



# Revised General Committee Meeting Agenda

*Revised items are indicated by an asterisk (\*)*

**Meeting No. 6 | June 17, 2025 | 9:30 AM | Live streamed**

Members of the public have the option to attend either remotely via Zoom or in-person in the Council Chamber at the Civic Centre

## Members of the public can participate by:

### 1. VIEWING THE ONLINE LIVESTREAM:

Council meetings are video and audio streamed at: <https://pub-markham.escribemeetings.com/>

### 2. EMAILING A WRITTEN SUBMISSION:

Members of the public may submit written deputations by email to [clerkspublic@markham.ca](mailto:clerkspublic@markham.ca).

**Written submissions must be received by 5:00 p.m. the day prior to the meeting.**

If the deadline for written submission has passed, you may:

Email your written submission directly to [Members of Council](#); or

Make a deputation at the meeting by completing and submitting an online [Request to Speak Form](#)

If the deadline for written submission has passed **and** Council has finished debate on the item at the meeting, you may email your written submission directly to [Members of Council](#).

### 3. REQUEST TO SPEAK / DEPUTATION:

Members of the public who wish to make a deputation, please register prior to the start of the meeting by:

Completing an online [Request to Speak Form](#), or,

E-mail [clerkspublic@markham.ca](mailto:clerkspublic@markham.ca) providing full name, contact information and item they wish to speak on.

If you do not have access to email, contact the Clerk's office at **905-479-7760** on the day of the meeting.

\*If Council or Committee has finished debate at the meeting on the item, you may email your written submission directly to [Members of Council](#).

The list of [Members of Council is available online at this link](#).

Alternate formats for this document are available upon request.

Closed captioning during the video stream may be turned on by clicking the [cc] icon located at the lower right corner of the video screen.

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***Note: As per Section 7.1(h) of the Council Procedural By-Law,  
Council will take a ten minute recess after two hours have passed since the last break.***



## General Committee Meeting Revised Agenda

**Revised items are identified by an asterisk (\*)**

Meeting Number: 6

June 17, 2025, 9:30 AM - 12:30 PM

Live streamed

Please bring this General Committee Agenda to the Council meeting on June 24, 2025.

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**Pages**

**1. CALL TO ORDER**

**INDIGENOUS LAND ACKNOWLEDGEMENT**

We begin today by acknowledging the traditional territories of Indigenous peoples and their commitment to stewardship of the land. We acknowledge the communities in circle. The North, West, South and Eastern directions, and Haudenosaunee, Huron-Wendat, Anishnabeg, Seneca, Chippewa, and the Mississaugas of the Credit peoples. We share the responsibility with the caretakers of this land to ensure the dish is never empty and to restore relationships that are based on peace, friendship, and trust. We are committed to reconciliation, partnership and enhanced understanding.

**2. DISCLOSURE OF PECUNIARY INTEREST**

**3. APPROVAL OF PREVIOUS MINUTES**

**3.1 MINUTES OF THE MAY 6, 2025 GENERAL COMMITTEE (16.0)**

10

1. That the minutes of the May 6, 2025 General Committee meeting be confirmed.

**4. PRESENTATIONS**

**4.1 PREPARING FOR THE TRANSITION OF MARKHAM'S BLUE BOX PROGRAM ON JANUARY 1, 2026 (SERVICE IMPACTS) (5.1)**

26

**Note: Please refer to item 10.1 for staff report.**

1. That the presentation titled "Preparing for the Transition of Markham's Blue Box Program on January 1, 2026 (Service Impacts)" be received,

and further,

2. That staff be authorized and directed to do all things necessary to give effect to this resolution.

## 5. DEPUTATIONS

## 6. COMMUNICATIONS

### 6.1 YORK REGION COMMUNICATIONS (13.4)

**Note: Questions regarding Regional correspondence should be directed to Chris Raynor, Regional Clerk.**

**The following York Region Communications are available on-line only.**

1. That the communication dated May 22, 2025 from York Region be received for information purposes:
  1. Support for a 35% Municipal Tax Rate Discount for the New Multi-Residential Subclass - 2025 Taxation Year.
  2. 2024-2027 Economic Development Action Plan Update.
  3. 2024 Regional Greening Strategy Achievements and Street Tree Removal Offsetting Policy.
  4. Roads Capital Infrastructure Status Update.
  5. Water and Wastewater Capital Infrastructure Status Update.
  6. 2023 to 2027 Strategic Plan Year 2 (2024) Progress Report.
  7. 2025 Property Tax Policy.
  8. 2025 Property Tax Rate.

## 7. PETITIONS

## 8. CONSENT REPORTS - FINANCE & ADMINISTRATIVE MATTERS

- |   |                               |
|---|-------------------------------|
| <p><b>8.1 MINUTES OF THE FEBRUARY 27, 2025 MARKHAM ENVIRONMENTAL ADVISORY COMMITTEE (16.0)</b></p> <ol style="list-style-type: none"> <li>1. That the minutes and notes of the February 27, 2025 Markham Environmental Advisory Committee be received for information purposes.</li> </ol> <p><b>8.2 MINUTES OF THE MARCH 3, 2025 RACE RELATIONS COMMITTEE (16.0)</b></p> <ol style="list-style-type: none"> <li>1. That the minutes and notes of the March 3, 2025 Race Relations Committee be received for information purposes.</li> </ol> <p><b>8.3 MINUTES OF THE MARCH 17 AND APRIL 28, 2025 ADVISORY</b></p> | <p>40</p> <p>44</p> <p>48</p> |
|---|-------------------------------|

**COMMITTEE ON ACCESSIBILITY (16.0)**

1. That the minutes and notes of the March 17 and April 28, 2025 Advisory Committee on Accessibility be received for information purposes.

**8.4 MINUTES OF THE MARCH 24 AND APRIL 29, 2025 MARKHAM PUBLIC LIBRARY BOARD (16.0)**

57

1. That the minutes and notes of the March 24 and April 29, 2025, Markham Public Library Board be received for information purposes.

**8.5 CANCELLATION, REDUCTION, OR REFUND OF TAXES UNDER SECTIONS 357 AND 358 OF THE MUNICIPAL ACT, 2001 (7.3)**

66

M. Vetere, ext. 2463 / S. Manson, ext. 7514

1. That the Report for the Cancellation, Reduction or Refund of Taxes under Sections 357 and 358 of the **Municipal Act, 2001** be received; and,
2. That taxes totalling approximately \$578,088 (incl. \$3,451 of Stormwater Fees) be adjusted under Section 357 and 358 of the **Municipal Act, 2001** of which the City's tax portion is estimated to be \$72,587; and,
3. That the associated interest be cancelled in proportion to the tax adjustments; and,
4. That the Treasurer be directed to adjust the Collector's Roll accordingly; and further,
5. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**8.6 STATUS OF CAPITAL PROJECTS AS OF MARCH 31, 2025 (7.5)**

73

J. Lee, ext. 2963 / G. DSilva, ext. 2964

1. That the report dated June 17, 2025, titled "Status of Capital Projects as of March 31, 2025" be received; and,
2. That the Projects completed with surplus funds over \$100,000 or with over 50% of Budget remaining, as identified in Appendix 2a, be recommended for closure, and funds associated with these projects in the amount of \$689,730 be transferred to the original sources of funding as identified in Appendix 2a; and,
3. That the Projects Completed without surplus funds or with surplus

funds under \$100,000 or with less than 50% of Budget remaining, as identified on Appendix 2b, be recommended for closure, and funds associated with these projects in the amount of \$1,189,496 be transferred to the original sources of funding as identified in Appendix 2b; and,

4. That the Non-Development Charge Capital Contingency Project be topped up from the Life Cycle Replacement and Capital Reserve Fund by \$808,972 to the approved amount of \$250,000; and,
5. That the Engineering Capital Contingency Project be topped up from the Development Charges – City-Wide Hard Reserve by \$56 to the approved amount of \$100,000; and,
6. That the Design Capital Contingency Project be topped up from the Development Charges – Parks Development Reserve by \$5,953 to the approved amount of \$100,000; and,
7. That the Waterworks Capital Contingency Project be topped up from the Waterworks Stabilization/Capital Reserve by \$10,433 to the approved amount of \$100,000; and,
8. That the Staff approved draws from Other Reserves as part of the Capital Contingency process in the amount of \$416,973 be received; and,
9. That the following new capital projects, initiated subsequent to the approval of the 2025 capital budget, be received:
  - a. Project 25404 – LED Street Light Conversion – Pilot – Budget of \$24,732 to be funded from the Non-Development Charge Contingency.
  - b. Project 25405 – Fire Protection Grant - Budget of \$74,074 to be funded from Provincial Fire Protection Grant; and further,
10. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**\*8.7 CLOUD ENTERPRISE RESOURCE PLANNING (ERP) SOFTWARE UPDATE (7.12)**

92

N. Sirry, ext. 4885 / K. Soneji, ext. 2681 / R. Patano, ext. 2990 / A. Moore, ext. 4711

1. That the report entitled “Cloud Enterprise Resource Planning (ERP) Software Update” be received; and,
2. That Staff be authorized to complete any required vetting and finalize negotiations with Workday Inc. to be the preferred solution and

software product provider for the City's Enterprise Resource Planning servicing needs; and,

3. That should it be required, Staff be authorized to pursue an alternative preferred solution and software product provider for the City's Enterprise Resource Planning Software from among the two other solutions noted in this report; and,
4. That once the vetting process and negotiations are finalized, the Chief Administrative Officer have delegated approval authority to award the contract for Cloud Enterprise Resource Planning Software Solution; and,
5. That Staff proceed with the procurement of Consulting Services to provide Implementation, Integration, Ongoing Support and Maintenance of a Cloud Enterprise Resource Planning Software Solution; and,
6. That the Chief Administrative Officer have delegated approval authority to award the contract for Consulting Services of a Cloud Enterprise Resource Planning Software Solution; and further,
7. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

#### **\*8.8 EXTERNAL AUDIT CONTRACT EXTENSION (7.0)**

97

A. Moore, ext. 4711 / K. Soneji, ext. 2681

1. That the report entitled "External Audit Contract Extension" be received; and,
2. That the contract for the five-year fiscal period commencing with the 2025 audit and ending with the 2029 audit be awarded to KPMG LLP Chartered Accountants in annual amount of \$198,000 (before HST impact) with an increase of CPI plus 0.20% in years 2–5 (2026 – 2029); and,
3. That the contract includes an audit of financial statements for the following entities:
  - i. The Corporation of the City of Markham, The Corporation of the City of Markham Trust Fund, City of Markham Public Library Board, Old Markham Village Business Improvement Area (MBIA), and Unionville Business Improvement Area (UBIA), Varley Art Gallery in accordance with Canadian accounting standards for the public sector:
  - ii. Varley-McKay Art Foundation, The Friends of Markham Museum Foundation, The Markham Foundation for Performing Arts, and

Destination Markham Corporation, in accordance with Canadian accounting standards for not-for-profit organizations (“ASNPO”);

iii. Markham District Energy Inc. (MDEI) and Markham Enterprises Corporation (MEC), in accordance with International Financial Reporting Standards (“IFRS”); and,

4. That the contract include the preparation of income tax returns for MDEI and MEC; and,
5. That the tendering process be waived in accordance with Purchasing By-Law 2017-8, Part II, Section 11.1, (c) which states “when the extension of an existing contract would prove more cost-effective or beneficial” & (h) where it is necessary or in the best interests of the City to acquire Professional Services from a supplier who has a proven track record with the City in terms of pricing, quality and service; and,
6. That the award for the audit for fiscal years 2025 to 2029 be funded from the respective annual operating budget as identified under financial considerations; and further,
7. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

## **9. CONSENT REPORTS - COMMUNITY SERVICES MATTERS**

### **9.1 QUALITY MANAGEMENT SYSTEM - MANAGEMENT REVIEW (5.3)**

101

D. Chan, ext. 2446 / V. Feng, ext. 2737

1. That the report titled “Quality Management System Management Review” be received; and,
2. That Council, as the Owner of the City’s drinking water system, acknowledge and support the outcome and action items identified from the Management Review; and further,
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

### **9.2 AMENDMENT TO ROAD OCCUPANCY BY-LAW 2018-109 (5.10)**

105

N. Mahmoudi, ext. 2842

1. That the report titled “Amendment to Road Occupancy By-law 2018-109” be received; and,
2. That Council approve the proposed amendments to the Road Occupancy By-law to improve clarity, reflect current practices and aligns with operational needs, best practices and latest legislations; and,

3. That Council enact an amendment to By-Law 2018-109, a by-law to regulate the use, alteration, and occupancy of highways within the City of Markham, as outlined in Appendix A (Amending By-Law Road Occupancy 2025); and further,
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

## **10. REGULAR REPORTS - COMMUNITY SERVICES MATTERS**

### **10.1 PREPARING FOR THE TRANSITION OF MARKHAM'S BLUE BOX PROGRAM ON JANUARY 1, 2026 (SERVICE IMPACTS) (5.1)**

159

D. Douglas, ext. 2395 / M. DiPasquale, ext. 3710

1. That the report entitled “Preparing for the Transition of Markham’s Blue Box Program on January 1, 2026 (Service Impacts)” be received; and,
2. That the City discontinue the community mailbox recycling program in 2025; and,
3. That Staff report back to Council in the Fall with a further blue box program transition update; and further,
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

## **11. REGULAR REPORTS - FINANCE & ADMINISTRATIVE MATTERS**

### **\*11.1 2025 ASSET MANAGEMENT PLAN AND FINANCIAL STRATEGY (7.0)**

164

D. Boskovski, ext. 6190

1. That the report and presentation titled “2025 Asset Management Plan and Financial Strategy” be received; and,
2. That Council endorse the findings from the update of the City’s asset management plan, for all City owned and/or managed assets, as assessed at current and proposed levels of service; and,
3. That Council endorse in principle, a proposed level of service for road pavement management, where short and long term business planning, contributions to the City’s life cycle reserve, annual budgets, and effective program delivery strategies, are based upon a minimum target of 70% of the City’s road network be in a “good” or better state of performance, and subject to funding and resource availability, work towards an aspirational target of 75% of the City’s road network be in a “good” or better state of performance; and,



4. That any identified funding variances, shortfalls or gaps related to maintaining current levels of service, or any forecasted funding requirements that support proposed levels of service, as identified in the 2025 Asset Management Plan and Financial Strategy, be referred to the annual budget; and,
5. That Council direct staff to submit the 2025 Asset Management Plan and Financial Strategy (the formal document) to the Ministry of Infrastructure, informed by the findings noted under Recommendations 2, 3 and 4, as outlined in this report; and make the document publicly available on the City's website upon its completion; and further,
6. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

12. **MOTIONS**

13. **NOTICES OF MOTION**

14. **NEW/OTHER BUSINESS**

*As per Section 2 of the Council Procedural By-Law, "New/Other Business would generally apply to an item that is to be added to the **Agenda** due to an urgent statutory time requirement, or an emergency, or time sensitivity".*

15. **ANNOUNCEMENTS**

16. **ADJOURNMENT**

## **Information Page**

**General Committee Members:** All Members of Council

### **General Committee**

Chair: Councillor Keith Irish  
Vice Chair: Deputy Mayor Michael Chan

### **Finance & Administrative Matters**

Chair: Councillor Keith Irish  
Vice Chair: Deputy Mayor Michael Chan

### **Community Services Matters**

Chair: Councillor Isa Lee  
Vice Chair: Vacant

### **Environment & Sustainability Matters**

Chair: Councillor Amanda Collucci  
Vice Chair: Councillor Ritch Lau

### **Land, Building & Parks Construction Matters**

Chair: Councillor Andrew Keyes  
Vice Chair: Councillor Keith Irish

General Committee meetings are audio and video streamed live at the City of Markham's website.

Alternate formats for this document are available upon request.

**Consent Items:** All matters listed under the consent agenda are considered to be routine and are recommended for approval by the department. They may be enacted on one motion, or any item may be discussed if a member so requests.

**Please Note:** The times listed on this agenda are approximate and may vary; Council may, at its discretion, alter the order of the agenda items.

**General Committee is scheduled to recess for lunch from approximately 12:00 PM to 1:00 PM**

**Note: As per the Council Procedural By-Law, Section 7.1 (h) General Committee will take a 10-minute recess after two hours have passed since the last break.**



## General Committee Meeting Minutes

**Meeting Number: 5**  
**May 6, 2025, 9:30 AM - 4:30 PM**  
**Live streamed**

Roll Call	<p>Mayor Frank Scarpitti</p> <p>Deputy Mayor Michael Chan</p> <p>Regional Councillor Jim Jones</p> <p>Regional Councillor Joe Li</p> <p>Regional Councillor Alan Ho</p> <p>Councillor Keith Irish</p> <p>Councillor Ritch Lau</p>	<p>Councillor Reid McAlpine</p> <p>Councillor Karen Rea</p> <p>Councillor Andrew Keyes</p> <p>Councillor Amanda Collucci</p> <p>Councillor Juanita Nathan</p> <p>Councillor Isa Lee</p>
Staff	<p>Andy Taylor, Chief Administrative Officer</p> <p>Trinela Cane, Commissioner, Corporate Services</p> <p>Morgan Jones, Commissioner, Community Services</p> <p>Arvin Prasad, Commissioner, Development Services</p> <p>Claudia Storto, City Solicitor and Director of Human Resources</p> <p>Chris Nearing, Fire Chief</p> <p>Joseph Silva, Treasurer</p> <p>Kimberley Kitteringham, City Clerk</p> <p>Ned Sirry, Senior Manager, ITS Operations &amp; Project Delivery</p>	<p>Mary Creighton, Director, Recreation Services</p> <p>Alex Moore, Manager of Purchasing &amp; Accounts Payable</p> <p>Shane Manson, Senior Manager, Revenue &amp; Property Taxation</p> <p>Giulio Cescato, Director, Planning &amp; Urban Design</p> <p>Jay Pak, Senior Manager, Financial Planning &amp; Reporting</p> <p>Jeff Baker, Manager, AMPS</p> <p>Emil Bautista, Technology Support Specialist II</p> <p>Iyana Mundo, Assistant to Council/Committee</p> <p>Hristina Giantsopoulos, Election/Council &amp; Committee Coordinator</p>

### 1. CALL TO ORDER

#### INDIGENOUS LAND ACKNOWLEDGEMENT

We begin today by acknowledging the traditional territories of Indigenous peoples and their commitment to stewardship of the land. We acknowledge the communities in circle. The North, West, South and Eastern directions, and Haudenosaunee, Huron- Wendat, Anishnabeg, Seneca, Chippewa, and the Mississaugas of the Credit peoples. We share the responsibility with the caretakers of this land to ensure the dish is never empty and to restore relationships that are based on peace, friendship, and trust. We are committed to reconciliation, partnership and enhanced understanding.

General Committee convened at 9:35 AM with Councillor Keith Irish presiding as Chair.

The Committee recessed at 12:01 PM and reconvened in confidential session at 12:16 PM.

## **2. DISCLOSURE OF PECUNIARY INTEREST**

There were no disclosures of pecuniary interest.

## **3. APPROVAL OF PREVIOUS MINUTES**

### **3.1 MINUTES OF THE APRIL 1, 2025 GENERAL COMMITTEE (16.0)**

Moved by Councillor Ritch Lau

Seconded by Councillor Reid McAlpine

1. That the minutes of the April 1, 2025 General Committee meeting be confirmed.

**Carried**

## **4. PRESENTATIONS**

### **4.1 SPORT TOURISM CANADA'S SPORT EVENT LEGACY OF THE YEAR AWARD - RECOGNITION**

National award presented to the City of Markham/Destination Markham for the 2024 Little Native Hockey League 50<sup>th</sup> Anniversary and Tournament.

**Note: Please refer to item 8.8 for the staff report.**

Morgan Jones, Commissioner of Community Services, introduced the Sport Tourism Canada's Event Legacy of the Year Award that recognized City of Markham and Destination Markham Staff for their contributions towards the 2024 Little Native Hockey League (NHL) 50<sup>th</sup> Anniversary and Tournament. Mayor Frank Scarpitti acknowledged Staff's contributions to the Little NHL event and thanked them for their detail and care in making the event a success.

The following members of City staff were recognized by General Committee for receipt of the Sport Tourism Canada's Event Legacy of the Year Award:

- Andrew Eng, Operations, Sign Technician
- Arpad Toplak, Operations, Operations Labourer/Driver
- Paul Willis, Operations, Operations Working Supervisor
- Joe Basque, Operations, Sign Maintenance
- Jon Angrove, Operations, Supervisor, Road Operations
- Tyler Burns, Operations, Supervisor, Parks Operations
- David Plant, Operations, Senior Manager, Parks Horticulture & Forestry
- Shane Whitmee, Operations, Operations Labourer/Driver
- Mike Prior, Operations, Working Supervisor
- Kristopher Fielding, Operations, Operations Labourer/Driver
- Anthony Ierulli, Recreation Services, Community Manager, South
- Shane Manson, Financial Services, Senior Manager, Revenue & Property Taxation
- Andrew Baldwin, Economic Growth, Culture & Entrepreneurship, Acting Director, Economic Development
- Clara Grassia, Recreation Services, Manager, Sports Development
- Susan Stiles, Recreation Services, Community Program Coordinator
- Jason Tsien, Recreation Services, Senior Manager, Business Development
- Ida Wong, Recreation Services, Event & Client Services Supervisor
- Kerry Wakefield, Recreation Services, Community Manager, North
- Chris Gucciardi, Recreation Services, Community Facility Supervisor
- Lisa Wrong, Recreation Services, Office Administrator, Recreation Services
- Mark Elsenaar, Recreation Services, Community Manager, West
- Renee Zhang, Economic Growth, Culture & Entrepreneurship, Manager, Corporate and Community Events

- Chris Bullen, By-Law Enforcement & Regulatory Services, Senior Manager, By-Law & Regulatory Services
- Harmeet Bhatia, By-Law Enforcement & Regulatory Services, Supervisor, Municipal Law Enforcement
- Winford Alleyne, By-Law Enforcement & Regulatory Services, Supervisor, Municipal Law Enforcement

Moved by Mayor Frank Scarpitti

Seconded by Regional Councillor Jim Jones

1. That the presentation of Sport Tourism Canada's Sport Event Legacy of the Year Award be received; and further,
2. That staff be congratulated with their efforts in achieving the Sport Event Legacy of the Year Award.

**Carried**

#### **4.2 FESTIVALS AND EVENTS ONTARIO (FEO) IMPACT AWARD - RECOGNITION**

Festival and Events Ontario's (FEO) Impact Award presented to the City of Markham for hosting the Little Native Hockey League Tournament 2024.

**Note: Please refer to item 8.8 for the staff report.**

Arvin Prasad, Commissioner of Development Services, introduced the Festivals and Events Ontario (FEO) Impact Award that recognized the City of Markham and Destination Markham for hosting the 2024 Little Native Hockey League (NHL) 50th Anniversary and Tournament.

Mayor Frank Scarpitti acknowledged Staff's contributions to the Little NHL event and congratulated them for their efforts in making the event a success and achieving the FEO Impact Award.

The following members of City staff were recognized by General Committee for receipt of the Festivals and Events Ontario (FEO) Impact Award:

- Andrew Eng, Operations, Sign Technician
- Arpad Toplak, Operations, Operations Labourer/Driver
- Paul Willis, Operations, Operations Working Supervisor
- Joe Basque, Operations, Sign Maintenance

- Jon Angrove, Operations, Supervisor, Road Operations
- Tyler Burns, Operations, Supervisor, Parks Operations
- David Plant, Operations, Senior Manager, Parks Horticulture & Forestry
- Shane Whitmee, Operations, Operations Labourer/Driver
- Mike Prior, Operations, Working Supervisor
- Kristopher Fielding, Operations, Operations Labourer/Driver
- Anthony Ierulli, Recreation Services, Community Manager, South
- Shane Manson, Financial Services, Senior Manager, Revenue & Property Taxation
- Andrew Baldwin, Economic Growth, Culture & Entrepreneurship, Acting Director, Economic Development
- Clara Grassia, Recreation Services, Manager, Sports Development
- Susan Stiles, Recreation Services, Community Program Coordinator
- Jason Tsien, Recreation Services, Senior Manager, Business Development
- Ida Wong, Recreation Services, Event & Client Services Supervisor
- Kerry Wakefield, Recreation Services, Community Manager, North
- Chris Gucciardi, Recreation Services, Community Facility Supervisor
- Lisa Wrong, Recreation Services, Office Administrator, Recreation Services
- Mark Elsenaar, Recreation Services, Community Manager, West
- Renee Zhang, Economic Growth, Culture & Entrepreneurship, Manager, Corporate and Community Events
- Chris Bullen, By-Law Enforcement & Regulatory Services, Senior Manager, By-Law & Regulatory Services
- Harmeet Bhatia, By-Law Enforcement & Regulatory Services, Supervisor, Municipal Law Enforcement
- Winford Alleyne, By-Law Enforcement & Regulatory Services, Supervisor, Municipal Law Enforcement

Moved by Deputy Mayor Michael Chan

Seconded by Regional Councillor Joe Li

1. That the presentation of Festivals and Events Ontario (FEO) Impact Award be received; and further,
2. That staff be congratulated with their efforts in achieving the FEO Impact Award.

**Carried**

## **5. DEPUTATIONS**

There were no deputations.

## **6. COMMUNICATIONS**

### **6.1 YORK REGION COMMUNICATIONS (13.4)**

**Note: Questions regarding Regional correspondence should be directed to Chris Raynor, Regional Clerk.**

**The following York Region Communications are available on-line only.**

Moved by Councillor Andrew Keyes

Seconded by Councillor Juanita Nathan

1. That the communication dated [April 24, 2025](#) from York Region be received for information purposes:
  1. [Provincial Funding Shortfall of Human and Health Programs and Services - Committee of the Whole - Week 1 - April 10, 2025.](#)
  2. [York Region Transit 2024 System Performance Report - Committee of the Whole - Week 1 - April 10, 2025.](#)

**Carried**

## **7. PETITIONS**

There were no petitions.

## **8. CONSENT REPORTS - FINANCE & ADMINISTRATIVE MATTERS**

### **8.1 2025 FIRST QUARTER INVESTMENT PERFORMANCE REVIEW (7.0)**

Moved by Councillor Karen Rea

Seconded by Councillor Isa Lee



1. That the report dated May 6, 2025 entitled “2025 First Quarter Investment Performance Review” be received; and further,
2. That staff be authorized and directed to do all things necessary to give effect to these resolutions.

**Carried**

## **8.2 STAFF AWARDED CONTRACTS FOR Q1 2025 (7.12)**

The Committee inquired about the following staff awarded contracts for January, February, and March of 2025:

- Contract # 040-T-25 Horticulture Boulevard Maintenance
- Contract # 303-T-24 CIPP Watermain Rehabilitation
- Contract # 001-S-25 Contract Extension for a Public Art Curator
- Contract # 279-R-24 - Consulting Services, City Initiated Site Specific Official Plan and Zoning By-law Amendment Applications
- Contract # 290-T-24 Main Street Markham Public Art (Tree Grates, Fencing, Tree Guards)

Committee also requested an update on the Public Art Master Plan and Staff confirmed a status update will be provided to Committee at a later date which will include the scope of the Public Art Master Plan and the mandate of the Public Art Committee.

Staff also confirmed that there is a typo for Contract # 290-T-24 and that the public art is for Main Street Unionville.

Moved by Councillor Reid McAlpine

Seconded by Councillor Amanda Collucci

1. That the report entitled “Staff Awarded Contracts for Q1 2025 be received; and further,
2. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**Carried**

## **8.3 TAX WRITE-OFFS IN ACCORDANCE WITH SECTION 354 OF THE MUNICIPAL ACT, 2001 (7.3)**

Moved by Councillor Karen Rea

Seconded by Councillor Isa Lee

1. That the report entitled Tax Write-offs in Accordance with Section 354 of the *Municipal Act, 2001* be received; and,
2. That the tax amounts for prior years totaling \$541,581, as set out in this report, be written-off pursuant to Section 354 of the *Municipal Act, 2001*; and,
3. That the City of Markham's portion of the write-off of \$114,225 be charged to Account 820-820-7040; and,
4. That the Treasurer be directed to remove these amounts from the Collector's Roll; and,
5. That the associated interest be cancelled in proportion to the tax adjustments; and further,
6. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**Carried**

#### **8.4 2025 UNIONVILLE BUSINESS IMPROVEMENT AREA AND MARKHAM VILLAGE BUSINESS IMPROVEMENT AREA OPERATING BUDGETS (7.4)**

Moved by Councillor Karen Rea

Seconded by Councillor Isa Lee

1. That the report titled "2025 Unionville Business Improvement Area and Markham Village Business Improvement Area Operating Budgets" dated May 6, 2025 be received; and,
2. That the 2025 Operating Budget in the amount of \$388,350 for the Unionville Business Improvement Area (UBIA) be approved; and,
3. That the 2025 Operating Budget in the amount of \$334,700 for the Markham Village Business Improvement Area (MVBIA) be approved; and further,
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**Carried**

**8.5 DEVELOPMENT CHARGES AND COMMUNITY BENEFIT CHARGE  
DECEMBER 31, 2024 RESERVE BALANCES AND ANNUAL ACTIVITY  
OF THE ACCOUNTS (7.11)**

Moved by Councillor Karen Rea

Seconded by Councillor Isa Lee

1. That the report titled “Development Charge and Community Benefits Charge December 31, 2024 Reserve Balances and Annual Activity of the Accounts” be received by Council as required under Section 43(1) of the *Development Charges Act, 1997*, as amended, and Section 37(48) of the *Planning Act*; and,
2. That the term of the existing Development Charge By-laws be amended to extend the expiration date of the by-laws for an additional five years in accordance with Section 9(1) of the *Development Charges Act* which provides that unless it expires or is repealed earlier, a development charge by-law expires 10 years after the day it comes into force; and,
3. That By-laws 2022-49 for City Wide Hard Development Charges; 2022-50 for City Wide Soft Development Charges; and 2022-51 to 2022-72 for Area Specific Development Charges be amended to extend the expiration date to June 16, 2032; and further,
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**Carried**

**8.6 2025 TAX RATES AND LEVY BY-LAW (7.3)**

Moved by Councillor Karen Rea

Seconded by Councillor Isa Lee

1. That the report entitled “2025 Tax Rates and Levy By-law” be received; and,
2. That a by-law to provide for the levy and collection of property taxes totaling \$879,122,671 required by the City of Markham, the Regional Municipality of York, Province of Ontario (Education) and Business Improvement Areas, in a form substantially similar to Appendix A (attached), satisfactory to the City Solicitor and provides for the mailing

of notices and requesting payment of taxes for the year 2025, as set out as follows, be approved; and,

TAX LEVYING BODY	2025 TAX LEVY AMOUNT
City of Markham	\$193,983,012
Region of York	\$425,350,022
Province of Ontario (Education)	\$259,341,776
Markham Village BIA	\$239,640
Unionville BIA	\$214,221
Total	\$879,128,671

3. That staff be authorized to levy against Markham Stouffville Hospital and Seneca College the annual levy pursuant to Section 323 of the Municipal Act, 2001, as outlined in Section 9 of the attached by-law once the required information is received from the Ministry of Training, Colleges and Universities; and,
4. That the attached by-law be passed to authorize the 2025 Tax Rates and Levy By-law; and further,
5. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**Carried**

## **8.7 004-T-25 BUILDING AUTOMATION SYSTEMS EXPANSIONS & UPGRADES FOR SIX MARKHAM FACILITIES (7.0)**

Moved by Councillor Karen Rea

Seconded by Councillor Isa Lee

1. That the report entitled “004-T-25 Building Automation Systems Expansions & Upgrades for Six Markham Facilities” be received; and,
2. That the contract for 004-T-25 Building Automation Systems Expansions & Upgrades for Six Markham Facilities be awarded to Viridian

Automation Inc. (lowest priced bidder) in the amount of \$1,202,462.30 inclusive of HST; and,

3. That a contingency in the amount of \$120,246.23 inclusive of HST, be established to cover any additional construction costs and that authorization to approve expending of the contingency amount up to the specified limit be in accordance with the Expenditure Control Policy; and,
4. That the award in the total amount of \$1,322,708.53 (\$1,202,462.30 + \$120,246.23) be funded from the capital project account 056-6150-24091-005 “Building Automation Systems Replacement Program”, which has an available budget of \$990,500.00; and,
5. The budget shortfall in the amount of \$332,208.53 (\$990,500.00 - \$1,322,708.53) be funded from the Non-DC capital contingency account; and further,
6. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**Carried**

## **8.8 LITTLE NATIVE HOCKEY LEAGUE - 2025 TOURNAMENT REPORT (6.4)**

Moved by Councillor Karen Rea

Seconded by Councillor Isa Lee

1. That the report titled Little Native Hockey League – 2025 Tournament Report be received; and,
2. That Council recommend to the Destination Markham Board that additional funding in the amount of \$25,000, to support the hiring of a Tournament Coordinator, be added to the Destination Markham contribution increasing their annual budget for 2026 and 2027 to \$240,000; and,
3. That Council support staff initiating conversation with the Little Native Hockey League to extend the term of the current Memorandum of Understanding (2025 – 2027) for 2 to 3 additional years; and further,
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**Carried**

## **8.9 MINUTES OF THE FEBRUARY 25, 2025 BOX GROVE COMMUNITY CENTRE BOARD (16.0)**

Moved by Councillor Karen Rea

Seconded by Councillor Isa Lee

1. That the minutes and notes of the February 25, 2025 Box Grove Community Centre Board Member Meeting be received for information purposes.

**Carried**

## **9. REGULAR REPORTS - FINANCE & ADMINISTRATIVE MATTERS**

### **9.1 AUTOMATED SPEED ENFORCEMENT (ASE) PROGRAM (2.0, 5.12)**

Trinela Cane, Commissioner of Corporate Services, joined by Arvin Prasad, Commissioner of Development Services, addressed the Committee to introduce this item as a joint effort between the two commissions to bring forward this report and introduced the staff presentation.

Eric Chan, Senior Manager, Transportation, Jeff Baker, AMPS Manager, and Shane Manson, Senior Manager, Revenue and Property Taxation, provided a presentation on Automated Speed Enforcement (ASE) Program which included a background about the ASE program, the implementation of the program including a partnership with the Newmarket Joint Processing Centre (JPC), financial considerations, and the public communication and engagement strategy of the program.

The Committee thanked staff for their presentation and their work in advancing the Automated Speed Enforcement (ASE) Program. The Committee made the following comments on the item:

- Proposed to increase the number of ASE cameras from 8 to 16 to better address critical speeding areas across the City and that the program be expanded to include both publicly and privately funded elementary and secondary schools.
- Proposed that the first 8 cameras be installed—one in each ward—and the remaining 8 be placed at the discretion of staff, based on an evaluation of Community Safety Zones where speed reduction is needed throughout the day or during school drop-off and pick-up times.

- Inquired whether there is a speed threshold that triggers a ticket.
- Requested clarification on how revenue will be used. Staff confirmed that, under provincial legislation, all ASE revenue must be allocated to road safety programs, though municipalities have flexibility in defining what constitutes such programs.
- Asked whether tickets issued by ASE cameras differ from those issued by police officers. Staff confirmed the financial penalties are the same, but ASE tickets include additional administrative fees.
- Requested clarification on fees such as the Victim Surcharge and Ministry of Transportation Ontario (MTO) Plate Search Fee and details about the communication plan for future ASE locations. Also asked for data on the number of schools in Markham, site locations of ASE, setup and administrative costs, and impacts on staff workload.
- Expressed concern about the need for more time to consult with residents and questioned the timeline for bringing this item Council ratification.
- Raised concerns about whether speed reductions might negatively impact traffic flow especially on major arterial roads such as Yonge Street or Highway 7.
- Suggested expanding camera placement to include non-school zones—such as parks and areas with frequent complaints—based on data.
- Encouraged learning from the experiences of other jurisdictions already using ASE cameras and asked whether there would be flexibility in site selection and operational timing.
- Inquired about future Council involvement in the program's expansion and requested that ASE locations be determined based on data and that Council be consulted with supporting information.
- Staff noted that there will be an annual report to Council on the Vision Zero Road Safety Plan, which includes updates on the ASE implementation.

Moved by Mayor Frank Scarpitti

Seconded by Regional Councillor Jim Jones

1. That the report entitled Automated Speed Enforcement (ASE) Program be received; and,

2. That Council approve the implementation of an Automated Speed Enforcement Program in the City of Markham; and,
3. That Council delegate authority to the City Treasurer and City Clerk to execute any agreement or document in a form satisfactory to the City Solicitor, required to implement or administer the ASE program within the City of Markham, including but not limited to agreements with the Town of Newmarket, ASE Camera Vendor, Ministry of Transportation and Ministry of Attorney General; and,
4. That Council delegate authority to the Director of Engineering to identify and approve the initial 16 Automated Speed Enforcement (ASE) camera locations, including one location in each ward, with the remaining eight locations to be determined at the discretion of the Director based on safety priorities; and further, that the Director be authorized to identify and approve any future ASE camera locations, subject to the annual budget process, with priority given to areas with significant safety concerns; and,
5. That Council enact an amendment to Traffic By-law 106-71, Schedule 24 (Community Safety Zones), identifying all public **and private** elementary and secondary school locations as Community Safety Zones within the City of Markham as outlined in Attachment 1; and,
6. That Council enact the proposed By-law to establish a System of Administrative Monetary Penalties for Violations of Automated Speed Enforcement Systems in the City of Markham as outlined in Attachment 2; and,
7. That Council approve the in-year capital addition to Budget 2025 in the amount of \$495,000, with the funding strategy to be identified and implemented by the City Treasurer; and,
8. That the City Clerk forward a copy of this report to the Regional Municipality of York (York Region), York Region's local municipalities, York Regional Police, York Region District School Board, York Region Catholic School Board, the Ministry of Transportation Ontario, and the Ministry of the Attorney General; and further,
9. That staff be authorized and directed to do all things necessary to give effect to these resolutions.

**Carried**

## **10. MOTIONS**



There were no motions.

## **11. NOTICES OF MOTION**

There were no notices of motion.

## **12. NEW/OTHER BUSINESS**

### **12.1 APPROVAL FOR COMMUNITY BBQ - COUNCILLOR RITCH LAU - JULY 20, 2025 (16.23)**

Councillor Ritch Lau raised an item under new business in relation to a request for financial administration assistance from City staff for his 2025 Community Barbeque event taking place on July 20<sup>th</sup>, 2025.

Moved by Councillor Ritch Lau

Seconded by Councillor Karen Rea

That Committee waive Section 5.4(c) of the City's Procedural By-law 2017-5 to allow for the new business item in relation to community event approval of Councillor Ritch Lau's 2025 Community Barbeque and financial administration assistance for the event, be added to the agenda for consideration.

**Carried by a Two Thirds Vote**

Moved by Councillor Ritch Lau

Seconded by Councillor Karen Rea

1. That in accordance with, and for the purposes of compliance with 10.1 (j) of the Council Code of Conduct, Council approve the July 20<sup>th</sup>, 2025 Community Barbeque being organized and hosted by Ward 2 Councillor Ritch Lau; and,
2. That Staff be authorized to provide accounting and financial transaction services in support of Councillor Lau's 2025 Community Barbeque; and
3. That all revenue and expense transactions comply with the financial controllership processes as required by the Treasurer; and further,
4. That Staff be directed and authorized to do all things necessary to give effect to this resolution.

**Carried**

## **13. ANNOUNCEMENTS**

Councillor Keith Irish, Chair, on behalf of General Committee, congratulated Councillor Juanita Nathan on being elected as Member of Parliament for Pickering-Brooklin.

#### **14. CONFIDENTIAL ITEMS**

General Committee convened into confidential session at 12:01 PM.

Moved by Regional Councillor Jim Jones

Seconded by Mayor Frank Scarpitti

That, in accordance with Section 239 (2) of the Municipal Act, General Committee resolve into a confidential session to discuss the following matters:

**Carried**

#### **14.1 FINANCE & ADMINISTRATION MATTERS**

##### **14.1.1 GENERAL COMMITTEE CONFIDENTIAL MINUTES - APRIL 1, 2025 (16.0) [Municipal Act, 2001, Section 239 (2) (h)]**

The Committee confirmed the minutes of the General Committee confidential meeting held on April 1, 2025.

##### **14.1.2 LABOUR RELATIONS OR EMPLOYEE NEGOTIATIONS; RESTRICTED AND CONFIDENTIAL (11.0) [Municipal Act, 2001, Section 239, (2)(d)]**

The Committee consented to place this item on the May 6, 2025 Confidential Special Council Meeting Agenda for consideration.

#### **15. ADJOURNMENT**

Moved by Councillor Reid McAlpine

Seconded by Councillor Karen Rea

That General Committee adjourn from confidential session at 1:15 PM and not report out on any matter.

**Carried**



# **Preparing for the Transition of Markham's Blue Box Program on January 1, 2026 (Service Impacts)**

Report to General Committee – June 17, 2025

Environmental Services

Waste & Environmental Management

# Agenda

1. Purpose
2. Background
3. Service Impacts for Residents
4. Community Mailbox Recycling Program
5. Public Education
6. Summary of Transition Impacts
7. Recommendations

# Purpose

- Update Council on preparations for the upcoming transition of Markham's blue box program on January 1, 2026
- Outline anticipated service impacts
- Provide the most current information available; many elements remain outside City control
- A financial impact report will be brought forward in the Fall

# Background

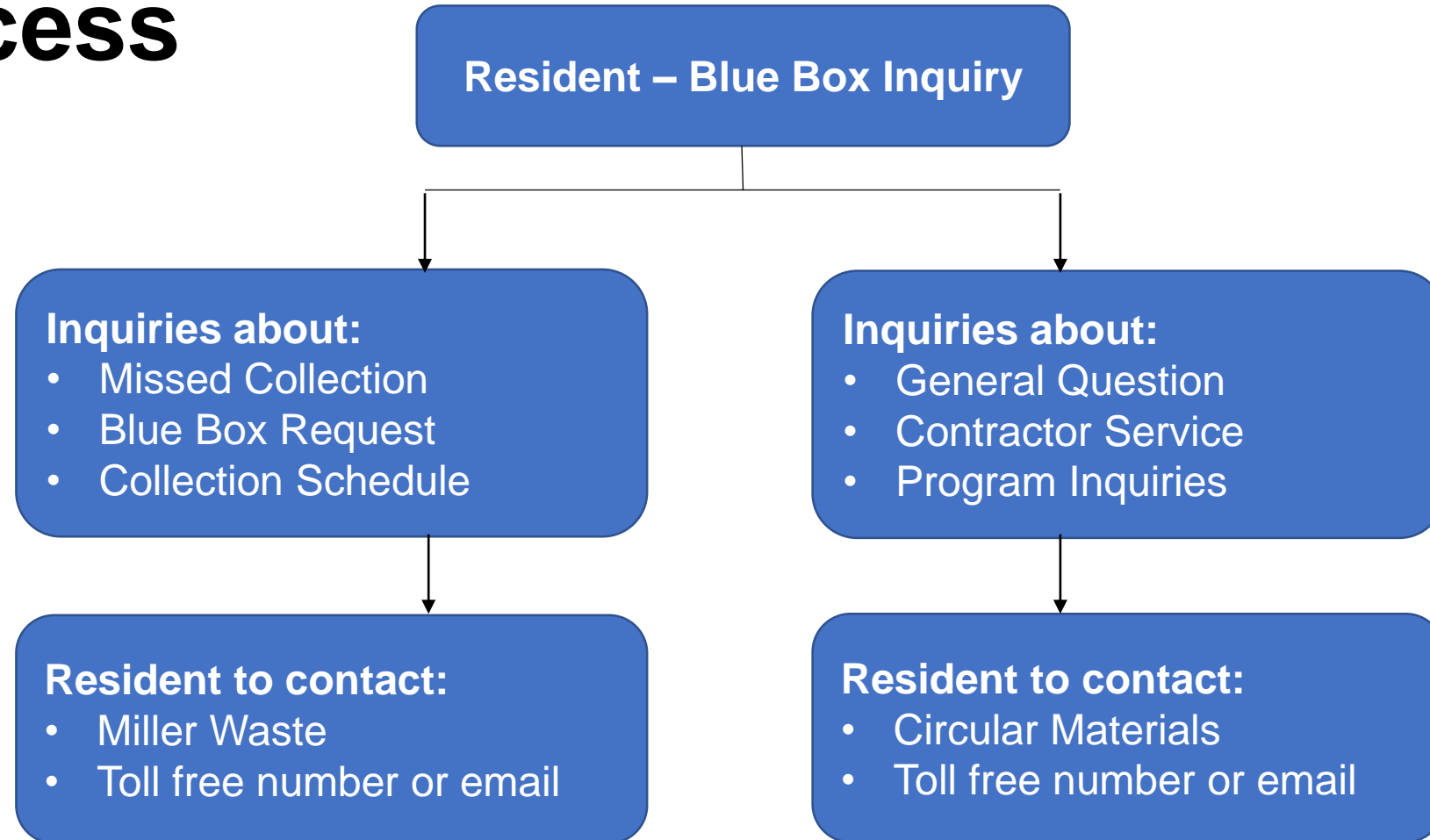
- On January 1, 2026, Producers will assume full operational and financial responsibility of blue box program; Ontario municipalities will no longer manage/fund the program
- Circular Materials (CM) has contracted Miller Waste Systems (Miller) to collect the blue box in Markham, Richmond Hill, and Vaughan

# Service Impacts for Residents

- No change to collection frequency, schedule, or container type
- Miller will manage all blue box-related customer service via toll-free number and email (incl. missed collections and new/replacement blue boxes)
- CM will provide a standardized list of accepted blue box materials that will be released in September



# Customer Service Process





# Community Mailbox Recycling Program

- Currently 2,500 blue boxes collected weekly by Miller
- 564 work orders (2024) – City blue boxes negate Canada Post responsibility for site maintenance
- 50% contamination
- \$1.7 million cost per year to continue (0.88% tax rate increase)
- Staff recommend ending the program in 2025

# Community Mailbox Recycling Program

- Canada Post to maintain sites after blue boxes removed
- Public messaging to reduce mailbox bin litter:
  - Bring It Home – recycle ad mail in household blue box
  - Go Green, Go Digital – choose paperless advertising options
  - Consumer's Choice – opt out of receiving unaddressed ad mail
- Blue box removal from mailboxes throughout Q3

# Bring It Home Campaign

## Video



# Public Education

- CM will begin public messaging in Q4 2025
- Markham's local campaign will reinforce CM's messaging
  - Contact Miller for service requests starting 2026
  - Communications via website, social media, and other main channels



# Summary of Transition Impacts

Indicator	Current (Pre-2026)	Post-Transition (New Blue Box System)	Status Quo or Change
Blue Box Collection Service Provider	Miller (Contracted by Markham)	Miller (Contracted by CM)	Status Quo
Service Frequency	Weekly	Weekly	Status Quo
Collection Schedule	Tuesday to Friday curbside (No change for multi- residential)	Tuesday to Friday curbside (No change for multi- residential)	Status Quo
Collection Method	Manual curbside collection	Manual curbside collection	Status Quo

# Summary of Transition Impacts (cont.)

Indicator	Current (Pre-2026)	Post-Transition (New Blue Box System)	Status Quo or Change
Customer Service Contact	Markham (Contact Centre)	Miller (Toll-free number and email)	Change
Blue Box Supply	Supplied by the City	Supplied by Miller	Change
Accepted Materials List	Determined locally	Standardized across Ontario	Change
Community Mailbox Recycling Program	2,500 bins serviced by City	Program discontinued (subject to Council approval)	Change
Blue Box Promotion & Education	Led by the City	Led by CM (City to support and align communications)	Change



# Recommendations

1. THAT the report entitled “Preparing for the Transition of Markham’s Blue Box Program on January 1, 2026 (Service Impacts)” be received; and
2. THAT the City discontinue the community mailbox recycling program in 2025; and
3. THAT Staff report back to Council in the Fall with a further blue box program transition update;
4. AND THAT Staff be authorized and directed to do all things necessary to give effect to this resolution.

**Thank you!**



**MARKHAM ENVIRONMENTAL ADVISORY COMMITTEE  
CANADA ROOM MARKHAM CIVIC CENTRE**

**February 27, 2025**

**7:00 PM**

**Minutes**

<p><b><u>Present</u></b>  Stuart Cumner, Chair  Paddy Wong, Vice-Chair  Councillor Ritch Lau  Councillor Amanda Collucci  Jack Heath  Sarena Karpouzis  Christina Wong  Victoria Choy  Cliff Chan  Catherine Jeffrey  Yash Kapur  Frank Vignando  Karl Lyew</p>	<p><b><u>Staff</u></b>  Jennifer Wong, Manager, Sustainability  Laura Gold, Committee Clerk</p> <p><b><u>Regrets</u></b>  Graham Seaman, Director of Asset  Management &amp; Sustainability</p>
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## **1. CALL TO ORDER**

The Markham Environmental Advisory Committee convened at 7:00 PM with Stuart Cumner in the Chair.

## **2. CHANGES OR ADDITIONS TO THE AGENDA**

There were no changes or additions to the agenda.

## **3. ADOPTION OF THE MINUTES OF THE MARKHAM ENVIRONMENTAL ADVISORY COMMITTEE MEETINGS HELD ON SEPTEMBER 26 AND NOVEMBER 28, 2024**

RECOMMENDATION: "THAT THE MINUTES OF THE MARKHAM ENVIRONMENTAL ADVISORY COMMITTEE MEETINGS HELD ON SEPTEMBER 26 AND NOVEMBER 28, 2024, BE ADOPTED."

Moved by Vicky Choy  
Seconded by Yash Kapur

That the Minutes of the Markham Environmental Advisory Committee meetings held on September 26, and November 28, 2024, be adopted as presented.

Carried

#### **4. MATTERS ARISING FROM THE MINUTES**

There were no matters arising from the minutes.

#### **5. EARTH MONTH PLANNING**

Jennifer Wong, Manager of Sustainability, provided an update on the activities planned for Earth Day 2025. Instead of organizing a single large event, multiple smaller events will be held throughout April and May to highlight the City's sustainability initiatives. These activities include tree planting, e-waste drop-off, a repair café, a youth science fair, an energy retrofitting webinar, and more. Additionally, a comprehensive social media campaign featuring educational videos and a new website showcasing the City's sustainable projects will be launched. Staff are facing the challenge of explaining complex topics at a grade 5 level. Due to the long Easter Weekend, no activities are scheduled for Earth Day itself. If this approach proves successful, it may be extended to other departments in the future.

Vicky Choy offered to organize a bird walk on behalf of the Markham Environmental Advisory Committee, which could be included as one of the Earth Day events. Ms. Choy will contact Jennifer Wong to discuss the details. May was suggested for the bird walk due to more predictable weather. A member proposed holding the bird walk at Rouge Urban National Park and possibly combining it with an existing event.

The Committee expressed gratitude to the Councillors for including Vicky Choy's article on bird-friendly practices in their newsletter. Members also suggested adding a link to Staff's educational videos for Earth Month in future newsletters.

The Committee briefly discussed ways to communicate with residents in the absence of having a media outlet in Markham.

#### **6. BIRD FRIENDLY CITY CERTIFICATION UPDATE**

Victoria Choy provided an update on her work regarding bird-friendly certification. A Bird Friendly Committee has been established, with eight attendees participating in the first one-hour meeting. Recent years have seen a concerning 30% decrease in the bird population. The City of Richmond Hill has developed an effective website addressing this issue. To gather more information, Ms. Choy participated in a backyard bird count and engaged in discussions with a representative from New York City about their initiatives, such as retrofitting buildings and implementing light reduction strategies.

Jack Heath advised that a presentation on the City's Bird Friendly Guidelines will be presented to the Development Services Committee sometime this year. Ms. Choy requested to be notified of the date of the presentation.

The Committee also requested that the applicable Member of Staff provide a presentation at the next Markham Environmental Advisory Committee on City's Bird Friendly Guidelines. Laura Gold, Council/Committee Coordinator agreed to investigate who from staff could provide a presentation to staff on this matter.

## **7. FOOD WASTE AND FOOD INSECURITY SUB-COMMITTEE UPDATE**

Stuart Cumner, Chair presented the Food Waste and Food Insecurity Sub-Committee update, which included the following:

- There have been four meetings with the York University Students to work on the food insecurity project at the university's Keele Campus.
- The students have prepared a project charter that focuses on students at the Markham York University Campus and nearby businesses managing food waste effectively and the environmental impact of doing so.
- The students conducting the project have reduced their food waste by changing their habits based on what they have learned from this project.
- The students plan on creating a Tiktok video promoting their project if permitted by the University.
- The students also used AI to create a comic strip on the problem to help promote their project and resolve the problem.
- They plan to approach businesses near the Markham York University campus to see if they are willing to use the “toogoodtogo” App to help solve the problem.
- The project will wrap up at the end of April at the end of university term.

## **8. PLANT BASED TREATY ACTION PLAN**

Stuart Cumner provided information on the CBC article about the Plant Based Treaty Action Plan. Signing the treaty involves a commitment to promoting and supporting plant-based foods to reduce greenhouse gases. Cities that have signed the treaty include Montreal, Caledon, and Toronto.

The Committee reviewed the current initiatives undertaken by the City to promote plant-based food, including the expansion of its community garden program. Additionally, the Members deliberated on advocating for plant-based options at the City's Staff Appreciation Day and encouraging the City's third-party cafeteria to feature plant-based items.

The Committee encouraged the Chair to look at how other City's approach this issue and to report back at the next meeting.

## **9. ZERO EMISSIONS OUTDOOR POWER EQUIPMENT**

Stuart Cumner, Chair, inquired if the City had made any progress with respect to zero emissions outdoor power equipment and spoke of some the work the City of Toronto is undertaking on the matter, including a ban on these products.

The Committee discussed zero emissions outdoor power equipment. They focused on phasing out gas-powered tools, educating the public on environmental benefits of mulching leaves, the future of federal and provincial rebate programs, and the City's need to be fiscally responsible when converting to zero emission outdoor equipment.

Further discussion on this matter has been deferred to the next meeting.

## **10. NEW BUSINESS**

### Swan Lake

Stuart Cumner, Chair, advised that Fred Peters is looking for community volunteers to assist with the environmental issues related to Swan Lake

### Robert Willats

Members acknowledged Robert Willats for his contributions to the Committee and the Food Waste and Food Insecurity Sub-Committee and noted his departure from the Committee due to relocation out of Markham.

### End of Plans for a Pickering Airport

Jack Heath advised that there will be a gathering on February 28<sup>th</sup> to celebrate the Federal Government's announcement to discontinue its plans to build a Pickering Airport.

## **11. NEXT MEETING**

The next Markham Environmental Advisory Committee Meeting will be held on May 29, 2025, at 7:00 PM.

## **12. ADJOURNMENT**

The Environmental Advisory Committee adjourned at 9:00 PM.



## RACE RELATIONS MEETING MINUTES

**Date:** March 3, 2025

**Time:** 6:00 pm

**Location:** Electronic Meeting

Members Present      Councillor Juanita Nathan  
                                  Claudette Rutherford  
                                  Ali Mtairek  
                                  Rochel Padiachy  
                                  Edward Choi  
                                  Steve Yan

Members Absent      Satya Arora  
                                  Madge Logan  
                                  Braman Thillainathan

Staff Present      Hristina Giantsopoulos, Election and Committee Coordinator  
                                  Kinya Baker, Manager, Diversity, Equity & Inclusion

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### 1. CALL TO ORDER

The Race Relations Committee Meeting convened at 6:14 PM.

The Chair, Claudette Rutherford, commended the Mayor's Black Youth Committee for a successful panel discussion that advocated for the interests of Black Youth in Markham on February 3, 2025, at a City Black History Month event. She noted that the International Day for the Elimination of Racial Discrimination, International Women's Day, and Irish History Month are observed in March.

Special guests, Nancy Mitchell, Carlos Wright and Samar Mudawi from the Diversity Institute at the Toronto Metropolitan University were in attendance for an information session related to the York Region Police Equity Audit (item 5.1).

Special guests, Dr. Kien Nam Luu and Shane Clodd from the York Region District School Board were in attendance to introduce a special art initiative, Shadows of Racism Art Exhibition (item 7.1).

## **2. APPROVAL OF PREVIOUS MINUTES**

### **2.1 RACE RELATIONS COMMITTEE MINUTES - DECEMBER 2, 2024**

**Moved By** Councillor Juanita Nathan

**Seconded By** Rochel Padiachy

That the December 2, 2024, Race Relations Committee Minutes be adopted.

**Carried**

### **2.2 BUSINESS RELATED TO THE PREVIOUS MINUTES**

There was no business related to the previous minutes.

## **3. APPROVAL OF AGENDA**

That the March 3, 2025, Race Relations Committee Meeting Agenda be adopted.

### **3.1 RACE RELATIONS COMMITTEE AGENDA - MARCH 3, 2025**

**Moved By** Councillor Juanita Nathan

**Seconded By** Rochel Padiachy

That the Race Relations Committee Meeting Agenda for March 3, 2025, be approved.

**Carried**

## **4. NOMINATION FOR VICE-CHAIR**

This item will be placed on the June 2, 2025, meeting agenda for consideration.

## **5. DIVERSITY INSTITUTE**

### **5.1 VIRTUAL SESSION INFORMATION -SERVICE DESIGN AND DELIVERY**

Nancy Mitchell, Carlos Wright and Samar Mudawi from the Diversity Institute at the Toronto Metropolitan University were in attendance for an information session related to the York Region Police Equity Audit.

Ms. Mitchell indicated that they have supported different organizations with equity, diversity, inclusion and accessibility work since 1989, and that they are involved in the City's Diversity Action Plan and the Elimination of Anti-Black Racism Plan. Ms. Mitchell and her team conducted a session

during the meeting to obtain community perspective from committee members on employment practices and service design and delivery with York Region Police.

The Chair noted concerns with over policing, racial profiling and that comfort levels may differ across the community. She welcomed a community engagement strategy to build trust among black community members and offered to assist Ms. Mitchell and her team in this regard.

## **6. MANY FACES OF MARKHAM**

### **6.1 SUB-COMMITTEE UPDATE**

A sub-committee needs to be re-established to guide the planning and delivery of future *Many Faces of Markham* events. Further discussion will be scheduled to determine the future direction of the initiative

## **7. SCHOOL BOARD INITIATIVE**

### **7.1 THEMED ART CURATION - SHADOWS OF RACISM**

Shane Clodd and Dr. Kien Nam Luu, addressed the committee to introduce Shadows of Racism, an art curation as it pertains to anti-Asian racism, and equity diversity and inclusion workshops where works of art are produced by York Region District School Board students. Mr. Clodd and Dr. Luu requested a partnership with the City to use Great Hall as the venue to display the art and to promote an alignment with the Race Relations Committee. The event is suggested to take place over several days to allow students, teachers, schools, community members an opportunity to visit the exhibit with a presentation on the opening day. Details on the events dates will be confirmed in the coming days.

The committee congratulated Mr. Clodd and Dr. Luu on their prior success and for coming to the meeting to present this community outreach opportunity. The committee offered their support for this event and will review the requirements with staff to confirm plausibility.

## **8. NEW BUSINESS**

### **8.1 ANTI-RACISM LEARNING SESSION/TRAINING**

There was a brief discussion about training opportunities related to team building and deepening knowledge on the overarching theme of race

relations. With new members soon joining the group, Kinya will engage the team to identify knowledge needs and help shape a plan for future initiatives

## **8.2 RECRUITMENT**

Kinya advised that recruitment for new members is underway and that additional members will be introduced at the June meeting.

Edward Choi announced that today was his last meeting and that his term with the committee has ended.

On behalf of the committee, Claudette thanked Edward Choi for his contribution and dedication to the Race Relations Committee over the years.

## **9. NEXT MEETING**

The next meeting will be held on June 2, 2025, at 6 PM.

## **10. ADJOURNMENT**

**Moved By** Edward Choi

**Seconded By** Councillor Juanita Nathan

That the Race Relations Committee Meeting adjourn at 7:57 PM.

**Carried**



## Markham Accessibility Advisory Committee

### Minutes

March 17, 2025

Canada Room

5:00 PM

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#### Attendance:

<p><b>Members present</b>  Regional Councillor Alan Ho  Yoyo Chen (Chair)  Jewell Lofsky (Vice-Chair)  Stephanie Mak  Jisan Phillips  Anittha Kannuthal</p> <p><b>Staff:</b>  Lois Davies, Accessibility Consultant  Joann Sotiropoulos, Senior Manager,  Transformation Office, Learning,  Laura Gold, Council/Committee Coordinator  Stephen Tippet, Project Manager, Parks  Development  Tanya Lewinberg, Public Realm Coordinator</p> <p><b>Guests:</b>  None</p>	<p><b>Regrets:</b>  Kinaya Baker, Manager, Diversity, Equity,  and Inclusion  Organizational Development and Inclusion  Councillor Ritch Lau  Kim Adeney  Satya Arora</p>
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#### 1. Call to Order

The Markham Accessibility Advisory Committee convened at 5:05 PM with Yoyo Chen in the Chair.

Markham Accessibility Advisory Committee

March 17, 2025

2 | Page

## **2. Land Acknowledgement**

Yoyo Chen, Chair read the Land Acknowledgment.

### **INDIGENOUS LAND ACKNOWLEDGEMENT**

We are members of the City of Markham's Accessibility Advisory Committee. Our role is to provide advice to the municipal government on a wide range of municipal processes to help ensure public services and facilities are accessible to everyone. We begin today by acknowledging the traditional territories of Indigenous peoples and their commitment to stewardship of the land. We acknowledge the communities in circle. The North, West, South and Eastern directions, and Haudenosaunee, Huron-Wendat, Anishnabeg, Seneca, Chippewa, and the current treaty holders Mississaugas of the Credit peoples.

## **3. Disclosure of Pecuniary Interest**

There were no disclosures of pecuniary interest.

## **4. Approval of the Minutes and Review of Action Items**

Moved by Jewell Lofsky

Seconded by Jisan Phillips

That the February 24, 2025, Markham Accessibility Advisory Committee be approved as presented.

**Carried**

## **2. Presentations**

### **• Parks and Play Spaces**

Stephen Tippet, Project Manager, Parks Development, provided a presentation titled "Current Standards and Practice: Markham Accessibility Guidelines – Inclusive Play. The presentation included information on accessibility routes, entry and exit points, ground surfaces, elevated play components, and ground level play components, and the next steps. Mr. Tippet requested the Committee review and comment on the Inclusive Play Space Checklist. A hard copy of the checklist was circulated to the Committee at the meeting. A softy copy of checklist was circulated to the Committee after the meeting.

The Committee discussed the following relative to the presentation:

- The pros and cons of different accessible playground surfaces.
- Staff's plans to engage residents with lived experience, including parents with children with disabilities on the subject matter.
- Suggested working with a play consultant.
- The play dynamics when younger and older children are playing on the same play structure.
- Providing information in multiple languages regarding the recommended age groups for the junior and senior playgrounds.
- The importance of reaching out to the neurodiverse community as part of the public consultation.
- Suggested using symbols and pictures that children would understand to explain playground rules.

Mr. Tippet advised that he would provide an update on the advancements made to making play spaces more accessible at a future meeting. Mr. Tippet noted that a part of their public engagement will involve reaching out to people with lived experience to get their feedback on Markham's practices with respect to inclusive play.

## 6. ACCESSIBILITY UPDATES

- National AccessAbility Week (NAAW)

Yoyo Chen, Chair, confirmed that the Committee agreed via a majority vote that the 2025 National AccessAbility week will be a weeklong social media campaign. Ms. Chen advised that she browsed through other organizations NAAW past social media campaigns to get ideas on what the Committee could include in its campaign. Based on what she found, she recommended that the Committee's social media campaign could include a definition of disability, Canadian or Markham disability related statistics, educational information on what AODA is, and information on what Markham has done to improve its accessibility.

Anittha Kannuthal and Stephanie Mak agreed to help with the National Accessibility week social media campaign.

- 2025 Markham Accessibility Award

Laura Gold, Council/Committee Coordinator, provided a presentation on the Markham Accessibility Recognition Award. The presentation included the award background, purpose, objectives, and next steps. Ms. Gold asked the Committee to submit any changes to the nomination form to her prior to the next meeting.

Markham Accessibility Advisory Committee

March 17, 2025

4 | Page

Stephanie Mak agreed to provide input on the nomination form on behalf of the Committee.

- Promotional Product

Yoyo Chen, Chair, asked the Members to provide their feedback on the type of promotional material it would like to prioritize.

Members prioritized the promotional material in the following order: 1) banner 2) T-Shirts, and 3) Sashes.

Ms. Chen then presented different options for the Markham Accessibility Advisory Committee logo and banner.

The Committee agreed on idea 2 for the logo and design 4 for the banner.

- City of Markham Zero Road Safety Plan Stakeholder

Satya Arora provided the following comment via email to communicate to the Committee on this matter:

- Road Safety is an important issue for Markham residents.
- Yoyo Chen and Satya Arora attended the stakeholder meeting on February 24, 2025.
- Vision Zero plan is moving forward with making our streets and communities safer for drivers, cyclists and pedestrians.

## **7. Deputations**

There were no deputations.

## **8. Communications**

A York Region Email on National Accessibility Week was attached with the agenda package. The email was not discussed at the meeting due to running out of time. The Committee will decide via email who will represent the Committee at the York Region National Accessibility Week Professional Development Forum for Accessibility Advisory Committee Members.

## **9. Other Business**

There was no other business.

## **10 Adjournment**

Markham Accessibility Advisory Committee

March 17, 2025

5 | Page

The Markham Accessibility Committee adjourned at 7:05 PM



## Markham Accessibility Advisory Committee Meeting Minutes

**Date:** April 28, 2025

**Time:** 5:00 PM

Attendance    Councillor Ritch Lau  
                     Yoyo Chen  
                     Jewell Lofsky  
                     Julia  
                     Chun Yu  
                     Adrian Benoit  
                     Anittha Kannuthal  
                     Satya Arora

Regrets        Regional Councillor Alan Ho  
                     Jisan Phillips  
                     Stephanie Mak  
                     Kim Adeney

Staff	Lois Davies, Accessibility Consultant	Hristina Giantsopoulos, Election/Council & Committee Coordinator
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### 1. **Call to Order**

The Advisory Committee on Accessibility convened at 5:07 PM with Yoyo Chen presiding as Chair.

### 2. **Land Acknowledgement**

The meeting began with a reading of the Land Acknowledgement by the Chair.

### 3. **Approval of Advisory Committee on Accessibility Minutes & Review of Action Items**

Moved by Jewell Lofsky

Seconded by Satya Arora

That the Advisory Committee on Accessibility Meeting Minutes of March 17, 2025, be confirmed.

Carried

#### **4. Presentations**

##### **4.1 Unionville Seniors Hub**

Meaghan Miller, and Ines Cortada, of York Region, and Agnes Kazmierczak, of GEC Architecture, were in attendance to provide a presentation on the Unionville Seniors Hub that will be located at Unionville Commons and to obtain feedback from the committee on the accessible design components. They advised that construction is slated for 2025 and that the hub is expected to open in 2026.

There was discussion on the following elements from Jewell, Satya, and Anittha during the presentation:

- accessible washrooms,
- the size of the facility and how it can accommodate various accessibility and mobility devices,
- the available parking,
- whether the reception area will be staffed,
- the use of wayfinding indicators,
- the use of sound absorbing materials,
- concerns with materials that may be used on furniture, flooring, ceiling, for visitors and daily maintenance,
- the types of furniture for various areas to ensure ease of entry and exit for all visitors including those with accessibility/mobility devices, and,
- the integration of door handles and suggested use of sight markers on them.

The committee thanked the Meaghan, Ines, and Agnes for attending the meeting and made suggestions related to furniture styles, features and background music in addition to having four chairs in the reception area of the satellite medical clinic and that it be located closer to the common area of the facility.

## **5. Accessibility Updates**

### **5.1 Change of Meeting Room/Accessible Features**

Lois Davies, Staff Liaison, provided a brief update on the use of the York Room for this meeting and highlighted its enhanced accessibility elements, room brightness, video conferencing and sound control elements. She indicated that this is the preferred meeting space for upcoming meetings until all Civic Centre meeting rooms are upgraded to provide consistent meeting experiences for all attendees both in person and virtually.

### **5.2 National AccessAbility Week (NAAW) Corporate Event**

Yoyo Chen presented the proposed Markham Advisory Committee on Accessibility social media that is in support of National AccessAbility Week. She noted that this is a collaboration with the City's corporate communication group. She indicated that this will be a weeklong campaign with a different message being posted on City social media each day beginning on May 25, 2025. She further indicated that the messages were designed to promote inclusion, awareness, removal of barriers and how community members can become involved in accessibility initiatives.

The committee discussed the logo, use of pictures and colours to ensure compliance with corporate and accessibility standards. It was suggested that corporate communications assist with reviewing the messages prior to posting the material.

The committee also discussed the corporate Lunch and Learn featuring John Draper from, Together We Rock! Markham Accessibility Advisory Committee members were invited to attend this event on May 29, 2025, at the Civic Centre, Canada Room.

### **5.3 2025 Accessibility Award - Updated Form**

The committee reviewed the accessibility award nomination form and made suggestions regarding format and available space for nominee contributions. Additional comments will be forwarded to Laura Gold for implementation on the revised forms.

## **6. Other Business**



Satya Arora, provided an updated on the Accessibility Advisory Committee Professional Development Forum which will be held on Wednesday May 28, 2025, which is also [Red Shirt Day](#).

The event will take place at York Region offices, 17150 Yonge Street, from 10 am - 3 pm.

**7. Adjournment**

The Advisory Committee on Accessibility meeting adjourned at 7:07 PM.

**8. Next Meeting Date**

The next meeting of the Markham Accessibility Advisory Committee will be held on May 26, 2025, at 5:00 PM.

Future Meeting Dates of the Committee will be held on:

May 26, 2025

June 16, 2025

September 15, 2025

October 20, 2025

November 17, 2025

December 15, 2025

**AGENDA 1.1****MARKHAM PUBLIC LIBRARY BOARD****Regular Meeting****Minutes of Regular Meeting held on Monday, March 24, 2025, 7:05 p.m. Virtual by ZOOM**

- Present from Board: Ms. Margaret McGrory, Chair  
 Mr. Edward Choi, Vice Chair  
 Deputy Mayor Michael Chan  
 Mr. Raymond Chan  
 Mr. Robin Choy  
 Councillor Ritch Lau  
 Mr. Harout Manougian  
 Ms. Winnie Phung  
 Mr. Kenneth Wightman  
 Mr. Jay Xie
- Present from Staff: Mrs. Catherine Biss, CEO & Secretary-Treasurer  
 Ms. Andrea Cecchetto, Director Service Excellence  
 Mrs. Diane Macklin, Director, Community Engagement  
 Ms. Michelle Sawh, Director, Administration  
 Ms. Debbie Walker, Director, Library Strategy & Planning  
 Ms. Megan Garza, Senior Manager, Organizational Transformation  
 Mrs. Anthea Baillie, Manager, Collections & Technical Services  
 Ms. Polly Chan, Financial Analyst  
 Mr. Amir Feridooni, Manager, Unionville Library  
 Mrs. Susan Price, Board Secretary
- Regrets: Ms. Jenny Tung  
 Ms. Gail Vlahopoulos
- Guest: Mr. Morgan Jones, Commissioner, Community Services,  
 City of Markham

**1.0 Call to Order/Adoption of Agenda**

Ms. Margaret McGrory called the meeting to order at 7:05 p.m.

Moved by Mr. Raymond Chan  
 Seconded by Mr. Jay Xie

Carried.

**AGENDA 1.1****1.1 Adoption of Minutes:**

Library Board Minutes January 27,2025.

Moved by                      Mr. Robin Choy  
 Seconded by                Ms. Winnie Phung

**Resolved that the minutes of January 27,2025, Library Board First Meeting be confirmed.**

Carried.

**1.2 Declaration of Conflict of Interest**

None.

**1.3 Delegation**

None.

**1.4 Chair's Remarks:****CHAIR'S INDIGENOUS LAND ACKNOWLEDGMENT**

We begin today by acknowledging the traditional territories of Indigenous Peoples and their commitment to stewardship of the land. We acknowledge the communities in circle. The North, West, South and Eastern directions, the Haudenosaunee, Huron-Wendat, Anishnabeg, Seneca, Chippewa and the current treaty holders Mississaugas of the Credit peoples. We share the responsibility with the caretakers of this land to ensure the dish is never empty and to restore relationships that are based on peace, friendship, and trust. We are committed to reconciliation, partnership, and enhanced understanding.

Ms. McGrory asked the Directors to introduce any guest staff members present.

The Chair reminded the Board that we need to count votes at virtual meetings and to keep hands raised until tallied.

June Policy Governance workshop discussion: the Board did not indicate any preference for a location or date. Staff will investigate the availability of a facilitator and get back to the Board on timing.

## AGENDA 1.1

Due to the upcoming federal election, April 28, 2025, the scheduled Board meeting will need to be changed. Members will be polled as to which date that week is most suitable for them.

The Chair reminded the Board that In Camera meetings are strictly confidential, so Members need to ensure they are in a private location or using headphones.

### 2.0 **Ownership Linkage:**

#### 2.1 Reports from Board Members

There were no reports from Board members. The Chair asked staff for a brief report on the Black Owned Markham Market held February 22, 2025 at Milliken Mills. Staff reported the event was successful in achieving its goals of showcasing local Black-owned businesses and in creating a network of connection and mentorship for entrepreneurs.

### 3.0 **Board Education:**

#### 3.1 Trends and Issues in Canadian Libraries

Staff gave an overview presentation of the report contained in the package, describing the process that will be undertaken to assess trends and issues, and explaining the change to the project timeline. The comprehensive environmental scan will be a key phase of the strategic plan update project. Given the uncertainties with global economic shifts and geopolitical turbulence, staff are conducting the environmental scan in two phases:

- Phase 1-Macro Issue Research and Analysis
- Phase 2-Analysis of Issues through a Local Lens

Moved by                      Mr. Edward Choi  
Seconded by                 Mr. Raymond Chan

**Resolved that the Board receives the Board Education Presentation  
“Trends and Issues in Canadian Libraries.”**

Carried.

### 4.0 **Information Requested by the Board:**

#### 4.1 CEO's Highlights, March 2025

The CEO noted the following items in the report:

- Deferral of Development Charges for High-Rise Residential Buildings: Pending a further comprehensive report regarding financial impacts on the City, General Committee has deferred its decision regarding a Development Charge Deferral Policy.

## AGENDA 1.1

- Provincial Election: Given a condensed campaign period, staff mobilized to engage the community and provide vital information including voter information and the roles and responsibilities of the provincial government. Similar opportunities are under way for the upcoming federal election.
- Enterprise Risk Management Report: Staff gave an overview of the report, explaining how some key items were rated and their potential impact.

There was some discussion on efforts made to hold all candidates' meetings, and other measures put in place to keep the public informed and engaged prior to the provincial election. There were questions about higher value items being borrowed from the library and not returned by the due date, and staffing resources required for additional programs.

Moved by                      Ms. Winnie Phung  
Seconded by                Mr. Edward Choi

**Resolved that the report entitled “CEO’s Highlights, March 24, 2025 ” be received.**

Carried.

### 5.0 Items for Decision

#### 5.1 Policy Governance Wording Amendments Revision March 24,2025

Moved by                      Mr. Harout Manougian  
Seconded by                Councillor Ritch Lau

**Resolved that the Board has reviewed the policies under Policy Governance: Governance Process GP-1 to GP-2k, Board-CEO Linkages BCL-1 to BCL-2e and Executive Limitations EL-2a to EL-2j and accepts the amendments and the edit to GP-1 and receives the latest revision of Policy Governance effective March 24,2025.**

Carried.

### 6.0 Monitoring Performance

#### 6.1 **Ends:**

##### 6.1.1 Strategic Plan Update

In conjunction with the 3.1 report on Trends and Issues in Canadian Libraries staff reported on the strategic planning process:

## AGENDA 1.1

In accordance with the project timeline and to ensure a successful and effective strategic plan, staff have commenced work on three foundational elements of the strategic planning process:

1. **Environmental Scan:**
  - Update and progress are reported in Report 3.1.
2. **Community Participation Plan:**
  - A thorough community participation process will enable MPL to develop an impactful Strategic Plan that will continue to fulfil its legislated mandate to provide a comprehensive and efficient public library service reflecting the unique needs of the community.
3. **Staff Engagement Plan:**
  - To provide staff with opportunities to participate in the creation of the library's new Strategic Plan.

The Chair noted that the Strategic Plan is not subject to Board approval; rather it is a multi-year management plan (tool), which describes *how* the organization will go about achieving the Board's Ends in compliance with its Executive Limitations.

Moved by                      Mr. Edward Choi  
Seconded by                Ms. Winnie Phung

**Resolved that the report “Strategic Plan Update” be received.**

Carried.

### 6.2 **Executive Limitations:**

#### 6.2.1 **Internal Monitoring Report: Executive Limitations, EL-2d, Financial Condition** (assigned to Mr. Harout Manougian)

Mr. Manougian reviewed the report, emailed Board members for comment and had some questions/clarifications that were responded to by staff prior to the meeting. There were a couple of further clarifications at the meeting.

The report confirmed that the CEO and MPL's practices relative to MPL's Financial Condition comply with the requirements of EL-2d policy.

Moved by                      Mr. Harout Manougian  
Seconded by                Mr. Raymond Chan

**Resolved that the report entitled “Internal Monitoring Report: Executive Limitation EL-2d, Financial Condition ” be received.**

Carried.

**AGENDA 1.1****6.2.2 Internal Monitoring Report: Executive Limitations, EL-2g, Emergency Executive Succession** (assigned to Mr. Raymond Chan )

Mr. Chan reviewed the report and sent an e-mail to Board members and received no questions or concerns.

The report confirmed that the CEO and MPL's practices relative to MPL's Emergency Executive Succession comply with the requirements of EL-2g policy.

Moved by Mr. Raymond Chan

Seconded by Mr. Edward Choi

**Resolved that internal monitoring report entitled “ Executive Limitation: EL-2g, Emergency Executive Succession” be received.**

Carried.

**7.0 Consent Agenda:**

Moved by Mr. Harout Manougian

Seconded by Mr. Jay Xie

**Resolved that the Consent Agenda comprising Agenda items 7.0 to 7.2.3 and the same are hereby approved as written and the CEO of the Library is hereby authorized and directed to take such action that may be necessary to give effect to the recommendations as therein contained:**

**7.0 CONSENT AGENDA:****7.1 Declaration of Due Diligence by the CEO****7.2 Communication and Correspondence:****7.2.1 Library Journal: New Data From Overdrive**

[New Data From OverDrive, “Libraries Break Digital Lending Records in 2024 with Over 739 million Checkouts”](#)

**7.2.2 YorkRegion.com: Markham-Stouffville candidates Meet and Greet Feb.19** [Markham-Stouffville candidates Meet and Greet Feb. 19](#)**7.2.3 Stouffville Bullet Point News: Markham-Stouffville Heads to Polls Without a Single Pre-Election Debate** [Markham-Stouffville Heads to the Polls Without a Single Pre-Election Debate | Stouffville | Bullet Point News](#)

Carried.

## AGENDA 1.1

### 8.0 **Board Performance and Self-Evaluation:**

#### 8.1 **Questionnaire Results: The Board and the CEO**

The Chair was concerned about one negative response to a question and asked if the Board member wanted to bring it forward either at the meeting or privately.

Moved by                      Ms. Winnie Phung  
Seconded by                Mr. Raymond Chan

**Resolved that the report entitled “Questionnaire Results: the Board and the CEO” be received.**

Carried.

#### 8.2 **Questionnaire: Feedback**

The Chair asked the Board to complete the questionnaire and return it to the Board Secretary by e-mail as directed.

### 9.0 **New Business**

(none)

### 10.0 **In Camera Agenda:**

10.1 To discuss a confidential personnel matter

Moved by                      Mr. Edward Choi  
Seconded by                Councillor Ritch Lau

**Resolved that the Board move in camera at 8:01 p.m. to discuss a confidential personnel matter.**

Carried.

The Board returned to its regular meeting at 8:26 p.m.

Moved by                      Mr. Raymond Chan  
Seconded by                Mr. Edward Choi

**Resolved that the motions approved In Camera be ratified.**

Carried.

### 11.0 **Adjournment**

Moved by Mr. Edward Choi that the meeting be adjourned at 8:29 p.m.



**AGENDA 1.2****MARKHAM PUBLIC LIBRARY BOARD****Regular Meeting (no quorum)****Minutes of Regular Meeting held on Tuesday, April 29, 2025, 7:30 p.m. Virtual Meeting**

Present from Board:	Ms. Margaret McGrory, Chair Councillor Ritch Lau Mr. Harout Manougian Mr. Kenneth Wightman
Present from Staff:	Mrs. Catherine Biss, CEO & Secretary-Treasurer Ms. Andrea Cecchetto, Director Service Excellence Mrs. Diane Macklin, Director, Community Engagement Ms. Michelle Sawh, Director, Administration & Operational Support Ms. Debbie Walker, Director, Library Strategy & Planning Ms. Megan Garza, Senior Manager, Organizational Transformation Mrs. Anthea Baillie, Manager, Collections & Technical Services Ms. Polly Chan, Financial Analyst Mr. David Zambrano, Manager of Library Systems & Virtual Branch Mrs. Susan Price, Board Secretary
Regrets:	Deputy Mayor Michael Chan Mr. Edward Choi, Vice-Chair Ms. Winnie Phung Mr. Jay Xie Mr. Raymond Chan Ms. Gail Vlahopoulos Mr. Robin Choy
Guest:	Mr. Morgan Jones, Commissioner Community Services, City of Markham

**1.0 Call to Order/Adoption of Agenda**

In the absence of quorum due to conflicting commitments, Ms. Margaret McGrory, Chair called the meeting to order at 7:30 p.m. and thereafter adjourned the meeting.

The Chair and Members present discussed the appropriate procedures governing the conduct of a meeting in the absence of a quorum.

**AGENDA 1.2**

The Board was in compliance with the MPL Board by-laws Section 4.13: Quorum, that states “Where a quorum is not present within thirty minutes after the hour fixed for the meeting, the Board Secretary shall record the names of members present. In the absence of a quorum, the meeting may continue; however, no motion may be made or passed.”

The Board was in compliance with the Public Libraries Act, which states “In Ontario, the Public Libraries Act mandates that Library Boards hold at least seven regular meetings per year. These meetings must be open to the public with advance notice given. Library Board also have the authority to hold special meetings when necessary.”

The next Regular Board meeting will be held on May 26, 2025. Agenda items for the April 29, 2025, Board package will be amalgamated with the May agenda package and presented at the May meeting.



Report to: General Committee

Meeting Date: June 3, 2025

**SUBJECT:** Cancellation, Reduction, or Refund of Taxes under Sections 357 and 358 of the **Municipal Act, 2001**

**PREPARED BY:** Matthew Vetere, Manager, Tax & Assessment Policy

**REVIEWED BY:** Shane Manson, Senior Manager, Revenue & Property Tax

### **RECOMMENDATION:**

1. That the Report for the Cancellation, Reduction or Refund of Taxes under Sections 357 and 358 of the **Municipal Act, 2001** be received; and,
2. That taxes totalling approximately \$578,088 (incl. \$3,451 of Stormwater Fees) be adjusted under Section 357 and 358 of the **Municipal Act, 2001** of which the City's tax portion is estimated to be \$72,587; and,
3. That the associated interest be cancelled in proportion to the tax adjustments; and,
4. That the Treasurer be directed to adjust the Collector's Roll accordingly; 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 authorize the Treasurer to adjust the Collector's Roll under Section 357 and 358 of the **Municipal Act, 2001 (The Act)**.

### **BACKGROUND:**

Sections 357 and 358 of **The Act** allows for the reduction, cancellation or refund of taxes. Section 357 subsection (1) states that: upon application to the Treasurer of a local municipality, the local municipality may cancel, reduce or refund all or part of taxes levied on land in the year in respect of which the application is made if:

- a. if a property or portion of a property is eligible to be reclassified in a different class of property, and that class has a lower tax ratio for the taxation year than the class the property or portion of the property was in before the change, and if no supplementary assessment is made in respect of the change under subsection 34(2) of the **Assessment Act**;
- b. property that has become vacant land or excess land during the year;
- c. property that has become exempt from taxation during the year;
- d. building that during the year was razed by fire, demolition or otherwise, or was damaged by fire, demolition or otherwise so as to render it substantially unusable for the purposes for which it was used immediately prior to the damage;

- 
- d.1. person who was unable to pay taxes because of sickness or extreme poverty;
  - e. mobile unit that was removed from the land during the year;
  - f. property overcharged by reason of any gross or manifest error that is a clerical error, the transposition of figures, a typographical error or similar type of error, but not an error in judgment in making the assessment upon which the taxes have been levied; or
  - g. in respect of a property which by reason of repairs or renovations could not be used for its normal use for a period of at least three months during the year.

Pursuant to Section 357 subsection (3), an application must be filed with the Treasurer on or before the last day of February of the year following the year in respect of which the application is made.

Pursuant to Section 358 subsection (3), an application must be filed with the Treasurer between March 1 and December 31 of a year and may apply to taxes levied for one or both of the two years preceding the year in which the application is made and the application shall indicate to which year or years it applies. This section permits applications for tax adjustment, related to taxes levied in each or either of the two years preceding the year in which the application is made, by owners who are overcharged by reason of any gross or manifest error in the preparation of the assessment roll by the Municipal Property Assessment Corporation (MPAC) that was factual in nature. This may include, but is not limited to; clerical errors, the transposition of figure or typographical errors, but not an error in judgment in making the assessment upon which the taxes have been levied.

### **OPTIONS/ DISCUSSION:**

In accordance with **The Act**, the notices of hearing for the properties listed in Appendix B, were mailed to the applicants fourteen days before the date of which the applications are heard. The notices for these properties were mailed to applicants on May 20, 2025.

The schedules attached identify the associated year of taxation, the assessment roll number of each property, the reason for the tax appeal, the resulting tax adjustment along with the proportionate share for the City, Region, and School Board. There are four (4) primary reasons for a property tax appeal application to be filed:

1. Razed by Fire / Demolition / Unusable: representing properties that have experience a structural fire, structural demolition or Unusable. All such applications include a copy of the applicable permit and associated documentation.
2. Became Exempt: representing properties that were assessed on the assessment roll as taxable, but became exempt from taxation during the year;
3. Gross or Manifest Error: representing properties that require the property assessment to be amended due to errors identified in the overall valuation of the property.
4. Change in Tax Class: representing properties that were assessed on the assessment roll as one tax class, but became eligible to be reclassified into a different property during the year

Applications submitted to the City undergo review by MPAC. Following this review, they are returned with either a recommendation for tax adjustment or without any recommendation. Applications without a recommendation indicate that the tax appeal does not meet the specified criteria under **The Act**. These applications, totaling 15, have been thoroughly reviewed and deemed ineligible for relief.

Among the 39 properties that received tax adjustments, the total adjustment amount is \$578,088 (including a \$3,451 Stormwater Fee). Notably, 73.6% or \$422,883 of this total is attributable to just 2 properties, which are described below.

1. 1936 020 140 04600 (4101 Hwy 7)

This property is located on the south side of Highway 7, east of Birchmount Road. It was classified as commercial until 2023 when the existing structures were demolished. The tax class was subsequently changed to multi-residential in 2024 to align with proposed development on the property. The resulting total tax adjustment for the 2024 taxation year is \$281,080, of which the City's proportionate share is \$17,135.

2. 1936 020 133 86700 (2833 16th Ave)

This property is located on the south side of 16th Avenue, east of Highway 404. Formerly part of the Buttonville Airport lands, it was primarily designated for commercial use until 2024. Following the demolition of existing structures in that year, the property was reclassified predominantly for industrial use. As a result, the total tax adjustment for the 2024 taxation year is \$141,803, of which the City's portion amounts to \$31,089.

## FINANCIAL CONSIDERATIONS

As shown in Figure 1 below, Markham's share of the total tax adjustments amounts to \$72,587. The remaining proportionate amounts, detailed in Figure 1, will be charged back to the other two levying bodies (Region of York and Province of Ontario).

<b>Figure 1: Tax Adjustments by Levying Body</b>	
City of Markham	\$72,587
Region of York	\$158,360
Province of Ontario ( <i>Education</i> )	\$343,691
<b>Total Tax Adjustment</b>	<b>\$574,637</b>
Stormwater Fee	\$3,451
<b>Total Adjustment</b>	<b>\$578,088</b>

The City of Markham annually budgets for property tax adjustments, which come as a result of assessment appeals and from tax appeals filed under Section 357 and 358 of the **Municipal Act, 2001**.

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The City will allocate its share of the write-off as an expense, charging to account 820-820-7040 (Tax Write-off Account), which has an annual budget of \$1,301,000. As of May, there has been \$114,225 in year-to-date actuals recorded in the tax write-off account. After deducting the proposed \$72,587 write-off mentioned in the report, the remaining available budget will be \$1,114,188.

**HUMAN RESOURCES CONSIDERATIONS**

Not applicable.

**ALIGNMENT WITH STRATEGIC PRIORITIES:**

Not applicable.

**BUSINESS UNITS CONSULTED AND AFFECTED:**

None.

**RECOMMENDED BY:**

Joseph Silva  
Treasurer

Trinela Cane  
Commissioner, Corporate Services

**ATTACHMENTS:**

Appendix A – Tax Adjustments under Section 357 and 358 of the **Municipal Act, 2001**

Appendix B – Tax Adjustments Detailed List

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**APPENDIX A**
**Tax Adjustments under Section 357 and 358 of the **Municipal Act, 2001****

June 3, 2025 - General Committee Meeting

Report Total (excl. Stormwater Fee)

<b>Appeal Reason</b>	<b>Total Adjusted Amount</b>	<b>City Share Total</b>	<b>Appeal Count</b>
Gross or Manifest Error	\$45,574	\$5,281	13
Became Exempt	\$19,096	\$4,072	11
Razed by Fire / Demolition / Unusable	\$507,708	\$62,684	14
Change in Tax Class	\$2,259	\$550	1
<b>Total</b>	<b>\$574,637</b>	<b>\$72,587</b>	<b>39</b>

**APPENDIX B****Tax Adjustments under Section 357 & Section 358 – Tax Adjustments Detailed List  
(excl. Stormwater Fee)****TAX APPEALS: SECTION 357 - RESIDENTIAL**

Tax Year	Application	Roll Number	Property Address	Appeal Reason	Amount
2023	5272	36-03-0-231-47000-0000	5836 16TH AVE	Became Exempt, Purchased by City	\$5,122
2024	5276	36-01-0-010-23100-0000	118 HIGHLAND PARK BLVD	Damaged by fire/unusable	\$591
2024	5280	36-01-0-010-71206-0000	7089 YONGE ST	Became Exempt, Purchased by City	\$3,668
2024	5312	36-02-0-111-49112-0000	10 WELSH CRT	Damaged by fire/unusable	\$1,783
2024	5277	36-02-0-117-47600-0000	51 DAWN HILL TRAIL	Damaged by fire/unusable	\$2,050
2024	5282	36-02-0-132-50601-0000	0 WOODBINE AVE	Correction to tax class	\$1,415
2024	5316	36-02-0-133-50036-0000	2 BRANTWOOD CRT	Damaged by fire/unusable	\$2,323
2024	5338	36-02-0-137-60600-0000	9 CACHET PKY	Demolished/ Razed by fire	\$685
2024	5318	36-02-0-140-04600-0000	4101 HWY 7	Demolished structure, change in tax class	\$281,080
2024	5320	36-02-0-160-01600-0000	3590 MAJOR MACKENZIE	Demolished/ Razed by fire	\$1,024
2024	5284	36-03-0-211-62503-0000	0 WALFORD RD	Correction to tax class	\$153
2024	5306	36-03-0-212-43000-0000	9 ROUGE RIVER CIR	Demolished/ Razed by fire	\$1,590
2024	5310	36-03-0-232-74769-0000	67 KENTLAND ST	Damaged by fire/unusable	\$2,402
2024	5295	36-03-0-260-50501-0000	0 NINTH LINE	Correction to tax class	\$7
2024	5293	36-03-0-260-50502-0000	0 MARKHAM BYPASS	Correction to tax class	\$7
2024	5278	36-04-0-320-41700-0000	9 RIVERVIEW RD	Demolished/ Razed by fire	\$2,260
2024	5285	36-04-0-350-11800-0000	21 GEORGE ST	Correction to tax class	\$3,804
2024	5286	36-04-0-351-00800-0000	17 TALISMAN CRES	Demolished/ Razed by fire	\$1,024
2024	5315	36-04-0-360-29500-0000	32 JAMES SPEIGHT RD	Demolished/ Razed by fire	\$3,199
<b>Total s.357 Residential</b>				<b>19 Appeals</b>	<b>\$314,186</b>

**TAX APPEALS: SECTION 357 – NON-RESIDENTIAL**

Tax Year	Application	Roll Number	Property Address	Appeal Reason	Amount
2023	5210	36-02-0-110-18200-0000	7755 BAYVIEW AVE	Correction to tax class	\$1,414
2023	5270	36-02-0-112-66384-0000	0 COMMERCE VALLEY DR	Became Exempt, Purchased by City	\$2,263
2023	5256	36-02-0-121-42300-0000	205 TORBAY RD	Demolished/ Razed by fire	\$31,071
2023	5248	36-03-0-223-32500-0000	4802 HWY 7	Correction to tax class	\$8,335
2024	5257	36-02-0-111-24000-0000	0 STEELCASE RD W	Correction to tax class	\$1,010
2024	5298	36-02-0-126-17000-0000	3 CLAYTON DR	Correction to tax class	\$1,871
2024	5326	36-02-0-133-86300-0000	350 ALLSTATE PKWY	Demolished/ Razed by fire	\$37,083
2024	5328	36-02-0-133-86700-0000	2833 16TH AVE	Demolished structure, change in tax class	\$141,803
2024	5227	36-03-0-235-08410-0000	0 MAJOR MACKENZIE DR E	Correction to tax class	\$234
<b>Total s.357 Non - Residential</b>				<b>9 Appeals</b>	<b>\$225,084</b>



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**TAX APPEALS: SECTION 358 - RESIDENTIAL**

Tax Year	Application	Roll Number	Property Address	Appeal Reason	Amount
2021	5246	36-03-0-223-32500-0000	4802 HWY 7	Correction to tax class	\$8,243
2022	5300	36-03-0-210-01159-0000	4600 STEELES AVE E	Change in use, common element (parking)	\$2,258
2022	5247	36-03-0-223-32500-0000	4802 HWY 7	Correction to tax class	\$8,281
2023	5301	36-03-0-210-01159-0000	4600 STEELES AVE E	Change in use, common element (parking)	\$2,319
2023	5281	36-01-0-010-71206-0000	7089 YONGE ST	Became Exempt, Purchased by City	\$3,572
2023	5337	36-02-0-137-60600-0000	9 CACHET PKY	Demolished/ Razed by fire	\$1,246
2023	5294	36-03-0-260-50501-0000	0 NINTH LINE	Correction to tax class	\$7
2023	5292	36-03-0-260-50502-0000	0 MARKHAM BYPASS	Correction to tax class	\$7
<b>Total s.358 Residential</b>				<b>8 Appeals</b>	<b>\$25,932</b>

**TAX APPEALS: SECTION 358 – NON-RESIDENTIAL**

Tax Year	Application	Roll Number	Property Address	Appeal Reason	Amount
2021	5208	36-02-0-110-18200-0000	7755 BAYVIEW AVE	Correction to tax class	\$2,675
2022	5209	36-02-0-110-18200-0000	7755 BAYVIEW AVE	Correction to tax class	\$1,393
2023	5290	36-02-0-126-17000-0000	3 CLAYTON DR	Correction to tax class	\$5,367
<b>Total s.358 Non - Residential</b>				<b>3 Appeals</b>	<b>\$9,435</b>

<b>Total</b>				<b>39 Appeals</b>	<b>\$574,637</b>
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Report to: General Committee

Meeting Date: June 17, 2025

**SUBJECT:** Status of Capital Projects as of March 31, 2025  
**PREPARED BY:** Jemima Lee – Manager, Capital Budgets (Ext. 2963)  
 Germaine DSilva – Senior Financial Analyst (Ext. 2964)

**RECOMMENDATION:**

- 1) That the report dated June 17, 2025, titled “Status of Capital Projects as of March 31, 2025” be received; and,
- 2) That the Projects completed with surplus funds over \$100,000 or with over 50% of Budget remaining, as identified in Appendix 2a, be recommended for closure, and funds associated with these projects in the amount of \$689,730 be transferred to the original sources of funding as identified in Appendix 2a; and
- 3) That the Projects Completed without surplus funds or with surplus funds under \$100,000 or with less than 50% of Budget remaining, as identified on Appendix 2b, be recommended for closure, and funds associated with these projects in the amount of \$1,189,496 be transferred to the original sources of funding as identified in Appendix 2b; and
- 4) That the Non-Development Charge Capital Contingency Project be topped up from the Life Cycle Replacement and Capital Reserve Fund by \$808,972 to the approved amount of \$250,000; and,
- 5) That the Engineering Capital Contingency Project be topped up from the Development Charges – City-Wide Hard Reserve by \$56 to the approved amount of \$100,000; and,
- 6) That the Design Capital Contingency Project be topped up from the Development Charges – Parks Development Reserve by \$5,953 to the approved amount of \$100,000; and,
- 7) That the Waterworks Capital Contingency Project be topped up from the Waterworks Stabilization/Capital Reserve by \$10,433 to the approved amount of \$100,000; and,
- 8) That the Staff approved draws from Other Reserves as part of the Capital Contingency process in the amount of \$416,973 be received; and,
- 9) That the following new capital projects, initiated subsequent to the approval of the 2025 capital budget, be received:

Project 25404 – LED Street Light Conversion – Pilot – Budget of \$24,732 to be funded from the Non-Development Charge Contingency.

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Project 25405 – Fire Protection Grant - Budget of \$74,074 to be funded from Provincial Fire Protection Grant.

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

### **EXECUTIVE SUMMARY:**

Capital projects are an integral part of the City's operations to ensure City assets are maintained in good condition by performing timely and appropriate capital repairs, rehabilitation, replacements, and preventive maintenance. Capital projects play an important role in meeting the goals and objectives of the City's Strategic Plan.

On a semi-annual basis, Finance consolidates information received from Departments and reports to Council through the Status of Capital Projects report, providing an update on projects and how they are progressing. During the year, the Treasurer may initiate a new capital project to address an emergency situation or unanticipated need, which is then reported to Council for approval as part of the Status of Capital Report.

This Status of Capital Projects report, as of March 31, 2025, is compiled based on a comprehensive analysis of all open capital projects and is organized into the following categories:

#### Section I: Projects Completed with Surplus Funds over \$100,000 or with more than 50% of Budget Remaining

Appendix 2a provides details of these projects. 5 capital projects have been completed and are recommended for closure, with return of surplus funds in the amount of \$689,730.

#### Section II: Projects Completed without Surplus Funds or with Surplus Funds less than \$100,000 or with less than 50% of Budget Remaining

Appendix 2b provides details of these projects. 121 capital projects have been completed and are recommended for closure, with return of surplus funds in the amount of \$1,189,496.

#### Section III: Draws from Capital Contingencies

At the conclusion of the procurement process and at the time of contract award, unanticipated costs, emergency purchases or approved scope changes may prompt the need for additional funding. Such top-ups are made per the Capital Budget Control Policy and drawn from contingency funds, which in turn are replenished through the Status of Capital reports submitted to Council. Appendices 3a-f detail the projects and rationale for the draws from the capital contingency projects. The rationale for project funding changes are vetted through the expenditure control policy requirements which outline authorization levels over expenses, purchase order adjustments and change order requirements.

- Non-DC Capital Contingency: Top-up of \$808,972 is required from the Life Cycle Replacement & Capital Reserve Fund.

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- Engineering DC Capital Contingency: Top-up of \$56 is required from the City-Wide Hard DC Reserve.
  - Design DC Capital Contingency: Top-up of \$5,953 is required from the Parks Development DC Reserve.
  - Waterworks Capital Contingency: Top-up of \$10,433 is required from the Waterworks Stabilization/Capital Reserve.
  - Draws from Other Reserves: Since the last report, the Treasurer and/or CAO have approved draws totaling \$416,973 from Other Reserves Contingencies, as per the Capital Budget Control Policy.

#### Section IV: Status of Open Projects

This section identifies that there are 859 open capital projects with a budget of \$1,052.8M (\$752.7M committed, \$300.1M uncommitted).

#### **PURPOSE:**

The purpose of this report is to provide an update on the status of capital projects as of March 31, 2025, and advise Council of the net transfer of funds to reserves.

#### **OPTIONS/ DISCUSSION:**

To promote timely closure of projects and the return of surplus funds, Staff conducted a status review of all open capital projects as of March 31, 2025.

A detailed list of projects to be closed and the funding amounts to be transferred are included in the following exhibits:

- Appendix 1 - Summary of surplus funds from projects recommended for closure and replenishment of contingency accounts
- Appendix 2a - Projects completed and recommended to be closed, with surplus funds over \$100,000 or with more than 50% of budget remaining
- Appendix 2b - Projects completed and recommended to be closed, without surplus funds or with surplus funds less than \$100,000 or with less than 50% of budget remaining
- Appendices 3a-f - Draws from capital contingencies

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## **SECTION I: PROJECTS COMPLETED WITH SURPLUS FUNDS OVER \$100,000 OR WITH MORE THAN 50% OF BUDGET REMAINING**

**Appendix 2a** provides details of the 5 capital projects completed with return of surplus funds of over \$100,000 or with more than 50% of the approved budget remaining. Surplus funds in the amount of \$689,730 will be returned to the applicable funding sources noted in the appendix.

Reasons for project budget/funding favourability include:

- Project was closed and not or only partially initiated
- Competitive procurement process resulted in lower-than-estimated budget requirements
- Scope of work was reduced upon completion of more detailed condition assessment

## **SECTION II: PROJECTS COMPLETED WITHOUT SURPLUS FUNDS OR WITH SURPLUS FUNDS LESS THAN \$100,000 OR WITH LESS THAN 50% OF BUDGET REMAINING**

121 capital projects were completed with budgets fully spent or with surplus funds less than \$100,000 or with less than 50% of the approved budget remaining. Refer to **Appendix 2b** for details on projects recommended for closure under this section.

### **Return of Funds to the Life Cycle Replacement & Capital Reserve Fund**

In addition to projects noted in Sections I and II, surplus funding from contract awards greater than \$25,000 are returned to the original funding source(s) at time of award. Since the last Status of Capital Projects report tabled at General Committee in September 2024, \$1,980,269 has been returned to the Life Cycle Replacement & Capital Reserve Fund from such contract awards.

## **SECTION III. DRAWS FROM CAPITAL CONTINGENCIES**

In accordance with the Capital Budget Control Policy, the capital contingency projects are topped up to the maximum approved funding amount through the semi-annual Status of Capital Projects Report to Council. Refer to **Appendices 3a-f** for a list of projects and further details on draws from contingency funds.

### **Non-DC Capital Contingency (refer to Appendix 3a)**

The Non-DC Capital Contingency Project was approved to a maximum of \$250,000. Currently, the project has a negative balance of \$558,972. Therefore, a top-up of \$808,972 is required from the Life Cycle Replacement & Capital Reserve Fund, related to 26 projects.

Of the \$808,972 drawn from the Non-DC Capital Contingency Project:

- \$431,669 (53%) related to scope changes requiring additional consulting or work
- \$217,719 (27%) related to emergencies or unforeseen repair/replacements
- \$152,602 (19%) related to pricing
- \$6,982 (1%) related to a combination of pricing and scope changes requiring additional consulting or work

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**Engineering DC Capital Contingency (refer to Appendix 3b)**

The Engineering DC Capital Contingency Project was approved to a maximum of \$100,000. The project currently has a balance of \$99,944 thereby requiring a top-up of \$56 from the City-Wide Hard DC Reserve, related to one project.

**Planning DC Capital Contingency (refer to Appendix 3c)**

The Planning DC Capital Contingency Project was approved to a maximum of \$50,000. It is currently at the maximum balance (no draws have been made since the last report) and as such, no top up is required at this time.

**Design DC Capital Contingency (refer to Appendix 3d)**

The Design DC Capital Contingency Project was approved to a maximum of \$100,000. The project currently has a balance of \$94,047 thereby requiring a top-up of \$5,953 from the Parks Development DC Reserve, related to one project.

**Waterworks Capital Contingency (refer to Appendix 3e)**

The Waterworks Capital Contingency Project was approved to a maximum of \$100,000. The project currently has a balance of \$89,567 thereby requiring a top-up of \$10,433 from the Parks Development DC Reserve, related to one project.

**Draws from Other Reserves (refer to Appendix 3f)**

Since the last report, three draws totaling \$416,973 from Other Reserves were made to complete project funding.

**SECTION IV: STATUS OF OPEN PROJECTS**

The term “open” refers to approved projects that have not started or are at various stages of project completion. The term “in warranty” refers to projects that are substantially complete but kept open for a specified period of time to allow for the identification of any potential deficiencies requiring repair.

After the closure of 126 projects, there are 859 open capital projects consisting of 785 active projects and 74 projects in warranty, with a total budget of \$1,052.8M, as of March 31, 2025. In comparison, the March 2024 status update reported 804 open projects with a total budget of \$1,010.4M.

Of the 785 active capital projects as of March 31, 2025, 72% of the projects were approved in 2023, 2024 and 2025. **(Refer to Table A).**

**TABLE A**

<b>Project approval year</b>	<b># of open projects</b>	<b>% of open projects</b>	<b>Unencumbered \$ in M</b>
2025	251	29%	\$99.6
2024	227	26%	\$78.6
2023	144	17%	\$71.4
2022	65	8%	\$30.2
2021 and prior	98	11%	\$17.5
<b>Total Active</b>	<b>785</b>	<b>91%</b>	<b>\$297.3</b>
Warranty	74	9%	\$2.8
<b>Total Open</b>	<b>859</b>	<b>100%</b>	<b>\$300.1</b>

**Table B** summarizes the status of open capital projects broken down by Encumbered/Committed and Unencumbered/Uncommitted funds:

**TABLE B**

(in millions)	<b>Q1 2025</b>	<b>Q1 2024</b>
Encumbered/Committed	\$ 752.7 71%	\$ 708.2 70%
Unencumbered/Uncommitted	\$ 300.1 29%	\$ 302.2 30%
<b>Total Open Capital</b>	<b>\$ 1,052.8</b>	<b>1,010.40</b>

### **Unencumbered/Uncommitted**

The terms “unencumbered/uncommitted” refers to budgeted funds that have not yet been spent nor committed.

The majority of the City’s capital projects are classified as Major projects, defined as significant, one-time initiatives that span multiple years and require extensive planning. These projects currently represent \$219.5 million (73% of the total \$300.1M) of the total unencumbered funds. Most of these Major projects were recently adopted as part of the 2024 and 2025 budgets and include:

- Road Design and Construction, including Hwy 404 Midblock Crossing North of 16<sup>th</sup> Avenue, Hwy 404 Collector Road Design, and other Hwy 404 related improvements
- Parks and Trails Construction, including Markham Centre-Rougeside Promenade Parks and Ada Mackenzie Park Phase 3 Design and Construction
- Streetlights and Illumination Design and Construction
- Active Transportation Master Plan and Traffic Improvements, including Elgin Mills widening (Woodbine to McCowan)
- Secondary Plan and Engineering studies

- 
- Victoria Square Boulevard Phase 1 Construction
  - Stormwater Management, Sanitary Sewer System Projects and Downstream Improvements
  - City-wide facility improvements
  - Corporate Wide ITS Initiatives
  - Main Street Unionville Reconstruction
  - Corporate Fleet Replacements

### **Encumbered/Committed**

The terms “encumbered/committed” refers to budgeted funds that have been spent or committed to a purchase/purchase order.

The total 2025 encumbered amount of \$752.7M includes expenditures of \$617.8M (82%) and commitments of \$134.9M (18%). Expenditures refer to payments issued for goods/services received and commitments refer to purchase orders on file with the Procurement Division.

### **FINANCIAL CONSIDERATIONS**

The net amount of \$636,839 as summarized in **Appendix 1**, will be transferred to Reserves and Reserve Funds after the recommended capital projects closures, return of surplus funds from open projects, top-ups of capital contingency projects and funding for existing projects. The net return is consistent with returned amounts reported in past Status of Capital reports. The returned funds ensure availability of funding for planned future capital projects.

For closed projects, return of funds totaling \$1,879,226 represents 5 percent of the total budget of projects identified for closure. This is consistent with returned amounts reported in past Status of Capital reports. Return of funds as a result of project closures fluctuate due to a number of factors, including type of projects (e.g., more complex projects may result in greater budget variance). Over the past four years, reported returns have fluctuated anywhere between approximately 3 percent of the total project budget to 15 percent of the total project budget.

### **HUMAN RESOURCES CONSIDERATIONS**

Not applicable

### **ALIGNMENT WITH STRATEGIC PRIORITIES:**

Not applicable

### **BUSINESS UNITS CONSULTED AND AFFECTED:**

All business units managing capital projects have been consulted in the development of this report.



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**RECOMMENDED BY:**

Joseph Silva  
Treasurer

Trinela Cane  
Commissioner, Corporate Services

**ATTACHMENTS:**

- Appendix 1 - Summary of surplus funds from projects recommended for closure and replenishment of contingency accounts
- Appendix 2a - Projects completed with surplus funds over \$100,000 or with more than 50% of budget remaining
- Appendix 2b - Projects completed without surplus funds or with surplus funds under \$100,000 or with less than 50% of budget remaining
- Appendix 3a - Draws from Capital Contingencies – Non-DC Capital Contingency
- Appendix 3b - Draws from Capital Contingencies – Engineering Capital Contingency
- Appendix 3c - Draws from Capital Contingencies – Planning Capital Contingency
- Appendix 3d - Draws from Capital Contingencies – Design Capital Contingency
- Appendix 3e - Draws from Capital Contingencies – Waterworks Capital Contingency
- Appendix 3f - Draws from Capital Contingencies – Contingency from Other Reserves

**Appendix 1: Summary of Surplus Funds from Projects Recommended for Closure and Replenishment of Contingency Accounts**

	<b>Funding Returns from Closed Projects (Appendix 2a-b)</b>	<b>Contingency Projects Top Up from Reserves (Appendices 3a-f)</b>	<b>Net Change to Reserves</b>
	<b>A</b>	<b>B</b>	<b>C = A + B</b>
<b>Life Cycle Replacement and Capital Reserve</b>	1,234,853	(808,972)	425,881
<b>Development Charge Reserves</b>	207,311	(6,009)	201,302
<b>Waterworks Stabilization/ Capital Reserve</b>	344,376	(10,433)	333,943
<b>Other Reserves</b>	92,686	(416,973)	(324,287)
<b>Total</b>	<b>1,879,226</b>	<b>(1,242,387)</b>	<b>636,839</b>

Appendix 2a: Projects Completed with Surplus Funds over \$100,000 or with more than 50% of Budget Remaining

Reason for Return	Commission	Department	Project #	Project Name/Group	Budget	Actual	Remaining	Remaining as a % of Budget	Destination of Funds Returned			
									Life Cycle	Development Charges	Waterworks Reserve	Other Reserves
Closed and Not/Partially Initiated	Community & Fire Services	ES - Waterworks	23035	Cathodic Protection of Ductile Iron Watermains	995,100	695,634	299,466	30.1%	-	-	299,466	-
Closed and Not/Partially Initiated Total					995,100	695,634	299,466		-	-	299,466	-
Contract award favorable than budgeted	Community & Fire Services	ES - Stormwater	23255	Wet SWM Pond Cleaning ID#44 & #96 - Construction	1,152,543	817,633	334,910	29.1%	334,910	-	-	-
		Operations - Parks	24224	Talc Cabinet Replacement	7,700	3,541	4,159	54.0%	4,159	-	-	-
		Operations - Roads & Survey	24186	City Owned Fence Replacement Program	41,000	15,817	25,183	61.4%	25,183	-	-	-
Contract award favorable than budgeted Total					1,201,243	836,991	364,252		364,252	-	-	-
Reduced Scope based on condition assessment	Community & Fire Services	Operations - Fleet	23024	Upfit of Fleet Services Mobile Van	30,500	4,488	26,012	85.3%	-	26,012	-	-
Reduced Scope based on condition assessment Total					30,500	4,488	26,012		-	26,012	-	-
Total					2,226,843	1,537,113	689,730		364,252	26,012	299,466	-

Appendix 2b: Projects Completed without Surplus Funds or with Surplus Funds less than \$100,000 or with less than 50% of Budget Remaining

Commission	Department	Project #	Project Name/Group	Budget	Actual	Remaining	Remaining as a % of Budget	Destination of Funds Returned			
								Life Cycle	Development Charges	Waterworks Reserve	Other Reserves
Community & Fire Services	ES - Infrastructure	21151	Streetlights - Miscellaneous Requests	97,439	73,223	24,216	24.9%	24,216	-	-	-
		22182	Huntington Park Pedestrian Bridge - Const. + CA	1,390,843	1,379,065	11,778	0.8%	11,778	-	-	-
		22191	Streetlights - Miscellaneous Requests	99,737	87,199	12,538	12.6%	12,538	-	-	-
	ES - Stormwater	24236	Bridges and Culverts - Condition Inspection	70,500	64,078	6,422	9.1%	6,422	-	-	-
		23030	SWM Ponds - Condition Inspection	25,952	24,054	1,898	7.3%	1,898	-	-	-
		23253	Stormwater Pipes Emergency Repairs	110,790	86,254	24,536	22.1%	24,536	-	-	-
		23256	Wet SWM Pond Cleaning ID#50, #56 & #75 - Design	133,173	78,319	54,854	41.2%	54,854	-	-	-
		24245	Oil Grit Separators (OGS) - Inspection and Cleaning	133,800	112,820	20,980	15.7%	20,980	-	-	-
		24249	Storm Sewer Pipes Emergency Repairs	59,500	36,163	23,337	39.2%	23,337	-	-	-
		24251	Swan Lake Chemical Treatment	162,000	157,190	4,810	3.0%	4,810	-	-	-
	ES - Waterworks	23259	Mobile District Metering Area Program	94,922	74,896	20,026	21.1%	-	-	20,026	-
		24269	Watermain Leak Detection Program	35,600	27,432	8,168	22.9%	-	-	8,168	-
	Fire	21218	Fire Communications Transition	947,359	942,889	4,470	0.5%	-	-	-	4,470
		23122	New Recruits Auxiliary Vehicles - Drago	158,101	109,959	48,142	30.4%	-	48,142	-	-
		23467	High Rise Firefighting Upgrade	68,000	62,198	5,802	8.5%	5,802	-	-	-
	Operations - Fleet	24062	Hazardous Materials Replacement	11,400	9,959	1,441	12.6%	1,441	-	-	-
		21142	New Fleet - Parks	45,800	35,063	10,737	23.4%	-	10,737	-	-
		22171	Corporate Fleet Replacement - Waterworks	785,172	767,313	17,859	2.3%	2,478	-	15,381	-
		22172	New Fleet - Asset Management	63,082	61,957	1,125	1.8%	418	708	-	-
		23233	New Fleet - Community Parks	143,169	126,930	16,239	11.3%	1,452	14,787	-	-
		23236	New Fleet - Utility Locates (Bill 93 AMPs)	85,029	83,574	1,455	1.7%	-	1,455	-	-
		24225	Autonomous Mowers	181,100	170,923	10,177	5.6%	-	10,177	-	-
		22153	Playstructure & Rubberized Surface Replacement	1,110,067	1,068,568	41,499	3.7%	40,368	-	-	1,131
		22163	Boulevard/Park Trees Replacement	370,484	369,320	1,164	0.3%	1,164	-	-	-
		24212	Irrigation Refurbishment or Replacement	34,200	22,133	12,067	35.3%	12,067	-	-	-
	Operations - Parks	24219	Relamping & Fixtures Refurbishment	42,500	27,469	15,031	35.4%	15,031	-	-	-
		24222	Sportsfield Maintenance & Reconstruction	170,700	158,390	12,310	7.2%	12,310	-	-	-
		24223	Stairway Repairs	28,600	23,214	5,387	18.8%	5,387	-	-	-
		23408	Asphalt Resurfacing - FTE (split from 23005)	82,011	73,783	8,228	10.0%	8,228	-	-	-
		24183	Boulevard Repairs	88,000	76,672	11,328	12.9%	11,328	-	-	-
		24184	Bridge Structure Preventative Maintenance - Roads	27,400	20,716	6,684	24.4%	6,684	-	-	-
		24197	Survey Instrument Upgrade/Replacement	47,800	34,445	13,355	27.9%	13,355	-	-	-
	Recreation Services	23004	Recreation Arena Refrigeration Gasket Replacement	35,600	30,528	5,072	14.2%	5,072	-	-	-
		23169	Angus Glen C.C. Exterior Wood Refurbishment	234,241	230,059	4,182	1.8%	4,182	-	-	-
		23170	Angus Glen C.C. Mirrors Replacement	38,300	34,860	3,440	9.0%	3,440	-	-	-
		23180	Crosby C.C. Facility Improvement	50,965	44,865	6,100	12.0%	6,100	-	-	-
		23190	Pickleball Court Lining Project	12,300	7,000	5,300	43.1%	5,300	-	-	-
		23307	Aaniiin C.C. Pool Lighting Replacement	77,835	51,087	26,748	34.4%	26,748	-	-	-
		24148	Milliken Mills Soccer Dome LED Lighting Replacement	108,962	94,965	13,997	12.8%	13,997	-	-	-
		24158	Recreation AED Program Replacement	10,700	8,414	2,286	21.4%	2,286	-	-	-
		24163	Recreation Pool Drain Line Inspection	25,000	22,260	2,740	11.0%	2,740	-	-	-

Appendix 2b: Projects Completed without Surplus Funds or with Surplus Funds less than \$100,000 or with less than 50% of Budget Remaining

Commission	Department	Project #	Project Name/Group	Budget	Actual	Remaining	Remaining as a % of Budget	Destination of Funds Returned			
								Life Cycle	Development Charges	Waterworks Reserve	Other Reserves
Corporate Services	SAM - Facility Assets	22070	8100 Warden Facility Repair and/or Replacement Projects	248,564	208,393	40,171	16.2%	40,171	-	-	-
		22071	Accessibility Retrofit Program	137,700	95,486	42,214	30.7%	42,214	-	-	-
		22073	Civic Centre Repair and/or Replacement Projects	519,594	432,703	86,891	16.7%	86,891	-	-	-
		22076	Fire Facilities Repair and/or Replacement Projects	449,110	434,428	14,682	3.3%	14,682	-	-	-
		22080	Museum - Various Buildings	182,405	177,873	4,532	2.5%	4,532	-	-	-
		22081	Operations Facilities Repair and/or Replacement Projects	702,762	647,119	55,643	7.9%	55,643	-	-	-
		22300	Stormwater Management Study (555 Miller)	59,886	50,972	8,914	14.9%	8,914	-	-	-
		23002	Centennial C.C. Pool Repair - Construction	981,700	967,575	14,125	1.4%	14,125	-	-	-
		23049	Theatre-Water Pump Room Replacement	85,600	66,399	19,201	22.4%	19,201	-	-	-
		23148	Corporate Security Operations & System Upgrades	425,400	366,226	59,174	13.9%	59,174	-	-	-
		23151	Fire Facilities Repair and/or Replacement Projects	395,619	364,088	31,531	8.0%	31,531	-	-	-
		23159	Parking Lot Light Replacement	84,456	76,778	7,678	9.1%	7,678	-	-	-
		24089	Angus Glen C.C. East Entrance Wall Repair	160,000	108,198	51,802	32.4%	51,802	-	-	-
		24109	Parking Lot Light Replacement	43,100	35,837	7,263	16.9%	7,263	-	-	-
	ITS	16060	Building - Electronic Plan Implementation (Phase 3 of 3)	1,250,341	1,197,328	53,013	4.2%	-	-	-	53,013
Development Services	Engineering	22228	IT Lifecycle Asset Replacement - Library Bilibiotheca (split from 22060)	465,700	443,510	22,190	4.8%	17,754	-	1,334	3,102
		20034	Downstream Improvements Program (Construction)	1,084,863	1,041,634	43,229	4.0%	15,130	28,099	-	-
		20044	Sidewalk Program (Construction)	1,713,110	1,693,123	19,987	1.2%	-	19,987	-	-
		22024	Brownfield Policy Update	65,200	59,965	5,235	8.0%	-	5,235	-	-
		22041	Various walking & cycling initiatives	133,200	110,538	22,662	17.0%	-	14,725	-	7,937
		22345	High Frequency Rail Project - Markham Station	89,081	74,330	14,751	16.6%	-	14,751	-	-
		24034	Cycling and Pedestrian Advisory Committee	28,000	25,818	2,182	7.8%	-	218	-	1,963
		24040	Markham Cycles	22,400	20,000	2,400	10.7%	-	240	-	2,160
		24041	Markham Cycling Day Event	16,800	13,626	3,174	18.9%	-	317	-	2,857
		24058	Traffic Operational Improvements	57,000	38,965	18,035	31.6%	-	11,723	-	6,312
	Planning	23453	Wetland Creation Projects on City-Owned Natural Areas	142,500	132,759	9,741	6.8%	-	-	-	9,741
	Theatre	24004	Theatre-Stage & Technical Maintenance	72,900	71,747	1,153	1.6%	1,153	-	-	-
Community & Fire Services	ES - Infrastructure	24241	Structures Program-Full-time Staff	154,400	154,400	-	0.0%	-	-	-	-
	ES - Stormwater	22195	SWM Pond Cleaning ID#44 & #96 - Design & CA	123,548	123,548	-	0.0%	-	-	-	-
		23251	South Unionville Underground Stormwater Tank Rehab	1,390,780	1,390,780	-	0.0%	-	-	-	-
	ES - Waterworks	24265	Infrastructure Data Analyst - Full Time Staff	114,600	114,600	-	0.0%	-	-	-	-
	Fire	21212	Enhancements to Emergency Operation Centre	101,760	101,760	-	0.0%	-	-	-	-
		22053	Bunker Gear Life Cycle Replacement	138,366	138,366	-	0.0%	-	-	-	-
		22056	Hazardous Materials Replacement	11,200	11,200	-	0.0%	-	-	-	-
		22058	Replacement of Equipment due to Staff Retirements	99,800	99,800	-	0.0%	-	-	-	-
		24067	Vehicle/Industrial Extrication Modernization	364,860	364,860	-	0.0%	-	-	-	-
		24312	2025 Air Cylinder replacement	58,592	58,592	-	0.0%	-	-	-	-
		23203	Library Collections	1,360,482	1,360,482	-	0.0%	-	-	-	-
		23418	Library Collections E-resources & Periodicals (split from 23203)	1,598,218	1,598,218	-	0.0%	-	-	-	-
	Operations - Fleet	22173	New Fleet - Parks	61,515	61,515	-	0.0%	-	-	-	-
		22341	MFES Auxiliary Vehicles - Drago	1,711,001	1,711,001	-	0.0%	-	-	-	-
		23228	Corporate Fleet Growth	10,200	10,200	-	0.0%	-	-	-	-
	Operations - Parks	23223	Relamping & Fixtures Refurbishment	27,500	27,500	-	0.0%	-	-	-	-
		24211	Heritage Waste Receptacles	53,424	53,424	-	0.0%	-	-	-	-
		24216	Pathways Resurfacing	165,546	165,546	-	0.0%	-	-	-	-

Appendix 2b: Projects Completed without Surplus Funds or with Surplus Funds less than \$100,000 or with less than 50% of Budget Remaining

Commission	Department	Project #	Project Name/Group	Budget	Actual	Remaining	Remaining as a % of Budget	Destination of Funds Returned			
								Life Cycle	Development Charges	Waterworks Reserve	Other Reserves
	Operations - Roads & Survey	24185	City Owned Entrance Feature Rehabilitation/Replacement	22,200	22,200	-	0.0%	-	-	-	-
		24189	Guiderail- Install/Upgrade	263,131	263,131	-	0.0%	-	-	-	-
		24190	Incremental Growth Related Winter Maintenance Vehicles	486,900	486,900	-	0.0%	-	-	-	-
		24191	Localized Repairs - Curb & Sidewalk	1,411,700	1,411,700	-	0.0%	-	-	-	-
		24192	Localized Repairs - Interlock	191,400	191,400	-	0.0%	-	-	-	-
		24193	Localized Repairs - Parking Lots	110,100	110,100	-	0.0%	-	-	-	-
		24194	Parking Lots- Rehabilitation	150,600	150,600	-	0.0%	-	-	-	-
		24303	Asphalt Resurfacing - A/C Premium (Split from 24182)	647,066	647,066	-	0.0%	-	-	-	-
		24306	Asphalt Resurfacing - FTE (Split from 24182)	82,011	82,011	-	0.0%	-	-	-	-
		24310	Asphalt Resurfacing - Steel (Split from 23470)	30,297	30,297	-	0.0%	-	-	-	-
		25161	Incremental Growth Related Winter Maintenance Vehicles	496,700	496,700	-	0.0%	-	-	-	-
	Recreation Services	22113	Milliken Mills C.C. Mechanical Replacement	172,566	172,566	-	0.0%	-	-	-	-
		22352	Thornhill Fitness Spa Dectron Unit	59,418	59,418	-	0.0%	-	-	-	-
		23165	Aanin C.C. Expansion Joint Study (Phase 1 of 2)	87,447	87,447	-	0.0%	-	-	-	-
		23171	Angus Glen C.C. Pool Flooring and Blinds Replacement	40,535	40,535	-	0.0%	-	-	-	-
		23174	City of Markham Envirionics Analytics	108,597	108,597	-	0.0%	-	-	-	-
		24146	Milliken Mills C.C. Ceiling Tile Replacement	219,557	219,557	-	0.0%	-	-	-	-
		24154	Pan Am Centre Gymnasium Wood Refinishing	25,000	25,000	-	0.0%	-	-	-	-
		24155	Pan Am Centre Pool Equipment Replacement	20,400	20,400	-	0.0%	-	-	-	-
		24159	Recreation Aquatics Equipment Replacement	89,408	89,408	-	0.0%	-	-	-	-
		24161	Recreation Fitness Equipment Replacement	55,100	55,100	-	0.0%	-	-	-	-
		24168	Rouge River C.C. Wood Floor Refinishing	36,657	36,657	-	0.0%	-	-	-	-
		24173	Thornhill C.C. Industrial Kitchen Equipment Replacement	6,000	6,000	-	0.0%	-	-	-	-
Corporate Services	Financial Services	24084	Internal Project Management	1,025,100	1,025,100	-	0.0%	-	-	-	-
	SAM - Facility Assets	24099	Designated Substances Management	10,200	10,200	-	0.0%	-	-	-	-
	ITS	23043	ITS - Microsoft 365	407,000	407,000	-	0.0%	-	-	-	-
		24075	ITS - Cloud Storage Backup	26,700	26,700	-	0.0%	-	-	-	-
	By-Law Enforcement & Regulatory Services	22307	By-Law and Regulatory Review	84,940	84,940	-	0.0%	-	-	-	-
Corporate Wide	Corporate Wide	24323	Parkland Over-Dedication - 17 Anna Russell Way, Unionville	2,331,157	2,331,157	-	0.0%	-	-	-	-
Development Services	Arts Centres	20013	Exhibition Galleries & Programs Maintenance	45,900	45,900	-	0.0%	-	-	-	-
		23057	Gallery Varley and McKay Maintenance and Repair	56,700	56,700	-	0.0%	-	-	-	-
	Engineering	24036	Engineering Staff Salary Recovery	546,200	546,200	-	0.0%	-	-	-	-
	Planning	23452	Reforestation Projects on City-Owned Natural Areas	399,900	399,900	-	0.0%	-	-	-	-
		24009	2024 Planning & Design Staff	715,900	715,900	-	0.0%	-	-	-	-
	Theatre	23466	Theatre-Auditorium Lighting Replacement	212,611	212,611	-	0.0%	-	-	-	-
<b>Total</b>				<b>35,336,016</b>	<b>34,146,520</b>	<b>1,189,496</b>		<b>870,601</b>	<b>181,299</b>	<b>44,910</b>	<b>92,686</b>

## Appendix 3a: Draws from Capital Contingency Projects - Non-DC Capital Contingency

Approved Contingency Amount: \$250,000

Reason for Draw	Department	Project #	Project Name/Group	Approved Budget	Additional Funding Required (Draw from Contingency)	Updated Project Cost	% of Additional Funding Required	
				(A)	(B)	(C) = (A) + (B)	(D) = (B)/(A)	
Emergency	ES - Stormwater	23252	Storm Pumping Stations - Equipment Inspection	105,800	7,073	112,873	7%	
		23253	Stormwater Pipes Emergency Repairs	94,000	16,790	110,790	18%	
	Operations - Roads & Survey	23464	Emergency Repairs	162,200	56,464	218,664	35%	
		Recreation Services	24146	Milliken Mills C.C. Ceiling Tile Replacement	194,243	24,289	218,532	13%
	25103		Aaniin C.C. Exterior Hardscape Remediation	122,200	71,593	193,793	59%	
	25127		Milliken Mills C.C. Mechanical Replacement	15,000	20,710	35,710	138%	
			Structural Review of the Pool Slide at Milliken Mills Community Centre	366,000	7,937	373,937	2%	
		25145	Camp Chimo Low Ropes Course	97,800	12,862	110,662	13%	
Emergency Total					217,719			
Pricing	Operations - Fleet	21138	Corporate Fleet Replacement - Fire	2,723,900	106,053	2,829,953	4%	
		22170	Corporate Fleet Replacement - Non-Fire	3,051,906	46,549	3,098,455	2%	
Pricing Total					152,602			
Scope Changes	Arts Centres	24007	Gallery Masonry Repairs	74,941	4,231	79,172	6%	
	Design	18034	Wismer Park Pavilion & Washrooms - Design & Const.	2,687,774	661	2,688,435	0.02%	
		Engineering	22051	Parking Master Plan and Implementation Strategy	618,356	223	618,579	0.04%
			24039	Markham Centre Trails Phase 3 - Construction & CA	1,046,156	9,089	1,055,245	1%
	ES - Infrastructure	25404	LED Street Light Conversion – Pilot	-	24,732	24,732	N/A	
	ES - Stormwater	23248	Erosion Restoration Program	953,400	69,725	1,023,125	7%	
	Operations - Fleet	24228	Corporate Fleet Replacement - Fire	191,500	113,026	304,526	59%	
	Recreation Services	23165	Aaniin C.C. Expansion Joint Study (Phase 1 of 2)	45,800	41,646	87,446	91%	
		23174	City of Markham Environics Analytics	97,100	11,497	108,597	12%	
		24118	Angus Glen C.C. Exterior Entrance Interlock Replacement	174,202	84,507	258,708	49%	
		24146	Milliken Mills C.C. Ceiling Tile Replacement	214,360	5,198	219,558	2%	
			24148	Milliken Mills Soccer Dome LED Lighting Replacement	87,592	21,370	108,962	24%
			24168	Rouge River C.C. Wood Floor Refinishing	20,721	15,936	36,657	77%
		SAM - Facility Assets	24086	600 Village Parkway - Parking Lot Paving	112,092	29,827	141,919	27%
Scope Changes Total					431,669			
Pricing and Scope Changes	Recreation Services	24159	Recreation Aquatics Equipment Replacement	88,300	1,108	89,408	1%	
		24166	Recreation Table and Charis Replacement	55,100	5,875	60,975	11%	
Pricing and Scope Changes Total					6,982			
Total					808,972			

**Appendix 3b: Draws from Capital Contingency Projects - Engineering Capital Contingency****Approved Contingency Amount: \$100,000**

Reason for Draw	Department	Project #	Project Name/Group	Approved Budget (A)	Additional Funding Required (Draw from Contingency) (B)	Updated Project Cost (C) = (A) + (B)	% of Additional Funding Required (D) = (B)/(A)
Scope Changes	Engineering	22051	Parking Master Plan and Implementation Strategy	618,356	56	618,412	0.009%
Scope Changes Total					56		
Total					56		



### Appendix 3c: Draws from Capital Contingency Projects - Planning Capital Contingency

**Approved Contingency Amount: \$50,000**

Reason for Draw	Department	Project #	Project Name/Group	Approved Budget (A)	Additional Funding Required (Draw from Contingency) (B)	Updated Project Cost (C ) = (A) + (B)	% of Additional Funding Required (D) = (B)/(A)
No Draws							

**Appendix 3d: Draws from Capital Contingency Projects - Design Capital Contingency****Approved Contingency Amount: \$100,000**

Reason for Draw	Department	Project #	Project Name/Group	Approved Budget (A)	Additional Funding Required (Draw from Contingency) (B)	Updated Project Cost (C) = (A) + (B)	% of Additional Funding Required (D) = (B)/(A)
Scope Changes	Design	18034	Wismer Park Pavilion & Washrooms - Design & Const.	2,687,774	5,953	2,693,727	0.22%
Scope Changes Total					5,953		
Total					5,953		

**Appendix 3e: Draws from Capital Contingency Projects - Waterworks Capital Contingency****Approved Contingency Amount: \$100,000**

Reason for Draw	Department	Project #	Project Name/Group	Approved Budget	Additional Funding Required (Draw from Contingency)	Updated Project Cost	% of Additional Funding Required
				(A)	(B)	(C) = (A) + (B)	(D) = (B)/(A)
Technical error	ES - Waterworks	24266	Sanitary Sewers - Rehabilitation	924,200	10,433	934,633	1%
Technical error Total					10,433		
Total					10,433		

## Appendix 3f: Draws from Capital Contingency Projects - Contingency from Other Reserves

Reason for Draw	Department	Project #	Project Name/Group	Approved Budget (A)	Additional Funding Required (B)	Updated Project Cost (C) = (A) + (B)	% of Additional Funding Required (D) = (B)/(A)	Contingency Reserve
Pricing	Fire	25060	Radio Equipment - Expansion	110,900	15,275	126,175	14%	DCA - Fire Equipment
Pricing Total					15,275			
Scope Changes	Financial Services	25078	Internal Project Management	1,212,400	126,600	1,339,000	10%	DCA - Adm Cap Grow Studies
	SAM - Facility Assets	19288	Design and Construction of Worksyard	17,174,870	275,098	17,449,968	2%	DCA - Public Works Land
Scope Changes Total					401,698			
Total					416,973			



Report to: General Committee

Meeting Date: June 17, 2025

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**SUBJECT:** Cloud Enterprise Resource Planning (ERP) Software Update  
**PREPARED BY:** Ned Sirry, Ext. 4885  
Kishor Soneji, Ext. 2681  
Rosemarie Patano, Ext. 2990  
Alex Moore Ext. 4711

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**RECOMMENDATION:**

- 1) THAT the report entitled “Cloud Enterprise Resource Planning (ERP) Software Update” be received; and,
- 2) THAT Staff be authorized to complete any required vetting and finalize negotiations with Workday Inc. to be the preferred solution and software product provider for the City’s Enterprise Resource Planning servicing needs; and,
- 3) Should it be required, Staff be authorized to pursue an alternative preferred solution and software product provider for the City’s Enterprise Resource Planning Software from among the two other solutions noted in this report; and,
- 4) THAT once the vetting process and negotiations are finalized, the Chief Administrative Officer have delegated approval authority to award the contract for Cloud Enterprise Resource Planning Software Solution; and,
- 5) THAT Staff proceed with the procurement of Consulting Services to provide Implementation, Integration, Ongoing Support and Maintenance of a Cloud Enterprise Resource Planning Software Solution; and,
- 6) THAT the Chief Administrative Officer have delegated approval authority to award the contract for Consulting Services of a Cloud Enterprise Resource Planning Software Solution; and
- 7) THAT Staff be authorized and directed to do all things necessary to give effect to this resolution.

**PURPOSE:**

To purpose of this report is as follows:

1. Provide an update on the City’s Enterprise Resource Planning (ERP) system and the need to pursue a new, more modern system.
2. Provide an overview of the process followed to determine the recommended solution for the City’s future ERP system.
3. Seek Council authority to delegate approval to the City’s Chief Administrative Officer to award contracts for a new ERP system, once Staff finalize the vetting process and negotiations in the best interest of the City.

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**BACKGROUND:****CURRENT ERP SYSTEM**

The City's current ERP system, Cayenta, is used across the organization and enables a number of financial and business processes critical to City operations, particularly in the areas of financial planning and budget development, transactional activities such as procurement and accounts payable, and accounting and financial reporting. It integrates with other important software systems, including the City's current HR, payroll, asset management, development finance, and tax administration solutions.

However, the system is an on-premise solution and has been in use for over 20 years. It is currently two full software versions behind, and will be unsupported by Q1 2027. This poses significant risk to the City unless addressed immediately.

A major upgrade, however, is required to maintain support. This would involve a complete overhaul of the platform, akin to a new system implementation and requiring considerable financial and resource investment. The upgrade cost with Cayenta would be equivalent to the price of a new ERP platform (due to architecture changes and reimplementation costs). Additionally, the City is among the last municipalities using this platform.

**RENEWING AND MODERNIZING THE CITY'S ERP SYSTEM**

The current situation presents an opportunity for the City to pursue a new, more modern, cloud-based ERP system to better meet current and future operational needs. Leading solutions will help the organization achieve further operational efficiency, improve financial oversight, and support strategic decision-making.

Transformational benefits that may be unlocked through a new system include:

- Standardizing workflows, reducing manual intervention, and increasing automation
- Through real-time data, providing visibility into areas where delays and inefficiencies exist, better enabling continuous process improvement
- Creating opportunities to reassess/refine/streamline policies, standards, etc.
- Streamlining approvals and decision-making
- Improving compliance and risk management through accurate recordkeeping, audit trails, and proactive issue identification
- Fostering better cross-functional collaboration and coordination
- Supporting scalability and future growth

A new solution will offer improved user interface and useability, robust security and auditing capabilities, and available and sustained software support. A more modern, robust system may also be scaled up, allowing multiple software solutions to be consolidated into one enterprise platform, representing further potential efficiencies.

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## **ERP OPTIONS ANALYSIS & IDENTIFICATION OF LEADING SOLUTIONS**

In anticipation of the need to replace the current system, Staff proactively submitted and received approval for funding in the 2024 and 2025 budgets to support the implementation of a new ERP system. Thereafter, Staff completed an ERP Strategy Workshop facilitated by a leading IT firm (Infotech) to help define the key parameters of the ERP transformation initiative. A high-level current state and needs analysis was completed, and recommendations for improvements, software replacement and systems enhancement were identified. With Infotech's assistance, functional, service (implementation and maintenance and operational support), and technical requirements for a new system were developed.

Given the urgency to move forward with a new solution, Staff leveraged insights from Infotech and the strategy workshop to conduct research and engage peers on recent ERP system contract awards/completed implementations within the municipal context over the last five years. Staff also reviewed and analyzed the Gartner Report's Magic Quadrant, which is a reputable industry mechanism to understand the competitive landscape of a technology market, compare vendors' strengths and weaknesses, and gain insights into market trends and direction.

These processes helped identify and validate the following proven, reputable, leading solution providers to meet City needs:

- Workday Inc.
- Oracle
- SAP Canada

## **DEMONSTRATIONS FROM LEADING SOLUTION PROVIDERS**

In Q1 2025, Staff invited the three leading software solution providers to participate in structured, full-day presentations/demonstrations. Staff prepared comprehensive, detailed demo scripts identifying detailed capabilities and functionalities the City is looking for in a new ERP system. These scripts were sent to all providers in advance to ensure productive demonstration sessions. Scripts address the City's functional & non-functional requirements in the following key areas:

- General Software Functionality (including user interface & navigation, workflows, documentation, and other non-functional/technical requirements)
- Functional modules under "Record to Report" (facilitating financial transactions and accounting), "Forecast to Budget" (Operating & Capital budgets) and "Procure to Pay" (procurement, vendor and contract administration), as well as Payroll & Human Resource Information.

Staff from the City's IT, Finance and People Services departments participated in the process, along with representation from business areas across the City. Procurement staff organized and facilitated the demonstrations. Staff were also provided access to a demo environment to supplement the sessions. Collectively, this provided an opportunity to review the systems and follow-up with the ERP providers.

All three ERP providers were advised during the sessions that it was Staff's intention to select an ERP System from this process and to conduct a separate procurement for an implementation partner in the summer of 2025.

### **OPTIONS/ DISCUSSION:**

The demonstrations were assessed against a number of considerations, including: Qualifications and Experience of the ERP Provider; Methodology and Delivery Management; Fulfilment of Functional & Non-Functional Requirements; and, Budgetary Cost Estimates.

Building on the strategy session, marketplace and system research, solution demonstrations, and multi-factor evaluation, the current preferred ERP solution is Workday Inc., with the following supporting rationale:

- **Maximize the robust capabilities of Workday ERP Suite:**
  - Modern, efficient, robust platform leveraging latest technology
  - Core enterprise capability with full integration, extendable and scalable system
  - Capable of meeting all needed functionalities, with opportunities for continuous improvement and adoption of new capabilities to meet future needs
  - Enables a phased ERP deployment, starting with a focus on financial system development with the possibility of scaling up to other key areas
- **Municipal and Broader Public Sector Synergies:**
  - In use by other municipalities such as the City of Burlington, Town of Whitby and Town of Milton, as well as Ontario Health and Scarborough Health Network
  - Based on ongoing research and discussions, other municipalities are either on track to adopt, or exploring, the Workday ERP platform
  - Synergies will allow the City to take advantage of information and best practices sharing, which should facilitate a smoother project delivery and transition process

Given the urgency of renewing the City's ERP system, Staff will be finalizing the vetting process for the preferred ERP platform over the summer months. The process will include any further required internal reviews and external validations with peers and other organizations. CAO approval will then be requested to proceed with the selected ERP provider, followed by the procurement of a systems implementation partner to facilitate solution development, deployment and ongoing support. Staff are planning on issuing an open RFP for the implementation partner before the end of the summer, with development and implementation occurring in Q4 2025 and throughout 2026.

Should any significant issues surface in the vetting process, Staff will pursue the other two leading options identified in this report, and follow a similar procurement process.

### **FINANCIAL CONSIDERATIONS:**

The 2024 and 2025 budgets provided funding to support the implementation of a new ERP system. Any additional funding needs and ongoing licensing, support and maintenance costs will be considered and brought forward as part of future capital/operating budgets.



**HUMAN RESOURCES CONSIDERATIONS:**

Not applicable

**ALIGNMENT WITH STRATEGIC PRIORITIES:**

An effective ERP system is integral to the City's financial and business processes, and the achievement of the City's goal of "Stewardship of Money & Resources."

**BUSINESS UNITS CONSULTED AND AFFECTED:**

Departments across the City were engaged in this initiative.

**RECOMMENDED BY:**

Sumon Acharjee  
Chief Information Officer, ITS

Joseph Silva  
Treasurer

Trinela Cane  
Commissioner, Corporate Services

**ATTACHMENTS:**

Not Applicable



Report to: General Committee

Meeting Date: June 17, 2025

**SUBJECT:** External Audit Contract Extension  
**PREPARED BY:** Alex Moore, Senior Manager Procurement & Accounts  
 Payable Ext. 4711  
 Kishor Soneji, Manager, Financial Reporting Ext. 2681

**RECOMMENDATION:**

- 1) That the report entitled “External Audit Contract Extension” be received;
- 2) That the contract for the five-year fiscal period commencing with the 2025 audit and ending with the 2029 audit be awarded to KPMG LLP Chartered Accountants in annual amount of \$198,000 (before HST impact) with an increase of CPI plus 0.20% in years 2–5 (2026 – 2029);
- 3) That the contract includes an audit of financial statements for the following entities:
  - i. The Corporation of the City of Markham, The Corporation of the City of Markham Trust Fund, City of Markham Public Library Board, Old Markham Village Business Improvement Area (MBIA), and Unionville Business Improvement Area (UBIA), Varley Art Gallery in accordance with Canadian accounting standards for the public sector;
  - ii. Varley-McKay Art Foundation, The Friends of Markham Museum Foundation, The Markham Foundation for Performing Arts, and Destination Markham Corporation, in accordance with Canadian accounting standards for not-for-profit organizations (“ASNPO”);
  - iii. Markham District Energy Inc. (MDEI) and Markham Enterprises Corporation (MEC), in accordance with International Financial Reporting Standards (“IFRS”).
- 4) That the contract include the preparation of income tax returns for MDEI and MEC;
- 5) That the tendering process be waived in accordance with Purchasing By-Law 2017-8, Part II, Section 11.1, (c) which states “when the extension of an existing contract would prove more cost-effective or beneficial” & (h) where it is necessary or in the best interests of the City to acquire Professional Services from a supplier who has a proven track record with the City in terms of pricing, quality and service;
- 6) That the award for the audit for fiscal years 2025 to 2029 be funded from the respective annual operating budget as identified under financial considerations; and
- 7) 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 obtain Council approval to extend the External Audit Services contract for an additional five (5) years.

**BACKGROUND:**

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Under the **Municipal Act, 2001**, the City of Markham (“the City”) is required to appoint a licensed auditor that will conduct an annual audit, and render an opinion on, financial statements the City (and its associated/related entities) prepare. The term of the appointment for such an auditor (the “financial auditor”) cannot exceed five years.

KPMG, a leading assurance and advisory firm particularly in the municipal sector, has been the City’s financial auditor for many years. KPMG audits the City’s financial statements, as well as those of City-affiliated entities (i.e., local board, committees, and organizations).

With the expiry of its current contract with the City, KPMG has recently submitted a fee proposal for a five-year contract extension for both the City and its affiliates.

#### **OPTIONS/ DISCUSSION:**

The options available to the City are to enter into a competitive bidding process for external audit services or to evaluate the current fee proposal and performance of KPMG and extend the renewal contract for a period not to exceed 5 years.

In assessing KPMG’s proposal, Staff reviewed comparators for audit services and analyzed potential contributing factors, including inflationary pressures and the impact of increased transactional volumes and changes to accounting and audit standards.

Over the past ten years, cumulative inflation has risen to 41.4%, while the City’s contract with KPMG has only increased by 14.9% (a variance of 26.5 percentage points). During this time, 22 new accounting and auditing standards have been introduced and implemented, requiring additional effort from both City staff and the auditors. KPMG noted an increase of nearly 75% in auditor hours over this period.

In assessing options and preparing for next steps given the expiry of KPMG’s current contract, Staff’s approach has been to incorporate these considerations, with a view to achieving a balanced contract arrangement while ensuring continued prudence and value for money.

Through negotiations between Staff and KPMG leadership, a recommended consensus arrangement has been achieved that gives some recognition to inflationary pressures and the realities of successfully conducting audits in evolving, more complex environments. The proposed contract includes a one-time increase to true-up the audit fees in the first year of the renewed contract, followed by more stable annual increases of CPI plus 0.2% for years 2 to 5. Staff are of the view that these proposed terms are reasonable and cost-effective.

From a performance perspective, KPMG’s engagement as the City financial auditor has been satisfactory. City staff have benefited from the technical expertise and professional support the firm has exhibited and provided as part of the annual audit process. They have consistently provided valuable services and have been readily available whenever their expertise is required. In spite of a number of significant and complex changes to the public sector accounting and auditing landscape over the years, City and affiliate staff have been able to successfully manage the audit process, with guidance provided by KPMG. The

firms' experience and understanding of the City and affiliate structures, systems and processes—without compromising the auditor's independence—have been positive factors in helping facilitate efficient and effective audits.

While a change in audit service provider is an option, switching financial auditors carries challenges and risks, and will require significant effort and resourcing on the part of the City and affiliate staff to onboard and acclimate a new firm. As public sector accounting continues to evolve and become more complex, reliable expertise and collaborative professional relationships will be critical to ensuring audit continuity.

#### **FINANCIAL CONSIDERATIONS:**

The table below provides the breakdown of the total proposed audit fee and the allocation of cost across audit entities. The cost of the audit will be incorporated into operating budgets, which will be reviewed and confirmed as part of annual budget processes.

<b><u>Entity</u></b>	<b><u>2025</u></b>
	\$
Corporation of the City of Markham	99,300
Markham Public Library	12,100
Varley Art Gallery	2,200
Trust Fund	2,200
Old Markham Village BIA	2,200
Unionville BIA	2,200
Destination Markham	6,200
Varley McKay Art Foundation	2,200
The Friends of Markham Museum Foundation	2,200
The Markham Foundation for Performing Arts	2,200
Markham District Energy	28,000
Makham Enterprises Corporation	37,000
<b>Total</b>	<b><u>198,000</u></b>
 <b>2024 Audit fee</b>	 <b><u>156,921</u></b>
 <b>Overall percentage increase over 2024</b>	 <b>26.2%</b>

#### **HUMAN RESOURCES CONSIDERATIONS:**

Not applicable

#### **ALIGNMENT WITH STRATEGIC PRIORITIES:**

The audit process conducted by the financial auditor is an essential element of financial management at the City of Markham and is critical to the City's goal of "Stewardship of Money & Resources."

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**BUSINESS UNITS CONSULTED AND AFFECTED:**

Finance staff were involved in the process and concur with the recommendation. Staff at City affiliates were also informed of the proposed renewal.

**RECOMMENDED BY:**

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Joseph Silva  
Treasurer

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Trinela Cane  
Commissioner, Corporate Services



Report to: General Committee

Meeting Date: June 3, 2025

**SUBJECT:** Quality Management System - Management Review  
**PREPARED BY:** Danny Chan, Manager, Business Administration - ext. 2446  
 Vincent Feng, Supervisor, Continuous Improvement – ext. 2737

### **RECOMMENDATION:**

- 1) That the report titled “Quality Management System – Management Review” be received; and
- 2) That Council, as the Owner of the City’s drinking water system, acknowledge and support the outcome and action items identified from the Management Review; and further,
- 3) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

### **EXECUTIVE SUMMARY:**

Not applicable.

### **PURPOSE:**

To provide information outlining the results of the Management Review process. This report updates Council on the status of the drinking water Quality Management System (QMS). This report is required by the Ministry of the Environment, Conservation and Parks (MECP) Drinking Water Quality Management Standard (DWQMS).

### **BACKGROUND:**

As per Element 20 of the DWQMS, under the Safe Drinking Water Act (SDWA), 2002, Top Management of the Operating Authority is required to report the results of the Management Review to the Owner on an annual basis. Top Management is defined as the highest level of management within the Operating Authority that makes decisions and recommendations regarding the QMS, and is comprised of the Chief Administrative Officer, the Commissioner of Community Services and the Director of Environmental Services.

### **OPTIONS/ DISCUSSION:**

An annual management review is required by the DWQMS. Top Management uses this management review as an opportunity to assess the QMS and to provide feedback to staff. The review focuses on a set of specific components identified in the DWQMS. This review process helps identify opportunities for continuous improvement of the QMS. Top Management met on April 29, 2025 to review system performance for the calendar year 2024, and confirmed the adequacy, suitability and effectiveness of the QMS.

Outcome and action items identified during the review are indicated in the Report on Quality Management System to Council Management Review Outcome (April 29, 2025), Attachment “A”.

**FINANCIAL CONSIDERATIONS**

Not applicable.

**HUMAN RESOURCES CONSIDERATIONS**

Not applicable.

**ALIGNMENT WITH STRATEGIC PRIORITIES:**

Safe, Sustainable & Complete Community – The QMS allows for the continual improvement of municipal service levels provided to City residents and businesses with regards to safe drinking water.

**BUSINESS UNITS CONSULTED AND AFFECTED:**

Not applicable.

*The undersigned represent the Top Management of the City of Markham’s Drinking Water System and by signing below; the Top Management of the Operating Authority has reviewed and approved the outcome of the Management Review meeting held on April 29, 2025.*

**RECOMMENDED BY:**

Eddy Wu, P. Eng.  
Director, Environmental Services

Morgan Jones  
Commissioner, Community Services

Andy Taylor  
Chief Administrative Officer

**ATTACHMENTS:**

Attachment “A” – Report on Quality Management System to Council Management Review Outcome (April 29, 2025)

## Report on Quality Management System to Council Management Review Outcome

Meeting Date: April 29, 2025

Attendees: Morgan Jones, Edgar Tovilla, Danny Chan, Paul Ahn, Shumin Gao, Vincent Feng, and Stephanie Yu

Regrets: Andy Taylor, Eddy Wu

RESULTS OF MANAGEMENT REVIEW	REPORT
Summary of Management Review	<ul style="list-style-type: none"> <li>The update provided to Top Management covered all required items identified in the Operational Plan and Drinking Water Quality Management Standard v.2 (DWQMS v.2).</li> <li>Top Management focused on the review of information from July 1 to December 31, 2024.</li> <li>CAO Taylor was unable to attend and requested the Management Review meeting to proceed with the remaining participants.</li> <li>In Director Wu's absence, Edgar Tovilla served as the Acting Director of Environmental Services as well the Waterworks Operations Sr Manager.</li> <li>Paul Ahn is the Acting Infrastructure Sr Manager.</li> <li>Top Management reviewed information for the 2024 calendar year. All DWQMS activities, including staff emergency training, risk assessment, audits were completed, and requirements were met for the year.</li> <li>QMS performance was reviewed to confirm that the system continues to be suitable, adequate and effective.</li> </ul>
Deficiencies Identified	<ul style="list-style-type: none"> <li>No deficiencies were identified at this meeting.</li> </ul>
Decisions Made	<ul style="list-style-type: none"> <li>Reviewed the three action items identified in the previous Management Review meeting held on October 8, 2024. All three action items are in progress and Top Management agreed to revise the target completion date.               <ol style="list-style-type: none"> <li>"Identify how many customer issues are resolved over the phone compared to onsite investigations and resolution by staff, starting April 1<sup>st</sup>, 2025"                   <ul style="list-style-type: none"> <li>Staff are developing the process to make this comparison. Top Management agreed to revise the start date to July 1, 2025, with Q3 &amp; Q4 2025 results reported in the Spring 2026 Management Review.</li> </ul> </li> <li>"Review the increase in traffic and streetlight locates as the phase- in inhouse model is implemented in 2024, in comparison with water &amp; wastewater tickets"                   <ul style="list-style-type: none"> <li>Since the centralized in-house locates model was implemented by December 2024, the full impact of this model will be understood after one full year. Top Management agreed to revise the completion date to the Spring 2026 Management Review.</li> </ul> </li> <li>Assess overtime demands at different locates performance levels- Ongoing                   <ul style="list-style-type: none"> <li>Similarly, the full impact of the new centralized locates model will be better understood after 2025. Top Management agreed to revise the completion date to the Spring 2026 Management Review.</li> </ul> </li> </ol> </li> </ul>
Action Items	<ul style="list-style-type: none"> <li>No action items were identified at this meeting.</li> </ul>



## Report on Quality Management System to Council Management Review Outcome

RESULTS OF MANAGEMENT REVIEW	REPORT
Other QMS Issues Identified	<ul style="list-style-type: none"><li>DWQMS 3.0 draft standard was released by MECP on April 22, 2025 for public commentary. Once the standard is finalized, a summary of changes will be shared with Top Management.</li></ul>

Management Review Meeting Minutes are available upon request from the Continuous Improvement Supervisor.



Report to: General Committee

Meeting Date: June 03, 2025

**SUBJECT:** Amendment to Road Occupancy By-law 2018-109  
**PREPARED BY:** Negar Mahmoudi, Manager-Utility & ROW, Operations, Ext 2842

**RECOMMENDATION:**

- 1) That the report titled “Amendment to Road Occupancy By-law 2018-109” be received; and,
- 2) That Council approve the proposed amendments to the Road Occupancy By-law to improve clarity, reflect current practices and align with operational needs, best practices and latest legislation; and,
- 3) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**PURPOSE:**

The purpose of this report is to seek Council’s approval for administrative amendments to the Road Occupancy By-law 2018-109. These amendments aim to improve clarity and effectiveness by:

- Incorporating new and revised definitions
- Removing outdated or redundant provisions
- Formalizing current operational practices and procedures

These changes allow the City to better regulate the use of municipal rights-of-way, protect public safety, safeguard municipal infrastructure, and streamline the coordination of works to support public and development needs, while minimizing traffic disruption within the City’s transportation network for all road users.

**BACKGROUND:**

The Road Occupancy By-law 2018-109 governs access to and the use of municipal rights-of-way during construction or other activities.

As the City continues to grow since the by-law’s enactment in 2018, staff have identified several areas where the by-law requires updates and clarification. The proposed amendments aim to balance right-of-way activities and operational needs with public safety and accessibility through codifying practices already in place.

**DISCUSSION:**

To ensure a comprehensive review, staff consulted with internal departments and benchmarked against similar by-laws from other municipalities. This helped to identify necessary updates and ensure alignment with current operational practices and latest legislation and by-laws.

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The proposed changes include:

- Editorial and formatting improvements
- Updated and new definitions
- Minor revisions based on current legislation and operational practices
- Clarification of current permit process and enforcement requirements
- Alignment with other City By-laws and applicable legislations

## **SUMMARY OF PROPOSED AMENDMENTS AND JUSTIFICATIONS:**

### **Section 1.0 – Short Title:**

No changes proposed.

### **Section 2.0 – Definitions:**

Key changes to this section are administrative amendments including the addition of new definitions and updates to existing ones to improve clarity for by-law users, enforcement officers, and the public. They also ensure consistency with current municipal practices and alignment with the latest legislations and by-laws.

- ***Updated definitions:*** Boulevard, Boulevard Patio, Damage, Highway, landscape and construction material, Municipal Access Agreement, Municipal Law Enforcement Officer (MLEO), Obstruction, Owner, Person, Publication, Publication Dispensing Box, Road Occupancy Permit, and Street Furniture.
- ***New definitions added:*** Banner, Device, Dumpster Bin, Driveway, Emergency, Encroachment, Landscaping, Multi-Use Path, Officer, Order, Road Closure, and Winter Maintenance Season.

### **Section 3.0 – General Provisions:**

Changes include editorial updates and the inclusion of missing terms to better reflect existing permit processes and enforcement practices.

- ***New clauses 3.4.16 and 3.4.17:*** These new clauses were added to support enforcement and ensure public safety during emergencies and other permitted work within the City's right-of-way.

### **Section 4.0 – Use of Boulevard:**

Proposed administrative amendments include:

- ***Editorial refinement:*** Minor editorial amendments to provide clarity and consistency, remove redundancy, and streamline enforcement.
- ***New clause 4.1.3:*** The added clause addresses missing information in the current by-law by reflecting existing practices and requirements for culvert modifications, ensuring alignment with the City's current policy.
- ***New clause 4.2:*** This clause is added to ensure consistency with Keep Markham Beautiful By-law 2024-50.

**Section 6.0 – Boulevard Patio:**

The changes are editorial updates to reference the latest applicable legislation and By-laws.

**Section 7.0 – Placement of Device:**

The title and content updated to modernize and broaden applicability beyond publication boxes, aligning with operational and enforcement needs.

**Section 8.0 – Over-Dimensional Vehicle:**

No changes proposed.

**Section 9.0 & 10.0 – Removal of Highway Obstruction / Hazardous Conditions:**

The proposed update to this section is editorial changes for consistency with revised definitions.

**Section 11.0 – Road Occupancy Permit - Administration:**

The proposed updates to this section are administrative changes to reference By-law 2012-137 (Licensing, Permit and Service Fees) and update the payment methods to reflect current practices.

**Section 12.0 – Permit Conditions:**

The key changes to this section are administrative and editorial in nature.

*New clause 12.8 & 12.10:* These clauses have been added to clarify operational requirements based on current practices and to accommodate urgent construction projects, while ensuring proper coordination to avoid conflicts between projects.

**Section 13.0 to 15.0 – Enforcement and Notices:**

The proposed update to this section is editorial changes and terminology refinements.

**Section 16.0 – Disposing of Material and Equipment:**

The changes to this section are minor editorial updates for consistency based current enforcement practice.

**Section 17.0 – Exemptions:**

The key change to this section in addition to editorial update is the clarification and expansion of language to improve transparency, permitting efficiency and streamlining permit requirements for internal city construction works.

**Section 18.0 – Rebuttable Presumption:**

No changes proposed.

**Section 19.0 – Fees and Charges for Recovery of Costs of Enforcement:**

The updates to this section reflect current practices and remove redundancy.

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- ***Removed clause 19.1.4:*** Fee Descriptions under Schedule A is repealed as fee schedule is governed under By-law 2012-137.
  - ***New clause 19.3:*** This clause clarifies the permit process and formalizes existing practices to support enforcement and government agencies in addressing the public interest. It streamlines approvals, defines requirements, ensures transparency for permit administrators, and enhances efficiency and service levels.

**Section 20.0 – Administrative Penalties:**

The updates are editorial to reference current versions of applicable by-laws and Acts.

**Section 21.0 – Offences:**

The updates include editorial improvements to align with the Administrative Monetary Penalty By-law.

**Section 22.0 to 28.0:**

Changes include minor formatting and editorial.

**Schedule A: Fee Schedule**

The Schedule A - Road Occupancy Fee is removed to avoid duplication and inconsistencies, since fee schedule including descriptions, units and rates are already included and governed under By-law 2012-137 (Licensing, Permit and Service Fees). This change streamlines updates and avoids unnecessary confusion.

**CONCLUSION AND RECOMMENDATION:**

The proposed amendments to the Road Occupancy By-law improve road occupancy management, reduce public confusion, and improve coordination among stakeholders. These changes will provide clarity for all users through administrative update, removal of redundant provisions to better reflect the current practices and applicable laws.

Staff recommends that Council endorse this report and the amended By-law and authorize staff to proceed with implementation.

**FINANCIAL CONSIDERATIONS**

There are no direct financial implications associated with the approval of the By-law amendments. The changes are administrative, reflecting current practices and will be implemented using existing staff and resources.

**HUMAN RESOURCES CONSIDERATIONS**

The amendments will support staff by clarifying procedures and enhancing work efficiency in administering the By-law. No additional staffing resources are required.

**ALIGNMENT WITH STRATEGIC PRIORITIES:**

This By-law amendment aligns with the City's strategic priorities, including:

- 
- **Good Governance:** Keeping By-laws current, transparent, and enforceable.
  - **Operational Excellence:** Enhancing clarity, internal efficiency and improving service levels
  - **Safe and Sustainable Community:** Supporting safe and coordinated use of public rights-of-way and infrastructures.

**BUSINESS UNITS CONSULTED AND AFFECTED:**

By-law and Enforcement Services, Legislative Services, Legal Services, Planning, Engineering, Operations, Environmental Services, Special Events, and Finance.

**RECOMMENDED BY:**

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Alice Lam – Director of Operations

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Morgan Jones – Commissioner  
Community Services

**ATTACHMENTS:**

Road Occupancy By-law 2018-109 – Current version  
Draft Road Occupancy By-law Amendment 2025-xxx  
Road Occupancy By-law 2025-xx – Highlighting Changes



## By-Law 2025-XX

*To Amend By-law 2018-109 A By-law to  
regulate the use, alteration, and Occupancy  
of Highways within the City of Markham*

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

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF MARKHAM ENACTS AS FOLLOWS:

That the Road Occupancy By-law 2018-109 be amended as follows:

- 1) The preamble "**AND WHEREAS** The Council of The Corporation of the City of Markham desires to repeal and replace By-laws 2013-136 as amended, with an updated Road Occupancy By-law." to be deleted in its entirety, as no longer applicable.
- 2) The following definitions are to be amended:

The definition of "**Boulevard**" should be deleted in its entirety:

**Boulevard** means the portion of the highway between a property line and the edge of the curb, or where there is no curb, that portion of the highway which is travelled or designed to be travelled by motor vehicles.

and should be replaced with the following definition:

**Boulevard** means the portion of the highway located between the property line and the curb. Where there is no curb, it refers to the area between the

property line and the edge of the roadway designed for motor vehicles. This area may include features such as sidewalks, Multi-Use Paths (MUPs), and cycle tracks.

The definition of “**Boulevard Patio**” should be amended by adding the words “or highway” after the word “boulevard”.

The amended definition is to be read as follows:

**Boulevard Patio** means a designated area within a boulevard or highway associated with an abutting eating establishment where food and drink are offered for sale and/ or consumed, no wider than the width of the eating establishment’s storefront.

The definition of “**Highway**” should be deleted in its entirety:

**Highway** includes a common and public highway, street, avenue, parkway, lane, driveway, square, place, bridge, viaduct or trestle, including the area between the lateral property lines thereof and includes unopened and unassumed road allowances.

and should be replaced with the following definition:

**Highway** includes a common and public highway, street, avenue, parkway, driveway, square, place, bridge, viaduct or trestle, any part of which is intended for or used by the general public for the passage of vehicles and includes the area between the lateral property lines thereof.

The definition of “**Landscape or Construction**” should be amended by adding the following terms: “decorative features, structures, machineries, motorized equipment and trailers”.

The amended definition should be read as follows:

**Landscape or Construction Material** includes gravel, soil, sod, bricks, interlocks and paving stones, landscaping rocks, decorative features, structures, wooden planks and boards or any other materials, machineries, motorized equipment and trailers used in implementation of landscaping or construction.

The definition of “**Municipal Access Agreement**” should be amended by deleting the word “person” and replacing it with the term “utility company”, adding a word “infrastructure” and by deleting the reference to the repealed “Energy Act”.



The amended definition should be read as follows:

**Municipal Access Agreement** means an existing written agreement established between the City and a utility company related to construction and maintenance of utilities infrastructure deemed to be essential under the CRTC, or other federal or provincial legislation.

The definition of “**Municipal Law Enforcement Officer (“Officer”)**” should be deleted in its entirety:

**Municipal Law Enforcement Officer (“Officer”)** includes an employee of the *City* who has been appointed by Council to enforce the provisions of *City* by-laws **Notice of Obstruction** includes an order issued under this by-law.

and should be replaced with the following definition:

**Municipal Law Enforcement Officer (“MLEO”)** means any officers employed by the City in the appropriate business unit or department and appointed pursuant to the Community Safety and Policing Act, 2019, s. 55, Provincial Offences Act R.S.O. 1990, c.P.33, and Bylaw 2018-74.

The definition of “**Obstruction**” should be amended by adding a word “encroachment”.

The amended definition should be read as follows:

**Obstruct(ion)** includes encumber, damage, encroachment, foul, or alteration.

The definition of “**Over-Dimensional Vehicle**” should be amended by adding references to by-law 2012-53 and by-law 2012-54.

The amended definition should be read as follows:

**Over-Dimensional Vehicle** means any combination of vehicle and load having a width, length, height or weight in excess of limits provided for in the Highway Traffic Act or in contravention to By-law 2012-53 Spring Load Restrictions on Town Roads and By-law-2012-54 Year-Round Load Restriction on Town Roads.

The definition of “**Person**” should be deleted in its entirety:

**Person** includes a corporation and its directors, officers and designates unless the context otherwise requires.

and should be replaced with the following definition:

**Person** includes an individual, a sole proprietorship, a business entity, a corporation, a non-profit corporation, a registered charity, and their respective heirs, executors, administrators, assigns, or other appointed representatives.

The definition of “**Publication**” should be amended by adding the words “at regular intervals” at the end of the definition.

The amended definition should be read as follows:

**Publication** means a newspaper or other similar printed document which is published at regular intervals.

The definition of “**Publication Dispensing Device**” should be changed to “**Publication Dispensing Box**”. The words “a single” and “to the public” should be deleted.

The amended definition should be read as follows:

**Publication Dispensing Box** means a container placed, installed, used or maintained for the dispensing of publication either for financial consideration or free of charge.

The definition of “**Publication Dispensing Unit**” should be deleted in its entirety.

The definition of “**Road Occupancy Permit (“Permit”)**” should be deleted in its entirety.

**Road Occupancy Permit (“Permit”)** includes a *road occupancy permit* and any other *permit* as required to undertake work on a *highway*.

And should be replaced with the following definition:

**Road Occupancy Permit (“Permit”)** means a permit required for the temporary use or occupation of any portion of the highway or boulevard, or for undertaking any type of work on a highway or boulevard. This permit is inclusive of Curb Modification Permit, Culvert Modification Permit and Excess Load Permit.

The definition of “**Street Furniture**” should be amended by adding the words “lighting infrastructure”.

The amended definition should be read as follows:

**Street Furniture** includes benches, garbage containers, hand rails, tables, signs, posts, lighting infrastructure or any other above ground appurtenance that is owned and used for public purpose.

- 3) The following definitions should be added:

**Banner** means a temporary sign made from cloth, plastic or a similar lightweight non-rigid material that is suspended on or along a highway or suspended from a rigid arm fixed to a light pole.

**Device** means camera, publication dispensing box, traffic measuring equipment, environmental monitoring instrument, or other appurtenances and ancillary facility as determined by the director.

**Dumpster Bin** mean any large outdoor receptacle used for the purpose of collection and temporary storage of waste or recyclable contents of any type.

**Driveway** means a define stable surface that provides access for motor vehicles from a street, a private street or a lane to a private garage, carport, parking pad or parking space on a lot containing residential uses, including the portion of the driveway upon a boulevard, which is referred to as the Driveway Apron.

**Emergency** means an unforeseen situation or an impending situation where immediate action must be taken to preserve the environment, public health, safety or an essential service.

**Encroachment** means any device, equipment, structure, object, banner, fence, construction material or landscaping placed or installed on, over, along, across, under or in a boulevard or highway, or any portion thereof by a person without the City's Road Occupancy Permit, but excluding any permitted device, equipment, structure, object, banner, fence or landscaping installed and maintained by the City.

**Landscaping** includes trees, shrubs, flowers, grass or other horticultural elements, decorative stonework, interlocking, screening, irrigation system, snow melting system, light post or other landscape-architectural elements or combination of these, all of which are designed to enhance the visual amenity of a property and shall not be used for the parking of motor

vehicles or outdoor patios.

**Multi-Use Path (MUP)** means a path with multiple users of different types including pedestrians, bicycles, and similar user types.

**Notice of Obstruction** includes an Order issued under this by-law.

**Officer** means:

- (a) A Municipal Law Enforcement Officer of the City or other person(s) appointed by or under the authority of a City by-law to enforce City by-laws; or
- (b) A Municipal Police Officer (York Regional Police), Ontario Provincial Police or the Royal Canadian Mounted Police.

**Owner** means a person having any right, title, interest or equity in land or property, or any such person's authorized representative or agent.

**Order** includes notice, work order, order to comply, and notice of obstruction.

**Road Closure** means temporary full closure of a highway for an approved duration.

**Winter Maintenance Season** means the period of time annually between November 1 and April 15.

- 4) Section 3.1 should be amended as follows:  
To include the word "encroachment" after the word "obstruction".
- 5) Section 3.4 should be amended as follows:  
To include the word "encroachment" after the word "obstruction".
- 6) Sub-section 3.4.5 should be amended as follows:  
To include the words "landscaping or" before the word "altering".
- 7) Sub-section 3.4.7 should be amended as follows:  
To include the words "a portion of highway", "boulevard" and "driveway".  
The amended version should be read as follows:

3.4.7 the cutting, altering, extending, in any manner whatsoever of a portion of highway, boulevard, concrete curb, driveway, open or contained

culvert, culvert overpass, or similar structure or landscaping without having obtained a Road Occupancy Permit;

- 8) Sub-section 3.4.9 should be amended as follows:

To include the words “encroachment” and “street furniture”. The amended version to be read as follows:

the excavation, damage or encroachment to any portion of a highway, including sod, street furniture, light poles, street signs, or other objects within the highway without having obtained a Road Occupancy Permit.

- 9) Sub-section 3.4.10 should be amended by adding the words “dumpster bin, landscape or construction material, moving containers, device and banner” and by deleting the words “material storage”. The amended version should be read as follows:

3.4.10 the placement of donation bins, dumpster bins, landscape or construction material, moving containers, device and banner on a highway;

- 10) Sub-section 3.4.11 should be amended by adding the words: “hockey nets, children play structures”. The amended version should be read as follows:

3.4.11 the placing or depositing of sporting equipment, including but not limited to basketball nets, hockey nets, skateboard ramps, bicycle ramps and children’s play structures on a highway;

- 11) Sub-section 3.4.12 should be amended by adding the words “alter” and “or affix devices on any street furniture”. The amended version should be read as follows:

3.4.12 place, move, alter any street furniture or affix device(s) on any street furniture on a highway without having obtained a Road Occupancy Permit;

- 12) Sub-section 3.4.16 should be added to this by-law:

enter an area within a highway or a portion of highway that has been closed to the public for construction, maintenance, emergency or other similar purposes;

- 13) Sub-section 3.4.17 should be added to this by-law:

move or remove a barricade, street sign, traffic sign or traffic control devices, within a highway.

- 14) Sub-section 4.1.2 should be amended by adding words “modify the curb”, “or widen”, “the allowable depressed curb”, and by adding a reference to the Comprehensive Zoning By-law and Curb Modification Standard Policy. The amended version should be read as follows:

4.1.2 modify the curb, construct or widen a Driveway Apron crossing the boulevard at width greater than the allowable depressed curb at the road edge and greater than the width of the driveway, as permitted under the applicable Comprehensive Zoning By-law and Curb Modification Standard Policy;

- 15) Sub-section 4.1.3 to be replaced with a new direction on use of a boulevard, which should be read as follows:

4.1.3 modify the ditch or culvert and construct or widen a driveway apron crossing the culvert and ditch to a width greater than the existing culvert, as permitted under the Culvert/Ditch Modification Policy;

- 16) Former sub-section 4.1.3 should be changed to 4.1.4 and include reference to the new sub-section 4.1.3. The amended version should be read as follows:

4.1.4 item 4.1.2 and 4.1.3 above shall apply to driveways on rural roads with ditches, with the driveway width determined at the ditch centreline;

- 17) Former sub-section 4.1.4 should be changed to 4.1.5 and include reference to the Multiple Use Path (MUP) and cycle track. The amended version should be read as follows:

4.1.5 construct a raised curb or similar obstruction within 45 cm of a sidewalk, Multiple Use Path (MUP) and cycle track.

- 18) Former sub-section 4.1.5 should be changed to 4.1.6 and for the old version to be reworded as follows:

4.1.6 construct, install, or place any fence, post, light post, irrigation components, snow melting system/equipment, rock(s), and decorative / retaining wall, landscaping or modify boulevard sod to different material or enhance Driveway Apron surface material on a boulevard to a non-

standard material that are not permitted and approved by the City;

- 19) Former sub-section 4.1.6 should be deleted in its entirety.
- 20) Section 4.2 should be added to this by-law and read as follows:

4.2 No Person shall fail to comply with provisions as set out in By-law 2024-50 Keep Markham Beautiful (Maintenance).
- 21) Sub-section 6.1.1 should be amended by adding the words “and related policies” after the words “this by-law”.
- 22) Sub-section 6.1.3 should be amended by adding reference to “the Comprehensive Zoning by-law” after the words “in conformity with”.
- 23) Sub-section 6.1.6 should be amended by deleting the reference to “April 1” and replacing it with “April 15”.
- 24) Sub-section 6.2.1 should be amended by adding references to “Comprehensive Zoning by-law, Ontario Traffic Council Patio Guidelines, Ontario Traffic Manual (OTM) Book 7, Accessibility for Ontarians with Disabilities Act (AODA), Ontario Heritage Act” after the words “this by-law”.
- 25) Section 6.3 should be amended by adding reference to “the Comprehensive Zoning By-law” after the words “and in accordance with”
- 26) Sub-section 6.3.1 should be amended by adding the word “cyclist” after the word “pedestrian”.
- 27) The heading of the section 7.0 should be deleted in its entirety and replaced with the following heading:

PLACEMENT OF DEVICES WITHIN HIGHWAY
- 28) Section 7.1 should be deleted in its entirety and replaced with the following:

7.1 No person shall place, affix, maintain, or operate device(s), banner or other ancillary facilities within highway without obtaining a Road Occupancy Permit; except for to agencies approved by the City and subject to the discretion of director. The approved agencies are still required to comply with the permit application process.
- 29) Section 7.2 should be deleted in its entirety and replaced as follows:

7.2 The placement, maintenance and operation of device(s) shall be in

accordance with policies established by the director, as amended.

- 30) Sub-section 11.1.2 should be amended by deleting a reference to "Schedule A of this by-law" and replacing it with the reference to "By-law 2012-137 Licencing, Permit and Service Fees".
- 31) Section 11.5 should be amended by deleting the words "cash", "certified cheque", "debit card" and by adding the word "only" after the phrase "letter of credit".
- 32) Section 12.1 should be amended by adding the words "and other related Acts, By-laws and policies" at the end of the section.
- 33) Section 12.2 should be amended by adding the words "and email address" after the words "contact phone number".
- 34) Section 12.3 should be amended by adding the words "and related policies" after the words "permit or this by-law".
- 35) Section 12.6 should be amended by adding the words "paid duty officers" after the words "flag persons".
- 36) Former section 12.8 should be moved to a new section 12.9. The new section 12.8 should be amended as follows:

12.8 No permit holder, owner or occupier shall fail to seek a time extension of a permit from the director minimum two weeks prior to the permit expiry date as specified in the Road Occupancy Permit. When seeking a time extension of a permit, the permit holder, owner or occupier shall state the reason for the time extension.
- 37) The new section 12.9, which is former 12.8 should remain the same and read as follows:

12.9 When required by the director, permit holder shall provide a Letter of Credit / Security Deposit as required in Schedule 'B' to this By-law.
- 38) Section 12.10 should be added to this by-law and read as follows:

12.10 During Winter Maintenance Season, the director at his/her sole discretion may restrict construction activities within highway and/or require special conditions to be satisfied for permitting any type of works on a highway.



- 39) Section 13.1 should be amended by deleting the reference to “Municipal Law Enforcement Officers and York Regional Police Officers” and replacing these words with the term “Officers”.
- 40) Section 13.3 should be amended by deleting the reference to “Municipal Law Enforcement Officers” and replacing these words with the term “Officers”.
- 41) Section 14.1 should be amended by deleting the reference to “Municipal Law Enforcement Officer” and replacing these words with the term “Officer”.
- 42) Sub-section 15.1.1 should be amended by adding the word “occupier” after the word “owner”.
- 43) Sub-section 15.1.3 should be amended by adding the word “occupier” after the word “owner”.
- 44) Section 16.1 should be amended by adding the words “or encroachment” after the phrase “any Landscape or Construction Material” and by adding the words “or boulevard” after the word “highway”.
- 45) Section 17.1 should be deleted in its entirety:

17.1 Work occurring within the *highway* that has been authorized through Municipal Consent by the City through a *Municipal Access Agreements* shall be considered as having obtained a *road occupancy permit*. Persons having obtained such authorization shall abide by all requirements of the *road occupancy by-law* as if a separate road occupancy permit had been granted for construction or maintenance activities occurring on the highway;

and should be replaced as follows:

17.1 Utility work occurring within the highway (but not requiring full road closure) that has been authorized through a Municipal Consent Permit by the City through a Municipal Access Agreements shall be considered as having obtained a Road Occupancy Permit unless Municipal Access Agreement provides otherwise. For works requiring a full road closure, the person shall obtain a separate Road Occupancy Permit for road closure. Persons having obtained such authorization shall abide by all

requirements of the road occupancy by-law as if a separate Road Occupancy Permit had been granted for construction or maintenance activities occurring on the highway;

46) Section 17.2 should be amended by deleting the last sentence of the section in its entirety.

47) Former section 17.3 should be moved to section 17.4 and the former section 17.3 should be replaced and to be read as follows:

17.3 The City's contractors are obligated to obtain a Road Occupancy Permit. However, the director under this by-law may grant an annual blanket Road Occupancy Permit subject to an annual fee for the City's regular operations and maintenance projects undertaken through the City's contractors.

48) Former section 17.4 should be moved to a new section 17.5.

49) Sub-section 19.1.4 should be deleted in its entirety.

50) Section 19.2 should be amended by deleting the words "action or the costs may". The amended version should read as follows:

19.2 Where the City, its employees or authorized agents have performed the work required for compliance with this by-law, all expenses incurred by the City in doing the work as well as any related fees, shall be deemed to be a debt to the City and may be collected by being added to the tax roll for the property and collected in the same manner as taxes.

51) Section 19.3 should be added to this by-law and read as follows:

19.3 The Director under this by-law may authorize to waive permit application processing fees and allow fee exemptions for Post Secondary Institutes located in Markham, York Regional Police (YRP), Ontario Provincial Police (OPP), Royal Canadian Mounted Police (RCMP) or government agencies as approved by the director.

52) Section 20.3 should be amended by deleting the reference to the repealed by-law 2016-84 and by adding a reference to the new by-law "2024-137, as amended, A By-law to establish an Administrative Monetary Penalty System (AMPS) for Contraventions of Designated By-laws in the City of Markham."

53) Section 20.4 should be amended by deleting the reference to the repealed by-law 2016-84 and by adding a reference to the new by-law “2024-137, as amended, A By-law to establish an Administrative Monetary Penalty System (AMPS) for Contraventions of Designated By-laws in the City of Markham.”

54) Section 21.1 should be deleted in its entirety:

21.1 Every person who contravenes any of the provision of this by-law or fails to comply with a Notice of Obstruction or an Order issued under this by-law or who obstructs or attempts to obstruct an Officer or an employee or agent of the City in carrying out his or her duties under this By-law is guilty of an offence and is liable, upon conviction to a maximum fine as established pursuant to the Provincial Offences Act, R.S.O., 1990, c.P.33.

and should be replaced with the new section as follows:

21.1 Every person who contravenes any of the provisions of this by-law or fails to comply with a Notice of Obstruction or an order issued under this by-law or who obstructs or attempts to obstruct an officer or an employee or agent of the City in carrying out his or her duties under this By-law is guilty of an offence and is liable to a fine as established pursuant to the Provincial Offences Act, R.S.O., 1990, c.P.33, or committed a contravention and responsible to pay an administrative monetary penalty pursuant to By-Law No. 2024-137, A By-law to establish an Administrative Monetary Penalty System (AMPS) for Contraventions of Designated By-laws in the City of Markham.

55) Section 23.2 should be added to this by-law and read as follows:

23.2 An Administrative Penalty that is not paid within fifteen (15) days after the day it becomes due and payable constitutes a debt of the person to the City and may be added to the tax roll and collected in the same manner as municipal taxes.

56) Section 24.4 should be amended by deleting a reference to “Schedule A”.

57) Section 26.0 should be deleted in its entirety.

58) Section 28.1 should be deleted in its entirety.

59) Schedule "A" of this by-law should be repealed in its entirety.

60) Schedule "B" of this by-law should be amended. Section 1 of the Schedule "B" should be amended by adding the dollar amount of "\$5,000" after the words "minimum deposits of".

Further, Section 1 of the Schedule "B" should be amended by deleting the subsections "i, ii and iii" in their entirety.

READ A FIRST, SECOND, AND THIRD TIME AND PASSED THIS XX DAY OF XXXX, 2025.

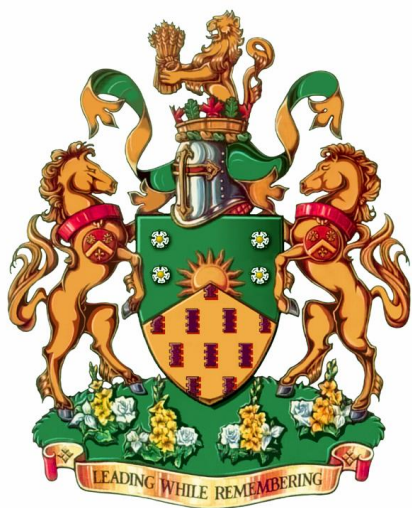
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KIMBERLEY KITTERINGHAM  
TOWN CLERK

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FRANK SCARPITTI  
MAYOR

**City of Markham**  
**Ontario**



**By-law 2018-109**

**A By-law to regulate the use, alteration, and Occupancy of Highways  
within the City of Markham.**

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(Consolidated for convenience only to January 1, 2024)

**(Schedule/Attachment Included)**

Schedule A Updated - January 2019  
By-Law 2023-165 – December 13, 2023



## By-Law 2018-109

*A By-law to regulate the use, alteration, and  
Occupancy of Highways within the City of Markham*

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

**AND WHEREAS** Section 9 of the Municipal Act, 2001, provides that a municipality has the capacity, rights, powers and privileges of a natural Person for the purpose of exercising its authority under the Municipal Act;

**AND WHEREAS** Section 11 (3) 1 of the Municipal Act, 2001, provides that a municipality may pass by-laws within the following spheres of jurisdiction: Highways, including parking and traffic on Highways;

**AND WHEREAS** Section 391(1) of the Municipal Act, 2001, provides that a municipality may pass by-laws imposing fees or charges on any Person for services or activities provided by the municipality or done on behalf of it;

**AND WHEREAS** Section 436 (1) of the Municipal Act, 2001, provides that a municipality may pass by-laws providing for the entry onto land at any reasonable time for the purpose of carrying out an inspection to determine compliance with a by-law;

**AND WHEREAS** section 429 (1) of the Municipal Act, 2001, provides that a municipality may establish a system of fines for a by-law passed under the Act;

**AND WHEREAS** section 434.1 of the *Municipal Act* provides that a municipality may require a Person to pay an administrative penalty if the municipality is satisfied that a Person has failed to comply with a by-law of the municipality passed under the *Municipal Act*.

**AND WHEREAS** section 444 of the Municipal Act, 2001, provides that a municipality may make an order to require a Person to discontinue contravening a by-law and to do the work required to correct the contravention;

**AND WHEREAS** section 445 of the *Municipal Act* provides that a municipality may make an order requiring the Person who contravened the by-law or who caused or permitted the contravention or the owner or occupier of the land on which the contravention occurred to do work to correct the contravention;

**AND WHEREAS** section 446 of the Municipal Act, 2001, provides that a municipality may proceed to do things at a Person's expense which that Person is otherwise required to do under a by-law but has failed to do and the costs incurred by a municipality may be recovered by adding the costs to the tax roll and collecting them in the same manner as taxes;

**AND WHEREAS** The Council of The Corporation of the City of Markham desires to repeal and replace By-laws 2013-136 as amended, with an updated Road Occupancy By-law.

**NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF MARKHAM ENACTS AS FOLLOWS:**

**1.0 SHORT TITLE**

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

**2.0 DEFINITIONS**

2.1 In this By-law:

**Boulevard** means the portion of the *highway* between a property line and the edge of the curb, or where there is no curb, that portion of the *highway* which is travelled or designed to be travelled by motor vehicles.

**Boulevard Patio** means a designated area within a boulevard associated with an abutting eating establishment where food and drink are offered for sale and/ or consumed, no wider than the width of the eating establishment’s storefront.

**City** means The Corporation of the City of Markham.

**Construction** means anything done in the erection, installation, extension or material alteration, demolition, or repairs of a building or structure, utility or surface, grading of property and includes the installation of building units fabricated or moved from elsewhere and installation of an in-ground/on-ground swimming pool including the installation of a hot tub, above ground-pool or landscaping.

**Contractor** means any person alone or with others undertaking *construction* on a property or a highway.

**“Damage”** means harm or injury to the street, including without limitation, harm, injury, disturbance, cracking, gouging, rutting or displacement of or to the pavement, curb, boulevard, landscaping, retaining walls, street furniture or sidewalk resulting from the use of the street to access work such that, in the sole opinion of the Director, the street is not in its pre-construction condition.

(Amended by By-Law 2023-165)

**Director** means the Director of Operations for the *City* or designate.

**Donation Bin** shall mean any receptacle used for the purpose of collecting donated items, including but not limited to clothing, appliances, and toys.

**Highway** includes a common and public highway, street, avenue, parkway, lane, driveway, square, place, bridge, viaduct or trestle, including the area between the lateral property lines thereof and includes unopened and unassumed road allowances.

**Landscape or Construction Material** includes gravel, soil, sod, bricks, and paving stones, landscaping rocks, wooden planks and boards or any other materials used in implementation of landscaping or construction.

**Municipal Access Agreement** means an existing written agreement established between the City and a *person* related to construction and maintenance of utilities deemed to be essential under the CRTC, Energy Act or other provincial or federal legislation.

**Municipal Law Enforcement Officer (“Officer”)** includes an employee of the *City* who has been appointed by Council to enforce the provisions of *City* by-laws **Notice of Obstruction** includes an order issued under this by-law.

**Obstruct(ion)** includes encumber, damage, foul, or alteration.

**Occupant** means a lessee, tenant, mortgagee in possession or any other *person* who appears to have care and control of any property.

**Over-Dimensional Vehicle** means any combination of vehicle and load having a width, length, height or weight in excess of limits provided for in the Highway Traffic Act.

**Person** includes a corporation and its directors, officers and designates unless the context otherwise requires.

**Publication** means a newspaper or other similar printed document which is published.

**Publication Dispensing Device** means a container placed, installed, used or maintained for the dispensing of a single publication to the public either for financial consideration or free of charge.

**Publication Dispensing Unit** means a single container placed, installed, used or maintained for the dispensing of two or more publications of the same or different publishers to the public, either for financial consideration or free of charge.

**Road Occupancy Permit (“Permit”)** includes a *road occupancy permit* and any other *permit* as required to undertake work on a *highway*.

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

### 3.0 GENERAL PROVISIONS

3.1 No Person shall alter, *obstruct*, *damage*, or engage in any activities which may result in the alteration, *obstruction* or *damage* of any *highway* without first having obtained a *Road Occupancy Permit*;

3.2 “No person shall undertake construction on land abutting on a highway which may affect the drainage of the highway, or require alteration of street furniture without first having obtained a Road Occupancy Permit;”  
(Amended by By-Law 2023-165)

3.3 No Person shall fail to comply with a *Notice of Obstruction* or an Order issued pursuant to this by-law;

3.4 Without limiting the generality of subsection 3.1, no *person* shall alter, *obstruct* or *damage*, or cause or permit the use, alteration, *obstruction* or *damage* of any *highway* by any of the following:

3.4.1 the depositing, throwing, spilling or tracking or cause or permit the depositing, throwing, spilling or tracking of any material, waste or soil onto any *highway*;

3.4.2 the depositing of snow or ice on travelled portion of the *highway* or onto a *boulevard* not contiguous with the property from the snow was moved from;



- 3.4.3 the placement of any snow or ice, or any materials or equipment, or any structures within 1.2m, in any direction of a fire hydrant;
- 3.4.4 the placement of leaves, grass clippings, and debris from private property to the portions of the *highway* normally used for pedestrian or vehicular traffic;
- 3.4.5 the altering of the grade on any *boulevard* without having first obtained a *Road Occupancy Permit*, pursuant to this by-law;
- 3.4.6 the parking of equipment, motorized equipment other than motorized equipment permitted and licensed under the regulations of the Ministry of Transportation of Ontario, containers, trailers, or any *Landscape or Construction Material* on a *highway* without having obtained a *Road Occupancy Permit*;
- 3.4.7 the cutting, altering, extending, in any manner whatsoever of a concrete curb, open or contained culvert, culvert overpass, or similar structure or landscape without having obtained a *Road Occupancy Permit*;
- 3.4.8 the allowance of a crane boom or any portion of a stationary tower crane to travel over, hoist, or otherwise occupy the space above a *highway* or any part thereof without having obtained a *Road Occupancy Permit*;
- 3.4.9 “the excavation or damage to any portion of a highway, including sod, light poles, street signs, or other objects within the highway without having obtained a Road Occupancy Permit;”  
(Amended by By-Law 2023-165)
- 3.4.10 the placement of donation bins on a *highway*;
- 3.4.11 the placing or depositing of sporting equipment, including but not limited to basketball nets, skateboard ramps and bicycle ramps, on a *highway*;
- 3.4.12 place or move any *street furniture* on a highway without having obtained a *Road Occupancy Permit*;
- 3.4.13 allow the discharge of irrigation systems onto a sidewalk or the travelled portion of a *highway*;
- 3.5.14 No person shall use or occupy a *highway* for the purpose of the sale, or offering to sale, of any goods and services, without having obtained a *Road Occupancy Permit*;
- 3.5.15 No person shall use or occupy a *highway* for the purposes of the sale of event tickets.

#### **4.0 USE OF A BOULEVARD**

- 4.1 No person shall in relation to a *boulevard*:
  - 4.1.1 create or establish vehicle or trailer access to a property across a *boulevard* without approval of the *Director or his or her designate*;
  - 4.1.2 construct a driveway apron crossing the *boulevard* at width greater than the curb cut at the road edge and greater than the width of the driveway,

as permitted under the applicable zoning by-law or Curb Cut Standard Policy;

- 4.1.3 item 4.1.2 above shall apply to driveways on rural roads with ditches, with the driveway width determined at the ditch centreline;
- 4.1.4 construct a raised curb or similar obstruction within 45cm of a sidewalk;
- 4.1.5 construct, install, or place any fence, post, light post, irrigation components, rock(s), and decorative wall on a *boulevard*;
- 4.1.6 construct, install, or place any snow melting system/equipment on a *boulevard* without first obtaining an encroachment agreement with the City;
- 4.1.7 erect or maintain, without permission of the *City*, any projections of any kind beyond the main wall of buildings, if such projections will encroach upon a *highway* and without restricting the generality of the foregoing, projections include air conditioners, cornices, eaves, awnings, containers, awning covers, sills, brackets and other similar obstructions extending beyond the main walls of a building.

**Section 5.0 to 5.4 (BOULEVARD TREES) repealed by By-law 2023-164.**

(Amended by By-Law 2023-165)

**6.0 BOULEVARD PATIOS**

**6.1 No person shall in relation to a Boulevard Patio:**

- 6.1.1 place, permit, install, operate or maintain a Boulevard Patio on a highway without having obtained a Road Occupancy Permit pursuant to this by-law;
- 6.1.2 place, permit, install, operate or maintain on a highway within the City a Boulevard Patio at a location that is not approved by the Director or installed in a manner that is not in conformity with the requirements established by the Director;
- 6.1.3 place, permit, install, operate or maintain on a highway within the City a Boulevard Patio that is not in conformity with the size, dimension and other technical or physical requirements established by the Director;
- 6.1.4 place, permit, install, operate or maintain on a highway within the City a Boulevard Patio that is not maintained in accordance with the maintenance requirements established by the Director;
- 6.1.5 place, permit, install, operate on a highway within the City a Boulevard Patio in contravention of the terms and conditions of the Road Occupancy Permit and requirements established by the Director;
- 6.1.6 place, permit, install, operate or maintain on a highway within the City a Boulevard Patio prior to April 1st each year and use or maintain a Boulevard Patio past October 31st each year;
- 6.1.7 place, permit, install or allow the encroachment of any furniture, umbrella, post or any other equipment within a Boulevard Patio past the approved barriers or the area of encroachment as established by the Director;

- 6.2 A Boulevard Patio may be removed from a highway by the City in accordance with by-law provisions where:
- 6.2.1 the placement, installation and maintenance of a Boulevard Patio does not comply with all requirements, terms and conditions contained in a Road Occupancy Permit, this by-law or any policy established by the Director regulating Boulevard Patios and a Road Occupancy Permit and the non compliance is not cured by the permit holder within forty-eight (48) hours of the City advising the permit holder of such non-compliance;
- 6.3 The Director may, at the sole expense of the applicant, and in accordance with a policy established by the Director regulating Boulevard Patios, require the temporary relocation of a Boulevard Patio, or suspension or revocation of a permit if such temporary relocation of a Boulevard Permit or suspension or revocation of a Road Occupation Permit is necessary for:
- 6.3.1 the interests of pedestrian, vehicular or public safety;
  - 6.3.2 to accommodate a special event; or
  - 6.3.3 to accommodate the construction, maintenance or repair of a highway, transit facilities or a public utility or service.

## **7.0 PUBLICATION DISPENSING DEVICES**

- 7.1 No person shall place, maintain or operate a public dispensing device or unit without having obtained a road occupancy permit;
- 7.2 The placement, maintenance and operation of *publication dispensing devices* shall be in accordance with Publication Dispensing Box Policy;

## **8.0 OVER-DIMENSIONAL VEHICLES**

- 8.1 No *person* shall operate an *over-dimensional vehicle* on any *City highway* without having obtained a *Road Occupancy Permit*.

## **9.0 REMOVAL OF HIGHWAY OBSTRUCTION**

- 9.1 If an *Officer* determines that an *obstruction* of a *highway* exists, the *Officer* may issue a *Notice of Obstruction* requiring the *owner, occupant* and/or *contractor* of the property from which the *obstruction* comes from, relates to, or was created for, to discontinue causing the *obstruction* and to remove the *obstruction* and repair, as necessary, at the expense of the *owner, occupant* and/or *contractor* so that the *highway* is brought back to its former condition prior to the *obstruction*;
- 9.2 Where the *Notice of Obstruction* described in subsection 9.1 is not complied with within the time period stipulated therein, the *City* may remove the *obstruction* and repair, as necessary, the *highway* and all the costs incurred by the *City* in undertaking this work shall be expenses owed to the *City* by the *owner, occupant* and/or *contractor* of property from which the *obstruction* comes from, relates to, or was created for.

## **10.0 REMOVAL OF HAZARDOUS CONDITION**

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

## **11.0 ROAD OCCUPANCY PERMITS- ADMINISTRATION**

- 11.1 A *person* may apply for a *permit* under this by-law if the *person*:
- 11.1.1 completes an application for the *permit* on the forms as provided by the *Director*;
  - 11.1.2 Submits the application along with the applicable fees and charges as provided for in Schedule 'A' to this by-law; and,
  - 11.1.3 Provides any documentation, deposit or security as set out in Schedule 'B' to this by-law, or insurance certificates, as required by the *Director* as prerequisites and requirements for the issuance of the *permit*;
- 11.2 The issuance of a *permit* under this by-law does not relieve any person from the necessity of acquiring any other license or permit or complying with any other applicable laws, by-laws, regulations and requirements of other governmental authority;
- 11.3 A *permit* is the property of the *City* and is not transferable unless otherwise authorized by the *Director*;
- 11.4 A *permit* may be terminated at any time under the sole descretion of the *Director*;
- 11.5 Every applicant shall post with the *City* the required deposit or security, by way of cash, certified cheque, debit card, or letter of credit, in a form satisfactory to the *City*. The *City* does not accept payments for deposits or securities by credit card.

## **12.0 PERMIT CONDITIONS**

- 12.1 A *permit* holder shall comply or ensure compliance with all provisions and conditions of the *permit* and this By-law;
- 12.2 A permit holder shall provide and maintain a contact phone number that the *Director* or an *Officer* may reach the permit holder at all time;
- 12.3 Failure to comply with any provision or condition of a *permit* or this by-law may result in the revocation of the *permit* by the *Director*, in addition to any other enforcement proceedings against the *permit* holder as permitted by law;
- 12.4 The *permit* holder of a revoked *permit* shall immediately cease or ensure the immediate cessation of all the activities for which a *permit* has been issued upon revocation of the *permit* under subsection 12.3;
- 12.5 Every Permit holder and every owner and occupier of land shall forthwith rectify damaged conditions on a *highway*, on land or to municipal services and shall reinstate the *highway*, the land and the municipal services, as the case may be, to the satisfaction of the *Director*;

- 12.6 Every Permit holder and every owner and occupier of land shall provide all signs, barricades, traffic control devices, flag persons, and other persons and equipment required by the Director and in accordance with current provincial legislation;
- 12.7 Every Permit Holder shall maintain access to all private and public properties during any *highway* closure and occupancy;
- 12.8 When required by the Director Permit holder shall provide a Letter of Credit/ Security Deposit as required in Schedule 'B' to this By-law.

### **13.0 ENFORCEMENT**

- 13.1. *Municipal Law Enforcement Officers and York Regional Police Officers* are hereby authorized and empowered to enforce the provisions of this By-law;
- 13.2 No *person* shall hinder or obstruct, or attempt to hinder or obstruct, any *person* who is exercising a power or performing a duty under this by-law;
- 13.3 *Municipal Law Enforcement Officers* and *persons* under their direction may at any reasonable time enter onto any lands within the *City* to determine if the provisions of this by-law are being complied with or may enter onto to any lands within the *City* to carry out the remedial actions required to bring the property into conformity with the by-law;
- 13.4 require the production for inspection of documents or things relevant to the inspection, including the removal of the documents for the purposes of making copies or extracts;
- 13.5 require information from any person concerning a matter related to the inspection.

### **14.0 NOTICE OF OBSTRUCTION**

- 14.1 A *Municipal Law Enforcement Officer* may enter upon any *land* or *property* at any reasonable time with proper identification to determine if the *owner, contractor or permit holder* is complying with the provisions of this by-law and may take photographs of the *property's* and *highway's* condition;
- 14.2 Where a *highway* is not maintained in accordance with the requirements of this bylaw or a *permit* issued under this by-law:
  - 14.2.1 the *City* may serve the *owner, contractor, or permit holder* a *Notice of Obstruction* in writing directing the *owner, contractor, or permit holder* to bring the *highway* into conformance with the requirements of this by-law;
  - 14.2.2 the *owner, contractor, or permit holder* shall repair, remove or clean up all contraventions identified on the *Notice of Obstruction* within the time period specified.

### **15.0 NOTICE OF OBSTRUCTION – DELIVERY- WHEN DEEMED SERVED**

- 15.1 The *Notice of Obstruction* from the *City* may be:
  - 15.1.1 served personally upon the *owner, contractor, or permit holder*;

15.1.2 posted on site; or

15.1.3 mailed by regular mail or sent by email to the last known address of the *owner, contractor, or permit holder* according to the current assessment rolls;

15.2 If served by regular mail, a *Notice of Obstruction* under subsection 15.1.3. shall be deemed to have been served on the fifth day after mailing.

## **16.0 DISPOSING OF MATERIAL AND EQUIPMENT**

16.1 Any Landscape or Construction Material removed by the *City* from a *highway* under this By-law may be directly deposited onto the property from which the *obstruction* comes from, relates to, or was created for, or the material may be treated as refuse by the *City* or become property of the *City* which can be disposed of in any manner or used for any *City* purpose;

16.2 Any motorized equipment, containers, trailers, or motorized tools removed by the *City* may, at the discretion of the *Director*, be deposited at the property from which the *obstruction* comes from, relates to, or was created for, or be stored at a *City* facility for sixty (60) days at the owner's expense;

16.3 Any item in subsection 16.2 shall only be released to its owner after the owner has paid the *City* any applicable expense for the removal and storage of the item;

16.4 Any item in subsection 16.2 that is stored at a *City* facility for more than sixty (60) days and for which an owner has not been identified may be disposed of by the *City* in any manner that it deems appropriate;

16.5 Any item in subsection 16.2 that is stored at a *City* facility for more than sixty (60) days and for which the owner, having been notified, has failed to pay the applicable expenses and claim the item, may be disposed of pursuant to the provisions of the Repair Storage and Liens Act, R.S.O. 1990, c.R.25, as amended.

## **17.0 EXEMPTIONS**

17.1 Work occurring within the *highway* that has been authorized through Municipal Consent by the *City* through a *Municipal Access Agreements* shall be considered as having obtained a *road occupancy permit*. Persons having obtained such authorization shall abide by all requirements of the *road occupancy by-law* as if a separate road occupancy permit had been granted for construction or maintenance activities occurring on the highway;

17.2 Inspection, maintenance and repair work within the highway that is undertaken directly by *City* staff does not require a road occupancy permit. Activities shall however abide by all requirements of this by-law. Exemption does not extend to third party activities undertaken by the *City* through contracted services;

17.3 A *road occupancy permit* is not required for highways traveling through areas of the municipality not yet assumed by the *City* provided:

17.3.1 A subdivision is under the direct management and control of a developer or builder where municipal services are not yet provided by the *City* and;

17.3.2 The roadway has not been adopted as an established route for private or commercial vehicles as determined by the Director;

17.4 Subject to section 17.1 when any utility or their respective agent closes or occupies a *highway* or a portion of a *highway* as a result of an emergency, telephone notice shall be given immediately to the *City* and on the next working day application for a permit as required by this by-law shall be made.

## **18.0 REBUTTABLE PRESUMPTION**

18.1 An Owner or Occupant shall be presumed to have created, caused, allowed, permitted or continued a Road Obstruction that has occurred on the City property abutting Owner or Occupant's Property, which presumption may be rebutted by evidence to the contrary on a balance of probabilities

## **19.0 FEES AND CHARGES FOR RECOVERY OF COSTS OF ENFORCEMENT**

19.1 The City may impose a fee or charge upon any Person creating, causing, or permitting a contravention of this By-law where any Person has caused a contravention of the By-law;

19.1.1 The amount of said fee or charge shall be the amount of administrative costs, costs of enforcement and all other costs incurred by the City in accordance with City By-law 2012-137, as amended in responding to and addressing contraventions pursuant to this By-law;

19.1.2 Fees and charges imposed on a Person pursuant to this By-law constitute a debt of the Person to the City;

19.1.3 Where all the Owners of certain Property are responsible for paying certain fees and charges pursuant to this By-law, the City may add such fees and charges to the tax roll for the Property and collect them in the same manner as municipal taxes;

19.1.4 Fee schedule may be adjusted annually to reflect changes in the Consumer Price Index;

19.2 Where the City, its employees or authorized agents have performed the work required for compliance with this by-law, all expenses incurred by the City in doing the work as well as any related fees, shall be deemed to be a debt to the City and may be collected by action or the costs may be added to the tax roll for the property and collected in the same manner as taxes.

## **20.0 ADMINISTRATIVE PENALTIES**

20.1 Instead of laying a charge under the *Provincial Offences Act* for a breach of any provision of this By-law, an Order, a Work Order, or any other order issued pursuant this By-law, an Officer may issue an Administrative Penalty to the Person who has contravened this By-law;

20.2 The Officer has the discretion to either proceed by way of an Administrative Penalty or a charge laid under the *Provincial Offences Act*. If an Administrative Penalty is issued to a Person for the breach, no charge shall be laid against that same Person for the same breach;

- 20.3 The amount of the Administrative Penalty for a breach of a provision of this By-law, a Work Order or Order issued under this by-law is fixed as set out in By-Law No. 2016-84, A By-law to Implement an Administrative Monetary Penalty System for Non-Parking Offences, as amended, or any successor by-law;
- 20.4 A Person who is issued an Administrative Penalty shall be subject to the procedures as provided for in By-Law 2016-84, A By-law to Implement an Administrative Monetary Penalty System for Non-Parking Offences, as amended, or any successor by-law.

## **21.0 OFFENCES**

- 21.1 Every person who contravenes any of the provision of this by-law or fails to comply with a Notice of Obstruction or an Order issued under this by-law or who obstructs or attempts to obstruct an Officer or an employee or agent of the City in carrying out his or her duties under this By-law is guilty of an offence and is liable, upon conviction to a maximum fine as established pursuant to the Provincial Offences Act, R.S.O.,1990, c.P.33.

## **22.0 PENALTIES**

- 22.1 Pursuant to Section 429 of the *Municipal Act*, every Person who is guilty of an offence under this By-law shall be subject to the following penalties:

- 22.1.1 Upon a first conviction, to a fine of not less than \$500.00 and not more than \$50,000.00;
- 22.1.2 Upon a second or subsequent conviction for the same offence, to a fine of not less than \$500.00 and not more than \$100,000;
- 22.1.3 Upon conviction for a continuing offence, to a fine of not less than \$100.00 and not more than \$10,000 for each day or part of a day that the offence continues. The total of the daily fines may not exceed \$100,000.00;
- 22.1.4 Upon conviction for a Multiple Offence, for each offence included in the Multiple Offence, to a fine of not less than \$100.00 and not more than \$10,000. The total of all fines for each included offence is not limited to \$100,000;
- 22.1.5 Where a Person convicted of an offence is a corporation, the corporation is liable to a fine not less than \$500.00 and not more than \$100,000.00

## **23.0 COLLECTION OF UNPAID FINES**

- 23.1 Pursuant to Subsection 441.1 of the *Municipal Act*, the treasurer of a municipality may add any part of a fine for a commission of a provincial offence that is in default under Section 69 of the *Provincial Offences Act* to the tax roll for any property in the local municipality for which all of the owners are responsible for paying the fine, and collect it in the same manner as municipal taxes.

## **24.0 ADMINISTRATION AND INTERPRETATION**

- 24.1 The *Director* shall be responsible for the administration of this by-law;



24.2 Unless the context otherwise requires, words importing the singular shall include the plural, and words importing the masculine gender shall include the feminine;

24.3 The headings inserted in this by-law are for convenience only;

24.4 “Schedules ‘A’ and ‘B’ attached to this by-law shall form part of this by-law.  
(Amended by By-Law 2023-165)

**25.0 SEVERABILITY**

25.1 Notwithstanding that any section or sections of this by-law, or any part, or any part thereof, may be found by any court of law to be invalid or beyond the power of the Council to enact, such clause, Schedule or parts thereof shall be deemed to be severable, and all other clauses and Schedules of this by-law or parts thereof, are separate and independent therefrom and enacted as such.

**26.0 REPEAL**

25.1 By-law 2013-136 as amended, is hereby repealed.

**27.0 INTERPRETATION**

27.1 The provisions of the Legislative Act 2006, shall apply to this by-law.

**28.0 FORCE AND EFFECT**

28.1 This by-law shall come into force and effect on the date of enactment and passage.

Read a first, second and third time and passed on June 26, 2018.

"Kimberley Kitteringham"

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Kimberley Kitteringham  
City Clerk

"Frank Scarpitti"

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Frank Scarpitti  
Mayor

SCHEDULE ‘A’ TO BY-LAW 2018-109

ROAD OCCUPANCY FEE DESCRIPTIONS

FEE ITEM	TERM	CONDITIONS
<b>Road Occupancy</b>		
1. Minor work by resident	Day	5 day maximum i.e. bin, moving pod or minor landscaping materials storage on street
2. Road occupancy	Month	1 month minimum rounded to the next whole month
3. Full road closure	Day	In addition to road occupancy fee. Not applied to special events
4. Rush Fee	N/A	If permit required sooner than 5 business days
5. Encroachment on boulevard	m²/month	Where hoarding, covered walkways or other temporary structures extend onto public lands or for areas used to store materials, equipment or shelters
6. Encroachment on roadways	m²/month	Where the roadway is used to facilitate activities related to the development of adjacent lands i.e. loading/staging areas
7. Aerial crane trespass fee	Month	Where fixed crane booms extend over public lands
8. Construction access	N/A	Crossing boulevard where vehicular access is not intended for temporary access to construction site
9. Street signage modification	N/A	Temporary modification of existing street signage to accommodate construction activities. Fee to be the greater of minimum cost or actual costs incurred
10. Security Deposit (refundable)	N/A	Charged when activities have a likelihood of damaging public property or when road degradation fees will be levied. Based on value of assets at risk
11. Site Inspection (where security deposit is required)	Up to 2 inspections	To conduct pre and post inspection surveys where security deposits are required
12. Special Events (Charity)	N/A	Small community events
13. Special Events (minor)	N/A	Involving local roads only
14. Special Events (major)	N/A	Involving non local roads
<b>Road Surface Degradation</b>		
15. Pavement <2 years old	m²	Penalty for decreasing pavement service life when activities cut or bore surfaces or otherwise degrades surface. Minimum 12m² per degradation. City of Markham contracts and work done by Power Stream are exempt
16. Pavement between 2 & 4 years old	m²	
17. Pavement between 4 & 7 years old	m²	
18. Pavement between 7 & 10 years old	m²	
19. Pavement > 10 years old	m²	
<b>Excess Load</b>		
20. Single event	1 month Maximum	May be multiple loads generated from or arriving at a single destination, within a one month period
21. Annual	Annual	Annual fee to cover activities of a single company

<b>Curb &amp; Culvert Modifications</b>		
22. Curb Modification Application Fee	N/A	Charged per site
23. Curb Cutting (work within 15 business days)	m	Min. 4 m charge
24. Curb Cutting (work within 5 business days)	m	Min. 4 m charge
25. Curb Infill	m	Min. charge 2 m
26. Concrete sidewalk remove/replace	m <sup>2</sup>	Min. charge 4 m <sup>2</sup>
27. Asphalt repair	m <sup>2</sup>	Min. charge 4 m <sup>2</sup>
28. Culvert Modification Application Fee	N/A	Charged when culvert installation is undertaken by applicant
29. Culvert Installation 450mm dia. max	m	Per meter installed, up to 450mm dia. 4m min charge
* Charge to be adjusted annually to reflect tendered prices for contracted services being provided		
<b>Publication Dispensing Boxes</b>		
30. Per box for < 50 placed	Calendar	Annual fee for box placement
31. Per box where > 50 placed	Calendar	Annual fee for box placement
32. Device/location Inspection	New Application	Cost per location to assess new locations as proposed by applicant
Boulevard Trees (deleted – amended by By-Law 2023-165)		
<b>Boulevard Commercial Patios</b>		
33. New Application	N/A	Fee for initial review of application or in subsequent years when changes to a patio configuration are requested
34. Boulevard Patio- Renewal	Calendar	Annual fee to renew a permit that was active in the prior year when no changes to configuration are requested
35. Boulevard Patio- Encroachment Fee	Calendar per m <sup>2</sup>	Annual fee in addition to permit fee for each m <sup>2</sup> of public land occupied by the Patio
<b>Demolition</b>		
36. Demolition Fee	N/A	Operations Fee
37. Security Deposit	N/A	Minimum security deposit as per Item 10 above
<b>Miscellaneous</b>		
38. Banner Installation	N/A	
39. Street Cleaning - Sweeping	Hour	4 Hour Minimum
40. Street Cleaning - Flushing	Hour	4 Hour Minimum
41. Plan creation (discretionary)	Per Document	At the discretion of the Director, where an application is incomplete and it is in the City's interest to proceed with permit issue. Charge for each plan, drawing or document required to fulfil submission requirements

**SCHEDULE ‘B’ TO BY-LAW 2018-109**

**LETTER OF CREDIT/ SECURITY DEPOSIT**

**1. Letter of Credit/ Security Deposit**

Where activities may result in a deterioration of City assets, an irrevocable Letter of Credit/ Security Deposit in favour of the City shall be issued to cover 120% of the estimated cost for replacement of assets at risk for the anticipated duration of the project or minimum deposits of, whichever is higher:

- |     |  |             |
|-----|--|-------------|
| i.  | Minor work carried out by residents      | \$1,000.00  |
| ii. | Construction- duration less than a month | \$5,000.00  |
| iii | Construction- duration over a month      | \$10,000.00 |
- a) The Letter of Credit/ Security must remain in effect for the full duration of the permit. Any Letter of Credit/ Security Deposit and its subsequent renewal forms shall contain a clause stating that the thirty (30) days written notice must be given to the Director prior to its expiry or cancellation; and,
- b) In the event the Director receives notice that a Letter of Credit/ Security Deposit is expiring and will not be renewed, or, if further or additional securities are not provided within the said thirty (30) days, the Director may draw on the current Letter of Credit.

**2. Prior to the release or reduction of the Security Deposit, the Permit Holder shall:**

- a) Provide a proof satisfactory to the Director that the permitted area has been adequately reinstated in accordance with the requirements of the By-law; and,
- b) Request that the City carry out a final inspection to confirm that all relevant terms of this By-law have been complied with.

Schedules C and D (Deleted – amended by By-Law 2023-165)

City of Markham  
Ontario



By-law 2025-XX

A By-law to regulate the use, alteration, and Occupancy of Highways  
within the City of Markham.

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~~(Consolidated for convenience only to January 1, 2024)~~

(Schedule/Attachment Included)

~~Schedule A Updated—January 2019~~  
~~By Law 2023-165—December 13, 2023~~



# By-Law 2025-XX

*To amend By-law 2018-109 a By-law to regulate the use, alteration, and Occupancy of Highways within the City of Markham*

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

**AND WHEREAS** Section 9 of the Municipal Act, 2001, provides that a municipality has the capacity, rights, powers and privileges of a natural Person for the purpose of exercising its authority under the Municipal Act;

**AND WHEREAS** Section 11 (3) 1 of the Municipal Act, 2001, provides that a municipality may pass by-laws within the following spheres of jurisdiction: Highways, including parking and traffic on Highways;

**AND WHEREAS** Section 391(1) of the Municipal Act, 2001, provides that a municipality may pass by-laws imposing fees or charges on any Person for services or activities provided by the municipality or done on behalf of it;

**AND WHEREAS** Section 436 (1) of the Municipal Act, 2001, provides that a municipality may pass by-laws providing for the entry onto land at any reasonable time for the purpose of carrying out an inspection to determine compliance with a by-law;

**AND WHEREAS** section 429 (1) of the Municipal Act, 2001, provides that a municipality may establish a system of fines for a by-law passed under the Act;

**AND WHEREAS** section 434.1 of the Municipal Act, 2001 Act provides that a municipality may require a Person to pay an administrative penalty if the municipality is satisfied that a Person has failed to comply with a by-law of the municipality passed under the Municipal Act.

**AND WHEREAS** section 444 of the Municipal Act, 2001, provides that a municipality may make an order to require a Person to discontinue contravening a by-law and to do the work required to correct the contravention;

**AND WHEREAS** section 445 of the Municipal, 2001 provides that a municipality may make an order requiring the Person who contravened the by-law or who caused or permitted the contravention or the owner or occupier of the land on which the contravention occurred to do work to correct the contravention;

**AND WHEREAS** section 446 of the Municipal Act, 2001, provides that a municipality may proceed to do things at a Person’s expense which that Person is otherwise required to do under a by-law but has failed to do and the costs incurred by a municipality may be recovered by adding the costs to the tax roll and collecting them in the same manner as taxes;

~~AND WHEREAS The Council of The Corporation of the City of Markham desires to repeal and replace By laws 2013 136 as amended, with an updated Road Occupancy By-law.~~

**NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF MARKHAM ENACTS AS FOLLOWS:**

**1.0 SHORT TITLE**

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

**2.0 DEFINITIONS**

2.1 In this By-law:

~~**Boulevard** means the portion of the *highway* between a property line and the edge of the curb, or where there is no curb, that portion of the *highway* which is travelled or designed to be travelled by motor vehicles.~~

Boulevard means the portion of the highway located between the property line and the curb. Where there is no curb, it refers to the area between the property line and the edge of the roadway designed for motor vehicles. This area may include features such as sidewalks, Multi-Use Paths (MUPs), and cycle tracks.

**Boulevard Patio** means a designated area within a *boulevard* or *highway* associated with an abutting eating establishment where food and drink are offered for sale and/or consumed, no wider than the width of the eating establishment’s storefront.

**Banner** means a temporary sign made from cloth, plastic or a similar lightweight non-rigid material that is suspended on or along a Highway or suspended from a rigid arm fixed to a light pole.

**City** means The Corporation of the City of Markham.

**Construction** means anything done in the erection, installation, extension or material alteration, demolition, or repairs of a building or structure, utility or surface, grading of property and includes the installation of building units fabricated or moved from elsewhere and installation of an in-ground/on-ground swimming pool including the installation of a hot tub, above ground-pool or landscaping.

**Contractor** means any person alone or with others undertaking *construction* on a property or a highway.

**“Damage”** means harm or injury to the street, including without limitation, harm, injury, disturbance, cracking, gouging, rutting or displacement of or to the pavement, curb, boulevard, landscaping, retaining walls, street furniture or sidewalk resulting from the use of the street to access work such that, in the sole opinion of the Director, the street is not in its pre-construction condition.

(Amended by By-Law 2023-165)

**Device** means camera, publication dispensing box, traffic measuring equipment, environmental monitoring instrument, or other appurtenances and ancillary facility as determined by the director.

**Director** means the Director of Operations for the *City* or designate.

**Donation Bin** ~~shall~~ mean any receptacle used for the purpose of collecting donated items, including but not limited to clothing, appliances, and toys.

**Dumpster Bin** mean any large outdoor receptacle used for the purpose of collection and temporary storage of waste or recyclable contents of any type.

**Driveway** means a define stable surface that provides access for motor vehicles from

a street, a private street or a lane to a private garage, carport, parking pad or parking space on a lot containing residential uses, including the portion of the driveway upon a boulevard, which is referred to as the Driveway Apron.

**Emergency** means an unforeseen situation or an impending situation where immediate action must be taken to preserve the environment, public health, safety or an essential service.

**Encroachment** means any device, equipment, structure, object, banner, fence, construction material or landscaping placed or installed on, over, along, across, under or in a boulevard or highway, or any portion thereof by a person without the City's Road Occupancy Permit, but excluding any permitted device, equipment, structure, object, banner, fence or landscaping installed and maintained by the City.

~~**Highway** includes a common and public highway, street, avenue, parkway, lane, driveway, square, place, bridge, viaduct or trestle, including the area between the lateral property lines thereof and includes unopened and unassumed road allowances.~~

**Highway** includes a common and public highway, street, avenue, parkway, driveway, square, place, bridge, viaduct or trestle, any part of which is intended for or used by the general public for the passage of vehicles and includes the area between the lateral property lines thereof.

**Landscape or Construction Material** includes gravel, soil, sod, bricks, and paving stones, landscaping rocks, decorative features, structures, wooden planks and boards or any other materials, machineries, motorized equipment and trailers used in implementation of landscaping or construction.

**Landscaping** includes trees, shrubs, flowers, grass or other horticultural elements, decorative stonework, interlocking, screening, irrigation system, snow melting system, light post or other landscape-architectural elements or combination of these, all of which are designed to enhance the visual amenity of a property and shall not be used for the parking of motor vehicles or outdoor patios.

**Municipal Access Agreement** means an existing written agreement established between the City and a ~~person~~ utility company related to construction and maintenance of utilities infrastructure deemed to be essential under the CRTC, ~~Energy Act~~ or other provincial or federal legislation.

~~**Municipal Law Enforcement Officer ("Officer")** includes an employee of the City who has been appointed by Council to enforce the provisions of City by-laws **Notice of Obstruction** includes an order issued under this by-law.~~

**Municipal Law Enforcement Officer ("MLEO")** means any officers employed by the City in the appropriate business unit or department and appointed pursuant to the Community Safety and Policing Act, 2019, s. 55, Provincial Offences Act R.S.O. 1990, c.P.33, and Bylaw 2018-74.

**Multi-Use Path (MUP)** means a path with multiple users of different types including pedestrians, bicycles, and similar user types.

**Notice of Obstruction** includes an Order issued under this by-law.

**Obstruct(ion)** includes encumber, damage, encroachment, foul, or alteration.

**Occupant** means a lessee, tenant, mortgagee in possession or any other *person* who appears to have care and control of any property.

**Officer** means:

- (a) A Municipal Law Enforcement Officer of the City or other person(s) appointed by or under the authority of a City by-law to enforce City by-laws; or
- (b) A Municipal Police Officer (York Regional Police), Ontario Provincial Police or the Royal Canadian Mounted Police.



**Order** includes notice, work order, order to comply, and notice of obstruction.

**Over-Dimensional Vehicle** means any combination of vehicle and load having a width, length, height or weight in excess of limits provided for in the Highway Traffic Act or in contravention to By-law 2012-53 Spring Load Restrictions on Town Roads and By-law-2012-54 Year-Round Load Restriction on Town Roads.

**Owner** means a person having any right, title, interest or equity in land or property, or any such person's authorized representative or agent.

~~**Person** includes a corporation and its directors, officers and designates unless the context otherwise requires.~~

**Person** includes an individual, a sole proprietorship, a business entity, a corporation, a non-profit corporation, a registered charity, and their respective heirs, executors, administrators, assigns, or other appointed representatives.

**Publication** means a newspaper or other similar printed document which is published at regular intervals.

~~**Publication Dispensing Device**~~ **Box** means a container placed, installed, used or maintained for the dispensing of a single publication to the public either for financial consideration or free of charge.

~~**Publication Dispensing Unit** means a single container placed, installed, used or maintained for the dispensing of two or more publications of the same or different publishers to the public, either for financial consideration or free of charge.~~

~~**Road Occupancy Permit ("Permit")** includes a road occupancy permit and any other permit as required to undertake work on a highway.~~

**Road Occupancy Permit ("Permit")** means a permit required for the temporary use or occupation of any portion of the highway or boulevard, or for undertaking any type of work on a highway or boulevard. This permit is inclusive of Curb Modification Permit, Culvert Modification Permit and Excess Load Permit.

**Road Closure** means temporary full closure of a highway for an approved duration.

**Street Furniture** includes benches, garbage containers, hand rails, tables, signs, posts, lighting infrastructure or any other above ground appurtenance that is owned and used for public purpose.

**Winter Maintenance Season** means the period of time annually between November 1 and April 15.

### 3.0 GENERAL PROVISIONS

- 3.1 No Person shall alter, *obstruct, damage*, or engage in any activities which may result in the alteration, *obstruction*, encroachment or *damage* of any *highway* without first having obtained a *Road Occupancy Permit*;
- 3.2 "No person shall undertake construction on land abutting ~~on~~ to a highway which may affect the drainage of the highway, or require alteration of street furniture without first having obtained a Road Occupancy Permit;"  
(Amended by By-Law 2023-165)
- 3.3 No Person shall fail to comply with a *Notice of Obstruction* or an Order issued pursuant to this by-law;
- 3.4 Without limiting the generality of subsection 3.1, no *person* shall alter, *obstruct* or *damage*, or cause or permit the use, alteration, *obstruction*, encroachment or *damage* of any *highway* by any of the following:
- 3.4.1 the depositing, throwing, spilling or tracking or cause or permit the depositing, throwing, spilling or tracking of any material, waste or soil

onto any *highway*;

- 3.4.2 the depositing of snow or ice on travelled portion of the *highway* or onto a *boulevard* not contiguous with the property from the snow was moved from;
- 3.4.3 the placement of any snow or ice, or any materials or equipment, or any structures within 1.2m, in any direction of a fire hydrant;
- 3.4.4 the placement of leaves, grass clippings, and debris from private property to the portions of the *highway* normally used for pedestrian or vehicular traffic;
- 3.4.5 the landscaping or altering of the grade on any *boulevard* without having first obtained a *Road Occupancy Permit*, pursuant to this by-law;
- 3.4.6 the parking of equipment, motorized equipment other than motorized equipment permitted and licensed under the regulations of the Ministry of Transportation of Ontario, containers, trailers, or any *Landscape or Construction Material* on a *highway* without having obtained a *Road Occupancy Permit*;
- 3.4.7 the cutting, altering, extending, in any manner whatsoever of a portion of highway, boulevard, concrete curb, driveway open or contained culvert, culvert overpass, or similar structure or landscape without having obtained a *Road Occupancy Permit*;
- 3.4.8 the allowance of a crane boom or any portion of a stationary tower crane to travel over, hoist, or otherwise occupy the space above a *highway* or any part thereof without having obtained a *Road Occupancy Permit*;
- 3.4.9 “the excavation, ~~or~~ damage or encroachment to any portion of a highway, including sod, street furniture, light poles, street signs, or other objects within the highway without having obtained a *Road Occupancy Permit*;

(Amended by By-Law 2023-165)

- 3.4.10 the placement of donation bins, dumpster bins, landscape or construction material, moving containers, device and banner on a *highway*;
- 3.4.11 the placing or depositing of sporting equipment, including but not limited to basketball nets, hockey nets, skateboard ramps and bicycle ramps, children’s play structures on a *highway*;
- 3.4.12 Place, ~~or~~ move, alter any *street furniture* or affix device(s) on any street furniture on a highway without having obtained a *Road Occupancy Permit*;
- 3.4.13 allow the discharge of irrigation systems onto a sidewalk or the travelled portion of a *highway*;
- 3.5.4.14 No person shall use ~~of~~ or occupy a *highway* for the purpose of the sale, or offering to sale, of any goods and services, without having obtained a *Road Occupancy Permit*;
- 3.5.4.15 No person shall use or occupy a *highway* for the purposes of the sale of event tickets.

3.4.16 Enter an area within a highway or a portion of highway that has been closed to the public for construction, maintenance, emergency or other similar purposes;

3.4.17 move or remove a barricade, street sign, traffic sign or traffic control

devices, within a highway.

#### **4.0 USE OF A BOULEVARD**

4.1 No person shall in relation to a *boulevard*:

- 4.1.1 create or establish vehicle or trailer access to a property across a *boulevard* without approval of the *Director or his or her designate*;
- 4.1.2 modify the curb, construct or widen a driveway apron crossing the *boulevard* at width greater than the allowable depressed curb ~~cut~~ at the road edge and greater than the width of the driveway, as permitted under the applicable Comprehensive Zoning By-law and Curb cut Modification Standard Policy;
- 4.1.3 modify the ditch or culvert and construct or widen a driveway apron crossing the culvert and ditch to a width greater than the existing culvert, as permitted under the Culvert/Ditch Modification Policy;
- 4.1.4 item 4.1.2 and 4.1.3 above shall apply to driveways on rural roads with ditches, with the driveway width determined at the ditch centreline;
- 4.1.5 construct a raised curb or similar obstruction within 45cm of a sidewalk, Multiple Use Path (MUP) and cycle track;
- 4.1.6 construct, install, or place any fence, post, light post, irrigation components, snow melting equipment, rock(s), and decorative retaining wall, landscaping or modify on a boulevard sod to different material or enhance driveway apron surface material on a boulevard to a non-standard material that are not permitted and approved by the City;
- ~~4.1.6 construct, install, or place any snow melting system/equipment on a boulevard without first obtaining an encroachment agreement with the City;~~
- 4.1.7 erect or maintain, without permission of the *City*, any projections of any kind beyond the main wall of buildings, if such projections will encroach upon a *highway* and without restricting the generality of the foregoing, projections include air conditioners, cornices, eaves, awnings, containers, awning covers, sills, brackets and other similar obstructions extending beyond the main walls of a building.

4.2 No Person shall fail to comply with provisions as set out in By-law 2024-50 Keep Markham Beautiful (Maintenance).

**Section 5.0 to 5.4 (BOULEVARD TREES) repealed by By-law 2023-164.**

(Amended by By-Law 2023-165)

#### **6.0 BOULEVARD PATIOS**

6.1 No person shall in relation to a Boulevard Patio:

- 6.1.1 place, permit, install, operate or maintain a Boulevard Patio on a highway without having obtained a Road Occupancy Permit pursuant to this by-law and related policies;
- 6.1.2 place, permit, install, operate or maintain on a highway within the City a Boulevard Patio at a location that is not approved by the Director or installed in a manner that is not in conformity with the requirements established by the Director;
- 6.1.3 place, permit, install, operate or maintain on a highway within the City a Boulevard Patio that is not in conformity with the

Comprehensive Zoning by-law or the size, dimension and other technical or physical requirements established by the Director;

- 6.1.4 place, permit, install, operate or maintain on a highway within the City a Boulevard Patio that is not maintained in accordance with the maintenance requirements established by the Director;
- 6.1.5 place, permit, install, operate on a highway within the City a Boulevard Patio in contravention of the terms and conditions of the Road Occupancy Permit and requirements established by the Director;
- 6.1.6 place, permit, install, operate or maintain on a highway within the City a Boulevard Patio prior to April 1<sup>st</sup>- 15th each year and use or maintain a Boulevard Patio past October 31st each year;
- 6.1.7 place, permit, install or allow the encroachment of any furniture, umbrella, post or any other equipment within a Boulevard Patio past the approved barriers or the area of encroachment as established by the Director;
- 6.2 A Boulevard Patio may be removed from a highway by the City in accordance with by-law provisions where:
  - 6.2.1 the placement, installation and maintenance of a Boulevard Patio does not comply with all requirements, terms and conditions contained in a Road Occupancy Permit, this by-law, Comprehensive Zoning by-law, Ontario Traffic Council Patio Guidelines, Ontario Traffic Manual (OTM) Book 7, Accessibility for Ontarians with Disabilities Act (AODA), Ontario Heritage Act or any policy established by the Director regulating Boulevard Patios and a Road Occupancy Permit and the non compliance is not cured by the permit holder within forty-eight (48) hours of the City advising the permit holder of such non-compliance;
- 6.3 The Director may, at the sole expense of the applicant, and in accordance with the Comprehensive Zoning By-law or a policy established by the Director regulating Boulevard Patios, require the temporary relocation of a Boulevard Patio, or suspension or revocation of a permit if such temporary relocation of a Boulevard Permit or suspension or revocation of a Road ~~Occupation~~ Occupancy Permit is necessary for:
  - 6.3.1 the interests of pedestrian, cyclist, vehicular or public safety;
  - 6.3.2 to accommodate a special event; or
  - 6.3.3 to accommodate the construction, maintenance or repair of a highway, transit facilities or a public utility or service.

## **7.0 PLACEMENT OF DEVICES WITHIN HIGHWAY ~~PUBLICATION DISPENSING DEVICES~~**

- ~~7.1 No person shall place, maintain or operate a public dispensing device or unit without having obtained a road occupancy permit;~~

7.1 No person shall place, affix, maintain, or operate device(s), banner or other ancillary facilities within highway without obtaining a Road Occupancy Permit; except for agencies approved by the City and subject to the discretion of director. The approved agencies are still required to comply with the permit application process.

- ~~7.2 The placement, maintenance and operation of *publication dispensing devices* shall be in accordance with Publication Dispensing Box Policy;~~

7.2 The placement, maintenance and operation of device(s) shall be in accordance with policies established by the director, as amended.

## 8.0 OVER-DIMENSIONAL VEHICLES

8.1 No *person* shall operate an *over-dimensional vehicle* on any *City highway* without having obtained a *Road Occupancy Permit*.

## 9.0 REMOVAL OF HIGHWAY OBSTRUCTION

9.1 If an *Officer* determines that an *obstruction* of a *highway* exists, the *Officer* may issue a *Notice of Obstruction* requiring the *owner, occupant* and/or *contractor* of the property from which the *obstruction* comes from, relates to, or was created for, to discontinue causing the *obstruction* and to remove the *obstruction* and repair, as necessary, at the expense of the *owner, occupant* and/or *contractor* so that the *highway* is brought back to its former condition prior to the *obstruction*;

9.2 Where the *Notice of Obstruction* described in subsection 9.1 is not complied with within the time period stipulated therein, the *City* may remove the *obstruction* and repair, as necessary, the *highway* and all the costs incurred by the *City* in undertaking this work shall be ~~expenses~~ owed to the *City* by the *owner, occupant* and/or *contractor* of property from which the *obstruction* comes from, relates to, or was created for.

## 10.0 REMOVAL OF HAZARDOUS CONDITION

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

## 11.0 ROAD OCCUPANCY PERMITS- ADMINISTRATION

11.1 A *person* may apply for a *permit* under this by-law if the *person*:

11.1.1 completes an application for the *permit* on the forms as provided by the *Director*;

11.1.2 Submits the application along with the applicable fees and charges as provided for in Schedule 'A' to this by-law By-law 2012-137 Licensing, Permit and Service Fees;

11.1.3 Provides any documentation, deposit or security as set out in Schedule 'B' to this by-law, or insurance certificates, as required by the *Director* as prerequisites and requirements for the issuance of the *permit*;

11.2 The issuance of a *permit* under this by-law does not relieve any person from the necessity of acquiring any other license or permit or complying with any other applicable laws, by-laws, regulations and requirements of other governmental authority;

11.3 A *permit* is the property of the *City* and is not transferable unless otherwise authorized by the *Director*;

11.4 A *permit* may be terminated at any time under the sole descretion of the *Director*;

11.5 Every applicant shall post with the *City* the required deposit or security, by way of ~~cash, certified cheque, debit card, or~~ letter of credit only, in a form



satisfactory to the *City*. The *City* does not accept payments for deposits or securities by credit card.

## 12.0 PERMIT CONDITIONS

- 12.1 A *permit* holder shall comply or ensure compliance with all provisions and conditions of the *permit* and this By-law and other related Acts, By-laws and policies;
- 12.2 A permit holder shall provide and maintain a contact phone number and email address that the *Director* or an *Officer* may reach the permit holder at all time;
- 12.3 Failure to comply with any provision or condition of a *permit* or this by-law and related policies may result in the revocation of the *permit* by the *Director*, in addition to any other enforcement proceedings against the *permit* holder as permitted by law;
- 12.4 The *permit* holder of a revoked *permit* shall immediately cease or ensure the immediate cessation of all the activities for which a *permit* has been issued upon revocation of the *permit* under subsection 12.3;
- 12.5 Every Permit holder and every owner and occupier of land shall forthwith rectify damaged conditions on a *highway*, on land or to municipal services and shall reinstate the *highway*, the land and the municipal services, as the case may be, to the satisfaction of the *Director*;
- 12.6 Every Permit holder and every owner and occupier of land shall provide all signs, barricades, traffic control devices, flag persons, paid duty officers and other persons and equipment required by the Director and in accordance with current provincial legislation;
- 12.7 Every Permit Holder shall maintain access to all private and public properties during any *highway* closure and occupancy;
- 12.8 No permit holder, owner or occupier shall fail to seek a time extension of a permit from the director minimum two weeks prior to the permit expiry date as specified in the Road Occupancy Permit. When seeking a time extension of a permit, the permit holder, owner or occupier shall state the reason for the time extension.
- 12.9 When required by the Director, ~~P~~permit holder shall provide a Letter of Credit/ Security Deposit as required in Schedule 'B' to this By-law.
- 12.10 During Winter Maintenance Season, the director at his/her sole discretion may restrict construction activities within highway and/or require special conditions to be satisfied for permitting any type of works on a highway.

## 13.0 ENFORCEMENT

- 13.1. ~~Municipal Law Enforcement Officers and York Regional Police Officers~~ Officers are hereby authorized and empowered to enforce the provisions of this By-law;
- 13.2 No *person* shall hinder or obstruct, or attempt to hinder or obstruct, any *person* who is exercising a power or performing a duty under this by-law;
- 13.3 ~~Municipal Law Enforcement Officers~~ Officers and *persons* under their direction may at any reasonable time enter onto any lands within the *City* to determine if the provisions of this by-law are being complied with or may enter onto ~~to~~ any lands within the *City* to carry out the remedial actions required to bring the property into conformity with the by-law;
- 13.4 require the production for inspection of documents or things relevant to the

inspection, including the removal of the documents for the purposes of making copies or extracts;

13.5 require information from any person concerning a matter related to the inspection.

#### **14.0 NOTICE OF OBSTRUCTION**

14.1 A ~~Municipal Law Enforcement Officer~~ Officer may enter upon any *land* or *property* at any reasonable time with proper identification to determine if the *owner, contractor or permit holder* is complying with the provisions of this by-law and may take photographs of the *property's* and *highway's* condition;

14.2 Where a *highway* is not maintained in accordance with the requirements of this bylaw or a *permit* issued under this by-law:

14.2.1 the *City* may serve the *owner, contractor, or permit holder* a *Notice of Obstruction* in writing directing the *owner, contractor, or permit holder* to bring the *highway* into conformance with the requirements of this by-law;

14.2.2 the *owner, contractor, or permit holder* shall repair, remove or clean up all contraventions identified on the *Notice of Obstruction* within the time period specified.

#### **15.0 NOTICE OF OBSTRUCTION – DELIVERY- WHEN DEEMED SERVED**

15.1 The *Notice of Obstruction* from the *City* may be:

15.1.1 served personally upon the *owner, occupier, contractor, or permit holder*;

15.1.2 posted on site; or

15.1.3 mailed by regular mail or sent by email to the last known address of the *owner, occupier, contractor, or permit holder* according to the current assessment rolls;

15.2 If served by regular mail, a *Notice of Obstruction* under subsection 15.1.3. shall be deemed to have been served on the fifth day after mailing.

#### **16.0 DISPOSING OF MATERIAL AND EQUIPMENT**

16.1 Any Landscape or Construction Material or encroachment removed by the *City* from a *highway or boulevard* under this By-law may be directly deposited onto the property from which the *obstruction* comes from, relates to, or was created for, or the material may be treated as refuse by the *City* or become property of the *City* which can be disposed of in any manner or used for any *City* purpose;

16.2 Any motorized equipment, containers, trailers, or motorized tools removed by the *City* may, at the discretion of the *Director*, be deposited at the property from which the *obstruction* comes from, relates to, or was created for, or be stored at a *City's* facility for sixty (60) days at the owner's expense;

16.3 Any item in subsection 16.2 shall only be released to its owner after the owner has paid the *City* any applicable expense for the removal and storage of the item;

16.4 Any item in subsection 16.2 that is stored at a *City's* facility for more than sixty (60) days and for which an owner has not been identified may be disposed of by the *City* in any manner that it deems appropriate;

16.5 Any item in subsection 16.2 that is stored at a *City's* facility for more than sixty

(60) days and for which the owner, having been notified, has failed to pay the applicable expenses and claim the item, may be disposed of pursuant to the provisions of the Repair Storage and Liens Act, R.S.O. 1990, c.R.25, as amended.

## 17.0 EXEMPTIONS

17.1 ~~Work occurring within the highway that has been authorized through Municipal Consent by the City through a *Municipal Access Agreements* shall be considered as having obtained a *road occupancy permit*. Persons having obtained such authorization shall abide by all requirements of the *road occupancy by law* as if a separate road occupancy permit had been granted for construction or maintenance activities occurring on the highway;~~

17.1 Utility work occurring within the highway (but not requiring full road closure) that has been authorized through a Municipal Consent Permit by the City through a Municipal Access Agreements shall be considered as having obtained a Road Occupancy Permit unless Municipal Access Agreement provides otherwise. For works requiring a full road closure, the person shall obtain a separate Road Occupancy Permit for road closure. Persons having obtained such authorization shall abide by all requirements of the road occupancy by-law as if a separate Road Occupancy Permit had been granted for construction or maintenance activities occurring on the highway;

17.2 Inspection, maintenance and repair work within the highway that is undertaken directly by City staff does not require a road occupancy permit. Activities shall however abide by all requirements of this by-law. ~~Exemption does not extend to third party activities undertaken by the City through contracted services;~~

17.3 The City's contractors are obligated to obtain a Road Occupancy Permit. However, the director under this by-law may grant an annual blanket Road Occupancy Permit subject to an annual fee for the City's regular operations and maintenance projects undertaken through the City's contractors.

17.4 A *road occupancy permit* is not required for highways traveling through areas of the municipality not yet assumed by the City provided:

17.4.1 A subdivision is under the direct management and control of a developer or builder where municipal services are not yet provided by the City and;

17.4.2 The roadway has not been adopted as an established route for private or commercial vehicles as determined by the Director;

17.5 Subject to section 17.1 when any utility or their respective agent closes or occupies a *highway* or a portion of a *highway* as a result of an emergency, telephone notice shall be given immediately to the *City* and on the next working day application for a permit as required by this by-law shall be made.

## 18.0 REBUTTABLE PRESUMPTION

18.1 An Owner or Occupant shall be presumed to have created, caused, allowed, permitted or continued a Road Obstruction that has occurred on the City's property abutting to the Owner or Occupant's Property, which presumption may be rebutted by evidence to the contrary on a balance of probabilities.

## 19.0 FEES AND CHARGES FOR RECOVERY OF COSTS OF ENFORCEMENT



- 19.1 The City may impose a fee or charge upon any Person creating, causing, or permitting a contravention of this By-law where any Person has caused a contravention of the By-law;
- 19.1.1 The amount of said fee or charge shall be the amount of administrative costs, costs of enforcement and all other costs incurred by the City in accordance with City By-law 2012-137, as amended in responding to and addressing contraventions pursuant to this By-law;
- 19.1.2 Fees and charges imposed on a Person pursuant to this By-law constitute a debt of the Person to the City;
- 19.1.3 Where ~~all~~ the Owner(s) of a certain Property are responsible for paying certain fees and charges pursuant to this By-law, the City may add such fees and charges to the tax roll for the Property and collect them in the same manner as municipal taxes;
- ~~19.1.4 Fee schedule may be adjusted annually to reflect changes in the Consumer Price Index;~~
- 19.2 Where the City, its employees or authorized agents have performed the work required for compliance with this by-law, all expenses incurred by the City in doing the work as well as any related fees, shall be deemed to be a debt to the City and may be collected by ~~action or the costs may~~ being added to the tax roll for the property and collected in the same manner as taxes.
- 19.3 The director under this by-law may authorize to waive permit application processing fees and allow fee exemptions for Post Secondary Institutes located in Markham, York Regional Police (YRP), Ontario Provincial Police (OPP), Royal Canadian Mounted Police (RCMP) or government agencies as approved by the director.

## 20.0 ADMINISTRATIVE PENALTIES

- 20.1 Instead of laying a charge under the *Provincial Offences Act*, R.S.O. 1990, c.P.33 for a breach of any provision of this By-law, an Order, a Work Order, or any other order issued pursuant ~~to~~ this By-law, an Officer may issue an Administrative Penalty to the Person who has contravened this By-law;
- 20.2 The Officer has the discretion to either proceed by way of an Administrative Penalty or a charge laid under the *Provincial Offences Act*, R.S.O. 1990, c.P.33. If an Administrative Penalty is issued to a Person for the breach, no charge shall be laid against that same Person for the same breach;
- 20.3 The amount of the Administrative Penalty for a breach of a provision of this By-law, a Work Order or Order issued under this by-law is fixed as set out in ~~By-Law No. 2016-84, A By-law to Implement an Administrative Monetary Penalty System for Non-Parking Offences, as amended, or any successor by-law~~ 2024-137, as amended, A By-law to establish an Administrative Monetary Penalty System (AMPS) for Contraventions of Designated By-laws in the City of Markham.;
- 20.4 A Person who is issued an Administrative Penalty shall be subject to the procedures as provided for in ~~By-Law 2016-84, A By-law to Implement an Administrative Monetary Penalty System for Non-Parking Offences, as amended,~~ 2024-137, as amended, A By-law to establish an Administrative Monetary Penalty System (AMPS) for Contraventions of Designated By-laws in the City of Markham or any successor by-law.

## 21.0 OFFENCES

~~21.1 Every person who contravenes any of the provision of this by-law or fails to comply with a Notice of Obstruction or an Order issued under this by-law or who obstructs or attempts to obstruct an Officer or an employee or agent of the City in carrying out his or her duties under this By-law is guilty of an offence and is liable, upon conviction to a maximum fine as established pursuant to the Provincial Offences Act, R.S.O., 1990, c.P.33.~~

21.1 Every person who contravenes any of the provisions of this by-law or fails to comply with a Notice of Obstruction or an order issued under this by-law or who obstructs or attempts to obstruct an officer or an employee or agent of the City in carrying out his or her duties under this By-law is guilty of an offence and is liable to a fine as established pursuant to the Provincial Offences Act, R.S.O., 1990, c.P.33, or committed a contravention and responsible to pay an administrative monetary penalty pursuant to By-Law No. 2024-137, A By-law to establish an Administrative Monetary Penalty System (AMPS) for Contraventions of Designated By-laws in the City of Markham.

## **22.0 PENALTIES**

22.1 Pursuant to Section 429 of the *Municipal Act*, every Person who is guilty of an offence under this By-law shall be subject to the following penalties:

22.1.1 Upon a first conviction, to a fine of not less than \$500.00 and not more than \$50,000.00;

22.1.2 Upon a second or subsequent conviction for the same offence, to a fine of not less than \$500.00 and not more than \$100,000;

22.1.3 Upon conviction for a continuing offence, to a fine of not less than \$100.00 and not more than \$10,000 for each day or part of a day that the offence continues. The total of the daily fines may not exceed \$100,000.00;

22.1.4 Upon conviction for a Multiple Offence, for each offence included in the Multiple Offence, to a fine of not less than \$100.00 and not more than \$10,000. The total of all fines for each included offence is not limited to \$100,000;

22.1.5 Where a Person convicted of an offence is a corporation, the corporation is liable to a fine not less than \$500.00 and not more than \$100,000.00.

## **23.0 COLLECTION OF UNPAID FINES**

23.1 Pursuant to Subsection 441.1 of the *Municipal Act*, the treasurer of a municipality may add any part of a fine for a commission of a provincial offence that is in default under Section 69 of the *Provincial Offences Act*, R.S.O. 1990, c.P.33 to the tax roll for any property in the local municipality for which all of the owners are responsible for paying the fine, and collect it in the same manner as municipal taxes.

23.2 An Administrative Penalty that is not paid within fifteen (15) days after the day it becomes due and payable constitutes a debt of the person to the City and may be added to the tax roll and collected in the same manner as municipal taxes.

## **24.0 ADMINISTRATION AND INTERPRETATION**

24.1 The *Director* shall be responsible for the administration of this by-law;

- 24.2 Unless the context otherwise requires, words importing the singular shall include the plural, and words importing the masculine gender shall include the feminine;
- 24.3 The headings inserted in this by-law are for convenience only;
- 24.4 ~~“Schedules ‘A’ and ‘B’~~ attached to this by-law shall form part of this by-law.  
(Amended by By-Law 2023-165)

**25.0 SEVERABILITY**

- 25.1 Notwithstanding that any section or sections of this by-law, or any part, or any part thereof, may be found by any court of law to be invalid or beyond the power of the Council to enact, such clause, Schedule or parts thereof shall be deemed to be severable, and all other clauses and Schedules of this by-law or parts thereof, are separate and independent therefrom and enacted as such.

**~~26.0 REPEAL~~**

~~25.1 By law 2013-136 as amended, is hereby repealed.~~

**27.0 INTERPRETATION**

- 27.1 The provisions of the Legislative Act 2006, shall apply to this by-law.

**28.0 FORCE AND EFFECT**

~~28.1 This by-law shall come into force and effect on the date of enactment and passage.~~

Read a first, second and third time and passed on June XX, 2025.

"Kimberley Kitteringham"

\_\_\_\_\_  
Kimberley Kitteringham  
City Clerk

"Frank Scarpitti"

\_\_\_\_\_  
Frank Scarpitti  
Mayor

SCHEDULE ‘A’ TO BY-LAW 2018-109

ROAD OCCUPANCY FEE DESCRIPTIONS

FEE ITEM	TERM	CONDITIONS
<b>Road Occupancy</b>		
1. Minor work by resident	Day	5-day maximum i.e. bin, moving-pod or minor landscaping-materials storage on street
2. Road occupancy	Month	1 month minimum rounded to the next whole month
3. Full road closure	Day	In addition to road occupancy fee. Not applied to special-events
4. Rush Fee	N/A	If permit required sooner than 5-business days
5. Encroachment on boulevard	m²/month	Where hoarding, covered-walkways or other temporary-structures extend onto public-lands or for areas used to store-materials, equipment or shelters
6. Encroachment on roadways	m²/month	Where the roadway is used to-facilitate activities related to the-development of adjacent lands i.e. loading/staging areas
7. Aerial crane trespass fee	Month	Where fixed crane booms-extend over public lands
8. Construction access	N/A	Crossing boulevard where-vehicular access is not intended-for temporary access to construction site
9. Street signage modification	N/A	Temporary modification of-existing street signage to-accommodate construction-activities. Fee to be the greater of minimum cost or actual costs-incurred
10. Security Deposit (refundable)	N/A	Charged when activities have a-likelihood of damaging public-property or when road-degradation fees will be levied. Based on value of assets at risk
11. Site Inspection (where security-deposit is required)	Up to 2-inspections	To conduct pre and post-inspection surveys where-security deposits are required
12. Special Events (Charity)	N/A	Small community events
13. Special Events (minor)	N/A	Involving local roads only
14. Special Events (major)	N/A	Involving non local roads
<b>Road Surface Degradation</b>		
15. Pavement <2 years old	m²	Penalty for decreasing pavement-service life when activities cut or-bore surfaces or otherwise degrades-surface. Minimum 12m² per-degradation. City of Markham contracts and work done by Power-Stream are exempt
16. Pavement between 2 & 4 years old	m²	
17. Pavement between 4 & 7 years old	m²	
18. Pavement between 7 & 10 years old	m²	
19. Pavement > 10 years old	m²	
<b>Excess Load</b>		

20. Single event	1 month- Maximum	May be multiple loads generated from or arriving at a single destination, within a one month-period
21. Annual	Annual	Annual fee to cover activities of a single company

<b><i>Curb &amp; Culvert Modifications</i></b>		
22. Curb Modification Application Fee	N/A	Charged per site
23. Curb Cutting (work within 15-business days)	m	Min. 4 m charge
24. Curb Cutting (work within 5 business-days)	m	Min. 4 m charge
25. Curb Infill	m	Min. charge 2 m
26. Concrete sidewalk remove/replace	m <sup>2</sup>	Min. charge 4 m <sup>2</sup>
27. Asphalt repair	m <sup>2</sup>	Min. charge 4 m <sup>2</sup>
28. Culvert Modification Application Fee	N/A	Charged when culvert installation is undertaken by applicant
29. Culvert Installation 450mm dia. max	m	Per meter installed, up to 450mm dia. 4m min charge
* Charge to be adjusted annually to reflect tendered prices for contracted services being provided		
<b><i>Publication Dispensing Boxes</i></b>		
30. Per box for < 50 placed	Calendar	Annual fee for box placement
31. Per box where > 50 placed	Calendar	Annual fee for box placement
32. Device/location Inspection	New-Application	Cost per location to assess new-locations as proposed by applicant
<del>Boulevard Trees (deleted — amended by By-Law 2023-165)</del>		
<b><i>Boulevard Commercial Patios</i></b>		
33. New Application	N/A	Fee for initial review of application or in subsequent years when changes to a patio configuration are requested
34. Boulevard Patio Renewal	Calendar	Annual fee to renew a permit that was active in the prior year when no changes to configuration are requested
35. Boulevard Patio Encroachment Fee	Calendar per m <sup>2</sup>	Annual fee in addition to permit fee for each m <sup>2</sup> of public land occupied by the Patio
<b><i>Demolition</i></b>		
36. Demolition Fee	N/A	Operations Fee
37. Security Deposit	N/A	Minimum security deposit as per Item 10 above
<b><i>Miscellaneous</i></b>		
38. Banner Installation	N/A	
39. Street Cleaning – Sweeping	Hour	4 Hour Minimum
40. Street Cleaning – Flushing	Hour	4 Hour Minimum
41. Plan creation (discretionary)	Per Document	At the discretion of the Director, where an application is incomplete and it is in the City’s interest to proceed with permit issue. Charge for each plan, drawing or document required to fulfil submission requirements

SCHEDULE ‘B’ TO BY-LAW 2018-109

LETTER OF CREDIT/ SECURITY DEPOSIT

1. Letter of Credit/ Security Deposit

Where activities may result in a deterioration of City assets, an irrevocable Letter of Credit/ Security Deposit in favour of the City shall be issued to cover 120% of the estimated cost for replacement of assets at risk for the anticipated duration of the project or minimum deposits of **\$5,000**, whichever is higher:

<del>i.</del>	<del>Minor work carried out by residents</del>	<del>\$1,000.00</del>
<del>ii.</del>	<del>Construction—duration less than a month</del>	<del>\$5,000.00</del>
<del>iii.</del>	<del>Construction—duration over a month</del>	<del>\$10,000.00</del>

- a) The Letter of Credit/ Security must remain in effect for the full duration of the permit. Any Letter of Credit/ Security Deposit and its subsequent renewal forms shall contain a clause stating that the thirty (30) days written notice must be given to the Director prior to its expiry or cancellation; and,
- b) In the event the Director receives notice that a Letter of Credit/ Security Deposit is expiring and will not be renewed, or, if further or additional securities are not provided within the said thirty (30) days, the Director may draw on the current Letter of Credit.

2. Prior to the release or reduction of the Security Deposit, the Permit Holder shall:

- a) Provide a proof satisfactory to the Director that the permitted area has been adequately reinstated in accordance with the requirements of the By-law; and,
- b) Request that the City carry out a final inspection to confirm that all relevant terms of this By-law have been complied with.

Schedules C and D (Deleted – amended by By-Law 2023-165)



Report to: General Committee

Meeting Date: June 17, 2025

**SUBJECT:** Preparing for the Transition of Markham's Blue Box Program on January 1, 2026 (Service Impacts)

**PREPARED BY:** Dave Douglas, Manager, Waste & Environmental Management (x 2395)  
Michael DiPasquale, Supervisor of Waste Operations, Waste & Environmental Management (x 3710)

**RECOMMENDATION:**

1. THAT the report entitled "Preparing for the Transition of Markham's Blue Box Program on January 1, 2026 (Service Impacts)" be received; and
2. THAT the City discontinue the community mailbox recycling program in 2025; and
3. THAT Staff report back to Council in the Fall with a further blue box program transition update;
4. AND THAT Staff be authorized and directed to do all things necessary to give effect to this resolution.

**PURPOSE:**

To update Council on the City's preparations for the provincially mandated transition of the blue box recycling program to full producer responsibility by January 1, 2026. This report outlines anticipated service impacts and describes how the transition will be managed to ensure service continuity for residents. The report is being brought forward now to provide Council with the most current information available to Staff, acknowledging that many aspects of the transition remain dynamic and outside the City's direct control. Staff intend to provide a breakdown of the financial impacts related to the blue box transition to Council in the Fall.

**BACKGROUND:**

In June 2021, the Province enacted Ontario Regulation 391/21 under the Resource Recovery and Circular Economy Act, 2016, requiring all municipal blue box programs to shift to full producer responsibility by January 1, 2026. Producers of packaging and paper products will assume complete operational and financial responsibility for blue box recycling. Municipalities will no longer fund or manage these programs, as producers will handle collection and processing through appointed organizations.

Circular Materials (CM), a not-for-profit Producer Responsibility Organization (PRO), has been assigned to coordinate the new blue box system across Ontario. CM has contracted Miller Waste Systems (Miller) to deliver blue box collection services in Markham, Richmond Hill & Vaughan starting January 1, 2026. Markham prepared for this shift through its eight-year collection contract with Miller, awarded in 2020 and launched in 2022, which anticipated key elements of the new blue box system. Blue box materials are currently collected separately, aligning with producer standards. Staff have actively engaged in provincial working groups, maintained communication with CM, and tracked timelines to support a smooth transition, ensure service continuity, and shift costs



off the municipal tax base. The City will still manage the collection of garbage, organics, and leaf & yard material.

**OPTIONS / DISCUSSION:**

The following section outlines anticipated service impacts for Markham residents, next steps for the community mailbox recycling program, and an overview of CM's/Markham's approach to public education.

**Service Impacts for Residents**

Ontario residents are expected to experience a seamless transition of blue box services beginning January 1, 2026. Staff have received written confirmation from Miller that, in Markham, weekly collection will continue on the same schedule using the same rigid blue boxes currently in use. From the resident's perspective, service will continue with minimal disruption, as outlined below.

Miller will be responsible for all customer service related to the blue box program, including:

- Missed collections
- Blue box provision (for purchase or replacement)
- Collector complaints and claims
- General program inquiries

Residents will need to contact Miller directly through a toll-free number or email. CM will implement an escalation process to address unresolved complaints.

A key feature of the new blue box system is a standardized list of accepted recyclable materials across Ontario. However, CM has not yet confirmed which recyclable materials will be included in curbside collection – particularly for harder-to-recycle items like styrofoam and plastic film. CM has indicated that municipalities will learn about the expanded material list in September.

**Community Mailbox Recycling Program**

The City currently manages over 2,500 blue boxes at community mailbox sites, which are collected weekly by Miller and integrated into the curbside residential recycling stream. Originally intended to support convenient recycling of unaddressed advertising mail, this program has become increasingly challenging to operate. In 2024, Staff responded to 564 work orders related to illegal dumping and ongoing maintenance, including missing/broken container replacements. Contamination audits show that, on average, 50% of the material in these bins is non-recyclable – primarily pet waste, food waste, and garbage – resulting in higher processing costs.

Currently, this program is funded through the City's per-household rate with Miller. Following the transition, the full cost of collecting from over 2,500 containers would shift to the City, with an estimated annual cost of \$1.7 million. Continuing the service in 2026 would result in an incremental, fully tax-funded cost, that is equivalent to a 0.88% property tax increase. This significant cost increase is due to the loss of economies of

scale and the end of the current blue box funding arrangement. This would also offset a significant portion of the annual savings the City is expected to realize through the blue box transition, which will be detailed in the Fall report. Given the absence of regulatory obligation, high costs, and operational challenges, Staff recommend ending the program in 2025.

Staff recommend removing all community mailbox blue boxes in Q3 2025. A standardized public response and FAQs would be provided to Council and the Contact Centre to support handling inquiries. Canada Post will be obligated to maintain mailbox sites once blue boxes are removed.

To reduce litter at community mailboxes, Waste & Environmental Management has launched the Bring It Home campaign, encouraging residents to sort and recycle their mail at home. Staff are also promoting Canada Post's Consumers' Choice Program, which lets residents opt out of receiving unaddressed advertising mail. The campaign will run indefinitely, with anti-litter messaging and information on mail reduction options.

### **Public Education**

CM has indicated they will initiate messaging to inform Markham residents about the transition to the new producer-led blue box program in Q4 2025. CM will lead all broad communications, including how residents should participate in the new system.

Markham will implement a local promotion and education campaign aligned with CM's messaging to ensure consistency and clarity. The City's message will inform residents that, starting in 2026, all blue box-related service requests, complaints, and inquiries should be directed to Miller. Communications will be delivered through the City's website, social media, and other primary channels.

After the blue box transition to producer responsibility effective January 1, 2026, all public education responsibilities will rest with CM and other PROs. These organizations will handle the development and distribution of promotional information, provide updates on accepted materials, and manage all program-related inquiries. Markham will continue to support these efforts with collaborative messaging where appropriate.

### **Service Impacts Summary**

Table #1 summarizes key service indicators and highlights which elements of Markham's blue box program will remain unchanged and which will shift under the new producer-led system effective January 1, 2026.

<b>Table #1</b> Summary of Service Impacts			
<b>Indicator</b>	<b>Current</b> (Pre-2026)	<b>Post-Transition</b> (New Blue Box System)	<b>Status Quo</b> <b>or Change</b>

Blue Box Collection Service Provider	Miller (Contracted by Markham)	Miller (Contracted by CM)	Status Quo
Service Frequency	Weekly	Weekly	Status Quo
Collection Schedule	Tuesday to Friday curbside (No change for multi-residential)	Tuesday to Friday curbside (No change for multi-residential)	Status Quo
Collection Method	Manual curbside collection	Manual curbside collection	Status Quo
Customer Service Contact	Markham (Contact Centre)	Miller (Toll-free number and email)	Change
Blue Box Supply	Supplied by the City	Supplied by Miller	Change
Accepted Materials List	Determined locally	Standardized across Ontario	Change
Community Mailbox Recycling Program	2,500+ bins serviced by City	Program discontinued (Subject to Council approval)	Change
Blue Box Promotion & Education	Led by the City	Led by CM (City to support and align communications)	Change

Staff recognize that many components of the blue box transition remain fluid and continue to evolve as producers refine the details of their new collection system. The decisions of CM and other industry PROs, as well as any future amendments to the regulation itself, remain outside of the City's control. Staff are committed to remaining responsive and flexible, and will provide updates should any new information arise that warrants Council's attention.

Additionally, it is important to acknowledge that the broader economic climate may also influence implementation timelines and resourcing. The City will continue to approach all transition-related decisions with caution and fiscal responsibility, ensuring that service continuity and waste diversion performance remain top priorities.

## **FINANCIAL CONSIDERATIONS**

Staff will report back to Council in the Fall with an update on the blue box transition, including a detailed breakdown of the financial impacts and the effects on the Waste & Environmental Management operating budget.

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**HUMAN RESOURCES CONSIDERATIONS**

N/A

**ALIGNMENT WITH STRATEGIC PRIORITIES:**

By ensuring a seamless blue box transition for residents with minimal changes to key service variables, Markham continues to advance Goal 1: Exceptional Services by Exceptional People, as outlined in the 2020–2026 Strategic Plan.

**BUSINESS UNITS CONSULTED AND AFFECTED:**

Contact Centre, Financial Services, Legal Services

**RECOMMENDED BY:**

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Eddy Wu  
Director, Environmental Services

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Morgan Jones  
Commissioner, Community Services



Report to: General Committee

Meeting Date: June 17, 2025

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<b>SUBJECT:</b>	2025 Asset Management Plan and Financial Strategy
<b>PREPARED BY:</b>	Denny Boskovski, Manager, Corporate Asset Management Sustainability & Asset Management, Extension 6190

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**RECOMMENDATION:**

- 1) That the report and presentation titled “2025 Asset Management Plan and Financial Strategy” be received; and,
- 2) That Council endorse the findings from the update of the City’s asset management plan, for all City owned and/or managed assets, as assessed at current and proposed levels of service; and,
- 3) That Council endorse in principle, a proposed level of service for road pavement management, where short and long term business planning, contributions to the City’s life cycle reserve, annual budgets, and effective program delivery strategies, are based upon a minimum target of 70% of the City’s road network be in a “good” or better state of performance, and subject to funding and resource availability, work towards an aspirational target of 75% of the City’s road network be in a “good” or better state of performance; and,
- 4) That any identified funding variances, shortfalls or gaps related to maintaining current levels of service, or any forecasted funding requirements that support proposed levels of service, as identified in the 2025 Asset Management Plan and Financial Strategy, be referred to the annual budget; and,
- 5) That Council direct staff to submit the 2025 Asset Management Plan and Financial Strategy (the formal document) to the Ministry of Infrastructure, informed by the findings noted under Recommendations 2, 3 and 4, as outlined in this report; and make the document publicly available on the City’s website upon its completion; and,
- 6) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

## EXECUTIVE SUMMARY:

The following report seeks Council's endorsement of findings from the update to the City's asset management plan, which is required to maintain our compliance with Ontario Regulation 588/17. The regulation requires the 2025 update to include an assessment of and financial forecast for all City assets, including the identification of any perceived funding "shortfalls or gaps".

This plan's inputs are based upon following:

- Consideration of all City guiding documents and strategies
- Using a combination of 2023, 2024 and 2025 asset and financially based data sources
- Planning horizon or "outlook" spanning from 2026 through to 2051 (26 years)
- Evaluation of all known assets that the City owns and manages
- Assessment of the current state of the infrastructure, including asset replacement values, performance, remaining service lives and risk within common frameworks
- Assessment of the current service and performance levels provided to the community
- Documentation of the lifecycle activities required to maintain current service levels
- Identification of any funding "shortfalls or gaps" related to maintaining current service levels over the planning horizon
- Assessment of proposed and/or future service levels and their respective forecasted funding requirements
- A financial summary compiling the previous noted financial outputs
- Inclusion of a companion Financial Strategy that documents internal processes and practices that determine how financial resources are allocated to service delivery objectives

The findings from this update are summarized as follows:

### The State of the Infrastructure

- The City's assets have a combined current replacement value of **\$17.5B**
- The City's asset portfolio is relatively young with an average age of **34 years** and average service life of **81 years**
- **90% or \$15.7B** of the City's assets are performing as intended
- **10% or \$1.8B** of the City's assets are subject to planned maintenance or renewal
- **95.8% or \$16.8M** of the City's assets are considered **Very Low to Low risk** and are fit for service
- **4.2% or \$738M** of the City's assets are considered **Moderate to High risk**, require maintenance, and are planned for renewal within the planning horizon
- **No assets** fall within the **Very High risk** category

### Current Levels of Service Considerations - 2026 to 2051 planning horizon

- Based upon the analysis and computational modelling undertaken, this report identifies a total increase of **\$439.59M** over 26 years, or an **equivalent average**

**annual funding requirement of \$16.91M**, is required to maintain the City's assets in their current state of performance

- This notation fulfills the regulation's requirement to identify a funding "shortfall or gap"

### **Proposed Levels of Service Considerations - 2026 to 2051 planning horizon**

- **Road Pavement Management**
  - The City's vehicular transportation network of roads is valued at **\$7.15B** (not including bridges, lighting, sidewalks, traffic assets, etc.)
  - Currently, **72.6%** of the road network is currently rated in a "Good" or better (70-100) state of performance, a condition which, without continued and additional funding, is forecasted to decline
  - To manage our road's anticipated declining state of performance due to age, and based upon the modelling performed, an increase of **\$161.62M over 26 years**, or an **equivalent average annual funding requirement of \$6.22M** would be required and is included in the aforementioned \$16.91M
  - It is recommended to move towards and sustain a "proposed" level of service target based upon a minimum of **70%** of the City's road network will be in a "good" or better state of performance
  - Cost increases for the combined resource-related requirements to support delivery of the "proposed" level of service are estimated to be **\$5.25M** over the planning horizon or an **equivalent average annual funding requirement of \$0.20M**
- **Impact of Growth**
  - **By 2051**, and based upon the modelling conducted, the City may acquire approximately **\$4.83B (Scenario #2: Realistic Growth) to \$6.89B (Scenario #1: Official Plan Objectives)** worth of additional assets in order to meet the City's intended growth objectives of 610,500 residents and 301,600 jobs
  - Growth assets will require incremental funding to address the following costs over 26 years:
    - Growth related asset acquisition costs ranging from **\$1.98B to \$2.69B**
    - Additional operating costs ranging from **\$128.61M to \$183.55M**
    - Contributions to the life cycle reserve ranging from **\$128.77M to \$232.0M**

### **Financial and Continuous Improvement Strategies**

- **Staff recommend that any financial implications identified in this report be considered through the annual budget process**
- As part of the annual budget process, the City undertakes a detailed Life Cycle Reserve study to identify and refine asset management needs.
- This information is incorporated into the development of capital budgets, which fund asset management activities and other infrastructure projects
- The annual budget process also confirms appropriate funding sources for capital projects (e.g., Life Cycle Reserve funding, Development Charges, grants, etc.), and incorporates estimated operating funding impacts
- In addition to leveraging the City's robust financial planning strategies, the City is applying and should continue to improve its asset management practices, including

governance, standards, data management, resource planning and integration of industry leading best practices

The findings from the update to the asset management plan will inform the completion of the full, formal and detailed 2025 Asset Management Plan and Financial Strategy (the formal document), which is expected to be finalized in Q3 2025. Once the formal document is complete, staff will submit it to the Ministry of Infrastructure and post it on the City's publicly facing website. This will conclude our regulatory requirements for phase 4.

### PURPOSE:

The purpose of this report is to seek Council's endorsement of the findings from the update to the City's 2025 Asset Management Plan and Financial Strategy, which will inform the finalization and submission of the document to the Ministry of Infrastructure, as required by Ontario Regulation 588/17.

### BACKGROUND:

#### Provincial legislation has been enacted requiring all municipalities to implement asset management planning

In 2015, the province passed the Infrastructure for Jobs and Prosperity Act with Ontario Regulation 588/17: Asset Management Planning for Municipal Infrastructure filed under this act. The regulation sets out detailed requirements for municipalities to ensure the long-term sustainability of municipal infrastructure through the preparation of a Strategic Asset Management Policy and a comprehensive Asset Management Plan (AMP) and companion Financial Strategy, through four phases or milestones, by July 1, 2025.

The regulatory phases and ongoing requirements are:





To date, the City has fulfilled phases 1, 2 and 3 of the regulation with the 2025 Asset Management Plan and Financial Strategy fulfilling phase 4 (and final phase) requirements.

Previous and current asset management related undertakings include:

- 2016 Corporate Asset Management Plan
- 2019 Asset Management Audit by MNP LLP
- **Regulation phase 1** - 2019 Asset Management Policy
- 2021 Corporate Asset Management Program Review and Strategic Roadmap
- **Regulation phase 2** - 2021 Corporate Asset Management Plan
- 2021 Enterprise Asset Management (EAM) Software – Lucity Implementation complete as of April 2025
- 2022 Natural Assets Inventory and Evaluation
- **Regulation phase 3** - 2024 Asset Management Plan
- Corporate Asset Management Strategy and Governance Framework (underway)
- **Regulation phase 4 and subject of this report** - 2025 Asset Management Plan and Financial Strategy

Ongoing regulatory requirements include:

- Asset management policy and plan is to be updated every 5 years at minimum
- Council shall conduct an annual review of its asset management progress on or before July 1 in each year, starting the year after the municipality's asset management plan is completed
- The annual review must address:
  - (a) the municipality's progress in implementing its asset management plan;
  - (b) any factors impeding the municipality's ability to implement its asset management plan; and
  - (c) a strategy to address the factors described in clause (b).

Staff are reviewing these requirements and determining the optimal method to effectively address them.

## **OPTIONS/ DISCUSSION:**

Asset Management is the coordinated activity of an organization to realize value from assets by balancing costs, risks, opportunities and performance benefits, in a sustainable manner. It considers all asset types and includes all activities involved in an asset's life cycle including planning, acquisition and the impacts of growth, operations, maintenance, renewal and disposal of any remaining liabilities.

Having said this, asset management best practice ensures that:

- **Value** – That the value proposition that assets support, from their initial acquisition, through to their renewal or replacement, stays in the forefront as customer and stakeholder needs change over time.

- 
- **Alignment** – That organizational objectives translate into holistic and informed technical and financial decisions, and ensure that we are doing what we “say” is important.
  - **Leadership & Workplace Culture** – That decision makers stay informed of the asset management system’s state of maturity (outlines current state of capabilities and capacity to provide key functions), and of our asset’s current state of performance.
  - **Assurance** – That assets fulfill their required purpose by ensuring that processes link asset purpose and performance to strategic objectives, and checks that the City “gets” what it set out to achieve.

Markham is projected to grow in population (people) and employment (jobs) to 610,500 and 301,600 respectively by 2051. Demands for services from customers and stakeholders alike will also evolve and continue to compete for limited resources throughout this journey of growth and intensification.

As a result, modernization and integration of the City’s asset management governance, systems and processes, aims to develop sustainable service levels and practices that balance costs, residual risks, and acceptable performance results. The benefits of a modern and integrated asset management system and practice will position the City to successfully manage current and anticipated future service pressures, and be a powerful enabler. Additionally, modern and embedded asset management practices will:

- Support holistic and informed asset investment decisions
- Support financial and asset performance
- Enhance risk management within a common framework
- Improve services and outputs
- Demonstrate sustainability, climate change and community social responsibility
- Demonstrate regulatory and industry compliance
- Enhance the City’s reputation
- Improve organizational sustainability
- Improve efficiency and effectiveness of resources, data and information

**The 2025 Asset Management Plan and Financial Strategy is a multi-disciplinary guiding document that considers all City strategies and regulatory and community-based business drivers**

Asset management plans play an important role in municipal planning, informing the amount and timing of funding to maintain, repair or replace assets, ensuring that they are in a state of good repair and support desired service levels. The City uses information from asset management plans, such as condition assessments, as an input into work plans, operating and capital budgets, and financial strategies, including updates to City’s Life Cycle Reserve and the Waterworks Stabilization/ Capital Reserve studies. An asset management plan itself is a decision-making tool, which informs the financial strategy required to achieve a desired level of service, while balancing or minimizing risks.

The 2025 Asset Management Plan and Financial Strategy is the final phase required to satisfy O. Reg. 588/17. Scope of this plan includes:

- 
- Consideration of all City guiding documents and strategies
  - Using a combination of 2023, 2024 and 2025 asset and financially based data sources
  - Planning horizon or “outlook” spanning from 2026 through to 2051 (26 years)
  - Evaluation of all known assets that the City owns and manages
  - Assessment of the current state of the infrastructure, including asset replacement values, performance, remaining service lives and risk within common frameworks
  - Assessment of the current service and performance levels provided to the community
  - Documentation of the lifecycle activities required to maintain current service levels
  - Identification of any funding “shortfalls or gaps” related to maintaining current service levels over the planning horizon
  - Assessment of proposed and/or future service levels and their respective forecasted funding requirements
  - A financial summary compiling the previous noted financial outputs
  - Inclusion of a companion Financial Strategy that documents internal processes and practices that determine how financial resources are allocated to service delivery objectives

On October 23, 2024, Council endorsed the findings from the 2024 Asset Management Plan, based upon analysis and computational modelling by an external consultant. That version of the plan developed and established several industry best practice frameworks and tools that will support the City’s asset management program well into the future. These include:

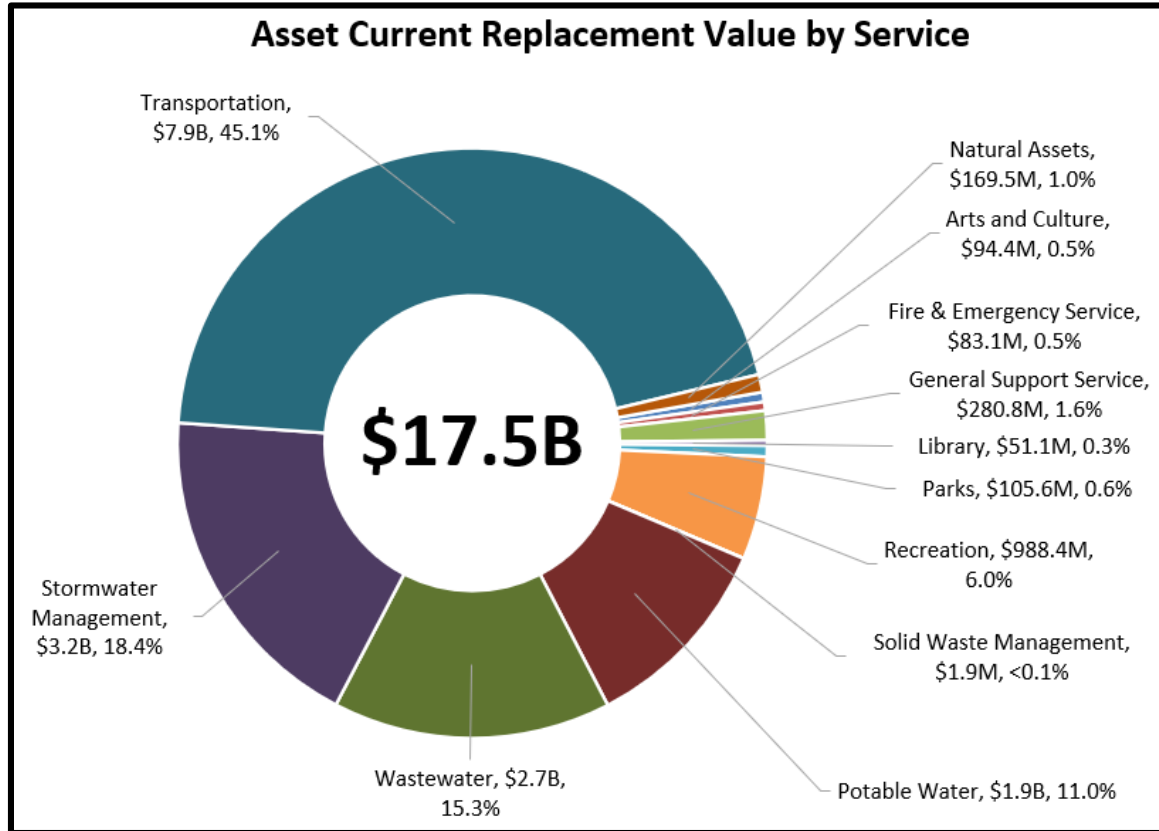
- A service-centric asset hierarchy that details the relationships between assets and the services they provide to the community
- In-house growth model forecasting future asset acquisitions and resource-hour needs
- Levels of service framework and performance measures
- Risk management strategy and risk ratings aligned to assets
- Life cycle renewal forecast computational model

The 2025 Asset Management Plan and Financial Strategy (this plan) builds upon the work of all previously Council endorsed plans and is intended to inform project planning and budget development going forward.

### **The State of the Infrastructure**

The City’s assets have a combined current replacement value of **\$17.5B** (excluding land and financial assets). This means that it would cost the City approximately \$17.5 billion should it replace all of its assets today. This value remains relatively unchanged from the previously endorsed 2024 Asset Management Plan. Figure 1 below illustrates a breakdown of the current asset replacement value categorized by the service areas they support.

Figure 1: Asset Current Replacement Value by Service



### Most of the City's assets were acquired from the 1980s through to the 2000s

Historically, asset acquisitions supporting growth peaked from the 1980s through to the 2000s. Figure 2 highlights the City's asset acquisition profile organized by service. It is common to see population growth and construction peaks beginning in the 1970s for many GTA municipalities.

Figure 2: Asset Acquisition Profile

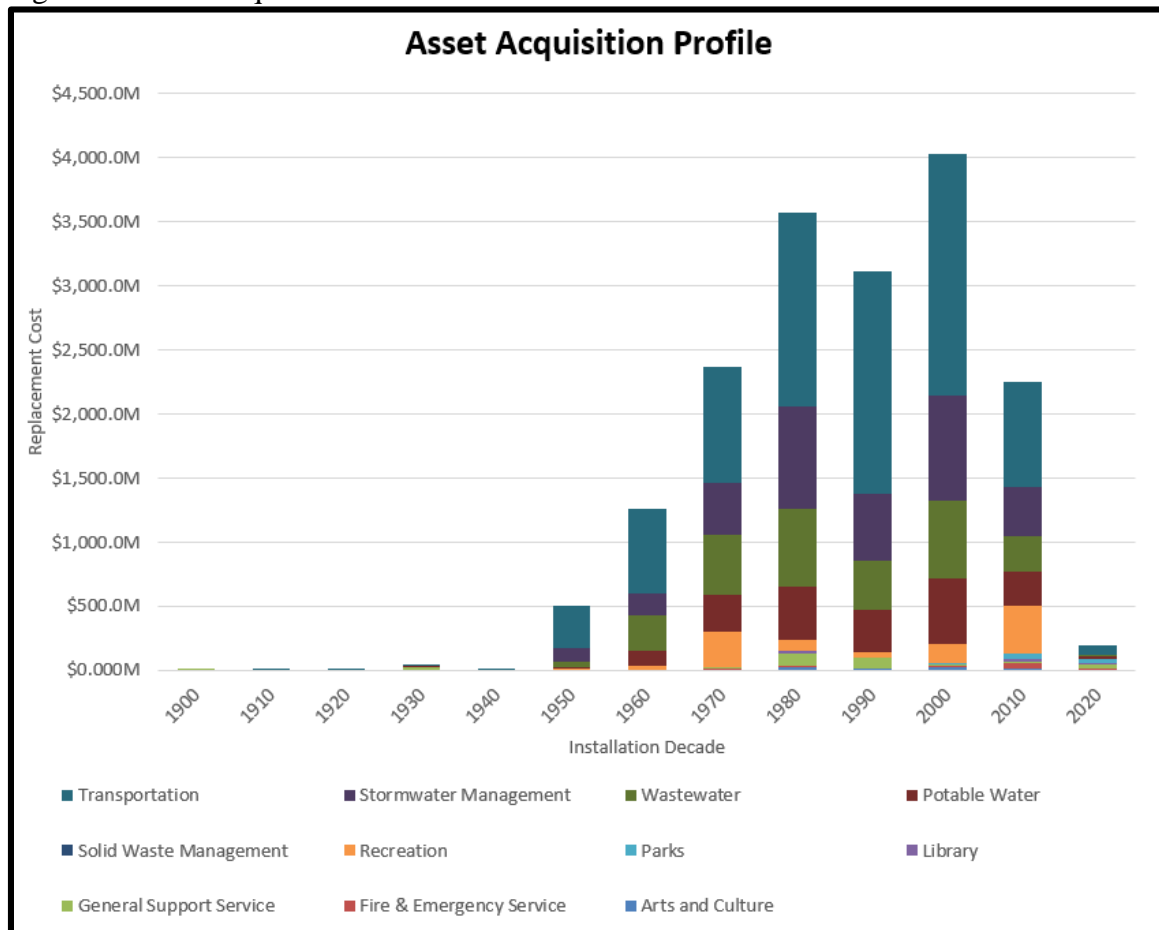
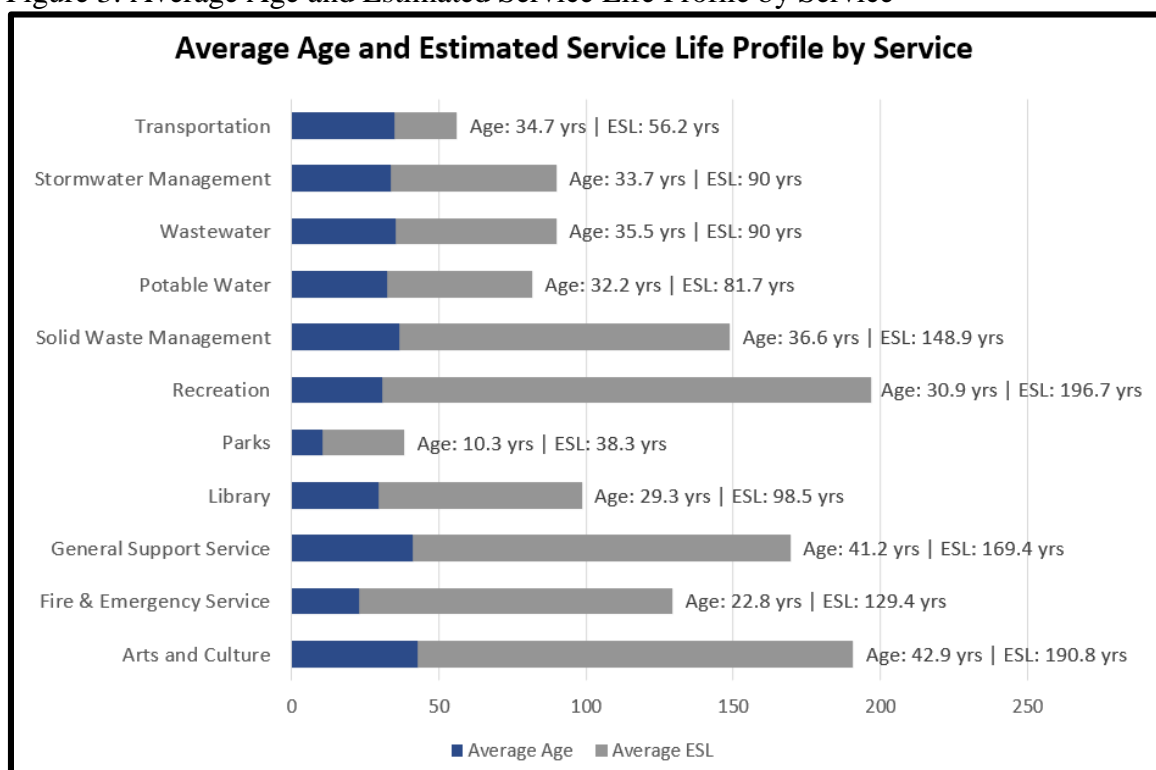


Figure 3 below illustrates the average age of assets compared with their average estimated service life. Overall, the City’s combined asset portfolio has an average age of **34 years** and average useful service life of **81 years** (averaging over assets with both short and long life spans, such as vehicles and water infrastructure respectively). Furthermore, this figure highlights the degree of service life “consumption” at a macro level.

Generally, the City’s assets are in the earlier stages of their service life. This indicates that City assets on average should experience lower maintenance and renewal funding pressures. As assets continue to age, the City will see an increase in maintenance and renewal pressures, of which will generally correspond with historical and/or significant construction peaks illustrated in Figure 2. This is a primary benefit of integrated asset management planning where use of a long-term lens to forecast and identify financial pressures into the future provides the City with improved capabilities to proactively plan its approach to keep assets in a good state of repair.

Figure 3: Average Age and Estimated Service Life Profile by Service



### Overall, the City's assets are in a **GOOD** state of performance

The assessment rating system used in this asset management plan is aligned with the Canadian Infrastructure Report Card methodology. This system provides a standardized and descriptive framework that allows for comparative benchmarking across all services and asset portfolios. Figures 4 and 5 below illustrate the distributed performance state of the City's assets including an explanation of what each category state means.

Overall, the combined average performance rating for all assets is **GOOD** and have remained in this state since staff last reported to Council through the endorsed 2024 Asset Management Plan. Specifically:

- **90% or \$15.7B (improved from 88% or \$15.4B)** of assets are generally within the first half of their useful service life and are performing as intended
- **10% or \$1.8B (reduced from 12% or \$2.1B)** of assets are generally within the latter half of their useful service life and are the subject of planned maintenance and/or renewal life cycle activities

The objective is to ensure that assets remain fit for purpose and continue to deliver services to the community long into the future. By continuing to monitor asset performance through regular condition assessments, the City can be proactive in its approach to managing assets in a state of good repair.

Figure 4: Overall Asset Performance State

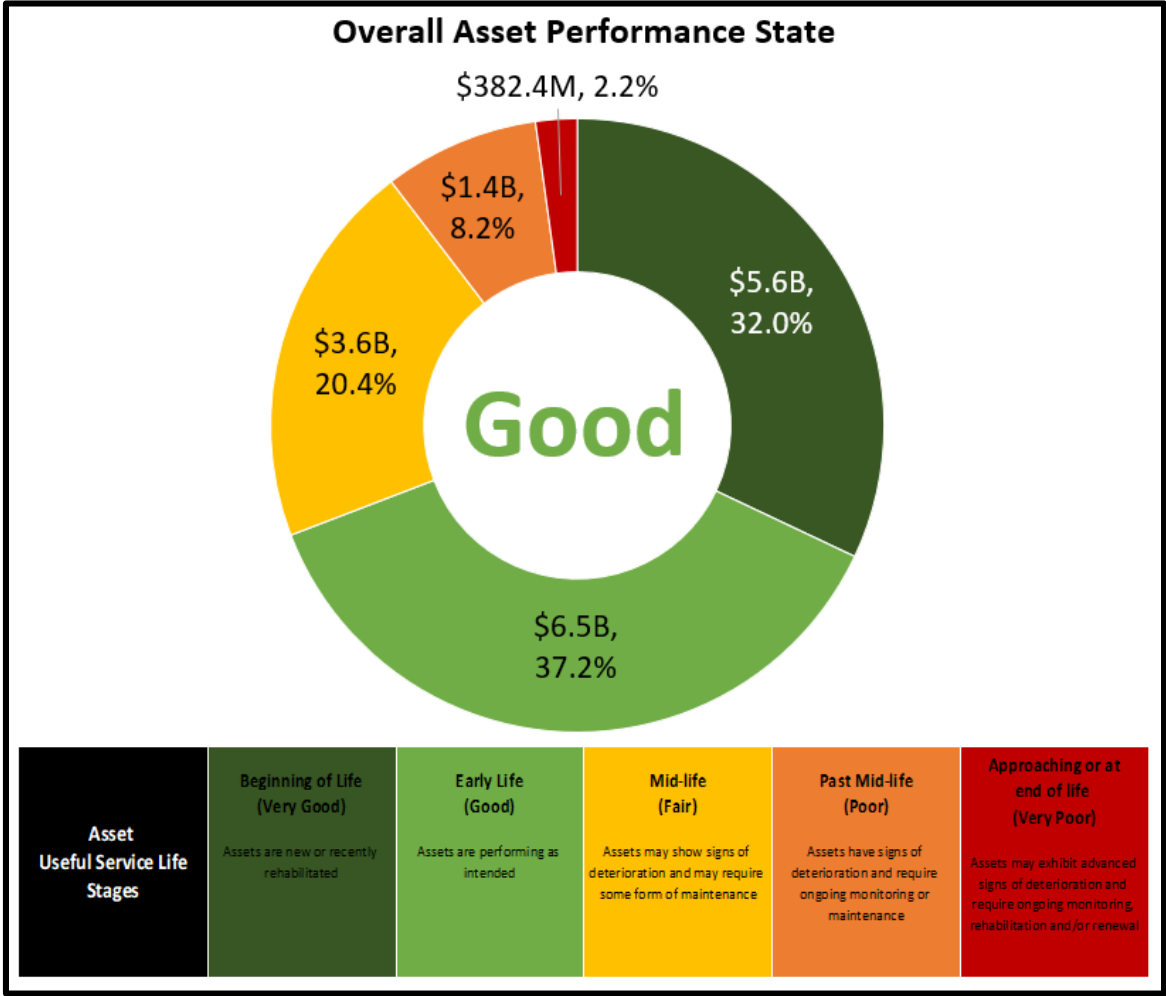
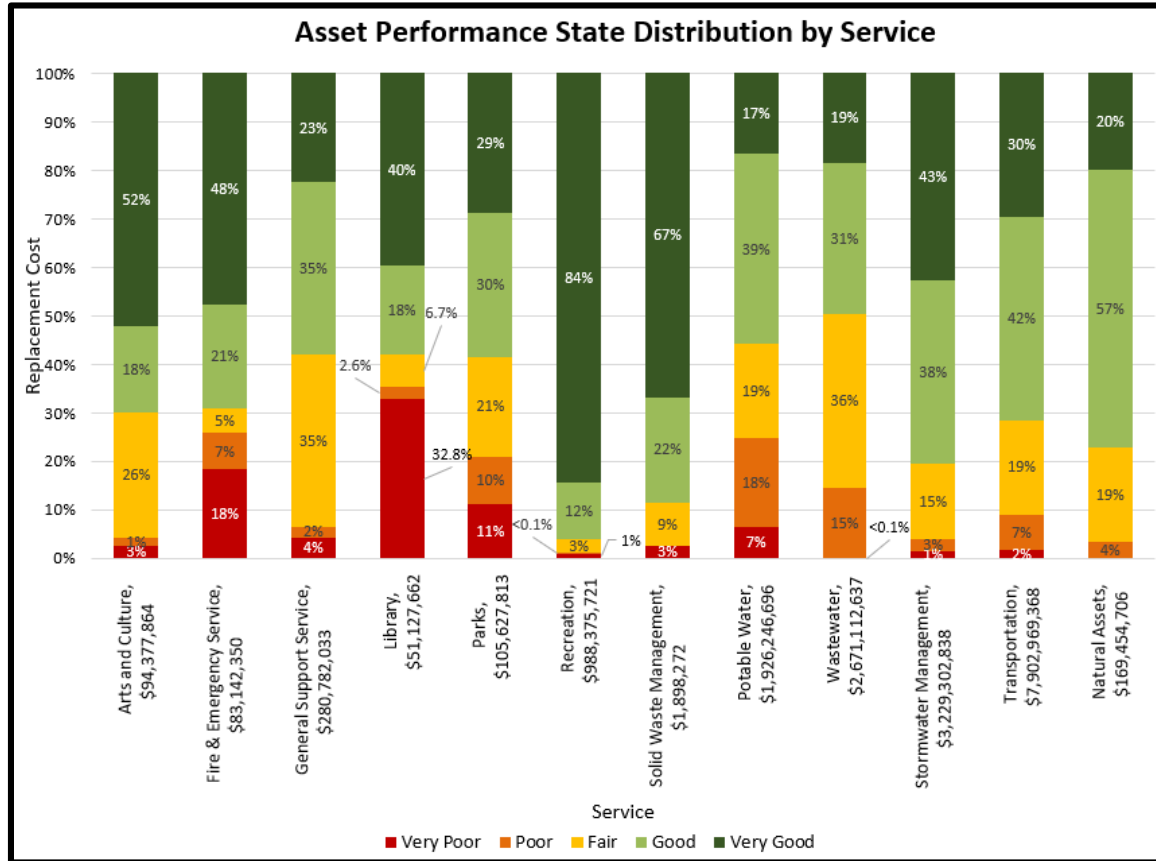


Figure 5: Asset Performance State Distribution by Service



### Risk Management Strategy

The purpose of a Risk Management Strategy is to detail the City's approach to evaluating risk, as well as to identify the risks associated with the current state of assets and provision of good service. As part of the development of last year's 2024 Asset Management Plan, a risk management strategy was developed to assess the risks of the City's asset portfolio. This was done by evaluating the likelihood of failure (LOF) and consequence of failure (COF) of each asset using a standardized framework. The outputs of this exercise were updated for the 2025 Asset Management Plan and Financial Strategy.

LOF represents the likelihood of an asset failing, relative to a specific failure event. For the purposes of this plan, asset failure refers to failure due to poor condition, resulting in the asset no longer functioning as intended, and/or inability to provide its intended service. Therefore, the LOF of an asset is linked to its condition, age and/or overall performance rating.

The COF framework defines the consequences that may occur should an asset fail or stop providing its intended service. The City's COF framework contains evaluation criteria, which were developed using a "triple bottom line" approach, which evaluates the financial, social, and environmental consequences related to asset failure.



LOF and COF scores are multiplied together to determine an overall risk rating score out of 25. The City's risk management framework is a new analytical tool that ranks all assets from very low risk through to very high risk. This output can be used to better inform departmental business planning and decision making, specifically to determine where investment is best made within an environment of limited resources. Results from this analysis indicate that:

- **48.9% or \$8.56B (increased from 48.8% or \$8.54B)** of all assets assessed as **Very Low** risk or fit for future use
- **46.9% or \$8.21B (increased from 44.4% or \$7.8B)** of all assets assessed as **Low** risk or adequate for now
- **4.13% or \$723M (reduced from 6.4% or \$1.1B)** of all assets assessed as **Moderate** risk or may require attention
- **0.09% or \$15.3M (reduced from 0.4% or \$67.5M)** of all assets assessed as **High** risk or requires attention
- **NO ASSETS** are assessed as **Very High** risk or unfit for sustained service

Staff note that an asset assessed as Moderate risk or higher does not necessarily mean that an asset should be immediately replaced but rather highlights the significance of the asset in the context of the service it supports. This in turn informs the planning and integration of robust mitigation strategies within regular day to day operating and maintenance practices, or better informs future renewal and funding needs.

### **Life Cycle Renewal Strategies**

Life cycle is a term used to document activities and their costs throughout all stages of an asset's life. Life cycle activities and/or events generally consist of day-to-day activities of an organization to provide service. These activities are organized into the categories that include; acquisition, operations, maintenance, renewal and disposal.

The City generally employs 2 methods of renewal which are defined as:

- Rehabilitation – significant works or repairs that extend an asset's service life
- Replacement – replacement of an asset with another like-asset

Today, tax payers in Markham benefit from high performing assets that support robust service offerings. This is evident from the State of the Infrastructure results previously noted in this report.

### **Current Levels of Service Considerations - Maintain Overall Performance**

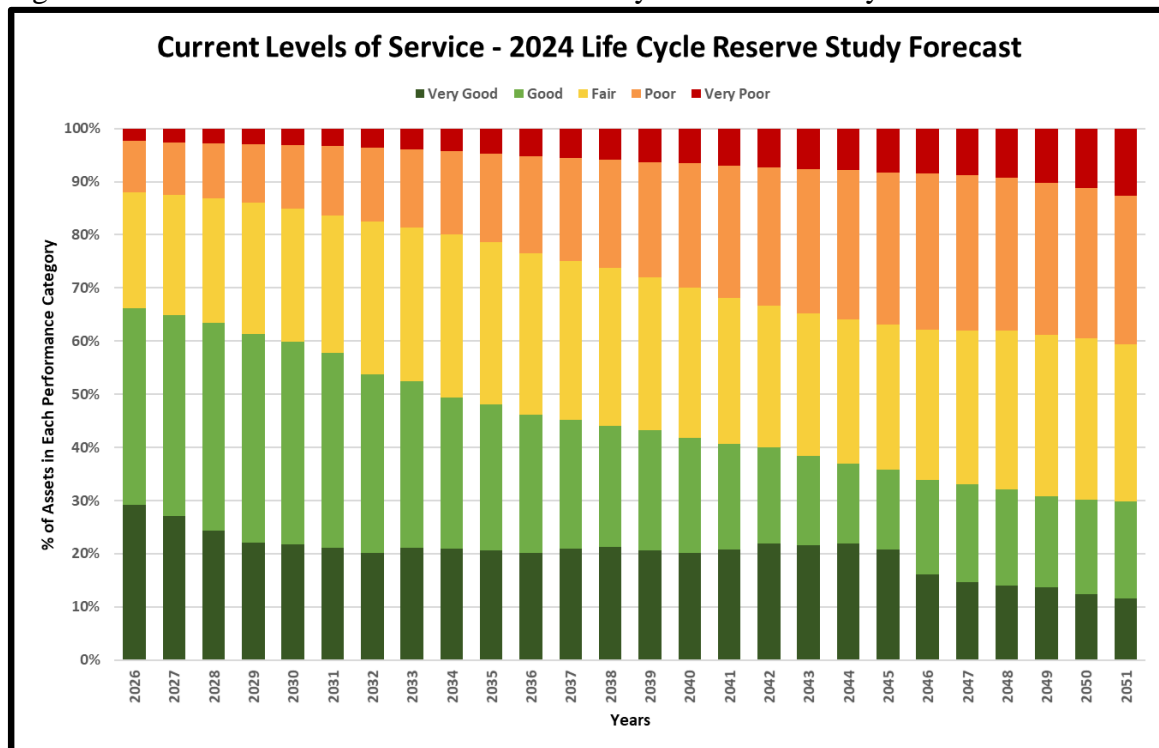
The scope of this update to the City's asset management plan includes an evaluation of planned spending levels over the planning horizon set from 2026 through to 2051 to determine if we are reinvesting the right amount of money, at the right time, to maintain our current service and performance levels for each service area. **Of note, Staff recommend that any financial implications identified in this report be considered through the annual budget process.**

This evaluation is achieved by employing industry leading computational models that consider available budget, condition and performance as either objectives or constraints within the modelling exercise. For this modelling exercise, the City's 2024 Life Cycle Reserve Study financial forecasts and current operating and capital budgets were used as upset limits or constraints, to model an asset performance forecast over the planning horizon.

The results illustrated in Figure 6 below indicate that using a modelling parameter based upon the City's 2024 Life Cycle Reserve Study, which forecasts planned funding levels totaling approximately **\$1.55B** (excluding inflationary increases) over the planning horizon, may result in a **decline in asset performance**. By 2051, performance may decline to:

- **59.4% or \$10.30B** of assets performing as intended
- **40.6% or \$7.03B** of assets are subject of planned maintenance or renewal

Figure 6: Current Level of Service – 2024 Life Cycle Reserve Study Forecast



A second computational model scenario was programmed with an objective to maintain current performance levels over the same planning horizon in order to determine the expected funding levels required to achieve this objective.

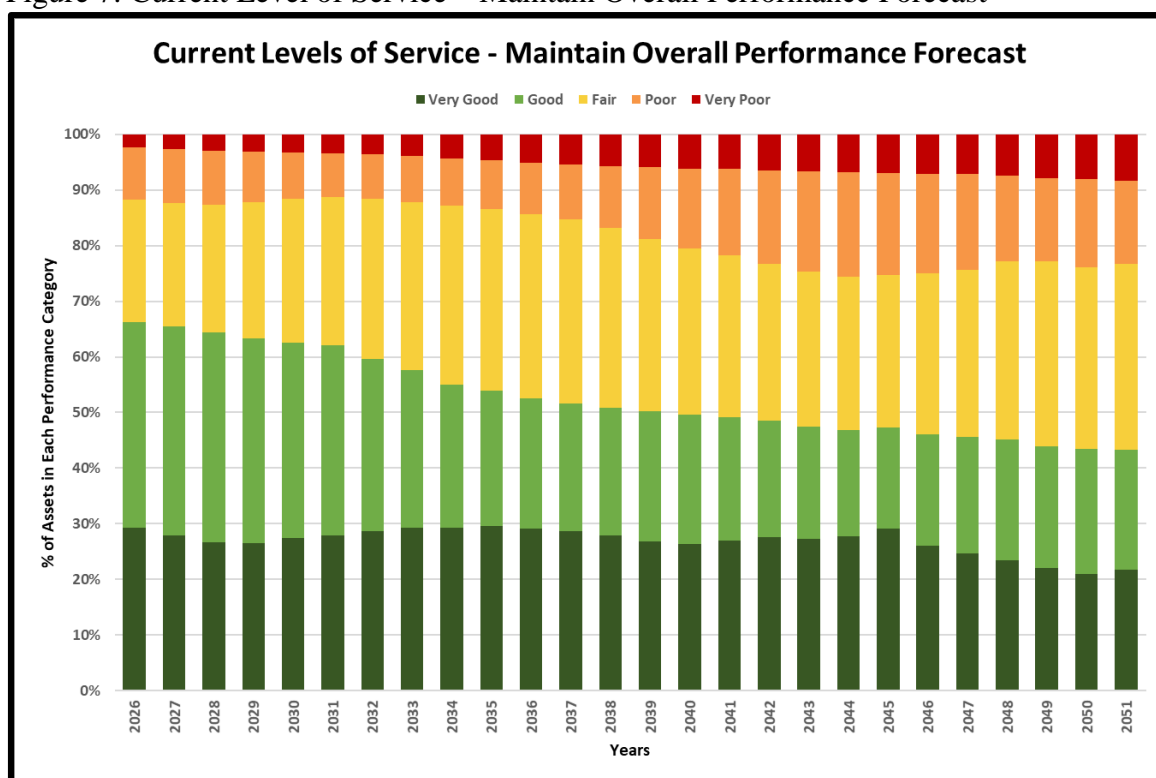
The resulting performance forecast illustrated in Figure 7 below suggests that an overall funding totaling **\$1.99B** (excluding inflationary increases) over the planning horizon is required to **maintain current asset performance levels through to 2051**. This represents an overall increase to estimated planned funding levels by approximately **\$439.59M** of funding required over the planning horizon, or an **equivalent average**

**annual funding requirement of \$16.91M** applied incrementally over the planning horizon. Identification of these specific financial outputs satisfies the regulation's requirement to identify a funding "shortfall or gap".

Assuming funding levels are incrementally increased over time to meet these performance level targets, the overall performance forecast by 2051 suggests that:

- **76.7% or \$13.30B** of assets performing as intended
- **23.3% or \$4.04B** of assets are subject of planned maintenance or renewal

Figure 7: Current Level of Service – Maintain Overall Performance Forecast



### Proposed Levels of Service Considerations – Road Pavement Management

The City's vehicular transportation network of roads is valued at **\$7.15B** (not including bridges, lighting, sidewalks, traffic assets, etc.), and is a **CORE asset** that directly supports the moving of people, goods and services. It is one of the City's highest valued assets, and is visible and used multiple times per day by most, if not all stakeholders.

A robust and efficient transportation network of roads directly influences:

- Resident and business views of Markham on a daily basis
- Economic development and prosperity
- An efficient emergency service and critical response times

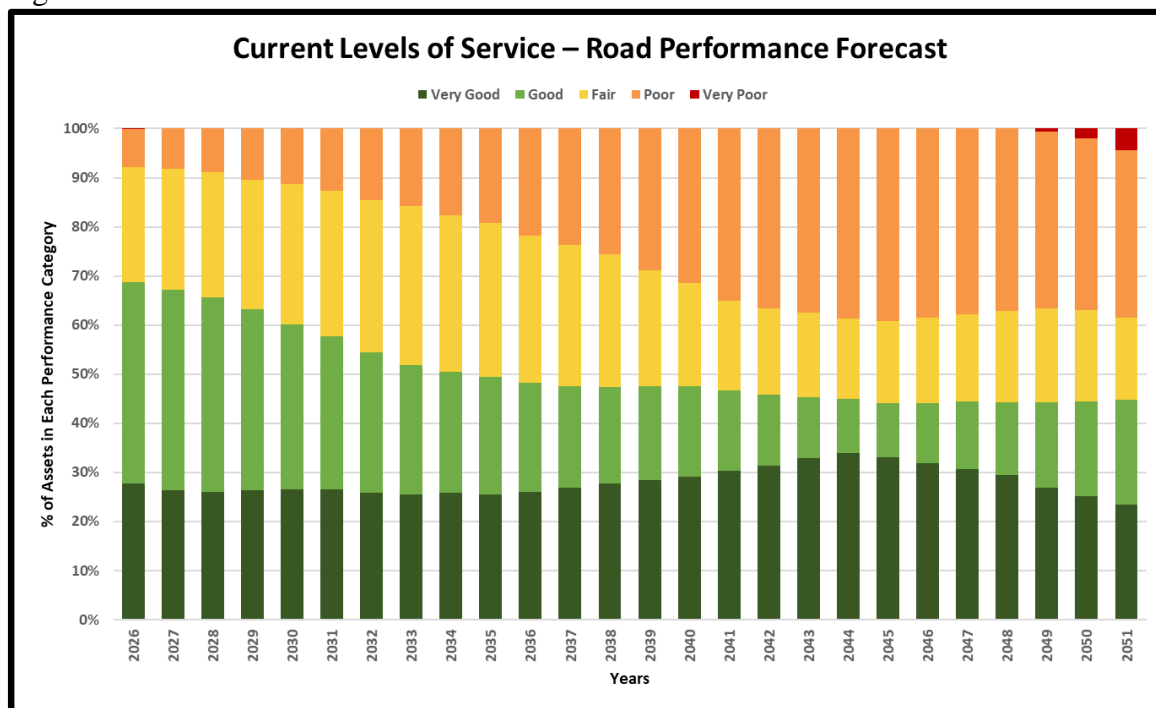
From internal routine pavement condition assessments that informed this update to the asset management plan, road performance results are summarized as follows:

- **72.6% or \$5.19B** of the road network is currently rated in a “Good” or better (70-100) state of performance
- **27.4% or \$1.96B** of the road network is currently rated in a “Fair” or poorer (0-69) state of performance

A “Good” performance state indicates that the condition of assets is acceptable, are generally in the early stages of their service life, may show early signs of deterioration and may require minor maintenance.

As illustrated in Figure 8 below and based upon modelling of planned funding levels identified through the City’s 2024 Life Cycle Reserve Study of approximately **\$183.33M** (excluding inflationary increases) between 2026 and 2051, resulting performance forecasts suggest that by **2035**, the state of performance **may decline rapidly** to approximately **49.4%** of the road network rated in a “Good” or better (70-100) state of performance and **by 2051**, may decline to approximately **44.7%**.

Figure 8: Current Levels of Service – Road Performance Forecast



The significant influence contributing to the anticipated decline in performance can be attributed to the rapid growth of road assets acquired from the 1980’s through to the 2010’s requiring renewal within the **next 5 to 10 years**. This is compounded by roads requiring their first or second generation of life cycle renewal overlapped with roads requiring their second or third generation of life cycle renewal, of which is a costly endeavour to fund and deliver. In short, asset investment needs exceed budget funding allocations leading to an expected decline in asset performance.

While it is neither financially viable nor prudent to immediately improve all roads not meeting a “Good” or better state of performance, Staff recommend that improvements to roads should continue to be made when they meet well established criteria to warrant

reinvestment and renewal, therefore maximizing their useful service life and previously made financial investments.

The current level of service target is **80%** of the vehicular transportation network of roads be rated at a “Good” or better state of performance. The City’s consultant undertook to model three (3) scenarios being **70%, 75% and 80% of the vehicular transportation network of roads be rated at a “Good” or better state of performance**. The financial forecast figures (excluding inflationary increases) outlined in Table 1 below, consider managing and sustaining the road network to the intended service level target and include the additional operating budget and additional capital costs (fleet acquisition, maintenance and renewal) to support program delivery.

Table 1: Summary of Financial Implications 2026-2051 (26 Year Planning Horizon)

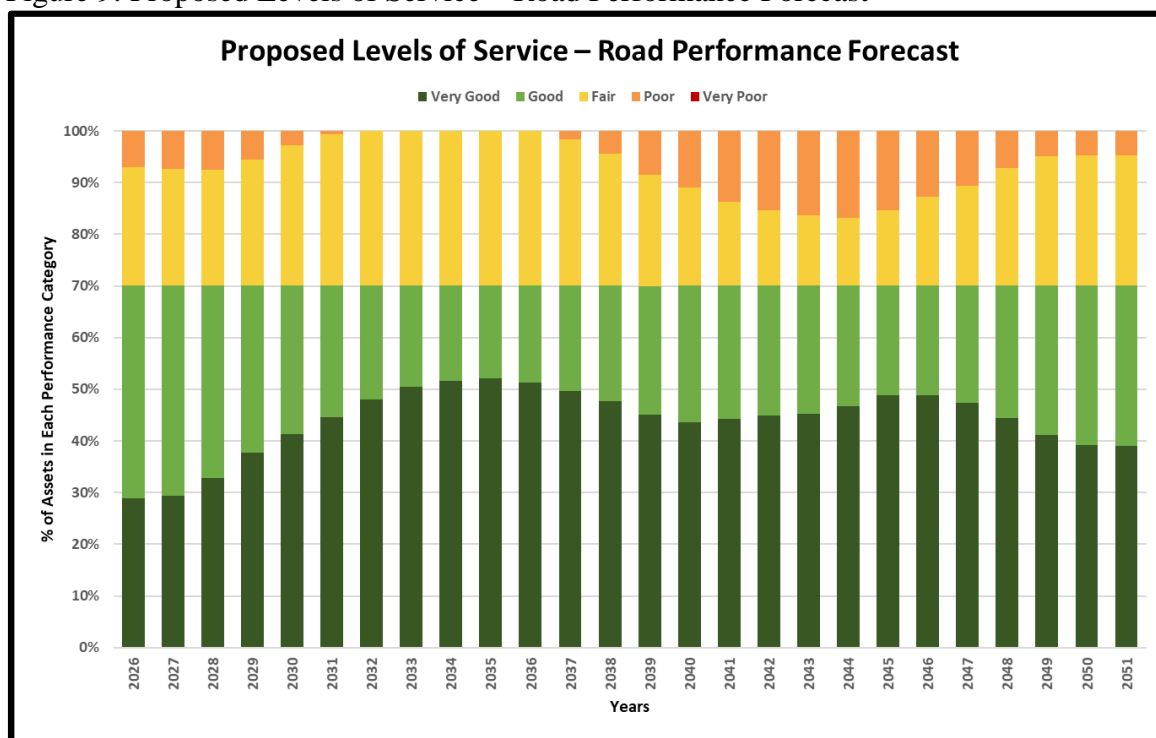
<b>Service Level Considerations</b>	<b>Total Funding Requirement over the Planning Horizon</b>	<b>Equivalent Average Annual Funding Requirement</b>
<b>Road Pavement Management</b>		
<b>70% Scenario – Total</b>	<b>\$166.86M</b>	<b>\$6.42M</b>
LC Renewal - Road	\$161.62M	\$6.22M
Operating Budget	\$4.19M	\$0.16M
Additional Capital	\$1.06M	\$0.04M
<b>75% Scenario – Total</b>	<b>\$220.49M</b>	<b>\$8.48M</b>
LC Renewal - Road	\$208.50M	\$8.02M
Operating Budget	\$10.47M	\$0.40M
Additional Capital	\$1.52M	\$0.06M
<b>80% Scenario – Total</b>	<b>\$271.21M</b>	<b>\$10.43M</b>
LC Renewal - Road	\$238.96M	\$9.19M
Operating Budget	\$26.57M	\$1.02M
Additional Capital	\$5.67M	\$0.22M

Staff note that the difference between 70% and 75% scenarios is not anticipated to noticeably impact what stakeholders using Markham roads experience currently. Staff note that the cost for each incremental increase in target percentage point is approximately \$10.43M over the planning horizon or an equivalent average annual funding requirement of \$0.40M for each additional percentage point.

Given these order of magnitude costs and to minimize tax levy increase implications, Staff recommend that a **conservative and minimum target of 70%** be established. This target is in relative alignment with our current performance rating of **72.6%** and will assist with financial resource demand balancing in future updates to the City’s Life Cycle Reserve Study.

To achieve “proposed” level of service target of **70%**, it is estimated that approximately **\$166.86M of additional funding** would be required between 2026 and 2051 or an **equivalent average annual funding requirement of \$6.42M**. The anticipated resulting performance forecast is shown in Figure 9 below.

Figure 9: Proposed Levels of Service – Road Performance Forecast



Should Council endorse this “proposed” level of service, Staff intend to implement this service level change incrementally and over time through the City’s well established annual life cycle reserve study update and annual budget process.

Ongoing performance monitoring, reporting, forecasting and updated assessments to maintain minimum service level of 70% and to achieve the aspirational service target of 75% is proposed to be accomplished through future updates to this asset management plan and annual budget.

In summary, to maintain the City’s current Level of Service for all assets, including the proposed minimum service level target of **70%** for “Good” roads, Markham should consider options to address the **\$439.59M** of additional funding required over the planning horizon, or an **equivalent average annual funding requirement of \$16.91M**.

### Proposed Levels of Service Considerations – The Impact of Growth

#### Markham is poised to grow significantly by 2051

The 2022 York Region Official Plan identifies growth forecasts that the City is responsible for implementing. York Region’s plan forecasts that the City will grow to approximately **610,500 residents and 301,600 jobs by 2051**. Growth within Markham

will primarily be accommodated through development within designated growth areas (typically green fields) and intensification within strategic growth areas (Yonge Street corridor, etc.).

Ontario Regulation 588/17, Section 6. (1). 6 requires the City to integrate the following information into their asset management plans:

6. *For municipalities with a population of 25,000 or more, as reported by Statistics Canada in the most recent official census,*
  - i. *the estimated capital expenditures and significant operating costs to achieve the proposed levels of service as described in paragraph 1 in order to accommodate projected increases in demand caused by population and employment growth, as set out in the forecasts or assumptions referred to in paragraph 6 of subsection 5 (2), including estimated capital expenditures and significant operating costs related to new construction or to upgrading of existing municipal infrastructure assets,*
  - ii. *the funding projected to be available, by source, as a result of increased population and economic activity, and*
  - iii. *an overview of the risks associated with implementation of the asset management plan and any actions that would be proposed in response to those risks.*

To support these asset management requirements and inform more detailed financial planning, staff developed asset quantity and resource-hours based growth projections through a computational model. The model was developed to align these outputs with the City's land use policies and previously noted population and employment projections.

Given that growth objectives for population and employment established by Official Plan are considered ambitious with its implementation difficult to predict with any degree of certainty, the following funding projections are provided as ranges. Many influential factors and variables such as shifting societal value systems, political instability, changing legislation and regulation, housing demand, financial lending rates, and the economy's overall viability, directly influence how growth actually materializes.

Acknowledging this uncertainty, two (2) growth scenarios were developed to determine a range of potential financial implications over the planning horizon and are illustrated in Figure 10 below.

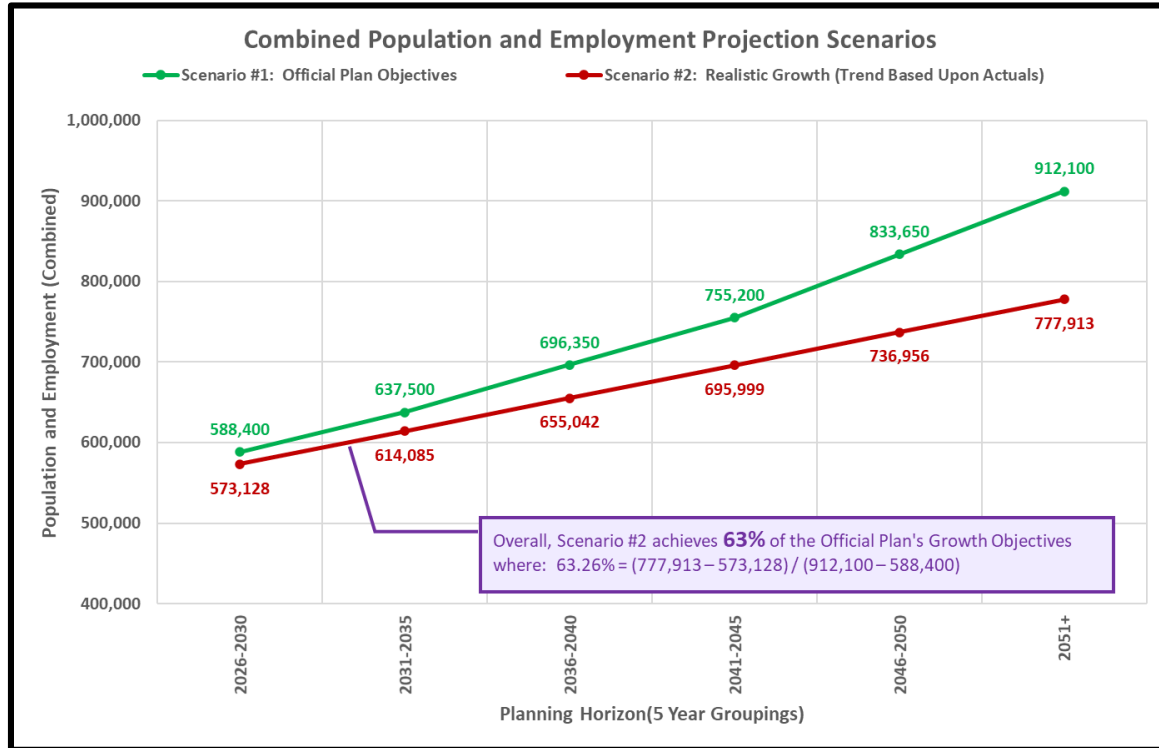
**“Scenario #1: Official Plan Objectives”** in green, represents a “high growth” scenario which fulfills the City's population and employment objectives, as endorsed by Council.

**“Scenario #2: Realistic Growth”** in red, represents a “low growth” scenario and was developed using actual population and employment metrics ranging from 2005 through to 2024, and then projected out to 2051. Scenario #2 represents achieving approximately 63% of the City's Official Plan objectives for population and employment growth. At a more granular level, yearly adjustment factors between the 2 scenarios were employed to develop the Impact of Growth financial forecast ranges.





Figure 10: Growth Scenarios



By 2051, the City may acquire approximately **\$4.8B to \$6.9B** worth of additional assets to support the City's growth objectives. Of this total value:

- City funded acquisitions may range from **\$1.98B to \$2.67B** where:
  - Approximately **\$1.2B to \$1.49B** are proposed to be funded from the current Development Charges Background Study and Bylaw
  - An additional **\$734.0M to \$1.2B** are proposed to be funded from Development Charges through future updates to the background study and bylaw
- The remaining **\$2.85B to \$4.2B** are expected to be funded by other sources, including Developers through conditions of a development agreement, and non-DC funding sources (e.g., grants, property tax, Community Benefit Charges, etc.)

As reported to Council through the endorsed 2024 Asset Management Plan (circa October 2024), asset acquisition projections suggest that for all assets portfolios combined, an **overall increase in quantity of assets could be as high as 74%, with equivalent resource-hour needs to manage these assets as high as 70%**. Increases of this magnitude will require additional funding and resourcing (to be considered through operating budgets and are substantially funded by property tax and other sources) to adequately support current service level provisions for operations, maintenance and renewal demands directly driven by meeting our Official Plan's growth objectives.

**By 2051:**

- According to modelling estimates, the City may need to increase its overall Operating Budget ranging from **\$128.6M to \$183.5M** over the planning horizon or an **equivalent average annual funding requirement ranging from \$4.9M to \$7.1M**
- Additional contributions to the City's Life Cycle Reserve, which is required to renew growth assets with a service life of **12 years or less between 2026 and 2051**, ranges from **\$128.8M to \$232.0M** or an **equivalent average annual increase ranging from \$4.95M to \$8.92M** over the planning horizon

While funding the acquisition cost of growth assets is primarily achieved through Development Charges, funding operating, maintenance and renewal financial pressures typically comes from a diversified set of funding sources, including and not limited to:

- Annual transfer from the operating budget (mainly through property taxes)
- Annual Council adopted incremental infrastructure investment
- Federal and Provincial grants, including Canada Community-Building Fund
- Investment Income and Dividends from the City's interests in Markham Enterprises Corporation (shares held in Markham District Energy Inc. and Alectra Utilities Inc.)
- City's share of the Municipal Accommodation Tax
- Various lease revenues on City-owned property
- Unspent funds from closed projects and year-end surplus as per the City's Financial Planning and Budgeting policy
- Interest earned on the Reserve balance

In addition, as part of the capital planning process, consideration may need to be given to review the timing of certain projects and reallocate funding to priority initiatives, recognizing financial constraints and pressures.

**The City's commitment to continuous improvement is a journey that never ends**

Ontario Regulation 588/17, Section 3.(1).3, requires the City to document:

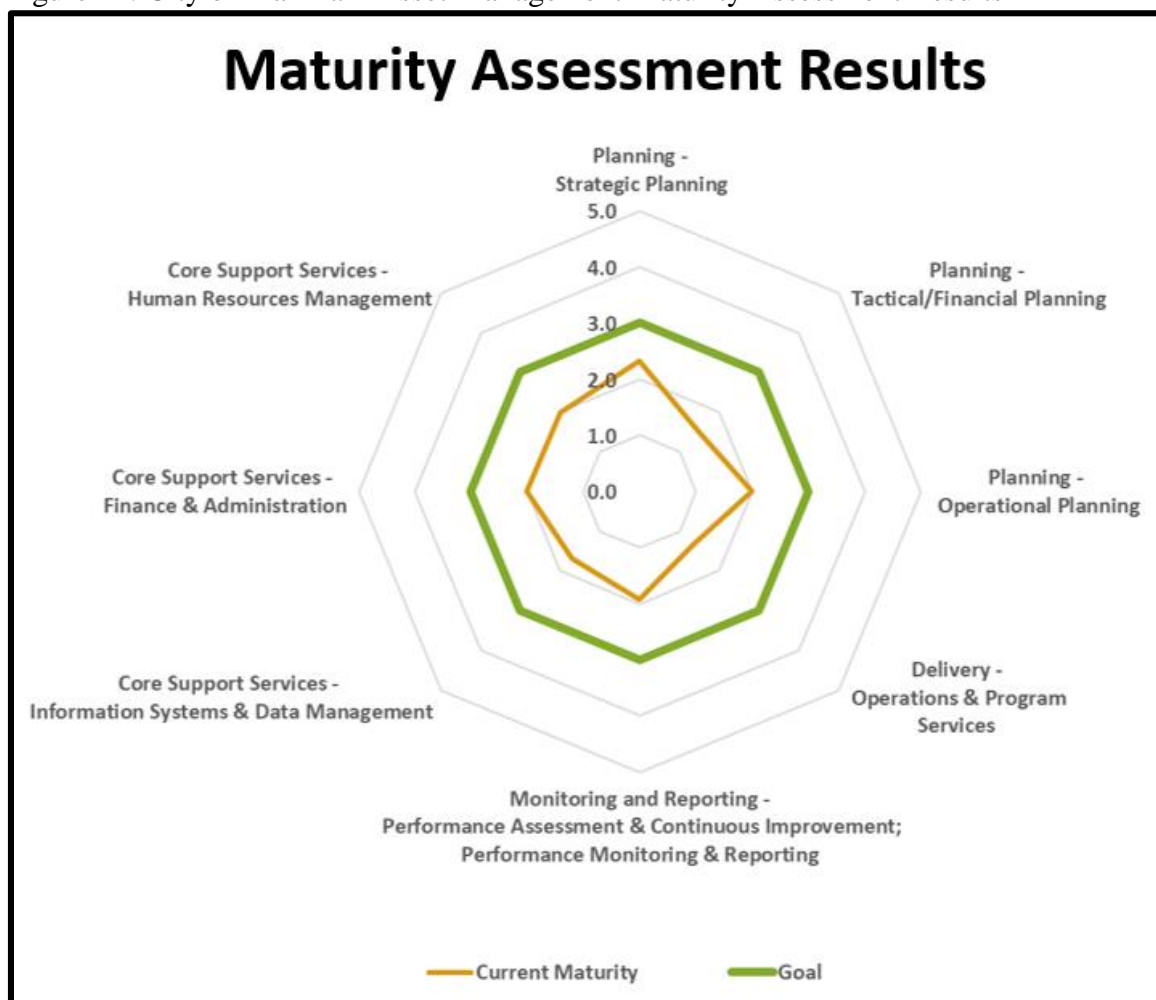
*"The municipality's approach to continuous improvement and adoption of appropriate practices regarding asset management planning."*

Under the supervision of the Asset Management Steering Committee, Corporate Asset Management has evaluated the City's current capabilities required to determine an approach to continuous improvement and adoption of appropriate practices regarding asset management planning. This can also be referred to as modernization.

The Corporate Asset Management Strategy and Governance Framework project (in progress) has assessed the City's current state of practice compared with industry best practice. The industry refers to this exercise as a maturity assessment. The goal of the maturity assessment is to determine if there are any gaps in the City's practices and how well coordinated practices are. Maturity assessment findings are scored using the following categories; 0-innocent, 1-aware, 2-developing, 3-core, 4-optimizing and 5-excellent.

The City has completed a maturity assessment with the results shown in Figure 11 below.

Figure 11: City of Markham Asset Management Maturity Assessment Results



**Markham aspires to mature our asset management planning capabilities to a “core” rating.**

Staff note that most municipalities in Ontario are below a “core” rating. Improvement strategies that will bring the City to a “core” rating are in the early stages of development. Emerging improvement strategy themes include:

- Defining and evaluating asset management governance, roles and responsibilities
- Consistent and formalized standards, processes and procedures
- Improved data and information management
- Formalized resource planning
- Improved demand/ growth analysis
- Stakeholder engagement
- Acquire and/or improve upon supporting systems, tools and integrations

Further updates from this important work will be provided as new information becomes available.

In closing, staff are finalizing the formal 2025 Asset Management Plan and Financial Strategy (the document) with its completion expected in Q3 2025. Once the formal document is complete, staff will submit it to the Ministry of Infrastructure and post it on the City's publicly facing website. This will conclude our regulatory requirements for phase 4.

Ongoing performance monitoring and reporting is proposed to be accomplished through future updates to this asset management plan, and in alignment with the ongoing regulatory requirements for Council's annual review of progress, as well as major updates required at 5 year intervals.

## FINANCIAL CONSIDERATIONS

Financial implications noted in this report will be addressed as part of the annual budget process. Potential implications identified in this report are summarized as follows:

Table 3: Summary of Financial Implications 2026-2051

<b>Service Level Considerations</b>	<b>Total Funding Requirement over the Planning Horizon</b>	<b>Equivalent Average Annual Funding Requirement</b>
<b>Current Levels of Service</b>		
Maintain Overall Performance (inclusive of 70% Scenario for Roads below)	\$439.59M	\$16.91M
<b>Proposed Levels of Service</b>		
Road Pavement Management 70% Scenario – Total	\$166.86M	\$6.42M
LC Renewal - Road	\$161.62M	\$6.22M
Operating Budget	\$4.19M	\$0.16M
Additional Capital	\$1.06M	\$0.04M
<b>Impact of Growth</b>		
Scenario #1: Official Plan Objectives Acquisitions - Total Value	\$6,893.5M	N/A
Acquisitions - City Funded	\$2,686.1M	\$103.3M
Operating Budget	\$183.5M	\$7.1M
LC Renewals	\$232.0M	\$9.3M

<b>Service Level Considerations</b>	<b>Total Funding Requirement over the Planning Horizon</b>	<b>Equivalent Average Annual Funding Requirement</b>
Impact of Growth		
Scenario #2: Realistic Growth		
Acquisitions - Total Value	\$4,830.1M	N/A
Acquisitions - City Funded	\$1,976.7M	\$76.0M
Operating Budget	\$128.6M	\$4.9M
LC Renewals	\$128.8M	\$5.2M

Subject to regular and extensive consultation with asset operating departments, these findings should help inform resource planning exercises, discussions around service levels and performance, risk-based prioritization, and financial sustainability. The asset management findings and financial strategy outlined in this plan should also help inform more regular processes like the development of annual budgets and updates to development-based background studies.

The City's Life Cycle Reserve Study (excluding water assets), which is part of the annual budget process, is the primary avenue to establish, refine, prioritize and, as required, reallocate asset management funding needs. The result of the Reserve Study informs capital projects and budget requests from departments. The Life Cycle reserve is funded by a variety of sources, including those noted in this report (e.g., contributions from annual operating budget). To address increasing asset management needs, the City has been gradually escalating budgeted contributions to the life cycle reserve, with a current target incremental contribution of 1% of the City's tax levy. Further incremental contributions may need to be considered to support the City's increasing asset management pressures.

Water assets follow a similar process as the broader Life Cycle Reserve study, and are funded by the water rates.

The annual budget process also incorporates requests for growth-related capital projects, which are funded primarily by Development Charges.

This update of the Asset Management Plan also signals increasing operating budget pressures, which may require higher levels of tax increases to support the required and ongoing resourcing and management of our growing asset base.

In closing, staff note that the practice of asset management is a journey of continuous improvement and not a destination. Some source data, frameworks, tools and models developed for this update to the asset management plan were developed for the first time and represents the best information available as of this writing. The new "tools in the toolbox" developed for this asset management plan assist to quality control, validate and monitor our performance. As the City matures its practices and accuracy of data, financial forecasting will improve. This may result in ongoing adjustments to estimates of

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financial / resourcing needs , which will be reported through future iterations of asset management plans and addressed as part of the annual budget process.

### **HUMAN RESOURCES CONSIDERATIONS**

Future resource needs specific to resource-hour and operating budget increases are recommended to be considered through the annual budget process.

### **ALIGNMENT WITH STRATEGIC PRIORITIES:**

Asset Management is a broad practice and centre of excellence that covers the majority of services that a municipality provides. All of the City's strategic priorities are an input to developing and implementing asset management policy, objectives, strategies, plans, systems and processes.

Therefore all four goals of Building Markham's Future Together are aligned:

- Goal 1 – Exceptional Services by Exceptional People
- Goal 2 – Engaged, Diverse, Thriving and Vibrant City
- Goal 3 – Safe, Sustainable and Complete Community
- Goal 4 – Stewardship of Money and Resources

### **BUSINESS UNITS CONSULTED AND AFFECTED:**

This report was developed under the oversight of the City's Asset Management Steering Committee and in partnership with Financial Services.

### **RECOMMENDED BY:**

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Graham Seaman  
Director, Sustainability & Asset Management  
and Asset Management Steering Committee Chair

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Joseph Silva  
Treasurer

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Arvin Prasad  
Commissioner, Development Services

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Morgan Jones  
Commissioner, Community Services

---

Trinela Cane  
Commissioner, Corporate Services

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Andy Taylor  
Chief Administrative Officer

**ATTACHMENTS:**

2025 Asset Management Plan and Financial Strategy - Staff Presentation