



INFORMATION REPORT  
TOWN OF NEWMARKET  
395 Mulock Drive  
P.O. Box 328  
Newmarket, ON L3Y 4X7

www.newmarket.ca  
info@newmarket.ca  
905.895.5193

April 28, 2016

## REPORT – INFORMATION REPORT #2016-06

TO: Mayor Van Bynen & Members of Council

SUBJECT: Enhancing Municipal Enforcement & Review of Regulatory By-laws

ORIGIN: Legislative Services

---

### COMMENTS

The purpose of this information report is to provide an outline of enhancements to the Town's municipal enforcement operations and schedule of staff's review of various regulatory by-laws.

In accordance with the Procedure By-law, any Member of Council may request this Information Report be placed on an upcoming Committee of the Whole agenda for discussion.

In 2013, Legislative Services initiated a multi-year customer service plan focused on actions intended to improve the readiness of staff to respond to corporate and community municipal enforcement needs. Key aspects of the customer service plan, completed, in progress or as requested include:

- Cross training parking enforcement staff to enforce taxi licensing, sign and graffiti by-laws, enhancing responsiveness to customers. (Completed)
- Review assignment of duties of municipal enforcement officers to ensure balance between customer responsiveness and evolving need for specialized knowledge and attention to specific regulations (e.g., zoning by-law, property standards by-law, taxi by-law). (In progress)
- Municipal enforcement officers now operate on a compressed work week, which allowed for them to address complaints in the early morning and evening. (Completed)
- Training front line Legislative Services staff to respond to a broader range of common by-law enforcement and licensing enquiries and services. This allows municipal enforcement officers additional time to focus on resolving ongoing complaints and provides more responsive front line customer service. (In progress)

- Training Customer Services Department staff to allow for applications for various permits to be completed and purchased by customers at the Magna Centre, Municipal Office and Ray Twinney Complex, supporting more streamlined and convenient service. (In progress)
- Greater reliance on analytics to determine scheduling and prioritization of work. For example, using Geographic Information Systems (GIS) to map and identify areas of focus for parking enforcement and statistics from the Town's customer enquiry system to determine trends and priorities. (In progress)
- Opportunities for proactive enforcement and educational outreach. For 2016, municipal enforcement staff have, or will undertake the following:
  - January & February – Proactive enforcement of sidewalk snow removal. Municipal enforcement officers will also be personally clearing and/or salting-sanding sidewalks in “trouble spots” that are immediate concern for health and safety.
  - March & April – Proactive fireworks education, inspections and enforcement of retail outlets requiring proper storage and licenses to sell fireworks. Staff will be in attendance at the May 25 Community Open House (part of the Touch-A-Truck event held at the Operation Centre) to provide information about regulations related to pool enclosures, Accessory Dwelling Units (ADUs), graffiti and property standards.
  - May & June – Proactive enforcement and removal of graffiti, proactive fireworks education, inspections and enforcement of retail outlets requiring proper storage licenses to sell fireworks.
  - July & August – Proactive enforcement and removal of signs and invoicing of companies that repeatedly post signs contrary to the by-law.
  - September & October – Proactive enforcement and removal of graffiti, proactive enforcement and removal of signs and invoicing of companies that repeatedly post signs contrary to the by-law.
  - November & December – Proactive enforcement and registration of properties with an ADU.
- Continuing attendance of municipal enforcement staff at Ward Councillor and community meetings, as requested. (As requested)
- Introduction of a uniform for municipal enforcement officers to provide for a professional, recognizable yet approachable image in the community. (Completed)

- Use of new technologies to enhance responsiveness and customer convenience. For example, the Town will issue a request for proposals (RFP) for a system (in part) to support mobile, in-field regulatory orders, notices and tracking and an RFP for a parking ticket system, including issuing tickets, recovering fines and permitting exemptions. (In progress)
- New communication tactics such as a friendly door hanger (rather than a notice) have been used to help residents more easily understand and as a result, comply with regulatory requirements. (Ongoing)
- Partnerships with other departments have assisted with proactive compliance. For example, municipal enforcement officers placed tags on large items placed for collection without tags to ensure they were collected that day, avoiding property standards complaints. As well, municipal enforcement vehicles were equipped with snow shovels, salt and graffiti and sign removal tools to address issues on site.
- Review of regulatory by-laws to better reflect evolving community standards, consumer interests, public health and safety standards. The scope of this review is outlined in Appendix A. (In progress)

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

Continuous improvement in service delivery and in the review of regulatory by-laws supports the Well-equipped and managed component of the Town's Community vision – implementing policy and processes that reflect sound and accountable governance.

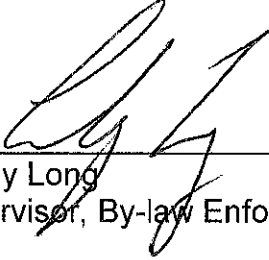
### **HUMAN RESOURCE CONSIDERATIONS**

The 2017 budget process will include consideration of an additional municipal enforcement officer to support parking enforcement in the hospital zone and downtown Newmarket as well as mitigation of graffiti, signs and licensing enforcement Town wide.

**CONTACT**

For more information on this report, contact:

Lesley Long, Supervisor, By-law Enforcement, at 905 953-5300, extension 2222 or by email at [llong@newmarket.ca](mailto:llong@newmarket.ca)



---

Lesley Long  
Supervisor, By-law Enforcement



---

Andrew Brouwer  
Director of Legislative Services/Town Clerk



---

Esther Armchuk, B.A., (Hons.), LL.B., DPA  
Commissioner of Corporate Services

**Appendix A – Legislative Services Information Report 2016-06 – Enhancing Municipal Enforcement & Review of Regulations**

**Minor Amendments**

<b>By-laws</b>	<b>Key Considerations</b>	<b>Corporate Priority</b>	<b>Timing</b>
Sign By-law (2014-11)	<ul style="list-style-type: none"> <li>- Substantive review of Sign By-law occurred in 2013</li> <li>- Minor amendments required to reflect standards for new sign types &amp; to strengthen election sign enforcement &amp; cost recovery mechanisms</li> </ul>	<p>Ensuring effective &amp; efficient services</p> <p>By-law amendments support “redevelopment readiness”:</p> <p>Creating a strategy for vibrant &amp; livable corridors along Davis Drive &amp; Yonge Street</p>	<p>May 2, 2016 Public Information Centre, Municipal Office</p> <p>Target staff report: May 30, 2016 Committee of the Whole</p>

<b>By-laws</b>	<b>Key Considerations</b>	<b>Corporate Priority</b>	<b>Timing</b>
Outdoor Serving Areas (Patios), 2002-151, Schedule 16	<ul style="list-style-type: none"> <li>- Minor amendments required to accommodate outdoor patios abutting a residential zone</li> <li>- Minor amendments do not affect patios along Main Street</li> </ul>	<p>Revitalizing our Community Centre Lands &amp; addressing downtown parking needs</p>	<p>Target staff report: May 30, 2016 Committee of the Whole</p>

<b>By-laws</b>	<b>Key Considerations</b>	<b>Corporate Priority</b>	<b>Timing</b>
Zoning By-law (2010-40, as amended)	<ul style="list-style-type: none"> <li>- Number of technical amendments required to reflect new standards (e.g., setbacks for propane tanks used for residential heating, home occupations, parking on walkways &amp; carious definitions)</li> </ul>	<p>Ensuring effective &amp; efficient services</p>	<p>Anticipate Q4, 2016, more specific timing to follow; part of other technical amendments required by Planning Department</p>

<b>By-laws</b>	<b>Key Considerations</b>	<b>Corporate Priority</b>	<b>Timing</b>
Taxi By-law (2013-28)	<ul style="list-style-type: none"> <li>- Streamline renewal process, reducing costs for applicants &amp; Town</li> <li>- New standards permitting accessible taxi cabs to be provided by</li> </ul>	<p>Ensuring effective &amp; efficient services</p>	<p>Target June 20, 2016 Committee of the Whole meeting</p>

**Appendix A – Legislative Services Information Report 2016-06 – Enhancing Municipal Enforcement & Review of Regulations**

**Housekeeping Amendments**

<b>By-laws</b>	<b>Key Considerations</b>	<b>Corporate Priority</b>	<b>Timing</b>
Animal Control By-law (2008-61, as amended)	<ul style="list-style-type: none"> <li>- Potentially limit number of animals per multi-residential unit</li> <li>- Housekeeping amendments to reflect online pet licensing system</li> </ul>	Ensuring effective & efficient services	Housekeeping amendments to Animal Control, Clothing Donation Bin, Fences, Refreshment Vehicles & Taxi by-laws to be dealt with in one staff report  Target staff report: October 17, 2016 Committee of the Whole
Clothing Donation Bin By-law (2013-22)	<ul style="list-style-type: none"> <li>- Currently, clothing donation bins permitted in industrial zones only. Expand to allow in institutional zones (e.g., hospital sites)</li> </ul>		
Fences By-law (2000-63)	<ul style="list-style-type: none"> <li>- Currently, there are no standards for privacy screens. Need to reflect standards for height &amp; setback of privacy screens</li> <li>- Clarify standards related to fence colour, to ensure appropriate &amp; objective enforcement</li> </ul>		
Refreshment & Catering Vehicles By-law (2009-55)	<ul style="list-style-type: none"> <li>- Streamline renewal process, reducing costs for applicants &amp; Town</li> <li>- Currently, owners &amp; operators are separately licensed. Include a combined owner/operator licence to better reflect prevalent business model</li> <li>- Ensure requirement for Special Occasions Permit referred to in By-law</li> <li>- Consultation with food truck industry to occur Q2 &amp; Q3, 2-16 to identify needs. Separate food truck by-law may be required</li> </ul>		
Filming Policy Fees & Charges	<ul style="list-style-type: none"> <li>- Fees relate to filming to be reviewed. Potential for an annual filming fee to reflect numerous filming projects by the same film company</li> <li>- Substantive review of Filming Policy to be considered at a later date to be determined</li> </ul>		

**Appendix A – Legislative Services Information Report 2016-06 – Enhancing Municipal Enforcement & Review of Regulations**

**More Involved Amendments**

<b>By-law</b>	<b>Key Consideration</b>	<b>Corporate Priority</b>	<b>Timing</b>
Noise By-law (2004-94, as amended)	<ul style="list-style-type: none"> <li>- Review by-law to include standards which respond to changing nature of community development (e.g., intensification)</li> <li>- Potential for “quiet zone” around hospital, long term care &amp; seniors’ residences</li> <li>- Address levels of service for after-hours noise complaints</li> </ul>	<p>Ensuring effective &amp; efficient services</p> <p>By-law amendments support “redevelopment readiness”:</p> <p>Creating a strategy for vibrant &amp; livable corridors along Davis Drive &amp; Yonge Street</p>	<p>September 12, 2016 Council Workshop</p> <p>Target staff report: October 17, 2016 Committee of the Whole</p>

<b>By-laws</b>	<b>Key Considerations</b>	<b>Corporate Priority</b>	<b>Timing</b>
Property Standards By-law (1999-34, as amended)	<ul style="list-style-type: none"> <li>- Review by-law to include standards which respond to changing nature of community development (e.g., intensification) &amp; broader scope/complexity of nuisance issues</li> <li>- Include specific standards for remediation of heritage properties</li> </ul>	<p>Ensuring effective &amp; efficient services</p> <p>By-law amendments support “redevelopment readiness”:</p> <p>Creating a strategy for vibrant &amp; livable corridors along Davis Drive &amp; Yonge Street</p>	<p>November 30, 2016 Public Information Centre, Municipal Office</p> <p>Target staff report: Q1, 2017</p>

<b>By-law</b>	<b>Key Consideration</b>	<b>Corporate Priority</b>	<b>Timing</b>
Taxi By-law (2013-28)	<ul style="list-style-type: none"> <li>- Address sharing economy impacts on taxi licensing</li> <li>- Pending legal/court actions, potential for provincial legislation</li> <li>- York Region-wide staff working group formed to ensure uniform approach</li> </ul>	<p>Ensuring effective &amp; efficient services</p>	<p>To be determined</p>

**Appendix A – Legislative Services Information Report 2016-06 – Enhancing Municipal Enforcement & Review of Regulations**

	<ul style="list-style-type: none"> <li>- Information report to address timing for review of taxi by-law</li> <li>- Impacts of sharing economy not immediate concern of taxi industry</li> </ul>		
--	---	--	--

**New Regulations**

<b>By-laws</b>	<b>Key Considerations</b>	<b>Corporate Priority</b>	<b>Timing</b>
Boulevard Maintenance & Highway Obstruction By-law	<ul style="list-style-type: none"> <li>- Will assist Operations Department by clarifying parties responsible for maintaining boulevards</li> </ul>	Ensuring effective & efficient services	To be determined

<b>By-laws</b>	<b>Key Considerations</b>	<b>Corporate Priority</b>	<b>Timing</b>
Food Truck By-law	<ul style="list-style-type: none"> <li>- Currently, food trucks regulated under Refreshment &amp; Catering Vehicles By-law (2009-55)</li> <li>- Separate regulations may be required for food trucks, recognizing unique needs</li> </ul>	Ensuring effective & efficient services	To be determined, consultation with businesses and feedback to occur Q2 and Q3, 2016