



Monday, May 28, 2018 at 7:00 PM
Council Chambers

Open Forum

Public Notices (if required)

Additions & Corrections to the Agenda

Declarations of Pecuniary Interest

Presentations & Recognitions

1. Beth Hart, Curator, Elman W. Campbell Museum to present the Heritage Art Contest Winners

Deputations

2. York Pride 2018

Pg. 1

Note: Jacob Gal, Development & Communications and Gillian Barker, Festival Coordinator, York Pride will be in attendance to provide a deputation on this matter.

<https://www.youtube.com/watch?v=j5MjNOMgibg>

<https://www.youtube.com/watch?v=dUrieRsynQ>

3. Zoning By-law Amendment Application (285 Harry Walker Parkway South)

Pg. 10

Note: Sandra Patano, Weston Consulting will be in attendance to provide a deputation on this matter. This is related to Item 10 of the Committee of the Whole of May 22, 2018.

Approval of Minutes

4. Council Meeting Minutes of May 7, 2018

Pg. 11

Reports by Regional Representatives

Reports of Committees and Staff

- | | | |
|----|---|--------|
| 5. | Committee of the Whole Meeting Minutes of May 22, 2018 | Pg. 31 |
| 6. | Committee of the Whole (Closed Session) Meeting Minutes of May 22, 2018 | |
| 7. | Item 1 and Item 2 of the draft Appointment Committee (Closed Session) Meeting Minutes of May 22, 2018 | |

By-laws

- | | | |
|---------|---|--------|
| 2018-25 | A By-Law to Amend By-Law Number 2014-25, being a Restricted Area (Zoning) By-Law (Marianneville Developments Limited). | Pg. 41 |
| 2018-26 | A By-law to Amend By-law Number 2012-20, being a Restricted Area (Zoning) By-law (Rice Commercial Group) (1250 Davis Drive & 124 Twinney Drive). | Pg. 43 |
| 2018-27 | A By-law to Authorize the Issuance of a Long-term Loan through the Regional Municipality of York for the Purchase of the Property Known as 16780 Yonge Street. | Pg. 45 |
| 2018-28 | A By-Law to Authorize Certain New Capital Works of the Corporation of the Town of Newmarket (the “Lower-Tier Municipality”) to Authorize the Submission of an Application to Ontario Infrastructure and Lands Corporation (“OILC”) for Financing Such Capital Works; to Authorize Temporary Borrowing from OILC to Meet Expenditures in Connection With Such Works; and to Authorize Long Term Borrowing for Such Works through the Issue of Debentures by the Regional Municipality of York (the “Upper-Tier Municipality” to OILC). | Pg. 46 |
| 2018-29 | A By-Law To Amend By-Law Number 2010-40, as amended by By-Law 2015-28 (2578909 Ontario Inc.) (17844 Leslie Street). | Pg. 52 |
| 2018-30 | A By-law to Amend By-law 2016-17 being a By-law to Delegate Administrative Matters to Staff (Restricted Acts after Nomination Day) | Pg. 54 |
| 2018-31 | A By-law to Regulate the Use, Alteration, and Occupancy of Highways Under the Jurisdiction of the Municipality. | Pg. 56 |

2018-32	A By-Law to Provide For the Levy and Collection of the Sums Required by the Corporation of the Town Of Newmarket for 2018 and to Provide For The Mailing Of Notices Requisitioning The Payment Of Taxes For 2018.	Pg. 68
2018-33	A By-law to amend By-law 1984-114 to Correct Title regarding the Legal Description for Dedicating Alexander Road as a Public Highway (Ward 2 – Housekeeping).	Pg. 72

Notices of Motions

Motions

Announcements & Community Events

New Business

Closed Session (if required)

Confirmatory By-law

2018-34	A By-law to Confirm the proceedings of the May 28, 2018 Council meeting.	Pg. 74
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Adjournment

Deputation and Further Notice Request Form

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

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

Name: Jacob Gal	
Organization / Group/ Business represented: York Pride	
Address:	Postal Code:
Daytime Phone No:	Home Phone:
Email:	Date of Meeting: May 28, 2018 at 7:00 PM
Is this an item on the Agenda? <input type="checkbox"/> Yes <input type="checkbox"/> No	Agenda Item No:
<input type="checkbox"/> I request future notification of meetings	<input checked="" type="checkbox"/> I wish to address Council / Committee
Describe in detail the reason for the deputation and what action you will be asking Council/Committee to take (if applicable): Our whole Pride team will be present and we would like to thank council for supporting York Pride and we'd like to give updates on some very important things coming up in the future! What will be talking to council about ? Thank You to council ? Parade & Pride on Riverwalk Celebration Update ? 20 Year anniversary coming up in 2020	
Do you wish to provide a written or electronic communication or background information <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Please submit all materials at least 5 days before the meeting.	

Deputation Guidelines:

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

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

ALL TOGETHER NOW!

THANK YOU TOWN OF NEWMARKET

Eighteen Years of History, Courage & Diversity

YORK PRIDE
Diversity
FESTIVAL
Since 2001
YORK REGION, ON.

3 mission

To organize festivals, events, entertainments and other initiatives which, in the context of sexuality and gender identity, across York Region and beyond, illuminate and celebrate human diversity, captivate the general public, inspire inclusivity and foster harmony and acceptance.

We believe...

that our four core values are the key components to inspire and empower people in a diverse suburban environment

dignity

Openness about sexuality, gender expression and gender identity without fear of discrimination or oppression

equity

We believe in equal treatment and opportunity for all people in our community

engagement

We encourage and promote social opportunities for all ages to participate in our celebration

diversity

We celebrate the uniqueness of all voices while bringing people together as one community

core values



Future **Directions**

A MEANINGFUL PRIDE

Objectives

- » Continue to create opportunities for our community to experience unity
- » Celebrate, encourage and welcome the diversity of our community
- » Commemorate education and understand the history of the LGBTQ2S community in York Region
- » Continue to strengthen voices and support the advocacy of the community

We will...

- » Provide enriched educational and social programming that inspire transformational experiences
- » Include and encourage representation of all people through outreach to underrepresented groups
- » Create a platform for celebrating and promoting arts that are reflective of our core values
- » Partner with organizations and institutions to deliver relevant, "real stories" and experiences reflective of the history and current landscape of the LGBTQ2S community

York Pride?

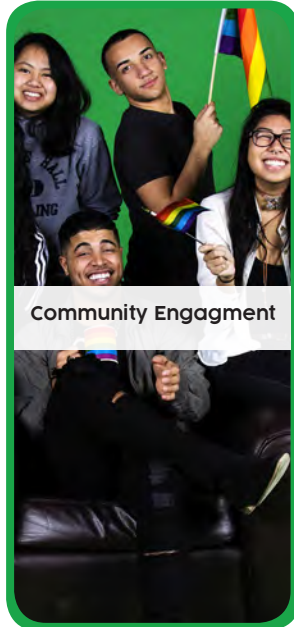
York Pride is a not-for-profit, community based organization hosting creative social and educational events in York Region, which include one of Canada's fastest growing regional Pride Festivals, staged each June to celebrate the LGBTQ2S community.



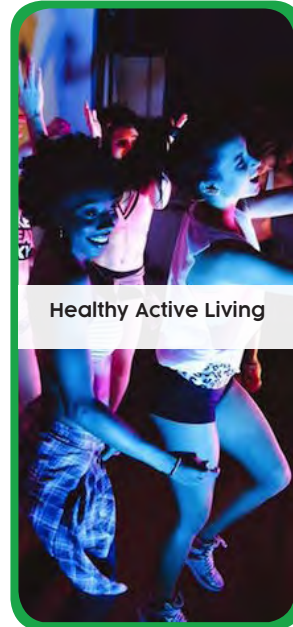
Where's the Focus?



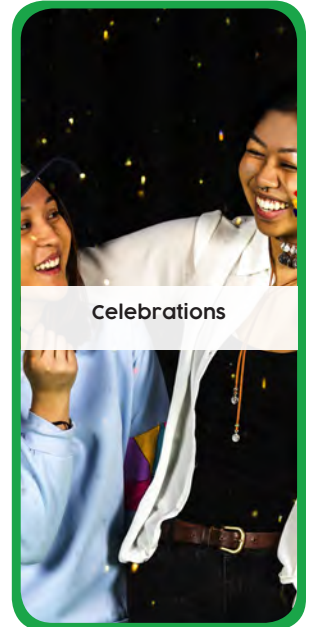
Arts & Culture



Community Engagement



Healthy Active Living



Celebrations

Building a platform for LGBTQ2S artists is a key component to our programming. So we've launched our new project called Perfect Harmony to promote the unseen talents of local Queer artists within and beyond York Region.

Our festival would not be possible without the immense support from our community and partners around York Region. We create everlasting and strong relationships through community outreach, as we continue to reach more people each and every day.

We believe that it is important to be conscious of our health through staying active, eating healthy and finding supports when needed. Therefore, we strive to be more engaged in promoting a healthy lifestyle.

There's nothing more liberating than the feeling of coming together for the purpose of creating a space where everyone can be themselves. York Pride continues to celebrate and illuminate the multitude of diverse individuals within our community.

Working Towards 2020 & Beyond !

pride knows no boundaries
York Region

NEW FOR 2018

To increase attendance at York Pride, we're delighted to announce that we are enhancing our programming once again for another spectacular festival



FIREWORKS



INTERNATIONAL DRAG QUEENS



BEER GARDEN

Live Performances featuring: Drag Queens, Local Talent & Live Music • Evening Fireworks • Beer Garden • Interactive Zone • Home Depot Kids Zone & Crafts • PopUpShops • Community Fair • Reptilia • Rock Climbing • Local Food Vendors

York Pride is quickly becoming one of the biggest regional prides in Ontario.

We continue to celebrate the power and beauty of diversity in one of Canada's most vibrant and open minded regions.

It's undoubtedly becoming more popular each year, drawing crowds from across York Region and the Greater Toronto Area.

Driven by a dedicated and enthusiastic team of volunteers that have a strong passion for pride and connecting our community, we strive to make York Region a place that everyone can call home.

Our principal source of funding is sponsorship. This allows us to produce programming of our signature events such as our annual Pride Parade, Pride on Riverwalk and to create many more memorable experiences.

When our community comes together we are strong. Join us – All Together Now!

Yours Truly,

Jacob Gal
Development and Communications
York Pride



LET'S TALK!

CONTACT:

JACOB GAL

DEVELOPMENT AND COMMUNICATIONS

JACOB.GAL@YORKPRIDEFEST.COM 647.923.7579





OFFICIAL PROJECT PLAN 2019-2020

Town of Newmarket and York Pride have the ability to build a one of a kind pride festival with here at home

- **Town Sanctioned Event – Pride Parade / Pride on Riverwalk**
- **Recommendation of community flag pole installation on Riverwalk**
(To better serve not for profits and their causes)
- **Shared Awareness Campaign about York Pride in Newmarket (communication plan)**
 Permanent sign placement until event at Riverwalk 3 week prior to event
 Allowance for advertising on LDC Screens in community centers' and on marquees (Riverwalk, Ray Twinney, Magna, Civic Centre)
 Better cross promotion on social media (website, twitter, Facebook, etc)
 Partnered videos building interest for festival programming
 Filming of trailer on Main st / Riverwalk (with temporary street closure – summer of august 2019)
- **Main Street Business Development**
 Rainbow Side Walk (2020 anniversary of York Pride – Privately Funded)
 Pride Banners
 Youth Art Mural
 Working with local Main Street restaurants to keep food vending local
- **Funding support when available (Newmarket celebrates the arts etc.)**



Thank You

SEE YOU AT YORK PRIDE!

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Name:	
Organization / Group/ Business represented:	
Address:	Postal Code:
Daytime Phone No:	Home Phone:
Email:	Date of Meeting:
Is this an item on the Agenda? <input type="checkbox"/> Yes <input type="checkbox"/> No	Agenda Item No:
<input type="checkbox"/> I request future notification of meetings	<input type="checkbox"/> I wish to address Council / Committee
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The meeting of Council was held on Monday, May 7, 2018 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

Staff Present: P. Noehammer, Commissioner of Development and Infrastructure Services (Acting Chief Administrative Officer)
E. Armchuk, Commissioner of Corporate Services
I. McDougall, Commissioner of Community Services
L. Lyons, Director of Legislative Services/Town Clerk
A. Walkom, Council/Committee Coordinator

Open Forum

The meeting was called to order at 7:00 PM.

Mayor Van Bynen in the Chair.

Public Notices

There were no public notices.

Additions & Corrections to the Agenda

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

- (1) Deputation by Andrew Ferancik regarding 345-351 Davis Drive - 2018 Servicing Allocation Review. This is related to Item 3 of the Special Committee of the Whole meeting minutes of Monday, April 16, 2018.

Moved by: Councillor Hempen

Seconded by: Councillor Broome

- 1. That the addition to the May 7, 2018 Council agenda be approved.

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

Opposed: None
(9 in favour, 0 opposed)

Carried

Declarations of Pecuniary Interest

Deputy Mayor & Regional Councillor Taylor declared an interest in relation to sub-item 17 of the Committee of the Whole Meeting Minutes of April 30, 2018 as his father was one of the individuals who addressed the Committee on behalf of Habitat for Humanity. He also declared a conflict of interest in relation to sub-item 3d of the Special Committee of the Whole Meeting Minutes of April 16, 2018, as he owns property in close proximity to 260 Eagle Street. He advised he would take no part in the discussion of these matters.

Councillor Vegh declared an interest in relation to sub-item 17 of the Committee of the Whole Meeting Minutes of April 30, 2018 as Habitat for Humanity was his former employer. He advised he would take no part in the discussion of the matter.

Councillor Hempen declared a conflict of interest in relation to the Committee of the Whole (Closed Session) Meeting Minutes of April 30, 2018 related to the Clock Tower as he has a business in close proximity to the subject lands. He advised he would take no part in the discussion of the matter.

Councillor Broome declared a conflict of interest in relation to sub-item 4a of the Special Committee of the Whole Meeting Minutes of April 16, 2018, as her employer has a lease

of vehicles on the property. She advised she would take no part in the discussion of the matter.

Mayor Van Bynen advised that these items would be dealt with separately.

Presentation & Recognitions

1. United Way Update

Moved by: Deputy Mayor & Regional Councillor Taylor

Seconded by: Councillor Vegh

1. That the presentation by Daniele Zanotti regarding United Way Update be received.

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

Opposed: None
(9 in favour, 0 opposed)

Carried

Deputations

2. 345-351 Davis Drive - 2018 Servicing Allocation Review

Note: The deputation was addressed with the associated item from the Special Committee of the Whole Meeting Minutes of April 16, 2018. See Item 4.

Approval of Minutes

3. Council Meeting Minutes of April 16, 2018

Moved by: Councillor Kerwin

Seconded by: Councillor Vegh

1. That the Council Meeting Minutes of April 16, 2018 be approved.

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

Opposed: None
(9 in favour, 0 opposed)

Carried

Reports by Regional Representatives

- (1) Deputy Mayor & Regional Councillor Taylor advised that the 2017 Growth and Development Review has been released. He advised that the report shows strong annual employment growth in York Region, with lower unemployment rates than neighbouring areas.
- (2) Deputy Mayor & Regional Councillor Taylor advised that the Transportation Tomorrow survey has been completed. He advised that the survey shows transportation challenges in York Region, but also shows trends towards greater use of public transportation in the area.

Reports of Committees and Staff

4. Deputation regarding 345-351 Davis Drive - 2018 Servicing Allocation Review

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

1. That the Deputation by Andrew Ferancik regarding 345-351 Davis Drive - 2018 Servicing Allocation Review be received.

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

Opposed: None
(9 in favour, 0 opposed)

Carried

5. Special Committee of the Whole Meeting Minutes of April 16, 2018

(3) 2018 Servicing Allocation Review Report

Moved by: Councillor Kerwin
 Seconded by: Councillor Twinney

1. That Council reinstate servicing allocation to the following developments that have allocation but that have not yet been registered:

- a. 260 Eagle Street

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

Opposed: None
 (8 in favour, 0 opposed)

Carried

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

Moved by: Councillor Vegh
 Seconded by: Councillor Kerwin

2. That Council grant servicing allocation to the following developments:

- a. 17654 Yonge Street Developments Inc. (Redwood Properties) in the amount of 184 apartment units (359 people), to be taken from the urban centres reserve

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

Opposed: None
 (8 in favour, 0 opposed)

Carried

Councillor Broome took no part in the discussion or vote on the above matter.

Moved by: Councillor Kerwin
 Seconded by: Councillor Hempen

3. That the report entitled 2018 Servicing Allocation Review dated April 16, 2018 be received.
4. That Council reinstate servicing allocation to the following developments that have allocation but that have not yet been registered:
 - a. Landmark Estates Phase 5
 - b. 955/995 Mulock (Lorne Park Gardens)
 - c. 400 Park Ave. (King George School)
 - d. 680 Gorham (Maple Lane Homes).

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

Opposed: None
 (9 in favour, 0 opposed)

Carried

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

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

5. **That Council direct staff to reinstate allocation for the development 345-351 Davis Drive as is currently proposed, on the condition:**
 - i. **That a formal response addressing the first submission is received by July 30, 2018; and,**
 - ii. **That the allocation and progress of the development be reviewed in a six month timeframe.**

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

Opposed: None
 (9 in favour, 0 opposed)

Carried

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

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

6. That Council grant servicing allocation to the following developments:
 - a. Sundial Homes (Phase 2) in the amount of 18 semi-detached and 156 townhouses (174 units/464 people)
7. That the Town's resulting remaining servicing capacity (**576 people**, of which a minimum of **96** is to be directed to the urban centres), be maintained in a strategic planning reserve; and,
8. That Council direct staff to further refine the Town's Allocation Policy in light of the unprecedented servicing constraints the municipality will face over the next 5-10 years. Council recognizes the need to prioritize intensification on the corridors but also the need to provide for a variety of built forms and tenure to reflect the needs of our residents. Therefore Council direct staff to amend our allocation policy to be further reflected in the priority rankings based on the following principles:
 - a. That all developments providing for affordable housing in keeping with our official plan or an alternate to the satisfaction of Council be prioritized and provided a higher ranking than otherwise the case; and,
 - b. That all Inflow and Infiltration (I & I) developments are prioritized above other greenfield developments to ensure that developments which are partnering in the creation of allocation are recognized and thereby providing for ground related products as well as intensified products; and,
 - c. That any developments with incomplete phases are prioritized to minimize the impact on neighbouring residents and to recognize the need to provide for ground related built forms as well as intensified units; and,
 - d. That Council direct staff to create a strategic condominium reserve to be held and/or replaced upon new allocation being assigned to be offered to the first applicant for a condominium building of 150 units or greater; and,
 - e. That staff report back with a revised policy as soon as possible to reflect the above principles.

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

Opposed: None
(9 in favour, 0 opposed)

Carried

6. Council Workshop Minutes of April 30, 2018

Moved by: Councillor Kerwin
Seconded by: Councillor Broome

1. That the Council Workshop Minutes of April 30, 2018 be approved.

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

Opposed: None
(9 in favour, 0 opposed)

Carried

7. Committee of the Whole Meeting Minutes of April 30, 2018

Moved by: Councillor Kerwin
Seconded by: Councillor Kwapis

1. That the Committee of the Whole Meeting Minutes of April 30, 2018 be received and the recommendations noted within be adopted, except sub-item 17. See following sub-item 17 for motion and recorded votes.

(1) Revitalization of Darcy Creek Wetlands

Members of the Stuart Scott Eco Team addressed Council to thank Members of Council and staff for creating the wetland space.

(2) 2013 Building Permit Application and Property Standards Issues

1. That the deputation by Attila Vinczer regarding building permit applications and property standards issues be received.

(3) Property Standards Issues

1. That the deputation by Ursula May be received and referred to staff.

(4) Donation Policy

1. That the report entitled Donation Policy dated April 30, 2018 be received; and,
2. That Council adopts the Donation Policy in substantially the form attached hereto.

(5) Policies for Financial Sustainability

1. That the report entitled Policies for Financial Sustainability be received; and,
2. That the following corporate policies, including the appendices be approved:
 - a. Debt Policy, Reserve and Reserve Fund Policy, Asset Replacement Fund Policy.

(6) Award of Single Source Contract

1. That the report entitled Procurement Services, IT & Financial Services 2018-07, regarding the awarding of a single source contract for property tax software, known as Tax Manager (TXM) be received; and,
2. That Council approve a single source/partnership process to award a contract for a new property tax system to the Corporation of the City of Mississauga, on terms satisfactory to the Treasurer, the Manager of Procurement Services and the A/Director of IT.

(7) Municipal Election Joint Compliance Audit Committee

1. That the report entitled Municipal Election Joint Compliance Audit Committee dated April 30, 2018 be received; and,

2. That Council adopt the York Region Terms of Reference for the Joint Compliance Audit Committee (attached as Appendix “A”); and,
3. That the following individuals be appointed by Council as the roster of individuals, who may be selected by the Town Clerk, to constitute the Joint Compliance Audit Committee when required for 2018-2022 Term of Council:
 - Terrence James Alderson
 - Ron Colucci
 - Jodi Feldman
 - Robert M. Freedman
 - Mark Gannage
 - Kelly Gravelle
 - Wm. J. Paul Jones
 - Reagan Ruslim
 - Vince Scaramuzza; and,
4. That the Town Clerk be delegated the authority to:
 - a. Establish in response to any compliance audit applications received for the 2018 Municipal Election, panels of three (3) persons from the Council- approved roster of individuals to serve as the Joint Compliance Audit Committee for the 2018 – 2022 term; and,
 - b. Establish, approve and amend the Joint Compliance Audit Committee’s Terms of Reference and mandate as needed, effective May 7, 2018; and,
 - c. Recruit and appoint Joint Compliance Audit Committee members for the 2022 term of Council and all terms of Council going forward; and,
5. That the Town’s Delegation of Authority By-law 2016-17 be amended to include items 4 (b) and (c) above.

- (8) Interim Control By-law – Extension Request
 - 1. That the Report 2018-28 entitled Interim Control By-law – Extension Request dated April 30, 2018 be received; and,
 - 2. That an extension to Interim Control By-law 2017-25 be passed; and,
 - 3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

- (9) Item 10 Heritage Newmarket Advisory Committee Meeting Minutes of March 6, 2018 regarding Heritage Designations
 - 1. The Senior Leadership Team/Operational Leadership Team recommend that the following be referred to staff for review and report:
 - a. That the Heritage Newmarket Advisory Committee recommend the Town of Newmarket designate the Newmarket Canal system.

- (10) Newmarket Environmental Advisory Committee Meeting Minutes of March 7, 2018
 - 1. That the Newmarket Environmental Advisory Committee Meeting Minutes of March 7, 2018 be received.

- (11) Newmarket Public Library Board Meeting Minutes of March 21, 2018
 - 1. That the Newmarket Public Library Board Meeting Minutes of March 21, 2018 be received.

- (12) Correspondence from the Honourable Daiene Vernile, Minister of Tourism, Culture and Sport regarding Funding for Libraries in 2018 Budget
 - 1. That the correspondence from the Honourable Daiene Vernile, Minister of Tourism, Culture and Sport

regarding Funding for Libraries in 2018 Budget be received.

(13) Outstanding Matters List

1. That the list of outstanding matters be received.

(14) Asset Replacement Fund Strategy

1. That the Asset Replacement Fund Strategy be referred to staff for further information and be brought back to Council for consideration at a later date.

(15) Newmarket GO Station – Mobility Hub Study Presentation

1. That the presentation by the Senior Planner, Policy regarding the Newmarket GO Station – Mobility Hub Study be received.

(16) Newmarket GO Station - Mobility Hub Study

1. That the report entitled Newmarket GO Station - Mobility Hub Study dated April 30, 2018 be received.

(17) Alternative Fees and Charges for Charitable and Non-Profit Organizations- Modifications for Habitat for Humanity

Moved by: Councillor Twinney
Seconded by: Councillor Broome

1. That Planning & Building Services Report 2018-31 entitled Alternative Fees & Charges for Registered Charities and Non-Profit Organizations – Modifications for Habitat for Humanity dated April 30, 2018 be received; and,
2. That Council approve the amended policy, attached to this Report.

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

Opposed: None
(7 in favour, 0 opposed)

Carried

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

- (18) Development Charge Deferral Policy - Refresh and Reinstatement
 - 1. That Council adopt the Policy for Deferral of Payment of Development Charges and Planning Application Fees in the Urban Centres Secondary Plan Area, updated April 30, 2018, included as Attachment 1 to this Report, as amended.
- (19) Heritage Newmarket Advisory Committee Meeting Minutes of March 6, 2018
 - 1. That the Heritage Newmarket Advisory Committee Meeting Minutes of March 6, 2018 be received.
- (20) Reconsideration of Item 10 Heritage Newmarket Advisory Committee Meeting Minutes of March 6, 2018 regarding Heritage Designations
 - 1. The Senior Leadership Team/Operational Leadership Team recommend that the following be referred to staff for review and report:
 - a. That the Heritage Newmarket Advisory Committee propose to the Region of York that the Administration Centre building be designated, due to its noted architect; and,
 - b. That the Heritage Newmarket Advisory Committee recommend the Town of Newmarket designate the Newmarket Canal system.

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

Opposed: None
(9 in favour, 0 opposed)

Carried

8. Committee of the Whole (Closed Session) Meeting Minutes of April 30, 2018

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

1. That the Committee of the Whole (Closed Session) Meeting Minutes of April 30, 2018 be approved.

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

Opposed: None
(8 in favour, 0 opposed)

Carried

Councillor Hempen took no part in the discussion or vote on the above matter.

- (1) Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality, as per Section 239 (2) (e) of the Municipal Act, 2001. relating to Closed Session Report 2018-04 regarding the Ontario Municipal Board Clock Tower Appeal

Moved by: Councillor Kwapis
Seconded by: Councillor Kerwin

1. That the confidential direction to staff be approved.

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

Opposed: None
(8 in favour, 0 opposed)

Carried

Councillor Hempen took no part in the discussion or vote on the above matter.

Mayor Van Bynen provided the following statement:

On Friday, May 4 the Town of Newmarket was pleased to share the news with our community that through a very cooperative process with Main Street Clock Inc. (MSC Inc.), a settlement has been reached for the future development of the historic Clock Tower and 184-194 Main Street, Newmarket. This proposal will mostly consist of renovation within the existing building and could include office, residential and retail uses. The community can expect the Clock Tower to generally look similar to how it looks today, with heritage elements being maintained. The front of the buildings on Main Street will be restored using appropriate heritage conservation techniques.

We are excited that we have reached a solution that is a win-win for the Town, the developer, the downtown area and Newmarket as a whole. This development will help to continue to refresh and revitalize Newmarket's downtown core, while paying tribute to the rich history and heritage of the area.

The Town and MSC Inc. are fully committed to an open and transparent process with all details and conditions outlined in the Minutes of Settlement available at www.newmarket.ca

9. Amended Development Charge Deferral Policy

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

1. That the amended Development Charge Deferral Policy be approved.

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

Opposed: None
(9 in favour, 0 opposed)

Carried

By-laws

2018-21 A By-law to amend By-law 2016-17 being a By-law to Delegate Administrative Matters to Staff

2018-22 A By-law to Appoint Fire Prevention Officers

2018-23 Interim Control By-law Extension (Old Main Street)

Moved by: Councillor Vegh

Seconded by: Councillor Twinney

1. That by-laws 2018-21, 2018-22 and 2018-23 be enacted.

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

Opposed: None
(9 in favour, 0 opposed)

Carried

Notices of Motions

None.

Motions

10. Newmarket Heights Entrance Sign

Moved by: Councillor Hempen

Seconded by: Deputy Mayor & Regional Councillor Taylor

1. That Council authorize the expenditure of \$10,000 towards a Newmarket Heights entrance sign in recognition of the neighbourhood's 60th anniversary, on the condition:
 - a. That Community fundraising exceeds \$10,000; and,
 - b. That Community fundraising funds are in place prior to the Town's expenditure.

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

Opposed: None
(9 in favour, 0 opposed)

Carried

Announcements and Community Events

11. Touch a Truck Event

Councillor Hempen invited residents to attend the “Touch-A-Truck” event at the Operations Centre located at 1275 Maple Hill Court on Thursday, May 24, 2018 from 5:00 PM to 8:00 PM. He advised that additional parking will be available at OPM Sales Warehouse, 400 Harry Walker Parkway South.

12. Moonlight Movie

Councillor Kwapis invited residents to attend the first Moonlight Movie of the year on Sunday, May 20, 2018 at dusk at approximately 8:45 PM at Newmarket Riverwalk Commons. He advised that admission is free and residents may visit newmarket.ca/events for further information or call 905-895-5193.

13. Annual Bike to Work Day

Councillor Broome advised that Monday, May 28, 2018 is Smart Commute Central York’s Annual Bike to Work Day at Newmarket Riverwalk Commons. She advised that from 7:30 AM to 9:00 AM, residents may enjoy a free continental breakfast, giveaways, prizes and exhibits. She further advised that for more information, residents may visit smartcommute.ca.

14. Mother’s Day at the Elman W. Campbell Museum

Councillor Bisanz invited residents to celebrate Mother’s Day in an old-fashioned afternoon on Saturday, May 12, 2018 at the Elman W. Campbell Museum, 134 Main Street South. She advised that two sittings are available at 1:00 PM and 2:30 PM with a variety of teas, sandwiches and sweets being served on vintage china. She further advised that tickets are \$15 per person and must be purchased in advance online at newmarket.snapd.com.

15. Registration for Town of Newmarket Leisure and Aquatic Summer Programs

Deputy Mayor & Regional Councillor Taylor advised that registration for Town of Newmarket Leisure and Aquatic summer programs begins on Wednesday, May 23, 2018 at 6:30 AM for residents and Wednesday, May 30, 2018 at 8:30 AM for non-residents. He advised that users may register online at newmarket.ca/recreation or at one of the Customer Service Kiosks at the Municipal Offices, Magna Centre, Ray Twinney Recreation Complex, Recreation Youth Centre & Sk8 Park or Old Town Hall.

16. Newmarket Food Pantry

Deputy Mayor & Regional Councillor Taylor advised that the Newmarket Food Pantry will be fundraising at Ribfest May 12-13, 2018.

17. 55+ Golf Tournament

Councillor Twinney advised that registration is underway for the 55+ Golf Tournament coordinated by the Newmarket Seniors' Meeting Place and will take place on Wednesday, June 13, 2018 at Mill Run Golf Club at 8:00 AM. She advised that registration includes golf, cart, tees and a BBQ lunch, with a cost of \$65 for members and \$75 for non-members. She advised that residents may visit newmarket.ca/55+ or call 905-953-5325 for more information and to register.

18. Easter Seals Run/Walk

Councillor Kerwin invited residents to the Easter Seals Run/Walk at Newmarket Riverwalk Commons, 200 Doug Duncan Drive Sunday, May 27, 2018. He advised that residents may register online at persechinirun.org.

19. Community Garage Sale

Councillor Vegh invited residents to the annual Community Garage Sale organized by the Newmarket Environmental Advisory Committee on Saturday, May 26, 2018 from 8:00 AM until 12:00 noon at the Upper Canada Mall, South West Parking Lot (Eagle Street & Davis Drive). He advised those interested in selling their used items may register by calling 905-895-5193, with a fee of \$10 per vendor and participants will need to bring their own tables.

20. Victoria Day Closure

Mayor Van Bynen advised that the Municipal Offices are closed for Victoria Day on Monday, May 21, 2018 and will re-open Tuesday, May 22, 2018.

21. Next Council Meeting – May 28, 2018

Mayor Van Bynen advised that the next Council meeting is Monday, May 28, 2018 at 7:00 PM.

New Business

None.

Closed Session (if required)

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

Confirmatory By-law

2018-24 A By-law to Confirm the proceedings of the May 7, 2018 Council meeting.

Moved by: Councillor Broome
Seconded by: Councillor Hempen

1. That Confirmatory by-law 2018-24 be enacted.

Carried

Adjournment

Moved by: Councillor Bisanz
Seconded by: Councillor Broome

1. That the Council Meeting adjourn at 8:18 PM.

Carried

Tony Van Bynen, Mayor

Lisa Lyons, Town Clerk

Committee of the Whole

Tuesday, May 22, 2018 at 1:30 PM
Council Chambers

For consideration by Council on
May 28, 2018

The meeting of the Committee of the Whole was held on Tuesday, May 22, 2018 in the Council Chambers, 395 Mulock Drive, Newmarket.

Members Present:	Mayor Van Bynen (1:30 PM – 4:35 PM) Deputy Mayor & Regional Councillor Taylor Councillor Vegh Councillor Kerwin Councillor Hempen (1:30 PM - 5:14 PM) Councillor Kwapis Councillor Broome Councillor Bisanz
Members Absent:	Councillor Twinney
Staff Present:	R. N. Shelton, Chief Administrative Officer E. Armchuk, Commissioner of Corporate Services P. Noehammer, Commissioner, Development & Infrastructure Services I. McDougall, Commissioner of Community Services L. Lyons, Director of Legislative Services/ Town Clerk M. Mayes, Director of Financial Services/ Town Treasurer J. Unger, Assistant Director, Planning A. Walkom, Council/Committee Coordinator

The meeting was called to order at 1:30 PM.

Mayor Van Bynen in the Chair until 4:35 PM; Deputy Mayor & Regional Councillor Taylor in the Chair between 4:35 PM and 5:19 PM.

Additions & Corrections to the Agenda

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

- (1) Presentation by vivaNext regarding update on the Newmarket construction project.

- (2) Deputation by Oleg Karpenko regarding Property maintenance concerns on neighbouring Town property.
- (3) Delegated Authority for Fees and Charges. This report is related to Item 4.
- (4) Newmarket – Tay Power Distribution Ltd. Report of the President regarding Proposed Corporate Restructuring of Newmarket and Tay Group of Companies.

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

- (1) A presentation regarding Proposed Corporate Restructuring of Newmarket and Tay Group of Companies was withdrawn.

Moved by: Councillor Vegh
 Seconded by: Councillor Kwapis

- 1. That the additions and deletion to the May 22, 2018 Committee of the Whole agenda be approved.

Carried

Declarations of Pecuniary Interest

None.

Presentations & Recognitions

1. vivaNext regarding update on the Newmarket construction project

Mary-Frances Turner, President, York Region Rapid Transit Corporation provided an introduction to the presentation, as well as an update on the status of the Union Hotel property. Chris Scott, Manager of Infrastructure, Bus Rapid Transit provided an update on the status and timelines of the Yonge Street reconstruction project. Sophia Bittar, Community Liaison provided an update on the communications campaign which has provided information on the construction project to residents and businesses in the area.

Moved by: Councillor Kerwin
 Seconded by: Councillor Bisanz

- 1. That the presentation regarding vivaNext re: update on the Newmarket construction project be received.

Carried

Deputations

2. Oleg Karpenko regarding property maintenance concerns on neighbouring Town property

Oleg Karpenko addressed Committee and expressed concerns regarding the maintenance of the undeveloped Town-owned property next to his home.

Moved by: Councillor Bisanz

Seconded by: Deputy Mayor & Regional Councillor Taylor

1. That the deputation by Oleg Karpenko regarding property maintenance concerns on neighbouring Town property be received and referred to staff.

Carried

Consent Items

Moved by: Councillor Vegh

Seconded by: Councillor Kerwin

That the following items (3-9) be adopted on consent:

3. Property Tax Rates and By-law for 2018

1. That the report entitled Property Tax Rates and By-law for 2018 dated May 22, 2018 be received; and,
2. That the property tax rates for 2018, as applied to the assessment roll returned be set for Town purposes as follows:

Property Class	Tax Rate
Residential	0.341343%
Multi-Residential	0.341343%
Commercial	0.420637%
Industrial	0.511093%
Pipeline	0.313694%
Farm	0.085336%

3. That the applicable tax rate By-law, attached as Appendix 'A' be forwarded to Council for approval; and,

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

4. Restricted Acts after Nomination Day in an Election Year

1. That the report entitled “Restricted Acts after Nomination Day in a Municipal Election Year” dated May 22, 2018 be received; and,
2. That Council approve the amendment to the Delegation By-law, as provided in Attachment A to this report; and,
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

5. Newmarket Economic Development Advisory Committee Meeting Minutes of November 23, 2017

1. That the Newmarket Economic Development Advisory Committee Meeting Minutes of November 23, 2017 be received.

6. Main Street District Business Improvement Area Board of Management Meeting Minutes of March 20, 2018

1. That the Main Street District Business Improvement Area Board of Management Meeting Minutes of March 20, 2018 be received.

7. Heritage Newmarket Advisory Committee Meeting Minutes of April 3, 2018

1. That the Heritage Newmarket Advisory Committee Meeting Minutes of April 3, 2018 be received.

8. Newmarket Environmental Advisory Committee Meeting Minutes of April 4, 2018

1. That the Newmarket Environmental Advisory Committee Meeting Minutes of April 4, 2018 be received.

9. Outstanding Matters List

1. That the list of outstanding matters be received.

Carried

10. Zoning By-law Amendment Application – 285 Harry Walker Parkway South Staff Report

Moved by: Councillor Kwapis
 Seconded by: Councillor Broome

1. That the report entitled Zoning By-law Amendment Application – 285 Harry Walker Parkway South, dated May 7, 2018 be received;
2. That Council amend Zoning By-law 2010-40 for the lands at 285 Harry Walker Parkway South to be substantially in accordance with the draft Zoning By-law Amendment appended as Attachment 3 to this report;
3. That Diron Developments Limited, c/o Diego Toneguzzo, 221 Hanlan Road, Unit 9, Woodbridge, ON L4L 3R7, be notified of this action; and
4. That Weston Consulting Inc., c/o Sandra Patano, 201 Millway Avenue, Suite 19, Vaughan, ON L4K 5K8, be notified of this action.

Defeated

11. Servicing Allocation Policy Update

Moved by: Councillor Kerwin
 Seconded by: Councillor Vegh

1. That the report entitled Servicing Allocation Policy Update dated May 22, 2018 be received; and,
2. That Council adopt the Servicing Allocation Policy, updated May, 2018, included as Attachment 1 to this Report.

Carried

12. Road Occupancy By-law

Moved by: Councillor Broome
 Seconded by: Councillor Kwapis

1. That the Staff Report entitled Road Occupancy By-law dated May 7, 2018 be received; and,
2. That the Road Occupancy By-law be adopted; and,

3. That the current Road Occupancy By-law 2015-16 be hereby repealed; and,
4. That the Fees and Charges By-law be updated to reflect the Road Occupancy Fees included herewith; and,
5. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

13. Delegated Authority for Fees/Charges

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

Moved by: Councillor Kerwin
 Seconded by: Councillor Kwapis

1. That the report entitled Delegated Authority for Fees/Charges dated May 22, 2018 be received; and,
2. That Council delegate limited authority to execute increases to the Fees and Charges By-law; and,
3. That the delegated authority be limited to Recreation & Culture and Licensing Fees and Charges and that any increase not exceed the rate of inflation and be in compliance with the Service Pricing Policy; and,
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution; and,
5. **That Council direct staff to prepare an information report on the 2019 Major fees and charges, at which point Council may decide whether or not to override the delegated authority.**

Carried

Action Items

None.

Reports by Regional Representatives

None.

Notices of Motions

None.

Motions

None.

New Business

(1) Rannie Road and Ritas Avenue

Councillor Broome inquired about the status of the assumption by the Town of Rannie Road and Ritas Avenue. The Commissioner, Development & Infrastructure Services advised he would inquire and inform the Councillor as to the status.

(2) Heritage Designation of Union Hotel

Deputy Mayor & Regional Councillor Taylor inquired about the status of the Heritage Designation for the Union Hotel. The Assistant Director, Planning advised that a consultant has been hired to prepare the designation documents and that a report to Council will be presented at the September 17, 2018 Committee of the Whole meeting.

Closed Session

Moved by: Councillor Hempen
Seconded by: Councillor Kwapis

1. That the Committee of the Whole resolve into Closed Session to discuss the following matters:

- (1) Proposed Corporate Restructuring of Newmarket and Tay Group of Companies related to a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons or organization, as per Section 239 (2) (i) of the Municipal Act, 2001.
- (2) Consideration of Expanded Newmarket-Tay Power Business Opportunity related to a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons or organization, as per Section 239 (2) (i) of the Municipal Act, 2001.
- (3) Closed Session Report 2018-04 regarding litigation advice regarding a property matter in Ward 5 related to litigation or potential litigation, including matters before administrative tribunals, affecting the municipality as per Section 239 (2) (e) of the Municipal Act, 2001.

Carried

The Committee of the Whole resolved into Closed Session at 2:02 PM.

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

The Committee of the Whole resumed into Open Session at 4:34 PM.

14. Proposed Corporate Restructuring of Newmarket and Tay Group of Companies

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

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

1. That the Newmarket-Tay Power Distribution Ltd. Report of the President dated May 16, 2018 regarding the restructuring of Newmarket Hydro Holdings Inc. and Tay Hydro Inc. be received and the following resolutions be adopted, **subject to the confidential governance direction provided in Closed Session:**

- a. That the Restructuring is authorized and approved; and,
- b. That the take up by the Corporation of 700 Common Shares in the capital of NT Power and 7 Common Shares in the capital of any affiliate companies from THI as required for the Restructuring is authorized and approved; and,
- c. That the issuance of Common Shares in the capital of the Corporation to the Township of Tay to establish a 7% interest in the Corporation is authorized and approved; and,
- d. That the entering into a Shareholders Agreement with the Corporation and the Township of Tay is authorized and approved; and,
- e. That Paul Ferguson, the Mayor of Newmarket and the Mayor of Tay are elected directors of the Corporation upon the Corporation's issuance of Common Shares to the Township of Tay to hold office until the next annual meeting of shareholders or until their successors are elected or appointed; and,
- f. That Paul Ferguson, the Chief Administrative Officer and the Clerk are authorized for and on behalf of Municipal Council to execute and deliver a Revised Agreement in the form they agree upon with the Chief Administrative Officer of the Township of Tay. Their approval of the Revised Agreement to be conclusively evidenced by their execution and delivery of the Revised Agreement and the Revised Agreement so executed and delivered shall be deemed to be the Shareholders Agreement approved by these resolutions; and,
- g. That Paul Ferguson, acting alone, is authorized for and on behalf of Municipal Council and the Corporation to approve the forms of all other documents contemplated or required to be executed by the Corporation in connection with the Restructuring or the Shareholders Agreement (collectively, the "Additional Documents") and to execute (whether under the corporate seal of the Corporation 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.

Carried

Public Hearing Matter

None.

Adjournment

Moved by: Councillor Broome
Seconded by: Councilor Kwapis

1. That the meeting of Committee of the Whole adjourn at 5:19 PM.

Carried

Tony Van Bynen, Mayor

Lisa Lyons, Town Clerk



Corporation of the Town of Newmarket

By-law 2018-25

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 Schedule 'X', to Zoning By-law 2014-25, as amended is hereby further amended as follows:

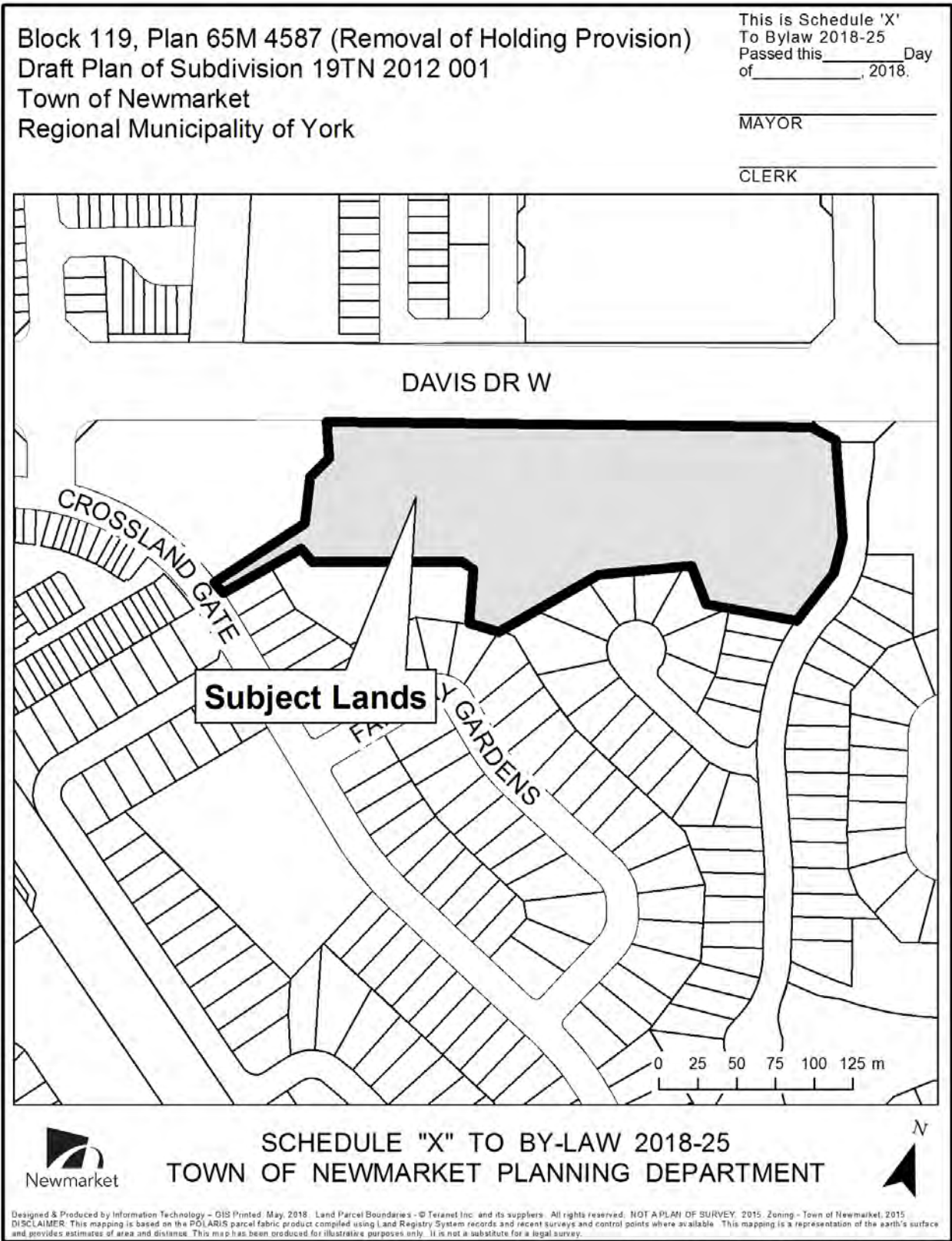
That the "(H)" Holding prefix preceding the Residential Townhouse Dwelling 1 Zone (R4-N-124) on Block 119 on Registered Plan 65M-4587, as shown more particularly on schedule 'X' attached hereto, is hereby removed.

2. That the provisions of this By-law shall come into force and be effective upon the final passage thereof.

Enacted this 28th day of May, 2018.

Tony Van Bynen, Mayor

Lisa Lyons, Town Clerk





Corporation of the Town of Newmarket

By-law 2018-26

A By-law to Amend By-law Number 2012-20, being a Restricted Area (Zoning) By-law. (Rice Commercial Group)

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; and,

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

1. That Schedule 'X', to Zoning By-law 2012-20, as amended is hereby further amended as follows:

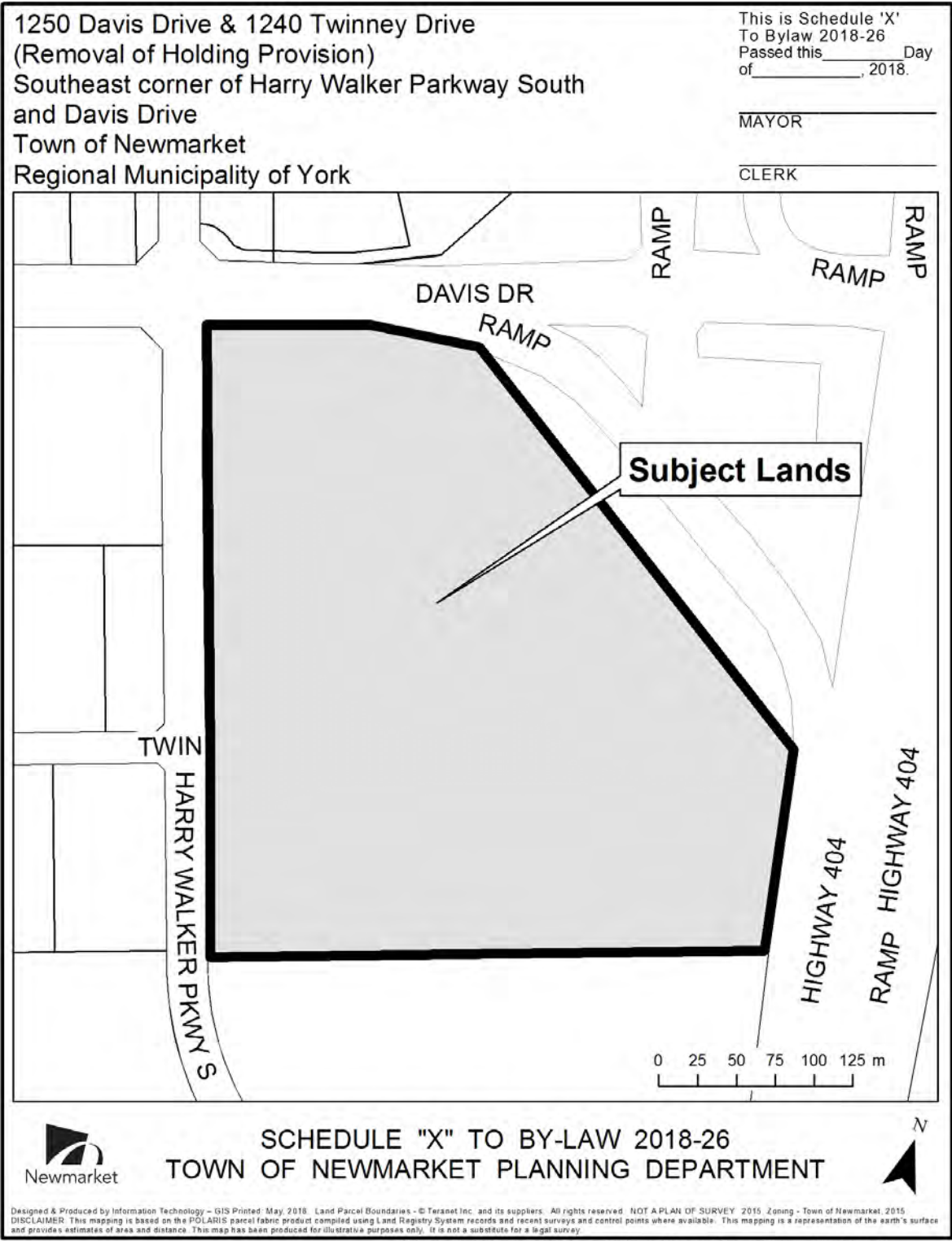
That the "(H)" Holding prefix preceding the Mixed Employment Zone (EM-109) on 1250 Davis Drive and 1240 Twinney Drive, as shown more particularly on schedule 'X' attached hereto, is hereby removed.

2. That the provisions of this By-law shall come into force and be effective upon the final passage thereof.

Enacted this 28th day of May, 2018.

Tony Van Bynen, Mayor

Lisa Lyons, Town Clerk





Corporation of the Town of Newmarket

By-law 2018-27

A By-law to Authorize the Issuance of a Long-term Loan through the Regional Municipality of York for the Purchase of the Property Known as 16780 Yonge Street.

Whereas the Corporation of the Town of Newmarket has agreed to purchase the property known as 16780 Yonge Street in the Town of Newmarket, Regional Municipality of York; and,

Whereas it is necessary for the Corporation of the Town of Newmarket to be subject to a Debenture Agreement with the Regional Municipality of York;

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

1. That the Council of the Corporation of the Town of Newmarket authorizes the issuance of a long-term loan with the Regional Municipality of York for the purchase of the property known as 16780 Yonge Street; and,
2. That the Regional Municipality of York be requested to issue a long-term loan up to an amount not to exceed \$26,000,000 on behalf of the Corporation of the Town of Newmarket, repayable over a period not to exceed thirty (30) years; and,
3. That any combination of the Mayor, Deputy Mayor, the Treasurer of the Corporation of the Town of Newmarket and the Clerk as may be required, be delegated the authority to sign any necessary and related documents to effect the intent of this By-law; and,
4. That By-law 2018-10 be hereby repealed.

Enacted this 28th day of May, 2018.

Tony Van Bynen, Mayor

Lisa Lyons, Town Clerk



Corporation of the Town of Newmarket

By-law 2018-28

A By-Law to Authorize Certain New Capital Works of the Corporation of the Town of Newmarket (the “Lower-Tier Municipality”) to Authorize the Submission Of An Application To Ontario Infrastructure And Lands Corporation (“OILC”) for Financing Such Capital Works; to Authorize Temporary Borrowing from OILC to Meet Expenditures in Connection With Such Works; And to Authorize Long Term Borrowing for Such Works through the Issue of Debentures by the Regional Municipality of York (the “Upper-Tier Municipality” To OILC).

Whereas the *Municipal Act, 2001* (Ontario), as amended, (the “**Act**”) provides that a municipal power shall be exercised by by-law unless the municipality is specifically authorized to do otherwise; and,

Whereas it is now deemed to be expedient to authorize for the purposes of the Lower-tier Municipality the new capital work(s) described in column (2) of Schedule “A” (individually a “**Capital Work**”, collectively the “**Capital Works**”, as the case may be) attached hereto and forming part of this By-law (“**Schedule “A”**”) in the amount of the respective estimated expenditure set out in column (3) of Schedule “A”, subject in each case to approval by OILC of the financing for such Capital Work(s) that will be requested by the Lower-tier Municipality in the Application as hereinafter defined; and,

Whereas in accordance with section 4 of Ontario Regulation 403/02 (the “Regulation”), the Council of the Lower-tier Municipality had its Treasurer calculate an updated limit in respect of its most recent annual debt and financial obligation limit received from the Ministry of Municipal Affairs and Housing (as so updated, the “**Updated Limit**”), and, on the basis of the authorized estimated expenditure for the Capital Work or for each Capital Work, as the case may be, as set out in column (3) of Schedule “A” (the “**Authorized Expenditure**” for any such Capital Work) the Treasurer calculated the estimated annual amount payable in respect of the Capital Work or each Capital Work, as the case may be, (collectively the “**Estimated Annual Amount Payable**”), and determined that the Estimated Annual Amount Payable does not cause the Lower-tier Municipality to exceed the Updated Limit, and accordingly the approval of the Ontario Municipal Board pursuant to the Regulation is not required before any such Capital Work is authorized by the Council of the Lower-tier Municipality; and,

Whereas subsection 405(1) of the Act provides, amongst other things, that a municipality may authorize temporary borrowing to meet expenditures made in connection with a work to be financed in whole or in part by the issue of debentures if, the municipality is a lower-tier municipality in a regional municipality and it has approved the work and the upper-tier municipality has approved the issue of debentures for the work; and,

Whereas subsection 401(1) of the Act provides that a municipality may incur a debt for municipal purposes, whether by borrowing money or in any other way, and may issue debentures and prescribed financial instruments and enter prescribed financial agreements for or in relation to the debt; and,

Whereas subsection 401(3) of the Act provides that a lower-tier municipality in a regional municipality does not have the power to issue debentures and accordingly the Lower-tier Municipality intends that the Upper-tier Municipality will issue debentures in respect of the Capital Work(s) and will request that the Upper-tier Municipality do so; and,

Whereas subsection 403(1) of the Act provides that a by-law of an upper-tier municipality authorizing the issuing of debentures for the purposes or joint purposes of one or more of its lower-tier municipalities may require those lower-tier municipalities to make payments in each year to the upper-tier municipality in the amounts and on the dates specified in the by-law; and,

Whereas the Act also provides that a municipality shall authorize long term borrowing by the issue of debentures or through another municipality under section 403 or 404 of the Act and subsection 403(7) of the Act provides that all debentures issued under a by-law passed by an upper-tier municipality under section 403 are direct, joint and several obligations of the upper-tier municipality and its lower-tier municipalities; and,

Whereas OILC has invited Ontario municipalities desirous of obtaining temporary and long term debt financing in order to meet capital expenditures incurred on or after January 1, 2013 in connection with eligible capital works to make application to OILC for such financing by completing and submitting an application in the form provided by OILC; and,

Whereas the Lower-tier Municipality requested the Upper-tier Municipality to issue debentures for the Capital Work(s) and in this connection the Upper-tier Municipality and the Lower-tier Municipality completed and submitted an application to OILC (the “**Application**”) to request financing for the Capital Work(s) by way of long term borrowing pursuant to section 403 of the Act through the issue of debentures to OILC by the Upper-tier Municipality and by way of temporary borrowing by the Lower-tier Municipality from OILC pending the issue of such debentures; and,

Whereas OILC has accepted and has approved the Application; and,

Whereas the Upper-tier Municipality has approved the issue of debentures for the Capital Work(s) to OILC in the maximum aggregate principal amount of \$26,000,000 (the “**Debentures**”); and OILC has indicated that pending the issue of the Debentures it will provide financing by way of temporary advances to the Lower-tier Municipality in respect of the Capital Work(s); and,

Whereas the Lower-tier Municipality will enter into a financing agreement with OILC pursuant to the terms of which OILC will provide temporary advances to the Lower-tier Municipality in respect of the Capital Work(s);

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

1. The Council of the Lower-tier Municipality hereby confirms, ratifies and approves the execution by the Treasurer of the Application and the submission by such authorized official of the Application, duly executed by such authorized official, to OILC, in cooperation with the Upper-tier Municipality, for the financing of the Capital Work(s) by way of temporary borrowing from OILC, pending the issue of the Debentures, in the maximum aggregate principal amount of \$26,000,000, substantially in the form of Schedule “B” hereto and forming part of this By-law, with such changes thereon as such authorized official may

hereafter approve, such execution and delivery to be conclusive evidence of such approval.

2.

- (a) The undertaking of the Capital Work or of each Capital Work, as the case may be, in the amount of the respective Authorized Expenditure set out in column (3) of Schedule "A" is hereby approved and authorized;
- (b) any one or more of the Mayor, the Deputy Mayor and the Treasurer are hereby authorized to conclude contracts on behalf of the Lower-tier Municipality for the undertaking of the Capital Work or of each Capital Work, as the case may be, in accordance with the Lower-tier Municipality's usual protocol;
- (c) where applicable, the Engineer of the Lower-tier Municipality will forthwith make such plans, profiles and specifications and furnish such information as in the opinion of the Engineer are necessary for the undertaking of the Capital Work or of each Capital Work, as the case may be; and
- (d) where applicable, the undertaking of the Capital Work or of each Capital Work, as the case may be, shall be carried on and executed under the superintendence and according to the direction and orders of such Engineer.

3. The Mayor and/or Deputy Mayor and the Treasurer are hereby authorized to negotiate and enter into, execute and deliver for and on behalf of the Lower-tier Municipality a financing agreement (a "Financing Agreement") with OILC that provides for temporary borrowing from OILC in respect of the Capital Work(s) on such terms and conditions as such authorized officials may approve, such execution and delivery to be conclusive evidence of such approval.

4. The Mayor and/or the Treasurer are hereby authorized, pending the substantial completion of the Capital Work or of each Capital Work, as the case may be, or as otherwise agreed with OILC, to make temporary borrowings pursuant to section 405 of the Act in respect of the Capital Work or of each Capital Work, as the case may be, on the terms and conditions provided in the Financing Agreement and on such other terms and conditions as such authorized officials may agree, and to sign such evidence of indebtedness as OILC may require (the "Note") and to deliver the Note to OILC, such execution and delivery to be conclusive evidence of such agreement; and the Treasurer is authorized to sign such certifications as OILC may require in connection with such borrowings in respect of the Capital Work(s); provided that the amount of borrowings allocated to the Capital Work or of each Capital Work, as the case may be, does not exceed the Authorized Expenditure for such Capital Work and does not exceed the related loan amount set out in column (4) of Schedule "A" in respect of such Capital Work.

5. In accordance with the provisions of section 25 of the Ontario Infrastructure and Lands Corporation Act, 2011, as amended from time to time hereafter, as security for the payment by the Lower-tier Municipality of the indebtedness of the Lower-tier Municipality to OILC under the Note, and as security for the payment by the Lower-tier Municipality of any indebtedness of the Lower-tier Municipality to the Upper-tier Municipality in respect of the Debentures issued for any Capital Work (the "Obligations"), the Lower-tier Municipality is hereby authorized to agree in writing with OILC that the Minister of Finance is entitled, without notice to the Lower-tier Municipality, to deduct from

money appropriated by the Legislative Assembly of Ontario for payment to the Lower-tier Municipality, amounts not exceeding the amounts that the Lower-tier Municipality fails to pay to OILC on account of the Obligations and to pay such amounts to OILC from the Consolidated Revenue Fund.

6. For the purposes of meeting the Obligations, the Lower-tier Municipality shall provide for raising in each year as part of the general lower-tier levy, the amounts of principal and interest payable in each year under the Note and/or any outstanding Debenture, to the extent that the amounts have not been provided for by any other available source including other taxes or fees or charges imposed on persons or property by a by-law of any municipality.
7.
 - (a) The Mayor and/or the Treasurer are hereby authorized to execute and deliver the Note, the Mayor and the Treasurer are hereby authorized to enter into, execute and deliver the Financing Agreement, one or more of the Clerk and the Treasurer are hereby authorized to generally do all things and to execute all other documents and papers in the name of the Lower-tier Municipality in order to perform the Obligations of the Lower-tier Municipality under the Financing Agreement, to execute and deliver the Note, and the Treasurer is authorized to affix the Lower-tier Municipality's municipal seal to any such documents and papers.
 - (b) The money realized in respect of the Note and the Debentures, including any premium, and any earnings derived from the investment of that money, after providing for the expenses related to the execution and delivery of the Note and to the issue of the Debentures by the Upper-tier Municipality, if any, shall be apportioned and applied to the respective Capital Work and to no other purpose except as permitted by the Act.
2. This By-law takes effect on the day of passing.

Enacted this 28th day of May, 2018.

Tony Van Bynen, Mayor

Lisa Lyons, Town Clerk

Schedule “A”
To By-law Number 2018-28
(New Capital Work (s))

Capital Work Number	Description of Capital Work	Estimated Expenditure	Loan Amount
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Schedule “B”
To By-law Number 2018-28

Please insert the OILC Application into Schedule “B”

Infrastructure Ontario - Signature Page

Page 1 of 1



ONTARIO INFRASTRUCTURE
AND LANDS CORPORATION (OILC)
LOAN APPLICATION SIGNATURE PAGE

Application ID: 231

Printed Date: 05/24/2018
Application Submit Date: 02/28/2018

I/We acknowledge that a Loan Application has been submitted to Ontario Infrastructure and Lands Corporation (OILC) containing the following information.

Eligible Category	Loan Amount
Recreation Infrastructure	\$26,000,000.00

Total	\$26,000,000.00

Name of Borrower: Newmarket, The Town of
Address: ON

Name of Treasurer's (or equivalent):
Telephone Number:
ID: 19048

The undersigned certifies that he/she has read the OILC loan program guidelines and all information provided to OILC is accurate and complete. The undersigned acknowledges that some information provided may be shared with the line ministries to provide technical expertise to OILC. Applicant agrees to provide OILC with additional information as required in order to process the loan.

Treasurer's (or equivalent) Signature: _____ Date: _____



Corporation of the Town of Newmarket

By-law 2018-29

A By-Law To Amend By-Law Number 2010-40, as Amended By By-Law 2015-28. (2578909 Ontario Inc)

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 Schedule 'A', Map No. 6, to Zoning By-law 2010-40, as amended by By-law 2015-58 is hereby further amended as follows:

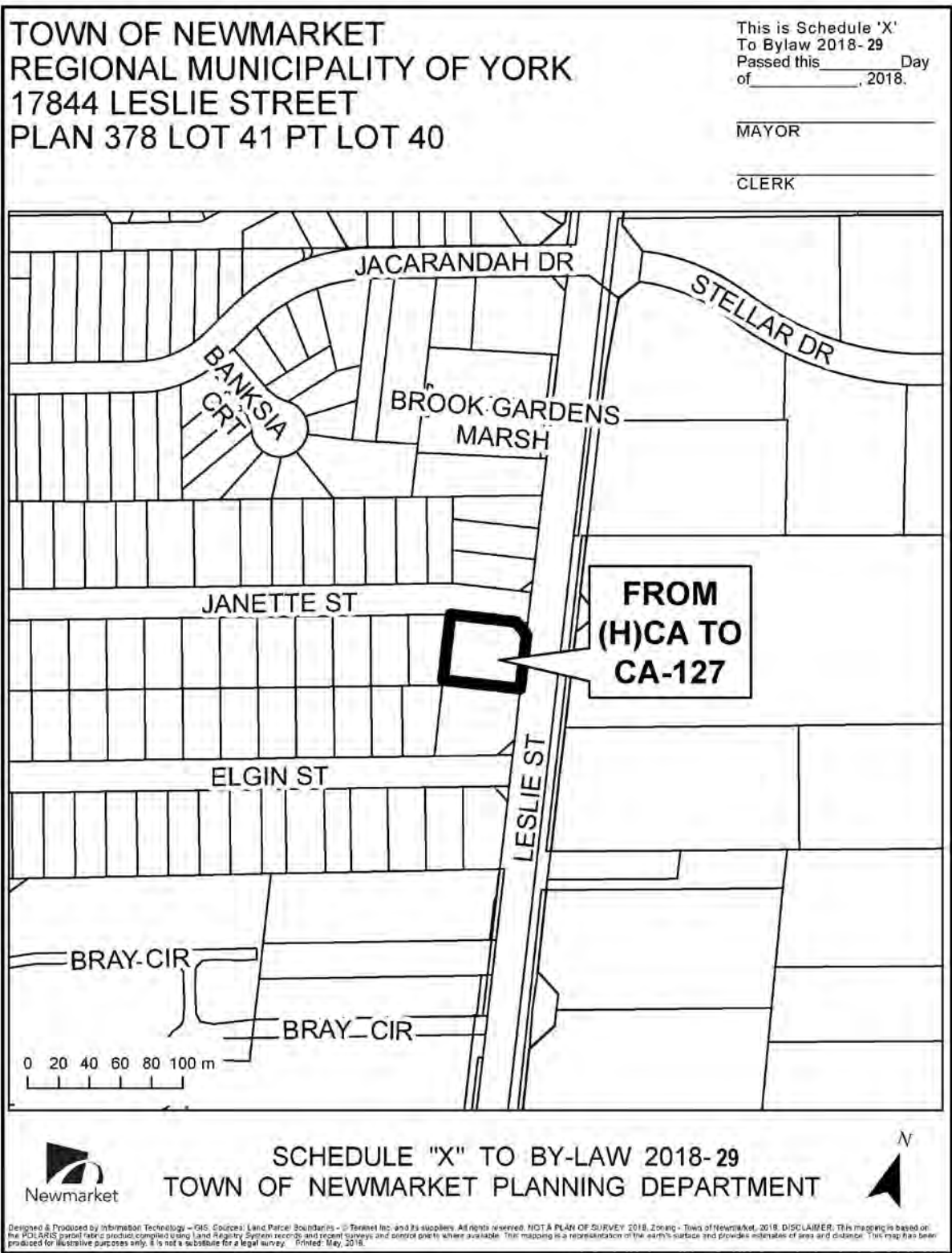
That the "(H)" Holding prefix preceding the Service Commercial Exception 127 (CA-127) Zone on 17844 Leslie Street, as shown more particularly on schedule 'A' attached hereto, is hereby removed; and,

2. That the provisions of this By-law shall come into force and be effective upon the final passage thereof.

Enacted this 28th day of May, 2018

Tony Van Bynen, Mayor

Lisa Lyons, Town Clerk



**Attachment A****Corporation of the Town of Newmarket****By-law 2018-30**

A By-law to amend By-law 2016-17.

Whereas Council of the Corporation of the Town of Newmarket adopted By-law 2016-17 Being a By-law to Delegate Administrative Matters to Staff on April 25, 2016;

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

1. That Schedule "A" of By-law 2016-17 be amended according to Schedule A of this By-law;

Enacted this 28th day of May, 2018.

Tony Van Bynen, Mayor

Lisa Lyons, Town Clerk

TYPE OF AUTHORITY	MATTER TO BE APPROVED	LEGISLATIVE AUTHORITY	TERMS, CONDITIONS AND LIMITATIONS	COMMENTING DEPARTMENTS	AUTHORITY	FORMER BY-LAW NO.
Restricted Acts after Nomination Day During a Municipal Election Year for Council	Council is restricted in its acts during a Municipal Election Year, in accordance with section 275 of the Municipal Act, 2001, as amended.	Municipal Act, 2001 By-law 2018-XX	During the restricted period, where, in the opinion of the Chief Administrative Officer, such action is in the best interests of the Town, and delegated authority is not currently provided for in either the Delegation By-law 2016-17 or the Procurement By-law 2014-27, the Chief Administrative Officer shall have the authority to: (1) Dispose of any real or personal property of the municipality which has a value exceeding \$50,000.00 at the time of disposal; and, (2) Make any expenditures or incur any other liability which exceeds \$50,000.00.		Chief Administrative Officer	



Corporation of the Town of Newmarket

By-law 2018-31

A By-law to Regulate the Use, Alteration, and Occupancy of Highways Under the Jurisdiction of the Municipality

Whereas Section 8(1) of the Municipal Act, 2001, S.S. 2001, c.25, as amended (the "Municipal Act") provides that the powers of a municipality under any Act (as defined thereunder) shall be interpreted broadly so as to confer broad authority on municipalities to enable them to govern their affairs as they consider appropriate, and to enhance their ability to respond to municipal issues; and,

Whereas Section 9 of the Municipal Act provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under the Municipal Act; and,

Whereas Section 11(3)1 of the Municipal Act provides that a municipality may pass by-laws within the following spheres of jurisdiction: Highways, including parking and traffic on Highways; and,

Whereas Section 391(1) of the Municipal Act provides that a municipality may pass by-laws imposing fees or charges on persons for services or activities provided by the municipality or done on behalf of it; and,

Whereas Section 436(1) of the Municipal Act provides that a municipality may pass by-laws providing for the entry onto land at any reasonable time for the purpose of carrying out an inspection to determine compliance with a by-law; and,

Whereas Section 429(1) of the Municipal Act provides that a municipality may establish a system of fines for a by-law passed under the Municipal Act; and,

Whereas Section 444 of the Municipal Act provides that a municipality may make an order to require a person to discontinue contravening a by-law and to do work required to correct the contravention; and,

Whereas Section 446 of the Municipal Act provides that a municipality may proceed to do things at a person's expense which that person is otherwise required to do under a by-law but has failed to do and the costs incurred by a municipality may be recovered by adding the costs to the tax roll and collecting them in the same manner as taxes; and,

Whereas Section 23.1 of the Municipal Act provides that a municipality may delegate its powers and duties under the Act subject to such conditions and limits as the council of the municipality consider appropriate; and,

Whereas the Council of the Corporation of the Town of Newmarket desires to repeal and replace By-law 2015-16 with an updated road occupancy by-law;

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

1.0 Short Title

1.1 This By-law shall be known as the “Road Occupancy By-law”.

2.0 Definitions

Alter means to change in any manner and includes excavate, disturb, restore, renovate, or repair, and “alteration” has a corresponding meaning.

Appeals Committee means the **Appeal Committee** established by the **Town**.

Applicant means a Person making application for a **Permit**.

Boulevard means the portion of the **Highway** between a property line and the boundary line of the **Roadway**.

Construction means anything done in the erection, installation, extension or material alteration, demolition, or repairs of a building, structure, or utility, or surface grading and includes landscaping.

Contractor means any **Person** alone or with others undertaking **Construction** on a **Highway**.

Damage means harm or injury to the **Boulevard** or **Roadway**, including without limitation, harm, injury, disturbance, cracking, cutting, gouging or displacement of or to the pavement, curb or sidewalk, landscaping, trees, retaining walls, municipal appurtenances, **Street Furniture** resulting from the use of the **Boulevard** or **Roadway** to occupy or perform **Construction** such that, in the sole opinion of the **Director**, the **Boulevard** or **Roadway** is not in its pre-construction condition.

Director means the Director of Public Works Services for the **Town** or designate.

Emergency means a situation that poses a threat to public health or safety and includes a disruption of services supplied by the public utilities or the **Town**.

Highway includes a common and public highway, street, avenue, parkway, drive, square, place, bridge, viaduct or trestle, or sidewalk, any part of which is intended for or used by the general public for pedestrian and/or vehicular passage and includes a **Boulevard** and **Roadway**.

Landscape or Construction Material including gravel, soil, sod, bricks, paving stones, landscaping rocks, wooden planks or boards.

Newmarket Standard means The Town of Newmarket Standards, as amended from time to time intended as guidelines for land development and Town projects to aid in providing uniform designs throughout the municipality and are to be used in conjunction with Ontario Provincial Standard Drawings (“O.P.S.D.”).

Obstruct includes encumber, **Damage**, foul, block, or **Alter**, and “obstruction” and “obstructing” have corresponding meanings.

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**.

Order includes a Work Order, Order to Comply and Order to Discontinue.

Outdoor Patio means a designated area within a **Highway** associated with an eating establishment where food or drink is offered for sale and/or consumed, and includes any required sidewalk extensions.

Permit means a Road Occupancy Permit issued by the **Director** pursuant to **this By-law**, and any other permit as required to undertake **Construction** on the **Highway**.

Permit Holder means the **Applicant** named in a **Permit**.

Person includes a natural individual, association or organization, firm, partnership, **Contractor**, corporation, owner, agent or trustee and their heirs, executors, assigns, administrators, or other legal representatives of an individual, association or organization, firm or partnership of a **Person** to whom the context can apply according to the **By-law**.

Public Utility means a municipality, a municipal board or commission, or a corporation that provides **Utility Service** under the authority of any statute, charter, by-law or franchise.

Roadway means the part of the **Highway** that is improved, designed and ordinarily used for vehicular traffic, but does not include the **Boulevard**.

Security means cash, certified cheque, or letter of credit provided to the **Town** to secure the performance by the **Permit Holder** of all its obligations under a **Permit** and this **By-law**.

Street Furniture includes benches, garbage containers, hand rails, tables, posts, signs, any other above ground appurtenance that is owned by the **Town** and used by the public.

Town means the Municipal Corporation of the Town of Newmarket.

Utility Service means the production, transmission or supply to the public by a **Public Utility** of necessities or conveniences and includes, but is not limited to, the production, transmission and supply of gas, oil, water, electricity, sewage and storm water services, telephone service, cable television, and any other telecommunications service.

3.0 General Provisions

3.1 The **Town** maintains its right to enter onto any portion of a **Roadway** or **Boulevard** and undertake any **Construction** needed to reinstate the **Roadway** and/or **Boulevard** back to its original condition having existed prior to private alterations made with or without a **Permit**.

3.2 The **Town** is not responsible for damage, maintenance or replacement of any **Alternations** made to a **Boulevard** by a **Person**.

3.3 No **Person** shall **Alter**, occupy, **Obstruct** or **Damage**, cause or permit the use of any **Highway** by:

- 3.3.1 depositing, throwing, spilling, tracking, cause or permit the depositing, throwing, spilling or tracking of any material, waste or sediment onto the **Highway**;
- 3.3.2 depositing of snow or ice on a **Roadway**, sidewalk, or onto a **Boulevard** not contiguous with the property from where the snow was moved;
- 3.3.3 the placement of any snow or ice, or any materials or equipment, or any structures within 1.2 m, in any direction of a fire hydrant;

- 3.3.4 **Altering** the grade on any **Boulevard** unless otherwise approved by the **Town**;
- 3.3.5 cutting, **Altering**, extending, in any manner whatsoever of a concrete curb, open or contained culvert, culvert overpass or similar structure, or landscape feature;
- 3.3.6 allowing the direct discharge of water from any irrigation system, sump pump or down spout onto a **Highway**;
- 3.3.7 creating any **Obstruction** within any ditch, cutter, or watercourse on any **Highway**;
- 3.3.8 the placement of any debris on any portion of a **Highway** except for items that are placed at the roadside and are approved collectable under the **Town's** waste management program;
- 3.3.9 the placement of any **Landscape or Construction Material**, or bins on any portion of a **Highway**.

4.0 Specific Provisions

Road Occupancy Permit

- 4.1 No **Person** shall **Alter**, occupy, **Obstruct** or **Damage**, cause or permit the use of any **Highway** without first having obtained a **Permit**.
- 4.2 No **Person** shall undertake **Construction** on land abutting a **Highway**, which may affect the drainage of the **Highway** or require alteration of **Town** infrastructure without first having obtained a **Permit**.
- 4.3 Without limiting the generality of Section 3.0, no **Person** shall **Alter**, occupy, **Obstruct** or **Damage**, cause or permit the use of any **Highway** without having obtained a **Permit** for any of the following:
 - 4.3.1 the placement of equipment or motorized equipment other than licensed motor vehicles on any portion of a **Highway**
 - 4.3.2 **Altering** or damaging any portion of a **Highway**, including but not limited to sod, trees, light poles, street signs asphalt, road sub-base, concrete curb, sidewalk or other appurtenance within the **Highway**; and
 - 4.3.3 the placement, removing or moving of any **Street Furniture** on any portion of a **Highway**.

Use of a Boulevard or Roadway

- 4.4 No **Person** shall in relation to a **Boulevard** or **Roadway**:
 - 4.4.1 create or establish vehicle access to a property across a **Boulevard** without approval of the **Director**.
 - 4.4.2 construct a driveway apron crossing the **Boulevard** at width greater than the curb cut at the street-line and greater than the width of the driveway, as permitted under the applicable Zoning By-law.
 - 4.4.3 construct, install or place any raised curb, retaining wall or similar feature, fence, post, light post, rock(s), decorative wall, or landscape feature within 0.5 m of a sidewalk.

- 4.4.4 place, deposit or plant any object, which in the opinion of the **Town** may impede the **Town's** ability to maintain the **Boulevard** or **Roadway**, or create a hazard.
- 4.4.5 place, deposit or plant any object, or create any visual **Obstruction** on any portion of the **Boulevard** or **Roadway**.
- 4.4.6 leave an excavation open or unattended without first securing the excavation with appropriate safety measures and barricades, and warning or cautionary signage.
- 4.4.7 erect or maintain, without permission of the **Town**, scaffolding needed to facilitate **Construction** on any portion of the **Boulevard** or **Roadway**.

5.0 Exemptions

- 5.1 Any **Person** or **Public Utility** will not require a **Permit** from the **Town** where:
 - 5.1.1 the **Highway** is under the jurisdictional authority of the Regional Municipality of York, Registered Condominium Corporations, or is an unassumed land under the care and control of a developer.
 - 5.1.2 a road closure has been authorized by the **Town** and no alteration to the **Highway** is needed.
 - 5.1.3 **Emergency** repairs are required.
 - 5.1.4 an **Outdoor Patio** has been authorized by the **Town**.
- 5.2 Notwithstanding the exemptions listed in Section 5.1, every **Person** or **Public Utility** shall comply with the requirements of the Ministry of Transportation Traffic Control Manual for Roadway Operations as amended or replaced from time to time.
- 5.3 Subject to Section 5.1, when **Public Utilities** must complete work relating to an **Emergency**, the **Public Utility** shall immediately notify the **Town**, and on the next working day obtain a **Permit**, as required by this **By-law**.
- 5.4 The provisions of this **By-law** do not apply to a motor vehicle legally parked, licensed and operable pursuant to the regulations of the Highway Traffic Act, R.S.O. 1990, c. H. 8, as amended.
- 5.5 The provisions of this **By-law** do not apply to activities undertaken by any police force, fire department, paramedic or ambulance service in the course of their regular duties.

6.0 Administration

Permit Administration

- 6.1 A **Person** who applies for a **Permit** under this **By-law** shall:
 - 6.1.1 complete an application for the **Permit** on the forms as provided by the **Director**;
 - 6.1.2 submit the application along with the applicable fees and charges as provided for in the **Town's Fees & Charges By-law**; and,

- 6.1.3 provide any documentation, deposit or **Security**, and insurance certificate(s), as required by the **Director** as prerequisites and requirements for the issuance of the **Permit**.
- 6.2 The issuance of a **Permit** under this **By-law** does not relieve any **Person** from the necessity of acquiring any other license or permit, or complying with any other applicable laws, by-laws, regulations, and requirements of other governmental authorities.
- 6.3 A **Permit** is the property of the **Town** and is not transferable unless otherwise authorized by the **Director**.
- 6.4 Every **Applicant** shall post with the **Town** the required deposit or security, by way of certified cheque, debit card, or letter of credit, in a form satisfactory to the **Town**. If deemed necessary by the **Director**, the deposit or security shall be held by the **Town** for a period of up to one year following the completion of **Construction**.
- 7.0 Permit Conditions**
- 7.1 A **Permit Holder** shall comply or ensure compliance with all provisions and conditions of the **Permit** and this **By-law**.
- 7.2 A **Permit Holder** shall provide and maintain a contact phone number by which the **Director** or an **Officer** may reach the **Permit Holder** at all times.
- 7.3 Every **Permit Holder** shall forthwith rectify damage, and shall reinstate the **Highway**, to its original condition, to the satisfaction of the **Director**.
- 7.4 Every **Permit Holder** shall provide all signs, barricades, traffic control devices, flag persons, and other persons and equipment required by the **Director** prior to the commencement of, and for the duration of, the use and occupancy of the **Highway**.
- 7.5 Every **Permit Holder** shall maintain or provide alternate access to all private and public properties for the duration of the use and occupancy of the **Highway** and to keep such access free and clear of all mud, debris and other materials.
- 7.6 Every **Permit Holder** shall agree to hold harmless, indemnify and defend the **Town**, its elected officials employees and agents, from and against any action, claim, loss, damage, cost or expense arising directly or indirectly as a result of the issuance of a **Permit** to the **Permit Holder**.
- 7.7 Every **Permit Holder** shall notify the police, emergency medical services, the fire department, any public transportation service or school bus service, and any property owner or occupant whose access to their property may be affected by the use and occupancy of the **Highway**.
- 7.8 A **Permit** shall become void if the work or activity authorized by the **Permit** is not commenced within sixty (60) calendar days of the date that the **Permit** is issued, and a new **Permit** shall be required if the work or activity is to proceed.
- 7.9 In the event the permitted work or activity cannot be completed within the time set out in the **Permit**, the **Permit Holder** must notify the **Director** of the additional required time and the reasons therefor, and

shall request an extension of the **Permit** which extension may be granted at the discretion of the **Director** who may impose additional conditions upon the **Permit**.

- 7.10 Every **Permit Holder** shall effect all repairs and make all improvements to the **Highway** as may be deemed necessary by the **Director** to reinstate the **Highway** to the **Newmarket Standard**.
- 7.11 Every **Permit Holder** shall effect all repairs to real and personal property adjacent to the **Highway** that has been damaged or destroyed in the course of the use and occupancy of the **Highway** as may be necessary to restore it to its pre-occupancy condition to the satisfaction of the **Director**.
- 7.12 **Town** or the **Public Utility**, as the case may be, shall have the sole right to determine who, at the expense of the **Permit Holder**, may carry out any necessary repairs to any **Highway** or **Utility Service** that has been damaged by a **Permit Holder**
- 7.13 In the event that a **Permit Holder** fails to undertake any work required by the **Director** within such time as may be specified by the **Director** by way of notice, the **Director** may arrange for the work to be done by the **Town** or a third party, at the **Permit Holder's** expense.
- 7.14 Upon the final restoration of the **Highway** to the satisfaction of the **Director** the **Town** shall:
 - (a) assume responsibility for maintaining the **Highway**, and any further maintenance or repair works; and,
 - (b) release the **Security** or the remaining balance thereof to the **Permit Holder** upon written request by the **Permit Holder**.

8.0 Issuance of a Permit

- 8.1 The **Director** shall refuse to issue a **Permit** where:
 - (a) the application is incomplete;
 - (b) the **Permit** fee has not been paid;
 - (c) the requisite insurance(s) has not been provided;
 - (d) **Security** has not been provided; or
 - (e) a 24 hour emergency contact telephone number has not been provided.
- 8.2 The **Director** may refuse to issue a **Permit** where:
 - (a) the **Applicant** or their agent or **Contractor** has/have violated the conditions of any previously issued **Permits**;
 - (b) the **Applicant** or their agent or **Contractor** has/have previously committed an offence under this **By-law**;
 - (c) the **Applicant** has failed to reimburse the **Town's** costs and expenses incurred for repairs under or in the administration of any previously issued **Permit**;
 - (d) the **Applicant** proposes to **Alter** or **Damage** a **Highway** which was constructed, reconstructed or resurfaced within the previous five (5) years; or

- (e) there exists such other reason(s) as the **Director** may deem appropriate and which reasons shall be delivered in writing to the **Applicant** upon request.

9.0 Compliance

9.1 The **Director** may revoke a **Permit** at any time for any of the following:

- (a) if the **Permit Holder** and/or **Contractor** violates or permits the violation of any condition of the **Permit** or of any provision of this **By-law**;
- (b) if the **Permit Holder** and/or **Contractor** violates or permits the violation of any provision of any other law relating to the permitted work or activity;
- (c) for the existence of any condition or the doing of any act that:
 - (i) constitutes a threat to public health and safety;
 - (ii) is a nuisance; or
 - (iii) endangers life or property;
- (d) where the **Permit** has been issued on mistaken, false or misleading information; and
- (e) where the permitted work or activity is not carried out in a diligent and workmanlike manner based on the sole discretion of the **Director**.

9.2 In the event that a **Permit** has been revoked by the **Director**, the **Permit Holder** shall:

- (a) immediately cease and desist all activities for which the **Permit** was issued; and
- (b) immediately restore the **Highway** to the **Newmarket Standard** at the **Permit Holder's** sole cost and expense, failing which the **Town** may restore the **Highway** to the **Newmarket Standard** at the sole cost and expense of the **Permit Holder**, and such cost and expense shall be paid by the **Permit Holder** forthwith upon demand.

9.3 The **Director** shall have the authority to issue an **Order** to any **Person** who is **Altering, Obstructing, Damaging** or occupying any **Highway** to immediately cease and desist from such activity and/or to restore the **Highway** to the **Newmarket Standard**.

10.0 Emergency Repairs

10.1 Where the **Director** determines that an **Obstruction** of a **Highway** is or may create a hazardous condition to the safety of any **Person** using the **Highway**, the **Director** may take any action necessary to have the **Obstruction** immediately removed, and the **Highway** repaired, if necessary, and all costs incurred by the **Town** in undertaking this work shall be expenses owed to the **Town** by the owner, occupant and/or **Contractor** of the property from which the **Obstruction** comes from, relates to, or was created for.

10.2 All work done by the **Town** pursuant to Section 10.1 hereof shall be paid by the **Applicant**, owner, occupant and/or **Contractor** of the property forthwith upon demand.

11.0 Power of Entry

- 11.1 The **Town** may enter on 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**; and/or
 - (c) an **Order** made under Section 431 of the Act.
- 11.2 Where an inspection is conducted by the **Town** pursuant to Section 11.1, the person conducting the inspection may:
- (a) require the production for inspection of documents or things relevant to the 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/or
 - (d) alone or in conjunction with any **Person** possessing special or expert knowledge, make examinations or take tests, samples or photographs necessary for the purposes of the inspection.
- 11.3 The **Town** may undertake an inspection pursuant to an **Order** issued under Section 438 of the Act.
- 11.4 The **Town's** power of entry may be exercised by an employee, **Officer** 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.
- 11.5 No **Person** shall hinder or **Obstruct**, or attempt to hinder or **Obstruct** the **Town**, or an **Officer** from carrying out inspections of land to ensure compliance with this **By-law**.

12.0 Order and Remedial Action

- 12.1 If a **Person** and/or **Permit Holder** contravenes any of the provisions of this **By-law**, the **Director** may issue an **Order** to the **Person** and/or to the **Permit Holder** to discontinue the contravening activity. The **Order** shall set out the reasonable particulars of the contravention adequate to identify the contravention, the location of the property on which the contravention occurred, and the date by which there must be compliance with the **Order**.
- 12.2 If a **Person** and/or **Permit Holder** has contravened a provision of this **By-law**, the **Director** may issue an **Order** to the **Person** and/or **Permit Holder** who contravened the **By-law**, and order the **Person** and/or **Permit Holder** to undertake such work to correct the contravention. The **Order** shall set out the reasonable particulars of the contravention adequate to identify the contravention; the location of the property on which the contravention occurred; and the date by which there must be compliance with the **Order**. The **Order** may also provide that if the **Person** and/or **Permit Holder** fails to correct the contravention, the **Town** may do the work to correct the contravention at the expense of the **Person** and/or the **Permit Holder**.

- 12.3 If the **Director** has issued an **Order** directing or requiring that a **Person** and/or **Permit Holder** do a matter or thing to correct a contravention of this **By-law**, and the **Person** and/or **Permit Holder** fails to correct the contravention, the **Town** may do all work necessary to correct the contravention at the expense of the **Person** and/or **Permit Holder**.
- 12.4 The **Town** may recover the cost of any corrective work in Section 12.3 from the **Person** and/or **Permit Holder** by:
- (a) legal action; and/or
 - (b) by adding the costs to the tax roll of property owned by the **Person** and/or **Permit Holder** located within the boundaries of the **Town** and collecting these costs in the same manner as property taxes; and/or
 - (c) deduct the costs for the corrective work from the **Security**.
- 12.5 Where the cost of repairing or restoring any part of the **Highway** or other municipal service exceeds the **Security** amount, the excess amount of such costs, including administrative costs, shall be a debt owing to the **Town**.
- 12.6 An **Order** may be served by:
- (a) delivering it personally to the **Permit Holder** and/or the **Person** in contravention of the by-law;
 - (b) sending it by registered mail to the last known address of the **Permit Holder** and/or the **Person** in contravention of the **By-law**, including according to the current assessment rolls;
 - (c) posting it at the site where the contravention has occurred.

13.0 Appeals

- 13.1 An **Applicant** may appeal to the **Appeals Committee**;
- a) if the **Director** refuses to issue a **Permit**. The **Applicant** may appeal within thirty (30) days from the date of receiving notice of the refusal;
 - b) if the **Director** fails to make a decision on the application. The **Applicant** may appeal within forty five (45) days after a complete application is deemed to have been received by the **Director**; or
 - c) if the **Applicant** objects to a condition in the **Permit**. The **Applicant** may appeal within thirty (30) days after the issuance of the **Permit**.
- 13.2 Where an **Order** has been served, the **Permit Holder** or the **Person** to whom the **Order** has been served may apply to the **Appeals Committee** to appeal the **Order** within thirty (30) days of being served with the **Order**.

14.0 Penalty Provision

- 14.1 Every **Person** who contravenes a provision of this **By-law**, including an **Order** issued under this **By-law**, is guilty of an offence.
- 14.2 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.

- 14.3 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.
- 14.4 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 \$400.00 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.
- 14.5 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**.
- 14.6 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.
- 14.7 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.
- 14.8 In addition to any other remedy or penalty provided by law, the court in which the conviction has been entered, or any other court of competent jurisdiction may make an **Order**:
- 14.8.1 prohibiting the continuation or repetition of the offence by any **Person**;
 - 14.8.2 require the **Person** to pay a Special Fine, in addition to a Regular Fine, which fine shall eliminate any economic gain or advantage derived by the **Person** as a result of contravening this **By-law**.

15.0 Validity and Interpretation

- 15.1 Words importing the singular number shall include the plural, and words importing the masculine gender shall include the feminine, and the converse of the foregoing also applies, unless the context of the **By-law** requires otherwise.
- 15.2 If a court of competent jurisdiction declares any provisions of this **By-law** to be invalid or to be of no force and effect, it is the intention of Council in enacting this **By-law** that the remainder of the **By-law** shall continue in force and be applied and enforced in accordance with its terms to the fullest extent possible according to law.

16.0 Repeal

16.1 By-law 2009-32 and 2015-16, as amended, are hereby repealed.

17.0 Force and Effect

17.1 This **By-law** shall come into force and effect on the date of enactment and passage.

Enacted this 28th day of May, 2018.

Tony Van Bynen, Mayor

Lisa Lyons, Town Clerk



Corporation of the Town of Newmarket

By-law 2018-32

A By-Law To Provide For the Levy And Collection Of the Sums Required by the Corporation Of The Town Of Newmarket for 2018 and to Provide for the Mailing of Notices Requisitioning the Payment of Taxes for 2018.

Whereas Section 312 (2) of the *Municipal Act, 2001, as amended*, provides that the Council of a local municipality shall, after the adoption of estimates for the year, enact a By-law to levy a separate tax rate on the assessment in each property class; and,

Whereas Sections 307 and 308 of the said *Act* require tax rates to be established in the same proportion to tax ratios; and,

Whereas estimates have been prepared showing the sum of \$169,585,360 is required to be raised for the lawful purposes of the Corporation of the Town of Newmarket for the year 2018 which estimates are made up as follows:

1.	Town of Newmarket General Purposes	\$ 59,966,587
2.	Regional Municipality of York Purposes	\$ 61,593,952
3.	Ontario Education Purposes	<u>\$ 48,024,821</u>
		<u>\$169,585,360</u>

Whereas any special levy in the Town of Newmarket is based upon the Current Value Assessment as returned on the last revised Assessment Roll as determined by the Municipal Property Assessment Corporation in accordance with the *Assessment Act, R.S.O. 1990, as amended*, and summarized on Schedule "A" attached to this By-law;

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

1. That the following property tax class ratios are to be applied in determining tax rates for taxation in 2017:

Residential/Farm Property Class	1.000000
Multi-Residential Property Class	1.000000
Commercial Property Class	1.232300
Industrial Property Class	1.497300
Pipelines Property Class	0.919000
Farmlands Property Class	0.250000

2. That for the year 2018, the Corporation of the Town of Newmarket shall levy upon the Residential Assessment, Multi-Residential Assessment, Commercial Assessment, Industrial Assessment, Pipeline Assessment and Farm Assessment the rates of taxation set out in this By-law. The optional property classes allowable, which were not adopted by the Region of York, have been included within Schedule "A" for clarity, shown with the tax rates established for the default Commercial and Industrial Assessment classes for the respective optional classes. This presentation was selected to coincide with the property tax class codes and qualifiers used by the

Municipal Property Assessment Corporation in its communication with property owners concerning their property assessments; and,

3. That the sum of \$59,966,587 be levied and collected for the Town of Newmarket's General Purposes, as provided by the Corporation's 2018 Operating and Supplemental Budget; such sum to be provided by applying the tax rates as summarized in Schedule "A" attached, to the taxable assessments; and,
4. That the sum of \$61,593,952 be levied and collected for the Town of Newmarket's share of the 2018 Budget for The Regional Municipality of York; such sum to be provided by applying the tax rates as summarized in Schedule "A" attached, to the taxable assessments; and,
5. That the sum of \$48,024,821 be levied and collected for the Town of Newmarket's share of the 2018 Ontario Education levy; such sum to be provided by applying to the taxable assessments the tax rates summarized in Schedule "A" which are the rates prescribed for use by Ontario Regulation 400/98 as amended by O.Reg. 26/18; and,
6. That for properties so assessed, payments in lieu of taxes shall be calculated using the tax rates in Schedule "A" which would be applicable to the property if it were subject to tax; and,
7. That for the railway rights-of-way assessments and for the utility transmission and distribution corridor, assessments shall have their taxes due to the Corporation of the Town of Newmarket calculated in accordance with the Regulations as established by the Minister of Finance and the returned assessment roll; and,
8. That for the purpose of the Business Improvement Area projects, the sum of \$30,000 shall be levied and collected from the property owners within the business improvement area; and,
9. That the Treasurer shall add to the Collector's Roll, all or any arrears for fees or charges which should be collected pursuant to any statute or by-law to the respective properties chargeable thereto and that the same shall be collected by the Treasurer, or designate, in the same manner and at the same time as all other rates or levies; and,
10. That the Interim Tax Levy pursuant to By-law Number 2018-02 shall be shown as a reduction on the final tax levy; and,
11. That all taxes levied under the authority of this By-law shall become due and payable in three installments; the first installment due July 26, 2018, the second installment due August 28, 2018 and the third installment due September 25, 2018, and all installments shall be payable to the Corporation of the Town of Newmarket; and,

These due dates are subject to amendment by the Treasurer or designate, if required, to meet the statutory timing required following the tax demand date;

12. That the Treasurer or designate for the Corporation of the Town of Newmarket send or mail or cause to be sent or mailed, the notice specifying the amount of taxes payable by any person liable for taxes, addressed to that person's place of residence or place of business or to the premises in respect of which the taxes are payable unless the taxpayer directs otherwise in which case it shall be sent to that address; email address or mortgage or finance company; and,

13. That taxes are payable at the Municipal Offices, 395 Mulock Drive, Newmarket, and at such other places as may be designated by the Town from time to time; and,
14. That residents who qualify for the Low Income Seniors and Low Income Disabled Tax Deferral Program need to apply to the Tax Office in accordance with the program policies as established by the Regional Municipality of York. The amount of deferral for 2018 will be determined once the application has been approved; and,
15. That if any section or portion of this by-law or of Schedule “A” is found by a court of competent jurisdiction to be invalid, it is the intent of Council for the Corporation of the Town of Newmarket that all remaining sections and portions of this By-law continue in force and effect; and,
16. That Schedule “A” attached hereto shall be and form a part of this By-law.

Enacted this 28th day of May, 2018.

Tony Van Bynen, Mayor

Lisa Lyons, Town Clerk

SCHEDULE "A" Corporation of the Town of Newmarket 2018 Schedule of Tax Rates for Taxable Property					
PropertyAssessment Class	RTC/Q	Town Rate	Region Rate	School Rate	Total Rate
Residential Taxable: Full	RT, RH	0.341343%	0.350606%	0.170000%	0.861949%
Residential Taxable: Full Shared PIL	RH	0.341343%	0.350606%	0.170000%	0.861949%
Multi-Residential Taxable: Full	MT	0.341343%	0.350606%	0.170000%	0.861949%
Commercial Taxable: Full	CT	0.420637%	0.432052%	0.966480%	1.819169%
Commercial Taxable: Excess Land	CU	0.294446%	0.302436%	0.676536%	1.273418%
Commercial Taxable: Full Shared PIL	CH, CF, CP, DF	0.420637%	0.432052%	0.966480%	1.819169%
Commercial Taxable: Excess Land, Shared PIL	CK	0.294446%	0.302436%	0.676536%	1.273418%
Commercial Payment in Lieu: General	CG	0.420637%	0.432052%	0.000000%	0.852689%
Commercial Payment in Lieu: General Excess Land	CW	0.294446%	0.302436%	0.000000%	0.596882%
Parking Lot Taxable: Full	GT	0.420637%	0.432052%	0.966480%	1.819169%
Commercial Taxable: Vacant Land	CX	0.294446%	0.302436%	0.676536%	1.273418%
Office Building Taxable: Full	DT	0.420637%	0.432052%	0.966480%	1.819169%
Shopping Centre Taxable: Full	ST	0.420637%	0.432052%	0.966480%	1.819169%
Shopping Centre Taxable: Excess Land	SU	0.294446%	0.302436%	0.676536%	1.273418%
Commercial (New Construction) Taxable: Full	XT	0.420637%	0.432052%	0.966480%	1.819169%
Commercial (New Construction) Taxable: Excess Land	XU	0.294446%	0.302436%	0.676536%	1.273418%
Office Building (New Construction) Taxable: Full	YT	0.420637%	0.432052%	0.966480%	1.819169%
Office Building (New Construction) Taxable: Excess Land	YU	0.294446%	0.302436%	0.676536%	1.273418%
Shopping Centre(New Construction) Taxable: Full	ZT	0.420637%	0.432052%	0.966480%	1.819169%
Industrial Taxable: Full	IT	0.511093%	0.524962%	1.090000%	2.126055%
Industrial Taxable: Full Shared PIL	IH	0.511093%	0.524962%	1.090000%	2.126055%
Industrial Taxable: Excess Land, Shared PIL	IK	0.332210%	0.341226%	0.708500%	1.381936%
Industrial Taxable: Excess Land	IU	0.332210%	0.341226%	0.708500%	1.381936%
Industrial Taxable: Vacant Land	IX	0.332210%	0.341226%	0.708500%	1.381936%
Large Industrial Taxable: Full	LT	0.511093%	0.524962%	1.090000%	2.126055%
Large Industrial Taxable: Excess Land	LU	0.332210%	0.341226%	0.708500%	1.381936%
Industrial(New Construction)Taxable: Full	JT	0.511093%	0.524962%	1.090000%	2.126055%
Pipeline Taxable: Full	PT	0.313694%	0.322207%	1.340000%	1.975901%
Farm Taxable: Full	FT	0.085336%	0.087651%	0.042500%	0.215487%

Corporation of the Town of Newmarket

By-law 2018-33

A By-law to amend By-law 1984-114 to Correct Title regarding the Legal Description for Dedicating Alexander Road as a Public Highway. (Ward 2 – Housekeeping)

Whereas Council of the Corporation of the Town of Newmarket adopted By-law 1984-114 being a By-law to dedicate Alexander Road, lying between the south limit of Davis Drive to the north limit of Gorham Street (the “Dedicated Lands”) as a Public Highway;

And whereas By-law 1984-114 legal description included private lands described as Part Lot 13, Plan 81 Newmarket designated as Parts 1 and 2 on Plan 65R-4885 (the “Private Lands”) in error, and as such, the by-law was registered on title to the Private Lands;

And whereas it is deemed advisable to amend By-law 1984-114 to delete the legal description for the Private Lands, and to add the legal description for that portion of the Dedicated Lands described as Part Lot 13, Plan 81 Newmarket as in B30542B between Davis Drive and Plan 574 East of Queen Street except R126876, R629295, R397185 (PIN 03615-0262LT);

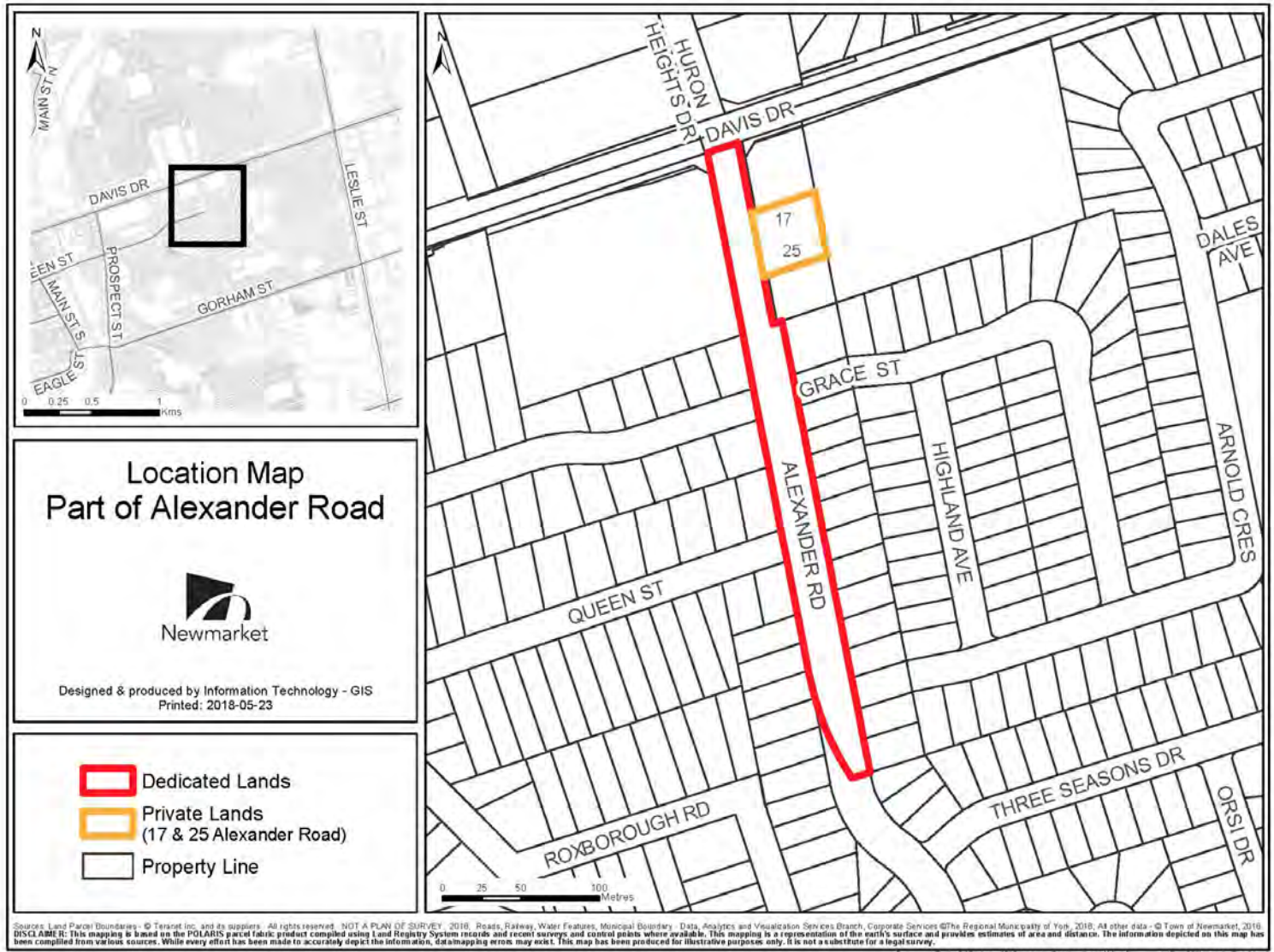
Therefore be it enacted by the Council of the Corporation of the Town of Newmarket as follows:

1. That By-law 1984-114 be amended to correct the legal description noted in said by-law by:
 - a. deleting the Private Lands legally described as Part Lot 13, Plan 81 Newmarket designated as Parts 1 and 2 on Plan 65R-4885, and
 - b. adding the legal description for that portion of the Dedicated Lands which portion is described as Part Lot 13, Plan 81 Newmarket as in B30542B between Davis Drive and Plan 574 East of Queen Street except R126876, R629295, R397185 (PIN 03615-0262LT); and,
2. That the Municipal Solicitor or her designate be authorized and directed to electronically sign and register this by-law on title on behalf of the Corporation of the Town of Newmarket.

Enacted this 28th day of May, 2018.

Tony Van Bynen, Mayor

Lisa Lyons, Town Clerk





Corporation of the Town of Newmarket

By-law 2018-34

A By-law to confirm the proceedings of a meeting of Council – May 28, 2018

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 28th day of May, 2018.

Tony Van Bynen, Mayor

Lisa Lyons, Town Clerk