



INFORMATION REPORT
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June 5, 2017

INFORMATION REPORT # 2017-20
DEVELOPMENT & INFRASTRUCTURE SERVICES/PLANNING & BUILDING SERVICES

TO: Mayor and Members of Council
SLT/OLT

SUBJECT: Proposed Temporary Use By-Law – 195 Harry Walker Parkway North

ORIGIN: Planning & Building Services

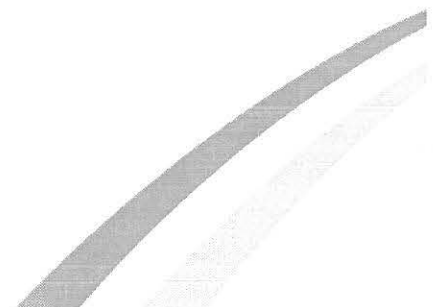
The purpose of this Information Report is to outline the legislative authority to pass a temporary use by-law as directed by Committee of the Whole at its May 29th, 2017 meeting, and to provide a preliminary Planning analysis associated with a proposed temporary use at 195 Harry Walker Parkway North.

In accordance with the Procedure By-law, any Member of Council may request that this Information Report be placed on an upcoming Committee of the Whole agenda for discussion through the Clerk.

COMMENTS

Community Living Newmarket/Aurora requires a temporary location to run its operations and programs while renovations are completed at its existing site and its secondary site is relocated.

Community Living has entered into a lease arrangement at 195 Harry Walker Parkway North (refer to Appendix "A" - Location Map) for the purposes of running its operations and programs on a temporary basis (beginning in September 2017 and expected to be for up to two years) while work is undertaken at its current site. The property is zoned EH – Heavy Employment, which does not permit offices or institutional day centres, which, in by-law terms, are those uses most closely-related to the activities undertaken by Community Living; hence the need for a temporary use by-law.



The Planning Act allows municipalities to pass temporary use by-laws.

The Planning Act allows for the approval of temporary use by-laws where the proposed use is otherwise prohibited by the by-law. The temporary use must comply with the Official Plan provisions and must specify the time for which the authorization is in effect, which shall not exceed three years from the day of the passing of the by-law.¹

The Official Plan contemplates similar types of uses as those associated with Community Living.

The subject property is designated *Business Park – Mixed Employment* in the Official Plan. Permitted uses in this designation include, among others, business and professional offices, commercial schools, accommodation facilities, conference centres, and private recreational uses; that is, uses other than typical manufacturing, and also uses that offer services to the public. As such, staff is satisfied that the proposed uses associated with Community Living (i.e. office uses and day programs) are consistent with those permitted in the Official Plan.

CONSULTATION

A Statutory Public Meeting will be required prior to Council passing a temporary use by-law. In order to meet the requested timelines (i.e. September 2017), a Public Meeting will be scheduled in the summer, with a Council decision expected shortly thereafter.

The owner of the property has submitted a letter to the Town advising that he has no objection to the proposed temporary zoning for up to three years.

BUSINESS PLAN AND STRATEGIC PLAN LINKAGES

This Information Report supports the Well-respected branch of the Town's Strategic Plan as follows:

- Inspiring partnerships and co-operation with stakeholders that revolve around well-being, synergy and balanced living;
- Being well-thought of and valued for our judgment and insight.

¹ Council may, by by-law, grant further periods of not more than three years each during which the temporary use is authorized.

HUMAN RESOURCE CONSIDERATIONS

Not applicable to this Information Report.

BUDGET IMPACT

As the process is Town-led, costs will be incurred to prepare and install the public meeting sign, and potentially to pay for staff overtime to attend the public meeting and make a presentation if necessary.

CONTACT

For more information on this report, contact R. Nethery, Director of Planning & Building Services (rnethery@newmarket.ca), 905-953-5321, ext. 2451.


Assistant Director of Planning


Director of Planning & Building Services


Commissioner of Development &
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Appendix “A” – Location Map – 195 Harry Walker Parkway N.

