

Declarations of Interest

Reports of Committees and Staff

By-Laws

- | | | |
|---------|--|-------|
| 2015-54 | A By-law to establish a combined utility rate structure in the Town of Newmarket for 2016. | p. 1 |
| 2015-55 | A By-law to adopt fees and charges for services or activities provided by the Town of Newmarket (Fees and Charges - Fire Services) | p. 3 |
| 2015-56 | A By-law to adopt fees and charges for services or activities provided by the Town of Newmarket. (Planning Department Application Fees) | p. 6 |
| 2015-57 | A By-law to adopt fees and charges for services or activities provided by the Town of Newmarket. (Fees and Charges - All Departments; Corporate Services - Finance, Procurement Services and Information System; Legal Services; Public Works Services; Engineering Services; Legislative Services - General Fees) | p. 13 |
| 2015-58 | A By-law under the Building Code Act respecting construction, demolition and change of use permits and inspections. | p. 35 |

Confirmatory By-Law

- | | | |
|---------|---|-------|
| 2015-59 | A By-law to confirm the proceedings of Council at its meeting on November 30, 2015. | p. 58 |
|---------|---|-------|

Adjournment

**CORPORATION OF THE TOWN OF NEWMARKET****BY-LAW NUMBER 2015-54**

A BY-LAW TO ESTABLISH A COMBINED UTILITY RATE STRUCTURE IN THE TOWN OF NEWMARKET FOR 2016.

WHEREAS By-law 2014-60 enacted on December 15, 2014 established a combined utility rate in the Town of Newmarket for the year 2015;

AND WHEREAS it is deemed advisable to establish a combined utility rate structure in the Town of Newmarket for the year 2016.

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

THAT the rates listed in Schedule 'A' attached hereto shall come into full force and effect on January 1, 2016 at which time By-law 2014-60 shall be deemed to be repealed.

ENACTED THIS 30TH DAY OF NOVEMBER, 2015.

Tony Van Bynen, Mayor

Andrew Brouwer, Town Clerk

TOWN OF NEWMARKET
2016 USER FEES
Schedule A - Water and Wastewater Rates

Effective Date: January 1, 2016

	Current 2015 Rates		2016 Rates		Change
	per 100 cubic feet	per cubic metre	per 100 cubic feet	per cubic metre	%
Combined Utility Rates					
Taxable Properties	\$8.932	\$3.153	\$9.823	\$3.468	10.0%
Water					
Taxable properties	\$4.240	\$1.497	\$4.240	\$1.497	0.0%
Non-taxable properties	\$4.699	\$1.659	\$4.699	\$1.659	0.0%
Flat rate - no meter, monthly	\$55.043		\$58.631		6.5%
Basic charge, monthly	\$14.000		\$14.000		0.0%
Wastewater					
Taxable properties	\$4.692	\$1.656	\$5.583	\$1.971	19.0%
Non-taxable properties	\$5.042	\$1.781	\$6.000	\$2.119	19.0%
Flat rate - no meter, monthly	\$53.820		\$57.328		6.5%
Basic charge, monthly	\$14.000		\$14.000		0.0%
Average Bill					
Residential annual average charge	200m ³	\$966.60		\$1,029.60	6.5%
ICI annual average charge	835m ³	\$2,968.76		\$3,231.78	8.9%



CORPORATION OF THE TOWN OF NEWMARKET

BY-LAW NUMBER 2015-55

A BY-LAW TO ADOPT FEES AND CHARGES FOR SERVICES OR ACTIVITIES PROVIDED BY THE TOWN OF NEWMARKET.

(Fees and Charges – Fire Services)

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 2014-59 to establish Fire Services fees and charges for the Corporation of the Town of Newmarket;

AND WHEREAS it is deemed necessary to enact a new by-law setting out the Fees and Charges for Fire Services.

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

1. THAT the attached Schedule 'A' form part of this By-law;
2. AND THAT should any section of this By-law be declared invalid by a court of competent jurisdiction, such section shall be construed as being severed herefrom and the remainder of the By-law shall continue in full force and effect;
3. AND THAT notwithstanding fees and charges prescribed in other legislation, this By-law supersedes all other Fire Services fees and charges previously established by the Town of Newmarket for the services identified in this By-law;
4. AND THAT this By-law shall come into full force and effect on January 1, 2016 at which time By-law 2014-59 be repealed.

ENACTED THIS 30TH DAY OF NOVEMBER, 2015.

Tony Van Bynen, Mayor

Andrew Brouwer, Town Clerk

**TOWN OF NEWMARKET
2016 USER FEES
SCHEDULE A**

Department: Fire Services

Effective Date: January 1, 2016

Note: Shaded areas indicate fees established by the Ministry of Transportation.

SERVICE PROVIDED	UNIT OF MEASURE	TIMELINES	SUBJECT TO HST YES/NO	2015 FEE BEFORE TAX	2016 FEE BEFORE TAX	HST AMOUNT	TOTAL FEE	% INCREASE
Apartment/Office Inspections Base Building	One to five storey premises	6 hours	Y	\$ 344.41	\$ 356.46	\$ 46.34	\$ 402.80	3.5%
	Six or more storey premises	8 hours	Y	\$ 459.22	\$ 475.29	\$ 61.79	\$ 537.08	3.5%
	Each additional unit	1.5 hours	Y	\$ 86.11	\$ 89.12	\$ 11.59	\$ 100.71	3.5%
	Day Care Home Inspection	1.5 hours	Y	\$ 86.11	\$ 89.12	\$ 11.59	\$ 100.71	3.5%
	Day Nursery Inspection	1.5 hours	Y	\$ 86.11	\$ 89.12	\$ 11.59	\$ 100.71	3.5%
Request for Report	Faxing or Mailing Reports	0.75 hours	Y	\$ 43.05	\$ 44.56	\$ 5.79	\$ 50.35	3.5%
Hazardous Materials Response (any location)	First hour per fire unit/flat rate		N	\$ 410.00	\$ 450.00		\$ 450.00	9.8%
	Each additional ½ hour per fire unit		N	\$ 205.00	\$ 225.00		\$ 225.00	9.8%
	Per hour/firefighter plus material used		N	\$ 44.29	\$ 45.84		\$ 45.84	3.5%
	Per hour/officer plus material used		N	\$ 50.93	\$ 52.71		\$ 52.71	3.5%

Industrial & Commercial Inspection	Per single industrial unit	1.5 hours	Y	\$ 86.11	\$ 89.12	\$ 11.59	\$ 100.71	3.5%
	Each additional unit	1.5 hours	Y	\$ 86.11	\$ 89.12	\$ 11.59	\$ 100.71	3.5%
	LLBO Inspections	2 hours	Y	\$ 114.81	\$ 118.83	\$ 15.45	\$ 134.28	3.5%
Provincial Highway Accident Responses	First hour per fire unit/flat rate		N	\$ 410.00	\$ 450.00		\$ 450.00	9.8%
	Each additional ½ hour per fire unit		N	\$ 205.00	\$ 225.00		\$ 225.00	9.8%
Property File Search	File Search and Response	1.5 hours	Y	\$ 86.11	\$ 89.12	\$ 11.59	\$ 100.71	3.5%
Retrofit Inspections (9.5, 9.6)		6 hours	Y	\$ 344.41	\$ 356.46	\$ 46.34	\$ 402.80	3.5%
Retrofit Inspections (9.8)		3 hours	Y	\$ 183.69	\$ 190.12	\$ 24.72	\$ 214.84	3.5%
Paid Duty Truck Stand-by	First hour per fire unit/flat rate		N	\$ 410.00	\$ 450.00		\$ 450.00	9.8%
	Each additional ½ hour per fire unit		N	\$ 205.00	\$ 225.00		\$ 225.00	9.8%
	Per hour/firefighter plus material used		N	\$ 44.29	\$ 45.84		\$ 45.84	3.5%
	Per hour/officer plus material used		N	\$ 50.93	\$ 52.71		\$ 52.71	3.5%
Fireworks Permit Fee			N	New	\$ 97.30		\$ 97.30	n/a
Extinguisher Training Using Classroom and Burn Pan	Per session up to 20 people with own extinguishers		Y	\$ 350.00	\$ 362.25	\$ 47.09	\$ 409.34	3.5%
Chronic False Alarm (preventable cause)-after two responses	Per unit/per incident		N	\$ 410.00	\$ 450.00		\$ 450.00	9.8%



CORPORATION OF THE TOWN OF NEWMARKET

BY-LAW NUMBER 2015-56

A BY-LAW TO ADOPT FEES AND CHARGES FOR SERVICES OR ACTIVITIES PROVIDED BY THE TOWN OF NEWMARKET.

(Planning Department Application Fees)

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

AND WHEREAS some fees and charges are authorized by the *Planning Act* R.S.O. 1190cP.13, as amended;

AND WHEREAS Council enacted By-law 2014-61 to establish planning application fees for the Corporation of the Town of Newmarket;

AND WHEREAS it is deemed necessary to enact a new by-law setting out the Planning Department fees and charges and to repeal said By-law 2014-61.

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

1. THAT the fee structure of the Planning Department of the Corporation of the Town of Newmarket shall be as in Schedule 'A' attached hereto;
2. AND THAT should any section of this by-law be declared invalid by a court of competent jurisdiction, such section shall be construed as being severed herefrom and the remainder of the by-law shall continue in full force and effect;
3. AND THAT notwithstanding fees and charges prescribed in other legislation, this by-law supersedes all other Planning Application Fees by-laws;
4. AND THAT this by-law shall be referred to as the Planning Application Fees By-law and shall come into full force and effect on January 1, 2016 at which time By-law 2014-61 be repealed.

ENACTED THIS 30TH DAY OF NOVEMBER, 2015.

Tony Van Bynen, Mayor

Andrew Brouwer, Town Clerk

**TOWN OF NEWMARKET
2016 USER FEES
SCHEDULE A**

Department: Planning

Effective Date: January 1, 2016

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

SERVICE PROVIDED	UNIT OF MEASURE	2015 FEE BEFORE TAX	2016 FEE BEFORE TAX	HST AMOUNT	TOTAL FEE	% INCREASE
Application Processing: Fees Prescribed under Section 69 of the Planning Act, R.S.O. 1990 for applications submitted after Sept. 15/2006.						
Official Plan Amendment	each	\$ 22,026.26	\$ 22,797.18	\$ 2,963.63	\$ 25,760.81	3.5%
Zoning By-law Amendment	each	\$ 19,199.56	\$ 19,871.54	\$ 2,583.30	\$ 22,454.84	3.5%
Subdivision - Residential	Base fee	\$ 69,983.33	\$ 72,432.75	\$ 9,416.26	\$ 81,849.01	3.5%
	Plus per unit	\$ 181.18	\$ 187.52	\$ 24.38	\$ 211.90	3.5%
Subdivision - Commercial	Base fee	\$ 75,086.97	\$ 77,715.01	\$ 10,102.95	\$ 87,817.96	3.5%
	Plus per hectare	\$ 1,389.00	\$ 1,437.62	\$ 186.89	\$ 1,624.51	3.5%
Subdivision - Industrial	Base fee	\$ 77,170.55	\$ 79,871.52	\$ 10,383.30	\$ 90,254.82	3.5%
	Plus per hectare	\$ 347.25	\$ 359.40	\$ 46.72	\$ 406.12	3.5%

Subdivision - Institutional	Base fee	\$ 76,475.04	\$ 79,151.67	\$ 10,289.72	\$ 89,441.39	3.5%
	Plus per hectare	\$ 694.51	\$ 718.82	\$ 93.45	\$ 812.27	3.5%
Revision of Draft Plan Approval Requiring Circulation	each application	\$ 2,701.20	\$ 2,795.74	\$ 363.45	\$ 3,159.19	3.5%
Revision to Conditions of Draft Approval	each application	\$ 2,701.20	\$ 2,795.74	\$ 363.45	\$ 3,159.19	3.5%
Extension of Draft Approval	each application	\$ 1,350.58	\$ 1,397.85	\$ 181.72	\$ 1,579.57	3.5%
Registration of each Phase of a Plan	each	\$ 1,350.58	\$ 1,397.85	\$ 181.72	\$ 1,579.57	3.5%
Site Plan - Residential	each	\$ 35,960.34	\$ 37,218.95	\$ 4,838.46	\$ 42,057.41	3.5%
	Plus per unit	\$ 181.18	\$ 187.52	\$ 24.38	\$ 211.90	3.5%
Site Plan - High Rise Office Commercial	Per 1,800 m ² of gross floor area	\$ 11,767.20	\$ 12,179.05	\$ 1,583.28	\$ 13,762.33	3.5%
Site Plan - All Other	each	\$ 11,543.40	\$ 11,947.42	\$ 1,553.16	\$ 13,500.58	3.5%
Condominium - Residential	each	\$ 32,231.04	\$ 33,359.13	\$ 4,336.69	\$ 37,695.82	3.5%
	Plus per unit	\$ 181.18	\$ 187.52	\$ 24.38	\$ 211.90	3.5%
Condominium - All Other	each	\$ 8,087.60	\$ 8,370.67	\$ 1,088.19	\$ 9,458.86	3.5%
Removal of Holding (H)	each	\$ 3,578.47	\$ 3,703.72	\$ 481.48	\$ 4,185.20	3.5%
Part Lot Control	each	\$ 1,695.43	\$ 1,754.77	\$ 228.12	\$ 1,982.89	3.5%
Consent - Severance	each	\$ 6,027.12	\$ 6,238.07	\$ 810.95	\$ 7,049.02	3.5%

Consent - Other	each	\$ 4,018.56	\$ 4,159.21	\$ 540.70	\$ 4,699.91	3.5%
Minor Variance	each	\$ 1,347.64	\$ 1,394.81	\$ 181.33	\$ 1,576.14	3.5%
Special Committee of Adjustment Meeting for Emergent Issues	each	\$ 925.38	\$ 957.77	\$ 124.51	\$ 1,082.28	3.5%
Sign or fence By-law variance - within the jurisdiction of staff	each	\$ 80.87	\$ 83.70	\$ 10.88	\$ 94.58	3.5%
Sign or fence By-law variance or appeal to the Variance Committee	each	\$ 477.66	\$ 494.38	\$ 64.27	\$ 558.65	3.5%
Telecommunications Tower	each	\$ 11,378.90	\$ 11,777.16	\$ 1,531.03	\$ 13,308.19	3.5%
Application Reactivation Fee	each	\$ 610.42	\$ 631.78	\$ 82.13	\$ 713.91	3.5%
	Plus Annual Increase					
Woodlot Preservation Application (By-Law 2007-71)	per tree	\$ 122.09	\$ 126.36	\$ 16.43	\$ 142.79	3.5%
Tree Preservation, Protection, Replacement and Enhancement Policy Compensation	Based on the "Guide for Plant Appraisal" 9 th (or latest) edition established by the International Society of Arboriculture.					
Request for Support Resolution (Feed-In-Tariff Program)	Per Application	\$ 150.00	\$ 150.00	\$ -	\$ 150.00	0.0%
Peer Review and/or External Consulting Fees	Actual Cost					
Planning Administrative Fee	5% of consultant's fee					
Referral of Plan to Ontario Municipal Board	each	\$ 125.00	\$ 125.00	\$ -	\$ 125.00	0.0%

Ontario Municipal Board Hearing Deposits		Ontario Municipal Board Hearing Deposits are due and payable upon the receipt of an appeal with respect to the application(s). The said deposit shall be paid by the applicant in a manner and amount to be determined by the Council of the Town of Newmarket. Fees incurred by the Municipality above and beyond the amount of the deposit required will be invoiced to and payable by the applicant. Should the fees incurred be less than the amount of the deposit required, the appropriate refund will be issued to the applicant.				
Application Processing: Fees Prescribed under Section 69 of the Planning Act, R.S.O. 1990 for applications submitted prior to Sept. 15/2006.						
Draft Approval and Final Registration Coordination Fee (payable at time of draft approval)						
Industrial Subdivisions		\$ 19,634.74	\$ 20,321.96	\$ 2,641.85	\$ 22,963.81	3.5%
Residential Subdivisions (more than 30 lots)		\$ 19,644.84	\$ 20,332.41	\$ 2,643.21	\$ 22,975.62	3.5%
All other Subdivisions		\$ 14,726.78	\$ 15,242.22	\$ 1,981.49	\$ 17,223.71	3.5%
Coordination Fee for Engineering Drawing Submissions beyond 4th Submission (payable at time of 5th submission)						
Industrial Subdivisions		\$ 4,813.15	\$ 4,981.61	\$ 647.61	\$ 5,629.22	3.5%
Residential Subdivisions (more than 30 lots)		\$ 4,813.15	\$ 4,981.61	\$ 647.61	\$ 5,629.22	3.5%
All other Subdivisions		\$ 2,406.56	\$ 2,490.79	\$ 323.80	\$ 2,814.59	3.5%
Miscellaneous Items						
Photocopies	each	\$ 0.87	\$ 0.90	\$ 0.12	\$ 1.02	3.5%
Zoning By-law Amendment (copy)	each	\$ 3.24	\$ 3.35	\$ 0.44	\$ 3.79	3.5%

Street Maps (36" X 42")	each	\$ 15.27	\$ 15.80	\$ 2.05	\$ 17.85	3.5%
Full Size Drawings (Copies)	each	\$ 15.27	\$ 15.80	\$ 2.05	\$ 17.85	3.5%
Zoning Maps	each	\$ 6.38	\$ 6.60	\$ 0.86	\$ 7.46	3.5%
Developments Pending Map	each	\$ 15.27	\$ 15.80	\$ 2.05	\$ 17.85	3.5%
Lot Map	each	\$ 15.27	\$ 15.80	\$ 2.05	\$ 17.85	3.5%
OPA	each	\$ 7.68	\$ 7.95	\$ 1.03	\$ 8.98	3.5%
Yonge Street Study	each	\$ 21.72	\$ 22.48	\$ 2.92	\$ 25.40	3.5%
Newmarket Official Plan 2006-2026 (Approved Version)	each	\$ 52.23	\$ 54.06	\$ 7.03	\$ 61.09	3.5%
By-law 1979 - 50	each	\$ 53.53	\$ 55.40	\$ 7.20	\$ 62.60	3.5%
Zoning By-law 2010-40	each	\$ 66.04	\$ 68.35	\$ 8.89	\$ 77.24	3.5%
Street Number Maps (set)	each	\$ 76.50	\$ 79.18	\$ 10.29	\$ 89.47	3.5%
Zoning Confirmation Letter	each	\$ 82.38	\$ 85.26	\$ 11.08	\$ 96.34	3.5%
Zoning Compliance Letters	each	\$ 139.80	\$ 144.69	\$ 18.81	\$ 163.50	3.5%
Newmarket Historic Downtown Community Improvement Plan (CIP)	each	\$ 12.75	\$ 13.20	\$ 1.72	\$ 14.92	3.5%
CIP Design Guidelines	each	\$ 6.38	\$ 6.60	\$ 0.86	\$ 7.46	3.5%

Oak Ridges Moraine (OPA)	each	\$ 44.62	\$ 46.18	\$ 6.00	\$ 52.18	3.5%
Oak Ridges Moraine (Zoning By-law)	each	\$ 6.38	\$ 6.60	\$ 0.86	\$ 7.46	3.5%
Owner Request for Change of Address	each	\$ 154.50	\$ 159.91	\$ 20.79	\$ 180.70	3.5%



CORPORATION OF THE TOWN OF NEWMARKET

BY-LAW NUMBER 2015-57

A BY-LAW TO ADOPT FEES AND CHARGES FOR SERVICES OR ACTIVITIES PROVIDED BY THE TOWN OF NEWMARKET.

(Fees and Charges – All Departments; Corporate Services – Finance, Procurement Services and Information Systems; Legal Services; Public Works Services; Engineering Services; Legislative Services – General Fees)

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 2014-58 to establish Fees and Charges – All Departments; Corporate Services – Finance, Procurement Services and Information Systems; Legal Services; Public Works Services; Engineering Services; Legislative Services – General Fees

AND WHEREAS it is deemed necessary to enact a new by-law setting out the General Fees and Charges for All Departments as well as Fees and Charges for Finance; Procurement Services; Information Systems; Legal Services; Public Works Services; Engineering Services; Legislative Services – General Fees and to repeal By-law 2014-58 and 2015-22;

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

1. THAT the attached schedules form part of this by-law and this by-law be known as the Fees and Charges By-law for All Departments; Corporate Services – Finance, Procurement Services and Information Systems; Legal Services; Public Works Services; Engineering Services; Legislative Services – General Fees)
2. AND THAT should any section of this by-law be declared invalid by a court of competent jurisdiction, such section shall be construed as being severed here- from and the remainder of the by-law shall continue in full force and effect;
3. AND THAT notwithstanding fees and charges prescribed in other legislation, this by-law supersedes all other fees and charges for All Departments; Corporate Services – Finance, Procurement Services and Information Systems; Legal Services; Public Works Services; Engineering Services; Legislative Services – General Fees previously established by the Town of Newmarket for the services identified in this by-law;
4. AND THAT this by-law shall come into full force and effect on January 1, 2016 at which time By-law 2014-58 and 2015-22 be repealed.

ENACTED THIS 30TH DAY OF NOVEMBER, 2015.

Tony Van Bynen, Mayor

Andrew Brouwer, Town Clerk

**TOWN OF NEWMARKET
2016 USER FEES
SCHEDULE A**

Department: All Departments

Effective Date: January 1, 2016

SERVICE PROVIDED	UNIT OF MEASURE	SUBJECT TO HST	2015 FEE BEFORE TAX	2016 FEE BEFORE TAX	HST	TOTAL FEE	% INCREASE
Plan Reproduction:							
24" x 36" sheet – for first sheet	per sheet		\$ 16.81	\$ 17.70	\$ 2.30	\$20.00	5.3%
additional sheets	per sheet		\$ 8.41	\$ 8.85	\$ 1.15	\$10.00	5.2%
36" x 42" sheet – for first sheet	per sheet		\$ 16.81	\$ 17.70	\$ 2.30	\$20.00	5.3%
additional sheets	per sheet		\$ 8.41	\$ 8.85	\$ 1.15	\$10.00	5.2%
Photocopy:	per copy		\$ 0.84	\$ 0.84	\$ 0.11	\$0.95	0.0%

**TOWN OF NEWMARKET
2016 USER FEES
SCHEDULE B**

Commission: Corporate Services

Effective Date: January 1, 2016

SERVICE PROVIDED	UNIT OF MEASURE	SUBJECT TO HST	2015 FEE BEFORE TAX	2016 FEE BEFORE TAX	HST	TOTAL FEE	% INCREASE
<u>FINANCE</u>							
Accounts Receivable Finance Charges	1.25% monthly on outstanding balance	N	1.25% monthly on outstanding balance	1.25% monthly on outstanding balance		1.25% monthly on outstanding balance	0%
Accounts Receivable Collection Charges	16% of the outstanding balance	N	16% of the outstanding balance	16% of the outstanding balance		16% of the outstanding balance	0%
Tax Certificate	each	N	\$ 75.00	\$ 80.00		\$ 80.00	7%
Treasurer's Compliance Letter	each	N	\$ 75.00	\$ 80.00		\$ 80.00	7%
Returned Cheque	each	N	\$ 50.00	\$ 50.00		\$ 50.00	0%
Tax Bill Reprint	each	N	New	\$ 10.00		\$ 10.00	N/A
Statement of Taxes Paid	each	N	\$ 35.00	\$ 35.00		\$ 35.00	0%
Verification of Local Improvements	each	N	\$ 75.00	\$ 80.00		\$ 80.00	7%
Detailed Analysis of Tax Account	per hour	N	\$ 45.00	\$ 45.00		\$ 45.00	0%
Update Mortgage Company Information	each	N	\$ 15.00	\$ 15.00		\$ 15.00	0%

Financial Services Administrative Fee	15% of invoice	Y	15% of invoice	15% of invoice		15% of invoice+HST	0%
New Ownership Maintenance Fee	per account	N	New	\$ 20.00		\$ 20.00	N/A
New Roll/Property Fee	per roll	N	New	\$ 20.00		\$ 20.00	N/A
Detailed Calculations of Tax Adjustments (other than property owner)	per roll	N	New	\$ 25.00		\$ 25.00	N/A
Copies of Assessment View	per copy	Y	\$ 0.84	\$ 0.84	\$ 0.11	\$ 0.95	0%
Administration of Developments	5% of Security Requirement, to a maximum amount +HST	Y	5% of Security Requirement, maximum \$60,000 +HST	5% of Security Requirement, maximum \$60,000 +HST		5% of Security Requirement, maximum \$60,000 +HST	0%
<u>PROCUREMENT SERVICES</u>							
Quotations, Proposals and Tenders	range from \$10.00 to \$250.00 depending on the complexity or value of the solicitation	Y	range from \$10.00 to \$250.00 depending on the complexity or value of the solicitation	range from \$10.00 to \$259 depending on the complexity or value of the solicitation		range from \$10 to \$259 depending on complexity or value of the solicitation	3.6%
<u>INFORMATION SYSTEMS</u>							
Custom Mapping (minimum charge of 1/2 hour)	per hour	Y	\$ 50.00	\$ 50.00	\$ 6.50	\$ 56.50	0%
	per additional copy (size 8.5x11 to 11x17)	Y	\$ 1.99	\$ 1.99	\$ 0.26	\$ 2.25	0%

	per additional copy (larger than 11x17)	Y	\$ 5.00	\$ 5.00	\$ 0.65	\$ 5.65	0%
Digital Address Points Including Street Number and Name		Y	\$ 1,200.00	\$ 1,200.00	\$156.00	\$ 1,356.00	0%
Digital Building Footprints		Y	\$ 1,200.00	\$ 1,200.00	\$156.00	\$ 1,356.00	0%
Ward Polling Location Map	per copy	Y	\$ 15.27	\$ 15.27	\$ 1.99	\$ 17.26	0%
Individual Ward Map	per copy	Y	\$ 15.27	\$ 15.27	\$ 1.99	\$ 17.26	0%
Detailed Street Map	per copy	Y	\$ 25.00	\$ 25.00	\$ 3.25	\$ 28.25	0%
Municipal Address Map Series	full set of 42, D sized sheets	Y	\$ 125.00	\$ 125.00	\$ 16.25	\$ 141.25	0%
	per sheet (D sized)	Y	\$ 6.68	\$ 6.68	\$ 0.87	\$ 7.55	0%
	full set of 42, 11x17	Y	\$ 76.50	\$ 76.50	\$ 9.95	\$ 86.45	0%
	per sheet (11x17)	Y	\$ 1.99	\$ 1.99	\$ 0.26	\$ 2.25	0%
Large 2007 Ortho Meeting Room Map	per copy	Y	\$ 50.00	\$ 50.00	\$ 6.50	\$ 56.50	0%
Large 2009 Ortho Meeting Room Map	per copy	Y	\$ 50.00	\$ 50.00	\$ 6.50	\$ 56.50	0%
Large 2011 Ortho Meeting Room Map	per copy	Y	\$ 100.00	\$ 100.00	\$ 13.00	\$ 113.00	0%

**TOWN OF NEWMARKET
2016 USER FEES
SCHEDULE C**

Department: Legal Services

Effective

Date: January 1, 2016

NOTE: All fees and charges are subject to H.S.T. and full cost recovery including but not limited to Teraview fees or courier as applicable. An administrative fee of \$10.00 will be added to any courier charges. All fees may be increased based on the complexity and nature of the Agreement, document or service as determined by the Municipal Solicitor and based on the hourly rate of **\$280.00** per lawyer and **\$110.00** per law clerk.

Some examples of full cost recovery: Registration Fees, Sub-Search Fees, Conveyancer Fees, Printing Fees, Courier Fees, Corporate Search Fees, etc.

SERVICE PROVIDED	UNIT OF MEASURE	SUBJECT TO HST YES/NO	2015 FEE BEFORE TAX	2016 FEE BEFORE TAX	HST	TOTAL FEE	% INCREASE
Standard Encroachment Agreement -New	each	Y	min. \$1,148	min. \$1,190	varies	Varies	3.7%
Renewals of Encroachment Agreement re: change of property ownership	each	Y	min. \$575	min. \$600	varies	Varies	4.4%
Model Home Agreement	each	Y	\$ 1,016.00	\$ 1,050.00	\$136.50	\$ 1,186.50	3.3%
Builder's Agreement	each	Y	\$ 1,016.00	\$ 1,050.00	\$136.50	\$ 1,186.50	3.3%
Standard Pre-servicing Agreement	each	Y	min. \$1,148	min. \$1,190	varies	Varies	3.7%
Temporary Sales Office Agreement	each	Y	\$ 1,016.00	\$ 1,050.00	\$136.50	\$ 1,186.50	3.3%
Temporary Structure Agreement	each	Y	\$ 1,016.00	\$ 1,050.00	\$136.50	\$ 1,186.50	3.3%
Spine Services Development Agreement	each	Y	min. \$9,500	min. \$9,830	varies	Varies	3.5%
Amendments to Spine Services Development Agreement	each	Y	min. \$1,775	min. \$1,840	varies	Varies	3.7%

Miscellaneous Agreements (based on complexity)	each	Y	min. \$419	min. \$430	varies	Varies	2.6%
RESIDENTIAL, COMMERCIAL OR INDUSTRIAL DEVELOPMENT FEES (Legal Services from Commencement of Application to Final Release of Acceptance of Subdivision) Billed After Plan Registration							
SUBDIVISION/CONDOMINIUM AGREEMENTS							
Subdivision (includes Residential Condominium) Base Fee (includes first 100 lots and/or developable blocks)	each	Y	min. \$9,500	min. \$9,830	varies	Varies	3.5%
Plus Additional Fee for Each Lot - 101 to 250 Lots	per lot	Y	\$ 31.93	\$ 33.00	\$ 4.29	\$ 37.29	3.4%
Plus Additional Fee for Each Lot - 251 to 400 Lots	per lot	Y	\$ 20.60	\$ 21.30	\$ 2.77	\$ 24.07	3.4%
Plus Additional Fee for Each Lot – 401 and over	per lot	Y	\$ 13.39	\$ 13.90	\$ 1.81	\$ 15.71	3.8%
Standard Subdivision Agreement	each	Y	min. \$6,089	min. \$6,300	varies	Varies	3.5%
Amendments to Standard Subdivision Agreement	each	Y	min. \$1,845	min. \$1,910	varies	Varies	3.5%
Commercial/Industrial	base fee	Y	\$ 6,149.00	\$ 6,360.00	\$826.80	\$ 7,186.80	3.4%
Commercial/Industrial	per acre	Y	\$ 127.72	\$ 130.00	\$ 16.90	\$ 146.90	1.8%
Security Release Requests	each	Y	min. \$337	min. \$350	varies	Varies	3.9%
Security Reduction Requests	each	Y	min. \$173	min. \$180	varies	Varies	4.0%

SITE PLAN AGREEMENTS					
Commercial/Industrial Sites including commercial, residential or multi-use condominiums (Head Agreements)	each	Y	min. \$836	min. \$870	varies
Commercial/Industrial Sites including commercial, residential or multi-use condominiums (Amendments to Head Agreements)	each	Y	min. \$544	min. \$560	varies
Private Schools	each	Y	min. \$538	min. \$560	varies
Regional Schools	each	Y	min. \$538	min. \$560	varies
Region of York	each	Y	min. \$836	min. \$870	varies
All other Site Plan/Development Agreements	each	Y	min. \$836	min. \$870	varies
All other Amending Site Plan/Development Agreements	each	Y	min. \$560	min. \$580	varies
Security Release Requests	each	Y	min. \$337	min. \$350	varies
Security Reduction Requests	each	Y	min. \$173	min. \$180	varies
OTHER					
Compliance Letters (For 48 hour turnaround, add 25%) (Legal issues only)	each	Y	min. \$162	min. \$170	varies
Release of Agreement	each	Y	min.\$272	min.\$280	varies
Discharge Mortgage –Per Discharge	each	Y	min. \$240	min. \$250	varies

Varies	4.1%
Varies	2.9%
Varies	4.1%
Varies	4.1%
Varies	4.1%
Varies	3.6%
Varies	3.9%
Varies	4.0%
Varies	4.9%
Varies	2.9%
Varies	4.2%

Property Standards Order – Compliance Release (preparation of discharge and registration per order)	each	Y	min. \$291	min. \$300	varies	Varies	3.1%
Release Documents, Restrictions, Easements, etc.	each	Y	min. \$240	min. \$250	varies	Varies	4.2%
Bylaws that Require Registration	each	Y	min. \$299	min. \$310	varies	Varies	3.7%
Transfers of land and easements or other conveyances not pursuant to a development agreement	each	Y	min. \$575	min. \$600	varies	Varies	4.3%
Reconveyance of land pursuant to an Agreement	each	Y	min. \$575	min. \$600	varies	Varies	4.3%
Registration of Miscellaneous Documents	each	Y	min. \$287	min. \$300	varies	Varies	4.5%
Miscellaneous letters in response to requests for information	each	Y	min. \$162	min. \$170	varies	Varies	4.9%
Renewal Miscellaneous Agreements	each	Y	New	min. \$500	varies	Varies	n/a
Disposal of Town Land (disbursements, surveys, appraisals, etc. would be in addition to this fee)	each	Y	New	min. \$1000	varies	Varies	n/a

TOWN OF NEWMARKET
2016 USER FEES
SCHEDULE D

Department: Public Works

Effective Date: January 1, 2016

SERVICE PROVIDED	UNIT OF MEASURE	2016 Base Fee	2016 Admin Fee	SUBJECT TO HST YES/NO	TOTAL 2016 FEE BEFORE TAX	HST	TOTAL FEE	% INCREASE
Parks								
Installation of Banners on Main & Water				Y	\$ 650.33	\$ 84.54	\$ 734.87	3.5%
Installation of Banners at all other locations	\$50.00/hour for each staff person plus 15% admin fee to a max. \$550.00							
Celebration Programs								
Celebration & Boulevard Trees (Planting Included)	Each			Y	\$ 362.25	\$ 47.09	\$ 409.34	3.5%
Veteran's Memorial Walkway Stones (Large)	Each			Y	\$ 310.50	\$ 40.37	\$ 350.87	3.5%
Veteran's Memorial Walkway Stones (Small)	Each			Y	\$ 155.25	\$ 20.18	\$ 175.43	3.5%
Celebration Bench	Each			Y	\$ 1,035.00	\$ 134.55	\$ 1,169.55	3.5%
Reflection Bench	Each			Y	\$ 1,552.50	\$ 201.83	\$ 1,754.33	3.5%
Sewer					\$ -			
Special Sanitary Sewer Charge - Infilling Lot	per residential unit			N	\$ 439.21		\$ 439.21	3.5%
Inspection Fee for Res. San. Service Installed by Owner		\$ 146.10	\$ 21.92	Y	\$ 168.02	\$ 21.84	\$ 189.86	3.5%

Remove second and subsequent blockages in sanitary sewer (if on private property)	Actual + Administration Fee			Y		
Water						
Water flow test not related to existing site plan agreements		\$ 155.83	\$ 23.37	Y	\$ 179.20	\$ 23.30
Water Construction Charge	Residential			N	\$ 87.36	
	Commercial/Industrial/Institutional			N	\$ 146.27	
Watermain Tap for Residential Water Service (by Town)		\$ 421.50	\$ 63.22	Y	\$ 484.72	\$ 63.01
Turn Water Off / On for Unpaid Water Bill	During Regular Working Hours	\$ 118.83	\$ 17.82	Y	\$ 136.65	\$ 17.76
	Emergency After Hours	\$ 340.90	\$ 51.14	Y	\$ 392.04	\$ 50.97
Repair/Replace Anti-Tampering device Hydrant or valve	Hydrant	\$ 415.88	\$ 62.38	Y	\$ 478.26	\$ 62.17
		\$ 287.17	\$ 43.08	Y	\$ 330.25	\$ 42.93
Inspection Fee for Residential Water Service Installed by Owner		\$ 126.62	\$ 18.99	Y	\$ 145.61	\$ 18.93
Water Valve Operating After Hours – related to developments		\$ 418.79	\$ 62.82	Y	\$ 481.61	\$ 62.61
Water Collection Fee	Per application			Y	\$ 41.74	\$ 5.43
Water - Bulk Rate	Per 1000 gallon			N	\$ 21.54	
	Per liter			N	\$ 0.00	
Special Water Charge - Infilling Lot (For new developments)	Per residential unit			N	\$ 527.05	
Meter Seal - Return Visit		\$ 131.50	\$ 19.73	Y	\$ 151.23	\$ 19.66
Valve Locate or Line Tracing		\$ 112.02	\$ 16.80	Y	\$ 128.82	\$ 16.75
Water Meters						
Installed by Builder/Plumber	16x13 (5/8"x 1/2")			Y	\$ 389.07	\$ 50.58

\$ 202.50	3.5%
\$ 87.36	3.5%
\$ 146.27	3.5%
\$ 547.73	3.5%
\$ 154.41	3.5%
\$ 443.01	3.5%
\$ 540.43	3.5%
\$ 373.18	3.5%
\$ 164.54	3.5%
\$ 544.22	3.5%
\$ 47.17	3.5%
\$ 21.54	6.5%
\$ 0.00	6.5%
\$ 527.05	3.5%
\$ 170.89	3.5%
\$ 145.57	3.5%
\$ 439.65	3.5%

Installed by Builder/Plumber	16x19 (5/8"x3/4")			Y	\$ 389.07	\$ 50.58	\$ 439.65	3.5%
Installed by Builder/Plumber	19 (3/4")			Y	\$ 407.98	\$ 53.04	\$ 461.02	3.5%
Installed by Builder/Plumber	25.0 (1")			Y	\$ 425.24	\$ 55.28	\$ 480.52	3.5%
Installed by Builder/Plumber	38 (1-1/2")			Y	\$ 806.38	\$ 104.83	\$ 911.21	3.5%
Installed by Builder/Plumber	50 (2")			Y	\$ 1,077.84	\$ 140.12	\$ 1,217.96	3.5%
75 Compound (3") Installed by Dev.	(including cost of strainers)			Y	\$ 4,354.25	\$ 566.05	\$ 4,920.30	3.5%
100 Compound (4") Installed by Dev.	(including cost of strainers)			Y	\$ 6,853.71	\$ 890.98	\$ 7,744.69	3.5%
Note: No Refunds on Water Meters								
Other Services								
Municipal Consents	Regular Service			N	\$ 472.16		\$ 472.16	3.5%
Water Saving Kits	Each			Y	\$ 9.44	\$ 1.23	\$ 10.67	3.5%
Fire Route/Accessible Signs	Each			Y	\$ 38.44	\$ 5.00	\$ 43.44	3.5%
Street Name/Stop Signs, Hardware & Post	Each			Y	\$ 469.96	\$ 61.09	\$ 531.05	3.5%
Anti-Tampering Devices -Hydrant/Valve	Each			Y	\$ 131.75	\$ 17.13	\$ 148.88	3.5%
Anti-Idling Signs	Each			Y	\$ 42.84	\$ 5.57	\$ 48.41	3.5%
Road Occupancy Permit	Each			N	\$ 76.86	\$ -	\$ 76.86	3.5%
Temporary Encroachment on Roadways (Where the roadway is used to facilitate activities related to the development of adjacent lands i.e. loading/staging areas.)	Per m2/week			Y	\$ 2.69	\$ 0.35	\$ 3.04	3.5%
Temporary Encroachment on Boulevard/ Sidewalk Where hoarding, covered walkways or other temporary structures extend onto public lands or areas used to store materials, equipment or shelters.)	Per m2/week			Y	\$ 0.29	\$ 0.04	\$ 0.33	3.5%
Aerial Crane Trespass (Where fixed crane booms extend over public lands.)	Per Month			Y	\$ 533.03	\$ 69.29	\$ 602.32	3.5%

Construction Access Fee (Where access to construction site occurs through parkland or over a boulevard.				Y	\$ 106.61	\$ 13.86
Curb Cut – by Town Contractor		\$ 246.35	\$ 36.95	Y	\$ 283.30	\$ 36.83
Curb Cut - by Town Contractor - RUSH		\$ 288.84	\$ 43.33	Y	\$ 332.17	\$ 43.18
Curb Cut – without Approval		\$ 333.72	\$ 50.06	Y	\$ 383.78	\$ 49.89
Graffiti Removal for Utilities	at Cost			Y	at cost	
Road Closure				Y	\$ 33.02	\$ 4.29
Solid Waste and Recycling						
White Goods (freezer, stove, etc.)				Y	\$ 10.62	\$ 1.38
Commercial & Industrial/Apartment Wheel Carts	64 gallon			Y	\$ 150.44	\$ 19.56
	95 gallon			Y	\$ 163.72	\$ 21.28
Composters	Standard Size			Y	\$ 17.70	\$ 2.30
Large Items	(furniture, mattress, etc.)			Y	\$ 10.62	\$ 1.38
Recycling Blue Box	Each			Y	\$ 8.85	\$ 1.15
Garbage Bag Tags (Sold in Package of 5)				N	\$ 12.00	
Special Refuse Cleanup	Actual + administration cost			N		
Source Separated Organics (SSO)	Large Bin			Y	\$ 17.70	\$ 2.30
	Kitchen Bin			Y	\$ 5.31	\$ 0.69
Sewer						
Sanitary Sewer Connection – Residential/ICI - Road Allowance - owner to obtain qualified contractor	Owner's Cost to Install			Y		
Sanitary Connection Application	Per application			Y	\$ 109.81	\$ 14.28
Sanitary Connection - Local Improvement	Per application					
Water						
Water Connection – Residential/ICI - Road Allowance - owner to obtain qualified contractor	Owner's Cost to Install			Y		

\$ 120.47	3.5%
\$ 320.13	3.5%
\$ 375.35	3.5%
\$ 433.67	3.5%
\$ 37.31	3.5%
\$ 12.00	0.0%
\$ 170.00	2.7%
\$ 185.00	2.5%
\$ 20.00	0.0%
\$ 12.00	0.0%
\$ 10.00	0.0%
\$ 12.00	0.0%
\$ 20.00	0.0%
\$ 6.00	0.0%
\$ 124.09	3.5%

Water Connection Application	Per application			Y	\$ 109.81	\$ 14.28	\$ 124.09	3.5%
Other Services								
Road and boulevard inspection fee for security requirement or release related to private residential construction	Per application			Y	\$ 109.81	\$ 14.28	\$ 124.09	3.5%
Gate Application and Inspection	Each			Y	\$ 109.81	\$ 14.28	\$ 124.09	3.5%

TOWN OF NEWMARKET
2016 USER FEES
SCHEDULE E

Department: Engineering Services

Effective Date: January 1, 2016

SERVICE PROVIDED	UNIT OF MEASURE	SUBJECT TO HST YES/NO	2016 FEE BEFORE TAX	HST AMOUNT	TOTAL FEE	% INCREASE
Development Services						
Subdivision Design Standard Manual	Each	Y	\$ 90.10	\$ 11.71	\$ 101.81	3.5%
Fill Permit	Owner Occupied Residential	N	\$ 189.23		\$ 189.23	3.5%
	All Other Types of Property	N	\$ 378.40		\$ 378.40	3.5%
Engineering Checking & Inspection						
Site Plans handled fully in house	6% of the value of all site works and services outside of the buildings \$758.18 minimum	Y	\$ 758.18	\$ 98.56	\$ 856.74	3.5%
Projects in which the Town's Checking Consultant is providing the design review and field monitoring service plus a deposit estimated by the Town for payment of the Town's Checking Consultant is required.	3.00% Admin Fee - minimum of \$758.18 of the value of outside works and services plus deposit for checking consultant	Y	\$ 758.18	\$ 98.56	\$ 856.74	3.5%

Subdivisions – Admin. Fee + Deposit for Checking Consultant	3.00% Admin Fee + 2.75% deposit for checking consultant	Y		
Other Services				
Emergency Work Performed for Developer or Other	minimum \$991.10 plus HST or Actual Cost + 15% Admin. Fee + HST	Y	\$ 991.10	\$ 128.84
Coordination/administration of private works in Town contract or as part of private works/Town works in Region contract.	\$195.85 minimum + HST or Actual Cost + 15% Admin. Fee + HST	Y	\$ 195.85	\$ 25.46
Coordination/administration of Regional works within Town contracts.	18% Admin. Fee + HST	Y		
Property Information – Assumed/ Unassumed + Release Cert. If requested & available	Per application	Y	\$ 165.57	\$ 21.52
Property Information	(legal, environmental, compliance)	Y	\$ 165.57	\$ 21.52
Consultant's request for traffic counts (ATR or TMC)	Each	Y	\$ 115.38	\$ 15.00

\$ 1,119.94	3.5%
\$ 221.31	3.5%
\$ 187.09	3.5%
\$ 187.09	3.5%
\$ 130.38	3.5%

**TOWN OF NEWMARKET
2016 USER FEES
SCHEDULE F**

Department: Legislative Services- General Fees

Effective Date: January 1, 2016

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

SERVICE PROVIDED	UNIT OF MEASURE	SUBJECT TO HST YES/NO	2016 FEE BEFORE TAXES	HST AMOUNT	TOTAL FEE	% INCREASE
VITAL STATISTICS						
Death Registration	each	N	\$ 30.00	\$0.00	\$30.00	0.0%
GENERAL ADMINISTRATION						
Municipal Information - Liquor Application	each	N	\$ 165.00	\$0.00	\$165.00	3.1%
Ontario Municipal Board (OMB) Appeal Fee	each	N	\$ 155.00	\$0.00	\$155.00	0.0%
Property Standards Appeal Fee	each	N	\$ 160.00	\$0.00	\$160.00	3.2%
Property Standards Reinspection Fee	each	N	\$ 165.00	\$0.00	\$165.00	3.1%
Noise Exemption Application /Residential	each	N	\$ 56.00	\$0.00	\$56.00	3.7%
Noise Exemption Application/Construction	each	N	\$ 165.00	\$0.00	\$165.00	3.1%
Private Parking Administration Fee (minimum 3 hour)	per year	N	\$ 100.00	\$0.00	\$100.00	n/a
Garbage Administration(large articles)	each	N	\$ 55.00	\$0.00	\$55.00	n/a

POOLS				
Permit Fee - Above Ground Pool	each	N	\$ 160.00	\$0.00
Permit Fee - Hot Tub	each	N	\$ 160.00	\$0.00
Permit Fee - Inflatable Pool	each	N	\$ 160.00	\$0.00
Permit Fee - Ponds	each	N	\$ 160.00	\$0.00
SIGNS				
Sign By-law Exemption Fee	each	N	\$ 165.00	\$0.00
Ground Sign	each	N	\$ 424.00	\$0.00
Fascia Sign	each	N	\$ 424.00	\$0.00
Mural Sign	each	N	\$ 424.00	\$0.00
Projecting Sign	each	N	\$ 424.00	\$0.00
Construction Information Sign	each	N	\$ 424.00	\$0.00
Hoarding Sign	each	N	\$ 424.00	\$0.00
New Home Development Sign	each	N	\$ 106.00	\$0.00
Development Sign	each	N	\$ 424.00	\$0.00
Portable Sign	each	N	\$ 106.00	\$0.00
Mobile Sign	each	N	\$ 106.00	\$0.00
Inflatable Sign	each	N	\$ 424.00	\$0.00
Banner Sign	each	N	\$ 106.00	\$0.00
Election Sign Deposit	each	N	\$ 250.00	\$0.00

\$160.00	3.2%
\$160.00	3.2%
\$160.00	3.2%
\$160.00	3.2%
\$165.00	3.1%
\$424.00	2.9%
\$424.00	2.9%
\$424.00	2.9%
\$424.00	2.9%
\$424.00	2.9%
\$424.00	2.9%
\$424.00	2.9%
\$106.00	2.9%
\$424.00	n/a
\$106.00	2.9%
\$106.00	2.9%
\$424.00	2.9%
\$106.00	2.9%
\$250.00	0.0%

Election Sign Removal	per sign	N	\$ 25.00	\$0.00
Billboard Sign	each	N	\$ 1,591.00	\$0.00
Billboard Sign Renewal	every 5 years	N	\$ 530.00	\$0.00
Variance Fee - Staff Review	per review	N	\$ 265.00	\$0.00
Variance Fee - Committee	per review	N	\$ 530.00	\$0.00
Sign Removal	each	N	\$ 160.00	\$0.00
Lens Replacement	each	N	\$ 212.00	\$0.00
Sign Fees for Yonge Street until December 31, 2016				
Ground Sign	each	N	\$ 150.00	\$0.00
Fascia Sign	each	N	\$ 150.00	\$0.00
Mural Sign	each	N	\$ 400.00	\$0.00
Projecting Sign	each	N	\$ 150.00	\$0.00
Construction Information Sign	each	N	\$ 150.00	\$0.00
Hoarding Sign	each	N	\$ 400.00	\$0.00
New Home Development Sign	each	N	\$ 80.00	\$0.00
Portable Sign	each	N	\$ 80.00	\$0.00
Mobile Sign	each	N	\$ 80.00	\$0.00
Inflatable Sign	each	N	\$ 150.00	\$0.00
Banner Sign	each	N	\$ 100.00	\$0.00
Election Sign Deposit	each	N	\$ 250.00	\$0.00

\$25.00	0.0%
\$1,591.00	3.0%
\$530.00	2.9%
\$265.00	2.7%
\$530.00	2.9%
\$160.00	3.2%
\$212.00	n/a
\$150.00	0.0%
\$150.00	0.0%
\$400.00	0.0%
\$150.00	0.0%
\$150.00	0.0%
\$400.00	0.0%
\$80.00	0.0%
\$80.00	0.0%
\$80.00	0.0%
\$150.00	0.0%
\$100.00	0.0%
\$250.00	0.0%

Election Sign Removal	per sign	N	\$ 25.00	\$0.00
Billboard Sign	each	N	\$ 1,500.00	\$0.00
Billboard Sign Renewal	every 5 years	N	\$ 500.00	\$0.00
Variance Fee - Staff Review	per review	N	\$ 250.00	\$0.00
Variance Fee - Committee	per review	N	\$ 500.00	\$0.00
Sign Removal	each	N	\$ 150.00	\$0.00
Commissioning of Documents (except foreign pensions)	\$15 per document	Y	\$ 15.04	\$1.96
Certification of Document	\$5 per document to a maximum of \$25	Y	\$ 4.35	\$0.65
PARKING ENFORCEMENT				
Parking Enforcement Private Special Events (minimum 3 hours)	per hour	N	\$ 50.00	\$0.00
Parking Enforcement Charities & Non-Profit Organizations (minimum 3 hours)	per hour	N	\$ 35.00	\$0.00
Parking Enforcement Filming (minimum 3 hours)	per hour	N	\$ 60.00	\$0.00
FILMING PERMIT				
Administration Fee		N	\$ 257.50	\$0.00
Administration Fee - private property		N	\$ 140.00	\$0.00
Municipal Property Fee	if applicable	N	\$ 257.50	\$0.00
Contribution to Main Street District BIA if filming within designated BIA		N	\$ 1,000.00	\$0.00

\$25.00	0.0%
\$1,500.00	0.0%
\$500.00	0.0%
\$250.00	0.0%
\$500.00	0.0%
\$150.00	0.0%
\$17.00	0.0%
\$5.00	0.0%
\$50.00	n/a
\$35.00	n/a
\$60.00	n/a
\$257.50	3.0%
\$140.00	3.7%
\$257.50	3.0%
\$1,000.00	100.0%

Security Deposit depending on the nature of the film (where deemed necessary)	\$500 to \$5000	N	\$500 to \$5000	\$0.00
REGISTRATION OF ACCESSARY DWELLING UNITS				
Application (Non-refundable)	each	N	\$ 250.00	\$0.00
Lost identification plate	each	N	\$ 10.00	\$0.00
Accessory Dwelling Unit Appeal	each	N	\$ 100.00	\$0.00
FENCE VIEWING				
Administration Fee		N	\$ 250.00	\$0.00
Fence Viewer's Inspection Fee	per person	N	\$ 50.00	\$0.00
MARRIAGES				
Marriage Licence	each licence	N	\$ 135.00	\$0.00
Civil Marriage Solemnization Service Fee	per service	Y	\$ 412.00	\$53.56
Witness Fee	per person	Y	\$ 52.00	\$6.50
Rehearsal Fee for offsite	per service	Y	\$ 77.25	\$9.75
Marriage License/Ceremony package	per service	Y	\$ 500.00	\$52.00
Administration fee to be charged for change of wedding date within 7 days		Y	\$ 26.00	\$3.25
Administration Fee to be charged for cancellation before consultation		Y	\$ 51.50	\$6.50

\$500 to \$5000	
\$250.00	0.0%
\$10.00	0.0%
\$100.00	0.0%
\$250.00	0.0%
\$50.00	0.0%
\$135.00	8.0%
\$465.56	3.0%
\$58.50	4.0%
\$87.00	3.0%
\$552.00	n/a
\$29.25	4.0%
\$58.00	3.0%

Administration fee to be charged for cancellation after consultation		Y	\$ 154.50	\$19.50	\$174.00	3.0%
LOTTERY LICENCES						
Bingo	% from OLG	N			% from OLG	
Nevada	3% of the prize value	N			3% of the prize value	
Raffle	3% of the prize value	N			3% of the prize value	
ELECTION CANDIDATE NOMINATIONS						
	Mayor	N	\$ 200.00	\$0.00	\$200.00	0.0%
	Regional Councillor	N	\$ 100.00	\$0.00	\$100.00	0.0%
	Councillor	N	\$ 100.00	\$0.00	\$100.00	0.0%
FREEDOM OF INFORMATION						
Application	each	N	\$ 5.00	\$0.00	\$5.00	0.0%
Photo Copies	per page	N	\$ 0.20	\$0.00	\$0.20	0.0%
Disks	per disk	N	\$ 10.00	\$0.00	\$10.00	0.0%
Manually Searching Records \$7.50 per ¼ hour	per hour	N	\$ 30.00	\$0.00	\$30.00	0.0%
Preparation of Record of Disclosure	per hour	N	\$ 30.00	\$0.00	\$30.00	0.0%
Developing a Computer Program \$15.00 per ¼ hour	per hour	N	\$ 60.00	\$0.00	\$60.00	0.0%



CORPORATION OF THE TOWN OF NEWMARKET

BY-LAW NUMBER 2015-58

A BY-LAW UNDER THE BUILDING CODE ACT RESPECTING CONSTRUCTION, DEMOLITION AND CHANGE OF USE PERMITS AND INSPECTIONS.

WHEREAS Section 7 of the Building Code Act, 1992 S.O., Chapter 23 as amended, empowers Council to pass certain By-laws respecting construction, demolition, change of use, transfer of permits, inspections, the setting and refunding of fees, and related matters;

AND WHEREAS The Council of the Town of Newmarket desires to repeal By-law 2005-76 as amended and enact a new Building By-law for the issuance of permits and related matters including a fee schedule for all applicable building permit fees;

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

SHORT TITLE

This By-law may be cited as the "Building By-law".

Section 1 DEFINITIONS

1.1 In this By-law;

"Act" means the Building Code Act, 1992, S.O. 1992, c.23, as amended;

"applicant" means the owner of a building or property who applies for a permit or any person authorized by the owner to apply for a permit on the owner's behalf, or any person or Corporation empowered by statute to cause the construction or demolition of a building or buildings and anyone acting under the authority of such person or Corporation;

"architect" means the holder of a license, certificate of practice or a temporary license under the Architects Act as defined in the Building Code;

"Building Code" means the regulations made under section 34 of the Act;

"Chief Building Official" means a Chief Building Official appointed by Council for the purposes of enforcement of the Act, the Building Code and this By-law;

"complete application" means an application that meets the requirements set out in the Building Code for applications where the Chief Building Official is required to make a decision within the prescribed time period as set out in the Building Code;

"conditional permit" means a permit issued under subsection 8.(3) of the Act;

"construct" means to construct as defined in subsection 1.(1) of the Act;

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

"demolish" means to demolish as defined in subsection 1.(1) of the Act;

"form" means an applicable form approved by the province or a prescribed form as may be prescribed from time to time by the Chief Building Official;

“inspector” means an inspector appointed by By-law by the Corporation of the Town of Newmarket for the purpose of enforcement of the Act, the Building Code and this By-law;

“owner” includes, in respect of the property on which the construction or demolition will take place, the registered owner of the land and, except for conditional permits, a lessee and mortgagee in possession;

“partial permit” means a permit issued at the discretion of the Chief Building Official to construct part of a building;

“permit” means permission or authorization given in writing from the Chief Building Official to perform work, to change the use of a building or part thereof, or to occupy a building or part thereof, as regulated by the Act and Building Code;

“permit holder” means the owner to whom a permit has been issued or where a permit has been transferred, the new owner to whom the permit has been transferred;

“plumbing” means plumbing as defined in section 1.(1) of the Act;

“professional engineer” means a person who holds a license or temporary license under the Professional Engineers Act;

“registered code agency” means a registered code agency as defined in subsection 1.(1) of the Act;

“revised submission” means additional information filed with the Chief Building Official which depicts one or more changes to the proposed or as-constructed design of a building or part of a building for which a permit has already been issued and for which approval by the Chief Building Official is required;

“sewage system” means a sewage system as defined in subsection 1.(1) of the Act;

“work” means construction, demolition or change of use, or any combination thereof, of a building or part thereof, as the case may be.

1.2 Terms not defined in this By-law shall have the meaning ascribed to them in the Act or the Building Code.

Section 2 CLASSES OF PERMITS

2.1 Classes of permits required for the construction, demolition, change of use and occupancy of buildings or parts thereof and permit fees are set out in Schedule “A” of this By-law.

Section 3 GENERAL REQUIREMENTS FOR PERMIT APPLICATIONS

3.1 Every permit application must meet the requirements of this Section and shall:

- a) be made by an applicant;
- b) be made in writing to the Chief Building Official on forms prescribed by the province or when no form is prescribed, on a form prescribed by the Chief Building Official; and
- c) be accompanied by the required fees calculated in accordance with Schedule “A”.

- 3.2 To be considered a complete application, every permit application shall be accompanied by the approval documents issued by the agencies responsible for applicable laws listed in the Building Code, where those agencies issue approval documents and the law applies to the construction or demolition being proposed.
- 3.3 An application for a permit may be refused by the Chief Building Official where it is not a complete application.
- 3.4 The Chief Building Official may as the Chief Building Official deems appropriate, provide prescribed forms in an electronic format and may allow for the electronic submission of completed permit application forms.
- 3.5 Notwithstanding Subsection 3.4, of this By-law completed forms generated electronically shall be accepted subject to the endorsement by the applicant.
- 3.6 All documents and drawings accompanying an application for permit shall be coordinated with each other and shall be consistent with the description of the proposed work.
- 3.7 Applicants filing an application for a permit, in addition to any other requirements set out in this By-law shall:
- a) ensure that all applicable fields on the approved application form and required schedules are fully complete;
 - b) identify and describe in detail the work, use and occupancy to be covered by the permit for which the application is made;
 - c) identify and describe in detail the existing use(s) and the proposed uses(s) for which the premises are intended;
 - d) include the legal description, the municipal address and where appropriate the unit number of the land on which the work is to be done;
 - e) include complete plans and specifications, documents and other information, as described in Section 14 of this By-law;
 - f) state the name, address and contact information for the owner, and where the owner is not the applicant, the authorized agent;
 - g) include the construction value for the work covered by the application for a permit, exclusive of the value of the land;
 - h) state the erection and removal date of temporary structures;
 - i) be signed by the owner or the authorized agent who shall certify as to the truth of the contents of the application;
 - j) when Section 1.2, Division C of the Building Code applies, attach a signed acknowledgement of the owner, on the prescribed form, that an architect and/or professional engineer(s) have been retained to carry out the general review of the construction of the building;
 - k) when Section 1.2, Division C of the Building Code applies, attach a signed statement of the architect and/or professional engineer(s), on the prescribed form, undertaking to provide general review of the construction of the building;
 - l) include, where applicable, the applicant's registration number where an applicant is a builder or vendor as defined in the Ontario New Home Warranties Act;
 - m) ensure, where a "Schedule1:Designer Information" form is attached, that the plans and specifications include designer information outlining the person's name and signature, BCIN number and an acknowledgement of responsibilities for the associated design activities;
 - n) include, for buildings within the scope of Building Code Division B, Part 3 or non-residential Part 9, a Building Code Data Matrix;
 - o) include, if required by the Chief Building Official, for buildings requiring design and review by a professional engineer, a Structural Design Information Sheet;

- p) include, if applicable, information and documents demonstrating compliance with energy efficiency requirements for new buildings; and
- q) include, if applicable, a condominium construction approval letter.

Section 4 CONSTRUCTION PERMITS

- 4.1 In addition to the general requirements set out in Section 3 of this By-law, an application for a construction permit under subsection 8.(1) of the Act shall:
- a) include complete plans and specifications, documents and other information as required by Section 1.3, Division C of the Building Code and Section 14 of this By-law.

Section 5 DEMOLITION PERMITS

- 5.1 In addition to the general requirements set out in Section 3 of this By-law, an application for a demolition permit under subsection 8.(1) of the Act shall:
- a) include complete plans and specifications, documents and other information as required by Section 1.3, Division C of the Building Code and Section 14 of this By-law; and
 - b) include a completed demolition checklist on the prescribed form confirming that arrangements have been made with the proper authorities for the termination and capping of all the water, sewer, gas, electric, telephone or other utilities and services.

Section 6 CONDITIONAL PERMITS

- 6.1 In addition to the general requirements set out in Section 3 of this By-law, an application for a conditional permit under subsection 8.(3) of the Act shall:
- a) include complete plans and specifications, documents and other information as required by Section 1.3, Division C of the Building Code and Section 14 of this By-law;
 - b) state the reasons why the applicant believes that unreasonable delays in construction would occur if a conditional permit is not granted;
 - c) state the necessary approvals which must be obtained in respect of the proposed building and the time in which such approvals will be obtained;
 - d) be subject to the owner, and such other person as the Chief Building Official determines, entering into an agreement with the Corporation as provided for in subsection 8.(3) of the Act; and
 - e) be accompanied by the required fees for work covered by the permit and the required administrative fees for the conditional permit as calculated in accordance with Schedule "A" to the By-law.
- 6.2 The Chief Building Official may, at his discretion, issue a conditional permit where unreasonable delays are anticipated to obtain all the necessary approvals and where the relevant provisions of this By-law, the Act and the Building Code have been met.
- 6.3 The Chief Building Official is hereby authorized to execute, on behalf of the Corporation, the written agreement referred to in Subsection 6.1 of this By-law as part of the conditional permit application.

- 6.4 The issuance of a conditional permit shall not be construed to authorize construction beyond for which approval was given nor obligate the Chief Building Official to grant further permits for the building.

Section 7 PARTIAL PERMITS

- 7.1 In addition to the general requirements set out in Section 3 of this By-law, an application for a partial permit shall:
- a) require a permit application for the entire project;
 - b) be accompanied by plans, specifications, documents, forms and other information covering that part of the work for which the partial permit is made, together with such information pertaining to the remainder of the work as may be required by the Chief Building Official;
 - c) be accompanied by the required fees for work covered by the permit and the required administrative fees for the partial permit as calculated in accordance with Schedule "A" to this By-law; and
 - d) be accompanied by the standard indemnification and waiver acknowledging an incomplete application .
- 7.2 The Chief Building Official may issue a partial permit when the Chief Building Official determines it is appropriate to expedite construction before a permit for the entire building is available and where the relevant provisions of this By-law and the Act are met.
- 7.3 When determining whether to issue a partial permit, the Chief Building Official shall have regard for the likelihood of subsequent approvals being available in a timely fashion such that a project is not interrupted and exposed to potential damage from the elements while awaiting subsequent approvals.
- 7.4 The issuance of a partial permit shall not be construed to authorize construction beyond for which approval was given nor obligate the Chief Building Official to grant any additional permits.

Section 8 CHANGE OF USE PERMITS

- 8.1 In addition to the general requirements set out in Section 3 of this By-law, an application for a change of use permit shall:
- a) describe the building in which the occupancy is to be changed by a description that will readily identify and locate the building;
 - b) identify and describe in detail the current and proposed occupancies of the building or part of a building for which the application is made; and
 - c) include complete plans and specifications showing the current and proposed occupancy of all parts of the building, and which contain sufficient information to establish compliance with the requirements of the Building Code, including: floor plans, details of wall, ceiling and roof assemblies identifying required fire resistance ratings and load bearing capacities, details of the existing sewage system, if any.

Section 9 SEWAGE SYSTEM PERMITS

- 9.1 In addition to the general requirements set out in Section 3 of this By-law, an application for a sewage permit shall include a site evaluation including all of the following items, unless otherwise specified by the Chief Building Official:

- a) the date the evaluation was done;
- b) the name, address, telephone number and signature of the person who prepared the evaluation; and
- c) a scaled map of the site showing:
 - i. the legal description, lot size, property dimensions, existing rights-of-way, easements or municipal/utility corridors;
 - ii. the location of items listed in Column 1 of, Tables 8.2.1.6.A., 8.2.1.6.B. and 8.2.1.6.C, Division B of the Building Code;
 - iii. the location of the proposed sewage system;
 - iv. the location of any unsuitable, disturbed or compacted areas;
 - v. proposed access routes for system maintenance;
 - vi. depth to bedrock;
 - vii. depth to zones of soil saturation;
 - viii. soil properties, including soil permeability; and
 - ix. soil conditions, including the potential for flooding.

Section 10 TRANSFER OF PERMITS

- 10.1 Permits may not be transferred without the approval of the Chief Building Official.
- 10.2 To transfer a permit, the new owner shall complete and submit an application form in accordance with the requirements in Section 3 of this By-law. Such application shall include:
 - a) the names and addresses of the previous and new land owner;
 - b) the date that the land ownership change took place;
 - c) describe the permit that is being transferred; and
 - d) payment of the required fees as prescribed in Schedule "A".
- 10.3 Upon transfer of the permit by the Chief Building Official, the new owner shall be the permit holder for the purposes of this By-law, the Act and the Building Code.

Section 11 INACTIVE (Abandoned) PERMIT APPLICATION

- 11.1 Where an application for a permit remains inactive for six months or incomplete for six months after the applicant has been advised in writing of all the reasons for refusal, the application may be deemed by the Chief Building Official to have been abandoned and written notice thereof shall be given to the applicant. If an application is deemed to be abandoned a new application must be filed for the proposed work.

Section 12 CHANGES TO APPROVED PLANS - Revised Submission

- 12.1 After issuance of a permit under the Act, notice of any material change to a plan, specification, document or other information on the basis of which the permit was issued shall be given in writing to the Chief Building Official together with the details of such change which is not to be made without the prior written authorization of the Chief Building Official.
- 12.2 Application for authorization of any substantial change shall constitute a revised submission and is subject to a revision to plans fee and any additional inspection fees which may be required.

Section 13 OCCUPANCY PERMITS FOR UNFINISHED BUILDINGS

13.1 An application for an occupancy permit of an unfinished building pursuant to Section 1.3.3, Division C of the Building Code, shall:

- a) use the application form prescribed by the Chief Building Official that is completely filled out and accompanied by any applicable schedules;
- b) identify in detail the occupancy, the proposed date for occupancy, the part of the building for which the application for permit is made and the measures to be put in place to delineate those areas still under construction;
- c) provide detailed information demonstrating compliance with article 1.3.3.1, Division C of the Building Code;
- d) be accompanied by the required fees as calculated in accordance with Schedule "A" to this By-law;
- e) state the name, address and contact information of the owner, and where the owner is not the applicant, the authorized agent; and
- f) be signed by the owner or authorized agent who shall certify the truth of the contents of the application.

Section 14 PLANS AND SPECIFICATIONS

14.1 Sufficient information including plans, specifications, documents and other information shall be submitted with each application for a permit to enable the Chief Building Official to determine whether or not the proposed construction, demolition, or change of use will conform to the Act, the Building Code and any other applicable law.

14.2 The Chief Building Official shall determine the plans, specifications, documents and other information required to be submitted in order to deem the application complete according to sentence 1.3.1.3.(5), Division C of the Building Code, having regard for:

- a) the scope of the proposed work;
- b) the requirements of the Act, the Building Code and other applicable law; and
- c) the requirements of Section 3 and other Sections of this By-law.

14.3 Plans, specifications, documents and other information shall be:

- 1. fully coordinated among design disciplines and intended for construction, demolition or change of use;
- 2. be fully dimensioned and drawn to a suitable scale (metric or imperial) on paper or other suitable durable material, and
- 3. contain text that is clear and legible.

14.4 Where a site plan is required to demonstrate compliance with the Act, the Building Code, and any other applicable law, the site plan shall include:

- a) lot size and dimensions of property lines and setbacks to any existing or proposed buildings;
- b) existing and finished ground levels or grades;

- c) existing rights-of-way, easements and municipal services; and
- d) a copy of a current plan of survey, unless the Chief Building Official waives this requirement.

14.5 On completion of the construction of a building, the Chief Building Official may require the applicant to submit a set of as-constructed plans, including a plan of survey showing the location of the building.

14.6 Plans and specifications furnished according to this By-law or otherwise required by the Act become the property of the Corporation and will be disposed of or retained in accordance with all applicable legislation or By-law.

Section 15 ALTERNATIVE SOLUTIONS

15.1 Where approval for an alternative solution under the Building Code is proposed in either the application for a permit, or a material change to a plan, specification, document or other information on the basis of which a permit was issued, the applicant shall:

- a) use the application form prescribed by the Chief Building Official that is completely filled out and accompanied by any applicable schedules;
- b) include documentation that identifies applicable objective, functional statements and acceptable solutions as set out in the Building Code;
- c) include documentation demonstrating that the proposed alternative solution will provide the level of performance required by the Building Code; and
- d) be accompanied by the required fees prescribed in Schedule "A".

Section 16 REGISTERED CODE AGENCIES

16.1 The Chief Building Official is authorized to enter into and sign contracts for service agreements with a registered code agency and appoint them to perform specified functions from time to time in order to maintain the time periods for permits prescribed in Article 1.3.1.3, Division C of the Building Code.

16.2 A registered code agency may be appointed to perform one or more of the specified functions described in section 15.15 of the Act.

Section 17 NOTICE REQUIREMENTS FOR INSPECTIONS

17.1 The permit holder shall notify the Chief Building Official or a registered code agency where one is appointed, of each stage of construction for which a notice is prescribed under Subsection 1.3.5, Division C of the Building Code.

17.2 Inspection notices are required a minimum of two business days prior to the stage of construction specified therein and shall be given in accordance with the requirements of Subsection 1.3.5, Division C of the Building Code.

17.3 The permit holder shall provide the notice of completion as prescribed by section 11 of the Act, or where occupancy is required prior to completion, notice of inspection to ensure that the requirements of section 11 of the Act and Subsection 1.1.3, Division C of the Building Code are complied with.

- 17.4 In addition to the notice of completion as prescribed by section 11 of the Act, the permit holder shall provide notice after the completion of demolition work to ensure the completion of site grading and other works.
- 17.5 Notice shall be given as required by Subsection 1.3.5., Division C of the Building Code. A notice pursuant to this Section of the By-law is not effective until notice is actually received by the Chief Building Official, an inspector or the registered code agency as the case may be, makes a written record of the request for inspection.

Section 18 FEES AND REFUNDS

- 18.1 The Chief Building Official shall determine the required fees for the work proposed calculated in accordance with Schedule "A" of this By-law and the fee shall be payable in full upon the submission of an application for permit.
- 18.2 Where the Chief Building Official determines, upon a full review of permit drawings submitted, that additional fees are applicable in accordance with Schedule "A" based on the scope of work and floor area for the class of permit, the amount of outstanding fees shall be payable prior to permit issuance.
- 18.3 Any person or Corporation who commences construction, demolition or changes the use of a building before submitting an application for a permit or receiving a permit, shall in addition to any other penalty under the Act, Building Code, or this By-law, pay an administrative fee in the amount of \$300 where an Order to Comply has been issued and an additional \$200 where a Stop Work Order has been issued to compensate the Corporation for the additional administrative and investigative work incurred by such early start of work.
- 18.4 In the case of withdrawal of an application or the abandonment of all or a portion of the work, or refusal of a permit, or the non-commencement of any project, the Chief Building Official shall determine the amount of paid permit fees that may be refunded to the applicant, if any, in accordance with Schedule "A" of this By-law.
- 18.5 Prior to passing a By-law to change any fees listed in Schedule "A" of this By-law, the Corporation shall comply with the requirements set out in Subsection 1.9.1, Division C of the Building Code.
- 18.6 Any person or organization wishing to receive notice under Article 1.9.1.2, Division C of the Building Code should make such request in writing to the Chief Building Official.

Section 19 REVOCATION OF PERMITS

- 19.1 Prior to revoking a permit under subsection 8.(10) of the Act, The Chief Building Official may serve a notice by personal service or registered mail at the last known address to the permit holder, and following a thirty (30) day period from the date of service the Chief Building Official may revoke the permit if grounds to revoke still exist, without any further notice.
- 19.2 A permit holder may within thirty (30) days from the date of service of a notice under this Section, request in writing the Chief Building Official to defer the revocation by stating reasons why the permit should not be revoked. The Chief Building Official having regard to any changes to the Act, Building Code or other applicable law may allow the deferral in writing.

Section 20 FENCING AND HOARDING OF CONSTRUCTION SITES

- 20.1 Where in the opinion of the Chief Building Official, a construction or demolition site presents a hazard to the public the Chief Building Official may require the permit holder to erect such fencing to the standards and specifications that the Chief Building Official deems to be appropriate in the circumstances.
- 20.2 When determining if a construction or demolition site presents a hazard to the public and requires the erection of fencing and the type of fencing required, the Chief Building Official shall have regard to;
- a) the proximity of the construction site to occupied dwellings;
 - b) the proximity of the construction site to lands accessible by the public, including but not limited to streets, parks and commercial and institutional uses;
 - c) the hazards presented by the construction activities and materials;
 - d) the feasibility and effectiveness of site fencing; and
 - e) the duration of the hazard.
- 20.3 When the Chief Building Official is of the opinion that fencing is required, the permit holder shall, prior to commencement of any construction, demolition, or placement of materials or equipment on site, erect or cause to be erected fencing to the standards required by the Chief Building Official to enclose the construction or demolition site for the purposes of preventing unauthorized entry to the site. For the purposes of this Section, construction and demolition site shall include the area of the proposed construction and demolition and any area where materials or equipment are stored or operated.
- 20.4 All hoarding shall be maintained in a structurally secure manner and painted, constructed or otherwise treated to inhibit deterioration.

Section 21 SEVERABILITY

- 21.1 In the event that any provision of this By-law is declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the remaining provisions of this By-law.

Section 22 MISCELLANEOUS

- 22.1 All Schedules shall be and form part of this By-law.
- 22.2 A reference to the singular or to the masculine shall be deemed to refer to the plural or feminine as the context may require.

Section 23 OFFENCES AND PENALTIES

- 23.1 Every person who contravenes any provision of this By-law is guilty of an offence and on conviction is liable to a fine as provided in section 36 of the Act.

Section 24 CODE OF CONDUCT

- 24.1 The Chief Building Official and inspectors as appointed under the Act shall be governed by the Code of Conduct as set out in Schedule "B" of this By-law, with respect to exercising their power and performing their duties under the Act.

Section 25 REPEAL AND TRANSITION

25.1 By-law 2005-76, is hereby repealed on the date this By-law comes into force.

25.2 Notwithstanding Section 22.1 of this By-law, for any complete application received prior to the effective date of this By-law, the provisions of By-law 2005-76 shall remain in force and effect for the purpose of that application.

Section 26 EFFECTIVE DATE

This By-law comes into full force and effect on January 1, 2016.

ENACTED THIS 30TH DAY OF NOVEMBER, 2015

Tony Van Bynen, Mayor

Andrew Brouwer, Town Clerk

BY- LAW 2015-58

INDEX

Section 1	DEFINITIONS
Section 2	CLASSES OF PERMITS
Section 3	GENERAL REQUIREMENTS FOR PERMIT APPLICATIONS
Section 4	CONSTRUCTION PERMITS
Section 5	DEMOLITION PERMITS
Section 6	CONDITIONAL PERMITS
Section 7	PARTIAL PERMITS
Section 8	CHANGE OF USE PERMITS
Section 9	SEWAGE SYSTEM PERMITS
Section 10	TRANSFER OF PERMITS
Section 11	INACTIVE (Abandoned) PERMIT APPLICATION
Section 12	CHANGES TO APPROVED PLANS – Revised Submission
Section 13	OCCUPANCY PERMITS FOR UNFINISHED BUILDINGS
Section 14	PLANS AND SPECIFICATIONS
Section 15	ALTERNATIVE SOLUTIONS
Section 16	REGISTERED CODE AGENCIES
Section 17	NOTICE REQUIREMENTS FOR INSPECTIONS
Section 18	FEES AND REFUNDS
Section 19	REVOCATION OF PERMITS
Section 20	FENCING AND HOARDING OF CONSTRUCTION SITES
Section 21	SEVERABILITY
Section 22	MISCELLANEOUS
Section 23	OFFENCES AND PENALTIES
Section 24	CODE OF CONDUCT
Section 25	REPEAL AND TRANSITION
Section 26	EFFECTIVE DATE

Schedule "A" Classes of Permits and Fees Payable

Schedule "B" Code of Conduct

Schedule "C" Maintenance Inspection Program for On-Site Sewage Systems

SCHEDULE “A”

Miscellaneous – Charges

For Classes of *permits* not described or included in this Schedule, a reasonable *permit* fee shall be determined by the *Chief Building Official*

REFUNDS

Pursuant to Section 18 of this By-law, the fees that may be refunded shall be a percentage of the fees payable under this By-law, calculated by the *Chief Building Official* as follows:

- (a) 90 percent if administrative functions only have been performed;
- (b) 80 percent if administrative and zoning review functions only have been performed;
- (c) 60 percent if administrative, zoning review and plan examination functions have been performed;
- (d) 50 percent if the *permit* has been issued and no field inspections have been performed subsequent to *permit* issuance;
- (e) a \$60.00 fee for each field inspection that has been performed after the *permit* has been issued will be deducted from all refunds; and
- (f) if the calculated refund is less than the minimum fee applicable to the *work*, no refund shall be made of the fees paid.

INTERPRETATION

The following explanatory notes are to be observed in the calculation of *permit* fees:

- Floor area of the proposed *work* is to be measured to the outer face of exterior walls and to the centre line of party walls or demising walls. (excluding residential garages);
- In the case of interior alterations or renovations, area of proposed *work* is the actual space receiving the *work* e.g. tenant space;
- Mechanical penthouses and floors, mezzanines, lofts, habitable attics, and interior balconies are to be included in all floor area calculations;
- Except for interconnected floor spaces, no deductions are made for openings within the floor area (e.g. stairs, elevators, escalators, shafts, ducts, etc.);
- Unfinished basements for single detached dwellings (including semis, duplexes, and townhouses etc.) are not included in the floor area;
- Attached garages and fireplaces are included in the *permit* fee for single detached dwellings and attached dwellings;
- Where interior alterations and renovations require relocation of sprinkler heads or fire alarm components, no additional charge is applicable;
- Ceilings are included in both new shell and finished (partitioned) buildings. The fee for ceiling applies only when alterations occur in existing buildings. Minor alterations to existing ceilings to accommodate lighting or HVAC improvements are not chargeable;
- Where demolition of partitions or alteration to existing ceilings is a part of an alteration or renovations *permit*, no additional charge is applicable;
- Corridors, lobbies, washrooms, lounges, etc. are to be included and classified according to the major classification for the floor area on which they are located;
- The occupancy categories in Schedule “A” correspond with the major occupancy classifications in the Ontario *Building Code*. For mixed occupancy floor areas, the fee for each of the applicable occupancy categories may be used, except where an occupancy category is less than 10% of the floor area;

- For Rack Storage use apply the square footage charge for industrial for the building.

2016 PROPOSED FEE SCHEDULE				
MINIMUM FEE				
	Detached, semi-detached, townhouse, rowhouse, duplex or live/work residential projects			\$185.00
	Non-residential projects or residential greater than three storeys, unless otherwise stated			\$277.50
PERMIT FEES				
CLASS OF PERMIT, OCCUPANCY CLASSIFICATION				Fee Multiplier (\$ per m² or as otherwise specified)
A. CONSTRUCTION: NEW BUILDINGS; ADDITIONS TO EXISTING BUILDINGS; ALTERATION OR UNIT FINISH				
GROUP "A" ASSEMBLY				
New Recreation Facilities, Schools, Libraries, Places of Worship, Restaurants, Theatres, Arenas, Swimming Pools, Gymnasiums				\$14.92
Alteration, Renovation, Interior Finish, Unit Finish				\$4.40
GROUP "B" INSTITUTIONAL				
New Hospital, Institutional Buildings, Nursing Homes and Other Buildings				\$16.64
Alteration, Renovation, Interior Finish, Unit Finish				\$4.40
GROUP "C" RESIDENTIAL				
* New Detached Dwelling, Semi-Detached Dwellings, Townhouses, Row-houses, Duplexes, Live/Work Units				\$14.65
*Accessory Dwelling Units			Flat Fee	\$400.00
* New Motels, Hotels and all other Residential Occupancies				\$18.32
* Note the above fees for residential new construction include the HVAC and Plumbing Fee				
Alteration, Renovation, Interior Finish, Unit Finish				\$4.40
GROUP "D" BUSINESS AND PERSONAL SERVICES				
Shell				\$10.70
Finished				\$13.38
Alteration, Renovation, Interior Finish, Unit Finish				\$4.40
GROUP "E" MERCANTILE				
Shell				\$9.91
Finished				\$12.39
Alteration, Renovation, Interior Finish, Unit Finish				\$4.40
GROUP "F" INDUSTRIAL				
Shell				\$8.05
Finished				\$10.06
Alteration, Renovation, Interior Finish, Unit Finish				\$4.40
Parking Garage				\$4.83

B. DEMOLITION		
All Buildings up to 600 m ²	Each	\$277.50
All Buildings > 600 m ²	Each	\$370.00
C. DESIGNATED STRUCTURE (OBC 2.1.2)		
Communication Tower (where applicable)	Flat Fee	\$555.00
Outdoor Pool, Outdoor Spa (where applicable)	Flat Fee	\$555.00
Crane Runway	Flat Fee	\$555.00
Exterior Tank and Support (where applicable)	Flat Fee	\$555.00
Pedestrian Bridge (where applicable)	Flat Fee	\$555.00
Retaining Wall	Linear Metre	\$12.30
Solar Panels (Domestic Hot Water or Photovoltaic, any area) - Low rise residential	Flat Fee	\$277.50
- Other	Flat Fee	\$370.00
Solar Collector, Satellite Dish	Flat Fee	\$370.00
D. STANDALONE AND MISCELLANEOUS WORK		
Temporary Structures		\$277.50
Tents and Temporary Buildings (<225 m2)	Flat Fee	\$185.00
Tents and Temporary Buildings (>225 m2)	Flat Fee	\$277.50
Farm Building		\$277.50
Portable Classrooms	Flat Fee	\$185.00
Residential		
Balcony Repair	Flat Fee	\$92.50
Garage - detached	Flat Fee	\$185.00
Garage - attached	Flat Fee	\$277.50
Carport, Decks, Porches, Porch Enclosures	Flat Fee	\$185.00
Basement Finish - no change in use	Flat Fee	\$185.00
Below Grade Entrance	Flat Fee	\$277.50
Door, New Opening	Each	\$92.50
Fire Code Retrofit (OFC S. 9.8)	Flat Fee	\$185.00
Fire Damage Repair	Flat Fee	\$277.50
Fireplace, wood-burning	Flat Fee	\$185.00
Window, New Opening	Each	\$92.50
Window Replacement - Part 3 - Building	Each	\$92.50
Non-Residential		
Electromagnetic locking devices	Each	\$92.50
Fire Alarm	Flat Fee	\$277.50
Ceiling - new, replacement	m ²	\$2.20
Shoring	Flat Fee	\$277.50
Sprinklers	Flat Fee	\$277.50
Standpipe and Hose System	Flat Fee	\$277.50
Fire Suppression (Other than Sprinkler System)	Flat Fee	\$277.50
Air Supported Structure	Flat Fee	\$277.50
Balcony Repair	Flat Fee	\$92.50
Door - new, man door or overhead loading	Each	\$92.50
Emergency Lighting	Each	\$46.25
Emergency Power	Flat Fee	\$277.50
Foundation for Relocated Building, each	m ²	\$4.40
Fire Code Retrofit (other than residential)	Flat Fee	\$277.50

E. STANDALONE MECHANICAL		
STAND ALONE MECHANICAL - HVAC		
Permit for heating, ventilating and air conditioning (per suite)		\$277.50
F. PLUMBING AND DRAINAGE SYSTEM FIXTURES/EQUIPMENT ROOF DRAINS - STANDALONE		
Plumbing		
For each fixture, floor drain, equipment, appliances, thermostatic mixing valve, vented traps or roof hopper	Each	\$24.67
Storm and grease interceptor	Each	\$46.25
Testable Backflow Prevention		\$46.25
Water Services - for each water service		
50 mm (2") or less		\$46.25
100 mm (4")		\$92.50
150 mm (6")		\$138.75
200 mm (8")		\$173.44
250 mm (10")		\$216.80
300 mm (12 ")		\$271.00
Drains - Residential (single family dwelling, for apartments see commercial)		
For <u>each</u> residential drain and sewer (includes both storm and sanitary, inside, outside and floor drains)		\$92.50
For each conversion to sewers		\$46.25
Miscellaneous		
For each manhole, catchbasin or area drain		\$46.25
On-site sewage system		
New Sewage System Installation	\$675.00 min. or \$5.38 / m ² of bldg to max of \$3,500	
Repair/Minor alteration		\$ 280.00
Planning Circulation - SPD, Zoning		\$ 250.00
Sewage System Maintenance and Inspection Program	\$150 or septic tank report from a qualified contractor	
Drains- Commercial (commercial and industrial buildings and units, institutional buildings and apartment buildings for each storm or sanitary drain inside) or: for each storm or sanitary sewer		
100 mm or less		\$92.50
150 mm (6")		\$138.75
200 mm (8")		\$173.44
250 mm (10")		\$216.80
300 mm (12 ") or larger		\$271.00
Storm and grease interceptors		

G. ADMINISTRATION FEES						
Miscellaneous						
	For each re-inspection due to defective work					\$92.50
	For each special inspection per hour, per person					\$185.00
	Change of Use Permit where no construction is proposed or required					\$185.00
	Transfer of Permit					\$185.00
	Conditional Building Permit			20% full permit fee		
	Foundation Permit (ICI)			m ²	\$	2.20
	Foundation Permit (Residential)					\$ 185.00
	Compliance Letter - Building					\$157.97
	Alternative Solution			min. \$555 + \$185/hr after 3 hours		
	Occupancy Permit Fee (after building is occupied)					\$ 185.00
	Revision to plans fee					\$185/hr
	Builder Model Fee					\$ 185.00
	Builder Model Change Fee (where permit has been issued)					\$ 185.00
	Permitted Use Letter					\$ 92.50
	Construction Activity Report (annual subscription)					\$ 185.00
	Reproduction of Documents				Min. \$10 + \$80/hr	

SCHEDULE “B”

Code of Conduct for Building Officials Corporation of the Town of Newmarket

Policy Statement

This Code of Conduct is maintained in accordance with the provisions of the *Building Code Act*. It is intended to be read and applied in conjunction with the Corporation of the Town of Newmarket’s (“the Town”) Employee Code of Conduct in effect from time to time. Building Officials are responsible for reviewing building functions to ensure structural integrity and safety of buildings. All Town of Newmarket employees, including Building Officials, hold a special position of trust, employed at public expense for community benefit. Building Officials exercise powers and provide services that can have a significant impact on our community. The conduct and behaviour of the Town of Newmarket Building Officials reflects the Town’s commitment to the highest standards of professionalism, technical competence, skill, honesty, fairness and impartiality.

Purpose

Building Officials of the Town of Newmarket are expected to behave in an ethical, professional and responsible manner, both to members of the general public and to each other. The purpose of this Code of Conduct (“the Code”) is to assist Building Officials to identify and apply the standards of behaviour that are expected of all employees at the Town. The Code outlines the basic principles of integrity, honesty and impartiality and recognizes that Building Officials have a responsibility to uphold these principles.

Standards of Conduct and Professionalism

Building Officials shall comply with the Town’s Employee Code of Conduct in effect from time to time and shall undertake to:

1. Always act in the public interest, particularly with regard to the safety of building works and structures;
2. Maintain their knowledge and understanding of the best current building practice, all relevant building laws and codes relevant to their building certification functions;
3. Maintain current accreditation to perform the functions assigned to them;
4. Commit themselves to a process of continuous education so as to be aware of developments in building design, practice and the law relevant to their duties;
5. Comply with the provisions of the *Building Code Act*, the *Building Code* and any other Act of Law that regulates or governs Building Officials or their functions;
6. Avoid situations where there may be or where there may appear to be a conflict between their duties to their employer, their clients, their peers and the public at large, and their personal interests;
7. Avoid acting in situations beyond their level of competence or outside their area of expertise;
8. Apply all relevant building laws, regulations and standards strictly and impartially without favour and independent of the influence of interested parties;
9. Perform their inspections and certifying duties impartially and in accordance with the highest professional standards;
10. To keep in the strictest confidence all confidential information or material that they become privy to in the performance of their duties, except where disclosure is in accordance with the *Municipal Freedom of Information and Protection of Privacy Act* or any other privacy legislation in effect from time to time;
11. Avoid any conduct that could bring Building Officials or the Town into disrepute;

12. Extend professional courtesy to all.

Enforcement

The *Building Code Act* provides that the performance of Building Officials will be measured against this Code of Conduct. In response to any allegation of a breach of this Code, the *Chief Building Official* or Chief Administrative Officer shall direct an investigation and where appropriate, recommend disciplinary action against any Building Official who fails to comply with the Code. Any disciplinary action shall be in accordance with the Corporate Policy.

SCHEDULE “C”

Maintenance Inspection Program for On-site Sewage Systems

1. Introduction

The *Building Code Act 1992* (BCA) and Ontario Building (Ontario Regulation 332/15) regulate the design, construction and renovation of treatment systems which are located wholly on the property which they serve (i.e. “on-site”) and have a design sewage capacity of 10,000 litres/day or less. Such systems typically provide treatment for smaller buildings such as houses, cottages, and small businesses.

Ontario’s Building Code (Ontario Regulation 332/12) was recently amended to establish and govern mandatory on-site sewage system maintenance inspection programs to be administered in certain areas by local enforcement bodies. The recent amendments to the Building Code also govern discretionary on-site sewage system maintenance inspection programs established by local enforcement bodies.

2(a) Mandatory Inspections

Effective January 1, 2016, the OBC prescribes that all septic systems that are located wholly or partly within 100 metres of each of the following features be inspected for compliance with the requirement of Division B, Section 8.9 of the OBC:

- a) any river or stream in the Lake Simcoe watershed that continually flows in an average year;
- b) any lake or pond in the Lake Simcoe watershed that is connected on the surface to a river or stream described in (a);
- c) any other lake or pond in the Lake Simcoe watershed that has a surface area greater than 8 hectares; and
- d) proximity to Vulnerable Areas within Source Protection Area.

The Source Water Protection Plan of the South Georgian Bay Lake Simcoe Protection Region became in effect on July 1, 2015. The OBC prescribes that all septic systems wholly or partly located within a vulnerable area in a source protection area are inspected for compliance with the requirements of Division B, Section 8.9 of the OBC.

2(b) Discretionary Inspections

The Building Code allows for a municipality to set up a Discretionary Inspection program.

3. Authority for Inspections

Inspections are undertaken by Inspectors appointed by the local municipality in respect of maintenance inspection programs that are required under Division C, Article 1.10.2.3 of the OBC, “Mandatory Programs”.

Sewage system maintenance inspections are generally intended to determine whether a sewage system is in substantial compliance with the operation and maintenance requirements outlined in Division B, Section 8.9 of the OBC.

Section 15.10.1 of the BCA sets out the authority for an Inspector to enter upon land and into buildings at any reasonable time without a warrant for the purpose of conducting a maintenance inspection.

Despite the provision of Section 15.10.1, an Inspector shall not enter or remain in any room or place used as a dwelling unless:

- a) the consent of the occupier is obtained, the occupier first having been informed that the right of entry may be refused and entry made only under the authority of a warrant issued under this Act;
- b) a warrant under this Act is obtained;
- c) the delay necessary to obtain a warrant or the consent of the occupier would result in an immediate danger to the health or safety of any person; or the entry is necessary to terminate an immediate danger.

4. Inspection Notification

All septic systems located in areas subject to the Septic System Maintenance Inspection Program shall be inspected every five years from the date of construction or from the date of the most recent maintenance inspection.

5. Fees

A Sewage System Maintenance and Inspection Program Fee for an inspection, investigation and the filing of a report will be assessed in accordance with Schedule "A" in the Building Bylaw. The fee is payable at the time of the inspection. Any unpaid fees will automatically be added to the tax roll in the year the inspection took place.

As an alternative to paying a fee to the municipality, an owner may provide a septic tank report from an owner-hired Qualified Contractor.

6. Enforcement

If OBC violations or signs of possible future problems are detected, the Inspector will follow up on those matters with the owner.

If an Inspector finds that an on-site sewage system is malfunctioning or failing or has malfunctioned or failed, the Inspector will assess the severity of the matter. The Inspector may require additional inspections, investigations, tests, reports or other services at the owner's cost to determine the condition of an on-site sewage system. The Inspector may issue an Order to notify the owner of the problem and provide direction to the owner to correct the deficiency. Where an on-site sewage system is beyond repair, a new system may need to be constructed.

A re-inspection fee in accordance with Schedule "A" of the Building Bylaw will be assessed where a deficiency found during a previous inspection has not been corrected.

In all cases, the Inspector's first approach will be to encourage the owner to remedy any deficiencies.



CORPORATION OF THE TOWN OF NEWMARKET

BY-LAW NUMBER 2015-59

A BY-LAW TO CONFIRM THE PROCEEDINGS OF A MEETING OF COUNCIL
– NOVEMBER 30, 2015.

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

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

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

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

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

ENACTED THIS 30TH DAY OF NOVEMBER, 2015

Tony Van Bynen, Mayor

Andrew Brouwer, Town Clerk