



Town of Newmarket  
**Agenda**

**Council**

Monday, December 4, 2017 at 7:00 PM

Council Chambers

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**Open Forum**

**Public Notices (if required)**

**Additions & Corrections to the Agenda**

**Declarations of Pecuniary Interest**

**Presentations & Recognitions**

**Deputations**

1. 2017 Interactive Trench Exhibit and Great War Patriotic Fundraising Dinner pg. 1  
Ms. Erin Cerenzia, Newmarket Historical Society

**Approval of Minutes**

2. Council Meeting Minutes of November 13, 2017 pg. 9

**Reports by Regional Representatives**

**Reports of Committees and Staff**

3. Special Committee of the Whole Meeting Minutes of November 13, 2017 pg. 29
4. Special Committee of the Whole Meeting Minutes of November 20, 2017 pg. 32
5. Council Workshop Meeting Minutes of November 20, 2017 pg. 35

6. Committee of the Whole Meeting Minutes of November 27, 2017 pg. 38
7. Committee of the Whole (Closed Session) Meeting Minutes of November 27, 2017
8. Approval of 2018 Capital and Operating Budgets pg. 55  
CAO/Commissioners, Financial Services  
November 21, 2017

**Note:** This is related to Item 35 of the November 27, 2017 Committee of the Whole minutes. The report and recommendations were revised based on feedback from the November 27, 2017 Committee of the Whole meeting.

1. That Joint CAO/Commissioners and Corporate Services Report - Financial Services 2017-61 (Amended) dated November 30, 2017 regarding Approval of the 2018 Operating and Capital Budgets be received and the following recommendations be adopted:
  - a. That the proposed 2018 Operating Budget with expenditures of \$127,927,654 be approved, which is comprised of the following components:
    - i. \$63,446,921 for the Town portion, which includes an additional \$231,892 for asset replacement funding;
    - ii. \$30,000 for the Newmarket Business Improvement Area (BIA);
    - iii. \$4,050,823 for the Library portion;
    - iv. \$16,762,672 for Central York Fire Services (Newmarket's share) which includes an additional \$148,138 for asset replacement funding;
    - v. \$39,248,453 for the Water and Wastewater Rate Groups which includes an additional \$680,557 for asset replacement funding;
    - vi. \$1,852,084 for the Stormwater Management Rate Group which includes a reduction of \$642,488 for asset replacement funding;
    - vii. \$2,536,701 for the Building Permit Rate Group; and,
  - b. That the proposed 2018 Capital Budget with new expenditures of \$25,933,120 be approved subject to the following conditions:

That Council provides separate approval for expenditures on the following projects after consideration of additional reports:

- 1) Heritage Conservation District update (project #26)
- 2) Fernbank Farmhouse maintenance (project #47)
- 3) Outdoor Train (project #56); and,

- c. That the proposed 2018 Operating and Capital Budgets be forwarded to the Council meeting of December 4, 2017 for final approval.

9. Revisions to Proposed Fees of Charges for Noise Exemptions in the Noise By-law and Memorandum pg. 88

**Note:** This is related to Item 32 of the November 27, 2017 Committee of the Whole minutes. The Proposed Fees and Charges in the memorandum were revised based on feedback from the November 27, 2017 Committee of the Whole meeting. Revised motions are noted in bold font below.

1. That Corporate Services – Legislative Services Report 2017-27 dated November 27, 2017 regarding Proposed Noise By-law be received; and,
2. **That the memorandum dated November 30, 2017 entitled “Revisions to the Noise By-law Proposed Fees and Charges” be received; and,**
3. **That Council approve the “proposed fees and charges for noise exemptions” for the Noise By-law as provided in the attached memorandum; and,**
4. **That Council approve the amendments to the 2018 Fees and Charges By-law to reflect the “proposed fees and charges for noise exemptions” as provided in the attached memorandum; and,**
5. That Council repeal current Noise By-law 2004-94, as amended; and,
6. That Council enact the new Noise By-law attached as Appendix A.

10. Proclamation Request – December 6, 2017 - National Day of Remembrance and Action to End to Violence Against Women pg. 90

1. That the proclamation request be received; and,
2. That the Town of Newmarket proclaim December 6, 2017 National Day of Remembrance and Action to End to Violence Against Women; and,
3. That the proclamation be advertised on the Town Page and on the Town's website; and,
4. That Riverwalk Commons be illuminated in purple on December 6, 2017.

## By-laws

2017-65	A By-law to amend By-law Number 2014-25 being Restricted Area (Zoning) By-law. (Marianneville Developments Limited)	pg. 93
2017-66	A By-law to adopt Fees and Charges for Services or Activities provided by the Town of Newmarket. (Fees and Charges - All Departments - General Fees)	pg. 95
	<b>Note:</b> Schedule F has been revised to include the updated Proposed Fees of Charges for Noise Exemptions in the Noise By-law (Related to Item 9)	
2017-67	A By-law to adopt Fees and Charges for Services or Activities provided by the Town of Newmarket. (Planning Department Application Fees)	pg.116
2017-68	A By-law to adopt Fees and Charges for Services or Activities provided by the Town of Newmarket. (Fees and Charges - Fire Services)	pg.123
2017-69	A By-law to adopt a Stormwater Management Services Charge by the Town of Newmarket for 2018.	pg.126
2017-70	A By-law to establish a Combined Utility Rate Structure in the Town of Newmarket.	pg.128
2017-71	A By-law to adopt Fees and Charges for Services or Activities provided by the Town of Newmarket. (Legislative Services - Licensing Fees)	pg.130
2017-72	A By-law to provide an exemption to By-law 2004-94, as amended, being a By Law to prohibit and regulate unusual Noises or noises likely to disturb the inhabitants of the Town of Newmarket (vivaNext Rapid Transit Y3.2 project)	pg.135
2017-73	A By-law to regulate the erection and maintenance of signs and other advertising devices in the Town of Newmarket.	pg.136
2014-74	A By-law to manage and regulate election signs in the Town of Newmarket.	pg. 167
2017-75	A By-law to amend Procedure By-law 2015-50, being a By-law to govern the proceedings of Council and Committee meetings.	pg. 184
2017-76	A By-law to prohibit or regulate noise in the Town of Newmarket.	pg. 186
2017-77	A By-law to amend Procurement By-law 2014-27, being a By-law to define the Procurement Policies for the Town of Newmarket.	pg. 200



## **Notices of Motions**

### **Motions**

Moved by: Councillor Twinney

1. That staff be directed to work with the property owner at Davis Drive and Patterson Street to maintain the property in accordance with the Town's applicable By-laws.

### **Announcements & Community Events**

### **New Business**

### **Closed Session (if required)**

### **Confirmatory By-law**

2017- 78      A By-law to Confirm the proceedings of the December 4, 2017 Council      pg. 202  
meeting.

### **Adjournment**

# OUT OF THE TRENCHES





# **Highlights of the 2017 Interactive Trench Exhibit**

- **Great War Patriotic Fundraising Dinner**
- **Visitors to the Exhibit**



Barber was Killed in Action on 10 April 1917 during the Battle of Vimy Ridge. He was thirty years old. Barber is buried at La Chaudiere Military Cemetery in France. His headstone reads, "Gone but not forgotten." Barber's wife and mother were awarded the "Memorial" Silver Cross in his honor.

*60-117*

ATTESTATION PAPER

CANDIDATE'S NAME AND EXPIRATION DATE \_\_\_\_\_  
CANDIDATE TO BE PUT BEFORE ATTESTATION.



**VISION ON LA CHAUDIERE MILITARY CEMETERY, VISIT:**  
e.ca/cmg/remembrance/monuments/overseas/first-world-war/france/la-chaudiere

# Crête de Vimy

## PRESSIONS SOUTERRAINES

Plus de 200 soldats canadiens  
ont été tués lors de la bataille de Vimy.  
C'est pourquoi, que l'on appelle la Crête  
de Vimy, un monument l'honneur  
de se lancer dans la bataille  
historique en avril 1917.

Les membres  
CANADIAN  
ated and  
ings and  
in the

En ce moment de  
en matière de p  
récoltes de la p  
DISCOP, le p  
en passant tout  
les organes.

Out of the dark  
into the light...

Des gravures sortent  
de l'obscurité et voient  
enfin la lumière du

Les reproductions de ces gravures  
et les œuvres d'art de la Crête de Vimy  
canadienne qui ont été du côté  
sont les plus belles et les  
la terminaison  
pour le Canada.

canadian

Canada





# Highlights of the 2017 Interactive Trench Exhibit

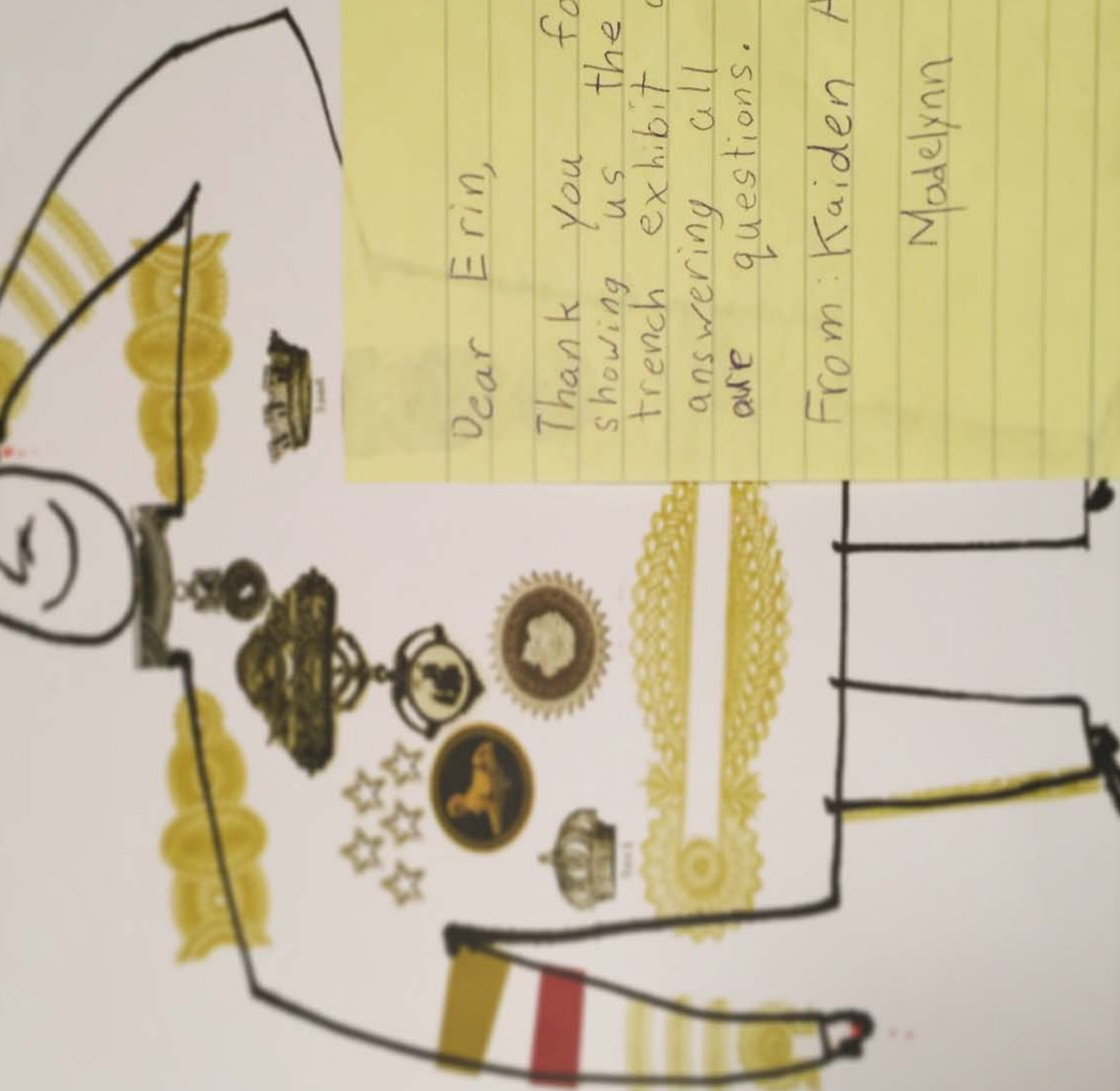
- Great War Patriotic Fundraising Dinner
- Visitors to the Exhibit
- Donations Received



## **Recreation & Culture Team   Theatre Team   Facilities Team**

- Rob Wilson   • Charles   • Scott
- Laura   • Kaiser   • Petticrew<sup>6</sup>
- Schembri   • Christopher   • Steve Mallet
- Janis Luttrell   • Dean   • Kyle
- Janet Raponi   • DeSouza





Nov 2017

Dear Erin,

Thank you for  
showing us the WWI  
trench exhibit and  
answering all of  
our questions.

From: Kaiden And

Modelynn



## Deputation and Further Notice Request Form

Please complete this form to speak at a meeting of Town Council or Committee of the Whole or to receive further notification regarding an item on the agenda. If filling out by hand please print clearly.

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

Name: <b>Erin Cerenzia</b>	
Organization / Group/ Business represented: <b>Newmarket Historical Society</b>	
Address:	Postal Code:
Daytime Phone No:	Home Phone:
Email: <b>erin.cerenzia@magna.com</b>	Date of Meeting: <b>December 4, 2017</b>
Is this an item on the Agenda? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Agenda Item No:
<input type="checkbox"/> I request future notification of meetings	<input checked="" type="checkbox"/> I wish to address Council / Committee
Describe in detail the reason for the deputation and what action you will be asking Council/Committee to take (if applicable): <b>Deputation to present the results of the 2017 Interactive Trench Exhibit and special Great War Patriotic Fundraising Dinner to Council and to thank them for their support of this initiative.</b>	
Do you wish to provide a written or electronic communication or background information <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Please submit all materials at least 5 days before the meeting.	

### Deputation Guidelines:

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

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

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

The meeting of the Council was held on Monday, November 13, 2017 in the Council Chambers, 395 Mulock Drive, Newmarket.

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

Absent: Councillor Kerwin

Staff Present: R. N. Shelton, Chief Administrative Officer  
E. Armchuk, Commissioner of Corporate Services  
P. Noehammer, Commissioner of Development and Infrastructure Services  
I. McDougall, Commissioner of Community Services  
L. Lyons, Director of Legislative Services/Town Clerk  
H. Leznoff, Council/Committee Coordinator

### **Open Forum**

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

The meeting was called to order at 7:01 PM.

Mayor Van Bynen in the Chair.

### **Public Notices**

There were no public notices.

## **Additions & Corrections to the Agenda**

The Chief Administrative Officer advised of the following addition to the agenda:

- (1) Town of Newmarket Municipal Green House Gas Challenge Funding Applications

Moved by: Councillor Bisanz  
Seconded by: Councillor Broome

1. That the addition to the Council agenda be approved.

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

Opposed: None  
(8 in favour, 0 opposed)

**Carried by 2/3 majority**

## **Declarations of Pecuniary Interest**

Councillor Broome declared a conflict of interest in relation to item 21 of the November 6, 2017 Committee of the Whole minutes, the Public Hearing Matter, as her employer has leased vehicles on the property. She advised she would take no part in any discussion or vote on the matter.

## **Presentations & Recognitions**

### **1. The Year of Roadhouse and Rose – 175<sup>th</sup> Anniversary**

The Mayor and Members of Council presented a plaque to honour and recognize the 175<sup>th</sup> Anniversary of Roadhouse and Rose and their commitment to the community.

Moved by: Councillor Kwapis  
Seconded by: Councillor Bisanz

1. That the proclamation request be received; and,
2. That the Town of Newmarket recognize 2017 as the “Year of Roadhouse and Rose” in honour and recognition of their 175<sup>th</sup> anniversary in the Town of Newmarket; and,

3. That the proclamation be advertised in the Town page and on the Town website.

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

Opposed: None  
(8 in favour, 0 opposed)

**Carried**

## **2. Announcement regarding Celestica**

Mayor Van Bynen, and Deputy Mayor & Regional Councillor Taylor announced that Celestica, a design, manufacturing and supply chain solutions for some of the world's most innovative companies, will be relocating from Toronto to Newmarket. He thanked Members of Council, staff, and partners for their commitment to finalizing the proposal and welcomed Celestica to the Town of Newmarket.

## **3. Service Recognition of Mr. R.N. Shelton**

Mayor Van Bynen congratulated R.N. Shelton, who was recognized by the International City and County Management Association for 40 years of service.

## **Deputations**

There were no deputations.

## **Approval of Minutes**

### **4. Council Meeting Minutes of October 23, 2017**

Moved by: Councillor Twinney  
Seconded by: Councillor Vegh

1. That the Council Meeting Minutes of October 23, 2017 be approved.

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

Opposed: None  
(8 in favour, 0 opposed)

**Carried**

## **Reports by Regional Representatives**

### **(1) Retail Business Holidays Act**

Deputy Mayor & Regional Councillor Taylor provided an update on Regional Council's position regarding the Retail Business Holidays Act. He advised Regional Council holds the position that business should be allowed to be open year-round, with Christmas Day as the only exception.

### **(2) Climate Change Action Plan**

Deputy Mayor & Regional Councillor Taylor advised that the Region will be moving forward with a Climate Change Action Plan.

### **(3) 2016 Census**

Deputy Mayor & Regional Councillor Taylor advised that interesting census information relating to York Region is available at [York.ca](http://York.ca).

## **Reports of Committee and Staff**

### **5. Council Workshop Meeting Minutes of October 30, 2017**

Moved by: Councillor Twinney

Seconded by: Councillor Vegh

1. That the Council Workshop Meeting Minutes of October 30, 2017 be approved.

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

Opposed: None  
(8 in favour, 0 opposed)

**Carried**

## 6. Committee of the Whole Meeting Minutes of November 6, 2017

Moved by: Councillor Hempen

Seconded by: Councillor Kwapis

That the Committee of the Whole Meeting Minutes of November 6, 2017 be received and the recommendations noted within be adopted, except sub-items 17 and 21. See following sub-items 17 and 21 for motion and recorded vote.

(1) System Performance Update and 2018 Transit Initiatives Presentation - York Region Transit Presentation

1. That the presentation by Mr. Adrian Kawun, Manager Transit Service Planning, York Region Transit regarding the System Performance Update and 2018 Transit Initiatives be received.

(2) Mr. Paul Ferguson, President, Newmarket-Tay Power Distribution addressed the Committee regarding items 3, 4 and 5.

The presentation was addressed with the related reports. See sub-items 3, 4 and 5.

(3) Newmarket Hydro Holdings Inc. 2016 Annual General Meeting

1. That the Newmarket Hydro Holdings Inc. Report of the President dated October 25, 2017 regarding the financial statements of Newmarket Hydro Holdings Inc. (the "Corporation"), the written resolutions of Newmarket – Tay Power Distribution Ltd. ("NT Power") and appointment of the sole director and auditors be received and the following recommendations be adopted:
  - a. That the Mayor, as the Sole Shareholder's legal representative, is directed to sign the following Corporation Shareholder resolutions:
    - i. That the Corporation's financial statements for the financial year ended December 31, 2016 together with the report of the Corporation's auditors, Collins Barrow, thereon dated April 28, 2017 be approved and adopted; and,
    - ii. That Collins Barrow, Chartered Accountants, be appointed auditors of the Corporation to hold office until the next annual meeting of shareholders at such

remuneration as may be fixed by the sole director and the sole director is authorized to fix such remuneration; and,

- iii. That R.N. Shelton be appointed as the sole director of the Corporation to hold office until the next annual meeting of shareholders or until his successor is elected or appointed; and,
  - iv. That R.N. Shelton, so long as he is the sole director of the Corporation, shall represent the Corporation at meetings of shareholders of NT Power; and,
  - v. That all acts, contracts, bylaws, proceedings, appointments elections and payments, enacted, made, done and taken by the sole director and sole officer of the Corporation to December 31, 2016, as the same are set out or referred to in the resolutions of the sole director, or in the financial statements of the corporation, are approved, sanctioned and confirmed.
- b. That the Mayor, as the Sole Shareholder's legal representative, direct R.N. Shelton, the sole director and legal representative of the Corporation, to sign the following NT Power shareholder resolutions in lieu of an annual meeting:
- i. That the financial statements of NT Power for the financial year ended December 31, 2016 together with the report of NT Power's auditors, Collins Barrow, thereon dated April 26, 2017 be approved and adopted; and,
  - ii. That Collins Barrow, Chartered Accountants, be appointed auditors of NT Power to hold office until the next annual meeting of shareholders at such remuneration as may be fixed by the directors and the directors are authorized to fix such remuneration; and,
  - iii. That T. Van Bynen, S. Warnock, P. Daniels, R. Betts, D. Charleson, C. Prattas and P. Ferguson are elected directors of NT Power to hold office until the next annual meeting of shareholders or until their successors are elected or appointed; and,

- iv. That all acts, contracts, bylaws, proceedings, appointments elections and payments, enacted, made, done and taken by the directors and officers of NT Power to December 31, 2016, as the same are set out or referred to in the resolutions of the board of directors, the minutes of the meetings of the board of directors or in the financial statements of NT Power, are approved, sanctioned and confirmed.

(4) Establishment of an Energy Services Subsidiary

1. That the Newmarket Hydro Holdings Inc. Report of the President dated October 25, 2017 regarding the establishment of an energy services subsidiary (the "Subsidiary") to Newmarket Hydro Holdings Inc. ("NHHI") be received and the following resolutions be adopted:
  - a. The establishment of the Subsidiary as an Ontario corporation for the pursuit of funding for EV stations is authorized and approved; and,
  - b. The subscription of 10,000 common shares of the Subsidiary for the aggregate amount of \$100 by NHHI is authorized and approved; and,
  - c. Paul Ferguson, acting alone, is authorized for and on behalf of Municipal Council and the Corporation to establish the Subsidiary and approve the forms of all other documents contemplated or required to be executed by NHHI in connection with such formation (collectively, the "Additional Documents") and to execute (whether under the corporate seal of NHHI or otherwise) and deliver the Additional Documents each in the form so approved, Paul Ferguson's approval to be conclusively evidenced by Paul Ferguson's execution and delivery of the Additional Documents and the Additional Documents so executed and delivered shall be deemed to be the Additional Documents approved by these resolutions; and,
  - d. Should funding be secured for the EV stations, the Company shall prepare a Business Case for EV station ownership and agreements for Company ownership should the Township of Tay choose to participate (the "Documentation"). The Documentation shall be subject to the approval of Municipal Council and the Township of Tay; and,



- e. Paul Ferguson be appointed as the sole director of the Company.

(5) Establishment of a Subsidiary Company

- 1. That the Newmarket Hydro Holdings Inc. Report of the President dated October 25, 2017 regarding the establishment of a subsidiary company (the “Subsidiary”) to Newmarket Hydro Holdings Inc. (“NHHI”) and Tay Hydro Holdings Inc. (“THI”) be deferred until January 2018.

(6) Height and Density Bonusing Implementation Guidelines

- 1. That Development and Infrastructure Services/Planning & Building Services Report 2017-36 dated November 6, 2017 regarding the Town of Newmarket’s Height and Density Bonusing Implementation Guidelines be received and that the following recommendation be adopted:
  - a. That Council adopt the Height and Density Bonusing Implementation Guidelines, dated November 6, 2017, included as Attachment 1 to Report 2017-36.

(7) 514 Davis Drive – Office Development Financial Incentive Program

- 1. That Development and Infrastructure Services/Planning and Building Services Report 2017-44 dated November 6, 2017 regarding a financial incentive pilot program for an office development at 514 Davis Drive be received and the following recommendations be adopted:
  - a. That Council authorize the following financial incentives as a pilot project program in support of an office development at 514 Davis Drive:
    - i. 36-month Development Charge deferral
    - ii. Building Permit fee waiver
    - iii. Planning application fee rebate

(8) 514 Davis Drive – Derelict Building Development Charge Credit

1. That Development & Infrastructure Services/Planning & building Services Report 2017-47 dated November 6, 2017 regarding the proposed derelict building development charges credit for the demolished building at 514 Davis Drive be received and the following recommendations be adopted:
  - a. That Council consider the former building at 514 Davis Drive to have been derelict at the time of its demolition; and,
  - b. That the following be notified of this action:
    - i. M. Sokolowski, Director of Operations, Oscar Group, 3660 Midland Avenue, Suite 200 Toronto, ON, M1V 0B8.
    - ii. P. Simas, Senior Analyst, AR/Revenue Team, Corporate Financial Services and Operations, Strategies and Transformation, Finance, Regional Municipality of York, 17250 Yonge Street, Newmarket, ON L3Y 6Z1.

(9) Borrowing By-law

1. That Corporate Services Report – Financial Services 2017-45 dated October 16, 2017 regarding the Borrowing By-law be received and the following recommendation be adopted:
  - a. That the Borrowing By-law be approved by Council.

(10) Property Standards and Clean Yards By-laws

1. That Corporate Services – Legislative Services Report 2017-23 dated October 24, 2017 regarding Property Standards and Clean Yards By-law be received and that Council adopt the following recommendations:
  - a. That the existing Property Standards By-law 1999-34 be repealed in its entirety and be replaced with the draft Property Standards By-law, as amended; and,
  - b. That the Clean Yards By-law be approved, as amended; and,

- c. That the Fees and Charges By-law be amended to reflect updated new fees related to the Property Standards By-law, attached as Appendix C to Legislative Services Report 2017-23; and,
  - 2. That the Memorandum dated November 2, 2017 regarding “Revisions to the Property Standards By-law and Clean Yards By-law” be received.
- (11) Heritage Newmarket Meeting Minutes of September 12, 2017
- 1. That the Heritage Newmarket Meeting Minutes of September 12, 2017 be received.
- (12) Main Street District Improvement Area Board of Management Meeting Minutes of September 19, 2017
- 1. That the Main Street District Business Improvement Area Board of Management meeting minutes of September 19, 2017 be received.
- (13) Newmarket Public Library Board Meeting Minutes of June 21 and September 20, 2017
- 1. That the Newmarket Public Library Board Meeting Minutes of June 21 and September 20, 2017 be received.
- (14) Site Plan Review Committee Meeting Minutes of October 23, 2017
- 1. That the Site Plan Review Committee Meeting Minutes of October 23, 2017 be received.
- (15) Residential Parking Review
- 1. That Development and Infrastructure Services Engineering Services and Planning and Building Services - Report 2017-45 dated November 6th, 2017 regarding Residential Parking Review be received and the following recommendations be adopted:
    - a. That staff be directed to include in the 2018 budget a provision for contracting a planning and engineering

consultant to undertake a review of parking matters discussed in this report; and,

- b. That, subject to budget approval, staff be directed to undertake a review of the Parking By-law and report back to Committee of the Whole with recommendations on improvements to parking matters discussed in this report.
- c. That staff be directed to organize a Council Workshop to present options based on Council's comments and feedback received at the November 6, 2017 Committee of the Whole meeting and that staff receive Council direction regarding the scope, scale and expected deliverables of a parking review prior to moving forward with issuing a Request for Proposal.

(16) Heritage Conservation District - Gateway Signage

- 1. That Development and Infrastructure Services/Planning & Building Services Report 2017-46 dated November 6, 2017 regarding Town of Newmarket Heritage Conservation District - Gateway Signage be received and that the following recommendations be adopted:
  - a. That Council endorse the concept of a Heritage Conservation District gateway sign being installed along the north side of Water Street, east of the Holland River.
  - b. That Council direct staff to consult with the Main Street BIA and Newmarket Public Library.

(17) Use of Corporate Resources during an Election Year Policy and Updates to the Election Process Report and Memorandum

Moved by: Deputy Mayor & Regional Councillor Taylor

Seconded by: Councillor Kwapis

- 1. That use of Corporate Resources During an Election Year Policy and Updates to the Election Process Report, Memorandum and amended policy be deferred to the November 27, 2017 Committee of the Whole meeting.

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

Opposed: None

(8 in favour, 0 opposed)

**Carried**

(18) Item 1 of the Site Plan Review Committee Meeting Minutes of October 23, 2017

1. That the Application for Site Plan Approval to permit the construction of a two-storey, four unit rental residential building with 7 parking spaces to be located at the rear of the property be approved in principle and referred to staff for processing, subject to the following:
  - a. That the preliminary review comments (requirement for servicing allocation, approval from Lake Simcoe Region Conservation Authority, approval from Region of York Water Resources Division, compliance with Town's Tree Policy, and provision of a Construction Management Plan) be addressed to the satisfaction of Town staff; and,
2. That Angela Sciberras, Macaulay Shiomi Howson Ltd., 520 Industrial Parkway South, Unit 202, Aurora, Ontario L4G 6W8, be notified of this decision.

(19) Outstanding Matters List

1. That the list of outstanding matters be received.

(20) All-way stop at Sawmill Valley Drive and Peter Hall Drive

1. That staff be directed to review and report back on the potential for an all-way stop at Sawmill Valley Drive and Peter Hall Drive and opportunities for crosswalk enhancements.

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

Opposed: None  
(8 in favour, 0 opposed)

**Carried**

- (21) Official Plan Amendment and Zoning By-law Amendment (17645 Yonge Street)

Moved by: Councillor Hempen

Seconded by: Deputy Mayor & Regional Councillor Taylor

1. That the presentation regarding the application for the property known as 17645 Yonge Street be received.

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

Opposed: None  
(7 in favour, 0 opposed)

Councillor Broome did not vote on this item.

**Carried**

## **7. Committee of the Whole (Closed Session) Meeting Minutes of November 6, 2017**

Moved by: Councillor Broome

Seconded by: Councillor Vegh

1. That the Committee of the Whole (Closed Session) Meeting Minutes of November 6, 2017 be approved.

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

Opposed: None  
(8 in favour, 0 opposed)

**Carried**

**8. Item 1 of the Committee of the Whole (Closed Session) Meeting Minutes of November 6, 2017 – Joint Development & Infrastructure Services and Corporate Services Closed Session Report 2017-33 regarding proposed acquisition or disposition of land as per section 239 (2) (c) of the Municipal Act, 2001 (A property in Ward 6).**

Moved by: Councillor Vegh  
Seconded by: Councillor Broome

1. That Joint Development and Infrastructure Services and Corporate Services Closed Session Report 2017-33, dated November 6, 2017 regarding a proposed acquisition of land, be received; and,
2. That the recommendations in Joint Development & Infrastructure Services and Corporate Services Closed Session Report 2017-33 be adopted.

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

Opposed: None  
(8 in favour, 0 opposed)

**Carried**

**9. Town of Newmarket Canada 150 Celebrations Wrap Up – Information Report**

Moved by: Councillor Vegh  
Seconded by: Councillor Twinney

Mayor Van Bynen thanked staff for their work on organization, promoting and executing numerous Canada 150 events in the Town.

1. That the information report entitled “Town of Newmarket Canada 150 Celebrations Wrap-Up” be received.

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

Opposed: None  
(8 in favour, 0 opposed)

**Carried**

## 10. Town of Newmarket Municipal Green House Gas (GHG) Challenge Funding Application

Moved by: Councillor Broome  
 Seconded by: Councillor Bisanz

Whereas the Town of Newmarket is a member of the Federation of Canadian Municipalities' Partners for Climate Protection program; and,

Whereas the Council for the Town of Newmarket adopted a Community Energy Plan with target reductions for the community's impact on climate change by reducing GHG emissions; and,

Whereas staff are proposing to apply to the Province of Ontario's Municipal GHG Challenge Fund to obtain funding assistance for the execution of projects to achieve the Town's GHG reduction targets by 2031;

Be it resolved that the Council of the Town of Newmarket will participate in and support the following projects for which grant funding applications are being made through the Municipal GHG Challenge Fund as identified below:

- Solar Trail Lighting (2018 Operating Budget) – Tom Taylor Trail to CN Crossing - \$160,000 (100% funding request)
- Solar Pathway Lighting (2018 Operating Budget) - Jim Bond and Sunnyhill Parks - \$180,000 (100% funding request)
- Greenhouse Computer Control Operating System (2018 Operating Budget) - \$20,000 (100% funding request)
- Facility LED Lighting (2018 Operating Budget) - \$28,000 (100% funding request)
- Electric Vehicle Fleet (2018 Asset Replacement Fund) – 2 Ice Resurfacers, 1 Forestry Bucket Truck, 1 Bylaw Enforcement SUV - \$354,600 (50% funding request)
- Electric Vehicle Charging Stations (2018 Operating Budget) – Up to 4 at Riverwalk Commons - \$18,000 (100% funding request)
- Ice Resurfacing Water Treatment System (2018 Operating Budget) – Magna Centre - \$42,500 (100% funding request)

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

Opposed: None  
 (8 in favour, 0 opposed)

**Carried**



**By-laws**

- 2017- 59      A By-law to prohibit and regulate the injury, removal, or destruction of trees on lands owned by the Town of Newmarket.
- 2017- 61      A By-law to Authorize Temporary Borrowings.
- 2017- 62      A By-law to Prescribe Standards for the Maintenance and Occupancy of Property within The Town of Newmarket.
- 2017-63      A By-law to provide for maintaining land in a clean and clear condition.

1.      That By-laws 2017-59, 2017-60, 2017-61 and 2017-62 be enacted.

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

Opposed:              None  
(8 in favour, 0 opposed)

**Carried**

**Notices of Motions**

None.

**Motions**

None.

**Announcements and Community Events****11.      Christmas Shopping at the Elman W. Campbell Museum**

Councillor Vegh invited residents to partake in Christmas shopping at the Elman W. Campbell Museum Christmas Gift Shop Sale on Saturday November 18, 2017 from 9:30 AM to 2:30 PM at 134 Main Street South. He advised residents that they can find unique gifts, antiques, glassware, Christmas decorations, home décor and much more. He further advised that this event is presented by the Friends of the Museum, is cash only, and that all proceeds will benefit the Museum.

**12. Santa Clause Parade**

Councillor Twinney invited residents to the Santa Claus parade on November 18, 2017. She advised that the parade starts at 11:00 AM at the corner of Lorne Avenue and Eagle Street, proceeds East on Eagle Street then North on Main Street. The parade will end at Ontario Street. She reminded residents to letters to Santa to give to Canada Post and to bring a non-perishable food item for the Newmarket Food Pantry.

**13. Public Information Centre – Watermain replacement**

Deputy Mayor & Regional Councillor Taylor advised residents that a Public Information Centre is scheduled for Tuesday, November 28, 2017 in the Council Chambers for the proposed watermain replacement on Gorham Street from Carlson Drive to Leslie Street. He further advised that the format of the PIC will be a drop in style open house from 6:00 to 8:00 PM. The purpose is to present the final design prior to calling for tenders. Project drawings will be on display and Town staff will be available to provide information and answer questions. He further advised that if residents are unable to attend the PIC and have questions regarding this project, they can contact Gord MacMillan in Engineering Services at 905-953-5300 ext. 2503 or email [gmacmillan@newmarket.ca](mailto:gmacmillan@newmarket.ca).

**14. Remembrance Day Parade**

Deputy Mayor & Regional Councillor thanked everyone involved in the Remembrance Day parade, and highlighted the great success and turn out of the parade this year. He further acknowledged that the Remembrance Day Banners from the Legion were a great addition.

**15. Candlelight Parade and Tree Lighting Ceremony**

Councillor Hempen invited residents to attend the Candlelight Parade and Tree Lighting Ceremony on Friday, November 17, 2017. The event is hosted by the Newmarket Main Street BIA and festivities begin at 6:30 PM at Main Street South and Water Street. He further advised that the parade begins at 7:00 PM at St. Andrew's Presbyterian Church and that music is provided by the Newmarket Citizens Band.

**16. Ward 5 Meeting – Year in Review**

Councillor Kwapis invited residents of Ward 5 to a year in review meeting being held on Thursday, November 16, 2017 at 7:00 PM at the Old Town Hall, 460 Botsford Street. He invited Ward 5 residents to come see what's happening in their ward and invited residents to call him at 905-806-0455 or send an email to [bkwapis@newmarket.ca](mailto:bkwapis@newmarket.ca) for more information.

**17. Newmarket Christmas Toy and Food Drive**

Councillor Broome encouraged residents to donate to the Town of Newmarket's annual Christmas toy and food drive. She advised that donations of unwrapped toys and non-perishable food items can be made in the lobby of the Municipal Offices at 395 Mulock Drive from November 15 to December 15, 2017 and that the Salvation Army will distribute donations to children in need.

**18. Legion Poppy Campaign**

Councillor Bisanz invited residents to attend a Turkey Luncheon with all the trimmings at the Newmarket Seniors' Meeting Place, 474 Davis Drive, on Tuesday December 5, 2017 11:30 AM to 2:30 PM. She advised that entertainment and door prizes are included. She further advised that tickets are \$18 for members and \$23 for non-members and must be purchased in advance. She invited residents to call 905-953-5325 for more information.

**19. 2018 Budget Game**

Mayor Van Bynen encouraged residents to get involved in the 2018 budget process by attending public budget meetings, emailing [finance@newmarket.ca](mailto:finance@newmarket.ca), or contacting their Council representative. He advised that the next public budget meetings are on November 20 and November 27 in the Council Chambers. He further advised that public meetings can also be viewed online at [newmarket.ca](http://newmarket.ca). He encouraged residents to visit [newmarket.ca/2018budget](http://newmarket.ca/2018budget) for more information or call 905-895-5193.

**20. Mayor in the Square**

Mayor Van Bynen advised residents that he will be at "Mayor in the Square" at the Newmarket Public Library, October 17 from 11:00 AM until noon.

**21. Next Council Meeting – Monday, December 4, 2017 at 7:00 PM**

Mayor Van Bynen advised residents that the next Council meeting is on Monday, December 4, 2017 beginning at 7:00 PM.

**New Business**

None.

**Closed Session**

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

**Confirmatory By-law**

2017-64      A By-law to confirm the proceedings of Council – November 13, 2017

Moved by:            Councillor Bisanz  
Seconded by:        Councillor Twinney

1.      That By-law 2017-60 be enacted.

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

Opposed:             None  
(8 in favour, 0 opposed)

**Carried**

**Adjournment**

Moved by: Councillor Kwapis  
Seconded by: Councillor Hempen

1. That the Council Meeting adjourn at 7:52 PM.

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

Opposed: None  
(8 in favour, 0 opposed)

**Carried**

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Tony Van Bynen, Mayor

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Lisa Lyons, Town Clerk



Town of Newmarket

# Minutes

## Committee of the Whole (Special)

Monday, November 13, 2017 at 10:00am  
Council Chambers

For consideration by Council on  
December 4, 2017

The special meeting of the Committee of the Whole was held on Monday, November 13, 2017 in the Council Chambers, 395 Mulock Drive, Newmarket.

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

Absent: Councillor Kerwin

Staff Present: R. N. Shelton, Chief Administrative Officer  
E. Armchuk, Commissioner of Corporate Services  
P. Noehammer, Commissioner of Development and Infrastructure Services  
I. McDougall, Commissioner of Community Services  
M. Mayes, Director of Financial Services/Treasurer  
L. Lyons, Director of Legislative Services/Town Clerk  
C. Kalimootoo, Director of Public Works Services  
L. Georgeff, Director of Human Resources  
R. Prudhomme, Director of Engineering Services  
L. Moor, Administrative Assistant to the Treasurer  
A. Walkom, Council/Committee Coordinator

The meeting was called to order at 10:04 AM.

Mayor Van Bynen in the Chair.

### Declarations of Pecuniary Interest

None.

## Presentation

### 1. Capital and Rate Supported Operating Budgets Presentation

The Director of Financial Services provided the Capital and Rate Supported Operating Budgets presentation. This included an overview of the budget process with timelines and next steps. The presentation covered rate supported budgets such as water and wastewater, as well as the capital budget with a summary of major projects.

## Deputations

None.

## Items

### 2. Capital and Rate Supported Operating Budgets

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

1. That the Capital and Rate Supported Operating Budgets Presentation and Corporate Services Report – Financial Services 2017-56 dated November 9, 2017 regarding the 2018 Capital and Rate Supported Operating Budgets be received; and,
2. That the Capital and Rate Supported Operating budgets form the basis of the consolidated budget recommendations which will be presented to Committee of the Whole on November 27, 2017; and,
3. **That the following items within the Consolidated Budget Recommendations be subject to Council approval prior to any expenditures being made:**
  - a. **Heritage Conservation District update**
  - b. **Fernbank Farm maintenance**
  - c. **Outdoor Train**

**Carried**

## Adjournment

Moved by: Councillor Vegh  
Seconded by: Councillor Twinney

1. That the Special Committee of the Whole meeting adjourn at 11:55 AM.

**Carried**

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Tony Van Bynen, Mayor

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Lisa Lyons, Town Clerk





Town of Newmarket

# Minutes

## Committee of the Whole (Special)

Monday, November 20, 2017 at 9:00 AM  
Council Chambers

For consideration by Council  
December 4, 2017

The special meeting of the Committee of the Whole was held on Monday, November 20, 2017 in the Council Chambers, 395 Mulock Drive, Newmarket.

### Members Present:

Mayor Van Bynen  
Deputy Mayor & Regional Councillor Taylor  
Councillor Vegh  
Councillor Twinney (9:18 AM – 10:46 AM)  
Councillor Hempen  
Councillor Kwapis  
Councillor Broome (9:41 AM – 10:46 AM)  
Councillor Bisanz

### Absent:

Councillor Kerwin

### Staff Present

R. N. Shelton, Chief Administrative Officer  
E. Armchuk, Commissioner of Corporate Services  
P. Noehammer, Commissioner of Development and Infrastructure Services  
I. McDougall, Commissioner of Community Services  
M. Mayes, Director of Financial Services/Treasurer  
L. Lyons, Director of Legislative Services/Town Clerk  
C. Kalimootoo, Director of Public Works Services  
L. Georgeff, Director of Human Resources  
R. Prudhomme, Director of Engineering Services  
L. Moor, Administrative Assistant to the Treasurer  
A. Walkom, Council/Committee Coordinator

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

Mayor Van Bynen in the Chair.

## Declarations & Pecuniary Interest

None

## Presentation

### 1. Tax Supported Operating Budget Presentation

The Director of Financial Services/Treasurer provided the Tax Supported Operating Budget presentation. This included the targeted tax increase and its impact on the average residential property. The presentation covered the options and decisions for Council with regard to budget priorities, as well as a response to the changes made by Bill 148, the Fair Workplaces, Better Jobs Act, 2017.

## Deputations

None.

## Items

### 2. Tax Supported Operating Budget Report

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

1. That staff provide options related to the following financial/operational tools in response to the changes under Bill 148, the Fair Workplaces, Better Jobs Act, 2017:
  - a. Increase user fees in affected areas;
  - b. Reduce the Asset Replacement Fund contribution;
  - c. Apply rate stabilization reserves;
  - d. Manage budgets through delayed hiring (gapping) and other means; and,
2. That staff provide options related to the following decision package items:
  - a. Applications Support Analyst;
  - b. Digital Communications Specialist; and,
3. That these options not include an additional tax levy or softening in service levels.

**Carried**

Moved by: Councillor Vegh  
 Seconded by: Councillor Kwapis

4. That the Tax Supported Operating Budget presentation and Corporate Services Report – Financial Services 2017-58 dated November 16, 2017 regarding the 2018 Tax Supported Operating Budgets be received and the following recommendations be adopted:
  - a. That Committee of the Whole review the information provided and provide direction to staff; and,
  - b. That such direction be incorporated into a consolidated budget recommendation which will be presented to Committee of the Whole on November 27, 2017, **including the direction supplied in the previous motion.**

**Carried**

### **3. 2018 Central York Fire Services Budget for Aurora Comment**

Moved by: Councillor Hempen  
 Seconded by: Councillor Bisanz

1. That the report entitled “2018 Central York Fire Services Budget for Aurora Comment” be received.

**Carried**

## **Adjournment**

Moved by: Councillor Vegh  
 Seconded by: Councillor Broome

1. That the special meeting of Committee of the Whole adjourn at 10:46 AM.

**Carried**

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Tony Van Bynen, Mayor

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Lisa Lyons, Town Clerk



# Town of Newmarket MINUTES

## Council Workshop

Monday, November 20, 2017 at 1:30 PM  
Chambers  
Council  
For consideration by Council on December  
4, 2017

The meeting of the Council Workshop was held on Monday, November 20, 2017 in the Council Chambers, 395 Mulock Drive, Newmarket.

Members Present:	Mayor Van Bynen Deputy Mayor & Regional Councillor Taylor Councillor Vegh (1:30-2:30 PM) Councillor Twinney Councillor Hempen Councillor Kwapis Councillor Broome Councillor Bisanz
Absent:	Councillor Kerwin
Staff Present:	R. N. Shelton, Chief Administrative Officer E. Armchuk, Commissioner of Corporate Services P. Noehammer, Commissioner of Development and Infrastructure Services I. McDougall, Commissioner of Community Services L. Lyons, Director of Legislative Services/Town Clerk R. Nethery, Director of Planning and Building Services A. Cammaert, Senior Planner, Policy
Guests	K. Whitney, Director, Community Planning and Development, Planning and Economic Development Services York Region

The meeting was called to order at 1:32 PM.

Mayor Van Bynen in the Chair.

### Notice

Mayor Van Bynen advised that in accordance with the Town's Procedure By-law, no decisions will be made and that Council will receive information regarding the Oak Ridges Moraine Lands.

## Declarations of Pecuniary Interest

There were no declarations of pecuniary interest.

## Items

### 1. Newmarket's Oak Ridges Moraine Lands Presentation

The Chief Administrative Officer advised that staff would be making a presentation and that representatives of the landowner were also present. He further advised that staff from the Regional Municipality of York Planning Department were in attendance to answer questions, where applicable.

The Commissioner of Development and Infrastructure Services provided an overview of the presentation and explained the parameters for which a municipal comprehensive review would be taken, and provided historical and policy context of the lands.

The Senior Planner provided an outline of the presentation including the current policy framework and historical context, key policy matters, and next steps. He outlined the geographic boundary, provided a summary of the current policy framework and evolution of the framework from the mid-1990s to present. He further provided an overview of the proposed concept as per the pre-consultation process, and identified key matters of consideration.

The Director of Community Planning and Development, Planning and Economic Development Services, York Region provided an overview of the Regional Municipal Comprehensive Review and advised that an updated Regional Official Plan Adoption was being targeted for 2020.

Members of Council queried staff regarding the next steps and processes from various levels of government and the public engagement process.

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

1. That the rules of procedure be waived to allow for a deputation at the Council Workshop.

**Carried by 2/3 Majority**

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

2. That a deputation from Mr. Don Given and Mr. Adrian Lo, Malone Given Parsons Ltd. be permitted.

**Carried**

Mr. Don Given and Mr. Adrian Lo, Malone Given Parsons Ltd. provided a presentation outlining historical context of the lands and the basis for the Official Plan Amendment (OPA), the potential for low density residential development and development on Oak Ridges Moraine lands in other municipalities. They further discussed the next steps being submitting an application to both the Town of Aurora and Town of Newmarket.

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

3. That an additional five minutes for the deputation provided by Mr. Don Given and Mr. Lincoln Lo, Malone Given Parsons Ltd. be permitted.

**Carried**

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

4. That the deputation by Mr. Don Given and Mr. Lincoln Lo, Malone Given Parson Ltd. be received.

**Carried**

## **Adjournment**

Moved by: Councillor Twinney  
 Seconded by: Councillor Hempen

1. That the Council Workshop adjourn at 2:55 PM.

**Carried**

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Tony Van Bynen, Mayor

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Lisa Lyons, Town Clerk



Town of Newmarket

# Minutes

## Committee of the Whole

Monday, November 27, 2017 at 9:00 AM  
Council Chambers

For consideration by Council  
December 4, 2017

The meeting of the Committee of the Whole was held on Monday, November 27, 2017 in the Council Chambers, 395 Mulock Drive, Newmarket.

### Members Present:

Mayor Van Bynen  
Deputy Mayor & Regional Councillor Taylor  
Councillor Vegh  
Councillor Kerwin  
Councillor Twinney (9:13 AM – 3:05 PM)  
Councillor Hempen  
Councillor Kwapis  
Councillor Broome  
Councillor Bisanz

### Staff Present

R. N. Shelton, Chief Administrative Officer  
E. Armchuk, Commissioner of Corporate Services  
P. Noehammer, Commissioner of Development and Infrastructure Services  
I. McDougall, Commissioner of Community Services  
M. Mayes, Director of Financial Services/Treasurer  
L. Lyons, Director of Legislative Services/Town Clerk  
K. Reynar, Director of Legal Services  
R. Nethery, Director of Planning and Building Services  
K. Saini, Deputy Clerk  
L. Long, Supervisor, Municipal By-law Enforcement  
A. Walkom, Council/Committee Coordinator  
H. Leznoff, Council/Committee Coordinator

The meeting was called to order at 9:04 AM.

Mayor Van Bynen in the Chair.

## Additions & Corrections to the Agenda

The Chief Administrative Officer advised of the following additions and corrections:

- (1) Deputation regarding Servicing Allocation (281 Main Street North).
- (2) Revisions to the Approval of 2018 Operating and Capital Budget Presentation and Report.
- (3) Proclamation Request- December 1, 2018 – World AIDS Day – Correction: December 1, 2017.

Moved by: Councillor Kerwin  
Seconded by: Councillor Vegh

1. That the additions and corrections to the November 27, 2017 Committee of the Whole agenda be approved.

**Carried**

## Declarations of Pecuniary Interest

Deputy Mayor & Regional Councillor Taylor declared a conflict of interest in relation to Development and Infrastructure Services/Planning & Building Services Report 2017-51, as he owns property in close proximity to 260 Eagle Street. He requested the item be dealt with separately and advised he would take no part in the discussion or vote on the matter.

Councillor Hempen declared a conflict of interest in relation to the Closed Session item regarding 178-194 Main Street South as he has a business in close proximity. He advised that he would take no part in the discussion or vote on the matter.

## Presentations & Recognitions

### 1. Central York Fire Services Fire Station 4-5 Presentation

Moved by: Councillor Twinney  
Seconded by: Councillor Bisanz



1. That the presentation by Paul McIntosh and Chris Kubbinga, Thomas Brown Architects regarding the Central York Fire Services Fire Station 4-5 be received.

**Carried**

## **2. Central York Fire Services Headquarters Station 4-5 (Extract and Report)**

Moved by: Councillor Hempen  
Seconded by: Councillor Twinney

1. That the Town of Aurora report entitled “Central York Fire Services Headquarters Station 4-5” and related extract be received **and the recommendations therein be adopted.**

**Carried**

## **3. Update: Rapid Transit Projects**

Moved by: Councillor Kerwin  
Seconded by: Councillor Vegh

1. That the presentation by Liza Sheppard, Christopher Scott and Sophia Bittar, York Region Rapid Transit Corporation regarding the Update: Rapid Transit Projects be received.

**Carried**

## **4. Newmarket Public Library Annual Report Presentation and Newmarket Public Library Report to the Community: 2016-2017**

Moved by: Councillor Broome  
Seconded by: Councillor Bisanz

1. That the presentation by Todd Kyle, CEO Newmarket Public Library regarding the Newmarket Public Library Annual Report and the Newmarket Public Library Report to the Community: 2016-2017 be received.

**Carried**

## 5. Approval of the 2018 Operating and Capital Budgets Presentation

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

1. That the presentation by the Director of Financial Services/Treasurer regarding the Approval of the 2018 Operating and Capital Budgets be received.
2. That Joint CAO/Commissioners and Corporate Services Report - Financial Services 2017-61 dated November 21, 2017 regarding Approval of the 2018 Operating and Capital Budgets be received and the following recommendations be adopted:
  - a. That the proposed 2018 Operating Budget with expenditures of \$127,927,654 be approved, which is comprised of the following components:
    - i. \$63,446,921 for the Town portion, which includes an additional \$331,892 for asset replacement funding;
    - ii. \$30,000 for the Newmarket Business Improvement Area (BIA);
    - iii. \$4,050,823 for the Library portion;
    - iv. \$16,762,672 for Central York Fire Services (Newmarket's share) which includes an additional \$249,600 for asset replacement funding;
    - v. \$39,248,453 for the Water and Wastewater Rate Groups which includes an additional \$680,557 for asset replacement funding;
    - vi. \$1,852,084 for the Stormwater Management Rate Group which includes a reduction of \$642,488 for asset replacement funding;
    - vii. \$2,536,701 for the Building Permit Rate Group; and,
  - b. That the proposed 2018 Capital Budget with new expenditures of \$25,933,120 be approved subject to the following conditions:
 

That Council provides separate approval for expenditures on the following projects after consideration of additional reports:

    - i. Heritage Conservation District update (project #26)

- ii. Fernbank Farmhouse maintenance (project #47)
- iii. Outdoor Train (project #56); and,
- c. **That Council decrease the Asset Replacement Fund commitment by \$100,000 and reallocate the funds to the Waste Management Contract Increase; and,**
- d. That the proposed 2018 Operating and Capital Budgets be forwarded to the Council meeting of December 4, 2017 for final approval.

**Carried**

The Committee of the Whole recessed at 11:09 AM.

The Committee of the Whole reconvened at 11:25 AM.

The Closed Session portion of the agenda was addressed at this time. Please see Closed Session section for further information.

## **Deputations**

### **6. Deputation by Mr. Edmund Daniels, Maple Lane Lands & Development Co. Ltd regarding Servicing Allocation Update (680 Gorham Street)**

Moved by: Councillor Kerwin  
Seconded by: Councillor Twinney

- 1. That the deputation by Mr. Edmund Daniels, Maple Lane Lands & Development Co. Ltd regarding Servicing Allocation Update, related to the property known as 680 Gorham Street, be received.

**Carried**

**7. Deputation by Mr. Brad Rogers, Groundswell Urban Planners Inc. regarding Servicing Allocation Update (260 Eagle Street)**

Moved by: Councillor Kwapis  
 Seconded by: Councillor Hempen

1. That the Deputation by Mr. Brad Rogers, Groundswell Urban Planners Inc. regarding Servicing Allocation Update Report, related to the property known as 260 Eagle Street, be received.

Deputy Mayor & Regional Councillor Taylor took no part in the discussion or vote on this matter.

**Carried**

**8. Deputation by Mr. Brad Rogers, Groundswell Urban Planners Inc. regarding Servicing Allocation Update (King George School)**

Moved by: Councillor Twinney  
 Seconded by: Councillor Kwapis

1. That the deputation by Mr. Brad Rogers, Groundswell Urban Planners Inc. regarding Servicing Allocation Update Report, related to the King George School property, be received.

**Carried**

**9. Deputation by Mr. Chris Matson, Matson McConnell Ltd. Regarding Servicing Allocation Update (Sundial Homes)**

Moved by: Councillor Bisanz  
 Seconded by: Councillor Broome

1. That the deputation by Mr. Chris Matson, Matson McConnell Ltd. regarding Servicing Allocation Update Report, related to Sundial Homes, be received.

**Carried**

**10. Deputation by Mr. Russel Mailloux, Aplin Martin Consultants on behalf of Options Group regarding Servicing Allocation Update (281 Main Street North)**

Moved by: Councillor Vegh  
Seconded by: Councillor Hempen

1. That the deputation by Mr. Russel Mailloux, Aplin Martin Consultants on behalf of Options Group regarding Servicing Allocation Update Report, related to the property known as 281 Main Street North, be received.

**Carried**

**11. Servicing Allocation Update**

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

Moved by: Councillor Hempen  
Seconded by: Councillor Twinney

1. That Development & Infrastructure Services/Planning and Building Services Report 2017-49 dated November 27, 2017 regarding the servicing allocation update be received; and,
2. **That Council grant the requested servicing allocation to the following properties:**
  - a. **King George School**
  - b. **680 Gorham; and,**
3. **That the staff report back on servicing allocation in May 2018 and that this report be brought to a Special Committee of the Whole relating to the topic.**

**Carried**

Moved by: Councillor Kerwin  
Seconded by: Councillor Hempen

4. **That Council grant the requested servicing allocation to the property known as 260 Eagle Street.**

Deputy Mayor & Regional Councillor Taylor took no part in the discussion or vote on the matter.

**Carried**

## Consent Items

Moved by: Councillor Broome  
 Seconded by: Councillor Kwapis

**That the following items (12 - 29) be adopted on consent:**

### 12. Stormwater Rates

1. That Corporate Services Report-Financial Services – 2017-40 dated September 1, 2017 regarding 2018 Stormwater Rates be received and the following recommendations be adopted:
  - a. That the attached Schedule “A”, being the Town of Newmarket 2018 Stormwater Rates, be approved and adopted by By-law; and,
  - b. That the Stormwater Rates adjustments come into full force and effect as of January 1, 2018.

### 13. 2018 Water and Wastewater Rates

1. That Corporate Services Report-Financial Services 2017-41 dated September 1, 2017 regarding 2018 Water and Wastewater Rates be received and the following recommendations be adopted:
  - a. That the attached Schedule “A”, being the Town of Newmarket Water and Wastewater Rates, be approved and adopted by By-law; and.
  - b. That the Water and Wastewater Rates adjustments come into full force and effect as of January 1, 2018.

### 14. User Fees and Charges – Planning Act Fees

1. That Joint Development & Infrastructure Services – Planning & Building Services and Corporate Services Report – Financial Services 2017-54 dated November 8, 2017 regarding 2018 User Fees and Charges – Planning Act Fees be received and the following recommendations be adopted:

- a. That the attached Schedule “A”, being the Town of Newmarket 2018 Planning Application Fees Schedule, be approved and adopted by by-law;
- b. And that the fee adjustments come into full force and effect as of January 1, 2018.

#### **15. 2018 User Fees and Charges – Fire Services**

- 1. That Joint Central York Fire Services and Corporate Services Report – Financial Services 2017-55 dated November 8, 2017 regarding 2018 User Fees and Charges – Fire Services be received and the following recommendations be adopted:
  - a. That the attached Schedule “A”, being the Town of Newmarket 2018 Fire Services Fees Schedule, be approved and adopted by by-law;
  - b. And that the fee adjustments come into full force and effect January 1, 2018.

#### **16. 2018 User Fees and Charges - Licensing Fees**

- 1. That Joint Corporate Services Report – Legislative Services and Financial Services – 2017-52 dated November 8, 2017 regarding 2018 User Fees and Charges-Licensing Fees be received and the following recommendations be adopted:
  - a. That the attached Schedule “A” marked as the “2018 Legislative Services (Licensing) Fees & Charges” be approved and forwarded to Council for final adoption by by-law; and,
  - b. That the fee adjustments come into full force and effect as of January 1, 2018.

#### **17. 2018 User Fees and Charges – General**

- 1. That Corporate Services Report – Financial Services 2017-53 dated November 8, 2017 regarding 2018 User Fees and Charges – General be received and the following recommendations be adopted:
  - a. That the attached Schedules “A”, “B”, “C”, “D”, “E” and “F” marked as the Town of Newmarket 2018 All Departments, Corporate Services – Finance & Procurement & IT, Legal

Services, Public Works Services, Engineering Services and Legislative Services - General Fees and Charges Schedules respectively, be approved and adopted by by-law; and,

- b. That the fee adjustments come into full force and effect as of January 1, 2018.

## **18. 2018 User Fees and Charges – Overview**

1. That Joint CAO, Commissioners and Corporate Services Report - Financial Services – 2017-51 dated November 8, 2017 regarding 2018 User Fees and Charges - Overview be received for information purposes.

## **19. Use of Corporate Resources During an Election Period Policy and Changes to the Election Process**

1. That Corporate Services – Legislative Services Report 2017-19 dated October 16, 2107 entitled “Use of Corporate Resources During an Election Year and Updates to the Election Process” be received; and,
2. That the Memorandum dated November 6, 2017 regarding revisions to the “Use of Corporate Resources in an Election Year Policy” be received; and,
3. That the Memorandum #2 dated November 27, 2017 regarding revisions to the “Use of Corporate Resources & Election Campaign Activities Policy” be received; and,
4. That Council adopt the enclosed Use of Corporate Resources & Election Campaign Activities Policy.

## **20. Revisions to Sign By-law and Standalone Election Sign By-law**

1. That the Corporate Services - Legislative Services Report - 2017-25 entitled “Revisions to Sign By-law and standalone Election Sign By-law” be received; and,
2. That the memorandum dated November 27, 2017 entitled “External Legal Review of the standalone Election Sign By-law” be received; and,
3. That Council repeal By-law 2016-28; and,
4. That Council enact the draft Sign By-law attached as Appendix A; and,



5. That Council enact the revised draft Election Sign By-law attached as revised Appendix B.

## **21. VivaNext Bus Rapid Transit Y3.2 Yonge Street (Noise By-law Exemption)**

1. That Corporate Services – Legislative Services Report 2017-24 dated November 6, 2017, regarding vivaNext Bus Rapid Transit Y3.2 Yonge Street Project Request for Exemption from the Noise By-law be received and the following recommendations be adopted:
  - a. That the request from RapidLINK for a noise exemption to perform necessary works for the vivaNext Bus Rapid Transit Y3.2 project between the hours of 9:00 pm to 7:00 am from December 5, 2017 until December 31, 2018, be approved; excluding the following:

Year 2017	Year 2018
December 25, 2017 (Christmas Day)	January 1, 2018 (New Year's Day)
December 26, 2017 (Boxing Day)	December 25, 2018 (Christmas Day)
	December 26, 2018 (Boxing Day)

- b. That this approval is subject to ongoing staff supervision and community impact assessment and revocation if community impact is deemed excessive by staff or Council.

## **22. Amendment to Procurement By-law 2014-27**

1. That Corporate Services – Procurement Services report dated November 27, 2017 entitled “Amendment to Procurement By-law 2014-27” be received; and,
2. That the Sole or Single Source threshold amount in Table 5 Schedule “D” Thresholds of the Procurement By-law 2014-27 for the C.A.O. be increased from a range of \$25,000.01 to \$49,999.99, to a range of \$25,000.01 to \$99,999.99; and,
3. That the Sole or Single Source threshold amount in Table 5 Schedule “D” Thresholds of the Procurement By-law 2014-27 for Council be increased from \$50,000 and over, to \$100,000 and over; and,
4. That Council adopt the amendments to the Procurement By-law 2014-27 attached to this report as Appendix B.

**23. Central York Fire Services – Joint Council Committee meeting Minutes of September 26, 2017 and October 25, 2017**

1. That the Central York Fire Services- Joint Council Committee meeting minutes of September 26, 2017 and October 25, 2017 be received.

**24. Newmarket Downtown Development Committee Meeting Minutes of June 30, 2017**

1. That the Newmarket Downtown Development Committee meeting minutes of June 30, 2017 be received.

**25. Heritage Newmarket Advisory Committee Meeting Minutes of October 17, 2017**

1. That the Heritage Newmarket Advisory Committee Meeting Minutes of October 17, 2017 be received.

**26. Proclamation Request – December 1, 2017 – World AIDS Day**

1. That the proclamation request be received; and,
2. That the Town of Newmarket proclaim December 1, 2017 as World AIDS Day; and,
3. That the proclamation be advertised on the Town Page and on the Town's website.

**27. Outstanding Matters List**

1. That the list of outstanding matters be received.

**28. Water Digitization Project**

1. That Joint Corporate Services - Information Technology/ Development & Infrastructure Services - Public Works Services Report 2017-57 dated November 27, 2017 entitled " Water Digitization Project" be received and the following recommendations be adopted:
  - a. That Infomax Technologies be awarded the contract for the Water Digitization Project in the amount of \$64,300 plus annual operating costs of \$14,880 for a term of up to four years (to 2021), in

accordance with the single source provisions of the Town's Procurement By-law 2014-27; and,

- b. That the Director, Public Works Services and the Manager, Procurement Services be authorized to execute the agreement.

**29. Proclamation Request – February 1 to February 8, 2018 – Eating Disorder Awareness Week (EDAW)**

- 1. That the Proclamation request be received; and,
- 2. That the Town of Newmarket proclaim February 1 to February 8, 2018 as Eating Disorder Awareness Week; and,
- 3. That the proclamation be advertised on the Town Page and on the Town's website.

**Carried**

**30. Permission to Submit a Minor Variance Application – 260 Eagle Street**

Moved by: Councillor Kwapis  
Seconded by: Councillor Twinney

- 1. That Development and Infrastructure Services/Planning & Building Services Report 2017-51 dated November 10, 2017 regarding 260 Eagle Street (File Number NP-A-17-13) submitted by 711371 Ontario Corp., be received and that the following recommendation be adopted:
  - a. That whereas the Planning Act limits the ability to apply for a minor variance for a 2 year period following approval of a Zoning By-law Amendment, the owner shall, through a declaration of resolution by Council be permitted to submit an application for minor variance to seek an increased maximum building height from 11.0m (3 storeys) to 12.0 metres (3 storeys).

Deputy Mayor & Regional Councillor Taylor took no part in the discussion or vote on this matter.

**Carried**

**31. Request to be removed from the Heritage Registry of Non-designated Heritage Properties - 770 Gorham Street and 171 Church Street**

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

1. That Development and Infrastructure Services/Planning and Building Services Report 2017-52 dated November 27, 2017 regarding two requests from Property owners to have their properties be removed from the Town's listing of Non-designated Heritage Properties be received and the following recommendations be adopted:
  - a. That Council direct staff to:
    - i. **Maintain** 770 Gorham Street on the Municipal Register of Non-Designated Properties; and,
    - ii. Begin a process of Heritage Designation under the Ontario Heritage Act for the property Municipally known as 171 Church Street, Newmarket for its cultural heritage value and interest; and,
  - b. That Emily Lamont, 171 Church Street and Ehsan Velayati, 770 Gorham Street be notified of this action.

**Carried**

**32. Proposed Noise By-law**

Moved by: Councillor Bisanz  
 Seconded by: Councillor Twinney

1. That Corporate Services – Legislative Services Report 2017-27 dated November 27, 2017 regarding Proposed Noise By-law be received; and,
2. That Council repeal current Noise By-law 2004-94, as amended; and,
3. That Council enact the new draft Noise By-law attached as Appendix A; and,
4. That Council approve the amendments to the 2018 Fees and Charges By-law to reflect revised fees related to the Noise By-law, attached as Appendix B.

**Carried**

### **33. Procedure By-Law Update and Draft Electronic Participation in Meetings Policy**

Moved by: Councillor Bisanz  
 Seconded by: Councillor Kwapis

1. That the Corporate Services – Legislative Services Report - 2017-26 entitled “Procedure By-Law Update and Draft Electronic Participation in Meetings Policy” be received; and,
2. That Council adopt the amendments to the Procedure By-law attached as Appendix A with an effective date of January 1, 2018; and,
3. That Council approve the Electronic Participation in Meetings Policy attached as Appendix B, with an effective date of January 1, 2018; and,
4. That the Town Clerk be authorized to administer the Electronic Participation in Meetings Policy and develop the necessary Procedures to implement the Policy, as required; and,
5. That Council permit the Accessibility Advisory Committee to participate using the Electronic Participation in Meetings Policy effective January 1, 2018 for a trial period of one year; and,
6. That staff be directed to report back in 2019 with a review of the Electronic Participation in Meetings Policy.

**Carried**

### **Action Items**

None.

### **Reports By Regional Representatives**

None.

## Notices of Motions

Councillor Twinney provided a notice of motion regarding property standard concerns and maintenance of the property on the corner of Davis Drive and Patterson Street and advised that she will be bringing the motion forward at the Council meeting of December 4, 2017.

## Motions

None.

## New Business

None.

## Closed Session

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

1. That the Committee of the Whole identify the property to be discussed related to Development and Infrastructure Services -Planning and Building Services Closed Session Report 2017-50.

**Carried**

Moved by: Councillor Vegh  
Seconded by: Councillor Kwapis

1. That the Committee of the Whole resolve into Closed Session to discuss the following matters:
  - (1) Proposed acquisition or disposition of land by the Municipality as per Section 239 (2) (c) of the Municipal Act, 2001 related to Development and Infrastructure Services -Planning and Building Services Closed Session Report 2017-50 regarding **Hollingsworth Arena**.
  - (2) Litigation or potential litigation including matters before administrative tribunals affecting the municipality as per Section 239

(2) (e) of the Municipal Act, 2001 related to Verbal Update regarding a property in Ward 5 (178-194 Main Street South).

- (3) Labour relations or employee negotiations as per Section 239 (2) (d) of the Municipal Act, 2001 related to Market Review Update.

**Carried**

The Committee of the Whole resolved into Closed Session at 11:30 AM.

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

The Committee of the Whole resumed into Open Session at 1:30 PM.

The Committee of the Whole recessed at 1:30 PM.

The Committee of the Whole resumed at 1:50 PM.

## **Public Hearing Matters**

None.

## **Adjournment**

Moved by: Councillor Kerwin  
Seconded by: Councillor Vegh

1. That the meeting of Committee of the Whole adjourn at 3:05 PM.

**Carried**

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Tony Van Bynen, Mayor

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Lisa Lyons, Town Clerk



**CORPORATE SERVICES COMMISSION**  
**Financial Services**

TOWN OF NEWMARKET  
395 Mulock Drive  
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November 30, 2017

**JOINT CAO/COMMISSIONERS AND CORPORATE SERVICES REPORT – FINANCIAL  
SERVICES 2017-61 (AMENDED)**

**TO: Mayor Tony Van Bynen and Members of Council**

**SUBJECT: Approval of 2018 Capital and Operating Budgets**

**ORIGIN: Director, Financial Services/Treasurer**

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**RECOMMENDATIONS:**

1. That Joint CAO/Commissioners and Corporate Services Report - Financial Services 2017-61 (Amended) dated November 30, 2017 regarding Approval of the 2018 Operating and Capital Budgets be received and the following recommendations be adopted:
  - a) That the proposed 2018 Operating Budget with expenditures of \$127,927,654 be approved, which is comprised of the following components:
    - 1) \$63,446,921 for the Town portion, which includes an additional \$231,892 for asset replacement funding;
    - 2) \$30,000 for the Newmarket Business Improvement Area (BIA);
    - 3) \$4,050,823 for the Library portion;
    - 4) \$16,762,672 for Central York Fire Services (Newmarket's share) which includes an additional \$148,138 for asset replacement funding;
    - 5) \$39,248,453 for the Water and Wastewater Rate Groups which includes an additional \$680,557 for asset replacement funding;
    - 6) \$1,852,084 for the Stormwater Management Rate Group which includes a reduction of \$642,488 for asset replacement funding;
    - 7) \$2,536,701 for the Building Permit Rate Group;
  - b) And that the proposed 2018 Capital Budget with new expenditures of \$25,933,120 be approved subject to the following conditions:

That Council provides separate approval for expenditures on the following projects after consideration of additional reports:

    - 1) Heritage Conservation District update (project #26)
    - 2) Fernbank Farmhouse maintenance (project #47)
    - 3) Outdoor Train (project #56)
  - c) And that the proposed 2018 Operating and Capital Budgets be forwarded to the Council meeting of December 4, 2017 for final approval.



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**COMMENTS:****Purpose**

This report is to obtain Committee of the Whole approval of the 2018 Operating and Capital Budgets so they may be recommended to Council for final approval and adoption.

**Budget Impact**

The average residential property will have a tax increase of \$53.75 (2.99%), a water/wastewater rate increase of \$67.71 (6.21%) and a storm water rate increase of \$3.72 (12.83%).

**BACKGROUND****Council Priorities**

The focus of the 2018 Budget is Sustainability – financial, environmental, community and organizational readiness.

Council's strategic priorities for 2018 are:

1. Developing corridors and community
2. Manage assets, maintain service levels and cultivate talent
3. Cultivate innovation and growth

**Budget Assumptions**

The 2018 budget was built using the following assumptions:

1. Inflation at 2.1%. This is based on the March 2017 annual increase in the Toronto CPI. The latest result, October, was 1.7%.
2. Growth at 1.24%. This is projected by the Town's Growth Revenue Model.
3. A budgetary adjustment of \$560,661 is equivalent to a 1% change in property taxes.
4. Preservation of service levels for a growing population, with any reductions based on prioritization.
5. Service level preservation takes precedence over service level enhancements.

**Budget Process**

Joint CAO / Commissioners, Corporate Services Report - Financial Services 2017-29 established the overall budget process and targets for 2018.

The complex budget process was made more manageable by splitting it into sections or 'hypothetical' buckets. Each of these buckets is filled by a funding source. The amount available from each funding source was determined by Council in consultation with staff.

- Tax supported operations:
  - 2.35% tax increase for the base budget
  - 1% for infrastructure levy and extraordinary items
  - \$200,000 in reductions to be found to reduce the total tax increase to be not more than 2.99%
  - Enhancements carried forward from 2015 commitments
  - Growth to be matched with growth revenues, which is a 1.24% assessment increase
  - Fees and charges targeted a 2.1% revenue increase
- Rate-supported budgets – water, wastewater and storm water in accordance with their 6-year financial plans
- Capital budget - within the available funding envelopes

These were then further segregated and allocated to individual departments. For instance, Fire Services was allocated 0.67% of a tax increase (\$375,000) and the Newmarket Public Library 0.13% (\$75,000). Budgets were then created by balancing service level expectations with resources.

Requests for additional resources were made through the use of Decision Packages. They are categorized as mandatory, growth or enhancement and include all relevant and incremental costs and revenues applicable to the request. All requests for additions to the staffing complement were done through Decision Packages.

A point system was used as a preliminary evaluation tool to evaluate proposals across departments and to form the recommendations to Council.

Category	Maximum Score	Description
Priority	9 points	This category gives points to proposals that meet Council priorities and fewer points to lesser priorities.
Desired Service Level	3 points	This category gives points to proposals that maintain or move toward desired service levels established by Council.
Business Case	5 points	This category gives points to proposals that create cost efficiencies or increase revenue.
Risk Reduction	25 points	This category provides points to proposals that reduce risks the Town faces. The proposal must drastically reduce the Town's risk to reach the 25 points.

Requests were prioritized by total points after a sore-thumbing exercise to check for internal consistency.

### **Budget Schedule**

The preliminary draft budget was presented to Committee of the Whole on October 16, 2017. There were Special Committees of the Whole on November 13 and November 20, 2017 to deal with the Draft 2018 Operating and Capital Budgets. This report consolidates the directions provided at these meetings and answers additional questions from Committee and the public.

Budget documents have been promptly posted to the 2018 Budget Page on the Town's website.

### **TAX-SUPPORTED OPERATING BUDGETS**

Corporate Services Report – Financial Services 2017-58 and the presentation made to Special Committee of the Whole on November 20, 2017 provided details on the 2018 Tax-supported Operating Budget and provided an opportunity for review and discussion.

### **Base Budget**

The base budget is the net cost to maintain the Town's service levels for a stable population. It includes non-tax revenues and efficiencies. An additional \$192,000 of support costs has been allocated from the tax-supported budget to the rate-supported budgets – water (\$113,000) and wastewater (\$79,000).

The tax-supported base budgets all fit within the funding allocation provided to them.

**Mandatory Items**

Mandatory items are the net cost of new items required by legislation, health & safety, contractual agreement or other legal obligation. If the net cost is minor, it is included in the base budget. If it is significant, then additional budget funding is requested with a Decision Package. Doing so allows their mandatory status to be confirmed.

Appendix A1 lists \$70,000 in mandatory Decision Packages included in the 2018 budget, and A3 lists those deferred for future consideration.

**Enhancements**

Enhancements are the net cost of increases to service levels. There are no new service level enhancements included in the 2018 budget as not all growth requests were included. This is in accordance with the 5<sup>th</sup> budget assumption - service level preservation takes precedence over service level enhancements..

The two enhancements included are: the 4<sup>th</sup> and final phases of initiatives that commenced in 2015. Council committed to these items in future years subject to budget approval. The initiatives are Sidewalk Snow Clearing (\$100,000) and Traffic Management (\$55,000). Their costs are offset by room that was created in the 2017 budget and reported on with the 1<sup>st</sup> quarter results in Financial Services Report 2017-27.

Appendix A1 lists the enhancement Decision Packages included in the 2018 budget, and A3 lists those deferred for future consideration.

**Growth**

Net growth is the additional cost to maintain the existing level of service for a growing community, including both expenses and revenues.

The goal for 2018 was to be financially sustainable by matching growth revenues with expenses - growth revenues not to be applied to the base budget.

Assessment growth for 2018 is projected to be 1.24%. In consultation with the Planning Department, projected population and employment numbers were extrapolated into the type of construction they will generate. This has formed the basis for a growth revenue forecast model. This model was used for supporting the 2014 Development Charges Background Study and 2016 Parkland Dedication By-laws.

To be consistent, 1.24% is the factor used for all growth in 2018. Any differences would be minor.

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Assessment growth of 1.24% or \$695,000 has been allocated as follows:

- \$223,500 for identified operating costs of growth-related projects approved in the 2017 capital budget; of this:
  - \$87,200 is to be applied to the 2018 operating budget for the operating costs of completed capital projects
  - \$136,300 is to be deferred to the 2019 operating budget for the operating costs of projects not completed
- \$69,431 as a provision for incremental growth
- \$402,069 for growth-related Decision Packages
  - \$262,678 for implementation of the Fire Master Plan (CYFS)
  - \$139,391 for the rest of the Town

Incremental growth reflects costs that increase as the Town grows. This includes supplies and contracted services for the maintenance of roads and other infrastructure, waste management and telecommunications. A growth rate of 1.24% has been applied to the \$7.1 million 2017 budget for these costs. This excludes staffing costs.

Appendix A1 lists the growth-related Decision Packages included in the 2018 budget, and A3 lists those deferred for future consideration.

### **Central York Fire Services (CYFS)**

The budget for CYFS has two components – Newmarket's portion of the joint services shared with Aurora, and costs that are not shared which includes facilities and other provisions.

The original funding envelope for the CYFS increase was \$725,000 - \$435,000 for the base budget and \$290,000 for growth. This was reduced by \$100,000 to \$625,000 - \$375,000 for base and \$250,000 for growth.

On October 23, 2017 Joint Council Committee (JCC) recommended the Central York Fire Services (CYFS) budget. In compliance with the Joint Services Agreement, the capital budget was forwarded to Aurora's General Committee for review on November 7, 2017. Aurora Council is supportive of the budget.

The JCC recommended budget is an increase of \$1,135,085, including an increase to ARF contributions of \$249,600. Newmarket's share (59.35%) of the increase is \$661,337 – \$398,659 for base and \$262,678 for growth. Combined with the unshared fire costs which had a decrease of \$83,027, the combined fire increase was \$578,310 and within the funding envelope.

### Newmarket Public Library (NPL)

The budget allocation for the Library was \$75,000. That is the requested increase in their annual grant.

The Newmarket Library Board approved the Library's budget at their meeting on September 20, 2017.

### Newmarket Downtown Business Improvement Area (BIA)

The BIA has a special levy for businesses within its district. The total amount remains unchanged at \$30,000. The expense budget is limited to that funding.

### Decision Packages

Requests for additional resources were made through the use of Decision Packages. They are categorized as mandatory, growth or enhancement and include all relevant and incremental costs and revenues applicable to the request. All requests for additions to the staffing complement are done through Decision Packages.

### Summary of Decision Packages

	<b>Mandatory</b>	<b>Growth</b>	<b>Enhancements *</b>	<b>Total</b>
Town	\$ 70,000	\$ 139,391	\$155,000	\$ 364,391
CYFS		262,678		262,678
Library				0
<b>Tax-supported</b>	<b>\$ 70,000</b>	<b>\$ 402,069</b>	<b>\$ 155,000</b>	<b>\$ 627,069</b>
Water	\$ 8,267	\$ 42,474		\$ 50,741
Wastewater		42,475		42,475
Stormwater	600,000	107,356		707,356
<b>Rate-supported</b>	<b>\$ 608,267</b>	<b>\$ 192,305</b>	<b>\$ 0</b>	<b>\$ 800,572</b>
<b>Capital-supported</b>	<b>\$ 194,490</b>	<b>\$ 47,379</b>		<b>\$ 241,869</b>
<b>Total</b>	<b>\$ 872,757</b>	<b>\$ 641,753</b>	<b>\$ 155,000</b>	<b>\$ 1,669,510</b>

\* There are no new enhancements. The items included in the 2018 budget are from Decision Packages submitted previously in 2015.

Appendix A1 lists the tax-supported Decision Packages included in the 2018 budget, and A3 lists those deferred for future consideration.

### **Additional \$200,000 in budget reductions**

Council's direction was to find an additional \$200,000 in budget reductions which would lower the tax increase from 3.35% to 2.99%.

It is recommended that budget refinements be used, and that adjustments be made to some of the provisions made in the budget. These are possible with the reduction of the C.P.I. provision in the draft budget from 2.1% to 1.7%.

### **Extraordinary Budget Items**

There are a number of extraordinary items anticipated for 2018 that would normally be included in the Base Budget but are proposed to be considered separately because the base budget is not able to absorb them. These are substantial increases beyond normal inflation in the cost of some goods and services. To include them in the base budget would require reductions in other areas and service level reductions.

The items identified for 2018 total \$929,108 and consist of the following:

- Waste management – the new contract for garbage and recycling is expected to result in an annual increase of \$515,000, which is \$429,108 in excess of the provisions made in the base (inflation) and growth (1.24%) budgets.
- Tax adjustments – addressing the erosion of our assessment base for which an additional provision of \$200,000 was requested.
- Legal services – the Town is being drawn into more legal issues defending the Town and its interests for which an additional \$200,000 was requested.
- EAB (Emerald Ash Borer) – the cost of the next phase is an increase of \$100,000.

The original consideration was to offset these costs by a reduction in the infrastructure levy. This has been replaced by the following recommended measures:

1. Tax room created by payments for Phase 1 of the Honeywell project be applied - \$149,000. These payments end in 2017.
2. The waste management reserve be used to phase in the waste management increase over 2 years - \$250,000 and the waste management expense be increased by \$100,000 to reduce the budget driver for 2019.
3. Requested increases of \$300,000 be reduced and deferred:
  - a. tax adjustments reduced from \$200,000 to \$100,000,
  - b. legal services reduced from \$200,000 to \$100,000,
  - c. Emerald Ash Borer (EAB) \$100,000 increase deferred
 These may be budget drivers in the next 1 to 3 years and will be mitigated somewhat in future years when there is a surplus.
4. Town's tax-supported ARF contributions be reduced - \$230,108.

Although the majority of these expenses are being deferred, this is considered appropriate as 2018 is an exceptional year. Staff will manage prudently and report to Council accordingly.

### **Strategy for Bill 148**

Municipalities are challenged in calculating the impact of the Bill due to the uncertainty of the final approved requirements and what phasing may, or may not be included. During the writing of this report, Bill 148 was passed on November 22, 2017 with several amendments. Based on our current review of the new requirements, it would be responsible to include some provision. It is also important not to overburden taxpayers if there is potential for a lower impact due to legislative or operational changes. The phasing-in of an increase of this magnitude would be appropriate.

It is recommended that \$280,000 be included in the 2018 budget. The following adjustments have been made to the budget to accommodate this:

- Delayed the hiring of the Applications Support Analyst for Fire Services (Decision Package #37) to save \$30,000.
- Increased the general allowance for delayed hiring (gapping) from \$400,000 to \$500,000.
- Additional savings have been found by lowering the provision for Tax Adjustments and Legal Services by another \$50,000 each. This reduces the increases in these two areas provision to \$50,000 respectively.
- Increased user fee revenues in affected areas by a targeted \$50,000. There has not been sufficient time to finalize how this will be accomplished. Staff will report back to Council – there may be some mid-year fee increases in 2018.

This is \$45,000 more than the original recommendation and does not have any impact on the Asset Replacement Fund contributions. Staff will continue to monitor the enactment of Bill 148. Should the requirement for 2018 exceed the budget provisions, then staff will attempt to manage the budget through delayed hiring (gapping) and other means, the rate stabilization reserve would be drawn upon as required and Council would be so advised.

### **RATE-SUPPORTED BUDGETS**

Corporate Services Report – Financial Services 2017-56 and the presentation made to Special Committee of the Whole on November 13, 2017 provided details on the 2018 Draft Rate-Supported Operating Budgets and provided an opportunity for review and discussion.

There are three financial performance indicators for rate groups. They are measures of sustainability and are included in the 6-year financial plans.



- 
1. Rate revenues – set a ceiling for increases. Increases are lower if the other measures can still be met.
  2. Contributions to the asset replacement fund (ARF)
  3. Contributions to the rate stabilization reserve fund

If there are unforeseen budgetary issues that prevent the achievement of all three goals, contributions to the reserve funds will be decreased if additional rate increases are not considered to be acceptable.

Appendix A2 lists the rate-supported Decision Packages included in the 2018 budget, and A3 lists those deferred for future consideration.

### **Water and wastewater**

Newmarket has a financially sustainable water and wastewater system. They have full cost recovery, healthy reserve fund levels, and significantly lower infrastructure gaps than other municipalities.

The increases in ARF contributions are in line with the 6-year Financial Plans. Budgeted expenses are less than anticipated. This created an opportunity to offset the projected water deficit and to decrease the revenue requirement.

Newmarket's residential charges are the 2<sup>nd</sup> highest in York Region while the large non-residential charges are the lowest. Monthly charges are being increased to the largest users. These tiered rates are being phased in and will be fully implemented by 2020. This strategy will make water more affordable for residents and small businesses.

### **Stormwater**

Newmarket is one of only 12 municipalities in Ontario that have a storm water charge.

Storm water has \$600,000 in expenses that were not included in the 6-year financial plan (Decision Packages 1 & 2). To cover these additional expenditures and to maintain the ARF and rate stabilization contributions at the 6-year plan's level would have required a fee increase of about 50%. This was not considered acceptable. Consequently, the ARF contribution was decreased. This will not impair the 2018 program and future budgets will be adjusted to compensate.

### **Building Permit Rate Group (“Building Department”)**

The primary financial indicator for this rate group is the relationship between annual expenses and the reserve. The target is 1.5 to 2 years' worth of expenses. The proposed budget, along with no fee increase for 2018 should achieve that target.

## ASSET REPLACEMENT FUND (ARF)

The Infrastructure Levy includes changes in the annual contributions to the Asset Replacement Fund (ARF). The rate-supported budgets have factored ARF requirements into their 6-year plans and are moving towards sustainability. For the tax-supported budget, including Fire and Library, this is shown as a separate levy.

The Capital Financing Sustainability Strategy recommended an annual increase in the tax-supported ARF contribution equal to a 1% tax increase. For 2018, this would be an increase of \$560,000.

### ARF contributions summary

Area	2017 budget	2018 request	2018 adjustment	2018 budget
<b>Tax-supported</b>				
Town	\$ 7,803,398	\$ 562,000	- \$ 330,108	\$ 8,035,290
CYFS	850,000	249,600		1,099,600
Library	223,550			223,550
	<b>\$ 8,876,948</b>	<b>\$ 811,600</b>	<b>- \$ 330,108</b>	<b>\$ 9,358,440</b>
<b>Rate-supported</b>				
Water	\$ 2,713,083	\$ 414,073		\$ 3,127,156
Wastewater	3,674,219	266,484		3,940,703
Stormwater	983,000	43,000	- 685,488	340,512
	<b>\$ 7,370,302</b>	<b>\$ 723,557</b>	<b>- \$ 685,488</b>	<b>\$ 7,408,371</b>
<b>Total</b>	<b>\$ 16,247,250</b>	<b>\$ 1,535,157</b>	<b>- \$ 1,015,596</b>	<b>\$ 16,766,811</b>

The amounts for CYFS include the portion paid by Aurora – \$345,100 in 2017 (40.4%) and \$486,987 in 2018 (40.65%)

The adjusted 2018 increase is \$581,492 for the tax supported budgets and \$38,069 for rate supported – a total increase of \$619,561.

The increase in ARF contributions for the Town tax-supported budget has been decreased to offset the cost of extraordinary budget items. The storm water decrease offsets unplanned mandatory items. The 2018 capital program is not affected by these adjustments.

The 2018 increase in funding available for the replacement of tax-supported capital assets is at the highest level it has been since the infrastructure levy was introduced in 2013 – higher in actual dollars and proportional to taxes.

**Historic funding for Newmarket's asset replacements**

Area	2013	2014	2015	2016	2017	2018
<b>Tax-supported</b>						
Town	\$ 363,773	\$ 208,000	\$ 505,127	\$ 424,583	-\$ 983,000	\$ 231,892
Newmarket's share of CYFS		150,125				148,138
Gas Tax		36,797		115,790		115,790
	<b>\$ 363,773</b>	<b>\$ 394,922</b>	<b>\$ 505,127</b>	<b>\$ 540,373</b>	<b>-\$ 983,000</b>	<b>\$ 495,820</b>
<b>Tax % equivalence</b>	<b>0.83%</b>	<b>0.82%</b>	<b>1.00%</b>	<b>1.02%</b>	<b>n/a</b>	<b>0.89%</b>
Rate-supported	223,572	346,804	620,000	488,395	1,270,842	38,069
<b>Annual increase</b>	<b>\$ 587,345</b>	<b>\$ 741,726</b>	<b>\$1,125,127</b>	<b>\$1,028,768</b>	<b>\$ 287,842</b>	<b>\$ 533,889</b>

CYFS ARF contributions represent the Town's proportional share.

**Total annual funding available for Newmarket's asset replacement**

	2013	2014	2015	2016	2017	2018
Gas Tax	\$2,278,999	\$2,315,796	\$2,315,796	\$2,431,586	\$2,431,586	\$2,547,376
ARF - asset replacement fund - total	13,216,374	13,921,303	15,046,430	15,959,408	16,247,250	16,766,811
Less Aurora's share of CYFS	(241,500)	(339,575)	(341,955)	(341,700)	(345,100)	(486,987)
<b>Total *</b>	<b>\$15,253,873</b>	<b>\$15,897,524</b>	<b>\$17,020,271</b>	<b>\$18,049,294</b>	<b>\$18,333,736</b>	<b>\$18,827,200</b>

*\* Due to annual changes in Aurora's proportionate share of CYFS, the above two tables do not reconcile*

In 2017, the Stormwater Rate Group was established and \$983,000 in annual ARF funding was transferred to it from the tax-supported budget.

In 2018, Stormwater ARF contributions will be decreased by \$685,488 to cover unplanned expenses. Otherwise, the consolidated ARF increase would have been \$1,314,485.

**CONSOLIDATED OPERATING BUDGETS**

The following table summarizes the proposed expenses and expenditures:

<b>SUMMARY OF OPERATING EXPENSES AND EXPENDITURES</b>					
Area	Expenses Based on PSAB	Principal Repayment on Long-term Debt	Capital Financing	Transfer to Reserves/ Reserve Funds	Total Expenditures
Town	\$49,858,703	\$2,628,063	\$294,000	\$10,666,155	\$63,446,921
BIA	30,000				30,000
Library	3,784,717			266,106	4,050,823
CYFS	15,641,377			1,121,295	16,762,672
<b>Tax-supported</b>	<b>\$69,314,797</b>	<b>\$2,628,063</b>	<b>\$294,000</b>	<b>\$12,053,556</b>	<b>\$84,290,416</b>
Water/Wastewater	31,064,262	483,454		7,700,737	39,248,453
Storm Water	1,500,623			351,461	1,852,084
Building	2,536,701				2,536,701
<b>Rate-supported</b>	<b>35,101,586</b>	<b>483,454</b>	<b>0</b>	<b>8,052,198</b>	<b>43,637,238</b>
<b>TOTAL</b>	<b>\$104,416,383</b>	<b>\$3,111,517</b>	<b>\$294,000</b>	<b>\$20,105,754</b>	<b>\$127,927,654</b>

**Expenses based on PSAB** are used for financial statement reporting as regulated by the Public Sector Accounting Board (PSAB), but do not include amortization.

**Principal Repayment on Long-term Debt** excludes interest which is included in *Expenses*.

**Capital Financing** is the amount transferred from the Operating to the Capital Budget. It does not include the operating and maintenance costs of new infrastructure, which is included in *Expenses*.

**Transfer to Reserves/ Reserve Funds** includes \$16,766,811 contributed to the Asset Replacement Fund.

**Total Expenditures** are an expanded fund-based approach used for budgeting and management purposes.

## CAPITAL BUDGET

Corporate Services Report – Financial Services 2017-56 and the presentation made to Special Committee of the Whole on November 13, 2017 provided details on the 2018 Draft Capital Budget and provided an opportunity for review and discussion.

Additional information was requested on three projects:

- Heritage Conservation District update (project #26)
- Fernbank Farmhouse maintenance (project #47)
- Outdoor Train (project #56)

Reports will be provided to Council on these prior to any expenditures being incurred.

There was a request for information on Fire Truck replacements – over the last 5 years and projected for the next 10 years. The response is contained within Corporate Services Information Report – Financial Services 2017-62 (forthcoming).

### 2018 Draft Capital Budget (in \$ millions)

	ARF	DC's	Other	General	Total
Replacement	10.9		3.6		14.5
Growth		8.7	0.6		9.3
Other	0.9		0.7	0.5	2.1
<b>Total</b>	<b>11.8</b>	<b>8.7</b>	<b>4.9</b>	<b>0.5</b>	<b>25.9</b>

The 2018 Capital Budget includes \$25,933,120 in new expenditures. Appendix B provides a list of the capital projects.

Replacements are determined by condition assessments such as the Roads Need Study; \$14,488,100 in replacements is funded from the Asset Replacement Fund (\$10.9 million), Federal Gas Tax (\$2.1 million), grants (\$795,000) and reserves (\$650,000).

Growth needs are determined by growth plans such as the Development Charges (DC) Background Study. \$9,313,020 is included to maintain service levels in the face of growth and is funded from Development Charges (\$8.7 million), reserves (\$374,000) and other sources (\$278,000).

Other includes projects and studies that address legislated and health & safety requirements, and that meet Council direction. \$2,132,000 is funded from the storm water ARF (\$914,000), general funding (\$495,000), grants (\$481,000) and reserves (\$241,000).

General funding is from either the operating budgets (tax or rate-supported, as appropriate) or from general capital reserves – those not designated for a specific purpose.

Appendix A1 lists the capital-supported Decision Packages included in the 2018 budget, and A3 lists those deferred for future consideration.

There is sufficient funding available for the proposed capital program.

## **NEXT STEPS**

The recommendations, as may be revised by Committee of the Whole, will proceed to Council on December 4, 2017 for adoption.

Council will be presented with a report reconciling the approved budget to the budget as presented on the financial statements in April, 2018. This is in compliance with PSAB standards.

These recommended budgets, along with the 2017 Capital Carryovers, will formulate the Reserves and Reserve Funds budget which will be presented in April, 2018.

The final tax rate will be set and the all-in total will be known when we receive the Regional and School Board tax rates and obtain confirmation of the tax ratios. The setting of the Town's tax rates (previously referred to as "mill rates") will be in June, 2018.

## **BUSINESS PLAN AND STRATEGIC PLAN LINKAGES**

This report links to Newmarket's key strategic directions in being Well Equipped and Well Managed through fiscal responsibility.

## **CONSULTATION**

All members of the Senior and Operational Leadership Teams participated in the preparation of the budgets.

Members of Council provided directions, comments and questions at the Special Committees of the Whole on November 13 and 20, 2017. Appendix C contains the answers to questions.

**Newmarket Public Library Board**

The Newmarket Library Board approved the library's budget at their meeting on September 20, 2017.

**Joint Council Committee (JCC)**

On October 23, 2017 Joint Council Committee (JCC) recommended the Central York Fire Services (CYFS) budget. In compliance with the Joint Services Agreement, the capital budget was forwarded to Aurora's General Committee for review on November 7, 2017. Aurora Council is supportive of the budget.

**Water and Wastewater Budgets**

The Water, Wastewater and Stormwater budgets are in accordance with their 6-year financial plans, as amended, for changes in the rate structure.

**Public Engagement****2018 Budget – Community Engagement Phase I and Phase II****Phase I – July to September 30, 2017**

The first objective of the community engagement plan was to have residents understand the budget process and communicate the budget theme of sustainability with a focus on the three priorities as identified by Council: Developing our corridors and community; Managing assets and maintaining our service levels; and Cultivating innovation and growth.

The second objective was to gather feedback through the "Put your money where it matters" budget game, in which residents have one "budget buck" to allocate to the priority that matters the most to them. Residents were also given the option to choose "other" and provide their own priority. The game was available both online and in person at events. A goal of collecting over 516 responses (2016's total participation rate) was set for the entire engagement campaign (July to end of October).

The three priorities, the budget process and the budget game were promoted through a new 2018 budget webpage, postcards, media releases, media pick-up, emails, the Newmarket Now e-newsletter, marquees and signage at Town facilities, Town Page ads, posters, social media posts and community events. As part of the community engagement efforts, the budget team attended a number of new Town-run events to help drive participation in the budget game.

The budget team attended a Moonlight Movies night, “New’bark’et, the Central York Fire Services annual Open House and a Farmers’ Market. In September, an incentive to enter to win a \$100 credit to apply to any future Recreation & Culture program was added to the promotion of the game to further encourage participation.

As a result of the communications tactics and community outreach efforts, a total of 531 responses were collected for Phase I of community engagement, exceeding the overall participation rate for 2016. 388 people participated in the budget game at the events and 143 responses were collected through the online version of the budget game (as of September 30, 2017).

### **Phase II – October 1 to end of November**

Phase II of Budget Engagement took place during the months of October and November. The budget game was available online up until October 31. 18 responses were collected online from September 30 to October 31. From Phase I and Phase II, a total of 550 participants gave feedback through the “Put your money where it matters” budget game.

- **388** people participated in the budget game at the events
- **162** responses were collected through the online version of the budget game (as of October 31, 2017).

### **From the 550 responses total:**

- 47% (257 participants) chose “Managing assets and maintaining our service levels”
- 22% (122 participants) chose “Cultivating innovation and growth”
- 21% (116 participants) chose “Developing our corridors and community”
- 10% (55 participants) chose “Other”

In addition to the budget game, residents had the opportunity to provide feedback through emailing [finance@newmarket.ca](mailto:finance@newmarket.ca), calling the Town directly, speaking with their Council Representative or attending or giving a deputation at a budget meeting. These opportunities were advertised through:

- Newmarket Now e-newsletter
- Town of Newmarket Twitter account and retweets
- Town Page of the Newmarket Era
- Postcards
- Get Involved section of snapd newspaper
- Online



A media release on the direction of the budget – what's included, what's not included and the efficiencies realized to meet the target for the budget will be issued after Council's confirmation of the 2018 Budget.

## HUMAN RESOURCE CONSIDERATIONS

The budget includes appropriate staffing levels to meet legislated requirements and Council objectives.

New staffing requests are included in the Decision Packages in Appendix A. Details were provided in Financial Services Report 2017-56, Capital and Rate Supported Operating Budgets and Financial Services Report 2017-58, 2018 Tax Supported Operating Budget; which were presented to Special Committee of the Whole (Budget) on November 13 and November 20, 2017.

## BUDGET IMPACT

### Tax-Supported Operating Budget

The recommended draft operating budgets would result in a 2.31% "all-in" (Region, School Board, Town) tax increase to the average residential taxpayer.

	2017	2018	\$ CHANGE	% CHANGE
Town portion	\$ 1,797.52	\$ 1,851.27	\$ 53.75	2.99%
Region portion	1,892.06	1,944.47	52.41	2.77%
<b>Municipal sub-total</b>	<b>\$ 3,689.58</b>	<b>\$ 3,795.74</b>	<b>\$ 106.16</b>	<b>2.88%</b>
School Board Portion	910.66	910.66	0.00	0.00%
<b>TOTAL</b>	<b>\$ 4,600.24</b>	<b>\$ 4,706.40</b>	<b>\$ 106.16</b>	<b>2.31%</b>

- Based on an average 2017 assessment of \$508,750
- The Region and School Boards' changes do not include an estimate for the impact of tax-shifting.


The Regional Municipality of York is considering implementing a 1% infrastructure levy in 2018. This is not included in the above table. If it had been included, the Regional increase would be \$71.33 (3.77%) and the total increase would be \$125.09 (2.72%).

## Capital Budget

The recommended draft capital budget includes \$25,933,120 in new expenditures, for which there is adequate financing provided.

## CONTACT

For more information on this report, contact: Mike Mayes at 905-953-5300, ext. 2102 or via e-mail at [mmayes@newmarket.ca](mailto:mmayes@newmarket.ca)



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Mike Mayes, CPA, CGA, DPA  
Director, Financial Services/Treasurer




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Esther Armchuk, LL.B.  
Commissioner, Corporate Services



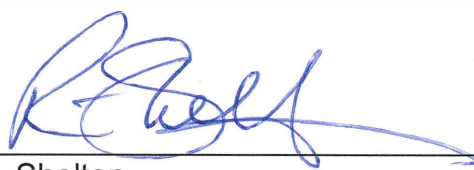
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Ian McDougall  
Commissioner, Community Services



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Peter Noehammer  
Commissioner, Development and  
Infrastructure Services



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Robert N. Shelton  
Chief Administrative Officer  
MM/Im  
Attachments:

- Appendix A1-A3 2018 Decision Packages Summary (3 pgs.)
- Appendix B1-B2 2018 Capital Budget Requests List (3 pgs.)
- Appendix C – Answers to budget questions from the Special Committee of the Whole Meeting held on November 20, 2017
- Appendix D – Comments from the Community Engagement Process

Appendix A1

Recommended 2018 Decision Packages - Tax Supported

Evaluation Points	DP Form #	Department	Initiative	Staffing Request Amount	Other Request Amount	Total Amount	Revenue/ Recovery /Internal Charge	Net Impact on Tax	Tax Levy Increase	Net Impact on Rate or Capital	Account
MANDATORY / LEGISLATIVE											
28	8	Public Works	Facility Parking Lot & Walkway Winter Maintenance		15,000	15,000		15,000	0.03%		52811
27	4	DIS	Asset Management Implementation - 2 FTEs	194,490		194,490			0.00%	194,490	63110
27	6	Public Works	Snow Storage Dumping Fees		25,000	25,000		25,000	0.04%		32221
17	5	Public Works	Environmental Monitoring of Soil & Ground Water		30,000	30,000		30,000	0.05%		TBD
TOTAL MANDATORY / LEGISLATIVE				194,490	70,000	264,490	-	70,000	0.12%	194,490	
GROWTH -CYFS											
21	16	CYFS	4 Additional Fire Fighters	161,060	-	161,060	-	161,060	0.29%		21221
			Annualization for 2017 New FF's Hired (4)					46,076			21221
28	24	IT	Applications Support Analyst	87,133	6,450	93,583	(38,042)	55,542	0.10%		13621
Total CYFS				248,193	6,450	254,643	-	262,678			
Other Tax Supported											
22	10	Legislative Services	Enforcement Officer - Licensing	96,718	14,740	111,458	(160,375)	(48,917)	-0.09%		13121
20	25	Legislative Services	2 Enforcement Officers - Parking	156,997	12,450	169,447	(152,160)	17,287	0.03%		26112
27	27	Legislative Services	Licenses for New Land Use System		24,800	24,800	-	24,800	0.04%		26112
23	37	Public Works	Convert Solid Waste Inspector From Casual to Full-time	15,203		15,203	(15,203)	(0)	0.00%		42711
27	19	Communications	Digital Communications Specialist	87,133	2,500	89,633	-	89,633	0.16%		13141
23	33	Public Works	Conversion of 1 Parks Attendant to Full-time	26,282		26,282		26,282	0.05%		52811
27	20	Human Resources	Health & Safety Coordinator- Contract Position	30,306	-	30,306		30,306	0.05%		10225
14	38	Recreation & Culture	Convert Fitness Programmer Position to Permanent Full-time	9,067		9,067	(9,067)	0	0.00%		57346
19	23	IT	Regular Part-time Position for Telecommunications Support	47,379	-	47,379	-	-	0.00%	47,379	13621
TOTAL GROWTH				717,279	60,940	778,219	-	402,069	0.72%	47,379	
GRAND TOTAL											
				\$911,769	\$130,940	\$1,042,709	-\$374,847	\$472,069	0.84%	\$241,869	

Appendix A2

Recommended 2018 Decision Packages - Rate Supported

Evaluation Points	DP Form #	Department	Initiative	Category	Staffing Request Amount	Other Request Amount	Total Amount	Revenue/ Recovery /Internal Charge	Net Impact on Rate	Account
Storm Water										
27	1	Storm Water	Stormwater Management Facility Maintenance Program	Mandatory		400,000	400,000		400,000	45001
24	2	Storm Water	Catch Basin Cleaning	Mandatory		200,000	200,000		200,000	45001
27	18	Storm Water	Sr. Climate Change Coordinator -Contract to Full-Time	Growth	107,356		107,356		107,356	45001
Total Storm Water					107,356	600,000	707,356	-	707,356	
Water & Wastewater										
27	3	Water	Convert Water Quality Analyst From Contract to Full-time	Mandatory	8,267		8,267		8,267	42421
17	22	Water & Wastewater	GIS Technician- Cost Allocation to Water &WW	Growth	\$78,499	\$6,450	\$84,949		84,949	42421
Total Water & Wastewater					86,766	6,450	93,216	-	93,216	
GRAND TOTAL										
					\$194,122	\$606,450	\$800,572	\$0	\$800,572	

Appendix A3

2018 Decision Packages - Deferred

Evaluation Points	DP Form #	Department	Initiative	Staffing Request Amount	Other Request Amount	Total Amount	Revenue/ Recovery /Internal Charge	Net Impact on Tax	Tax Levy Increase	Net Impact on Rate or Capital	Account
ENHANCEMENT											
28	7	Public Works	Contractor for Proposed Street Tree Bylaw in Late 2017		10,000	10,000	(5,000)	5,000	0.01%		52811
22	11	Public Works	Court Snow Plowing		75,000	75,000		75,000	0.13%		32221
17	13	Public Works	Casual Staff for Forestry Management	21,600		21,600		21,600	0.04%		52811
15	12	Public Works	Washroom Cleaning Contract		63,000	63,000	(45,936)	17,064	0.03%		52811
15	14	Public Works	General Parks Response Crew	41,085		41,085		41,085	0.07%		52811
12	9	Library	Monday Services	59,977	6,212	66,189	(1,200)	64,989	0.12%		91131
9	15	Public Works	Lawn Maintenance Contractor for Non Compliant Property		15,000	15,000		15,000	0.03%		52811
TOTAL ENHANCEMENT				122,662	169,212	291,874	(52,136)	239,738	0.43%		
GROWTH											
26	36	Public Works	Additional Full-time Road Operator	74,171	1,000	75,171		75,171	0.13%		32210
23	29	Public Works	Facility Maintenance Operator	70,766		70,766	(49,766)	21,000	0.04%	35,383	57301
23	33	Public Works	Conversion of 2 Parks Attendants to Full-time	52,564		52,564		52,564	0.09%		52811
21	30	Public Works	Summer Maintenance 6 months Lead Hand Contract	13,176		13,176		13,176	0.02%		52811
21	32	Public Works	Full-time Natural Heritage Coordinator	120,741		120,741		120,741	0.22%		52811
20	25	Legislative Services	2 Enforcement Officers - Parking	156,997	12,450	169,447	(152,160)	17,287	0.03%		26112
27	20	Human Resources	Health & Safety Coordinator	65,219		65,219	(27,000)	38,219	0.07%		13221
20	21	Financial Services	Tax Clerk	72,017	-	72,017	(35,000)	37,017	0.07%		14212
20	28	Customer Services	Customer Kiosk Associates- Contract to Part-time	42,120	-	42,120	-	42,120	0.08%		13823
20	40	Customer Services	Customer Service Associate-Regular PT to FT	8,000		8,000	-	8,000	0.01%		13821
18	26	Legislative Services	Additional Records and Projects Coordinator	87,133	-	87,133		87,133	0.16%		13127
18	35	Public Works	Convert Fleet Admin. Assistant From Casual to Full-time	37,349		37,349		37,349	0.07%		32361
17	39	IT	GIS Analyst	96,718	6,450	103,168		103,168	0.18%		13621
16	17	Library	Technology Programming and Outreach	20,782	400	21,182	(400)	20,782	0.04%		91131
12	34	Public Works	Lawn Maintenance Contactor for New Areas		65,000	65,000		65,000	0.12%		52814 /17
10	31	Public Works	Horticulture Contract Operator Conversion to FTE	22,504		22,504		22,504	0.04%		52811
TOTAL GROWTH				940,256	85,300	1,025,556	(264,326)	761,230	1.36%	35,383	
GRAND TOTAL											
				\$1,062,919	\$254,512	\$1,317,431	-\$316,462	\$1,000,969	1.79%	\$35,383	

## Appendix B1

## 2018 CAPITAL BUDGET REQUEST - Recommended

Date: November 8, 2017

Line #	Commission / Department	Project Name	Priority Ranking	Annual or Committed	Category	Total Cost	2018 Cost	ARF	DC	Reserves & Reserve Funds	Gas Tax	General	Other Funding Source	Infrastructure Grant	Operating Impact - 2016	Operating Impact - Rates	Operating Impact - 2019	Additional Capital Needs
1	CYFS	IPeds for Suppression and Prevention	3		Other	19,500	19,500			11,573			7,927		2,500			
2	CYFS	Life Cycle Replacement of Personal Protective Equipment	2		Replacement	55,000	55,000	55,000										
3	CYFS	Personal Protective Equipment & Uniforms for New Recruits	1		Growth	27,000	27,000		16,025				10,975					
4	CYFS	Purchase of an Additional Prevention Vehicle	3		Growth	38,500	38,500		22,850				15,650		500			
5	CYFS	Replacement of Equipment	2		Replacement	100,000	100,000	100,000										
6	CYFS	New Fire Engine for Station 4-5	3		Growth	985,000	400,000		237,400			35,000	162,600					
7	Newmarket Fire	LED Sign for Station 4-1	1		Other	35,000	35,000											
8	Newmarket Fire	Roof Replacement Station 4-2	2		Replacement	170,000	170,000	170,000										
9	Library	Computer Hardware & Software	2	Annual	Replacement	52,200	52,200	52,200										
10	Library	Equipment	2		Replacement	6,000	6,000	6,000										
11	General Government	DC Background Study	1		Growth	70,000	35,000		35,000									
12	Communications	Web Project & AODA Compliance	1		Other	25,000	25,000					25,000						
13	IT	Upgrade/Replace Desktop and Peripheral Equipment	2	Annual	Replacement	163,000	163,000	163,000										
14	IT	Server Room Equipment Replacement	2	Annual	Replacement	195,000	195,000	195,000										
15	IT	Software Licenses	2	Annual	Replacement	98,000	98,000	98,000										
16	IT	Upgrade/Replace ERP systems	2	Annual	Replacement	200,000	200,000	200,000										
17	IT	Storage Attached Network Replacement	2		Replacement	90,000	90,000	90,000										
18	IT	GIS Upgrade & Replacement	2		Replacement	50,000	50,000	50,000										
19	IT	Internet Varing	1		Other	60,000	60,000					60,000						
20	Legislative Services	Vehicle Equipment for Enforcement Officers	1		Growth	50,000	50,000			50,000								
21	Legislative Services	Additional Vehicle for Enforcement Officers	1		Growth	33,000	33,000			33,000								
22	Recreation & Culture	Culture Master Plan	3		Other	150,000	75,000											
23	Recreation & Culture	Theatre	2		Replacement	400,000	400,000			75,000								
24	DIS - Planning	Mulock GO Station Secondary Plan	1		Growth	250,000	250,000			400,000								
25	DIS - Planning	Official Plan Review	1		Growth	250,000	250,000			250,000								
26	DIS - Planning	Heritage Cons. Dist. Update	2		Growth	50,000	50,000											
27	DIS - Planning	Old Main Street Tertiary Plan	2		Other	65,000			65,000									
28	DIS - Planning	Residential Parking Review	2		Growth	100,000	100,000		100,000									
29	DIS - Planning	Community Energy Plan Implementation	1		Other	310,000	310,000					205,000	105,000					
30	DIS - Planning	Urban Centers Road Network Centerline Study	3		Growth	200,000	200,000		200,000									
31	DIS	Install Street Lights on Bathurst Street	1		Growth	60,000	60,000		60,000									
32	DIS	Wasabay Modifications	1		Replacement	150,000	150,000	150,000										
33	DIS	Trail Lighting - TTT Tannery to CN Crossing	1		Other	160,000	160,000					80,000	80,000					
34	DIS	Davis & Bathurst Intersection Improvements (Sidewalk & Streetlighting)	2		Growth	1,550,000	1,550,000		1,550,000								50,000	
35	DIS	Engineering/Design for Future Projects	2	Annual	Replacement	850,000	850,000	850,000										
36	DIS	Yonge St. North of Davis to Green Lane Consulting	2		Growth	500,000	500,000		500,000									
37	DIS	Municipal Infrastructure Projects	2	Annual	Replacement	4,235,000	2,135,000	2,135,000			2,100,000							
38	DIS	Yonge Street YRRTC Project Consulting	2	2017 Committed	Growth	200,000	200,000		200,000									
39	DIS	Streetscaping - VIVA Project	3		Growth	400,000	400,000		400,000									
40	DIS	Active Transportation Plan Implementation	1	2017 Committed	Growth	150,000	150,000		150,000									
41	DIS	Bridge and Culvert Inspection, Repair and Replacement	1	Annual	Replacement	550,000	550,000	275,000					275,000					
42	DIS	Magna Centre Road Replacement	1		Replacement	950,000	950,000	950,000										
43	DIS	Town Energy Reduction Plan	1		Other	40,000	40,000					40,000						
44	DIS	Demolition of Scout Hall	1		Replacement	65,000	65,000											
45	DIS	Satellite Building - Glenway	3		Growth	500,000	500,000		500,000									
46	DIS	305 Mulock Building Maintenance Need	2		Replacement	125,000	125,000	125,000										
47	DIS	Fairbank Farmhouse Maintenance	2		Replacement	600,000	600,000			250,000			350,000					
48	DIS	All Other Facility Maintenance Needs	2	Annual	Replacement	934,500	934,500	934,500										
49	DIS	Accessible Upgrade to Park Washrooms	1		Replacement	50,000	50,000	50,000										
50	DIS	Urban Forestry Management Program	1		Other	50,000	50,000					50,000						
51	DIS	Sundial Park Development	2	2017 approved without amount	Growth	230,020	230,020		141,300				88,720				10,000	

## Appendix B1

## 2018 CAPITAL BUDGET REQUEST - Recommended

Date: November 8, 2017

Line #	Commission / Department	Project Name	Priority Ranking	Annual or Committed	Category	Total Cost	2018 Cost	ARF	DC	Reserves & Reserve Funds	Gas Tax	General	Other Funding Source	Infrastructure Grant	Operating Impact - 2016	Operating Impact - Rates	Operating Impact - 2019	Additional Capital Needs
52	DIS	Sports Field Lighting Replacement	2		Replacement	1,016,000	1,016,000	1,016,000	-	-	-	-	-	-	-	-	-	-
53	DIS	Recreation Playbook Implementation	1	2017 Committed	Growth	1,013,000	1,013,000	-	911,700	101,300	-	-	-	-	-	-	50,000	-
54	DIS	Secondary Plan - Historic Park Design & Implementation	1		Growth	150,000	150,000	-	135,000	15,000	-	-	-	-	-	-	192,000	-
55	DIS	George Richardson Park North Playing Site for User Groups	2		Replacement	275,000	275,000	275,000	-	-	-	-	-	-	-	-	-	-
56	DIS	Outdoor Train	2		Replacement	100,000	100,000	100,000	-	-	-	-	-	-	-	-	-	-
57	DIS	Netting for Ball Diamonds	2	2017 Committed	Replacement	225,000	225,000	225,000	-	-	-	-	-	-	-	-	-	-
58	DIS	Tree Canopy Increasing Planning	3		Other	90,000	90,000	-	-	90,000	-	-	-	-	-	-	-	-
59	DIS	Truck - Solid Waste	2		Growth	50,000	50,000	-	45,000	5,000	-	-	-	-	-	-	-	-
60	DIS	Vehicles and Equipment Replacement	2	Annual	Replacement	1,254,000	1,254,000	1,254,000	-	-	-	-	-	-	-	-	-	-
61	DIS	Mini Excavator	2		Growth	95,000	95,000	-	95,000	-	-	-	-	-	-	-	-	-
62	DIS	Asset Management Strategy Implementation	1		Replacement	496,400	496,400	326,400	-	-	-	-	170,000	-	-	-	-	-
63	DIS	Capital Projects - Engineering Staff Time	2	Annual	Replacement	900,000	900,000	900,000	-	-	-	-	-	-	-	-	-	-
64	Water	Watermain Replacement - 360 Bayview Parkway	2		Replacement	100,000	100,000	100,000	-	-	-	-	-	-	-	-	-	-
65	Water & Wastewater	Water/Wastewater Master Servicing Study Implementation	2	2017 Committed	Growth	1,281,500	1,281,500	-	1,281,500	-	-	-	-	-	-	-	-	-
66	Storm Water	Stormwater Management Pond Clean Outs	1		Other	714,000	714,000	714,000	-	-	-	-	-	-	-	-	-	-
67	Storm Water	Low Impact Development (LID) & New Stormwater Facilities	3	2017 Committed	Other	200,000	200,000	200,000	-	-	-	-	-	-	-	-	-	-
68	DIS	Hasket Park Trail & Breathing Space Construction	1		Growth	1,700,000	1,700,000	-	1,530,000	170,000	-	-	-	-	-	-	-	-
69	DIS	Vehicle Charging Stations	3		Other	18,000	18,000	-	-	-	-	-	18,000	-	-	-	-	-
70	DIS	Lighting of Pathways	1		Other	180,000	180,000	-	-	-	-	-	180,000	-	-	-	-	-
80	DIS	LED Lighting Upgrade	3		Other	28,000	28,000	-	-	-	-	-	28,000	-	-	-	-	-
81	DIS	REALice Water Treatment	3		Other	42,500	42,500	-	-	-	-	-	42,500	-	-	-	-	-
82	DIS	Greenhouse Operating System	3		Other	20,000	20,000	-	-	-	-	-	20,000	-	-	-	-	-
79	Legislative Services	Vehicle Replacement	2		Replacement	33,000	33,000	33,000	-	-	-	-	-	-	-	-	-	-
<b>TOTAL</b>						<b>\$26,628,120</b>	<b>\$25,933,120</b>	<b>\$11,857,100</b>	<b>\$8,660,775</b>	<b>\$1,265,873</b>	<b>\$2,100,000</b>	<b>\$495,000</b>	<b>\$1,554,372</b>	<b>\$0</b>	<b>\$3,000</b>	<b>\$0</b>	<b>\$302,000</b>	

## Appendix B2

## 2018 CAPITAL BUDGET REQUEST - Deferred

Date: November 8, 2017

Line #	Commission / Department	Project Name	Priority Ranking	Annual or Committed	Category	Total Cost	2018 Cost	ARF	DC	Reserves & Reserve Funds	Gas Tax	General	Other Funding Source	Infrastructure Grant	Operating Impact - 2016	Operating Impact - rates	Operating Impact - 2019	Additional Capital Needs
71	General Government	Business Continuity Plan	3		Other	50,000	50,000					50,000						
72	DIS	Kingsdale Shoulder Rehabilitation	3		Other	70,000	70,000	-	-	-	-	70,000	-	-				
73	DIS	Asphalt Paving of Old Bathurst Street	3		Other	275,000	275,000	-	-	-	-	275,000	-	-				
74	DIS	Retractable Awning Patio - Seniors Meeting Place	3		Other	250,000	250,000	-	-	-	-	250,000	-	-				
75	DIS	Facility Improvement	3		Other	656,500	656,500				-	656,500						
76	DIS	Self Cleaning Washroom	3		Other	150,000	150,000	-	-	-	-	150,000	-	-				
77	DIS	Trail Paving John F. Smith Trail	3		Other	275,000	275,000	-	-	-	-	275,000	-	-				
78	DIS	Paving of Limestone Walkways	3		Other	134,745	134,745	-	-	-	-	134,745	-	-				
Total Deferred						\$1,861,245	\$1,861,245	\$0	\$0	\$0	\$0	\$1,861,245	\$0	\$0	\$0	\$0	\$0	\$0



## Appendix C – Answers to Budget Questions

### General

1. How is the average residential assessment of \$508,750 determined?

The average assessment is provided by the Province's Online Property Tax Analysis (OPTA) system based on the assessment values set by the Municipal Property Assessment Corporation (MPAC). The number currently used is the value of the Median/Typical Single Family Home. The value of Condominium units is not included in that number.

Values were established as at January 1, 2016 (prior to the extreme rise in sale prices of houses during mid-2016 and into 2017). Value changes are also phased-in over the four year cycle (2017 to 2020) meaning this average will change annually.

We do not have the final roll for 2018 yet. Initial numbers project an average residential assessment of approximately \$517,500.

The next province-wide assessment will be in 2020 with values set as at January 1, 2020 for taxation purposes in 2021 through 2024.

2. What is the projected all-in tax increase, including the Region and School Board portions?

The recommended draft operating budgets would result in a 2.31% "all-in" (Region, School Board, Town) tax increase to the average residential taxpayer.

	2017	2018	\$ CHANGE	% CHANGE
Town portion	\$ 1,797.52	\$ 1,851.27	\$ 53.75	2.99%
Region portion	1,892.06	1,944.47	52.41	2.77%
<b>Municipal sub-total</b>	<b>\$ 3,689.58</b>	<b>\$ 3,795.74</b>	<b>\$ 106.16</b>	<b>2.88%</b>
School Board Portion	910.66	910.66	0.00	0.00%
<b>TOTAL</b>	<b>\$ 4,600.24</b>	<b>\$ 4,706.40</b>	<b>\$ 106.16</b>	<b>2.31%</b>

- *Based on an average 2017 assessment of \$508,750*
- *The Region and School Boards' changes do not include an estimate for the impact of tax-shifting.*

The Regional Municipality of York is considering implementing a 1% infrastructure levy in 2018. This is not included in the above table. If it had been included, the Regional increase would be \$71.33 (3.77%) and the total increase would be \$125.09 (2.72%).

### 3. How does the new stormwater rate factor into this?

For 2018, the average residential property will have a \$53.75 (2.99%) increase in taxes and a \$3.72 (12.83%) increase in stormwater charges, for a total of \$57.47 (3.14%).

If stormwater had been kept on taxes and had the same cost increases, the average resident would have paid \$58.42 for the stormwater portion, which is \$24.45 more than the 2018 stormwater charge. The tax increase would have been \$60.17 (3.25%).

The separation and redistribution of the stormwater charge has saved the average residential property \$21.76 in 2017 and will save \$24.46 in 2018.

### 4. For the last three years, what have been the savings from gapping vacant positions?

This can be difficult to calculate as gaps in vacant positions can be filled with casual staff and/or additional overtime. The following chart shows the net amount of savings after adjusting for increased casual wages and overtime costs.

	2014	2015	2016	2017 projected	2018 Budget
Town	\$0	\$350,000	\$690,000	\$580,000	\$500,000
CYFS	0	65,000	170,000	0	30,000
Library	0	85,000	105,000	30,000	20,000
<b>Total</b>	<b>\$0</b>	<b>\$500,000</b>	<b>\$965,000</b>	<b>\$610,000</b>	<b>\$550,000</b>

### Gapping targets

	2014	2015	2016	2017	2018 Budget
Town	\$375,000	\$131,000	\$400,000	\$400,000	\$500,000
CYFS					30,000
Library			10,000	10,000	20,000
<b>Total</b>	<b>\$375,000</b>	<b>\$131,000</b>	<b>\$410,000</b>	<b>\$410,000</b>	<b>\$550,000</b>

Newmarket is trying to promote itself as an Employer of Choice. Systematic gapping could put this at risk by creating challenges for succession planning and knowledge transfers.

### 5. Where does the 2017 operating surplus come from?

Surpluses are projected for 2017 - \$400,000 to \$600,000 for the tax-supported budget and \$100,000 in the water/wastewater budgets.

The details are provided in Finance report 2017-48 on the 3<sup>rd</sup> quarter results, which is included in the CAO's 3<sup>rd</sup> quarter report on Municipal Administration and Management.

6. What is the amount in our rate stabilization reserve?

At the end of 2016, there was \$295,000 in the tax-supported rate stabilization fund. There are no transfers to or from that reserve in the 2017 budget. Subject to Council priorities, this balance may be enhanced by the projected 2017 surplus.

There are also rate stabilization reserves for the rate groups – water and wastewater (\$3 million), and building (\$4 million). They cannot be applied to tax-supported operations.

### **Enhancements**

7. Is the 4<sup>th</sup> phase of sidewalk snow clearing in the budget?

It is included.

In 2015, Council approved the 1<sup>st</sup> phases of enhancements for sidewalk snow clearing and traffic management. The costs of a phased approach were also presented and Council endorsed the overall program subject to annual budget approval.

The 4<sup>th</sup> phases are shown in the budget as committed enhancements. They had been considered as potential areas for service level reductions but these reductions are not recommended and an alternative option has been presented and is recommended.

8. How was revenue projected for licensing & enforcement?

A business analysis has been prepared based on past revenue collection and future business operations. Projections are inclined to be conservative.

The two additional parking officers are required to meet current service levels and the one new licensing officer is going to enforce our current licensing by-laws as well as help implement new areas of licensing (such as the recently updated Special Occasion Permits, Clothing Donation Bins, Fireworks and Driving Schools Restricted Area by-laws )where we project an increase in revenue. These are growth-related expenditures mitigated by revenue generation.

### **Growth**

9. What is incremental growth?

Incremental growth reflects costs that increase as the Town grows. This includes supplies and contracted services for the maintenance of roads and other infrastructure, waste management and telecommunications. A growth rate of 1.24% has been applied

to the \$7 million 2017 budget for these costs. This excludes staffing costs. Requests for additional staffing will continue to be made with a supporting business case using the Decision Package form.

10. What is the assessment growth for 2017 projected to be?

In consultation with the Planning Department, projected population and employment numbers were extrapolated into the type of construction they will generate. This has formed the basis for a growth revenue forecast model. This model was used as support for the 2014 Development Charges Background Study and 2016 Parkland Dedication By-laws.

Using this model, assessment growth was projected to be 1.23% for 2017. At this time we have had gross assessment growth of 0.80%. However, we have also had 0.64% of re-assessment decreases, giving us a net assessment growth of 0.16%.

Assessment growth for 2018 is budgeted to be 1.24%.

### **Central York Fire Services (CYFS)**

11. How is Aurora's contribution for its share of the CYFS ARF shown in our budget? Is it a revenue?

Aurora's share of the 2018 CYFS ARF will be \$486,987. It is not revenue. It is included with Aurora's total share (\$10,490,381) as a reduction of expenses.

12. Do we include the full annual cost for new CYFS staff in the budget?

The Town's practice is to include in the budget 100% of the wages and benefits of new hires in their first year, regardless of when they are expected to actually start. This ensures sustainability. Deferring these costs to future years creates a budget driver in future years called annualization.

However, an exception has been made for CYFS. As the recruitment practices ensure that the hiring dates for new staff will be April 1st, the practice has been to apply de-annualization and to only budget for 75% of the cost of new staff. However, as a result 25% of the cost of new staff from the prior year needs to be included in the budget (annualization).

### **Extraordinary Budget Items**

13. How much are we spending on the Emerald Ash Borer (EAB) program?

\$391,000 was spent in 2016 on the EAB program. Reay to date spending in 2017 has been \$347,000.

The 2018 base budget includes \$523,000. The request for an additional \$100,000 has been deferred. ]]

It was originally forecasted that the current level of funding could start to be reduced in 2019 as the peak spending passed; however, this will now be 2020 at the earliest. The program will focus on life safety and property damage as priorities in removing dead or dying Ash trees, with some stump grinding and new tree replanting being deferred.

As these costs are reduced, consideration can be given to using the tax room to increase annual contributions to the asset replacement fund or to fund future extraordinary budget items.

### **Rate Supported Budgets**

#### 14. What are the plans for the use of the building permit reserve?

The Building Code Act restricts the collection of fees to the administration and enforcement of the Building Code Act. The reserve, as it is funded from these fees, would have the same restriction.

BMA Management Consulting did a review of the Town's Building Permit Fees in 2015. This study recommended a ceiling for the reserve but did not suggest any additional uses of the reserve.

There are two areas where further research is possible:

1. Discounting fees as a development incentive
2. Ensuring that all non-building department costs related to Building Code activities are captured. Our current costing structure is based on an extensive study that was done over 10 years ago.

### **Bill 148**

#### 15. What would be the impact of a further increase in user fees?

The majority of our user fees are in the rate-supported budgets – water, wastewater, stormwater and building. The largest area with tax-supported user fees is recreation, about \$6 million. There are over \$400,000 in planning fees, \$350,000 in licence fees and about \$750,000 in all other areas. The total is about \$7.5 million.

A 1% increase in these fees could generate another \$75,000 assuming there were no changes in costs or demand. It is not clear whether there is sufficient elasticity in our current pricing to allow for a further increase. For instance, Recreation did not increase their fees for 2018 as they are at the top end of the market.

16. How was the phasing plan arrived at?

Options were considered for building the impact of Bill 148 into the budget. They included factoring in the 50-100% of the potential maximum financial impact. A range was used because of the uncertainty over what the final legislation may include and how it may be phased in. Three and five year periods were used as anything beyond that could be overlapping with other provincial initiatives.

The recommended option was 75% of the maximum cost over a 5 year period. This was selected as municipalities are starting to get some exemptions and the impact could be managed.

17. What is the projected cost of Bill 148?

A separate information report will provide these details.

**Asset Replacement Fund (ARF)**

18. What are the components of the increase in the asset replacement fund?

Please see Asset Replacement Fund (ARF) on pages 11-12 of the report.

**Capital Budget**

19. What is the amount of grants included in the capital budget?

The 2018 Capital Budget includes \$2,100,000 from the Federal Gas Tax allocation, \$170,000 from the Ontario Community Investment Fund (OCIF) and \$460,000 in funding from various other grants. The Gas Tax and OCIF sources are sustainable for the next few years. The other grants are mostly one-timers.

The actual Gas Tax allocation for 2018 will be \$2,547,376, \$115,790 more than the 2017 allocation due to indexing. This supports the capital program but has no direct impact on the operating budget.

20. Are costs included in the 2018 Budget for the AMPS Program?

Not at this time.

Staff are still reviewing this program in consultation with other York Region municipalities. Staff will come forward with a report by the end of March 2018 to discuss the program, and outline the business case associated with developing and implementing the program.

**APPENDIX D – Comments from Phase I of Community Engagement – “Put your money where it matters budget game”, updated as of October 31, 2017 (*update includes three final comments in list*).**

Comments include those written in “Other” category or as part of opportunity to give open-ended feedback on the back of the “budget bucks” and online.

- Create more sports facilities for kids
- Renovating and revitalizing the Seniors' Meeting Place
- Plan for new public library
- Get side streets fixed up
- Maintain and improve infrastructure
- Protect our green spaces and Main Street
- Adhere to the town-wide plan with targeted intensification
- New dog parks
- Proper designated bike lanes
- More bike lanes
- Improve parks for families
- Preserve the heritage of Main Street
- Address crime
- No water rate increase
- New library in next 5 years
- Put money against our debt
- More development on Main Street to keep the small town feel
- Redo Cane Parkway
- Recreation
- Maintain historic downtown
- Maintaining and updating our parks and green space
- Maintain services as are
- Roads and service, road repair, bike accessible
- Managing our park and recreation programs
- Bike lanes by library corner at park and main
- Northbound ramp to the 404 from Mulock and a southbound exit
- Keeping historic Main Street the same/avoid large change
- Downtown parking
- The industrial area of Harry Walker Parkway needs to be re-vamped, losing industry to other jurisdictions
- Improve air quality in the 404/Leslie/Mulock area
- Maintain Downtown
- Lower taxes/ don't waste money
- Intensification on main corridors

- Stop wasting tax dollars;
- Promote smaller classes in schools, more help for teachers
- The Town should not be competing with private business e.g. the Fitness Centre
- Heritage development in downtown centre
- More small businesses, artist, musicians and cultural identity
- Preserve small town community feel
- More non chain-restaurants and less box stores
- Our emergency department needs to be cleaned up at Southlake
- Getting rid of debt
- Entertainment for the teen population
- Pay off debt
- Dirt transfer station, at new roots garden centre
- Make Niagara Street one way
- Develop/intensify Main Street
- Get clock tower into action
- Love the Downtown/Riverwalk commons and events
- There still needs to be a focus on the Downtown
- Don't want new Yonge/Davis buildings to overshadow existing residents
- These areas of focus seem to overlap each other. I don't understand the difference between them
- Downtown parking issues need to be addressed
- Can we get YRT buses off Davis or into the VIVA lanes? They are causing traffic to slow down and congestion along Davis Drive. Will this be the same for Yonge Street?
- We moved to Newmarket for the small Town feel, love the Downtown, but it has gotten too big creating too much traffic congestion. Considering moving out
- Housing way too expensive, need condo's for our children to be able to live here
- Environmental protection
- Decent affordable housing, 1 million Canadians use a food bank, youth mental health crisis, the curriculum is grueling
- Developing our Corridors and community, as long as it includes protection of our green spaces and continued development of our trail system
- Traffic mitigation
- Organizing mental health services **(comment from Phase II)**
- Safety **(comment from Phase II)**
- Research **(comment from Phase II)**





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

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## Memorandum

# Revisions to the Noise By-law Proposed Fees and Charges

November 30, 2017

This memorandum will provide Members of Council with additional information on the Town's proposed fees and charges for noise exemptions process.

### Proposed Fees and Charges for Noise Exemptions

- Fees & Charges

At the Committee of the Whole meeting on November 27, 2017, there was discussion regarding the proposed fees and charges for noise application and permit fees. Council requested that staff review the current proposed fees and consider a tiered fee structure regarding event exemptions (residents) versus construction exemptions. Based on a review of several municipalities there was no distinction between residential and construction exemption fees and most municipalities have a single flat rate fee. (See below)

Municipality	Application Fee
Newmarket	100.00 + 60.00 permit fee
Markham	217.00
Vaughan	152.00
Milton	165.00
Whitchurch-Stouffville	156.00
Oakville	160.00
Waterloo	346.00 which includes an ad in paper
Mississauga	212.00
Vancouver	151.00

Staff are proposing a non-refundable application fee to cover the administration of requests. The application fee covers staff's time to circulate the request for

comment and notify stakeholders. Once approved all noise exemptions are posted on the town's website.

Staff are proposing a tiered fee structure for different permit types and durations for the noise exemptions. The proposed fees will provide staff the capability to revoke a noise permit if not complied with through the conditions set out in the permit. Staff recognized that different types of events such as a one-day residential event should have a lower permit fee over a construction event that may have a longer duration period, and staff monitoring or responding to potential complaints.

Below are the new proposed fees for noise application and permits.

#### **Proposed Fees and Charges for Noise Exemptions**

Application for Noise Exemption	\$75.00
Noise Permit for Event-1 day	\$25.00
Noise Permit for Event 2-5 days	\$60.00
Noise Permit for Construction – 1 day	\$75.00
Noise Permit for Construction under 6 months	\$150.00
Noise Permit for Construction over 6 months	\$225.00

For more information, contact Lesley Long at llong@newmarket.ca or by phone at 905-953-5300 extension 2222.

**From:** [Bates, Tina](#)  
**To:** [Clerks](#)  
**Cc:** [Mayor Van Bynen](#)  
**Subject:** FW: proclamation for woman abuse prevention  
**Date:** November-24-17 9:00:20 AM  
**Attachments:** [image001.png](#)  
[image004.png](#)  
[2017 Yellow Brick House - Letter of invitation Nov.pdf](#)  
[Invisible No More- Clickable Flyer.pdf](#)

**From:** Lorris Herenda  
**Sent:** November 23, 2017 5:50 PM  
**To:** Mayor Van Bynen  
**Subject:** proclamation for woman abuse prevention

Hello Mayor Van Bynen:

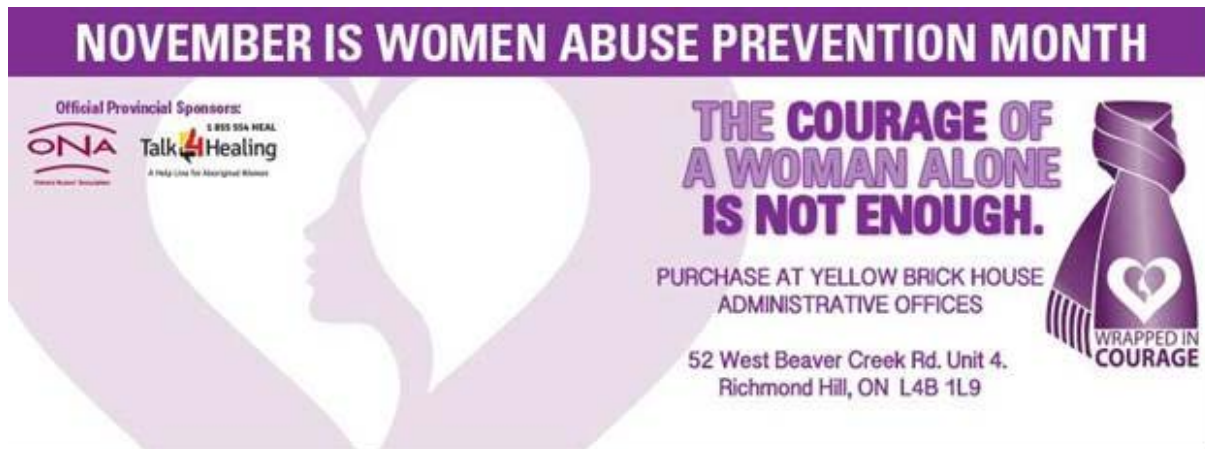
It was great seeing you at our first annual Walk a Mile event on November 5, 2017

Thank you so much for taking the time to join us that day and to speak to me about proclaiming November as woman abuse prevention month. Although this month is indeed Woman abuse prevention month, the period from November 25 until Dec. 10 marks the 16 days of activism in Canada, highlighted by Dec. 6<sup>th</sup> being the National Day of Remembrance and Action to End to Violence Against Women. City of Markham has committed to proclaiming Dec. 6<sup>th</sup> as the National Day of Remembrance and will be raising the purple wrapped in courage flag. It would be fantastic if Newmarket would recognize the day in a similar manner (flag raising, purple lights, etc). I am attaching an invitation and a poster with regards to the event happening in Markham that morning and would love to have you attend if possible.

Please let me know if you need more information or if I can be of any assistance.

Once again, thank you for your support!

**Lorris Herenda, M. Sc., M.B.A.**  
**Executive Director**



**Administration**

52 West Beaver Creek Rd., Unit 4  
Richmond Hill, ON L4B 1L9

**T:** 905.709.0900

**Toll Free:** 1.800.263.2231

**F:** 905.709.1308

info@yellowbrickhouse.org

**Emergency Shelters**

**Toll Free:** 1.800.263.3247

**Outreach Services**

**Toll Free:** 1.877.222.8438

[yellowbrickhouse.org](http://yellowbrickhouse.org)

November 17, 2017

Dear Community Member:

You are invited to attend the event ***Invisible No More: End Violence Against Women*** on Wednesday, December 6, 2017, at the Markham Civic Centre from 9:00AM-12:00PM. This event is being hosted by **Yellow Brick House** with support of the City of Markham's **Mayor Frank Scarpitti** and **Regional Councilor Nirmala Armstrong** and is organized by the Committee for Awareness of Violence Against Women.

The event will bring together the community of York Region to remember and honor the 14 women who lost their lives and those that were injured as a result of gender-based violence on December 6, 1989, at l'Ecole Polytechnique de Montreal. It will also be an opportunity for attendees to increase awareness and knowledge in regards to the violence impacting women in York Region. As an example of its commitment to end violence against women, the City of Markham will be proclaiming December 6 as a National Day of Remembrance and Action on Violence against Women. Yellow Brick House will be highlighting their important work and impact in the community as well as acknowledging recent significant community sponsors of their Markham shelter beds and living spaces. Speakers from White Ribbon and York Region Police as well as testimonials from survivors will help increase awareness of the issue and educate those in attendance of actions that can be taken to make a difference.

Your attendance will support our efforts in multiple ways. One, it will show others that our community cares about this issue and is willing to take action. Two, speakers will get the opportunity to tell those in attendance how this violence is specifically impacting York Region and what steps need to be taken to improve women's safety. Three, your support will encourage those that know you to also be part of the solution. We kindly request your attendance. For more information on this event and how to register, please see attached the attached flyer or contact us.

Sincerely,

Lorris Herenda, MBA, MSc  
Executive Director  
Yellow Brick House



**Charitable Registration**  
**#11910 5187 RR0001**





Please Join Yellow Brick House  
with Markham's Mayor Frank Scarpitti &  
Regional Councillor Nirmala Armstrong to support

# INVISIBLE NO MORE: END VIOLENCE AGAINST WOMEN

## A CALL FOR REMEMBRANCE & ACTION

- Hosted by Angie Seth (Global News) and Jim Lang (105.9, The Region)
- Guest Speakers: York Region Police, White Ribbon, and more...
- Remembrance of the victims of the Montreal Massacre of 1989
- Markham's Proclamation of Dec. 6 as the National Day of Remembrance and Action to End Violence Against Women
- Flag Raising
- Recognition of Community Sponsors

Organized by Com.  
for Awareness of VAW  
Chair, Nazish Hussain  
Vice-Chair, Josie Rose

For more information,  
please call 647-703-3541

**Wed. | Dec. 06, 2017**  
**9 am - 11:30 pm**

Markham Civic Centre  
Council Chambers  
101 Town Centre Blvd,  
Markham, ON L3R 9W3

**Free Admission**  
**Lunch & Refreshments**  
**Provided**

Register at:  
[eventbrite.ca](https://eventbrite.ca)  
(click here)

 **yellowbrickhouse**  
**Rebuilding Lives**  
Empowering Abused Women & Children



## Corporation of the Town of Newmarket

### By-law Number 2017-65

A By-Law to amend By-Law Number 2014-25, being a Restricted Area (Zoning) By-Law. (Marianneville Developments Limited)

Whereas the lands affected by this By-law are subject to a Holding (H) prefix in conjunction with a zoning category, as permitted under section 34 and 36 of the Planning Act, R.S.O. 1990; and,

Whereas Council is satisfied that the conditions for the removal of the Holding (H) prefix have been met in respect of the subject lands;

Now therefore the Council of the Corporation of the Town of Newmarket enacts as follows:

1. That the "(H)" Holding prefix preceding the Residential Detached Dwelling 15m zone (R1-D, R1-D-122) on Lots 1 through 118 on Plan 65M 4587, as shown more particularly on schedule 'X' attached hereto, is hereby removed.
2. That the provisions of this By-law shall come into force and be effective upon the final passage thereof.

Enacted this 4<sup>th</sup> day of December, 2017.

\_\_\_\_\_  
Tony Van Bynen, Mayor

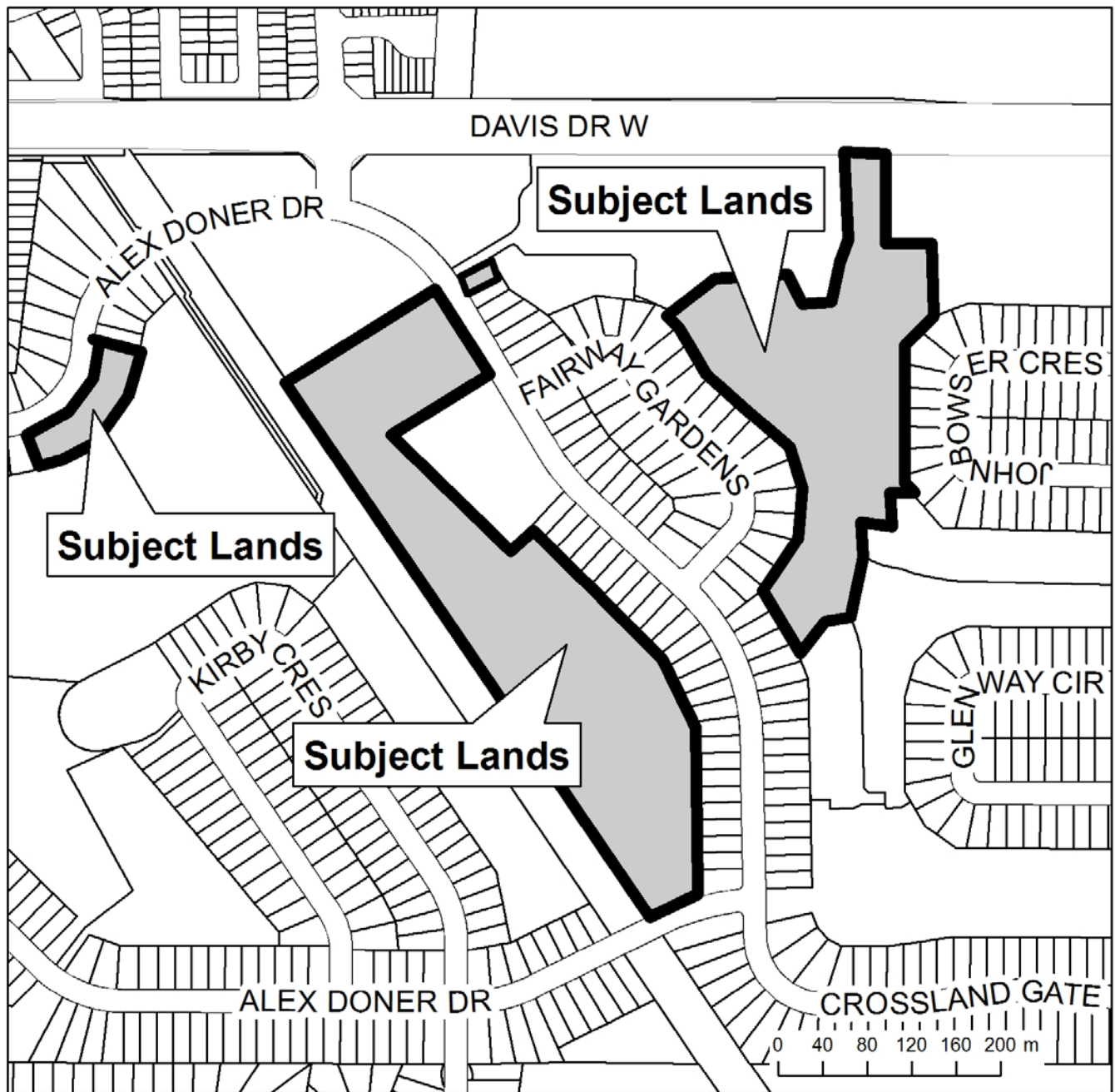
\_\_\_\_\_  
Lisa Lyons, Town Clerk

Lots 1 through 118 on Plan 65m4587  
Removal of Holding Provision  
Town of Newmarket  
Regional Municipality of York

This is Schedule 'X'  
To Bylaw 2017-65  
Passed this \_\_\_\_\_ Day  
of \_\_\_\_\_, 2017.

MAYOR \_\_\_\_\_

CLERK \_\_\_\_\_



SCHEDULE "X" TO BY-LAW 2017-65  
TOWN OF NEWMARKET PLANNING DEPARTMENT



Designed & Produced by Information Technology - GIS Printed: November, 2017. Land Parcel Boundaries - © Teranet Inc. and its suppliers. All rights reserved. NOT A PLAN OF SURVEY. 2015. Zoning - Town of Newmarket, 2015. DISCLAIMER: This mapping is based on the POLARIS parcel fabric product compiled using Land Registry System records and recent surveys and control points where available. This mapping is a representation of the earth's surface and provides estimates of area and distance. This map has been produced for illustrative purposes only. It is not a substitute for a legal survey.

T:\DI Services\Planning\Dave\related documentation\glenway\removal of holding provision\bylaw schedule Phase 2 removal of H.mxd





## Corporation Of The Town Of Newmarket

### By-Law Number 2017-66

A By-law to Adopt Fees and Charges for Services or Activities Provided by the Town of Newmarket.

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

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

Whereas Council enacted By-law 2016-64 to establish Fees and Charges – All Departments; Corporate Services – Finance, Procurement Services and Information Systems; Legal Services; Public Works Services; Engineering Services; Legislative Services – General Fees; and,

Whereas it is deemed necessary to enact a new by-law setting out the General Fees and Charges for All Departments as well as Fees and Charges for Finance; Procurement Services; Information Systems; Legal Services; Public Works Services; Engineering Services; Legislative Services – General Fees.

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

1. That the attached schedules form part of this by-law and this by-law be known as the Fees and Charges By-law for All Departments; Corporate Services – Finance, Procurement Services and Information Systems; Legal Services; Public Works Services; Engineering Services; Legislative Services – General Fees); and,
2. That should any section of this by-law be declared invalid by a court of competent jurisdiction, such section shall be construed as being severed here from and the remainder of the by-law shall continue in full force and effect; and,
3. That notwithstanding fees and charges prescribed in other legislation, this by-law supersedes all other fees and charges for All Departments; Corporate Services – Finance, Procurement Services and Information Systems; Legal Services; Public Works Services; Engineering Services; Legislative Services – General Fees previously established by the Town of Newmarket for the services identified in this by-law; and,
4. That this by-law shall come into full force and effect on January 1, 2018 at which time By-law 2016-64 be repealed.

Enacted this 4<sup>th</sup> day of December, 2017.

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Tony Van Bynen, Mayor

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Lisa Lyons, Town Clerk



**TOWN OF NEWMARKET  
2018 USER FEES  
SCHEDULE A**

Department: All Departments      Effective Date: January 1, 2018

SERVICE PROVIDED	UNIT OF MEASURE	2017 FEE BEFORE TAX	2018 FEE BEFORE TAX	HST AMOUNT	TOTAL FEE	% INCREASE
<b>Plan Reproduction:</b>						
24" x 36" sheet – for first sheet	per sheet	\$ 17.70	\$ 17.70	\$ 2.30	\$20.00	0.0%
additional sheets	per sheet	\$ 8.85	\$ 8.85	\$ 1.15	\$10.00	0.0%
36" x 42" sheet – for first sheet	per sheet	\$ 17.70	\$ 17.70	\$ 2.30	\$20.00	0.0%
additional sheets	per sheet	\$ 8.85	\$ 8.85	\$ 1.15	\$10.00	0.0%
<b>Photocopy:</b>	per copy	\$ 0.93	\$ 0.93	\$ 0.12	\$1.05	0.0%

**TOWN OF NEWMARKET  
2018 USER FEES  
SCHEDULE B**

**Commission: Corporate Services**

**Effective Date: January 1, 2018**

SERVICE PROVIDED	UNIT OF MEASURE	SUBJECT TO HST	2017 FEE BEFORE TAX	2018 FEE BEFORE TAX	HST
<b><u>FINANCIAL SERVICES</u></b>					
Accounts Receivable Finance Charges	1.25% monthly on outstanding balance	N	1.25% monthly on outstanding balance	1.25% monthly on outstanding balance	\$0.00
Accounts Receivable Collection Charges	16% of the outstanding balance	N	16% of the outstanding balance	16% of the outstanding balance	\$0.00
Tax Certificate	each	N	\$80.00	\$82.00	\$0.00
Treasurer's Compliance Letter	each	N	\$80.00	\$80.00	\$0.00
Returned Cheque	each	N	\$50.00	\$51.00	\$0.00
Statement of Taxes Paid	each	N	\$35.00	\$40.00	\$0.00
Verification of Local Improvements	each	N	\$80.00	\$80.00	\$0.00
Detailed Analysis of Tax Account	per hour	N	\$45.00	\$45.00	\$0.00
Update Mortgage Company Information	each	N	\$15.00	\$15.00	\$0.00
Financial Services Administrative Fee	15% of invoice	Y	15% of invoice	16% of invoice	
New Ownership Maintenance Fee	per account	N	\$20.00	\$20.00	\$0.00
Detailed Calculations of Tax Adjustments (other than property owner)	per tax year	N	\$25.00	\$25.00	\$0.00
New Account/Roll Number	each	N	New	\$30.00	\$0.00
Copies of Assessment View	per copy	Y	\$ 0.93	\$ 0.93	\$0.12
Administration of Developments	5% of Security Requirement, to a maximum amount +HST	Y	5% of Security Requirement, maximum \$60,000 +HST	5% of Security Requirement, maximum \$60,000 +HST	

TOTAL FEE	% INCREASE
1.25% monthly on outstanding balance	0%
16% of the outstanding balance	0%
\$82.00	2.50%
\$80.00	0%
\$51.00	2.00%
\$40.00	14%
\$80.00	0%
\$45.00	0%
\$15.00	0%
16% of invoice+HST	0.20%
\$20.00	0%
\$25.00	0%
\$30.00	New
\$1.05	0%
5% of Security Requirement, maximum \$60,000 +HST	0%

**TOWN OF NEWMARKET  
2018 USER FEES  
SCHEDULE B**

**Commission: Corporate Services**

**Effective Date: January 1, 2018**

<u><b>PROCUREMENT SERVICES</b></u>				
	Range from \$10 to \$259 depending on the complexity or value of the solicitation	Y	Range from \$10 to \$259 depending on the complexity or value of the solicitation	Range from \$10 to \$265 depending on the complexity or value of the solicitation
<u><b>INFORMATION TECHNOLOGY</b></u>				
Custom Mapping (minimum charge of 1/2 hour)	per hour	Y	\$50.00	\$6.50
	per additional copy (size 8.5x11 to 11x17)	Y	\$1.99	\$0.26
	per additional copy (larger than 11x17)	Y	\$5.00	\$0.65
	per copy	Y	\$15.27	\$1.99
Ward Polling Location Map	per copy	Y	\$15.27	\$1.99
Individual Ward Map	per copy	Y	\$25.00	\$3.25
Detailed Street Map	per copy	Y	\$125.00	\$16.25
Municipal Address Map Series	full set of 42, D sized sheets	Y	\$6.68	\$0.87
	per sheet (D sized)	Y	\$76.50	\$9.95
	full set of 42, 11x17	Y	\$1.99	\$0.26
	per sheet (11x17)	Y	\$50.00	\$6.50
Large 2007 Ortho Meeting Room Map	per copy	Y	\$50.00	\$6.50
Large 2009 Ortho Meeting Room Map	per copy	Y	\$50.00	\$6.50
Large 2011 Ortho Meeting Room Map	per copy	Y	\$100.00	\$13.00

	Range from \$10 to \$265 depending on complexity or value of the solicitation	2.3%
	\$56.50	0%
	\$2.25	0%
	\$5.65	0%
	\$17.26	0%
	\$17.26	0%
	\$28.25	0%
	\$141.25	0%
	\$7.55	0%
	\$86.45	0%
	\$2.25	0%
	\$56.50	0%
	\$56.50	0%
	\$113.00	0%

**TOWN OF NEWMARKET  
2018 USER FEES  
SCHEDULE C**

**Department: Legal Services**

**Effective Date: January 1, 2018**

**NOTE:** All fees and charges listed on this schedule are subject to H.S.T. and are minimum amounts and may be increased based on complexity and nature of the matter as determined by Municipal Solicitor and based on the hourly rate of \$288.00 per lawyer and \$113.00 per law clerk. In addition, the Town recovers the full cost of any disbursements, which include but are not limited to registration fees, search fees, courier and postage costs, conveyancer fees, and printing fees.

SERVICE PROVIDED	UNIT OF MEASURE	SUBJECT TO HST YES/NO	2017 FEE BEFORE TAX	2018 FEE BEFORE TAX	HST AMOUNT	TOTAL FEE	% INCREASE
<b>SUBDIVISION/CONDOMINIUM DEVELOPMENT (All fees are minimum amounts and may be increased based on complexity at the hourly rates listed above. All disbursements are recovered at full cost.)</b>							
Residential Subdivision (includes Residential Condominium) Base Fee (includes first 100 lots and/or developable blocks)	each	Y	\$ 10,120.00	\$ 10,333.00	\$1,343.29	<b>\$11,676.29</b>	<b>2.1%</b>
Plus Additional Fee for Each Lot - 101 to 250 Lots	per lot	Y	\$ 33.99	\$ 35.00	\$4.55	<b>\$39.55</b>	<b>3.0%</b>
Plus Additional Fee for Each Lot - 251 to 400 Lots	per lot	Y	\$ 21.94	\$ 23.00	\$2.99	<b>\$25.99</b>	<b>4.8%</b>
Plus Additional Fee for Each Lot - 401 and over	per lot	Y	\$ 14.32	\$ 15.00	\$1.95	<b>\$16.95</b>	<b>4.8%</b>
Additional legal work required beyond four engineering drawing submissions and/or required as a result of unusual complexity	hourly	Y	n/a	Based on hourly rate		<b>Based on hourly rate</b>	<b>n/a</b>
Standard Subdivision Agreement	each	Y	\$ 6,490.00	\$ 6,627.00	\$861.51	<b>\$7,488.51</b>	<b>2.1%</b>
Amendments to Standard Subdivision Agreement	each	Y	\$ 1,970.00	\$ 2,012.00	\$261.56	<b>\$2,273.56</b>	<b>2.1%</b>
Commercial/Industrial Subdivision	base fee	Y	\$ 6,550.00	\$ 6,688.00	\$869.44	<b>\$7,557.44</b>	<b>2.1%</b>
Commercial/Industrial Subdivision	per acre	Y	\$ 135.00	\$ 138.00	\$17.94	<b>\$155.94</b>	<b>2.2%</b>
Security Release Requests - Subdivision	each	Y	\$ 360.00	\$ 368.00	\$47.84	<b>\$415.84</b>	<b>2.2%</b>
Security Reduction Requests - Subdivision	each	Y	\$ 185.00	\$ 189.00	\$24.57	<b>\$213.57</b>	<b>2.2%</b>

**TOWN OF NEWMARKET  
2018 USER FEES  
SCHEDULE C**

**Department: Legal Services**

**Effective Date: January 1, 2018**

**NOTE:** All fees and charges listed on this schedule are subject to H.S.T. and are minimum amounts and may be increased based on complexity and nature of the matter as determined by Municipal Solicitor and based on the hourly rate of \$288.00 per lawyer and \$113.00 per law clerk. In addition, the Town recovers the full cost of any disbursements, which include but are not limited to registration fees, search fees, courier and postage costs, conveyancer fees, and printing fees.

SERVICE PROVIDED	UNIT OF MEASURE	SUBJECT TO HST YES/NO	2017 FEE BEFORE TAX	2018 FEE BEFORE TAX	HST AMOUNT	TOTAL FEE	% INCREASE
<b>SITE PLAN (All fees are minimum amounts and may be increased based on complexity at the hourly rates listed above. All disbursements are recovered at full cost.)</b>							
Standard Site Plan Agreement	each	Y	\$ 1,600.00	\$ 1,634.00	\$212.42	\$1,846.42	2.1%
Public / Private Schools - Standard Site Plan Agreement	each	Y	\$ 650.00	\$ 664.00	\$86.32	\$750.32	2.2%
Amendment to Site Plan Agreement (includes amendment to head agreement)	each	Y	\$ 650.00	\$ 664.00	\$86.32	\$750.32	2.2%
Security Release Requests - Site Plan	each	Y	\$ 360.00	\$ 368.00	\$47.84	\$415.84	2.2%
Security Reduction Requests - Site Plan	each	Y	\$ 185.00	\$ 189.00	\$24.57	\$213.57	2.2%
<b>LEGAL WORK RELATED TO COMMITTEE OF ADJUSTMENT OR ONTARIO MUNICIPAL BOARD DECISIONS (All fees are minimum amounts and may be increased based on complexity at the hourly rates listed above. All disbursements are recovered at full cost.)</b>							
Leading Site Plan Agreement (As required as a condition of a minor variance or consent application and/or OMB decision)	each	Y	n/a	\$ 650.00	\$84.50	\$734.50	n/a
Amendment to a Leading Site Plan Agreement (As required as a condition of a minor variance or consent application and/or OMB decision)	each	Y	n/a	\$ 1,600.00	\$208.00	\$1,808.00	n/a
Conveyance of land (As required as a condition of a minor variance or consent application and/or OMB decision)	each	Y	n/a	\$ 620.00	\$80.60	\$700.60	n/a

**TOWN OF NEWMARKET  
2018 USER FEES  
SCHEDULE C**

**Department: Legal Services**

**Effective Date:**

**January 1, 2018**

**NOTE:** All fees and charges listed on this schedule are subject to H.S.T. and are minimum amounts and may be increased based on complexity and nature of the matter as determined by Municipal Solicitor and based on the hourly rate of **\$288.00** per lawyer and **\$113.00** per law clerk. In addition, the Town recovers the full cost of any disbursements, which include but are not limited to registration fees, search fees, courier and postage costs, conveyancer fees, and printing fees.

SERVICE PROVIDED	UNIT OF MEASURE	SUBJECT TO HST YES/NO	2017 FEE BEFORE TAX	2018 FEE BEFORE TAX	HST AMOUNT	TOTAL FEE	% INCREASE
<b>REAL ESTATE (All fees are minimum amounts and may be increased based on complexity at the hourly rates listed above. All disbursements are recovered at full cost.)</b>							
Registration of a Document	each	Y	\$ 310.00	\$ 317.00	\$41.21	<b>\$358.21</b>	2.3%
Discharge or Release of a Registered Document	each	Y	\$ 260.00	\$ 266.00	\$34.58	<b>\$300.58</b>	2.3%
<b>OTHER (All fees are minimum amounts and may be increased based on complexity at the hourly rates listed above. All disbursements are recovered at full cost.)</b>							
Agreements / Documents not listed above (based on complexity)	each	Y	n/a	\$1,230 *A non-refundable \$250 minimum deposit is required at the time of the request.	\$159.90	<b>\$1,389.90</b>	n/a
Renewal or Amendment to an Agreement / Document	each	Y	n/a	\$ 620.00	\$80.60	<b>\$700.60</b>	n/a
Miscellaneous (Legal issues only)	each	Y	n/a	\$ 300.00	\$39.00	<b>\$339.00</b>	n/a

**TOWN OF NEWMARKET  
2018 USER FEES  
SCHEDULE D**

Department: **Public Works**

Effective Date: **January 1, 2018**

SERVICE PROVIDED	UNIT OF MEASURE	2018 Base Fee	2018 Admin Fee	SUBJECT TO HST YES/NO	TOTAL 2017 FEE BEFORE TAX	TOTAL 2018 FEE BEFORE TAX	HST AMOUNT	TOTAL FEE	% INCREASE
<b>Parks</b>									
Installation of Banners on Main & Water				Y	\$669.84	\$683.91	\$88.91	\$772.82	2.1%
Installation of Banners at all other locations	\$50.00/hour for each staff person plus 15% admin fee to a max. \$550.00								
Public Tree Preservation Bylaw application inspection/review fee	Each tree	\$400.00		Y		\$400.00	\$52.00	\$452.00	NEW
Tree value for trees on public lands proposed for removal as per the Public Tree Preservation Bylaw	200% of the Actual Cost + 15% Admin. Fee + HST	TBC		Y		TBC	TBC	TBC	NEW
Tree removal for trees on public lands	minimum \$750.00 plus HST or Actual Cost + 15% Admin. Fee + HST	\$750.00		Y		\$750.00	\$97.50	\$847.50	NEW
Stump removal on public lands	minimum \$250.00 plus HST or Actual Cost + 15% Admin. Fee + HST	\$250.00		Y		\$250.00	\$32.50	\$282.50	NEW
Tree planting on Town-owned Lands	Each	\$400.00		Y	\$373.12	\$400.00	\$52.00	\$452.00	7.2%
Appeal permit refusal to Director	Each	\$50.00		Y		\$50.00	\$6.50	\$56.50	NEW
Appeal permit refusal after re-consideration to Committee of Appeals	Each	\$562.00		Y		\$562.00	\$73.06	\$635.06	NEW
<b>Celebration Programs</b>									
Celebration Tree (Planting Included)	Each			Y	\$373.12	\$400.00	\$52.00	\$452.00	7.2%
Veteran's Memorial Walkway Stones (Large)	Each			N	\$319.82	\$326.53	\$0.00	\$326.53	2.1%
Veteran's Memorial Walkway Stones (Small)	Each			N	\$159.91	\$163.27	\$0.00	\$163.27	2.1%
Celebration Bench	Each			N	\$1,066.05	\$1,200.00	\$0.00	\$1,200.00	12.6%
Reflection Bench	Each			N	\$1,599.08	\$1,632.66	\$0.00	\$1,632.66	2.1%
<b>Sewer</b>									
Special Sanitary Sewer Charge - Infilling Lot	per residential unit			N	\$452.39	\$461.89	\$0.00	\$461.89	2.1%
Inspection Fee for Res. San. Service Installed by Owner		\$153.64	\$23.05	Y	\$173.06	\$176.69	\$22.97	\$199.66	2.1%
Remove second and subsequent blockages in sanitary sewer (if on private property)	Actual + Administration Fee			Y					
Sanitary Sewer Connection - Residential/ICI - Road Allowance - owner to obtain qualified contractor	Owner's Cost to Install			Y	\$0.00	\$0.00	\$0.00		
Sanitary Connection Application	Per application			Y	\$113.10	\$115.48	\$15.01	\$130.49	2.1%

**TOWN OF NEWMARKET  
2018 USER FEES  
SCHEDULE D**

Department: **Public Works**

Effective Date: **January 1, 2018**

SERVICE PROVIDED	UNIT OF MEASURE	2018 Base Fee	2018 Admin Fee	SUBJECT TO HST YES/NO	TOTAL 2017 FEE BEFORE TAX	TOTAL 2018 FEE BEFORE TAX	HST AMOUNT	TOTAL FEE	% INCREASE
<b>Water</b>									
Water Hydrant flow test not related to existing site plan agreements		\$163.87	\$24.58	Y	\$184.58	\$184.58	\$24.50	\$212.95	2.1%
Missed Water Meter Appointment Fee		\$30.00		Y		\$30.00	\$3.90	\$33.90	2.1%
Water Construction Charge	Residential			N	\$89.98	\$91.87	\$0.00	\$91.87	2.1%
	Commercial/ Industrial/ Institutional			N	\$150.66	\$153.82	\$0.00	\$153.82	2.1%
Watermain Tap for Residential Water Service (by Town)		\$443.26	\$66.49	Y	\$499.26	\$509.75	\$66.27	\$576.02	2.1%
Turn Water Off / On for Unpaid Water Bill	During Regular Working Hours	\$124.97	\$18.74	Y	\$140.75	\$143.71	\$18.68	\$162.39	2.1%
Repair/Replace Anti-Tampering device Hydrant or valve	Emergency After Hours	\$358.50	\$53.78	Y	\$403.80	\$412.28	\$53.60	\$465.88	2.1%
	Hydrant	\$437.35	\$65.60	Y	\$492.61	\$502.95	\$65.38	\$568.33	2.1%
	Valve	\$302.00	\$45.30	Y	\$340.16	\$347.30	\$45.15	\$392.45	2.1%
Inspection Fee for Residential Water Service Installed by Owner		\$133.16	\$19.97	Y	\$149.98	\$153.13	\$19.91	\$173.04	2.1%
Water Valve Operating After Hours – related to developments		\$440.42	\$66.06	Y	\$496.06	\$506.48	\$65.84	\$572.32	2.1%
Water Collection Fee	Per application			Y	\$42.99	\$43.90	\$5.71	\$49.61	2.1%
	Per 1000 gallon			N	\$23.09	\$23.58	\$0.00	\$23.58	2.1%
Water - Bulk Rate	Per liter			N	\$0.0050791	\$0.005186	\$0.00	\$0.005186	2.1%
Special Water Charge - Infilling Lot (For new developments)	Per residential unit			N	\$542.86	\$554.26	\$0.00	\$554.26	2.1%
Meter Seal - Return Visit		\$138.30	\$20.74	Y	\$155.77	\$159.04	\$20.68	\$179.72	2.1%
Installation of Hydrant Meter Deposit/Fee				N		\$2,000.00		\$2,000.00	n/a
Water Connection – Residential/ICI - Road Allowance - owner to obtain qualified contractor	Owner's Cost to Install			Y					
Water Connection Application	Per application			Y	\$113.10	\$115.48	\$15.01	\$130.49	2.1%
	Per Visit			Y	\$100.00	\$102.10	\$13.27	\$115.37	2.1%
	Per Visit			Y	\$50.00	\$51.05	\$6.64	\$57.69	2.1%
<b>Water Meters</b>									
Installed by Builder/Plumber	16x13 (5/8"x 1/2")			Y	\$400.74	\$409.16	\$53.19	\$462.35	2.1%
Installed by Builder/Plumber	16x19 (5/8"x3/4")			Y	\$400.74	\$409.16	\$53.19	\$462.35	2.1%
Installed by Builder/Plumber	19 (3/4")			Y	\$420.22	\$429.04	\$55.78	\$484.82	2.1%
Installed by Builder/Plumber	25.0 (1")			Y	\$438.00	\$447.20	\$58.14	\$505.34	2.1%
Installed by Builder/Plumber	38 (1-1/2")			Y	\$830.57	\$848.01	\$110.24	\$958.25	2.1%
Installed by Builder/Plumber	50 (2")			Y	\$1,110.18	\$1,133.49	\$147.35	\$1,280.84	2.1%
75 Compound (3") Installed by Dev.	(including cost of strainers)			Y	\$4,484.88	\$4,579.06	\$595.28	\$5,174.34	2.1%
100 Compound (4") Installed by Dev.	(including cost of strainers)			Y	\$7,059.32	\$7,207.57	\$936.98	\$8,144.55	2.1%



TOWN OF NEWMARKET  
2018 USER FEES  
SCHEDULE D

Department: Public Works

Effective Date: January 1, 2018

SERVICE PROVIDED	UNIT OF MEASURE	2018 Base Fee	2018 Admin Fee	SUBJECT TO HST YES/NO	TOTAL 2017 FEE BEFORE TAX	TOTAL 2018 FEE BEFORE TAX	HST AMOUNT	TOTAL FEE	% INCREASE
Note: No Refunds on Water Meters									

**TOWN OF NEWMARKET  
2018 USER FEES  
SCHEDULE D**

Department: Public Works

Effective Date: January 1, 2018

SERVICE PROVIDED	UNIT OF MEASURE	2018 Base Fee	2018 Admin Fee	SUBJECT TO HST YES/NO	TOTAL 2017 FEE BEFORE TAX	TOTAL 2018 FEE BEFORE TAX	HST AMOUNT	TOTAL FEE	% INCREASE
<b>Solid Waste and Recycling</b>									
White Goods (freezer, stove, etc.)				Y	\$13.27	\$13.55	\$1.76	\$15.31	2.1%
Commercial & Industrial/Apartment Wheel Carts	64 gallon 95 gallon			Y	\$150.44 \$163.72	\$153.60 \$167.16	\$19.97 \$21.73	\$173.57 \$188.89	2.1%
Composters	Standard Size			Y	\$17.70	\$18.07	\$2.35	\$20.42	2.1%
Large Items	(furniture, mattress, etc.)			Y	\$13.27	\$13.55	\$1.76	\$15.31	2.1%
Recycling Blue Box	Each			Y	\$8.85	\$9.04	\$1.18	\$10.22	2.1%
Garbage Bag Tags (Sold In Package of 5)				N	\$15.00	\$15.32	\$0.00	\$15.32	2.1%
Special Refuse Cleanup	Actual + administration cost			N					
Source Separated Organics (SSO)	Large Bin			Y	\$17.70	\$18.07	\$2.35	\$20.42	2.1%
	Kitchen Bin			Y	\$5.31	\$5.42	\$0.70	\$6.12	2.1%
<b>Other Services</b>									
Municipal Consents	Regular Service			N	\$486.32	\$496.54	\$0.00	\$496.54	2.1%
Water Saving Kits	Each			Y	\$9.72	\$9.93	\$1.29	\$11.22	2.1%
Fire Route/Handi Cap Signs	Each			Y	\$39.59	\$40.42	\$5.25	\$45.67	2.1%
Street Name/Stop Signs, Hardware & Post	Each			Y	\$484.06	\$494.22	\$64.25	\$558.47	2.1%
Anti-Tampering Devices -Hydrant/Valve	Each			Y	\$135.70	\$138.55	\$18.01	\$156.56	2.1%
Anti-liding Signs	Each			Y	\$44.13	\$45.05	\$5.86	\$50.91	2.1%
Road Occupancy Permit	Each			N	\$79.17	\$80.83	\$0.00	\$80.83	2.1%
Temporary Encroachment on Roadways	Per m2/week			Y	\$2.77	\$2.83	\$0.37	\$3.20	2.1%
Temporary Encroachment on Boulevard/Sidewalk	Per m2/week			Y	\$0.30	\$0.31	\$0.04	\$0.35	3.3%
Aerial Crane Trespass	Per Month			Y	\$549.02	\$560.55	\$72.87	\$633.42	2.1%
Construction Access Fee				Y	\$109.81	\$112.11	\$14.57	\$126.68	2.1%
Curb Cut - by Town Contractor		\$259.07	\$38.86	Y	\$291.80	\$297.93	\$38.73	\$336.66	2.1%
Curb Cut - by Town Contractor - RUSH		\$303.76	\$45.56	Y	\$342.14	\$349.32	\$45.41	\$394.73	2.1%
Curb Cut - without Approval		\$350.95	\$52.64	Y	\$395.29	\$403.59	\$52.47	\$456.06	2.1%
Graffiti Removal for Utilities	at Cost			Y					
Road Closure - Special Events				Y	\$34.01	\$34.72	\$4.51	\$39.23	2.1%
Road and boulevard inspection fee for security requirement or release related to private residential construction	Per application			Y	\$113.10	\$115.48	\$15.01	\$130.49	2.1%
Gate Application and Inspection	Each			Y	\$113.10	\$115.48	\$15.01	\$130.49	2.1%

**TOWN OF NEWMARKET  
2018 USER FEES  
SCHEDULE E**

**Department: Engineering Services**

**Effective Date: Jan 1, 2018**

SERVICE PROVIDED	UNIT OF MEASURE	SUBJECT TO HST YES/NO	2017 FEE BEFORE TAX	2018 FEE BEFORE TAX	HST AMOUNT	TOTAL FEE	% INCREASE
<b>Development Services</b>							
Subdivision Design Standard Manual	Each	Y	\$ 92.80	\$ 94.75	\$ 12.32	\$ 107.07	2.1%
Site Alteration Permit	Owner Occupied Residential	N	\$ 250.00	\$ 255.25	-	\$ 255.25	2.1%
	All Other Types of Property	N	\$ 500.00	\$ 510.50	-	\$ 510.50	2.1%
<b>Engineering Checking &amp; Inspection</b>							
Site Plans handled fully in house	6% of the value of all site works and services outside of the buildings <b>\$797.32 minimum</b>	Y	\$ 780.92	\$ 797.32	\$ 103.65	\$ 900.97	2.1%
Projects in which the Town's Checking Consultant is providing the design review and field monitoring service <b>plus</b> a deposit estimated by the Town for payment of the Town's Checking Consultant is required.	<b>3% Admin Fee - minimum of \$797.32</b> of the value of outside works and services plus deposit for checking consultant	Y	\$ 780.92	\$ 797.32	\$ 103.65	\$ 900.97	2.1%
Subdivisions – Admin. Fee + Deposit for Checking Consultant	<b>3% Admin Fee + 2.75%</b> deposit for checking consultant	Y					
Overhead incurred for checking Consultant Invoicing	<b>15% Admin Fee</b>	Y					

**TOWN OF NEWMARKET  
2018 USER FEES  
SCHEDULE E**

Department: Engineering Services

Effective Date: Jan 1, 2018

SERVICE PROVIDED	UNIT OF MEASURE	SUBJECT TO HST YES/NO	2017 FEE BEFORE TAX	2018 FEE BEFORE TAX	HST AMOUNT	TOTAL FEE	% INCREASE
<b>Other Services</b>							
Emergency Work Performed for Developer or Other	minimum \$1,042.27 plus HST or Actual Cost + 15% Admin. Fee + HST	Y	\$ 1,020.83	\$ 1,042.27	\$ 135.50	\$ 1,177.77	2.1%
Coordination/administration of private works in Town contract or as part of private works Town works in Region contract.	\$205.96 minimum + HST or Actual Cost + 15% Admin. Fee + HST	Y	\$ 201.73	\$ 205.96	\$ 26.77	\$ 232.73	2.1%
Coordination/administration of Regional works within Town contracts	18% Admin. Fee + HST	Y					
Property Information – Assumed/ Unassumed + Release Cert. If requested & available	Per application	Y	\$ 170.54	\$ 174.12	\$ 22.64	\$ 196.76	2.1%
Property Information	(legal, environmental, compliance)	Y	\$ 170.54	\$ 174.12	\$ 22.64	\$ 196.76	2.1%
Consultant's request for traffic counts (ATR or TMC)	Each	Y	\$ 118.84	\$ 121.34	\$ 15.77	\$ 137.11	2.1%

**TOWN OF NEWMARKET**  
**2018 USER FEES**  
**SCHEDULE F**

**Department: Legislative Services- General Fees**

**Effective Date: Jan 1, 2018**

**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	2017 FEE BEFORE TAXES	2018 FEE BEFORE TAXES	HST AMOUNT	TOTAL FEE	Increase
<b>VITAL STATISTICS</b>							
Death Registration	each	N	\$ 30.00	\$ 30.00	\$0.00	\$30.00	0.0%
<b>GENERAL ADMINISTRATION</b>							
Municipal Information - Liquor Application	each	N	\$ 170.00	\$ 173.50	\$0.00	\$173.50	2.1%
Ontario Municipal Board (OMB) Appeal Fee	each	N	\$ 160.00	\$ 163.50	\$0.00	\$163.50	2.2%
Certificate of Compliance for each property which has had a Property Standard Order	each	N	New fee for 2018	\$ 120.00	\$0.00	\$120.00	n/a
Certificate of Compliance for each property which has not had a Property Standard Order	each	N	New fee for 2018	\$ 60.00	\$0.00	\$60.00	n/a
Certificate of Compliance for each property which has had an Order and charges have been laid	each	N	New fee for 2018	\$ 250.00	\$0.00	\$250.00	n/a
Certificate of Compliance for interior common area(s) which have had a Property Standards Order	each	N	New fee for 2018	\$ 120.00	\$0.00	\$120.00	n/a
Certificate of Compliance for interior common area(s) which have not had an Order	each	N	New fee for 2018	\$ 60.00	\$0.00	\$60.00	n/a
Certificate of Compliance for interior common area(s) which have had an Order and charges have been laid	each	N	New fee for 2018	\$ 250.00	\$0.00	\$250.00	n/a

**TOWN OF NEWMARKET  
2018 USER FEES  
SCHEDULE F**

**Department: Legislative Services- General Fees**

**Effective Date: Jan 1, 2018**

**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	2017 FEE BEFORE TAXES	2018 FEE BEFORE TAXES	HST AMOUNT	TOTAL FEE	Increase
Certificate of Compliance for accessory building(s) or other structure(s) which have had a Property Standards Order	each	N	New fee for 2018 \$	120.00	\$0.00	\$120.00	n/a
Certificate of Compliance for accessory building(s) or other structure(s) which have not had an Order	each	N	New fee for 2018 \$	60.00	\$0.00	\$60.00	n/a
Certificate of Compliance for accessory building(s) or other structure(s) which have had an Order and charges have been laid	each	N	New fee for 2018 \$	250.00	\$0.00	\$250.00	n/a
Property Standards Appeal Fee	each	N	\$ 165.00	\$ 168.50	\$0.00	\$168.50	2.1%
Property Standards Reinspection Fee	each	N	\$ 170.00	\$ 174.00	\$0.00	\$174.00	2.4%
Noise Exemption Application	each	N	\$ 58.00	\$ 75.00	\$0.00	\$75.00	29.3%
Noise Permit Fee for Event -1 day	each	N	New fee for 2018 \$	25.00	\$0.00	\$25.00	n/a
Noise Permit Fee for Event -2-5 day	each	N	New fee for 2018 \$	60.00	\$0.00	\$60.00	n/a
Noise Permit for Construction – 1 day	each	N	New fee for 2018 \$	75.00	\$0.00	\$75.00	n/a
Noise Permit for Construction under 6 months	each	N	New fee for 2018 \$	150.00	\$0.00	\$150.00	n/a
Noise Permit for Construction over 6 months	each	N	New fee for 2018 \$	225.00	\$0.00	\$225.00	n/a
Private Parking Administration Fee ( minimum 3 hour)	per year	N	\$ 103.00	\$ 105.00	\$0.00	\$105.00	1.9%
By-law Reinspection Fee	each	N	New fee for 2018 \$	75.00	\$0.00	\$75.00	n/a
Garbage Administration(large articles)	each	N	\$ 55.00	\$ 55.00	\$0.00	\$55.00	0.0%
<b>POOLS</b>							

**TOWN OF NEWMARKET  
2018 USER FEES  
SCHEDULE F**

**Department: Legislative Services- General Fees**

**Effective Date: Jan 1, 2018**

**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	2017 FEE BEFORE TAXES	2018 FEE BEFORE TAXES	HST AMOUNT	TOTAL FEE	Increase
Permit Fee - Above Ground Pool	each	N	\$ 165.00	\$ 168.50	\$0.00	\$168.50	2.1%
Permit Fee - Hot Tub	each	N	\$ 165.00	\$ 168.50	\$0.00	\$168.50	2.1%
Permit Fee - Inflatable Pool	each	N	\$ 165.00	\$ 168.50	\$0.00	\$168.50	2.1%
Permit Fee - In Ground Pool	each	N	\$ 165.00	\$ 168.50	\$0.00	\$168.50	
Permit Fee - Ponds	each	N	\$ 165.00	\$ 168.50	\$0.00	\$168.50	2.1%

**TOWN OF NEWMARKET  
2018 USER FEES  
SCHEDULE F**

**Department: Legislative Services- General Fees**

**Effective Date: Jan 1, 2018**

**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	2017 FEE BEFORE TAXES	2018 FEE BEFORE TAXES	HST AMOUNT	TOTAL FEE	Increase
<b>SIGNS</b>							
Sign By-law Exemption Fee	each	N	\$ 170.00	\$ 173.50	\$0.00	\$173.50	2.1%
Ground Sign	each	N	\$ 436.00	\$ 445.00	\$0.00	\$445.00	2.1%
Fascia Sign	each	N	\$ 436.00	\$ 445.00	\$0.00	\$445.00	2.1%
Mural Sign	each	N	\$ 436.00	\$ 445.00	\$0.00	\$445.00	2.1%
Projecting Sign	each	N	\$ 436.00	\$ 445.00	\$0.00	\$445.00	2.1%
Construction Information Sign	each	N	\$ 436.00	\$ 445.00	\$0.00	\$445.00	2.1%
Hoarding Sign	each	N	\$ 436.00	\$ 445.00	\$0.00	\$445.00	2.1%
New Home Development Sign	each	N	\$ 109.00	\$ 112.00	\$0.00	\$112.00	2.8%
Development Sign	each	N	\$ 436.00	\$ 445.00	\$0.00	\$445.00	2.1%
Portable Sign	each	N	\$ 109.00	\$ 112.00	\$0.00	\$112.00	2.8%
Mobile Sign	each	N	\$ 109.00	\$ 112.00	\$0.00	\$112.00	2.8%
Inflatable Sign	each	N	\$ 436.00	\$ 445.00	\$0.00	\$445.00	2.1%
Banner Sign	each	N	\$ 109.00	\$ 112.00	\$0.00	\$112.00	2.8%
Election Sign Permit Fee	each	N	\$ 250.00	\$ 250.00	\$0.00	\$250.00	0.0%
Election Sign Removal	per sign	N	\$ 25.00	\$ 25.00	\$0.00	\$25.00	0.0%
Billboard Sign	each	N	\$ 1,638.00	\$ 1,672.00	\$0.00	\$1,672.00	2.1%
Billboard Sign Renewal	every 5 years	N	\$ 546.00	\$ 558.00	\$0.00	\$558.00	2.2%
Variance Fee - Staff Review	per review	N	\$ 273.00	\$ 279.00	\$0.00	\$279.00	2.2%
Variance Fee - Committee	per review	N	\$ 546.00	\$ 558.00	\$0.00	\$558.00	2.2%
Sign Removal	each	N	\$ 165.00	\$ 168.00	\$0.00	\$168.00	1.8%
Lens Replacement	each	N	\$ 218.00	\$ 222.00	\$0.00	\$222.00	1.8%



**TOWN OF NEWMARKET**  
**2018 USER FEES**  
**SCHEDULE F**

**Department: Legislative Services- General Fees**

**Effective Date: Jan 1, 2018**

**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	2017 FEE BEFORE TAXES	2018 FEE BEFORE TAXES	HST AMOUNT	TOTAL FEE	Increase
<b>Sign Fees for Yonge St. until December 31, 2018</b>							
Ground Sign	each	N	\$ 150.00	\$ 150.00	\$0.00	\$150.00	0.0%
Fascia Sign	each	N	\$ 150.00	\$ 150.00	\$0.00	\$150.00	0.0%
Mural Sign	each	N	\$ 400.00	\$ 400.00	\$0.00	\$400.00	0.0%
Projecting Sign	each	N	\$ 150.00	\$ 150.00	\$0.00	\$150.00	0.0%
Construction Information Sign	each	N	\$ 150.00	\$ 150.00	\$0.00	\$150.00	0.0%
Hoarding Sign	each	N	\$ 400.00	\$ 400.00	\$0.00	\$400.00	0.0%
New Home Development Sign	each	N	\$ 80.00	\$ 80.00	\$0.00	\$80.00	0.0%
Portable Sign	each	N	\$ 80.00	\$ 80.00	\$0.00	\$80.00	0.0%
Mobile Sign	each	N	\$ 80.00	\$ 80.00	\$0.00	\$80.00	0.0%
Inflatable Sign	each	N	\$ 150.00	\$ 150.00	\$0.00	\$150.00	0.0%
Banner Sign	each	N	\$ 100.00	\$ 100.00	\$0.00	\$100.00	0.0%
Billboard Sign	each	N	\$ 1,500.00	\$ 1,500.00	\$0.00	\$1,500.00	0.0%
Billboard Sign Renewal	every 5 years	N	\$ 500.00	\$ 500.00	\$0.00	\$500.00	0.0%
Variance Fee - Staff Review	per review	N	\$ 250.00	\$ 250.00	\$0.00	\$250.00	0.0%
Variance Fee - Committee	per review	N	\$ 500.00	\$ 500.00	\$0.00	\$500.00	0.0%
Sign Removal	each	N	\$ 150.00	\$ 150.00	\$0.00	\$150.00	0.0%
Commissioning of Documents (except foreign pensions)	per document	Y	\$ 15.04	\$ 20.00	\$2.60	\$22.60	33.0%
Certification of Town Documents	per document	Y	\$ 4.42	\$ 5.00	\$0.58	\$5.58	13.1%

**TOWN OF NEWMARKET  
2018 USER FEES  
SCHEDULE F**

**Department: Legislative Services- General Fees**

**Effective Date: Jan 1, 2018**

**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	2017 FEE BEFORE TAXES	2018 FEE BEFORE TAXES	HST AMOUNT	TOTAL FEE	Increase
<b>PARKING ENFORCEMENT</b>							
Parking Enforcement Private Special Events (minimum 3 hours)	per hour	N	\$	51.00	\$0.00	\$51.00	n/a
Parking Enforcement Charities & Non-Profit Organizations (minimum 3 hours)	per hour	N	\$	35.00	\$0.00	\$36.00	2.9%
Parking Enforcement Filming (minimum 3 hours)	per hour	N	\$	60.00	\$0.00	\$61.00	1.7%
<b>FILMING PERMIT</b>							
Administration Fee		N	\$	125.00	\$0.00	\$125.00	0.0%
Film Permit Fee	each	N	\$	425.00	\$0.00	\$425.00	0.0%
Administration Fee - private property		N	\$	145.00	\$0.00	\$145.00	0.0%
Municipal Property Fee	if applicable	N	\$	265.00	\$0.00	\$265.00	0.0%
Contribution to Main Street District BIA if filming within designated BIA		N	\$	1,000.00	\$0.00	\$1,000.00	0.0%
Security Deposit - No Special Effects	each	N	\$	1,500.00	\$0.00	\$1,500.00	n/a
Security Deposit - Minor Special Effects	each	N	\$	5,000.00	\$0.00	\$5,000.00	n/a
Security Deposit - Special Effects	each	N	\$	20,000.00	\$0.00	\$20,000.00	n/a

**TOWN OF NEWMARKET  
2018 USER FEES  
SCHEDULE F**

**Department: Legislative Services- General Fees**

**Effective Date: Jan 1, 2018**

**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	2017 FEE BEFORE TAXES	2018 FEE BEFORE TAXES	HST AMOUNT	TOTAL FEE	Increase
<b>REGISTRATION OF ACCESSORY DWELLING UNITS</b>							
Application (Non-refundable)	each	N	\$ 250.00	\$ 250.00	\$0.00	\$250.00	0.0%
Lost identification plate	each	N	\$ 10.00	\$ 10.00	\$0.00	\$10.00	0.0%
Accessory Dwelling Unit Appeal	each	N	\$ 100.00	\$ 100.00	\$0.00	\$100.00	0.0%
<b>FENCE VIEWING</b>							
Administration Fee		N	\$ 250.00	\$ 250.00	\$0.00	\$250.00	0.0%
Fence Viewer's Inspection Fee	per person	N	\$ 50.00	\$ 50.00	\$0.00	\$50.00	0.0%
<b>MARRIAGES</b>							
Marriage Licence	each licence	N	\$ 140.00	\$ 143.00	\$0.00	\$143.00	2.1%
Civil Marriage Solemnization Service Fee	per service	Y	\$ 425.00	\$ 434.00	\$56.42	\$490.42	2.1%
Witness Fee	per person	Y	\$ 54.00	\$ 55.00	\$7.15	\$62.15	1.9%
Rehearsal Fee for offsite	per service	Y	\$ 80.00	\$ 82.00	\$10.66	\$92.66	2.5%
Marriage Licence/Cermony package	per service	Y	\$ 515.00	\$ 526.00	\$68.38	\$594.38	2.1%
Recording/Videotaping a ceremony or celebration	per service	Y	New fee for 2018	\$25.00	\$3.25	\$28.25	n/a
Renewal of vows celebration package	per service	Y	New fee for 2018	\$434.00	\$55.25	\$480.25	n/a
Administration fee to be charged for change of wedding/celebration date within 7 days		Y	\$ 27.00	\$ 28.00	\$3.64	\$31.64	3.7%
Administration fee to be charged for cancellation before consultation		Y	\$ 53.00	\$ 54.00	\$7.02	\$61.02	1.9%
Administration fee to be charged for cancellation after consultation		Y	\$ 160.00	\$ 163.00	\$21.19	\$184.19	1.9%

**TOWN OF NEWMARKET  
2018 USER FEES  
SCHEDULE F**

Department: Legislative Services- General Fees

Effective Date: Jan 1, 2018

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	2017 FEE BEFORE TAXES	2018 FEE BEFORE TAXES	HST AMOUNT	TOTAL FEE	Increase
<b>LOTTERY LICENCES</b>							
Bingo	% from OLG	N					
Nevada	3% of the prize value	N					
Raffle	3% of the prize value	N					
<b>ELECTION CANDIDATE NOMINATIONS</b>							
	Mayor	N	\$ 200.00	\$ 200.00	\$0.00	\$200.00	0.0%
	Regional Councillor	N	\$ 100.00	\$ 100.00	\$0.00	\$100.00	0.0%
	Councillor	N	\$ 100.00	\$ 100.00	\$0.00	\$100.00	0.0%
<b>FREEDOM OF INFORMATION</b>							
Application	each	N	\$ 5.00	\$ 5.00	\$0.00	\$5.00	0.0%
Photo Copies	per page	N	\$ 0.20	\$ 0.20	\$0.00	\$0.20	0.0%
Disks	per disk	N	\$ 10.00	\$ 10.00	\$0.00	\$10.00	0.0%
Manually Searching Records \$7.50 per ¼ hour	per hour	N	\$ 30.00	\$ 30.00	\$0.00	\$30.00	0.0%
Preparation of Record of Disclosure	per hour	N	\$ 30.00	\$ 30.00	\$0.00	\$30.00	0.0%
Developing a Computer Program \$15.00 per ¼ hour	per hour	N	\$ 60.00	\$ 60.00	\$0.00	\$60.00	0.0%



## Corporation of the Town Of Newmarket

### By-Law Number 2017-67

A By-Law to Adopt Fees And Charges For Services Or Activities Provided By The Town Of Newmarket.

(Planning Department Application Fees)

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

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

Whereas Council enacted By-law 2016-65 to establish planning application fees for the Corporation of the Town of Newmarket; and,

Whereas it is deemed necessary to enact a new by-law setting out the Planning Department fees and charges and to repeal said By-law 2015-56 and By-law 2016-65.

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

1. That the fee structure of the Planning Department of the Corporation of the Town of Newmarket shall be as in Schedule 'A' attached hereto; and,
2. That should any section of this by-law be declared invalid by a court of competent jurisdiction, such section shall be construed as being severed here from and the remainder of the by-law shall continue in full force and effect; and,
3. That notwithstanding fees and charges prescribed in other legislation, this by-law supersedes all other Planning Application Fees by-laws; and,
4. That this By-law shall be referred to as the Planning Application Fees By-law and shall come into full force and effect on January 1, 2018 at which time By-laws 2016-65 be repealed.

Enacted this 4<sup>th</sup> day of December, 2017.

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Tony Van Bynen, Mayor

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Lisa Lyons, Town Clerk

**TOWN OF NEWMARKET  
2018 USER FEES  
SCHEDULE A**

Department: Planning

Effective Date:

January 1, 2018

SERVICE PROVIDED	UNIT OF MEASURE	SUBJECT TO HST YES/NO	2017 FEE BEFORE TAX	2018 FEE BEFORE TAX	HST AMOUNT	TOTAL FEE	% INCREASE
Application Processing: Fees Prescribed under Section 69 of the Planning Act, R.S.O. 1990 for applications submitted after Sept. 15/2006.							
Official Plan Amendment	each	Y	\$ 23,481.10	\$ 23,974.20	\$ 3,116.65	\$ 27,090.85	2.1%
Zoning By-law Amendment	each	Y	\$ 20,467.69	\$ 20,897.51	\$ 2,716.68	\$ 23,614.19	2.1%
Subdivision - Residential	Base fee	Y	\$ 74,605.73	\$ 76,172.45	\$ 9,902.42	\$ 86,074.87	2.1%
	Plus per unit	Y	\$ 193.15	\$ 197.21	\$ 25.64	\$ 222.85	2.1%
Subdivision - Commercial	Base fee	Y	\$ 80,046.46	\$ 81,727.44	\$ 10,624.57	\$ 92,352.01	2.1%
	Plus per hectare	Y	\$ 1,480.75	\$ 1,511.85	\$ 196.54	\$ 1,708.39	2.1%
Subdivision - Industrial	Base fee	Y	\$ 82,267.67	\$ 83,995.29	\$ 10,919.39	\$ 94,914.68	2.1%
	Plus per hectare	Y	\$ 370.18	\$ 377.95	\$ 49.13	\$ 427.08	2.1%
Subdivision - Institutional	Base fee	Y	\$ 81,526.22	\$ 83,238.27	\$ 10,820.98	\$ 94,059.25	2.1%
	Plus per hectare	Y	\$ 740.38	\$ 755.93	\$ 98.27	\$ 854.20	2.1%
Revision of Draft Plan Approval Requiring Circulation	each application	Y	\$ 2,879.61	\$ 2,940.08	\$ 382.21	\$ 3,322.29	2.1%

**TOWN OF NEWMARKET  
2018 USER FEES  
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Department: Planning

Effective Date:

January 1, 2018

SERVICE PROVIDED	UNIT OF MEASURE	SUBJECT TO HST YES/NO	2017 FEE BEFORE TAX	2018 FEE BEFORE TAX	HST AMOUNT	TOTAL FEE	% INCREASE
Revision to Conditions of Draft Approval	each application	Y	\$ 2,879.61	\$ 2,940.08	\$ 382.21	\$ 3,322.29	2.1%
Extension of Draft Approval	each application	Y	\$ 1,439.79	\$ 1,470.03	\$ 191.10	\$ 1,661.13	2.1%
Registration of each Phase of a Plan	each	Y	\$ 1,439.79	\$ 1,470.03	\$ 191.10	\$ 1,661.13	2.1%
Site Plan - Residential	each	Y	\$ 38,335.52	\$ 39,140.57	\$ 5,088.27	\$ 44,228.84	2.1%
	Plus per unit	Y	\$ 193.15	\$ 197.21	\$ 25.64	\$ 222.85	2.1%
Site Plan - High Rise Office Commercial	Per 1,800 m <sup>2</sup> of gross floor area	Y	\$ 12,544.42	\$ 12,807.85	\$ 1,665.02	\$ 14,472.87	2.1%
Site Plan - All Other	each	Y	\$ 12,305.84	\$ 12,564.26	\$ 1,633.35	\$ 14,197.61	2.1%
Condominium - Residential	each	Y	\$ 34,359.90	\$ 35,081.46	\$ 4,560.59	\$ 39,642.05	2.1%
	Plus per unit	Y	\$ 193.15	\$ 197.21	\$ 25.64	\$ 222.85	2.1%
Condominium - All Other	each	Y	\$ 8,621.79	\$ 8,802.85	\$ 1,144.37	\$ 9,947.22	2.1%
Removal of Holding (H)	each	Y	\$ 3,814.83	\$ 3,894.94	\$ 506.34	\$ 4,401.28	2.1%
Part Lot Control	each	Y	\$ 1,807.41	\$ 1,845.37	\$ 239.90	\$ 2,085.27	2.1%
Consent - Severance	each	Y	\$ 6,425.21	\$ 6,560.14	\$ 852.82	\$ 7,412.96	2.1%

**TOWN OF NEWMARKET  
2018 USER FEES  
SCHEDULE A**

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Department: Planning

Effective Date:

January 1, 2018

SERVICE PROVIDED	UNIT OF MEASURE	SUBJECT TO HST YES/NO	2017 FEE BEFORE TAX	2018 FEE BEFORE TAX	HST AMOUNT	TOTAL FEE	% INCREASE
Consent - Other	each	Y	\$ 4,283.99	\$ 4,373.95	\$ 568.61	\$ 4,942.56	2.1%
Minor Variance	each	Y	\$ 1,436.65	\$ 1,466.82	\$ 190.69	\$ 1,657.51	2.1%
Special Committee of Adjustment Meeting for Emergent Issues	each	Y	\$ 986.50	\$ 1,007.22	\$ 130.94	\$ 1,138.16	2.1%
Sign or fence By-law variance - within the jurisdiction of staff	each	Y	\$ 86.21	\$ 88.02	\$ 11.44	\$ 99.46	2.1%
Sign or fence By-law variance or appeal to the Variance Committee	each	Y	\$ 509.21	\$ 519.90	\$ 67.59	\$ 587.49	2.1%
Telecommunications Tower	each	Y	\$ 12,130.47	\$ 12,385.21	\$ 1,610.08	\$ 13,995.29	2.1%
Application Reactivation Fee	each	Y	\$ 650.73	\$ 664.40	\$ 86.37	\$ 750.77	2.1%
	Plus Annual Increase	Y					
Woodlot Preservation Application (By-Law 2007-71)	per tree	Y	\$ 130.15	\$ 132.88	\$ 17.27	\$ 150.15	2.1%
Tree Preservation, Protection, Replacement and Enhancement Policy Compensation							
Based on the "Guide for Plant Appraisal" 9 <sup>th</sup> (or latest) edition established by the International Society of Arboriculture.							
Request for Support Resolution (Feed-In-Tariff Program)	Per Application	N	\$ 154.50	\$ 157.74	\$ -	\$ 157.74	2.1%
Peer Review and/or External Consulting Fees	Actual Cost	Y					
Planning Administrative Fee	5% of consultant's fee	Y					



**TOWN OF NEWMARKET  
2018 USER FEES  
SCHEDULE A**

Department: Planning

Effective Date:

January 1, 2018

SERVICE PROVIDED	UNIT OF MEASURE	SUBJECT TO HST YES/NO	2017 FEE BEFORE TAX	2018 FEE BEFORE TAX	HST AMOUNT	TOTAL FEE	% INCREASE
Referral of Plan to Ontario Municipal Board	each	N	\$ 125.00	\$ 125.00	\$ -	\$ 125.00	0.0%
Ontario Municipal Board Hearing Deposits	Ontario Municipal Board Hearing Deposits are due and payable upon the receipt of an appeal with respect to the application(s). The said deposit shall be paid by the applicant in a manner and amount to be determined by the Council of the Town of Newmarket. Fees incurred by the Municipality above and beyond the amount of the deposit required will be invoiced to and payable by the applicant. Should the fees incurred be less than the amount of the deposit required, the appropriate refund will be issued to the applicant.						
Application Processing: Fees Prescribed under Section 69 of the Planning Act, R.S.O. 1990 for applications submitted prior to Sept. 15/2006.							
Draft Approval and Final Registration Coordination Fee (payable at time of draft approval)							
Industrial Subdivisions		Y	\$ 20,931.62	\$ 21,371.18	\$ 2,778.25	\$ 24,149.43	2.1%
Residential Subdivisions (more than 30 lots)		Y	\$ 20,942.38	\$ 21,382.17	\$ 2,779.68	\$ 24,161.85	2.1%
All other Subdivisions		Y	\$ 15,699.49	\$ 16,029.18	\$ 2,083.79	\$ 18,112.97	2.1%
Coordination Fee for Engineering Drawing Submissions beyond 4 <sup>th</sup> Submission (payable at time of 5 <sup>th</sup> submission)							
Industrial Subdivisions		Y	\$ 5,131.06	\$ 5,238.81	\$ 681.05	\$ 5,919.86	2.1%
Residential Subdivisions (more than 30 lots)		Y	\$ 5,131.06	\$ 5,238.81	\$ 681.05	\$ 5,919.86	2.1%
All other Subdivisions		Y	\$ 2,565.51	\$ 2,619.39	\$ 340.52	\$ 2,959.91	2.1%

**TOWN OF NEWMARKET  
2018 USER FEES  
SCHEDULE A**

Department: Planning

Effective Date:

January 1, 2018

SERVICE PROVIDED	UNIT OF MEASURE	SUBJECT TO HST YES/NO	2017 FEE BEFORE TAX	2018 FEE BEFORE TAX	HST AMOUNT	TOTAL FEE	% INCREASE
<b>Miscellaneous Items</b>							
Photocopies	each	Y	\$ 0.93	\$ 0.93	\$ 0.12	\$ 1.05	0.0%
Zoning By-law Amendment (copy)	each	Y	\$ 3.45	\$ 3.52	\$ 0.46	\$ 3.98	2.0%
Street Maps (36" X 42")	each	Y	\$ 16.27	\$ 16.61	\$ 2.16	\$ 18.77	2.1%
Full Size Drawings (Copies)	each	Y	\$ 16.27	\$ 16.61	\$ 2.16	\$ 18.77	2.1%
Zoning Maps	each	Y	\$ 6.80	\$ 6.94	\$ 0.90	\$ 7.84	2.1%
Developments Pending Map	each	Y	\$ 16.27	\$ 16.61	\$ 2.16	\$ 18.77	2.1%
Lot Map	each	Y	\$ 16.27	\$ 16.61	\$ 2.16	\$ 18.77	2.1%
OPA	each	Y	\$ 8.19	\$ 8.36	\$ 1.09	\$ 9.45	2.1%
Yonge Street Study	each	Y	\$ 23.15	\$ 23.64	\$ 3.07	\$ 26.71	2.1%
Newmarket Official Plan 2006-2026 (Approved Version)	each	Y	\$ 55.68	\$ 56.85	\$ 7.39	\$ 64.24	2.1%

**TOWN OF NEWMARKET  
2018 USER FEES  
SCHEDULE A**

**Department: Planning**

**Effective Date:**

**January 1, 2018**

SERVICE PROVIDED	UNIT OF MEASURE	SUBJECT TO HST YES/NO	2017 FEE BEFORE TAX	2018 FEE BEFORE TAX	HST AMOUNT	TOTAL FEE	% INCREASE
Bylaw 1979 - 50	each	Y	\$ 57.06	\$ 58.26	\$ 7.57	\$ 65.83	2.1%
Zoning Bylaw 2010-40	each	Y	\$ 70.40	\$ 71.88	\$ 9.34	\$ 81.22	2.1%
Street Number Maps (set)	each	Y	\$ 81.56	\$ 83.27	\$ 10.83	\$ 94.10	2.1%
Zoning Confirmation Letter	each	Y	\$ 87.82	\$ 89.66	\$ 11.66	\$ 101.32	2.1%
Zoning Compliance Letters	each	Y	\$ 149.03	\$ 152.16	\$ 19.78	\$ 171.94	2.1%
Newmarket Historic Downtown Community Improvement Plan (CIP)	each	Y	\$ 13.60	\$ 13.89	\$ 1.81	\$ 15.70	2.1%
CIP Design Guidelines	each	Y	\$ 6.80	\$ 6.94	\$ 0.90	\$ 7.84	2.1%
Oak Ridges Moraine (OPA)	each	Y	\$ 47.57	\$ 48.57	\$ 6.31	\$ 54.88	2.1%
Site Plan Security Release Inspection	Each inspection after the first	Y	\$ 345.00	\$ 352.25	\$ 45.79	\$ 398.04	2.1%
Oak Ridges Moraine (Zoning Bylaw)	each	Y	\$ 6.80	\$ 6.94	\$ 0.90	\$ 7.84	2.1%
Owner Request for Change of Address	each	Y	\$ 164.71	\$ 168.17	\$ 21.86	\$ 190.03	2.1%

**Corporation of the Town Of Newmarket****By-Law Number 2017-68**

A By-Law To Adopt Fees And Charges For Services Or Activities Provided By The Town Of Newmarket.

(Fees and Charges – Fire Services)

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

Whereas Council enacted By-law 2016-66 to establish Fire Services fees and charges for the Corporation of the Town of Newmarket; and,

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

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

1. That the attached Schedule 'A' form part of this By-law; and,
2. That should any section of this By-law be declared invalid by a court of competent jurisdiction, such section shall be construed as being severed here from and the remainder of the By-law shall continue in full force and effect;
3. That notwithstanding fees and charges prescribed in other legislation, this By-law supersedes all other Fire Services fees and charges previously established by the Town of Newmarket for the services identified in this By-law; and,
4. That this By-law shall come into full force and effect on January 1, 2018 at which time By-law 2016-66 be repealed.

Enacted this 4<sup>th</sup> day of December, 2017.

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Tony Van Bynen, Mayor

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Lisa Lyons, Town Clerk

**TOWN OF NEWMARKET  
2018 USER FEES  
SCHEDULE A**

Department: Fire Services

Effective Date: January 1, 2018

SERVICE PROVIDED	UNIT OF MEASURE	TIMELINES	SUBJECT TO HST YES/NO	2017 FEE BEFORE TAX	2018 FEE BEFORE TAX	HST AMOUNT	TOTAL FEE
Apartment/Office Inspections Base Building	One to five storey premises	6 hours	Y	\$367.15	\$367.15	\$47.73	\$414.88
	Six or more storey premises	8 hours	Y	\$489.55	\$489.55	\$63.64	\$553.19
	Each additional unit	1.5 hours	Y	\$91.79	\$93.72	\$12.18	\$105.91
	Day Care Home Inspection	1.5 hours	Y	\$91.79	\$93.72	\$12.18	\$105.91
	Day Nursery Inspection	1.5 hours	Y	\$91.79	\$93.72	\$12.18	\$105.91
	Faxing or Mailing Reports	0.75 hours	Y	\$45.90	\$46.86	\$6.09	\$52.95
Request for Report Hazardous Materials Response (any location)	First hour per fire unit/flat rate		N	\$450.00	\$459.45	\$0.00	\$459.45
	Each additional 1/2 hour per fire unit		N	\$225.00	\$229.73	\$0.00	\$229.73
	Per hour/firefighter plus material used		N	\$47.22	\$47.22	\$0.00	\$47.22
	Per hour/officer plus material used		N	\$54.29	\$54.29	\$0.00	\$54.29
Industrial & Commercial Inspection	Per single industrial unit	1.5 hours	Y	\$91.79	\$93.72	\$12.18	\$105.91
	Each additional unit	1.5 hours	Y	\$91.79	\$93.72	\$12.18	\$105.91
	LLBO Inspections	2 hours	Y	\$122.39	\$124.97	\$16.25	\$141.21

**TOWN OF NEWMARKET  
2018 USER FEES  
SCHEDULE A**

Department: Fire Services

Effective Date: January 1, 2018

SERVICE PROVIDED	UNIT OF MEASURE	TIMELINES	SUBJECT TO HST YES/NO	2017 FEE BEFORE TAX	2018 FEE BEFORE TAX	HST AMOUNT	TOTAL FEE
Provincial Highway Accident Responses	First hour per fire unit/flat rate		N	\$459.45	\$459.45	\$0.00	\$459.45
	Each additional ½ hour per fire unit		N	\$229.73	\$229.73	\$0.00	\$229.73
Property File Search	File Search and Response	1.5 hours	Y	\$91.79	\$91.79	\$11.93	\$103.72
Retrofit Inspections (9.5, 9.6)		6 hours	Y	\$367.15	\$374.86	\$48.73	\$423.59
Retrofit Inspections (9.8)		3 hours	Y	\$195.82	\$199.94	\$25.99	\$225.93
Paid Duty Truck Stand-by	First hour per fire unit/flat rate		N	\$450.00	\$459.45	\$0.00	\$459.45
	Each additional ½ hour per fire unit		N	\$225.00	\$229.73	\$0.00	\$229.73
	Per hour/firefighter plus material used		N	\$47.22	\$47.22	\$0.00	\$47.22
	Per hour/officer plus material used		N	\$54.29	\$54.29	\$0.00	\$54.29
Fireworks Permit Fee			N	\$100.22	\$102.32	\$0.00	\$102.32
Extinguisher Training Using Classroom and Burn Pan	Per session up to 20 people with own extinguishers		Y	\$373.12	\$373.12	\$48.51	\$421.62
Chronic False Alarm (preventable cause)-after two responses	Per unit/per incident		N	\$450.00	\$459.45	\$0.00	\$459.45

**Corporation of the Town of Newmarket****By-Law Number 2017-69**

A By-Law to establish a Stormwater Rate in the Town of Newmarket for 2018.

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

Whereas it is deemed advisable to establish a Stormwater rate structure in the Town of Newmarket for the year 2018.

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

1. That the rates listed in Schedule 'A' attached hereto shall come into full force and effect on January 1, 2018 at which time By-law 2016-69 will be repealed.

Enacted this 4<sup>th</sup> Day of December, 2017.

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Tony Van Bynen, Mayor

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Lisa Lyons, Town Clerk

**TOWN OF NEWMARKET**  
**2018 USER FEES**  
**Schedule A - Stormwater Rates**  
**Effective Date: January 1, 2018**

<b>Rates</b>	<b>Average Percent Impervious</b>	<b>2017 Per Square Metre Charge</b>	<b>2018 Per Square Metre Charge</b>	<b>Increase</b>	
Low Runoff Level Group	9%	\$ 0.013300	\$ 0.014941	\$ 0.001641	12.3%
Medium Runoff Level Group	44%	\$ 0.065045	\$ 0.073046	\$ 0.008001	12.3%
High Runoff Level Group	88%	\$ 0.130091	\$ 0.146145	\$ 0.016054	12.3%
<b>Median Charge</b>	<b>Area in Square Meters</b>	<b>2017 Charge</b>	<b>2018 Charge</b>	<b>Increase</b>	
Low Runoff Level Group	478	\$ 6.36	\$ 7.14	\$ 0.78	12.3%
Medium Runoff Level Group	465	\$ 30.25	\$ 33.97	\$ 3.72	12.3%
High Runoff Level Group	561	\$ 72.98	\$ 81.99	\$ 9.01	12.3%
<b>Regulatory Fees</b>					
Stormwater Credit Application Fee		\$50.00			



**Corporation of the Town of Newmarket****By-law Number 2017-70**

A By-Law to Establish a Combined Utility Rate Structure In The Town of Newmarket For 2018.

Whereas By-law 2016-68 enacted on November 30, 2015 established a combined utility rate in the Town of Newmarket for the year 2017;

Whereas it is deemed advisable to establish a combined utility rate structure in the Town of Newmarket for the year 2018.

Therefore Be It Enacted by the Municipal Council of the Corporation of the Town of Newmarket as follows:

1. That the rates listed in Schedule 'A' attached hereto shall come into full force and effect on January 1, 2018 at which time By-law 2016-68 shall be deemed to be repealed.

Enacted this 4<sup>th</sup> day of December, 2017.

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Tony Van Bynen, Mayor

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Lisa Lyons, Town Clerk

## TOWN OF NEWMARKET

## 2018 USER FEES

## Schedule A - Water and Wastewater Rates

Effective Date: January 1, 2018

	Rates as of July 01, 2017		Rates as of January 01, 2018		Change
	per 100 cubic feet	per cubic metre	per 100 cubic feet	per cubic metre	%
<b>Water</b>					
Volumetric Rate	\$ 4.558	\$ 1.609	\$ 5.079	\$ 1.793	11.4%
Flat rate - no meter, monthly	\$ 62.06		\$ 65.91		6.2%
Basic charge, monthly	\$ 14.00		\$ 14.94		6.7%
2" Meter Monthly Charge	\$ 28.00		\$ 60.00		114.3%
3" Meter Monthly Charge	\$ 52.50		\$ 112.00		113.3%
4" Meter Monthly Charge	\$ 87.50		\$ 187.00		113.7%
<b>Wastewater</b>					
Volumetric Rate	\$ 5.862	\$ 2.070	\$ 5.850	\$ 2.065	-0.2%
Flat rate - no meter, monthly	\$ 60.68		\$ 64.45		6.2%
Basic meter charge, monthly	\$ 15.50		\$ 17.21		11.0%
2" Meter Monthly Charge	\$ 31.00		\$ 69.00		122.6%
3" Meter Monthly Charge	\$ 58.13		\$ 129.00		121.9%
4" Meter Monthly Charge	\$ 96.88		\$ 215.00		121.9%
<b>Average Bill by Meter Size</b>	Annual Consumption		2017	2018	Change
<2" Residential and Non-Residential Customer	200 m3		\$1,090	\$1,157	6.2%
2" Industrial, Institutional, Commercial Customer	4,600 m3		\$17,629	\$19,290	9.4%
3" Industrial, Institutional, Commercial Customer	6,900 m3		\$26,709	\$29,514	10.5%
4" Industrial, Institutional, Commercial Customer	22,000 m3		\$83,140	\$89,699	7.9%



## Corporation of the Town of Newmarket

### By-law Number 2017-71

A By-Law to Adopt Fees and Charges for Services or Activities Provided by the Town Of Newmarket (Legislative Services - Licensing Fees)

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

Whereas Council enacted By-law 2016-44 to establish Fees and Charges for Legislative Services - Licensing Fees; and,

Whereas it is deemed necessary to enact a new by-law setting out the Licensing Fees and Charges for Legislative Services and to repeal By-law 2016-44.

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

1. That the attached schedule form part of this by-law and this by-law be known as the Fees and Charges By-law for the (Legislative Services - Licensing Fees); and,
2. That should any section of this by-law be declared invalid by a court of competent jurisdiction, such section shall be construed as being served here from and the remainder of the by-law shall continue in full force and effect; and,
3. That notwithstanding fees and charges prescribed in other legislation this by-law supersedes all other fees and charges for Legislative Services – Licensing Fees previously established by the Town of Newmarket for the services identified in this by-law; and,
4. That this by-law shall come into full force and effect on January 1, 2018 at which time By-law 2016-44 be repealed.

Enacted this 4<sup>th</sup> day of December, 2017.

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Tony Van Bynen, Mayor

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Lisa Lyons, Town Clerk

**TOWN OF NEWMARKET**  
**2018 USER FEES**  
**Schedule to Bylaw 2018-xx**

**DEPARTMENT: Legislative Services - Licensing Fees**      **Effective Date: January 1, 2018**

SERVICE PROVIDED	UNIT OF MEASURE	SUBJECT TO HST YES/NO	2017 FEE BEFORE TAX	2018 FEE BEFORE TAX	TOTAL FEE	INCREASE
<b>ADULT ENTERTAINMENT PARLOURS</b>						
Owner*	each	N	\$ 595.00	\$ 607.00	\$ 607.00	2%
Owner/Operator*	each	N	\$ 479.00	\$ 490.00	\$ 490.00	2%
Operator*	each	N	\$ 358.00	\$ 365.00	\$ 365.00	2%
Entertainer	each	N	\$ 244.00	\$ 250.00	\$ 250.00	2%
<b>ADULT VIDEOS</b>						
Store*	each	N	\$ 416.00	\$ 425.00	\$ 425.00	2%
Video Tape Store-where provision of Adult Videotapes is only incidental to the carrying on of the business of the provision of videotapes*	each	N	\$ 369.00	\$ 375.00	\$ 375.00	2%
<b>AMUSEMENT- PLACE OF</b>						
Class A (more than 4)*	each	N	\$ 392.00	\$ 400.00	\$ 400.00	2%
Class B (1 to 4)*	each	N	\$ 283.00	\$ 288.00	\$ 288.00	2%
Class C (Mall up to 10)*	each	N	\$ 399.00	\$ 407.00	\$ 407.00	2%
Family Entertainment Centre*	each	N	\$ 404.00	\$ 412.00	\$ 412.00	2%
<b>ANIMAL LICENSING</b>						
Standard Dog or Cat over 4 months (non-refundable)	each	N	\$ 35.00	\$ 35.00	\$ 35.00	0%
Seniors/Special Rate Dog or Cat over 4 months (non-refundable)	each	N	\$ 30.00	\$ 30.00	\$ 30.00	0%
Dog or Cat transfer from other Municipality (non-refundable)	each	N	\$ 5.00	\$ 5.00	\$ 5.00	n/a
Dog or Cat replacement tag (non-refundable)	each	N	\$ 5.00	\$ 5.00	\$ 5.00	0%

**TOWN OF NEWMARKET**  
**2018 USER FEES**  
**Schedule to Bylaw 2018-xx**

**DEPARTMENT: Legislative Services - Licensing Fees**      **Effective Date: January 1, 2018**

SERVICE PROVIDED	UNIT OF MEASURE	SUBJECT TO HST YES/NO	2017 FEE BEFORE TAX	2018 FEE BEFORE TAX	TOTAL FEE	INCREASE
<b>AUCTIONEERS*</b>	each	N	\$ 197.00	\$ 200.00	\$ 200.00	2%
<b>BILLIARDS (MORE THAN 4 TABLES)*</b>	each	N	\$ 288.00	\$ 294.00	\$ 294.00	2%
<b>BILLIARDS (1 - 4 TABLES)*</b>	each	N	\$ 232.00	\$ 236.00	\$ 236.00	2%
<b>BODY RUB PARLOUR</b>						
Body-Rub Parlour Owner*	each	N	\$ 595.00	\$ 607.00	\$ 607.00	2%
Body-Rub Parlour Owner/Operator*	each	N	\$ 595.00	\$ 607.00	\$ 607.00	2%
Body-Rub Parlour Operator*	each	N	\$ 415.00	\$ 423.00	\$ 423.00	2%
Body-Rub Attendant	each	N	\$ 294.00	\$ 300.00	\$ 300.00	2%
<b>BOWLING ALLEYS*</b>	each	N	\$ 386.00	\$ 394.00	\$ 394.00	2%
<b>CARNIVAL</b>	each	N	\$ 265.00	\$ 270.00	\$ 270.00	2%
<b>CATERING/REFRESHMENT VEHICLES</b>						
Cart/Vehicle/Bicycle*	each	N	\$ 305.00	\$ 311.00	\$ 311.00	2%
Cart/Vehicle/Bicycle operator*	each	N	\$ 128.00	\$ 130.00	\$ 130.00	2%
Refreshment Special Occasion Permit	each	N	\$ 78.00	\$ 80.00	\$ 80.00	3%
Lost Refreshment Vehicle Plate	each	N	\$ 85.00	\$ 85.00	\$ 85.00	0%
Lost Refreshment Vehicle Operator ID	each	N	\$ 25.00	\$ 25.00	\$ 25.00	0%
Refreshment Cart Location - change to or additional location	each	N	\$ 56.00	\$ 57.00	\$ 57.00	2%
Refreshment Vehicle Transfer	each	N	\$ 175.00	\$ 178.00	\$ 178.00	2%
Clothing Donation Bin	each	N	\$ 218.00	\$ 222.00	\$ 222.00	2%
Clothing Donation Bin - Charities	each	N	\$ 81.00	\$ 83.00	\$ 83.00	2%
Clothing Donation Bin - Change Location	each	N	\$ 56.00	\$ 57.00	\$ 57.00	2%

**TOWN OF NEWMARKET**  
**2018 USER FEES**  
**Schedule to Bylaw 2018-xx**

**DEPARTMENT: Legislative Services - Licensing Fees**      **Effective Date: January 1, 2018**

SERVICE PROVIDED	UNIT OF MEASURE	SUBJECT TO HST YES/NO	2017 FEE BEFORE TAX	2018 FEE BEFORE TAX	TOTAL FEE	INCREASE
Clothing Donation Bin - Impound Fee per Bin	each	N	\$ 100.00	\$ 100.00	\$ 100.00	0%
Clothing Donation Bin - Daily Storage Fee per Bin	each	N	\$ 20.00	\$ 20.00	\$ 20.00	0%
<b>FIREWORKS</b>						
Mobile Sales Premise	each		\$ 357.00	\$ 365.00	\$ 365.00	2%
Temporary Sales Premise	each		\$ 357.00	\$ 365.00	\$ 365.00	2%
Permanent Sales Premise	each		\$ 357.00	\$ 365.00	\$ 365.00	2%
<b>HAWKERS &amp; PEDLAR</b>						
Class A operator	each	N	\$ 406.00	\$ 415.00	\$ 415.00	2%
Employer License	each	N	\$ 294.00	\$ 300.00	\$ 300.00	2%
Class B "Special Sale" Per Day	each	N	\$ 106.00	\$ 108.00	\$ 108.00	2%
Class B "Special Sale" Maximum of 7 days	each	N	\$ 357.00	\$ 365.00	\$ 365.00	2%
Class C "Shopping Mall"	each	N	\$ 419.00	\$ 427.00	\$ 427.00	2%
Class D "Shopping Mall"	each	N	\$ 375.00	\$ 382.00	\$ 382.00	2%
Class E "Show Sale"	each	N	\$ 398.00	\$ 406.00	\$ 406.00	2%
Lost Picture ID	each	N	\$ 25.00	\$ 25.00	\$ 25.00	0%
<b>HORSE-RIDING ESTABLISHMENTS*</b>						
	each	N	\$ 461.00	\$ 470.00	\$ 470.00	2%
<b>LOUD SPEAKERS</b>						
	each	N	\$ 190.00	\$ 194.00	\$ 194.00	2%
<b>NEWSPAPER BOXES</b>						
	each	N	\$ 54.00	\$ 55.00	\$ 55.00	2%
Impound Fee	each	N	\$ 59.00	\$ 60.00	\$ 60.00	2%
<b>OUTDOOR SERVING AREAS*</b>						
	each	N	\$ 347.00	\$ 355.00	\$ 355.00	2%
<b>SECOND HAND GOODS SHOPS &amp; DEALERS*</b>						
	each	N	\$ 426.00	\$ 435.00	\$ 435.00	2%

**TOWN OF NEWMARKET**  
**2018 USER FEES**  
**Schedule to Bylaw 2018-xx**

**DEPARTMENT: Legislative Services - Licensing Fees**      **Effective Date: January 1, 2018**

SERVICE PROVIDED	UNIT OF MEASURE	SUBJECT TO HST YES/NO	2017 FEE BEFORE TAX	2018 FEE BEFORE TAX	TOTAL FEE	INCREASE
<b>TAXI</b>						
Taxi Owner License (Plate)*	each	N	\$ 3,580.00	\$ 3,655.00	\$ 3,655.00	2%
Taxi Owner License Renewal (Plate)*	each	N	\$ 538.00	\$ 550.00	\$ 550.00	2%
Taxi Broker*	each	N	\$ 600.00	\$ 612.00	\$ 612.00	2%
Taxi Plate Owner Transfer (Sale)	each	N	\$ 461.00	\$ 470.00	\$ 470.00	2%
Taxi Driver New or after renewal date	each	N	\$ 178.00	\$ 182.00	\$ 182.00	2%
Taxi Driver Renewal before May 1st	each	N	\$ 106.00	\$ 108.00	\$ 108.00	2%
Taxi Driver Priority List	each	N	\$ 82.00	\$ 84.00	\$ 84.00	2%
Reinspection of Taxi Vehicle	each	N	\$ 58.00	\$ 59.00	\$ 59.00	2%
Vehicle transfer	each	N	\$ 175.00	\$ 178.00	\$ 178.00	2%
Lost Taxi Plate	each	N	\$ 85.00	\$ 85.00	\$ 85.00	0%
Lost Taxi Driver ID	each	N	\$ 25.00	\$ 25.00	\$ 25.00	0%
Lost Tariff Sheet	each	N	\$ 15.00	\$ 15.00	\$ 15.00	0%
Taxi test fee (per test)	each	N	\$ 28.00	\$ 28.00	\$ 28.00	0%
*Late Payment Fee for some classes of licenses					\$ 25.00	0%



## Corporation of the Town of Newmarket

### By-law Number 2017-72

A By-Law to Provide an Exemption to By-Law 2004-94, as amended, being a By-Law to prohibit and regulate unusual Noises or noises likely to disturb the inhabitants of the Town of Newmarket.

Whereas Section 129 of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended, authorizes a municipality to pass a by-law to prohibit and regulate noise in the municipality; and,

Whereas Council enacted By-law 2004-94, being a By-law to Prohibit and Regulate Unusual Noises or Noises Likely to Disturb the Inhabitants of the Town of Newmarket, on July 19, 2004; and,

Whereas Council amended Schedule "A" to By-law 2004-94 with the enactment of By-law 2005-158 on November 28, 2005; and,

Whereas the Council of the Town of Newmarket deems it advisable to provide an exemption to By-law 2004-94, as amended, to facilitate the necessary work for the vivaNext Bus Rapid Transit Y3.2 project; and,

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

That RapidLink, on behalf of York Region Rapid Transit Commission be exempted from the Noise By-law 2004-94, as amended, from 9:00 p.m. to 7:00 a.m. from December 5, 2017 until December 31, 2018, excluding statutory holidays, to perform necessary work for the vivaNext Bus Rapid Transit Y3.2 project.

Enacted this 4<sup>th</sup> day of December, 2017.

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Tony Van Bynen, Mayor

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Lisa Lyons, Town Clerk





## Corporation of the Town of Newmarket

### By-law Number 2017- 73

A By-law to regulate the erection and maintenance of Signs and other advertising devices in the Town of Newmarket.

Whereas Section 11 of the Municipal Act, 2001, S.O. 2001, c.25, as amended (the “Act”) provides that a lower-tier municipality may pass by-laws respecting matters within its spheres of jurisdiction;

And Whereas Subsection 11 (3) 7 of the Act provides that municipalities may pass by-laws respecting structures, including fences and Signs;

And Whereas Subsection 99 (2) of the Act provides that all costs and charges incurred by a municipality for the removal, care and storage of an advertising device that is erected or displayed in contravention of a by-law of the municipality are a lien on the advertising device that may be enforced by the municipality under the Repair and Storage Liens Act, R.S.O. 1990, c. R.25;

And Whereas the Municipal Council of the Town of Newmarket (the “Town”) deems it necessary and in the public interest to regulate Signs displayed within the Town;

And Whereas the Municipal Council of the Town enacted By-law 2016-28 on June 7, 2016;

And Whereas it is deemed necessary to repeal by-law 2016-28

Therefore Be It Enacted by the Municipal Council of the Town as follows:

#### 1.0 Definitions:

The following words shall have the following meanings in this By-law:

“**Advertising Device**” means any designed device or object creating a design and intended to be erected or located or affixed on any **Property**; this shall include flags, **Banners**, pennants, lights, inflatable devices, or any object intended for advertising purposes;

“**Alter**” means any change to the **Sign Structure** or the **Sign Face** with the exception of the re-arrangement of numerals, letters or copy applied directly to the face of a **Sign** and specifically designed and intended to be periodically rearranged, the repair and maintenance of a **Sign**,

“**Animated Sign**” means a **Sign** or part thereof, which using electronic technology displays moving images and/or text and/or includes the rotation, oscillation or movement of the **Sign** in part or in whole but does not include an **Electronic Changeable Copy** or **Mechanical Copy**;

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

“**Applicant**” means the **Person** who applies for a **Sign Permit** or a variance from the provisions of this by-law;

“**Awning Sign**” means a **Sign Copy** painted on or affixed flat to the surface of an awning;

“**Banner**” means a **Sign** made from cloth, plastic or a similar lightweight non-rigid **Material**;

“**Billboard Sign**” means an outdoor **Sign** that advertises goods, products, or services that are not sold or offered on the **Property** where the **Sign** is located, and is either single sided or double sided and shall allow for one **Mechanical Copy** side;

“**Builder**” means a **Person** or corporation proposing to undertake or undertaking the construction of new homes, apartment developments or condominium developments within the Town;

“**Building Code**” means regulations made under Section 34 of the Ontario Building Code Act, S.O. 1992, c.23;

“**Business**” means a commercial or employment activity carried on or permitted under the **Zoning By-Law**;

“**Candidate**” means a **Person** who is seeking election to a public office, whether for a federal, provincial or municipal election;

“**Chief Building Official**” means the **Person** and his/her designate so appointed by Council pursuant to the **Building Code** Act, 1992;

“**Commercial**” means a Commercial **Zone** as defined in the **Zoning By-Law**;

“**Commercial Construction Information Sign**” means a **Sign** that is erected for a temporary period that identifies, or provides information relating to or advertising the development or the construction of a building on the lands which the **Sign** is erected and not the sale of lots elsewhere or the realtor’s, developer’s or Owner’s business in general;

“**Continuous Scrolling Copy**” means electronic or computer controlled **Sign Copy** where text continuously scrolls across the **Sign Face** in a pre-arranged sequence to display a temporary message;

“**Directional Sign**” means any on **Premises** a **Sign**, which gives directions or instructions for the control of vehicular or pedestrian traffic and shall include both entry and exit signage;

“**Director**” means the Director, Legislative Services of the Town and his/her designate;

“**Election Sign**” means a **Sign** advertising or promoting the election of a political party or a **Candidate** for public office in a federal, provincial or municipal election;

“**Electronic Changeable Copy**” means electronic and/or computer controlled **Sign Copy** where static images or static information are displayed in a pre-arranged sequence and the intensity of illumination is maintained at a constant level, and includes **Continuous Scrolling Copy**;

“**Employment**” means an Employment **Zone** as defined in the **Zoning By-Law**;

“**Fees And Charges By-Law**” means the General Fees and Charges By-law, as amended for the Legislative Services Department;

**“Fascia Sign”** means a **Sign** applied to or erected on and entirely supported by the wall of a building or structure;

**“Frontage”** means the length of the **Property** line of any one lot parallel to and along each legally accessible public **Street**, except for corner lots shall mean the total length of the **Property** lines on all legally accessible public **Streets**;

**“Ground Sign”** means a **Sign** directly supported by the ground without the aid of any other building or structure, which **Sign** includes the names of Owner(s) and address and/or advertising goods, products, services or events that are sold, offered, or provided on the **Premises** on which the **Sign** is located; **“Hoarding Sign”** means a temporary, Non-Illuminated **Sign**, erected on construction hoarding which is subject to a development agreement of the Town, associated with the development of **Property**, which advertises or identifies the development of the **Property** on which the **Sign** is located;

**“Home Occupation Sign”** means a **Sign** that identifies any home-based **Business**, where such use of the **Property** complies with the **Zoning By-Law**;

**“Illuminated Sign”** means a **Sign** that provides artificial light directly, or through any transparent or translucent **Material**, from a source of light connected with such **Sign**, or a **Sign** illuminated by a light focused upon or chiefly directed at the surface of the **Sign**;

**“Incidental Sign”** means a **Sign**, generally informational, that has a purpose secondary to the use of the lot on which it is located, such as “drive-thru,” “telephone,” “private parking,” “entrance,” “washroom,” “loading dock,” “staff only,” and other similar directives;

**“Inflatable Sign”** means a **Sign** or **Advertising Device** designed to be airborne and tethered to the ground, a vehicle or any other structure and shall include balloons and any other inflatable devices. Classification of **Inflatable Sign** shall not relieve it from any other **Sign** classification of this By-law;

**“Inspector”** means the By-law Enforcement Officer appointed by the Town or such **Person** designated by the municipality;

**“Institutional”** means an Institutional **Zone** as defined in the **Zoning By-Law**;

**“Materials”** means the products and assemblies that individually or as an assembly constitute the **Sign** or portion thereof;

**“Mechanical Copy”** means a **Sign Copy** where the display surface physically changes to reveal alternate messages, including but not limited to tri-vision or flip disc **Signs**;

**“Menu Board Sign”** means a **Sign** erected as part of a drive-thru facility and used to display and order products and services available at the drive-thru **Business**;

**“Mobile Sign”** means a Non-Illuminated **Sign** designed to be capable of being readily moved from one location to another is usually built on a trailer or other solid platform and may include wheels;

**“Model Home Ground Sign”** means a **Sign** located on residential lot or proposed residential lot intended for private ownership, upon which a model home/sales office is located,

**“Mural”** means any type of display or artistic endeavour painted on or otherwise affixed directly to any side(s) of a building or structure;

**“Mural Sign”** means any type of display or artistic endeavour painted on or otherwise affixed directly to any side(s) of a building or structure that includes text or a logo that is intended for advertising purposes;

**“New Home Development”** means a new residential project, which is the subject of a development agreement and which may be comprised of one or more registered plans of subdivision, condominium development or condominium plan exemption;

**“New Home Development Sign”** means a non-illuminated **Sign**, which is not permanently installed or affixed to the ground and where the purpose of the **Sign** is to direct attention to the sale of new homes or condominiums;

**“Non-Profit Sign”** means a **Sign** located, erected, or displayed on private **Property** or approved Town **Property** to advertise a non-profit or charitable event by a non-profit organization, charity or place of worship;

**“Open House Sign”** means a **Sign** intended to direct traffic to a **Property** that is for sale or lease, and is open to the public for viewing.

**“Owner”** means the **Property** Owner, authorized agent, lessee, or occupier of the **Premises** upon which a **Sign** or **Advertising Device** is located;

**“Parking Area”** means an off-street, open, unobstructed area of land consisting of a minimum of two (2) but not more than five (5) parking spaces which is accessed by a driveway;

**“Parking Lot”** means an open area other than a **Street** used for the temporary parking of five (5) or more motor vehicles and available for public use whether for free or for compensation as accommodation for clients, customers or residents;

**“Person”** means an individual, **Business**, firm, body corporate, corporation, association, or municipality;

**“Portable Sign”** means a free standing **Sign** erected on but not permanently anchored to the ground and includes, but is not limited to, **Signs** commonly referred to as A-Frame **Sign**, T-Frame **Sign**, Advertising Flag **Sign** or Sandwich Board but shall not include a **Banner Sign**, **Inflatable Sign** or **Mobile Sign**.

**“Premises”** means land or a part of land under registered ownership and includes all buildings and structures thereon;

**“Projecting Sign”** means a **Sign** attached to a building or structure, which projects horizontally from the building/structure;

**“Property”** means a lot and includes all buildings, and structures thereon;

**“Real Estate Sign”** means a temporary non-illuminated **Sign** installed, erected or displayed for the notification that the **Premises** or portion

thereof, on which the **Sign** is located, is available for or offered for sale, rent or lease;

**“Residential”** means a Residential **Zone** as defined in the **Zoning By-Law**;

**“Seasonal Business”** means a **Business** that is open for seasonal or temporary purposes of not more than 60 calendar days. Without limiting the forgoing, examples would be Halloween Stores, Christmas tree lot, Temporary Fireworks Premise, Garden Centres, and Tent Sales;

**“Shopping Centre”** means a group of commercial establishments, whether or not under one ownership, having a common **Parking Area** or **Parking Lot**;

**“Sight Triangle”** means in the case of a corner lot, the triangular space formed by the **Street Lines** and a line drawn from a point in one **Street Line** to a point in the other **Street Line**, measured 5m along the **Street** from the point of intersection of the **Street Lines** See Diagram 1 in Schedule A;

**“Sign”** means any surface, structure and other component parts, which are used or capable of being used as a visual medium to attract attention to a specific subject matter for identification, information or advertising purposes and includes an **Advertising Device**;

**“Sign Area”** means the entire area of all **Sign Faces** on one **Sign Structure**;

**“Sign Copy”** means any colour, graphic, logo, symbol, word, numeral, text, image, message, picture or combination thereof displayed on a single **Sign Face** and includes **Electronic Changeable Copy** and **Mechanical Copy**;

**“Sign Face”** means that portion of a **Sign**, excluding the **Sign Structure**, upon which, as part of, against or through which the message of the **Sign** is displayed. The **Sign Face** is an area composed of individually installed letters, numerals, or shapes, the **Sign Face** shall mean the area enclosing the letters, numerals, or shapes;

**“Sign Owner”** means the owner or lessee of a **Sign**, or his/her agent. Where there is no owner, lessee or agent for a **Sign** or such **Person** cannot be determined with certainty, the **Sign Owner** shall be deemed to be the **Person** or **Business** having the use or major benefit of the **Sign**, or if such **Person** or **Business** is unknown, the **Sign Owner** shall be deemed to be the registered owner of the **Premises** upon which the **Sign** is situated;

**“Sign Permit”** means a written permission to locate, erect or display a **Sign** or **Signs** issued by the **Director** pursuant to the provisions of this By-law;

**“Sign Structure”** means anything used to support or brace a **Sign Face** and which is attached to the ground or a building or structure;

**“Street”** means any highway;

**“Street Line”** means the limit of the **Street** allowance and the dividing line between a lot and a **Street**;

**“Subdivision Development Sign”** means a **Sign** that advertises only the development in which the **Sign** is located and not the sale of lots elsewhere or the realtor’s, developer’s or Owner’s **Business** in general;

**“Temporary Sign”** means a **Sign** comprised of a plastic (poly bag) **Sign** sleeve or a coroplast **Sign Face** and which is temporarily anchored into the ground, or onto a pole, a light standard, a tree, another **Sign**, or a fence;

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

**“Urban Centre Zone”** means an **Urban Centre Zone** as defined in the **Zoning By-Law**;

**“Window Sign”** means a **Sign** located on the interior of a **Premises** and which is located, erected or displayed in the interior of a window, window section or window pane and is intended to be seen from outside of the building or **Premises**;

**“Zone”** means the area of a defined land use in the **Town Zoning By-Law** passed under the Planning Act, as amended, from time to time;

**“Zoning By-Law”** means the **Zoning By-Law** of the **Town** passed under the Planning Act, as amended, from time to time.

## 2.0 Administration:

### 2.1 Interpretation:

- a) A word interpreted in the singular number has a corresponding meaning when used in the plural.
- b) The imperial measurements found in this By-law in brackets are provided for information only and are intended to be an approximate conversion of the metric measurements. The metric or Standard International measurements shall be deemed to be the standards established by this By-law and, wherever there is a variance between the metric or SI measurements and the imperial measurements, the metric or SI measurements shall apply.

2.2 This By-law shall be administered by the **Director** of the **Town**.

2.3 The **Building Code** shall be administered by the **Chief Building Official** as appointed by Council.

2.4 Where any **Sign** proposed to be erected may be considered as more than one form of **Sign** permitted by this By-law or as a combination of forms of **Signs** and /or **Sign Copy** permitted by this By-law, such **Sign** shall conform to the most restrictive provisions of this By-law.

2.5 This By-law does not apply to a **Sign** that was lawfully erected and displayed on the day this By-law comes into force if the **Sign** is not substantially altered and the maintenance and repair of the **Advertising Device** or a change in the message or contents displayed is deemed not in itself to constitute a substantial alteration.

2.6 The maximum height of a **Sign** shall be ascertained by measuring the distance from the level of the ground immediately below such **Sign** to the highest point thereof, provided that in the event the level of the **Street** or sidewalk adjacent to such **Sign** as erected is higher than the level of the

ground upon which the **Sign** is erected, the height shall be measured from the level of such **Street** or sidewalk.

**Responsibility for compliance with this By-law:**

- 2.7 Neither the granting of a **Sign Permit** nor the approval of the plans, drawings, and specifications nor inspections made by the **Town** shall in any way relieve the **Sign Owner** or any other **Person** from full responsibility for carrying out work or having the work carried out in complete accordance with the requirements of this By-law or any other By-law applicable to the **Sign**.
- 2.8 The **Sign Owner** is solely responsible for and pays for any damage to **Persons** or property, caused by a **Sign**.

**3.0 GENERAL PROVISIONS:**

- 3.1 No **Person** shall erect, install, post, display or maintain any **Signs** on a **Premises** within the **Town** except such **Signs** as are permitted by this By-law.
- 3.2 Unless otherwise expressly provided in this By-law, no **Person** engaged in a **Business** shall erect, install, post, display or maintain or cause to be erected, installed, posted, displayed or maintained any **Sign** on any **Premises** except on the **Premises** upon which such **Business** is located and provided the written consent of the registered Owner of the **Property** is obtained.
- 3.3 No **Sign** shall be erected in a parking space required under the **Town's Zoning By-Law**.
- 3.4 No **Sign** shall obstruct the view of any pedestrian or motor vehicle driver, visibility of warning devices, railway, traffic and municipal **Street Signs** or cause an unreasonable distraction, so as to cause an unsafe condition in the opinion of an **Inspector** under this By-law.
- 3.5 A **Sign** shall display only non-electronic static copy unless otherwise permitted in accordance with **Section 25.0** of this By-law.
- 3.6 No **Sign** shall be supported entirely or partly by the roof of a building or structure, other than a **Sign Structure**, or shall project above the roof of a building or structure.
- 3.7 Flashing, animated or noise emitting **Signs** of any size are strictly prohibited.
- 3.8 A **Sign** attached or displayed on a vehicle or trailer which is parked or located for the primary purpose of displaying said **Sign** or advertisement shall be strictly prohibited.
- 3.9 No **Person** shall erect, display or cause or permit to be erected or displayed any **Sign** at those intersections listed in accordance with Schedule A of the Regional Municipality of York's **Sign By-law 2015-36**, as amended from time to time.
- 3.10 Unless otherwise authorized by the bylaw, no **Person** shall erect, install, post, or otherwise display a **Temporary Sign** within the **Town** of Newmarket.

**4.0 Requirement For Sign Permit:**

- 4.1
- No **Person** shall erect, install, post, display or **Alter** any **Sign** on a **Premises** within the **Town** for which a **Sign Permit** is required and has not been obtained.
- 4.2
- No **Person** shall deviate from an approved plan, drawing, or specification for which a **Sign Permit** or building permit has been obtained, without the prior written permission of the **Director** or the **Chief Building Official** respectively and such permission may be conditional on a new **Sign Permit** or building permit being applied for and obtained.

5.0    **Signs Not Requiring A Sign Permit:**

5.1    Notwithstanding **Section 4.1**, a **Sign Permit** is not required for the following                    **Signs**, but such **Signs** shall comply with all other requirements                    of                    this                    By-law:

Sign type / Description	Applicable Zones	Provisions
Official <b>Signs</b> / Public Safety <b>Signs</b>	All <b>Zones</b>	Pursuant to <b>Section 28.0</b>
<b>Incidental Sign</b>	All <b>Zones</b> except <b>Residential</b>	Maximum height of 0.9 metres (2.95 ft) and shall be permitted to display the name or logo of a use on the lot.  Shall be located on Private <b>Property</b>
Trespassing, safety or other warning <b>Sign</b>	All <b>Zones</b> except <b>Residential</b>	Not exceeding 0.5m <sup>2</sup> (5.38 sq. ft.) in <b>Sign Area</b> .  Illumination not permitted
	<b>Residential Zone</b>	Not exceeding 0.2m <sup>2</sup> (2.15 sq. ft.)  Illumination not permitted
Address <b>Sign</b>	All <b>Zones</b>	Not exceeding 0.2 m <sup>2</sup> (2.15 sq. ft.) in <b>Sign Area</b>  Shall be located on private <b>Property</b>
Flag of corporations, educational, religious, or charitable organizations	All <b>Zones</b>	Not more than three (3) flags per <b>Premises</b> .  Each flag shall not exceed 7.62m (25.0 ft.) in height and shall have a maximum area of 2.7m <sup>2</sup> (29.0 sq. ft.)
Emblems or insignia of patriotic, civic, educational, religious or charitable organizations.		Emblems or insignia shall not exceed 7.62m (25.0 ft.) in height and shall have a maximum area of 2.7m <sup>2</sup> (29.0 ft <sup>2</sup> )
<b>Home Occupation Sign</b>	<b>Residential Zone</b>	Maximum <b>Sign Area</b> of 0.2 m <sup>2</sup> (2.15 sq. ft.)



		<p>Maximum height of 1.5m (5ft.)</p> <p>One <b>Sign</b> may be erected where the use of the <b>Property</b> for any Home based <b>Business</b> complies with the <b>Zoning By-Law</b>.</p> <p>Such <b>Sign</b> shall be erected or displayed in the form of a <b>Fascia Sign, Projecting Sign, or Ground Sign</b>.</p> <p>Illumination not permitted.</p>
Real Estate <b>Sign</b>	All <b>Zones</b>	<p>Maximum <b>Sign Area</b> of 1.0m<sup>2</sup> (10.7 sq. ft.) in a <b>Residential Zone</b>.</p> <p>For all other <b>Zones</b> a maximum area of 4.0m<sup>2</sup> (43 sq. ft.)</p> <p>One (1) <b>Sign</b> per <b>Street Line</b> of the <b>Property</b> on which the <b>Sign</b> is erected.</p> <p>Such <b>Sign</b> shall be removed thirty (30) calendar days after the <b>Premises</b> has been sold, rented, or leased.</p> <p>No <b>Sign</b> shall be within a <b>Sight Triangle</b>.</p>
Garage Sale <b>Sign</b>	All <b>Zones</b>	<p>Only displayed or erected after 5:00pm on the day immediately before the garage sale and must be removed no later than 7am on the day immediately following the garage sale;</p> <p>Maximum height 0.6m (2ft);</p> <p>Maximum width 0.6m (2ft);</p> <p>Shall be located within the untraveled portion of the road allowance, not including any centre median, traffic island or centre boulevard of a roadway;</p> <p>Minimum of 1.83m (6ft) from roadway</p> <p>Minimum of 0.6m (1.97ft)from sidewalks and driveways</p> <p>Must include the address of the <b>Property</b> where the garage sale will be located;</p> <p>Must include the date of the garage sale</p>
Open House <b>Sign</b>	All <b>Zones</b>	<p>Only displayed on the day which the open house takes place.</p> <p>Must be in the form of an A-Frame or <b>Temporary Sign</b>.</p> <p>Minimum of 1.83 m (6ft.)from roadway</p> <p>Minimum of 0.6m (1.9 ft.) from sidewalks and driveways.</p> <p>Shall be located within the untraveled portion of the road allowance, not including any</p>

		centre median, traffic island or centre boulevard of a roadway. Include address of <b>Property</b> and date of open house
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Residential Contractor Advertising <b>Sign</b>	<b>Residential Zone</b>	<b>Sign type:</b> Must be in the form of a A-Frame <b>Sign</b> <b>Sign location:</b> Must be located on the <b>Property</b> where the work is occurring, <b>Time frame:</b> Must be erected no more than seven (7) calendar days prior to the commencement of the project and removed seven (7) calendar days after the project is completed.
Entrance Gate <b>Sign</b> - located at the entrance to a subdivision/apartment or condominium complex	<b>Residential Zone</b> and <b>Urban Centre Zone</b>	One (1) <b>Sign</b> per <b>Frontage</b>  Maximum <b>Sign Area</b> 2.32m <sup>2</sup> (25.0 sq. ft.)  Minimum ground clearance 0.91m (3.0 ft.)  Maximum height 7.5m (24.6 ft.)
<b>Menu Board Sign</b>	<b>Urban Centre Zone</b> and <b>Commercial Zone</b>	Maximum <b>Sign Area</b> 4m <sup>2</sup> (43.06 sq. ft.)
Public transit or any <b>Street</b> furniture/fixture advertising	<b>All Zones</b>	As approved by the <b>Town</b> or <b>Region</b>
<b>Window Sign</b>	<b>All Zones</b>	Shall be non-flashing Shall not emit sound that can be heard from out side Shall not be <b>Animated</b>
<b>Signs</b> located under Gas station canopies	<b>Commercial Zone</b>	Shall be non-flashing Shall not emit sound Shall not be <b>Animated</b>

5.2 Where a **Sign** not requiring a **Sign Permit** has been erected, installed, posted, displayed, maintained or otherwise displayed in contravention of any provision of this By-law, **Subsection 31.2** shall apply.

**6.0 Sign Permit Applications:**

6.1 No **Person** shall erect, display or **Alter**, or cause or permit to be erected, displayed or altered, a **Sign** within the **Town**, unless otherwise exempted, without first obtaining a **Sign Permit** from the **Director** pursuant to this

By-law. All **Signs** shall comply with all other applicable **Town** by-laws and all other applicable law.

- 6.2 Every **Applicant** for a **Sign Permit** shall complete a **Sign Permit** application form as prescribed by the **Town**, submit all necessary plans, drawings, and specifications and pay all applicable fees as set out in the **Fees And Charges By-Law**.

6.3 **Sign Permit** Information

All plans, drawings, and specifications accompanying a **Sign Permit** application form shall be provided in duplicate and shall meet the requirements as set out in the prescribed form.

- 6.4 No **Sign Permit** shall be issued until approvals have been obtained, where applicable, from the following:

- a) The Lake Simcoe Region Conservation Authority, pursuant to the Conservation Authorities Act, R.S.O. 1990, c. C.27;
- b) The **Chief Building Official** pursuant to the **Building Code Act**, 1992;
- c) The Regional Municipality of York, pursuant to any other applicable regional by-laws;
- d) Newmarket Hydro; and
- e) Any other applicable governmental authority.

- 6.5 No **Sign Permit** shall be issued by the **Director** unless the application meets all the requirements of this By-law and any other applicable laws or unless a variance has been granted pursuant to **Section 33.0**.

- 6.6 No more than four (4) **Sign Permits** per **Sign** type shall be issued to a single **Business** on the **Premises** on which the **Sign** is to be displayed, in a calendar year.

- 6.7 No **Applicant** shall submit false or misleading information or documents or make omissions that may mislead in connection with any application for a **Sign Permit**, detail of construction or revision thereto.

- 6.8 The **Applicant** shall be responsible to comply with this By-law and the approved plans, drawings and specifications and to ensure that each set of plans, drawings, and specifications approved by the **Town** is identical in every respect. Failure to do so shall not relieve the **Applicant** of the responsibility for complying with every requirement of the By-law, should any discrepancies between the plans, drawings, or specifications and the erected **Sign** become apparent to the **Town**.

- 6.9 Revisions may be made to the application or approved documents provided they do not require significant additional work by the **Town**. An administration fee as set out in the **Fees And Charges By-Law** will be charged for all revisions.

- 6.10 An application for a **Sign Permit** shall be deemed to have been abandoned six (6) months after the date of filing, unless such application has been diligently pursued or a **Sign Permit** has been issued.

- 6.11 **Sign Permit** fees may be doubled if a **Sign** has been constructed, erected, installed, altered, posted, or displayed, prior to a **Sign Permit** being issued or obtained for that specific **Sign**.

- 6.12 All or some of the following documentation must be provided, in duplicate, along with the application if required or requested:

- a) Survey/Site Plan to scale, with all measurements in metric indicating location of proposed **Signs**, total **Frontage** of **Property**, all boundary lines, location of existing signage, all entrances and exits from buildings;
- b) **Property Owners Letter of Permission**;
- c) Engineered approved and stamped drawings in detail drawn to scale including dimensions, **Sign Area**, along with a final construction review report completed by the engineer after the **Sign** has been erected;
- d) MTO Approval, for any **Sign** within 400m (1312ft) and visible from the 404 highway;
- e) Newmarket Hydro Approval, for **Ground Signs**, **Billboard Signs**, **Commercial Construction Information Signs**, and **Subdivision Development Signs**;
- f) York Region Approval, for any **Sign** located York Region **Property**;
- g) Lake Simcoe Region Conservation Authority Approval for **Signs** within their jurisdiction;

## 7.0 Expiration Of Permit:

- 7.1 Every **Sign Permit** issued by the **Town** for the erection, display or alteration of a **Sign** expires and is null and void where the **Business**, product, activity or service to which the **Sign** relates ceases to operate or is no longer available at the **Premises** where the **Sign** is located.
- 7.2 Notwithstanding **Subsection 7.1**, the following expiration periods apply:
  - a) **Sign Permits** for **Inflatable Signs**, and **Mobile Signs** shall expire thirty (30) calendar days from the date of issuance;
  - b) **Sign Permits** for **Portable Signs** shall expire one (1) calendar year from the date of issuance;
  - c) **Sign Permits** for **Billboard Signs** shall expire five (5) years from the date of issuance.
- 7.3 Where a **Sign Permit** has expired, the **Sign Owner** shall immediately remove the **Sign** from the **Premises**.
- 7.4 Where a new **Business** is using the **Sign Structure** from a previous **Business**, the new **Business** is required to get a permit. For greater clarification, a lens change, from one **Business** to another, in a **Fascia Sign** or **Ground Sign** requires a **Sign Permit**.

## 8.0 Transfer Of Permit:

- 8.1 A **Sign Permit** is non-transferrable from one **Business** location to another.

## 9.0 Revocation Of Permit:

- 9.1 A **Sign Permit** may be revoked by the **Town** where:
  - a) the **Sign** does not conform to this By-law and amendments thereto;
  - b) the **Sign** does not conform to any regulation, law or requirements of any governmental authority having jurisdiction over the area where the **Sign** is situated;
  - c) the **Sign Permit** has been issued as the result of false, mistaken, incorrect, or misleading statements, or undertakings in the application;

- d) the erection, display or alteration of the **Sign** authorized by the **Sign Permit** has not, in the opinion of the **Director**, been seriously commenced within six months of the date of issuance of the **Sign Permit**;
- e) an order has been issued and the **Sign** has not been brought into compliance with the by-law within forty-eight (48) hours, or;
- f) any fees applicable to the **Sign** under the **Fees And Charges By-Law** have not been paid;
- g) the **Sign Permit** was issued on the basis of a variance issued under **Section 33.0** with conditions and there has not been compliance with a condition imposed, or a condition has been breached; or
- h) the **Sign Permit** has been issued in error by the **Town**.

#### 10.0 Maintenance:

- 10.1 The **Sign Owner** shall maintain, or ensure that such **Sign** is maintained in a proper state of repair so that such **Sign**:
- a) is fully operative at all times;
  - b) in compliance with any approved plans, drawings, and specifications; and
  - c) does not become unsightly, unsafe or damaged.
- 10.2 Maintenance or repairs using **Material** identical to the **Materials** of the component being maintained or repaired for the continuance of the **Business** does not constitute an alteration so as to require a **Sign Permit** to be issued.

#### 11.0 Location:

- 11.1 No **Sign** shall be erected, placed, or permitted to stand on or overhang public **Property**, including sidewalks or boulevards, except as hereinafter expressly provided for **Hoarding Signs**, **Projecting Signs** and Real Estate **Signs**.
- 11.2 Notwithstanding any of the provisions of this By-law, no **Person** shall erect, install, post, or otherwise display any **Sign** on any tree, post, pole, light standard, fence, with the exception of **Hoarding Sign**, on any **Property** owned by or under the jurisdiction of the **Town**, without the prior written consent of the **Town**.
- 11.3 No **Sign** other than a **Fascia Sign** shall:
- a) be permitted within 10.67 metres (35.0 feet) of a traffic light;
  - b) be erected upon or supported by a parapet; or,
  - c) be erected upon or supported by a firewall or its parapet.
- 11.4 No **Sign** shall be located upon any building as to obstruct any window, door, roof access hatch, skylight or fire escape so as to prevent the free access of firefighters to any part of the building at any time.
- 11.5 All **Signs** erected or displayed shall be located a minimum of 1.83 metres (6.0 ft) away from the face of the curb or edge of pavement of a roadway, and where there is a sidewalk, not within 0.6 metres (1.97 ft) of such sidewalk, except for a **Portable Sign** located in the Historic Downtown **Urban Centre Zone** or Downtown **Urban Centre Zone**.
- 11.6 Notwithstanding any of the provisions of this By-law, no **Person** shall erect, install, post, or otherwise display any **Sign** on any tree, post, pole,

light standard, or fence, with the exception of **Hoarding Signs** and flags on flagpoles, located on private **Property**.

## **12.0 Strength Of Buildings:**

No **Sign** shall be erected on any building unless such building has been designed by a Professional Engineer to carry the additional dead and wind loads due to the erection of such **Sign**.

## **13.0 Sign Materials:**

- 13.1 Every **Sign** attached to the exterior wall of a building shall be safely and securely anchored thereto by means of approved metal anchors, bolts, chains, wire ropes, or steel rods. No wooden blocks or anchorage with wood used in connection with screws or nails shall be considered proper anchorage except in the case of **Signs** attached to buildings with walls of wood. Staples, nails or holdfasts driven into masonry walls shall not be considered proper support or anchorage for **Signs**. No **Sign** shall be supported in any manner by an unbraced parapet wall, except as provided for in **Subsection 11.3 b)** of this By-law.
- 13.2 Notwithstanding **Subsections 13.3, 13.4 and 13.5**, all **Ground Signs, Billboard Signs, Fascia Signs** and **Projecting Signs** and the **Sign Structure** shall be constructed entirely of metal or other non-combustible **Materials**.
- 13.3 Notwithstanding **Subsection 13.2** thereof, **Ground Signs** constructed wholly or partly of combustible **Materials** may be erected in the Downtown **Urban Centre Zone** and Historic Downtown **Urban Centre Zone** provided that such **Signs** shall not exceed a height of 3.66 metres (12.0 feet), measured from the level of the ground immediately below such **Sign** to the highest point thereof.
- 13.4 Notwithstanding **Subsection 13.2** thereof, **Fascia Signs** constructed wholly or partly of combustible **Materials** may be erected in the Downtown **Urban Centre Zone** and Historic Downtown **Urban Centre Zone** provided that such **Signs** are not located within 0.61 metres (2.0 feet) of any window above the first storey or within 0.91 metres (3.0 feet) of any fire escape or exit.
- 13.5 Notwithstanding **Subsection 13.2** thereof, **Projecting Signs** constructed wholly or partly of combustible **Materials** may be erected in the Downtown **Urban Centre Zone** and Historic Downtown **Urban Centre Zone**.
- 13.6 Notwithstanding any other provisions of this By-law, approved plastics may be used as facing **Material** and as letters and decorations on **Signs** subject to the following limitations and regulations:
  - a) All parts of the **Sign** other than the letters and decorations shall be made from non-combustible **Materials**, the area of the display surface or facing which may be occupied or covered by letters and decorations may be made from or faced with approved plastics.
  - b) If plastics are employed in any part of a **Sign** the finished plastic unit shall be identified either with the **Material** manufacturer's trade name, or with the common name of the plastic **Material**.

14.0 Illumination:

- 14.1 Illuminated **Signs** shall be designed, erected and operated so that the light from such **Signs** does not project onto any adjacent **Premises**.
- 14.2 Electric illumination shall be installed in accordance with the requirements of Newmarket Hydro.
- 14.3 External lighting shall be limited to the following:

a) open hooded spotlights, which are a traditional form of lighting;

b) lighting recessed in an architectural feature adjacent to the **Sign**;

c) lights concealed behind relief lettering that illuminates individual letters in silhouettes against the background panel; or

d) spot lighting positioned below the **Sign** and shining upward.
- In all cases lamps shall be designed to be visually unobtrusive, which determination shall be made by the **Director**.
- 15.0 Sign And Zone Specific Regulations:
- In addition to the requirements to obtain a **Sign Permit** under **Section 6.0**, **Signs** shall comply with the applicable **Sign** type restrictions under **Sections 16.0** through to **29.0** inclusive.
- 16.0 Ground Signs:
- |                           | Required Zoning                 | # of Signs        | Frontage                    | Maximum Sign Area                 | Maximum Height   | Minimum Ground Clearance | Illumination   |
|---------------------------|---------------------------------|-------------------|-----------------------------|-----------------------------------|------------------|--------------------------|--|
| Class A <sup>1, 2</sup>   | Commercial                      | 1                 | Less than 243.84m (800 ft.) | 27.87m <sup>2</sup> (300 sq. ft.) | 7.5m (24.6 ft.)  | 0.91m (3.0 ft.)          | Permitted in accordance with <b>Subsections 14.1</b> and <b>14.2</b><br><br><b>Electronic Changeable Copy</b> permitted in accordance with <b>Section 25.0</b> as applicable |
|                           | Employment<br><br>Urban Centre* | 2                 | 243.84m (800 ft.) or more   | 46.45m <sup>2</sup> (500 sq. ft.) | 10.67m (35.0 ft) |                          |  |
| Class B <sup>1,2, 3</sup> | Downtown Urban Centre           | 1                 |                             | 2.32m <sup>2</sup> (25.0 sq. ft.) | 7.5m (24.6 ft.)  | 0.91m (3.0 ft.)          |  |
|                           | Historic Downtown Urban Centre  |                   |                             |                                   |                  |                          |  |
| Class C <sup>1,2</sup>    | Institutional                   | 1                 |                             | 2.32m <sup>2</sup> (25.0 sq. ft.) | 7.5m (24.6 ft.)  | 0.91m (3.0 ft.)          |  |
| Class D <sup>1, 2</sup>   | Open Space                      | 1                 |                             | 13.94m <sup>2</sup> (150 sq. ft.) | 7.5m (24.6 ft.)  | 0.91m (3.0 ft.)          | Not Permitted  |
|                           | Golf Course                     |                   |                             |                                   |                  |                          |  |
| Menu Board Sign           | Commercial<br><br>Urban         | 1 Menu Board Sign |                             | 4.0 m <sup>2</sup> (43 sq. ft.)   | 2.5 m (6.5 ft )  |                          | Permitted in accordance with Subsections   |
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	Centre	1 Pre Menu Board		2.0 m <sup>2</sup> (21.5 sq. ft.)	2.5 m ( 6.5 ft )		14.1 and 14.2
<sup>1</sup> <b>Ground Signs</b> , and their structural members shall be constructed entirely of metal or other non-combustible <b>Materials</b> .							
<sup>2</sup> <b>Ground Signs</b> shall not be located within 0.6m (2.0ft) of a <b>Property</b> line.							
<sup>3</sup> <b>Ground Signs</b> which are located in the Downtown Urban Centre and Historic Downtown <b>Urban Centre Zones</b> may be constructed in whole or in part of combustible <b>Materials</b> , provided that such <b>Signs</b> do not exceed a height of 3.66 metres (12.0 feet), measured from the level of the ground, immediately below such <b>Sign</b> , to the highest point thereof.							
* Excluding Downtown <b>Urban Centre Zone</b> or Historic Downtown <b>Urban Centre Zone</b>							

16.1 **Billboard Signs:**

	Required Zoning	# of Signs	Frontage	Maximum Sign Area	Maximum Height	Minimum Ground Clearance	Illumination
Billboard Sign <sup>1,2</sup>	Commercial	1	Less than 300.0m (984.0ft)	18.58m² (200 sq. ft.)	7.5m (24.6 ft.)	3.05m (10.0 ft.)	Electronic Changeable Copy permitted in accordance with Section 25.0 as applicable
	Employment  Urban Centre*	2	300.0m (984.0ft) or more	Per Sign Face			
<sup>1</sup> Billboard Signs and their structural members shall be constructed entirely of metal or other non-combustible Materials							
<sup>2</sup> Subject to separation distances set out in Subsections 16.2 and 16.3							
* Excluding Downtown Urban Centre Zone or Historic Downtown Urban Centre Zone							

16.2 No **Person** shall erect, locate or display a **Billboard Sign**:

- a) on the same **Property** as a **Mobile Sign**;
- b) within a radius of 300.0 metres (984ft) of any other **Billboard Sign** or 15.0 metres (49.2ft) of any **Ground Sign**;
- c) on **Property** other than **Property** within an **Urban Centre Zone**, **Commercial Zone** or **Employment Zone**;
- d) on any **Property** on which another **Billboard Sign** has been erected or for which a **Sign Permit** has been issued for a **Billboard Sign** under this by-law, except where the **Property** has a **Frontage** greater than 300.0 metres (984ft); or
- e) within 200 metres (656ft) of any of the following:
  - i) any **Property** within a **Residential Zone** or legally used for **Residential** purposes; or
  - ii) any **Property** which is used for a school or park, or any **Property** which is designated under Part IV or Part V of the Ontario Heritage Act.

16.3 No **Billboard Sign** shall be located any closer to the edge of the road allowance than the following:

- a) 4.0m (13.1ft) from the edge of the road allowance; or
- b) 1.5m (4.9ft) from any **Property** line.

16.4 **Billboard Signs** displaying **Electronic Changeable Copy** or **Mechanical Copy** shall be subject to the applicable provisions contained in **Section 25.0**.



- 16.5 A **Billboard Sign** shall not contain or use more than two visible faces for advertising purposes.
- 16.6 A **Billboard Sign** may be illuminated but shall not be otherwise electrically animated, have any moving parts or **Animated** message changes.
- 16.7 Notwithstanding **Subsection 3.2**, a **Billboard Sign** may contain third party content subject to the appropriate **Sign Permit** being obtained.

17.0 Fascia Signs:

	Required Zoning		Maximum Sign Area	Maximum Height	Minimum Ground Clearance	Illumination
Class A 1, 2 ***	Commercial	All	23.22m <sup>2</sup> (250.0 sq. ft.)		2.44m (8.0ft.) above adjoining grade	Permitted in accordance with <b>Subsections 14.1</b> and <b>14.2</b>  <b>Electronic Changeable Copy</b> permitted in accordance with <b>Section 25.0</b> as applicable
	Urban Centre*	Corner Building	27.87 m <sup>2</sup> (300.0 sq. ft.)			
Class B 1, 3 ***	Downtown Urban Centre*	All	23.22m <sup>2</sup> (250.0 sq. ft.)		2.44m (8.0ft.) above adjoining grade	Permitted in accordance with <b>Subsections 14.1</b> and <b>14.2</b>
	Historic Downtown Urban Centre*	Corner Building	27.87 m <sup>2</sup> (300.0 sq. ft.)			
Class C 1, 2 ***	Institutional and all other Zones **		2.32 m <sup>2</sup> (25.0 sq. ft.)		2.44m (8.0ft.) above adjoining grade	Permitted in accordance with <b>Subsections 14.1</b> and <b>14.2</b>
<sup>1</sup> <b>Fascia Signs</b> shall not be erected to extend above the top of the wall nor extend beyond the ends of the wall to which they are attached.						
<sup>2</sup> No portion of a <b>Fascia Sign</b> shall project more than 20.32 cm (8.0 inches) from the face of the wall for <b>Signs</b> located over private <b>Property</b> .						
<sup>3</sup> <b>Fascia Signs</b> placed on the wall of a building within the Historic Downtown <b>Urban Centre Zone</b> shall be permitted to encroach to a maximum of 0.61 metres (2.0 feet) beyond the main walls of a building.						
* Excluding Downtown <b>Urban Centre Zone</b> or Historic Downtown <b>Urban Centre Zone</b>						
** excluding <b>Residential Zones</b>						
*** <b>Mural Signs</b> must form part of the overall area of the <b>Mural</b>						

18.0 Projecting Signs:

	Required Zoning	# of Signs	Maximum Sign Area	Maximum Height	Minimum Ground Clearance	Illumination
Class A <sup>1</sup>	Commercial	1 per Businesses**	23.23 m <sup>2</sup> (250.0 sq. ft.)		2.44m (8.0ft.) above	<b>Electronic Changeable Copy</b> permitted

	<b>Employment</b>  Urban Centre*				adjoining grade	in accordance with <b>Section 25.0 as applicable</b>
<b>Class B</b> <sup>1,2</sup>	Downtown Urban Centre  Historic Downtown Urban Centre	1 per <b>Business</b> **	23.23 m <sup>2</sup> (250.0 sq. ft.)		2.44m (8.0ft.) above adjoining grade	
Awning <b>Signs</b> shall be deemed to be <b>Projecting Signs</b> and shall be permitted to encroach to a maximum of 0.61 metres (2.0 feet) beyond the main walls of a building and shall be subject to the above provisions.						
<sup>1</sup> <b>projecting Signs</b> shall not project above the roof level in <b>Shopping Centres</b>						
<sup>2</sup> <b>Projecting Signs</b> placed on the wall of a building within the Historic Downtown <b>Urban Centre Zone</b> shall be permitted to encroach to a maximum of 0.61 metres (2.0 feet) beyond the main walls of a building						
<sup>3</sup> The Maximum <b>Sign Area</b> shall apply to the <b>Sign Copy</b> of an Awning <b>Sign</b> , not the <b>Sign Face</b> or <b>Sign Structure</b> .						
* Excluding Downtown <b>Urban Centre Zone</b> or Historic Downtown <b>Urban Centre Zone</b>						
** Excluding Awning <b>Signs</b>						

19.0 Mobile Signs And Portable Signs:

19.1 Every **Mobile Sign** and **Portable Sign** erected or installed pursuant to this By-law shall:

- a) not be located closer than 4.57 metres (15.0 feet) from the intersection of a driveway with a **Street Line** or the intersection of two **Street Lines** or 0.91 metres (3.0 feet) from any municipal sidewalk, provided that where the lot abuts a regional road or provincial highway, the **Sign** shall be set back such distance from such road or highway as determined by the appropriate road authority provided such distance is not less than 4.57 metres (15.0 feet);
- b) not be located closer than 4.57 metres (15.0 feet) from the limits of a driveway entrance as delineated by pavement markings, driveway islands or driveway curbs or any combination thereof;
- c) not occupy a parking space within a **Parking Lot** or **Parking Area**; and,
- d) only advertise the **Business** to which the **Sign Permit** was issued.

	<b>Required Zoning</b>	<b>Maximum # of Signs</b>	<b>Maximum Sign Area</b>	<b>Maximum Dimensions</b>	<b>Illumination</b>	<b>Permit Length</b>
<b>Mobile Signs</b> 1,2,3,4,5,6	<b>Commercial Employment</b>  Urban Centre*	Total <b>Portable Sign</b> , and <b>Mobile Sign</b> combined restriction by <b>Frontage (Per Premises): Frontage #</b> 0.3-60.96m	4.46 m <sup>2</sup> (48.0 sq. ft.)	Including supporting structure 2.44m (8.0 ft.)	Not permitted	30 calendar days

<b>Portable Signs</b> <sup>5,6,7,8, 9,10</sup>  <b>Class A</b>       <b>Class B</b>	<b>Commercial</b>	(1.0-200.0 ft.) 6	1.86m <sup>2</sup> (20.0 sq. ft.)	1.52m (5.0 ft.) in height	Not permitted	One (1) Calendar Year
	<b>Employment</b>	61.26-152.4 m (201.0-500.0 ft.) 9		1.22m (4.0ft.) in width		
	Urban Centre*	152.7-304.8 m (501.0-1000.0 ft.) 12				
		304.8 m + (1001.0 ft. +) 15				
	Downtown Urban Centre	One (1) per <b>Business</b>	0.56 m <sup>2</sup> (6 sq. ft.)	0.91 m (3 ft.) in height	Not permitted	One (1) Calendar Year
	Historic Downtown Urban Centre			0.61m (2 ft.) in width		
<sup>1</sup> <b>Mobile Signs</b> shall display the name and telephone number of the <b>Sign Owner</b> in a visible location on the <b>Sign</b> .						
<sup>2</sup> <b>Mobile Signs</b> shall only advertise the <b>Business</b> to which the <b>Sign Permit</b> was issued.						
<sup>3</sup> <b>Mobile Signs</b> shall be comprised of a black background, within a black frame, all letters or other writings or markings shall be white and photographic images or logos may be in full colour						
<sup>4</sup> <b>Mobile Signs</b> shall not be located on the same <b>Property</b> as a <b>Billboard Sign</b>						
<sup>5</sup> <b>Sign Permits</b> for <b>Mobile Signs</b> and <b>Portable Signs</b> shall be subject to the conditions under <b>Subsection 7.2</b>						
<sup>6</sup> Within the <b>Frontage</b> limits provided above, each <b>Business</b> shall be restricted to the use of one (1) <b>Portable Sign</b> or one (1) <b>Mobile Sign</b> per <b>Business Premises</b> on which the <b>Business</b> is located at any one time.						
<sup>7</sup> <b>Portable Signs</b> shall not be placed earlier than one (1) hour before the posted hour for the opening of the <b>Business</b> to which it is related and shall be removed within one (1) hour after the posted hour of the closing of the <b>Business</b> to which it is related each day. Excluding Advertising Flag <b>Signs</b> .						
<sup>8</sup> A <b>Portable Sign</b> located in the Historic Downtown <b>Urban Centre Zone</b> or Downtown <b>Urban Centre Zone</b> may be placed on the municipal sidewalk in front of the <b>Business</b> and can be permitted to encroach a maximum of 0.61 meters (2.0 feet) from the main wall of the building facing the <b>Street</b> .						
<sup>9</sup> Advertising Flag <b>Signs</b> shall not be used in the Historic Downtown <b>Urban Centre Zone</b> or Downtown <b>Urban Centre Zone</b>						
<sup>10</sup> Advertising Flag <b>Signs</b> shall not exceed 3.36 meters (11.0 feet) in height						
* Excluding Downtown <b>Urban Centre Zone</b> or Historic Downtown <b>Urban Centre Zone</b>						

20.0 Banners:

	Required Zoning	# of Signs	Maximum Sign Area	Maximum Height	Location	Illumination
<b>Banners</b>	<b>Commercial</b>  <b>Employment</b>  Urban Centre*	1 per <b>Business</b>	6.0 m <sup>2</sup> (64.58 sq. ft.)	1.0m (3.28ft)	<b>Banners</b> shall only be displayed on the first storey of a building. In	Not permitted

					the case of a <b>Seasonal Business</b> , <b>Banners</b> are permitted on a fence around the <b>Seasonal Business</b> , or on an associated trailer, shipping container or sales office.	
The <b>Banner</b> shall only refer to the <b>Business</b> to which the <b>Sign Permit</b> was issued.						
<b>Banners</b> shall be permitted for display once a year, with the exception that a <b>Seasonal Business</b> which can display twice per year, per <b>Business</b> to advertise a grand opening or promotional event, for a period of thirty (30) calendar days.						
<b>Banners</b> shall not be erected or displayed to obstruct or interfere with the free use of any fire escape, exit or standpipe.						
* Excluding Downtown <b>Urban Centre Zone</b> or Historic Downtown <b>Urban Centre Zone</b>						

21.0 Signs Incidental To Construction:

Commercial Construction Information Signs

21.1 A **Commercial Construction Information Sign** shall be removed when one hundred percent (100%) of the units being advertised have been sold.

Hoarding Signs

21.2 Prior to a **Sign Permit** being issued for a **Hoarding Sign**, the **Applicant** shall provide a certificate confirming to the **Town** that a minimum of \$5,000,000.00 of valid comprehensive general liability insurance is in effect and that the **Town** is named as an additional insured.

	Required Zoning	Maximum Number	Maximum Sign Area	Maximum Height	Location
<b>Commercial Construction Information Signs</b> <sup>1,2, 3</sup>  <b>Class A</b>	<b>Commercial I</b>  <b>Employment</b>  <b>Institutional</b>  Urban Centre*		27.87m <sup>2</sup> (300 sq. ft.)	7.5m (24.6ft)	Minimum separation distance between <b>Commercial Construction Information Signs</b> 100.0m (328.08ft)
<b>Class B</b> <sup>1,2,3</sup>	Downtown Urban Centre  Historic Downtown Urban Centre		10.0m <sup>2</sup> (107.64 sq. ft.)		

<b>Hoarding Signs</b> <sup>4,5,6,7</sup>	<b>All Zones</b>			Combined height of construction hoarding and signage 3.08m (10.0ft)	
<sup>1</sup> A <b>Commercial Construction Information Sign</b> shall not be erected until the development being advertised has been draft approved by <b>Town</b> planning staff.					
<sup>2</sup> A <b>Commercial Construction Information Sign</b> shall be located within the development that it advertises.					
<sup>3</sup> Any <b>Person</b> may erect one non-illuminated <b>Commercial Construction Information Sign</b> , for a period not exceeding three (3) months or until the permanent <b>Ground Sign</b> is erected, whichever shall first occur.					
<sup>4</sup> <b>Hoarding Signs</b> shall only be permitted where the <b>Owner</b> has entered into an agreement with the <b>Town</b> which authorizes the construction hoarding and where the <b>Owner</b> has obtained a <b>Sign Permit</b>					
<sup>5</sup> A maximum of sixty percent (60%) of the construction hoarding area shall be permitted to display signage and advertising materials.					
<sup>6</sup> <b>Hoarding Signs</b> shall only be composed of signage and advertising material specific to the development of the site and not the Owner's or Developer's <b>Business</b> in general					
<sup>7</sup> <b>Hoarding Signs</b> shall not incorporate any <b>Electronic Changeable Copy</b> or <b>Mechanical Copy</b> .					
* Excluding Downtown <b>Urban Centre Zone</b> or Historic Downtown <b>Urban Centre Zone</b>					

**22.0 New Home Development Signs:**

22.1 No **Person** shall place or locate a **New Home Development Sign**:

- a) within a **Sight Triangle**, on a median or any other location on a **Street** that obstructs a sight line or otherwise interferes with **Street** maintenance, or impedes the movement of pedestrian or vehicular traffic, or otherwise creates a hazard;
- b) closer than 10.0 metres (32.8 feet) to a transit stop;
- c) closer than 5.0 metres (16.4 feet) to a driveway intersection with a **Street Line**; or
- d) within 1.0 metre (3.2 feet) of any municipal sidewalk.

22.2 No **Person** shall place or locate a **New Home Development Sign** on a **Street** before 7:00 p.m. on a Friday and all such **Signs** shall be removed no later than 6:00 a.m. of the immediately following Monday, provided that where a Friday or Monday is a statutory holiday, the hours shall be extended only to the extent necessary to include the statutory holiday.

22.3 Prior to a **Sign Permit** being issued for a **New Home Development Sign**, the **Applicant** shall provide a certificate confirming to the **Town** that a minimum of \$5,000,000.00 of valid comprehensive general liability insurance is in effect and that the **Town** is named as an additional insured.

22.4 Where a **Builder** has erected a sales office or a model home(s) within a **New Home Development**, such **Builder** may place one **Model Home Ground Sign**, not exceeding 1.12 m<sup>2</sup> (12.0 sq. ft.), on each residential lot or proposed residential lot intended for private ownership, upon which such model home or sales office is located. For greater certainty, no such **Model Home Ground Sign** may be located on any lands which are to be

conveyed to the **Town** or which may form part of a municipal road allowance.

	Required Zoning	Maximum Number	Maximum Sign Area	Maximum Height	Location
New Home Development Sign		Each <b>Builder</b> limited to ten (10) <b>New Home Development Signs</b> per project	No more than two (2) <b>Sign Faces</b> each <b>Sign Face</b> with a maximum area of 1.86m <sup>2</sup> (20.0 sq. ft.)	1.52m (5.0 ft.)	May be placed on a <b>Street</b> subject to the requirements of <b>Section 22.0</b>
Subdivision Development Sign <sup>1, 3</sup>	Residential Zone	Three (3)	20.0m <sup>2</sup> (215 sq. ft.)	7.5m 24.6ft	Shall be located within the development that the <b>Sign</b> advertises; Minimum separation distance between each <b>Subdivision Development Sign</b> of 300m (984.3ft)
Model Home Ground Sign <sup>2</sup>	Model Home/Sales Centre	One (1) per residential lot or proposed residential lot intended for private ownership, upon which a model home/sales office is located.	1.12m <sup>2</sup> (12 sq. ft.)		
New Home Development Signs shall be limited to two (2) corners of a <b>Street</b> intersection and a maximum of five (5) in total for each corner of the two (2) corners of the <b>Street</b> intersection.					
Each <b>Builder</b> shall be limited to two (2) <b>Signs</b> in total for each <b>Street</b> intersection					
<sup>1</sup> <b>Subdivision Development Signs</b> shall be removed when one hundred percent (100%) of the units being advertised have been sold					
<sup>2</sup> No such <b>Model Home Ground Signs</b> may be located on any lands which are to be conveyed to the <b>Town</b> or which may form part of a municipal road allowance.					
<sup>3</sup> A <b>Subdivision Development Sign</b> shall not be erected until the development being advertised has been draft approved by <b>Town</b> planning staff.					

23.0 Inflatable Signs:

23.1 No **Person** shall place or locate an **Inflatable Sign**:

- a) within 3.0 m (9.8 ft.) of any **Property** line;
- b) within 3.0 m (9.8 ft.) of any driveway entrance and exit;
- c) within 10.0 m (32.8 ft.) of any **Ground Sign** or **Mobile Sign** on the same **Property** or abutting **Property**;
- d) within 92.0 m (301.0 ft.) of a residential **Property**, measured in a straight line; or
- e) within 50.0 m (164.0 ft) of a traffic light standard.

23.2 **Inflatable Signs** shall not be erected or displayed on a roof.

- 23.3 One **Inflatable Sign** shall be permitted for each **Property** at any one time.
- 23.4 Before being issued a **Sign Permit** for an **Inflatable Sign**, the **Applicant** shall provide confirmation to the **Town** that a minimum of \$2,000,000.00 of valid comprehensive general insurance is in effect and proof of insurance showing the **Town** has been named as an additional insured.
- 23.5 All **Inflatable Signs** shall be properly secured to the satisfaction of the **Town**.
- 23.6 Power cords and/or supporting devices for **Inflatable Signs** shall not be placed on or over **Parking Areas, Parking Lots** or pedestrian areas.

	Required Zoning	Maximum Number	Maximum Sign Area	Dimensions	Minimum Frontage	Permit Length
Inflatable Signs	Commercial  Employment  Institutional  Urban Centre	One (1) Sign per Premises	42.0 m <sup>2</sup> (451.85 sq. ft.)	Maximum Height: 7.0 m (22.96 ft.)  Maximum Width: 6.0m (19.68 ft.)	15.0m (49.0 ft.)	30 calendar days
Inflatable Signs shall only advertise the <b>Business</b> to which the <b>Sign Permit</b> was issued.						

24.0 Temporary Signs:

- 24.1 **Temporary Signs** erected or displayed pursuant to this By-law shall have a maximum **Sign Face** area of 0.37 square meters (4 sq. ft.) per **Sign Face**, if used as a **Non-Profit Sign**.
- 24.2 Notwithstanding Section 3.10 **Temporary Signs** shall be permitted for use as **Open House Signs**, residential contractor **Signs**, and a **Non-Profit Signs** as set out in **Section 5.0 and Section 26.0** respectively.
- 24.3 Notwithstanding Section 3.10 **Temporary Signs** shall be permitted for use as an **Election Sign**, regulations for such **Signs** shall be found under the **Town of Newmarket Election Sign By-law**, as amended, from time to time.

25.0 Electronic Changeable Copy And Mechanical Copy:

- 25.1 **Electronic Changeable Copy** and **Mechanical Copy** may be incorporated as a component into any **Ground Sign** up to a maximum of 60% of the **Sign Area**, 100% of the **Sign Area** of a **Billboard Sign** and 100% of the **Sign Area** of a **Fascia Sign** or **Projecting Sign** in a **Commercial, Employment, Institutional, or Urban Centre Zone** provided a **Sign Permit** is received from the **Director** and the **Sign** meets the **Sign** specific requirements under this By-law.
- 25.2 For the purposes of this section, **Urban Centre Zone** shall not include the Historic Downtown **Urban Centre Zone** or the Downtown **Urban Centre Zone**.
- 25.3 Where a **Sign** is permitted to display **Electronic Changeable Copy** or **Mechanical Copy**:
- a) the **Sign** must comply with **Section 25.0** of this By-law;

- b) the **Sign** must be located a minimum of 30.48 metres (100.0 feet) away from a **Residential Zone**;
- c) the transition effects shall ensure a near instantaneous change between messages and shall not include effects that have the appearance of moving text or images;
- d) the **Sign** must not be within 15.24 metres (50.0 feet) of another **Sign** displaying **Electronic Changeable Copy** or **Mechanical Copy**;
- e) the **Sign** shall not be located within 22.86 metres (75.0 feet) of a **Street** intersection or traffic light;
- f) the **Sign** shall be erected in a manner so as not to be visible from a contiguous **Residential Zone**; and
- g) the brightness level must be lowered in accordance with ambient light conditions between the hours of 12:00 a.m. and 5:00 a.m.

25.4 **Signs** displaying **Electronic Changeable Copy** shall have a maximum transition time of one (1) second between static image displays and the changing of the **Sign Copy** shall not occur at intervals of less than six (6) seconds.

25.5 Where **Signs** display scrolling **Electronic Changeable Copy** or **Mechanical**

**Copy**, the **Sign Copy** shall not revolve at a rate faster than eight (8) revolutions per minute.

25.6 All **Signs** displaying **Electronic Changeable Copy** shall come equipped with automatic dimming technology which automatically adjusts the **Sign's** brightness in direct correlation with ambient light conditions.

25.7 Electric illumination only is permitted in accordance with **Subsection 14.1** and **14.2** and shall be installed in accordance with the requirements of Newmarket Hydro.

## 26.0 **Non-Profit Signs:**

26.1 A **Non-Profit Sign** shall only be located, erected or displayed on private **Property** save and except for the public **Property** as set out in **Subsection 26.2**

26.2 Subject to approval of the **Director**, a **Non-Profit Sign** may be located, erected, or displayed on the **Property** of **Town** facilities or **Property** owned and controlled by the **Town** provided that the **Non-Profit Sign** does not in any way interfere with any **Signs** or other notices posted by the Corporation.

26.3 A **Sign Permit** for a **Non-Profit Sign** shall be issued and valid for a maximum of twenty-one (21) calendar days prior to the fundraising event or charitable activity.

26.4 A **Non-Profit Sign** shall:

- a) be in the form of a **Temporary Sign** or **Portable Sign** or **Mobile Signs** according to the provisions contained in this By-law;
- b) have a maximum of two (2) faces; and
- c) be erected no sooner than twenty-one (21) calendar days prior to, and removed no later than forty-eight (48) hours after, the fundraising event or charitable activity.

26.5 Before being issued a **Sign Permit** for a **Non-Profit Sign**, the **Applicant** shall provide confirmation to the **Town** that a minimum of \$3,000,000.00 of valid comprehensive general insurance is in effect and proof of insurance



showing the **Town** has been named as an additional insured if the **Sign** is to be located on **Town Property**.

- 26.6 A non-profit organization shall be permitted to erect or display up to fifty (50) **Temporary Signs** or ten (10) **Portable Signs** or five (5) **Mobile Signs** or a combination thereof, determined by the **Director**, on private **Property** within the **Town**. Such **Temporary Signs** or **Portable Signs** or **Mobile Signs** shall be displayed in a manner that is consistent with the provisions of this by-law.
- 26.7 Prior to issuing a **Sign Permit** the **Director** may request appropriate documentation confirming the status of a non-profit organization or charitable organization.
- 26.8 The **Sign Permit** fees for **Portable Signs**, **Mobile Signs**, and **Temporary Signs**, as set out in the **Fees And Charges By-Law** shall be waived for **Non-Profit Signs**.

#### **27.0 Presumption:**

- 27.1 Where a **Sign** is erected or displayed in contravention of any provision of this bylaw, any **Person** named on the **Sign** shall be presumed to have been the **Person** who erected or displayed the **Sign**, which presumption may be rebutted by evidence to the contrary on a balance of probabilities.
- 27.2 Where a **Sign** is erected or displayed in contravention of any provision of this bylaw, and the **Sign** has no **Person's** name on it, but a telephone number appears on the **Sign**, any **Person** to whom the telephone number is listed in a telephone directory, including any internet directory, shall be presumed to have been the **Person** who erected or displayed the **Sign**, which presumption may be rebutted by evidence to the contrary on a balance of probabilities.
- 27.3 Where a **Sign** is erected or displayed by a corporation in contravention of any provision of this bylaw, the directors and officers of the corporation shall be presumed to have knowingly concurred in the erection or display of the **Sign** in contravention of this bylaw, which presumption may be rebutted by evidence to the contrary on a balance of probabilities.
- 27.4 Where an **Inspector** has reasonable grounds to believe that an offence has been committed by any **Person**, the **Inspector** may require the name, address and proof of identity of that **Person**, and the **Person** shall supply the required information.

#### **28.0 Exemptions:**

This By-law shall not apply to any **Sign** or any other **Advertising Device** erected for government or other public purposes by the **Town**, the Regional Municipality of York, or any Provincial or Federal governmental authority.

This By-law also does not apply to **Signs** within a building except for **Window Signs**.

#### **29.0 Fees:**

Fees shall be paid upon submission of an application for a **Sign Permit** as set out in the **Fees And Charges By-Law**.

#### **30.0 Power Of Entry:**

30.1 The **Town** may enter onto a **Property** at any reasonable time for the purpose of carrying out an inspection to determine whether or not the following are being complied with:

- (a) the provisions of this By-law;
- (b) an Order issued under this By-law; or
- (c) an Order made under Section 431 of the Act.

30.2 Where an inspection is conducted by the **Town**, the **Person** conducting the inspection may:

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

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

30.4 The **Town's** power of entry may be exercised by an employee, **Inspector** or agent of the **Town** or by a member of a police force with jurisdiction, as well by any **Person** under his or her direction.

### **31.0 Removal Of Signs And Enforcement:**

31.1 When a **Sign** is erected, displayed, altered, repaired, or is not maintained, in contravention of the provisions of this By-law, such **Sign** may be removed immediately, by the **Town**, without notice, if located on, over, partly on, or partly over, **Property** owned by or under the jurisdiction of the **Town** at the expense of the **Sign Owner**, and under Section 446 of the Act, the **Town** may recover the costs by adding the cost to the tax roll and collecting in the same as taxes.

31.2 Where a **Sign** not requiring a **Sign Permit** is erected, displayed, altered, repaired, or maintained in contravention of the provisions of this By-law, the **Director** may notify or order the **Sign Owner** to repair, remove or to bring the **Sign** into compliance with the provisions of this By-law. Where such **Sign Owner** fails to bring the **Sign** into compliance, the **Director** may remove the **Sign** and charge the **Sign Owner** a fee as set out in the **Fees And Charges By-Law**.

31.3 When a **Sign** is erected, displayed, altered, repaired, or maintained in contravention of the provisions of this By-law, the **Director** may issue an order to any **Person** who:

- a) has erected, displayed, altered or caused or permitted to be erected, displayed or altered, a **Sign** on private **Property** for which a **Sign Permit** has not been obtained where such **Sign Permit** is required under the provisions of this By-law; or
- b) having obtained a **Sign Permit**, has erected or altered, or caused or permitted to be erected or altered, a **Sign** on private **Property** contrary to the **Sign Permit** issued.

- 31.4 The order shall require the **Sign** to be brought into compliance with this By-law within a timeframe of not less than fourteen (14) calendar days and shall include reasonable particulars to identify the contravention, the location of the contravention and the date by which the **Sign** must be brought into compliance with the By-law.
- 31.5 The order shall be served personally on the **Sign Owner**, or posted at the address of the **Business** to which the **Sign** relates and/or the address supplied on the **Sign Permit** application, or sent by registered mail to the last known address of the **Sign Owner**, in which case it shall be deemed to have been given on the 5th day after it is mailed.
- 31.6 Where an order has been issued and the **Sign** has not been brought into compliance with this By-law within fourteen (14) calendar days of the issuance of the order, the **Director** or **Inspector** may remove or cause to be removed, the **Sign** or any part thereof and/or may take any action necessary to prevent the **Sign** from being displayed in a manner that is contrary to this By-law. The **Town** may recover the cost of the removal or necessary action by action or by adding the cost to the tax roll and collecting it in the same manner as taxes.
- 31.7 Where a **Sign** has been removed by the **Town** such **Sign** shall be stored for a period of thirty (30) calendar days and the **Sign Owner** may redeem the **Sign** upon payment of the removal fees prescribed in the **Fees And Charges By-Law**. Where a **Sign** has not been redeemed within the thirty (30) day period, such **Sign** may be forthwith destroyed or otherwise disposed of by the **Town** without notice or compensation and the **Sign Owner** shall be invoiced or by adding the cost to the tax roll and collecting it in the same manner as taxes.
- 31.8 Notwithstanding **Section 31.7**, upon removal, **Signs** under 1.0m<sup>2</sup> (10 sq ft.) will be destroyed or otherwise disposed of by the **Town** without notice as the **Director** deems fit.
- 31.9 **Subsections 31.2, 31.3, 31.4, 31.5 and 31.6** do not apply to **Temporary Signs, Portable Signs or Mobile Signs**.
- 31.10 Where a **Temporary Signs, Portable Sign or Mobile Sign** is erected, displayed, altered, repaired, or is not maintained, in contravention of the provisions of this By-law, such **Sign** may be removed at the direction of the **Town** without notice, at the expense of the **Sign Owner**.
- 31.11 Where the number of **Portable Signs or Mobile Signs** erected or displayed on any **Premises** exceeds the restrictions for those **Premises**, the excess **Signs** may be removed at the expense of the **Sign Owner**.

## **32.0 Penalty Provision:**

- 32.1 Any **Person** who contravenes a provision of this By-law, including an Order issued under this By-law, is guilty of an offence.
- 32.2 If a **Sign** has been constructed, erected, installed, altered, posted,

displayed or maintained in contravention of any provision of this By-law, and the contravention has not been corrected, the contravention of the provision shall be deemed to be a continuing offence for each day or part of a day that the contravention remains uncorrected.

- 32.3 If an Order has been issued under this By-law, and the Order has not been complied with, the contravention of the Order shall be deemed to be a continuing offence for each day or part of a day that the Order is not complied with.
- 32.4 Any **Person** who is guilty of an offence under this By-law shall be subject to the following penalties:
- a) Upon a first conviction, the minimum fine shall be \$350.00 and the maximum fine shall be \$100,000.00;
  - b) Upon a second or subsequent conviction for the same offence, a fine shall be a minimum of \$500.00 and the maximum fine shall be \$100,000.00;
  - c) Upon conviction for a continuing offence, the minimum fine shall be \$500.00 and the maximum fine shall be \$10,000.00 for each day or part of a day that the offence continues; and
  - d) Upon conviction of a multiple offence, for each offence included in the multiple offence, the minimum fine shall be \$500.00 and the maximum fine shall be \$10,000.00.
- 32.5 For the purposes of this By-law, “multiple offences” means an offence in respect of two (2) or more acts or omissions each of which separately constitutes an offence and is a contravention of a provision of this By-law.
- 32.6 For the purposes of this By-law, an offence is a “second or subsequent offence” if the act giving rise to the offence occurred after a conviction had been entered at an earlier date for the same offence.
- 32.7 Where a **Person** is convicted of an offence under this by-law, the court in which the conviction has been entered, and any court of competent jurisdiction thereafter, may make an order prohibiting the continuation or repetition of the offence by the **Person** convicted.

### 33.0 Variances:

- 33.1 Any **Person** may apply for a variance from the provisions of this by-law
- 33.2 An application for a variance shall be made on the form prescribed by the **Town** and shall be accompanied by the non-refundable variance application fee in the **Fees And Charges By-Law**.
- 33.3 A variance from the provisions of this By-law may be granted where it is established that the proposed **Sign**:
- a) is warranted based on physical circumstances applicable to the **Property or Premises**;
  - b) is consistent with the architecture of the building or development of the **Property**;
  - c) is consistent with buildings and other features of properties or **Premises** within 120.0 metres (393ft) of the proposed **Sign**;
  - d) will not **Alter** the essential character of the area;
  - e) will not adversely affect adjacent properties;
  - f) will not adversely affect public safety;

- g) is in the opinion of the decision maker, not contrary to the public interest; and
  - h) is not expressly prohibited by this by-law
- 33.4 The **Director** shall circulate the application to the **Property** owners of all abutting properties and/or the **Property** owners of any properties within 60 metres of the subject **Property** at the **Director's** discretion, prior to the consideration of the variance
- 33.5 Upon receiving an application for a variance from this By-law to permit the erection and display of a **Sign** other than a **Billboard Sign**, the **Director** may:
- a) grant a Variance;
  - b) grant a Variance with Conditions; or
  - c) refuse to Grant a Variance
- 33.6 An **Applicant** may request a review of the variance application decision of the **Director** within thirty (30) calendar days of the decision.
- 33.7 The request for review is made by filing a written request for review, on a form approved by the **Director**, to the **Appeal Committee**. The **Appeal Committee** may authorize **Sign** variances from the provisions of this By-law, provided that in the opinion of the **Appeal Committee** it is established that the requirements in **Subsection 33.3** are met.
- 33.8 A decision of the **Appeal Committee** is final and binding.
- 33.9 Upon receiving an application for a variance from this By-law to permit the erection and display of a **Billboard Sign**, the **Director** shall refer the application to the Committee of the Whole.
- 33.10 The **Director** shall circulate the application to all **Property** owners within 200 metres of the subject **Property** prior to consideration of the application by Committee of the Whole.
- 33.11 The Committee of the Whole may require a Public Information Centre be held before making its recommendation to Council in respect of the application for a variance from this By-law to permit the erection and display of a **Billboard Sign**.
- 33.12 Upon receiving the recommendation of the Committee of the Whole in respect of an application for a variance from this By-law to permit the erection and display of a **Billboard Sign**, Council shall:
- a) Grant a Variance;
  - b) Grant a Variance with Conditions; or
  - c) Refuse to Grant a Variance.
- 33.13 The decision of Council is final and binding.

#### **34.0 Liability:**

In addition to any other party who commits the offence with respect to the **Sign** by-law, the owner of the **Premises** on which the **Sign** was constructed, erected, installed, posted, displayed or maintained shall be deemed to commit the offence.

#### **35.0 Transition:**

After the date of passing of this by-law, By-law 2016-28, as amended, applies only to **Signs** in respect of which a permit, variance or order has been issued or applied for, prior to the date of passing of this by-law, and then only to such **Signs** until such time as the work required by such permit, variance or order has been completed or any enforcement proceedings in respect of such order.

**36.0 Severability:**

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

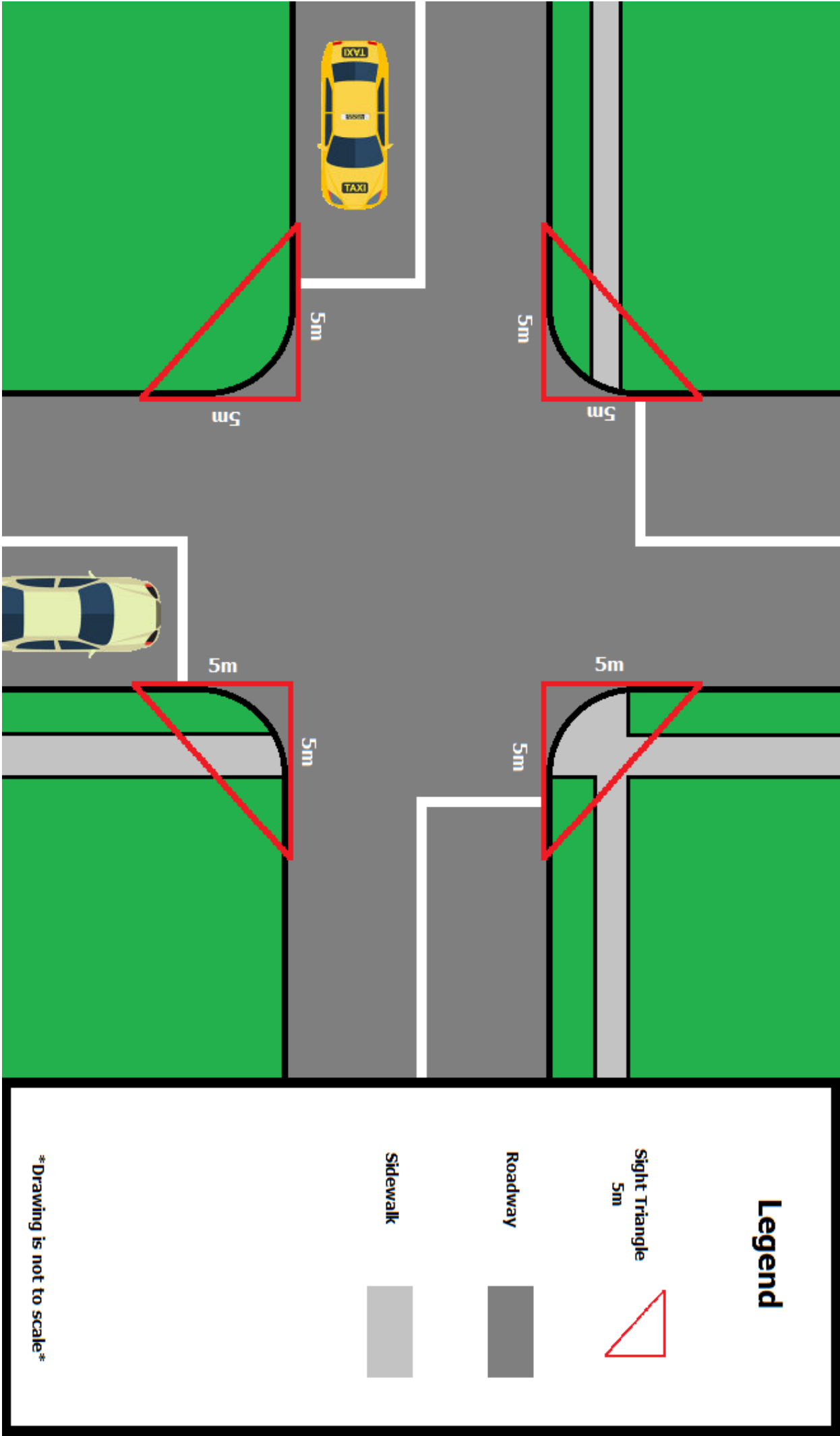
**37.0 Short Title:**

This By-law shall be referred to as the “Sign By-law”; and,  
  
That By-law 2016-28 is hereby repealed.

Enacted this 4<sup>th</sup> Day of December, 2017.

\_\_\_\_\_  
Tony Van Bynen, Mayor

\_\_\_\_\_  
Lisa Lyons, Town Clerk





## **Corporation of the Town of Newmarket**

### **By-law Number 2017- 74**

Being a by-law to manage and regulate election signs in the Town of Newmarket.

Whereas subsection 11(3), paragraph 1 of the Municipal Act, 2001, S.O. 2001, c. 25, as amended authorizes The Corporation of the Town of Newmarket to pass by-laws respecting highways over which it has jurisdiction; and,

Whereas subsection 11(3), paragraph 7 of the Municipal Act, 2001, S.O. 2001, c. 25, as amended authorizes The Corporation of the Town of Newmarket to pass by-laws respecting signs; and,

Whereas subsection 63(1) of the Municipal Act, 2001, S.O. 2001, c. 25, as amended authorizes The Corporation of the Town of Newmarket, if it passes a by-law for prohibiting or regulating the placing of an object on a Highway, to provide for the removal of any object placed on a Highway in contravention of that by-law; and,

Whereas section 425 of the Municipal Act, 2001, S.O. 2001, c. 25, as amended establishes that any person who contravenes any by-law of The Corporation of the Town of Newmarket is guilty of an offence;

Now therefore, the Council of The Corporation of the Town of Newmarket enacts as follows:

#### **1. Short Title of By-Law**

1.1 This By-law may be referred to as the "Election Sign By-law".

#### **2. Scope**

2.1 Where provisions in this by-law conflict with a provision from any other Town of Newmarket By-law, the provisions of this By-law take precedence with respect to Elections Signs.

2.2 Words that are defined in Section 3 below but appear within this By-law unbolded and without the first letter capitalized shall have their ordinary and plain meaning.



### 3. Definitions

Note: Defined terms in this By-law are in bold and the first letter has been capitalized.

In this By-law:

“**Billboard Sign**” means an outdoor **Sign** maintained by a person engaged in the sale or rental of space on the **Sign** to a client, upon which advertising of a business, activity, goods, products, services or facilities is not located or offered on the premises.

“**Boulevard**” means that part of a **Highway** from the edge of the **Roadway** to the nearest lateral property line of the **Highway**.

“**Campaign Advertisements**” means an advertisement in any broadcast, print, electronic or other medium, purchased by or under the direction of a **Candidate** or **Registered Third Party**.

“**Campaign Office**” means a building or structure, or part of a building or structure, used by a **Candidate** or **Registered Third Party**.

“**Canada Elections Act**” means the federal statute cited as the Canada Elections Act, S.C. 2000, c.9, as amended.

“**Candidate**” means a person who has been nominated under the **Canada Elections Act**, the **Election Act**, or the **Municipal Elections Act**.

“**Council**” means the Council of the Corporation of the Town of Newmarket.

“**Election Act**” means the Ontario provincial statute cited as the Election Act, R.S.O. 1990, c.E.6, as amended.

“**Election Sign**” means any **Sign** promoting, opposing or taking a position with respect to:

- (a) A question, law or by-law submitted to the electors under the **Canada Elections Act**, the **Election Act** or the **Municipal Elections Act**;
- (b) An issue associated with a person or political party participating in an election under the **Canada Elections Act**, the **Election Act** or the **Municipal Elections Act**; or,

- (c) A **Candidate** or political party participating in an election under the **Canada Elections Act**, the **Election Act** or the **Municipal Elections Act**;

**Election Signs** include **Signs Placed** by a **Registered Third Party**.

**“Fascia Sign”** means a sign applied to or erected on and entirely supported by the wall of a building or structure.

**“Highway”** includes a common and public **Highway**, street, avenue, parkway, driveway, square, location and includes any bridge, trestle, viaduct or other structure forming part of the **Highway** and includes the **Boulevards** and any area between the lateral property lines of the **Highway**.

**“Intersection Pedestrian Signal”** means traffic control signals and/or a stop sign.

**“Mobile Sign”** means a non-illuminated **Sign** designed to be capable of being readily moved from one location to another is usually built on a trailer or other solid platform and may include wheels.

**“Municipal Elections Act”** means the Ontario provincial statute cited as the Municipal Elections Act, 1996, S.O. 1996, c.32, as amended.

**“Municipal Law Enforcement Officer”** means a person appointed by Council as a Municipal Law Enforcement Officer and shall also include an officer of the York Regional Police Service.

**“Owner”** means a **Candidate**, **Third Party**, or **Registered Third Party** who **Places** or permits the **Placing** of an **Election Sign** or any person described on the **Sign**, whose name, address or telephone number is on the **Sign** or who benefits from the message on the **Sign** and for the purposes of this By-law there may be more than one **Owner** of an **Election Sign**.

**“Park”** means any land or premises under the control and/or ownership of the **Town** for park and recreational purposes and includes any lane, walkway or public parking area leading thereto, and also includes any and all buildings, structures, equipment, facilities, and improvements located in or on such land.

**“Person”** means an individual, business, firm, body corporate, corporation, unincorporated business, partnership, association, **Trade Union**, or municipality.

**“Place”** means to: attach, install, erect, build, construct, reconstruct, move, display or affix. **“Places”** and **“Placing”** shall have the same meaning.

**“Private Property”** means real property that is not a **Highway** or **Public Property**.

**“Public Property”** means real property owned or under the control of the Town of Newmarket, Region of York, Provincial Government, Federal Government or any of their respective agencies, boards or commissions but, for the purposes of this By-law, does not include a **Highway** or where one or more persons reside on the **Public Property**.

**“Registered Third Party”** means one of the following and whose notice of registration has been certified with the **Clerk** pursuant to section 88.6 of the **Municipal Elections Act**:

- (a) An individual who is normally a resident in Ontario;
- (b) A corporation that carries on business in Ontario; or,
- (c) A trade union that holds bargaining rights for employees in Ontario.

**“Roadway”** means that part of a **Highway** that is improved, designed or ordinarily used for vehicular traffic including reserved lanes, shoulders and curbs and gutters.

**“School Crossing”** means any portion of a **Roadway** designated by by-law of the **Town**, indicated as a school zone by **Signs** on the **Highway** as prescribed by the Highway Traffic Act, R.S.O. 1990, c.H.8, and Ontario Regulations, as amended and as may be amended from time to time.

**“Sidewalk”** means that part of a **Highway** with a surface that is improved, designed or ordinarily used for the use of pedestrians or bicycles and includes a multi-use path.

**“Sight Triangle”** means in the case of a corner lot, the triangular space formed by the street lines and a line drawn from a point in one street line to a point in the other street line, measured 5 metres (16.4 feet) along the street from the point of intersection of the street lines. See Diagram 1 in Schedule A.

**“Sign”** means any surface, structure and other component parts, which are used or capable of being used as a visual medium to attract attention to a specific subject matter or to create a design or convey a message and includes posters, billboards, advertising devices or notices.

**“Third Party”** means any **Person** who is not a registered **Candidate**, political party, or constituency association who incurs expenses with respect to a **Third Party Advertisement**.

**Third Party Advertisement** means an advertisement under the **Canada Elections Act**, the **Election Act** or the **Municipal Elections Act** in any broadcast, print, electronic or other medium that has the purpose of promoting, supporting or opposing:

- (a) A certified **Candidate**;
- (b) A “yes” or “no” answer to a question on a ballot; or,

Third party advertisement does not include an advertisement by or under the direction of a **Candidate** or an advertisement described in subsection 8 (2) or (2.1) of the **Municipal Elections Act**.

**“Town”** means The Corporation of the Town of Newmarket.

**“Town Clerk”** means the Director of Legislative Services/Town Clerk/Returning Officer for the Town of Newmarket or his or her designate.

**“Trade Union”** means a trade union as defined in the federal Labour Relations Act, 1995 or the Canada Labour Code (Canada) and includes a central, regional or district labour council in Ontario.

**“Voting Day”** means the day on which the final vote is to be taken in an election.

**“Voting Location”** means a location designated in accordance with the **Municipal Elections Act**, **Election Act**, or **Canada Elections Act** where electors cast their ballots and:

- (a) When a **Voting Location** is located on **Public Property**, includes all of the area enclosed by the lot lines of the **Public Property** and any **Highway** abutting; and,
- (b) When a **Voting Location** is located on **Private Property**, includes all of the common elements of the **Private Property** and any **Highway** immediately abutting.

**“Voting Location”** shall also include any location that has been established as a Voter Assistance Centre by the Clerk.

#### 4. General Prohibitions

- 4.1 No **Owner** or **Person** shall **Place** or permit to be **Placed** a **Sign** except in accordance with this By-law.

4.2 No **Owner** shall **Place** or permit to be **Placed** an **Election Sign** that:

- (a) Is illuminated, has flashing lights, or rotating parts;
- (b) Interferes with the safe operation of vehicular traffic or the safety of pedestrians, including the visibility of warning devices and traffic signals;
- (c) Impedes or obstructs the **Town's** maintenance operations;
- (d) Is on a **Roadway**;
- (e) Impedes or obstructs the passage of pedestrians where they are reasonably expected to walk;
- (f) Is less than 10 metres (32.8 feet) from a **Roadway** on a **Highway** where pedestrians are prohibited;
- (g) Is on a median or island located within the **Roadway** or a roundabout;
- (h) Is within a **Sight Triangle**;
- (i) Is less than 3 metres (9.8 feet) from a **School Crossing**;
- (j) Is less than 30 metres (98.4 feet) from an **Intersection Pedestrian Signal**;
- (k) Is between the curb and the **Sidewalk**, where there is a **Sidewalk**;
- (l) Is located within 1.8 metres (6 feet) away from the face of the curb or edge of pavement of a **Roadway** and where there is a **Sidewalk**, not within 0.6 metres (2 feet) of such **Sidewalk**;
- (m) Is on a trailer;
- (n) Simulates any traffic **Sign**, traffic signal, any other **Sign** that directs the movement of traffic, or any official **Sign**;
- (o) Uses words such as "stop", "look", "one way", "danger", "yield" or any similar phrases, symbols, lights or characters in such a manner as to tend to interfere with, mislead or confuse traffic;

- (p) Is affixed to public utility poles, telephone pole, hydro pole, light standard or any other utility infrastructure using items such as, but not limited to: nails, screws, tacks, staples, glue or wire;
  - (q) Is in a state of disrepair or is located where it is a general hazard to public safety;
  - (r) Is **Placed** on, painted on, attached to, or supported by a tree, stone or other natural object;
  - (s) Be **Placed** so as to impede, hinder or prevent parking by vehicles on private or public lands, or on a **Highway**; or,
  - (t) Be **Placed** on a boundary fence line or noise attenuation wall which is located on **Public Property**.
- 4.3 Clause 4.2(l) does not apply when the **Sidewalk** is less than 0.6 metres (2 feet) from the main wall of the building, in which case the **Election Sign** shall be placed at the furthest distance possible from the **Sidewalk** or from the face of the curb or edge of pavement.
- 4.4 No **Owner** shall **Place** or permit to be **Placed**, a **Billboard Sign** or an **Election Sign** on a vehicle that:
- (a) Interferes with the safe operation of vehicular traffic or the safety of pedestrians, including the visibility of warning devices and traffic signals;
  - (b) Impedes or obstructs the **Town's** maintenance operations;
  - (c) Impedes or obstructs the passage of pedestrians where they are reasonably expected to walk;
  - (d) Is within a **Sight Triangle**;
  - (e) Simulates any traffic **Sign**, traffic signal, any other **Sign** that directs the movement of traffic, or any official **Sign**;
  - (f) Uses words such as "stop", "look", "one way", "danger", "yield" or any similar phrases, symbols, lights or characters in such a manner as to tend to interfere with, mislead or confuse traffic;
  - (g) Is in a state of disrepair or is located where it is a general hazard to public safety; or,

- (h) Be **Placed** so as to impede, hinder or prevent parking by vehicles on private or public lands, or on a **Highway**.
- 4.5 No **Candidate** or **Registered Third Party** shall **Place** or permit to be **Placed** an **Election Sign**, that is visible, in or on a vehicle that is parked or stopped on the property of any premise used as a **Voting Location** on any **Voting Day**, including during the advanced voting days or period.
- 4.6 No **Owner** shall display, on any **Election Sign**, a logo, crest, trademark or official mark, in whole or in part, owned or licensed by the **Town**.
- 4.7 **Mobile Signs** are not permitted to be used as **Election Signs**.
- 4.8 No **Owner** shall display, **Place** or permit to be **Placed** an **Election Sign** on or in a **Voting Location** or the abutting municipal **Boulevard**.

## 5. Election Signs

- 5.1 No **Candidate** or **Registered Third Party** shall **Place** or permit to be **Placed** an **Election Sign** without obtaining an election sign permit and making payment of the prescribed election sign permit fee. The election sign permit shall be:
  - (a) In a form prescribed by the **Town**; and,
  - (b) Accompanied by the prescribed election sign permit fee in accordance with the Town's Fees and Charges By-law.
- 5.2 Subject to subsection 5.1, an **Owner** shall only **Place** or permit to be **Placed** an **Election Sign** for a federal or provincial election or by-election the day after the writ of an election or by-election is issued.
- 5.3 Subject to subsection 5.1, an **Owner** shall only **Place** or permit to be **Placed** an **Election Sign** for a municipal election after the **Candidate** has filed his or her nomination with the **Town Clerk**, or in the case of a **Registered Third Party**, registered with the **Town Clerk**, and no earlier than:
  - (a) 10:00 AM 28 calendar days (4 weeks) prior to **Voting Day** in the year of a regular election or by-election; or,
  - (b) 10:00 AM Nomination Day for a by-election, if Nomination Day is less than 28 calendar days (4 weeks) prior to **Voting Day**.

- 5.4 Despite subsections 5.2 and 5.3, an **Election Sign** which is a **Fascia Sign** may be **Placed** to the face of the building or building unit which is used as a **Campaign Office** provided that:
- (a) The sign complies with the Fascia Sign provisions of the Town's Sign By-law as amended from time to time;
  - (b) The **Candidate** has filed his or her nomination with the **Town Clerk**, or in the case of a **Registered Third Party**, registered with the **Town Clerk** and paid the applicable nomination filing fees; and,
  - (c) Submitted a permit and paid the permit fee in accordance with subsection 5.1.
- 5.5 **Election Signs Placed** or permitted to be **Placed** by a **Registered Third Party** shall include the following information in accordance with the **Municipal Elections Act**:
- (a) The name of the **Registered Third Party**;
  - (b) The municipality where the **Third Party** is registered; and,
  - (c) A telephone number, mailing address, or email address to contact the registered party.
- 5.6 **Election Signs Placed** or permitted to be **Placed** by a **Registered Third Party** shall include the necessary information required in accordance with the **Canada Elections Act** or, the **Election Act**, as the case may be.
- 5.7 A **Third Party** that does not register in accordance with the **Municipal Election Act**, **Election Act**, or **Canada Elections Act**, is not permitted to **Place Election Signs**.

## 6. Size

- 6.1 With the exception of a **Billboard Sign**, an **Election Sign** shall only have a maximum:
- (a) **Sign Area** of 1.49 square metres (16 square feet);
  - (b) Height of 1.22 metres (4 feet); and,
  - (c) Width of 1.22 metres (4 feet).



## 7. Private Property

- 7.1 Subject to subsection 4.2, **Election Signs** are permitted on **Private Property**, provided that:
- (a) The property owner, tenant, or occupant of the property consents;
  - (b) Unless the property has more than 1 abutting street line, the number of **Election Signs**, per **Candidate** or per **Registered Third Party Placed** or permitted to be **Placed**, can be no more than the number of abutting street lines on the **Private Property**;
  - (c) The **Election Sign** does not interfere with the safe operation of vehicular traffic or impair the safety of pedestrians; and,
  - (d) No **Election Sign** shall be located so as to obstruct or impede any fire escape, fire exit, door, window, scuttle, skylight, flue or air intake or exhaust nor so as to prevent or impede the free access of emergency personnel to any part of a building including, but not limited to: emergency water connections, or fire hydrants.
- 7.2 No **Owner** shall **Place** or permit to be **Placed** an **Election Sign** on a right-of-way adjacent to a private residence unless permission has been granted by someone in the household, who is not a minor.
- 7.3 In a rural residential area or on a farm, **Election Signs** shall only be **Placed** or permit to be **Placed** within the portion of **Private Property** being maintained for residential purposes.

## 8. Public Property

- 8.1 In addition to the limitations in subsection 4.2, an **Owner** shall not **Place** or permit to be **Placed** an **Election Sign** on **Public Property** at any of the intersections listed in accordance with Schedule A of the Regional Municipality of York's Sign By-law 2015-36, as amended from time to time.
- 8.2 No **Owner** shall **Place** or permit to be **Placed** an **Election Sign** within a **Park**.

## 9. Election Signs on Highways

- 9.1 No **Owner** shall **Place** or permit to be **Placed** an **Election Sign** on a **Highway** structure, except on a **Highway** structure designated by the **Town** for posters.

- 9.2 No **Owner** shall **Place** or permit to be **Placed** an **Election Sign** on that portion of the **Boulevard** that abuts **Public Property**.
- 9.3 No **Owner** shall dig, drill or drive into asphalt, concrete, brick or any other hard improved surface on a **Highway** when placing an **Election Sign**.
- 9.4 No **Owner** shall drill or drive into a wooden, metal, concrete or other **Highway** structure when placing an **Election Sign**.

## **10. Removal of Election Signs**

- 10.1 Every **Person** shall remove from the property his, her or its **Election Sign** within 72 hours (3 days) immediately following **Voting Day**.
- 10.2 The **Town Clerk** and/or a **Municipal Law Enforcement Officer** may remove any **Election Sign Placed** in contravention of this By-law without notice.
- 10.3 The **Town Clerk** and/or a **Municipal Law Enforcement Officer** may destroy any **Election Signs** which have been removed and not claimed and retrieved by the **Owner** within the time period as prescribed by the **Town Clerk**. **Election Signs** removed in accordance with this By-law may be destroyed or otherwise disposed of by the **Town** without notice and/or compensation to any party.
- 10.4 The **Town** may recover the expense for the removal of an **Election Sign** under subsection 10.2 of this By-law from the **Owner** of such **Sign** or **Signs** and may commence proceedings against the **Owner** to recover such costs.
- 10.5 An **Owner**, or any **Person** acting on behalf of the **Owner** may, at any time following **Voting Day**, retrieve the **Election Sign** at no cost.
- 10.6 The **Town Clerk** may make regulations under this By-law prescribing the rules and procedures for the retrieval and destruction of **Election Signs** removed under this By-law, without limitation, the form of and any information required to be provided to the **Town Clerk** and/or a **Municipal Law Enforcement Officer** to authorize the release of an **Election Sign**, dates on or by which an **Election Sign** may be retrieved or destroyed, and the manner in which notice may be given to an **Owner** relating to the retrieval and destruction of an **Election Sign**.
- 10.7 The **Town Clerk** may make regulations under this By-law prescribing the rules for collecting unpaid fines.

## 11. Fees

- 11.1 All fees are to be paid in accordance with the Town of Newmarket Fees and Charges By-law.
- 11.2 **Election Sign** permit fees are non-refundable.
- 11.3 The **Town** Treasurer, or his or her designate, will place all unpaid removal of **Election Sign** fees on the **Candidate** or **Registered Third Party's** municipal tax roll or send the unpaid fees to a financial collection agency.

## 12. Order

- 12.1 If a **Municipal Law Enforcement Officer** is satisfied that this By-law has been contravened, the officer may make an order, known as an Order to Discontinue Activity, requiring the person who contravened the by-law, or who caused or permitted the contravention, or the owner or occupier of the land on which the contravention occurred, to discontinue the contravention.
- 12.2 An Order to Discontinue Activity shall set out:
- (a) The municipal address of the property on which the contravention occurred;
  - (b) The date of the contravention;
  - (c) The reasonable particulars of the contravention of the by-law; and,
  - (d) The date by which there must be compliance with the order.
- 12.3 No **Person** shall contravene an Order to Discontinue Activity.

## 13. Service of Order

- 13.1 The Order to Discontinue Activity may be served by:
- (a) Personally on the **Person** to whom it is directed;
  - (b) Registered mail or regular mail to the last known address of that **Person**, in which case it shall be deemed to have been given on the fifth day after it is mailed; or,
  - (c) E-mail to the last known e-mail address of that **Person**, in which case it shall be deemed to have been given on the day after it is e-mailed.

## 14. Power of Entry

- 14.1 The **Town** may enter on land at any reasonable time for the purpose of carrying out an inspection to determine whether or not the following are being complied with:
- (a) The provisions of this By-law;
  - (b) An Order issued under this By-law; or,
  - (c) An Order made under Section 431 of the Municipal Act.
- 14.2 Where an inspection is conducted by the **Town**, the person conducting the inspection may:
- (a) Require the production of documents or relevant items for inspection;
  - (b) Inspect and remove documents or things relevant to the inspection for the purpose of making copies and extracts;
  - (c) Require information from any **Person** concerning a matter related to the inspection including their name, address, phone number and identification; and,
  - (d) Alone or in conjunction with a **Person** possessing special or expert knowledge, make examinations or take tests, samples or photographs necessary for the purpose of inspection.
- 14.3 The **Town** may undertake an inspection pursuant to an Order issued under Section 438 of the Municipal Act.
- 14.4 The **Town's** power of entry may be exercised by an employee, inspector or agent of the **Town** or by a member of a police force with jurisdiction, as well by any person under his or her direction.
- 14.5 No **Person** shall hinder or obstruct, or attempt to hinder or obstruct, a **Municipal Law Enforcement Officer**, or a Police Officer from carrying out inspections of land to ensure compliance with this By-law.
- 14.6 No **Person** shall hinder or obstruct, or attempt to hinder or obstruct, any person who is exercising a power or performing a duty under this By-law, including carrying out an inspection.

## 15. Offence, Penalty and Presumption

- 15.1 Every **Person** or **Owner** who contravenes any provision of this By-law is guilty of an offence.
- 15.2 If an **Election Sign** has been **Placed** or displayed in contravention of any provision of this By-law, and the contravention has not been corrected, the contravention of the provision shall be deemed to be a continuing offence for each day or part of a day that the contravention remains uncorrected.
- 15.3 Every **Person** or **Owner** who is guilty of an offence under this By-law shall be subject to the following penalties:
- (a) Upon a first conviction, to a fine of not less than one hundred dollars (\$100.00) and not more than ten thousand dollars (\$10,000.00);
  - (b) Upon a second or subsequent conviction for the same offence, to a fine of not less than two hundred dollars (\$200.00) and not more than one hundred thousand dollars (\$100,000.00);
  - (c) Upon conviction for a continuing offence, to a fine of not less than one hundred dollars (\$100.00) and not more than ten thousand dollars (\$10,000.00) for each day or part of a day that the offence continues. The total of the daily fines is not limited to one hundred thousand dollars (\$100,000.00);
  - (d) Upon conviction of a multiple offence, for each offence included in the multiple offence, to a fine of not less than one hundred dollars (\$100.00) and not more than ten thousand dollars (\$10,000.00). The total of all fines for each included offence is not limited to one hundred thousand dollars (\$100,000.00).
- 15.4 For the purposes of this By-law, “multiple offence” means an offence in respect of two or more acts or omissions each of which separately constitutes an offence and is a contravention of the same provision of this By-law.
- 15.5 For the purposes of this By-law, an offence is a second or subsequent offence if the act giving rise to the offence occurred after a conviction had been entered at an earlier date for the same offence.
- 15.6 Where a **Sign** or **Election Sign** is **Placed** or displayed in contravention of any provision of this bylaw, any **Person** or **Owner** named on the **Sign** or **Election Sign** shall be presumed to have been the **Person** or **Owner** who **Placed** or displayed the sign, which presumption may be rebutted by evidence to the contrary on a balance of probabilities.

- 15.7 Where a **Sign** or **Election Sign** is **Placed** or displayed in contravention of any provision of this By-law, and the **Sign** or **Election Sign** has no **Person's** or **Owner's** name on it, but a telephone number appears on the **Sign** or **Election Sign**, any **Person** or **Owner** to whom the telephone number is listed in a telephone directory, including any internet directory, shall be presumed to have been the **Person** or **Owner** who **Placed** or displayed the sign, which presumption may be rebutted by evidence to the contrary on a balance of probabilities.
- 15.8 Where a **Sign** or **Election Sign** is **Placed** or displayed by a **Third Party** or **Registered Third Party** in contravention of any provision of this By-law, the corporation, trade union, or an individual of the **Third Party** or **Registered Third Party** shall be presumed to have knowingly concurred in the **Placement** or displaying of the sign in contravention of this By-law, which presumption may be rebutted by evidence to the contrary on a balance of probabilities.
- 15.9 Where an authorized officer or **Municipal Law Enforcement Officer** has reasonable grounds to believe that an offence has been committed by any **Person** or **Owner**, the authorized officer or **Municipal Law Enforcement Officer** may require the name, address and proof of identity of that person or **Owner**, and the person or **Owner** shall supply the required information.

## 16. Enforcement

- 16.1 This By-law may be enforced by the **Municipal Law Enforcement Officer** or by any other person appointed by the **Town** for the purpose of enforcing this By-law.

## 17. Severance

- 17.1 If any sections, section or part of a section of this By-law are found by any Court to be illegal or beyond the power of Council to enact, such sections or section or part of a section shall be deemed to be severable and all other sections or parts of sections of this By-law shall be deemed to separate and independent and shall continue in full force and effect.

## 18. Indemnification

- 18.1 The **Candidate**, **Owner**, **Registered Third Party** or **Third Party** shall indemnify and hold harmless the **Town** and/or the Region (and the respective officers, Council members, partners, agents and employees of the Town and/or the Region) from and against (a) all actions, claims, demands, losses,

costs, damages, suits or proceedings whatsoever which may be brought against or made upon the **Town** and the Region, and (b) against all losses, damages, liabilities, judgements, claims, suits, demands or expenses which the **Town** and/or the Region may sustain, suffer or be put to, resulting from or arising out the issuance of the permit or the actions of the **Candidate, Owner, Registered Third Party** or **Third Party**. This indemnification shall include but is not limited to any legal costs incurred by the **Town** and/or the Region on a substantial indemnity basis, including those incurred to defend any criminal prosecutions against the **Town** and/or the Region resulting from the actions of the **Candidate, Owner** or **Registered Third Party** or **Third Party**.

## **19. Administration**

19.1 The **Town Clerk** is responsible for the administration of this By-law

## **20. Force and Effect**

20.1 This By-law shall come into force and effect on the day it is passed.

**Read a first, second, third time, and enacted on December 4, 2017.**

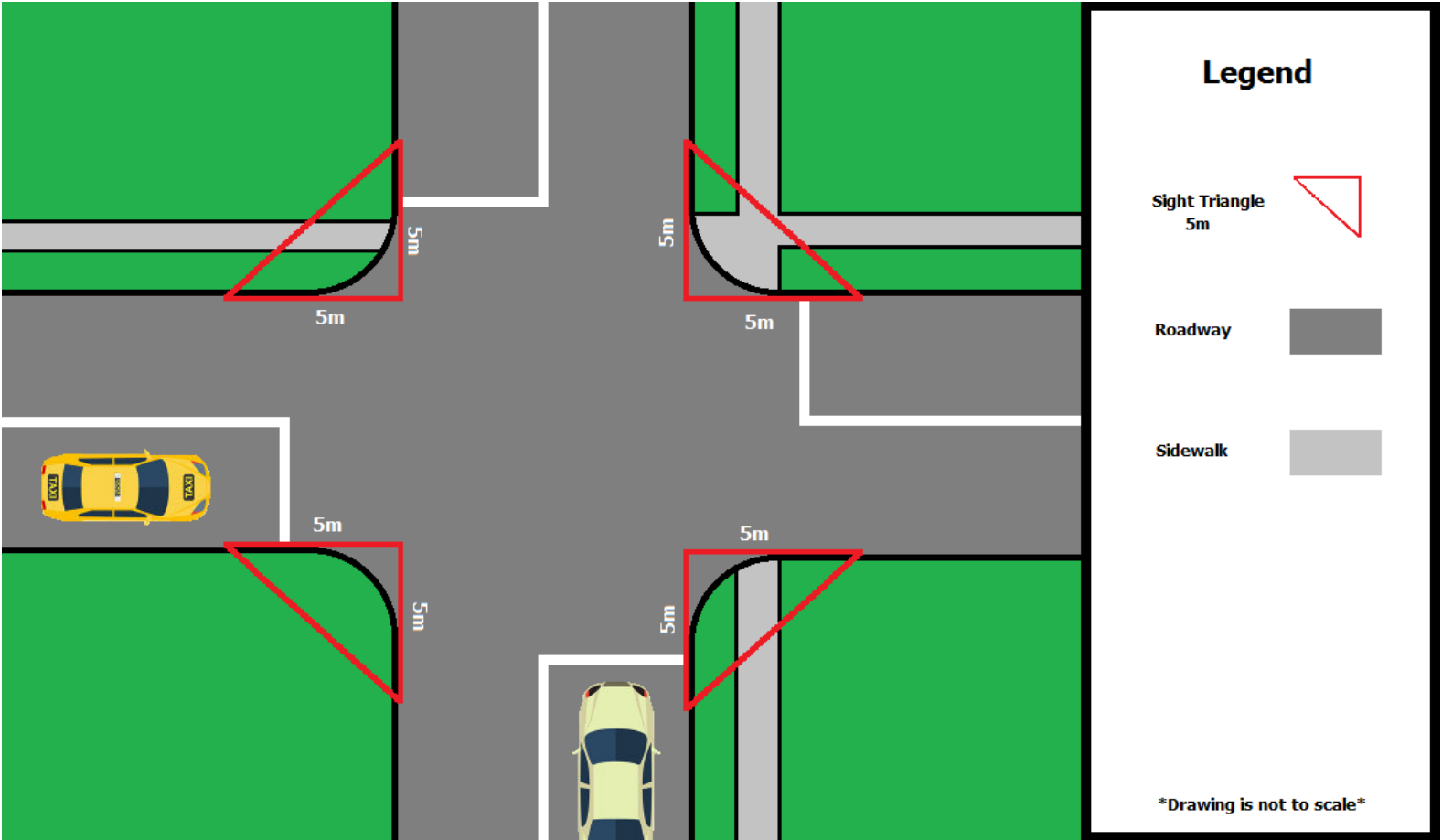
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Tony Van Bynen, Mayor

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Lisa Lyons, Town Clerk

Diagram 1 - Sight Triangle







## Corporation of the Town of Newmarket

### By-law Number 2017- 75

A By-law to amend By-law 2015-50, being a By-law to govern the proceedings of Council and Committee meetings.

Whereas the Municipal Act, 2001, as amended, has been further amended by the Province.

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

1. That subsection 1 o) of By-law 2015-50 be amended as follows:
 

“**meeting**” means any regular, special or other meeting of Council, of a local board or of a Committee of either of them, where,

  - i) a quorum of members is present; and,
  - ii) members discuss or otherwise deal with any matter in a way that materially advances the business or decision-making of the council, local board or committee; and,
2. That subsection 9 a) of By-law 2015-50 be amended to add the following clauses:
  - viii) Information explicitly supplied in confidence to the municipality or local board by Canada, a province or territory or a Crown agency of any of them;
  - ix) A trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization;
  - x) A trade secret or scientific, technical, commercial or financial information that belongs to the municipality or local board and has monetary value or potential monetary value; or,
  - xi) A position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board; and,
4. That clause 9 b) i) of By-law 2015-50 be moved to subsection 9 a); and,
5. That clause 9 a) viii) of By-law 2015-50 be moved to subsection 9 b); and,
6. That subsection 9 b) of By-law 2015-50 be amended as follows:

Council or a Committee shall also resolve into a Meeting closed to the public for the following purposes:

- i) An ongoing investigation respecting the municipality, a local board or a municipally-controlled corporation by the Ombudsman appointed under the Ombudsman Act, and Ombudsman referred to

in subsection 223.13 (1) of the Municipal Act, 2001, or the investigator referred to in subsection 239.2 (1) of the Municipal Act, 2001.

7. That subsection 9 h) of By-law 2015-50 be amended to add the following clause:
  - ii) If the report of a Closed Meeting Investigation finds that a meeting or part of a meeting appeared to be improperly closed to the public, contrary to section 239 of the Municipal Act or this Procedure By-law, Council shall pass a resolution stating how it intends to address the report.
8. That subsection 32 h) of By-Law 2015-50 be replaced with the following:
  - h) Where correspondence is not requested to be included in a Council or Committee of the Whole agenda, it is circulated by the Clerk to Members of Council, the CAO, Commissioners and applicable staff for their information, and forms a part of the Clerk's records. Correspondence will be made available to the public on the Town's website through a Council Information Package; and,
9. That section 57 of By-Law 2015-50 be amended to add the following subsection:
  - e) Unless otherwise requested by a Member, no recorded vote is required for the following motions:
    - i) Adjournment;
    - ii) A Confirmatory By-law; and,
10. That By-Law 2015-50 be amended to add the following section:
 

**64. Electronic Participation in Meetings**

  - a) Members may only participate in meetings open to the public using electronic communication, in accordance with the Electronic Participation in Meetings Policy, as amended from time to time.
  - b) Members participating through electronic communication shall not be counted towards quorum.
  - c) Members cannot participate through electronic communication during a meeting that is closed to the public in accordance with Section 239 of the Municipal Act, 2001, as amended.
  - d) The Clerk may provide for administrative procedures for facilitating electronic participation in meetings; and,
11. That this By-law 2017-75 come into force and effect on January 1, 2018.

Read a first, second, third time, and passed on December 4, 2017.

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Tony Van Bynen, Mayor

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Lisa Lyons, Town Clerk



## Corporation of the Town of Newmarket

### By-law Number 2017 -76

A By-law to Prohibit or regulate unusual **Noises** or **Noises** likely to disturb the **Inhabitants** of the Town of Newmarket.

Whereas section 129 of the Municipal Act, 2001 authorizes municipalities to pass by-laws to prohibit and regulate **Noise**;

And whereas section 128 of the Municipal Act, 2001 authorizes a local municipality to prohibit and regulate matters that, in the opinion of **Council**, are or could be become public nuisance;

And whereas section 391 of the Municipal Act, 2001 authorizes **Council** to pass by-laws imposing **Fees and Charges** on any class of person for services provided or done by or on behalf of it; and

And whereas section 398 (1) of the Municipal Act, 2001 states that **Fees and Charges** imposed by a municipality on a **Person** constitutes a debt of the **Person** to the Town of Newmarket; and;

And whereas section 429 (1) of the Municipal Act, 2001 provides that a municipality may establish a system of fines for an offence under a by-law passed under the Act.

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

#### 1.0 Definitions

“**Applicant**” means a **Person** applying for a **Noise** exemption under this by-law;

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

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

“**Construction**” includes erection, alteration, repair, dismantling, demolition, structural maintenance, painting, moving, land clearing, earth moving, grading, excavation, blasting and detonation of explosive devices other than fireworks, the laying of pipe and conduit whether above or below ground level, street and **Highway** building, concreting, equipment installation and alteration and the structural installation of **Construction** components and materials in any form or for any purpose, and includes any associated or related work;

“**Construction Equipment**” means any equipment or device designed and intended for use in **Construction** or material handling, including but not limited to air compressors, pile drivers, pneumatic or hydraulic tools, bulldozers, tractors, excavators, trenchers, cranes, derricks, loaders, scrapers, pavers, generators, off-highway haulers, trucks, ditchers, compactors and rollers, pumps, concrete mixers, graders or other material handling equipment;

**“Conveyance”** includes a vehicle and any other device employed to transport a **Person** or **Persons** or goods from place to place but does not include any such device or vehicle if operated only with the **Premises** of a **Person**.

**“Dwelling”** means a house, apartment, or other place of **Residence**;

**“Director”** means the Director of Legislative Services and his or her designate or successor;

**“Emergency”** means a situation or an impending situation, often dangerous, caused by the forces of nature, an accident, an intentional act or otherwise, which arises suddenly and calls for prompt action;

**“Emergency Vehicle”** includes a land ambulance, an air ambulance, a fire department vehicle, a police vehicle, and a **Motor Vehicle** being used to respond to an emergency;

**"Event"** an event open to the public, including a public fair, public exhibition, public celebration, public sporting event, public concert; or a school board event; or an event not open to the public or an event held at a private **Residence**;

**“Fees and Charges”** means the General Fees and Charges By-law, as amended for the Legislative Services Department;

**“Highway”** includes a common and public highway, street, avenue, parkway, driveway, square, place, bridge, viaduct or trestle designed and intended for , or used by, the general public for the passage of vehicles

**"Infill Housing"** means a development that occurs on a single lot, or a consolidated number of small lots or sites that are vacant or underdeveloped;

**“Inhabitants”** means one or more **Persons** who reside in the **Town**;

**“Motor Vehicle”** includes an automobile, bus, truck, motorcycle, motor assisted bicycle and any other vehicle propelled or driven other than by muscular power, but does not include a motorized snow vehicle, traction engine, farm tractor, other farm vehicle or road-building machine;

**“Motorized Conveyance”** includes a vehicle and any other device employed to transport a **Person** or **Persons** or goods from place to place, but does not include any such device or vehicle if operated only within the **Premises** of a **Person** or if propelled or driven only by muscular, gravitational or wind power;

**“Noise”** means **Sound** that is of such a volume or nature that it is likely to disturb the **Inhabitants** of the **Town**;

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

**“Outdoor Servicing Area”** means any area on private property which is licensed to serve alcohol and is used by a business for the serving or consumption of food, beverages or refreshments which is not enclosed within a building structure or is exposed to the outdoors;

“**Owner**” means the Property Owner, authorized agent, lessee, or occupier of the **Premises** upon which the **Noise** is being located;

“**Patio**” means an outdoor area that adjoins a **Dwelling** or business that is used for recreational use

“**Person**” includes a corporation, organization, association, partnership and shall include the **Owner** of a property;

“**Premises**” means a piece of land and any buildings and structures on it, and includes a place of business, a public **Highway**, private road, lane, pathway and sidewalk, and any other location or place;

“**Point of Reception**” means any point on the **Premises** where **Sound** originating from other than those **Premises** is received;

“**Quiet Zone**” means area within 100 m used as a hospital, retirement home, nursing home, senior citizens **Residence**, or other similar use and the distance will be measured from the point of origin.

“**Residence**” means any property within the municipality which is zoned for residential uses by an applicable **Zoning By-Law** or which is used in whole or in part for human habitation.

“**Sound**” the sensation produced by stimulation of the organs of hearing by vibrations transmitted through the air or other medium

“**Statutory Holiday**” includes Boxing Day and any day within the definition of "holiday" in the Retail Business Holidays Act R.S.O. 1990, Ch. R.30, as amended, or any successor thereof;

“**Town**” means the Corporation of the Town of Newmarket.

“**Zone**” means the area of a defined land use in the **Town Zoning By-law** passed under the Planning Act, as amended, from time to time;

“**Zoning By-law**” means a by-law passed under section 34 of the Planning Act that restricts the use of land.

## 2.0 Administration

### 2.1 Interpretation:

- (a) A word interpreted in the singular number has a corresponding meaning when used in the plural.
- (b) The imperial measurements found in this By-law in brackets are provided for information only and are intended to be an approximate conversion of the metric measurements. The metric or Standard International measurements shall be deemed to be the standards established by this By-law and, wherever there is a variance between the metric or SI measurements and the imperial measurements, the metric or SI measurements shall apply.

### 2.2 This By-law shall be administered by the **Director** of Legislative Services.

### 3.0 General Prohibitions

- 3.1 No **Person** shall make, cause or permit the emission of **Noise**, which **Noise** is audible at **Point Of Reception** which is likely to disturb the quiet, peace, rest, enjoyment, comfort or convenience of the **Inhabitants** of the **Town**.
- 3.2 For the purposes of this By-law and without limiting the generality of the foregoing, the following **Noises** shall be deemed to be **Noises** likely to disturb any **Person** in the **Town**:
- (a) the operation of a **Motor Vehicle** in such a way that tires squeal;
  - (b) the operation of any combustion engine or pneumatic device without an effective exhaust or intake muffling device in constant operation;
  - (c) the operation of a vehicle or a vehicle with a trailer resulting in banging, clanking, squealing or other like **Noises**;
  - (d) the use of a horn, whistle, alarm, bell, gong or the like, except for an auditory safety or warning device or chimes used in association with a religious establishment;
  - (e) the operation of an air conditioner, pool pump or filter, heat pump or the like that is not in proper working order;
  - (f) the **Noise** or **Sound** caused by a burglar alarm or similar security device which is permitted to continue for more than ten (10) minutes where there is not an **Emergency**, breach of the peace or similar incident;
  - (g) the operation of roof top units that is not in proper working order.

### 4.0 Hours of Operation By Time and Area

- 4.1 No **Person** shall make or permit the emission of **Sound** resulting from any act listed in the Schedule A if clearly audible at a **Point Of Reception** located in a prescribed area of the municipality within a prohibited time shown for such an area.

### 5.0 Exemptions

- 5.1 This By-law does not apply to **Sound** emitted or caused or permitted in connection with:
- (a) a matter of public necessity or public **Emergency**;
  - (b) Measures undertaken by the **Town**, its servants, employees, contractors or agents to carrying out **Town** operations or to operate, maintain or install municipally-owned infrastructure, facilities or the like, or to deliver municipal services;
  - (c) a vehicle of the York Region Police Service, provincial or federal police, Central York Fire Services, or York Region Paramedics Services, while in performance of their duty;

- (d) the operation of machines and equipment by or on behalf of the **Town**, including but not limited to snow removal equipment, road cleaning equipment, grass cutting or field maintenance equipment, tree and shrub pruning and mulching equipment, painting machines for crosswalks and **Highways**;
- (e) the collection or disposal of garbage, waste or recyclable material by or on behalf of the **Town**;
- (f) signalling devices utilized as traffic and pedestrian control devices at intersections and crosswalks;
- (g) the operation of equipment in conjunction with **Town Construction** projects, **Town** general maintenance projects, and **Town Emergency** maintenance projects;
- (h) necessary municipal work and **Emergency** work that cannot be performed during regular business hours;
- (i) the discharge of consumer fireworks, display fireworks or pyrotechnic special effects fireworks if such discharge complies with the **Town's** Fireworks By-law;
- (j) bells, chimes, carillons or clocks associated with religious or public buildings or uses;
- (k) activities from industrial uses located in lands zoned for industrial use if **Sound** is in accordance with the terms and conditions of a valid Certificate of Approval, provisional Certificate of Approval or other approval issued under the Environmental Protection Act, R.S.O. 1990, c. E.19, where such approval addresses **Sound** as a source of contamination;
- (l) operation of machinery by or on behalf of a public utility where work needs to be done to minimize service interruptions;
- (m) a military or other band in a parade if the parade is operating under written permission of the **Town**;
- (n) the use in a reasonable manner of **Motor Vehicles** and when utilized for the clearing and the removal of snow from roadway on private property; or
- (o) **Construction** or an **Event** for which a valid temporary **Noise** permit has been issued, but only if the terms and conditions of the temporary **Noise** permit are complied with.

5.2 Despite any provision of this By-law, this By-law shall not apply where:

- (a) a **Sound** is from a facility that has been designed, developed, built, operated and maintained in accordance with the terms and conditions of a valid Certificate of Approval, provisional Certificate of Approval or other approval issued under the Environmental Protection Act, R.S.O. 1990, c. E.19, where such approval addresses **Sound** as a source of contamination; or

- (b) an order or permit has been issued under the Environmental Protection Act that addresses the **Sound** as a source of contamination

## 6.0 Grant of Exemption

6.1 Any **Person** may apply for temporary **Noise** permit for **Construction** or for an **Event** from the provisions of this by-law.

6.2 An application for temporary **Noise** permit shall be made on the form prescribed by the **Town** and shall be accompanied by the non-refundable application fee in the **Fees and Charges** By-law.

6.3 The following power and authority is delegated to the **Director** with respect to **Construction** or an **Event**:

- (a) to issue a temporary **Noise** permit;
- (b) to issue a temporary **Noise** permit with imposed conditions; or
- (c) to refuse to issue, cancel, revoke or suspend a temporary **Noise** permit,

6.4 In making his or her determination under section 6.3, the **Director** shall:

- (a) determine whether the event falls within the definition of **Construction** or **Event**;
- (b) consider any negative effects the issuance of the temporary **Noise** permit may have on neighbouring properties or on the **Town**;
- (c) consider any benefits the issuance of the temporary **Noise** permit may have for neighbouring properties or for the **Town**;
- (d) consider any previous violations of this By-law or temporary **Noise** permit conditions by the **Applicant**; and
- (e) consider anything reasonably and relevant.

6.5 The **Director**, may impose conditions on a temporary **Noise** permit, including but not limited to:

- (a) The type of volume of **Sounds** that may be made
- (b) The times during which **Sounds** may be made
- (c) The date of expiry of the temporary **Noise** permit( not excess of six months)
- (d) Notification be prepared to advise the community of the **Noise** that will be occurring.



- 6.6 The **Director** shall circulate the application to the Mayor, Deputy Mayor & Regional Councillor, Ward Councillor and where the **Event** or activity is to be held on a boundary street between wards.
- 6.7 Any of the above mentioned Councillors may request that the application be “bumped up” to a full Committee of the Whole for consideration.
- 6.8 The **Director** shall issue a permit if all of the following conditions have been met:
- (a) Notification under section 6.6 has either
    - i. Not responded within the date determined by the **Director** of the notice; or
    - ii. Responded indicating that they have no objection to the application being approved.
  - (b) The **Applicant** has complied with all terms and conditions of approval of the last permit issued to them under this section, if any.
  - (c) The **Applicant** has provided the following:
    - i. the name and address of the **Applicant**;
    - ii. the date, time( not in excess of six months) and location of the **Event** or activity for which the temporary **Noise** permit is sought and, where applicable the number of people expected to attend;
    - iii. the purpose of which the permit is required;
    - iv. a description of any **Sound** or **Construction Equipment** to be used;
    - v. the name, address and telephone number of at least one contact **Person** who will supervise the **Event** or activity;
    - vi. a written undertaking that one or more contact **Persons** responsible for supervising the **Event** or activity will be on-site during the entire **Event** or activity to ensure compliance with the terms and conditions of the permit;
    - vii. a statement of the steps, if any, planned or presently being taken to minimize the **Noise** or **Sound**;
    - viii. a non-refundable application fee as set out in the **Fees and Charges** by-law; and
    - ix. a temporary **Noise** permit fee set out in the **Fees and Charges** by-law, refundable if the application is not approved.

(d) A **Noise** permit issued under section 6.2 shall be subject to the following terms and conditions:

- i. No **Sound** or **Construction Equipment** other than the equipment approved under the permit shall be used by the **Applicant**;
- ii. The **Event** or activity shall be restricted to the approved location; and
- iii. The permission granted is for the date and times for the **Event** or activity as set out in the permit.

6.9 Upon issuance of a temporary **Noise** permit the **Director** shall undertake to notify the York Regional Police Service of the permit and its conditions, if any. Furthermore, notice of all temporary **Noise** permits shall be public posted on the Town of Newmarket website listing:

- (a) the name of the **Applicant**;
- (b) the location of the **Event** or **Construction**;
- (c) the date(s) of the **Event** or **Construction**; and
- (d) conditions imposed, if any.

6.10 Where the **Director** has made a decision under Section 6.3 (c) notice in writing shall be given of that decision to the **Applicant** by regular mail to the last known address of that **Person**. The written notice shall:

- (a) set out the grounds for the decision;
- (b) give reasonable particulars of the grounds;
- (c) be signed by the **Director**; and
- (d) an **Applicant** may request a review of the **Noise** permit decision of the **Director** within fourteen (14) calendar days of the decision to the **Appeals Committee**.

6.11 The request for review is made by filing a written request for review, on a form approved by the **Director**, to the **Appeals Committee**. The **Appeals Committee** may authorize the **Noise** permit from the provisions of this By-law, provided that in the opinion of the **Appeals Committee** it is established that the requirements in section 6.4 are met.

6.12 A decision of the **Appeals Committee** is final and binding.

6.13 An application for a **Noise** permit that exceeds 6 months shall be forwarded to **Council**, along with a report by the **Director**, for approval.

6.14 A decision of **Council** is final and binding.

## 7.0 Order

7.1 If an **Officer** is satisfied that this by-law has been contravened, the **Officer** may make an order, known as an Order to Discontinue Activity, requiring the **Person** who contravened the by-law, or who caused or permitted the contravention, or the **Owner** or occupier of the land on which the contravention occurred, to discontinue the contravention.

7.2 An Order to Discontinue Activity shall set out:

- (a) the municipal address of the property on which the contravention occurred;
- (b) the date of the contravention;
- (c) the reasonable particulars of the contravention of the by-law; and
- (d) the date by which there must be compliance with the order.

7.3 No **Person** shall contravene an Order to Discontinue Activity.

## 8.0 Service of Order

8.1 The Order to Discontinue Activity may be served personally on the **Person** to whom it is directed or by registered regular mail to the last known address of that **Person**, in which case it shall be deemed to have been given on the fifth day after it is mailed.

## 9.0 Power of Entry

9.1 The **Town** may enter on land at any reasonable time for the purpose of carrying out an inspection to determine whether or not the following are being complied with:

- (a) the provisions of this By-law;
- (b) an Order issued under this By-law; or
- (c) an Order made under Section 431 of the Act.

9.2 Where an inspection is conducted by the **Town**, the **Person** conducting the inspection may:

- (a) require the production of documents or relevant items for inspection;
- (b) inspect and remove documents or things relevant to the inspection for the purpose of making copies and extracts;
- (c) require information from any **Person** concerning a matter related to the inspection including their name, address, phone number and identification; and

- (d) alone or in conjunction with a **Person** possessing special or expert knowledge, make examinations or take tests, samples or photographs necessary for the purpose of inspection.
- 9.3 The **Town** may undertake an inspection pursuant to an Order issued under Section 438 of the Act.
- 9.4 The **Town's** power of entry may be exercised by an employee, inspector or agent of the **Town** or by a member of a police force with jurisdiction, as well by any **Person** under his or her direction.
- 9.5 No **Person** shall hinder or obstruct, or attempt to hinder or obstruct, a Municipal Law Enforcement Officer, or a Police Officer from carrying out inspections of land to ensure compliance with this By-law.
- 9.6 The fees imposed constitute a debt of the **Person** to the **Town**. The **Town** Treasurer may add fees to the tax roll and collect them in the same manner as municipal taxes on any property for which all the **Owners** are responsible for paying the fees.
- 9.7 No **Person** shall hinder or obstruct, or attempt to hinder or obstruct, any **Person** who is exercising a power or performing a duty under this By-law, including carrying out an inspection.

## 10.0 Rebuttal Presumption

- 10.1 An **Owner** where the **Noise** is being emitted from shall be presumed to have permitted, or caused to be permitted, the **Noise** under this By-law, as the case may be, which presumption may be rebutted by evidence to the contrary on a balance of probabilities.

## 11.0 Penalties

- 11.1 Every **Person** who contravenes any provision of this By-law, including an order issued under this By-law, is guilty of an offence.
- 11.2 Any **Person** who is in contravention of any provision of this By-law, or who fails to comply with an order issued under this By-law shall be deemed to be committing a continuing offence for each day or part of a day that the contravention remains uncorrected
- 11.3 If an Order has been issued under this By-law, and the order has not been complied with, the contravention of the order shall be deemed to be a continuing offence for each day or part of a day that the order is not complied with.
- 11.4 Any **Person** who is guilty of an offence under this bylaw shall be subject to the following penalties:
  - (a) upon a first conviction, to a fine of not less than three hundred and fifty dollars (\$350.00) and not more than hundred thousand dollars (\$100,000.00);

- (b) upon a second or subsequent conviction for the same offence, to a fine of not less than five hundred dollars (\$500.00) and not more than one hundred thousand dollars (\$100,000.00);
  - (c) upon conviction for a continuing offence, to a fine of not less than five hundred dollars (\$500.00) and not more than ten thousand dollars (\$10,000.00) for each day or part of a day that the offence continues. The total of the daily fines is not limited to one hundred thousand dollars (\$100,000.00);
  - (d) upon conviction of a multiple offence, for each offence included in the multiple offence, to a fine of not less than five hundred dollars (\$500.00) and not more than ten thousand dollars (\$10,000.00). The total of all fines for each included offence is not limited to one hundred thousand dollars (\$100,000.00).
- 11.5 For the purposes of this bylaw, “multiple offence” means an offence in respect of two (2) or more acts or omissions each of which separately constitutes an offence and is a contravention of the same provision of this bylaw.
- 11.6 For the purposes of this bylaw, an offence is a second or subsequent offence if the act giving rise to the offence occurred after a conviction had been entered at an earlier date for the same offence.
- 11.7 Where a **Person** is convicted of an offence under this by-law, the court in which the conviction has been entered, and any court of competent jurisdiction thereafter, may make an order prohibiting the continuation or repetition of the offence by the **Person** convicted.

## 12.0 Severability

- 12.1 If any sections, section or part of a section of this By-law are found by any Court to be illegal or beyond the power of **Council** to enact, such sections or section or part of a section shall be deemed to be severable and all other sections or parts of sections of this By-law shall be deemed to separate and independent and shall continue in full force and effect.

## 13.0 Transition

- 13.1 After the date of passing of this by-law, By-law 2004-94, as amended, applies only to properties in respect of which an Order, and then only to such properties until such time as the work required by such Order has been completed or any enforcement proceedings in respect of such Order, has been concluded.
- 13.2 After and including the date this by-law is passed, any noise exemptions that have been granted under By-law 2004-94, as amended, shall remain in effect.

## 14.0 Repeal

- 14.1 By-law 2004-94 and 2005-158 is hereby repealed.

15.0 Short Title

15.1 This By-law may be referred to as the “**Noise** By-law”.

16.0 Effective Date of By-law

Enacted this 4<sup>th</sup> Day of December, 2017.

\_\_\_\_\_  
Tony Van Bynen, Mayor

\_\_\_\_\_  
Lisa Lyons, Town Clerk

Schedule A  
Prohibitions By Time and Place

Noise Source	Prohibited Times Residential Areas	Prohibited Times Quiet Zones
1. The operation of a car wash	11:00 p.m. to 7:00 a.m. to 9:00 a.m. on Saturdays, Sundays and <b>Statutory Holidays</b>	At all times
2. The operation of a waste collection vehicle, waste collection machinery or refuse compacting equipment	9:00 p.m. to 6:00 a.m. to 9:00 a.m. on Saturdays, Sundays and <b>Statutory Holidays</b>	7:00 p.m. to 7:00 a.m. to 9:00 a.m. on Saturdays, Sundays and <b>Statutory Holidays</b>
3. Loading, unloading, packing, delivering or otherwise handling any container, product or material unless necessary for the maintenance of essential services	9:00 p.m. to 7:00 a.m. to 9:00 a.m. on Saturdays, Sundays and <b>Statutory Holidays</b>	7:00 p.m. to 7:00 a.m. to 9:00 a.m. on Saturdays, all day Sundays and <b>Statutory Holidays</b>
4. The operation of any powered device used in the servicing, maintenance or repair of property except devices driven by muscular power only and snow blowers	9:00 p.m. to 7:00 a.m. the next day; 9:00 a.m. Saturday, Sundays and <b>Statutory Holidays</b>	7:00 p.m. to 9:00 a.m. the next day; 9:00 a.m. Saturday, Sundays and <b>Statutory Holidays</b>
5. The operation of a lawn mower or other equipment or machinery used for yard maintenance purposes which is run by electricity or gasoline, including without limitation, whipper snippers, leaf vacuums, chain saws, hedge trimmers and the like	9:00 p.m. to 7:00 a.m. the next day; 9:00 a.m. Saturday, Sundays and <b>Statutory Holidays</b>	7:00 p.m. to 7:00 a.m. to 9:00 a.m. on Saturday Sundays and <b>Statutory Holidays</b>
6. The operation of any snow blower	9:00 p.m. to 6:00 a.m.	9:00 p.m. to 7:00 a.m.
7. The operation of any <b>Construction Equipment</b> or the conduct of any alteration or repair of any building	8:00 PM one day to 7:00 AM the next day (9:00 AM Saturday and after 5 PM on Saturday All day Sundays & <b>Statutory Holidays</b>	7:00 PM one day to 7:00 AM the next day 9:00 AM Saturday and after 5 PM on Saturday All day Sundays & <b>Statutory Holidays</b>
8. The operation of a dirt bike, all-terrain cycle, snowmobile, go-cart, dune buggy or like <b>Conveyance</b>	7:00 p.m. to 7:00 a.m. to 9:00 a.m. on Saturdays All day Sundays & <b>Statutory Holidays</b>	At all Times

9. Yelling, shouting, hooting, whistling, singing	11:00 PM one day to 7:00 AM the next day 9:00 AM Sundays	At all Times
10. The operation of any <b>construction</b> vehicle or <b>Construction Equipment</b> in connection with <b>Infill Housing</b> .	7:00 PM one day to 7:00 AM the next day 9:00 AM Saturday and after 5 PM on Saturday All day Sundays & <b>Statutory Holidays</b>	7:00 PM one day to 7:00 AM the next day 9:00 AM Saturday and after 5 PM on Saturday All Sundays and <b>Statutory Holidays</b>
10. The operation or use of any tool (ie. lawn mowers, power trimmers, leaf blowers, power washer) for domestic purpose other than snow removal.	8:00 PM one day to 7:00 AM the next day 9:00 AM Sundays	7:00 PM one day to 7:00 AM the next day 9:00 AM Saturdays, Sundays and <b>Statutory Holidays</b>
11.The venting or release of steam, the operation of a generator or air filtrations system, <b>Noise</b> from grinding, milling, the operation of machinery, or the like	9:00 p.m. to 7:00 a.m. to 9:00 a.m. on Saturdays, Sundays and <b>Statutory Holidays</b>	7:00 p.m. to 7:00 a.m. to 9:00 a.m. on Saturdays, Sundays and <b>Statutory Holidays</b>
12.The operation of any <b>Motor Vehicle</b> engaged in the plowing of or removal of snow, unless otherwise permitted under this By-law	12:00 midnight to 6:00 a.m.	12:00 midnight to 7:00 a.m.





Corporation of the Town of Newmarket

By-law Number 2017-77

A By-law to amend By-law 2014-27, being a By-law to define the Procurement Policies for the Corporation of the Town of Newmarket.

Whereas Section 270 of the Municipal Act, 2001, as amended provides that a municipality shall adopt and maintain policies with respect to its procurement of goods and services; and,

Whereas Council enacted By-law 2014-27 to define the Procurement policies and procedures for the Corporation of the Town of Newmarket, herein after, called “the Owner” and it is now deemed necessary to amend By-law 2014-27; and,

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

- 1. That the Sole or Single Source threshold amount in Table 5 of Schedule “D” Thresholds of the Procurement By-law 2014-27 for the C.A.O. be replaced with \$25,000.01 to \$99,999.99; and,
- 2. That the Sole or Single Source threshold amount in Table 5 of Schedule “D” Thresholds of the Procurement By-law 2014-27 for Council be replaced with \$100,000.00 and over; and,
- 3. That Table 5 of Schedule “D” Thresholds of the Procurement By-law 2014-27 regarding Sole or Single Source Purchases be deleted and replaced with:

SCHEDULE “D” THRESHOLDS

Estimated Procurement Value (Dollar) Threshold Applicable taxes are extra	Method of Procurement	Advertising	Reporting	Authority	Contract Agreement Requirements and Parties Responsible for Contract Execution
TABLE 5. SOLE OR SINGLE SOURCE PURCHASES					
Up to \$10,000.00	Not applicable	Advertising not required	Director	Director and in consultation with the Manager, Procurement Services.  A JD Edwards Single /Sole Source Purchase Order is generated by the Procurement Services Department or P-Card to \$ 99,999.99 including taxes.	No Agreement Required

\$10,000.01 to \$25,000.00	Not applicable	Advertising not required	Commissioner	Commissioner in consultation with the Manager, Procurement Services. A JD Edwards Single /Sole Source Purchase Order is generated by the Procurement Services Department or P-Card to \$ 99,999.99 including taxes.	No Agreement Required
\$25,000.01 to \$99,999.99	Not applicable	Advertising not required	C.A.O.	C.A.O. in consultation and agreement with the Manager, Procurement Services. A JD Edwards Single /Sole Source Purchase Order is generated by the Procurement Services Department or P-Card to \$ 99,999.99 including taxes.	Agreement Optional Director and Manager, Procurement Services.
\$100,000.00 and over	Not applicable	Advertising not required	Council	Council A JD Edwards Single /Sole Source Purchase Order is generated by the Procurement Services Department or P-Card to \$ 99,999.99 including taxes.	Agreement Optional Director and Manager, Procurement Services.

4. That this By-law 2017-77 come into force and effect on December 4, 2017.

Enacted this 4<sup>th</sup> day of December, 2017.

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Tony Van Bynen, Mayor

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Lisa Lyons, Town Clerk

**Corporation of the Town of Newmarket****By-law Number 2017- 78**

A By-law to confirm the proceedings of a meeting of Council – December 4, 2017.

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 4<sup>th</sup> day of December, 2017.

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Tony Van Bynen, Mayor

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Lisa Lyons, Town Clerk