



Town of Newmarket

Agenda

Council - Electronic

Date: Monday, June 29, 2020
Time: 1:00 PM
Location: Streamed live from the Municipal Offices
395 Mulock Drive
Newmarket, ON L3Y 4X7

1. Public Notice

At this time, the Municipal Offices remain closed to the public. This meeting will be streamed live at newmarket.ca/meetings.

Individuals who wish to address Council in relation to an item on this agenda may notify clerks@newmarket.ca by end of day Sunday, June 28, 2020, and:

1. Provide comments in writing. These comments will be read aloud by the Mayor during the live meeting, considered with the related item, and will form part of the public record; or,
2. Join the live meeting using the Town's videoconferencing software and verbally provide your comments over video or telephone.

2. Additions & Corrections to the Agenda

Note: Additional items are marked by an asterisk*.

3. Conflict of Interest Declarations

4. Public Hearing Matter

How to get involved with planning applications (items 4.1 & 4.2)

Newmarket Council will not be making any final decisions at this meeting in relation to items 4.1 and 4.2, all written and verbal comments will be given to Planning staff to consider in a future report. A report will then be provided to Council at a future Committee of the Whole or Council Meeting.

Residents are encouraged to get involved in the public planning process by submitting

written comments or participating in a live deputation through video conferencing during the meeting. To learn more about how to get involved, please email clerks@newmarket.ca and include your contact information (name and phone number).

4.1 Application for Zoning By-law Amendment - 49, 55, 59 Charles Street and 52 Prospect Street

Note: Drew MacMartin, MacMartin Group Ltd. and Vince Petrozza, Matera Developments will be in attendance to provide a presentation on this matter. The Notice of Statutory Public Meeting has been attached for information purposes only.

4.1.1 Correspondence - Murray MacDonald

*4.1.2 Correspondence - Gerald Fox

*4.1.3 Correspondence - Venus Rebolledo

*4.1.4 Correspondence - Bruce & Maureen Carmichael

4.2 Application for Zoning By-law Amendment - 292-294 Court Street

Note: Deborah Alexander, Alexander Planning Inc. will be in attendance to provide a presentation on this matter. The Notice of Statutory Public Meeting has been attached for information purposes only.

*4.2.1 Remote Deputation - Tami Heider

5. Presentations & Recognitions

6. Deputations

6.1 Remote Deputation regarding Animal Control & Pet Store Licensing - Liz White

1. That the remote deputation from Liz White regarding Animal Control & Pet Store Licensing be received.

*6.2 Written Deputation regarding Animal Control & Pet Store Licensing - Keith Burgess

1. That the written deputation regarding Animal Control & Pet Store Licensing provided by Keith Burgess be received.

*6.3 Remote Deputation regarding Site Specific Exemption to Interim Control By-law 2019-04 for 164 Beechwood Crescent - Shawna Ciccarelli

1. That the remote deputation regarding Site Specific Exemption to Interim

Control By-law 2019-04 for 164 Beechwood Crescent by Shawna Ciccarelli be received.

*6.4 Written Deputation regarding Site Specific Exemption to Interim Control By-law 2019-04 for 164 Beechwood Crescent - Beric Farmer

1. That the written deputation regarding Site Specific Exemption to Interim Control By-law 2019-04 for 164 Beechwood Crescent provided by Beric Farmer be received.

*6.5 Written Deputation regarding Site Specific Exemption to Interim Control By-law 2019-04 for 164 Beechwood Crescent - Suzanne & Jon Saunders

1. That the written deputation regarding Site Specific Exemption to Interim Control By-law 2019-04 for 164 Beechwood Crescent provided by Suzanne & Jon Saunders be received.

*6.6 Written Deputation regarding Site Specific Exemption to Interim Control By-law 2019-04 for 164 Beechwood Crescent - Deb Scott

1. That the written deputation regarding Site Specific Exemption to Interim Control By-law 2019-04 for 164 Beechwood Crescent provided by Deb Scott be received.

*6.7 Written Deputation regarding Site Specific Exemption to Interim Control By-law 2019-04 for 164 Beechwood Crescent - Glen & Christine Parnell

1. That the written deputation regarding Site Specific Exemption to Interim Control By-law 2019-04 for 164 Beechwood Crescent provided by Glen & Christine Parnell be received.

6.8 Remote Deputation regarding Bicycle Lane 2020 Updates – Traffic and Parking Bylaw Amendments - Stephen Harper

1. That the remote deputation from Stephen Harper regarding Bicycle Lane 2020 Updates – Traffic and Parking Bylaw Amendments be received.

6.9 Written Deputation regarding Bicycle Lane 2020 Updates – Traffic and Parking Bylaw Amendments - Brenda Russell

1. That the written deputation from Brenda Russell regarding Bicycle Lane 2020 Updates – Traffic and Parking Bylaw Amendments be received.

*6.10 Written Deputation regarding Bicycle Lane 2020 Updates - Traffic and Parking By-law Amendments - David Kempton

1. That the written deputation regarding Bicycle Lane 2020 Updates - Traffic and Parking By-law Amendments provided by David Kempton be received.

***6.11 Written Deputation regarding Bicycle Lane 2020 Updates - Traffic and Parking By-law Amendments - Paul Jolie**

1. That the written deputation regarding Bicycle Lane 2020 Updates - Traffic and Parking By-law Amendments provided by Paul Jolie be received.

7. Minutes

7.1 Council Meeting Minutes of March 2, 2020

1. That the Council Meeting Minutes of March 2, 2020 be approved.

7.2 Special Council - Electronic Meeting Minutes of June 8, 2020

1. That the Special Council - Electronic Meeting Minutes of June 8, 2020 be approved.

8. Reports by Regional Representatives

9. Consent Items and Recommendations from Committees

9.1 Special Committee of the Whole - Electronic Meeting Minutes of June 15, 2020

1. That the Special Committee of the Whole - Electronic Meeting Minutes of June 15, 2020 be received and the recommendations noted within be adopted.

9.1.1 Deputations - Animal Control & Pet Store Licensing

1. That the deputations provided by Michèle Hamers, Susan Dankert, Keith Burgess, Rita Goverde, Rob Laidlaw, Lisa Ugolini and Mr and Mrs J. Clark regarding Animal Control & Pet Store Licensing be received.

9.1.2 Presentation - Animal Control & Pet Store Licensing

1. That the presentation regarding Animal Control & Pet Store Licensing be received.

9.1.3 Staff Report - Animal Control & Pet Store Licensing

1. That the report entitled Animal Control and Pet Store Licensing dated June 15, 2020 be received; and,
2. That Council approve the draft Animal Control By-law with the following amendments:
 - a. Animal protections are extended to animals other than cats

and dogs; and,

- b. Schedule A: Prohibited Animals is replaced by a list of permitted animals; and,
- 3. That Council direct staff to move forward with a phased approach to breeders and kennels, where zoning is amended to permit such businesses within specific zones;
- 4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.
- 5. That Council approve the draft Business Licence By-law as presented.

9.1.4 Presentation - Short Term Rental Licensing

- 1. That the presentation regarding Short Term Rental Licensing be received.

9.1.5 Staff Report - Short Term Rental Licensing

- 1. That the report entitled Short Term Rental Licensing dated June 15, 2020 be received; and,
- 2. That Council approve the draft Business Licence By-law; and,
- 3. That Council direct staff to amend the proposed fee schedule as follows:
 - a. Short Term Rentals – 1 Bedroom: \$100.00
 - b. Short Term Rentals – 2 Bedrooms: \$200.00
 - c. Short Term Rentals – 3 Bedrooms: \$300.00
- 4. That Council amend the AMPS By-law 2019-62 and Fees and Charges By-law 2019-52; and,
- 5. That Council direct staff to bring forward a report regarding a Municipal Accommodation Tax (MAT) on all short term rental properties in Q3/Q4 2021; and,
- 6. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

9.2 Committee of the Whole - Electronic Meeting Minutes of June 22, 2020

- 1. That the Committee of the Whole - Electronic Meeting Minutes of June 22, 2020 be received and the recommendations noted within be adopted.

9.2.1 Remote Deputation regarding Site Specific Exemption to Interim Control By-

law 2019-04 for 164 Beechwood Crescent

1. That the remote deputation from Shawna Ciccarelli regarding the Site Specific Exemption to Interim Control By-law 2019-04 for 164 Beechwood Crescent be received.

9.2.2 Property Tax Rates and By-law for 2020

1. That the report entitled Property Tax Rates and By-law for 2020 dated June 22, 2020 be received; and,
2. That the property tax rates for 2020 be applied to the assessment roll returned in 2019 for 2020 taxation be set for Town purposes as follows:

Residential 0.309270%; Multi-Residential 0.309270%; Commercial 0.411979%; Industrial 0.508192%; Pipeline 0.284219%; Farm 0.077318%; and,
3. That the applicable tax rate by-law attached as Appendix A be forwarded to Council for approval; and,
4. That the Treasurer be authorized and directed to do all things necessary to give effect to this resolution.

9.2.3 Summer Camps 2020

1. That the report entitled Summer Camps 2020 dated June 10, 2020 be received; and,
2. That the staff recommendation of not offering any in person summer day camp programming in 2020 be approved; and,
3. That staff proceed with alternative programming including: promotion of virtual camps, exploration of small group short programs, and camper activity kits; and,
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

9.2.4 INFO-2020-21: COVID-19 Re-openings Update

1. That Council direct staff to liaison with soccer and baseball organization to issue permits if requested and if advisable; and,
2. That the Information Report entitled COVID-19 Re-openings Update, dated June 19, 2020 be received.

9.2.5 Site Specific Exemption to Interim Control By-law 2019-04 for 164

Beechwood Crescent

1. That the report entitled Site Specific Exemption to Interim Control By-law 2019-04 for subject property 164 Beechwood Crescent dated June 22nd, 2020 be received; and,
2. That Council deny the requested site-specific exemption to Interim Control by-law 2019-04 for 164 Beechwood Crescent.

9.2.5.1 Deputations

1. That the written deputations provided by Colleen Hedican, Elaine Adam, Janet Caverly and Steven Sugar, Ron Owston and Anke Owston, Rob Anderson, Laura and Andrew Cummings, Beric Farmer, Jeff Kirke, Dan Bell, and Tammy Ward regarding the Site Specific Exemption to Interim Control By-law 2019-04 for 164 Beechwood Crescent, be received.

9.2.6 Interim Control By-law Extension

1. That the report entitled Interim Control By-law Extension dated June 22nd be received; and,
2. That the By-law included as Attachment 2 be adopted; and,
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

9.2.7 Bicycle Lane 2020 Updates – Traffic and Parking Bylaw Amendments

1. That the report entitled Bicycle Lane 2020 Updates – Traffic and Parking Bylaw Amendments dated June 22, 2020 be received; and,
2. That the Traffic Bylaw amendments noted in Appendix A be approved; and,
3. That the Parking Bylaw amendments noted in Appendix B be approved; and,
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

9.2.7.1 Deputations

1. That the written deputations provided by Rick Warner & Martina Drover and Susan & Phil Shrewsbury-Gee regarding Bicycle Lane 2020 Updates – Traffic and Parking Bylaw Amendments, be received.

9.2.8 Mobile Signs

1. That the report entitled Mobile Signs dated June 22, 2020 be received; and,
2. That Council directs staff to waive all fees associated to mobile signs for 2020 to financially support local business owners; and,
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

9.2.9 Regional Council Decision - Transfer of Part III Prosecutions to the Regional Municipality of York

Note: Correspondence from York Region is attached for information purposes. Decision by the Town of Newmarket Council needed by June 30, 2020.

Whereas the Province entered into a Memorandum of Understanding and a Local Side Agreement with The Regional Municipality of York and the nine local municipalities with an effective date of June 30, 1999, for the operation of the Provincial Offences Court, the prosecution of charges laid using the process under Parts I and II of the Provincial Offences Act, and the transfer of records, files, assets, revenue and financial arrangements; and,

Whereas the Province intends to transfer the prosecution of charges laid using the Part III process under the Provincial Offences Act, along with all records, files and assets, through amending agreements to the Memorandum of Understanding and the Local Side Agreement,

Now therefore be it resolved:

1. That the Council of the Town of Newmarket hereby delegates authority to The Regional Municipality of York to execute amending agreements with the Province to amend the Memorandum of Understanding and the Local Side Agreement on behalf of the Town of Newmarket, subject to the review of the final agreements by and to the satisfaction of the Municipal Solicitor.

9.2.10 INFO-2020-20: Honeywell – 2019 Energy & Operational Savings Report

1. That the Information Report entitled Honeywell – 2019 Energy & Operational Savings Report, dated June 12, 2020, be received for information.

9.2.11 City of Markham Resolution - Single Use Plastic Reduction Strategy - Phase 1

1. That the Resolution from the City of Markham regarding the Single Use Plastic Reduction Strategy - Phase 1 be received for information and referred to Staff.

9.2.12 Central York Fire Services - Joint Council Committee Meeting Minutes of January 7, 2020

1. That the Central York Fire Services - Joint Council Committee Meeting Minutes of January 7, 2020 be received.

9.2.13 Elman W. Campbell Museum Board Meeting Minutes of January 16, 2020

1. That the Elman W. Campbell Museum Board Meeting Minutes of January 16, 2020 be received.

9.2.14 Heritage Newmarket Advisory Committee Meeting Minutes of January 7, 2020

1. That the Heritage Newmarket Advisory Committee Meeting Minutes of January 7, 2020 be received.

9.2.15 Newmarket Public Library Board Meeting Minutes of December 18, 2019

1. That the Newmarket Public Library Board Meeting Minutes of December 18, 2019 be received.

9.2.16 Main Street District Business Improvement Area Board of Management Meeting Minutes of January 15, 2020

1. That the Main Street District Business Improvement Area Board of Management Meeting Minutes of January 15, 2020 be received.

10. By-laws

2020-30 A By-law to regulate, licence, and control Animals in the Town of Newmarket.

2020-31 A By-law to regulate and licence businesses to operate in the Town of Newmarket.

2020-32 A By-law to amend By-law 2019-62 being a By-law to implement an Administrative Monetary Penalty System in the Town of Newmarket.

2020-33 A By-law to amend Fees and Charges By-law 2019-52 being a by-law to adopt fees and charges for services or activities provided by the Town of Newmarket. (Legislative Services - Licensing Charges).

2020-34 A By-law to Provide For The Levy And Collection Of The Sums Required By The Corporation Of The Town Of Newmarket For 2020 And To Provide For The Mailing Of Notices Requisitioning The Payment Of Taxes For 2020.

2020-35 A By-law Being an extension of Interim Control By-law 2019-4, as amended.

2020-36 A By-law to exempt certain lands from the part lot control provisions of the Planning

Act - Sundial Homes (Davis) Limited – Blocks 83, 84 and 85, Plan 65M-4565, designated as Parts 1 to 38, Plan 65R-38952 (Tango Crescent).

2020-37 A By-law to amend By-law Number 2010-40, as amended by By-law Number 2020-13, being a restricted area (zoning) by-law. Garden Commercial (Newmarket) Inc. – 665 to 695 Stonehaven Avenue.

2020-38 A By-law to Amend Zoning By-law 2010-40, with respect to the lands located in the Glenway Community, south of Davis Drive, east of Mitchell Place, being Part of Block 155 in Plan 65M-2205 and shown as Blocks 164 and 165 in Plan 19TN 2012-001.

2020-39 A By-law to adopt Amendment Number 26 to the Town of Newmarket Official Plan, with respect to the lands located in the Glenway Community, south of Davis Drive, east of Mitchell Place, being Part of Block 155 in Plan 65M-2205 and shown as Blocks 164 and 165 in Plan 19TN 2012-001.

2020-40 A By-law to amend by-law 2011-24, as amended, to regulate traffic within the Town of Newmarket (Schedule XI – Bike Lanes).

2020-41 A By-law to amend by-law 2019-63, as amended, being a by-law to regulate parking within the Town of Newmarket (Schedule IV – No Parking).

1. That By-laws 2020-30, 2020-31, 2020-32, 2020-33, 2020-34, 2020-35, 2020-36, 2020-37, 2020-38, 2020-39, 2020-40, and 2020-41 be enacted.

11. Notices of Motions

12. Motions Where Notice has Already been Provided

13. New Business

14. Closed Session (if required)

14.1 Approval of Closed Session Minutes

14.1.1 Special Council - Electronic Meeting (Closed Session) Minutes of June 8, 2020

15. Confirmatory By-law

2020-42 A By-law to Confirm the Proceedings of the June 29, 2020 Council Meeting - Electronic.

1. That By-law 2020-42 be enacted.

16. Adjournment

ZONING BY-LAW AMENDMENT

49, 55, 59 Charles Street and 52 Prospect Street

APPLICANT: MARZILLI, Robert & 2535724 ONTARIO INC.

FILE NUMBER: D14NP1921 (ZBA), D11NP1921 (SPA)

Take notice that the Council of the Corporation of the Town of Newmarket will hold an electronic Public Meeting on:

Monday, June 29, 2020 at 1:00 PM

By way of an electronic meeting using **video conferencing (Zoom)** to consider a proposed Zoning By-law Amendment under Section 34 of the Planning Act, RSO 1990, c. P. 13, as amended.

The applicant is proposing to rezone the subject lands to permit:

- 42 Apartment Units, configured in two 4-storey apartment buildings on 49 Charles Street and 52 Prospect Street; and,
- 9 Stacked Townhouse Units, configured in one 3-storey building on 55 and 59 Charles Street.



At this time an application for Site Plan Approval under the *Planning Act* R.S.O., 1990, c.P13, as amended, pertaining to the subject lands has been submitted.

To find out more information on the application, visit the Town's website at newmarket.ca and look under the 'Current Applications' section, Ward 5 File Numbers D14-NP-1921 and D11-NP-1921, or send an email to planning@newmarket.ca

Purpose of public meeting:

The purpose of the public meeting is to hear from any person who has an interest in the Zoning By-law Amendment. On June 29, 2020, Council will not be making a final decision regarding this application, but will refer all written and verbal comments to Planning Staff to consider and return with a report to a future Committee of the Whole or Council meeting.

How to get involved:

As the Municipal Offices remain closed to the public, this meeting will be streamed live on June 29, 2020 at 1:00 PM at newmarket.ca/meetings. The video will also be made available after the meeting and archived on the Town's website. If there are any technical difficulties during the live stream, the Town will attempt to post the archived video after the meeting.

You can get involved with this application in the following ways:

Submit written comments

Written comments may be emailed to clerks@newmarket.ca. In order for comments to be received by Council at the statutory public meeting, written comments must be submitted by **end of day June 28, 2020**. Written comments will also continue to be received after the public meeting has concluded, after the meeting send written comments to planning@newmarket.ca.

Speak to Council during the live meeting through video conferencing (Zoom)

Individuals who wish to provide verbal representation may provide a remote (live) deputation through the Zoom platform during the Council meeting. Due to the technical requirements of joining an electronic meeting, residents are **strongly encouraged to pre-register for a remote (live) deputation** by completing the form provided at newmarket.ca/meetings or by providing their full name and contact information by registering via clerks@newmarket.ca or by calling 905-953-5300 extension 2203.

Personal information collected in response to the planning application will be used to assist Town staff and Council to process this application and will be made public.

Any person may verbally address Council during the live meeting through Zoom and/or submit written comments either in support of or against the proposed Zoning By-law Amendment.

Any person may send written comments to the Town of Newmarket at 395 Mulock Drive, P.O. Box 328, STN MAIN Newmarket, ON, L3Y 4X7 or via email at planning@newmarket.ca, or by calling 905-953-5321.

If you wish to be notified of the decision of the proposed Zoning By-law Amendment, you must make a written request to Planning Services at Town of Newmarket, 395 Mulock Drive, P.O. Box 328, STN MAIN Newmarket, ON L3Y 4X7 or by emailing planning@newmarket.ca

If a person or public body does not make verbal submissions at the public meeting or make written submissions to the Town of Newmarket before the by-law is passed, the person or public body is not entitled to appeal the decision of the Town of Newmarket to the Local Planning Appeal Tribunal.

If a person or public body does not make verbal submissions at the (namely, the electronic meeting) public meeting, or make written submissions to the Town of Newmarket before the by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal unless, in the opinion of the Local Planning Appeal Tribunal, there is reasonable grounds to do so.

Additional information relating to the proposed Zoning By-law Amendment is available by contacting Planning Services by email at planning@newmarket.ca or by telephone at 905-953-5321. Please refer to File Number D14NP1921 (ZBA) D11NP1921 (SPA)

Dated June 9th, 2020
Planning Services

Public Planning Meeting

52 Prospect, 49, 55, & 59 Charles Street | Town of Newmarket



Video Conferencing (Zoom)
June 29, 2020 | 1:00 p.m.



MACMARTIN GROUP

Team Members



MACMARTIN GROUP



landscape planning limited

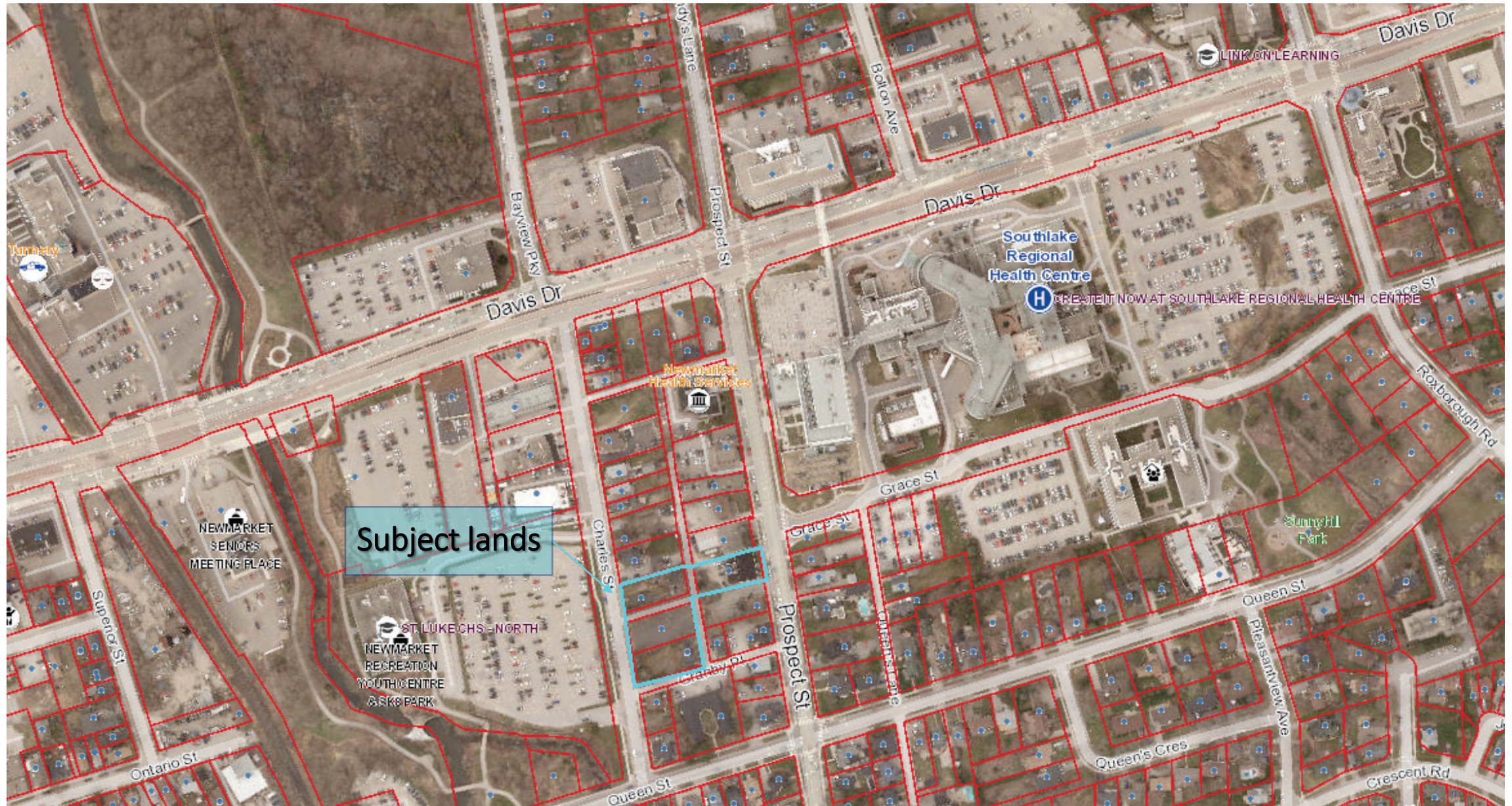


Presentation Outline

- **Area Context and Subject Property**
- **Proposed Development**
- **Planning Framework**
- **Key Site Feature**
- **Supporting Studies**
- **Questions**



Context Map



Subject Lands

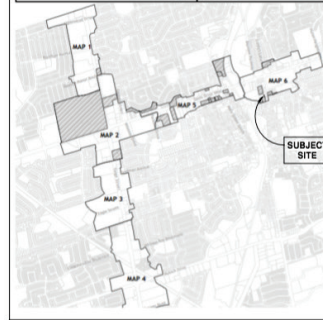
Subject lands



Proposed Development: Site Plan

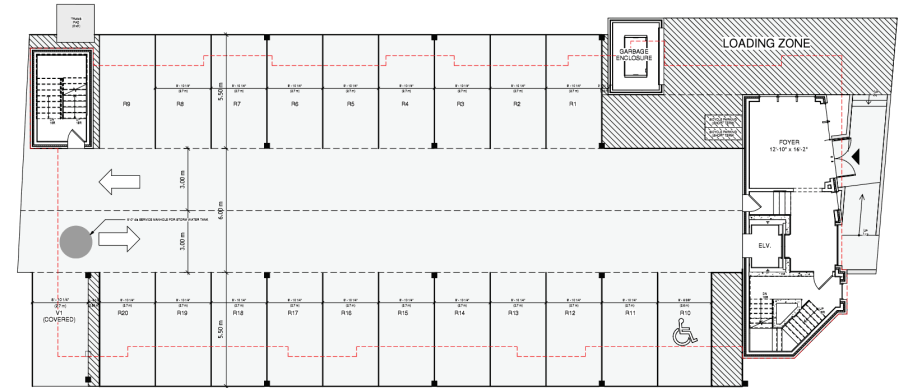
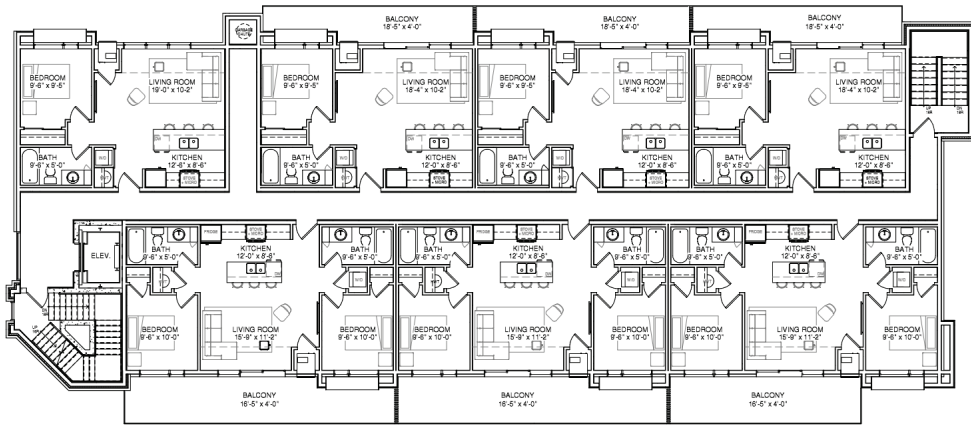
- **42 Apartment units
(21 apartment units
per building)**
- **One stacked
townhouse block
totaling Nine (9)
units.**
- **At-grade parking**
- **Balconies across all
structures**

MASTER SITE PLAN and BUILDING STATISTICS			
1	ZONING	R-1-D HOWEVER 28A TO MU+1	(MIXED USE 1 ZONE)
2	LOT AREA (TOTAL)	REQUIRED	PROPOSED
		49 CHARLES ST. 59 CHARLES ST. 52 PROSPECT ST.	3619.53m² 854.48m² 1904.55m² 890.63m²
3	LOT FRONTAGE	49 CHARLES ST. 59 CHARLES ST. 52 PROSPECT ST.	19.810m 42.96m 21.34m
4	LOT COVERAGE (TOTAL)	%	
		49 CHARLES ST. 59 CHARLES ST. 52 PROSPECT ST.	650.18m² (76%) 502.89m² (26.40%) 650.18m² (73%)
5	GROSS FLOOR AREA (TOTAL)		
		49 CHARLES ST. 59 CHARLES ST. 52 PROSPECT ST.	+/- 4,341.54m² +/- 1,503.6 m² +/- 1,355.00m² +/- 1,503.6 m²
6	FLOOR SPACE INDEX	1.5 (MIN.) 2.0 (MAX.)	1.58% (Avg.)
		49 CHARLES ST. 59 CHARLES ST. 52 PROSPECT ST.	1.75% 1.316% 1.69%
7	FRONT YARD SETBACK	49 CHARLES ST. 59 CHARLES ST. 52 PROSPECT ST.	0.61m 1.23m 123m
8	REAR YARD SETBACK	49 CHARLES ST. 59 CHARLES ST. 52 PROSPECT ST.	2.75m 27.41m 0.03m
9	INT. SIDE YARD SETBACK	49 CHARLES ST. 59 CHARLES ST. 52 PROSPECT ST.	0.76m 3.48m 1.81m
10	EXT. SIDE YARD SETBACK	49 CHARLES ST. 59 CHARLES ST. 52 PROSPECT ST.	0.69m 1.45m 2.89m
11	BUILDING HEIGHT	49 CHARLES ST. 59 CHARLES ST. 52 PROSPECT ST.	+/- 15.0m +/- 11.0m +/- 15.0m
PARKING STATISTICS		REQUIRED	PROPOSED
12	NUMBER OF PARKING SPACES	55 SPACES	55 SPACES
13	NUMBER OF B-F PARKING SPACES	2 SPACE	2 SPACE
14	NUMBER VISITOR PARKING	8 SPACES	4 SPACES (2 OFF-SITE)
15	NUMBER BICYCLE PARKING	26 SPACES	26 SPACES
16	PARKING SPACE SIZE	2.7m X 5.5m	2.7m X 5.5m
17	B-F PARKING SPACE SIZE	2.6m X 5.5m + 1.5m AISLE	2.6m X 5.5m + 1.5m AISLE
18	BICYCLE PARKING SPACE SIZE	1.8m X 0.6m	1.8m X 0.6m
UNIT STATISTICS		1 - BEDROOM	2 - BEDROOM
	49 CHARLES ST.	12 UNITS	9 UNITS
	59 CHARLES ST.	3 UNITS	6 UNITS
	52 PROSPECT ST.	12 UNITS	9 UNITS
TOTAL		27 UNITS	24 UNITS

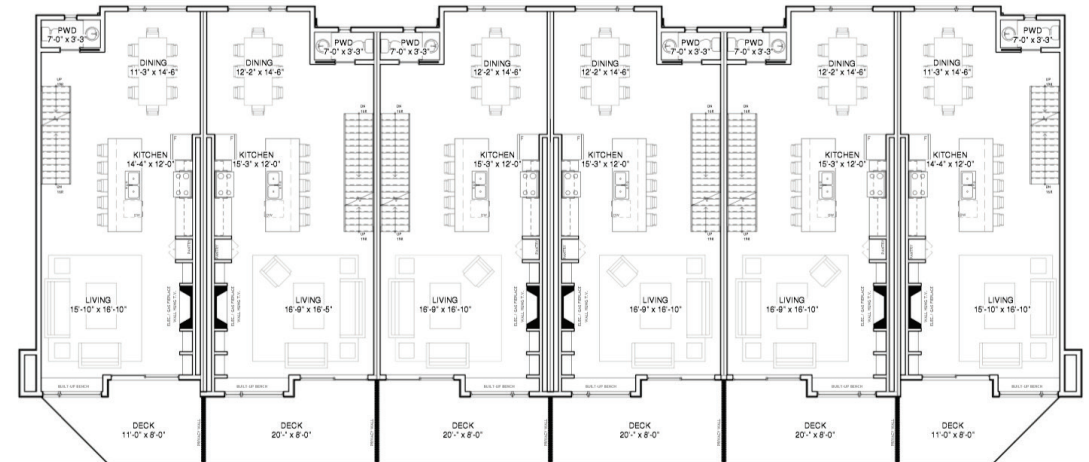
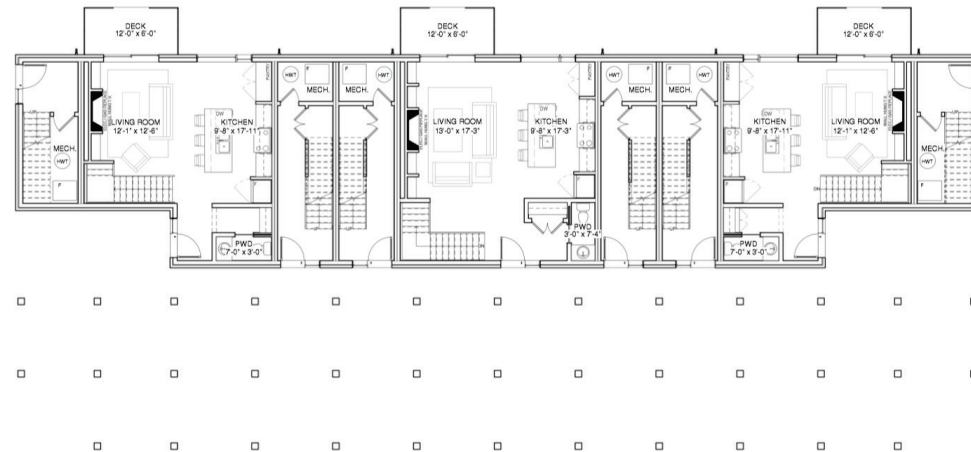


Proposed Development (Floorplans)

Rental Apartments (59 Charles and 52 Prospect)



Stacked Townhouses (49 Charles)



Proposed Development (Elevations)

Rental Apartments (59 Charles and 52 Prospect)

3 REAR ELEVATION
A-207 1/8" = 1'-0"



2 LEFT ELEVATION
A-207 1/8" = 1'-0"



Stacked Townhouses (49 Charles)

4 RIGHT ELEVATION
A-306 1/8" = 1'-0"



3 REAR ELEVATION
A-306 1/8" = 1'-0"

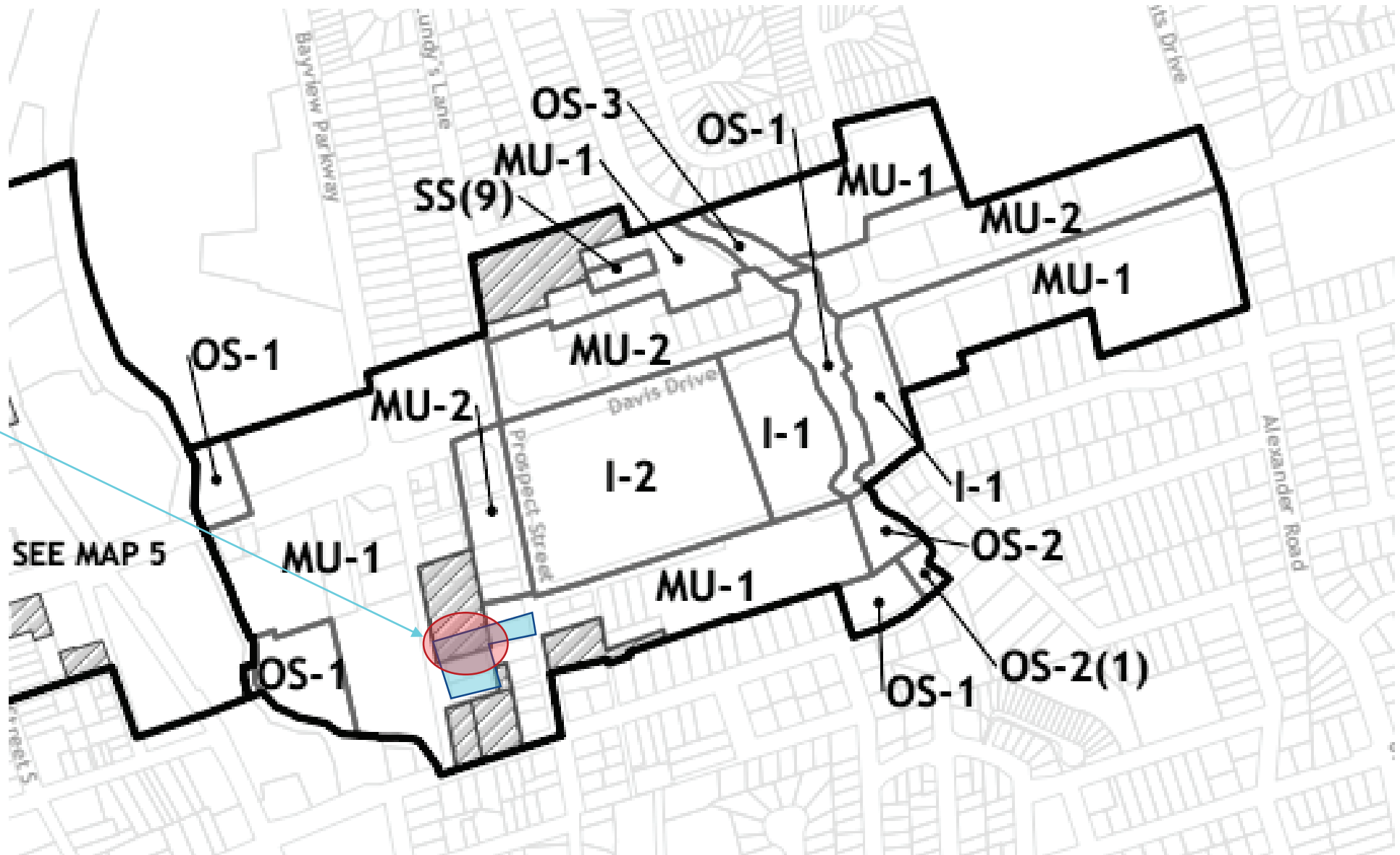


Proposed Development: Rendering



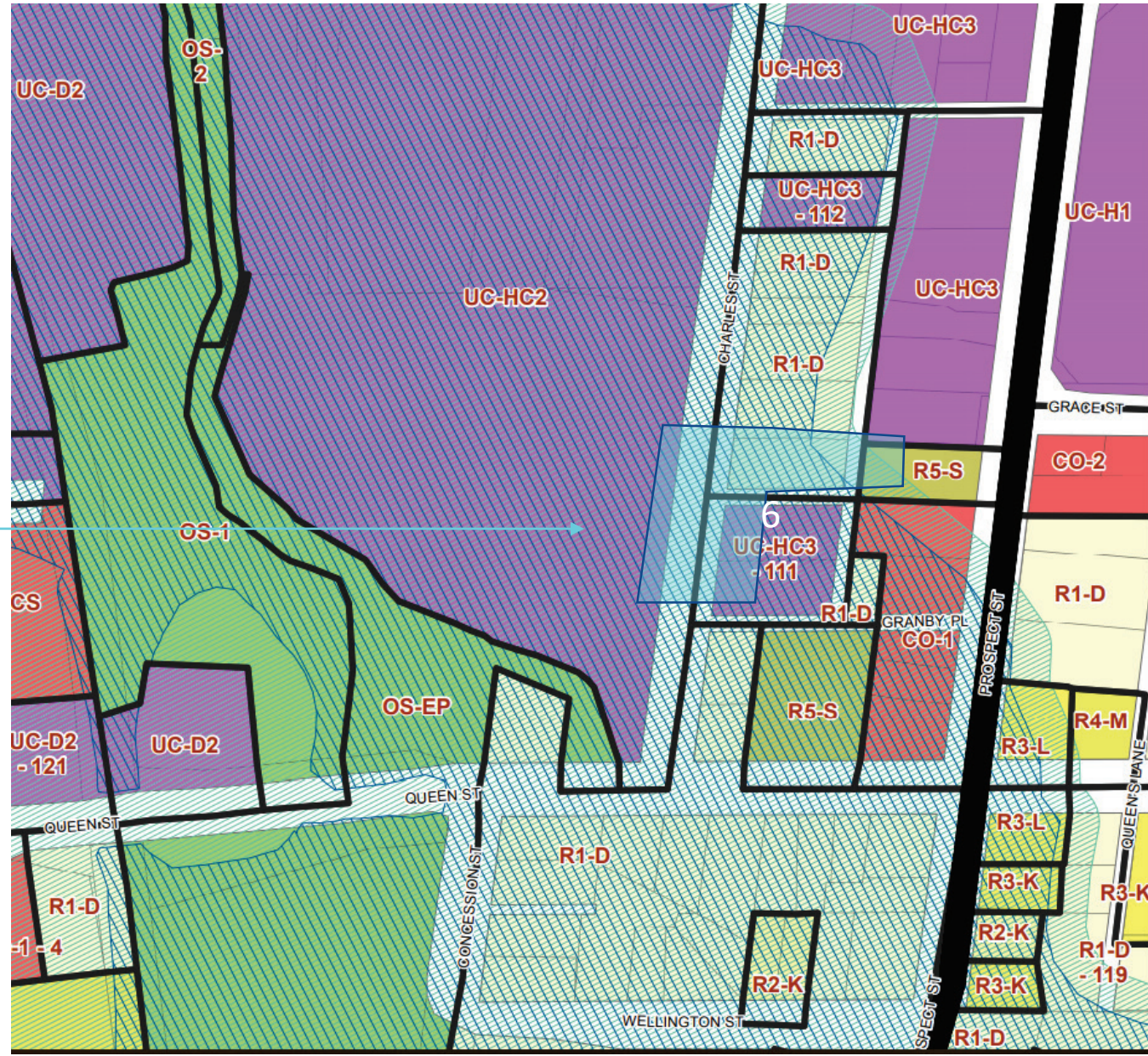
Zoning By-law Amendment

REGIONAL HEALTHCARE CENTRE ZONING MAP



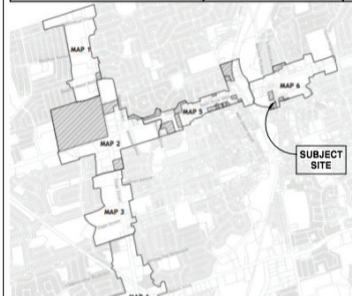
Subject lands

Subject lands



Site Plan Application

MASTER SITE PLAN and BUILDING STATISTICS		
1 ZONING	R1-D HOWEVER ZBA TO MU-1 (MIXED USE 1 ZONE)	
2 LOT AREA (TOTAL)	REQUIRED	PROPOSED
	49 CHARLES ST.	3619.53m²
	59 CHARLES ST.	854.48m²
	52 PROSPECT ST.	1904.55m²
3 LOT FRONTAGE	49 CHARLES ST.	890.63m²
	59 CHARLES ST.	19.810m
	52 PROSPECT ST.	42.96m
	52 PROSPECT ST.	21.34m
4 LOT COVERAGE (TOTAL)	%	
	49 CHARLES ST.	650.18m² (78%)
	59 CHARLES ST.	502.89m² (26.40%)
	52 PROSPECT ST.	650.18m² (73%)
5 GROSS FLOOR AREA (TOTAL)		
	49 CHARLES ST.	±/- 4,341.54m²
	59 CHARLES ST.	±/- 1,503.6 m²
	52 PROSPECT ST.	±/- 1,355.00m²
6 FLOOR SPACE INDEX	1.5 (MIN.) 2.0 (MAX)	1.58% (Avg.)
	49 CHARLES ST.	1.75%
	59 CHARLES ST.	1.315%
	52 PROSPECT ST.	1.69%
7 FRONT YARD SETBACK	49 CHARLES ST.	0.61m
	59 CHARLES ST.	2.94m
	52 PROSPECT ST.	1.23m
8 REAR YARD SETBACK	49 CHARLES ST.	2.75m
	59 CHARLES ST.	27.41m
	52 PROSPECT ST.	0.03m
9 INT. SIDE YARD SETBACK	49 CHARLES ST.	0.75m
	59 CHARLES ST.	3.48m
	52 PROSPECT ST.	189m
10 EXT. SIDE YARD SETBACK	49 CHARLES ST.	0.61m
	59 CHARLES ST.	1.45m
	52 PROSPECT ST.	2.89m
11 BUILDING HEIGHT	49 CHARLES ST.	±/- 15.0m
	59 CHARLES ST.	±/- 11.0m
	52 PROSPECT ST.	±/- 15.0m
PARKING STATISTICS		REQUIRED
12 NUMBER OF PARKING SPACES	55 SPACES	55 SPACES
13 NUMBER OF B-F PARKING SPACES	2 SPACE	2 SPACE
14 NUMBER VISITOR PARKING	6 SPACES	4 SPACES (2 OFF-SITE)
15 NUMBER BICYCLE PARKING	26 SPACES	26 SPACES
16 PARKING SPACE SIZE	2.7m X 5.5m	2.7m X 5.5m
17 B-F PARKING SPACE SIZE	2.6m X 5.5m + 1.5m AISLE	2.6m X 5.5m + 1.5m AISLE
18 BICYCLE PARKING SPACE SIZE	1.8m X 0.6m	1.8m X 0.6m
UNIT STATISTICS		1 - BEDROOM
49 CHARLES St.	12 UNITS	9 UNITS
59 CHARLES St.	3 UNITS	6 UNITS
52 PROSPECT St.	12 UNITS	9 UNITS
TOTAL		27 UNITS
		2- BEDROOM
		24 UNITS



Mixture of Unit Type and Tenure

- **Condominium and Apartment Units**
- **Stacked Townhouse and Apartment Units**

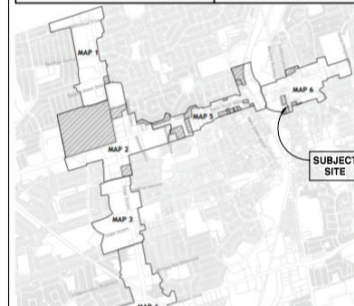


Public Art Component



Public Parkland Component

MASTER SITE PLAN and BUILDING STATISTICS		
1 ZONING	R1-D HOWEVER ZBA TO MU-1 (MIXED USE 1 ZONE)	
2 LOT AREA (TOTAL)	REQUIRED	PROPOSED
	49 CHARLES ST. 59 CHARLES ST. 52 PROSPECT ST.	3619.53m ² 854.48m ² 1904.55m ² 890.63m ²
3 LOT FRONTAGE	REQUIRED	PROPOSED
	49 CHARLES ST. 59 CHARLES ST. 52 PROSPECT ST.	19.810m 42.96m 21.34m
4 LOT COVERAGE (TOTAL)	%	
	49 CHARLES ST. 59 CHARLES ST. 52 PROSPECT ST.	650.18m ² (76%) 502.89m ² (26.40%) 650.18m ² (73%)
5 GROSS FLOOR AREA (TOTAL)		
	49 CHARLES ST. 59 CHARLES ST. 52 PROSPECT ST.	±4,341.54m ² ±1,503.6m ² ±1,355.00m ² ±1,503.6m ²
6 FLOOR SPACE INDEX	1.5 (MIN) 2.0 (MAX.)	1.58% (Avg.)
	49 CHARLES ST. 59 CHARLES ST. 52 PROSPECT ST.	1.75% 1.315% 1.69%
7 FRONT YARD SETBACK		
	49 CHARLES ST. 59 CHARLES ST. 52 PROSPECT ST.	0.61m 2.94m 1.23m
8 REAR YARD SETBACK		
	49 CHARLES ST. 59 CHARLES ST. 52 PROSPECT ST.	2.75m 27.41m 0.03m
9 INT. SIDE YARD SETBACK		
	49 CHARLES ST. 59 CHARLES ST. 52 PROSPECT ST.	0.76m 3.48m 199m
10 EXT. SIDE YARD SETBACK		
	49 CHARLES ST. 59 CHARLES ST. 52 PROSPECT ST.	0.61m 1.45m 2.89m
11 BUILDING HEIGHT		
	49 CHARLES ST. 59 CHARLES ST. 52 PROSPECT ST.	±15.0m ±11.0m ±15.0m
PARKING STATISTICS		
12 NUMBER OF PARKING SPACES	REQUIRED	PROPOSED
13 NUMBER OF B-F PARKING SPACES	55 SPACES	55 SPACES
14 NUMBER VISITOR PARKING	2 SPACE	2 SPACE
15 NUMBER BICYCLE PARKING	6 SPACES	4 SPACES (2 OFF-SITE)
16 PARKING SPACE SIZE	26 SPACES	26 SPACES
17 B-F PARKING SPACE SIZE	2.7m X 5.5m	2.7m X 5.5m
18 BICYCLE PARKING SPACE SIZE	2.8m X 5.5m + 1.5m AISLE	2.8m X 5.5m + 1.5m AISLE
19 BICYCLE PARKING SPACE SIZE	1.8m X 0.6m	1.8m X 0.6m
UNIT STATISTICS		
1-BEDROOM		
49 CHARLES ST.	12 UNITS	9 UNITS
59 CHARLES ST.	3 UNITS	6 UNITS
52 PROSPECT ST.	12 UNITS	9 UNITS
TOTAL	27 UNITS	24 UNITS



Parkland

Supporting Studies

- **Planning Justification Report**
- **Floodplain Analysis & Mapping**
- **Functional Servicing Report**
- **Hydrological Assessment**
- **Geological Evaluation**
- **Tree Inventory Preservation & Removals Plan**
- **Traffic Opinion Letter**
- **Environmental Site Assessment (Phase 1)**



MACMARTIN GROUP



Next Steps

- **Continue to address submission comments from the Municipality of Newmarket**
- **Revised and resubmit second submission drawings to the Municipality of Newmarket**

Questions

**Thank you for your consideration of the proposed
development application**



Hello Newmarket council , and Mr. Kwapis , I have resided on Charles street for 60 years . At 59 and 55 Charles are two signal family lots ,with the proposal, it will go to 9 units , and at lots 49 and 52 , 42 units , can you imagine the traffic congestion when access to Charles and Prospect is only two lanes.

The owners of said properties don't believe in up keep, the grass and garbage at 52 Prospect is atrocious , called the complaint dept. many times

I don't like to stand in the way of progress , but this would be too much congestion, A doctor 's office is next to 52 Prospect , they have to park a car at the rear entrance to keep people from driving through to Prospect

Yours's truly

Murray MacDonald

These are my submissions in response to the notice of the electronic public meeting to be held on Monday, June 29, 2020 at 1:00 pm to consider a proposed zoning by-law amendment in relation to 49, 55, 59 Charles Street and 52 Prospect Street in the Town of Newmarket.

Preliminary matter - Failure of the notice to comply with the Planning Act

1. There is inadequate explanation of the purpose and effect of the proposed by-law. The notice informs the public as follows:

The applicant is proposing to rezone the subject lands to permit:

- 42 Apartment Units, configured in two 4-storey apartment buildings on 49 Charles Street and 52 Prospect Street; and,
- 9 Stacked Townhouse Units, configured in one 3-storey building on 55 and 59 Charles Street.

- Even if the above were to be an adequate explanation of the purpose of the zoning by-law amendment, what will be the effect?
- What section of the zoning by-law is involved?
- How is the land zoned now?
- What is the proposed zoning?
- What is the specific change (the effect) that will result?

2. O.Reg 545/06 requires this statement:

If you wish to be notified of the decision of (name of municipality or planning board) on the proposed zoning by-law (or zoning by-law amendment), you must make a written request to (name and address of municipality or planning board).

The attempt to comply with this requirement is inadequate and may nullify the notice.

Affordable Housing

There is no mention in the notice of the effect the proposed zoning by-law amendment will have on the stock of affordable housing in Newmarket nor does the online "package".

Gerald Fox



Good day!

My name is Venus Rebollado. My husband Bernardino and I live on 52 Prospect st. This is regarding the applicant's proposal to put up a 42 unit apartment building and a series of townhouses in the area. Our concern is how can the Town be sure that this applicant is capable of putting up the proposed project following safety and up to standard building codes when they can't even maintain a 5 unit small building apartment in a decent habitable condition?

We have lived in the said building for years and ever since it was sold to the applicant by the previous owners, the condition has severely deteriorated. We've lived with a water-damaged ceiling for more than 5 years and the problem is recurring. Now, they're using the pandemic as an excuse for not being able to fix it. But the condition has been like this years before pandemic.

I have attached pictures of the damaged ceiling (just in case). It has gotten bigger actually because as I have mentioned the problem is recurring.

I believe the town has to check the integrity of this applicant and be strict that they follow rules and regulations and proper building codes. I know that at the end of the day, we still need to move out. But I am sure the town or the LTB doesn't want building apartment or townhouses falling apart a couple of years after being built.

Best regards.

Venus



February 20, 2020

Hello Alannah,

On Friday, February 14th we had a conversation with Murray and Joan and discussed the proposed Laneway Project and the Zoning By-Law Amendment to permit 42 Apartment Units on 49 Charles Street and 52 Prospect Street, and 9 Stacked Townhouse Units on 55 and 59 Charles Street.

We also viewed the properties involved to get a better perspective of how this project might affect owners of adjacent properties, in particular 67 Charles Street, the home for the MacDonald family since the early 1950's.

Alannah, our main concern with this project is the impact it will have on Murray MacDonald, an 88 year old senior citizen. The amount of construction noise and the volume of traffic by heavy equipment will surely be a major disruption to all laneway residents as they live just a few short meters from the job site.

If you have not already done so, we encourage you to visit the site yourself so that you also can access the potential for extreme disruption during the construction period, which will quite likely persist for many months, if not years.

In addition to the concern above we would like more information related to the following issues/concerns.

1. Granby Place and the adjacent laneways:
 - a. These laneways are not designed for the width and weight of heavy machinery traffic, heavy delivery trucks, cement trucks, etc. associated with this construction project. The laneways are very narrow and would only permit one way travel. Two of the laneways are just gravel pathways originally designed for horse and cart traffic to and from the dairy on Prospect Street.
 - b. The Town of Newmarket should designate Granby Place as a one-way lane with weight restrictions for vehicular traffic. This laneway is not wide enough to support two-way vehicular traffic. When two vehicles meet at Charles Street, one vehicle must veer onto the lawn at 67 Charles Street which causes lawn damage. Damage has occurred from garbage trucks. Preference would ideally be one-way from Prospect Street. If a vehicle travels from Charles Street to Prospect Street, it's very difficult to see oncoming traffic due to parking on Prospect Street.
 - c. If this project is approved and completed there will still be an exponential increase in vehicle traffic on all three laneways, none of which were designed for this purpose.
 - d. In addition to the construction traffic and eventual residential traffic is a concern about parking. While the apartments and townhomes may have sufficient

parking arrangements for most families, it is likely that owners with several vehicles or their visitors will very likely try to park in the laneways or on the property at 67 Charles Street resulting in more damage to Murray's property.

2. Project Approval Process and Timing:

- a. Please provide a timeline for activities related to the approval process and public consultation.
- b. When is the expected Start/Finish schedule for this project?

3. Site Walk with Town and Developer

- a. We would very much appreciate the Town arrange for an informative site walk with Town and developer representatives. We believe this would help with our understanding of the magnitude of this project and how the Town and the developer can address the issues above. I think this would be a practical way of working with area residents face-to-face rather than by exchanging e-mails on the topic.

Alannah, please understand that our primary concern will be for the wellbeing and continued good health of our parents as they are seniors and are deserving of our utmost care and concern. We trust that you will agree on this point and we look forward to a future meeting.

Thank you and best regards,

Bruce & Maureen Carmichael

ZONING BY-LAW AMENDMENT

292-294 Court Street

APPLICANT: ALI, Jawad

FILE NUMBER: D14NP1920 (ZBA)

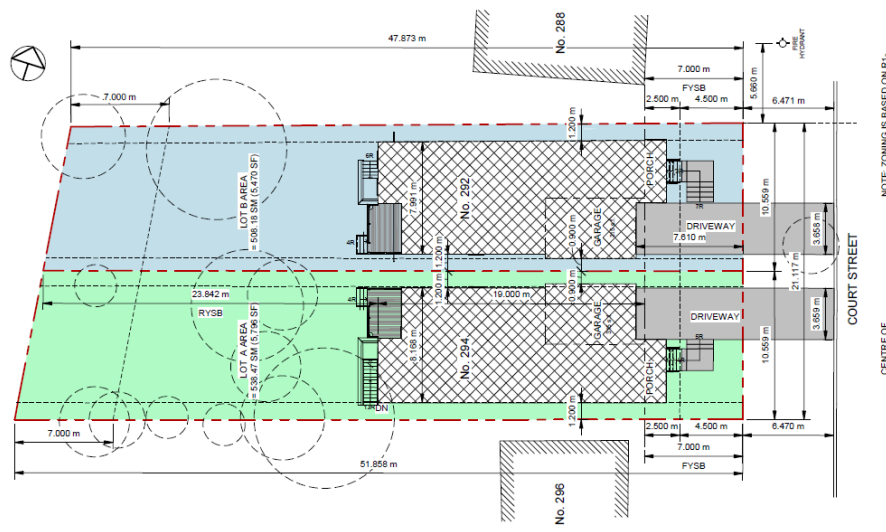
Take notice that the Council of the Corporation of the Town of Newmarket will hold an electronic Public Meeting on:

Monday, June 29, 2020 at 1:00 PM

By way of an electronic meeting using **video conferencing (Zoom)** to consider a proposed Zoning By-law Amendment under Section 34 of the Planning Act, RSO 1990, c. P. 13, as amended.

The applicant is proposing to rezone the subject lands to permit:

- Two single-detached dwellings on the subject lands, subject to approval of a future severance application



To find out more information on the application, visit the Town's website at newmarket.ca and look under the 'Current Applications' section, Ward 2 File Number D14-NP-1920, or send an email to planning@newmarket.ca

Purpose of public meeting:

The purpose of the public meeting is to hear from any person who has an interest in the Zoning By-law Amendment. On June 29, 2020, Council will not be making a final decision regarding this application, but will refer all written and verbal comments to Planning Staff to consider and return with a report to a future Committee of the Whole or Council meeting.

How to get involved:

As the Municipal Offices remain closed to the public, this meeting will be streamed live on June 29, 2020 at 1:00 PM at newmarket.ca/meetings. The video will also be made available after the meeting and archived on the Town's website. If there are any technical difficulties during the live stream, the Town will attempt to post the archived video after the meeting.

You can get involved with this application in the following ways:

Submit written comments

Written comments may be emailed to clerks@newmarket.ca. In order for comments to be received by Council at the statutory public meeting, written comments must be submitted by end of day June 28, 2020. Written comments will also continue to be received after the public meeting has concluded, after the meeting send written comments to planning@newmarket.ca.

Speak to Council during the live meeting through video conferencing (Zoom)

Individuals who wish to provide verbal representation may provide a remote (live) deputation through the Zoom platform during the Council meeting. Due to the technical requirements of joining an electronic meeting, residents are strongly encouraged to pre-register for a remote (live) deputation by completing the form provided at newmarket.ca/meetings or by providing their full name and contact information by registering via clerks@newmarket.ca or by calling 905-953-5300 extension 2203.

Personal information collected in response to the planning application will be used to assist Town staff and Council to process this application and will be made public.

Any person may verbally address Council during the live meeting through Zoom and/or submit written comments either in support of or against the proposed Zoning By-law Amendment.

Any person may send written comments to the Town of Newmarket at 395 Mulock Drive, P.O. Box 328, STN MAIN Newmarket, ON, L3Y 4X7 or via email at planning@newmarket.ca, or by calling 905-953-5321.

If you wish to be notified of the decision of the proposed Zoning By-law Amendment, you must make a written request to Planning Services at Town of Newmarket, 395 Mulock Drive, P.O. Box 328, STN MAIN Newmarket, ON L3Y 4X7 or by emailing planning@newmarket.ca

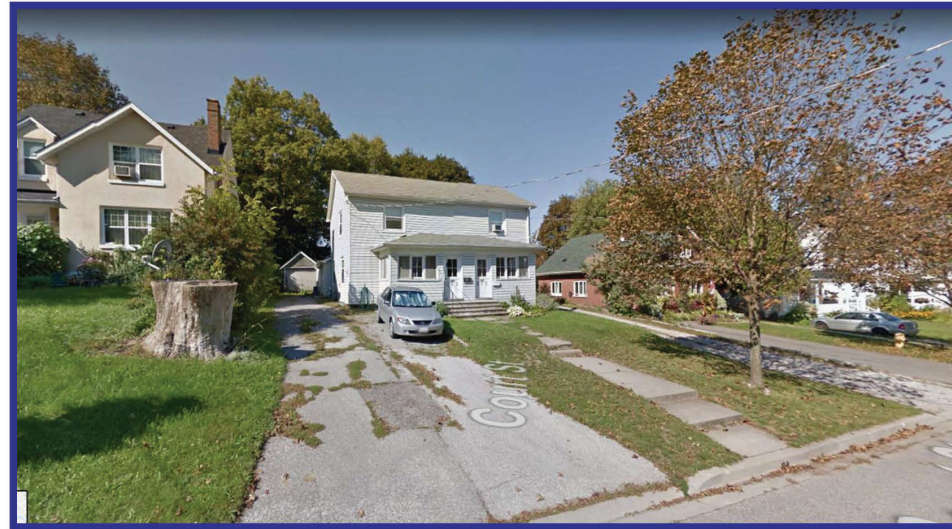
If a person or public body does not make verbal submissions at the public meeting or make written submissions to the Town of Newmarket before the by-law is passed, the person or public body is not entitled to appeal the decision of the Town of Newmarket to the Local Planning Appeal Tribunal.

If a person or public body does not make verbal submissions at the (namely, the electronic meeting) public meeting, or make written submissions to the Town of Newmarket before the by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal unless, in the opinion of the Local Planning Appeal Tribunal, there is reasonable grounds to do so.

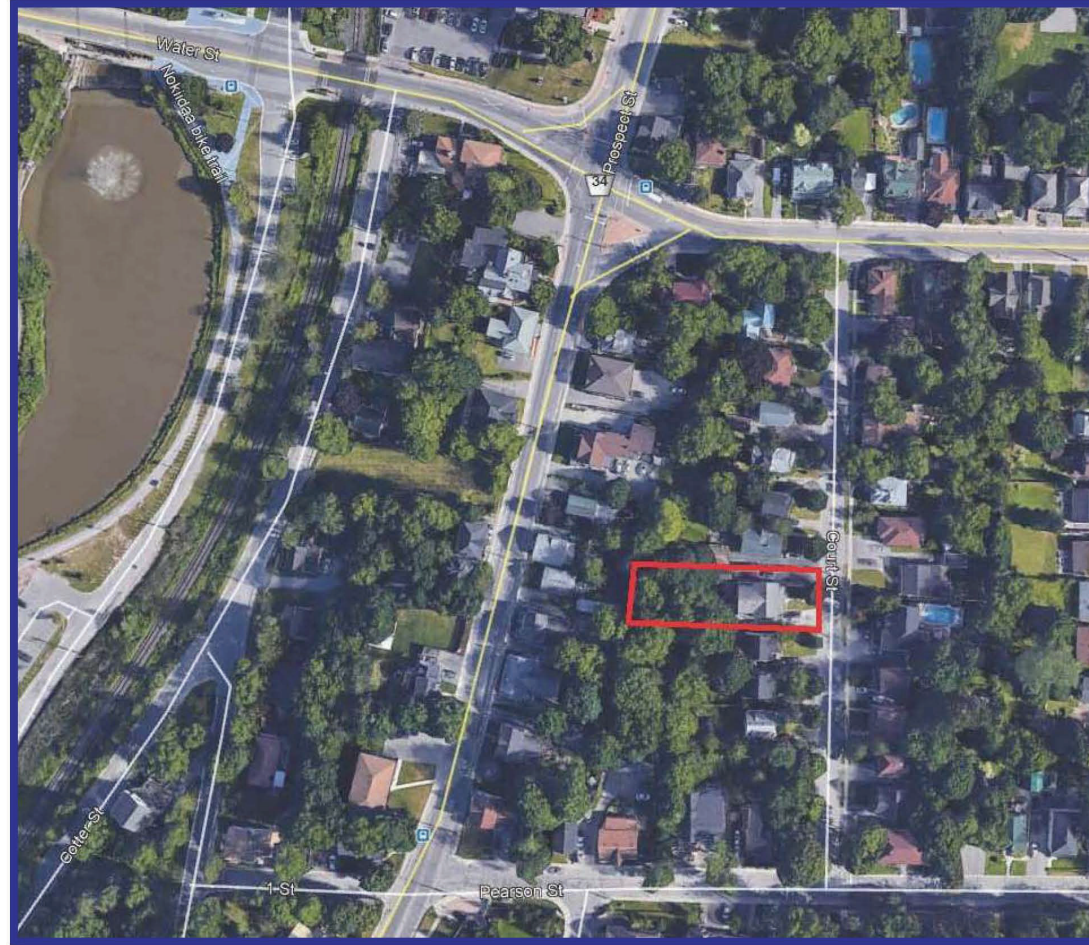
Additional information relating to the proposed Zoning By-law Amendment is available by contacting Planning Services by email at planning@newmarket.ca or by telephone at 905-953-5321. Please refer to File Number D14NP1920 (ZBA)

Dated June 9th, 2020
Planning Services

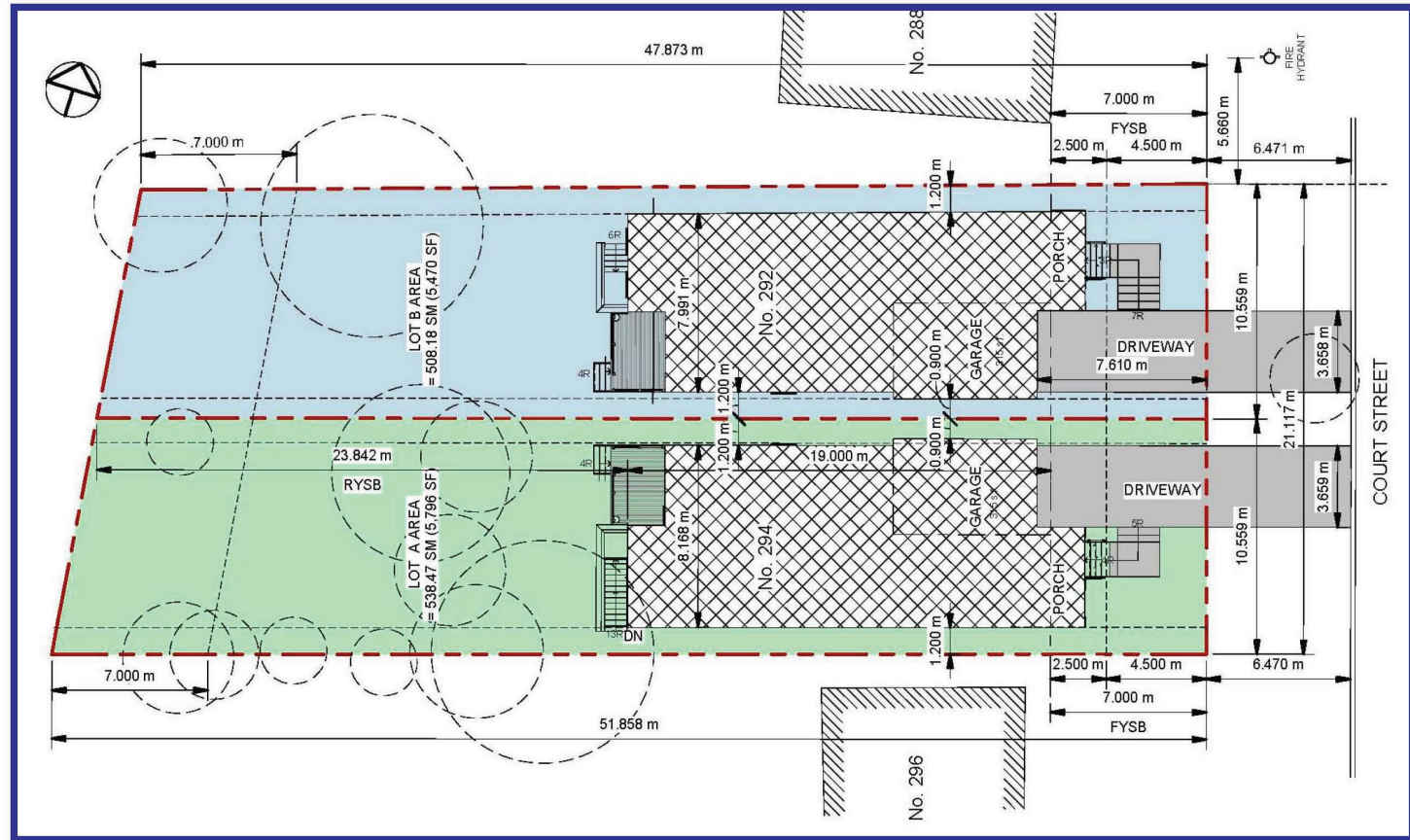
292-294 Court Street
Zoning By-law Amendment
D14NP1920 (ZBA)



Alexander Planning Inc.
Land Use Planning



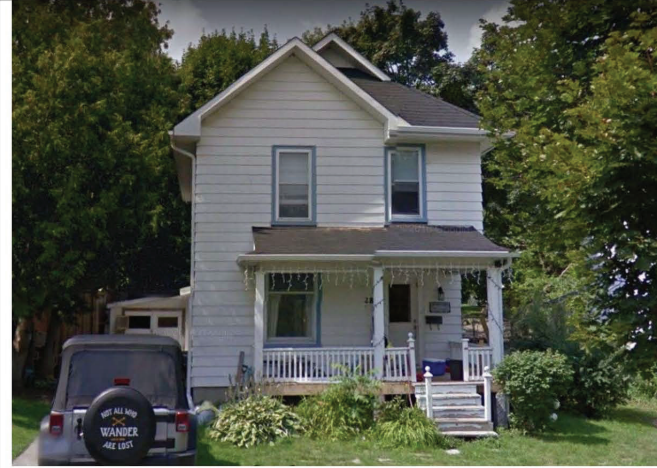
Site Context



Site Plan



285 Court St: William L. Kidd House



286 Court St: Herbert L. Paxton House



288 Court Street: Myrtle Kidd House

Three Properties on the Town's Municipal Register of Non-designated Heritage Properties are located in the immediate vicinity of 292-294 Court Street



Architectural style inspired by Designated Heritage Property at 339 Millard Avenue



One of the colours used for the new homes was borrowed from the neighbouring home at 296 Court St.



294 COURT ST

292 COURT ST.

Proposed Elevation



Rendering

Remote Deputation Request Form – June 29, 2020 Council Meeting - Electronic

Please complete this form to provide a remote (live) deputation at the June 29, 2020 Electronic Council Meeting. Please return the form to clerks@newmarket.ca – completed forms must be received by **end of day Sunday, June 28, 2020**.

Name: Rolland and Tami Heider	
Organization/Group/Business represented (if applicable):	
Address: 288 Court Street	Postal Code: L3Y 3S5
Phone Number: [REDACTED]	Email: [REDACTED]
Agenda Item Number and Title (your deputation must be in relation to an item on the Agenda): File Number D14NP1920 (ZBA) Zoning By Law Amendment	
Provide a brief description of the purpose of your deputation: As home owners living directly beside the 292-294 Court Street, we have concerns about the proposed severance of this property.	

Remote Deputation Requirements:

- Deputants must join the ZOOM electronic meeting using a high-speed internet connection and device capable of video-conferencing, or through telephone.
- Test sessions to confirm these technical requirements will be available on the morning of June 29, 2020.
- Deputants wishing to use electronic materials such as PowerPoint presentations must provide electronic files during the test session.
- Remote deputations must be related to items listed on the agenda.
- Deputations are limited to 5 minutes.

Be advised that all Council and Committee of the Whole meetings (including this meeting) 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

Deputation and Further Notice Request Form

Please complete this form to speak at a meeting of Town Council or Committee of the Whole or to receive further notification regarding an item on the agenda. 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

Name: <u>Liz White</u>	
Organization / Group/ Business represented: <u>Animal Alliance of Canada</u>	
Address: <u>101-221 Broadview Ave. T.O.</u>	Postal Code: <u>M4M 2G3</u>
Daytime Phone No: <u>416-462-9541 (23)</u>	<div style="background-color: black; width: 100px; height: 20px;"></div>
Email: <u>liz@animalalliance.ca</u>	Date of Meeting: <u>June 29, 2020</u>
Is this an item on the Agenda? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Agenda Item No:
<input type="checkbox"/> I request future notification of meetings	<input type="checkbox"/> I wish to address Council / Committee
Describe in detail the reason for the deputation and what action you will be asking Council/Committee to take (if applicable): <u>By-law 2020-XX: A By-law to regulate, license and control Animals in the Town of Newmarket</u>	
Do you wish to provide a written or electronic communication or background information <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Please submit all materials at least 5 days before the meeting.	

Deputation Guidelines:

- Deputations related to items on the agenda can be accommodated up to and including the meeting day;
- Deputations related to items not on the agenda may be scheduled within sixty (60) days of receipt of this form;
- Deputations will not be heard on a matter decided upon by Council until ninety (90) days have passed from the date of the matter's disposition by Council;
- Deputations are limited to 5 minutes.

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**ANIMAL
ALLIANCE**
OF CANADA

*Animal
Protection
Through
Education &
Advocacy*

TO: Chair and Members of the Special Committee of the Whole

**FROM: Liz White, Director, Animal Alliance of Canada
Ainslie Willock, Campaign Manager, No Pets in Research**

**SUBJECT: By-law 2020 – XX: A By-law to regulate, licence and control
Animals in the Town of Newmarket.**

DATE: June 24, 2020

Dear Chairperson and Members of the Committee,

We are writing to seek a minor amendment to the newly proposed By-law to regulate, licence and control animals in Newmarket. Section 6.4 of the previous By-law Number 2016-53 contained the following statement:

No attempt may be made by any authority or person to claim or purchase from the Animal Shelter a dog or cat for the purpose of research, and no dogs or cats, shall be offered for the purpose of research.

The wording of this section is meant to cover both impounded and surrendered pets who are treated differently under the Animals for Research Act. Impounded animals must be purchased by research facilities, \$2 for a cat and \$6 for a dog. Surrendered animals may be given or “offered” to research facilities.

Between 2013 and 2017 (latest available figures) 7,075 impounded dogs and cats were sold to Ontario research facilities. During the same time period 9,118 surrendered dogs and cats were “offered” or “donated” to research facilities.

As of January 1, 2019, Aurora, Georgina and Newmarket merged animal services, with Georgina providing the sheltering for all three municipalities. It is therefore important that there be consistency in the application of the by-laws when determining whether pet dogs and cats who become stray or are surrendered are sold or donated to research.

We urge Council to protect lost and surrendered pets from being sold or donated to research by amending By-law 2020-XX to include the same statement as is in the current by-law. If there are questions prior to the meeting please feel free to contact us by e-mail or by phone at [REDACTED].

Sincerely,

Liz White, Director,
Animal Alliance of Canada

Ainslie Willock, Campaign Manager
No Pets In Research
Animal Alliance of Canada

221 Broadview Ave.
Suite 101, Toronto
Ontario, Canada
M4M 2G3

Phone
416.462.9541
Fax
416.462.9647

E-mail
Contact@AnimalAlliance.ca
Website
www.AnimalAlliance.ca



Written Deputation Request Form – June 29, 2020 Council Meeting - Electronic

Please complete this form to provide a written deputation at the June 29, 2020 Electronic Council Meeting. Please return the form to clerks@newmarket.ca – completed forms must be received by **end of day Sunday, June 28, 2020**. These comments will be read aloud by the Mayor during the live meeting, considered with the related item, and will form part of the public record.

Name: Keith Burgess	
Organization/Group/Business represented (if applicable): Pet Paradise	
Address: [REDACTED]	Postal Code: [REDACTED]
Phone Number: [REDACTED]	Email: [REDACTED]
Agenda Item Number and Title (your deputation must be in relation to an item on the Agenda): 2020-30 Animal Control By-Law	
<p>Please use the space below to provide your written comments:</p> <p>After several attempts with making amendments with staff, I find it necessary to interject the following into your discussion. Residents of Newmarket are not aware, nor have they had any public consultation into the permitted animal list you are presenting today. In the sections of reptiles and snakes, it eliminates many of the loved and well-kept pets that currently reside in Newmarket. Based on meeting the needs and supplies for hundreds of these beings, I would implore you to extend this to further public consultation. In regards to further discussion, I will make myself available to participate. I am trusting you will make the right decision in this manner and look forward to your response.</p>	

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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

Remote Deputation Request Form – June 29, 2020 Council Meeting - Electronic

Please complete this form to provide a remote (live) deputation at the June 29, 2020 Electronic Council Meeting. Please return the form to clerks@newmarket.ca – completed forms must be received by **end of day Sunday, June 28, 2020**.

Name: Shawna Ciccarelli	
Organization/Group/Business represented (if applicable):	
Address: 164 Beechwood Cres.	Postal Code: L3Y 1W3
Phone Number: [REDACTED]	Email: [REDACTED]
Agenda Item Number and Title (your deputation must be in relation to an item on the Agenda): 9.2 - Site Specific Exemption for Interim Control By-law 2019-04 for 164 Beechwood Cres.	
Provide a brief description of the purpose of your deputation: To speak to council prior to the vote on our exemption.	

Remote Deputation Requirements:

- Deputants must join the ZOOM electronic meeting using a high-speed internet connection and device capable of video-conferencing, or through telephone.
- Test sessions to confirm these technical requirements will be available on the morning of June 29, 2020.
- Deputants wishing to use electronic materials such as PowerPoint presentations must provide electronic files during the test session.
- Remote deputations must be related to items listed on the agenda.
- Deputations are limited to 5 minutes.

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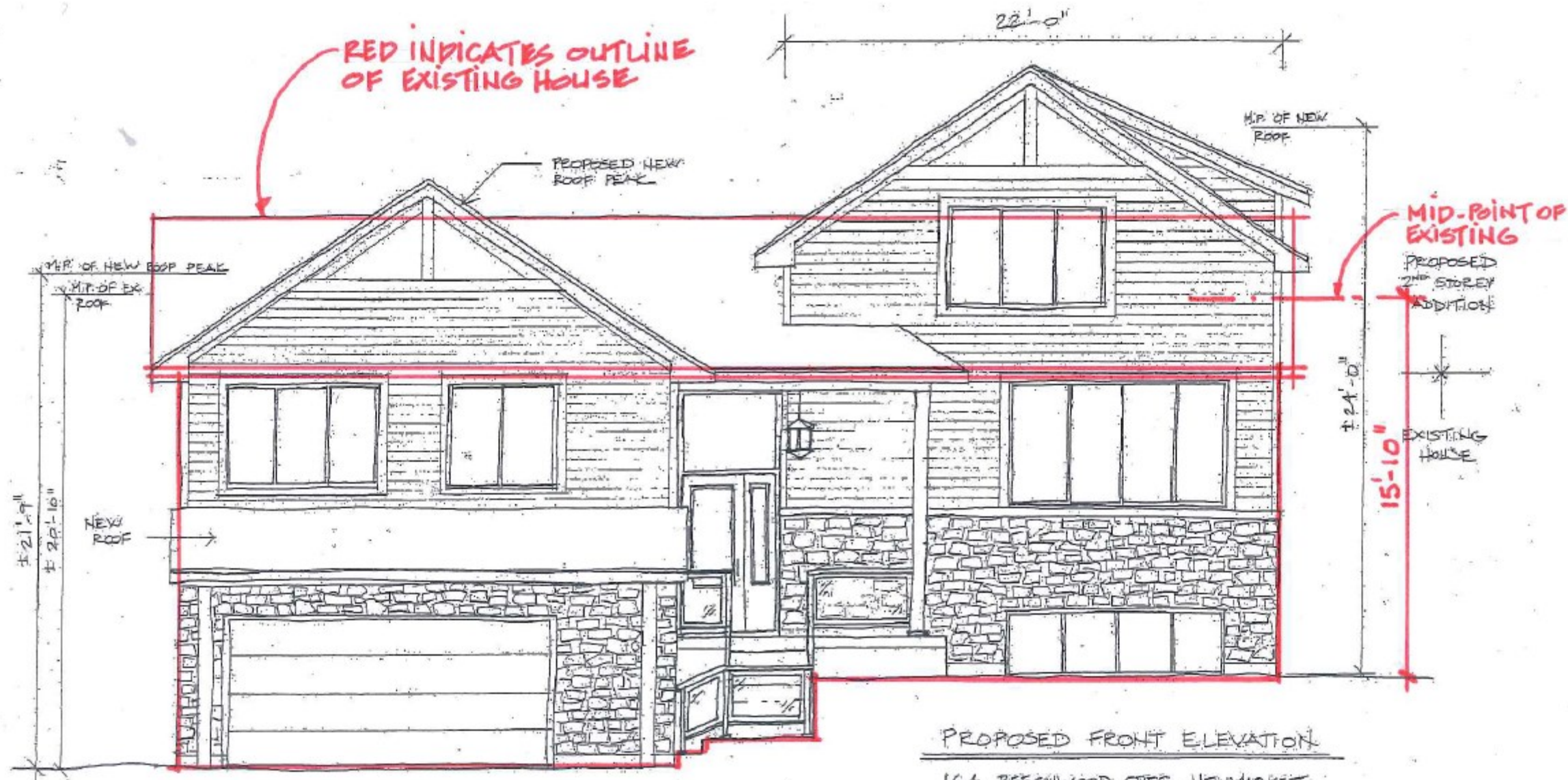


FINAL
DEPUTATION FOR
SITE SPECIFIC
EXEMPTION TO
INTERIM
CONTROL BY-LAW
2019-04 FOR
164 BEECHWOOD

SHAWNA AND JAY CICCARELLI

Just the facts:

- 1959, 1230 sq. ft. raised bungalow
- Addition on the back is 525 sq. ft.
- Second storey is 550 sq. ft.
- Proposed sq. ft. is now 2305
- We will not be the highest peak on the street
- No trees will be removed



PROPOSED FRONT ELEVATION

164 BEECHWOOD CRES., NEWMARKET

1/4" = 1'-0"

MARCH 17, 2020

FRISQUE & COMPANY LIMITED

19020 McCowan Road, R.R. #1

MOUNT ALBERT, ONTARIO L0G 1M0

Exemption Application

The Owner of the property will submit a written exemption request to Planning and Building Services, including:

the address and lot dimensions

photos of all four sides of the existing dwelling (front, sides, and rear), as well as photos of the streetscape that depict the relationship between the existing dwelling and adjacent dwellings;

the gross floor area of the existing dwelling;

the gross floor area and conceptual site plan of the proposed dwelling or addition;

four dimensioned elevations of the proposed dwelling or addition (front, sides, and rear);

explanation of how the proposed dwelling or addition is compatible with the existing character of the neighbourhood; and,

the applicant's contact information.



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

Email: info@newmarket.ca | Website: newmarket.ca | Phone: 905-895-5193

Site Specific Exemptions to Interim Control bylaw 2019-04 Staff Report to Council

Report Number: 2019-43

Department(s): Development and Infrastructure Services/Planning and Building Services

Author(s): D. Ruggle

Meeting Date: April 29, 2019

Recommendations

1. **That** the report entitled Site Specific Exemption to Interim Control By-law 2019-04 dated April 29, 2019 be received; and,
2. **And That** Council approve the process for exemption from Interim Control By-law 2019-04, as outlined in this report.

Purpose

The purpose of this report is to recommend to Council a site specific amendment process for properties within the boundaries of Interim Control by-law 2019-04.

Background

Council passed Interim Control By-law 2019-04 on January 21, 2019, put in place due to concerns with over building in established neighbourhoods. At the March 18, 2019 Committee of the Whole meeting, Committee directed staff to bring forward an exemption process for properties subject to Interim Control By-law 2019-04.

Discussion

Residential trends in Newmarket are shifting from suburban growth to urban intensification and redevelopment. Concerns have been raised regarding the compatibility of new homes or additions to existing homes that comply with the current

Site Specific Exemption Process for Interim Control by-law 2019-04

Page 1 of 4

Exemption Process : Criteria

- The exemption requests will be evaluated against the following two criteria:
- **Physical Character Compatibility** of the proposed dwelling or addition with the physical character of the existing neighbourhood, inclusive of height, massing, roof lines, and built form; and,
- **Streetscape Character Compatibility** of the proposed dwelling or addition with the streetscape character of the existing neighbourhood, inclusive of setbacks, building projections, siting on property, and relationship to adjacent dwellings.

- explanation of how the proposed dwelling or addition is compatible with the existing character of the neighbourhood; and,
- the applicant's contact information.

The exemption requests will be evaluated against the following two criteria:

Physical Character Compatibility of the proposed dwelling or addition with the physical character of the existing neighbourhood, inclusive of height, massing, roof lines, and built form; and,

Streetscape Character Compatibility of the proposed dwelling or addition with the streetscape character of the existing neighbourhood, inclusive of setbacks, building projections, siting on property, and relationship to adjacent dwellings.

The Town will notify all abutting and adjacent property owners of the applicant's request for exemption from the ICB, and provide those property owners with 10 days to make a written submission to the Town for staff consideration. Exemption requests and written submissions are to be reviewed by staff and a recommendation is presented in a staff report to Committee/Council for approval. If an exemption is granted by Council, the Town will notify abutting/adjacent property owners that a Council-approved site-specific exemption from the ICB has been granted as well as post Notice of the amending by-law in the local paper. As required under the Planning Act, any Council-approved exemption from the ICB will be subject to a 60-day appeal period. The Town will only issue the required building permits for proposed residential dwellings or additions after a site-specific exemption has been granted by Council and the associated appeal period has lapsed.

Staff propose a fee of \$465.00 for the exemption request to cover the costs associated with posting the Notice in the paper. In the event the exemption is not granted, the fee will be reimbursed.

Conclusion

Staff recommend the above exemption process, largely based on the Halton Hills example, for exemption requests to Interim Control bylaw 2019-04.

Business Plan and Strategic Plan Linkages

The development of new Official Plan policies and implementing zoning by-law related to infill housing and compatibility has linkages to the Community Strategic Plan by

Site Specific Exemption Process for Interim Control by-law 2019-04

Page 3 of 4

Exemption Process

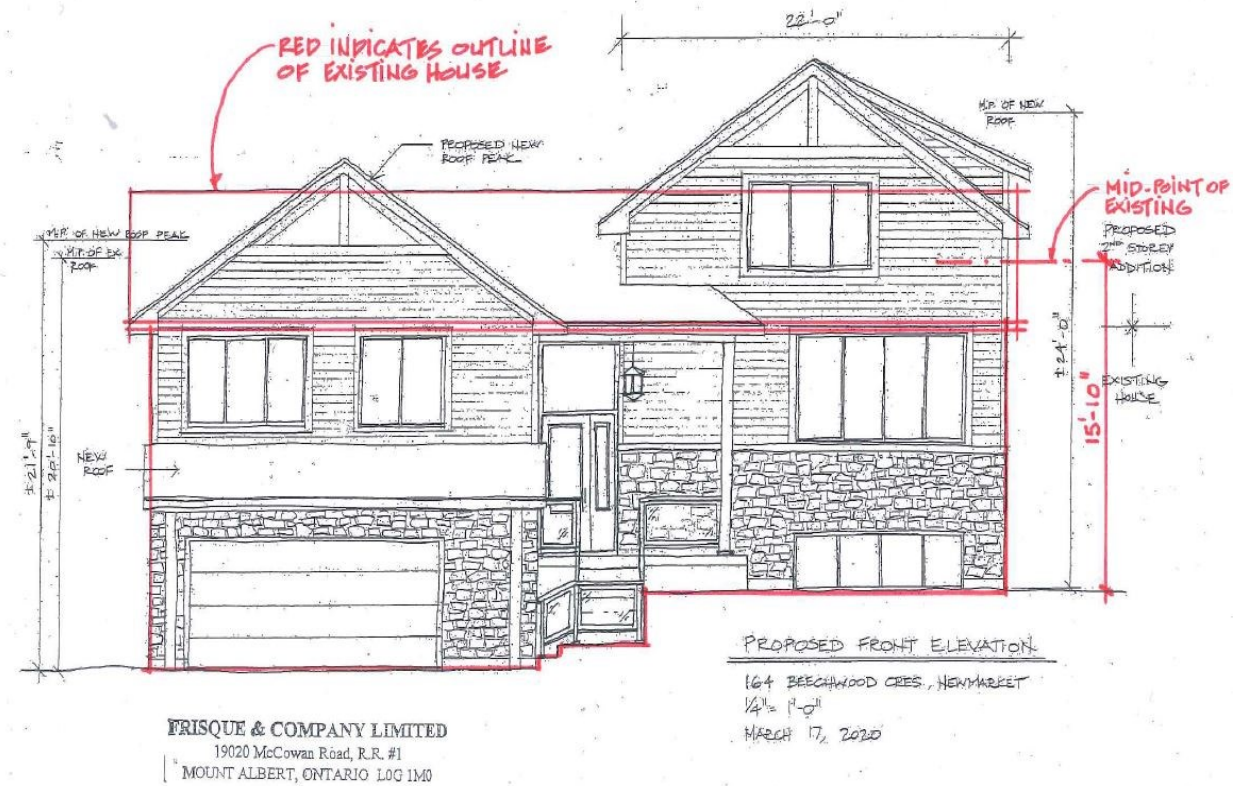
The Town will notify all abutting and adjacent property owners of the applicant's request for exemption from the ICB, and provide those property owners with 10 days to make a written submission to the Town for staff consideration. Exemption requests and written submissions are to be reviewed by staff and a recommendation is presented in a staff report to Committee/Council for approval.

Comparison Properties

- 316 Darlington Cres.
 - Bungalow requiring a 2nd storey addition
 - Total of 1,691 sq. ft. added
 - 1 deputation received in opposition
 - Council Passed on XXX
- 164 Beechwood Cres.
 - Bungalow requiring additional square footage
 - Total of 1,075 sq. ft. to be added
 - Even number of deputations received in favour and against



A photograph of a single-story house with a brick and dark wood exterior. The house features a white garage door on the left, a central white front door with a small porch, and several windows. The house is surrounded by lush green landscaping and trees.



Written Deputation Request Form – June 29, 2020 Council Meeting - Electronic

Please complete this form to provide a written deputation at the June 29, 2020 Electronic Council Meeting. Please return the form to clerks@newmarket.ca – completed forms must be received by **end of day Sunday, June 28, 2020**. These comments will be read aloud by the Mayor during the live meeting, considered with the related item, and will form part of the public record.

Name: Beric Farmer	
Organization/Group/Business represented (if applicable):	
Address: 295 Park Avenue	Postal Code: [REDACTED]
Phone Number: [REDACTED]	Email: [REDACTED]
Agenda Item Number and Title (your deputation must be in relation to an item on the Agenda): 9.2.1 Remote Deputation regarding Site Specific Exemption to Interim Control By-law 2019-04 for 164 Beechwood Crescent	
<p>Please use the space below to provide your written comments:</p> <p>Firstly, I want to thank the Committee of the Whole for receiving and considering my deputation at its meeting of June 22nd. Also, I acknowledge and sympathize with the challenging nature of matters such as this where constituents raise concerns. It is especially in situations such as this that committees and Council need to be guided by the bylaws and procedures that Council have enacted.</p> <p>Clearly, there are two main questions to be answered in considering this exemption request: 1) what are the criteria for granting an exemption request; and 2) does this request meet those criteria?</p> <p>As enacted by Council and published on the Town of Newmarket web site, the criteria against which a request for exemption is to be evaluated are that the proposed addition be compatible with the character of the existing neighbourhood with respect to both its physical form and the existing streetscape.</p> <p>The arguments presented during the meeting of the Committee of the Whole for denying the request for exemption were not based upon the above criteria. On the other hand, the arguments in favour of granting the request were based on these criteria and explained why the exemption request met them.</p> <p>I also note that two of the committee members who voted to recommend that Council decline the exemption request specifically indicated that they personally believed that what is being proposed by the applicant would be consistent with the character of the neighbourhood. I note that at least one member expressed uncertainty about the intents and specifics of the exemption process, so that may be why this apparent contradiction occurred.</p> <p>The fact that the request was opposed by a number of community members factored heavily into the committee's deliberations, so I believe it is relevant to consider the submitted deputations. There were ten deputations, five in favour of the request and five opposed. Of those opposed, four asserted that the requested exemption would result in a structure out of character with the neighbourhood. So, only a minority of the deputations support the position that the request for exemption fails to meet the required criteria.</p> <p>It concerns me that those who opposed granting the request also did not speak to the report generated by Town staff. Unlike residents making deputations, Town staff are impartial and have specific planning expertise. Also, the staff report is a central aspect of the published process and was created at taxpayer expense. It recommended that the request for exemption be granted and should be given more consideration than it appears to have been given.</p> <p>I am very concerned by the fact that the request was evaluated and recommended for denial based not on whether it met the actual enacted and published criteria, but on whether it met a different, unenacted and unpublished set of criteria of which the homeowners were understandably unaware when they applied for the exemption request and paid the associated fee.</p> <p>I ask Council to please consider this motion carefully taking into account the concerns I have raised. It is critical that Council's decision be based on the published criteria (i.e., the "rule of law"), that it clearly articulate the ways in which this request meets or fails to meet those criteria, and, if it chooses to proceed contrary to the recommendations of the staff report, why it chose to do so.</p> <p>Thank you very much for hearing and considering my concerns.</p>	

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Name: Suzanne/Jon	
Organization/Group/Business represented (if applicable):	
Address: 174 Beechwood Cres.	Postal Code: [REDACTED]
Phone Number: [REDACTED]	Email: [REDACTED]
Agenda Item Number and Title (your deputation must be in relation to an item on the Agenda): Site Specific Exemption for 164 Beechwood Crescent-2020-42	
<p>Please use the space below to provide your written comments:</p> <p>Dear Mayor Taylor and Council,</p> <p>We have just reviewed all deputations received and the building plans submitted for approval and have no objection to the site specific exemption for 164 Beechwood Cres. While we understand and respect the concern of our neighbours with respect to development on our street, we must also recognize and accept that development should and will continue in all areas of Newmarket, including on Beechwood Cres.</p> <p>A few years ago we also undertook a major renovation of our home and transformed an old, inefficient house to improve it's energy efficiency and aesthetics while at the same time building a family home that suited our needs all within our rights as property owners. Our renovation and addition were within the current allowable by-laws and zoning parameters (same as current day). We feel that Jay and Shawna are also within those same parameters and have been fully transparent and pro-active with their plans.</p> <p>Their proposed design has a roof height of less than 1 meter of the current allowable maximum. Future by-law and zoning requirements could in fact allow a more intrusive build. We feel their proposed design fits well amongst the diversity of homes on our street.</p> <p>We also feel as residents we should acknowledge and recognize the excellent work of the planning department and agree that the proposed addition to 164 Beechwood Cres. "will not result in over-development of the lot, as the lot still maintains adequate amenity space and appropriate setbacks." Further, this is exactly why the interim control by-law was put in place to protect the over-development of neighbourhood lots and is why we are in agreement and support with the planning department's recommendation.</p> <p>Finally, we understand the stress and opposition that Jay and Shawna are enduring, as we had a similar experience from neighbours who didn't even live on our street during our construction. We feel that the due diligence done by Jay and Shawna, and the planning department, has met all the requirements to allow for a successful renovation that will only add to the character and integrity of our street.</p> <p>Sincerely, Suzanne and Jon</p>	

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Name: DEBRA SCOTT	
Organization/Group/Business represented (if applicable):	
Address: [REDACTED]	Postal Code: [REDACTED]
Phone Number: [REDACTED]	Email: [REDACTED]
Agenda Item Number and Title (your deputation must be in relation to an item on the Agenda): 9.2.1 Remote Deputation regarding Site Specific Exemption to Interim Control By-law 2019-04 for 164 Beechwood Crescent	
<p>Please use the space below to provide your written comments:</p> <p>In my former role as CEO of the Newmarket Chamber of Commerce, I have been involved with many Newmarket Businesses and had the privilege to work with Newmarket Council on many occasions.</p> <p>I became aware of this exemption request while reading NewmarketToday. It particularly struck me that the decision went against the recommendations of the report from town staff, and that it did so primarily because some residents had expressed opposition. The town's staff are the experts, and as taxpayers we are paying them for their opinion. I do not believe their opinion should be rejected without very good reason.</p> <p>While I understand that an Interim Control Bylaw is in place, Council has also enacted an exemption process to allow businesses and homeowners to improve their properties provided certain criteria are met.</p> <p>The article identified the main reasons why the Ciccarelli's request for an exemption was denied. Those reasons seem unrelated to the criteria for approval I found on the Town's website. There appears to be a lack of clarity and consistency in the way this exemption process is being enacted. The Town shouldn't abandon its own policies and procedures simply because a few residents complain. If the request meets the criteria, it should be approved.</p> <p>From my experience, a lack of clarity and consistency in Town regulations was a factor that occasionally frustrated businesses and which I believe harmed the success of the town that we all love. I expect that the same is true from a property-owner perspective.</p> <p>I very much appreciate the work that Council does for the town, but urge it to ensure there is clarity, consistency, and ultimately accountability in the application of its rules and regulations. The continued success of our town depends on it!</p>	

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To: clerks@newmarket.ca

CC: Christina Bisanz, Ward 7 Councillor

CC: Jay & Shawna Ciccarelli

RE: Request for Exemption from Interim By-Law 2019-04 Decision – June 22, 2020
164 Beechwood Crescent - Town File No.: 3 ICBEX 02-2020.

Mayor John Taylor & Newmarket Councillors,

We are 30-year residents of Newmarket and have enjoyed a long and valuable friendship with Jay and Shawna Ciccarelli, meeting as community volunteers in the Newmarket Minor Hockey Association.

We are appalled that Council refused to follow the recommendation of its own planning staff in denying the exemption sought at the Committee of the Whole Meeting above. We have read the NewmarketToday.ca article regarding the meeting, as well as the application, Staff Planning Report to Council, and appendices in their entirety.

We ask that Council immediately reconsider this poorly rendered decision and grant the exemption to the interim by-law. It is clear from the discussions held at the meeting that Councillors were focused upon opposition to the exemption from some neighbouring residents, while failing to appreciate that the Ciccarelli's are new homeowners within the neighbourhood and have not been given the opportunity to forge the friendship and community bonds they hold dear, notwithstanding the pandemic emergency. This is a family that plays by the rules, and would NEVER seek to threaten the existing character of the home elevations or area architecture with a "monster home" renovation, let alone the tree canopy as suggested by one opponent.

We point out that for every resident opposed to the exemption within deputations, there was a resident in favour of granting the exemption. These submissions were not given equal weight by Councillors.

Council appeared to ignore the Ciccarelli's oral submissions at the June 22 meeting, as well as the fact and evidence-based analysis of the Staff Planning Report. Instead, they chose to politicize this decision to appease those residents who are opposed, but cannot state appropriate grounds for their opposition.

We are particularly upset that our Ward 7 Councillor Bisanz voted against granting the exemption. She should be keenly aware of how planning recommendations face peril if they are ignored, given the Glenway re-development debacle.

We therefore urge Council to grant the exemption sought to the interim by-law to allow the project to proceed at 164 Beechwood Crescent.

Yours truly,

Glen & Christine Parnell

[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]

Deputation and Further Notice Request Form

Please complete this form to speak at a meeting of Town Council or Committee of the Whole or to receive further notification regarding an item on the agenda. 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

Name: David Kempton	
Organization / Group/ Business represented: Cycle Newmarket	
Address: [REDACTED]	Postal Code: [REDACTED]
Daytime Phone No: [REDACTED]	Home Phone:
Email: [REDACTED]	Date of Meeting: June 29, 2020
Is this an item on the Agenda? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Agenda Item No: (New bike lanes-London etc)
<input checked="" type="checkbox"/> I request future notification of meetings	<input type="checkbox"/> I wish to address Council / Committee
Describe in detail the reason for the deputation and what action you will be asking Council/Committee to take (if applicable): Someone from Cycle Newmarket will address Council in support of the new cycle lanes that were discussed at the CoW June 22, item 6.6	
Do you wish to provide a written or electronic communication or background information <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Please submit all materials at least 5 days before the meeting.	

Deputation Guidelines:

- Deputations related to items on the agenda can be accommodated up to and including the meeting day;
- Deputations related to items not on the agenda may be scheduled within sixty (60) days of receipt of this form;
- Deputations will not be heard on a matter decided upon by Council until ninety (90) days have passed from the date of the matter's disposition by Council;
- Deputations are limited to 5 minutes.

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Name: Brenda Russell	
Organization/Group/Business represented (if applicable):	
Address: [REDACTED]	Postal Code: [REDACTED]
Phone Number: [REDACTED]	Email: [REDACTED]
Agenda Item Number and Title (your deputation must be in relation to an item on the Agenda): Bike Lane Project	
<p>Please use the space below to provide your written comments:</p> <p>Good afternoon,</p> <p>I am in favor of all bike lanes and encourage the town to consider adding more where there is room to safely do so. I own a car but choose to ride my bike to work, shopping and for pleasure to save money, the environment and my health. If we had more bike lanes I think more people would feel safer and feel encouraged to ride their bikes.</p> <p>Thank you for putting up the black & yellow striped barriers on Queen, Srigley and Prospect. I used Prospect and Srigley bike lanes to get to work today.</p> <p>Thank you kindly for allowing my two cents to be heard and have a great day.</p>	

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Thank you council and especially staff for all the work that went into making meetings like this possible, for making participatory democracy continue safely during the pandemic.

But I will remind you that this pandemic is a sardine compared to the shark of climate change.

Both these things - pandemic and climate change - call on us to strengthen our community, to care for and about each other, and to care about and for the Earth.

So this is where we get to bike lanes.

Cycling, and supporting safe cycling, with bike lanes, helps build stronger communities. It also puts the needs, the safety, of many above the personal desires of a few.

And of course, cycling is a vital part of our attempts to lower our Town's climate-changing emissions. We cannot even begin to tackle climate change, to take on to ourselves that sort of personal and community responsibility, without cycling.

For many reasons, we must do all we can to make cycling safe. Please approve these new bike lanes.

Dave Kempton, Newmarket

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Name: Paul Jolie	
Organization/Group/Business represented (if applicable):	
Address: [REDACTED]	Postal Code: [REDACTED]
Phone Number: [REDACTED]	Email: [REDACTED]
Agenda Item Number and Title (your deputation must be in relation to an item on the Agenda): 9,2,7 - Bicycle Lane 2020 Updates	
<p>Please use the space below to provide your written comments:</p> <p>Mayor Taylor and Councilors</p> <p>After hearing the 2 deputations from residents of London Rd., I feel the need to promote the benefits of safe biking solutions. I don't live in the north end; however, in order to better understand their concerns, I did ride my bike the length of London Rd. to see what's up. The first thing that I noticed is that most homes have parking for 4 cars in the driveway as well as room for a couple more in their garages. This is not a street suffering from a lack of parking options. I was also struck by the width of the road. This looks like a street where drivers may feel comfortable exceeding the 40 km/hr speed limit. How many residents have had called their councillor to complain about speeding cars? This road is 100% single family residences and is served by 2 junior schools, Denne Public School and Canadian Martyrs Elementary School and I'm guessing that many high school students use this road to reach Dr. J.M Denison on Bristol.</p> <p>A comment often heard against the installation of bike lanes is that no one bikes on the road in question so therefore bike lanes aren't needed. This is simply nonsense and there are plenty of studies that prove the opposite. If you build it they will come. Give parents a feeling that their kids are safe and they will let them bike to school, to the playground, to their friend's house. Provide a safe option and residents will ride a bike to Yonge or Main St. and leave their car at home. By narrowing the street to make room for cyclists, drivers will naturally slow down, become more aware of their surroundings, and it will make the road safer for all users. I am heartened to see young and old who have dusted off their bikes to experience the freedom of cycling during this pandemic.</p> <p>Finally, our roads are a resource for all users including cycling, e-bikes rollerblading, scooters, mobility devices etc. and should not be thought of as a place for the storage of vehicles.</p>	

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Town of Newmarket

Minutes

Council

Date: Monday, March 2, 2020
Time: 7:00 PM
Location: Council Chambers
Municipal Offices
395 Mulock Drive
Newmarket, ON L3Y 4X7

Members Present: Mayor Taylor
Deputy Mayor & Regional Councillor Vegh
Councillor Simon
Councillor Woodhouse
Councillor Twinney
Councillor Morrison
Councillor Kwapis
Councillor Broome
Councillor Bisanz

Staff Present: J. Sharma, Chief Administrative Officer
E. Armchuk, Commissioner of Corporate Services
L. Lyons, Director of Legislative Services/Town Clerk
J. Unger, Acting Commissioner of Development & Infrastructure Services
C. Service, Acting Commissioner of Community Services
F. Scott, Manager of Regulatory Services
J. Grossi, Legislative Coordinator

The meeting was called to order at 7:00 PM.
Mayor Taylor in the Chair.

1. Open Forum

No one in attendance came forward to address Council during Open Forum.

2. Public Notices (if required)

None.

3. Additions & Corrections to the Agenda

The Clerk advised of the following additions to the agenda:

- Item 6.3: Deputation by Frank Doyle regarding the Amended Mobile Business License By-law
- Item 9.2: Correspondence from CAA regarding the Amended Mobile Business License By-law

Moved by: Councillor Broome

Seconded by: Councillor Morrison

1. That the additions to the agenda be approved.

In Favour (9): Mayor Taylor, Deputy Mayor & Regional Councillor Vegh, Councillor Simon, Councillor Woodhouse, Councillor Twinney, Councillor Morrison, Councillor Kwapis, Councillor Broome, and Councillor Bisanz

Carried (9 to 0)

4. Declarations of Pecuniary Interest

None.

5. Presentations & Recognitions

None.

6. Deputations

6.1 Simon Wood Foundation

Heather Goodman provided a deputation regarding the Simon Wood Foundation and the services provided. She invited Council to the fundraiser at Old Town Hall on October 24, 2020 and asked Council to waive the rental fee for the facility.

Moved by: Councillor Kwapis

Seconded by: Councillor Bisanz

1. That the deputation provided by Heather Goodman regarding the Simon Wood Foundation be received.

In Favour (9): Mayor Taylor, Deputy Mayor & Regional Councillor Vegh, Councillor Simon, Councillor Woodhouse, Councillor Twinney, Councillor Morrison, Councillor Kwapis, Councillor Broome, and Councillor Bisanz

Carried (9 to 0)

6.2 Amended Mobile Business Licence By-law

Sebastian Fuchs provided a deputation regarding the Amended Mobile Business Licence By-law and expressed concerns regarding the consultation process and the capped fees.

Moved by: Councillor Twinney

Seconded by: Councillor Simon

1. That the deputation provided by Sebastian Fuchs regarding the Amended Mobile Business Licence By-law be received.

In Favour (9): Mayor Taylor, Deputy Mayor & Regional Councillor Vegh, Councillor Simon, Councillor Woodhouse, Councillor Twinney, Councillor Morrison, Councillor Kwapis, Councillor Broome, and Councillor Bisanz

Carried (9 to 0)

6.3 Amended Mobile Business Licence By-law

Frank Doyle provided a deputation regarding the current regulations in Canada related to the tow truck industry and the capped fees in the draft Amended Mobile Business Licence By-law.

Moved by: Councillor Woodhouse

Seconded by: Councillor Broome

1. That the deputation provided by Frank Doyle regarding the Amended Mobile Business Licence By-law be received.

Carried

7. Approval of Minutes

7.1 Council Meeting Minutes of February 10, 2020

Moved by: Councillor Bisanz

Seconded by: Councillor Kwapis

1. That the Council Meeting Minutes of February 10, 2020 be approved.

In Favour (9): Mayor Taylor, Deputy Mayor & Regional Councillor Vegh, Councillor Simon, Councillor Woodhouse, Councillor Twinney, Councillor Morrison, Councillor Kwapis, Councillor Broome, and Councillor Bisanz

Carried (9 to 0)

8. Reports by Regional Representatives

Deputy Mayor & Regional Councillor Vegh advised that Regional Council passed the following two motions at their Council Meeting on February 27, 2020:

- Mandated Review of Regional Council Composition
 - That Council add one member representing the City of Vaughan, with no further adjustments to be made to the composition of Council at this time.
 - That Council start the triple majority process as quickly as possible.
 - That the Regional Clerk circulate this report to the Clerks of the nine local municipalities.
- Council Composition – Further Information Relating to Regional Chair Position
 - That consideration of the following motion moved by Mayor Taylor, seconded by Regional Councillor Li, be deferred to the Council meeting on October 29, 2020.
 - That the Regional Chair be directly elected by an at large election.

Mayor Taylor advised that fulsome discussions regarding the above motions would occur when the Regional Council motions were placed on a Town of Newmarket Committee of the Whole Agenda.

9. Reports of Committees and Staff

9.1 Committee of the Whole Meeting Minutes of February 24, 2020

Moved by: Councillor Woodhouse

Seconded by: Councillor Morrison

1. That the Committee of the Whole Meeting Minutes of February 24, 2020 be received and the recommendations noted within be adopted with the exception of sub-item 9.1.8. See following sub-items 9.1.8 for motions and recorded votes.

In Favour (9): Mayor Taylor, Deputy Mayor & Regional Councillor Vegh, Councillor Simon, Councillor Woodhouse, Councillor Twinney, Councillor Morrison, Councillor Kwapis, Councillor Broome, and Councillor Bisanz

Carried (9 to 0)

9.1.1 Presentation - Amended Mobile Business Licence By-law

9.1.2 Presentation - Procedure By-law Review for 2018-2022 Term of Council

9.1.3 Deputation - Amended Mobile Business Licence By-law

9.1.4 Deputation - Amended Mobile Business Licence By-law

9.1.5 Deputation - Amended Mobile Business Licence By-law

9.1.6 Deputation - Atkins Drive and Quick Street All-way Stop Request

1. That the deputation regarding the Atkins Drive and Quick Street All-way Stop Request by Pankaj Singh be received.

9.1.7 Deputation - Atkins Drive and Quick Street All-way Stop Request

1. That the deputation regarding the Atkins Drive and Quick Street All-way Stop Request by Tuula Rinella be received.

9.1.8 Amended Mobile Business Licence By-law

Moved by: Councillor Woodhouse

Seconded by: Councillor Twinney

1. That the presentation regarding the Amended Mobile Business Licence By-law provided by the Manager of Regulatory Services be received; and,
2. That the deputations regarding the Amended Mobile Business Licence provided by Frank Doyle, Frank Zoghi, and Sebastian Fuchs be received; and,
3. That the reports entitled Mobile Business Licence By-law dated February 3, 2020 (deferred) and Amended Mobile Business Licence By-law dated February 24, 2020 be received; and,
4. That Council direct staff to waive Taxicab Company fees for a duration of 3 years (2020 – 2023 fees inclusive) for previously licensed companies only; and,
5. That Council approve a 12-month contract position for a new Municipal Law Enforcement Officer position subject to approval of the Chief Administrative Officer and Commissioner of Corporate Services; and,
6. That Council approve a 12-month contract for conversion of part-time hours into full-time hours for the existing permanent Legislative Services Associate position subject to approval of the Chief Administrative Officer and Commissioner of Corporate Services; and,
7. That Council approve the draft amended Mobile Business Licence By-law 2020-07, with option #3 for a tow truck company licensing fee structure and the addition of Schedule B for criminal conviction thresholds; and,
8. That Council repeal Taxi By-law 2016-44, Refreshment Vehicles By-law 2016-52, and Driving School Instructors By-law 2017-32, as amended; and,
9. That Council amend the AMPS By-law 2019-62 and Fees and Charges By-law 2019-52; and,
10. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

In Favour (9): Mayor Taylor, Deputy Mayor & Regional Councillor Vegh, Councillor Simon, Councillor Woodhouse, Councillor Twinney, Councillor Morrison, Councillor Kwapis, Councillor Broome, and Councillor Bisanz

Carried (9 to 0)

9.1.9 Procedure By-law Review for 2018-2022 Term of Council

1. That the presentation regarding the Procedure By-law Review for 2018-2022 Term of Council provided by the Deputy Town Clerk be received; and,
2. That the report entitled Procedure By-law Review for 2018-2022 Term of Council dated February 24, 2020 be received; and,
3. That Council amend the 2020 meeting schedule effective March 3, 2020 to schedule all regular Committee of the Whole meetings to begin at 1:00 PM; and,
4. That staff be directed to place an amended draft Procedure By-law on the agenda for the March 2, 2020 meeting of Council, reflecting the changes identified by the Committee of the Whole; and,
5. That Council repeal By-laws 2015-50, 2016-43, 2017-75, as amended, and replace with the Procedure By-law, as amended by Committee of the Whole; and,
6. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

9.1.10 Zoning By-law Amendment Application – 665-695 Stonehaven Avenue

1. That the report entitled Zoning By-law Amendment Application – 665-695 Stonehaven Avenue, dated February 24, 2020 be received; and,
2. That the application for Zoning By-law amendment for lands municipally known as 665-695 Stonehaven Avenue be approved and staff be directed present a By-law to Council for approval generally in accordance with Attachment 1; and,

3. That Lucila Sandoval of Groundswell Urban Planners, 95 Mural Street, Suite 402, Richmond Hill, L4B 3G2 be notified of this action; and,
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

9.1.11 Official Plan and Zoning By-Law Amendment Glenway Blocks 164 & 165

1. That the report entitled Official Plan and Zoning By-Law Amendment Glenway Blocks 164 & 165 dated February 24, 2020 be received; and,
2. That the application for Official Plan & Zoning By-Law amendment, as submitted by Marianneville Developments Limited for Blocks 164 and 165 of the Estates of Glenway Community subdivision, be approved, and that staff be directed to prepare the necessary Official Plan and Zoning By-law amendments, including the necessary Holding provisions; and,
3. That staff be directed to do all things necessary to give effect to the recommendations in this report; and,
4. That Kerigan Kelly, of Groundswell Urban Planners Inc., 95 Mural Street, Suite 402, Richmond Hill, ON, L4B 3G2, be notified of this action.
5. That the Correspondence from Jon Brock regarding Item 5.4: Official Plan and Zoning By-Law Amendment Glenway Blocks 164 & 165 be received.

9.1.12 Atkins Drive and Quick Street All-way Stop Request

1. That the report entitled Atkins Drive and Quick Street All-way Stop Request dated February 24, 2020 be received; and,
2. That an All-Way Stop at the intersection of Atkins Drive and Quick Street not be implemented at this time; and,
3. That the Town monitor the intersection as the community continues to build out; and,
4. That school boards be notified of the school bus routing and be asked to implement improvements to student access to the school buses to reduce crossing of streets; and,

5. That York Regional Police be notified of the speeding issues and school bus stop arm violations to plan increased enforcement; and,
6. That the Town continue to apply Category 1 traffic calming measures to educate motorists to comply with the speed limits and that Staff explore options for Category 2 traffic calming measures; and,
7. That Staff provide Council with data regarding All-Way Stop warrants related to Bob Gapp Drive and Atkins Drive, including modelling the anticipated near-term growth; and,
8. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

9.1.13 Dover Crescent and Burford Street All-way Stop Control Request

1. That the report entitled Dover Crescent and Burford Street All-way Stop Control Request dated February 24, 2020 be received; and,
2. That the existing stop controls remain; and,
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

9.1.14 London Road and Harewood Boulevard All-way Stop Control Request

1. That the report entitled London Road and Harewood Boulevard All-Way Stop Control Request dated February 24, 2020 be received; and,
2. That the existing stop controls remain; and,
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

9.1.15 Non-Warranty Repairs and Regular Maintenance of Central York Fire Services Apparatus

1. That the report entitled “Non-Warranty Repairs and Regular Maintenance of CYFS Apparatus” dated February 24, 2020 be received; and,

2. That a non-competitive acquisition be approved to a maximum of \$125,000.00 in accordance with the Procurement By-Law; and,
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

9.1.16 City of Richmond Hill Resolution - Regional Consolidation of Fire Services

1. That the correspondence from the City of Richmond Hill regarding Richmond Hill Resolution – Member Motion submitted by Regional and Local Councillor Perrelli regarding Regional Consolidation of Fire Services be received.

9.1.17 Item from draft Accessibility Advisory Committee Meeting Minutes of January 16, 2020

1. That Council refer the following motion to the Appointment Committee:
 - a. That the Accessibility Advisory Committee recommend to Council that the Terms of Reference be amended to increase their membership by 2, for a total of 10 members.

9.1.18 Audit Committee Meeting Minutes of June 18, 2019 and October 7, 2019

1. That the Audit Committee Meeting Minutes of June 18, 2019 and October 7, 2019 be received.

9.1.19 Newmarket Economic Development Advisory Committee Meeting Minutes of December 3, 2019

1. That the Newmarket Economic Development Advisory Committee Meeting Minutes of December 3, 2019 be received.

9.1.20 Outstanding Matters List

1. That the Outstanding Matters List be received.

9.1.21 Motion - Support of Never Forgotten National Memorial Foundation

Whereas the residents of Newmarket have a proud tradition of honouring those who made the supreme sacrifice on behalf of Canada in armed conflicts across the world; and,

Whereas the Never Forgotten National Memorial Foundation has been established to develop commemorative programming, exhibits and monuments at a site on Cape Breton Island as a place of remembrance and thanks for those brave individuals who lost their lives so far from home; and,

Whereas the Foundation is seeking the endorsement of businesses, agencies, government organizations, and individuals across Canada to bring life to this important national memorial;

Now therefore be it resolved:

1. That the Council of the Town of Newmarket supports efforts to develop the Never Forgotten National Memorial and so advises Mr. Tony Van Bynen, Member of Parliament, the Honourable Christine Elliott, Member of the Legislative Assembly of Ontario, the Federation of Canadian Municipalities and the Association of Municipalities of Ontario.

9.2 Correspondence regarding the Amended Mobile Business Licence By-law

Moved by: Deputy Mayor & Regional Councillor Vegh

Seconded by: Councillor Kwapis

1. The the correspondence regarding the Amended Mobile Business Licence By-law be received.

In Favour (9): Mayor Taylor, Deputy Mayor & Regional Councillor Vegh, Councillor Simon, Councillor Woodhouse, Councillor Twinney, Councillor Morrison, Councillor Kwapis, Councillor Broome, and Councillor Bisanz

Carried (9 to 0)

10. By-laws

Moved by: Councillor Bisanz

Seconded by: Councillor Broome

1. That By-laws 2020-07, 2020-08, 2020-09, 2020-12 and 2020-13 be enacted.

In Favour (9): Mayor Taylor, Deputy Mayor & Regional Councillor Vegh, Councillor Simon, Councillor Woodhouse, Councillor Twinney, Councillor Morrison, Councillor Kwapis, Councillor Broome, and Councillor Bisanz

Carried (9 to 0)

11. Notices of Motions

None.

12. Motions

None.

13. Announcements & Community Events

- Councillor Simon invited residents to the Ward One meeting at the Magna Centre on March 4, 2020 at 7:00 PM.
- Councillor Twinney invited residents to the Final Skate Event on March 28, 2020 at Hollingsworth Arena from 2:00 PM to 4:00 PM.
- Councillor Broome invited residents to register for the Nature's Emporium Run/Walk for Southlake scheduled for April 26, 2020.
- Councillor Morrison advised residents that the Elman W. Campbell Wee Fun Wednesdays run every week from 10:00 AM to 12:00 PM and the spring schedule is available online.
- Councillor Morrison invited residents to attend the Mark Break Fun events at the Elman W. Campbell Museum on March 17, 2020 to March 20, 2020 from 1:00 PM to 3:00 PM daily.
- Councillor Kwapis reminded residents to exercise caution outside during the changing seasons and invited everyone to utilize the Town of Newmarket facilities over March Break.

14. New Business

None.

15. Closed Session

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

16. Confirmatory By-law

Moved by: Councillor Twinney

Seconded by: Councillor Broome

1. That By-law 2020-14 be enacted.

Carried

17. Adjournment

Moved by: Councillor Simon

Seconded by: Councillor Kwapis

1. That the meeting be adjourned at 7:57 PM.

Carried

John Taylor, Mayor

Lisa Lyons, Town Clerk



Town of Newmarket

Minutes

Special Council Meeting - Electronic

Date: Monday, June 8, 2020
Time: 1:00 PM
Location: Streamed live from the Municipal Offices
395 Mulock Drive
Newmarket, ON L3Y 4X7

Members Present: Mayor Taylor
Deputy Mayor & Regional Councillor Vegh
Councillor Simon (1:21 PM - 4:46 PM)
Councillor Woodhouse
Councillor Twinney
Councillor Morrison
Councillor Kwapis
Councillor Broome
Councillor Bisanz

Staff Present: J. Sharma, Chief Administrative Officer
E. Armchuk, Commissioner of Corporate Services
P. Noehammer, Commissioner of Development & Infrastructure Services
I. McDougall, Commissioner of Community Services
L. Lyons, Director of Legislative Services/Town Clerk
J. Unger, Acting Director of Planning & Building Services
K. Saini, Deputy Town Clerk
F. Scott, Manager of Regulatory Services
A. Glikson, Community Energy Plan Administrator
B. Morrow, Grant Coordinator
A. Walkom, Legislative Coordinator
J. Grossi, Legislative Coordinator

Guests: Ysni Semsedini, President, Newmarket-Tay Power Distribution Ltd.
Gianni Creta, President, Envi Network Ltd.

The meeting was called to order at 1:09 PM.
Council recessed at 2:13 PM and reconvened at 2:23 PM.
Council recessed at 3:14 PM and reconvened at 3:22 PM.
Mayor Taylor in the Chair.

1. Notice

Mayor Taylor began the meeting with a statement in support of the Black, Indigenous, People of Colour (BIPOC) community.

He advised that the Municipal Offices were closed to the public and that this meeting was streamed live at Newmarket.ca/meetings. Residents who would like to provide comment on an item on this agenda were encouraged to provide their feedback in writing through email to Legislative Services at clerks@newmarket.ca or by joining the meeting electronically through video or telephone. He advised residents that their comments would form part of the public record.

2. Additions & Corrections to the Agenda

The Clerk advised of the following additions to the agenda:

- Item 5.4.1: Written Deputation from Leonard Martens regarding the COVID-19 Recovery - Main Street Pedestrian Zones and Town-Wide Patio Expansion
- Item 5.5: 30 minute parking restriction along Main Street to facilitate curb side pick-up
- Item 5.6: Community Support

Moved by: Councillor Broome

Seconded by: Councillor Twinney

1. That the additions to the agenda be approved.

Carried by Two Thirds

3. Conflict of Interest Declarations

- Councillor Kwapis declared a conflict related to items 5.3.1 & 5.3.2 - Site Specific Exemption to Interim Control By-law 2019-04 for 176 Parkview Crescent Staff Report and accompanying By-law. He advised that the property was located in close proximity to his house.
- Councillor Morrison declared a conflict related to items 5.3.1 & 5.3.2 - Site Specific Exemption to Interim Control By-law 2019-04 for 176 Parkview Crescent Staff Report and accompanying By-law. He advised that his parents reside on the same street as the request.

4. Closed Session

Moved by: Councillor Morrison

Seconded by: Councillor Bisanz

1. That Council resolve into Closed Session to discuss the following matters:
 - a. Newmarket-Tay Power and ENVI Financial Statements - A trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization as per Section 239 (2) (i) of the Municipal Act, 2001.

Carried

Council resolved into Closed Session at 1:21 PM.

Special Council - Electronic (Closed Session) Minutes are recorded under separate cover.

Council resumed into Open Session at 1:31 PM.

4.1 Approval of Closed Session Minutes

- 4.1.1 Special Council - Electronic Meeting (Closed Session) Minutes of May 19, 2020

Moved by: Councillor Woodhouse

Seconded by: Councillor Kwapis

1. That the Special Council - Electronic Meeting (Closed Session) Minutes of May 19, 2020 be approved.

4.2 Newmarket-Tay Power and ENVI Financial Statements

The Mayor advised that Members of Council were given the opportunity to ask questions of Ysni Semsedini, President, Newmarket-Tay Power Distribution Ltd. and Gianni Creta, President, ENVI Network Ltd. regarding the financial statements related to Newmarket-Tay Power Ltd. and ENVI Network Ltd.

5. Items

5.1 Newmarket Hydro Holdings Inc. 2019 Annual General Meeting

5.1.1 Presentation

Cristine Prattas, Chair, Newmarket-Tay Power introduced the Newmarket-Tay Power Distribution Ltd. Board Members. Gianni Creta, President, ENVI Network introduced the ENVI Networks Ltd. Executive Directors.

Ysni Semsedini, President, Newmarket-Tay Power Distribution Ltd. outlined the consolidated financial statements and provided a brief overview of the motions that were required by the Town of Newmarket Council. He also reviewed the COVID-19 impacts including the adjustments to time of use rates, and the moratorium on disconnects, along with mitigation strategies and next steps.

Gianni Creta, President, ENVI Network provided a business review of ENVi Network, outlined the impacts of COVID-19 on the customer installs, employees, and financials.

Members of Council queried the presenters regarding the Newmarket-Tay Power Distribution Ltd. dividend impacts due to COVID-19, possible expansion of ENVI, and the opportunity for Provincial funding.

Moved by: Deputy Mayor & Regional
Councillor Vegh

Seconded by: Councillor Twinney

1. That the presentation by Ysni Semsedini, President, Newmarket-Tay Power Distribution Ltd. and Gianni Creta, President, Envi Network regarding the Newmarket Hydro Holdings Inc. 2019 Annual General Meeting be received.

Carried

5.1.2 Resolutions of the Sole Shareholder of Newmarket Hydro Holdings Inc.

Moved by: Councillor Bisanz

Seconded by: Councillor Woodhouse

Whereas the Corporation of the Town of Newmarket (the “Sole Shareholder”) is the sole shareholder of the Corporation; and,

Whereas the Sole Shareholder by a Shareholder Declaration dated November 1, 2000 appointed the Mayor as its legal representative for the purpose of communicating any shareholder consent or approval required by either the terms of the Shareholder Declaration or the Business Corporations Act (Ontario) (the “OBCA”); and,

Whereas the Corporation owns a majority of the common shares of Newmarket-Tay Power Distribution Ltd. (“NT Power”) and Envi Networks Ltd. (“Envi”); and pursuant to s.102(2) of the OBCA where a body corporate is the shareholder of a corporation the corporation shall recognize any individual properly authorized by the body corporate to represent it at meetings of shareholders of the corporation; and,

Whereas pursuant to s.104 of the OBCA a written resolution dealing with all the matters required to be dealt with at a shareholders meeting and signed by the shareholders entitled to vote at that meeting satisfies all requirements of the OBCA relating to that meeting of shareholders;

Now therefore be it resolved by the Municipal Council of the Corporation of the Town of Newmarket as follows:

1. That the Mayor, as the Sole Shareholder's legal representative, is directed to sign the following Corporation Shareholder resolutions:
 - a. That the Corporation's financial statements for the financial year ended December 31, 2019 together with the report of the Corporation's auditors, Baker Tilly KDN LLP ("Baker Tilly"), Chartered Accountants, formerly Collins Barrow, thereon dated May 20, 2020 be approved and adopted; and,
 - b. That Baker Tilly, Chartered Accountants, be appointed auditors of the Corporation to hold office until the next annual meeting of shareholders at such remuneration as may be fixed by the sole director and the sole director is authorized to fix such remuneration; and,
 - c. That Jag Sharma, be appointed as the sole director of the Corporation to hold office until the next annual meeting of shareholders or until his successor is elected or appointed; and,
 - d. That Jag Sharma, so long as he is the sole director of the Corporation, shall represent the Corporation at meetings of shareholders of NT Power and Envi; and,
 - e. That all acts, contracts, bylaws, proceedings, appointments elections and payments, enacted, made, done and taken by the sole director and sole officer of the Corporation to December 31, 2019, as the same are set out or referred to in the resolutions of the sole director, or in the financial statements of the corporation, are approved, sanctioned and confirmed; and,
2. That the Mayor, as the Sole Shareholder's legal representative, direct Jag Sharma, the sole director and legal representative of the Corporation, to sign the following NT Power shareholder resolutions in lieu of an annual meeting:
 - a. That the financial statements of NT Power for the financial year ended December 31, 2019 together with the report of NT Power's auditors, Baker Tilly, thereon dated April 29, 2020 be approved and adopted; and,

- b. That Baker Tilly, Chartered Accountants, be appointed auditors of NT Power to hold office until the next annual meeting of shareholders at such remuneration as may be fixed by the directors and the directors are authorized to fix such remuneration; and,
 - c. That J. Taylor, T. Walker, D. Charleson, B. Gabel, C. Prattas, P. Sardana, and D. Wattling are elected directors of NT Power to hold office until the next annual meeting of shareholders or until their successors are elected or appointed; and,
 - d. That all acts, contracts, bylaws, proceedings, appointments elections and payments, enacted, made, done and taken by the directors and officers of NT Power to December 31, 2019, as the same are set out or referred to in the resolutions of the board of directors, the minutes of the meetings of the board of directors or in the financial statements of NT Power, are approved, sanctioned and confirmed; and,
3. That the Mayor, as the Sole Shareholder's legal representative, direct Jag Sharma, the sole director and legal representative of the Corporation, to sign the following Envi shareholder resolutions in lieu of an annual meeting:
- a. That the financial statements of Envi for the financial year ended December 31, 2019 together with the report of Envi's auditors, Baker Tilly, thereon dated April 7, 2020 be approved and adopted; and,
 - b. That Baker Tilly, Chartered Accountants, be appointed auditors of Envi to hold office until the next annual meeting of shareholders at such remuneration as may be fixed by the directors and the directors are authorized to fix such remuneration; and,
 - c. That I. Collins, J. Piercy, and B. Kwapis are elected directors of Envi to hold office until the next annual meeting of shareholders or until their successors are elected or appointed; and,
 - d. That all acts, contracts, bylaws, proceedings, appointments elections and payments, enacted, made, done and taken by

the directors and officers of Envi to December 31, 2019, as the same are set out or referred to in the resolutions of the board of directors, the minutes of the meetings of the board of directors or in the financial statements of Envi, are approved, sanctioned and confirmed.

Carried

5.2 Community Efficiency Financing (CEF) Program

5.2.1 Presentation

The Commissioner of Development & Infrastructure provided an introduction to the presentation regarding the Community Energy Plan, and the funding opportunity through the Federation of Canadian Municipalities (FCM) related to energy efficiency programs.

The Community Energy Plan Administration provided an overview of the Newmarket Energy Efficiency Retrofit (NEER) project timeline and the steps taken thus far.

The Grant Coordinator outlined the Community Efficiency Financing (CEF) Program and explained how this funding opportunity could accelerate the NEER Program. He explained the benefits of applying to the first round of CEF funding, and laid out possible future scenarios.

The Community Energy Plan Administrator advised that the Town of Newmarket already met most of the requirements for this funding opportunity, and explained the need for Council to pass a resolution to fulfill the remaining requirements.

Members of Council queried Staff regarding the possible future expansion of this project, specifics regarding the forgivable versus non-forgivable loan, and future Council checkpoints throughout the NEER project.

5.2.2 Staff Report - Community Efficiency Financing (CEF) Program

Sub-items 5.2.1 and 5.2.2 were dealt with together.

Moved by: Councillor Twinney

Seconded by: Councillor Woodhouse

1. That the presentation by the Community Energy Plan Administrator and the Grant Coordinator, regarding the Community Efficiency Financing (CEF) Program be received; and,
2. That the report entitled Community Efficiency Financing (CEF) Program dated June 8, 2020 be received; and,
3. That the Newmarket Energy Efficiency Retrofit (NEER) Business Case, as presented during the September 30th, 2019 workshop, be approved in principle; and,
4. That the Resolution, included as Attachment 2 to this Report, be approved; and,
5. That staff be directed to apply to the Community Efficiency Financing program issued by the Federation of Canadian Municipalities (FCM); and,
6. That staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

5.3 Site Specific Exemption to Interim Control By-law 2019-04 for 176 Parkview Crescent

5.3.1 Staff Report - Site Specific Exemption to Interim Control By-law 2019-04 for 176 Parkview Crescent

5.3.2 By-law (Attachment 3 to staff report)

Sub-items 5.3.1 and 5.3.2 were dealt with together.

Moved by: Councillor Broome

Seconded by: Councillor Twinney

1. That the report entitled Site Specific Exemption to Interim Control By-law 2019-04 for subject property 176 Parkview Crescent dated June 8, 2020 be received; and,

2. That Council approve the requested site-specific exemption to Interim Control by-law 2019-04 for 176 Parkview Crescent and adopt the attached exemption by-law; and,
3. That By-law 2020-28 be enacted.

Carried

Councillor Morrison and Councillor Kwapis took no part in the discussion or vote on the foregoing matter due to a declared conflict.

5.4 COVID-19 Recovery - Main Street Pedestrian Zones and Town-Wide Patio Expansion

Moved by: Councillor Kwapis

Seconded by: Councillor Morrison

1. That the report entitled COVID-19 Recovery - Main Street Pedestrian Zones and Town-Wide Patio Expansion dated June 8, 2020 be received; and,
2. That Council direct staff to put Town-wide plans in place to respond to future Provincial announcements with respect to restaurant and retail expanded openings through working in collaboration with the BIA, the Chamber of Commerce and local restaurant operators and retailers; and,
3. That for 2020, Council direct staff to waive patio licensing fees for 2020; and,
4. That for the 2020 patio season, Council delegates its authority to staff to amend the current Outdoor Serving Patio Program with respect to hours of operation, encroachment on Town lands, and any other relevant provisions to facilitate outdoor patios on a temporary basis; and,
5. That infrastructure/material/set up/tear-down costs associated with the downtown pedestrian zones in 2020 that directly involve the use of Town property be funded by the Town through the operating budget and/or applicable reserves as required; and,
6. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

5.4.1 Written Deputation - Leonard Martens

Mayor Taylor read aloud the written deputation provided by Leonard Martens regarding the pedestrianization of Main Street in the Town of Newmarket.

Moved by: Councillor Simon

Seconded by: Councillor Broome

1. That the written deputation from Leonard Martens regarding COVID-19 Recovery - Main Street Pedestrian Zones and Town-Wide Patio Expansion be received.

Carried

5.5 30 minute parking restriction along Main Street to facilitate curb side pick-up

An alternate motion was presented and is noted below in bold.

Moved by: Councillor Kwapis

Seconded by: Councillor Broome

1. **That Council approve the extension of Emergency Order No.1 regarding the restriction of parking on Main Street to 30 minutes until September 21, 2020.**

Carried

5.6 Community Support

An alternate motion was presented and is noted below in bold.

Moved by: Councillor Bisanz

Seconded by: Deputy Mayor & Regional
Councillor Vegh

1. **That Council approve up to an additional \$25,000 to be allocated towards the Town of Newmarket run community meal program operating at the Municipal Offices; and,**
2. That Council direct the Director, Recreation & Culture to coordinate with the appropriate community partners to provide assistance; and,
3. That the Treasurer be directed to provide funding from the appropriate sources for this program; and,
4. **That Council direct Staff to provide further information related to other gaps in meeting community needs and the potential role of the Town in addressing those.**

Carried

5.7 Information Report - Traffic Calming: 2019 and 2020 Flexible Bollard Programs

Moved by: Councillor Kwapis

Seconded by: Councillor Bisanz

1. That the Information Report entitled Traffic Calming: 2019 and 2020 Flexible Bollard Programs, dated March 13, 2020, be received for information purposes.

Carried

5.8 Information Report - Discouraging the Unauthorized Demolition of Designated Heritage Buildings

Moved by: Councillor Woodhouse

Seconded by: Councillor Kwapis

1. That the Information Report entitled Discouraging the Unauthorized Demolition of Designated Heritage Buildings, dated May 14, 2020, be received for information purposes.

Carried

5.9 Approval of Minutes

5.9.1 Special Council - Electronic Meeting Minutes of May 19, 2020

5.9.2 Special Council - Electronic Meeting Minutes of May 25, 2020

Sub-items 5.9.1 and 5.9.2 were dealt with together.

Moved by: Councillor Broome

Seconded by: Councillor Morrison

1. That the Special Council - Electronic Meeting Minutes of May 19, 2020 be approved; and,
2. That the Special Council - Electronic Meeting Minutes of May 25, 2020 be approved.

Carried

6. Confirmatory By-law

Moved by: Councillor Woodhouse

Seconded by: Councillor Kwapis

1. That By-law 2020-29 be enacted.

Carried

7. Adjournment

Moved by: Councillor Bisanz

Seconded by: Councillor Kwapis

1. That the meeting be adjourned at 4:46 PM.

Carried

John Taylor, Mayor

Lisa Lyons, Town Clerk



Town of Newmarket

Minutes

Special Committee of the Whole - Electronic

Date: Monday, June 15, 2020
Time: 1:00 PM
Location: Streamed live from the Municipal Offices
395 Mulock Drive
Newmarket, ON L3Y 4X7

Members Present: Mayor Taylor
Deputy Mayor & Regional Councillor Vegh
Councillor Simon
Councillor Woodhouse
Councillor Twinney
Councillor Morrison
Councillor Kwapis
Councillor Broome
Councillor Bisanz

Staff Present: J. Sharma, Chief Administrative Officer
E. Armchuk, Commissioner of Corporate Services
P. Noehammer, Commissioner of Development & Infrastructure Services
I. McDougall, Commissioner of Community Services
L. Lyons, Director of Legislative Services/Town Clerk
K. Saini, Deputy Town Clerk
F. Scott, Manager of Regulatory Services
J. Comeau, Municipal Enforcement & Licensing Officer
C. Pumo, Municipal Enforcement & Licensing Officer
A. Walkom, Legislative Coordinator
J. Grossi, Legislative Coordinator

For consideration by Council on June 29, 2020.

The meeting was called to order at 1:00 PM.

Mayor Taylor in the Chair.

The Committee of the Whole recessed at 3:57 PM and reconvened at 4:10 PM.

1. Notice

Mayor Taylor advised of recent and upcoming Provincial announcements regarding COVID-19 restrictions and provided an update on the Town of Newmarket's response to COVID-19.

He advised that the Municipal Offices were closed to the public and that this meeting was streamed live at [Newmarket.ca/meetings](https://www.newmarket.ca/meetings). Residents who would like to provide comment on an item on this agenda were encouraged to provide their feedback in writing through email to Legislative Services at clerks@newmarket.ca or by joining the meeting electronically through video or telephone. He advised residents that their comments would form part of the public record.

2. Additions & Corrections to the Agenda

None.

3. Conflict of Interest Declarations

- Councillor Woodhouse declared a conflict related to item 5.2 - Short Term Rental Licensing including the Presentation and Staff Report. He advised he has a client who operates a hotel in the Newmarket area.

4. Deputations

4.1 Remote Deputations

4.1.1 Animal Control & Pet Store Licensing

Michèle Hamers, Wildlife Campaign Manager of World Animal Protection provided a remote deputation regarding the draft by-laws and recommended replacing the list of prohibited species with a list of permitted species.

4.1.2 Animal Control & Pet Store Licensing

Susan Dankert, Communications Director of Pet Industry Joint Advisory Council of Canada provided a remote deputation which supported the continued selling of pets by pet stores in Newmarket.

4.1.3 Animal Control & Pet Store Licensing

Keith Burgess, Owner of Pet Paradise provided a remote deputation which supported the continued selling of pets by pet

stores and provided information on the process used by his store to source the animals.

4.1.4 Animal Control & Pet Store Licensing

Rita Goverde of York Region Animal Advocates provided a remote deputation which outlined her concerns with the sourcing of animals sold at pet stores and registration of breeders.

4.1.5 Animal Control & Pet Store Licensing

Rob Laidlaw, Executive Director of Zoocheck provided a remote deputation which outlined his concerns with the draft by-law and suggested changes to improve animal protections.

4.2 Written Deputations

4.2.1 Animal Control & Pet Store Licensing

Mayor Taylor read aloud the written deputation provided by Lisa Ugolini which expressed her support for a complete ban on the selling of cats and dogs in the Town of Newmarket.

4.2.2 Animal Control & Pet Store Licensing

Mayor Taylor read aloud the written deputation provided by Mr and Mrs J. Clark which expressed their belief that no sales of cats and dogs should be permitted in the Town of Newmarket.

Moved by: Councillor Broome
Seconded by: Councillor Twinney

1. That sub-items 4.1.1, 4.1.2, 4.1.3, 4.1.4, 4.1.5, 4.2.1 and 4.2.2, being deputations provided by Michèle Hamers, Susan Dankert, Keith Burgess, Rita Goverde, Rob Laidlaw, Lisa Ugolini and Mr and Mrs J. Clark regarding Animal Control & Pet Store Licensing, be received.

Carried

5. Items

5.1 Animal Control & Pet Store Licensing

5.1.1 Presentation - Animal Control & Pet Store Licensing

The Director of Legislative Services/Town Clerk provided an introduction to the presentation. The Manager of Regulatory Services began the presentation with an overview of the key considerations involved in animal control and pet store licensing. The Municipal Enforcement & Licensing Officer provided an overview of the public consultation conducted as part of the study, and presented the results of a public survey. The Manager of Regulatory Services concluded the presentation with an outline of the proposed regulations and enforcement strategy.

Moved by: Councillor Broome

Seconded by: Councillor Kwapis

1. That the presentation regarding Animal Control & Pet Store Licensing be received.

Carried

5.1.2 Staff Report - Animal Control & Pet Store Licensing

An alternate motion was presented and is noted below in bold.

Moved by: Councillor Broome

Seconded by: Councillor Twinney

1. That the report entitled Animal Control and Pet Store Licensing dated June 15, 2020 be received; and,
2. That Council approve the draft Animal Control By-law **with the following amendments:**
 - a. **Animal protections are extended to animals other than cats and dogs; and,**
 - b. **Schedule A: Prohibited Animals is replaced by a list of permitted animals; and,**
3. That Council direct staff to move forward with a phased approach to breeders and kennels, where zoning is

amended to permit such businesses within specific zones;

4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

Moved by: Councillor Broome
Seconded by: Councillor Twinney

5. That Council approve the draft Business Licence By-law **as presented.**

Carried

5.2 Short Term Rental Licensing

5.2.1 Presentation - Short Term Rental Licensing

The Director of Legislative Services/Town Clerk provided an introduction to the presentation. The Manager of Regulatory Services began the presentation with a background of the issue and an overview of the key considerations involved. The Municipal Enforcement & Licensing Officer provided an overview of the public consultation conducted as part of the study, and an outline of the proposed regulations. The Manager of Regulatory Services concluded the presentation with an overview of the proposed enforcement strategy and next steps.

Moved by: Councillor Broome
Seconded by: Councillor Bisanz

1. That the presentation regarding Short Term Rental Licensing be received.

Carried

5.2.2 Staff Report - Short Term Rental Licensing

An alternate motion was presented and is noted below in bold.

Moved by: Councillor Broome
Seconded by: Deputy Mayor & Regional
Councillor Vegh

1. That the report entitled Short Term Rental Licensing dated June 15, 2020 be received; and,
2. That Council approve the draft Business Licence By-law; and,
3. That Council direct staff to amend the proposed fee schedule as follows:
 - a. **Short Term Rentals – 1 Bedroom: \$100.00**
 - b. **Short Term Rentals – 2 Bedrooms: \$200.00**
 - c. **Short Term Rentals – 3 Bedrooms: \$300.00**
4. That Council amend the AMPS By-law 2019-62 and Fees and Charges By-law 2019-52; and,
5. That Council direct staff to bring forward a report regarding a Municipal Accommodation Tax (MAT) on all short term rental properties in **Q3/Q4 2021**; and,
6. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

Councillor Woodhouse took no part in the discussion or vote on the foregoing matter due to a declared conflict.

6. Closed Session

Mayor Taylor advised there was no requirement for a Closed Session.

7. Adjournment

Moved by: Councillor Woodhouse

Seconded by: Councillor Simon

1. That the meeting be adjourned at 5:04 PM.

Carried

John Taylor, Mayor

Lisa Lyons, Town Clerk

Remote Deputation Request Form – June 15, 2020 Special Committee of the Whole Meeting - Electronic

Please complete this form to provide a remote (live) deputation at the June 15, 2020 Special Electronic Committee of the Whole Meeting. Please return the form to clerks@newmarket.ca – completed forms must be received by **end of day Wednesday June 10, 2020**.

Name: Michèle Hamers	
Organization/Group/Business represented (if applicable): World Animal Protection	
Address: [REDACTED]	Postal Code: [REDACTED]
Phone Number: [REDACTED]	Email: [REDACTED]
Agenda Item Number and Title (your deputation must be in relation to an item on the Agenda): 5. Animal Control & Pet Store Licensing	
Provide a brief description of the purpose of your deputation: On behalf of World Animal Protection and our more than 160,000 supporters in Ontario, I would like to thank the town of Newmarket for prioritizing animal welfare and developing new bylaws, addressing much needed regulations pertaining to the keeping and sales of pets. I would like to ask for the opportunity to speak on the proposed Animal Control & Pet Store Licensing bylaw and share our concern, in particular to the listed animals in Schedule A. The bylaw is comprehensive when it comes to dog and cat provisions, but we are concerned however that many exotic animals are overlooked, which can result in the unintentionally suffering of many vulnerable animals. We like this opportunity to explain why many of the dog and cat provisions should be extended to wild animals who are kept as pets. As one of the leading organizations in Canada working on exotic pet issues we believe that our insights will be of value to Newmarket's council and staff. Thank you for your consideration.	

Remote Deputation Requirements:

- Deputants must join the ZOOM electronic meeting using a high-speed internet connection and device capable of video-conferencing, or through telephone.
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Mayor and Councillors
Town of Newmarket
395 Mulock Drive
Newmarket, ON L3Y 4X7



Dear Mayor and Councillors,

09 June 2020

Reference: Written deposition

On behalf of World Animal Protection and more than our 160,000 supporters in Ontario, I would like to thank the Town of Newmarket for prioritizing animal welfare by developing a new bylaw addressing a number of important animal welfare issues, including the regulation of exotic animals and their sale as pets. As one of the leading organizations in Canada working on exotic pet issues, we believe that our insights will be of value to Newmarket City Council and municipal staff. We trust that despite this information being provided to you late in the process that it will contribute to the enhanced protection of animals within your municipality and more effective bylaw enforcement.

The proposed bylaw addresses several very important issues, especially regarding the protection of dogs and cats. We applaud the efforts of the staff members who worked on the draft. However, we would like to draw to your attention the fact that many non-domesticated (exotic) animals seem to have been given less consideration or have been overlooked leaving them vulnerable.

World Animal Protection's most significant concern pertains to 'Schedule A' which contains a list of animals prohibited in the municipality. Most of the animals listed are those that have routinely been listed in other bylaws that were established in the 1980s and 1990s, and they tend to focus on potentially dangerous and/or zoo-type mammals. Relatively few birds, reptiles or other animals are included. The list is dated and is not in step with animal welfare science or the emerging trends in exotic animal regulation.

While 'Schedule A' contains a significant number of mammal species, it doesn't include almost 10,000 reptiles species (including almost 3,000 snake species, 6000 kinds of lizards and most of the approximately 355 turtle species), almost all of the 8,000 species of amphibians and more than 9,000 species of birds, including most of the world's 350 parrot species. Many of the thousands of animals I've just listed are species that are difficult or impossible to accommodate in home settings, many are



available in the pet trade, and they should not be made available to the general public in retail pet outlets.

World Animal Protection appreciates the intent of the two provisions in Schedule A, the first prohibiting animals, "whose possession or sale is prohibited pursuant to an international, federal, provincial law, regulation, rule or agreement" and the second stating that "All protected or endangered animals ... whose possession or sale is prohibited because they are designated as protected or endangered ... unless the Animal has been obtained in accordance with international, federal or provincial law, as applicable, and the animal is not included in this Schedule."

While these provisions are well meaning, in reality they afford little protection to animals as Canada's live wildlife import laws are relatively weak, many problematic species found in the pet trade are not subject to any import regulations, there is no regulation for exotic species once they are in Ontario and, last but not least, existing laws in Ontario fail to address the breeding of many problematic species in the province or other parts of Canada.

This is concerning not only for animal welfare reasons, but because these animals may also pose a risk to human health and to the local environment through the possible introduction of novel diseases and by establishing themselves as invasive species should they escape or be abandoned.

For the reasons stated above, World Animal Protection urges the Town of Newmarket to review 'Schedule A' with the intent of considering a wider range of problematic animals (reptiles, amphibians, birds, etc.) for inclusion (as many other municipalities have already done) or, alternatively, to move to a Positive List regulatory format in which only animals that are allowed and that satisfy certain criteria, like disease.

Regulation of exotic animals using traditional prohibited lists can be resource consuming, will require updating as new animal species are exploited by the pet trade and put the onus on municipalities to address issues retroactively. They are not preventative. British Columbia's exotic wildlife regulation is an example of this approach. Their regulation banned a range of animals, pet sellers turned to animals that were not listed as prohibited like smaller wild cats and certain rodent-like mammals from South America, leaving the provincial SPCA to deal with the fallout.

During World Animal Protection's review, we identified several other provisions, listed below, that should receive greater consideration:



Animal Control Bylaw

1. In order to prevent the hoarding of non-domesticated animals kept as pets, implement a limit on the number of animals that can be kept by a person.
2. Extend the protective care of domestic animal provisions (Section 5) to all animals who are allowed to be kept as pets, this includes defining locations where impounded or disposed non-domesticated animals can be housed, protecting non-domesticated animals from being kept in cars and the general care provisions listed as providing a clean and sanitary environment, adequate and appropriate care, adequate and clean water supply, shelter and veterinary care.
3. Extend Section 13 'Animals at large' to include all animals who can be kept as pets within the Town of Newmarket.
4. Under Section 14 'Exemptions', veterinary offices, shelters and humane societies should be exempted from restrictions regarding to the number of non-domesticated animals that can be housed at their premises.
5. Prohibited Animals is defined in Section 2 'Definitions'. There are no provisions in the bylaw itself that refer to this definition nor to 'Schedule A'.

Business Licensing Bylaw

1. Remove the option to house animals on wire mesh floor surfaces as they can be uncomfortable and negatively impact on animal health and welfare.
2. Extend the following provisions to include non-domesticated animals who are allowed to be kept as pets:
 - 6.(a) provide to every purchaser of a cat, dog, **other mammal, reptile, amphibian and bird** a health assessment from a licensed Veterinarian to verify the animal has received veterinary care.
 - 6.(g) give the purchaser on any sale or disposition of any cat, dog, **other mammal, reptile, amphibian, bird or other animals** being sold as a pet, a receipt showing the name and address of the vendor and the purchaser, the date of sale, the sale price, the breed/species or crossbreed, sex (if known, age (if known), and description.
 - 7. Every Pet Store shall maintain a registry of each animal purchased or otherwise obtained, Each entry shall be made at the time each animal comes into the possession of any owner, employee, or person associated with the pet store and shall include (...).



3. Add a provision that addresses backyard breeders of reptiles, amphibians and other small species which would be in line with the ban of dog and cat breeders within the Town of Newmarket.

In conclusion World Animal Protection urges you to extend the strong protections granted to cats and dogs to other animals kept in the Town of Newmarket. Birds, reptiles, amphibians and other animals are now known to be sentient beings who can experience pain, suffering and stress, as well as positive emotional states such as excitement and pleasure. These animals deserve as much consideration as cats and dogs. Furthermore, we urge the Town of Newmarket to consider a permitted list rather than a prohibited list. Prohibited lists are proven to be long, cumbersome and inefficient, whereas a permitted list is clear, concise, financially beneficial and better protect animals, humans and our environment equally

If you have any questions or would like more information, please don't hesitate to contact me at MicheleHamers@worldanimalprotection.ca.

Thank you for your consideration.

Yours sincerely

A handwritten signature in black ink, appearing to read "Michele Hamers", with a long horizontal line extending to the right.

Michèle Hamers

MSc, MRSB, EurProBiol

Wildlife Campaign Manager

World Animal Protection

90 Eglinton Avenue East, Suite 960

Toronto, ON, M4P 2Y3

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Remote Deputation Request Form – June 15, 2020 Special Committee of the Whole Meeting - Electronic

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Name: Susan Dankert	
Organization/Group/Business represented (if applicable): PIJAC Canada	
Address: [REDACTED]	Postal Code: [REDACTED]
Phone Number: [REDACTED]	Email: [REDACTED]
Agenda Item Number and Title (your deputation must be in relation to an item on the Agenda): 5.1 - Animal Control and Pet Store Licensing	
Provide a brief description of the purpose of your deputation: Deputation is in support of allowing local pet stores who carry dogs and cats to continue to provide healthy animals to the public, through sourcing from traceable and inspected sources which includes breeders.	

Remote Deputation Requirements:

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Name: KEITH BURGESS	
Organization/Group/Business represented (if applicable): PET PARADISE	
Address: [REDACTED]	Postal Code: [REDACTED]
Phone Number: [REDACTED]	Email: [REDACTED]
Agenda Item Number and Title (your deputation must be in relation to an item on the Agenda): B.1 PET RETAIL STORES	
Provide a brief description of the purpose of your deputation: CORRECTION OF ERRORS DIRECTION NEEDED	

Remote Deputation Requirements:

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Written Deputation Request Form – June 15, 2020 Special Committee of the Whole Meeting - Electronic

Please complete this form to provide a written deputation at the June 15, 2020 Special Electronic Committee of the Whole Meeting. Please return the form to clerks@newmarket.ca – completed forms must be received by **end of day Wednesday June 10, 2020**. These comments will be read aloud by the Mayor during the live meeting, considered with the related item, and will form part of the public record.

Name: Rita Goverde	
Organization/Group/Business represented (if applicable): York Region Animal Advocates	
Address: [REDACTED]	Postal Code: [REDACTED]
Phone Number: [REDACTED]	Email: [REDACTED]
Agenda Item Number and Title (your deputation must be in relation to an item on the Agenda): Pet Store licensing	
<p>Please use the space below to provide your written comments:</p> <p>It is extremely disappointing that there has not been an outright ban on pet sales in Newmarket (as in many, many other municipalities). I feel that the question asked at the Town meeting in January regarding sourcing pets from breeders and kennels was misleading and the public wasn't informed properly as to how easy it is for unethical breeders to register with Townships, thereby being deemed "licenced." Many of the Newmarket public expressed a wish to have a ban on pet sales at all. If this is to proceed and is allowed, it is extremely embarrassing for Newmarket that they are not following suit of other municipalities.</p> <p>I wish to speak at the council meeting electronically</p>	

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Name: Rob Laidlaw	
Organization/Group/Business represented (if applicable): Zoocheck Inc.	
Address: [REDACTED]	Postal Code: [REDACTED]
Phone Number: [REDACTED]	Email: [REDACTED]
Agenda Item Number and Title (your deputation must be in relation to an item on the Agenda): Item 5.1 Animal Control and Pet Store Licensing	
Provide a brief description of the purpose of your deputation: To bring to COW attention several gaps and inconsistencies in the proposed bylaws and to provide additional information to inform COW deliberations.	

Remote Deputation Requirements:

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Zoocheck Canada Inc.

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Toronto, Ontario
M4B 2S6

phone: 416.285.1744 Fax: 416.285.4670
toll free number: 1-888-801-3222
www.zoocheck.com
zoocheck@zoocheck.com

June 10, 2020

Members of the Committee of the Whole
Town of Newmarket
395 Mulock Drive
Newmarket, Ontario
L3Y 4Y9

Dear Committee Members:

RE: COW Meeting June 15, 2020, Animal Control and Pet Store Licensing

I was recently made aware of the staff report and recommendations being considered by the COW next week regarding animal control and pet store licensing in the Town of Newmarket. I have reviewed the staff report and recommendations, including the proposed by-laws to regulate, control and license animals and to regulate and license pet store businesses.

First, I would like to say that I was pleased to see that the proposed bylaws address some very key areas affecting animals, particularly dogs and cats, and that staff seemed to be very responsive to community concerns. I have worked with dogs and cats in the past, both as a humane society inspector and in the development of humane dog control programs for remote First Nations communities, so I am aware of the issues and applaud the proposed measures to address them in your municipality.

Having said that, I am also a biologist who has worked professionally to protect wildlife, including exotic animals kept by private citizens, for more than 35 years in Ontario and elsewhere. After reading the report and bylaws I wanted to bring to your attention several gaps that leave significant issues regarding non-domesticated animal species unaddressed. Fortunately an opportunity exists to align the Town of Newmarket with other nearby municipalities and a growing trend in exotic animal regulation, including the use of a '**Permitted List**' identifying animals allowed or 'permitted' in a municipality.

1. Advantages of a permitted list aligned with other municipalities

Page 6 of the staff report indicates that the Town of Newmarket, as part of a contracted partnership with the Town of Aurora and the Town of Georgina, will "...develop consistent regulations as closely as possible, while still recognizing individual community needs."

The Aurora animal control bylaw, passed in July 2019, features a fundamentally different kind of regulatory mechanism for exotic animals than the one in the proposed Newmarket animal control bylaw. Aurora has chosen to go with a **permitted animals list** (or **Positive List**), whereas Newmarket's bylaw incorporates a traditional prohibited list, which is increasingly being viewed as outdated from an animal welfare, animal control and municipal resources perspective.



The traditional prohibited list originated decades ago largely in response to local complaints about the keeping of potentially dangerous animals by private citizens. The lists were focused almost entirely on those animal species that were thought to pose a safety risk to their handlers, bystanders and/or community members and typically included big cats, bears, elephants, wolves and other obviously dangerous species. Over the years other mammal species, typically found in zoos and zoo-type exhibits, were added, as were giant snakes and venomous reptiles. Other than a tiny number of bird species (usually the ones that could lead to nuisance complaints), virtually no other birds and, until recently, almost no other reptile or amphibian species have ever been added to prohibited lists, even though some of the problems associated with them are just as serious as with other animals and, in some cases, are much more so. Prohibited lists are reactive, instead of being preventative, and tend to put more of a burden and increased costs on individual municipalities that try to deal with non-domesticated animal welfare and human and health and safety concerns. Yet, many of the problems associated with animals can be substantially mitigated or prevented through permitted list regulation.

Permitted lists, like the one in Aurora, are simple lists of animals that people can have. Any animal on the list would have to meet certain inclusion criteria established by the municipality before being placed on it. There are a standard set of criteria that guide most jurisdictions employing permitted list regulation, as well as suggested permitted lists such as the one Zoocheck has developed. Permitted lists are easier to understand, allow for more effective and less expensive enforcement, and they better protect human health and safety, the integrity of local natural environments and animal welfare.

It is worth noting that of the municipalities reviewed by staff, Kitchener already uses a permitted list in their animal control bylaw. The City of London has established the ability to create a permitted list in their pet store licensing program and the City of Toronto has a Council motion in the queue directing staff to explore the merits of permitted list regulation of animals. The City of Markham, another one of the reviewed municipalities, has a rather expansive prohibited list, but has also been exploring permitted list regulation. And, of course, Aurora has established a permitted list.

In addition, numerous municipalities in Quebec, the Provinces of New Brunswick and Nova Scotia, as well as multiple out of country jurisdictions now use permitted list regulation in their animal control programs and laws.

2. **Expanding the Prohibited List for animal welfare, environmental protection and human health and safety reasons**

If the prohibited list remains, it is important to note that many challenging and problematic animals have not been included in it. For example, frogs and salamanders in the pet trade have been known to carry chytrid fungus which has decimated wild amphibian populations around the world, including causing the extinction of a number of frog species. If even one infected individual were released into Ontario, or the water from its tank dumped outdoors, it could potentially introduce the disease into our native amphibian populations. US Fish and Wildlife has already banned the trade in more than 200 amphibian species because of the chytrid risk.

Other animals that are almost impossible to keep in home settings or that shelters and rescue centers and sanctuaries can't take in and rehome also come with substantial challenges and problems. The proposed



Newmarket prohibited list doesn't include any of the world's more than 350 species of parrots. The larger parrots, such as macaws and cockatoos, are amongst the most intelligent, social and active animals anywhere. In nature, they travel long distances, engage in an enormous variety of complex behaviours and they are virtually never alone. They are almost impossible to keep in home settings as people can't provide the space, mental stimulation and social environment they need and, compared to dogs and cats, relatively few of them (or other birds) are ever taken to a qualified avian veterinarian. When kept as pets they are often socially isolated and rendered unable to fly, so they become bored, frustrated, noisy, aggressive and destructive. Many owners are unable to cope, so their birds are forced into cages for most or all of the time while their owners look to surrender or give them away. The normally active birds are forced to sit idle which results in a range of welfare problems, including abnormal repetitive behaviours, such as self mutilation or rocking back and forth. Birds are the fourth most popular pet in North America and rank among the most abandoned animals but few shelters have the capacity or expertise to take many of them in, and fewer still can accommodate the larger, more challenging and long-lived species.

With expanded municipal authority regarding animals, increased knowledge and changing public sentiment, new kinds of animals are now showing up on prohibited lists in Ontario and elsewhere. They include, but are not limited to, snapping turtles, other turtles and tortoises, many snakes, the larger lizards, such as iguanas, monitors and tegu lizards and African clawed frogs, to name just a few. There are numerous challenging and problematic animals that should be considered for inclusion on the Newmarket prohibited list as those animals may already be in or could be brought into the municipality. My own organization and others with relevant expertise are happy to assist should the Town of Newmarket wish to explore further additions.

3. Consistency is less confusing and may help improve broader protections for animals

The Aurora and Newmarket animal control bylaws are not consistent. A person could purchase a large *Sulcata* tortoise or a snake that exceeds 45 centimeters in length in Newmarket, but they couldn't buy or keep those same animals across the border in Aurora. If the intent is to create consistency, what is and isn't allowed should be harmonized. If they are not, this may be confusing to the public and may detract from efforts to create a progressive baseline municipal standard for exotic animal bylaws in Ontario.

4. Addressing unethical sourcing of exotic animals

The proposed pet store bylaw recognizes that the sourcing of animals, particularly dogs and cats, must be carefully considered and controlled, but that principle isn't applied to other animals. There are bird mills and reptile breeders than mass produce these animals just as puppy mills and catteries produce dogs and cats. The exotic animals experience the same, if not worse, problems than dogs and cats, as do many of the consumers who purchase them. In addition, significant numbers of reptiles, amphibians, fish and other creatures are removed from wild habitats, often in destructive, ecologically damaging ways. And many of these animals, such as green anole lizards from Florida, come into Canada by the thousands and are not tracked. Ethical sourcing of all animals utilized by the pet trade in the Town of Newmarket should be required.

5. Basic standards of care should apply to all animals

The proposed animal control bylaw contains some provisions regarding the care of **domestic** dogs and cats but those provisions are not extended to exotic animal species. Basic standards of care, such as proper food, water, shelter, clean environment, and veterinary should not be applied selectively as nearly



all animals share many, or all, of the same physical and psychological needs and possess very complex, intellectual, emotional and social capacities. All animals should be afforded protection through standards of care.

6. Lack of specific provision regarding prohibited animal keeping in Newmarket

The proposed animal control bylaw includes a definition of prohibited animal and a list of those animals (by group) as a Schedule but there is no provision in the body of the bylaw saying that those animals cannot be kept in Newmarket. A provision should be inserted into the bylaw to address this oversight.

As I indicated earlier in this letter, I applaud staff for so comprehensively addressing a broad range of important issues in the proposed animal control and pet store licensing bylaws. I think they are a positive step forward. However, there are gaps and inconsistencies that, with somewhat minimal effort, could be addressed resulting in an even better, more effective set of bylaws that provide enhanced protections for animal welfare, human health and safety, the protection of our own native wildlife and ecosystems and the conservation of the animals involved. Since this is an area we have actively been studying and addressing for more than three decades, we are happy to provide the Town of Newmarket with whatever assistance is required.

Thank you for considering this correspondence.

Sincerely,



Rob Laidlaw
Executive Director

Zoocheck is an international wildlife protection charity established in 1984 to promote and protect the interests and wellbeing of wildlife.



Written Deputation Request Form – June 15, 2020 Special Committee of the Whole Meeting - Electronic

Please complete this form to provide a written deputation at the June 15, 2020 Special Electronic Committee of the Whole Meeting. Please return the form to clerks@newmarket.ca – completed forms must be received by **end of day Wednesday June 10, 2020**. These comments will be read aloud by the Mayor during the live meeting, considered with the related item, and will form part of the public record.

Name: Lisa Ugolini	
Organization/Group/Business represented (if applicable):	
Address: [REDACTED]	Postal Code: [REDACTED]
Phone Number: [REDACTED]	Email: [REDACTED]
Agenda Item Number and Title (your deputation must be in relation to an item on the Agenda): Pet Sales in Newmarket	
<p>Please use the space below to provide your written comments:</p> <p>Dear Members of Newmarket Council,</p> <p>I'm writing today to implore you change the bylaw to BAN the sale of cats and dogs from pet stores. There is no need for pet stores to sell cats and dogs, as there are many more things these stores can offer.</p> <p>So many surrounding municipalities have banned the sale of cats and dogs, and for many years, and I would expect the same from Newmarket, finally. Newmarket should be joining the ranks of Toronto, Markham, Richmond Hill and so many others that have this ban in place already. As a forward thinking municipality, Newmarket needs to set an example to the smaller communities. I am proud to live in Newmarket however allowing mill puppies and cats to be sold is just lining greedy pockets, from the mill owners themselves right up to their retail partners and then certain council members who still think this is standard practice. This is NOT standard practice! With campaigns over many years like 'Adopt, Don't Shop', I would have assumed Newmarket understood the importance of not having dogs and cats sold in stores. Rescue groups, from all over, spend countless hours, energy and resources trying to do the best for our domesticated animals and educate the public yet retail sales and puppy mills undermine everything when there is no ban in place. It's literally a slap in the face to animal advocates trying to do right by these animals.</p> <p>This is 2020, let's start acting like it. This is a ban that should've been in place years ago. Please, PLEASE, vote in favour of a full ban of the retail sales of cats and dogs in pet stores. These voiceless creatures deserve better.</p> <p>Sincerely, Lisa Ugolini Resident of Newmarket</p>	

Be advised that all Council and Committee of the Whole meetings (including this meeting) 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

Good afternoon everyone,

After reading through all your draft bylaw proposals regarding the selling of animals in pet stores, we are very disappointed to see you have chosen to allow all retail selling to continue rather than have a complete ban on selling cats and dogs.

Many municipalities have now passed such bylaws based on what the majority of animal lovers today consider the most moral option to protect any exploitation of animals for sheer greed.

We are also very disappointed to read you are considering Licencing and regulating local kennels in order to allow those animals to also be sold in your retail locations in future. This is also contrary to what the majority of animals lovers consider as exploitation of animals for sheer greed. Retail stores are still thriving without selling any animals, no reason Newmarket stores can't do the same.

We would suggest you propose a more ethical, moral, compassionate and politically correct bylaw that completely bans all retail selling of cats and dogs, and only allow animals to be occasionally featured in store that are for adoption only, from local shelters and legitimate rescue groups, as many municipalities have already enacted and what the majority of animal lovers demand today. This would also be more reflective of your survey results. No retail profit should be made from the exploitation of animals.

Thank you for taking the time to listen and consider changes,
Mr and Mrs J. Clark, Concerned animal lovers.



Animal Control and Pet Store Licensing

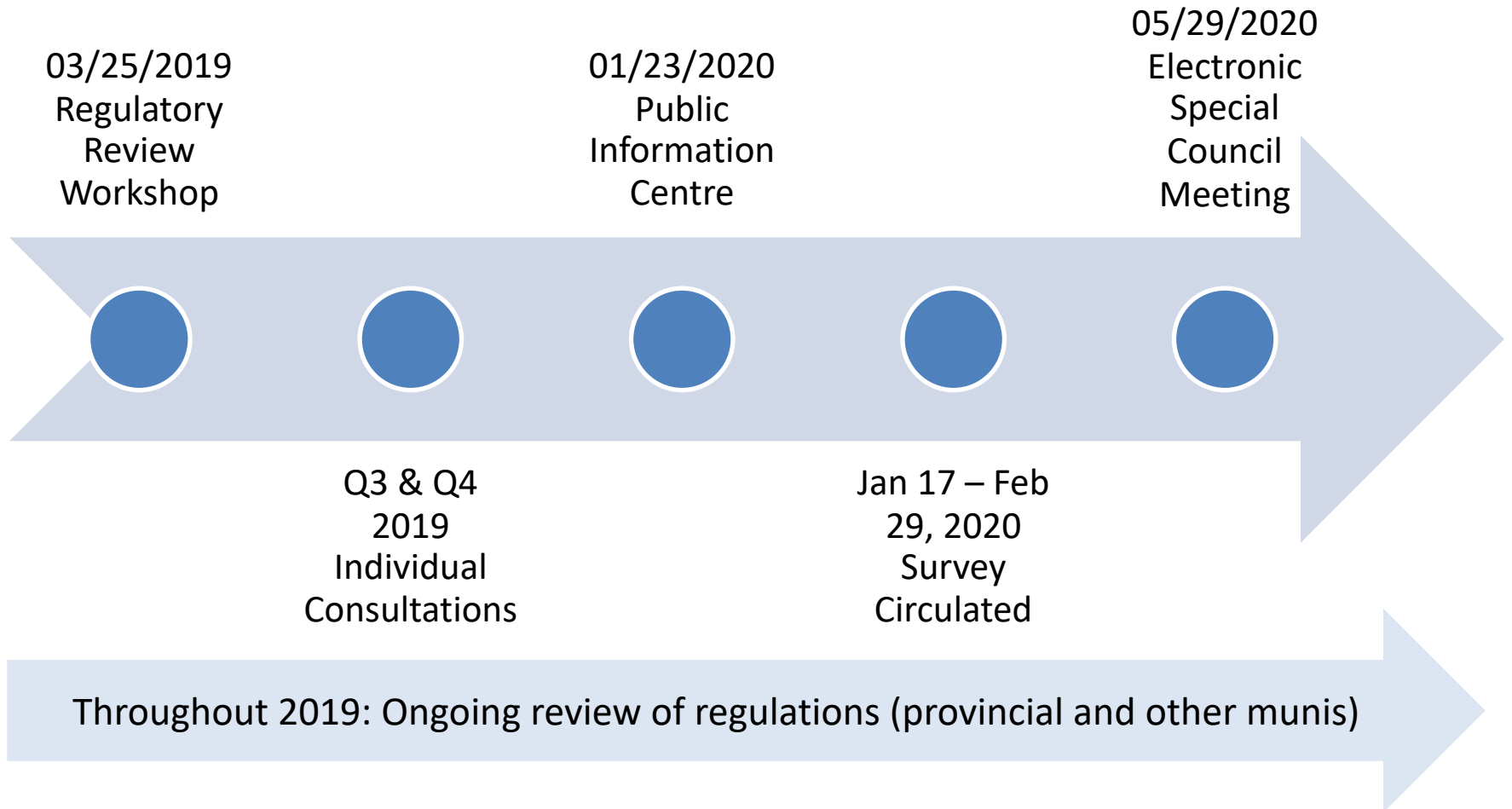
Flynn Scott & John Comeau

June 15, 2020

Presentation Outline

- Background
- Key Considerations
- Public Consultation
- Proposed Regulations for Animal Control
- Proposed Regulations for Pet Stores
- Conclusion & Next Steps

Background



Key Considerations

Animal Control

Care and Control
Dogs/Cats at Large
Prohibited Animals



Stoop and Scoop



Tethering



Animal Registration
(licence tags)



Feeding Wildlife



Muzzle Orders



Noise/Barking Dogs



Feral Cats

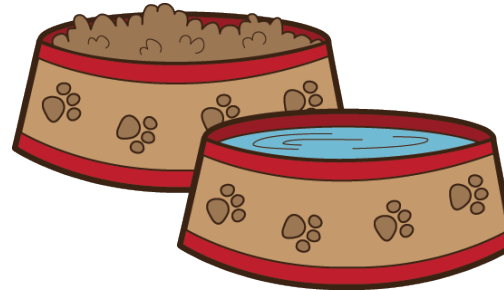
Key Considerations Pet Store Licensing



Animal Sourcing



Cages and Storage



Access to Food & Water



Hours of Operation

- Animal Care Practices
- Records Retention
- Breeder Restrictions

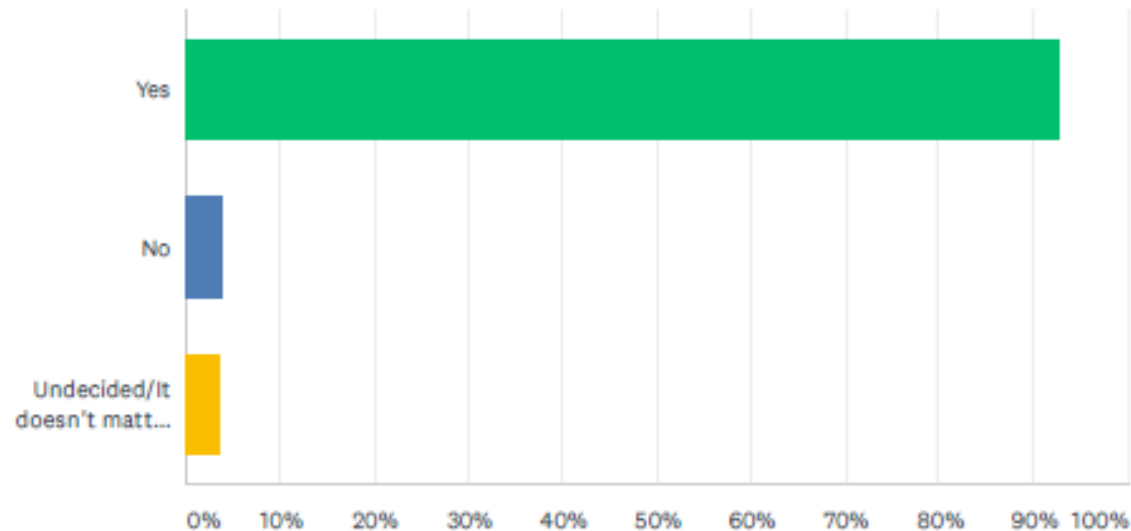
Public Consultation

- **Public Information Session**
 - Held on 01/23/20
- **Survey Results**
 - Posted online from Jan 17 to Feb 9, 2020
 - Over 650 responses received

Survey Results

Are you supportive of pet store owners requiring a business licence to operate in Newmarket?

Answered: 579 Skipped: 23



ANSWER CHOICES	RESPONSES	
Yes	92.57%	536
No	3.97%	23
Undecided/It doesn't matter to me	3.45%	20
TOTAL		579

Community Feedback

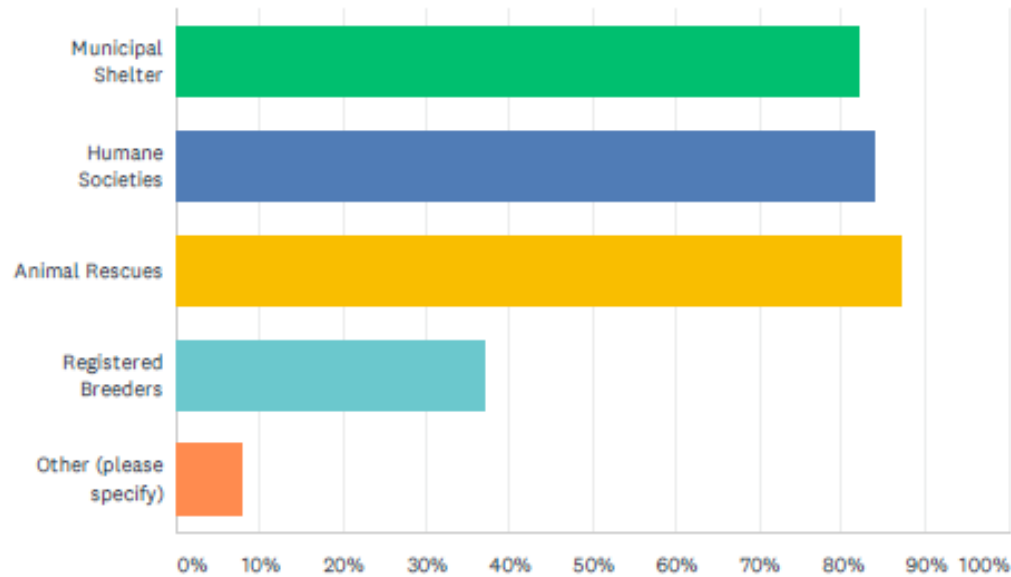
- *“I don’t think pet stores should sell pets, period. Pet ownership should be well considered and not a spontaneous purchase.”*
- *“I do not support animals, particularly dogs and cats, being sold in pet stores. They should have lists of where an interested buyer can go to find their pet (dog or cat)”*
- *“No restrictions. Our animal cruelty laws are sufficient to protect animals , e.g. animals are better protected than humans. We do not need additional regulatory burden which will result in costs. The negative impact from increasing costs and regulations will be more unwanted animals and reduced chance of pets to find loving home. Think about this! and see THE BIGGER PICTURE!”*

How Did We Address This?

- Introduction of a Pet Store business licence
- Ability to regulate the sale of pets and pet-related items in a retail setting
- Streamlined application for easy registration
 - Name of applicant
 - Basic company information
 - Dog or cat sourcing information (if applicable)
- Nominal fee of \$150 annually

If the Town were to restrict where pet stores source their animals, which of the following sources do you support? (select all that apply)

Answered: 574 Skipped: 28



ANSWER CHOICES	RESPONSES	
Municipal Shelter	82.06%	471
Humane Societies	83.97%	482
Animal Rescues	86.93%	499
Registered Breeders	37.11%	213
Other (please specify)	8.01%	46
Total Respondents: 574		

Community Feedback

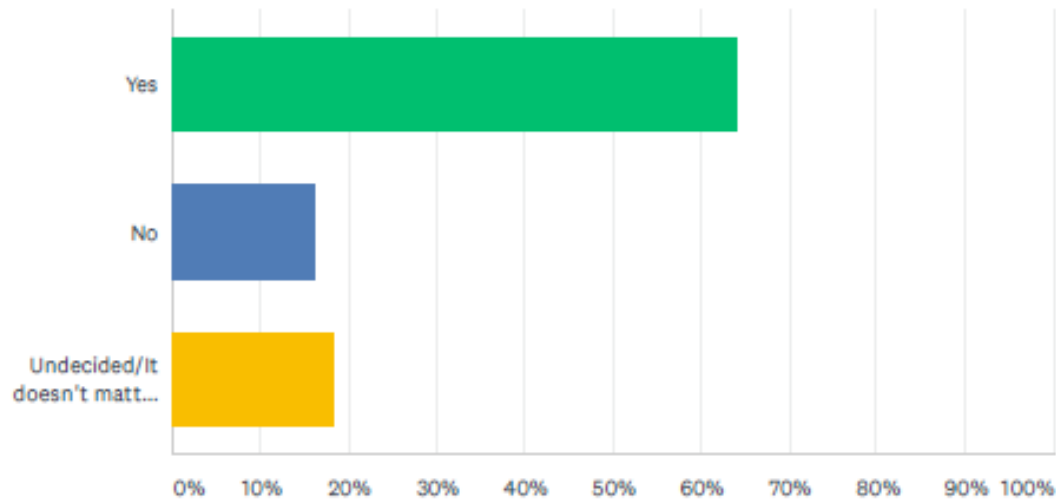
- *“The Town needs to verify animal rescues are legit (registered charitable or non profit status with the CRA for example).”*
- *“Overrun shelters out of area.”*
- *“Rescue shelters but no dogs from out of country.”*
- *“Reputable breeders following a code of ethics set by the Canadian kennel club and/or their breed club will NOT supply puppies to a pet store, nor should any rescue group that truly cares; as proper screening of homes and matching the right dog/cat to that home isn't possible. Pet stores should sell dogs or cats at all.”*

How Did We Address This?

- Regulations proposed for dog/cat sourcing
 - municipal animal shelters
 - registered humane societies
 - registered shelters
 - recognized animal rescue group
- Consistent with other municipalities

Q5 Are you satisfied with the current provisions in the Animal Control By-law regarding noise/barking?

Answered: 571 Skipped: 31



ANSWER CHOICES	RESPONSES	
Yes	64.27%	367
No	16.11%	92
Undecided/It doesn't matter to me	18.39%	105
TOTAL		571

Comments Heard

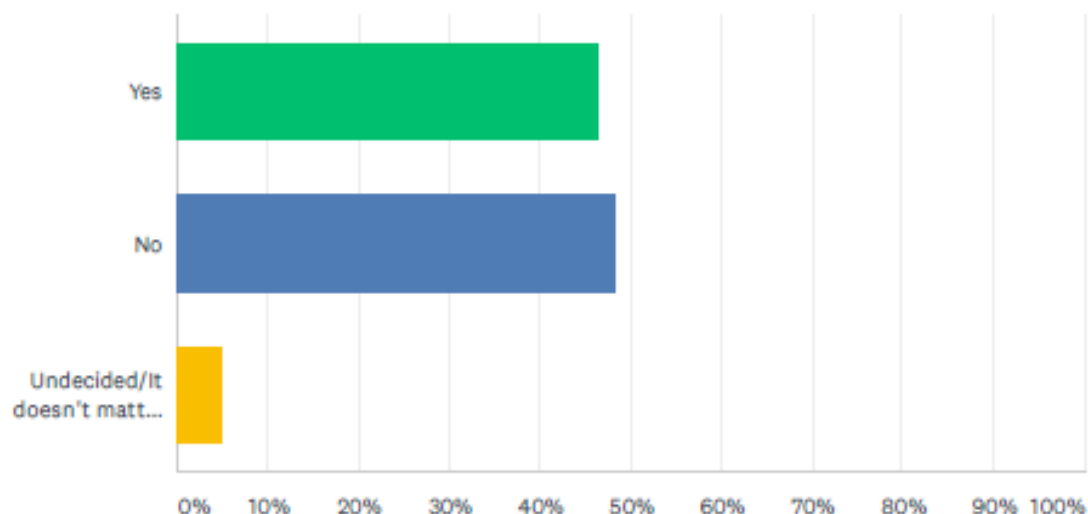
- *“Animals should be brought inside if barking.”*
- *“Many of the dogs that are barking are doing so on an on-going basis because of their owners leaving them outdoors without proper food, water and shelter. It is important that the root cause is addressed and the animals are protected.”*
- *“I complained to bylaw and they told me to provide proof and I may have to go to court regarding barking...before they would even address my concern. Not helpful.”*

How Did We Address This?

- Noise By-law
- Additional noise provisions in proposed Animal Control By-law
- AMPS
 - Easier to enforce
 - Reduces the burden on our residents

Are you satisfied with the current provisions regarding tethering in the Animal Control By-law?

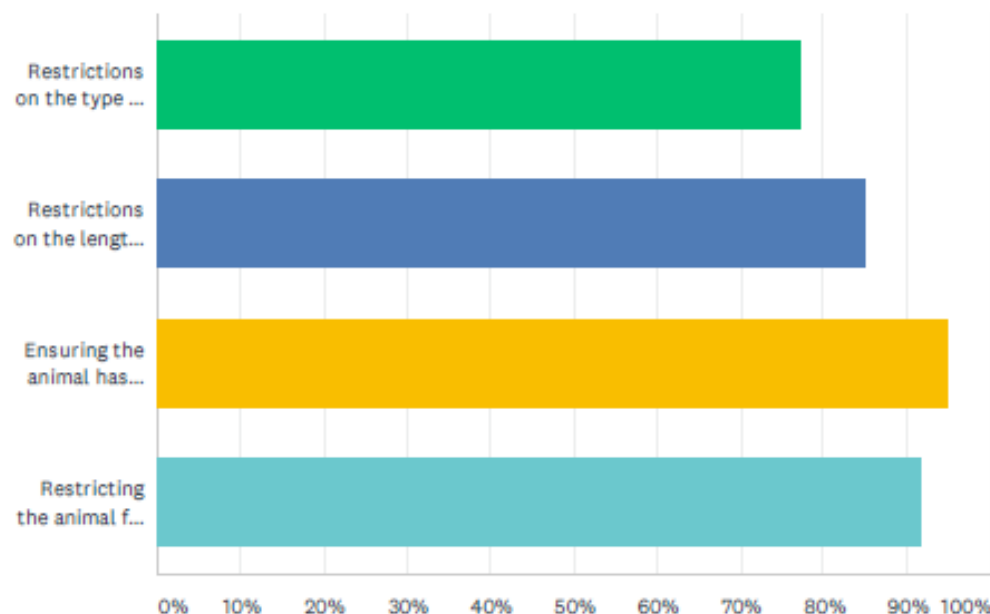
Answered: 558 Skipped: 44



ANSWER CHOICES	RESPONSES	
Yes	46.42%	259
No	48.39%	270
Undecided/It doesn't matter to me	5.02%	28
TOTAL		558

Would you like to see any of the following regulations added to Newmarket's Animal Control By-law regarding tethering? (select all that apply)

Answered: 553 Skipped: 49



ANSWER CHOICES	RESPONSES	
Restrictions on the type of collar worn when the animal is on a tether (i.e. choke, chain, prong)	77.22%	427
Restrictions on the length of time allowed on a tether (i.e. 4 hours in a 24 hour period)	84.99%	470
Ensuring the animal has access to adequate water, food, shelter and shade	94.94%	525
Restricting the animal from being tethered during inclement weather (i.e. Environment Canada Weather Statements)	91.68%	507
Total Respondents: 553		

Comments Heard

- *“Tethering should not be for an unlimited amount of time. Tethering is fine for an hour on the front lawn during the summer with the family close by gardening etc. It allows the dog to safely be part of activities with no fence. A dog unattended and tethered all day in the middle of winter is inhumane.”*
- *“No animal should be tied up indefinitely and left outside.”*
- *“Quicker response to reporting. Easier way to get in contact with officers.”*

How Did We Address This?

- Increased tethering restrictions to match trends in other communities
 - Device must be 3m in length
 - Unrestricted movement
 - Access to food, water, shelter and shade
 - Restrictions on types of collars used
 - 3hr time limitation

Additional Comments

- *“There's nowhere that talks about the allowance and protection of colony cats which I think is important.”*
- *“Would love to see changes to bylaw and programs to support TNRM program.”*
- *“Positive list for species allowed.”*
- *“Though I personally would never buy a dog or cat from a pet store. By banning the practice, your town is just further pushing people to the Black market and making it less safe for people and animals. At least with brick and mortar stores, the town can hold them accountable.”*
- *“Do you have a Hobby Kennel Licence for CKC Recognized members?”*
- *“Traveling Zoo’s need to be regulated.”*

How Did We Address This?

Feral Cats and Trap, Neuter, Release (TNR) Program

- Feral cat complaint calls remain low
- Exemption provided under feeding wildlife

Positive List for Species

- Aurora = only municipality to have a 'permitted list' vs 'prohibited list'

Black Market/Kennel

- Under review/not recommended at this time
- Zoning amendments required

Traveling Zoos

- Addressed by definition of Pet Store (includes rental)
- Newmarket locations will be required to obtain a licence
- Restrictions under the prohibited animals list apply

Proposed Regulations

Animal Control

- ✓ Dogs and cats must be licensed
- ✓ Dogs and cats at large remain prohibited
- ✓ Stoop and scoop requirements
- ✓ Stronger tethering restrictions
- ✓ Appropriate access to food, water, and shelter
- ✓ Stronger noise/barking restrictions
- ✓ Updated prohibited animals list

Proposed Regulations

Pet Store Licensing

- ✓ Pet Stores must apply for and obtain a business licence
- ✓ Animal caging and storage requirements
- ✓ Appropriate access to food, water, and exercise
- ✓ Dog and cat sourcing requirements
 - municipal animal shelters
 - registered humane societies
 - registered shelters
 - recognized animal rescue group

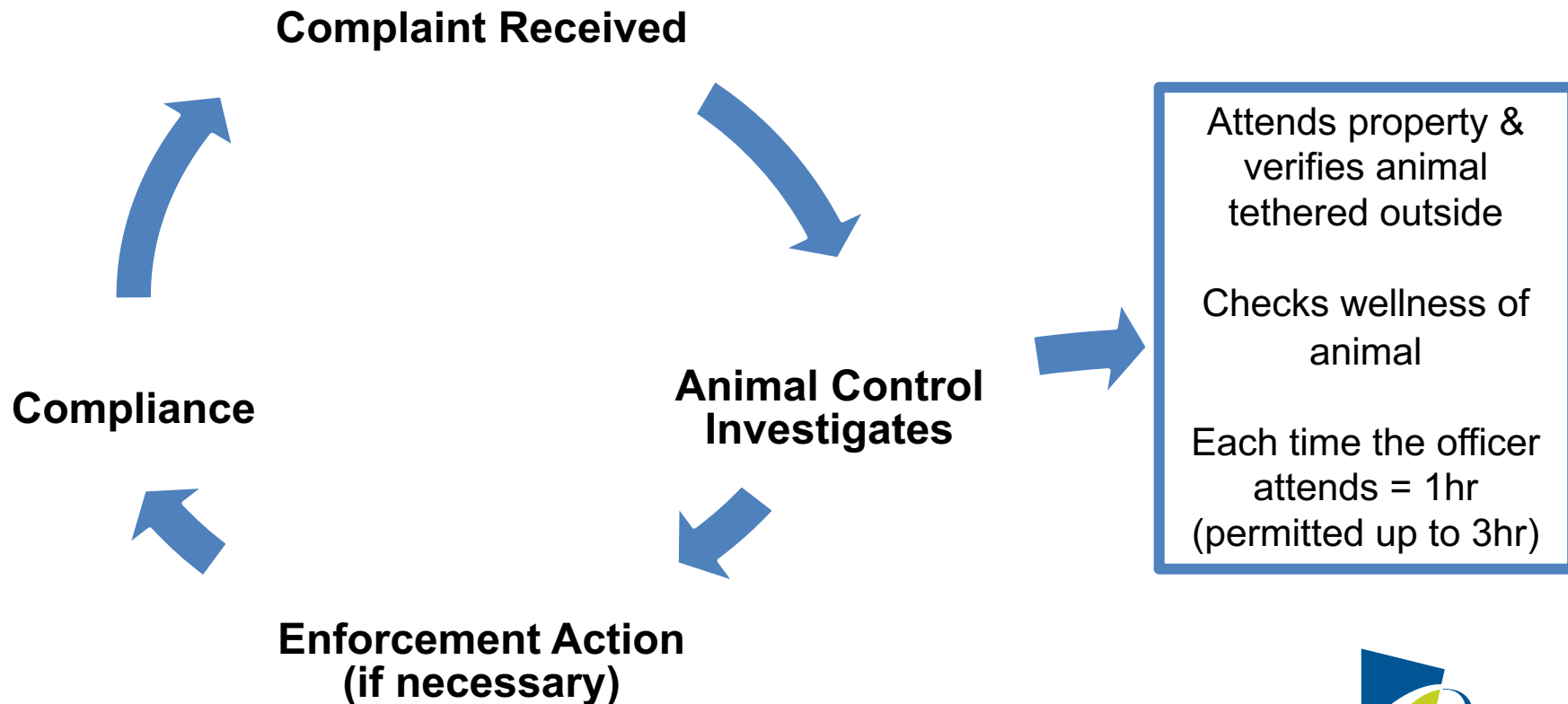
Enforcement Strategy

Scenario #1 – Noise/Barking Dog

Current By-law	Newly Proposed By-law
1. Complaint received	1. Complaint received
2. Noise log provided to COM	2. Noise log can be provided OR any evidence of noise (audio/video)
3. COM tracks noise (approx. 1-2wks) prior to charge being laid	3. AMPS ticket issued
4. COM must attend court to verify noise charge	4. COM does <u>not</u> need to attend dispute hearing

Enforcement Strategy

Scenario #2 – Animal being Tethered



Enforcement Strategy

Scenario #3 – Unlawful Dog or Cat Sourcing

1. Complaint Received
2. Licensing Officer Investigates
 - Conducts inspection
 - Verify records
 - Checks wellness of animal
 - Verifies other by-law restrictions (caging, water/food, vet-checked, etc)
3. Enforcement Action (if necessary)
 - AMPS ticket(s) issued
 - Unlawful animals required to be removed from store
 - Pet Store may have licence suspended/revoked

Conclusion and Next Steps

- Recommendations
 - Approve proposed Animal Control By-law
 - Approve proposed Business Licence By-law
 - Phased approach to Breeders and Kennels
- Staff is committed to ongoing consultation
- Continue to monitor feral cats, TNR programs, travelling zoos, and other concerns identified through public consultation

Questions





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

Email: info@newmarket.ca | Website: newmarket.ca | Phone: 905-895-5193

Animal Control and Pet Store Licensing Staff Report to Council

Report Number: 2020-40

Department(s): Legislative Services

Author(s): Flynn Scott, Manager of Regulatory Services

Meeting Date: June 15, 2020

Recommendations

1. That the report entitled Animal Control and Pet Store Licensing dated June 15, 2020 be received; and,
2. That Council approve the draft Animal Control By-law 2020-XX; and,
3. That Council approve the draft Business Licence By-law 2020-XX; and,
4. That Council directs staff to move forward with a phased approach to breeders and kennels, where zoning is amended to permit such businesses within specific zones;
5. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Executive Summary

Animal welfare has been a growing discussion on a municipal level as a direct result of recent provincial changes regarding the role and expectations of the Ontario Society for the Prevention of Cruelty to Animals (OSPCA). Municipalities throughout Ontario have identified gaps in legislative authority to properly address growing community concerns in relation to animal welfare and protection. On January 1, 2020, the province enacted the Provincial Animal Welfare Services (PAWS) Act to bridge identified gaps in enforcement responsibilities between local governing bodies and the provincial government. In an effort to maintain community expectations, the Town of Newmarket has undergone a comprehensive review of its existing Animal Control By-law and to propose a Pet Store licensing regime for Council's consideration.

Purpose

The purpose of this report is to present Council with next steps regarding the care and control of animals through the adoption of the Animal Control By-law 2020-XX. This report also presents to Council the licensing framework of Pet Stores through the adoption of the Business Licence By-law 2020-XX.

Background

Legislative Authority

Under the Municipal Act, a municipality may enact by-laws respecting animals, which includes domestic animals such as dogs or cats. Additional powers are provided to seize, impound, and sell animals that are trespassing or at large.

The Municipal Act also allows the Town to provide for a system of licences with respect to certain classifications of business by adopting a licensing by-law. As specified in the Municipal Act, a licensing by-law should relate to consumer protection, the economic and social well-being of the municipality, and the health, safety, and well-being of persons in the municipality. Conditions may be imposed on a licence to ensure a business is compliant with the regulations established to reflect community objectives.

Historical Reference

On March 25, 2019, a Regulatory Review Workshop with Council identified Animal Control and Pet Store Licensing to move forward with amendments and new regulations by Q4 2019.

Throughout Q3 and Q4 of 2019, the Manager of Regulatory Services has engaged stakeholders by facilitating one-on-one meetings to receive feedback and hear recommendations for how to move forward and propose regulations that balance the needs and expectations of the community.

In December 2019, a third party consultant (StrategyCorp) conducted an administrative and service level delivery review for the Town of Newmarket. Part of this review identified the Administrative Monetary Penalty System (AMPS) as a relevant tool for enforcement of newly proposed by-laws moving forward.

On January 23, 2020, a Public Information Centre (PIC) was held to receive community input and feedback for proposing changes to the existing Animal Control By-law, while also considering new regulations for Pet Stores within the Town of Newmarket.

An online survey was posted online at HeyNewmarket.ca to receive stakeholder and community input from January 17 to February 9, 2020. The survey was highly effective and resulted in over 650 participants.

Town staff was on target to bring forward a proposed Animal Control By-law and a licensing framework for Pet Stores in April, 2020. However, due to the COVID-19

pandemic, project plans were postponed until a later date. As part of the Outstanding Matter List presented to Council at the May 19, 2020 Electronic Special Council Meeting, Council approved moving forward with the proposed Animal Control and Pet Store Licensing By-laws in June 2020.

Discussion

The Town of Newmarket Regulatory Services Department has undertaken a review of current regulations throughout various Ontario municipalities in relation to animal-related services to identify best practices pertaining to:

- care and control practices;
- animal registration (licence tags);
- dogs and cats at large;
- feral cats;
- stoop and scoop;
- muzzle order requirements;
- noise/barking dogs;
- tethering;
- feeding wildlife; and
- prohibited animals.

Further research has also been completed to explore municipalities that regulate Pet Stores and the requirements imposed pertaining to:

- care and control practices;
- cages and storage of animals;
- access to food and water;
- hours of operation;
- records retention;
- animal sourcing; and
- breeder restrictions.

Public Consultation for Animal Control and Pet Store Regulations

On January 23, 2020, the Town of Newmarket held a Public Information Centre (PIC) to conduct consultation and receive community input on regulations pertaining to animal services. A survey was also posted to HeyNewmarket.ca from January 17 to February 9, 2020, where the Town received over 650 responses from public engagement. Provided below is a summary of the feedback received:

Animal Control: Tethering

Are you satisfied with current provisions regarding tethering in the Animal Control By-Law?



■ Yes (46.42%)

■ No (48.39%)

■ Undecided/it doesn't matter to me (5.02%)

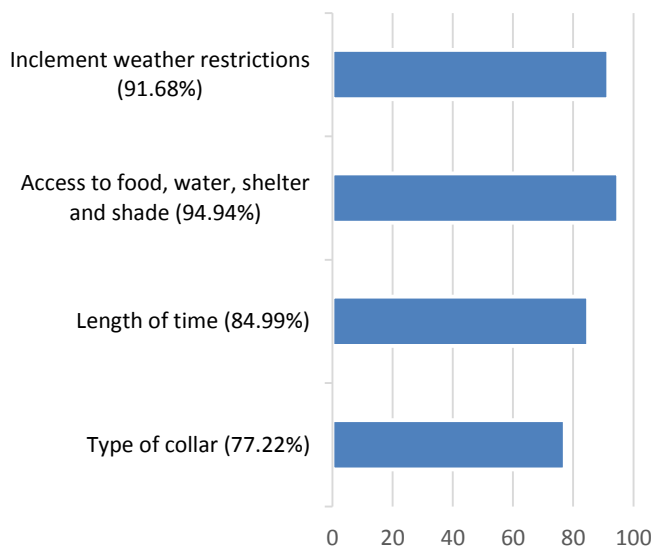
When asked about the Town's current animal tethering regulations, **270** out of **558** respondents reported that current provisions are not satisfactory to community expectations.

General comments were also received recommending stronger regulations regarding animal tethering to ensure the safety and wellbeing of animals within our community.

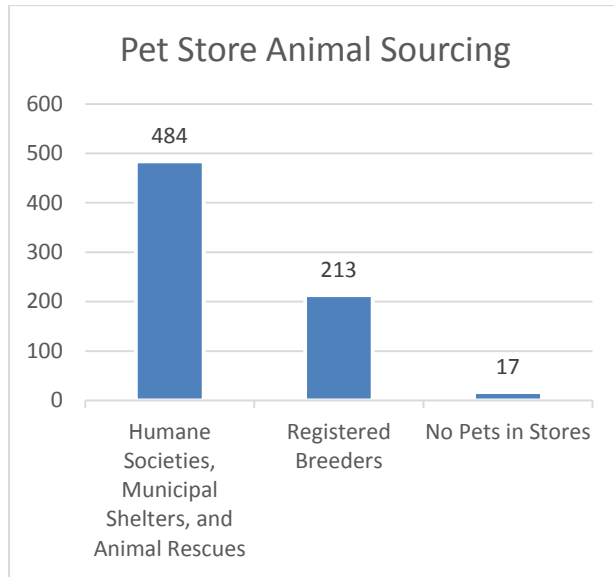
When asked about additional regulations regarding tethering:

- **507** out of **553** respondents want to see inclement weather protection for tethered animals;
- **525** out of **553** respondents felt that tethered animals should have access to food, water, and shelter;
- **470** out of **553** respondents want to see time limitations imposed; and
- **427** out of **553** respondents want to see clearer regulations on the type of collar permitted to be used while tethering.

Would you like to see any of the following regulations added to Newmarket's Animal Control By-law regarding tethering?
(select all that apply)



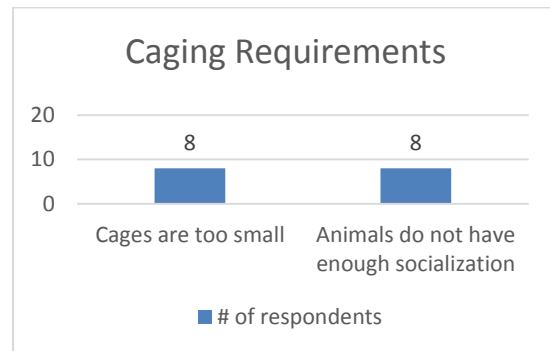
Pet Stores: Animal Sourcing



When asked about allowing Pet Stores to sell dogs or cats:

- **17** out of **46** respondents want to see no sales permitted;
- if sales were permitted, **484** out of **574** respondents want to see animals sourced from humane societies, shelters, or rescue groups; and
- if sales were permitted, **213** out of **574** respondents would support sourcing from registered breeders.

When asked about caging regulations for Pet Stores that have animals for sale, **8** out of **22** respondents commented that cages are often too small and there are not enough socialization protocol requirements in place to support the animals.



Additional comments were received requesting Pet Stores have stronger regulations to ensure:

- all rescue groups are legitimate before permitting animal sourcing for Pet Store sales;
- animals within a Pet Store have access to water, food, and reasonable exercise throughout the day; and
- only registered and licensed breeders are permitted to be used for animal sales to eliminate 'puppy mills'.

Overall, **536** out of **579** respondents (93%) strongly support licensing Pet Stores within the Town of Newmarket.

Please refer to **Appendix A** for additional information on community concerns that were raised during the consultation period and a review of how those concerns have been addressed.

Proposed Animal Control By-law 2020-XX

The Town of Newmarket currently regulates domestic animals and domestic animal owners under the Town's Animal Control By-law 2016-53. This By-law is primarily enforced through Aurora's Animal Services Division as a contracted partnership between the Town of Newmarket, the Town of Aurora, and the Town of Georgina. All municipalities within this partnership have committed to reviewing their existing Animal Control By-laws and to develop consistent regulations as closely as possible, while still recognizing individual community needs. The Town of Aurora recently adopted a new Animal Control By-law in July 2019, which has been reviewed prior to presenting the proposed by-law for Newmarket.

In addition to reviewing public feedback received through consultation, Town staff has also reviewed municipalities across Ontario to determine best practices moving forward.

Due to an overwhelming response being received for stronger regulations pertaining to animal tethering, Town staff are proposing new regulations as follows:

- the tether is never less than 3m;
- the animal has unrestricted movement;
- the animal is tethered in a manner that contains it to its own property;
- the animal has access to adequate water, food, shelter, and shade;
- choke collars or chains are not permitted while tethering; and
- the animal is tethered for no longer than 3 hours per day (consecutive or not).

Additional regulations are also being proposed pertaining to Animal Control as follows:

- amending current regulations that limit a person to owning up to three (3) dogs and four (4) cats to permit one (1) additional animal if it is a Service Animal;
- adding additional regulations to ensure every animal has access to water, food, shelter, and veterinary care (if required);
- adding new regulations pertaining to the feeding of wildlife to ensure feeders are kept in a sanitary condition to avoid further attractants than intended; and
- implementing existing Urban Hen requirements directly into the proposed by-law.

During the consultation period, comments were also received in support of regulations for a trap, neuter, and release program pertaining to feral cats. Upon review of other municipalities across Ontario, Town staff noted no other communities as having specific regulations pertaining to feral cats, with the exception of two (2) provisions:

1. Cats at large are not permitted and Animal Services will respond accordingly to any complaint calls received; and
2. A 'trap, neuter, and release' program is identified within the City of Toronto's Animal Control By-law, which grants exemptions to feeding wildlife for the intention of trapping and further clarifies that their Animal Services Department has the power to trap, neuter, and release, where deemed appropriate.

The Town's newly proposed Animal Control By-law has added an exemption to feeding wildlife for the intention of trapping feral cats and the existing provision regarding cats at large has been incorporated into the new regulatory framework proposed. A part from these additions, no other regulations have been imposed on feral cats.

Proposed Pet Store Licensing (Business Licence By-law 2020-XX)

The Town of Newmarket currently has no regulations pertaining to Pet Stores. Presently, there are three (3) known Pet Stores within Newmarket that actively sell animals or fish within the store, with an approximate total of five (5) known stores that operate primarily as a Pet Store within the Town. In conducting a review of Ontario municipalities, Town staff identified nine (9) of them as having a Pet Store licensing regime imposed. While some municipalities have imposed minimal restrictions, other communities have taken a stronger approach to regulate concerns identified pertaining to the sale of animals within a Pet Store. Please refer to **Appendix A** of this report for more information.

Due to an overwhelming response being received for stronger regulations pertaining to Pet Stores and animal sourcing, Town staff are proposing new regulations as follows:

- domestic animals (excluding cats or dogs) are permitted to be sold but are required to comply with very specific regulations, which include access to food, water, and appropriate caging restrictions;
- appropriate records are maintained for every animal and available upon request;
- a cat or dog is only permitted to be sold if sourced from a municipal animal shelter, a registered humane society, or a recognized animal rescue group;
- a cat or dog must be provided access to food and water, adequate caging and exercise, and must be veterinary checked to verify its health;
- every purchaser of a cat or dog shall be provided with a full record of the animal;
- every Pet Store must retain records for each cat or dog for a duration of twelve (12) months following its sale and available upon request;
- an attendant must be present in the Pet Store at all times during business operating hours; and
- no animals identified on the prohibited animals list shall be permitted to be sold or kept within the Town of Newmarket.

The proposed regulations are consistent with municipalities across Ontario that licence Pet Stores. They are also consistent with the general consensus of public feedback received during the consultation period.

It is relevant to note that animal sourcing of cats or dogs for Pet Stores has been a highly controversial discussion across varying municipalities that seek to restrict such sales. In consultation with a local Pet Store owner, feedback has been received to request consideration on allowing cats or dogs to be sourced from local breeders as an additional animal sourcing requirement. In reviewing the viability to include local breeders as a permitted animal sourcing option, Town staff identified several challenges

in doing so. For example, municipalities that permit the sourcing of animals from a local breeder have also established regulations and a licensing regime for breeders (defined as a kennel). Imposing regulations and a licensing regime on kennels further ensures that local breeders are not obtaining animals from 'puppy mills' or falsifying records for where the animals were obtained.

Currently, the Town's Zoning By-law does not permit breeders or kennels to operate on any property within the Town's boundaries. Without being able to regulate breeders or kennels through a licensing regime due to zoning restrictions, community concerns raised regarding 'puppy mill' sourcing would not be properly addressed. As a result, Town staff are not recommending to allow breeders as an animal sourcing option for Pet Stores at this time. However, staff are recommending a phased approach to kennels and breeders by reviewing zoning regulations to consider allowing such businesses to operate within the Town at a later date. Once a zoning review has been completed, consideration can be given on how to proceed through an amended licensing regime.

Conclusion

In reviewing the Animal Control By-law and a licensing regime for Pet Stores, Town staff has conducted extensive consultation with relevant stakeholders, neighbouring municipalities, and the community as a whole to identify new and improved regulations for the wellbeing of all animals within the Town of Newmarket. Staff will continue to engage stakeholders on a quarterly basis to ensure the regulations proposed meet the community's needs and expectations. Overall, the proposed regulations have addressed the most significant concerns raised during the public consultation process and staff will continue to monitor the success of the program on an ongoing basis.

Business Plan and Strategic Plan Linkages

This report aligns with the Town of Newmarket's vision of being *Well Beyond the Ordinary*. This report also aligns with the Rev-it-up recommendations for improving administration and service levels within the Town of Newmarket.

Consultation

Consultation has been conducted as follows:

- through a PIC and online survey to engage the public and address community expectations;
- through one-on-one meetings with relevant stakeholders to identify current challenges or gaps in legislation;
- with a local Pet Store owner within the Town to understand financial impacts to their business operations; and
- with various municipalities across Ontario to better understand their existing regulations.

Municipalities that were reviewed include:

- Toronto;
- Hamilton;
- Brampton;
- Mississauga;
- Oshawa;
- Aurora;
- Richmond Hill;
- Vaughan;
- Markham;
- Kitchener; and
- London.

The Town's Legal Department was also provided a copy of this report and the proposed by-laws prior to being presented to Council.

Human Resource Considerations

There are no impacts to human resources for implementing the proposed by-laws.

Budget Impact

There are no impacts to budget for implementing the proposed by-laws. The Town of Aurora will continue to provide Animal Services pursuant to the existing contract between Aurora and Newmarket and the Town's Licensing Division will enforce Pet Stores as part of their regular duties.

Attachments

Attachment #1: Appendix A – Public Consultation Results

Attachment #2: Animal Control By-law 2020-XX

Attachment #3: Business Licence By-law 2020-XX

Approval

Lisa Lyons, Town Clerk/Director of Legislative Services, Corporate Services

Esther Armchuk, Commissioner, Corporate Services

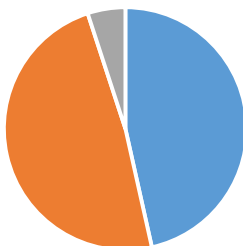
Contact

Flynn Scott, Manager of Regulatory Services, Legislative Services

fscott@newmarket.ca

Animal Control & Pet Store Licensing Report

Appendix A – Public Consultation Results

Survey Question with Results	Additional concerns raised by community	Number of additional comments received	Has this concern been addressed in the proposed by-laws?	Do other municipalities researched address these concerns in their by-laws?
<p>Are you satisfied with current provisions regarding tethering in the Animal Control By-Law?</p>  <p>■ Yes (46.42%) ■ No (48.39%) ■ Undecided/it doesn't matter to me (5.02%)</p>	<ol style="list-style-type: none"> 1. Tether length should be minimum 3m 2. Tethering should not be permitted 3. Tethered animals should have access to food, water, and shelter 4. Tethered animals should be protected from inclement weather 5. Tethering hours should be limited 6. Animals should be supervised when tethered 	<p>232</p>	<ol style="list-style-type: none"> 1. Yes 2. No 3. Yes 4. Yes 5. Yes 6. No 	<ol style="list-style-type: none"> 1. Yes 2. No 3. Yes 4. Yes 5. Yes 6. No

Animal Control & Pet Store Licensing Report

Appendix A – Public Consultation Results

Survey Question with Results	Additional concerns raised by community	Number of additional comments received	Has this concern been addressed in the proposed by-laws?	Do other municipalities researched address these concerns in their by-laws?												
<p>Q4 If the Town were to restrict where pet stores source their animals, which of the following sources do you support? (select all that apply)</p> <p>Answered: 574 Skipped: 28</p> <table><caption>Support for Animal Sourcing Options</caption><thead><tr><th>Source</th><th>Percentage</th></tr></thead><tbody><tr><td>Municipal Shelter</td><td>~82%</td></tr><tr><td>Humane Societies</td><td>~82%</td></tr><tr><td>Animal Rescues</td><td>~85%</td></tr><tr><td>Registered Breeders</td><td>~38%</td></tr><tr><td>Other (please specify)</td><td>~8%</td></tr></tbody></table>	Source	Percentage	Municipal Shelter	~82%	Humane Societies	~82%	Animal Rescues	~85%	Registered Breeders	~38%	Other (please specify)	~8%	<ol style="list-style-type: none">1. Do not agree with animals being sold in stores2. Animals should be permitted to be sold in stores3. If sold in stores, animals should be sourced from shelters or rescues4. Breeders or rescues should be vetted to ensure they do not source from a puppy mill	<p>46</p>	<ol style="list-style-type: none">1. No2. Yes3. Yes4. Yes (by not permitting breeders as a sourcing option)	<ol style="list-style-type: none">1. No municipalities outright ban the sale of animals in Pet Stores2. Yes with restrictions on sourcing3. Yes4. Yes (by licensing kennels and breeders)
Source	Percentage															
Municipal Shelter	~82%															
Humane Societies	~82%															
Animal Rescues	~85%															
Registered Breeders	~38%															
Other (please specify)	~8%															

Animal Control & Pet Store Licensing Report

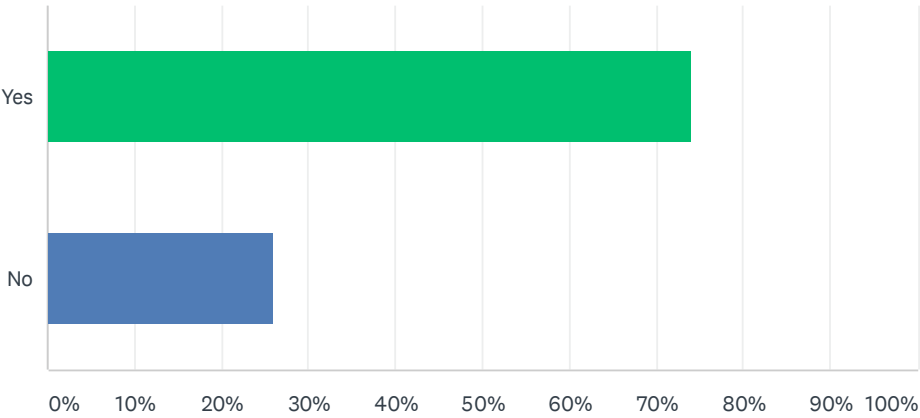
Appendix A – Public Consultation Results

Survey Question with Results	Additional concerns raised by community	Number of additional comments received	Has this concern been addressed in the proposed by-laws?	Do other municipalities researched address these concerns in their by-laws?								
<p>Are you satisfied with the current provisions in the Animal Control By-law regarding noise/barking?</p> <p>Answered: 571 Skipped: 31</p> <table><caption>Survey Results: Noise/Barking Satisfaction</caption><thead><tr><th>Response</th><th>Percentage</th></tr></thead><tbody><tr><td>Yes</td><td>~65%</td></tr><tr><td>No</td><td>~15%</td></tr><tr><td>Undecided/It doesn't matter...</td><td>~20%</td></tr></tbody></table>	Response	Percentage	Yes	~65%	No	~15%	Undecided/It doesn't matter...	~20%	<ol style="list-style-type: none">1. Improve the definition of excessive barking2. Dogs bark and should not be enforced3. Dogs bark due to distress and that should be addressed4. Do not allow dogs to be left outside constantly barking	<p>98</p>	<ol style="list-style-type: none">1. Yes2. No3. Yes4. Yes	<ol style="list-style-type: none">1. Yes2. No3. Yes4. Yes
Response	Percentage											
Yes	~65%											
No	~15%											
Undecided/It doesn't matter...	~20%											

Municipalities Researched that Specifically Restricts Animal Sourcing to Shelters, Rescues, or Humane Societies	Municipalities Researched that Regulates Breeders or Kennels
Brampton	Barrie
Georgina	Georgina
Kitchener	Hamilton
London	Kingston
Markham	Kitchener
Mississauga	Markham
Oshawa	Mississauga
Toronto	Richmond Hill
Vaughan	Vaughan
	Whitchurch-Stouffville

Q1 Are you a resident of Newmarket?

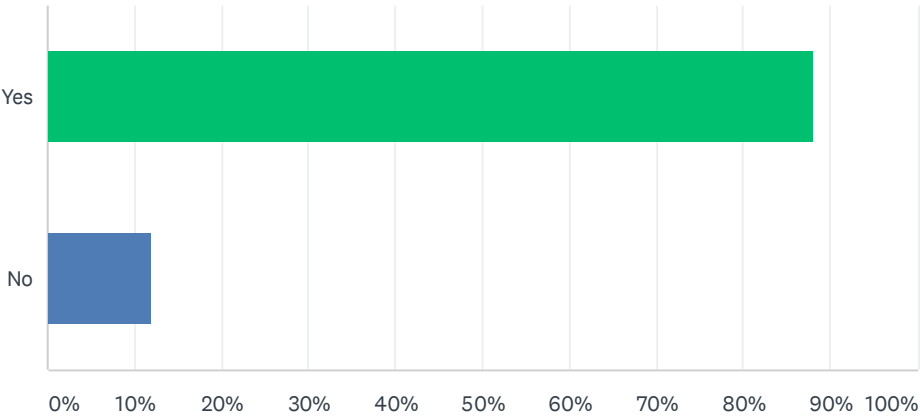
Answered: 602 Skipped: 0



ANSWER CHOICES		RESPONSES
Yes	74.09%	446
No	25.91%	156
TOTAL		602

Q2 Are you a pet owner? (includes fostering)

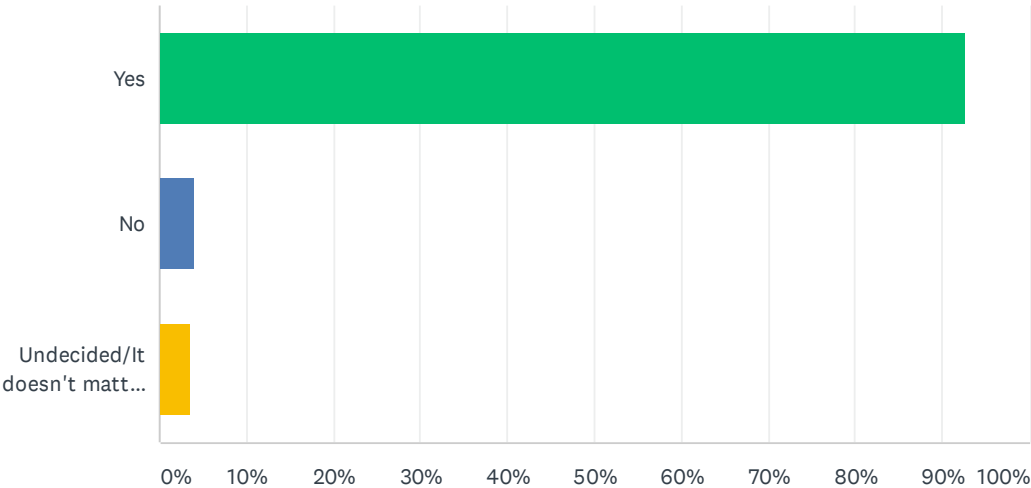
Answered: 600 Skipped: 2



ANSWER CHOICES		RESPONSES
Yes	88.00%	528
No	12.00%	72
TOTAL		600

Q3 Are you supportive of pet store owners requiring a business licence to operate in Newmarket?

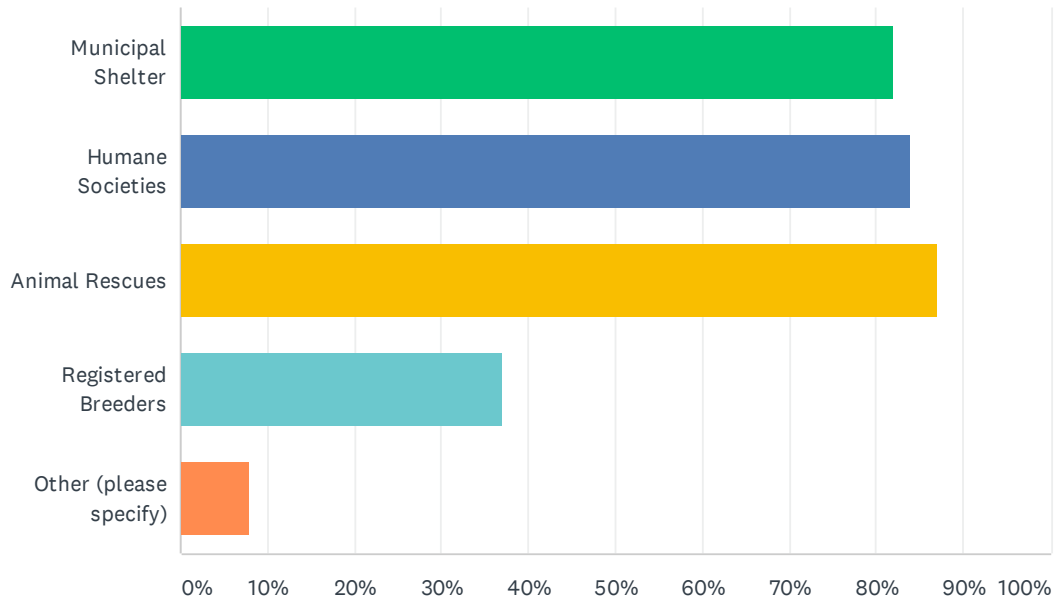
Answered: 579 Skipped: 23



ANSWER CHOICES		RESPONSES	
Yes		92.57%	536
No		3.97%	23
Undecided/It doesn't matter to me		3.45%	20
TOTAL			579

Q4 If the Town were to restrict where pet stores source their animals, which of the following sources do you support? (select all that apply)

Answered: 574 Skipped: 28



ANSWER CHOICES	RESPONSES	
Municipal Shelter	82.06%	471
Humane Societies	83.97%	482
Animal Rescues	86.93%	499
Registered Breeders	37.11%	213
Other (please specify)	8.01%	46
Total Respondents: 574		

Animal Control and Licensing Survey

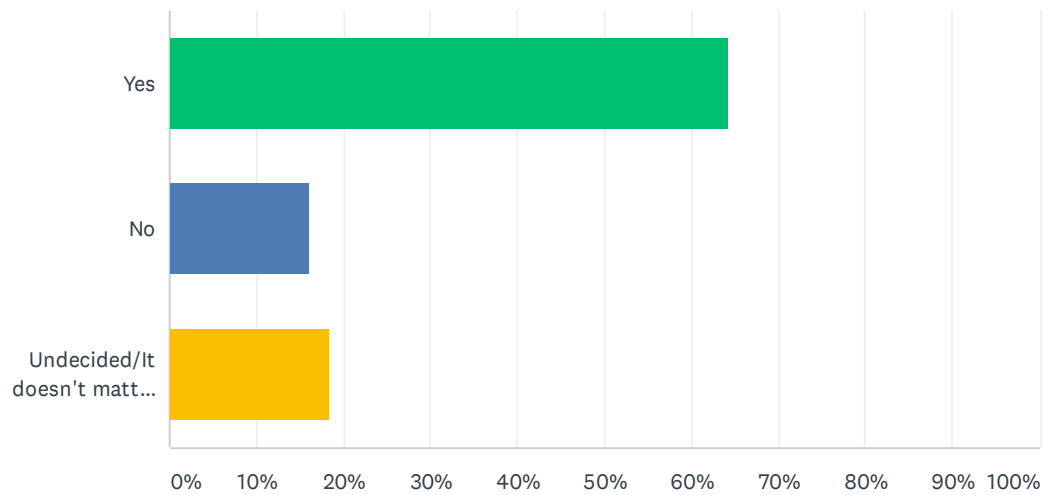
#	OTHER (PLEASE SPECIFY)	DATE
1	I do not believe pet stores should sell animals	2/7/2020 11:43 AM
2	I don't think pet stores should sell pets, period. Pet ownership should be well considered and not a spontaneous purchase.	2/6/2020 12:21 PM
3	Pet Stores shouldn't be selling animals!	2/6/2020 11:08 AM
4	The Town needs to verify animal rescues are legit (registered charitable or non profit status with the CRA for example.	2/5/2020 7:04 PM
5	Pet Stores should be restricted to selling pet food and accessories - NOT live animals.	2/2/2020 8:12 PM
6	NO PUPPY MILLS- only breeders proven to care for the animals- not the profits from selling them.	2/2/2020 4:42 PM
7	Puppy Mills	2/1/2020 9:30 AM
8	any source that treats animals with dignity, respect, putting their needs first	1/30/2020 3:31 PM
9	International rescue	1/30/2020 7:53 AM
10	I do not support animals, particularly dogs and cats, being sold in pet stores. They should have lists of where an interested buyer can go to find their pet (dog or cat	1/29/2020 12:13 PM
11	Registered responsible breeders	1/29/2020 11:49 AM
12	Overrun shelters out of area	1/27/2020 4:58 PM
13	None at all. Pet store owners do NOT check out the suitability of a potential owner. They want a quick sell. I experienced it myself.	1/26/2020 8:59 PM
14	Private sales	1/25/2020 5:11 PM
15	Customers whose previously purchased pets have produced offspring	1/24/2020 4:15 PM
16	Breeders are profit-based; I would oppose sourcing from breeders.	1/24/2020 10:48 AM
17	Only reputable rescues that are inspected	1/24/2020 9:41 AM
18	Rescue shelters but no dogs from out of country	1/24/2020 7:51 AM
19	Dog lovers, pet lovers who want to help	1/23/2020 11:57 PM
20	Neither, should not sell them in stores... a good/ethical breeder would want to vet families of the new pup, home raise them and only breed with purpose - usually have waiting lists for their pups, shelters and societies have their own facilities, with animal rescues no way to know if they are legit or ethical. Perhaps just have days where rescues/humane societies/shelters/breeders come in and offer information sessions and then adoption/sale goes through original source	1/23/2020 12:41 PM
21	No live pets	1/23/2020 12:02 PM
22	Reliable sources	1/23/2020 10:00 AM
23	Pet store owners are bridging the want for pet companions and taking the rehoming of pets away from an unpoliced mechanism like kijiji	1/23/2020 3:25 AM
24	Should not sell dogs	1/23/2020 12:28 AM
25	No one. Pet stores are not ideal places for dogs or cats to live, including rescues. Cages are too small and not enough socialization.	1/22/2020 11:29 PM
26	None	1/22/2020 8:36 PM
27	As a responsible breeder of dogs I do not support selling pets from retail establishments. Animals require proper care and in the case of dogs they require socialization and interaction with their siblings and dams. No responsible breeder would allow puppies to be sold to strangers from a retail store. Networks of recommendations education days and collaboration between stores and breeders would be nice. Municipal shelter would be the next best option, not ideal.	1/22/2020 7:28 PM

Animal Control and Licensing Survey

28	Rescues that have temperament tested the animals and the animals have been cleared for illnesses from other countries	1/22/2020 3:08 PM
29	I don't agree that animals should be sold in pet stores. People should go to shelters or rescues for pets. No puppy mills!	1/22/2020 2:26 PM
30	Reputable breeders following a code of ethics set by the Canadian kennel club and/or their breed club will NOT supply puppies to a pet store, nor should any rescue group that truly cares; as proper screening of homes and matching the right dog/cat to that home isn't possible. Pet stores should sell dogs or cats at all.	1/22/2020 11:33 AM
31	I do not believe that dogs and cats should be sold in pet stores. The selling of these animals in pet stores encourages retail rescues, commercial breeding and puppy mills and back yard breeders breeding for profit. Even shelters will purchase animals from other countries in order to fill the market and make a profit.	1/22/2020 11:14 AM
32	Canadian Kennel Club Reg'd Breeders only. Rescues from Canadian Breed specific clubs & Canadian Non-Profit Rescues. No Retail Rescue, foreign imports USA, over seas	1/22/2020 10:03 AM
33	I don't think pet stores should sell animals, especially when they come from puppy mills and breeders. There are so many animals in shelters and rescues that need homes	1/21/2020 1:58 PM
34	Anywhere, along as they are vet checked and in good health.	1/21/2020 1:39 PM
35	rescues, shelters, and humane societies	1/21/2020 10:33 AM
36	I don't agree with any pets sitting in a window to be sold, if they were to come from animal shelter or rescue it would have to simply be an adoption fee not a sale.	1/21/2020 10:32 AM
37	None I don't believe animals get the proper attention in pet stores they get elsewhere ie humane societies, animal rescues and municipal shelters. Stores primary purpose is sales, # 1, that is their bottom line, they are not nearly as interested in animal welfare	1/21/2020 10:24 AM
38	No restrictions. Our animal cruelty laws are sufficient to protect animals , e.g. animals are better protected than humans. We do not need additional regulatory burden which will result in costs. The negative impact from increasing costs and regulations will be more unwanted animals and reduced chance of pets to find loving home. Think about this! and see THE BIGGER PICTURE!.	1/21/2020 8:49 AM
39	Stores should not be allowed to sell dogs and cats. They should refer customers to shelters etc. Post pics only	1/20/2020 10:13 PM
40	Local or trusted breeders	1/20/2020 6:48 PM
41	Breeders that probe their operations are NOT puppy mills.	1/20/2020 4:39 PM
42	farms	1/20/2020 12:48 PM
43	I don't support them.	1/20/2020 9:49 AM
44	Long standing rescues- but meet ethical criteria	1/19/2020 8:34 AM
45	I would like there to be a registry of rescues- anyone can call themselves a 'rescue' This needs to be legislated and supervised/controlled	1/18/2020 11:53 AM
46	rescues	1/18/2020 10:36 AM

Q5 Are you satisfied with the current provisions in the Animal Control By-law regarding noise/barking?

Answered: 571 Skipped: 31



ANSWER CHOICES	RESPONSES	
Yes	64.27%	367
No	16.11%	92
Undecided/It doesn't matter to me	18.39%	105
TOTAL		571

Animal Control and Licensing Survey

#	IF NO, PLEASE PROVIDE PROVISIONS THAT YOU WOULD LIKE TO SEE:	DATE
1	If an animal has reason to engage in repetitive barking / howling etc., it most likely requires attention, as if may not be having its basic needs met. Therefore investigation into the animal's well-being is warranted.	2/9/2020 7:18 PM
2	Stricter enforcement of barking/howling dogs.	2/9/2020 1:57 PM
3	They're animals. I'm not sure how we can expect every type and breed to simply comply or fall within these regulations.	2/9/2020 9:20 AM
4	We haven't had any personal experience with this however, other people have told us the bylaws haven't helped them with their neighbours dog who barks too much	2/8/2020 10:52 AM
5	Each situation should be looked at. What is the welfare of the animal? Is it constant?	2/7/2020 9:44 PM
6	Why is the dog barking at all hours of the day or night. What conditions is the dog living in to allow it to bark at all hours without the owner breaking up the disturbance	2/7/2020 12:58 PM
7	No animals to be tied up and left outside for extended periods of time	2/6/2020 5:18 PM
8	Animals should never be tied up and left outside for long periods of time. This leads to distressed barking and is cruel	2/6/2020 11:25 AM
9	A 20 minute maximum time limit on barking.	2/5/2020 7:05 PM
10	Provided its is a reoccurring issue and not a one off	2/4/2020 9:20 AM
11	The provisions should be extended. Regretfully, I regularly hear dogs barking for extended times in cold weather and hot days that may be caused by lazy or careless owners. The provision should also stipulate that the owner must provide shelter and water/food for the animals to allow a safe environment. Also, both financial penalties and criminal charges, should be laid against owners that abuse the animals. The animals should be removed if it is proven the animals were mistreated.	2/2/2020 4:53 PM
12	I don't think it is enforced enough. People hardly get warnings. People should get steeper fines for excessive barking outside.	2/1/2020 12:30 PM
13	Dogs not let out unsupervised into back yard, they bark uncontrolled at everything.	2/1/2020 11:54 AM
14	I complained to bylaw and they told me to provide proof and I may have to go to court regarding barking...before they would even address my concern. Not helpful.	2/1/2020 10:02 AM
15	I think it's too vague and would allow for the destruction of dogs for simply barking because people can't mind their own business	1/31/2020 6:30 PM
16	Barking/howling is an indication that something is not right. People who own barking/howling dogs need to understand/learn why the dog is barking/howling and either remove the dog from the situation i.e. Bring the dog indoors or fix what is happening for example, is the dog in discomfort or is there a skunk under the porch. The dog owner should be investing a lot of time in the comfort and understanding that dog.	1/31/2020 10:16 AM
17	Some dogs take time to break the bark reaction, I would rather see people have to take training classes if their dog falls into this category, also some neighbors are out to cause problems because they personally don't like dogs so A proper trainer would be able to clear any accusations	1/31/2020 6:21 AM
18	If a complaint is made but the pet was brought in. Bylaw should still go to the home as the complaint was still made. It shouldn't become nil and void because the pet was finally brought in from barking at the door.	1/30/2020 11:14 PM
19	enforcement of the current provisions	1/30/2020 10:43 PM
20	Some dogs bark for reasons beyond the nuisance people claim. We can't get rid of these dogs. We need to work with them, humanely, through their struggles	1/30/2020 9:50 PM
21	Perhaps the issue ia with the dog & requires help? Would it be different for an unruly & loud resident??	1/30/2020 9:42 PM
22	It needs to be more specific	1/30/2020 8:26 PM

Animal Control and Licensing Survey

23	Dogs are not on inhumane leashes such as heavy and short.	1/30/2020 7:43 PM
24	Dogs bark for a reason. I would like to see bylaw investigate the reasons as to why a dog is barking and, where appropriate, remove that dog from the premises and ensure that the animal is secured into a new home - not a kill shelter. (ie: if a dog is spending all day in a crate, that is animal cruelty...) Dog needs to be rehomed.	1/30/2020 6:17 PM
25	That seems unreasonable. Animals make noises. I would bet that more often than not that by-law is used as an excuse for neighbors to be "un-neighborly"	1/30/2020 4:17 PM
26	As long as it is enforced	1/30/2020 3:50 PM
27	The animal is not being treated using a drug free, pain free, humane and respectful system of treatment. They may be cold, hot, thirsty, hungry, afraid, lonely or so many other things that they are trying to say which pet owners must address.	1/30/2020 3:34 PM
28	When trying to call someone after hours for a dog continuously barking, especially at night, it is impossible to reach anyone. Have been trying for months	1/30/2020 9:08 AM
29	Re: pets that are left unattended/uncared for for long periods of time, in inclement weather	1/30/2020 8:54 AM
30	I do not know.	1/30/2020 8:35 AM
31	Clearer wording is advisable. As written, if I simply didn't like my neighbor and their dog barked twice, I could claim that it was disturbing to me. Perhaps adopt "quiet hours" (eg, 10pm to 8am).	1/29/2020 11:53 AM
32	People put them outside and leave them to freeze. More officers to educate or fine.	1/27/2020 4:59 PM
33	The noise is a result of a dog being left outside in all weather desperately wanting in . Can we focus on the animal that is in need of a law instead of neighbours being put out by the animal barking	1/26/2020 8:59 PM
34	There should be a duration and time of day that the restrictions can take effect	1/26/2020 6:01 PM
35	Barking is a natural occurrence in dogs, the same as talking in people. Animals need to be allowed to their nature's responses and that includes so much more than barking.	1/25/2020 5:13 PM
36	There is no provisions available after a certain hour. There is no point in complaining about a dog that barks after hours, because no ones comes to deal with the noise complaint.	1/25/2020 3:13 PM
37	Provide training for humans through the human society on obedience. Money for trainer comes from funds from rescue	1/25/2020 9:52 AM
38	Animals should be not left outside all night, there should be more restrictions when owning a pet	1/25/2020 9:47 AM
39	not sure what the solution is but removal is not ideal and yet it is an issue	1/25/2020 6:57 AM
40	Time should be granted for mandatory training with a qualified dog trainer	1/25/2020 12:41 AM
41	Guidelines around how owners deal with their pets	1/24/2020 7:01 PM
42	Heavy fines and spontaneous follow-up visits for anyone leaving their dog out barking, barking, barking. As if the rest of us want to listen to that!	1/24/2020 5:24 PM
43	There should be additional restrictions on when owners may keep their animals outside, particularly when their property is in close proximity to other residences. Barking or howling even for short periods can be very disturbing overnight or in the early hours, even when it is not altogether repetitive. And keeping animals outside is known to be unsafe in cold temperatures. I would suggest that keeping a pet outside for periods exceeding 10 minutes should never be allowed between 11pm and 9am, nor at any time when the outside temperature is below 5 degrees C.	1/24/2020 4:29 PM
44	It proven there's a problem, have heard people say a disgruntled neighbor can just call no proof	1/24/2020 12:45 PM
45	The same noise limitations for other noise sources (ie: radio, lawnmowers) that follow the noise by law time frames (not after 11 pm and not before 7 am)	1/24/2020 10:32 AM
46	What does repetitive barking mean?? There should be specific times of the day barking is prohibited.	1/24/2020 9:43 AM
47	If there are repeated complaints of a dog being outside & barking for hours/days on end, the	1/24/2020 9:13 AM

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	dog should be taken away from it's owners & put into a home that will properly care for it	
48	I would like to see conditions put into play if this type of complaint comes in. Instead of issuing a fine or removing the animal, advise the condition of obedience classes and have them provide proof of class registration and attendance. Most of these dogs bark like this because the owner has not taken the time to train the dog properly and that is no fault to the animal, it's the owners responsibility to train the dog.	1/24/2020 8:59 AM
49	Anonymity of person reporting	1/24/2020 8:48 AM
50	Anonymity of reporting person	1/24/2020 8:46 AM
51	If a dog is constantly barking or making noise, need to look into and see why, dog may be trying to communicate something to the humans about him/her or what is around him or her. Also to expect dogs not to bark is like expecting people not to talk. Let's get real	1/24/2020 12:01 AM
52	I can hear a dog barking in the distance day after day...	1/23/2020 10:16 PM
53	I haven't had to deal with a noisy neighbours animal	1/23/2020 9:02 PM
54	There should be a phone number to report issues immediately	1/23/2020 8:40 PM
55	I would hope owners would be given ample time to find ways of dealing with barking issues, it may take time and trial and error, & possibly with the help of a trainer, there's not an overnight solution.	1/23/2020 8:26 PM
56	Definition of repetitive barking.....twice or for 2 hours? What time during the day is disturbing the peace...	1/23/2020 7:49 PM
57	you cannot remove an animal simply because it is barking. The animal may be distressed and therefore warrants an investigation.	1/23/2020 7:42 PM
58	What disturbs one person's rest/enjoyment wouldn't disturb another's so I guess it depends on how this could be proved or defended or rebutted in court if complaints went that far.	1/23/2020 12:47 PM
59	Stricter laws to help animals being left on chains.	1/23/2020 11:52 AM
60	It needs to be more specific. Every dog barks but do they do it all day?	1/23/2020 8:09 AM
61	The language is too vague. Dogs bark but what is considered an undue amount? 10 minutes? 10 times over a period of 20 minutes?	1/23/2020 7:44 AM
62	Is there a mediation process? A way to mitigate the issue or do you just take the animal away?	1/22/2020 7:30 PM
63	If it's before 11pm and the dog has proper shelter I don't see a problem with barking.	1/22/2020 4:03 PM
64	This as stated is unreasonable. There should be a time limit and time restrictions. For example - in excess of 2 hours or not after 11:00pm	1/22/2020 3:09 PM
65	By-Law does nothing even when you have documented evidence from many surrounding neighbours. Good to have it in place but no one is doing anything when there is a bona fide issue.	1/22/2020 2:34 PM
66	I dont own any pets, but animals will be animals. They make noise so let them. Humans have freedom of speech, animals should to.	1/22/2020 2:33 PM
67	I think it's up to the owners to look after their pets. So if a dog is barking alot, by-law officers should check to make sure the animal is properly looked after and educate the owners. It's not the animals fault.	1/22/2020 2:28 PM
68	Not sure what repetitive barking is - what the specifics are - is it for more than 10 minutes? 1 hour? Times of day or night? I would need more info to determine.	1/22/2020 2:21 PM
69	If there were stronger regulations about barking or noise what would happen to those animals? We need to support owners who already care for animals to keep these pets and avoid them becoming at risk of being surrendered - I disapprove of any by-law that is more severe than what we already have because it takes time to train pets and we should keep the ones that have a home in their home	1/22/2020 12:51 PM
70	There should be time limits as in the above rule after 11:00 p.m.	1/22/2020 11:30 AM
71	Define repetitive, what other noise bylaws are in place and what times do they include? Such	1/22/2020 10:31 AM

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as lawn mowers, leaf blowers, children playing, house and yard parties.

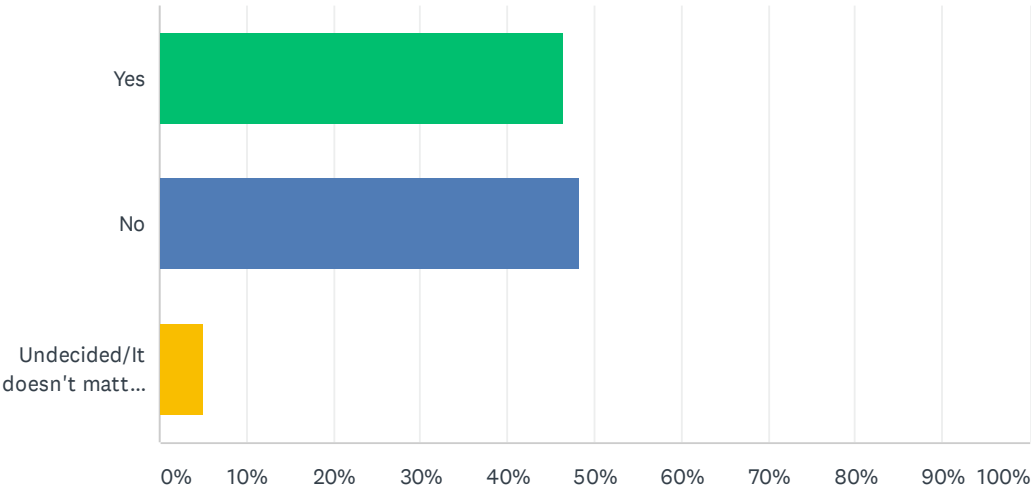
72	You cannot always control a dog from barking so long as it is not excessive and constant between the hours of midnight and 8am. Sometimes one of my dogs barks at something that scares them when I have to let them out in the early morning hours, I try to control them from barking and bring them back inside as soon as possible. One of my other dogs doesn't bark at all when I'm the backyard. She barks when someone rings the bell and that is all. Whereas my other dog barks out of fear out of the blue. So long as it is not excessive barking night long then Th st should be excepta or.	1/21/2020 9:19 PM
73	Too vague. A dog barking three times a day may be considered a nuisance by some and not by others. How many people are complaining and how often?	1/21/2020 9:09 PM
74	People have 2 or 3 dogs that bark during the day incessantly for 20 min at a time. Would prefer to see a limit on the number of dogs people own (1 dog only), restrict dog size (eg Great Pyrenees, German Shephard, Great Danes are too large for small lots) because the poor animals don't get enough exercise. People don't pay attention to current by law about no barking 11pm to 7am and often animals are outside barking at 6:30am or after 11pm. Bottom line, tough to enforce bylaws if neighbours are disrespectful short of calling police.	1/21/2020 4:56 PM
75	While I agree in principal that that people should not be disturbed by a barking dog most dog owners are not knowledgeable enough to know how to stop the barking, howling etc. Just taking the dog away will not solve long term problems. There is a reason that the dog is barking constantly, let's do some thing to help the owner and more importantly the dog that is likely bored, neglected etc.	1/21/2020 4:46 PM
76	I'm not entirely sure that there is sufficient investigation into noise/barking. What constitutes excessive? Are the complainants checked to see if they also have a dog?	1/21/2020 4:16 PM
77	I don't know the current bylaw, but it shouldn't be the pet that suffers for an owner who doesn't properly look after there pet. It should be investigated to see if an animals in distress and the owner should be educated.	1/21/2020 2:00 PM
78	If dogs are left outside and bark this should not be allowed. It's cruel to have an outside dog.	1/21/2020 12:37 PM
79	(1) The Owner of an Animal shall ensure that such Animal shall not bark, howl, or otherwise makes or causes a noise or noises which disturbs any person. (2) Whether any sound annoys or disturbs a Person, or otherwise constitutes objectionable noise, is a question of fact to be determined by a Court hearing a prosecution pursuant to this Section of the Bylaw.	1/21/2020 12:23 PM
80	you can not stop a dog from barking how ever the owner has ways of controlling it.it shouldn't be not allowed to own a dog that barks a lot ,but the owner could face a ticket	1/21/2020 10:52 AM
81	Im not sure, I would hope that all dogs left outside barking for hours would be investigated	1/21/2020 10:35 AM
82	Animals should be brought inside if barking	1/21/2020 7:45 AM
83	(1) The Owner of an Animal shall ensure that such Animal shall not bark, howl, or otherwise makes or causes a noise or noises which disturbs any person. (2) Whether any sound annoys or disturbs a Person, or otherwise constitutes objectionable noise, is a question of fact to be determined by a Court hearing a prosecution pursuant to this Section of the Bylaw.	1/20/2020 11:43 PM
84	Does the city work to understand why the dog is barking ? How and what measures are taken by the owner to cease the dig from barking? What if the owner muzzles their dog as a result and continues to leave it outside? I think more diligence on Animal Control is required and the animal should be removed if the owner cannot demonstrate a safe and humane action plan.	1/20/2020 10:25 PM
85	Some dogs have anxiety when left alone snd as a result they may bark. As long as it is not all night long or the dog left outside that shouldnt happen either	1/20/2020 10:15 PM
86	Distinction between barking and nuisance barking with specified duration and frequency .Dogs bark but current bylaw allows any barking to be grounds for complaint if neighbour doesn't like.	1/20/2020 9:43 PM
87	Need more clearly defined what constitutes excessive barking so neighbours can't call if they don't like dogs. All dogs bark	1/20/2020 9:30 PM
88	harsher penalties to pet owners and more bylaw officers monitoring these complaints quicker then when its too late.	1/20/2020 12:49 PM
89	I have never called to complain so I don't know.	1/20/2020 9:49 AM

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90	Nothing is ever done about it!	1/19/2020 11:01 PM
91	Last 11pm. Then enforce.. hard to control dog barking	1/19/2020 8:04 PM
92	It's to vague. It's to easy for residence to make nuisance calls. The bylaw needs to have more concrete wording regarding what excessive barking is	1/19/2020 6:48 PM
93	If people are forced to give up their dogs because of barking (some are chatters) I don't agree. If the animal is being abused by being left outside alone all of the time, and barks away, then yes take the dog away. I think like "children" each case if different and needs to be investigated by a qualified personnel.	1/19/2020 5:41 PM
94	Need stricter barking bylaw	1/19/2020 11:08 AM
95	I question how well this is adhered to and how quickly By-law can respond to concerns.	1/18/2020 4:02 PM
96	Support and training should be mandatory for an owner and pet, rather than taking their pet away.	1/18/2020 7:52 AM
97	Many of the dogs that are barking are doing so on an on-going basis because of their owners leaving them outdoors without proper food, water and shelter. It is important that the root cause is addressed and the animals are protected.	1/17/2020 7:22 PM
98	Owners should be held accountable - the animals should not be blamed/punished if they are neglected or ignored by the owners	1/17/2020 5:12 PM

Q6 Are you satisfied with the current provisions regarding tethering in the Animal Control By-law?

Answered: 558 Skipped: 44



ANSWER CHOICES		RESPONSES	
Yes		46.42%	259
No		48.39%	270
Undecided/It doesn't matter to me		5.02%	28
TOTAL			558

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#	IF NO, PLEASE PROVIDE ADDITIONAL PROVISIONS THAT YOU WOULD LIKE TO SEE:	DATE
1	I am not in agreement that an animal is to be left unattended and tethered for long periods of time.	2/9/2020 7:29 PM
2	3 meters is roughly 11 feet. That's a lot of room to move while tethered. Assuming that the animal is not intended to love tethered there's no problem here for short term use.	2/9/2020 9:23 AM
3	No dog should be allowed to be outside the majority of its life on a tether no matter how long it is.	2/8/2020 11:01 AM
4	Need to look at how long is it tethered and What are the weather conditions	2/7/2020 9:46 PM
5	I don't believe any animal should be tethered no matter how long the lead is. Keep them inside if they can't be trusted alone outside.	2/7/2020 2:29 PM
6	No less than 3 feet!? The dog can still hang them self. Is the length of tether safe for the dog to prevent it from reaching the road. Can the dog at a 3ft tether reach shade or grass? Can the dog effectively relieve itself without having to lay in it's own waste?	2/7/2020 1:16 PM
7	Absolutely no tethering. Fenced yard where animals can roam freely.	2/7/2020 12:21 AM
8	Quicker response to reporting Easier way to get in contact with officers	2/6/2020 6:58 PM
9	No animal should be tied up indefinitely and left outside.	2/6/2020 5:20 PM
10	I don't think you should be able to tether an animal unattended. You would never do that to a child, they are no different in my mind.	2/6/2020 5:05 PM
11	No I do not feel it is right to keep an animal tethered outside.	2/6/2020 11:55 AM
12	No animal should be left outside for any period of time. It causes distress barking and is very cruel	2/6/2020 11:30 AM
13	Tethering is inherently cruel as dogs are companion animals that greatly benefit from social contact. Scientific studies have found that tethered dogs are more stressed and anxious, are more likely to attack, bite and show adverse behavior. In my view tethering a dog unattended for longer than two hours is irresponsible and cruel. The City of Oshawa is currently looking into restricting a tethered dog so that the owner or someone charged with it's welfare is in attendance at all times while a dog is tethered and that such attended tethering not exceed two hours in any twenty four hour period. I urge the Town of Newmarket to duplicate this provision as I firmly believe this reflects current community standards of animal care.	2/5/2020 7:29 PM
14	I do not currently know what the current provisions are therefore I cannot say if I agree or not.	2/5/2020 11:16 AM
15	There must be shade to get protection from the sun, there must be clean water to drink, there must be shelter from weather.	2/4/2020 10:38 PM
16	I believe that animals should not be tethered - and that there should be very very strict guidelines as to When an animal can be tethered. The use of a tether implies that there is not appropriate containment available (i.e. a proper fence).	2/4/2020 10:21 AM
17	Animals should not be tethered. this can lead to animals being tethered over night and in poor whether conditions.	2/4/2020 9:22 AM
18	There needs to be a time limit for tethering so that dogs are not left outside 24 hours a day. Suggest a time limit of 3 hours, and half an hour during extreme weather	2/3/2020 11:26 PM
19	There should be a stipulation whereas no animal shall be tethered for more than "x" amount of time.	2/3/2020 5:08 PM
20	There at least should be a time limit on how long the animal is tethered. Personally I hate the idea of an animal being tethered period.	2/3/2020 1:32 AM
21	Specific timelines for tethering (no more than an hour or so each day) should be set and enforced. An animal tethered indefinitely is nothing but cruel. Why have a pet if it is tethered and not shown affection? Animals were never meant to be restricted in such a barbaric fashion.	2/2/2020 5:16 PM
22	Only if they don't have a fenced yard otherwise a longer rope.	2/2/2020 4:35 PM
23	Dogs should not be allowed to be kept outside in a dog house with no access to coming in to a	2/2/2020 1:55 PM

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	home.	
24	Tethering should not be for an unlimited amount of time. Tethering is fine for an hour on the front lawn during the summer with the family close by gardening etc. It allows the dog to safely be part of activities with no fence. A dog unattended and tethered all day in the middle of winter is inhumane.	2/2/2020 9:26 AM
25	Add a water source and shade to be within reach of the tied animal	2/1/2020 2:51 PM
26	provisions regarding extreme weather	2/1/2020 2:41 PM
27	More staff needed to address concerns to investigate. More needs to be done to protect the animals and owners need more severe fines. Town should be able to take the animals away permanently if in a harmful situation.	2/1/2020 10:08 AM
28	If not already part of the by-law, I would like to see either a limit on the number of hours an animal may be tethered or a requirement that the animal have access to clean water and appropriate shelter within reach of the tether.	2/1/2020 9:33 AM
29	There should also be time limits for how long a dog is permitted to be tethered	1/31/2020 11:40 PM
30	Tethering is cruel regardless of the length! This allows people to neglect and abuse animals.	1/31/2020 8:51 PM
31	the time tethered needs to be indicated.	1/31/2020 8:22 PM
32	Time limit.	1/31/2020 6:49 PM
33	There should be a restriction on time animal is teathered and weather restrictions	1/31/2020 6:31 PM
34	Longer line and adequate shelter	1/31/2020 6:26 PM
35	No animal should be left outside 24 hours a day. They should also should have adequate access to food and water.	1/31/2020 12:34 PM
36	I dont agree that pet owner can keep their pet on a leash on their backyard even if its 3 meters lengths. No prisoners!!!!	1/31/2020 12:28 PM
37	It should be longer than 3 meters, as well as with provisions on what weather conditions are safe for animals to be tethered outside for long periods of time (2+ hours)	1/31/2020 12:12 PM
38	No dog should be tethered at all.	1/31/2020 10:17 AM
39	The animal should also have to have access to shelter, shade, food and water and the tether should not be heavy	1/31/2020 9:33 AM
40	I think when walking dogs in the neighbourhood, that they should be leashed at all times.	1/31/2020 9:26 AM
41	there should be a time restriction and there should be a provision that the animal should have adequate shelter from the sun and should not be outside in inclement weather, including high and low temperatures. The animal should also have adequate protection from other animals. They should also have access to water and food.	1/31/2020 7:40 AM
42	When people report dogs outside 24/7 someone needs to step in before it makes it to the newspaper	1/31/2020 5:35 AM
43	I do not support people tying their animals with any length of chain.	1/31/2020 5:25 AM
44	I feel there should be a time limit associated to tethering. Keeping an animal in such a condition is not fair to the animal and will cause distress to the animal.	1/30/2020 11:01 PM
45	again if it is enforced	1/30/2020 10:46 PM
46	Time limit of 2 hours max. Must be far enough away from property lines and boulevards. Must be supervised. Shade and shelter provided from elements. Education about tethering and the stress, over protection and aggression this causes a dog. Please consult trainers with dog psychology background. This is a very real problem that can make good dogs dangerous.	1/30/2020 10:34 PM
47	I honestly don't know what the current bylaw is as it was not included for consideration, but I assume it doesn't prohibit tethers in the front yard of an unattended dog since I've seen that often in Newmarket	1/30/2020 10:26 PM
48	Issues are not being addressed that have been reported.	1/30/2020 10:15 PM

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49	None of this should be allowed. If you don't want a dog then don't get one that's going to be tied?? Ridiculous!!	1/30/2020 9:47 PM
50	No animal should be kept on a rope , chain at all! They should only be able to use a leash to walk the dog or just to let the dog out the back yard for a reasonable amount of time , not to be left alone !	1/30/2020 9:30 PM
51	1. Doesn't say anything about water? If so, water should be accessible 2. There should be a time limit	1/30/2020 9:06 PM
52	Animals shouldn't be tethered for extended periods of time	1/30/2020 9:04 PM
53	Is there no time limit for how long someone can leave their dog tethered?	1/30/2020 9:02 PM
54	No animal should be left outside.	1/30/2020 9:02 PM
55	It should be unlawful to tether or chain up any animal, regardless of length. Unless a person or persons are present to supervise and overlook	1/30/2020 8:58 PM
56	Time limit as to how long they can be tethered. 3 hour limit	1/30/2020 8:50 PM
57	There should be a time limit as to how long a dog can be tethered - like no more than a few hours in one 24hr period	1/30/2020 8:43 PM
58	There needs to be provisions that they also must always have access to clean fresh water, and have adequate shade and shelter. Restrictions on the type of collars that can be used. Provisions for the tether length. Animals must be brought in during inclement weather.	1/30/2020 8:38 PM
59	Animals should not be tethered at all! If you're going to tie an animal up, you shouldn't own one!	1/30/2020 8:33 PM
60	There should be provisions for winter weather. Animals should not be kept outside in dangerously cold temps.	1/30/2020 8:14 PM
61	No animals should be tethered outside unsupervised. Exposure to the elements and wildlife can harm chained animals. Responsible pet owners should provide adequate shelter. Indoor pets!	1/30/2020 7:11 PM
62	It is imperative that a maximum number of hours be imposed on tethering laws. It's not natural for pets to be tied up all day in all weather. This constitutes animal cruelty. Animals are smart and dogs in particular are social creatures. Tethering subjects them to unimaginable boredom, frustration, and eventually they become aggressive. Tethering indefinitely is animal cruelty. Two hours maximum tethering needs to be imposed.	1/30/2020 6:35 PM
63	There need to be time constraints placed on this.	1/30/2020 6:34 PM
64	Dogs do not belong tied up outside for any length of time.	1/30/2020 6:30 PM
65	Animals should not be tethered 24/7, nor should they be tethered outside in inclement weather such as rain, snow, freezing or extremely hot temperatures.	1/30/2020 5:36 PM
66	Length of time on a tether should be taken into consideration. Time should be limited.	1/30/2020 3:43 PM
67	A time limit and temperature should be included. Pets are not meant to be left outside they are family members. Adequate housing and food and clean water access should also be included.	1/30/2020 2:19 PM
68	No animal should be tied up. Period. And definitely not by a chain. And absolutely not by the neck.	1/30/2020 1:34 PM
69	They should have water in a spill-proof dish and shade/shelter within reach of the rope	1/30/2020 12:12 PM
70	There should be a time restriction for tethering and there should still be an appropriate shelter for the animal no matter how short of a time the animal is left out.	1/30/2020 11:35 AM
71	No animal should be allowed to live off a chain or tethered rope. It is inhumane! If people own pets, they should be indoors where they get proper shelter warmth and love as they should. What is the purpose of owning a "pet" if it is confined to the outdoors. Would you tie a deer up in your yard on a chain or tethered rope? If it's wild let it be free if it's a pet keep it warm and safe indoors with love and attention that it deserves. Same with cats, they should not be permitted to be outdoors running free, around breeding..	1/30/2020 10:42 AM
72	I've heard of cases of animals in this town that are tethered and no action by the town is taken.	1/30/2020 10:29 AM

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	Very disappointing.	
73	Proper access to shelter, water, minimal distress	1/30/2020 8:55 AM
74	No animal should be left tied up outside for extended periods of time	1/30/2020 8:18 AM
75	It's cruel to have them out there all day. Depends on the situation.	1/30/2020 8:12 AM
76	No tethering	1/30/2020 8:03 AM
77	We need to be way more responsive if enabling pet owners to go about their day without having to crate animals. People crate animals because you can only go to winners and Canadian tire with your pet. I'd like to go to all areas of grocery store except open food area of bakery. I'd like to pick up prescriptions at pharmacy. I cant even go to Tim hortons to pick up a coffee and leave. This is crueller than leashing	1/30/2020 8:01 AM
78	Should specify maximum weight of tether per weight of dog so that it is not too heavy; also time limit to be tethered and to be appropriate for weather and breed of dog; shelter available; plenty of water and food available	1/29/2020 12:36 PM
79	Regardless of the length of the tether, an animal should not be tethered all day long. Set a maximum number of hours that an animal may be tethered.	1/29/2020 11:57 AM
80	There should be some way to ensure that domestic animals are not left tethered, movement or no, for long periods of time. Animals have brains and emotions and are super vulnerable to humans. They should be protected from mental, emotional AND physical anguish.	1/27/2020 8:46 PM
81	Tether animals less than one half hour max	1/27/2020 5:01 PM
82	No dog should be tethered outside for an indefinite amount of time. There should be a time restriction as the weather plays a factor such as extreme heat or cold weather	1/26/2020 11:40 PM
83	There needs to be a time restriction as to how long an animal can be tethered. The length of rope is irrelevant if the animal is tethered for 8 hours a day. Weather conditions need to be factored in as well.	1/26/2020 9:54 PM
84	An against dogs tethered and living outside . However there has to be a time limit as irresponsible owners abandon the dog in all weather conditions.3 hrs in a 24 hour period but not at all in extreme weather conditions	1/26/2020 9:12 PM
85	Better care if thettering is needed. Food and water should be available 24/7; proper shelter for weather and very limited hours of tethering.	1/26/2020 9:09 PM
86	Does not take into account the health of the pet or the weather conditions	1/25/2020 9:05 PM
87	Restrictions on time animal may be tethered.	1/25/2020 5:43 PM
88	The rope, chain, or similar device should be longer than 3 meters. As well, letting animals go free is another example of providing as natural way of living for them as possible. It does negatively affect their mental state if they are constantly on a leash, plus aggressively pooled while on it, forbidden to smell things around for as long as their natural instincts leads them to.	1/25/2020 5:34 PM
89	I don't think there are any good reasons to tether an animal and especially in an unsupervised situation.	1/25/2020 4:22 PM
90	I do not think animals should be tethered on front lawns or front porches. This only causes the dog to bark incessantly at everything that goes by its field of vision. Or, attempt an attack on a passerby, causing personal injury of trying to get away from the dog.	1/25/2020 3:24 PM
91	No domestic pets should be get on a leash or tethered 24 hours a day	1/25/2020 9:53 AM
92	No pets should be left outside for long periods of time	1/25/2020 9:48 AM
93	A time restriction should be added so as not to leave the animal in distress. Can 3 metres be made longer?	1/25/2020 7:01 AM
94	With water and insulated protection from weather , no longer than 3 hours	1/25/2020 12:48 AM
95	Time limit of 4 hours. Appropriate shelter. Access to food and water.	1/24/2020 6:58 PM
96	The longer leads need to go	1/24/2020 6:50 PM

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97	Pets should only be tethered for a limited amount of time each day	1/24/2020 6:49 PM
98	Domestic animals should not be tethered during extreme heat or cold. I don't care how long the tether is under these conditions.	1/24/2020 6:25 PM
99	Leaving your dog or cat tethered outdoors for hours on end should be against the law.	1/24/2020 5:26 PM
100	No animal should be tethered to a rope, chain unsupervised.	1/24/2020 5:18 PM
101	No animal should be "tethered" outside	1/24/2020 4:54 PM
102	No animal shall be tied to a rope for no more than a specific allotted amount of TIME. No animal should be left tied up forever no matter how long the rope	1/24/2020 3:03 PM
103	No animal should ever be tied up outside no. Matter what. Only a walking leash	1/24/2020 2:00 PM
104	They should not be Left alone in the heat or cold and have proper shelter. Not be left tied for more than eight hours max	1/24/2020 1:09 PM
105	No animals should be tethered	1/24/2020 12:46 PM
106	Sec. 1 Policy (a) in order to enhance the quality of life of citizens and dogs, the Town Council prohibits the tethering of a dog unless the owner or custodian is outside with the animal. Sec. 2 Definitions (a) Dog.—The term 'dog' shall mean a member of the species <i>Canis lupus familiaris</i> . (b) Animal control.—The term 'animal control' means the municipal or animal control agency or any other entity responsible for enforcing animal-related laws. (c) Person.—The term 'person' means any individual, partnership, corporation, organization, trade or professional association, firm, limited liability company, joint venture, association, trust, estate, or any other legal entity, and any officer, member, shareholder, director, employee, agent, or representative thereof. Sec. 3 (a) No person shall tether, fasten, chain, tie, or restrain a dog, or cause a dog to be tethered, fastened, chained, tied, or restrained unless the owner or custodian is outside with the animal and the animal is in sight view. (b) A person who violates this chapter is guilty of an infraction. (1) An infraction under this chapter is punishable upon conviction by a fine of up to five hundred dollars (\$500) as to each dog with respect to which a violation occurs. (2) each subsequent 24-hour period shall constitute a separate infraction. (c) Notwithstanding subdivision (b), animal control may issue a correction warning to a person who violates this chapter, requiring the owner to correct the violation, in lieu of an infraction, unless the violation endangers the health or safety of the animal, the animal has been wounded as a result of the violation, or a correction warning has previously been issued to the individual. (d) Nothing in this chapter shall be construed to prohibit a person from walking a dog with a hand-held leash.	1/24/2020 12:20 PM
107	No animal should be chained up	1/24/2020 12:18 PM
108	For what length of time? Are there weather restrictions?	1/24/2020 12:00 PM
109	The by law should also stipulate the amount of time an animal can be left tethered (ie: no more than 30 minutes) and should also stipulate that all necessities be provided within reach (shade, water, shelter from rain, etc)	1/24/2020 10:38 AM
110	tethering unsupervised can always lead to injury to an animal so tethering should have to be supervised	1/24/2020 9:27 AM
111	There should be a limit as to how long the Animal should be outside on a tether in freezing cold weather	1/24/2020 9:14 AM
112	These people are leaving dogs out in all weather conditions on a tether and it's unacceptable. With the growing population of coyotes, how is a small dog suppose to protect its self while being tethered when the owner is inside not monitoring the dog.	1/24/2020 9:01 AM
113	Yes, but not 24/7. Should be a time limit.	1/24/2020 8:23 AM
114	Should not be tethered long term or extreme weather or heat. Shade and shelter needed	1/24/2020 7:56 AM
115	Animal must be provided adequate covered accommodation for inclement weather such as heat or freezing temperatures and must be provided with fresh water at all times	1/24/2020 7:00 AM
116	The provision should include a restriction on the length of time an animal can be tethered. I suggest no more than 3 hours.	1/24/2020 6:43 AM
117	Pets should never live tethered if they're not house pets you don't need it as a pet.	1/24/2020 5:28 AM

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118	I do not support any tethering of animals	1/24/2020 2:49 AM
119	There is nothing around time and temperature. In theory, the animal can be tied up with 30ft of rope for 24 hrs, or in 110f weather.	1/24/2020 12:43 AM
120	Would want that people cannot be allowed to tie a dog outside by itself for more than a couple of hours at the most, also not in weather that is too cold, too hot, too wet. Dogs have feelings, they need to be around people and other dogs, they are social animals. Tying them out on a leash to be alone and confined is totally cruel and unacceptable	1/24/2020 12:07 AM
121	I don't think it's mentally healthy for a dog to be tied up	1/23/2020 11:23 PM
122	There should be restrictions to length of time animal is allowed to be tethered. Also, cold, stormy, snowy, ice, weather, animals are not tethered outdoors. They are brought in.	1/23/2020 11:20 PM
123	Amend to include leaving animals outside in inclement weather (cold/hot) for prolonged periods of time.	1/23/2020 11:18 PM
124	There should be a requirement of fenced property or a shelter for the pet if not fenced in close enough to reach on the teather and for no more then 2 hours at a time especially in extreme weather- hot or cold-.	1/23/2020 11:10 PM
125	There should be a limit on the time an animal can be tethered.	1/23/2020 10:54 PM
126	No animals should be tied up...	1/23/2020 10:16 PM
127	The east coast has stated that an animal can not be tethered for more than an hour at a time. What animal should be tied in a yard or to a dog house day in and day out? I am not an animal activist but if you have ever seen a dog shivering out in the cold you would stop this from happening when you have the chance.	1/23/2020 10:12 PM
128	Tethering not be allowed. The animal should be in a fenced area.	1/23/2020 9:55 PM
129	Tethering by laws should be specific on temperatures and length of time spent out for animals. Dogs not adapted to cold temperatures shouldn't be out in sub zero temperatures for lengths of time and no animal should spend all day chained up outside.	1/23/2020 9:44 PM
130	Only if the yard is not fenced and the owner is at home to monitor the tethered pet. Pets should not be tethered when the owner is not home.	1/23/2020 9:39 PM
131	Being tethered isn't acceptable at all!	1/23/2020 9:29 PM
132	Animals should not be tethered in certain weather conditions ie without access to shade in extreme heat. Animals should not be tethered without access to food or water. Animals should not be tethered unattended.	1/23/2020 8:43 PM
133	There should be a time limit that dogs are allowed to be tethered.	1/23/2020 8:40 PM
134	There needs to be a time limit. It's no life for any living animal to be left tied outside for hours or days on end - no matter what the length of the rope is. Also depending on weather. Extreme heat or cold is not ok.	1/23/2020 8:32 PM
135	I don't think tethering is acceptable	1/23/2020 6:57 PM
136	There should be an extreme weather clause for heat and cold, and tethered animals must have access to shelter and water	1/23/2020 6:56 PM
137	Need time limit	1/23/2020 6:38 PM
138	There should be a time limit, Animals should not be tethered 24/ 7	1/23/2020 6:36 PM
139	There should be something in there about being left out in the bad/cold weather, or for extended periods of time.	1/23/2020 6:28 PM
140	I don't think animals should be tethered on a rope, chain, or similar device REGARDLESS of length.	1/23/2020 2:46 PM
141	People leaving their animals outside tethered is not ok.	1/23/2020 2:00 PM
142	See below	1/23/2020 1:38 PM
143	Add a time limit.	1/23/2020 1:04 PM

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144	And does not keep the animal out in the winter.	1/23/2020 12:30 PM
145	With most properties in Newmarket having fences yards I don't believe people should be allowed to tether an animal outside unless they don't have a fence. I don't believe they should be left tethered outside overnight or when no one is home. If a cat is being tethered outside I don't believe it should be left unsupervised. Any animal left outside should have access to comfortable shelter from the heat or cold and water.	1/23/2020 12:11 PM
146	Longer chain	1/23/2020 12:06 PM
147	I would like to see provisions that don't allow people to keep their dog tethered in extreme cold or heat, unable to get shelter or water. If people can't let their pet inside, they shouldn't be able to have them.	1/23/2020 11:57 AM
148	No animal should be tethered and unattended. No one will enforce or check up on them.	1/23/2020 11:55 AM
149	Animals should not be tethered at all	1/23/2020 10:48 AM
150	Ought to include a time limit and weather clause on tethering. For example, 2 hours per day. Not allowed if temperatures are above 25 degrees or below negative 10	1/23/2020 10:22 AM
151	They need supervision if tethered.	1/23/2020 8:13 AM
152	No animal shall be tethered or confined outside for more than 1 hour twice a day. Dogs should not live their entire lives outside.	1/23/2020 7:44 AM
153	Weather should also be a factor. Intense heat or extreme cold should be considered when leaving a domestic animal outside.	1/23/2020 7:39 AM
154	No tethering	1/23/2020 12:52 AM
155	Tethering should not be allowed	1/23/2020 12:31 AM
156	No tethering at all.	1/22/2020 8:20 PM
157	BAN ALL TETHERING.	1/22/2020 8:11 PM
158	No dog should be tied up at anytime don't have a dog unless it is part of your family	1/22/2020 8:11 PM
159	I would prefer to see fenced yard. Does this mean a dog could be tethered 24 hrs? Letting the dog out for a bit tethered on a line if you don't have a fence is one thing. Dog tethered 24/7 not acceptable!!!	1/22/2020 7:34 PM
160	Pets should be supervised when outside. Tying a pet up, no matter what the length is, and leaving them without supervision is not suitable.	1/22/2020 7:24 PM
161	I don't believe animals should be tied up and left outside for long periods of time, especially in freezing cold weather.	1/22/2020 6:02 PM
162	There needs to be some sort of limit to the length of time an animal can be tethered. 3 meters may be fine for a small dog but for a larger animal that is not sufficient. There must be an allowance that it can also seek appropriate shelter of some sort while tethered.	1/22/2020 5:42 PM
163	Limits to time tethered is required	1/22/2020 4:56 PM
164	NO domestic animal should be kept tethered, be it rope, chain or similar device.	1/22/2020 4:37 PM
165	I believe there should be a time limit and not over night.	1/22/2020 4:18 PM
166	There should also be other issues included here as well.... shelter, length of time, water, etc.	1/22/2020 3:58 PM
167	There should be a time limit for how long the animal can be tethered so that they are not like that 7/24	1/22/2020 3:13 PM
168	There needs to be a time frame that a dog is left on a tether. Also, need to ensure they have access to shelter in the winter, & water and cool shade in hot months.	1/22/2020 2:37 PM
169	Model anti-chaining wording: Sec. 1 Policy (a) in order to enhance the quality of life of citizens and dogs, the Town Council prohibits the tethering of a dog unless the owner or custodian is outside with the animal. Sec. 2 Definitions (a) Dog.—The term 'dog' shall mean a member of the species <i>Canis lupus familiaris</i> . (b) Animal control.—The term 'animal control' means the municipal or animal control agency or any other entity responsible for enforcing animal-related	1/22/2020 2:36 PM

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laws. (c) Person.—The term 'person' means any individual, partnership, corporation, organization, trade or professional association, firm, limited liability company, joint venture, association, trust, estate, or any other legal entity, and any officer, member, shareholder, director, employee, agent, or representative thereof. Sec. 3 (a) No person shall tether, fasten, chain, tie, or restrain a dog, or cause a dog to be tethered, fastened, chained, tied, or restrained unless the owner or custodian is outside with the animal and the animal is in sight view. (b) A person who violates this chapter is guilty of an infraction. (1) An infraction under this chapter is punishable upon conviction by a fine of up to five hundred dollars (\$500) as to each dog with respect to which a violation occurs. (2) each subsequent 24-hour period shall constitute a separate infraction. (c) Notwithstanding subdivision (b), animal control may issue a correction warning to a person who violates this chapter, requiring the owner to correct the violation, in lieu of an infraction, unless the violation endangers the health or safety of the animal, the animal has been wounded as a result of the violation, or a correction warning has previously been issued to the individual. (d) Nothing in this chapter shall be construed to prohibit a person from walking a dog with a hand-held leash. This applies to dogs living outdoors too!

170	No animal should be tethered. The area they are in should be appropriately enclosed.	1/22/2020 2:25 PM
171	No animal should be chained up	1/22/2020 2:07 PM
172	Include shelter and water as a requirement and all is good	1/22/2020 1:52 PM
173	There should be a time limit to how long they can be tethered for. Also, there should be a provision that if they are tethered, a person should be with said animal. No animal should be left tethered alone outside as they may become untethered or attacked by another animal (ie. coyote)	1/22/2020 1:33 PM
174	If an animal is tethered outside there should be more specific requirements: must have access to clean water, shade, shouldn't be tethered in weather under XX or over XX. The part about "suffer injury as a result" is not specific enough. Some breeds should never be tethered outside - only some pets actually enjoy being outside - need more specifics if going to allow this. Also should separate the retractable leashes from this - some people let their leashes out really far when out in public and there should be a limit on this.	1/22/2020 1:00 PM
175	Appropriate length is arbitrary, and can vary vastly between dog type and size. Tethering it is often a safe form of exercise when fencing is not possible, however there are issues with "social justice Warriors" "saving" dogs that are safely tethered and something like that should have consequences provided for within the Bylaw	1/22/2020 11:39 AM
176	Animals should be kept in a appropriately fenced yard and NOT tethered.	1/22/2020 11:33 AM
177	A tethered dog can potentially be dangerous and therefore should not be able to reach where another person can approach them. There also needs to be a limit Of time spent on a tether. Should not be for hours or replace good exercise for the animal	1/22/2020 11:25 AM
178	A tied up dog creates a vicious dog. The need a fenced yard and walks	1/22/2020 7:15 AM
179	No dog should be tethered or left out in extreme weather conditions regardless of if they meet the tethering length which is ridiculous as 3M is only about 10FT and should be a minimum of 5-6Metres.	1/21/2020 10:17 PM
180	Small enclosure is safer option for a pet. A run will keep other animals out.	1/21/2020 9:13 PM
181	I don't think any dog should be tied. Recipe for disaster.	1/21/2020 5:02 PM
182	I agree with all of the above but there also needs to be time restriction. You cant put these poor dogs out for hours on end. This is also another likely source of excessive barking.	1/21/2020 4:49 PM
183	No animal should be tethered for extended periods of time.	1/21/2020 4:35 PM
184	There should be a maximum time an animal can be tethered / chained without a human present.	1/21/2020 4:20 PM
185	I don't think animals should be tethered outside at all times.	1/21/2020 4:18 PM
186	Should also be law on how long they can be left out per the weather	1/21/2020 4:17 PM
187	It should also include regulations about keeping pets inside in extreme weather/access to fresh water and food as well.	1/21/2020 2:17 PM

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188	I don't believe animals should be tied up.	1/21/2020 2:03 PM
189	Perhaps have a time limit and extream weather ban.	1/21/2020 1:47 PM
190	Harsher plenalties for repeat offenders	1/21/2020 12:46 PM
191	Time periods, weather permitting etc.	1/21/2020 12:43 PM
192	Make it an approved leash. Ropes are horrible and chains can be heavy.	1/21/2020 12:39 PM
193	Sec. 1 Policy (a) in order to enhance the quality of life of citizens and dogs, the Town Council prohibits the tethering of a dog unless the owner or custodian is outside with the animal. SeC. 2 Definitions (a) Dog.—The term 'dog' shall mean a member of the species Canis lupus familiaris. (b) Animal control.—The term 'animal control' means the municipal or animal control agency or any other entity responsible for enforcing animal-related laws. (c) Person.—The term 'person' means any individual, partnership, corporation, organization, trade or professional association, firm, limited liability company, joint venture, association, trust, estate, or any other legal entity, and any officer, member, shareholder, director, employee, agent, or representative thereof. Sec. 3 (a) No person shall tether, fasten, chain, tie, or restrain a dog, or cause a dog to be tethered, fastened, chained, tied, or restrained unless the owner or custodian is outside with the animal and the animal is in sight view. (b) A person who violates this chapter is guilty of an infraction. (1) An infraction under this chapter is punishable upon conviction by a fine of up to five hundred dollars (\$500) as to each dog with respect to which a violation occurs. (2) each subsequent 24-hour period shall constitute a separate infraction. (c) Notwithstanding subdivision (b), animal control may issue a correction warning to a person who violates this chapter, requiring the owner to correct the violation, in lieu of an infraction, unless the violation endangers the health or safety of the animal, the animal has been wounded as a result of the violation, or a correction warning has previously been issued to the individual. (d) Nothing in this chapter shall be construed to prohibit a person from walking a dog with a hand-held leash.	1/21/2020 12:32 PM
194	I hate to see an animal tethered. There are no circumstances where it is acceptable. I would like to see tethering stopped immediately and a law passed.	1/21/2020 10:31 AM
195	Access to water and food as well	1/21/2020 10:08 AM
196	I don't believe animals should be tethered for more then a bathroom break.	1/21/2020 9:51 AM
197	Zero tolerance for tethered	1/21/2020 3:22 AM
198	Sec. 1 Policy (a) in order to enhance the quality of life of citizens and dogs, the Town Council prohibits the tethering of a dog unless the owner or custodian is outside with the animal. SeC. 2 Definitions (a) Dog.—The term 'dog' shall mean a member of the species Canis lupus familiaris. (b) Animal control.—The term 'animal control' means the municipal or animal control agency or any other entity responsible for enforcing animal-related laws. (c) Person.—The term 'person' means any individual, partnership, corporation, organization, trade or professional association, firm, limited liability company, joint venture, association, trust, estate, or any other legal entity, and any officer, member, shareholder, director, employee, agent, or representative thereof. Sec. 3 (a) No person shall tether, fasten, chain, tie, or restrain a dog, or cause a dog to be tethered, fastened, chained, tied, or restrained unless the owner or custodian is outside with the animal and the animal is in sight view. (b) A person who violates this chapter is guilty of an infraction. (1) An infraction under this chapter is punishable upon conviction by a fine of up to five hundred dollars (\$500) as to each dog with respect to which a violation occurs. (2) each subsequent 24-hour period shall constitute a separate infraction. (c) Notwithstanding subdivision (b), animal control may issue a correction warning to a person who violates this chapter, requiring the owner to correct the violation, in lieu of an infraction, unless the violation endangers the health or safety of the animal, the animal has been wounded as a result of the violation, or a correction warning has previously been issued to the individual. (d) Nothing in this chapter shall be construed to prohibit a person from walking a dog with a hand-held leash.	1/20/2020 11:44 PM
199	A time limit is needed, 2 hours maximum with supervision at all times	1/20/2020 11:32 PM
200	No animal should be chained regardless of the length	1/20/2020 11:02 PM
201	Tethering should not be allowed period!	1/20/2020 10:31 PM
202	What is the reason for teathering? If this is to continue as an acceptable practice, think weather or time restrictions should be imposed.	1/20/2020 10:31 PM
203	Woud like stricter penalties in place for those that neglect their snimals	1/20/2020 10:25 PM

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204	A time limit of 3 hours maximum. Must be taken inside when weather is too cold or hot. That number to be determined. Not to use a chain. A long rope of some kind and bedding or proper area to lie on	1/20/2020 9:45 PM
205	Should be changed to no animal should be tethered at all for extended periods of time	1/20/2020 4:42 PM
206	We need a time frame on how long a dog can be tethered. If not we have people leaving dogs tethered all day and all night. Dogs should only be tethered for a short period of time for their safety if there is no fenced yard to protect them.	1/20/2020 4:35 PM
207	Three meters is too long for most people (especially children) to keep control over their animals. There should be a length specified for when an animal is in a yard or park and another for when the animal is being walked in a neighborhood.	1/20/2020 2:31 PM
208	just let owners do what they want. why do you have control over length of the rope or chain	1/20/2020 12:52 PM
209	The animal should be supervised if tethered.	1/20/2020 9:51 AM
210	No animal should be tied up outside... get a fence or secure your back yard	1/19/2020 11:03 PM
211	I'm not sure	1/19/2020 8:42 PM
212	Should be longer	1/19/2020 7:26 PM
213	Again it's to vague. It needs to be updated so there is no room for personal interpretation of the bylaw	1/19/2020 6:55 PM
214	Family pet should not be tethered in the cold, winter storms, heavy rain, or heat.	1/19/2020 6:41 PM
215	If someone owns a pet it should be able to roam free in a safe environment (fenced in yard). A leash, rope, chain, etc. is always a danger as an unsupervised animal may harm themselves.	1/19/2020 5:45 PM
216	I think there are other restrictions that should go along with tethering if there are none. For example, the animal should have access to a shelter and water and no objects surrounding the animal that the tether could get wound around.	1/19/2020 12:58 PM
217	Requires a time limit for tethering... also access to water and shelter of some kind (wind break/sun/snow)	1/19/2020 11:58 AM
218	Need to be sure it is not cruel aspecially in winter	1/19/2020 11:10 AM
219	There needs to be a time limit on how long an animal is tethered	1/19/2020 8:48 AM
220	Time limits on tethering- and weather conditions- even of tjere is a dog house	1/19/2020 8:36 AM
221	Dogs are being left on tethers 24/7 with barely adequate, if any shelter and no way to tell if they're being properly fed and watered.	1/18/2020 6:06 PM
222	There should be a time limit on how long an animal may remain tethered ... 2 or 3 hours max	1/18/2020 5:57 PM
223	Nope...not good enough. An animal should not be tied up in someone's backyard.	1/18/2020 4:05 PM
224	Should not be left outside	1/18/2020 2:37 PM
225	No animal should be left unsupervised on a rope	1/18/2020 12:44 PM
226	If an animal is outdoors- there should be a time limit stipulated- and inadequate 'dog house' shelters are not acceptable as this is stated in this by law as well	1/18/2020 11:57 AM
227	I think there should be a time limit of one hour max, 30 minutes in winter, the animal should have access to shade/housing and water at all times	1/18/2020 10:39 AM
228	Weather needs to be considered and the amount of time a fog can be in this situation.	1/18/2020 10:28 AM
229	No pet should be left to live outdoors or stay outdoors for an extended period of time, especially in Canadian weather. It's inhumane and cruel.	1/18/2020 7:57 AM
230	I personally don't like the idea of tethering at all. But if it is required I would like to see a time limit on it as well as indicating conditions where tethering is not permitted i.e. high temperature/low temperature limit, rain/snow, without shelter etc.	1/17/2020 8:38 PM
231	There should be further specification on access to food and shelter while tethered.	1/17/2020 7:30 PM

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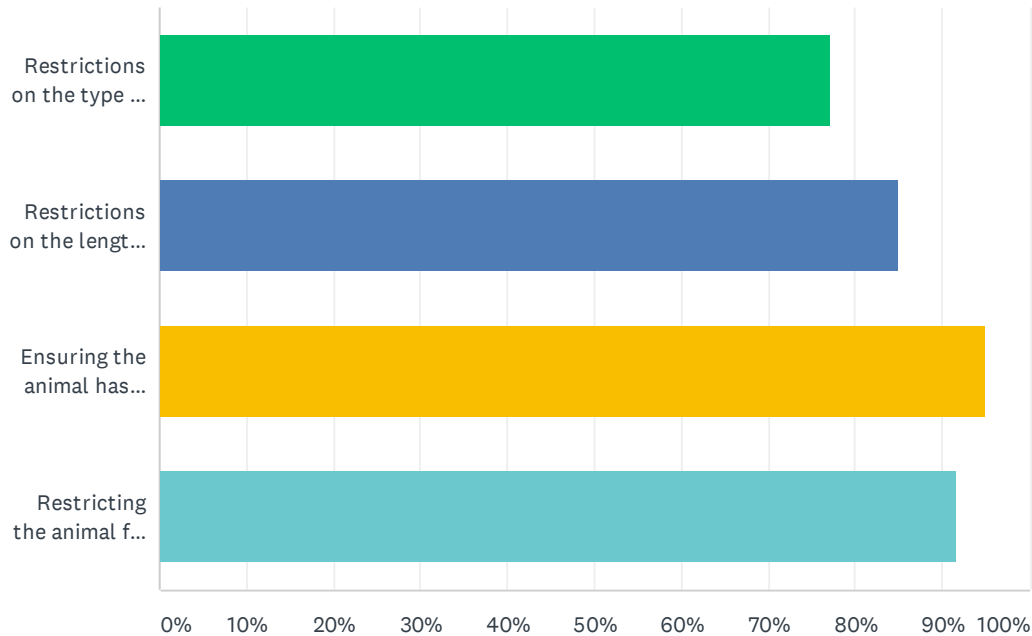
232

There should be no tethering of any animal in the town. It is inhumane, particularly in poor weather conditions.

1/17/2020 7:23 PM

Q7 Would you like to see any of the following regulations added to Newmarket's Animal Control By-law regarding tethering? (select all that apply)

Answered: 553 Skipped: 49



ANSWER CHOICES	RESPONSES	
Restrictions on the type of collar worn when the animal is on a tether (i.e. choke, chain, prong)	77.22%	427
Restrictions on the length of time allowed on a tether (i.e. 4 hours in a 24 hour period)	84.99%	470
Ensuring the animal has access to adequate water, food, shelter and shade	94.94%	525
Restricting the animal from being tethered during inclement weather (i.e. Environment Canada Weather Statements)	91.68%	507
Total Respondents: 553		

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#	PLEASE PROVIDE ANY ADDITIONAL PROVISIONS THAT YOU WOULD LIKE TO SEE INCLUDED:	DATE
1	All outdoor shelters should meet specific criteria, eg. - Insulated shelter which includes all 4 walls, roof and flooring, and should also require soft bedding such as adequate amounts of straw. Shelter should also be large enough to allow the animal room to retreat to the back of the shelter to protect itself from the elements. Outdoor tethers should be strictly monitored or forbidden all together.	2/9/2020 7:29 PM
2	Dog shouldn't be allowed to live out on a driveway exposed to other people and dogs walking by. Dogs in this condition do not feel safe and protected. The current laws regarding shelter should be reviewed and updated. If a dog is going to be left out 365 days a year, their shelter should be substantial and heated, not a little box.	2/8/2020 11:01 AM
3	That the animal has access to humane housing.	2/7/2020 4:49 PM
4	Restrictions on Placement of said shelter, water, food and tether origin. (Cant spill food or water if shortened tether length cuts across placement of these provisions.	2/7/2020 1:16 PM
5	Supervision, Not just tethered and left.	2/7/2020 11:43 AM
6	Some people with fenced yards send their dogs out into inclement weather for extended periods of time, ignore barking to get back in and leave them outside way too long - this should also be discouraged.	2/6/2020 2:39 PM
7	By laws need to follow up and closely monitor any complaints removing the animal from any suspected abusive situation	2/6/2020 11:30 AM
8	Please see my previous comments regarding tethering.	2/5/2020 7:29 PM
9	All of the above should absolutely be added to the Law! Every single one of those regulations!	2/4/2020 10:21 AM
10	None	2/3/2020 1:57 PM
11	All animal control by-laws should be fully advertised. More public awareness would help protect vulnerable animals. People could act if they knew how to when seeing any wrong committed.	2/3/2020 1:32 AM
12	See my answers on the previous question. Animals are not pieces of furniture. Weather and their living environment (not just food and water but a clean environment which includes regular cleaning up of feces) impact on the animal behavior. Animals are not bad, some owners are bad. If anyone is found to abuse an animal they should be prohibited from owning another animal, and a meaningful fine or criminal charge should be applied as a deterrent.	2/2/2020 5:16 PM
13	I support these bylaws, however, owners not providing food, water & shelter or leaving their animals outside in inclement weather should be charged with cruelty!	1/31/2020 11:40 PM
14	Seriously who is going to enforce these rules. Currently most bylaws are not enforced as it is. The system relies on residents complaining and people are afraid of their neighbours. These are animals that need our protection. Words on paper and no action is just plain sadistic.	1/31/2020 8:51 PM
15	Anything which puts the animal at risk of injury or causes any undo harm or wilful neglect	1/31/2020 6:26 PM
16	Animals left in hot cars	1/31/2020 2:47 PM
17	dont agree the dog been on tether even for 4 hours	1/31/2020 12:28 PM
18	We need to keep all animals from hardship.	1/31/2020 9:26 AM
19	I would prefer no tethering at all.	1/31/2020 5:25 AM
20	Any legislation needs to be breed specific. If a dog had an undercoat it should not be treated same as a dog that doesn't.	1/30/2020 11:01 PM
21	I think that if this is a recurring situation with the same owner it should be investigated for the welfare of the animal.	1/30/2020 11:01 PM
22	Tethering should be prohibited in front yards	1/30/2020 10:26 PM
23	1 warning then animal removed from home after subsequent violations	1/30/2020 10:15 PM
24	They should be treated as people would want to be treated!!	1/30/2020 10:01 PM

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25	Animals should have rights!!! I just moved to Newmarket & hate the fact that dogs are sold in stores?? Really? Shame shame!!	1/30/2020 9:47 PM
26	Again, it should never be allowed to tether any animal for any length of time unless in the company of people	1/30/2020 8:58 PM
27	Type of collar depends on individual animal.	1/30/2020 8:50 PM
28	No bark/shock collars	1/30/2020 8:33 PM
29	2 hours maximum tethering in any kind of weather for the reasons as stated above...	1/30/2020 6:35 PM
30	If you are planning on tethering an animal, then DO NOT GET ONE!! They deserve much better than that!	1/30/2020 6:30 PM
31	Prong collars should be outlawed. Period.	1/30/2020 1:34 PM
32	I would like to see the town of Newmarket actually have laws such as these and actually fulfill complaints and charges against those who do not follow regulations. It is considered neglect, harmful and inhumane to these helpless animals. The town needs to begin having by laws and abiding and following up with complaints and being responsible to be consistent by having the laws and charging owners when community members have made the town aware of issues of neglect, inhumane living conditions for these animals! The animals cannot talk, people need to start standing up and being responsible in all areas.	1/30/2020 10:42 AM
33	Depends on breed for cold weather. I'm against the prong collars.	1/30/2020 9:01 AM
34	Ban tethering	1/30/2020 8:03 AM
35	This is going in the wrong direction. If you make it more difficult, dogs will go inside in crates. Leg us bring our dogs in stores so they dont die in cars or freeze or get stolen while tethered. You can deal with every barrier. You can require dog is in and tethered to a stroller. You can require a muzzle. Anything. The bylaws that prevent pets in stores and restaurants is cruel. It is the problem.	1/30/2020 8:01 AM
36	These are all very good provisions.	1/29/2020 11:57 AM
37	Half hour tether MAX cats indoors Buy litterboxes or DON'T GET A PET	1/27/2020 5:01 PM
38	A doghouse has to be a structure that is insulated , off the ground with fresh straw and a flap in the winter in the door . This is for the dog when it is out within the few hours within 24 hrs	1/26/2020 9:12 PM
39	Tethering should occur as little as possible and as short as possible.	1/25/2020 5:34 PM
40	If an animal is going to be tethered out side in all kinds of weather, then proper adequate shelter should also be provided. Also, proper signage warning of a dog on the property.	1/25/2020 3:24 PM
41	We need a more specific definition of adequate. What's adequate for one person might be horrifying for another.	1/24/2020 6:25 PM
42	An animal should not even be left outside in inclement weather, or for extended periods, regardless of whether it is tethered or merely confined within a fenced area. It makes no sense that these restrictions apply only to tethered animals. They should also apply to untethered animals kept outside.	1/24/2020 4:35 PM
43	Please see model legislation suggestion above. I do not believe dogs should be tethered unattended for any length of time. I do not believe dogs should be left outside unattended (whether tethered or not) for any length of time unless the human can make a case for it being in the dog's best interest (there are rare dogs who prefer to live outside or can not cope with living inside).	1/24/2020 12:20 PM
44	No longer than 1 hour	1/24/2020 12:18 PM
45	Ensuring that animal is still supervised and not left unattended; animal still relies on human for protection from predators. A dog on a tether cannot get away from a coyote.	1/24/2020 10:38 AM
46	No person shall tether a dog unless the person is outside with the dog at all times or the dog is in plain view	1/24/2020 9:44 AM
47	No puppy mill dogs, or cats.	1/24/2020 8:52 AM
48	It should be less than 4 hours maybe 1 hour max	1/24/2020 6:17 AM

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49	No tethering, either walk it or bring it in the house or business with you. No animal should be tethered unattended.	1/24/2020 5:28 AM
50	I would like to see a ban on tethering	1/24/2020 2:49 AM
51	Preferably no tethering allowed	1/23/2020 9:55 PM
52	Pets should not be tethered if the owner is not home.	1/23/2020 9:39 PM
53	Animals should never ever be left outside in the heat or cold for any length of time. Also please stop pet stores from selling animals from puppy mills and stop allowing any animals to be used in any sort of entertainment like horses pulling wagons on Main Street. Thank you.	1/23/2020 8:30 PM
54	All of the above!	1/23/2020 12:30 PM
55	Animals right laws put into place and crush Bill 156. Animals need a voice	1/23/2020 11:55 AM
56	I don't like tethering	1/23/2020 8:13 AM
57	This is common sense practices support by Bill 136	1/23/2020 3:26 AM
58	Tethering should be banned	1/23/2020 12:31 AM
59	Putting a time limit for during inclement weather ex 10-15 minutes because some house holds need that for a dog to do its "business"	1/23/2020 12:10 AM
60	Prong collars and "choke chains" or more commonly known as slip leads are valid and sometimes necessary training tools when used properly. Also slip leads are used by professional handlers in dog show environments exclusively.	1/22/2020 11:34 PM
61	BAN TETHERING ENTIRELY. IF SOMEONE CAN'T PROVIDE A FENCED YARD, OR AN APPROPRIATE PEN FOR THE DOG, THEY SHOULD BE WITH THE DOG ON LEASH WHILE OUT IN THEIR YARD.	1/22/2020 8:11 PM
62	All of the above	1/22/2020 7:34 PM
63	The criteria for outside housing is poor- most are approved even though the shelter is crudely built and the conditions are filthy	1/22/2020 6:02 PM
64	3 meters is not long enough for a large animal. 4 hours is 4 hours too long for some types of animals in heat and/or cold.	1/22/2020 5:42 PM
65	Animals should not be used as guard dogs in business environments.	1/22/2020 4:18 PM
66	No dogs should be left outside especially in colder/warmer weather. I see this too much in Newmarket	1/22/2020 4:04 PM
67	Dogs should be trained and manageable and leashed when in public	1/22/2020 3:13 PM
68	Not everyone has easily managed dogs- to take away tools that help them maintain control over their is not wise. Any tool, even a collar, can cause damage if not used properly.	1/22/2020 1:52 PM
69	Not being tethered outside without the presence of the owner.	1/22/2020 1:33 PM
70	Also restrictions on breeds/types of pets allowed to be tethered. Some dogs LOVE cooler weather and LOVE to be outside while others are put outside for people's convenience not because they are happy there. Could there be some criteria for this to ensure the animal is actually suited and enjoying being out. I disagree with restrictions on type of collar - I have had a large dog with really thick fur who was learning to walk on leash and we needed prong collar on leash or he would pull us off our feet! I agree choke collars and some others are very inhumane but be careful with how you do collar rules because owners must in control of their pets and for many there is a training phase! If a collar means the animal can be trained and have a loving home then this is better for the dog!	1/22/2020 1:00 PM
71	Length of tether can vary depending on dog, so putting a length limit within the bylaw is difficult and does not serve properly, however some sort of provision for something too short or perhaps even too long should be worded. Inclement weather can vary depending on the type of animal, for example of Chihuahua can't handle the cold however an Alaskan Malamute or Husky thrives in that condition, there isn't a catch-all solution.	1/22/2020 11:39 AM
72	I am entirely against tethering of any type. Again, fenced yards should contain the animal.	1/22/2020 11:33 AM

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73	Not to be in reach of outside people being able to approach while tethered.	1/22/2020 11:25 AM
74	Collars only a flat leather or fabric that is suited to size of dog. Access to water during the warmer seasons, food for meal times each day, once or twice. Shelter required with shade of some kind. Tethered dogs are adapted to the climate ie: short coat dogs cannot be left out in winter unless they have a warm insulated shelter with draft proof and deep bedding of clean straw etc. Dog breeds that are Nordic, double coated, acclimated to all weather still must have shelter and shade available as needed.	1/22/2020 10:38 AM
75	Tethered dogs should be on a flat collar and/or harness and FAMILY dogs should not be tethered 24/7. Some breeds are perfectly fine during inclement weather, ie cold, snow etc, with provide shelter if THEY choose to use it.	1/22/2020 10:11 AM
76	Tethering should be banned.	1/21/2020 9:13 PM
77	If it has to be allowed... Then restrict it as much as possible. And respond to complaints.	1/21/2020 5:02 PM
78	tethering is fine but leaving the animal outside the entire day while owners are at work and animal is barking/howling is unacceptable. If owners are away, put the animal in the house or garage.	1/21/2020 4:58 PM
79	yes to all of this. Let's make owners responsible for the proper welfare of their dogs.	1/21/2020 4:49 PM
80	I	1/21/2020 2:03 PM
81	All these should be bylaws. They are not adhered too.	1/21/2020 12:39 PM
82	I do not feel animals should be left unattended while tethered/tied for any length of time.	1/21/2020 12:32 PM
83	better re	1/21/2020 10:34 AM
84	I want to see this stopped completely. It should be banned. Newmarket is very behind the times.	1/21/2020 10:31 AM
85	Animals should not be tethered outside unless for a short supervised time. Choke chains should never be used on a tether. Animals should not be allowed to be left outside ever in inclement weather.	1/21/2020 9:51 AM
86	Please see legislation suggestion in section 6.	1/20/2020 11:44 PM
87	suggest fencing-kenneling instead of tether	1/20/2020 11:32 PM
88	Should not be chained at all. If you cant have an animal as part of your family and live inside dont have one	1/20/2020 11:02 PM
89	How is this going to be enforced?	1/20/2020 9:43 PM
90	at the same time, mind your business. no one tells you how to raise children and restrictions on clothes they should wear, length of time they are outdoors etc	1/20/2020 12:52 PM
91	The animal should not be thethered if it is not supervised.	1/20/2020 9:51 AM
92	Yes, thank you. That clarifies	1/19/2020 8:42 PM
93	Restrictions on the length of time allowed on a tether 20 minutes each time to a maximum of 4 hours in a 24 hour period ... until a fence can be built.	1/19/2020 5:45 PM
94	Especially when cold weather	1/19/2020 11:10 AM
95	Who is timing how long the animal is outdoors	1/19/2020 8:36 AM
96	Consider the size of the animal also...a few metres for a large animal is not enough. Tethering really is not an animal-friendly approach.	1/18/2020 4:05 PM
97	Fines for not following rules	1/18/2020 2:37 PM
98	No tethering unsupervised	1/18/2020 12:44 PM
99	Dog houses don't qualify as adequate shelter for a dog left outside always	1/18/2020 11:57 AM

Q8 Please provide any further comments regarding the Animal Control By-law and Pet Store licensing in the Town of Newmarket?

Answered: 220 Skipped: 382

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#	RESPONSES	DATE
1	All pets should be indoors during cold weather and also should have good clean water hot days in the summer and be in shaded areas and away from hot asphalt driveways Which get very hot in the summer	2/9/2020 9:08 PM
2	Would also like to see the Town of Newmarket adopt pet-friendly bylaws pertaining to restaurants and their outdoor patios, so that pet owners are discouraged from leaving their animals in a vehicle, susceptible to over-heating.	2/9/2020 7:29 PM
3	Please make it easier to report nuisance barking/howling dogs and to take these matters seriously in quiet neighbourhoods.	2/9/2020 1:58 PM
4	Dogs should not be left alone overnight which we see with a dog living around the corner from us. The dog barks and barks at night, especially when alone because there is no safety for this poor dog. Our laws need to protect dogs like this.	2/8/2020 11:01 AM
5	Its simple if a pet owner isn't following the by laws with their dogs there should be a fine and if they continue the fine goes up	2/8/2020 9:36 AM
6	All toys, bones and beds should be approved as chemical free and not harmful to pets.	2/7/2020 8:21 PM
7	Do not leave your pet outside for no longer then 1/2 hour in the winter when it is cold	2/7/2020 5:37 PM
8	No sourcing of animals from puppy mills!!!!	2/7/2020 4:49 PM
9	Raise the standards on the minimum requirements for adequate shelters and provisions required. Actually enforce fines when investigating multiple times. Bare minimums obviously dont phase repeat offenders. Your supposed to help these poor animals not give opportunity for owners to keep the cycle going. Decide between animal services and now police involvement who can actually do something to help these animals. The laws and fines state/ dictate ontario has the toughest laws and fines but time and time again nothing comes from investigations and none of these abusers get punished for their ill behaviours. It frustrates and saddens those trying to help the animals you want information on to prevent the cruelties too. Eventually without action, these animals stand a greater chance of becoming a statistic or the next OSPCA commercial.	2/7/2020 1:16 PM
10	All pets to be microchipped upon purchase/adoption	2/6/2020 6:58 PM
11	If we HAVE to allow Pet Stores and have them sell dogs/cats, then I think we definitely have to restrict where they are allowed to purchase/obtain these animals from. Personally, I don't feel we should allow dogs/cats to be sold in stores period!	2/6/2020 6:51 PM
12	They must all be licensed.	2/6/2020 6:34 PM
13	It's ridiculous that Newmarket is still allowed (or any pet store for that matter) to have animals from ie puppy mills.	2/6/2020 5:20 PM
14	There's nowhere that talks about the allowance and protection of colony cats which I thins is important.	2/6/2020 4:21 PM
15	It should be against the law for pet stores to offer for sale, dogs (and cats) from puppy mills. They should be forced to provide documentation on where the animals have been sourced eg rescues; humane societies etc	2/6/2020 2:39 PM
16	What about cats? there is a lot of reference here to protecting and sourcing dogs, but this should also apply to cats.	2/6/2020 1:03 PM
17	Comments don't work on 6 & 7. I don't agree with tethering. If you own a pet you should provide, a safe outdoor enclosed area or use the dog park and/or walk your pet.	2/6/2020 12:27 PM
18	Please ban pet stores from selling animals, unless it's registered to sell for rescue or humane societies. Please ban and stamp out puppy mills	2/6/2020 11:30 AM
19	Pet stores and other markets involved in the business of selling animals for profit contribute to an unregulated industry of puppy mills and commercial breeders. Peer-reviewed studies conclude that such animals are typically produced by intensive breeding in substandard conditions. This results in their incurring a high number of communicable diseases (zoonosis), and adverse genetic and neurological symptoms, as well as behavioral issues; and, Pet stores promote impulse buying, do not screen homes or educate buyers, and often house animals in	2/5/2020 7:29 PM

environments non-conducive to their health. Consumers are denied the opportunity to approach the breeder(s); inspect their operations or premises; assess the pups' or kittens' parents; access medical records (if any exist), or ask questions, thus consumers are not protected. The Canadian Kennel Club (CKC) Member Breeders' Code of Practice expressly and unequivocally forbids breeders to sell to pet stores. Section III (g) states: "No breeder shall sell or donate dogs for the purpose of their being auctioned, raffled or to pet stores". The Canadian Federation of Humane Societies notes that over the past decade, the puppy mill industry has increased in Canada. Puppy mills are increasingly registering their dogs with online registration bodies that are not recognized in Canada, such as the North American Purebred Dog Registry; further, registration does not guarantee a puppy's health or quality. Most puppies in Canadian and Ontario pet stores were imported from mills in the United States prior to 1995. But in that year, new legislation was enacted to regulate the import of puppies from the U.S. The new law required that puppies be micro-chipped, vaccinated and health-checked by a veterinarian. Because many U.S. shipments did not meet these standards, this measure was successful in reducing the number of puppy exports entering Canada. Unfortunately, the decrease in imported puppies from the U.S. has created a demand that is now met by an increase in Canadian mills. In 2011, the City of Toronto unanimously passed a bylaw that bans the sale of animals in stores. Councillor Glenn De Baeremaeker, who put forward the motion, stated that petstores that sell animals are bad for pets and consumers. "They're kept in small cages, they're not socialized, they have immense health problems," he said. "Consumers are getting ripped off." The bylaw stipulates that stores cannot sell dogs or cats unless obtained from a municipal shelter, a humane society or registered rescue group. The bylaw also serves to reduce euthanasia by steering consumers to animals that have been health-checked and spayed/neutered. "It really slams the door closed on people who mass-produce animals for profit," said Mr. De Baeremaeker. The Cities of Toronto, Mississauga, Vaughan, Kingston, Wellington, Waterloo, Oakville, Cambridge, Richmond Hill, Oshawa and Chatham-Kent have placed the same restrictions on the sale of pets from pet stores, and more Ontario municipalities, including Whitby are currently working on such by-laws. The Humane Society of Durham Region has recently stated that: "we...support the ban of the sale of animals in pet stores, retail establishments, flea markets and online, unless they are from a municipal shelter, humane society or recognized community rescue organization." Further adding: "By stopping the sale of pets in stores and through online agencies, it will both reduce the number of unaltered and potentially unhealthy animals entering the community and it will help the rescue organizations find homes for those animals already in shelters. It's a win-win situation." Thousands of unhealthy companion animals, sourced from mills, must be put down every year by their owners and municipal animal services. This creates a financial burden on the consumer, the municipality, and thus inflict great distress to pets and their owners. We believe that this is not only an animal welfare issue, but a consumer protection issue and a public health/disease prevention issue! Reputable pet stores, such as PetSmart and Pet Valu, have long recognized the problem and have opted to work with the community by bringing in rescued cats and dogs into their stores from local shelters and rescue organizations to help re-home them, instead of being a part of an otherwise harmful industry. These same altruistic pet stores in our community, referred to above, cannot be considered to endorse the position taken and statements uttered by one particular national pet trade lobby organization. Any lobby organization that purports to represent pet stores and yet concurrently opposes such a resale ban is clearly not acting in the best interests of these pet stores, the consumer, public health or the animal. As a result it is difficult to comprehend why pets are being openly traded within a commercial retail environment as these are sentient domestic animals that require constant care and environmental enrichment. We therefore need to re-evaluate the current retail practice so that we put the pet's interests and that of the consumer ahead of such unregulated financial profiteering. As an example, The Michigan State University Animal Legal & Historical Centre, in a detailed discussion paper of retail pet stores, author Ashley Duncan concluded; If consumers are truly concerned about the welfare of animals in the current retail system, they must demand either a cease in the sale of pets at retail stores or a boycott in those stores that exhibit unscrupulous practices. Further, inhumane conditions in pet stores will never be addressed unless concerned customers are willing to report such conditions to local animal control officers. The bottom line is that animals are seen as commodities in the retail pet industry. When profits are at stake, it will always be hard to assure animals are given the care they deserve. The City of Vaughan's Report, which typifies many other municipal staff reports that have reviewed a pet shop resale ban, in part states: * Adoption of the recommendations contained within this Report reflects a more progressive and proactive approach intended to reduce proliferation of strays resulting from unwanted and abandoned pets, and greater protection of health and well-being of our communities, environment and natural wildlife *

Restriction of the sale of dogs and cats by pet stores and all retail establishments has been

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raised as a concern by various citizens and the broader public at large. Concerns have included that the majority of dog and cat sales through retail establishments are sold at an age where the dogs or cats are too young to be spayed, neutered or adequately vaccinated; in essence adding to further proliferation of unwanted pets, risk of transmissible diseases such as rabies, and increased demands placed on Animal Services in many municipalities. * It is reasonable to conclude as other cities have, that more effective regulatory controls provide a governance system that offers greater confidence in our communities, supports greater consumer protection and public health, can contribute to further deterring "hoarding" and unlawful "puppy mill" operations from operating within Ontario (in accordance with and supportive of OSPCA mandates) and from a broader, more global perspective, these proposed measures contribute to the greater good and welfare of the community and the welfare of the animals within. * Arguments in support of a bylaw include:

- o Greater prevention and control of spread of zoonotic diseases through preventative disease control.
- o Improved health and well-being of the animals, reducing the likelihood of rabies transmissions to both animals and humans.
- o Supports interest of OSPCA
- o Animal welfare
- o Reduces the burden of unwanted pets surrendered to animal shelters.
- o Minimizes prevalence of animal overpopulation, abandoned animals and strays.

To conclude: Pet stores get their animals from two sources; commercial kennels or backyard breeders. These operations, that have been found in our region are solely there for profit. The adult breeding animals are housed in unimaginable conditions, kept in pens or cages their entire lives, suffering from disease and parasites; many which are 100% transmittable to humans. The puppies coming from the operations are too often ill, leading to large medical bills for unsuspecting customers. The population of unwanted pets is at epidemic proportions. Currently there are 1560 dogs available for adoption in a one hour radius around Clarington on petfinder.com. The number of dogs entering Canadian shelters and rescue organizations each year is estimated at two million with one million being euthanized each year, through no fault of their own. Cities benefit with the bylaw as Animal Control does not have the burden of housing, caring and feeding unwanted and abandoned animals. Therefore, we urge the Town of Clarington to enact a resale ban and amend the bylaw to ban the sale of companion dogs, cats and rabbits in pet shops and any other retail outlets, unless they are sourced from a municipal shelter, the humane society, or a recognized community animal rescue organization.

Appendix 1. Dr. Catherine Filejski: Ontario Ministry of Health. Public Health Veterinarian Appendix 2. This is a Municipal Issue. Actionspeaksloudercalgary.ca Appendix 3. Michigan State University Animal Legal and Historical Centre Martin Field 905-576-7637

20	There should be severe penalties and consequences to anyone that abuses or causes suffering of any animal, including horses.	2/5/2020 11:16 AM
21	strong consequences need to be enforced on the pet owners and pet stores who do not follow the by-laws	2/4/2020 10:38 PM
22	To allow a Pet Store to sell animals in this day and age is archaic. I am of the firm belief that if you are looking for a pet - any kind of pet - you should search out either a Breeder or a Rescue Organization. I believe that purchasing an animal from a Pet Store is probably in most cases an impulse buy and does not bode well for the future of that animal.	2/4/2020 10:21 AM
23	Shelter needs to be adequate. For example, it should include insulation and a door	2/3/2020 11:26 PM
24	Newmarket pet stores should not SELL dogs, especially dogs that are from breeders or puppy mills. Instead as an alternative pet stores could aid in adoption procedures from pet shelters and humane societies	2/3/2020 10:22 AM
25	Make sure that there is funding to ensure that the by-laws are being upheld.	2/3/2020 1:32 AM
26	I would like to see a ban on "pet stores" in the town of Newmarket. There is no need for them. People interested in acquiring a pet can already go directly to shelters, humane society, or breeders.	2/2/2020 8:12 PM
27	There would not be a need for so many rescue operations if the puppy mills, unethical pet stores, and abusive owners were taken out of the equation. Stiffer penalties and more enforcement would go a long way to help alleviate this distressing situation. These creatures deserve a chance at a decent life. They cannot speak for themselves and it is society's responsibility to protect them.	2/2/2020 5:16 PM
28	I am happy the the Town is looking to review the Animal Control By-law.	2/2/2020 1:55 PM
29	Anything that helps run puppy mills out of business is a godsend.	2/2/2020 9:26 AM

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30	Someone should make sure that these animals are being contained in a clean, comfortable environment.	2/1/2020 7:36 PM
31	Thank you	2/1/2020 2:41 PM
32	Need more staff and power to the town. Careful with what "registered breeder or business" is. Too easy to get this and can be backyard breeders or a puppy mill. Also...no animals should be brought in from outside Canada; registered or not.	2/1/2020 10:08 AM
33	Rules are only half of the equation. The Town also needs to ensure that there are adequate numbers of by-law enforcement/animal welfare officers to give effect to them.	2/1/2020 9:33 AM
34	It's embarrassing that Newmarket has waited until 2020 to even ask these questions. Action needs to be taken so that puppy mills are not supported. Animal owners should also not be allowed to treat their animals like trash. We need to be the voice the animals don't have. I would like to be proud of where I live!	1/31/2020 8:51 PM
35	Pet stores should be banded from selling live animals. This would help shut down mills	1/31/2020 7:07 PM
36	Strongly urge the town to go forward and stop pet stores from selling pets unless from rescue, they are utilizing puppy mills and they know it	1/31/2020 6:31 PM
37	No comments	1/31/2020 6:30 PM
38	Any pet store needs to have appropriate care facilities fresh air rules and number of pets restricted Shut down pets friend at Yonge and mulock those conditions are terrible and the store gets its animals from puppy mills it's disgusting what those poor animals must endure from an owner who clearly is in it for a buck	1/31/2020 6:26 PM
39	Crack down on current pet stores selling puppy mill animals	1/31/2020 2:47 PM
40	cats that are outdoor cats should be licensed. If a cat is an indoor cat it should not be required.	1/31/2020 9:26 AM
41	Long overdue. Puppy mills should have been banned years ago. I refused to be part of it when Pet Paradise was once a very corrupt franchise even if it resulted in severe profit loss. I chose only to accept dogs or other animals in need of a home, including one that I kept for my home.	1/31/2020 7:37 AM
42	The pet stores, if they're going to sell animals should have to have proof of where those animals are coming from posted, if they're reputable breeders that they're coming from they should have paperwork to say they've been vaccinated etc and it should be available for the consumer to see before they purchase the animal	1/31/2020 5:35 AM
43	It is very important to me that these by-laws are updated.	1/31/2020 5:25 AM
44	Why is someone who has been banned in another town able to come here, open a pet store, and continue the same poor treatment of animals?	1/31/2020 2:01 AM
45	I am shocked that sales of dogs and cats are allowed in Newmarket at all. I thought this issue was addressed province-wide years ago. Since it apparently wasn't, my preference would be to ban sales of cats and dogs in pet stores. Adoption events similar to what Petsmart does seem like a reasonable compromise.	1/30/2020 11:56 PM
46	I feel any pet store accessing puppy/kitten mills should be shut down. They should not be allowed to exist. And the mills should be investigated and stopped as well.	1/30/2020 11:01 PM
47	require a full business history of the pet store and cross reference owners to businesses that they may have had in other municipalities	1/30/2020 10:46 PM
48	Please include rabbits, guinea pigs, ferrets and other small animals apart of this licensing. There are thousands of small animals that end up in shelters or dumped outside every year. Please make Newmarket a part of the growing list of municipalities that recognize the suffering that occurs in puppy and kitten mills and choose not to support that suffering.	1/30/2020 10:34 PM
49	How have we not done this yet? This is an embarrassment to our politicians.	1/30/2020 10:16 PM
50	Great that this is being looked into! Every town should be.	1/30/2020 10:01 PM
51	Laws must exist to support vulnerable pets	1/30/2020 9:51 PM
52	Pets should NOT be sold in stores. People should not be allowed to breed dogs...the dog does NOT have a say. Do we "breed" people?? Get rich off someone else?? Palease!! Many dogs	1/30/2020 9:47 PM

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from breeders don't usually live a long life because they have so many issues. Stop BREEDING & adopt.

53	Do NOT allow sale of dogs and cats at pet stores	1/30/2020 9:45 PM
54	Pet stores should not be selling animals from puppy mills	1/30/2020 9:31 PM
55	No puppy mills	1/30/2020 9:26 PM
56	All Pet Stores should have a legal license that they won't buy from Puppy Mills.	1/30/2020 9:11 PM
57	Shut down the pet store selling of animals. The end	1/30/2020 8:48 PM
58	They need to be more proactive in controlling off leash dogs in public space (not dog parks obviously)	1/30/2020 8:43 PM
59	The animal control bylaw is disgustingly inadequate, as is the pet store licensing. Pet stores shouldn't sell anything other than pet food. They have no way to check to see if pets will be going to good homes, and no way to check up on the animals once they leave the store.	1/30/2020 8:38 PM
60	Dogs and cats should not be allowed to bought/sold. Only adopted/rescued.	1/30/2020 8:34 PM
61	Pet stores should not be allowed to sell dogs! Providing services to showcase adoptable dogs is acceptable and encouraged.	1/30/2020 8:33 PM
62	Animals be treated humanly.	1/30/2020 7:44 PM
63	This is a great initiative!	1/30/2020 7:11 PM
64	Puppies should NEVER be sold in pet stores for profit. They are sourced from puppy mills and potential buyers never see the cruelty imposed upon the parent dogs. Many other cities in Ontario have undertaken a humane business model whereby they work with shelters and rescue groups to ensure that homeless dogs are adopted. There is no reason why the Town of Newmarket pet stores cannot adopt this business model - it works..	1/30/2020 6:35 PM
65	Pet stores should get regular (preferably unscheduled) check ups that check the care of the animals.	1/30/2020 5:36 PM
66	Protection of the animal come first. Bad owners have to be held accountable - perhaps fined. Enforcement is key.	1/30/2020 3:52 PM
67	No animals sold that do not come from humane Society, shelter or rescue. Breeders must have a licence and be inspected quarterly but still cannot sell their animals in pet stores or online like kijiji or marketplace. This would keep people from breeding in a puppy mill situation. All animals sold in pet stores must be spayed or neutered before taken home. Also in my opinion for dogs and owners a basic obedience course should have to be purchased and attended with a passing grade.	1/30/2020 2:19 PM
68	Owners should not be allowed to bike or roller blade with their dog on a leash beside them. I've seen too many dogs dragged this way.	1/30/2020 1:34 PM
69	I believe any animals being bought or sold for a pet store to sell should definitely have to have a special license with strict rules and not allow animals to be bred repeatedly and inhumanly or at all. There are so many animals that are homeless in need of loving homes. Purchasing through human society or rescues is the best solution. Stop breeding and supplying puppy mills with money. Changes to need to happen please.	1/30/2020 10:42 AM
70	Newmarket should look at only allowing pet stores to partner with rescues and shelters . Dogs should not be kept in pet stores and should not be sold for profit	1/30/2020 10:30 AM
71	No more puppy mill stores!	1/30/2020 10:29 AM
72	I think it's Disgusting the bylaws I'm Newmarket against animal cruelty including having them chained outside dog houses pet stores being able to sell puppy mill dogs puppies . I think it's time for new market to make some changes	1/30/2020 9:34 AM
73	As far I know the by-laws is pretty good. However pet stores must be licensed and sourcing from legitimate businesses	1/30/2020 9:01 AM
74	The town of Newmarket should widen their scope and also look the sale and welfare of exotic animals. Exotic animals are often bred in "puppy mill" style breeding facilities, where their	1/30/2020 8:48 AM

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needs for a natural habitat and engagement in natural behaviours are ignored. Furthermore, the keeping of these animals is far more challenging than housing a dog or a cat, selling these animals to inexperienced owners, often purchasing these animals on a whim, is irresponsible and causes harm to the animals.

75	This needs to happen pet paradise has been selling puppies with genetic defects for years. I have all the proof needed and the show of cost and the lies. You can email me at jonmoody25@gmail.com if needed	1/30/2020 8:27 AM
76	Need to hire more enforcement officers and give them more powers to help animals in distress. Cut the red tape crap. Abusers should have no rights, and never be allowed to own an animal again. Fines need to be hugely increased, it's a joke the fines, if any that are charged.	1/30/2020 8:18 AM
77	I recently purchased my dog from a local Pet store in Newmarket. When we asked about his parents/where he came from, the store was very hesitant to tell us anything and we're just very vague (I didn't really think it was that rare of a questions) and really made me question where he came from and if it was a puppy mill. All in all, we fell in love with him right away, but I have since stopped supporting this business.	1/30/2020 8:12 AM
78	We need more trail areas that are off leash. We need to be able to walk into a coffee shop or pharmacy or grocery or convenience with a leashed dog to pick up our goods.	1/30/2020 8:01 AM
79	This is extremely important. I believe this should be at regulated at the Provincial level, and not left to the municipalities.	1/29/2020 12:53 PM
80	Animal Control is only as good as its enforcement. I spend my life wondering if I'm going to have to kick the unleashed dog who is heading straight for me and my dog with the owner yelling "it's okay" behind his/her dog. This happens constantly at Geo Richardson and out behind the local public schools. I have NEVER seen an animal control officer anywhere.	1/27/2020 8:46 PM
81	I saw sick kittens with no beds, no water. It made me sick.	1/27/2020 5:01 PM
82	Personally, I think restricting the number of animals a person can have is not logical. I understand the thinking behind it is to prevent hoarding but that is a mental illness and not bound by law. There is nothing saying a person with 5 or 6 cats cannot take better care of their pets than a person with 1. Proper care is dependent on financial means, adequate space, love and proper care... Not numbers. On the pet store issue, it is shameful that these people can still operate, selling dogs and cats from what we KNOW are puppy/kitten mills or backyard hobby breeders.... neither of which are acceptable. With animals being euthanized for lack of homes, it is disgraceful that these people, both shop owners and breeders' are profiting from the horrific abuse of animals and the public's continued ignorance. Pet shops selling supplies should only be allowed to work with local rescues, animal control and shelters to help adopt out animals. That is a progressive society.	1/26/2020 9:54 PM
83	The time limit it takes to get this passed . Please consult with Oshawa and Mississauga who amended their animal welfare responsible pet owner bylaw . This should speed up the process	1/26/2020 9:12 PM
84	I am very pleased the town of Newmarket is proposing changes to their animal welfare bylaws! Cudeaux! As far as the opposition by the Pet Paradise owner; there is PROOF that he purchased puppies from PUPPY MILLS. Staff do NOT apply a proper screening process of potential buyers of those defenceless animals. Other pet store businesses, who do NOT sell animals thrive!	1/26/2020 9:09 PM
85	There are many towns that have banned the sale of pets in pet stores unless they are associated with a rescue or shelter. It is time for Newmarket to do so as well. I am appalled that not even a business license is required for the pet stores in this town. These stores are selling mutts from backyard breeders and puppy mills for thousands of dollars and it's time for this to stop.	1/26/2020 6:06 PM
86	I'm concerned that a for profit business will not do it's best to match the animal temperament with the prospective owner. That can result in a lot of surrendered animals or abandoned animals.	1/25/2020 10:38 PM
87	A step in the right direction.	1/25/2020 9:05 PM
88	About time. Good for you.	1/25/2020 5:43 PM
89	I strongly believe that owners should have the right to decide if they want to fix their animals or not. Allowing them to experience parenthood is another example of providing a healthy and	1/25/2020 5:34 PM

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satisfactory life for them. Out anthem says: "God keep our land, glorious and free...." ... the same God has a commandment to take care of animals and let them multiply. Another commandments clearly states not to neuter them as it is an abominable and cruel act. Additionally, declawing cats should be forbidden by law - another cruel and torturing act allowed towards animals. In closing, I would like to quote a saying which says: "The greatness of a nation and its moral progress can be judged by the way its animals are treated." my email in case somebody has comments or questions: jelena30@yahoo.com

90	Owning an animal is a serious commitment which so many pet owners do not understand and some of them giving the animal up after a short time. I honestly believe it should be much more difficult to purchase and adopt animals and then maybe it will stall the impulse purchasing of the many pets who end up abandoned. The less accessibility to purchase animals the better. Adopting spaying and neutering should be highlighted in our by- laws.	1/25/2020 4:22 PM
91	I believe the humane society should be the ones dealing with the sale and placement of animals after a check with a veterinary. I never purchased an animal through a pet store, nor a breeder because of the suspicious activity involved with the so called 'puppy mills' etc.	1/25/2020 3:24 PM
92	Animals should have rights as much as children in care	1/25/2020 9:48 AM
93	I believe there should be a protection plan for tnr cat colonies managed by a registered caretaker . I believe pet stores should not be allowed to sell cat and dogs , only encourage to have an adoption center managed by registered rescues of choice	1/25/2020 12:48 AM
94	Would love to see changes to bylaw and programs to support TNRM program.	1/24/2020 6:58 PM
95	Unregistered sellers are driven by profit not the wellbeing of animals, the animals brought the these facilities are not checked at the veterinarian and carry disease. Staffing at pet stores are not qualified individuals or vet technicians to know if an animal is sick. Licensed municipal facilities, OASCP, or rescue centers have protocols in place to protect animals. Ensuring health and wellness prior to homing. Part of the regulation should include records so the staff can inspect and audit these premises. The ultimate goal should target minimum euthanizing animals.	1/24/2020 6:50 PM
96	Ensure that the community is listened to and that the people who are enforcing these regulations know and understand animals. Currently, we have people working in positions of authority who seem to have no understanding of the issues.	1/24/2020 6:25 PM
97	The Town of Newmarket needs to crack down on backyard "breeders." I work in a pet supply store (we do NOT sell animals) and see too many Kijiji purebreds. Mennonite puppy mills are another thing that has gone on too long in this area. No pet store should be selling any animal. We have a lot of shelters and rescues that would make much better use of the space.	1/24/2020 5:26 PM
98	This is a very important issue that needs addressing	1/24/2020 3:03 PM
99	My biggest concern is that when an animal, any animal is hurt or being neglected in any way, there should be laws to protect them. We need to make this laws to help them.	1/24/2020 1:09 PM
100	I wish Georgina Animal Shelter and Adoption Centre would promote the animals available for adoption in their care. Social media posts are free!! They have a dog at the shelter who has been there in excess of a year and he has rarely been mentioned on their Facebook page. Such a lost marketing opportunity. In my opinion, promoting the animals available for adoption is just as important as promoting finding the owners of lost pets and is part of the centre's role.	1/24/2020 12:20 PM
101	Thank you for looking into this matter.	1/24/2020 12:00 PM
102	I would like to see pet stores shut down period. The is one particularly awful place, PJ's Pet Store at the 404 plaza that sells all kinds of pets, but the conditions they're kept in are awful. Puppies in their own urine on a bare concrete floor; huge exotic birds in tiny cages that with no freedom of movement; dead rodents. It's depressing as hell. They should not be given any license to sell live animals.	1/24/2020 10:54 AM
103	Please also stop the sale of exotic pets from breeders in pet stores (ie: rabbits, hamsters, lizards). There are multiple rescue organizations for each species. Please do not allow or condone the sale of animals by local papers, or social media within the town of Newmarket.	1/24/2020 10:38 AM
104	Please stop puppy mills, There are plenty of other dogs needing homes from reputable people.	1/24/2020 9:45 AM
105	animals in town operated facilities such as Magna Centre should be addressed. Are they	1/24/2020 9:27 AM

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	allowed and under what conditions (leashed, no barking or jumping)	
106	Please ensure pets are not left outside alone for long periods of time.	1/24/2020 9:18 AM
107	While I appreciate the current Animal Control By-laws, they can certainly be improved and must be enforced!	1/24/2020 9:08 AM
108	I think the first focus should be dogs and cats - getting ride of that puppy mill lady at mulock and Yonge. But you may have to consider sales of other animals as well. Lizards mice gerbels fish - to know how they're bred etc. But companion animals first.	1/24/2020 8:52 AM
109	It is my understanding that cats are not allowed to roam free. How can that be enforced better, as I still see many out in my neighbourhood.	1/24/2020 8:46 AM
110	The town should inspect the source of animals especially dogs from pet stores. More often then not those puppies are a result of puppy mills living with crewel conditions	1/24/2020 8:42 AM
111	I would prefer no Pet Stores in my beautiful town	1/24/2020 7:21 AM
112	The town needs to have strict enforcement rules in place	1/24/2020 7:00 AM
113	Include provision for a cat TNR Management program. Currently the no roaming provision would require that colony or community cats be seized. This can be a death sentence to the feral cats. A TNRM plan is a humane way of dealing with feral and stray over population. Newmarket can join other progressive municipalities by assisting with the spay/neutering and mgmt of cat colonies.	1/24/2020 6:43 AM
114	Do more to control roaming cats in town. Fines, for example (but actually do it, not just say you will)	1/24/2020 6:00 AM
115	I also don't think it's right that cats are let out to roam, kill and defecate Freely. If I let my dog behave in this manner I would be charged.	1/24/2020 5:28 AM
116	If a person is found to be in possession of an animal that is being said person should be jailed and fined and forbidden from ever owning an animal ever again !!	1/24/2020 12:14 AM
117	Dogs need to have a lot more freedom, a lot more love/caring and need to have a lot more rights	1/24/2020 12:07 AM
118	No animals from out of province are to be sold in any store. If pets are sold in stores, they are to be kept in open, appropriate size cages, not behind glass with lights shining down on them.	1/23/2020 11:20 PM
119	Pet stores if approved after this that have animals in store should have overnight care for the animals as well as regular vet visits and by law inspections.	1/23/2020 11:10 PM
120	Please stop allowing pet stores to provide their animals from mills. I truly cannot believe something like this is still happening.	1/23/2020 10:42 PM
121	Like it or not pets are a "purchase" providing the animals are ethically sourced (animals are treated well, basic vet checks and in an appropriate environment) and ethically cared for there is nothing wrong with buying an animal. Adopt don't shop is great but it NOT for everyone as many of those animals come with issues. Sometimes people get too carried away with it and feel it's the only option. There is nothing wrong with wanting a puppy or a specific breed or type of dog for numerous reasons that quite frankly are not up to the town to decide.	1/23/2020 10:20 PM
122	Pet stores should not be allowed to sell puppies or kittens. They do not adequately screen the new owners and many end up in the shelters. They also purchase them from Amish puppy mills, of which there are many, brokers etc. Many arrive from puppy mills in Quebec. The parents live in horrendous conditions and the dogs are ending up in shelters due to unaffordable health issues. Reputable, registered breeders sell their animals on strict spay/neuter contracts with a condition written in that they will take the pet back if they can no longer care for it. We have been praying that municipalities become part of the solution to a major problem.	1/23/2020 10:12 PM
123	Please ENFORCE the requirement of all dogs being on a leash when in public space!!!!	1/23/2020 10:09 PM
124	Off leash only in designated areas.	1/23/2020 9:39 PM
125	Not to allow pet stores to sell pets at all!	1/23/2020 9:29 PM
126	More needs to be done to protect animals that are left outside for extended periods, left in hot	1/23/2020 9:01 PM

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cars, and the sale of pets should be essentially banned from small pet stores and ideally all stores. There is no place for the sale of kittens and puppies when there are so many in shelters. Pet stores do not get their animals from reputable sources.

127	No unregistered breeders.	1/23/2020 8:30 PM
128	I truly hope Newmarket follows suit as other towns have and does not allow the sales of animals in stores.	1/23/2020 8:28 PM
129	No tethering at all	1/23/2020 7:51 PM
130	regulations against puppy mills and backyard breeders	1/23/2020 7:43 PM
131	Positive list for species allowed	1/23/2020 6:39 PM
132	Thank you for not selling animals to research Please also indicate in bylaw that you own the pets after the redemption period thank you And please don't allow any trapping in Newmarket. And need a cat trap spay and release program. Thank you for this opportunity to comment. For exotics you need a positive list. Contact zoocheck in Toronto for details	1/23/2020 6:38 PM
133	Pet stores often source their animals from unethical breeders - regulations need to be put in place to restrict the source of animals allowing adoptions from ethical rescue organizations or the animal shelter, but not pet sales	1/23/2020 6:36 PM
134	I don't understand why a pet store wouldn't be required to have a business license? Why should they be different from any other business? I couldn't answer those questions, because you didn't explain why this was case. I had no idea.	1/23/2020 6:28 PM
135	I would prefer that the sale of dogs be completely banned in pet stores.	1/23/2020 4:03 PM
136	I would like to see a ban on cats and dogs sold at pet stores. Many of these animals come from puppy mills where they are repeatedly bred and then disposed of when no longer useful as breeding stock. Stopping animal sales in pet stores will help shut down these mills.	1/23/2020 2:46 PM
137	Close the two Pet Stores here that sell live Dogs	1/23/2020 2:20 PM
138	There is a pet store at Yonge and Mulock that should be shut down. Awful conditions for pets in that store.	1/23/2020 2:00 PM
139	No selling of exotic animals.	1/23/2020 1:35 PM
140	Whatever you do, don't put ethical breeders in the same category as puppy mill breeders and don't pit ethical rescues against ethical breeders. We all care about animal welfare, dogs should be allowed to bark but not incessantly, dogs should enjoy the outdoors but not always on a tether - thank you for trying to find a middle ground. Pet stores shouldn't need to sell animals, they should only be a contact or networking community so new pet parents can go to the source and get all information needed before making the choice to care for a pet for their lifetime.	1/23/2020 1:04 PM
141	The current stores selling pets won't answer questions as to where they get their animals. Clearly getting them from puppy mills! This needs to be stopped. (I'm a resident of Aurora and have been in the community for 20 years).	1/23/2020 12:30 PM
142	Pet stores should be required to document who is purchasing animals. These are living creatures with the right to be treated with kindness and good care. No size of animal is disposable and anyone who purchases one should be fully aware of the responsibility they are taking on bringing that creature into their home. No one should be able to repeatedly obtain animals and operators should be allowed to refuse service to people who's motives they doubt or question.	1/23/2020 12:11 PM
143	No pet store should be allowed to sell puppies. Responsible breeders would not sell their puppies in a pet store. Any puppies that you see in stores come from a puppy mill or backyard breeder, plain and simple. They may have a middleman but they do not care about the animal's welfare, only the money that it can bring in. Get into the 21st century, Newmarket, and ban sales of cats and dogs from all pet stores, period!	1/23/2020 11:57 AM
144	Pet stores should not be allowed to sell their own animals but promote adoption of pets from shelters and humane societies due to puppy mills and poor treatment of animals. Adoption only, no selling.	1/23/2020 10:48 AM

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145	I would like to know that the By-laws are being enforced	1/23/2020 10:22 AM
146	Do something with all the loose and nuisance cats !!!	1/23/2020 8:13 AM
147	Reptiles/amphibians and rodents should also be considered as to where they are getting sourced. Shelters are over run with bunnies and other rodents on a pretty frequent bases, it would be nice if the importing of exotics such as those was cut down a little.	1/23/2020 7:48 AM
148	Running the sale of animals in pet shops would be enforced as soon as possible	1/23/2020 12:31 AM
149	Work with the CKC in promoting how to shop responsibly and do not allow any dogs or cats including rescues to be sold in pet stores. Allowing rescues to be sold in pet stores is an excuse for "retail rescues" to buy dogs from breeders without having to offer any sort of lemon law type policy if the dogs are sold sick.... not to mention that selling dogs and cats in pet stores just encourages people to make snap decisions on pet ownership without doing the research that they should be in bringing home a new companion.	1/22/2020 11:34 PM
150	I do not support pet stores selling animals	1/22/2020 8:37 PM
151	No tethering please	1/22/2020 8:20 PM
152	We don,t need pet stores selling dogs in Newmarket Period ☹️☹️	1/22/2020 8:11 PM
153	Do not support ANY sales of animals in pet stores. PERIOD. The by-law is truly outdated and needs to be changed. Promotion of adoption through rescue groups is 100% where pet ownership direction should go.	1/22/2020 8:04 PM
154	Do you have a Hobby Kennel Licence for CKC Recognized members?	1/22/2020 7:34 PM
155	I thought there was legislation forbidding pet stores from selling dogs and cats.	1/22/2020 7:24 PM
156	Current tag license is a cash grab. No reason to get one.	1/22/2020 7:17 PM
157	Having by-laws is fine but they need to be adhered to and enforced!! What would be the action taken in each instance of a by-law being broken ? Repeat offenders?	1/22/2020 5:42 PM
158	I believe that all pets should be under the care of the OSPCA - with the exception of fish and birds. Pet Stores should help in promoting the adoption of pets through the OSPCA. This co-operation will help their business too.	1/22/2020 4:18 PM
159	Do not really believe that a pet store is the appropriate place for animals to be sold. Dogs/cats/rabbits etc do not do well in that environment	1/22/2020 3:13 PM
160	All dogs that arrive at a pet store should have proof of LOCAL and verified vet check. These dogs appear to be ill and most likely have bogus vet check documentation.	1/22/2020 2:37 PM
161	I don't think shelters should be allowed/forced to release their animals to animal research labs or universities for testing.	1/22/2020 2:36 PM
162	pet stores should not be selling dogs or cats. Animals needing adoption should be the only animals that are allowed	1/22/2020 2:25 PM
163	Animal hoarding should no be allowed nor should puppy mills	1/22/2020 2:07 PM
164	No bsl.	1/22/2020 1:52 PM
165	I don't think pet stores should be allowed to sell puppies/dogs. They need activity and can't get it in the pet store cages.	1/22/2020 1:33 PM
166	Pets should only be sold by registered not-for-profit rescues who have been vetted - there are a lot of "rescue" organizations that no one is regulating. Step 1 - nobody should be making money from finding pets a home, Step 2 - rescues should support the new owners - have policy of taking the animal back if owner surrenders the animal	1/22/2020 1:00 PM
167	The poor conditions of the pet's environment, puppy mills and and the poor health of the animals is of great concern to me.	1/22/2020 12:27 PM
168	I feel I gave most of my comments within the comment sections of the survey. You would do well to consult with the Canadian Kennel Club. Ending of colours and all situations would not be a good idea for example slip collars Etc are used by veterinarians trainers and groomers to safely transport animals,	1/22/2020 11:39 AM

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169	I do not believe that pet stores should be allowed to sell live animals other than fish or birds.	1/22/2020 11:33 AM
170	Annual license fee with senior discount. No restrictions on numbers, no required spay or neuter.	1/22/2020 10:38 AM
171	Changes to prevent puppy mills and the sales of those puppies. Require store owners to report puppy mill operators and their locations	1/22/2020 7:15 AM
172	Should only be CKC registered breeders and no pet stores amnd animal inspectors be allowed to Inspect the breeders premises	1/21/2020 10:17 PM
173	Puppy mills often produce purebred dogs. Sometimes these dogs are even registered with the CKC. Rescues from within Canada are a viable option if stores are selling cats and dogs. Many "rescues" from out of country are actual profitable for people. Some imported "rescues" are bringing in foreign disease which threaten our resident animals.	1/21/2020 9:13 PM
174	There should be an audit of pet stores to ensure animals/reptiles etc are properly taken care of and not being abused in any way.	1/21/2020 4:58 PM
175	Educate, educate, educate. Owning a dog or any companion animal should not be taken lightly. Let's make sure people are prepared for the pet they are owning. Prevention....	1/21/2020 4:49 PM
176	My family has 2 dogs bought from a Newmarket pet store and know several other owners from the Bayview Parkway dog park. We all have nothing but good things to say about the health and care of our dogs.	1/21/2020 4:35 PM
177	It's 2020 this issue needs to be addressed now.	1/21/2020 2:17 PM
178	I don't think it's right that animals in shelters can be taken by research labs and institutes. That should be stopped.	1/21/2020 2:03 PM
179	Though I personally would never buy a dog or cat from a pet store. By banning the practice, your town is just further pushing people to the Black market and making it less safe for people and animals. At least with brick and mortar stores, the town can hold them accountable.	1/21/2020 1:47 PM
180	I live in aurora so that's why I filled this out. What ever happens in newmarket can be used for aurora.	1/21/2020 12:39 PM
181	In addition to tethering laws, the by-laws should be amended to restrict the length of time animals can be left unattended in their yards. No animal should be left outside in any type of weather 24/7 unless there are special circumstances and it is in the animal's best interest (this would be rare). The owner should be required to make a case for why the animal is better off left outside then brought inside the home.	1/21/2020 12:32 PM
182	This all seems like common sense and I am applaud these types of improvements are even being questioned.	1/21/2020 12:09 PM
183	better	1/21/2020 10:34 AM
184	Newmarket must step up to the plate and change their Animal Control By-Laws and Pet Store licensing as soon as possible	1/21/2020 10:31 AM
185	Only rescue animals be allowed to be sold in pet stores! No mill animals or backyard breeder animals should be sold in stores! Also, STOP mill dog operations and backyard breeding! Cruel and not appropriately operated! Dogs kept in cages their whole life, not vetted, no human contact, never seen the outside of a building, being shot after no longer needed! Disgusting!!!	1/21/2020 10:13 AM
186	As someone who has being in the dog grooming industry for 18 years, and seen first-hand what goes on at puppy mills. I have seen the conditions these animals live in and I have seen the owners and dogs coming through my door with health issues in their puppies some of these dogs don't live very long. I'm a groomer of eight years in the Newmarket area and I work only a block away from one of these pet stores selling dogs. They are in their kennels in the store running around with feces on their feet I have seen them sick I don't believe it is a life for dogs to be sitting in these cages day in and day out. Please end the selling of dogs in our new market pet stores let's follow Toronto and other towns in the GTA that have banned this horrible practice and make new market on much more respected place to live.	1/21/2020 9:51 AM
187	No restrictions. Our animal cruelty laws are sufficient to protect animals , e.g. animals are better protected than humans. We do not need edditional regulatory burden which will result in costs. The negatove impact from increasing coasts and regulations will be more unwanted animals	1/21/2020 8:52 AM

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and reduced chance of pets to find loving home. Think about this! and see THE BIGGER PICTURE!

188	Pet stores should only be allowed to adopt out rescue animals	1/21/2020 3:22 AM
189	I do not feel that dogs should be chained outside for any length of time without their owner. I do not feel that pet stores should be allowed to sell animals but, rather, only adopt out animals sourced from our municipal animal control, the OSPCA, or local rescues.	1/20/2020 11:44 PM
190	should be a complete BAN on retail SALES, only allow adoptions from approved shelters-rescue groups	1/20/2020 11:32 PM
191	Pet stores should not sell pets only adopt out from rescues or shelters. Pet stores keep puppy Mills in business torturing innocent mothers and providing sickly animals	1/20/2020 11:02 PM
192	Please take all of the responses you get serious. These poor helpless animals need our help	1/20/2020 10:18 PM
193	We need to be able to call a mom we and have someone come to help when needed. Now we just get the run around. These animals so desperately need help.	1/20/2020 9:45 PM
194	We need more accountability and enforcement	1/20/2020 9:43 PM
195	One time registration for pets shoube adopted as is practiced in many other cities	1/20/2020 5:33 PM
196	Newmarket should implement a one time/for life licensing for dogs. Other cities do this and have great success, and do not change a massive amount to lifetime licence, which appeals to owners.	1/20/2020 4:42 PM
197	We need to completely forbid the sale of pets in pet stores unless under the umbrella of a reputable rescue group.	1/20/2020 4:35 PM
198	Just let pet stores in and sell animals Also, chill out with the surveys almost every other week. its exhausting and you should schedule your engagement opportunities better by spreading them out more.	1/20/2020 12:52 PM
199	I don't feel a pet store is a responsible place to purchase a pet. If allowed, then only rescue animals should be made available. Store owners have one thing in mind, to make a living. I'm afraid the necessary considerations are not met with a prospective customer, who will most likely be making a decision based on heart and a large percentage of pets will, in the end, enter into rescues. Allowing stores to sell pets is irresponsible.	1/20/2020 8:58 AM
200	Please do not allow pet stores to sell animals	1/19/2020 8:42 PM
201	I'm concerned about pet stores who do not sell all the puppies they have in store. What happens to the unsold animals?	1/19/2020 8:28 PM
202	Something has to be done with cat owners allowing their cats to roam at night. I find cat feces in my garden beds all the time. It's quite frustrating. I pick up after my dog and cat owners should have some kind of responsibility as well.	1/19/2020 8:15 PM
203	More enforcement for dogs being off leash	1/19/2020 7:26 PM
204	lonly shelter anumals adoptions shoudk be allowed	1/19/2020 6:56 PM
205	Pet stores should only be allowed to advertise adoptable animals in their stores from licensed charitable animal rescues	1/19/2020 6:55 PM
206	The seller must have a purchase guaranteed mute, breeding ,needles plus rabies .	1/19/2020 6:41 PM
207	More fines for cats allowed to wander loose.	1/19/2020 1:18 PM
208	This is very important. I am glad change is coming! Thank you. Looking forward to seeing results.	1/19/2020 11:58 AM
209	Ensure barking indoors and outdoor is not a nuisance to neighbours.	1/19/2020 11:10 AM
210	Pet stores should not be allowed to sell pets - only rescues	1/19/2020 8:36 AM
211	The best way to end puppy mills is to remove their source of income. The animals are poorly bred, in general poor health and these pet stores keep paying puppy mills for these poor abused animals.	1/18/2020 6:06 PM

Animal Control and Licensing Survey

212	Look...I have a big problem with WHERE pet stores can get their animals for sale. No cat or dog in a pet store should come from a breeder. I love that PetSmart Newmarket gets cats from Kate and Me Rescue. Please, please, tighten the laws. In a society that is becoming more enlightened and aware of the poor treatment of animals, we need to do better. Thanks!	1/18/2020 4:05 PM
213	Need stricter laws regarding abuse of animals	1/18/2020 2:37 PM
214	Pet stores should not be able to sell dogs	1/18/2020 12:52 PM
215	No stores selling animals	1/18/2020 12:44 PM
216	I am a resident of Aurora and since the bylaws are amalgamated for animal services, I am a very vocal spokes person for animal rights and welfare. Newmarket is part of Georgina and Aurora and I will have their voices heard	1/18/2020 11:57 AM
217	I do not live in Newmarket, but I volunteer with a rescue organization and I see a lot of needless animal suffering. Unfortunately, it is the result of human greed (as in the case of puppy mills) and neglect (as in the case of letting animals roam). The only way to ensure animals are protected is to have strict by laws in place.	1/18/2020 10:39 AM
218	Animals are put to sleep everyday simply because they don't have a home. It's time for Newmarket to get with the times and stop supporting the sales of puppy mill dogs and start supporting rescues.	1/18/2020 7:57 AM
219	Fines for not scooping poop	1/17/2020 8:38 PM
220	Bylaws are pointless unless they are enforced so the Town must be vigilant in doing so	1/17/2020 5:14 PM



Corporation of the Town of Newmarket

By-law 2020-XX

A By-law to regulate, licence, and control Animals in the Town of Newmarket.

Whereas section 11 of the Municipal Act 2001, S.O. 2001, c25, as amended, establishes that a municipality may enact by-laws regulating or prohibiting Animals;

And Whereas section 103 of the Municipal Act authorizes the Town, through the passage of a by-law, to seize, impound, and sell animals that are trespassing or at large;

And Whereas section 391 of the Municipal Act authorizes the Town to impose fees or charges for services or activities provided or done by or on behalf of the Town;

And Whereas the Council of the Town of Newmarket deems it advisable to pass such by-law;

Therefore be it enacted by the Council of the Corporation of the Town of Newmarket as follows:

1. Title

This By-law may be known and cited for all purposes as the "Animal Control By-law 2020-XX".

2. Definitions

In this By-law:

"**Animal**" means any member of the Animal kingdom, other than a human;

"**Animal Services Officer**" means a person designated and authorized by by-law of the Town of Newmarket to enforce the Town of Newmarket Animal Control Bylaws;

"**Appeals Committee**" means a Committee that is appointed from time to time by Council for the purpose of hearing appeals regarding orders pursuant to this By-law;

"**At Large**" means an animal found in any place, other than the lands, premises or a vehicle of the animal owner or person keeping such animal while:

(a) the animal is not leashed; or

(b) the animal is leashed and no person has the leash in hand;

"**Attack**" means an act of aggression towards a person or domestic animal;

"**Bite**" means any contact with an animal's teeth that causes puncturing of the skin of a human or a domestic animal;

"**Cat**" means a male or female small domesticated feline kept as a pet which is over the age of four (4) months;

"**Dangerous Act**" means any bite, attack or a combination thereof;

"**Dangerous Dog**" means a dog that has been determined to be a Dangerous Dog pursuant to section 9 of this By-law, which determination has not been otherwise rescinded pursuant to this By-law;

"**Dangerous Dog Order**" means an order to comply with the requirements for owners of a Dangerous Dog pursuant to section 9 of this By-law;

"**Director**" means the Director of Legislative Services of the Town of Newmarket or designate;

"**Dog**" means a male or female domesticated canine kept as a pet which is over the age of 4 months;

"**Dog Owners' Liability Act**" means the Dog Owner's Liability Act, R.S.O. 1990, c. D. 16, as amended;

"**Domestic Animal**" means a dog or a cat kept by a person;

"**Domestic Animal Care Facility**" means a service commercial establishment in which domestic animals are cared for on a short term daily basis in an open setting and may include accessory grooming and training facilities but excludes a kennel.

"**Dwelling Unit**" means a room or suite of rooms operated as a separate house keeping unit that is used or intended to be used as a domicile by one or more persons and that contains cooking, eating, living, sleeping and sanitary facilities;

"**Foster Animal**" means a dog, a cat, a litter of puppies that originate from the same female dog or a litter of kittens that originate from the same female cat that is owned, kept, cared for, possessed or harboured by a person as part of a foster care program administered by a Municipal Pound, registered rescue group or a registered humane society;

"**Fees and Charges By-Law**" means the Town of Newmarket Fees and Charges By-Law, as amended;

"**Feral Cat**" means a cat found in the Town of Newmarket that has no owner, is not socialized and is extremely fearful or resistant to humans

"**Guide Dog**" means a Guide Dog as defined in section 1 of the Blind Persons' Rights Act;

"**Impound**" means to seize and take legal custody of an animal by an Animal Services Officer because of an infringement of a law or regulation or at the direction of emergency personnel;

"**Keep**" means to have temporary or permanent control, possession or ownership of an animal, and "keeping" has the same meaning;

"**Law Enforcement Dog**" means a dog trained to assist law enforcement officers and used by such officers in the execution of their duties;

"**Leash**" means a rope, chain or other material or restraining device used to restrain a dog or cat;

"**Licence**" means an identification tag issued by the Town or designate which is to be affixed to the collar of the dog or cat for which it was issued;

"**Lot**" means a parcel of land which is legally capable of being conveyed in accordance with the Planning Act R.S.O. 1990, Chapter 13 as amended, or is described in accordance with a registered Plan of Condominium.

"**Licence Fee**" means a fee payable for a Pet Licence pursuant to the Fees and Charges By-Law;

"**Manager**" means the Town of Newmarket Manager of Regulatory Services or their designate;

"**Municipal Pound**" means a shelter or place, operated by a Municipality, where stray, lost, abandoned or surrendered animals are kept;

"**Muzzle**" means a humane fastening or covering device that cannot be removed by a dog and is of adequate strength and design and suitable to the breed, that is placed over the mouth of a dog to prevent it from biting, and the words "muzzled" and "muzzling" have a similar meaning;

"**Notice to Muzzle**" means a notice containing muzzling requirements, pursuant to Section 9 of this By-law;

"**Nuisance**" means an injurious, offensive, or objectionable condition that disturbs or is likely to disturb the comfort, rest, and enjoyment of any Person;

"**Owner**" means any person who possesses or harbours a dog or cat and where the owner is a minor, the person responsible for the custody of the minor, and includes a person who is temporarily the keeper or in control of the dog or cat and "owns" has the same meaning;

"**Park**" means a public area controlled by the Town and set aside for use by the public for rest, recreation, exercise, pleasure, amusement and enjoyment and includes playgrounds, sports fields, wading and swimming areas, public pathways and trails;

"**Penalty Notice**" means a ticket issued pursuant to the Town's AMPS By-law 2019-62;

"**Person**" includes a natural person, corporation, partnership or party, and the personal or other legal representatives or a Person to whom the context can apply according to law;

"**Police Officer**" means a Police Officer defined under the Police Services Act, R.S.O. 1990, c. P15, as amended;

"**Prohibited Animal**" means an animal identified as a "Prohibited Animal" as identified in Schedule 'A' - Prohibited Animals of this By-law;

"**Service Animal**" means an animal described in subsection 80.45(4) of O. Reg. 191/11, under the Accessibility for Ontarians with Disabilities Act, 2005, S.O. 2005, c.11.;

"**Tether**" means a rope or chain or similar restraining device that is not connected to a person, that prevents an animal from moving beyond a localized area, and the words "tethered" or "tethering" have a similar meaning;

"**Town**" means the Corporation of the Town of Newmarket in the Regional Municipality of York;

"**Town Clerk**" means the Clerk of the Town as appointed by by-law;

"**Training Order**" means an order containing training requirements, pursuant to section 9 of this By-law;

"**Urban Hens**" means a domesticated female chicken that is at least four months of age;

"**Vehicle**" means a motor Vehicle, trailer, traction engine, farm tractor, road-building machine, bicycle and any Vehicle drawn, propelled or driven by any kind of power, including muscular power, but does not include a bus, streetcar or train used for public transportation;

"**Wildlife**" or "**Wild Animal**" means an animal that belongs to a species that is wild by nature;

"**Zoning By-law**" means the **Town** of Newmarket **Zoning By-law** 2010-40, as amended.

3. Administration and Enforcement

- (1) The **Director**, **Manager**, and any **Animal Services Officer** of the **Town** are hereby delegated the authority to enforce this By-law, including the authority to conduct inspections pursuant to this By-law, the Municipal Act, as amended, and any other enacted legislation.
- (2) The **Director** is authorized to delegate the powers and responsibilities for the administration and enforcement of this By-law to any **Town** staff or external third parties deemed to be qualified and appropriate by the **Director** for such purposes.
- (3) Any notice, written warning or **Penalty Notice**, issued pursuant to this By-law may be served by:
 - (a) hand delivery to the **Person** or the **Owner** of the **Animal** and shall be deemed effective upon service; or
 - (b) mailed to the last known address of the **Person** or **Owner** of the **Animal** and shall be deemed to be effective on the seventh (7th) day after the date of mailing.

4. General Regulations

- (1) In this By-law, any references to care, control, ownership, harbouring or keeping of an **Animal** shall include any joint or shared care, control, ownership, harbouring and keeping. Any persons that have joint or shared care, control, ownership of, or are sharing or jointly harbouring or keeping, an **Animal**, shall be jointly and severally responsible and liable for any such **Animal** and any duties, obligations, prohibitions, offences and requirements of a **Person** caring, controlling, owning, harbouring or keeping an **Animal** pursuant to this By-law.
- (2) No **Person** shall **Keep**, own, possess, or harbour any **Dog** in the **Town** which makes or causes noises, repetitive or persistent barking, or howling that disturbs or is likely to disturb the comfort, enjoyment, rest, or quiet of any **Person** in the vicinity or neighbourhood.
- (3) No **Person** shall have care or control of more than three (3) **Dogs** or four (4) **Cats** at any time.
- (4) No **Person** shall **Keep**, possess, or harbour, or permit to be kept, possessed, or harboured more than three (3) **Dogs** or four (4) **Cats** within or about any **Dwelling Unit**, unless the additional **Dog(s)** or **Cat(s)** is accompanied by an **Owner** who does not reside at the **Dwelling Unit**.

- (5) No **Person** shall permit any of the following in any leash-free **Park** or zone approved or designated by the **Town** :
- (a) any **Dog** that is subject to a **Dangerous Dog Order** of any Municipality; or
 - (b) have care and control of more than three (3) **Dogs** at any one time.
- (6) A **Person** who owns or keeps a **Dog** shall not permit any excrement deposited by such **Dog** to remain on land or premises owned by the **Town** or on land or premises owned by any person, and a **Person** keeping or owning such **Dog** shall remove such excrement.
- (7) No **Person** shall keep, either on a temporary or permanent basis, any **Prohibited Animal** unless permitted to do so by the Town's Zoning By-law or as authorized by the **Manager**.

5. Protective Care of Domestic Animals

- (1) The **Town** may receive or **Impound** a **Domestic Animal** into protective care for up to five (5) calendar days at a **Municipal Pound** as a result of an incarceration, or as a result of a fire or medical emergency, or for any other situation that the **Manager** or an **Animal Services Officer** deems appropriate.
- (2) When the **Town** receives a **Domestic Animal** into protective care, the **Owner** of the **Domestic Animal** shall pay all costs incurred or fees associated on behalf of the **Domestic Animal** prior to redeeming the **Domestic Animal**.
- (3) No **Person** shall allow a **Domestic Animal** to remain in a **Vehicle** unless:
- (a) the **Domestic Animal** is secured in a manner that prevents contact between the **Domestic Animal** and any member of the public;
 - (b) the **Domestic Animal** has suitable ventilation; and
 - (c) the **Domestic Animal** is not exposed to temperatures which can cause distress and/or death.
- (4) Every **Person** who keeps a **Domestic Animal** within the **Town** shall provide:
- (a) a clean and sanitary environment free from an accumulation of fecal matter;
 - (b) adequate and appropriate care;
 - (c) adequate food and clean water supply;
 - (d) shelter; and
 - (e) Veterinary care as may be required.
- (5) No **Person** shall **Keep** any **Domestic Animal** in a condition which disturbs or is likely to disturb the enjoyment, comfort, or convenience of any **Person**.
- (6) No **Person** shall **Keep** any **Domestic Animal** in a condition that endangers or is likely to endanger the health of any **Person** or **Domestic Animal**.

6. Tethering

- (1) No **Person** shall **Keep** an **Animal** tethered on a rope, chain, or similar restraining device, unless:
 - (a) the **Tether** is of appropriate length for the **Animal** tethered, but is never less than three (3) meters;
 - (b) the **Animal** has unrestricted movement within the range of such tether;
 - (c) the **Animal** is tethered in a manner that constrains the **Animal** to the property in which the **Animal** is tethered; and
 - (d) the **Animal** has access to adequate water, food, shelter and shade.
- (2) No **Person** shall **Keep** an **Animal** tethered where a choke collar, choke chain, pronged collar or any similar device forms part of the tether.
- (3) No **Person** shall **Tether** any **Animal** for a period exceeding three (3) hours, consecutive or not, within the same calendar day. For greater clarification, if the **Animal** is observed being tethered for any amount of time within a one (1) hour period, it is deemed to have been there for one (1) of the three (3) hours during that calendar day.

7. Feeding of Wildlife

- (1) No **Person** shall feed or permit the feeding of a **Wild Animal**, a **Feral Cat**, or a stray **Domestic Animal** anywhere within the **Town**.
- (2) No **Person** shall cause or permit a feeding device or any attractants to be left outside on any **Lot**, including but not limited to land owned by a public authority.
- (3) Notwithstanding Sections 7 (1) and 7 (2), a land **Owner** may feed a bird that is a **Wild Animal** on their **Lot** in accordance with the following requirements:
 - (a) seed shall be placed in a feeding device designed for birds;
 - (b) no excrement from the birds shall be permitted to accumulate;
 - (c) seed within the feeding device shall be sufficiently above grade and reasonably inaccessible to a **Wild Animal**, with the exceptions of birds;
 - (d) all seed spilled from the feeding device shall be promptly disposed of;
 - (e) the feeding device shall be kept in a sanitary condition at all times; and
 - (f) the feeding device shall not cause or create a **Nuisance** due to odour, sight, or noise.

8. Urban Hens

- (1) Any **Person** wishing to **Keep Urban Hens** shall submit to the **Town** a completed application with all supporting documents, including but not limited to:
 - (a) a letter of permission from the **Owner** of the property where the hens will be kept;

- (b) letter(s) of permission from all abutting property owners; and
 - (c) a sketch of the property including the location of the coop, run, and any other accessory structures, showing dimensions and setbacks.
- (2) No more than three (3) Urban Hens are permitted on any residential property.
- (3) No Urban Hens under the age of four (4) months old shall be kept on any residential property.
- (4) No Roosters shall be kept on any residential property.
- (5) The **Owner** of the Urban Hen(s) must reside on the property where the Urban Hen(s) are being kept.
- (6) An Urban Hen must be kept in their coop between the hours of 9:00pm and 6:00am.
- (7) An Urban Hen shall be kept in an enclosed hen run when not in their coop.
- (8) A Hen enclosure shall be a minimum size of ten (10) square feet per hen.
- (9) Hen coops and Hen runs shall be a distance of 1.2m from the rear **Lot** line and 1.2m from any side **Lot** line of the dwelling **Lot** on which the hen coop is located.
- (10) Hen coops and Hen runs shall be a minimum distance of 3m from all windows and doors of dwellings that are located on an abutting property.
- (11) Hen coops shall be less than 2.4m in height.
- (12) Hen coops shall not be located in a front yard.
- (13) Hen coops and Hen runs shall be maintained in a clean condition and the coop shall be kept free of obnoxious odours, substances, and vermin.
- (14) Home slaughter of hens is prohibited.
- (15) Deceased Hens shall be disposed of at a livestock disposal facility or through the services of a veterinarian.

9. Notices and Orders

- (1) Where an **Animal Services Officer** has reasonable grounds to believe that a **Dog** may engage in an aggressive act, an **Animal Services Officer** may issue an order requiring such **Dog** to receive training in a form and timeline as set out by the **Animal Services Officer**.
- (2) Where training has been ordered pursuant to Section 9(1) of this By-law, the **Owner** of the **Dog** shall provide proof of compliance with the **Training Order** to the **Town** within the timeline imposed.
- (3) Where an **Owner** of a **Dog** is served with a **Notice to Muzzle**, the **Owner** shall:
 - (a) While on the property of the **Owner**, cause the **Dog** subject to the **Notice to Muzzle** to be tethered or confined by a six (6) foot fence in a way that prevents the **Dog** from going beyond the

limits of the owner's property or being accidentally or intentionally released; and

- (b) Whenever off the property of the **Owner**, cause the **Dog** subject to the **Notice to Muzzle** to be muzzled and leashed, and the **Owner** shall not permit such a **Dog** to be left in the control of a **Person** under the age of sixteen (16).
- (4) Every **Owner** of a **Dog** shall exercise reasonable precautions to prevent the **Dog** from engaging in a **Dangerous Act**.
- (5) Without limiting this By-law, an **Owner** of a **Dog** that engages in a **Dangerous Act** is liable to prosecution under the **Dog Owners' Liability Act**, R.S.O. 1990, c. D.16, as amended.
- (6) Where the **Manager** has reasonable grounds to believe that a **Dog** has engaged in a **Dangerous Act** against a **Person** or **Domestic Animal**, the **Manager** shall impose the following with respect to such a **Dog**:
 - (a) for the first (1st) documented offence with a municipality, serve the **Owner** of the subject **Dog** with a **Notice to Muzzle**;
 - (b) despite Section 9(6)(a), if it is the **Manager's** opinion that the **Dangerous Act** is severe, serve the **Owner** of the subject **Dog** with a **Dangerous Dog Order**, requiring the subject **Dog** to comply with the requirements under Section 9(7) of this By-law;
 - (c) for the second (2nd) documented offence with a municipality, serve the **Owner** of the **Dog** with a **Dangerous Dog Order**, requiring the subject **Dog** to comply with the requirements under Section 9(7) of this By-law; or
 - (d) Where the **Dangerous Act** occurred while the **Dog** was the subject of a **Notice to Muzzle** or a control order under the **Dog Owners Liability Act**, serve the **Owner** of the **Dog** with a **Dangerous Dog Order**, requiring the subject **Dog** to comply with the requirements under Section 9(7) of this By-law.
- (7) Where an **Owner** is served with a **Dangerous Dog Order**, the **Owner** shall, at the owner's expense and for the life of the subject **Dog**, ensure that:
 - (a) the **Dangerous Dog** is muzzled at all times when off the owner's property;
 - (b) the **Dangerous Dog** is not permitted to enter, at any time, into any leash-free **Park** or zone approved or designated by the **Town** ;
 - (c) a warning sign is posted on the owner's private property within fifteen (15) days of the order being served on the **Owner** in the form and location as required by the **Manager**;
 - (d) the **Dangerous Dog Owner** information is current, and the **Owner** shall notify the **Town** in writing if the **Dog** is transferred to another **Person** within (5) days of the change of ownership;
 - (e) the **Dangerous Dog** is microchipped within thirty (30) days of the order being served on the **Owner**;
 - (f) the **Dangerous Dog** is spayed or neutered within thirty (30) days of the order being served on the **Owner**; and

- (g) arrangements are made with the **Town** to enable the **Town** to collect information about the subject **Dog** within thirty (30) days of the order being served on the **Owner**.
- (8) In addition to Section 9(7) of this By-law, where an **Owner** is served with a **Dangerous Dog Order**, the **Manager** may require the subject **Dog** to receive training in a form and timeline as required by the **Manager**.
- (9) Where a **Dangerous Dog Order** has been served, the **Owner** of the subject **Dog** shall provide proof of compliance to the satisfaction of the **Manager**.
- (10) Where the **Director**, **Manager** or any **Animal Services Officer** is satisfied that a contravention of this By-law has occurred, such **Director**, **Manager** or **Animal Services Officer** may make an order requiring that the **Person** who caused or permitted such contravention, or the property **Owner** of the land on which the contravention occurred, to discontinue the contravening activity and/or to do work to correct the contravention.
- (11) An Order pursuant to Section 9(10) shall set out the following:
 - (a) the municipal address and/or the legal description of the land or premises on which the contravention occurred;
 - (b) reasonable particulars of the contravention;
 - (c) what is required of the **Person** subject to the order;
 - (d) the date by which there must be compliance with the order and/or, if any work is ordered, the date by which any such work must be done;
 - (e) if any work is required to be done, a statement that if such work is not done in compliance with the order and within a specified time period, the **Town** will have the work done at the expense of the **Person** directed or required to do it; and
 - (f) information regarding the Town's contact **Person**.

10. Remedial Action and Cost Recovery

- (1) Any orders or actions taken in relation to a contravention of this By-law shall be at the expense of the **Person** responsible for the **Animal** and the **Town** may recover any fines or fees imposed through administrative penalties, legal action, or by recovering the costs in the same manner as municipal taxes.
- (2) For the purposes of taking remedial action under Section 10(1), the **Director**, **Manager** or an **Animal Services Officer** may enter, at any reasonable time, upon any lands on which a default to carry out any notice, order, or action as directed.

11. Appeal

- (1) Where a **Training Order**, **Notice to Muzzle** or a **Dangerous Dog Order**, has been issued, the **Owner** of the **Dog** may apply for a Hearing to appeal the Order to the Town's **Appeals Committee**.
- (2) A request for a Hearing shall be made in writing and delivered to the **Town Clerk** within ten (10) business days after the **Training Order**, **Notice to Muzzle** or **Dangerous Dog Order** has been served.

- (3) Upon receipt of the request for a Hearing from an **Owner** of a vicious **Dog**, the **Town Clerk** shall convene a meeting of the **Appeals Committee**, as soon as is practicable, and notify the **Owner** of the **Dog** and any victim(s) of the **Attack** of the time, date and location of the Hearing.
- (4) Notwithstanding that an **Owner** has applied for a Hearing to appeal an Order, the Order takes effect when it is served on the **Person** to whom it is directed and remains in effect until the **Appeals Committee** has made its decision on the appeal.
- (5) Before the **Appeals Committee** makes any decision, a written notice to advise the **Owner** of the recommendations being made by the **Manager or Animal Services Officer** with respect to the order shall be provided.
- (6) The **Owner** and any other interested Persons shall have the right to make a submission of their defense, either in-writing or in-person before the Appeals Committee.
- (7) Failure for the **Owner** or representative to attend the scheduled hearing before the **Appeals Committee** shall result in the proceeding of the hearing.
- (8) The **Appeals Committee** shall deliberate the merits of the evidence presented and shall render its decision at the meeting or shall reserve its decision to be presented later, which shall not be later than ten (10) business days following the date of the hearing.
- (9) The **Appeals Committee** has the power to:
 - (a) confirm the requirements of an order;
 - (b) exempt the **Owner** in whole or part from any requirement set out in the order;
 - (c) impose conditions on any exemption granted under Section 11(9)(b) that the **Appeals Committee** considers appropriate; or
 - (d) rescind the order.
- (10) The decision of the **Appeals Committee** is final and binding.
- (11) Notice of the hearing or any matter which arises relating to the proceedings of the **Appeals Committee** not covered in the provisions of this By-law shall be governed by the Statutory Powers Procedures Act.

12. Registration and Licensing

- (1) Every **Owner** of a **Cat** or **Dog** over the age of twelve (12) weeks shall **Licence** the **Animal** with the **Town** and shall maintain the **Licence** in good standing.
- (2) Every **Owner** of a **Cat** or **Dog** shall annually renew the animal's **Licence** before its date of expiry.
- (3) Upon payment of the animal's **Licence Fee**, the **Owner** shall be provided with a **Licence** and shall **Keep** the **Licence** securely fixed on the **Cat** or **Dog** at all times.
- (4) If a **Licence** is lost or misplaced for any reason, the **Owner** shall make an application for a replacement **Licence**.
- (5) No **Owner** shall provide false information when licensing an **Animal**.

- (6) Every **Owner** of a **Cat** or **Dog** shall at the time of licensing the **Animal**, pay the animal's **Licence Fee** to the **Town** in accordance with the **Town's Fees and Charges By-Law**, as may be amended from time to time.
- (7) Every **Licence** issued pursuant to this By-law shall be serially numbered and a record of their issue shall be kept by the **Town**. Such registration shall, at a minimum, set out the name and address of the **Owner**, the name of the **Domestic Animal**, and shall contain other information as may be required by the **Manager**.
- (8) Every **Licence** issued pursuant to this By-law is personal to the **Domestic Animal** registered and shall not be transferable.

13. Animals At Large

- (1) No **Person** keeping a **Dog** shall allow the **Dog** to be **At Large** within the geographical boundaries of the **Town** unless such **Dog** is confined to a leash-free **Park** or zone approved or designated by the **Town**.
- (2) No **Person** shall permit a **Dog** to enter or to be located in any leash-free **Park** or zone approved or designated by the **Town** unless such a **Dog** is licensed pursuant to this By-law or licensed pursuant to a municipal **Animal** licensing program of another municipality in Ontario.
- (3) Unless otherwise permitted by **Town** policy, other by-laws or any legislation, no **Person** keeping a **Dog** shall allow the **Dog**, other than a **Guide Dog** or a **Service Animal**, to be in or on **Town** property or **Town** facilities where posted signs prohibit such activity or such prohibition is communicated by **Town** staff in another manner.
- (4) No **Person** keeping a **Cat** shall permit such a **Cat** to be **At Large** within the **Town** or allow such a **Cat** to cause damage or create a **Nuisance** or disturbance to another Person, another Person's property, or to **Town** property.
- (5) An **Animal Services Officer** may **Impound** any **Domestic Animal** found to be **At Large**.
- (6) Every reasonable effort shall be made by the **Animal Services Officer** to notify the **Owner** within twenty-four (24) hours that a **Domestic Animal** is impounded and the conditions whereby custody of **Domestic Animal** may be reclaimed.

14. Exemptions

- (1) This By-law does not apply to a **Law Enforcement Dog** and the Persons who have care and control of a **Law Enforcement Dog** as part of their law enforcement duties.
- (2) The following are exempt from any restrictions on the number of Domestic Animals permitted or Prohibited Animals identified under this By-law:
 - (a) a veterinary hospital, clinic, office or veterinary service lawfully operated and supervised by a veterinarian licensed to practice in Ontario;
 - (b) premises registered as a research facility in accordance with the Animals For Research Act, R.S.O. 1990, c. A.22, as amended, or any successor legislation thereto; and

- (c) facilities that provide **Animal** services that are legally operated on premises where the **Zoning By-Law** permits such uses, such as an **Domestic Animal Care Facility**.
- (3) Notwithstanding Section 4(4) of this By-law, a **Person** shall be permitted one (1) additional **Dog** above the limit of three (3), or one (1) additional **Cat** above the limit of four (4), provided that the additional **Animal**:
 - (a) is acting as a **Guide Dog** or **Service Animal** for the **Owner**; or
 - (b) is a **Foster Animal** for a duration of not more than six (6) months and the **Person** is able to produce documentation to the **Town** to support this.
- (4) Sections 7(1) and 7(2) of this By-law do not apply in the following situations:
 - (a) the leaving of food as bait in a trap by a property **Owner** to capture a nuisance **Animal** inhabiting or habituating their property pursuant to the Fish and Wild Conservation Act, 1997, S.O. 1997, c41;
 - (b) the leaving of food as bait by a licenced trapper, and employee of licensed wildlife removal or pest control agency, agents or representatives of the Ministry of Natural Resources, Municipal Law Enforcement Officers, or a **Police Officer**, in the performance or their work; or
 - (c) the leaving of food for a colony of stray or **Feral Cats** for the purpose of trap, neuter or spay and release program approved by the Corporation of the **Town** of Newmarket.
- (5) Any **Foster Animal**, **Service Animal** or **Guide Dog** is exempt from the requirement to obtain an **Animal Licence**.

15. Offences

- (1) Every Person who contravenes any provision of this By-law are liable to the fines and administrative fees set out under the Administrative Monetary Penalty System By-law 2019-62.
- (2) Every Person who is in contravention of the provisions of this By-law may request a review of the matter in accordance with the Administrative Monetary Penalty System By-law-2019- 62.
- (3) Any Person who contravenes a provision of this By-law is guilty of an offence and upon conviction is liable to a fine as provided for by the Provincial Offences Act, R.S.O. 1990, Chapter P.33, as amended.

16. Severability

- (1) Where a court of competent jurisdiction declares any section of this By-law to be invalid, or to be not in force, or without effect, it is the intention of Council in enacting this By-law that the remainder of this By-law shall continue in force and applied and enforced in accordance with its terms to the fullest extent possible according to law.

17. Repeal

- (1) Animal Control By-law 2016-53, as amended is hereby repealed.

Enacted this 29th day of June, 2020.

Mayor's Full Name, Mayor

Lisa Lyons, Town Clerk

Schedule ‘A’
Prohibited Animals

CLASS	ORDER	COMMON NAMES
<i>Endangered or Protected Animals</i>	All	All Animals, native or exotic, whose possession or sale is prohibited pursuant to an international, federal, or provincial law, regulation, rile or agreement.
<i>Mammals</i>	Artiodactyla	Cattle, goats, sheep, pigs, deer, elk
	Carnivora	Panda, otter, wolves, bears, seals, walruses, coyotes, foxes, hybrid wolf dogs Tigers, leopards, cougars, lions, lynx Hyenas’ Minks, skunks, weasels, otters, badgers Mongoose, civets, genets Coatimundi, cacomistles, raccoons (except domestic dogs, cats and ferrets)
	Chiroptera	Bats, myotis, flying foxes
	Edentates	Anteaters, sloths, armadillos
	Lagomorpha	Hares, pikas (except domestic rabbits)
	Marsupialia	Koala, kangaroo, possum, wallabies (except sugar glider derived from self-sustaining captive populations)
	Perissodactyla	Horses, donkeys, jackasses, mules, zebras, ponies
	Primates	Chimpanzees, gorillas, monkeys, lemurs
	Proboscidea	Elephants, rhinoceros, hippopotamus
	Rodentia	Porcupines, prairie dogs, nutria, chinchillas (except rodents which do not exceed 1,500 grams and are derived from self sustaining captive populations)
<i>Reptiles</i>	Crocodylia	Alligators, crocodiles, gavial, caymans
	Squamata	Lizards that are venomous Lizards that reach an adult length greater than 2 metres (6.56 ft) Snakes that are venomous Snakes that reach an adult length greater than 3 metres (9.84 ft)
<i>Birds</i>	Anseriformes	Ducks, geese, swans, screamers
	Galliformes	Pheasants grouse, guinea fowls, turkeys, pea fouls
	Gruitformes	Cranes, rails
	Phoenicopteriformes	Flamingos
	Sphenisciformes	Penguins
	Struthioniformes	Ostriches, rheas, cassowaries, emus, kiwis
	Raptors	Eagles, hawks, falcons, owls
<i>Other</i>	All	All other venomous or poisonous Animals (except for “new world” tarantulas and “emperor scorpions”) All protected or endangered Animals being all Animals, native or non-native, whose possession or sale is

		prohibited because they are designated as protected or endangered pursuant to an international, federal, or provincial law, regulation, rule or agreement, unless the Animal has been obtained in accordance with international, federal or provincial law, as applicable, and if the Animal is not identified in this Schedule.
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Corporation of the Town of Newmarket

By-law 2020-XX

A By-law to regulate and licence businesses to operate in the Town of Newmarket.

Whereas Section 151 of the Municipal Act 2001, S.O. 2001, c25, as amended, establishes that a municipality may provide for a system of licences with respect to a business;

And whereas the Council of the Town of Newmarket deems it advisable to pass such by-law;

Therefore be it enacted by the Council of the Corporation of the Town of Newmarket as follows:

1. Title

This By-law may be known and cited for all purposes as the “Business Licence By-law 2020-XX”.

2. Definitions

In this By-law:

“**Animal**” means any member of the animal kingdom other than a human;

“**Appeals Committee**” means the **Appeals Committee** established by the **Town**;

“**Applicant**” means a **Person** applying for a **Business Licence** to carry on a **Business**, activity, or undertaking pursuant to this By-law;

“**Attendant**” means any **Person** other than a licensed **Owner** or **Operator** who provides Services designed to appeal to the needs of a particular **Business**;

“**Bird**” means a warm-blooded egg-laying vertebrate distinguished by the possession of feathers, wings, and a beak and (typically) by being able to fly;

“**Bed and Breakfast**” means a dwelling or part of a dwelling in which not more than three (3) bedrooms are used or maintained for the accommodation of the travelling public, in which the **Owner**-occupant supplies lodgings with or without meals for hire or pay;

“**Business**” means the carrying on of a commercial or industrial undertaking of any kind or nature, or the providing of professional, personal, or other services as identified within this By-law, but does not include any activity carried on by the government, its agencies, or government owned corporations;

“**Business Licence**” or “**Licence**” means a **Licence** to operate a **Business** pursuant to this By-law;

“**Council**” means **Council** for the Corporation of the **Town** of Newmarket;

“Fees and Charges By-law” means the **Town** of Newmarket **Fees and Charges By-law** 2019-52, as amended;

“Licensing Officer” means an individual appointed by the **Town** as a **Municipal Enforcement Officer** or any other individual designated by the **Town** to enforce this By-Law;

“Lot” means a parcel of land which is legally capable of being conveyed in accordance with the Planning Act R.S.O. 1990, Chapter 13 as amended, or is described in accordance with a registered Plan of Condominium.

“Market” means sell, offer for sale, promote, canvass, solicit, rent, advertise, book, arrange or facilitate sale or rental, and includes placing, posting, or erecting advertisements physically or online;

“Municipal Enforcement Officer” means an individual appointed by the **Town** as a Municipal Law Enforcement Officer or any other individual designated by the **Town** to enforce this By-law;

“Operator” or **“Owner”** means any **Person** that operates or owns a **Business** as identified in this By-law;

“Permanent Resident” in respect of any dwelling or **Lot** means a **Person** who normally resides in a dwelling on the **Lot** and for these purposes a **Person** cannot normally reside at more than one location;

“Person” includes a natural **Person**, corporation, partnership or party, and the **Personal** or other legal representatives or a **Person** to whom the context can apply according to law;

“Pet Store” means a **Premises** in which animals or **Birds** for use as pets, or goods and merchandise associated with such animals or **Birds**, are offered or kept for **Retail** sale or rental to the public;

“Premises” means the area of a building and/or **Lot** occupied or used by a **Business** or enterprise. In a multiple tenancy buildings occupied by more than one **Business**, each **Business** shall be considered a separate **Premises**;

“Prohibited Animals” means an animal identified as a "prohibited animal" as listed in the **Town’s** Animal Control By-law Schedule 'A', as amended;

“Retail” means the sale of products or goods to the ultimate consumer, usually in small quantities, in the ordinary course of **Business**;

“Short Term Rental” means all or part of a dwelling unit used to provide temporary sleeping accommodations for any rental period that is less than 28 consecutive days in exchange for payment. This includes a **Bed and Breakfast** but excludes hotels, motels and accommodations where there is no exchange for remuneration;

“Short Term Rental Company” means any **Person** who facilitates or brokers **Short Term Rental** reservations via the internet and who:

- (a) receives payment, compensation, or any financial benefit due to, as a result of, or in connection with a **Person** making or completing reservations of those **Short Term Rentals**; or
- (b) collects, accesses, or holds information on the number of nights that reservations of those **Short Term Rentals** are made or completed.

This definition does not apply to a **Person** who facilitates or brokers reservations for a **Short Term Rental** that is the principal residence of that person or their immediate family. In this definition, **“Person”** includes multiple

Persons who, acting together, carry on the **Business** of a **Short Term Rental Company**, despite the fact that no single one of those **Persons** carries on the activity in its entirety, and such may be held jointly and severally responsible for each other's actions;

"Sign By-law" means the **Town** of Newmarket **Sign By-law** 2017-73, as amended;

"Town" means the Corporation of the **Town** of Newmarket in the Regional Municipality of York;

"Veterinarian" means a **Person** qualified and authorized to practice veterinary medicine;

"Zoning By-law" means the **Town** of Newmarket **Zoning By-law** 2010-40, as amended.

3. General Regulations

- (1) A **Person** must not carry on any **Business** unless that **Person** holds a valid and subsisting **Business Licence** issued to that **Person** for that **Business** within the **Town**.
- (2) Every **Business** shall comply with all federal, provincial, and municipal by-laws and regulations applicable to the **Business** and the **Business Premises**.
- (3) If a **Person** operates a **Business** at more than one **Premises**, that **Person** shall apply for and maintain a separate **Business Licence** for each **Premises**.
- (4) If a **Person** operates more than one type of **Business** at the same **Premises**, that **Person** shall apply for and maintain a separate **Business Licence** for each **Business**.
- (5) Every holder of a **Business Licence** shall post or display the **Business Licence** at the place of **Business** in a location visible to customers and suppliers attending the **Business**.
- (6) Every **Business Licence** issued shall be deemed to be a personal **Business Licence** to the licensee therein named.
- (7) A valid **Licence** will permit a **Business** to conduct the specific activities to the stated extent described in the **Licence** application. If a **Business** entity makes any changes to the information contained in its **Business Licence** application or information, undertakes new **Business** activities or expands those activities, it is required to obtain a new **Business Licence** or a **Business Licence** amendment for those activities.
- (8) No **Person** operating a **Business** within the **Town** shall **Market** that **Business** or its products and services through any means of promotion unless:
 - (a) the **Person** operating that **Business** is the holder of a valid **Business Licence** issued pursuant to this By-law;
 - (b) the **Business** name being promoted or marketed matches the named endorsed on the **Business Licence**; and
 - (c) the marketing offers products and services that comply with **Town** by-laws and related enactments.
- (9) No **Person** shall carry on a **Business** of any kind, in any way or manner on **Town** owned property, parks, boulevards, highways or

other public property unless specifically authorized to do so by a permit under this Bylaw or another enactment.

4. Administration and Enforcement

- (1) Through delegated authority, the Manager may:
 - (a) grant, issue, or amend a **Business Licence** if the **Licensing Officer** is satisfied that the **Applicant** has complied with all of the by-laws of the **Town** and related enactments that apply to the **Applicant's Business**;
 - (b) suspend, cancel, or refuse to issue a **Business Licence** in accordance with Section 7 of this By-law;
 - (c) impose conditions on a **Licence** at the time of issuance, renewal, or suspension for the purposes of ensuring compliance with all applicable enactments pertaining to the **Business**;
 - (d) conduct inspections and investigations to ensure that all regulations and provisions prescribed in this By-law are carried out; and
 - (e) prepare, from time to time, forms to be used for the purpose of making applications under this By-law.
- (2) No **Person** shall Obstruct or attempt to Obstruct a **Licensing Officer** or other **Person** who is exercising a power or performing a duty under this By-law.

5. Licence Fees

- (1) **Business Licence** fees shall be in accordance with those specified in the **Town of Newmarket Fees and Charges By-law**.
- (2) An administrative penalty of 25% of the renewal fee shall be added to each unpaid **Business Licence** after 31 days from the renewal date. If unpaid by this time, the **Licence** shall be revoked and a new **Business Licence** application shall be required.
- (3) If an application for a **Licence** is withdrawn, in writing, prior to the issuance of the **Licence**, the **Licence** Fee shall be refunded to the **Applicant** if a **Licence** was pre-paid.
- (4) No **Licence** Fee shall be refunded after the issuance of a **Licence**.

6. Application and Renewal

- (1) The terms of a **Business Licence** issued under this By-law are for a period commencing January 1st and ending December 31st of the year for while the **Licence** is issued.
- (2) All new **Business Licence** applications shall be accompanied by a non-refundable \$50.00 application processing fee. If a **Business Licence** application is approved, the application processing fee shall be applied to the **Business Licence** fee identified under the Fees and Charges Bylaw.
- (3) Every **Applicant** for a new **Business Licence** or for the renewal of a **Business Licence** issued under this By-law shall:
 - (a) submit a completed application on the forms provided;

- (b) file proof satisfactory to the **Licensing Officer** that they are eighteen (18) years of age or older, a citizen of Canada, or a landed immigrant or produce a valid work permit issued by the Government of Canada; to work in the occupation of the **Licence** type that they are applying for;
 - (c) provide a copy of the:
 - (i) incorporating document and a copy of the last annual information return which has been filed with the appropriate government department, if the **Applicant** is a corporation; or
 - (ii) registered declaration of partnership, if the **Applicant** is a registered partnership;
 - (d) provide any other document relating to the operation of the **Business** requested by the **Licensing Officer**, including but not limited to:
 - (i) a provincial driver's **Licence**;
 - (ii) Vulnerable Sector Screening Search or Criminal Conviction Background Search issued by the Police Service in which the **Applicant** resides;
 - (iii) Harmonized Sales Tax (HST) number;
 - (iv) York Regional Health Department Inspection Certificate;
 - (v) Insurance Certificates;
 - (e) pay any required fees pursuant to the **Town's Fees and Charges By-law**; and
 - (f) pay any outstanding fine(s) owed to the **Town** prior to the issuance of a **Business Licence**.
- (4) If a **Person** submits a **Business Licence** application for which additional information or documentation is required by the **Licensing Officer**, the **Person** shall supply all required information and documentation within 30 days of the request made by the **Licensing Officer**, after which time the application may be refused and a new application for a **Business Licence** is required.

7. Suspension, Cancellation, and Refusal

- (1) The Manager may revoke, suspend, cancel or refuse to renew or issue a **Licence**:
 - (a) where the past conduct of the **Applicant** or licensee affords reasonable grounds for belief that the **Applicant** or licensee will not carry on the activity for which the **Applicant** is applying for or the licensee is licensed for, in accordance with law and with integrity and honesty;
 - (b) where the **Applicant** of licensee has been found by the Manager or **Licensing Officer** to fail to comply with any provision of this By-law; or
 - (c) where the **Applicant** has been found by the Manager to provide false information in order to obtain a **Business Licence**.
- (2) Upon such revocation, suspension, cancellation, or refusal to issue or renew a **Business Licence**, the Manager shall provide a formal letter

outlining the reason(s) for the refusal and shall be delivered to the **Applicant** or licensee within seven (7) business days. Such notice shall set out and give reasonable particulars of the ground(s) for the decision and options for an Appeal Hearing.

- (3) An **Applicant** or licensee of a **Business Licence** may request a hearing before the **Appeals Committee** for reconsideration of the Manager's decisions to revoke, suspend, cancel, or refuse to issue or renew a **Business Licence** by delivering a written request to the Manager within fourteen (14) days of the Manager's decision being sent.
- (4) The **Applicant** or licensee of a **Business Licence** must pay a non refundable Appeal Fee in accordance with the Fees and Charges Bylaw.
- (5) Before the **Appeals Committee** makes any decision, a written notice to advise the **Applicant** or licensee of the recommendations being made by the Manager with respect to the **Licence** shall be provided to the **Applicant** or licensee.
- (6) The **Applicant** or licensee shall have the right to make a submission in support of an application or renewal or retention of a **Licence** before the **Appeals Committee**.
- (7) Failure for the **Applicant** or licensee to attend the scheduled hearing before the **Appeals Committee** shall result in the proceeding of the hearing.
- (8) The decision of the **Appeals Committee** is final and binding.
- (9) No **Person** shall conduct any **Business** pursuant to their **Business Licence** during a period of suspension of that **Business Licence**.
- (10) No **Person** shall **Market** a **Business** during a period of suspension of that **Business' Licence**.
- (11) If the Manager suspends, cancels or refuses to issue, amend or renew the **Business Licence** for a **Business**, the **Town** may post a notice of suspension, cancellation, or refusal on the **Premises** of the **Business**.
- (12) A posted notice of suspension, cancellation, or refusal of a **Business Licence** shall not be removed until the Manager has approved the issuance of a valid **Business Licence**.
- (13) If a **Business** is operating without a **Licence** required under this By-law, the **Town** may post a notice describing the failure to hold a valid **Business Licence** on the **Premises** of the **Business**.
- (14) A posted notice of operating without a **Business Licence** shall not be removed until the Manager has approved the issuance of a valid **Business Licence**.

8. Specific Regulations

8.1 Pet Retail Stores

- (1) Every **Pet Store** shall be maintained at all times in a sanitary, well-ventilated, clean condition, and free from offensive odours.
- (2) Every animal or **Bird** shall be kept in sanitary, well-bedded, well-lighted, clean quarters, kept at a temperature appropriate for the

health requirements of the type or species of animal or **Bird** housed therein.

- (3) Every cage or other container used for the keeping or housing of any animal or **Bird** shall:
 - (a) be of adequate size to permit any such animal or **Bird** to stand normally to its full height, to turn around, and to lie down in a fully extended position;
 - (b) in the case of a cage or other container used to keep or house only **Birds**, have a removable metal or other impermeable bottom which shall be cleaned daily;
 - (c) in the case of all other cages or contained, have a floor of either solid or wire mesh construction or any combination thereof, provided that:
 - (i) all spaces in wire mesh shall be smaller than the pads of the foot of any animal confined therein;
 - (ii) any such wire mesh shall be of a thickness and design adequate to prevent injury to any such animal; and
 - (iii) such floor shall be of sufficient strength to support the weight of any such animal;
 - (d) be equipped with receptacles for food and for water, so mounted or situation that they cannot be easily overturned or contaminated; and
 - (e) be located and enclosed in a manner as to prevent undue physical contact with the public.
- (4) Water shall be provided daily to every animal or **Bird** in sufficient quantity to maintain at all times a potable supply available to such **Bird** or animal.
- (5) Animals and **Birds** shall be fed periodically each day in accordance with the particular food requirements of each type or species of animal or **Bird** kept within the **Pet Store**.
- (6) Every **Applicant** licensed or required to be licensed with the **Town** under this By-law shall:
 - (a) provide to every purchaser of a cat or dog a health assessment from a licensed **Veterinarian** to verify the animal has received veterinary care;
 - (b) only permit a cat or dog within the **Pet Store** for the purpose of sale for which the cat or dog has been obtained from one (1) of the following sources:
 - (i) municipal animal shelters;
 - (ii) registered humane societies;
 - (iii) registered shelters; or
 - (iv) a recognized animal rescue group;
 - (c) provide all enclosed dogs or cats reasonable exercise;
 - (d) not keep or sell any sick, injured, or diseased animals;

- (e) not display any animal in an exterior display window;
 - (f) not permit to be sold, offer for sale, or give away any animal before it has reached the normal weaning age, based on known requirements of that particular species; and
 - (g) give the purchaser on any sale or disposition of any dog or cat, a receipt showing the name and address of the vendor and the purchaser, the date of sale, the sale price, the breed or crossbreed, sex, age, and description.
- (7) Every **Pet Store** shall maintain a registry of each dog or cat purchased or otherwise obtained. Each entry shall be made at the time each dog or cat comes into the possession of any **Owner**, employee, or **Person** associated with the **Pet Store** and shall include:
- (a) the date of purchase;
 - (b) a full description of the dog or cat;
 - (c) the name, address, and contact information of the **Person** from whom the dog or cat was purchased or otherwise obtained; and
- the **Pet Store** shall retain the register in respect of each transaction for the period of twelve (12) months thereafter.
- (8) Every **Pet Store** shall ensure that an **Attendant** in charge of and responsible for the care and safe keeping of animals within the **Pet Store** remains on site at all times during the **Business** hours of operation.
- (9) **Prohibited Animals**, as identified within the **Town's** Animal Control By-law Schedule A, shall not be permitted to be sold in any **Pet Store**.
- (10) Every **Person** licensed under this By-law shall make every reasonable effort to obtain the name, address and description of anyone offering to sell or give to the licensee any animal which the licensee has cause or reason to suspect has been stolen or otherwise unlawfully obtained and the licensee shall report the facts promptly to the nearest Police Division of the Region of York Police Services.
- (11) Where the **Licensing Officer** or **Municipal Enforcement Officer** determines that an animal appears to require medical attention, they may require the licensee to take the animal to a qualified **Veterinarian** forthwith.

8.2 Short Term Rental Operators

- (1) No more than one (1) **Short Term Rental** is permitted on a **Lot**.
- (2) **Short Term Rentals** shall only be operated within one (1) dwelling unit on a **Lot**.
- (3) **Short Term Rentals** shall provide one (1) off-street parking space for each bedroom identified as in use by the **Business**. In addition to this requirement, one (1) off-street parking space shall be provided for the **Permanent Resident** of the property.
- (4) Each bedroom intended to be operated as part of a **Short Term Rental** shall be clearly identified at the time of a new or renewal **Business Licence** application process through the provision of a floor plan showing the location of each bedroom.
- (5) Any changes to the number or location of bedrooms shall be provided to the **Municipal Enforcement Officer** through a **Licence**

amendment application, prior to those bedrooms being used by the **Business**.

- (6) An **Operator** of a **Short Term Rental** shall not:
 - (a) rent out or provide any sleeping accommodations within any vehicle, tent, or any accessory building;
 - (b) permit more than three (3) bedrooms to be made available for use;
 - (c) permit more than (6) overnight guests at one time; or
 - (d) permit beds or bedrooms to be used that are not identified on the **Business Licence** application for that **Premises**.
- (7) An **Operator** of a **Short Term Rental** shall post or display the **Business Licence** number on any **Marketing**, advertisements, or promotions for that **Business**.
- (8) An **Applicant** for a **Short Term Rental** shall provide:
 - (a) proof that they are a **Permanent Resident** on the property; or
 - (b) the name of the **Permanent Resident(s)** on the property and a copy of a tenancy agreement, or other proof satisfactory to the **Licensing Officer**, of an existing and ongoing principal residential use, at the time of a new or renewal application.
- (9) An **Operator** of a **Short Term Rental** shall ensure that a **Permanent Resident** on the property is present and available within the **Town** at all times while guests are staying on the **Premises**, and is able to respond to concerns raised by guests, neighbours, or the **Licensing Officer** within two (2) hours.
- (10) An **Operator** of a **Short Term Rental** shall provide to each guest and the **Licensing Officer** the telephone number of the **Person** who is present or available to respond to concerns pursuant to **Town** by-laws or provincial regulations.
- (11) No **Person** shall **Market**, operate, or make available any dwelling unit or part of a dwelling unit for paid accommodation of less than 28 days unless that dwelling unit has a current **Short Term Rental Licence**.
- (12) Upon approval of a **Short Term Rental Business Licence**, the **Applicant** shall post a Sign in conformity with the **Town's Sign By-law**, to identify the **Premises** as a licensed **Short Term Rental** within the **Town** of Newmarket.
- (13) Every **Short Term Rental** shall comply with Schedule A of this By-law as a condition of their **Business Licence** and shall comply with the demerit point system licensing requirements imposed.
- (14) Every **Short Term Rental Operator** shall only **Market**, list, or advertise their **Business** on a licensed **Short Term Rental Company** platform.

8.3 Short Term Rental Companies

- (1) No **Person** shall carry on the **Business** of a **Short Term Rental Company** unless they have obtained a **Licence** to do so from the **Town**.

- (2) No **Person** shall, **Market**, advertise, facilitate the advertising or rental of, or broker a **Short Term Rental** if its **Operator** is not licensed as such with the **Town**.
- (3) Every **Person** shall take down or remove a listing or advertisement related to an unlicensed **Operator** within 24 hours of being requested to do so by the **Town**.
- (4) An application for a **Short Term Rental** Company **Licence** shall be in a form approved by the Manager and require the **Applicant** to provide:
 - (a) The **Short Term Rental** Company's registered **Business** address in Ontario;
 - (b) The name, phone number and e-mail address of a **Person** responsible for responding to all communications from the **Town**;
 - (c) Details of the process by which the **Short Term Rental** Company will remove advertisements for a **Short Term Rental** if its **Operator** has not obtained a **Licence** with the **Town**;
 - (d) Details of the **Short Term Rental** Company's procedure for dealing with problem **Operators** and responding to complaints; and
 - (e) Any other information or documentation required by the Manager.
- (5) A **Short Term Rental** Company shall comply with all applicable fees as identified within the **Town's Fees and Charges By-law**.
- (6) An **Applicant** for a **Short Term Rental** Company **Licence** shall, prior to being issued a **Licence**, execute an agreement with the **Town** governing the use, retention, and disclosure of **Operator** and guest information on terms satisfactory to the Manager.
- (7) Every **Short Term Rental** Company shall keep a record of each concluded transaction in relation to a **Short Term Rental** listed or advertised on its platform for three (3) years following the last day of the rental period. A transaction is concluded on the last day of the rental period. The records retained shall include the following:
 - (a) The name, address, and **Licence** number of the **Operator**;
 - (b) The number of nights the **Short Term Rental** was rented;
 - (c) The nightly and total price charged for the **Short Term Rental**;
 - (d) Whether the rental was an entire-unit rental or room rental; and
 - (e) Any other information required by the Manager.
- (8) Every **Short Term Rental** Company shall keep a record of the number of **Short Term Rental** listings or advertisement it removed from its platform in accordance with Sections 8.3(1) and 8.3(2) of this By-law.
- (9) Every **Short Term Rental** Company shall provide the records referred to in this section to the **Town** upon the request of the Manager.
- (10) Every **Short Term Rental** Company shall create **Operator** and guest accounts on its platforms as requested by the Manager, to be used to investigate compliance with this By-law.

- (11) No **Short Term Rental** Company shall obstruct, in any manner, access to any accounts established for use by the Manager or **Licensing Officer** to investigate compliance with this By-law.

9. Offences

- (1) Every **Person** who contravenes any provision of this By-law are liable to the fines and administrative fees set out under the Administrative Monetary Penalty System By-law 2019-62.
- (2) Every **Person** who is in contravention of the provisions of this By-law may request a review of the matter in accordance with the Administrative Monetary Penalty System By-law-2019- 62.
- (3) Any **Person** who contravenes a provision of this By-law is guilty of an offence and upon conviction is liable to a fine as provided for by the Provincial Offences Act, R.S.O. 1990, Chapter P.33, as amended.

10. Severability

- (1) Where a court of competent jurisdiction declares any section of this By-law to be invalid, or to be not in force, or without effect, it is the intention of **Council** in enacting this By-law that the remainder of this By-law shall continue in force and applied and enforced in accordance with its terms to the fullest extent possible according to law.

Enacted this xxx day of xxx, 201x.

John Taylor, Mayor

Lisa Lyons, Town Clerk

Short Term Rentals

Presented on: June 15, 2020

Flynn Scott
Manager of Regulatory Services

Christopher Pumo
Municipal Enforcement Officer



Presentation Outline

- Background
- Key Considerations
- Consultation & Engagement
- Proposed Regulations
- Enforcement Strategy
- Conclusion & Next Steps

Background

March 25, 2019: Regulatory Review

- Council identified Short Term Rentals (STR)

November 5, 2019: Ward 6 Meeting

- Meeting with residents to address community concerns relating to public safety

December 10, 2019: Public Information Centre

- Input and feedback received
- Online survey posted on HeyNewmarket.ca

February 3, 2020: Committee of the Whole

- Staff presented a licensing framework
- Council directed staff to take a phased approach, bringing a licensing by-law in May 2020 and zoning amendments in August 2020

May 19, 2020: Outstanding Matters List

- Council approved bringing forward a licensing by-law in June 2020

Background

What is a Short Term Rental?

- All of part of a dwelling unit used to provide sleeping accommodations
- Rental period is less than 28 days
- It is the exchange of accommodation for payment
- Includes bed and breakfasts
- Does not include hotels or motels

Background

Zoning By-law 2010-40

The following table establishes the *uses* permitted in the Residential Zones:

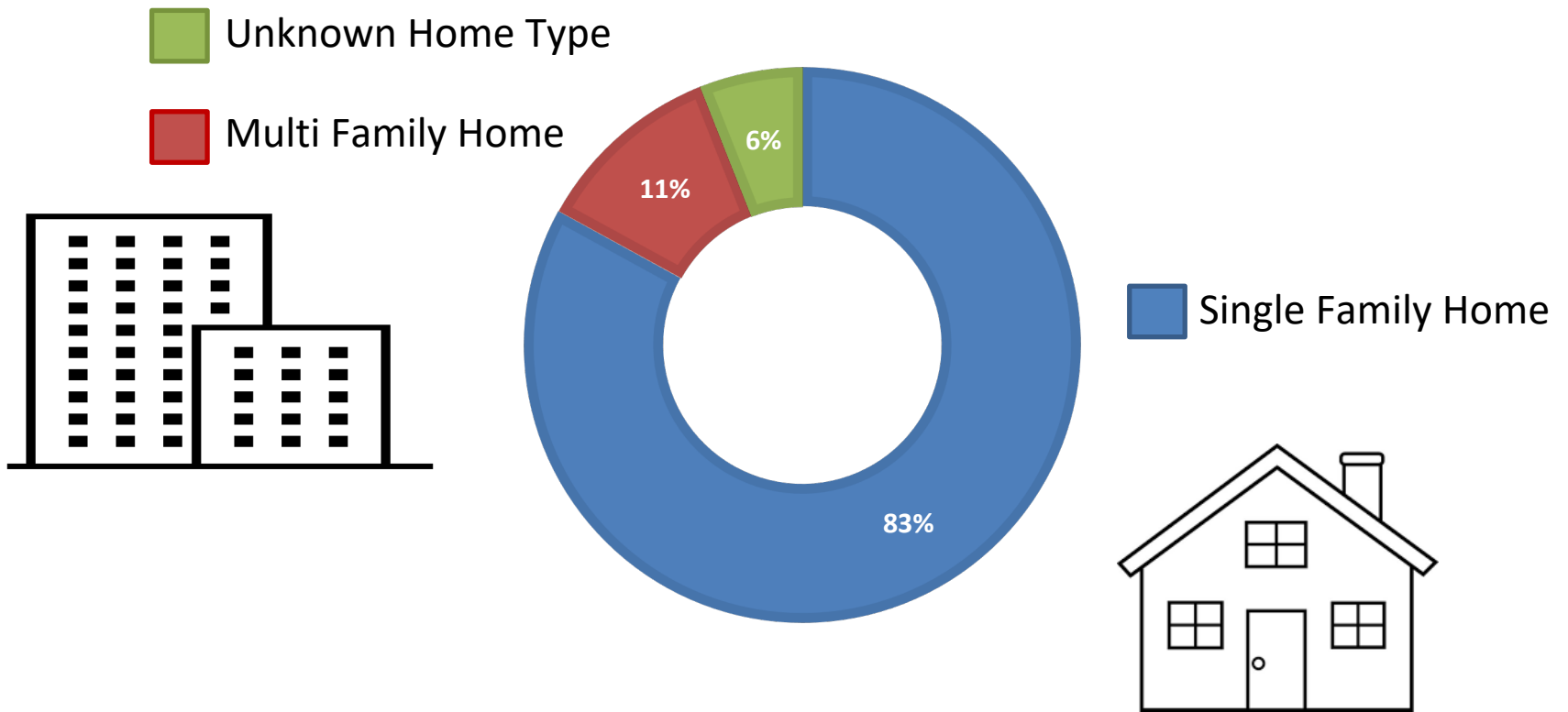
Permitted Use	R1	R2	R3	R4	R5
<i>Dwelling Unit, Accessory</i> (*1)(*2)	.	.			
<i>Dwelling, Back to Back Townhouse</i>				.	
<i>By-law 2014-51</i>					
<i>Dwelling, Detached</i>	.				
<i>Dwelling, Link</i>		.			
<i>Dwelling, Semi-Detached</i>		.			
<i>Dwelling, Duplex</i>			.		
<i>Dwelling, Triplex</i>			.		
<i>Dwelling, Fourplex</i>			.		
<i>Dwelling, Quadruplex</i>				.	
<i>Dwelling, Maisonette</i>				.	
<i>Dwelling, Townhouse</i>				.	
<i>Dwelling, Stacked Townhouse</i>				.	
<i>Apartment Building</i>					.
<i>Bed and Breakfast Establishment</i> (*3)	.				
<i>Home Occupation</i> (*4)
<i>Private Home Daycare</i> (*5)
<i>Group Home</i> (*6)(*7)
<i>Accessory Residential Structures</i>
<i>Accessory Uses as per Section 4.1.1</i>

- Bed & Breakfasts are currently permitted within R1 zones
- R1 zones include single detached dwellings

(*3) *A bed and breakfast establishment shall only be permitted in a detached dwelling. Such an establishment is not permitted in an accessory dwelling unit.*

Background


Existing STRs in Newmarket

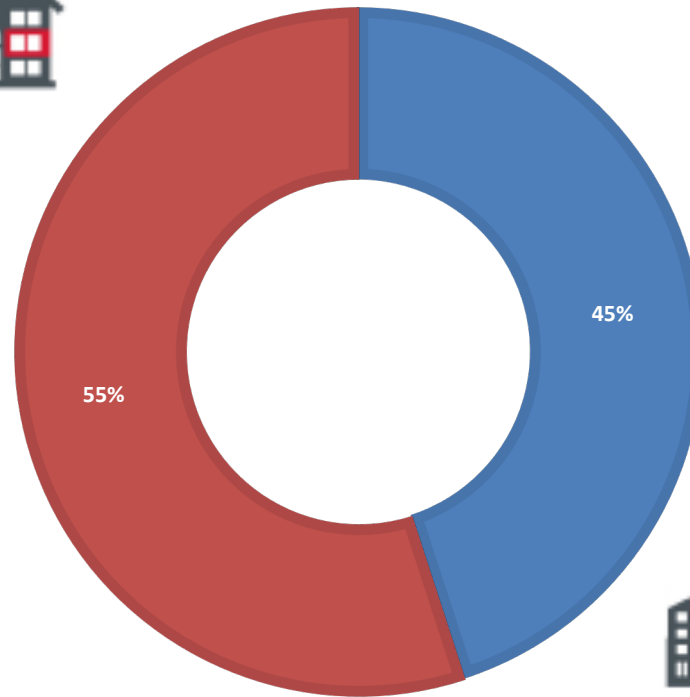


Background

Existing STRs in Newmarket



 Entire home rental



 Partial home rental



Key Considerations

- Public Safety
 - Protect neighbours and residents
- Neighbourhood Impact
 - Ensure residential neighbourhoods maintain their character
- Regulatory Compliance
 - Noise
 - Nuisance behaviour
 - Parking
 - Garbage
- Housing Affordability & Availability

Consultation & Engagement

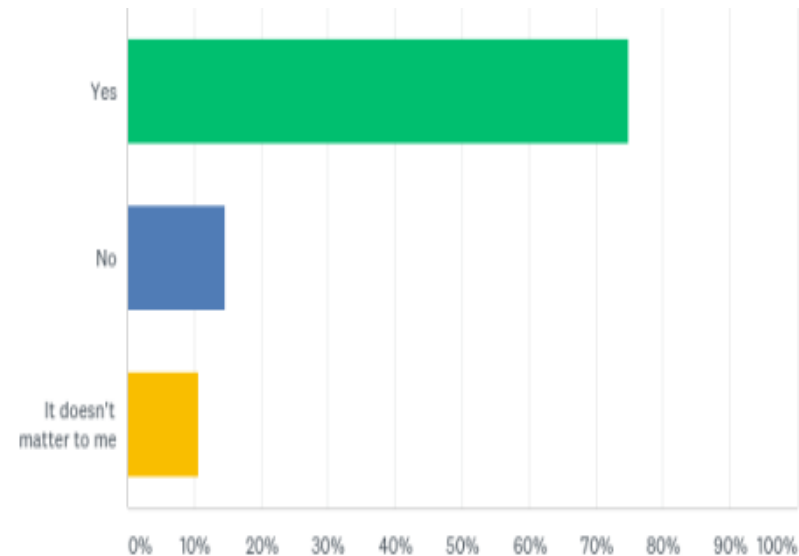
During the public consultation period, staff received the following community feedback:

- Introduce regulations to mitigate neighbourhood impact;
- Hold STR operators accountable for their guests;
- Ensure there is someone available to respond to complaints received at all hours of the day;
- Do not allow 'party-houses'; and
- Do not allow commercialized operations (maintain residential character in neighbourhoods)

Community Feedback

- *“If an owner is required to be present during the rental, how would this be enforced? Also consider # of received complaints of the mapped STR's, and shut then down after 2-3 complaints.”*
- *“Limits, licensing and regulation that are rigorously and fairly enforced are essential to protect all concerned.”*
- *“It might be a good idea to publicize which residences are being listed STR so that residents can confirm that is the case when different use patterns are observed.”*

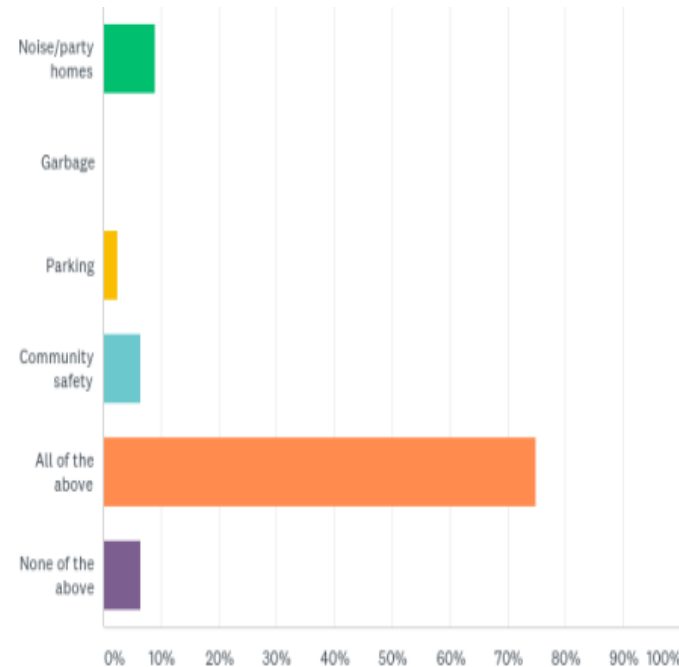
Should STR operators be present in the home while the STR is being used?



Community Feedback

- *“If they are allowed to continue the owner should be home.”*
- *“We have friends in Barrie, St Catherine’s, Niagara, Huntsville , Muskoka and they are constantly complaining regarding noise, garbage issues and parking issues with short term rentals as owners are not present to deal with issues and police are too strapped to handle this type of issue on an ongoing basis.”*
- *“Have observed that owners of short term rentals are often investors that are not even in the country or close by and cant intervene if there are issues with the house in the community. Please end air bnbs in newmarket!!”*

What concerns you about STRs?



How Did We Address This?

- **Out of Town Operators**

- All operators are required to be onsite while business is conducted
- All operators must respond to complaints received within 2hrs of a complaint being made

- **Publicize STR Locations**

- Licensed STRs will be required to have a sign posted to identify the property as an STR

How Did We Address This?

- **Mitigate Community Concern**
 - Limit the number of guests permitted per booking
 - Limit the number of rooms permitted
- **Hold Operators Accountable**
 - Demerit Point system introduced
 - All violations are enforceable under AMPS

Proposed Regulations

1. Require every STR to obtain a business licence and post a sign on their property to identify the premises as a rental property
 - Mandates Town approval and ensures Town has contact info of operator
 - Ensures community is aware of STR property
 - Ensures compliance with Town by-laws prior to being issued a licence

Proposed Regulations

2. No more than one (1) STR or Bed and Breakfast is permitted on a lot and within one (1) dwelling unit on a lot
 - Ensures one (1) business per property
 - Minimizes community concerns
 - Eliminates commercial operations

Proposed Regulations

3. One (1) off-street parking space for each bedroom rented must be provided plus off-street parking spaces for the permanent resident(s)
 - Minimizes on-street parking issues
 - Complies with applicable zoning regulations

Proposed Regulations

4. A maximum of six (6) guests and three (3) bedrooms are permitted to be rented for STR or Bed and Breakfast use
- Mitigates community concerns such as:
 - House parties
 - Noise
 - Nuisance behavior
 - Consistent with existing zoning regulations

Proposed Regulations

5. Require a permanent resident to be the operator and licence holder, available to respond to complaints within two (2) hours
 - Operator is required to reside onsite while STR or Bed and Breakfast booking is taking place
 - Must be able to respond to complaints within two (2) hours of being contacted
 - Minimizes impact to surrounding community

Proposed Regulations

6. Require the property be equipped with life safety features, such as smoke detectors and fire extinguishers
 - Ensures premises is safely equipped
 - Maintains minimum standards for life safety

It is relevant to note that upon additional regulations proposed through a zoning review, increased life safety requirements will be recommended

(eg. entire dwelling rentals = ESA, fire separations, etc)

Proposed Regulations

7. Ensure compliance with the Zoning By-law

- Includes single family dwellings (R1 zones)
- During Phase 1: STRs are room-rentals
- During Phase 2: Entire units will be considered by Council with zoning amendments

Proposed Regulations

8. Introduce a Demerit Point System for objective enforcement practices
 - Promotes compliance with all Town by-laws
 - Ensures minimum impact to surrounding community
 - Suspends or revokes a business licence for non-compliance

Proposed Regulations

Licensing Fee Structure (Tiered licensing fee proposed)

- 1 bedroom = \$150
- 2 bedrooms = \$300
- 3 bedrooms = \$450

These numbers are calculated based on best practices across North America

- Host Compliance advised that most municipalities calculate their annual licensing fee by multiplying the average nightly rental cost by 3
- Newmarket average nightly rental rate = \$57 per bedroom

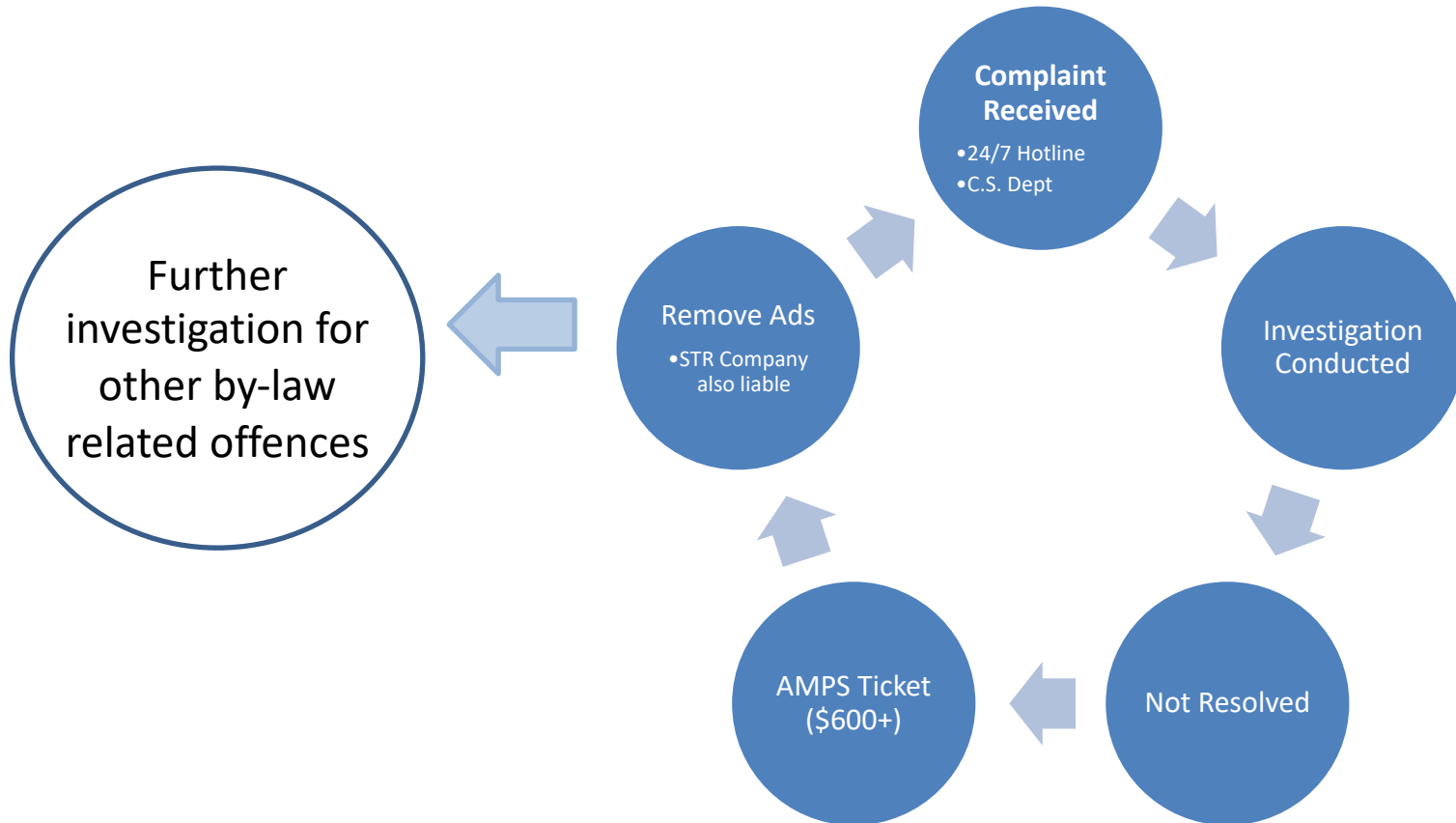
Proposed Regulations

STR Companies

- Platforms are required to register with the Town and only list licensed operators
- All ads must have the Town's business licence number posted
- One-time \$5,000 licensing fee required to allow companies to market, advertise or facilitate STR bookings within the Town of Newmarket
- Ongoing fee of \$1 for every night booked through the STR Company will be remitted to the Town
- Innovative approach that is consistent with City of Toronto

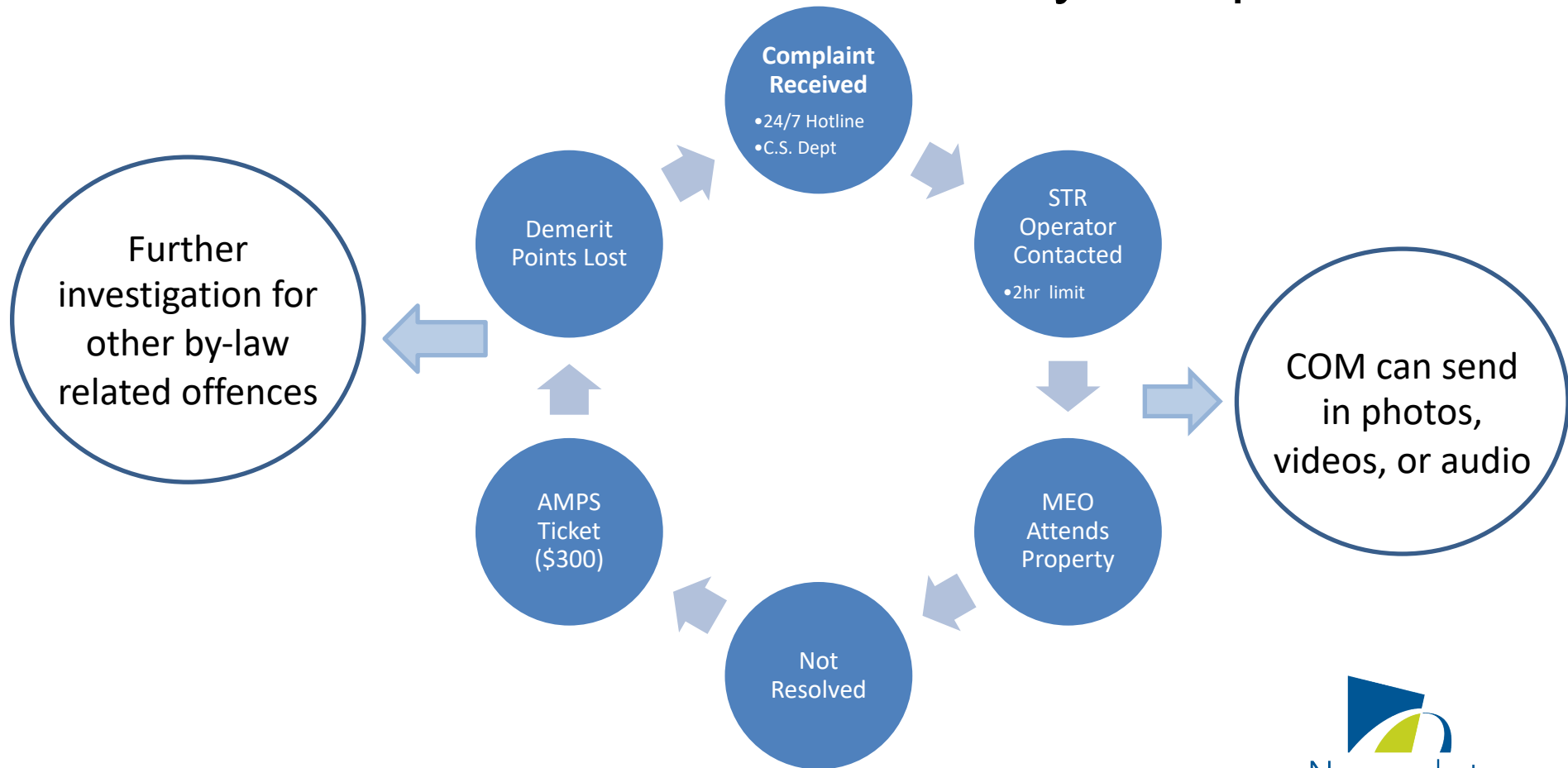
Enforcement Strategy

Scenario #1 – Operating w/o BL

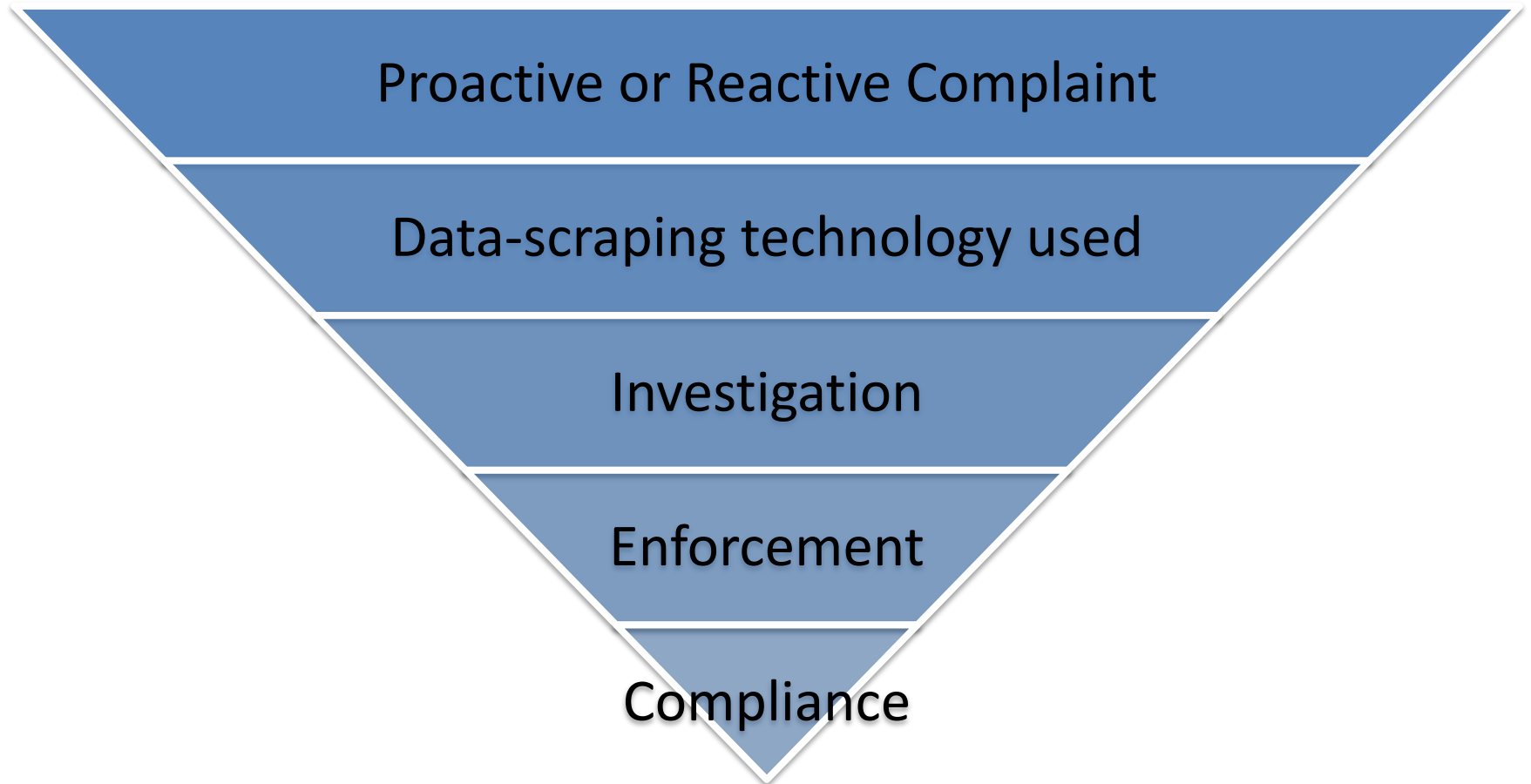


Enforcement Strategy

Scenario #2 – Noise/House Party Complaint



Enforcement Strategy



Enforcement Strategy

Proactive or Reactive Complaint

- Municipal Enforcement Officers (MEOs) will receive community complaints but also proactively seek out unlawful STRs using data-scraping technology

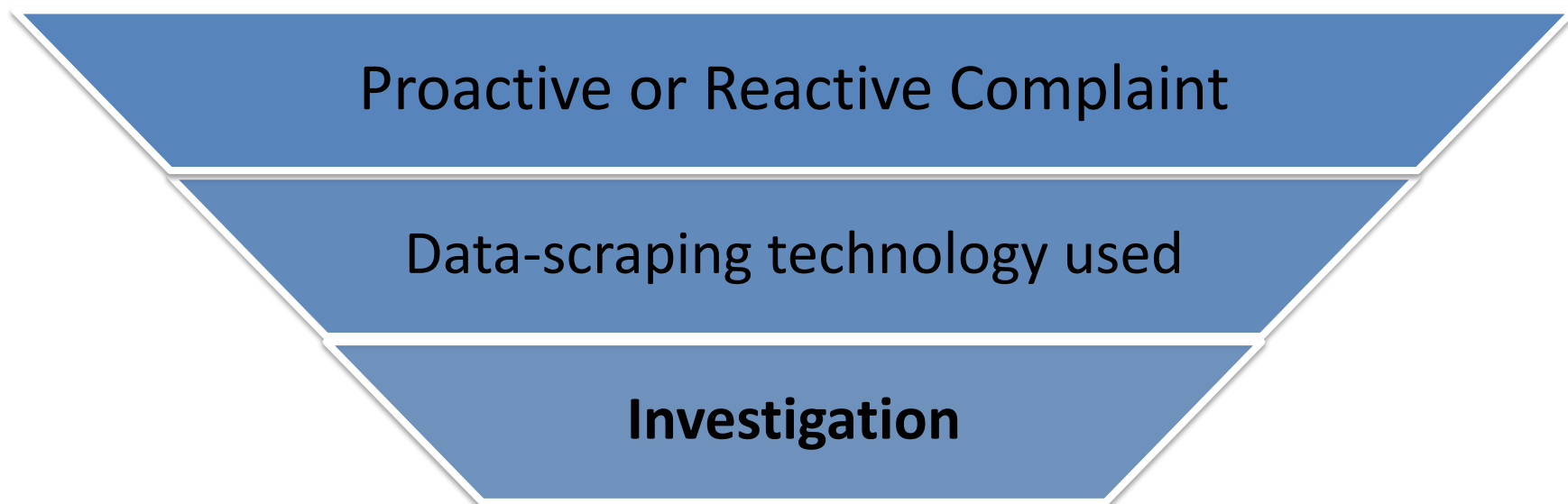
Enforcement Strategy

Proactive or Reactive Complaint

Data-scraping technology used

- 24/7 Hotline for complaints at all hours
- Address identification technology for unlicensed properties
- Ability to screen shot listings, booking calendars, and reviews

Enforcement Strategy



- MEO investigates using complaint information received through 24/7 hotline or C.S. complaint

Enforcement Strategy

Proactive or Reactive Complaint

Data-scraping technology used

Investigation

Enforcement

- All regulations proposed are enforceable
 - ✓ No BL = \$600 fine
 - ✓ Advertise w/o BL = \$300 fine
 - ✓ Failure to respond w/i 2hr = \$300 fine
 - ✓ Noise, garbage, parking = ~\$200 fine (each)
- Plus demerit points applied to BL for noncompliance



Newmarket

Municipal Accommodation Tax

- Introduced in 2017 by the Province of Ontario
- All temporary accommodation providers may be required to pay a per booking fee percentage on rentals within the Town
- 50% of the tax collected be used for tourism promotion and development
- Due to COVID-19, staff are recommending that Council defer their consideration on moving forward with public consultation on a MAT until early 2021

Conclusion & Next Steps

- A licensing by-law is being proposed to regulate STRs within R1 zones
- Phase 1 includes room-rentals only
- Further considerations regarding entire dwelling unit rentals and other building types (eg. apartments or multi-unit dwellings) will be reviewed at a later date
- Zoning amendments to be considered in Phase 2

Questions?





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

Email: info@newmarket.ca | Website: newmarket.ca | Phone: 905-895-5193

Short Term Rental Licensing Staff Report to Council

Report Number: 2020-41

Department(s): Legislative Services

Author(s): Flynn Scott, Manager of Regulatory Services

Meeting Date: June 15, 2020

Recommendations

1. That the report entitled Short Term Rental Licensing dated June 15, 2020 be received; and,
2. That Council approve the draft Business Licence By-law 2020-XX; and,
3. That Council amend the AMPS By-law 2019-62 and Fees and Charges By-law 2019-52; and,
4. That Council directs staff to bring forward a report regarding a Municipal Accommodation Tax (MAT) on all short term rental properties in Q1 2021; and,
5. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Executive Summary

Short term rentals (STRs) are a growing industry that allows for temporary accommodation of a dwelling unit, in whole or in part, for up to 28 consecutive days. The growth of this industry has raised concerns regarding negative impacts to neighbourhoods within our community.

Through public consultation, research, and presentations and reports to Council, Town staff has received input and reviewed best practices throughout North America to identify effective strategies to mitigate growing concerns. Town staff has also been directed to move forward with a licensing framework in an effort to meet community expectations regarding the regulations of STRs. This report highlights specific regulations that are being proposed through a Business Licence By-law.

Purpose

The purpose of this report is to present Council with next steps regarding the licensing of short term rentals through the adoption of a Business Licence By-law.

Background

Legislative Authority

Under the Municipal Act, the Town may provide for a system of licences with respect to certain classifications of business by adopting a licensing by-law. As specified in the Municipal Act, a licensing by-law should relate to consumer protection, the economic and social well-being of the municipality, and the health, safety, and well-being of persons in the municipality. Conditions may be imposed on a licence to ensure a business is compliant with the regulations established to reflect community objectives.

Section 151.7 of the Municipal Act specifies that a municipality does not have the power to provide for a system of licences with respect to a courier business in which parcels, documents, or property are conveyed. For this rationale, mobile businesses that meet this definition have not been included for consideration.

Historical Reference

On March 25, 2019, a Regulatory Review Workshop with Council identified short term rentals to move forward with new regulations by Q3 2020.

On November 5, 2019, a special meeting for Ward 6 residents was held, involving the Mayor, Ward Councillor, Town staff, and residents of Ward 6 to discuss short term rentals (STRs) in response to growing community concerns for safety surrounding STRs.

On December 10, 2019, a Public Information Centre (PIC) was held to engage Town residents and receive feedback on the types of regulations that should be considered for STRs. The PIC also included an interactive presentation, which permitted participants to complete survey questions throughout the presentation. An online survey was also posted on HeyNewmarket.ca to further engage residents.

At the February 3, 2020 Committee of the Whole meeting, Town staff presented the results received through public consultation and proposed options for Council to consider in regards to moving forward with a licensing regime for STRs. Council also provided further direction for staff to report back on amendments to the Zoning By-law by August 2020. A copy of this report can be found [here](#).

Town staff was on target to bring forward proposed licensing regulations for STRs through a Business Licence By-law in May 2020. However, due to the COVID-19 pandemic, project plans were postponed until a later date. As part of the Outstanding Matters List presented to Council at the May 19, 2020 Electronic Special Council

Meeting, Council approved moving forward with the proposed STR licensing regime in June 2020.

Discussion

By establishing regulations for STRs under a licensing regime, the Town will have the authority to impose conditions on STR operators in order to address increased community concerns. The proposed by-law identifies and addresses key concerns raised during the public consultation period, including:

- excessive noise;
- nuisance behavior;
- health and safety;
- garbage;
- parking; and
- overall negative community impact.

On February 3, 2020 and upon consideration of [Staff Report 2020-07](#), entitled Short Term Rentals, Council approved moving forward with a phased approach to STRs, with a licensing by-law implemented in phase one (1) and prior to amending the Town's Zoning By-law. As a result of this direction, STRs and bed and breakfasts will be permitted in all R1 (single family dwelling) residential zones where the operator (permanent resident) resides onsite within one of the bedrooms. All other forms of STR accommodations will be prohibited until a zoning review is conducted to further explore entire dwelling unit rentals where two (2) dwellings exist on a property, in addition to other zones that may be reviewed for consideration (eg. apartments or multi-unit dwellings).

Proposed Business Licence By-law 2020-XX

In order to achieve compliance from STR operators, it is imperative to design a regulatory, licensing, and enforcement system that is easy to understand, inspires high levels of voluntary compliance, and has effective means of preventing unlawful behavior.

Based on the public input received and a review of best practices across North America, in addition to general requirements proposed, Town staff are also proposing the following licensing requirements for STRs and bed and breakfasts through a business licence process:

- 1. Require every STR and bed and breakfast obtain a business licence and post a sign on their property to identify the premises as a STR business.**

This provision mandates that the Town has approved, and a record exists for, the STR or bed and breakfast business. It also ensures that the community is aware a business exists on the premises.

2. No more than one (1) STR or bed and breakfast is permitted on a lot and within one (1) dwelling unit on a lot.

These provisions only allow one (1) type of business to be operated on the property. For example, an operator could not rent out a main floor and basement suite simultaneously. This will strongly assist in minimizing community concerns by limiting the number of bookings and dwelling units permitted to be used.

3. One (1) off-street parking space for each bedroom rented must be provided. In addition to this requirement, off-street parking spaces are required for the permanent resident(s).

This provision will assist in minimizing on-street parking issues related to business practices.

4. A maximum of six (6) guests and three (3) bedrooms are permitted to be rented out for STR or bed and breakfast use.

This regulation restricts the number of guests and bedrooms used during a rental booking, which will significantly minimize community impacts such as concerns for house parties, noise, or nuisance behavior.

5. Require a permanent resident to be the operator and licence holder, available to respond to complaints within two (2) hours.

This is a very important regulation for consideration. A permanent resident is a person that lives on site and is required to remain onsite while a STR or bed and breakfast booking is taking place. The operator is permitted to leave (but not overnight) and must be available to respond to any complaints received within two (2) hours of being notified. This requirement will ensure that the home remains residential first, with business operations being conducted secondary. This is the strongest provision to ensure that minimal impact to the community is experienced.

6. Require the property be equipped with life safety features, such as smoke detectors and fire extinguishers.

This provision will ensure the building is safely equipped to permit STR or bed and breakfast operations.

7. Ensure compliance with the Town's Zoning By-law.

This requirement will align with currently zoning regulations to permit an STR or bed and breakfast to operate within any R1 zone. For further clarification, this will include single family dwellings within the Town of Newmarket.

8. Require compliance with a demerit point system, where complaints and violations against the operator apply demerit points, with a process for

suspending or revoking the business licence for reaching the demerit point system threshold.

This requirement will confirm compliance with all Town by-laws. For example, if a complaint is received and validated for noise, tall grass, garbage, etc., the property will lose demerit points on the business licence. This process will objectively hold operators liable to comply with all Town by-laws to ensure there is minimal impact to the neighbouring community. After a calculated threshold of violations, the operator will either have their licence suspended or revoked and will no longer be permitted to operate a STR or bed and breakfast business. The decision to suspend or revoke the business licence will be carried through the Appeals Committee, pursuant to the provisions established directly in the Business Licence By-law.

Finally, Short Term Rental Companies that market, advertise, or facilitate short term rental bookings through their platforms will be required to apply for and obtain an annual business licence with a one-time licensing fee of \$5,000. An ongoing fee of \$1 for every night booked through the Short Term Rental Company will be remitted to the Town. This specific licensing requirement aligns with the City of Toronto and Town staff are recommending a consistent approach be taken for the Town of Newmarket to off-set administrative costs associated to the enforcement of STRs.

Municipal Accommodation Tax

In 2017, the Province of Ontario introduced a Municipal Accommodation Tax (MAT) through legislation, which provides municipalities with the ability to add a tax onto rental bookings within their respective communities. The tax may be used in a number of ways, provided that 50% of the tax collected be used for tourism promotion and development. Short term rentals, bed and breakfasts, hotels, motels, and any other short term accommodation provider may be required to pay a per booking fee on any accommodation provided within the Town, should the Town choose to impose such a tax.

Due to the circumstances of the COVID-19 pandemic, Town staff are recommending that Council defer their consideration on moving forward with public consultation on a MAT until early 2021.

Conclusion

Town staff support the proposed licensing regulations in an effort to strike a balance between community concerns and a recognized growing industry throughout the world. Current zoning regulations exist within the Town's Zoning By-law to permit 'bed and breakfasts' within any R1 zone. As part of a phased approach to STRs, a licensing by-law is being proposed to regulate STRs and bed and breakfasts within R1 zones and to permit them as a room-rental model. Further considerations regarding entire dwelling unit rentals and other building types (eg. apartments or multi-unit dwellings) will be

proposed at a later date and in conjunction with amendments to the Zoning By-law, as brought forward by the Town's Planning Department.

Business Plan and Strategic Plan Linkages

This report aligns with the strategic priority of Vibrancy – supporting access to a diverse range of housing options. This report also aligns with the Rev-it-up recommendations for improving administration and service levels within the Town of Newmarket.

Consultation

Consultation or a review of STR by-laws has been completed with municipalities across Canada including Toronto, Blue Mountain, Georgina, Vaughan, Vancouver, Tofino, Calgary, and Edmonton.

Consultation has also been conducted as follows:

- through a PIC and online survey to engage the public and address community expectations;
- by Town staff attending the 2019 Municipal Law Enforcement Officer's (MLEO) Annual Conference, where Blue Mountain presented a regulatory review of their STR program;
- through a Ward 6 meeting with residents directly impacted by public safety implications of short term rentals; and
- through a presentation and report provided to Council on February 3, 2020, where an opportunity for public engagement through a formal deputation was provided.

The Town's Legal Department was also provided a copy of this report and the proposed by-law prior to being presented to Council.

Human Resource Considerations

Town staff previously requested Council approval to move forward with purchasing Host Compliance: a software program used specifically for data-scraping, information gathering, and enforcement initiatives pertaining to STRs. The success of the proposed regulatory and licensing framework will be dependent on the technology available to staff to offset departmental human resourcing requirements and limitations. Town staff are recommending the implementation of Host Compliance modules through a phased approach, with fees associated to be off-set by a portion of the projected business licence revenues recovered for STRs.

Budget Impact

Revenue is anticipated as a result of implementing a licensing regime on STRs. Town staff previously reported that approximately 45% of STRs currently operating in

Newmarket as a room-rental operation will be eligible to obtain a licence. Projected revenue for licensing fees are approximately \$20,000 annually. In addition to these fees, staff anticipate revenue through enforcement action to be taken on the remaining 55% of STRs that remain in operation as entire unit rentals, which will be enforced through the Town's AMPS By-law.

Attachments

Attachment #1 – Business Licence By-law 2020-XX

Attachment #2 – Amended AMPS By-law 2019-62, Schedule A

Attachment #3 – Amended Fees and Charges By-law (Legislative Services)

Approval

Lisa Lyons, Director, Legislative Services

Esther Armchuk, Commissioner, Corporate Services

Contact

Flynn Scott, Manager of Regulatory Services

fscott@newmarket.ca

Corporation of the Town of Newmarket

By-law 2020-XX

A By-law to regulate and licence businesses to operate in the Town of Newmarket.

Whereas Section 151 of the Municipal Act 2001, S.O. 2001, c25, as amended, establishes that a municipality may provide for a system of licences with respect to a business;

And whereas the Council of the Town of Newmarket deems it advisable to pass such by-law;

Therefore be it enacted by the Council of the Corporation of the Town of Newmarket as follows:

1. Title

This By-law may be known and cited for all purposes as the “Business Licence By-law 2020-XX”.

2. Definitions

In this By-law:

“**Animal**” means any member of the animal kingdom other than a human;

“**Appeals Committee**” means the **Appeals Committee** established by the **Town**;

“**Applicant**” means a **Person** applying for a **Business Licence** to carry on a **Business**, activity, or undertaking pursuant to this By-law;

“**Attendant**” means any **Person** other than a licensed **Owner** or **Operator** who provides Services designed to appeal to the needs of a particular **Business**;

“**Bird**” means a warm-blooded egg-laying vertebrate distinguished by the possession of feathers, wings, and a beak and (typically) by being able to fly;

“**Bed and Breakfast**” means a dwelling or part of a dwelling in which not more than three (3) bedrooms are used or maintained for the accommodation of the travelling public, in which the **Owner**-occupant supplies lodgings with or without meals for hire or pay;

“**Business**” means the carrying on of a commercial or industrial undertaking of any kind or nature, or the providing of professional, personal, or other services as identified within this By-law, but does not include any activity carried on by the government, its agencies, or government owned corporations;

“**Business Licence**” or “**Licence**” means a **Licence** to operate a **Business** pursuant to this By-law;

“**Council**” means **Council** for the Corporation of the **Town** of Newmarket;

“Fees and Charges By-law” means the **Town** of Newmarket **Fees and Charges By-law** 2019-52, as amended;

“Licensing Officer” means an individual appointed by the **Town** as a **Municipal Enforcement Officer** or any other individual designated by the **Town** to enforce this By-Law;

“Lot” means a parcel of land which is legally capable of being conveyed in accordance with the Planning Act R.S.O. 1990, Chapter 13 as amended, or is described in accordance with a registered Plan of Condominium.

“Market” means sell, offer for sale, promote, canvass, solicit, rent, advertise, book, arrange or facilitate sale or rental, and includes placing, posting, or erecting advertisements physically or online;

“Municipal Enforcement Officer” means an individual appointed by the **Town** as a Municipal Law Enforcement Officer or any other individual designated by the **Town** to enforce this By-law;

“Operator” or **“Owner”** means any **Person** that operates or owns a **Business** as identified in this By-law;

“Permanent Resident” in respect of any dwelling or **Lot** means a **Person** who normally resides in a dwelling on the **Lot** and for these purposes a **Person** cannot normally reside at more than one location;

“Person” includes a natural **Person**, corporation, partnership or party, and the **Personal** or other legal representatives or a **Person** to whom the context can apply according to law;

“Pet Store” means a **Premises** in which animals or **Birds** for use as pets, or goods and merchandise associated with such animals or **Birds**, are offered or kept for **Retail** sale or rental to the public;

“Premises” means the area of a building and/or **Lot** occupied or used by a **Business** or enterprise. In a multiple tenancy buildings occupied by more than one **Business**, each **Business** shall be considered a separate **Premises**;

“Prohibited Animals” means an animal identified as a "prohibited animal" as listed in the **Town’s** Animal Control By-law Schedule 'A', as amended;

“Retail” means the sale of products or goods to the ultimate consumer, usually in small quantities, in the ordinary course of **Business**;

“Short Term Rental” means all or part of a dwelling unit used to provide temporary sleeping accommodations for any rental period that is less than 28 consecutive days in exchange for payment. This includes a **Bed and Breakfast** but excludes hotels, motels and accommodations where there is no exchange for remuneration;

“Short Term Rental Company” means any **Person** who facilitates or brokers **Short Term Rental** reservations via the internet and who:

- (a) receives payment, compensation, or any financial benefit due to, as a result of, or in connection with a **Person** making or completing reservations of those **Short Term Rentals**; or
- (b) collects, accesses, or holds information on the number of nights that reservations of those **Short Term Rentals** are made or completed.

This definition does not apply to a **Person** who facilitates or brokers reservations for a **Short Term Rental** that is the principal residence of that person or their immediate family. In this definition, **“Person”** includes multiple

Persons who, acting together, carry on the **Business** of a **Short Term Rental Company**, despite the fact that no single one of those **Persons** carries on the activity in its entirety, and such may be held jointly and severally responsible for each other's actions;

"Sign By-law" means the **Town** of Newmarket **Sign By-law** 2017-73, as amended;

"Town" means the Corporation of the **Town** of Newmarket in the Regional Municipality of York;

"Veterinarian" means a **Person** qualified and authorized to practice veterinary medicine;

"Zoning By-law" means the **Town** of Newmarket **Zoning By-law** 2010-40, as amended.

3. General Regulations

- (1) A **Person** must not carry on any **Business** unless that **Person** holds a valid and subsisting **Business Licence** issued to that **Person** for that **Business** within the **Town**.
- (2) Every **Business** shall comply with all federal, provincial, and municipal by-laws and regulations applicable to the **Business** and the **Business Premises**.
- (3) If a **Person** operates a **Business** at more than one **Premises**, that **Person** shall apply for and maintain a separate **Business Licence** for each **Premises**.
- (4) If a **Person** operates more than one type of **Business** at the same **Premises**, that **Person** shall apply for and maintain a separate **Business Licence** for each **Business**.
- (5) Every holder of a **Business Licence** shall post or display the **Business Licence** at the place of **Business** in a location visible to customers and suppliers attending the **Business**.
- (6) Every **Business Licence** issued shall be deemed to be a personal **Business Licence** to the licensee therein named.
- (7) A valid **Licence** will permit a **Business** to conduct the specific activities to the stated extent described in the **Licence** application. If a **Business** entity makes any changes to the information contained in its **Business Licence** application or information, undertakes new **Business** activities or expands those activities, it is required to obtain a new **Business Licence** or a **Business Licence** amendment for those activities.
- (8) No **Person** operating a **Business** within the **Town** shall **Market** that **Business** or its products and services through any means of promotion unless:
 - (a) the **Person** operating that **Business** is the holder of a valid **Business Licence** issued pursuant to this By-law;
 - (b) the **Business** name being promoted or marketed matches the named endorsed on the **Business Licence**; and
 - (c) the marketing offers products and services that comply with **Town** by-laws and related enactments.
- (9) No **Person** shall carry on a **Business** of any kind, in any way or manner on **Town** owned property, parks, boulevards, highways or

other public property unless specifically authorized to do so by a permit under this Bylaw or another enactment.

4. Administration and Enforcement

- (1) Through delegated authority, the Manager may:
 - (a) grant, issue, or amend a **Business Licence** if the **Licensing Officer** is satisfied that the **Applicant** has complied with all of the by-laws of the **Town** and related enactments that apply to the **Applicant's Business**;
 - (b) suspend, cancel, or refuse to issue a **Business Licence** in accordance with Section 7 of this By-law;
 - (c) impose conditions on a **Licence** at the time of issuance, renewal, or suspension for the purposes of ensuring compliance with all applicable enactments pertaining to the **Business**;
 - (d) conduct inspections and investigations to ensure that all regulations and provisions prescribed in this By-law are carried out; and
 - (e) prepare, from time to time, forms to be used for the purpose of making applications under this By-law.
- (2) No **Person** shall Obstruct or attempt to Obstruct a **Licensing Officer** or other **Person** who is exercising a power or performing a duty under this By-law.

5. Licence Fees

- (1) **Business Licence** fees shall be in accordance with those specified in the **Town of Newmarket Fees and Charges By-law**.
- (2) An administrative penalty of 25% of the renewal fee shall be added to each unpaid **Business Licence** after 31 days from the renewal date. If unpaid by this time, the **Licence** shall be revoked and a new **Business Licence** application shall be required.
- (3) If an application for a **Licence** is withdrawn, in writing, prior to the issuance of the **Licence**, the **Licence** Fee shall be refunded to the **Applicant** if a **Licence** was pre-paid.
- (4) No **Licence** Fee shall be refunded after the issuance of a **Licence**.

6. Application and Renewal

- (1) The terms of a **Business Licence** issued under this By-law are for a period commencing January 1st and ending December 31st of the year for while the **Licence** is issued.
- (2) All new **Business Licence** applications shall be accompanied by a non-refundable \$50.00 application processing fee. If a **Business Licence** application is approved, the application processing fee shall be applied to the **Business Licence** fee identified under the Fees and Charges Bylaw.
- (3) Every **Applicant** for a new **Business Licence** or for the renewal of a **Business Licence** issued under this By-law shall:
 - (a) submit a completed application on the forms provided;

- (b) file proof satisfactory to the **Licensing Officer** that they are eighteen (18) years of age or older, a citizen of Canada, or a landed immigrant or produce a valid work permit issued by the Government of Canada; to work in the occupation of the **Licence** type that they are applying for;
 - (c) provide a copy of the:
 - (i) incorporating document and a copy of the last annual information return which has been filed with the appropriate government department, if the **Applicant** is a corporation; or
 - (ii) registered declaration of partnership, if the **Applicant** is a registered partnership;
 - (d) provide any other document relating to the operation of the **Business** requested by the **Licensing Officer**, including but not limited to:
 - (i) a provincial driver's **Licence**;
 - (ii) Vulnerable Sector Screening Search or Criminal Conviction Background Search issued by the Police Service in which the **Applicant** resides;
 - (iii) Harmonized Sales Tax (HST) number;
 - (iv) York Regional Health Department Inspection Certificate;
 - (v) Insurance Certificates;
 - (e) pay any required fees pursuant to the **Town's Fees and Charges By-law**; and
 - (f) pay any outstanding fine(s) owed to the **Town** prior to the issuance of a **Business Licence**.
- (4) If a **Person** submits a **Business Licence** application for which additional information or documentation is required by the **Licensing Officer**, the **Person** shall supply all required information and documentation within 30 days of the request made by the **Licensing Officer**, after which time the application may be refused and a new application for a **Business Licence** is required.

7. Suspension, Cancellation, and Refusal

- (1) The Manager may revoke, suspend, cancel or refuse to renew or issue a **Licence**:
 - (a) where the past conduct of the **Applicant** or licensee affords reasonable grounds for belief that the **Applicant** or licensee will not carry on the activity for which the **Applicant** is applying for or the licensee is licensed for, in accordance with law and with integrity and honesty;
 - (b) where the **Applicant** of licensee has been found by the Manager or **Licensing Officer** to fail to comply with any provision of this By-law; or
 - (c) where the **Applicant** has been found by the Manager to provide false information in order to obtain a **Business Licence**.
- (2) Upon such revocation, suspension, cancellation, or refusal to issue or renew a **Business Licence**, the Manager shall provide a formal letter

outlining the reason(s) for the refusal and shall be delivered to the **Applicant** or licensee within seven (7) business days. Such notice shall set out and give reasonable particulars of the ground(s) for the decision and options for an Appeal Hearing.

- (3) An **Applicant** or licensee of a **Business Licence** may request a hearing before the **Appeals Committee** for reconsideration of the Manager's decisions to revoke, suspend, cancel, or refuse to issue or renew a **Business Licence** by delivering a written request to the Manager within fourteen (14) days of the Manager's decision being sent.
- (4) The **Applicant** or licensee of a **Business Licence** must pay a non refundable Appeal Fee in accordance with the Fees and Charges Bylaw.
- (5) Before the **Appeals Committee** makes any decision, a written notice to advise the **Applicant** or licensee of the recommendations being made by the Manager with respect to the **Licence** shall be provided to the **Applicant** or licensee.
- (6) The **Applicant** or licensee shall have the right to make a submission in support of an application or renewal or retention of a **Licence** before the **Appeals Committee**.
- (7) Failure for the **Applicant** or licensee to attend the scheduled hearing before the **Appeals Committee** shall result in the proceeding of the hearing.
- (8) The decision of the **Appeals Committee** is final and binding.
- (9) No **Person** shall conduct any **Business** pursuant to their **Business Licence** during a period of suspension of that **Business Licence**.
- (10) No **Person** shall **Market** a **Business** during a period of suspension of that **Business' Licence**.
- (11) If the Manager suspends, cancels or refuses to issue, amend or renew the **Business Licence** for a **Business**, the **Town** may post a notice of suspension, cancellation, or refusal on the **Premises** of the **Business**.
- (12) A posted notice of suspension, cancellation, or refusal of a **Business Licence** shall not be removed until the Manager has approved the issuance of a valid **Business Licence**.
- (13) If a **Business** is operating without a **Licence** required under this By-law, the **Town** may post a notice describing the failure to hold a valid **Business Licence** on the **Premises** of the **Business**.
- (14) A posted notice of operating without a **Business Licence** shall not be removed until the Manager has approved the issuance of a valid **Business Licence**.

8. Specific Regulations

8.1 Pet Retail Stores

- (1) Every **Pet Store** shall be maintained at all times in a sanitary, well-ventilated, clean condition, and free from offensive odours.
- (2) Every animal or **Bird** shall be kept in sanitary, well-bedded, well-lighted, clean quarters, kept at a temperature appropriate for the

health requirements of the type or species of animal or **Bird** housed therein.

- (3) Every cage or other container used for the keeping or housing of any animal or **Bird** shall:
- (a) be of adequate size to permit any such animal or **Bird** to stand normally to its full height, to turn around, and to lie down in a fully extended position;
 - (b) in the case of a cage or other container used to keep or house only **Birds**, have a removable metal or other impermeable bottom which shall be cleaned daily;
 - (c) in the case of all other cages or contained, have a floor of either solid or wire mesh construction or any combination thereof, provided that:
 - (i) all spaces in wire mesh shall be smaller than the pads of the foot of any animal confined therein;
 - (ii) any such wire mesh shall be of a thickness and design adequate to prevent injury to any such animal; and
 - (iii) such floor shall be of sufficient strength to support the weight of any such animal;
 - (d) be equipped with receptacles for food and for water, so mounted or situation that they cannot be easily overturned or contaminated; and
 - (e) be located and enclosed in a manner as to prevent undue physical contact with the public.
- (4) Water shall be provided daily to every animal or **Bird** in sufficient quantity to maintain at all times a potable supply available to such **Bird** or animal.
- (5) Animals and **Birds** shall be fed periodically each day in accordance with the particular food requirements of each type or species of animal or **Bird** kept within the **Pet Store**.
- (6) Every **Applicant** licensed or required to be licensed with the **Town** under this By-law shall:
- (a) provide to every purchaser of a cat or dog a health assessment from a licensed **Veterinarian** to verify the animal has received veterinary care;
 - (b) only permit a cat or dog within the **Pet Store** for the purpose of sale for which the cat or dog has been obtained from one (1) of the following sources:
 - (i) municipal animal shelters;
 - (ii) registered humane societies;
 - (iii) registered shelters; or
 - (iv) a recognized animal rescue group;
 - (c) provide all enclosed dogs or cats reasonable exercise;
 - (d) not keep or sell any sick, injured, or diseased animals;

- (e) not display any animal in an exterior display window;
 - (f) not permit to be sold, offer for sale, or give away any animal before it has reached the normal weaning age, based on known requirements of that particular species; and
 - (g) give the purchaser on any sale or disposition of any dog or cat, a receipt showing the name and address of the vendor and the purchaser, the date of sale, the sale price, the breed or crossbreed, sex, age, and description.
- (7) Every **Pet Store** shall maintain a registry of each dog or cat purchased or otherwise obtained. Each entry shall be made at the time each dog or cat comes into the possession of any **Owner**, employee, or **Person** associated with the **Pet Store** and shall include:
- (a) the date of purchase;
 - (b) a full description of the dog or cat;
 - (c) the name, address, and contact information of the **Person** from whom the dog or cat was purchased or otherwise obtained; and
- the **Pet Store** shall retain the register in respect of each transaction for the period of twelve (12) months thereafter.
- (8) Every **Pet Store** shall ensure that an **Attendant** in charge of and responsible for the care and safe keeping of animals within the **Pet Store** remains on site at all times during the **Business** hours of operation.
- (9) **Prohibited Animals**, as identified within the **Town's** Animal Control By-law Schedule A, shall not be permitted to be sold in any **Pet Store**.
- (10) Every **Person** licensed under this By-law shall make every reasonable effort to obtain the name, address and description of anyone offering to sell or give to the licensee any animal which the licensee has cause or reason to suspect has been stolen or otherwise unlawfully obtained and the licensee shall report the facts promptly to the nearest Police Division of the Region of York Police Services.
- (11) Where the **Licensing Officer** or **Municipal Enforcement Officer** determines that an animal appears to require medical attention, they may require the licensee to take the animal to a qualified **Veterinarian** forthwith.

8.2 Short Term Rental Operators

- (1) No more than one (1) **Short Term Rental** is permitted on a **Lot**.
- (2) **Short Term Rentals** shall only be operated within one (1) dwelling unit on a **Lot**.
- (3) **Short Term Rentals** shall provide one (1) off-street parking space for each bedroom identified as in use by the **Business**. In addition to this requirement, one (1) off-street parking space shall be provided for the **Permanent Resident** of the property.
- (4) Each bedroom intended to be operated as part of a **Short Term Rental** shall be clearly identified at the time of a new or renewal **Business Licence** application process through the provision of a floor plan showing the location of each bedroom.
- (5) Any changes to the number or location of bedrooms shall be provided to the **Municipal Enforcement Officer** through a **Licence**

amendment application, prior to those bedrooms being used by the **Business**.

- (6) An **Operator** of a **Short Term Rental** shall not:
 - (a) rent out or provide any sleeping accommodations within any vehicle, tent, or any accessory building;
 - (b) permit more than three (3) bedrooms to be made available for use;
 - (c) permit more than (6) overnight guests at one time; or
 - (d) permit beds or bedrooms to be used that are not identified on the **Business Licence** application for that **Premises**.
- (7) An **Operator** of a **Short Term Rental** shall post or display the **Business Licence** number on any **Marketing**, advertisements, or promotions for that **Business**.
- (8) An **Applicant** for a **Short Term Rental** shall provide:
 - (a) proof that they are a **Permanent Resident** on the property; or
 - (b) the name of the **Permanent Resident(s)** on the property and a copy of a tenancy agreement, or other proof satisfactory to the **Licensing Officer**, of an existing and ongoing principal residential use, at the time of a new or renewal application.
- (9) An **Operator** of a **Short Term Rental** shall ensure that a **Permanent Resident** on the property is present and available within the **Town** at all times while guests are staying on the **Premises**, and is able to respond to concerns raised by guests, neighbours, or the **Licensing Officer** within two (2) hours.
- (10) An **Operator** of a **Short Term Rental** shall provide to each guest and the **Licensing Officer** the telephone number of the **Person** who is present or available to respond to concerns pursuant to **Town** by-laws or provincial regulations.
- (11) No **Person** shall **Market**, operate, or make available any dwelling unit or part of a dwelling unit for paid accommodation of less than 28 days unless that dwelling unit has a current **Short Term Rental Licence**.
- (12) Upon approval of a **Short Term Rental Business Licence**, the **Applicant** shall post a Sign in conformity with the **Town's Sign By-law**, to identify the **Premises** as a licensed **Short Term Rental** within the **Town** of Newmarket.
- (13) Every **Short Term Rental** shall comply with Schedule A of this By-law as a condition of their **Business Licence** and shall comply with the demerit point system licensing requirements imposed.
- (14) Every **Short Term Rental Operator** shall only **Market**, list, or advertise their **Business** on a licensed **Short Term Rental Company** platform.

8.3 Short Term Rental Companies

- (1) No **Person** shall carry on the **Business** of a **Short Term Rental Company** unless they have obtained a **Licence** to do so from the **Town**.

- (2) No **Person** shall, **Market**, advertise, facilitate the advertising or rental of, or broker a **Short Term Rental** if its **Operator** is not licensed as such with the **Town**.
- (3) Every **Person** shall take down or remove a listing or advertisement related to an unlicensed **Operator** within 24 hours of being requested to do so by the **Town**.
- (4) An application for a **Short Term Rental** Company **Licence** shall be in a form approved by the Manager and require the **Applicant** to provide:
 - (a) The **Short Term Rental** Company's registered **Business** address in Ontario;
 - (b) The name, phone number and e-mail address of a **Person** responsible for responding to all communications from the **Town**;
 - (c) Details of the process by which the **Short Term Rental** Company will remove advertisements for a **Short Term Rental** if its **Operator** has not obtained a **Licence** with the **Town**;
 - (d) Details of the **Short Term Rental** Company's procedure for dealing with problem **Operators** and responding to complaints; and
 - (e) Any other information or documentation required by the Manager.
- (5) A **Short Term Rental** Company shall comply with all applicable fees as identified within the **Town's Fees and Charges By-law**.
- (6) An **Applicant** for a **Short Term Rental** Company **Licence** shall, prior to being issued a **Licence**, execute an agreement with the **Town** governing the use, retention, and disclosure of **Operator** and guest information on terms satisfactory to the Manager.
- (7) Every **Short Term Rental** Company shall keep a record of each concluded transaction in relation to a **Short Term Rental** listed or advertised on its platform for three (3) years following the last day of the rental period. A transaction is concluded on the last day of the rental period. The records retained shall include the following:
 - (a) The name, address, and **Licence** number of the **Operator**;
 - (b) The number of nights the **Short Term Rental** was rented;
 - (c) The nightly and total price charged for the **Short Term Rental**;
 - (d) Whether the rental was an entire-unit rental or room rental; and
 - (e) Any other information required by the Manager.
- (8) Every **Short Term Rental** Company shall keep a record of the number of **Short Term Rental** listings or advertisement it removed from its platform in accordance with Sections 8.3(1) and 8.3(2) of this By-law.
- (9) Every **Short Term Rental** Company shall provide the records referred to in this section to the **Town** upon the request of the Manager.
- (10) Every **Short Term Rental** Company shall create **Operator** and guest accounts on its platforms as requested by the Manager, to be used to investigate compliance with this By-law.

- (11) No **Short Term Rental** Company shall obstruct, in any manner, access to any accounts established for use by the Manager or **Licensing Officer** to investigate compliance with this By-law.

9. Offences

- (1) Every **Person** who contravenes any provision of this By-law are liable to the fines and administrative fees set out under the Administrative Monetary Penalty System By-law 2019-62.
- (2) Every **Person** who is in contravention of the provisions of this By-law may request a review of the matter in accordance with the Administrative Monetary Penalty System By-law-2019- 62.
- (3) Any **Person** who contravenes a provision of this By-law is guilty of an offence and upon conviction is liable to a fine as provided for by the Provincial Offences Act, R.S.O. 1990, Chapter P.33, as amended.

10. Severability

- (1) Where a court of competent jurisdiction declares any section of this By-law to be invalid, or to be not in force, or without effect, it is the intention of **Council** in enacting this By-law that the remainder of this By-law shall continue in force and applied and enforced in accordance with its terms to the fullest extent possible according to law.

Enacted this xxx day of xxx, 201x.

John Taylor, Mayor

Lisa Lyons, Town Clerk

Business Licence By-law 2020-XX

Schedule A

Demerit Point System for Short Term Rentals

A Demerit Point System is hereby established to enforce this By-law, any other Town by-law, or Provincial Act or Regulation including, but not limited to, administrative penalties as set out in the Town's Administrative Monetary Penalty System By-law 2019-62, as amended, the Building Code Act, the Fire Protection and Prevention Act, and the Provincial Offences Act.

- (1) The number of demerit points referenced in Column 3 of Table 1 of this Schedule will be applied against a Short Term Rental business premises and licence in respect of the matter noted in Column 1 under the following conditions:
 - (a) fifteen (15) days from the date of issue for an administrative penalty issued under the Town's AMPS By-law;
 - (b) upon the issuance of a Part 1 or Part III ticket under the Provincial Offences Act; or
 - (c) upon conviction in the Ontario Court of Justice;
 - (d) the confirmation of an order; or
 - (e) the confirmation of any contravention documented by Central York Fire Services.
- (2) A Short Term Rental shall be awarded fifteen (15) demerit points upon the approval of their initial business licence.
- (3) Contraventions to the business premises as identified within Table 1 of this Schedule will result in a loss of demerit points. Demerit points shall remain in place for a duration of one (1) year from the date on which the demerit points were assessed.
- (4) Upon the loss of fifteen (15) or more demerit points to any Short Term Rental Licence, the Manager shall suspend, revoke, or impose additional conditions on a Short Term Rental Licence. The Owner or Operator may dispute any actions taken by the Manager by making a request, in writing, to appear before the Appeals Committee for the Town.

Hearing with the Appeals Committee

- (5) Notice shall be delivered by e-mail or regular mail to the address provided for the Owner or Operator of the Short Term Rental or Bed and Breakfast business, as identified on the application forms provided for a business licence.

- (6) Notice shall be provided a minimum of two (2) weeks in advance of the Hearing with the Appeals Committee date.
- (7) Notice provided in accordance with Section 5 of this Schedule shall be deemed to be sufficient Notice with or without confirmation of receipt of the Notice.
- (8) The fee payable by the Owner or Operator for the Hearing with the Appeals Committee shall be as prescribed and in accordance with the Town's Fees and Charges By-law.
- (9) If the Owner or Operator fails to attend on the scheduled date, the Hearing with the Appeals Committee may proceed in absentia.
- (10) After hearing the matter, the Appeals Committee may:
- (a) confirm the conditions imposed on, the suspension of, or the revocation of the business licence;
 - (b) amend the conditions imposed on, the suspension of, or the revocation of the business licence; or
 - (c) cancel the conditions imposed on, the suspension of, or the revocation of the business licence.
- (11) The decision of the Appeals Committee is final and binding.

Table 1		
Column 1 Infraction	Column 2 Reference	Column 3 Demerit Points
Fire Protection & Prevention Act/Fire Code	FPPA	15
Operate while business licence is suspended or revoked	Business Licence By-law 2020-XX, as amended	7
Building Code Act	BCA	7
More than the number of bedrooms permitted	Business Licence By-law 2020-XX, as amended	5
More than the number of guests permitted	Business Licence By-law 2020-XX, as amended	5
Failure to respond to complaint by specified time	Business Licence By-law 2020-XX, as amended	5
Contravention to Noise By-law	Noise By-law 2017-76	5
Contravention to Property Standards By-law	Property Standards By-law 2017-62, as amended	3
Contravention to Clean Yards By-law	Clean Yards By-law 2017-63	3
Failure to post business licence number on advertisements	Business Licence By-law 2020-XX, as amended	3
Failure to post business licence on premises	Business Licence By-law 2020-XX, as amended	3
Failure to post Sign	Business Licence By-law 2020-XX	2
Contravention to Waste Collection By-law	Waste Collection By-law 2017-19	2

Schedule “A”

Administrative Monetary Penalty
System By-law 2019-62
Designated By-law Provisions

- 1. For the purposes of Section 3 of this By-law, Column A3 in the following table lists the provisions in the **Designated By-law** identified in the Schedule, as amended.
- 2. Column A4 in the following table sets out the short form wording to be used in a **Penalty Notice** for the contravention of the designated provisions listed in Column A3.
- 3. Column A6 in the following table set out the **Administrative Penalty** for the **Set Penalty Amount** in accordance with Section 5(5)(b) of this By-law that is payable for contraventions of the designated provisions listed in Column A3.
- 4. The penalties shown in Column A5 below include a twenty five percent (25%) discount for **Early Payment** in accordance with Section 5(5)(a) of this By-law that is payable for contraventions of the designated provisions listed in Column A3.
- 5. The penalties shown in column A7 below include a twenty five percent (25%) surcharge for **Late Payment** in accordance with Section 5(5)(c) of this By-law that is payable for contraventions of the designated provisions listed in Column A3.

A1 By-law	A2 Item #	A3 Section	A4 Description	A5 Early Payment	A6 Set Penalty	A7 Late Payment
Accessory Dwelling Units By-law 2013-13						
Accessory Dwelling Units By-law 2013-13, as amended	1.	2	Operate or permit occupancy in unregistered two unit house	450.00	600.00	750.00
	2.	3(a)	Failure to register two-unit house	450.00	600.00	750.00
	3.	9(a)	Obstruct a Municipal Enforcement Officer	450.00	600.00	750.00
Animal Control By-law 2020-XX						
Animal Control By-law 2020-XX, as amended	4.	4(2)	Dog noise causing a disturbance	225.00	300.00	375.00
	5.	4(3)	Control more than the maximum permitted dogs/cats	225.00	300.00	375.00
	6.	4(4)	Keep more than the maximum permitted dog/cats	225.00	300.00	375.00
	7.	4(5)(a)	Permit Dangerous Dog in a leash-free park	225.00	300.00	375.00
	8.	4(6)	Failure to stoop and scoop	225.00	300.00	375.00
	9.	4(7)	Keep Prohibited Animal	450.00	600.00	750.00
	10.	5(3)	Leave Domestic Animal in Vehicle contrary to conditions	300.00	400.00	500.00
	11.	5(4)(a)	Failure to provide Domestic Animal sanitary environment	300.00	400.00	500.00
	12.	5(4)(b)	Failure to provide Domestic Animal adequate care	300.00	400.00	500.00
	13.	5(4)(c)	Failure to provide Domestic Animal adequate food and water	300.00	400.00	500.00
	14.	5(4)(d)	Failure to provide Domestic Animal shelter	300.00	400.00	500.00
	15.	5(4)(e)	Failure to provide Domestic Animal Veterinary care	300.00	400.00	500.00
	16.	5(5)	Keep Domestic Animal in a condition that causes a disturbance	300.00	400.00	500.00
	17.	5(6)	Keep Domestic Animal in a manner that endangers the health of others	300.00	400.00	500.00
	18.	6(1)(a)	Use tether less than 3m	300.00	400.00	500.00
	19.	6(1)(b)	Failure to allow tethered Animal unrestricted movement	300.00	400.00	500.00
	20.	6(1)(c)	Failure to constrain a tethered Animal to property	300.00	400.00	500.00

Animal Control By-law 2020-XX, as amended	21.	6(1)(d)	Failure to provide tethered animal water, food, shelter, or shade	300.00	400.00	500.00
	22.	6(2)	Tether Animal using prohibited device	300.00	400.00	500.00
	23.	6(3)	Tether Animal for more than 3 hours	300.00	400.00	500.00
	24.	7(1)	Feed or permit the feeding of wildlife	225.00	300.00	375.00
	25.	7(2)	Permit or cause a feeding device to be left outside	225.00	300.00	375.00
	26.	8(1)	Failure to submit Urban Hens application	225.00	300.00	375.00
	27.	8(2)	Keep more than three Urban Hens	225.00	300.00	375.00
	28.	8(3)	Keep Urban Hen under the age of 4 months	225.00	300.00	375.00
	29.	8(4)	Keep Rooster on residential property	225.00	300.00	375.00
	30.	8(6)	Failure to keep Urban Hen in coop between 9:00pm and 6:00am	225.00	300.00	375.00
	31.	8(7)	Failure to keep Urban Hen in run	225.00	300.00	375.00
	32.	8(13)	Failure to maintain hen coop or hen run	225.00	300.00	375.00
	33.	8(14)	Permit the slaughter of hens	300.00	400.00	500.00
	34.	8(15)	Improper disposal of livestock	300.00	400.00	500.00
	35.	9(2)	Failure to comply with a Training Order	300.00	400.00	500.00
	36.	9(3)(a)	Failure to comply with Notice to Muzzle on owner's property	300.00	400.00	500.00
	37.	9(3)(b)	Failure to comply with Notice to Muzzle when off of owner's property	300.00	400.00	500.00
	38.	9(4)	Failure to prevent dog from engaging in a dangerous Act	450.00	600.00	750.00
	39.	9(7)	Failure to comply with a Dangerous Dog Order	450.00	600.00	750.00
	40.	12(1)	Failure to licence cat/dog	300.00	400.00	500.00
	41.	12(2)	Failure to affix licence to cat/dog	300.00	400.00	500.00
	42.	12(5)	Provide false information when licensing animal	300.00	400.00	500.00
	43.	13(1)	Permit dog at large	300.00	400.00	500.00
	44.	13(3)	Permit dog in area contrary to posted signage	300.00	400.00	500.00
	45.	13(4)	Permit cat at large	300.00	400.00	500.00
Business Licence By-law 2020-XX						
Business Licence By-law 2020-XX, as amended	46.	3(1)	Operate without a business licence	450.00	600.00	750.00
	47.	3(2)	Failure to comply with legislation	225.00	300.00	375.00
	48.	3(3)	Operate business at more than one premises	225.00	300.00	375.00
	49.	3(5)	Failure to display business licence			
	50.	3(8)(a)	Advertising without a business licence	225.00	300.00	375.00
	51.	3(8)(b)	Improper business name advertised	225.00	300.00	375.00
	52.	3(8)(c)	Advertise products or services contrary to Town by-laws	225.00	300.00	375.00
	53.	3(9)	Carry on business on Town property without authorization	225.00	300.00	375.00
	54.	4(2)	Obstruct a Licensing Officer	450.00	600.00	750.00
	55.	7(9)	Operate business while licence is suspended	450.00	600.00	750.00
Business Licence By-law 2020-XX, as amended	56.	7(10)	Advertise business while licence is suspended	225.00	300.00	375.00
	57.	7(12)	Remove posted notice of suspension	225.00	300.00	375.00
	58.	7(14)	Remove posted notice of no business licence	225.00	300.00	375.00
	59.	8.1(1)	Failure to maintain Pet Store	225.00	300.00	375.00
	60.	8.1(2)	Failure to keep animal or bird in adequate conditions	225.00	300.00	375.00
	61.	8.1(3)(a)	Failure to provide adequate cage size	225.00	300.00	375.00
	62.	8.1(3)(b)	Failure to keep or maintain bird cage	225.00	300.00	375.00
	63.	8.1(3)(c)	Improper cage construction	225.00	300.00	375.00
	64.	8.1(3)(d)	Improper food and water receptacles	225.00	300.00	375.00
	65.	8.1(3)(e)	Failure to provide undue physical contact with the public	225.00	300.00	375.00
	66.	8.1(4)	Failure to provide water	225.00	300.00	375.00
	67.	8.1(5)	Failure to provide food	225.00	300.00	375.00
	68.	8.1(6)(a)	Failure to provide health assessment	225.00	300.00	375.00
	69.	8.1(6)(b)	Source cat or dog for purpose of sale contrary to by-law	600.00	800.00	1000.00
	70.	8.1(6)(c)	Failure to provide cat or dog with reasonable exercise	225.00	300.00	375.00
	71.	8.1(6)(d)	Keep or sell sick, injured, or diseased animals	225.00	300.00	375.00
	72.	8.1(6)(e)	Display animal in exterior window display	225.00	300.00	375.00
	73.	8.1(6)(f)	Sell or offer for sale any animal prior to normal weaning age	225.00	300.00	375.00
	74.	8.1(6)(g)	Failure to provide descriptive receipt	225.00	300.00	375.00
	75.	8.1(7)	Failure to maintain cat or dog registry	225.00	300.00	375.00
	76.	8.1(8)	No attendant present during business hours	225.00	300.00	375.00

Business Licence By-law 2020-XX, as amended	77.	8.1(9)	Sell or offer for sale animal listed on prohibited animals list	450.00	600.00	750.00
	78.	8.1(10)	Failure to disclose stolen or unlawfully obtained animal	450.00	600.00	750.00
	79.	8.1(11)	Failure to seek medical attention for animal as directed	450.00	600.00	750.00
	80.	8.2(1)	More than 1 STR on a lot	225.00	300.00	375.00
	81.	8.2(2)	Operate STR in more than 1 dwelling unit	225.00	300.00	375.00
	82.	8.2(3)	Failure to provide adequate parking for STR	225.00	300.00	375.00
	83.	8.2(5)	Failure to notify Town of changes to STR operations	225.00	300.00	375.00
	84.	8.2(6)(a)	Provide sleeping accommodations in vehicle, tent, or accessory building	450.00	600.00	750.00
	85.	8.2(6)(b)	Exceed number of bedrooms permitted for STR	225.00	300.00	375.00
	86.	8.2(6)(c)	Exceed number of guests permitted for STR	225.00	300.00	375.00
Business Licence By-law 2020-XX, as amended	87.	8.2(6)(d)	Permit beds or bedrooms to be used contrary to licence	225.00	300.00	375.00
	88.	8.2(7)	Failure to post or display business licence number on marketing	225.00	300.00	375.00
	89.	8.2(9)	Failure to respond to STR concerns within 2 hours	225.00	300.00	375.00
	90.	8.2(10)	Failure to provide contact information	225.00	300.00	375.00
	91.	8.2(11)	Operate or market part of or whole dwelling unit without a licence	225.00	300.00	375.00
	92.	8.2(12)	Failure to post sign for STR	225.00	300.00	375.00
	93.	8.2(14)	Market STR on unlicensed STR Company platform	225.00	300.00	375.00
	94.	8.3(1)	Operate STR Company without a licence	450.00	600.00	750.00
	95.	8.3(2)	Advertise STR that has not obtained a licence	225.00	300.00	375.00
	96.	8.3(3)	Failure to remove listing or advertisement as requested by Town	225.00	300.00	375.00
	97.	8.3(7)	Failure to maintain records by STR Company	225.00	300.00	375.00
	98.	8.3(9)	Failure to provide records upon request	225.00	300.00	375.00
	99.	8.3(10)	Failure to create platform accounts upon request	225.00	300.00	375.00
	100.	8.3(11)	Obstruct access to platform accounts	225.00	300.00	375.00
By-law 2002-151 (Licensing)						
By-law 2002-151 Schedule 1 Adult Entertainment Parlours	101.	1.2	Operate without an Adult Entertainment Parlour Owner's licence	450.00	600.00	750.00
	102.	1.3	Operate without an Adult Entertainment Parlour Operator's licence	450.00	600.00	750.00
By-law 2002-151 Schedule 2 Adult Video Stores	103.	2.2	Operate without an Adult Video Store licence	450.00	600.00	750.00
	104.	2.25	Failure to post licence in premise	225.00	300.00	375.00
	105.	2.28	Advertise business contrary to conditions	225.00	300.00	375.00
By-law 2002-151 Schedule 7 Body-rub Parlours	106.	7.2	Operate without a body-rub parlour licence	450.00	600.00	750.00
	107.	7.3	Failure to obtain an attendant's licence	450.00	600.00	750.00
	108.	7.4(a)	Provide services designed to appeal to sexual appetites	450.00	600.00	750.00
	109.	7.4(b)	Provide body-rubs to a person under 18 years of age	225.00	300.00	375.00
	110.	7.4(c)	Failure to post sign restricting entry for under 18 years of age	225.00	300.00	375.00
	111.	7.4(d)	Permit employee under 18 years of age	225.00	300.00	375.00
	112.	7.4(e)	Business open without owner/operator onsite	225.00	300.00	375.00
	113.	7.4(f)	Consume or be in possession of alcohol or drugs	450.00	600.00	750.00
	114.	7.4(g)	Permit intoxicated person to remain in body-rub parlour	225.00	300.00	375.00
	115.	7.4(l)	Failure to post licence	225.00	300.00	375.00
	116.	7.4(o)	Failure to provide required documentation to Licensing Officer	225.00	300.00	375.00
	117.	7.4(p)	Failure to provide copy of attendant licences	225.00	300.00	375.00
	118.	7.4(s)	Use or permit any camera or recording device	225.00	300.00	375.00
	119.	7.4(t)	Failure to post sign as directed by Town	225.00	300.00	375.00
	120.	7.6	Prohibited sign	225.00	300.00	375.00
	121.	7.7	Circulate, post, or distribute printed material	225.00	300.00	375.00
	122.	7.9	Advertise unauthorized business name or logo	225.00	300.00	375.00
	123.	7.11(a)	Contravene approved floor plan	225.00	300.00	375.00
	124.	7.11(b)	Locked or obstructed rooms	225.00	300.00	375.00
	125.	7.11(d)	Body-rub parlour used as a dwelling	225.00	300.00	375.00
	126.	7.11(e)	Room for body-rub not equipped with window	225.00	300.00	375.00
	127.	7.12	Operate business contrary to hours of 11:00am to 11:59pm	225.00	300.00	375.00
	128.	7.13(a)	Operate body-rub parlour within 500m of residential zone	225.00	300.00	375.00
	129.	7.13(b)	Operate body-rub parlour on or within 500m of restricted roadway	225.00	300.00	375.00

By-law 2002-151 Schedule 7 Body-rub Parlours	130.	7.13(c)	Operate body-rub parlour within 500m of any school, church, or child day care	225.00	300.00	375.00
	131.	7.13(d)	Operate body-rub parlour within 1km of another body-rub parlour	225.00	300.00	375.00
	132.	7.47	Obstruct a Licensing Officer	450.00	600.00	750.00
By-law 2002-151 Schedule 15 Newspaper Boxes	133.	15.2	Failure to notify Town of newspaper box on Town property	450.00	600.00	750.00
	134.	15.8	Failure to maintain newspaper box	225.00	300.00	375.00
Clean Yards By-law 2017-63						
Clean Yards By-law 2017-63, as amended	135.	2.1	Failure to maintain property	150.00	200.00	250.00
	136.	2.2	Failure to provide ground cover	150.00	200.00	250.00
	137.	2.3	Failure to maintain natural garden in living condition	150.00	200.00	250.00
	138.	2.4	Unsightly growth	150.00	200.00	250.00
	139.	2.5	Noxious weeds	150.00	200.00	250.00
	140.	2.6	Grass/weeds exceeding 20cm in height	150.00	200.00	250.00
	141.	2.7	Failure to maintain trees on property	150.00	200.00	250.00
	142.	2.8	Spread dust or dirt onto neighbouring property	150.00	200.00	250.00
	143.	2.9	Failure to maintain pool in good repair	150.00	200.00	250.00
	144.	3.1(a)	Store or keep motor vehicle missing parts	150.00	200.00	250.00
	145.	3.1(b)	Unlicensed motor vehicle on property	150.00	200.00	250.00
	146.	3.1(c)	Store or keep motor vehicle parts	150.00	200.00	250.00
	147.	3.1(d)	Store or keep derelict motor vehicle	150.00	200.00	250.00
	148.	4.1	Permit composting contrary to by-law	150.00	200.00	250.00
	149.	4.2(a)	Failure to compost in rear yard	150.00	200.00	250.00
	150.	4.2(b)	Failure to compost in container	150.00	200.00	250.00
	151.	4.2(c)	Failure to cover compost	150.00	200.00	250.00
	152.	4.2(d)	Animal feces in compost container	150.00	200.00	250.00
	153.	4.2(e)	Permit odour from composting	150.00	200.00	250.00
	154.	4.2(f)	Failure to maintain compost from attracting animals	150.00	200.00	250.00
	155.	4.2(g)	Failure to maintain composter setback requirements	150.00	200.00	250.00
	156.	5.1	Keep firewood contrary to by-law	150.00	200.00	250.00
	157.	5.2(b)	Exceed 15% of total yard area for firewood storage	150.00	200.00	250.00
	158.	5.2(c)	Improper storage of firewood in rear yard	150.00	200.00	250.00
	159.	5.2(d)	Improper storage of firewood in side yard	150.00	200.00	250.00
	160.	5.2(e)	Pile firewood along fence	150.00	200.00	250.00
	161.	6.1	Place or permit Graffiti	150.00	200.00	250.00
	162.	6.2	Failure to maintain property free of graffiti	150.00	200.00	250.00
	163.	7.1	Permit standing water	150.00	200.00	250.00
	164.	8.1	Failure to maintain boulevard	150.00	200.00	250.00
	165.	8.2	Failure to maintain boulevard gardens	150.00	200.00	250.00
	166.	8.3	Failure to maintain plantings from encroachment	150.00	200.00	250.00
	167.	8.4	Failure to maintain sidewalk	150.00	200.00	250.00
	168.	11.5	Obstruct a Municipal Enforcement Officer	450.00	600.00	750.00
Clothing Donation Bins By-law 2016-33						
Clothing Donation Bins By-law 2016-33, as amended	169.	2.1	Operate without a Clothing Donation Bin Operator licence	450.00	600.00	750.00
	170.	3.2	Clothing Donation Bin on Town property	450.00	600.00	750.00
	171.	3.3	Clothing Donation Bin located at unauthorized location	225.00	300.00	375.00
	172.	4.1(a)	Failure to display name on bin	225.00	300.00	375.00
	173.	4.1(d)	Failure to display pick-up schedule for donations	225.00	300.00	375.00
	174.	4.2(b)	Failure to properly affix sticker on bin	225.00	300.00	375.00
	175.	6.1	Obstruct a Municipal Enforcement Officer	450.00	600.00	750.00
Fireworks By-law 2015-18						
Fireworks By-law 2015-18, as amended	176.	3.1	Offer for sale, cause, or permit to be sold fireworks	450.00	600.00	750.00
	177.	3.2	Discharge any prohibited fireworks	450.00	600.00	750.00
	178.	3.3	Sell consumer fireworks 7 days prior to Victoria or Canada Day	225.00	300.00	375.00
	179.	3.6	Display in any store window any type of fireworks	450.00	600.00	750.00
	180.	3.8	Sell or offer for sale fireworks without a licence	450.00	600.00	750.00
	181.	3.10	Discharge fireworks on Town property without a permit	450.00	600.00	750.00
	182.	3.11	Discharge fireworks on private property without a permit	450.00	600.00	750.00
	183.	6.1	Discharge fireworks when prohibited	450.00	600.00	750.00
Mobile Business Licence By-law 2020-07						
Mobile Business Licence By-law 2020-07	184.	3(1)(a)	Operate without a business licence	450.00	600.00	750.00
	185.	3(1)(c)	Failure to comply with condition of licence	225.00	300.00	375.00
	186.	3(2)	Failure to comply with legislation	225.00	300.00	375.00
	187.	3(3)	Failure to display business licence	225.00	300.00	375.00
	188.	3(5)(a)	Advertising without a business licence	225.00	300.00	375.00
	189.	3(5)(b)	Improper business name advertised	225.00	300.00	375.00

Mobile Business Licence By-law 2020-07	190.	3(6)	Carry on business on Town property without authorization	225.00	300.00	375.00
	191.	3(7)	Failure to possess business licence	225.00	300.00	375.00
	192.	3(8)	Smoke or permit smoking in business vehicle	225.00	300.00	375.00
	193.	4(2)	Obstruct a Licensing Officer	450.00	600.00	750.00
	194.	7(9)	Operate business while licence is suspended	450.00	600.00	750.00
	195.	7(10)	Advertise business while licence is suspended	225.00	300.00	375.00
	196.	7(12)	Remove posted notice of suspension	225.00	300.00	375.00
	197.	7(14)	Remove posted notice of no business licence	225.00	300.00	375.00
	198.	8.1(2)	Failure to comply with Taxicab Driver requirements	225.00	300.00	375.00
	199.	8.1(3)	Failure to display Taxicab Driver information	225.00	300.00	375.00
	200.	8.1(4)(b)	Failure to disclose Fare for Taxicab Trip	225.00	300.00	375.00
	201.	8.1(4)(c)	Failure to notify Town of Taxicab Driver	225.00	300.00	375.00
	202.	8.1(4)(d)	Failure to notify Town of Taxicab	225.00	300.00	375.00
	203.	8.1(5)(a)	Failure to provide required Taxicab Driver information	225.00	300.00	375.00
	204.	8.1(5)(b)	Failure to provide required Taxicab information	225.00	300.00	375.00
	205.	8.1(6)	Failure to maintain Taxicab Trip information	225.00	300.00	375.00
	206.	8.1(10)	Failure to remove Taxicab Driver	225.00	300.00	375.00
	207.	8.1(12)	Failure to comply with Taxicab requirements	450.00	600.00	750.00
	208.	8.1(13)	Permit unauthorized passenger(s) in Taxicab	225.00	300.00	375.00
	209.	8.2(2)	Failure to comply with TNC Driver requirements	225.00	300.00	375.00
	210.	8.2(3)(b)	Permit hail ride for TNC	225.00	300.00	375.00
	211.	8.2(3)(c)	Failure to maintain Safety Standard Certificate in TNC Vehicle	225.00	300.00	375.00
	212.	8.2(4)(c)	Failure to provide third party audit records	225.00	300.00	375.00
	213.	8.2(6)(a)	Failure to disclose Fare for TNC Trip	225.00	300.00	375.00
	214.	8.2(6)(c)	Failure to charge proper Fare for TNC Trip	225.00	300.00	375.00
	215.	8.2(6)(d)	Failure to maintain TNC Trip information	225.00	300.00	375.00
	216.	8.2(7)	Failure to use GPS on TNC App	225.00	300.00	375.00
	217.	8.2(8)	Failure to provide TNC Driver information via TNC App	225.00	300.00	375.00
	218.	8.2(9)	Failure to provide electronic receipt via TNC App	225.00	300.00	375.00
	219.	8.2(10)(a)	Failure to provide required TNC Driver information	225.00	300.00	375.00
	220.	8.2(10)(b)	Failure to provide required TNC Vehicle information	225.00	300.00	375.00
Mobile Business Licence By-law 2020-07	221.	8.2(11)	Failure to maintain TNC Trip records	225.00	300.00	375.00
	222.	8.2(15)	Failure to remove TNC Driver from TNC App	225.00	300.00	375.00
	223.	8.2(17)	Failure to comply with TNC Vehicle requirements	450.00	600.00	750.00
	224.	8.3(2)	Failure to comply with Refreshment Vehicle Operator requirements	225.00	300.00	375.00
	225.	8.3(3)	Failure to display Refreshment Vehicle Operator information	225.00	300.00	375.00
	226.	8.3(4)	Failure to comply with Refreshment Vehicle conditions	225.00	300.00	375.00
	227.	8.3(5)(a)	Permit amplified sounds	225.00	300.00	375.00
	228.	8.3(5)(b)	Unlawful seating for Refreshment Vehicle customers	225.00	300.00	375.00
	229.	8.3(6)(a)	Failure to maintain Refreshment Vehicle	225.00	300.00	375.00
	230.	8.3(6)(b)	Failure to clean up refuse from Refreshment Vehicle	225.00	300.00	375.00
	231.	8.3(6)(c)	Failure to notify the Town of Refreshment Vehicle Operator	225.00	300.00	375.00
	232.	8.3(7)	Failure to comply with Refreshment Vehicle – Type 1 conditions	225.00	300.00	375.00
Mobile Business Licence By-law 2020-07	233.	8.3(8)	Failure to obtain Special Event Organizer Licence	225.00	300.00	375.00
	234.	8.3(9)	Operate Refreshment Vehicle contrary to conditions	450.00	600.00	750.00
	235.	8.4(3)	Failure to maintain Limousine documents	225.00	300.00	375.00
	236.	8.4(4)	Failure to comply with Limousine Driver requirements	225.00	300.00	375.00
	237.	8.4(5)	Failure to display Limousine Driver information	225.00	300.00	375.00
	238.	8.4(6)(a)	Failure to notify Town of Limousine Driver	225.00	300.00	375.00
	239.	8.4(7)(a)	Permit too many passengers in Limousine	225.00	300.00	375.00
	240.	8.4(7)(b)	Permit a Limousine to operate with obstructed view	450.00	600.00	750.00
	241.	8.4(8)	Failure to comply with Limousine requirements	450.00	600.00	750.00
	242.	8.5(4)(a)	Failure to provide MTO Driving Instructor's Licence	225.00	300.00	375.00
	243.	8.5(4)(b)	Failure to carry a valid driver's licence	225.00	300.00	375.00
	244.	8.5(4)(c)	Failure to provide driving instruction/test documentation	225.00	300.00	375.00
	245.	8.5(4)(d)	Failure to affix Sticker Plate on Driving School Instructor Vehicle	225.00	300.00	375.00
	246.	8.5(4)(e)	Failure to affix roof sign on Driving School Instructor Vehicle	225.00	300.00	375.00
	247.	8.5(5)	Operate in Restricted Area	450.00	600.00	750.00
	248.	8.6(2)(a)	Failure to maintain Tow Truck documents	225.00	300.00	375.00
	249.	8.6(2)(b)	Failure to remove debris prior to towing a vehicle	225.00	300.00	375.00
	250.	8.6(2)(c)	Failure to remove debris within 8hrs following investigation	450.00	600.00	750.00
	251.	8.6(3)	Failure to comply with Tow Truck Driver requirements	450.00	600.00	750.00
	252.	8.6(4)	Failure to display Tow Truck Driver information	225.00	300.00	375.00
	253.	8.6(5)	Failure to notify Town of Tow Truck Driver	225.00	300.00	375.00
	254.	8.6(6)(a)	Failure to maintain Tow Truck;	225.00	300.00	375.00
	255.	8.6(6)(b)	Interfere with Tow Truck Company's contract	225.00	300.00	375.00
	256.	8.6(6)(c)	Recommend tow location to customer	225.00	300.00	375.00
	257.	8.6(6)(d)	Accept gift or payment from facility in exchange for business	225.00	300.00	375.00

Mobile Business Licence By-law 2020-07	258.	8.6(6)(e)	Accept Drop Fee	225.00	300.00	375.00
	259.	8.6(6)(f)	Failure to obtain consent to connect or tow	225.00	300.00	375.00
	260.	8.6(6)(g)	Stop, stand, or park within 200m of Collision Scene	225.00	300.00	375.00
	261.	8.6(6)(h)	Remove vehicle from Collision Scene without permission	225.00	300.00	375.00
	262.	8.6(6)(i)	Permit unauthorized passenger(s) in Tow Truck	225.00	300.00	375.00
	263.	8.6(7)	Failure to provide or maintain Tow Truck Equipment	225.00	300.00	375.00
	264.	8.6(8)(a)	Failure to comply with Tow Truck Vehicle requirements	225.00	300.00	375.00
	265.	8.6(8)(b)	Failure to affix Sticker Plate on Tow Truck Vehicle	225.00	300.00	375.00
	266.	8.6(9)	Failure to comply with towing rates	450.00	600.00	750.00
	267.	8.6(10)	Failure to comply with Re-Tow towing rates	450.00	600.00	750.00
	268.	8.6(11)(a)	Failure to maintain Tow Truck Driver information	225.00	300.00	375.00
	269.	8.6(11)(b)	Failure to maintain Tow Truck information	450.00	600.00	750.00
	270.	8.6(12)	Failure to maintain Tow Truck Trip information	225.00	300.00	375.00
	271.	8.6(13)	Failure to maintain run sheets	225.00	300.00	375.00
	272.	8.6(14)	Failure to provide affiliated Public Garage information	225.00	300.00	375.00
Noise By-law 2017-76						
Noise By-law 2017-76, as amended	273.	3.1	Make, cause or permit the emission of noise likely to disturb	150.00	200.00	250.00
	274.	3.2(a)	Make, cause or permit tires to squeal	150.00	200.00	250.00
	275.	3.2(b)	Operate a combustion engine without an effective exhaust or muffler	150.00	200.00	250.00
	276.	3.2(b)	Operate a pneumatic device without an effective exhaust or muffler	150.00	200.00	250.00
	277.	3.2(c)	Make, cause or permit the operation of a vehicle with a trailer to clank, squeal or other like noises	150.00	200.00	250.00
	278.	3.2(d)	Make, cause or permit the use of a horn, whistle, bell, or other	150.00	200.00	250.00
	279.	3.2(e)	Make, cause, or permit the operation of an air conditioner not in proper working order	150.00	200.00	250.00
	280.	3.2(e)	Make, cause or permit the operation of a pool pump or filter not in proper working order	150.00	200.00	250.00
	281.	3.2(e)	Make, cause or permit the operation of a heat pump not in proper working order	150.00	200.00	250.00
	282.	3.2(f)	Make, cause or permit noise from false alarm in excess of 10 minutes	150.00	200.00	250.00
	283.	3.2(g)	Make, cause or permit the operation of a roof top unit not in proper working order	150.00	200.00	250.00
	284.	4.1	Make or permit noise during prohibited time	150.00	200.00	250.00
Parking By-law 2019-62						
Parking By-law 2019-62, as amended	285.	5(2)	Interfere with Authorized Sign	30.00	40.00	50.00
	286.	5(3)	Obstruct Authorized Sign	30.00	40.00	50.00
	287.	6(1)(a)	Park facing wrong direction	30.00	40.00	50.00
	288.	6(1)(b)	Park more than 30cm from curb	30.00	40.00	50.00
	289.	6(1)(c)	Fail to park parallel to curb	30.00	40.00	50.00
	290.	7(1)(a)	Park within 9m of non-signalized intersection	37.50	50.00	62.50
	291.	7(1)(b)	Park within 15m of signalized intersection	37.50	50.00	62.50
	292.	7(1)(c)	Exceed posted time	30.00	40.00	50.00
	293.	7(1)(d)	Park contrary to traffic control device	30.00	40.00	50.00
	294.	7(1)(e)	Park causing obstruction	30.00	40.00	50.00
	295.	7(1)(f)	Park between 0200 and 0600 hrs	75.00	100.00	125.00
	296.	7(1)(g)	Park on boulevard	37.50	50.00	62.50
	297.	7(1)(h)	Park within 3m of hydrant	75.00	100.00	125.00
	298.	7(1)(i)	Park within 152m of firefighting apparatus	56.25	75.00	93.75
	299.	7(1)(j)	Park within 7m of fire hall entrance – same side	37.50	50.00	62.50
	300.	7(1)(k)	Park within 30m of fire hall entrance – opposite side	37.50	50.00	62.50
	301.	7(1)(l)	Park on a bridge	37.50	50.00	62.50
	302.	7(1)(m)	Park within 6m of bus stop	30.00	40.00	50.00
	303.	7(1)(n)	Park in a public laneway	30.00	40.00	50.00
	304.	7(1)(o)	Park on a median	37.50	40.00	50.00
	305.	7(1)(p)	Double park	37.50	50.00	62.50
	306.	7(1)(q)	Park within turning circle	30.00	40.00	50.00
	307.	7(1)(r)	Park displaying vehicle for sale	30.00	40.00	50.00
	308.	7(1)(s)	Park without valid registration	30.00	40.00	50.00
	309.	7(1)(t)	Parked while washing or repairing vehicle	30.00	40.00	50.00
	310.	7(1)(u)	Exceed 3 consecutive hours	30.00	40.00	50.00
	311.	7(1)(v)	Park within 0.6m of driveway	37.50	50.00	62.50
	312.	7(1)(w)	Park obstructing previously parked vehicle	30.00	40.00	50.00
	313.	7(1)(x)	Park on narrow roadway	30.00	40.00	50.00
	314.	7(1)(y)	Park alongside railway tracks	30.00	40.00	50.00
	315.	7(1)(z)	Park causing obstruction to building	30.00	40.00	50.00
	316.	7(1)(aa)	Park within 15m of Authorized Sign intersection	30.00	40.00	50.00
	317.	7(1)(bb)	Park within 30m of traffic signal intersection	37.50	50.00	62.50
	318.	7(1)(cc)	Park within a turning basin	30.00	40.00	50.00
	319.	7(1)(dd)	Interfere with funeral procession	30.00	40.00	50.00

Parking By-law 2019-62, as amended	320.	7(1)(ee)	Park within 15m of dead-end roadway	30.00	40.00	50.00
	321.	7(1)(ff)	Park within 3m of walkway	30.00	40.00	50.00
	322.	7(1)(gg)	Park within Unauthorized Area	75.00	100.00	125.00
	323.	7(2)	Park commercial vehicle on street	41.25	55.00	68.75
	324.	7(3)	Park trailer on street	41.25	55.00	68.75
	325.	7(4)(a)	Park within 15m of crosswalk – same side	37.50	50.00	62.50
	326.	7(4)(b)	Park within 30m of crosswalk – opposite side	37.50	50.00	62.50
	327.	7(5)(a)	Unauthorized parking on private property	30.00	40.00	50.00
	328.	7(5)(b)	Unauthorized parking on Town property	30.00	40.00	50.00
	329.	7(5)(c)	Park during restricted time	30.00	40.00	50.00
	330.	8(1)(a)	Stop within intersection	37.50	50.00	62.50
	331.	8(1)(b)	Stop within 9m of pedestrian crossover	37.50	50.00	62.50
	332.	8(1)(c)	Stop within 9m of School Crossing Guard	37.50	50.00	62.50
	333.	8(1)(d)	Stop causing obstruction	37.50	50.00	62.50
	334.	8(1)(e)	Stop contrary to traffic control device	30.00	40.00	50.00
	335.	8(1)(f)	Stop parallel to vehicle	30.00	40.00	50.00
	336.	8(1)(g)	Stop on a bridge	37.50	50.00	62.50
	337.	8(1)(h)	Stop within tunnel	37.50	50.00	62.50
	338.	8(1)(i)	Stop obstructing traffic	56.25	75.00	93.75
	339.	8(1)(j)	Stop within turning circle	37.50	50.00	62.50
	340.	8(1)(k)	Stop within Unauthorized Area	75.00	100.00	125.00
	341.	9(3)	Park within fire route	112.50	150.00	187.50
	342.	10(1)	Park contrary to No Parking sign	37.50	50.00	62.50
	343.	11(1)	Stop contrary to No Stopping sign	37.50	50.00	62.50
	344.	13(1)(a)	Park contrary to municipal parking area	30.00	40.00	50.00
	345.	13(1)(b)	Park in more than one space	30.00	40.00	50.00
	346.	13(1)(c)	Unauthorized parking in municipal parking area	30.00	40.00	50.00
	347.	14(1)(a)	Failure to display accessible permit	300.00	300.00	300.00
	348.	14(1)(b)	Unauthorized use of accessible permit	300.00	300.00	300.00
	349.	17(2)	Obstruct a Municipal Enforcement Officer	75.00	100.00	125.00
Property Standards By-law 2017-62						
Property Standards By-law 2017-62, as amended	350.	6.1(9)	Dilapidated structure or accumulated materials causing a nuisance	150.00	200.00	250.00
	351.	6.1(10)	Failure to maintain yard from pests	150.00	200.00	250.00
	352.	6.1(12)	Unightly growth	150.00	200.00	250.00
	353.	6.1(15)	Construction bin in yard	150.00	200.00	250.00
	354.	6.1(17)	Interior furniture in yard	150.00	200.00	250.00
	355.	6.3(1)	Recurrent ponding of storm water in yard	150.00	200.00	250.00
	356.	6.3(2)	Instability or erosion of soil in yard	150.00	200.00	250.00
	357.	6.3(5)	Failure to maintain drainage pattern	150.00	200.00	250.00
	358.	7.3	Failure to maintain conditions which prevent passage	150.00	200.00	250.00
	359.	8.3(2)	Discharge water on walkways, stairs, or neighbouring property	150.00	200.00	250.00
	360.	9.1	Failure to maintain exterior lighting	150.00	200.00	250.00
	361.	10.1(1)	Failure to maintain fence	150.00	200.00	250.00
	362.	10.1(2)	Failure to maintain fence in structurally sound condition	150.00	200.00	250.00
	363.	11.1	Failure to maintain retaining wall	150.00	200.00	250.00
	364.	12.1	Failure to maintain sign	150.00	200.00	250.00
	365.	13.1(2)	Failure to maintain accessory building	150.00	200.00	250.00
	366.	14.2	Failure to provide report from professional engineer	150.00	200.00	250.00
	367.	15.1	Failure to demolish or repair damaged structure	150.00	200.00	250.00
	368.	17.1(1)	Failure to maintain roof in watertight condition	150.00	200.00	250.00
	369.	17.1(2)	Failure to secure loose materials on roof	150.00	200.00	250.00
	370.	17.1(3)	Failure to remove snow or ice from roof	150.00	200.00	250.00
	371.	17.2	Failure to maintain soffit or fascia	150.00	200.00	250.00
	372.	17.3	Failure to maintain eaves trough or downspout	150.00	200.00	250.00
	373.	18.1	Failure to maintain stairs, landings, guards, or handrails	150.00	200.00	250.00
	374.	18.2	Failure to provide handrail	150.00	200.00	250.00
	375.	18.4	Failure to secure fire escape	150.00	200.00	250.00
	376.	19.4	Failure to maintain fire protection requirements	150.00	200.00	250.00
	377.	20.5(5)	Failure to maintain chimney or gas vent	150.00	200.00	250.00
	378.	21.1	Failure to prevent nuisance	150.00	200.00	250.00
	379.	21.1(1)	Failure to prevent light into dwelling	150.00	200.00	250.00
	380.	21.1(2)	Failure to prevent debris onto adjacent property	150.00	200.00	250.00
	381.	21.1(3)	Failure to remove accumulated materials	150.00	200.00	250.00
	382.	21.2(1)	Failure to maintain place for storage of refuse	150.00	200.00	250.00
	383.	21.2(3)	Failure to screen place for storage of refuse	150.00	200.00	250.00
	384.	22.1	Unoccupied and unsecured property	150.00	200.00	250.00
	385.	22.2	Failure to board vacant building	150.00	200.00	250.00
	386.	22.3	Failure to disconnect or secure utilities for vacant building	150.00	200.00	250.00
	387.	24.1	Failure to clear debris or material from demolition	150.00	200.00	250.00
	388.	24.3	Failure to protect adjoining property from demolition	150.00	200.00	250.00
	389.	25.1(2)	Failure to maintain appliances	150.00	200.00	250.00
	390.	25.1(3)	Failure to keep exit unobstructed	150.00	200.00	250.00
	391.	26.1	Failure to maintain dwelling free from conditions	150.00	200.00	250.00

Property Standards By-law 2017-62, as amended			encouraging infestation			
	392.	26.3	Failure to maintain garbage disposal room	150.00	200.00	250.00
	393.	27.1	Use non-habitable room	300.00	400.00	500.00
	394.	27.10	Failure to equip carbon monoxide detector	150.00	200.00	250.00
	395.	27.11	Failure to equip smoke detector	150.00	200.00	250.00
	396.	28.2	Failure to provide or maintain mail box	150.00	200.00	250.00
	397.	29.1	Disconnect service or utility	150.00	200.00	250.00
	398.	30.2	Failure to install locking devices on doors	150.00	200.00	250.00
	399.	30.4	Failure to maintain wall or ceiling	150.00	200.00	250.00
	400.	31.1	Failure to provide adequate heating system	150.00	200.00	250.00
	401.	31.4	Failure to provide written report by certified heating contractor	150.00	200.00	250.00
	402.	33.1(2)	Failure to maintain plumbing or fixtures	150.00	200.00	250.00
	403.	33.2	Failure to provide potable running water	150.00	200.00	250.00
	404.	33.6	Failure to provide hot or cold running water	150.00	200.00	250.00
	405.	34.1	Failure to maintain structure from mould	150.00	200.00	250.00
	406.	35.1	Failure to connect dwelling unit to electrical supply system	150.00	200.00	250.00
	407.	35.2	Failure to maintain electrical in good working order	150.00	200.00	250.00
	408.	35.6	Failure to maintain electrical fixtures	150.00	200.00	250.00
	409.	36.1(2)	Failure to maintain window in good repair	150.00	200.00	250.00
	410.	36.1(3)	Failure to maintain window locks	150.00	200.00	250.00
	411.	36.3	Failure to provide or maintain window screen	150.00	200.00	250.00
	412.	37.1(1)	Failure to provide natural or artificial ventilation	150.00	200.00	250.00
	413.	38.5	Failure to provide and maintain voice communication system	150.00	200.00	250.00
	414.	40.1	Failure to maintain elevating device	150.00	200.00	250.00
Second Hand Goods Shops and Dealers By-law 2008-79						
Second Hand Goods Shops and Dealers By-law 2008-79, as amended	420.	3.1	Operate business without a licence	450.00	600.00	750.00
	421.	3.2(3)	Failure to post licence in premise	225.00	300.00	375.00
	422.	3.2(4)	Purchase second hand good with serial numbers removed or obstructed	225.00	300.00	375.00
	423.	4.1	Failure to record complete acquisition	225.00	300.00	375.00
	424.	5.1	Dispose of goods not in accordance with by-law	225.00	300.00	375.00
	425.	11.1	Failure to produce records	225.00	300.00	375.00
Sign By-law 2017-73						
Sign By-law 2017-73, as amended	426.	3.1	Prohibited sign	225.00	300.00	375.00
	427.	3.2	Prohibited sign location	150.00	200.00	250.00
	428.	3.4	Sign causing obstruction	150.00	200.00	250.00
	429.	3.7	Flashing, animated, or noise emitting sign	150.00	200.00	250.00
	430.	3.8	Sign on vehicle or trailer	150.00	200.00	250.00
	431.	3.10	Unlawful temporary sign	150.00	200.00	250.00
	432.	4.1	Failure to obtain a sign permit	150.00	200.00	250.00
	433.	4.2	Alter sign after approval	150.00	200.00	250.00
	434.	7.3	Failure to removed expired sign	150.00	200.00	250.00
	435.	10.1(c)	Failure to maintain sign	150.00	200.00	250.00
	436.	11.2	Erect, post, or display sign on Town property	150.00	200.00	250.00
	437.	11.6	Erect, post, or display sign on private property	150.00	200.00	250.00
	438.	22.2	New home development sign displayed during prohibited time	150.00	200.00	250.00
Waste Collection By-law 2017-19						
Waste Collection By-law 2017-19, as amended	439.	4.1	Failure to set out refuse in accordance with by-law	150.00	200.00	250.00
	440.	4.2	Deposit refuse on private or public property	150.00	200.00	250.00
	441.	4.3	Place or permit refuse causing a nuisance	150.00	200.00	250.00
	442.	4.4	Refuse placed for collection on improper date or time	150.00	200.00	250.00
Emergency Measures By-law 2020-21						
Emergency Measures By-law 2020-21	443.	3(1)	Permit or gather with more than the number of individuals prescribed by an Emergency Order	450.00	600.00	750.00
	444.	3(2)	Enter or remain in any park deemed closed	450.00	600.00	750.00
	445.	3(3)	Failure to maintain a 2m physical social distance	450.00	600.00	750.00
	446.	3(4)	Guardian permits or allows individuals to not maintain 2m physical social distance	450.00	600.00	750.00
	447.	3(5)	Permit more than 50 customers to enter premise at one time	450.00	600.00	750.00
	448.	3(6)	Failure to restrict access to enter premise	450.00	600.00	750.00

Emergency Measures By-law 2020-21	449.	3(7)	Failure to maintain 2m physical social distance of customers within premise	450.00	600.00	750.00
	450.	3(8)	Failure to comply with any order made during a declared emergency	450.00	600.00	750.00
	451.	5(3)	Obstruct a municipal enforcement officer	450.00	600.00	750.00

Schedule “B”

**Administrative Monetary Penalty System By-law
Administrative Fees**

1. The table below lists the **Administrative Fees** as defined in Section 2 of this By-law.

Administrative Fee Description	Fee Amount
Adjudication Fee	\$25.00
Fee – Hearing No-Show	\$100.00
Fee – MTO Plate Denial	\$20.00
Fee – MTO Search	\$10.00
Fee – Screening No-Show	\$50.00
Note: Fees listed in Schedule “B” to this By-law will be subject to Harmonized Sales Tax (H.S.T.) where applicable.	



Corporation of the Town of Newmarket

By-law 2020-XX

A by-law to amend Fees and Charges By-law 2019-52 being a by-law to adopt fees and charges for services or activities provided by the Town of Newmarket. (Legislative Services - Licensing Charges).

Whereas the Municipal Act, 2001 authorizes a municipality to pass by-laws imposing fees or charges for services or activities provided or done by or on behalf of it; and,

Whereas Council enacted By-law 2019-52 to establish Legislative Services - Licensing Fees for the Corporation of the Town of Newmarket; and,

Whereas it is deemed necessary to amend the Schedule of By-law 2019-52.

Therefore be it enacted by the Municipal Council of the Corporation of the Town of Newmarket as follows:

1. That the Schedule to the By-law 2019-52 be amended to add the following fees:

Service Provided	Unit of Measure	2020 Fee
Pet Stores	each	\$150.00
Short Term Rentals – 1 Bedroom	each	\$150.00
Short Term Rentals – 2 Bedrooms	each	\$300.00
Short Term Rentals – 3 Bedrooms	each	\$450.00
Short Term Rental Companies - Initial	each	\$5,000.00
Short Term Renal Companies - Room booking per night	each	\$ 1.00

Enacted this 29th day of June, 2020.

John Taylor, Mayor

Lisa Lyons, Town Clerk



Town of Newmarket

Minutes

Committee of the Whole - Electronic

Date: Monday, June 22, 2020
Time: 1:00 PM
Location: Streamed live from the Municipal Offices
395 Mulock Drive
Newmarket, ON L3Y 4X7

Members Present: Mayor Taylor
Deputy Mayor & Regional Councillor Vegh
Councillor Simon
Councillor Woodhouse
Councillor Twinney
Councillor Morrison
Councillor Kwapis
Councillor Broome
Councillor Bisanz (1:01 PM - 2:57 PM & 4:11 PM - 4:14 PM)

Staff Present: J. Sharma, Chief Administrative Officer
E. Armchuk, Commissioner of Corporate Services
P. Noehammer, Commissioner of Development & Infrastructure Services
I. McDougall, Commissioner of Community Services
L. Lyons, Director of Legislative Services/Town Clerk
K. Saini, Deputy Town Clerk
F. Scott, Manager of Regulatory Services
M. Agnoletto, Acting Director of Public Works Services
J. Unger, Acting Director of Planning & Building Services
A. Mollicone, Acting Director of Legal and Procurement Services
R. Prudhomme, Director of Engineering Services
C. Service, Director of Recreation & Culture
A. Walkom, Legislative Coordinator
J. Grossi, Legislative Coordinator

For consideration by Council on June 29, 2020.

The meeting was called to order at 1:01 PM.

Mayor Taylor in the Chair.

The Committee of the Whole recessed at 2:34 PM and reconvened at 2:46 PM.

1. Notice

Mayor Taylor advised that the Municipal Offices were closed to the public and that this meeting was streamed live at Newmarket.ca/meetings. Residents who would like to provide comment on an item on this agenda were encouraged to provide their feedback in writing through email to Legislative Services at clerks@newmarket.ca or by joining the meeting electronically through video or telephone. He advised residents that their comments would form part of the public record.

2. Additions & Corrections to the Agenda

The Clerk advised of the following additions to the agenda:

- Item 5.1: Remote Deputation regarding Site Specific Exemption to Interim Control By-law 2019-04 for 164 Beechwood Crescent - Shawna Ciccarelli
- Item 6.4.5: Written Deputation regarding Site Specific Exemption to Interim Control By-law 2019-04 for 164 Beechwood Crescent - Rob Anderson
- Item 6.4.6: Written Deputation regarding Site Specific Exemption to Interim Control By-law 2019-04 for 164 Beechwood Crescent - Laura and Andrew Cummings
- Item 6.4.7: Written Deputation regarding Site Specific Exemption to Interim Control By-law 2019-04 for 164 Beechwood Crescent - Beric Farmer
- Item 6.4.8: Written Deputation regarding Site Specific Exemption to Interim Control By-law 2019-04 for 164 Beechwood Crescent - Jeff Kirke
- Item 6.4.9: Written Deputation regarding Site Specific Exemption to Interim Control By-law 2019-04 for 164 Beechwood Crescent - Dan Bell
- Item 6.4.10: Written Deputation regarding Site Specific Exemption to Interim Control By-law 2019-04 for 164 Beechwood Crescent - Tammy Ward
- Item 6.6.1: Written Deputation regarding Bicycle Lane 2020 Updates – Traffic and Parking Bylaw Amendments - Susan and Phil Shrewsbury-Gee

- Item 6.6.2: Written Deputation regarding Bicycle Lane 2020 Updates – Traffic and Parking Bylaw Amendments - Rick Warner and Martina Drover
- Item 6.3: Information Report: COVID-19 Re-openings Update

Moved by: Councillor Broome

Seconded by: Councillor Twinney

1. That the additions to the agenda be approved.

Carried

3. Conflict of Interest Declarations

None.

4. Presentations & Recognitions

4.1 Recognition of National Indigenous Peoples Day (June 21, 2020) and Land Acknowledgement

Mayor Taylor advised that June 21st is National Indigenous Peoples Day, and as such, he acknowledged the land that Newmarket is on and thanked the first people of the Williams Treaties First Nations and other indigenous peoples for sharing the land with us. He also acknowledged the Chippewas of Georgina Island as the closest Indigenous community. He also advised of the recent ceremony at the Town Offices to unveil a Land Acknowledgement plaque in recognition of all Indigenous People.

5. Deputations

5.1 Remote Deputation regarding Site Specific Exemption to Interim Control By-law 2019-04 for 164 Beechwood Crescent - Shawna Ciccarelli

Shawna Ciccarelli provided a remote deputation regarding her family's application for a Site Specific Exemption to Interim Control By-law 2019-04. Her deputation included an overview of the project, the design of the proposed addition and her family's needs for the property.

Moved by: Councillor Kwapis

Seconded by: Councillor Broome

1. That the remote deputation from Shawna Ciccarelli regarding the Site Specific Exemption to Interim Control By-law 2019-04 for 164 Beechwood Crescent be received.

Carried

6. Consent Items

Moved by: Councillor Broome

Seconded by: Councillor Simon

1. That sub-items 6.11, 6.12, 6.13, 6.14, and 6.15 be adopted on consent. See following sub-items 6.1, 6.2, 6.3, 6.4, 6.5, 6.6, 6.7, 6.8, 6.9, and 6.10 for motions.

Carried

6.1 Property Tax Rates and By-law for 2020

Moved by: Councillor Broome

Seconded by: Councillor Morrison

1. That the report entitled Property Tax Rates and By-law for 2020 dated June 22, 2020 be received; and,
2. That the property tax rates for 2020 be applied to the assessment roll returned in 2019 for 2020 taxation be set for Town purposes as follows: Residential 0.309270%; Multi-Residential 0.309270%; Commercial 0.411979%; Industrial 0.508192%; Pipeline 0.284219%; Farm 0.077318%; and,
3. That the applicable tax rate by-law attached as Appendix A be forwarded to Council for approval; and,

4. That the Treasurer be authorized and directed to do all things necessary to give effect to this resolution.

Carried

6.2 Summer Camps 2020

Moved by: Councillor Bisanz

Seconded by: Councillor Morrison

1. That the report entitled Summer Camps 2020 dated June 10, 2020 be received; and,
2. That the staff recommendation of not offering any in person summer day camp programming in 2020 be approved; and,
3. That staff proceed with alternative programming including: promotion of virtual camps, exploration of small group short programs, and camper activity kits; and,
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

6.3 INFO-2020-21: COVID-19 Re-openings Update

An alternate motion was presented and is noted below in bold.

Moved by: Councillor Broome

Seconded by: Councillor Woodhouse

- 1. That Council direct staff to liaison with soccer and baseball organization to issue permits if requested and if advisable.**

Carried

Moved by: Councillor Broome

Seconded by: Councillor Kwapis

2. That the Information Report entitled COVID-19 Re-openings Update, dated June 19, 2020 be received.

Carried

6.4 Site Specific Exemption to Interim Control By-law 2019-04 for 164 Beechwood Crescent

An alternate motion was presented and is noted below in bold.

Moved by: Councillor Kwapis

Seconded by: Deputy Mayor & Regional
Councillor Vegh

1. That the report entitled Site Specific Exemption to Interim Control By-law 2019-04 for subject property 164 Beechwood Crescent dated June 22nd, 2020 be received; and,
2. **That Council deny the requested site-specific exemption to Interim Control by-law 2019-04 for 164 Beechwood Crescent.**

Carried

6.4.1 Written Deputation - Colleen Hedican

Mayor Taylor read aloud the written deputation provided by Colleen Hedican which expressed her opposition to the application as it would not fit the streetscape.

6.4.2 Written Deputation - Elaine Adam

Mayor Taylor read aloud the written deputation provided by Elaine Adam which expressed her opposition to the application due to the precedent it could set for other potential applications.

6.4.3 Written Deputation - Janet Caverly and Steven Sugar

Mayor Taylor read aloud the written deputation provided by Janet Caverly and Steven Sugar which expressed their opposition to the application due to the proposed addition being incompatible with the neighbourhood and the effect on local trees.

6.4.4 Written Deputation - Ron Owston and Anke Owston

Mayor Taylor read aloud the written deputation provided by Ron Owston and Anke Owston which expressed their opposition to the application as it could change the character of the neighbourhood.

6.4.5 Written Deputation - Rob Anderson

Mayor Taylor read aloud the written deputation provided by Rob Anderson which expressed his support for the application as the design would fit within the streetscape.

6.4.6 Written Deputation - Laura and Andrew Cummings

Mayor Taylor read aloud the written deputation provided by Laura and Andrew Cummings which expressed their opposition to the application due to the possible effect on trees and the potential change to the streetscape.

6.4.7 Written Deputation - Beric Farmer

Mayor Taylor read aloud the written deputation provided by Beric Farmer that expressed his support for the application and his concern that denying the application could make renovations more difficult for homeowners.

6.4.8 Written Deputation - Jeff Kirke

Mayor Taylor read aloud the written deputation provided by Jeff Kirke which expressed his support for the application as it would fit the neighbourhood and denying the application could affect investment in the community.

6.4.9 Written Deputation - Dan Bell

Mayor Taylor read aloud the written deputation provided by Dan Bell which expressed his support for the application as the proposed design fits the character of the neighbourhood.

6.4.10 Written Deputation - Tammy Ward

Mayor Taylor read aloud the written deputation provided by Tammy Ward which expressed her support for the application as the proposed addition and renovation plan falls within the current By-laws.

Moved by: Councillor Kwapis

Seconded by: Deputy Mayor & Regional
Councillor Vegh

1. That the rules of Procedure be waived to allow Committee of the Whole to consider more than 5 deputations; and,
2. That sub-items 6.4.1, 6.4.2, 6.4.3, 6.4.4, 6.4.5, 6.4.6, 6.4.7, 6.4.8, 6.4.9, and 6.4.10 being deputations provided by Colleen Hedican, Elaine Adam, Janet Caverly and Steven Sugar, Ron Owston and Anke Owston, Rob Anderson, Laura and Andrew Cummings, Beric Farmer, Jeff Kirke, Dan Bell, and Tammy Ward regarding the Site Specific Exemption to Interim Control By-law 2019-04 for 164 Beechwood Crescent, be received.

Carried by Two Thirds

6.5 Interim Control By-law Extension

Moved by: Councillor Twinney

Seconded by: Councillor Woodhouse

1. That the report entitled Interim Control By-law Extension dated June 22nd be received; and,
2. That the By-law included as Attachment 2 be adopted; and,

3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

6.6 Bicycle Lane 2020 Updates – Traffic and Parking Bylaw Amendments

Moved by: Councillor Morrison

Seconded by: Councillor Woodhouse

1. That the report entitled Bicycle Lane 2020 Updates – Traffic and Parking Bylaw Amendments dated June 22, 2020 be received; and,
2. That the Traffic Bylaw amendments noted in Appendix A be approved; and,
3. That the Parking Bylaw amendments noted in Appendix B be approved; and,
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

6.6.1 Written Deputation - Susan and Phil Shrewsbury-Gee

Mayor Taylor read aloud the written deputation provided by Susan and Phil Shrewsbury-Gee regarding Bicycle Lane 2020 Updates – Traffic and Parking Bylaw Amendments. They expressed concern with the removal of on-street parking, the notification process, and accessibility considerations.

6.6.2 Written Deputation - Rick Warner and Martina Drover

Mayor Taylor read aloud the written deputation provided by Rick Warner and Martina Drover regarding Bicycle Lane 2020 Updates – Traffic and Parking Bylaw Amendments. They expressed concern with the proposed additional bicycle lanes, reduction in parking, and the notification process.

Moved by: Councillor Morrison

Seconded by: Councillor Broome

1. That sub-items 6.1.1 and 6.1.2, being written deputations provided by Rick Warner & Martina Drover and Susan & Phil Shrewsbury-Gee regarding Bicycle Lane 2020 Updates – Traffic and Parking Bylaw Amendments, be received.

Carried

6.7 Mobile Signs

Moved by: Councillor Kwapis

Seconded by: Councillor Woodhouse

1. That the report entitled Mobile Signs dated June 22, 2020 be received; and,
2. That Council directs staff to waive all fees associated to mobile signs for 2020 to financially support local business owners; and,
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

6.8 Regional Council Decision - Transfer of Part III Prosecutions to the Regional Municipality of York

Moved by: Deputy Mayor & Regional
Councillor Vegh

Seconded by: Councillor Woodhouse

Whereas the Province entered into a Memorandum of Understanding and a Local Side Agreement with The Regional Municipality of York and the

nine local municipalities with an effective date of June 30, 1999, for the operation of the Provincial Offences Court, the prosecution of charges laid using the process under Parts I and II of the Provincial Offences Act, and the transfer of records, files, assets, revenue and financial arrangements; and,

Whereas the Province intends to transfer the prosecution of charges laid using the Part III process under the Provincial Offences Act, along with all records, files and assets, through amending agreements to the Memorandum of Understanding and the Local Side Agreement,

Now therefore be it resolved:

1. That the Council of the Town of Newmarket hereby delegates authority to The Regional Municipality of York to execute amending agreements with the Province to amend the Memorandum of Understanding and the Local Side Agreement on behalf of the Town of Newmarket, subject to the review of the final agreements by and to the satisfaction of the Municipal Solicitor.

Carried

6.9 INFO-2020-20: Honeywell – 2019 Energy & Operational Savings Report

Moved by: Councillor Kwapis

Seconded by: Councillor Broome

1. That the Information Report entitled Honeywell – 2019 Energy & Operational Savings Report, dated June 12, 2020, be received for information.

Carried

6.10 City of Markham Resolution - Single Use Plastic Reduction Strategy - Phase 1

An alternate motion was presented and is noted below in bold.

1. That the Resolution from the City of Markham regarding the Single Use Plastic Reduction Strategy - Phase 1 be received for information **and referred to Staff.**

6.11 Central York Fire Services - Joint Council Committee Meeting Minutes of January 7, 2020

1. That the Central York Fire Services - Joint Council Committee Meeting Minutes of January 7, 2020 be received.

6.12 Elman W. Campbell Museum Board Meeting Minutes of January 16, 2020

1. That the Elman W. Campbell Museum Board Meeting Minutes of January 16, 2020 be received.

6.13 Heritage Newmarket Advisory Committee Meeting Minutes of January 7, 2020

1. That the Heritage Newmarket Advisory Committee Meeting Minutes of January 7, 2020 be received.

6.14 Newmarket Public Library Board Meeting Minutes of December 18, 2019

1. That the Newmarket Public Library Board Meeting Minutes of December 18, 2019 be received.

6.15 Main Street District Business Improvement Area Board of Management Meeting Minutes of January 15, 2020

1. That the Main Street District Business Improvement Area Board of Management Meeting Minutes of January 15, 2020 be received.

7. Action Items

None.

8. Notices of Motion

None.

9. Motions Where Notice has Already been Provided

None.

10. New Business

10.1 COVID-19 Parking Enforcement Update

Mayor Taylor asked Staff to provide an update on parking enforcement during COVID-19 and the possibility of moving towards regular parking enforcement practices. The Manager of Regulatory Services advised that currently parking restrictions were not being enforced unless there was a health and safety issue. He also advised that the Town had been receiving an increased number of parking complaints from residents and other municipalities were beginning to transition to at least complaint based enforcement.

The Director of Legislative Services/Town Clerk and the Commissioner of Corporate Services advised that a future approach is being examined at the Emergency Operations Centre and outlined the various roles that Parking/By-law Enforcement Officers have been executing during the pandemic. Staff advised that resources would be looked at to assist with additional enforcement.

10.2 Street Sweeping Program and Bollard Program Update

Councillor Twinney queried Staff regarding the street sweeping program and asked for an update on the current program. The Commissioner of Development & Infrastructure Services advised that the program was being focused on low lying areas and those with known drainage concerns, and that the program would be monitored for the remainder of the year.

Councillor Broome asked for an update on the bollard installation program. The Director of Engineering Services advised that the bollard installation would begin this week.

11. Closed Session

Mayor Taylor advised there was no requirement for a Closed Session.

12. Adjournment

Moved by: Councillor Kwapis

Seconded by: Councillor Simon

1. That the meeting be adjourned at 4:14 PM.

Carried

John Taylor, Mayor

Lisa Lyons, Town Clerk

Remote Deputation Request Form – June 22, 2020 Committee of the Whole Meeting - Electronic

Please complete this form to provide a remote (live) deputation at the June 22, 2020 Electronic Committee of the Whole Meeting. Please return the form to clerks@newmarket.ca – completed forms must be received by **end of day Sunday, June 21, 2020**.

Name: Shawna Ciccarelli	
Organization/Group/Business represented (if applicable):	
Address: 164 Beechwood Cres	Postal Code: [REDACTED]
Phone Number: [REDACTED]	Email: [REDACTED]
Agenda Item Number and Title (your deputation must be in relation to an item on the Agenda): Agenda Item 6.4 (ICBEX 02-2020)	
Provide a brief description of the purpose of your deputation: I am the applicant for exemption and want to speak to why we have applied for the exemption to the interim control by-law 2019-04.	

Remote Deputation Requirements:

- Deputants must join the ZOOM electronic meeting using a high-speed internet connection and device capable of video-conferencing, or through telephone.
- Test sessions to confirm these technical requirements will be available on the morning of June 22, 2020.
- Deputants wishing to use electronic materials such as PowerPoint presentations must provide electronic files during the test session.
- Remote deputations must be related to items listed on the agenda.
- Deputations are limited to 5 minutes.

Be advised that all Council and Committee of the Whole meetings (including this meeting) 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

Ciccarelli Request Exemption Request

Renovating to meet a family's needs now and in the future

- Who we are:
- Jay, Shawna, Claire, Nicholas and Cee Cee
- Lived in Newmarket since 1994
- Claire and Nicholas grew up in Newmarket
- Involved in many programs
 - NMHA, Redbirds Lacrosse, Newmarket Soccer, Newmarket Baseball, Stingrays Swim Club, Brownies and Girl Guides
- Jay and Shawna volunteered
 - NMHA, Redbirds, Brownies, Stingrays
 - School fundraisers, Heart and Stroke
- Our Parents – John, Judy, Tony and Joan
 - Aged 80 - 86



We believe in Supporting Our Community & Buying Local

Recent examples

- Bradford Moving and Storage
 - Contracted to move and storing furniture until renovation is complete
- Take Out Wednesday Campaign Support
 - Made in Mexico, The George, J's Fish and Chips, Big Catch, Ground Burger Bar, Sushi Jun, Hong Kong Kitchen, Big Bone BBQ, OVFH, Cachet, Zucca's etc..
- Groceries, Home Improvement etc..
 - Vince's, Four Seasons Bakery, Nutmeg, Blooming Wellies, Home Hardware, Bargain Wheels, Canadian Tire



Background

- Always wanted to be in this area.
 - Purchased Beechwood before Covid.
 - Closed and moved during Covid.
-
- Previous owner bought and sold within 6 months.
 - Prior to previous owner, it was used as a rental property which sat vacant for 18 months at one point.
 - We have had to do a massive clean up attempting to re-establish the front lawn and remove invasive weeds that have started to take over the back.



2019 AERIAL VIEW

- You can see from this 2019 picture that there have been significant additions to the surrounding homes (160, 168 & 174 Beechwood). Their footprints are much larger than the current and proposed footprint of 164 Beechwood.



Needs and Project Considerations

Needs

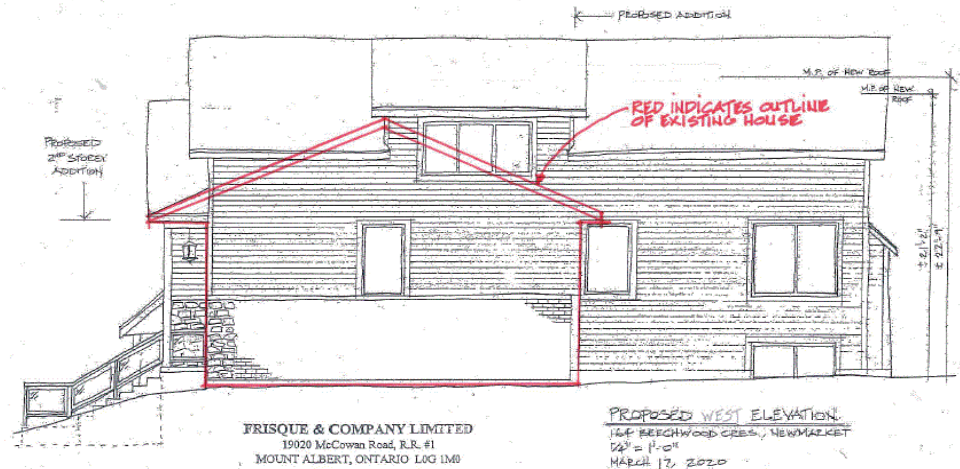
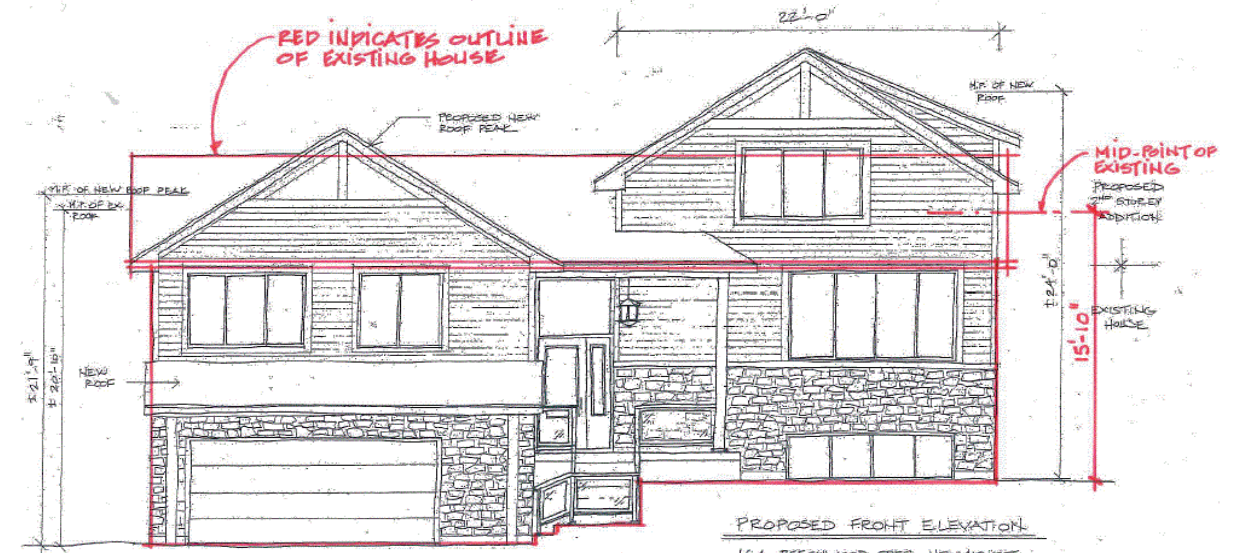
- Update mechanicals
- Expansion of current 1278 square feet
- Designated office
- Additional bedrooms
- Additional washrooms
- Replace / update current bathroom
- Flexibility to support Parents Aging in Place

Considerations

- No removal of trees
- Minimal increase in footprint
- Design for least impact on land from heavy equipment.
- Design for minimal disruption to neighbours
 - Minimize project duration
 - Fastest time from excavation to building closed in
- Local experienced Design/Build Contractor
- Hire local Subs and Trades

Design Decision

- 20 ft x 20 ft addition at rear at southwest corner
- Reduced height second story
 - Walls at side 5'4" in height
 - Ceiling follows roof pitch to achieve max height
- Reconfigure main floor
- Increased stairwell width to accommodate chair lift for Aging Parents
- Increased hallway widths to accommodate walker and/or wheelchair
- Basement office space
- Additional Bedrooms and Washrooms



Letter Distributed to the Community

Hello Neighbours,

My name is Shawna Ciccarelli, my husband is Jay and our children are Claire and Nicholas. We have lived in Newmarket for 25 years with both our children being born and raised in this community.

We originally resided for 8 years in Glenway and for 17 years in Stonehaven. During that time, Jay and I have volunteered for Newmarket Minor Hockey Association, Newmarket Redbirds Lacrosse, Newmarket Soccer Club, Heart & Stroke and various school fundraisers at Notre Dame, St Maximilian Kolbe and Sacred Heart where Nick and Claire attended.

We have roots in this community and have been looking for an opportunity to move into this area of Newmarket for some time. In February we purchased 164 Beechwood Crescent and moved in March. While we love the street and especially our lot and the trees, 164 Beechwood needs repair.

We have plans to renovate to meet our current family needs and plan for additional living space as we have 4 elderly parents above the age of 80 and we know with certainty that some will reside with us in the near future.

As you likely received a notice from the Town notifying you of our Interim Control By-law 2019-04 exemption request, we wanted to be transparent and share our thinking on the plan.

When we met with local architect Bill Frisque (www.frisquedesignbuild.com), we communicated a desire to balance the need to renovate the home while conserving the trees on the lot and align with the character of homes in this area while minimizing disruption and the heavy machinery required to dig a large foundation. Based on this our decisions were:

- Minimize the size of the addition's footprint on the lot
 - Add 20 ft x 20 ft extension at the rear of the property
- Add a second story but remain within the existing by-law's maximum height
 - 7.3 metre roof line vs 10 metre maximum

These decisions result in a home that consumes less than 16 percent of the available lot and is 2.7 metres less than the maximum height and lower than many homes in the area.

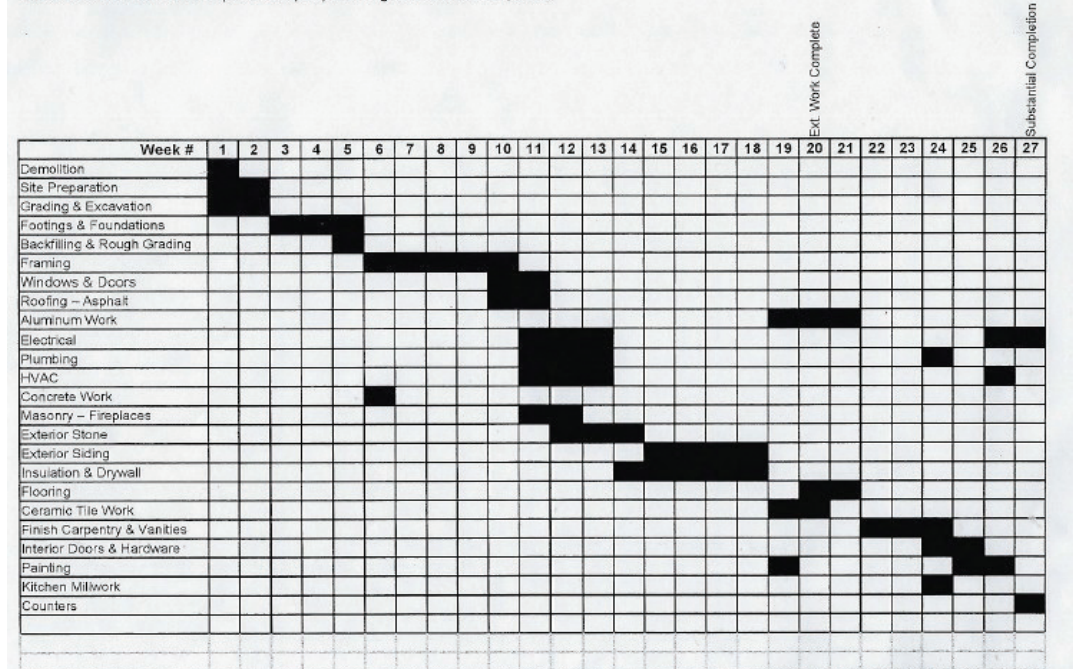
We would be happy to discuss our plans. If you would like to contact us, please reach out to us at sjiccarelli@icloud.com or if you see us outside please feel free to say hello and have a conversation -- socially distanced of course.

Thank you for taking the time to read our letter. We appreciate it and look forward to meeting everyone when things start to open up more.

Jay and Shawna Ciccarelli

Proposed Timeline for 164 Beechwood

Based on work shown on Frisque & Company drawings dated March 17, 2020



FRISQUE & COMPANY LIMITED
19020 McCowan Road, R.R. #1
MOUNT ALBERT, ONTARIO L0G 1M0

Comments to Concerns Raised by Submitted Deputations

- Interim Control Bylaw was designed not to prevent renovations and additions but to ensure that all applicants maintain the character of the neighbourhood. It's about compatibility, not prevention.
- Precedent has already been set by the applications for exemption that have already been passed at the following location: 81 Joseph St., 178 Parkview Cres., 844 Magnolia Ave., 110 Niagara St., 730 Arthur St., are to name a few.
- This isn't a true second storey – it's a half storey as the side walls are 5'4" in height.
- By increasing the footprint of the bungalow, we would be requesting permission to take down several trees which is why we have chosen to go up.
- Our architect has come out multiple times in order to measure and re-measure and has provided additional drawings to the Town.
- Basement is not a full storey as it is less than 1.8 meters (5'11") above grade, therefore by adding another storey, it does not make this a 3 storey building, it makes it a 2 storey home.
- The images supplied with the new addition super-imposed are not to scale and is not a true representation of how the addition will look.

Comments to Concerns Raised by Submitted Deputations

- Consulted with arborists and will be following their guidelines/recommendations with regards to protecting the trees during construction.
- We have been told that our proposed plan already does fall within the new by-laws that are being considered by the Town.
- Below is a streetscape picture of the existing neighbourhood from the “other side” of our home. As you can see, there is an updated 2 storey home (174 Beechwood) beside the flat roofed raised bungalow (168 Beechwood) then 164 and 160 Beechwood. As you can see, adding a half storey to 164 Beechwood will not compromise the streetscape.



In Closing

- Long time residents that require a home that meets our current and future needs.
- Designed respecting all current by-laws while anticipating the concerns of neighbours:
 - Trees
 - Height
 - Footprint
 - Project Duration.

**Thank you for allowing me to
speak to our application for
exemption.**



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

Email: info@newmarket.ca | Website: newmarket.ca | Phone: 905-895-5193

Property Tax Rates and By-law for 2020 Staff Report to Council

Report Number: 2020-46

Department(s): Financial Services

Author(s): Mike Mayes, Director of Financial Services/Treasurer

Meeting Date: June 22, 2020

Recommendations

1. That the report entitled Property Tax Rates and By-law for 2020 dated June 22, 2020 be received; and,
2. That the property tax rates for 2020 be applied to the assessment roll returned in 2019 for 2020 taxation be set for Town purposes as follows:

Residential	0.309270 %
Multi-Residential	0.309270 %
Commercial	0.411979 %
Industrial	0.508192 %
Pipeline	0.284219 %
Farm	0.077318 %

3. And that the applicable tax rate by-law attached as Appendix A be forwarded to Council for approval; and
4. That the Treasurer be authorized and directed to do all things necessary to give effect to this resolution.

Purpose

The purpose of this report is to provide for the levy and collection of property tax for 2020.

Background

The Municipal Act, 2001, as amended under s.312 requires that each year Council enact a by-law levying a separate tax rate, as specified in the by-law, on the assessment in each property class in the local municipality for all property rateable for municipal purposes.

Discussion

Town of Newmarket Tax Ratios and Tax Rates:

The property tax rates for Town purposes are determined using the approved tax ratios applied to the 2019 Assessment Roll as returned for 2020 taxation, and the approved 2020 Town tax-supported operating budget.

Tax ratios establish the weighted level of taxation born by each broad property class in relation to the residential class. The tax ratios for 2020 are set and approved by Regional Council. They are consistent Region wide. In 2016, both regional and local municipal staff undertook a review of the impact of market value reassessment and the resulting tax shifts that naturally occur when one property class has values that increase at a higher rate than others.

Regional Council adopted a 'revenue neutral' approach which increases the ratios on commercial and industrial properties, and reduces the impact of tax shifting to the residential class. This same approach was carried forward for 2017, 2018, 2019 and now 2020.

The chart below demonstrates the change in ratios for each class, comparing 2017 through 2020:

Property Class	2017 Tax Ratio	2018 Tax Ratio	2019 Tax Ratio	2020 Tax Ratio
Residential (Homes and Condos)	1.000000	1.000000	1.000000	1.000000
Multi-Residential (Apartments)	1.000000	1.000000	1.000000	1.000000
Commercial	1.181313	1.232300	1.279400	1.332100
Industrial	1.416888	1.497300	1.570400	1.643200

Pipelines	0.919000	0.919000	0.919000	0.919000
Farms	0.250000	0.250000	0.250000	0.250000

One way to understand the effect of a change in the ratio is that commercial properties will bear a 33.2% premium on each dollar of assessment and industrial properties will bear a 64.3% premium on each dollar of assessment. This increases every year that we carry forward the 'revenue neutral' approach. Staff has expressed concern this may reduce our competitive benefit over other municipalities and regions, if continued.

Regional and municipal tax staff have committed to a full review of this approach with the next reassessment cycle which has currently been postponed by the Province.

Schedule 'A' attached to the by-law lists the proposed tax rates required to raise the approved 2020 Town tax supported budget requirement of \$64,988,490. This results in an average municipal (Town only) increase to a homeowner assessed at \$665,000 of 2.93% or \$58.60.

The average value of a single family home in Newmarket for 2020 has risen to \$665,000 from \$618,750 in 2019.

Region of York and Education Tax Rates

The Region of York has set the property tax rates they require to fund their budgets. The Region will be raising \$67.6 million in Newmarket. This represents 5.71% of the total Regional levy as compared to 5.74% in 2019. This results in an average increase to a homeowner in Newmarket of \$56.37 or 2.71%. The impact in Newmarket is slightly lower than the Regional average of 2.96% because our rates of assessment growth are lower than some other municipalities in York Region.

The Ministry of Finance has provided the Education property tax rates for 2020. The Residential tax rate has been reset and the uniform rate for the entire Province for 2020 is 0.153%, reduced from 0.161% in 2019. The average home assessed at \$665,000 will see an increase of \$21.27 or 2.14% which results from the average assessment increase in Newmarket being higher than the overall Provincial average.

New for 2020: The Province has regulated a reduction in the discounts currently provided to Vacant Land (VL) and Excess Land (EL) in the business property classes. Commercial VL and EL is currently taxed 30% lower than occupied commercial land and industrial VL and EL is taxed 35% lower than occupied industrial land. The intention was to phase out the discounts over a 2 year period. However, in view of the significant challenges municipalities are facing in 2020, the decision to eliminate the discounts has been deferred until the 2022 taxation year.

Summary – 2020 Combined Tax Rates

The final residential tax rate for 2020 will be 0.783889 %. An average residential property with a 2020 phased-in assessment of \$665,000 will pay \$5,212.86 for 2020. For comparison below is the tax levy for this property for 2020:

	2019	2020	\$ Change	% Change
Town Municipal	\$1,998.04	\$2,056.64	\$58.60	2.93%
Region Municipal	\$2,082.39	\$2,138.76	\$56.37	2.71%
Education	\$996.18	\$1,017.45	\$21.27	2.14%
Total	\$5,076.61	\$5,212.86	\$136.25	2.71%

The sharing of each \$1.00 of property tax collected for the three main broad classes is as follows:

	Residential	Commercial	Industrial
Town of Newmarket	\$0.39	\$0.24	\$0.25
Region of York	\$0.41	\$0.25	\$0.26
Education	\$0.20	\$0.51	\$0.49
Total	\$1.00	\$1.00	\$1.00

The total taxation for all three levels of government in Newmarket will be in excess of \$183 million and is managed by Town staff in terms of billing, collection, adjustments and remittance to the Region and school boards.

In addition to the above levies, there are also payments-in-lieu (PIL's) calculated and levied using the same tax rates for the applicable classes, or using rates set by Provincial Regulation for the railway rights-of-way, electrical corridors and the heads and beds levy for the hospital.

Properties identified within the Business Improvement Area (BIA) will be levied a total of \$30,000 apportioned according to their commercial assessment and the funds will be provided to the Treasurer of the BIA.

Capping and Clawback

Commercial and industrial (C/I) properties continue to be subject to the capping and clawback program introduced in 1998 to help mitigate the excessive property tax increases that occurred during the first province-wide reassessment at current value assessment (CVA) in 1998.

The policy decisions for this program rest with the upper tier and consultation is undertaken with all the local municipalities. Historically, Newmarket has always recommended that all available options to reduce the impact of capping and clawback be adopted and Regional Council have agreed to continue that strategy. As a result, preliminary numbers indicate that all of Newmarket's multi-residential, commercial and industrial properties have reached full current value assessment and are no longer capped or clawed back.

Property Tax Due Dates

As noted in the attached By-law, the due dates for the final three installments for the residential levy will be:

- Wednesday August 26, 2020
- Wednesday September 23, 2020
- Thursday October 27, 2020

The dues dates for the non-residential levy, as well as any supplementary or omitted billing from Amended Property Assessment Notices (APAN's) will be established as they are processed with the legislated minimum of 21 days from the date of the billing.

Property taxes can be paid by any of the following methods:

- Telephone or On-Line Banking
- Pre-authorized Payment Plans (with pre-registration)
- In person at 395 Mulock Dr., Ray Twinney Recreation Complex, the Magna Centre or the Newmarket Senior's Meeting Place
- Mailing or dropping off cheques at 395 Mulock Dr.
- Credit Card (on-line only) at www.plastiq.com (service charge applies)

Residents are strongly encouraged to use their on-line or telephone banking as the safest, most secure and efficient manner of payment.

Property Tax Assistance Programs

Council approved the continuation of the Town's Tax Assistance to the Elderly program for 2020 and increased the grant amount to \$320 from \$311 per eligible property. Applications are available on the Town's website and will be accepted up to December 1, 2020.

Council has approved the delegation of the Town's authority under the Municipal Act to the Assessment Review Board to hear applications for full or partial property tax relief in cases of sickness or extreme poverty. Applications are available on the Town's website and will be accepted up to February 28, 2021 for the 2020 tax year.

All eligible York Region residents also have the opportunity to defer the property tax increases under a Regional Tax Deferral program. Tax increases on the principal residence are deferred for payment indefinitely, with no late payment fees or interest applied, and are only required to be repaid when the property is sold or transferred to a non-spouse.

There are also tax rebate programs available for heritage properties, demolished or razed by fire properties and for registered charities in eligible properties. Full information on all the assistance programs is available on our website or from Customer Service.

Additionally, for 2020 Council has implemented a financial relief program which includes waiving all interest and penalty charges until January 1, 2021. More information is included in Financial Relief Program Staff Report 2020-28.

Conclusion

2020 Combined Tax Rates

The final residential tax rate for 2020 will be 0.783889 %. An average residential property with a 2020 phased-in assessment of \$665,000 will pay \$5,212.86 for 2020. This is an overall increase of 2.71%.

Business Plan and Strategic Plan Linkages

This report links to Council's Strategic Priority of Long-Term Financial Sustainability; ensuring ongoing continuous improvement and a service level analysis for consideration; utilizing both internal and external resources to complete an assessment of the Town's overall financial health to support effective and efficient long-term planning.

Consultation

- Financial Services Report 2019-130; 2020 Operating & Capital Budget Recommendations endorsed by Council on December 2, 2019
- Ministry of Education and Ministry of Finance Letters Regarding Education Tax Rates and Proportions of Enrolment 2020 and Property Tax Policy
- Regional Municipality of York Reports 2020 Property Tax Ratios, Property Tax Rates and Property Tax Capping
- Online Property Tax Analysis (OPTA) for statistics and analysis
- Municipal Property Assessment Corporation, 2019 Assessment Roll for 2020 Taxation

Human Resource Considerations

None.

Budget Impact

The proposed property tax rates for the Town will increase the overall tax levy by 2.93% and raise the necessary funds to cover the 2020 tax-supported operating budgets as approved by Council.

Attachments

Appendix 'A'; (Draft By-law and Tax Rate Calculations)

Approval

Mike Mayes, CPA, CGA, DPA
Director, Financial Services/Treasurer

Esther Armchuk, LL.B.
Commissioner, Corporate Services

Contact

For more information on this report, contact: Mike Mayes at 905-953-5300, ext. 2102 or via e-mail at mmayes@newmarket.ca



CORPORATION OF THE TOWN OF NEWMARKET

BY-LAW NUMBER 2020-

A BY-LAW TO PROVIDE FOR THE LEVY AND COLLECTION OF THE SUMS REQUIRED BY THE CORPORATION OF THE TOWN OF NEWMARKET FOR 2020 AND TO PROVIDE FOR THE MAILING OF NOTICES REQUISITIONING THE PAYMENT OF TAXES FOR 2020.

WHEREAS Section 312 (2) of the *Municipal Act, 2001, as amended*, provides that the Council of a local municipality shall, after the adoption of estimates for the year, enact a By-law to levy a separate tax rate on the assessment in each property class;

AND WHEREAS Sections 307 and 308 of the said *Act* require tax rates to be established in the same proportion to tax ratios;

AND WHEREAS estimates have been prepared showing the sum of \$183,368,456 is required to be raised for the lawful purposes of the Corporation of the Town of Newmarket for the year 2020 which estimates are made up as follows:

1.	Town of Newmarket General Purposes	\$ 64,988,490
2.	Regional Municipality of York Purposes	\$ 67,583,446
3.	Ontario Education Purposes	<u>\$ 50,796,503</u>
		<u>\$183,368,439</u>

AND WHEREAS any special levy in the Town of Newmarket is based upon the Current Value Assessment as returned on the last revised Assessment Roll as determined by the Municipal Property Assessment Corporation in accordance with the *Assessment Act, R.S.O. 1990, as amended*, and summarized on Schedule "A" attached to this By-law;

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

1. THAT the following property tax class ratios are to be applied in determining tax rates for taxation in 2020:

Residential/Farm Property Class	1.000000
Multi-Residential Property Class	1.000000
Commercial Property Class	1.332100
Industrial Property Class	1.643200
Pipelines Property Class	0.919000
Farmlands Property Class	0.250000

2. AND THAT for the year 2020, the Corporation of the Town of Newmarket shall levy upon the Residential Assessment, Multi-Residential Assessment, Commercial Assessment, Industrial Assessment, Pipeline Assessment and Farm Assessment the rates of taxation set out in this By-law. The optional property classes allowable, which were not adopted by the Region of York, have been included within Schedule

"A" for clarity, shown with the tax rates established for the default Commercial and Industrial Assessment classes for the respective optional classes. This presentation was selected to coincide with the property tax class codes and qualifiers used by the Municipal Property Assessment Corporation in its communication with property owners concerning their property assessments;

3. AND THAT the sum of \$64,988,490 be levied and collected for the Town of Newmarket's General Purposes, as provided by the Corporation's 2020 Operating Budget; such sum to be provided by applying the tax rates as summarized in Schedule "A" attached, to the taxable assessments;
4. AND THAT the sum of \$67,583,446 be levied and collected for the Town of Newmarket's share of the 2020 Budget for The Regional Municipality of York; such sum to be provided by applying the tax rates as summarized in Schedule "A" attached, to the taxable assessments;
5. AND THAT the sum of \$50,796,503 be levied and collected for the Town of Newmarket's share of the 2020 Ontario Education levy; such sum to be provided by applying to the taxable assessments the tax rates summarized in Schedule "A" which are the rates prescribed for use by Ontario Regulation 400/98 as amended by O.Reg. 64/19;
6. AND THAT for properties so assessed, payments in lieu of taxes shall be calculated using the tax rates in Schedule "A" which would be applicable to the property if it were subject to tax;
7. AND THAT for the railway rights-of-way assessments and for the utility transmission and distribution corridor, assessments shall have their taxes due to the Corporation of the Town of Newmarket calculated in accordance with the Regulations as established by the Minister of Finance and the returned assessment roll;
8. AND THAT for the purpose of the Business Improvement Area projects, the sum of \$30,000 shall be levied and collected from the property owners within the business improvement area;
9. AND THAT the Treasurer shall add to the Collector's Roll, all or any arrears for fees or charges which should be collected pursuant to any statute or by-law to the respective properties chargeable thereto and that the same shall be collected by the Treasurer, or designate, in the same manner and at the same time as all other rates or levies;
10. AND THAT the Interim Tax Levy as issued by staff, under the delegation of authority bylaw be shown as a reduction on the final tax levy;
11. AND THAT all taxes levied under the authority of this By-law shall become due and payable in three installments; the first installment due August 26, 2020, the second installment due September 23, 2020 and the third installment due October 27, 2020, and all installments shall be payable to the Corporation of the Town of Newmarket;

These due dates are subject to amendment by the Treasurer or designate, if required, to meet the statutory timing required following the tax demand date;

12. AND THAT the Treasurer or designate for the Corporation of the Town of Newmarket send or mail or cause to be sent or mailed, the notice specifying the amount of taxes payable by any person liable for taxes, addressed to that person's place of residence or place of business or to the premises in respect of which the taxes are payable unless the taxpayer directs otherwise in which case it shall be sent to that address; email address or mortgage or finance company;
13. AND THAT taxes are payable to the Corporation of the Town of Newmarket in all manners of payment as may be designated by the Town from time to time;
14. AND THAT residents who qualify for the Low Income Seniors and Low Income Disabled Tax Deferral Program need to apply to the Tax Office in accordance with the program policies as established by the Regional Municipality of York. The amount of deferral for 2020 will be determined once the application has been approved;
15. AND THAT if any section or portion of this by-law or of Schedule "A" is found by a court of competent jurisdiction to be invalid, it is the intent of Council for the Corporation of the Town of Newmarket that all remaining sections and portions of this By-law continue in force and effect;
16. AND THAT Schedule "A" attached hereto shall be and form a part of this By-law.

ENACTED THIS DAY OF .

John Taylor, Mayor

Lisa Lyons, Town Clerk

SCHEDULE "A"					
Corporation of the Town of Newmarket					
2020 Schedule of Tax Rates for Taxable Property					
PropertyAssessment Class	RTC /Q	Town Rate	Region Rate	School Rate	Total Rate
Residential Taxable: Full	RT	0.309270%	0.321619%	0.153000%	0.783889%
Residential Taxable: Full Shared PIL	RH	0.309270%	0.321619%	0.153000%	0.783889%
Multi-Residential Taxable: Full	MT	0.309270%	0.321619%	0.153000%	0.783889%
Commercial Taxable: Full	CT	0.411979%	0.428429%	0.896686%	1.737094%
Commercial Taxable: Excess Land	CU	0.288385%	0.299900%	0.896686%	1.484971%
Commercial Taxable: Full Shared PIL	CH	0.411979%	0.428429%	0.896686%	1.737094%
Commercial Taxable: Excess Land, Shared PIL	CK	0.288385%	0.299900%	0.896686%	1.484971%
Parking Lot Taxable: Full	GT	0.411979%	0.428429%	0.896686%	1.737094%
Commercial Taxable: Vacant Land	CX	0.288385%	0.299900%	0.896686%	1.484971%
Office Building Taxable: Full	DT	0.411979%	0.428429%	0.896686%	1.737094%
Shopping Centre Taxable: Full	ST	0.411979%	0.428429%	0.896686%	1.737094%
Shopping Centre Taxable: Excess Land	SU	0.288385%	0.299900%	0.896686%	1.484971%
Commercial (New Construction) Taxable: Full	XT	0.411979%	0.428429%	0.896686%	1.737094%
Commercial (New Construction) Taxable: Excess Land	XU	0.288385%	0.299900%	0.896686%	1.484971%
Office Building (New Construction) Taxable: Full	YT	0.411979%	0.428429%	0.896686%	1.737094%
Office Building (New Construction) Taxable: Excess Land	YU	0.288385%	0.299900%	0.896686%	1.484971%
Shopping Centre(New Construction) Taxable: Full	ZT	0.411979%	0.428429%	0.896686%	1.737094%
Shopping Centre(New Construction) Taxable: Excess Land	ZU	0.288385%	0.299900%	0.896686%	1.484971%
Industrial Taxable: Full	IT	0.508192%	0.528484%	0.980000%	2.016676%
Industrial Taxable: Full Shared PIL	IH	0.508192%	0.528484%	0.980000%	2.016676%
Industrial Taxable: Excess Land, Shared PIL	IK	0.330325%	0.343515%	0.980000%	1.653840%
Industrial Taxable: Excess Land	IU	0.330325%	0.343515%	0.980000%	1.653840%
Industrial Taxable: Vacant Land	IX	0.330325%	0.343515%	0.980000%	1.653840%
Large Industrial Taxable: Full	LT	0.508192%	0.528484%	0.980000%	2.016676%
Large Industrial Taxable: Excess Land	LU	0.330325%	0.343515%	0.980000%	1.653840%
Industrial(New Construction)Taxable: Full	JT	0.508192%	0.528484%	0.980000%	2.016676%
Pipeline Taxable: Full	PT	0.284219%	0.295568%	1.250000%	1.829787%
Farm Taxable: Full	FT	0.077318%	0.080405%	0.038250%	0.195973%



Town of Newmarket
395 Mulock Drive P.O. Box 328,
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Summer Camps 2020 Staff Report to Council

Report Number: 2020-47

Department(s): Recreation & Culture

Author(s): Colin Service, Director, Recreation & Culture

Meeting Date: June 22, 2020

Recommendations

1. That the report entitled Summer Camps 2020 dated June 10, 2020 be received; and,
2. That the staff recommendation of not offering any in person summer day camp programming in 2020 be approved; and,
3. That staff proceed with alternative programming including: promotion of virtual camps, exploration of small group short programs, and camper activity kits; and,
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Purpose

The purpose of this report is to provide Council with critical information regarding operation of Summer Camps, providing an awareness of the anticipated safety measures during the Covid-19 Pandemic and to seek direction on provision of this service in 2020.

Background

Each summer the Town of Newmarket operates a large and comprehensive summer camp program. Traditionally there are 30 to 40 camps offered each week for a 9 to 10 week period (depending upon the school break schedule). This provides a camp experience to approximately 1,000 children every week. These camps are offered in a variety of facilities including town owned and operated facilities, schools and third party

partners venues. Approximately 170 staff are hired each summer to oversee these programs.

For the 2020 summer season, registration opened in late February. Over 90% of all possible camper spots were filled with approximately 10,000 registrations. Had camps been able to proceed as they would normally, over \$300,000 in net operating surplus was anticipated.

On May 14th, Premier Ford announced that, should the number of new cases continue to trend in the right direction, that summer day camps would be able to proceed with very strict public health measures that must be approved by the respective Regional Chief Medical Officers. However, given the current situation with the Covid-19 pandemic and required public health measures, it was not possible to operate the 2020 summer camp season as previously planned. As such, all existing camps were cancelled and registrations were refunded in line with the direction taken by virtually all municipalities in Ontario.

Discussion

Municipalities across the province are now in a situation where new or drastically amended camp programs may need to be developed. Staff at the Town of Newmarket have been actively involved in discussions with the Ontario Camping Association and Parks and Recreation Ontario to learn about best practices, identify key planning in other jurisdictions and determine a path forward that ensures the safety of staff, participants and families of participants. On June 2, the province of Ontario released a guide on what public health measures may need to be taken to operate (see appendix A). This guide was heavily influenced by the Ontario Camping Association and is modelled after guides developed by the provinces of British Columbia and Alberta.

Key Public Health Measures

Staff have done extensive research on the provincial guide and additional guides that have been developed in other jurisdictions. Based on that research and analysis of common public health measures, the following public health measures, at minimum, would be required if we were to offer a camp experience:

- i) That a ratio of 4 campers to 1 staff person be observed for all ages.
- ii) That camps be segmented into cohorts of 10 (8 campers and 2 staff). These 10 individuals would only interact with one another. They would have no contact with anyone outside of their cohort. The cohorts must remain consistent for the duration of a five day camp.
- iii) Each cohort should have its own dedicated washroom in which no other camper, staff person or member of public utilizes.
- iv) Each cohort should have its own entry and exit protocols. This includes daily screening protocols of both staff and participants.
- v) Camp activities should be outdoors as much as possible. Indoor activities should be in large open spaces.

- vi) Social distancing (maintaining 6 feet separation between all people) should be maintained as much as possible. This includes spreading out of various activity stations, and incorporating more individual activities.
- vii) There should be no bussing of children at all.
- viii) There should be dedicated staff cleaning spaces regularly, focusing on disinfection of high touch areas throughout the day of operation with at least two formal high touch point cleanings during the day. There should be a thorough deep cleaning/disinfection of all spaces after the program concludes each day.
- ix) Singing should be avoided indoors. If participants are singing, they should do so outside and be a minimum of 6 feet away from all other individuals.
- x) If a space is required to be used by more than one cohort, it must be thoroughly cleaned and disinfected between uses by cohorts.
- xi) Each cohort should have dedicated equipment that is used only by that cohort.
- xii) There should be frequent hand washing and sanitizing for both participants and staff.
- xiii) There should be no food distribution of any kind – participants should bring all meals/snacks and be responsible for all of their own containers. Each participant should have a clearly marked area where storage of containers and personal belongings is appropriately distanced from the belongings of other participants.
- xiv) Communication for staff meetings, trainings and communication with parents should be done virtually. There should be no face to face meetings.
- xv) Staff and participants should wear face masks and other PPE any time social distancing measures cannot be practiced.
- xvi) Protocols must be developed for addressing participants who become symptomatic during the program including notification process of all participants, parents and public health officials. If a participant becomes symptomatic, all members of that cohort must also be isolated. If it is determined by Public Health that the participant should be tested, all members of that cohort will be required to stay home pending the results of testing.

Accommodating These Measures in Newmarket Summer Camps

Staff are concerned about our ability to accommodate all of these measures at all times during a camp day. The public health measure that staff are most concerned about for compliance is perhaps the most significant measure in maintaining safety for participants – ensuring social distancing is enforced. It should be noted that children will have been out of the structured school environment for over 3 months, will have not had regular interaction with peers and will clearly be excited at the prospect of spending time in a different environment with friends and peers. This does not present an ideal environment to foster an understanding of the continued need for social distancing. Additionally, the day camp environment is traditionally one that encourages close interactions as children engage in an assortment of games and activities. So participants will have to learn completely new patterns of behavior from previous camp

experiences without the benefit of having experienced and learned these patterns in a more controlled school environment.

Newmarket Summer Camp 2020 Experience

Should Council wish to proceed with Summer Camps in this manner, new camp programs would need to be planned, promoted with a period of registration to commence after appropriate promotion. Additionally, the reduced number of staff that would be hired would have to undergo extensive training. This training would need to be done virtually – there is concern about the effectiveness of training the subject matter and content effectively in a virtual setting.

By utilizing dry pads (rinks) at Magna Centre and Ray Twinney Complex, Halls 1 & 2 at Newmarket Community Centre & Lions Hall, and the entire Youth Centre, we could accommodate approximately 150 campers per week this summer.

The Camp experience would be dramatically different from any previous camp experience. Camps would be most similar to our general summer day camps where there is a mixture of active games, quiet games, and crafts. The types of games and crafts will be changed to ensure public health measures are incorporated. Additionally, all games and activities that would incorporate large numbers (ie. playing large games of dodge ball) would be eliminated. As per the public health requirements, field trips and swimming would both be eliminated. These typical camp activities would be replaced with smaller scaled activities and more individualized camper experiences.

Inclusion Programming

The City of Toronto has received guidance from Public Health officials that a number of public health measures will be required for campers with special needs who require one on one support. These requirements include wearing of face shields, gloves and full gown covering by staff in order to ensure the safety of staff members as social distancing is not possible in these situations. It should be noted that this PPE would be required to be worn by staff in a primarily hot outdoor environment, representing a different risk factor for those staff members.

In addition to staff related concerns, the response of vulnerable individuals who may not fully understand the Covid-19 pandemic is also relevant. Staff are concerned about how the vulnerable participants will respond both physically and emotionally to a staff member who is fully equipped in PPE.

Municipalities are in a difficult position. Municipalities must make of one two very difficult choices: i) place staff and vulnerable participants in a stressful and difficult position by offering one on one support with the necessary personal protective equipment and protocols; ii) indicate that one on one support is not available due to public health requirements in light of Covid-19 – this would place the municipality in a vulnerable position as there is a human rights obligation to accommodate all individuals.

Some municipalities have cited this concern as a major factor in their planning as to whether or not to proceed with summer camps.

What Other Municipalities are Doing

There has been extensive consultation with municipalities across the Region. At this point, most municipalities in York Region are proceeding cautiously with planning some form of summer camp experience. Some municipalities are considering holding off for July and only offering camps in August. Municipalities are exploring alternatives to in person camps including virtual camps, “camp in a box” ideas, etc. The Township of King has determined that they will not offer any in person summer camp experience in 2020.

Virtually all municipalities across the province have cancelled all existing programs. Most were considering an alternative program but needed to have a fuller understanding of public health requirements in advance of formalizing program offerings. So far, Oshawa, Hamilton, Bradford and New Tecumseth have officially cancelled all summer camps and programs and are not planning for any modified program. York Region District School Board has also cancelled all summer camps and programs.

The City of Ottawa and the City of Toronto have both announced that will move forward with offering in person summer camp experiences. These camp experiences will be dramatically different from their traditional offerings in order to accommodate the provincial and public health guidelines.

Parks & Recreation Ontario has facilitated numerous discussions among municipalities across the province. The general consensus among municipalities is one of concern about safety of day camp environments and reluctance to offer a camp experience.

On June 10th, the Ontario Camping Association issued a press release stating the following: “Most OCA accredited day camps have decided not to run given the risks and the provincial and public health guidelines.”

Conclusion

Staff believe that a positive camp experience can be created for children. However, we are concerned that staff and participants will be in placed in a situation that carries an uncomfortable amount of risk for the health and safety of all involved. It is our professional opinion that summer camps should be offered under these measures only after children have learned and experienced these types of measures in a controlled school environment. Children will experience these types of measures when they return to school. Staff would feel much more confident offering a summer camp experience after children learn and practice these measures in a school environment. Therefore, staff are recommending that no summer camps be offered in 2020.

It is recognized that a decision not to operate Summer Day Camps will have significant impacts for families during what has been a very difficult time. While many parents rely

on summer day camp as a mode of child care while at work, there are also many families that rely on summer camp as a constructive activity that engages children while providing some respite for parents. Recognizing this need, staff are ready to provide a number of alternative programs that could provide some respite for parents and positive experiences for children. Many of our vendor partners are offering virtual camp experiences. Using our marketing channels, we can help promote these virtual camps while also supporting local businesses. Additionally, staff are able to offer a series of one or two hour registered programs in a number of outdoor spaces (weather dependent). Lastly, staff are also prepared to develop camp at home kits that could be purchased by families and would include daily activities, supplies and detailed instructions.

Though these alternatives would not address need for child care, they would provide meaningful and fun experiences for families at a time when it is needed.

Business Plan and Strategic Plan Linkages

The strategic vision of the Town of Newmarket is rooted in the concept of being Well Beyond the Ordinary – this vision is achieved through focus on the well being of our community. The recommendation of cancelling summer camps is aligned with this vision of ensuring the wellness of our community first and foremost.

Consultation

There have been ongoing discussions with the Ontario Camping Association, Parks & Recreation Ontario, and with all other municipalities in York Region.

Human Resource Considerations

Potential summer camp staff were interviewed and selected. They were advised that offers of employment were tentative only and contingent upon provincial direction around provision of summer camps. Potential staff have been advised that all previous offers have been cancelled. Should we proceed with camps, those who were offered positions previously would be contacted and offered positions based on seniority and previous experience with our camp programs. It is expected that about one third of those offered positions may be offered employment in a modified program.

Through redeployment of full time staff within the Recreation & Culture Department, stronger professional supervision would be provided at all camp sites, while minimizing financial impacts.

Budget Impact

It is anticipated that a smaller scaled camp can operate in a manner that covers all direct program related expenses (camp staff, and program supplies). So, from a camp operational perspective, the net anticipated revenue of \$300,000 will not be realized in

2020. Therefore the financial situation of the Recreation & Culture Department would be similar whether or not we proceed with a smaller scaled camp operation.

Any of the options for alternative programming would be offered on a cost recovery basis.

It should be noted that should we proceed with camps there are implications from a facility usage and maintenance perspective that do have cost implications (including utilities, materials and supplies, etc). The primary cost implication from a facility perspective would be use of utilities. By opening Ray Twinney Complex, Newmarket Community Centre and Lions Hall, and Youth Centre for summer camps, the Town will incur approximately \$120,000 in utility expenses.

Attachments

Appendix A – Ministry of Health – COVID-19 Guidance: Summer Day Camps

Approval

Colin Service, Director, Recreation & Culture

Ian McDougall, Commissioner, Community Services

Contact

Colin Service

Ministry of Health

COVID-19 Guidance: Summer Day Camps

Version 1 – June 1, 2020

This guidance provides basic information only. It is not intended to take the place of medical advice, diagnosis, treatment, or legal advice.

In the event of any conflict between this guidance document and any orders or directives issued by the Minister of Health or the Chief Medical Officer of Health (CMOH), the order or directive prevails.

- Please check the [Ministry of Health \(MOH\) COVID-19 website](#) regularly for updates to this document, Reference Document for Symptoms, mental health resources, and other information.
- Please check the [Directives, Memorandums and Other Resources](#) page regularly for the most up to date directives.

In order to support phased reopening of Ontario businesses, services and public spaces during the post-peak period of the COVID-19 pandemic, certain summer day camps are permitted to operate during the months of July and August 2020.

Overnight camps are prohibited from operating during the summer of 2020.

Summer day camps are required to follow all existing worker health and safety requirements as outlined in the [Occupational Health and Safety Act](#) and its regulations, public health requirements as directed by the local medical officer of health, and other relevant requirements as outlined in policies and guidelines issued by the Ministry of Education and Ministry of Heritage, Sport, Tourism and Culture Industries. Plans must also be in place to respond should any staff, camp participant, or parents/guardians be exposed to or diagnosed with COVID-19.

Requirements for Health and Safety

1. Ensure all current infection prevention and control practices are adhered to. This includes, but is not limited to:
 - Ensuring all toys and equipment used at the summer day camps are made of material that can be cleaned and disinfected (i.e., avoid plush toys, playdough) or are single use and are disposed of at the end of the day (e.g., craft supplies);
 - Minimizing the sharing and frequency of touching of objects, toys, equipment and surfaces, and other personal items;
 - Increasing the frequency (minimum twice a day) of cleaning and disinfecting objects, toys, equipment and frequently touched items;
 - Cleaning and disinfecting, at least twice a day, frequently touched surfaces. These surfaces are most likely to become contaminated, including doorknobs, water fountain/cooler knobs, light switches, toilet and faucet handles, electronic devices, and tabletops. Refer to PHO's [Environmental Cleaning fact sheet](#);
 - Only using cleaning and disinfectant products that have a Drug Identification Number (DIN). Low-level hospital grade disinfectants may be used;
 - Checking expiry dates of cleaning and disinfectant products used and always following the manufacturer's instructions. Ensure that the product used are compatible with the item to be cleaned and disinfected;
 - Performing and promoting frequent, proper hand hygiene (including supervising or assisting camp participants with hand hygiene). Hand washing using soap and water is recommended over alcohol-based hand rub (ABHR) for children. Refer to PHO's [How to Wash Your Hands fact sheet](#); and,
 - Incorporating additional hand hygiene opportunities into the daily schedule. This may be needed in instances where toileting and assistance with activities of daily living are provided to camp participants.
2. Encourage physical distancing of at least 2 metres between camp participants, parents/guardians and staff by:
 - Spreading camp participants out into different areas;
 - Spreading furniture, camp equipment, and activity stations out into different areas;
 - Using visual cues (e.g., signs, posters, floor markings, etc.);
 - Staggering or alternating lunchtime and outdoor playtime to reduce number of individuals in lunch area;
 - Incorporating more individual activities or activities that encourage more

- space between camp participants; and,
 - Using telephone or video conferencing when possible for meetings between staff and parents/guardians.
3. Operate programs in consistent cohorts of no more than 10 individuals including both staff and camp participants who stay together throughout the duration of the program for minimum 7 days, with the following considerations:
- While close contact may be unavoidable between members of a cohort, physical distancing and general infection prevention and control practices should still be encouraged, where possible;
 - Face coverings (non-medical masks) should be used if physical distancing of at least 2-metres cannot be maintained between cohorts:
 - Face coverings may not be tolerated by everyone based on underlying health, behaviour issues or beliefs. Consideration should be given to mitigating any possible physical and psychological injuries that may inadvertently be caused by wearing a face covering (e.g., interfering with the ability to see or speak clearly, or becoming accidentally lodged in equipment the wearer is operating).
 - Face coverings should be changed if visibly soiled, damp, or damaged.
 - Education must be provided about the safe use, limitations and proper care (e.g., cleaning) of face coverings. See Ontario's [COVID-19 website](#) and [PHO's website](#) for additional information.
 - Cohorts cannot mix with other cohorts or be within in the same room/space at the same time, including pick-ups and drop-offs, mealtimes, playtime, outdoor activities, program spaces, tents, staff areas/rooms, etc.;
 - Programs that utilize a room/space that is shared by cohorts or has other user groups (e.g., programs in museums, community centres, etc.) must ensure the room/space is cleaned and disinfected before and after using the space. A cleaning log must be posted and used to track cleaning;
 - Each cohort should have designated equipment (e.g., balls, loose equipment) or clean and disinfect equipment between cohort uses;
 - Personal belongings brought to camp should be minimized. If brought to camp, personal items (e.g., backpack, clothing, towel, water bottles,

food, etc.) should be labeled and kept in an area designated for the individual's cohort and should not be handled by individuals from other cohorts;

- Camp participants should bring their own sun protection, and this should not be shared;
 - In shared outdoor space, cohorts must maintain a distance of at least 2 metres between groups and any other individuals outside of the cohort;
 - Play structures can only be used by one cohort at a time and must be cleaned and disinfected before and after use by each cohort; and,
 - Plans should be made to prevent mixing of cohorts in washrooms/changerooms and to frequently clean and disinfect shared surfaces in washrooms/changerooms.
4. Avoid getting close to faces of camp participants, where possible.
 5. Avoid singing activities indoors and ensure physical distancing for singing activities outdoors.
 6. Do not use water or sensory tables.
 7. Do not plan field trips and activities requiring group transportation.
 8. Aquatic activities (e.g., pool, lake, beach, splash pad, wading pool etc.) must adhere to regulated requirements as well as to municipal guidance and restrictions at the time of activity.
 9. Do not plan activities with exposures to animals or pets.
 10. Do not plan activities that involve camp participants in preparing or serving of food.
 11. If meals or snacks are provided by the program or brought by the camp participant:
 - Ensure camp participants and staff perform proper hand hygiene before and after eating;
 - Ensure each camp participant has their own drink bottle that is labeled, kept with them during the day, and not shared;
 - Fill water bottles rather than drink directly from the mouthpiece of water fountains;
 - Ensure each camp participant has their own individual meal or snack with no common food items (e.g., salt/pepper shaker, condiments);
 - Remove self-serving food items and open access dishware;
 - Multi-use utensils must be cleaned after each use;

- Reinforce “no food sharing” policies; and,
 - Physical distancing should be maintained while eating.
12. If the program includes naps, increase the distance between nap mats of cohorts to at least 2 metres, if possible. If space is tight, place camp participants head-to-toe or toe-to-toe and use temporary barriers, where possible. Linens must be laundered between camp participants.
 13. Pick-up and drop-off of camp of camp participants should happen outside the program setting unless it is determined that there is a need for the parent/guardian to enter the setting.
 14. Pick-up and drop-off procedures should support physical distancing and cohorting using strategies such as, but not limited to: avoiding group transportation, separate cohort entrances, having one designated parent/guardian pick-up and drop-off each camp participant, staggering entry, or limiting the numbers of people in entry areas.

Screening

15. All individuals, including camp participants, parents/guardians, staff, and visitors must be screened including daily temperature checks either at home prior to arrival or upon arrival at program setting prior to entry. Deny entry to any individual who has any of the symptoms outlined in the [COVID-19 Reference Document for Symptoms](#) on the Ministry of Health's COVID-19 [website](#) or who has come in close contact with a person with symptoms of or confirmed COVID-19 in the past 14 days. Camp participants, in particular, should be monitored for atypical symptoms and signs of COVID-19.
16. Where possible, daily screening should be done electronically (e.g., via online form, survey, or e-mail) prior to arrival at camp. If screening is done at the camp setting, screeners should take appropriate precautions when screening, including maintaining a distance of at least 2 metres (6 feet) from those being screened, being separated by a physical barrier (such as a plexiglass barrier), or wearing personal protective equipment (PPE) (i.e., surgical/procedure mask and eye protection (goggles or face shield)). Refer to [Public Health Ontario resources](#) for how to properly wear and take-off masks and eye protection.
17. Alcohol-based hand sanitizer containing at least 60% alcohol content should be placed at all screening stations and entrances to the program. Dispensers should not be in locations that can be accessed by young children.
18. Summer day camps requiring licensing under the [Child Care and Early Years Act, 2014](#), have a duty to report suspected or confirmed cases COVID-19 under the [Health Protection and Promotion Act](#). The program should contact their local public health unit

to report a camp participant suspected to have COVID-19. The local [public health unit](#) will provide specific advice on what control measures should be implemented to prevent the potential spread and how to monitor for other possible infected staff members and camp participants.

19. Thermometers must not be used between camp participants/staff without single-use protective covers or disinfecting between use.
20. Do not permit camp participants who are ill to attend the program. Signs should be posted at screening stations and entrances to the program to remind staff, parents/guardians, and other visitors.
21. Programs must have protocols in place to notify parents/guardians if their camp participant begins to show symptoms of COVID-19 while in camp, including the need for immediate pick-up and an area to isolate the camp participant until pick-up.
22. Programs must keep daily records of anyone (e.g., camp participants, parent/guardian, staff and visitors) entering the program setting who stays for 15 minutes or longer. Records (e.g., name, contact information, time of arrival/departure, screening completion etc.) must be kept up-to-date and available to facilitate contact tracing in the event of a confirmed COVID-19 case or outbreak.

Management of Camp Participants with Suspected COVID-19

23. If a camp participant begins to experience symptoms of COVID-19 while attending day camp, it is recommended that:
 - Symptomatic camp participants be immediately separated from others in a supervised area until they can go home. In addition, where possible, anyone who is providing care to the camp participant should maintain a distance of at least 2 metres.
 - If a 2-metre distance cannot be maintained from the ill camp participant, advice from the local public health unit will be necessary to prevent/limit virus transmission to those providing care.
 - Contact the local public health unit to notify them of a potential case and seek advice regarding the information that should be shared with other parents/guardians of camp participants in the program.
 - While contacting the public health unit, at a minimum the camp participant and staff member should wear a surgical/procedure mask (if tolerated), and the staff member should also wear eye protection (goggles or face shield).

- Camp participants should be reminded of hand hygiene and respiratory etiquette while waiting to be picked-up.
- Tissues should be provided to the camp participant to support proper respiratory etiquette, along with proper disposal of the tissues.
- Environmental cleaning/disinfection of the space and items used by the camp should be conducted once the camp participant has been picked up. Items that cannot be cleaned and disinfected (e.g., paper, books, cardboard puzzles) should be removed from the program and stored in a sealed container for a minimum of 7 days.
- Camp participants with symptoms should be tested (see "Testing for COVID-19" section below for details).
- Other camp participants and staff who were present while a camp participant or staff member became ill should be identified as a close contact and further cohorted (i.e., grouped together) until they can be picked up by parents/guardians to self-isolate at home. The local public health unit will provide any further direction on testing and isolation of these close contacts.
- Camp participants or staff who have been exposed to a confirmed case of COVID-19 should be excluded from the program setting for 14 days.

Testing for COVID-19

24. Symptomatic staff and camp participants should be referred for testing. Testing of asymptomatic persons should only be performed as directed by the local public health unit as part of case/contact and outbreak management. A list of symptoms, including atypical signs and symptoms, can also be found in the [COVID-19 Reference Document for Symptoms](#) on the Ministry of Health's COVID-19 [website](#).

- Those who test negative for COVID-19 must be excluded from the program until 24 hours after symptom resolution. If a symptomatic person receives a negative result, a repeat test within 24-48 hours can be considered if clinical suspicion is high.
- Those who test positive for COVID-19 must be excluded from the program for 14 days after the onset of symptoms and clearance has been received from the local public health unit.

25. Day camps must consider a single, symptomatic, laboratory confirmed case of COVID-19 in a staff member or camp participant as a confirmed COVID-19 outbreak in consultation with the local public health unit. Outbreaks should be declared in collaboration between the program and the local public health unit to ensure an outbreak number is provided.

26. Camp participants or staff who have been in contact with a suspected COVID-19 case should be monitored for symptoms and further cohorted (i.e., grouped together) until laboratory tests, if any, have been completed or until directed by the local public health unit.
27. Staff members and camp participants awaiting test results should be excluded from camp.

Occupational Health & Safety

28. Employers must have written measures and procedures for staff safety, including for infection prevention and control. Detailed guidelines for COVID-19 are available on the Ministry of Health's [COVID-19 website](#).
29. If a staff member is diagnosed with COVID-19, the staff member must remain off work for 14 days following symptom onset and has received clearance from the local public health unit.
30. If a staff member is a close contact of an individual diagnosed with COVID-19, the staff member must remain off work for 14 days from last exposure.
31. The staff member should consult with the local public health unit to determine when they can return to work. Staff members should also report to their Employee Health/Occupational Health and Safety department prior to return to work.
32. If the staff member's illness is determined to be work-related, in accordance with the [Occupational Health and Safety Act](#) (OHSA) and its regulations, the employer must provide a written notice within four days of being advised that a staff member has an occupational illness, including an occupationally-acquired infection, or if a claim has been made to the Workplace Safety and Insurance Board (WSIB) by or on behalf of the staff member with respect to an occupational illness, including an occupational infection, to the:
 - Ministry of Labour, Training and Skills Development;
 - Joint health and safety committee (or health and safety representative); and
 - Trade union, if any.
33. Any instances of occupationally acquired infection shall be reported to WSIB within 72 hours of receiving notification of said illness.



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

Email: info@newmarket.ca | Website: newmarket.ca | Phone: 905-895-5193

COVID-19 Re-openings Update Information Report to Council

Report Number: INFO-2020-21

Department(s): Recreation & Culture, Public Works

Author(s): Colin Service, Director, Recreation & Culture

Distribution Date: June 19, 2020

In accordance with the Procedure By-law, any member of Council may make a request to the Town Clerk that this Report be placed on an upcoming Committee of the Whole agenda for discussion.

Purpose

The purpose of this report is to advise Council as to the actions taken to date, provide insight into provincial and public health requirements, and give a sense of overall direction in re-opening and restarting Town of Newmarket facilities and services.

Background

On March 13th, the Town of Newmarket closed all facilities and cancelled all programs in response to the Covid-19 pandemic. This decision was precipitated by provincial action – the province determined that schools would remain closed at the conclusion of March Break for what was initially anticipated to be a two week period.

Subsequently, a state of emergency was declared, and the province mandated that non essential services and businesses be closed, and that schools remain closed. This included closure of recreational and cultural facilities, and cancellation of events and programs. This state of emergency also imposed significant restrictions around gathering with individuals outside one's household, social/physical distancing, and isolation.

The Town of Newmarket also declared a state of emergency shortly thereafter. In a municipal context, this declaration provided delegated authority to the Mayor and CAO on a number of issues including strategic personnel decisions and closure and re-opening of services.

These extreme measures have dramatically slowed the spread of Covid-19. While there are still instances of new infections daily both regionally and provincially, the Province has begun implementation of its recovery plan.

The provincial recovery plan identifies three stages, with various amenities, businesses and services identified for opening within each phase. These openings are predicated upon following strict public health measures. Openings are intended to be gradual within each phase – in many cases the public health requirements for opening are released much later than announcements about being able to open. York Region is set to enter stage two on Friday, June 19th.

As the Town responds to the provincial sequencing of openings, decisions have been guided by these principles:

- People first – all of our actions will ensure that our staff, residents and patrons needs and safety are the driving force
- Responsibility – we will strive to ensure that all measures are prudent, placing the safety of those most vulnerable at the forefront, and demonstrate strong fiscal stewardship
- Evidence-informed - emerging scientific knowledge, public health data and consistent measure will inform our actions
- Clarity – our actions will be clear and well communicated
- Flexibility – we will adapt to changing information and be responsive to the advice and direction of all levels of government
- Courage and Creativity – demonstrate these traits as municipal leaders who serve as a model to other municipalities, while balancing strong commitment to provincial directives and best practices developed by our colleagues

Re-opening has proven to be extremely complex. There has been significant confusion across the province with what is and is not open, and what public health measures are required. This coupled with a long period of family or individual isolation is leading many to disregard important public health measures, or even believe that the pandemic is over.

While we navigate these difficult times, there are three key themes that are emerging as critical: public health and safety; mental health and wellbeing of residents and staff; and fiscal stewardship in a time where residents are struggling financially. Opinions will vary as to which theme is of most importance. All three factors are significant and must be carefully considered with each direction taken.

Discussion

This report helps aim to provide some clarity about what municipal facilities and services are permitted and which are not, about public health requirements that have been

established, and how the Town has responded to date. Please note that the fundamental public health measures in place for ALL openings include: social/physical distancing of 6 feet is required at all times; social gatherings of a maximum of 10 people (as of June 18th, 2020) only.

Farmers Market

Farmers Markets were permitted to operate as part of stage 1 of the provincial reopening framework. The Newmarket Farmer's Market chose to open initially as a preorder drive through market as the public health requirements were less strict. They are now transitioning to a walk through market beginning on Saturday, June 20th.

Public Health/Provincial Requirements:

- Must have a separate entrance and exit; traffic flow that is one-way
- Must maintain physical distancing (2m or 6 ft) throughout the market; capacity limit must be set with a controlled entrance - the Newmarket Farmer's Market is currently approved for a capacity of 30 people within the fenced area
- Must have physical distancing spots marked out for a vendor that has a line up; vendors must be set up with displays behind them so customer's point to the product; must be space for customer's to line-up while maintaining physical distancing to enter the market
- Market vendor's must be set-up with a minimum of 6 ft between vendors
- Customers are not permitted to linger around the market; no food sampling or eating within the market; no communal seating to be made available.

Town Response:

In consultation between staff and the Newmarket Farmer's Market, it was determined that it would be impossible to operate the market at Riverwalk Commons and meet the above noted requirements. Staff offered use of the Magna Centre parking lot – the Newmarket Farmer's Market accepted that offer. The Newmarket Farmer's Market has sole discretion over which vendors are included and where those vendors are located.

As long as the public health measures identified remain requirements, the Newmarket Farmer's Market will continue to operate out of the Magna Centre Parking lot. It is anticipated that these measures will be required for the 2020 operating season of the market.

Pickleball & Tennis Courts

All tennis courts and pickleball courts were permitted to open for recreational play only, as part of stage one of the provincial plan.

Public Health/Provincial Requirements:

- Courts can be used for recreational play only. Organized leagues, socials and gatherings are not permitted; group gathering size must comply with provincial orders (current maximum 10 people)
- Only outdoor play is permitted and use of any indoor clubhouse facilities is still prohibited at this time.
- Social/physical distancing must be practiced at all times.

Governing Sport Body Recommendations (Tennis Canada & Pickleball Ontario)

- Singles play only (unless double occurs with members of the same household, or social circle)
- No handshaking
- No shared use of equipment, and no organized league or social play.

Town Response:

Courts within the Town of Newmarket have been open since early June. The Town of Newmarket has posted signage that is reflective of the rules set out by the respective sport governing bodies and public health requirements.

The Newmarket Tennis Club, recognizing the challenging restrictions, felt that it would be in the best interest of the tennis community to forego their 2020 season and offer those courts as public use courts this year.

Soccer Fields and Baseball Diamonds

Soccer fields and baseball diamonds were permitted to open for recreational play only, as part of stage one of the provincial plan.

Public Health/Provincial Requirements:

- No games, tournaments or organized play should be happening at this time.
- Group gathering size (currently 10 people maximum) must be followed
- Social/physical distancing of 6 feet must also be adhered to at all times.

Town Response:

Fields and diamonds were opened in early June for recreational use. User groups were advised that they could make use of the fields at that time.

As a cost savings measure, no summer staff were hired to assist with Parks. As such, the service level is reduced from normal levels. Grass does get cut, but less frequently than normal. Fields and diamonds have not been lined at this time. They are being ragged at reduced frequency. Given that only recreational play is allowed anyway, these services are not integral to use of the fields.

The Town is not currently issuing permits to any organizations. Given the reduced service levels, and requirements to only accommodate recreational play, it was felt that

permitting fields was not yet appropriate. This is being monitored with the groups and staff are prepared to start permitting fields should that be required – note that current service levels for field maintenance will remain. While permits are not being issued, user groups are able to access these spaces at no charge.

Outdoor Basketball Courts

Outdoor basketball courts were permitted to open for recreational play only, as part of stage one of the provincial plan.

Public Health Requirements:

- Strict adherence to group gathering size (currently 10 people maximum)
- Social/physical distancing of 6 feet is required at all times.

Town Response:

Basketball courts have not yet been opened. Given the nature of the sport, it is difficult to play the game and also accommodate the social/physical distancing requirements.

All surrounding municipalities that have opened basketball courts have reported significant occurrences of large group gatherings of teenagers with no adherence to social/physical distancing. Even with the courts closed in Newmarket there has been challenges with large group gatherings on basketball courts.

At this point in time, the strategy has been to keep basketball courts closed until social/physical distancing requirements are lessened or removed.

Spray Pads/Water Features

As part of phase 2 of the provincial framework for reopening, municipalities are permitted to open Spray Pads.

Public Health/Provincial Requirements:

- Social/physical distancing is required at all times
- Groups gatherings must not exceed 10 people
- Regular cleaning of high touch point areas is required
- Washroom facilities must be available (can include port-a-johns) and must be cleaned daily
- Handwashing or sanitizing stations must be available

Town Response:

The Town is ready to open the two spray pads (Rogers Spray Pad and Frank Stronach Park Spray Pad) on Friday, June 19th. Signage has been developed that advises users of the public health measures required. Further, the signage encourages an approach

of respect for one another, limiting time using the facility, and encourages people to come back at a different time should the facility be in high use. Staff will monitor the usage and determine if more stringent measures are required. Staff will also continue to educate patrons on physical/social distancing and group gathering sizes.

The water feature at Riverwalk Commons is anticipated to open over the weekend of June 26th, pending a mandatory inspection from Public Health. The fountains will be activated over the weekend of July 3rd after a monitoring period of compliance with social distancing and group gathering sizes. Similar signage to the Spray Pad signage will be developed. Again, staff will monitor the usage and continue to educate patrons.

Swimming Pools

The provincial government has indicated that swimming pools are also permitted to open as part of phase 2. This does not include changing facilities or locker rooms.

Public Health/Provincial Requirements:

- Social/physical distancing is required at all times; pool area capacities must be reduced to 15% to 30% of regular capacity
- Spectators are not permitted directly within pool areas; any seating provided for those coming in and out of the water should be arranged in a manner that allows for significant space (minimum 6 feet).
- Any swimming lesson programming that is done must be done in a manner that prevents staff from coming within 6 feet of participants (for example, one suggestion is to conduct lessons in which a parent is in the water with a child and the instruction is provided to a parent who in turn provides instruction and support to a child)
- Access to change room facilities is not permitted under stage two

Town Response:

It would be very difficult to accommodate these public health measures at Gorman Pool given the size, shape and layout of the building and pool area. The total capacity would allow for approximately 15 patrons at a time. Given the significant investment in opening and preparing the pool, for what would be very limited use, the pool is currently closed.

Under stage two, the Town also has permission to open indoor pools also. However, the rest of the recreational facilities must remain closed at this time. Currently, the intention is to reopen Magna Pool first, when the rest of the facility can be reopened as part of stage three of the provincial plan.

Elman Campbell Museum

Museums are permitted to open as part of stage two.

Public Health Measures:

- Social/physical distancing is required
- Separate entry and exit points
- No touch exhibits
- Reduced entry and minimal numbers of people in the facility at one time

Town Response:

Given the historically low participation numbers during summer months, a fall re-opening is anticipated.

The following facilities are identified for opening as part of stage three of the provincial re-opening plan.

Indoor Recreation Facilities

Ice pads were permitted to open only for elite level training within Stage one. All other use of ice is scheduled for opening with Stage three of the provincial plan. The Town of Newmarket has removed all ice and has not yet replaced any ice at this time. Within Stage two, only pools are permitted to open. No support amenities or additional facilities are permitted to open during stage two. Stage three of the provincial plan will allow for re-opening gyms, indoor sports facilities, fitness facilities and studios with public health measures in place, such as limits to the number of people, floor space, equipment, showers and change rooms. It will also allow for resuming training for indoor team sports and individual high-contact sports with measures in place to enable physical distancing. No formal public health guidelines have yet been developed or released beyond social/physical distancing and group gathering sizes.

The Magna Fitness Centre will be a key priority to reopen early in stage three. Fitness Centres will have specified protocols including booking times for workouts. Additional public health measures are anticipated but have not yet been developed provincially.

NewRoads Performing Arts Centre and Old Town Hall

Live performance spaces are included within phase 3 of the provincial re-opening plan. At this point the only public health measures identified include reduced seating capacity and assigned seating, in addition to physical/social distancing requirements. It is anticipated that additional public health measures around entry and exits, use of washrooms, sale of food, use of technical equipment (ie. sharing of microphones), change room capacities will be forthcoming prior to announcements of openings.

Special Events

All special events through August 31st have been cancelled, including both internally and externally organized events. The provincial plan does not specifically speak to

resumption of special events. Rather, it is implied that events can resume as social gathering sizes increase and physical/social distancing measures are lessened.

The Town of Newmarket will be a participating town in the virtual National Canada Day event planned by Canadian Heritage. Their activities include:

- 4 themed online celebration kits available to the public
 - Televised and live stream performances on July 1
 - Virtual fireworks app
- We are planning complementary activities that will be featured on our Home Sweet Home webpage the week of Monday, June 29-Friday, July 3 including:
 - “O Canada” video contest
 - road signs with Happy Canada Day messaging in each ward
 - Canadian flag window poster delivered to each home and apartment in Newmarket through the Era newspaper

Traditionally, each summer a moonlight movie has been combined with a ward specific gathering or barbecue. This year, events like this will be prohibited. Under phase 2 of the provincial plan, drive in movies can occur. Staff are exploring options to hold a few drive in movies this summer. This would not be able to be accommodated within each ward and would have to take place in venues with large parking lots.

Conclusion

This has been an extremely difficult time for everyone. Residents are clearly becoming frustrated with the prolonged nature of the virus and corresponding closures. Further complicating that frustration has been the lack of clarity in what can open and the restrictions under which openings can occur.

The Town of Newmarket has taken a cautious approach. It is a complex situation with no proven road map. Staff are continuing to conduct research into best practice, and are ensuring that all directions and recommendations are informed by the most current information available. By the situation is dynamic and does change quickly.

Staff are open to feedback of all members of Council and the broader community as we navigate our re-openings in the midst of what is still an ongoing pandemic.

Business Plan and Strategic Plan Linkages

The strategic vision of the Town of Newmarket is rooted in the concept of being Well Beyond the Ordinary – this vision is achieved through focus on the well being of our community. The wellness of our community has at all times been first and foremost in the actions taken to date.

Consultation

This report has been reviewed by Public Works Services, Corporate Communications, Human Resources, Planning and Legislative Services.

Human Resource Considerations

If actions differ from what is currently the approach, there will be human resource considerations that must be evaluated and considered as part of implementation.

Budget Impact

Similar to human resource considerations, change in direction will have budget implications that will need further consideration and evaluation prior to implementation.

Attachments

None

Contact

Colin Service, Director Recreation & Culture

Approval

Colin Service, Director, Recreation & Culture

Ian McDougall, Commissioner, Community Services



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

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Site Specific Exemption to Interim Control By-law 2019-04 for 164 Beechwood Crescent Staff Report to Council

Report Number: 2020-42

Department(s): Planning Services

Author(s): Alannah Slattery

Meeting Date: June 22, 2020

Recommendations

1. That the report entitled Site Specific Exemption to Interim Control By-law 2019-04 for subject property 164 Beechwood Crescent dated June 22nd, 2020 be received; and,
2. That Council approve the requested site-specific exemption to Interim Control by-law 2019-04 for 164 Beechwood Crescent and adopt the attached exemption by-law.

Purpose

The purpose of this report is to recommend to Council the approval of a site specific exemption to Interim Control By-law 2019-04 for subject property 164 Beechwood Crescent.

Background

Council passed Interim Control By-law 2019-04 on January 21, 2019. On May 27, 2019 Council approved a Site Specific Exemption Process for Interim Control By-law 2019-04. The exemption process consists of the review of proposed residential dwellings or additions within the subject area of the Interim Control By-law on a case-by-case basis, to determine their compatibility with existing neighbourhood character. Council approval is required to grant a site-specific exception from the Interim Control By-law.

Discussion

Planning Services have received a request for exemption from Interim Control By-law 2019-04, for subject property 164 Beechwood Crescent. The applicant is proposing to add a single-storey addition to the rear of the existing dwelling, as well as a second-storey addition across the westerly portion of the existing dwelling.

The proposed second-storey and rear addition would increase the gross floor area from approximately 174 square metres to approximately 316 square metres, not including the attached garage. The proposed addition would increase the height of the dwelling from approximately 6.3 metres to approximately 7.3 metres, measured from average finished grade to the midpoint of the roof, as per Zoning By-law 2010-40.

Interim Control By-law 2019-04 prohibits the expansion of gross floor area of residential dwellings by 25% or more, and prohibits the increase in height of residential dwellings. The proposed addition would expand the gross floor area of the existing dwelling by approximately 82%, and would increase the height of the dwelling, as such an exemption from Interim Control By-law 2019-04 is being requested.

A map of the subject property and drawings of the proposed dwelling can be found attached to this report.

Staff have reviewed the proposal and provide the following comments based on the exemption process as approved by Council.

Physical Character

- The subject property is zoned Residential Exception (R1-C-119) Zone which permits a maximum lot coverage of 25% for a two-storey dwelling. The proposed addition will increase the lot coverage to approximately 15.75%.
- The proposed addition will increase the midpoint height from the existing 6.3 metres to the proposed midpoint height of 7.3 metres. The maximum dwelling height in this zone is 10 metres for a two-storey dwelling, measured from average finished grade to the midpoint of the roof.
- The proposed rear addition will not be closer to the side lot line than the existing dwelling.
- The materials of the proposed additions will include brick and siding, common elements found throughout dwellings in the neighbourhood.
- The proposed addition will meet all zoning requirements of the R1-C-119 Zone, including yard setbacks, height and lot coverage requirements.
- It is staff's opinion that the proposed addition will not result in over-development of the lot, as the lot still maintains adequate amenity space and appropriate setbacks.

Streetscape Character

- The existing neighbourhood is comprised of 1970's era single-detached dwellings interspersed, with some new builds. Both the dwelling immediately east of the subject lands and the dwelling immediately west of the subject lands have been rebuilt and enlarged in recent years. The aerial image below shows the current neighbourhood adjacent to the subject lands.



- The proposed second storey and rear addition will not be out of character for the neighbourhood, which is comprised of both moderately sized and large, one storey, one-and-a-half storey and two-storey dwellings. The photos below shows the subject dwelling in relation to neighbouring properties.



- The proposed addition will be constructed to the rear of the existing dwelling, maintaining existing street lines and a uniform built form.
- The proposed dwelling will not significantly change the character of the streetscape, as the rear addition will not be visible from the street, and the second storey addition is not out of character for the neighbourhood which includes one storey, one-and-a-half storey and two-storey dwellings.

Comments have been received from the public regarding the following concerns:

- Height of second-storey addition
- How height will be measured
- Removal of trees
- Site Plan Control
- Impacts to drainage
- Re-sale value of neighbouring dwellings

Staff advise that neighbourhoods consisting of a mix of one storey, one-and-a-half storey and two-storey dwellings are commonly found in the Town. A two-storey dwelling adjacent to a single-storey dwellings is common residential built form. It is staff's opinion that the proposed addition of a second storey will not impact sunlight or privacy in a manner unlike, or beyond, what is typically expected or experienced in a residential setting.

In addition, the proposed second-storey will increase the height from the existing midpoint height of 6.3 metres to the proposed midpoint height of 7.3 metres. The maximum dwelling height in this zone is 10 metres for a two-storey dwelling. The proposed dwelling is well below what is permitted in this zone, and is compatible with surrounding dwellings.

Staff advise that height for the proposed dwelling will be measured from average finished grade to the midpoint of the roof, as per Zoning By-law 2010-40. Average finished grade means the average elevation of the finished surface of the ground at the base of the outside walls of a building or structure. This approach is consistent with that taken in zoning matters as well as all ICBL Exemption requests.

The applicant has advised that no trees will be removed as part of this application. The Town does not currently have a Private Tree By-law in place, as such the Town cannot require the applicant to provide an arborist report or tree preservation plan. Staff recommend that the applicant provide tree protection fencing as part of the construction process to ensure the protection and preservation of the trees on the property.

Staff advise that Site Plan Control does not apply to renovations to single-detached dwellings. Property owners are generally entitled to renovate or re-construct their homes, within the boundaries of the Town's Zoning By-law, at any point in time without the use of Site Plan Control.

Site Specific Exemption to Interim Control By-law 2019-04 for 164 Beechwood Crescent

The applicant will be required to receive the necessary building and engineering approvals and permits, which will address drainage impacts.

Staff advise that re-sale value is dependent on numerous market variables and is typically not considered when evaluating a proposal from a planning perspective.

The proposed second-storey addition is 2.7 metres less than the current 10 metre maximum height within the R1-C-119 zone, is appropriate in size relative to the lot, is in-keeping with the character of the surrounding neighbourhood, which is comprised of one storey, one-and-a-half storey (bungalows and raised bungalows) and two-storey dwellings, and will meet all other requirements of Zoning By-law 2010-40.

Town staff are of the opinion that the proposed dwelling will not compromise the character of the neighbourhood. As such, staff recommend that the request for exemption of 164 Beechwood Crescent from Interim Control By-law 2019-04 be approved by Council, and that the attached by-law be adopted.

Conclusion

It is recommended that Council grant a site-specific exception for 164 Beechwood Crescent, Newmarket, from Interim Control By-law 2019-04 by adopting the attached exemption by-law.

Business Plan and Strategic Plan Linkages

The proposed development supports Council's 2018-2022 Strategic Priorities which aim to ensure a thriving community that is supportive of community engagement.

Consultation

Planning staff have circulated the exemption request to property owners within 50 metres of the subject property, as per the Council-approved exemption process for Interim Control By-law 2019-04. Comments from residents have been included as part of the review of this exemption request and have been addressed in the sections above.

Human Resource Considerations

N/A

Budget Impact

There is no budget impact associated with this report.

Attachments

- Location Map

Site Specific Exemption to Interim Control By-law 2019-04 for 164 Beechwood Crescent

- Proposed Site Plan
- Proposed Front Elevation
- Proposed By-law

Submitted by

Alannah Slattery, Planner, Planning Services

Approved for Submission

Adrian Cammaert, Acting Manager, Planning Services

Jason Unger, Acting Director, Planning and Building Services

Peter Noehammer, Commissioner, Development and Infrastructure Services


Contact

Alannah Slattery, Planner, aslattery@newmarket.ca

LOCATION MAP

164 BEECHWOOD CRESCENT

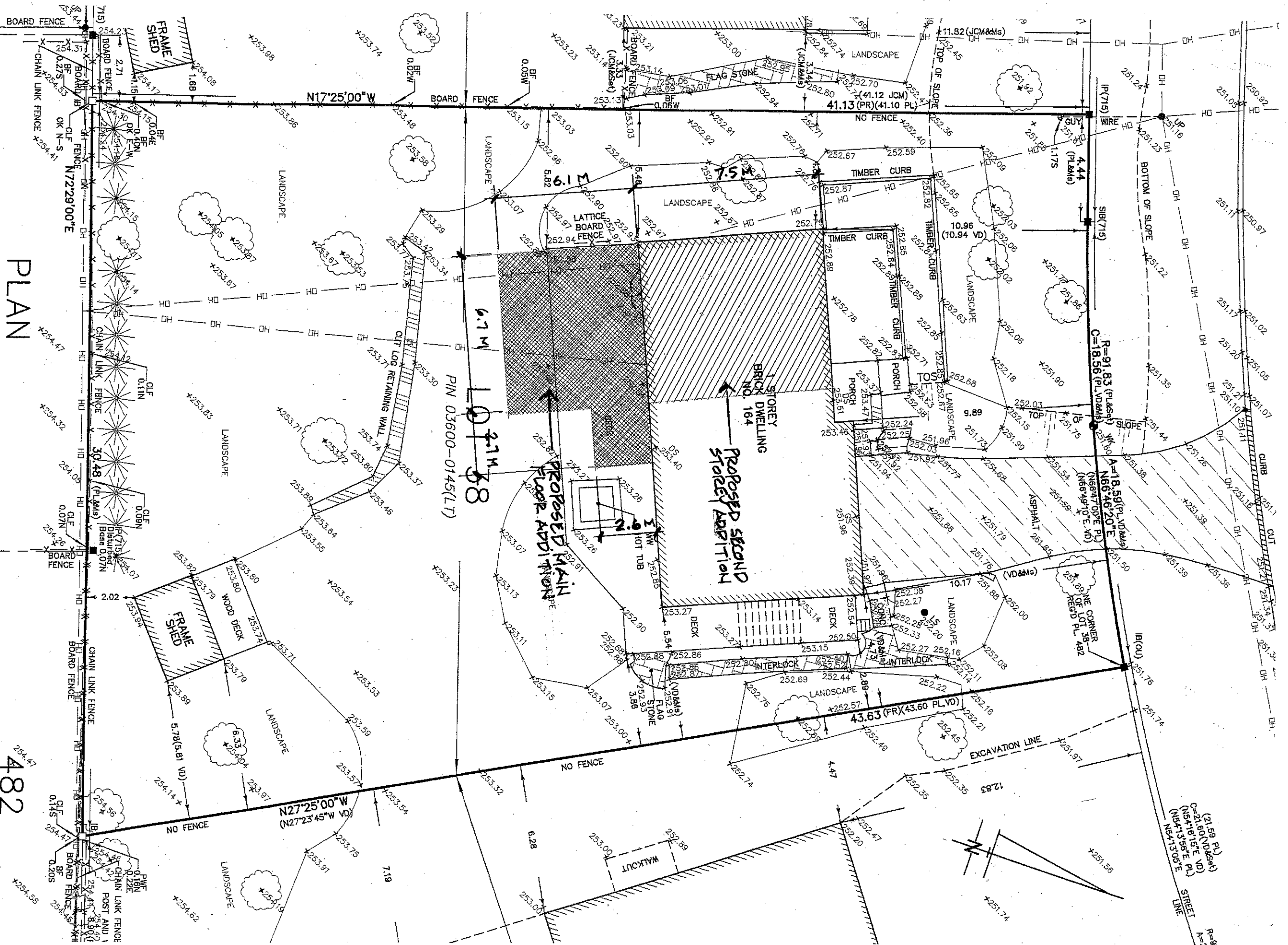


 Subject Lands



TOWN OF NEWMARKET PLANNING DEPARTMENT

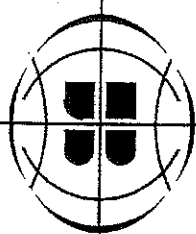




PLAN

482

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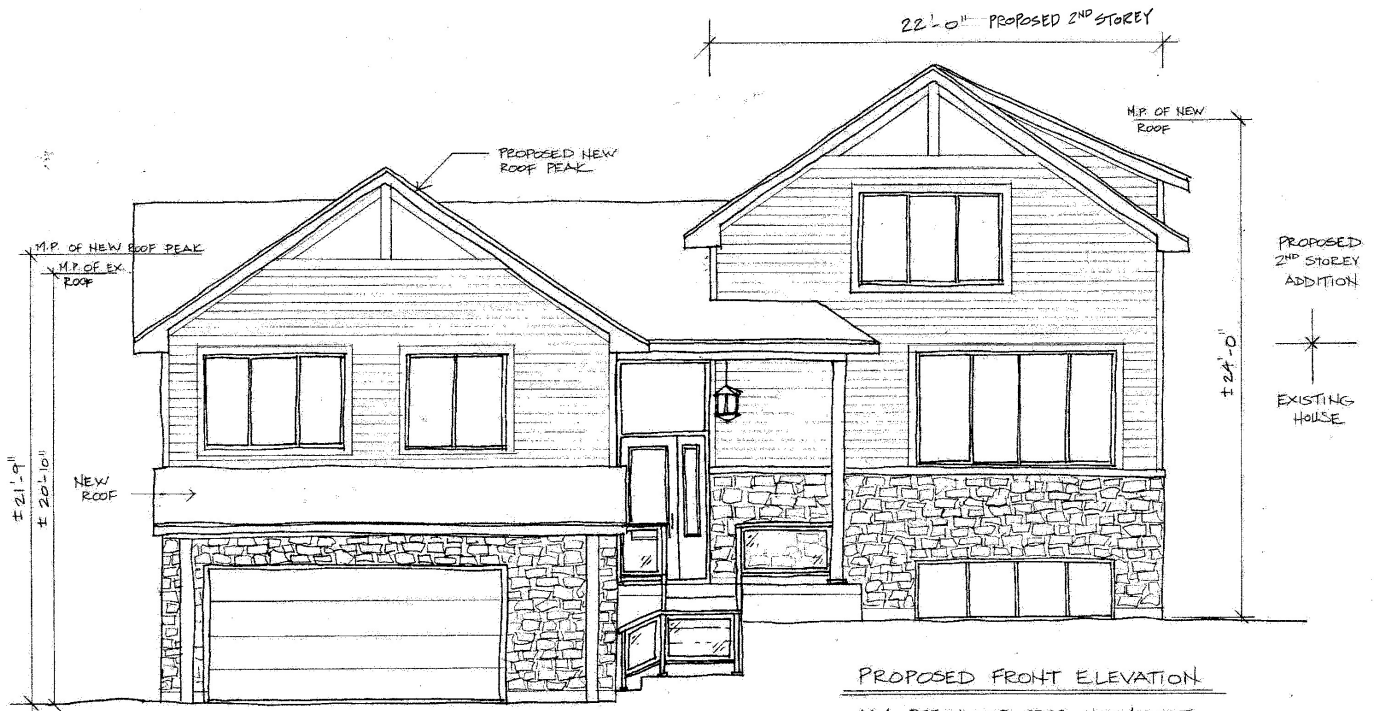
DRAWN BY: A.A. CHECKED BY: V.G.P. REFERENCE NO: 19-18-416-00

SURVEYOR'S REAL PROPERTY REPORT
PART 1
PLAN OF

LOT 38
REGISTERED PLAN 482
TOWN OF NEWMARKET
REGIONAL MUNICIPALITY OF YORK

SCALE = 1:150 m

10metres



PROPOSED FRONT ELEVATION

164 BEECHWOOD CRES., NEWMARKET

1/4" = 1'-0"

MARCH 17, 2020



Corporation of the Town of Newmarket

By-law 2020-

A By-law to grant a site specific exemption for the property with the Municipal address of 164 Beechwood Crescent, Newmarket, from Interim Control By-law 2019-04.

WHEREAS on January 21, 2019, Council for the Town of Newmarket enacted Interim Control By-law No. 2019-04 to control the erection of, or additions resulting in, any large scale dwellings within defined areas of the Town of Newmarket.

AND WHEREAS on June 22, 2020 Newmarket Council considered a request for an exemption to Interim Control by-law 2019-04 for the property with the Municipal Address of 164 Beechwood Crescent.

NOW, THEREFORE, BE IT RESOLVED THAT THE COUNCIL OF THE CORPORATION OF THE TOWN OF NEWMARKET ENACTS AS FOLLOWS:

1. Interim Control By-law 2019-04 is hereby amended by adding the following section:

9b. Notwithstanding Section 1 of this By-law, on the lands described as 164 Beechwood Crescent, Newmarket, there shall be permitted the construction of a rear addition and second-storey addition to the existing dwelling, resulting in a total Gross Floor Area not exceeding 316 square metres, and a building midpoint height not exceeding 7.3 metres.

Enacted this 22nd day of June, 2020.

John Taylor, Mayor

Lisa Lyons, Town Clerk

I am the owner of 134 Beechwood Cres. and I am writing to say I am opposed to the granting of an exemption from the interim bylaw control for 164 Beechwood Cres. I am opposed to the addition of a second story to an existing raised bungalow. The result will loom over the neighbourhood. I would support a building that is compatible with the surrounding streetscape.

Sincerely,

Colleen Hedican

Deputation and Further Notice Request Form

Please complete this form to speak at a meeting of Town Council or Committee of the Whole or to receive further notification regarding an item on the agenda. 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

Name: Elaine Adam	
Organization / Group/ Business represented:	
Address: 183 Park Avenue	Postal Code: [REDACTED]
Daytime Phone No: [REDACTED]	Home Phone: [REDACTED]
Email: [REDACTED]	Date of Meeting: June 22, 2020
Is this an item on the Agenda? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Agenda Item No:
<input checked="" type="checkbox"/> I request future notification of meetings	<input type="checkbox"/> I wish to address Council / Committee
Describe in detail the reason for the deputation and what action you will be asking Council/Committee to take (if applicable): This is regarding an application for an exemption to the Interim Control Bylaw for 164 Beechwood Crescent, file 3 ICBEX 02-2020. I request that the application be denied.	
Do you wish to provide a written or electronic communication or background information <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Please submit all materials at least 5 days before the meeting.	

Deputation Guidelines:

- Deputations related to items on the agenda can be accommodated up to and including the meeting day;
- Deputations related to items not on the agenda may be scheduled within sixty (60) days of receipt of this form;
- Deputations will not be heard on a matter decided upon by Council until ninety (90) days have passed from the date of the matter's disposition by Council;
- Deputations are limited to 5 minutes.

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Deputation concerning an Application for an Exemption to the Interim Control Bylaw:
164 Beechwood Crescent **File Number ICBEX 02-2020**

I am including two items in this deputation, a question and a statement.

My question is to the Planning Department.

What is your policy for notifying residents when there is an application? I live closer than a resident who received a notice yet I did not receive one. On another issue, when there was an application regarding Kathryn Crescent, a resident at Stanley and Eagle Streets received notification. This is twice the distance as the distance from my house to 164 Beechwood Crescent.

My statement:

There is another developer on Beechwood and a developer with a double lot on Park Avenue who are waiting for the Interim Control Bylaw to expire so they can proceed with building on their lots. If you allow this request to pass, what is to prevent them from coming forward with the same request? You would be setting a precedent which wipes out any use that the Interim Control Law is supposed to have.

Please turn down this request and maintain the integrity of the bylaw.

Thank you,

Elaine Adam
183 Park Avenue
Newmarket

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Name: Janet Caverly and Steven Sugar	
Organization / Group/ Business represented:	
Address: 160 Beechwood Cres.	Postal Code: [REDACTED]
Daytime: [REDACTED]	Home Phone:
[REDACTED]	Date of Meeting: June 22, 2020
Is this an item on the Agenda? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Agenda Item No: 6.3
<input checked="" type="checkbox"/> I request future notification of meetings	<input type="checkbox"/> I wish to address Council / Committee
Describe in detail the reason for the deputation and what action you will be asking Council/Committee to take (if applicable): Please see attached letter.	
Do you wish to provide a written or electronic communication or background information <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Please submit all materials at least 5 days before the meeting.	

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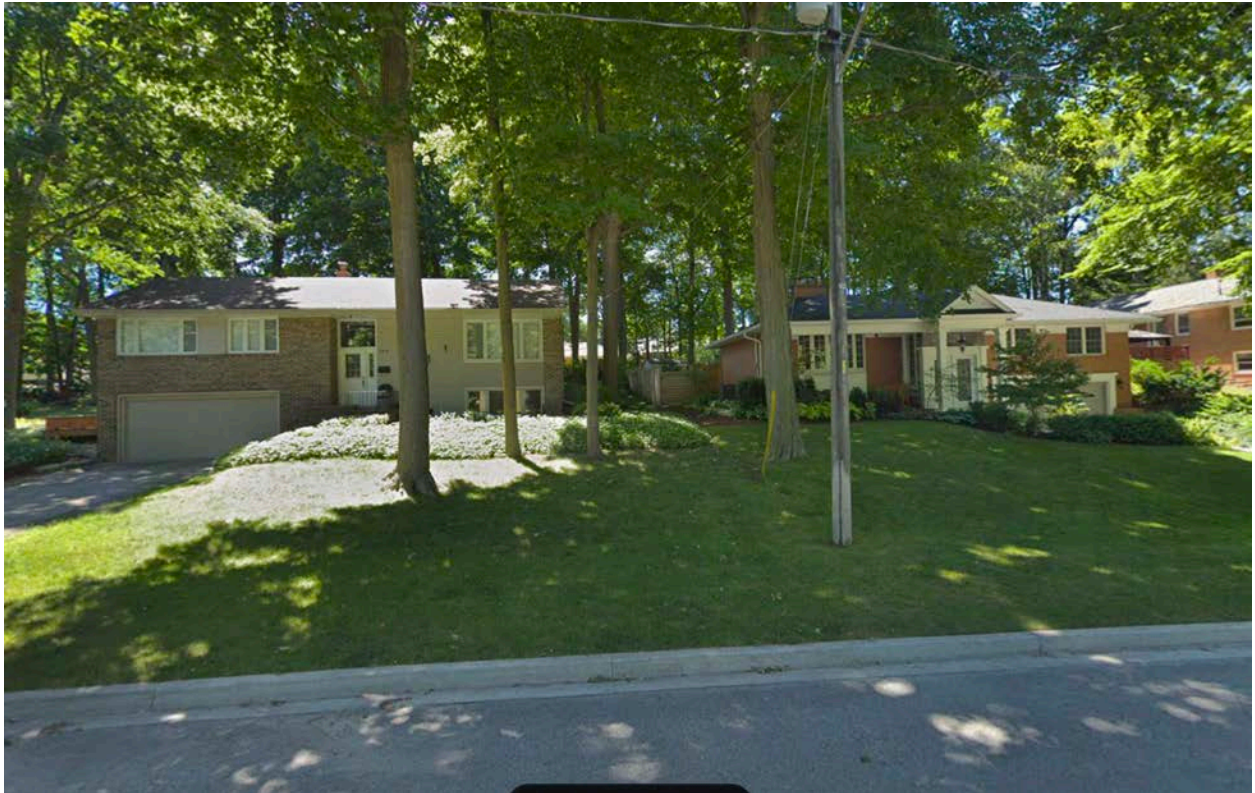
We, the owners of 160 Beechwood Cres. are opposed to the request for exemption from the Interim Control Bylaw.

1. The supplied drawings are incorrect as to the labels on the side elevation. We would also ask to see more detailed dimensions that accurately identify the height of the proposed building.
2. The current dwelling is a raised bungalow. Adding a second story to a bungalow sitting one story above the street level means that the proposal will have the resulting structure ending 3 stories above the street in an area largely of bungalows. The majority of homes backing onto the "Town of Newmarket Woodlot" on both Beechwood Cres. and Park Ave. are bungalows. Please see sketches below representing the change in google street view illustrating the height differential proposed.
3. The property has many significant trees and damage to those trees and their roots is likely with the current proposal. Specifically, the tree directly adjacent to the proposed 2nd story.
4. We request that no approval is given until the completion and ratification of the new building bylaws for the Town of Newmarket.

We are not opposed to change. We just ask that the change be compatible to the neighbourhood. The tree bylaw is very much needed in situations where significant trees are under threat. Beechwood Crescent has had large amount of tree canopy removed by past infill construction.

Janet Caverly
Steven Sugar
160 Beechwood Cres.
Newmarket

Current Google Streetview:



Proposed Streetview:



June 17, 2020

Newmarket Town Council

Newmarket, ON

Dear Councillors,

We are writing in opposition to the request for exemption from the Interim Control By-law 2019-04 for 164 Beechwood Crescent (file ICBEX 02-2020).

A similar exemption request was made and withdrawn in late 2019 by the previous owner of this property due to neighbourhood opposition. So, we were surprised to find out that the new owner is also requesting to add a second storey and increase the footprint, despite neighbourhood concern that any new development on Beechwood Crescent be frozen until the new zoning by-law is passed. The street is already under redevelopment pressure with the severance of the lot immediately to the east of our house and the vacant lot waiting to be developed at 181 Beechwood. The new zoning by-law will alter the way height, footprint, and setback are assessed if consultant recommendations and community consultation are heeded. Therefore, it is not unreasonable to ask the owners to wait to ensure their renovations meet the new zoning criteria.

Additionally, we dispute the staff report claim that the proposed dwelling will not compromise the physical character and streetscape of the neighbourhood. The photos on page 4 of 7 of the agenda package do not provide a full view of the streetscape. The adjacent property to the east at 168 Beechwood is a single storey flat-roofed house. This house is shown at an angle in the top photo and not at all in the bottom one. Why not? Already there is a sharp contrast in height and appearance. Any increase in height to 164 Beechwood will only exacerbate the contrast and irreparably alter the streetscape.

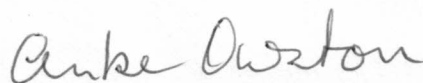
The report correctly states that there is already a mix of single and two storey houses on the street. However, staff fail to mention the subject house is now a raised bungalow and that the proposed development will make it the only two-storey raised house on the street and, indeed, in the surrounding area. We feel there is a need to wait for the new by-law on height and setback measurement to avoid setting a precedent for height on the street.

The intent of the Interim By-law is to prevent significant changes to properties, such as the ones proposed, until a new by-law is enacted. We urge Council to reject this application.

Yours truly,



Ron Owston



Anke Owston

175 Beechwood Crescent

Newmarket, ON L3Y 1W2

Dear Newmarket Council,

I am writing you today in support of the above noted application. My wife, Jennifer, and I are long-time residents of Newmarket. We have recently sold our home near the Magna Centre off Mulock. We are looking to downsize, and our goal was to buy a home within walking distance of Main Street. We expect that this home would need to undergo renovations and there is a good chance it might need an addition or some changes to the structure, but certainly within zoning regulations.

We have spoken to a number of builders and there seems to be a consistent refrain in Newmarket that even if you are making changes that do not contravene local zoning the process to have this changes approved is onerous and appears to be highly subject to NIMBY types.

I know the Ciccarelli's well as they are long-time neighbours. They have taken great care to follow the rules and design an addition that flows well with the area and with minimal impact to the streetscape. Not approving additions that fall within your own rules sets a terrible precedent and creates an environment that will lead to the eventual decay of our local neighbourhoods and the local economy. In speaking with several local contractors, they are concerned about their livelihood.

We will certainly have to reconsider our future plans if following the rules still means you cannot make changes to your property, as I'm sure you can understand.

Regards,

Rob Anderson.

Hello

I'd like to ask that my comments/questions below be read as part of the June 22nd meeting.

Firstly, I'd like to say we mean no offense to our new neighbours, they seem like great people. We are merely trying to look out for what we believe is in the best interest of our neighbourhood.

Currently, the street, properties and sightlines all round on Beechwood Cres are spacious, lush and green with lovely mature trees. It is this that makes Beechwood one of the best streets in Newmarket.

While modifications and builds are inevitable and in many cases welcome, too much, too many times in the wrong context will serve to slowly disintegrate what makes this area so wonderful.

A large number of trees have been removed as a result of this on going construction. You can fell a mature tree in the matter of a day, while it takes 75 years to grow that same sized tree back. These can not be replaced in our lifetime.....

The street is made up of predominantly bungalows and split levels (90%), if larger second story homes becomes the norm each time a construct is put forward, the sightline in terms of greenspace will be lost to peering at a structures instead.

The primary concerns with the request for exemption are this:

- replies from planning staff is that the applicants indicate there will not be tree removal, however, there is no assurance that more trees will not be taken down or damaged as a result as the town as still yet to complete the tree by law.
- the height of the structure, while within the current regulations (that are under review) will have this house being the tallest on the street. Mid-point roof measurement still means there is a significant portion of structure above the measurement point on a steeply pitched roof which seems to be the case here. This although not part of your measurement is impactful to how it looks and how it fits in to the streetscape.
- the interim control allowable expansion is 25% this request is asking for a bump to 82%, this is not a minor request.
- if the exemption is passed, it will be setting precedents that are likely to be used in other exemption requests, particularly as there are other developments waiting on this street.

The interim control bylaw was put in place as a means to better regulate activity within the town from the existing flawed regulations until the established neighbourhoods study is

completed and new bylaws are set. Planning decisions based on modifications falling within the existing regulations defeats the purpose of the interim control in the first place.

While its unfortunate covid19 has meant delays in the finalization of the work, with that home is now more important than ever and our ask is to simply allow that process to finish to completion prior to letting more requests go through to ensure they will fit with the new path forward.

Thank you for your time.
Laura and Andrew Cummings
165 Beechwood Cres.

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Name: Beric Farmer	
Organization/Group/Business represented (if applicable):	
Address: 295 Park Avenue	Postal Code: [REDACTED]
Phone Number: [REDACTED]	Email: [REDACTED]
Agenda Item Number and Title (your deputation must be in relation to an item on the Agenda): 6.4 Site Specific Exemption to Interim Control By-law 2019-04 for 164 Beechwood Crescent	
<p>Please use the space below to provide your written comments:</p> <p>As a Park Avenue resident since 2004 who went through the process of renovating an older home in this area, and who has seen a number of other properties in the neighbourhood change hands and be renovated or rebuilt, I am aware of the sensitivity to change that exists in our community. At the same time, I sympathize with the need for home owners to improve their homes to meet their needs and protect their investment.</p> <p>I have walked along Beechwood many times and have witnessed the renewal process it is undergoing. It is a street with one- and two-storey mid-century homes mixed with four or five homes that have been renovated or rebuilt in the last few years. A number of these are directly adjacent to the subject property. I feel the newer homes have improved the street's appeal and like the variety and change the renovations have brought.</p> <p>I have reviewed the plans for the proposed addition of an extension and second storey at 164 Beechwood Crescent and find what is proposed to be entirely in character with the rest of the street and surrounding area. There are similar designs throughout the neighbourhood. I would argue that what is being proposed would in fact make the house more aligned with the character of the street, given the fact that it is framed on both sides by several newly renovated houses and the presence of other new or renovated houses on the street. From what I can tell, the finished height of the proposed structure appears to be lower than many of the homes -- both new and old -- in the neighbourhood. I understand it is also lower than the current bylaws would allow, so what is being proposed might satisfy any new bylaws that may be enacted that lower the maximum height. I also understand the homeowner has designed their plan to ensure no trees will be cut down.</p> <p>I am concerned about potential long term impacts if it becomes increasingly difficult for homeowners to renovate and improve their properties. In opposing such projects, the set of potential outcomes are not either what the homeowner wants or what those opposing the homeowner want. If a homeowner is unable to proceed with their plans, the property may ultimately end up falling into disrepair, being vacant for long periods of time, or having other similar negative outcomes. A scenario such as one of these may be the real outcome of successfully blocking a proposed renovation.</p> <p>There are further potential negative impacts to homeowners being prevented from carrying out renovations that otherwise meet the current bylaws, bylaws which I understand were effected after significant public consultation. While I respect the right of others to oppose proposed developments that do not comply with the bylaws, I have concerns if a vocal, but small minority can essentially overrule bylaws that were determined with broad community consultation. Such a situation brings uncertainty in the process of property development and enhancement, infringes on the rights of property owners, and could ultimately reduce investment and the ongoing process of renewal that is necessary to maintain a healthy and vibrant community.</p> <p>Outcomes such as the above can have a significant detrimental impact on the character and health of a neighbourhood over time.</p> <p>While I understand that change can be disconcerting, and sometimes needs to be questioned, I generally view the changes that have occurred in our neighbourhood while I have lived here to have had positive results and to be a sign of a thriving, healthy community. I believe the proposed renovations at 164 Beechwood Crescent will similarly enhance the character of the street, our neighbourhood, and our community. I support the application to exempt this project from Interim Control By-law 2019-04.</p>	

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Name: Jeff Kirke	
Organization/Group/Business represented (if applicable): N/A	
Address: 343 Park Avenue	Postal Code: <div style="background-color: black; width: 80px; height: 20px;"></div>
Phone Number: <div style="background-color: black; width: 150px; height: 20px;"></div>	Email: <div style="background-color: black; width: 230px; height: 20px;"></div>
Agenda Item Number and Title (your deputation must be in relation to an item on the Agenda): 6.4 Site Specific Exemption to Interim Control By-law 2019-04 for	
Please use the space below to provide your written comments:	

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I write as a member of the local community, in support of the Site Specific Exemption to the Interim Control By-law 2019-04 for subject property 164 Beechwood Crescent.

This might easily be dismissed as simply a neighbourhood issue, though I believe there are important principles at stake. Notably, it's an opportunity for Council to demonstrate equitable treatment of constituents and predictable enforcement of municipal By-laws, which can only help make Newmarket a more attractive community in which to invest.

I have read the Staff Report to Council, which appears to provide a thorough assessment of the proposed renovation. Presumably prepared by an expert, its recommendations deserve respect and appropriate consideration. It seems to be an objectively-prepared report, which considers many dimensions of the proposal – more than any single member of the community or group might otherwise appreciate. As a constituent, I expect it to weigh heavily in Council's deliberations.

It is worth noting that the reason this exemption is being sought is because of By-law 2019-04 – the proposed renovations, as noted in the report, are otherwise compliant with the current building constraints. Further, the report notes that, "The proposed second storey and rear addition will not be out of character for the neighbourhood".

Admittedly, an expert opinion, however objective, may be too narrowly-focussed, which is why it is important that the matter be considered by our elected representatives – they see the forest; not the trees.

And, it is the forest that should principally concern us in this and similar matters.

Few would reasonably debate the importance of encouraging investment in the community. While this is a residential matter, the principle at stake is the importance of demonstrating to those who might potentially invest in Newmarket that they can expect that local By-laws reliably describe predictable constraints on their investment. Otherwise, the risk of investing in Newmarket becomes relatively larger than in other communities.

The prospect of diminished investment in the community is an existential one – it is one that Council can ill-afford to court in these economically-challenging times.

I urge Council to approve this exemption – to demonstrate that anyone who chooses to invest in Newmarket – whether in their home or in a business – can rely on the reasonable rules that are transparently described in our laws. None of us should want to live in a society operating contrary to that principle.

Approve this exemption and demonstrate that Newmarket is, indeed, a town "Well Beyond the Ordinary".

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Name: Dan Bell	
Organization/Group/Business represented (if applicable):	
Address: 400 Timothy Street	Postal Code: [REDACTED]
Phone Number: [REDACTED]	Email: [REDACTED]
Agenda Item Number and Title (your deputation must be in relation to an item on the Agenda): 164 Beechwood Crescent Exemption Council Item 6.4	
<p>Please use the space below to provide your written comments:</p> <p>My family lives on Timothy Street. We live in a century home that over the years has required upkeep and renovations. Timothy is a street with homes of various ages and conditions.</p> <p>Over time we have witnessed many requests for building permits some reasonable that meet bylaws and some that don't fall within current bylaws but are reasonable and others that want to demolish older homes with great character and then request permission to sever the lot and put up multiple homes for financial gain.</p> <p>Unfortunately we have lost too many great house lost with the result being upset neighbors and that become concerned when any renovation project is planned in their neighborhood. My understanding is that Interim Bylaw was put in place to help council control major changes that would impact an area of neighborhood in a negative way.</p> <p>My wife and I walk this town a lot and like to walk on Beechwood. We like the mix of older bungalows, side splits and two story homes with the newer more modern styles that have been built in the last few years.</p> <p>We viewed the proposed drawings for the renovation and don't see any problem with the design and how it will fit with that street. It actually looks like a good way to transition from the two very modern new homes with the raised bungalow on the other side. If the plans meet bylaws I dont see any reason to stop some one from improving their property and the neighborhood.</p>	

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Name: Tammy Ward	
Organization/Group/Business represented (if applicable):	
Address: 570 Gorham Street	Postal Code: [REDACTED]
Phone Number: [REDACTED]	Email: [REDACTED]
Agenda Item Number and Title (your deputation must be in relation to an item on the Agenda): Item 6.4 Site Specific Exemption to Interim Control By-law 2019-04 for 164 Beechwood Cres.	
<p>Please use the space below to provide your written comments:</p> <p>My name is Tammy Ward. I have known, Shawna and Jay Ciccarelli, owners of 164 Beechwood Crescent for over 15 years. I am a local resident, business owner and parent who is heavily committed to contributing to the success of Newmarket through the investment of my time, energy and financial resources.</p> <p>I am active in the community through volunteer work including serving as President/Chair of the Children's Aid Society of York Region for several years. I have also sought to assist local businesses thrive during these unprecedented times through the development of community-centric social media platforms and facilitating avenues for "social distance safe" collaborative learning. I have also restored several century homes in the Newmarket area, greatly improving these properties in a manner that dignifies their era and respects the community while adding new amenities, effectively preserving the history while maintaining the sustainability of function of these homes. Needless to say, I have focused my life around effecting positive change while respecting tradition. I understand and respect the balance.</p> <p>With that experience in mind, I have thoroughly reviewed the application for exemption under review, along with the report from the Planning Department and believe that the Ciccarelli's request is a reasonable one. All aspects of the proposed addition and renovation plans appear to fall within current Town By-laws. I also note that the elevation, material choice and landscape design speak to the respect the Ciccarelli's have for both their home and their immediate community. I sincerely believe that this build will add great value to both the Ciccarelli's family as well as the town through the utilization of existing space and infrastructure. It is also likely to add great financial value to the residents through use of skilled trades, purchasing of local material and increased property values. It will also contribute to reducing pressures on health resources as it will facilitate accessibility for the Ciccarelli's elder relatives. I understand that other applications have been approved during this interim period that have dramatically altered their respective streetscapes and that this has set a "bad tone" for others. Indeed this is unfortunate. Respectfully, this should not be the gauge by which the Ciccarelli's are measured as each application must stand on its own merits. And, it is unfortunate that those in opposition tend to be the only ones you tend to hear from. This is one of the reasons I have taken the time to write this deputation. Change is certainly inevitable but when you have good quality people like the Ciccarelli's it can be handled very well. And, I have absolutely no doubt that the Ciccarelli's efforts will serve to enhance their neighbourhood and add value to their community.</p> <p>It is for these reasons that I am writing in support of the application for exemption of Interim Control By-law 2019-04 for 164 Beechwood Crescent</p> <p>Tammy Ward</p>	

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

Email: info@newmarket.ca | Website: newmarket.ca | Phone: 905-895-5193

Interim Control By-law Extension Staff Report to Council

Report Number: 2020-44

Department(s): Planning Services

Author(s): Alannah Slattery

Meeting Date: June 22, 2020

Recommendations

1. That the report entitled Interim Control By-law Extension dated June 22nd be received; and,
2. That the By-law included as Attachment 2 be adopted; and,
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Purpose

The purpose of this report is to provide an update to Council on the Established Neighbourhoods Compatibility Study and recommend that Interim Control By-law 2019-04 be extended until January 21, 2021. The proposed extension will allow time for the final public consultations and adoption of Official Plan policies and Zoning By-law regulations stemming from the Established Neighbourhoods Compatibility Study. If the policies and zoning regulations of the Established Neighbourhood Study are not in place before the expiry of the ICB, the prohibition on creating an “Intensified Residential Use” will expire and the zoning for residential areas will revert to the permissions that existed previously.

Background

On January 14, 2019 Committee of the Whole received Report 2019-3 and directed staff to prepare an interim control by-law. Council then adopted Interim Control By-law 2019-04 on January 21, 2019, which prohibited any person from using lands identified in

Schedule A of the By-law for the purposes of an “Intensified Residential Use” as defined by the By-law.

Staff engaged the services of SvN Architects + Planners to assist with the consultation and revisions to the Official Plan and Zoning By-laws.

Since that time, the Town has consulted with the public and Council on numerous occasions, through a variety of methodologies, including workshops, open houses, and presentations.

On January 20, 2020 a By-law was brought to Council to extend the Interim Control By-law for a period of six months from the date of expiry, extending the by-law to July 21, 2020. The purpose of this extension was to provide more time for the Established Neighbourhoods Compatibility Study to be completed and for the amending by-laws to be adopted.

Discussion

Since January, staff have been working on advancing the Established Neighbourhood Study and prepare the accompanying policy and zoning changes for Council’s consideration within the additional six months. The following work plan identifies what major milestones remain to be done in this project:

1. Hold Open House and Statutory Public Meeting
2. Bring recommendation report to Committee of the Whole
3. Adoption of By-laws by Council
4. Appeal Period
5. Lift Interim Control By-law

The Open House and Statutory Public Meeting were originally scheduled for April 2020. This scheduling would have allowed for the adoption of the new policies before the expiry of the Interim Control Bylaw in July 2020, however due to the COVID-19 pandemic, all intended timelines for the project have been altered.

On April 15, 2020, a new section was added to the Planning Act, Sec. 70.11 (O.Reg 149/20) in response to the pandemic. This regulation allows for the temporary suspension of specified timelines for development applications during COVID 19 while the Emergency Management and Civil Protection Act is in effect. This relief applies retroactively to the date that the emergency was declared. This regulation applies to the Interim Control By-law as follows:

- An Interim Control By-Law in effect on March 17, 2020 which has not been repealed prior to April 15, 2020, but expires after April 15, 2020 and before the COVID-19 emergency terminates or is disallowed, is deemed to remain in effect:
 - during the remainder of the emergency, and

- after the emergency for a period equal to the number of days between March 17, 2020 and the day the by-law would have expired.
- An Interim Control By-Law in effect on March 17, 2020 which has not been repealed prior to April 15, 2020 and expires after the COVID-19 emergency terminates or is disallowed, is deemed to remain in effect:
 - after the day it would have expired for a period equal to the number of days between March 17, 2020 and the day the COVID-19 emergency terminates or is disallowed.

As such, this regulation pauses the timeframes for the ICB, however the exact length of time that the ICB will be extended beyond its expiration cannot be confirmed at this time because the lifting of the the Emergency Management and Civil Protection Act is not known.

This unknown extension length may or may not provide staff with enough time to complete the Established Neighborhood Study and bring policies to Council for adoption.

Due to this unknown extension period, the recommendation made in this report is to extend the ICB for a period of six months beyond its current expiry date. This extension is out of an abundance of caution in the event the extended timeframe isn't sufficient to finalize the Established Neighborhood Study and adopt the resulting policies and zoning regime.

Council has the ability to extend the ICBL for the statutory limit of two years from the passage of the original ICB. The ICB was originally established on January 21, 2019 and it was extended in January 2020 for a period of six months, until July 21, 2020. The now-proposed six month extension would bring the ICB to January 21, 2021, resulting in a total time limit of two years.

It is noted that Council can repeal the ICB at an earlier date should current circumstances change, for example if the Study is completed and the amending policy documents are adopted earlier, and this will certainly be staff's goal. If this occurs, it will be necessary to lift the ICB as soon as the new policies have been established.

If the policies of the Established Neighbourhood Study are not in place before the expiry of the ICB, the prohibition on creating an "Intensified Residential Use" will expire and the zoning for residential areas will revert to the permissions that existed previously. The extension of the ICB is a matter that can be appealed to the Local Planning Appeal Tribunal.

Conclusion

The Established Neighbourhoods Compatibility Study is progressing toward recommendations to Council on amendments to the Official Plan and Zoning By-law,

followed by the lifting of the ICB. Further steps are required to develop, refine, and consult on the proposed amendments.

Circumstances surrounding COVID-19 have paused the study process. Interim Control By-law 2019-04 is set to expire on July 21, 2020. A new regulation (O.Reg 149/20) pauses the timeframes for the ICB; however, the exact length of time that the ICB will be extended beyond its expiry date is unknown.

Staff recommend extending the ICB to allow time for the Study to be completed and necessary amending By-laws passed, before the expiry of the ICB. Staff's intention remains to complete the study and propose the amending policy documents at the earliest possible opportunity, and lift the Interim Control By-law once the new policies are adopted.

Business Plan and Strategic Plan Linkages

The Established Neighbourhoods Compatibility Study responds to Council's direction of reviewing development in established neighbourhoods to protect character and ensure well-managed growth. The amendments to the Official Plan and Zoning By-law will fulfill Council's statutory obligation to make decisions on planning matters that conform to provincial policies.

Consultation

The Study has included significant public consultation to date. The extension of the ICB as recommended by this report will provide further opportunities to consult on the specific proposed policy and zoning changes.

Human Resource Considerations

None.

Budget Impact

None.

Attachments

Attachment 1: Interim Control By-law 2019-04

Attachment 2: Proposed Interim Control By-law Extension

Submitted by

Alannah Slattery, Planner, Planning Services

Approved for Submission

Adrian Cammaert, Manager, Planning Services

Jason Unger, Director, Planning and Building Services

Peter Noehammer, Commissioner, Development and Infrastructure Services

Contact

Alannah Slattery, aslattery@newmarket.ca

Corporation of the Town of Newmarket

By-law 2019-04

The intent of this Interim Control By-law is to control the development of single detached, semi detached, duplex, triplex, quadraplex and townhouse dwellings within defined areas of the Town of Newmarket for a period of one year.

WHEREAS Section 38 of the Planning Act permits the Council of a Municipality to pass an Interim Control By-law, that may be in effect for up to one year, which prohibits the use of land, buildings or structures within the municipality or within the defined area thereof for such purposes as set out in the By-law, but only if the Council of the municipality has directed that a review or study be undertaken with respect to land use planning policies that apply to the subject area.

AND WHEREAS Council for the Town of Newmarket has directed that an Established Residential Area study be undertaken to review zoning by-law regulations and associated land use policies pertaining to large home rebuilds in established residential neighbourhoods of Newmarket.

AND WHEREAS the Council for the Town of Newmarket seeks to control the erection of, or additions resulting in, any large scale single-detached dwelling within defined areas of the municipality, while the Established Residential Area study is being completed.

NOW, THEREFORE, BE IT RESOLVED THAT THE COUNCIL OF THE CORPORATION OF THE TOWN OF NEWMARKET ENACTS AS FOLLOWS:

1. This Interim Control By-law applies to all lands, buildings and structures located within the area outlined on Schedule A attached to this By-law (the Study Area).
2. No land, building or structure subject to this By-law shall be used for a "Intensified Residential Use".
3. For the purposes of this By-law, the following definitions shall apply:
 - a) "Complete" for the purposes of Sections 5 and 7 means:
 - i) for a Building permit means an application for a Building permit that satisfies the requirements set out in Building By-law 2015-58 or its successor by-law.
 - ii) for a Minor Variance means an application which satisfies the requirements of Section 2 of Ontario Regulation 200/96 (Minor Variance Applications) under the Planning Act.
 - iii) for site plan approval means an application which satisfies the requirements set out in the Town of Newmarket Official Plan.
 - iv) for Draft Plan of Subdivision approval, Official Plan and zoning By-law Amendments means an application which satisfies the requirements of the Planning Act, the Town of Newmarket Official Plan and has been deemed complete by the Town of Newmarket.
 - b) "Dwelling" means a single detached, semi detached, duplex, triplex, quadraplex or townhouse residential building.
 - c) Gross Floor Area means the aggregate of all floor areas of a building or structure above or below established grade, which floor areas are

measured between the exterior faces of the exterior walls of the building at each floor level but excluding any porch, veranda, cellar, mechanical room or penthouse, or areas dedicated to parking within the building. For the purposes of this definition, the walls of an inner court shall be deemed to be exterior walls.

d) "Intensified Residential Use" means:

i. a new Dwelling that exceeds by 25% or more the Gross Floor Area of any Dwelling that existed on the same lot on the date of passage of this By-law; or

ii. an addition to an existing Dwelling such that the new Gross Floor Area of such dwelling exceeds by 25% or more the Gross Floor Area of such a Dwelling as it existed on the date of passage of this By-law; or

iii. a new Dwelling or addition to a Dwelling that increases the height of the structure beyond that which existed on the same lot on the date of passage of this By-law; or

iv. a new Dwelling on land that was vacant on the date of passage of this By-law or becomes vacant by means of a consent to sever under the Planning Act during the period of time when this By-law is in effect.

4. This By-law shall come into force and take effect immediately upon the passage thereof, and shall be in effect for one year from the passage of this By-law unless otherwise extended in accordance with Section 38 of the Planning Act, or repealed by Council at an earlier date.

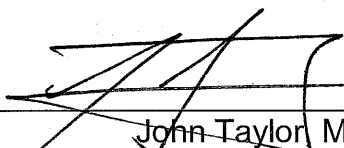
5. For greater certainty, if a building permit application filed in accordance with the Ontario Building Code Act was Complete on or before the date of passage of this By-law, then this By-law does not preclude the issuance of said building permit.


6. For greater certainty, nothing in this By-law shall prevent the registration of a Plan of Subdivision which has received draft plan approval on or before the passage of this By-law. Lots within the said registered Plan of Subdivision shall be eligible for building permits in accordance with the approved zoning bylaw for the lands.

7. Official Plan Amendment, Zoning Bylaw Amendment, Site Plan Approval or Minor Variance applications within the Study Area that could permit lands to be used for an Intensified Use shall be deemed contrary to this By-law and are prohibited.

7. Any Complete application for Official Plan Amendment, Zoning By-law Amendment, Site Plan Approval or Minor Variance under the Planning Act within the Study Area that exists on or before the date of passage of this By-law shall be exempt from this By-law and be eligible to apply for building permits in accordance with the approved zoning for the lands.

Enacted this 21st day of January, 2019.


John Taylor Mayor


Kiran Saini, Acting Town Clerk





Corporation of the Town of Newmarket

By-law 2020- XX

Being an extension of Interim Control By-law 2019-4, as amended.

The intent of this Interim Control By-law is to control the development of single detached, semi detached, duplex, triplex, quadraplex and townhouse dwellings within defined areas of the Town of Newmarket for a period of one year.

WHEREAS Section 38 of the Planning Act permits the Council of a Municipality to pass an Interim Control By-law, that may be in effect for up to one year, which prohibits the use of land, buildings or structures within the municipality or within the defined area thereof for such purposes as set out in the By-law, but only if the Council of the municipality has directed that a review or study be undertaken with respect to land use planning policies that apply to the subject area.

AND WHEREAS the Planning Act permits the Council of a Municipality to amend an Interim Control By-law to extend it for a period not to exceed two years from the date of the passage of the original by-law.

AND WHEREAS Council for the Town of Newmarket has directed that an Established Residential Area study be undertaken to review zoning by-law regulations and associated land use policies pertaining to large home rebuilds in established residential neighbourhoods of Newmarket.

AND WHEREAS the Council for the Town of Newmarket seeks to control the erection of, or additions resulting in, any large scale single-detached dwelling within defined areas of the municipality, while the Established Residential Area study is being completed.

NOW, THEREFORE, BE IT RESOLVED THAT THE COUNCIL OF THE CORPORATION OF THE TOWN OF NEWMARKET ENACTS AS FOLLOWS:

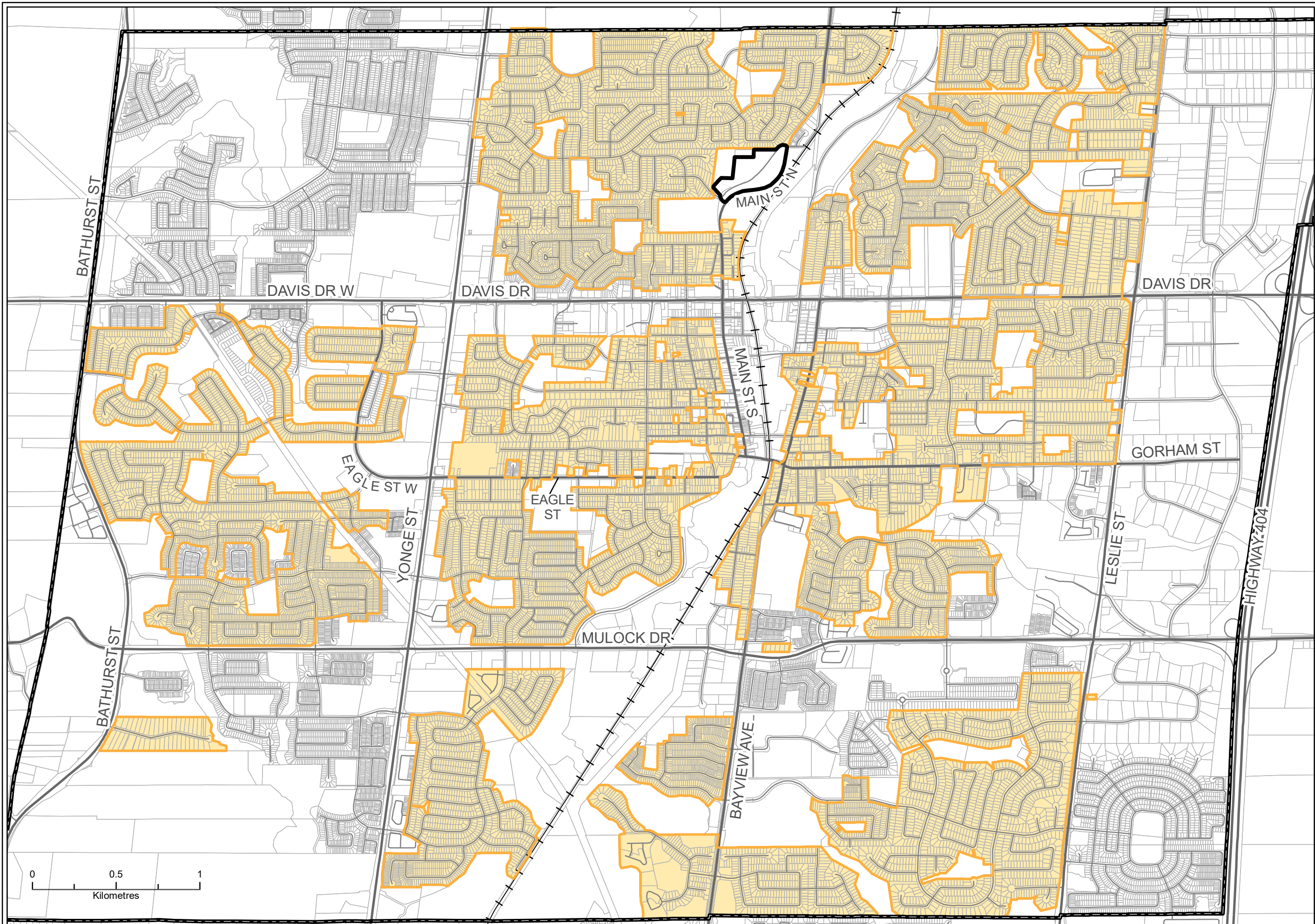
1. Interim Control By-law 2019-4, as amended, be further amended to extend the By-law for a period of six months from the date of expiry of the amended By-law for all lands, buildings and structures located within the area outlined on Schedule A attached to this By-law.

Enacted this _____ day of _____ 2020.

John Taylor, Mayor

Lisa Lyons, Town Clerk

Interim Control By-law Area Schedule A



- Land Subject to By-law
- 2018-23 Interim Control By-law
- Major Road
- Road
- Railway
- Municipal Boundary



Designed & Produced by Information Technology – GIS.
Printed: 2019-11-07.
Sources: Roads, Railway, Municipal Boundary – Data, Analytics and Visualization Services Branch, Corporate Services © The Regional Municipality of York, 2019; All other data - © Town of Newmarket, 2019.
DISCLAIMER: This mapping is based on the POLARIS parcel fabric product compiled using Land Registry System records and recent surveys and control points where available. This mapping is a representation of the earth's surface and provides estimates of area and distance. The information depicted on this map has been compiled from various sources. While every effort has been made to accurately depict the information, data/mapping errors may exist. This map has been produced for illustrative purposes only. It is not a substitute for a legal survey.



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

Email: info@newmarket.ca | Website: newmarket.ca | Phone: 905-895-5193

Bicycle Lane 2020 Updates – Traffic and Parking Bylaw Amendments Staff Report to Council

Report Number: 2020-43

Department(s): Engineering

Author(s): R. Prudhomme, Director, Engineering Services

Meeting Date: June 22, 2020

Recommendations

1. That the report entitled Bicycle Lane 2020 Updates – Traffic and Parking Bylaw Amendments dated June 22, 2020 be received; and,
2. That the Traffic Bylaw amendments noted in Appendix A be approved; and,
3. That the Parking Bylaw amendments noted in Appendix B be approved; and,
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Purpose

This report is to amend both the Traffic Bylaw (2011-24) and the Parking Bylaw (2019-63) to the proposed installation of bicycle lanes on London Road, Alexander Road (Srigley Street to Davis Drive), and Bonshaw Avenue (Woodspring Avenue to Gilpin Drive).

Background

As part of the Town's Council-approved Active Transportation Plan (Schedule D of the Town's Official Plan), the Town developed a 5-year Active Transportation Implementation Plan (ATIP) showing the sequence of installation of the annual bicycle lanes program. For 2020, the ATIP requires the installation of bicycle lanes on London

Road, Alexander Road (north of Srigley Street) and Bonshaw Avenue (west of Woodspring Avenue).

There are many benefits to bike lanes on these roads and throughout the Town's cycling network. They include reducing vehicle speeds on local roads, encouraging more use of active transportation in the form of cycling, reducing the production of greenhouse gas, improving the health of our residents, enhancing cycling connectivity throughout the Town (which is a Council and community priority), fulfilling the Town's Official Plan requirements (OPA #11, and OPA Schedule "D") and addressing one of Council's top Strategic Priorities (under the "Safe Transportation (Streets)" Strategic Pillar), among many others. And because bicycle lanes are funded mainly through development charges and provincial or regional grants from other agencies, the impact to taxes is negligible.

In this case, all three bicycle lane projects provide much needed network connectivity for the Town. The London Road bicycle route will link Yonge Street (and the existing bicycle lanes on Bonshaw Avenue) with the Main Street North bicycle lanes, and will also connect with the Holland River Trail (Tom Taylor Trail) system. The Bonshaw Avenue bicycle lanes offer only a very short proposed section, but which is vital to connect the bicycle lanes on Woodspring Avenue and Bonshaw Avenue with the Dave Kerwin Trail. The Alexander Road bicycle lanes are also over a relatively short section of the road, but they connect the East-West bikeway on Srigley Avenue to Davis Drive.

The new installation of bicycle lanes into the Town's transportation system requires that both the Traffic and Parking Bylaws be amended to include all streets or street sections that have a new bicycle lane. The amendment of the Traffic Bylaw is needed primarily to abide by Ontario's Highway Traffic Act, and to allow the proper and legal enforcement of the rules of the road. Amendments to the Town's Parking Bylaw are required to ensure cyclists' safety by creating "No Parking" zones to ensure that cyclists riding in the bicycle lanes do not have to veer into live traffic lanes to avoid parked vehicles.

It should be noted that within "No Parking" zones, the Town's Bylaws still allow service vehicles to stop in the bike lanes to pick up or drop off persons, deliveries and supplies. This would include, for example, delivery trucks, taxi cabs and other temporarily stopped vehicles.

Residents of London Road, Alexander Road and Bonshaw Avenue, who will front onto the new bicycle lanes, were contacted by direct mail-out dated February 5, 2020, to attend a Public Information Centre (PIC) on the new bike lanes and the Town's Transportation Programs in general. The PIC was held on February 27, 2020. At this PIC, residents were shown how the new bicycle lanes will impact on-street parking that currently exists in front of their homes, and where alternative parking can be found in close vicinity to the spaces that would no longer be available.

Further to the above, ads were placed on the Town's ERA newspaper page, the Town's website, and on social media.

The London Road, Alexander Road and Bonshaw Avenue residents were contacted a second time, again by direct mail-out dated June 4, 2020, to alert them of the pending on-street parking removal and to provide maps showing where alternative parking can be found within a 100-metre distance from the original parking spaces.

The residents will be contacted a third time, by direct mail-out prior to the hearing of this report, to advise them of the date at which this report will be before Council for approval and to describe how residents can provide a deputation, either for or against the Bylaw changes. A copy of this report will be sent along with the notices, prior to the meeting.

More on the consultation process for this project is included in the section towards the end of this report, entitled “Consultation”.

Discussion

As noted above, the purpose of this report is to provide amendments to the Traffic Bylaw (2011-24), as amended, and the Parking Bylaw (2019-63), as amended.

The changes to the Traffic Bylaw, Schedule XI, aimed at including the bicycle lanes for proper enforcement, and those to the Parking Bylaw, Schedule IV, to create “No Parking” zones are for the addition of:

1. London Road
2. Alexander Road (from Srigley Street to Davis Drive)
3. Bonshaw Avenue (from Woodspring Avenue to Gilpin Drive)

The Bicycle Lane 2020 program is part of a larger initiative to implement the Town’s Active Transportation plan as noted in the Official Plan, Schedule D. The Active Transportation plan was the subject of an extensive review and public consultation process, conducted during the Official Plan Amendment (OPA) #11 exercise. Under OPA#11, the Active Transportation Implementation Plan was generated in 2017, again with a great deal of public input. The ATIP was done to provide a phased-in plan to establish the active transportation network through the Town. Council approved the Active Transportation Implementation Plan at the Committee of the Whole meeting of April 8, 2019 (Section 5.7), as presented in a Staff Information Report to Council (Report No. 2018-59, entitled “Active Transportation Implementation Plan Summary – Information Report”) that was requested to be placed on the Committee Agenda by a member of Council. The approval of the ATIP was ratified by Town Council at the Council meeting held on April 15, 2019.

The bicycle lane lines will be painted this summer or fall. Schedules are more difficult to define because of the Covid-19 requirements, which slow down the progress of the work. The pavement markings will be similar to those that presently exist on Bonshaw Avenue and Srigley Street, with white curb side lines and bicycle symbols, along with Provincial standard bicycle lane signage and “No Parking” signs. Typically, these types of projects would be done prior to the commencement of the school year in September,

but given the current Emergency Orders, timing for implementation cannot be specified with greater accuracy.

Conclusion

It is recommended that the Traffic Bylaw amendments, as noted in Appendix A, and the Parking Bylaw amendments, as noted in Appendix B, be approved.

Business Plan and Strategic Plan Linkages

The 2020 Bicycle Lane program is part of the Active Transportation Implementation Plan. The ATIP addresses the Council Strategic Pillar entitled “Safe Transportation (Streets)”. More specifically, the project addresses the following priorities under the “Safe Transportation (Streets)” Strategic Pillar:

- ii) Continue to implement the traffic mitigation strategy and Active Transportation Plan and explore/advance an off-road Mulock multi-use path;
- v) Develop a ‘complete street’ design and construction/reconstruction methodology to support ongoing safe street initiatives and continue to explore design options related to speed reduction, where appropriate.

Consultation

On February 27, 2020, the Town held a Public Information Centre (PIC) highlighting the bicycle lanes being installed on London Road, Alexander Road and Bonshaw Avenue as part of the 2020 Active Transportation Implementation Plan (ATIP) program, and the effect that the bicycle lanes would have on parking. Other Transportation projects and programs were also presented at the PIC. Advertising and notification for this PIC began in early February 2020, with the standard notification practices used by Town staff – the Town newspaper page, the Town web site, and social media. As well, a letter of notification for the upcoming PIC was mailed February 5th, 2020 to each household on London Road, Alexander Road and Bonshaw Avenue that would front the three new bicycle lane routes.

Based on previous bicycle lane projects in the Town, staff anticipated that the loss of the on-street parking would be an issue with a few residents and also expected that many more would not quite see the benefits of bicycle lanes. It was worthwhile to provide additional communication with the concerned residents on these matters, so special PIC boards were created to address the issue of parking and the benefits of bicycle lanes.

Appendix C illustrates the benefits/issues PIC board. The board stated that the addition of bicycle lanes provide street-wide and community-wide benefits with the only one issue being the loss of on-street parking.

Appendix D and E illustrate the existing on-street parking available on London Road and Alexander Road. Both these streets have an average of 4.5 parking spaces for each home based on the driveway sizes and garages. Most homes have double-width driveways and

double garages, which already provide considerable parking. The presentation boards illustrate the loss of temporary parking per block due to bicycle lanes, and indicates alternative on-street parking within an easy walking distance of homes (100 metres or less).

A full display of the PIC presentation boards can be found on the Town's website at:

<https://www.newmarket.ca/LivingHere/Pages/Roads%20and%20Traffic/Traffic%20Management/2020-Transportation-Programs.aspx>

In addition to the above, a second letter, dated June 4, 2020, was mailed to the community to remind them of the effects of the bicycle lanes on parking and to ask for their input once again.

In a third mailing, a copy of this report will be forwarded to the community prior to the Committee of the Whole meeting so that residents may tune in to the meeting or provide a deputation if they so wish.

Human Resource Considerations

None.

Budget Impact

The budget for the 2020 ATIP line painting and signage will be funded through Development Charge sources, but this funding source may be replaced by the Province's Ontario Municipal Commuter Cycling (OMCC) grant which funded the 2018 (Main North and Woodspring) and 2019 (Harry Walker) projects. Pending the outcome of discussions with the Province, the project funding source may change from Development Charges to OMCC. There is no tax impact on residents.

Attachments

Appendix A – Proposed Traffic Bylaw Amendments

Appendix B – Proposed Parking Bylaw Amendments

Appendix C – Impacts of Bicycle Lanes

Appendix D – London Road Parking

Appendix E – Alexander Road Parking

Approval

Rachel Prudhomme, Director, Engineering Services

Peter Noehammer, Commissioner, Development & Infrastructure Services

Contact

For more information or questions regarding this report, please contact Mark Kryzanowski, Manager, Transportation Services, at 905-895-5193 extension 2508 or MKryzanowski@newmarket.ca

Appendix A – Proposed Traffic Bylaw Amendments

THAT Schedule XI (Bike Lanes) of the Traffic Bylaw 2011-24, as amended, be further amended by adding the following:

Section of Roadway

15. London Road from Yonge Street to Main Street North
16. Alexander Road from Srigley Street to Davis Drive
17. Bonshaw Avenue from Woodspring Avenue to Gilpin Drive

Appendix B – Proposed Parking Bylaw Amendments

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

Road	Side	Between	Prohibited times
London Road	Both	Main Street North to a point 200 ft. north-westerly thereof	Anytime
London Road	South	From the east limit of Harrison Drive to 143 m (470 feet) east thereof	Anytime
London Road	North	From Yonge Street to the east property limit of House No. 25	Anytime
London Road	South	From Yonge Street to the west leg of Portland Crescent	Anytime
Alexander Road	Both	Davis Drive to Grace Street	Anytime
Alexander Road	West	Between Srigley Street and Three Seasons Drive	Anytime
Alexander Road	East	Between Three Seasons Drive and Arnold Crescent	Anytime
Alexander Road	West	Between Arnold Crescent and Grace Street	Anytime
Alexander Road	East	Between Srigley Street and Three Seasons Drive	Monday to Friday 8:00am to 4:00pm
Alexander Road	West	Between Three Seasons Drive and Arnold Crescent	Monday to Friday 8:00am to 4:00pm

THAT Schedule IV (No Parking) of Parking Bylaw 2019-63, as amended, be further amended by adding the following

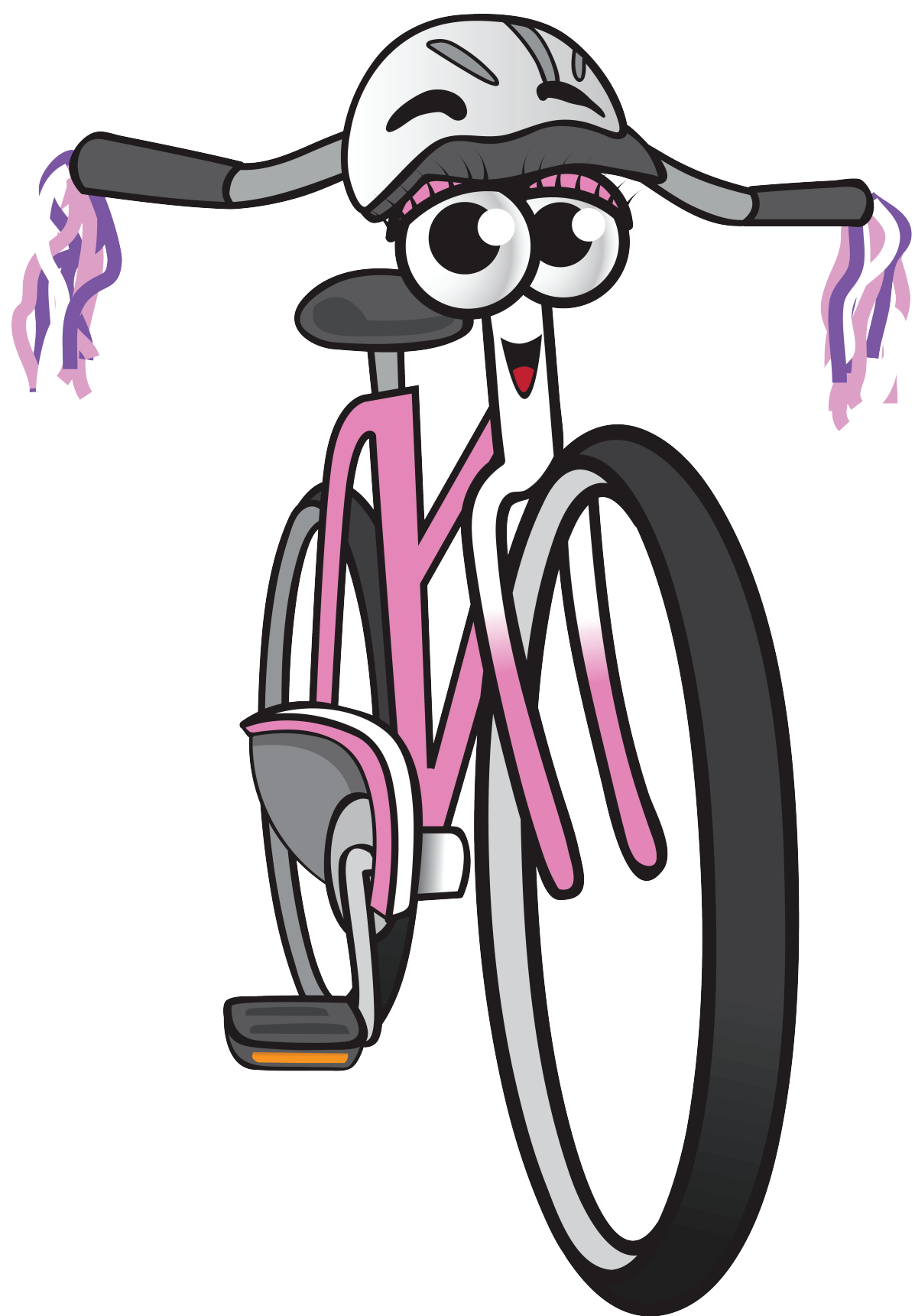
Road	Side	Between	Prohibited times
London Road	Both	Yonge Street to Main Street North	Anytime
Bonshaw Avenue	Both	Woodspring Avenue to Gilpin Drive	Anytime
Alexander Road	Both	Davis Drive to Srigley Street	Anytime

Impact of Bicycle Lanes

Benefits:

- 1. Reduces vehicles speeds - Safer for cyclists**
- 2. Promotes Active Transportation (Cycling)**
- 3. Promotes Greenhouse Gas Reduction**
- 4. Fulfills Town's Official Plan (OPA#11)**
- 5. Addresses Council's Strategic Priorities (Safe Transportation theme)**
- 6. Better driveway access and egress**
- 7. Bike lanes funded by Development charges and Provincial Grant**
- 8. Is a community-wide benefit and much more!**

Belle the Bike says...

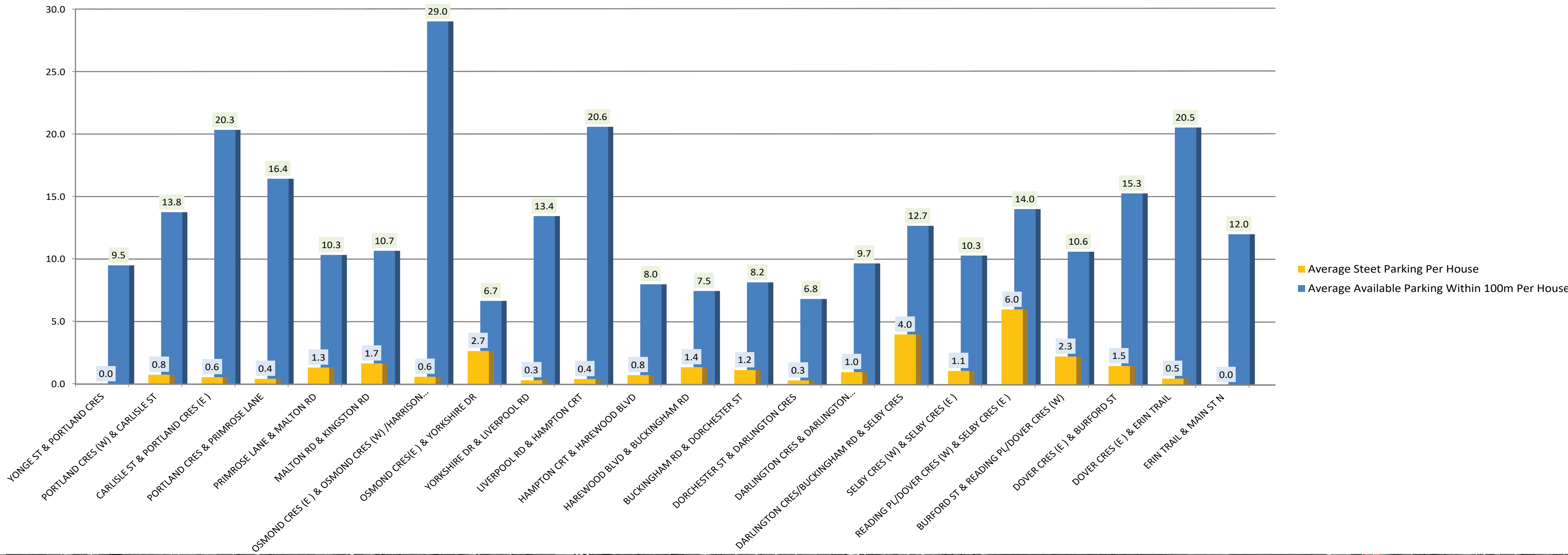


The only disadvantage of bicycle lanes is loss of temporary street parking

London Road Parking Supply



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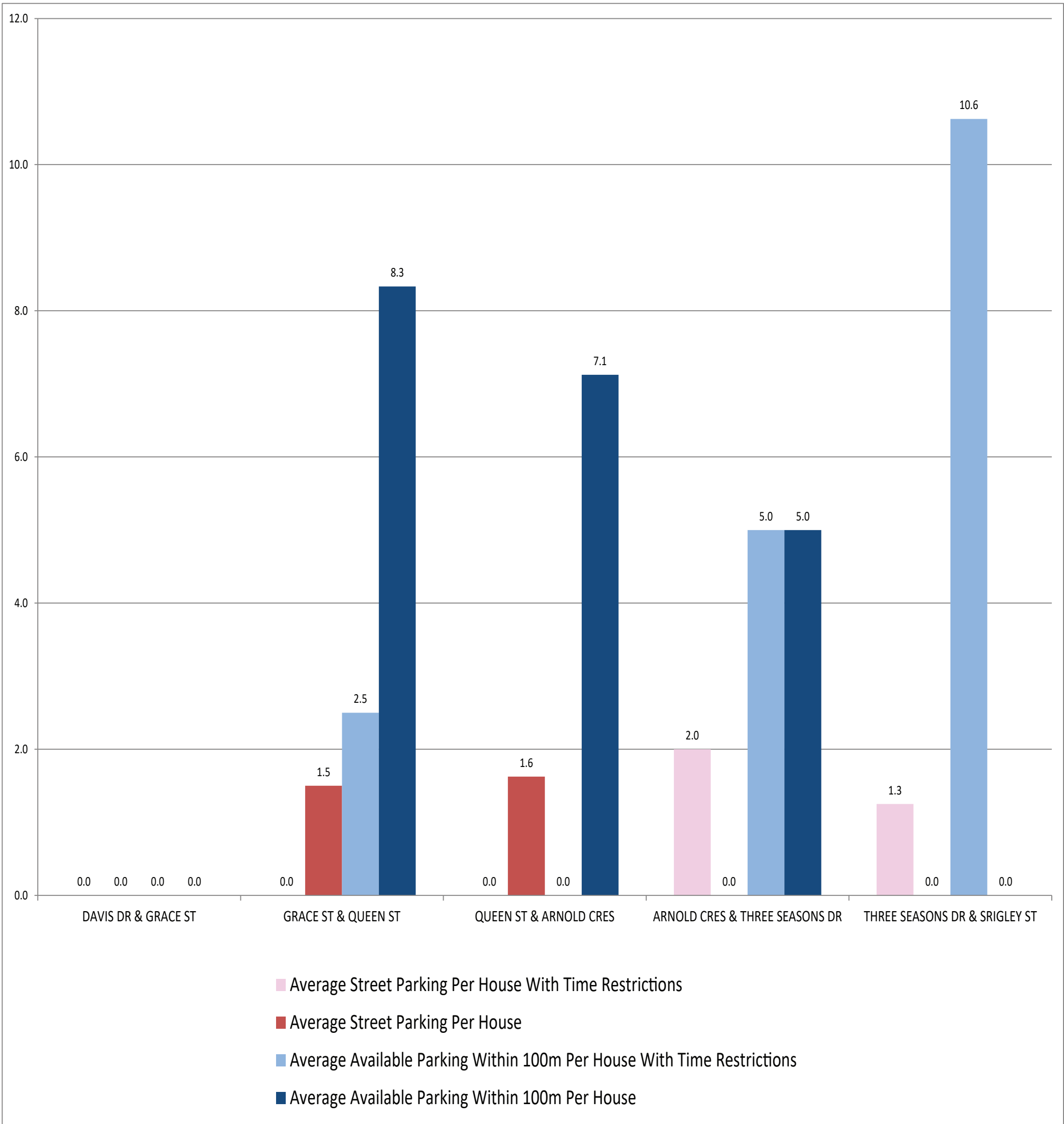


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DISCLAIMER: This document is provided by Transportation Services for PIC, non-commercial use. While every effort has been made to accurately depict the information, data/mapping errors may exist. This map has been produced for illustrative purposes only. It is not a substitute for legal survey.

Alexander Road Parking Supply

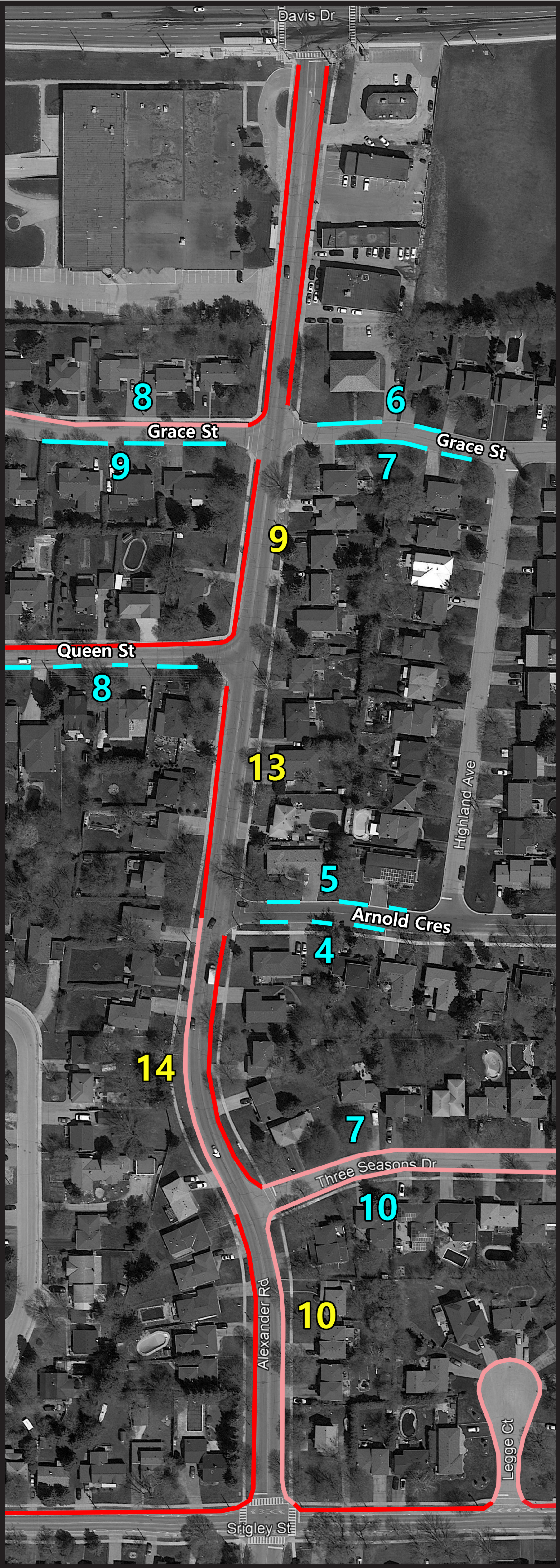


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Transportation Services
Printed: Feb, 2020



LEGEND

- # Number of Street Parking Space on Alexander Rd (To Be Removed)
- No Parking -Anytime
- No Parking - Time Restrictions (Monday to Friday, 8 a.m. to 4 p.m.)
- Available Street Parking Within 100m From Alexander Rd



June 20, 2020

To: Newmarket Town Counsel
395 Mulock Drive
Newmarket, Ontario
L3Y 4X7

From: Susan and Phil Shrewsbury-Gee
344 London Rd.,
Newmarket, Ontario

Re: Counsel Report 2020-43

Mayor Taylor, members of Newmarket Town Counsel;

My wife, Susan, and I are extremely upset that we have found ourselves in a position that we have to defend against the Town's proposal to remove parking and reduce lane width of the road in front of our residence.

Not only are we disappointed and frustrated with the actions of counsel with respect to proposed (done deal) changes to our street and our access to and use of, we are upset with the process invoked by the Town and its employees with respect to this report.

First, the report to counsel is sadly lacking in any factual information or data and contains subjective and unsupported reasons and justifications for the recommendations. This includes the lack of any references to any data/study or report based on empirical data relevant to London Road or justifications for bicycle lanes in general.

Most important, the report advised counsel of a fair and open process that actually has not occurred. The time lines in the report advising counsel of the notifications asserting an opportunity to residents to be engaged in discussions with counsel did not provide fair opportunity to respond.

The first notification was sent out by regular mail on the 5th February 2020 advising of the counsel meeting on the 27th February. This notice was short and failed to take into account that regular mail is oft times unreasonable slow and in this case was not received by us until after the

meeting was held. Counsel and or its staff failed to take into account that many residents are Snow birds or would be planning vacations for March break and are simply not around.

The second notice was sent out June 4th 2020. The letter, which was received last week, did not advise of any ongoing meetings or discussions and only advised that the lanes would not be implemented immediately and provided a map showing alternate temporary parking adjacent to London Rd.

An unsigned letter dated 12th June, an (unprofessional) from Mr. Mark Kryzanowski was mailed out on the 15th June 2020. We received the letter on the 19th June 2020 at 8:00pm when I returned home and checked the mail. I was immediately concerned because the letter had been opened and resealed with tape.

Along with the letter was a report that advises the a report authored by Mr R. Prudhomme along with his recommendations will be submitted to counsel during their meeting on the 22 June 2020. The letter further advises that we must file our comments/objections no later than “day’s end” Sunday the 21 June 2020 (father’s day) and that necessary forms required to be heard were to be obtained via the Town of Newmarket website at Newmarket.ca/meetings. No forms were included with the notice.

When trying to get the forms the Town’s website continually returns the following error:

<https://newmarket.ca/Pages/PageNotFoundError.aspx?request>

Therefore we cannot properly respond to the letter or the report. To use, it is rather concerning that even with the plethora of notices about service reductions throughout the public and private sector, and especially Canada Post, Counsel and the Town’s employees would not take this into account and defer this matter, which is not a vital need, until the Covid pandemic and its incredible fallout is over.

I am sure that counsel will have no reservation in pushing this initiative through and will not afford our community proper input and the ability to challenge the report and its recommendations.

I would love to see the facts that support any one of the bullet points listed in the one PowerPoint slide provided. I implore counsel to go and sit for any time and watch cyclists who use the roads (sorry sidewalk) and see how ineffective they are.

Go to Aspenwood and Bonshaw and see how many cyclists use the bike lanes; almost none. See how many use the side walk; most of them including adults.

Go to any highway and see how many cyclists obey stop signs, cross walks, helmets, lights, horns etc. See how many cyclists force pedestrians off the side walk. If the community really wants bicycle lanes they would use them. They don’t. So how can they be justified where there are demonstrable want/need and at the cost of the local residents’ rights?

Lastly, please advise how this report has considered your compliance with AODA and how you have considered people with disabilities. They aren't.

June 21, 2020

To: Newmarket Town Council

395 Mulock Drive

Newmarket, Ontario

L3Y 4X7

From Rick Warner and Martina Drover

304 London Road

Newmarket, Ontario

RE: Counsel Report 2020-43

Mayor Taylor. Member of Newmarket Town Council:

I am extremely upset with the Town Council proposal to put in bicycle lanes thus removing parking and reducing lane width on London Road. I have lived on London Road for more than 30 years and observed so few bicycles going up and down London Road that I question the wisdom of putting in bicycle lanes on both sides of the road. The report to counsel is lacking any factual information that would suggest a need for bicycle lanes on the road. Better still, money would be better spent on enforcing road safety impacting bicycle riders. I have observed that bicycle riders do not stop for stop signs on the road, do not indicate in what directions they are turning, do not wear helmets and travel down the hill on London Road at great speed. A better alternative for safety reasons if the Town is looking to provide bicycle lanes would be Bristol Road which does not have such a steep incline.

Also removing all parking spaces on London Road would impact family members who get together for special occasions like Easter, birthdays and Christmas. A lot of our homes do not have sufficient parking to accommodate 4 or 5 family members' cars and the few allotted parking spaces on side streets off London Road is not enough. What are we to do at such times for parking? Will there be an exception to the rules of no Parking on London Road?

We received the letter dated June 12th, 2020 on Friday, June 19th in our mail boxes with a date of June 21st (Father's Day) to submit our objections with forms from the Town's website which is not easy to navigate to find the forms. How can the Town of Newmarket give such a short time line for anyone to respond and voice their objections especially during this time of COVID when most services are closed and suspended which is understandable due to the ongoing pandemic.

Please reconsider the Town's proposal for bicycle lanes on London Road and look for another safer alternative than going down and coming up a steep incline on our road.

Thank you,

Rick Warner



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

Email: info@newmarket.ca | Website: newmarket.ca | Phone: 905-895-5193

Mobile Signs Staff Report to Council

Report Number: 2020-45

Department(s): Legislative Services

Author(s): Flynn Scott, Manager of Regulatory Services

Meeting Date: June 22, 2020

Recommendations

1. That the report entitled Mobile Signs dated June 22, 2020 be received; and,
2. That Council directs staff to waive all fees associated to mobile signs for 2020 to financially support local business owners and,
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Purpose

The purpose of this report is to present Council with an option to waive all fees associated to mobile signs for the 2020 budget year in an effort to financially support businesses impacted by COVID-19.

Background

The Town of Newmarket Sign By-law 2017-73 (Sign By-law) currently requires businesses to apply for and obtain a mobile sign permit. As part of the application process, the applicant is required to pay a nonrefundable fee of \$118 per mobile sign proposed. In addition to the applicable fees, each applicant must comply with the following regulations:

- Each business may obtain a maximum of four (4) mobile sign permits per calendar year;
- Each mobile sign permit is valid for a maximum of thirty (30) days;

- All applicants must obtain the property owner's permission to place a mobile sign on the property;
- All applicants must comply with the maximum sign size restrictions; and
- All applicants must physically locate the sign pursuant to specific setback requirements to ensure no sightline obstructions or safety impacts take place.

Finally, based on the dimensional size of the frontage of a property's lot, there are restrictions on the number of mobile signs permitted to be placed at one time. For example, plazas or property lots with a dimensional frontage size of:

- 1ft – 200ft are permitted up to six (6) mobile signs at one time;
- 201ft – 500ft are permitted up to nine (9) mobile signs at one time;
- 501ft – 1000ft are permitted up to twelve (12) mobile signs at one time; and
- 1001+ft are permitted up to fifteen (15) mobile signs at one time.

Discussion

Throughout March and April of this year, businesses that have previously applied for a mobile sign permit have requested and been granted refunds due to being non-operational as a result of the COVID-19 pandemic. As businesses begin to reopen pursuant to provincial direction, Town staff has received inquiries requesting consideration to waive mobile sign fees in an effort to offer financial relief to businesses significantly impacted by COVID-19.

Town staff are recommending that all fees associated to mobile sign permits be waived for the duration of 2020. However, staff are also proposing to maintain all other application processes pertaining to mobile signs (as identified above under Background) to ensure all businesses are offered an equitable opportunity to obtain a mobile sign while maintaining all levels of safety mitigation.

For example, if Council were to waive or extend the 30 day permit approval in conjunction with fees, due to limitations on the number of signs permitted per property, some businesses within a plaza might not have an opportunity to obtain a mobile sign permit. Similarly, if Council was to waive the number of mobile signs permitted to be placed on a plaza or property lot at any one time, there may be safety or sightline implications as a result. For this rationale, staff are recommending that applications continue to be made to the Regulatory Services Division and appropriate approvals be granted prior to the placement of a mobile sign. Once approved, no fees will be required to be paid pursuant to the mobile sign permit fees identified within the Town's Fees and Charges By-law.

Conclusion

The COVID-19 pandemic has placed significant financial hardship on local businesses throughout 2020. In an effort to offer financial relief to businesses within Newmarket,

Town staff are proposing to waive the \$118 mobile sign permit fee for any businesses seeking to reopen and advertise through a mobile sign on their respective properties.

Business Plan and Strategic Plan Linkages

This report aligns with the Town of Newmarket's vision of *Being Well Beyond the Ordinary*.

Consultation

In consultation with other municipalities, the Town of Aurora has waived all fees associated to mobile signs throughout COVID-19.

Additional feedback from local business owners has been received, requesting the Town's consideration on waiving mobile sign fees for the remainder of 2020.

Human Resource Considerations

None.

Budget Impact

In 2019, a total revenue of \$32,139 was received for sign permits within the Town. It is relevant to note that this amount was for all sign permits, which includes mobile signs. In consultation with the Town's Finance Department, a specific revenue amount for mobile signs was not able to be determined. For this rationale, staff anticipate the overall budget impact for 2020 to be lower than \$32,139.

Attachments

None.

Approval

Lisa Lyons, Director, Legislative Services

Esther Armchuk, Commissioner, Corporate Services

Contact

Flynn Scott, Manager of Regulatory Services

fscott@newmarket.ca

On April 30, 2020 Regional Council made the following decision:

1. That Council authorize the execution of amending agreements between the Province, The Regional Municipality of York (York Region) and the nine local municipalities which amend the Memorandum of Understanding and the Local Side Agreement involving the prosecution of offences commenced under Part III of the *Provincial Offences Act* (POA).
2. That Council seek resolutions from the nine local municipalities in the suggested form to delegate authority to York Region to enter into amending agreements with the Province to amend the Memorandum of Understanding and the Local Side Agreement on behalf of the local municipalities (Attachment 1).

The original staff report is attached for your information and I draw attention to the proposed resolution included as Attachment 1.

Please contact Hans Saamen, Director of Prosecutions, at 1-877-331-3309 ext.73212 if you have any questions with respect to this matter.

Regards,

Christopher Raynor | Regional Clerk, Office of the Regional Clerk, Corporate Services

The Regional Municipality of York | 17250 Yonge Street | Newmarket, ON L3Y 6Z1
1-877-464-9675 ext. 71300 | christopher.raynor@york.ca | york.ca

Our Mission: **Working together to serve our thriving communities – today and tomorrow**

The Regional Municipality of York

Committee of the Whole
Finance and Administration
April 16, 2020

Report of the Regional Solicitor

Transfer of Part III Prosecutions to the Regional Municipality of York

1. Recommendations

1. That Council authorize the execution of amending agreements between the Province, The Regional Municipality of York (York Region) and the nine local municipalities which amend the Memorandum of Understanding and the Local Side Agreement involving the prosecution of offences commenced under Part III of the *Provincial Offences Act* (POA).
2. That Council seek resolutions from the nine local municipalities in the suggested form to delegate authority to York Region to enter into amending agreements with the Province to amend the Memorandum of Understanding and the Local Side Agreement on behalf of the local municipalities (Attachment 1).

2. Summary

This report seeks Council authorization to execute agreements that amend the Memorandum of Understanding and the Local Side Agreement to transfer the prosecution of Part III proceedings from the Province to York Region. Local municipalities are also parties to these agreements requiring amendment. To facilitate the transition, a draft resolution delegating local Councils' authority to York Region to execute these agreements on their behalf is proposed for circulation to the local municipalities.

Key Points:

- On June 30, 1999, the Province entered into agreements with York Region and the nine local municipalities to transfer the operation of the Provincial Offences Court and the prosecution of proceedings commenced under Parts I and II of the POA to York Region. The Province retained the prosecution of proceedings commenced under Part III of the POA, except for those proceedings already prosecuted by municipalities
- In December, 2017, the Province amended the POA to allow for an agreement to be entered into for the transfer of proceedings commenced under Part III of the POA
- For transfer of Part III prosecutions to occur, the amending agreements must be signed by the Province, York Region and the nine local municipalities

3. Background

Province transferred Provincial Offences Court program to Municipalities in 1999

Between April 29 and June 30, 1999, the Province, York Region and the nine local municipalities signed the Memorandum of Understanding and the Local Side Agreement which transferred to operation of the Provincial Offences Court and the prosecution of charges laid using the process under Parts I and II of the POA to York Region. Part I involves an officer issuing a ticket to a defendant with three options available – pay the set fine (plus costs and victim fine surcharge), complete a walk-in guilty plea, or request a trial. Part II involves parking tickets. The Province retained the prosecution of charges laid using the process under Part III of the POA, except for those offences previously prosecuted by municipalities. Part III proceedings are commenced by swearing an Information and serving a summons requiring a defendant to appear in court and involve more serious charges.

***Provincial Offences Act* amended to allow for transfer of Part III prosecutions**

On Dec 14, 2017, Bill 177 (*Stronger, Fairer Ontario Act (Budget Measures) 2017*) received Royal Assent. Sections 162 and 173 of the POA were amended to allow the Province to enter into agreements with municipalities to prosecute Part III charges. These are primarily charges for offences under the *Highway Traffic Act*, *Compulsory Automobile Insurance Act*, and the *Dog Owners' Liability Act*.

York Region currently prosecutes Part III charges under municipal by-laws, and some Provincial statutes and regulations including the *Building Code Act*, *Fire Protection and Prevention Act*, *Health Protection and Promotion Act*, and *Smoke Free Ontario Act*. Other Part III charges laid under various other Provincial statutes and regulations are prosecuted by the ministry responsible for the Act and are not included in the transfer (e.g. Ministry of Labour, Ministry of Transportation, and Ministry of the Environment).

Authorization to execute amending agreements required

The transfer will require the Province and local municipalities to sign amending agreements to the Memorandum of Understanding as well as the Local Side Agreement. Authorization to sign these agreements will be required from York Region Council as well as the nine local municipalities since all are named as parties to the original agreements.

4. Analysis

Provisions contained in the draft agreement would facilitate the transfer

The draft amending agreement to the Memorandum of Understanding contains provisions that would transfer the prosecution of proceedings commenced under Part III of the POA to York Region, with the exception of certain Part III proceedings. The provisions contained in the draft agreement would facilitate the transfer.

The draft amending agreement to the Local Side Agreement contain provisions that would transfer files from the Province to York Region, with an effective date for the transfer to be agreed upon. It also requires York Region to make available workspace and access to technology for the Province for those matters retained by the Province.

Efficiencies may be realized through the transfer

The transfer of Part III prosecutions from the Province to York Region will create efficiencies in the operation of the Provincial Offences Court including:

- The opportunity to end segregated dockets and improve trial scheduling by combining Part I and III charges together in one courtroom (currently Part I and Part III charges are segregated into separate courtrooms)
- The opportunity to end conflicting court appearances for officers having to attend in separate courtrooms as Part I and III charges laid by an officer can now be combined into the same courtroom
- Enhanced service delivery to the public by having one prosecution office for defendants, agents, lawyers and witnesses to deal with (currently there are two offices - Provincial prosecutors and Regional prosecutors)
- A more streamlined process and simplified communications regarding which office is dealing with the matter as there will only be one office for the majority of charges
- The majority of appeals will be handled by Regional prosecutors which will improve customer service, allow for more efficient use of court time and create consistency in the appeal court
- Police will have one prosecution office with one disclosure process
- Greater control in response to local specific issues/concerns/practices and procedures
- Professional development opportunities for staff

Initiative supports the 2019 to 2023 Strategic Plan and aligns with Vision 2051

The transfer of Part III prosecutions to York Region will enhance the delivery of court services to the community through a more efficient and streamlined process, aligning with the 2019 to 2023 Strategic Plan priority area of supporting community health, safety and well-being and delivering trusted and efficient services. The transfer reflects an open and responsive government, a focus area of Vision 2051.

5. Financial

Four additional staff to address the workload associated with the transfer of Part III charges have been hired. There is no additional budget impact to York Region.

6. Local Impact

There is no budget impact to the local municipalities as the POA program is operated solely at the expense of York Region. Local prosecutions will continue to be conducted by York Region. Local city managers and CAO's are aware of the pending transition and the attached draft resolution is intended to provide a template for local Council's delegation.

7. Conclusion

The Province is seeking to transfer the prosecution of proceedings commenced under Part III of the POA, except for certain offences. The transfer will improve the functioning of the POA court and make it more user friendly for the public to deal with one prosecution office. Amending agreements to the Memorandum of Understanding and Local Side Agreement must be executed by York Region and the nine local municipalities for the transfer to occur. Authorization is required from Council to execute the amending agreements. It is also necessary to seek resolutions from the nine local municipalities to delegate authority to York Region to execute the amending agreements.

For more information on this report, please contact Hans Saamen, Director of Prosecutions, at 1-877-331-3309 ext.73212. Accessible formats or communication supports are available upon request.

Recommended by: **Joy Hulton**
Regional Solicitor

Approved for Submission: **Bruce Macgregor**
Chief Administrative Officer

April 3, 2020
Attachment (1)
10587203

Resolution of Council

Whereas the Province entered into a Memorandum of Understanding and a Local Side Agreement with The Regional Municipality of York and the nine local municipalities with an effective date of June 30, 1999, for the operation of the Provincial Offences Court, the prosecution of charges laid using the process under Parts I and II of the *Provincial Offences Act*, and the transfer of records, files, assets, revenue and financial arrangements,

And whereas the Province intends to transfer the prosecution of charges laid using the Part III process under the *Provincial Offences Act*, along with all records, files and assets, through amending agreements to the Memorandum of Understanding and the Local Side Agreement,

Council of the (insert name of local municipality) hereby delegates authority to The Regional Municipality of York to execute amending agreements with the Province to amend the Memorandum of Understanding and the Local Side Agreement on behalf of (insert name of local municipality).



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

Email: info@newmarket.ca | Website: newmarket.ca | Phone: 905-895-5193

Honeywell – 2019 Energy & Operational Savings Report

Information Report to Council

Report Number: INFO-2020-20

Department(s): Development & Infrastructure Services Commission

Author(s): Frank Wu

Distribution Date: June 12, 2020

In accordance with the Procedure By-law, any member of Council may make a request to the Town Clerk that this Report be placed on an upcoming Committee of the Whole agenda for discussion.

Executive Summary

Since 2007, cumulative savings for the Phase 1 and Phase 2 of the Honeywell energy efficiency projects have amounted to \$7,235,995 of cost avoidance associated with energy. This is \$2,444,651 higher than Honeywell guaranteed amount determined at the beginning of the projects.

Purpose

The purpose of this report is to provide an update on energy and operational savings from the Phase 1 and Phase 2 of the Honeywell Retrofit Program that were initiated in 2007 and 2014 respectively.

Background

In an effort to lower greenhouse gas emissions, improve facility comfort, address deferred maintenance and reduce utility costs, the Town of Newmarket partnered with Honeywell Canada Energy and Environmental Services (EES) in 2007 to perform a comprehensive energy and facility renewal (EFR) study and subsequent retrofit of various Town facilities. Given the success of the Phase 1 EFR program, Community Services Information Report 2012-11 provided staff with authority to review the program's applicability to Magna Centre and/or other facilities in the future. As a result, staff implemented and completed a Phase 2 Honeywell Retrofit Program including streetlights in 2015.

Each year, Honeywell provides the Town with an annual energy and operational savings report for the Retrofit Program. The Phase 1 utility and operational savings guarantee ended in 2018. Cumulative achieved savings for Phase 1 totaled \$2,596,207, which was \$982,882 higher than the cumulative savings guarantee. Total costs for the Phase 1 project were \$1.56 million, funded by an internal loan from reserve funds. This loan has been fully paid back (\$156,000 per year) through utility savings from 2008 - 2017. In the 2018 budget, this annual payment was used to address extraordinary budget items.

The Phase 2 project straight utility cost savings guarantee is approximately \$583,000 per year from November 2015 to October 2031. To the end of October 2019, Phase 2 cumulative achieved savings (utility savings and operational savings together) amounted to \$4,639,787, which is \$1,461,719 higher than the cumulative savings guarantee. Total costs for the Phase 2 project are \$7.3 million, funded through an internal loan from reserve funds. This loan is being paid back through utility savings starting 2017.

Discussion

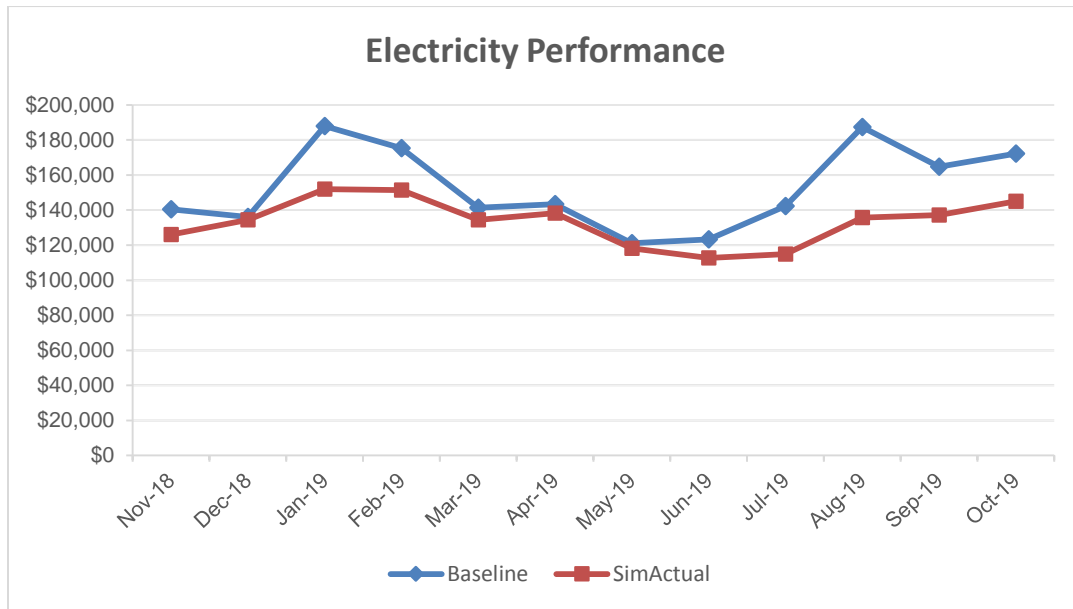
The cost savings achieved during the period of November 2018 to October 2019 by Facility and Utility are provided in the following summary:

Building Name	Electricity, \$	Natural Gas, \$	Water, \$	Total Savings, \$
Municipal Office	\$13,190	\$1,354	n/a	\$14,544
Ray Twinney Rec	\$89,347	\$37,034	\$53,934	\$180,315
Seniors Meeting Place	\$6,254	\$2,333	n/a	\$8,587
Magna Centre	\$126,974	n/a	n/a	\$126,974
Total	\$235,765	\$40,721	\$53,934	\$330,420

Following is a graphical representation of the simulated actual utility consumption against the baseline utilities as established at the beginning of the project:

Electricity cost savings for the period is \$235,765.

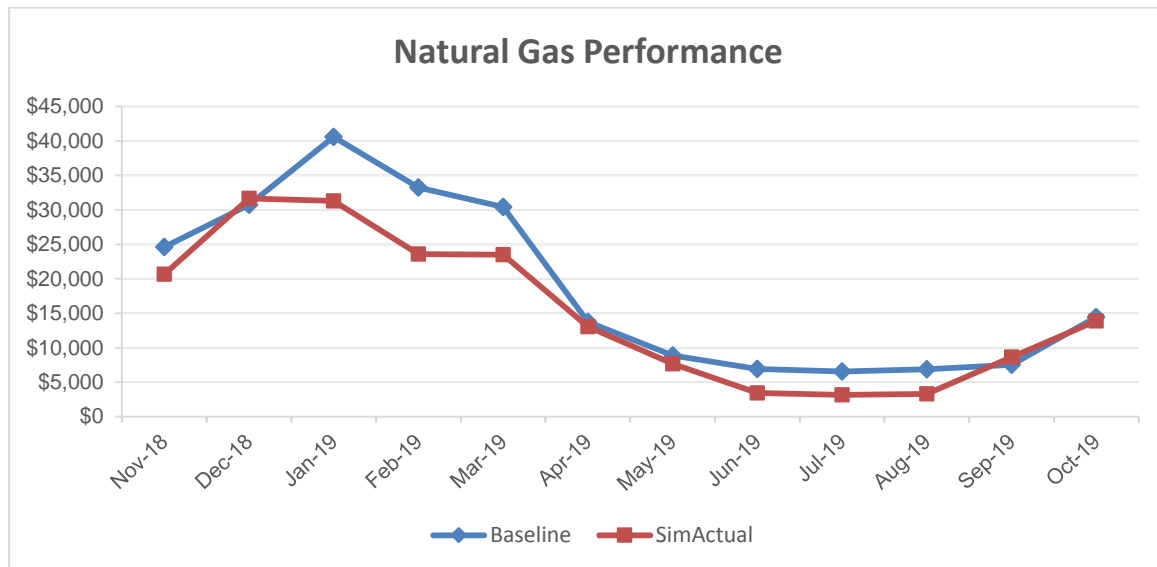
Electricity Consumption Cost (Excluding Streetlights*)



*Electricity cost savings for Streetlights for the period is \$595,343.

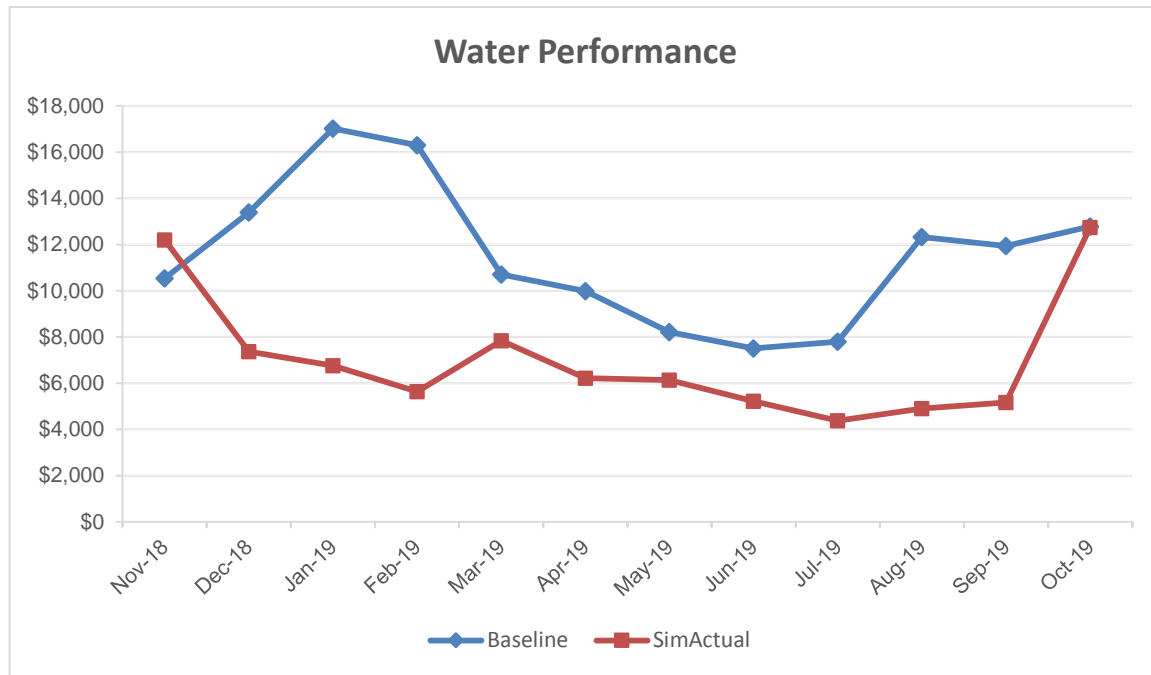
Natural Gas Consumption Costs

Natural gas cost savings for the period is \$40,721. There is additional \$11,117 natural gas cost savings as a result of installation of VFD in Magna Centre.



Water Consumption Costs

Water cost savings for the period is \$53,934.



In addition to the utility cost avoidance indicated above, operational cost savings were identified as \$315,534 due to lower maintenance activities indicated in the following chart:

Measure	Description of Savings	Average Maintenance Savings
Streetlighting Upgrade(LED)	Savings result from increased life expectancy of new LED street lights, and reduced forecasted maintenance cost as developed by Newmarket Hydro, Honeywell and the Town. Includes a 10 year warranty on new LED fixtures (material). See section 4.3.1 for more detail. Maintenance saving is based upon table 3.7 in the EFRR.	\$297,250
Lighting System Upgrades	The lamp and ballast lighting material savings are due to replacement. The new equipment is under warranty, and has a longer rated operating life.	\$15,188
Control System Upgrades & Scheduling	Measures result in reduced: wear and tear on scheduled motors; less frequent filter changes due to lower annual operating hours and wear on valves and dampers due to stable control and reduced hunting.	\$1,867
HVAC Upgrades	Less wear and tear and change out of pool cooling compressor due to shorter operating hours.	\$1,229
Total		\$315,534

Conclusion

In conclusion, the savings report ending 2019 is provided in appendix A & B for your reference. To the end of October 2019, cumulative savings and/or cost avoidance realized is \$7,235,995. This is \$2,444,651 higher than anticipated at the beginning of the projects.

Business Plan and Strategic Plan Linkages

Consistent with Council's Strategic Priority for Environmental stewardship, this initiative supports reducing energy consumption and greenhouse gases. The Town is fiscally responsible and operates as efficiently and effectively as possible to maximize savings. The Town wishes to provide facilities that are well maintained and efficiently operated according to established operational and health standards. It is also the Town's goal to reduce annual energy consumption.

Consultation

No consultation was required for this report.

Human Resource Considerations

There are no Human Resource considerations as a result of this report.

Budget Impact

No budget impact (operational/capital/tax levy)

Attachments

Appendix A - The Phase 1 Project Cost Savings Summary

Appendix B - The Phase 2 Project Cost Savings Summary

Contact

For more information on this report, please contact Frank Wu, Business Performance Specialist, at 905-953-5300, extension 2523 (or fwu@Newmarket.ca).

Approval

Frank Wu
Business Performance Specialist

Mark Agnoletto
Acting Director, Public Works Services

Peter Noehammer, Commissioner
Development & Infrastructure Services

Appendix A – The Phase 1 Project Cost Savings Summary

Guarantee Year		Utility Savings Guarantee	Operational Savings	Total Savings Guarantee	Cumulative Savings Guarantee	Achieved Savings	Cumulative Achieved Savings	Cumulative Excess (Shortfall)
Phase 1 CP	Jan 2007 - Nov 2007	n/a	n/a	n/a	n/a	\$126,989	\$126,989	\$126,989
Phase 1 Yr 1	Nov 2007 - Oct 2008	\$159,232	(\$1,700)	\$157,532	\$157,532	\$217,683	\$344,672	\$187,140
Phase 1 Yr 2	Nov 2008 - Oct 2009	\$159,232	(\$1,700)	\$157,532	\$315,064	\$211,221	\$555,893	\$240,829
Phase 1 Yr 3	Nov 2009 - Oct 2010	\$159,232	(\$1,700)	\$157,532	\$472,596	\$213,969	\$769,862	\$297,266
Phase 1 Yr 4	Nov 2010 - Oct 2011	\$159,232	(\$1,700)	\$157,532	\$630,128	\$210,420	\$980,282	\$350,154
Phase 1 Yr 5	Nov 2011 - Oct 2012	\$159,232	(\$1,700)	\$157,532	\$787,660	\$218,006	\$1,198,288	\$410,628
Phase 1 Yr 6	Nov 2012 - Oct 2013	\$159,232	(\$1,700)	\$157,532	\$945,192	\$193,719	\$1,392,007	\$446,815
Phase 1 Yr 7	Nov 2013 - Oct 2014	\$159,232	(\$1,700)	\$157,532	\$1,102,724	\$184,537	\$1,576,544	\$473,820
Phase 1 Yr 8	Nov 2014 - Oct 2015	\$159,232	(\$1,700)	\$157,532	\$1,260,256	\$266,188	\$1,842,732	\$582,476
Phase 1 Yr 9	Nov 2015 - Oct 2016	\$159,232	(\$1,700)	\$157,532	\$1,417,788	\$242,742	\$2,085,474	\$667,686
Phase 1 Yr 10	Nov 2016 - Oct 2017	\$159,232	(\$1,700)	\$157,532	\$1,575,320	\$252,555	\$2,338,029	\$762,709
Phase 1 Yr 11	Nov 2016 - Oct 2018	\$38,432	(\$427)	\$38,005	\$1,613,325	\$258,178	\$2,596,207	\$982,882

Appendix B – The Phase 2 Project Cost Savings Summary

Guarantee Year		Utility Savings Guarantee	Operational Savings	Total Savings Guarantee	Cumulative Savings Guarantee	Achieved Savings	Cumulative Achieved Savings	Cumulative Excess (Shortfall)
Phase 2 CP	Nov 2014 - Oct 2015	n/a	n/a	n/a	n/a	\$284,669	\$284,669	\$284,669
Phase 2 Yr 1	Nov 2015 - Oct 2016	\$477,662	\$276,533	\$754,195	\$754,195	\$972,385	\$1,257,054	\$502,859
Phase 2 Yr 2	Nov 2016 - Oct 2017	\$491,737	\$288,929	\$780,666	\$1,534,861	\$1,113,445	\$2,370,499	\$835,638
Phase 2 Yr 3	Nov 2017 - Oct 2018	\$505,813	\$301,920	\$807,733	\$2,342,594	\$1,016,278	\$3,386,777	\$1,044,183
Phase 2 Yr 4	Nov 2018 - Oct 2019	\$519,889	\$315,535	\$835,424	\$3,178,018	\$1,253,010	\$4,639,787	\$1,461,769
Phase 2 Yr 5	Nov 2019 - Oct 2020	\$533,965	\$329,803	\$863,768	\$4,041,786	n/a	n/a	n/a
Phase 2 Yr 6	Nov 2020 - Oct 2021	\$548,041	\$344,755	\$892,796	\$4,934,582	n/a	n/a	n/a
Phase 2 Yr 7	Nov 2021 - Oct 2022	\$562,116	\$360,426	\$922,542	\$5,857,124	n/a	n/a	n/a
Phase 2 Yr 8	Nov 2022 - Oct 2023	\$576,192	\$376,849	\$953,041	\$6,810,165	n/a	n/a	n/a
Phase 2 Yr 9	Nov 2023 - Oct 2024	\$590,268	\$394,060	\$984,328	\$7,794,493	n/a	n/a	n/a
Phase 2 Yr 10	Nov 2024 - Oct 2025	\$604,344	\$412,097	\$1,016,441	\$8,810,934	n/a	n/a	n/a
Phase 2 Yr 11	Nov 2025 - Oct 2026	\$618,419	\$290,241	\$908,660	\$9,719,594	n/a	n/a	n/a
Phase 2 Yr 12	Nov 2026 - Oct 2027	\$632,495	\$303,295	\$935,790	\$10,655,384	n/a	n/a	n/a
Phase 2 Yr 13	Nov 2027 - Oct 2028	\$646,571	\$316,975	\$963,546	\$11,618,930	n/a	n/a	n/a
Phase 2 Yr 14	Nov 2028 - Oct 2029	\$660,647	\$331,313	\$991,960	\$12,610,890	n/a	n/a	n/a
Phase 2 Yr 15	Nov 2029 - Oct 2030	\$674,722	\$346,338	\$1,021,060	\$13,631,950	n/a	n/a	n/a
Phase 2 Yr 16	Nov 2030 - Oct 2031	\$688,798	\$362,084	\$1,050,882	\$14,682,832	n/a	n/a	n/a



June 8, 2020

Chris Raynor
Regional Clerk, York Region
17250 Yonge Street
Newmarket, ON L3Y 6Z1

RE: [SINGLE USE PLASTIC REDUCTION STRATEGY - PHASE 1](#) (5.1)

Dear Mr. Raynor;

This will confirm that at a meeting held May 26, 2020, the Council of the City of Markham adopted the following resolution:

1. That the report entitled “Single Use Plastic Reduction Strategy – Phase 1” be received; and,
2. That the presentation entitled “Single Use Plastic Reduction Strategy - Phase 1 - Presentation” be received; and,
3. That the Memorandum – Styrofoam Recycling Program Cost Analysis (Single Use Plastics Program) be received; and,
4. That the Waste and Environmental Management Department undertake a review of all municipal facilities for opportunities to eliminate or reduce non-essential single use plastic (“SUP”) products and collaborate with the appropriate staff to source alternative products; and,
5. That a community-wide education program be implemented to raise awareness of the SUP issue and provide options for SUP reduction; and,
6. That effective October 20, 2020 (Waste Reduction Week) non-food packaging Styrofoam be banned from curbside collection; and,
7. That staff report back on the results of Phase 1 actions and outline Phase 2 recommendations regarding the implementation of a potential municipal by-law or other methods to reduce plastic retail shopping bags and polystyrene convenience food containers from distribution in Markham including the estimated financial impact and legal implications associated with the implementation and enforcement of a by-law; and,
8. That a copy of this report and recommendations be forwarded to York Region and the local municipalities for their information; and further,
9. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Should you have any questions, please contact Claudia Marsales at 905.477.7000 ext. 3560.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Kimberley Kitteringham'.

Kimberley Kitteringham
City Clerk

[Memorandum - May 12, 2020](#)
[Presentation](#)

Cc: Local Municipalities



Central York Fire Services

Minutes

Joint Council Committee

Date: Tuesday, January 7, 2020

Time: 9:30 AM

Location: Cane Room
Municipal Offices
395 Mulock Drive
Newmarket, ON L3Y 4X7

Members Present: Mayor Mrakas, Town of Aurora
Councillor Gallo, Town of Aurora
Councillor Gilliland, Town of Aurora
Deputy Mayor & Regional Councillor Vegh, Town of Newmarket
Councillor Broome, Town of Newmarket

Members Absent: Councillor Bisanz, Town of Newmarket

Staff Present: I. Laing, Fire Chief, Central York Fire Services
R. Volpe, Deputy Chief, Central York Fire Services
D. Nadorozny, Chief Administrative Officer, Town of Aurora
R. Wainwright van Kessel, Director of Finance – Treasurer, Town of Aurora
E. Armchuk, Commissioner of Corporate Services, Town of Newmarket
M. Mayes, Director of Financial Services/Treasurer, Town of Newmarket
D. Schellenberg, Manager of Finance & Accounting, Town of Newmarket
G. Marsh, Supervisor, Property Tax & Assessment, Town of Newmarket
L. Georgeff, Director of Human Resources, Town of Newmarket
K. Saini, Deputy Town Clerk, Town of Newmarket

The meeting was called to order at 9:30 AM.
Mayor Mrakas in the Chair.

1. Additions & Corrections to the Agenda

None.

2. Declarations of Pecuniary Interest

None.

3. Presentations

None.

4. Deputations

None.

5. Approval of Minutes

**5.1 Central York Fire Services – Joint Council Committee Meeting
Minutes of November 5, 2019**

Moved by: Councillor Broome

Seconded by: Councillor Gilliland

1. That the Central York Fire Services – Joint Council Committee Meeting Minutes of November 5, 2019, the Closed Session Minutes of November 5, 2019 and the Special Meeting Minutes of November 26, 2019 be approved.

Carried

**5.2 Central York Fire Services – Joint Council Committee Meeting
(Closed Session) Minutes of November 5, 2019**

**5.3 Central York Fire Services – Joint Council Committee Special
Meeting Minutes of November 26, 2019**

6. Items

**6.1 Amendment to the Town of Newmarket By-law 2019-60 regarding
Motor Vehicle Collision Cost Recovery Program**

Deputy Chief Volpe advised that under the proposed amendment to the Motor Vehicle Collision Cost Recovery Program by-law an invoice would be issued directly to the at-fault party's insurance company rather than the registered owner. He advised that this practice results in invoices being paid in a shorter time frame. He advised that if the insurance company does not pay the invoice, it would be then sent to the registered owner of the vehicle.

Moved by: Councillor Broome

Seconded by: Councillor Gallo

1. That Fire Services Report 2020-01 titled Amendment to the Town of Newmarket By-law 2019-60 regarding Motor Vehicle Collision Cost Recovery Program dated December 20, 2019 be received; and,
2. That the Joint Council Committee (JCC) recommend to Newmarket and Aurora Town Councils that amendments to Newmarket By-law 2019-60 be adopted in accordance with Attachment 1 to this report; and,
3. That staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

7. New Business

(1) Chief Laing advised that 757 Gorham Street has been acquired for training purposes.

(2) Chief Laing provided an update regarding the contract for Fire Station 4-5. He advised that the project is scheduled to begin in the Spring of 2020, and would require approximately 18 months for completion.

(3) Chief Laing advised that Deputy Chief Comeau will be retiring at the end of March 2020.

(4) Chief Laing advised that six senior staff have retired and that there are thirteen vacancies to be filled, as well as three Fire Captain vacancies due to promotions.

(5) Mayor Mrakas provided notice of a motion to be presented at the March 3, 2020 meeting with regards to investigating consolidation of Central York Fire Services with Stouffville Fire Services.

8. Closed Session

Mayor Mrakas advised that there was no requirement for a closed session.

9. Adjournment

Moved by: Deputy Mayor & Regional
Councillor Vegh

Seconded by: Councillor Gallo

1. That the meeting be adjourned at 9:40 AM.

Carried

Mayor Mrakas, Chair

Date



Town of Newmarket

Minutes

Elman W. Campbell Museum Board of Management

Date: Thursday, January 16, 2020

Time: 7:30 PM

Location: Mulock Room
Municipal Offices
395 Mulock Drive
Newmarket, ON L3Y 4X7

Members Present: Jackie Playter, Chair
Ron Atkins
Ross Caister
Norman Friend
Billie Locke
Kathleen Jackson

Members Absent: Councillor Morrison
Michelle Clayton-Wood

Staff Present: D. Smith, Recreation Programmer
A. Walkom, Legislative Coordinator

1. Call to order

The meeting was called to order at 7:30 PM. Jackie Playter in the Chair.

2. Additions & Corrections to the Agenda

The following items were added to the agenda:

- Health and Safety
- Old Fire Hall

3. Declarations of Pecuniary Interest

None.

4. Approval of Minutes

4.1 Elman W. Campbell Museum Board Meeting Minutes of November 21, 2019

Moved by: Ron Atkins

Seconded by: Kathleen Jackson

1. That the Elman W. Campbell Museum Board Meeting Minutes of November 21, 2019 be approved.

Carried

5. Business arising from the Minutes

5.1 Museum Front Lawn Sign

The Recreation Programmer provided an update on the status of the Museum front lawn sign replacement and advised that designs for the sign would be coming in the spring of 2020.

5.2 Museum Multi-Purpose Room - Plaque

Board Members discussed the status of a plaque for the Museum Multi-Purpose Room to rename the room in honour of Jim Nuttall. The Members discussed a source for the plaque, in connection with the Heritage plaques. The Recreation Programmer advised that internal staff may be able to design a plaque with the same design.

5.3 Nut Free Food at the Museum

Board members discussed the potential need to designate the Museum as nut-free or nut-aware, and the ways in which this could be accomplished. Members discussed possible approaches including signage, communications with parents, training sessions for volunteers.

6. Correspondence and Communications

None.

7. Financial Report

Jackie Playter provided a financial report which included an overview of the Museum budget and reserve.

Moved by: Ross Caister

Seconded by: Billie Locke

1. That the financial report be received.

Carried

8. Museum Report

The Recreation Programmer provided a 2019 year-in-review report which outlined the programs, events and exhibits throughout the year. She reported that the Museum had seen an increase in attendance in 2019 over 2018. She also provided Members with the events and programs guide for 2020.

Moved by: Ron Atkins

Seconded by: Billie Locke

1. That the Museum Report be received.

Carried

9. Friends of the Museum Report

Billie Locke advised that the Friends of the Museum is still looking for Treasurer.

10. New Business

(1) Health and Safety Policy - Ron Atkins inquired if a copy of the health and safety policy is present in the Museum. The Recreation Programmer advised that a copy of the policy is available at the Museum and that she is a health and safety inspector and performs monthly inspections.

(2) Old Fire Hall - Members discussed the recent Request for Proposal for the Old Fire Hall in the context of the possible use by the Museum for additional space.

(3) The Recreation Programmer advised that she is working towards a certificate in Museum Studies along with the Curatorial Assistant.

(4) The Recreation Programmer advised that the Museum is currently looking for Newmarket Indigenous artifacts.

11. Next Meeting

The next meeting of the Elman W. Campbell Museum Board is February 20, 2020.

12. Adjournment

The meeting adjourned at 8:24 PM.

Jackie Playter, Chair

Date



Town of Newmarket

Minutes

Heritage Newmarket Advisory Committee

Date: Tuesday, January 7, 2020

Time: 7:00 PM

Location: Mulock Room
Municipal Offices
395 Mulock Drive
Newmarket, ON L3Y 4X7

Members Present: Billie Locke, Chair
Gord McCallum, Vice-Chair
Norman Friend
David McLennan

Members Absent: Councillor Bisanz
Mitch Sauder
Joan Seddon

Staff Present: A. Cammaert, Acting Manager, Planning Services
P. Cho, Planner
A. Walkom, Legislative Coordinator

The meeting was called to order at 7:00 PM. Billie Locke in the Chair.

1. Additions & Corrections to the Agenda

The following item was added to the agenda under Correspondence:

- Community Heritage Ontario Membership Renewal

2. Declarations of Pecuniary Interest

None.

3. Presentations/Deputations

None.

4. Approval of Minutes

4.1 Heritage Newmarket Advisory Committee Meeting Minutes of November 5, 2019

Moved by: David McLennan

Seconded by: Norman Friend

1. That the Heritage Newmarket Advisory Committee Meeting Minutes of November 5, 2019 be approved.

Carried

5. Correspondence

5.1 Correspondence from Elaine Adam

Committee members discussed the issues raised in the correspondence regarding the application at 209 Main Street South. The Acting Manager of Planning Services advised that further information regarding the structure could be circulated to the Committee.

The Acting Manager advised that the investigation regarding the demolition of the building located at 184-186 Main Street South was still ongoing and that further information would be provided when it was available.

The Acting Manager advised that action had been taken regarding the Liberty Tree to remove pavement and allow water to permeate to the root structure of the tree.

Moved by: Gord McCallum

Seconded by: Norman Friend

1. That the Correspondence from Elaine Adam be received.

Carried

5.2 Community Heritage Ontario Membership Renewal

Moved by: David McLennan

Seconded by: Gord McCallum

1. That the Heritage Newmarket Advisory Committee approve the renewal of the Community Heritage Ontario membership.

Carried

6. Items

6.1 Introduction of Patricia Cho

The Acting Manager of Planning Services introduced Patricia Cho to the Committee and advised that she would be providing support to the Committee going forward. The Committee Members welcomed Patricia to the Heritage Committee.

6.2 Heritage Session - January 27, 2020

The Acting Manager of Planning Services advised that an education session had been organized and would be provided by Community Heritage Ontario at the Town Offices on January 27, 2020 at 9:00 AM.

6.3 Update on Protection of Private Trees By-law

The Acting Manager of Planning Services advised that staff were working on a report to Council regarding the Protection of Private Trees By-law which would likely be ready in the Spring of 2020.

6.4 Union Hotel Update

The Acting Manager of Planning Services advised that the Union Hotel had been sold recently and that the new use of the property would have to be consistent with the site plan and heritage designation by-law.

6.5 Mulock Estate Update

Billie Locke advised that she had met with the Town's consultants on the Mulock Estate, representing the Heritage Committee as Chair. She provided an update on the discussion with the consultants on the vision for the property.

Moved by: Gord McCallum

Seconded by: Norman Friend

1. That the Heritage Newmarket Advisory Committee request that the Town of Newmarket provide regular updates on the Mulock Estate to the Committee.

Carried

6.6 Mill Ruins on Bogart Creek

Billie Locke advised that there are ruins of a mill located on Bogart Creek. She advised that a bridge on the trail behind College Manor Park has recently been replaced, which is located close to the ruins and makes them more visible. The Committee discussed research that could be undertaken to determine ownership of the site and possible measures that could be made to preserve the ruins.

7. Reports of Committee Members

7.1 Designated Property Maintenance and Concerns

The Committee continued the discussion on the need to find a new supplier for the production of the Heritage plaques.

7.1.1 Site Plaques

7.1.2 Residence Plaques

7.1.3 Heritage Location Plaques

8. Committee Reports

8.1 Elman W. Campbell Museum Board

Norman Friend advised that the Museum would be closed until the first monday in February for maintenance. Billie Locke advised that the Museum's Christmas events had been successful.

Moved by: David McLennan

Seconded by: Gord McCallum

1. That the Elman W. Campbell Museum Board update be received.

Carried

8.2 Lower Main Street South Heritage Conservation District Advisory Group

There was no update on this item.

9. New Business

(1) 1075 Gorham Street Heritage Designation

The Acting Manager of Planning Services provided an update on the Heritage designation recommended by the Committee for the property at 1075 Gorham Street. He advised that the recommendation had been approved by Council and a notice of intention to designate had been issued. He advised that the Town had received an object to the designation which would receive a hearing at the Conservation Review Board.

10. Adjournment

Moved by: Gord McCallum

Seconded by: Norman Friend

1. That the meeting be adjourned at 8:23 PM.

Carried

Chair

Date



Newmarket Public Library Board

Minutes

Date: Wednesday, December 18, 2019
Time: 5:45 PM
Location: Newmarket Public Library Boardroom
Newmarket Public Library
438 Park Avenue
Newmarket ON L3Y 1W1

Members Present: Darcy McNeill, Chair
Kelly Broome
Darryl Gray
Leslee Mason
Art Weis
Victor Woodhouse

Members Absent: Jane Twinney, Vice Chair

Staff Present: Linda Peppiatt, Deputy CEO
Todd Kyle, CEO
Lianne Bond, Administrative Coordinator

Guests: Kathryn Richardson, Unit Chair, CUPE Local 905 (left at 6:40 pm)
Michael Maddock, Nation Representative, CUPE Local 905 (left at 6:40 pm)

The Chair called the meeting to order at 5:55 pm.

1. Adoption of Agenda Items

- 1.1 Adoption of the Regular Agenda
- 1.2 Adoption of the Closed Session Agenda
- 1.3 Adoption of the Consent Agenda Items

Motion 19-12-82

Moved by Victor Woodhouse

Seconded by Kelly Broome

That agenda items 1.1 to 1.3 be adopted as presented.

Carried

2. Declarations

None were declared.

3. Consent Agenda Items

3.1 Adoption of the Regular Board meeting minutes for Wednesday, November 20, 2019

3.2 Adoption of Closed Session minutes for Wednesday, November 20, 2019

3.3 Strategic Operations Report for November, 2019

3.4 Monthly Bank Transfer

Motion 19-12-83

Moved by Kelly Broome

Seconded by Victor Woodhouse

That Consent Agenda items 3.1 to 3.3 be approved and adopted as presented.

Carried

4. Reports

There were no reports.

5. Business Arising

5.1 Further Responses Regarding Deputation of October 16, 2019

The C.E.O. updated the Board on staff training options that are being examined.

Motion 19-12-84

Moved by Victor Woodhouse

Seconded by Art Weis

That the Library Board receive the report on Further Responses Regarding Deputation of October 16, 2019;

And that this item be placed on the Action List and the C.E.O. instructed to report back to the Board when and if Board input and review are needed.

Carried

5.2 2020 Operating and Capital Budgets as Approved by Council

The Library Board reviewed the report outlining the 2020 Operating and Capital Budget requests that have been approved by Town of Newmarket Council.

Motion 19-12-85

Moved by Art Weis

Seconded by Victor Woodhouse

That the Library Board receive the report on 2020 Operating and Capital Budgets as approved by Council.

Carried

5.3 Library Board Action List

The Board reviewed and updated the action list.

Motion 19-12-86

Moved by Kelly Broome

Seconded by Leslee Mason

That the Library Board receive the Action list as presented.

Carried

6. New Business

6.1 Library Security Considerations

The Board discussed the pilot project request to engage a security guard service.

Motion 19-12-87

Moved by Victor Woodhouse

Seconded by Leslee Mason

That the Library Board receive the report on Library Security Considerations;

And that the Library Board authorize the described security pilot project within approved budgets.

Carried

6.2 Books for Babies Program

The Library is beginning a project called Books for Babies in partnership with Aurora and East Gwillimbury Public Libraries and Southlake Regional Health Centre.

Motion 19-12-88

Moved by Darryl Gray

Seconded by Leslee Mason

That the Library Board receive the report on the Books for Babies program.

Carried

7. **Closed Session**

7.1 Labour relations per section 16.1.4. (d) of the Public Libraries Act, R.S.O. 1990, Chapter P.44

Motion 19-12-89

Moved by Victor Woodhouse

Seconded by Art Weis

That the Library Board move in to Closed Session at 6:02 pm to discuss labour relation matters.

Carried

Motion 19-12-90

Moved by Darryl Gray

Seconded by Leslee Mason

That the Library Board move out of Closed Session at 6:39 pm

Carried

Motion arising from Closed Session:

Motion 19-12-91

Moved by Darryl Gray

Seconded by Victor Woodhouse

That the Library Board receive the report on Labour relations.

Carried

8. Dates of Future Meetings

8.1 The next Regular Board meeting is scheduled for Wednesday, January 15, 2020, at 5:45 pm in the Library Board room

9. Adjournment

Motion 19-12-92

Moved by Victor Woodhouse

Seconded by Leslee Mason

That there being no further business the meeting adjourn at 7:18 pm

Carried

Darcy McNeill, Chair

Todd Kyle, Secretary/Treasurer



Town of Newmarket

Minutes

Main Street District Business Improvement Area Board of Management

Date: Wednesday, January 15, 2020
Time: 8:00 AM
Location: Serpa Studio
Old Town Hall
460 Botsford Street
Newmarket, ON L3Y 1T1

Members Present: Tom Hempen, Chair
Councillor Kwapis
Debbie Hill
Mark Iacovetta
Omar Saer
Ken Sparks

Members Absent: Allan Cockburn, Vice Chair
Councillor Twinney
Rob Clark
Jennifer McLachlan

Staff Present: E. Hawkins, Business Development Specialist
J. Grossi, Legislative Coordinator

The meeting was called to order at 8:14 AM.
Tom Hempen in the Chair.

1. Additions and Corrections to the Agenda

None.

2. Declarations of Pecuniary Interest

None.

3. Presentations & Recognitions

None.

4. Deputations

None.

5. Approval of Minutes

5.1 Main Street District Business Improvement Area Board of Management Minutes of November 20, 2019

Moved by: Omar Saer

Seconded by: Ken Sparks

1. That the Main Street District Business Improvement Area Board of Management Minutes of November 20, 2019 be approved.

Carried

6. Items

6.1 2020 Deputation Funding

The Members discussed the bi-annual sponsorship and advertising meetings that would be held in 2020 to provide community organizations and deputants an opportunity to ask the Main Street District Business Improvement Area Board of Management for monetary contributions. The Members advised that funding decisions would be made at the regularly scheduled February 19, 2020 meeting.

Moved by: Mark Iacovetta

Seconded by: Debbie Hill

1. That the following dates be approved as the bi-annual Sponsorship and Advertising meeting dates:
 - February 11, 2020
 - June 18, 2020

Carried

6.2 2020 BIA Conference and the 2020 Membership Application/Invoice for OBIAA

The Business Development Specialist advised that the Ontario Business Improvement Area Association (OBIAA) annual conference was scheduled from April 19 - 22, 2020 in Toronto. The Chair asked Members to review the conference information.

Moved by: Omar Saer

Seconded by: Ken Sparks

1. That the Main Street District Business Improvement Area Board of Management approve the cost of the 2020 Ontario Business Improvement Area Association (OBIAA) annual membership at \$254.52.

Carried

6.3 Garbage Update

None.

6.4 Parking Update

Tom Hempen advised that the Downtown Parking Taskforce had met in December and discussed short term, medium term, and long term solutions for parking. He advised that the Strategic Leadership Team was creating a draft plan for review in Q2 2020.

6.5 Sub-Committee Reports

6.5.1 Street Events Update

The Members discussed street events for 2020 and advised that the sub-committee would be meeting before the next regular Main Street District Business Improvement Area Board of Management meeting.

6.5.2 Advertising Update

The Members advised that regular and on-going social media advertising was occurring and videos were being created for businesses on Main Street.

6.5.3 Strategic Priority Update

The Business Development Specialist advised that the strategic priority consultant contract needed to be discussed with procurement regarding insurance requirements prior to beginning the planning process.

6.6 Staff Update

6.6.1 Financial Update

Moved by: Ken Sparks

Seconded by: Omar Saer

1. That the Main Street District Business Improvement Area Board of Management approve the 2020 Tourism Oriented Directional Signs (TOMS) fee in the amount of \$1500.

Carried

Moved by: Ken Sparks

Seconded by: Mark Iacovetta

1. That the Main Street District Business Improvement Area Board of Management approve the 2020 insurance fee in the amount of \$1020.60.

Carried

6.6.2 Financial Incentive Program Staff Working Group Update

The Business Development Specialist advised that no applications had been received and no meetings had occurred.

7. New Business

Moved by: Mark Iacovetta

Seconded by: Omar Saer

1. That the Main Street District Business Improvement Area Board of Management approve the annual fees associated with the domain names be approved.

Carried

Moved by: Omar Saer
Seconded by: Mark Iacovetta

1. That the Main Street District Business Improvement Area Board of Management approve the reimbursement of \$50 to Glenn Wilson regarding Main Street Bucks that have been redeemed.

Carried

8. Closed Session

Tom Hempen advised that there was no requirement for a closed session.

9. Adjournment

Moved by: Omar Saer
Seconded by: Debbie Hill

1. That the meeting be adjourned at 9:01 PM.

Carried

Tom Hempen, Chair

Date

Memorandum

Animal Control By-law 2020-30

Business Licence By-law 2020-31

June 29, 2020

Attached are new drafts of the Animal Control and Business Licence By-laws for Council's consideration.

The attached draft by-laws incorporate feedback and changes, as discussed at the June 15, 2020 Special Electronic Committee of the Whole meeting. Town Staff also consulted with three (3) deputants following this meeting to review the proposed by-laws and receive recommendations for amendments. In addition to minor clerical changes, the following amendments are being proposed as follows:

Animal Control By-law

- Sections 4 and 5 have been amended by changing the term “domestic animal” to “animal” to ensure all animals are given protective care and not simply dogs and cats, as previously proposed;
- Sections 4(8), 4(9), and 4(10) have been added to specify that any existing animals owned by residents that may now become unlawful based on the permissive animal list proposed are eligible to be grandfathered. The requirements include registering the grandfathered animal with the Town within 90 days of this By-law coming into effect; and
- Section 4(11) has been added to include a prohibition on obtaining or purchasing any animal for the purpose of research, unless in accordance with provincial or federal regulations.

Animal Control By-law – Schedule A

- Schedule A of the proposed by-law has been changed from a ‘prohibited animal list’ to a ‘permitted animal list’ when referring to types of animals permitted as household pets;
- The newly proposed ‘permitted animals list’ mirrors the Town of Aurora’s, but also further clarifies specific animals identified through additional consultation with three (3) deputants that addressed Council during the Special Committee of the Whole meeting;
- World Animal Protection and Zoocheck have also provided additional recommendations to specifically exclude amphibians, salt water fish, hedgehogs, and several types of birds and reptiles in their entirety. However, upon review of their recommended list, Town staff do not believe that the proper consultation has been completed with Newmarket residents to understand impacts on restricting such animals. For example, two additional pet stores have been identified in Newmarket that specifically focus on the sale of reptiles and fish. Neither

business has been consulted on imposing further restrictions on types of animals permitted to be sold or kept within Newmarket. For this rationale, Town staff are recommending further research and consultation be completed as part of the proposed 'phase two' approach to Animal Control, where staff will report back on options for amending the currently proposed Schedule A.

Business Licence By-law

- Section 8.1(6)(a) requires all cats and dogs to obtain a health assessment from a licensed Veterinarian. Additional wording has been added to require the vet care to be current and up to date;
- Section 8.1(6)(b) requires cat or dogs to only be sourced from very specific sourcing options. Additional wording has been added to clarify the term 'sale' by adding "where facilitated through adoption";
- Section 8.1(6)(d) ensures no sick, injured, or diseased animals are kept within a Pet Store. Additional wording has been added to state "unless under the direction of a veterinarian" to clarify the intention that the animal has received proper care.
- Section 8.1(9) has been updated to reference the change in a prohibited animals list to a permitted animals list, pursuant to the proposed changes within the Animal Control By-law.

Fees and Charges By-law

- The proposed annual licensing fee of short term rental operators has been changed from the initial proposal of \$150 per bedroom to \$100 per bedroom, as directed by Council.

AMPS By-law

- Minor clerical amendments have been made to update the short form wording of each section to incorporate changes proposed throughout the Animal Control and Business Licence By-laws.

For more information, email Flynn Scott, Manager of Regulatory Services at fscott@newmarket.ca

Corporation of the Town of Newmarket

By-law 2020-30

A By-law to regulate, licence, and control Animals in the Town of Newmarket.

Whereas section 11 of the Municipal Act 2001, S.O. 2001, c25, as amended, establishes that a municipality may enact by-laws regulating or prohibiting Animals;

And Whereas section 103 of the Municipal Act authorizes the Town, through the passage of a by-law, to seize, impound, and sell Animals that are trespassing or at large;

And Whereas section 391 of the Municipal Act authorizes the Town to impose fees or charges for services or activities provided or done by or on behalf of the Town;

And Whereas the Council of the Town of Newmarket deems it advisable to pass such by-law;

Therefore be it enacted by the Council of the Corporation of the Town of Newmarket as follows:

1. Title

This By-law may be known and cited for all purposes as the "Animal Control By-law 2020-30".

2. Definitions

In this By-law:

"**Animal**" means any member of the animal kingdom, other than a human;

"**Animal Services Officer**" means a person designated and authorized by by-law of the Town of Newmarket to enforce the Town of Newmarket Animal Control Bylaws;

"**Appeals Committee**" means a Committee that is appointed from time to time by Council for the purpose of hearing appeals regarding orders pursuant to this By-law;

"**At Large**" means an Animal found in any place, other than the lands, premises or a vehicle of the Animal owner or person keeping such Animal while:

(a) the Animal is not leashed; or

(b) the Animal is leashed and no person has the leash in hand;

"**Attack**" means an act of aggression towards a person or domestic Animal;

"**Bite**" means any contact with an Animal's teeth that causes puncturing of the skin of a human or a domestic Animal;

"**Cat**" means a male or female small domesticated feline kept as a pet which is over the age of twelve (12) weeks;

"**Dangerous Act**" means any bite, attack or a combination thereof;

"**Dangerous Dog**" means a dog that has been determined to be a Dangerous Dog pursuant to section 9 of this By-law, which determination has not been otherwise rescinded pursuant to this By-law;

"**Dangerous Dog Order**" means an order to comply with the requirements for owners of a Dangerous Dog pursuant to section 9 of this By-law;

"**Director**" means the Director of Legislative Services of the Town of Newmarket or designate;

"**Dog**" means a male or female domesticated canine kept as a pet which is over the age of twelve (12) weeks;

"**Dog Owners' Liability Act**" means the Dog Owner's Liability Act, R.S.O. 1990, c. D. 16, as amended;

"**Domestic Animal**" means a dog or a cat kept by a **Person**;

"**Domestic Animal Care Facility**" means a service commercial establishment in which domestic Animals are cared for on a short term daily basis in an open setting and may include accessory grooming and training facilities but excludes a kennel;

"**Dwelling Unit**" means a room or group of rooms to be used by one family that functions as a single independent housekeeping unit in which cooking facilities, living quarters and sanitary facilities are provided for the exclusive use of those residing within the unit only, and with a private entrance from outside the building or from a common hallway or stairway inside;

"**Foster Animal**" means a dog, a cat, a litter of puppies that originate from the same female dog or a litter of kittens that originate from the same female cat that is owned, kept, cared for, possessed or harboured by a person as part of a foster care program administered by a Municipal Pound, registered rescue group or a registered humane society;

"**Fees and Charges By-Law**" means the Town of Newmarket Fees and Charges By-Law, as amended;

"**Feral Cat**" means a cat found in the Town of Newmarket that has no owner, is not socialized and is extremely fearful or resistant to humans;

"**Guide Dog**" means a Guide Dog as defined in section 1 of the Blind Persons' Rights Act;

"**Impound**" means to seize and take legal custody of an Animal by an Animal Services Officer because of an infringement of a law or regulation or at the direction of emergency personnel;

"**Keep**" means to have temporary or permanent control, possession or ownership of an Animal, and "keeping" has the same meaning;

"**Law Enforcement Dog**" means a dog trained to assist law enforcement officers and used by such officers in the execution of their duties;

"**Leash**" means a rope, chain or other material or restraining device used to restrain a dog or cat;

"**Licence**" means an identification tag issued by the Town or designate which is to be affixed to the collar of the dog or cat for which it was issued;

"**Licence Fee**" means a fee payable for a Pet Licence pursuant to the Fees and Charges By-Law;

"**Lot**" means a parcel of land which is legally capable of being conveyed in accordance with the Planning Act R.S.O. 1990, Chapter 13 as amended, or is described in accordance with a registered Plan of Condominium;

"**Manager**" means the Town of Newmarket Manager of Regulatory Services or their designate;

"**Municipal Pound**" means a shelter or place, operated by a Municipality, where stray, lost, abandoned or surrendered Animals are kept;

"**Muzzle**" means a humane fastening or covering device that cannot be removed by a dog and is of adequate strength and design and suitable to the breed, that is placed over the mouth of a dog to prevent it from biting, and the words "muzzled" and "muzzling" have a similar meaning;

"**Notice to Muzzle**" means a notice containing muzzling requirements, pursuant to section 9 of this by-law;

"**Nuisance**" means an injurious, offensive, or objectionable condition that disturbs or is likely to disturb the comfort, rest, and enjoyment of any Person;

"**Owner**" means any person who possesses or harbours a dog or cat and where the owner is a minor, the person responsible for the custody of the minor, and includes a person who is temporarily the keeper or in control of the dog or cat and "owns" has the same meaning;

"**Park**" means a public area controlled by the Town and set aside for use by the public for rest, recreation, exercise, pleasure, amusement and enjoyment and includes playgrounds, sports fields, wading and swimming areas, public pathways and trails;

"**Penalty Notice**" means a ticket issued pursuant to section 5 of Town of Newmarket By-law number 2019-62;

"**Permitted Animal**" means an Animal as identified in "Schedule A – Permitted Animals" of this By-law;

"**Person**" includes a natural person, corporation, partnership or party, and the personal or other legal representatives or a Person to whom the context can apply according to law;

"**Police Officer**" means a Police Officer defined under the Police Services Act, R.S.O. 1990, c. P15, as amended;

"**Service Animal**" means an Animal described in subsection 80.45(4) of O. Reg. 191/11, under the Accessibility for Ontarians with Disabilities Act, 2005, S.O. 2005, c.11.;

"**Tether**" means a rope or chain or similar restraining device that is not connected to a person, that prevents an Animal from moving beyond a localized area, and the words "tethered" or "tethering" have a similar meaning;

"**Town**" means the Corporation of the Town of Newmarket in the Regional Municipality of York;

"**Town Clerk**" means the Clerk of the Town as appointed by by-law;

"**Training Order**" means an order containing training requirements, pursuant to section 9 of this By-law;

"**Urban Hens**" means a domesticated female chicken that is at least four months of age;

"**Vehicle**" means a motor Vehicle, trailer, traction engine, farm tractor, road-building machine, bicycle and any Vehicle drawn, propelled or driven by any kind of power, including muscular power, but does not include a bus, streetcar or train used for public transportation;

"**Wildlife**" or "**Wild Animal**" means an Animal that belongs to a species that is wild by nature;

"**Zoning By-Law**" means The Zoning By-Law of the Town of Newmarket, as amended or successor thereof.

3. Administration and Enforcement

- (1) The **Director, Manager**, and any **Animal Services Officer** of the **Town** are hereby delegated the authority to enforce this By-law, including the authority to conduct inspections pursuant to this By-law, the Municipal Act, as amended, and any other enacted legislation.
- (2) The **Director** is authorized to delegate the powers and responsibilities for the administration and enforcement of this By-law to any **Town** staff or external third parties deemed to be qualified and appropriate by the **Director** for such purposes.
- (3) Any notice, written warning or **Penalty Notice**, issued pursuant to this By-law may be served by:
 - (a) hand delivery to the **Person** or the **Owner** of the **Animal** and shall be deemed effective upon service; or
 - (b) mailed to the last known address of the **Person** or **Owner** of the **Animal** and shall be deemed to be effective on the seventh (7th) day after the date of mailing.

4. General Regulations

- (1) In this By-law, any references to care, control, ownership, harbouring or keeping of an **Animal** shall include any joint or shared care, control, ownership, harbouring and keeping. Any persons that have joint or shared care, control, ownership of, or are sharing or jointly harbouring or keeping, an **Animal**, shall be jointly and severally responsible and liable for any such **Animal** and any duties, obligations, prohibitions, offences and requirements of a **Person** caring, controlling, owning, harbouring or keeping an **Animal** pursuant to this By-law.
- (2) No **Person** shall **Keep**, own, possess, or harbour any **Dog** in the **Town** which makes or causes noises, repetitive or persistent barking, or howling that disturbs or is likely to disturb the comfort, enjoyment, rest, or quiet of any **Person** in the vicinity or neighbourhood.
- (3) No **Person** shall have care or control of more than three (3) **Dogs** or four (4) **Cats** at any time.
- (4) No **Person** shall **Keep**, possess, or harbour, or permit to be kept, possessed, or harboured more than three (3) **Dogs** or four (4) **Cats** within or about any **Dwelling Unit**, unless the additional **Dog(s)** or **Cat(s)** is accompanied by an **Owner** who does not reside at the **Dwelling Unit**.
- (5) No **Person** shall permit any of the following in any leash-free **Park** or zone approved or designated by the **Town** :
 - (a) any **Dog** that is subject to a **Dangerous Dog Order** of any Municipality; or

- (b) have care and control of more than three (3) **Dogs** at any one time.
- (6) A **Person** who owns or keeps a **Dog** shall not permit any excrement deposited by such **Dog** to remain on land or premises owned by the **Town** or on land or premises that is not owned by the **Person**, and a **Person** keeping or owning such **Dog** shall remove such excrement.
- (7) No **Person** shall keep, either on a temporary or permanent basis, any **Animal** other than a **Permitted Animal** listed in "Schedule A" of this By-law unless permitted to do so by the Town's Zoning By-law or as authorized by the **Manager**.
- (8) Any **Person** who keeps an **Animal** not listed in "Schedule A" of this By-law shall remove the **Animal**, or register and provide proof to the **Town** that the **Animal** was lawfully owned prior to the prohibition, within 90 days of the prohibition of the keeping of an **Animal**. Upon being satisfied that the **Animal** was lawfully owned prior to the prohibition, the **Manager** may deem the **Animal** to be grandfathered and enter such information pertaining to the **Animal** and its owner into a registry of grandfathered **Animals**. A grandfathered **Animal** may be kept until it has died or has otherwise been disposed of.
- (9) The **Town** may, at the discretion of the **Manager**, impose terms and conditions on the keeping of any grandfathered **Animal**.
- (10) Any **Person** who moves a grandfathered **Animal** to a location other than one on file with the **Town**, shall notify the **Manager** of the new location within (48) hours after the **Animal** is moved.
- (11) No attempt may be made by any authority to claim or purchase **Animals** for the purpose of research, notwithstanding the provisions of the Animals for Research Act, R.S.O., 1990 and no **Animal** shall be offered for the purpose of research.

5. Protective Care of Animals

- (1) The **Town** may receive or **Impound** an **Animal** into protective care for up to five (5) calendar days at a **Municipal Pound** as a result of an incarceration of the Owner, or as a result of a fire or medical emergency, or for any other situation that the **Manager** or an **Animal Services Officer** deems appropriate.
- (2) When the **Town** receives an **Animal** into protective care, the **Owner** of the **Animal** shall pay all costs incurred or fees associated on behalf of the **Animal** prior to redeeming the **Animal**.
- (3) No **Person** shall allow an **Animal** to remain in a **Vehicle** unless:
 - (a) the **Animal** is secured in a manner that prevents contact between the **Animal** and any member of the public;
 - (b) the **Animal** has suitable ventilation; and
 - (c) the **Animal** is not exposed to temperatures which can cause distress and/or death.
- (4) Every **Person** who keeps an **Animal** within the **Town** shall provide:
 - (a) a clean and sanitary environment free from an accumulation of fecal matter;

- (b) adequate and appropriate care;
 - (c) adequate food and clean water supply;
 - (d) shelter; and
 - (e) veterinary care as may be required.
- (5) No **Person** shall **Keep** any **Animal** in a condition which disturbs or is likely to disturb the enjoyment, comfort, or convenience of any **Person**.
- (6) No **Person** shall **Keep** any **Animal** in a condition that endangers or is likely to endanger the health of any **Person** or **Animal**.

6. Tethering

- (1) No **Person** shall **Keep** an **Animal** tethered on a rope, chain, or similar restraining device, unless:
- (a) the **Tether** is of appropriate length for the **Animal** tethered, but is never less than three (3) meters;
 - (b) the **Animal** has unrestricted movement within the range of such tether;
 - (c) the **Animal** is tethered in a manner that constrains the **Animal** to the property in which the **Animal** is tethered; and
 - (d) the **Animal** has access to adequate water, food, shelter and shade.
- (2) No **Person** shall **Keep** an **Animal** tethered where a choke collar, choke chain, pronged collar or any similar device forms part of the tether.
- (3) No **Person** shall **Tether** any **Animal** for a period exceeding three (3) hours, consecutive or not, within the same calendar day. For greater clarification, if the **Animal** is observed being tethered for any amount of time within a one (1) hour period, it is deemed to have been there for one (1) of the three (3) hours during that calendar day.

7. Feeding of Wildlife

- (1) No **Person** shall feed or permit the feeding of a **Wild Animal**, a **Feral Cat**, or a stray **Domestic Animal** anywhere within the **Town**.
- (2) No **Person** shall cause or permit a feeding device or any attractants to be left outside on any **Lot**, including but not limited to land owned by a public authority.
- (3) Notwithstanding Sections 7 (1) and 7 (2), a land **Owner** may feed a bird that is a **Wild Animal** on their **Lot** in accordance with the following requirements:
- (a) seed shall be placed in a feeding device designed for birds;
 - (b) no excrement from the birds shall be permitted to accumulate;
 - (c) seed within the feeding device shall be sufficiently above grade and reasonably inaccessible to a **Wild Animal**, with the exceptions of birds;
 - (d) all seed spilled from the feeding device shall be promptly disposed of;

- (e) the feeding device shall be kept in a sanitary condition at all times; and
- (f) the feeding device shall not cause or create a **Nuisance** due to odour, sight, or noise.

8. Urban Hens

- (1) Any **Person** wishing to **Keep Urban Hens** shall submit to the **Town** a completed application with all supporting documents, including but not limited to:
 - (a) a letter of permission from the **Owner** of the property where the **Urban Hens** will be kept;
 - (b) letter(s) of permission from all abutting property owners; and
 - (c) a sketch of the property including the location of the coop, run, and any other accessory structures, showing dimensions and setbacks.
- (2) No more than three (3) **Urban Hens** are permitted on any residential property.
- (3) No **Urban Hens** under the age of four (4) months old shall be kept on any residential property.
- (4) No roosters shall be kept on any residential property.
- (5) The **Owner** of the **Urban Hen(s)** must reside on the property where the **Urban Hen(s)** are being kept.
- (6) An **Urban Hen** must be kept in their coop between the hours of 9:00pm and 6:00am.
- (7) An **Urban Hen** shall be kept in an enclosed hen run when not in their coop.
- (8) An **Urban Hen** enclosure shall be a minimum size of ten (10) square feet per hen.
- (9) **Urban Hen** coops and **Urban Hen** runs shall be a distance of 1.2m from the rear **Lot** line and 1.2m from any side **Lot** line of the dwelling **Lot** on which the hen coop is located.
- (10) **Urban Hen** coops and **Urban Hen** runs shall be a minimum distance of 3 meters from all windows and doors of dwellings that are located on an abutting property.
- (11) **Urban Hen** coops shall be less than 2.4m in height.
- (12) **Urban Hen** coops shall not be located in a front yard.
- (13) **Urban Hen** coops and **Urban Hen** runs shall be maintained in a clean condition and the coop shall be kept free of obnoxious odours, substances, and vermin.
- (14) Home slaughter of **Urban Hens** is prohibited.
- (15) Deceased **Urban Hens** shall be disposed of at a livestock disposal facility or through the services of a veterinarian.

9. Notices and Orders

- (1) Where an **Animal Services Officer** has reasonable grounds to believe that a **Dog** may engage in an aggressive act, an **Animal Services Officer** may issue an order requiring such **Dog** to receive training in a form and timeline as set out by the **Animal Services Officer**.
- (2) Where training has been ordered pursuant to Section 9(1) of this By-law, the **Owner** of the **Dog** shall provide proof of compliance with the **Training Order** to the **Town** within the timeline imposed.
- (3) Where an **Owner** of a **Dog** is served with a **Notice to Muzzle**, the **Owner** shall:
 - (a) While on the property of the **Owner**, cause the **Dog** subject to the **Notice to Muzzle** to be tethered or confined by a six (6) foot fence in a way that prevents the **Dog** from going beyond the limits of the owner's property or being accidentally or intentionally released; and
 - (b) Whenever off the property of the **Owner**, cause the **Dog** subject to the **Notice to Muzzle** to be muzzled and leashed, and the **Owner** shall not permit such a **Dog** to be left in the control of a **Person** under the age of sixteen (16).
- (4) Every **Owner** of a **Dog** shall exercise reasonable precautions to prevent the **Dog** from engaging in a **Dangerous Act**.
- (5) Without limiting this By-law, an **Owner** of a **Dog** that engages in a **Dangerous Act** is liable to prosecution under the **Dog Owners' Liability Act**, R.S.O. 1990, c. D.16, as amended.
- (6) Where the **Manager** has reasonable grounds to believe that a **Dog** has engaged in a **Dangerous Act** against a **Person** or **Domestic Animal**, the **Manager** shall impose the following with respect to such a **Dog**:
 - (a) for the first (1st) documented offence with a municipality, serve the **Owner** of the subject **Dog** with a **Notice to Muzzle**;
 - (b) despite Section 9(6)(a), if it is the **Manager's** opinion that the **Dangerous Act** is severe, serve the **Owner** of the subject **Dog** with a **Dangerous Dog Order**, requiring the subject **Dog** to comply with the requirements under Section 9(7) of this By-law;
 - (c) for the second (2nd) documented offence with a municipality, serve the **Owner** of the **Dog** with a **Dangerous Dog Order**, requiring the subject **Dog** to comply with the requirements under Section 9(7) of this By-law; or
 - (d) Where the **Dangerous Act** occurred while the **Dog** was the subject of a **Notice to Muzzle** or a control order under the **Dog Owners Liability Act**, serve the **Owner** of the **Dog** with a **Dangerous Dog Order**, requiring the subject **Dog** to comply with the requirements under Section 9(7) of this By-law.
- (7) Where an **Owner** is served with a **Dangerous Dog Order**, the **Owner** shall, at the owner's expense and for the life of the subject **Dog**, ensure that:
 - (a) the **Dangerous Dog** is muzzled at all times when off the **Owner's** property;

- (b) the **Dangerous Dog** is not permitted to enter, at any time, into any leash-free **Park** or zone approved or designated by the **Town** ;
 - (c) a warning sign is posted on the owner's private property within fifteen (15) days of the order being served on the **Owner** in the form and location as required by the **Manager**;
 - (d) the **Dangerous Dog Owner** information is current, and the **Owner** shall notify the **Town** in writing if the **Dog** is transferred to another **Person** within (5) days of the change of ownership;
 - (e) the **Dangerous Dog** is microchipped within thirty (30) days of the order being served on the **Owner**;
 - (f) the **Dangerous Dog** is spayed or neutered within thirty (30) days of the order being served on the **Owner**; and
 - (g) arrangements are made with the **Town** to enable the **Town** to collect information about the subject **Dog** within thirty (30) days of the order being served on the **Owner**.
- (8) In addition to Section 9(7) of this By-law, where an **Owner** is served with a **Dangerous Dog Order**, the **Manager** may require the subject **Dog** to receive training in a form and timeline as required by the **Manager**.
- (9) Where a **Dangerous Dog Order** has been served, the **Owner** of the subject **Dog** shall provide proof of compliance to the satisfaction of the **Manager**.
- (10) Where the **Director**, **Manager** or any **Animal Services Officer** is satisfied that a contravention of this By-law has occurred, such **Director**, **Manager** or **Animal Services Officer** may make an order requiring that the **Person** who caused or permitted such contravention, or the property owner of the land on which the contravention occurred, to discontinue the contravening activity and/or to do work to correct the contravention.
- (11) An order pursuant to Section 9(10) shall set out the following:
- (a) the municipal address and/or the legal description of the land or premises on which the contravention occurred;
 - (b) reasonable particulars of the contravention;
 - (c) what is required of the **Person** subject to the order;
 - (d) the date by which there must be compliance with the order and/or, if any work is ordered, the date by which any such work must be done;
 - (e) if any work is required to be done, a statement that if such work is not done in compliance with the order and within a specified time period, the **Town** will have the work done at the expense of the **Person** directed or required to do it; and
 - (f) information regarding the Town's contact **Person**.

10. Remedial Action and Cost Recovery

- (1) Any orders or actions taken in relation to a contravention of this By-law shall be at the expense of the **Person** responsible for the **Animal** and the **Town** may recover any fines or fees imposed through

administrative penalties, legal action, or by recovering the costs in the same manner as municipal taxes.

- (2) For the purposes of taking remedial action under Section 10(1), the **Director, Manager** or an **Animal Services Officer** may enter, at any reasonable time, upon any lands on which a default to carry out any notice, order, or action as directed.

11. Appeal

- (1) Where a **Training Order, Notice to Muzzle** or a **Dangerous Dog Order**, has been issued, the **Owner** of the **Dog** may apply for a Hearing to appeal the Order to the Town's **Appeals Committee**.
- (2) A request for a Hearing shall be made in writing and delivered to the **Town Clerk** within ten (10) business days after the **Training Order, Notice to Muzzle** or **Dangerous Dog Order** has been served.
- (3) Upon receipt of the request for a Hearing from an **Owner** of a vicious **Dog**, the **Town Clerk** shall convene a meeting of the **Appeals Committee**, as soon as is practicable, and notify the **Owner** of the **Dog** and any victim(s) of the **Attack** of the time, date and location of the Hearing.
- (4) Notwithstanding that an **Owner** has applied for a Hearing to appeal an order, the order takes effect when it is served on the **Person** to whom it is directed and remains in effect until the **Appeals Committee** has made its decision on the appeal.
- (5) Before the **Appeals Committee** makes any decision, a written notice to advise the **Owner** of the recommendations being made by the **Manager or Animal Services Officer** with respect to the order shall be provided.
- (6) The **Owner** and any other interested Persons shall have the right to make a submission of their defense, either in-writing or in-person before the **Appeals Committee**.
- (7) Failure for the **Owner** or representative to attend the scheduled hearing before the **Appeals Committee** shall result in the proceeding of the hearing.
- (8) The **Appeals Committee** shall deliberate the merits of the evidence presented and shall render its decision at the meeting or shall reserve its decision to be presented later, which shall not be later than ten (10) business days following the date of the hearing.
- (9) The **Appeals Committee** has the power to:
 - (a) confirm the requirements of an order;
 - (b) exempt the **Owner** in whole or part from any requirement set out in the order;
 - (c) impose conditions on any exemption granted under Section 11(9)(b) that the **Appeals Committee** considers appropriate; or
 - (d) rescind the order.
- (10) The decision of the **Appeals Committee** is final and binding.
- (11) Notice of the hearing or any matter which arises relating to the proceedings of the **Appeals Committee** not covered in the provisions of this By-law shall be governed by the Statutory Powers Procedures Act.

12. Registration and Licensing

- (1) Every **Owner** of a **Cat** or **Dog** over the age of twelve (12) weeks shall **Licence** the Domestic **Animal** with the **Town** and shall maintain the **Licence** in good standing.
- (2) Every **Owner** of a **Cat** or **Dog** shall annually renew the **Licence** before its date of expiry.
- (3) Upon payment of the **Licence Fee**, the **Owner** shall be provided with a **Licence** and shall **Keep** the **Licence** securely fixed on the **Cat** or **Dog** at all times.
- (4) If a **Licence** is lost or misplaced for any reason, the **Owner** shall make an application for a replacement **Licence**.
- (5) No **Owner** shall provide false information when licensing a Domestic **Animal**.
- (6) Every **Owner** of a **Cat** or **Dog** shall at the time of licensing the Domestic **Animal**, pay the **Licence Fee** to the **Town** in accordance with the Town's **Fees and Charges By-Law**, as may be amended from time to time.
- (7) Every **Licence** issued pursuant to this By-law shall be serially numbered and a record of their issue shall be kept by the **Town**. Such registration shall, at a minimum, set out the name and address of the **Owner**, the name of the **Domestic Animal**, and shall contain other information as may be required by the **Manager**.
- (8) Every **Licence** issued pursuant to this By-law is personal to the **Domestic Animal** registered and shall not be transferable.

13. Animals At Large

- (1) No **Person** keeping a **Dog** shall allow the **Dog** to be **At Large** within the geographical boundaries of the **Town** unless such **Dog** is confined to a leash-free **Park** or zone approved or designated by the **Town**.
- (2) No **Person** shall permit a **Dog** to enter or to be located in any leash-free **Park** or zone approved or designated by the **Town** unless such a **Dog** is licensed pursuant to this By-law or licensed pursuant to a municipal **Animal** licensing program of another municipality in Ontario.
- (3) Unless otherwise permitted by **Town** policy, other by-laws or any legislation, no **Person** keeping a **Dog** shall allow the **Dog**, other than a **Guide Dog** or a **Service Animal**, to be in or on **Town** property or **Town** facilities where posted signs prohibit such activity or such prohibition is communicated by **Town** staff in another manner.
- (4) No **Person** keeping a **Cat** shall permit such a **Cat** to be **At Large** within the **Town** or allow such a **Cat** to cause damage or create a **Nuisance** or disturbance to another Person, another Person's property, or to **Town** property.
- (5) An **Animal Services Officer** may **Impound** any **Domestic Animal** found to be **At Large**.
- (6) Every reasonable effort shall be made by the **Animal Services Officer** to notify the **Owner** within twenty-four (24) hours that a **Domestic Animal** is impounded and the conditions whereby custody of **Domestic Animal** may be reclaimed.

14. Exemptions

- (1) This By-law does not apply to a **Law Enforcement Dog** and the **Persons** who have care and control of a **Law Enforcement Dog** as part of their law enforcement duties.
- (2) The following are exempt from any restrictions on the number of **Domestic Animals** permitted under this By-law:
 - (a) a veterinary hospital, clinic, office or veterinary service lawfully operated and supervised by a veterinarian licensed to practice in Ontario;
 - (b) premises registered as a research facility in accordance with the Animals For Research Act, R.S.O. 1990, c. A.22, as amended, or any successor legislation thereto; and
 - (c) facilities that provide **Animal** services that are legally operated on premises where the **Zoning By-Law** permits such uses, such as an **Domestic Animal Care Facility**.
- (3) Notwithstanding Section 4(4) of this By-law, a **Person** shall be permitted one (1) additional **Dog** above the limit of three (3), or one (1) additional **Cat** above the limit of four (4), provided that the additional **Animal**:
 - (a) is acting as a **Guide Dog** or **Service Animal** for the **Owner**; or
 - (b) is a **Foster Animal** for a duration of not more than six (6) months and the **Person** is able to produce documentation to the **Town** to support this.
- (4) Sections 7(1) and 7(2) of this By-law do not apply in the following situations:
 - (a) the leaving of food as bait in a trap by a property **Owner** to capture a nuisance **Animal** inhabiting or habituating their property pursuant to the Fish and Wild Conservation Act, 1997, S.O. 1997, c41;
 - (b) the leaving of food as bait by a licenced trapper, and employee of licensed wildlife removal or pest control agency, agents or representatives of the Ministry of Natural Resources, Municipal Law Enforcement Officers, or a **Police Officer**, in the performance or their work; or
 - (c) the leaving of food for a colony of stray or **Feral Cats** for the purpose of trap, neuter or spay and return program approved by the Corporation of the **Town** of Newmarket.
- (5) Any **Foster Animal**, **Service Animal** or **Guide Dog** is exempt from the requirement to obtain an **Animal Licence**.

15. Offences

- (1) Every **Person** who contravenes any provision of this By-law are liable to the fines and administrative fees set out under the Administrative Monetary Penalty System By-law 2019-62.
- (2) Every **Person** who is in contravention of the provisions of this By-law may request a review of the matter in accordance with the Administrative Monetary Penalty System By-law-2019- 62.

- (3) Any **Person** who contravenes a provision of this By-law is guilty of an offence and upon conviction is liable to a fine as provided for by the Provincial Offences Act, R.S.O. 1990, Chapter P.33, as amended.

16. Severability

- (1) Where a court of competent jurisdiction declares any section of this By-law to be invalid, or to be not in force, or without effect, it is the intention of Council in enacting this By-law that the remainder of this By-law shall continue in force and applied and enforced in accordance with its terms to the fullest extent possible according to law.

17. Repeal

- (1) Animal Control By-law 2016-53, as amended, is hereby repealed.

Enacted this 29th day of June, 2020.

John Taylor, Mayor

Lisa Lyons, Town Clerk

Schedule ‘A’ **Permitted Animals List**

- Animals identified under this Schedule are hereby permitted within the Town. All other animals are restricted unless grandfathered and in accordance with Sections 4(8), 4(9), and 4(10) of this By-law.
Permitted animals are subject to the restrictions set out below:

AGRICULTURAL LIVESTOCK
Only animals that are raised in an agricultural setting to produce farming labour or agricultural commodities are permitted
AMPHIBIANS
Only amphibians of the non-poisonous type are permitted
ARCHNIDS
Only arachnids of the non-venomous type and not from the theraphosidae (tarantulas) family of spiders are permitted
BIRDS
Only birds that are in compliance with all provincial and federal regulations
MAMMALS
CARNIVORA
Domestic Cats
Domestic Dogs
Domestic Ferrets
EULIPOTYPHLA
Hedgehogs
LAGOMORPHA
Domestic Rabbits
RODENTIA
Chinchillas
Degus
Domestic Mice
Domestic Rats
Gerbils
Guinea Pigs
Hamsters
FISH
All ornamental fish except for wild-caught and in compliance with all provincial and federal regulations
REPTILES
SQUAMATA
Bearded Dragons
Geckos
Iguanas
Lizards
All reptiles must be of the non-poisonous and non-venomous type that do not exceed 30 centimetres or 12 inches in length at maturity are permitted
SNAKES
Only snakes of the non-venomous and non-constrictive type that do not exceed 45 centimeters or 18 inches at maturity are permitted



Corporation of the Town of Newmarket

By-law 2020-31

A By-law to regulate and licence businesses to operate in the Town of Newmarket.

Whereas Section 151 of the Municipal Act 2001, S.O. 2001, c25, as amended, establishes that a municipality may provide for a system of licences with respect to a business;

And whereas the Council of the Town of Newmarket deems it advisable to pass such by-law;

Therefore be it enacted by the Council of the Corporation of the Town of Newmarket as follows:

1. Title

This By-law may be known and cited for all purposes as the “Business Licence By-law 2020-31”.

2. Definitions

In this By-law:

“**Animal**” means any member of the **Animal** kingdom other than a human;

“**Appeals Committee**” means the **Appeals Committee** established by the **Town**;

“**Applicant**” means a **Person** applying for a **Business Licence** to carry on a **Business**, activity, or undertaking pursuant to this By-law;

“**Attendant**” means any **Person** other than a licensed **Owner** or **Operator** who provides Services designed to appeal to the needs of a particular **Business**;

“**Bird**” means a warm-blooded egg-laying vertebrate distinguished by the possession of feathers, wings, and a beak and (typically) by being able to fly;

“**Bed and Breakfast**” means a dwelling or part of a dwelling in which not more than three (3) bedrooms are used or maintained for the accommodation of the travelling public, in which the **Owner**-occupant supplies lodgings with or without meals for hire or pay;

“**Business**” means the carrying on of a commercial or industrial undertaking of any kind or nature, or the providing of professional, personal, or other services as set out in Section 8 of this By-law, but does not include any activity carried on by the government, its agencies, or government owned corporations;

“**Business Licence**” or “**Licence**” means a **Licence** to operate a **Business** pursuant to this By-law;

“**Council**” means **Council** for the Corporation of the **Town** of Newmarket;

“Dwelling Unit” means a room or group of rooms to be used by one family that functions as a single independent housekeeping unit in which cooking facilities, living quarters and sanitary facilities are provided for the exclusive use of those residing within the unit only, and with a private entrance from outside the building or from a common hallway or stairway inside;

“Fees and Charges By-law” means the **Town of Newmarket Fees and Charges By-law 2019-52**, as amended;

“Licensing Officer” means an individual appointed by the **Town** as a **Municipal Enforcement Officer** or any other individual designated by the **Town** to enforce this By-Law;

“Lot” means a parcel of land which is legally capable of being conveyed in accordance with the Planning Act R.S.O. 1990, Chapter 13 as amended, or is described in accordance with a registered Plan of Condominium.

“Manager” means the Town of Newmarket Manager of Regulatory Services or their designate;

“Market” means sell, offer for sale, promote, canvass, solicit, rent, advertise, book, arrange or facilitate sale or rental, and includes placing, posting, or erecting advertisements physically or online;

“Municipal Enforcement Officer” means an individual appointed by the **Town** as a Municipal Law Enforcement Officer or any other individual designated by the **Town** to enforce this By-law;

“Operator” or **“Owner”** means any **Person** that operates or owns a **Business** as identified in this By-law;

“Permanent Resident” in respect of any dwelling or **Lot** means a **Person** who normally resides in a dwelling on the **Lot** and for these purposes a **Person** cannot normally reside at more than one location;

“Permitted Animal” means an **Animal** identified as a "Permitted **Animal**" as listed in the **Town’s Animal Control By-law Schedule 'A'**, as amended;

“Person” includes a natural **Person**, corporation, partnership or party, and the **Personal** or other legal representatives or a **Person** to whom the context can apply according to law;

“Pet Store” means a **Premises** in which the primary purpose of **Animals** or **Birds** for use as pets, or goods and merchandise associated with such **Animals** or **Birds**, are offered or kept for **Retail** sale or rental to the public;

“Premises” means the area of a building and/or **Lot** occupied or used by a **Business** or enterprise. In a multiple tenancy buildings occupied by more than one **Business**, each **Business** shall be considered a separate **Premises**;

“Retail” means the sale of products or goods to the ultimate consumer, usually in small quantities, in the ordinary course of **Business**;

“Short Term Rental” means all or part of a **Dwelling Unit** used to provide temporary sleeping accommodations for any rental period that is less than 28 consecutive days in exchange for payment. This includes a **Bed and Breakfast** but excludes hotels, motels and accommodations where there is no exchange for remuneration;

“Short Term Rental Company” means any **Person** who facilitates or brokers **Short Term Rental** reservations via the internet and who:

- (a) receives payment, compensation, or any financial benefit due to, as a result of, or in connection with a **Person** making or completing reservations of those **Short Term Rentals**; or
- (b) collects, accesses, or holds information on the number of nights that reservations of those **Short Term Rentals** are made or completed.

This definition does not apply to a **Person** who facilitates or brokers reservations for a **Short Term Rental** that is the principal residence of that person or their immediate family. In this definition, “**Person**” includes multiple **Persons** who, acting together, carry on the **Business** of a **Short Term Rental Company**, despite the fact that no single one of those **Persons** carries on the activity in its entirety, and such may be held jointly and severally responsible for each other’s actions;

“**Sign By-law**” means the **Town** of Newmarket **Sign By-law** 2017-73, as amended;

“**Town**” means the Corporation of the **Town** of Newmarket in the Regional Municipality of York;

“**Veterinarian**” means a **Person** qualified and authorized to practice veterinary medicine;

“**Zoning By-law**” means the **Town** of Newmarket **Zoning By-law** 2010-40, as amended.

3. General Regulations

- (1) A **Person** must not carry on any **Business** unless that **Person** holds a valid and subsisting **Business Licence** issued to that **Person** for that **Business** within the **Town**.
- (2) Every **Business** shall comply with all federal, provincial, and municipal by-laws and regulations applicable to the **Business** and the **Business Premises**.
- (3) If a **Person** operates a **Business** at more than one **Premises**, that **Person** shall apply for and maintain a separate **Business Licence** for each **Premises**.
- (4) If a **Person** operates more than one type of **Business** at the same **Premises**, that **Person** shall apply for and maintain a separate **Business Licence** for each **Business**.
- (5) Every holder of a **Business Licence** shall post or display the **Business Licence** at the place of **Business** in a location visible to customers and suppliers attending the **Business**.
- (6) Every **Business Licence** issued shall be deemed to be a personal **Business Licence** to the licensee therein named.
- (7) A valid **Licence** will permit a **Business** to conduct the specific activities to the stated extent described in the **Licence** application. If a **Business** entity makes any changes to the information contained in its **Business Licence** application or information, undertakes new **Business** activities or expands those activities, it is required to obtain a new **Business Licence** or a **Business Licence** amendment for those activities.
- (8) No **Person** operating a **Business** within the **Town** shall **Market** that **Business** or its products and services through any means of promotion unless:

- (a) the **Person** operating that **Business** is the holder of a valid **Business Licence** issued pursuant to this By-law;
 - (b) the **Business** name being promoted or marketed matches the named endorsed on the **Business Licence**; and
 - (c) the marketing offers products and services that comply with **Town** by-laws and related enactments.
- (9) No **Person** shall carry on a **Business** of any kind, in any way or manner on **Town** owned property, parks, boulevards, highways or other public property unless specifically authorized to do so by a permit under this Bylaw or another enactment.

4. Administration and Enforcement

- (1) Through delegated authority, the **Manager** may:
- (a) grant, issue, or amend a **Business Licence** if the **Licensing Officer** is satisfied that the **Applicant** has complied with all of the by-laws of the **Town** and related enactments that apply to the **Applicant's Business**;
 - (b) suspend, cancel, or refuse to issue a **Business Licence** in accordance with Section 7 of this By-law;
 - (c) impose conditions on a **Licence** at the time of issuance, renewal, or suspension for the purposes of ensuring compliance with all applicable enactments pertaining to the **Business**;
 - (d) conduct inspections and investigations to ensure that all regulations and provisions prescribed in this By-law are carried out; and
 - (e) prepare, from time to time, forms to be used for the purpose of making applications under this By-law.
- (2) No **Person** shall Obstruct or attempt to Obstruct a **Licensing Officer** or other **Person** who is exercising a power or performing a duty under this By-law.

5. Licence Fees

- (1) **Business Licence** fees shall be in accordance with those specified in the **Town of Newmarket Fees and Charges By-law**.
- (2) An administrative penalty of 25% of the renewal fee shall be added to each unpaid **Business Licence** after 31 days from the renewal date. If unpaid by this time, the **Licence** shall be revoked and a new **Business Licence** application shall be required.
- (3) If an application for a **Licence** is withdrawn, in writing, prior to the issuance of the **Licence**, the **Licence** Fee shall be refunded to the **Applicant** if a **Licence** was pre-paid.
- (4) No **Licence** Fee shall be refunded after the issuance of a **Licence**.

6. Application and Renewal

- (1) The terms of a **Business Licence** issued under this By-law are for a period commencing January 1st and ending December 31st of the year for while the **Licence** is issued.

- (2) All new **Business Licence** applications shall be accompanied by a non-refundable \$50.00 application processing fee. If a **Business Licence** application is approved, the application processing fee shall be applied to the **Business Licence** fee identified under the Fees and Charges Bylaw.
- (3) Every **Applicant** for a new **Business Licence** or for the renewal of a **Business Licence** issued under this By-law shall:
- (a) submit a completed application on the forms provided;
 - (b) file proof satisfactory to the **Licensing Officer** that they are eighteen (18) years of age or older, a citizen of Canada, or a landed immigrant or produce a valid work permit issued by the Government of Canada; to work in the occupation of the **Licence** type that they are applying for;
 - (c) provide a copy of the:
 - (i) incorporating document and a copy of the last annual information return which has been filed with the appropriate government department, if the **Applicant** is a corporation; or
 - (ii) registered declaration of partnership, if the **Applicant** is a registered partnership;
 - (d) provide any other document relating to the operation of the **Business** requested by the **Licensing Officer**, including but not limited to:
 - (i) a provincial driver's **Licence**;
 - (ii) Vulnerable Sector Screening Search or Criminal Conviction Background Search issued by the Police Service in which the **Applicant** resides;
 - (iii) Harmonized Sales Tax (HST) number;
 - (iv) York Regional Health Department Inspection Certificate;
 - (v) Insurance Certificates;
 - (e) pay any required fees pursuant to the **Town's Fees and Charges By-law**; and
 - (f) pay any outstanding fine(s) owed to the **Town** prior to the issuance of a **Business Licence**.
- (4) If a **Person** submits a **Business Licence** application for which additional information or documentation is required by the **Licensing Officer**, the **Person** shall supply all required information and documentation within 30 days of the request made by the **Licensing Officer**, after which time the application may be refused and a new application for a **Business Licence** is required.

7. Suspension, Cancellation, and Refusal

- (1) The **Manager** may revoke, suspend, cancel or refuse to renew or issue a **Licence**:
- (a) where the past conduct of the **Applicant** or licensee affords reasonable grounds for belief that the **Applicant** or licensee will not carry on the activity for which the **Applicant** is applying for

or the licensee is licensed for, in accordance with law and with integrity and honesty;

- (b) where the **Applicant** of licensee has been found by the **Manager** or **Licensing Officer** to fail to comply with any provision of this By-law; or
 - (c) where the **Applicant** has been found by the **Manager** to provide false information in order to obtain a **Business Licence**.
- (2) Upon such revocation, suspension, cancellation, or refusal to issue or renew a **Business Licence**, the **Manager** shall provide a formal letter outlining the reason(s) for the refusal and shall be delivered to the **Applicant** or licensee within seven (7) business days. Such notice shall set out and give reasonable particulars of the ground(s) for the decision and options for an Appeal Hearing.
 - (3) An **Applicant** or licensee of a **Business Licence** may request a hearing before the **Appeals Committee** for reconsideration of the **Manager**'s decisions to revoke, suspend, cancel, or refuse to issue or renew a **Business Licence** by delivering a written request to the **Manager** within fourteen (14) days of the **Manager**'s decision being sent.
 - (4) The **Applicant** or licensee of a **Business Licence** must pay a non refundable Appeal Fee in accordance with the Fees and Charges Bylaw.
 - (5) Before the **Appeals Committee** makes any decision, a written notice to advise the **Applicant** or licensee of the recommendations being made by the **Manager** with respect to the **Licence** shall be provided to the **Applicant** or licensee.
 - (6) The **Applicant** or licensee shall have the right to make a submission in support of an application or renewal or retention of a **Licence** before the **Appeals Committee**.
 - (7) Failure for the **Applicant** or licensee to attend the scheduled hearing before the **Appeals Committee** shall result in the proceeding of the hearing.
 - (8) The decision of the **Appeals Committee** is final and binding.
 - (9) No **Person** shall conduct any **Business** pursuant to their **Business Licence** during a period of suspension of that **Business Licence**.
 - (10) No **Person** shall **Market** a **Business** during a period of suspension of that **Business' Licence**.
 - (11) If the **Manager** suspends, cancels or refuses to issue, amend or renew the **Business Licence** for a **Business**, the **Town** may post a notice of suspension, cancellation, or refusal on the **Premises** of the **Business**.
 - (12) A posted notice of suspension, cancellation, or refusal of a **Business Licence** shall not be removed until the **Manager** has approved the issuance of a valid **Business Licence**.
 - (13) If a **Business** is operating without a **Licence** required under this By-law, the **Town** may post a notice describing the failure to hold a valid **Business Licence** on the **Premises** of the **Business**.

- (14) A posted notice of operating without a **Business Licence** shall not be removed until the **Manager** has approved the issuance of a valid **Business Licence**.

8. Specific Regulations

8.1 Pet Stores

- (1) Every **Pet Store** shall be maintained at all times in a sanitary, well-ventilated, clean condition, and free from offensive odours.
- (2) Every **Animal** shall be kept in sanitary, well-bedded, well-lighted, clean quarters, kept at a temperature appropriate for the health requirements of the type or species of **Animal** housed therein.
- (3) Every cage or other container used for the keeping or housing of any **Animal** shall:
 - (a) be of adequate size to permit any such **Animal** to stand normally to its full height, to turn around, and to lie down in a fully extended position;
 - (b) in the case of a cage or other container used to keep or house only **Birds**, have a removable metal or other impermeable bottom which shall be cleaned daily;
 - (c) in the case of all other cages or containers, have a floor of either solid or wire mesh construction or any combination thereof, provided that:
 - (i) all spaces in wire mesh shall be smaller than the pads of the foot of any **Animal** confined therein;
 - (ii) any such wire mesh shall be of a thickness and design adequate to prevent injury to any such **Animal**; and
 - (iii) such floor shall be of sufficient strength to support the weight of any such **Animal**;
 - (d) be equipped with receptacles for food and for water, so mounted or situated that they cannot be easily overturned or contaminated; and
 - (e) be located and enclosed in a manner as to prevent undue physical contact with the public.
- (4) Fresh water shall be provided daily to every **Animal** in sufficient quantity to maintain at all times a potable supply available to such **Animal**.
- (5) **Animals** shall be fed periodically each day in accordance with the particular food requirements of each type or species of **Animal** kept within the **Pet Store**.
- (6) Every **Applicant** licensed or required to be licensed with the **Town** under this By-law shall:
 - (a) provide to every purchaser of a cat or dog a health assessment from a licensed **Veterinarian** to verify the **Animal** has received up to date veterinary care;
 - (b) only permit a cat or dog within the **Pet Store** for the purpose of sale, where facilitated through adoption, and where the cat or dog has been obtained from one (1) of the following sources:

- (i) municipal **Animal** shelters;
 - (ii) registered humane societies;
 - (iii) registered shelters; or
 - (iv) a recognized **Animal** rescue group;
- (c) provide all enclosed dogs or cats reasonable exercise;
 - (d) not keep or sell any sick, injured, or diseased **Animals** unless under the direction of a veterinarian;
 - (e) not display any **Animal** in an exterior display window;
 - (f) not permit to be sold, offer for sale, or give away any **Animal** before it has reached the normal weaning age, based on known requirements of that particular species; and
 - (g) give the purchaser on any sale all available information pertaining to the disposition of any dog or cat, a receipt showing the name and address of the vendor and the purchaser, the date of sale, the sale price, the breed or crossbreed, sex, age, and description.
- (7) Every **Pet Store** shall maintain a registry of each dog or cat purchased or otherwise obtained. Each entry shall be made at the time each dog or cat comes into the possession of any **Owner**, employee, or **Person** associated with the **Pet Store** and shall include:
- (a) the date of purchase;
 - (b) a full description of the dog or cat;
 - (c) the name, address, and contact information of the **Person** from whom the dog or cat was obtained; and
- the **Pet Store** shall retain the register in respect of each transaction for the period of twelve (12) months thereafter and be made available to the **Manager** upon request.
- (8) Every **Pet Store** shall ensure that an **Attendant** in charge of and responsible for the care and safe keeping of **Animals** within the **Pet Store** remains on site at all times during the **Business** hours of operation.
- (9) Only **Permitted Animals**, as identified within the **Town's Animal Control By-law Schedule A**, shall be sold in any **Pet Store**.
- (10) Every **Person** licensed under this By-law shall make every reasonable effort to obtain the name, address and description of anyone offering to sell or give to the licensee any **Animal** which the licensee has cause or reason to suspect has been stolen or otherwise unlawfully obtained and the licensee shall report the facts promptly to the nearest Police Division of the Region of York Police Services.
- (11) Where the **Licensing Officer** or **Municipal Enforcement Officer** determines that an **Animal** appears to require medical attention, they may require the licensee to take the **Animal** to a qualified **Veterinarian** forthwith.

8.2 Short Term Rental Operators

- (1) No more than one (1) **Short Term Rental** is permitted on a **Lot**.

- (2) **Short Term Rentals** shall only be operated within one (1) **Dwelling Unit** on a **Lot**.
- (3) **Short Term Rentals** shall provide one (1) off-street parking space for each bedroom identified as in use by the **Business**. In addition to this requirement, one (1) off-street parking space shall be provided for the **Permanent Resident** of the property.
- (4) Each bedroom intended to be operated as part of a **Short Term Rental** shall be clearly identified at the time of a new or renewal **Business Licence** application process through the provision of a floor plan showing the location of each bedroom.
- (5) Any changes to the number or location of bedrooms shall be provided to the **Municipal Enforcement Officer** through a **Licence** amendment application, prior to those bedrooms being used by the **Business**.
- (6) An **Operator** of a **Short Term Rental** shall not:
 - (a) rent out or provide any sleeping accommodations within any vehicle, tent, or any accessory building;
 - (b) permit more than three (3) bedrooms to be made available for use;
 - (c) permit more than (6) overnight guests at one time; or
 - (d) permit beds or bedrooms to be used that are not identified on the **Business Licence** application for that **Premises**.
- (7) An **Operator** of a **Short Term Rental** shall post or display the **Business Licence** number on any **Marketing**, advertisements, or promotions for that **Business**.
- (8) An **Applicant** for a **Short Term Rental** shall provide:
 - (a) proof that they are a **Permanent Resident** on the property; or
 - (b) the name of the **Permanent Resident(s)** on the property and a copy of a tenancy agreement, or other proof satisfactory to the **Licensing Officer**, of an existing and ongoing principal residential use, at the time of a new or renewal application.
- (9) An **Operator** of a **Short Term Rental** shall ensure that a **Permanent Resident** on the property is present and available within the **Town** at all times while guests are staying on the **Premises**, and is able to respond to concerns raised by guests, neighbours, or the **Licensing Officer** within two (2) hours.
- (10) An **Operator** of a **Short Term Rental** shall provide to each guest and the **Licensing Officer** the telephone number of the **Person** who is present or available to respond to concerns pursuant to **Town** by-laws or provincial regulations.
- (11) No **Person** shall **Market**, operate, or make available any **Dwelling Unit** or part of a **Dwelling Unit** for paid accommodation of less than 28 days unless that **Dwelling Unit** has a current **Short Term Rental Licence**.
- (12) Upon approval of a **Short Term Rental Business Licence**, the **Applicant** shall post a sign in conformity with the **Town's Sign By-law**, to identify the **Premises** as a licensed **Short Term Rental** within the **Town**.

- (13) Every **Short Term Rental** shall comply with Schedule A of this By-law as a condition of their **Business Licence** and shall comply with the demerit point system licensing requirements imposed.
- (14) Every **Short Term Rental Operator** shall only **Market**, list, or advertise their **Business** on a licensed **Short Term Rental Company** platform.

8.3 Short Term Rental Companies

- (1) No **Person** shall carry on the **Business** of a **Short Term Rental Company** unless they have obtained a **Licence** to do so from the **Town**.
- (2) No **Person** shall, **Market**, advertise, facilitate the advertising or rental of, or broker a **Short Term Rental** if its **Operator** is not licensed as such with the **Town**.
- (3) Every **Person** shall take down or remove a listing or advertisement related to an unlicensed **Operator** within 24 hours of being requested to do so by the **Town**.
- (4) An application for a **Short Term Rental Company Licence** shall be in a form approved by the **Manager** and require the **Applicant** to provide:
 - (a) The **Short Term Rental Company's** registered **Business** address in Ontario;
 - (b) The name, phone number and e-mail address of a **Person** responsible for responding to all communications from the **Town**;
 - (c) Details of the process by which the **Short Term Rental Company** will remove advertisements for a **Short Term Rental** if its **Operator** has not obtained a **Licence** with the **Town**;
 - (d) Details of the **Short Term Rental Company's** procedure for dealing with problem **Operators** and responding to complaints; and
 - (e) Any other information or documentation required by the **Manager**.
- (5) A **Short Term Rental Company** shall comply with all applicable fees as identified within the **Town's Fees and Charges By-law**.
- (6) An **Applicant** for a **Short Term Rental Company Licence** shall, prior to being issued a **Licence**, execute an agreement with the **Town** governing the use, retention, and disclosure of **Operator** and guest information on terms satisfactory to the **Manager**.
- (7) Every **Short Term Rental Company** shall keep a record of each concluded transaction in relation to a **Short Term Rental** listed or advertised on its platform for three (3) years following the last day of the rental period. A transaction is concluded on the last day of the rental period. The records retained shall include the following:
 - (a) The name, address, and **Licence** number of the **Operator**;
 - (b) The number of nights the **Short Term Rental** was rented;
 - (c) The nightly and total price charged for the **Short Term Rental**;
 - (d) Whether the rental was an entire-unit rental or room rental; and

(e) Any other information required by the **Manager**.

- (8) Every **Short Term Rental Company** shall keep a record of the number of **Short Term Rental** listings or advertisement it removed from its platform in accordance with Sections 8.3(1) and 8.3(2) of this By-law.
- (9) Every **Short Term Rental Company** shall provide the records referred to in this section to the **Town** upon the request of the **Manager**.
- (10) Every **Short Term Rental Company** shall create **Operator** and guest accounts on its platforms as requested by the **Manager**, to be used to investigate compliance with this By-law.
- (11) No **Short Term Rental Company** shall obstruct, in any manner, access to any accounts established for use by the **Manager** or **Licensing Officer** to investigate compliance with this By-law.

9. Offences

- (1) Every **Person** who contravenes any provision of this By-law are liable to the fines and administrative fees set out under the Administrative Monetary Penalty System By-law 2019-62.
- (2) Every **Person** who is in contravention of the provisions of this By-law may request a review of the matter in accordance with the Administrative Monetary Penalty System By-law-2019- 62.
- (3) Any **Person** who contravenes a provision of this By-law is guilty of an offence and upon conviction is liable to a fine as provided for by the Provincial Offences Act, R.S.O. 1990, Chapter P.33, as amended.

10. Severability

- (1) Where a court of competent jurisdiction declares any section of this By-law to be invalid, or to be not in force, or without effect, it is the intention of **Council** in enacting this By-law that the remainder of this By-law shall continue in force and applied and enforced in accordance with its terms to the fullest extent possible according to law.

Enacted this 29th day of June, 2020.

John Taylor, Mayor

Lisa Lyons, Town Clerk

Business Licence By-law 2020-XX

Schedule A

Demerit Point System for Short Term Rentals

A Demerit Point System is hereby established to enforce this By-law, any other Town by-law, or Provincial Act or Regulation including, but not limited to, administrative penalties as set out in the Town's Administrative Monetary Penalty System By-law 2019-62, as amended, the Building Code Act, the Fire Protection and Prevention Act, and the Provincial Offences Act.

- (1) The number of demerit points referenced in Column 3 of Table 1 of this Schedule will be applied against a Short Term Rental business premises and licence in respect of the matter noted in Column 1 under the following conditions:
 - (a) fifteen (15) days from the date of issue for an administrative penalty issued under the Town's AMPS By-law;
 - (b) upon the issuance of a Part 1 or Part III ticket under the Provincial Offences Act; or
 - (c) upon conviction in the Ontario Court of Justice;
 - (d) the confirmation of an order; or
 - (e) the confirmation of any contravention documented by Central York Fire Services.
- (2) A Short Term Rental shall be awarded fifteen (15) demerit points upon the approval of their initial business licence.
- (3) Contraventions to the business premises as identified within Table 1 of this Schedule will result in a loss of demerit points. Demerit points shall remain in place for a duration of one (1) year from the date on which the demerit points were assessed.
- (4) Upon the loss of fifteen (15) or more demerit points to any Short Term Rental Licence, the Manager shall suspend, revoke, or impose additional conditions on a Short Term Rental Licence. The Owner or Operator may dispute any actions taken by the Manager by making a request, in writing, to appear before the Appeals Committee for the Town.

Hearing with the Appeals Committee

- (5) Notice shall be delivered by e-mail or regular mail to the address provided for the Owner or Operator of the Short Term Rental or Bed and Breakfast business, as identified on the application forms provided for a business licence.

- (6) Notice shall be provided a minimum of two (2) weeks in advance of the Hearing with the Appeals Committee date.
- (7) Notice provided in accordance with Section 5 of this Schedule shall be deemed to be sufficient Notice with or without confirmation of receipt of the Notice.
- (8) The fee payable by the Owner or Operator for the Hearing with the Appeals Committee shall be as prescribed and in accordance with the Town's Fees and Charges By-law.
- (9) If the Owner or Operator fails to attend on the scheduled date, the Hearing with the Appeals Committee may proceed in absentia.
- (10) After hearing the matter, the Appeals Committee may:
- (a) confirm the conditions imposed on, the suspension of, or the revocation of the business licence;
 - (b) amend the conditions imposed on, the suspension of, or the revocation of the business licence; or
 - (c) cancel the conditions imposed on, the suspension of, or the revocation of the business licence.
- (11) The decision of the Appeals Committee is final and binding.

Table 1		
Column 1 Infraction	Column 2 Reference	Column 3 Demerit Points
Fire Protection & Prevention Act/Fire Code	FPPA	15
Operate while business licence is suspended or revoked	Business Licence By-law 2020-XX, as amended	7
Building Code Act	BCA	7
More than the number of bedrooms permitted	Business Licence By-law 2020-XX, as amended	5
More than the number of guests permitted	Business Licence By-law 2020-XX, as amended	5
Failure to respond to complaint by specified time	Business Licence By-law 2020-XX, as amended	5
Contravention to Noise By-law	Noise By-law 2017-76	5
Contravention to Property Standards By-law	Property Standards By-law 2017-62, as amended	3
Contravention to Clean Yards By-law	Clean Yards By-law 2017-63	3
Failure to post business licence number on advertisements	Business Licence By-law 2020-XX, as amended	3
Failure to post business licence on premises	Business Licence By-law 2020-XX, as amended	3
Failure to post Sign	Business Licence By-law 2020-XX	2
Contravention to Waste Collection By-law	Waste Collection By-law 2017-19	2



Corporation of the Town of Newmarket

By-law 2020-32

A By-law to amend By-law 2019-62 being a By-law to implement an Administrative Monetary Penalty System in the Town of Newmarket.

Whereas the Municipal Act, 2001 and Ontario Regulation 333/07 authorizes a municipality to require a Person to pay an Administrative Penalty for a contravention of any By-law respecting the parking, standing or stopping of vehicles; and,

Whereas the Municipal Act, 2001 authorizes a municipality to pass by-laws imposing fees or charges for services or activities provided or done by or on behalf of it; and,

Whereas Council enacted By-law 2019-62 to implement an Administrative Monetary Penalty System in the Town of Newmarket; and,

Whereas it is deemed necessary to amend the Schedule A of By-law 2019-62 as it relates to the Designated By-law Provisions.

Therefore be it enacted by the Municipal Council of the Corporation of the Town of Newmarket as follows:

1. That Schedule A to the By-law 2019-62 be repealed and replaced by the attached Schedule A.

Enacted this 29th day of June, 2020.

John Taylor, Mayor

Lisa Lyons, Town Clerk

Schedule “A”

Administrative Monetary Penalty
System By-law 2019-62
Designated By-law Provisions

- 1. For the purposes of Section 3 of this By-law, Column A3 in the following table lists the provisions in the **Designated By-law** identified in the Schedule, as amended.
- 2. Column A4 in the following table sets out the short form wording to be used in a **Penalty Notice** for the contravention of the designated provisions listed in Column A3.
- 3. Column A6 in the following table set out the **Administrative Penalty** for the **Set Penalty Amount** in accordance with Section 5(5)(b) of this By-law that is payable for contraventions of the designated provisions listed in Column A3.
- 4. The penalties shown in Column A5 below include a twenty five percent (25%) discount for **Early Payment** in accordance with Section 5(5)(a) of this By-law that is payable for contraventions of the designated provisions listed in Column A3.
- 5. The penalties shown in column A7 below include a twenty five percent (25%) surcharge for **Late Payment** in accordance with Section 5(5)(c) of this By-law that is payable for contraventions of the designated provisions listed in Column A3.

A1 By-law	A2 Item #	A3 Section	A4 Description	A5 Early Payment	A6 Set Penalty	A7 Late Payment
Accessory Dwelling Units By-law 2013-13						
Accessory Dwelling Units By-law 2013-13, as amended	1.	2	Operate or permit occupancy in unregistered two unit house	450.00	600.00	750.00
	2.	3(a)	Failure to register two-unit house	450.00	600.00	750.00
	3.	9(a)	Obstruct a Municipal Enforcement Officer	450.00	600.00	750.00
Animal Control By-law 2020-XX						
Animal Control By-law 2020-XX, as amended	4.	4(2)	Dog noise causing a disturbance	225.00	300.00	375.00
	5.	4(3)	Control more than the maximum permitted dogs/cats	225.00	300.00	375.00
	6.	4(4)	Keep more than the maximum permitted dog/cats	225.00	300.00	375.00
	7.	4(5)(a)	Permit Dangerous Dog in a leash-free park	225.00	300.00	375.00
	8.	4(6)	Failure to stoop and scoop	225.00	300.00	375.00
	9.	4(7)	Keep Animal contrary to Schedule A of this By-law	450.00	600.00	750.00
	10.	4(8)	Failure to provide proof of grandfathered animal	450.00	600.00	750.00
	11.	4(9)	Failure to comply with conditions of grandfathered animal	225.00	300.00	375.00
	12.	4(10)	Failure to provide Town with new address of grandfathered animal	225.00	300.00	375.00
	13.	5(3)	Leave Animal in Vehicle contrary to conditions	300.00	400.00	500.00
	14.	5(4)(a)	Failure to provide Animal sanitary environment	300.00	400.00	500.00
	15.	5(4)(b)	Failure to provide Animal adequate care	300.00	400.00	500.00
	16.	5(4)(c)	Failure to provide Animal adequate food and water	300.00	400.00	500.00
	17.	5(4)(d)	Failure to provide Animal shelter	300.00	400.00	500.00
	18.	5(4)(e)	Failure to provide Animal Veterinary care	300.00	400.00	500.00
	19.	5(5)	Keep Animal in a condition that causes a disturbance	300.00	400.00	500.00
	20.	5(6)	Keep Animal in a manner that endangers the health of others	300.00	400.00	500.00

Animal Control By-law 2020-XX, as amended	21.	6(1)(a)	Use tether less than 3m	300.00	400.00	500.00
	22.	6(1)(b)	Failure to allow tethered Animal unrestricted movement	300.00	400.00	500.00
	23.	6(1)(c)	Failure to constrain a tethered Animal to property	300.00	400.00	500.00
	24.	6(1)(d)	Failure to provide tethered animal water, food, shelter, or shade	300.00	400.00	500.00
	25.	6(2)	Tether Animal using prohibited device	300.00	400.00	500.00
	26.	6(3)	Tether Animal for more than 3 hours	300.00	400.00	500.00
	27.	7(1)	Feed or permit the feeding of wildlife	225.00	300.00	375.00
	28.	7(2)	Permit or cause a feeding device to be left outside	225.00	300.00	375.00
	29.	8(1)	Failure to submit Urban Hens application	225.00	300.00	375.00
	30.	8(2)	Keep more than three Urban Hens	225.00	300.00	375.00
	31.	8(3)	Keep Urban Hen under the age of 4 months	225.00	300.00	375.00
	32.	8(4)	Keep Rooster on residential property	225.00	300.00	375.00
	33.	8(6)	Failure to keep Urban Hen in coop between 9:00pm and 6:00am	225.00	300.00	375.00
	34.	8(7)	Failure to keep Urban Hen in run	225.00	300.00	375.00
	35.	8(13)	Failure to maintain hen coop or hen run	225.00	300.00	375.00
	36.	8(14)	Permit the slaughter of hens	300.00	400.00	500.00
	37.	8(15)	Improper disposal of livestock	300.00	400.00	500.00
	38.	9(2)	Failure to comply with a Training Order	300.00	400.00	500.00
	39.	9(3)(a)	Failure to comply with Notice to Muzzle on owner's property	300.00	400.00	500.00
	40.	9(3)(b)	Failure to comply with Notice to Muzzle when off of owner's property	300.00	400.00	500.00
	41.	9(4)	Failure to prevent dog from engaging in a dangerous Act	450.00	600.00	750.00
	42.	9(7)	Failure to comply with a Dangerous Dog Order	450.00	600.00	750.00
	43.	12(1)	Failure to licence cat/dog	300.00	400.00	500.00
	44.	12(2)	Failure to affix licence to cat/dog	300.00	400.00	500.00
	45.	12(5)	Provide false information when licensing animal	300.00	400.00	500.00
	46.	13(1)	Permit dog at large	300.00	400.00	500.00
	47.	13(3)	Permit dog in area contrary to posted signage	300.00	400.00	500.00
	48.	13(4)	Permit cat at large	300.00	400.00	500.00
Business Licence By-law 2020-XX						
Business Licence By-law 2020-XX, as amended	49.	3(1)	Operate without a business licence	450.00	600.00	750.00
	50.	3(2)	Failure to comply with legislation	225.00	300.00	375.00
	51.	3(3)	Operate business at more than one premises	225.00	300.00	375.00
	52.	3(5)	Failure to display business licence			
	53.	3(8)(a)	Advertising without a business licence	225.00	300.00	375.00
	54.	3(8)(b)	Improper business name advertised	225.00	300.00	375.00
	55.	3(8)(c)	Advertise products or services contrary to Town by-laws	225.00	300.00	375.00
	56.	3(9)	Carry on business on Town property without authorization	225.00	300.00	375.00
	57.	4(2)	Obstruct a Licensing Officer	450.00	600.00	750.00
	58.	7(9)	Operate business while licence is suspended	450.00	600.00	750.00
	59.	7(10)	Advertise business while licence is suspended	225.00	300.00	375.00
	60.	7(12)	Remove posted notice of suspension	225.00	300.00	375.00
	61.	7(14)	Remove posted notice of no business licence	225.00	300.00	375.00
	62.	8.1(1)	Failure to maintain Pet Store	225.00	300.00	375.00
	63.	8.1(2)	Failure to keep animal or bird in adequate conditions	225.00	300.00	375.00
Business Licence By-law 2020-XX, as amended	64.	8.1(3)(a)	Failure to provide adequate cage size	225.00	300.00	375.00
	65.	8.1(3)(b)	Failure to keep or maintain bird cage	225.00	300.00	375.00
	66.	8.1(3)(c)	Improper cage construction	225.00	300.00	375.00
	67.	8.1(3)(d)	Improper food and water receptacles	225.00	300.00	375.00
	68.	8.1(3)(e)	Failure to provide undue physical contact with the public	225.00	300.00	375.00
	69.	8.1(4)	Failure to provide water	225.00	300.00	375.00
	70.	8.1(5)	Failure to provide food	225.00	300.00	375.00
	71.	8.1(6)(a)	Failure to provide health assessment	225.00	300.00	375.00
	72.	8.1(6)(b)	Source cat or dog for purpose of sale contrary to by-law	600.00	800.00	1000.00
	73.	8.1(6)(c)	Failure to provide cat or dog with reasonable exercise	225.00	300.00	375.00
	74.	8.1(6)(d)	Keep or sell sick, injured, or diseased animals	225.00	300.00	375.00
	75.	8.1(6)(e)	Display animal in exterior window display	225.00	300.00	375.00
	76.	8.1(6)(f)	Sell or offer for sale any animal prior to normal weaning age	225.00	300.00	375.00
	77.	8.1(6)(g)	Failure to provide descriptive receipt	225.00	300.00	375.00

Business Licence By-law 2020-XX, as amended	78.	8.1(7)	Failure to maintain or provide cat or dog registry	225.00	300.00	375.00
	79.	8.1(8)	No attendant present during business hours	225.00	300.00	375.00
	80.	8.1(9)	Sell or offer for sale animal listed on prohibited animals list	450.00	600.00	750.00
	81.	8.1(10)	Failure to disclose stolen or unlawfully obtained animal	450.00	600.00	750.00
	82.	8.1(11)	Failure to seek medical attention for animal as directed	450.00	600.00	750.00
	83.	8.2(1)	More than 1 STR on a lot	225.00	300.00	375.00
	84.	8.2(2)	Operate STR in more than 1 dwelling unit	225.00	300.00	375.00
	85.	8.2(3)	Failure to provide adequate parking for STR	225.00	300.00	375.00
	86.	8.2(5)	Failure to notify Town of changes to STR operations	225.00	300.00	375.00
	87.	8.2(6)(a)	Provide sleeping accommodations in vehicle, tent, or accessory building	450.00	600.00	750.00
	88.	8.2(6)(b)	Exceed number of bedrooms permitted for STR	225.00	300.00	375.00
	89.	8.2(6)(c)	Exceed number of guests permitted for STR	225.00	300.00	375.00
	90.	8.2(6)(d)	Permit beds or bedrooms to be used contrary to licence	225.00	300.00	375.00
	91.	8.2(7)	Failure to post or display business licence number on marketing	225.00	300.00	375.00
	92.	8.2(9)	Failure to respond to STR concerns within 2 hours	225.00	300.00	375.00
Business Licence By-law 2020-XX, as amended	93.	8.2(10)	Failure to provide contact information	225.00	300.00	375.00
	94.	8.2(11)	Operate or market part of or whole dwelling unit without a licence	225.00	300.00	375.00
	95.	8.2(12)	Failure to post sign for STR	225.00	300.00	375.00
	96.	8.2(14)	Market STR on unlicensed STR Company platform	225.00	300.00	375.00
	97.	8.3(1)	Operate STR Company without a licence	450.00	600.00	750.00
	98.	8.3(2)	Advertise STR that has not obtained a licence	225.00	300.00	375.00
	99.	8.3(3)	Failure to remove listing or advertisement as requested by Town	225.00	300.00	375.00
	100.	8.3(7)	Failure to maintain records by STR Company	225.00	300.00	375.00
	101.	8.3(9)	Failure to provide records upon request	225.00	300.00	375.00
	102.	8.3(10)	Failure to create platform accounts upon request	225.00	300.00	375.00
	103.	8.3(11)	Obstruct access to platform accounts	225.00	300.00	375.00
By-law 2002-151 (Licensing)						
By-law 2002-151 Schedule 1 Adult Entertainment Parlours	104.	1.2	Operate without an Adult Entertainment Parlour Owner's licence	450.00	600.00	750.00
	105.	1.3	Operate without an Adult Entertainment Parlour Operator's licence	450.00	600.00	750.00
By-law 2002-151 Schedule 2 Adult Video Stores	106.	2.2	Operate without an Adult Video Store licence	450.00	600.00	750.00
	107.	2.25	Failure to post licence in premise	225.00	300.00	375.00
	108.	2.28	Advertise business contrary to conditions	225.00	300.00	375.00
By-law 2002-151 Schedule 7 Body-rub Parlours	109.	7.2	Operate without a body-rub parlour licence	450.00	600.00	750.00
	110.	7.3	Failure to obtain an attendant's licence	450.00	600.00	750.00
	111.	7.4(a)	Provide services designed to appeal to sexual appetites	450.00	600.00	750.00
	112.	7.4(b)	Provide body-rubs to a person under 18 years of age	225.00	300.00	375.00
	113.	7.4(c)	Failure to post sign restricting entry for under 18 years of age	225.00	300.00	375.00
	114.	7.4(d)	Permit employee under 18 years of age	225.00	300.00	375.00
	115.	7.4(e)	Business open without owner/operator onsite	225.00	300.00	375.00
	116.	7.4(f)	Consume or be in possession of alcohol or drugs	450.00	600.00	750.00
	117.	7.4(g)	Permit intoxicated person to remain in body-rub parlour	225.00	300.00	375.00
	118.	7.4(l)	Failure to post licence	225.00	300.00	375.00
	119.	7.4(o)	Failure to provide required documentation to Licensing Officer	225.00	300.00	375.00
	120.	7.4(p)	Failure to provide copy of attendant licences	225.00	300.00	375.00
	121.	7.4(s)	Use or permit any camera or recording device	225.00	300.00	375.00
	122.	7.4(t)	Failure to post sign as directed by Town	225.00	300.00	375.00
	123.	7.6	Prohibited sign	225.00	300.00	375.00
	124.	7.7	Circulate, post, or distribute printed material	225.00	300.00	375.00
	125.	7.9	Advertise unauthorized business name or logo	225.00	300.00	375.00
	126.	7.11(a)	Contravene approved floor plan	225.00	300.00	375.00
	127.	7.11(b)	Locked or obstructed rooms	225.00	300.00	375.00
	128.	7.11(d)	Body-rub parlour used as a dwelling	225.00	300.00	375.00
	129.	7.11(e)	Room for body-rub not equipped with window	225.00	300.00	375.00
	130.	7.12	Operate business contrary to hours of 11:00am to 11:59pm	225.00	300.00	375.00
	131.	7.13(a)	Operate body-rub parlour within 500m of residential zone	225.00	300.00	375.00

By-law 2002-151 Schedule 7 Body-rub Parlours	132.	7.13(b)	Operate body-rub parlour on or within 500m of restricted roadway	225.00	300.00	375.00
	133.	7.13(c)	Operate body-rub parlour within 500m of any school, church, or child day care	225.00	300.00	375.00
	134.	7.13(d)	Operate body-rub parlour within 1km of another body-rub parlour	225.00	300.00	375.00
	135.	7.47	Obstruct a Licensing Officer	450.00	600.00	750.00
By-law 2002-151 Schedule 15 Newspaper Boxes	136.	15.2	Failure to notify Town of newspaper box on Town property	450.00	600.00	750.00
	137.	15.8	Failure to maintain newspaper box	225.00	300.00	375.00
Clean Yards By-law 2017-63						
Clean Yards By-law 2017-63, as amended	138.	2.1	Failure to maintain property	150.00	200.00	250.00
	139.	2.2	Failure to provide ground cover	150.00	200.00	250.00
	140.	2.3	Failure to maintain natural garden in living condition	150.00	200.00	250.00
	141.	2.4	Unsightly growth	150.00	200.00	250.00
	142.	2.5	Noxious weeds	150.00	200.00	250.00
	143.	2.6	Grass/weeds exceeding 20cm in height	150.00	200.00	250.00
	144.	2.7	Failure to maintain trees on property	150.00	200.00	250.00
	145.	2.8	Spread dust or dirt onto neighbouring property	150.00	200.00	250.00
	146.	2.9	Failure to maintain pool in good repair	150.00	200.00	250.00
	147.	3.1(a)	Store or keep motor vehicle missing parts	150.00	200.00	250.00
	148.	3.1(b)	Unlicensed motor vehicle on property	150.00	200.00	250.00
	149.	3.1(c)	Store or keep motor vehicle parts	150.00	200.00	250.00
	150.	3.1(d)	Store or keep derelict motor vehicle	150.00	200.00	250.00
	151.	4.1	Permit composting contrary to by-law	150.00	200.00	250.00
	152.	4.2(a)	Failure to compost in rear yard	150.00	200.00	250.00
	153.	4.2(b)	Failure to compost in container	150.00	200.00	250.00
	154.	4.2(c)	Failure to cover compost	150.00	200.00	250.00
	155.	4.2(d)	Animal feces in compost container	150.00	200.00	250.00
	156.	4.2(e)	Permit odour from composting	150.00	200.00	250.00
	157.	4.2(f)	Failure to maintain compost from attracting animals	150.00	200.00	250.00
	158.	4.2(g)	Failure to maintain composter setback requirements	150.00	200.00	250.00
	159.	5.1	Keep firewood contrary to by-law	150.00	200.00	250.00
	160.	5.2(b)	Exceed 15% of total yard area for firewood storage	150.00	200.00	250.00
	161.	5.2(c)	Improper storage of firewood in rear yard	150.00	200.00	250.00
	162.	5.2(d)	Improper storage of firewood in side yard	150.00	200.00	250.00
	163.	5.2(e)	Pile firewood along fence	150.00	200.00	250.00
	164.	6.1	Place or permit Graffiti	150.00	200.00	250.00
	165.	6.2	Failure to maintain property free of graffiti	150.00	200.00	250.00
	166.	7.1	Permit standing water	150.00	200.00	250.00
	167.	8.1	Failure to maintain boulevard	150.00	200.00	250.00
	168.	8.2	Failure to maintain boulevard gardens	150.00	200.00	250.00
	169.	8.3	Failure to maintain plantings from encroachment	150.00	200.00	250.00
	170.	8.4	Failure to maintain sidewalk	150.00	200.00	250.00
	171.	11.5	Obstruct a Municipal Enforcement Officer	450.00	600.00	750.00
Clothing Donation Bins By-law 2016-33						
Clothing Donation Bins By-law 2016-33, as amended	172.	2.1	Operate without a Clothing Donation Bin Operator licence	450.00	600.00	750.00
	173.	3.2	Clothing Donation Bin on Town property	450.00	600.00	750.00
	174.	3.3	Clothing Donation Bin located at unauthorized location	225.00	300.00	375.00
	175.	4.1(a)	Failure to display name on bin	225.00	300.00	375.00
	176.	4.1(d)	Failure to display pick-up schedule for donations	225.00	300.00	375.00
	177.	4.2(b)	Failure to properly affix sticker on bin	225.00	300.00	375.00
	178.	6.1	Obstruct a Municipal Enforcement Officer	450.00	600.00	750.00
Fireworks By-law 2015-18						
Fireworks By-law 2015-18, as amended	179.	3.1	Offer for sale, cause, or permit to be sold fireworks	450.00	600.00	750.00
	180.	3.2	Discharge any prohibited fireworks	450.00	600.00	750.00
	181.	3.3	Sell consumer fireworks 7 days prior to Victoria or Canada Day	225.00	300.00	375.00
	182.	3.6	Display in any store window any type of fireworks	450.00	600.00	750.00
	183.	3.8	Sell or offer for sale fireworks without a licence	450.00	600.00	750.00
	184.	3.10	Discharge fireworks on Town property without a permit	450.00	600.00	750.00
	185.	3.11	Discharge fireworks on private property without a permit	450.00	600.00	750.00
	186.	6.1	Discharge fireworks when prohibited	450.00	600.00	750.00
Mobile Business Licence By-law 2020-07						
Mobile Business Licence By-law	187.	3(1)(a)	Operate without a business licence	450.00	600.00	750.00
	188.	3(1)(c)	Failure to comply with condition of licence	225.00	300.00	375.00
	189.	3(2)	Failure to comply with legislation	225.00	300.00	375.00
	190.	3(3)	Failure to display business licence	225.00	300.00	375.00

2020-07	191.	3(5)(a)	Advertising without a business licence	225.00	300.00	375.00
	192.	3(5)(b)	Improper business name advertised	225.00	300.00	375.00
	193.	3(6)	Carry on business on Town property without authorization	225.00	300.00	375.00
	194.	3(7)	Failure to possess business licence	225.00	300.00	375.00
	195.	3(8)	Smoke or permit smoking in business vehicle	225.00	300.00	375.00
	196.	4(2)	Obstruct a Licensing Officer	450.00	600.00	750.00
	197.	7(9)	Operate business while licence is suspended	450.00	600.00	750.00
	198.	7(10)	Advertise business while licence is suspended	225.00	300.00	375.00
	199.	7(12)	Remove posted notice of suspension	225.00	300.00	375.00
	200.	7(14)	Remove posted notice of no business licence	225.00	300.00	375.00
	201.	8.1(2)	Failure to comply with Taxicab Driver requirements	225.00	300.00	375.00
	202.	8.1(3)	Failure to display Taxicab Driver information	225.00	300.00	375.00
	203.	8.1(4)(b)	Failure to disclose Fare for Taxicab Trip	225.00	300.00	375.00
	204.	8.1(4)(c)	Failure to notify Town of Taxicab Driver	225.00	300.00	375.00
	205.	8.1(4)(d)	Failure to notify Town of Taxicab	225.00	300.00	375.00
	206.	8.1(5)(a)	Failure to provide required Taxicab Driver information	225.00	300.00	375.00
	207.	8.1(5)(b)	Failure to provide required Taxicab information	225.00	300.00	375.00
	208.	8.1(6)	Failure to maintain Taxicab Trip information	225.00	300.00	375.00
	209.	8.1(10)	Failure to remove Taxicab Driver	225.00	300.00	375.00
	Mobile Business Licence By-law 2020-07	210.	8.1(12)	Failure to comply with Taxicab requirements	450.00	600.00
211.		8.1(13)	Permit unauthorized passenger(s) in Taxicab	225.00	300.00	375.00
212.		8.2(2)	Failure to comply with TNC Driver requirements	225.00	300.00	375.00
213.		8.2(3)(b)	Permit hail ride for TNC	225.00	300.00	375.00
214.		8.2(3)(c)	Failure to maintain Safety Standard Certificate in TNC Vehicle	225.00	300.00	375.00
215.		8.2(4)(c)	Failure to provide third party audit records	225.00	300.00	375.00
216.		8.2(6)(a)	Failure to disclose Fare for TNC Trip	225.00	300.00	375.00
217.		8.2(6)(c)	Failure to charge proper Fare for TNC Trip	225.00	300.00	375.00
218.		8.2(6)(d)	Failure to maintain TNC Trip information	225.00	300.00	375.00
219.		8.2(7)	Failure to use GPS on TNC App	225.00	300.00	375.00
220.		8.2(8)	Failure to provide TNC Driver information via TNC App	225.00	300.00	375.00
221.		8.2(9)	Failure to provide electronic receipt via TNC App	225.00	300.00	375.00
222.		8.2(10)(a)	Failure to provide required TNC Driver information	225.00	300.00	375.00
223.		8.2(10)(b)	Failure to provide required TNC Vehicle information	225.00	300.00	375.00
224.		8.2(11)	Failure to maintain TNC Trip records	225.00	300.00	375.00
225.		8.2(15)	Failure to remove TNC Driver from TNC App	225.00	300.00	375.00
226.		8.2(17)	Failure to comply with TNC Vehicle requirements	450.00	600.00	750.00
227.		8.3(2)	Failure to comply with Refreshment Vehicle Operator requirements	225.00	300.00	375.00
228.		8.3(3)	Failure to display Refreshment Vehicle Operator information	225.00	300.00	375.00
229.		8.3(4)	Failure to comply with Refreshment Vehicle conditions	225.00	300.00	375.00
Mobile Business Licence By-law 2020-07	230.	8.3(5)(a)	Permit amplified sounds	225.00	300.00	375.00
	231.	8.3(5)(b)	Unlawful seating for Refreshment Vehicle customers	225.00	300.00	375.00
	232.	8.3(6)(a)	Failure to maintain Refreshment Vehicle	225.00	300.00	375.00
	233.	8.3(6)(b)	Failure to clean up refuse from Refreshment Vehicle	225.00	300.00	375.00
	234.	8.3(6)(c)	Failure to notify the Town of Refreshment Vehicle Operator	225.00	300.00	375.00
	235.	8.3(7)	Failure to comply with Refreshment Vehicle – Type 1 conditions	225.00	300.00	375.00
	236.	8.3(8)	Failure to obtain Special Event Organizer Licence	225.00	300.00	375.00
	237.	8.3(9)	Operate Refreshment Vehicle contrary to conditions	450.00	600.00	750.00
	238.	8.4(3)	Failure to maintain Limousine documents	225.00	300.00	375.00
	239.	8.4(4)	Failure to comply with Limousine Driver requirements	225.00	300.00	375.00
	240.	8.4(5)	Failure to display Limousine Driver information	225.00	300.00	375.00
	241.	8.4(6)(a)	Failure to notify Town of Limousine Driver	225.00	300.00	375.00
	242.	8.4(7)(a)	Permit too many passengers in Limousine	225.00	300.00	375.00
	243.	8.4(7)(b)	Permit a Limousine to operate with obstructed view	450.00	600.00	750.00
	244.	8.4(8)	Failure to comply with Limousine requirements	450.00	600.00	750.00
	245.	8.5(4)(a)	Failure to provide MTO Driving Instructor's Licence	225.00	300.00	375.00
	246.	8.5(4)(b)	Failure to carry a valid driver's licence	225.00	300.00	375.00
	247.	8.5(4)(c)	Failure to provide driving instruction/test documentation	225.00	300.00	375.00
	248.	8.5(4)(d)	Failure to affix Sticker Plate on Driving School Instructor Vehicle	225.00	300.00	375.00
	249.	8.5(4)(e)	Failure to affix roof sign on Driving School Instructor Vehicle	225.00	300.00	375.00
Mobile Business Licence By-law 2020-07	250.	8.5(5)	Operate in Restricted Area	450.00	600.00	750.00
	251.	8.6(2)(a)	Failure to maintain Tow Truck documents	225.00	300.00	375.00
	252.	8.6(2)(b)	Failure to remove debris prior to towing a vehicle	225.00	300.00	375.00
	253.	8.6(2)(c)	Failure to remove debris within 8hrs following investigation	450.00	600.00	750.00
	254.	8.6(3)	Failure to comply with Tow Truck Driver requirements	450.00	600.00	750.00
	255.	8.6(4)	Failure to display Tow Truck Driver information	225.00	300.00	375.00
	256.	8.6(5)	Failure to notify Town of Tow Truck Driver	225.00	300.00	375.00
	257.	8.6(6)(a)	Failure to maintain Tow Truck;	225.00	300.00	375.00
	258.	8.6(6)(b)	Interfere with Tow Truck Company's contract	225.00	300.00	375.00
	259.	8.6(6)(c)	Recommend tow location to customer	225.00	300.00	375.00

Mobile Business Licence By-law 2020-07	260.	8.6(6)(d)	Accept gift or payment from facility in exchange for business	225.00	300.00	375.00
	261.	8.6(6)(e)	Accept Drop Fee	225.00	300.00	375.00
	262.	8.6(6)(f)	Failure to obtain consent to connect or tow	225.00	300.00	375.00
	263.	8.6(6)(g)	Stop, stand, or park within 200m of Collision Scene	225.00	300.00	375.00
	264.	8.6(6)(h)	Remove vehicle from Collision Scene without permission	225.00	300.00	375.00
	265.	8.6(6)(i)	Permit unauthorized passenger(s) in Tow Truck	225.00	300.00	375.00
	266.	8.6(7)	Failure to provide or maintain Tow Truck Equipment	225.00	300.00	375.00
	267.	8.6(8)(a)	Failure to comply with Tow Truck Vehicle requirements	225.00	300.00	375.00
	268.	8.6(8)(b)	Failure to affix Sticker Plate on Tow Truck Vehicle	225.00	300.00	375.00
	269.	8.6(9)	Failure to comply with towing rates	450.00	600.00	750.00
	270.	8.6(10)	Failure to comply with Re-Tow towing rates	450.00	600.00	750.00
	271.	8.6(11)(a)	Failure to maintain Tow Truck Driver information	225.00	300.00	375.00
	272.	8.6(11)(b)	Failure to maintain Tow Truck information	450.00	600.00	750.00
	273.	8.6(12)	Failure to maintain Tow Truck Trip information	225.00	300.00	375.00
	274.	8.6(13)	Failure to maintain run sheets	225.00	300.00	375.00
	275.	8.6(14)	Failure to provide affiliated Public Garage information	225.00	300.00	375.00
Noise By-law 2017-76						
Noise By-law 2017-76, as amended	276.	3.1	Make, cause or permit the emission of noise likely to disturb	150.00	200.00	250.00
	277.	3.2(a)	Make, cause or permit tires to squeal	150.00	200.00	250.00
	278.	3.2(b)	Operate a combustion engine without an effective exhaust or muffler	150.00	200.00	250.00
	279.	3.2(b)	Operate a pneumatic device without an effective exhaust or muffler	150.00	200.00	250.00
	280.	3.2(c)	Make, cause or permit the operation of a vehicle with a trailer to clank, squeal or other like noises	150.00	200.00	250.00
	281.	3.2(d)	Make, cause or permit the use of a horn, whistle, bell, or other	150.00	200.00	250.00
	282.	3.2(e)	Make, cause, or permit the operation of an air conditioner not in proper working order	150.00	200.00	250.00
	283.	3.2(e)	Make, cause or permit the operation of a pool pump or filter not in proper working order	150.00	200.00	250.00
	284.	3.2(e)	Make, cause or permit the operation of a heat pump not in proper working order	150.00	200.00	250.00
	285.	3.2(f)	Make, cause or permit noise from false alarm in excess of 10 minutes	150.00	200.00	250.00
	286.	3.2(g)	Make, cause or permit the operation of a roof top unit not in proper working order	150.00	200.00	250.00
	287.	4.1	Make or permit noise during prohibited time	150.00	200.00	250.00
Outdoor Serving Area By-law 2016-29						
Outdoor Serving Area By-law 2016-29, as amended	288.	2.1	Operate an Outdoor Serving Area without a licence	450.00	600.00	750.00
	289.	4.3	Failure to post municipal regulations	150.00	200.00	250.00
Parking By-law 2019-62						
Parking By-law 2019-62, as amended	290.	5(2)	Interfere with Authorized Sign	30.00	40.00	50.00
	291.	5(3)	Obstruct Authorized Sign	30.00	40.00	50.00
	292.	6(1)(a)	Park facing wrong direction	30.00	40.00	50.00
	293.	6(1)(b)	Park more than 30cm from curb	30.00	40.00	50.00
	294.	6(1)(c)	Fail to park parallel to curb	30.00	40.00	50.00
	295.	7(1)(a)	Park within 9m of non-signalized intersection	37.50	50.00	62.50
	296.	7(1)(b)	Park within 15m of signalized intersection	37.50	50.00	62.50
	297.	7(1)(c)	Exceed posted time	30.00	40.00	50.00
	298.	7(1)(d)	Park contrary to traffic control device	30.00	40.00	50.00
	299.	7(1)(e)	Park causing obstruction	30.00	40.00	50.00
	300.	7(1)(f)	Park between 0200 and 0600 hrs	75.00	100.00	125.00
	301.	7(1)(g)	Park on boulevard	37.50	50.00	62.50
	302.	7(1)(h)	Park within 3m of hydrant	75.00	100.00	125.00
	303.	7(1)(i)	Park within 152m of firefighting apparatus	56.25	75.00	93.75
	304.	7(1)(j)	Park within 7m of fire hall entrance – same side	37.50	50.00	62.50
	305.	7(1)(k)	Park within 30m of fire hall entrance – opposite side	37.50	50.00	62.50
	306.	7(1)(l)	Park on a bridge	37.50	50.00	62.50
	307.	7(1)(m)	Park within 6m of bus stop	30.00	40.00	50.00
	308.	7(1)(n)	Park in a public laneway	30.00	40.00	50.00
	309.	7(1)(o)	Park on a median	37.50	40.00	50.00
	310.	7(1)(p)	Double park	37.50	50.00	62.50
	311.	7(1)(q)	Park within turning circle	30.00	40.00	50.00
	312.	7(1)(r)	Park displaying vehicle for sale	30.00	40.00	50.00
	313.	7(1)(s)	Park without valid registration	30.00	40.00	50.00
	314.	7(1)(t)	Parked while washing or repairing vehicle	30.00	40.00	50.00
	315.	7(1)(u)	Exceed 3 consecutive hours	30.00	40.00	50.00

Parking By-law 2019-62, as amended	316.	7(1)(v)	Park within 0.6m of driveway	37.50	50.00	62.50
	317.	7(1)(w)	Park obstructing previously parked vehicle	30.00	40.00	50.00
	318.	7(1)(x)	Park on narrow roadway	30.00	40.00	50.00
	319.	7(1)(y)	Park alongside railway tracks	30.00	40.00	50.00
	320.	7(1)(z)	Park causing obstruction to building	30.00	40.00	50.00
	321.	7(1)(aa)	Park within 15m of Authorized Sign intersection	30.00	40.00	50.00
	322.	7(1)(bb)	Park within 30m of traffic signal intersection	37.50	50.00	62.50
	323.	7(1)(cc)	Park within a turning basin	30.00	40.00	50.00
	324.	7(1)(dd)	Interfere with funeral procession	30.00	40.00	50.00
	325.	7(1)(ee)	Park within 15m of dead-end roadway	30.00	40.00	50.00
	326.	7(1)(ff)	Park within 3m of walkway	30.00	40.00	50.00
	327.	7(1)(gg)	Park within Unauthorized Area	75.00	100.00	125.00
	328.	7(2)	Park commercial vehicle on street	41.25	55.00	68.75
	329.	7(3)	Park trailer on street	41.25	55.00	68.75
	330.	7(4)(a)	Park within 15m of crosswalk – same side	37.50	50.00	62.50
	331.	7(4)(b)	Park within 30m of crosswalk – opposite side	37.50	50.00	62.50
	332.	7(5)(a)	Unauthorized parking on private property	30.00	40.00	50.00
	333.	7(5)(b)	Unauthorized parking on Town property	30.00	40.00	50.00
	334.	7(5)(c)	Park during restricted time	30.00	40.00	50.00
	335.	8(1)(a)	Stop within intersection	37.50	50.00	62.50
	336.	8(1)(b)	Stop within 9m of pedestrian crossover	37.50	50.00	62.50
	337.	8(1)(c)	Stop within 9m of School Crossing Guard	37.50	50.00	62.50
	338.	8(1)(d)	Stop causing obstruction	37.50	50.00	62.50
	339.	8(1)(e)	Stop contrary to traffic control device	30.00	40.00	50.00
	340.	8(1)(f)	Stop parallel to vehicle	30.00	40.00	50.00
	341.	8(1)(g)	Stop on a bridge	37.50	50.00	62.50
	342.	8(1)(h)	Stop within tunnel	37.50	50.00	62.50
	343.	8(1)(i)	Stop obstructing traffic	56.25	75.00	93.75
	344.	8(1)(j)	Stop within turning circle	37.50	50.00	62.50
	345.	8(1)(k)	Stop within Unauthorized Area	75.00	100.00	125.00
	346.	9(3)	Park within fire route	112.50	150.00	187.50
	347.	10(1)	Park contrary to No Parking sign	37.50	50.00	62.50
	348.	11(1)	Stop contrary to No Stopping sign	37.50	50.00	62.50
	349.	13(1)(a)	Park contrary to municipal parking area	30.00	40.00	50.00
	350.	13(1)(b)	Park in more than one space	30.00	40.00	50.00
	351.	13(1)(c)	Unauthorized parking in municipal parking area	30.00	40.00	50.00
	352.	14(1)(a)	Failure to display accessible permit	300.00	300.00	300.00
	353.	14(1)(b)	Unauthorized use of accessible permit	300.00	300.00	300.00
	354.	17(2)	Obstruct a Municipal Enforcement Officer	75.00	100.00	125.00
Property Standards By-law 2017-62						
Property Standards By-law 2017-62, as amended	355.	6.1(9)	Dilapidated structure or accumulated materials causing a nuisance	150.00	200.00	250.00
	356.	6.1(10)	Failure to maintain yard from pests	150.00	200.00	250.00
	357.	6.1(12)	Unsightly growth	150.00	200.00	250.00
	358.	6.1(15)	Construction bin in yard	150.00	200.00	250.00
	359.	6.1(17)	Interior furniture in yard	150.00	200.00	250.00
	360.	6.3(1)	Recurrent ponding of storm water in yard	150.00	200.00	250.00
	361.	6.3(2)	Instability or erosion of soil in yard	150.00	200.00	250.00
	362.	6.3(5)	Failure to maintain drainage pattern	150.00	200.00	250.00
	363.	7.3	Failure to maintain conditions which prevent passage	150.00	200.00	250.00
	364.	8.3(2)	Discharge water on walkways, stairs, or neighbouring property	150.00	200.00	250.00
	365.	9.1	Failure to maintain exterior lighting	150.00	200.00	250.00
	366.	10.1(1)	Failure to maintain fence	150.00	200.00	250.00
	367.	10.1(2)	Failure to maintain fence in structurally sound condition	150.00	200.00	250.00
	368.	11.1	Failure to maintain retaining wall	150.00	200.00	250.00
	369.	12.1	Failure to maintain sign	150.00	200.00	250.00
	370.	13.1(2)	Failure to maintain accessory building	150.00	200.00	250.00
	371.	14.2	Failure to provide report from professional engineer	150.00	200.00	250.00
	372.	15.1	Failure to demolish or repair damaged structure	150.00	200.00	250.00
	373.	17.1(1)	Failure to maintain roof in watertight condition	150.00	200.00	250.00
	374.	17.1(2)	Failure to secure loose materials on roof	150.00	200.00	250.00
	375.	17.1(3)	Failure to remove snow or ice from roof	150.00	200.00	250.00
	376.	17.2	Failure to maintain soffit or fascia	150.00	200.00	250.00
	377.	17.3	Failure to maintain eaves trough or downspout	150.00	200.00	250.00
	378.	18.1	Failure to maintain stairs, landings, guards, or handrails	150.00	200.00	250.00
	379.	18.2	Failure to provide handrail	150.00	200.00	250.00
	380.	18.4	Failure to secure fire escape	150.00	200.00	250.00
	381.	19.4	Failure to maintain fire protection requirements	150.00	200.00	250.00
	382.	20.5(5)	Failure to maintain chimney or gas vent	150.00	200.00	250.00
	383.	21.1	Failure to prevent nuisance	150.00	200.00	250.00
	384.	21.1(1)	Failure to prevent light into dwelling	150.00	200.00	250.00
	385.	21.1(2)	Failure to prevent debris onto adjacent property	150.00	200.00	250.00
	386.	21.1(3)	Failure to remove accumulated materials	150.00	200.00	250.00
	387.	21.2(1)	Failure to maintain place for storage of refuse	150.00	200.00	250.00
	388.	21.2(3)	Failure to screen place for storage of refuse	150.00	200.00	250.00

Property Standards By-law 2017-62, as amended	389.	22.1	Unoccupied and unsecured property	150.00	200.00	250.00
	390.	22.2	Failure to board vacant building	150.00	200.00	250.00
	391.	22.3	Failure to disconnect or secure utilities for vacant building	150.00	200.00	250.00
	392.	24.1	Failure to clear debris or material from demolition	150.00	200.00	250.00
	393.	24.3	Failure to protect adjoining property from demolition	150.00	200.00	250.00
	394.	25.1(2)	Failure to maintain appliances	150.00	200.00	250.00
	395.	25.1(3)	Failure to keep exit unobstructed	150.00	200.00	250.00
	396.	26.1	Failure to maintain dwelling free from conditions encouraging infestation	150.00	200.00	250.00
	397.	26.3	Failure to maintain garbage disposal room	150.00	200.00	250.00
	398.	27.1	Use non-habitable room	300.00	400.00	500.00
	399.	27.10	Failure to equip carbon monoxide detector	150.00	200.00	250.00
	400.	27.11	Failure to equip smoke detector	150.00	200.00	250.00
	401.	28.2	Failure to provide or maintain mail box	150.00	200.00	250.00
	402.	29.1	Disconnect service or utility	150.00	200.00	250.00
	403.	30.2	Failure to install locking devices on doors	150.00	200.00	250.00
	404.	30.4	Failure to maintain wall or ceiling	150.00	200.00	250.00
	405.	31.1	Failure to provide adequate heating system	150.00	200.00	250.00
	406.	31.4	Failure to provide written report by certified heating contractor	150.00	200.00	250.00
	407.	33.1(2)	Failure to maintain plumbing or fixtures	150.00	200.00	250.00
	408.	33.2	Failure to provide potable running water	150.00	200.00	250.00
	409.	33.6	Failure to provide hot or cold running water	150.00	200.00	250.00
	410.	34.1	Failure to maintain structure from mould	150.00	200.00	250.00
	411.	35.1	Failure to connect dwelling unit to electrical supply system	150.00	200.00	250.00
	412.	35.2	Failure to maintain electrical in good working order	150.00	200.00	250.00
	413.	35.6	Failure to maintain electrical fixtures	150.00	200.00	250.00
Second Hand Goods Shops and Dealers By-law 2008-79						
Second Hand Goods Shops and Dealers By-law 2008-79, as amended	425.	3.1	Operate business without a licence	450.00	600.00	750.00
	426.	3.2(3)	Failure to post licence in premise	225.00	300.00	375.00
	427.	3.2(4)	Purchase second hand good with serial numbers removed or obstructed	225.00	300.00	375.00
	428.	4.1	Failure to record complete acquisition	225.00	300.00	375.00
	429.	5.1	Dispose of goods not in accordance with by-law	225.00	300.00	375.00
	430.	11.1	Failure to produce records	225.00	300.00	375.00
Sign By-law 2017-73						
Sign By-law 2017-73, as amended	431.	3.1	Prohibited sign	225.00	300.00	375.00
	432.	3.2	Prohibited sign location	150.00	200.00	250.00
	433.	3.4	Sign causing obstruction	150.00	200.00	250.00
	434.	3.7	Flashing, animated, or noise emitting sign	150.00	200.00	250.00
	435.	3.8	Sign on vehicle or trailer	150.00	200.00	250.00
	436.	3.10	Unlawful temporary sign	150.00	200.00	250.00
	437.	4.1	Failure to obtain a sign permit	150.00	200.00	250.00
	438.	4.2	Alter sign after approval	150.00	200.00	250.00
	439.	7.3	Failure to removed expired sign	150.00	200.00	250.00
	440.	10.1(c)	Failure to maintain sign	150.00	200.00	250.00
	441.	11.2	Erect, post, or display sign on Town property	150.00	200.00	250.00
	442.	11.6	Erect, post, or display sign on private property	150.00	200.00	250.00
	443.	22.2	New home development sign displayed during prohibited time	150.00	200.00	250.00
Waste Collection By-law 2017-19						
Waste Collection By-law 2017-19, as amended	444.	4.1	Failure to set out refuse in accordance with by-law	150.00	200.00	250.00
	445.	4.2	Deposit refuse on private or public property	150.00	200.00	250.00
	446.	4.3	Place or permit refuse causing a nuisance	150.00	200.00	250.00
	447.	4.4	Refuse placed for collection on improper date or time	150.00	200.00	250.00
Emergency Measures By-law 2020-21						
	448.	3(1)	Permit or gather with more than the number of individuals prescribed by an Emergency Order	450.00	600.00	750.00

Emergency Measures By-law 2020-21	449.	3(2)	Enter or remain in any park deemed closed	450.00	600.00	750.00
	450.	3(3)	Failure to maintain a 2m physical social distance	450.00	600.00	750.00
	451.	3(4)	Guardian permits or allows individuals to not maintain 2m physical social distance	450.00	600.00	750.00
	452.	3(5)	Permit more than 50 customers to enter premise at one time	450.00	600.00	750.00
	453.	3(6)	Failure to restrict access to enter premise	450.00	600.00	750.00
	454.	3(7)	Failure to maintain 2m physical social distance of customers within premise	450.00	600.00	750.00
	455.	3(8)	Failure to comply with any order made during a declared emergency	450.00	600.00	750.00
	456.	5(3)	Obstruct a municipal enforcement officer	450.00	600.00	750.00

Schedule “B”

**Administrative Monetary Penalty System By-law
Administrative Fees**

1. The table below lists the **Administrative Fees** as defined in Section 2 of this By-law.

Administrative Fee Description	Fee Amount
Adjudication Fee	\$25.00
Fee – Hearing No-Show	\$100.00
Fee – MTO Plate Denial	\$20.00
Fee – MTO Search	\$10.00
Fee – Screening No-Show	\$50.00
Note: Fees listed in Schedule “B” to this By-law will be subject to Harmonized Sales Tax (H.S.T.) where applicable.	



Corporation of the Town of Newmarket

By-law 2020-33

A by-law to amend Fees and Charges By-law 2019-52 being a by-law to adopt fees and charges for services or activities provided by the Town of Newmarket. (Legislative Services - Licensing Charges).

Whereas the Municipal Act, 2001 authorizes a municipality to pass by-laws imposing fees or charges for services or activities provided or done by or on behalf of it; and,

Whereas Council enacted By-law 2019-52 to establish Legislative Services - Licensing Fees for the Corporation of the Town of Newmarket; and,

Whereas it is deemed necessary to amend the Schedule of By-law 2019-52.

Therefore be it enacted by the Municipal Council of the Corporation of the Town of Newmarket as follows:

1. That the Schedule to the By-law 2019-52 be amended to add the following fees:

Service Provided	Unit of Measure	2020 Fee
Pet Stores	each	\$150.00
Short Term Rentals – 1 Bedroom	each	\$100.00
Short Term Rentals – 2 Bedroom	each	\$200.00
Short Term Rentals – 3 Bedroom	each	\$300.00
Short Term Rental Companies - Initial	each	\$5,000.00
Short Term Renal Companies - room booking per night	each	\$ 1.00

Enacted this 29th day of June, 2020.

John Taylor, Mayor

Lisa Lyons, Town Clerk



Corporation of the Town of Newmarket

By-law 2020-34

A By-law to Provide For The Levy And Collection Of The Sums Required By The Corporation Of The Town Of Newmarket For 2020 And To Provide For The Mailing Of Notices Requisitioning The Payment Of Taxes For 2020.

Whereas Section 312 (2) of the Municipal Act, 2001, as amended, provides that the Council of a local municipality shall, after the adoption of estimates for the year, enact a By-law to levy a separate tax rate on the assessment in each property class;

And whereas Sections 307 and 308 of the said Act require tax rates to be established in the same proportion to tax ratios;

And whereas estimates have been prepared showing the sum of \$183,368,456 is required to be raised for the lawful purposes of the Corporation of the Town of Newmarket for the year 2020 which estimates are made up as follows:

1. Town of Newmarket General Purposes	\$ 64,988,490
2. Regional Municipality of York Purposes	\$ 67,583,446
3. Ontario Education Purposes	\$ 50,796,503
	<u>\$183,368,439</u>

And whereas any special levy in the Town of Newmarket is based upon the Current Value Assessment as returned on the last revised Assessment Roll as determined by the Municipal Property Assessment Corporation in accordance with the Assessment Act, R.S.O. 1990, as amended, and summarized on Schedule "A" attached to this By-law;

Therefore be it enacted by the Council of the Corporation of the Town of Newmarket as follows:

1. That the following property tax class ratios are to be applied in determining tax rates for taxation in 2020:

Residential/Farm Property Class 1.000000
Multi-Residential Property Class 1.000000
Commercial Property Class 1.332100
Industrial Property Class 1.643200
Pipelines Property Class 0.919000
Farmlands Property Class 0.250000

2. And that for the year 2020, the Corporation of the Town of Newmarket shall levy upon the Residential Assessment, Multi-Residential Assessment, Commercial Assessment, Industrial Assessment, Pipeline Assessment and Farm Assessment the rates of taxation set out in this By-law. The optional property classes allowable, which were not adopted by the Region of York, have been included within Schedule "A" for clarity, shown with the tax rates established for the default Commercial and Industrial Assessment classes for the respective optional classes. This presentation was

selected to coincide with the property tax class codes and qualifiers used by the Municipal Property Assessment Corporation in its communication with property owners concerning their property assessments;

3. And that the sum of \$64,988,490 be levied and collected for the Town of Newmarket's General Purposes, as provided by the Corporation's 2020 Operating Budget; such sum to be provided by applying the tax rates as summarized in Schedule "A" attached, to the taxable assessments;
4. And that the sum of \$67,583,446 be levied and collected for the Town of Newmarket's share of the 2020 Budget for The Regional Municipality of York; such sum to be provided by applying the tax rates as summarized in Schedule "A" attached, to the taxable assessments;
5. And that the sum of \$50,796,503 be levied and collected for the Town of Newmarket's share of the 2020 Ontario Education levy; such sum to be provided by applying to the taxable assessments the tax rates summarized in Schedule "A" which are the rates prescribed for use by Ontario Regulation 400/98 as amended by O.Reg. 64/19;
6. And that for properties so assessed, payments in lieu of taxes shall be calculated using the tax rates in Schedule "A" which would be applicable to the property if it were subject to tax;
7. And that for the railway rights-of-way assessments and for the utility transmission and distribution corridor, assessments shall have their taxes due to the Corporation of the Town of Newmarket calculated in accordance with the Regulations as established by the Minister of Finance and the returned assessment roll;
8. And that for the purpose of the Business Improvement Area projects, the sum of \$30,000 shall be levied and collected from the property owners within the business improvement area;
9. And that the Treasurer shall add to the Collector's Roll, all or any arrears for fees or charges which should be collected pursuant to any statute or by-law to the respective properties chargeable thereto and that the same shall be collected by the Treasurer, or designate, in the same manner and at the same time as all other rates or levies;
10. And that the Interim Tax Levy as issued by staff, under the delegation of authority bylaw be shown as a reduction on the final tax levy;
11. And that all taxes levied under the authority of this By-law shall become due and payable in three installments; the first installment due August 26, 2020, the second installment due September 23, 2020 and the third installment due October 27, 2020, and all installments shall be payable to the Corporation of the Town of Newmarket;

These due dates are subject to amendment by the Treasurer or designate, if required, to meet the statutory timing required following the tax demand date;

12. And that the Treasurer or designate for the Corporation of the Town of Newmarket send or mail or cause to be sent or mailed, the notice specifying the amount of taxes payable by any person liable for taxes, addressed to that person's place of residence or place of

business or to the premises in respect of which the taxes are payable unless the taxpayer directs otherwise in which case it shall be sent to that address; email address or mortgage or finance company;

13. And that taxes are payable to the Corporation of the Town of Newmarket in all manners of payment as may be designated by the Town from time to time;
14. And that residents who qualify for the Low Income Seniors and Low Income Disabled Tax Deferral Program need to apply to the Tax Office in accordance with the program policies as established by the Regional Municipality of York. The amount of deferral for 2020 will be determined once the application has been approved;
15. And that if any section or portion of this by-law or of Schedule "A" is found by a court of competent jurisdiction to be invalid, it is the intent of Council for the Corporation of the Town of Newmarket that all remaining sections and portions of this By-law continue in force and effect;
16. And that Schedule "A" attached hereto shall be and form a part of this By-law.

Enacted this 29th day of June, 2020.

John Taylor, Mayor

Lisa Lyons, Town Clerk

SCHEDULE "A"					
Corporation of the Town of Newmarket					
2020 Schedule of Tax Rates for Taxable Property					
PropertyAssessment Class	RTC /Q	Town Rate	Region Rate	School Rate	Total Rate
Residential Taxable: Full	RT	0.309270%	0.321619%	0.153000%	0.783889%
Residential Taxable: Full Shared PIL	RH	0.309270%	0.321619%	0.153000%	0.783889%
Multi-Residential Taxable: Full	MT	0.309270%	0.321619%	0.153000%	0.783889%
Commercial Taxable: Full	CT	0.411979%	0.428429%	0.896686%	1.737094%
Commercial Taxable: Excess Land	CU	0.288385%	0.299900%	0.896686%	1.484971%
Commercial Taxable: Full Shared PIL	CH	0.411979%	0.428429%	0.896686%	1.737094%
Commercial Taxable: Excess Land, Shared PIL	CK	0.288385%	0.299900%	0.896686%	1.484971%
Parking Lot Taxable: Full	GT	0.411979%	0.428429%	0.896686%	1.737094%
Commercial Taxable: Vacant Land	CX	0.288385%	0.299900%	0.896686%	1.484971%
Office Building Taxable: Full	DT	0.411979%	0.428429%	0.896686%	1.737094%
Shopping Centre Taxable: Full	ST	0.411979%	0.428429%	0.896686%	1.737094%
Shopping Centre Taxable: Excess Land	SU	0.288385%	0.299900%	0.896686%	1.484971%
Commercial (New Construction) Taxable: Full	XT	0.411979%	0.428429%	0.896686%	1.737094%
Commercial (New Construction) Taxable: Excess Land	XU	0.288385%	0.299900%	0.896686%	1.484971%
Office Building (New Construction) Taxable: Full	YT	0.411979%	0.428429%	0.896686%	1.737094%
Office Building (New Construction) Taxable: Excess Land	YU	0.288385%	0.299900%	0.896686%	1.484971%
Shopping Centre(New Construction) Taxable: Full	ZT	0.411979%	0.428429%	0.896686%	1.737094%
Shopping Centre(New Construction) Taxable: Excess Land	ZU	0.288385%	0.299900%	0.896686%	1.484971%
Industrial Taxable: Full	IT	0.508192%	0.528484%	0.980000%	2.016676%
Industrial Taxable: Full Shared PIL	IH	0.508192%	0.528484%	0.980000%	2.016676%
Industrial Taxable: Excess Land, Shared PIL	IK	0.330325%	0.343515%	0.980000%	1.653840%
Industrial Taxable: Excess Land	IU	0.330325%	0.343515%	0.980000%	1.653840%
Industrial Taxable: Vacant Land	IX	0.330325%	0.343515%	0.980000%	1.653840%
Large Industrial Taxable: Full	LT	0.508192%	0.528484%	0.980000%	2.016676%
Large Industrial Taxable: Excess Land	LU	0.330325%	0.343515%	0.980000%	1.653840%
Industrial(New Construction)Taxable: Full	JT	0.508192%	0.528484%	0.980000%	2.016676%
Pipeline Taxable: Full	PT	0.284219%	0.295568%	1.250000%	1.829787%
Farm Taxable: Full	FT	0.077318%	0.080405%	0.038250%	0.195973%



Corporation of the Town of Newmarket

By-law 2020-35

Being an extension of Interim Control By-law 2019-4, as amended.

The intent of this Interim Control By-law is to control the development of single detached, semi detached, duplex, triplex, quadraplex and townhouse dwellings within defined areas of the Town of Newmarket for a period of one year.

WHEREAS Section 38 of the Planning Act permits the Council of a Municipality to pass an Interim Control By-law, that may be in effect for up to one year, which prohibits the use of land, buildings or structures within the municipality or within the defined area thereof for such purposes as set out in the By-law, but only if the Council of the municipality has directed that a review or study be undertaken with respect to land use planning policies that apply to the subject area.

AND WHEREAS the Planning Act permits the Council of a Municipality to amend an Interim Control By-law to extend it for a period not to exceed two years from the date of the passage of the original by-law.

AND WHEREAS Council for the Town of Newmarket has directed that an Established Residential Area study be undertaken to review zoning by-law regulations and associated land use policies pertaining to large home rebuilds in established residential neighbourhoods of Newmarket.

AND WHEREAS the Council for the Town of Newmarket seeks to control the erection of, or additions resulting in, any large scale single-detached dwelling within defined areas of the municipality, while the Established Residential Area study is being completed.

NOW, THEREFORE, BE IT RESOLVED THAT THE COUNCIL OF THE CORPORATION OF THE TOWN OF NEWMARKET ENACTS AS FOLLOWS:

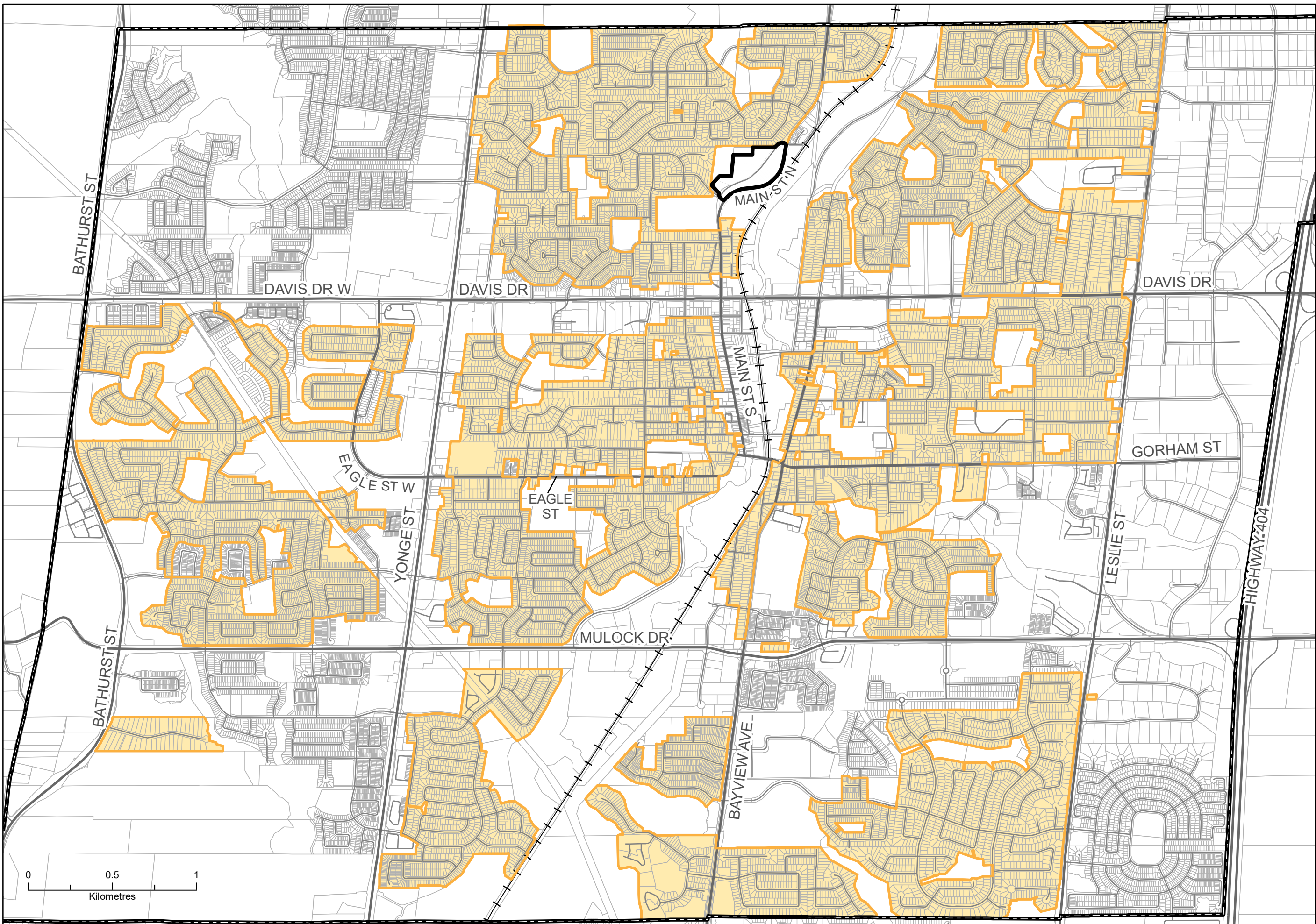
1. Interim Control By-law 2019-4, as amended, be further amended to extend the By-law for a period of six months from the date of expiry of the amended By-law for all lands, buildings and structures located within the area outlined on Schedule A attached to this By-law.

Enacted this 29th day of June 2020.

John Taylor, Mayor

Lisa Lyons, Town Clerk

Interim Control By-law Area Schedule A



- Land Subject to By-law
- 2018-23 Interim Control By-law
- Major Road
- Road
- Railway
- Municipal Boundary



Designed & Produced by Information Technology – GIS.
Printed: 2019-11-07.
Sources: Roads, Railway, Municipal Boundary – Data, Analytics and Visualization Services Branch, Corporate Services © The Regional Municipality of York, 2019; All other data – © Town of Newmarket, 2019.
DISCLAIMER: This mapping is based on the POLARIS parcel fabric product compiled using Land Registry System records and recent surveys and control points where available. This mapping is a representation of the earth's surface and provides estimates of area and distance. The information depicted on this map has been compiled from various sources. While every effort has been made to accurately depict the information, data/mapping errors may exist. This map has been produced for illustrative purposes only. It is not a substitute for a legal survey.



Corporation of the Town of Newmarket

By-law 2020-36

A By-law to exempt certain lands from the part lot control provisions of the Planning Act.

Sundial Homes (Davis) Limited – Blocks 83, 84 and 85, Plan 65M-4565, designated as Parts 1 to 38, Plan 65R-38952 (Tango Crescent).

Whereas it is deemed advisable to exempt certain lands from the provisions of Section 50(5) of the Planning Act, R.S.O. 1990, c.P.13;

And whereas the land use to be accommodated by the exemption, the parcels to be created, and any remaining parcel, are in conformity with the governing Official Plan and are permitted and in conformity with the Zoning By-law in effect for the area in question;

And whereas Plan 65M-4565 was registered on June 28, 2017 and the construction of the units on Blocks 83, 84 and 85 have now advanced to a point where it is appropriate to enact the required by-law;

Therefore be it enacted by the Council of the Corporation of the Town of Newmarket as follows:

1. That the provisions of Section 50(5) of the Planning Act, R.S.O. 1990, c.P.13 do not apply to the lands described as Blocks 84, 84 and 85, Plan 65M-4565, designated as Parts 1 to 38, Plan 65R-38952; Town of Newmarket, Regional Municipality of York.
2. And that the Municipal Solicitor or designate be authorized and directed to electronically sign and register this By-law on title.
3. And that this By-law will lapse after a period of two (2) years from the date of enactment.

Enacted this 29th day of June, 2020.

John Taylor, Mayor

Lisa Lyons, Town Clerk



Corporation of the Town of Newmarket

By-law 2020-37

A By-law to amend By-law Number 2010-40, as amended by By-law Number 2020-13, being a restricted area (zoning) by-law. Garden Commercial (Newmarket) Inc. – 665 to 695 Stonehaven Avenue.

Whereas the lands affected by this By-law are subject to a Holding (H) prefix in conjunction with a zoning category, as permitted under sections 34 and 36 of the Planning Act, R.S.O. 1990, c.P.13;

And whereas Council is satisfied that the conditions for the removal of the Holding (H) prefix have been met in respect of the subject lands;

Therefore be it enacted by the Council of the Corporation of the Town of Newmarket as follows:

1. That Schedule '1', to Zoning By-law 2020-13, as amended is hereby further amended as follows:

That the "(H)" Holding prefix preceding the Retail Commercial 2 (CR-2-108) Zone on Part Lot 28, Concession 2, Part of Parts 1 and 2, Plan 65R-15778, as shown more particularly on Schedule "1" attached hereto, is hereby removed.

2. And that the provisions of this By-law shall come into force and be effective upon the final passage thereof.

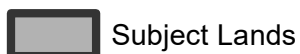
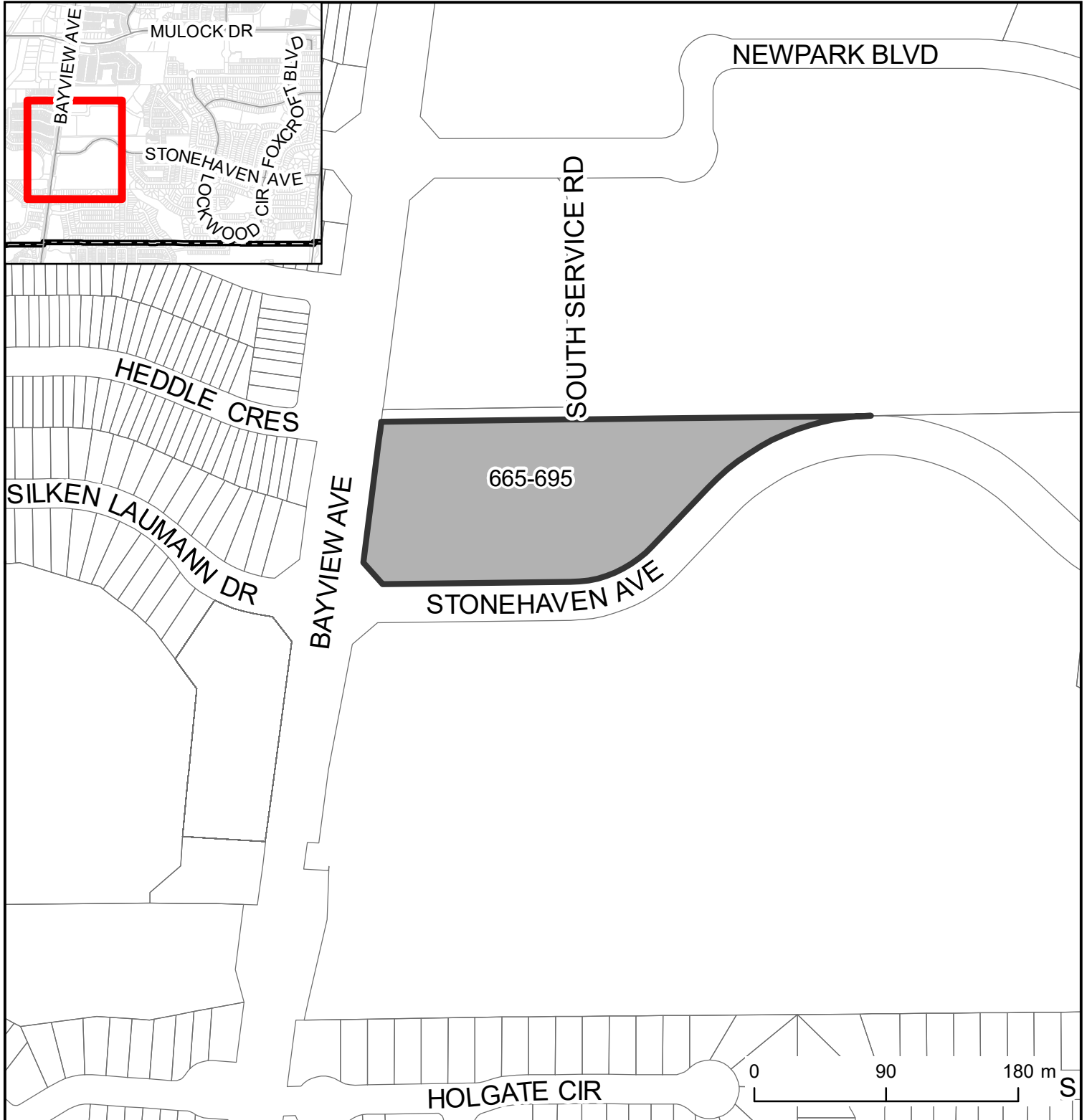
Enacted this 29th day of June, 2020.

John Taylor, Mayor

Lisa Lyons, Town Clerk

LOCATION MAP

665-695 STONEHAVEN AVE





Corporation of the Town of Newmarket

By-law 2020-38

A By-law to Amend Zoning By-law 2010-40, with respect to the lands located in the Glenway Community, south of Davis Drive, east of Mitchell Place, being Part of Block 155 in Plan 65M-2205 and shown as Blocks 164 and 165 in Plan 19TN 2012-001

Whereas the Council of the Town of Newmarket has the authority pursuant to Section 34 of the Planning Act, R.S.O. 990, c.P.13, as amended, to pass this By-law; and

Whereas it is deemed advisable to amend By-law Number 2010-40;

Therefore be it enacted by the Council of the Corporation of the Town of Newmarket as follows:

1. That the lands subject to this amendment are illustrated on Schedule 1 attached hereto.
2. Amending Section 8.1.1 List of Exceptions by deleting Exception 125 as it relates to lands south of Davis Drive and east of Mitchell Place and replacing it with a new Exception 125 having the following regulations relating to the R5-T-125 zone:

Exception 125	Zoning (H)R5-T-125	Map 8	By-law Reference 2020-XX	File Reference D14-19-05												
<div><div>i) Location: South of Davis Drive, East of Mitchell Place.</div><div>ii) Legal Description: Block 164, Plan 19TN 2012-001</div><div>iii) Notwithstanding any other provision of the by-law to the contrary, the following provisions shall apply to the lands zoned R5-T-125 shown on Schedule 1 attached hereto.</div><div>Uses permitted in addition to uses otherwise permitted by the R5 zone:<ul style="list-style-type: none">• Apartment Building• Stacked Townhouse Dwelling</div><div>Development Standards:</div><table><tr><th>Zone Standard</th><th>Stacked Townhouses</th><th>Apartment Buildings</th></tr><tr><td>(a) Minimum Lot Frontage</td><td colspan="2">185m</td></tr><tr><td>(b) Maximum Number of Dwelling Units</td><td>298</td><td>298</td></tr><tr><td>(c) Maximum Height</td><td>15.0 metres</td><td>6 storeys (25.5m), except that no part of any</td></tr></table></div>					Zone Standard	Stacked Townhouses	Apartment Buildings	(a) Minimum Lot Frontage	185m		(b) Maximum Number of Dwelling Units	298	298	(c) Maximum Height	15.0 metres	6 storeys (25.5m), except that no part of any
Zone Standard	Stacked Townhouses	Apartment Buildings														
(a) Minimum Lot Frontage	185m															
(b) Maximum Number of Dwelling Units	298	298														
(c) Maximum Height	15.0 metres	6 storeys (25.5m), except that no part of any														

		building shall exceed the height of 4 storeys (18.8m) within a distance of 60.0m from the rear lot line of an existing single-detached dwelling
(d) Height Definition	Notwithstanding the definition of “Height” in Section 3, height shall mean the vertical distance measured between the average established grades as identified for each building and the top of the building exclusive of mechanical penthouse, parapets, green roofs, and roof terraces.	
(e) Lot lines	<p>The north lot line shall be deemed the front lot line.</p> <p>The south lot line shall be deemed the rear lot line.</p>	
(f) Minimum Yard Setback from Rear Lot Line	30.0m	
(g) Minimum width of landscape buffer abutting rear lot line	30.0m	
(h) Minimum Yard Setback from Front Lot Line	3.0m	
(i) Minimum Yard Setback from Exterior Side Lot Line	3.0m	
(j) Minimum Yard Setback from Interior Side Lot Line	5.0m	
(k) Minimum Private Amenity Space	1400m ²	
(l) Parking for Residential Uses	1.42 spaces per dwelling unit	
(m) Parking for Visitors	0.25 spaces per dwelling unit	
(n) Minimum parking space size	2.6m by 5.5m	
(o) Minimum two-way drive aisle width	6.7m	
(p) Location of Parking	Parking may be outdoor at grade, within garages and/or underground.	
(q) Encroachments	<p>The following may encroach into the required front, interior and exterior side yards but in no instance shall be closer than 1.2 metres from the property line: stairs, patios, garbage enclosures</p> <p>The underground parking structure may encroach into all yards, but shall in no instance be closer than 0.9 metres from the property line.</p>	
(r) Lot	Notwithstanding the definition of “Lot” in Section 3, the subject lands as shown in Schedule 1, are deemed one lot, regardless of the number of buildings constructed thereon, the creation of	

	separate units and/or lots by way of a plan of condominium, consent, conveyance of private or public roads, strata title arrangements, or other permissions, and any easements or registrations that are granted, shall be deemed to comply with the provisions of this By-law.
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3. Amending Section 8.1.1 List of Exceptions by deleting Exception 126 as it relates to lands south of Davis Drive and east of Mitchell Place and replacing it with a new Exception 126 having the following regulations relating to the CR-2-126 zone:

Exception 126	Zoning (H) CR-2-126	Map 8	By-law Reference 2020-XX	File Reference D14-19-05																								
<p>i) Location: South of Davis Drive, East of Mitchell Place.</p> <p>ii) Legal Description: Block 165, Plan 19TN 2012-001</p> <p>iii) Notwithstanding any other provision of the by-law to the contrary, the following provisions shall apply to the lands zoned CR-2-126 shown on Schedule 1 attached hereto</p> <p>Uses: Residential Use-Live Work Unit</p> <p>Uses: Commercial- Art Gallery, Studio, Personal Service Shop, Retail Store, Office</p> <p>Development Standards:</p> <table><tr><td>(a) Minimum Lot Area</td><td>0.35ha</td></tr><tr><td>(b) Minimum Lot Frontage</td><td>60m on Mitchell Place</td></tr><tr><td>(c) Front Lot Line</td><td>Mitchell Place</td></tr><tr><td>(d) Minimum Yard Setback from a Public Road</td><td>3.0m</td></tr><tr><td>(e) Maximum Lot Coverage</td><td>35%</td></tr><tr><td>(f) Maximum gross floor area per Commercial Unit</td><td>60.0m2</td></tr><tr><td>(g) Location of Commercial Unit</td><td>Ground floor only</td></tr><tr><td>(h) Parking for Residential Use</td><td>2 spaces per unit</td></tr><tr><td>(i) Parking for Commercial Uses</td><td>1 space per unit for the first 40m2 gross floor area, plus 1 space per 30m2 of aggregate commercial gfa for all units greater than 40m2 per unit.</td></tr><tr><td>(j) Garage Location</td><td>Not permitted on the side of the building facing the street</td></tr><tr><td>(k) Maximum Height</td><td>11.6m (3 storeys)</td></tr><tr><td>(l) Lot</td><td>Notwithstanding the definition of “Lot” in Section 3, the subject lands as shown in Schedule 1, are</td></tr></table>					(a) Minimum Lot Area	0.35ha	(b) Minimum Lot Frontage	60m on Mitchell Place	(c) Front Lot Line	Mitchell Place	(d) Minimum Yard Setback from a Public Road	3.0m	(e) Maximum Lot Coverage	35%	(f) Maximum gross floor area per Commercial Unit	60.0m2	(g) Location of Commercial Unit	Ground floor only	(h) Parking for Residential Use	2 spaces per unit	(i) Parking for Commercial Uses	1 space per unit for the first 40m2 gross floor area, plus 1 space per 30m2 of aggregate commercial gfa for all units greater than 40m2 per unit.	(j) Garage Location	Not permitted on the side of the building facing the street	(k) Maximum Height	11.6m (3 storeys)	(l) Lot	Notwithstanding the definition of “Lot” in Section 3, the subject lands as shown in Schedule 1, are
(a) Minimum Lot Area	0.35ha																											
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(g) Location of Commercial Unit	Ground floor only																											
(h) Parking for Residential Use	2 spaces per unit																											
(i) Parking for Commercial Uses	1 space per unit for the first 40m2 gross floor area, plus 1 space per 30m2 of aggregate commercial gfa for all units greater than 40m2 per unit.																											
(j) Garage Location	Not permitted on the side of the building facing the street																											
(k) Maximum Height	11.6m (3 storeys)																											
(l) Lot	Notwithstanding the definition of “Lot” in Section 3, the subject lands as shown in Schedule 1, are																											

		deemed one lot, regardless of the number of buildings constructed thereon, the creation of separate units and/or lots by way of a plan of condominium, consent, conveyance of private or public roads, strata title arrangements, or other permissions, and any easements or registrations that are granted, shall be deemed to comply with the provisions of this By-law.	
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By-law No.	Property Description	Permitted Uses Until Holding Provision is Removed	Conditions for Removal
2020-XX	Blocks 164 and 165, Plan 19TN 2012-001	No person within the lands zoned (H)R5-T-125 or (H) CR-2-126 shall erect, alter or use any land, buildings or structures for any purpose.	<p>A Record of Site Condition (RSC) has been filed for the site to the satisfaction of the Director of Engineering Services.</p> <p>That sufficient servicing capacity has been allocated by the Town as confirmed by the Director of Planning and Building Services.</p> <p>That a site plan agreement has been entered into between the Owner and the Town and the performance security contemplated therein has been posted.</p>

Enacted this 29th day of June, 2020.

John Taylor, Mayor

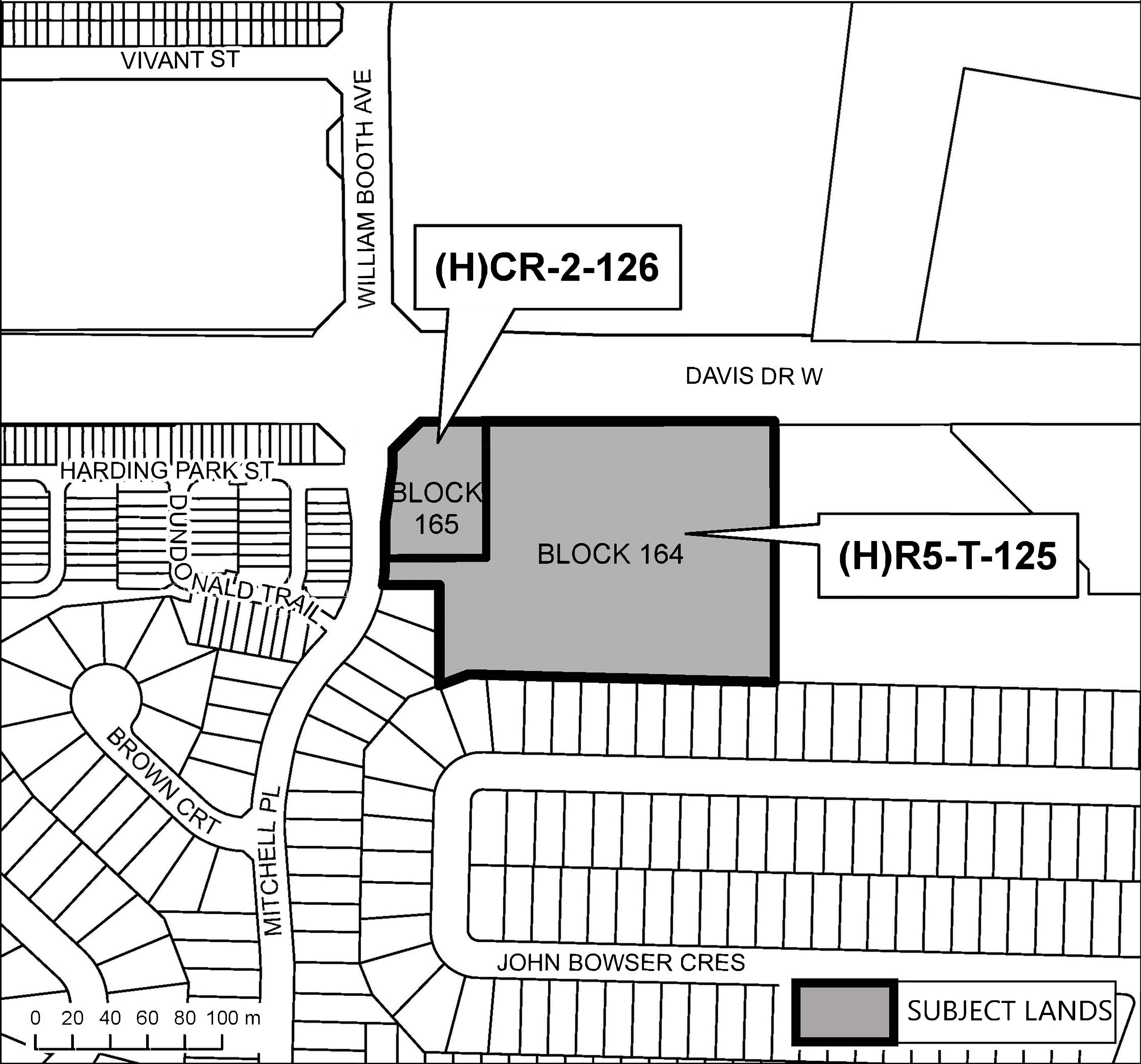
Lisa Lyons, Town Clerk

TOWN OF NEWMARKET
REGIONAL MUNICIPALITY OF YORK
BLOCK 164 AND 165
PLAN 19TN 2012-001

This is Schedule '1'
To Bylaw 2020-
Passed this _____ Day
of _____, 2020.

MAYOR _____

CLERK _____



SCHEDULE "1" TO BY-LAW 2020-
TOWN OF NEWMARKET PLANNING DEPARTMENT



Designed & Produced by Information Technology – GIS Printed: February, 2020. Land Parcel Boundaries - © Teranet Inc. and its suppliers. All rights reserved. NOT A PLAN OF SURVEY. 2020. Zoning - Town of Newmarket, 2020. DISCLAIMER: This mapping is based on the POLARIS parcel fabric product compiled using Land Registry System records and recent surveys and control points where available. This mapping is a representation of the earth's surface and provides estimates of area and distance. This map has been produced for illustrative purposes only. It is not a substitute for a legal survey.



Corporation of the Town of Newmarket

By-law 2020-39

A By-law to adopt Amendment Number 26 to the Town of Newmarket Official Plan.

The Council of the Corporation of the Town of Newmarket, in accordance with the provisions of Sections 17(22) and 21 of the Planning Act, RSO 1990, c.P.13, hereby enacts as follows:

1. Amendment Number 26 to the Town of Newmarket Official Plan, consisting of the following explanatory text, is hereby adopted.
2. This By-law shall come into force and take effect on the day of the final passing thereof.

Enacted this 29th day of June, 2020.

John Taylor, Mayor

Lisa Lyons, Town Clerk

**AMENDMENT NO. 26 TO
THE
TOWN OF NEWMARKET
OFFICIAL PLAN**

AMENDMENT NUMBER 26
TO THE
NEWMARKET OFFICIAL PLAN

CONTENTS

PART A: THE PREAMBLE

1.	Purpose of the Amendment	Page 3
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3.	Basis	Page 3

PART B: THE AMENDMENT

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2.	Schedule	Page 4
3.	Implementation	Page 4
4.	Schedule 1	Page 4

PART C: THE APPENDIX

1.	Location Map
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PART A: THE PREAMBLE:

1. PURPOSE OF THE AMENDMENT:

The purpose of Official Plan Amendment Number 26 is to amend Section 3.3.2.4 Emerging Residential Areas Permitted Uses related to part of the former Glenway Country Club lands, being a portion of the lands subject to the Ontario Municipal Board order for the lands dated November 18, 2014. The Amendment adds additional land use permission policies.

2. LOCATION:

The subject lands are located in the Glenway Community, south of Davis Drive, east of Mitchell Place, and immediately west of the Newmarket Bus Terminal. The lands have an area of approximately 2.71 hectares.

The subject lands affected by this Amendment are shown more particularly on the Location Map, which is appended for information purposes only.

3. BASIS:

The lands affected by this Amendment were previously subject to OPA 16 as approved by the Ontario Municipal Board order for the lands dated November 18, 2014, which amended Section 3.3.2 Emerging Residential Areas Permitted Uses by adding a new subsection which read as follows:

“3.3.2.4 Within the Emerging Residential Area located on Davis Drive, immediately west of the Newmarket Bus Terminal, permitted uses shall also include 4 to 6 storey apartment buildings and mixed use “live-work” units.”

This Amendment seeks to amend Section 3.3.2.4 to add stacked townhouses as a permitted use.

The full basis for this Amendment has been set out in the Planning Report and related supplementary reports submitted in support of this Amendment.

PART B: THE AMENDMENT

All of this part of the document entitled “PART B: THE AMENDMENT” consisting of the following text constitutes Amendment Number 26 of the Newmarket Official Plan.

1. POLICIES

- a) Section 3.3.2.4 Emerging Residential Areas Permitted Uses is amended by replacing the existing policy with the following:

“3.3.2.4 Within the lands subject to OPA 16, located on Davis Drive, immediately west of the Newmarket Bus Terminal, permitted uses shall also include stacked townhouses, 4 to 6 storey apartment buildings and mixed use “live-work” units.”

2. SCHEDULE

Schedule 1, showing the lands amended by this Amendment is attached hereto.

3. IMPLEMENTATION

This Amendment to the Official Plan will be implemented as follows:

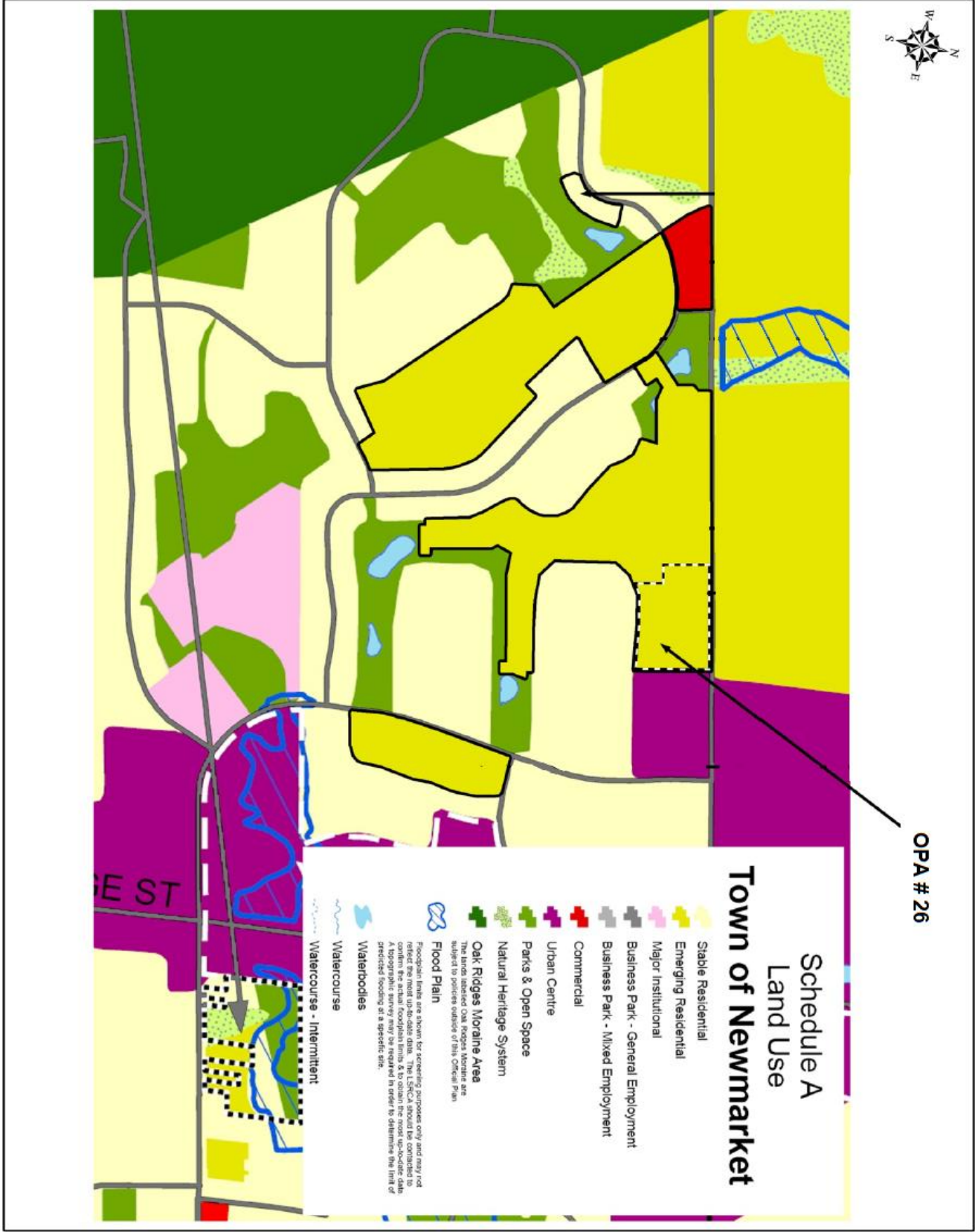
- a) **Zoning Bylaw**

It is Council's intent to implement this Amendment in part by enacting an appropriate zoning by-law amendment pursuant to the provisions of the *Planning Act*, on the Lands affected by this Amendment.

- b) **Site Plan Control**

It is Council's intent to implement this Amendment, the land use designations and policies of this Plan, and a high standard of site layout and design by requiring site plan approval for all development on the lands affected by this Amendment pursuant to the provisions of the Planning Act and the Town's Site Plan Control Bylaw.

4. SCHEDULE 1



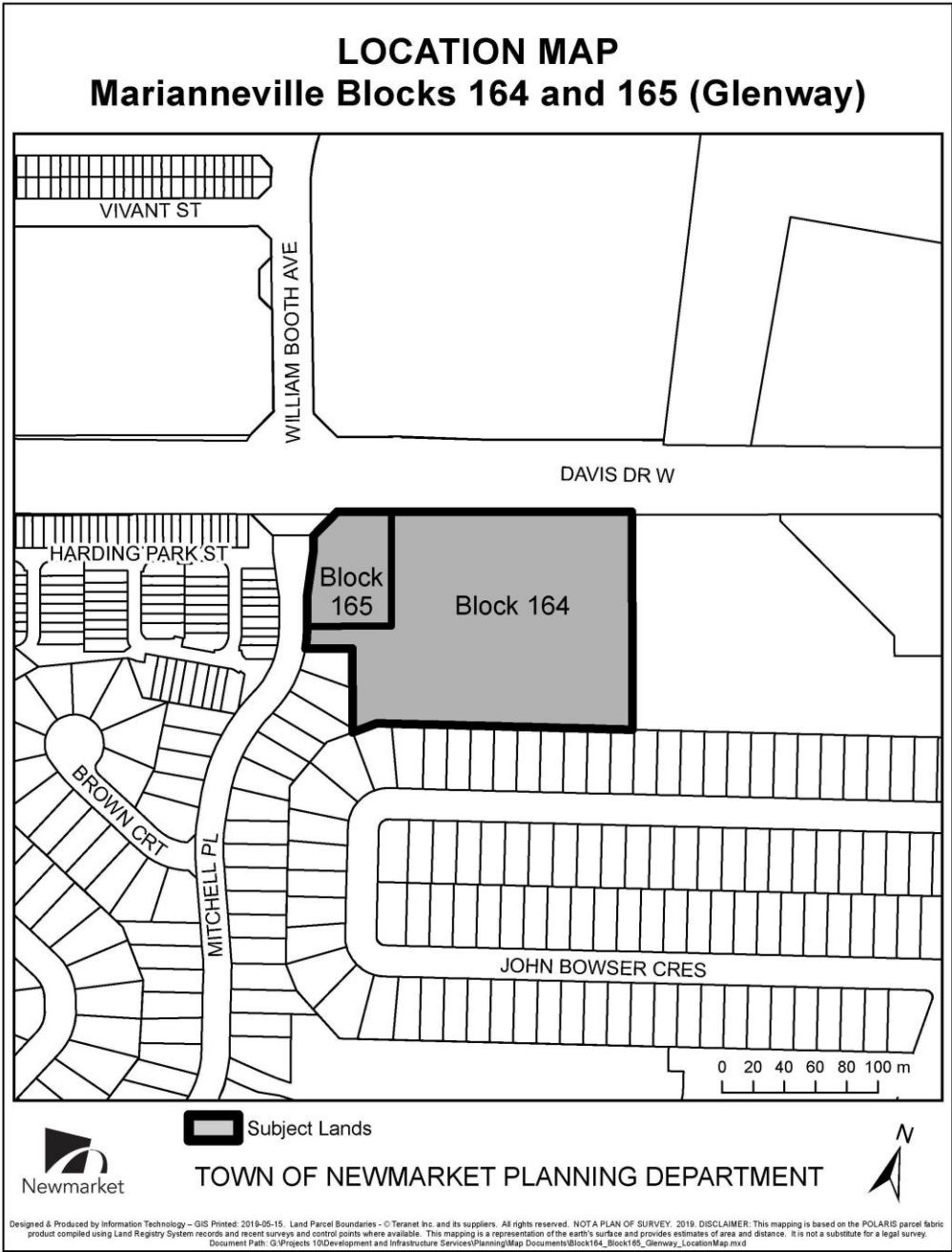
PART C: THE APPENDIX

The following appendix does not constitute part of this Amendment and is included for information purposes only.

1. LOCATION MAP

The Location Map, which shows the location of the subject lands being affected by this Amendment, is attached hereto for information purposes only.

LOCATION MAP



Corporation of the Town of Newmarket

By-law 2020-40

A By-law to amend by-law 2011-24, as amended, to regulate traffic within the Town of Newmarket.
(Schedule XI – Bike Lanes).

Whereas it is deemed necessary to amend By-law 2011-24, as amended, being a By-law to Regulate Traffic within the Town of Newmarket.

Therefore be it enacted by the Council of the Corporation of the Town of Newmarket as follows:

1. That Schedule XI of the Traffic Bylaw 2011-24, as amended, be further amended by adding:

Section of Roadway

15. London Road from Yonge Street to Main Street North
16. Alexander Road from Srigley Street to Davis Drive
17. Bonshaw Avenue from Woodspring Avenue to Gilpin Drive

Enacted this 29th day of June, 2020.

John Taylor, Mayor

Lisa Lyons, Town Clerk



Corporation of the Town of Newmarket

By-law 2020-41

A By-law to amend by-law 2019-63, as amended, being a by-law to regulate parking within the Town of Newmarket.
(Schedule IV – No Parking).

Whereas it is deemed necessary to amend By-law 2019-63, as amended, being a By-law to Regulate Parking within the Town of Newmarket.

Therefore be it enacted by the Council of the Corporation of the Town of Newmarket as follows:

1. That Schedule IV (No Parking) of the Parking Bylaw 2019-63, as amended, be further amended by deleting the following:

Road	Side	Between	Prohibited Times
London Road	Both	Main Street North to a point 200 ft. north-westerly thereof	Anytime
London Road	South	From the east limit of Harrison Drive to 143 m (470 feet) east thereof	Anytime
London Road	North	From Yonge Street to the east property limit of House No. 25	Anytime
London Road	South	From Yonge Street to the west leg of Portland Crescent	Anytime
Alexander Road	Both	Davis Drive to Grace Street	Anytime
Alexander Road	West	Between Srigley Street and Three Seasons Drive	Anytime
Alexander Road	East	Between Three Seasons Drive and Arnold Crescent	Anytime
Alexander Road	West	Between Arnold Crescent and Grace Street	Anytime
Alexander Road	East	Between Srigley Street and Three Seasons Drive	Monday to Friday 8:00am to 4:00pm
Alexander Road	West	Between Three Seasons Drive and Arnold Crescent	Monday to Friday 8:00am to 4:00pm

2. And that Schedule IV (No Parking) of Parking Bylaw 2019-63, as amended, be further amended by adding the following:

Road	Side	Between	Prohibited Times
London Road	Both	Yonge Street to Main Street North	Anytime
Bonshaw Avenue	Both	Woodspring Avenue to Gilpin Drive	Anytime
Alexander Road	Both	Davis Drive to Srigley Street	Anytime

Enacted this 29th day of June, 2020.

John Taylor, Mayor

Lisa Lyons, Town Clerk

Corporation of the Town of Newmarket

By-law 2020-42

A By-law to confirm the proceedings of a Council - Electronic – June 29, 2020

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 29th day of June, 2020.

John Taylor, Mayor

Lisa Lyons, Town Clerk