



Town of Newmarket

Agenda

Committee of the Whole

Date: Monday, April 29, 2024
Time: 1:00 PM
Location: Streamed live from the Municipal Offices
395 Mulock Drive
Newmarket, ON L3Y 4X7

1. Notice

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

Public Input

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

1. Email your correspondence to clerks@newmarket.ca by end of day on April 17, 2024. Written correspondence received by this date will form part of the public record; or,
2. You are strongly encouraged to pre-register if you would like to make a deputation at the meeting. For more information regarding the options available, email your request and contact information to clerks@newmarket.ca.

2. Additions & Corrections to the Agenda

Note: Additional items are marked by an asterisk*.

3. Conflict of Interest Declarations

4. Public Hearing Matter(s)

How to get involved with planning applications (item 4.1)

Newmarket Council will not be making any final decisions at this meeting in relation to item 4.1, all written and verbal comments will be given to Planning staff to consider in a future report. A report will then be provided to Council at a future Committee of the Whole or Council Meeting.

Residents are encouraged to get involved in the public planning process by submitting written comments or providing a deputation during the meeting. To learn more about how to get involved, please email clerks@newmarket.ca and include your contact information (name and phone number).

4.1 615 Davis Drive Official Plan and Zoning By-law Amendments - Fernbrook Core (Davis Drive) Construction Limited

Note: Angela Sciberras, Principal, Macaulay Shiomi Howson Limited will be in attendance to provide a presentation on this matter.

1. That the presentation provided by Angela Sciberras, Principal, Macaulay Shiomi Howson Limited regarding 615 Davis Drive Official Plan and Zoning By-law Amendments - Fernbrook Core (Davis Drive) Construction Limited be received.

*4.1.1 Deputation and Correspondence - Lauren Merklinger - 615 Davis Drive Official Plan and Zoning By-law Amendments - Fernbrook Core (Davis Drive) Construction Limited

1. That the deputation and correspondence provided by Lauren Merklinger regarding 615 Davis Drive Official Plan and Zoning By-law Amendments - Fernbrook Core (Davis Drive) Construction Limited be received.

*4.1.2 Deputation - Pat Giorno - 615 Davis Drive Official Plan and Zoning By-law Amendments - Fernbrook Core (Davis Drive) Construction Limited

1. That the deputation provided by Pat Giorno regarding 615 Davis Drive Official Plan and Zoning By-law Amendments - Fernbrook Core (Davis Drive) Construction Limited be received.

5. Presentations & Recognitions

5.1 2025 Budget Process and Target

Note: Andrea Tang, Manager of Financial and Accounting Services and Deputy Treasurer will provide a presentation on this matter.

1. That the presentation provided by Andrea Tang, Manager Finance and Accounting Services and Deputy Treasurer regarding 2025 Budget Process and Targets is received.

6. Deputations

7. Consent Items

7.1 2025 Budget Process and Target

1. That the report entitled 2025 Budget Target and Process dated April 29, 2024 be received; and,
2. That the proposed budget schedule with a target budget adoption date of December 9, 2024, be approved; and,
3. That Council confirms the target tax levy for the tax-supported operating budget to be below 3.0%; and,
4. That endorsement be given to staff to proceed with preparation of the 2025 budgets employing the structure as outlined in this report; and,
5. That the form and timing of budget submissions for all entities accountable to Council be subject to the process outlined in this report; and,
6. That the proposed community engagement plan for the 2025 budget be adopted; and,
7. That the Treasurer be authorized and directed to do all things necessary to give effect to this resolution.

7.2 Church Street Parking Review

1. That the report entitled Church Street Parking Review dated April 29, 2024 be received; and,
2. That the Parking Bylaw amendments noted in Appendix A be approved; and,
3. That staff consider Category 1 traffic calming measures in 2024 for Church Street; and,
4. That the on-street parking situation be monitored and reviewed after the Downtown Parking Structure is completed; and,
5. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

7.3 Crossland Gate Traffic Review

1. That the report entitled Crossland Gate Traffic Review dated April 29, 2024, be received; and,
2. That no changes to the parking restrictions on Crossland Gate be implemented at this time; and,
3. That urban shoulders be considered on Crossland Gate between Alex Doner Drive and Eagle Street West for 2024; and,
4. That Staff be authorized and directed to do all things necessary to give effect

to this resolution.

7.4 2024 Annual Servicing Allocation Review

1. That the report entitled 2024 Annual Servicing Allocation Review dated April 29, 2024 be received; and,
2. That Council reinstate servicing allocation to the developments as outlined in Attachment 1 to this staff report; and,
3. That Council commit servicing allocation to the developments as outlined in Table 1 of this staff report; and,
4. That Council rescind servicing allocation to the development at 1015-1029 Davis Drive and 22 Hamilton; and,
5. That the Town's remaining servicing capacity (the Town Servicing Allocation Reserve) of 1,330 persons be maintained for future development, of which 150 persons is to be held in the Small Developments Reserve; and,
6. That staff be authorized and directed to do all things necessary to give effect to this resolution.

7.5 Administrative Monetary Penalty System, Changes for Automated Speed Enforcement Applications and Housekeeping

1. That the report entitled "Administrative Monetary Penalty System, Changes for Automated Speed Enforcement Applications and Housekeeping" dated April 29, 2024, be received; and,
2. That Council repeal Automated Speed Enforcement By-law 2023-09; and,
3. That Council repeal the Administrative Monetary Penalty Systems By-law 2019-62; and,
4. That Council adopt the Administrative Monetary Penalty Systems By-law 2024-16; and,
5. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

7.6 Central York Fire Services meeting minutes of March 5, 2024

1. That the Central York Fire Services Joint Council Committee meeting minutes of March 5, 2024 be received.

7.7 Main Street District Business Improvement Area Board of Management Meeting Minutes of March 6, 2024

1. That the Main Street District Business Improvement Area Board of Management Meeting Minutes of March 6, 2024 be received.

8. Action Items

9. Notices of Motion

10. Motions Where Notice has Already been Provided

11. New Business

12. Closed Session

12.1 Newmarket Hydro Holdings Incorporated Matter

Third-party information supplied in confidence to the municipality, which, if disclosed, could significantly prejudice a competitive position or interfere with negotiations (e.g., a trade secret or scientific, technical, commercial, financial or labour relations information) as per Section 239(2)(i) of the Municipal Act, 2001.

12.2 Community Safety Camera Program, Automated Speed Enforcement Implementation

Third-party information supplied in confidence to the municipality, which, if disclosed, could significantly prejudice a competitive position or interfere with negotiations (e.g., a trade secret or scientific, technical, commercial, financial or labour relations information) as per Section 239(2)(i) of the Municipal Act, 2001.

12.3 Central York Fire Services Joint Council Committee meeting minutes (Closed Session) of March 5, 2024

13. Adjournment

STATUTORY PUBLIC MEETING

April 29, 2024

Official Plan Amendment & Zoning By-law Amendment:

File No.: PLN-OPZS-2022-012

Fernbrook Core (Davis Drive) Construction Ltd.

615, 625, 631 Davis Drive & 0, 23, 29, 33, 39 Bolton Avenue

Area Context

Briarwood Development two 15-Storey Condo Towers

Newmarket GO Station

6-Storey Seniors Living Apartment

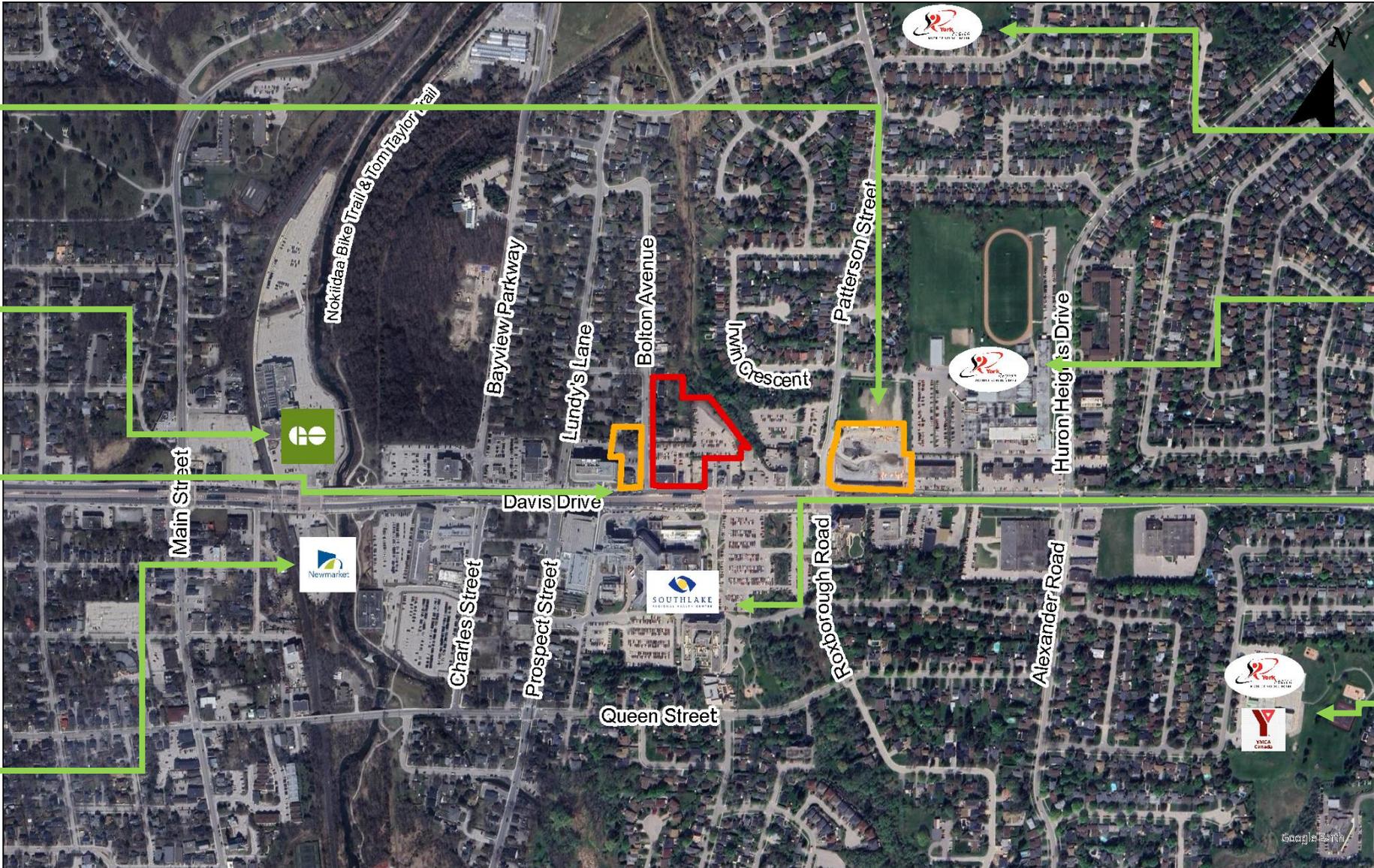
Newmarket Recreation Youth Centre

Meadowbrook Public School

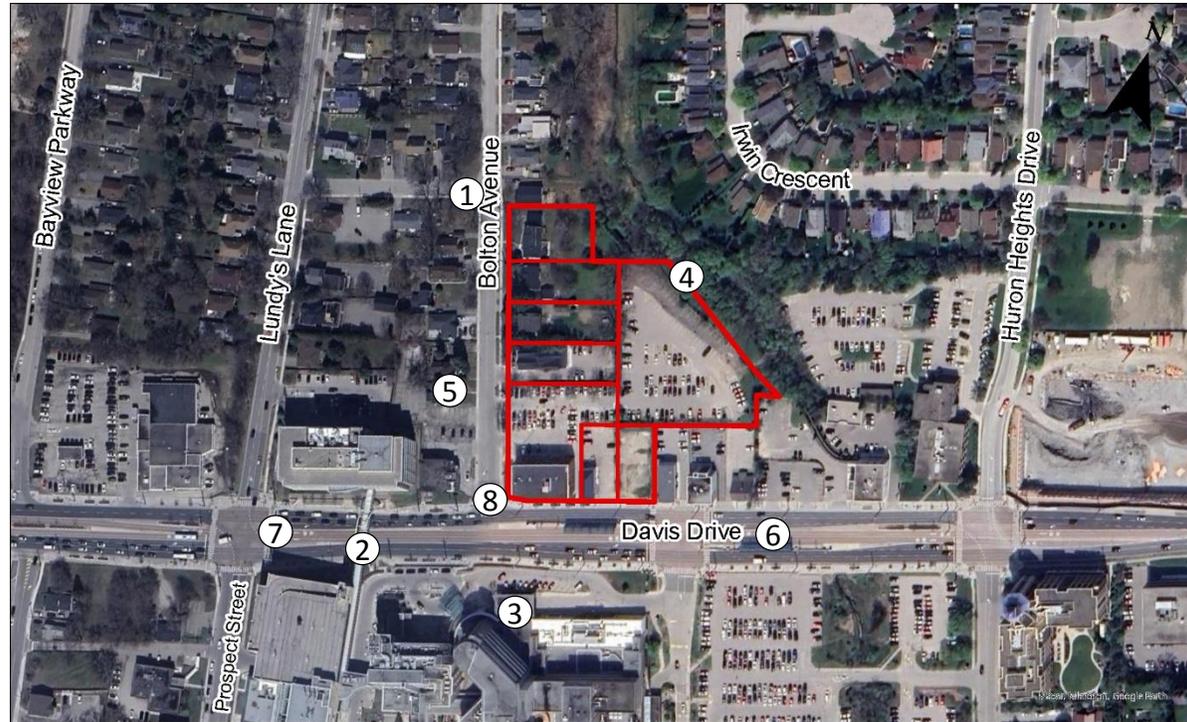
Huron Heights Secondary School

Southlake Regional Health Centre

Mazo de la Roche Public School and YMCA



Surrounding Context

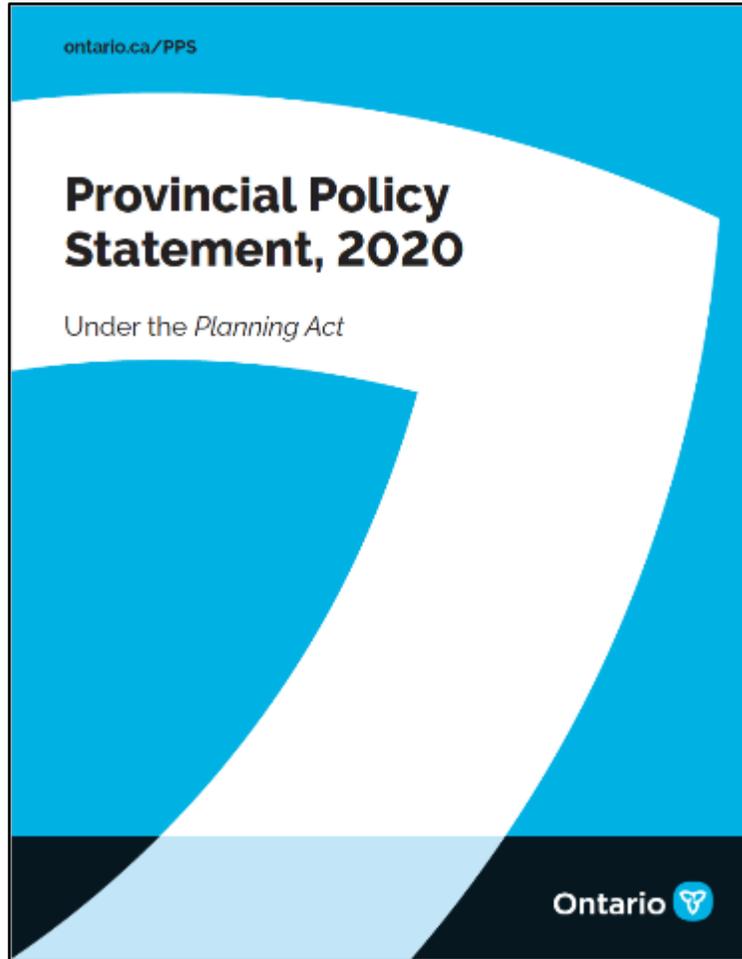


Project Timeline

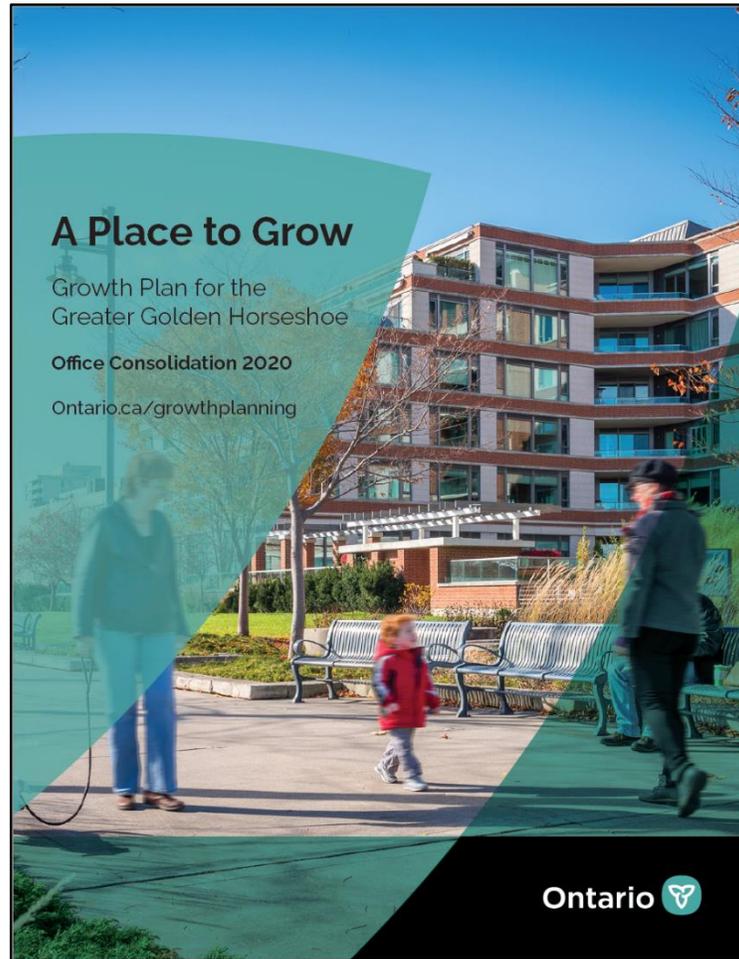


Policy Context

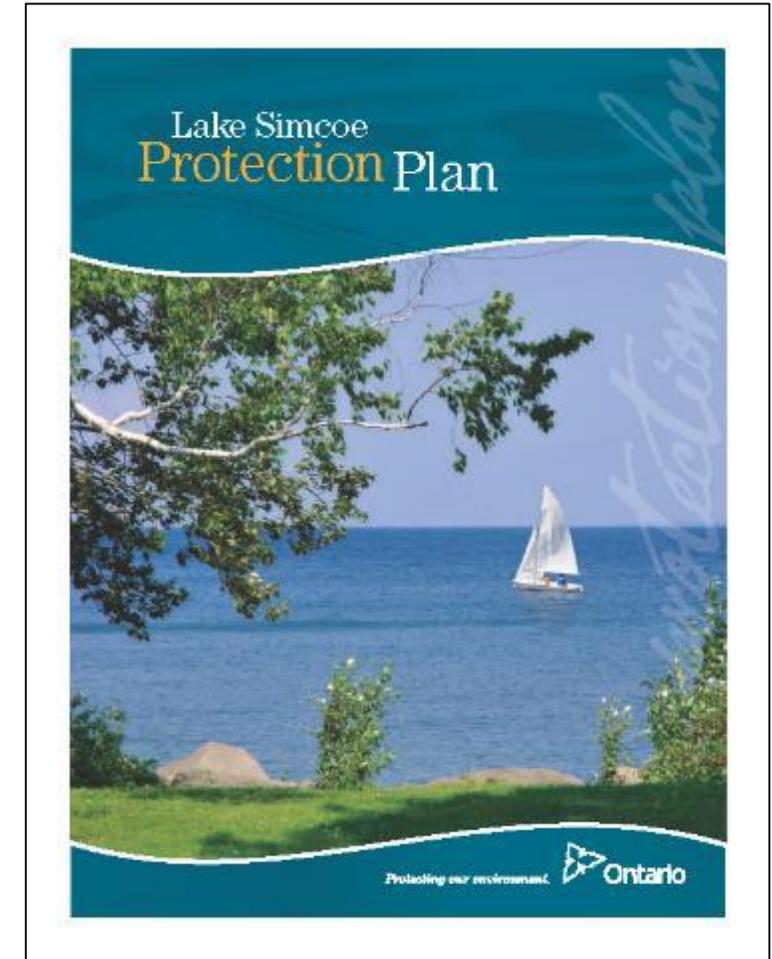
Provincial Policies:



Provincial Policy Statement (2020)

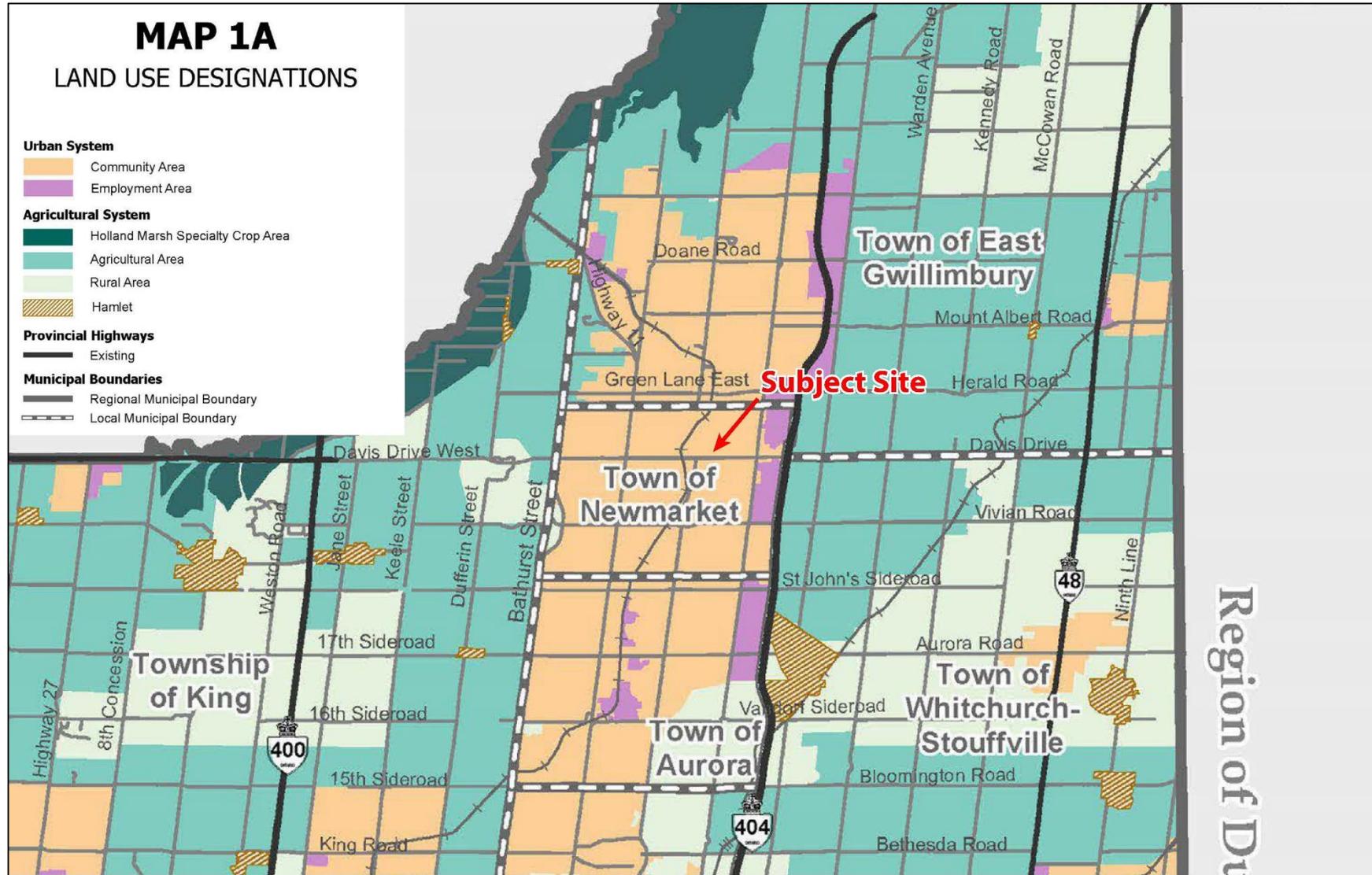


A Place to Grow, Growth Plan for the Greater Golden Horseshoe (Office Consolidation 2020)



Lake Simcoe Protection Plan (2009)

Policy Context – Region of York

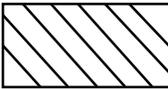


- Designated: Community Area

Policy Context – Newmarket Official Plan

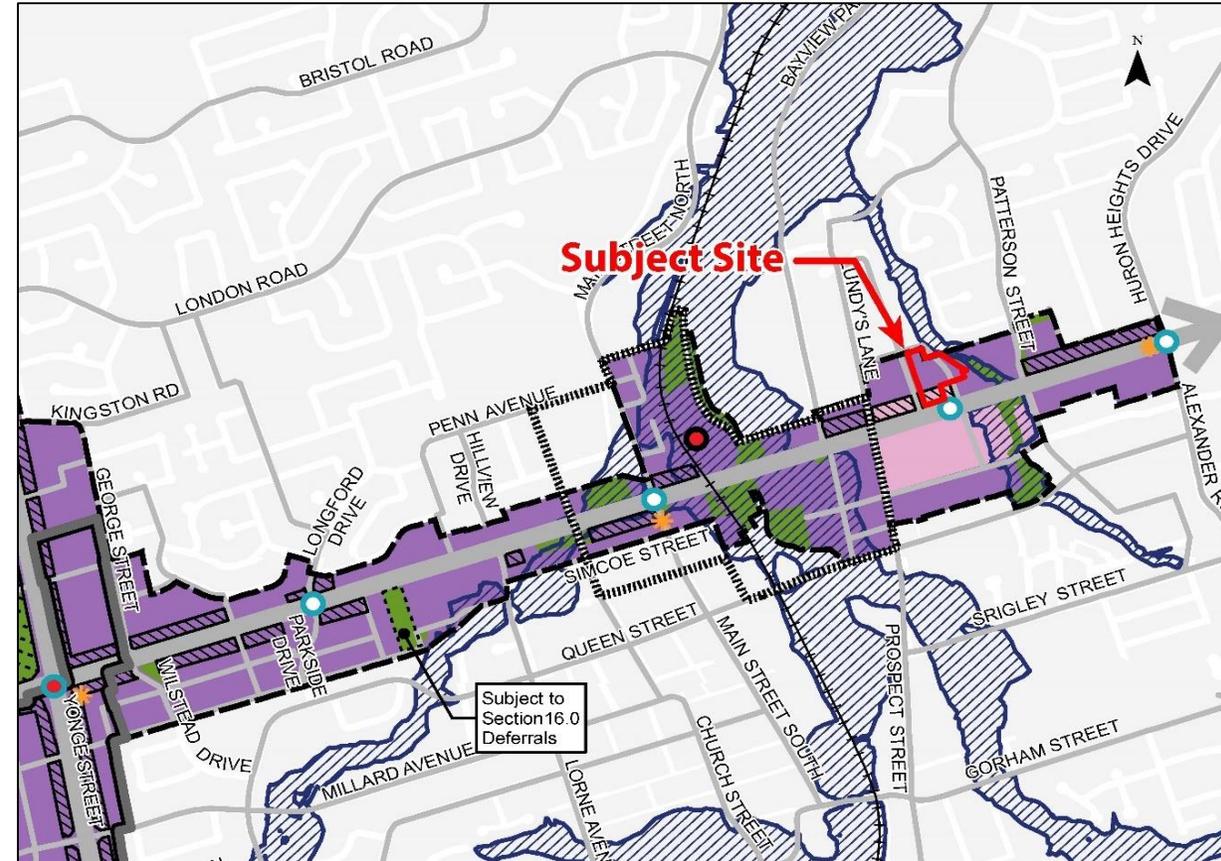
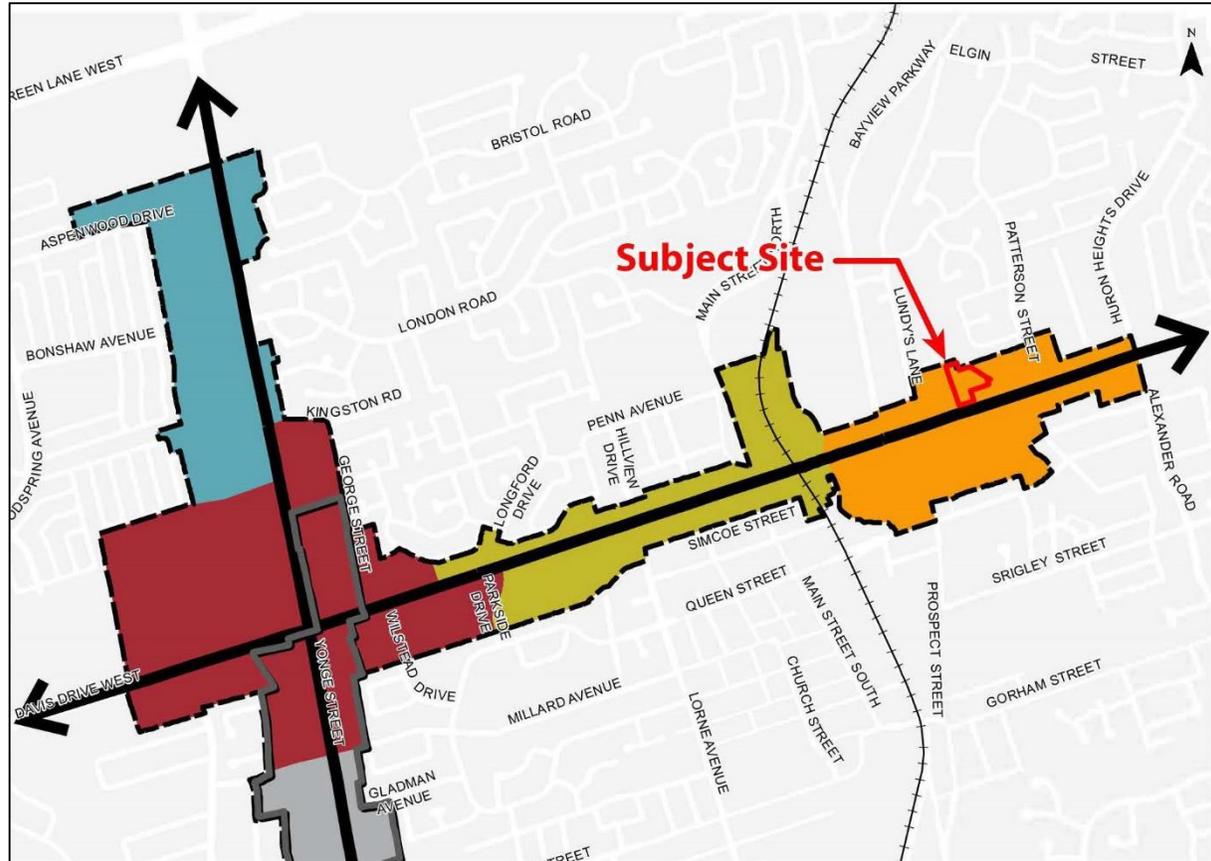
Urban Centres Secondary Plan (UCSP) (OPA No. 10)

 *"Regional Healthcare Centre Area"*

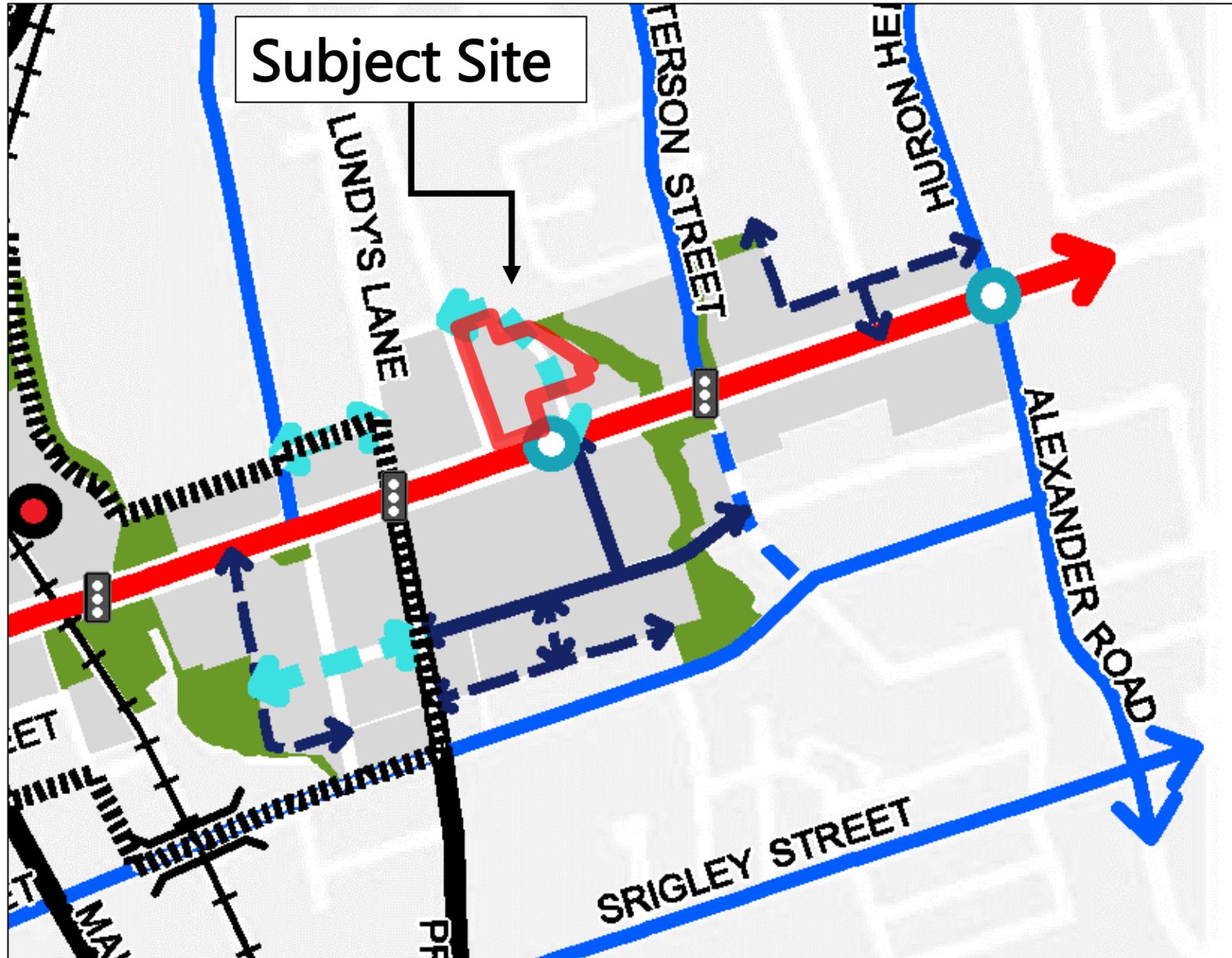
 *"Priority Commercial Area"*

 *"Major Institutional"*

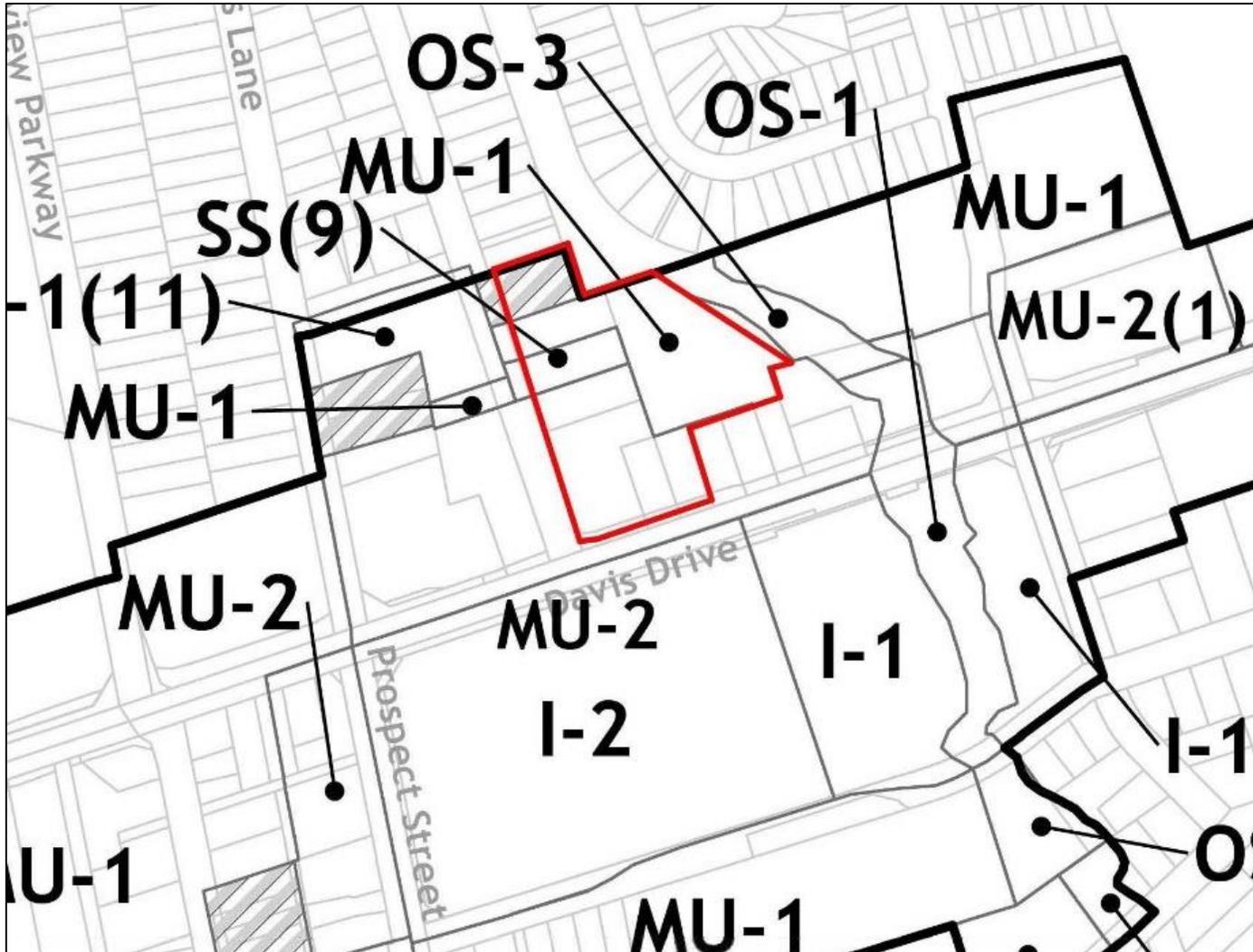
 *"Mixed Use Area"*



Policy Context – Future Local Road



Newmarket Urban Centres Zoning By-law 2019-06

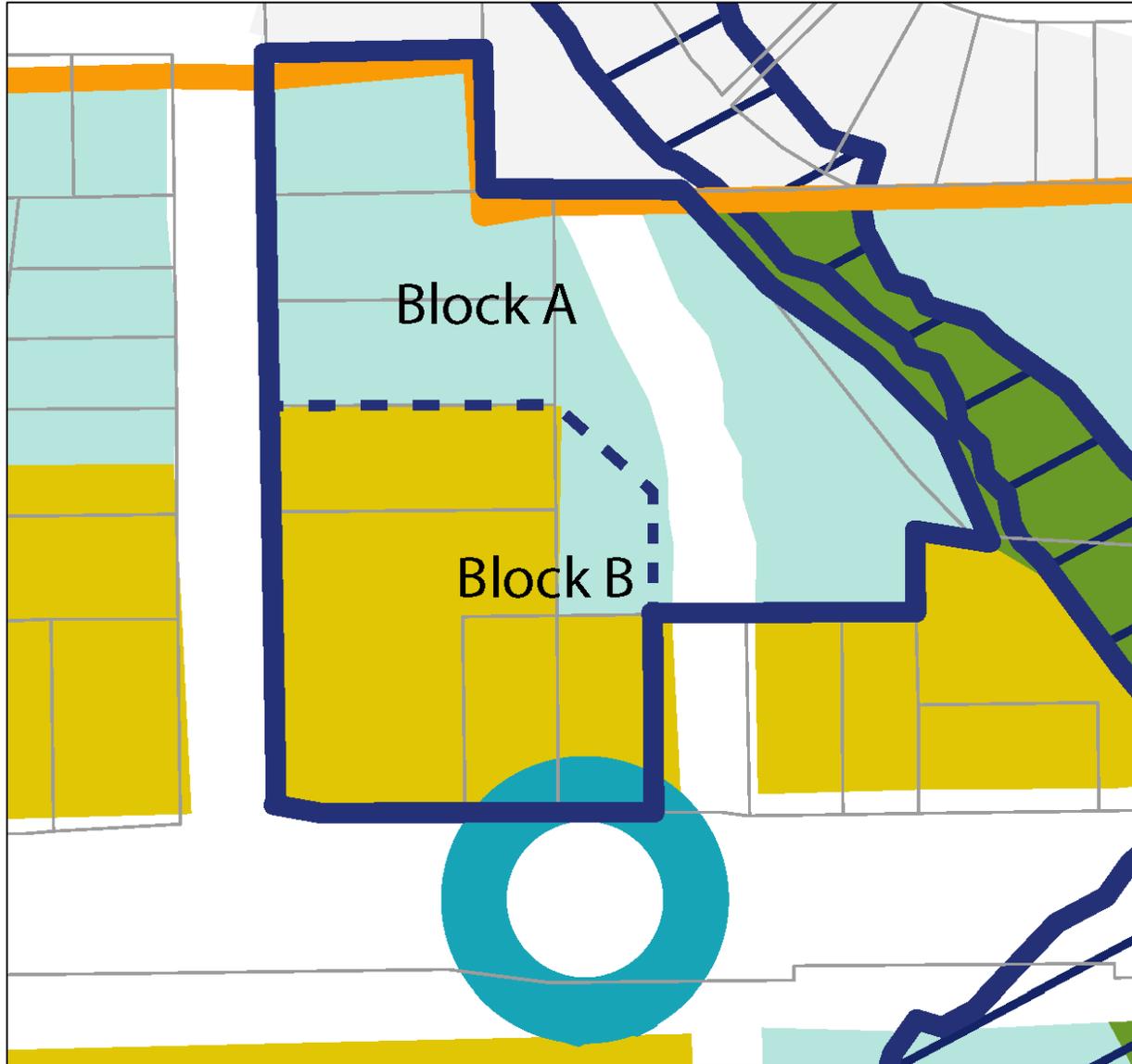


Properties	Zone
0 Bolton Avenue	MU-1 (Mixed Use 1) Zone (FSI 1.5-2.0)
23 Bolton Avenue	MU-2 (Mixed Use 2) Zone (FSI 2.0-2.5)
29 Bolton Avenue	SS(9) (Site Specific Exception 9) Zone, permits the existing dwelling
33 Bolton Avenue	MU-1 (Mixed Use 1) Zone (FSI 1.5-2.0)
39 Bolton Avenue	Subject to By-Law 2010-40; R1-D, (Residential Detached Dwelling), permits the existing dwelling
615 Davis Drive	MU-2 (Mixed Use 2) Zone (FSI 2.0-2.5; 3.0 with bonusing) Priority Commercial Area Overlay (commercial uses comprise 75% of ground floor frontages)
625 Davis Drive	
631 Davis Drive	
<i>An Open Space (OS-3) Zone runs along the easterly edge of the property.</i>	

Mixed Use (MU) Zones:

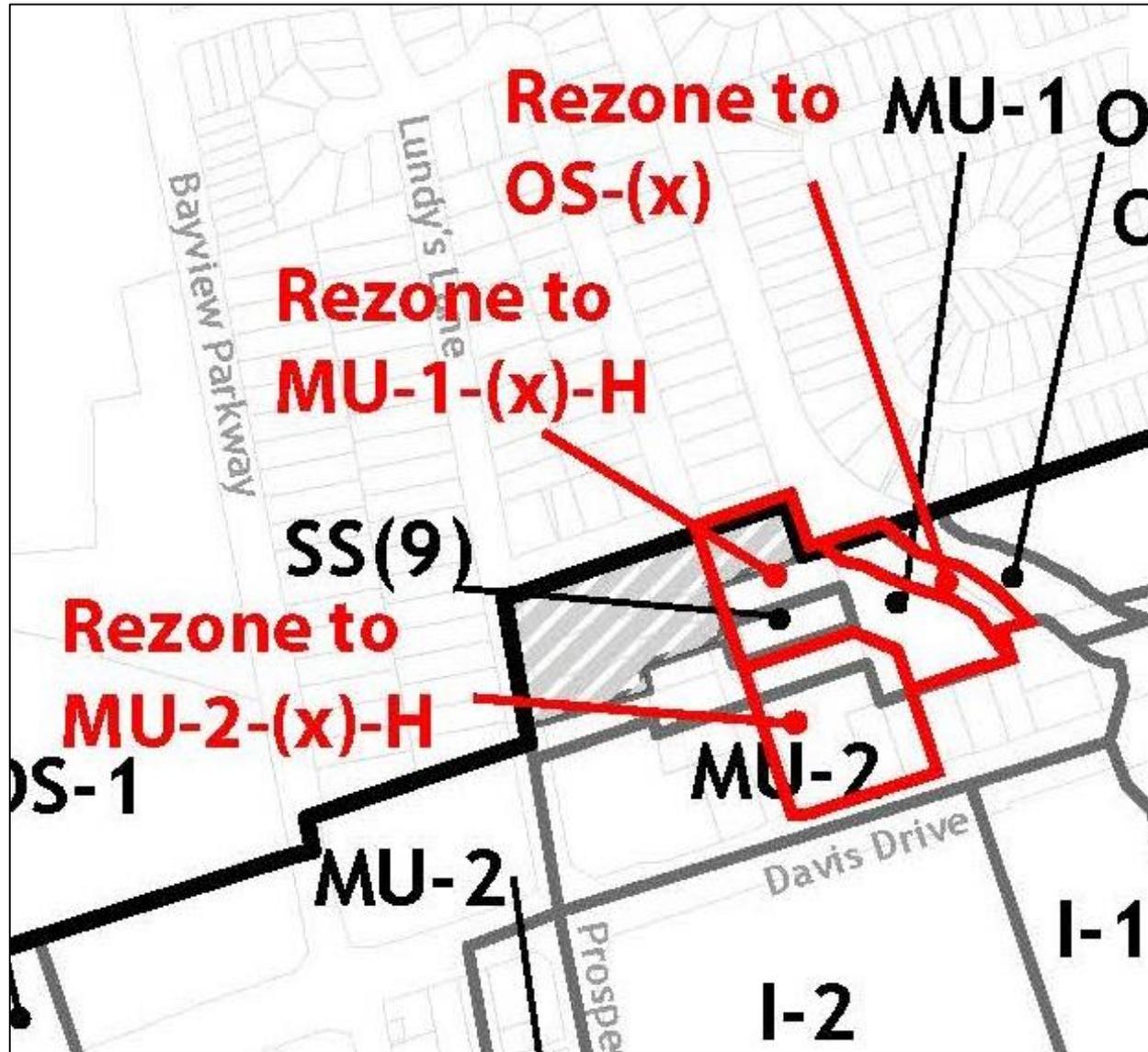
All MU Zones permit the same uses but are differentiated by permitted Floor Space Index (FSI) and height.

Proposed Official Plan Amendment (OPA)



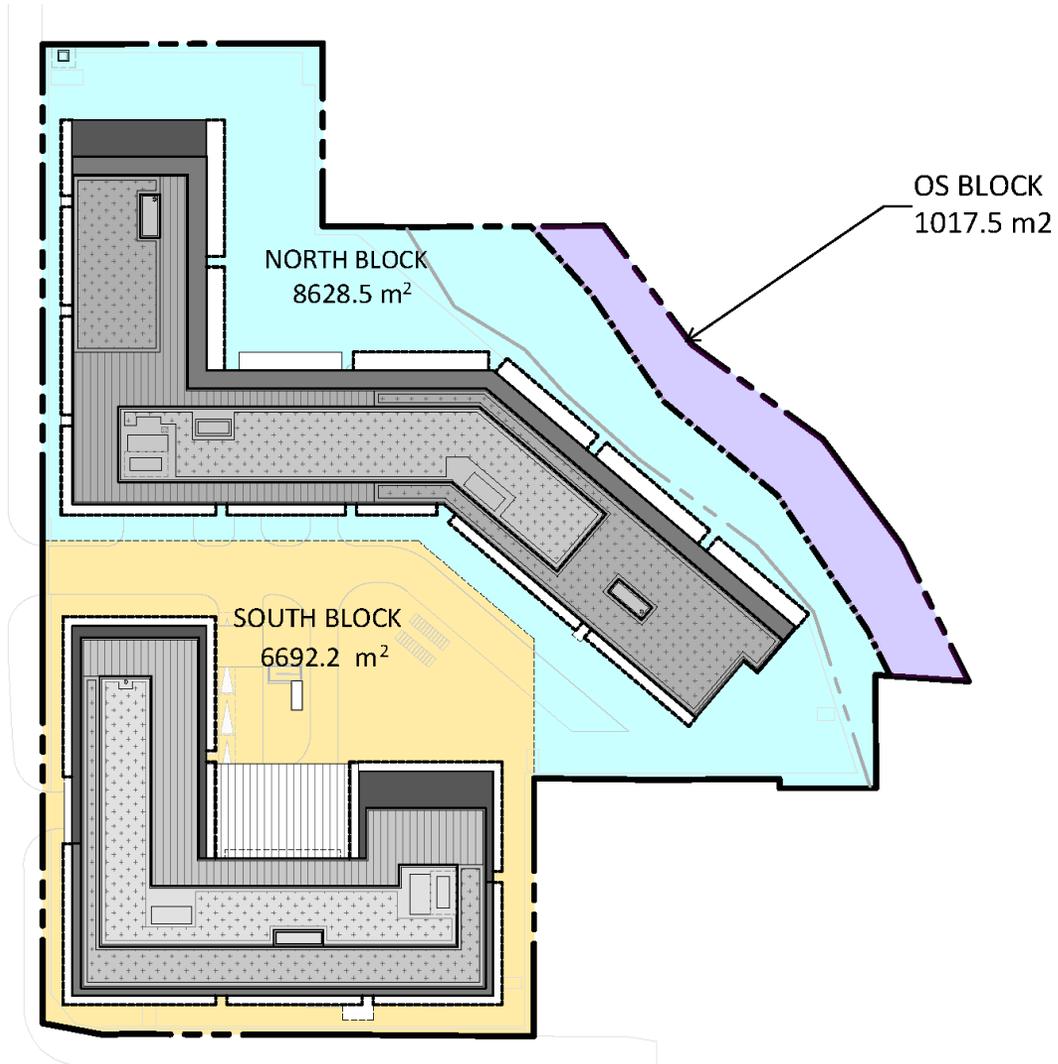
- Reconfigure designation of properties
- Remove future local road
- Increase in density and building height

Proposed Zoning By-law Amendment (ZBA)



- Consolidate zoning categories:
 - Mixed Use 1 (MU-1) for north lot
 - Mixed Use 2 (MU-2) for south lot
 - Adding Open Space
- Site Specific Zoning Standards

Proposed Site Plan & Building Rendering



Proposed Development Statistics

TOTAL LOT AREA: 16,338.2 m²

	NORTH BLOCK	SOUTH BLOCK	TOTAL
# of Storeys	3 - 6	4 - 15	N/A
# of Units	287	477	764
Vehicular Parking			
Residential	302	400	702
Visitor	45	71	116
Commercial	N/A	42	42
Bicycle Parking			
Residential	175	288	463
Visitor	N/A	N/A	N/A
Commercial	N/A	14	14
Commercial Area	N/A	1,458.5 m ²	1,458.5 m ²
Outdoor Amenity	1,370.9 m ² (2 m ² /Unit)	2,427.0 m ² (2 m ² /Unit)	3,797.9 m ²

Proposed Landscape Plan

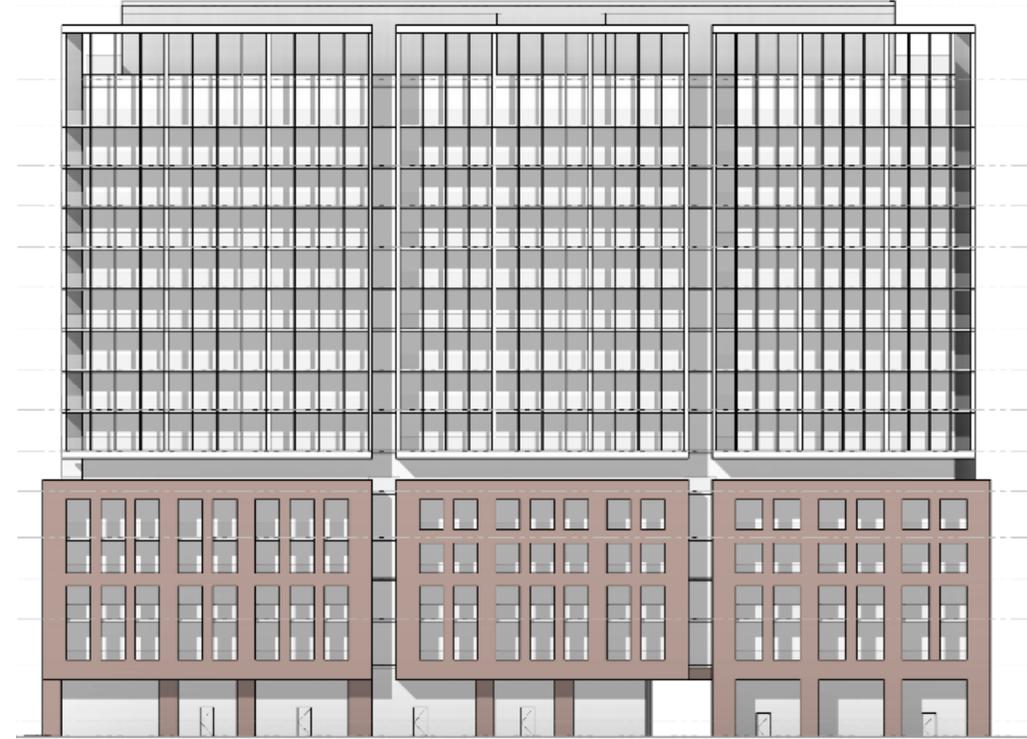


Conceptual Elevations

Bolton Avenue Elevation



Davis Drive Elevation



Conceptual Design Images



Key Items

- Compliance with Provincial and Regional Policies
- Reconfiguration of Designation boundaries
- Consolidation of Zoning & Create Site-Specific Development Standards
- Conveyance of Open Space and Provision of Public Trail
- Removal of Future Public Road or Provide Alternative Option
- Proposed Sustainability Measures:
 - Green Roof
 - Geo-Exchange

Next Steps

1. Receive comments and address technical matters
2. Resubmission of plans and studies to Town and Agencies satisfaction
3. Staff Recommendation Report to Council



Questions?

Hello Everyone,

My name is Lauren, I currently reside on Lundys Lane at the corner of Lundys and Watson. Obviously, this area is undergoing significant change which is both exciting and nerve-wracking. Multiple projects are planned right now for my immediate neighborhood and my concern is for the density and management of traffic flow/volume of cars on Lundys Lane, Watson and Bolton Ave (all of which are Residential streets) .

Here are the planning applications surrounding my house. The orange area has been sold and I have been told the owner will be moving forward with a condo proposal as well. I will just highlight this for now since nothing has actually been proposed. Obviously, there is also the medical arts building situation on the corner as well. Parking for the MAB is a standalone issue in itself I wont get into today.

- 1- 79 apartment units four storey building
- 2- 6 Storey senior living
- 3- Current application which is two buildings (6 and 15 storey), 711 unit residential apartment building



My question for the planning team is although I know these individual applications are submitting studies on traffic flows for their developments, is the planning committee reviewing these traffic studies from a wholistic perspective? You cannot just take an application and look at a report based on current

traffic information and approve it without looking at what is coming down the pipe. The amount of density coming to my immediate neighbourhood is significant.

Let me make it clear that I have no issue with this application other than the fact that traffic is not being managed properly/ access to the condos needs to be easier. There is no ability for anyone heading East to get onto Bolton aside from turning left onto Lundys lane, then cutting across Watson (both have massive parking issues to begin with/are no- stopping zones) and then a right onto Bolton. That is 711 units worth of cars, with an unknown amount heading East on their commute home that will be cutting down my roads. There will also be 79 units worth of cars taking the same path to get into the building across from me who will also have their main driveway on Bolton. These are roads where my kids play, we cross to get our mail, people walk their dogs, wait for pick ups from the hospital, etc. With the parking issues we have now where both sides of the road are being blocked by cars and there is only ever one through way, how are cars passing through here safely? There is no visibility when I am backing out of my driveway already because of illegally stopped/parked cars. How is the Town going to manage this? A road needs to extend out to davis/where the lights are for the hospital main entrance. A left hard turn directly into this development is necessary.



I wanted to also mention that Lundys, Watson and Bolton were also just part of a traffic study this Fall and Winter which resulted in several changes to these roads including changes in intensified parking rules, cross walks, enhanced enforcement and bike lane management.

Buy the properties necessary to make this happen if you have to...you are throwing traffic into Residential streets due to poor planning. NOW is your opportunity to PLAN properly and with intention.

Thank you for your time,

Lauren

2025 Budget Process and Target



Agenda

1. Objectives
2. Proposed Schedule
3. Public Engagement
4. Capital Budget
5. Capital Planning
6. Rate-Supported Operating Budget
7. Tax-Supported Operating Budget



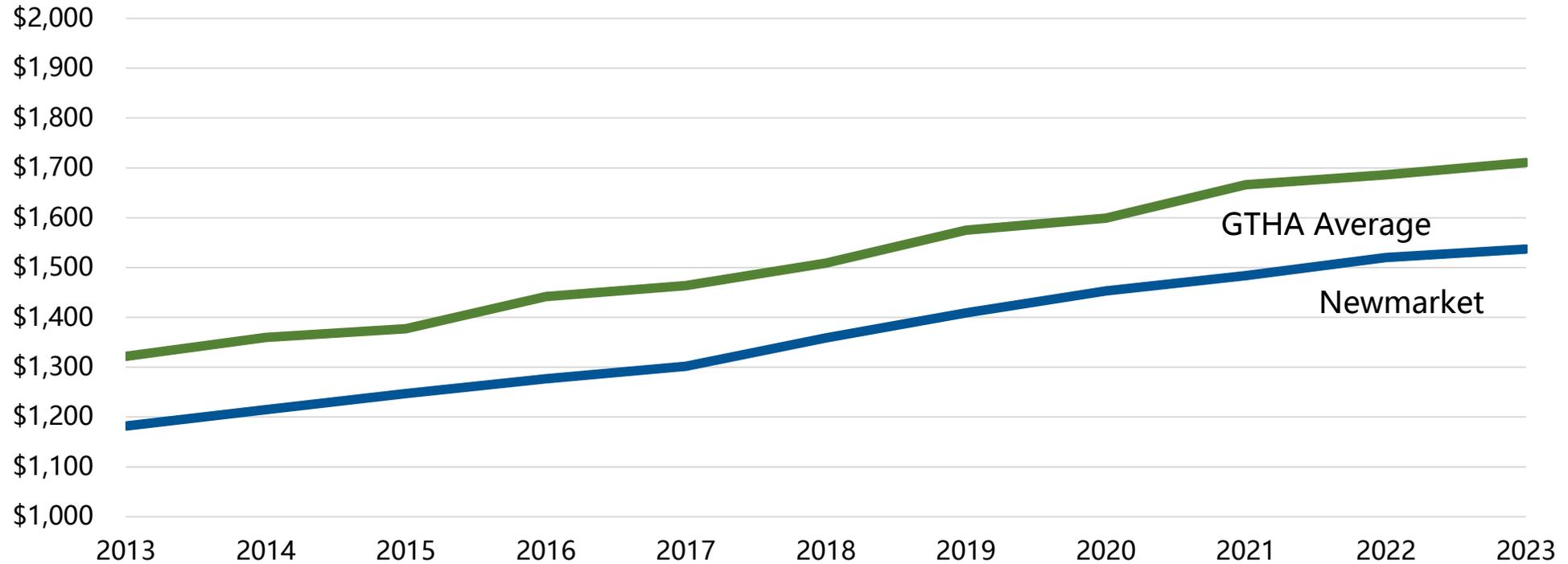
1. Objectives

- Continue to be aligned with the Town's:
 - commitment to service excellence while maintaining fiscal stewardship
 - Fiscal Strategy that ensures future sustainability
- Key indicators:
 - property taxes to remain 10% lower than the Greater Toronto Area (GTA) average
 - increase contributions to reserves to build them up to more appropriate levels

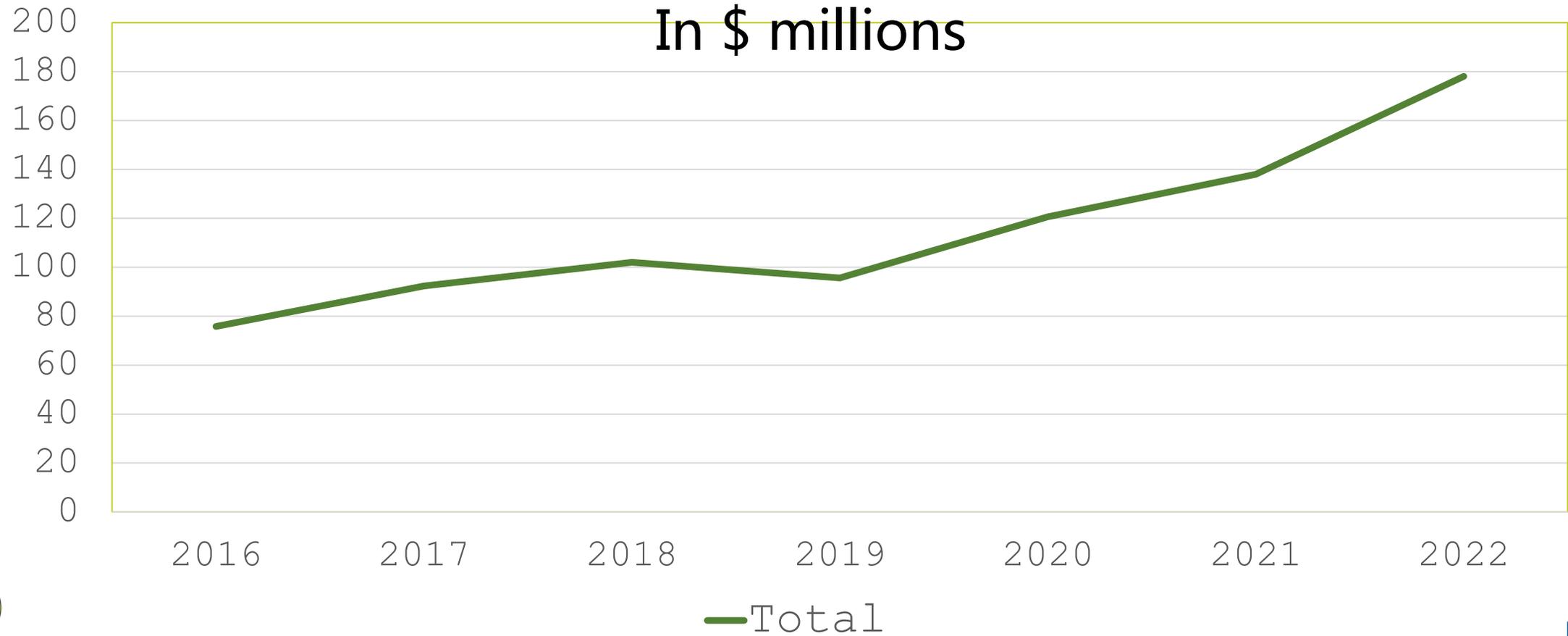


10% lower than GTHA average

Net Municipal Levy Per Capita



Reserve Balances have been increasing



2. Proposed Schedule

Date	Meeting	Item
September 30	CoW	Overview of the preliminary draft budgets
October 21	CoW	Capital and rate-supported operating budgets
November 11	CoW	Tax-supported operating budget
December 2	CoW	Presentation of the draft budgets and fees and charges
December 9	Council	Approval of the 2025 budget

CoW – Committee of the Whole

Report Recommendation 2:

That the proposed budget schedule with a target budget adoption date of December 9, 2024, be approved



3. Public Engagement

- Utilize tools such as:
 - Digital advertisements
 - Media releases
 - Website updates
 - E-newsletters
 - Social media campaigns
- Community engagement that may include:
 - Budget-themed game or survey
 - In-person presence at community events
 - Online engagement

Report Recommendation 6:

That the proposed community engagement plan for the 2025 budget be adopted



4. Capital Budget

- Capital Budget is approved funding for annual capital expenditures
- Capital Budget is comprised of two components:
 - Standard Program (limited by delivery capacity)
 - Major Projects (manage by dedicated project managers)
- Capital Spending Authority (CSA) is the total of all capital expenditures approved by Council and may span more than one year
- Considerations:
 - Budget to remain within the funding envelope
 - Delivery capacity



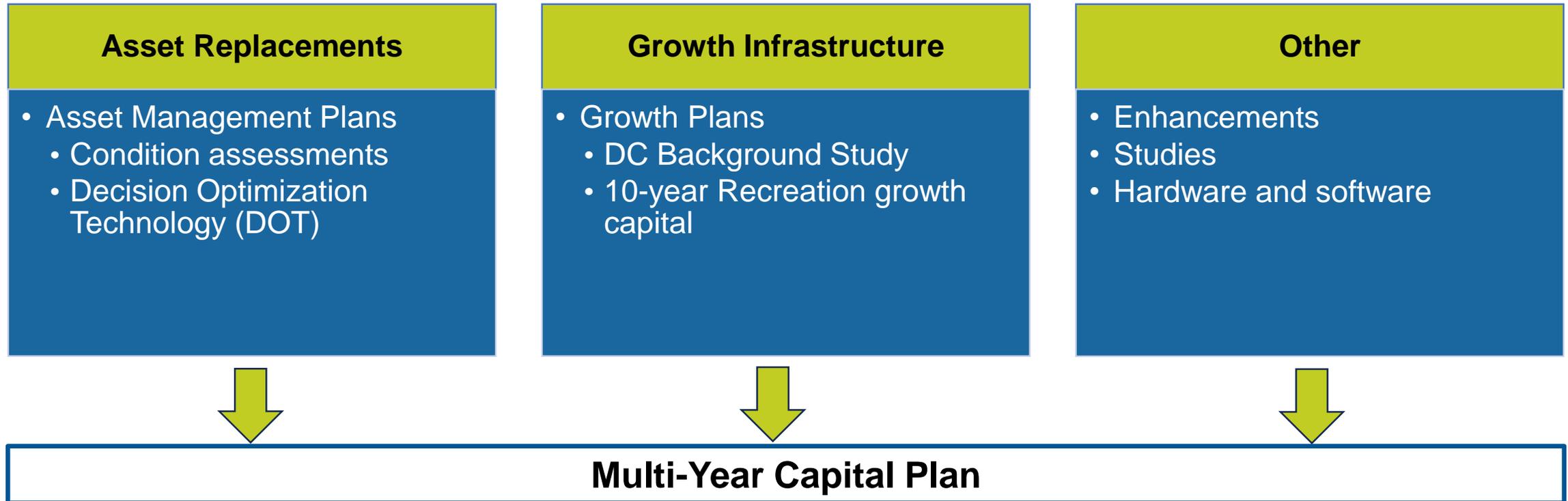
4. Capital Budget

2025 Capital Spending Authority (\$ in millions)	Previously Approved 2025 CSA	Changes from Q4 report	Revised 2025 CSA
Approved 2025 CSA from 2024 Budget			
Standard Program	\$33.9	(\$2.1)	\$31.7
Major Projects	\$31.7	\$4.4	\$36.2
Total 2025 CSA	\$65.6	\$2.3	\$67.9
+ New 2025 requests			TBD
2025 Capital Program			TBD



Staff will assess and prioritize the capital requests based on the availability of funding and delivery capacity

5. Capital Planning



6. Rate-Supported Operating Budgets

- Water and Wastewater increase at 3.5% based on the updated 10-year financial plans
- Stormwater increase proposed at 3.8% - monitor and assess approach
 - Condition assessments are underway
- Building Services – will incorporate results from the Development Application Approval Process (DAAP) review
- Planning and Development Engineering (DAAP related)
 - Operating budgets will be structured to be self-funded from fees to achieve full cost recovery
 - Separate reserves will be set up



7. Tax-Supported Operating Budgets

Budget Drivers	Projection
Inflation (based on current forecast)	2.0%
Contribution to Asset Replacement Fund (ARF)	1.5%
Preliminary projection	3.5%

- Council direction - target to be below 3.0%
- If target is to be achieved, the base budget increase will likely be below rate of inflation, a challenge similar to the 2024 budget

Report Recommendation 3:

That Council confirms the target tax levy for the tax-supported operating budget to be below 3.0%





Town of Newmarket
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Newmarket, Ontario, L3Y 4X7

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

2025 Budget Process and Target Staff Report to Council

Report Number: 2024-25

Department(s): Financial Services

Author(s): Andrea Tang, Manager, Finance & Accounting / Deputy Treasurer

Meeting Date: April 29, 2024

Recommendations

1. That the report entitled 2025 Budget Target and Process dated April 29, 2024 be received; and,
2. That the proposed budget schedule with a target budget adoption date of December 9, 2024, be approved; and,
3. That Council confirms the target tax levy for the tax-supported operating budget to be below 3.0%; and,
4. That endorsement be given to staff to proceed with preparation of the 2025 budgets employing the structure as outlined in this report; and,
5. That the form and timing of budget submissions for all entities accountable to Council be subject to the process outlined in this report; and,
6. That the proposed community engagement plan for the 2025 budget be adopted; and,
7. That the Treasurer be authorized and directed to do all things necessary to give effect to this resolution.

Purpose

The purpose of this report is to advise Council the process for the 2025 budget, and to obtain Council's confirmation on the target tax levy to be below 3.0% for the tax-supported operating budget.

Background

Each year, the Town of Newmarket undertakes a detailed budget planning process to ensure the needs of our community are met now and in the future. The primary objective of the 2025 budget is to continue aligning the Town's commitment to service excellence while maintaining fiscal stewardship.

Operating Budget funds the day-to-day Newmarket resident services including emergency and fire services from the Central York Fire Services and the operation of the Newmarket Public Library.

Rate-supported operating budgets fund the day-to-day utility operations for water, wastewater and stormwater through their respective Council approved rates. Building Services operating budget is funded through building fees as required by legislation. Operating budgets for Planning and Development Engineering related to the development application approval process will be structured the same way as the Building Services. The costs to deliver services will be fully recovered through their respective fees.

The Capital Budget funds major construction projects, replacements and upgrades to the Town's assets and infrastructure.

Reserve & reserve fund budget accounts for the contributions to and from reserve and reserve funds. They include operational surpluses or deficits and transfers embedded in the operating and capital budgets.

Discussion

BUDGET SCHEDULE

The proposed 2025 budget schedule is as follows, subject to change pending progress of the budget deliberation process.

September 30 – Committee of the Whole (CoW) – provide an overview of the preliminary draft budgets

October 21 – CoW – review of the capital and rate-supported operating budgets

November 11 - CoW – review of the tax-supported operating budget

December 2 – CoW – presentation of the draft budgets and fees & charges

December 9 – Council – obtain Council approval of the 2025 Budget

TAX-SUPPORTED OPERATING BUDGET

During the 2023 Budget deliberation budget, it was discussed that the tax levy increase for the remainder of the Council term should be targeted to be below 3.0%.

The base budget is defined to be the net cost to carry out day-to-day operations and to maintain the Town's service levels. This is net of ancillary revenues and efficiencies. The base operating budget also includes the operating budgets for the Central York Fire Services, Newmarket Public Library and Newmarket Business Improvement Area. The major funding source for the tax-supported operating budget is property taxes.

The two major factors impacting the base budget are growth and inflation.

The Town will continue to apply the sustainable practice of applying growth revenue to growth related expenditures only. Assessment growth for 2025 is forecasted to be 0.65% at this time.

An inflationary factor of 2.0% will be applied to the base budget to account for inflation on contracted services, supplies and goods. Staff will continue to monitor the Toronto Consumer Price Index (CPI) throughout the process and make adjustments if necessary.

The 2025 Fees and Charges will be set in accordance with the Report 2021-67 entitled "Delegated Authority for Fees and Charges" whereby annual fees and charges increases do not exceed the rate of inflation and/or 2.5%, with the exception for water, wastewater and stormwater rates.

Rate-Supported Operating Budget

The rate-supported operating budgets for water and wastewater will be established based on their respective financial plans with an identified increase of 3.5%. The stormwater rate is being proposed to be increased by 3.8% as condition assessments are underway. The stormwater financial plan will be updated upon completion of the condition assessments.

Building permit fees will continue to fund the Building Department. The operating budgets for Planning and Development Engineering related to the Development Application Approval Process will be structured the same way as the Building Services on the basis that its operations will be self-funded through their respective fees to achieve full cost recovery. Separate reserves will be established. Year-end operating budget surplus will be transferred to their respective reserves, and funds will be drawn from the reserves in the year of a deficit.

Capital Budget

The capital budget funds the purchase, construction and financing of Tangible Capital Assets (TCA) for infrastructure, land, buildings, machinery, equipment and other assets. It also provides funding source for major corporate studies.

The capital budget will continue to be separated according to major funding sources. Capital requests will be subject to the availability of funding and operational capacity.

Capital Spending Authority (CSA) is the total of all capital expenditures approved by Council and may span more than one year. Council approved the 2025 Capital Spending Authority as part of the 2024 budget process. The 2025 CSA, currently at \$67.9 million, will be the starting point in the development of the 2025 Capital Budget. There is no CSA for the year 2026 and beyond at this time.

Public Engagement for the 2025 Budget

Public engagement for the 2025 budget will build on the success of previous year's engagement. As always, community engagement will continue to play a very important role in helping to shape the 2025 budget and ensuring the community's voices are heard throughout the process.

The Town will continue to utilize traditional communications tools and tactics (Digital advertisements, media releases, website updates, e-newsletters, social media campaigns and more), while continuing to seek out new and creative ways to engage and interact with the community. This could include a budget-themed game or survey, virtual or in-person 'drop-ins' for the community, and further engagement elements on HeyNewmarket, the Town's online engagement platform.

The Corporate Communications department will be preparing a detailed communications plan, with community engagement beginning in advance of the preliminary draft budget in addition to an engagement tool kit that includes key messages, FAQs and shareable content for Councillors to use on their communication channels.

Conclusion

Staff will start developing the 2025 budget based upon the process and targets set by Council as outlined in this report. The goal is to present the preliminary draft budgets on September 30, 2024 and to approve the 2025 budget by the end of December 2024. There will be community engagement throughout the budget process to obtain residents' input. Interim appropriations should not be required if the budget is approved on December 9, 2024 as per the proposed schedule.

Business Plan and Strategic Plan Linkages

The budget process aligns with the Town's continuous journey to strive for Long Term Financial Sustainability by developing budgets that align with budget policies and Fiscal Strategy.

Consultation

Financial Services consulted with the Strategic Leadership Team (SLT) and Operational Leadership Team (OLT) on the 2025 budget target and process. The Corporate Communications department has also been consulted on the public engagement plan.

Human Resource Considerations

Not applicable.

Budget Impact

This report sets out the process for developing the 2025 operating and capital budgets. The target tax levy is to be below 3.0% for the tax-supported operating budget as a starting point. Targets for the water and wastewater operating budgets will be based upon their approved ten-year financial plans with an identified increase of 3.5%. The stormwater rate is being proposed to be increased by 3.8% as condition assessments are underway. The stormwater financial plan will be updated upon completion of the condition assessments. The capital budget will be within its available funding envelope and delivery capacity.

Attachments

None.

Approval

Mike Mayes, CPA, CGA, DPA
Director of Financial Services

Esther Armchuk, LL.B
Commissioner, Corporate Services

Ian McDougall
Chief Administrative Officer, Office of the CAO

Contact

Andrea Tang, CPA, CA
Manager, Finance & Accounting / Deputy Treasurer, atang@newmarket.ca (ext. 2104)



Town of Newmarket
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Church Street Parking Review Staff Report to Council

Report Number: 2024-22

Department(s): Engineering Services

Author(s): M. Kryzanowski, Manager, Transportation Services

Meeting Date: April 29, 2024

Recommendations

1. That the report entitled Church Street Parking Review dated April 29, 2024 be received; and,
2. That the Parking Bylaw amendments noted in Appendix A be approved; and,
3. That staff consider Category 1 traffic calming measures in 2024 for Church Street; and,
4. That the on-street parking situation be monitored and reviewed after the Downtown Parking Structure is completed; and,
5. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Purpose

This report outlines the results of a review of possible short-term parking options on the east side of Church Street between Millard Avenue and Eagle Street as shown on the map in Appendix B. It also includes recommendations regarding this matter.

Background

At its regular meeting of October 10, 2023, the Town Council discussed the parking shortages on Main Street and added the following recommendation:

That Staff be directed to look at possible short-term parking options on the east side of Church Street from Eagle Street to Millard Street.

Currently, parking is limited on Church Street, except on Sundays. The request is to review parking restrictions on the east side of Church Street from Millard Avenue to Eagle Street to determine if additional on-street parking can be added. This is necessary to mitigate peak parking demand during Main Street events.

Discussion

Church Street is a residential collector road with a two-lane cross-section and sidewalks, running from north to south from Eagle Street and merging into Millard Avenue north of Park Avenue. The street presents two unique aspects. Firstly, it features an overly wide asphalt road surface with smaller boulevards in certain sections, particularly in the northern part between Millard Ave and Park Ave. Secondly, its land use consists of a mix of residential homes, commercial establishments (such as a dental clinic and a daycare), and institutional facilities (such as the Gorman Pool and the Veterans Memorial Cenotaph).

Currently, parking is limited, except on Sundays. There are 2-hour restrictive parking zones in some areas on the west side north of Botsford Avenue, and a No Stopping zone exists on the east side between Park Avenue and Botsford Street, as indicated on the map in Appendix B.

Given that parking is allowed on both sides of the street on Sundays, it is common to find cars parked along both sides of Church Street. Therefore, it is recommended to increase parking availability on the east side, aligning with the street parking regulations on the west side, which include a 2-hour limit. However, there are two areas that should be exempted from this regulation:

Church Street between Millard Avenue and Park Avenue:

This area is scheduled for road rehabilitation, which involves maintaining a reduced width of the street to accommodate existing utilities properly. With the existing 2-hour parking on the west side and the narrowed paved width (less than 8.0 meters), adding additional on-street parking may create traffic operation issues. Therefore, it is recommended that the No Parking zone on the east side remains, including Sundays. However, the on-street parking situation will be revisited once this section of Church Street has been rehabilitated.

Church Street between Park Avenue and Botsford Avenue:

Currently, a 2-hour parking limit zone is in place on the west side, while a No-Stopping zone exists on the east side. The No-Stopping zone was established due to the daycare operations at 179 Church St. It is recommended that the 2-hour parking limit be allowed outside of the No-Stopping zone timeframes, and all-day Sunday parking be maintained.

Church Street between Botsford Avenue and Eagle Street:

Currently, there is no parking allowed on both sides of the street, except for Sundays. To enhance on-street parking availability on Church Street, it is recommended to implement 2-hour parking restrictions from Monday to Saturday on the east side, while retaining all-day Sunday parking on that side. Appendix A and B contain the details and maps of the proposed Parking By-law amendments.

Also, since this initiative originated from the Town rather than being community-initiated, it was important to reach out to residents and business owners to gather their opinions, issues, and concerns. As part of this parking study, letters dated January 26, 2024, were individually mailed to thirty-eight members of the community that could be affected by the proposed changes. The Town received input from seven residential households. While many residents expressed support for the additional parking, some have reservations. Below is a compiled list of issues/concerns directly related to increasing parking on the east side of Church Street from the community consultation along with corresponding responses.

Alternative/Better Locations:

Several residents suggested alternative locations for increased parking, primarily off-street. The proposed parking on the east side of Church Street aims to offer a low-cost temporary solution for parking demand during downtown events. The Town has initiated a parking structure project for downtown at the current location of the tennis courts. The parking structure is scheduled to be completed in 2025. This structure is expected to provide more than 200 additional parking spaces.

Upon the successful completion of the proposed parking structure in the downtown area in 2025 an anticipated addition of approximately 200 parking spaces for the downtown area will be achieved, which will be much closer to programmed events and parking demands stemming from the downtown area. The on-street parking situation will be monitored and reviewed after the Downtown Parking Structure is completed.

Traffic Safety – Design and Operations:

While the focus of this review was primarily on on-street parking rather than traffic, some members of the public raised concerns about the road geometrics, speeding, sight visibility, and pedestrian safety.

Church Street follows an older road design that is typical of the in original part of Town in the immediate area. The reconstruction of Millard Avenue/Church Street (north of Park Avenue) is scheduled for 2024 to 2025. The reconstruction aims to enhance road conditions by reducing the asphalt width and providing more boulevard space for trees and utility services. These improvements will enhance road safety, visibility, and restore some of the street's character. The on-street parking situation will be revisited once this section of Church Street has been rehabilitated.

An examination of existing traffic data revealed that the operating speed was not excessive (approximately 45 km/h), and there were only three collisions in the last five years. Some of these concerns can be addressed through design changes during reconstruction, such as implementing a narrower road platform, tighter turn radii, and improved slopes, among others. However, in the interim, category 1 traffic calming measures can be implemented, such as a wider center median or urban shoulders and installing on-street bollards. Additionally, some comments suggested reducing the speed limit. Regarding the request to reduce the posted speed limit to 30km/h, the Town does not yet have a policy in place to support this change. The speed limit reduction to 30km/h on Lorne Avenue was supported as a pilot project and it is currently being monitored and reviewed to determine whether a lower posted speed limit policy should be recommended to Council for implementation. If such a policy is developed, Church Street could be evaluated to see if it falls within the policy for such a change.

Time Limits:

Requests were made for longer time frames, extending hours (from 2 to 3), and reducing time frames. The proposed time frames and permitted hours generally align with those in the area and facilitate more uniform and consistent enforcement of on-street parking. Enforcement was identified as an issue, as cars occasionally remain parked all day in the current 2-hour parking areas in this vicinity. Enforcement concerns will be communicated to Legislative Services.

Conclusion

It is recommended that:

1. On-street parking be allowed for 2 hours from Monday to Saturday, with maintaining all-day Sunday parking for the east side of Church Street from Botsford Street to Eagle Street.
2. On-street parking be allowed for 2 hours from Monday to Friday, between 5pm to 11pm only, and all-day Saturday, with maintaining the all-day Sunday no-maximum hour parking for the east side of Church Street from Park Avenue to Botsford Street.
3. No Parking be maintained on the east side of Church Street from Millard Avenue to Park Avenue, including Sundays.
4. Church Street be considered for Category 1 traffic calming measures in 2024.
5. The on-street parking situation will be monitored, and a review will be conducted once the Downtown Parking Structure is constructed.

Business Plan and Strategic Plan Linkages

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Consultation

Consultation was carried out with thirty-eight members of the community that could be affected by the proposed changes. Residents, institutions, and retail establishments were invited to share their feedback by letters mailed to them on January 26, 2024. The community will have a second opportunity to comment by providing a written, electronic, or in-person deputation to the Committee of the Whole when this matter is heard. The community will receive a copy of this report along with the date and time of the Committee of the Whole session during which they can provide a deputation.

Human Resource Considerations

None.

Budget Impact

Funds for the required signage would come from the Regulatory Signs – Engineering line from the Operating Budget. The cost would be approximately \$1,000.00 for the required signage. There are sufficient funds in this account to cover the cost.

Attachments

Appendix A – Proposed Parking Bylaw Amendments

Appendix B –Existing and Proposed Parking Bylaw Amendments Maps

Approval

S. Majdi, M.Sc., P.Eng., Strategic Business Leader, Engineering Services

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

Contact

For more information or questions regarding this report, please contact Mark Kryzanowski, Manager, Transportation Services, at 905-895-5193 extension 2508 or MKryzanowski@newmarket.ca

Appendix A: Proposed Parking Bylaw Amendments

THAT Schedule IV (**No Parking**) of the Parking By-law 2019-63, as amended, be further amended by deleting the following:

ROAD	SIDE	BETWEEN	PROHIBITED TIMES
Church Street	East	Millard Avenue to Park Avenue	Monday to Saturday
Church Street	East	Botsford Avenue to Eagle Street	Monday to Saturday

THAT Schedule IV (**No Parking**) of the Parking By-law 2019-63, as amended, be further amended by adding the following:

ROAD	SIDE	BETWEEN	PROHIBITED TIMES
Church Street	East	Millard Avenue to Park Avenue	Anytime

THAT Schedule VI (**Parking for Restricted Periods**) of the Parking By-law 2019-63, as amended, be further amended by adding the following:

ROAD	SIDE	BETWEEN	PROHIBITED TIMES	Maximum
Church Street	East	Botsford Street to Eagle Street	Monday to Saturday	2 hours
Church Street	East	Park Avenue to Botsford Street	Monday to Friday 5:00pm to 11:00pm Saturday Anytime	2 hours

Appendix B: Existing and Proposed Parking Bylaw Amendments Maps

Location: Church Street between Millard Avenue and Park Avenue



Legend			
Colour	Description	Prohibited Times	Maximum
	Parking for restricted periods	Monday to Friday 8:00am to 6:00pm	2 hours
	No Parking	Monday to Saturday	
	No Parking	Anytime	

Location: Church Street between Park Avenue and Botsford Street



Legend			
Colour	Description	Prohibited Times	Maximum
	Parking for restricted periods	Monday to Friday 8:00am to 5:00pm	2 hours
	No Stopping	Monday to Friday 8:00am to 5:00pm	
	Parking for restricted periods	Monday to Friday 5:00pm to 11:00pm Saturday Anytime	2 hours

Location: Church Street between Botsford Street and Timothy Street



Legend			
Colour	Description	Prohibited Times	Maximum
	No Parking	Monday to Saturday	
	Parking for restricted periods	Monday to Saturday	2 hours

Location: Church Street between Timothy Street and D'arcy Street



Legend			
Colour	Description	Prohibited Times	Maximum
	No Parking	Monday to Saturday	
	Parking for restricted periods	Monday to Saturday	2 hours

Location: Church Street between D'arcy Street and Eagle Street



Legend			
Colour	Description	Prohibited Times	Maximum
	No Parking	Monday to Saturday	
	Parking for restricted periods	Monday to Saturday	2 hours



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Crossland Gate Traffic Review Staff Report to Council

Report Number: 2024-23

Department(s): Engineering Services

Author(s): M. Kryzanowski, Manager, Transportation Services

Meeting Date: April 29, 2024

Recommendations

1. That the report entitled Crossland Gate Traffic Review dated April 29, 2024, be received; and,
2. That no changes to the parking restrictions on Crossland Gate be implemented at this time; and,
3. That urban shoulders be considered on Crossland Gate between Alex Doner Drive and Eagle Street West for 2024; and,
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Purpose

This report aims to outline the findings of a survey conducted for the Crossland Gate community (from Alex Doner Drive to Eagle Street West), as discussed during the Ward 6 and 7 community meeting on September 7, 2023. The purpose of the survey was to gauge support for a potential change in parking restrictions aimed at providing passive traffic calming on the roadway. Additionally, the report will outline the next steps in the process.

Background

Crossland Gate is designated as a minor collector road. The Town has been reviewing the speeds on Crossland Gate to determine feasible mitigation measures. A traffic study was conducted for Crossland Gate between Alex Doner and Eagle Street West in April

2016 and again in October 2023. Table 1 illustrates the collected traffic information, including speed and volume data. The operating speed is the speed at which 85% of the traffic is travelling at or below. The operating speed is used in the industry to determine mitigation measures.

A full examination of the speeds in Table 1 reveals that these speeds would not warrant aggressive measures such as speed humps (Category 2). However, the data warrant Category 1 traffic calming measures.

Table 1. 7- Day Traffic Study Data

Year	Average Speed (km/h)	Operating Speed (km/h)	Average Daily Traffic (ADT)
2023	46	51	2,871
2016	48	55	2,411

Category 1 traffic calming measures are less intrusive measures designed to reduce speeds. Typically, these measures include signage, pavement markings, parking changes, York Regional Police enforcement, and Speed Management program items, such as solar speed boards, lawn signs, and bollards.

To date, several Category 1 measures, such as lawn signs and solar boards have been implemented in the studied area over the past years. Additionally, a Category 2 measure was installed at the Crossland Gate/Peevers Crescent/Eagle West intersection in 2022, in the form of curb radii reduction, also known as curb bump-outs. Although bollards have been planned on Crossland Gate between Alex Doner Drive and Eagle Street West in the past, challenges such as street geometrics and the continuous on-street parking have prevented safe implementation.

One proposed idea is to use the on-street parking as a speed mitigation measure. This concept was discussed with some residents at the Ward 6 and 7 community meeting on September 7, 2023. On-street parking is recognized as a passive and variable method of traffic calming.

Currently, parking is restricted on the north side and allowed on the south side of Crossland Gate between Alex Doner Drive and Eagle Street West. When cars are parked on the south side, the travel portion of the road is reduced causing a visual narrowing. This visible narrowing should prompt drivers to slow down. However, Crossland Gate is constructed to an older collector road standard (approximately 9.7 meters), so it is wider than what is constructed now. Consequently, the on-street parking will have less impact on speeds. To create a more effective traffic calming measure through parking, the idea is to provide parking on the north side of the street with potential parking restrictions on the south side or in various combinations, as shown in Appendix A.

Discussion

The survey submitted to the residents included four options (see Appendix A). Option 1 looked at retaining parking on the south side and creating openings on the north side. Option 2 considered staggering parking on both the north and south sides but without having on-street parking directly opposite each other. Option 3 proposed staggering parking on both sides, allowing parking directly opposite each other on both sides with gaps. Option 4 was the 'status quo' option which did not support any parking changes but preferred other traffic calming measures.

As part of this traffic review, letters dated December 15, 2023, were individually mailed to fifty-eight households, soliciting their input. The results of the survey are shown in Table 2. The Town received twenty responses out of the fifty-eight households in the community resulting in a 34% response rate.

Table 2. Survey Results

Description	No Response	Total Responses (Min. 50% Required)	Option 1	Option 2	Option 3	Option 4 (No Change)
Count	38	20	5	3	2	10
Percentage Total 58 Households	66%	34%	25%	15%	10%	50%

The results indicated that half of the responding households supported one of the three parking reconfiguration options, while the other half supported no change. Therefore, the Town will not proceed with any parking reconfiguration as a traffic calming measure.

For the next steps, the Town will continue deploying the solar radar boards and lawn signs on this section of Crossland Gate. Additionally, the Town has been implementing urban shoulders, which are white lines near the curb of various widths that resemble bike lanes but are not (see Figure 1 below). Urban shoulders do not impact parking. With the existing on-street parking, the yellow centre line, road geometrics and urban shoulders, there are considerable amount of passive traffic calming measures on the roadway to mitigate speeds to some degree.



Figure 1. Example of Urban Shoulders

Conclusion

It is recommended to maintain the existing parking restrictions ,and include the section of Crossland Gate between Alex Doner Drive and Eagle Street West in the Urban Shoulder program for 2024.

Business Plan and Strategic Plan Linkages

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Consultation

Consultation was carried out with fifty-eight households that could be affected by the proposed changes. Residents were invited to share their feedback by letters mailed to them on December 15, 2023. Residents will have a second opportunity to comment by providing a written, electronic, or in-person deputation to the Committee of the Whole when this matter is heard. Each of the fifty-eight households will receive a copy of this report along with the date and time of the Committee of the Whole session during which they can provide a deputation.

Human Resource Considerations

None.

Budget Impact

Funds for the required Urban Shoulders would come from the Transportation Services Operating budget. The cost would be approximately \$500.00. There are sufficient funds in this account to cover cost.

Attachments

Appendix A – Crossland Gate Parking Survey

Approval

S. Majdi, M.Sc., P.Eng., Strategic Business Leader, Engineering Services

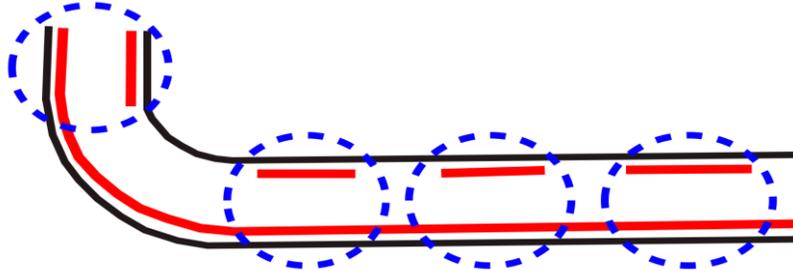
Peter Noehammer, P.Eng., Commissioner, Development & Infrastructure Services

Contact

For more information or questions regarding this report, please contact Mark Kryzanowski, Manager, Transportation Services, at 905-895-5193 extension 2508 or MKryzanowski@newmarket.ca

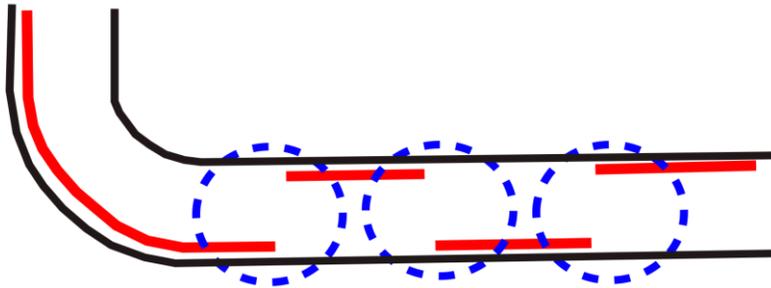
Options and Brief Description

1 Parking on the south side remains, intermittent locations on the north side.



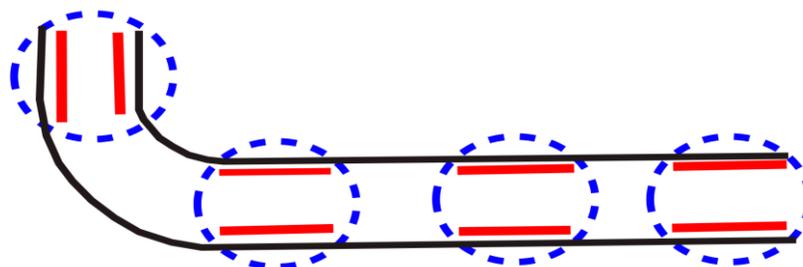
The solid red line represents the on-street parking. The parking on the north side (representative locations only) is intermittent along the street. The blue dashed circles indicate areas where the road is narrowed or pinched. The north side traffic or westbound traffic would need to do weaving movements to get around parked cars.

2 Intermittent North and South side (side to side)



The solid red line represents the on-street parking. The blue dashed circles indicate areas where the road is narrowed or pinched. Both directions of traffic would need to weave. This not only creates pinch-points but reduces the straight drive for both directions.

3 Intermittent parking opposite sides



The solid red line represents the on-street parking. The blue dashed circles indicate areas where the road is narrowed or pinched. This option is more aggressive as it would narrow the road at several locations and open the road in others.

4 Status Quo

No change with the existing on-street parking restrictions. However, the Town will continue Category 1 traffic calming measures (radar speed boards, boulevard lawn signs, etc.).

Note: All locations are representative and will be established in the field once an option is selected. As well, it is the intent to maintain or increase the amount of street parking.



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2024 Annual Servicing Allocation Review Staff Report to Council

Report Number: 2024-24

Department(s): Planning and Building Services

Author(s): Kaitlin McKay, Senior Planner – Development and Andria Sallesse, Senior Planner – Policy

Meeting Date: April 29, 2024

Recommendations

1. That the report entitled 2024 Annual Servicing Allocation Review dated April 29, 2024 be received; and,
2. That Council reinstate servicing allocation to the developments as outlined in Attachment 1 to this staff report; and,
3. That Council commit servicing allocation to the developments as outlined in Table 1 of this staff report; and,
4. That Council rescind servicing allocation to the development at 1015-1029 Davis Drive and 22 Hamilton; and,
5. That the Town's remaining servicing capacity (the Town Servicing Allocation Reserve) of 1,330 persons be maintained for future development, of which 150 persons is to be held in the Small Developments Reserve; and,
6. That staff be authorized and directed to do all things necessary to give effect to this resolution.

Executive Summary

The 2024 Town Servicing Allocation Reserve opening balance was 3,069 persons, of which 9 persons remained in the Small Development Reserve (formerly known as the Severance Reserve). The Severance Reserve has been renamed to Small Developments Reserve because the allocation capacity set aside in this Reserve will not only be used towards new residential lots that are created through consents, but it will also be used towards new developments that involve no more than 10 residential units due to recent Planning Act changes through the More Homes Built Faster Act (Bill 23).

In this report, staff are recommending that Council reinstate servicing allocation to all previously committed development applications and consider rescinding allocation for the development located at 1015, 1025 & 1029 Davis Drive and 22 Hamilton Drive.

Upon review of all servicing allocation requests against the Town's Servicing Allocation Policy, staff recommend that Council commit an additional 1,801 persons of servicing allocation to the following developments:

- 99, 103, 105 Main Street South, 454, 462, 466 Queen Street (Streetcar) – 170 persons
- 315 Davis Drive (Format Davis Limited Partnership) – 332 persons
- 415 Pickering Crescent (2425945 Ontario Inc). – 77 persons
- 600 Stonehaven Avenue (Marianneville Stonehaven Ltd.) – 228 persons (Phase 1)
- 835 Gorham Street (Blue Door) – 37 persons
- 849 Gorham Street (Gorham Development 849 Inc.) – 53 persons
- 1038 and 1040 Jacarandah Drive (2529437 Ontario Ltd.) – 61 persons
- 16860 and 16920 Leslie Street (Forest Green Homes) – 441 persons (Phase 1)
- 17046 Yonge Street – Inn from the Cold – 10 persons (units with full kitchens)
- 17175 Yonge Street (Trinity Coptic Foundation) – 406 persons

Should Council adopt the recommendations contained in this report, the 2024 Town Servicing Allocation Reserve balance would be 1,330 persons of which 150 persons would be held in the Small Developments Reserve.

Shining Hill has fulfilled all of its responsibilities and has repaid the entirety of its Inflow and Infiltration (I&I) Reduction Program repayment, and staff expects that Marianneville will continue to work on their I&I Reduction Program repayment. Considering the number of development applications pending approvals, future capacity to be assigned by York Region, and outstanding I&I Reduction repayments to be received, staff estimate the Town Servicing Allocation Reserve will have sufficient supply for approximately ten years. However, Council has adopted a Housing Pledge supporting a municipal housing target of 6,400 new housing units in the community by 2031, inclusive of a target of 1,250 rental units and 400 non-profit/subsidized units. This represents

approximately 14,900 people by 2031 or an average of 1,900 people over the next eight years. At this rate of growth, Newmarket could reach its servicing limit by 2030.

Purpose

The purpose of this report is twofold: 1) to provide Council with recommendations for distribution of servicing capacity to development applications that have a residential component; and 2) to provide Council with a general update on the Town's current servicing capacity status.

Background

Planning staff review servicing allocation requests and make recommendations to Council annually. Each application is reviewed based on its status in the planning approval process and staff's assessment of each application against the [Town's Servicing Allocation Policy](#), including consideration of completion of communities.

Council received the last annual servicing allocation report, titled [2023 Annual Servicing Allocation Review](#) (2023 Annual Report), on April 17, 2023 and subsequently received the [2023 Year-End Servicing Allocation Review](#) report on December 4, 2023.

This report provides Council with staff's recommendations on the 2024 servicing allocation distribution as well as an update on the Town's Servicing Allocation Reserve balance.

Discussion

As part of the annual servicing allocation review, all completed residential development applications are categorized into the following three subsections:

1. Previously committed servicing allocation;
2. New requests for servicing allocation; and,
3. Not recommended for servicing allocation.

Previously Committed Servicing Allocation

Council had previously committed a total of 2,964 persons of servicing allocation to the following developments:

- Kerbel Group Inc. (17365 and 17369 Yonge Street) (665 persons);
- Redwood Properties Phases 1 and 2 (17645 Yonge Street) (714 persons);
- 49, 55 and 59 Charles Street, 52 Prospect Street (111 persons);
- 201 Davis Drive (287 persons);
- 172-178 Old Main Street (32 persons);

- Blackthorn (western terminus of Silken Laumann Drive, west of hydro corridor) (74 persons);
- Sundial Phase 3B (348 persons);
- Landmark Estate Phase 5 (98 persons);
- 680 Gorham Street (8 persons);
- 674 Gorham Street (8 persons);
- Marianneville Developments Limited (Glenway West) (557 persons); and,
- 1015, 1025, 1029 Davis Drive, and 22 Hamilton Drive (62 persons).

Staff have reviewed the status of the above noted applications and recommend that Council reinstate 2,902 persons of servicing allocation to the above noted applications and consider rescinding allocation for the development at 1015-1029 Davis Drive and 22 Hamilton Drive (62 persons) (see **Attachment 1**).

While 201 Davis Drive was previously granted allocation in the amount of 287 persons (147 units) associated with a development approval in 2021, the owner has since made a new application on this property for additional height, density, and 69 additional units (135 persons). A public meeting has been scheduled for May 6th, 2024. Should the new application be approved, the additional required allocation would be considered as part of the 2025 annual allocation report.

The Site Plan application for 1015-1029 Davis Drive and 22 Hamilton Drive is currently under review; however, there has been no movement on the application and, as of the date of this report, the property is listed for sale.

Finally, it is staff's understanding that the property at 172 – 178 Old Main Street has changed ownership, and the last time the applicant engaged with the Development Coordination Committee was in August 2023. Staff recommend Council consider adding the following condition to 172-178 Old Main Street:

- 172-178 Old Main Street – that the owner must register the draft Plan of Subdivision by October 29, 2024. If the Subdivision agreement is not executed by the October deadline, staff recommend that Council rescind the committed servicing allocation of 32 persons from 172-178 Old Main Street in the 2024 year-end servicing allocation review.

More information regarding the status of each previously committed development and staff's recommendation and rationale can be found in **Attachment 1** to this report.

New Requests for Servicing Allocation

In January 2024, staff sent a letter to applicants with residential developments and requested updated information including the status of the application, the anticipated timing of construction, and whether servicing allocation would be required for 2024. Planning Services staff have reviewed all responses received by the Town and are

recommending that Council consider committing a total of 1,801 persons of servicing allocation to these developments included in **Table 1**.

Table 1 Recommendations for New Servicing Allocation Requests

Development	Priority Area	Allocation Required	Application Status/Recommendation
99, 103, 105 Main Street South, 454, 462, 466 Queen Street (Streetcar)	2	68 stacked and back-to-back townhouse units (170 persons – accounted for a credit of three existing single detached units 9.75 persons)	Zoning By-law Amendment approved. Site Plan application to be submitted. Staff recommend full allocation (170 persons).
315 Davis Drive (Davis & Lorne)	1	170 apartment units	Official Plan Amendment and Zoning By-law Amendment approved. Site Plan application to be submitted. Staff recommend full allocation (332 persons).
415 Pickering Crescent	3	4 singles and 24 townhouse units	Zoning By-law Amendment approved. Site Plan application to be submitted. Staff recommend full allocation (77 persons).
600 Stonehaven Avenue (Marianneville-Stonehaven)	3	57 single detached units and 16 freehold townhouse units	Official Plan Amendment and Zoning By-law Amendment approved. Draft Plan of Subdivision application in progress. Staff recommend full allocation for Phase 1 (228 persons).
835 Gorham Street (Blue Door)	3	14 townhouse units	MZO in progress. Staff recommend full allocation (37 persons)
849 Gorham Street	3	20 townhouse units	Zoning By-law Amendment approved. Site Plan application to be submitted.

			Staff recommend full allocation (53 persons).
1038 and 1040 Jacarandah Drive	3	3 singles and 20 semi-detached units (61 persons – accounted for a credit of two existing single detached units 6.5 persons)	Zoning By-law Amendment approved. Site Plan application under review. Staff recommend full allocation (61 persons).
16860 and 16920 Leslie Street (Forest Green)	3	48 singles and 108 townhouse units (441 persons – accounted for a credit of one existing single detached unit - 3.25 persons)	Official Plan Amendment and Zoning By-law Amendment approved. Draft Plan of Subdivision application in progress. Staff recommend full allocation for Phase 1 (441 persons) subject to the Bogart House, located at 16860 Leslie Street on Block 54, being fully restored and incorporated into the neighbourhood as a residential unit as part of the first phase.
17046 Yonge Street (Inn From The Cold)	1	5 transitional units	MZO approved. Site Plan application in progress. Staff recommend full allocation (10 persons).
17175 Yonge Street (Coptic Church)	1	208 apartment units	Official Plan Amendment and Zoning By-law Amendment approved. Site Plan application submitted. Staff recommend full allocation (406 persons).
Total New Servicing Capacity Commitment Recommended *1801 persons *Excludes the 132 persons for 43 Lundy's Lane, 592 Watson Avenue, 40, 36, 32 Bolton Avenue, which will be assigned allocation upon the execution of a Site Plan Agreement.			

Not Recommended for Servicing Allocation

Attachment 2 to this report includes all residential development applications that are not yet adequately advanced in the planning approval process to warrant servicing allocation and/or they are located in lower priority areas according to the [Town's Servicing Allocation Policy](#). Staff will continue to monitor the progress of these applications and will provide any necessary updates to Council in the 2024 year-end servicing allocation review.

In summary, there are a total of approximately **5,917 persons** of allocation pending approval. Additionally, 5,000 to 7,000 people are anticipated within the area currently subject to the proposed Shining Hill Secondary Plan. It should be noted that some of the applications noted in Attachment 2 will advance sooner; however, others may take a considerable period of time before the application is at a stage where Staff can make recommendations for servicing allocation.

Small Developments Reserve (Formerly known as Severance Reserve)

In 2023, there were no Certificates of Approval issued for new lots created through a consent application. The Committee of Adjustment approved one provisional consent in 2023 for 126 Howard Road. The application has not cleared all the conditions of approval; therefore, no Certificates of Approval have been issued. Staff will continue to monitor the status of the provisional consents and provide an update in the 2024 year-end report if these lots became registered.

The following small developments required allocation in 2023:

- 45 new additional/accessory dwelling units (ADU); and,
- One new single detached dwelling permit.

The above noted small developments amounted to 91 persons of allocation from the small development reserve. The remaining Small Developments Reserve balance from 2023 was 9 persons. Therefore, it is recommended that the small development reserve balance be increased to 150 persons to accommodate the increased demand for additional dwelling units and small developments that do not require site plan approval. This amount is enough for the creation of 46 single detached units or 76 accessory dwelling units.

Inflow and Infiltration Reduction (I&I) Program Repayment

On March 28, 2023, and December 20, 2023, York Region assigned 217.3 persons and 360.68 persons of servicing capacity, respectively to the Town in accordance with the Marianneville I&I Reduction Agreement.

On October 6, 2023, York Region assigned 152.2 persons of servicing capacity to the Town in accordance with the Shining Hill I&I Reduction Agreement. With the final

capacity release, Shining Hill has repaid all the servicing capacity that was up-fronted by the Town (485 persons), and an additional 25% of new allocation for exclusive use by the Town (162 persons) as per the requirements of the program. The Town can use the 162 persons of allocation towards other developments within the Newmarket South Sewershed (the area generally south of Mulock Drive). The total amount of 647 persons of allocation as indicated in the tri-party agreement has been fulfilled.

Table 2 below summarizes the amount of I&I reduction servicing capacity received to-date and capacity expected to be received in the future per each agreement.

Table 2 Summary of I&I Reduction Servicing Capacity (Persons)

	Marianneville Agreement (Glenway and Kerbel)	Shining Hill (Phase 1) Agreement
Required Repayment including Town's 25%	4,061	647
Allocation Paid Back by Developer to-date, excluding the Town's 25%	2,039	485.3
Town's 25% added to Town's Reserve	571.3	161.8
Outstanding Allocation to be Paid Back by Developer, including Town's 25%	1,450.7	n/a
Total Outstanding Repayment between two agreements	1,451	

Town Servicing Allocation Reserve Balance (Persons)

2023 Year-End Report Town Reserve Balance (Dec 11, 2023)	2,800
+ I&I Capacity Assignment received from York Region (Dec 20, 2023)	360
- 2023 Severance / Small Development Reserve	91
2024 Opening Balance	3,069
- 2024 Recommended New Servicing Allocation Commitments	1,801
+ Allocation Rescinded	62
+ I&I Capacity Assignment received from York Region in 2024	0
Town Reserve Balance (April 2024)	1,330

Should Council adopt the recommendations of this report, the Town Reserve balance would be **1,330 persons**, which excludes the 132 persons that has been committed to 43 Lundy's Lane and which will be released upon the execution of the Site Plan Agreement. At that time, the Town Reserve balance would be 1,198 persons.

Future Capacity

York Region and Durham Region are working together on a long-term wastewater infrastructure project (York Region Sewage Works Project), which will upgrade the existing York Durham Sewage System (YDSS). The project involves building new or expanded wastewater sewers and pumping stations and enhancing the Duffin Creek Water Pollution Control Plant. Specifically, the project will be divided into multiple projects: North YDSS Expansion, South YDSS Expansion, and YDSS Primary System Expansion. [Phase 1 of the North YDSS Expansion](#) is anticipated to be completed between 2026 and 2028.

In accordance with the York Region [2023 Servicing Capacity Assignment](#) report, York Region has assigned 7,767 persons of additional capacity to the Town, which is expected to be released upon the completion of the Phase 1 North YDSS Expansion between 2026 and 2028.

In addition, the Town expects to receive an additional 500 persons of servicing capacity from York Region through the Centres and Corridors Reserve (334 persons) and the Interim Solutions Project (166 persons).

Table 3 below shows a summary of the Town Reserve balance, the amount of anticipated future capacity from York Region and I&I repayments.

Table 3 Future Capacity Summary Table

	Supply	Demand
2024 Town Reserve Opening Balance	3,069	
2024 Recommended New Servicing Allocation		*1,801
Future capacity from York Region – Phase 1 North YDSS Expansion (2026-2028)	7,767	
Centres and Corridors & Interim Solutions Project	500	
I&I Reduction Repayments	1,451	
Available Capacity	10,986	
Historic Growth Rate in Newmarket (approximate)		1,000
Housing Pledge Growth Rate (approximate)		1,900

*Excludes the 132 persons of servicing allocation for 43 Lundy's Lane, 592 Watson Avenue, 40, 36, 32 Bolton Avenue, which will be assigned upon the execution of the Site Plan Agreement.

As shown in **Table 3** above, staff estimate the Town will have approximately ten to eleven years of servicing capacity supply based on the historic growth rate of approximately 1,000 persons per year. Generally, Council has been committing on average approximately 1,000 persons of servicing allocation each year between 2017

and 2024. If the average of 1,000 persons per year is applied, the Town Servicing Allocation Reserve should be sufficient until the end of 2034. However, Council has adopted a Housing Pledge supporting a municipal housing target of 6,400 new housing units in the community by 2031, inclusive of a target of 1,250 rental units and 400 non-profit/subsidized units. This represents approximately 14,900 people by 2031 or an average of 1,900 people over the next eight years. At this rate of growth, Newmarket could reach its servicing limit by 2030.

Conclusion

Staff have completed the annual review of current development applications requiring servicing allocation and have provided recommendations as per the Town's Servicing Allocation Policy. This report recommends reinstating 2902 persons of servicing allocation with conditions and committing 1801 persons of new allocation with conditions (excludes the additional 132 persons to be assigned upon the execution of the Lundy's Lane Site Plan agreement), thereby creating a Town Servicing Allocation Reserve balance of 1,330 persons of which 150 persons will be held in the Small Developments Reserve.

Business Plan and Strategic Plan Linkages

- Long-term Financial Sustainability
- Vibrancy on Yonge, Davis and Mulock

Consultation

The annual servicing allocation letter was sent to all developers with active planning applications in the Town that propose a residential use. The letter requested updated information regarding development application status, phasing plans, anticipated construction timing, etc., and advised that this report would be considered at an upcoming Committee of the Whole meeting. A follow-up notice was also sent to developers advising them the date of this meeting.

Human Resource Considerations

None.

Budget Impact

None.

Attachments

Attachment 1 – Previously Committed Servicing Allocation

Attachment 2 – Developments Pending to Receive Servicing Allocation Subject to Council's Approval

Submitted by

Kaitlin McKay, Senior Planner – Development

Andria Sallese, Senior Planner – Policy

Approved for Submission

Adrian Cammaert, Manager, Planning Services

Jason Unger, Director, Planning and Building Services

Peter Noehammer, Commissioner, Development & Infrastructure Services

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Attachment 1 – Previously Committed Servicing Allocation

Development	Priority Area	Previously Committed Allocation	Status	Recommendation
Kerbel Group Inc. (17365 and 17369 Yonge Street)	1	28 townhouse units and 303 apartment units (665 persons)	Zoning approved with Holding provisions. Site Plan application under review.	Reinstate 665 persons
-Redwood Properties Phases 1 and 2 (17645 Yonge Street)	1	Phase 1: 178 apartment units (347 persons) Phase 2: 188 apartment units (rental) (367 persons)	Finalizing Site Plan Agreement. 66 additional persons of servicing allocation will be required for Phase 2 due to change in unit count (when required)	Reinstate 714 persons
49, 55 and 59 Charles Street, 52 Prospect Street	1	42 apartment units and 11 townhouse units (111 persons)	Under construction.	Reinstate 111 persons
201 Davis Drive	1	147 apartment units (287 persons)	Development proposal has changed. New applications have been submitted for land use approval.	Reinstate 287 persons.
172-178 Old Main Street	3	12 semi-detached units (32 persons – accounted for a credit of one existing single detached unit 3.25 persons)	Subdivision Agreement in progress. The property has undergone an ownership change. The last time the applicant	Reinstate 32 persons with condition – the Subdivision agreement must be executed by October 29, 2024.

Development	Priority Area	Previously Committed Allocation	Status	Recommendation
			engaged with the Development Coordination Committee was August 2023.	
Blackthorn (Western terminus of Silken Laumann Drive, west of hydro corridor)	3	28 townhouse units (74 persons)	Subdivision Agreement in progress. Site Plan comments provided to applicant.	Reinstate 74 persons
Sundial Phase 3B	3	8 semi-detached units and 124 townhouse units (348 persons)	Subdivision agreement in progress. Target to register Phase 3B in summer 2024.	Reinstate 348 persons
Landmark Phase 5	3	34 semi-detached units (98 persons)	Subdivision agreement is in progress.	Reinstate 98 persons
Maple Lane Lands and Development (680 Gorham Street)	3	4 apartment units (8 persons)	Site Plan Agreement issued to the owner in June 2021.	Reinstate 8 persons. Application no longer subject to Site Plan control. The applicant may apply for building permit.

Development	Priority Area	Previously Committed Allocation	Status	Recommendation
674 Gorham Street	3	4 additional rental apartment units (8 persons)	Site Plan application no longer required.	Reinstate 8 persons. Application no longer subject to Site Plan control. The applicant may apply for building permit.
Marianneville (Glenway West)	3	97 singles and 92 towns (557 persons)	Official Plan Amendment, Zoning By-law Amendment, and draft Plan of Subdivision approved in May 2022. Site Plan approval is underway.	Reinstate 557 persons.
1015, 1025, 1029 Davis Drive, and 22 Hamilton Drive	3	4 semi-detached units and 24 townhouse units (62 persons – accounted for a credit of four existing single detached units – 13 persons)	Site Plan application under review. There has been no movement on the property since Summer 2023. As of the date of this report, the property appears to have been listed for sale.	Rescind allocation for 62 persons.
Total Allocation Recommended to be Reinstated				2902

Attachment 2 – Developments Pending to Receive Servicing Allocation Subject to Town Approval/OLT Decisions

This list is provided for reference only. It does not represent staffs' support or Council's approval of the following developments. The amount of allocation listed below may be subject to change.

Development	Priority Area	Allocation Required	Application Status
Redwood Phase 3 (17645 Yonge Street)	1	Building 3: 168 apartment units (328 persons)	Finalizing Site Plan Agreement. Buildings 1 and 2 will be constructed before Building 3.
Marianneville Developments Woodspring Limited (Woodspring Avenue, Block 194, 65M 3820) I&I Project	3	124 condo townhouse units (327 persons)	Awaiting third Zoning By-law Amendment submission.
741, 745, 747, 753, 757, and 763 Gorham Street & 233 Muriel Street	3	72 townhouse units (168 persons)	Developer-led PIC held in December 2022. Awaiting resubmission for Zoning By-law Amendment and draft Plan of Subdivision.
Forest Green Homes (16920 and 16860 Leslie Street)	3	Phase 2 148 townhouse units (390 persons)	OPA and Zoning By-law Amendment approved with Holding provisions. Draft approval for Plan of Subdivision issued March 2024.
Millford Development Limited (55 Eagle Street)	3	To be confirmed	Partial Ontario Land Tribunal settlement reached for OPA and Zoning By-law Amendment. Awaiting final Order from OLT.
66 Roxborough Road	3	9 townhouse units (21 persons – accounted for a credit of one existing single detached unit 3.25 persons)	Dormant since statutory public meeting (October 2020).

Development	Priority Area	Allocation Required	Application Status
231 Old Main Street	3	16 semi-detached units and one affordable triplex (49 persons – accounted for credit of one existing single detached unit 3.25 persons)	Zoning By-law Amendment under review.
17680 Leslie Street	Not in priority area – currently designated Commercial	88 townhouse units (232 persons)	Public meeting held. Awaiting resubmission for OPA and Zoning By-law Amendment.
LIM Developments (Newmarket) Inc. (535 Davis Drive West)	Not in priority area – Natural Heritage System, ORM	226 apartment units (441 persons)	PIC held in October 2021. Awaiting resubmission for OPA and Zoning By-law Amendment.
Algibon Investments Inc. (301 Mulock Drive and 500 Cane Parkway)	Not in priority area – currently designated Mixed Employment	392 apartment units (765 persons)	Revised OPA and Zoning By-law Amendment under review. Public Meeting held March 25, 2024.
Marianneville Stonehaven Ltd. (600 Stonehaven Avenue) I&I Reduction Project	3	Phase 2 – 126 townhouse units (332 persons)	Official Plan Amendment, Zoning By-law Amendment approved. Draft Approval issued for Draft Plan of Subdivision. Awaiting submission of site plan applications for condominium townhouse blocks.
615, 625, 631 Davis Drive and 29, 33, 39 Bolton Ave	1	767 apartment units (1490 persons – accounted for a credit of two existing single detached units 6.5 persons)	Official Plan Amendment and Zoning By-law Amendment applications deemed complete. Public Meeting is scheduled for April 29 th , 2024.

Development	Priority Area	Allocation Required	Application Status
281 Main Street North Phases 1 and 2	3	19 townhouse units (47 persons – accounted for a credit of one existing detached unit 3.25 persons)	Site plan submission received November 2023. Minor Variance application submitted to increase the number of units.
17615 Yonge Street (Dymon Capital)	1	215 apartment units (420 persons)	Pre-application stage for Official Plan Amendment and Zoning By-law Amendment.
113-121 Main Street North	3	20 townhouse units (47 persons – accounted for two existing single detached units 6.5 persons)	Pre-application stage for Zoning By-law Amendment.
62 Bayview Parkway	Not currently in priority area – designated Major Institutional	247 apartment units (482 persons)	Pre-application stage for Official Plan Amendment and Zoning By-law Amendment.
1041-1051 Davis and 15 & 23 Hamilton	Not currently in priority area – designated commercial	24 townhouse units (51 persons – accounted for a credit of four single detached units 13 persons)	Pre-application stage for Official Plan Amendment and Zoning By-law Amendment.
Shining Hill Secondary Plan	Not currently in priority area – designated Oak Ridges Moraine Area and Urban	2000-3000 units (targeting 5,000 to 7,000 people)	Pre-application stage for Secondary Plan Official Plan Amendment.

Development	Priority Area	Allocation Required	Application Status
1015-1029 Davis Drive and 22 Hamilton Drive	3	24 townhouse units and 4 semi-detached units (62 persons accounted for a credit of four existing single detached units 13 persons)	No movement in the last year.
201 Davis Drive	1	Allocation required for 69 additional apartment units (135 persons)	Previously allocated for 147 apartment units as part of a different planning application. 1 st pre-application submission received for revised Official Plan Amendment and Zoning By-law Amendment submitted.
16756 and 16764 Bayview Ave	3	70 apartment units (130 persons accounted for a credit for 2 existing single detached units 6.5 persons)	Official Plan Amendment and Zoning By-law Amendment under review.
ESTIMATED TOTAL ALLOCATION REQUIRED: 5917 PERSONS plus 5000-7000 people for Shining Hill Secondary Plan (subject to final unit count at the time of approval)			



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Administrative Monetary Penalty System, Changes for Automated Speed Enforcement Applications and Housekeeping Staff Report to Council

Report Number: 2024-26

Department(s): Legislative Services

Author(s): Ben Worthington, Manager of ASE & AMPS
Elysia Harvey, Legislative Services Associate, ASE

Meeting Date: April 29, 2024

Recommendations

1. That the report entitled “Administrative Monetary Penalty System, Changes for Automated Speed Enforcement Applications and Housekeeping” dated April 29, 2024, be received; and,
2. That Council repeal Automated Speed Enforcement By-law 2023-09; and,
3. That Council repeal the Administrative Monetary Penalty Systems By-law 2019-62; and,
4. That Council adopt the Administrative Monetary Penalty Systems By-law 2024-16; and,
5. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Purpose

The purpose of this report is to provide Council with staff recommended changes to the Administrative Monetary Penalty System, aligning the systems applications for Automated Speed Enforcement, Parking Enforcement and Municipal By-law Enforcement. Additionally this report is to provide Council with further recommended changes for general housekeeping and continued transition of Regulatory By-laws to the Administrative Monetary Penalty System.

Background

On January 30, 2023, Council received a [presentation and Staff Report 2023-07](#) with options for developing a program using ASE technology in Newmarket. Council approved the program, directing staff to do all things necessary to implement a Joint Processing Centre (JPC) in Newmarket. This option provided staff the flexibility to design the program to accommodate the Town's needs. Council's direction to proceed with the ASE program recognizes the importance of prioritizing safe streets, especially for identified vulnerable populations within the community. The JPC model also enables Newmarket to be the ticket processing centre for partnering municipalities.

On June 28, 2023, Council received [Staff Report 2023-51](#) providing an update on the progress of the program and provided options for the initial size and scope of the program in Newmarket. Council directed staff to proceed with the size and scope of a program using ASE technology as identified in Option #1 of Staff Report 2023-51 with an initial roll out of 14 cameras installed (two per ward) for a total of 14 sites. The Town currently has 37 CSZs and the 14 sites are located within the formally designated CSZs.

On September 11, 2023, Council received [Staff Report 2023-54](#) providing Council with options for selecting the CSZs that should have cameras installed upon program launch. After receiving Council direction regarding the initial 14 CSZs to be prioritized for program launch, staff have been working towards the full-scale implementation of the new Community Safety Camera program.

On March 15, 2024, Council received [Information Report INFO-2024-04](#) providing Council with updates on the progression of the implementation of Automated Speed Enforcement and the development of Joint Processing Centre under the Community Safety Camera Program.

Discussion

As work on the ASE program has progressed over the past year, staff have had many opportunities to collaborate in working groups with other municipalities, to receive feedback from the Province, and to gain a better overall understanding of the components of the program. Through these informative discussions, staff have examined the mandatory legislative requirements and thoroughly considered operational best practices for a successful program.

Automated Speed Enforcement By-law

One technical aspect Staff have been made aware of is that the authority to issue penalties for camera-based contraventions is solely provided under the *Highway Traffic Act*, therefore a by-law dedicated to Automate Speed Enforcement is not required to process contraventions detected by ASE technology in a municipality. In light of this, Staff are recommending that Automated Speed Enforcement By-law 2023-09 be repealed.

Administrative Monetary Penalty System By-law

The Town's AMPS program has been running successfully since its introduction in 2019, with the program expanding to include 25 municipal by-laws, and more recently the implementation of escalating penalty amounts for repeat offenders.

Within the authority delegated under the *Municipal Act* and Ontario Regulation 333/07, municipalities historically have had the discretion to establish their own administrative fees for the AMPS program.

However, with the introduction of automated camera-based enforcement under the AMPS framework, the Province has regulated the administrative fee amounts within Ontario Regulation 355/22 under the *Highway Traffic Act*. In addition, the new Regulation provides more specific direction on the appeal process for camera-based penalties issued under AMPS. While this legislation only applies to camera-based enforcement and there is no requirement for a municipality to adjust its practices for other municipal by-laws, staff are recommending that the fees and processes be amalgamated to ensure the consistent approach to appeals across all enforcement applications under AMPS.

Proposed Changes – Camera-Based Enforcement & Appeals

With the introduction of camera-based enforcement under the AMPS framework, staff are recommending that the Town's AMPS By-law be repealed and replaced to make the changes necessary to incorporate camera-based enforcement, consistency in appeals and general housekeeping.

The fees shown in the "ASE" column below are the fees mandated by the province. Municipalities have no discretion on setting fee amounts for Automated Speed Enforcement applications.

The proposed changes include;

	Administrative Monetary Penalty System		
	Current	ASE	Proposed
Plate Search Fee	\$10.00	\$8.25	\$8.25
Screening No-Show Fee	\$50.00	\$60.00	\$60.00
Hearing No-Show Fee	\$100.00	\$60.00	\$60.00
Adjudication Fee	\$25.00	Not Permitted	Repeal
Time Provided to Request an Appeal	15 days	30 days	30 days

Proposed Changes - Accessible Parking Contraventions

Section 27 (2) of the *Highway Traffic Act* stipulates that the minimum penalty amount for accessible parking permit offences is \$300.00. Aligning with this legislated penalty minimum, the Town's current Parking Bylaw 2019-63 sets the penalty amount for accessible parking related offences at \$300, with no opportunity for reduction. Through the AMPS appeal process, staff have become aware of the growing number of Appellant

concerns that there is no flexibility on the part of the municipality to allow for a 25% discount for early payment.

Given the seriousness of parking contraventions which negatively impact our accessible needs population, as well as to allow some flexibility when reviewing appeals for these tickets, staff are recommending that the Set Penalty amount for accessible parking related offences be increased to \$400.00 allowing for a 25% discount for early payment.

Parking By-law 2019-63, accessible parking contraventions, current:

Section	Description	Early Payment	Set Penalty	Late Payment
Parking By-law 2019-63				
14(1)(a)	Failure to display accessible permit	300.00	300.00	400.00
14(1)(b)	Unauthorized use of accessible permit	300.00	300.00	400.00

Parking By-law 2019-63, accessible parking contraventions, proposed:

Section	Description	Early Payment	Set Penalty	Late Payment
Parking By-law 2019-63				
14(1)(a)	Failure to display accessible permit	300.00	400.00	500.00
14(1)(b)	Unauthorized use of accessible permit	300.00	400.00	500.00

Proposed Changes - Continued Transition of Regulatory By-laws to AMPS

Town staff are recommending that the following By-laws be added to the AMPS By-law:

Road Occupancy By-law 2018-31 current;

Section	Description	1 st Offence Set Penalty	2 nd Offence Set Penalty	3 rd Offence Set Penalty
Road Occupancy By-law 2018-31				
3.3.1	Cause or permit material, waste, or sediment on highway	200.00	300.00	450.00
3.3.2	Deposit snow or ice on roadway, sidewalk, or boulevard	200.00	300.00	450.00
3.3.4	Alter grade on boulevard	200.00	300.00	450.00
3.3.8	Place debris on highway	200.00	300.00	450.00
3.3.9	Place landscape or construction material or bin on highway	200.00	300.00	450.00
4.1	Failure to obtain Road Occupancy Permit	300.00	450.00	675.00

Road Occupancy By-law 2018-31 proposed additions;

Section	Description	1 st Offence Set Penalty	2 nd Offence Set Penalty	3 rd Offence Set Penalty
Road Occupancy By-law 2018-31				
3.3.1	Cause or permit material, waste, or sediment on highway	200.00	300.00	450.00
3.3.2	Deposit snow or ice on roadway, sidewalk, or boulevard	200.00	300.00	450.00
3.3.3	Place snow, ice, material or equipment within 1.2m of a fire hydrant	200.00	300.00	450.00
3.3.4	Alter grade on boulevard	200.00	300.00	450.00
3.3.5	Cut, alter, or extend a concrete curb, culvert or landscape structure	200.00	300.00	450.00
3.3.6	Discharge water from sump pump, irrigation system or down spout onto a highway.	200.00	300.00	450.00
3.3.8	Place debris on highway	200.00	300.00	450.00
3.3.9	Place landscape or construction material or bin on highway	200.00	300.00	450.00
4.1	Failure to obtain Road Occupancy Permit	300.00	450.00	675.00
4.4.2	Construct driveway apron crossing boulevard greater than curb cut	200.00	300.00	450.00
4.4.3	Construct, install or place fence, raised curb or landscape feature within 0.5m of sidewalk	200.00	300.00	450.00
4.4.4	Place, deposit or plant an object on boulevard or highway that impedes or creates hazard	200.00	300.00	450.00

Addition of Public Tree By-law 2017-59;

Section	Description	1 st Offence Set Penalty	2 nd Offence Set Penalty	3 rd Offence Set Penalty
Public Tree By-law 2017-59				
3.1 (c)	Failure to comply with conditions of a permit	500.00	750.00	1,125.00
3.2 (a)	Injure or destroy tree without a permit	5,000.00	7,500.00	11,250.00

Addition of Snow Removal By-law 1996-38;

Section	Description	1 st Offence Set Penalty	2 nd Offence Set Penalty	3 rd Offence Set Penalty
Snow Removal By-law 1996-38				
3	Failure to clear sidewalk within 24hrs of snowfall	200.00	300.00	450.00
5	Deposit snow/ice on sidewalk or highway	200.00	300.00	450.00

With the extent of the changes proposed to the AMPS By-law staff are recommending that Council repeal Administrative Monetary Penalty System By-law 2019-62 (Attachment 2)

and replace the By-law with Administrative Monetary Penalty System By-law 2024-16 (Attachment 3).

Conclusion

In conclusion, staff are recommending the AMPS By-law be repealed and replaced in order to meet the new legislated requirements of the ASE program, while maintaining consistency throughout all aspects of the AMPS program and continuing the expansion of Municipal By-laws under the AMPS program.

Business Plan and Strategic Plan Linkages

This report aligns with Council's top priority of making streets even safer and the strategic vision of the Town of Newmarket; A Community Well Beyond the Ordinary.

Consultation

This report was drafted in consultation with:

- Town of Newmarket Regulatory Services department
- Town of Newmarket Legal department
- External Legal
- The Ontario Traffic Council
- Ministry of Transportation
- Region of Waterloo
- Region of York
- City of Brampton
- City of Toronto

Human Resource Considerations

None.

Budget Impact

None.

Attachments

Attachment 1 – Automated Speed Enforcement By-law 2023-09

Attachment 2 – Administrative Monetary Penalty System By-law 2019-62

Attachment 3 – Proposed Administrative Monetary Penalty System By-law 2024-16

Approval

Lisa Lyons, Director of Legislative Services

Esther Armchuk, Commissioner of Corporate Services

Contact

Ben Worthington, Manager of ASE & AMPS

Corporation of the Town of Newmarket

By-law 2023-09

A By-law to monitor, regulate, and enforce motor vehicle speeding via automated enforcement within identified school and community safety zones throughout the Town of Newmarket.

Whereas Section 11 of the Municipal Act, 2001, authorizes municipalities to enact by-laws respecting matters within the sphere of jurisdiction of highways, including traffic on highways, in conjunction with the Highway Traffic Act;

And whereas Section 391 of the Municipal Act authorizes the Town to impose fees or charges for services or activities provided or done by or on behalf of the Town;

And whereas Section 128 of the Highway Traffic Act R.S.O. 1998, c.6 as amended, establishes that the council of a municipality may, for motor vehicles driven on a highway or portion of a highway under its jurisdiction, by by-law prescribe a rate of speed that is not greater than 100 kilometres per hour and may prescribe different rates of speed for different times of day;

And whereas Section 128 of the Highway Traffic Act R.S.O. 1998, c.6 as amended, authorizes the council of a municipality to pass a by-law designating a portion of a highway under its jurisdiction that adjoins the entrance to or exit from a school and that is within 150 metres along the highway in either direction beyond the limits of the land used for the purposes of the school and for motor vehicles driven, on days on which school is regularly held, on the portion of a highway so designated, prescribe a rate of speed that is lower than the rate of speed for that portion of highway, and prescribe the time or times at which the speed limit is effective;

And whereas Section 214 of the Highway Traffic Act R.S.O. 1998, c.6 as amended, establishes that the council of a municipality may by by-law designate a part of a highway under its jurisdiction as a community safety zone if, in the council's opinion, public safety is of special concern on that part of the highway;

And whereas Ontario Regulation 355/22 under the Highway Traffic Act R.S.O. 1990, c. H. 8, as amended, authorizes the use of Administrative Penalties for vehicle-based contraventions captured by automated enforcement systems;

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

1. Title

This By-law may be known and cited for all purposes as the "Automated Enforcement By-law 2023-09".

2. Definitions

In this By-law:

“Administrative Penalty” means a monetary penalty set out in this By-law for a contravention pursuant to the Automated Enforcement Program;

“Automated Enforcement Officer” means a provincial offences officer, as designated by the Ministry of the Attorney General, and duly employed by the Corporation for the Town of Newmarket to monitor and enforce the automated enforcement program under Administrative Penalties;

“Automated Speed Enforcement Program” means an automated system that uses a camera and a speed measurement device to enforce speed limits in school zones and community safety zones;

“Court” means any court of law of the Province of Ontario, including but not limited to the Ontario Court of Justice, the Ontario Superior Court of Justice, and the Ontario Court of Appeal;

“Community Safety Zone” means a designated section of roadway, recognized under provincial legislation and marked with community safety zone signs allowing the doubling of fines associated with traffic violations including speeding and, through the applicable sections of Bill 65, Safer School Zones Act, 2017;

“Contravention” means the failure to comply with a provision of this By-law;

“Director” means the Director of Legislative Services or their designate.

“Fee – No Show” means the fee listed in Schedule A of this By-law in respect of a Person’s failure to appear at the time and place scheduled for a **Screening** or **Hearing Review**;

“Fee – MTO Search” means the fee listed in Schedule A of this By-law for searching the records of the Ontario Ministry of Transportation;

“Fee – Plate Denial” means the fee listed in Schedule A of this By-law, as represented by the Ontario Ministry of Transportation and/or Ministry of Attorney General, for notifying the Registrar of Motor Vehicles for the purpose of denying renewal of a vehicle permit;

“Hearing Officer” means a Person who performs the duties of a Hearing Officer in accordance with Section 9 of this By-law, and pursuant to the Town’s Automated Enforcement Program: Screening and Hearing Officer Policy;

“Highway Traffic Act” or **“HTA”** or **“the Act”** means the Ontario Highway Traffic Act, R.S.O. 1990, c. H.8, as amended.

“Ministry of Transportation” or **“MTO”** means the provincial ministry of the Government of Ontario that is responsible for transport infrastructure and related law in Ontario.

“Penalty Order” means a ticket issued pursuant to Section 5 of this By-law;

“Penalty Order Number” means the number specified on the top right corner of the Penalty Order that is unique to that Penalty Order;

“Person” includes an individual or business name, sole proprietorship, corporation, partnership, or limited partnership, or an authorized representative thereof, to whom the context can apply according to law;

“Screening or Hearing Decision” means a notice that contains the decision made by a Screening or Hearing Officer and delivered in accordance with Section 10 of this By-law;

“Screening Officer” means a Person who performs the functions of a Screening Officer in accordance with Section 8 of this By-law, and pursuant to the Town’s Automated Enforcement Program policies and procedures;

“Set Amount” means the amount that the recipient is liable to pay in respect of a contravention pursuant to this By-law, but does not include any additional costs or fees identified therein;

“Total Amount Owing” means the total amount that the recipient is liable to pay in respect of a contravention and includes all costs and fees identified on the Administrative Penalty;

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

“Traffic By-law” means the Town of Newmarket Traffic By-law 2011-24, as amended;

“Victims Justice Fund Account” or “VJF” means a fee collected under Ontario's Victims' Bill of Rights to help support victims of criminal offences and is required to be collected on behalf of the province.

3. Application

- (1) This By-law applies only to those contraventions included in Ontario Regulation 355/22, as made under the Highway Traffic Act, to impose Administrative Penalties for contraventions detected using camera systems.
- (2) This By-law applies only to those contraventions included in Ontario Regulation 355/22, as made under the Highway Traffic Act, to impose Administrative Penalties for contraventions detected using camera systems.
- (3) This By-law applies to the Town’s Traffic By-law 2011-24, as amended, for the purpose of imposing Administrative Penalties for contraventions detected using automated camera systems in areas defined as Community Safety Zones.

4. Administrative Penalties

- (1) The Administrative Penalty amount is calculated using the formulas and amounts prescribed in Schedule A, as attached and forming part of this By-law, and may be dealt with by Penalty Order as an Administrative Penalty within the Automated Enforcement Program.

5. Penalty Order

- (1) If a Penalty Order is imposed in respect of a motor vehicle involved in a contravention of a provision of this By-law, the Penalty Order shall

be imposed on the owner of the motor vehicle whether or not the owner was the driver of the vehicle.

- (2) The Penalty Order shall be given to the Person as soon as is reasonably practicable and shall include the following information:
 - (a) a unique file number;
 - (b) the provision contravened;
 - (c) the date and location of the Contravention;
 - (d) a copy of a photograph or image of the motor vehicle that is involved in the Contravention;
 - (e) the amount of the Administrative Penalty, as outlined in Schedule "A" of this By-law;
 - (f) a statement that the owner of the motor vehicle must, no later than 30 days after the day the Penalty Order is served on them, pay the Administrative Penalty unless they commence an appeal in accordance with this By-law; and
 - (g) information regarding the appeal process, including the manner in which to commence an appeal.
- (3) An Automated Enforcement Officer shall include statements that are certified to be true in respect of the contravention or the service of the Penalty Order.
- (4) An Automated Enforcement Officer is solely empowered and authorized to issue a Penalty Order under this By-law.

6. Payment, Collection, and Time Limitations on Administrative Penalties

- (1) The amount of the Administrative Penalty is set out in "Schedule A", attached hereto and forming part of this By-law, and includes all other fees applicable to a Penalty Order imposed in accordance with this By-law and the Highway Traffic Act.
- (2) An Automated Enforcement Officer shall only issue a Penalty Order on or before the 23rd day after the day on which the contravention occurred.
- (3) The Town will collect payment of Administrative Penalty fees for Contravention's subject to Penalty Order's.
- (4) The Person who is subject to a Penalty Order shall pay the Administrative Penalty within 30 days after the date on which service of the order is deemed to have been affected, unless an appeal has been commenced.
- (5) If an appeal of a Penalty Order does not result in the Penalty Order being cancelled or set aside, the Person who is subject to the order shall pay the administrative penalty within 30 days following:
 - (a) the date of the decision by the Screening Officer, if no request for a review of the decision was made; or
 - (b) the date of the decision by the Hearing Officer, if a request for review was made.
- (6) If a Screening Officer or Hearing Officer, as the case may be, considers it fair and appropriate in the circumstances, the Person may be approved a plan of periodic payments that extends beyond the (30) day deadline.

- (7) For further clarity, a plan of periodic payments may be approved after the 30-day period has expired.
- (8) No fee shall be charged to:
 - (a) commence an appeal for a Penalty Order;
 - (b) extend the period of time in which to commence an appeal; or
 - (c) approve a plan of periodic payments.

7. Victims Justice Fund Account

- (1) When an Administrative Penalty is paid, the Town shall arrange for the amount determined under Schedule "A" of this By-law, or varied in accordance with Section 9 of this By-law, to be credited to the Victims' Justice Fund account.
- (2) The Town shall arrange for the amount identified in Section 7(1) above to be credited to the Victims' Justice Fund account before retaining any portion of the payment.

8. Review by Screening Officer

The following applies to the review of an **Administrative Penalty** by a **Screening Officer**:

- (1) A Person who is served with a Penalty Order may request that the Administrative Penalty be reviewed by a Screening Officer and shall do so within 30 days after the date on which service of the Penalty Order is deemed to have been affected under this By-law.
- (2) A Person who is subject to a Penalty Order may commence the first stage of an appeal by requesting, in the manner set out in the Penalty Order, a review of the Penalty Order by a Screening Officer.
- (3) The Screening Officer may confirm, vary, or cancel the Penalty Order and shall do so as soon as practical after the review is complete.
- (4) The Screening Officer shall send a copy of the decision to the appellant by regular mail, courier, or electronic means as soon as practical after the decision is made.
- (5) If a Screening Officer considers it fair and appropriate in the circumstances, they may extend the 30-day period to commence an appeal and the extension may be made even after the 30-day period has expired.

9. Review by Hearing Officer

The following applies to the review of a Screening Decision by a Hearing Officer:

- (1) A Person may request a review by a Hearing Officer within 30 days after the date of the decision of the Screening Officer.
- (2) If a Person has not requested a Hearing Review within 30 days after the date of the decision of the Screening Officer, Screening Decision shall be deemed final unless the Screening Decision was issued that the Hearing Officer extend the time to appeal.

- (3) If a Hearing Officer considers it fair and appropriate in the circumstances, the Hearing Officer may extend the 30-day period mentioned in (1) to request a review and the extension may be made even after the 30-day period has expired.
- (4) A Person's right to appeal the Screening Decision to a Hearing Officer, or request an extension of time to appeal, are exercised by giving to the Town written notice of the request to appeal that includes:
 - (a) the **Penalty Order Number**;
 - (b) the **Person's** mailing address and, if applicable, telephone number;
 - (c) in the case of a request to extend time to appeal, the reasons, if any, for having failed to exercise the right to appeal within thirty (30) days from the date the **Screening Decision** was issued; and,
 - (d) the reasons for which the appeal has been requested.
- (5) Written notice of the request to appeal or to request an extension of time to appeal is provided by completing the Hearing Officer Appeal Form and delivering it to the Town in accordance with Section 9 of this By-law.
- (6) The Person shall be given no fewer than seven (7) calendar days' notice, as provided by Section 9 of this By-law, of the date, time, and place of the hearing of the appeal by the Hearing Officer.
- (7) If the Person fails to appear at the time and place scheduled for the hearing of the appeal:
 - (a) the Person shall be deemed to have abandoned the appeal;
 - (b) the Screening Decision and the Administrative Penalty as it may have been affected by the Screening Decision shall be deemed to be final and shall not be subject to any further review, including review by any Court; and
 - (c) if the appellant failed to attend the hearing the amount of the Administrative Penalty shall be increased to include the "Fee – No Show", as outlined in Schedule 'A' of this By-law.
- (8) The Hearing Officer shall not make a determination with respect to a review of the Screening Decision where a Person appears, unless he or she has given the Person an opportunity to be heard.
- (9) On an appeal of the Screening Decision, the Hearing Officer may:
 - (a) affirm or deny the request to extend the time to appeal;
 - (b) affirm the Administrative Penalty;
 - (c) cancel (set aside) the Administrative Penalty; or
 - (d) vary the Administrative Penalty pursuant to this By-law.
- (10) Every Person who requests a review by the Hearing Officer shall receive a Hearing Decision, served in accordance with this By-law.
- (11) The decision of a Hearing Officer is final and not subject to review, including review by any Court.
- (12) All hearings by a Hearing Officer shall be conducted in accordance with the Statutory Powers and Procedures Act, R.S.O. 1990, c. S.22, as amended.

- (13) A Hearing Officer has no authority to consider questions relating to the validity of a statute, regulation or by-law or the constitutional applicability or operability of any statute, regulation or by-law.

10. Decision to Vary by Screening or Hearing Officer

If a **Screening or Hearing Officer**, as the case may be, decides to vary the amount of an **Administrative Penalty** determined under Schedule 'A', they shall vary the amount in accordance with the following rules:

- (1) If the total amount of an Administrative Penalty is decreased, the amount to be credited to the Victims' Justice Fund account is the amount mentioned in Schedule A that has been reduced proportionally to the decrease in the total Administrative Penalty amount.
- (2) For greater certainty, if the total amount of an Administrative Penalty is decreased to zero, the amount mentioned in paragraph 6 of Schedule 'A' (1) is zero.
- (3) If the appellant failed to attend any stage of an appeal, the amount of the Administrative Penalty shall be increased by \$60.
- (4) For greater certainty, an increase made under Section 10(3) above does not affect the amount mentioned in **paragraph 6** of Schedule 'A' of this By-law.
- (5) The amount of the Administrative Penalty shall not be increased other than in accordance with this By-law.
- (6) If, before a final decision is made in respect of an appeal, a Screening Officer or Hearing Officer, as the case may be, becomes aware that, contrary to subsection 21.1 (4) of the Highway Traffic Act, the person who is subject to the Penalty Order is charged with an offence under the HTA in respect of the same contravention, the Screening Officer or Hearing Officer shall set aside the Penalty Order.

11. Service of Documents

- (1) A Penalty Order may be served by sending the Penalty Order by regular mail or by courier to the most recent address that appears on the Ministry of Transportation's records in respect of the holder of the plate portion of the permit for the motor vehicle involved in the Contravention.
- (2) Service of a Penalty Order mailed or couriered in accordance with this By-law is deemed to be effected on the seventh (7th) day following the day on which it was mailed or couriered.
- (3) Any notice or document to be given to the Town in respect of this By-law shall be in writing and delivered in any of the following manners:
 - (a) Delivering a copy to the Town during its regular business hours to "Automated (Speed) Enforcement Program, Legislative Services Department – Town of Newmarket, 395 Mulock Dr, Newmarket, ON, L3Y 4Y9"; or
 - (b) Electronically mailing (e-mail) the Town at ase@newmarket.ca.

12. Administration and Enforcement

- (1) The Director shall administer this By-law and establish any additional practices, policies, and procedures necessary to implement this By-

law and may amend such practices, policies, and procedures from time to time, as the Director deems necessary, without amendment to this By-law.

- (2) The Director shall prescribe all forms and notices, including the Penalty Order, necessary to implement this By-law and may amend such forms and notices from time to time, as the Director deems necessary, without amendment to this By-law.
- (3) The positions of Screening Officer and Hearing Officer are established through delegated authority and shall be appointed by the Director.
- (4) Traffic Enforcement Officers shall not accept payment of an Administrative Penalty respecting a Penalty Order.
- (5) Where an Administrative Penalty and any applicable Administrative Fee(s) are not paid by the date on which they are due and payable, the Town may notify the Ontario Ministry of Transportation (the "Ministry") of the default after thirty (30) days, at which time the Ministry shall not validate the permit of the **Person** named in the notice of default nor issue a new permit to the **Person** until the **Administrative Penalty** and any applicable **Administrative Fee(s)** are paid to the **Town**.
- (6) Where the Town notifies the Ministry of a default under this By-law, the Person shall pay any applicable fee(s) imposed by the Ministry.
- (7) Where an Administrative Penalty is cancelled, any Administrative Fee(s) are also cancelled.
- (8) Once a Penalty Notice has been paid or forwarded to MTO, there is no further option for dispute.

13. Severability

- (1) Should any provision, or any part of a provision, of this By-law be declared invalid, or to be of no force and effect by a court of competent jurisdiction, it is the intent of Council that such a provision, or part of a provision, shall be severed from this By-law, and every other provision of this By-law shall be applied and enforced in accordance with its terms to the extent possible according to law.

14. Interpretation

- (1) The provisions in Part VI of the Legislation Act, 2006, S.O. 2006, c.21, Schedule F, shall apply to this By-law.
- (2) Where words and phrases used in this By-law are defined in the Highway Traffic Act, but not defined in this By-law, the definitions in the Highway Traffic Act shall apply to such words and phrases.

15. Short Title

- (1) This By-law may be referred to as the "AE By-law".

16. Effective Date

- (1) This By-law shall come into force and effect on the 15th day of January 2020

Enacted this 13th day of February, 2023.

Mayor John Taylor, Mayor

Lisa Lyons, Town Clerk

Schedule “A”

Automated Enforcement By-law 2023-XX, as amended

A Schedule to adopt fines and fees consistent with provincial legislation for the Town’s automated enforcement program under administrative penalties.

1. The amount of the Administrative Penalty shall be the sum of the following amounts:

(1) In respect of a contravention of subsection 128 (1) of the *Highway Traffic Act*, the amount determined in accordance with the following formula:

$$A \times B$$

in which:

“A” is the number of kilometres per hour by which the person driving the motor vehicle exceeds the speed limit set out in subsection 128 (1) of the *Highway Traffic Act*, and

“B” is the penalty rate set out in Column 2 of Table 1 that is opposite the value of “A” described in Column 1 of Table 1;

(2) \$8.25, to reflect costs incurred by the authorized person to access the name and most recent address of the person who is subject to the Penalty Order; and

(3) The amount determined under Section 2 below, as applicable, to be credited to the victims’ justice fund account in accordance with Section 19 of Ontario Regulation 355/22 under the *Highway Traffic Act*.

2. For a contravention of subsection 128 (1) of the *Highway Traffic Act*, the amount mentioned in 1(3) above is calculated as follows:

(1) if the amount determined under Section 1(1) above is \$1000 or less, the amount set out in Column 2 of Table 2 that is opposite the amount determined under Section 1(1) described in Column 1 of Table 2; or

(2) if the amount determined under Section 1(1) above is greater than \$1000, the amount that is 25 per cent of that amount.

3. Table 3 lists the additional fees defined in Section 2 of this By-law.

TABLE 1

Item	Column 1 Kilometres per hour over the maximum speed limit	Column 2 Penalty rate in community safety zone or school zone
1.	1 to 19 kilometres per hour over the maximum speed limit	\$5.00 per kilometre
2.	20 to 29 kilometres per hour over the maximum speed limit	\$7.50 per kilometre
3.	30 to 49 kilometres per hour over the maximum speed limit	\$12.00 per kilometre
4.	50 kilometres per hour or more over the maximum speed limit	\$19.50 per kilometre

TABLE 2

Item	Column 1 Amount determined under Section (1)1 of this Schedule	Column 2 Amount mentioned in paragraph 6 of subsection (1) of this section
1.	\$0 - \$50	\$10
2.	\$51 - \$75	\$15
3.	\$76 - \$100	\$20
4.	\$101 - \$150	\$25
5.	\$151 - \$200	\$35
6.	\$201 - \$250	\$50
7.	\$251 - \$300	\$60
8.	\$301 - \$350	\$75
9.	\$351 - \$400	\$85
10.	\$401 - \$450	\$95
11.	\$451 - \$500	\$110
12.	\$501 - \$1000	\$125
13.	Over \$1000	25% of contravention amount

TABLE 3

Item	Column 1 Fee Description	Column 2 Fee Amount (\$)
1.	Fee – No Show (Screening or Hearing)	\$60
2.	Fee – MTO Search	\$8.25

Corporation of the Town of Newmarket

By-law 2019-62

OFFICE CONSOLIDATION

This is a consolidation of the Town's By-law to implement an Administrative Monetary Penalty System in the Town of Newmarket, being By-law 2019-62, as amended by the below listed by-laws and is prepared for reference and information purposes only. The following consolidation is an electronic reproduction made available for information only. It is not an official version of By-law 2019-62. Official versions of all by-laws can be obtained from Legislative Services by calling 905-953-5300. If there are any discrepancies between this consolidation and By-law 2019-62 and listed amending by-laws the official by-laws shall prevail.

2020-08 – March 2, 2020	Repeal and replace Schedule "A" – Addition of Mobile Business Licencing
2020-21 – April 27, 2020	Adds Schedule re. Emergency Measures By-law
2020-22 – April 27, 2020	Repeal and replace Schedule "A" <ul style="list-style-type: none"> • Licencing • Second Hand Goods • Accessory Dwelling Units • Fireworks • Clothing Donation Bins • Animal Control • Property Standards • Clean Yards • Signs • Waste Collection
2020-32 – June 29, 2020	Repeal and replace Schedule "A" <ul style="list-style-type: none"> • Business Licence • Noise • Outdoor Serving
2020-51 – September 21, 2020	Additions to Schedule A <ul style="list-style-type: none"> • Fence • Smoking • Parks • Loitering
2020-61 – November 23, 2020	Additions to Schedule A <ul style="list-style-type: none"> • Pool Enclosures • Road Occupancy • Site Alteration Changes to Schedule A <ul style="list-style-type: none"> • Parks • Property Standards
2021-02 – January 18, 2021	Amends Emergency Measures Section
2021-11 – March 1, 2021	Removal/Addition to Schedule A <ul style="list-style-type: none"> • Outdoor Serving Areas • Business Licence
2021-32 – June 21, 2021	Removal/Addition to Schedule A <ul style="list-style-type: none"> • Personal Wellness
2022-11 – February 7, 2022	Addition to Schedule A <ul style="list-style-type: none"> • Private Tree Protection Bylaw
2022-18 – March 7, 2022	Election Sign Bylaw – 2022-16

2022-66 – December 12, 2022	Section 5 – Escalating fines Repeal and replace Schedule A
2023-23 – April 24, 2023	Repeal and Replace Schedule A
2023-46 – September 18, 2023	Addition of Idling Control Bylaw

A By-law to implement an Administrative Monetary Penalty System in the Town of Newmarket.

Whereas Section 102.1 of the Municipal Act, 2001, S.O. 2001, c.25, as amended, (the “Municipal Act”) and Ontario Regulation 333/07 (the “Regulation”) authorize the Corporation of the **Town** of Newmarket (the “**Town**”) to require a **Person** to pay an **Administrative Penalty** for a contravention of any by-law respecting the parking, standing or stopping of vehicles;

And Whereas Section 434.1 of the Municipal Act authorizes the **Town** to require a **Person**, subject to such conditions as the municipality considers appropriate, to pay an **Administrative Penalty** if the municipality is satisfied that the **Person** has failed to comply with a by-law of the municipality;

And Whereas paragraph 151(1)(g) of the Municipal Act authorizes the **Town** to require a **Person**, subject to such conditions as the municipality considers appropriate, to pay an **Administrative Penalty** if the municipality is satisfied that the **Person** has failed to comply with any part of a system of licences established by the municipality;

And Whereas Sections 23.2, 23.3 and 23.5 of the Municipal Act authorize the **Town** to delegate its administrative and hearing powers;

And Whereas Section 391 of the Municipal Act authorizes the **Town** to pass by-laws imposing fees or charges for services or activities provided or done by or on behalf of it;

And Whereas the Council for the **Town** considers it desirable and necessary to provide for a system of **Administrative Penalties** and **Administrative Fees** for the designated **Town** by-laws;

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

1. Title

This By-law may be known and cited for all purposes as the “Administrative Monetary Penalty System By-law 2019-62”.

2. Definitions

In this By-law:

“**Adjudication Fee**” means the amount that the recipient is liable to pay as specified under Section 7(13) of this By-law and listed in Schedule “B”;

“**Administrative Fee**” means any fee specified in this By-law, as amended;

“**Administrative Penalty**” means a monetary penalty set out in this By-law for a contravention of a **Designated By-law**;

“**Court**” means any court of law of the Province of Ontario, including but not limited to the Ontario Court of Justice, the Ontario Superior Court of Justice, and the Ontario Court of Appeal;

“Designated By-law” means a by-law, or a part or provision of a by-law, that is designated under this or any other by-law, and is listed in the attached Schedule “A” to which the AMPS applies;

“Early Payment” means a twenty five percent (25%) discount for **Early Payment** in accordance with Section 5(5)(a) of this By-law that is payable for contraventions of the designated provisions listed in Column A3 and set forth in Schedule “A”;

“Fee – Hearing No-Show” means an **Administrative Fee** listed in Schedule “B” in respect of a **Person’s** failure to appear at the time and place scheduled for a hearing before a **Hearing Officer**;

“Fee – MTO Plate Denial” means an **Administrative Fee** listed in Schedule “B”, as represented by the Ontario Ministry of Transportation, for notifying the Registrar of Motor Vehicles for the purpose of denying renewal of a vehicle permit;

“Fee – MTO Search” means an **Administrative Fee** listed in Schedule “B” for searching the records of the Ontario Ministry of Transportation;

“Fee – Screening No-Show” means an **Administrative Fee** listed in Schedule “B” in respect of a **Person’s** failure to appear at the time and place scheduled for a review by a **Screening Officer**;

“Hearing Officer” means a **Person** who performs the duties of a **Hearing Officer** in accordance with section 7 of this By-law, and pursuant to the **Town’s** Screening and **Hearing Officer** Policy;

“Hearing Officer Appeal Form” means the form attached to the **Screening Decision** that may be filed by a **Person** under this By-law;

“Late Payment” means a twenty five percent (25%) surcharge for **Late Payment** in accordance with Section 5(5)(c) of this By-law that is payable for contraventions of the designated provisions listed in Column A3 and set forth in Schedule “A”;

“Officer” includes members of York Regional Police Services, Municipal Enforcement **Officers**, the Manager of Regulatory Services or their designate, and any other **Person** authorized by the **Town** to enforce this By-law;

“Penalty Notice” means a ticket issued pursuant to section 5 of this By-law;

“Penalty Notice Number” means the number specified on the **Penalty Notice** that is unique to that **Penalty Notice**;

“Person” includes an individual or business name, sole proprietorship, corporation, partnership, or limited partnership, or an authorized representative thereof, to whom the context can apply according to law;

“Screening Decision” means a notice that contains the decision made by a **Screening Officer** and delivered in accordance with Section 8 of this By-law;

“Screening Officer” means a **Person** who performs the functions of a **Screening Officer** in accordance with Section 6 of this By-law, and pursuant to the **Town’s** Screening and **Hearing Officer** Policy;

“Set Penalty Amount” means the amount that the recipient is liable to pay in respect of a contravention of the related by-law as identified in Schedule “A”;

“Town” means The Corporation of the **Town** of Newmarket.

3. Application

- (1) This By-law applies only to those contraventions included within Schedule “A”, attached hereto and forming part of this By-law.

4. Administrative Penalties

- (1) The **Administrative Penalties** designated in Schedule “A”, as attached and forming part of this By-law, may be dealt with by **Penalty Notice** and the Administrative Monetary Penalty System.

5. Penalty Notice

- (1) Any **Person** who contravenes any designated provision of this By-law or each registered owner of that vehicle, when given a **Penalty Notice** in accordance with this By-law, shall be liable to pay to the **Town** an **Administrative Penalty** in the amount set out in Schedule “A” and any related **Administrative Fees**.
- (2) Where the offence is continuous, each day the offence continues shall constitute a new and separate offence.
- (3) An **Officer** who has reason to believe that a **Person** has contravened any provision of this By-law may issue a **Penalty Notice**.
- (4) The **Penalty Notice** shall be given to the **Person** as soon as is reasonably practicable and shall include the following information:
 - (a) the date of the **Penalty Notice**;
 - (b) the **Penalty Notice Number**;
 - (c) particulars of the contravention;
 - (d) the amount of the **Administrative Penalty**;
 - (e) the identification number and signature of the issuing **Officer**;
 - (f) information respecting the process by which the **Person** may exercise their right to request a review of the **Administrative Penalty**; and
 - (g) a statement advising that an **Administrative Penalty** will, unless cancelled pursuant to the review and appeal processes, constitute a debt of the **Person** to the **Town**.
- (5) The amount due for a **Penalty Notice** is:
 - (a) the **Early Payment** set out in Schedule “A” for the related contravention if payment is received by the **Town** within fifteen (15) calendar days from the date of issue of the **Penalty Notice** in accordance with this By-law;
 - (b) the **Set Penalty Amount** set out in Schedule “A” for the related contravention if payment is received by the **Town** on and following the sixteenth (16th) calendar day from the date of receipt of the **Penalty Notice** in accordance with this By-law; or
 - (c) the **Late Payment** set out in Schedule “A” for the related contravention if payment is received by the **Town** on and after thirty (30) calendar days from the date of receipt of the **Penalty Notice** in accordance with this By-law.

- (d) The **Second Offence Set Penalty** set out in Schedule “A” for the related contravention if the same violation is repeated by the same person within three hundred and sixty five (365) days of the pervious **Penalty Notice** being issued in accordance with this By-law; or
- (e) The **Third Offence Set Penalty** set out in Schedule “A” for the related contravention if the same violation is repeated by the same person, three (3) or more times, within three hundred and sixty five (365) days of the previous **Penalty Notices** being issued in accordance with this By-law.

6. Review By Screening Officer

The following applies to the review of an **Administrative Penalty** by a **Screening Officer**:

- (1) A **Person** who is served with a **Penalty Notice** may request that the **Administrative Penalty** be reviewed by a **Screening Officer** and shall do so on or before the date on which the **Administrative Penalty** is due and payable.
- (2) If a **Person** has not requested a Screening Review on or before the date on which the **Administrative Penalty** is due and payable, the **Person** may request that the **Screening Officer** extend the time to request a review within thirty (30) days after the **Penalty Notice** Date, at which time the **Administrative Penalty** shall be deemed final.
- (3) Every **Person** who requests a review by a **Screening Officer** shall receive a **Screening Decision**, served on the Person in accordance with Section 8.
- (4) A **Person’s** right to request a review with a **Screening Officer**, or to request an extension of time to request a review, are exercised by giving to the **Town** written notice of the request to review that includes:
 - (a) the **Penalty Notice Number**;
 - (b) the **Person’s** mailing address and, if applicable, telephone number;
 - (c) in the case of a request to extend time to request a review, the reasons, if any, for having failed to exercise the right to request a review within fifteen (15) days from the date the **Penalty Notice** was received;
 - (d) the reasons for which the review has been requested; and
 - (e) the **Person’s** preference to:
 - (i) meet in-person with the **Screening Officer** for the review; or
 - (ii) have the review undertaken by the **Screening Officer** in writing.
- (5) Written notice for a request to review shall be provided by completing the **Screening Officer** Review Form and delivering it to the **Town** in accordance with Section 8 of this By-law.
- (6) Where the **Person** requests to meet in-person with the **Screening Officer** in accordance with this By-law, the **Person** shall be provided

no fewer than seven (7) calendar days' notice as provided by Section 8 of the date, time, and place of the **Screening Officer** Review.

- (7) Where the **Person** requests to meet in-person with the **Screening Officer** in accordance with this By-law and the **Person** fails to appear at the time and place scheduled for a **Screening Officer** Review, or fails to remain at such place until the **Screening Officer** has made a **Screening Decision** respecting the **Administrative Penalty**, then:
 - (a) the **Person** shall be deemed to have abandoned the request for the review;
 - (b) the **Administrative Penalty** shall be deemed to be final;
 - (c) the **Administrative Penalty** shall not be subject to further review by a **Hearing Officer** or review by any Court; and
 - (d) the **Person** shall pay to the **Town** a **Fee – Screening No-Show**.
- (8) On a review of the **Administrative Penalty**, the **Screening Officer** may in a **Screening Decision**:
 - (a) Affirm the **Administrative Penalty**;
 - (b) Cancel the **Administrative Penalty**;
 - (c) Reduce the **Administrative Penalty** to the **Early Payment**; or
 - (d) Extend the time for payment, including any **Late Payment Administrative Fees**.
- (9) A **Screening Officer** shall only cancel or reduce payment of an **Administrative Penalty**, or extend the time for payment of an **Administrative Penalty** in a **Screening Decision** under the following circumstances:
 - (a) the **Person** establishes, on a balance of probabilities, that the offence did not occur as alleged on the **Penalty Notice**; or
 - (b) the cancellation or reduction of an **Administrative Penalty**, or extended time for payment of an **Administrative Penalty**, including any **Late Payment Administrative Fees**, is necessary to reduce undue hardship.
- (10) Where a **Person** does not make a payment by the due date as determined by the **Screening Officer** in a **Screening Decision**, the **Administrative Penalty** will return to the **Set Penalty Amount** plus any applicable **Administrative Fee(s)**.
- (11) A **Person** who has been served with a **Screening Decision** pursuant to this By-law may appeal the **Screening Decision** to a **Hearing Officer**, and shall do so within fifteen (15) calendar days after the **Screening Decision** was issued.
- (12) A **Screening Officer** has no authority to consider questions relating to the validity of a statute, regulation or by-law or the constitutional applicability or operability of any statute, regulation or by-law.

7. Review By Hearing Officer

The following applies to the review of a **Screening Decision** by a **Hearing Officer**:

- (1) A **Person** may request a review by a **Hearing Officer** on or before the due and payable date for the **Administrative Penalty** listed in the **Screening Decision**.
- (2) If a **Person** has not requested a Hearing Review on or before the date on which the **Administrative Penalty** is due and payable, the **Screening Decision** shall be deemed final unless the **Person** request within thirty (30) calendar days after the **Screening Decision** was issued that the **Hearing Officer** extend the time to appeal.
- (3) A **Person's** right to appeal the **Screening Decision** to a **Hearing Officer**, or request an extension of time to appeal, are exercised by giving to the **Town** written notice of the request to appeal that includes:
 - (a) the **Penalty Notice Number**;
 - (b) the **Person's** mailing address and, if applicable, telephone number;
 - (c) in the case of a request to extend time to appeal, the reasons, if any, for having failed to exercise the right to appeal within fifteen (15) days from the date the **Screening Decision** was issued; and
 - (d) the reasons for which the appeal has been requested.
- (4) Written notice of the request to appeal or to request an extension of time to appeal is provided by completing the **Hearing Officer Appeal Form** and delivering it to the **Town** in accordance with Section 8 of this By-law.
- (5) The **Person** shall be given no fewer than seven (7) calendar days' notice as provided by Section 8 of the date, time, and place of the hearing of the appeal by the **Hearing Officer**.
- (6) If the **Person** fails to appear at the time and place scheduled for the hearing of the appeal:
 - (a) the **Person** shall be deemed to have abandoned the appeal;
 - (b) the **Screening Decision** and the **Administrative Penalty** as it may have been affected by the **Screening Decision** shall be deemed to be final and shall not be subject to any further review, including review by any Court; and
 - (c) the **Person** shall pay to the **Town** a **Fee – Hearing No-Show**.
- (7) The **Hearing Officer** shall not make a determination with respect to a review of the **Screening Decision** where a **Person** appears unless he or she has given the **Person** an opportunity to be heard.
- (8) On an appeal of the **Screening Decision**, the **Hearing Officer** may:
 - (a) Affirm or deny the request to extend the time to appeal;
 - (b) Affirm the **Administrative Penalty**;

- (c) Cancel the **Administrative Penalty**;
 - (d) Reduce the **Administrative Penalty** to the **Early Payment**; or
 - (e) Extend the time for payment, including any **Late Payment Administrative Fees**.
- (9) Every **Person** who requests a review by the **Hearing Officer** shall receive a **Hearing Decision**, served in accordance with Section 8 of this By-law.
 - (10) The decision of a **Hearing Officer** is final and not subject to review, including review by any Court.
 - (11) All hearings by a **Hearing Officer** shall be conducted in accordance with the Statutory Powers and Procedures Act, R.S.O. 1990, c. S.22, as amended.
 - (12) A **Hearing Officer** has no authority to consider questions relating to the validity of a statute, regulation or by-law or the constitutional applicability or operability of any statute, regulation or by-law.
 - (13) Every **Person** who receives an upheld decision in a review by the **Hearing Officer** in relation to a **Penalty Notice** issued through the Administrative Monetary Penalty System established by this By-law shall be responsible for an additional fee of \$25 for the purpose of the **Town** recovering administrative costs associated to the **Hearing Officer** Review.

8. Service of Documents

- (1) The service on a **Person** of any document, notice, or decision, including but not limited to a **Penalty Notice** pursuant to this By-law, is deemed to have been served on the earliest of any of the following dates:
 - (a) when a copy is placed or affixed in any manner to a **Person's** vehicle;
 - (b) when a copy is hand-delivered to the **Person** to whom it is addressed;
 - (c) when a copy is delivered by regular mail to the **Person** to whom it is addressed;
 - (d) on the seventh (7th) calendar day following the date a copy is sent by regular mail to the **Person's** last known address; or
 - (e) immediately upon sending a copy by electronic mail (email) to the **Person's** last known electronic mail address.
- (2) Any notice or document to be given to the **Town** in respect of this By-law shall be in writing and delivered in any of the following manners:
 - (a) **Personally** delivering a copy to the **Town** during its regular business hours to "AMPS Program, Legislative Services Department – **Town** of Newmarket, 395 Mulock Dr, Newmarket, ON, L3Y 4Y9".

9. Administration

- (1) The Director of Legislative Services or their designate shall administer this By-law and establish any additional practices, policies, and procedures necessary to implement this By-law and may amend such practices, policies, and procedures from time to time, as the Director deems necessary, without amendment to this By-law.
- (2) The Director of Legislative Services or their designate shall prescribe all forms and notices, including the **Penalty Notice**, necessary to implement this By-law and may amend such forms and notices from time to time, as the Director deems necessary, without amendment to this By-law.
- (3) The positions of **Screening Officer** and **Hearing Officer** are established through delegated authority and shall be appointed by the Director of Legislative Services.
- (4) Municipal Enforcement **Officers** shall not accept payment of an **Administrative Penalty** respecting a **Penalty Notice**.
- (5) Where an **Administrative Penalty** and any applicable **Administrative Fee(s)** are not paid by the date on which they are due and payable, the **Town**:
 - (a) may notify the Ontario Ministry of Transportation (the “Ministry”) of the default after thirty (30) days, at which time the Ministry shall not validate the permit of the **Person** named in the notice of default nor issue a new permit to the **Person** until the **Administrative Penalty** and any applicable **Administrative Fee(s)** are paid to the **Town**; or
 - (b) shall deem the outstanding amount to be unpaid taxes and shall be added to the tax roll and collected in the same manner as municipal taxes.
- (6) Where the **Town** notifies the Ministry of a default under this By-law, the **Person** shall pay any applicable administration fee(s) imposed by the Ministry.
- (7) Where an **Administrative Penalty** or any **Administrative Fees** are not paid within thirty (30) days after the date they become due and payable, each **Person** to whom the **Penalty Notice** was issued shall pay to the **Town** a **Fee – MTO Plate Denial**.
- (8) Where an **Administrative Penalty** is cancelled, any **Administrative Fee(s)** are also cancelled.
- (9) Once a **Penalty Notice** has been paid there is no further option for dispute.

10. Severability

- (1) Should any provision, or any part of a provision, of this By-law be declared invalid, or to be of no force and effect by a court of competent jurisdiction, it is the intent of Council that such a provision, or part of a provision, shall be severed from this By-law, and every other provision of this By-law shall be applied and enforced in accordance with its terms to the extent possible according to law.

11. Interpretation

- (1) The provisions in Part VI of the Legislation Act, 2006, S.O. 2006, c.21, Sched. F, shall apply to this By-law.
- (2) Where words and phrases used in this By-law are defined in the Highway Traffic Act, but not defined in this By-law, the definitions in the Highway Traffic Act shall apply to such words and phrases.

12. Short Title

- (1) This By-law may be referred to as the AMPS By-law.

13. Effective Date

- (1) This By-law shall come into force and effect on the 15th day of January 2020

Enacted this 30th day of September 2019.

Schedule "A"

Administrative Monetary Penalty System By-law 2019-62 Designated By-law Provisions

1. For the purposes of Section 3 of this By-law, Column A3 in the following table lists the provisions in the **Designated By-law** identified in the Schedule, as amended.
2. Column A4 in the following table sets out the short form wording to be used in a **Penalty Notice** for the contravention of the designated provisions listed in Column A3.
3. Column A5, A6 and A7 in the following table set out the **Administrative Penalties** for the **Set Penalty Amounts** in accordance with Section 5(5)(b),(d) and (e) of this By-law that is payable for contraventions of the designated provisions listed in Column A3.
4. The penalties shown in Column A5 below include a twenty five percent (25%) discount for **Early Payment** in accordance with Section 5(5)(a) of this By-law that is payable for contraventions of the designated provisions listed in Column A3.
5. The penalties shown in column A7 below include a twenty five percent (25%) surcharge for **Late Payment** in accordance with Section 5(5)(c) of this By-law that is payable for contravention of the designated provisions listed in Column A3.

A1 By-law	A2 Item	A3 Section	A4 Description	A5 1 st Offence Set Penalty	A6 2 nd Offence Set Penalty	A7 3 rd Offence Set Penalty	
Accessory Dwelling Units By-law 2013-13							
Accessory Dwelling Units By-law 2013-13, as amended	1.	2	Operate or permit occupancy in unregistered two unit house	600.00	900.00	1,350.00	
	2.	3(a)	Failure to register two-unit house	600.00	900.00	1,350.00	
	3.	9(a)	Obstruct a Municipal Enforcement Officer	600.00	900.00	1,350.00	
Animal Control By-law 2020-30							
Animal Control By-law 2020-30, as amended	4.	4(2)	Dog noise causing a disturbance	300.00	450.00	675.00	
	5.	4(3)	Control more than the maximum permitted dogs/cats	300.00	450.00	675.00	
	6.	4(4)	Keep more than the maximum permitted dog/cats	300.00	450.00	675.00	
	7.	4(5)(a)	Permit Dangerous Dog in a leash-free park	300.00	450.00	675.00	
	8.	4(6)	Failure to stoop and scoop	300.00	450.00	675.00	
	9.	4(7)	Keep Animal contrary to Schedule A of this By-law	600.00	900.00	1,350.00	
	10.	4(8)	Failure to provide proof of grandfathered animal	600.00	900.00	1,350.00	
	11.	4(9)	Failure to comply with conditions of grandfathered animal	300.00	450.00	675.00	
	12.	4(10)	Failure to provide Town with new address of grandfathered animal	300.00	450.00	675.00	
	13.	5(3)	Leave Animal in Vehicle contrary to conditions	400.00	600.00	900.00	
	14.	5(4)(a)	Failure to provide Animal sanitary environment	400.00	600.00	900.00	
	15.	5(4)(b)	Failure to provide Animal adequate care	400.00	600.00	900.00	
	16.	5(4)(c)	Failure to provide Animal adequate food and water	400.00	600.00	900.00	
	17.	5(4)(d)	Failure to provide Animal shelter	400.00	600.00	900.00	
	18.	5(4)(e)	Failure to provide Animal Veterinary care	400.00	600.00	900.00	
	19.	5(5)	Keep Animal in a condition that causes a disturbance	400.00	600.00	900.00	
	20.	5(6)	Keep Animal in a manner that endangers the health of others	400.00	600.00	900.00	
	Animal Control By-law 2020-30, as amended	21.	6(1)(a)	Use tether less than 3m	400.00	600.00	900.00
		22.	6(1)(b)	Failure to allow tethered Animal unrestricted movement	400.00	600.00	900.00
		23.	6(1)(c)	Failure to constrain a tethered Animal to property	400.00	600.00	900.00
24.		6(1)(d)	Failure to provide tethered animal water, food, shelter, or shade	400.00	600.00	900.00	
25.		6(2)	Tether Animal using prohibited device	400.00	600.00	900.00	
26.		6(3)	Tether Animal for more than 3 hours	400.00	600.00	900.00	
27.		7(1)	Feed or permit the feeding of wildlife	300.00	450.00	675.00	
28.		7(2)	Permit or cause a feeding device to be left outside	300.00	450.00	675.00	
29.		8(1)	Failure to submit Urban Hens application	300.00	450.00	675.00	
30.		8(2)	Keep more than three Urban Hens	300.00	450.00	675.00	
31.		8(3)	Keep Urban Hen under the age of 4 months	300.00	450.00	675.00	
32.		8(4)	Keep Rooster on residential property	300.00	450.00	675.00	
33.		8(6)	Failure to keep Urban Hen in coop between 9:00pm and 6:00am	300.00	450.00	675.00	
34.		8(7)	Failure to keep Urban Hen in run	300.00	450.00	675.00	
35.		8(13)	Failure to maintain hen coop or hen run	300.00	450.00	675.00	
36.		8(14)	Permit the slaughter of hens	400.00	600.00	900.00	
37.		8(15)	Improper disposal of livestock	400.00	600.00	900.00	

	38.	9(2)	Failure to comply with a Training Order	400.00	600.00	900.00
	39.	9(3)(a)	Failure to comply with Notice to Muzzle on owner's property	400.00	600.00	900.00
	40.	9(3)(b)	Failure to comply with Notice to Muzzle when off of owner's property	400.00	600.00	900.00
	41.	9(4)	Failure to prevent dog from engaging in a dangerous Act	600.00	900.00	1,350.00
	42.	9(7)	Failure to comply with a Dangerous Dog Order	600.00	900.00	1,350.00
	43.	12(1)	Failure to licence cat/dog	400.00	600.00	900.00
	44.	12(2)	Failure to affix licence to cat/dog	400.00	600.00	900.00
	45.	12(5)	Provide false information when licensing animal	400.00	600.00	900.00
	46.	13(1)	Permit dog at large	400.00	600.00	900.00
	47.	13(3)	Permit dog in area contrary to posted signage	400.00	600.00	900.00
	48.	13(4)	Permit cat at large	400.00	600.00	900.00

Business Licence By-law 2020-31

Business Licence By-law 2020-31, as amended	49.	3(1)	Operate without a business licence	600.00	900.00	1,350.00
	50.	3(2)	Failure to comply with legislation	300.00	450.00	675.00
	51.	3(3)	Operate business at more than one premises	300.00	450.00	675.00
	52.	3(5)	Failure to display business licence	300.00	450.00	675.00
	53.	3(8)(a)	Advertising without a business licence	300.00	450.00	675.00
	54.	3(8)(b)	Improper business name advertised	300.00	450.00	675.00
	55.	3(8)(c)	Advertise products or services contrary to Town by-laws	300.00	450.00	675.00
	56.	3(9)	Carry on business on Town property without authorization	300.00	450.00	675.00
	57.	4(2)	Obstruct a Licensing Officer	600.00	900.00	1,350.00
Business Licence By-law 2020-31, as amended	58.	7(9)	Operate business while licence is suspended	1,000.00	2,000.00	3,000.00
	59.	7(10)	Advertise business while licence is suspended	600.00	900.00	1,350.00
	60.	7(12)	Remove posted notice of suspension	600.00	900.00	1,350.00
	61.	7(14)	Remove posted notice of no business licence	600.00	900.00	1,350.00
	62.	8.1(1)	Failure to maintain Pet Store	300.00	450.00	675.00
	63.	8.1(2)	Failure to keep animal or bird in adequate conditions	300.00	450.00	675.00
	64.	8.1(3)(a)	Failure to provide adequate cage size	300.00	450.00	675.00
	65.	8.1(3)(b)	Failure to keep or maintain bird cage	300.00	450.00	675.00
	66.	8.1(3)(c)	Improper cage construction	300.00	450.00	675.00
	67.	8.1(3)(d)	Improper food and water receptacles	300.00	450.00	675.00
	68.	8.1(3)(e)	Failure to provide undue physical contact with the public	300.00	450.00	675.00
Business Licence By-law 2020-31, as amended	69.	8.1(4)	Failure to provide water	300.00	450.00	675.00
	70.	8.1(5)	Failure to provide food	300.00	450.00	675.00
	71.	8.1(6)(a)	Failure to provide health assessment	300.00	450.00	675.00
	72.	8.1(6)(b)	Source cat or dog for purpose of sale contrary to by-law	800.00	1,200.00	1,800.00
	73.	8.1(6)(c)	Failure to provide cat or dog with reasonable exercise	300.00	450.00	675.00
	74.	8.1(6)(d)	Keep or sell sick, injured, or diseased animals	300.00	450.00	675.00
	75.	8.1(6)(e)	Display animal in exterior window display	300.00	450.00	675.00
	76.	8.1(6)(f)	Sell or offer for sale any animal prior to normal weaning age	300.00	450.00	675.00
	77.	8.1(6)(g)	Failure to provide descriptive receipt	300.00	450.00	675.00
	78.	8.1(7)	Failure to maintain or provide cat or dog registry	300.00	450.00	675.00
	79.	8.1(8)	No attendant present during business hours	300.00	450.00	675.00
	80.	8.1(9)	Sell or offer for sale animal listed on prohibited animals list	600.00	900.00	1,350.00

Business Licence By-law 2020-31, as amended	81.	8.1(10)	Failure to disclose stolen or unlawfully obtained animal	600.00	900.00	1,350.00
	82.	8.1(11)	Failure to seek medical attention for animal as directed	600.00	900.00	1,350.00
	83.	8.2(1)	More than 1 STR on a lot	300.00	450.00	675.00
	84.	8.2(2)	Operate STR in more than 1 dwelling unit	300.00	450.00	675.00
	85.	8.2(3)	Failure to provide adequate parking for STR	300.00	450.00	675.00
	86.	8.2(5)	Failure to notify Town of changes to STR operations	300.00	450.00	675.00
	87.	8.2(6)(a)	Provide sleeping accommodations in vehicle, tent, or accessory building	600.00	900.00	1,350.00
	88.	8.2(6)(b)	Exceed number of bedrooms permitted for STR	300.00	450.00	675.00
	89.	8.2(6)(c)	Exceed number of guests permitted for STR	300.00	450.00	675.00
	90.	8.2(6)(d)	Permit beds or bedrooms to be used contrary to licence	300.00	450.00	675.00
	91.	8.2(7)	Failure to post or display business licence number on marketing	300.00	450.00	675.00
	92.	8.2(9)	Failure to respond to STR concerns within 2 hours	300.00	450.00	675.00
	93.	8.2(10)	Failure to provide contact information	300.00	450.00	675.00
	94.	8.2(11)	Operate or market part of or whole dwelling unit without a licence	300.00	450.00	675.00
	95.	8.2(12)	Failure to post sign for STR	300.00	450.00	675.00
	96.	8.2(14)	Market STR on unlicensed STR Company platform	300.00	450.00	675.00
	97.	8.3(1)	Operate STR Company without a licence	600.00	900.00	1,350.00
	98.	8.3(2)	Advertise STR that has not obtained a licence	300.00	450.00	675.00
	99.	8.3(3)	Failure to remove listing or advertisement as requested by Town	300.00	450.00	675.00
	100.	8.3(7)	Failure to maintain records by STR Company	300.00	450.00	675.00
	101.	8.3(9)	Failure to provide records upon request	300.00	450.00	675.00
102.	8.3(10)	Failure to create platform accounts upon request	300.00	450.00	675.00	
103.	8.3(11)	Obstruct access to platform accounts	300.00	450.00	675.00	
104.	8.4(4)	Failure to comply with hours of operation permitted	300.00	450.00	675.00	
105.	8.4(5)	Failure to install or maintain Opaque Barrier	200.00	300.00	450.00	
106.	8.4(6)	Failure to deflect lighting	200.00	300.00	450.00	
107.	8.5(2)	Failure to comply with hours of operation permitted	300.00	450.00	675.00	
108.	8.5(3)	Permit live music contrary to bylaw	200.00	300.00	450.00	
109.	8.5(6)	Failure to install or maintain Opaque Barrier	200.00	300.00	450.00	
110.	8.5(7)	Failure to deflect lighting	200.00	300.00	450.00	
111.	8.6(1)	Failure to provide accurate floor plan	300.00	450.00	675.00	
112.	8.6(5)(a)	Unauthorized attendant	600.00	900.00	1,350.00	
113.	8.6(5)(b)	Failure to maintain records	300.00	450.00	675.00	
114.	8.6(5)(c)	Failure to pre-screen customer	300.00	450.00	675.00	
115.	8.6(5)(d)	Permit attendant to be nude	2,400.00	3600.00	5,400.00	
116.	8.6(5)(e)	Offer or provide sexual services	2,400.00	3600.00	5,400.00	
117.	8.6(6)	Advertise contrary to conditions	600.00	900.00	1,350.00	
118.	8.6(7)	Operate when prohibited	600.00	900.00	1,350.00	
119.	8.6(8)	Use of unauthorized entrance	300.00	450.00	675.00	
120.	8.6(9)(a)	Human habitation in PWE	600.00	900.00	1,350.00	
121.	8.6(9)(b)	Furniture used for sleeping purposes	600.00	900.00	1,350.00	
By-law 2002-151 (Licensing)						
By-law 2002-151 Schedule 1 Adult Entertainment	122.	1.2	Operate without an Adult Entertainment Parlour Owner's licence	600.00	900.00	1,350.00
	123.	1.3	Operate without an Adult Entertainment Parlour	600.00	900.00	1,350.00

Parlours			Operator's licence				
By-law 2002-151 Schedule 2 Adult Video Stores	124.	2.2	Operate without an Adult Video Store licence	600.00	900.00	1,350.00	
	125.	2.25	Failure to post licence in premise	300.00	450.00	675.00	
	126.	2.28	Advertise business contrary to conditions	300.00	450.00	675.00	
By-law 2002-151 Schedule 15 Newspaper Boxes	127.	15.2	Failure to notify Town of newspaper box on Town property	600.00	900.00	1,350.00	
	128.	15.8	Failure to maintain newspaper box	300.00	450.00	675.00	
Clean Yards By-law 2017-63							
Clean Yards By- law 2017-63, as amended	129.	2.1	Failure to maintain property	200.00	300.00	450.00	
	130.	2.2	Failure to provide ground cover	200.00	300.00	450.00	
	131.	2.3	Failure to maintain natural garden in living condition	200.00	300.00	450.00	
	132.	2.4	Unightly growth	200.00	300.00	450.00	
	133.	2.5	Noxious weeds	200.00	300.00	450.00	
	134.	2.6	Grass/weeds exceeding 20cm in height	200.00	300.00	450.00	
	135.	2.7	Failure to maintain trees on property	200.00	300.00	450.00	
	136.	2.8	Spread dust or dirt onto neighbouring property	200.00	300.00	450.00	
	137.	2.9	Failure to maintain pool in good repair	200.00	300.00	450.00	
	138.	3.1(a)	Store or keep motor vehicle missing parts	200.00	300.00	450.00	
	139.	3.1(b)	Unlicensed motor vehicle on property	200.00	300.00	450.00	
	140.	3.1(c)	Store or keep motor vehicle parts	200.00	300.00	450.00	
	141.	3.1(d)	Store or keep derelict motor vehicle	200.00	300.00	450.00	
	142.	4.1	Permit composting contrary to by-law	200.00	300.00	450.00	
	143.	4.2(a)	Failure to compost in rear yard	200.00	300.00	450.00	
	Clean Yards By- law 2017-63, as amended	144.	4.2(b)	Failure to compost in container	200.00	300.00	450.00
		145.	4.2(c)	Failure to cover compost	200.00	300.00	450.00
146.		4.2(d)	Animal feces in compost container	200.00	300.00	450.00	
147.		4.2(e)	Permit odour from composting	200.00	300.00	450.00	
148.		4.2(f)	Failure to maintain compost from attracting animals	200.00	300.00	450.00	
149.		4.2(g)	Failure to maintain composter setback requirements	200.00	300.00	450.00	
150.		5.1	Keep firewood contrary to by-law	200.00	300.00	450.00	
151.		5.2(b)	Exceed 15% of total yard area for firewood storage	200.00	300.00	450.00	
152.		5.2(c)	Improper storage of firewood in rear yard	200.00	300.00	450.00	
153.		5.2(d)	Improper storage of firewood in side yard	200.00	300.00	450.00	
154.		5.2(e)	Pile firewood along fence	200.00	300.00	450.00	
155.		6.1	Place or permit Graffiti	200.00	300.00	450.00	
156.		6.2	Failure to maintain property free of graffiti	200.00	300.00	450.00	
157.		7.1	Permit standing water	200.00	300.00	450.00	
158.		8.1	Failure to maintain boulevard	200.00	300.00	450.00	
159.	8.2	Failure to maintain boulevard gardens	200.00	300.00	450.00		
160.	8.3	Failure to maintain plantings from encroachment	200.00	300.00	450.00		
161.	8.4	Failure to maintain sidewalk	200.00	300.00	450.00		
162.	11.5	Obstruct a Municipal Enforcement Officer	600.00	900.00	1,350.00		
Clothing Donation Bins By-law 2016-33							
	163.	2.1	Operate without a Clothing Donation Bin Operator licence	600.00	900.00	1,350.00	
	164.	3.2	Clothing Donation Bin on Town property	600.00	900.00	1,350.00	

Clothing Donation Bins By-law 2016-33, as amended	165.	3.3	Clothing Donation Bin located at unauthorized location	300.00	450.00	675.00
	166.	4.1(a)	Failure to display name on bin	300.00	450.00	675.00
	167.	4.1(d)	Failure to display pick-up schedule for donations	300.00	450.00	675.00
	168.	4.2(b)	Failure to properly affix sticker on bin	300.00	450.00	675.00
	169.	6.1	Obstruct a Municipal Enforcement Officer	600.00	900.00	1,350.00
Election Sign By-law 2022-18						
Election Sign By-law 2022-16, as amended	170.	6.6	Failure to lawfully place/display election sign	25.00	25.00	25.00
	171.	8.2	Obstruct a Municipal Enforcement Officer	600.00	900.00	1,350.00
Fence By-law 2019-20						
Fence By-law 2019-20, as amended	172.	3.1	Erect fence using improper material	200.00	300.00	450.00
	173.	3.2	Failure to construct water gate	200.00	300.00	450.00
	174.	3.3	Obstruct water gate	200.00	300.00	450.00
	175.	3.4	Obstruct access to meter	200.00	300.00	450.00
	176.	3.5	Fence greater than 20cm in width	200.00	300.00	450.00
	177.	3.6	Failure to maintain fence in good repair	200.00	300.00	450.00
	178.	4.1(a)	Rear yard fence exceeding permitted height	200.00	300.00	450.00
	179.	4.1(b)	Interior side yard fence exceeding 1.9m in height	200.00	300.00	450.00
	180.	4.1(c)	Front yard fence exceeding 1m in height	200.00	300.00	450.00
	181.	4.1 (d)	Exterior side yard fence exceeding 1.8m in height	200.00	300.00	450.00
Fireworks By-law 2015-18						
Fireworks By-law 2015-18, as amended	182.	3.1	Offer for sale, cause, or permit to be sold fireworks	600.00	900.00	1,350.00
	183.	3.2	Discharge any prohibited fireworks	600.00	900.00	1,350.00
	184.	3.3	Sell consumer fireworks 7 days prior to Victoria or Canada Day	300.00	450.00	675.00
	185.	3.6	Display in any store window any type of fireworks	600.00	900.00	1,350.00
	186.	3.8	Sell or offer for sale fireworks without a licence	600.00	900.00	1,350.00
	187.	3.10	Discharge fireworks on Town property without a permit	600.00	900.00	1,350.00
	188.	3.11	Discharge fireworks on private property without a permit	600.00	900.00	1,350.00
	189.	6.1	Discharge fireworks when prohibited	600.00	900.00	1,350.00
Idling Control By-law 2005-157						
Idling Control By-law 2005-157	190.	4	Cause or permit a vehicle to idle	300.00	450.00	675.00
Loitering By-law 1997-113						
Loitering By-law 1997-113, as amended	191.	2	Loiter, disturb, or cause public nuisance on highway	200.00	300.00	450.00
	192.	3	Loiter, disturb, or cause public nuisance in public place	200.00	300.00	450.00
Mobile Business Licence By-law 2020-07						

Mobile Business Licence By-law 2020-07	193.	3(1)(a)	Operate without a business licence	600.00	900.00	1,350.00
	194.	3(1)(c)	Failure to comply with condition of licence	300.00	450.00	675.00
	195.	3(2)	Failure to comply with legislation	300.00	450.00	675.00
	196.	3(3)	Failure to display business licence	300.00	450.00	675.00
	197.	3(5)(a)	Advertising without a business licence	300.00	450.00	675.00
	198.	3(5)(b)	Improper business name advertised	300.00	450.00	675.00
	199.	3(6)	Carry on business on Town property without authorization	300.00	450.00	675.00
	200.	3(7)	Failure to possess business licence	300.00	450.00	675.00
	201.	3(8)	Smoke or permit smoking in business vehicle	300.00	450.00	675.00
	202.	4(2)	Obstruct a Licensing Officer	600.00	900.00	1,350.00
	203.	7(9)	Operate business while licence is suspended	600.00	900.00	1,350.00
	204.	7(10)	Advertise business while licence is suspended	300.00	450.00	675.00
	205.	7(12)	Remove posted notice of suspension	300.00	450.00	675.00
	206.	7(14)	Remove posted notice of no business licence	300.00	450.00	675.00
	207.	8.1(2)	Failure to comply with Taxicab Driver requirements	600.00	900.00	1,350.00
	208.	8.1(3)	Failure to display Taxicab Driver information	300.00	450.00	675.00
	209.	8.1(4)(b)	Failure to disclose Fare for Taxicab Trip	300.00	450.00	675.00
	210.	8.1(4)(c)	Failure to notify Town of Taxicab Driver	300.00	450.00	675.00
	211.	8.1(4)(d)	Failure to notify Town of Taxicab	300.00	450.00	675.00
	212.	8.1(5)(a)	Failure to provide required Taxicab Driver information	300.00	450.00	675.00
	213.	8.1(5)(b)	Failure to provide required Taxicab information	300.00	450.00	675.00
	214.	8.1(6)	Failure to maintain Taxicab Trip information	300.00	450.00	675.00
	215.	8.1(10)	Failure to remove Taxicab Driver	300.00	450.00	675.00
	216.	8.1(12)	Failure to comply with Taxicab requirements	300.00	450.00	675.00
	217.	8.1(13)	Permit unauthorized passenger(s) in Taxicab	300.00	450.00	675.00
	218.	8.2(2)	Failure to comply with TNC Driver requirements	300.00	450.00	675.00
	219.	8.2(3)(b)	Permit hail ride for TNC	300.00	450.00	675.00
	220.	8.2(3)(c)	Failure to maintain Safety Standard Certificate in TNC Vehicle	300.00	450.00	675.00
221.	8.2(4)(c)	Failure to provide third party audit records	300.00	450.00	675.00	
222.	8.2(6)(a)	Failure to disclose Fare for TNC Trip	300.00	450.00	675.00	
223.	8.2(6)(c)	Failure to charge proper Fare for TNC Trip	300.00	450.00	675.00	
224.	8.2(6)(d)	Failure to maintain TNC Trip information	300.00	450.00	675.00	
225.	8.2(7)	Failure to use GPS on TNC App	300.00	450.00	675.00	
226.	8.2(8)	Failure to provide TNC Driver information via TNC App	300.00	450.00	675.00	
227.	8.2(9)	Failure to provide electronic receipt via TNC App	300.00	450.00	675.00	
228.	8.2(10)(a)	Failure to provide required TNC Driver information	300.00	450.00	675.00	
229.	8.2(10)(b)	Failure to provide required TNC Vehicle information	300.00	450.00	675.00	
230.	8.2(11)	Failure to maintain TNC Trip records	300.00	450.00	675.00	
231.	8.2(15)	Failure to remove TNC Driver from TNC App	300.00	450.00	675.00	
232.	8.2(17)	Failure to comply with TNC Vehicle requirements	600.00	900.00	1,350.00	
233.	8.3(2)	Failure to comply with Refreshment Vehicle Operator requirements	300.00	450.00	675.00	
234.	8.3(3)	Failure to display Refreshment Vehicle Operator information	300.00	450.00	675.00	
235.	8.3(4)	Failure to comply with Refreshment Vehicle conditions	300.00	450.00	675.00	
236.	8.3(5)(a)	Permit amplified sounds	300.00	450.00	675.00	
237.	8.3(5)(b)	Unlawful seating for Refreshment Vehicle customers	300.00	450.00	675.00	
238.	8.3(6)(a)	Failure to maintain Refreshment Vehicle	300.00	450.00	675.00	
239.	8.3(6)(b)	Failure to clean up refuse from Refreshment Vehicle	300.00	450.00	675.00	
240.	8.3(6)(c)	Failure to notify the Town of Refreshment Vehicle Operator	300.00	450.00	675.00	
241.	8.3(7)	Failure to comply with Refreshment Vehicle – Type 1 conditions	300.00	450.00	675.00	

Mobile Business Licence By-law 2020-07	242.	8.3(8)	Failure to obtain Special Event Organizer Licence	300.00	450.00	675.00
	243.	8.3(9)	Operate Refreshment Vehicle contrary to conditions	600.00	450.00	675.00
	244.	8.4(3)	Failure to maintain Limousine documents	300.00	450.00	675.00
	245.	8.4(4)	Failure to comply with Limousine Driver requirements	300.00	450.00	675.00
	246.	8.4(5)	Failure to display Limousine Driver information	300.00	450.00	675.00
	247.	8.4(6)(a)	Failure to notify Town of Limousine Driver	300.00	450.00	675.00
	248.	8.4(7)(a)	Permit too many passengers in Limousine	300.00	450.00	675.00
	249.	8.4(7)(b)	Permit a Limousine to operate with obstructed view	600.00	900.00	1,350.00
	250.	8.4(8)	Failure to comply with Limousine requirements	600.00	900.00	1,350.00
	251.	8.5(4)(a)	Failure to provide MTO Driving Instructor's Licence	300.00	450.00	675.00
	252.	8.5(4)(b)	Failure to carry a valid driver's licence	300.00	450.00	675.00
	253.	8.5(4)(c)	Failure to provide driving instruction/test documentation	300.00	450.00	675.00
	254.	8.5(4)(d)	Failure to affix Sticker Plate on Driving School Instructor Vehicle	300.00	450.00	675.00
	255.	8.5(4)(e)	Failure to affix roof sign on Driving School Instructor Vehicle	300.00	450.00	675.00
	256.	8.5(5)	Operate in Restricted Area	600.00	900.00	1,350.00
	257.	8.6(2)(a)	Failure to maintain Tow Truck documents	300.00	450.00	675.00
	258.	8.6(2)(b)	Failure to remove debris prior to towing a vehicle	300.00	450.00	675.00
	259.	8.6(2)(c)	Failure to remove debris within 8hrs following investigation	600.00	900.00	1,350.00
	260.	8.6(3)	Failure to comply with Tow Truck Driver requirements	600.00	900.00	1,350.00
	261.	8.6(4)	Failure to display Tow Truck Driver information	300.00	450.00	675.00
	262.	8.6(5)	Failure to notify Town of Tow Truck Driver	300.00	450.00	675.00
	263.	8.6(6)(a)	Failure to maintain Tow Truck;	300.00	450.00	675.00
	264.	8.6(6)(b)	Interfere with Tow Truck Company's contract	300.00	450.00	675.00
	265.	8.6(6)(c)	Recommend tow location to customer	300.00	450.00	675.00
	266.	8.6(6)(d)	Accept gift or payment from facility in exchange for business	300.00	450.00	675.00
Mobile Business Licence By-law 2020-07	267.	8.6(6)(e)	Accept Drop Fee	300.00	450.00	675.00
	268.	8.6(6)(f)	Failure to obtain consent to connect or tow	300.00	450.00	675.00
	269.	8.6(6)(g)	Stop, stand, or park within 200m of Collision Scene	300.00	450.00	675.00
	270.	8.6(6)(h)	Remove vehicle from Collision Scene without permission	300.00	450.00	675.00
	271.	8.6(6)(i)	Permit unauthorized passenger(s) in Tow Truck	300.00	450.00	675.00
	272.	8.6(7)	Failure to provide or maintain Tow Truck Equipment	300.00	450.00	675.00
	273.	8.6(8)(a)	Failure to comply with Tow Truck Vehicle requirements	300.00	450.00	675.00
	274.	8.6(8)(b)	Failure to affix Sticker Plate on Tow Truck Vehicle	300.00	450.00	675.00
	275.	8.6(9)	Failure to comply with towing rates	600.00	900.00	1,350.00
	276.	8.6(10)	Failure to comply with Re-Tow towing rates	600.00	900.00	1,350.00
	277.	8.6(11)(a)	Failure to maintain Tow Truck Driver information	300.00	450.00	675.00
	278.	8.6(11)(b)	Failure to maintain Tow Truck information	600.00	900.00	1,350.00
	279.	8.6(12)	Failure to maintain Tow Truck Trip information	300.00	450.00	675.00
	280.	8.6(13)	Failure to maintain run sheets	300.00	450.00	675.00
	281.	8.6(14)	Failure to provide affiliated Public Garage information	300.00	450.00	675.00

Noise By-law 2017-76

Noise By-law 2017-76, as amended	282.	3.1	Make, cause or permit the emission of noise likely to disturb	600.00	900.00	1,350.00
	283.	3.2(a)	Make, cause or permit tires to squeal	200.00	300.00	450.00
	284.	3.2(b)	Operate a combustion engine without an effective exhaust or muffler	200.00	300.00	450.00
	285.	3.2(b)	Operate a pneumatic device without an effective	200.00	300.00	450.00

Noise By-law 2017-76, as amended			exhaust or muffler			
	286.	3.2(c)	Make, cause or permit the operation of a vehicle with a trailer to clank, squeal or other like noises	200.00	300.00	450.00
	287.	3.2(d)	Make, cause or permit the use of a horn, whistle, bell, or other	200.00	300.00	450.00
	288.	3.2(e)	Make, cause, or permit the operation of an air conditioner not in proper working order	200.00	300.00	450.00
	289.	3.2(e)	Make, cause or permit the operation of a pool pump or filter not in proper working order	200.00	300.00	450.00
	290.	3.2(e)	Make, cause or permit the operation of a heat pump not in proper working order	200.00	300.00	450.00
	291.	3.2(f)	Make, cause or permit noise from false alarm in excess of 10 minutes	200.00	300.00	450.00
	292.	3.2(g)	Make, cause or permit the operation of a roof top unit not in proper working order	200.00	300.00	450.00
	293.	4.1	Make or permit noise during prohibited time	200.00	300.00	450.00

Parking By-law 2019-62

Parking By-law 2019-62, as amended	294.	5(2)	Interfere with Authorized Sign	40.00	40.00	40.00
	295.	5(3)	Obstruct Authorized Sign	40.00	40.00	40.00
	296.	6(1)(a)	Park facing wrong direction	40.00	40.00	40.00
	297.	6(1)(b)	Park more than 30cm from curb	40.00	40.00	40.00
	298.	6(1)(c)	Fail to park parallel to curb	40.00	40.00	40.00
	299.	7(1)(a)	Park within 9m of non-signalized intersection	50.00	50.00	50.00
	300.	7(1)(b)	Park within 15m of signalized intersection	50.00	50.00	50.00
	301.	7(1)(c)	Exceed posted time	40.00	40.00	40.00
	302.	7(1)(d)	Park contrary to traffic control device	40.00	40.00	40.00
	303.	7(1)(e)	Park causing obstruction	40.00	40.00	40.00
	304.	7(1)(f)	Park between 0200 and 0600 hrs	100.00	100.00	100.00
	305.	7(1)(g)	Park on boulevard	50.00	50.00	50.00
	306.	7(1)(h)	Park within 3m of hydrant	100.00	100.00	100.00
	307.	7(1)(i)	Park within 152m of firefighting apparatus	75.00	75.00	75.00
	308.	7(1)(j)	Park within 7m of fire hall entrance – same side	50.00	50.00	50.00
	309.	7(1)(k)	Park within 30m of fire hall entrance – opposite side	50.00	50.00	50.00
	310.	7(1)(l)	Park on a bridge	50.00	50.00	50.00
	311.	7(1)(m)	Park within 6m of bus stop	40.00	40.00	40.00
	312.	7(1)(n)	Park in a public laneway	40.00	40.00	40.00
	313.	7(1)(o)	Park on a median	40.00	40.00	40.00
	314.	7(1)(p)	Double park	50.00	50.00	50.00
	315.	7(1)(q)	Park within turning circle	40.00	40.00	40.00
	316.	7(1)(r)	Park displaying vehicle for sale	40.00	40.00	40.00
	317.	7(1)(s)	Park without valid registration	40.00	40.00	40.00
	318.	7(1)(t)	Parked while washing or repairing vehicle	40.00	40.00	40.00
	319.	7(1)(u)	Exceed 3 consecutive hours	40.00	40.00	40.00
	320.	7(1)(v)	Park within 0.6m of driveway	50.00	50.00	50.00
	321.	7(1)(w)	Park obstructing previously parked vehicle	40.00	40.00	40.00
	322.	7(1)(x)	Park on narrow roadway	40.00	40.00	40.00
	323.	7(1)(y)	Park alongside railway tracks	40.00	40.00	40.00
	324.	7(1)(z)	Park causing obstruction to building	40.00	40.00	40.00
	325.	7(1)(aa)	Park within 15m of Authorized Sign intersection	40.00	40.00	40.00
326.	7(1)(bb)	Park within 30m of traffic signal intersection	50.00	50.00	50.00	
327.	7(1)(cc)	Park within a turning basin	40.00	40.00	40.00	
328.	7(1)(dd)	Interfere with funeral procession	40.00	40.00	40.00	

Parking By-law 2019-62, as amended	329.	7(1)(ee)	Park within 15m of dead-end roadway	40.00	40.00	40.00
	330.	7(1)(ff)	Park within 3m of walkway	40.00	40.00	40.00
	331.	7(1)(gg)	Park within Unauthorized Area	100.00	100.00	100.00
	332.	7(2)	Park commercial vehicle on street	55.00	55.00	55.00
	333.	7(3)	Park trailer on street	55.00	55.00	55.00
	334.	7(4)(a)	Park within 15m of crosswalk – same side	50.00	50.00	50.00
	335.	7(4)(b)	Park within 30m of crosswalk – opposite side	50.00	50.00	50.00
	336.	7(5)(a)	Unauthorized parking on private property	40.00	40.00	40.00
	337.	7(5)(b)	Unauthorized parking on Town property	40.00	40.00	40.00
	338.	7(5)(c)	Park during restricted time	40.00	40.00	40.00
	339.	8(1)(a)	Stop within intersection	50.00	50.00	50.00
	340.	8(1)(b)	Stop within 9m of pedestrian crossover	50.00	50.00	50.00
	341.	8(1)(c)	Stop within 9m of School Crossing Guard	50.00	50.00	50.00
	342.	8(1)(d)	Stop causing obstruction	50.00	50.00	50.00
	343.	8(1)(e)	Stop contrary to traffic control device	40.00	40.00	40.00
	344.	8(1)(f)	Stop parallel to vehicle	40.00	40.00	40.00
	345.	8(1)(g)	Stop on a bridge	50.00	50.00	50.00
	346.	8(1)(h)	Stop within tunnel	50.00	50.00	50.00
	347.	8(1)(i)	Stop obstructing traffic	75.00	75.00	75.00
	348.	8(1)(j)	Stop within turning circle	50.00	50.00	50.00
	349.	8(1)(k)	Stop within Unauthorized Area	100.00	100.00	100.00
	350.	9(3)	Park within fire route	150.00	150.00	150.00
	351.	10(1)	Park contrary to No Parking sign	50.00	50.00	50.00
	352.	11(1)	Stop contrary to No Stopping sign	50.00	50.00	50.00
	353.	13(1)(a)	Park contrary to municipal parking area	40.00	40.00	40.00
	354.	13(1)(b)	Park in more than one space	40.00	40.00	40.00
	355.	13(1)(c)	Unauthorized parking in municipal parking area	40.00	40.00	40.00
	356.	14(1)(a)	Failure to display accessible permit	300.00	300.00	300.00
	357.	14(1)(b)	Unauthorized use of accessible permit	300.00	300.00	300.00
	358.	17(2)	Obstruct a Municipal Enforcement Officer	100.00	100.00	100.00

Parks By-law 2013-14

Parks By-law 2013-14, as amended	359.	2.1	Enter restricted area	200.00	300.00	450.00
	360.	2.2.1(a)	Violent, threatening, or unlawful conduct	200.00	300.00	450.00
	361.	2.2.1(b)	Cast, throw, or propel object endangering person or property	200.00	300.00	450.00
	362.	2.2.1(c)	Create nuisance causing a disturbance	200.00	300.00	450.00
	363.	2.2.1(e)	Remove, relocate, or damage equipment or signage	200.00	300.00	450.00
	364.	2.5.1(a)	Climb structure not intended to be climbed	200.00	300.00	450.00
	365.	2.5.1(b)	Damage or remove vegetation	200.00	300.00	450.00
	366.	2.5.1(c)	Damage or remove structure	200.00	300.00	450.00
	367.	2.7	Consume, serve, or sell alcohol	200.00	300.00	450.00
	368.	2.9.1(a)	Remove, cut, or destroy tree on municipal property	200.00	300.00	450.00
	369.	3.1(a)	Access or occupy park for non-recreational use	200.00	300.00	450.00
	370.	3.1(b)	Enter or gather in park between 11:00pm and 5:00am	200.00	300.00	450.00
	371.	3.4	Operate loud speakers or amplified equipment in a park	200.00	300.00	450.00
	372.	3.5	Dwell, camp, or lodge in a park	200.00	300.00	450.00
	373.	3.6	Place, install, or erect a tent or structure in a park	200.00	300.00	450.00
	374.	4.1.1(b)	Interfere with organized activity	200.00	300.00	450.00
	375.	4.5.1	Skate where not permitted	200.00	300.00	450.00
	376.	4.8	Failure to comply with posted rules for tennis	200.00	300.00	450.00
	377.	5.1.1(a)	Operate bicycle in prohibited area	200.00	300.00	450.00
	378.	5.1.1(a)	Obstruct or endanger others while riding a bicycle	200.00	300.00	450.00

	379.	5.2	Ride, drive, or park motorized recreational vehicle in park	200.00	300.00	450.00	
Pool Enclosure By-law 2008-18							
Pool Enclosure By-law 2008-18, as amended	380.	9	Failure to obtain permit	300.00	450.00	675.00	
	381.	10	Failure to construct pool enclosure	200.00	300.00	450.00	
	382.	11	Failure to comply with pool enclosure requirements	200.00	300.00	450.00	
	383.	13	Remove part of pool enclosure	200.00	300.00	450.00	
	384.	14	Alter pool enclosure without permit	200.00	300.00	450.00	
	385.	18	Construct pool causing obstruction to drainage	200.00	300.00	450.00	
	386.	21	Permit discharge of water affecting neighbouring property	200.00	300.00	450.00	
	387.	22	Failure to drain pool as required	200.00	300.00	450.00	
Property Standards By-law 2017-62							
Property Standards By-law 2017-62, as amended	388.	3.3	Failure to remediate to acceptable standards	200.00	300.00	450.00	
	389.	3.4	Permit occupancy when standards not met	200.00	300.00	450.00	
	390.	3.5	Failure to repair or demolish	200.00	300.00	450.00	
	391.	3.7	Remove posted notice	200.00	300.00	450.00	
	392.	3.9	Failure to post contact information	200.00	300.00	450.00	
	393.	6.1(9)	Dilapidated structure or accumulated materials causing a nuisance	200.00	300.00	450.00	
	394.	6.1(10)	Failure to maintain yard from pests	200.00	300.00	450.00	
	395.	6.1(12)	Unightly growth	200.00	300.00	450.00	
	396.	6.1(15)	Construction bin in yard	200.00	300.00	450.00	
	397.	6.1(17)	Interior furniture in yard	200.00	300.00	450.00	
	398.	6.3(1)	Recurrent ponding of storm water in yard	200.00	300.00	450.00	
	399.	6.3(2)	Instability or erosion of soil in yard	200.00	300.00	450.00	
	400.	6.3(5)	Failure to maintain drainage pattern	200.00	300.00	450.00	
	401.	7.3	Failure to maintain conditions which prevent passage	200.00	300.00	450.00	
	402.	8.3(2)	Discharge water on walkways, stairs, or neighbouring property	200.00	300.00	450.00	
	Property Standards By-law 2017-62, as amended	403.	9.1	Failure to maintain exterior lighting	200.00	300.00	450.00
		404.	10.1(1)	Failure to maintain fence	200.00	300.00	450.00
405.		10.1(2)	Failure to maintain fence in structurally sound condition	200.00	300.00	450.00	
406.		11.1	Failure to maintain retaining wall	200.00	300.00	450.00	
407.		12.1	Failure to maintain sign	200.00	300.00	450.00	
408.		13.1(2)	Failure to maintain accessory building	200.00	300.00	450.00	
409.		14.2	Failure to provide report from professional engineer	200.00	300.00	450.00	
410.		15.1	Failure to demolish or repair damaged structure	200.00	300.00	450.00	
411.		17.1(1)	Failure to maintain roof in watertight condition	200.00	300.00	450.00	
412.		17.1(2)	Failure to secure loose materials on roof	200.00	300.00	450.00	
413.		17.1(3)	Failure to remove snow or ice from roof	200.00	300.00	450.00	
414.		17.2	Failure to maintain soffit or fascia	200.00	300.00	450.00	
415.		17.3	Failure to maintain eaves trough or downspout	200.00	300.00	450.00	
416.		18.1	Failure to maintain stairs, landings, guards, or handrails	200.00	300.00	450.00	
417.		18.2	Failure to provide handrail	200.00	300.00	450.00	

Property Standards By-law 2017-62, as amended	418.	18.4	Failure to secure fire escape	200.00	300.00	450.00
	419.	19.4	Failure to maintain fire protection requirements	200.00	300.00	450.00
	420.	20.5(5)	Failure to maintain chimney or gas vent	200.00	300.00	450.00
	421.	21.1	Failure to prevent nuisance	200.00	300.00	450.00
	422.	21.1(1)	Failure to prevent light into dwelling	200.00	300.00	450.00
	423.	21.1(2)	Failure to prevent debris onto adjacent property	200.00	300.00	450.00
	424.	21.1(3)	Failure to remove accumulated materials	200.00	300.00	450.00
	425.	21.2(1)	Failure to maintain place for storage of refuse	200.00	300.00	450.00
	426.	21.2(3)	Failure to screen place for storage of refuse	200.00	300.00	450.00
	427.	22.1	Unoccupied and unsecured property	200.00	300.00	450.00
	428.	22.2	Failure to board vacant building	200.00	300.00	450.00
	429.	22.3	Failure to disconnect or secure utilities for vacant building	200.00	300.00	450.00
	430.	24.1	Failure to clear debris or material from demolition	200.00	300.00	450.00
	431.	24.3	Failure to protect adjoining property from demolition	200.00	300.00	450.00
	432.	25.1(2)	Failure to maintain appliances	200.00	300.00	450.00
	433.	25.1(3)	Failure to keep exit unobstructed	200.00	300.00	450.00
	434.	26.1	Failure to maintain dwelling free from conditions encouraging infestation	200.00	300.00	450.00
	435.	26.3	Failure to maintain garbage disposal room	200.00	300.00	450.00
	436.	27.1	Use non-habitable room	400.00	600.00	900.00
	437.	27.9	Failure to maintain supplied appliance	200.00	300.00	450.00
	438.	27.10	Failure to equip carbon monoxide detector	200.00	300.00	450.00
	439.	27.11	Failure to equip smoke detector	200.00	300.00	450.00
	440.	28.2	Failure to provide or maintain mail box	200.00	300.00	450.00
	441.	29.1	Disconnect service or utility	200.00	300.00	450.00
	442.	30.2	Failure to install locking devices on doors	200.00	300.00	450.00
	443.	30.4	Failure to maintain wall or ceiling	200.00	300.00	450.00
	444.	31.1	Failure to provide adequate heating system	200.00	300.00	450.00
	445.	31.4	Failure to provide written report by certified heating contractor	200.00	300.00	450.00
	446.	33.1(2)	Failure to maintain plumbing or fixtures	200.00	300.00	450.00
	447.	33.2	Failure to provide potable running water	200.00	300.00	450.00
	448.	33.6	Failure to provide hot or cold running water	200.00	300.00	450.00
	449.	34.1	Failure to maintain structure from mould	200.00	300.00	450.00
	450.	35.1	Failure to connect dwelling unit to electrical supply system	200.00	300.00	450.00
451.	35.2	Failure to maintain electrical in good working order	200.00	300.00	450.00	
452.	35.6	Failure to maintain electrical fixtures	200.00	300.00	450.00	
453.	36.1(2)	Failure to maintain window in good repair	200.00	300.00	450.00	
454.	36.1(3)	Failure to maintain window locks	200.00	300.00	450.00	
455.	36.3	Failure to provide or maintain window screen	200.00	300.00	450.00	
456.	37.1(1)	Failure to provide natural or artificial ventilation	200.00	300.00	450.00	
457.	38.5	Failure to provide and maintain voice communication system	200.00	300.00	450.00	
458.	40.1	Failure to maintain elevating device	200.00	300.00	450.00	
459.	50.1(1)	Failure to maintain heritage property	600.00	900.00	1,350.00	
460.	50.1(3)	Failure to obtain heritage permit	600.00	900.00	1,350.00	
461.	53.1	Alter, remove, or demolish heritage property	600.00	900.00	1,350.00	
462.	54.1	Failure to maintain utilities to prevent damage to heritage property	600.00	900.00	1,350.00	
463.	54.2(1)	Failure to secure vacant heritage property	600.00	900.00	1,350.00	

Private Tree Protection By-law 2022-10

Private Tree Protection By-law 2022-10, as amended	464.	4.1	Injure or destroy tree without a permit	1,000.00	1,500.00	2,250.00
	465.	4.4	Injure or destroy a Heritage Tree	5,000.00	7,500.00	11,250.00
	466.	5.10	Failure to comply with conditions of permit	500.00	750.00	1,125.00
	467.	5.16	Carry on work without a valid permit	1,000.00	1,500.00	2,250.00

Road Occupancy By-law 2018-31

Road Occupancy By-law 2018-31, as amended	468.	3.3.1	Cause or permit material, waste, or sediment on highway	200.00	300.00	450.00
	469.	3.3.2	Deposit snow or ice on roadway, sidewalk, or boulevard	200.00	300.00	450.00
	470.	3.3.4	Alter grade on boulevard	200.00	300.00	450.00
	471.	3.3.8	Place debris on highway	200.00	300.00	450.00
	472.	3.3.9	Place landscape or construction material or bin on highway	200.00	300.00	450.00
	473.	4.1	Failure to obtain Road Occupancy Permit	300.00	450.00	675.00

Second Hand Goods Shops and Dealers By-law 2008-79

Second Hand Goods Shops and Dealers By-law 2008-79, as amended	474.	3.1	Operate business without a licence	600.00	900.00	1,350.00
	475.	3.2(3)	Failure to post licence in premise	300.00	450.00	675.00
	476.	3.2(4)	Purchase second hand good with serial numbers removed or obstructed	300.00	450.00	675.00
	477.	4.1	Failure to record complete acquisition	300.00	450.00	675.00
	478.	5.1	Dispose of goods not in accordance with by-law	300.00	450.00	675.00
	479.	11.1	Failure to produce records	300.00	450.00	675.00

Sign By-law 2017-73

Sign By-law 2017-73, as amended	480.	3.1	Prohibited sign	300.00	450.00	675.00
	481.	3.2	Prohibited sign location	200.00	300.00	450.00
	482.	3.4	Sign causing obstruction	200.00	300.00	450.00
	483.	3.7	Flashing, animated, or noise emitting sign	200.00	300.00	450.00
	484.	3.8	Sign on vehicle or trailer	200.00	300.00	450.00
Sign By-law 2017-73, as amended	485.	3.10	Unlawful temporary sign	200.00	300.00	450.00
	486.	4.1	Failure to obtain a sign permit	200.00	300.00	450.00
	487.	4.2	Alter sign after approval	200.00	300.00	450.00
	488.	7.3	Failure to removed expired sign	200.00	300.00	450.00
	489.	10.1(c)	Failure to maintain sign	200.00	300.00	450.00
	490.	11.2	Erect, post, or display sign on Town property	200.00	300.00	450.00
	491.	11.6	Erect, post, or display sign on private property	200.00	300.00	450.00
	492.	22.2	New home development sign displayed during prohibited time	200.00	300.00	450.00

Site Alteration By-law 2016-58

Site Alteration By-law 2016-58, as amended	493.	4.1	Carry out site alteration without a permit	300.00	450.00	675.00
	494.	5.1	Permit site alteration for storage	200.00	300.00	450.00
	495.	5.2(a)	Permit site alteration without owner permission	200.00	300.00	450.00
	496.	5.2(b)	Permit site alteration with non-clean fill	200.00	300.00	450.00
	497.	5.2(c)	Permit site alteration contrary to drainage requirements	200.00	300.00	450.00
	498.	5.2(d)	Permit site alteration contrary to ESC requirements	200.00	300.00	450.00
	499.	5.3	Carry out site alteration during wind warning	200.00	300.00	450.00
	500.	5.4	Carry out site alteration in special area without a permit	200.00	300.00	450.00
	501.	5.5	Alter grade contrary to approved application	300.00	450.00	675.00
	502.	10.1	Obstruct a Municipal Enforcement Officer	600.00	900.00	1,350.00
Smoking By-law 2019-31						
Smoking By-law 2019-31 as amended	503.	3.1	Smoke in public place	200.00	300.00	450.00
	504.	3.2	Permit smoking on Town property	200.00	300.00	450.00
Waste Collection By-law 2017-19						
Waste Collection By-law 2017-19, as amended	505.	4.1	Failure to set out refuse in accordance with by-law	200.00	300.00	450.00
	506.	4.2	Deposit refuse on private or public property	200.00	300.00	450.00
	507.	4.3	Place or permit refuse causing a nuisance	200.00	300.00	450.00
	508.	4.4	Refuse placed for collection on improper date or time	200.00	300.00	450.00
Emergency Measures By-law 2020-20						
Emergency Measures By-law 2020-20, as amended	509.	3(1)	Permit or gather with more than the number of individuals prescribed by an Emergency Order	600.00	900.00	1,350.00
	510.	3(2)	Enter or remain in any park deemed closed	600.00	900.00	1,350.00
	511.	3(3)	Failure to maintain a 2m physical distance	600.00	900.00	1,350.00
	512.	3(4)	Guardian permits or allows individual to not maintain 2m physical social distance	600.00	900.00	1,350.00
	513.	3(5)	Permit more than the number of individuals prescribed by an Emergency Order to enter premise at one time	600.00	900.00	1,350.00
	514.	3(6)	Failure to restrict access to enter premise	600.00	900.00	1,350.00
	515.	3(7)	Failure to maintain 2m physical distance of customers within premise	600.00	900.00	1,350.00
	516.	3(8)	Failure to comply with any order made during a declared emergency	600.00	900.00	1,350.00
	517.	5(3)	Obstruct a municipal enforcement officer	600.00	900.00	1,350.00

Schedule “B”

**Administrative Monetary Penalty System By-law
Administrative Fees**

1. The table below lists the **Administrative Fees** as defined in Section 2 of this By-law.

Administrative Fee Description	Fee Amount
Adjudication Fee	\$25.00
Fee – Hearing No-Show	\$100.00
Fee – MTO Plate Denial	\$20.00
Fee – MTO Search	\$10.00
Fee – Screening No-Show	\$50.00

Note: Fees listed in Schedule “B” to this By-law will be subject to Harmonized Sales Tax (H.S.T.) where applicable.



Corporation of the Town of Newmarket

By-law 2024-16

OFFICE CONSOLIDATION

This is a consolidation of the Town's By-law to operate the Administrative Monetary Penalty System in the Town of Newmarket, being By-law 2024-16, as amended by the below listed by-laws and is prepared for reference and information purposes only. The following consolidation is an electronic reproduction made available for information only. It is not an official version of By-law 2024-16. Official versions of all by-laws can be obtained from Legislative Services by calling 905-953-5300. If there are any discrepancies between this consolidation and By-law 2024-16 and listed amending by-laws the official by-laws shall prevail.

2024-16 – April 29, 2024	Repeal and replace By-law 2019-62 for the application of camera-based enforcement under the Highway Traffic Act
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A By-law to operate the Administrative Monetary Penalty System in the Town of Newmarket.

Whereas Section 102.1 of the Municipal Act, 2001, S.O. 2001, c.25, as amended, (the Municipal Act”) and Ontario Regulation 333/07 authorize the Corporation of the **Town** of Newmarket (the “**Town**”) to require a **Person** to pay an **Administrative Penalty** for a **Contravention** of any By-law respecting the parking, standing or stopping of vehicles;

And Whereas Ontario Regulation 355/22 under the *Highway Traffic Act R.S.O. 1990, c. H. 8*, as amended, (the “Highway Traffic Act”) authorizes the use of **Administrative Penalties** for vehicle-based **Contraventions** captured by automated enforcement systems;

And Whereas Section 434.1 of the *Municipal Act* authorizes the **Town** to require a **Person**, subject to such conditions as the municipality considers appropriate, to pay an **Administrative Penalty** if the municipality is satisfied that the **Person** has failed to comply with a By-law of the municipality;

And Whereas Sections 23.1, 23.3 and 23.5 of the *Municipal Act* authorize the **Town** to delegate its administrative and hearing powers;

And Whereas Section 391 of the *Municipal Act* authorizes the **Town** to pass By-laws imposing fees or charges for services or activities provided or done by or on behalf of it;

And Whereas Section 398 of the *Municipal Act* authorizes the **Town** to impose a fee or charge as a debt owing to the **Town** and can be added to the tax rolls and collected in the same manner as taxes;

And Whereas the Council for the **Town** considers it desirable and necessary to provide for a system of **Administrative Penalties** and **Administrative Fees** for the designated **Town** By-laws;

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

1. Title

This By-law may be known and cited for all purposes as the “Administrative Monetary Penalty System By-law 2024-16”.

2. Definitions

In this By-law:

“Administrative Fee” means any fee specified in Ontario Regulation 355/22 under the *Highway Traffic Act*, or this By-law, as amended;

“Administrative Penalty” means a monetary penalty, issued by means of a **Penalty Notice** or **Penalty Order**, as set out in this By-law for a **Contravention** of a **Designated By-law** or the *Highway Traffic Act*;

“Administrative Penalty Number” means the identifying number specified on the **Penalty Notice** or **Penalty Order** that is unique to that **Administrative Penalty**;

“Appellant” means a **Person** that has received an **Administrative Penalty** imposed by the **Town** and chooses to **Appeal** the **Administrative Penalty** by having it reviewed by a **Screening Officer** or a **Hearing Officer**;

“Appeal” means either a screening review or hearing review of an **Administrative Penalty** requested within the prescribed period of time and issued in accordance with this By-law or the *Highway Traffic Act*;

“Contravention” means the failure to comply with a provision listed in Schedule “A” or Schedule “B” of this By-law, or the *Highway Traffic Act*;

“Designated By-law” means a By-law, or a part or provision of a By-law, that is listed in the attached Schedule “A” or Schedule “B” of this By-law;

“Director” means the Director of Legislative Services or their designate;

“Early Payment” means a twenty five percent (25%) discount for **Early Payment** in accordance with Section 5.(4)(a) of this By-law that is payable for **Contraventions** listed in Schedule “A” or Schedule “B” of this By-law;

“Fail to Attend Fee” means an **Administrative Fee** listed in Schedule “C” applied for the purpose of the **Town** recovering the administrative costs associated with a **Person’s** failure to attend a scheduled screening or hearing, electronically or by other means, at the date and time set by a **Screening Officer** or **Hearing Officer**;

“Hearing Officer” means a **Person** appointed by the **Town** who performs the duties of a **Hearing Officer** in accordance with this By-law, Ontario Regulation 355/22 under the *Highway Traffic Act*, and pursuant to the **Town’s Hearing Officer** policies;

“Issuing Officer” includes members of York Regional Police Services, Municipal Enforcement Officers, Property Standards Officer, Business Licensing Officers, Provincial Offences Officers, and any other **Person** authorized by the **Town** to enforce this By-law;

“Late Payment” means a twenty five percent (25%) surcharge for **Late Payment** in accordance with Section 5.(4)(c) of this By-law that is payable for **Contraventions** listed in Schedule “A” or Schedule “B” of this By-law;

“Penalty Notice” means a ticket issued pursuant to Section 5. of this By-law, in relation to a **Contravention** of a **Designated By-law**;

“Penalty Order” means a ticket issued pursuant to Section 6. of this By-law and the *Highway Traffic Act*, in relation to **Contraventions** detected using automated camera systems;

“Person” includes an individual or business name, sole proprietorship, corporation, partnership, or limited partnership, or an authorized representative thereof, to whom the context can apply according to law;

“Plate Search Fee” means an **Administrative Fee** listed in Schedule “C” applied for the purpose of the **Town** recovering the costs associated with searching a license plate database to obtain the name and most recent address of the **Person** who is subject to an **Administrative Penalty**;

“Screening Decision” means a notice that contains the decision made by a **Screening Officer** and delivered in accordance with Section 11. of this By-law;

“Screening Officer” means a **Person** who performs the functions of a **Screening Officer** in accordance with this By-law, Ontario Regulation 355/22 under the *Highway Traffic Act*. and Ontario Regulation 333/07 under the *Municipal Act*;

“Set Penalty Amount” means the amount that is payable in respect of a **Contravention** of a By-law as identified in Schedule “A” or Schedule “B” of this By-law, or a **Contravention** of the *Highway Traffic Act*;

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

“Vary” means the reduction of an **Administrative Penalty** amount or extension of time for payment of an **Administrative Penalty** amount;

“Victim Component Fee” means a fee collected under Ontario's Victims' Bill of Rights to help support victims of criminal offences and is required to be collected on behalf of the Province to the Victims’ Justice Fund Account, pursuant to Ontario Regulation 355/22 under the *Highway Traffic Act*.

3. Application

- (1) This By-law applies to those **Contraventions** included within Schedule “A” and Schedule “B”, attached hereto and forming part of this By-law to impose **Administrative Penalties** for **Contraventions** of **Town** By-laws.
- (2) This By-law applies to those **Contraventions** under the *Highway Traffic Act*, to impose **Administrative Penalties** for **Contraventions** detected using camera systems.

4. Procedural Requirements

- (1) The **Administrative Penalties** designated in Schedule “A” and Schedule “B”, as attached, and forming part of this By-law, shall be dealt with by **Penalty Notice** and the Administrative Monetary Penalty System.
- (2) The **Administrative Penalties** issued under the *Highway Traffic Act*, shall be dealt with by **Penalty Order** and the Administrative Monetary Penalty System.
- (3) The **Administrative Penalty** shall be served to the **Person** in accordance with Section 11.(1) and shall include;
 - (a) the **Administrative Penalty Number**;
 - (b) the date, time and location of the **Contravention**;
 - (c) the provision of the *Highway Traffic Act* or **Designated By-law** contravened;
 - (d) An identification of the motor vehicle that is involved in the contravention, as required under Ontario Regulation 355/22 only
 - (e) the amount of the **Administrative Penalty** and the associated **Administrative Fees**;
 - (f) a signature of the **Issuing Officer**;

- (g) information respecting the process by which the **Person** may exercise their right to request an **Appeal** of the **Administrative Penalty**; and
 - (h) a statement advising the **Person** must, no later than 30 days after the day the **Administrative Penalty** is deemed served on them, pay the **Administrative Penalty** unless they commence an **Appeal** in accordance with this By-law;
 - (i) A statement advising the **Person** may, no later than 30 days after the day the **Administrative Penalty** is served on them, commence an **Appeal** in accordance with this By-law.
- (4) Every **Person** that receives an **Administrative Penalty** must be provided with reasonable notice that an **Administrative Penalty** is payable under this By-law.
 - (5) The **Issuing Officer** responsible for serving an **Administrative Penalty** is prohibited from accepting payment for the **Administrative Penalty**.
 - (6) A **Person** who receives an **Administrative Penalty** shall be given the right to request an **Appeal** of the **Administrative Penalty** by a **Screening Officer** employed by the **Town** for that purpose.
 - (7) A **Person** who receives a **Screening Decision** shall be given the right to request an **Appeal** of the **Administrative Penalty** by a **Hearing Officer** appointed by the **Town** for that purpose.

5. Penalty Notice

- (1) An **Issuing Officer** who has reason to believe that a **Person** has contravened any provision of a **Designated By-law** may issue a **Penalty Notice**, in accordance with this By-law.
- (2) Where a **Person** is served a **Penalty Notice**, the **Person** shall be liable to pay to the **Town** an **Administrative Penalty** in the amount set out in Schedule “A”, Schedule “B”, and any related **Administrative Fees**.
- (3) Where the **Contravention** of a **Designated By-law** is continuous, each day the **Contravention** continues shall constitute a new and separate offence.
- (4) The amount due for a **Penalty Notice** is:
 - (a) the **Early Payment** for the related **Contravention** as set out in Schedule “A” and Schedule “B”, if payment is received by the **Town** within fifteen (15) calendar days from the date of the **Penalty Notice** being deemed served in accordance with Section 11.(1); or
 - (b) the **Set Penalty Amount** set out in Schedule “A” and Schedule “B” of this By-law for the related **Contravention** if payment is received by the **Town** on and following sixteen (16) calendar days from the date of the **Penalty Notice** being deemed served in accordance with Section 11.(1); or
 - (c) the **Late Payment** for the related **Contravention** as set out in Schedule “A” and Schedule “B”, if payment is received by the **Town** on and following thirty-one (31) calendar days from the date of the **Penalty Notice** being deemed served in accordance with Section 11.(1); or
 - (d) The **Second Offence Set Penalty** set out in Schedule “B” for the related **Contravention** if the same violation is repeated by the same **Person** within three-hundred and sixty-five (365) days of the previous **Penalty Notice** being deemed served in accordance with Section 11.(1); or

- (e) The **Third Offence Set Penalty** set out in Schedule “B” for the related **Contravention** if the same violation is repeated by the same **Person**, three (3) or more times, within three-hundred and sixty-five (365) days of the previous **Penalty Notices** being deemed served in accordance with Section 11.(1).

6. Penalty Order

- (1) An **Issuing Officer** who has reason to believe that a **Person** has contravened the *Highway Traffic Act*, may issue a **Penalty Order** in accordance with Ontario Regulation 355/22.
- (2) Where a **Person** is served a **Penalty Order**, the **Person** shall be liable to pay the **Town** an **Administrative Penalty** as set out in Ontario Regulation 355/22 under the *Highway Traffic Act* and any related **Administrative Fees**.

7. Appeal Process of Administrative Penalties

- (1) An **Appeal** of an **Administrative Penalty** shall be conducted as follows:
 - (a) A **Person** who is subject to an **Administrative Penalty** may commence the first stage of an **Appeal** by requesting, in the manner set out in the penalty, an **Appeal** of the **Administrative Penalty** by a **Screening Officer**.
 - (b) A request under Section 7(1)(a) shall be made within 30 days after the date on which the **Administrative Penalty** is deemed served.
 - (c) The **Screening Officer** may confirm, **Vary**, or cancel the **Administrative Penalty** and shall do so as soon as practical after the **Appeal** is complete.
 - (d) The **Screening Officer** shall send a copy of the decision to the **Appellant** by hand-delivery, mail, courier, or electronic means as soon as practical after the decision is made.
 - (e) An **Appellant** may commence the second stage of an **Appeal** by requesting a review of the **Screening Officer’s** decision by a **Hearing Officer**.
 - (f) A request under Section 7.(1)(e) shall be made within 30 days after the date of the decision of the **Screening Officer**.
 - (g) The **Hearing Officer** may confirm, **Vary**, or cancel the decision of the **Screening Officer** and shall do so as soon as practical after the **Appeal** is complete.
 - (h) The **Hearing Officer** shall send a copy of the decision to the **Appellant** by mail, courier, or electronic means as soon as practical after the decision is made.
- (2) If a **Screening Officer** or **Hearing Officer** considers it fair and appropriate in the circumstances, the **Screening Officer** or **Hearing Officer** may extend the 30-day period to commence an **Appeal** and the extension may be made even after the 30-day period has expired.

8. Conduct of an Appeal

- (1) A screening review is to be conducted by phone, email, or in-person and a **Screening Officer** shall ensure that the **Appellant** is informed of the determination.
- (2) A hearing review is to be conducted in-person, virtually, or by phone and a **Hearing Officer** shall ensure that the **Appellant** is informed of the determination.
- (3) The method conduct of an **Appeal** shall be determined by a **Screening Officer** or **Hearing Officer**
- (4) An **Appellant** shall be given no fewer than seven (7) calendar days notice by the **Town** of the date, time, and place of an **Appeal** by the **Hearing Officer**.

- (5) If a date and time is set for an **Appellant** to make submissions in respect of any stage of an **Appeal**, the **Appellant** shall attend at the set date and time.
 - (a) If the **Appellant** failed to attend any stage of an **Appeal**, a **Fail to Attend Fee** shall be added to the **Administrative Penalty** amount. The **Appellant** shall be considered to have abandoned the **Appeal**, the **Administrative Penalty** shall be confirmed, and the **Appeal** shall be deemed final.
- (6) A **Screening Officer** or **Hearing Officer** shall not decide whether to confirm, **Vary** or cancel an **Administrative Penalty** unless the **Appellant** has been given an opportunity to make submissions in the same manner in which the **Appeal** is to be conducted.
- (7) A **Hearing Officer** shall not decide whether to confirm, **Vary** or cancel an **Administrative Penalty** unless a representative of the **Town** has been given an opportunity to make submissions in the same manner in which the review is to be conducted.

9. Determination of an Appeal

- (1) In deciding whether to confirm, **Vary** or cancel an **Administrative Penalty**, a **Screening Officer** shall determine whether it was reasonable for the **Issuing Officer** to impose the **Administrative Penalty**.
- (2) In deciding whether to confirm, **Vary** or cancel an **Administrative Penalty**, a **Hearing Officer** shall determine whether the decision of the **Screening Officer** was reasonable.
- (3) In making a determination mentioned in Section 9.(1) or 9.(2), the **Screening Officer** or **Hearing Officer** may consider the following information, if available;
 - (a) Photographs or images taken, as applicable.
 - (b) Statements made by the **Officer** who imposed the **Administrative Penalty**.
 - (c) Documents setting out the name and address of the **Person** who is subject to the **Administrative Penalty**.
 - (d) Statements by the **Appellant** made either in writing or in the manner in which the review is conducted.
 - (e) Statements by or on behalf of the municipality where the contravention occurred, made either in writing or in the manner in which the review is conducted.
 - (f) Any other submissions that the **Screening Officer** or **Hearing Officer** considers to be credible or trustworthy in the circumstances.

10. Decision

- (1) A **Screening Officer** or **Hearing Officer** does not have jurisdiction to consider questions relating to the validity of a statute, regulation or By-law or the constitutional applicability or operability of any statute, regulation, or By-law.
- (2) If a **Screening Officer** or **Hearing Officer** decides to cancel or **Vary** the amount of a **Penalty Notice**, they shall do so in accordance with the following rules:
 - (a) the **Appellant** establishes, on a balance of probabilities, that the offence did not occur as alleged on the **Administrative Penalty**.
 - (b) the cancellation, reduction, or extension of time for payment of an **Administrative Penalty**, including any **Administrative Fees**, is necessary to reduce undue hardship.

- (c) In respect to considerations for undue financial hardship, the **Appellant** shall provide documented proof of financial assistance such as:
 - (i) Old Age Security;
 - (ii) Canada Pension;
 - (iii) Guaranteed Income Supplement;
 - (iv) Disability Pension;
 - (v) Ontario Student Assistance Program; or
 - (vi) any other form of social assistance.
 - (d) A reduction of an Administrative Penalty amount by a **Screening Officer** or **Hearing Officer** shall be limited to the **Early Payment** amount, except when unique or exceptional circumstances exist as determined by a Screening Officer or Hearing Officer;
 - (e) The amount of the **Penalty Notice** shall not be increased other than in accordance this By-law.
- (3) If a **Screening Officer** or **Hearing Officer** decides to cancel or **Vary** the amount of a **Penalty Order**, they shall do so in accordance with the following rules:
- (a) the **Appellant** establishes, on a balance of probabilities, that the offence did not occur as alleged on the **Penalty Order**.
 - (b) the cancellation, reduction, or extension of time for payment of an **Administrative Penalty**, is necessary to reduce undue hardship.
 - (c) In respect to considerations for undue financial hardship, the **Appellant** shall provide documented proof of financial assistance such as:
 - (i) Old Age Security;
 - (ii) Canada Pension;
 - (iii) Guaranteed Income Supplement;
 - (iv) Disability Pension;
 - (v) Ontario Student Assistance Program; or
 - (vi) any other form of social assistance.
 - (d) If the total amount of a **Penalty Order** is decreased, the **Victim Component Fee** shall be reduced proportionally to the decrease in the **Set Penalty Amount**.
 - (e) The amount of the **Penalty Order** shall not be increased other than in accordance with Ontario Regulation 355/22 under the *Highway Traffic Act*.
- (4) The decision of a **Hearing Officer** is final.

11. Service of Documents

- (1) The service on a **Person** of any document, notice, or decision, including but not limited to an **Administrative Penalty** pursuant to this By-law, is deemed to have been served on the earliest of any of the following dates:
- (a) when a copy is placed or affixed in any manner to a **Person's** vehicle;
 - (b) when a copy is hand-delivered to the **Person** to whom it is addressed;
 - (c) when a copy is delivered by regular mail to the **Person** to whom it is addressed;
 - i. on the seventh (7th) calendar day following the date a copy is sent by regular mail to the **Person's** last known address; or
 - ii. immediately upon sending a copy by electronic mail (email) to the **Person's** last known electronic mail address.

- (2) Any notice or document to be given to the **Town** in respect of this By-law shall be in writing and delivered in any of the following manners:
- (a) Personally delivering a copy to the **Town** during its regular business hours to “Legislative Services Department – **Town** of Newmarket, 395 Mulock Dr, Newmarket, ON, L3Y 4Y9”; or
 - (b) Email to the **Town** at administrativepenalties@newmarket.ca; or
 - (c) Online through the **Town’s** dispute webpage

12. Administration

- (1) The **Director** shall administer this By-law and establish any additional practices, policies, and procedures necessary to implement this By-law and may amend such practices, policies, and procedures from time to time, as the **Director** deems necessary, without amendment to this By-law.
- (2) The **Director** shall prescribe all forms and notices, including the **Administrative Penalties**, necessary to implement this By-law and may amend such forms and notices from time to time, as the **Director** deems necessary, without amendment to this By-law.
- (3) The positions of **Screening Officer** and **Hearing Officer** are established through delegated authority and shall be appointed by the **Director**.
- (4) Where an **Administrative Penalty** and any applicable **Administrative Fees** are not paid by the date on which they are due and payable, the **Town**:
 - (a) may notify the Ontario Ministry of Transportation or the Ministry of Attorney General (the “Ministry”) of the default after thirty (30) days, at which time the Ministry shall not validate the permit of the **Person** named in the notice of default nor issue a new permit to the **Person** until the **Administrative Penalty** and any applicable **Administrative Fees** are paid to the **Town**; or
 - (b) shall deem the outstanding amount to be unpaid taxes and shall be added to the tax roll and collected in the same manner as municipal taxes.
- (5) Where the **Town** notifies a Ministry of a default under this By-law, the **Person** shall pay any applicable administration fees imposed by the Ministry.
- (6) Where **Town** staff are required to access a license plate database to obtain the name and most recent address of the **Person** who is subject to an **Administrative Penalty**, the **Person** to whom the **Administrative Penalty** was issued, shall pay a **Plate Search Fee**.
- (7) Where an **Administrative Penalty** is cancelled, any **Administrative Fees** are also cancelled.
- (8) Once an **Administrative Penalty** has been paid there is no further option for **Appeal**.

13. Severability

- (1) Should any provision, or any part of a provision, of this By-law be declared invalid, or to be of no force and effect by a court of competent jurisdiction, it is the intent of Council that such a provision, or part of a provision, shall be severed from this By-law, and every other provision of this By-law shall be applied and enforced in accordance with its terms to the extent possible according to law.

14. Interpretation

- (1) The provisions in Part VI of the Legislation Act, 2006, S.O. 2006, c.21, Sched. F, shall apply to this By-law.
- (2) Where words and phrases used in this By-law are defined in the *Highway Traffic Act*, but not defined in this By-law, the definitions in the *Highway Traffic Act* shall apply to such words and phrases.

15. Short Title

- (1) This By-law may be referred to as the AMPS By-law.

16. Repeal

- (1) Administrative Monetary Penalty System By-law 2019-62 is hereby repealed.

Enacted this 29th day of April 2024.

Schedule “A”

Administrative Monetary Penalty System Designated Parking By-law Provisions

- (1) For the purposes of Section 3.(1) of this By-law, Column A3 in the following table lists the provisions in the **Designated By-law** identified in the Schedule, as amended.
- (2) Column A4 in the following table sets out the short form wording to be used in a **Penalty Notice** for the **Contravention** of the designated provisions listed in Column A3.
- (3) Column A6 in the following table sets out the **Administrative Penalties** for the **Set Penalty Amount** in accordance with Section 5.(4)(b) of this By-law that is payable for **Contraventions** of the designated provisions listed in Column A3.
- (4) The penalties shown in Columns A5 below include a twenty five percent (25%) discount for **Early Payment** in accordance with Section 5.(4)(a) of this By-law that is payable for **Contraventions** of the designated provisions listed in Column A3.
- (5) The penalties shown in column A7 below include a twenty five percent (25%) surcharge for **Late Payment** in accordance with Section 5.(4)(c) of this By-law that is payable for **Contravention** of the designated provisions listed in Column A3.

A1 By-law	A2 Item	A3 Section	A4 Description	A5 Early Payment	A6 Set Penalty	A7 Late Payment
Parking By-law 2019-63						
Parking By-law 2019-62, as amended	1.	5(2)	Interfere with Authorized Sign	30.00	40.00	50.00
	2.	5(3)	Obstruct Authorized Sign	30.00	40.00	50.00
	3.	6(1)(a)	Park facing wrong direction	30.00	40.00	50.00
	4.	6(1)(b)	Park more than 30cm from curb	30.00	40.00	50.00
	5.	6(1)(c)	Fail to park parallel to curb	30.00	40.00	50.00
	6.	7(1)(a)	Park within 9m of non-signalized intersection	37.50	50.00	62.50
	7.	7(1)(b)	Park within 15m of signalized intersection	37.50	50.00	62.50
	8.	7(1)(c)	Exceed posted time	30.00	40.00	50.00
	9.	7(1)(d)	Park contrary to traffic control device	30.00	40.00	50.00
	10.	7(1)(e)	Park causing obstruction	30.00	40.00	50.00
	11.	7(1)(f)	Park between 0200 and 0600 hrs	75.00	100.00	125.00
	12.	7(1)(g)	Park on boulevard	37.50	50.00	62.50
	13.	7(1)(h)	Park within 3m of hydrant	75.00	100.00	125.00
	14.	7(1)(i)	Park within 152m of firefighting apparatus	56.25	75.00	93.75
	15.	7(1)(j)	Park within 7m of fire hall entrance – same side	37.50	50.00	62.50
	16.	7(1)(k)	Park within 30m of fire hall entrance – opposite side	37.50	50.00	62.50
	17.	7(1)(l)	Park on a bridge	37.50	50.00	62.50
	18.	7(1)(m)	Park within 6m of bus stop	30.00	40.00	50.00
	19.	7(1)(n)	Park in a public laneway	30.00	40.00	50.00
	20.	7(1)(o)	Park on a median	37.50	40.00	50.00
	21.	7(1)(p)	Double park	37.50	50.00	62.50
	22.	7(1)(q)	Park within turning circle	30.00	40.00	50.00
	23.	7(1)(r)	Park displaying vehicle for sale	30.00	40.00	50.00
	24.	7(1)(s)	Park without valid registration	30.00	40.00	50.00
	25.	7(1)(t)	Parked while washing or repairing vehicle	30.00	40.00	50.00
	26.	7(1)(u)	Exceed 3 consecutive hours	30.00	40.00	50.00
	27.	7(1)(v)	Park within 0.6m of driveway	37.50	50.00	62.50
	28.	7(1)(w)	Park obstructing previously parked vehicle	30.00	40.00	50.00
	29.	7(1)(x)	Park on narrow roadway	30.00	40.00	50.00
	30.	7(1)(y)	Park alongside railway tracks	30.00	40.00	50.00
	31.	7(1)(z)	Park causing obstruction to building	30.00	40.00	50.00
	32.	7(1)(aa)	Park within 15m of Authorized Sign intersection	30.00	40.00	50.00
	33.	7(1)(bb)	Park within 30m of traffic signal intersection	37.50	50.00	62.50
	34.	7(1)(cc)	Park within a turning basin	30.00	40.00	50.00
	35.	7(1)(dd)	Interfere with funeral procession	30.00	40.00	50.00
	36.	7(1)(ee)	Park within 15m of dead-end roadway	30.00	40.00	50.00
	37.	7(1)(ff)	Park within 3m of walkway	30.00	40.00	50.00
	38.	7(1)(gg)	Park within Unauthorized Area	75.00	100.00	125.00

Parking By-law 2019-62, as amended	39.	7(2)	Park commercial vehicle on street	41.25	55.00	68.75
	40.	7(3)	Park trailer on street	41.25	55.00	68.75
	41.	7(4)(a)	Park within 15m of crosswalk – same side	37.50	50.00	62.50
	42.	7(4)(b)	Park within 30m of crosswalk – opposite side	37.50	50.00	62.50
	43.	7(5)(a)	Unauthorized parking on private property	30.00	40.00	50.00
	44.	7(5)(b)	Unauthorized parking on Town property	30.00	40.00	50.00
	45.	7(5)(c)	Park during restricted time	30.00	40.00	50.00
	46.	8(1)(a)	Stop within intersection	37.50	50.00	62.50
	47.	8(1)(b)	Stop within 9m of pedestrian crossover	37.50	50.00	62.50
	48.	8(1)(c)	Stop within 9m of School Crossing Guard	37.50	50.00	62.50
	49.	8(1)(d)	Stop causing obstruction	37.50	50.00	62.50
	50.	8(1)(e)	Stop contrary to traffic control device	30.00	40.00	50.00
	51.	8(1)(f)	Stop parallel to vehicle	30.00	40.00	50.00
	52.	8(1)(g)	Stop on a bridge	37.50	50.00	62.50
	53.	8(1)(h)	Stop within tunnel	37.50	50.00	62.50
	54.	8(1)(i)	Stop obstructing traffic	56.25	75.00	93.75
	55.	8(1)(j)	Stop within turning circle	37.50	50.00	62.50
	56.	8(1)(k)	Stop within Unauthorized Area	75.00	100.00	125.00
	57.	9(3)	Park within fire route	112.50	150.00	187.50
	58.	10(1)	Park contrary to No Parking sign	37.50	50.00	62.50
	59.	11(1)	Stop contrary to No Stopping sign	37.50	50.00	62.50
	60.	13(1)(a)	Park contrary to municipal parking area	30.00	40.00	50.00
	61.	13(1)(b)	Park in more than one space	30.00	40.00	50.00
	62.	13(1)(c)	Unauthorized parking in municipal parking area	30.00	40.00	50.00
	63.	14(1)(a)	Failure to display accessible permit	300.00	400.00	500.00
	64.	14(1)(b)	Unauthorized use of accessible permit	300.00	400.00	500.00
	65.	17(2)	Obstruct a Municipal Enforcement Officer	75.00	100.00	125.00

Schedule “B”

Administrative Monetary Penalty System Designated Municipal By-law Provisions

- (1) For the purposes of Section 3.(1) of this By-law, Column A3 in the following table lists the provisions in the **Designated By-law** identified in the Schedule, as amended.
- (2) Column A4 in the following table sets out the short form wording to be used in a **Penalty Notice** for the **Contravention** of the designated provisions listed in Column A3.
- (3) Column A5, A6 and A7 in the following table set out the **Administrative Penalties** for the **Set Penalty Amounts** in accordance with Section 5.(4)(b), (d) and (e) of this By-law that is payable for **Contraventions** of the designated provisions listed in Column A3.
- (4) The penalties shown in Columns A5, A6 and A7 below are subject to a twenty five percent (25%) discount for **Early Payment** in accordance with Section 5.(4)(a) of this By-law that is payable for **Contraventions** of the designated provisions listed in Column A3.
- (5) The penalties shown in column A5, A6 and A7 below are subject to a twenty five percent (25%) surcharge for **Late Payment** in accordance with Section 5.(4)(c) of this By-law that is payable for **Contravention** of the designated provisions listed in Column A3.

A1 By-law	A2 Item	A3 Section	A4 Description	A5 1 st Offence Set Penalty	A6 2 nd Offence Set Penalty	A7 3 rd Offence Set Penalty
Accessory Dwelling Units By-law 2013-13						
Accessory Dwelling Units By-law 2013-13, as amended		2	Operate or permit occupancy in unregistered two unit house	600.00	900.00	1,350.00
	2.	3(a)	Failure to register two-unit house	600.00	900.00	1,350.00
	3.	9(a)	Obstruct a Municipal Enforcement Officer	600.00	900.00	1,350.00
Animal Control By-law 2020-30						
Animal Control By-law 2020-30, as amended	4.	4(2)	Dog noise causing a disturbance	300.00	450.00	675.00
	5.	4(3)	Control more than the maximum permitted dogs/cats	300.00	450.00	675.00
	6.	4(4)	Keep more than the maximum permitted dog/cats	300.00	450.00	675.00
	7.	4(5)(a)	Permit Dangerous Dog in a leash-free park	300.00	450.00	675.00
	8.	4(6)	Failure to stoop and scoop	300.00	450.00	675.00
	9.	4(7)	Keep Animal contrary to Schedule A of this By-law	600.00	900.00	1,350.00
	10.	4(8)	Failure to provide proof of grandfathered animal	600.00	900.00	1,350.00
	11.	4(9)	Failure to comply with conditions of grandfathered animal	300.00	450.00	675.00
	12.	4(10)	Failure to provide Town with new address of grandfathered animal	300.00	450.00	675.00
	13.	5(3)	Leave Animal in Vehicle contrary to conditions	400.00	600.00	900.00
	14.	5(4)(a)	Failure to provide Animal sanitary environment	400.00	600.00	900.00
	15.	5(4)(b)	Failure to provide Animal adequate care	400.00	600.00	900.00
	16.	5(4)(c)	Failure to provide Animal adequate food and water	400.00	600.00	900.00
	17.	5(4)(d)	Failure to provide Animal shelter	400.00	600.00	900.00
	18.	5(4)(e)	Failure to provide Animal Veterinary care	400.00	600.00	900.00
	19.	5(5)	Keep Animal in a condition that causes a disturbance	400.00	600.00	900.00
	20.	5(6)	Keep Animal in a manner that endangers the health of others	400.00	600.00	900.00
	21.	6(1)(a)	Use tether less than 3m	400.00	600.00	900.00
	22.	6(1)(b)	Failure to allow tethered Animal unrestricted movement	400.00	600.00	900.00
	23.	6(1)(c)	Failure to constrain a tethered Animal to property	400.00	600.00	900.00
	24.	6(1)(d)	Failure to provide tethered animal water, food, shelter, or shade	400.00	600.00	900.00
	25.	6(2)	Tether Animal using prohibited device	400.00	600.00	900.00
	26.	6(3)	Tether Animal for more than 3 hours	400.00	600.00	900.00
	27.	7(1)	Feed or permit the feeding of wildlife	300.00	450.00	675.00
	28.	7(2)	Permit or cause a feeding device to be left outside	300.00	450.00	675.00

Animal Control By-law 2020-30, as amended	29.	8(1)	Failure to submit Urban Hens application	300.00	450.00	675.00
	30.	8(2)	Keep more than three Urban Hens	300.00	450.00	675.00
	31.	8(3)	Keep Urban Hen under the age of 4 months	300.00	450.00	675.00
	32.	8(4)	Keep Rooster on residential property	300.00	450.00	675.00
	33.	8(6)	Failure to keep Urban Hen in coop between 9:00pm and 6:00am	300.00	450.00	675.00
	34.	8(7)	Failure to keep Urban Hen in run	300.00	450.00	675.00
	35.	8(13)	Failure to maintain hen coop or hen run	300.00	450.00	675.00
	36.	8(14)	Permit the slaughter of hens	400.00	600.00	900.00
	37.	8(15)	Improper disposal of livestock	400.00	600.00	900.00
	38.	9(2)	Failure to comply with a Training Order	400.00	600.00	900.00
	39.	9(3)(a)	Failure to comply with Notice to Muzzle on owner's property	400.00	600.00	900.00
	40.	9(3)(b)	Failure to comply with Notice to Muzzle when off of owner's property	400.00	600.00	900.00
	41.	9(4)	Failure to prevent dog from engaging in a dangerous Act	600.00	900.00	1,350.00
	42.	9(7)	Failure to comply with a Dangerous Dog Order	600.00	900.00	1,350.00
	43.	12(1)	Failure to licence cat/dog	400.00	600.00	900.00
	44.	12(2)	Failure to affix licence to cat/dog	400.00	600.00	900.00
	45.	12(5)	Provide false information when licensing animal	400.00	600.00	900.00
	46.	13(1)	Permit dog at large	400.00	600.00	900.00
47.	13(3)	Permit dog in area contrary to posted signage	400.00	600.00	900.00	
48.	13(4)	Permit cat at large	400.00	600.00	900.00	

Business Licence By-law 2020-31

Business Licence By-law 2020-31, as amended	49.	3(1)	Operate without a business licence	1,000.00	2,000.00	3,000.00
	50.	3(2)	Failure to comply with legislation	300.00	450.00	675.00
	51.	3(3)	Operate business at more than one premises	300.00	450.00	675.00
	52.	3(5)	Failure to display business licence	300.00	450.00	675.00
	53.	3(8)(a)	Advertising without a business licence	300.00	450.00	675.00
	54.	3(8)(b)	Improper business name advertised	300.00	450.00	675.00
	55.	3(8)(c)	Advertise products or services contrary to Town by-laws	300.00	450.00	675.00
	56.	3(9)	Carry on business on Town property without authorization	300.00	450.00	675.00
	57.	4(2)	Obstruct a Licensing Officer	600.00	900.00	1,350.00
	58.	7(9)	Operate business while licence is suspended	1,000.00	2,000.00	3,000.00
	59.	7(10)	Advertise business while licence is suspended	600.00	900.00	1,350.00
	60.	7(12)	Remove posted notice of suspension	600.00	900.00	1,350.00
	61.	7(14)	Remove posted notice of no business licence	600.00	900.00	1,350.00
	62.	8.1(1)	Failure to maintain Pet Store	300.00	450.00	675.00
	63.	8.1(2)	Failure to keep animal or bird in adequate conditions	300.00	450.00	675.00
	64.	8.1(3)(a)	Failure to provide adequate cage size	300.00	450.00	675.00
	65.	8.1(3)(b)	Failure to keep or maintain bird cage	300.00	450.00	675.00
	66.	8.1(3)(c)	Improper cage construction	300.00	450.00	675.00
67.	8.1(3)(d)	Improper food and water receptacles	300.00	450.00	675.00	
68.	8.1(3)(e)	Failure to provide undue physical contact with the public	300.00	450.00	675.00	
69.	8.1(4)	Failure to provide water	300.00	450.00	675.00	
70.	8.1(5)	Failure to provide food	300.00	450.00	675.00	
71.	8.1(6)(a)	Failure to provide health assessment	300.00	450.00	675.00	
72.	8.1(6)(b)	Source cat or dog for purpose of sale contrary to by-law	800.00	1,200.00	1,800.00	
73.	8.1(6)(c)	Failure to provide cat or dog with reasonable exercise	300.00	450.00	675.00	
74.	8.1(6)(d)	Keep or sell sick, injured, or diseased animals	300.00	450.00	675.00	
75.	8.1(6)(e)	Display animal in exterior window display	300.00	450.00	675.00	
76.	8.1(6)(f)	Sell or offer for sale any animal prior to normal weaning age	300.00	450.00	675.00	
77.	8.1(6)(g)	Failure to provide descriptive receipt	300.00	450.00	675.00	
78.	8.1(7)	Failure to maintain or provide cat or dog registry	300.00	450.00	675.00	
79.	8.1(8)	No attendant present during business hours	300.00	450.00	675.00	
80.	8.1(9)	Sell or offer for sale animal listed on prohibited animals list	600.00	900.00	1,350.00	
81.	8.1(10)	Failure to disclose stolen or unlawfully obtained animal	600.00	900.00	1,350.00	
82.	8.1(11)	Failure to seek medical attention for animal as directed	600.00	900.00	1,350.00	
83.	8.2(1)	More than 1 STR on a lot	300.00	450.00	675.00	
84.	8.2(2)	Operate STR in more than 1 dwelling unit	300.00	450.00	675.00	
85.	8.2(3)	Failure to provide adequate parking for STR	300.00	450.00	675.00	
86.	8.2(5)	Failure to notify Town of changes to STR operations	300.00	450.00	675.00	
87.	8.2(6)(a)	Provide sleeping accommodations in vehicle, tent, or	600.00	900.00	1,350.00	

Business Licence By-law 2020-31, as amended			accessory building			
	88.	8.2(6)(b)	Exceed number of bedrooms permitted for STR	300.00	450.00	675.00
	89.	8.2(6)(c)	Exceed number of guests permitted for STR	300.00	450.00	675.00
	90.	8.2(6)(d)	Permit beds or bedrooms to be used contrary to licence	300.00	450.00	675.00
	91.	8.2(7)	Failure to post or display business licence number on marketing	300.00	450.00	675.00
	92.	8.2(9)	Failure to respond to STR concerns within 2 hours	300.00	450.00	675.00
	93.	8.2(10)	Failure to provide contact information	300.00	450.00	675.00
	94.	8.2(11)	Operate or market part of or whole dwelling unit without a licence	300.00	450.00	675.00
	95.	8.2(12)	Failure to post sign for STR	300.00	450.00	675.00
	96.	8.2(14)	Market STR on unlicensed STR Company platform	300.00	450.00	675.00
	97.	8.3(1)	Operate STR Company without a licence	600.00	900.00	1,350.00
	98.	8.3(2)	Advertise STR that has not obtained a licence	300.00	450.00	675.00
	99.	8.3(3)	Failure to remove listing or advertisement as requested by Town	300.00	450.00	675.00
	100.	8.3(7)	Failure to maintain records by STR Company	300.00	450.00	675.00
	101.	8.3(9)	Failure to provide records upon request	300.00	450.00	675.00
	102.	8.3(10)	Failure to create platform accounts upon request	300.00	450.00	675.00
	103.	8.3(11)	Obstruct access to platform accounts	300.00	450.00	675.00
	104.	8.4(4)	Failure to comply with hours of operation permitted	300.00	450.00	675.00
	105.	8.4(5)	Failure to install or maintain Opaque Barrier	200.00	300.00	450.00
	106.	8.4(6)	Failure to deflect lighting	200.00	300.00	450.00
	Business Licence By-law 2020-31, as amended	107.	8.5(2)	Failure to comply with hours of operation permitted	300.00	450.00
108.		8.5(3)	Permit live music contrary to bylaw	200.00	300.00	450.00
109.		8.5(6)	Failure to install or maintain Opaque Barrier	200.00	300.00	450.00
110.		8.5(7)	Failure to deflect lighting	200.00	300.00	450.00
111.		8.6(1)	Failure to provide accurate floor plan	300.00	450.00	675.00
112.		8.6(5)(a)	Unauthorized attendant	600.00	900.00	1,350.00
113.		8.6(5)(b)	Failure to maintain records	300.00	450.00	675.00
114.		8.6(5)(c)	Failure to pre-screen customer	300.00	450.00	675.00
115.		8.6(5)(d)	Permit attendant to be nude	2,400.00	3600.00	5,400.00
116.		8.6(5)(e)	Offer or provide sexual services	2,400.00	3600.00	5,400.00
117.		8.6(6)	Advertise contrary to conditions	600.00	900.00	1,350.00
118.		8.6(7)	Operate when prohibited	600.00	900.00	1,350.00
119.		8.6(8)	Use of unauthorized entrance	300.00	450.00	675.00
120.		8.6(9)(a)	Human habitation in PWE	600.00	900.00	1,350.00
121.		8.6(9)(b)	Furniture used for sleeping purposes	600.00	900.00	1,350.00
By-law 2002-151 (Licensing)						
By-law 2002-151 Schedule 1 Adult Entertainment Parlours	122.	1.2	Operate without an Adult Entertainment Parlour Owner's licence	600.00	900.00	1,350.00
	123.	1.3	Operate without an Adult Entertainment Parlour Operator's licence	600.00	900.00	1,350.00
By-law 2002-151 Schedule 2 Adult Video Stores	124.	2.2	Operate without an Adult Video Store licence	600.00	900.00	1,350.00
	125.	2.25	Failure to post licence in premise	300.00	450.00	675.00
	126.	2.28	Advertise business contrary to conditions	300.00	450.00	675.00
By-law 2002-151 Schedule 15 Newspaper Boxes	127.	15.2	Failure to notify Town of newspaper box on Town property	600.00	900.00	1,350.00
	128.	15.8	Failure to maintain newspaper box	300.00	450.00	675.00
Clean Yards By-law 2017-63						
Clean Yards By-law 2017-63, as amended	129.	2.1	Failure to maintain property	200.00	300.00	450.00
	130.	2.2	Failure to provide ground cover	200.00	300.00	450.00
	131.	2.3	Failure to maintain natural garden in living condition	200.00	300.00	450.00
	132.	2.4	Unightly growth	200.00	300.00	450.00
	133.	2.5	Noxious weeds	200.00	300.00	450.00
	134.	2.6	Grass/weeds exceeding 20cm in height	200.00	300.00	450.00
	135.	2.7	Failure to maintain trees on property	200.00	300.00	450.00
	136.	2.8	Spread dust or dirt onto neighbouring property	200.00	300.00	450.00
	137.	2.9	Failure to maintain pool in good repair	200.00	300.00	450.00
	138.	3.1(a)	Store or keep motor vehicle missing parts	200.00	300.00	450.00
	139.	3.1(b)	Unlicensed motor vehicle on property	200.00	300.00	450.00
	140.	3.1(c)	Store or keep motor vehicle parts	200.00	300.00	450.00
	141.	3.1(d)	Store or keep derelict motor vehicle	200.00	300.00	450.00

Clean Yards By-law 2017-63, as amended	142.	4.1	Permit composting contrary to by-law	200.00	300.00	450.00
	143.	4.2(a)	Failure to compost in rear yard	200.00	300.00	450.00
	144.	4.2(b)	Failure to compost in container	200.00	300.00	450.00
	145.	4.2(c)	Failure to cover compost	200.00	300.00	450.00
	146.	4.2(d)	Animal feces in compost container	200.00	300.00	450.00
	147.	4.2(e)	Permit odour from composting	200.00	300.00	450.00
	148.	4.2(f)	Failure to maintain compost from attracting animals	200.00	300.00	450.00
	149.	4.2(g)	Failure to maintain composter setback requirements	200.00	300.00	450.00
	150.	5.1	Keep firewood contrary to by-law	200.00	300.00	450.00
	151.	5.2(b)	Exceed 15% of total yard area for firewood storage	200.00	300.00	450.00
	152.	5.2(c)	Improper storage of firewood in rear yard	200.00	300.00	450.00
	153.	5.2(d)	Improper storage of firewood in side yard	200.00	300.00	450.00
	154.	5.2(e)	Pile firewood along fence	200.00	300.00	450.00
	155.	6.1	Place or permit Graffiti	200.00	300.00	450.00
	156.	6.2	Failure to maintain property free of graffiti	200.00	300.00	450.00
	157.	7.1	Permit standing water	200.00	300.00	450.00
	158.	8.1	Failure to maintain boulevard	200.00	300.00	450.00
	159.	8.2	Failure to maintain boulevard gardens	200.00	300.00	450.00
160.	8.3	Failure to maintain plantings from encroachment	200.00	300.00	450.00	
161.	8.4	Failure to maintain sidewalk	200.00	300.00	450.00	
162.	11.5	Obstruct a Municipal Enforcement Officer	600.00	900.00	1,350.00	
Clothing Donation Bins By-law 2016-33						
Clothing Donation Bins By-law 2016-33, as amended	163.	2.1	Operate without a Clothing Donation Bin Operator licence	600.00	900.00	1,350.00
	164.	3.2	Clothing Donation Bin on Town property	600.00	900.00	1,350.00
	165.	3.3	Clothing Donation Bin located at unauthorized location	300.00	450.00	675.00
	166.	4.1(a)	Failure to display name on bin	300.00	450.00	675.00
	167.	4.1(d)	Failure to display pick-up schedule for donations	300.00	450.00	675.00
	168.	4.2(b)	Failure to properly affix sticker on bin	300.00	450.00	675.00
169.	6.1	Obstruct a Municipal Enforcement Officer	600.00	900.00	1,350.00	
Election Sign By-law 2022-18						
Election Sign By-law 2022-16, as amended	170.	6.6	Failure to lawfully place/display election sign	25.00	25.00	25.00
	171.	8.2	Obstruct a Municipal Enforcement Officer	600.00	900.00	1,350.00
Fence By-law 2019-20						
Fence By-law 2019-20, as amended	172.	3.1	Erect fence using improper material	200.00	300.00	450.00
	173.	3.2	Failure to construct water gate	200.00	300.00	450.00
	174.	3.3	Obstruct water gate	200.00	300.00	450.00
	175.	3.4	Obstruct access to meter	200.00	300.00	450.00
	176.	3.5	Fence greater than 20cm in width	200.00	300.00	450.00
	177.	3.6	Failure to maintain fence in good repair	200.00	300.00	450.00
	178.	4.1(a)	Rear yard fence exceeding permitted height	200.00	300.00	450.00
	179.	4.1(b)	Interior side yard fence exceeding 1.9m in height	200.00	300.00	450.00
	180.	4.1(c)	Front yard fence exceeding 1m in height	200.00	300.00	450.00
	181.	4.1 (d)	Exterior side yard fence exceeding 1.8m in height	200.00	300.00	450.00
Film By-law 2023-19						
Film Bylaw 2023-19, as amended	182.	5 (1)(a)	Film or participate without a Film Permit	1000.00	1250.00	1500.00
	183.	5 (1)(b)	Film or participate without a Local Film Permit	1000.00	1250.00	1500.00
	184.	5 (1)(d)	Alter, damage, or remove signage or materials	300.00	375.00	450.00
	185.	5 (1)(e)	Fail to comply with terms and conditions of a licence	450.00	600.00	750.00
	186.	5 (3)	Place production materials without authorization	300.00	375.00	450.00
	187.	5 (4)	Obstruct pedestrian or vehicular traffic	300.00	375.00	450.00
Fireworks By-law 2015-18						
Fireworks By-law 2015-18, as amended	188.	3.1	Offer for sale, cause, or permit to be sold fireworks	600.00	900.00	1,350.00
	189.	3.2	Discharge any prohibited fireworks	600.00	900.00	1,350.00
	190.	3.3	Sell consumer fireworks 7 days prior to Victoria or Canada Day	300.00	450.00	675.00

Fireworks By-law 2015-18, as amended	191.	3.6	Display in any store window any type of fireworks	600.00	900.00	1,350.00
	192.	3.8	Sell or offer for sale fireworks without a licence	600.00	900.00	1,350.00
	193.	3.10	Discharge fireworks on Town property without a permit	600.00	900.00	1,350.00
	194.	3.11	Discharge fireworks on private property without a permit	600.00	900.00	1,350.00
	195.	6.1	Discharge fireworks when prohibited	600.00	900.00	1,350.00
Idling Control By-law 2005-157						
Idling Control By-law 2005-157	196.	4	Cause or permit a vehicle to idle	300.00	450.00	675.00
Loitering By-law 1997-113						
Loitering By-law 1997-113, as amended	197.	2	Loiter, disturb, or cause public nuisance on highway	200.00	300.00	450.00
	198.	3	Loiter, disturb, or cause public nuisance in public place	200.00	300.00	450.00
Mobile Business Licence By-law 2020-07						
Mobile Business Licence By-law 2020-07	199.	3(1)(a)	Operate without a business licence	600.00	900.00	1,350.00
	200.	3(1)(c)	Failure to comply with condition of licence	300.00	450.00	675.00
	201.	3(2)	Failure to comply with legislation	300.00	450.00	675.00
	202.	3(3)	Failure to display business licence	300.00	450.00	675.00
	203.	3(5)(a)	Advertising without a business licence	300.00	450.00	675.00
	204.	3(5)(b)	Improper business name advertised	300.00	450.00	675.00
	205.	3(6)	Carry on business on Town property without authorization	300.00	450.00	675.00
	206.	3(7)	Failure to possess business licence	300.00	450.00	675.00
	207.	3(8)	Smoke or permit smoking in business vehicle	300.00	450.00	675.00
	208.	4(2)	Obstruct a Licensing Officer	600.00	900.00	1,350.00
	209.	7(9)	Operate business while licence is suspended	600.00	900.00	1,350.00
	210.	7(10)	Advertise business while licence is suspended	300.00	450.00	675.00
	211.	7(12)	Remove posted notice of suspension	300.00	450.00	675.00
	212.	7(14)	Remove posted notice of no business licence	300.00	450.00	675.00
	213.	8.1(2)	Failure to comply with Taxicab Driver requirements	600.00	900.00	1,350.00
	214.	8.1(3)	Failure to display Taxicab Driver information	300.00	450.00	675.00
	215.	8.1(4)(b)	Failure to disclose Fare for Taxicab Trip	300.00	450.00	675.00
	216.	8.1(4)(c)	Failure to notify Town of Taxicab Driver	300.00	450.00	675.00
	217.	8.1(4)(d)	Failure to notify Town of Taxicab	300.00	450.00	675.00
	218.	8.1(5)(a)	Failure to provide required Taxicab Driver information	300.00	450.00	675.00
	219.	8.1(5)(b)	Failure to provide required Taxicab information	300.00	450.00	675.00
	220.	8.1(6)	Failure to maintain Taxicab Trip information	300.00	450.00	675.00
	221.	8.1(10)	Failure to remove Taxicab Driver	300.00	450.00	675.00
	222.	8.1(12)	Failure to comply with Taxicab requirements	300.00	450.00	675.00
	223.	8.1(13)	Permit unauthorized passenger(s) in Taxicab	300.00	450.00	675.00
	224.	8.2(2)	Failure to comply with TNC Driver requirements	300.00	450.00	675.00
	225.	8.2(3)(b)	Permit hail ride for TNC	300.00	450.00	675.00
	226.	8.2(3)(c)	Failure to maintain Safety Standard Certificate in TNC Vehicle	300.00	450.00	675.00
	227.	8.2(4)(c)	Failure to provide third party audit records	300.00	450.00	675.00
	228.	8.2(6)(a)	Failure to disclose Fare for TNC Trip	300.00	450.00	675.00
	229.	8.2(6)(c)	Failure to charge proper Fare for TNC Trip	300.00	450.00	675.00
	230.	8.2(6)(d)	Failure to maintain TNC Trip information	300.00	450.00	675.00
	231.	8.2(7)	Failure to use GPS on TNC App	300.00	450.00	675.00
	232.	8.2(8)	Failure to provide TNC Driver information via TNC App	300.00	450.00	675.00
	233.	8.2(9)	Failure to provide electronic receipt via TNC App	300.00	450.00	675.00
	234.	8.2(10)(a)	Failure to provide required TNC Driver information	300.00	450.00	675.00
	235.	8.2(10)(b)	Failure to provide required TNC Vehicle information	300.00	450.00	675.00
	236.	8.2(11)	Failure to maintain TNC Trip records	300.00	450.00	675.00
	237.	8.2(15)	Failure to remove TNC Driver from TNC App	300.00	450.00	675.00
	238.	8.2(17)	Failure to comply with TNC Vehicle requirements	600.00	900.00	1,350.00
	239.	8.3(2)	Failure to comply with Refreshment Vehicle Operator requirements	300.00	450.00	675.00
	240.	8.3(3)	Failure to display Refreshment Vehicle Operator information	300.00	450.00	675.00
	241.	8.3(4)	Failure to comply with Refreshment Vehicle conditions	300.00	450.00	675.00
	242.	8.3(5)(a)	Permit amplified sounds	300.00	450.00	675.00
	243.	8.3(5)(b)	Unlawful seating for Refreshment Vehicle customers	300.00	450.00	675.00
	244.	8.3(6)(a)	Failure to maintain Refreshment Vehicle	300.00	450.00	675.00
245.	8.3(6)(b)	Failure to clean up refuse from Refreshment Vehicle	300.00	450.00	675.00	
246.	8.3(6)(c)	Failure to notify the Town of Refreshment Vehicle	300.00	450.00	675.00	

			Operator			
	247.	8.3(7)	Failure to comply with Refreshment Vehicle – Type 1 conditions	300.00	450.00	675.00
	248.	8.3(8)	Failure to obtain Special Event Organizer Licence	300.00	450.00	675.00
	249.	8.3(9)	Operate Refreshment Vehicle contrary to conditions	600.00	450.00	675.00
	250.	8.4(3)	Failure to maintain Limousine documents	300.00	450.00	675.00
	251.	8.4(4)	Failure to comply with Limousine Driver requirements	300.00	450.00	675.00
	252.	8.4(5)	Failure to display Limousine Driver information	300.00	450.00	675.00
	253.	8.4(6)(a)	Failure to notify Town of Limousine Driver	300.00	450.00	675.00
	254.	8.4(7)(a)	Permit too many passengers in Limousine	300.00	450.00	675.00
	255.	8.4(7)(b)	Permit a Limousine to operate with obstructed view	600.00	900.00	1,350.00
	256.	8.4(8)	Failure to comply with Limousine requirements	600.00	900.00	1,350.00
	257.	8.5(4)(a)	Failure to provide MTO Driving Instructor's Licence	300.00	450.00	675.00
	258.	8.5(4)(b)	Failure to carry a valid driver's licence	300.00	450.00	675.00
	259.	8.5(4)(c)	Failure to provide driving instruction/test documentation	300.00	450.00	675.00
	260.	8.5(4)(d)	Failure to affix Sticker Plate on Driving School Instructor Vehicle	300.00	450.00	675.00
	261.	8.5(4)(e)	Failure to affix roof sign on Driving School Instructor Vehicle	300.00	450.00	675.00
	262.	8.5(5)	Operate in Restricted Area	600.00	900.00	1,350.00
	263.	8.6(2)(a)	Failure to maintain Tow Truck documents	300.00	450.00	675.00
	264.	8.6(2)(b)	Failure to remove debris prior to towing a vehicle	300.00	450.00	675.00
	265.	8.6(2)(c)	Failure to remove debris within 8hrs following investigation	600.00	900.00	1,350.00
	266.	8.6(3)	Failure to comply with Tow Truck Driver requirements	600.00	900.00	1,350.00
	267.	8.6(4)	Failure to display Tow Truck Driver information	300.00	450.00	675.00
	268.	8.6(5)	Failure to notify Town of Tow Truck Driver	300.00	450.00	675.00
	269.	8.6(6)(a)	Failure to maintain Tow Truck;	300.00	450.00	675.00
	270.	8.6(6)(b)	Interfere with Tow Truck Company's contract	300.00	450.00	675.00
	271.	8.6(6)(c)	Recommend tow location to customer	300.00	450.00	675.00
	272.	8.6(6)(d)	Accept gift or payment from facility in exchange for business	300.00	450.00	675.00
	273.	8.6(6)(e)	Accept Drop Fee	300.00	450.00	675.00
	274.	8.6(6)(f)	Failure to obtain consent to connect or tow	300.00	450.00	675.00
	275.	8.6(6)(g)	Stop, stand, or park within 200m of Collision Scene	300.00	450.00	675.00
	276.	8.6(6)(h)	Remove vehicle from Collision Scene without permission	300.00	450.00	675.00
	277.	8.6(6)(i)	Permit unauthorized passenger(s) in Tow Truck	300.00	450.00	675.00
	278.	8.6(7)	Failure to provide or maintain Tow Truck Equipment	300.00	450.00	675.00
	279.	8.6(8)(a)	Failure to comply with Tow Truck Vehicle requirements	300.00	450.00	675.00
	280.	8.6(8)(b)	Failure to affix Sticker Plate on Tow Truck Vehicle	300.00	450.00	675.00
	281.	8.6(9)	Failure to comply with towing rates	600.00	900.00	1,350.00
	282.	8.6(10)	Failure to comply with Re-Tow towing rates	600.00	900.00	1,350.00
	283.	8.6(11)(a)	Failure to maintain Tow Truck Driver information	300.00	450.00	675.00
	284.	8.6(11)(b)	Failure to maintain Tow Truck information	600.00	900.00	1,350.00
	285.	8.6(12)	Failure to maintain Tow Truck Trip information	300.00	450.00	675.00
	286.	8.6(13)	Failure to maintain run sheets	300.00	450.00	675.00
	287.	8.6(14)	Failure to provide affiliated Public Garage information	300.00	450.00	675.00

Noise By-law 2024-08

	288.	4.1	Person make, cause or permit the emission of noise likely to disturb	300.00	450.00	675.00
	289.	4.2	Business make, cause or permit the emission of noise likely to disturb	700.00	1050.00	1575.00
	290.	4.3(a)	Make, cause or permit tires to squeal	200.00	300.00	450.00
	291.	4.3(b)	Operate a combustion engine without an effective exhaust or muffler	200.00	300.00	450.00
	292.	4.3(b)	Operate a pneumatic device without an effective exhaust or muffler	200.00	300.00	450.00
	293.	4.3(c)	Make, cause or permit the operation of a vehicle with a trailer to clank, squeal or other like noises	200.00	300.00	450.00
	294.	4.3(d)	Make, cause or permit the use of a horn, whistle, bell, or other	200.00	300.00	450.00
	295.	4.3(e)	Make, cause, or permit the operation of an air conditioner not in proper working order	200.00	300.00	450.00
	296.	4.3(e)	Make, cause or permit the operation of a pool pump or filter not in proper working order	200.00	300.00	450.00
	297.	4.3(e)	Make, cause or permit the operation of a heat pump not in proper working order	200.00	300.00	450.00
	298.	4.3(f)	Make, cause or permit noise from false alarm in excess of 10 minutes	200.00	300.00	450.00

Noise By-law 2024-08, as amended	299.	4.3(g)	Make, cause or permit the operation of a roof top unit not in proper working order	200.00	300.00	450.00
	300.	4.3(h)	Operate a sound emitting pest control device	200.00	300.00	450.00
	301.	5.1	Make or permit noise during prohibited time	200.00	300.00	450.00
Parks By-law 2013-14						
Parks By-law 2013-14, as amended	302.	2.1	Enter restricted area	200.00	300.00	450.00
	303.	2.2.1(a)	Violent, threatening, or unlawful conduct	200.00	300.00	450.00
	304.	2.2.1(b)	Cast, throw, or propel object endangering person or property	200.00	300.00	450.00
	305.	2.2.1(c)	Create nuisance causing a disturbance	200.00	300.00	450.00
	306.	2.2.1(e)	Remove, relocate, or damage equipment or signage	200.00	300.00	450.00
	307.	2.5.1(a)	Climb structure not intended to be climbed	200.00	300.00	450.00
	308.	2.5.1(b)	Damage or remove vegetation	200.00	300.00	450.00
	309.	2.5.1(c)	Damage or remove structure	200.00	300.00	450.00
	310.	2.7	Consume, serve, or sell alcohol	200.00	300.00	450.00
	311.	2.9.1(a)	Remove, cut, or destroy tree on municipal property	200.00	300.00	450.00
	312.	3.1(a)	Access or occupy park for non-recreational use	200.00	300.00	450.00
	313.	3.1(b)	Enter or gather in park between 11:00pm and 5:00am	200.00	300.00	450.00
	314.	3.4	Operate loud speakers or amplified equipment in a park	200.00	300.00	450.00
	315.	3.5	Dwell, camp, or lodge in a park	200.00	300.00	450.00
	316.	3.6	Place, install, or erect a tent or structure in a park	200.00	300.00	450.00
	317.	4.1.1(b)	Interfere with organized activity	200.00	300.00	450.00
	318.	4.5.1	Skate where not permitted	200.00	300.00	450.00
	319.	4.8	Failure to comply with posted rules for tennis	200.00	300.00	450.00
	320.	5.1.1(a)	Operate bicycle in prohibited area	200.00	300.00	450.00
	321.	5.1.1(a)	Obstruct or endanger others while riding a bicycle	200.00	300.00	450.00
322.	5.2	Ride, drive, or park motorized recreational vehicle in park	200.00	300.00	450.00	
Pool Enclosure By-law 2008-18						
Pool Enclosure By-law 2008-18, as amended	323.	9	Failure to obtain permit	300.00	450.00	675.00
	324.	10	Failure to construct pool enclosure	200.00	300.00	450.00
	325.	11	Failure to comply with pool enclosure requirements	200.00	300.00	450.00
	326.	13	Remove part of pool enclosure	200.00	300.00	450.00
	327.	14	Alter pool enclosure without permit	200.00	300.00	450.00
	328.	18	Construct pool causing obstruction to drainage	200.00	300.00	450.00
	329.	21	Permit discharge of water affecting neighbouring property	200.00	300.00	450.00
	330.	22	Failure to drain pool as required	200.00	300.00	450.00
Property Standards By-law 2017-62						
Property Standards By-law 2017-62, as amended	331.	3.3	Failure to remediate to acceptable standards	200.00	300.00	450.00
	332.	3.4	Permit occupancy when standards not met	200.00	300.00	450.00
	333.	3.5	Failure to repair or demolish	200.00	300.00	450.00
	334.	3.7	Remove posted notice	200.00	300.00	450.00
	335.	3.9	Failure to post contact information	200.00	300.00	450.00
	336.	6.1(9)	Dilapidated structure or accumulated materials causing a nuisance	200.00	300.00	450.00
	337.	6.1(10)	Failure to maintain yard from pests	200.00	300.00	450.00
	338.	6.1(12)	Unightly growth	200.00	300.00	450.00
	339.	6.1(15)	Construction bin in yard	200.00	300.00	450.00
	340.	6.1(17)	Interior furniture in yard	200.00	300.00	450.00
	341.	6.3(1)	Recurrent ponding of storm water in yard	200.00	300.00	450.00
	342.	6.3(2)	Instability or erosion of soil in yard	200.00	300.00	450.00
	343.	6.3(5)	Failure to maintain drainage pattern	200.00	300.00	450.00
	344.	7.3	Failure to maintain conditions which prevent passage	200.00	300.00	450.00
	345.	8.3(2)	Discharge water on walkways, stairs, or neighbouring property	200.00	300.00	450.00
	346.	9.1	Failure to maintain exterior lighting	200.00	300.00	450.00
	347.	10.1(1)	Failure to maintain fence	200.00	300.00	450.00
	348.	10.1(2)	Failure to maintain fence in structurally sound condition	200.00	300.00	450.00
	349.	11.1	Failure to maintain retaining wall	200.00	300.00	450.00
	350.	12.1	Failure to maintain sign	200.00	300.00	450.00

Property Standards By-law 2017-62, as amended	351.	13.1(2)	Failure to maintain accessory building	200.00	300.00	450.00	
	352.	14.2	Failure to provide report from professional engineer	200.00	300.00	450.00	
	353.	15.1	Failure to demolish or repair damaged structure	200.00	300.00	450.00	
	354.	17.1(1)	Failure to maintain roof in watertight condition	200.00	300.00	450.00	
	355.	17.1(2)	Failure to secure loose materials on roof	200.00	300.00	450.00	
	356.	17.1(3)	Failure to remove snow or ice from roof	200.00	300.00	450.00	
	357.	17.2	Failure to maintain soffit or fascia	200.00	300.00	450.00	
	358.	17.3	Failure to maintain eaves trough or downspout	200.00	300.00	450.00	
	359.	18.1	Failure to maintain stairs, landings, guards, or handrails	200.00	300.00	450.00	
	360.	18.2	Failure to provide handrail	200.00	300.00	450.00	
	361.	18.4	Failure to secure fire escape	200.00	300.00	450.00	
	362.	19.4	Failure to maintain fire protection requirements	200.00	300.00	450.00	
	363.	20.5(5)	Failure to maintain chimney or gas vent	200.00	300.00	450.00	
	364.	21.1	Failure to prevent nuisance	200.00	300.00	450.00	
	365.	21.1(1)	Failure to prevent light into dwelling	200.00	300.00	450.00	
	366.	21.1(2)	Failure to prevent debris onto adjacent property	200.00	300.00	450.00	
	367.	21.1(3)	Failure to remove accumulated materials	200.00	300.00	450.00	
	368.	21.2(1)	Failure to maintain place for storage of refuse	200.00	300.00	450.00	
	369.	21.2(3)	Failure to screen place for storage of refuse	200.00	300.00	450.00	
	370.	22.1	Unoccupied and unsecured property	200.00	300.00	450.00	
	371.	22.2	Failure to board vacant building	200.00	300.00	450.00	
	372.	22.3	Failure to disconnect or secure utilities for vacant building	200.00	300.00	450.00	
	Property Standards By-law 2017-62, as amended	373.	24.1	Failure to clear debris or material from demolition	200.00	300.00	450.00
		374.	24.3	Failure to protect adjoining property from demolition	200.00	300.00	450.00
		375.	25.1(2)	Failure to maintain appliances	200.00	300.00	450.00
		376.	25.1(3)	Failure to keep exit unobstructed	200.00	300.00	450.00
		377.	26.1	Failure to maintain dwelling free from conditions encouraging infestation	200.00	300.00	450.00
		378.	26.3	Failure to maintain garbage disposal room	200.00	300.00	450.00
		379.	27.1	Use non-habitable room	400.00	600.00	900.00
		380.	27.9	Failure to maintain supplied appliance	200.00	300.00	450.00
381.		27.10	Failure to equip carbon monoxide detector	200.00	300.00	450.00	
382.		27.11	Failure to equip smoke detector	200.00	300.00	450.00	
383.		28.2	Failure to provide or maintain mail box	200.00	300.00	450.00	
384.		29.1	Disconnect service or utility	200.00	300.00	450.00	
385.		30.2	Failure to install locking devices on doors	200.00	300.00	450.00	
386.		30.4	Failure to maintain wall or ceiling	200.00	300.00	450.00	
387.		31.1	Failure to provide adequate heating system	200.00	300.00	450.00	
388.	31.4	Failure to provide written report by certified heating contractor	200.00	300.00	450.00		
Property Standards By-law 2017-62, as amended	389.	33.1(2)	Failure to maintain plumbing or fixtures	200.00	300.00	450.00	
	390.	33.2	Failure to provide potable running water	200.00	300.00	450.00	
	391.	33.6	Failure to provide hot or cold running water	200.00	300.00	450.00	
	392.	34.1	Failure to maintain structure from mould	200.00	300.00	450.00	
	393.	35.1	Failure to connect dwelling unit to electrical supply system	200.00	300.00	450.00	
	394.	35.2	Failure to maintain electrical in good working order	200.00	300.00	450.00	
	395.	35.6	Failure to maintain electrical fixtures	200.00	300.00	450.00	
	396.	36.1(2)	Failure to maintain window in good repair	200.00	300.00	450.00	
	397.	36.1(3)	Failure to maintain window locks	200.00	300.00	450.00	
	398.	36.3	Failure to provide or maintain window screen	200.00	300.00	450.00	
	399.	37.1(1)	Failure to provide natural or artificial ventilation	200.00	300.00	450.00	
	400.	38.5	Failure to provide and maintain voice communication system	200.00	300.00	450.00	
	401.	40.1	Failure to maintain elevating device	200.00	300.00	450.00	
	402.	50.1(1)	Failure to maintain heritage property	600.00	900.00	1,350.00	
	403.	50.1(3)	Failure to obtain heritage permit	600.00	900.00	1,350.00	
404.	53.1	Alter, remove, or demolish heritage property	600.00	900.00	1,350.00		
405.	54.1	Failure to maintain utilities to prevent damage to heritage property	600.00	900.00	1,350.00		
406.	54.2(1)	Failure to secure vacant heritage property	600.00	900.00	1,350.00		
Private Tree Protection By-law 2022-10							
Private Tree Protection Bylaw	407.	4.1	Injure or destroy tree without a permit	1,000.00	1,500.00	2,250.00	
	408.	4.4	Injure or destroy a Heritage Tree	5,000.00	7,500.00	11,250.00	

2022-10, as amended	409.	5.10	Failure to comply with conditions of permit	500.00	750.00	1,125.00
	410.	5.16	Carry on work without a valid permit	1,000.00	1,500.00	2,250.00
Public Tree By-law 2017-59						
Public Tree By-law 2017-59, as amended	411.	3.1 (c)	Failure to comply with conditions of a permit	500.00	750.00	1,125.00
	412.	3.2 (a)	Injure or destroy tree without a permit	5,000.00	7,500.00	11,250.00
Road Occupancy By-law 2018-31						
Road Occupancy By-law 2018-31, as amended	413.	3.3.1	Cause or permit material, waste, or sediment on highway	200.00	300.00	450.00
	414.	3.3.2	Deposit snow or ice on roadway, sidewalk, or boulevard	200.00	300.00	450.00
	415.	3.3.3	Place snow, ice, material or equipment within 1.2m of a fire hydrant	200.00	300.00	450.00
	416.	3.3.4	Alter grade on boulevard	200.00	300.00	450.00
	417.	3.3.5	Cut, alter, or extend a concrete curb, culvert or landscape structure	200.00	300.00	450.00
	418.	3.3.6	Discharge water from sump pump, irrigation system or down spout onto a highway.	200.00	300.00	450.00
	419.	3.3.8	Place debris on highway	200.00	300.00	450.00
	420.	3.3.9	Place landscape or construction material or bin on highway	200.00	300.00	450.00
	421.	4.1	Failure to obtain Road Occupancy Permit	300.00	450.00	675.00
	422.	4.4.2	Construct driveway apron crossing boulevard greater than curb cut	200.00	300.00	450.00
	423.	4.4.3	Construct, install or place fence, raised curb or landscape feature within 0.5m of sidewalk	200.00	300.00	450.00
	424.	4.4.4	Place, deposit or plant an object on boulevard or highway that impedes or creates hazard	200.00	300.00	450.00
Second Hand Goods Shops and Dealers By-law 2008-79						
Second Hand Goods Shops and Dealers By-law 2008-79, as amended	425.	3.1	Operate business without a licence	600.00	900.00	1,350.00
	426.	3.2(3)	Failure to post licence in premise	300.00	450.00	675.00
	427.	3.2(4)	Purchase second hand good with serial numbers removed or obstructed	300.00	450.00	675.00
	428.	4.1	Failure to record complete acquisition	300.00	450.00	675.00
	429.	5.1	Dispose of goods not in accordance with by-law	300.00	450.00	675.00
	430.	11.1	Failure to produce records	300.00	450.00	675.00
Sign By-law 2017-73						
Sign By-law 2017-73, as amended	431.	3.1	Prohibited sign	300.00	450.00	675.00
	432.	3.2	Prohibited sign location	200.00	300.00	450.00
	433.	3.4	Sign causing obstruction	200.00	300.00	450.00
	434.	3.7	Flashing, animated, or noise emitting sign	200.00	300.00	450.00
	435.	3.8	Sign on vehicle or trailer	200.00	300.00	450.00
	436.	3.10	Unlawful temporary sign	200.00	300.00	450.00
	437.	4.1	Failure to obtain a sign permit	200.00	300.00	450.00
	438.	4.2	Alter sign after approval	200.00	300.00	450.00
	439.	7.3	Failure to removed expired sign	200.00	300.00	450.00
	440.	10.1(c)	Failure to maintain sign	200.00	300.00	450.00
	441.	11.2	Erect, post, or display sign on Town property	200.00	300.00	450.00
	442.	11.6	Erect, post, or display sign on private property	200.00	300.00	450.00
443.	22.2	New home development sign displayed during prohibited time	200.00	300.00	450.00	
Site Alteration By-law 2016-58						
Site Alteration By-law 2016-58, as	444.	4.1	Carry out site alteration without a permit	300.00	450.00	675.00
	445.	5.1	Permit site alteration for storage	200.00	300.00	450.00
	446.	5.2(a)	Permit site alteration without owner permission	200.00	300.00	450.00
	447.	5.2(b)	Permit site alteration with non-clean fill	200.00	300.00	450.00

amended Site Alteration By-law 2016-58, as amended	448.	5.2(c)	Permit site alteration contrary to drainage requirements	200.00	300.00	450.00
	449.	5.2(d)	Permit site alteration contrary to ESC requirements	200.00	300.00	450.00
	450.	5.3	Carry out site alteration during wind warning	200.00	300.00	450.00
	451.	5.4	Carry out site alteration in special area without a permit	200.00	300.00	450.00
	452.	5.5	Alter grade contrary to approved application	300.00	450.00	675.00
	453.	10.1	Obstruct a Municipal Enforcement Officer	600.00	900.00	1,350.00
Smoking By-law 2019-31						
Smoking By-law 2019-31 as amended	454.	3.1	Smoke in public place	200.00	300.00	450.00
	455.	3.2	Permit smoking on Town property	200.00	300.00	450.00
Snow Removal By-law 1996-38						
Snow Removal By-law 1996-38 as amended	456.	3	Failure to clear sidewalk within 24hrs of snowfall	200.00	300.00	450.00
	457.	5	Deposit snow/ice on sidewalk or highway	200.00	300.00	450.00
Waste Collection By-law 2017-19						
Waste Collection By-law 2017-19, as amended	458.	4.1	Failure to set out refuse in accordance with by-law	200.00	300.00	450.00
	459.	4.2	Deposit refuse on private or public property	200.00	300.00	450.00
	460.	4.3	Place or permit refuse causing a nuisance	200.00	300.00	450.00
	461.	4.4	Refuse placed for collection on improper date or time	200.00	300.00	450.00

Schedule "C"

Administrative Monetary Penalty System Administrative Fees

(1) The table below lists the **Administrative Fees** as defined in Section 2. of this By-law.

Administrative Fee Description	Fee Amount
Fail to Attend Fee	\$60.00
Plate Search Fee	\$8.25



Central York Fire Services

Minutes

Joint Council Committee

Date: Tuesday, March 5, 2024
Time: 9:30 AM
Location: Streamed live from the Municipal Offices
395 Mulock Drive
Newmarket, ON L3Y 4X7

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

Members Absent: Councillor Morrison, Town of Newmarket

Staff Present: R. Volpe, Acting Fire Chief, Central York Fire Services
I. McDougall, Chief Administrative Officer
J. Inglis, Deputy Chief, Central York Fire Services
R. Wainwright-van Kessel, Director of Finance – Treasurer,
Town of Aurora
M. Mayes, Director of Financial Services/Treasurer, Town of
Newmarket
K. Saini, Deputy Town Clerk/Manager of Legislative Services,
Town of Newmarket
S. Granat, Legislative Coordinator

The meeting was called to order at 9:33 AM.
Councillor Gilliland in the Chair

1. Notice

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

2. Additions & Corrections to the Agenda

None.

3. Conflict of Interest Declarations

None.

4. Presentations

4.1 The Stay Fire Smart Campaign

Chief Schell presented the Stay Fire Smart Campaign including the program's development, the geographic information system team, real time statistics, survey tool on the iPad, results, 2023 Stay Fire Smart Campaign, and stay fire smart campaign successes.

Members of the Committee queried the presenter about preventative statistics, actions to take if a home is missing a fire alarm, condo buildings and apartment buildings inspections, evacuation plans, the future of the program, volunteer capacity, reaching out at community events, and collaborative work with fire prevention in secondary suites.

Moved by: Councillor Simon

Seconded by: Councillor Broome

1. That the Stay Fire Smart Campaign presentation by Chief Ryan Schell, Chief Fire Prevention Officer be received.

Carried

5. Deputations

None.

6. Approval of Minutes

6.1 Central York Fire Services Joint Council Committee meeting minutes of November 7, 2023

Moved by: Councillor Broome

Seconded by: Councillor Gallo

1. That the Central York Fire Services Joint Council Committee meeting minutes of November 7, 2023 be approved.

Carried

7. Items

7.1 Introduction of Acting Fire Chief Volpe

Chair Gililand provided an introduction of Acting Fire Chief Volpe. Acting Fire Chief Volpe provided remarks including thanks to members of the Central York Fire Services Joint Council Committee and renaming Station 4-5.

Moved by: Councillor Broome

Seconded by: Councillor Gaertner

1. That the introduction of Acting Fire Chief Volpe be received.

Carried

8. New Business

8.1 Community Events

Acting Fire Chief Volpe provided a verbal update regarding upcoming events including Recruitment Graduation and the INSPIRE event.

8.2 Human Trafficking Awareness Event

Chair Gilliland provided a verbal update regarding the upcoming Human Traffic Awareness event happening including the date, partners, agenda, and location.

9. Closed Session

The Central York Fire Services Joint Council Committee resolved into Closed Session at 10:12 AM.

Central York Fire Services Joint Council Committee meeting minutes (Closed Session) are recorded under separate cover.

The Central York Fire Services Joint Council Committee resolved into Open Session at 10:31 AM.

Moved by: Councillor Broome

Seconded by: Councillor Gallo

1. That the Central York Fire Services Joint Council Committee resolve into Closed Session to discuss the following matter:
 - a. Fire Protection Agreement Financial Analysis - A trade secret or scientific, technical, commercial or financial information that belongs to the municipality or local board and has monetary value or potential monetary value, as per Section 239 (2)(j) of the Municipal Act, 2001.

Carried

9.1 Fire Protection Agreement Financial Analysis

Moved by: Councillor Broome

Seconded by: Councillor Simon

1. That Closed Session Report CL-JCC-2024-01 dated March 5, 2024 be received for information purposes.

Carried

10. Adjournment

Moved by: Councillor Gallo

Seconded by: Councillor Gaertner

1. That the Central York Fire Services Joint Council Committee meeting be adjourned at 10:32 AM.

Carried

Councillor Gilliland, Chair

Date



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

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

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

Members Absent: Avi Wulfand
Grant Buckley

Staff Present: C. Kallio, Economic Development Officer
E. Thomas-Hopkins, Legislative Coordinator
B. Morrow, Grant Coordinator
D. Lowes, Business Development Specialist

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

1. Notice

Tom Hemen advised that members of the public were encouraged to attend an Advisory Committee or Board Meeting by viewing the live stream available at

newmarket.ca/meetings, or attending in person at the Council Chambers at 395 Mulock Drive.

2. Additions and Corrections to the Agenda

None.

3. Conflict of Interest Declarations

None.

4. Presentations & Recognitions

4.1 Mobile Applications

Chris Tulk provided a presentation regarding mobile applications including advantages of mobile applications, data collection and analysis, increasing engagement on social media, and key features of MACCK Digital Marketing applications.

Board Members queried Chris Tulk regarding the notifications feature, application ownership, website versus mobile application, and pricing.

Moved by: Allan Cockburn

Seconded by: Norm Pereira

1. That the presentation provided by Chris Tulk, MACCK Digital Marketing regarding mobile applications be received.

Carried

5. Deputations

5.1 Newmarket Farmer's Market

Rebecca Alton provided a presentation regarding the 2024 Newmarket Farmer's Market including an overview of the event, a new pilot project shuttling patrons from Ray Twinney Recreation Complex to Riverwalk Commons via trolley, sign sponsorship, social media promotion, and extending trolley hours.

Board Members queried Rebecca regarding logistics of the shuttle, extending hours of trolley operation, sign sponsorships, how often the shuttle operates, and advertising.

Moved by: Norm Pereira

Seconded by: Ken Sparks

1. That the deputation provided by Rebecca Alton, Vice President, Newmarket Farmer's Market regarding the 2024 Newmarket Farmer's Market be received.

Carried

6. Approval of Minutes

6.1 Main Street District Business Improvement Area Board of Management Meeting Minutes of February 7, 2024

Moved by: Norm Pereira

Seconded by: Patricia Carmichael

1. That the Main Street District Business Improvement Area Board of Management Meeting Minutes of February 7, 2024 be approved.

Carried

7. Items

7.1 Sub-Committee Reports

7.1.1 Marketing

Sheila Stewart provided a verbal update regarding marketing including a focus on social media for the upcoming Easter Bunny on Main event.

7.1.2 Working Group

No updates.

7.1.3 Events

Tom Hempen provided an update regarding the upcoming Easter event including an egg painting competition for kids, social media posts, discussions on locations dependent on weather, and requesting a budget of \$4,000.

Tom Hempen provided an update on the Mother's Day event being planned including gifts for moms, advertising, shopping, photo opportunities for moms, flowers for moms who visit Main Street, contents and prizes, and requesting a budget of \$6,000.

Moved by: Sheila Stewart

Seconded by: Norm Pereira

1. That the Main Street District Business Improvement Area Board of Management approve and authorize a budget of \$4,000 for the 2024 Easter event.

Carried

Moved by: Ken Sparks

Seconded by: Sheila Stewart

1. That the Main Street District Business Improvement Area Board of Management approve and authorize a budget of \$6,000 for the 2023 Mother's Day event.

Carried

7.2 Parking Update

Councillor Kwapis provided a verbal update that staff will bring the Church Street parking review back to Council.

7.3 Financial Update

Dominic Pede, Treasurer provided a verbal update on BIA spending as of March 6, 2024.

Staff discussed the Ice Lounge on Main event and that a survey had been sent out to all businesses. Staff will be compiling the results of the post-event survey over the next few weeks and will share once available.

7.4 Staff Update

7.4.1 Financial Incentive Program Staff Working Group Update

Chris Kallio, Economic Development Officer provided a verbal update on the Financial Incentive Program including completed and ongoing projects, grants for businesses, budgets and funding.

8. New Business

8.1 New Businesses on Main Street

Councillor Kwapis suggested that the Board provide new businesses opening on Main Street with a welcome package familiarizing them with the Business Improvement Area.

8.2 Grants

Brett Morrow, Grants Coordinator provided a verbal update regarding the My Main Street Grant including eligibility, how to apply and details surrounding the grant.

9. Closed Session (if required)

The Board did not resolve into closed session.

10. Adjournment

Moved by: Norm Pereira

Seconded by: Patricia Carmichael

1. That the meeting be adjourned at 9:29 AM.

Carried

Tom Hempen, Chair

Date