



Town of Newmarket

Agenda

Council

Date: Monday, January 20, 2025
Time: 1:00 PM
Location: Streamed live from the Municipal Offices
395 Mulock Drive
Newmarket, ON L3Y 4X7

1. Notice

This meeting will be streamed live at newmarket.ca/meetings.

Public Input

Individuals who wish to submit input to Council in relation to an item on this agenda have the following options available.

1. Email your correspondence to clerks@newmarket.ca by end of day on January 19, 2025. Written correspondence received by this date will form part of the public record; or,
2. You are strongly encouraged to pre-register if you would like to make a deputation at the meeting. For more information regarding the options available, email your request and contact information to clerks@newmarket.ca.

2. Additions & Corrections to the Agenda

Note: Additional items are marked by an asterisk*.

3. Conflict of Interest Declarations

4. Public Hearing Matter(s)

There are no public hearing matters.

5. Presentations & Recognitions

6. Deputations

6.1 Traumatic Incident Response Protocol

Note: Dela Fotoohi, Traumatic Incident Response Protocol Community Coordinator, Routes Connecting Communities will provide a deputation on this matter.

1. That the deputation provided by Dela Fotoohi, Traumatic Incident Response Protocol Coordinator, Routes Connecting Communities regarding Traumatic Incident Response Coordinator be received.

7. Minutes

7.1 Council Workshop (Residential Parking Study) Meeting Minutes of December 9, 2024

1. That the Council Workshop (Residential Parking Study) Meeting Minutes of December 9, 2024 be approved.

7.2 Council Meeting Minutes of December 9, 2024

1. That the Council Meeting Minutes of December 9, 2024 be approved.

8. Reports by Regional Representatives

9. Consent Items and Recommendations from Committees

9.1 Committee of the Whole Meeting Minutes of January 13, 2025

1. That the Committee of the Whole Meeting Minutes of January 13, 2025 be received and the recommendations noted within be adopted.

9.1.1 Deputation – Black History Month 2025

1. That the deputation provided by Jerisha Grant-Hall, Founder and Chairperson, Newmarket African Caribbean Canadian Association (NACCA) regarding Black History Month 2025 be received.

9.1.2 Deputation – Final Recommendation Report – Heritage Designation of 48 Properties – Elaine Adam

1. That the deputation provided by Elaine Adam regarding Final Recommendation Report – Heritage Designation of 48 Properties be received.

9.1.3 Deputation – Final Recommendation Report – Heritage Designation of 48 Properties – Mark Jules

1. That the deputation provided by Mark Jules regarding Final Recommendation Report – Heritage Designation of 48 Properties

be received.

- 9.1.4 Deputation – Final Recommendation Report – Heritage Designation of 48 Properties – Sebastian Russo
1. That the deputation provided by Sebastian Russo regarding Final Recommendation Report – Heritage Designation of 48 Properties be received.
- 9.1.5 Deputation – Final Recommendation Report – Heritage Designation of 48 Properties – Matthew Vittiglio
1. That the deputation provided by Matthew Vittiglio regarding Final Recommendation Report – Heritage Designation of 48 Properties be received.
- 9.1.6 Final Recommendation Report – Heritage Designation of 48 Properties
1. That the report entitled Final Recommendation Report – Heritage Designation of 48 Properties dated January 13, 2025 be received; and,
 2. That Town Council consider all objections to the Notice of Intention to Designate (NOID) received within the Notice of Objection Period; and,
 3. That the designation of 48 properties be approved; and,
 4. That staff prepare a draft designation By-law for each property meeting designation criteria; and,
 5. That Staff be authorized and directed to do all things necessary to give effect to this resolution.
- 9.1.7 Final Update for 2024 to the Outstanding Matters List
1. That the report entitled Final Update for 2024 to the Outstanding Matters List dated January 13, 2025 be received; and,
 2. That Council adopt the Outstanding Matters List (Attachment 1); and,
 3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.
- 9.1.8 Main Street District Business Improvement Area Board of Management Annual General Meeting minutes of November 29, 2023 and Meeting Minutes of November 6, 2024
1. That the Main Street District Business Improvement Area Board of

Management Annual General Meeting Meeting Minutes of November 29, 2023 and Meeting Minutes of November 6, 2024 be received.

- 9.1.9 Dismantling Anti-Black Racism Advisory Committee meeting minutes of September 11, 2024
1. That the Dismantling Anti-Black Racism Advisory Committee meeting minutes of September 11, 2024 be received.
- 9.1.10 Central York Fire Services Joint Council Committee meeting minutes of October 1, 2024
1. That the Central York Fire Services Joint Council Committee meeting minutes of October 1, 2024 be received.
- 9.1.11 Newmarket Library Board meeting minutes of October 16 and November 20, 2024
1. That the Newmarket Library Board meeting minutes of October 16 and November 20, 2024 be received.
- 9.1.12 Elman W. Campbell Museum Board Meeting Minutes of October 30, 2024
1. That the Elman W. Campbell Museum Board Meeting Minutes of October 30, 2024 be received.
- 9.1.13 Heritage Month Motion
1. That April be proclaimed Sikh Heritage Month in the Town of Newmarket; and,
 2. That May be proclaimed Jewish Heritage Month in the Town of Newmarket; and,
 3. That October be proclaimed Islamic Heritage Month in the Town of Newmarket; and,
 4. That November be proclaimed Hindu Heritage Month in the Town of Newmarket; and,
 5. That December be proclaimed Christian Heritage Month in the Town of Newmarket; and,
 6. That staff be authorized and directed to do all things necessary to give effect to this motion.
- 9.1.13.1 Correspondence - Melanie Duckett-Wilson regarding Heritage Month Motion

1. That the Correspondence from Melanie Duckett-Wilson regarding Heritage Month Motion be received.

10. By-laws

2025-01 - A By-law to appoint a Deputy Fire Chief for the amalgamated fire and emergency services department, Central York Fire Services (Daniel Waters)

2025-02 - A By-law to appointment a Deputy Fire Chief for the amalgamated fire and emergency services department, Central York Fire Services (Lorianne Zwicker)

2025-03 - A By-law to appoint Fire Prevention Officers (**Note:** At the December 3, 2024 Joint Council Committee meeting, Members recommended the enactment of this by-law by Council)

2025-04 - A By-law to amend established fees and charges for services or activities provided by the Corporation of the Town of Newmarket (General Fees and Charges) and to repeal and replace schedule "E" - Legislative Services - General Fees and schedule "I" - Legislative Services - Licensing Fees of By-law 2024-62

1. That By-laws 2025-01 to 2025-04 be enacted.

11. Notices of Motions

12. Motions Where Notice has Already been Provided

13. New Business

14. Closed Session (if required)

15. Confirmatory By-law

2025-05 A By-law to Confirm the Proceedings of the January 20, 2025 Council meeting.

1. That By-law 2025-05 be enacted.

16. Adjournment



Traumatic Incident Response Protocol (TIRP) Overview

Newmarket Deputation
Monday January 20th, 2024



In Partnership
Funded by
The Regional
Municipality of York



What is TIRP?

Traumatic Incident Response

Protocol:

- Part of the York Region Community Safety and Wellbeing Plan
- Increase community mobilization to reduce distress, provide support, and promote safety after local traumatic events

TIRP activation:

- Activated by York Region and York Regional Police
- Assemble TIRP Ambassadors and community partners to support individuals, families, and the community in response to incidents

4 focus areas:

- Georgina
- Newmarket
- Richmond Hill/Vaughan
- Markham

Who does **TIRP** support?

Impacted communities including schools, workplaces, and neighbourhoods

- Focuses on improving safety and social environments

In scope:

- Shooting, stabbings, violent crimes (can include hate motivated incidents and gun/gang related activity), school related violence that can put the safety of students at risk

Out of scope:

- Non-violent events, private incidents, and events not impacting public spaces

4 guiding principles:

1. Individual or family informed
2. Trauma informed
3. Community oriented
4. Culturally sensitive

TIRP Activation and Protocol (12-72hrs)

1. Meeting call out

- York Region and York Regional Police convene a meeting
- TIRP is activated by York Region and York Regional Police
- TIRP Coordinator is briefed for implementation

2. Relay known details

- Identify who is affected in immediate area (families, residents, local businesses)
- Outline what happened and what's needed, when will this take place, and where will it happen

3. Assign roles

- Partners are each assigned a role to carry out initial response
- Considerations could include media release, public information sharing, and cultural considerations

Who?

Residents and local businesses in the immediate area

What is needed?

A community debrief to hear from the community

When?

Within 2 days

Where?

Local community centre conference room

York Region: Oversee coordination

YRP: Share gathered info, select who will address community

TIRP Coordinator: Organize community partners to provide relevant resources and supports, secure venue, select who will address community

All: Share meeting details with community through various communication methods available

Questions?

General Contact

Email: TIRP@routesc.org

Georgina

Ntsiki Mshayisa

Phone: (905) 954-5372

Email: ntsiki@routesc.org

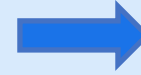
Newmarket

Dela Fotoohi

Phone: (905) 954-5427

Email: dela@routesc.org

Scan the QR
code to fill out our
feedback survey!



Markham

Krystal Mak

Phone: (647) 217-3864

Email:

mkrystal@agincourtcommunityservices.com

Richmond Hill/Vaughan

Milena Day

Phone: (905) 954-5380

Email: milena@routesc.org

Thank you!



Town of Newmarket

Minutes

Council Workshop

Date: Monday, December 9, 2024
Time: 9:00 AM
Location: Streamed live from the Municipal Offices
395 Mulock Drive
Newmarket, ON L3Y 4X7

Members Present: Mayor Taylor
Deputy Mayor & Regional Councillor Vegh
Councillor Woodhouse
Councillor Twinney
Councillor Morrison
Councillor Kwapis
Councillor Broome
Councillor Bisanz (9:07 - 11:19 AM)

Members Absent: Councillor Simon

Staff Present: I. McDougall, Chief Administrative Officer
E. Armchuk, Commissioner of Corporate Services
P. Noehammer, Commissioner of Development & Infrastructure Services
J. Payne, Commissioner of Community Services
L. Lyons, Director of Legislative Services/Town Clerk
K. Saini, Manager of Legislative Services/Deputy Town Clerk
J. Unger, Director of Planning & Building Services
J. Comeau, Manager of Regulatory Services
A. Sallese, Senior Planner - Policy
S. Granat, Legislative Coordinator
E. Thomas-Hopkins, Legislative Coordinator

The meeting was called to order at 9:02 AM.

Mayor Taylor in the Chair.

Council Workshop recessed at 10:08 AM and resumed at 10:20 AM.

1. Notice

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

2. Additions & Corrections to the Agenda

None.

3. Conflict of Interest Declarations

None.

4. Items

4.1 Residential Parking Study

The Director of Planning and Building Services provided introductory remarks.

Brett Sears, Senior Project Manager and Robin Deboosere, WSP provided a presentation regarding Newmarket Residential Parking Study including background regarding this matter, about the residential parking study, and the study area

Members of Council queried the presenters regarding priorities for addressing key observations relating to parking demands, changing parking needs, data demographics by neighbourhoods, accessible parking in residential areas, how can businesses play a role in supporting accessible residential parking, mental health considerations as it relates to on-street parking, ensuring on-street parking access for care providers, vehicles per household, consultation, jurisdictional scans, communication and education, growth in multi-generational families, car ownership data, accessory dwelling unit registrations, park spaces required per unit, enforcement, winter versus summer overnight parking, permits, high utilization areas, parking meters, paid parking, on-street parking supply and demand, accessible on-street residential parking, mental health lens of parking stressors, managing policy transitions, condominium roads, minimum parking requirements, consideration of all policy decisions, and next steps.

Moved by: Councillor Bisanz

Seconded by: Councillor Woodhouse

1. That the presentation provided by Brett Sears, Senior Project Manager and Robin Deboosere, WSP Canada regarding Residential Parking Study be received.

Carried

5. Closed Session

The Council Workshop did not resolve into Closed Session.

6. Adjournment

Moved by: Councillor Morrison

Seconded by: Councillor Twinney

1. That the meeting be adjourned at 11:19 AM.

Carried

John Taylor, Mayor

Lisa Lyons, Town Clerk



Town of Newmarket

Minutes

Council

Date: Monday, December 9, 2024
Time: 1:00 PM
Location: Streamed live from the Municipal Offices
395 Mulock Drive
Newmarket, ON L3Y 4X7

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

Members Absent: Councillor Simon

Staff Present: I. McDougall, Chief Administrative Officer
E. Armchuk, Commissioner of Corporate Services
P. Noehammer, Commissioner of Development & Infrastructure Services
J. Payne, Commissioner of Community Services
L. Lyons, Director of Legislative Services/Town Clerk
K. Saini, Manager of Legislative Services/Deputy Town Clerk
S. Granat, Legislative Coordinator
E. Thomas-Hopkins, Legislative Coordinator

The meeting was called to order at 1:02 PM.
Mayor Taylor in the Chair.

1. Notice

Mayor Taylor acknowledged that the Town of Newmarket is located on the traditional territories of the Wendat, Haudeno-saunee, and the Anishinaabe peoples and the treaty land of the Williams Treaties First Nations and other Indigenous peoples whose presence here continues to this day. He thanked them for sharing this land with us. Mayor Taylor also acknowledged the Chippewas of Georgina Island First Nation as our close neighbours and friends, and that we work to ensure a cooperative and respectful relationship.

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

2. Additions & Corrections to the Agenda

The Clerk provided the following additions to the agenda:

- Four items of correspondence regarding item 9.1.11 – Christian Heritage Month Proclamation from: Sandra Mackenzie, Allison Stevens, Leslie Bertin, and Donna Holodryzuk; and,
- One deputation regarding item 9.1.11 – Christian Heritage Month Proclamation from David Kempen and Peggy Stevenson

Moved by: Councillor Kwapis

Seconded by: Councillor Woodhouse

1. That the additions to the agenda be approved.

Carried

3. Conflict of Interest Declarations

None.

4. Public Hearing Matter(s)

There were no public hearing matters.

5. Presentations & Recognitions

None.

6. Deputations

6.1 Christian Heritage Month

David Kempen and Peggy Stevenson provided a deputation regarding Christian Heritage Month regarding diverse, inclusive, and welcoming community, religious observance in Canada, and other issues to be considered.

Members of Council queried the deputants regarding clarity regarding the outlook on religion broadly and Christian Heritage Month singularly.

Moved by: Councillor Kwapis

Seconded by: Councillor Twinney

1. That the deputation provided by David Kempen and Peggy Stevenson regarding Christian Heritage Month be received.

Carried

7. Minutes

7.1 Council meeting minutes of November 18, 2024

Moved by: Councillor Morrison

Seconded by: Councillor Twinney

1. That the Council meeting minutes of November 18, 2024 be approved.

Carried

7.2 Council Workshop (Official Plan Review) meeting minutes of December 2, 2024

Moved by: Councillor Broome

Seconded by: Councillor Woodhouse

1. That the Council Workshop (Official Plan Review) meeting minutes of December 2, 2024 be approved.

Carried

8. Reports by Regional Representatives

Deputy Mayor and Regional Councillor Vegh provided a Regional Report regarding Mayor Taylor chairing a Regional Council meeting, and the four Community Action Tables including an overview of the Community Action Tables, the services they provide, and funding.

Members of Council discussed the Community Action Tables and Provincial funding.

9. Consent Items and Recommendations from Committees

9.1 Committee of the Whole meeting minutes of December 2, 2024

Moved by: Councillor Woodhouse

Seconded by: Deputy Mayor & Regional
Councillor Vegh

1. That the Committee of the Whole meeting minutes of December 2, 2024 be received and the recommendations noted within items 9.1.1 to 9.1.10 and 9.1.12 to 9.1.14 be adopted. See item 9.1.11 for motion and vote.

Carried

9.1.1 Presentation - 2025 Draft Operating and Capital Budgets

1. That the presentation by Andrea Tang, Director, Financial Services / Treasurer regarding the 2025 Draft Operating and Capital Budgets be received.

9.1.2 Presentation - 2024 Recap Videos: Mulock Park, Community Events, and Year-end Accomplishments

1. That the presentation - 2024 Recap Videos: Mulock Park, Community Events, and Year-end Accomplishments be received.

9.1.3 2025 Draft Operating and Capital Budgets

Moved by: Councillor Woodhouse

Seconded by: Deputy Mayor & Regional
Councillor Vegh

1. That the report entitled Draft 2025 Operating and Capital Budgets dated December 2, 2024 be received; and,
2. That the Draft 2025 Operating Budget with expenditures of \$172,543,441 be approved, which is comprised of the following components:
 - a. \$ 106,881,590 for Town purposes; and,
 - b. \$ 22,908,214 for the Water Rate Group; and,
 - c. \$ 26,789,555 for the Wastewater Rate Group; and,
 - d. \$ 9,958,880 for the Stormwater Rate Group; and,
 - e. \$ 3,143,865 for the Building Permit Rate Group; and,
 - f. \$ 2,218,919 for the Planning Rate Group; and,
 - g. \$ 642,418 for the Development Engineering Rate Group; and,
3. That the Capital Spending Authority of \$136,504,909 as outlined in the report be established, being \$74,640,606 for 2025, \$54,252,303 for 2026, \$7,312,000 for 2027 and \$300,000 for 2028; and,
4. That the draft 2025 Operating and Capital Budgets be forwarded to the Council meeting of December 9, 2024 for final approval; and
5. That Council authorize the Director of Financial Services/Treasurer to:
 - a. Make any necessary adjustments within the total approved budget to reflect organizational changes and any other reallocation of costs; and,
 - b. Accept and adjust the budget for new provincial and/or federal funding provided there is no tax levy impact; and,

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

Carried

9.1.4 2024 Third Quarter Financial Update

1. That the report entitled 2024 Third Quarter Financial Update dated December 2, 2024 be received; and,
2. That Council approve changes to the 2024 capital budget as outlined in the report; and,
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

9.1.5 Stormwater Charge Exemptions

1. That the report entitled Stormwater Charge Exemption dated December 2, 2024 be received; and,
2. That Council approve exemption of stormwater charge to cemeteries operated by registered charities and non-profit organizations as outlined in the report effective with the 2024 stormwater charge and future years; and,
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

9.1.6 Environmental Systems Research Institute (ESRI) Software Renewal

1. That the report entitled Environmental Systems Research Institute (“ESRI”) Software Renewal dated December 2, 2024, be received; and,
2. That ERSI software licensing along with related support and maintenance continue to be acquired on a non-competitive basis for the next three years from December 2024 to December 2027, at an approximate cost of \$272,566 plus HST per year; and,
3. That the Director of Information Technology and the Manager, Procurement Services be authorized to execute any agreements or documents that are necessary; and,

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

9.1.7 Audit Committee Meeting Minutes of June 20, 2024

1. That the Audit Committee Meeting Minutes of June 20, 2024 be received.

9.1.8 Accessibility Advisory Committee Meeting Minutes of September 19, 2024

1. That the Accessibility Advisory Committee Meeting Minutes of September 19, 2024 be received.

9.1.9 Main Street District Business Improvement Area Board of Management Meeting Minutes of October 2, 2024

1. That the Main Street District Business Improvement Area Board of Management Meeting Minutes of October 2, 2024 be received.

9.1.10 Appointment Committee Meeting Minutes of October 25, 2023

1. That the Appointment Committee Meeting Minutes of October 25, 2023 be received.

9.1.11 Christian Heritage Month Proclamation

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

Moved by: Councillor Bisanz

Seconded by: Councillor Kwapis

1. **That the Christian Heritage Month Proclamation item be deferred to January 2025 for Council's consideration in conjunction with other religious heritage month proclamations.**

Carried

9.1.11.1 Correspondence - Sandra Mackenzie - Christian Heritage Month Proclamation

Moved by: Councillor Bisanz

Seconded by: Councillor Woodhouse

1. That the correspondence by Sandra Mackenzie regarding Christian Heritage Month Proclamation be received.

Carried

9.1.11.2 Correspondence - Allison Stevens - Christian Heritage Month Proclamation

Moved by: Councillor Bisanz

Seconded by: Councillor Woodhouse

1. That the correspondence by Allison Stevens regarding Christian Heritage Month Proclamation be received.

Carried

9.1.11.3 Correspondence - Leslie Bertin - Christian Heritage Month Proclamation

Moved by: Councillor Bisanz

Seconded by: Councillor Woodhouse

1. That the correspondence by Leslie Bertin regarding Christian Heritage Month Proclamation be received.

Carried

9.1.11.4 Correspondence - Donna Holodryzuk - Christian Heritage Month Proclamation

Moved by: Councillor Bisanz

Seconded by: Councillor Woodhouse

1. That the correspondence by Donna Holodryzuk regarding Christian Heritage Month Proclamation be received.

Carried

10. By-laws

Moved by: Councillor Morrison

Seconded by: Councillor Broome

1. That By-law 2024-68 be enacted.

Carried

11. Notices of Motions

None.

12. Motions Where Notice has Already been Provided

None.

13. New Business

None.

14. Closed Session (if required)

Council did not resolve into Closed Session.

14.1 Council (Closed Session) Meeting Minutes of November 18, 2024

Moved by: Councillor Bisanz

Seconded by: Councillor Kwapis

1. That the Council (Closed Session) Meeting Minutes of November 18, 2024 be approved.

Carried

14.2 Committee of the Whole (Closed Session) Meeting Minutes of December 2, 2024

Moved by: Councillor Broome

Seconded by: Mayor Taylor

1. That the Committee of the Whole (Closed Session) Meeting Minutes of December 2, 2024 be approved.

Carried

14.2.1 Appointment Committee (Closed Session) Meeting Minutes of October 25, 2023

Moved by: Councillor Morrison

Seconded by: Councillor Woodhouse

1. That the Appointment Committee Closed Session Meeting Minutes of October 25, 2023 be received.

Carried

14.2.2 Appointment Committee (Closed Session) Meeting Minutes of November 20, 2024

14.2.2.1 Accessibility Advisory Committee

Moved by: Councillor Kwapis

Seconded by: Councillor Broome

1. That Kevin Mills be appointed to the Accessibility Advisory Committee.

Carried

14.2.3 Municipal Park Naming

Moved by: Councillor Kwapis

Seconded by: Councillor Bisanz

1. That Closed Session Report CL-2024-08 dated December 2, 2024 be received; and,
2. That the recommendations in Closed Session Report CL-2024-08 dated December 2, 2024 be adopted.

Carried

14.2.4 NT Power

Mayor Taylor advised that Committee of the Whole resolved into Closed Session and received a confidential update regarding NT Power.

15. Confirmatory By-law

Moved by: Councillor Twinney

Seconded by: Councillor Broome

1. That By-law 2024-67 be enacted.

Carried

16. Adjournment

Moved by: Councillor Bisanz

Seconded by: Councillor Woodhouse

1. That the meeting be adjourned at 1:31 PM.

Carried

John Taylor, Mayor

Lisa Lyons, Town Clerk



Town of Newmarket

Minutes

Committee of the Whole

Date: Monday, January 13, 2025
Time: 1:00 PM
Location: Streamed live from the Municipal Offices
395 Mulock Drive
Newmarket, ON L3Y 4X7

Members Present: Mayor Taylor
Deputy Mayor & Regional Councillor Vegh
Councillor Simon
Councillor Woodhouse
Councillor Twinney (1:07 PM to 1:59 PM)
Councillor Morrison
Councillor Kwapis
Councillor Broome
Councillor Bisanz

Staff Present: I. McDougall, Chief Administrative Officer
E. Armchuk, Commissioner of Corporate Services
P. Noehammer, Commissioner of Development & Infrastructure Services
J. Payne, Commissioner of Community Services
L. Lyons, Director of Legislative Services/Town Clerk
K. Saini, Manager of Legislative Services/Deputy Town Clerk
J. Unger, Director of Planning & Building Services
U. Mahmood, Planner Committee of Adjustment and Cultural Heritage
S. Granat, Legislative Coordinator
E. Thomas-Hopkins, Legislative Coordinator

For consideration by Council on January 20, 2025
The meeting was called to order at 1:00 PM.

Mayor Taylor in the Chair

1. Notice

Mayor Taylor advised that the Municipal Offices were open to the public, and that members of the public could attend this meeting in person or view the live stream available at Newmarket.ca/meetings. Residents who would like to provide comment on an item on this agenda were encouraged to provide their feedback in writing through email to Legislative Services at clerks@newmarket.ca or by providing a deputation electronically or in-person. He advised residents that their comments would form part of the public record.

2. Additions & Corrections to the Agenda

The Clerk provided the following additions to the agenda:

- Deputations from Sebastian Russo and Mark Jules regarding item 7.1 - Final Recommendation Report - Heritage Designation of 48 Properties.

Moved by: Councillor Bisanz

Seconded by: Councillor Woodhouse

1. That the additions to the agenda provided by the Clerk be approved.

Carried

3. Conflict of Interest Declarations

None.

4. Public Hearing Matter(s)

None.

5. Presentations & Recognitions

None.

6. Deputations

6.1 Black History Month 2025

Jerisha Grant-Hall, Founder and Chairperson Newmarket African Caribbean Canadian Association (NACCA) provided a deputation regarding Black History Month 2025 including the annual theme, partnership with the Town of Newmarket, opportunities to deepen impact, and why this matters.

Members of Council thanked the deputant for their presentation and discussed NACCA's partnerships with other organizations, and Black History Month events.

Moved by: Councillor Bisanz

Seconded by: Deputy Mayor & Regional
Councillor Vegh

1. That the deputation provided by Jerisha Grant-Hall, Founder and Chairperson, Newmarket African Caribbean Canadian Association (NACCA) regarding Black History Month 2025 be received.

Carried

6.2 Final Recommendation Report – Heritage Designation of 48 Properties – Elaine Adam

Elaine Adam, Chair of Newmarket Heritage Advisory Committee deputed regarding item 7.1 Final Recommendation Report - Heritage Designation of 48 Properties including consultation with the Heritage Advisory Committee, background regarding changes to Ontario heritage legislation, the Newmarket Heritage Register, consultant's report and recommendations.

Members of Council discussed removing recommendation five (5) in item 7.1 - Final Recommendation Report - Heritage Designation of 48 Properties.

Moved by: Councillor Morrison

Seconded by: Councillor Broome

1. That the deputation provided by Elaine Adam regarding Final Recommendation Report – Heritage Designation of 48 Properties be received.

Carried

6.3 Final Recommendation Report – Heritage Designation of 48 Properties – Mark Jules

Mark Jules provided a deputation regarding Final Recommendation Report – Heritage Designation of 48 Properties including regarding proper notification and designation for 465 Davis Drive.

Members of Council queried staff regarding the designation of the clocktower, statutory notification deadlines, and notice provided.

Moved by: Councillor Morrison

Seconded by: Councillor Broome

1. That the deputation provided by Mark Jules regarding Final Recommendation Report – Heritage Designation of 48 Properties be received.

Carried

6.4 Final Recommendation Report – Heritage Designation of 48 Properties – Sebastian Russo

Sebastian Russo provided a deputation regarding Final Recommendation Report – Heritage Designation of 48 Properties including regarding proper notification and designation for 465 Davis Drive.

Moved by: Councillor Morrison

Seconded by: Councillor Broome

1. That the deputation provided by Sebastian Russo regarding Final Recommendation Report – Heritage Designation of 48 Properties be received.

Carried

6.5 Final Recommendation Report – Heritage Designation of 48 Properties – Matthew Vittiglio

Matthew Vittiglio provided a deputation regarding Final Recommendation Report – Heritage Designation of 48 Properties regarding the property at 458-460 Timothy Street, an objection to designation, and notice.

Members of Council discussed further communication with the deputant and next steps in the process.

Moved by: Councillor Woodhouse

Seconded by: Councillor Kwapis

1. That the deputation provided by Matthew Vittiglio regarding Final Recommendation Report – Heritage Designation of 48 Properties be received.

Carried

7. Consent Items

Moved by: Councillor Twinney

Seconded by: Councillor Broome

1. That items 7.2 to 7.7 be adopted on consent. See item 7.1 for motion.

Carried

7.1 Final Recommendation Report – Heritage Designation of 48 Properties

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

Moved by: Councillor Kwapis

Seconded by: Councillor Bisanz

1. **That the report entitled Final Recommendation Report – Heritage Designation of 48 Properties dated January 13, 2025 be received; and,**
2. **That Town Council consider all objections to the Notice of Intention to Designate (NOID) received within the Notice of Objection Period; and,**
3. **That the designation of 48 properties be approved; and,**
4. **That staff prepare a draft designation By-law for each property meeting designation criteria; and,**
5. **That Staff be authorized and directed to do all things necessary to give effect to this resolution.**

Carried

7.2 Final Update for 2024 to the Outstanding Matters List

1. That the report entitled Final Update for 2024 to the Outstanding Matters List dated January 13, 2025 be received; and,
2. That Council adopt the Outstanding Matters List (Attachment 1); and,
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

7.3 Main Street District Business Improvement Area Board of Management Annual General Meeting minutes of November 29, 2023 and Meeting Minutes of November 6, 2024

1. That the Main Street District Business Improvement Area Board of Management Annual General Meeting Meeting Minutes of November 29, 2023 and Meeting Minutes of November 6, 2024 be received.

7.4 Dismantling Anti-Black Racism Advisory Committee meeting minutes of September 11, 2024

1. That the Dismantling Anti-Black Racism Advisory Committee meeting minutes of September 11, 2024 be received.

7.5 Central York Fire Services Joint Council Committee meeting minutes of October 1, 2024

1. That the Central York Fire Services Joint Council Committee meeting minutes be received.

7.6 Newmarket Library Board meeting minutes of October 16 and November 20, 2024

1. That the Newmarket Library Board meeting minutes of October 16 and November 20, 2024 be received.

7.7 Elman W. Campbell Museum Board Meeting Minutes of October 30, 2024

1. That the Elman W. Campbell Museum Board Meeting Minutes of October 30, 2024 be received.

8. Action Items

None.

9. Notices of Motion

9.1 Request the Redistribution of the Provincial Land Transfer Tax and GST to Municipalities for Sustainable Infrastructure Funding

Councillor Simon provided notice of motion regarding Request the Redistribution of the Provincial Land Transfer Tax and GST to Municipalities for Sustainable Infrastructure Funding.

Whereas municipalities face growing infrastructure needs, including roads, bridges, public transit, water systems, and other critical services, which are essential to community well-being and economic development; and,

Whereas the current sources of municipal revenue, including property taxes and user fees, are insufficient to meet these increasing demands for infrastructure investment;
and,

Whereas the Province of Ontario currently collects the Land Transfer Tax (LTT) on property transactions in municipalities across the province, generating significant revenue that is not directly shared with municipalities; and,

Whereas the Federal Government collects the Goods and Services Tax (GST) on property transactions, a portion of which could be directed to municipalities to address local infrastructure needs; and,

Whereas redistributing a portion of the Provincial Land Transfer Tax and GST to municipalities would provide a predictable and sustainable source of funding for local infrastructure projects without creating a new tax burden on residents or homebuyers;
and,

Whereas a redistribution of a portion of the existing Land Transfer Tax and GST would allow municipalities to better plan and invest in long-term infrastructure initiatives, supporting local economic growth and improving the quality of life for residents

Now Therefore Be It Hereby Resolved:

1. That Newmarket Town Council formally requests the Provincial Government to consider redistributing a portion of the Land Transfer Tax collected on property transactions to municipalities;
and,
2. That Newmarket Town Council calls on the Federal Government to allocate a percentage of the GST collected on property sales to municipalities; and,

3. That this redistribution of the Land Transfer Tax and GST should be structured to provide predictable and sustainable funding to municipalities, allowing for better long-term planning and investment in infrastructure projects that benefit local communities, thus ensuring that local governments receive a fair share of the revenue to address critical infrastructure needs; and,
4. That copies of this resolution be forwarded to Prime Minister Justin Trudeau, Premier Doug Ford, the Ontario Minister of Finance, the Minister of Municipal Affairs and Housing, local Members of Parliament (MPs) and Members of Provincial Parliament (MPPs); and,
5. That copies of this resolution be forwarded to all 444 Municipalities in Ontario, the Federation of Canadian Municipalities (FCM), and the Association of Municipalities of Ontario (AMO) for their endorsement and advocacy.

10. Motions Where Notice has Already been Provided

10.1 Heritage Month Motion

Moved by: Councillor Simon

Seconded by: Councillor Broome

1. That April be proclaimed Sikh Heritage Month in the Town of Newmarket; and,
2. That May be proclaimed Jewish Heritage Month in the Town of Newmarket; and,
3. That October be proclaimed Islamic Heritage Month in the Town of Newmarket; and,
4. That November be proclaimed Hindu Heritage Month in the Town of Newmarket; and,
5. That December be proclaimed Christian Heritage Month in the Town of Newmarket; and,
6. That staff be authorized and directed to do all things necessary to give effect to this motion.

Carried

10.1.1 Correspondence - Melanie Duckett-Wilson regarding Heritage Month Motion

Moved by: Deputy Mayor & Regional Councillor Vegh

Seconded by: Councillor Bisanz

1. That the Correspondence from Melanie Duckett-Wilson regarding Heritage Month Motion be received.

Carried

11. New Business

None.

12. Closed Session (if required)

Committee of the Whole did not resolve into Closed Session.

13. Adjournment

Moved by: Councillor Morrison

Seconded by: Councillor Simon

1. That the meeting be adjourned at 1:59 PM.

Carried

John Taylor, Mayor

Lisa Lyons, Town Clerk



NACCA

est.2018

Black History Month 2025

Enhancing Our Partnership

JANUARY 13, 2025

Town of Newmarket Deputation
Presented by Jerisha Grant-Hall
Founder & Chairperson
Newmarket African Caribbean Canadian Association (NACCA)

Theme: “I and I, I Wanna Rule My Destiny”

This year’s theme emphasizes self-determination and interconnectedness, drawing inspiration from the Rastafarian concept of “I and I” and the African philosophy of Ubuntu. It celebrates both individual and collective resistance, highlighting solidarity and the determination to shape a shared future.

Kujichagulia
(Self-Determination)



Come play with us! *Summer Camps* start July 2. Register today!

Spring+Summer Activity Guide

Don't miss out on great programs! Registration dates on page 7.

Programs starting at
\$50

Fitness

Personal Training
The Newmarket Fitness Centre is now offering personal training.

Community Events

Canada Day
Celebrate Canada's birthday with a full day of entertainment and fireworks.



2018

Recreation & Culture
newmarket.ca/recreation



Our Partnership So Far



Ujamaa
(Cooperative Economics)

The Town of Newmarket has been an exceptional ally in supporting Black History Month through:

- Annual proclamations recognizing Black History Month.
- Collaboration on programming and events.
- Ongoing work with the Dismantling Anti-Black Racism Advisory Committee.
- Affordable access to municipal spaces, such as the NACCA community centre.
- Legacy scholarship through the Mayor's Charity Golf Classic

Opportunities to Deepen Our Impact

1. Year-Round Engagement and Education

- Quarterly Speaker Series: Local Black leaders, entrepreneurs and historians.
- Integration into Events: Include Black cultural contributions in town-wide events (e.g., Canada Day, Local Festival).

2. Youth Leadership Development

- Leadership Workshops: Focused on public speaking, governance and entrepreneurship.
- Internship Placements: Create opportunities with local businesses and the municipality; and opportunities for Black youth to lead initiatives and gain experience.

3. Long-Term Legacy Projects

- Public Art Installation: Commission a mural or sculpture to honour Black contributions - placed in a prominent location like Riverwalk Commons or Old Town Hall.
- Broader Community Recognition: Add Black athletes to the Newmarket Sports Hall of Fame at Magna Centre to ensure representation.



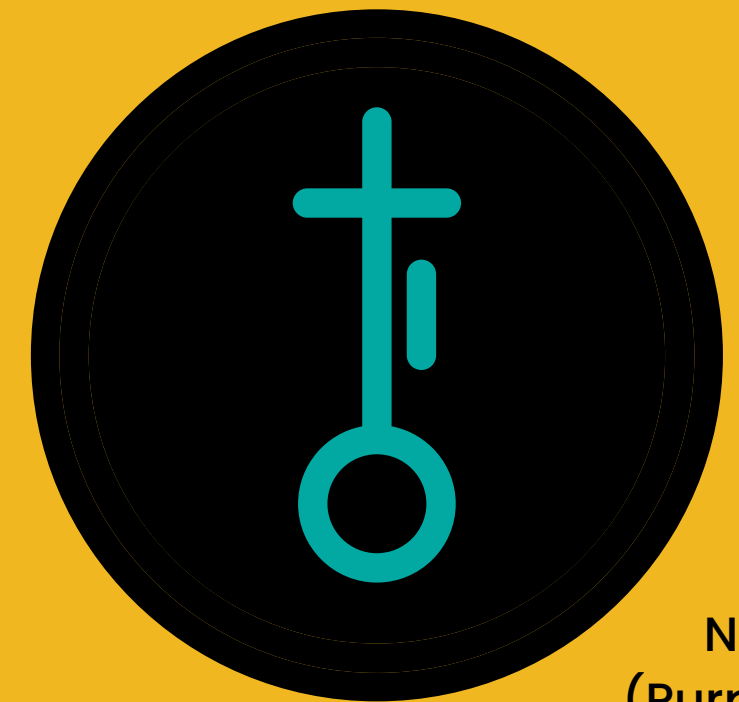
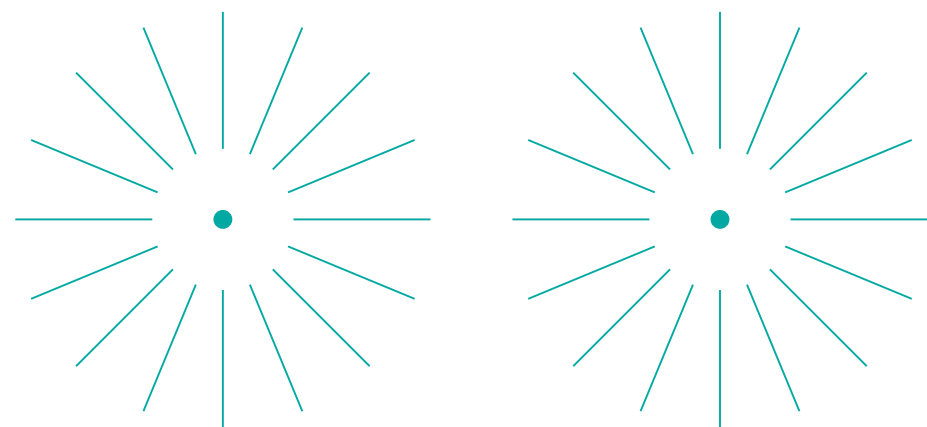
Ujima

(Collective Work & Responsibility)



Why It Matters

Together, we can ensure Newmarket is a leader in fostering equity, inclusion and empowerment - creating a legacy where all residents feel valued and celebrated.



Nia
(Purpose)

Contact Information

Jerisha Grant-Hall
chair@naccacommunity.ca
(905) 781-6222
naccacommunity.ca



NACCA
est.2018



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

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

Final Recommendation Report – Heritage Designation of 48 Properties Staff Report to Council

Report Number: 2025-01

Department(s): Planning and Building Services

Author(s): Umar Mahmood, Planner, Committee of Adjustment and Cultural Heritage,
Planning Services

Meeting Date: January 13, 2025

Recommendations

1. That the report entitled Final Recommendation Report – Heritage Designation of 48 Properties dated January 13, 2025 be received; and,
2. That Town Council consider all objections to the Notice of Intention to Designate (NOID) received within the Notice of Objection Period; and
3. That the designation of 48 properties be approved; and,
4. That staff prepare a draft designation By-law for each property meeting designation criteria; and,
5. That all remaining non-designated heritage properties be removed from the municipal list of non-designated heritage properties; and
6. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Executive Summary

This Report outlines the Town's response to legislative changes introduced through Bill 23: *More Homes, Built Faster Act*. This legislation mandates that non-designated heritage properties be removed from municipal lists of non-designated heritage properties by January 1, 2027, unless a formal Notice of Intention to Designate (NOID) is issued for such properties. Bill 23 also requires properties to meet at least two of the nine provincial criteria for heritage designation under the *Ontario Heritage Act*.

To address this, the Town retained Archaeological Research Associates Ltd. (ARA) to assess 367 non-designated heritage properties. From this review, 49 properties were initially identified for designation, and following detailed evaluations, 48 properties were confirmed to meet the provincial criteria.

Owners of the 48 properties were notified of the evaluations and the Heritage Newmarket Advisory Committee were consulted prior to review of the final list. Notices of Intention to Designate (NOIDs) were issued on November 1, 2024 with the objection period ending on December 1, 2024. The Town received 11 objections citing concerns such as financial impacts, future development restrictions and procedural issues, while two property owners expressed support.

It is staff's opinion that designating these 48 properties is essential to preserving Newmarket's cultural heritage, which reflects its rich history, architectural legacy, and community identity. These properties include historic built form integral to Newmarket significant history.

Purpose

The purpose of this report is to bring forward to 48 properties for designation under Part IV of the *Ontario Heritage Act*.

Background

In November of 2022, the provincial government enacted Bill 23, known as the *More Homes, Built Faster Act*. This legislation brought forth comprehensive changes to land use planning throughout Ontario. Regarding cultural heritage, Schedule 6 of the Bill made changes to the *Ontario Heritage Act*. These revisions took effect on January 1, 2023, and municipalities are mandated to adhere to these changes. One of the key changes involves municipal lists of non-designated heritage properties.

The major change resulting from Bill 23 is that properties currently on the non-designated heritage register will be automatically removed from the register on January 1, 2027 if they are not been issued a Notice of Intention to Designate (NOID) by this date. This new legislation requires municipalities to assess their non-designated lists and move forward with designation where warranted. When properties are removed from the non-designated list, they may not be re-added to the list for a period of 5 years.

Bill 23 also changed criteria for meeting designation. Properties must now meet two or more of the criteria set out in O.Reg. 9/06 to be designated (Attachment 1), whereas previously only one of the nine criteria had to be met for a property to be designated.

Work Completed to Date to Respond Bill 23

In February 2023 the Town retained the services of Archaeological Research Associates Ltd. (ARA) to complete a review of the Town's 367 properties that are on the non-designated heritage list.

Final Recommendation Report – Heritage Designation of 48 Properties

Of the 367 properties on the non-designated heritage list, a total of 49 (approximately 13%) were flagged as potentially meeting the designation criteria. These 49 properties were further categorized into priority levels 1 to 3. The 49 properties (hereafter referred to as the Priority List), regardless of priority level, comprised the Priority List for designation.

Out of the 49 properties on the Priority List:

- 13 properties are categorized as priority 1
- 15 properties are categorized as priority 2
- 21 properties are categorized as priority 3

On March 4th, 2024, all owners of the 49 priority properties were notified by mail of the project's commencement and specifically that the Town will be reviewing their property to see if it meets provincial criteria for heritage designation (Attachment 2). This was the first non-statutory courtesy mail-out.

On March 19th, 2024, Heritage Newmarket Advisory Committee was consulted as per the requirements of the *Ontario Heritage Act*. The Priority List was brought forward to Heritage Newmarket Advisory Committee. The Committee provided comments on the properties and recommended proceeding with the Priority List. The Committee recommended the addition of 371 Davis Drive. 371 Davis Drive was then added to the priority list.

On April 17th, 2024, letters were hand delivered to the priority properties, again advising that the Town is considering to designate their property under the *Ontario Heritage Act*. This was the second non-statutory courtesy mail-out.

On May 27, 2024, Staff brought forward an Info Report on [Bill 23-Non-designated Heritage Properties](#) to Council, which recommended: that the list of 49 Priority Properties is received, and that Staff be instructed to proceed to issue a Notice of Intention to Designate (NOID) to all properties on the Priority List should they meet the Provincial designation criteria after further evaluation.

Staff met with any property owners who had questions or concerns about the possible heritage designation and provided detailed information about the designation process.

The Town's heritage consultants ARA were then instructed to prepare 49 designation reports for all priority properties (Attachment 3). This involved detailed research on each property. Out of the 49 priority properties, 48 met provincial criteria for designation.

On November 1, 2024 staff issued 48 Notices of Intention to Designate (NOID) for each address that met provincial designation criteria. Notice was given as per the requirements of the *Ontario Heritage Act* and the Town's Notice Policy and Procedure By-law. The NOIDs were also posted on the Town's website, sent to each property owner through standard mail, and sent the Ontario Heritage Trust as per the requirements of the *Ontario Heritage Act*.

Discussion

Why is Newmarket Unique

The Town of Newmarket stands out for its cultural heritage because of its rich history and high volume of built heritage resources which showcase its growth and evolution over time. As a town that played a significant role in Ontario's early economic and political history, Newmarket has many historic landmarks, including well-preserved 19th-century buildings, heritage streetscapes, and culturally significant sites.

Newmarket was key stop along historical trade routes, such as the Holland River, played a significant role in the Upper Canada Rebellion of 1837, and has significant importance in regional and national history. The town's downtown core, designated as a Provincially Significant Heritage Conservation District, reflects a vibrant mix of architectural styles and historical uses, showcasing the evolution of the community from a milling town to a modern urban centre.

Why is preserving heritage important

Preserving heritage resources is essential for the Town of Newmarket as it strengthens the community's identity, fosters pride, and ensures the town's unique character is passed on to future generations.

Heritage buildings, landmarks, and landscapes reflect Newmarket's development, its people, and their contributions to Ontario's history. Protecting heritage resources helps maintain a sense of place and community. Additionally, heritage conservation provides economic benefits by attracting tourists and contributing to economic development.

Provincial Criteria for Designation

Under the *Ontario Heritage Act* (OHA), after January 1, 2023 individual properties can be designated if they meet at least two out of the nine criteria outlined in Ontario Regulation 9/06, which establishes the criteria for determining cultural heritage value or interest (Attachment 1). The criteria are sub categorized into design or physical value, historical or associative value, and contextual value.

- **Design or physical value** applies to properties that have rare, unique, or representative examples of a particular style, type, material, or construction method. These also include properties that display a high degree of craftsmanship, artistic merit, or technical and scientific achievement.
- **Historical or associative value** applies to properties that are directly associated with a significant theme, event, belief, person, activity, organization, or institution. The property may also yield or has potential to yield information that contributes to an understanding of the community or culture. This category also includes properties reflecting the work or ideas of an architect, artist, builder, designer, or theorist significant to the community.

- **Contextual value** applies to properties that define, maintain, or support the character of an area. Properties may also be physically, visually, or historically linked to their surroundings. Properties may have contextual value if it is a landmark.

Consultant Findings - 48 Properties Met Heritage Designation Criteria

The Town's heritage consultants (ARA) completed 49 Heritage Designation Reports (Attachment 3). A designation report evaluates a property's ability to meet the provincial criteria for individual designation under O. Reg 9/06. It also includes information about the property's history, includes photographs, observations from site visits, a statement of cultural heritage value or interest and identifies the property's cultural heritage elements. As noted, out of the 49 properties evaluated, 48 properties met two or more of the provincial criteria for property designation.

It is the opinion of both staff and the Town's heritage consultant that all 48 properties that meet provincial criteria should be advanced for individual heritage designation under Section 29 of the *Ontario Heritage Act*.

Legislative Process

In order to designate these properties, Council must first consider within 90 days of issuance of the NOID (Nov 1, 2024) any objections that have been served on to the Town Clerk during the 30 days objection period. As per Section 29(5) of the *Ontario Heritage Act*, each objection must clearly state the reason for their objection and all relevant facts. By January 30, 2025, Council must consider any objections received and decide whether or not to proceed with the designation or withdraw the NOID and issue a notice of withdrawal. If Council wishes to proceed with designation of the 48 NOIDs as per the recommendation of this report, then they must pass a designation by-law by March 1, 2025 for each property (within 120 days of issuance of the NOID). As per section 29(11) designation By-laws can be appealed within 30 days to the Ontario Land Tribunal. If no appeal are received within the 30 day time period, the by-law comes into force, the Clerk shall register the by-law on title, and a copy of the registered by-law is served on to the Ontario Heritage Trust.

Objections

The Town is in receipt of 11 Notices of Objection (Attachment 4) received during the statutory objection period. Objections received cited reasons including the perceived condition of the property, impact on the use and future development plans, lack of public interest or benefit, financial impact, building and fire code requirements, high cost of insurance, not meeting provincial criteria, infringement on constitutional rights, legal reasons, not consenting to the designation, among others. In consideration of some of the objections received, staff have worked with some property owners where appropriate to draft the designation by-law in such a way that would still protect the heritage features of the property, but would also provide some flexibility in future

development plans, additions, etc. Staff also believe that working with property owners in this way will reduce the likeliness of a potential appeal.

Support

Staff have also received correspondence from two property owners indicating support for the designation.

The Remainder of the Non-designated Heritage List

On January 1, 2027 all remaining non-designated heritage are set to automatically be removed from the list and cannot be re-added for a period of 5 years. As part of this exercise, Staff are recommending the removal of these non-designated properties at this time. The advantage of removing these properties now is that it effectively begins the 5 year re-add period from the removal date. In the future, as properties age they could exhibit elements that should be preserved and re-evaluating after 5 years is a good barometer for preserving heritage. The only downside to removing properties from the non-designated list is that they lose heritage protection in demolition. However, this is mitigated due to the fact that Staff is confident that a thorough process was followed and one that has captured all properties that should be designated currently.

Heritage Property Tax Rebate Program

The Town currently has a Heritage Property Tax Rebate Program where eligible properties can apply for a tax rebate. Eligibility for heritage properties are that they are individually designated or apart of the heritage conservation district, and have entered into an agreement regarding heritage with the Town or Ontario Heritage Foundation (i.e. a heritage easement agreement).

In 2024, out of the 47 properties that are currently designated under Part IV of the *Ontario Heritage Act*, 10 properties had applied and received a heritage property tax rebate. The rebate is currently 40% of the taxes for municipal and school purposes. Further information regarding the program can be found through By-law 2003-141. All newly designated properties would be eligible candidates for a rebate in 2026 based on their taxes paid in 2025.

Staff are currently reviewing this program with the objective of achieving a streamlined process. It is anticipated that staff will report back to Council on this revised process in Q4, 2025.

Conclusion

Through the evaluation and proposed designation of 48 properties, the Town demonstrates its commitment to preserving this unique heritage while complying and responding to new provincial legislation. By safeguarding these resources.

Council must address the 11 Notices of Objection received during the objection period. By January 30, 2025, Council must review and decide whether to proceed with the Final Recommendation Report – Heritage Designation of 48 Properties

designation or withdraw the Notice of Intention to Designate (NOID) for any contested proposed designation. For properties proceeding with designation, individual designation By-laws must be passed by March 1, 2025, to meet the 120-day deadline from the issuance of the NOIDs. Additionally, staff are recommending that the list of non-designated heritage properties be updated by removing all remaining non-designated heritage properties.

It is to be expected that there will be an increase in Heritage Property Tax Rebate applications in 2026 due to the increased number of properties eligible to participate in the program (through designation). Staff will work in 2025 to streamline this process.

Business Plan and Strategic Plan Linkages

- Community and Economic Vibrancy
- Customer-First Way of Life
- Extraordinary Places and Spaces

Consultation

- Archeological Research Associates (ARA) LTD.
- Heritage Newmarket Advisory Committee

Human Resource Considerations

None

Budget Impact

If the recommendations in this report are approved, Staff anticipate the number of heritage properties in 2025 to increase. Additional budget may be needed to be allocated to the Heritage Property Tax Rebate program.

Attachments

Attachment 1 – O.Reg 9/06 - Criteria for Determining Cultural Heritage Value or Interest

Attachment 2 – Planning Heritage Letter Mar 4, 2024

Attachment 3 – [Final Designation Reports](#)

Attachment 4 – Combined Notice of Objection Letters Redacted

Submitted by

Umar Mahmood, Planner, Committee of Adjustment and Cultural Heritage, Planning Services

Approved for Submission

Adrian Cammaert, MCIP, RPP, Manager of Planning Services

Jason Unger, MCIP, RPP, Director of Planning and Building Services

Peter Noehammer, P. Eng, Commissioner, Development and Infrastructure Services

Contact

For more information, please contact Umar Mahmood, Planner, Committee of Adjustment and Cultural Heritage, Planner Services

CRITERIA FOR DETERMINING CULTURAL HERITAGE VALUE OR INTEREST

Consolidation Period: From January 1, 2023 to the [e-Laws currency date](#).

Last amendment: 569/22.

Legislative History: [+]

This is the English version of a bilingual regulation.

Criteria, s. 27 (3) (b) of the Act

1. (1) The criteria set out in subsection (2) are prescribed for the purposes of clause 27 (3) (b) of the Act. O. Reg. 569/22, s. 1.

(2) Property that has not been designated under Part IV of the Act may be included in the register referred to in subsection 27 (1) of the Act on and after January 1, 2023 if the property meets one or more of the following criteria for determining whether it is of cultural heritage value or interest:

1. The property has design value or physical value because it is a rare, unique, representative or early example of a style, type, expression, material or construction method.
2. The property has design value or physical value because it displays a high degree of craftsmanship or artistic merit.
3. The property has design value or physical value because it demonstrates a high degree of technical or scientific achievement.
4. The property has historical value or associative value because it has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community.
5. The property has historical value or associative value because it yields, or has the potential to yield, information that contributes to an understanding of a community or culture.
6. The property has historical value or associative value because it demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community.
7. The property has contextual value because it is important in defining, maintaining or supporting the character of an area.
8. The property has contextual value because it is physically, functionally, visually or historically linked to its surroundings.
9. The property has contextual value because it is a landmark. O. Reg. 569/22, s. 1.



Planning & Development Services | Town of Newmarket
395 Mulock Drive P.O. Box 328,
Newmarket, Ontario, L3Y 4X7

Website: newmarket.ca/heritageplanning | Phone: 905-895-5193 ext. 2458

[hold space for owner name]
[hold space for address]
[hold space for address]

March 4th, 2024]

Dear Property Owner,

As a result of recent legislative changes from the Province of Ontario (Bill 23, More Homes Built Faster Act, 2022), the Town must review all 367 Non-Designated Heritage properties and evaluate whether they meet the criteria for heritage designation. You can find more information about Bill 23 here <https://www.ola.org/en/legislative-business/bills/parliament-43/session-1/bill-23>. For the full list of Non-Designated Heritage Properties please visit newmarket.ca/heritageplanning.

As you may be aware, your property is currently on the Town of Newmarket's list of Non-Designated Heritage properties. Non-Designated Heritage properties are properties that Heritage Newmarket Advisory Committee had previously identified as having heritage value.

The Town is working with a heritage consultant to review all 367 Non-Designated Heritage properties. Next steps in this review will include consulting the Heritage Newmarket Advisory Committee and then prepare a final report and presentation to Council. If a decision is made to designate your house, you will be made aware in advance of the meeting to designate.

Please note that Council has not made any decisions for designation currently. This letter is intended to let you know about this project and the heritage designation process. No action is required for you as the property owner at this time.

If you have any questions, please do not hesitate to contact Umar Mahmood, Cultural Heritage Planner at um Mahmood@newmarket.ca or call 905-895-5193 ext. 2458.



371 Davis Drive, Suite 101
Newmarket, ON L3Y 2N8



2411130122

3803 M4L



LEGISLATIVE SERVICES		
INCOMING MAIL	REFD TO	COPY TO
NOV 14 2024		

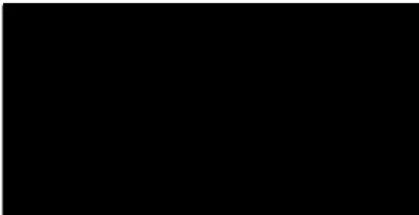
*John of Newmarket
 Town Clerk
 P.O. Box 328
 395 Mullock Drive
 Newmarket, ON L3Y 4X7*



Lack of Public Interest or Benefit:

And finally, although I agree with the designation of certain buildings as heritage homes, I feel there is little value in designating my dental office as a heritage home. There does not seem to be a single building on the North side of Davis Drive that is true to its original character. Why allow every other home to be torn down or heavily modified, and then randomly select one to be preserved. It defies logic.

Thank you for your consideration,



LEGISLATIVE SERVICES		
INCOMING MAIL	REFD TO	COPY TO
NOV 14 2024		

371 Davis Drive, Suite 101
Newmarket, ON L3Y 2N8





LEGISLATIVE SERVICES		
INCOMING MAIL	REFD TO	COPY TO
NOV 14 2024		

November 11, 2024

To whom it may concern,

I am writing this letter to object to the designation of my property at 371 Davis Drive as a property of cultural heritage value and interest. My objections fall into three broad categories.

Condition of the Property:

At present, the front façade of the building is in poor condition. The support pillars are crumbling, the gingerbread detailing is falling apart, and the stucco façade is failing. The building functions as a dental office which I purchased 3 years ago. I have been slowly repairing the building as financial resources become available. The front of the building is the next project that needs addressing.

The building has been added on to, and renovated, many times over the years. It currently exhibits 3 styles of exterior cladding. The cladding needs replacing as one cohesive style. The original cladding is unsightly. Nor do I know if I can find someone to replicate the original exterior.

On top of the failing architectural details, the building itself has been modified on many occasions over the years. The front decks have been replaced with a picket style not true to the original. Some of the exterior façade has been updated to a more modern style. The house, in general, is in no way true to its original construction.

Impact on Use and Development:

The building currently functions as a dental office, and the office is growing. It is my intention to build out the office into the front deck space to expand the square footage available so that I might build two additional operatories. The historical designation will limit my ability to expand the scope of my practice, limiting future income generating capacity.

371 Davis Drive, Suite 101
Newmarket, ON L3Y 2N8



From: [REDACTED]
To: [Lisa Lyons](#); [Umar Mahmood](#)
Cc: [REDACTED]
Subject: 16874 Bayview Ave / Heritage Designation
Date: November 18, 2024 1:12:34 PM

CAUTION: This email originated outside of the Town of Newmarket. **DO NOT** click links or open attachments unless you recognize the sender and trusted content.

Dear Lisa Lyons (Clerk) and Umar Mahmood (Planner),

My clients [REDACTED], owners of the above noted property have received an official " Notice of Intention to Designate Property of Cultural Heritage and Value " dated Nov. 1, 2024 from the Town of Newmarket.

On behalf of my clients, I write to you both, so that there is open dialogue between the Clerks Dept. and the Committee of Adjustment and Cultural Heritage, because time is running out, and we currently have a the postal strike.

Ms. Lyons : The notice of designation we received mentions that they have 30 days to object, (Dec. 1st), so please consider this their official objection until we get more information and sort out some of the items below.

If their is a specific notice of objection form required, please forward it to us before Dec. 1st.

My clients are in objection to this potential heritage designation for not enough information is know yet about the ramifications for future renovations or additions, or the effects it will have on their property taxes or potential resale of the property, etc. Also, we would like to point out that some of the buildings characteristics the committee wants to designate are not original.

Mr. Mahmood : We have many questions and concerns that I hope you can help us with.

Questions :

- 1) Can you please send us more information, including full description of the rational for the designation ?
- 2) Can you explain on how designation effects them and and their property for future generations ?
- 3) How will designation effect their property taxes.
- 4) How will designation effect their property values and resell potential ?
- 5) How long does designation take ?
- 6) What if they disagree that their house does not meet a significant Queen Anne style that is mentioned in the notice ?
- 7) What is the significance of Joseph C. Lundy to the Town of Newmarket, when he was more involved with Whitchurch - Stouffville. Is this a Provincial Heritage Act,

administered by the Municipality, if so which level of government is driving this designation ?

8) Even if designation is opposed by owners, can designation still go ahead ?

9) If designated, what is involved in the appeal process ?

important additional info :

We are planning to rebuild of the front portico - which is not original. It is rotting and is in need of repair. This has been in the design and permit drawing stage for many months, anticipating a next spring 2025 construction timing.

10) How will designation effect our timing for obtaining a building permit and the rebuilding the front porch next spring ?

11) Will designation hold up this permit process ? Especially if designation is not finalized.

12) Will this designation allow us to use the existing height of the balcony railings being replaced, which is 11" less than the current Ontario Building Code min. height ?

13) Will this designation allow us to use the existing 6" railing clear spacings, instead of the current Ontario Building Code min. 4" clear spacings ?

My clients may be replacing all existing windows (phase 2) along with the as mentioned upper storey door. For they are not very energy efficient.

14) How will designation effect this process, especially the upper door ?

We may also be planning another future addition to the side of their home which would propose a 2nd storey rec. room over a new garage complete with mudroom and laundry facilities. With that possible (phase 3) addition.

15) How will designation effect this potential addition ?

I have cc'd [REDACTED] (owner) and trust you will reply to her as well.

Best regards and we look forward to hearing from you both.

[REDACTED], M.A.A.T.O., A.Sc.T., Associate AIA
Architectural Technologist

[REDACTED]



NEWMARKET CEMETERY CORPORATION

Est. 1867

112 MAIN ST. NORTH, NEWMARKET, ON L3Y 4A1
[REDACTED]

Date: November 20, 2024

For: Trevor Morrison, Councillor, Ward 4
cc: Mayor Taylor

Re: Council's notice that the Cemetery house should be 'designated' as having 'cultural heritage value'.

The Board of Directors request that:

Mayor Taylor and Councillor Morrison, on behalf of Town Council, instruct the Town Clerk to remove the Cemetery house located on the Cemetery property from any designation as having "cultural heritage value".

(NB: The Board of Directors will have no problem with Town Council seeking to have the actual burial grounds being designated as having "historic value as a 19th century cemetery that served the historic Village of Newmarket" similar to the 'designated' burial grounds on Eagle Street, referred to as the Pioneer Burying Ground.)

The current Board must work to make sure future Boards are not 'handicapped' financially or operationally.

Should the current house be 'designated' and future Boards are unable to alter the house to meet their then current/future operations & income needs, it could become a financial burden, with unforeseen results*.

*refer to Appendix #1, from the 2016, 'York Region Cemetery Needs Analysis and Policy Framework', which was shared with all municipalities within the Region, specifically to its Appendix #4 – Key Findings – under Central York "Newmarket has the greatest land need with less than 25 years of developed supply." Highlighted with a large asterisk indicating *NB: the Newmarket Cemetery has only 10 years of land left for "in ground" burial space available, but has up to 25+ years of land for cremations burials."

(8 years on from this report being tabled, it is still relevant and an outstanding issue affecting the Cemetery's future.)

Discussion points:

First, these will follow points, in the 'Notice' received by the Board of Directors, and Second, outline how 'designation' would be handicapping to future Board's operations and financial well being, such 'designation' of the Cemetery House would represent.

First: following some of the points detailed in the 'Notice' received by the Board of Directors.

1. **Property Description:** 112 Main Street North (Newmarket Cemetery House) is located on the 'north side of Botsford Street'? in the Town of Newmarket.

NEWMARKET CEMETERY CORPORATION

112 MAIN ST. NORTH, NEWMARKET, ON L3Y 4A1 [REDACTED]

2. 'Physical/Design Value' and 'Historical Associative Value'

112 Main Street North has physical value as an example of an 19th century cemetery which includes the caretaker's house constructed in 1873 in a Gothic Revival design.

Several points: regarding the 'Property' - as detailed in the Notice

- “oldest portion of cemetery (12 acres) dates to 1869” ... “This undersigned section includes memorials often clustered in familiar groups often with sporadically placed or oriented plots”

– had anyone bothered to come into the Cemetery office, to actually discuss the property, (or house), they would have been shown the original survey of the initial lands, by Alfred Wilson, in ‘AD 1869’ (duplicated by E. A. Bogart in, ‘AD 1885’) laying out plots (9’x12’) and vault lots (12’x 18’) measured from ‘south to north’ of the property in a well defined/orderly manner, and the Interment Rights being sold and burials conducted as such.
- “Prior to the establishment of the Newmarket Cemetery, the Town was served by a small burying ground on Eagle Street.”
All Town residents were not actually ‘served’ by this ‘burying ground’. It was and still is owned by the St. Paul’s Anglican Church, Diocese of Toronto and was established to serve this Anglican Church’s congregation, at time of need, similar to the St. John’s Cemetery which was established to service the St. John’s Roman Catholic Church’s congregation, at time of need.
- Thus, the Newmarket Cemetery (originally called Pleasantview Cemetery) was established as a Non-Denominational, Non-Profit Cemetery, operated under a volunteer Board of Directors, to serve anyone/everyone requiring interment.
It remains so today.
(note: the property was originally outside the Town’s boundaries, being in East Gwillimbury at that time.)

As recorded in the Cemetery’s Official Burial Book, the first burial on the property took place on July 5, 1869 – not 1864 as in the ‘Notice’.
The interment was for Alfred Burn, Aged 32, Born in Hamilton, Canada, Died in Newmarket, on July 3, 1869 and interred (buried) July 5, 1869.
(NB: In addition, as a point of interest, the Cemetery’s Burial Book records people who died in 1854, 1856 and 1863 being buried within the Cemetery, in 1869, having been moved from other burial sites to this Cemetery.)
- Previous and the current Board of Directors have and continue to work within its finances to ensure it is self sustaining for its Interment Rights Holders, while continuing to maintain this treed, park like setting within the centre of Newmarket open to all to visit/wander the historic grounds etc., (at no expense to Town taxpayers.)

NEWMARKET CEMETERY CORPORATION

112 MAIN ST. NORTH, NEWMARKET, ON L3Y 4A1

Several points: specific to the Cemetery House - regarding the 'Notice' received:

(these points are supported by pictures of the house 'before' (late 1800's) and 'after' (current 2024))

- “The two-story brick caretaker’s house, currently covered with parging”

The brick house is covered with stucco not ‘parging’ per sec, which is distinctively different. Stucco covering was needed due to the deterioration of the brick. The brick used was sourced from a then local supplier – Stickwood Brick Yard. The brick was sun dried, not kiln dried and therefore does not have the outer ‘protective glaze’ that kiln dried brick provides.

Subsequent pollution from local factories (Davis Leather/Dixon Pencil/Office Specialty etc.) plus coal/wood heated homes, as well as normal weathering caused deterioration to the brick, requiring the Board to go to expense of Stuccoing the building.

Sample of this brick can be seen in what would have then been the single-story kitchen, on the west side of the house, (now used as a public meeting office).

This single-story (kitchen) room subsequently had a second story added at some point. In the early 1800's pictures you can discern the separate chimney in this single-story (kitchen) room, in addition to the large chimney centered in roof of the main house.

- The ‘Notice’ talks of the house having a “symmetrical and balanced façade” ... “associated with Gothic Revival architecture” – the late 1800's pictures would support such a statement, however, the 2024 pictures can only reflect this is no longer true, due to the number of alterations, removing any such semblance, as (a few following points reflect);

1st looking at (1800's pictures & 2024 pictures) the house as it faces Main St. N. (east side) it is noting there are two very distinctive, period verandas.

The veranda on the south side, had to be completely removed, due to deterioration and the doorway to this veranda has been completely closed off and stuccoed over, readily visible, in the 2024 pictures.

The veranda on the north side, required extensive work and subsequently was completely reconfigured, from the veranda's original very distinctive roof, to a very ‘non-descript’ roof, down to the replacement of the wooden floor with a non-descript fiber fabric sheeting and wooden stairs replaced with simple, solid concrete steps.

NEWMARKET CEMETERY CORPORATION

112 MAIN ST. NORTH, NEWMARKET, ON L3Y 4A1

2nd while the 'Notice' outlines the "rectangular window opening and stone sills", most all house construction over the years, in the Town had and have similar rectangular window openings – this not really a distinctive feature, while stone sills are still sometimes used in today's construction.

The 1800's picture note very distinctive windows, that opened (vertically) and inward, all that is gone. The current windows all open horizontally (if not actually painted shut). At the time, they would have had wooden storm windows for winter use – now the windows just have (ugly) aluminum storm windows attached.

(For people living in such older houses, there was always a fall & spring ritual – cleaning windows, putting up & taking down the 'storms' – until the advent of the year- round aluminum storm windows.)

In addition, a small window (noted in the 2024 pictures) was added (north side) 2nd story level. This occurred when indoor plumbing came to the house, its noted that a stone sill was used, again confirming such a window stone sill was nothing special.

3rd the roof centered chimney is gone, with one being added attached to the north side house wall. (This chimney is no longer used/required, due to a newer heating operation.)

4th on west side of house, when built, it was a single-story room, being a kitchen – barely noticeable in the 1800's pictures is a chimney extending from its roof. This is also gone, as a 2nd story was added, (for an extra bedroom), changing this entire roof line, plus the north facing window of the kitchen was changed into a doorway entrance, used today.

5th A new room, on the south side of the structure, (not pictured in the 1800's pictures) was created by closing in the porch & house entrance to now become a washroom & back door entrance way into the office.

Given the above, with all the changes/modifications etc., it would seem to readily apparent that the Cemetery house, in the Board's opinion, lacks any 'associative value' to the original building.

Further, in the Board's opinion, they feel it would be rather embarrassing to have someone point out this Cemetery house being reflective of the Architect's work, given all the structural changes and feel it is not worthy of any 'Cultural Heritage' designation.

If designated and future Boards are unable to alter the house to meet their current/future operations & income needs, it could become a financial burden.

One such change that comes to mind, as the Cemetery grounds fill to capacity, future Boards could arrange to have cremation niche spaces added to the walls of the house, while creating other burial options on the grounds surrounding the Cemetery house.

NEWMARKET CEMETERY CORPORATION

112 MAIN ST. NORTH, NEWMARKET, ON L3Y 4A1 

As noted, current Boards must try to make sure future Boards are not financially ‘handicapped’. If at some point a future Board’s operational/financial options are limited, and its financial resources expended, it may have no option, but under the,

FBCSA, (Funeral, Burial, Cremation Services Act) & O. Reg. 30/11, seek relief, as follows;

‘Abandoned Cemeteries’

(provisions – are briefly summarized below - full copy of the relevant legislation provisions attached - see Appendix 2)

Applications for declaration

101.1 (1) - person/entity applying for declaration of abandonment,

(1)(b) (reason) is unable to maintain it; resulting under ...

Maintenance

(4) When an application is made to declare a cemetery abandoned

‘the local municipality within whose geographical boundaries ... , shall be responsible for maintenance of the cemetery until ...

Order

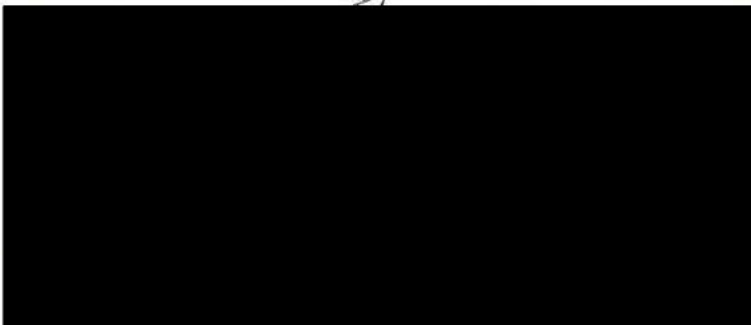
(6) Upon being satisfied ..., a judge ..., shall, by order, declare the cemetery to be abandoned.

Registration of order

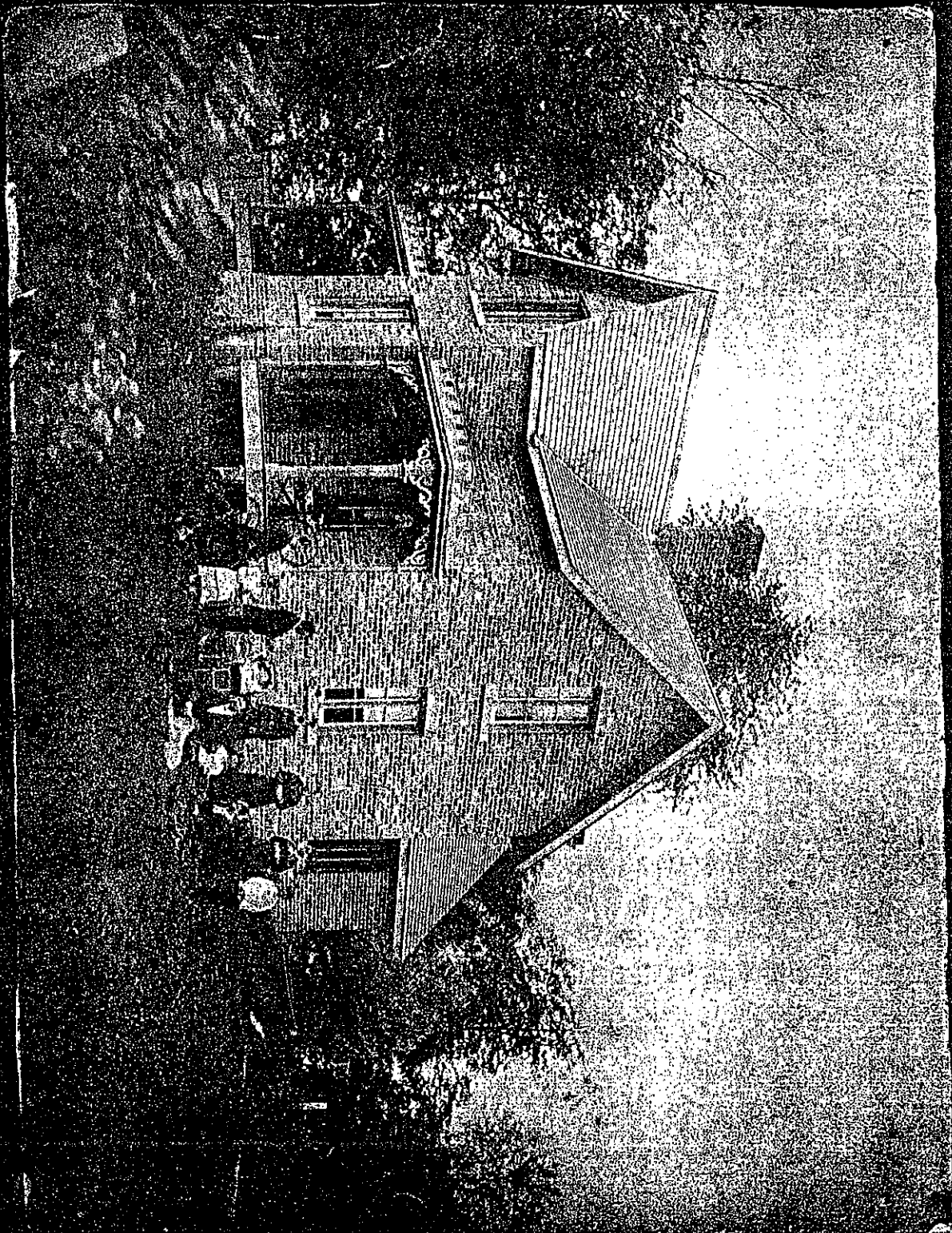
(7) ..., the local municipality ... becomes the owner of the cemetery with all rights and obligations (i.e. operations, maintenance/burials left to be undertaken etc.)

Given all the preceding information, we would formally ask you, as our Ward 4 representative and with our Mayor’s help to instruct the Town Clerk to specifically remove any reference to the Cemetery house as to any ‘designation’ of “cultural heritage value”. (We agree/support that the actual burial grounds of the Cemetery may or perhaps should be designated as having “cultural heritage value”.)

The Board would rather proceed in this more positive manner rather than having to lodge a formal ‘Notice of Objection’ with the Town Clerk and proceed down any such public adversarial path with Town Council.









Notice is Hereby Given that the Council of The Corporation of the Town of Newmarket intends to designate as a property of cultural heritage value and interest the following property in accordance with the Ontario Heritage Act, R.S.O. 1990, c. O.18:

Property Description: 432 Botsford Street (Clarkson Hughes House). 432 Botsford Street is located on the south side of Botsford Street in the Town of Newmarket. The subject property contain a two-storey Italianate residence constructed circa 1890.

Legal Description: PART LOT 55, PLAN 81, NEWMARKET

Publication Date: Nov 1, 2024

Last Date for Objection: Dec, 1, 2024

Any notice of objection to this Notice of Intention to Designate, setting out the reason for objection and all relevant facts, must be served upon the Town Clerk within 30 days of the first publication of this notice.

Statement of Cultural Heritage Value or Interest Physical/ Design Value

432 Botsford Street is a representative example of a building constructed in the Italianate architectural style. The two-storey irregular shape plan building has a multi-gable roof with prominent front gable and side gables decorated with ornamental vergeboard woodwork, wide overhanging eaves, and buff brick envelope coursed in a stretcher bond which is typical of Italianate residential buildings. The tall, narrow and in some cases paired window openings with segmental brick arches and stone sills combined with its formal entranceway openings along are also key features of the Italianate architectural style.

Historical and Associative Value

432 Botsford Street is directly associated with the historic Village of Newmarket. The lots lines, layout, and built form of the historic village of Newmarket was well established in the mid 19th century and evident in a well-established commercial core found along Main Street and the large presence of residences located along several side streets. The development of the commercial core and surrounding residential streetscapes in the mid-19th century played a significant role in the social and economic development and growth of the Village of Newmarket. It is likely that the brick used in the construction of the residence was from the Stickwood Brickyard, which produced both red and buff/yellow-coloured bricks during this time period. Local historians indicate that almost all of the brick buildings built in Newmarket between 1860 and 1910 were likely constructed with bricks that originated at the Stickwood Brickyard. The use of locally made bricks reflect the concentrated development and prosperity of the historic core. Many early residents participated in the development and growth of religious, and/or community organizations. Two of 432 Botsford Street residents were directly involved with the Society of Friends,

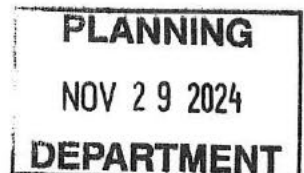
commonly called the Quakers. The property's initial owner and builder of the residence at 432 Botsford Street, Clarkson Hughes, was listed as a Quaker in the 1891 Canada Census. After Clarkson Hughes' death, the next owner of the property, Jacob Doyle, was heavily involved in the Botsford Street Meeting House, which was located across the street at 429 Botsford Street. Jacob Doyle is mentioned numerous times in the church archives for his active participation from 1896 through 1928 serving on committees, donating sums towards the operation of the building, and also served as an Elder in the congregation.

Contextual Value

432 Botsford Street is important in supporting the 19th century character of the historic Village of Newmarket. Several residential side streets, including Botsford Street, were established in the village core, near the commercial Main Street. Located off or parallel to Main Street, the buildings along the side streets are comprised of predominantly one to two-and-a-half storey residences, primarily brick construction most using bricks from Stickwood's brickyard, with modest setbacks and include a range of architectural styles from that time period. 432 Botsford Street exhibits setback, massing, style, decorative details consistent with the historic village character.

Additional information, including a full description of the rationale for designation is available upon request from Umar Mahmood, Planner, Committee of Adjustment and Cultural Heritage, Planning Services at (905) 895-5193, extension 2458, or at umahmood@newmarket.ca during regular business hours.

*Opposed
Heritage Designation*



November 29 2024

Dated at the Town of Newmarket this 1st day of Nov, 2024

Town Clerk | Town of Newmarket

P.O. Box 328, 395 Mulock Drive, Newmarket, ON L3Y 4X7

November 29, 2024

Town Clerk
Town of Newmarket
395 Mulock Drive
Newmarket, ON L3Y 4X7

Subject: Request for Review of Heritage Designation – 457 D'Arcy Street, Newmarket, ON L3Y 1M9

Dear Town Clerk,

We, [REDACTED], are writing to formally express our deep concern regarding the Town's decision to place our property at 457 D'Arcy Street, Newmarket, ON L3Y 1M9, on the heritage designation list. This decision will have a significant and detrimental impact on our investment, and we respectfully demand that it be reconsidered.

When we purchased this property, our intention was to secure a stable, long-term investment for its future development potential for our children. We believed this property would provide them with a solid asset that could grow and develop over time. Had we known that the property was under review for heritage designation, we would have seriously reconsidered our decision to purchase it. Unfortunately, the potential for heritage designation was not disclosed to us during the sale.

To make matters worse, we have since learned that the previous owner received official letters from the Town on March 4, 2024, and April 17, 2024, warning them about the potential for this designation. Our agreement to purchase the property was finalized on February 9, 2024, with closing on April 9, 2024. Given that these letters were sent to the previous owner during this time frame, it is clear that they were fully aware of the heritage review process and its potential implications. Unfortunately, this critical information was never disclosed to us before closing, leaving us in an unfair position. This oversight falls squarely on the previous owner and is entirely outside the Town's responsibility.

In fact, we had already initiated the process to have our property removed from the Non-Designated Heritage list, based on the understanding that it would not be subject to future heritage designation, much like our neighbor at 465 D'Arcy Street. We were shocked to learn that, rather than being removed, our property is now under consideration for designation.

While we respect the Town's desire to preserve Newmarket's heritage, the financial implications of this decision are real and severe. We have no intention of making alterations to the property's exterior. However, the restrictions on exterior alterations, the

requirement for heritage review, and the stigma associated with owning a designated property will substantially decrease its market value. These limitations will make it difficult, if not impossible, to sell the property in the future, as prospective buyers will be deterred by the additional costs and restrictions of owning a heritage-designated home.

Additionally, we have already invested significant funds into the renovation of the property, which was in a deplorable and uninhabitable condition when we purchased it. Our goal was to make the property safe and livable, and we succeeded in turning it into a home that now provides much-needed rental housing in an area where demand is high. However, the prospect of heritage designation creates uncertainty and jeopardizes the financial stability of this investment, limiting our ability to make necessary future improvements.

We fully appreciate the importance of preserving Newmarket's historical character, but we respectfully ask that you reconsider this decision. The financial and personal impacts of heritage designation on current property owners who were not informed of this matter during the purchase process cannot be overstated. Had we been aware that our property was under review for designation, we would have made a fully informed decision and would have likely chosen not to proceed with the purchase.

We are requesting, in the strongest possible terms, that the Town reconsider placing this property on the heritage designation list or, at the very least, allow for a transparent and fair process that acknowledges the significant impact on property owners like us. The financial burden, coupled with the lack of disclosure from the previous owner, has placed us in a difficult and unfair position, and we urge the Town to address this matter with the seriousness it warrants.

Thank you for your time and attention to this matter. We expect a prompt and fair response, and we would welcome the opportunity to discuss this further in person to reach a resolution that respects both the preservation of heritage and the rights of property owners.

[Redacted signature block]

[Redacted address block]

From: [REDACTED]
To: [Umar Mahmood](#)
Subject: 471 Darcy and 491/493/495 eagle
Date: November 30, 2024 4:48:29 PM

CAUTION: This email originated outside of the Town of Newmarket. DO NOT click links or open attachments unless you recognize the sender and trusted content.

Hello Umar,

We received notice of heritage designation for the above listed properties.
However there are no insurrections on how to object. We would like to object to Darcy street becoming heritage.

Thank you

[REDACTED]

[REDACTED]

Sent from my iPhone

From: [REDACTED]
To: [Umar Mahmood](#)
Subject: Intention to designate 480 Eagle St Newmarket a property of cultural heritage value and interest
Date: November 29, 2024 3:57:45 PM

CAUTION: This email originated outside of the Town of Newmarket. DO NOT click links or open attachments unless you recognize the sender and trusted content.

As I am the owner I hereby forward a notice of objection to designate the above mentioned property as a property of cultural heritage value and interest.

As I have owned this property for almost 50 years as 10-plex rental dwelling and have maintained it as a show piece for the downtown core.

My concern is this.

Since it is a rental property and not a single family dwelling I have and had to abide by various codes and bylaws. I have no control over possible future changes that could required by a change of codes or by bylaws i. e. Fire codes. I already had to change a long staircase on the exterior of the building to comply.

Further to the pamphlet claim that insurance premiums are not affected by this designation is a false statement as I was trying to reinsure this building last year and could only get a half year policy under the assumption that this was a heritage building. I now have to look for another insurance carrier in a supposed specialty market at a much higher premium. I will certainly find out as my premium comes due at the end of January.

Stating my reasons as outlined I hereby request a non- designation for this property.

[REDACTED] Nov 29, 2024

Sent from my iPhone

NOTICE OF OBJECTION

- 1) We object to the designation of 233 Prospect Street, Newmarket as a property of cultural value pursuant to the *Ontario Heritage Act* and as set out in the Notice of Intention to Designate delivered to us by email from the Corporation of the Town of Newmarket.
- 2) Our objection to the designation is based on the following two grounds:
 - a) 233 Prospect Street does not meet two of the required criteria set out in section 27 (3) (b) of the *Ontario Heritage Act* and regulations; and
 - b) designating 233 Prospect Street infringes our constitutional right to life, liberty and security of the person and the right not to be deprived thereof except in accordance with the principles of fundamental justice as set out in section 7 of the *Constitution Act*.

Criteria

- 3) Pursuant to the Notice of Intention dated November 1, 2024, the Corporation of the Town of Newmarket relies on three criteria to establish heritage designation for 233 Prospect Street. Section 29 (3) of the *Heritage Act* requires the property to meet two criteria. Only one of the required criteria has been established.

Criteria # 1

Does 233 Prospect Street have design value or physical value because it is a rare, unique, representative or early example of a style, type, expression or construction method?

- 4) We accept that 233 Prospect Street meets the criteria as a property with design value or physical value because it is rare, unique, and representative of an example of a style, type, expression, material or construction method. 233 Prospect Street was built in or about 1889 and is a two and one half storey Victorian home in the Italiante style. Features include a sloped roof, deep eaves, Juliette balcony, rounded windows, decorative voussoirs, stone sills, buff brick construction with raised decorative banding coursed in a common bond, and metal cresting.

Criteria

Does 233 Prospect Street have historical value or associative value because it has direct associations with a theme, event, belief, person, activity, organization, or institution that is significant to a community?

- 5) The criteria that 233 Prospect Street has historical value or associative value because it has direct associations with a theme, event, belief, person, activity, organization, or institution that is significant to a community has not been established.

- 6) The Corporation of the Town of Newmarket relies on two associations: the historic Village of Newmarket and James J. Pearson.

Historic Village of Newmarket

- 7) The historic village of Newmarket is not a theme, event, belief, person, activity, organization, or institution. It was a village and is now a town.
- 8) Stickwood Brickyard is not a theme, event, belief, person, activity, organization, or institution. It was a business.
- 9) Even if the historic village of Newmarket was a theme, event, belief, person, activity, organization, or institution, Prospect Street is not part of the historic village of Newmarket. The historic village of Newmarket was built in or around the period 1800 – 1820. The railway was constructed to Newmarket in 1853. Newmarket was incorporated in 1857. The Holland River, a natural barrier, resulted in the expansion of the historic village of Newmarket along Main Street, Eagle Street and Water Street and precluded the expansion eastward to Prospect Street. Decades later, in or about 1860, bridges were constructed to connect Prospect Street to the historic village of Newmarket. As stated in evaluation report completed by Archaeological Research Associates, “Prospect Street is connected to the historical village via several bridges and is predominantly residential in nature.” The Archaeological Research report states “233 Prospect Street is not physically linked to its surroundings. There is no demonstrated material connection between the property and its surroundings. 233 Prospect Street is not dependent on its surroundings. 233 Prospect Street is not visually linked to its surroundings.” Prospect Street has never been part of the historic village of Newmarket, was not built at the same time as the historic village of Newmarket, does not resemble the residences or businesses in the historic village and, therefore, does not have direct associative value with the historic village of Newmarket. Regardless, the historic village of Newmarket is not a theme, event, belief, person, activity, organization, or institution.
- 10) Even if Stickwood Brickyard met the definition of an ‘organization’, there is no evidence of any **direct** (emphasis added) association between Stickwood Brickyard and 233 Prospect. There is no direct evidence that the brick used in the construction of 233 Prospect Street was from Stickwood Brickyard. The report from the Archaeological Research Associates does not establish a direct link between 233 Prospect Street and Stickwood Brickyard. Rather, the Archaeological Research Report suggests “it is likely the brick used in the construction of the residence was from the Stickwood Brickyard”. That is insufficient to form a **direct** link. Even if a link could be established, it is not a link sufficiently substantial as required by the regulations. If the Stickwood Brickyard did produce bricks for almost all brick construction in Newmarket between 1860 and 1910, as speculated by the Town of Newmarket, this erodes the argument that there is any direct associative value with any property including 233 Prospect Street. Regardless, the Stickwood Brickyard is not a theme, event, belief, person, activity, organization, or institution.

James J. Pearson

- 11) James J. Pearson was a person. However, he is not significant to the community. James J. Pearson held an administrative position as the registrar for the town. His employ, in that capacity, commenced well after the town was constructed and well after the town's incorporation in 1857. While he may have been a Justice of the Peace for a period and a member of the Board of Health, those are insignificant achievements and insufficient to rise to the level of establishing that he is significant to the community. The community does not know who James J. Pearson is. Even if James J. Pearson was a person significant to the community, which he is not, he has no direct association with 233 Prospect Street.
- 12) The Victorian residence at 233 Prospect Street, according to Archaeological Research, was built between 1888 and 1891. At that time title to the property was registered in the name of Mary Jane Pearson. While James J. Pearson may have married the original owner, Mary Jane Pearson, he did not take title to the home until 1896. He was not the original owner of the property. He did not hold title to the property when it was built. James J. Pearson held title to 233 Prospect Street for only eight years until 1904 when title was transferred to the "Sutherlands".
- 13) 233 Prospect Street, for decades, has been referred to as "Sutherland House". This is reflected in many newspaper articles, publications for charity events and the sign proudly displayed on the home by the Corporation of the Town of Newmarket. 233 Prospect Street's only direct association is with its third owners, the Sutherlands. The Sutherlands held title to the property for 37 years from 1904 to 1941. The Sutherlands were not persons of significance to the community. They are unknown entities. They are, however, the owners that are associated with 233 Prospect Street. James J. Pearson, by contrast, has no direct associative value with 233 Prospect Street.
- 14) The onus of establishing that 233 Prospect Street has historical value or associative value because it has direct associations with a theme, event, belief, person, activity, organization, or institution that is significant to a community, rests with the Corporation of the Town of Newmarket and they have failed to meet the onus. It is noteworthy that in this context any link must be substantial or important and that connection is absent here.

Criteria # 3

Does 233 Prospect Street have contextual value because it is important in defining, maintaining or supporting the character of an area?


- 15) The criteria that 233 Prospect Street has contextual value because it is important in defining, maintaining or supporting the character of an area has not been established. The Corporation of the Town of Newmarket states that 233 Prospect Street supports the 19th century character of the historic village of Newmarket.

- 16) Prospect Street is not geographically part of the original and historic village of Newmarket. The historic village of Newmarket was built in or around the period 1800 – 1820. The railway was constructed to Newmarket in 1853. Newmarket was incorporated in 1857. The Holland River, a natural barrier, resulted in the expansion of the historic village of Newmarket along Main Street, Eagle Street and Water Street and precluded the expansion eastward to Prospect Street. Decades later, in or about 1860, bridges were constructed to connect Prospect Street to the historic village of Newmarket. As stated in the Archaeological Research report, “Prospect Street is connected to the historical village via several bridges and is predominantly residential in nature.”
- 17) I agree with the Archaeological Research report that states “233 Prospect Street is not physically linked to its surroundings. There is no demonstrated material connection between the property and its surroundings. 233 Prospect Street is not dependent on its surroundings. 233 Prospect Street is not visually linked to its surroundings.” Prospect Street was not part of the historic village of Newmarket. It was built in the last decade of the 19th century unlike the historic village of Newmarket that was built in the first two decades of the 19th century. Prospect Street was connected to the historic village by bridges decades after the historic village of Newmarket was constructed. Accordingly, 233 prospect Street does not define, maintain or support the character of the historic village of Newmarket.
- 18) The vast majority of residences in or about Prospect Street are not Victorian, not of the Italiante style and not historical in nature. Prospect Street is not part of the historic village of Newmarket and its structures do not reflect that historical connection. The vast majority of homes in or about Prospect Street are much more recent builds with the vast majority having vinyl siding. The Corporation of the Town of Newmarket includes only a tiny percentage of homes in or about Prospect Street on its proposed list of heritage designated homes and for good reason. A reasonable person walking down Prospect Street would not conclude that the setting was historical in nature or in any way related to the historic village of Newmarket.
- 19) 233 Prospect Street has setbacks significantly larger than most homes in the area. 233 Prospect Street is unique. It is unlike the balance of structures in the area. It is not linked in any way to the structures surrounding it. It is not part of any consistent character because of its uniqueness. The Notice of Intention to Designate states that there is a link because most homes in the area are comprised on one to two and a half storey homes. Most homes in the area are not two and a half storeys. Most of the homes in the area, like almost every other community across the country, are composed of one or two storey homes. 233 Prospect Street is unique in the area because it is a two and a half storey Victorina home. While it is a convenient narrative to assert that Prospect Street has a character similar to the historical village of Newmarket, it does not.
- 20) The Corporation of the Town of Newmarket has not established that 233 Prospect Street is within the historic village of Newmarket, has not established that 233 Prospect Street is in any way linked to the character of the historic village of Newmarket, and has not established that

233 Prospect Street defines, supports or maintains the character of the area.

Constitution

- 21) The *Constitution Act* guarantees my right to life, liberty and security of the person and the right not to be deprived thereof except in accordance with the principles of fundamental justice. While property rights are not specifically entrenched in the *Constitution Act*, a property owner's enjoyment of property is a natural and necessary extension to those section 7 rights. Canada is also signatory to the *United Nations Universal Declaration of Human Rights* which includes at article 17: "Everyone has the right to own property alone as well as in association with others. No one shall be arbitrarily deprived of his property." Property rights are recognized in the *Canadian Bill of Rights* which affirms the right to the enjoyment of property and the right not to be deprived of it except by the due process of law.
- 22) 233 Prospect Street is a large investment. It was purchased for 1.5 million. Renovation and updating costs required an investment of \$400,000. It is noteworthy that all of the windows in the residence were replaced with historically consistent arched windows. The chimney was rebuilt with ornamental brickwork in the form of arches and stepped brick and belt course. We have maintained the integrity and appearance of the Victorian style. We have no intention of developing the property nor from departing from its historical character. However, the designation will restrict us from altering the home in any manner including restoring, renovating, repairing or disturbing the property without permission. That is broad and a direct infringement on our rights as property owners. Some of the elements on the property are not historical as they are relatively recent additions including the curved conservatory, the stone oculus gated entrance and the one storey gable roofed detached garage. The *Ontario Heritage Act* restrictions will significantly impact the value of my home and increase the cost of maintenance with no compensation provided. The broadness of the proposed restrictions and the absence of compensation for the restriction offends my right to not to be deprived of life, liberty and security of the person except in accordance with natural justice.

, owners, 233 Prospect Street, Newmarket.

November 20, 2024

NOTICE OF OBJECTION – 458-460 Timothy Street



LEGISLATIVE SERVICES		
INCOMING MAIL	REFD TO	COPY TO
NOV 18 2024		

CERTIFIED MAIL

TOWN CLERK
CORPORATION OF THE TOWN OF NEWMARKET
P.O. Box 328
395 Mulock Drive
Newmarket, ON
L3Y 4X7

Addressed to: The Town Clerk, The Council of The Corporation of the Town of Newmarket, and Umar Mahmood

RE: Notice of Intention to Designate Property of Cultural Heritage Value and Interest Dated 1-Nov-2024

This legal notice is a formal objection to your legal Notice Dated November 1, 2024 (“Notice”) regarding the intention to designate 458-460 Timothy Street (PART LOTS 65 AND 71, PLAN 81, NEWMARKET), “the Property”, as a property of cultural heritage value and interest.

We must preface the fact that the Ontario Heritage Act (the “Act”) applies to the Ontario Heritage Trust, the Minister as well as Municipalities that have been incorporated in Ontario. [REDACTED]

[REDACTED] as legal entities do not fall under any of the aforementioned definitions. The following objection is not an admission or recognition that any of the laws under the Act apply to our legal entities.

The focus of this notice is not to determine the “cultural” or “heritage value” of the Property, but rather to remind the Council as well as the Corporation of the Town of Newmarket (the “Corporation”) that their intention to designate the Property as having cultural heritage value will amend the underlying contract that the current title holders or owners of the property have with the municipality as well as affect their legal rights as title holders.

One of the ways that occurs is through requiring a “heritage review” for any exterior alterations (including demolition). This review is currently not a requirement by statute, law, or by-law on the Property (as it is and was purchased as) and as a result alters the legal rights of the Property owners. As you can imagine on your own home, if you had to approach a third party to receive approval prior to getting any work done on your property, it would impact your ability to service your property. Perhaps

more importantly, from a financial perspective, it would impact the future value on disposition to another prospective purchaser. Based on previous heritage designation cases, insurance rates have also increased causing an undue burden on owners of designated heritage properties.

In order for this designation change to occur, an alteration to an underlying contract must first occur.

As you may be aware, a contract requires all of the following components to be considered a valid legal contract:

1. Intent
2. Capacity
3. Offer
4. Acceptance
5. Consideration

In this instance, we have not received a clear offer from the Corporation of the Town of Newmarket. A generic pamphlet was sent to us along with the Notice. According to the pamphlet that was appended to the Notice, we would be eligible for an "annual heritage tax rebate amounting to 40% of the taxes for municipal and school purposes". Perhaps this is the consideration that the Corporation is offering? If so, we would require this to be explicitly stated in writing (including exact amounts, effective dates, length of term etc.) before we could consider the offer. Without specified consideration, we could not possibly determine the value of the consideration (and thus the contract would not be legal).

As we had stated before in our March 6th, 2024 e-mail correspondence (attached for ease of reference) with Umar Mahmood ("Agent") of The Corporation of the Town of Newmarket, we are not opposed to the designation. In fact, we provided a conditional offer to consent in good faith that could have been easily met by the Corporation. Unfortunately, the Corporation's legal department did not respond to our requests and the 30-day notice period that we had provided to the Corporation had lapsed. It is important to note that our legal notice was disregarded.

In addition to the aforementioned offer, if the Corporation, the Council itself and/or the Ontario Heritage Trust deem the property to be of such an important value based on their internal metrics, we are open to discuss with any of these legal entities the option of purchasing title to the Property at a mutually agreed upon value. We hope that this provides evidence of our willingness to contract in good faith.

The other concern that we have as title holders or "Owners" of the property is whether or not the Corporation or its Council has capacity to contract or make changes to property designations without the express consent of the Owners. The notice that the Corporation provided was very vague and haphazardly referred to the Ontario Heritage Act, R.S.O. 1990, C.O. 18 without highlighting its legal capacity.

According to the Ontario Heritage Act, R.S.O. 1990, C.O.18, the Powers of Trust consist of the following:

“Powers of Trust

9 The Trust may advise and make recommendations to the Minister on any matter relating to property of historical, architectural, archaeological, recreational, aesthetic, natural or scenic interest and to advise and assist the Minister in all matters to which this Act refers and in all matters as are assigned to it by or under any Act or regulation thereunder. R.S.O. 1990, c. O.18, s. 9; 2005, c. 6, ss. 1, 7.

Further powers of Trust

10 (1) The Trust may, in accordance with the policies and priorities determined by the Minister for the conservation, protection and preservation of the heritage of Ontario,

- (a) receive and acquire by purchase, donation, lease, public subscription, grant, bequest or otherwise, property of historical, architectural, archaeological, recreational, aesthetic, natural and scenic interest for the use, enjoyment and benefit of the people of Ontario;
- (b) hold, preserve, maintain, reconstruct, restore, manage and lease for a term of five years or less property described in clause (a) for the purposes described in that clause;
- (c) enter into agreements, covenants and easements with owners of real property or interests in real property for the conservation, protection and preservation of the heritage of Ontario;
- (d) borrow money for the purpose of carrying out the objects of the Trust where a guarantee is provided under section 18;
- (e) conduct and arrange exhibits or other cultural or recreational activities to inform and stimulate the interest of the public in historical, architectural and archaeological matters;
- (f) enter into agreements with prospective donors, subject to any conditions governing the use of property;
- (g) enter into agreements with persons respecting any matter within the objects of the Trust, and provide financial assistance by way of grant or loan to persons who are parties to such agreements for the purpose of,
 - (i) providing educational, research and communications programs,
 - (ii) maintaining, restoring and renovating property, and
 - (iii) providing for the management, custody and security of property;
- (h) invest its funds, and sections 26 to 30 of the *Trustee Act* apply, with necessary modifications, to the investment of those funds;
- (i) engage the services of experts and other persons;
- (j) undertake programs of research and documentation of matters relating to the heritage of Ontario and cause information to be compiled and studies to be undertaken;
- (k) with the consent of the owner of property, place markers, signs, cairns or other interpretive facilities in or on the property for the interest and guidance of the public;

- (l) provide assistance, advisory services and training programs to individuals, institutions, agencies and organizations in Ontario having similar aims and objectives as the Trust. 2009, c. 33, Sched. 11, s. 6 (1).”

Nowhere in the aforementioned sections of the statute does the law entitle the Trust or any of its Agents to make changes to a property without the consent of the Owner of the property. Provision (k) highlights the requirement of consent before even placing a simple marker or sign on the property.

Specifically, section (c) of the statute indicates that the Trust has the capacity to “enter into agreements, covenants and easements with the owners of real property”.

The Corporation of the Town of Newmarket is a distinct legal entity from the Trust and as a result, none of the powers of the Trust would apply to the Corporation.

The statute (as well as your Notice which refers specifically to the Ontario Heritage Act) does not specify the powers that the Council of the Corporation of the Town of Newmarket has. We therefore cannot ascertain whether or not the Council, or the Corporation does indeed have unilateral legal power to designate a property without the Owners express consent. **We request that you please confirm your position with specific legislative evidence and case law for greater clarity.** A reminder that referring to the Ontario Heritage Act is not sufficient evidence.

Further to the above, the Property predates the incorporation of The Corporation of the Town of Newmarket. The Property also pre-dates the Ontario Heritage Act, R.S.O. 1990 laws, statutes, and/or by-laws. We have not received any evidence from the Corporation of The Town of Newmarket or any of its Agents that anyone in the chain of title of ownership of the property had granted or consented to the laws, statutes or by-laws enacted post private ownership of the Property.

In addition to the aforementioned, upon initial purchase of the Property our due diligence had indicated that the property was in fact non-designated. This has also been confirmed via the Corporations own web-site according to the “New Heritage Wishlist Part 7 – T to Z” pdf file as at November 5, 2024.

Unfortunately, after reviewing the 2023 and 2024 Town of Newmarket Heritage Committee meeting minutes, we have not found any discussion confirming Council’s intention to designate the Property. As a result, at this point in time we cannot ascertain as to which legal entity is looking to contract with us and whether or not the Notice given is valid. The Notice had only referred to one agent “Umar Mahmood” as a contact point for questions. According to the Newmarket Website, Umar is not a Council member.

Our e-mail communications with Umar have also not led to any greater clarity on the position that the Corporation of the Town of Newmarket has taken on its claim to have the right to designate this property. We were told on March 8th, 2024 as well as March 18th, 2024 that the Corporations legal department would comment. In the 8-month period since our initial communications, we have yet to receive comment.

If you could kindly confirm Umar’s legal capacity as an Officer, Director, or Agent of the Corporation as well as legal mailing address, that would provide us with greater clarity for further communications.

Due to the above noted points, as Title Holders and/or "Owners" of 458-460 Timothy Street (PART LOTS 65 AND 71, PLAN 81, NEWMARKET), we do not consent to the designation of the Property or registration of any by-law or amendment to the Property's title at this point in time.

As we have spent a considerable amount of time responding to this Notice, we require compensation in the event of further communication. We do not perform services nor contract for free. Please refer to our Fee Schedule attached to this notice if you wish to send any further communications. Should this notice be disregarded, we will assume that all invoices should be directed to the Corporation of the Town of Newmarket as well as Umar Mahmood as a legal person.

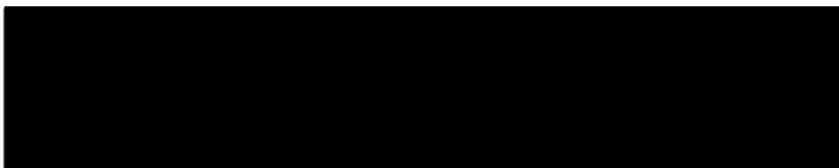
Please also refer to the legal notice that we had sent on March 6, 2024 – specifically point 4 of the e-mail.

Your legal department should be aware of the basic legal maxims of equity. The first maxim of equity is that "equity will not suffer a wrong to be without a remedy".

To reiterate:

1. Council, Umar, and/or the Corporation has expressed its intent impose a new by-law and/or modify title on the Property
2. The by-law/title modification would require a heritage review prior to an owner or title holder making exterior alterations (including demolition) to the Property
3. These modifications would have a financial impact on the current and future title holders of the Property
4. Adequate consideration has not been offered or accepted for this contractual change to occur
5. An imposition without consent would be considered a breach of contract
6. A breach of contract would lead to damages and/or legal remedy

Without prejudice,



Title Holders, 458-460 Timothy Street (PART LOTS 65 AND 71, PLAN 81, NEWMARKET)



Attachments Enclosed

Fee Schedule

Dear customer,

As you are aware, time is money and we have already spent considerable time in service responding to e-mail and mail communications that could have otherwise been spent in commercial activity.

As you were not previously aware of our fee schedule, we have gratuitously decided not to charge any of the rates below for of all previous communications up until November 5, 2024.

However, on a go-forward basis, we have outlined our fee schedule for future communications and interactions in Canadian dollars:

#	Service	Price
1	E-mail Communications	\$300.00 per e-mail
2	Mail Communications	\$1,000.00 per letter (excluding disbursements)
3	Telephone Communications	\$1,000.00 per hour (billed in minimum 10 minute increments – long distance charges may apply)
4	Appeal to Tribunal	\$25,000.00 per appeal (plus disbursements including any third party legal fees)
5	Appearance at Tribunal	\$50,000.00 per appearance (limited to 8 hour period per day)

*Rates are subject to change effective January 1, 2025

Please let us know who to furnish invoices to. Should we receive a communication from an agent of the Corporation, we will assume that the Corporation of the Town of Newmarket has engaged the Agent and therefore is liable for any associated fees incurred in responding to the agent.

Thank you!

Notice is Hereby Given that the Council of The Corporation of the Town of Newmarket intends to designate as a property of cultural heritage value and interest the following property in accordance with the Ontario Heritage Act, R.S.O. 1990, c. O.18:

Property Description: 458-460 Timothy Street (Margaret Forsyth House). 458-460 Timothy Street is located on the south side of Timothy Street in the Town of Newmarket. The two-and-a-half-storey residence built in the Italianate architectural style was constructed circa 1883.

Legal Description: PART LOTS 65 AND 71, PLAN 81, NEWMARKET

Publication Date: Nov 1, 2024

Last Date for Objection: Dec 1, 2024

Any notice of objection to this Notice of Intention to Designate, setting out the reason for objection and all relevant facts, must be served upon the Town Clerk within 30 days of the first publication of this notice.

Statement of Cultural Heritage Value or Interest Physical/ Design Value

458-460 Timothy Street is a representative example of the Italianate architectural style. The two-and-a-half storey building follows a L-shaped plan with a cross gable roof and overhanging eaves, brick construction, two-storey bay windows with decorative paired wood brackets, along the roofline, which are design elements associated with the Italianate style. Moreover, the asymmetrical façade with balanced and symmetrical elements includes segmentally arched window openings with brick voussoirs, two entryways with segmentally arched openings one of which features a transom, and open porch supported by wood post and decorative wood brackets are additional features of the Italianate architectural style.

Historical and Associative Value

458-460 Timothy Street is directly associated with the historic Village of Newmarket and the Forsyth family. The lots lines, layout, and built form of the historic village of Newmarket was well established in the mid-19th century and evident in a well-established commercial core found along Main Street and the large presence of residences located along several side streets. The development of the commercial core and surrounding residential streetscapes in the mid-19th century played a significant role in the social and economic development and growth of the Village of Newmarket. Many early merchants with stores on Main Street lived in the nearby side streets, including the Forsyth family who built and operated an inn at the corner of Main Street and Timothy Street.

James Forsyth purchased what is now the King George Hotel on the southwest corner of Timothy Street and Main Street in 1848 and constructed a new inn in the Georgian style which he called "Forsyth House". The inn is still extant today with a civic address of 232 Main Street. James married Margaret

Ross in 1850, who inherited his estate which included the lands associated with the hotel and the subject property after his death in 1858. Margaret continued to operate the hotel as the Railroad Hotel and would eventually lease it to other operators. The hotel was known by several names throughout the years, including the Pipher House, Proctor House, and the King George Hotel. Margaret Forsyth had 458-460 Timothy Street constructed as a duplex, adjacent to the hotel her husband built, on lands she inherited for herself and her daughter to live circa 1883. It is likely that the brick used for the construction was from Stickwood's brickyard which produced both red and buff/yellow-coloured bricks during this time period. Local historians indicate that almost all of the brick buildings built in Newmarket between 1860 until 1910 were likely constructed with bricks that originated at the Stickwood brickyard. The use of locally made bricks reflect the concentrated development and prosperity of the historic core. 458-460 Timothy Street stayed within the Forsyth family ownership until 1941.

Contextual Value

458-460 Timothy Street is important in supporting the 19th century character of the historic Village of Newmarket. Several residential side streets, including Timothy Street, were established in the village core, near the commercial Main Street. Located off or parallel to Main Street, the buildings along the side streets are comprised of predominantly one to two-and-a-half storey residences, primarily brick construction most using bricks from Stickwood's brickyard, with modest setbacks and include a range of architectural styles from that time period. 458-460 Timothy Street exhibits setback, massing, style, decorative details consistent with the historic village character.

Additional information, including a full description of the rationale for designation is available upon request from Umar Mahmood, Planner, Committee of Adjustment and Cultural Heritage, Planning Services at (905) 895-5193, extension 2458, or at um Mahmood@newmarket.ca during regular business hours.

Dated at the Town of Newmarket this 1st day of Nov, 2024

Town Clerk | Town of Newmarket

P.O. Box 328, 395 Mulock Drive, Newmarket, ON L3Y 4X7



458-460 Timothy Street Newmarket - Heritage Designation Consulting

10 messages

Wed, Mar 6, 2024 at 5:11 PM

To: umahmood@newmarket.ca

Cc: [Redacted]

Hello Umar,

Thank you for sending your letter dated March 4th, 2024 to [Redacted] to provide Notice of your intent to review the Heritage status of 458-460 Timothy Street Newmarket (our property).

As you can imagine and have acknowledged in the appendage to your letter, changing the status of a property can have dramatic implications for its current and future use. These changes of course would impact the underlying value of the property.

Your letter indicates that you are working with a heritage consultant - our legal advisors have indicated to us that it would be wise for us to obtain our own independent advice.

We would be open to providing our consent to your review process under the following conditions:

1. We require an initial retainer of \$10,000 to be paid via certified cheque in the name of [Redacted]. The intention of this retainer is to pay for our initial review of your proposed designation changes. Further charges may be applicable depending on the hours of work involved in our review and any additional communications that may be required. The certified cheque must be sent via registered mail to: [Redacted] on or before April 6th, 2024.
2. We also require your as well as the Corporation of the Town of Newmarket's consent and agreement to pay for our furnishing of independent legal and accounting advice as well as the advice of an independent heritage consultant. We will of course provide you with copies of any bills/invoices within 10 business days of your request. Reimbursement for any bill or invoice must be made within 30 calendar days of our provision of copies.
3. As you are well aware, ownership of this property pre-dates the British North America Act now referred to as the Canadian Constitution (1867). As a result, the laws that provide relevant authority did not exist under the Constitution when the property was privately owned. To provide us with clarity as to your jurisdictional authority on this matter (as well as claim to have the ability to designate this particular property), we require evidence via a certified unbroken Chain of Title that:
 - a) The Corporation of the Town of Newmarket has authority to make designation changes to this property; &
 - b) The original and/or subsequent owners provided their express consent to being subject to these laws.
4. Should all of the above conditions not be met, we will assume that you do not have the relevant authority to impact the designation of this property and that this matter will be permanently closed. Should this Notice be disregarded and Council attempt to claim authority (and/or attempt to modify the status of this property), we will hold you, Council and all of its members as well as the Corporation of the Town of Newmarket liable for any and all damages and associated legal fees. The minimum damages have been set to our purchase price of the property (we will furnish the executed purchase and sale agreement to you should this scenario be encountered).

Upon receipt of the initial retainer, we will provide you with our fee schedule (which is non-negotiable) as well as an estimate on the number of additional hours that may be incurred.

Please also be aware that under contract law, as an agent of the Corporation of the Town of Newmarket, you may also be liable for any fees or financial implications that this review process or proposed designation change may have on our asset.

For further clarity, this e-mail provides our Legal Notice to you as well as to The Corporation of the Town of Newmarket and any/all of its subsidiaries and agents.

Please acknowledge receipt of this Notice within 5 business days via e-mail response to [Redacted]

We look forward to working with you on this project.

Thank you,

[Redacted]

Umar Mahmood <umahmood@newmarket.ca>

Fri, Mar 8, 2024 at 3:25 PM

To: [Redacted]
Cc: [Redacted]

Good afternoon [Redacted]

I have received your email. I have engaged our Legal Department for comment. I will provide a response by next Wednesday.

Thank you.

Regards,

Umar



Umar Mahmood
Planner COA & Cultural Heritage | Planning & Building Services
905-953-5300 x2458 | umahmood@newmarket.ca
| heynewmarket.ca
Follow us on [X](#), [Facebook](#) and [Instagram](#)
Newmarket: A Community *Well* Beyond the Ordinary

Note: Our working hours may be different. Please do not feel obligated to reply outside of your scheduled working hours.

The information contained in this message is directed in confidence solely to the person(s) named above and may not be otherwise distributed, copied or disclosed. The message may contain information that is privileged, confidential and exempt from disclosure under the *Municipal Freedom of Information and Protection of Privacy Act*. If you have received this message in error, please notify the sender immediately advising of the error and delete the message without making a copy. Thank you.

From: [Redacted]
Sent: Wednesday, March 6, 2024 5:12 PM
To: Umar Mahmood <umahmood@newmarket.ca>
Cc: [Redacted]
Subject: 456-460 Timothy Street Newmarket - Heritage Designation Consulting

CAUTION: This email originated outside of the Town of Newmarket. **DO NOT** click links or open attachments unless you recognize the sender and trusted content.

[Quoted text hidden]

To: Umar Mahmood <umahmood@newmarket.ca>
[Redacted]

Fri, Mar 8, 2024 at 3:26 PM

Thank you Umar,
Have a wonderful weekend!

[Redacted]



LEGISLATIVE SERVICES		
INCOMING MAIL	REFD TO	COPY TO
NOV 29 2024		
<i>Rec'd by Kiran Saini.</i>		

Date: November 29th, 2024

Clerk and Councils

Town of Newmarket
 395 Mulock Drive
 Newmarket, ON L3Y 4X7

Subject: Objection to the Proposed Designation of Property at 471 Eagle Street, Newmarket

Dear Councils and Clerk of the Town of Newmarket,

I am writing to formally object to the proposed designation of the property at 471 Eagle Street, Newmarket, as a property of cultural heritage value and interest. I have serious concerns regarding the impact this designation will have on my ability to make essential decisions regarding the property, and I believe the designation is not in the best interest of my family, particularly given the circumstances outlined below:

1. **Personal and Health Needs:** I am a wheelchair-bound individual, and I purchased this property with the intention of demolishing the existing unsafe structure to build a new, accessible home for myself and my children. The current house is not suitable for my needs, and the proposed designation would prevent me from making necessary adjustments to ensure accessibility for my family’s well-being.
2. **Emotional and Psychological Impact:** The house is a murder house which has a negative stigma associated with it, as it was the site of a tragic event. As someone who has experienced trauma and is trying to build a peaceful, safe environment for my family, living in a property with such a history is distressing. I am not in a position to live in a house with these associations.
3. **Initial Purchase Plans and Lack of Heritage Status:** I purchased the property with the intent of demolishing the existing structure and building a new home for my family. It is unfair for my plans to be hindered now, especially since there was no heritage designation, nor was the property located within a heritage district when I acquired it. When I purchased the property, I contacted the Town of Newmarket and was assured that the house was not designated as a heritage site and was not within a heritage zone. The appraisal report at the time of purchase also confirmed that the property was not considered heritage and was not within a historical district. I planned to demolish the house because of its deteriorated state and to remove the stigma associated with its history. Given the structural instability of the house, it needs to be demolished before it collapses. Had I known that I would not be allowed to demolish such a deteriorated property, I would not have purchased it.

4. **Structural Condition and Safety Concerns:** The existing house is in a severely deteriorated state, with significant water and structural damage that poses serious health and safety risks. It is unsafe to live in and requires complete demolition. Retaining the house as heritage property would not only endanger the lives of its occupants but also contradict safety standards.
5. **Unfeasibility of Renovation:** The cost of renovating the property to make it habitable would exceed the cost of building a completely new home from the ground up. Given the extent of the damage, renovation is not a viable or financially responsible option, and it would not make sense to invest in restoring a house that is beyond repair.
6. **Demolition Application:** I have already submitted an application for the demolition of the property. The proposed heritage designation interferes with the progress I have made toward creating a safe and accessible home for my family, which is essential for our well-being and future.
7. **Property Value:** I am not able to sell the property as it is falling apart and collapsing and has no value and now with this designation, no one can build a new house on the property. It will be impossible for me to sell the property and purchase a comparable one to build my home.

In light of these factors, I respectfully request that the council reconsider the proposed heritage designation and allow for the demolition of the house at 471 Eagle Street. My family's needs and deserve for accessibility, safety, and emotional well-being must take priority, and I hope the council will understand the importance of this request.

Thank you for considering my objections. I would be happy to discuss this matter further should you require additional information.

Sincerely,



From: [REDACTED]

Sent: November 28, 2024 2:36 PM

To: Clerks <clerks@newmarket.ca>

Subject: RE: Notice of Objection to Heritage Designation – 429 Botsford Street

CAUTION: This email originated outside of the Town of Newmarket. **DO NOT** click links or open attachments unless you recognize the sender and trusted content.

Dear Town of Newmarket Clerk's Office,

I am writing on behalf of my client, [REDACTED] the registered owner of the property located at 429 Botsford Street to formally submit a notice of objection to the Notice of Intention to Designate issued by the Town of Newmarket on November 1, 2024.

My client objects to this designation on the following grounds:

1. Lack of Notice at the Time of Purchase (2017)

- My client purchased the property in 2017 and, after conducting due diligence, found no indication of a pending heritage evaluation or designation in municipal records or disclosures.
- The absence of such notice led my client to reasonably assume there were no heritage constraints on the property at the time of purchase.

2. No Notice During Renovation Permits (2018)

- In 2018, my client applied for and obtained a building permit for renovations to the property. At no stage of this process was there any indication of heritage considerations, despite direct engagement with the municipality.
- Had such notice been provided, my client would have adjusted their renovation plans accordingly to align with any heritage requirements.

3. Failure to Consult Over Eight Years

- For the past eight years, the municipality has not engaged in public consultation or communicated with my client or the public about potential heritage designation for the property.
- This prolonged delay and lack of transparency contradict principles of procedural fairness under the Ontario Heritage Act and deny my client a reasonable opportunity to participate in the designation process.

4. Lack of Supporting Evidence

- The municipality has not provided detailed documentation or assessments justifying the proposed designation under the Ontario Heritage Act.
- Without clear evidence demonstrating the property's historical, architectural, or cultural significance, my client cannot reasonably respond to or accept the designation.

5. Economic Impact

- The proposed designation imposes significant financial burdens on my client by restricting their ability to use, modify, or sell the property.
- The property was purchased and renovated in good faith based on the understanding that no heritage restrictions applied. A designation at this stage is unfair and prejudicial to my client's investments and future plans.

6. Unreasonable Delay in Process

- The eight-year delay in initiating this process undermines the principles of fairness and transparency that underpin the Ontario Heritage Act.
- My client has acted in good faith during their ownership of the property, and the municipality's delay has unfairly prejudiced their rights.

7. Request for Full Documentation

- I formally request that the Town of Newmarket provide all documentation related to the heritage designation process for this property, including:
 - The evaluation report.
 - Meeting minutes or decisions leading to the designation.
 - Any correspondence regarding public consultation or engagement.

Request for Consideration

In light of the above, I respectfully request that the Town of Newmarket **revoke the proposed heritage designation** due to the lack of procedural fairness, absence of clear evidence, and the undue burden it imposes on my client.

Additionally, the Notice of Intention to Designate was issued on November 1, 2024, but my client did not receive it until November 25, 2024. This delay was caused by a postal strike as acknowledged by the Town of Newmarket. This delay was caused by a postal strike, as acknowledged by the Town of Newmarket. The late delivery left insufficient time for my client to review the notice and prepare an objection by the stated deadline. Procedural fairness requires that this objection be accepted and considered in light of these exceptional circumstances.

Please confirm receipt of this objection and advise if further information is required. My client reserves the right to supplement this objection as additional evidence and expert assessments become available.

Thank you for your understanding and consideration.

Sincerely,

[Redacted signature]

[Redacted name]

 **THUSNEY**
Legal Services
Professional Corporation

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

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

Final Update for 2024 to the Outstanding Matters List Staff Report to Council

Report Number: 2025-02

Department(s): Legislative Services

Author(s): Emily Thomas-Hopkins, Legislative Coordinator

Meeting Date: January 13, 2025

Recommendations

1. That the report entitled Final Update for 2024 to the Outstanding Matters List dated January 13, 2025 be received; and,
2. That Council adopt the Outstanding Matters List (**Attachment 1**); and,
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Purpose

The purpose of this report is to present Council with the final semi-annual update to the Outstanding Matters List for 2024.

Background

Staff have presented regular updates to the Outstanding Matters List ("List"). This report presents the final semi-annual update of 2024, from a previous reporting period of quarterly updates to Council.

Discussion

An updated List (**Attachment 1**) has been provided and is presented to Council for adoption. The items included in the attachment are only items from the List which require Council decision or consideration. The chart does not depict other projects or work to which staff continue to dedicate resources. The chart does not include the Council-approved action items in Council's Priorities. Items in the attachment are

enumerated for ease of reference for specific matters if there are questions about associated timeframes or subject matter.

Staff have completed three (3) items on the Outstanding Matters List

(1) Twinney Drive Parking

Recommendation:

1. That Council direct staff to review and engage with local businesses regarding parking restrictions on Twinney Drive.

A review was completed and [By-law 2024-47](#) was established and adopted by Council on September 16, 2024.

(2) Bristol Road Stop Sign

Recommendation:

1. That Staff bring forward an information report on the technical merits of a stop sign at either the Bristol Road and Dorchester Street intersection or Bristol Road and Elman Crescent intersection.

A review was completed and an Information Report ([INFO-2024-24](#)) was circulated to Council on November 19, 2024.

(3) Bolton Avenue No Stopping

Recommendation:

1. That Staff review no stopping on Bolton Avenue.

A review was completed and Staff report [2024-63](#) was brought forward to the November 11, 2024 Committee of the Whole and subsequently adopted at the November 18, 2024 Council meeting.

Conclusion

Staff will continue to present to Council with an updated Outstanding Matters List on a semi-annually basis.

Business Plan and Strategic Plan Linkages

As this report highlights an updated Outstanding Matters List for the Corporation, this report aligns with all Council's Priorities.

Consultation

Members of the Strategic Leadership Team (SLT) and Operational Leadership Team (OLT) were consulted.

Human Resource Considerations

There are no human resource considerations specific to this report. However, individual projects within the List may have associated human resource impacts and any such considerations will be noted in individual reports on those matters.

Budget Impact

There are no budget impacts specific to this report. However, individual projects within the List may have associated budget impacts and any such considerations will be noted in individual reports on those matters.

Attachments

Attachment 1 – Outstanding Matters List

Approval

Kiran Saini, Manager, Legislative Services/Deputy Clerk

Lisa Lyons, Director, Legislative Services/Town Clerk

Esther Armchuk, Commissioner, Corporate Services

Peter Noehammer, Commissioner, Development and Infrastructure Services

Jeff Payne, Commissioner, Community Services

Ian McDougall, Chief Administrative Officer

Contact

For information about individual projects in **Attachment 1**, please contact the responsible department Director or Commissioner.

If you require this document in an alternative format, please contact the Town of Newmarket at 905-895-5193



Item	Subject Matter	Council Direction from Outstanding Items List	Previous Reporting Timeframe	New Proposed Reporting Timeframe	Additional Comments
Items for Council consideration					
1	Proposed Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision – 600 Stonehaven Avenue	<p>Meeting: Committee of the Whole – September 11, 2023</p> <p>Recommendation: 9. That staff report back to Council on enhanced planting in natural areas that will soon be assumed by the Town and potential partners for program and funding sources.</p> <p>Responsible Department: Planning and Building Services</p>	Q1 2024	Q2 2025	This item and timeline are dependent on the applicant submitting the detailed engineering design drawings through the Development Coordination Committee. A submission has not been received to date.
2	Walpole Crescent and Lumsden Drive Parking	<p>Meeting: December 11, 2023 – Council</p> <p>Recommendation: 1. That Staff be directed to review and report back to Council regarding the Walpole Crescent and Lumsden Drive parking petitions.</p> <p>Responsible Department: Engineering Services</p>	Q3 2024	Q2 2025	Public consultation and study to commence shortly.

Item	Subject Matter	Council Direction from Outstanding Items List	Previous Reporting Timeframe	New Proposed Reporting Timeframe	Additional Comments
Items for Council consideration					
3	Krista Court Parking Restrictions	<p>Meeting:</p> <p>(1) February 5, 2024 – Committee of the Whole</p> <p>(2) September 9, 2024 – Committee of the Whole</p> <p>Recommendation (February 5, 2024):</p> <p>1. That Staff revisit, review, and report back on parking restrictions on Krista Court to address resident concerns.</p> <p>Recommendation (September 30, 2024)</p> <p>1. That additional parking restrictions extend to the entirety of Krista Court and that these parking restrictions align with operating hours at St. Elizabeth Seton French Immersion Catholic Elementary School; and,</p> <p>Responsible Department: Engineering Services</p>	Q3 2024	Q1 2025	Report addressing recommendations from the February 5, 2024 meeting came forward at the September 9, 2024 Committee of the Whole. A second report is forthcoming in Q1 2025.
4	Crossland Gate Traffic Study	<p>Meeting:</p> <p>February 26, 2024 – Committee of the Whole</p> <p>Recommendation:</p> <p>1. That Staff be directed to conduct a traffic study on the west side of Crossland Gate from Alex Doner Drive to Davis Drive.</p> <p>Responsible Department: Engineering Services</p>	Q4 2024/Q2 2025	Q2 2025	Traffic counts were conducted in Fall 2024, maintenance to be reviewed.

Item	Subject Matter	Council Direction from Outstanding Items List	Previous Reporting Timeframe	New Proposed Reporting Timeframe	Additional Comments
Items for Council consideration					
5	Noise By-law Amendment	<p>Meeting: March 18, 2024 – Committee of the Whole</p> <p>Recommendation: 1. That Staff be directed to report to Council with a permitting process for significant non-Planning Act construction by the first quarter of 2025.</p> <p>Responsible Division: Planning and Building Services, Engineering Services and Legislative Services</p>		Q2 2025	Council approved a new Noise By-law on March 25, 2024 through By-law 2024-08 , a permitting process will be developed.
6	Short Term Rentals	<p>Meeting: May 27, 2024 – Committee of the Whole</p> <p>Recommendation: 1. That staff be directed to report to Council with options for potential zoning by-law amendments with regards to Short Term Rentals</p> <p>Responsible Division: Planning and Building Services</p>	Q4 2024	Q2 2025	Through Report 2024-32 , Council directed staff to report to Council with options for potential zoning By-law amendments. Report forthcoming in Q2 2025.

Item	Subject Matter	Council Direction from Outstanding Items List	Previous Reporting Timeframe	New Proposed Reporting Timeframe	Additional Comments
Items for Council consideration					
7	Municipal Accommodation Tax – Implementation of a Program	<p>Meeting:</p> <p>(1) June 17, 2024 – Committee of the Whole</p> <p>(2) September 30, 2024 – Committee of the Whole</p> <p>Recommendations (June 17, 2024):</p> <ol style="list-style-type: none"> 1. That a Town reserve fund be established for the municipal portion of revenues that are to be then re-invested into community and tourism-related initiatives through the annual budget process; and, 2. That staff report back on the establishment of a Municipal Services Corporation (MSC) and other options to promote and invest in Newmarket as a tourism and overnight tourism destination; and, <p>Recommendations in part (September 30, 2024):</p> <ol style="list-style-type: none"> 3. That Staff be directed to take all steps necessary to create a Municipal Services Corporation (MSC), pursuant to the Municipal Act and Ontario Regulation 599/06, and other application legislation and regulations; and, 4. That the MSC be called “Newmarket Tourism Development Corporation” (if available) as outlined in the Business Case Study, with the objectives of promoting tourism in the Town of Newmarket; and, 6. That Staff be authorized and directed to prepare and bring forward for Council approval in the fourth quarter of 2024 the required constating documents for the corporation, including: <ol style="list-style-type: none"> a. Sole Member Direction and Sole Member Declaration; and, b. All required by-laws and policies for the corporation; and, c. Operating Agreement between the Town of Newmarket and the Newmarket Tourism Development Corporation; and, 	Q3/Q4 2024	Q1 2025	<p>Report to Council (including constating documents to create the new Municipal Services Corporation) is targeted for Q1 2025.</p> <p>By-law 2024-68 was brought forward at the December 9, 2024 Council meeting which established the Municipal Accommodation Tax effective January 1, 2025.</p>

Item	Subject Matter	Council Direction from Outstanding Items List	Previous Reporting Timeframe	New Proposed Reporting Timeframe	Additional Comments
Items for Council consideration					
		<p>7. That Staff be directed to draft a By-law to be brought forward in the fourth quarter of 2024 to establish the Town of Newmarket Municipal Accommodation Tax to be effective January 1, 2025;</p> <p>Recommendations in full here.</p> <p>Responsible Department: Corporate Services Commission</p>			
8	Parks and Recreation Draft Capital Plan	<p>Meeting: June 24, 2024 – Council</p> <p>Recommendation (in part):</p> <ol style="list-style-type: none"> 1. That Staff undertake consultation regarding the Parks and Recreation Draft Capital Plan, as presented, with key stakeholders and user groups; and, 2. That Staff report back with a final draft of the Parks and Recreation Capital Plan, after consultation has been undertaken, for Council review and approval; <p>Responsible Division: Recreation and Culture Services Parks and Facility Services Engineering Services</p>		Q2 2025	Consultation is ongoing with key stakeholders and user groups, with additional consultation planned for Q1 2025.
9	Additional Accessible Parking Space on Main Street	<p>Meeting: September 9, 2024 – Committee of the Whole</p> <p>Recommendation:</p> <ol style="list-style-type: none"> 1. That Staff be directed to investigate adding 1 additional on street accessible parking space on Main Street within the Business Improvement Area; <p>Responsible Division Engineering Services, Transportation Services</p>		Q2 2025	Staff plan to conduct a review and study in Q1 2025.

Item	Subject Matter	Council Direction from Outstanding Items List	Previous Reporting Timeframe	New Proposed Reporting Timeframe	Additional Comments
Items for Council consideration					
10	Blue Box Collection Changes	<p>Meeting: September 30, 2024 – Committee of the Whole</p> <p>Recommendations (in part, alternate motion presented):</p> <ol style="list-style-type: none"> Staff be directed to explore options for recycling in the downtown through the Downtown Waste Management Strategy in consultation with the Main Street District Business Improvement Area Board and report back in the second quarter of 2025; <p>Recommendations in full here.</p> <p>Responsible Division: Public Works Services</p>		Q2 2025	Options are currently being reviewed and a report will be forthcoming in Q2 2025.
11	Proposed Telecommunications Tower – 800 Mulock Drive (Magna Centre)	<p>Meeting: September 30, 2024 – Committee of the Whole</p> <p>Recommendations:</p> <ol style="list-style-type: none"> That the reported entitled "Proposed Telecommunications Tower - 800 Mulock Drive (Magna Centre)" dated September 9, 2024 and the Memorandum entitled "Magna Centre - Telecom Tower" dated September 11, 2024 be deferred to January 2025; and, That the proponent provides additional information to Council including an updated coverage map, analysis of the use of the Operations Centre at 1275 Maple Hill Court as an alternate location for the proposed tower, and response regarding the Canadian Spectrum Policy Research Organization's position on shrouding. <p>Responsible Division Planning and Building Services</p>		Q1/Q2 2025	Staff are awaiting receipt of memo from applicant in order to proceed with a report to Council.

Item	Subject Matter	Council Direction from Outstanding Items List	Previous Reporting Timeframe	New Proposed Reporting Timeframe	Additional Comments
Items for Council consideration					
12	Downtown Parking Update 2024	<p>Meeting: September 30, 2024 – Committee of the Whole</p> <p>Recommendations (in part):</p> <p>3. That staff report back within 6 months with options to add an additional, minimum 50 parking spaces in the downtown to achieve the original target of approximately 200 new spaces;</p> <p>6. That staff report back annually to Council on downtown parking patterns and data gathered through the Loop ParkSense+ monitoring project and manual counts;</p> <p>Recommendations in full here.</p> <p>Responsible Division Office of the Chief Administrative Officer Engineering Services</p>		Q1 2025, Q2/Q3 2025	<p>An update is targeted to be provided in Q1 2025 regarding the addition of parking spaces in the downtown.</p> <p>An update is targeted to be provided in Q2/Q3 2025 regarding Loop ParkSense+ data.</p>
13	Parking Review on Journey's End Circle	<p>Meeting: October 21, 2024 – Committee of the Whole</p> <p>Recommendation:</p> <p>1. That Staff be directed to assess the parking situation on Journey's End Circle and recommend a parking restriction strategy to ensure that the roadway is safely passable and not blocked by large trucks and busses.</p> <p>Responsible Division: Engineering Services</p>		Q1 2025	Review is currently underway and a staff report will be forthcoming in Q1 2025.

Item	Subject Matter	Council Direction from Outstanding Items List	Previous Reporting Timeframe	New Proposed Reporting Timeframe	Additional Comments
Items for Council consideration					
14	A Scoped Study Regarding Development Charges	<p>Meeting: November 11, 2024 – Committee of the Whole</p> <p>Recommendation: Full Here</p> <p>1. That Council direct Town Staff to undertake a scoped background study to amend Newmarket’s Development Charges by-law to extend or eliminate the current time period of four years as provided for in Section 3.9 of the Town’s Development Charges by-law for the issuance of credits related to the demolition of derelict buildings.</p> <p>Responsible Division Financial Services</p>		Q2 2025	Staff will engage a consultant to assist with the scoped study. Staff report is targeted for Q2 2025.



Town of Newmarket
Minutes
Main Street District Business Improvement Area
Board of Management

Date: Wednesday, November 29, 2023
Time: 7:00 PM
Location: Council Chambers
Municipal Offices
395 Mulock Drive
Newmarket, ON L3Y 4X7

Members Present: Ken Sparks, Acting Chair
Allan Cockburn
Dominic Pede
Patricia Carmichael
Sheila Stewart
Councillor Kwapis

Members Absent: Tom Hепен, Chair
Grant Buckley
Norm Pereira
Avi Wulfand, Vice Chair

Staff Present: C. Kallio, Economic Development Officer
S. Granat, Legislative Coordinator
E. Thomas-Hopkins, Legislative Coordinator

The meeting was called to order at 7:01 PM. Ken Sparks in the Chair.

1. Notice

Ken Sparks noted that this meeting was held in person only in the Council Chambers at 395 Mulock Drive.

2. Welcome and Introductions

The Acting Chair provided welcome remarks and Board Members introduced themselves.

3. Approval of Minutes

3.1 Main Street District Business Improvement Area 2022 Annual General Meeting Minutes of March 7, 2023

Moved by: Sheila Stewart

Seconded by: Allan Cockburn

1. That the Main Street District Business Improvement Area 2022 Annual General Meeting minutes of March 7, 2023 be approved.

Carried

4. Items

4.1 2022 Financial Statements

The Treasurer presented the 2022 Financial Statements regarding the Independent Auditor's Report, the Statement of Operations, the Statement of Financial Position, the Statement of Cash Flow, and notes to the financial statement.

Moved by: Councillor Kwapis

Seconded by: Patricia Carmichael

1. That the Main Street District Business Improvement Area financial statements for the year ended 2022 be approved.

Carried

4.2 2023 Review

The Acting Chair provided a verbal update regarding 2023 Review including welcoming new businesses on Main Street, events held throughout the year, mailout response and social media and online marketing efforts.

Board Members discussed parking and garbage solutions.

Moved by: Councillor Kwapis

Seconded by: Sheila Stewart

1. That the 2023 Review verbal update provided by Ken Sparks, Acting Chair, be received.

Carried

4.3 2024 Budget

Moved by: Dominic Pede

Seconded by: Sheila Stewart

1. That the 2024 Main Street District Business Improvement Area budget be approved.

Carried

4.4 Exploring a New Financial Model for the BIA

The Acting Chair provided a verbal update regarding Exploring a New Financial Model for the Business Improvement Area including ongoing working group meetings, exploring revenue opportunities for the BIA with the goal of reporting back to the membership in the future.

Board Members queried Staff on Town grants.

Moved by: Patricia Carmichael

Seconded by: Sheila Stewart

1. That the Main Street District Business Improvement Area Board of Management Working Group report back to the membership at a future meeting regarding options for exploring a new financial model for the BIA.

Carried

5. New Business

5.1 Summer Events and Street Closures

The General Membership discussed suggestions regarding closing Main Street for events in the summer.

Board Members discussed the feasibility and considerations for a potential pilot project and accessibility concerns with street closures,

5.2 Parking

Al Cockburn discussed the need for additional parking in the downtown and ongoing construction.

Board Members discussed parking spot ownership, Metrolinx construction, accessing parking spaces, tennis court parking spaces, parking pressures due to summer events, available land for parking space use, tennis court land contamination, limited time availability for accessible parking spaces and parking spaces for the Postmark Hotel.

5.3 Sign Advertisement on Highway 404

Al Cockburn discussed payment of the signs advertising the Main Street District on Highway 404 and if the Town would consider contributing to funds.

Board Members discussed the cost to the Town and discussing further at the next board meeting.

6. Adjournment

Moved by: Patricia Carmichael

Seconded by: Dominic Pede

1. That the meeting be adjourned at 8:06 PM.

Carried

Tom Hempen, Chair

Date



Town of Newmarket

Minutes

Main Street District Business Improvement Area Board of Management

Date: Wednesday, November 6, 2024
Time: 8:30 AM
Location: Streamed live from the Municipal Offices
395 Mulock Drive
Newmarket, ON L3Y 4X7

Members Present: Tom Hemen, Chair
Ken Sparks
Dominic Pede
Patricia Carmichael
Sheila Stewart
Norm Pereira

Members Absent: Avi Wulfand, Vice Chair
Allan Cockburn
Councillor Kwapis
Mike D'Angela

Staff Present: E. Thomas-Hopkins, Legislative Coordinator
D. Lowes, Business Development Specialist

The meeting was called to order at 8:30 AM. Tom Hemen in the Chair.

1. Notice

Tom Hemen advised that members of the public were encouraged to attend an Advisory Committee or Board Meeting by viewing the live stream available at newmarket.ca/meetings, or attending in person at the Council Chambers at 395 Mulock Drive.

2. Additions and Corrections to the Agenda

None.

3. Conflict of Interest Declarations

None.

4. Presentations & Recognitions

None.

5. Deputations

None.

6. Approval of Minutes

6.1 Main Street District Business Improvement Area Board of Management meeting minutes of October 2, 2024

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

Moved by: Sheila Stewart

Seconded by: Norm Pereira

- 1. That the Main Street District Business Improvement Area Board of Management meeting minutes of October 2, 2024 be approved as amended.**

Carried

Moved by: Norm Pereira

Seconded by: Dominic Pede

1. That item 7.1 be amended and that the Main Street District Business Improvement Area Board of Management authorize a donation of \$100 to Jennifer McLachlan for the Thanksgiving Dinner at St. Andrew's Church.

Carried

7. Items

7.1 Sponsorship Request

Tom Hempen provided a verbal update regarding Sponsorship Request including an upcoming fundraising event organized by Newmarket African Caribbean Canadian Association (NACCA), sponsoring the event, and emailing businesses along Main Street to advise of the fundraiser.

Moved by: Norm Pereira

Seconded by: Dominic Pedo

1. That the Main Street District Business Improvement Area Board of Management authorize a donation of \$300 to the Newmarket African Caribbean Canadian Association (NACCA) for their 2024 Fundraising Gala and Volunteer Appreciation Night.

Carried

7.2 Sub-Committee Reports

7.2.1 Marketing

Ken Sparks provided a verbal update regarding Marketing including an upcoming Candlelight Parade.

7.2.2 Working Group

Tom Hempen provided a verbal update regarding Working Group including the recent Halloween event, feedback from store owners, increased participation, and looking ahead to next year.

7.2.3 Events

Tom Hempen provided a verbal update regarding Events including the upcoming tree lighting on November 15, the Santa Claus parade, and a reminder of street closures.

The Chair queried staff regarding the Ice Lounge on Main event and staff will provide an update at an upcoming meeting.

7.3 Parking Update

None.

7.4 Financial Update

The Treasurer provided a verbal update regarding Financial Update including revenue from film permits, and year to date spending of the budget.

Board Members queried Staff regarding revenue from film permits and using it in the Business Improvement Area.

7.5 Staff Update

7.5.1 Financial Incentive Program Staff Working Group Update

The Business Development Specialist provided a verbal update regarding the Financial Incentive Program including applications that are being reviewed and applications currently underway.

The Business Development Specialist advised that there is a new General Manager at the Postmark Hotel.

8. New Business

8.1 BIA Annual General Meeting

The Business Development Specialist advised that notice has been provided in advance of the Main Street District Business Improvement Area Annual General Meeting scheduled for November 25 @ 7:00 PM in the Council Chambers of 395 Mulock Drive.

8.2 Chamber of Commerce Membership

Tom Hempen advised that the Chamber of Commerce membership had been paid at the start of the term and needs to be paid for the remainder of the term.

Moved by: Norm Pereira

Seconded by: Patricia Carmichael

1. That the Main Street District Business Improvement Area Board of Management authorize payment of the Chamber of Commerce membership for the remainder of the 2022-2026 term.

Carried

9. Closed Session (if required)

The Board did not resolve into Closed Session.

10. Adjournment

Moved by: Norm Pereira

Seconded by: Dominic Pede

1. That the meeting be adjourned at 8:50 AM.

Carried

Tom Hemen, Chair

Date



Town of Newmarket

Minutes

Newmarket Dismantling Anti-Black Racism Task Force

Date: Wednesday, September 11, 2024
Time: 6:00 PM
Location: Streamed live from the Municipal Offices
395 Mulock Drive
Newmarket, ON L3Y 4X7

Members Present: Jerisha Grant-Hall
Claudine Gayle
Mark Holmes (6:05 PM to 7:27 PM)
Bolanle Ajiboye
Zana Palomino
Maxine Gordon Palomino
Simone McKenzie (6:04 PM to 7:27 PM)
Nadia Hansen
Jeremiah Leslie Serieux

Staff Present: M. Ferrell, Equity, Diversity and Inclusion Specialist
S. Granat, Legislative Coordinator

The meeting was called to order at 6:03 PM.
Jerisha Grant-Hall in the Chair

1. Notice

Jerisha Grant-Hall advised that members of the public can view this meeting through the live stream available at newmarket.ca/meetings or attend in person at the Council Chambers at 395 Mulock Drive.

2. Additions & Corrections to the Agenda

None.

3. Conflict of Interest Declarations

None.

4. Approval of Minutes

4.1 Dismantling Anti-Black Racism Advisory Committee meeting minutes of June 27, 2024

Moved by: Maxine Gordon Palomino

Seconded by: Jeremiah Leslie Serieux

1. That the Dismantling Anti-Black Racism Advisory Committee meeting minutes of June 27, 2024 be approved.

Carried

5. Presentations & Deputations

5.1 Dismantling Anti-Black Racism Advisory Committee - September Update

The Equity, Diversity, and Inclusion Specialist provided a presentation regarding the Dismantling Anti-Black Racism Advisory Committee September Update including refining Key Performance Indicators and updates from various Town of Newmarket departments.

Members of the Advisory Committee queried the presenter regarding the partnership with Southlake Regional Health Centre and approaching partners, results and feedback from Town webinars, selecting photographers, protocol at events, emerging community partners, authenticity, training on Equity, Diversity, and Inclusion, the availability of the presentation, intersectionality, facilitating effective partnerships, the racial equity tool and anti-racism tool kit, providing a trauma informed perspective and mental health support.

Moved by: Zana Palomino

Seconded by: Bolanle Ajiboye

1. That the presentation by Marsaydees Ferrell, Equity, Diversity, and Inclusion Specialist regarding the Dismantling Anti-Black Racism Action Plan - September Update be received.

Carried

5.2 Legislative Orientation - Dismantling Anti-Black Racism Advisory Committee

The Legislative Coordinator provided a presentation regarding Legislative Orientation - Dismantling Anti-Black Racism Advisory Committee including governance structure, orders of business, agenda, terms of reference, and motions.

Moved by: Claudine Gayle

Seconded by: Mark Holmes

1. That the presentation provided by Simon Granat, Legislative Coordinator regarding Legislative Orientation Dismantling Anti-Black Racism Advisory Committee be received.

Carried

6. Other Business

6.1 Dismantling Anti-Black Racism Advisory Committee Implementation Plan September Update

Moved by: Nadia Hansen

Seconded by: Mark Holmes

1. That the Dismantling Anti-Black Racism Advisory Committee Implementation Plan September Update be received.

Carried

7. New Business

7.1 Mental Health Support

Jerisha Grant Hall provided an update regarding Mental Health Support provided through the Newmarket African Caribbean Association including the number of sessions available to community members and that there is no charge.

8. Closed Session (if required)

The Advisory Committee did not resolve into Closed Session.

9. Adjournment

Moved by: Zana Palomino

Seconded by: Nadia Hansen

1. That the meeting be adjourned at 7:27 PM.

Carried

Jerisha Grant-Hall, Chair

Date



Central York Fire Services

Minutes

Joint Council Committee

Date: Tuesday, October 1, 2024
Time: 9:30 AM
Location: Streamed live from the Municipal Offices
395 Mulock Drive
Newmarket, ON L3Y 4X7

Members Present: Councillor Gilliland, Town of Aurora, Chair
Councillor Broome, Town of Newmarket, Vice Chair
Councillor Simon, Town of Newmarket
Councillor Thompson, Town of Aurora

Members Absent: Councillor Gaertner, Town of Aurora
Councillor Morrison, Town of Newmarket

Staff Present: R. Volpe, Fire Chief, Central York Fire Services
Daniel Waters, Platoon Chief, Central York Fire Services
A. Tang, Manager of Finance & Accounting, Town of Newmarket
R. Wainwright-van Kessel, Director of Finance – Treasurer,
Town of Aurora
A. Gibson, Senior Financial Analyst, Town of Newmarket
K. Saini, Deputy Town Clerk/Manager Legislative Services,
Town of Newmarket
S. Granat, Legislative Coordinator

The meeting was called to order at 9:31 AM
Councillor Gilliland in the Chair

1. Notice

Chair Gilliland advised that the Municipal Offices were open to the public, and that members of the public could attend this meeting in person or view the live stream available at newmarket.ca/meetings.

2. Additions & Corrections to the Agenda

None.

3. Conflict of Interest Declarations

None.

4. Presentations

4.1 Pre-Incident Planning and the After the Fire Program

Chief Schell provided a presentation regarding Pre-Incident Planning and the After the Fire Program including what is a pre-incident plan, benefits, information gathered, current program status, distribution of pre-plans, and the After the Fire Program.

Committee Members queried the presenter regarding updates to the Pre-Incident Plans, and the effect on insurance.

Moved by: Councillor Broome

Seconded by: Councillor Thompson

1. That the presentation by Ryan Schell, Chief Fire Prevention Officer regarding Pre-Incident Planning and the After the Fire Program be received.

Carried

4.2 Central York Fire Services (CYFS) Draft 2025 Operating and Capital Budgets

Anita Gibson, Supervisor Financial Reporting and Analysis provided a presentation regarding the Central York Fire Services Draft 2025 Operating and Capital Budgets including the budget process, the operating budget, correction to wage inflation, shared service allocation, capital budget, and next steps.

Committee Members queried Staff regarding additional information on vehicles, operational expenses associated with the training building, annual salary increases compared to other municipalities, and lieu time.

Moved by: Councillor Simon

Seconded by: Councillor Thompson

1. That the presentation by Anita Gibson, Supervisor Financial Reporting and Analysis regarding the CYFS Draft 2025 Operating and Capital Budgets be received.

Carried

5. Deputations

None.

6. Approval of Minutes

6.1 Central York Fire Services - Joint Council Committee Meeting Minutes of September 10, 2024

Moved by: Councillor Broome

Seconded by: Councillor Simon

1. That the Central York Fire Services Joint Council Committee meeting minutes of September 10, 2024 be approved.

Carried

7. Items

7.1 Central York Fire Services (CYFS) Draft 2025 Operating and Capital Budgets

Moved by: Councillor Simon

Seconded by: Councillor Thompson

1. That Fire Services Report JCC-2024-05 Central York Fire Services (CYFS) Draft 2025 Operating and Capital Budgets dated October

1, 2024, Draft 2025 CYFS Operating Budget (Appendix A), and Draft 2025 CYFS Capital Budget (Appendix B) be received; and,

2. That the Joint Council Committee recommends the draft budgets to the Town of Aurora Council for review and then to the Town of Newmarket Council for approval, per the Joint Services Agreement.

Carried

7.2 Letter to Mayor and Council regarding the Ontario Skills Development Fund

Fire Chief Volpe provided a verbal update regarding the Letter to Mayor and Council regarding the Ontario Skills Development Fund including background, partnerships, funding use, and workshops.

Members of Council queried Staff regarding the opening date.

Moved by: Councillor Broome

Seconded by: Councillor Simon

1. That the Letter to Mayor and Council regarding the Ontario Skills Development Fund is received.

Carried

7.3 Event Recap – Open House and Naming of Station 4-5

Fire Chief Volpe provided a verbal update regarding the Event Recap - Open House and Naming of Station 4-5 including thanking the public for attending, the ceremony held, the number of attendees, the number of volunteers and fundraising.

8. New Business

None.

9. Closed Session (if required)

The Central York Fire Services Joint Council Committee did not resolve into Closed Session.

10. Adjournment

Moved by: Councillor Broome

Seconded by: Councillor Thompson

1. That the meeting be adjourned at 10:36 AM.

Carried

Councillor Gilliland, Chair

Date



Newmarket Public Library Board

Minutes

Date: Wednesday, November 20, 2024
Time: 5:30 PM
Location: Newmarket Public Library Boardroom
Newmarket Public Library
438 Park Avenue
Newmarket ON L3Y 1W1

Members Present: Darryl Gray
Kelly Broome
Victor Woodhouse
Trevor Morrison
Neila Poscente
Beth Stevenson
Rex Taylor

Staff Present: Tracy Munusami, CEO
David di Giovanni, Manager, Programs and Community Engagement
Jennifer Leveridge, Manager, Collections and Customer Experience
Biagio Rachiele, Manager, Library Operations
Lianne Bond, Administrative Coordinator
Susan Hoffman, Supervisor Collections

1. Call to Order

The Chair called the meeting to order at 5:35 pm.

2. Adoption of Agenda Items

2.1 Adoption of the Regular Agenda

2.2 Adoption of the Closed Session Agenda

2.3 Adoption of the Consent Agenda Items

Motion 24-11-120

Moved by Victor Woodhouse

Seconded by Neila Poscente

That Agenda items 2.1 to 2.3 be adopted as presented

Carried

3. Declarations

None were declared.

4. Presentation: Building a Diverse and Inclusive Collection

The Supervisor, Collections updated the Library Board on the progress made to date in the auditing of the Library's collection to ensure it is diverse and inclusive to meet the community it serves.

Motion 24-11-121

Moved by Neila Poscente

Seconded by Rex Taylor

That the Library Board receive the Presentation on Building a Diverse and Inclusive Collection as presented.

Carried

5. Consent Agenda Items

5.1 Adoption of the Regular Board meeting minutes for Wednesday, October 16, 2024

5.2 Strategic Operations Report for October

5.3 Third Quarter Financial Statement

Motion 24-11-122

Moved by Kelly Broome

Seconded by Beth Stevenson

That Consent Agenda items 5.1 to 5.3 be approved and adopted as presented.

Carried

6. Reports

There were no reports.

7. Business Arising

7.1 The Lendery at Newmarket Library

Additional information on the Lendery was reported to the Library Board. The report detailed the top circulating items and the impact this collection has that extends beyond waste reduction. The collection promotes a circular economy and provides access to items that might otherwise be financially inaccessible to some.

Motion 24-11-123

Moved by Trevor Morrison

Seconded by Victor Woodhouse

That the Library Board receive the report on the Lendery at Newmarket Library as presented.

Carried

7.2 Library Board Action List

The Library Board reviewed the Action List.

Motion 24-11-124

Moved by Rex Taylor

Seconded by Kelly Broome

That the Library Board receive the Action List as presented.

Carried

8. New Business

There was no new business.

9. Closed Session

10. Dates of Future Meetings

10.1 The next Regular Board meeting is scheduled for Wednesday, December 18, 2024 at 5:30 pm in the Library Board room.

11. Adjournment

Motion 24-11-125

Moved by Neila Poscente

Seconded by Beth Stevenson

That there being no further business the meeting adjourn at 6:27 pm.

Carried

Darryl Gray, Chair

Tracy Munusami, Secretary/Treasurer



Newmarket Public Library Board

Minutes

Date: Wednesday, October 16, 2024
Time: 5:30 PM
Location: Newmarket Public Library Boardroom
Newmarket Public Library
438 Park Avenue
Newmarket ON L3Y 1W1

Members Present: Darryl Gray
Kelly Broome
Victor Woodhouse
Trevor Morrison
Neila Poscente
Beth Stevenson
Rex Taylor

Staff Present: Tracy Munusami, CEO
David di Giovanni, Manager, Programs and Community
Engagement
Jennifer Leveridge, Manager, Collections and Customer
Experience
Biagio Rachiele, Manager, Library Operations
Lianne Bond, Administrative Coordinator

1. Call to Order

The Chair called the meeting to order at 5:35 pm.

2. Adoption of Agenda Items

2.1 Adoption of the Regular Agenda

2.2 Adoption of the Closed Session Agenda

2.3 Adoption of the Consent Agenda Items

Motion 24-10-113

Moved by Victor Woodhouse

Seconded by Beth Stevenson

That Agenda items 2.1 to 2.3 be adopted as presented.

Carried

3. Declarations

None were declared.

4. Consent Agenda Items

4.1 Adoption of the regular Library Board meeting minutes for September 18, 2024

4.2 Strategic Operations Report for September

Motion 24-10-114

Moved by Rex Taylor

Seconded by Neila Poscente

That items 4.1 to 4.2 be approved and adopted as presented.

Carried

5. Policies

5.1 Unattended and Missing Child Policy

The Unattended and Missing Child Policy revisions included updates to language and additional information on steps to assist locating a child.

Motion 24-10-115

Moved by Beth Stevenson

Seconded by Trevor Morrison

That the revisions to the Unattended and Missing Child policy be approved as presented.

Carried

6. Reports

6.1 Newmarket Library Year-to-Date-Statistics

The year-to-date statistics report included number of visits, social media followers, and items borrowed. The report has been prepared celebrating Newmarket Library during Ontario Public Library Week from October 20 to 26, 2024.

Motion 24-10-116

Moved by Victor Woodhouse

Seconded by Rex Taylor

That the Newmarket Library Year-to-Date Statistics report be received as presented.

Carried

7. Business Arising

7.1 2025 Operating Budget

The 2025 Operating Budget was presented to the Library Board. The 2025 Operating Budget includes additional support from the Town of Newmarket to meet negotiated wages for union and non-union employees.

Motion 24-10-117

Moved by Neila Poscente

Seconded by Beth Stevenson

That the Library Board approved the 2025 Operating Budget for submission to the Town of Newmarket as presented.

Carried

7.2 Library Board Action List

The Library Board reviewed the Action List.

Motion 24-10-118

Moved by Trevor Morrison

Seconded by Victor Woodhouse

That the Library Board receive the Action List as presented.

Carried

8. New Business

There was no new business.

9. Closed Session (if required)

10. Dates of Future Meetings

10.1 The next regular Board meeting is scheduled for Wednesday, November 20, 2024 at 5:30 pm in the Library Board room.

11. Adjournment

Motion 24-10-119

Moved by Rex Taylor

Seconded by Beth Stevenson

That there being no further business the meeting adjourn at 6:00 pm.

Carried

Darryl Gray, Chair

Tracy Munusami, Secretary/Treasurer



Town of Newmarket

Minutes

Elman W. Campbell Museum Board of Management

Date: Wednesday, October 30, 2024

Time: 7:00 PM

Location: Cane Room
Municipal Offices
395 Mulock Drive
Newmarket, ON L3Y 4X7

Members Present: Jackie Playter, Chair
Ron Atkins
Billie Locke
Alexis Gada
Nancy Fish
Councillor Woodhouse
Krista Rauchenstein
Dan MacPherson

Staff Present: W. Broydell, Cultural Programmer - History and Heritage
S. Granat, Legislative Coordinator
J. Charpentier, Curatorial Assistant

The meeting was called to order at 7:00 PM
Jackie Playter in the Chair.

1. Notice

Jackie Playter advised that members of the public can attend this meeting of the Elman W. Campbell Museum Board in person in the Cane A and B Rooms located at the Municipal Offices (395 Mulock Drive).

2. Additions & Corrections to the Agenda

None.

3. Conflict of Interest Declarations

None.

4. Approval of Minutes

4.1 Minutes of the September 25, 2024 meeting of the Elman W. Campbell Museum Board

Moved by: Nancy Fish

Seconded by: Billie Locke

1. That the meeting minutes of the September 25, 2024 meeting of the Elman W. Campbell Museum Board be approved.

Carried

5. Items

5.1 Tip Tap Machine

Board Members discussed a Tip Tap machine, including about the machine, fundraising amounts, overhead costs, other organizations that have a Tip Tap machine, donations, other options for digital fundraising, QR codes, the website, and leveraging other Town payment solutions.

5.2 Elman W. Campbell Museum Monthly Report

The Cultural Planner History and Heritage provided a verbal update on the Elman W. Campbell Museum Monthly Report including the museum closure and roof work status.

Board Members queried staff regarding the Indigenous training session.

Moved by: Ron Atkins

Seconded by: Billie Locke

1. That the report entitled Elman W. Campbell Museum Monthly Report dated October 30, 2024, be received.

Carried

5.3 Museum Reserve and Elman W. Campbell Reserve Accounts

Moved by: Councillor Woodhouse

Seconded by: Nancy Fish

1. That the Museum Reserve and Elman W. Campbell Reserve Accounts be received.

Carried

5.4 Friends of the Museum Report

Board Members discussed the number of members of Friends of the Museum.

5.5 Strategic Planning Session Summary Notes

The Cultural Programmer, History and Heritage provided a verbal summary of the Strategic Plan Summary Notes including themes and focus areas and additional discussion questions.

Board Members discussed scheduling a strategic planning discussion at an upcoming meeting, duration of a meeting, and focus areas.

Board Members queried Staff regarding any preparatory work needed.

Moved by: Dan MacPherson

Seconded by: Nancy Fish

1. That the Strategic Planning Session Summary Notes be received.

Carried

5.6 Memorandum - Elman W. Campbell Museum Board Accomplishments 2024

Moved by: Dan MacPherson

Seconded by: Councillor Woodhouse

1. That the Memorandum regarding Elman W. Campbell Museum Board Accomplishments 2024 be approved.

Carried

6. New Business

7. Adjournment

Moved by: Nancy Fish

Seconded by: Dan MacPherson

1. That the meeting be adjourned at 7:46 PM.

Carried

Jackie Playter, Chair

Date

From: [REDACTED]
Sent: January 10, 2025 1:45 PM
To: Clerks <clerks@newmarket.ca>
Subject: Attn. Simon Motion submission for December as Christian Heritage Month

Hi Simon,

Thanks again for your patience.

Here is a revised submission that replaces the previous submissions:

My viewpoint for the motion to designate December as Christian Heritage Month is not against the Christian faith, which many in my extended family practice, but rather about reflecting on why we need a month to recognize Christianity when many faiths also have

important celebrations in December.

I worry this could be seen as a colonial assertion by the dominant culture. While other faiths may not ask for December due to its significance to Christianity and potential backlash, I question whether we should claim it for ourselves.

Why wasn't a Christian Heritage Month assigned from the start of these designations in Canada? The original intent of heritage recognition was to support smaller groups within a dominant culture; Christianity is the dominant religion.

Is it not hoped over time that all faiths and cultures will feel woven into the overall fabric of Canada, as well as in tandem with the belief systems of First Nations, and that eventually recognition months will have served their purpose and no longer be needed?

Christianity is already a significant and lasting thread of Canada's fabric; the churches on Main Street alone demonstrate this, as well as its presence in foundational documents like the British North America Act. Given this, I don't see why a dedicated Christian Heritage

Month is necessary, especially when society already has clear ways and communication to celebrate and acknowledge it. If Christianity were a minority faith in the future, it would make sense, but not now.

I wonder if we could approach this differently, perhaps declaring December "All Faiths Month," encompassing Christianity, Islam, Hinduism, Sikhism, Buddhism, Judaism, and the Winter Solstice for Indigenous Peoples? In this way Christian recognition is included along with all the other faiths and culturally significant traditions.

Perhaps more dialogue and deliberation is also an option. I'm grateful to live in a community and country where we can debate these issues, and I appreciate the challenges they present to Council.

Sincerely,

Melanie Duckett-Wilson
resident of Newmarket



Corporation of the Town of Newmarket

By-law 2025-01

A By-law to appoint a Deputy Fire Chief for the amalgamated fire and emergency services department, Central York Fire Services.

Whereas the Town of Newmarket and the Town of Aurora have approved the establishment of one consolidated Fire and Emergency Service to service both municipalities; and,

Whereas Section 6 of the Fire Protection and Prevention Act, 1997, states that if a fire department is established for the whole or a part of a municipality or for more than one municipality, the Council of the municipality or the Councils of the municipalities, as the case may be, shall appoint a Fire Chief for the Fire Department; and,

Whereas Section 6 of the Fire Protection and Prevention Act, 1997, further states that the Fire Chief may delegate his or her powers or duties under Sections 14, 19 and 20 and such other powers and duties as may be prescribed to any firefighter or class of firefighters, subject to such limitations, restrictions or conditions as may be prescribed or set out in the delegation.

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

1. That Daniel Waters be and is hereby appointed Deputy Fire Chief for the Consolidated Fire and Emergency Services for the Town of Newmarket and the Town of Aurora and a "member" of the Fire Services as that term is defined in the Fire Protection and Prevention Act, 1997; and,
2. That Daniel Waters is hereby authorized and required to carry out the duties and actions required in relation to the position of Deputy Fire Chief pursuant to the Town of Newmarket by-laws and Acts of the Legislature; and,
3. That such appointment be retroactive to the date that the role was assumed.

Enacted this 20th day of January, 2025.

John Taylor, Mayor

Lisa Lyons, Town Clerk



Corporation of the Town of Newmarket

By-law 2025-02

A By-law to appoint a Deputy Fire Chief for the amalgamated fire and emergency services department, Central York Fire Services.

Whereas the Town of Newmarket and the Town of Aurora have approved the establishment of one consolidated Fire and Emergency Service to service both municipalities; and,

Whereas Section 6 of the Fire Protection and Prevention Act, 1997, states that if a fire department is established for the whole or a part of a municipality or for more than one municipality, the Council of the municipality or the Councils of the municipalities, as the case may be, shall appoint a Fire Chief for the Fire Department; and,

Whereas Section 6 of the Fire Protection and Prevention Act, 1997, further states that the Fire Chief may delegate his or her powers or duties under Sections 14, 19 and 20 and such other powers and duties as may be prescribed to any firefighter or class of firefighters, subject to such limitations, restrictions or conditions as may be prescribed or set out in the delegation.

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

1. That Lorianne Zwicker be and is hereby appointed Deputy Fire Chief for the Consolidated Fire and Emergency Services for the Town of Newmarket and the Town of Aurora and a "member" of the Fire Services as that term is defined in the Fire Protection and Prevention Act, 1997; and,
2. That Lorianne Zwicker is hereby authorized and required to carry out the duties and actions required in relation to the position of Deputy Fire Chief pursuant to the Town of Newmarket by-laws and Acts of the Legislature; and,
3. That such appointment be retroactive to the date that the role was assumed.

Enacted this 20th day of January, 2025

John Taylor, Mayor

Lisa Lyons, Town Clerk



Corporation of the Town of Newmarket

By-law 2025-03

A By-law to Appoint Fire Prevention Officers for the Central York Fire Services.

(Schell, Tustin, Stein, Sadler, Quan, Dowling, Baker)

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,

And whereas Section 2 (1)(a) of the *Fire Protection and Prevention Act*, provides that every municipality shall establish a program in the municipality which must include public education with respect to the fire safety and certain components of fire prevention; and

And whereas the Municipal Council of the Corporation of the Town of Newmarket deems it expedient to appoint Fire Prevention Officers, Fire Prevention Inspectors and a Fire and Life Safety Educator;

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, and be given the titles as follows:

Ryan Schell	Chief Fire Prevention Officer
Tim Tustin	Fire Prevention Officer
Shane Stein	Fire Prevention Inspector
Eric Sadler	Fire Prevention Inspector
Harrison Quan	Fire Prevention Inspector
Karsen Dowling	Fire Prevention Inspector
Jennifer Baker	Fire and Life Safety Educator

2. That By-law 2018-22 be repealed.

Enacted this 20th day of January, 2025.

John Taylor, Mayor

Lisa Lyons, Town Clerk



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

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

Memorandum

TO: Members of Council

FROM: Andrea Tang, Director of Financial Services / Treasurer

DATE: January 20, 2025

RE: 2025 User Fees and Charges - Legislative Services

At the December 9, 2024 Council Meeting, the 2025 Fees and Charges were approved by Council.

Following that meeting, an inadvertent omission was noted within in Schedule E - Legislative Services – General. The Signs and Commissioning fees were inadvertently omitted from this Schedule. Further, minor updates were made to accurately reflect the oversight body and terminology changes made by the province. Appeals for various by-laws are heard by the Town’s Hearing Officer and the province changed Accessory ‘Dwelling’ Unit to Accessory ‘Residential’ Unit.

Additionally, the Tow Truck fees within Schedule I - Legislative Services – Licensing are being removed as this licensing responsibility has been taken over by the province as of January 1, 2025.

The below summarizes the larger amendments to Schedule E and I.

Added to Schedule E:

**TOWN OF NEWMARKET
 2025 USER FEES**

Department: Legislative Services - General Fees

Effective Date: January 1, 2025

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	2024 FEE BEFORE TAXES	2025 FEE BEFORE TAXES	HST AMOUNT	TOTAL FEE	% INCREASE
Signs							
Sign By-law Exemption Fee	Each	No	\$195.79	\$201.86	\$0.00	\$201.86	3.1%
Ground Sign	Each	No	\$503.45	\$519.06	\$0.00	\$519.06	3.1%
Fascia Sign	Each	No	\$503.45	\$519.06	\$0.00	\$519.06	3.1%
Mural Sign	Each	No	\$503.45	\$519.06	\$0.00	\$519.06	3.1%
Projecting Sign	Each	No	\$503.45	\$519.06	\$0.00	\$519.06	3.1%
Construction Information Sign	Each	No	\$503.45	\$519.06	\$0.00	\$519.06	3.1%
Hoarding Sign	Each	No	\$503.45	\$519.06	\$0.00	\$519.06	3.1%
New Home Development Sign	Each	No	\$126.93	\$130.87	\$0.00	\$130.87	3.1%
Development Sign	Each	No	\$503.45	\$519.06	\$0.00	\$519.06	3.1%
Subdivision Development Sign	Each	No	\$503.45	\$519.06	\$0.00	\$519.06	3.1%
Portable Sign	Each	No	\$126.93	\$130.87	\$0.00	\$130.87	3.1%
Mobile Sign	Each	No	\$126.93	\$130.87	\$0.00	\$130.87	3.1%
Inflatable Sign	Each	No	\$503.45	\$519.06	\$0.00	\$519.06	3.1%
Banner Sign	Each	No	\$126.93	\$130.87	\$0.00	\$130.87	3.1%
Election Sign Permit Fee	Each	No	\$258.50	\$266.51	\$0.00	\$266.51	3.1%
Election Sign Removal	Per sign	No	\$25.85	\$26.65	\$0.00	\$26.65	3.1%
Billboard Sign	Each	No	\$1,895.47	\$1,954.23	\$0.00	\$1,954.23	3.1%
Billboard Sign Renewal	Every 5 years	No	\$632.54	\$652.15	\$0.00	\$652.15	3.1%
Variance Fee - Staff Review	Per review	No	\$316.27	\$326.07	\$0.00	\$326.07	3.1%
Variance Fee - Committee	Per review	No	\$632.54	\$652.15	\$0.00	\$652.15	3.1%
Sign Removal	Each	No	\$190.41	\$196.31	\$0.00	\$196.31	3.1%
Sign Replacement	Each	No	\$251.73	\$259.53	\$0.00	\$259.53	3.1%
Commissioning							
Commissioning of Documents (except foreign pensions) - resident	Per document	Yes	\$22.59	\$23.29	\$3.03	\$26.32	3.1%
Commissioning of Documents (except foreign pensions) - non- resident	Per document	Yes	\$24.85	\$25.62	\$3.33	\$28.95	3.1%
Certification of Town Documents	Per document	Yes	\$6.45	\$6.65	\$0.86	\$7.52	3.1%

Removed from Schedule I:

TOWN OF NEWMARKET 2025 USER FEES							
DEPARTMENT: Legislative Services - Licensing Fees						Effective Date: January 1, 2025	
SERVICE PROVIDED	UNIT OF MEASURE	SUBJECT TO HST YES/NO	2024 FEE BEFORE TAX	2025 FEE BEFORE TAX	HST AMOUNT	TOTAL FEE	% INCREASE
Tow Truck Companies							
Tow Truck Company New Application License Fee (1-3 vehicles)	Each	No	\$1,075.75	\$1,109.10	\$0.00	\$1,109.10	3.1%
Tow Truck Company Annual Renewal License Fee (1-3 vehicles)	Each	No	\$806.81	\$831.82	\$0.00	\$831.82	3.1%
Tow Truck Company New Application License Fee (4-6 vehicles)	Each	No	\$2,151.50	\$2,218.19	\$0.00	\$2,218.19	3.1%
Tow Truck Company Annual Renewal License Fee (4-6 vehicles)	Each	No	\$1,613.62	\$1,663.64	\$0.00	\$1,663.64	3.1%
Tow Truck Company New Application License Fee (7-9 vehicles)	Each	No	\$3,227.25	\$3,327.29	\$0.00	\$3,327.29	3.1%
Tow Truck Company Annual Renewal License Fee (7-9 vehicles)	Each	No	\$2,420.43	\$2,495.46	\$0.00	\$2,495.46	3.1%
Tow Truck Company New Application License Fee (10+ vehicles)	Each	No	\$4,302.99	\$4,436.38	\$0.00	\$4,436.38	3.1%
Tow Truck Company Annual Renewal License Fee (10+ vehicles)	Each	No	\$3,227.25	\$3,327.29	\$0.00	\$3,327.29	3.1%

Andrea Tang,
Director of Financial Services / Treasurer



Corporation of the Town of Newmarket

By-law 2025-04

A By-law to amend established fees and charges for services or activities provided by the Corporation of the Town of Newmarket (General Fees and Charges) and to repeal and replace Schedule E and I of By-law 2024-62; Legislative Services – General Fee

WHEREAS sections 8, 9 and 11 of the *Municipal Act, 2001*, S.O. 2001, c.25, authorize a municipality to pass by-laws necessary or desirable for municipal purposes, and in particular paragraph 3 of subsection 11(2) authorizes by-laws respecting the financial management of the municipality;

AND WHEREAS subsection 391(1) of the *Municipal Act, 2001* provides that a municipality may pass by-laws imposing fees or charges on persons for services or activities provided or done by or on behalf of the municipality, for costs payable by the municipality for services or activities provided or done by or on behalf of any other municipality or any local board, and for the use of the municipality's property including property under its control;

AND WHEREAS the Corporation of the Town of Newmarket deems it expedient to consolidate and update the fees and charges to be collected by the various departments of the Town;

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

1. That Schedule “E” Legislative Services – General Fees and Schedule “I” Legislative Services – Licensing Fees of By-law 2024-62 be repealed and replaced with the attached schedules, Schedule “E” Legislative Services – General Fees and Schedule “I” Legislative Services – Licensing Fees; and,
2. That the attached schedules of fees and charges within Schedule “E” Legislative Services – General Fees and Schedule “I” Legislative Services – Licensing Fees be effective as of January 1, 2025.

Enacted this 20th day of January, 2025.

John Taylor, Mayor

Lisa Lyons, Town Clerk

**Schedule E – Legislative Services General Fees
To
2025 Fees and Charges Report
Staff Report to Council**

**TOWN OF NEWMARKET
2024 USER FEES**

Department: Legislative Services - General Fees

Effective Date: January 1, 2025

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	2024 FEE BEFORE TAXES	2025 FEE BEFORE TAXES	HST AMOUNT	TOTAL FEE	% INCREASE
General Administration							
Municipal Information - Liquor Application	Each	No	\$195.79	\$201.86	\$0.00	\$201.86	3.1%
Municipal Letter Special Occasion - Liquor	Each	No	\$54.86	\$56.56	\$0.00	\$56.56	3.1%
Ontario Land Tribunal Appeal Fee	Each	No	\$529.93	\$546.35	\$0.00	\$546.35	3.1%
General Administration	Each	No	\$60.24	\$62.11	\$0.00	\$62.11	3.1%
Certificate of Compliance for each property which has had a Property Standard Order	Each	No	\$135.55	\$139.75	\$0.00	\$139.75	3.1%
Certificate of Compliance for each property which has not had a Property Standard Order	Each	No	\$68.31	\$70.42	\$0.00	\$70.42	3.1%
Certificate of Compliance for each property which has had an Order and charges have been laid	Each	No	\$282.92	\$291.69	\$0.00	\$291.69	3.1%
Certificate of Compliance for interior common area(s) which have had a Property Standards Order	Each	No	\$135.55	\$139.75	\$0.00	\$139.75	3.1%
Certificate of Compliance for interior common area(s) which have not had an Order	Each	No	\$68.31	\$70.42	\$0.00	\$70.42	3.1%
Certificate of Compliance for interior common area(s) which have had an Order and charges have been laid	Each	No	\$282.92	\$291.69	\$0.00	\$291.69	3.1%
Certificate of Compliance for accessory building(s) or other structure(s) which have had a Property Standards Order	Each	No	\$135.55	\$139.75	\$0.00	\$139.75	3.1%
Certificate of Compliance for accessory building(s) or other structure(s) which have not had an Order	Each	No	\$68.31	\$70.42	\$0.00	\$70.42	3.1%

**TOWN OF NEWMARKET
2024 USER FEES**

Department: Legislative Services - General Fees

Effective Date: January 1, 2025

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	2024 FEE BEFORE TAXES	2025 FEE BEFORE TAXES	HST AMOUNT	TOTAL FEE	% INCREASE
Certificate of Compliance for accessory building(s) or other structure(s) which have had an Order and charges have been laid	Each	No	\$275.66	\$284.21	\$0.00	\$284.21	3.1%
Property Standards Appeal Fee	Each	No	\$190.41	\$196.31	\$0.00	\$196.31	3.1%
Property Standards Reinspection Fee	Each	No	\$195.79	\$201.86	\$0.00	\$201.86	3.1%
Private Parking Administration Fee	Each	No	\$118.33	\$122.00	\$0.00	\$122.00	3.1%
By-law Reinspection Fee	Each	No	\$84.98	\$87.62	\$0.00	\$87.62	3.1%
Garbage Administration (large articles)	Each	No	\$62.39	\$64.33	\$0.00	\$64.33	3.1%
Animal Control - Appeal	Each	No	\$137.70	\$141.97	\$0.00	\$141.97	3.1%
Licensing Appeal	Each	No	\$137.70	\$141.97	\$0.00	\$141.97	3.1%
Noise							
Noise Exemption Application	Each	No	\$80.68	\$83.18	\$0.00	\$83.18	3.1%
Noise Permit Fee for one day Event		No	\$27.43	\$28.28	\$0.00	\$28.28	3.1%
Noise Permit Fee for two to five day Event	Each	No	\$66.16	\$68.21	\$0.00	\$68.21	3.1%
Noise Permit Fee for Construction - 1 day	Each	No	\$84.98	\$87.62	\$0.00	\$87.62	3.1%
Noise Permit Fee for Construction - under 6 months	Each	No	\$165.40	\$170.53	\$0.00	\$170.53	3.1%
Noise Permit Fee for Construction - over 6 months	Each	No	\$247.96	\$255.65	\$0.00	\$255.65	3.1%
Pools							
Permit Fee - Above Ground Pool	Each	No	\$190.41	\$196.31	\$0.00	\$196.31	3.1%
Permit Fee - Hot Tub	Each	No	\$190.41	\$196.31	\$0.00	\$196.31	3.1%
Permit Fee - Inflatable Pool	Each	No	\$190.41	\$196.31	\$0.00	\$196.31	3.1%
Permit Fee - In Ground Pool	Each	No	\$190.41	\$196.31	\$0.00	\$196.31	3.1%
Permit Fee - Ponds	Each	No	\$190.41	\$196.31	\$0.00	\$196.31	3.1%

**TOWN OF NEWMARKET
2024 USER FEES**

Department: Legislative Services - General Fees

Effective Date: January 1, 2025

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SERVICE PROVIDED	UNIT OF MEASURE	SUBJECT TO HST YES/NO	2024 FEE BEFORE TAXES	2025 FEE BEFORE TAXES	HST AMOUNT	TOTAL FEE	% INCREASE
Signs							
Sign By-law Exemption Fee	Each	No	\$195.79	\$201.86	\$0.00	\$201.86	3.1%
Ground Sign	Each	No	\$503.45	\$519.06	\$0.00	\$519.06	3.1%
Fascia Sign	Each	No	\$503.45	\$519.06	\$0.00	\$519.06	3.1%
Mural Sign	Each	No	\$503.45	\$519.06	\$0.00	\$519.06	3.1%
Projecting Sign	Each	No	\$503.45	\$519.06	\$0.00	\$519.06	3.1%
Construction Information Sign	Each	No	\$503.45	\$519.06	\$0.00	\$519.06	3.1%
Hoarding Sign	Each	No	\$503.45	\$519.06	\$0.00	\$519.06	3.1%
New Home Development Sign	Each	No	\$126.93	\$130.87	\$0.00	\$130.87	3.1%
Development Sign	Each	No	\$503.45	\$519.06	\$0.00	\$519.06	3.1%
Subdivision Development Sign	Each	No	\$503.45	\$519.06	\$0.00	\$519.06	3.1%
Portable Sign	Each	No	\$126.93	\$130.87	\$0.00	\$130.87	3.1%
Mobile Sign	Each	No	\$126.93	\$130.87	\$0.00	\$130.87	3.1%
Inflatable Sign	Each	No	\$503.45	\$519.06	\$0.00	\$519.06	3.1%
Banner Sign	Each	No	\$126.93	\$130.87	\$0.00	\$130.87	3.1%
Election Sign Permit Fee	Each	No	\$258.50	\$266.51	\$0.00	\$266.51	3.1%
Election Sign Removal	Per sign	No	\$25.85	\$26.65	\$0.00	\$26.65	3.1%
Billboard Sign	Each	No	\$1,895.47	\$1,954.23	\$0.00	\$1,954.23	3.1%
Billboard Sign Renewal	Every 5 years	No	\$632.54	\$652.15	\$0.00	\$652.15	3.1%
Variance Fee - Staff Review	Per review	No	\$316.27	\$326.07	\$0.00	\$326.07	3.1%
Variance Fee - Appeal	Per appeal	No	\$632.54	\$652.15	\$0.00	\$652.15	3.1%
Sign Removal	Each	No	\$190.41	\$196.31	\$0.00	\$196.31	3.1%
Lens Replacement	Each	No	\$251.73	\$259.53	\$0.00	\$259.53	3.1%
Parking Enforcement							
Parking Enforcement Private Special Events (minimum 3 hours)	Per hour	No	\$57.28	\$59.06	\$0.00	\$59.06	3.1%
Parking Enforcement Charities & Non-Profit Organizations (minimum 3 hours)	Per hour	No	\$40.87	\$42.14	\$0.00	\$42.14	3.1%
Parking Enforcement Filming (minimum 3 hours)	Per hour	No	\$69.38	\$71.53	\$0.00	\$71.53	3.1%

**TOWN OF NEWMARKET
2024 USER FEES**

Department: Legislative Services - General Fees

Effective Date: January 1, 2025

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SERVICE PROVIDED	UNIT OF MEASURE	SUBJECT TO HST YES/NO	2024 FEE BEFORE TAXES	2025 FEE BEFORE TAXES	HST AMOUNT	TOTAL FEE	% INCREASE
Parking Exemptions							
Parking Exemption - 24 - hour period		No	\$5.17	\$5.00	\$0.00	\$5.00	-3.3%
Parking Exemption - 5 - day period		No	\$15.51	\$15.00	\$0.00	\$15.00	-3.3%
Filming Fees							
Application Fee		No	NEW	\$150.00	\$0.00	\$150.00	NEW
Film Permit Fee	Per day of filming	No	NEW	\$500.00	\$0.00	\$500.00	NEW
Special Film Zone Impact Fee	Per member of cast and crew, per day of filming	No	NEW	\$50.00	\$0.00	\$50.00	NEW
Impact Fee (for 100+ cast and crew)	Per day of filming	No	NEW	\$2,000.00	\$0.00	\$2,000.00	NEW
High Impact Fee (for 200+ cast and crew)	Per day of filming	No	NEW	\$4,000.00	\$0.00	\$4,000.00	NEW
Local Film Licence	Annually	No	NEW	\$500.00	\$0.00	\$500.00	NEW
Local Film Licence Holder – Special Film Zone Impact Fee	Per member of cast and crew	No	NEW	\$50.00	\$0.00	\$50.00	NEW
Local Film Licence Holder – Impact Fee (for 100+ case and crew)		No	NEW	\$2,000.00	\$0.00	\$2,000.00	NEW
Local Film Licence Holder – High Impact Fee (for 200+ cast and crew)		No	NEW	\$4,000.00	\$0.00	\$4,000.00	NEW
Late fee Surcharge (applied to filming requests that do not meet timelines established)		No	NEW	20% surcharge added to total fees imposed if application is approved	\$0.00	20% surcharge added to total fees imposed if application is approved	NEW
Minor Special Effects Deposit		No	NEW	\$5,000.00	\$0.00	\$5,000.00	NEW
Major Special Effects Deposit		No	NEW	\$20,000.00	\$0.00	\$20,000.00	NEW

**TOWN OF NEWMARKET
2024 USER FEES**

Department: Legislative Services - General Fees

Effective Date: January 1, 2025

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SERVICE PROVIDED	UNIT OF MEASURE	SUBJECT TO HST YES/NO	2024 FEE BEFORE TAXES	2025 FEE BEFORE TAXES	HST AMOUNT	TOTAL FEE	% INCREASE
Fence							
Application for Fence Variance	Each	No	\$308.74	\$318.31	\$0.00	\$318.31	3.1%
Request for an Appeal	Each	No	\$617.48	\$636.63	\$0.00	\$636.63	3.1%
Administration fee for fail to Appear to Hearing	Each	No	\$107.58	\$110.91	\$0.00	\$110.91	3.1%
Registration of Accessory Residential Units							
Application (Non-refundable)	Each	No	\$268.93	\$277.27	\$0.00	\$277.27	3.1%
Lost identification plate	Each	No	\$11.02	\$11.36	\$0.00	\$11.36	3.1%
Registration Letter (Resale)	Each	No	\$22.06	\$22.74	\$0.00	\$22.74	3.1%
Accessory Residential Unit Appeal	Each	No	\$110.27	\$113.68	\$0.00	\$113.68	3.1%
Vital Statistics							
Death Registration	Each	No	\$33.92	\$34.97	\$0.00	\$34.97	3.1%
Commissioning							
Commissioning of Documents (except foreign pensions) - resident	Per document	Yes	\$22.59	\$23.29	\$3.03	\$26.32	3.1%
Commissioning of Documents (except foreign pensions) - non- resident	Per document	Yes	\$24.85	\$25.62	\$3.33	\$28.95	3.1%
Certification of Town Documents	Per document	Yes	\$6.45	\$6.65	\$0.86	\$7.52	3.1%

**TOWN OF NEWMARKET
2024 USER FEES**

Department: Legislative Services - General Fees

Effective Date: January 1, 2025

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SERVICE PROVIDED	UNIT OF MEASURE	SUBJECT TO HST YES/NO	2024 FEE BEFORE TAXES	2025 FEE BEFORE TAXES	HST AMOUNT	TOTAL FEE	% INCREASE
Marriages							
Marriage Licence (resident)	Each licence	No	\$158.98	\$163.91	\$0.00	\$163.91	3.1%
Marriage Licence (non-resident)	Each licence	No	\$174.88	\$180.30	\$0.00	\$180.30	3.1%
Civil Marriage Solemnization Service Fee	Per service	Yes	\$476.93	\$491.72	\$63.92	\$555.64	3.1%
Witness Fee	Per person	Yes	\$61.47	\$63.38	\$8.24	\$71.62	3.1%
Rehearsal Fee for offsite	Per service	Yes	\$91.15	\$93.97	\$12.22	\$106.19	3.1%
Marriage Licence/Ceremony package	Per service	Yes	\$588.22	\$606.46	\$78.84	\$685.30	3.1%
Recording/Videotaping a ceremony or celebration	Per service	Yes	\$26.50	\$27.32	\$3.55	\$30.87	3.1%
Renewal of vows celebration package	Per service	Yes	\$476.93	\$491.72	\$63.92	\$555.64	3.1%
Administration fee to be charged for change of wedding/ celebration date within 7 days		Yes	\$31.80	\$32.78	\$4.26	\$37.04	3.1%
Administration fee to be charged for cancellation before consultation		Yes	\$61.47	\$63.38	\$8.24	\$71.62	3.1%
Administration fee to be charged for cancellation after consultation		Yes	\$182.29	\$187.95	\$24.43	\$212.38	3.1%
Cancellation of ceremony the day of/no show		Yes	\$476.93	\$491.72	\$63.92	\$555.64	3.1%
Cancellation of witnesses		Yes	\$52.99	\$54.64	\$7.10	\$61.74	3.1%

**TOWN OF NEWMARKET
2024 USER FEES**

Department: Legislative Services - General Fees

Effective Date: January 1, 2025

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SERVICE PROVIDED	UNIT OF MEASURE	SUBJECT TO HST YES/NO	2024 FEE BEFORE TAXES	2025 FEE BEFORE TAXES	HST AMOUNT	TOTAL FEE	% INCREASE
Lottery Licences							
Bingo	% from OLG	No				% from OLG	
Nevada	3% of the prize value	No				3% of the prize value	
Raffle	3% of the prize value	No				3% of the prize value	
Election Candidate Nominations							
	Mayor	No				\$0.00	N/A
	Regional Councillor	No				\$0.00	N/A
	Councillor	No				\$0.00	N/A
Freedom of Information							
Application	Each	No				\$5.00	N/A
Photo Copies	Per page	No				\$0.20	N/A
CD (USB)	Per disk	No				\$10.00	N/A
Manually Searching Records \$7.50 per ¼ hour	Per hour	No				\$7.50	N/A
Preparation of Record of Disclosure	Per hour	No				\$7.50	N/A
Developing a Computer Program \$15.00 per ¼ hour	Per hour	No				\$7.50	N/A

**Schedule I – Legislative Services – Licensing Fees
To
By-law**

**TOWN OF NEWMARKET
2025 USER FEES**

DEPARTMENT: Legislative Services - Licensing Fees

Effective Date: January 1, 2025

SERVICE PROVIDED	UNIT OF MEASURE	SUBJECT TO HST YES/NO	2024 FEE BEFORE TAX	2025 FEE BEFORE TAX	HST AMOUNT	TOTAL FEE	% INCREASE
Adult Entertainment Parlours							
Owner*	Each	No	\$688.48	\$709.82	\$0.00	\$709.82	3.1%
Owner/Operator*	Each	No	\$554.01	\$571.18	\$0.00	\$571.18	3.1%
Operator*	Each	No	\$413.08	\$425.89	\$0.00	\$425.89	3.1%
Entertainer	Each	No	\$282.92	\$291.69	\$0.00	\$291.69	3.1%
Adult Videos							
Store*	Each	No	\$481.94	\$496.88	\$0.00	\$496.88	3.1%
Video Tape Store-where provision of Adult Videotapes is only incidental to the carrying on of the business of the provision of videotapes*	Each	No	\$423.85	\$436.99	\$0.00	\$436.99	3.1%
Animal Licensing							
Standard Dog or Cat over 4 months (non-refundable)	Each	No	\$37.10	\$38.25	\$0.00	\$38.25	3.1%
Seniors/Special Rate Dog or Cat over 4 months (non-refundable)	Each	No	\$31.80	\$32.78	\$0.00	\$32.78	3.1%
Dog or Cat transfer from other Municipality (non-refundable)	Each	No	\$5.30	\$5.47	\$0.00	\$5.47	3.1%
Dog or Cat replacement tag (non-refundable)	Each	No	\$5.30	\$5.47	\$0.00	\$5.47	3.1%
CARNIVAL	Each	No	\$306.59	\$316.10	\$0.00	\$316.10	3.1%
Catering/ Refreshment Vehicles							
Cart/Vehicle/Bicycle*	Each	No	\$352.84	\$363.78	\$0.00	\$363.78	3.1%
Refreshment Special Occasion Permit	Each	No	\$90.36	\$93.16	\$0.00	\$93.16	3.1%

**TOWN OF NEWMARKET
2025 USER FEES**

DEPARTMENT: Legislative Services - Licensing Fees

Effective Date: January 1, 2025

SERVICE PROVIDED	UNIT OF MEASURE	SUBJECT TO HST YES/NO	2024 FEE BEFORE TAX	2025 FEE BEFORE TAX	HST AMOUNT	TOTAL FEE	% INCREASE
Clothing Donation Bins							
Clothing Donation Bin	Each	No	\$250.65	\$258.42	\$0.00	\$258.42	3.1%
Clothing Donation Bin - Charities	Each	No	\$93.59	\$96.49	\$0.00	\$96.49	3.1%
Clothing Donation Bin - Change Location	Each	No	\$63.47	\$65.43	\$0.00	\$65.43	3.1%
Clothing Donation Bin - Impound Fee per Bin	Each	No	\$107.58	\$110.91	\$0.00	\$110.91	3.1%
Clothing Donation Bin - Daily Storage Fee per Bin	Each	No	\$21.52	\$22.18	\$0.00	\$22.18	3.1%
Driving School Instructor							
Driving School Instructor	Each	No	\$137.70	\$141.97	\$0.00	\$141.97	3.1%
Replacement Plate	Each	No	\$91.44	\$94.27	\$0.00	\$94.27	3.1%
Vehicle transfer	Each	No	\$195.79	\$201.86	\$0.00	\$201.86	3.1%
Fireworks							
Mobile Sales Premise	Each	No	\$413.08	\$425.89	\$0.00	\$425.89	3.1%
Temporary Sales Premise	Each	No	\$413.08	\$425.89	\$0.00	\$425.89	3.1%
Permanent Sales Premise	Each	No	\$413.08	\$425.89	\$0.00	\$425.89	3.1%
Hawkers & Pedlar							
Class A operator	Each	No	\$470.10	\$484.67	\$0.00	\$484.67	3.1%
Employer License	Each	No	\$338.86	\$349.37	\$0.00	\$349.37	3.1%
Class B "Special Sale" Per Day	Each	No	\$121.56	\$125.33	\$0.00	\$125.33	3.1%
Class B "Special Sale" Maximum of 7 days	Each	No	\$413.08	\$425.89	\$0.00	\$425.89	3.1%
Class C "Shopping Mall"	Each	No	\$484.09	\$499.09	\$0.00	\$499.09	3.1%
Class D "Shopping Mall"	Each	No	\$433.53	\$446.96	\$0.00	\$446.96	3.1%
Class E "Show Sale"	Each	No	\$459.34	\$473.58	\$0.00	\$473.58	3.1%

**TOWN OF NEWMARKET
2025 USER FEES**

DEPARTMENT: Legislative Services - Licensing Fees

Effective Date: January 1, 2025

SERVICE PROVIDED	UNIT OF MEASURE	SUBJECT TO HST YES/NO	2024 FEE BEFORE TAX	2025 FEE BEFORE TAX	HST AMOUNT	TOTAL FEE	% INCREASE
Lost Picture ID	Each	No	\$26.89	\$27.73	\$0.00	\$27.73	3.1%
Limousine Companies							
Initial License Fee (one-time)	Each	No	\$1,075.75	\$1,109.10	\$0.00	\$1,109.10	3.1%
Annual Renewal Licence Fee	Each	No	\$537.88	\$554.55	\$0.00	\$554.55	3.1%
Mobile Business License - Other Classification	Each	No	\$161.37	\$166.37	\$0.00	\$166.37	3.1%
Newspaper Boxes							
Newspaper Box - Impound fee per box	Each	No	\$67.77	\$69.87	\$0.00	\$69.87	3.1%
Newspaper Box - Daily storage fee per box	Each	No	\$21.52	\$22.18	\$0.00	\$22.18	3.1%
OUTDOOR SERVING AREAS*	Each	No	\$402.33	\$414.80	\$0.00	\$414.80	3.1%
Personal Wellness Centre	Each	No	\$161.37	\$166.37	\$0.00	\$166.37	3.1%
Pet Stores	Each	No	\$161.37	\$166.37	\$0.00	\$166.37	3.1%
SECOND HAND GOODS SHOPS & DEALERS*	Each	No	\$492.69	\$507.96	\$0.00	\$507.96	3.1%
Patio							
Temporary Patio Program - Standard lease fee	Per sqf, per month	No	\$0.50	\$0.50	\$0.00	\$0.50	0.0%
Temporary Patio Program - Parking space lease fee	Per sqf, per month	No	\$0.70	\$0.70	\$0.00	\$0.70	0.0%
Short Term Rentals							
STR Companies One-Time Licence Fee	Each	No	\$5,299.25	\$5,463.53	\$0.00	\$5,463.53	3.1%
STR Booking Fees - \$1 Dollar for each night booked (per bedroom)	Each	No	\$1.00	\$1.03	\$0.00	\$1.03	3.1%
Short Term Rental Operators							
1 Bedroom	Each	No	\$107.58	\$110.91	\$0.00	\$110.91	3.1%

**TOWN OF NEWMARKET
2025 USER FEES**

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Effective Date: January 1, 2025

SERVICE PROVIDED	UNIT OF MEASURE	SUBJECT TO HST YES/NO	2024 FEE BEFORE TAX	2025 FEE BEFORE TAX	HST AMOUNT	TOTAL FEE	% INCREASE
2 Bedrooms	Each	No	\$215.15	\$221.82	\$0.00	\$221.82	3.1%
3 Bedrooms	Each	No	\$322.72	\$332.73	\$0.00	\$332.73	3.1%
Taxicab Companies							
Taxicab Company Annual License Fee (1-9 vehicles)	Each	No	\$1,075.75	\$1,109.10	\$0.00	\$1,109.10	3.1%
Taxicab Company Annual License Fee (10-19 vehicles)	Each	No	\$2,151.50	\$2,218.19	\$0.00	\$2,218.19	3.1%
Taxicab Company Annual Fee (20+ vehicles)	Each	No	\$3,227.25	\$3,327.29	\$0.00	\$3,327.29	3.1%
Transportation Network Companies (TNCS)							
TNC Annual Licence Fee	Each	No	\$21,514.96	\$22,181.92	\$0.00	\$22,181.92	3.1%
Per Trip Fee	Each	No	\$0.30	\$0.31	\$0.00	\$0.31	3.1%
*Late Payment Fee for some classes of licenses		No	\$26.89	\$27.73	\$0.00	\$27.73	3.1%



Corporation of the Town of Newmarket

By-law 2025-05

A By-law to confirm the proceedings of a meeting of Council – January 20, 2025.

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 20th day of January 2025.

John Taylor, Mayor

Lisa Lyons, Town Clerk