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MUNICIPALITIES

WEDNESDAY,
MAY 20, 2020

Vol. 23
No. 21

■ JUSTICE DENIED AS HALTON CONSOLIDATED COURTHOUSE PROJECT CANCELLED

COURTHOUSE CANCELLATION

Andrew Reeves

The Ontario government has quietly cancelled the \$500 million **Halton Region Consolidated Courthouse Project** weeks before the winning bidder was to be announced. The provincially-initiated project sought proposals to design, build, finance, and maintain a new facility in the **Town of Oakville** that would include a Superior Court of Justice and an Ontario Court of Justice, replacing ageing court facilities in the **Town of Milton** and the **City of Burlington**.

The last-minute decision was announced by Attorney General **Doug Downey** on the afternoon of Friday, May 8, blindsiding stakeholders who believed that, after years of bipartisan support for the project, a winning bidder among three competing development consortia was to be announced any day.

“Three proponents were bidding on this, three very large consortia, and they

were down to the brass tacks,” **Ken Kelertas**, president of the **Halton County Law Association**, told *NRU*. As recently as February, he said, stakeholders were told the government was “ready to announce the successful bidder. And then the plug got pulled at the eleventh hour.”

Kelertas has been involved in discussions for the new Milton courthouse since 2011, and was deeply engaged in the process when Liberal party Attorney General **Yasir Naqvi** announced the new consolidated courthouse project in June 2017. The Request-for-Proposal issued by **Infrastructure Ontario** in February 2019 selected three pre-qualified construction consortia in November 2019 to bid on the project, including **EllisDon Infrastructure Justice**, **Escarpment Justice Alliance**, and **Plenary PCL Justice**.

While Kelertas and other stakeholders in Halton’s legal

community were holding their breath to see if COVID-19 would impact the government’s decision to move forward with the project, its cancellation was nonetheless “shocking because the need for a new justice hub in Halton was proven,” he said.

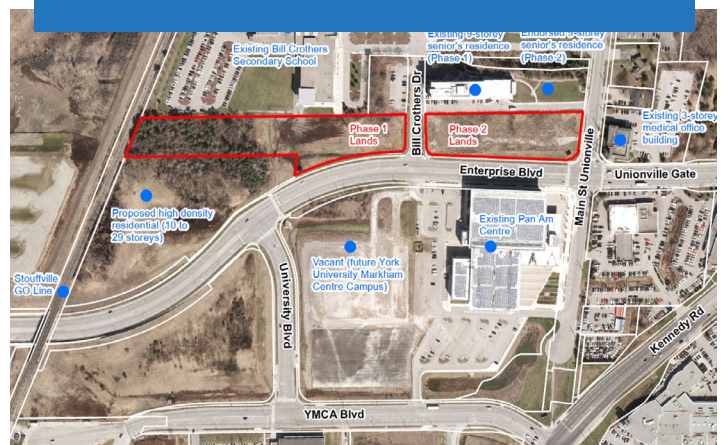
When the Milton courthouse was built in 1962, Halton Region had a population of just 191,000. That figure has

since tripled; by 2041, Halton is projected to have a population approaching one million residents. Today, the courthouse on Steeles Avenue West has become a “Frankenstein’s monster,” Kelertas said, as new additions have been grafted onto the original building, the latest one in 1979. The result, he added, is an unworkable

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Map showing the location of OnePiece Development’s proposed 47-storey mixed-use development, Markham Square (on Phase 1 Lands, outlined in red), along with surrounding existing and proposed uses (including on OnePiece’s Markham Square Phase 2 Lands, outlined in red). See story, page 2.

SOURCE: CITY OF MARKHAM



UPCOMING DATES

MAY

- 20 Brampton Committee of Council, 1:00 p.m.
- East Gwillimbury Committee of the Whole, 1:00 p.m. (CANCELLED)
- East Gwillimbury Council, 10:00 a.m.
- Halton Region Council, 9:30 a.m.
- Hamilton Council, 9:30 a.m.
- Mississauga Council, 9:30 a.m.
- Richmond Hill Council Public Meeting, 7:30 p.m.
- Vaughan Committee of the Whole, 2:00 p.m.
- Vaughan Committee of the Whole (Closed Session) (Public), 4:00 p.m.
- Vaughan Committee of the Whole (Public Hearing), 7:00 p.m.
- 25 Brampton Planning & Development Committee, 1:00 p.m. (CANCELLED)
- Brock Council, 9:30 a.m.
- Burlington Council, 6:30 p.m.
- Clarington Council, 7:00 p.m.
- Halton Hills Council, 6:00 p.m.
- King Special Committee of the Whole, 5:00 p.m.
- Markham Electronic Development Services Committee Meeting, 9:30 a.m.
- Milton Council, 1:00 p.m.
- Newmarket Committee of the Whole, 12:30 p.m. (CANCELLED)
- Oakville Council, 2:00 p.m.
- Oshawa Council, 9:30 a.m.
- Pickering Council, 2:00 p.m.
- Scugog Council, 6:30 p.m.
- Uxbridge Council, 7:00 p.m. (virtual meeting)

CENTREPIECE DEVELOPMENT PROPOSED FOR MARKHAM CENTRE

AMBITIOUS HEIGHTS



Rob Jowett

If approved, a proposed development in Markham Centre would be one of the first towers to be permitted for construction in this designated urban growth area that is only just beginning to intensify. However, in its current iteration, the project is proposed to be taller than area residents had anticipated and is therefore seeing considerable pushback from the local community.

OnePiece Ideal (MS) Developments is proposing a 47-storey mixed-use building at 28 Main Street containing 362 condominium units and 569-square metres of retail space, and featuring a nine-storey podium including an above-ground parking garage. The proposal also includes conveyance of a 0.35-hectare public park and a 0.63-ha woodlot to the **City of Markham**. The proposal is phase one of a two-phase project that currently also includes a proposed 29-storey mixed-use building in phase two. OnePiece is seeking an

official plan amendment, zoning by-law amendment, and site plan approval to allow the development.

“Our vision for this project is [for it to be] the landmark of Markham—the jewel of Markham Centre,” OnePiece Developments project manager **Adam Liu** told *NRU*. “Markham Centre should be the commercial and residential centre of Markham. This area should indicate the ambition and capability of Markham... If you want to be known as a significant city, high-rise building is unavoidable. This area should be the centre that the people recognize how strong the City of Markham is.”

Markham Centre is intended to be built up as a dense

urban area that can serve as a new downtown for the city that will eventually include a total of 41,000 residents in 20,000 residential units and will eventually accommodate 39,000 jobs. The area is generally bound by Highway 407, Kennedy Road, Highway 7, and lands east of Rodick Road, and includes lands around the Markham Civic Centre. Markham Centre is designated as an urban growth centre in the *Growth Plan for the Greater Golden Horseshoe* and much of it is designated a major transit station area due to the presence of the Unionville GO Station at 155 YMCA Boulevard. Markham Centre is anchored by Downtown Markham, a

CONTINUED PAGE 3

This particular application absolutely is the type of development that was expected, particularly around this portion of Markham Centre because... this is within walking distance of that major transit station area.

- Frank Scarpitti



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Annual subscription rate is \$409 +HST (ON).

Complimentary trial subscriptions are available.

Advertising rates available upon request.

NRU PUBLISHING INC

Novae Res Urbis Greater Toronto & Hamilton Area is published 50 times a year and is not to be redistributed without the written consent of the publisher.

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ISSN 1918-7548

AMBITIOUS HEIGHTS

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98-hectare master-planned community being developed by **Remington Group**.

“It would be the typical live, work, play, shop, enjoy what the immediate community has to offer, but [could] also become a place of destination for others in the GTA,” Markham mayor **Frank Scarpitti** told *NRU*. “This particular application absolutely is the type of development that was expected, particularly around this portion of Markham Centre because... this is within walking distance of that major transit station area.”

The development site has been sold to new owners multiple times over the past several years, and the proposed design has changed a lot as well. Most significantly, the proposed height was increased from the 33 storeys for which the site had been approved for in 2014 to the 47 storey development being proposed now. The change was made due to OnePiec’s discovery that the water table on the property was higher than had previously been realized, which is a common issue for this area of Markham. The higher water table means that underground construction for the development could not go too deep or include too

much site dewatering without potentially compromising the foundations of the building or surrounding structures.

“Markham Centre being so close to the Rouge River, we have high water tables all

over the place, and they’re hit-and-miss. One property could have a high water table, but across the street, it wouldn’t,” Markham planning and urban design development manager **Stephen Lue** told *NRU*. “It’s a huge cost and endeavour to for the city to do [the testing needed to determine the exact water table levels on every site]. So the city sort of relies on applicants coming in and testing it at that point. It wasn’t

until the construction stage that it was truly tested.”

The change in the proposed height is what brought the project to the attention of local residents, Ward 3 councillor **Reid McAlpine** told *NRU*. He says area residents were expecting development in the area to largely take the form of a mid-rise, medium-density community with buildings around six storeys high that are common in that part of Markham Centre, rather than the 47 storeys being proposed. Consequently, area residents have mobilized to try and block the project’s approval. McAlpine adds that there is also significant concern about an above-ground parking lot on the site, despite the fact that it will be housed within the podium and would not be visible from the outside. However, he notes that he does not believe community members have much standing legally given the existing approvals on the site.

“It’s the first of these kinds of buildings in that part of the city, so it will particularly stick out like a sore thumb,” says McAlpine. “There will be more of them over time. You’ll be able to see it from the heritage conservation district in Unionville. So that upsets some people. And then,

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Renderings of OnePiec Development’s proposed 47-storey mixed-use development, Markham Square, at 28 Main Street in Markham.

SOURCE: CITY OF MARKHAM
ARCHITECT: KIRKOR ARCHITECTS AND PLANNERS

AMBITIOUS HEIGHTS

CONTINUED FROM PAGE 3

arguably, the city's hands are somewhat tied because of all of these previous approvals. The density's not changing. The zoning and official plan don't speak to above-ground versus below-ground parking."

McAlpine says a major planning challenge for the area is that the Markham Centre Secondary Plan has not been updated since it was adopted in 1997, and he adds that that secondary plan does not adequately control or prescribe the size and overall of form of the kind of development that can occur there. Planning staff are currently working on updating that plan, but Lue says that the city's updated plan will likely not be presented to council for over a year. A previous proposal to update the secondary plan was rejected by council in 2006.

"There's some basic stuff in the secondary plan that has to be addressed, but basically [staff and council are] operating without a guidebook," says McAlpine. "And so a lot of development has happened, and the... projection seems to be right now that we're going to shoot way past 40,000 residents [here]. Nobody knows by how much, but we are [and] it's because... because we don't have [that] plan."

The development proposal was scheduled to be considered by the development services committee in a virtual meeting May 11. The committee voted to defer consideration of the item to a future development

services committee or to a council meeting, which will likely occur in June.

"We have gone through a lot on this project. We are almost at the finish line," says Liu, adding that OnePiece does not currently have a

specific timeline for when the project could be completed due to the ongoing effects of the COVID-19 pandemic on development timelines. 🌱

Rendering of OnePiece Development's proposed 47-storey mixed-use development, Markham Square, at 28 Main Street in Markham.

SOURCE: CITY OF MARKHAM
ARCHITECT: KIRKOR ARCHITECTS AND PLANNERS



COURTHOUSE CANCELLATION

CONTINUED FROM PAGE 1

hodgepodge that has failed to keep up with the new demands being placed on the justice system.

“The Milton courthouse should have been condemned years ago,” Kelertas said. Mould and asbestos in the walls and ceilings have already cost millions to manage safely and [have] prevented the renovations necessary to install the technology needed for remote hearings. Accessibility is hampered by numerous levels divided by stairs. There is no dedicated jury room. Courtrooms on the third floor are accessible only through the basement, and potentially dangerous offenders have to be transported through hallways and stairwells frequented by members of the public. “Band-Aid solutions were canvassed years ago,” Kelertas said, “and were deemed to be either not feasible or [to be] a waste of money.”

The courthouse cancellation could not have come at a worse time for construction and trades workers in the region. With so many companies paying workers with earnings from projects secured months or years ago, plenty of construction crews were looking to large projects like the consolidated courthouse to pay the bills in the months ahead,

said **Clive Thurston**, president of the **Ontario General Contractors Association**.

“I was absolutely shocked. We had no warning, no inkling this was going to happen,” Thurston told *NRU*. “This project was shovel ready by every stretch of the imagination. And it was extremely disappointing” to hear that it had been cancelled. “This is going to hurt [the local economy] badly,” he said – not just in the hundreds of direct and indirect jobs it would have created in the months and years ahead, but for the small companies down the supply chain who rely on supplying everything from soap dispensers and portable bathrooms to mechanical equipment for big infrastructure projects, not to mention restaurants selling food to workers.

Meanwhile, the cancellation comes at a time when 50,000 construction workers are out of a job as a result of slowdowns brought on by COVID-19. “Both the Prime Minister and Premier **Doug Ford** have been saying construction will probably be the leading industry to get us out of this economic downturn,” Thurston said. “The last time there was a recession [in 2008], it was construction that led the way

and got us out of it. And they’re looking for us to do it again.” What better way to bring tradespeople back to work, he added, than a \$500 million infrastructure project?

Thurston is worried the cancellation could be the “tip of the iceberg” when it comes to the scrapping of infrastructure projects. And given the difficulty and massive expense in bidding on public-private partnerships, this latest setback “calls into question the credibility of the whole system” of companies partnering with the government on large builds. “I think contractors will look for other projects that are more secure, and only the very largest and most secure will continue to perhaps participate in three-Ps,” he said. “And then there will be no competition for them.”

Mark Ellerker, business manager of the **Hamilton-Brantford Building and Construction Trades Council**, agrees. The consortia bidding on this project have spent millions over the past three years putting the architectural, planning, financing, and legal aspects of their proposals together in good faith because they believed the project would be awarded, he told *NRU*. “But

when the government starts closing projects down at the eleventh hour, it starts to really shift confidence in the industry and among contractors.”

As the economic impacts of COVID-19 are felt by municipal governments, Thurston and Ellerker are worried that municipalities will be forced to postpone or cancel construction projects of all sizes.

The fact that local governments are scrutinizing their current and future budgetary commitments isn’t surprising in light of the financial difficulties wrought by COVID-19, said **Michael Fenn**, a former deputy solicitor general and current senior advisor with **StrategyCorp**. “That’s just human nature. My concern is that infrastructure investment can either be a casualty of the pandemic or it can be a way to help us escape its consequences,” he told *NRU*. “Investment in infrastructure is going to be one of the ways that we refloat our economy, improve its productivity, and build the kind of democratic society and economy that we’re going to need to prosper in the future. Infrastructure is a key ingredient in that.”

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I think contractors will look for other projects that are more secure, and only the very largest and most secure will continue to perhaps participate in three-Ps. And then there will be no competition for them.

- Clive Thurston

COURTHOUSE CANCELLATION

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Yet in cancelling the Halton consolidated courthouse, he cautioned, the government may wish to reflect on what signal it is sending. Because while the justice system is in need of modernization, he said, “the pipeline of infrastructure projects needs to be robust, and it needs to be reliable. There needs to be a degree of confidence for the construction industry” when bidding on projects that the work will actually be fulfilled. “If we aren’t careful, we can send the wrong message and lose capacity or a lot of the economic impact that infrastructure and construction investments can produce.”

Brian Gray, spokesperson for the **Ministry of the Attorney General**, told *NRU* the province’s experience with virtual meetings during COVID-19 has underscored the importance of strengthening the technology available to make the province’s ageing justice system work. “There is broad consensus that we cannot go back to the old ways of administering and delivering justice before the public health emergency,” he said.

Since the Halton project was still in the procurement phase when it was cancelled,

Gray said, there was no contract in place for any of the three consortia that bid on the project. The government intends to complete some modifications of the existing courthouses in Milton and Burlington “to address evolving infrastructure needs,” he noted, adding that Downey will announce details in the coming weeks. In the long term, however, “the shift of traditional investments toward innovation and new technology will move more services online and ensure sustained access to the justice system.”

No one disputes that Ontario’s justice system needs to be dragged into the 21st Century and have its reliance on paper filing lessened, Kelertas said. Successive governments have failed to address this issue, but the consolidated courthouse was set to help remedy this in Halton Region by allowing for remote hearings and teleconferences that could have resolved more cases pre-trial, lessening the workload on judges and freeing them to hear more serious cases. “I support the initiative of the Attorney General and his government to transform the justice system,” Kelertas noted. “That being said, you still need

to have bricks and mortar places where people can access justice services” in a safe and timely manner.

Halton’s justice hub was designed to provide legal services for more than just offenders awaiting trial – family law services were set to have offices in the new facility, as was the **Children’s Aid Society**, the **John Howard Society**, which helps reintegrate individuals coming out of the justice system into society, and the **Canadian Mental Health Association**. Working with **United Way Greater Toronto**, a host of smaller community groups were also set to receive community benefits charge

funds through the winning bidder to create or improve much-needed local services.

“The cancellation of this project is going to have more than just an impact on the legal community, but the community at large,” Kelertas said. “But at this point we’re just waiting for some culminating event – either a death in the cells, or some sort of violent occurrence in the courthouse” to force the provincial government to act.



Investment in infrastructure is going to be one of the ways that we refloat our economy, improve its productivity, and build the kind of democratic society and economy that we’re going to need to prosper in the future. Infrastructure is a key ingredient in that.

- Michael Fenn

HAVE A STORY TIP OR
IDEA RELATED TO YOUR
MUNICIPALITY?

Send an email to pressrelease@nrupublishing.com

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UPDATES ON CITY OPERATIONS FOR SELECTED MUNICIPALITIES

Status of planning and development services for selected GTHA municipalities as of press time May 19, 2020 (alphabetical, by municipality)

Due to the impacts of COVID-19, city and town operations across the province have been limited, reduced or modified to permit social and physical distancing.

Since the level of operations and services available varies by municipality and is changing frequently, we are publishing the information we have been able to gather periodically and/or when we are made aware it has changed since our previous reporting.

We have located updated information on **changes to municipal operations since we last reported on them in our May 13, 2020 GTHA issue** for the eight municipalities below.

Information on operations and service levels is updated by municipalities on their websites and in press releases in response to changing public health conditions and to the capacity of city operations. Please consult municipal and regional websites regularly for the latest status.

NRU will continue to monitor and report periodically on the status of municipal and regional operations in future issues until operations and services are restored to a normal level.

TOWN OF AJAX

<https://www.ajax.ca/en/novel-coronavirus-update.aspx#>

Town of Ajax Council and Committee Meetings

Meetings of Council, CAP, GGC, Advisory Committees, Property Standards and Animal Appeals Committee, and Committee of Adjustment are being held electronically and livestreamed during the emergency declaration. Visit www.ajax.ca/live to watch livestreamed meetings.

TOWN OF CALEDON

<https://www.caledon.ca/en/townhall/coronavirus.asp#services>

Town of Caledon Council Meetings

During the declared state of emergency Town Hall is closed to the public and Caledon Council is meeting virtually. On a temporary basis video recordings of Council Meetings and "Highlights" of Special Council Meetings relating to COVID-19 are being provided at caledon.ca/agenda.

Town of Caledon Planning & Development

No new development applications are being accepted at present. Applications already submitted will still be processed. Any associated public meetings are cancelled until further notice. Telephone consultations will continue.

Town of Caledon Building Services

Applications for all small

residential and miscellaneous projects may now be submitted electronically. Examples of projects that can be submitted through this method include decks, sheds, garages, houses, carports, pool enclosures, additions, temporary tents, demolition permits, and ground/ wall signs. All other applications will be accepted via mail or courier. (Updated May 15, 2020)

CITY OF HAMILTON

<https://www.hamilton.ca/coronavirus/affected-city-services>

City of Hamilton Council & Committee Meetings

All City Council and Committees are cancelled until June 30, 2020. Virtual meetings have been scheduled for:

- City Council Virtual Meeting May 20, 2020
- City Council Virtual Meeting May 27, 2020
- General Issues Committee Virtual Meeting June 15, 2020
- Planning Committee Virtual Meeting June 16, 2020
- Public Works Committee Virtual Meeting June 17, 2020
- Board of Health Committee Virtual Meeting June 17, 2020
- Audit, Finance and Administration Committee Virtual Meeting June 18, 2020
- Emergency and Community Services Committee Virtual Meeting June 19, 2020
- City Council Virtual Meeting June 24, 2020

City of Hamilton Development Approvals

As the COVID-19 situation in Hamilton continues to evolve, the [FAQs for Development Approvals](#) will be regularly updated as circumstances change to provide residents and developers with current information.

City of Hamilton Building Inspections, Permits & Zoning By-law Review

While our municipal facilities, including City Hall are closed to protect the health and safety of our staff and visitors, the Building Division remains open for business. There are many options to ensure we can continue to receive your building permit applications (for unoccupied areas only at this time) and requests for Zoning Verifications (regular service only) including mail/ courier delivery or online.

Online building permit applications can be completed at www.hamilton.ca/eplans and Zoning Verifications at zoningverification.hamilton.ca. Staff are also working to provide a drop box outside of City Hall at the rear of the building. As well, we are investigating other innovative solutions to support our inspectors in the field. You can find out the status of your Building Permit using the online [Building Permit search](#).

Residents should consider postponing non-essential

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GTHA PLANNING & DEVELOPMENT SERVICES

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renovations to a later date where possible. Under these unprecedented service delivery constraints, the Building Division will continue to maintain timeframes as much as possible for building permit applications, responding to information requests, building inspections, Zoning Verifications, etc.

TOWN OF NEWMARKET

<https://www.newmarket.ca/covid19>

Town of Newmarket Council & Committee Meetings

Council Schedule Suspended due to COVID-19

Due to the COVID-19 (coronavirus) outbreak, all Council, Committee of the Whole, Board and Advisory Committee regular meeting schedules have been suspended until August 2020 out of an abundance of caution. If public health officials' messaging change with respect to social distancing, staff will work in consultation with the Mayor and Chief Administrative Officer to resume meetings as soon as possible. Special Council meetings may be held electronically to support essential Town business and services as necessary.

Further updates on the Council schedule will be included on this page as information becomes

available.

Past meeting documents are located under **Past Meetings**. If you require assistance, please contact Legislative Services by calling 905-895-5193 or emailing clerks@newmarket.ca.

Town of Newmarket Planning Services

Because the Town municipal offices are now closed to the public, only electronic Planning applications are being accepted through planning@newmarket.ca.

The Town is accepting electronic submissions of applications for Zoning By-law Amendment, Official Plan Amendment, Draft Plan of Subdivision, and Draft Plan of Condominium. However, these applications will not be deemed complete or advanced to public notice and review until the existing state of emergency is lifted.

Applications for Site Plan Approval will be accepted electronically during this time. If applications are not required to be presented to Site Plan Review Committee, applications for Site Plan Approval are delegated to staff for approval and will be advanced through the standard process.

Committee of Adjustment Applications

The Town is accepting electronic submissions of applications for

Minor Variance and Consent. However, these applications will not be deemed complete or advanced to public notice and review until the existing state of emergency is lifted. For questions please contact the Secretary Treasurer of the Committee of Adjustment at pcho@newmarket.ca.

Pre-Consultation Meetings

Pre-consultation meetings for new Planning applications can be scheduled through videoconference. Please complete the [Pre-consultation Form](#), and submit to planning@newmarket.ca.

Status of Existing Applications

Staff continue to review and process ongoing applications. Depending on the type of application and whether public notice and meetings are required, applications may advance or be paused until the state of emergency is lifted. Please contact planning@newmarket.ca or the staff member assigned to your file regarding the status of existing applications or for general inquiries.

Town of Newmarket Building Services

Please contact buildings@newmarket.ca, or the staff member assigned to your file, regarding Building Permit applications, submitting a new application and documents or for general inquiries.

Building Permits

Staff will accept new applications electronically, by mail, courier or in our drop box at 395 Mulock Drive. (please note our drop-box size is limited to document packages not larger than 150 x 450

[6" x 18"]). We will continue to work with you to review and advance your application while ensuring minimal personal contact due to the ongoing public health crisis.

We are still processing Building Permits remotely while the Municipal Offices are closed to the public; however, as of April 4 2020 the issuance of permits are subject to all restrictions and prohibitions under the law. More specifically, the permit does not mean that construction can be carried out in contravention of any Act, Regulation and/or provincial order prohibiting construction deemed non-essential. Please note that you must review the list of construction projects deemed essential and it is recommended that you seek legal opinion to determine whether the project is deemed essential under the Emergency Management and Civil Protection Act (EMCPA) and its Regulations, as amended, before proceeding with construction in order to avoid contravention of the law. Construction projects deemed non-essential are prohibited. Please further note that Inspections will only be carried out on construction projects deemed essential under the EMCPA and its Regulations, as amended.

Building Permits and application forms [are available here](#).

Before applying for a Building Permit, please ensure that your intended project conforms to the zoning by-law. Locate the zoning for any property in Newmarket at the «What is my zoning?» page or consult a relevant guide to your type of project available on this page. Staff are also available on-line to assist you by email to planning@newmarket.ca

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GTHA PLANNING & DEVELOPMENT SERVICES

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Building Inspections

We will continue to inspect unoccupied homes under construction, and the list of construction projects deemed essential under the Emergency Management and Civil Protection Act (EMCPA) and its Regulations, as amended subject to the following protocol.

Prior to scheduling an inspection, the Inspector shall confirm that no persons are in the area other than the Site Supervisor, and that the two-metre "physical distancing" will be respected during the inspection. This confirmation shall be received both in advance of scheduling the inspection, and again on site, prior to undertaking the inspection. Should an Inspector encounter a situation he/she is uncomfortable with, the Inspector shall remove himself/herself from the site and contact the CBO or acting CBO for further guidance.

Inspection staff have been advised not to enter occupied areas of the following building types for the purposes of carrying out their duties:

- Occupied dwellings, including homes, apartments and condo units;
- Long-term care facilities, seniors' residences and retirement homes;
- Hospitals;
- Operating/ existing Daycare facilities; and
- Inspections where the public or

construction workers has not been restricted

Any requests for inspections to which the above applies shall be deferred until further notice. Consideration may be given to professional (engineers, architects) field review reports, coupled with sufficient evidence of code compliance, to permit work to proceed in the absence of inspections; however, these will be reviewed, documented and followed-up upon by the Building Inspector on a case by case basis. Please understand these associations are also proceeding cautiously and may not continue to provide general field review services.

The safety of all workers is of utmost importance. Our goal is to continue service levels wherever possible. If the development community could limit the number of people on sites during inspections, we will have more flexibility in the types of inspections we can continue to do. Inspections can be booked by phone (905-953-5300 ext. 2400) or email to buildings@newmarket.ca.

CITY OF PICKERING

<https://www.pickering.ca/en/city-hall/covid-19-update.aspx#>

City of Pickering Council & Committee Meetings

Committee and Council meetings are now being held electronically.

Members of the public may provide a verbal delegation to Members of Council via an audio connection into the electronic meeting. To register as a delegate, complete the [online delegation form](#) or email clerks@pickering.ca. A member of the Clerk's Office will follow-up to confirm your delegation and provide instructions on how to connect to the meeting.

Persons who wish to speak to an item that is on an agenda must register by 12:00 noon on the last business day before the meeting. All delegations for items not listed on an agenda shall register ten (10) days prior to the meeting date (**Note:** delegations for Special Meetings of Council must relate to an item on the agenda).

During the meeting, the Chair will invite each registered delegate, one by one, to join the meeting via audio connection. **Please ensure you provide the phone number that you wish to be contacted on in your delegation request.**

A maximum of 10 minutes shall be allotted for each delegation.

Please be advised that your name and address will appear in the public record and will be posted on the City's website as part of the meeting minutes.

View the [meeting calendar](#) for agendas and minutes. View [meeting videos](#).

TOWNSHIP OF SCUGOG

<https://www.scugog.ca/en/live-and-play/covid-19-information-and-updates.aspx>

Township of Scugog Council & Committee Meetings

Township of Scugog has commenced virtual Council, Committee, Advisory Committee, PIC's meetings and Committee

of Adjustment Hearings. The schedule for council and committee meetings can be found here <https://calendar.scugog.ca/TownshipMeetings?mid=102943#>

Town of Whitchurch-Stouffville

<http://www.townofws.ca/en/important-information.aspx>

Town of Whitchurch-Stouffville Council Meetings

All meetings will now be held virtually using the software platform Zoom. All Councillors, including the Mayor, plus all required Town staff, will be available within the virtual meeting. The public will not be able to logon to the software to view the proceedings.

The public can follow all council meetings one of two ways (or both):

- follow the Town's official council Twitter account [@ws_townhall](#)
- listen to the live audio stream online at townofws.ca/CMLiveStream. **Audio archives of past meetings** are also available.

Anyone wishing to submit comments to any of the agenda items, which will form part of the public record, may write to the Town Clerk at clerks@townofws.ca. These comments will be read during the meeting by the Clerk and received by Council.

Anyone wishing to provide verbal comments may be invited to attend the meeting electronically, please contact the Town Clerk at clerks@townofws.ca for more information. Anyone wishing to present a delegation or an outside presentation to Council at a virtual meeting, please contact the Clerk at clerks@townofws.ca for further details.

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GTHA PLANNING & DEVELOPMENT SERVICES

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Town of Whitchurch-Stouffville Development Services

- Planning staff continue to answer inquiries via telephone at 905-640-1900 Ext. 2442 and through email at Developmenthelp@townofws.ca
- Bill 187, Municipal Emergency Act, 2020 suspends statutory timelines under the Planning Act. Under these circumstances, Planning Division continues to work hard to provide the services in a timely manner.
- The Town continues to accept all Planning applications. Customers can drop-off large non-confidential plans, reports and documents and relevant information in the clear plastic drop-bin within Town Hall main vestibule, during regular business hours. Cheques and confidential information should be mailed, couriered or dropped-off outside of the main vestibule, anytime, in the exterior "Secure Drop Box".
- All completed planning applications, documents and plans are required to be sent via USB Flash Drive, emailed at Developmenthelp@townofws.ca or uploaded to the Town's **2 Big 4 email** site.
- Credit Card payments can be made by completing a digital form for amounts not exceeding \$5,000
- Larger fees can be paid with

cheques, which may be mailed, couriered or delivered to our Town Hall.

Town of Whitchurch-Stouffville Building Services
<http://www.townofws.ca/en/town-hall/building-division-covid-19-information.aspx?mid=32932>

Permit Applications and Review:

- The Town continues to accept all Building Permit applications and will issue all OBC compliant permits in appropriate time. Permits issued on, or after April 6th 2020, will be subject to a caveat that states that Constructors must comply with the latest Provincial COVID19 Order.
- Customers can drop-off large non-confidential plans and relevant information in the clear plastic drop-bin within Town Hall main vestibule, during regular business hours. Cheques and confidential information should be mailed or dropped-off outside of the main vestibule, anytime, in the exterior "Secure Drop Box". Completed applications, documents and plans that can be easily read and printed (at size no larger than 11" x 17") are encouraged to be sent via PDF to BuildingPermits@TownofWS.ca
- Credit Card payments can be made by completing a digital

form for amounts not exceeding \$5,000 by sending in an emailed request to BuildingPermits@TownofWS.ca. Larger fees can be paid with cheques, which may be mailed or delivered to our Town Hall.


- The Provincial Lieutenant Governor in Council made an emergency COVID-19 order that suspends all response times. Under these circumstances, the Building Division is working hard to provide the services you expect, in a timely manner.

Inspections:

- Limited inspections will be conducted on unoccupied buildings (that have not been halted by the Provincial Order, practically effective April 6th 2020) provided the project is either open to the exterior or has no more than 1 person attending with the Inspector in the area required to be inspected.
- A minimum physical distance of **2 meters** must always be maintained between construction personnel and the Inspector during inspections. No inspections will be conducted on sites with personnel exhibiting any symptoms of sickness (COVID19 or any other sickness), or are known to have been in contact with persons with COVID19, or have travelled outside of Canada within the last 30 days.
- No inspections of occupied buildings will be conducted during this emergency. Only with extreme financial, or residing hardships, will the Town accept Professional Review reports that are accompanied with photos or virtual videos. Under these extenuating circumstances the Town may accept this

documentation in lieu of an inspection of an occupied building. Pre-approval for this virtual inspection must be made to the Chief Building Official prior requesting an inspection. At the discretion of the Chief Building Official, work may be ordered to be uncovered if a stage was covered prior to our approval. Send your inquiries to Inspections@TownofWS.ca

CITY OF TORONTO

<https://www.toronto.ca/home/covid-19/covid-19-latest-city-of-toronto-news/affected-city-services/> 

LPAT NEWS

REVISED HAMILTON SEVERANCE APPROVED

In a May 12 decision, LPAT member **Justin Duncan** allowed an appeal, in part, by **Fortino's Umbrella Inc.** against the **City of Hamilton's** failure to make a decision on its rezoning application for 941 Old Mohawk Road, located adjacent to the intersection of Highway 403 and the Lincoln Alexander Parkway.

Fortino's originally proposed to sever the existing property into four lots. It subsequently reached agreement with the City for a zoning by-law amendment to create just three, rather than four lots, and was granted a consent by the City's Committee of Adjustment to facilitate the severance.

The consent approval was appealed by neighbour **Cory Giacinti**, and the Tribunal heard the consent appeal alongside the rezoning matter. The key dispute at the hearing concerned whether it would be appropriate to sever the site into three or just two lots.

Planner **Matt Johnston (Urban Solutions)** provided evidence on behalf of Fortino's, in support of the proposal, as amended. While acknowledging that the proposal will result in the narrowest lots in the area, he testified that the rezoning will regulate built form on the new lots, which will result in dwellings that are in keeping with the existing character and prevailing setbacks of the neighbourhood.

Johnston indicated that

while **Hamilton Conservation Authority** had originally recommended that a 15-metre vegetative protection zone (VPZ) be provided around an on-site woodlot, a study conducted by the applicant supports a reduced nine-metre VPZ, which the City has accepted.

Planner **Mark Rogers (John D. Rogers & Associates)** appeared on behalf of Giacinti, in opposition to the proposal. He testified that a severance to create two lots, with equal 28.2-metre frontages, would be more-appropriate. Furthermore, he opined that the proposal fails to satisfy Official Plan policies for compatible development in neighbourhood areas.

The Tribunal preferred Johnston's planning evidence

and found that the revised three-lot proposal will fit within the neighbourhood context, which demonstrates a high degree of lot fabric variability. It allowed the rezoning appeal, in part, and dismissed Giacinti's appeal of the consent application. In approving the revised proposal, the Tribunal attached numerous implementing conditions.

Solicitors involved in this decision were **Joel Farber (Fogler, Rubinoff)** representing Fortino's Umbrella Inc. and city solicitor **Patrick MacDonald** representing the City of Hamilton. [See LPAT Case No. [PL171264](#).] 🌸

COMMITTEE AGENDAS



DURHAM

[OPA/ZBA recommended for Bowmanville Neighbourhood Character Study](#)

At its May 19 meeting, **Clarington Planning &**

Development Committee considered a final [report](#) recommending that Council adopt amendments to the Official Plan and applicable Zoning By-law to implement the recommendations of the Bowmanville Neighbourhood Character Study. The amendments are intended to ensure that

future development in three established neighbourhoods—the Elgin, Central and Memorial neighbourhoods—better reflects the existing neighbourhood character. The Character Study was prepared by consultant planning and urban design firm **MHBC**.

