping on Municipal Boulevard Note:

The applicant will be responsible to acquire a Road Occupancy Permit from the Town of Newmarket Public Works Department prior to the installation of the landscape works on the municipal boulevard.

3.5 Arborist Report Requirements

3.5.1 Guiding Principles

Arborist Reports will address:

- The preservation of mature trees and their consideration in the design of development plans.
- Protection of trees during development.
- Ensuring no net loss of trees or canopy cover through the planting of replacement trees.
- Growing the urban canopy through the planting of additional trees on properties subject to development applications and on the adjacent boulevards.

Note

Public Tree By-law 2017-59 prohibits the injury or removal of any Town-owned tree without the Town’s permission.

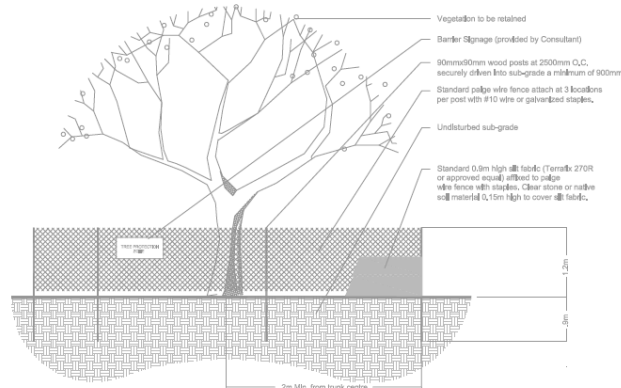
The Private Tree Protection By-law 2022-10 is applicable to any tree removal prior to submitting for Site Plan Approval.



3.5.2 Guidelines and Standards

The Town of Newmarket Tree Preservation, Protection, Replacement and Enhancement Policy provides the requirements for an arborist report, a tree removal plan, or a tree planting plan along with information on protection requirements, securities, and information to be provided to the Town for review.

An Arborist Report is an independent report prepared by a qualified professional arborist containing specific observations and information on tree identification, size, condition, location and tree health. It may also include recommended actions, potential impacts of development, and mitigation measures relating to one or more trees on an individual lot or project site. The report may require amendments as conditions change over time.



3.5.3 Submission Requirements

Submission requirements and a sample arborist report are available in the Tree Preservation, Protection, Replacement and Enhancement Policy. A copy of the Policy [is available online](#).

3.6 Environmental Site Assessment

3.6.1 Guiding Principles

The guiding principles for an Environmental Site Assessment are:

- Assessment of property by a Qualified Person (QP) under O. Reg. 153/04.
- Matters discussed in Section 10.4 of the Town’s Official Plan
- Thorough consideration of likelihood that one or more contaminants have affected any land or water on, in or under the property.
- A clear presentation of findings.

Consult: [Ontario Regulation 153/04: Records of Site Condition](#)

3.6.2 Guidelines and Standards

In accordance with the policies of Town’s Official Plan, a Phase One Environmental Site Assessment (ESA) in accordance with O. Reg. 153/04 may be required as part of a complete submission for all Site Plan Applications. Note that the Town is generally subject to Table 2 – Potable Groundwater Condition.

3.6.3 Submission Requirements

A guide to completing an ESA under O. Reg. 153/04 is provided by the Province of Ontario [online here](#).



3.7 Elevation Plan Requirements

Cross-reference: Section 4.11 Urban Design for site development standards.

3.7.1 Guiding Principles

Elevation plans should adhere to the following guiding principles:

- Context-specific design that complements and enhances the area.
- Design that supports walkability, accessibility, and sense of place.
- Design that is sustainable, energy-efficient, and sensitive to the surrounding built and natural heritage.
- A high quality of urban design using durable materials, interesting architectural features, and building orientations and forms that meet the objectives of the Town's Official Plan.

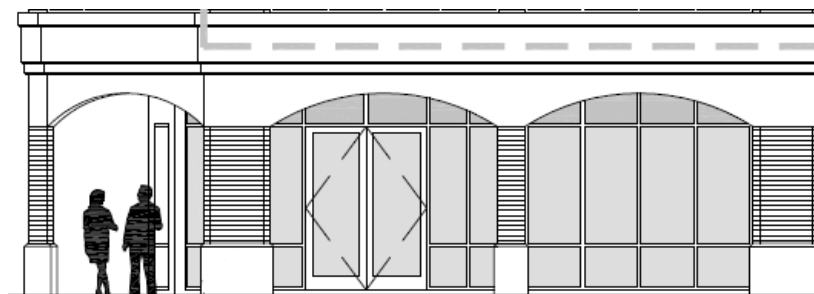
3.7.2 Guidelines and Standards

Buildings should be designed to complement and contribute to a desirable community character through the consideration of shape, roof lines, colours and materials. The design of buildings should be in appropriate proportion and massing for a comfortable sense of space. The design should be in harmony and conformity with surrounding buildings and streetscapes.

3.7.3 Submission Requirements

Elevation plans are to show the front, side and rear elevations and must include the following:

- 1:100 scale is permitted
- scale bars
- architectural treatment of the elevations
- all the building materials to be used including colours and finishes
- building heights (as defined by the Zoning By-law)
- permitted heights and angular planes
- show development in context of adjacent properties and rights-of-way
- show floor levels on each storey
- show and label exterior design features and materials including window type, entrances, canopies, balconies, cornices, arcades, roof line, and rooftop equipment, etc.
- show locations of signage
- details relating to screening of rooftop or other mechanical equipment
- building elevations to be stamped and signed by a registered member of the Ontario Architect Association (OAA)
- cross-section plan indicating the relationship of the proposed building to adjacent buildings and spaces including the height, first floor elevations, roof lines, and other relevant dimensions (where applicable)
- 3D renderings and/or photographs (optional but recommended)





3.8 Secondary Plan Studies

**Cross-reference:
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3.8.1 Guiding Principles

Development that meets the policies of the Urban Centres Secondary Plan.

3.8.2 Guidelines and Standards

Applications for development in the area defined by the [Secondary Plan](#) along the Yonge and Davis corridors must provide additional reports as set out in the Secondary Plan. The specific plans to be provided will be discussed in the **Letter of Record of the Preliminary Meeting** for your application.

3.8.3 Submission Requirements

Within the Urban Centres the Town requires that plans include:

- a context plan that demonstrates the compatibility of the development with the surrounding context
- lotting plan that delineates and dimensions development within each development block
- a description and illustrations of the long-term build-out for every phase of the development, and how the development contributes to achieving the ultimate build-out targets of the Secondary Plan
- proposed density and massing of buildings for individual buildings as well as for each development block including shadow, solar glare, views and microclimatic (e.g., wind studies)
- access and circulation plan for pedestrians, vehicles, and cyclists, including plans for structured parking above- and/or below-ground, and the location of on-street parking and bicycling facilities
- proposed streetscape improvements
- locations and conceptual design of any parks and open space
- Sustainable Development Report in accordance with Policy 7.3.7(xii) of the UCSP
- a phasing plan that describes:
 - how development is proposed to proceed in a logical and orderly progression
 - how existing and proposed development can be incorporated into the site to achieve the full development potential of the site
 - existing neighbouring uses and the potential need to buffer or stage uses
 - the public infrastructure and facilities required to serve each phase of development, including water, sewer, stormwater management, streets, transit, utilities, parks, cycling facilities, streetscaping and other community facilities and services, and their proposed phased construction
- other matters that may be deemed appropriate by the Town.

3.9 Development Standards Checklist

**Cross-reference:
Details are available in
Section 5 - Checklists**

3.9.1 Guiding Principles

The guiding principles of the development checklists are that:

- Development is accessible to persons of all modes of travel and levels of ability.
- Development is logical, navigable, permeable, and straightforward.



- Development displays a high quality of urban design.
- Parking for development is carefully integrated into the site as an accessory and not made the preeminent feature.
- Development is carefully designed to advance innovation in sustainability.

3.9.2 Guidelines and Standards

Design guidelines that ensure a high-quality built environment are essential in order for the Town to function as an urban area that maintains its 'small town' feel and strong sense of place. It is important that new buildings fit well in their context and complement each other. The Development Standards checklist sets out expectations of the Town related to sustainability, accessibility, urban design, and other matters. These checklists provide an easy way to review how a development meets the Town's standards.

3.9.3 Submission Requirements

Section 5.0 provides checklists to be completed as a part of an application. Each checklist should be completed along with an explanation of how each measure will be met.



3.10 Soil Management Report

3.10.1 Guiding Principles

The guiding principles of Soil Management Report are that:

- Site alteration is carried out as required by the Site Alteration By-law, and/or an approved Site Plan Agreement, and according to approved plans.
- Site alteration takes into account surround context, the protection of ground and surface water resources, features and systems, including highly vulnerable aquifer areas, as well as natural heritage features and systems.
- Soil is managed in a sustainable manner that limits the export of excess soil and seeks to reuse excess soil for local projects.
- Contaminated soil and groundwater is appropriately managed.

3.10.2 Guidelines and Standards

Please refer to the Ministry of Environment and Climate Change (MOECC) publication Management of Excess Soil – A Guide for Best Management Practices. [Online link.](#)

3.10.3 Submission Requirements

The plan is required to include the following:

- characterization of excess soil in-situ (including quality, type and volume)



- sampling and testing of excess soil based on past land use and potential contamination
- identification of receiving sites and confirmation that they are authorized to accept excess soil (e.g. site is regulated by municipal permit and authorized to accept specific quality of excess soil)
- confirmation that the quality of excess soil is appropriate for the receiving site and that testing results are made available to prospective receiving sites
- a tracking plan to ensure and verify the excess soil arrives at the receiving site
- consideration of archaeological resources and areas of archaeological potential, significant built heritage resources, significant cultural heritage landscapes, and areas with known invasive and endangered species at source and receiving sites
- be stamped by a Qualified Professional under O. Reg 153/04
- other matters as deemed necessary by the Town

3.11 Functional Servicing and Stormwater Management Report

3.11.1 Guiding Principles

- The FSR provides a framework for water distribution, sanitary sewage, and storm drainage for the development of a site.
- The FSR outlines stormwater management approach with proposed quality and quantity controls, and includes Low Impact Design (LID).
- Provides an analysis of servicing and infrastructure capacity.
- The development of the site is adequately serviced and manages its storm drainage in a manner that meets the requirements of the Town, the Region, and the LSRCA.
- Sanitary and water to be designed with consideration of the Town's Water and Wastewater Master Plan (available online or by request).

3.11.2 Guidelines and Standards

When managing stormwater in development, there are several guidelines to consult. The Ministry of the Environment and Climate Change (MOECC) provides a [Stormwater Management Planning and Design Manual](#) for planning, design and review of stormwater management practices. The Lake Simcoe Region Conservation Authority (LSRCA) has a [Technical Guidelines for Stormwater Management Submissions](#). The Credit Valley Conservation Authority and Toronto Region Conservation Authority have developed [guides on planning, designing, and constructing LID features](#). Please also consult [Town of Newmarket Engineering Design Standards](#) and [Newmarket Low Impact Development Policy](#) for more information.

3.11.3 Submission Requirements

All stormwater management and servicing reports shall include:

- A location plan and plan of the site
- A pre-development and post-development plan
- A plan for water servicing
- A plan for sanitary servicing
- A plan for stormwater management
- Sanitary capacity analysis, if deemed required
- Watermain analysis/modeling, if deemed required
- A plan for Low Impact Development
- General site plan and format information as laid out in Section 3.1.3 as appropriate



The FSR must be stamped by a Licensed Professional Engineer.

Design sheets for all developments will have consideration for upstream and downstream flows. Templates are available in the Town of Newmarket Engineering Design Standards.

Review of water usage including fire demand. Review Section D of [Town of Newmarket Engineering Design Standards](#) for details.

3.12 Grading Plan

3.12.1 Guiding Principles

Guiding principles for Grading Plans are that:

- Development maintains the existing grades at property lines.
- Development maintains or improves existing drainage flows, swales, and patterns.
- No negative impact to adjacent properties.
- Reduction of encroachments onto Town property.

3.12.2 Guidelines and Standards

The Town of Newmarket Engineering Design Standards set out the requirements for a Grading Plan. Consult the [Town of Newmarket Engineering Design Standards](#).

3.12.3 Submission Requirements

- Spot elevations and contours 2 metres past property lines
- Show access on adjacent lands
- Retaining wall designs to be completed as soon as possible during the site plan process and preferably submitted with first submission
- Retaining wall design drawings
- Plans stamped by a Licensed Professional Engineer
- Walls greater than 1m in height to be designed by a Licensed Professional Engineer, and walls greater than 0.6m in height to include a non-climbable guard

Note

Noise By-law 2004-94 as amended limits noise including noise caused by construction.

3.13 Construction Management Report

3.13.1 Guiding Principles

- Construction limits impact on surrounding properties and the movement of traffic and pedestrians in the ROW.
- Construction is well coordinated in its staging, storage, and movement of vehicles.
- Dust, mud, soil, and runoff is maintained on-site.
- Noise is limited and complies with Town's Noise By-law and the Site Plan Agreement.
- Haul routes to be Regional Road network wherever possible.

3.13.2 Guidelines and Standards

- Consult the [Town of Newmarket Engineering Design Standards](#).
- Use Town silt fence details.



3.13.3 Submission Requirements

Your construction management plan will address at a minimum:

- Days of the week and hours of construction
- Anticipated construction schedule
- How access, deliveries and construction parking will be managed
- Proposed routes for construction traffic to reach the site
- How cranes will operate on the site, if any, including crane swing
- Any necessary temporary encroachments, including cranes and shoring
- How you will ensure safe pedestrian access
- How dust and noise will be managed
- How noise will be managed and how compliance with the noise by-law will be ensured
- How waste will be managed on-site and diverted from landfills
- How fencing, hoarding, security, and siltation control will be managed
- How excavated material and construction materials will be stored
- How health and safety will be ensured
- How you will communicate and liaise with nearby residents and landowners

Note

Traffic By-law 2001-24 limits how trucks can access and move on local roads.

3.14 Servicing Plan

3.14.1 Guiding Principles

The guiding principles for Servicing Plans are:

- Coordination of servicing infrastructure including catch basins, manholes, valve chambers, valve boxes, hydrants, sanitary sewer connections and watermain connections
- Efficient location of servicing infrastructure
- Coordination of servicing with utility infrastructure and any easements

3.14.2 Guidelines and Standards

Consult the [Town of Newmarket Engineering Design Standards](#).

3.14.3 Submission Requirements

Servicing Plans are to include:

- Information laid out in Section 3.1.3, as applicable
- Pipe size, type, class, material, length, slope, and bedding material
- Pipe inverts and rim elevations at all manholes and catch basins
- Horizontal and vertical clearances at all service crossings and utility crossings
- Plans stamped by a Licensed Professional Engineer

3.15 Hydrogeological Assessment

3.15.1 Guiding Principles

The guiding principles for Hydrogeological Assessments are:

- Accurate characterization of hydrogeological conditions
- Identification of site-specific groundwater constraints
- Demonstration of proposed dewatering, water discharge, infiltration and runoff
- Discussion of potential impacts including source water protection
- Demonstration of pre-development and post-development water balance



- Integration of Low Impact Development features

3.15.2 Guidelines and Standards

Consult the [South Georgian Bay Lake Simcoe Source Protection Plan](#).

3.16 Plans and Revision Tracking

In order to ensure coordination of plans, each submission will include a list of submitted plans and their most up-to-date revision number and date. An example table is provided below.

Drawing Number	Title	Prepared By	Revision Date	Revision Number
L 1	Landscape Plan	Newmarket Landscape Architecture Ltd.	November 1, 2017	3
S 1	Site Plan	York Region Engineering Co.	October 19, 2017	2

3.17 Noise and Vibration Assessment

3.17.1 Guiding Principles

- Minimizing the impact of construction vibration on adjacent properties
- Early identification of vibration issues
- Controlling vibration in a manner that reflects the types of impacted properties
- Communication with impacted property owners and tenants

3.17.2 Limits and Communication Protocol

A geotechnical report is required which assesses the soil profile and ground water information for the proposed site.

The applicant's Geotechnical Engineer will review and comment on the need for pre-condition surveys and vibration monitoring during construction. In the event proposed construction activities include deep foundations, impact pile driver, drilling caissons, soil compaction, large scale earth works (using heavy machinery like bulldozers, loaders, excavators and scrapers) and other construction activities that have the potential to cause vibration, the report will include a minimum zone of vibration influence of 30 metres of the site's property line, identifying all properties within this zone.

Where vibrations are expected on neighbouring properties, all properties within the zone will be contacted by the developer requesting the owner permit a pre-construction survey to be done.

Residents within the zone of influence will also be provided notice prior to any activities occurring that may cause vibrations. The report will also identify any at risk structures within the zone of influence that may be more susceptible to vibration issues such as homes with stone rubble foundations and/or plaster and lath wall finishes. The report will make



recommendations on whether or not vibration monitoring is required/recommended based on the review of these structures.

Maximum Vibration Limits	
Type of Structure	Vibration limit at the foundation
1. Dwelling with concrete foundations, wood framed, drywall finish or equivalent	5 mm/sec
2. Structures that are particularly sensitivity to vibrations due to their age or construction technique	3 mm/sec

At least one week prior to the commencement of construction activity that may cause vibrations, the applicant will notify the ward Councilor, staff and owners and occupants of properties within the zone of influence of the scheduled construction activity.

The notice will include:

- An explanation of the proposed construction activity and its potential to produce vibrations
- The statement of the levels of construction vibration that are prohibited
- The address of the construction site where the construction activity will occur
- The date and time that the work will occur
- The name, address, telephone number and other contact information through which the person affected by vibrations may contact the applicant and the person carrying out the construction activity for the applicant
- Contact information for Nonmarket staff assigned to the project.

In the event the applicant receives a complaint or is otherwise notified of a complaint about vibrations from the construction activity, at the direction of the Town, the applicant shall cause the professional engineer monitoring the project to immediately perform vibration measurement at the complainant's location during activities representative of the offending operation and to provide to the complainant and to the Town staff assigned to the project a copy of the measurement results including an interpretation by the professional engineer of the possible impacts such construction vibrations might have on the building or structure of the complainant.

In the event that the measurements at the complainant's location exceed the limits set out by the Town, all construction activity generating the vibrations shall immediately cease and not resume until mitigation measures are implanted to reduce the vibration levels so that they are below the limits set out by the Town.

3.17.3 Submission Requirements

Geotechnical report addressing the matters outlined in the policy within this Section.



3.18 Electric Vehicle Charging Station Brief

Submit a brief from an Electrical Engineer that evaluates the design proposal and recommends infrastructure and building design improvements that will be **cost effective** in facilitating and expanding future electrical charging stations. At minimum, to ensure that electric vehicle owners are fairly accommodated/represented, we will require all residential mid/high rise buildings to be provided with charging stations in numbers that approximately match current ownership proportions of electric vehicles [which now account for about 1% of all cars on the road]. Electric charging stations should be individually metered to ensure that costs are appropriately recovered.

3.19 Shadow Impact Study Guidelines

Section 7.3.9 of the Urban Centres Secondary Plan requires a Shadow Impact Study that demonstrates that the proposed development allows for a minimum of 50% of daily sunlight (measured from 1.5 hours after sunrise and 1.5 hours before sunset) onto public spaces, including public sidewalks, during the summer solstice (June 21).

The Town's Urban Design Guidelines also includes design considerations to reduce shadow impacts.

Include the following dates and times for the shadow impact analysis:

MARCH 21

9:18am, 10:18am, 11:18am, 12:18pm, 3:18pm, 4:18pm, 5:18pm, 6:18pm

JUNE 21

2.1 5:36am (Sunrise), 6:36am, 7:36am, 8:36am, 9:36am, 10:36am, 11:36am, 12:36pm, 1:36pm, 2:36pm, 3:36pm, 4:36pm, 5:36pm, 6:36pm, 7:36pm (Sunset)

SEPTEMBER 21

3.1 9:18am, 10:18am, 11:18am, 12:18pm, 3:18pm, 4:18pm, 5:18pm, 6:18pm

DECEMBER 21

4.1 8:15am (Sunrise), 8:44am, 9:44am, 10:44am, 11:44am, 12:44pm, 1:44pm, 2:44pm, 3:44pm, 4:44pm (Sunset)



Section 4 - Site Development Standards

The Site Plan Approval process is a key component of the implementation of the policies in the Town of Newmarket Official Plan. The policies of the Official Plan relate to a range of technical matters such as transportation, environment, urban design, heritage preservation, natural heritage, public health and safety.

For zoning requirements, refer to the [Town's Zoning By-law](#) available on the Town Website for more information or contact the Zoning Examiner.

Applicants should consult the Town's [Engineering Design Standards](#) available on the Town website and ensure their design conforms to the standards therein.

Applicant should also consult the Accessibility for Ontarians (AODA) Integrated Accessibility Standards Regulation (IASR) and ensure compliance with Provincial law.

The Town has adopted certain standards for development as they relate to the technical areas that each site plan addresses. These include traffic movement, pedestrian access, landscaping, stormwater management, and urban design, among others.

4.1 Walkways and Accessible Design

Provide direct unobstructed and accessible pedestrian connections from the street and parking areas to the building entrances, and between buildings/entrances within the site. Paving for walkways and pedestrian surfaces within the site plan will possess non-slip quality for safety of users and utilize specialty paving that compliments and enhances building architecture.

Design pedestrian circulation to minimize vehicular crossings on site. Pedestrian crossings will intersect driveways, roadways, laneways, parking lot, and/or other walkways at 90 degrees. Pedestrian crossings will use the shortest distance to cross a driveway, roadway, laneway, parking lot etc. The actual pedestrian crossing will be the same width as the approach walkway at both ends of the crossing. Where pedestrian connections cross driveways or roads an alternate material will be used to provide visual and textural contrast from the vehicular surfaces. Only integral colour is permitted, surface treatment such as painted lines are not acceptable.

Provide adequate lighting along pedestrian connections.

When stairs are deemed necessary, they will be constructed of a solid and continuous material along the width of the tread to prevent differential heaving.

Connections for existing and future trails will be provided at the property line of the site, subject to Town approval, to ensure suitable trail accessibility and promote green commuting. All required trail connections will have unobstructed and clearly identified walkways leading to proposed or existing pedestrian connections. Above stated pedestrian circulation guidelines will apply to all aspects of the trail connection.



- Pedestrian walkways must be raised approximately 15 cm from vehicular traffic to provide definition and protection of pedestrian traffic
- Standard minimum width of a pedestrian walkway is 1.5 m
- Standard minimum width of a pedestrian walkway adjacent to the end of parking spaces is 1.8 m to provide sufficient space due to overhang
- Walkways must be a hard surface material other than asphalt
- Sites should be designed to be permeable for pedestrian movement to and from all pedestrian desire locations, and to avoid creating long deviations in pedestrian travel paths
- Connect buildings on the site to offsite pedestrian paths, surface transit stops, parking areas (car and bike), existing trails or pathways, or other destinations (e.g. schools).
- Outdoor waiting areas located on the site must offer protection from weather.
- Where a transit stop is located within a walking distance of the project site boundary, the building main entrance should have a direct pedestrian linkage to that transit stop
- Maximum ramp slope 1:15 or 6% with landings or 5% with no landings for walkways

Accessible design requires that the building be accessible to persons with disabilities and conform to the Ontario Building Code.

All new buildings and parking areas should be designed to be accessible to people with disabilities. Applicants are required to ensure that their site conforms with the requirements of the Accessibility for Ontarians (AODA) Integrated Accessibility Standards Regulation (IASR).

4.2 Curbing/Traffic Islands

The type and location of curbing will be indicated on the Site Plan. Consult the [Town of Newmarket Engineering Design Standards](#) for curbing standards that will be required between vehicular routes/parking stalls and landscaped areas.

Major internal vehicular routes are to be defined with minimum 3 m wide raised and curbed traffic islands. Vehicular accesses to the site are to be defined by a landscaped area.

4.3 Parking/Loading

The location and dimension of parking spaces and loading areas will be included on the Site Plan based on dimensions from the applicable zoning by-law, and plans will ensure the following.

- Parking space for persons with disabilities is subject to the requirements of the Town's Zoning By-law and the Accessibility for Ontarians (AODA) Integrated Accessibility Standards Regulation (IASR), whichever provides for the greater degree of accessibility
- Loading spaces vary depending on the zone, consult the Zoning By-law to confirm dimensions
- Provide appropriate level of site signage to direct traffic (e.g. stop signs, one-way signs, fire route signage)



4.4 Waste Management

Your Site Plan application should make clear how waste will be handled on the site. This may include details related to the location, size, and appearance of the waste handling area; the functionality of the site for the movement of large vehicles to pick up waste; and whether waste will be handled by private or public pick-up. Site Plan applications should demonstrate the following:

- Location and dimension of interior and/or exterior garbage, recycling and composting storage and handling facilities
- If there will be private or municipal garbage pick-up
- Garbage enclosures for external garbage storage areas
- Garbage enclosures in non-residential zone set back 6 m from a residential zone.
- Enclosures are to be detailed in a material similar to that of the building (e.g. masonry)
- Collection areas are to be adequately screened by planting and fencing
- Enclosures will be a minimum 2 m high with swinging gates
- How three-stream waste separation will be provided for your site

Note

Please note municipal pick up is not available for condominium developments.

4.5 Signage

All signage is to comply with the provisions of the Town's [sign by-law](#), and is to be shown on the Site Plan, Elevation drawings and Landscape Plans for information purposes. Contact Bylaw Services for questions regarding the Town's sign by-law.

For commercial and multiple industrial complexes, the location of all fascia signs should be shown on the Elevation drawings for information only. For automobile service station sites, all signage must be shown on the Site Plan for information only.

All tenant fascia signs should be coordinated and be an integral part of the building design.

Refer to Section 4.16 for POPS signage requirements.

4.6 Fire Routes

Fire and Emergency Services access routes will:

- Be connected to a public thoroughfare by a route not less than 6 m wide unless it can be shown that lesser widths are satisfactory
- Be located not less than 3 m and not more than 15 m from the face of the building (measured horizontally and at right angles)
- Have an overhead clearance not less than 5 m
- Have a center line turning radius of not less than 12 m for any change in direction of the access route complete with 3 m clearance from the centre line to any obstruction such as islands or parking
- Have a change of gradient not more than 1 in 12.5 over a minimum distance of 15 m
- Have turn-around facilities for any dead end portion of the access route exceeding 90 m
- Be designed to provide access to the building face which contains the principal entrance when only one building face is accessible



- Be constructed of hard surface material such as heavy-duty asphalt, concrete or lockstone

4.7 Existing Vegetation Protection

All trees allocated for preservation should be properly tagged on-site in accordance with a tree survey and protected with Tree Protection Fencing (TPF) hoarding prior to issuance of Site Plan Approval as in accordance with the Town's Tree Protection, Preservation, Enhancement, and Replacement Policy.

Consult the [Town of Newmarket Tree Protection, Preservation, Enhancement, and Replacement Policy online.](#)

TPF are to be in place around existing trees to be preserved for the duration of construction. A standard TPF detail is available in the Town's Tree Protection, Preservation, Enhancement, and Replacement Policy.



4.8 Landscaping

High quality landscaping is an essential element of creating an attractive, sustainable, complete community. Landscaping provides for visual interest, assists with stormwater management and low impact development, promotes biodiversity, and improves microclimates. All development will include high quality landscaping that meets the policies of the Official Plan, best practices in landscape architecture, and Town guidelines.

4.8.1 Sustainability and low impact development techniques

Newmarket encourages sustainable stormwater management by maximizing the natural infiltration and retention of rainwater through site development. Consider permeable pavement, rainwater harvesting, bioretention systems, green roofs and other technologies. Indicate in the covering letter or PJR & FSR how sustainable stormwater management has been addressed through the current proposal.



4.8.2 Planting requirements

General planting requirements:

- All shrubs will be installed in continuous planting beds with a minimum 450mm depth of topsoil and 75mm (min.) - 100mm (max.) of shredded mulch. Specific colour and type will require approval by the Town.
- All trees planted in soft landscaping shall have a minimum soil depth of 500mm (refer to soil volume below).
- All trees planted in hard landscaping shall have a soil depth of 1m (refer to soil volume below).
- All areas not planted will be sodded over 150mm depth topsoil.
- All greenspace areas where trees, shrubs, perennials, seed and sod are planted will have a bulk density no higher than 1.4 – 1.6 g/cm³ or 80-85% SPD, depending on the soil.
- All planting shall consist of non-invasive species. The Town of Newmarket encourages the use of native species where appropriate.
- All plant material shall conform to the Canadian Nursery Trades Association Specifications and Standards. All sod is to conform to the Canadian Nursery Sod Growers Association Specifications. All seeding is to conform to the Canadian Seed Growers Association.
- Driveways, parking areas, storage and loading areas are to be hard surfaced and separated from landscaped areas with concrete curbs.
- If Town Street Trees are not present in the boulevard they will be provided as a requirement of the submission.
- All top and bottom of wall elevations will be shown on the landscape plan.

Consult the [Town of Newmarket Engineering Design Standards online.](#)

Minimum planting sizes as follows:

- Deciduous trees – min. 60mm caliper
- Flowering deciduous trees – min. 50mm caliper
- Coniferous trees – min. 2m high, single stem specimen
- Deciduous shrubs – 60-150 cm high (depending on the species)
- Coniferous shrubs – 30 – 60 cm spread or 30 to 150cm high (depending on the species)

Trees in hard landscaping

- For 2 or more trees planted in primarily hard landscaping areas, sharing the same soil volume, provide a minimum of 15 m³ of high quality soil per tree. A single tree planted in hard landscaping requires a minimum soil volume of 30 m³ of soil. Minimum soil depth is 500 mm.
- Soil depth for tree planting shall be 1m. Soil volume shall be calculated with a 1m soil depth.

Trees in soft landscaping

- Trees planted in soft landscaping are to be provided with a minimum of 30 m³ of good quality soil per tree. Minimum soil depth is 500 mm.
- Provide tree plantings along the perimeter of the site.

Soft Landscaping

- Provide planting beds around the base of business signs.



- Provide soft landscape areas adjacent to building fronts (exempting building entrances). Building to hard surface interfaces will be avoided.
- Provide feature garden beds along the street and building frontage(s) and include trees, shrubs, and perennials to incorporate 4 season interest.
- Ensure that adjacent right of way boulevards are included in your plans to demonstrate existing and proposed conditions

Spacing

- Side and rear lot line deciduous trees will be provided at one (1) tree per 5-7m spacing for large canopy deciduous trees and one (1) tree per 3-5m spacing for small canopy/flowering/and/or columnar form deciduous trees. Where space permits, coniferous tree plantings are encouraged along the side and rear lot lines in conjunction with deciduous tree planting. (Note: retaining walls and fences at the lot line will not preclude the planting of lot line trees.)

Parking Lot Planting Requirements

- Plantings will be used to break up lengths of parking stalls, to delineate parking aisles and define circulation routes.
- Tree plantings will be used along the perimeter of parking lots to address shading, retain stormwater, reduce urban heat island effects and improve microclimate.
- Landscaped islands shall be placed at the ends of all parking aisles.
- Parking aisles with a length of more than 15 stalls will be broken up with curbed and planted islands meeting the required minimum soil volume (noted above) to accommodate tree, shrub, and perennial planting.
- Parking islands at the ends of a double bay of parking will provide a minimum of two trees per islands.
- Parking islands containing trees will have a 1m depth of planting soil.
- All planting within parking islands or roadways will be hardy and salt tolerant species.
- Provide a minimum 1m setback from parking lot to planting beds to allow for car overhang, snow accumulation and maintenance.
- Parking areas, driveways, drive-through lanes, storage and loading areas will be visually screened from the roadway and adjacent properties with buffer planting.

Best practices

- The Town of Newmarket encourages continuous tree pit planting wherever possible and designs that call for continuous pits.
- Group plantings are strongly encouraged due to the benefit they pose for trees growing in close proximity to others. Benefits may include shading, less evapotranspiration, less soil compaction, greater shared soil volume, nutrient sharing and less reflective heat absorbed by a single tree. Group plantings can be achieved in large planting areas such as traffic medians and triangles, and continuous trees pits where two or more trees are planted in a single 10-meter or greater, long trench in boulevards and sidewalks.

4.8.3 Species selection

The Town of Newmarket discourages monoculture plantings. It is suggested that formal street tree plantings attempt to select trees of similar morphological characteristics and habits. Morphological similarities provide visual continuity between different trees while diversifying the urban tree canopy.



Growing conditions and microclimates can vary from location to location across the Town. The final tree species selection is determined by the site conditions and the design goals. Selection of a tree should be based on all morphological characteristics and cultural requirements of the tree. Existing and proposed tree communities, structures and utilities must be considered. The species characteristics will be considered to ensure that they will not cause interference with walls, walks, drives and other paved surfaces or affect water, hydro, gas sewer lines and underground drainage systems.

See the [Tree Preservation, Protection, Replacement, and Enhancement Policy](#) for a list of approved tree species for the Town of Newmarket.

4.8.4 Species quality

All plant material must meet or exceed, Number 1 quality (No.1), according to the Canadian Standards for Nursery Stock (latest edition) issued by the Canadian Nursery Landscape Association.

Quality must be typical for the species when grown under proper cultural practices. Fertile soil, ample spacing, weed control, pest control, adequate moisture, pruning and shearing, transplanting or root pruning not less than once in four years, depending on species are all necessary requirements for normal quality nursery stock. All nursery stock must be viable, free from pests and disease, and undamaged. Between digging and delivery, roots must not be exposed to drying winds, sun and frost. Root balls must be free from pernicious perennial weeds.

Plants must be true to name, and of the size and grade stated. Plant names must conform with the nomenclature set out in the publication of *Hortus Third, Liberty Hyde Bailey Hortorium, 1976* or to current internationally accepted usage.

The zone hardiness designation of trees will conform to the hardiness zones of Canada as published by Agriculture Canada, titled, "Map of Plant Hardiness Zones in Canada".

All trees will be nursery grown within a 400km radius of the Town of Newmarket, unless otherwise approved in writing by the Town. Material collected from the wild is unacceptable.

4.8.5 Layout and spacing requirements

The following guidelines will be observed when proposing and sighting trees. These guidelines generally follow regulations of other agencies with jurisdictions such as Central York Fire Services and the Ministry of Transportation. These guidelines are design and species dependent.

a.	Fire Hydrant	Minimum distance of 1.0 m
b.	Hydro Vault or Transformer	Minimum distance of 1.2 m from sides
		Minimum distance of 3.0 m from the door
c.	Light Standard	Minimum distance of 4.6 m
d.	Bell/Cable Pedestals	Minimum distance of 1.0 m
e.	Buried Lines	Minimum distance of 1.0 m
f.	Edge of Driveway (Residential)	Minimum distance of 1.5 m
g.	Stop signs	Minimum distance of 10.0 m

The location of trees will meet Town guidelines, however; taking into account such items as sight lines, location of underground and above ground utilities, driveway locations and traffic



control signs, some modifications to locations may be required. The Town must approve these changes. Prior to excavation, all underground utilities will be located and tree locations will be adjusted, as necessary, to suit as-built conditions.

The Town will not permit the planting of street trees directly on property lines.

4.8.6 Planting

New Plantings and Soil Preparations: Each tree will require a minimum soil area of 2 cubic meters to be prepared for planting. Native or imported screened and friable top soil must account for a minimum of 30% of the total prepared soil area. Tree soil preparation for planting will require the installation of friable and screened topsoil to a minimum soil depth of 250mm below grade. In addition the subsoil must be aerated and loosened to a minimum depth of 450mm below the top soil. Aeration may be done by hand by turning the soil, or mechanically by a loader or backhoe. Aeration of trenches to a minimum depth of 450mm below the topsoil and with a width of 200mm, at parallel spacing distances of 450mm may also be used as an acceptable aeration technique.

Top Soil: Material will be natural loam topsoil with the addition of humus only. Topsoil must be free from subsoil, hard clods, stiff clay, hardpan, sods, lime, cement, concrete and any other undesirable materials. Soil must be free of debris larger than 19mm, weeds, weed seeds, and any form of growth inhibitor. Organic matter must be between 5-15% of soil by weight. Range of pH must be 6.0 to 7.3 inclusive.

Digging: All trees will be dug immediately before moving unless otherwise specified and approved by the Town. All trees will be dug to the Canadian Standards for Nursery stock (latest edition) issued by the Canadian Nursery Landscape Association. Loose, broken or manufactured balls are unacceptable.

Mulch: Finely shredded bark mulch, must be a natural forest product of 98% bark containing less than 2% wood or other materials. Natural in colour and painted or dyed mulch is considered unacceptable.

Mycorrhizal inoculants: Are not required, however are strongly suggested. Mycorrhizal inoculants will be a granular product containing both Endo and Ectomycorrhizal fungi to colonize the roots of the trees and shrubs when applied to the root zones of plants at planting time. Inoculants will be added after the trees have been placed in their hole and should be mixed thoroughly into the top 150-200mm of topsoil.

Tree Wrap: No tree trunks will be wrapped. All nursery tags and protective wrapping must be removed.

Staking: All staking shall be done during the planting operation using wood stakes (metal stakes/ t-bars are prohibited) and will be maintained through the first year, and promptly removed at the end of year one.

Storage: All trees should be delivered from the nursery to the site and planted within 48 hours. Trees should be watered, protected and maintained in accordance with best horticultural practices to ensure minimal stress on the rootball.



4.8.7 Snow storage

Designated snow storage areas and limits thereof will be identified on the landscape plans. Snow storage along the street frontage is not permitted. Ensure snow storage does not interfere with pedestrian and vehicle circulation, sensitive landscape plantings, or create visual obstacles for pedestrian and/or vehicular movement. Snow will be stored on the subject lands of each development or its removal will be provided for in the site plan agreement.

4.8.8 Site furniture, fences, walls, and structures

Proposed site furniture such as benches, bike racks, waste receptacles, bollards, tree grates, etc. will be noted on the landscape plan and details pages. All site furniture will be chosen to reflect the proposed and surrounding architecture of the buildings, have a high degree of longevity and durability and be designed for the safety of site users.

In addition site furniture, fences, walls, and structures will be reviewed under the following:

- Fences will be in accordance with the fence by-law and applicable zoning by-law.
- Planting beds should be used to reduce the visual effect of extensive fencing.
- Where walls are necessary they will be constructed of materials which coordinate with adjacent building material façades.
- Designs for retaining walls over 1m in height will be certified by a professional engineer.
- Provide planting buffers to screen the elevation of long retaining walls.
- Retaining walls designed to be over 2 meters in height will be split into two (2) or more stepped tier retaining walls separated by a minimum of one (1) meter planting bed to help soften the appearance of the retaining wall(s).
- Waste Bins will be screened by a minimum 1.8m high opaque permanent heavy duty fence or wall and adjacent plant material. Waste bins will be curbed according to the dimensions necessary to adequately store the bins.

4.8.9 Stormwater and Low Impact Development

Stormwater management and Low Impact Development are important elements of design to sustainably and safely manage water and mitigate the effects of climate change. For best practices in design of stormwater management, consult the referenced guidelines of the Lake Simcoe Region Conservation Authority.

Consult also: LSRCA
Technical Guidelines for
Stormwater Management
Submissions.

4.9 Multi-Unit Residential Buildings

4.9.1 Diversity of housing stock

Each multi-unit residential building should be accessible to people with disabilities and include a range of types, unit size, tenures to provide opportunities for all household types, including larger families, seniors and persons with special needs.

4.9.2 Landscaping

Landscape screening is required for:

- Privacy areas adjacent to pedestrian walkways, internal roadways, recreational amenities and service areas
- The rear yard setbacks between privacy areas of townhouse blocks



- Special landscape treatment, including trees, seating, and signage, may be required:
 - At the intersections of municipal and internal roadways;
 - Along the internal roads, and
 - Between internal roadways and public roads where they are parallel

4.9.3 Residential Amenity Areas

Private amenity space should be provided for all units. This space should afford outdoor access, privacy, and access to soft landscaping. Half of this space should be provided outdoors.

Recreational amenity areas are to be identified, located and fully dimensioned on the Site Plan. The areas should be screened from adjacent units, privacy areas of adjacent properties, roadways, parking and service areas while providing adequate security. Access connections are to be provided to the areas. Recreational amenities are to be detailed in the applicant's Landscape Plan submission.

Developments should provide space that affords recreational space for children. A play space is an area at ground level set aside and developed within a site as a coherent part of the development. A play space is used by toddlers and preschoolers (tot lot) and school-age children (play area), and teens (hard surface court). Play spaces should be apart from neighborhood parks and sports facilities.

Multi-unit residential developments should provide amenity areas that reflect the following.

- Outdoor play spaces are to be in close proximity and have visual and physical access to an interior common area or laundry room for safety and security
- A balance of sun and shade exposure should be provided and adequate site lighting should be ensured
- Seating adjacent to all play spaces should be provided and where possible shade should be provided adjacent to play spaces
- Visibility is to be provided into play spaces by reducing landscape screening and locating play spaces where acoustic barriers are not required
- Barrier-free walkway connections are to be provided adjacent to play spaces
- An adequate buffer is required between play areas and vehicular traffic areas including loading and service areas
- Appropriate play equipment is to be provided for children, all play space equipment and installation is to be in accordance with the Canadian Standards Association (CSA) or provide equivalent safety such as "Natural Play" layouts

4.10 Townhouse/Row Dwelling Developments

- Front entrance walks are required from the driveways to the front entrance of the units. The standard width of a front entrance walk is 0.75 m minimum and is to be of a hard surface material other than asphalt.
- Side property line fencing adjacent to public roads must extend from the rear property line along the side property line then return to the unit to a location within 3 m in front of the rear wall of the unit, with provision for a gate.
- A minimum of one tree per lot (space permitting) is to be provided along the street. The use of small ornamental trees is encouraged to complement the streetscape.



4.11 Urban Design

Your submission may be reviewed by the Town or its consulting urban design professionals for compliance with the urban design guidelines of the Official Plan, Secondary Plan, or other design guidelines. Be sure to consult these documents to ensure your proposal conforms with the high standard of urban design required by the Town.

Mechanical units such as air conditioners and heat pumps should be located at the rear of units and must not be within landscape or buffer areas.

4.12 Crime Prevention through Environmental Design

All Site Plan submissions will have regard for Crime Prevention through Environmental Design (CPTED) principles.

CPTED involves the design of physical space in the context of the needs of the bona fide users of the space, the normal and expected (or intended) use of the space and the predictable behaviour of both bona fide users and offenders. In this regard, the proper function must not only match a space that can support it but the design must assure that the intended activity has the opportunity to function well and support the control of the behaviour.

The goal of CPTED is to create an environment where the design and use can lead to a reduction in the fear and incidence of crime and an improvement in the quality of life.

4.13 Site Works Cost Estimate

The applicant is to submit cost estimates for review by the Town. These cost estimates shall include all works exterior to the structures on the lot including removals, earthworks, electrical, utility works and all landscape works. The cost estimates shall be separated into site works internal and external to the site. All cost estimates submitted to the Town shall be based on actual tendered costs. In the case that the submitted cost estimates are not based on actual tendered costs, the tendered costs shall be submitted to the Town once they become available. The applicant shall provide supporting documents once requested by the Town.

The estimate of civil engineering costs is to be prepared and stamped by a Professional Engineer who is in good standing with the Professional Engineers of Ontario. The estimate of landscaping work is to be prepared and stamped by a Landscape Architect who is in good standing with the Ontario Association of Landscape Architects.

The Town of Newmarket Engineering Services staff will review each application to determine if there are items which have not been included in the cost estimate.

4.14 Exterior Design and Sustainable Design Elements

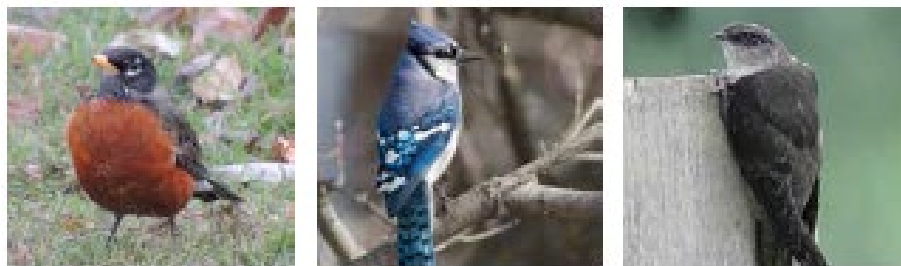
New urban elements will need to be carefully designed to ensure that they fit into the broader context of the evolving Urban Centres, are sensitive to the surrounding land uses, and create the distinct, livable and vibrant urban place that the Town of Newmarket is seeking to achieve. To that end, new development will be designed to maximize sustainability in accordance with the following elements.



4.14.1 Bird-friendly design

Millions of birds die each year from window collisions in Canada. This causes a loss in biodiversity in native and particularly migratory species. As set out in the Secondary Plan, the Town supports buildings being designed with bird-friendly practices. The Town will review site plan applications and seek to ensure:

- A window to wall ratio that reduces fatal bird collisions.
- The first 12m of building above grade are prioritized for visual safety cues.
- Visible glass is located to provide safe visual cues to birds through recesses, screens, and other architectural cues.
- Exposed visible glass is designed to discourage bird mortality through ceramic frit, films, acid-etched patterns, and other visual markers at sufficient contrast.
- Other bird-friendly best practices such as those advanced by the Fatal Light Awareness Program.



4.14.2 Green roofs

Green roofs offer an innovative solution to reducing energy consumption, limiting urban heat islands, managing stormwater, and offering passive amenity space. As set out in Section 12.3 of the Official Plan, the Town supports the development of green roofs. Development of roofs will be designed to:

- Conform to the Ontario Building Code.
- Maximize the reflective surface area of roofs to reduce solar absorption.

Development of green roofs will be designed to:

- Provide at a minimum a root repellent system, a drainage system, a filtering layer, a growing medium and plants, and be installed on a waterproof membrane.
- Ensure that gravity loads, wind uplift, fire safety, and occupant safety measures are appropriate.
- Ensure plantings are approved as part of a landscape plan.
- Ensure a maintenance plan is approved and provided to the building's maintenance office.
- Ensure that green roof designs are integrated into the stormwater management plan.

4.14.3 Passive solar alignment

Passive solar design can reduce energy consumption and complement artificial lighting. Passive solar design includes approaches to substitute or complement daylight for artificial lighting and solar heat for conventional space heating. Passive solar is mainly a building technique related to the orientation and design of buildings and communities and the selection of materials. New development will be designed to maximize the use of passive solar energy.



4.14.4 Non-potable water use

As set out in Section 12.3 of the Official Plan, the Town may require advanced water conservation and efficiency measures. Potable water is a valuable resource that has required extensive energy input to prepare. The use of non-potable water for non-drinking purposes is an innovative way to support landscaping and water conservation. To that end, new development will be designed to maximize the use of non-potable water for irrigation.

This may include:

- Rainwater harvesting
- Grey water re-use for toilets/urinals
- Non-potable water use for irrigation

4.14.5 Urban heat islands

As urban areas develop, changes occur in their landscape and surfaces that were once permeable and moist become impermeable and dry. These changes cause urban regions to become warmer than their surroundings, forming an "island" of higher temperatures in the landscape. Urban heat islands cause increased summer energy consumption, compromised human health and comfort, and impaired water quality. The Town's Official Plan supports sustainable designs that mitigate the urban heat island effect. To assist in this goal, new development will:

- a) have a green roof with a minimum 50% coverage; or
- b) provide solar capture equipment over a minimum of 60% of the roof; or
- c) use cool roofing materials for a minimum of 80% of the roof; or
- d) use a combination of the above for a minimum of 70% of the roof; or
- e) plant trees and other vegetation to provide shading on sidewalks, patios and at strategic locations adjacent to buildings.

Development applications may be required to demonstrate how they will achieve this through providing calculations of roofed and hardscape areas and explanations of how these areas will be treated to reduce solar absorption through the use of high-albedo surface materials, landscape plantings, and other treatments.



4.14.6 Surface parking

Surface parking requires careful design to ensure that its effects are mitigated on the local and surrounding context. Surface parking contributes to stormwater runoff, urban heat islands, loss of landscaping, and increased vehicular use.

While the zoning by-law requires sufficient parking for each development, the oversupply of parking will be discouraged and surface parking will be required to be located to reduce its visual mass and prominence by being located at the rear of buildings in the first instance or the side of buildings where this is not feasible.



4.14.7 Solar Glare

In recent years, there has been a growing awareness of the risks posed to people and property from uncontrolled solar reflections from the built environment. Severity of solar glare can depend on the type and coverage of glass on building facades and also curvilinear designs. Developers should be aware of these factors to prevent excessive solar glare. Preventative solutions should also be considered such as glare-reducing glaze on glass and using a landscape buffer to block solar glare to nearby buildings.

4.14.8 Electric Vehicle Charging

Personal transportation is shifting from “internal combustion engine” (ICE) to “zero emission vehicles” (ZEV). The federal government has set a goal to ensure at least half of all passenger vehicles sold in Canada will be ZEVs by 2030, and intends for them to account for 100 percent of all car sales by 2035. Canada is also committed to banning the manufacturing of ICE vehicles by 2035. In order to support this shift from ICE vehicles to ZEVs, developments must ensure the presence of sufficient electrical infrastructure in mid and high rise density developments to service electric vehicle charging stations.

See section 3.18 Electric Vehicle Charging Station Brief for submission requirements.

4.15 Streetscape Design

A complete community includes high quality design of both public and private space. Improvements to the Town-owned or Region-owned streetscape adjacent to a development application may be required as part of site plan approval. Your plans should include the design of the street(s) along which the property has frontage.

Through this process, streetscape improvements may be required such as:

- Sidewalks and trail connections
- Landscaping and tree planting
- Street furniture and lighting

4.15.1 Yonge Street and Davis Drive

The Town of Newmarket and the Region of York have completed a [Streetscape Master Plan](#) for the Yonge Street and Davis Drive corridors. Site plan applications along these streets may be required to construct the planned streetscape along the frontage or provide cash-in-lieu of same.

4.16 POPS - Privately-Owned Public Spaces

As Newmarket continues to grow, there is a need to create new parks and publicly-accessible open spaces. In order to provide this much needed open space the Town may require private developers to include Privately Owned Publicly-Accessible Spaces, or “POPS” for short, as part of the development application and review process. An easement in favor of the Town will be required over any POPS and associated access routes to establish public access rights and other obligations. POPS may be eligible for partial parkland dedication credit under the [Town’s Parkland Dedication By-law](#).

POPS are a specific type of open space which the public are invited to use, but remain privately owned and maintained. They are a key part of the Town’s public realm network, providing parkland and open space and complementing existing and planned publicly owned



parks, open spaces and natural areas. New POPS will be designed in accordance with the Town's [Parkland Policy Development Manual](#), urban design best practices, and the following guidelines:

4.16.1 Location and connections

- New open spaces should be provided in locations that complement existing public open spaces on adjacent lands and encourage public accessibility
- Ensure access and visibility to POPS from adjacent public streets, parks or other public spaces or major destinations, ensuring at least two access points to any POPS
- Provide appropriate signage to indicate the location of POPS when not adjacent to the public street, for example a courtyard space
- Provide a sign to indicate the nature of the space as a POPS. A template of this sign is provided in the appendices of this manual
- Optimize the siting and design of open space in new developments to enhance views or visual corridors to public streets, open spaces, heritage sites and landmarks
- Utilize mid-block pedestrian walkways to connect POPS with nearby public open spaces

4.16.2 Flexibility and design

- Avoid fragmentation of open spaces. Larger areas provide more flexibility to accommodate a range of social functions as well as more usable space
- Design spaces that accommodate a range of uses and programming by including elements like access to electricity and water
- Use functional elements for multiple purposes such as planter walls that provide seating and low impact development features that enhance amenity space
- Consider the microclimate created by surrounding buildings. Ensure that locations for uses such as patios or other outdoor gathering spaces are located in areas of sunlight and protected from adverse wind conditions
- Provide a balance of soft and hard landscaping, comfortable seating, and pedestrian-scale lighting
- Promote universal accessibility through best practices and the requirements of the Accessibility for Ontarians with Disabilities Act.

4.16.3 Operations and Maintenance

The long-term maintenance of POPS is important to allow them to continue to provide benefits to residents and visitors while ensuring a high quality of built form and a design that conforms to approved plans. For that reason, POPS will conform to the following policies.

The Owner of a POPS will ensure that the POPS:

- Is not encumbered with buildings, structures, fencing, landscaping and materials, except as permitted in writing by the Town.
- Is not obstructed with vehicles, equipment, machinery, or any other obstacles of impediments to the use of the lands.
- Is not damaged, demolished, altered, closed, or interfered with in any way save as is permitted in writing by the Town.
- Is maintained in good order and repair (including replacement when necessary), in a sanitary condition, cleared promptly of snow and ice, and clear of rubbish.



The Owner of the POPS will ensure:

- To maintain comprehensive general liability insurance in an amount determined in the applicable development agreement to the satisfaction of the Town.

The Town may require, as a condition of approval, that the Owner agree to:

- Provide a deposit to the Town for the maintenance or replacement of POPS infrastructure, or to maintain a reserve fund for the maintenance and replacement of POPS infrastructure.
- Undertake any required repairs or replacement of elements of the POPS at the Owner's sole cost.

4.16.4 Edges

- At-grade portion of the buildings that abut a POPS should provide a high degree of transparency and active uses at-grade
- Ensure entrances are designed to afford a welcoming design to passersby and do not create an appearance of a private space

4.16.5 Amenities

- Provide infrastructure and amenities that support the use of the space such as
 - Access to electricity, running water, and seasonal uses
 - Benches, bicycle parking racks, and pedestrian lighting
 - Facilities for waste, recycling, and organics
 - Wayfinding and signage

4.16.6 Securing a POPS

POPS will be secured by the Town as a condition of development approval at the earliest possible stage in a development application. For example, in an application process that will include Zoning By-law Amendment and Site Plan Approval applications, the POPS will be secured at the Zoning By-law Amendment stage or as an "H" holding provision.

POPS will be secured through appropriate agreements, according to the following policies:

- The design of POPS will be secured through an appropriate development agreement such as a site plan agreement.
- The right of the Town to use the space and of members of the public as the Town's invitees will be secured through an easement registered on title to the property which will refer the owner to the obligations of this policy. Easements will be secured by:
 - The Town preparing the easement agreement.
 - The Owner preparing the R-Plan for the POPS, subject to the Town's approval.
 - The Town registering the easement and associated plans on title to the property.
 - The Owner being responsible for the costs of this process, subject to the Town's Fees and Charges By-law, as amended.

4.17 Roads

Roads, streets, rights-of-way and other transportation infrastructure may be required as part of a site plan application. Depending on the nature of the application, the role of these roads and applicable design standards may vary. This section lays out general information related to these elements in a site plan application.



4.17.1 Conveyances

Under the *Planning Act*, the Town or Region may require conveyance of lands for the purposes of a right-of-way. This may include road widenings, daylight triangles, environmental protection areas and other lands. Per the policies of the Town's Official Plan, the Town may require a Phase One Environmental Site Assessment before accepting the conveyance of any required lands.

4.17.2 Private roads with public access

The Urban Centres Secondary Plan calls for the creation of new public roads and Privately-Owned Publicly-Accessible Roads (POPAR). For properties where these roads are planned to be located, land conveyances or public easements in favor of the Town will be required.

4.17.3 Adjacent road improvements

The Town or Region may require improvements to roadways in proximity to a site plan application. This may include streetscape improvements as discussed in Section 4.16 or changes to the road design such as medians, crosswalks, intersection improvements, or others. These will be identified by staff during the development review process in accordance with Town, Region, and Provincial policies and best practices in transportation planning.

4.18 Public Art

The vision for public art in Newmarket is to achieve a rich program of artwork to act as a springboard for place-making – expressing and evoking connections amongst people and places – and for contributing to a vibrant civic life. The main goal of the Public Art Program mirrors the Town's overall vision to ensure Newmarket continues to be a place that is “well beyond the ordinary”. To that end, development should comply with the Official Plan and Secondary Plan policies and in particular the following:

- The inclusion of public art or contribution to the Public Art Reserve Fund will be encouraged for all private development applications, other than non-profit and social housing projects.
- All major regional and local municipal buildings or other public facilities in the Urban Centres will dedicate 1% of the capital budget to public art.
- For developments with more than 10,000 m² in gross floor area, with the exception of non-profit organizations and social housing, public art at a value of 0.5% of the construction budget will be provided.
- The design, location, management, and approval of public art will be in accordance with the Official Plan and Secondary Plan policies.

This may be achieved in one of three ways:

Option 1: On-site contribution – Private Property

The applicant will commission public art, in the value and location as agreed, on the site of the private property of the development project. On-site public artworks remain in the ownership of the development (provided it is publicly-accessible), thus bringing direct benefits to the development. The maintenance and conservation responsibilities and costs of the artwork remain the responsibility of the owner. The placement of the public art that is on private property will be controlled through site plan approval.



Option 2: Off-site contribution – Public Property

The developer can elect to make an off-site financial contribution and have the Town manage the process.

Option 3: Combination On/Off-site contribution

The applicant's public art contribution amount can include a combination of both Option 1 and Option 2, and will follow the corresponding process for each.

4.19 Inclusive Planning

Newmarket strives to create complete communities that provide for the needs of residents of all ages, abilities, and lifestyles. As laid out in the Official Plan, living well is one of Newmarket's key strategic directions. To that end, all new developments will be designed to provide for the needs of all residents and support their health, wellness, and social integration.

New developments will be designed in accordance with the following:

4.19.1 Planning for families

Livability for families depends on the ability of households to afford to rent or own larger units. Providing for a diversity of housing, in terms of form, tenure, and affordability are objectives of the Official Plan. Ensuring a diversity of size of units and securing the affordability of larger units will be encouraged.

4.19.2 Planning for all ages

Planning for all ages is predicated on the understanding that the public realm and community amenities become extensions of the home. New developments will be designed to accommodate the needs of residents at all stages of life.

4.19.2.1 Child care facilities

New child care facilities will adhere to the Provincial Child Care and Early Years Act and to best practices in the design of child care facilities.

Development of child care facilities will integrate the following:

- Locate child care facilities so that they: are near pedestrian, cycling and transit routes to minimize dependence on vehicles; and consider adjacencies to other community services and facilities such as schools, parks and recreation facilities.
- Outdoor play space should be: directly accessible to child care indoor space; located away from high-volume traffic and other vehicular areas; oriented to maximize sunlight and create favourable exterior micro-climates for environmental comfort; and be protected from shadow, solar glare and wind impacts caused by existing and future development.
- Pick-up and drop-off areas should be urbanized and prioritize pedestrian and bicycle access. Vehicular access should be located on the street (with signage), internal to the site (at the side or rear of the building) or underground in order to minimize negative impacts on the public realm with new lay-bys or drive aisles.
- Given that children are uniquely vulnerable to environmental exposures and impacts, use natural, sustainable materials for play equipment and ground surfaces which do



not over-heat. Provide protection from the sun during summer months by using shade structures, shade sails or mature trees.



4.19.2.2 Residential building design

Residential developments will provide a range of unit sizes, ensure outdoor amenity space access, and encourage security through design. Development of multi-unit residential buildings will consider the needs of all ages and in particular children by being designed with the following guidelines:

- Provide a range of unit sizes with different numbers of bedrooms.
- Group larger units in the lower portions of the building to:
 - Facilitate easy access to outdoor amenity space for children
 - Take advantage of deeper floor plates to allow unit layout flexibility
 - Overlook public space and allow informal supervision
- Design buildings that
 - Contain units that are flexible in their layout to anticipate change, renovation, unit consolidation, and partition
 - Provide storage space that accommodates evolving life needs such as strollers, wheeled toys, bicycles, or mobility devices
- Provide amenity space that
 - Includes communal areas that are flexible in design and accommodates the needs of all ages
 - Is comfortable in the design of private areas and supports accessibility and personalization through planters, screening, and appropriate sizing
- Orient buildings to maximize sunlight on outdoor spaces

4.19.3 Planning for pets

Residential developments will plan for residents of all lifestyles to share space in a manner that meets their needs and reduces conflict. Residents of all types of dwelling units enjoy having pets, and new developments will consider how to plan for the needs of residents with pets by:

- Providing outdoor amenity space that accommodates pets through
 - Secure design and appropriate landscaping including surfacing such as pea gravel and plantings such as clover
 - Access to running water
 - Litter bags and organic waste receptacles
 - Consider fence or barrier to protect planting from pet urine
- Integrating space planned for pet access into other considerations such as stormwater management, buffer space, amenity space, and common facilities such as laundry and washing areas



4.19.4 Planning for all income levels

Creating opportunities for housing for residents of all income levels is an important objective of the Town's Official Plan and supported by Regional and Provincial policy.

The Town of Newmarket Official Plan requires that a minimum of 25% of new housing development outside of the Urban Centres and 35% of new housing development in the Provincial Urban Growth Centres will be affordable to low and moderate income households. A portion of these units should be accessible to people with disabilities and include a range of types, unit size, tenures to provide opportunities for all household types, including larger families, seniors and persons with special needs. Affordability thresholds are determined annually by the Regional Municipality of York.

Affordable housing may be secured through appropriate agreements as a condition of development approval.

4.19.5 Planning for all abilities

Accessibility issues are found in all aspects of daily living, making it essential to the planning and development of Newmarket that the built form provides for easy access by persons with disabilities. It is an objective of the Town's Official Plan to create a built environment that is accessible, comfortable, safe, and healthy. To that end, the Town seeks to ensure that development is accessible to all levels of ability.

Development will be reviewed to ensure that it meets the requirements of the Accessibility for Ontarians with Disabilities Act, the Ontario Building Code, and best practices in accessibility planning. Consult the Site Plan Accessibility Checklist in Section 5 for more details.



4.20 Commercial Rooftop Patios

When reviewing a Commercial Rooftop Patio Council and staff shall consider that:

1. Any noise impacts of a Commercial Rooftop Patio must be mitigated.
 - a. A noise mitigation wall will be required when a Commercial Rooftop Patio is located within 40m of the property line of an adjacent residential property.
 - b. Commercial Rooftop Patios located over 40m from the property line of an adjacent residential property may also require a noise mitigation wall where deemed necessary by the Town.

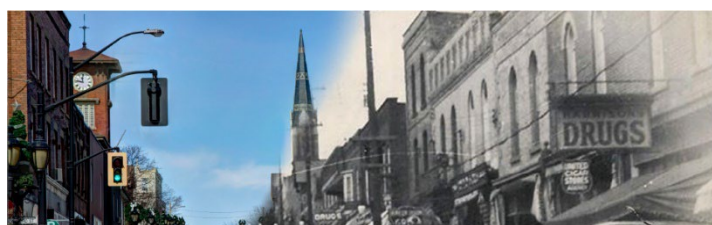
A "noise mitigation wall" is generally a solid translucent or opaque barrier of a minimum of six feet in height for the purpose of noise reduction.



2. All lighting must be dark sky compliant. A Commercial Rooftop Patio shall be arranged and designed such that the lighting fixtures deflect the light down and away from adjacent residential units, buildings, lots and streets.
3. Roof coverage for a Commercial Rooftop Patio shall generally not exceed 20% of the rooftop area, as to ensure another storey is not effectively added to the building and as to not overpower the rhythm of street and rooflines (especially in downtown). For the purposes of these guidelines umbrellas are not considered roof coverage.
4. Planter boxes and/or other landscape features (i.e. a living wall) shall be considered to reduce urban heat island effects, to create a pleasing environment, and to be visually attractive.
5. Design of the Commercial Rooftop Patio and the materials of any sound mitigating wall shall be sympathetic to the architectural style of the building and surrounding area.

4.21 Heritage Permits

Cultural heritage resources tell us who we are, where we have come from and what we have accomplished. These resources not only enrich us, but they also can be a form of community economic development as the spin-offs of heritage conservation can bring tourist dollars into the community; help revitalize a main street; create jobs; enhance a neighbourhood and increase property values and the municipal tax base.



The Town of Newmarket employs several different methods for protecting built heritage. The Town has designated properties under Part IV of the Ontario Heritage Act and non-designated properties that the Town deems potential heritage value or is considering official designation. The Town has also created a Heritage Conservation District (HCD) under Part V of the Act—the Lower Main Street South HCD. Developers must check if their property is a heritage property (see 4.21.1 Heritage Designation) which may require a heritage permit or heritage impact assessment.

Overseeing heritage in Newmarket are two advisory bodies: The Lower Main Street South HCD Advisory Group which is responsible for heritage matters within the HCD, and the Heritage Newmarket Advisory Committee which deals with heritage outside the HCD.

Forms	Documents	Relevant Acts and Groups
<ul style="list-style-type: none"> • Heritage Permit Application Form (for the Lower Main Street South Heritage District) • Heritage Permit Application (General) 	<ul style="list-style-type: none"> • Community Improvement Plan • Heritage Conservation District Plan • Register of Designated Heritage Properties • Register of Non-Designated Heritage Properties 	<ul style="list-style-type: none"> • Ontario Heritage Act • Heritage Newmarket Advisory Committee • Lower Main Street South HCD Advisory Group



4.21.1 Heritage Designation

To find out if a property is designated as a heritage property:

1. Consult the Register of Designated Heritage Properties. If your property appears on this list, it is a heritage-designated property
2. Consult the appropriate Register of Non-Designated Properties, which are organized alphabetically by street name. All Registers and more information can be found on Newmarket's [Heritage Conservation Planning Website](#).

4.21.2 Lower Main Street South

Heritage conservation districts form an integral part of our cultural heritage. Part V of the Ontario Heritage Act enables a municipality to designate an area with a group or complex of buildings, and to manage and guide future change, through the adoption of a district plan.

The Town of Newmarket presently has one heritage district – Lower Main Street South. The [Heritage Conservation District Plan](#) for this neighbourhood as well as an index of properties is available on the [Heritage Conservation District Website](#).

4.21.3 Community Improvement Plan Financial Incentives

There is a financial incentive program for properties within the Town's [Community Improvement Plan](#) area, which includes the Lower Main Street South HCD. More information is available through the [Economic Development Department](#).

4.21.4 Heritage Permits and Heritage Impact Assessments

Depending on the scale of the project or development, a Heritage Permit or Heritage Impact Assessment (HIA) may be required. An HIA is a report prepared by a qualified heritage specialist to assess the impacts demolition, removal, significant alteration or new construction may have on the character of a building, property, its surrounding context or an historic area.

In general, work on designated heritage properties frequently require a permit and HIA while non-designated properties usually only require a permit and HIA for substantial work such as demolition and not for smaller additions.

For specific information on:

- When a heritage permit is required, visit Newmarket's [Heritage Permits Website](#)
- Heritage permits within the HCD, visit the [Lower Main Street South HCD Advisory Group Website](#)
- Heritage Impacts Assessments, see Appendix D of the [Heritage Conservation District Plan](#)



Section 5 - Checklists

Design guidelines that ensure a high-quality built environment are essential in order for the Town to function as an urban area that maintains its 'small town' feel and strong sense of place. It is important that new buildings fit well in their context and complement each other. In addition, the development checklists ensure that applicants consider the policies of the Town's Official Plan, Secondary Plan, and other guiding documents.

The below development checklists must be completed with a detailed response to each measure. A "yes", "no", or "N/A" response will not be accepted by staff.

5.1 Site Plan Accessibility Checklist

Accessibility		
	Performance Measure	Description of how this performance measure is being met
Parking and vehicle movement		
5.1.1	Minimum number of Type A ("Van") and Type B required barrier-free parking spaces as per AODA	
5.1.2	Minimum size of Type A ("Van") and Type B barrier-free parking spaces as per AODA	
5.1.3	Are barrier-free parking spaces located on the shortest possible accessible route to the barrier-free entrance?	
5.1.4	Parking space allows immediate access to barrier-free walkway via a curb cut or ramp of at least 1.5m in width	
5.1.5	Opportunity for primary location with drop-off or with no vehicle lane crossing	
5.1.6	Parking space designated with a vertical sign and pavement markings	



	with the International Symbol of Access and detail of signage illustrated on site plan as per Sign Bylaw	
Pedestrian access		
5.1.7	Provision for dedicated pedestrian walkways to promote safe access to facilities	
5.1.8	Do all buildings have a minimum of 50% of all entrances (excluding utility entrances) barrier-free?	
5.1.9	In a multi-unit building, are all main entrances for each tenancy barrier-free?	
5.1.10	Are barrier-free entrances evenly spaced across the site to serve all tenancies, buildings, and access points?	
5.1.11	Are all walkways a minimum of 1.5m in width, with a slope of less than 1:20, free of all obstructions (e.g. newspaper boxes, light poles, benches, planters)?	
5.1.12	Is there a continuous, even, slip-resistant surfaced walkway around the building(s)?	
5.1.13	Is there a continuous, clear, and separate barrier-free network of travel from the street/right-of-way, transit stop, parking area, and pick-up area to the barrier-free building entrances of the buildings?	
5.1.14	Are surface materials used to indicate locations where a barrier-free or any pedestrian walkway	



	traverses a driveway, stairs, fire route, or parking aisle? (i.e. Changes in colour, material, and texture to warn pedestrians and drivers of a hazardous location.)	
5.1.15	Are tactile indicators installed at stairways, between pedestrian and vehicular areas (i.e. curb ramps) and before a steep change in grade?	
5.1.16	Are ramps used for any gradient greater than 1:20 in a path of travel?	
5.1.17	Do ramps with gradients between 1:20 and 1:12 contain handrails on both sides?	
5.1.18	Where a ramp exceeds 9m in length of where there is an abrupt change in direction, is there a level rest area measuring at least 1.67m by 1.67m?	
5.1.19	Is the minimum width of any ramp between handrails 0.9m?	
5.1.20	Are flights of stairs less than 2m in height? If not, is a level rest area measuring at least 1.67m by 1.67m provided in the stairs?	
Signage		
5.1.21	Are all wayfinding signs glare-free, easily visible and legible?	
5.1.22	Is appropriate signage used to designate the location of an accessible entrance?	
5.1.23	Are way-finding and warning signs installed with braille and located for easy access and recognition (i.e. tactile indicators on the ground in	



	proximity to the sign) for those with visual impairments?	
Lighting		
5.1.24	Are all portions of barrier-free paths of travel, including potential hazardous areas (i.e. entrances, parking areas, changes in elevation) lit at a minimum of 5 lux?	
5.1.25	Are lighting posts clear from a pedestrian walkway so as to not inhibit a barrier-free path of travel for persons using mobility aids?	



5.2 Development Standards Checklist

Built Form		
Buildings		
	Performance Measure	Description of how this performance measure is being met
5.2.1	Principal entrance of building faces the street and access from public spaces	
5.2.2	Limit shadow, solar glare and wind impacts on public spaces and adjacent properties	
5.2.3	Direct vehicular access from side streets, back lane, or shared driveway	
5.2.4	Loading, garbage, and servicing from interior of building, rear, or side street	
5.2.5	Screen mechanical and telecommunications equipment	
5.2.6	At least one pedestrian route between the main building entrance and the sidewalk that is uninterrupted by parking or driveways	
5.2.7	Where parking access is at the rear of buildings, provide pedestrian walk-throughs to the street	
5.2.8	Glazed areas should be maximized along street frontages to encourage safe and comfortable pedestrian use	



Amenity space		
5.2.9	Private, shared amenity space (residential)	
5.2.10	Balconies above the third floor provided and inset behind the building wall	
5.2.11	Streetscape provides benches, bike racks, trash/recycling, and appropriate street furniture	
5.2.12	Provides publicly-accessible pedestrian plaza or courtyard	
Communications and Lighting		
5.2.13	Provide a dedicated fibreoptic conduit to each unit in the building	
5.2.14	Lighting designed to minimize light pollution, provide public safety, and be energy-efficient (dark sky compliant)	
5.2.15	No architectural lighting between 11pm and 5am	
Parking facilities		
5.2.16	Minimise surface parking	
5.2.17	Parking areas screened from street, sidewalk, and public spaces	
5.2.18	Low Impact Development features integrated into parking facilities	
5.2.19	Parking facility includes walkways, traffic islands, pedestrian refuges, and pedestrian-scale lighting	
5.2.20	Integrated bike parking	



5.2.21	Priority parking for accessible parking, car share, and electric vehicles	
5.2.22	Electric vehicle charging stations	
5.2.23	Wayfinding in parking facilities	
5.2.24	Street or public space frontage in a commercial, residential or institutional use	
5.2.25	All surface parking located at rear or side of buildings	
5.2.26	Include paid parking (non-residential) or parking that is charged separately from rent/purchase price (residential)	
5.2.27	Ensure that sidewalks and pedestrian areas clearly distinct from vehicle access	
5.2.28	Provide pedestrian mews to ensure permeability and accessibility	
5.2.29	Physical provision for future electric vehicle charging spaces, required for mid to high rise mixed-use and residential buildings	
5.2.30	Reserved parking spaces for car-share, car-pool, and electric cars	
5.2.31	Anti-idling signage to be installed at regular intervals	
	Bird-friendly design	
5.2.32	Use a combination of Bird Friendly Design strategies to treat the first 12m of the building above-grade	



5.2.33	Visual markers on the glass should have a spacing no greater than 10cm x 10cm. Where a greenroof is constructed with adjacent glass surfaces, ensure the glass is treated 12m above greenroof surface	
Parkland and POPS		
5.2.34	Provides privately-owned, publicly-accessible spaces (POPS) as agreed to as part of Parkland Dedication requirements	
5.2.35	POPS display the required signage to indicate that they are publicly accessible (see Section 6.1)	
5.2.36	Provides a direct connection to the public sidewalk	
5.2.37	Provides opportunities for passive recreation	
Sustainability		
5.2.38	LEED Gold or higher rating	
5.2.39	Green roof, LID, solar panels on rooftop	
5.2.40	Roof materials have a reflective index of at least 29	
5.2.41	Use alternative energy sources: solar hot water, solar energy, geothermal, off-site purchased renewables	



5.2.42	Use low flow fixtures to achieve 20% greater water conservation than OBC requirements	
5.2.43	Provide 50% of water demand for toilets/urinals through greywater recycling	
5.2.44	Provide 80% of outdoor water use through rainwater harvesting and drought-tolerant landscaping	
5.2.45	Provide a solar design strategy	
5.2.46	Provide three-stream waste collection and sorting system	
5.2.47	Provide low or no VOC products and reduce exposure to pollutants through ventilation and moisture control	
5.2.48	Provide Low Impact Development stormwater management measures such as rainwater harvesting, rooftop or sub-grade storage, rain gardens, bioswales, or permeable surfaces	



5.3 Checklists of Requirement

5.3.1 Minor Expansions or Modifications to Parking lot

	Conditions	Description of how conditions are being met
5.3.1.1	Not an increase of more than 5 parking spaces	
5.3.1.2	No increase in hard surface or decrease in landscaped areas	
5.3.1.3	No changes to grading of the site.	
5.3.1.4	No changes to the SWM system/ catchbasin. If there is an increase in parking spaces, provide justification showing that the change can be accommodated by the current SWM system.	
5.3.1.5	No changes to ROW, no new entrances, or connections to ROW	
5.3.1.6	No changes to internal traffic circulation (fire route or laneway widths)	
5.3.1.7	Does not affect approved snow storage areas	
5.3.1.8	Re-striping (new line painting) meets Town standards	
5.3.1.9	Complies with all applicable Town by-laws and requirements including but not limited to Construction Management, Erosion and Sediment Control, Noise, Road Occupancy, vibration monitoring	
5.3.1.10	No blocking of fire hydrant or access to fire route	



5.3.2 Outdoor Play Area accessory to Childcare Centre/ Daycare/ Day Nursery

	Conditions	Description of how conditions are being met
5.3.2.1	Opportunities for direct contact with the natural environment through the use of trees, shrubs, perennials and annuals/vegetables. Plant material is non-toxic	
5.3.2.2	A minimum of 25% shaded area such as having shade structures (permanent or temporary/ moveable) or shade sails. Existing mature deciduous trees that provide sufficient shade are acceptable	
5.3.2.3	Safe and unobstructed connection between building and outdoor play area	
5.3.2.4	Where access to outdoor play areas cross driveways or parking lots, additional safety features such as physical barrier or a traffic control plan shall be required	
5.3.2.5	Outdoor play areas are separated from adjacent parking and drive aisles with bollards that meet Town standards spaced 1.5m O/C	
5.3.2.6	No changes to grading and stormwater management system	
5.3.2.7	Does not affect existing services to the site	
5.3.2.8	Outdoor play areas and structures conform to Ministry guidelines and current CSA standards	
5.3.2.9	Erosion and Sediment Control measures meets Town standards prior to construction for fencing play area etc	
5.3.2.10	No blocking of fire hydrant or access to fire route	
5.3.2.11	Provide the Town with site photos when work is completed	



5.3.3 Temporary Structures in place for less than 3 years


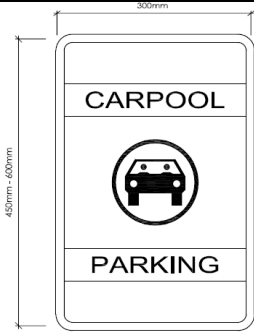

	Conditions	Description of how conditions are being met
5.3.3.1	No impact on grading or stormwater management system for the site	
5.3.3.2	Does not require municipal servicing of any kind	
5.3.3.3	Does not affect traffic circulation or fire routes on site	
5.3.3.4	Structure is placed on grade without any excavation required	
5.3.3.5	No blocking of fire hydrant or access to fire route	






Section 6 – Appendices

6.1 Signage

Note that copies of details of signs are available for inclusion in plans upon request.

	<p>Barrier-Free Parking</p> <p>1. Authorized signs will be placed in the centre of the rear portion of each parking space in the disabled parking area.</p> <p>2. Where the designated spaces abut the face of a building, disabled parking signs may be affixed to the face of the building at a minimum height of six and one half (6 ½) feet, and a maximum height of nine (9) feet. Where the designated spaces abut a sidewalk or landscaped area, disabled parking signs will be erected on permanent posts at a minimum height of six and one half (6 ½) feet and a maximum of nine (9) feet.</p> <p>By-law No. 1993-62</p>
	<p>High Occupancy Vehicle Parking</p> <p>The Town of Newmarket Zoning By-law No. 2013-30 requires carpool parking for certain office, manufacturing, and industrial developments. Appropriate signage must indicate that these spaces are reserved.</p>
	<p>Town of Newmarket By-law No. 2005-157 prohibits excessive idling of vehicles.</p> <p>The requires appropriate signage to indicate to drivers that excessive idling is prohibited.</p>



<p>POPS Privately Owned Publicly-Accessible Space CREATIVE PLACE TO HELP MAKE NEWMARKET EVEN BETTER</p>  <p>This Privately Owned Publicly-Accessible Space is provided by Developer Name in partnership with the Town of Newmarket</p> <p>Address/Location</p> <ul style="list-style-type: none">• This space is available for your enjoyment from allotted time• Please respect the space and the enjoyment of others• As with all publicly accessible spaces, Town by laws apply <p>Creative Place Making to Enhance Quality of Life</p> <p>Developer Logo Here newmarket.ca Newmarket</p>	<p>You will be required to display the Newmarket POPS sign at any POPS to indicate that the space is provided as a publicly-accessible space. Staff will modify the sign template to reflect the site-specific requirements and you will have the sign prepared and installed as required by the Agreement.</p> <p>Size: 12" x 12" Sign substrate: Stainless Steel or brushed Aluminum Printing: Laser-etched or engraved and filled with black paint</p>
	<p>Paths of vehicle travel designated as a fire route must be signed to prohibit parking.</p>
	<p>Overnight parking will be prohibited in any floodplain area and must be signed appropriately.</p>



6.2 List of Terms And Acronyms

COA – Committee of Adjustment

COW – Committee of the Whole

LID – Low Impact Development

OPA – Official Plan Amendment

O. Reg. 153/04 – Ontario Regulation 153/04, under the Environmental Protection Act

PJR – Planning Justification Report

POPS – Privately-Owned Public Space

POPAR – Privately-Owned Publicly-Accessible Roads

SDRT – Staff Development Review Team

SWMR – Stormwater Management Report

ZBA – Zoning By-law Amendment

6.3 Certificate of Insurance

THE CORPORATION OF THE TOWN OF NEWMARKET GENERAL LIABILITY CERTIFICATE OF INSURANCE

THIS IS TO CERTIFY THAT THE INSURED NAMED BELOW IS INSURED AS DESCRIBED BELOW.

*** This form must be completed and signed by Insurance Company. ***

Note: 1. Proof of insurance will be accepted on this form only (with no amendments)
2. Insurance Company must be licensed to operate in Canada.

Insured Name:		Address of Insured:			
Town of Newmarket Contract of File Number:		Site/Location & Description of Work/Activity to which this Certificate applies: <i>ALL OPERATIONS OF THE NAMED INSURED WITH RESPECT TO:</i>			
TYPE OF INSURANCE	POLICY #	EFFECTIVE dd/mm/yyyy	EXPIRY dd/mm/yyyy	LIMIT OF LIABILITY PER OCCURRENCE	DEDUCTIBLE
Commercial General Liability Includes: Property Damage, Bodily Injury, Non-Owned Automobile				\$5,000,000	
Motor Vehicle Liability For all owned, operated or leased				\$2,000,000	
Umbrella or Excess Liability					
Environmental Pollution Liability				\$1,000,000	
Other:					

Provisions of amendments or endorsements of listed Policy (ies):

- Commercial General Liability** Policy is extended to include Personal Injury Liability, Contractual Liability, Owner's and Contractor's Protective Coverage, Products- Completed Operations, Contingent Employers Liability, Cross Liability and Severability of Interest.
- It is understood and agreed that **The Corporation of the Town of Newmarket** is added as an Additional Insured to the above listed General Liability Policies with respect to liability arising out of the operations at the above mentioned project.
- The following are also added as Additional Insureds:

- It is agreed and understood that any deductible or self- insured retention (SIR) arranged between the Named Insured and the Insurer, must be declared herein. It is further understood and agreed that claims arising out of the operations of the above mentioned project which fall within the deductible or SIR limit are the sole responsibility of the Named Insured.
- If the insurance provided under the said policy(ies) is cancelled during the period of coverage stated in this Certificate, the Insuring Company will give thirty (30) days prior written notice by registered mail of such a cancellation or change to: **The Corporation of the Town of Newmarket 395 Mulock Drive, PO Box 328, STN Main Newmarket, ON L3Y 4X7 Attention: Finance Department. Fax No.: (905) 953-5150**
- The General Liability Policy (ies) identified above shall protect each insured in the same manner and to be same extent as though a separate policy has been issued to each, but nothing shall operate to increase the Limits of Liability as identified above beyond the amount or amounts for which the Company would be liable if there had been only one Insured.

I certify that the insurance is in effect as stated in this certificate and that I have authorization to issue this certificate for and on behalf of the insurer(s). This certificate is valid until the expiration date(s) shown unless notice is give in writing in accordance with item 5 above.

DATE:	NAME, ADDRESS AND TELEPHONE NO. OF INSURANCE COMPANY
-------	--

NAME, ADDRESS AND TELEPHONE NO. OF INSURANCE
BROKER

ORIGINAL SIGNATURE AND STAMP OF INSURANCE COMPANY



6.4 Reliance Letter Template

[Letterhead of Consultant]

[Date]

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

Attention: ***[Town Contact]***

Re: Letter of Reliance
***[Property Information e.g., Municipal Address and/or Legal Description,
Town File Number]***

[Name of Consultant] has prepared the following report(s) on behalf of ***[Name of Developer/Owner]*** (Client):

- ***Insert title, date and file number of report,***
- ***if there is more than one report please list them all with the information above.***

We confirm the above-noted report(s) including the representations, assumptions, findings, opinions and recommendations contained in the report(s), can be relied on by The Town of Newmarket (Town) notwithstanding any statement to the contrary contained in the report(s) and excluding any limitation on liability agreed to by the Client.

The report(s) ***[was/were]*** prepared, developed and performed in a manner consistent with the accepted level of skill and care ordinarily exercised by a reasonable environmental professional under similar conditions and the report(s) ***[was/were]*** prepared in general accordance with the requirements of Ontario Regulation (O.Reg.) 153/04, as amended.

Based on the information available to ***[name of consultant]*** as of ***[insert date of last report]***, no contamination resulting from past or current land uses on or in the vicinity of the ***[site/property]*** is present or has migrated to the land being conveyed to the Town (as shown of the attached plan ***[and/or]*** described as Part ***[part numbers]*** on Plan ***[plan number]***, ***[name of municipality]*** (the Conveyance Lands), and easements, at a level that would exceed the applicable O.Reg. 153/04 Site Condition Standards. The Conveyance Lands are suitable for their intended use by the Town.

Yours truly,
[Name of Consultant]

*****Note: this section is to be removed before finalization of the letter:***

- ***The Town WILL NOT accept liability restricted to the fees paid to the environmental consultant. The Town requires no less than one million dollars (\$1,000,000) of professional liability insurance.***
- ***The Town WILL NOT accept liability expiring prior to the expiration of the applicable limitation period.***
- ***Reliance letters must be sent to the Town in draft form for review and approval.***



6.5 Security Release Form Templates

Sample Request for Inspection and Security Reduction/ Release

(company letterhead)

(date)

Town of Newmarket
Financial Services
395 Mulock Drive
Newmarket ON L3Y 4X7

Re: Request for inspection and Security Reduction (or Release)

(name of client)

(name of building site)

(municipal address of site)

(site plan number)

The site works have been completed, therefore, we are requesting that the town reduces (or releases) our securities following the appropriate inspections. We provide the following attachments in support of this request:

1. Stamped Architect written certification to confirm that all buildings conform to approved plans.
2. Stamped Landscape Architect written certification to confirm that works conform to approved plans.
3. Stamped Engineer written certification for grading, sanitary sewer, storm sewer, stormwater management facilities (including oil/grit separators, orifice plates/tubes and ponds) to confirm that all works have been constructed according to approved plans.
4. Stamped “record drawings” drawings for the site to confirm that works conform to approved plans including notes of any deviations.
5. Video of all municipal services constructed with this site and certifying letter and report for municipal services, where installed or extended.
6. Affidavit of Payment for Works (if applicable, please verify with Planning Services)..
7. Applicable fee, as per the current Rates and Fees and Charges By-law.
8. Letter attesting to any other obligations required by the agreement such as acoustic certification, photometric certification, conveyances, etc. (if applicable)
9. A letter which addresses how previous deficiencies have been corrected (for a re-inspection)



Sample Architect Written Certification

(architect company letterhead)

(date)

Town of Newmarket
Financial Services
395 Mulock Drive
Newmarket ON L3Y 4X7

Re: Certification of Building and Elevations

(name of client)

(name of building site)

(municipal address of site)

(site plan number or town project reference number)

I have performed onsite inspections of the building and elevations associated with the above site plan. I am qualified, in good standing and recognized by the OAA to certify building and architectural works and hereby certify the following:

1. The building design and elevations contracted to (architectural firm) have been completed as per the approved building plans. I have attached to this letter a copy of the OBC data matrixes that reflect the final constructed building.
2. (if applicable) With the exception of:
 - a) (list changes)

(OAA Stamp, signed and dated)

(signature and printed name of Architect)
(position)



Sample Landscape Architect Written Certification

(landscape architect company letterhead)

(date)

Town of Newmarket
Financial Services
395 Mulock Drive
Newmarket ON L3Y 4X7

Re: Certification of Landscape Works

(name of client)

(name of building site)

(municipal address of site)

(site plan number or town project reference number)

I have performed onsite inspections of the landscape site works. I am qualified, in good standing and recognized by the OALA to certify civil landscape works and hereby certify the following:

1. The landscape site works contracted to (landscape company or architectural firm) have been completed as per the approved landscape plans.
2. (if applicable) With the exception of:
 - a) (list changes)

(signature and printed name of Landscape Architect)
(position)

(OALA Stamp, signed and dated)



Sample Engineer Written Certification

(engineer company letterhead)

(date)

Town of Newmarket
Financial Services
395 Mulock Drive
Newmarket ON L3Y 4X7

Re: Certification of Grading, Sanitary, Storm Sewers and Stormwater Management Facilities

(name of client)

(name of building site)

(municipal address of site)

(site plan number or town project reference number)

I have performed onsite inspections of the grading, storm sewers and stormwater management facilities. I am qualified, in good standing and recognized by the PEO to certify civil municipal works and hereby certify the following:

1. The first floor elevation and top of foundation are in general conformity (tolerance of 50mm) with the approved grading and servicing/ stormwater plan(s).
2. The on-site final elevations and surface works are in general conformity (tolerance of 50mm) with the approved grading, servicing, and stormwater plan(s) and all disturbed areas have been finalized.
3. The required oil grit separators, orifice pipes and/ or plates have been installed and are functioning in accordance with the approved plan(s).
4. All storm manholes, catchbasins, sanitary and storm sewers are clean, functioning have been installed as per OPSS, Town standards and the approved plan(s).
5. All surface stormwater facilities including curbing, appurtances, ponding areas and overland flow routes have been installed and are operational in accordance with the approved grading and servicing/ stormwater plan(s).
6. (If applicable) The on-site stormwater management facilities (indicate type) has been constructed and is functioning in accordance with the approved stormwater management plan(s) and report. Furthermore, the facilities has been surveyed *and the storage volume is as per the approved plan(s) and report.*

(PEO Engineer Stamp, signed and dated)

(signature and printed name of Engineer)
(position)



Sample Engineer Sewer Video Written Certification

(company letterhead) (date)

Town of Newmarket
Engineering Services
395 Mulock Drive
Newmarket ON L3Y 4X7

Re: Certification of Municipal Sanitary and Storm Sewers

(name of client)

(name of building site) (municipal address of site)

(site plan number or town project reference number)

A close circuit TV inspection of municipal sanitary and storm sewers, installed with the above project has been completed by _____(company name)_____ on ___(date)_____.

I have reviewed the inspection and confirm that there are no defects in the pipe materials or joints. I further confirm that the pipes are clean and free of debris and there is no standing water greater than 25mm in depth.

(PEO Engineer Stamp, signed and dated) (signature and

printed name of Engineer)
(position)



STATUTORY DECLARATION

CANADA
Province of Ontario

) IN THE MATTER OF SITEPLAN
) AGREEMENT DATED _____
BETWEEN _____ AND
THE CORPORATION OF THE TOWN OF
NEWMARKET.

TO WIT:

I, _____ of _____

SOLOMENLY DECLARE THAT

1. I am the PRESIDENT of _____ and such as have knowledge of the matters herein deposed to.
2. That all outstanding accounts have been paid with respect to the work completed as required under the above-mentioned Agreement between _____ and THE CORPORATION OF THE TOWN OF NEWMARKET and that the period for registration of any construction liens has expired.

And I MAKE THIS SOLEMN Declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act.

DECLARED before me at the _____ of _____)

_____ this ____ day of _____) _____
signature

printed name

Commissioner or Notary Public



What Are Affidavits And Statutory Declarations?

In court, you give oral evidence "under oath". The sanction against telling falsehoods is the criminal charge of perjury. Statutory Declarations and Affidavits are simply written statements having the same effect and penalty. Affidavits are generally used for court purposes. Statutory Declarations are more general and could be used in many contexts, such as real estate. Furthermore, a "Statutory" Declaration does not have religious connotations: under law, you are permitted to make statements "knowing that they are of the SAME EFFECT as if made under oath". (Canada Evidence Act, Section 41.) You must execute such documents before a Commissioner or Notary Public.

What Is A Commissioner?

A Commissioner is a person authorized by the Province of Ontario to take your oath or declaration when you sign an Affidavit or Statutory Declaration. The Commissioner then certifies that they have done so in the "jurat" at the bottom of an affidavit or statutory declaration. All lawyers, judges, justices of the peace, and certain other judicial officers are commissioners for life. Other persons may apply and receive time-limited commissions. For example, many legal secretaries are commissioners, and large companies often have an employee commissioner.

What Is A Notary Public?

A Notary Public is a person authorized under the Notaries Act to do various things, including commission documents, but also including certification of documents as true copies and to verify signatures. Again, all lawyers and judicial officers are notaries for life. The requirements to become a notary are more stringent than for a commissioner and accordingly there are few non-legal notaries. Quite frequently the persons requesting a document will ask that it be "notarized" as opposed to simply commissioned, because they want to be sure that the person taking the oath was a lawyer.

Authentication

The Government of Ontario maintains records and a list of all persons who are authorized as commissioners or notaries public. Sometimes (particularly when the document is to be used in a foreign jurisdiction) there will be a requirement that the appointment of the commissioner or notary be "authenticated" by the Government. Documents can be authenticated in Ontario through the Management Board of Cabinet, 77 Grenville Street, 9th Floor, Toronto, Ontario, M5S 1B3, telephone (416) 325-8416.



6.6 Letter of Credit Template

IRREVOCABLE STAND BY LETTER OF CREDIT

NAME OF BANK _____ Date Issued _____

Letter of Credit No. _____ Amount _____

TO: CORPORATION OF THE TOWN OF NEWMARKET
ADDRESS: 395 Mulock Drive, Box 328, STN MAIN, Newmarket, ON L3Y 4X7

WE HEREBY AUTHORIZE YOU TO DRAW ON THE
_____ for the account of _____
(Name of bank) (Name of customer)

UP TO AN AGGREGATE AMOUNT OF \$ _____ available on demand.

PURSUANT TO THE REQUEST OF our customer _____,

We the _____
(Name of bank)

hereby establish and give you an Irrevocable Letter of Credit in your favour in the above amount which may be drawn on by you at any time and from time to time, upon written demand for payment made upon us by you which demand we shall honour without enquiring whether you have the right as between yourself and the said customer to make such demand, and without recognizing any claim of our said customer, or objection by it to payment by us.

DEMAND shall be by way of a letter signed by the Treasurer of the Corporation of the Town of Newmarket under the corporate seal attached to which shall be the original Letter of Credit. Presentation shall be made to the bank at:

(Address)

THE LETTER OF CREDIT we understand relates to the customer's obligations set out in an Agreement between the customer and the Corporation of the Town of Newmarket dated _____ for _____
(Date of agreement) (Name of project)

THE AMOUNT of the Letter of Credit may be reduced from time to time as advised by notice in writing to the undersigned by the Treasurer of the Corporation of the Town of Newmarket.

THIS LETTER OF CREDIT will continue in force for a period of one year, but shall be subject to the condition hereinafter set forth.

IT IS A CONDITION of the Letter of Credit that it shall be deemed to be automatically extended without amendment from year to year from the present or any future expiration date hereof,



unless at least 30 days prior to the present or any future expiration date, we notify you in writing by registered mail that we elect not to consider the Letter of Credit to be renewable for any additional period. This letter of credit is subject to the Uniform Customs and Practices for Documentary Credits of the International Chamber of Commerce, current at the time of issuance of this standby letter of credit.

DATED at _____, Ontario, this the _____ day of _____.

COUNTERSIGNED BY:

Per:

(Bank)

A letter of credit should contain the following:

1. The name and address of the issuing bank or financial institution
2. The date of issue
3. Place of cashing
4. A unique identification number
5. The amount which can be drawn
6. The beneficiary should be listed as "Corporation of the Town of Newmarket"
7. The name of the customer
8. A statement that it is "irrevocable"
9. Drawings can be made either in whole or in part and must be by way of a letter signed by the Treasurer under the corporate seal
10. Drawings will be honoured without question and without recognition of any possible claim or objection from the customer
11. A reference to the relevant agreement, quoting the names as shown on the agreement (as they might differ from the customer's name), date and type of agreement (e.g. subdivision, site plan).
12. An expiry date which should be one year after the issue date
13. An automatic renewal clause, which can only be voided by 30 days written notice via registered mail (i.e. "It is a condition of this Letter of Credit that it shall be deemed to be automatically extended without amendment from year to year from the present or any future expiration date hereof, unless at least 30 days prior to the present or any future expiration date, we notify you in writing by registered mail that we elect not to consider this Letter of Credit to be renewable for any additional period.")
14. Must include the statement "This letter of credit is issued subject to the Uniform Customs and Practice for Documentary Credit (1993 Revision), ICC Publication No. 500"



6.7 Postponement of Interest

Town of Newmarket

Legal Department requirements
Postponements of Charge/Mortgages – Information sheet

It is a requirement for all Owner/Developers to ensure that all charge/mortgages are postponed to the Town's development agreement.

It is the sole responsibility of the Owner/Developer to arrange for the necessary postponement(s) with their lender(s) (which may include mortgages that are being processed) and to advise the Town's legal department when the postponement document(s) have been obtained from the lender(s). In addition, if the charge/mortgage is registered on title, the Owner/Developer (or its law firm or bank) shall notify the Town when the postponement docket is electronically messaged to the Town.

Please note that the Town will not register your Site Plan Agreement on title without your compliance with the following:

1. You will provide confirmation from the Owner/Developer (or its law firm or lender) that consent from the Lender has been granted and that they agree to postpone their charge/mortgage interest to follow the Town's Site Plan Agreement.
2. You will notify the Town's Legal Department that the postponement of interest docket has been electronically messaged to the Town of Newmarket's legal department.
3. You will provide from the Owner/Developer's Lender(s), to the Town of Newmarket's Municipal Solicitor and her Designates in writing:
 - authorization and direction to import (the fully executed) development agreement into the e-reg docket before registration,
 - authorization and direction to electronically sign, deliver and/or register the postponement docket on their behalf, and
 - authorization and direction that the Municipal Solicitor and her Designates are authorized to make minor revisions to the postponement docket(s) for land registration purposes. Definition of "minor revisions": spelling mistakes, wrong document type, amend PIN numbers.
4. The Town will attend to the registration of the e-reg documents on title and immediately provide registration particulars to the Town's Planner and the Owner/Developer's law firm and/or lender as applicable.
5. The Owner/Developer will be invoiced in accordance with the Town's current Fees and Charges By-Law for the legal administration work plus disbursements and all applicable taxes.

PRECEDENT OF POSTPONEMENT OF INTEREST – PREPARED BY THE TOWN OF NEWMARKET



LRO # 65 Postponement Of Interest

In preparation on 2012 at _____

This document has not been submitted and may be incomplete

yyyy mm dd Page 1 of 1

Properties

PIN **ACTIVE – PROPERTY IDENTIFICATION NUMBER**

Description **CURRENT LEGAL DESCRIPTION OF SUBJECT PROPERTY**

Address **NEWMARKET**

Source Instruments

<i>Registration No.</i>	<i>Date</i>	<i>Type of Instrument</i>
YR INSTRUMENT NUMBER & DATE OF CHARGE/MORTGAGE		Charge/Mortgage

Party From(s)

Name **CHARGE/MORTGAGEE (OF REGISTERED CHARGE/MORTGAGEE)**

Address for Services **AS APPLICABLE**

NAME(S) OF EACH INDIVIDUAL OR BANKING INSTITUTION

IF CORPORATION, NAME(S) OF AUTHORIZED SIGNING OFFICER(S)

This document is not authorized under Power of Attorney by this party.

Party To(s)

Capacity

Share

Name **CORPORATION OF THE TOWN OF NEWMARKET
Acting as a company**

Address for Service **395 Mulock Drive
Newmarket, Ontario
L3Y 4X7**

Statements

The applicant postpones the rights under the selected instrument to the rights under an instrument registered as number (**Town to Import Site Plan Agreement**)

This document relates to registration no.(s) **YR REGISTERED CHARGE/MORTGAGE ON TITLE AS APPLICABLE**

Signed By

NAME OF PERSON AUTHORIZED TO SIGN OFF IN TERAVIEW (TERANET USER) AS APPLICABLE	Acting for Party From(s)	Signed
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Tel

Fax

File Number

Party From Client File Number :

Party To Client File Number:

1. **PLEASE ELECTRONICALLY MESSAGE THIS EREG DOCKET TO THE TOWN (Michele Brymer – mbrymer@newmarket.ca) AND CONTACT LEGAL SERVICES @ 905-953-5334 WHEN COMPLETED TO ARRANGE REGISTRATION OF THIS DOCKET.**
2. **THE TOWN WILL ALSO REQUIRE A SIGNED ACKNOWLEDGEMENT & DIRECTION FORM FROM THE LENDER(S). THIS FORM SHOULD BE DIRECTED TO THE CORPORATION OF THE TOWN OF NEWMARKET AND ITS SOLICITOR AND/OR DESIGNATE. THE TOWN WILL ATTEND TO THE REGISTRATION OF THIS DOCKET AND REGISTER IT AT THE SAME TIME AS THE REGISTRATION OF THE SITE PLAN AGREEMENT.**
3. **THE OWNER OF THE SUBJECT PROPERTY WILL BE BILLED FOR REGISTRATION OF THE EREG DOCKETS IN ACCORDANCE WITH THE TOWN'S CURRENT FEES AND CHARGES BY-LAW PLUS ALL RELATED DISBURSEMENTS AND ALL APPLICABLE TAXES. SEE THE TOWN'S WEBSITE FOR CURRENT FEES AND CHARGES www.newmarket.ca**

NOTE: Additional legal administration fees may be applicable based on complexity as determined by the Municipal Solicitor.



Acknowledgement and Direction

TO: CORPORATION OF THE TOWN OF NEWMARKET

AND TO: Municipal Solicitor for the Corporation of the
Town of Newmarket and her Designates

RE: Postponement of **CHARGEЕ NAME** Charge **Instrument#** to the
Town of Newmarket Site Plan Agreement dated **date of agreement**
between **CURRENT LEGAL OWNER (per current parcel abstract)** and
CORPORATION OF THE TOWN OF NEWMARKET (the "Postponement").

PROPERTY: **Legal Description**, Town of Newmarket in the Regional Municipality of York.

This will confirm that:

1. I/We have reviewed the information set out in this Acknowledgement & Direction and in the document(s) attached hereto and that this information is accurate;
2. You, your agent or designate are authorized and directed to sign, deliver and/or register electronically on my/our behalf the Postponement of Interest docket in the form attached;
3. The Municipal Solicitor and her Designates are authorized to make minor revisions to the Postponement of Interest docket(s) for land registration purposes.
4. The effect of the registration and reproduction of electronic documents has been fully explained to me/us and I/we understand that I/we are parties to and bound by the terms and provisions of these electronic document(s) to the same extent as if I/we had signed these documents;
5. I/we are in fact parties named in the electronic documents and I/we have not misrepresented our identities to you, and
6. A facsimile or electronic transmission of this Acknowledgement and Direction will serve as an original when so delivered to the Corporation of the Town of Newmarket.

DATED this ___ day of ___, 20 ____.

CHARGEЕ NAME

Per: _____

Name: _____

Per: _____

Name: _____

I/We have the authority to bind the Corporation.