

Open Forum

Public Notices (if required)

Additions & Corrections to the Agenda

Additional items to this Agenda are shown under the Addendum header.

Declarations of Pecuniary Interest

Presentations & Recognitions

1. Mayor Van Bynen and Members of Council to present a framed proclamation to the Newmarket Minor Hockey Executive honouring their 60th Anniversary. p. 1

Ms. Lynda Carusi - President, Mr. Kevin Winsor - Vice-President (Rep), Mr. Dan Levesque - Vice-President (House League), Mr. Roy George - Vice-President (Rep Alternate) and Mr. John Hartley - Sponsorship will be in attendance.

WHEREAS for 60 years, children in the Town of Newmarket have been learning and playing the game of hockey;

AND WHEREAS the sport of hockey has grown significantly over these 60 years in our Town;

AND WHEREAS the game of hockey promotes sportsmanship, teamwork, healthy lifestyle and also develops players at all levels of the game;

AND THAT the achievements of the players and teams is attributable to the coaches, volunteers, referees and the Newmarket Minor Hockey Executive over the past 60 years;

AND THAT supports the statement that the outcome of the player is more important than the outcome of the game;

AND FURTHER THAT residents and businesses in Town of Newmarket are encouraged to continue to support Newmarket Minor Hockey Association;

AND THAT the Newmarket Minor Hockey Association be officially recognized for its significant contributions to the youth in our community - let's celebrate!

THEREFORE be it proclaimed that the year 2016 be officially recognized as 'Year of Newmarket Minor Hockey' in the Town of Newmarket.

Deputations

2. Ms. Erin Cerenzia, on behalf of the Newmarket Historical Society to address Council with a PowerPoint presentation entitled 'Out of the Trenches'. p. 2
3. Mr. John Dowson, Very Useful Theatre Company to address Council with a presentation regarding a reading of 'A Christmas Carol' fundraiser for the Newmarket Food Pantry. p. 10

Approval of Minutes

4. Council Minutes of November 14, 2016. p. 12

Reports by Regional Representatives

Reports of Committees and Staff

5. Council Workshop of November 14, 2016. p. 27
6. Council Workshop of November 21, 2016. p. 30
7. Committee of the Whole Minutes of November 21, 2016. p. 33
8. Committee of the Whole Minutes of November 28, 2016. p. 36

By-laws

- | | | |
|---------|--|-------|
| 2016-61 | A By-law to provide for the conveyance of land and cash-in-lieu thereof for park and other purposes. | p. 56 |
| 2016-62 | A By-law to adopt Amendment Number 14 to the Town of Newmarket Official Plan. | p. 67 |
| 2016-63 | A By-law to amend By-law Number 201-40, as amended, being a Zoning By-law (281 Main Street North) | p. 73 |

2016-64	A By-law to adopt fees and charges for services or activities provided by the Town of Newmarket. (Fees and Charges - All Departments - General Fees)	p. 77
2016-65	A By-law to adopt Fees and Charges for Services or Activities provided by the Town of Newmarket. (Planning Department Application Fees)	p. 96
2016-66	A By-law to adopt Fees and Charges for Services or Activities provided by the Town of Newmarket. (Fees and Charges - Fire Services)	p. 103
2016-67	A By-law to adopt a Stormwater Management Services Charge by the Town of Newmarket.	p. 106
2016-68	A By-law to establish a combined utility rate structure in the Town of Newmarket.	p. 114
2016-69	A By-law to Establish a Stormwater Rate for the Town of Newmarket.	p. 116
2016-70	A By-law to Appoint Fire Prevention Officers for Central York Fire Services.	p. 118

Notices of Motions

Motions

Announcements & Community Events

New Business

Closed Session (if required)

19. Advice that is subject to solicitor-client privilege, including communications necessary for that purpose as per Section 239 (2) (f) of the Municipal Act, 2001 with respect to Development and Infrastructure Services Commission - Public Works Services Commission - Procurement Services Department Joint Report 2016-30 dated November 23, 2016 regarding Joint Report on N6 Cooperative Contract CRFP2016-02 - Multi-Year Contract for Waste Collection.

Confirmatory By-law

2016-71 To confirm the proceedings of Council at its meeting of December 5, 2016. p. 119

Addendum (Additions and Corrections)

21. Item 1 - Presentations - Addition of Mr. Clarence Robinson - HL Alternate # 1 and Mr. Mike McWilliams - Equipment Manager in attendance for Proclamation Presentation.
22. Mr. Gordon Prentice and Mr. Gerald Fox on behalf of the Newmarket Branch of the Architectural Conservancy of Ontario to address Council regarding Item 26 of the Committee of the Whole Minutes of November 28, 2016. p. 120
23. Removal of Item 9 of Council Agenda distributed on December 1, 2016 being Ratification of Action regarding Development and Infrastructure Services Commission - Public Works Services and Corporate Services Commission - Procurement Services Joint Report 2016-30 regarding Multi-Year Contract for Waste.
24. Development & Infrastructure Services Commission - Public Works Services and Corporate Services Commission - Procurement Services Department Joint Report 2016-30 dated November 23, 2016 regarding N6 Cooperative Contract CRFP2016-02 - Multi-Year Contract for Collection and Transportation of Garbage, Recycling Material, Source Separated Organic Material, Yard Waste and Special Waste. (Referred from Special Committee of the Whole of December 5, 2016 - 1:30 p.m.) p. 135

The Commissioners of Development and Infrastructure Services and Corporate Services and the Director of Public Works Services and the Manager of Procurement Services recommend:

THAT Joint Report between Development & Infrastructure Services Commission – Public Works Services and Corporate Services Commission – Procurement Services Department 2016-30 regarding N6 Cooperative Contract CRFP2016-02 Multi-Year Contract for Collection and Transportation of Garbage, Recyclable Material, Source Separated Organic Material, Yard Waste and Special Waste be received and the following recommendation(s) be adopted:

a) THAT Joint Report between Development and Infrastructure Services Commission - Public Works Services and Corporate Services Commission - Procurement Services Department 2016-30 dated November 23, 2016 regarding N6 Cooperative Contract CRFP2016-02 Multi-Year Contract for Collection and Transportation of Garbage, Recycling Material, Source Separated Organic Material, Yard Waste and Special Waste be received and the following recommendations be adopted:

i) THAT the CRFP2016-02 Collection And Transportation Of Garbage, Recyclable Material, Source Separated Organic Material, Yard Waste and Special Waste for a period of eight (8) years, starting December 4, 2017 be awarded to Green For Life Environmental Inc. at an estimated annual cost of \$ 10,306,520 for all six municipalities, exclusive of all applicable taxes and set annual increases, subject to confirmation of approval of same from the other N6 Municipalities;

ii) AND THAT at the discretion of both the Contractor and the N-6, the contract may be extended for two (2) – one (1) year extensions (Year 9 and 10 of the contract) based on a one percent (1%) increase(s) per year;

iii) AND THAT the Director, Public Works Services and the Manager, Procurement Services shall be authorized to execute the agreement;

iv) AND THAT the Procurement Services Department be directed to notify the other Proponents after the execution of the contract;

v) AND THAT the recommendations of this report be ratified at the Council meeting to be held on December 5, 2016 in order to secure contractual arrangements.

Adjournment

PROCLAMATION



WHEREAS for 60 years, children in the Town of Newmarket have been learning and playing the game of hockey

AND WHEREAS, the sport of hockey has grown significantly over these 60 years in our Town,

AND WHEREAS, the game of hockey promotes sportsmanship, teamwork, healthy lifestyle and also develops players at all levels of the game

AND THAT the achievements of the players and teams is attributable to the coaches, volunteers, referees and the Newmarket Minor Hockey Executive over the past 60 years,

AND THAT supports the statement that the outcome of the player is more important than the outcome of the game,

AND FURTHER THAT residents and businesses in the Town of Newmarket are encouraged to continue to support Newmarket Minor Hockey Association,

AND THAT the Newmarket Minor Hockey Association be officially recognized for its significant contributions to the youth in our community – let's celebrate!

THEREFORE be it proclaimed that the year 2016 be officially recognized as "Year of Newmarket Minor Hockey" in the Town of Newmarket,

Mayor Tony Van Bynen

**Deputy Mayor &
Regional Councillor John Taylor**

Councillor Tom Vegh

Councillor Dave Kerwin

Councillor Jane Twinney

Councillor Tom Hempen

Councillor Bob Kwapis

Councillor Kelly Broome

Councillor Christina Bisanz

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: Erin Cerenzia	
Organization / Group/ Business represented: Newmarket Historical Society	
Address:	Postal Code:
Daytime Phone No:	Home Phone:
Email:	Date of Meeting: December 5, 2016
Is this an item on the Agenda? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Agenda Item No:
<input type="checkbox"/> I request future notification of meetings	<input checked="" 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): We will be sharing with Council the success of our Interactive Trench Exhibit!	
Do you wish to provide a written or electronic communication or background information <input type="checkbox"/> Yes <input checked="" 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;
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Be advised that all Council and Committee of the Whole meetings are audio-video recorded and live streamed online. If you make a presentation to Council or Committee of the Whole, your presentation becomes part of the public record and you will be listed as a presenter in the minutes of the meeting. We post our minutes online, so the listing of your name in connection with the agenda item may be indexed by search engines like Google.

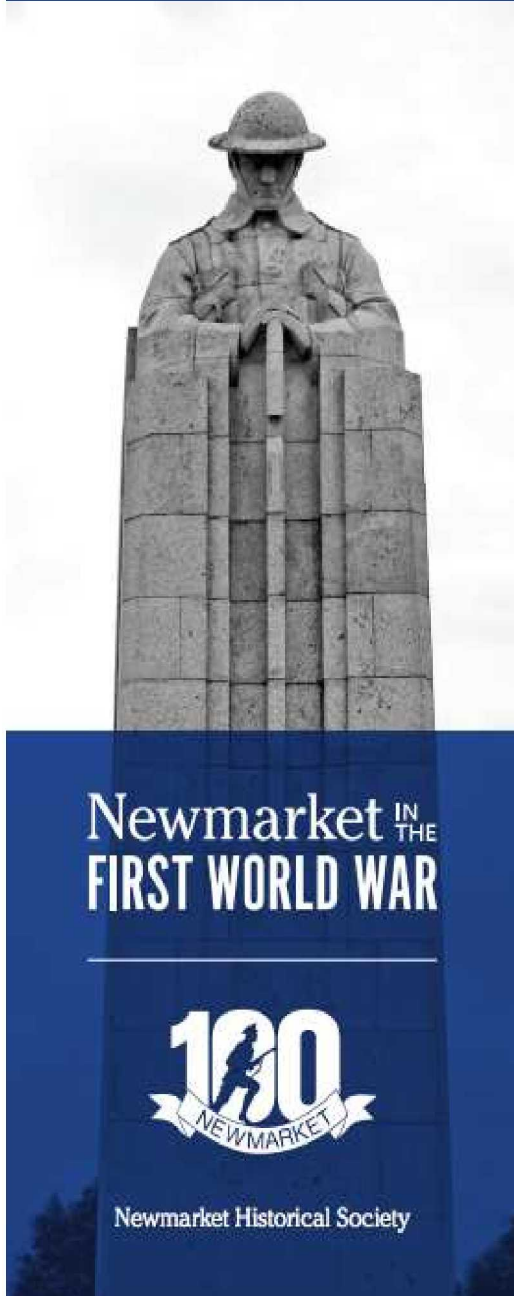
Personal information on this form will be used for the purposes of sending correspondence relating to matters before Council. Your name, address, comments, and any other personal information, is collected and maintained for the purpose of creating a record that is available to the general public in a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

OUT OF THE TRENCHES



3

REPORT BY NEWMARKET HISTORICAL SOCIETY'S
FIRST WORLD WAR CENTENNIAL COMMITTEE

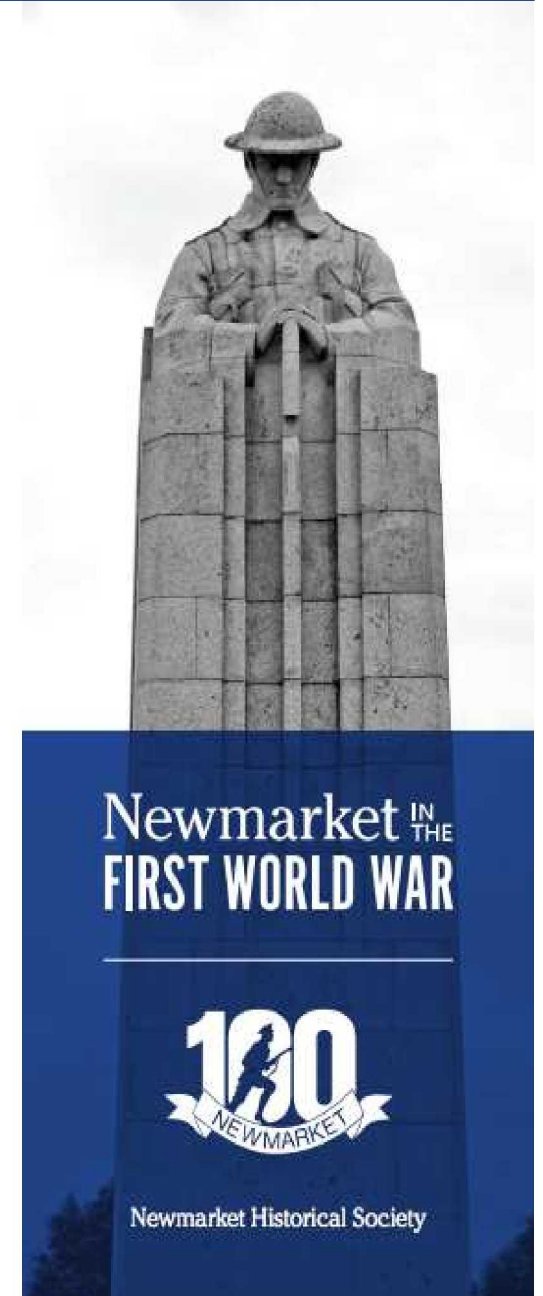


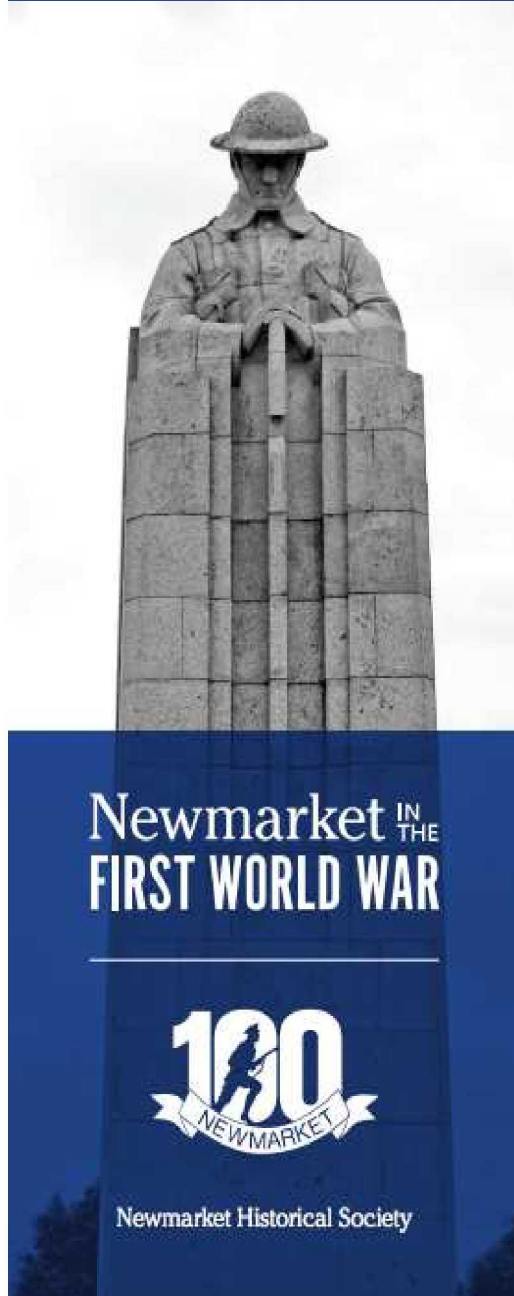
Overview of the Project

- **Planning and Support from the Town of Newmarket**
- **Volunteer Committee and Hours Contributed**
- **Exhibit Unveiling and Community Response**

Trench by the Numbers

- **1,843 Total Visitors**
 - Families
 - Children
 - Students
 - Adults
 - Seniors
- **\$1,771 Total Donations**



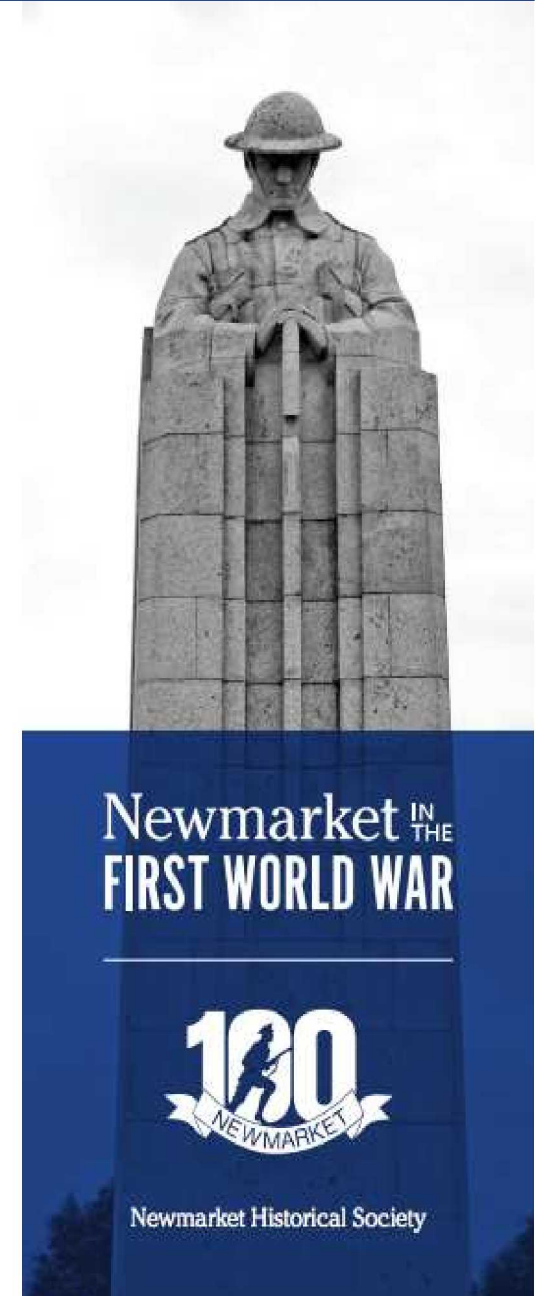


Historical Discoveries

- **127th Battalion felt crest**
- **Naming a previously unknown soldier of the 127th Battalion**
- **Artifact sharing, family stories, and research requests**

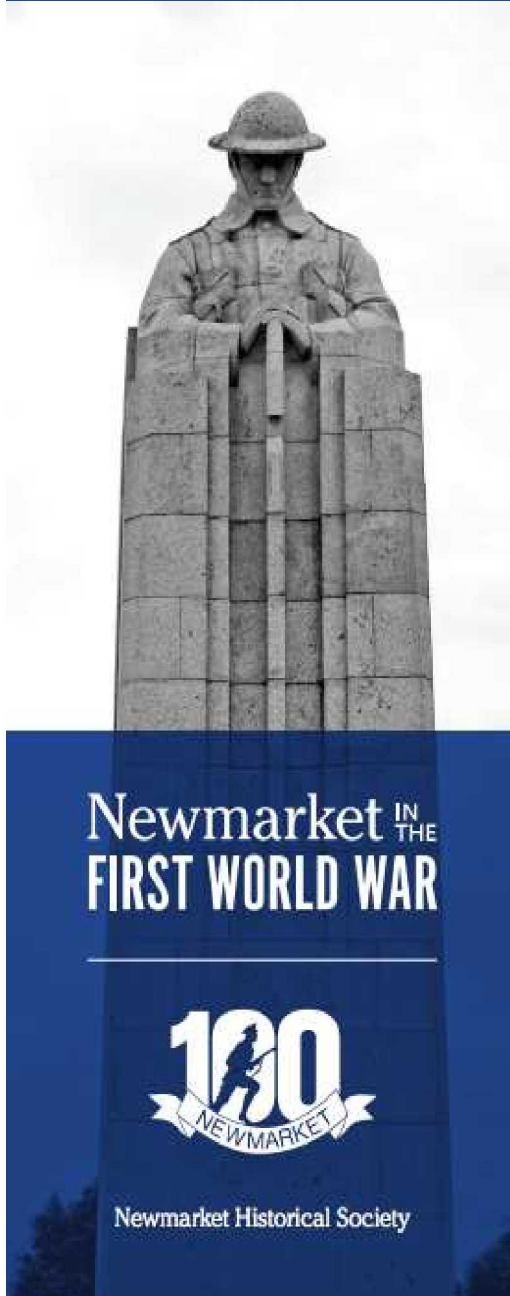
Special Thank You

- **Old Town Hall Facilities**
 - **Scott**
 - **Dan**
 - **Alex**
- **Recreation & Culture Staff**
 - **Rob**
 - **Janis**

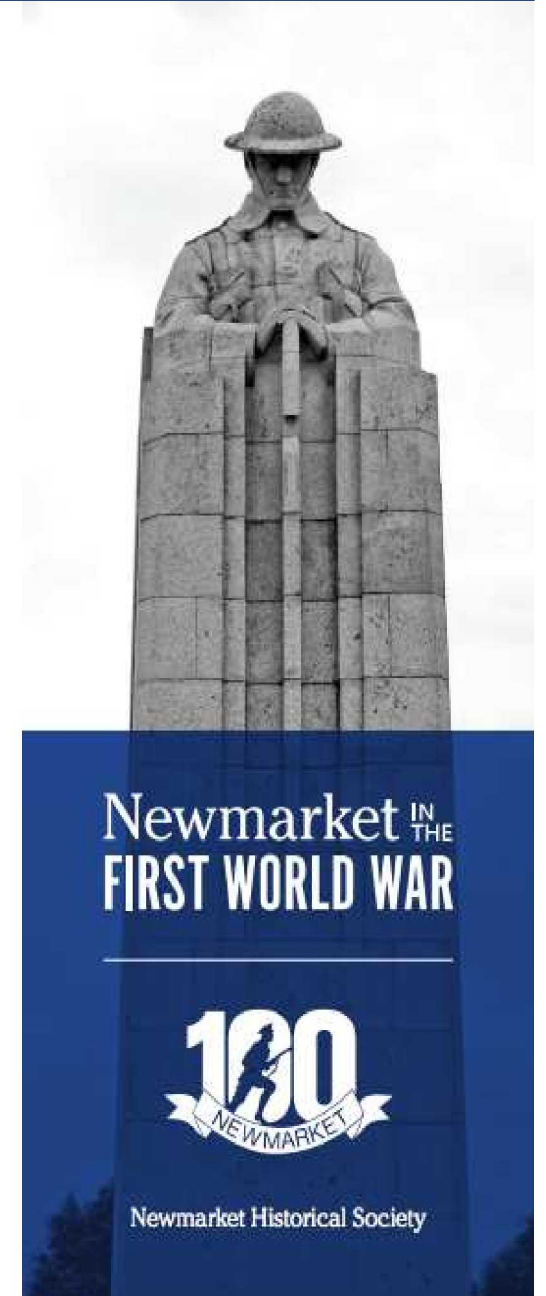


What's Next?

- Trench currently stored at the Legion
- Planning in the new year for our 2017 Vimy Ridge commemorative event
- Request to bring back the trench



**THANK YOU
AND
HAPPY
HOLIDAYS**



Newmarket ^{IN THE}
FIRST WORLD WAR



Newmarket Historical Society

Deputation and Further Notice Request Form

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Name: <u>JOHN DOWSON</u>	
Organization / Group/ Business represented: <u>VERY USEFUL THEATRE COMPANY</u>	
Address:	Postal Code:
Daytime Phone No.:	Home Phone:
Email:	Date of Meeting: <u>DEC-5-2016</u>
Is this an item on the Agenda? <input type="checkbox"/> Yes <input checked="" 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>PRESENTATION ON DRAMATIC READING OF A CHRISTMAS CAROL- FUND RAISER FOR THE FEDD PAULRY SCH. DEC-11-7 PM</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.	

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Start the Holiday Season right!
Come out and hear...



Actor/Director
Phil Dionne



Pastor
Terry Gibson



MPP
Chris Ballard



MP
Kyle Peterson



Councillor Ward 7
Christina Bisanz

Read the CBC radio version of Charles Dickens'



A Christmas Carol with music

Featuring Christmas Carols sung by:

"The Irene Ilic Singers" with Soprano Irene Ilic

Hosted by John Dowson, President *Very Useful Theatre Company*

Sunday December 11, 2016 at 7:00 p.m.

**New Hope Methodist Church,
337 Queen Street, Newmarket**

Tickets: **\$20** for Adults **\$15** for Seniors/Students

Children under 12 years of age Free/Group rates available

Tickets can be purchased online at www.vutc.ca or call **905 836-5460**

Net Proceeds to: **Newmarket Food Pantry**



Produced by: The Very Useful Theatre Company
Helping Community Help Itself

The meeting of the Council was held on Monday, November 14, 2016 in Council Chambers, 395 Mulock Drive, Newmarket.

Members Present: Mayor Van Bynen
Deputy Mayor & Regional Councillor Taylor
Councillor Vegh
Councillor Kerwin
Councillor Twinney
Councillor Kwapis
Councillor Broome
Councillor Bisanz

Absent: Councillor Hempen

Staff Present: P. Noehammer, Acting Chief Administrative Officer
E. Armchuk, Commissioner of Corporate Services
I. McDougall, Commissioner of Community Services
A. Brouwer, Director of Legislative Services/Town Clerk
C. Finnerty, Council/Committee Coordinator
J. Patel, Business Support Analyst

Open Forum

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

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

Mayor Van Bynen in the Chair.

Public Notices

None.

Additions & Corrections to the Agenda

1. Additions & Corrections to the Agenda

The Acting Chief Administrative Officer advised that the motion related to Item 18 of the Committee of the Whole Minutes of November 7, 2016 being Community Services Report – Recreation and Culture 2016-28 regarding Old

Town Hall Public Art Installation has been corrected to reflect amendments to the Public Art Policy as identified at Committee of the Whole, specifically related to the composition of the jury.

Declarations of Pecuniary Interest

- a) Deputy Mayor & Regional Councillor Taylor declared an interest in Items 20 and 21 of the Committee of the Whole Minutes of November 7, 2016 being the Public Hearing Matter related to Development and Infrastructure Services – Planning and Building Services Report 2016-43 regarding Application for Official Plan and Zoning By-law Amendment – 711371 Ontario Corp. - 260 Eagle Street as he owns property in close proximity to the subject lands.

Presentations & Recognitions

2. Ms. Linda Guenther, Vice-President and Mr. Gord Wilkes, President, Newmarket Citizen's Band addressed Council with a verbal presentation on the history of the Newmarket Citizens' Band and its work in the Town and presented Council with a gift in commemoration of the Old Town Hall re-opening.

Moved by: Councillor Kerwin

Seconded by: Councillor Vegh

THAT the presentation by Ms. Linda Guenther, Vice-President and Mr. Gord Wilkes, President, Newmarket Citizen's Band in commemoration of the Old Town Hall re-opening and their involvement (historical to present-day) with the Town of Newmarket be received.

In Favour: Mayor Van Bynen, Deputy Mayor & Regional Councillor Taylor, Councillor Vegh, Councillor Kerwin, Councillor Twinney, Councillor Kwapis, Councillor Broome, Councillor Bisanz

Opposed: (None)

(8 in favour, 0 opposed)

Carried

3. Mr. Adrian Kawun, Manager, Service Planning, York Region Transit (YRT/Viva) addressed Council with a PowerPoint Presentation regarding the 2017 Annual Service Plan and summarized statistics related to outreach, ridership, performance, revenue and transit system comparisons. In addition, he provided a high level overview of the YRT/Viva strategic plan, transit system life cycle, York Region Transportation Master Plan, route reviews and summarized next steps.

Moved by: Councillor Broome
 Seconded by: Councillor Kwapis

THAT the presentation by Mr. Adrian Kawun, Manager, Service Planning, York Region Transit (YRT/Viva) regarding the 2017 Annual Service Plan be received.

In Favour: Mayor Van Bynen, Deputy Mayor & Regional Councillor Taylor, Councillor Vegh, Councillor Kerwin, Councillor Twinney, Councillor Kwapis, Councillor Broome, Councillor Bisanz

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

Carried

Deputations

None.

Approval of Minutes

4. Council Minutes of October 24, 2016.

Moved by: Councillor Twinney
 Seconded by: Councillor Vegh

THAT the Council Minutes of October 24, 2016 be approved.

In Favour: Mayor Van Bynen, Deputy Mayor & Regional Councillor Taylor, Councillor Vegh, Councillor Kerwin, Councillor Twinney, Councillor Kwapis, Councillor Broome, Councillor Bisanz

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

Carried

Reports by Regional Representatives

- a) Deputy Mayor & Regional Councillor Taylor advised of discussions at Regional Committees related to affordable housing initiatives and incentives and associated challenges.
- b) Deputy Mayor & Regional Councillor Taylor advised that Regional staff have undertaken a development charge review.

- c) Deputy Mayor & Regional Councillor Taylor advised of completion of a number of Regional Road projects, including Second Concession, Bathurst Street Extension and various road, bridge and trail projects.

Reports of Committees and Staff

- 5. Special Committee of the Whole Minutes of October 31, 2016.

Moved by: Councillor Twinney

Seconded by: Councillor Kerwin

THAT the Special Committee of the Whole Minutes of October 31, 2016 be received and the following recommendations be adopted:

- 6. THAT the PowerPoint Presentation by Mr. Trevor McIntyre, IBI Group, Ms. Darlene Broderick, IBI Group and Ms. Carmen Hui, Region of York regarding the Streetscape Master Plan be received.
- 7. Development and Infrastructure Services Report - Planning and Building Services 2016-40 dated October 31, 2016 regarding the Yonge Street and Davis Drive Streetscape Master Plan Study.
 - a) THAT Development and Infrastructure Services Report - Planning and Building Services 2016-40 dated October 31, 2016 regarding the Yonge Street and Davis Drive Streetscape Master Plan Study be received and the following recommendations be adopted:
 - i) THAT the Yonge Street and Davis Drive Streetscape Master Plan Study be adopted;
 - ii) AND THAT subject to future budget approvals, any future improvements to Yonge Street and Davis Drive outside of the vivaNext rapidway be carried out in accordance with the Streetscape Master Plan vision.
- 8. THAT the PowerPoint Presentation by the Financial Business Analyst regarding Implementation of a Stormwater Charge be received.
- 9. Joint Corporate Services/Development and Infrastructure Services - Financial Services Report 2016-40 dated October 20, 2016 regarding Implementation of a Stormwater Charge.

a) THAT Corporate Services Report - Financial Services 2016-40 dated October 25, 2016 regarding Implementation of a Stormwater Charge be received and deferred to the Committee of the Whole meeting scheduled for November 28, 2016.

10. Development and Infrastructure Services Report - Planning and Building Services 2016-41 dated October 31, 2016 regarding the 2016 Six-Month Servicing Allocation Review.

a) THAT Development and Infrastructure Services Report - Planning and Building Services 2016-41 dated October 31, 2016 regarding the 2016 Six-Month Servicing Allocation Review be received and the following recommendations be adopted:

i) THAT allocation be granted to the following developments:

345-351 Davis Drive (40 stacked townhouse units/106 people) from the urban centres reserve, subject to the Owner meeting all terms and conditions of the Town's Servicing Allocation Policy, as amended;

955/995 Mulock Drive (73 townhouse units/192 people)

ii) AND THAT the Town continue to hold the balance of its unassigned and uncommitted servicing capacity (1353 people total, with a minimum of 455 people to be directed to the Centres and Corridors) in a strategic reserve.

In Favour: Mayor Van Bynen, Deputy Mayor & Regional Councillor Taylor, Councillor Vegh, Councillor Kerwin, Councillor Twinney, Councillor Kwapis, Councillor Broome, Councillor Bisanz

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

Carried

11. Committee of the Whole Minutes of November 7, 2016.

Moved by: Councillor Kwapis
Seconded by: Councillor Broome

THAT the Committee of the Whole Minutes of November 7, 2016 be received and the following recommendations be adopted:

12. THAT the PowerPoint Presentation by Ms. Mary-Frances Turner, President, York Region Rapid Transit regarding the Yonge Street/Davis Drive Update be received.

13. THAT the PowerPoint Presentation by Mr. Mike Rabeau, Director, Capital Planning and Delivery and Mr. Shu He, Manager of Engineering, Regional Municipality of York regarding an update on the Upper York Sewage Servicing Project be received;

AND THAT a communication plan and project updates be brought back to Committee of the Whole in a timely manner.

14. THAT the matter of tree preservation and protection be referred to staff to report back within a 90 day time frame on the previous review of tree preservation and measures undertaken to sustain the tree canopy and available options related to the Region of York's forestry management initiative.

15. Main Street District Business Improvement Area Board of Management Minutes of September 20, 2016.

a) THAT the Main Street District Business Improvement Area Board of Management Minutes of September 20, 2016 be received.

16. New Business Item e) of the Main Street District Business Improvement Area Board of Management Minutes of September 20, 2016.

a) THAT the following matter be referred to staff.

THAT the Main Street District Business Improvement Area Board of Management requests space allocation to house material and supplies at the Operations Centre located on Maple Hill Court or in a pod in the P3 parking area.

17. Central York Fire Services - Joint Council Committee Minutes of September 6, 2016.

a) THAT the Central York Fire Services - Joint Council Committee Minutes of September 6, 2016 be received.

18. Correspondence dated October 21, 2016 from Mr. Darian Hang, Social Work Practicum Student, National Eating Disorder Information Centre and correspondence dated October 19, 2016 from Ms. Natalia Tvoronovitch, Administrative Coordinator, Eating Disorders of York Region requesting proclamation of February 1 to 7, 2017 as 'Eating Disorders Awareness Week'.

a) THAT the Town of Newmarket proclaim February 1 to 7, 2017 as 'Eating Disorders Awareness Week';

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

19. Correspondence dated September 21, 2016 from Mr. Guy Misener regarding Intensive Therapy for Autism Request for Support of Resolution.

a) THAT the correspondence from Mr. Guy Misener be received and the following recommendation be adopted:

i) THAT the Town of Shelburne Resolution regarding Intensive Therapy for Autism be received and endorsed.

20. Correspondence from Mr. George Habib, President and CEO, The Lung Association - Ontario requesting November, 2016 be proclaimed 'Lung Month' in the Town of Newmarket.

a) THAT the correspondence from Mr. George Habib be received and the following recommendations be adopted:

i) THAT the Town of Newmarket proclaim November, 2016 as 'Lung Month';

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

21. Item 8 a) i) of the Heritage Newmarket Advisory Committee Minutes of June 28, 2016.

a) THAT the Heritage Newmarket Advisory Committee recommend that the Town proceed with designation of the property municipally known as 379 Botsford Street under Part IV of the Ontario Heritage Act.

22. Item 8 a) ii) of the Heritage Newmarket Advisory Committee Minutes of June 28, 2016.

a) THAT the Heritage Newmarket Advisory Committee recommend that the Town proceed with designation of the property municipally known as 411 Millard Avenue under Part IV of the Ontario Heritage Act.

23. Item 8 a) iii) of the Heritage Newmarket Advisory Committee Minutes of June 28, 2016.

a) THAT the Heritage Newmarket Advisory Committee recommend that the Town proceed with designation of the property municipally known as 17030 Yonge Street under Part IV of the Ontario Heritage Act.

24. Appointment of Members of Council to Committees.

a) THAT Council appoint the following Members of Council to Committees:

i) Main Street District Business Improvement Area Board of Management – Councillor Kwapis

ii) Newmarket Environmental Advisory Committee – Councillor Vegh

25. Development and Infrastructure Services - Planning and Building Services Report 2016-29 dated November 7, 2016 regarding Official Plan Amendment Application and Zoning By-law Amendment Application - 1166 and 1186 Nicholson Road, Newmarket.

a) THAT Development and Infrastructure Services - Planning and Building Services Report 2016-29 dated November 7, 2016 regarding Official Plan Amendment Application and Zoning By-law Amendment Application - 1166 and 1186 Nicholson Road, Newmarket be received and the following recommendations be adopted:

i) THAT Official Plan Amendment # 14 as contained in Attachment 1 be adopted by Council;

ii) AND THAT Council amend Zoning By-law 2010-40 for the lands at 1166 and 1186 Nicholson Road substantially in accordance with the draft Zoning By-law Amendment attached as Attachment 2 to this report.

26. Development and Infrastructure Services - Engineering Services 2016-44 dated October 10, 2016 regarding Site Alteration By-law to repeal current Cut Fill By-law 1998-110.

a) THAT Development and Infrastructure Services - Engineering Services 2016-44 dated October 10, 2016 entitled 'Site Alteration By-law' be received and the following recommendations be adopted:

i) THAT the Site Alteration By-law be adopted by Council in principle with wording amendments to the draft By-law to be considered directly by Council on November 14, 2016;

ii) AND THAT the current Cut Fill By-law 1998-110 be hereby repealed;

iii) AND THAT the application fee under the Site Alteration By-law be increased to \$250.00 (from \$189.23) for 'Owner Occupied Residential' applications, and to \$500.00 (from \$378.40) for 'All Other Property Types';

iv) AND THAT the Fees and Charges By-law be updated to reflect the change in fees.

27. Development and Infrastructure Services Report - Engineering Services 2016-45 dated October 20, 2016 regarding Public Consultation and Support Plan - Transportation Services.

a) THAT Development and Infrastructure Services Report - Engineering Services 2016-45 dated October 20, 2016 entitled 'Public Consultation and Support Plan - Transportation Services' be received and the matter be referred to staff for a revised report to be brought back to the next Committee of the Whole meeting incorporating the deliberated suggested language changes and process flow improvements.

28. Heritage Newmarket Advisory Committee Minutes of June 28, 2016 and October 11, 2016.

a) THAT the Heritage Newmarket Advisory Committee Minutes of June 28, 2016 and October 11, 2016 be received.

29. Community Services Report – Recreation and Culture 2016-28 dated November 2, 2016 regarding Old Town Hall Public Art Installation.

a) THAT Community Services Report - Recreation and Culture 2016-28 dated November 2, 2016 regarding a Public Art Piece Installation at Old Town Hall be received and the following recommendation be adopted:

- i) THAT Council authorize the installation of a Public Art Piece at Old Town Hall under the conditions set forth within this report with the following exceptions:

- Heading = Project Theme: 'Time' – replace the words 'would contain' with 'could contain'
- That the Public Art Policy be amended to reflect the following Jury Composition, as follows = three staff members, two professional artists and two community members (exclude the reference to community member living in close proximity to the location of installation)

30. List of Outstanding Matters.

a) THAT the list of Outstanding Matters be received.

In Favour: Mayor Van Bynen, Deputy Mayor & Regional Councillor Taylor, Councillor Vegh, Councillor Kerwin, Councillor Twinney, Councillor Kwapis, Councillor Broome, Councillor Bisanz

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

Carried

31. Development and Infrastructure Services Report - Planning and Building Services 2016-43 dated October 18, 2016 and related Council Extract, Public Meeting Notice regarding Application for Official Plan and Zoning By-law Amendment - 711371 Ontario Corp. (Oxford Homes - 260 Eagle Street) and deputation by Mr. Mike Roberts.

Moved by: Councillor Vegh
Seconded by: Councillor Twinney

THAT the presentation by Mr. Brad Rogers of Groundswell Urban Planners and the deputation by Mr. Mike Roberts be received.

In Favour: Mayor Van Bynen, Councillor Vegh, Councillor Kerwin, Councillor Twinney, Councillor Kwapis, Councillor Broome, Councillor Bisanz

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

Carried

Deputy Mayor & Regional Councillor Taylor did not take part in the discussion or voting of the foregoing matter.

32. Development and Infrastructure Services Information Report - Engineering Services 2016-53 dated November 10, 2016 regarding Updated Site Alteration By-law.

Moved by: Deputy Mayor & Regional Councillor Taylor
 Seconded by: Councillor Bisanz

a) THAT Development and Infrastructure Services Information Report - Engineering Services 2016-53 dated November 10, 2016 regarding 'Updated Site Alteration By-law to repeal current Cut Fill By-law 1998-110' be received.

In Favour: Mayor Van Bynen, Deputy Mayor & Regional Councillor Taylor, Councillor Vegh, Councillor Kerwin, Councillor Twinney, Councillor Kwapis, Councillor Broome, Councillor Bisanz

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

Carried

By-laws

33. By-laws 2016-53, 2016-56, 2016-57, 2016-58 and 2016-59.

- | | |
|---------|---|
| 2016-53 | A By-law of the Town of Newmarket respecting the regulation, licensing and control of animals in the Town of Newmarket. (Animal Control By-law)
(Housekeeping Amendment - inclusion of the words 'except within a designated off leash park area as designated by the Town' in Section 3.14) |
| 2016-56 | A By-law to exempt certain lands from the Part Lot Control provisions of the Planning Act. (Greenland Ridge Homes Ltd.) |
| 2016-57 | A By-law to appoint an Acting Town Clerk for the Town of Newmarket. (Esther Armchuk) |
| 2016-58 | A By-law to prohibit or regulate the placing or dumping of fill, the removal of topsoil and the alteration of the grade of lands within the Town of Newmarket. |
| 2016-59 | A By-law to amend By-law 2010-40, as amended, being a Zoning By-law, (1166 and 1186 Nicholson Road) |

Moved by: Councillor Vegh
 Seconded by: Councillor Kerwin

THAT By-laws 2016-53, 2016-56, 2016-57, 2016-58 and 2016-59 be enacted.

In Favour: Mayor Van Bynen, Deputy Mayor & Regional Councillor Taylor,
 Councillor Vegh, Councillor Kerwin, Councillor Twinney, Councillor
 Kwapis, Councillor Broome, Councillor Bisanz

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

Carried

Notices of Motions

None.

Motions

None.

Announcements & Community Events

- a) Councillor Bisanz advised that yard waste collection has been extended to the week of November 29, 2016 and provided tips related to yard waste disposal.
- b) Councillor Broome advised that the Newmarket Santa Claus Parade will take place on Saturday, November 19, 2016 beginning at 11:00 a.m. at the corner of Eagle Street and Lorne Avenue.
- c) Councillor Broome invited residents to contribute to the Town of Newmarket's annual Christmas toy and food drive. Donations of unwrapped toys and non-perishable food items can be made in the lobby of the Municipal Offices at 395 Mulock Drive from November 16 to December 16, 2016.
- d) Councillor Kwapis invited residents to the annual Candlelight Parade and Tree Lighting Ceremony, presented by the Newmarket Main Street BIA on Friday November 18, 2016. Festivities begin at 6:30 p.m. at Main Street South and Water Street.
- e) Deputy Mayor & Regional Councillor Taylor advised that Newmarket is considering a new stormwater charge for 2017. If approved, the current amount for stormwater will be removed from your property tax and water and wastewater bills to be put towards a stormwater charge in order to ensure that the Town has enough money in the future for any stormwater management improvements

designed to reduce the negative effects of stormwater on our environment and lower the risks of flooding that can damage your property. For further information, contact the Financial Services department at 905-895-5193 or visit www.newmarket.ca/stormwatercharge

- f) Councillor Twinney advised that she will be hosting a Ward 3 meeting on Tuesday, November 15, 2016 from 7:00 to 8:30 p.m. at the Newmarket Community Centre & Lions Hall, 200 Doug Duncan Drive. Representatives from the Ministry of Natural Resources will be in attendance to provide a presentation on living with coyotes.
- g) Councillor Kerwin invited residents to join members of the Newmarket Seniors' Meeting Place on Tuesday, November 22, 2016 as they depart for a day of gaming fun at Casino Rama. The trip departs from Ray Twinney Recreation Complex at 9:00 a.m. For more information, call 905-953-5325.
- h) Councillor Kerwin advised that the Town will be hosting a Public Information Centre on Tuesday, December 6, 2016 from 7:00 to 9:00 p.m. on potential regulation of driving school instructors.
- i) Councillor Vegh advised that the Elman W. Campbell Museum Christmas Gift Shop Sale will be held on Saturday, November 19, 2016 from 9:30 a.m. to 2:30 p.m.
- j) Mayor Van Bynen encouraged residents to get involved in the 2017 budget process by providing feedback using the interactive budget tool online, attending or live streaming public budget meetings, or by contacting local Ward Council representatives. The next public budget meetings are scheduled for November 21, 2016 at 1:30 p.m. and December 5, 2016 at 10:00 a.m. in the Council Chambers. Visit www.newmarket.ca/2017budget for more information or call 905-895-5193.
- k) Mayor Van Bynen advised that the next Council meeting is Monday, December 5, 2016 at 7:00 p.m.

New Business

- a) The Acting Chief Administrative Officer provided notice that the Director of Legislative Services/Town Clerk has been appointed as City Clerk to the City of Oshawa. The Acting Chief Administrative Officer expressed his appreciation to the Director of Legislative Services/Town Clerk for his contributions to the Town. The Mayor and Members of Council expressed their congratulations and thanks to the Director of Legislative Services/Town Clerk for his contributions and support to Council.

- b) Councillor Bisanz advised that a provincial review of the Ontario Municipal Board is underway and requested that Development and Infrastructure Services - Planning Services Information Report 2016-44 regarding Ontario Municipal Board Review be placed on the next Committee of the Whole agenda for discussion and recommendations that can be forwarded to the province in advance of the December 19, 2016 comment deadline.
- c) Councillor Kwapis advised that he recently attended a function on traffic safety and provided a verbal overview of provincial announcements related to speed mitigation, including municipal controls to lower speed limits, install red light cameras and implement photo radar in school zones. He proposed that staff provide Council with information on school zones with considerable speed issues and hard data that captures both streets and time of day speed issues.
- d) Deputy Mayor & Regional Councillor Taylor announced the passing of Ms. Alice Sheridan on Sunday, November 13, 2016 and provided a tribute to Ms. Sheridan and expressed thanks for her dedication and involvement with the Town.

Closed Session

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

Confirmatory By-law

34. Confirmatory By-law.

2016-60 A By-law to confirm the proceedings of Council at its meeting of November 14, 2016.

Moved by: Councillor Kwapis
Seconded by: Councillor Broome

THAT By-law 2016-60 be enacted.

In Favour: Mayor Van Bynen, Deputy Mayor & Regional Councillor Taylor,
Councillor Vegh, Councillor Kerwin, Councillor Twinney, Councillor
Kwapis, Councillor Broome, Councillor Bisanz

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

Carried

Adjournment

35. Adjournment.

Moved by: Councillor Twinney

Seconded by: Deputy Mayor & Regional Councillor Taylor

THAT the meeting adjourn.

In Favour: Mayor Van Bynen, Deputy Mayor & Regional Councillor Taylor, Councillor Vegh, Councillor Kerwin, Councillor Twinney, Councillor Kwapis, Councillor Broome, Councillor Bisanz

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

Carried

There being no further business, the meeting adjourned at 8:30 p.m.

Tony Van Bynen, Mayor

Esther Armchuk, Acting Town Clerk

The meeting of the Council Workshop was held on Monday, November 14, 2016 in Council Chambers, 395 Mulock Drive, Newmarket.

Members Present: Mayor Van Bynen
Deputy Mayor & Regional Councillor Taylor
Councillor Vegh
Councillor Kerwin
Councillor Twinney
Councillor Kwapis
Councillor Broome
Councillor Bisanz

Absent: Councillor Hempen

Staff Present: P. Noehammer, Acting Chief Administrative Officer
E. Armchuk, Commissioner of Corporate Services
I. McDougall, Commissioner of Community Services
W. Bennett, Director of Corporate Communications
L. Georgeff, Director of Human Resources
C. Kalimootoo, Director of Public Works Services
M. Mayes, Director of Financial Services/Treasurer
R. Nethery, Director of Planning and Building Services
K. Reynar, Director of Legal Services
C. Wackett, Corporate Project Consultant
C. Finnerty, Council/Committee Coordinator
H. Leznoff, Elections Assistant
L. Moor, Council/Committee Coordinator

The meeting was called to order at 1:34 p.m.

Mayor Van Bynen in the Chair.

Notice

Mayor Van Bynen advised that in accordance with the Town's Procedure By-law, no decisions will be made but rather this meeting is an opportunity for Council to have an informal discussion regarding various matters.

Declarations of Pecuniary Interest

None.

Items

1. PowerPoint Presentation by the Director of Financial Services/Treasurer regarding the 2017 Operating Budget.

The Acting Chief Administrative Officer advised of the purpose of the workshop, being a focus on the 2017 operating budget and introduced the Director of Financial Services/Treasurer who provided the first of a series of slides in a PowerPoint presentation detailing various components of the proposed 2017 operating budget.

The Director of Public Works Services summarized aspects of the proposed budget as they relate to increased costs of hydroelectricity, Emerald Ash Borer treatments and waste management expenses.

The Corporate Project Consultant provided an overview of service processes and realized efficiencies over a number of years.

The Director of Human Resources provided an outline of some challenges associated with the Human Resources aspects of the proposed budget.

The Director of Financial Services concluded the PowerPoint presentation highlighting aspects of increasing revenues, service pricing policy updates and implementation of stormwater management rates.

Queries were made to staff regarding budget drivers, municipal comparators, assessment growth and sustainability.

Adjournment

Moved by: Councillor Kwapis
Seconded by: Councillor Broome

THAT the meeting adjourn.

Carried

There being no further business, the meeting adjourned at 3:38 p.m.

Tony Van Bynen, Mayor

Andrew Brouwer, Town Clerk

The Council Workshop was held on Monday, November 21, 2016 in Council Chambers, 395 Mulock Drive, Newmarket.

Members Present: Mayor Van Bynen
Deputy Mayor & Regional Councillor Taylor
Councillor Kerwin
Councillor Twinney
Councillor Kwapis
Councillor Broome
Councillor Bisanz

Absent: Councillor Vegh

Staff Present: P. Noehammer, Acting Chief Administrative Officer
E. Armchuk, Commissioner of Corporate Services
I. McDougall, Commissioner of Community Services
M. Mayes, Director of Financial Services/Treasurer
C. Finnerty, Council/Committee Coordinator
H. Leznoff, Elections Assistant
L. Moor, Council/Committee Coordinator

The meeting was called to order at 1:32 p.m.

Mayor Van Bynen in the Chair.

Notice

Mayor Van Bynen advised that in accordance with the Town's Procedure By-law, no decisions will be made but rather this meeting is an opportunity for Council to have an informal discussion regarding various matters.

Declarations of Pecuniary Interest

None.

Items

The Acting Chief Administrative Officer advised of the purpose of the workshop, being an Asset Management Strategy presentation and a 2017 Financial Sustainability presentation.

1. The Business Performance Coordinator provided an overview of the history and rationale of the proposed Asset Management Strategy and introduced Mr. Dean Rurak of Yaku Consulting, who addressed those present with a PowerPoint presentation entitled Integrated Asset Management Strategy. Mr. Rurak summarized objectives, a business case, examples related directly to the Town, asset management influences, standards and best practices, resource requirements and a proposed implementation schedule.

Members of Council queried Mr. Rurak regarding Ontario Community Infrastructure Fund grants and an analysis of this project being achieved with the current staff complement.

The Director of Financial Services/Treasurer advised that provincial policies will eventually be implemented requiring asset management plans.

Further queries were directed to Mr. Rurak regarding proposed project costs and proprietary software to implement a strategy.

The Business Performance Coordinator advised that a full final asset management strategy will be brought back to Committee of the Whole by way of a staff report in January, 2017.

The Council Workshop recessed at 3:12 p.m.

The Council Workshop reconvened at 3:34 p.m.

2. The Director of Financial Services addressed those present with a PowerPoint Presentation entitled 2017 Financial Sustainability which highlighted sustainability pillars being: asset management, debt, investment strategy, revenues and reserves.

Members of Council queried the Director of Financial Services/Treasurer regarding user fees versus taxes and the breakdown of such in other municipalities as well as designated revenue sources.

The Director of Financial Services/Treasurer advised that he would be bringing forth more information regarding other municipal comparators and the following policies for consideration at a later date: donation, debt, reserve/reserve funds, service pricing, asset replacement and designated revenue sources.

Adjournment

Moved by: Councillor Kerwin
Seconded by: Councillor Twinney

THAT the meeting adjourn.

Carried

There being no further business, the meeting adjourned at 4:40 p.m.

Tony Van Bynen, Mayor

Andrew Brouwer, Town Clerk

The meeting of the Committee of the Whole was held on Monday, November 21, 2016 in Council Chambers, 395 Mulock Drive, Newmarket.

Members Present: Mayor Van Bynen
Deputy Mayor & Regional Councillor Taylor
Councillor Vegh
Councillor Kerwin
Councillor Twinney
Councillor Hempen
Councillor Kwapis
Councillor Broome
Councillor Bisanz

Staff Present: P. Noehammer, Acting Chief Administrative Officer
R. Nethery, Director of Planning & Building Services
J. Unger, Assistant Director of Planning
A. Cammaert, Senior Planner - Policy
C. Finnerty, Council/Committee Coordinator
H. Leznoff, Elections Assistant

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

Mayor Van Bynen in the Chair.

Declarations of Pecuniary Interest

None.

Public Hearing Matter - 7:00 p.m.

The Council/Committee Coordinator welcomed the public to the Committee of the Whole meeting.

The Council/Committee Coordinator advised that the purpose of the meeting was to hear from anyone who has an interest in an amendment to the Town's Comprehensive Zoning By-law 2010-40 related to lands in the areas of the Yonge Street and Davis Drive corridors. The purpose of proposal is to amend provisions related to regulation of the required number of parking spaces for residential and non-residential uses in order to encourage greater usage of transit in these areas, as well as to assist in their

redevelopment and intensification.

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

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

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

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

1. PowerPoint Presentation entitled Parking Standards Background Study.

Mr. Ian Graham, Director of Planning, R.E. Millward + Associates and Mr. Carl Wong, Associate Vice-President, Traffic Lead, HDR Inc. addressed the Committee with a PowerPoint presentation which summarized various aspects of the Urban Centre Plan Policy regarding parking strategies and reviewed other municipality comparators and recommended approaches related to land use, retail space, transit proximity, vehicle ownership and parking needs and transportation demand management plans.

2. Development and Infrastructure Services Report - Planning and Building Services Report 2016-31 dated October 18, 2016 and related Council Extract, Public Meeting Notice regarding Urban Centres Zoning By-law Project and Parking Standard Background Study.

3. Correspondence dated November 14, 2016 from Mr. Chris Stoyanovich, Senior Associate, Macaulay, Shiomi Howson Ltd. regarding 603 Davis Drive, 18 and 22 Bolton Avenue.

4. Mr. Glen McRobbie, resident, addressed the Committee and advised that he does not use transit options and there are parking issues at various medical facilities in Newmarket as the staff of the facilities utilizes the available parking.

Moved by: Councillor Twinney
Seconded by: Councillor Kwapis

THAT the PowerPoint Presentation entitled Parking Standards Background Study by Mr. Ian Graham, Director of Planning, R.E. Millward + Associates and Mr. Carl Wong, Associate Vice-President, Traffic Lead, HDR Inc., the deputation and the correspondence items be received.

Carried

Adjournment

Moved by: Councillor Kerwin
Seconded by: Deputy Mayor & Regional Councillor Taylor

THAT the meeting adjourn.

Carried

There being no further business, the meeting adjourned at 8:08 p.m.

Tony Van Bynen, Mayor

Andrew Brouwer, Town Clerk

The meeting of the Committee of the Whole was held on Monday, November 28, 2016 in Council Chambers, 395 Mulock Drive, Newmarket.

Members Present: Mayor Van Bynen
Deputy Mayor & Regional Councillor Taylor
Councillor Vegh
Councillor Kerwin
Councillor Twinney
Councillor Hempen (1:31 to 3:23 p.m.)
Councillor Kwapis
Councillor Broome
Councillor Bisanz

Staff Present: R.N. Shelton, Chief Administrative Officer
E. Armchuk, Commissioner of Corporate Services
P. Noehammer, Commissioner of Development and Infrastructure Services
I. McDougall, Commissioner of Community Services
A. Brouwer, Director of Legislative Services/Town Clerk
R. Nethery, Director of Planning and Building Services
K. Reynar, Director of Legal Services
J. Unger, Assistant Director of Planning
D. Ruggle, Senior Planner – Community Planning
C. Finnerty, Council/Committee Coordinator
L. Moor, Council/Committee Coordinator
J. Patel, Applications Support Analyst
H. Leznoff, Elections Assistant

The meeting was called to order at 1:31 p.m.

Mayor Van Bynen in the Chair.

Additions & Corrections to the Agenda

The Chief Administrative Officer advised of the addendum items, being the List of Outstanding Matters, Development and Infrastructure Services Report – Planning and Building Services 2016-47 regarding Ontario Municipal Board Review – Analysis, ADR Chambers 2016 Annual Report, Agenda Items 30 to 47 being deputation requests from individuals who requested to speak regarding Item 26 of the agenda, being

Development and Infrastructure Services - Planning and Building Services Report 2016-25 regarding Application for Zoning By-law Amendment - 178, 180, 184, 188, 190 and 194 Main Street - Main Street Clock Inc. and Items 48 to 51 being correspondence from Mr. Greg King, Ms. Patricia Montgomery, Mr. Ted Bomers and Mr. George Smith also related to Item 26 of the agenda.

Moved by: Councillor Broome

Seconded by: Councillor Kwapis

THAT the addendum items be included in the agenda.

Carried

Declarations of Pecuniary Interest

- a) Councillor Hempen declared an interest in Items 3 and 26 as well as any potential discussions related to the matter of the Main Street Clock Inc. development application as he owns a business in close proximity to the subject lands. He advised he would not take part in any discussion or voting of the foregoing matter.

Presentations & Recognitions

1. Ms. Michelle Albert, Canadian Public Works Association presented a First Time Entry Award plaque to Mayor Van Bynen and Members of Council in honour of the Town of Newmarket being the 2016 National Public Works Week winner.
2. Ms. Grace Marsh, Property Tax Supervisor introduced Ms. Heather Colquhoun, Regional Manager, Municipal and Stakeholder Relations and Ms. Natasha Dawood, Account Manager, Municipal and Stakeholder Relations, Municipal Property Assessment Corporation who then addressed the Committee with a PowerPoint Presentation regarding a Service Level Agreement.

Moved by: Councillor Kerwin

Seconded by: Councillor Broome

THAT the PowerPoint presentation by Ms. Heather Colquhoun and Ms. Natasha Dawood, Municipal Property Assessment Corporation regarding a Service Level Agreement be received.

Carried

3. Corporate Services Report - Financial Services 2016-44 dated November 28, 2016 regarding a Service Level Agreement between MPAC and Ontario Municipalities.

Moved by: Councillor Vegh
 Seconded by: Councillor Twinney

a) THAT Corporate Services Report - Financial Services 2016-44 dated November 28, 2016 regarding a Service Level Agreement (SLA) between the Municipal Property Assessment Corporation (MPAC) and Ontario Municipalities be received and the following recommendations be adopted:

i) THAT the Town of Newmarket continues to participate in the Phase 1 Soft Launch with staff providing feedback to MPAC on a regular basis regarding the SLA;

ii) AND THAT Council is presented with the final SLA at the conclusion of the pilot project, along with periodic updates on the achievement of the expected service levels.

Carried

Consent Items

Moved by: Councillor Hempen
 Seconded by: Councillor Broome

THAT the following items be adopted on consent:

4. Joint CAO, Commissioners and Corporate Services Report – Financial Services 2016-49 dated November 14, 2016 regarding 2017 Fees and Charges – Overview.

THAT Joint CAO, Commissioners and Corporate Services Report – Financial Services 2016-49 dated November 14, 2016 regarding 2017 Fees and Charges – Overview be received for information purposes.

5. Corporate Services Report – Financial Services 2016-50 dated November 14, 2016 regarding 2017 User Fees and Charges – General Fees and Charges.

a) THAT Corporate Services Report - Financial Services 2016-50 dated November 14, 2016 regarding 2017 User Fees and Charges - General Fees and Charges be received and the following recommendations be adopted:

i) THAT the attached Schedules 'A', 'B', 'C', 'D', 'E' and 'F' marked as the Town of Newmarket 2017 All Departments, Corporate Services - Finance & Procurement & IT, Legal Services, Public Works Services, Engineering Services and Legislative Services - General Fees and Charges Schedules respectively, be approved and adopted by by-law;

ii) AND THAT the fee adjustments come into full force and effect as of January 1, 2017.

6. Joint Development and Infrastructure Services – Planning and Building Services and Corporate Services Report – Financial Services 2016-51 dated November 14, 2016 regarding 2017 User Fees and Charges – Planning Act Fees.

a) THAT Joint Development and Infrastructure Services - Planning and Building Services and Corporate Services Report - Financial Services 2016-51 dated November 14, 2016 regarding 2017 User Fees and Charges - Planning Act Fees be received and the following recommendations be adopted:

i) THAT the attached Schedule 'A' being the Town of Newmarket 2017 Planning Application Fees Schedule, be approved and adopted by by-law;

ii) AND THAT the fee adjustments come into full force and effect as of January 1, 2017.

7. Joint Central York Fire Services and Corporate Services Report – Financial Services 2016-52 dated November 14, 2016 regarding 2017 User Fees and Charges – Fire Services.

a) THAT Joint Central York Fire Services and Corporate Services Report - Financial Services 2016-52 dated November 14, 2016 regarding 2017 User Fees and Charges - Fire Services be received and the following recommendations be adopted:

i) THAT the attached Schedule 'A', being the Town of Newmarket 2017 Fire Services Fees Schedule, be approved and adopted by by-law;

ii) AND THAT the fee adjustments come into full force and effect January 1, 2017.

8. Corporate Services Report – Financial Services 2016-53 dated November 17, 2016 regarding 2017 Interim Appropriations.

a) THAT Corporate Services Report - Financial Services 2016-53 dated November 17, 2016 regarding 2017 Interim Appropriations be received and the following recommendations be adopted:

i) THAT Council provide pre-budget approval for the capital projects in the attached list (Appendix A);

ii) AND THAT staff be authorized and directed to do all things necessary to give effect to these recommendations.

9. Corporate Services Report – Financial Services 2016-55 dated November 16, 2016 regarding 2017 Stormwater Rates.

a) THAT Corporate Services Report - Financial Services 2016-55 dated November 16, 2016 regarding 2017 Stormwater Rates be received and the following recommendations be adopted:

i) THAT the attached Schedule 'A' being the Town of Newmarket Stormwater Rates be approved and adopted by By-law;

ii) AND THAT the Stormwater Rates implementation come into full force and effects of January 1, 2017.

10. Corporate Services Report – Legislative Services 2016-21 dated November 7, 2016 regarding '2017 Schedule of Meetings'.

a) THAT Corporate Services Report - Legislative Services 2016-21 dated November 7, 2016 regarding '2017 Schedule of Meetings' be received and the following recommendation be adopted:

i) THAT Council adopt the 2017 Schedule of Meetings attached as Appendix 'A'.

11. Corporate Services - Legislative Services Report 2016-23 dated November 14, 2016 regarding the 2016 Status Update - 2013-2017 Multi-year Accessibility Plan.

a) THAT Corporate Services - Legislative Services Report 2016-23 dated November 14, 2016 regarding the 2016 Status Update - 2013-2017 Multi-year Accessibility Plan be received and the following recommendation be adopted:

i) THAT the 2016 Status Update - 2013-2017 Multi-year Accessibility Plan, attached as Appendix 'A' be approved.

12. Development and Infrastructure Services Report - Planning and Building Services 2016-33 dated November 28, 2016 regarding Application for Zoning By-law Amendment and Draft Plan of Subdivision - 281 Main Street North.
 - a) THAT Development and Infrastructure Services Report - Planning and Building Services 2016-33 dated November 28, 2016 regarding Application for Zoning By-law Amendment and Draft Plan of Subdivision be received and the following recommendations be adopted:
 - i) THAT approval be given to Draft Plan of Subdivision 19T-12N04, subject to the schedule of conditions set out in Attachment 4 - Appendix 'A' attached to and forming part of this report;
 - ii) AND THAT Council amend Zoning By-law 2010-40 for lands located at 281 Main Street North substantially in accordance with the draft Zoning By-law Amendment attached as Attachment 5 to this report and that staff be directed to prepare the necessary Zoning By-law Amendments including a Holding Provision (H) prefix as necessary;
 - iii) AND THAT Ms. Nicole Sampogna of Evans Planning Inc., 8481 Keele Street, Unit 12, Vaughan, ON L4K 1Z7 be notified of this action.
13. Development and Infrastructure Services Report - Engineering Services 2016-50 dated November 11, 2016 regarding 'Alex Doner Drive - Parking Review'.
 - a) THAT Development and Infrastructure Services Report - Engineering Service 2016-50 dated November 11, 2016 regarding 'Alex Doner Drive Parking Review' be received and the following recommendation be adopted:
 - i) THAT the existing parking restrictions remain as they are.
14. Main Street District Business Improvement Area Board of Management Minutes of October 18, 2016.
 - a) THAT the Main Street District Business Improvement Area Board of Management Minutes of October 18, 2016 be received.
15. Newmarket Public Library Board Minutes of October 19, 2016.
 - a) THAT the Newmarket Public Library Board Minutes of October 19, 2016 be received.
16. Correspondence dated November 16, 2016 from Mr. Mark Koning, Communications and Administration Coordinator, AIDS Committee of York Region requesting that December 1, 2016 be proclaimed 'World Aids Day'.

a) THAT the correspondence from Mr. Mark Koning, AIDS Committee of York Region be received and the following recommendations be adopted:

i) THAT the Town of Newmarket proclaim December 1, 2016 as 'World Aids Day';

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

17. ADR Chambers 2016 Annual Report.

a) THAT the ADR Chambers 2016 Annual Report be received.

18. List of Outstanding Matters.

a) THAT the list of Outstanding Matters be received.

Carried

19. Corporate Services Report - Financial Services 2016-46 dated November 6, 2016 regarding 2017 Water and Wastewater Rates.

Moved by: Councillor Twinney

Seconded by: Councillor Kwapis

a) THAT Corporate Services Report - Financial Services 2016-46 dated November 6, 2016 regarding 2017 Water and Wastewater Rates be received and the following recommendations be adopted:

i) THAT the attached Schedule A being the Town of Newmarket Water and Wastewater Rates be approved and adopted by by-law;

ii) AND THAT the Water and Wastewater Rates adjustments come into full force and effect as of January 1, 2017;

iii) AND THAT full implementation of fixed tiered water and wastewater rates be phased in over four years starting in 2017.

Carried

20. Development and Infrastructure Services - Planning and Building Services Report 2016-45 dated November 28, 2016 regarding Application for Official Plan Amendment and Zoning By-law Amendment - 400 Park Avenue (King George School), 405/407 Botsford Street.

Moved by: Councillor Kerwin
 Seconded by: Councillor Kwapis

a) THAT Development and Infrastructure Services – Planning and Building Services Report 2016-45 dated November 28, 2016 regarding Application for Official Plan Amendment and Zoning By-law Amendment be received and the following recommendations be adopted:

i) THAT the Application for Official Plan Amendment and Zoning By-law Amendment as submitted by Rose Park Avenue for lands municipally known as 400 Park Avenue, 407 and 407 Botsford Street be referred to a public meeting;

ii) AND THAT following the public meeting, issues identified in this report, together with comments of the public, Committee and those received through the agency and departmental circulation of the application, be addressed by staff in a comprehensive report to the Committee of the Whole, if required;

iii) AND THAT Ms. Lucila Sandoval, Groundwell Urban Planning, 30 West Beaver Creek Road, Richmond Hill, ON L4B 3K1 be notified of this action.

Carried

21. Joint Corporate Services/Development and Infrastructure Services - Financial Services Report 2016-40 dated October 20, 2016 regarding Implementation of a Stormwater Charge.

Moved by: Councillor Hempen
 Seconded by: Deputy Mayor & Regional Councillor Taylor

a) THAT Corporate Services Report - Financial Services 2016-40 dated October 25, 2016 regarding implementation of a Stormwater Charge be received and the following recommendations be adopted:

i) THAT Council adopt the Stormwater Managmeent Services Charge By-law;

ii) AND THAT staff recommend the 2017 Stormwater Rates be included with the 2017 User Fees and Charges By-law;

iii) AND THAT Council authorizes staff to execute the communication strategy.

Carried

22. Corporate Services Report - Legislative and Legal Services Joint Report 2016-22 dated November 9, 2016 regarding 'Accountability and Transparency Measures'.

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

a) THAT Corporate Services Report - Legislative and Legal Services Joint Report 2016-22 dated November 9, 2016 regarding 'Accountability and Transparency Measures' be received and the following recommendations be adopted:

i) THAT By-law 2016-07, a by-law to Appoint a Municipal Ombudsman (ADR Chambers Inc.) for the Town of Newmarket and relevant local boards be repealed, effective January 9, 2017 as provided for in the contract;

ii) AND THAT By-law 2007-132, a by-law to appoint a Closed Meeting Investigator (Local Advisory Services Inc.) be repealed effective March 13, 2017 as provided for in the contract;

iii) AND THAT the Regional Clerk, the President of Newmarket-Tay Power Distribution Ltd. and the Provincial Ombudsman be notified of these recommendations once adopted.

Carried

23. Development and Infrastructure Services Report - Engineering Services 2016-54 dated November 28, 2016 regarding 'Public Consultation and Support Plan - Transportation Services Update.'

Moved by: Councillor Bisanz
 Seconded by: Deputy Mayor & Regional Councillor Taylor

a) THAT Development and Infrastructure Services Report - Engineering Services 2016-54 dated November 28, 2016 regarding 'Public Consultation and Support Plan - Transportation Services Update' be received and the following recommendations be adopted:

i) THAT the Public Consultation and Support Plan as outlined in Appendix A be adopted for use starting January 1, 2017;

ii) AND THAT the Public Consultation and Support Plan be reviewed both internally and by the public throughout 2017 for improvements for 2018, if necessary.

Carried

24. Planning and Building Services Information Report 2016-44 dated November 2, 2016 regarding Ontario Municipal Board Review.

Moved by: Councillor Bisanz

Seconded by: Councillor Vegh

- a) THAT Planning and Building Services Information Report 2016-44 dated November 2, 2016 regarding Ontario Municipal Board Review be received.

Carried

25. Development and Infrastructure Services Report - Planning and Building Services 2016-47 dated November 28, 2016 regarding Ontario Municipal Board Review - Analysis.

Moved by: Councillor Bisanz

Seconded by: Councillor Vegh

- a) THAT Development and Infrastructure Services Report - Planning and Building Services 2016-47 dated November 28, 2016 regarding Ontario Municipal Board Review - Analysis be received and the following recommendation be adopted:

- i) THAT Council direct staff to submit Report 2016-47 and Information Report 2016-44 to the Province of Ontario as the Town of Newmarket's comments on the Ontario Municipal Board Review.

Carried

Action Items

None.

Reports by Regional Representatives

None.

Notices of Motion

None.

Motions

None.

Closed Session

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

New Business

- a) Councillor Twinney advised of a recent Ward 3 meeting where a representative of the Ministry of Natural Resources provided an informative presentation with respect to coyotes in urban areas. She requested that staff invite a Ministry of Natural Resources representative to conduct the same presentation to Members of Council at a future Council meeting.
- b) Councillor Hempen queried staff regarding a previous motion he had made with respect to the feasibility of a welcome sign installation to Newmarket Heights at the corner of Davis Drive and Longford Drive. The Commissioner of Development and Infrastructure Services advised that a report which provides signage options will be on an upcoming Committee of the Whole agenda for consideration.
- c) Councillor Broome queried staff regarding sidewalk damage by Town snow clearing equipment during the first snowfall of the season. The Commissioner of Development and Infrastructure Services advised that he is aware of the damaged sidewalk areas and that Public Works staff are currently travelling the sidewalk routes for training purposes in an effort to ensure reduction in damage during the winter season.
- d) Councillor Kerwin advised that the Riverwalk Commons Tree Lighting ceremony is scheduled for Friday December 2, 2016 at 7:30 p.m. and that the oldest band in Canada will be performing at the Old Town Hall.
- e) Councillor Kwapis also expressed his concerns with damaged sidewalks after the recent snowfall and queried staff about alternative methods of snow clearing to reduce potential damages. The Commissioner of Development and Infrastructure Services advised that in some instances, an alternative method of sidewalk clearing may be manual rather than mechanical.
- f) Deputy Mayor & Regional Councillor Taylor advised of his support for Councillor Hempen's proposal for a welcome sign at the entrance to the Newmarket Heights community.
- g) Councillor Bisanz suggested that as much communication be offered to area residents as possible with respect to Requests for Noise Exemption, including potential advertising on the Town's website and on the Town Page. A suggestion was made to publish the after-hours telephone number for residents to use should the need occur.

The Director of Legislative Services/Town Clerk advised that the exemption process to the Town's Noise By-law will be reviewed comprehensively in 2017. Mayor Van Bynen suggested that staff consider including provisions for incorporating penalties into By-law for those that have not applied for exemptions and are found in contravention of the Noise By-law.

The Committee of the Whole recessed at 3:23 p.m.

The Committee of the Whole reconvened at 7:00 p.m.

26. The Senior Planner - Community Planning provided a PowerPoint presentation overview of staff's recommendations with respect to Development and Infrastructure Services - Planning and Building Services Report 2016-25 dated November 28, 2016.

Moved by: Deputy Mayor & Regional Councillor Taylor
Seconded by: Councillor Kwapis

THAT all deputations be limited to five minutes.

Carried

Deputations

27. Ms. Colleen Forrest addressed the Committee with a PowerPoint presentation and provided an overview of the application, heritage impacts, architects conclusion, restoration plan and requirements, land exchange details and economic benefits associated with the re-development of the lands.
28. Mr. John Heckbert addressed the Committee regarding specifics associated with secure land access for underground construction, Ontario Municipal Board Appeal concerns and exclusive land rights regarding the development application known as Main Street Clock Inc.

Moved by: Councillor Kerwin
Seconded by: Councillor Twinney

THAT the deputation by Mr. John Heckbert regarding concerns associated with the development application known as Main Street Clock Inc. be received.

Carried

29. Ms. Ann Campbell on behalf of Ms. Julie Cochrane addressed the Committee with concerns related to the Town's cultural master plan progression of the Old Town Hall specifically related to the development application known as Main Street Clock Inc.

Moved by: Councillor Twinney
Seconded by: Councillor Vegh

THAT the deputation by Ms. Ann Campbell on behalf of Ms. Julie Cochrane regarding the development application known as the Main Street Clock Inc. be received.

Carried

30. Mr. Gordon Prentice addressed the Committee and advised that the Architectural Conservancy of Ontario is in opposition to the staff recommendations with respect to the development application known as the Main Street Clock Inc. He further stated that the application is not the type of intensification that the Town needs and the Trinity United Church representatives are also opposed to the application.

Moved by: Councillor Broome
Seconded by: Councillor Kwapis

THAT the deputation by Mr. Gordon Prentice regarding the development application known as the Main Street Clock Inc. be received.

Carried

31. Mr. Glenn Wilson addressed the Committee in opposition to the application known as the Main Street Clock Inc. He advised that he had spoken to many area business owners who were wary that the proposed construction could last for a number of years and that residents would avoid Main Street during a construction period.

Moved by: Councillor Kwapis
Seconded by: Councillor Bisanz

THAT the deputation by Mr. Glenn Wilson regarding the development application known as the Main Street Clock Inc. be received.

Carried

32. Ms. Jone Wright addressed the Committee with concerns related to the upkeep of the buildings known as 180-194 Main Street, she provided her business background and requested enforcement of By-law 1999-34 for the buildings associated with the development application of the property known as Main Street Clock Inc.

Moved by: Councillor Kerwin

Seconded by: Councillor Vegh

THAT the deputation by Ms. Jone Wright regarding the development application known as the Main Street Clock Inc. be received.

Carried

33. Ms. Jone Wright addressed the Committee on behalf of Mr. David Hunter in opposition to the development application known as the Main Street Clock Inc. She advised that the application is a poor fit for the area and she felt that the developer is basing the application on economics versus aesthetics and questioned who would assume responsibility for any damage to adjacent properties.

Moved by: Councillor Twinney

Seconded by: Councillor Broome

THAT the deputation by Ms. Jone Wright on behalf of Mr. David Hunter regarding the development application known as the Main Street Clock Inc. be received.

Carried

34. Ms. Margaret Davis addressed the Committee in opposition to the development known as the Main Street Clock Inc. She advised that businesses on Main Street would be greatly impacted by the proposed construction and visitors would avoid Main Street as they did while Davis Drive was being reconstructed.

Moved by: Councillor Twinney

Seconded by: Councillor Kerwin

THAT the deputation by Ms. Margaret Davis regarding the development application known as the Main Street Clock Inc. be received.

Carried

35. Mr. Gerald Fox addressed the Committee in opposition to the development application known as the Main Street Clock Inc. He expressed concerns related to waste disposal, parking of delivery vehicles and destruction of the scale of the Heritage Conservation District.

Moved by: Councillor Vegh
Seconded by: Councillor Kwapis

THAT the deputation by Mr. Gerald Fox regarding the development application known as the Main Street Clock Inc. be received.

Carried

36. Mr. Chris Howie addressed the Committee in opposition to the development application known as the Main Street Clock Inc. He advised of concerns related to blocking the Clock Tower portion of the building from others within the Heritage Conservation District and his opinion that the proposed construction would stall the economic progress of Main Street.

Moved by: Councillor Broome
Seconded by: Councillor Kwapis

THAT the deputation by Mr. Chris Howie regarding the development application known as the Main Street Clock Inc. be received.

Carried

37. Mr. Siegfried Wall addressed the Committee in opposition to the development application known as the Main Street Clock Inc. He queried Council's will to protect and enhance the by-law and expressed his concerns with the application and its attributes with respect to Town policy.

Moved by: Councillor Kwapis
Seconded by: Councillor Kerwin

THAT the deputation by Mr. Siegfried Wall regarding the development application known as the Main Street Clock Inc. be received.

Carried

38. Mr. Ted Heald addressed the Committee in opposition to the development application known as the Main Street Clock Inc. He expressed concern that approval of the development application would alter the unique charm of Main Street and suggested that the developer be held to the same policy requirements as all others within the Heritage Conservation District.

Moved by: Deputy Mayor & Regional Councillor Taylor
 Seconded by: Councillor Twinney

THAT the deputation by Mr. Ted Heald regarding the development application known as the Main Street Clock Inc. be received.

Carried

39. Ms. Tracee Chambers, Mr. Ron Eibel and Mr. Darryl Wolk addressed the Committee in opposition to the development application known as the Main Street Clock Inc. They advised that the development application was an issue for many residents during the recent Ward 5 by-election and that Main Street should remain a historical treasure in Canada.

Moved by: Deputy Mayor & Regional Councillor Taylor
 Seconded by: Councillor Bisanz

THAT the deputation by Ms. Tracee Chambers, Mr. Ron Eibel and Mr. Darryl Wolk regarding the development application known as the Main Street Clock Inc. be received.

Carried

40. Mr. Bill Wolske addressed the Committee in opposition to the development application known as the Main Street Clock Inc. He expressed concerns related to the conservation of heritage attributes, the merits of respecting cultural heritage and the proposed changes would degrade the character of Main Street

Moved by: Councillor Vegh
 Seconded by: Councillor Twinney

THAT the deputation by Mr. Bill Wolske regarding the development application known as the Main Street Clock Inc. be received.

Carried

41. Mr. Dave Peters, Newmarket Chamber of Commerce addressed the Committee regarding the development application known as the Main Street Clock Inc. He summarized the economic benefits of the revitalization efforts the potential value in progressing this development forward.

Moved by: Councillor Twinney
 Seconded by: Councillor Vegh

THAT the deputation by Mr. Dave Peters, Newmarket Chamber of Commerce regarding the development application known as the Main Street Clock Inc. be received.

Carried

42. Ms. Elaine Adam addressed the Committee regarding the development application known as the Main Street Clock Inc. She expressed concerns that money has been spent on the Town's Secondary Plan and investments on Main Street will have been wasted if the application moves forward.

Moved by: Councillor Broome
 Seconded by: Councillor Bisanz

THAT the deputation by Ms. Elaine Adam regarding the development application known as the Main Street Clock Inc. be received.

Carried

43. Mr. Glenn Wilson, on behalf of Ms. Jude Lauzon addressed the Committee regarding the development application known as the Main Street Clock Inc. He expressed concerns related to potential business hardship should the development application proceed as well as potential underground impacts associated with proposed construction.

Moved by: Councillor Broome
 Seconded by: Councillor Kwapis

THAT the deputation by Mr. Glenn Wilson on behalf of Ms. Jude Lauzon regarding the development application known as the Main Street Clock Inc. be received.

Carried

44. Ms. Anne Martin addressed the Committee regarding the development application known as the Main Street Clock Inc. She advised that as a property owner on Main Street, the foundations in the heritage buildings are almost all rubble stone which makes the street and the buildings fragile and construction related vibrations along with heavy equipment could severely impact the building foundations.

Moved by: Councillor Kerwin
 Seconded by: Councillor Broome

THAT the deputation by Ms. Anne Martin regarding the development application known as the Main Street Clock Inc. be received.

Carried

45. Mr. Arthur Weis addressed the Committee in opposition to the development application known as the Main Street Clock Inc., although in favour of the Town staff's compromise recommendations. He advised that housing and residential properties in close proximity to the Heritage Conservation District could support the area businesses.

Moved by: Councillor Vegh
 Seconded by: Councillor Kwapis

THAT the deputation by Mr. Arthur Weis regarding the development application known as the Main Street Clock Inc. be received.

Carried

46. Mr. Sean Stephens, owner of Treefrog, addressed the Committee in favour of the development application known as the Main Street Clock Inc. He provided examples of staff employed by him who are unable to find homes in Newmarket at this time and advised that the proposed development will bring revenues to Main Street.

Moved by: Councillor Vegh
 Seconded by: Councillor Kwapis

THAT the deputation by Mr. Sean Stephens regarding the development application known as the Main Street Clock Inc. be received.

Carried

47. Mr. Dave Partington addressed the Committee in favour of the development application known as the Main Street Clock Inc. He advised that money is being spent on Main Street but there are not many housing options available. He advised that with the proposed development, discomfort and intense intrusion may occur but the outcome needs to be considered as well.

Moved by: Councillor Bisanz
 Seconded by: Councillor Broome

THAT the deputation by Mr. Dave Partington regarding the development application known as the Main Street Clock Inc. be received.

Carried

48. Mr. Athol Hart addressed the Committee in opposition to the development application known as the Main Street Clock Inc. He advised that Main Street is important to more than just Newmarket residents and that although comments received are related to the front façade of the property, rear facades should also be protected in the Heritage Conservation District and original intentions, as approved in heritage plans should be followed.

Moved by: Deputy Mayor & Regional Councillor Taylor
 Seconded by: Councillor Twinney

THAT the deputation by Mr. Athol Hart regarding the development application known as the Main Street Clock Inc. be received.

Carried

49. Correspondence dated November 26, 2016 from Mr. Greg King, dated November 24, 2016 from Ms. Patricia Montgomery, dated November 24, 2016 from Mr. Ted Bomers and dated November 27, 2016 from Mr. George Smith regarding the development application known as the Main Street Clock Inc.

Moved by: Councillor Kerwin
 Seconded by: Councillor Vegh

THAT all correspondence regarding the development application known as the Main Street Clock Inc. be received.

Carried

50. Development and Infrastructure Services – Planning and Building Services Report 2016-25 dated November 28, 2016 regarding Application for Zoning By-law Amendment – Main Street Clock Inc., 178, 180, 184, 188 and 194 Main Street.

An alternate motion was presented and discussion ensued.

Moved by: Deputy Mayor & Regional Councillor Taylor
 Seconded by: Councillor Kerwin

a) THAT Development and Infrastructure Services - Planning and Building Services Report 2016-25 dated November 28, 2016 regarding Application for Zoning By-law Amendment be received and the following recommendations be adopted:

i) THAT the application for Zoning By-law Amendment as resubmitted by Main Street Clock Inc. for lands being located at the southwest corner of Main Street and Park Avenue, municipally known as 178, 180, 184, 188 and 194 Main Street be denied;

ii) AND THAT Staff be directed to create a site specific Zoning By-law to restrict the height of development at this site, fronting on Main Street at three stories plus a fourth storey if set back by a minimum of 15 (fifteen) feet, and restrict the height of development on Park Avenue at three stories with a fourth storey if set back by a minimum of 15 (fifteen) feet;

iii) AND THAT in 120 days, Staff be directed to bring back an amendment to the Heritage Conservation District Plan and By-law for consideration of Council that would outline the criteria which would need to be met by applicants in order to be considered for approval for a fourth storey set back from the street by a minimum of 15 (fifteen) feet;

iv) AND THAT Mr. Chris Bobyk, The Forrest Group, 590 Alden Road, Suite 211, Markham, ON L3R 8M2 be notified of this action.

Carried

Adjournment

Moved by: Councillor Broome
 Seconded by: Councillor Bisanz

THAT the meeting adjourn.

Carried

There being no further business, the meeting adjourned at 9:52 p.m.

Tony Van Bynen, Mayor

Esther Armchuk, Acting Town Clerk



CORPORATION OF THE TOWN OF NEWMARKET

BY-LAW NUMBER 2016-61

A BY-LAW TO PROVIDE FOR THE CONVEYANCE OF LAND AND CASH-IN-LIEU THEREOF FOR PARK AND OTHER PURPOSES.

WHEREAS sections 42, 51.1 and 53 of the *Planning Act*, as amended, authorize local municipalities to pass by-laws requiring that land or Cash-in-lieu thereof be conveyed to the local municipality as a condition of development or redevelopment of land, the subdivision land, or the granting of provisional consent over land;

AND WHEREAS the Council for the Corporation of the Town of Newmarket has adopted policies within its Official Plan pertaining to the conveyance of land or Cash-in-lieu thereof to the Town as a condition of development or redevelopment under the Planning Act, as amended;

AND WHEREAS Council for the Corporation of the Town of Newmarket deems it necessary and expedient to enact a by-law to provide for the provision of lands for park or other public recreational purposes and the use of alternative requirements therefor;

NOW THEREFORE THE COUNCIL OF THE TOWN OF NEWMARKET ENACTS AS FOLLOWS:

DEFINITIONS:

In this by-law:

- (a) "Building permit" means a *building permit* issued pursuant to the Ontario *Building Code Act*, as amended.
- (b) "Cash-in-lieu" means a payment of money for park or other public recreational purposes which is collected in lieu of a conveyance of land which would otherwise be required to be conveyed pursuant to the parkland provisions of the *Planning Act* as incorporated into this By-law.
- (c) "Development" means the construction, erection or placing of one or more buildings or structures on land or the making of an addition or alteration to a building or structure that has the effect of substantially increasing the size or usability thereof, or the laying out and establishment of a commercial parking lot.
- (d) "Dwelling unit" means any property that is used or designed for use as a domestic establishment in which one or more persons may sleep and prepare and serve meals.

- (e) “Land area” means the area of an entire *development* or redevelopment site, including the parcel of land which is to be conveyed for park purposes, but shall not include any natural heritage feature or hydrologic feature including the buffers identified in the Official Plan or Zoning By-Law in effect at the time of determination; or any natural heritage feature or hydrologic feature including the buffers identified by a required Environmental Impact Study and where lands are conveyed into public ownership; stormwater management areas; or floodplain lands. In addition, this area shall not include any area identified for future road widenings, or future burying of hydro or related utility facilities.
- (f) “Owner” means the registered owner of the land to be developed, redeveloped, or subdivided.
- (g) “Pocket Park” means a small park that accommodates passive recreation activities and other unstructured activities. *Pocket Parks* are between 70 and 2500 square metres in size, have frontage on at least one public street, and are primarily hard surfaced, with limited soft surface elements.
- (h) “Privately Owned Public Space” means physical space that is privately owned but appears and functions as public space. These spaces are secured through an easement in favour of the *Town*. These spaces must be designed and maintained to the standards established by the *Town*, and remain open and accessible to the public, or on a schedule established by agreement with the *Town*.
- (i) “Sliver Space” means physical space that adds to the width of the abutting public sidewalk system. They create plazas or forecourts between the face of the building and the abutting street right-of-way.
- (j) “Strata Park” means publicly owned parkland or a publicly accessible privately owned open space located on top of buildings or structures, including but not limited to parking garages. The Strata component of this definition refers to the horizontal delineation of ownership, as it is described in the Ontario Condominium Act.
- (k) “Pedestrian Mews” means a short, pedestrian-only laneway having a minimum width of 6 metres.
- (l) “Temporary” in reference to a building or structure, means a building or structure constructed, erected or placed on land with the explicit understanding that that such building or structure is to be demolished by a set time, as indicated in a legal agreement with the *Town*.
- (m) “Town” means the Corporation of the Town of Newmarket.

PART 1 – CONVEYANCE REQUIRED AS A CONDITION OF DEVELOPMENT OR REDEVELOPMENT

- 1.1
- As a condition of *development* or redevelopment of land, the *Town* shall require the conveyance of land to the *Town* or a *cash-in-lieu* equivalent to the value of the land required to be conveyed under this by-law for park or other public recreational purposes.
- 1.2
- Conveyance, including the location and configuration shall be in the form of land, *cash-in-lieu* or a combination of cash and land, at the discretion of the *Town*.

PART 2 – APPLICABILITY

- 2.1
- This By-law applies to all lands within the corporate limits of the *Town* of Newmarket.

PART 3 – CALCULATION OF CONVEYANCE

- 3.1
- As a condition of *development* or redevelopment of land, the *Town* shall require the conveyance of land or *cash-in-lieu* to the *Town* for parks and other public recreational purposes as follows:

	Outside Urban Centres	Inside Urban Centres
Commercial or Industrial Uses	Parkland dedication or <i>cash-in-lieu</i> equivalent to 2% of the <i>land area</i> proposed for <i>development</i> or redevelopment.	Parkland dedication or <i>cash-in-lieu</i> equivalent to 2% of the <i>land area</i> proposed for <i>development</i> or redevelopment.
Mixed Use	Parkland dedication and <i>cash-in-lieu</i> equivalent shall be calculated on the basis of the cumulative amount for the various uses proposed, at their respective rates specified by this by-law.	For a period of three years from the enactment date of this by-law, parkland dedication and <i>cash-in-lieu</i> equivalent shall be calculated on the basis of the cumulative amount for the various uses proposed, at their respective rates specified by this by-law, up to a maximum of 25% of the <i>land area</i> proposed for <i>development</i> or redevelopment, or the alternative parkland dedication provisions of the Planning Act, whichever is less.

		After this three year period, parkland dedication and <i>cash-in-lieu</i> equivalent shall be calculated on the basis of the cumulative amount for the various uses proposed, at their respective rates specified by this by-law, up to a maximum of 50% of the <i>land area</i> proposed for development or redevelopment, or the alternative parkland dedication provisions of the Planning Act, whichever is less.
Residential Uses	<p>Parkland dedication calculated at 1 hectare per 300 <i>dwelling units</i>, or 5% of the <i>land area</i> proposed for <i>development</i> or redevelopment, whichever is greater.</p> <p>A <i>cash-in-lieu</i> equivalent of 5% of the land area for <i>development</i> or redevelopment or 1 hectare per 500 <i>dwelling units</i>, whichever is greater.</p>	<p>For a period of three years from the enactment date of this by-law, parkland dedication or <i>cash-in-lieu</i> equivalent to 0.7 hectares per 1000 residents, up to a maximum of 25% of the developable area of any site, or the alternative parkland dedication provisions of the Planning Act, whichever is less.</p> <p>After this three year period, parkland dedication or <i>cash-in-lieu</i> equivalent to 0.7 hectares per 1000 residents, up to a maximum of 50% of the developable area of any site, or the alternative parkland dedication provisions of the Planning Act, whichever is less.</p>
All Other Uses	<p>Parkland dedication calculated at 5% of the <i>land area</i> proposed for <i>development</i> or redevelopment.</p> <p>A <i>cash-in-lieu</i> equivalent of 5% of the <i>land area</i> for <i>development</i> or redevelopment.</p>	<p>Parkland dedication calculated at 5% of the <i>land area</i> proposed for <i>development</i> or redevelopment.</p> <p>A <i>cash-in-lieu</i> equivalent of 5% of the <i>land area</i> for <i>development</i> or redevelopment.</p>

3.2 Notwithstanding Part 3.1, within the areas subject to the Urban Centres Secondary Plan, the *Town* shall require, at a minimum, that all *development* applications on sites greater than 1000 square metres in size identify a land contribution to the Urban Park System, as follows:

- (a) An Urban Park System land contribution of not less than 7.5% of the developable site area; and/or
- (b) An Urban Square or Plaza, *Pocket Park* or *Sliver Space* with a minimum frontage on a public street of 7.5 metres, and a minimum size of 75 square metres. Larger sites shall include larger Urban Squares or Plazas and/or multiple Urban Park System elements; and/or
- (c) *Pedestrian Mews* with a minimum width of 6 metres.

The remainder of the required parkland dedication may be made up of an off-site land dedication, or *cash-in-lieu* of land, or some combination of land and *cash-in-lieu*.

For sites less than 1000 square metres in size, the *Town* may accept an on-site land contribution, an off-site land contribution and/or *cash-in-lieu* of land.

PART 4 - PARKLAND CREDIT

- 4.1 Within the areas subject to the Urban Centres Secondary Plan, physical land conveyed and deemed acceptable by the *Town*, including but not limited to Neighbourhood Parks, Urban Squares, Plazas, *Pocket Parks*, *Sliver Spaces* and *Pedestrian Mews* within the Urban Centres, shall receive 100% credit toward the achievement of the parkland dedication requirement of the *Town*, in accordance with the requirements of Part 3
- 4.2 Within the areas subject to the Urban Centres Secondary Plan, *Privately Owned Public Spaces* and *Strata Parks* that are not in public ownership may be considered as contributing toward the parkland dedication requirement of the *Town*, as long as appropriate legal agreements between the *Owner* and the *Town* are in place to ensure that they are designed and maintained to *Town* standards and are open and accessible to the public.
- 4.3 Where *Privately Owned Public Space* is designed and secured through a public easement for public uses such as interior courtyards, private/public squares and *Pedestrian Mews* linkages designed to be open and accessible to the general public and maintained to *Town* standards, a credit of 50% of the value of the land secured through an easement for such uses shall be credited as a reduction in the land requirements or *cash-in-lieu* required for parkland. This credit percentage reflects the fact that these lands are not under the control of the *Town*, which will restrict the ability of the *Town* to design, manage and program the space as it wants over time. For clarity, the 50% credit described in this section also applies to *Strata Parks* that are *Privately Owned Public Spaces*.

- 4.4 Where *development* or redevelopment proposes a *Strata Park* that is to be owned by the *Town*, a credit equivalent to 80% of the value of the land required for parkland shall be credited as a reduction in the land requirements or *cash-in-lieu* required for parkland. This credit percentage takes into account this type of parkland's inherent use limitations.. For clarity, the 80% credit described in this section only applies where *Strata Parks* are not *Privately Owned Public Spaces*.
- 4.5 Where land is dedicated to the *Town* for the purpose of the future burying of hydro and related utility facilities across the frontages of Yonge Street or Davis Drive, a credit of 10% of the value of the land being dedicated shall be credited as a reduction in the land or the *cash-in-lieu* required for parkland.
- 4.6 Where *development* or redevelopment is within the Historic Downtown Heritage Conservation District or affects a property designated pursuant to Parts IV, V and VI of the *Ontario Heritage Act* and an identified cultural heritage resource is conserved, a credit equivalent to 20% of the value of the land required for parkland shall be credited as a reduction in the land requirements or *cash-in-lieu* required for parkland.
- 4.7 Within the areas subject to the Urban Centres Secondary Plan, the *Town* may accept a full or partial off-site land dedication in-lieu of an on-site land dedication, as long as the value of the land area for the off-site land dedication is of equal or greater value that the on-site land dedication, as determined by Part 4 of this by-law. The off-site dedication may be a complete or partial parkland contribution with reference to the land area and *cash-in-lieu* value being provided.

PART 5 – DETERMINATION OF VALUE

- 5.1 For *development* or redevelopment pursuant to Sections 41 and 42 of the *Planning Act*, the value of the land or *cash-in-lieu* equivalent to be paid shall be determined as of the value the day before the day the *building permit* is issued and if more than one *building permit* is required, the value shall be calculated the day before the day the first *building permit* is issued.
- 5.2 For *development* or redevelopment pursuant to Sections 51.1 and 53 of the *Planning Act*, the value of the land or *cash-in-lieu* equivalent shall be determined the day before the day the approval of the draft plan of subdivision and the day before the day the provisional consent was given except where site plan approval is required at a subsequent stage, then the parkland dedication calculation will be subject to Part 5.1 above.
- 5.3 The value of the land for which payment is being made in lieu of a conveyance shall be established by way of an appraisal of the fair market value of the property by a certified professional appraiser of real estate, who is designated as an Accredited Appraiser by the Appraisal Institute of Canada with experience appraising all types of real property.

- 5.4 The *Town* and the *Owner* shall commission an appraisal of the Property (the "Initial Appraisal") which expense shall be shared equally between the parties. If the *Owner* does not agree with the market value of the Property according to the Initial Appraisal, the *Owner* may retain an appraiser, at the *Owner's* expense, to prepare a separate appraisal report (the "*Owner Appraisal*") on the market value of the property. The *Owner* will cause its appraiser to give a copy of such appraisal report to the *Town* not later than 30 days following the date on which the Initial Appraisal was delivered.
- 5.5 If the *Owner* fails to give to the Purchaser the *Owner Appraisal* within the 30 day period, then it will be deemed that the *Owner* has accepted the Initial Appraisal and the associated value of the property. If the *Owner* gives the *Town* the *Owner Appraisal* within the 30 day time limit set out above, and the average of the values of the Property in the two appraisal reports is an amount that is less than 10% more than the lowest of the two appraisal reports, then, the average of the values of the property in the two appraisal reports will be deemed to be the market value of the property.
- 5.6 If the *Owner* gives the *Town* the *Owner Appraisal* within the 30 day time limit, and the average of the values of the property in the two appraisal reports is an amount that is equal to or greater than 10% more than the lowest of the two appraisal reports, then, if mutually agreed between the parties, the *Town* and *Owner* will respectively instruct the two appraisers to select a third independent appraiser, the expense of such third independent appraiser to be shared equally by the *Town* and the *Owner*, to prepare an appraisal report on the market value of the property.
- 5.7 The third independent appraiser will present the appraisal report to the *Owner* and *Town* by no later than 45 days following the date on which the *Owner* delivered the *Owner Appraisal* to the *Town*. If the appraisal report of the third independent appraiser is obtained as aforesaid, then the market value of the property will be deemed to be the average of: (X) the value for the Property indicated by the appraisal report of the third independent appraiser, and (Y) the value for the Property indicated by whichever of the Initial Appraisal and the *Owner Appraisal* is closest to the value for the Property in (X).
- 5.8 If the *Town's* appraiser and the *Owner's* appraiser cannot agree on a third party appraiser within 15 days, either the *Owner* or the *Town* shall be entitled to submit the selection of the third appraiser to an arbitration under the provisions of the *Arbitration Act* or alternatively appeal to the Ontario Municipal Board pursuant to Section 42 (10) of the *Planning Act*.
- 5.9 All appraisals obtained pursuant to this by-law shall state the criteria used to determine the value within the appraisal.
- 5.10 An appraisal shall remain current for a maximum period of two years from the date of the appraisal.

PART 6 – FUTURE DEVELOPMENT OR REDEVELOPMENT

- 6.1 Where land has been conveyed or is required to be conveyed to the *Town* under this by-law, or a payment of money in lieu of such conveyance has been received by the *Town* or is owing to it under this by-law, no additional conveyance or payment in respect of the land subject to the earlier conveyance or payment may be required by the *Town* in respect of subsequent *development* or redevelopment applications, unless:
- (a) there is a change in the proposed *development* or redevelopment which would increase the density or number of *dwelling units* of the *development*; or
 - (b) land originally proposed for *development* or redevelopment for commercial or industrial purposes is instead proposed for *development* or redevelopment for other purposes.
- 6.2 Where such increase in density and or *dwelling units* occur, the conveyance will be subject to the increase in density/*dwelling units* proposed and the value determined at the time of the applicable application (e.g., at Site Plan).

PART 7 – ELIGIBLE PROJECTS FOR CASH-IN-LIEU

- 7.1 The *Town* shall determine whether a project is eligible for either a full or partial *cash-in-lieu* contribution.
- 7.2 *Cash-in-lieu* may be used for the following priorities:
- (a) The first priority shall be the acquisition of land for public parks or other public recreational purposes as deemed appropriate by the *Town*.
 - (b) The second priority shall be the design and development of the Neighbourhood Parks identified within the Newmarket Urban Centres Secondary Plan not funded through Development Charges.
 - (c) The third priority shall be the development of parks and other public recreational facilities not funded through Development Charges including:
 - i) park and other recreational facilities including, any site preparation and drainage, play equipment, splash pads, site furniture, signage, sports fields, etc.;
 - ii) pathways, trails and associated infrastructure and furniture, including *Pedestrian Mews* as generally identified in the *Town's* Urban Centres Secondary Plan;
 - iii) improvements to existing parks and recreational facilities designed to increase the capacity to accommodate more intensive public uses due to increased *development* and redevelopment;

- iv) vehicle and machinery used for parks and other public recreational purposes.

PART 8 - EXEMPTIONS

8.1 This By-law shall not apply to the following:

- (a) *Development* or redevelopment of land, buildings or structures owned by and used for the purposes of the Corporation of the *Town of Newmarket*.
- (b) *Development* or redevelopment of land, buildings or structures owned by and used for the purposes of the Region of York or provincial government.
- (c) *Development* or redevelopment of land, buildings or structures owned by and used for the purposes of a Board of Education and/or Newmarket Library Board.
- (d) A college, university or a school defined in the *Education Act*.
- (e) *Development* or redevelopment of land, buildings or structures owned by and used for the purposes of Southlake Regional Health Centre.
- (f) Not for profit palliative care facilities.
- (g) The replacement of any building that is a direct result of destruction due to accidental fire or other accidental cause beyond the control of the *Owner* provided that no intensification or change in use is proposed, including but not limited to an increase in total *dwelling unit* count or total floor area.
- (h) The enlargement of an existing single detached or semi-detached *dwelling unit* provided the enlargement does not result in an additional *dwelling unit*.
- (i) An accessory *dwelling unit* permitted by the *Town's* Official Plan and Zoning By-law in effect.
- (j) The enlargement of an existing commercial, industrial, or institutional building or structure if the total floor area of the enlargement is 10% or less than the current size of the building(s) or structure(s) that is under the same ownership or leasing structure.
- (k) A *temporary* building or structure.
- (l) Where the total *cash-in-lieu* payable for *development* or redevelopment is less than \$100.

PART 9 – LANDS NOT ACCEPTABLE FOR PARKLAND CONVEYANCE

9.1 The following lands shall not be acceptable for parkland conveyance:

- (a) Lands designated as Natural Heritage in the *Town's* Official Plan, or any land zoned Environmental Protection in the *Town's* Zoning By-law, and any natural heritage feature or hydrologic feature defined by the Provincial Policy Statement (PPS) as significant, including the buffers as required by the PPS, Official Plan or Zoning By-law or as may be identified through an Environmental Impact Study.
- (b) Floodplain lands or Hazard Lands as defined by the Lake Simcoe Region Conservation Authority.
- (c) Stormwater management facilities; and where lands for parks purposes include storm water management facilities, that portion of the land that includes a stormwater management facility or infrastructure shall not be included in the area calculation for parkland conveyance.
- (d) Lands that are deemed to be contaminated.
- (e) Lands used for utility corridors or any other infrastructure, with the exception of lands dedicated to the *Town* for the undergrounding of hydro infrastructure along the Yonge Street and Davis Drive corridors.

PART 10 - DISPUTES

- 10.1 Notwithstanding the provisions of Part 4, and in the event of a dispute between the *Town* and the *Owner* on the value of the land as determined under Part 4 of this by-law is not satisfactory to either party, either party may apply to the Ontario Municipal Board to have the value of the land determined.
- 10.2 If there is a dispute between the *Town* and the *Owner* on the value of the land as determined under Part 4 of this by-law, the *Owner* may pay the amount required by the *Town* under protest and shall make an application to the Ontario Municipal Board in accordance with the *Planning Act*.

PART 11 - GENERAL PROVISIONS

- 11.1 All lands conveyed to the *Town* under this by-law shall be in a condition satisfactory to the *Town* and in accordance with the requirements of the *Town's* Official Plan Policies respecting the acquisition of land, including a Record of Site Condition pursuant to the *Environmental Protection Act*.
- 11.2 All lands conveyed to the *Town* under this by-law shall be free of encumbrances.
- 11.3 Any conveyance or payment in lieu of a conveyance required to be made under this by-law shall be made prior to the issuance of any *building permit* for the land to be developed or redeveloped.

- 11.4 In the event that a section or a part of a section of this by-law is declared invalid by a court of competent jurisdiction, it is the intent of Council that the remainder of the by-law continue in full force and effect.

PART 12 - ADMINISTRATION

- 12.1 This By-law will be jointly administered by the Director of Planning and Building Services and the Director of Financial Services.
- 12.2 The Director of Financial Services shall maintain a record of all lands and *cash-in-lieu* received and including all expenditures from the *cash-in-lieu* parkland reserve fund. The *cash-in-lieu* parkland dedication record and associated financial statements shall be reported to Council and made available to the public on a yearly basis.

PART 13 - EFFECTIVE DATE

- 13.1 This by-law shall come into force on the day it is enacted.

PART 14 - TRANSITION

- 14.1 The provisions of this by-law shall apply to all *development* applications pursuant to the *Planning Act*, as amended, which are submitted and deemed complete on or after the Effective Date of this by-law.

PART 15 - REVIEW OF THE BY-LAW

- 15.1 This By-law shall be reviewed with each Official Plan Review or at an earlier time as prescribed by Council.

The portions of this By-law that are specifically subject to the Urban Centres Secondary Plan shall be reviewed at least every 3 years.

- 15.2 Should any section or part of this By-law be declared or determined by a court or tribunal of competent jurisdiction to be invalid, that portion of this by-law shall be considered to be severed from the balance of this by-law, which will continue to operate in full force and effect.

ENACTED THIS 5TH DAY OF DECEMBER, 2016.

Tony Van Bynen, Mayor

Esther Armchuk, Acting Town Clerk

**CORPORATION OF THE TOWN OF NEWMARKET****BY-LAW NUMBER 2016-62****A BY-LAW TO ADOPT AMENDMENT NUMBER 14 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 14 to the Town of Newmarket Official Plan, consisting of the following explanatory text and attached schedule, is hereby adopted.
2. This By-law shall come into force and take effect on the day of the final passing thereof.

ENACTED THIS 5TH DAY OF DECEMBER, 2016.

Tony Van Bynen, Mayor

Esther Armchuk, Acting Town Clerk

**AMENDMENT NO. 14
TO THE
TOWN OF NEWMARKET
OFFICIAL PLAN**

AMENDMENT NO. 14**TO THE****NEWMARKET****OFFICIAL PLAN****CONTENTS**

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PART A – PREAMBLE

1.0 PURPOSE OF THE AMENDMENT

The purpose of this amendment is twofold. First, to amend the policies applying to certain lands identified on Map Number 1, in the Town of Newmarket, being within the *Business Park – Mixed Employment* designation to permit outdoor storage on the lands. Second, to amend the designation of certain lands identified on Map Number 1, in the Town of Newmarket, to change them from the *Business Park – Mixed Employment* designation to the Parks & Open Space designation.

2.0 LOCATION

The lands subject to this amendment are located at 1166 and 1186 Nicholson Road and is legally described as being PL 65M-2677; S/T LT434248, LT543746, R451851, R451852 Newmarket. The subject lands are located on the on the south side of Nicholson Road, west of Harry Walker Parkway South. The subject land is shown more particularly on Map Number 1, which is appended for information purposes only.

3.0 BASIS OF THE AMENDMENT

Council has enacted this amendment in response to the following:

- 3.1 A request by the property owner for an official plan amendment and zoning by-law amendment to permit outdoor storage.
- 3.2 The Subject Lands are within the *Business Park – Mixed Employment* area on Schedule A, the Land Use Plan to the Newmarket Official Plan. The intent of this designation is to provide for the employment needs of the Newmarket community. The main permitted uses of the Mixed Employment designation include business and professional offices, manufacturing uses, and research and development facilities. The specific policies indicate that outdoor open storage of goods, materials, and equipment associated with any Mixed Employment use shall not be permitted.
- 3.2 The property to the east that is owned by the same owner is permitted outdoor storage by the Zoning By-law and the owner wishes to extend these permissions onto the subject lands. This may expand the marketability of the lands to encourage new development and the improvement of employment lands in the Town. Given appropriate screening and limits on the nature of outdoor storage to limit it to materials related to the principal use on the lot outdoor storage is compatible with the area, and is currently permitted for a range of lots in the area.
- 3.3 During the review of the geotechnical work associated with this application, it was determined that a setback from the top of the bank at the south of the property bordering Bogart Creek was necessary, requiring appropriate changes to the Zoning By-law and Official Plan.

- 3.4 As such the proposed development conforms to the intent, goals and strategic directions of the Official Plan. The addition of permission of outdoor storage use to the subject lands in the *Business Park – Mixed Employment* area is appropriate.

PART B – THE AMENDMENT

All of this part of the document entitled “Part B – The Amendment”, consisting of the following text constitutes Amendment No. 14 to the Newmarket Official Plan.

1.0 POLICIES

The Newmarket Official Plan is hereby amended as follows:

Section 6.3.2.3 of the Town of Newmarket Official Plan is hereby amended by adding to the existing *Business Park – Mixed Employment* policies:

- a) Notwithstanding Section 6.3.2.3, outdoor storage is a permitted accessory use in the area designated 1166 and 1186 Nicholson Road further described as PL 65M-2677; S/T LT434248, LT543746, R451851, R451852 Newmarket.

2.0 SCHEDULE

Schedule A – Land Use Plan is amended to designate all lands in a 30 metre strip north of the top of the bank of the subject lands, with the exception of an area at the southwest of the property that lies between the stable top of the bank and the 30 metre erosional setback, to Parks & Open Space.

3.0 IMPLEMENTATION AND INTERPRETATION

This Amendment to the Official Plan will be implemented as follows:

- a) Zoning By-law

It is Council's intent to implement the Amendment, in part, by enacting an appropriate zoning by-law pursuant to the provisions of the Planning Act, R.S.O. 1990, C.P. 13, on the lands affected by this Amendment.

- b) Site Plan Approval

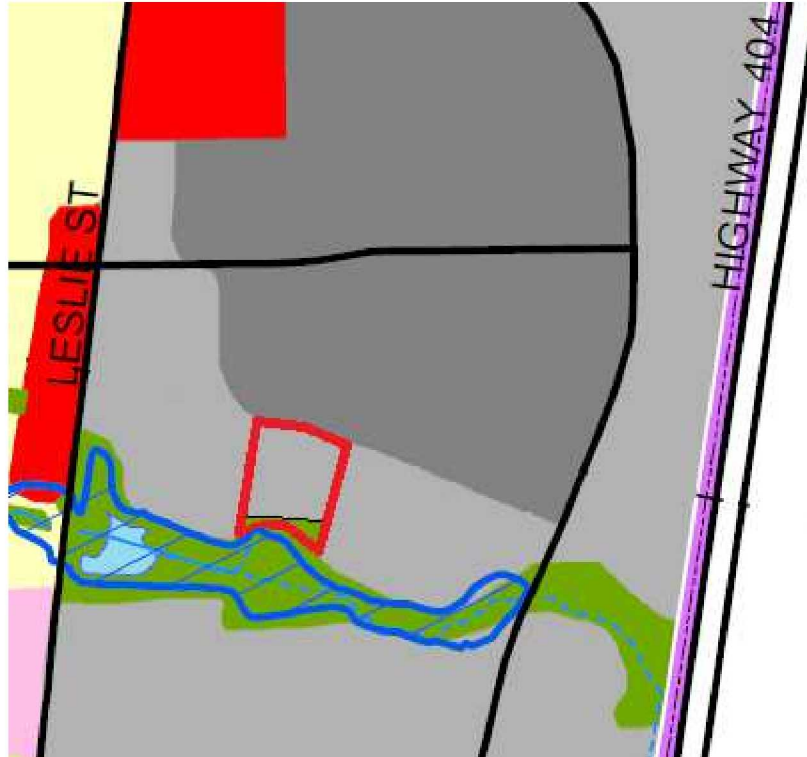
It is Council's intent to implement this Amendment, the land use designations and policies of this Plan, and a high standard of site layout and design by requiring site plan approval pursuant to the provisions of the Planning Act, on the Lands affected by this Amendment.

PART C: THE APPENDIX:

The following appendix does not constitute part of this Amendment and is included for information purposes only.

1. MAP 1

Map 1, which shows the location of the subject land on an excerpt from the Town's Official Plan is for information purposes only.





CORPORATION OF THE TOWN OF NEWMARKET

BY-LAW NUMBER 2016-63

A BY-LAW TO AMEND BY-LAW NUMBER 2010-40, AS AMENDED, BEING A ZONING BY-LAW (281 Main Street North)

WHEREAS it is deemed advisable to amend By-Law Number 2010-40 as amended;

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

THAT By-law Number 2010-40 be and the same is hereby further amended by:

1. Deleting from Schedule "A", Map No.5, the Residential Detached Dwelling 30m (R1-B) Zone on 281 Main Street North; and substituting therefore the Residential Townhouse Dwelling 3 Exception 132 (R4-R-132) Zone as shown more particularly on Schedule "1" attached hereto, and forming part of this By-law.
2. Deleting from Schedule "A", the Private Space (OS-2) Zone on 281 Main Street North and substituting therefore the Environmental Protection Open Space (OS-EP) Zone as shown more particularly on Schedule "1" attached hereto, and forming part of this By-law.
3. Adding the following regulations relating to the Residential Townhouse Dwelling 3 Zone to Section 8.1.1 List of Exceptions:

Exception 132	Zoning (H) R4-R-132	Map 5	By-Law Reference 2016-63	File Reference D14-NP-1220
i)	Location 281 Main Street North			
ii)	Notwithstanding any other provision of the by-law, the following Development Standards shall be applied to the lands subject to this by-law zoned R4-R-132:			
a.	Number of <i>Townhouse</i> units (maximum):			9
b.	Number of semi-detached dwelling units (maximum):			2
c.	<i>Lot Area</i> minimum (Total Parcel):			0.539 Ha
d.	Minimum Lot Frontage:			82.0 m
e.	<i>Lot Frontage</i> on a private road (minimum):			5.9m per unit
f.	Setback from South Line of the OS-EP zone (minimum):			2.9 m
g.	Setback from north property line for a townhouse (minimum):			1.4 m
	Setback from the north property line for a semi-detached (minimum):			3.56 m
h.	Setback from east property line (minimum):			25.0 m
i.	Setback from west property line (minimum):			5.0 m
j.	Setback from a garage to a private road (minimum):			5.5 m
k.	Setback from the side wall of a <i>semi-detached dwelling</i> to a private road (minimum):			1.0 m
l.	Maximum Lot Coverage			50%

m. Maximum Building Height: 11.0 m
(3 Storey)

n. Permitted Encroachments:

Porches are permitted to encroach into the exterior side yard setback a distance of 2.1m, to be no closer than 3.4m to the west property line.

Porches are permitted to encroach into the front yard setback a distance of 1.56m, to be no closer than 2.0m to the north property line

The required parking for the two semi-detached units is permitted in the front yard on paved driveways. Driveways must be at least 2.7m wide and not wider than 3.8m.

o. Minimum Outdoor off-street parking requirement: 1.0 space per dwelling unit

p. Minimum Visitor Parking Spaces: 3 spaces

q. Minimum Barrier-Free Parking Spaces: 1 space

r. Minimum Driveway Width 2.7m

s. Maximum Driveway Width: 3.5 m

t. Minimum Driveway Length: 5.1 m

u. Where any form of dwelling is erected in conformity with a 'site plan agreement'; parts of the lands affected by the 'site plan agreement' forms a 'common elements condominium'; and, the balance of the lands affected by the 'site plan agreement' are 'parcels of tied land' with respect to that 'common elements condominium', no provision of this By-law shall be deemed to be contravened by reason of the conveyance of a 'parcel of tied land' upon which a dwelling unit is erected, provided that all of the standards of this by-law are met for the lands as a whole, as set out in the 'site plan agreement' and provided the 'common elements condominium' and the 'parcels of tied land' are contiguous.

v. For clarity, 'parcel of tied land' means a parcel of land to which the common interest in the common elements condominium attaches as provided for in Subsection 139(2) of the Condominium Act 1998 or a successor thereto for "parcels of tied land" has the corresponding plural meaning.

w. For clarity, 'common elements condominium' means a common elements condominium corporation as defined in the Condominium Act 1998 or a successor thereto.

x. For clarity, a 'site plan agreement' means an agreement entered into pursuant to Section 41 of the Planning Act, R.S.O. 1990 or a successor thereto.

y. On a *corner lot* where a *daylighting triangle* or rounding has been conveyed to the a *public authority*, the *exterior side lot line* and the *front lot line* shall be deemed to be the continued projection of the *exterior side lot line* and the *front lot line* to a point of intersection, for the purposes of calculating all required setbacks, lot area, and lot frontage requirements.

1. Adding the following provisions to Section 8.2.1 List of Holding Provisions:

By-Law No. 2016-63	Property Description	Permitted Uses until holding provision removed	Conditions for Removal	Date Enacted
	281 Main Street North	<p>No person within the lands zoned (H)R4-R-132 shall use any lot or erect, alter or use any buildings or structures for any purpose except for those uses which existed on the date of passing of this By-Law.</p> <p>Furthermore, no extension or enlargement of the uses which existed on the date of passing of this By-Law shall occur unless an amendment to this By-Law or removal of the '(H)' prefix, as identified in the next column, is approved by the Council of the Corporation of the Town of Newmarket and comes into full force and effect.</p>	<p>All relevant provisions of the Official Plan, have been complied with;</p> <p>That sufficient servicing capacity is available, and has been allocated by the Town;</p> <p>That a subdivision agreement has been entered into between the Owner of the lands and the Corporation of the Town of Newmarket, and the performance security contemplated therein has been posted;</p> <p>All necessary requirements of the Town have been satisfied;</p> <p>All necessary approvals have been received by other commenting agencies and authorities.</p>	

ENACTED THIS 5TH DAY OF DECEMBER. 2016.

Tony Van Bynen, Mayor

Esther Armchuk, Acting Town Clerk

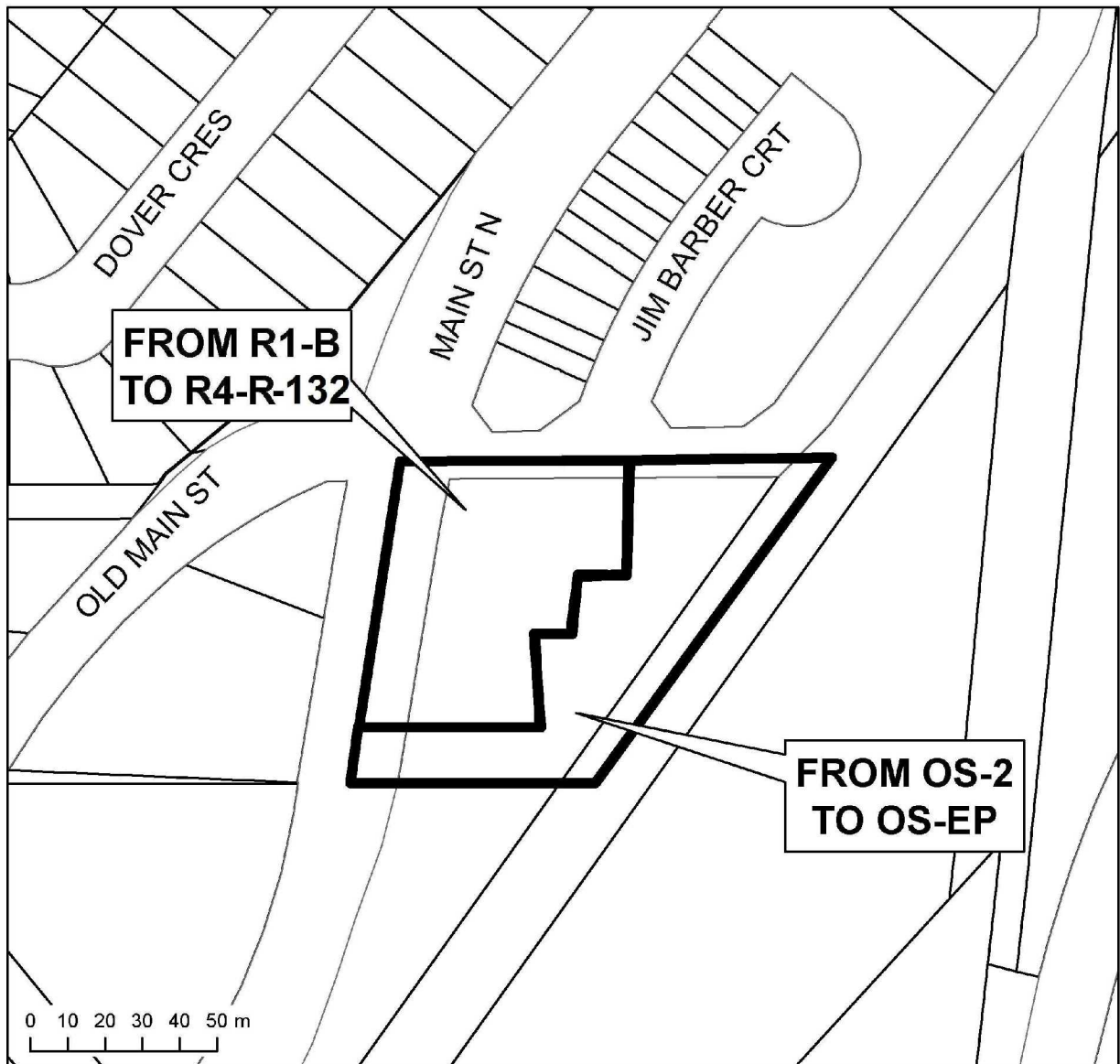
Schedule "1"

TOWN OF NEWMARKET
 REGIONAL MUNICIPALITY OF YORK
 281 MAIN STREET
 CON 1 PT LOT 98 RP 65R3687
 PART 2

This is Schedule '1' to By-law
 2016-63
 Passed this 5th day of
 December, 2016

Mayor

Clerk



TOWN OF NEWMARKET PLANNING DEPARTMENT



Designed & Produced by Information Technology - GIS Printed: February, 2015. Land Parcel Boundaries - © Teranet Inc. and its suppliers. All rights reserved. NOT A PLAN OF SURVEY. 2015. Zoning - Town of Newmarket, 2015. 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.

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CORPORATION OF THE TOWN OF NEWMARKET

BY-LAW NUMBER 2016-64

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.

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 5TH DAY OF DECEMBER, 2016.

Tony Van Bynen, Mayor

Esther Armchuk, Acting Town Clerk

**TOWN OF NEWMARKET
2017 USER FEES
SCHEDULE A**

Department: All Departments

Effective Date:

January 1, 2017

SERVICE PROVIDED	UNIT OF MEASURE	2016 FEE BEFORE TAX	2017 FEE BEFORE TAX	HST AMOUNT	TOTAL FEE	% INCREASE
Plan Reproduction:						
24" x 36" sheet – for first sheet	per sheet	\$ 17.70	\$ 17.70	\$ 2.30	\$20.00	0.0%
additional sheets	per sheet	\$ 8.85	\$ 8.85	\$ 1.15	\$10.00	0.0%
36" x 42" sheet – for first sheet	per sheet	\$ 17.70	\$ 17.70	\$ 2.30	\$20.00	0.0%
additional sheets	per sheet	\$ 8.85	\$ 8.85	\$ 1.15	\$10.00	0.0%
Photocopy:	per copy	\$ 0.84	\$ 0.93	\$ 0.12	\$1.05	10.7%

**TOWN OF NEWMARKET
2017 USER FEES
SCHEDULE B**

Commission: Corporate Services

Effective Date: January 1, 2017

SERVICE PROVIDED	UNIT OF MEASURE	SUBJECT TO HST	2016 FEE BEFORE TAX	2017 FEE BEFORE TAX	HST	TOTAL FEE	% INCREASE
<u>FINANCE</u>							
Accounts Receivable Finance Charges	1.25% monthly on out standing balance	N	1.25% monthly on outstanding balance	1.25% monthly on outstanding balance	\$0.00	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	\$0.00	16% of the outstanding balance	0%
Tax Certificate	each	N	\$80.00	\$80.00	\$0.00	\$80.00	0%
Treasurer's Compliance Letter	each	N	\$80.00	\$80.00	\$0.00	\$80.00	0%
Returned Cheque	each	N	\$50.00	\$50.00	\$0.00	\$50.00	0%
Statement of Taxes Paid	each	N	\$35.00	\$35.00	\$0.00	\$35.00	0%
Verification of Local Improvements	each	N	\$80.00	\$80.00	\$0.00	\$80.00	0%
Detailed Analysis of Tax Account	per hour	N	\$45.00	\$45.00	\$0.00	\$45.00	0%
Update Mortgage Company Information	each	N	\$15.00	\$15.00	\$0.00	\$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	\$20.00	\$20.00	\$0.00	\$20.00	N/A
Detailed Calculations of Tax Adjustments (other than property owner)	per roll	N	\$25.00	\$25.00	\$0.00	\$25.00	N/A
Copies of Assessment View	per copy	Y	\$ 0.84	\$ 0.93	\$0.12	\$1.05	11%
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%

**TOWN OF NEWMARKET
2017 USER FEES
SCHEDULE B**

Commission: Corporate Services

Effective Date: January 1, 2017

SERVICE PROVIDED	UNIT OF MEASURE	SUBJECT TO HST	2016 FEE BEFORE TAX	2017 FEE BEFORE TAX	HST	TOTAL FEE	% INCREASE
<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 \$259 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	0.0%
<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%
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
2017 USER FEES
SCHEDULE C**

Department: Legal Services

Effective Date: January 1, 2017

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 Municipal Solicitor and based on the hourly rate of **\$288.00** per lawyer and **\$113** 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	2016 FEE BEFORE TAX	2017 FEE BEFORE TAX	HST AMOUNT	TOTAL FEE	% INCREASE
Standard Encroachment Agreement -New	each	Y	min. \$1,190	min. \$1,230	varies	Varies	3.4%
Renewals of Encroachment Agreement re: change of property ownership	each	Y	min. \$600	min. \$620	varies	Varies	3.3%
Model Home Agreement	each	Y	\$ 1,050.00	\$ 1,080.00	\$140.40	\$1,220.40	2.9%
Builder's Agreement	each	Y	\$ 1,050.00	\$ 1,080.00	\$140.40	\$1,220.40	2.9%
Standard Pre-servicing Agreement	each	Y	min. \$1,190	min. \$1,230	varies	Varies	3.4%
Temporary Sales Office Agreement	each	Y	\$ 1,050.00	\$ 1,080.00	\$140.40	\$1,220.40	2.9%
Temporary Structure Agreement	each	Y	\$ 1,050.00	\$ 1,080.00	\$140.40	\$1,220.40	2.9%
Spine Services Development Agreement	each	Y	min. \$9,830	min. \$10,120	varies	Varies	3.0%
Amendments to Spine Services Development Agreement	each	Y	min. \$1,840	min. \$1,890	varies	Varies	2.7%
Miscellaneous Agreements (based on complexity)	each	Y	min. \$430	min. \$440	varies	Varies	2.3%

**TOWN OF NEWMARKET
2017 USER FEES
SCHEDULE C**

Department: Legal Services

Effective Date: January 1, 2017

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 Municipal Solicitor and based on the hourly rate of **\$288.00** per lawyer and **\$113** 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	2016 FEE BEFORE TAX	2017 FEE BEFORE TAX	HST AMOUNT	TOTAL FEE	% INCREASE
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. \$9,830	min. \$10,120	varies	Varies	3.0%
Plus Additional Fee for Each Lot - 101 to 250 Lots	per lot	Y	\$ 33.00	\$ 33.99	\$4.42	\$38.41	3.0%
Plus Additional Fee for Each Lot - 251 to 400 Lots	per lot	Y	\$ 21.30	\$ 21.94	\$2.85	\$24.79	3.0%
Plus Additional Fee for Each Lot – 401 and over	per lot	Y	\$ 13.90	\$ 14.32	\$1.86	\$16.18	3.0%
Standard Subdivision Agreement	each	Y	min. \$6,300	min. \$6,490	varies	Varies	3.0%
Amendments to Standard Subdivision Agreement	each	Y	min. \$1,910	min. \$1,970	varies	Varies	3.2%
Commercial/Industrial	base fee	Y	\$ 6,360.00	\$ 6,550.00	\$851.50	\$7,401.50	3.0%
Commercial/Industrial	per acre	Y	\$ 130.00	\$ 135.00	\$17.55	\$152.55	3.8%
Security Release Requests	each	Y	min. \$350	min. \$360	varies	Varies	2.9%
Security Reduction Requests	each	Y	min. \$180	min. \$185	varies	Varies	2.8%

**TOWN OF NEWMARKET
2017 USER FEES
SCHEDULE C**

Department: Legal Services

Effective Date: January 1, 2017

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 Municipal Solicitor and based on the hourly rate of **\$288.00** per lawyer and **\$113** 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	2016 FEE BEFORE TAX	2017 FEE BEFORE TAX	HST AMOUNT	TOTAL FEE	% INCREASE
SITE PLAN AGREEMENTS							
Commercial/Industrial Sites including commercial, residential or multi-use condominiums (Head Agreements)	each	Y	min. \$870	min. \$1600	varies	Varies	83.9%
Commercial/Industrial Sites including commercial, residential or multi-use condominiums (Amendments to Head Agreements)	each	Y	min. \$560	min. \$650	varies	Varies	16.1%
Private Schools	each	Y	min. \$560	min. \$650	varies	Varies	16.1%
Regional Schools	each	Y	min. \$560	min. \$650	varies	Varies	16.1%
Region of York	each	Y	min. \$870	min. \$1600	varies	Varies	83.9%
All other Site Plan/Development Agreements	each	Y	min. \$870	min. \$1600	varies	Varies	83.9%
All other Amending Site Plan/Development Agreements	each	Y	min. \$580	min. \$650	varies	Varies	13.0%
Security Release Requests	each	Y	min. \$350	min. \$360	varies	Varies	2.9%
Security Reduction Requests	each	Y	min. \$180	min. \$185	varies	Varies	2.8%

**TOWN OF NEWMARKET
2017 USER FEES
SCHEDULE C**

Department: Legal Services

Effective Date: January 1, 2017

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 Municipal Solicitor and based on the hourly rate of **\$288.00** per lawyer and **\$113** 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	2016 FEE BEFORE TAX	2017 FEE BEFORE TAX	HST AMOUNT	TOTAL FEE	% INCREASE
OTHER							
Compliance Letters (For 48 hour turnaround, add 25%) (Legal issues only)	each	Y	min. \$170	min. \$175	varies	Varies	3.0%
Release of Agreement	each	Y	min. \$280	min. \$290	varies	Varies	3.6%
Discharge Mortgage –Per Discharge	each	Y	min. \$250	min. \$260	varies	Varies	4.0%
Property Standards Order – Compliance Release (preparation of discharge and registration per order)	each	Y	min. \$300	min. \$310	varies	Varies	3.3%
Release Documents, Restrictions, Easements, etc.	each	Y	min. \$250	min. \$260	varies	Varies	4.0%
Bylaws that Require Registration	each	Y	min. \$310	min. \$320	varies	Varies	3.2%
Transfers of land and easements or other conveyances not pursuant to a development agreement	each	Y	min. \$600	min. \$620	varies	Varies	3.3%
Reconveyance of land pursuant to an Agreement	each	Y	min. \$600	min. \$620	varies	Varies	3.3%
Registration of Miscellaneous Documents	each	Y	min. \$300	min. \$310	varies	Varies	3.3%
Miscellaneous letters in response to requests for information	each	Y	min. \$170	min. \$175	varies	Varies	3.0%
Renewal Miscellaneous Agreements	each	Y	min. \$500	min. \$515	varies	Varies	3.0%
Disposal of Town Land (disbursements, surveys, appraisals, etc. would be in addition to this fee)	each	Y	min. \$1000	min. \$1030	varies	Varies	3.0%

**TOWN OF NEWMARKET
2017 USER FEES
SCHEDULE D**

Department: Public Works

Effective Date: January 1, 2017

SERVICE PROVIDED	UNIT OF MEASURE	2016 Base Fee	2016 Admin Fee	SUBJECT TO HST YES/NO	TOTAL 2016 FEE BEFORE TAX	TOTAL 2017 FEE BEFORE TAX	HST AMOUNT	TOTAL FEE	% INCREASE
Parks									
Installation of Banners on Main & Water				Y	\$ 650.33	\$ 669.84	\$ 87.08	\$ 756.92	3.0%
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	\$ 373.12	\$ 48.51	\$ 421.62	3.0%
Veteran's Memorial Walkway Stones (Large)	Each			Y	\$ 310.50	\$ 319.82	\$ 41.58	\$ 361.39	3.0%
Veteran's Memorial Walkway Stones (Small)	Each			Y	\$ 155.25	\$ 159.91	\$ 20.79	\$ 180.70	3.0%
Celebration Bench	Each			Y	\$ 1,035.00	\$ 1,066.05	\$ 138.59	\$ 1,204.64	3.0%
Reflection Bench	Each			Y	\$ 1,552.50	\$ 1,599.08	\$ 207.88	\$ 1,806.95	3.0%
Sewer									
Special Sanitary Sewer Charge - Infilling Lot	per residential unit			N	\$ 439.21	\$ 452.39	\$ -	\$ 452.39	3.0%
Inspection Fee for Res. San. Service Installed by Owner		\$ 146.10	\$ 21.92	Y	\$ 168.02	\$ 173.06	\$ 22.50	\$ 195.56	3.0%
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	\$ 184.58	\$ 23.99	\$ 208.57	3.0%
Water Construction Charge	Residential			N	\$ 87.36	\$ 89.98	\$ -	\$ 89.98	3.0%
	Commercial/ Industrial/ Institutional			N	\$ 146.27	\$ 150.66	\$ -	\$ 150.66	3.0%
Watermain Tap for Residential Water Service (by Town)		\$ 421.50	\$ 63.22	Y	\$ 484.72	\$ 499.26	\$ 64.90	\$ 564.17	3.0%
Turn Water Off / On for Unpaid Water Bill	During Regular Working Hours	\$ 118.83	\$ 17.82	Y	\$ 136.65	\$ 140.75	\$ 18.30	\$ 159.05	3.0%
	Emergency After Hours	\$ 340.90	\$ 51.14	Y	\$ 392.04	\$ 403.80	\$ 52.49	\$ 456.30	3.0%
Repair/Replace Anti-Tampering device Hydrant or valve	Hydrant	\$ 415.88	\$ 62.38	Y	\$ 478.26	\$ 492.61	\$ 64.04	\$ 556.65	3.0%
		\$ 287.17	\$ 43.08	Y	\$ 330.25	\$ 340.16	\$ 44.22	\$ 384.38	3.0%
Inspection Fee for Residential Water Service Installed by Owner		\$ 126.62	\$ 18.99	Y	\$ 145.61	\$ 149.98	\$ 19.50	\$ 169.48	3.0%
Water Valve Operating After Hours – related to developments		\$ 418.79	\$ 62.82	Y	\$ 481.61	\$ 496.06	\$ 64.49	\$ 560.55	3.0%
Water Collection Fee	Per application			Y	\$ 41.74	\$ 42.99	\$ 5.59	\$ 48.58	3.0%
Water - Bulk Rate	Per 1000 gallon			N	\$ 21.54	\$ 23.09	\$ -	\$ 23.09	7.2%
	Per liter			N	\$ 0.004738	\$ 0.005079	\$ -	\$ 0.005079	7.2%
Special Water Charge - Infilling Lot (For new developments)	Per residential unit			N	\$ 527.05	\$ 542.86	\$ -	\$ 542.86	3.0%
Meter Seal - Return Visit		\$ 131.50	\$ 19.73	Y	\$ 151.23	\$ 155.77	\$ 20.25	\$ 176.02	3.0%
Valve Locate or Line Tracing		\$ 112.02	\$ 16.80	Y	\$ 128.82	\$ 132.68	\$ 17.25	\$ 149.93	3.0%

**TOWN OF NEWMARKET
2017 USER FEES
SCHEDULE D**

Department: Public Works

Effective Date: January 1, 2017

SERVICE PROVIDED	UNIT OF MEASURE	2016 Base Fee	2016 Admin Fee	SUBJECT TO HST YES/NO	TOTAL 2016 FEE BEFORE TAX	TOTAL 2017 FEE BEFORE TAX	HST AMOUNT	TOTAL FEE	% INCREASE
Water Meters									
Installed by Builder/Plumber	16x13 (5/8"x 1/2")			Y	\$ 389.07	\$ 400.74	\$ 52.10	\$ 452.84	3.0%
Installed by Builder/Plumber	16x19 (5/8"x3/4")			Y	\$ 389.07	\$ 400.74	\$ 52.10	\$ 452.84	3.0%
Installed by Builder/Plumber	19 (3/4")			Y	\$ 407.98	\$ 420.22	\$ 54.63	\$ 474.85	3.0%
Installed by Builder/Plumber	25.0 (1")			Y	\$ 425.24	\$ 438.00	\$ 56.94	\$ 494.94	3.0%
Installed by Builder/Plumber	38 (1-1/2")			Y	\$ 806.38	\$ 830.57	\$ 107.97	\$ 938.55	3.0%
Installed by Builder/Plumber	50 (2")			Y	\$ 1,077.84	\$ 1,110.18	\$ 144.32	\$ 1,254.50	3.0%
75 Compound (3") Installed by Dev.	(including cost of strainers)			Y	\$ 4,354.25	\$ 4,484.88	\$ 583.03	\$ 5,067.91	3.0%
100 Compound (4") Installed by Dev.	(including cost of strainers)			Y	\$ 6,853.71	\$ 7,059.32	\$ 917.71	\$ 7,977.03	3.0%
Note: No Refunds on Water Meters									
Other Services									
Municipal Consents	Regular Service			N	\$ 472.16	\$ 486.32	\$ -	\$ 486.32	3.0%
Water Saving Kits	Each			Y	\$ 9.44	\$ 9.72	\$ 1.26	\$ 10.99	3.0%
Fire Route/Handi Cap Signs	Each			Y	\$ 38.44	\$ 39.59	\$ 5.15	\$ 44.74	3.0%
Street Name/Stop Signs, Hardware & Post	Each			Y	\$ 469.96	\$ 484.06	\$ 62.93	\$ 546.99	3.0%
Anti-Tampering Devices -Hydrant/Valve	Each			Y	\$ 131.75	\$ 135.70	\$ 17.64	\$ 153.34	3.0%
Anti-Iliding Signs	Each			Y	\$ 42.84	\$ 44.13	\$ 5.74	\$ 49.86	3.0%
Road Occupancy Permit	Each			N	\$ 76.86	\$ 79.17	\$ -	\$ 79.17	3.0%
Temporary Encroachment on Roadways	Per m2/week			Y	\$ 2.69	\$ 2.77	\$ 0.36	\$ 3.13	3.0%
Temporary Encroachment on Boulevard/ Sidewalk	Per m2/week			Y	\$ 0.29	\$ 0.30	\$ 0.04	\$ 0.34	3.0%
Aerial Crane Tresspass	Per Month			Y	\$ 533.03	\$ 549.02	\$ 71.37	\$ 620.39	3.0%
Construction Access Fee				Y	\$ 106.61	\$ 109.81	\$ 14.28	\$ 124.08	3.0%
Curb Cut – by Town Contractor		\$ 246.35	\$ 36.95	Y	\$ 283.30	\$ 291.80	\$ 37.93	\$ 329.73	3.0%
Curb Cut - by Town Contractor - RUSH		\$ 288.84	\$ 43.33	Y	\$ 332.17	\$ 342.14	\$ 44.48	\$ 386.61	3.0%
Curb Cut – without Approval		\$ 333.72	\$ 50.06	Y	\$ 383.78	\$ 395.29	\$ 51.39	\$ 446.68	3.0%
Graffiti Removal for Utilities	at Cost			Y	at cost				
Road Closure - Special Events				Y	\$ 33.02	\$ 34.01	\$ 4.42	\$ 38.43	3.0%

**TOWN OF NEWMARKET
2017 USER FEES
SCHEDULE D**

Department: **Public Works**

Effective Date: **January 1, 2017**

SERVICE PROVIDED	UNIT OF MEASURE	2016 Base Fee	2016 Admin Fee	SUBJECT TO HST YES/NO	TOTAL 2016 FEE BEFORE TAX	TOTAL 2017 FEE BEFORE TAX	HST AMOUNT	TOTAL FEE	% INCREASE
Solid Waste and Recycling									
White Goods (freezer, stove, etc.)				Y	\$ 10.62	\$ 10.62	\$ 1.38	\$ 12.00	0.0%
Commercial & Industrial/Apartment Wheel Carts	64 gallon			Y	\$ 150.44	\$ 150.44	\$ 19.56	\$ 170.00	0.0%
	95 gallon			Y	\$ 163.72	\$ 163.72	\$ 21.28	\$ 185.00	0.0%
Composters	Standard Size			Y	\$ 17.70	\$ 17.70	\$ 2.30	\$ 20.00	0.0%
Large Items (furniture, mattress, etc.)				Y	\$ 10.62	\$ 13.27	\$ 1.73	\$ 15.00	25.0%
Recycling Blue Box	Each			Y	\$ 8.85	\$ 8.85	\$ 1.15	\$ 10.00	0.0%
Garbage Bag Tags (Sold in Package of 5)				N	\$ 12.00	\$ 15.00	\$ -	\$ 15.00	25.0%
Special Refuse Cleanup	Actual + administration cost			N					
Source Separated Organics (SSO)	Large Bin			Y	\$ 17.70	\$ 17.70	\$ 2.30	\$ 20.00	0.0%
	Kitchen Bin			Y	\$ 5.31	\$ 5.31	\$ 0.69	\$ 6.00	0.0%
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	\$ 113.10	\$ 14.70	\$ 127.81	3.0%
Sanitary Connection - Local Improvement	Per application								
Water									
Water Connection – Residential/ICI - Road Allowance - owner to obtain qualified contractor	Owner's Cost to Install			Y		\$ -			
Water Connection Application	Per application			Y	\$ 109.81	\$ 113.10	\$ 14.70	\$ 127.81	3.0%
Water Meter Testing	Per Visit			Y		\$ 100.00	\$ 13.00	\$ 113.00	New
Water Shut-off (after hours)	Per Visit			Y		\$ 50.00	\$ 6.50	\$ 56.50	New
Other Services									
Road and boulevard inspection fee for security requirement or release related to private residential construction	Per application			Y	\$ 109.81	\$ 113.10	\$ 14.70	\$ 127.81	3.0%
Gate Application and Inspection	Each			Y	\$ 109.81	\$ 113.10	\$ 14.70	\$ 127.81	3.0%

**TOWN OF NEWMARKET
2017 USER FEES
SCHEDULE E**

Department: Engineering Services

Effective Date: Jan 1, 2017

SERVICE PROVIDED	UNIT OF MEASURE	SUBJECT TO HST YES/NO	2016 FEE BEFORE TAX	2017 FEE BEFORE TAX	HST AMOUNT	TOTAL FEE	% INCREASE
Development Services							
Subdivision Design Standard Manual	Each	Y	\$ 90.10	\$ 92.80	\$ 12.06	\$ 104.86	3.0%
Site Alteration Permit	Owner Occupied Residential	N	\$ 189.23	\$ 250.00	\$ -	\$ 250.00	32.1%
	All Other Types of Property	N	\$ 378.40	\$ 500.00	\$ -	\$ 500.00	32.1%
Engineering Checking & Inspection							
Site Plans handled fully in house	6% of the value of all site works and services outside of the buildings \$780.92 minimum	Y	\$ 758.18	\$ 780.92	\$ 101.52	\$ 882.44	3.0%
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% Admin Fee - minimum of \$780.92 of the value of outside works and services plus deposit for checking consultant	Y	\$ 758.18	\$ 780.92	\$ 101.52	\$ 882.44	3.0%
Subdivisions – Admin. Fee + Deposit for Checking Consultant	3% Admin Fee + 2.75% deposit for checking consultant	Y	\$ -			\$ -	
Overhead incurred for checking Consultant Invoicing	15% Admin Fee	Y	\$ -	New			

**TOWN OF NEWMARKET
2017 USER FEES
SCHEDULE E**

Department: Engineering Services

Effective Date: Jan 1, 2017

SERVICE PROVIDED	UNIT OF MEASURE	SUBJECT TO HST YES/NO	2016 FEE BEFORE TAX	2017 FEE BEFORE TAX	HST AMOUNT	TOTAL FEE	% INCREASE
Other Services							
Emergency Work Performed for Developer or Other	minimum \$1020.83 plus HST or Actual Cost + 15% Admin. Fee + HST	Y	\$ 991.10	\$ 1,020.83	\$ 132.71	\$ 1,153.54	3.0%
Coordination/administration of private works in Town contract or as part of private worksTown works in Region contract.	\$201.73 minimum + HST or Actual Cost + 15% Admin. Fee + HST	Y	\$ 195.85	\$ 201.73	\$ 26.22	\$ 227.95	3.0%
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	\$ 170.54	\$ 22.17	\$ 192.71	3.0%
Property Information	(legal, environmental, compliance)	Y	\$ 165.57	\$ 170.54	\$ 22.17	\$ 192.71	3.0%
Consultant's request for traffic counts (ATR or TMC)	Each	Y	\$ 115.38	\$ 118.84	\$ 15.45	\$ 134.29	3.0%

**TOWN OF NEWMARKET
2017 USER FEES
SCHEDULE F**

Department: Legislative Services- General Fees

Effective Date: Jan 1, 2017

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	2017 FEE BEFORE TAXES	HST AMOUNT	TOTAL FEE	% Increase
VITAL STATISTICS							
Death Registration	each	N	\$ 30.00	\$ 30.00	\$0.00	\$30.00	0.0%
GENERAL ADMINISTRATION							
Municipal Information - Liquor Application	each	N	\$ 165.00	\$ 170.00	\$0.00	\$165.00	3.0%
Ontario Municipal Board (OMB) Appeal Fee	each	N	\$ 155.00	\$ 160.00	\$0.00	\$155.00	3.2%
Property Standards Appeal Fee	each	N	\$ 160.00	\$ 165.00	\$0.00	\$165.00	3.1%
Property Standards Reinspection Fee	each	N	\$ 165.00	\$ 170.00	\$0.00	\$170.00	3.0%
Noise Exemption Application /Residential	each	N	\$ 56.00	\$ 58.00	\$0.00	\$58.00	3.6%
Noise Exemption Application/Construction	each	N	\$ 165.00	\$ 170.00	\$0.00	\$170.00	3.0%
Private Parking Administration Fee (minimum 3 hour)	per year	N	\$ 100.00	\$ 103.00	\$0.00	\$100.00	3.0%
Garbage Administration(large articles)	each	N	\$ 55.00	\$ 55.00	\$0.00	\$55.00	0.0%
POOLS							
Permit Fee - Above Ground Pool	each	N	\$ 160.00	\$ 165.00	\$0.00	\$165.00	3.1%
Permit Fee - Hot Tub	each	N	\$ 160.00	\$ 165.00	\$0.00	\$165.00	3.1%
Permit Fee - Inflatable Pool	each	N	\$ 160.00	\$ 165.00	\$0.00	\$165.00	3.1%
Permit Fee - Ponds	each	N	\$ 160.00	\$ 165.00	\$0.00	\$165.00	3.1%

**TOWN OF NEWMARKET
2017 USER FEES
SCHEDULE F**

Department: Legislative Services- General Fees

Effective Date: Jan 1, 2017

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	2017 FEE BEFORE TAXES	HST AMOUNT	TOTAL FEE	% Increase
SIGNS							
Sign By-law Exemption Fee	each	N	\$ 165.00	\$ 170.00	\$0.00	\$170.00	3.0%
Ground Sign	each	N	\$ 424.00	\$ 436.00	\$0.00	\$436.00	2.8%
Fascia Sign	each	N	\$ 424.00	\$ 436.00	\$0.00	\$436.00	2.8%
Mural Sign	each	N	\$ 424.00	\$ 436.00	\$0.00	\$436.00	2.8%
Projecting Sign	each	N	\$ 424.00	\$ 436.00	\$0.00	\$436.00	2.8%
Construction Information Sign	each	N	\$ 424.00	\$ 436.00	\$0.00	\$436.00	2.8%
Hoarding Sign	each	N	\$ 424.00	\$ 436.00	\$0.00	\$436.00	2.8%
New Home Development Sign	each	N	\$ 106.00	\$ 109.00	\$0.00	\$109.00	2.8%
Development Sign	each	N	\$ 424.00	\$ 436.00	\$0.00	\$436.00	2.8%
Portable Sign	each	N	\$ 106.00	\$ 109.00	\$0.00	\$109.00	2.8%
Mobile Sign	each	N	\$ 106.00	\$ 109.00	\$0.00	\$109.00	2.8%
Inflatable Sign	each	N	\$ 424.00	\$ 436.00	\$0.00	\$436.00	2.8%
Banner Sign	each	N	\$ 106.00	\$ 109.00	\$0.00	\$109.00	2.8%
Election Sign Deposit	each	N	\$ 250.00	\$ 250.00	\$0.00	\$250.00	0.0%
Election Sign Removal	per sign	N	\$ 25.00	\$ 25.00	\$0.00	\$25.00	0.0%
Billboard Sign	each	N	\$ 1,591.00	\$ 1,638.00	\$0.00	\$1,638.00	3.0%
Billboard Sign Renewal	every 5 years	N	\$ 530.00	\$ 546.00	\$0.00	\$546.00	3.0%
Variance Fee - Staff Review	per review	N	\$ 265.00	\$ 273.00	\$0.00	\$273.00	3.0%
Variance Fee - Committee	per review	N	\$ 530.00	\$ 546.00	\$0.00	\$546.00	3.0%
Sign Removal	each	N	\$ 160.00	\$ 165.00	\$0.00	\$165.00	3.1%
Lens Replacement	each	N	\$ 212.00	\$ 218.00	\$0.00	\$218.00	2.8%

**TOWN OF NEWMARKET
2017 USER FEES
SCHEDULE F**

Department: Legislative Services- General Fees

Effective Date: Jan 1, 2017

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	2017 FEE BEFORE TAXES	HST AMOUNT	TOTAL FEE	% Increase
Sign Fees for Yonge St. until December 31, 2017							
Ground Sign	each	N	\$ 150.00	\$ 150.00	\$0.00	\$150.00	0.0%
Fascia Sign	each	N	\$ 150.00	\$ 150.00	\$0.00	\$150.00	0.0%
Mural Sign	each	N	\$ 400.00	\$ 400.00	\$0.00	\$400.00	0.0%
Projecting Sign	each	N	\$ 150.00	\$ 150.00	\$0.00	\$150.00	0.0%
Construction Information Sign	each	N	\$ 150.00	\$ 150.00	\$0.00	\$150.00	0.0%
Hoarding Sign	each	N	\$ 400.00	\$ 400.00	\$0.00	\$400.00	0.0%
New Home Development Sign	each	N	\$ 80.00	\$ 80.00	\$0.00	\$80.00	0.0%
Portable Sign	each	N	\$ 80.00	\$ 80.00	\$0.00	\$80.00	0.0%
Mobile Sign	each	N	\$ 80.00	\$ 80.00	\$0.00	\$80.00	0.0%
Inflatable Sign	each	N	\$ 150.00	\$ 150.00	\$0.00	\$150.00	0.0%
Banner Sign	each	N	\$ 100.00	\$ 100.00	\$0.00	\$100.00	0.0%
Election Sign Deposit	each	N	\$ 250.00	\$ 250.00	\$0.00	\$250.00	0.0%
Election Sign Removal	per sign	N	\$ 25.00	\$ 25.00	\$0.00	\$25.00	0.0%
Billboard Sign	each	N	\$ 1,500.00	\$ 1,500.00	\$0.00	\$1,500.00	0.0%
Billboard Sign Renewal	every 5 years	N	\$ 500.00	\$ 500.00	\$0.00	\$500.00	0.0%
Variance Fee - Staff Review	per review	N	\$ 250.00	\$ 250.00	\$0.00	\$250.00	0.0%
Variance Fee - Committee	per review	N	\$ 500.00	\$ 500.00	\$0.00	\$500.00	0.0%
Sign Removal	each	N	\$ 150.00	\$ 150.00	\$0.00	\$150.00	0.0%
Commissioning of Documents (except foreign pensions)	\$15 per document	Y	\$ 15.04	\$ 15.04	\$1.96	\$17.00	0.0%
Certification of Document	\$5 per document to a maximum of \$25	Y	\$ 4.35	\$ 4.35	\$0.65	\$5.00	0.0%

**TOWN OF NEWMARKET
2017 USER FEES
SCHEDULE F**

Department: Legislative Services- General Fees

Effective Date: Jan 1, 2017

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	2017 FEE BEFORE TAXES	HST AMOUNT	TOTAL FEE	% Increase
PARKING ENFORCEMENT							
Parking Enforcement Private Special Events (minimum 3 hours)	per hour	N	\$ 50.00	\$ 50.00	\$0.00	\$50.00	n/a
Parking Enforcement Charities & Non-Profit Organizations (minimum 3 hours)	per hour	N	\$ 35.00	\$ 35.00	\$0.00	\$35.00	n/a
Parking Enforcement Filming (minimum 3 hours)	per hour	N	\$ 60.00	\$ 60.00	\$0.00	\$60.00	n/a
FILMING PERMIT							
Administration Fee		N	\$ -	\$ 125.00	\$0.00	\$125.00	n/a
Film Permit Fee	each	N	\$ 250.00	\$ 425.00	\$0.00	\$425.00	70.0%
Administration Fee - private property		N	\$ 140.00	\$ 145.00	\$0.00	\$145.00	3.6%
Municipal Property Fee	if applicable	N	\$ 257.50	\$ 265.00	\$0.00	\$265.00	2.9%
Contribution to Main Street District BIA if filming within designated BIA		N	\$ 1,000.00	\$ 1,000.00	\$0.00	\$1,000.00	0.0%
Security Deposit - No Special Effects	each	N	\$500 to \$5000	\$ 1,500.00	\$0.00	\$1,500.00	n/a
Security Deposit - Minor Special Effects	each	N		\$ 5,000.00	\$0.00	\$5,000.00	n/a
Security Deposit - No Special Effects	each	N		\$ 20,000.00	\$0.00	\$20,000.00	n/a

**TOWN OF NEWMARKET
2017 USER FEES
SCHEDULE F**

Department: Legislative Services- General Fees

Effective Date: Jan 1, 2017

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	2017 FEE BEFORE TAXES	HST AMOUNT	TOTAL FEE	% Increase
REGISTRATION OF ACCESSORY DWELLING UNITS							
Application (Non-refundable)	each	N	\$ 250.00	\$ 250.00	\$0.00	\$250.00	0.0%
Lost identification plate	each	N	\$ 10.00	\$ 10.00	\$0.00	\$10.00	0.0%
Accessory Dwelling Unit Appeal	each	N	\$ 100.00	\$ 100.00	\$0.00	\$100.00	0.0%
FENCE VIEWING							
Administration Fee		N	\$ 250.00	\$ 250.00	\$0.00	\$250.00	0.0%
Fence Viewer's Inspection Fee	per person	N	\$ 50.00	\$ 50.00	\$0.00	\$50.00	0.0%
MARRIAGES							
Marriage Licence	each licence	N	\$ 135.00	\$ 140.00	\$0.00	\$140.00	3.7%
Civil Marriage Solemnization Service Fee	per service	Y	\$ 412.00	\$ 425.00	\$53.56	\$478.56	3.2%
Witness Fee	per person	Y	\$ 52.00	\$ 54.00	\$6.76	\$60.76	3.8%
Rehearsal Fee for offsite	per service	Y	\$ 77.25	\$ 80.00	\$10.04	\$90.04	3.6%
Marriage License/Cermony package	per service	Y	\$ 500.00	\$ 515.00	\$52.00	\$567.00	3.0%
Administration fee to be charged for change of wedding date within 7 days		Y	\$ 26.00	\$ 27.00	\$3.38	\$30.38	3.8%
Administration Fee to be charged for cancellation before consultation		Y	\$ 51.50	\$ 53.00	\$6.70	\$59.70	2.9%
Administration fee to be charged for cancellation after consultation		Y	\$ 154.50	\$ 160.00	\$20.09	\$180.09	3.6%
LOTTERY LICENCES							

**TOWN OF NEWMARKET
2017 USER FEES
SCHEDULE F**

Department: Legislative Services- General Fees

Effective Date: Jan 1, 2017

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	2017 FEE BEFORE TAXES	HST AMOUNT	TOTAL FEE	% Increase
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	\$ 200.00	\$0.00	\$200.00	0.0%
	Regional Councillor	N	\$ 100.00	\$ 100.00	\$0.00	\$100.00	0.0%
	Councillor	N	\$ 100.00	\$ 100.00	\$0.00	\$100.00	0.0%
FREEDOM OF INFORMATION							
Application	each	N	\$ 5.00	\$ 5.00	\$0.00	\$5.00	0.0%
Photo Copies	per page	N	\$ 0.20	\$ 0.20	\$0.00	\$0.20	0.0%
Disks	per disk	N	\$ 10.00	\$ 10.00	\$0.00	\$10.00	0.0%
Manually Searching Records \$7.50 per ¼ hour	per hour	N	\$ 30.00	\$ 30.00	\$0.00	\$30.00	0.0%
Preparation of Record of Disclosure	per hour	N	\$ 30.00	\$ 30.00	\$0.00	\$30.00	0.0%
Developing a Computer Program \$15.00 per ¼ hour	per hour	N	\$ 60.00	\$ 60.00	\$0.00	\$60.00	0.0%



CORPORATION OF THE TOWN OF NEWMARKET

BY-LAW NUMBER 2016-65

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 2015-56 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 2015-56.

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 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 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, 2017 at which time By-law 2015-56 be repealed.

ENACTED THIS 5TH DAY OF DECEMBER, 2016.

Tony Van Bynen, Mayor

Esther Armchuk, Acting Town Clerk

**TOWN OF NEWMARKET
2017 USER FEES
SCHEDULE A**

Department: Planning

Effective Date:

January 1, 2017

SERVICE PROVIDED	UNIT OF MEASURE	SUBJECT TO HST YES/NO	2016 FEE BEFORE TAX	2017 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	Y	\$ 22,797.18	\$ 23,481.10	\$ 3,052.54	\$ 26,533.64	3.0%
Zoning By-law Amendment	each	Y	\$ 19,871.54	\$ 20,467.69	\$ 2,660.80	\$ 23,128.49	3.0%
Subdivision - Residential	Base fee	Y	\$ 72,432.75	\$ 74,605.73	\$ 9,698.74	\$ 84,304.47	3.0%
	Plus per unit	Y	\$ 187.52	\$ 193.15	\$ 25.11	\$ 218.26	3.0%
Subdivision - Commercial	Base fee	Y	\$ 77,715.01	\$ 80,046.46	\$ 10,406.04	\$ 90,452.50	3.0%
	Plus per hectare	Y	\$ 1,437.62	\$ 1,480.75	\$ 192.50	\$ 1,673.25	3.0%
Subdivision - Industrial	Base fee	Y	\$ 79,871.52	\$ 82,267.67	\$ 10,694.80	\$ 92,962.47	3.0%
	Plus per hectare	Y	\$ 359.40	\$ 370.18	\$ 48.12	\$ 418.30	3.0%
Subdivision - Institutional	Base fee	Y	\$ 79,151.67	\$ 81,526.22	\$ 10,598.41	\$ 92,124.63	3.0%
	Plus per hectare	Y	\$ 718.82	\$ 740.38	\$ 96.25	\$ 836.63	3.0%
Revision of Draft Plan Approval Requiring Circulation	each application	Y	\$ 2,795.74	\$ 2,879.61	\$ 374.35	\$ 3,253.96	3.0%

**TOWN OF NEWMARKET
2017 USER FEES
SCHEDULE A**

Department: Planning

Effective Date:

January 1, 2017

SERVICE PROVIDED	UNIT OF MEASURE	SUBJECT TO HST YES/NO	2016 FEE BEFORE TAX	2017 FEE BEFORE TAX	HST AMOUNT	TOTAL FEE	% INCREASE
Revision to Conditions of Draft Approval	each application	Y	\$ 2,795.74	\$ 2,879.61	\$ 374.35	\$ 3,253.96	3.0%
Extension of Draft Approval	each application	Y	\$ 1,397.85	\$ 1,439.79	\$ 187.17	\$ 1,626.96	3.0%
Registration of each Phase of a Plan	each	Y	\$ 1,397.85	\$ 1,439.79	\$ 187.17	\$ 1,626.96	3.0%
Site Plan - Residential	each	Y	\$ 37,218.95	\$ 38,335.52	\$ 4,983.62	\$ 43,319.14	3.0%
	Plus per unit	Y	\$ 187.52	\$ 193.15	\$ 25.11	\$ 218.26	3.0%
Site Plan - High Rise Office Commercial	Per 1,800 m ² of gross floor area	Y	\$ 12,179.05	\$ 12,544.42	\$ 1,630.77	\$ 14,175.19	3.0%
Site Plan - All Other	each	Y	\$ 11,947.42	\$ 12,305.84	\$ 1,599.76	\$ 13,905.60	3.0%
Condominium - Residential	each	Y	\$ 33,359.13	\$ 34,359.90	\$ 4,466.79	\$ 38,826.69	3.0%
	Plus per unit	Y	\$ 187.52	\$ 193.15	\$ 25.11	\$ 218.26	3.0%
Condominium - All Other	each	Y	\$ 8,370.67	\$ 8,621.79	\$ 1,120.83	\$ 9,742.62	3.0%
Removal of Holding (H)	each	Y	\$ 3,703.72	\$ 3,814.83	\$ 495.93	\$ 4,310.76	3.0%
Part Lot Control	each	Y	\$ 1,754.77	\$ 1,807.41	\$ 234.96	\$ 2,042.37	3.0%
Consent - Severance	each	Y	\$ 6,238.07	\$ 6,425.21	\$ 835.28	\$ 7,260.49	3.0%

**TOWN OF NEWMARKET
2017 USER FEES
SCHEDULE A**

Department: Planning

Effective Date:

January 1, 2017

SERVICE PROVIDED	UNIT OF MEASURE	SUBJECT TO HST YES/NO	2016 FEE BEFORE TAX	2017 FEE BEFORE TAX	HST AMOUNT	TOTAL FEE	% INCREASE
Consent - Other	each	Y	\$ 4,159.21	\$ 4,283.99	\$ 556.92	\$ 4,840.91	3.0%
Minor Variance	each	Y	\$ 1,394.81	\$ 1,436.65	\$ 186.76	\$ 1,623.41	3.0%
Special Committee of Adjustment Meeting for Emergent Issues	each	Y	\$ 957.77	\$ 986.50	\$ 128.25	\$ 1,114.75	3.0%
Sign or fence By-law variance - within the jurisdiction of staff	each	Y	\$ 83.70	\$ 86.21	\$ 11.21	\$ 97.42	3.0%
Sign or fence By-law variance or appeal to the Variance Committee	each	Y	\$ 494.38	\$ 509.21	\$ 66.20	\$ 575.41	3.0%
Telecommunications Tower	each	Y	\$ 11,777.16	\$ 12,130.47	\$ 1,576.96	\$ 13,707.43	3.0%
Application Reactivation Fee	each	Y	\$ 631.78	\$ 650.73	\$ 84.59	\$ 735.32	3.0%
	Plus Annual Increase	Y					
Woodlot Preservation Application (By-Law 2007-71)	per tree	Y	\$ 126.36	\$ 130.15	\$ 16.92	\$ 147.07	3.0%
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	N	\$ 150.00	\$ 154.50	\$ -	\$ 154.50	3.0%
Peer Review and/or External Consulting Fees	Actual Cost	Y					
Planning Administrative Fee	5% of consultant's fee	Y					

**TOWN OF NEWMARKET
2017 USER FEES
SCHEDULE A**

Department: Planning

Effective Date:

January 1, 2017

SERVICE PROVIDED	UNIT OF MEASURE	SUBJECT TO HST YES/NO	2016 FEE BEFORE TAX	2017 FEE BEFORE TAX	HST AMOUNT	TOTAL FEE	% INCREASE
Referral of Plan to Ontario Municipal Board	each	N	\$ 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		Y	\$ 20,321.96	\$ 20,931.62	\$ 2,721.11	\$ 23,652.73	3.0%
Residential Subdivisions (more than 30 lots)		Y	\$ 20,332.41	\$ 20,942.38	\$ 2,722.51	\$ 23,664.89	3.0%
All other Subdivisions		Y	\$ 15,242.22	\$ 15,699.49	\$ 2,040.93	\$ 17,740.42	3.0%
Coordination Fee for Engineering Drawing Submissions beyond 4 th Submission (payable at time of 5 th submission)							
Industrial Subdivisions		Y	\$ 4,981.61	\$ 5,131.06	\$ 667.04	\$ 5,798.10	3.0%
Residential Subdivisions (more than 30 lots)		Y	\$ 4,981.61	\$ 5,131.06	\$ 667.04	\$ 5,798.10	3.0%
All other Subdivisions		Y	\$ 2,490.79	\$ 2,565.51	\$ 333.52	\$ 2,899.03	3.0%

**TOWN OF NEWMARKET
2017 USER FEES
SCHEDULE A**

Department: Planning

Effective Date:

January 1, 2017

SERVICE PROVIDED	UNIT OF MEASURE	SUBJECT TO HST YES/NO	2016 FEE BEFORE TAX	2017 FEE BEFORE TAX	HST AMOUNT	TOTAL FEE	% INCREASE
Miscellaneous Items							
Photocopies	each	Y	\$ 0.90	\$ 0.93	\$ 0.12	\$ 1.05	3.3%
Zoning By-law Amendment (copy)	each	Y	\$ 3.35	\$ 3.45	\$ 0.45	\$ 3.90	2.9%
Street Maps (36" X 42")	each	Y	\$ 15.80	\$ 16.27	\$ 2.12	\$ 18.39	3.0%
Full Size Drawings (Copies)	each	Y	\$ 15.80	\$ 16.27	\$ 2.12	\$ 18.39	3.0%
Zoning Maps	each	Y	\$ 6.60	\$ 6.80	\$ 0.88	\$ 7.68	3.0%
Developments Pending Map	each	Y	\$ 15.80	\$ 16.27	\$ 2.12	\$ 18.39	3.0%
Lot Map	each	Y	\$ 15.80	\$ 16.27	\$ 2.12	\$ 18.39	3.0%
OPA	each	Y	\$ 7.95	\$ 8.19	\$ 1.06	\$ 9.25	3.0%
Yonge Street Study	each	Y	\$ 22.48	\$ 23.15	\$ 3.01	\$ 26.16	3.0%
Newmarket Official Plan 2006-2026 (Approved Version)	each	Y	\$ 54.06	\$ 55.68	\$ 7.24	\$ 62.92	3.0%

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**TOWN OF NEWMARKET
2017 USER FEES
SCHEDULE A**

Department: Planning

Effective Date:

January 1, 2017

SERVICE PROVIDED	UNIT OF MEASURE	SUBJECT TO HST YES/NO	2016 FEE BEFORE TAX	2017 FEE BEFORE TAX	HST AMOUNT	TOTAL FEE	% INCREASE
Bylaw 1979 - 50	each	Y	\$ 55.40	\$ 57.06	\$ 7.42	\$ 64.48	3.0%
Zoning Bylaw 2010-40	each	Y	\$ 68.35	\$ 70.40	\$ 9.15	\$ 79.55	3.0%
Street Number Maps (set)	each	Y	\$ 79.18	\$ 81.56	\$ 10.60	\$ 92.16	3.0%
Zoning Confirmation Letter	each	Y	\$ 85.26	\$ 87.82	\$ 11.42	\$ 99.24	3.0%
Zoning Compliance Letters	each	Y	\$ 144.69	\$ 149.03	\$ 19.37	\$ 168.40	3.0%
Newmarket Historic Downtown Community Improvement Plan (CIP)	each	Y	\$ 13.20	\$ 13.60	\$ 1.77	\$ 15.37	3.0%
CIP Design Guidelines	each	Y	\$ 6.60	\$ 6.80	\$ 0.88	\$ 7.68	3.0%
Oak Ridges Moraine (OPA)	each	Y	\$ 46.18	\$ 47.57	\$ 6.18	\$ 53.75	3.0%
Oak Ridges Moraine (Zoning Bylaw)	each	Y	\$ 6.60	\$ 6.80	\$ 0.88	\$ 7.68	3.0%
Owner Request for Change of Address	each	Y	\$ 159.91	\$ 164.71	\$ 21.41	\$ 186.12	3.0%

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CORPORATION OF THE TOWN OF NEWMARKET

BY-LAW NUMBER 2016-66

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 2015-55 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 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 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, 2017 at which time By-law 2015-55 be repealed.

ENACTED THIS 5TH DAY OF DECEMBER, 2016.

Tony Van Bynen, Mayor

Esther Armchuk, Acting Town Clerk

**TOWN OF NEWMARKET
2017 USER FEES
SCHEDULE A**

Department: Fire Services

Effective Date: January 1, 2017

SERVICE PROVIDED	UNIT OF MEASURE	TIMELINES	SUBJECT TO HST YES/NO	2016 FEE BEFORE TAX	2017 FEE BEFORE TAX	HST AMOUNT	TOTAL FEE	% INCREASE
Apartment/Office Inspections Base Building	One to five storey premises	6 hours	Y	\$356.46	\$367.15	\$47.73	\$414.88	3.0%
	Six or more storey premises	8 hours	Y	\$475.29	\$489.55	\$63.64	\$553.19	3.0%
	Each additional unit	1.5 hours	Y	\$89.12	\$91.79	\$11.93	\$103.73	3.0%
	Day Care Home Inspection	1.5 hours	Y	\$89.12	\$91.79	\$11.93	\$103.73	3.0%
	Day Nursery Inspection	1.5 hours	Y	\$89.12	\$91.79	\$11.93	\$103.73	3.0%
Request for Report	Faxing or Mailing Reports	0.75 hours	Y	\$44.56	\$45.90	\$5.97	\$51.86	3.0%
Hazardous Materials Response (any location)	First hour per fire unit/flat rate		N	\$450.00	\$450.00	\$0.00	\$450.00	0.0%
	Each additional ½ hour per fire unit		N	\$225.00	\$225.00	\$0.00	\$225.00	0.0%
	Per hour/firefighter plus material used		N	\$45.84	\$47.22	\$0.00	\$47.22	3.0%
	Per hour/officer plus material used		N	\$52.71	\$54.29	\$0.00	\$54.29	3.0%
Industrial & Commercial Inspection	Per single industrial unit	1.5 hours	Y	\$89.12	\$91.79	\$11.93	\$103.73	3.0%
	Each additional unit	1.5 hours	Y	\$89.12	\$91.79	\$11.93	\$103.73	3.0%
	LLBO Inspections	2 hours	Y	\$118.83	\$122.39	\$15.91	\$138.31	3.0%

**TOWN OF NEWMARKET
2017 USER FEES
SCHEDULE A**

Department: Fire Services

Effective Date: January 1, 2017

SERVICE PROVIDED	UNIT OF MEASURE	TIMELINES	SUBJECT TO HST YES/NO	2016 FEE BEFORE TAX	2017 FEE BEFORE TAX	HST AMOUNT	TOTAL FEE	% INCREASE
Provincial Highway Accident Responses	First hour per fire unit/flat rate		N	\$450.00	\$450.00	\$0.00	\$450.00	0.0%
	Each additional ½ hour per fire unit		N	\$225.00	\$225.00	\$0.00	\$225.00	0.0%
Property File Search	File Search and Response	1.5 hours	Y	\$89.12	\$91.79	\$11.93	\$103.72	3.0%
Retrofit Inspections (9.5, 9.6)		6 hours	Y	\$356.46	\$367.15	\$47.73	\$414.88	3.0%
Retrofit Inspections (9.8)		3 hours	Y	\$190.12	\$195.82	\$25.46	\$221.28	3.0%
Paid Duty Truck Stand-by	First hour per fire unit/flat rate		N	\$450.00	\$450.00	\$0.00	\$450.00	0.0%
	Each additional ½ hour per fire unit		N	\$225.00	\$225.00	\$0.00	\$225.00	0.0%
	Per hour/firefighter plus material used		N	\$45.84	\$47.22	\$0.00	\$47.22	3.0%
	Per hour/officer plus material used		N	\$52.71	\$54.29	\$0.00	\$54.29	3.0%
Fireworks Permit Fee			N	\$97.30	\$100.22	\$0.00	\$100.22	3.0%
Extinguisher Training Using Classroom and Burn Pan	Per session up to 20 people with own extinguishers		Y	\$362.25	\$373.12	\$48.51	\$421.62	3.0%
Chronic False Alarm (preventable cause)-after two responses	Per unit/per incident		N	\$450.00	\$450.00	\$0.00	\$450.00	0.0%

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CORPORATION OF THE TOWN OF NEWMARKET

BY-LAW NUMBER 2016-67

A BY-LAW TO ADOPT A STORMWATER MANAGEMENT SERVICES CHARGE BY THE TOWN OF NEWMARKET.

WHEREAS the *Municipal Act, 2001*, S.O. 2001 (the "Act"), authorizes a municipality to pass by-laws imposing fees and charges pertaining to a stormwater system pursuant to sections 9, 10, 11 and 391 of the Act;

AND WHEREAS Council deems it necessary and desirable to create a separate stormwater fee and charge to fund the operation, maintenance and capital projects pertaining to stormwater management;

AND WHEREAS the creation of a separate stormwater charge to fund stormwater management (the "Stormwater Charge") will bring greater transparency to the cost of providing and maintaining the stormwater management service with the Town;

AND WHEREAS it is deemed just that the cost of operating, maintaining and upgrading the stormwater management service is paid for by those who benefit from this service;

AND WHEREAS the Council desires to implement a credit program as an incentive for certain property owners to provide on-site stormwater management measures and to recognize existing properties with stormwater management measures already in place;

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

1. DEFINITIONS

1.1 In this by-law,

"Act" mean the *Municipal Act, 2001*, S.O. 2001

"Appeal" means a process by which a person challenges information that has been associated with the Stormwater Charge account.

"Applicant" means a property owner that submits a Stormwater Management Credit application on the Town approved form.

"Average Impervious Area Percentage" means the observed average Impervious Area Percentage within a Runoff Level Group.

"Billing Error" means an error in the preparation of the Stormwater Charge Account, resulting in an undercharge or overcharge caused by a gross or manifest error in the preparation of the Stormwater Charge account that is clerical or factual in error, including transposition of figures, a typographical error or similar errors.

"By-law" means this Stormwater Management Fees and Charges By-law

"Council" means the Council for the Corporation of the Town of Newmarket

“Credit Program” means the Town’s credit program which reduces the Stormwater Charges as an incentive to certain property owners that provide on-site stormwater management measures and as recognition of property owners that have existing properties with stormwater management measures already in place.

“Engineering Services” means the Town’s Engineering Services Department of the Development and Infrastructure Services Commission.

“Impervious Area Percentage” means the percent of a property’s area that is covered by impervious features. Rooftops and paved surfaces are impervious features.

“Material Change” means any change in the property’s runoff characteristics since the Applicant’s in the original Stormwater Management Credit application, any fact that was not expressly disclosed by the Applicant in the Stormwater Management Credit application process, or that the Applicant was not aware of at the time of the Stormwater Management Credit application, and which results in the subject property no longer being in substantial compliance with the objectives of the Credit Program, or no longer eligible for the current level of the Stormwater Management Credit approved by the Town.

“Person” includes an individual, sole proprietorship, partnership, corporation, municipal corporation, unincorporated association or organization, trust and a natural person in his or her capacity as a trustee, executor, administrator, or other legal representative.

“Runoff Level Group” means the grouping of properties that have a similar Impervious Area Percentages.

“Stormwater Funding Requirement” means the annual amount of funding required to for the Town to provide the Stormwater Management Service.

“Stormwater Management Service” means the work performed and the infrastructure used, controlled, maintained or operated by the Town to manage stormwater flow and drainage and all appurtenances thereto owned, and includes, but is not limited to, storm sewers, catch basins, storm service connections, drains, pipes, overland conveyance systems including road corridors, culverts, channels, ditches, rivers, streams, creeks, ravines and watercourses, stormwater management facilities including landscaping features, storage ponds or tanks, and oil and grease interceptors that control quantity or quality of stormwater runoff, pumping stations, outfalls, swales and all equipment laid within any highway or road allowance, Town right-of-way or easement or Town property used for the collection, transmission, detention and treatment of stormwater or uncontaminated water.

“Town” means the Corporation of the Town of Newmarket in the Regional Municipality of York or where the context requires the geographical jurisdiction of the Corporation of the Town of Newmarket in the Regional Municipality of York.

“Treasurer” means the Town Treasurer or his/her designate.

2. SCOPE

- 2.1 A stormwater charge (the “Stormwater Charge”) is to be imposed upon all real property in the Town with the exception of real property owned by the Town and real properties that are legally exempt from municipal user fees and charges.

See Appendix C for the list real properties that are exempt from municipal user fees and charges.

3. DETERMINING STORMWATER CHARGE

- 3.1 The following equation shall be used to determine the Stormwater Charge:

$$\text{Stormwater Charge} = \text{Property Size} \times \text{Runoff Level Group Rate}$$

Property Size for non-condominium properties is determined by the Municipal Property Assessment Corporation and is the area identified on the tax roll for the subject property.

Property Size for condominium properties is the size of the condominium corporation's parcel divided by the number of condominium properties on the parcel.

Runoff Level Group rate is determined by the Runoff Level Group's Average Impervious Percentage and the Stormwater Funding Requirement. See Appendix B for the Average Impervious Percentages of the Runoff Level Groups.

- 3.2 The Runoff Level Group Rate shall be set out by Council in the Fees and Charges By-law.

4. STORMWATER CHARGE ADJUSTMENT

- 4.1 The Stormwater Charge may be revised in either of the following instances:

- a) An adjustment may arise whereby the Municipal Property Assessment Corporation updates the subject property's assessment resulting from an Appeal.
- b) An internal adjustment may arise whereby the Town revises, modifies, or amends the Stormwater Charge due to various factors, including:
 - i. updates to the Municipal Property Assessment Corporation's assessment data for the subject property;
 - ii. updates to the Town's open space zoning by-law;
 - iii. updates to Runoff Level Groups' Average Impervious Percentage;
 - iv. updates to the procedure determining a properties' Runoff Level Group;
 - v. change in Stormwater Funding Requirement as approved by Council.

5. INVOICING

- 5.1 The Stormwater Charge shall be invoiced (the "Stormwater Charge Invoice") under the property's property tax bill and identified separately thereunder as a special charge.
- 5.2 The Stormwater Charge shall be payable upon receipt of the invoice included in the property's tax bill, and every owner in receipt of such invoice shall ensure payment thereof before the due date thereon.
- 5.3 The Treasurer shall have delegated authority and is authorized to adjust the Stormwater Charge with respect to any property, to the extent that it is deemed appropriate due a Billing Error. In this instance, the Stormwater Charge Invoice may be retroactively recalculated for a period not exceeding one (1) year from the date of detection of the Billing Error with

resulting credits or charges to the property owner's stormwater account, and the decision of the Treasurer shall be final and binding.

6. STORMWATER CHARGE ADDED TO TAX ROLL

- 6.1 Pursuant to subsection 398(2) of the Act and in accordance with the Town's Fee and Charges By-law, the Stormwater Charge may be added to the tax roll of the property to which the Stormwater Charge applies and shall then be collected in the same manner as municipal taxes.

7. CREDIT PROGRAM

- 7.1 Property owners may be eligible to qualify for a Stormwater Charge credit (the "Stormwater Management Credit") where such users can clearly demonstrate to the Town that owner's stormwater facilities or best management practices provide the Town with cost savings that the Town would otherwise incur as part of its effort to manage stormwater.
- 7.2 Engineering Services shall be responsible for the administration of the Credit Program, and may prescribe all forms necessary to implement the Credit Program, and may amend such forms from time to time as it deems necessary with the approval of the Treasurer.

Credit Program Application

- 7.3 Participation in the Credit Program is by application only. Property owners must submit a Stormwater Management Credit application in a form approved by the Town and associated fees, if applicable, for consideration and qualification of the Stormwater Management Credit. The Stormwater Credit application will be reviewed and determined by Engineering Services.
- 7.4 Reductions to the Stormwater Charge made as a result of the approval of a Stormwater Management Credit application shall take effect in accordance with the following schedule:
- a) Stormwater Management Credit applications received within the first year of the applicable Stormwater Charge: Reductions that result from applications that are received on or before December 31, 2017 will be retroactive up to the later of (i) the date of the first billing of the Stormwater Charge, and (ii) the date on which the qualified stormwater management practices or measures were implemented into service, as determined by Engineering Services.
 - b) Stormwater Management Credit applications received after the first year of the applicable Stormwater Charge: Reductions that result from applications that were received on or after January 1, 2018 will be retroactive up to the later of (i) the date of receipt of the application by Engineering Services, and (ii) the date on which the qualified stormwater management practices or measures were implemented into service, as determined by Engineering Services.

Credit Program Expiration and Renewal

- 7.5 Stormwater Management Credits shall be in effect for a period of up to five (5) years from the date of approval by the Town, or as otherwise specified at the time of the said credit approval. Credits will expire if not renewed prior to the expiration date of the said credit approval.
- 7.6 A Credit Program application must be resubmitted to the Town no later than three (3) months after any Material Change to the originally submitted Credit Program application which did not contain the Material Change information. Any late resubmission of the application may result in the

discontinuance of the Credit Program amount. The Town may adjust (increase or decrease) the current credit amount.

- 7.7 A Stormwater Management Credit may be renewed by a renewal application which must be submitted to the Town no later than three (3) months prior to the expiration date of the credit approval. Any late submission of the application may result in the discontinuance of the Stormwater Management Credit. The Town may adjust (increase or decrease) the current Stormwater Management Credit

Credit Program Inspections

- 7.8 The Town reserves the right to conduct site inspections, and may, at any reasonable time, enter and inspect any property benefitting from a Stormwater Management Credit to review eligibility and the Town may suspend, reduce or cancel the Stormwater Management Credit as a result of such site inspections.

Credit Program Suspensions, Reductions and Cancellations

- 7.9 A Stormwater Management Credit may be suspended, reduced or cancelled by the Town under the following circumstances:
- a) failure of an Applicant to meet the terms and conditions of the Stormwater Management Credit approval;
 - b) failure of the applicant to maintain a stormwater management practice or measure as required by the terms and conditions of the Stormwater Management Credit approval;
 - c) submission of inaccurate or false information by the Applicant;
 - d) failure to submit a complete Stormwater Management Credit renewal application.
- 7.10 A reduction or cancellation of a Stormwater Management Credit may be appealed by the Applicant in writing to the Treasurer. The decision by the Treasurer shall be final and binding.
- 7.11 Where the Town has granted a Stormwater Management Credit and subsequently determines that a stormwater management practice or measure does not function as approved, the Applicant shall reimburse the Town the entire amount of the Stormwater Management Credit received in respect of the subject property from the later of (i) the date that the Credit Program application was approved, updated or renewed, and (ii) from the date of the last inspection of the subject property by the Town.
- 7.12 If the Stormwater Management Credit is cancelled by the Town, the Applicant may not re-apply for such a credit for a period of twelve (12) months.

8. APPEALS

- 8.1 A person who requests an Appeal will not be required to pay a service fee for any of the appeals outlined in Appendix A which outlines the Appeal processes
- 8.2 The filing of an Appeal does not negate the requirement for the appellant (the "Appellant") to pay the Stormwater Charge.
- 8.3 Adjustments made as a result of an Appeal shall take effect in accordance with the following schedule:
- a) Appeals received by the Town within the first year of the Stormwater Charge: adjustments that result from Appeals which

were received before December 31, 2017 will be retroactive up to the date of the receipt of the Appeal by the Treasurer; and

- b) Appeals received by the Town after the first year of the Stormwater Charge: adjustments that result from Appeals which were received on or after January 1, 2018 will be retroactive up to the date of the receipt of the Appeal by the Treasurer.

9. **FORCE AND EFFECT**

9.1 This By-law shall come into force and have effect on January 1, 2017.

ENACTED THIS 5TH DAY OF DECEMBER, 2016.

Tony Van Bynen, Mayor

Esther Armchuk, Acting Town Clerk

Appendix A: Appeal process for the Stormwater Charge

Category	Explanation	Appeal Mechanism	Appeal Decision Made by
Legal Exemption	The entity occupying the subject property area is or is not legally subject to municipal fees and charges.	An Appellant must file a Stormwater Charge Appeal Application Form	Director of Financial Services or her/his delegate
Incorrect property size used to calculate charge	Property size used for calculation is or is not correct.	An Appellant must file a Stormwater Charge Appeal Application Form	Director of Financial Services or her/his delegate
Amount of Credit	The amount of credit approved for an applicant's property is or is not appropriate.	An Appellant must file a Stormwater Charge Appeal Application Form	Director of Engineering Services her/his delegate

Appendix B: Average Impervious Percentages of Runoff Level Groups

Runoff Level Group	Typical Property Type Examples	Average Impervious Percentage
Low level	Open Space, Vacant Land, Excess Land	9%
Medium level	Residential, Multi-Residential, Institutional	44%
High level	Commercial, Industrial, Parking Lot	88%

Appendix C: List of Properties Exempt from Municipal User Fees and Charges

1. *District School Boards and School Authorities*

Pursuant of section 53 of the *Education Act*, R.S.O. 1990, a by-law imposing fees and charges does not apply to a district school board or a



CORPORATION OF THE TOWN OF NEWMARKET

BY-LAW NUMBER 2016-68

A BY-LAW TO ESTABLISH A COMBINED UTILITY RATE STRUCTURE IN THE TOWN OF NEWMARKET FOR 2017.

WHEREAS By-law 2015-54 enacted on November 30, 2015 established a combined utility rate in the Town of Newmarket for the year 2016;

AND WHEREAS it is deemed advisable to establish a combined utility rate structure in the Town of Newmarket for the year 2017.

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, 2017 at which time By-law 2015-54 shall be deemed to be repealed.

ENACTED THIS 5TH DAY OF DECEMBER, 2016.

Tony Van Bynen, Mayor

Esther Armchuk, Acting Town Clerk

TOWN OF NEWMARKET
2017 USER FEES
Schedule A - Water and Wastewater Rates
Effective Date: January 1, 2017

	Current 2016 Rates		Rates as of Jan. 01, 2017		Rates as of July 01, 2017		Change
	per 100 cubic feet	per cubic metre	per 100 cubic feet	per cubic metre	per 100 cubic feet	per cubic metre	%
Combined Utility Rates Taxable Properties	\$9.823	\$3.468	\$10.420	\$3.679	\$10.420	\$3.679	6.1%
Water							
Taxable properties	\$4.240	\$1.497	\$4.558	\$1.609	\$4.558	\$1.609	7.5%
Non-taxable properties	\$4.699	\$1.659	\$5.051	\$1.783	\$5.051	\$1.783	7.5%
Flat rate - no meter, monthly	\$58.631		\$62.059		\$62.059		5.8%
Basic charge, monthly	\$14.000		\$14.00		\$14.00		0.0%
2" Meter Monthly Charge	\$14.000		\$14.00		\$28.00		100.0%
3" Meter Monthly Charge	\$14.000		\$14.00		\$52.50		275.0%
4" Meter Monthly Charge	\$14.000		\$14.00		\$87.50		525.0%
Wastewater							
Taxable properties	\$5.583	\$1.971	\$5.862	\$2.070	\$5.862	\$2.070	5.0%
Non-taxable properties	\$6.000	\$2.119	\$6.300	\$2.225	\$6.300	\$2.225	5.0%
Flat rate - no meter, monthly	\$57.328		\$60.680		\$60.680		5.8%
Basic meter charge, monthly	\$14.000		\$15.50		\$15.50		10.7%
2" Meter Monthly Charge	\$14.000		\$15.50		\$31.00		121.4%
3" Meter Monthly Charge	\$14.000		\$15.50		\$58.13		315.2%
4" Meter Monthly Charge	\$14.000		\$15.50		\$96.88		592.0%
Average Bill							
Residential annual average charge 200 m3		\$1,029.60				\$1,089.80	5.8%
ICI annual average charge 835 m3		\$3,231.78				\$3,526.41	9.1%

**CORPORATION OF THE TOWN OF NEWMARKET****BY-LAW NUMBER 2016-69**

A BY-LAW TO ESTABLISH A STORMWATER RATE IN THE TOWN OF NEWMARKET FOR 2017.

WHEREAS By-law 2016-67 enacted on December 5, 2016 established a Stormwater Management Services Charge in the Town of Newmarket.

AND WHEREAS it is deemed advisable to establish a stormwater rate structure in the Town of Newmarket for the year 2017.

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

1. **THAT** the rates listed in Schedule 'A' attached hereto shall come into full force and effect on January 1, 2017.

ENACTED THIS 5TH DAY OF DECEMBER, 2016.

Tony Van Bynen, Mayor

Esther Armchuk, Acting Town Clerk

Effective Date: January 1, 2017

Rates	Per Square Metre	Per Square Foot	Per Acre
Low Runoff Level Group	\$0.013300	\$0.001236	\$53.82
Medium Runoff Level Group	\$0.065045	\$0.006043	\$263.23
High Runoff Level Group	\$0.130091	\$0.012086	\$526.46
Regulatory Fees			
Stormwater Credit Application Fee		\$50.00	
Median Charge	Area in Square Meters		Charge
Low Runoff Level Group	478		\$ 6.36
Medium Runoff Level Group	465		\$ 30.25
High Runoff Level Group	561		\$ 72.98



CORPORATION OF THE TOWN OF NEWMARKET

BY-LAW NUMBER 2016-70

A BY-LAW TO APPOINT FIRE PREVENTION OFFICERS FOR THE CENTRAL YORK FIRE SERVICES.

(Schell, McDonald, Tustin, Stein, Baker, Zaykin)

WHEREAS The Town of Newmarket and the Town of Aurora have established a Fire and Emergency Services Department known as the Central York Fire Services to service both municipalities;

AND WHEREAS Section 7.1 (4) of the Fire Protection and Prevention Act, 1997 authorizes the appointment of Officers;

AND WHEREAS Section 3(2) of the Building Code Act, S.O. 1992, as amended, requires the Council of each municipality to appoint Chief Building Official and such inspectors as are necessary for the purposes of enforcement of the Building Code Act in the areas in which the municipality has jurisdiction;

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

1. THAT the following persons be and are hereby appointed as Officers pursuant to Section 7.1 (4) of the Fire Protection and Prevention Act, 1997 and Building Inspectors pursuant to Section 3.2 of the Building Code Act for Central York Fire Services and be given the titles as follows:

Ryan Schell	Chief Fire Prevention Officer
John McDonald	Fire Prevention Officer
Tim Tustin	Fire Prevention Inspector
Shane Stein	Fire Prevention Inspector
Jennifer Baker	Fire Prevention Inspector/Public Educator
Alexandra Zaykin	Fire Prevention Inspector

2. AND THAT By-law 2002-26 be repealed.

ENACTED THIS 5TH DAY OF DECEMBER, 2016.

Tony Van Bynen, Mayor

Esther Armchuk, Acting Town Clerk



CORPORATION OF THE TOWN OF NEWMARKET

BY-LAW NUMBER 2016-71

A BY-LAW TO CONFIRM THE PROCEEDINGS OF A MEETING OF COUNCIL
– DECEMBER 5, 2016.

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 5TH DAY OF DECEMBER, 2016.

Tony Van Bynen, Mayor

Esther Armchuk, Acting Town Clerk

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: GORDON PRENTICE AND GERALD FOX	
Organization / Group/ Business represented: NEWMARKET BRANCH OF THE ARCHITECTURAL CONSERVANCY OF ONTARIO	
Address:	Postal Code: - - - - -
Daytime Phone No:	Home Phone:
Email:	Date of Meeting: 5 DECEMBER 2016
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 checked="" 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): THE SUBJECT OF OUR DEPUTATION CONCERNS THE LETTER FROM THE SECRETARY OF MAIN STREET CLOCK INC (MR BOB FORREST) TO THE MAYOR AND COUNCILLORS OF NEWMARKET DATED 28 NOV 2016. THIS RELATES TO AGENDA ITEM 8-(COMMITTEE OF THE WHOLE MINUTES (MINUTE 26). WE ARE ASKING THE	
Do you wish to provide a written or electronic communication or background information <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Please submit all materials at least 5 days before the meeting.	

Deputation Guidelines:

COUNCIL TO NOTE OUR CONCERNS

- 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.

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

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

From: Finnerty, Chrisanne
Sent: December-05-16 4:57 PM
To: Moor, Linda
Subject: FW: Robert Forrest's letter to the Mayor and Councillors of Newmarket dated 28 November 2016
Attachments: forrest report.pdf; ATT00001.htm

From: Shelton, Bob
Sent: December-05-16 1:34 PM
To: Armchuk, Esther
Cc: Finnerty, Chrisanne
Subject: Fwd: Robert Forrest's letter to the Mayor and Councillors of Newmarket dated 28 November 2016

Sent from my iPhone

Begin forwarded message:

From: Shrink Slessor Square <_____
Date: December 5, 2016 at 10:40:14 AM EST
To: Bob Shelton <_____, Bob Shelton
Subject: Fwd: Robert Forrest's letter to the Mayor and Councillors of Newmarket dated 28 November 2016

Dear Mr Shelton

I am forwarding a email I sent to the Mayor and councillors last night. It is self explanatory.

I have put in for a deputation with Gerald Fox for this evening's Council meeting.

I hope everything is in order.

Yours sincerely

Gordon Prentice

Sent from my iPad

Begin forwarded message:

From: Gordon Prentice <_____
Date: December 4, 2016 at 8:31:14 PM EST
To: Tony Van Bynen <_____, John Taylor
_____, Tom Vegh <_____
_____, Jane Twinney <_____, Dave Kerwin
_____, Tom

Hempen <^

"

a>, Christina Bisanz <

Subject: Robert Forrest's letter to the Mayor and Councillors of Newmarket dated 28 November 2016

Reply-To: Gordon Prentice

Dear Mr Mayor

Robert Forrest's letter to you of November 28, 2016 re the Application for Zoning By-Law Amendment, 178, 180, 184, 188, 190 and 194 Main Street.
Main Street Clock Inc. Files D14 NP 13-19

On 28 November 2016 Robert Forrest (the developer) made available to the public his letter to you of the same date concerning the above matter. I wish to comment on Mr Forrest's letter as it is relevant to matters before you at Council tomorrow evening (5 December 2016). You will be considering the Minutes of the meeting of the Committee of the Whole on Monday 28 November 2016 when you denied Mr Forrest's application.

I have requested a deputation to Council to speak on Mr Forrest's letter to you which I hope will be helpful. I applaud the decision you took to deny Mr Forrest's application.

My comments on the major issues raised Robert Forrest's letter are set out below, by page:

Page 1: The developer asserts that

"inadequate attention has been given to all the available evidence."

I agree. The developer's Floor Space Index (FSI) for example has been given inadequate attention. If approved, the Clock Tower development would have had the highest density in the whole of Newmarket, eclipsing present and future developments even on Yonge and Davis.

Page 2: Robert Forrest says he has committed to

"retaining and reconstructing the facades of the Main Street buildings".

His heritage consultants (Goldsmith Borgal) do not address the issue of whether the historic commercial buildings should be retained and not demolished because of their architectural merits or historic significance. The building at 184 Main Street South, dating from the mid 1840s, is historically significant.

In the section on the Heritage Impact Assessment (pages 2 and 3) Robert Forrest asserts that "meaningful dialogue" took place between his consultants (GBCA) and the Town's peer reviewer (ERA Architects), Main Street Clock Inc and Dave Ruggle from the Town's Planning Department

"regarding the design and the mitigation of mass".

The developer asserts that

"during that meeting there was acknowledgement and agreement between the two nationally recognised experts... that with some sculpting, 8 storeys would work on Park Avenue and 6 storeys on Main Street given the set backs".

Robert Forrest says

"the two heritage experts have brought monumental experience and expertise to support staff"

and

"that experts of this caliber (sic) should be arbitrarily rebuffed without consultation or explanation is disappointing, surprising and, in the end, shocking."

The question for Councillors to ask is whether the experts were aware of the FSI of the proposed development and how it had been derived.

In his PowerPoint presentation to the Statutory meeting (Committee of the Whole on 9 May 2016) Robert Forrest told councillors:

"There is no issue of a failure of us to be to scale."

Robert Forrest's arguments are all predicated on the development being to scale.

(The developer tells us that without 7 storeys he could not get financing for his project. A clear case of the tail wagging the dog. Subsequently Robert Forrest indicated in writing to the Town on 7 September 2016 that a 5/7 scenario was not buildable as it could not be financed. MSCI, recognising the high cost burden associated with this site, converted the initial 6 storey application to a seven storey application without increasing the absolute height in metres or mass of the proposed building. An additional level of saleable space was integrated within the previously proposed envelope.)

At the same meeting on 9 May 2016, the issue of scale was challenged by deputant Siegfried Wall who told the meeting:

"...the (Official Plan) policy references Table 1 which sets out density (maximum units per net hectare) and goes further to establish a maximum Floor Space Index (FSI) - gross floor area divided by lot area. For the Historic Downtown Centre the maximum FSI is 1.0. For the subject site this would translate to a maximum gross floor area of 11,362 sq m (excluding the Clock Tower) which is an FSI of 4.279; almost five times the permitted FSI"

Mr Wall also submitted lengthy written comments to the Town on 9 May 2016 elaborating on these points.

At the beginning of the meeting, the Mayor said

"staff would respond to the concerns raised".

Unfortunately, they never did.

We now know that Robert Forrest calculated the FSI of the Clock Tower development by including the floor area of the underground car parking - something specifically prohibited by the Town's own Secondary Plan. It appears to be a well established concept that the calculation of FSI should not take into account below grade parking spaces.

Robert Forrest places great reliance on the calibre of the heritage consultants including the peer reviewer, ERA Architects.

The developer says (on page 3):

"The Staff's key final recommendation turns entirely on heritage conservation considerations yet the recommendation does not reflect the comments received from two nationally recognised heritage experts, both of whom have won numerous heritage awards..."

I wrote to the Town's Chief Administrative Officer, Bob Shelton, on 17 May 2016 asking him to take steps to terminate the Town's five year contract with the peer reviewer ERA Architects. The Council delegated authority to staff to award this contract.

I advised Mr Shelton that the peer review did not address key issues and did not approach the standard the Town should expect.

Mr Shelton replied on 20 May 2016 saying he had discussed the review process with staff

"and advise that your comments and various points will be provided to Planning staff for their consideration as part of the review of the peer review report."

Councillors should now ask for sight of the review of the peer review report.

Page 3: Robert Forrest says (in the section Heritage Impact Discussion - Built Form) that the initial Clock Tower zoning application pre-dated Council's implementation of the Heritage Conservation District Plan for Lower Main Street South.

The Heritage Conservation District Plan for Lower Main Street South was adopted by the Town on 30 May 2011. Robert Forrest would have known his lands fell within the designated Conservation District with all that that implied.

On 8 May 2013 the Director of Planning, Rick Nethery, on behalf of the Mayor, wrote to me as follows:

"Council has directed that the Heritage District by-law be approved however, administratively, the Town has not been in a position to do this due to lack of human resources to fully administer the plan..."

"We can assure you that in the interim, any applications that are received by the Planning Department for redevelopment within the district boundaries will be reviewed against the policies of the plan, including consultation with the Town's Heritage Committee, Heritage Newmarket, as well as requiring Heritage Assessments as appropriate."

On 17 May 2013 Mr Nethery wrote:

"In short, the by-law adopting the Heritage Conservation District is required to fully implement the District Plan and have it be in full force and effect. While we utilise the Plan to assist in evaluating proposals, the passing of an adopting by-law gives the Plan its Official status."

Councillors should ask Staff why the implementing by-law was delayed when they knew an application to redevelop the Clock Tower lands was pending.

Page 4: There are issues raised by Robert Forrest concerning copyright infringements by the Town but this should have been, or will be, addressed.

Robert Forrest addresses the recommendations of the Heritage Newmarket Advisory Committee which he says are "prejudicial and misleading". He says issues such as the "underground watercourse", rubble stone foundations and vibration either have been, or will, be addressed.

The developer cites meetings held with the Library, Trinity United Church and the owner of 196 Main Street South in mid-April and early May 2016

"to review these items".

Trinity United Church has since told the Town by letter from its lawyers that it opposes Robert Forrest's original application and the Town planners' recommendations.

Page 5: Robert Forrest challenges recommendations made by the Heritage Advisory Committee.

The developer addresses Economic Development issues and gives various figures alleging the benefits that will flow to the local community from the construction of the building and the alleged benefits that will follow its completion.

He gives no indication of the costs to the local community and business owners of a prolonged period of disruptive construction activity.

Page 6: The developer lists various costs related to heritage buildings. He says the point of listing these costs is to make it clear that:

"... in order to preserve the heritage features there must be sufficient saleable area in the Clock Tower development to offset the cost premiums."

That is not the case. The Town has By-laws obliging owners of heritage properties to maintain them. The demolition of heritage properties is not required to save their facades.

The developer refers to 196 Main Street (the Olde Village Free House) saying

"Careful structural detailing and planning is required as relates to construction next to 196 Main Street South."

(The developer's property next door at 194 was scheduled for demolition with the facade only being retained.)

The developer refers to

"... the types of issues that Main Street owners will be facing in terms of the restoration of their own properties as is the case for 196 Main Street facade which is showing considerable bowing."

Councillors should ask themselves if the demolition of 194 will impact adversely on 196 and who should be responsible for any costs arising. This, surely, is an argument against demolition.

Page 7: The developer asserts that his development could serve as a model for intensification of small community core areas.

The developer concludes by reminding councillors that

"... under the Planning Act, Part 5 section 11, the statutory length of time allocated for a Council decision on a zoning application is within 120 days of the Town's receipt of the application."

The developer says his application had been with the Town for 300 days since the receipt of the application. During this period Robert Forrest had been in regular touch with the OMB giving updates and status reports. Clearly, there were ongoing discussions.

Page 8. The developer says he is

"... not accepting of either the current Staff Report or the recommended Zoning By-law Amendment."

Finally, he reiterates

"...our shock at the arbitrary and wilful disregard of the efforts of two eminent heritage architects, without explanation or consideration, a shocking experience."

I am shocked that he feels shocked.

I believe the review of the peer-review should be published and the contract with ERA Architects be terminated.

Finally, I want to congratulate councillors on their decision to deny Robert Forrest's Zoning By-law Amendment.

Yours sincerely

Gordon Prentice

Attachment: Robert Forrest's letter to the Mayor and Councillors dated 28 November 2016

Main Street Clock Inc.

590 Alden Road, Suite 211

Markham, ON L3R 8N2

T: 905/526-776 | F: 905/526-781

November 28, 2016

Mayor Van Bynen and Council
c/o Town Clerk, Andrew Brouwer
Town of Newmarket
395 Mulock Drive
Newmarket, ON L3Y4X7

Re: Application for Zoning By-Law Amendment,
178, 180, 184, 188, 190 and 194 Main Street
Main Street Clock Inc.
Files: D14 NP 13-19

Mayor Van Bynen and Councillors,

In reviewing the Staff Report, dated November 28, 2016, I have noted a number of points on which our records appear to be in disagreement, which I hope we can readily clear up.

There are also a number of other points in the report that I would suggest give inadequate attention to all of the available evidence, and which could leave the reader with a different impression than a more thorough review of the matter might produce.

To begin, I would like to provide you with the key dates related to this application:

Initial Zoning Application by Main Street Clock Inc. - August 23, 2013
Acknowledgement by Staff of a Complete Application - September 11, 2013
Implementation of the Heritage By-Law - October 21, 2013
Re-submission of our Zoning Application by MSCI - February 2, 2016
Acknowledgement by Staff of a Complete Application - February 4, 2016
Staff Report and COW - November 28, 2016

For ease of identification, I will be listing our points as they appear in the Report by page number:

1. Page 2 & 3- Proposal

- a. The date of the re-submittal of our Zoning Application by Main Street Clock Inc. (MSCI) was on *February 2, 2016*, not April 2016.
- b. Staff acknowledged, via email on *February 4, 2016*, that the application was accepted as being complete.
- c. Correction required, to paragraph 1 on page 3, to the date as identified above.
- d. The private lands identified in Market Square are indeed owned by Main Street Clock Inc. and they would form a portion of the land exchange. We are unsure if the Councillors are aware that we currently own a substantial piece of land in Market Square, upon which Newmarket residents currently park.
- e. We have, unquestionably, committed to retaining and reconstructing, the facades of the Main Street buildings that were identified in the Heritage Impact Assessment (HIA), Section 7 - Conservation Strategy, authored by Goldsmith Borgal & Company Ltd. Architects (GBCA), Heritage Architects. Subsequent daylighting was also conducted.
- f. Documents included in the re-submission, but not mentioned in the Staff Report include: the Economic Benefits Report, from Altus Group; BA Consulting Group Ltd.'s, Traffic Consultant, Special Events Parking Report; a letter from Terraprobe Inc., Hydrogeological Engineer, in relation to the Ground Water Conditions, debunking the underground river story; and a Pre-Construction Condition Survey of 196 Main Street, Newmarket.

2. Page 12 - Heritage Impact Assessment

- a. The Staff Report indicates that there was a "recent" re-submission of an updated HIA prepared by GBCA. In fact, the date of the HIA report was February 1, 2016, provided to Staff on February 2, 2016 as part of our re-submission, which Staff acknowledged on February 4, 2016.
- b. On September 21, 2016, there was a meeting held with our Heritage Architect, GBCA, the Town's Peer Review Heritage Architect, E.R.A. Architects Inc. (ERA), ourselves and Dave Ruggle, representing the Newmarket Planning Department. Meaningful dialogue took place between the consultants regarding the design and the mitigation of mass. During that meeting, there was acknowledgment and agreement between the two nationally recognized experts (which agreement has been disregarded in the Staff Report), that with some sculpting, 8 storeys would work on Park Avenue and 6 storeys on Main Street, given the step-backs.

Staff retains outside consultants and peer reviewers, because it does not have in-house expertise in many areas. Certainly, the two heritage consultants have brought monumental experience and expertise to support staff. That experts of this caliber, should be arbitrarily rebuffed, without consultation or explanation, is disappointing, surprising, and in the end, shocking.

- c. At that time, the financial viability of the project was discussed, and the Consultants recognized, there were alternatives that would not be financeable by a lender. Subsequently, Bob Forrest indicated in writing, to the Town on September 7, 2016 that a 5/7 storey scenario was not buildable as it could not be financed.
- d. It is noteworthy that MSCI, recognizing the high cost burden associated with this site, converted its initial 6 storey application, to a 7 storey application, without increasing the absolute height (in metres) or mass of the proposed building. An additional level of saleable space was integrated within the previously proposed envelope.
- e. The Staff's key final recommendation turns entirely on heritage conservation considerations, yet the recommendation does not reflect the comments received from two nationally recognized heritage experts, both of whom have won numerous Heritage Awards, Awards of Excellence in the field of Heritage Architecture, the Governor General's Medal in Architecture, the Canadian Association of Heritage Professionals Award of Merit for Rehabilitation, the Lieutenant Governor's Ontario Heritage Award, the Architectural Conservancy of Ontario Award for Adaptive Reuse and Heritage Restoration.

3. Page 18 - Heritage Impact Discussion (Built Form)

- a. It is important to understand that the initial Clock Tower zoning application pre-dated Council's implementation of the Heritage Conservation District Plan for Lower Main Street South, by two months. As the implementation of the Heritage Bylaw, threatened almost two years of previous consultation with the Town, plus our subsequent application, we were forced to refer the Bylaw to the OMB. In a gesture of goodwill, we agreed to permit the Bylaw to be implemented throughout the district, excepting on our lands. It would be unfortunate, were this gesture to result in our being disadvantaged.
- b. This report contains a rendering titled: "Perspective of the proposal as recommended." As the rendering in question has been constructed from one of our renderings, the Councillors and the public may now believe that we provided this and that we support it - neither of which is true.
- c. We sent Staff an email stating that we would not produce a rendering with the 5 and 7 scenario as it could not be financed, and therefore was not buildable.

- d. The 5/7 rendering was clearly arrived at by manipulating the renderings provided by us, which were submitted with clearly marked assertions of copyright. I note in passing that our copyright claim was removed from the images that appear in the report, and no permission was sought or obtained to manipulate our renderings or use them for any purpose not explicitly authorized by us.

4. Page 19-20 - Heritage Newmarket Advisory Committee

- a. I note that the April 5, 2016 document produced by the Newmarket Heritage Advisory Committee appears in the body of the report verbatim and without analytical comments. The document is primarily a series of recitals many of which fall well outside the purview and expertise of that or any such committee, are unsupported by evidence, and are in fact, specifically contradicted by evidence provided to Staff by us. These comments are prejudicial and misleading. That they appear in the Staff Report followed only by the bare comment that "Council must take into consideration the recommendations of the Heritage Newmarket Advisory Committee," with no discussion of erroneous information, or content exceeding its purview, would not find their way into a carefully researched analysis of the application without reference to factual support, comes as a serious disappointment.
- b. I set out below some of the points in question:
 - i. The "underground watercourse" which will "cause a change in the underground watercourse, and may cause damage to the other buildings in the Heritage Conservation District."
We provided Staff with a letter from Terraprobe relative to the Ground Water Conditions which refutes this assertion.
 - ii. That many of the buildings are built on rubble stone foundations, and that extensive excavation and construction may result in ancillary damage to other parts of those buildings. We have advised Staff that we will be doing a Pre-Post Construction survey of the buildings within the Zone of Influence (ZOI) and also Vibration Monitoring in the ZOI as well. This has not been reported in the Staff Report.
 - iii. In fact, we have met with Newmarket Public Library, Trinity United Church, and the Owner of 196 Main Street to review these items with them. Those meetings took place in mid-April and early May, 2016.
 - iv. Traffic from this building and its impact on Park Avenue has been addressed in our traffic report, and we have re-designed our underground parking garage to allow for stacking on the ramp. There is no impact from our building on the handicapped parking access at Trinity United Church.

- v. The turning radius of delivery trucks and moving vans is dealt with in the Site Plan application process and that should be identified in this report.
- vi. It should be understood that Main Street Clock Inc. currently owns a substantial piece of land in Market Square, upon which the residents of Newmarket currently park, with our acquiescence.
- vii. The statement that the building proposal does not preserve the building facades on Main Street is false. In fact, we conducted a heritage daylighting investigation to determine how best to preserve the Main Street store frontages.
- viii. That the Shadow Studies do not realistically show the potential impact on the surrounding buildings such as Trinity United Church is also not accurate.

As Staff knows, we specifically arranged for Trinity United Church to be laser scanned by our Architect, in order to obtain an accurate 3D model of the church which then formed the basis by which the Shadow Studies were done. Indeed, the 7 and 8 storey version of the proposed development does not cast shadow upon the Church sanctuary windows during a regularly scheduled church service.

- ix. Main Street Clock Inc. approached Trinity United Church, regarding protection of their stained glass windows. We approached Robert McCausland Limited on March 10, 2016, one of the premiere stained glass companies, respected throughout the world for their work, to take charge of protection.
- x. Parking reports have been provided to the Town, which clearly address the erroneous parking assertion.
- xi. It is important that the Councillors and Public know that we have on our own volition, dealt with the majority of the concerns identified by the Heritage Newmarket Advisory Committee.

5. Page 21 - Economic Development

- a. At the request of the Town Staff, an Economic Benefits Report was provided to the Town, yet there is no mention of that in this report.
- b. Construction of the Clock Tower, as proposed, will generate the following benefits in terms of economic impact upon full completion:
 - Over \$94 million in economic activity - \$44 million of which is direct economic activity;
 - \$44 million in net contribution to GDP, much of which will take place in the local community;
 - 482 person years of employment, much of which will occur in the local community;
 - \$51 million in income and earnings by households and businesses mostly in the local area;

- \$17 million in tax revenues generated across all levels of government;
- provide other benefits to the community as it will help the Town accommodate its expected population growth, continue to revitalize the Historic Downtown;
- provide a better mix of housing options for residents, and
- improve labour mobility.

6. Additional costs related to Heritage Buildings

- a. It should be noted that there are additional costs associated with the redevelopment of heritage properties.
- b. Demolition costs increase as the facades and separation of the building will require brick by brick removal to ensure the best possible outcome in the restoration process following construction.
- c. Specialized, bonded, insured, off-site storage is required for these elements during the time of construction.
- d. The restoration of the building and facades account for over approximately \$1,700,000 of costs in order to maintain the heritage component of the building.
- e. Soils remediation is required due to the fact that road salt was used in the past in Newmarket, and it has impacted the soils beneath the buildings. The initial quote for this removal was \$1,285,000.00.
- f. Special structural work is required in the heritage building.
- g. Careful structural detailing and planning is required as relates to construction next to 196 Main Street.
- h. The point being, that in order to preserve the heritage features, there must be sufficient saleable area in the Clock Tower development, to offset the cost premiums.
- i. This report also highlighted for the Town the types of issues that Main Street Owners will be facing in terms of restoration of their own properties, as is the case for 196 Main Street façade which is showing considerable bowing.

7. In Conclusion

The conclusion opined by the Heritage Architect, GBCA was that most of the ERA (Peer Review Heritage Architect) recommendations are reasonable and have been used to fine-tune the development and its presentation. Careful planning and adjustments to the proposed project have, in our view, further refined the proposed development.

In the view of GBCA, when Provincial Policies including intensification and heritage issues are reviewed in respect to the Clock Tower proposed development, the proposal continues to provide a balanced approach as directed by the Provincial Policy Statement and in a manner that the development could serve as a model for intensification of small community core areas.

This proposal represents a high quality urban design which is pedestrian friendly and provides residents the opportunity to walk to their desired destinations on Main Street.

It provides valuable entry level housing opportunities as well as housing for those who wish to give up their homes and enjoy condominium living. There are approximately 260 individuals who have expressed an interest in this proposed community.

We have informally shared with Planning Staff, that we have found the means to re-design the underground so that it does not extend under the Newmarket Library parking. This revised configuration, which was accomplished as to reduce our construction impact upon Library operations, is to be presented as part of a Site Plan Application.

In summary, we believe that we have worked with the Town of Newmarket in good faith, that we have been open to discussions and to providing additional information.

Following the extended period of time expended, and the delays incurred before we received this report, we had hoped for a different result.

It should be noted that under the Planning Act, Part 5 section 11 the statutory length of time allocated for a Council decision on a zoning application is within 120 days of the Towns receipt of the application.

The amended Clock Tower application was received by the Town on February 2, 2016. By the time of the Committee Of the Whole meeting on November 28th, it has been 300 days since the date of receipt of the application.

Further, we are also advising you that we are not accepting of either the current Staff Report or the recommended Zoning By-Law Amendment.

Finally, we must reiterate our shock at the arbitrary and wilful disregard of the efforts of two eminent heritage architects, without explanation or consideration; a shocking experience.

Regards,

MAIN STREET CLOCK INC.



Robert Forrest,
Secretary

Cc: Rick Nethery, Dave Ruggle, Bob Shelton, Peter Noehammer



**Development & Infrastructure Services Commission -
Public Works Services and
Corporate Services Commission -
Procurement Services Departments**
www.newmarket.ca

November 23, 2016

**Development & Infrastructure Services Commission – Public Works Services and
Corporate Services Commission - Procurement Services Department**

JOINT REPORT 2016-30

TO: Committee of the Whole

SUBJECT: Joint Report on N-6 Cooperative Contract CRFP2016-02
Multi-Year Contract for Collection and Transportation of Garbage,
Recyclable Material, Source Separated Organic Material, Yard Waste and
Special Waste
Award to: Green For Life Environmental Inc.

ORIGIN: Christopher Kalimootoo, Director, Public Works Services and Gord Sears,
Manager, Procurement Services

RECOMMENDATIONS

THAT Joint Report between Development & Infrastructure Services Commission – Public Works Services and Corporate Services Commission – Procurement Services Department 2016-30 regarding N6 Cooperative Contract CRFP2016-02 Multi-Year Contract for Collection and Transportation of Garbage, Recyclable Material, Source Separated Organic Material, Yard Waste and Special Waste be received and the following recommendation(s) be adopted:

- 1. THAT the CRFP2016-0210 Collection And Transportation Of Garbage, Recyclable Material, Source Separated Organic Material, Yard Waste and Special Waste for a period of eight (8) years, starting December 4, 2017 be awarded to Green For Life Environmental Inc. at an estimated annual cost of \$ 10,306,520 for all six municipalities, exclusive of all applicable taxes and set annual increases, subject to confirmation of approval of same from the other N6 Municipalities;**
- 2. AND THAT at the discretion of both the Contractor and the N-6, the contract may be extended for two (2) – one (1) year extensions (Year 9 and 10 of the contract) based on a one percent (1%) increase(s) per year;**
- 3. AND THAT the Director, Public Works Services and the Manager, Procurement Services shall be authorized to execute the agreement;**

4. **AND THAT the Procurement Services Department be directed to notify the other Proponents after the execution of the contract;**
5. **AND THAT the recommendations of this report be ratified at the Council meeting to be held on December 5, 2016 in order to secure contractual arrangements.**

COMMENTS

Further to Report 2016-08 Northern Six Waste Collection Contract, 2017-2027

Request for Proposal (RFP) Preparation Update #3, the e-bid call was advertised on the Biddingo website and our Bid Opportunity Website on June 28, 2016. The e-bid closed on 3:00:00 p.m., Tuesday September 13, 2016 and three (3) Proposal submissions were received by the Online Bidding System as follows:

Proponent Submitting
1. Green For Life Environmental Inc.
2. Miller Waste Systems
3. Emterra - Halton Recycling Limited

Although there were a number of companies that picked up the RFP, only six (6) were large solid waste collection businesses. As there are a limited number of companies that can provide the service for the N6 population and meet the requirements of the RFP, two to four proposals were expected at the beginning of the RFP process. The actual number of submissions is consistent with expectations of the expert consultant assisting the N6 staff with the proposal process.

The three (3) proposals were sent to the Evaluation Team (consisting of staff from all of the N6 partners) for review, evaluation and recommendations. The Evaluation Team also consisted of Technical resource experts; the Manager, Corporate Customer Service for the Town of Newmarket, and our waste consultant.

Proposals were evaluated in accordance with the multi-stage Evaluation process as follows:

Stage I – Mandatory Requirements

Stage I consisted of a review to determine which proposals comply with all of the mandatory requirements. The mandatory requirements are:

- (1) a current Commercial Vehicle Operator's Registration certificate (CVOR) with a minimum carrier safety rating of "Satisfactory" and
- (2) a certified copy of the proponent's Certificate of Approval for a Waste Management System issued by the Ontario Ministry of the Environment and Climate Change

Any Proponent failing to satisfy the above mandatory requirements was excluded from further consideration.

All Proponents were deemed to have passed Stage I Mandatory Requirements.

Stage II – Rated Criteria

In Stage II, the Evaluation Committee consisting of staff from each of the N-6 municipalities and facilitated by our Solid Waste Consultant, considered and evaluated the information submitted by each Proponent (excluding pricing) based on the following Evaluation Criteria and Weighting:

Evaluation Criteria	Evaluation Weighting
1. Company Profile	8 Points
2. Experience	20 Points
3. Proposed Staff	7 Points
4. Health and Safety	5 Points
5. Training Plan	5 Points
6. Facilities	5 Points
7. Vehicles and Equipment	10 Points
8. Transition / Start-up / Operating Plan	7 Points
9. Quality Control / Quality Assurance Plan	5 Points
10. Customer Call Centre	20 Points
11. Innovation	4 Points
12. Environmental Sustainability	4 Points
Rated Criteria Score	100 Points

Proponents who did not meet the minimum threshold score of 70% in Stage II did not proceed to Stage III Pricing.

Two (2) of the (3) Proponents met the minimum score of 70% in Stage II Rated Requirements. One (1) Proponent did not meet the minimum score threshold and did not move to Stage III.

Stage III – Pricing

Stage III consisted of scoring of the submitted pricing from the two (2) Proponents whose proposal received a score of 70% or higher in Stage II – Rated Criteria.

Selection of Top-Ranked Proponent

The ranking of Proponents was based on the total score calculated by adding the Pricing Score to the Rated Criteria Score based on a weighting of 60% for the Rated Criteria Score and 40% for the Pricing Score. Total Score= (Rated Criteria Score x 60%) + (Pricing Score x 40%)

Green For Life Environmental Inc. received the highest group evaluation rating of 85.05 points out of a possible 100 points. The Evaluation team is confident that the recommended Proponent will provide exceptional service to the N-6.

The final group evaluation ranking order (high to low), is as follows:

Proponents final ranking	
1.	Green For Life Environmental Inc.
2.	Miller Waste Systems

The confidential summary for the Proposal evaluation results for all Proponents is available for viewing in the Procurement Services Department. All evaluations were by consensus of the evaluation committee.

The current waste collection contract with GFL Environmental Corporation expires on August 31, 2017. It is necessary to extend the existing contract with GFL for several months beyond the expiry date to accommodate transition to the new contract to allow for them to prepare for the contract including fleet acquisition, staff hiring and other matters. Typically 12-18 months is required from the award of contract for these activities.

Additional Services included in the cost of this new Waste and Recycling Contract:

Recycling and garbage collection is a very important service for the community and one that touches every household. There is a risk to the service levels when transitioning to a new service provider. If Council proceeds with recommendation to award to GFL, there would be minimal risk for transition due to their current operations being in place. However, a communication to the community will be beneficial to bring awareness to the new services being provided by this company and the long term commitment that is being made through award of this proposal.

Bag Limit

As requested by Newmarket Council, there was an option within the Proposal for cost savings if all municipalities had a two bag limit for garbage collected every two weeks. The bids submitted did not contain any savings with respect to a uniformed bag limit.

Customer Service Call-Centre Delivery Model

As noted in Report 2016-08 the waste collection RFP requested that the prospective Proponents provide an enhanced centralized call centre service to manage all inquiries and service requests related to waste collection and abide by Best Management Practices with respect to defined Levels of Service. The anticipated outcome is that resident's first call with a collection related concern will be received by the Contractor's customer service centre, and that the Contractor will address the majority of all service requests received. There are multiple Liquidated Damages that could be exercised if the Service Levels are not met, up to and

including cancellation of the contract. This is a new item in the contract aimed at improving customer experience and complaint response.

Blue and Green Bin Management

The delivery of blue bins and green bins to new property owners, along with the replacement of damaged blue and green bins, will be transferred to the waste collection contractor. This is a new item in the contract intended to provide more efficient service to the customer.

Curbside Collection of Dry-Cell Batteries

The N6 has requested that the Contractor provide pricing as a provisional item for the collection of dry cell batteries from residential properties that receive collection of Recyclable Material. If approved, a collection day for batteries at the curb will be designated twice a year, or at such other times designated by the municipality. The Contractor is to provide appropriate collection services to collect these materials separate from all other waste streams and deliver the material to the Waste Management Site.

No Modifications to Collection Schedule and Service Levels

No significant changes to scheduling or service levels are recommended at this time. The three-stream waste collection and diversion program is well understood by local residents and has achieved an estimated curbside diversion rate of 67%. The net diversion rate, after deductions for contamination and residual waste after processing, is 60-64%.

There will also be additional information gathered during the contract such as weights of large bins at municipal and mixed use facilities, number of calls received, time of response to inquiries etc. This was included in the contract to increase service levels and create transparency with respect to Key Performance Indicators (KPIs) and accountability. This also provides the Town and Region with additional data so that solid waste service decisions are better informed and encompassing in order to provide more efficient and effective services in the future. This is a new element aimed at effective management of the contract and the important service provided.

Annual Escalation Factor

The above pricing shall remain firm for the duration of the contract including option year(s) with the exception of:

Two years from the effective date of the contract, the above pricing shall be subject to a annual increase based on the lesser of (i) 5%, or (ii) an **"Escalation Factor"**. For clarity, **80% of the value of the Escalation Factor is derived from the Canadian Consumer Price Index (CPI) Ontario ALL-Excluding Energy and Gasoline index**, as published by Statistics Canada for the previous twelve months and **20% of the value of the Escalation Factor shall be derived from the average retail prices for gasoline and fuel oil, by urban centre – Toronto Area**, for the immediately preceding seasonal year (June to June). No negative CPI will be used and if that is the calculation for any given year, the increase shall be 0. The annual rate increase will be between 0% and a maximum of 5%. The annual increase is intended to accommodate cost increases on the Contractor, thereby decreasing the risk of economic factors that have an impact on the operations.

BUSINESS PLAN AND STRATEGIC PLAN LINKAGES

Well Equipped and Managed: Provide efficient, effective and environmentally sound services to an appropriate level that achieves Council and/or Provincially mandated services levels, which meet public health and safety requirements and enhances quality of life while ensuring that system capital assets retain their value and are managed and funded according to sustainable, lifecycle based principles and practices.

BUDGET IMPACT

Operating Budget

The recommended contract award represents a \$515,000 per year increase over the current contract pricing. The current waste collection costs in the operating budget are approximately \$2.2 million, and this will rise to approximately \$2.7 million with the new contract. This represents a 23.5 percent (%) increase in the budget required for solid waste collection. This is made up of a \$555,000 increase in curbside collection, including garbage, Source Separated Organics (SSO), Recycling and Yard Waste and a \$40,000 decrease in large roll off bin collection.

When the current contract was originally awarded to Turtle Island Recycling Corporation Inc. there was significant savings to the N6 municipalities compared to costs of individual collection contracts. This equated to approximately \$1 Million per year collectively. These savings have now been realized each year and there have been changes to Regulations, expectations, material and labour cost increases and customer service levels over the past decade. These modifications such as glass bottle return, US dollar fluctuations and density of materials have put significant pressure on the solid waste prices.

The current contract has increased by a total of 14.6% over the past ten years based on the escalation clause. This is lower than the national Consumer Price Index over that same period of time. Also both the current and new contract will have limited cost increases over the contract period as indicated in Recommendation #1 above. This is included to have reasonably consistent pricing over the contract period and minimize large fluctuations in costs year over year. It is also because of this that the only time costing can be negotiated is at the beginning of the contract, saving any significant change in Regulations or industry.

Staff and the solid waste consultant have reached out to other municipalities for cost comparisons. Costs of recent tenders were analysed. Although all municipalities are different the costs within the N6 submissions were within reason. The garbage costs were higher than the comparators, SSO and recycling were on the lower end of the spectrum and yard waste collection was near the top end of the scale. Large roll off bin costing was significantly lower than current costing. Again, some municipalities were mostly urban, some mostly rural, some small, some large. Other municipal comparators also included processing with their quotes and others had recycling divided into two streams, while others had minimal yard waste collection.

Also, some of the contracts were awarded when the Canadian dollar was higher compared to the US dollar. Although most equipment is manufactured in Canada, they are made of US parts which will now have a higher cost compared to just a couple years ago.

Overall the consultant has analyzed the pricing, notes that all the quotes were within reason and recommends moving forward with the recommendation.

It is estimated that increasing garbage bag tags to \$3.00 each and large item pickups to \$15 per event, as recommended in the 2017 updated fees and charges schedule, will generate approximately \$20,000 in additional revenue. This will mitigate some cost increases in the solid waste budget. The estimate recognizes that most households already put out three bags or less every other week, which is the bag limit before tags. Therefore the additional funds would be limited. Another option is decreasing the bag limit to two bags every other week before tags are required, similar to most municipalities within the N6, however this may lead to an increase in illegal dumping, and requiring staff time, increasing costs that would slightly offset additional revenue.

Sufficient incremental funds will be allocated for this contract in the 2017 Operating Budget and annually thereafter. This will be a significant driver for the 2018 Operating Budget.

CONTACT

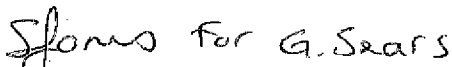
For more information on this report contact Christopher Kalimootoo, Public Works Services.



Chris Kalimootoo, P. Eng., MPA, PMP
 Director, Public Works Services



Peter Noehammer, P. Eng.
 Commissioner, Development & Infrastructure



Gord Sears, CPPO, CPPB
 Manager, Procurement Services



Esther Armchuk LLB
 Commissioner, Corporate Services

Approved by:

Approved: 
 Robert Shelton
 Chief Administrative Officer

Date: 2016-12-01

Return the signed report to the Procurement Services Department for filing under the public drive for reports.