

Open Forum

Public Notices (if required)

Additions & Corrections to the Agenda

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Notices of Motions

Motions

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Addendum (Additions and Corrections)

Adjournment

Deputation and Further Notice Request Form

Please complete this form to speak at a meeting of Town Council or Committee of the Whole. If filling out by hand please print clearly.

Please email to clerks@newmarket.ca, fax to 905-953-5100 or mail or drop off at Legislative Services Department, Town of Newmarket Municipal Offices, 395 Mulock Drive, PO Box 328, STN Main, L3Y 4X7

Subject: 799 ELGIN STREET - VEGETABLE GARDEN.

Date of Meeting: MAY 11, 2015 Agenda Item No.:

☒ I wish to address Council / Committee

☐ I request future notification of meetings.

Name: JULIE JEANNOTTE

Organization / Group/ Business represented:

Address: 799 ELGIN STREET Postal Code:

Email:

Home Phone: Business Phone:

Be advised that all Council and Committee of the Whole meetings are audio-video recorded and live streamed online. If you make a presentation to Council or Committee of the Whole, your presentation becomes part of the public record and you will be listed as a presenter in the minutes of the meeting. We post our minutes online, so the listing of your name in connection with the agenda item may be indexed by search engines like Google.

Personal information on this form will be used for the purposes of sending correspondence relating to matters before Council. Your name, address, comments, and any other personal information, is collected and maintained for the purpose of creating a record that is available to the general public in a hard copy format and on the internet in an electronic format pursuant to Section 27 of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M.56, as amended. Questions about this collection should be directed to the Director of Legislative Services/Town Clerk, Town of Newmarket, 395 Mulock Drive, P.O. Box 328, STN Main, Newmarket, ON L3Y 4X7; Telephone 905 895-5193 Ext. 2211 Fax 905-953-5100.

The meeting of the Council was held on Monday, April 20, 2015 in Council Chambers, 395 Mulock Drive, Newmarket.

Members Present: Mayor Van Bynen
Regional Councillor Taylor
Councillor Vegh
Councillor Kerwin
Councillor Twinney
Councillor Hempen
Councillor Sponga
Councillor Broome-Plumley
Councillor Bisanz

Staff Present: R.N. Shelton, Chief Administrative Officer
A. Moore, Commissioner of Corporate Services
I. McDougall, Commissioner of Community Services
P. Noehammer, Commissioner of Development and Infrastructure Services
A. Brouwer, Director of Legislative Services/Town Clerk
J. Patel, Business Support Analyst
C. Finnerty, Council/Committee Coordinator

The meeting was called to order at 7:00 p.m.

Mayor Van Bynen in the Chair.

Public Notices

None.

Additions & Corrections to the Agenda

Moved by: Councillor Vegh
Seconded by: Councillor Twinney

THAT the items listed on the agenda as addendum items be included.

In Favour: Mayor Van Bynen, Regional Councillor Taylor, Councillor Vegh, Councillor Kerwin, Councillor Twinney, Councillor Hempen, Councillor Sponga, Councillor Broome-Plumley, Councillor Bisanz
 Opposed: (None)
 (9 in favour, 0 opposed)

Carried

Declarations of Pecuniary Interest

None.

Presentations & Recognitions

None.

Deputations

1. Ms. Stacy Ryder was not in attendance to address Council regarding the Newmarket MS Society, York Region Chapter Walk. Councillor Sponga advised that the walk will take place on Sunday, May 3, 2015 at the Newmarket Community Centre and Lions Hall, 200 Doug Duncan Drive beginning with registration at 8:30 a.m.

Approval of Minutes

2. Council Minutes of March 30, 2015.

Moved by: Councillor Sponga
 Seconded by: Councillor Bisanz

THAT the Council Minutes of March 30, 2015 be approved.

In Favour: Mayor Van Bynen, Regional Councillor Taylor, Councillor Vegh, Councillor Kerwin, Councillor Twinney, Councillor Hempen, Councillor Sponga, Councillor Broome-Plumley, Councillor Bisanz
 Opposed: (None)
 (9 in favour, 0 opposed)

Carried

3. Special Council Minutes of March 30, 2015.

Moved by: Councillor Kerwin
 Seconded by: Councillor Twinney

THAT the Special Council Minutes of March 30, 2015 be approved.

In Favour: Mayor Van Bynen, Regional Councillor Taylor, Councillor Vegh,
 Councillor Kerwin, Councillor Twinney, Councillor Hempen,
 Councillor Sponga, Councillor Broome-Plumley, Councillor Bisanz
 Opposed: (None)
 (9 in favour, 0 opposed)

Carried

4. Special Council (Closed Session) Minutes of March 30, 2015.

Moved by: Councillor Twinney
 Seconded by: Councillor Bisanz

THAT the Special Council (Closed Session) Minutes of March 30, 2015 be approved.

In Favour: Mayor Van Bynen, Regional Councillor Taylor, Councillor Vegh,
 Councillor Kerwin, Councillor Twinney, Councillor Hempen,
 Councillor Sponga, Councillor Broome-Plumley, Councillor Bisanz
 Opposed: (None)
 (9 in favour, 0 opposed)

Carried

Correspondence & Petitions

5. Correspondence from Ms. Ashley Martin, Program Manager, Girls Incorporated of York Region requesting proclamation of May 4 to 8, 2015 as 'Girls Rights Week'.

Moved by: Councillor Hempen
 Seconded by: Councillor Sponga

a) THAT the correspondence from Ms. Ashley Martin, Program Manager, Girls Incorporated of York Region be received and the following recommendations be adopted:

i) THAT the Town of Newmarket proclaim May 4 to 8, 2015 as 'Girls Rights Week';

ii) AND THAT the proclamation be advertised in the Town Page advertisement and on the Town's website www.newmarket.ca

In Favour: Mayor Van Bynen, Regional Councillor Taylor, Councillor Vegh, Councillor Kerwin, Councillor Twinney, Councillor Hempen, Councillor Sponga, Councillor Broome-Plumley, Councillor Bisanz
 Opposed: (None)
 (9 in favour, 0 opposed)

Carried

Reports by Regional Representatives

- a) Regional Councillor Taylor advised that the Region, in conjunction with each lower tier municipality has completed the York Region Office Attraction Review which will be before Regional Council this week. The review discusses Davis Drive, economic development, jobs and office attraction. A market analysis of the regional centres and corridors related to office attraction has been completed, a workplan will come forward that will incorporate a marketing and communications plan.
- b) Regional Councillor Taylor advised that the Region's 2014 Greening Strategy Review has been completed. Highlights from the report include 91,000 trees planted in York Region, over 3000 tree plantings on regional boulevards and 1.7 kilometres of fully accessible trails.

Reports of Committees and Staff

- 6. Special Committee of the Whole Minutes of March 30, 2015.

Moved by: Regional Councillor Taylor
 Seconded by: Councillor Vegh

THAT the Special Committee of the Whole Minutes of March 30, 2015 be approved and the following recommendations be adopted:

- 7. THAT staff provide a report within six months related to internet voting.
- 8. THAT the purchase of the property known as Clock Tower and restructuring of Council be removed as priority items for this term of Council.
- 9. THAT the Partners for Climate Protection Plan and related greenhouse gas strategies be referred to staff for internal processes and referred to the Municipal Energy Plan.

10. THAT the following items be included as priorities under the current themes:
 - Better Understanding of Economic Development/Assessment Enhancement/Job Creation
 - Budget – Activity Based Costing (Benchmarking effectiveness and efficiency – cost comparators)
 - Improve Quality of Life – Community Based Projects
11. THAT the themes be consolidated under the following themes:
 - Economic Development and Jobs
 - Enhanced Recreation Opportunities
 - Municipal Efficiencies and Financial Management
 - Traffic Safety Mitigation
12. THAT Community Centre Lands (downtown parking) and Davis/Yonge Redevelopment – Optimized for Living be included under the Municipal Efficiencies and Financial Management theme.
13. THAT Long Term Municipal Facilities Optimization – location, services and Municipal Recreation Hub – explore/develop be consolidated as one item.
14. THAT Community Engagement, including communication measures be incorporated into the themes.

In Favour: Mayor Van Bynen, Regional Councillor Taylor, Councillor Vegh, Councillor Kerwin, Councillor Twinney, Councillor Hempen, Councillor Sponga, Councillor Broome-Plumley, Councillor Bisanz

Opposed: (None)
(9 in favour, 0 opposed)

Carried

15. Committee of the Whole Minutes of April 13, 2015.

Moved by: Councillor Kerwin
Seconded by: Councillor Vegh

THAT the Committee of the Whole Minutes of April 13, 2015 be approved and the following recommendations be adopted:

16. THAT the presentation by Mr. Glenn Lang, Project Manager - N6 Shared Services regarding an Overview of the N6 Shared Services Study be received.
17. THAT the presentation by Ms. Mary-Frances Turner, President, York Region Rapid Transit Corporation regarding vivaNext impacts be received.

18. THAT the deputation by Mr. John Heckbert regarding vivaNext - Davis Drive and Yonge Street Update be received.
19. THAT the deputation by Ms. Bessie Vlasis regarding Bully Free Community Alliance be received.
20. THAT the request for funding by Bully Free Community Alliance in the amount of \$3,500.00 in order to attend the Global Youth Summit be referred to staff for consideration.
21. THAT the deputation by Ms. Anne Robins and associated correspondence regarding Downtown Patios be received.
22. a) THAT Community Services – Economic Development Report 2015-12 dated April 2, 2015 regarding Downtown Patios - Pilot Project be referred to the Main Street District Business Improvement Area Board of Management for consultation and recommendations to staff and Council.
23. THAT the deputation by Mr. John Birchall regarding NEAC Committee Dissolution be received.
24. Corporate Services Report - Legislative Services 2015-05 dated April 2, 2015 regarding 'Committee Administration Policy and Committee Structure Options'.
 - a) THAT Corporate Services Report - Legislative Services 2015-05 dated April 2, 2015 regarding 'Committee Administration Policy and Committee Structure Options' be received and the following recommendations be adopted:
 - i) THAT the Committee Administration Policy (attached as Appendix 'A') be approved and immediately applied to all applicable committees;
 - ii) AND THAT Council approve Option A, as identified in this report as the committee structure for the 2014-2018 term with the exception of the Newmarket Environmental Advisory Committee (NEAC) which shall continue its current structure pending a review and further development of its mandate by staff in consultation with the previous NEAC Chair;
 - iii) AND THAT with the exception of Statutory Committees, all Advisory Committee/Task Forces identified for dissolution in the Committee Structure Options Matrix (attached as Appendix 'B'), be formally dissolved;
 - iv) AND THAT staff be directed to prepare and/or update all necessary terms of references for Council's future approval and undertake recruitment activities as necessary;

v) AND THAT the Audit Committee members from the 2010-2014 term be permitted to meet until new members have been appointed.

25. Correspondence dated March 17, 2015 from Mr. Mario Sergio, Minister, Seniors Affairs requesting proclamation of June, 2015 as 'Seniors' Month' in the Town of Newmarket.

a) THAT the correspondence dated March 17, 2015 from Mr. Mario Sergio, Minister, Seniors Affairs be received and the following recommendations be adopted:

i) THAT the Town of Newmarket proclaim June, 2015 as 'Seniors' Month';

ii) AND THAT the proclamation be advertised in the Town Page advertisement and on the Town's website www.newmarket.ca

26. Correspondence dated March 20, 2015 from Ms. Linda Keith, President, PFLAG Canada - York Region requesting proclamation of June 13 to June 21, 2015 as 'Pride Week' in the Town of Newmarket.

a) THAT the correspondence dated March 20, 2015 from Ms. Linda Keith, President, PFLAG Canada - York Region be received and the following recommendations be adopted:

i) THAT the Town of Newmarket proclaim June 13 to June 21, 2015 as 'Pride Week';

ii) AND THAT the proclamation be advertised in the Town Page advertisement and on the Town's website www.newmarket.ca

27. Appointment Committee Minutes of February 23, 2015 and March 23, 2015.

a) THAT the Appointment Committee Minutes of February 23, 2015 and March 23, 2015 be received.

28. Main Street District Business Improvement Area Board of Management Minutes of February 24, 2015.

a) THAT the Main Street District Business Improvement Area Board of Management Minutes of February 24, 2015 be received.

29. Site Plan Review Committee Minutes of March 30, 2015.

a) THAT the Site Plan Review Committee Minutes of March 30, 2015 be received.

30. Item 1 of the Site Plan Review Committee Minutes of March 30, 2015 regarding Application for Telecommunications Tower - 1151 Ringwell Drive.
- a) THAT the application for Telecommunications Facility to permit a new 40 metre monopole tower to be erected on the subject lands be approved in principle and referred to staff for processing, subject to the following:
 - i) THAT the preliminary review comments provided to the applicant be addressed to the satisfaction of Town Staff;
 - ii) THAT Committee request the applicant provide a donation in the amount of \$10,000.00 to the Town for a community benefit;
 - iii) AND THAT Cathy Bilotta of Standard Land Company Inc., Suite 600, 366 Bay Street, Toronto, ON M5H 4B2 be notified of this decision.
31. Item 2 of the Site Plan Review Committee Minutes of March 30, 2015 - Application for Amendment to Site Plan Approval - 18106 and 18110 Yonge Street - Regional Municipality of York.
- a) THAT the application for Amendment to Site Plan Approval to permit an addition having a gross floor area of 3,310 m² to the existing bus storage facility and a new Emergency Medical Services facility having a gross floor area of 555 m² together with a parking lot expansion on the subject lands be referred to a Public Information Centre (PIC), subject to the following:
 - i) THAT existing fence be upgraded and appropriate landscaping for screening the EMS building be included in the plans to be presented at the Public Information Centre (PIC);
 - ii) AND THAT Mr. Martin Silver, Manager, Capital Delivery, Property Services Branch of The Regional Municipality of York, 17250 Yonge Street Newmarket, ON L3Y 6Z1 be notified of this decision;
 - ii) AND THAT Ms. Lauren Capilongo, Associate of Malone Given Parsons Ltd., 140 Renfrew Drive, Suite 201, Markham, ON L3R 6B3 be notified of this decision.
32. Chief Administrative Officer Report 2015-03 dated March 25, 2015 regarding Northern 6 Collaboration - Presentation of Upcoming Initiatives.
- a) THAT CAO Report 2015-03 dated March 25, 2015 regarding Northern 6 Collaboration - Presentation of Upcoming Initiatives be received and the following recommendations be adopted:

i) THAT the CAO Report 2015-03 be received;

ii) AND THAT staff be directed to continue to evaluate opportunities for shared services between and among Northern 6 municipalities.

33. Corporate Services Report - Legislative Services 2015-06 dated March 23, 2015 regarding 'Regulation and Sale of Fireworks'.

a) THAT Corporate Services Report - Legislative Services 2015-06 dated March 23, 2015 regarding 'Regulation and Sale of Fireworks' be received and the following recommendations be adopted:

i) THAT Council adopt the Draft Fireworks By-law attached as Appendix 'A';

ii) AND THAT the following fees be included in the Fees and Charges By-law for the 2015 Budget;

License to sell at a Mobile Sales Premise	\$337.00
Appeals Fee	\$155.00

iii) AND THAT Council repeal By-law 2002-151 Schedule 11.

34. Corporate Services Report - Financial Services 2015-24 dated April 1, 2015 regarding Ice Storm Assistance Program Grant Agreement.

a) THAT Corporate Services Report - Financial Services 2015-24 dated April 1, 2015 regarding Ice Storm Assistance Program Grant Agreement be received and the following recommendations be adopted:

i) THAT the Mayor and Clerk be authorized to execute the Ice Storm Assistance Program Grant Agreement on behalf of the Town of Newmarket;

ii) AND THAT any funds received be applied to the Winter Control Reserve.

35. Development and Infrastructure Services Report - Engineering Services 2015-23 dated March 19, 2015 regarding Parking By-law Update - Construction Activity.

a) THAT Development and Infrastructure Services Report – ES2015-23 dated March 19, 2015 regarding Parking By-law Update – Construction Activity be received and the following recommendations be adopted:

i) THAT the Parking By-law 1993-62, as amended, be further amended by adding the following:

20.3 During road construction, residents are exempt from the following sections relating to the road under construction: Sections 8.2 a), 8.6 a), 10 c), 10 e), 10 f), 12 a), 12 f), 12 h), 16, and 17.

20.3.1 The commencement of a Road Construction project is defined as a) the date that the Notification to Commence Work has been issued AND b) the Road Construction Signs (OTM Book 7 Temporary Signs) have been erected. The project is defined as completed when a Certificate of Substantial Completion has been issued AND the Road Construction Signage has been removed.

ii) AND THAT the necessary By-laws be prepared and submitted to Council for their approval.

36. Development and Infrastructure Services Report - Public Works Services 2015-27 dated March 30, 2015 regarding Road Occupancy By-law - Minor Amendments.

a) THAT Development and Infrastructure Services Report - Public Works Services 2015-27 dated March 30, 2015 regarding Road Occupancy By-law - Minor Amendments be received and the following recommendations be adopted:

i) THAT the definition of Applicant be deleted, and the new definition be added; 'Applicant' means any person making application for a Road Occupancy Permit;

ii) AND THAT 7.2 (b) be amended by removing 'two million dollars (\$2,000,000.00); and adding 'five million dollars (\$5,000,000.00)'; for required insurance coverage;

iii) AND THAT a By-law be prepared for Council.

37. Development and Infrastructure Services Report - Engineering Services 2015-26 dated March 27, 2015 regarding 'York Region Municipal Streetscape Partnership Program - Davis Drive Key Intersection Improvements'.

a) THAT Development and Infrastructure Services Report – ES2015-26 dated March 27, 2015 regarding York Region Municipal Streetscape Partnership Program – Davis Drive Key Intersections Streetscape Improvements be received and the following recommendations be adopted:

i) THAT the Engineering Services Department be authorized to continue the application under the Municipal Streetscape Partnership Program offered by York Region for the Davis Drive key intersection streetscape improvements;

ii) AND THAT staff be authorized to maintain the works being proposed under the Municipal Streetscape Partnership Program offered by York Region for the Davis Drive key intersection streetscape improvements.

38. List of Outstanding Matters.

a) THAT the list of Outstanding Matters be received.

39. Central York Fire Services - Joint Council Committee Minutes of April 7, 2015.

a) THAT Central York Fire Services - Joint Council Committee Minutes of April 7, 2015 be received.

40. Item 4 of the Central York Fire Services - Joint Council Committee Minutes of April 7, 2015 regarding feasibility of a consolidated fire service.

WHEREAS the consolidation of Aurora and Newmarket fire services into Central York Fire Services has achieved efficiencies through enhanced levels of fire service provided at a significantly reduced cost;

AND WHEREAS consolidation with additional municipalities may achieve further operating efficiencies, improved department structure, increased service level(s), and cost avoidance opportunities;

BE IT RESOLVED THAT staff be directed to prepare correspondence to the Council of the Town of Richmond Hill pursuing interest in the consolidation of CYFS with the Town of Richmond Hill Fire Service;

AND THAT the correspondence be brought before both Councils of Aurora and Newmarket for approval and signed by Heads of Councils before submission to Richmond Hill Council.

41. Correspondence dated April 8, 2015 from Mr. Stephen Huycke, Town Clerk, Town of Aurora regarding 2015 Central York Fire Services Budget for Aurora Comment.

a) THAT the correspondence dated April 8, 2015 from Mr. Stephen Huycke, Town Clerk, Town of Aurora regarding 2015 Central York Fire Services Budget for Aurora Comment be received.

42. Development and Infrastructure Services Report - Engineering Services 2015-24 dated April 13, 2015 regarding Inflow and Infiltration Reduction Pilot Project.

a) THAT Development and Infrastructure Services Report – ES 2015-24 dated April 13, 2015 regarding Inflow and Infiltration Reduction Pilot Project be deferred to the next scheduled Committee of the Whole meeting.

43. Development and Infrastructure Services Report - Planning and Building Services 2015-06 dated April 13, 2015 regarding the 2015 Annual Servicing Allocation Review.

a) THAT Development and Infrastructure Services Report - Planning and Building Services 2015-06 dated April 13, 2015 regarding the 2015 Annual Servicing Allocation Review be received and the following recommendations be adopted:

i) THAT all previously distributed servicing capacity be re-instated;

ii) AND THAT servicing capacity be allocated to the following development from the Town's current strategic reserve:

Marianneville Developments (Glenway) Phase 1 in the amount of 325 people (74 townhouses) be assigned and that the 40 detached dwellings allocation be delegated to staff following the Town initiated Glenway Public Information Centre (PIC) to be scheduled no later than May 30, 2015;

iii) AND THAT staff bring forward an additional allocation report in 2015 if necessary and that Council defer any prioritization of future allocation to that time;

iv) AND THAT the Town continue to hold the balance of its unassigned and uncommitted servicing capacity (2560 people total, with a minimum of 561 people to be directed to the Centres and Corridors) in a strategic reserve.

44. Joint Development and Infrastructure Services/Planning and Building Services and Corporate Services/Financial Services Report 2015-08 dated April 13, 2015 regarding Implementation Strategy for the Newmarket Urban Centres Secondary Plan.

a) THAT Joint Development and Infrastructure Services/Planning and Building Services and Corporate Services/Financial Services Report 2015-08 dated April 13, 2015 regarding the Implementation Strategy for the Town of Newmarket Urban Centres Secondary Plan be received and that the following recommendations be adopted:

i) THAT the Implementation Strategy for the Newmarket Urban Centres Secondary Plan in Attachment 1 be approved;

ii) AND THAT staff be directed to review and update the Implementation Strategy in conjunction with the future review(s) and update(s) of the Development Charges By-law.

45. Information Report 2015-10 dated March 26, 2015 regarding Canada Post Switchover to Community Mailboxes.

a) THAT a request be made to Canada Post for an additional review period of 180 days for the placement of Community Mailboxes;

b) AND THAT staff review the location of all Community Mailboxes as it pertains to safety, accessibility, parking, winter maintenance and proposed capital improvements related to roads, sidewalks and utilities;

c) AND THAT staff engage the Newmarket Accessibility Advisory Committee for comment;

d) AND THAT the results of the review by staff and the Newmarket Accessibility Advisory Committee be provided to Canada Post;

e) AND THAT a copy of this motion be circulated to Canada Post and the office of the Member of Parliament for Newmarket-Aurora.

46. Corporate Services Report - Legislative Services 2015-02 dated April 1, 2015 regarding 'Noise By-law Exemption Request, Ministry of Transportation re: Pan Am and Parapan Am Games Off-Peak Deliveries'.

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

i) THAT a by-law to exempt the unloading and loading of goods at off-peak deliveries for the duration of the Pan Am and Parapan Am Games from June 26, 2015 to August 15, 2015 between the hours of 7:00 p.m. to 12:00 a.m. Monday through Friday from the Noise By-law (By-law 2004-94) be enacted;

ii) AND THAT the Town of Newmarket and Ministry of Transportation provide notice to Newmarket residents in advance of June 26, 2015.

47. Community Services - Recreation and Culture Report 2015-08 dated April 1, 2015 regarding Artificial Turf Sports Field Follow- Up Report.

a) THAT Community Services - Recreation and Culture Report 2015-08 dated April 1, 2015 regarding Artificial Turf Sports Field Follow-Up Report be received and the following recommendation be adopted:

i) THAT Council direct staff to carry out the next steps as outlined within this report.

48. Joint CAO/ Commissioners and Financial Services Report 2015-23 dated April 7, 2015 regarding Enhancement Options.

a) THAT Joint CAO/Commissioners and Financial Services Report 2015-23 dated April 7, 2015 regarding Enhancement Options be received and the following recommendations be adopted:

i) THAT a provision of \$153,000 (0.30% tax increase) for service level enhancements be confirmed for inclusion in the 2015 draft budget and allocated as follows:

2015		2016*	2017*	2018*	Total
CreateITNow at Southlake	\$ 25,000				\$ 25,000
All sidewalk snow clearing	\$ 40,000	\$ 60,000	\$100,000	\$100,000	\$ 300,000
Manager of Transportation	\$ 62,000	\$ 75,028			\$ 137,028
Other transportation initiatives	\$ 26,000	\$ 38,000	\$ 50,000	\$ 55,000	\$ 169,000
Total	\$ 153,000	\$ 173,028	\$ 150,000	\$ 155,000	\$ 631,028

* subject to further review and annual budget approval

49. THAT Council support audio and visual recordings of all Council Strategic Priority workshops and meetings;

AND THAT Council Strategic Priority meetings and workshops be live streamed and archived on the Town website for the purpose of future viewing of the public;

AND THAT Council direct staff to live stream and archive all future Council Strategic workshops and meetings on the Town's website.

50. THAT staff bring a report to Committee of the Whole within 60 days outlining whether mitigation measures of flooding on Ontario Street is within the jurisdiction of the Town.

In Favour: Mayor Van Bynen, Regional Councillor Taylor, Councillor Vegh, Councillor Kerwin, Councillor Twinney, Councillor Hempen, Councillor Sponga, Councillor Broome-Plumley, Councillor Bisanz
 Opposed: (None)
 (9 in favour, 0 opposed)

Carried

51. Development and Infrastructure Services Report - Engineering Services 2015-25 dated March 27, 2015 regarding 'York Region Municipal Streetscape Partnership Program - Gateway Feature at Bathurst Street/Davis Drive'.

Moved by: Regional Councillor Taylor
 Seconded by: Councillor Bisanz

a) THAT Development and Infrastructure Services Report – ES2015-25 dated March 27, 2015 regarding “York Region Municipal Streetscape Partnership Program – Gateway Feature at Bathurst Street/Davis Drive” be received and the following recommendations be adopted:

i) THAT the Engineering Services Department be authorized to continue the application under the Municipal Streetscape Partnership Program offered by York Region for the Davis Drive key intersection streetscape improvements;

ii) AND THAT staff be authorized to maintain the works being proposed under the Municipal Streetscape Partnership Program offered by York Region for the construction of the gateway entrance feature sign at the intersection of Bathurst Street and Davis Drive.

In Favour: Mayor Van Bynen, Regional Councillor Taylor, Councillor Vegh, Councillor Kerwin, Councillor Twinney, Councillor Hempen, Councillor Sponga, Councillor Broome-Plumley, Councillor Bisanz
 Opposed: (None)
 (9 in favour, 0 opposed)

Carried

52. Item 4 of the Central York Fire Services - Joint Council Committee Minutes of April 7, 2015 regarding feasibility of a consolidated fire service.

Discussion ensued and an alternate motion was presented.

Moved by: Regional Councillor Taylor
Seconded by: Councillor Sponga

a) THAT Central York Fire Services - Joint Council Committee 2014 Fire Department Master Plan Update approval be referred to an upcoming meeting with information related to the Master Fire Plan;

i) AND THAT Joint Council Committee make a recommendation to the Councils of the two municipalities to proceed with a land securement, subject to a report for final approval in 2015 for the construction of a new fire facility to include Administration, Training and Suppression Crew and provide for possible inclusion of Fire Prevention Division;

ii) AND THAT Development Charge funds to an upset limit of \$25,000 be approved to hire by RFP, an architectural consultant to assist in the land securement and upon approval of land purchase and approval of further funding, to undertake the facility design.

In Favour: Mayor Van Bynen, Regional Councillor Taylor, Councillor Vegh, Councillor Kerwin, Councillor Twinney, Councillor Hempen, Councillor Sponga, Councillor Broome-Plumley, Councillor Bisanz

Opposed: (None)
(9 in favour, 0 opposed)

Carried

53. Joint Development and Infrastructure Services Report - Planning and Building Services and Engineering Services 2015-12 dated April 2, 2015 regarding a Proposed Trail from Yonge Street to Rita's Avenue.

Moved by: Councillor Broome-Plumley
Seconded by: Councillor Sponga

a) THAT Joint Development and Infrastructure Services - Planning and Building Services and Engineering Services 2015-12 dated April 2, 2015 regarding a Proposed Trail from Yonge Street to Rita's Avenue be received and the following recommendation be adopted:

i) THAT Staff bring back a report with the intent of significantly reducing the impact that the trail will have on residents' properties by lessening the size and right-of-way of the path, preserving existing trees, plantings, privacy fence and low impact lighting.

In Favour: Mayor Van Bynen, Regional Councillor Taylor, Councillor Vegh, Councillor Kerwin, Councillor Twinney, Councillor Hempen, Councillor Sponga, Councillor Broome-Plumley, Councillor Bisanz

Opposed: (None)
(9 in favour, 0 opposed)

Carried

54. Joint Chief Administrative Officer/Commissioners and Financial Services Report 2015-22 dated April 7, 2015 regarding Approval of the 2015 Operating and Capital Budgets.

Discussion ensued and an alternate motion was presented.

Moved by: Regional Councillor Taylor

Seconded by: Councillor Twinney

a) THAT Joint CAO/Commissioners and Financial Services Report 2015-22 dated April 7, 2015 regarding Approval of the 2015 Operating and Capital Budgets be received and the following recommendations be adopted:

i) THAT the proposed 2015 Operating Budget with expenditures of \$112,926,115 be approved, which is comprised of the following components:

a) \$61,236,741 for the Town portion, which includes an additional \$505,402 for asset replacement funding;

b) \$30,000 for the Newmarket Downtown Business Improvement Area (BIA);

c) \$3,750,714 for the Library portion;

d) \$15,116,508 for Central York Fire Services (Newmarket share), and that the budget for the role of Assistant Deputy Chief be approved and that hiring of an Assistant Deputy Chief be deferred pending approval of the Master Fire Plan and an opportunity for the Joint Council Committee to review the scope of the role of the Assistant Deputy Chief position as well as the role of Chief Training Officer;

e) \$32,792,152 for the Water and Wastewater Rate Groups which includes an additional \$620,000 for asset replacement funding;

ii) AND THAT the proposed 2015 Capital Budget with expenditures of \$29,333,475 be approved;

iii) AND THAT the proposed 2015 Operating and Capital Budgets be forwarded to the Council meeting of April 20, 2015 for final approval.

In Favour: Mayor Van Bynen, Regional Councillor Taylor, Councillor Vegh, Councillor Kerwin, Councillor Twinney, Councillor Hempen, Councillor Sponga, Councillor Broome-Plumley, Councillor Bisanz

Opposed: (None)
(9 in favour, 0 opposed)

Carried

55. Committee of the Whole (Closed Session) Minutes of April 13, 2015.

Moved by: Councillor Sponga
Seconded by: Councillor Vegh

THAT the Committee of the Whole (Closed Session) Minutes of April 13, 2015 be approved.

In Favour: Mayor Van Bynen, Regional Councillor Taylor, Councillor Vegh, Councillor Kerwin, Councillor Twinney, Councillor Hempen, Councillor Sponga, Councillor Broome-Plumley, Councillor Bisanz

Opposed: (None)
(9 in favour, 0 opposed)

Carried

56. Appointment Committee Minutes of April 20, 2015 and Appointment Committee (Closed Session) Minutes of April 20, 2015.

Moved by: Councillor Bisanz
Seconded by: Councillor Twinney

a) THAT the Appointment Committee Minutes of April 20, 2015 and the Appointment Committee (Closed Session) Minutes of April 20, 2015 be received;

In Favour: Mayor Van Bynen, Regional Councillor Taylor, Councillor Vegh, Councillor Kerwin, Councillor Twinney, Councillor Hempen, Councillor Sponga, Councillor Broome-Plumley, Councillor Bisanz
 Opposed: (None)
 (9 in favour, 0 opposed)

Carried

Moved by: Councillor Vegh
 Seconded by: Councillor Twinney

a) THAT the individuals identified in the Appointment Committee (Closed Session) Minutes recommended for appointment to the following boards/committees be considered at the May 11, 2015 Council meeting in open session:

Accessibility Advisory Committee, Appeal Committee, Committee of Adjustment, Heritage Newmarket, Newmarket Public Library Board, Property Standards Committee

b) AND THAT the applicants be notified prior to the May 11, 2015 Council meeting.

In Favour: Mayor Van Bynen, Regional Councillor Taylor, Councillor Vegh, Councillor Kerwin, Councillor Twinney, Councillor Hempen, Councillor Sponga, Councillor Broome-Plumley, Councillor Bisanz
 Opposed: (None)
 (9 in favour, 0 opposed)

Carried

57. Item 3 of the Appointment Committee Minutes of April 20, 2015.

Moved by: Councillor Vegh
 Seconded by: Councillor Twinney

a) THAT returning appointees be limited to one term of appointment on the same committee (to expire 2018, or until the appointment of successors by the 2018 Council);

b) AND THAT new appointees be limited to two consecutive terms of appointments on the same committee (to expire 2022, or until the appointment of successors by the 2022 Council) in accordance with the Committee Public Appointment Policy;

c) AND THAT staff review the Committee Public Appointment Policy with respect to term limits and report back to the Appointment Committee mid-term.

In Favour: Mayor Van Bynen, Regional Councillor Taylor, Councillor Vegh, Councillor Kerwin, Councillor Twinney, Councillor Hempen, Councillor Sponga, Councillor Broome-Plumley, Councillor Bisanz

Opposed: (None)
(9 in favour, 0 opposed)

Carried

By-laws

58. By-laws.

Moved by: Councillor Sponga

Seconded by: Councillor Kerwin

THAT By-laws 2015-14, 2015-15 and 2015-16 be enacted.

2015-14 A By-law to provide an exemption to By-law 2004-94, as amended, being a by-law to prohibit and regulate unusual noises or noises likely to disturb the inhabitants of the Town of Newmarket.
(Deliveries during Pan Am Games)

2015-15 A By-law to amend By-law 1993-62, as amended, being a By-law to regulate parking within the Town of Newmarket.

2015-16 A By-law to regulate the temporary closure or occupancy of Highways under the jurisdiction of the municipality.

In Favour: Mayor Van Bynen, Regional Councillor Taylor, Councillor Vegh, Councillor Kerwin, Councillor Twinney, Councillor Hempen, Councillor Sponga, Councillor Broome-Plumley, Councillor Bisanz

Opposed: (None)
(9 in favour, 0 opposed)

Carried

Notices of Motions

None.

Motions

None.

Announcements & Community Events

- a) Councillor Vegh advised that the Town of Newmarket received the Burlington Cup Award from the Lifesaving Society Ontario and the Top Swimming and Water Safety Training Partner Award from the Red Cross Swim Program. Both awards signify outstanding lifesaving aquatic programs in Newmarket. Congratulations to Newmarket staff.
- b) Councillor Vegh advised that he will be hosting a Ward 1 drop-in on Tuesday, May 5, 2015 from 7:00 to 9:00 p.m. at the Magna Centre. Stop by and provide your feedback on Ward 1 and the Town.
- c) Councillor Kerwin invited residents to participate in the Annual Holland River and Community Clean-Up, Community Fun Day and Real YOUTH Night on Saturday, May 2, 2015 at the Newmarket Youth and Recreation Centre. Registration begins at 8:30 a.m. and clean-up runs from 9:00 a.m. until noon. Gloves and garbage bags are provided. Following the clean-up, volunteers enjoy a free lunch. Afterwards, stay and take part in the Youth Centre's Family Fun Day event which runs 11:00 a.m. until 4:00 p.m., followed by the Real YOUTH Night from 5:00 to 9:00 p.m. Entertainment, activities and food are free. Visit www.newmarket.ca to learn more
- d) Councillor Kerwin advised that the Ward 2 clean-up will take place on May 2, 2015 at 9:00 a.m. Members of the Bogart Creek Restoration Committee will be participating in the clean-up and will be meeting at the Bogart Pond Circle and the Youth Centre.
- e) Councillor Twinney advised that she recently attended the Ontario Bike Summit where it was her privilege to accept the Bronze Bicycle Friendly Community Award on behalf of the Town of Newmarket. The Town of Newmarket was one of five municipalities in Ontario recognized by Share the Road Cycling Coalition for building safe, healthy and connected communities.
- f) Regional Councillor Taylor advised that the Annual Doane House Hike 4 Hospice will take place on Sunday, May 3 at the Fairy Lake pavilions. Check-in is at 9:00 a.m.
- g) Regional Councillor Taylor advised that the Community Inclusivity Equity Council of York Region will be hosting its Benefit Gala on Thursday, April 30 at the Sheraton Parkway Hotel. All proceeds from the event will go towards building a school library and supporting the educational needs of the children and youth of Georgina Island. For further information visit www.ciecyr.ca

- h) Councillor Hempen advised that yard waste collection has begun for the season and will continue on a bi-weekly basis until November. Material should be placed at the curb in paper organic yard waste bags, or open containers only, before 7:00 a.m. on the day of collection. Yard waste in plastic bags and grass clippings is not acceptable for collection. Branches less than 4" in diameter from trees or shrubs are accepted and must be tied into small manageable bundles. For further details visit www.newmarket.ca, call 905-895-5193 or download the 'my-waste app'™ from the app store.
- i) Councillor Kerwin reminded residents that the Town's waste collection calendar is an excellent resource and advised that the calendar is available from the Municipal Offices or contact Councillor Kerwin at 905-895-8969.
- j) Councillor Sponga advised that the Ward 5 Traffic Safety Committee held its meeting last week and thanked all those who participated. The Committee received a presentation from vivaNext representatives and was happy to hear about budget inclusions related to traffic safety.
- k) Councillor Sponga invited Ward 5 residents to the ward meeting being held on Wednesday April 22, 2015 from 7:00 to 8:30 p.m. at the Community Centre and Lions Hall #4. Come and hear about what is going on in Town and in Ward 5. Discussion will be held regarding Canada Post community mailboxes. For more information, please email jsponga@newmarket.ca or call 905-895-5193.
- l) Councillor Sponga advised that the 2016 season of the Newmarket Farmers' Market will commence on Saturday, May 2, 2015.
- m) Councillor Sponga advised that the MS Walk will take place on Sunday, May 3, 2015 at 8:30 a.m. at the Community Centre and Lions Hall, 200 Doug Duncan Drive. Visit www.mswalks.ca to register or contact Jennifer at 1-800-268-7582 ext. 3123
- n) Councillor Broome-Plumley advised that the 10th Annual Whipper Billy Watson Community clean-up is taking place on May 2, 2015 and has been spearheaded by members of the community. An additional clean-up of the ravine area on both sides of Sawmill Valley Drive, Terry Fox Public School area and Mulock Drive between Yonge Street and Columbus Way has been included.
- o) Councillor Broome-Plumley advised that today marks the first day of Carpool Week, which runs from April 20 to 26, 2015. Carpool week is an annual campaign led by Smart Commute to encourage people to carpool and celebrate how much commuters can save by driving to work, school or an event with at least one other person. Be sure to check out and learn more about the Smart Commute contest at www.smartcommute.ca/carpool

- p) Councillor Broome-Plumley advised that the Neighborhood Network, in partnership with the Lake Simcoe Region Conservation Authority and the Town of Newmarket will be holding a tree planting on May 2, 2015. Over 400 trees will be planted around the John F. Smith park. To volunteer, please visit neighbourhoodnetwork.org
- q) Councillor Bisanz advised that on Saturday, May 9, 2015 bring your Mother to Victorian Mother's Day Tea at the Elman W. Campbell Museum, 134 Main St South. Enjoy an old-fashioned afternoon in a historical setting, hosted by the Friends of the Museum. There are two sittings: 1:00 to 2:00 p.m. or 2:30 to 3:30 p.m. A variety of teas, old-fashioned sandwiches and sweets will be served on vintage china. Tickets are \$10.00 and can be purchased through 'newtix' at newmarket.ca. For more information, please call 905-953-5314 or email elmanmuseum@rogers.com
- r) Councillor Bisanz thanked those residents and staff experts who attended the joint Ward 6 and Ward 7 'Meet the Experts' evening last week. Matters discussed included the budget, Emerald Ash Borer plans and stormwater management issues.
- s) Mayor Van Bynen advised that on April 9, 2015, Jackie Playter received the Leading Women/Leading Girls Building Community Award from MPP Chris Ballard. Jackie has played a leading or supporting role in so many of the Town's initiatives and it is always a pleasure to work with her. Her enthusiasm and love of people knows no bounds. Jackie Playter is akin to Newmarket's Ambassador. She is extremely deserving of this accolade – congratulations!
- t) Mayor Van Bynen advised that the next Council meeting is Monday, May 11th at 7pm.
- u) Mayor Van Bynen invited members of the community to attend the Newmarket Chamber of Commerce Mayor's Annual Address on Friday, April 24, 2015 at 11:30 a.m. at the Cardinal Golf Course.

New Business

- a) Councillor Broome-Plumley requested an update on the approved sidewalk on Yonge Street between Savage Road and the Tom Taylor Trail. The Commissioner of Development and Infrastructure Services advised that a pre-construction meeting is scheduled to occur on Tuesday, April 21, 2015 after which construction would be mobilized.

- b) Councillor Broome-Plumley inquired with respect to safety and grading concerns related to the sidewalk on Mulock Drive between Yonge Street and Doubletree Lane. The Commissioner of Development and Infrastructure Services advised that staff are determining jurisdiction in order to potentially repair the sidewalk this construction season.
- c) Councillor Hempen inquired regarding the Town's yard waste collection policies. The Commissioner of Development and Infrastructure Services provided a summary of the Town policy. Councillor Hempen requested that the website be clarified to reflect what is and is not permitted yard waste.

Closed Session

Mayor Van Bynen advised that there was no requirement for a Closed Session.

Confirmatory By-law

58. 2015-17 A By-law to confirm the proceedings of a meeting of Council - April 20, 2015.

Moved by: Councillor Sponga

Seconded by: Councillor Kerwin

THAT By-law 2015-17 be enacted.

In Favour: Mayor Van Bynen, Regional Councillor Taylor, Councillor Vegh, Councillor Kerwin, Councillor Twinney, Councillor Hempen, Councillor Sponga, Councillor Broome-Plumley, Councillor Bisanz

Opposed: (None)
(9 in favour, 0 opposed)

Carried

Adjournment

59. Adjournment.

Moved by: Councillor Twinney

Seconded by: Regional Councillor Taylor

THAT the meeting adjourn.

In Favour: Mayor Van Bynen, Regional Councillor Taylor, Councillor Vegh, Councillor Kerwin, Councillor Twinney, Councillor Hempen, Councillor Sponga, Councillor Broome-Plumley, Councillor Bisanz

Opposed: (None)

(9 in favour, 0 opposed)

Carried

There being no further business, the meeting adjourned at 8:13 p.m.

Tony Van Bynen, Mayor

Andrew Brouwer, Town Clerk

Wednesday, April 22, 2015 at 1:30 PM
Council Chambers

For consideration by Council
on May 11, 2015

The meeting of the Special Committee of the Whole was held on Wednesday, April 22, 2015 in Council Chambers, 395 Mulock Drive, Newmarket.

Members Present: Mayor Van Bynen
Regional Councillor Taylor
Councillor Vegh
Councillor Kerwin
Councillor Twinney
Councillor Hempen
Councillor Broome-Plumley

Absent: Councillor Sponga
Councillor Bisanz

Staff Present: R.N. Shelton, Chief Administrative Officer
A. Moore, Commissioner of Corporate Services
I. McDougall, Commissioner of Community Services
P. Noehammer, Commissioner of Development and
Infrastructure Services
E. Armchuk, Director of Legal Services/Town Solicitor
A. Brouwer, Director of Legislative Services/Town Clerk
L. Georgeff, Director of Human Resources
P. Voorn, Senior Solicitor

The meeting was called to order at 1:33 p.m.

Mayor Van Bynen in the Chair.

Declarations of Interests

None.

Items

None.

Closed Session

1. Section 239 (2) (e) and 239 (2) (f) of the *Municipal Act, 2001*:
 - Litigation including matters before administrative tribunals affecting the municipality;
 - Advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

Moved by: Councillor Twinney

Seconded by: Councillor Kerwin

THAT the Special Committee of the Whole resolve into a Closed Session under Section 239 (2) (e) and 239 (2) (f) of the *Municipal Act, 2001* for the purpose of discussing litigation including matters before administrative tribunals affecting the municipality and advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

Carried

The Committee resolved into Closed Session at 1:34 p.m.

The Special Committee of the Whole (Closed Session) Minutes are recorded under separate cover.

The Committee of the Whole resumed into Public Session at 3:06 p.m.

Adjournment

Moved by: Councillor Kerwin

Seconded by: Councillor Hempen

THAT the meeting adjourn.

Carried

There being no further business, the meeting adjourned at 3:07 p.m.

Tony Van Bynen, Mayor

Andrew Brouwer, Town Clerk

Monday, May 4, 2015 at 1:30 PM
Council Chambers

For consideration by Council
on May 11, 2015

The meeting of the Committee of the Whole was held on Monday, May 4, 2015 in Council Chambers, 395 Mulock Drive, Newmarket.

Members Present: Mayor Van Bynen
Regional Councillor Taylor
Councillor Vegh
Councillor Kerwin
Councillor Twinney
Councillor Hempen
Councillor Sponga
Councillor Broome-Plumley
Councillor Bisanz

Staff Present: A. Moore, Acting Chief Administrative Officer
I. McDougall, Commissioner of Community Services
P. Noehammer, Commissioner of Development and Infrastructure Services
A. Brouwer, Director of Legislative Services/Town Clerk
L. Lyons, Deputy Clerk
R. Nethery, Director of Planning and Building Services
D. Ruggle, Senior Planner, Community Planning
C. Service, Director of Recreation and Culture
C. Kallio, Economic Development Officer
T. Horton, AMCTO Intern
L. Moor, Council/Committee Coordinator
C. Finnerty, Council/Committee Coordinator

The meeting was called to order at 1:30 p.m.

Mayor Van Bynen in the Chair.

Additions & Corrections to the Agenda

The Acting Chief Administrative Officer advised of the addendum items and correspondence documents related to the public planning session with respect to an Application for Zoning By-law Amendment for the property known as 17844 Leslie Street.

Moved by: Councillor Bisanz
 Seconded by: Councillor Broome-Plumley

THAT the items listed on the agenda as addendum items and the correspondence documents related to the public planning session for the property known as 17844 Leslie Street be included.

Carried

Declarations of Pecuniary Interest

None.

Presentations & Recognitions

1. Ms. Amber Chard, Senior Communications Officer, Mr. Jamie Boyle, Customer Service Coordinator and Mr. Will Wray, Website Administrator addressed the Committee with a sneak peek of the revamped Town of Newmarket website with an anticipated launch within the next few weeks.

Moved by: Councillor Kerwin
 Seconded by: Councillor Vegh

THAT the PowerPoint presentation by Ms. Amber Chard, Senior Communications Officer, Mr. Jamie Boyle, Customer Service Coordinator and Mr. Will Wray, Website Administrator regarding the revamped Town of Newmarket website be received.

Carried

Deputations

2. Mr. Ian Proudfoot, Chair, Transition Committee - Newmarket Celebrates the Arts addressed the Committee with a PowerPoint presentation highlighting the vision, process and branding of the Newmarket Celebrates the Arts Board.

Moved by: Councillor Kerwin
 Seconded by: Councillor Vegh

a) THAT the PowerPoint presentation by Mr. Ian Proudfoot, Chair, Transition Committee - Newmarket Celebrates the Arts with respect to the vision, process and branding of the Board be received;

b) AND THAT the recommendations provided in the presentation related to the vision, appointment policy, branding and use of staff resources be approved in principle;

c) AND THAT the recommendations be referred to staff for development of the mandate and workplan and to endorse the principles of the group.

Carried

3. Ms. Charlene Myke addressed the Committee regarding the run in support of Easter Seals scheduled for May 24, 2015 at Riverwalk Commons.

Moved by: Councillor Kerwin

Seconded by: Councillor Broome-Plumley

THAT the deputation by Ms. Charlene Myke regarding the run in support of Easter Seals scheduled for May 24, 2015 at Riverwalk Commons be received.

Carried

Consent Items

Moved by: Councillor Kerwin

Seconded by: Councillor Broome-Plumley

THAT the following items be adopted on consent:

4. Correspondence from Mr. Denis Kelly, Regional Clerk dated March 27, 2015 regarding National Access Awareness Week - May 31 to June 6, 2015.

a) THAT the correspondence dated March 27, 2015 regarding National Access Awareness Week be received and the following recommendations be adopted:

i) THAT the Town of Newmarket proclaim May 31 to June 6, 2015 as 'National Access Awareness Week';

ii) AND THAT the proclamation be advertised in the Town Page advertisement and on the Town's website www.newmarket.ca

5. Correspondence dated April 12, 2015 from the York Region Kairos Group requesting June, 2015 be declared 'Aboriginal Month' in the Town of Newmarket.

a) THAT the correspondence from the York Region Kairos Group be received and the following recommendations be adopted:

i) THAT the month of June, 2015 be proclaimed 'Aboriginal Month' in the Town of Newmarket;

- ii) AND THAT the proclamation be advertised in the Town Page advertisement and on the Town's website www.newmarket.ca
- 6. Newmarket Public Library Board Minutes of February 18, 2015.
 - a) THAT the Newmarket Public Library Board Minutes of February 18, 2015 be received.
- 7. Site Plan Review Committee Minutes of April 20, 2015.
 - a) THAT the Site Plan Review Committee Minutes of April 20, 2015 be received.
- 8. Item 1 of the Site Plan Review Committee Minutes of April 20, 2015 regarding Application for Site Plan Approval - 470 Crossland Gate.
 - a) THAT application for Site Plan Approval to permit 74 townhouse units within 13 buildings on the subject lands be approved in principle and referred to staff for processing, subject to the following:
 - i) THAT the preliminary review comments provided to the applicant be addressed to the satisfaction of Town staff;
 - b) AND THAT Joanne Barnett of Marianneville Developments Limited, 3-26 Lesmill Road, Toronto, ON M3B 2T5 be notified of this decision;
 - c) AND THAT Kerrigan Kelly of Groundwell Urban Planners, 30 West Beaver Creek Road, Unit 109, Richmond Hill, ON L4B 3K1 be notified of this decision.
- 9. Main Street District Business Improvement Area Board of Management Minutes of March 17, 2015.
 - a) THAT the Main Street District Business Improvement Area Board of Management Minutes of March 17, 2015 be received.
- 10. Item 5b) of the Main Street District Business Improvement Area Board of Management Minutes of March 17, 2015 regarding prepaid credit card.
 - a) THAT the following recommendation be referred to staff:
 - i) THAT the Town provide the Main Street District Business Improvement Area Board of Management with a prepaid credit card in the amount of \$500.00.
- 11. Development and Infrastructure Services - Planning and Building Services Report 2015-17 dated April 23, 2015 regarding 351 Timothy Street - Request to demolish a portion of a structure.

a) THAT Development and Infrastructure Services - Planning and Building Services Report 2015-17 dated April 23, 2015 regarding 351 Timothy Street and the owners request to demolish a portion of the structure listed on the Municipal Register of Non-Designated Heritage Properties be received and the following recommendations be adopted:

i) THAT Council permit the demolition of the rear portion of 351 Timothy Street, a property listed on the Municipal Register of Non-Designated Heritage Properties of Interest;

ii) AND THAT Ms. Montana Harrington, 351 Timothy Street, Newmarket, ON L3Y 1P4 be notified of this action.

12. Outstanding Matters List.

THAT the Outstanding Matters List be received.

Carried

13. Mr. John Blommestein addressed the Committee with a PowerPoint presentation with respect to the correspondence from Amberley Gavel Ltd. regarding Closed Meetings of Council Report.

Moved by: Councillor Twinney
Seconded by: Councillor Bisanz

THAT the deputation and PowerPoint presentation by Mr. John Blommestein regarding the correspondence from Amberley Gavel Ltd. with respect to Closed Meetings of Council Report be received.

Carried

14. Correspondence dated April 2, 2015 from Mr. Nigel Bellchamber, Amberley Gavel Ltd. regarding Closed Meetings of Council Report.

Moved by: Councillor Twinney
Seconded by: Councillor Vegh

a) THAT the correspondence dated April 2, 2015 from Mr. Nigel Bellchamber, Amberley Gavel Ltd. regarding Closed Meetings of Council Report be received for information;

b) AND THAT the best practice recommendations outlined in Amberley Gavel Ltd.'s Closed Meetings of Council Report be adopted.

Carried

15. Ms. Laurie Smith addressed the Committee regarding parking and storage of recreational vehicles in residential zones.

Moved by: Councillor Twinney
Seconded by: Councillor Hempen

THAT the deputation by Ms. Laurie Smith regarding parking and storage of recreational vehicles in residential zones be received.

Carried

16. Development and Infrastructure Services - Planning and Building Services Report 2015-16 dated April 23, 2015 regarding parking and storage of recreational vehicles in residential zones.

Discussion ensued and an alternate motion was presented.

Moved by: Councillor Twinney
Seconded by: Councillor Broome-Plumley

a) THAT Development and Infrastructure Services - Planning and Building Services Report 2015-16 dated April 23, 2015 regarding parking and storage of recreational vehicles in residential zones be received and the following recommendations be adopted:

i) THAT Council authorize a Zoning By-law Amendment process to amend the zoning provisions for the parking and storing of recreational vehicles in residential zones;

ii) AND THAT all options listed in the report be presented to the public at the statutory public meeting;

iii) AND THAT following the public meeting, comments from the public, Committee and those received through agency and departmental circulation of the amendment, be addressed by staff in a comprehensive report to the Committee of the Whole;

iv) AND THAT Ms. Laurie Smith of 371 Burford Street, Newmarket, ON L3Y 6P9 be notified of this action;

v) AND THAT Ms. Laura and Mr. Mike Kyte of 367 Burford Street, Newmarket, ON L3Y 6P9 be notified of this action.

Carried

17. Ms. Anne Martin addressed the Committee with a slide show presentation with respect to the downtown patios pilot project.

Moved by: Councillor Kerwin
Seconded by: Councillor Sponga

THAT the deputation by Ms. Anne Martin be provided an additional five minutes.

Carried

Moved by: Councillor Kerwin
Seconded by: Councillor Sponga

THAT the deputation and slide show presentation by Ms. Anne Martin with respect to the downtown patios pilot project be received.

Carried

18. Mr. Glenn Wilson addressed the Committee and confirmed the Main Street District Business Improvement Area Board of Management's position with respect to patio hours of operation and a 10:00 p.m. restriction.

Moved by: Councillor Sponga
Seconded by: Councillor Broome-Plumley

THAT the deputation by Mr. Glenn Wilson regarding the Main Street District Business Improvement Area Board of Management's position with respect to patio hours be received.

Carried

Discussion ensued and additional and alternate motions were presented.

19. Community Services Report - Economic Development 2015-16 dated May 4, 2015 regarding Downtown Patios Pilot Project.

Moved by: Councillor Sponga
Seconded by: Councillor Vegh

THAT Community Services Report – Economic Development 2015-16 dated May 4, 2015 regarding Downtown Patios Pilot Project be received and the following recommendations be adopted:

A request was made to vote on each recommendation separately.

- i) THAT Council endorse a 2015 pilot project of outdoor patios in downtown Newmarket between Millard Avenue and Water Street.

Carried

- ii) THAT no more than two (2) patios requiring the occupation of on-street parking be included in the pilot.

Carried

- iii) THAT staff work with applicants to permit patios on the sidewalk and boulevard where possible.

Motion Lost

- iv) THAT applicants be required to complete an application form and other documents deemed necessary by staff.

Carried

- v) THAT restrictions of the Licensing By-law, Road Occupancy Permit By-law and other regulations be waived where applicable to the satisfaction of staff.

Carried

- vi) THAT the Main Street District Business Improvement Association be notified of this action.

Carried

- vii) THAT the applications be limited to two (2) only, with the occupation of two (2) only, on-street parking spaces.

Carried

Moved by: Regional Councillor Taylor
Seconded by: Councillor Councillor Twinney

THAT a cut-off application deadline date be established.

Carried

Moved by: Councillor Twinney
 Seconded by: Councillor Sponga

THAT the application submissions where all criteria has been met, be referred to a lottery system to determine success.

Motion Lost

The Committee of the Whole recessed at 4:17 p.m.

The Committee of the Whole reconvened at 4:34 p.m.

20. Development and Infrastructure Services Report - Engineering Services 2015-24 dated April 13, 2015 regarding Inflow and Infiltration Reduction Pilot Project.

Moved by: Councillor Bisanz
 Seconded by: Councillor Sponga

a) THAT Development and Infrastructure Services Report - ES 2015-24 dated April 13, 2015 regarding 'Inflow and Infiltration Reduction Pilot Project' be received and the following recommendations be adopted:

- i) THAT the Mayor and Clerk be authorized to execute a Tri-Party Agreement to the satisfaction of the Chief Administrative Officer, the Commissioner of Development and Infrastructure Services, the Director of Engineering and the Town Solicitor, with York Region and with Marianneville Developments Limited/Kerbel Group Inc. for an Inflow and Infiltration Reduction Pilot Project based on the principles identified in this report;
- ii) AND THAT staff report back as to the outcome of the Inflow and Infiltration Reduction Pilot Project;
- iii) AND THAT a copy of this report and Council extract be forwarded to representatives of Marianneville Developments Limited/Kerbel Group Inc. and York Region.

Carried

21. Development and Infrastructure Services Report - Engineering Services 2015-28 dated April 1, 2015 regarding School Crossing Locations Request - Alexander Muir Public School.

Moved by: Councillor Bisanz
 Seconded by: Regional Councillor Taylor

a) THAT Development and Infrastructure Services Report – ES2015-28, dated April 1, 2015 regarding School Crossing Locations Request – Alexander Muir Public School be received and the following recommendations be adopted:

i) THAT Schedule IX (School Crossing Locations) of the Traffic By-law 2011-42, as amended, be further amended by adding:

Ford Wilson Boulevard, south of Dowson Loop – Mid-Block

ii) AND THAT Schedule X (No Parking) of the Parking By-law 1993-62, as amended, be further amended by deleting the following:

ROAD	SIDE	BETWEEN	PROHIBITED TIMES
Ford Wilson Boulevard	East	Davis Drive to Woodspring Avenue	Monday to Friday 7:00 a.m. to 6:00 p.m.

iii) AND THAT Schedule X (No Parking) of the Parking By-law 1993-62, as amended, be further amended by adding the following:

ROAD	SIDE	BETWEEN	PROHIBITED TIMES
Ford Wilson Boulevard	East	Woodspring to Dowson Loop	Monday to Friday 7:00 a.m. to 6:00 p.m.
Ford Wilson Boulevard	East	Cheryl Mews Boulevard to Davis Drive	Monday to Friday 7:00 a.m. to 6:00 p.m.

iv) AND THAT Schedule XI (No Stopping) of the Parking By-law 1993-62, as amended, be further amended by deleting the following:

ROAD	SIDE	BETWEEN	PROHIBITED TIMES
Ford Wilson Boulevard	West	Dowson Loop to Woodspring Avenue	Monday to Friday 7:00 a.m. to 6:00 p.m.

v) AND THAT Schedule XI (No Stopping) of the Parking By-law 1993-62, as amended, be further amended by adding the following:

ROAD	SIDE	BETWEEN	PROHIBITED TIMES
Ford Wilson Boulevard	West	Woodspring Avenue to Cheryl Mews Boulevard	Monday to Friday 7:00 a.m. to 6:00 p.m.
Ford Wilson Boulevard	East	Cheryl Mews Boulevard to Dowson Loop	Monday to Friday 7:00 a.m. to 6:00 p.m.

Carried

Action Items

None.

Correspondence & Petitions

None.

Reports by Regional Representatives

None.

Notices of Motion

- a) Councillor Sponga advised that he will be bringing a motion to the next scheduled Committee of the Whole meeting regarding weekend waste management on Main Street.
- b) Councillor Sponga advised that he will be bringing a motion to the next scheduled Committee of the Whole meeting regarding amending the current film permit process by requesting detailed mapping of designated production crew parking to be included in each application.

Motions

None.

New Business

- a) Councillor Sponga requested an update regarding mitigation methods of train whistle blowing. The Commissioner of Development and Infrastructure Services advised that a status update report will be forthcoming to the June, 2015 Committee of the Whole meeting.
- b) Councillor Sponga requested that staff explore the feasibility of moving the Old Town Hall construction trailer to a commercial location nearby until such time as the renovations are complete in order to open the Market Square parking lot and mitigate general disruptions in the area. He further advised that he would be bringing this matter up at the next scheduled Old Town Hall Budget Task Force meeting.
- c) Councillor Broome-Plumley requested a status update of the construction of the Tom Taylor Trail at Savage Road. The Commissioner of Development and Infrastructure Services advised that the construction for the sidewalk portion of the trail will commence in approximately two weeks and should be completed within an eight week time frame. Councillor Broome-Plumley requested that the surrounding residents be made aware of the construction schedule.
- d) Councillor Bisanz requested an update regarding the anticipated timing and possible identified outcomes of the Glenway Lessons Learned facilitated meeting scheduled for June, 2015 as referenced in Development and Infrastructure Services – Information Report 2015-19 dated May 1, 2015. The Commissioner of Development and Infrastructure Services advised that the facilitator will conduct interviews with stakeholders beforehand in order to gain a broad perspective.
- e) Mayor Van Bynen advised that Planning staff will be preparing a position paper for submission to the Province with respect to Ontario Municipal Board reform. The Commissioner of Development and Infrastructure Services advised that staff are currently working on a report for the May 25, 2015 Committee of the Whole meeting regarding the Provincial Plan review.
- f) Councillor Kerwin requested that the Clerk provide confirmation of the meetings scheduled in July, 2015. The Clerk advised that he will investigate options with members of the Strategic Leadership Team and report back.
- g) Councillor Kerwin requested that the parking lot adjacent to the tennis courts and the lot at the Curling Club be swept of the winter sand/salt build-up.

Closed Session

Mayor Van Bynen advised that there was no requirement for a Closed Session.

The Committee recessed at 5:00 p.m.

Public Hearing Matters

The continuation of the Committee of the Whole was called to order at 7:01 p.m.

The Deputy Clerk welcomed the public to the Committee of the Whole meeting. She advised that the *Planning Act* requires the Town to hold at least one Public Meeting on any proposed Zoning By-law Amendment Application.

The Deputy Clerk advised that the purpose of the meeting was to hear from anyone who has an interest in the Application for a Zoning By-law Amendment for the lands located at the southwest corner of Leslie Street and Janette Street, municipally known as 17844 Leslie Street to permit a gas station with 4 pumps and associated convenience/take out restaurant store.

She further advised that the Committee of the Whole would not be making a decision regarding the proposed Application, but would refer all written and verbal comments to Planning Staff to consider in a report that will be brought forward to a future Committee of the Whole or Council meeting.

The Deputy Clerk advised that if anyone present wished to be notified of subsequent meetings, or if making a presentation, to please complete a form with your name and address and submit it to the Clerk's staff.

The Deputy Clerk noted that in accordance with the *Planning Act*, the Ontario Municipal Board may dismiss an appeal without holding a hearing, if the appellant failed to make either oral submissions at the Public Meeting or provide written submissions to Council prior to adoption.

She thanked everyone for their participation and interest in the meeting.

22. Public Meeting Notice and Related Council Extract - Development and Infrastructure Services Report - Planning and Building Services 2015-07 dated March 12, 2015 regarding Application for Zoning By-law Amendment - 17844 Leslie Street.
23. Correspondence from Ms. Lisa Barrett, Ms. Lucia Benedict, Ms. Kay Chan and Mr. Mike Squires regarding Application for Zoning By-law Amendment - 17844 Leslie Street.
24. Correspondence from Ms. Lee Ann Crilley regarding Application for Zoning By-law Amendment - 17844 Leslie Street.
25. Correspondence from Mr. Kevin Clare regarding Application for Zoning By-law Amendment - 17844 Leslie Street.

26. Correspondence from Ms. Ruth Routledge regarding Application for Zoning By-law Amendment - 17844 Leslie Street.
27. Three additional resident's correspondence documents regarding Application for Zoning By-law Amendment - 17844 Leslie Street. (Mr. Magnifico, Mr. Schmidt and Ms. Corless)
28. Mr. Murray Evans, Evans Planning, on behalf of the applicant, summarized the intent of the application, existing site conditions, Official Plan designation, existing site Zoning and proposed landscape plan. He provided clarification on concerns related to gas tank leaks associated with the operation of a fuel station, spills and odours related to refilling of gasoline tanks on the proposed site. Through the Site Plan process, the applicant plans to avoid lighting at the rear of the facility to avoid interference with neighbouring residential development, garbage storage is internal to avoid waste/litter issues and addressed safety concerns related to the site design based on regional comments.

Mayor Van Bynen inquired if anyone in attendance wished to make a deputation.

29. Mr. Tim Whitfield, resident, expressed concerns related to a gasoline leak from the former gas station on the site, risks associated with the operation of gas stations, operation of lighting 24/7 and questioned the need for an additional gas station location in Newmarket. Additionally, he expressed concern related to traffic, speed and road safety.
30. Mr. Anthony Benedict, resident, expressed concern related to the use, including the interface between commercial and residential development and indicated that although aesthetically favourable to the current use, is concerned by the increased traffic in the area, hours of operation and the impact to residents in the area. He advised that there are approximately thirteen gas stations in Newmarket, four of which are on Leslie Street, within an estimated one kilometre radius of Janette Street and questioned how new revenue is being generated given the competition, and expressed concern about hazardous conditions that can result from gas stations.
31. Mr. Ian Brown, resident, echoed the comments expressed before him and advised of concerns regarding increased traffic on Janette Street by people circumventing the Leslie Street exit. He remarked that down lighting would be a nice option in the area.
32. Mr. Mike Squires, resident, advised that he believes that there is a right of way between the gas station and the abutting residential area. He advised that he thought that the site was an intended water tower location and the convenience

store would be encroaching onto Town property as a right of way that was approved through the annexation from East Gwillimbury. The Senior Planner – Community Planning advised that he has been conducting research related to Mr. Squires concerns with respect to the right-of way.

Moved by: Councillor Twinney
Seconded by: Regional Councillor Taylor

THAT the PowerPoint presentation, deputations and all correspondence related to the Application for Zoning By-law Amendment - 17844 Leslie Street be received.

Carried

Councillor Twinney queried the requirement for environmental studies to remediate the previous use of the site. The Senior Planner – Community Planning advised that a Phase 1 Environmental Assessment has been completed and a recommended Phase 2 should be completed. He further advised that a Zoning By-law can be enacted with a Holding Provision related to any required environmental remediation. Councillor Twinney requested confirmation that any details would be sorted out through the Site Plan Review process, including down lighting, structure heights and retaining walls.

Councillor Sponga inquired about existing access onto Janette Street. The applicant confirmed that there is an existing entrance onto Janette Street that is currently blocked by vehicles. Councillor Sponga further inquired whether the owner was also the operator for the existing use; the applicant confirmed that he is not and is bound by the existing lease.

Regional Councillor Taylor asked for clarification related to lighting on the site and confirmed that any recommendations for down lighting would be made during the Site Plan Review process. The Senior Planner – Community Planning confirmed the Site Plan Review process details. Regional Councillor Taylor inquired whether it would be conceivable to have a right out only access onto Janette Street to limit traffic onto that route.

Councillor Sponga inquired whether there was any ability to have a mutual access point with the abutting convenience store. The applicant advised that the grade differential would limit opportunities to have mutual access. Councillor Sponga inquired whether it would be possible to have a rolled curb at the front abutting on Leslie Street to close the Janette Street intersection. The applicant advised that closure of the Janette Street entrance would limit or hinder any ability for a fuel truck to refill on site.

A suggestion was made for staff to liaise with the Regional Municipality of York Traffic staff related to concerns of access and egress to the site.

The Senior Planner – Community Planning advised of the next steps associated with the planning process being a report back to a future Committee of the Whole meeting. He advised that with the number of outstanding technical issues, staff time to review public comments and correspondence that the earliest the matter may return to a future meeting is June, 2015 and he requested that those in attendance complete a sign-in sheet to ensure that they can receive notification when the report is before Council.

Mayor Van Bynen recommended that any concerned residents work with staff and the proponent to resolve any concerns.

Adjournment

Moved by: Councillor Kerwin
Seconded by: Councillor Vegh

THAT the meeting adjourn.

Carried

There being no further business, the meeting adjourned at 7:39 p.m.

Tony Van Bynen, Mayor

Lisa Lyons, Deputy Clerk



CORPORATION OF THE TOWN OF NEWMARKET

BY-LAW NUMBER 2015-18

A BY-LAW FOR THE LICENSING, REGULATING THE SALE AND SETTING OFF OF FIREWORKS (Fireworks By-law).

WHEREAS section 151(1) of the *Municipal Act, 2001*, S.O. 2001c. 25 (the "Act") as amended authorizes *Council* to license, regulate and govern any business wholly or partly carried on with the municipality even if the business wholly or partly carried on with the municipality even if the business is being carried on from location outside the municipality;

AND WHEREAS section 121 of the Act authorizes Council to enact by-law for prohibiting or regulating the sale and setting off of fireworks and requiring a permit for the holding of fireworks displays;

AND WHEREAS section 11 (3) 11 permits Council of a local municipality to enact by-laws respecting business licensing;

AND WHEREAS the Council of the Corporation of the Town of Newmarket wishes to enact the measures herein in order to provide a mechanism for the regulating, permitting, safe sale and discharge of fireworks within the municipality;

AND WHEREAS it is deemed necessary to repeal By-law 2002-151 Schedule 11.

THEREFORE BE IT ENACTED by the Municipal Council of the Corporation of the Town of Newmarket as follows:

1.0 DEFINITIONS

In this By-law, the following words have the meanings assigned thereto:

"APPEALS COMMITTEE" means a committee that is appointed from time to time by Council for the purpose of hearing appeals regarding the revocation, suspension, cancellation or refusal to issue or renew a licence pursuant to this by-law;

"APPLICANT" means a person applying for a licence, permit or fireworks special occasions permit under this by-law;

"BUILDING" means any structure used or intended for supporting or sheltering any use or occupancy;

"COUNCIL" means the Council of the Corporation of the Town of Newmarket;

"CONSUMER FIREWORKS" means low-hazard fireworks for recreation that are classified as Type F.1 in the Explosives Act and Regulations including, but not limited to, fireworks showers, fountains, golden rain, lawn lights, pinwheels, roman candles, volcanoes, sparklers, but does not include Christmas crackers and caps for toy guns, Display Fireworks, Pyrotechnics Special Effects Fireworks and Prohibited Fireworks such as terms are defined within this by-law;

“DIRECTOR” means the Director, Legislative Services of the Town or authorized designate;

“DISCHARGE” means when used in relation to fireworks and prohibited fireworks, includes firing, igniting, exploding and setting-off such articles;

“DISPLAY FIREWORKS” means high hazard fireworks generally used for recreation, as classified as Type F.2, in the *Explosives Act* and Regulations including, but not limited to, rockets, serpents, shells, bombshells, tourbillion, maroons, large wheels, bouquets, bombardos, waterfalls, fountains, batteries, illuminations, set pieces, pigeons;

“EXPLOSIVES ACT” means the *Explosives Act, R.S.C. 1985*, as amended from time to time and the regulations enacted there under from time to time or any act or regulation enacted in substitution therefore;

“FEES AND CHARGES BY-LAW” means the Licensing Fees and Charges By-law, as amended for the Legislative Services Department and Central York Fire Services;

“FIRE EXTINGUISHING EQUIPMENT” means sufficient personnel and/or equipment, which may include items such as fire extinguishers, water hose, pails and sand, as necessary dependent on the type and size of the fireworks being discharged;

“FIRE CHIEF” means the Fire Chief for the Central York Fire Services Town of Newmarket and his or her designate;

“FIRECRACKER” means a pyrotechnic device that is designed to explode when ignited without subsequent display or visible effect, but does not include caps for toy guns;

“FIREWORKS” means Display Fireworks, Consumer Fireworks and Pyrotechnic Special Effect Fireworks but excludes, any fireworks not listed on the List of Approved Explosives as published from time to time under the *Explosives Act*;

“FIREWORKS SPECIAL OCCASION PERMIT” means a Consumer Fireworks Permit issued by Central York Fire Services for dates other than Victoria Day and Canada Day or on the day immediately preceeding or on the day immediately after Victoria Day and Canada Day , the form of which may be amended from time to time by Central York Fire Services;

“FIREWORKS SUPERVISOR” means a person certified as a supervisor under the *Explosives Act* and regulations to conduct displays of Fireworks;

“FPPA” means the *Fire Protection and Prevention Act, 1997, S.O. 1997, c.4*, as amended from time to time and the regulations enacted there under from time to time or any act or regulation enacted in substitution therefore;

“LICENCE” means the authorization obtained, granted or issued pursuant to this by-law to a Temporary Fireworks Premises or a Mobile Sales Premise;

“LICENSEE” means a person licensed under this by-law;

“MOBILE SALES PREMISE” means a mobile or portable premise from which Fireworks are sold and includes a trailer;

“OFFICER” means a Police Officer as defined under the *Police Services Act, R.S.O. 1990, c. P15*, as amended, an individual appointed by the Town as a Municipal Law Enforcement Officer pursuant to section 15 of the *Police Services Act*, as amended, or any other individual designated by the Town to enforce this By-law;

“PERMIT” means a Display Fireworks or Pyrotechnic Special Effect Fireworks Permit issued by Central York Fire Services, the form of which may be amended from time to time by Central York Fire Services;

“PERSON” includes (a) a natural individual and his/her heirs, executors, administrators or other legally appointed representatives, (b) a corporation, partnership or other form of business association and includes its officers, partners and shareholders, (c) a trustee or receiver, and (d) a mortgagee in possession;

“PROHIBITED FIREWORKS” means any fireworks that are not included on the most recent list of authorized fireworks as published from time to time by the Explosives Regulatory Division of Natural Resources Canada, or their successors, and includes, but not limited to, firecrackers, sky lanterns, cigarette loads or pings, exploding matches, sparkling matches, ammunition for miniature tie clip, cufflink or key chain pistols, auto alarms or jokers, cherry bombs, m-80 and silver salutes and flash crackers; throw down and step on torpedoes, and crackling balls; exploding golf balls, stink bombs and smoke bombs, tear gas pens and launchers, party peppers and table bombs, table rockets and battle sky rockets, fake firecrackers and other trick devices or practical jokes;

“PYROTECHNIC SPECIAL EFFECT FIREWORKS” means an explosive classified as type F.3, in the *Explosives Act and Regulations* thereunder the following types of explosive if they will be used to produce a special effect in a film or television production or a performance before a live audience;

“PYROTECHNICIAN” means the person certified as a Pyrotechnician under the *Explosives Act and Regulations* to conduct displays of Fireworks;

“SALE OR SELL” includes offering for sale, causing or permitting to be sold and possessing for the purpose of sale;

“TEMPORARY FIREWORKS PREMISE” means a premise within a Building or part thereof where a retailer only sells Consumer Fireworks on Victoria Day, Canada Day or the seven (7) day period before Victoria Day and Canada Day and whose principal business is not the sale of Fireworks;

“TOWN” means the Corporation of the Town of Newmarket;

“VENDOR” means a person authorized under this by-law to sell Fireworks.

2.0 ADMINISTRATION

- 2.1 This By-law shall be administered by the Director, with the exception of the issuance of a *Permit* for the Discharge of *Display, Pyrotechnic Special Effects* and *Special Occasions Permit* which shall be administered by the *Fire Chief*.

3.0 PROHIBITIONS

- 3.1 No *Person* shall offer for sale, cause or permit to be sold, sell or otherwise distribute any *Prohibited Fireworks, Display Fireworks or Pyrotechnic Special Effect Fireworks* within the *Town*.

- 3.2 No person or group of persons shall Discharge in the Town any Prohibited Fireworks. Any Discharge of Fireworks in the Town shall be in accordance with the requirements of this by-law.
- 3.3 *Consumer Fireworks* shall only be sold seven (7) days prior to and including Victoria Day and Canada Day.
- 3.4 No *Person* shall sell or give to any person under the age of 18 years any type of *Fireworks*.
- 3.5 No *Person* shall sell *Consumer Fireworks* in a *Building, Temporary Fireworks Premise* or *Mobile Sales Premise* unless the provisions of the Ontario Fire Code, *Explosives Act* and Regulations are complied with.
- 3.6 No *Person* shall display in any store window any type of *Fireworks*.
- 3.7 No *Person* shall display for sale or store any type of *Fireworks* in any manner other than in such a place that the *Fireworks* are not exposed to the rays of the sun or to excess heat from any other source.
- 3.8 No *Person* shall carry on or engage in the business or occupation of selling *Consumer Fireworks* without first obtaining a *Licence*.
- 3.9 No *Person* licensed to carry on any business or occupation pursuant to this By-law shall advertise or promote or carry on such business or occupation under any name other than the name listed in the *Licence*.
- 3.10 No *Person* or group of persons shall *Discharge* any *Fireworks* on *Town* property without first having obtained a *Permit* to do so issued by the *Fire Chief*.
- 3.11 No *Person* or group of persons shall *Discharge* any *Display Fireworks* or *Pyrotechnic Special Effect Fireworks* on private property without first having obtained a *Permit* to do so issued by the *Fire Chief*.

4.0 APPLICATION REQUIREMENTS FOR SALE OF CONSUMER FIREWORKS

- 4.1 Every *Applicant* for a *Licence* issued under this By-law shall submit the following documentation:
 - a) an application form established by the *Town*;
 - b) proof of payment of any applicable fee(s) established by the *Town*;
 - c) a Police Vulnerable Sector Screening Clearance Letter within your local police service issued 30 days of the application for the person engaged in the sale of *Consumer Fireworks*;
 - d) a letter of permission from the owner of the property;
 - e) a sketch and description of the *Building* or property for the proposed sale of *Consumer Fireworks*; and
 - f) such further and other information as the *Director* may require.
- 4.2 No *Licence* shall be transferred or assigned and if a person licensed under this By-law sells, leases or otherwise disposes of his/her interest in the business or occupation, his/her *Licence* shall, notwithstanding any other provision of this By-law, be revoked.

- 4.3 Every *Licence* shall have endorsed thereon the location of a *Mobile Sales Premise and Temporary Sales Premise* such endorsement shall be for the same location only.
- 4.4 Every application for a *License* for the sale of *Consumer Fireworks* shall include proof of commercial general liability insurance in an amount no less than Five Million Dollars (\$5,000,000), naming The Corporation of the *Town of Newmarket* as an additional insured and containing a cross liability clause.

5.0 REGULATIONS AFFECTING THE SALE OF CONSUMER FIREWORKS

- 5.1 All *Vendors of Consumer Fireworks* in the *Town* are required to conduct the sales of *Consumer Fireworks* within a *Temporary Fireworks Premise or Mobile Sales Premise* and in accordance with this By-law and all applicable law.
- 5.2 All *Vendors of Consumer Fireworks* from a *Temporary Fireworks Premise or Mobile Sales Premise* shall keep their *Licence* issued in respect of this By-law posted in a conspicuous place at all times.
- 5.3 Every *Vendor of Consumer Fireworks* from a *Temporary Fireworks Premise or Mobile Sales Premise* shall provide and maintain fully operational fire extinguishers, ready for immediate use, on site at all times.
- 5.4 Every *Vendor of a Mobile Sales Premises* shall be issued a license for a period of twelve (12) consecutive days which shall include the setting up and removal of the mobile sales premises and the selling of *Consumer Fireworks* shall not exceed eight (8) consecutive days
- 5.5 No person shall sell *Consumer Fireworks* from a *Mobile Sales Premise* except in accordance with the following regulations;
- a) not less than two (2) signs must be posted in prominent locations on the outside of the *Mobile Sales Premise* indicating that persons may not smoke or ignite any flammable material, or have in their possession any lighted match, lighter, pipe, cigar, cigarette, open flame or spark emitting device within 6 metres of the *Mobile Sales Premise*;
 - b) the public shall not be permitted to enter any *Mobile Sales Premise* for the purpose of purchasing *Consumer Fireworks* unless there are at least two operational doors providing means of access to and egress from the *Mobile Sales Premise*;
 - c) no more than fifteen (15) customers are permitted in a *Mobile Sales Premise* at the same time.
- 5.6 No *Person* shall display for sale any *Consumer Fireworks* in lots that exceed 22.68 kilograms gross weight (50 pounds gross weight).
- 5.7 No *Person* shall display for sale any *Consumer Fireworks* in any manner other than in a package, glass case or other suitable receptacle away from any other inflammable goods.

6.0 DISCHARGE OF CONSUMER FIREWORKS

- 6.1 No *Person* shall *Discharge Consumer Fireworks* except on Victoria Day and Canada Day or on the day immediately preceding or on the day immediately after Victoria Day and Canada Day unless the person has applied for and been issued a *Fireworks Special Occasion Permit*, in which case the *Consumer Fireworks* shall only be discharged at the date, time, location and site shown on the *Fireworks Special Occasion Permit*.
- 6.2 No *Person* shall *Discharge* any *Consumer Fireworks* in such a manner which creates a danger to any person or property, or to cause or allow any unsafe act or omission at the time and place for the discharging of any *Consumer Fireworks*.
- 6.3 No *Person* shall *Discharge* any *Consumer Fireworks* in or into any *Building*, doorway, or automobile.
- 6.4 No *Person* eighteen (18) years of age or older may discharge *Consumer Fireworks* on any land not belonging to him/her or on any other privately owned land unless the owner thereof has given written permission for the *Discharge of Consumer Fireworks*.
- 6.5 No *Person* under the age of eighteen (18) years shall *Discharge* any *Consumer Fireworks* except under the direct supervision of and control of a person eighteen (18) years of age or over.
- 6.6 No *Person* being the parent or guardian of any person under the age of eighteen (18) years shall allow the person to *Discharge* any *Consumer Fireworks* except when such parent or guardian or some other responsible person of eighteen (18) years of age or over is in direct supervision and control.
- 6.7 No *Person* shall *Discharge* any *Consumer Fireworks* except between the hours of dusk and 11:00 p.m.
- 6.8 No person shall permit, allow, or cause the *Discharge* of any *Consumer Fireworks* if the front lot line if the property is less than eighteen (18) metres (59') in width.

7.0 APPLICATION REQUIREMENTS FOR A FIREWORKS SPECIAL OCCASIONS PERMIT

- 7.1 Every application for a *Fireworks Special Occasions Permit* shall be made to the Fire Chief a minimum of twenty-one (21) calendar days prior to the event when the proposed *Discharge of Consumer Fireworks* is to occur.
- 7.2 Every application for a *Fireworks Special Occasions Permit* shall be submitted by the *Applicant* and shall include description of the event including:
 - a) the date and time of the proposed *Discharge of Consumer Fireworks*;
 - b) proof of written consent of the owner of the property to *Discharge of Consumer Fireworks* if the *Applicant* is not the owner of the property ;
 - c) proof that the *Applicant* is over the age of 18;
 - d) a description of the fire emergency procedures;
 - e) proof of insurance in accordance with Section 14.1;

- f) proof of insurance when *Fireworks Special Occasion Permit* is for residential property in accordance with Section 14.2;
- g) applicable fee(s) established by the *Town*; and
- h) such other information as required by the *Fire Chief*.

7.3 An *Applicant* for a *Fireworks Special Occasions Permit* is subject to the provisions of this By-law and entitled to be issued the *Fireworks Special Occasions Permit*, except where:

- a) the Application is incomplete;
- b) a residential property that has been previously issued a *Fireworks Special Occasions Permit* in the same calendar year; or
- c) there are reasonable grounds for belief that the holding of the *Consumer Fireworks* will result in a breach of this or any other by-law, the *FPPA* or the *Explosives Act*.

8.0 **APPLICATION REQUIREMENTS FOR DISPLAY FIREWORKS**

8.1 Every application for a *Permit* shall be made to the *Fire Chief* a minimum of twenty-one (21) calendar days prior to the event when the proposed *Discharge of Display Fireworks* is to occur.

8.2 Every application for a *Permit* shall be submitted by the *Fireworks Supervisor* and shall include description of the event including:

- a) the date and time of the proposed *Discharge of Display Fireworks*;
- b) a list of all *Display Fireworks* that may be discharged;
- c) the discharge techniques to be used;
- d) the manner and means of restraining unauthorized persons from attending too near the discharge site;
- e) the manner in which unused *Display Fireworks* are to be disposed of;
- f) the number of authorized persons on site during the event to handle and *Discharge* the *Display Fireworks*;
- g) a site plan providing a description of the discharge site to be used for the discharging of the *Display Fireworks*;
- h) a description of the fire emergency procedures;
- i) the name and address of the *Applicant (Fireworks Supervisor)* and the sponsoring organization, if applicable;
- j) proof of certification of the *Applicant* as a *Fireworks Supervisor*;
- k) proof of written consent of the owner of the property to *Discharge Display Fireworks* if the *Applicant (Fireworks Supervisor)* is not the owner of the property;
- l) a *Permit* fee as set out in the applicable *Fees and Charges By-law*;
- m) proof of insurance in accordance with Section 14.1; and
- n) such other information as required by the *Fire Chief*.

8.3 An *Applicant* for a *Permit* is subject to the provisions of this By-law and entitled to be issued the *Permit*, except where:

- a) the Application is incomplete;
- b) the *Applicant* is not a *Fireworks Supervisor*; or
- c) there are reasonable grounds for belief that the holding of the *Display Fireworks* will result in a breach of this or any other by-law, the *FPPA* or the *Explosives Act*.

9.0 APPLICATION REQUIREMENTS FOR PYROTECHNIC SPECIAL EFFECT FIREWORKS

9.1 Every application for a *Permit* for *Pyrotechnic Special Effect Fireworks* shall be made to the *Fire Chief* a minimum of twenty-one (21) calendar days prior to the event where the proposed *Discharge* of *Pyrotechnic Special Effect Fireworks* is to occur.

9.2 Every application for a *Permit* shall be submitted by the *Pyrotechnician* and shall include a description of the event including:

- a) date and time of the proposed event using *Pyrotechnic Special Effect Fireworks*;
- b) a list of all *Pyrotechnic Special Effect Fireworks* to be discharge;
- c) sequence of firing;
- d) the manner and means of restraining unauthorized persons from attending too near the discharge site;
- e) the manner in which unused *Pyrotechnic Special Effect Fireworks*; are to be disposed of;
- f) the number of authorized *Persons* on site during the event to handle and *Discharge the Pyrotechnic Special Effect Fireworks*;
- g) a site plan of the facility and room capacity, the stage and the *Pyrotechnic Special Effect Fireworks* storage area;
- h) description of fire emergency procedures;
- i) name and address of the *Applicant (Pyrotechnician)* and the sponsoring business or organization, if applicable;
- j) proof of certification of the *Applicant* as a *Pyrotechnician*;
- k) proof of written consent of the owner of the property to *Discharge Pyrotechnic Special Effect Fireworks* if the *Applicant (Pyrotechnician)* is not the owner of the property;
- l) a Permit fee as set out in the applicable *Fees and Charges By-law*;
- m) proof of insurance in accordance with Section 14.1;
- n) location of all *Pyrotechnic Special Effect Fireworks*;
- o) height, range of effect, fallout and duration of the *Pyrotechnic Special Effect Fireworks*;

- p) location of the audience and all exits;
- q) such other information as required by the *Fire Chief*.

9.3 An *Applicant* for a *Permit* is subject to the provisions of this by-law and entitled to be issued the *Permit*, except where:

- a) the application is incomplete;
- b) the *Applicant* is not a *Pyrotechnician* under the *Explosives Act*, or
- c) there are reasonable grounds for belief that the holding of the *Pyrotechnic Special Effect Fireworks* will result in a breach of this or any other by-law, the *FPPA* or the *Explosives Act*.

10.0 CONDITIONS FOR APPLICANT FOR FIREWORKS SPECIAL OCCASIONS PERMIT

10.1 The *Fire Chief* may issue a *Fireworks Special Occasions Permit* for *Discharge of Consumer Fireworks* on the conditions set forth in Section 6 and 7. Each such *Fireworks Special Occasions Permit* shall state the name of the sponsoring club, business, organization, association or group, the purpose of the display, the place, date and time at which the same may be held, and the name of the *Applicant* under whose supervision the display shall be held.

10.2 The following conditions shall apply to the *Applicant* of a *Fireworks Special Occasions Permit* issued under this By-law:

- a) The *Fireworks Special Occasions Permit* is valid only for the display at the place, and on the date or dates set forth in the *Fireworks Special Occasions Permit*;
- b) the *Applicant* shall supervise the *Discharge of Consumer Fireworks*;
- c) every *Applicant* shall provide and maintain fully operational, *Fire Extinguishing Equipment* ready for immediate use; and
- d) the *Applicant* shall comply at all times with the provisions of this or any other by-law, the *FPPA* or the *Explosives Act*.

10.3 No *Applicant* shall *Discharge Consumer Fireworks* except in accordance with the conditions of the *Fireworks Special Occasions Permit*.

10.4 The *Applicant* holding the *Fireworks Special Occasions Permit* of *Consumer Fireworks* shall ensure that all unused *Consumer Fireworks* and all debris are removed, in compliance with this or any other by-law, the *FPPA* and the *Explosives Act*.

11.0 CONDITIONS FOR APPLICANT FOR DISCHARGE PERMIT

11.1 The *Fire Chief* may issue a *Permit* for *Discharge of Display Fireworks* or *Pyrotechnical Special Effect Fireworks* on the conditions set forth in Sections 8 or 9 and each such *Permit* shall state the name of the sponsoring club, business, organization, association or group, the purpose of the display, the place and date at which the same may be held, and the name of the *Fireworks Supervisor* or *Pyrotechnician* under whose supervision the display shall be held.

11.2 The following conditions shall apply to the *Applicant* of a *Permit* issued under this By-law:

- a) the *Permit* is valid only for the display at the place and on the date or dates set forth in the *Permit*;
 - b) the *Applicant* shall supervise the *Discharge of Display Fireworks or Pyrotechnic Special Effect Fireworks*;
 - c) every *Applicant* shall provide and maintain fully operational, *Fire Extinguishing Equipment* ready for immediate use;
 - d) every applicant shall ensure that Display Fireworks or Pyrotechnical Special Effect Fireworks are not set off within three hundred (300) metres of any premise or place where explosives, gasoline or other highly flammable substances are manufactured or stored in bulk;
 - e) every applicant shall ensure that Display Fireworks or Pyrotechnical Special Effect Fireworks are not set off within three hundred (300) metres of a hospital, nursing home, home for the aged, church or school unless the consent of the owner or authorized representative thereof is obtained; and
 - f) the *Applicant* shall comply at all times with the provisions of this or any other by-law, the *FPPA*, *Explosives Act*, and the Display Fireworks Manual or Pyrotechnic Special Effects Manual published by Natural Resources Canada or any successor publication.
- 11.3 No *Applicant* shall *Discharge Display Fireworks or Pyrotechnic Special Effect Fireworks* except in accordance with the conditions of the *Permit*.
- 11.4 The *Applicant* holding the *Permit of Display Fireworks or Pyrotechnic Special Effect Fireworks* shall ensure that all unused *Fireworks* and all debris are removed, in compliance with this or any other by-law, the *FPPA*, the *Explosives Act* and the Display Fireworks Manual or Pyrotechnic Special Effects Manual published by Natural Resources Canada or any successor publication.

12.0 EXEMPTIONS

- 12.1 This By-law shall not apply to any *Fireworks* used or stored for government or other public purposes by the *Town*, the Regional Municipality of York, or any Provincial or Federal governmental authority.

13.0 FEES

- 13.1 Fees shall be paid upon submission of an application for a *Licence*, *Permit* or *Fireworks Special Occasions Permit* as set out in the *Fees and Charges By-law*.

14.0 INSURANCE

- 14.1 The *Applicant* for a *Permit* shall provide and maintain commercial general liability insurance subject to limits of not less than Five Million Dollars (\$5,000,000.00) inclusive per occurrence for bodily injury, death and damage to property including loss of use thereof. Such insurance shall be in the name of the *Applicant* and shall name the *Town* as an additional insured and containing a cross liability clause. Such insurance shall include coverage for displays of *Display Fireworks or Pyrotechnic Special Effect Fireworks*. Such insurance policy shall contain an endorsement to provide the *Town* within thirty (30) calendar days prior written notice of cancellation or of a material change that would diminish coverage, and a standard *Town* Certificate of Insurance evidencing such insurance coverage shall be provided to the *Town* prior to the issuance of a *Permit* or *Licence*.

14.2 The *Applicant* for a *Fireworks Special Occasions Permit* shall provide proof of home owner's insurance.

15.0 GROUNDS FOR REFUSAL TO ISSUE A LICENCE OR TO REVOKE

15.1 The *Director* shall refuse to issue a *Licence* where the *Applicant* would not be entitled to a *Licence* for reasons set out in this By-law.

15.2 An *Applicant* is entitled to be licenced except where:

- a) The past conduct of the *Applicant* affords reasonable grounds for the belief that the *Applicant* will not carry on the activity for which he is to be licensed in accordance with the law and with integrity and honesty; or
- b) The *Applicant* is carrying on activities that are or will be, if the *Applicant* is licenced, in contravention of this By-law, any other municipal by-law or other applicable law; or
- c) The past or present conduct of the applicant, or of any partner, in the case of an applicant which is a partnership, or of any director or officer of the corporation, if the applicant is a corporation, affords reasonable grounds to believe that the business in respect of which the application is made will not be carried on in accordance with the law and with integrity and honesty, or
- d) The applicant has failed to pay a fine or fines imposed by a court as a sentence arising from convictions for breach of a by-law enacted by the Town; or
- e) There are reasonable grounds to believe that the equipment, vehicles and other personal property used in connection with the carrying on of or engaging in the business licensed hereunder is dangerous or unsafe; or
- f) The fee payable in respect of the license applied for has not been paid.

16.0 POWER TO REVOKE OR SUSPEND A LICENCE

16.1 The *Director* may revoke or suspend a *Licence* where this *Licensee* fails to comply with any of the provisions of this By-law.

16.2 A *Licence* may be revoked or suspended when:

- a) the *Applicant* has been convicted of an offence under this By-law or the *Explosives Act*;
- b) in the opinion of the *Director* the conduct of the *Applicant*, during the period in which the *Licence* is effective affords reasonable grounds for belief that the *Applicant* has not, is not, or will not carry on the selling of *Consumer Fireworks* in accordance with this By-law and any other applicable law;
- c) the *Applicant* has provided false or misleading information in respect of the *Licence* application; or
- d) in the opinion of the *Director*, the premise in which the *Applicant* has sold or intends to sell *Consumer Fireworks* does not comply with provisions of this By-law or any other applicable law.

17.0 PROCEDURE WHEN LICENCE REVOKED, SUSPENDED OR REFUSE TO ISSUE

- 17.1 When, for any of the grounds set out in the applicable section of this By-law, an *Applicant* or *Licensee* is not entitled to be licenced or a *Licence* may be subject to revocation, the *Director* shall refuse to issue the *Licence*, suspend or revoke the *Licence*, or issue a *Licence* subject to terms and conditions.
- 17.2 The *Director* shall provide written notice to be given to the *Applicant*;
- a) setting out the grounds for the revocation, refusal to issue, suspension or the terms and conditions of a *Licence*;
 - b) give reasonable particulars of the grounds;
 - c) be signed by the *Director*;
 - d) inform the *Applicant* or *Licensee* of his/her right to a hearing before an *Appeals Committee* appointed by *Council* if he delivers a written request for such a hearing within seven (7) days following the date of service.
- 17.3 On receipt of a written request for a hearing from an *Applicant* or a *Licensee*, the *Director* shall schedule the hearing and shall give the *Applicant* or *Licensee* reasonable written notice of the date, time and place of the hearing.
- 17.5 The *Director* shall make a recommendation to the *Appeals Committee* with respect to revocation, suspension, cancellation or refusal or issue a *Licence* or recommend that a *Licence* be issued subject to terms and conditions.
- 17.6 When an *Applicant* or *Licensee* who has been given written notice of the hearing does not attend at the appointed time and place, the *Appeals Committee* may proceed with the hearing in their absence and the *Applicant* or *Licensee* shall not be entitled to any further notice of the proceedings.
- 17.7 Upon final decision of the *Appeals Committee* the *Director* shall send by either personal delivery or registered mail, a written notice of the *Appeals Committee* decision.
- 17.8 The decision of the *Appeals Committee* is final binding.
- 17.9 A *Licensee* who's *Licence* has been revoked or suspended shall return the *Licence* and documentation issued by the *Director* within twenty-four (24) hours of the service of notice of revocation. An Inspector may enter upon the business premises of the *Licensee* for the purpose of receiving, taking or removing the said *Licence*.
- 17.10 No *Person* who's *Licence* has been revoked or suspended shall refuse to deliver the *Licence* to the *Director* in any way obstruct or prevent the *Director* from receiving or taking the same.

- 17.11 Notwithstanding any decision of or statement by *Appeals Committee* respecting the granting of a *Licence* or application therefore, no *Person* shall be deemed to be licensed until the *Applicant* has paid the required fee and has received the physical *Licence*.

18.0 NOTIFICATION OF CHANGE OF INFORMATION

- 18.1 When a *Licensee* changes his name, address, or any information relating to the *Licence*, the *Licensee* shall notify the *Director* within seven (7) business days after the change, of information relating to the *Licence* and shall if required by the *Director* return the *Licence* immediately to the *Director* for amendment.

19.0 ORDER

- 19.1 Where the *Town* is satisfied that a contravention of this By-law has occurred, the *Town* may make an order requiring the *Vendor* to do work to correct the contravention.
- 19.2 An order under Section 19 of this By-law shall set out:
- a) reasonable particulars to identify the contravention, the location of the contravention and the date by which the *Vendor* must be brought into compliance with this By-law;
 - b) that the *Vendor* shall comply with all contraventions identified on the order within forty-eight (48) hours of the order being served;
 - c) an order under Section 19 may require work to be done even though the facts which constitute the contravention of this By-law were present before this By-law came into force; and
 - d) any *Person* who contravenes an order under Section 19 of this By-law is guilty of an offence.

20.0 SERVE OF NOTICES OR ORDERS

- 20.1 Any notices or orders required to be given pursuant to this By-law by the *Director* shall be deemed to be sufficiently served if delivered personally or sent by registered mail or by prepaid first class mail addressed to the *Person* to whom service is to be made at the address on the application or the last known address on file in the Legislative Service Office.
- 20.2 Any notices or orders served by either registered mail or by prepaid first class mail shall be deemed to have been received on the fifth (5) day following the mailing of the notice or order.

21.0 INSPECTIONS AND POWER OF ENTRY

- 21.1 No *Person* shall hinder or obstruct, or attempt to hinder or obstruct, any *Officer* who is exercising a power or performing a duty under this By-law.
- 21.2 An *Officer* may enter on Land at any reasonable time for the purpose of carrying out an inspection to determine whether or not the following are being complied with this By-law:
- a) the provisions of this By-law;
 - b) an order issued under this By-law; or

c) an order made under section 431 of the Act.

21.3 Where an inspection is conducted by an *Officer*, the person conducting the inspection may:

- a) require the production for inspection of documents or things relevant to the inspection;
- b) inspect and remove documents or things relevant to the inspection for the purpose of making copies or extracts;
- c) require information from any *Person* concerning a matter related to the inspection; and
- d) alone or in conjunction with a *Person* possessing special or expert knowledge, make examinations or take tests, samples or photographs necessary for the purposes of the inspection.

21.4 The Town may undertake an inspection pursuant to an order issued under Section 438 of the *Act*.

21.5 The *Town's* power of entry may be exercised by an *Officer* as well by any *Person* under his or her direction.

22.0 OFFENCE

22.1 Every *Person* who contravenes a provision of this By-law, including an order issued under this By-law, is guilty of an offence and, upon conviction, is liable to a fine as provided for in the *Provincial Offences Act*.

22.2 If there is a contravention of any provision of this By-law, and the contravention has not been corrected, the contravention of the provision shall be designated as a continuing offence for each day or part of a day that the contravention remains uncorrected.

22.3 If an order has been issued under this By-law, and the order has not been complied with, the contravention of the order shall be designated as a continuing offence for each day or part of a day that the order is not complied with.

22.4 For purposes of this By-law, if there is an offence respecting two or more acts or omissions, each of which separately constitutes an offence and is a contravention of the same provision of this By-law, then the offence is designated as a multiple offence.

22.5 For purposes of this By-law, an offence is a second or subsequent offence if the act giving rise to the offence occurred after a conviction had been entered for the same offence at an earlier date.

23.0 PENALTY

23.1 Every *Person* who is guilty of an offence under this By-law on conviction is liable to the following penalties:

- a) Upon a first conviction, the minimum fine shall be \$350.00 and the maximum fine shall be \$100,000.00;
- b) Upon a second or any subsequent conviction, the minimum fine shall be \$500.00 and the maximum fine shall be \$100,000.00;

- c) Upon conviction for a continuing offence, the minimum fine shall be \$500.00 and the maximum fine shall be \$10,000.00 for each day or part of a day that the offence continues; and
- d) Upon conviction for a multiple offence, for each offence included in the multiple offences, the minimum fine shall be \$500.00 and the maximum fine shall be \$10,000.00.

24.0 LIABILITY

24.1 In addition to any other Person who commits an offence under this by-law, the owner of the premises on which the Fireworks or Prohibited Fireworks are or were sold, stored, displayed or discharged in contravention of this by-law shall be deemed to commit the same offence.

25.0 SEVERABILITY

25.1 Where a Court of competent jurisdiction declares any section or part of a section of this By-law invalid, the remainder of this By-law shall continue in force unless the Court makes an order to the contrary.

26.0 SHORT TITLE

This By-law shall be referred to as the "Fireworks By-law".

ENACTED THIS 11th DAY OF MAY, 2015.

Tony Van Bynen, Mayor

Andrew Brouwer, Town Clerk



CORPORATION OF THE TOWN OF NEWMARKET

BY-LAW NUMBER 2015-19

A BY-LAW TO AMEND BY-LAW 1993-62, AS AMENDED, BEING A BY-LAW TO REGULATE PARKING WITHIN THE TOWN OF NEWMARKET.

(Schedule X – No Parking, Schedule XI – No Stopping)

WHEREAS it is deemed necessary to amend By-law 1993-62, as amended, being a By-law to Regulate Parking within the Town of Newmarket.

THEREFORE BE IT ENACTED by the Municipal Council of the Corporation of the Town of Newmarket as follows:

1. THAT Schedule X (No Parking) of the Parking By-law 1993-62, as amended, be further amended by deleting the following:

ROAD	SIDE	BETWEEN	PROHIBITED TIMES
Ford Wilson Boulevard	East	Davis Drive to Woodspring Avenue	Monday to Friday 7:00 a.m. to 6:00 p.m.

2. AND THAT Schedule X (No Parking) of the Parking By-law 1993-62, as amended, be further amended by adding the following:

ROAD	SIDE	BETWEEN	PROHIBITED TIMES
Ford Wilson Boulevard	East	Woodspring to Dowson Loop	Monday to Friday 7:00 a.m. to 6:00 p.m.
Ford Wilson Boulevard	East	Cheryl Mews Boulevard to Davis Drive	Monday to Friday 7:00 a.m. to 6:00 p.m.

3. AND THAT Schedule XI (No Stopping) of the Parking By-law 1993-62, as amended, be further amended by deleting the following:

ROAD	SIDE	BETWEEN	PROHIBITED TIMES
Ford Wilson Boulevard	West	Dowson Loop to Woodspring Avenue	Monday to Friday 7:00 a.m. to 6:00 p.m.

4. AND THAT Schedule XI (No Stopping) of the Parking By-law 1993-62, as amended, be further amended by adding the following:

ROAD	SIDE	BETWEEN	PROHIBITED TIMES
Ford Wilson Boulevard	West	Woodspring Avenue to Cheryl Mews Boulevard	Monday to Friday 7:00 a.m. to 6:00 p.m.
Ford Wilson Boulevard	East	Cheryl Mews Boulevard to Dowson Loop	Monday to Friday 7:00 a.m. to 6:00 p.m.

ENACTED THIS 11TH DAY OF MAY, 2015.

Tony Van Bynen, Mayor

Andrew Brouwer, Town Clerk



CORPORATION OF THE TOWN OF NEWMARKET

BY-LAW NUMBER 2015-20

A BY-LAW TO AMEND BY-LAW 2011-24, AS AMENDED, BEING A BY-LAW TO REGULATE TRAFFIC WITHIN THE TOWN OF NEWMARKET.

(Schedule IX – School Crossing Locations)

WHEREAS it is deemed necessary to amend By-law 2011-24, as amended, being a by-law to regulate traffic on highways within the Town of Newmarket.

THEREFORE BE IT ENACTED by the Municipal Council of the Corporation of the Town of Newmarket as follows:

1. THAT Schedule IX (School Crossing Locations) be further amended by adding the following:

Ford Wilson Boulevard, south of Dowson Loop – Mid Block

ENACTED THIS 11TH DAY OF MAY, 2015.

Tony Van Bynen, Mayor

Andrew Brouwer, Town Clerk



CORPORATION OF THE TOWN OF NEWMARKET

BY-LAW NUMBER 2015-21

A BY-LAW TO ADOPT FEES AND CHARGES FOR SERVICES OR ACTIVITIES PROVIDED BY THE TOWN OF NEWMARKET (LEGISLATIVE SERVICES- LICENSING FEES)

WHEREAS the *Municipal Act, 2001*, S.O. 2001, c. 25 authorizes a municipality to pass by-laws imposing fees and charges for services or activities provided or done by or on behalf of it;

AND WHEREAS Council enacted By-law 2014-62 to establish Fees and Charges for Legislative Services- Licensing Fees;

AND WHEREAS it is deemed necessary to enact a new by-law setting out the Licensing Fees and Charges for Legislative Services and to repeal Schedule A of By-law 2014-62.

THEREFORE BE IT ENACTED by the Municipal Council of the Corporation of the Town of Newmarket as follows:

1. THAT the attached schedules form part of this by-law and this by-law be known as the Fees and Charges By-law for the (Legislative Services- Licensing Fees)
2. AND THAT should any section of this by-law be declared invalid by a court of competent jurisdiction, such section shall be construed as being served here from and the remainder of the by-law shall continue in full force and effect;
3. AND THAT notwithstanding fees and charges prescribed in other legislation this by-law supersedes all other fees and charges for Legislative Services – Licensing Fees previously established by the Town of Newmarket for the services identified in this by-law;
4. AND THAT this by-law shall come into full force and effect on May 11, 2015 at which time By-law 2014-62 Schedule A be repealed.

ENACTED THIS 11TH DAY OF MAY, 2015.

Tony Van Bynen, Mayor

Andrew Brouwer, Town Clerk

TOWN OF NEWMARKET

2015 USER FEES

Schedule A

SERVICE PROVIDED	UNIT OF MEASURE	SUBJECT TO HST YES/NO	2014 FEE BEFORE TAX	2015 FEE BEFORE TAX	HST AMOUNT	TOTAL FEE
ADULT ENTERTAINMENT PARLOURS						
Owner*		N	\$545.00	\$ 560.00	\$ -	\$ 560.00
Owner/Operator*		N	\$ 438.00	\$ 452.00	\$ -	\$ 452.00
Operator*		N	\$ 328.00	\$ 338.00	\$ -	\$ 338.00
Entertainer		N	\$ 222.00	\$ 230.00	\$ -	\$ 230.00
ADULT VIDEOS						
Store*		N	\$ 380.00	\$ 392.00	\$ -	\$ 392.00
Video Tape Store-where provision of Adult Videotapes is only incidental to the carrying on of the business of the provision of videotapes*		N	\$ 338.00	\$ 348.00	\$ -	\$ 348.00
AMUSEMENT- PLACE OF						
Class A (more than 4)*		N	\$ 359.00	\$ 370.00	\$ -	\$ 370.00
Class B (1 to 4)*		N	\$ 259.00	\$ 267.00	\$ -	\$ 267.00
Class C (Mall up to 10)*		N	\$ 365.00	\$ 376.00	\$ -	\$ 376.00
Family Entertainment Centre*		N	\$ 370.00	\$ 381.00	\$ -	\$ 381.00
ANIMAL LICENSING						
Dog or Cat over 4 mos (non-refundable)		N	\$30.00	\$ 30.00	\$ -	\$ 30.00
Dog or Cat over 4 mos if purchased at Town Office prior to March 1st (fee is non-refundable)		N	\$25.00	\$ 25.00	\$ -	\$ 25.00
Dog or Cat replacement tag (non-refundable)		N	\$5.00	\$ 5.00	\$ -	\$ 5.00
AUCTIONEERS*		N	\$ 181.00	\$ 186.00	\$ -	\$ 186.00
BILLIARDS (MORE THAN 4 TABLES)*		N	\$ 264.00	\$ 272.00	\$ -	\$ 272.00
BILLIARDS (1 - 4 TABLES)*		N	\$ 212.00	\$ 218.00	\$ -	\$ 218.00
BODY RUB PARLOUR						
Body-Rub Parlour Owner*		N	\$ 545.00	\$ 561.00	\$ -	\$ 561.00

**TOWN OF NEWMARKET
2015 USER FEES
Schedule A**

SERVICE PROVIDED	UNIT OF MEASURE	SUBJECT TO HST YES/NO	2014 FEE BEFORE TAX	2015 FEE BEFORE TAX	HST AMOUNT	TOTAL FEE
Body-Rub Parlour Owner/Operator*		N	\$ 544.00	\$ 560.00	\$ -	\$ 560.00
Body-Rub Parlour Operator*		N	\$ 380.00	\$ 391.00	\$ -	\$ 391.00
Body-Rub Attendant		N	\$ 269.00	\$ 277.00	\$ -	\$ 277.00
BOWLING ALLEYS*		N	\$ 353.00	\$ 364.00	\$ -	\$ 364.00
CARNIVAL		N	\$ 242.00	\$ 250.00	\$ -	\$ 250.00
CATERING/REFRESHMENT VEHICLES						
Cart/Vehicle/Bicycle*		N	\$ 280.00	\$ 288.00	\$ -	\$ 288.00
Cart/Vehicle/Bicycle operator*		N	\$ 116.00	\$ 120.00	\$ -	\$ 120.00
Lost Refreshment Vehicle Plate		N	\$ 85.00	\$ 85.00	\$ -	\$ 85.00
Lost Refreshment Vehicle Operator ID		N	\$ 25.00	\$ 25.00	\$ -	\$ 25.00
Refreshment Cart Location - change to or additional location		N	\$ 50.00	\$ 52.00	\$ -	\$ 52.00
Refreshment Vehicle Transfer		N	\$ 160.00	\$ 165.00	\$ -	\$ 165.00
Clothing Donation Bin		N	\$ 200.00	\$ 206.00	\$ -	\$ 206.00
Clothing Donation Bin - Charities		N	\$ 75.00	\$ 77.00	\$ -	\$ 77.00
Clothing Donation Bin - Change Location		N	\$ 50.00	\$ 52.00	\$ -	\$ 52.00
Clothing Donation Bin - Impound Fee per Bin		N	\$ 100.00	\$ 100.00	\$ -	\$ 100.00
Clothing Donation Bin - Daily Storage Fee per Bin		N	\$ 20.00	\$ 20.00	\$ -	\$ 20.00
FIREWORKS						
Mobile Sales Premise		N		\$337.00		\$337.00
HAWKERS & PEDLAR						
Class A operator		N	\$ 372.00	\$ 383.00	\$ -	\$ 383.00
Employer License		N	\$ 269.00	\$ 277.00	\$ -	\$ 277.00
Class B "Special Sale"		N	\$98 per day or \$327 for max of 7 days	\$100 per day or \$337 for max of 7 days	\$ -	
Class C "Shopping Mall"		N	\$ 383.00	\$ 395.00	\$ -	\$ 395.00
Class D "Shopping Mall"		N	\$ 343.00	\$ 353.00	\$ -	\$ 353.00
Class E "Show Sale"		N	\$ 365.00	\$ 376.00	\$ -	\$ 376.00
Lost Picture ID		N	\$ 25.00	\$ 25.00	\$ -	\$ 25.00
HORSE-RIDING ESTABLISHMENTS*		N	\$ 422.00	\$ 435.00	\$ -	\$ 435.00

**TOWN OF NEWMARKET
2015 USER FEES
Schedule A**

SERVICE PROVIDED	UNIT OF MEASURE	SUBJECT TO HST YES/NO	2014 FEE BEFORE TAX	2015 FEE BEFORE TAX	HST AMOUNT	TOTAL FEE
LOUD SPEAKERS		N	\$ 175.00	\$ 180.00	\$ -	\$ 180.00
NEWSPAPER BOXES		N	\$48.00	\$ 50.00	\$ -	\$ 50.00
Impound Fee		N	\$53.00	\$ 55.00	\$ -	\$ 55.00
OUTDOOR SERVING AREAS*		N	\$ 318.00	\$ 328.00	\$ -	\$ 328.00
SECOND HAND GOODS SHOPS & DEALERS*		N	\$ 390.00	\$ 402.00	\$ -	\$ 402.00
TAXI						
Taxi Owner License (Plate)*		N	\$ 3,275.00	\$ 3,373.00	\$ -	\$ 3,373.00
Taxi Owner License Renewal (Plate)*		N	\$492.00	\$ 507.00	\$ -	\$ 507.00
Taxi Broker*		N	\$550.00	\$ 566.00	\$ -	\$ 566.00
Taxi Plate Owner Transfer (Sale)		N	\$ 422.00	\$ 435.00	\$ -	\$ 435.00
Taxi Driver New or after renewal date		N	\$ 163.00	\$ 168.00	\$ -	\$ 168.00
Taxi Driver Renewal before May 1st		N	\$ 97.00	\$ 100.00	\$ -	\$ 100.00
Taxi Driver Priority List		N	\$ 75.00	\$ 77.00	\$ -	\$ 77.00
Reinspection of Taxi Vehicle		N	\$ 52.00	\$ 54.00	\$ -	\$ 54.00
Vehicle transfer		N	\$ 160.00	\$ 165.00	\$ -	\$ 165.00
Lost Taxi Plate		N	\$ 85.00	\$ 85.00	\$ -	\$ 85.00
Lost Taxi Driver ID		N	\$ 25.00	\$ 25.00	\$ -	\$ 25.00
Lost Tariff Sheet		N	\$ 15.00	\$ 15.00	\$ -	\$ 15.00
Taxi test fee (per test)		N	\$ 25.00	\$ 26.00	\$ -	\$ 26.00
*Late Payment Fee for some classes of licenses		N	\$ 25.00	\$ 25.00	\$ -	\$ 25.00



CORPORATION OF THE TOWN OF NEWMARKET

BY-LAW NUMBER 2015-22

A BY-LAW TO ADOPT FEES AND CHARGES FOR SERVICES OR ACTIVITIES PROVIDED BY THE TOWN OF NEWMARKET (LEGISLATIVE SERVICES-GENERAL FEES)

WHEREAS the *Municipal Act, 2001*, S.O. 2001, c. 25 authorizes a municipality to pass by-laws imposing fees and charges for services or activities provided or done by or on behalf of it;

AND WHEREAS Council enacted By-law 2014-58 to establish Fees and Charges for Legislative Services - General Fees;

AND WHEREAS Council enacted By-law 2015-02 to repeal Schedule F of By-law 2014-58;

AND WHEREAS it is deemed necessary to enact a new by-law setting out the General Fees and Charges for Legislative Services and to repeal By-law 2015-02.

THEREFORE BE IT ENACTED by the Municipal Council of the Corporation of the Town of Newmarket as follows:

1. THAT the attached schedules form part of this by-law and this by-law be known as the Fees and Charges By-law for the (Legislative Services-General Fees)
2. AND THAT should any section of this by-law be declared invalid by a court of competent jurisdiction, such section shall be construed as being served here from and the remainder of the by-law shall continue in full force and effect;
3. AND THAT notwithstanding fees and charges prescribed in other legislation this by-law supersedes all other fees and charges for Legislative Services – General Fees previously established by the Town of Newmarket for the services identified in this by-law;
4. AND THAT this by-law shall come into full force and effect on May 11, 2015 at which time By-law 2015-02 be repealed.

ENACTED THIS 11TH DAY OF MAY, 2015.

Tony Van Bynen, Mayor

Andrew Brouwer, Town Clerk

**TOWN OF NEWMARKET
2015 USER FEES
SCHEDULE F**

Department: Legislative Services- General Fees

Note: Shaded areas indicate fees regulated or established by either Provincial legislation or third party.

SERVICE PROVIDED	UNIT OF MEASURE	SUBJECT TO HST YES/NO	2014 FEE BEFORE TAX	2015 FEE BEFORE TAX	HST AMOUNT	TOTAL FEE
VITAL STATISTICS						
Death Registration	each event	N	\$ 30.00	\$ 30.00	\$0.00	\$30.00
Marriage Licence	each licence	N	\$ 125.00	\$ 125.00	\$0.00	\$125.00
Municipal Information - Liquor Licence	each location	N	\$ 155.00	\$ 160.00	\$0.00	\$160.00
Ontario Municipal Board (OMB) Appeal Fee	each	N	\$ 155.00		\$0.00	\$155.00
Property Standards Appeal Fee	each	N	\$ 103.00	\$ 155.00	\$0.00	\$155.00
Fireworks Appeal Fee	each	N		\$ 155.00	\$0.00	\$155.00
Property Standards Reinspection Fee	each	N	\$ 155.00	\$ 160.00	\$0.00	\$160.00
Noise Exemption Application /Residential	each	N	\$ 52.00	\$ 54.00	\$0.00	\$54.00
Noise Exemption Application/Construction	each	N	\$ 155.00	\$ 160.00	\$0.00	\$160.00
Permit Fee - Inground/Onground Pool	each	N	\$ 150.00	\$ 155.00	\$0.00	\$155.00
Permit Fee - Above Ground Pool	each	N	\$ 150.00	\$ 155.00	\$0.00	\$155.00
Permit Fee - Hot Tub	each	N	\$ 150.00	\$ 155.00	\$0.00	\$155.00
Permit Fee - Inflatable Pool	each	N	\$ 150.00	\$ 155.00	\$0.00	\$155.00
Permit Fee - Ponds	each	N	\$ 150.00	\$ 155.00	\$0.00	\$155.00
Sign By-law Exemption Fee	each	N	\$ 155.00	\$ 160.00	\$0.00	\$160.00
Ground Sign	each	N	\$ 400.00	\$ 412.00	\$0.00	\$412.00
Fascia Sign	each	N	\$ 400.00	\$ 412.00	\$0.00	\$412.00
Mural Sign	each	N	\$ 400.00	\$ 412.00	\$0.00	\$412.00
Projecting Sign	each	N	\$ 400.00	\$ 412.00	\$0.00	\$412.00
Construction Information Sign	each	N	\$ 400.00	\$ 412.00	\$0.00	\$412.00
Hoarding Sign	each	N	\$ 400.00	\$ 412.00	\$0.00	\$412.00

**TOWN OF NEWMARKET
2015 USER FEES
SCHEDULE F**

Department: Legislative Services- General Fees

Note: Shaded areas indicate fees regulated or established by either Provincial legislation or third party.

SERVICE PROVIDED	UNIT OF MEASURE	SUBJECT TO HST YES/NO	2014 FEE BEFORE TAX	2015 FEE BEFORE TAX	HST AMOUNT	TOTAL FEE
New Home Development Sign	each	N	\$ 100.00	\$ 103.00	\$0.00	\$103.00
Portable Sign	each	N	\$ 100.00	\$ 103.00	\$0.00	\$103.00
Mobile Sign	each	N	\$ 100.00	\$ 103.00	\$0.00	\$103.00
Inflatable Sign	each	N	\$ 400.00	\$ 412.00	\$0.00	\$412.00
Banner Sign	each	N	\$ 100.00	\$ 103.00	\$0.00	\$103.00
Election Sign Deposit	each	N	\$ 250.00	\$ 250.00	\$0.00	\$250.00
Election Sign Removal	per sign	N	\$ 25.00	\$ 25.00	\$0.00	\$25.00
Billboard Sign	each	N	\$ 1,500.00	\$ 1,545.00	\$0.00	\$1,545.00
Billboard Sign Renewal	every 5 Years	N	\$ 500.00	\$ 515.00	\$0.00	\$515.00
Variance Fee - Staff Review	per review	N	\$ 250.00	\$ 258.00	\$0.00	\$258.00
Variance Fee - Committee	per review	N	\$ 500.00	\$ 515.00	\$0.00	\$515.00
Sign Removal	each	N	\$ 150.00	\$ 155.00	\$0.00	\$155.00
Sign Fees for Davis Drive until December 31, 2015						
Ground Sign	each	N	\$ 150.00	\$ 150.00	\$0.00	\$150.00
Fascia Sign	each	N	\$ 150.00	\$ 150.00	\$0.00	\$150.00
Mural Sign	each	N	\$ 400.00	\$ 400.00	\$0.00	\$400.00
Projecting Sign	each	N	\$ 150.00	\$ 150.00	\$0.00	\$150.00
Construction Information Sign	each	N	\$ 150.00	\$ 150.00	\$0.00	\$150.00
Hoarding Sign	each	N	\$ 400.00	\$ 400.00	\$0.00	\$400.00
New Home Development Sign	each	N	\$ 80.00	\$ 80.00	\$0.00	\$80.00
Portable Sign	each	N	\$ 80.00	\$ 80.00	\$0.00	\$80.00
Mobile Sign	each	N	\$ 80.00	\$ 80.00	\$0.00	\$80.00
Inflatable Sign	each	N	\$ 150.00	\$ 150.00	\$0.00	\$150.00
Banner Sign	each	N	\$ 100.00	\$ 100.00	\$0.00	\$100.00
Election Sign Deposit	each	N	\$ 250.00	\$ 250.00	\$0.00	\$250.00
Election Sign Removal	per sign	N	\$ 25.00	\$ 25.00	\$0.00	\$25.00
Billboard Sign	each	N	\$ 1,500.00	\$ 1,500.00	\$0.00	\$1,500.00
Billboard Sign Renewal	every 5 Years	N	\$ 500.00	\$ 500.00	\$0.00	\$500.00
Commissioning of Documents (except foreign pensions)	\$15 per document	Y	\$ 15.04		\$1.96	\$17.00
Certification of Document	\$5 per document to a maximum of \$25	Y	\$ 4.94		\$0.06	\$5.00

**TOWN OF NEWMARKET
2015 USER FEES
SCHEDULE F**

Department: Legislative Services- General Fees

Note: Shaded areas indicate fees regulated or established by either Provincial legislation or third party.

SERVICE PROVIDED	UNIT OF MEASURE	SUBJECT TO HST YES/NO	2014 FEE BEFORE TAX	2015 FEE BEFORE TAX	HST AMOUNT	TOTAL FEE
FILMING PERMIT						
Administration Fee		N	\$ 250.00		\$0.00	\$250.00
Administration Fee - private property		N	\$ 135.00		\$0.00	\$135.00
Municipal Property Fee	if applicable	N	\$ 250.00		\$0.00	\$250.00
Contribution to Main Street District BIA if filming within designated BIA		N	\$ 500.00		\$0.00	\$500.00
Security Deposit depending on the nature of the film (where deemed necessary)	\$500 to \$5000	N	\$500 to \$5000		\$0.00	\$500 to \$5000
Registration of Accessory Dwelling Units						
Application (Non-refundable)	each	N	\$ 250.00	\$ 250.00	\$0.00	\$250.00
Lost identification plate	each	N	\$ 10.00	\$ 10.00	\$0.00	\$10.00
Accessory Dwelling Unit Appeal	each	N	\$ 100.00	\$ 100.00	\$0.00	\$100.00
FENCE VIEWING						
Administration Fee		N	\$ 250.00	\$ 250.00	\$0.00	\$250.00
Fence Viewer's Inspection Fee	per person	N	\$ 50.00	\$ 50.00	\$0.00	\$50.00

**TOWN OF NEWMARKET
2015 USER FEES
SCHEDULE F**

Department: Legislative Services- General Fees

Note: Shaded areas indicate fees regulated or established by either Provincial legislation or third party.

SERVICE PROVIDED	UNIT OF MEASURE	SUBJECT TO HST YES/NO	2014 FEE BEFORE TAX	2015 FEE BEFORE TAX	HST AMOUNT	TOTAL FEE
MARRIAGES						
Civil Marriage Solemnization Service Fee	per service	Y	\$ 250.00	\$ 400.00	\$52.00	\$452.00
Witness Fee	per person	Y	\$ 50.00	\$ 50.00	\$6.50	\$56.50
Rehearsal Fee for offsite	per service	Y	\$ -	\$ 75.00	\$9.75	\$84.75
Administration fee to be charged for change of wedding date within 7 days		Y	\$ 25.00	\$ 25.00	\$3.23	\$28.23
Administration Fee to be charged for cancellation before		Y	\$ 50.00	\$ 50.00	\$6.50	\$56.50
Administration fee to be charged for cancellation after		Y	\$ 150.00	\$ 150.00	\$19.50	\$169.50
LOTTERY LICENCES						
Bingo	2.5% of the prize value	N				\$0.00
Nevada	3% of the prize value	N				\$0.00
Raffle	3% of the prize value	N				\$0.00
Election Candidate Nominations						
	Mayor	N	\$ 200.00	\$ 200.00	\$0.00	\$200.00
	Regional Councillor	N	\$ 100.00	\$ 100.00	\$0.00	\$100.00
	Councillor	N	\$ 100.00	\$ 100.00	\$0.00	\$100.00

**TOWN OF NEWMARKET
2015 USER FEES
SCHEDULE F**

Department: Legislative Services- General Fees

Note: Shaded areas indicate fees regulated or established by either Provincial legislation or third party.

SERVICE PROVIDED	UNIT OF MEASURE	SUBJECT TO HST YES/NO	2014 FEE BEFORE TAX	2015 FEE BEFORE TAX	HST AMOUNT	TOTAL FEE
Freedom of Information						
Application	each	N	\$ 5.00	\$ 5.00	\$0.00	\$5.00
Photo Copies	per page	N	\$ 0.20	\$ 0.20	\$0.00	\$0.20
Disks	per disk	N	\$ 10.00	\$ 10.00	\$0.00	\$10.00
Manually Searching Records \$7.50 per ¼ hour	per hour	N	\$ 30.00	\$ 30.00	\$0.00	\$30.00
Preparation of Record of Disclosure	per hour	N	\$ 30.00	\$ 30.00	\$0.00	\$30.00
Developing a Computer Program \$15.00 per ¼ hour	per hour	N	\$ 60.00	\$ 60.00	\$0.00	\$60.00



CORPORATION OF THE TOWN OF NEWMARKET

BY-LAW NUMBER 2015-23

A BY-LAW TO APPOINT INDIVIDUALS TO TOWN OF NEWMARKET STATUTORY BOARDS AND COMMITTEES FOR THE 2014-2018 TERM OF COUNCIL OR UNTIL SUCCESSORS ARE APPOINTED.

WHEREAS the Town has established various statutory boards and committees;

AND WHEREAS a recruitment was undertaken in accordance with the Town's Committee Public Appointment Policy CORP.3-01;

AND WHEREAS Council had determined the individuals to be appointed and referred such appointments to the May 11, 2015 Council meeting;

THEREFORE BE IT ENACTED by the Municipal Council of the Corporation of the Town of Newmarket that the listed individuals be appointed to the following statutory boards and committees for the 2014-2018 term of Council or until successors are appointed.

Accessibility Advisory Committee

Ms. Gloria Couves	Mr. Michael Morrison
Mr. Steve Foglia	Mr. Jeremy Slessor
Ms. Linda Jones	Mr. Richard Wilson

Appeal Committee

Mr. Donald Bond	Mr. Keith Saunders
Ms. Winnie Chao	Mr. Jay Shanmugam
Mr. Andrew Cox	

Committee of Adjustment

Ms. Betty Dykstra - alternate	Mr. Ken Smith
Ms. Elizabeth Lew	Mr. Fred Stoneman
Mr. Peter Mertens	Mr. Gino Vescio

Heritage Newmarket

Mr. Athol Hart	Ms. Joan Seddon
Ms. Billie Locke	Mr. Rohit Singh
Ms. Soni Felix Raj	Mr. Malcolm Watts

Newmarket Public Library Board

Ms. Tara Brown	Mr. Venkatesh Rajaraman
Mr. Darcy McNeill	Ms. Joan Stonehocker

Property Standards Committee

Mr. Simon Fenn	Mr. Jay Shanmugam
Mr. Richard Mewhinney	Mr. Gino Vescio
Mr. Keith Saunders	

ENACTED THIS 11TH DAY OF MAY, 2015.

Tony Van Bynen, Mayor

Andrew Brouwer, Town Clerk



CORPORATION OF THE TOWN OF NEWMARKET

BY-LAW NUMBER 2015-24

A BY-LAW TO CONFIRM THE PROCEEDINGS OF A MEETING OF COUNCIL
– MAY 11, 2015.

WHEREAS s. 5(1) of the *Municipal Act, 2001*, S.O. 2001, c. 25 provides that the powers of a municipal corporation shall be exercised by its Council;

AND WHEREAS s. 5(3) of the *Municipal Act, 2001*, S.O. 2001, c. 25 provides that a municipal power, including a municipality's capacity, rights, powers and privileges, shall be exercised by by-law unless the municipality is specifically authorized to do otherwise;

AND WHEREAS the Council of the Town of Newmarket deems it advisable to pass such a by-law;

THEREFORE BE IT ENACTED by the Council of the Corporation of the Town of Newmarket as follows:

1. THAT subject to Section 3 of this by-law, every decision of Council, as evidenced by resolution or motion, taken at the meeting at which this by-law is passed, shall have the same force and effect as if each and every one of them had been the subject matter of a separate by-law duly enacted;
2. AND THAT the execution and delivery of all such documents as are required to give effect to the decisions taken at the meeting at which this by-law is passed and the resolutions passed at that meeting are hereby authorized;
3. AND THAT nothing in this by-law has the effect of giving to any decision or resolution the status of a by-law where any legal prerequisite to the enactment of a specific by-law has not been satisfied;
4. AND THAT any member of Council who disclosed a pecuniary interest at the meeting at which this by-law is passed shall be deemed to have disclosed that interest in this confirmatory by-law as it relates to the item in which the pecuniary interest was disclosed.

ENACTED THIS 11TH DAY OF MAY, 2015.

Tony Van Bynen, Mayor

Andrew Brouwer, Town Clerk