



Council Meeting Agenda

Meeting No. 8 | June 24, 2025 | 1:00 PM | 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.

Written submissions must be received by 10:00 a.m. the morning of 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 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.

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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.***

Council Meeting Agenda

Meeting Number: 8

June 24, 2025, 1:00 PM

Live streamed

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 COUNCIL MINUTES - MAY 27, 2025

Note: Attachment to be added when available

4. PRESENTATIONS

**4.1 AWARD PRESENTATION TO THE CITY OF MARKHAM - OPERATIONS
- PEO (PROFESSIONAL ENGINEERS ONTARIO) YORK CHAPTER 2024
ENGINEERING PROJECT OF THE YEAR AWARD (LARGE PROJECT
CATEGORY)**

The Future of Pavement Engineering – Frequent Pavement Analysis Using AI project

Recipients:

Alice Lam, Director, Department of Operations

Steven Dollmaier, Senior Manager of Roads and Fleet

Zoyeb Vahora, Roads Supervisor – Contract Administrative

Roy Tal, Chief Technical Officer with Visual Defense Inc.

4.2 AWARD PRESENTATION TO THE CITY OF MARKHAM - ENVIRONMENTAL SERVICES - OPWA (ONTARIO PUBLIC WORKS ASSOCIATION) 2024 PUBLIC WORKS PROJECT OF THE YEAR AWARD

(EMERGENCY CONSTRUCTION / REPAIR, LESS THAN \$2 MILLION CATEGORY)

John Street at Settlers Park – Erosion Restoration Project

Recipients:

Zahra Parhizgari, Engineer, Environmental Services

Robert Muir, Manager, Stormwater, Environmental Services

5. DEPUTATIONS

6. COMMUNICATIONS

6.1 LIQUOR LICENCE APPLICATION - JAKE'S ON MAIN RESTAURANT (WARD 3) (3.21) 24

(New Liquor Licence for an outdoor area)

6.2 LIQUOR LICENCE APPLICATION - BEHIND THE ALLEY RESTAURANT (WARD 3) (3.21) 33

(New Liquor Licence for an indoor and outdoor area)

6.3 LIQUOR LICENCE APPLICATION - KING OF WINGS RESTAURANT (WARD 3) (3.21) 40

(New Liquor Licence for an indoor area)

6.4 MEMORANDUM - HOLD REMOVAL - SIGNATURE TOWER RESIDENCE INC. C/O THE REMINGTON GROUP (THE "OWNER") 47

190 ENTERPRISE BOULEVARD AND 18 ANDRE DE GRASSE STREET,
MARKHAM CENTRE (FILE HOLD 25 109568)

(By-law 2025-47)

1. That the memorandum titled "Hold Removal By-law Signature Tower Residence Inc. c/o The Remington Group (the "Owner") 190 Enterprise Boulevard and 18 Andre De Grasse Street, Markham Centre File HOLD 25 109568" be received; and further,
2. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

6.5 MEMORANDUM - CITY INITIATED OFFICIAL PLAN AMENDMENT AND ZONING BY-LAW AMENDMENT (HOUSING ACCELERATOR FUND INITIATIVE 3 – MAJOR TRANSIT STATION AREA POLICY WORK)

49

File No. PR 24 196907

[Item 7.1.1 and By-law 2025-48 (OPA 64) and By-law 2025-49]

1. That the memorandum titled “Update – City Initiated Official Plan Amendment and Zoning By-Law Amendment (Housing Accelerator Fund Initiative 3 – Major Transit Station Area Policy Work), File No. PR 24 196907 be received; and
2. That the revised Official Plan Amendment and Zoning By-Law Amendment for the Housing Accelerator Fund Initiative 3 (Major Transit Station Areas Policy Update), attached hereto **as Appendix “1” and “2”** be adopted and approved;
3. That this report and recommendation be sent to the Canada Mortgage and Housing Corporation (CMHC); and further,
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

7. REPORT OF STANDING COMMITTEE

7.1 REPORT NO. 14 DEVELOPMENT SERVICES COMMITTEE (MAY 13, 2025)

Please refer to your May 13, 2025 Development Services Committee Agenda for reports.

That the report of the Development Services Committee be received & adopted.
(Item 1):

7.1.1 RECOMMENDATION REPORT- HOUSING ACCELERATOR FUND INITIATIVE 3 (MAJOR TRANSIT STATION AREAS POLICY UPDATE) – CITY INITIATED OFFICIAL PLAN AND ZONING BY-LAW AMENDMENTS, FILE: PR 24 196907 (10.3, 10.5)

65

[Item 6.5 and By-law 2025-48 (OPA 64) and By-law 2025-49]

1. That the staff report entitled “RECOMMENDATION REPORT: Housing Accelerator Fund Initiative 3 (Major Transit Station Areas Policy Update) – City Initiated Official Plan and Zoning By-law Amendments” be received; and,
2. **That the established low-rise residential area on the south side of Highway 7, east of McCowan Road within the McCowan BRT Station MTSA area including the lands at**

5305 & 5307 Highway 7 that are subject to a current OLT appeal, be excluded from the City Initiated Official Plan and Zoning By-Law Amendments for the Housing Accelerator Fund Initiative 3; and,

3. **That the established low-rise residential area on the north side of Highway 7, within the Montgomery BRT Station MTSA area including the lands at 5305 & 5307 Highway 7 that are subject to a current OLT appeal, be excluded from the City Initiated Official Plan and Zoning By-Law Amendments for the Housing Accelerator Fund Initiative 3; and,**
4. **That the City Initiated Official Plan and Zoning By-Law Amendments for the Housing Accelerator Fund Initiative 3 (Major Transit Station Areas Policy Update), as amended, in the **updated attachments as Appendix “1” and “2”** be brought forward to a future Council meeting to be enacted without further notice; and,**
5. **That the depuations from Karina LaMaccia, Ben Miloshevski, Elizabeth Brown, Clayton Cartwright, Ala Baker, and, Alan Adams be received; and, further,**
6. **That staff be authorized and directed to do all things necessary to give effect to this resolution.**

7.2 REPORT NO. 15 DEVELOPMENT SERVICES PUBLIC MEETING (MAY 20, 2025)

Please refer to your May 20, 2025 Development Services Public Meeting Agenda for reports.

That the report of the Development Services Committee be received & adopted.
(Items 1 to 2):

7.2.1 PUBLIC MEETING INFORMATION REPORT, JAHANGIR CHOUDHRY, AT 17 OAKCREST AVENUE (WARD 3), APPLICATION FOR ZONING BY-LAW AMENDMENT

118

TO FACILITATE A FUTURE SEVERANCE FOR THE CREATION OF TWO NEW LOTS WITH SITE-SPECIFIC PROVISIONS AT 17 OAKCREST AVENUE (WARD 3), FILE NO. PLAN 24 193958 (10.5)

1. **That the report entitled “PUBLIC MEETING INFORMATION REPORT, Jahangir Choudry, Application for Zoning By-law Amendment to facilitate a future**

severance for the creation of two new lots with site-specific provisions at 17 Oakcrest Avenue (Ward 3), File No. PLAN 24 193958”, be received; and,

2. That the Record of the Public Meeting held on May 20, 2025 with respect to the proposed Zoning By-law Amendment application, be received; and,
3. That the application by Jahangir Choudry for the proposed Zoning By-law Amendment (PLAN 24 193958), be approved and the draft implementing Zoning By-law Amendment be finalized and enacted without further notice; and further,
4. That staff be authorized and directed to do all things necessary to give effect to this resolution.

7.2.2 PUBLIC MEETING INFORMATION REPORT, SOHAIL KHAN, ENGENIUS DEVELOPMENT INC. AT 10 RIVER BEND ROAD (WARD 3), APPLICATION FOR OFFICIAL PLAN AND ZONING BY-LAW AMENDMENT

149

TO ACCOMMODATE A FUTURE SEVERANCE FOR THE CREATION OF FOUR NEW LOTS WITH SITE-SPECIFIC PROVISIONS AT 10 RIVER BEND ROAD (WARD 3), FILE NO. PLAN 24 189460 (10.3, 10.5)

1. **That the written submissions by Raj Bissoon, Annette Sabatini, and Carmelo Lamanna, be received; and,**
2. That the report entitled “PUBLIC MEETING INFORMATION REPORT, Engenius Development Inc., Applications for Official Plan Amendment and Zoning By-law Amendment to facilitate a future severance for the creation of four new lots with site-specific provisions (Ward 3), File No. PLAN 24 189460”, be received; and,
3. That the Record of the Public Meeting held on May 20, 2025 with respect to the proposed Official Plan Amendment and Zoning By-law Amendment applications, be received; and,
4. **That the Applicant work with staff to ensure all four lots are minimum of 50 feet wide; and,**
5. That the applications by Engenius Development Inc. for the proposed Official Plan and Zoning By-law Amendment (PLAN 24 189460), be approved and the draft implementing Official Plan Amendment and Zoning By-law Amendment

be finalized and enacted without further notice; and further,

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

7.3 REPORT NO. 16 DEVELOPMENT SERVICES MEETING (JUNE 10, 2025)

Please refer to your June 10, 2025 Development Services Public Meeting Agenda for reports.

That the report of the Development Services Public Meeting be received & adopted. (Items 1 to 5):

7.3.1 039-T-24 AND 022-R-19 - AGREEMENTS WITH PROPERTY OWNERS FOR CONSTRUCTION AND FUNDING OF SERVICES RELATING TO

185

THE MAIN STREET UNIONVILLE RECONSTRUCTION PROJECT AND THE VICTORIA SQUARE BOULEVARD RECONSTRUCTION PROJECT (PHASE 1) (10.0)

1. That the report entitled “039-T-24 and 022-R-19 - Agreements with Property Owners for Construction and Funding of Services Relating to the Main Street Unionville Reconstruction Project and the Victoria Square Boulevard Reconstruction Project (Phase 1)” be received; and,
2. That the Mayor and Clerk be authorized to execute agreements with property owners for the construction and funding of the Services approved by the Director of Engineering within the construction limits of Main Street Unionville Reconstruction Project and the Victoria Square Boulevard Reconstruction Project (Phase 1), provided the form of such agreements are satisfactory to the City Solicitor and the Commissioner of Development Services; and,
3. That the construction of the Services described in such agreements be included in the City’s construction contracts for the Main Street Unionville Reconstruction Project and the Victoria Square Boulevard Reconstruction Project (Phase 1); and further,
4. That staff be authorized and directed to do all things necessary to give effect to this resolution.

7.3.2 RECOMMENDATION REPORT, CAPITAL BUDGET REQUEST

190

FOR THE PROPOSED DEVELOPER BUILD STRATA PARK AT
1297 AND 1307 CASTLEMORE AVENUE (10.0)

1. That the June 10, 2025 report titled 'Recommendation Report, Capital Budget Request for Developer Build Strata Park at 1297 and 1307 Castlemore Avenue' be received; and,
2. That a new 2025 Capital Budget for Developer Build Strata Park be established and funded from Development Charges (Parks Development Reserve) in the amount of \$744,935 inclusive of HST impact @1.76% and internal charges; and further,
3. That staff be authorized and directed to do all things necessary to give effect to this resolution.

7.3.3 COMMENTS ON THE PROTECT ONTARIO BY BUILDING
FASTER AND SMARTER ACT, 2025 (BILL 17) (10.0)

196

1. That the report dated June 10, 2025, titled " Comments on the Protect Ontario by Building Faster and Smarter Act (Bill 17)" be received; and,
2. That this report be forwarded to the Minister of Municipal Affairs and Housing, Minister of Infrastructure, and Minister of Transportation as the City of Markham's comments on Bill 17; and,

Amendment to the Building Transit Faster Act, 2020

3. That the Province establish a formal process for consultation and coordination with municipalities in the development of provincial transit projects and the management of construction activities including traffic management plans; and,
4. That the Province work collaboratively with the City to monitor local impacts, provide regular project updates, and ensure timely notification to affected stakeholders and the public; and,

Amendments to the Planning Act

5. That the Province require formal municipal consultation to demonstrate that local transportation policies and plans are considered and aligned before issuing MZO's or imposing conditions that may adversely impact transportation systems; and,

6. That the Province clarify and provide further guidance on how MZO conditions will be cleared, to whose satisfaction, and provide a specific list of the items that can be conditioned; and,
7. That the Province ensure school sites are not located in areas that are not appropriate for sensitive land uses; and,

Proposed Regulations – Complete Applications

8. That Council not support regulations that would limit the scope, type or number of studies that may be required as part of a complete application and instead provide guidance to municipalities to facilitate consistency across the Province; and,
9. That if the Province proceeds, at a minimum sun/shadow and wind impact studies should be required as a part of Zoning Bylaw Amendment and Site Plan Control Applications; and,
10. That the Province partner with Ontario municipalities and practitioners on common practices and criteria for urban design studies to ensure consistency across all jurisdictions; and,
11. That the Province provide more details on the process and requirements for certifying professionals for which municipalities would be required to accept studies; and,

Proposed Regulation As-of-right Variations from Setback Requirements

12. That Council not support changes to the Planning Act to enable the Minister of Municipal Affairs and Housing to permit variations from the zoning by-law within a prescribed percentage; and,
13. That the Province limit the applicability of the proposed legislation to existing development with reduced zoning setbacks and legal non-conforming uses; and,

Amendments to Transit Oriented Communities Act

14. That Council is generally supportive of the proposed changes where the implementation of Transit Oriented Communities aligns

with the local municipal visions or plans are developed in consultation with the municipality to ensure local priorities are protected; and,

Building Code - Eliminate Secondary Approvals for Innovative Construction Materials

15. That Council support all proposed changes to streamline Ministers' rulings process for construction products; and,

16. That Council not support Building Code research efforts geared towards single unit four storey townhouses as these units are not affordable and only generate one dwelling unit. The Province should dedicate Building Code research resources to more affordable housing solutions; and,

Amendments to Ministry of Infrastructure Act and Metrolinx Act

17. That Council support all opportunities for municipal data tracking across the Province, where data collection is automated through open data; and,

Proposed Changes to the Development Charges Act

18. That Council not support the proposed change to exempt long term care homes; if the Province proceeds to institute this change, the City will be amenable if the exemption applies only to non-profit developments; and,

19. That Council not support the payment of development charges at occupancy; if the Province proceeds to institute this change, the City would be amenable if interest is levied to the date of occupancy and security can be obtained for the outstanding amounts; and,

20. That Council support the changes to the application of the development charge rate freeze, where collection is based on the lower of the frozen development charge amount plus interest or, the amount calculated using the prevailing rate; and,

21. That Council support the streamlined process for selected development charge by-law amendments, which eliminates the

requirement to prepare a Development Charges Background Study if the amendment is to reduce the development charge rates; and,

Proposed Development Charge changes through Regulation

22. That Council request the City be invited to participate in the discussions on the proposed regulatory changes, inclusive of those related to the determination of eligible capital costs which may focus on the inclusion/exclusion of land, and the methodology for determining benefit to existing; and,

23. That Council support the need for more development and streamlined processes, but not support any changes to the development charge regime that will move growth related costs away from developers and onto existing residents and businesses in any significant way; and,

Other Proposed Cost Recovery Changes

24. That Council request the City be invited to participate in discussions on the utilization of a proposed utility model to construct water and wastewater services; and further,

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

7.3.4 COMMERCIAL FAÇADE IMPROVEMENT GRANT PROGRAM - 2025 (16.11) 231

1. That the June 10, 2025, Staff report, titled “Commercial Façade Improvement Grant Program - 2025”, be received; and,

2. That Council supports financial assistance representing \$15,000.00 in grant assistance for:

- a. Paint Removal from the bricks of 4592 Hwy. 7 E. in Unionville and the re-conditioning of the original wooden window frames subject to the owner obtaining a Minor Heritage Permit for the proposed work;

3. That the eligibility requirements of the Commercial Façade Improvement Grant Program be revised to require Façade Easement Agreements for grants of more than \$7,500 instead of \$5,000; and,

4. That the Commercial Façade Improvement Grant Program be revised to make designated historic places of worship eligible for grant funding instead of requiring them to apply to the City's Designated Heritage Property Grant Program and that the program be renamed the Commercial Façade and Historic Places of Worship Grant Program; and,

5. That the 2025 grants be funded through the Commercial Façade Improvement Grant Program Fund, Account 620-101-5699-25011; and further,

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

7.3.5 DESIGNATED HERITAGE PROPERTY GRANT APPLICATIONS 2025 (16.11.3)

239

1. That the June 10, 2025, report titled, "Designated Heritage Property Grant Applications 2025", be received; and,

2. That Designated Heritage Property Grants for 2025 be approved in the amounts noted for the following properties, totaling \$54,020.00, provided that the applicants comply with eligibility requirements of the program:

- a. 357 Main St. N., Markham Village: up to \$5,000.00, for the painting of the house in historic original colours and installation of historically authentic wooden front entrance door;
- b. 7707 Yonge St., Thornhill: up to \$5,000.00 for the installation of historically authentic 2nd storey windows facing Yonge St.;
- c. 218 Main St., Unionville: up to \$2,000.00 for the painting of the steeple and bellcote louvres in historic original colours;
- d. 6 Alexander Hunter Place, Markham Heritage Estates: up to \$7,500.00 for the installation of a cedar shingle roof;
- e. 3 David Gohn Circle, Markham Heritage Estates: up to \$7,500.00 for the installation of a cedar shingle roof;
- f. 1 Heritage Corners Lane, Markham Heritage Estates: up to \$5,000.00 for the production and installation of historically authentic louvred shutters;
- g. 12 Wismer Place, Markham Heritage Estates: up to \$7,500.00 for the installation of a cedar shingle roof;
- h. 1 Kalvinster Drive, Cornell: up to \$4,520.00 for the reconstruction of brick gable-end chimneys;

- i. 99 Thoroughbred Way, Markham: up to \$5,000.00 for the repair and restoration of the historic wooden clapboard siding;
 - j. 10720 Victoria Square Blvd., Victoria Square: up to \$5,000.00 for the repair of historic brickwork; and,
3. That the grant request for 49 Church Street not be funded due to the proposed work and application not meeting the eligibility requirements of the program; and,
 4. That the grants be funded through the Designated Heritage Property Grant Project Fund, Account 620-101-5699-25010 (\$60,000.00 available for 2025) and further,
 5. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

7.4 REPORT NO. 17 GENERAL COMMITTEE (JUNE 17, 2025)

Please refer to your June 17, 2025 General Committee Agenda for reports.

That the report of the General Committee be received & adopted. (Items 1 to 10):

7.4.1 CANCELLATION, REDUCTION, OR REFUND OF TAXES UNDER SECTIONS 357 AND 358 OF THE MUNICIPAL ACT, 2001 (7.3) 259

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.

7.4.2 STATUS OF CAPITAL PROJECTS AS OF MARCH 31, 2025 (7.5) 266

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.

7.4.3 CLOUD ENTERPRISE RESOURCE PLANNING (ERP)
SOFTWARE UPDATE (7.12)

285

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.

7.4.4 EXTERNAL AUDIT CONTRACT EXTENSION (7.0)

290

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.

7.4.5 QUALITY MANAGEMENT SYSTEM - MANAGEMENT REVIEW (5.3)

294

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.

7.4.6 AMENDMENT TO ROAD OCCUPANCY BY-LAW 2018-109 298
(5.10)

(By-law 2025-50)

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.

7.4.7 2025 ASSET MANAGEMENT PLAN AND FINANCIAL STRATEGY (7.0) 352

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.

7.4.8 APPROVAL FOR COMMUNITY BBQ - COUNCILLOR ISA LEE - SEPTEMBER 13, 2025 (16.23)

1. That in accordance with, and for the purposes of compliance with 10.1 (j) of the Council Code of Conduct, Council approve the 2025 Community Fun Fair being organized and hosted by Ward 8 Councillor Isa Lee; and,
2. That Staff be authorized to provide accounting and financial transaction services in support of Councillor Isa Lee's 2025 Community Fun Fair; 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.

7.4.9 APPROVAL FOR COMMUNITY BBQ - COUNCILLOR AMANDA COLLUCCI - SEPTEMBER 7, 2025 (16.23)

1. That in accordance with, and for the purposes of compliance with 10.1 (j) of the Council Code of Conduct, Council approve the 2025 Community Barbeque being organized and hosted by Ward 6 Councillor Amanda Collucci; and,
2. That Staff be authorized to provide accounting and financial transaction services in support of Councillor Amanda Collucci'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.

7.4.10 MOTION - TAKING ACTION AGAINST INVASIVE SPECIES (6.3)

396

Whereas, invasive species are a significant risk to the health and biodiversity of natural areas and their enjoyment by the community; and,

Whereas, Policy 3.2.2 of the Markham Official Plan 2014 provides direction to develop, in cooperation with York Region, an Urban Forest Management Plan to address local tree canopy targets, tree species diversity, *invasive species management (emphasis added)*, soil conservation strategies, and the long-term maintenance of Markham's urban forest including tracking and measuring the health benefits of the urban forest; and,

Whereas, on May 29, 2024 Council endorsed the Natural Heritage Management Study, including an Invasive Plant Species Management Plan and Natural Areas Management Guidebook; and,

Whereas, the Natural Areas Management Guidebook provides direction to address invasive species as a best practice; and,

Whereas, the Invasive Species Management Plan provides information on key invasive plants in Markham, past and ongoing management efforts, and direction for the prioritization and implementation of invasive species management projects in City-owned natural areas; and,

Whereas, on May 29, 2024 Council also endorsed the Natural Assets Study; and,

Whereas, the Natural Assets Study includes invasive species management as a current life cycle activity undertaken to manage city-owned natural assets; and,

Whereas, the Natural Assets Study Climate Guide identifies undertaking targeted management of invasive species in sensitive ecosystems and developing an invasive species management plan as opportunities to increase resiliency of City's natural areas to climate change; and,

Whereas, the Ontario Invasive Species Strategic Plan (2012-2022 under review) provides provincial direction and commitments on

addressing the risk of invasive species; and,

Whereas, the Ontario Invasive Species Strategic Plan is guided by overarching goals to prevent, detect, respond, manage and adapt to invasive species; and,

Whereas, the Ontario Invasive Species Strategic Plan Identifies the role of partners and key stakeholders including federal government, *municipalities (emphasis added)*, NGOs, private sector and property owners; and,

Whereas, the York Region Invasive Species Technical Working Group was created to foster collaboration with local municipalities, provincial and federal governments, NGOs and academia to manage invasive species; and,

Whereas, the Rouge National Urban Park (Environment Canada) (RNUP) is guided by a multi-species Action Plan; and

Whereas, the RNUP multi-species action plan provides a comprehensive plan for endangered and threatened species conservation and recovery in the RNUP; and

Whereas, the RNUP multi-species action plan lists current targeted actions to control invasive species in the park; and,

Whereas, the RNUP multi-species action plan Identifies an initiative to develop an Invasive Species Management Plan; and,

Whereas, the Toronto and Region Conservation Authority (TRCA) is guided by an Invasive Species Management Strategy 2020-2025; and,

Whereas, the TRCA Invasive Species Management Strategy includes a goal to protect and, where possible, enhance terrestrial and aquatic ecosystem function and services on TRCA-owned lands and *other public lands (emphasis added)* to ensure ecosystem health and community well-being; and,

Whereas, the TRCA Invasive Species Management Strategy actions include collaboration and coordination among partners; and,

Whereas, invasive species management undertaken by the City of Markham would complement and support strategies and initiatives led by the Province of Ontario, York Region, and other agencies and stakeholders active in Markham; and,

Whereas, Markham's current actions to manage invasive species are typically targeted and secondary activities related to other work (e.g.

removing invasive species and noxious weeds harmful to human health along trails and high use park sites, storm pond cleaning, targeted community- led stewardship projects, preparing sites for tree planting areas); and,

Whereas, Markham lacks a funded strategy to manage invasive species as a stand-alone goal.

Therefore, now be it resolved:

1. That Markham Council directs City Staff to prepare a 2026 capital budget submission to develop a long-term invasive species management strategy with appropriate action steps; and,
2. That Development of a long-term invasive species management strategy be funded in the 2026 budget year, for implementation of the strategy beginning in the 2027 budget year; and,
3. That the long-term invasive species management strategy include cooperation with other levels of government, other public agencies, non-governmental organizations, the 407ETR and private property owners; and,
4. That the long-term invasive species management strategy include quantitative goals and benchmarks, such as, for illustration only, metres of shoreline or acres of green space cleared of invasive species and the recommended budget, staffing and resources needed to implement the strategy; and,
5. That work to control invasive plant species move at a pace faster than the spread of the targeted invasive species; and further,
6. That Staff be directed and authorized to do all things necessary to give effect to this resolution.

8. MOTIONS

9. NOTICE OF MOTION TO RECONSIDER

10. 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".*

10.1 OPTIONS FOR FILLING WARD 7 VACANCY ON MARKHAM CITY COUNCIL

The City Clerk will provide a presentation on this matter.

Note: Attachment to be added when available

11. ANNOUNCEMENTS

12. BY-LAWS - THREE READINGS

That By-laws 2025-44 to 2025-50 be given three readings and enacted.

Three Readings

12.1 BY-LAW 2025-44, A BY-LAW TO DESIGNATE PART OF A CERTAIN PLAN OF SUBDIVISION NOT SUBJECT TO PART LOT CONTROL (COUNTRY WIDE HOMES AT MARKHAM INC.) 405

Being a By-law to designate part of a certain plan of subdivision not subject to Part Lot Control. Located along Selina Rose Street, west of Warden Avenue and north of Berczy Green Drive. The By-law is to facilitate the conveyance of 21 traditional condo townhouses. (Blocks 76, 84, 108, and 110, on Registered Plan 65M-4794)

12.2 BY-LAW 2025-45, A BY-LAW TO REPEAL BY-LAW 2003-10, BEING A BY-LAW TO DESIGNATE THE WILLIAM CLARRY HOUSE.

Being a By-law to repeal By-law 2023-10 from the lands formerly municipally known as 9900 Highway #48. Council approved a request to demolish the on-site heritage resource because of significant structural damage at its meeting on January 26, 2021.

12.3 BY-LAW 2025-46, A BY-LAW TO REPEAL BY-LAW 2014-20 AS AMENDED BY BY-LAW 2023-102, BEING A BY-LAW TO DESIGNATE THE MUNSHAW HOMESTEAD 407

Being a By-law to repeal By-law 2023-102 from the lands municipally known as 10 Ruggles Avenue. Council approved a Major Heritage Permit application seeking permission to demolish the on-site heritage resource due to significant fire damage at its meeting on March 25, 2025.

12.4 BY-LAW 2025-47, A BY-LAW TO AMEND BY-LAW 2004-196, AS AMENDED (SIGNATURE TOWER RESIDENCE INC. C/O THE REMINGTON GROUP (THE "OWNER")) 409

Being a By-law to amend By-law 2004-196, as amended, re-zoning subject lands to permit a mixed-use condominium apartment development comprised

of a 35 storey residential tower containing 335 units. [Signature Tower Residence Inc., 190 Enterprise Blvd and 18 Andre De Grasse Street (“K2”), CON 5 PT LOT 8 RP 65R37421 PARTS 1 TO 3]
(Item 6.4)

12.5 BY-LAW 2025-48, MAJOR TRANSIT STATION AREAS WITHIN THE MUNICIPALITY - OFFICIAL PLAN AMENDMENT NO. 64 (HOUSING ACCELERATOR FUND INITIATIVE 3)

The OPA NO. 64 modifies the City’s 2014 Official Plan to rezone lands use designations that permit residential units within the Major Transit Station Areas, as identified in the 2022 York Region Official Plan Appendix 2, within the geographic boundary of the City of Markham. (HAF Initiative 3)
(Item 6.5, Item 7.1.1 and By-law 2025-49)

12.6 BY-LAW 2025-49, MAJOR TRANSIT STATION AREAS WITHIN THE MUNICIPALITY - ZONING BY-LAW AMENDMENT (HOUSING ACCELERATOR FUND INITIATIVE 3)

412

Being a By-law to rezone lands use designations that permit residential units within the Major Transit Station Areas, as identified in the 2022 York Region Official Plan Appendix 2, within the geographic boundary of the City of Markham. (HAF Initiative 3)
[Item 6.5, Item 7.1.1 and By-law 2025-48 (OPA 64)]

12.7 BY-LAW 2025-50, A BY-LAW TO AMEND BY-LAW 2018-109 A BY-LAW TO REGULATE THE USE, ALTERATION, AND OCCUPANCY OF HIGHWAYS WITHIN THE CITY OF MARKHAM

415

Being a By-law to make administrative amendments to the Road Occupancy By-law 2018-109.
(Item 7.4.6)

13. CONFIDENTIAL ITEMS

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

13.1 COUNCIL

13.1.1 CONFIDENTIAL COUNCIL MINUTES - MAY 27, 2025

Note: Attachment to be added when available

13.2 DEVELOPMENT SERVICES COMMITTEE - JUNE 10, 2025

13.2.1 REQUEST FOR DIRECTION - ONTARIO LAND TRIBUNAL

APPEAL FOR MINOR VARIANCE AT 59 LEE AVENUE (WARD 8) (8.0)

(LITIGATION OR POTENTIAL LITIGATION, INCLUDING MATTERS BEFORE ADMINISTRATIVE TRIBUNALS, AFFECTING THE MUNICIPALITY OR LOCAL BOARD;) [MUNICIPAL ACT, 2001, SECTION 239 (2) (e)]

- 13.2.2 UPDATE REQUEST FOR DIRECTION - ONTARIO LAND TRIBUNAL APPEALS RE: NEW COMPREHENSIVE ZONING BY-LAW (8.0)

(LITIGATION OR POTENTIAL LITIGATION, INCLUDING MATTERS BEFORE ADMINISTRATIVE TRIBUNALS, AFFECTING THE MUNICIPALITY OR LOCAL BOARD;) [MUNICIPAL ACT, 2001, SECTION 239 (2) (e)]

- 13.2.3 OLT APPEAL BY PRIMONT HOMES (LESLIE/JOHN) INC., OF THE OFFICIAL PLAN AND ZONING BY-LAW AMENDMENT APPLICATIONS AT 2300 JOHN STREET (WARD 1)

(LITIGATION OR POTENTIAL LITIGATION, INCLUDING MATTERS BEFORE ADMINISTRATIVE TRIBUNALS, AFFECTING THE MUNICIPALITY OR LOCAL BOARD;) [MUNICIPAL ACT, 2001, SECTION 239 (2) (e)] (10.3, 10.5)

14. **CONFIRMATORY BY-LAW - THREE READINGS**

428

That By-law 2025-43 be given three readings and enacted.

Three Readings

BY-LAW 2025-43 A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE COUNCIL MEETING OF JUNE 24, 2025.

No attachment

15. **ADJOURNMENT**



Alcohol and Gaming Commission of Ontario
 90 Sheppard Avenue East, Suite 200
 Toronto ON M2N 0A4
 Tel.: 416-326-8700 • Fax: 416-326-8711
 Toll free in Ontario: 1-800-522-2876
 Inquiries: www.agco.ca/iagco
 Website: www.agco.ca

Municipal Information for Liquor Sales Licences (including Tied House)

The information requested below is required in support of all applications for a new Liquor Sales Licence (including Tied House) or areas being added to an existing Liquor Sales Licence.

Section 1 – Application Details

Premises Name

Jake's On Main Pub & Grill

Premises Phone Number (include area code)

+1 905-470-6955

Premises Address

202 Main St Unionville

City/Town

Unionville

Province

ON

Postal Code

L3R 2G9

Contact Name

Jack Valianes

Contact's Phone Number (include area code and extension)

+1 416-726 -6955

Contact's Email Address

jackvalianes@rogers.com / bryan.zhang@sunnycommunities.com

Does the application for a Liquor Sales Licence (including Tied House) include indoor areas and/or outdoor areas?

☐

Indoor Areas

☒

Outdoor Areas

Section 2 – Municipal Clerk's Official Notice of Application for a Liquor Sales Licence (including Tied House) in your Municipality.

Municipal Clerk:

Please confirm the "wet/damp/dry" status below.

Name of village, town, township or city where taxes are paid.

(If the area where the establishment is located was annexed or amalgamated, provide the name that the village, town, township or city was known as.)

Is the area where the establishment is located "wet", "damp" or "dry"? Please select one.

☐

Wet (for spirits, beer, wine)

☐

Damp (for beer and wine only)

☐

Dry

Note: Specific concerns regarding zoning or non-compliance with by-laws must be clearly outlined **in a separate submission or letter within 30 days of this notification.**

Address of Municipal Office

Name of Municipal Official

Title

Date (dd/mm/yyyy)

Telephone number

Email Address

Signature of Municipal Official



Liquor Licence Questionnaire

The Corporation of the City of Markham

To evaluate your Liquor Licence Application, you are required to complete this Questionnaire.

Submit the all required documentation to the Clerk's Office by mail or in-person to the address below.

City of Markham
Clerk's Office
Legislative Services Department
101 Town Centre Boulevard
Markham, Ontario
L3R 9W3

Attention: Public Services Assistant

If you have any questions about this Questionnaire, please call 905-477-7000 ext. 2366.

Liquor Licence Questionnaire Checklist

The following items **must** be submitted with this completed Questionnaire to the Clerk's Office:

- ✓ Applicable fee;
- ✓ A sample menu; and,
- ✓ Copy of the floor plan showing the layout, areas that require licensing, seating arrangements, washrooms (show fixtures) and exits.

Applicant Contact Information

First Name Bryan		Last Name ZHANG	
Street Number 25	Street Name Brodie Drive		Suite/Unit Number 1-2nd Floor
City Richmond Hill		Postal Code L4B 3K7	Province ON
Telephone Number 905-415-6966 Ext 110	Mobile Number	Email bryan.zhang@sunnycommunities.com	

Restaurant Information

Name of Restaurant Jake's On Main			
Street Number 202	Street Name Main St Unionville		Suite/Unit Number N/A
City Markham / Unionville		Postal Code L3R 2G9	Province ON

Page 1 of 2

Rev. Jan/17

Information on this form is collected under the authority of Section 11 of the Municipal Act, 2001, S.O. 2001, c. 25, as amended and Section 12 of the Liquor Licence Act, R.S.O. 1990, Chapter L.19, as amended. The information you have provided will be used to contact you and process your Liquor Licence Application. If you have questions about this collection contact the Access & Privacy Manager, Legislative Services Development, 101 Town Centre Boulevard, Markham, Ontario, L3R 9W3, 905-477-5530.

What is the closest major intersection to the restaurant? Carlton Rd and Main St, Unionville	What is the distance between the restaurant and the closest residential area? (in kilometres) 0.085 KM (85m)
Does the restaurant have a valid Business Licence issued by the City of Markham? <input checked="" type="radio"/> Yes <input type="radio"/> No Business Licence Number: <u>834142473</u> If no, please note that a Business Licence is required.	Does the restaurant have a working Fire Alarm System? <input checked="" type="radio"/> Yes <input type="radio"/> No
Type of restaurant (select one) <input checked="" type="checkbox"/> Family <input type="checkbox"/> Roadhouse <input type="checkbox"/> Sports Bar <input type="checkbox"/> Fine Dining <input type="checkbox"/> Take Out <input type="checkbox"/> Cafe	
What, if any, entertainment or amusements will be provided in the restaurant? (select all that apply) <input type="checkbox"/> Karaoke <input type="checkbox"/> Live Entertainment <input type="checkbox"/> Casino <input type="checkbox"/> Off-Track Betting <input type="checkbox"/> Arcade	
Is the liquor licence application for an expansion of the existing operations? <input checked="" type="radio"/> Yes <input type="radio"/> No If yes, please provide the <u>current</u> existing maximum seating capacity: <u>150</u> If no, please provide the <u>planned</u> existing maximum seating capacity: _____	
Location History	
Has a Building Permit been applied for or obtained for this location? <input type="radio"/> Yes Building Permit Number: _____ <input checked="" type="radio"/> No	
Was the location previously used as a restaurant? <input checked="" type="radio"/> Yes <input type="radio"/> No If no, a Building Permit is required. Contact Building Services at 905-477-7000 ext. 4870 for more information.	
If the location was previously used as a restaurant, has construction or alteration been proposed? <input type="radio"/> Yes <input checked="" type="radio"/> No If yes, please provide Alteration Permit Number: _____	

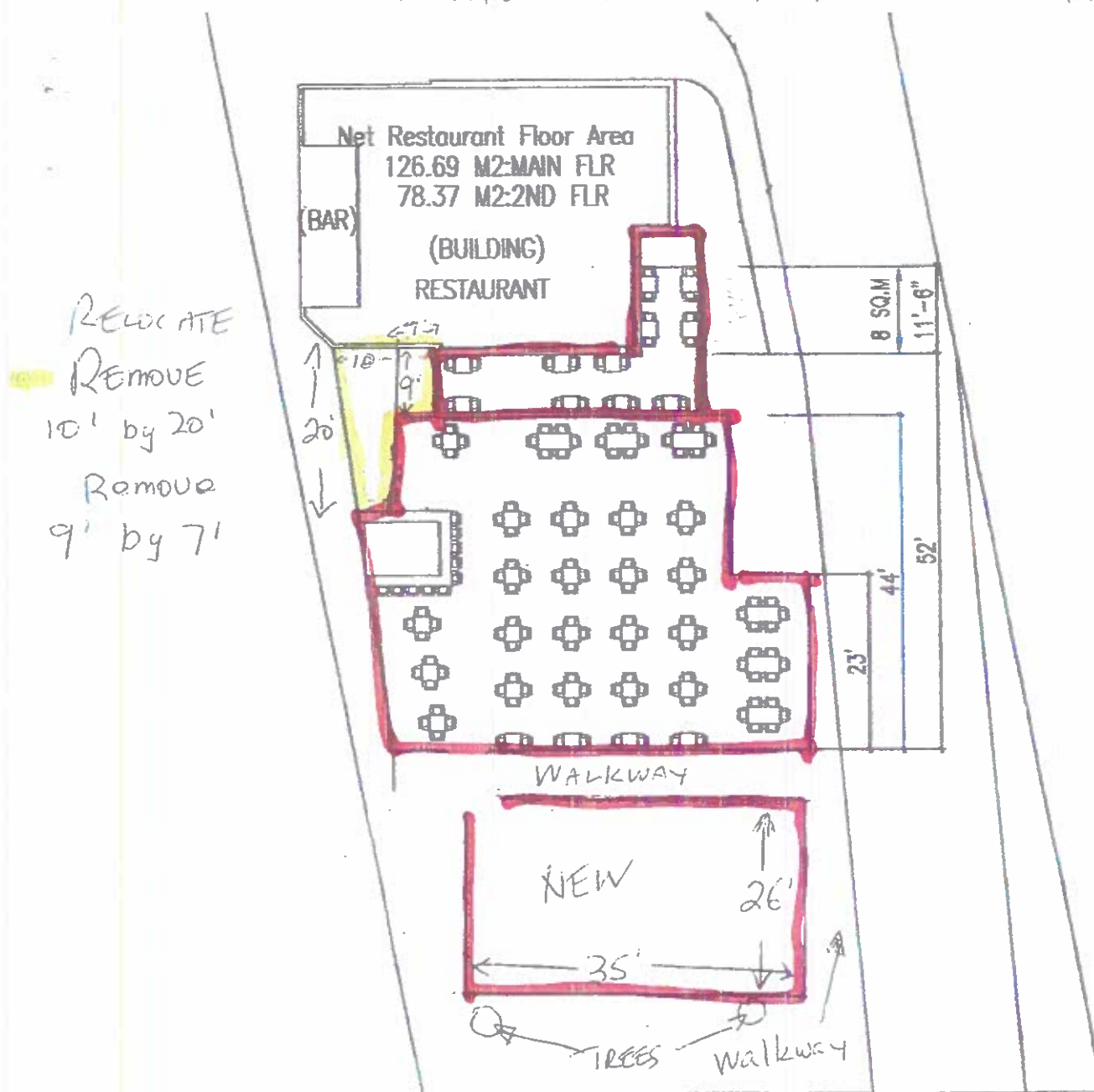
Bryan Zhang

Applicant's Signature

May 15, 2025

Date

TRAISES ON MAIN 202 MAIN ST UNIONVILLE



Total Restaurant GFA 598.54m2

6464.23 sq ft

CURRENT PATIO 2585.69 sq ft (REMOVE 2635 sq ft)

PROPOSED NEW PATIO

909.4 sq ft

10% OF GFA
PLUS RELOCATE

646.42 sq ft
263.00 sq ft

TOTAL NEW
AREA

909.42 sq ft

DRINK MENU

CLASSIC COCKTAILS

\$12 / 1.5 oz

Blue Hawaiian

Rum / Coconut Rum / Blue Curaçao / Pineapple Juice

Fuzzy Bunny

Tequila / Blue Curaçao / Orange Juice /Bar Lime

Killer Kool-Aid

Vodka / Melon Liqueur / Amaretto / Cranberry Juice

Tornado

Vodka / Sourpuss Apple / Sourpuss Raspberry / Orange Juice / Sprite

Zombie

Rum / Gold Rum / Dark Rum / Coconut Rum / Apricot Brandy / Pineapple Juice / Sprite / Grenadine

Bahama Mama

Rum / Coconut Rum / Banana Liqueur / Orange Juice / Pineapple Juice / Grenadine

Tijuana Lady

Tequila / Galliano / Lime Juice / Angostura Bitters

White Freezie

Sourpuss Raspberry / Banana Liqueur / Sprite

Caribbean Spritzer

White Wine / Triple Sec / Pineapple Juice / Sprite

Pink Lemonade Fizz

Gin / Sprite / Lemonade / Grenadine

Paloma

Tequila, Grapefruit Juice, Soda

\$16 / 2 oz

Long Island Iced Tea

Vodka / Rum / Gin / Triple Sec / Coke / Lime Juice

Mojito

Rum / Mint / Sugar / Soda Water / Lime Juice

Tom Collins

Gin / Sugar / Soda Water / Lime Juice

Bloody Caesar

Vodka / Clamato Juice / Tabasco / Worcestershire Sauce / Salt and Pepper / Salted Rim

Mimosa

Sparkling Wine / Orange Juice

Moscow Mule

Vodka / Fresh Lime / Ginger Beer

Aperol Spritz

Aperol / Soda Water / Sparkling Wine

Sangria

(Red Wine or White Wine) Fruit juices / Sprite / Fresh Fruit

\$11 / **Glass** \$37 / **Jug**

SHOOTERS

\$8 / 1 oz

Porn Star

Blue Curaçao / Raspberry Liqueur

Polar Bear

Crème de Menthe / Crème de Cacao

Swedish Berry

Banana Liqueur / Raspberry Liqueur

Burt Reynolds

Spiced Rum / Butterscotch Liqueur

Bazooka Joe

Baileys / Blue Curaçao / Banana Liqueur

Broken Down Golf Cart

Melon Liqueur / Amaretto / Cranberry Juice

TOP SHELF

\$16 / 2 oz

Old Fashioned

Woodford Reserve Whiskey / Angostura Bitters / Sugar

Manhattan

Woodford Reserve Whiskey / Sweet Vermouth / Angostura Bitters

Negroni

Gin / Campari / Sweet Vermouth

Rusty Nail

Scotch Whiskey / Drambuie

French Manhattan

Woodford Reserve Whiskey / Chambord Black Raspberry Liqueur / Sweet Vermouth / Angostura Bitters

MARTINIS

\$16 / 2 oz

Cosmopolitan

Vodka / Triple Sec / Cranberry Juice

Peach Kiss

Vodka / Peach Schnapps / Orange Juice

Lychee Martini

Vodka / Lychee Liqueur / Cranberry Juice

Candy Apple Martini

Vodka / Sourpuss Apple / Butterscotch Schnapps / Bar Lime

French Martini

Vodka / Chambord Black Raspberry Liqueur

FROZEN DRINKS

\$16 / 2 oz

Miami Vice

Rum / Strawberry Mix / Piña Colada Mix

Peach Bellini

Peach Schnapps / Sparkling Wine / Peach Mix

Daiquiri

Rum (Strawberry / Peach / Lime / Mango)

Margarita

Tequila / Lime Margarita Mix

Piña Colada

Rum / Piña Colada Mix

BOMBS

\$10 / 1 oz

Jäger Bomb

Jägermeister + Red Bull

Vegas Bomb

Crown Royal + Peach Schnapps + Red Bull

Florida Tracksuit

Vodka + Sourpuss Raspberry Liqueur + Red Bull

LIQUOR

Vodka

Iceberg	8
Smirnoff	8
Smirnoff Pink Lemonade Vodka	8
Tito's Handmade	10
Ketel One	10
Grey Goose	10
Ciroc Original	9
Ciroc Apple	9
Ciroc Peach	9
Ciroc Red Berry	9

Rum

Captain Morgan White Rum	8
White Rum	8
Gold Rum	8.50
Dark Rum	8.50
Oakheart Spiced Rum	8.50
Malibu Coconut Rum	8.50
Mount Gay Barbados Rum	10

Tequila

Teremana Blanco	8.75
Teremana Reposado	9.50
Patron Silver	13
Patron Gold	15
Don Julio Blanco	14
Don Julio Reposado	16
Don Julio 1942	25
Patron Reposado	14
Clase Azul	30

Cognac

Courvoisier VS	14
Hennessy VS	14

Gin

Gordon's Gin	8
Hendrick's	9
Aviation	9
Tanqueray No. Ten	9
The Botanist	9
Empress	9

Whiskey

Stalk and Barrel Rye	8
Crown Royal	8
Jack Daniels Old No.7	9
JD Tennessee Honey	9
Fireball	9
Wild Turkey	9
Jameson	9
Screwball Peanut Butter	9
Bulleit Bourbon	9
Woodford Reserve	
Distillers Select	15

Scotch

Chivas Regal 12 yr	13
Johnnie Walker Red	13
Johnnie Walker Black	15
Johnnie Walker Blue	35
Glenfddich 12 yr	16
Dalwhinnie 15 yr	18

VIRGIN DRINKS

Soft Drinks	
(Coke/Diet Coke/Iced Tea/	
Ginger Ale/Sprite	4
Juices	
(Apple/Orange/Cranberry)	4
Milk/Chocolate Milk	4
Coffee/Tea	4
Hot Chocolate	4
Perrier	4
Dad's Root beer	5
Ginger Beer	5

A CUT ABOVE THE REST

Dalwhinne 15 yrs old	18	Cincoro	25
Duss'e vsop	18	Donjulio 1942	30
Hennessy vsop	18	Clase Azul	30
Oban 14yrs old	20	Johnnie walker Blue	35

JAKES DRINK SPECIALS

\$18

2.5 oz

Powerful Pete

Vodka, Kahlua, Baileys

Empress 75

Empress Gin, Champagne, Lemon

Silly Sara, Too Many!

Pink Lemonade Vodka, Lime Juice, Sprite

Royal Hawaiian

Empress Gin, Lemon Juice, Pineapple Juice

Empress Layover

Empress Gin, Lemon Juice, Elderflower Liqueur, Soda Water

Garden City

Empress Gin, Lychee Liqueur, Grapefruit, Lemon Juice, Soda Water

Bucking Jameson

Jameson Whiskey, Ginger Beer, Mint, Lime Juice

Apple Cider Mojito

White Rum, Hard Cider, Mint, Lime Juice

Fuzzy Apple

Vodka, Peach Schnapps, Sourpuss Apple, Cranberry Juice

Teremana tropicana

Gold Tequila, Triple Sec, Pineapple Juice, Mango Juice, Splash of Soda

JAKE'S MEGA 32oz COCKTAILS

\$26

Mexican Bulldog

2oz Cazadores Tequila, Corona, Frozen Margarita

Drink the Pink

2oz Pink Whitney, 1oz Blue Curaçao, 1oz Chambord, Lemonade, Grenadine

Blue Jamaica

1oz Malibu Rum 1oz Blue Curaçao, 6oz Sparkling Wine, Pineapple Juice

* Menu prices do not include applicable taxes

WHITE WINE

House		6oz.	9oz.	BOTTLE
Crush Pinot Grigio Refreshing notes of citrus, green apple, and white currant linger on the dry-ish finish	(VQA Ontario)	10	13	35
Peller Family Reserve Riesling Light, fresh and fruity. Perfectly balanced between natural acidity and fruity sweetness. Juicy fruit flavours of citrus and green apple excite the palate.	(VQA Ontario)	11	14	40
Folonari Pink Fragrant berry, red plum, and herbal aromas. Light to medium-bodied, with strawberry and rhubarb flavours.	(Italy)	11	14	40
Errazuriz Estate Sauvignon Blanc Medium bodied / fresh grass / citrus and green apple aromas: citrus on the palate, the finish is dry and refreshing	(Chile)	12	15	40
Yellowtail Bubbles (Sparkling Wine) Pale lemon colour; soft floral, pear and citrus aromas and flavours with hints of nuts and honeydew melon; light-medium bodied and fruity with a soft finish.	(Australia)	12	15	40
Les Jamelles Chardonnay Flavors of apricot, pear, hazelnuts with a hint of lemon	(france)	12	15	40
Folonari Pinot grigio Juicy on the palate with fresh fruit flavours	(Italy)	12	15	40
XOXO Rose Perfectly balanced for summer enjoyment	(VQA Ontario)	12	15	40

RED WINE

House		6oz.	9oz.	BOTTLE
Crush Cabernet Medium bodied, and fruit forward. Flavours of dark plum, cherry, and spice	(VQA Ontario)	10	13	35
Yellow Tail Merlot Soft aroma of ripe plums, mulberries and spice	(Australia)	12	16	45
Yellow Tail Shiraz Black Cherry red; berry fruit aroma / touch of mint with a light to medium body; dry with soft finish	(Australia)	11	14	40
Trapiche Reserve Malbec Deep ruby red, rich black cherry / spice and plum aromas; dry; medium bodied with ripe cherry centre, good length	(Argentina)	11	14	40
Trapiche Reserve Cabernet Sauvignon Aromas of plum blackberries and raspberry	(Argentina)	12	16	45
Leyda Reserva Pinot Noir Aromas of red cherries, raspberries and blue berries; light notes of herbs and spices	(Chile)	14	18	50

BEER MENU

BOTTLES & CANS

DRAUGHT	Tall Cans:				Bottles:			
	Budweiser	9			Canadian	7		
	Bud Light	9			Coors Light	7		
	Coors Original	9			Molson Export	7		
	Moosehead	9			Alexander Keiths	7		
	Asahi	9			MGD	8		
	Michelob Ultra	9			Corona	8		
	Miller Light	9			Stella Artois	8		
					Heineken	8		
Beers on Tap				12 Oz.	20 oz.	60 oz.		
Jake's Lager				5.5	7.5	21		
Amsterdam Blonde				6	8.5	25		
Budweiser				6	10	29.50		
Bud Light				6	10	24.75		
Alexander Keith's				7.5	10	29.50		
Alexander Keith's Red				7.5	10	29.50		
Brickworks Cider				7.5	10	29.50		
Creemore Springs				7.75	10.5	31		
Goose Island IPA				7.5	10	29.50		
Guinness				8.5	11.5	34		
Mill St. Organic				7.5	10	29.50		
Moosehead Lager				7.5	10	29.50		
Mill St Orange Citrus Wheat				7.5	10	29.50		
Somersby Cider				7.5	10	29.50		
Space Invader				7.5	10	29.50		
Sapporo				8.5	11.5	34		
Peroni				8.5	11.5	34		
Kronenbourg 1664 Blanc				8	11	32.50		
Stella Artois				8.5	11.5	34		
Corona				8.5	11.5	34		

CRAFT BEER		Canned Beers	ABV	Price
		Amsterdam Big Wheel Deluxe Amber	5.0%	8.5
		Amsterdam 3 Speed Lager	4.2%	8.5
		Amsterdam Bone Shaker	7.1%	8.5
		Moosehead Lager	5.0%	8.5
		Moosehead Cracked Canoe	3.5%	8.5
		Hop City Barking Squirrel Amber Lager	5.0%	8.5
		Amsterdam Neon Haze IPA	5.7%	8.5
		Hop Valley Bubble Stash IPA	6.2%	8.5
		Amsterdam Space Invader IPA	6%	8.5
		Second Wedge Monday Night Piper	4.8%	8.5

NON ALCOHOLIC BEER			
		Guinness	0.0% 8
		Corona	0.0% 8

SPECIALTY CANS	
Coolers	
Smirnoff Ice (bottle)	8.5
Vizzy Blueberry Pomogranate	8.5
White Claw Mango	8.5
White Claw Black Cherry	8.5
Ask your server about our seasonal specialty cans	



J Jake’s Specialty **F** Fan Favourite **V** Vegetarian **H** Healthy Option **GF** Gluten-Friendly

STARTERS

WINGS

GF

1 lb Chicken Wings\$17.5
Served with French Fries
Just the Wings (20 pcs) \$33.5

Sauces:

Mild / Medium / Hot /Insane /
Jerk / Honey Garlic

- GF** **Sweet Potato Fries**\$10.5
Served with Chipotle
- F** **Mozzarella Sticks** (6pcs)\$16.5
Served with Marinara Sauce
- V** **Jalapeño Poppers**\$16.5
Spicy & Cheesy
- GF** **Loaded Potato Skins** (8pcs)\$16.5
Tomatoes, Green Onions,
Bacon & Cheese

- V** **Classic Quesadillas** \$16.5
Cheese, Tomato, Onion &
Banana Pepper
* Add Chicken or Beef \$6
- V** **Spicy Bang Bang Cauliflower Bites** \$17.5
Served with Ranch dip
- F** **Calamari** \$17.5
Breaded Calamari Rings
- Coconut Shrimp** \$18.5
Coconut Crusted Shrimp
- V** **Spinach & Cheese Dip** \$16.5
Pita & Nacho Chips
- J** **Nachos**\$20.5
(Choice of Beef Chili or Veggie or Chicken)
Onion, Tomato, Banana
Pepper, Black Olive & Cheese
Add Guacamole \$3
- GF** **Pulled Pork Nachos** \$21.5
BBQ Sauce, Pulled Pork,
Cheese & Coleslaw

- Bavarian Style Pretzel** \$18.5
Served with Mexican Cheese dip
- Home made Chilli & Chips** ..\$20.5
Hot & spicy Chilli with Pita &
Corn Chips
- Cheesy Garlic Knots** \$ 18.5
Warm bread rolls with Garlic
Butter, melted mixed Cheese &
Green Onion
- Roast Beef Flat Bread**\$22.5
Roast beef with Horseradish aoli,
Caramelized Onions & mixed
Cheese
- Sharing Combo**\$40.5
Chicken Wings, Jalapeno Poppers,
Potato Skins, Onion Rings & Fries
- V** **Fries** \$9
- V** **Onion Rings**..... \$10
Add Gravy \$3
Extra sauces\$0.50

POUTINES

- V** **The Classic**\$17.5
Cheese & Gravy
- F** **Buffalo Chicken Poutine**.....\$21.5
Breaded Chicken & Spicy Buffalo
Sauce
- Pulled Pork Poutine**\$21.5
BBQ Pulled Pork & Caramelized
Onions
- Steak & Mushroom Poutine....** \$23.5
Grilled Steak & Sautéed Mushroom
- Butter Chicken Poutine** \$22.5
Saucy Chicken on Fries mixed
Cheese, topped with Green Onions
- Chilli fries** \$20.5
Fries topped with Homemade Chilli &
mixed Chesse

TACOS

- J** **Fish Tacos** \$20.5
Battered Fish, Lettuce, Onion,
Cheese, Pico De Gallo &
Chipotle Mayo
- Beef or Chicken Tacos**\$19.5
Ground Beef or Chicken,
Cheese, Guacamole
& Pico De Gallo
- Spicy Scallop & Shrimp Tacos** ..\$22.5
Scallops, Shrimp, Spicy Sauce,
Lettuce, Cheese & Pico De Gallo
- Ahi Tuna Tacos**\$23.5
Seared Tuna, Pico De Gallo,
Lettuce, Cheese & Spicy Sauce

* Served with either Fries / Soup / Salad

GRILLED CHEESE

- BBQ Pulled Pork GC** \$19.5
BBQ Pulled Pork, Caramelized
Onion & Cheddar
- F** **Buffalo Chicken GC**\$19.5
Breaded Chicken, Spicy Buffalo
Sauce & Cheddar

* Served with either Fries / Soup / Salad

WRAPS

- F** **Buffalo Chicken Wrap**\$20.5
Breaded Chicken, Buffalo Sauce
& Caesar Salad
- Souvlaki Wrap**\$20.5
Grilled Chicken, Tomato,
Onion, Lettuce & Tzatziki
- Chicken Caesar Wrap**\$20.5
Grilled Chicken & Caesar Salad
- Philly Cheese Steak Wrap**\$20.5
Green & Red Peppers,
Swiss Cheese, Onion with
Honey Dijon Sauce

* Served with either Fries / Soup / Salad

- BLT**\$16.5
Double Decker Toast, Bacon,
Lettuce & Tomato
- Classic Club**\$19.5
Chicken Breast, Bacon, Tomato &
Lettuce
- Gyros** \$19.5
Lamb & Beef Gyros, Lettuce,
Tomato Onions, Tzatziki & Pita
- Nashville Hot Chicken** \$19.5
Crispy Breaded Chicken smothered
in Buffalo Sauce, topped with
Coleslaw, Pickles & Mayo
- F** **California Club** \$21.5
Chicken Breast, Bacon, Tomato,
Lettuce, Cheddar, Mango Salsa,
Guacamole & Pita
- F** **Reuben**\$22.5
Smoked Meat, Sauerkraut,
Swiss & Toasted Rye
- Montreal Smoked Meat**\$20.5
Smoked Meat & Toasted Rye

- Steak Sandwich**\$24.5
NY Sirloin Steak & Garlic Toast
- Classic Peameal on a Bun ...** \$19.5
Stacked high with Cheddar Cheese
- Beef Dip** \$21.5
Shaved Prime Rib on garlic bread
with au jus for dipping

* Served with either Fries / Soup / Salad

Ask your server about
our Daily Specials

SOUPS & SALADS

- Soup of the Day**\$8
- French Onion**\$10
- Soup & Salad**\$16
* Choice of House, Greek **OR** Caesar

Served with our **Soup of the Day**
OR French Onion Soup - **\$3.5**

- GF** **House Salad**\$16.5
Mixed Greens, Tomato, Cucumber with choice of
dressing
- Caesar Salad**\$17.5
Romaine Lettuce, Parmesan & Croutons

- GF** **H** **Greek Salad**\$18.5
Romaine, Tomato, Cucumber, Onion, Oil & Vinegar,
Feta & olives
- GF** **F** **Quinoa Beet Salad** \$22.5
Mixed Greens with Quinoa, Goat Cheese, Beets,
Candied Pecans with Raspberry Vinaigrette Dressing

Dressings: Blue Cheese / Balsamic / Greek / Ranch /
Caesar / Toasted Sesame / Raspberry Vinaigrette

Don’t Forget Your Protein!

- GF** **Shrimp Skewer** \$8.5
- GF** **Grilled Chicken** \$10.5
- GF** **New York Sirloin** \$12.5

* Parties larger than 8 people are subject to 18% gratuity

SANDWICHES

Step 1: Choose your Burger

- Plain Jane**\$18.5
Burger & Bun
- Great Canadian**\$21.5
Peameal Bacon & Cheddar
- Swiss Alps**\$21.5
Mushrooms, Sautéed Onions & Swiss Cheese
- Rancho**\$21.5
Onion Rings, Bacon, Mozzarella & Ranch Sauce
- Baby Brie**\$21.5
Sautéed Mushrooms, Bacon & Brie
- Big Bully**\$21.5
Onion Rings, Mushroom, Onions, Rib Sauce & Cheddar
- Yo Jerk**\$21.5
Spicy Seasoned Patty, Jerk Sauce, Caramelized Onions, Grilled Pineapple & Mozzarella Cheese

Step 2: Choose your Burger Patty:

- Beef Patty
- Chicken Breast **GF**
- Vegetable Patty **GF**

Garnished with Tomato, Onion, Lettuce, & Pickle

Step 3: Choose Your Side:

French Fries **OR** Soup **OR** House Salad.

GF **Gluten Free Bun**.....\$2.5

12” PIZZAS (8 SLICES)

- Plain & Simple**\$18.5
Mozzarella Cheese & Tomato Sauce
- V Veg Veg Veg** \$23.5
Mushrooms, Tomatoes, Red Onions, Spinach, Broccoli, Cauliflower, Red Peppers, Green Peppers & Mozzarella Cheese
- BBQ Chicken Pizza** \$23.5
Caramelized Onions with mixed Cheeses
- F The Works** \$26.5
Pepperoni, Bacon, Sausage, Onions, Green Peppers, Mushrooms & Mozzarella Cheese
- Create Your Own Pizza**\$21.5
Mozzarella Cheese & Tomato Sauce along with your choice of **3 toppings**

Additional Toppings \$2.5

Bacon / Pepperoni / Black Olives / Green Peppers / Tomato / Banana Pepper / Mushrooms / Extra Cheese

- F South Western Bowl** \$23.5
GF Brown Rice, Chopped Cajun Chicken, Black Beans, Chick Peas, Tomato, Quinoa, Red Onions, Cucumber & Ranch Dressing
- H Tuna Mango Bowl** \$25.5
GF Brown Rice, Seared Ahi Tuna, Mango, Tomato, Red Onion, Chick Peas, Cucumber, Black Beans, Quinoa & Sesame Dressing
- GF Mediterranean Bowl** \$23.5
Brown Rice, Gyro meat, Quinoa, Chick Peas, Black Beans, Red Onions, Tomato, Black Olives, Cucumber, Feta Cheese & Greek Dressing
- Taco Bowl** \$23.5
Ground Beef, Brown Rice, Chickpeas, Black Beans, Quinoa, Red Onion, Tomato, Cucumber, Sour Cream, Salsa & mixed Cheeses.
Add Guacamole\$3
- Grilled Chicken Mango Bowl** \$25.5
Brown Rice, Grilled Chicken, Quinoa, Black Beans, Chick Peas, Red Onion, Cucumbers, Tomato, Mango & Toasted Sesame Dressing
- V Veggie Bowl** \$23.5
Brown Rice, Quinoa, Tomato, Cucumber, Carrots, Red Onion, Chickpeas, Black Beans, Mushrooms, Broccoli, Cauliflower, Red Peppers, Green Peppers, Goat Cheese & Balsamic Dressing

- F Fettuccine Alfredo**\$18.5
Alfredo Sauce & Parmesan
Add Chicken \$8
- Fettuccine & Meatballs** \$20.5
In a Marinara Sauce
- Chicken Penne** \$24.5
Grilled Chicken, Broccoli & Rosé Sauce
- Seafood Fettuccine** \$27.5
Shrimp, Scallops, Mussels, Crab, Mushrooms & Marinara Sauce
- Scallop and Shrimp Penne** \$27.5
Served in a creamy Pesto Sauce
- Lobster & Crab Fettuccine** \$27.5
Lobster, Crab & Alfredo Sauce
* Served with Garlic Toast
Add a Tossed or Caesar Salad \$9

NY Sirloin Steak \$33.5
10 oz. NY Sirloin Steak, Sautéed Mushrooms & Garlic Toast

* Served with *French Fries* **OR** *Soup* **OR** *House Salad*

F Buffalo Chicken Fingers \$20.5
Breaded Chicken Fingers & French Fries
Sauces: Mild / Medium / Hot / Insane / Honey Garlic

GF Grilled Chicken Breast \$23.5
Chicken Breast, Greek Salad, Rice & Garlic Toast

J Fish & Chips\$21.5
Battered Fish, French Fries & Tartar Sauce

Pub Pie\$21.5
Baked in a light flaky pastry shell.
Ask your server for details

GF H Baked Tilapia \$23.5
Tilapia, Greek Salad & Rice

Souvlaki Dinner \$23.5
Chicken Souvlaki Skewers on a bed of Rice & Greek Salad

GF H Grilled Shrimp \$25.5
Three Shrimp Skewers, Rice & Grilled Vegetables

F Fajitas
Chicken \$25.5
Steak..... \$27.5
Onion, Red & Green Peppers, Flour Tortillas, Tomato, Lettuce, Salsa, Sour Cream & Cheese

Add Guacamole \$3

Steak Frites \$27.5
NY Sirloin Steak, Sweet Potato Fries, Gravy & Caramelized Onion

Butter Chicken Stirfry \$22.5
Served with Rice & Pita

Homemade Lasagna \$22.5
Layered with Ground Beef, Onions, Ricotta Cheese, Parmesan, Tomato Sauce. Served with Garlic Bread & Caesar salad

Jake’s Shepherd’s Pie..... \$22.5
Ground Beef, Onions, Corn, Carrots, Worcestershire, Potatoes, Mixed Cheese. Served with Grilled Veggies

Kid’s Meals come with Coke, Sprite, Ginger ale, or Iced Tea
12 years or under

V Grilled Cheese\$12.5
Served with Fries / Salad / Veggies

Chicken Buddies (5pcs)\$12.5
Served with Fries / Salad / Veggies

V Kids Penne Pasta\$12.5

Pepperoni Pizza (6” pizza)\$12.5
Served with Fries / Salad / Veggies

Burger\$13.5
Served with Fries / Salad / Veggies

DESSERT – Oreo Cheese Cake
made by the Cheesecake Factory

PASTA

GRILLED

MAINS

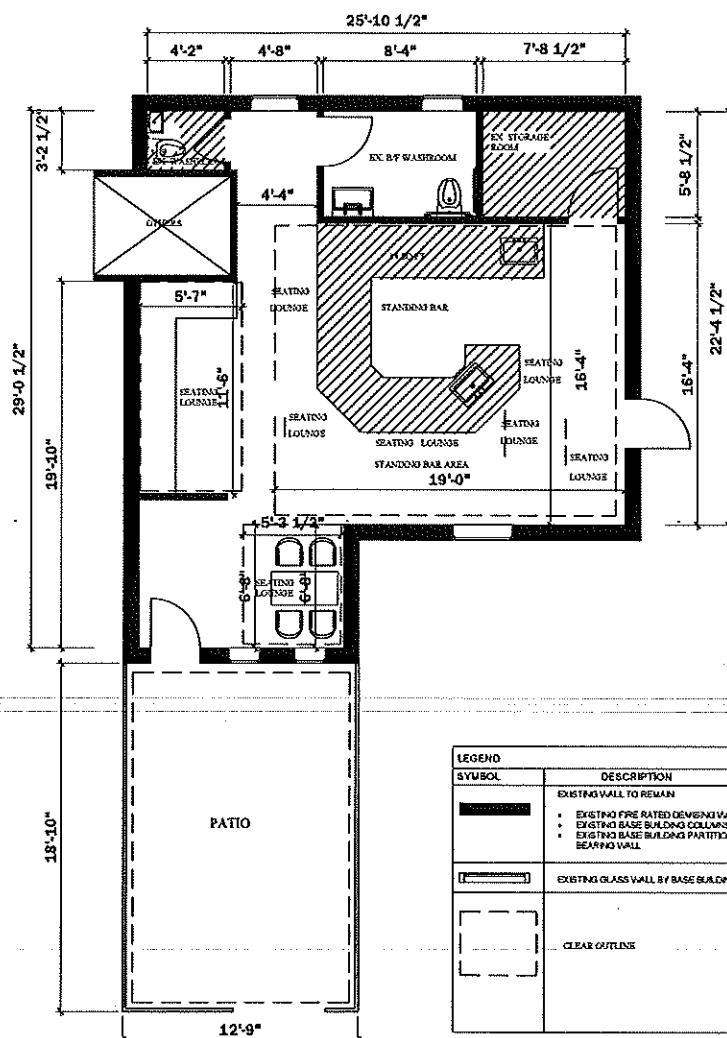
KID’S MENU

BURGERS


PIZZA

BOWLS

PROPOSED LICENSED AREAS



2 AS-BUILT FLOOR PLAN

Sheet Title		AS-BUILT FLOOR PLAN			AS-BUILT FLOOR PLAN		
Client					Scale	Drawn by	Project No.
Project		COMMERCIAL BUILDING AS-BUILT DRAWING 142 Main St Unionville, ON L3R 2G5			3/16" = 1'-0"	DN	2023-58
				ALL DRAWINGS, SPECIFICATIONS AND RELATED DOCUMENTS ARE THE COPYRIGHT PROPERTY OF THE ARCHITECT AND MUST BE RETURNED UPON REQUEST. REPRODUCTION OF DRAWINGS, SPECIFICATIONS AND RELATED DOCUMENTS IN PERMISSION OF THE ARCHITECT.			
				DO NOT SCALE DRAWINGS.			
				CONTRACTOR MUST CHECK & VERIFY ALL DIMENSION ON SITE.			
				THIS DRAWING IS NOT TO BE USED FOR CONSTRUCTION UNTIL SIGNED BY THE ARCHITECT.	Date	Checked by	
					2023-12-27	OK	
						Drawing No. 1 of 1	



Alcohol and Gaming Commission of Ontario
 90 Sheppard Avenue East, Suite 200
 Toronto ON M2N 0A4
 Tel.: 416-326-8700 • Fax: 416-326-8711
 Toll free in Ontario: 1-800-522-2876
 Inquiries: www.agco.ca/iagco
 Website: www.agco.ca

Municipal Information for Liquor Sales Licences

The information requested below is required in support of all applications for a new Liquor Sales Licence or outdoor areas being added to an existing Liquor Sales Licence.

Section 1 – Application Details

Premises Name

Behind The Alley

Premises Phone Number (include
area code)

6479912727

Premises Address

142 Main St, Unit 2

City/Town

Unionville

Province

ON

Postal Code

L3R 2G5

Contact Name

Andy Liu

Contact's Phone Number (include
area code and extension)

6479912727

Contact's Email Address

behindthealley.toronto@gmail.com

Does the application for a Liquor Sales Licence include indoor areas and/or outdoor areas?

☒ Indoor Areas ☒ Outdoor Areas

Section 2 – Municipal Clerk's Official Notice of Application for a Liquor Sales Licence in your Municipality.

Municipal Clerk:

Please confirm the "wet/damp/dry" status below.

Name of village, town, township or city where taxes are paid.

(If the area where the establishment is located was annexed or amalgamated, provide the name that the village, town, township or city was known as.)

Is the area where the establishment is located "wet", "damp" or "dry"? Please select one.

☒ Wet (for spirits, beer, wine) ☐ Damp (for beer and wine only) ☐ Dry

Note: Specific concerns regarding zoning or non-compliance with by-laws must be clearly outlined in a separate submission or letter within 30 days of this notification.

Address of Municipal Office

Date (dd/mm/yyyy)

101 Town Centre Blvd, Markham, ON L3R 9W8.

Title

Signature of Municipal Official



Liquor Licence Questionnaire

The Corporation of the City of Markham

To evaluate your Liquor Licence Application, you are required to complete this Questionnaire.

Submit the all required documentation to the Clerk's Office by mail or in-person to the address below.

City of Markham
Clerk's Office
Legislative Services Department
101 Town Centre Boulevard
Markham, Ontario
L3R 9W3

Attention: Public Services Assistant

If you have any questions about this Questionnaire, please call 905-477-7000 ext. 2366.

Liquor Licence Questionnaire Checklist

The following items must be submitted with this completed Questionnaire to the Clerk's Office:

- ✓ Applicable fee;
- ✓ A sample menu; and,
- ✓ Copy of the floor plan showing the layout, areas that require licensing, seating arrangements, washrooms (show fixtures) and exits.

Applicant Contact Information

First Name Peiqi		Last Name Liu	
Street Number 75	Street Name Vitlor Dr		Suite/Unit Number
City Richmond Hill		Postal Code L4E 0G3	Province Ontario
Telephone Number	Mobile Number 6479912727	Email behindthealley.toronto@gmail.com	

Restaurant Information

Name of Restaurant Behind The Alley			
Street Number 142	Street Name Main St		Suite/Unit Number
City Unionville		Postal Code L3R 2G5	Province Ontario

Page 1 of 2

Rev. Jan/17

Information on this form is collected under the authority of Section 11 of the Municipal Act, 2001, S.O. 2001, c. 25, as amended and Section 12 of the Liquor Licence Act, R.S.O. 1990, Chapter L.19, as amended. The information you have provided will be used to contact you and process your Liquor Licence Application. If you have questions about this collection contact the Access & Privacy Manager, Legislative Services Development, 101 Town Centre Boulevard, Markham, Ontario, L3R 9W3, 905-477-5530.

What is the closest major intersection to the restaurant? Highway 7 and Kennedy	What is the distance between the restaurant and the closest residential area? (in kilometres) 2 kilometres
Does the restaurant have a valid Business Licence issued by the City of Markham? <input checked="" type="radio"/> Yes <input type="radio"/> No Business Licence Number: 24 199549 EE If no, please note that a Business Licence is required.	Does the restaurant have a working Fire Alarm System? <input type="radio"/> Yes <input checked="" type="radio"/> No
Type of restaurant (select one) <input type="checkbox"/> Family <input type="checkbox"/> Roadhouse <input type="checkbox"/> Sports Bar <input type="checkbox"/> Fine Dining <input type="checkbox"/> Take Out <input checked="" type="checkbox"/> Cafe	
What, if any, entertainment or amusements will be provided in the restaurant? (select all that apply) <input type="checkbox"/> Karaoke <input type="checkbox"/> Live Entertainment <input type="checkbox"/> Casino <input type="checkbox"/> Off-Track Betting <input type="checkbox"/> Arcade	
Is the liquor licence application for an expansion of the existing operations? <input type="radio"/> Yes <input checked="" type="radio"/> No If yes, please provide the <u>current</u> existing maximum seating capacity: _____ If no, please provide the <u>planned</u> existing maximum seating capacity: 28 inside and 18 outside	
Location History	
Has a Building Permit been applied for or obtained for this location? <input type="radio"/> Yes Building Permit Number: _____ <input checked="" type="radio"/> No	
Was the location previously used as a restaurant? <input checked="" type="radio"/> Yes <input type="radio"/> No If no, a Building Permit is required. Contact Building Services at 905-477-7000 ext. 4870 for more information.	
If the location was previously used as a restaurant, has construction or alteration been proposed? <input type="radio"/> Yes <input checked="" type="radio"/> No If yes, please provide Alteration Permit Number: _____	



Applicant's Signature

Dec 10th 2024

Date

Page 2 of 2

Rev. Jan/17

Information on this form is collected under the authority of Section 11 of the Municipal Act, 2001, S.O. 2001, c. 25, as amended and Section 12 of the Liquor Licence Act, R.S.O. 1990, Chapter L.19, as amended. The information you have provided will be used to contact you and process your Liquor Licence Application. If you have questions about this collection contact the Access & Privacy Manager, Legislative Services Development, 101 Town Centre Boulevard, Markham, Ontario, L3R 9W3, 905-477-5530.

Cocktail and Wine Menu

Signature Cocktails

Espresso Martini: A smooth blend of espresso, vodka, and coffee liqueur, topped with a creamy froth and three coffee beans.

Cold Brew Negroni: A twist on the classic, featuring cold brew coffee, gin, Campari, and sweet vermouth for a bittersweet finish.

Spiced Coffee Old Fashioned: Bourbon infused with cinnamon and cloves, stirred with coffee syrup and a dash of bitters, served over ice with an orange twist.

Mocha White Russian: Vodka, coffee liqueur, and cream with a hint of chocolate for a decadent, dessert-like experience.

Yunnan Bloom: A tribute to Yunnan coffee beans - gin, elderflower liqueur, and cold brew coffee, finished with a floral garnish.

Wines by the Glass

White Wines

- Sauvignon Blanc: Crisp and refreshing with notes of citrus and green apple.
- Chardonnay: Smooth and buttery with hints of vanilla and oak.

Red Wines

- Cabernet Sauvignon: Full-bodied with rich blackberry and spice flavors.
- Pinot Noir: Light and elegant with notes of cherry and earth.

Rosé

- Provence Rosé: Dry and delicate with subtle hints of strawberry and peach.

BTA Snack Menu

1. Savory Bites

- Truffle Popcorn - Lightly seasoned with truffle oil and parmesan.
- Spiced Nuts - A mix of roasted almonds, cashews, and pecans with a smoky paprika glaze.
- Olive Medley - Marinated in herbs, garlic, and citrus zest.

2. Small Plates

- Charcuterie Board - Selection of cured meats, cheeses, and artisan crackers.
- Shrimp Cocktail - Chilled shrimp with tangy cocktail sauce.

3. Sweet Treats

- Chocolate-Covered Pretzels - Sweet and salty perfection.
- Mini Cheesecake Bites - Assorted flavors (classic, berry, or chocolate).

4. Specialty Pairings

- Cocktail Pick Plate - Bite-sized cheeses, fruits, and cured meats served on skewers.
- Dark Chocolate Truffles - Perfect with a rich red wine or espresso martini.



Alcohol and Gaming Commission of Ontario
 90 Sheppard Avenue East, Suite 200
 Toronto ON M2N 0A4
 Tel.: 416-326-8700 • Fax: 416-326-8711
 Toll free in Ontario: 1-800-522-2876
 Inquiries: www.agco.ca/iagco
 Website: www.agco.ca

Municipal Information for Liquor Sales Licences (including Tied House)

The information requested below is required in support of all applications for a new Liquor Sales Licence (including Tied House) or areas being added to an existing Liquor Sales Licence.

Section 1 – Application Details

Premises Name

King of Wings

Premises Phone Number (include area code)

+1 647 206 4230

Premises Address

4721 HWY 7 UNIT 4

City/Town

UNIONVILLE

Province

ON

Postal Code

L3R1M7

Contact Name

Rasanayagam Gowryshankar

Contact's Phone Number (include area code and extension)

+1 647 206 4230

Contact's Email Address

Does the application for a Liquor Sales Licence (including Tied House) include indoor areas and/or outdoor areas?



Indoor Areas



Outdoor Areas

Section 2 – Municipal Clerk's Official Notice of Application for a Liquor Sales Licence (including Tied House) in your Municipality.

Municipal Clerk:

Please confirm the "wet/damp/dry" status below.

Name of village, town, township or city where taxes are paid.

(If the area where the establishment is located was annexed or amalgamated, provide the name that the village, town, township or city was known as.)

Is the area where the establishment is located "wet", "damp" or "dry"? Please select one.



Wet (for spirits, beer, wine)



Damp (for beer and wine only)



Dry

Note: Specific concerns regarding zoning or non-compliance with by-laws must be clearly outlined **in a separate submission or letter within 30 days of this notification.**

Address of Municipal Office

Name of Municipal Official

Title

Date (dd/mm/yyyy)

Telephone number

Email Address

Signature of Municipal Official

Clear Form



Liquor Licence Questionnaire

The Corporation of the City of Markham

To evaluate your Liquor Licence Application, you are required to complete this Questionnaire.

Submit the all required documentation to the Clerk's Office by mail or in-person to the address below.

City of Markham
Clerk's Office
Legislative Services Department
101 Town Centre Boulevard
Markham, Ontario
L3R 9W3

Attention: Public Services Assistant

If you have any questions about this Questionnaire, please call 905-477-7000 ext. 2366.

Liquor Licence Questionnaire Checklist

The following items **must** be submitted with this completed Questionnaire to the Clerk's Office:

- ✓ Applicable fee;
- ✓ A sample menu; and,
- ✓ Copy of the floor plan showing the layout, areas that require licensing, seating arrangements, washrooms (show fixtures) and exits.

Applicant Contact Information

First Name Rasanayagam		Last Name Gowryshankar	
Street Number 57	Street Name Pelister Dr		Suite/Unit Number
City Markham		Postal Code L6E0M7	Province ON
Telephone Number	Mobile Number 647 206-4230	Email kingofwings.on@gmail.com	

Restaurant Information

Name of Restaurant King of Wings			
Street Number 4721	Street Name Hwy 7		Suite/Unit Number 4
City Unionville		Postal Code L3R1M7	Province ON

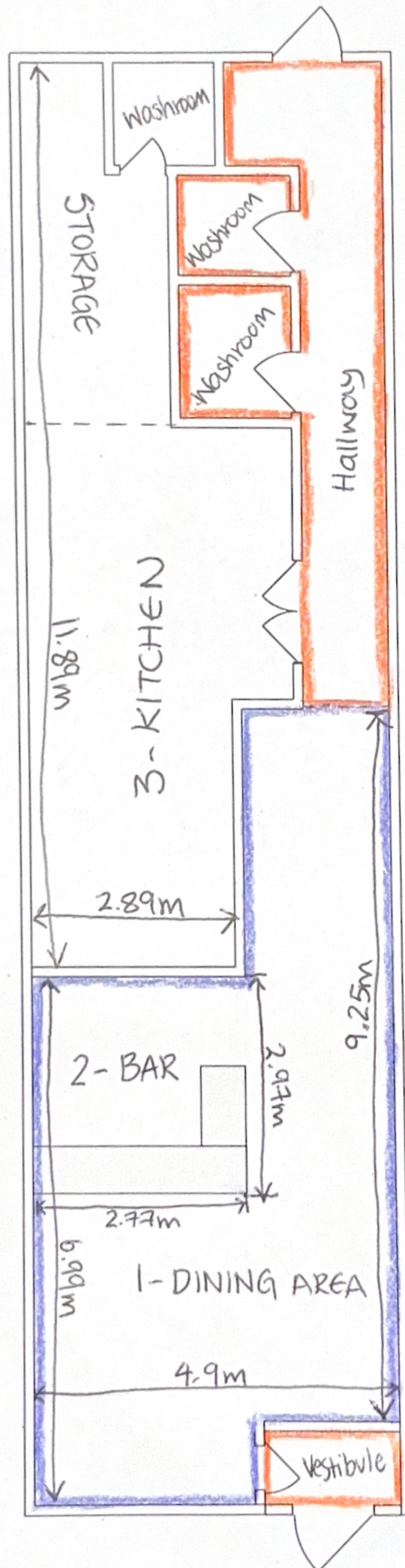
What is the closest major intersection to the restaurant? Kennedy and Hwy 7	What is the distance between the restaurant and the closest residential area? (in kilometres) 0.35km
Does the restaurant have a valid Business Licence issued by the City of Markham? <input checked="" type="radio"/> Yes <input type="radio"/> No Business Licence Number: 25-120115-EE If no, please note that a Business Licence is required.	Does the restaurant have a working Fire Alarm System? <input checked="" type="radio"/> Yes <input type="radio"/> No
Type of restaurant (select one) <input type="checkbox"/> Family <input type="checkbox"/> Roadhouse <input checked="" type="checkbox"/> Sports Bar <input type="checkbox"/> Fine Dining <input type="checkbox"/> Take Out <input type="checkbox"/> Cafe	
What, if any, entertainment or amusements will be provided in the restaurant? (select all that apply) <input type="checkbox"/> Karaoke <input type="checkbox"/> Live Entertainment <input type="checkbox"/> Casino <input type="checkbox"/> Off-Track Betting <input type="checkbox"/> Arcade	
Is the liquor licence application for an expansion of the existing operations? <input type="radio"/> Yes <input checked="" type="radio"/> No If yes, please provide the <u>current</u> existing maximum seating capacity: _____ If no, please provide the <u>planned</u> existing maximum seating capacity: 37	
Location History	
Has a Building Permit been applied for or obtained for this location? <input type="radio"/> Yes Building Permit Number: _____ <input checked="" type="radio"/> No	
Was the location previously used as a restaurant? <input checked="" type="radio"/> Yes <input type="radio"/> No If no, a Building Permit is required. Contact Building Services at 905-477-7000 ext. 4870 for more information.	
If the location was previously used as a restaurant, has construction or alteration been proposed? <input type="radio"/> Yes <input checked="" type="radio"/> No If yes, please provide Alteration Permit Number: _____	



Applicant's Signature

27/05/2025

Date



OVER 100 FLAVOURS

	BREADED WINGS	BONELESS		BREADED WINGS	BONELESS
1 LB (1 FLAVOUR)	14.95	15.95	4 LB (2 FLAVOURS)	54.95	58.95
2 LB (1 FLAVOUR)	28.95	30.95	5 LB (3 FLAVOURS)	67.95	72.95
3 LB (2 FLAVOURS)	41.95	44.95	10 LB (5 FLAVOURS)	130.95	140.95

PLEASE NOTE: TAKE-OUT DOES NOT COME WITH VEGGIE OR DIP.

SWEET & SAUCY

HONEY GARLIC	
HONEY MUSTARD	
HONEY TERIYAKI	
MAPLE HONEY	
HONEY PARM	
HONEY PLUM	
COOL TERIYAKI	
HONEY BBQ	
AMAZING HONEY	
HONEY CAJUN	
HONEY DILL	
SWEET SENSATION	
HONEY BROWN GIRL	
MASQUITE MASON	
COOL THAI	
GARLIC PARMESAN	
HONEY GARLIC PARMESAN	
PINEAPPLE HONEY	
THAI DOMI	
MEDIUM HONEY	
BUFFALO HONEY	
HUMBLE BEE	
HONEY JERK	
HOT HONEY	
SPICY GARLIC PARMESAN	
SPICY HONEY	
GRAVEYARD	

SMOKEY JERK	
BUFFALO BBQ	
SPICY BBQ	
SPICY JERK BBQ	
HOT BBQ	
RED CHILI BBQ	

CONTINENTAL WINGS

CANADIAN	
TEXAS CREOLE	
SHANGHAI	
BUFFALO TERIYAKI	
ITALIAN	
CUBAN	
HAWAIIAN	
JAPANESE JERK	
TOKYO	
JAMAICAN CREOLE	
AFRICAN	
TEXAS HOT	
AMERICAN	
MEXICAN	
CARIBBEAN JERK	
CROATIAN	
INDIAN	
SRI LANKAN	

CHEF SHELF

CLASSIC CAJUN	
SWEET N SOUR	
CITRUS CYCLONE	
SMOKEY DILL	
SMOKEY TEQUILA LIME	
PINEAPPLE MUSTARD	
PINEAPPLE CURRY	
TACO BULL	
SPICY ISLAND	
SPICY THAI	
SPICY PLUM	

SWEET N SOUR SPICY	
MESSY SWEET HEART	
APPLE JERK	
KID CREOLE	
THE VILLA GIRLS	
SPICY PINEAPPLE MUSTARD	
SPICY LEMON (A BIT WET)	
CURRY LOVERS	
HOMICIDE MUSTARD	
KNOCKOUT THAI	
KNOCKOUT BBQ	
KANSAS KNOCKOUT	
HELL'S RANCH	
THE VILLA BOYS	
KNOCKOUT GARLIC	
KING'S KILLER	

DRY RUBS

BUTT NAKED	
GARLIC EXPLOSION	
SALT & VINEGAR	
SEASONED	
DRY CAJUN	
TACO TACO	
DILL PICKLE	
DRY BARBECUE	
LEMON & HERBS	
ALL IN	
PARMESAN	
SOUR CREAM & ONION	
GARLIC CAJUN	
SICILIAN	
LEMON LIME (A BIT WET)	
TEX MEX	
SALT & PEPPER	
LEMON PEPPER	
BUTTER MASALA (A BIT WET)	
SPICY CAJUN	
DRY JERK	
SPICY MASALA	
CAVENN	
SPICY BUTTER MASALA (A BIT WET)	

BARBEQUE

BBQ	
MESQUITE	
MAPLE CHIPOTLE	
BBQ MUSTARD	
KANSAS MUSTARD	
MAPLE TERIYAKI	
FORTY CREEK BBQ	
MAPLE N PINE	
MEDIUM BBQ	

EXTRAS: Dill, Ranch, Blue Cheese

EXTRA SAUCE	1.95	SUB GARDEN SALAD	3.95	SUB POUTINE CHEDDAR	3.95
EXTRA KNOCKOUT SAUCE	2.75	SUB ONION RINGS	2.95	SUB POUTINE CURDS	3.95
EXTRA GRAVY	2.50	ADD CHICKEN	3.95	SUB MEXICAN FRIES	3.95
EXTRA BACON	2.95	SUB SWEET POTATO FRIES	3.95	SUB GARLIC PARM FRIES	3.95
EXTRA CHEESE	3.25	KING SPICY FRIES	4.45	CARROTS & CELERY	
SUB CAESAR	3.95	SUB SPICY POTATO		WITH DIP	5.95
SUB GREEK	3.95	WEDGES	3.95		

SAUCY MEAL DEALS



MONDAY-KIDS EAT 50% DINE-IN ONLY

- FOR A FAMILY
- TWO KIDS - UNDER 10 YEARS OLD
- FROM THE KIDS MENU

TUESDAY DINE-IN ONLY

- PINT & POUND
- CANADIAN & COORS

\$18⁹⁵

THURSDAY DINE-IN ONLY

- 2 POUNDS WINGS AND PITCHER
- CANADIAN/COORS

\$41⁹⁵

SUNDAY DINE-IN ONLY

- CAESARS (COCKTAIL)

\$4⁹⁵

2 POUND OF WINGS AND FRIES \$28⁹⁵

VILLA SPECIAL

- 1 POUND WINGS
- 1 SMALL CAESAR SALAD
- POP

\$19⁹⁵

KING'S DEAL (party of 8-10)

- 10 POUND WINGS (UP TO 5 FLAVOURS)
- 3 LARGE FRIES
- 2 GARLIC BREAD W/CHEESE
- 2 ONION RINGS
- 6 DIPPING SAUCE

\$179⁹⁵

QUEEN'S DEAL

- 5 POUND WINGS (3 FLAVOURS)
- 1 LARGE FRIES
- 2 CAESAR SALADS
- 1 GARLIC BREAD W/CHEESE
- 1 LARGE GRAVY
- 3 DIPPING SAUCE

\$98⁹⁵

SUPER DEAL

2.5 LB WINGS WITH YOUR CHOICE OF THREE FLAVOURS

\$40⁹⁵

WEDNESDAY WING NIGHT DINE-IN ONLY

BUY A POUND AND GET 1/2 POUND FREE (1 LB/CUSTOMER)

SINGLE DEAL

- 1 POUND WINGS (1 FLAVOUR)
- FRIES
- REGULAR POP

\$17⁹⁵

DOUBLE DEAL

- 3 POUND WINGS (2 FLAVOURS)
- 1 LARGE FRIES
- 1 LARGE GARDEN SALAD
- 2 DIPPING SAUCES

\$57⁹⁵

PARTY NIGHT (party of 17-20)

- 20 POUND WINGS (UP TO 10 FLAVOURS)
- 4 FRIES
- 4 CAESAR SALADS
- 4 ONION RINGS
- 8 DIPPING SAUCE

\$349⁹⁵



RESTAURANT & SPORTS BAR



Kid's Special

- CHICKEN NUGGETS & FRIES
- CHICKEN BURGER & FRIES
- WINGS & FRIES
- CHICKEN FINGERS & FRIES

\$10⁹⁵ EA

905-474-9203

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CRISPY BITES

MOZZARELLA STICKS (MILD SAUCE)	10.95
JALAPENO CREAM POPPERS (SOUR CREAM)	10.95
JALAPENO CHEDDAR POPPERS (SOUR CREAM)	10.95
BACON BROCCOLI CHEDDAR POPPERS (RANCH SAUCE)	10.95
DILL STICKS (DILL SAUCE)	10.95
MAC N CHEESE BITES (RANCH DIP)	10.95
SAMOSA	7.95
GARLIC BREAD	6.95
GARLIC BREAD WITH CHEESE	8.95
KING SPICY GARLIC BREAD	9.95
MARBLE CHEESE, GREEN CHILI, RED ONION, ROASTED GARLIC AND ITALIAN SEASONING	
MEXICAN GARLIC BREAD	9.95
TOPPED WITH CHEDDAR CHEESE, SOUR CREAM, RANCH, DICED TOMATOES, ONIONS, ROASTED GARLIC AND TACO SEASONING	
POTATO SKIN (SOUR CREAM)	11.95
MARBLE CHEESE, BACON	

QUESADILLAS

SERVED WITH SALSA AND SOUR CREAM



VEGGIE QUESADILLA	13.95
DICED TOMATOES, RED ONIONS, OLIVES AND MARBLE CHEESE.	
CHEESE QUESADILLA	13.95
WITH MIX CHEESE	
CHICKEN QUESADILLA	16.95
DICED BREADED CHICKEN, DICED TOMATOES, RED ONIONS AND MARBLE CHEESE	
SPICY BBQ CHICKEN QUESADILLA	16.95
SPICY BBQ BREADED CHICKEN, DICED TOMATOES, RED ONIONS AND MARBLE CHEESE	
CHEF QUESADILLA	17.95
DICED BREADED CHICKEN, BACON, DICED TOMATOES, RED ONIONS AND MARBLE CHEESE	
SPICY NELLI QUESADILLA	17.95
BREADED CHICKEN TOSSED WITH KNOCKOUT GARLIC, GREEN CHILI, RED ONIONS, DICED TOMATOES, MARBLE CHEESE, PARMESAN SAUCE AND TANDOORI MASALA	



MUSHROOM CAPS (RANCH SAUCE)	10.95
CHICKEN FINGERS & FRIES (PLUM SAUCE)	14.95
*TOSSED IN ANY ONE OF OUR SIGNATURE SAUCE	1.95
ONION RINGS	9.95
LORD OF THE RINGS	10.95
RANCH , ROASTED GARLIC , TACO SEASONING	
KING SPICY ONION RINGS	11.95
TOPPED WITH RANCH, GREEN CHILI, RED ONIONS, ROASTED GARLIC SEASONING	
MEXICAN RINGS	11.95
TOPPED WITH CHEDDAR CHEESE, SOUR CREAM, RANCH, DICED TOMATOES, ONIONS, ROASTED GARLIC AND TACO SEASONING	
SPICY MEXICAN RINGS	11.95
GARLIC PARM RINGS	10.95
SPICY GARLIC PARM RINGS	10.95

NACHOS



VEGGIE-LICIOUS NACHOS	15.95
CHEDDAR CHEESE, RED ONIONS, DICED TOMATOES, JALAPENO PEPPER & BLACK OLIVES	
KING SPICY NACHOS	16.95
CHEDDAR CHEESE, RED ONIONS, GREEN CHILI, RANCH & ROSTED GARLIC SEASONING	
MEXICAN NACHOS	16.95
CHEDDAR CHEESE, RED ONIONS & DICED TOMATOES TOPPED WITH RANCH, SOUR CREAM, ROASTED GARLIC & TACO SEASONING	
CHEESY NACHOS	13.95
CRISPY NACHOS COVERED IN CHEESE	
BBQ CHICKEN NACHOS	16.95
CHEDDAR CHEESE, RED ONIONS, DICED TOMATOES AND BBQ BREADED CHICKEN	
*ADD GROUND BEEF, CHICKEN OR BACON	3.50
PRIMO NACHOS	17.95
CHEDDAR CHEESE, BACON, GROUND BEEF & RED ONION	

FRIES

FRIES IN BASKET WITH SEASONING SALT	9.25
FRIES WITH GRAVY	11.75
FRIES WITH CHEDDAR CHEESE	11.45
BACON & CHEDDAR FRIES	11.95
PEPPERCORN FRIES	10.95
MEXICAN FRIES	12.45
TOPPED WITH CHEDDAR CHEESE, SOUR CREAM, RANCH, DICED TOMATOES, RED ONIONS, ROASTED GARLIC AND TACO SEASONING	
KING SPICY FRIES	11.45
TOPPED WITH RANCH, GREEN CHILI, RED ONIONS, ROASTED GARLIC SEASONING	
GARLIC PARM FRIES	10.95
GARLIC CAJUN FRIES	10.75
SPICY CAJUN FRIES	10.95
ALL IN FRIES	10.95
TOPPED WITH HOUSE DRY RUBS	
SWEET POTATO FRIES	11.45
DILL FRIES (WET)	10.95

SANDWICHES

ALL SANDWICHES ARE SERVED WITH FRIES

CRISPY CHICKEN BREAST ON A BUN	16.95
LETTUCE, TOMATO AND MAYO	
CHICKEN BURGER ON A BUN	15.95
BREADED CHICKEN BURGER, LETTUCE, TOMATO AND MAYO	
SPICY BBQ CHICKEN BURGER ON A BUN	16.95
SPICY BREADED CHICKEN TOSSED IN KANSAS BBQ SAUCE, LETTUCE AND TOMATO	
CHEF CHICKEN BURGER ON A BUN	16.95
BREADED CHICKEN, LETTUCE, TOMATO, CHEESE AND ONION RINGS.	



TEXAS HOMICIDE FRIES	13.75
TOPPED WITH HOMICIDE, RANCH & TACO SEASONING	
POUTINE WITH CHEDDAR CHEESE	13.75
POUTINE WITH CHEESE CURDS	13.75
POUTINE WITH CHEDDAR CHEESE & BACON BITS	14.25
POUTINE WITH CHICKEN	14.45
POTATO WEDGES	11.75
SPICY POTATO WEDGES	12.95
SERVED WITH RANCH DIP	
GARLIC PARM POTATO WEDGES	12.95
WEDGES TOPPED WITH GARLIC PARM SAUCE	
MEXICAN POTATO WEDGES	12.95
SPICY MEXICAN POTATO WEDGES	15.55

SIGNATURE BURGERS

ALL BURGERS ARE SERVED WITH FRIES

KING BURGER	17.95
ONE BEEF PATTY, LETTUCE, TOMATO, ONION, JALAPENO PEPPERS, PICKLED CUCUMBER, CHEDDAR CHEESE AND MAYO	
ROYAL BURGER	18.95
TWO BEEF PATTY, LETTUCE, TOMATO, ONION, JALAPENO PEPPERS, PICKLED CUCUMBER, CHEDDAR CHEESE AND MAYO	
KING'S SPICY BURGER	16.95
ONE BEEF PATTY, HOUSE SPICY SAUCE, LETTUCE, HOT PEPPER, TOMATO, ONION, JALAPENO PEPPERS, CHEDDAR CHEESE AND MAYO	
VEGGIE BURGER	15.95
VEGGIE PATTY, LETTUCE, TOMATO, ONION, JALAPENO PEPPERS, PICKLED CUCUMBER AND MAYO.	

HEAT WAVE



14°C MILD	32°C HOMICIDE
19°C MEDIUM	39°C SUICIDE
27°C HOT	43°C KNOCKOUT



SALADS

GARDEN SALAD	10.95	12.95
SMALL		
LETTUCE, DICED TOMATOES, RED ONIONS, CUCUMBERS, CARROT CHOICE OF DRESSING: ITALIAN, FRENCH, BLUE CHEESE, DILL, THOUSAND ISLAND, OIL & BALSAMIC		
CHEF SALAD	11.95	14.95
SMALL		
LETTUCE, DICED TOMATOES, RED ONIONS, CUCUMBERS, CARROT, BACON BITS, CHEDDAR CHEESE AND CROUTONS. SERVED WITH SUN-DRIED TOMATO DRESSING		
GREEK SALAD	11.95	14.95
SMALL		
LETTUCE, DICED TOMATOES, RED ONIONS, CUCUMBERS, FETA CHEESE, BLACK OLIVES AND GREEK FETA DRESSING		
GREEK CHICKEN CAESAR SALAD	17.95	
CAESAR SALAD TOPPED WITH BREADED CHICKEN, DICED TOMATOES, RED ONIONS, OLIVES, CUCUMBER, FETA CHEESE, CROUTONS AND BACON		
CAESAR SALAD	10.95	12.95
SMALL		
CRISP ROMAINE, BACON BITS, CROUTONS AND PARMESAN CHEESE		
CHICKEN CAESAR SALAD	15.95	
BREADED CHICKEN AND BACON BITES		
CHEF CHICKEN CAESAR SALAD	16.95	
BREADED CHICKEN TOSSED IN ANY ONE OF OUR SIGNATURE SAUCES		

SEAFOOD

HALIBUT AND CHIPS	19.95
SERVED WITH COLESLAW AND TARTAR SAUCE	
HADDOCK AND CHIPS	17.95
SERVED WITH COLESLAW AND TARTAR SAUCE	
GRILLED SALMON	23.99
GRILLED SALMON FILLET SERVED WITH VEGETABLES AND YOUR CHOICE OF RICE, MASHED POTATOES, OR FRIES	

We will do our utmost to assist with food allergies; however, we are unable to guarantee an allergen-free menu.

WRAPS

ALL WRAPS ARE SERVED WITH FRIES AND CREAMY DILL SAUCE



VEGGIE WRAP	13.95
LETTUCE, DICED TOMATOES, RED ONIONS, CUCUMBERS, CARROT, MARBLE CHEESE AND PARMESAN SAUCE	
VEGGIE MEXICAN WRAP	14.95
LETTUCE, DICED TOMATOES, RED ONIONS AND MARBLE CHEESE WITH SOUR CREAM, RANCH, ROASTED GARLIC AND TACO SEASONING	
VEGGIE GREEK WRAP	15.95
LETTUCE, DICED TOMATOES, RED ONIONS, CUCUMBERS, BLACK OLIVES, FETA CHEESE AND GREEK FETA DRESSING	
CHICKEN WRAP	16.95
BREADED CHICKEN, LETTUCE, DICED TOMATOES, CUCUMBERS, MARBLE CHEESE AND PARMESAN SAUCE	
CHICKEN CAESAR WRAP	16.95
BREADED CHICKEN, CRISP ROMAINE, BACON BITS, CROUTONS AND PARMESAN CHEESE	
MEXICAN CHICKEN WRAP	16.95
LETTUCE, DICED TOMATOES, RED ONIONS AND MARBLE CHEESE WITH SOUR CREAM, RANCH, ROASTED GARLIC AND TACO SEASONING	
SPICY MEXICAN CHICKEN WRAP	16.95
LETTUCE, DICED TOMATOES, RED ONIONS AND MARBLE CHEESE WITH SOUR CREAM, SPICY RANCH, ROASTED GARLIC AND TACO SEASONING	
CAJUN CHICKEN WRAP	16.95
BREADED CHICKEN, LETTUCE, DICED TOMATOES, CUCUMBERS, MARBLE CHEESE AND CAJUN SAUCE	
SPICY WRAP	16.95
SPICY BREADED CHICKEN, BACON, RED ONIONS, MARBLE CHEESE AND PARMESAN SAUCE	
KNOCKOUT WRAP	16.95
BREADED CHICKEN, BACON, RED ONIONS, DICED TOMATOES MARBLE CHEESE AND CREAMY KNOCKOUT SAUCE	
THE NELLI WRAP	16.95
BREADED CHICKEN TOSSED WITH KNOCKOUT GARLIC, GREEN CHILI, RED ONIONS, MARBLE CHEESE, PARMESAN SAUCE AND TANDOORI MASALA	
HELL'S RANCH WRAP	16.95
BREADED CHICKEN TOSSED WITH KNOCKOUT SAUCE, RED ONIONS, MARBLE CHEESE, RANCH AND TEXMEX	



MEMORANDUM

Formatted: Left: 0.75", Right: 0.69", Top: 1.25"

TO: Mayor and Members of Council
FROM: Arvin Prasad, Commissioner of Development Services
PREPARED BY: Melissa Leung, Senior Planner, Central District
DATE: June 24, 2025
RE: **Hold Removal By-law**
Signature Tower Residence Inc. c/o The Remington Group (the "Owner")
190 Enterprise Boulevard and 18 Andre De Grasse Street, Markham
Centre
File HOLD 25 109568

The Owner requested removal of the Hold Provision on the northwest corner of Enterprise and Andre De Grasse Street, as shown in Figure 1 (the "Subject Lands"). The Owner received Site Plan Endorsement to permit a mixed-use development that consists of a 35-storey residential building with 335 residential units and 1,785.7 m² of commercial uses ("K2"). The zoning of the lands is subject to holding provisions (H12) to be removed once certain conditions including, but not limited to, servicing allocation, execution of a Section 37 and Site Plan Agreement, and issuance of Site Plan Approval have been satisfied.

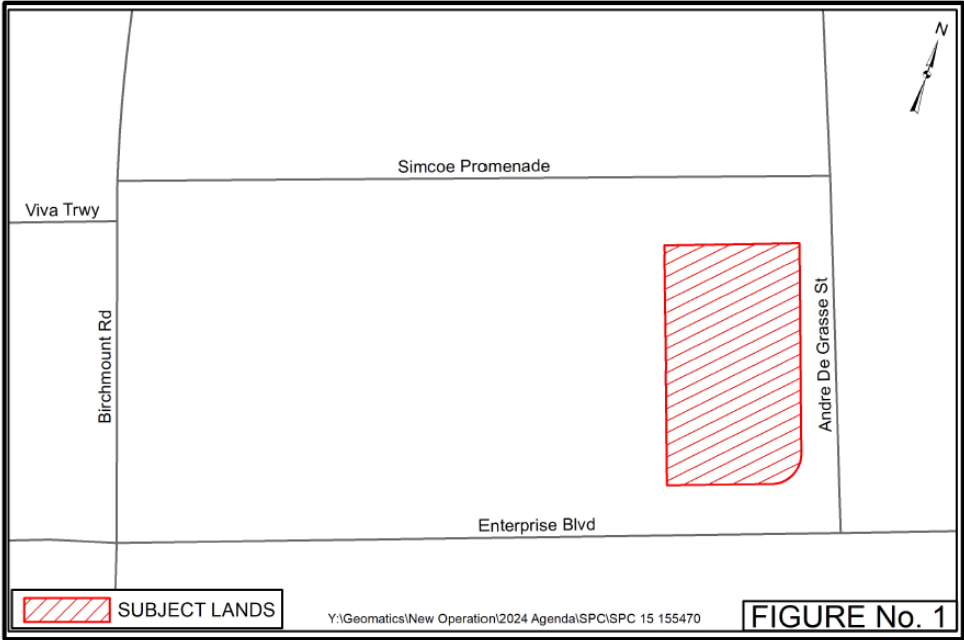
Staff note that servicing is available to facilitate K2, which the Development Services Committee assigned when they endorsed the project on January 27, 2025. The Owner has entered into a Section 37 Agreement and preparation of the Site Plan Agreement is underway.

The Owner intends to apply for a Conditional Building Permit, which cannot be issued until the H12 provisions have been lifted. The Owner has entered into an Undertaking with the City to ensure that above grade Building Permits are not pursued until the Site Plan Agreement has been fully executed and Site Plan Approval has been issued. Therefore, to allow below grade construction work to proceed and avoid unduly delays, Staff support removing the holding provisions at this time.



MEMORANDUM

Figure 1: Location Map





MEMORANDUM

To: Mayor and Members of Council

From: Giulio Cescato, MCIP, RPP, Director - Planning and Urban Design

Prepared by: Jessie Huang, Senior Planner, Policy

Date: June 24, 2025

Subject: Update – City Initiated Official Plan Amendment and Zoning By-Law Amendment (Housing Accelerator Fund Initiative 3 – Major Transit Station Area Policy Work), File No. PR 24 196907

RECOMMENDATION:

1. That the memorandum titled “Update – City Initiated Official Plan Amendment and Zoning By-Law Amendment (Housing Accelerator Fund Initiative 3 – Major Transit Station Area Policy Work), File No. PR 24 196907 be received; and
2. That the revised Official Plan Amendment and Zoning By-Law Amendment for the Housing Accelerator Fund Initiative 3 (Major Transit Station Areas Policy Update), attached hereto **as Appendix “1” and “2”** be adopted and approved;
3. That this report and recommendation be sent to the Canada Mortgage and Housing Corporation (CMHC); and further,
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

BACKGROUND:

On May 13, 2025, staff presented a [Recommendations Report](#) at Development Services Committee. The Report was received by the Development Services Committee along with deputations and written submissions.

The Committee conveyed their concerns regarding the potential impacts to the character of the established low-rise residential neighbourhoods with the introduction of four-storey building height opportunities in these neighbourhoods. The Committee provided Staff with the following modifications prior to the Official Plan and Zoning By-law Amendments being sent to Council for adoption and enactment:

- That the established low-rise residential area on the south side of Highway 7, east of McCowan Road within the McCowan BRT Station MTSA including the lands at 5305 & 5307 Highway 7 that are subject to a current OLT appeal, be

excluded from the City Initiated Official Plan and Zoning By-Law Amendments for the Housing Accelerator Fund Initiative 3; and,

- That the established low-rise residential area on the north side of Highway 7, within the Montgomery BRT Station MTSA area including the lands at 5305 & 5307 Highway 7 that are subject to a current OLT appeal, be excluded from the City Initiated Official Plan and Zoning By-Law Amendments for the Housing Accelerator Fund Initiative 3.

Staff have modified the proposed Amendments accordingly by removing the two low-rise residential areas from MTSA 15 McCowan BRT Station and 17 Montgomery BRT Station.

OPTIONS/DISCUSSION:

Staff have reviewed the written correspondence and deputations provided on the proposed Official Plan and Zoning By-Law Amendments and are recommending the following minor modifications:

- Modification to Policy 8.1.5.2 to exempt the Residential Low-Rise lands within Major Transit Station Area 15 McCowan BRT Station and 17 Montgomery BRT Station from the as-of-right four storey permissions.
- Modification to Schedule “A” of the Zoning By-law which removes the affected Residential Established Neighbourhood Low Rise (RES-ENLR) lands from the area of the Zoning By-Law Amendment.

Staff have advised the CMHC of the direction by Council to modify the geographical areas of the OPA and ZBLA's to exclude the low-rise residential areas identified above. The CMHC has determined the overall intent of HAF Initiative 3 is maintained, despite the removal of low-rise residential lands from Major Transit Station Area 15 McCowan BRT Station and 17 Montgomery BRT Station.

CONCLUSION:

Staff recommend that Council adopt and enact the revised City-Initiated Official Plan and Zoning By-Law Amendments, attached as Appendix “1” and “2” which allows for opportunities for an increase to the minimum permitted heights for residential units within identified Major Transit Station Areas.

ATTACHMENTS:

Appendix 1 – Proposed Official Plan Amendment – HAF Initiative 3

Appendix 2 – Proposed Zoning By-Law Amendment – HAF Initiative 3

Appendix 1:
Proposed Official Plan Amendment– HAF Initiative 3

CITY OF MARKHAM

OFFICIAL PLAN AMENDMENT NO. XXX

To amend the City of Markham Official Plan, 2014, as amended.

(Major Transit Station Area's within the Municipality)

CITY OF MARKHAM
OFFICIAL PLAN AMENDMENT NO. XXX

To amend the City of Markham Official Plan, 2014, as amended.

This Official Plan Amendment was adopted by the Corporation of the City of Markham By-law No. 2025-XX in accordance with the *Planning Act*, R.S.O., 1990 c. P.13, as amended, on the XX day of XX 2025.

Kimberley Kitteringham
City Clerk
(Signed)

Frank Scarpitti
Mayor
(Signed)



By-law 2025-XX

Being a by-law to adopt Amendment No. XXX
to the City of Markham Official Plan, 2014, as amended

THE COUNCIL OF THE CORPORATION OF THE CITY OF MARKHAM, IN
ACCORDANCE WITH THE PROVISIONS OF THE *PLANNING ACT*, R.S.O., c. P.13,
1990 HEREBY ENACTS AS FOLLOWS:

1. THAT Amendment No. XXX to the City of Markham Official Plan, 2014, as amended, attached hereto, is hereby adopted.
2. THAT this by-law shall come into force and take effect on the date of the final passing thereof.

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

Kimberley Kitteringham
City Clerk
(Signed)

Frank Scarpitti
Mayor

CONTENTS

PART I – INTRODUCTION 6

1.0 GENERAL 6

2.0 LOCATION 6

3.0 PURPOSE 6

4.0 BASIS OF THIS OFFICIAL PLAN AMENDMENT 6

PART II – THE OFFICIAL PLAN AMENDMENT 9

1.0 THE OFFICIAL PLAN AMENDMENT 9

2.0 IMPLEMENTATION AND INTERPRETATION 10

PART I – INTRODUCTION

(This is not an operative part of the Official Plan Amendment No. XXX)

PART I – INTRODUCTION

1.0 GENERAL

1.1. PART I – INTRODUCTION, is included for information purposes and is not an operative part of this Official Plan Amendment.

1.2. PART II – THE OFFICIAL PLAN AMENDMENT constitutes Official Plan Amendment No. XXX to the City of Markham Official Plan, 2014, as amended. Part II is an operative part of this Official Plan Amendment.

2.0 LOCATION

This Official Plan Amendment (“Amendment”) applies to lands use designations in the 2014 Markham Official Plan that permit residential units within the Major Transit Station Areas, as identified in the 2022 York Region Official Plan Appendix 2, within the geographic boundary of the City of Markham.

3.0 PURPOSE

The Official Plan Amendment establishes the enabling policy framework in the Markham Official Plan, 2014, which with corresponding amendments to the implementing zoning bylaws that will fulfill HAF Initiative 3 of the City’s HAF Action Plan.

The Amendment introduces provisions for a minimum height of up to four storeys within certain lands that permit residential dwelling units within Major Transit Stations Areas, with the exception of lands identified as Special Policy Area within Major Transit Station Area 12 Enterprise BRT Station and Major Transit Station Area 15 McCowan BRT Station, as well as lands identified as Residential Low Rise within Major Transit Station Area 15 McCowan BRT Station and Major Transit Station Area 17 Montgomery BRT Station.

4.0 BASIS OF THIS OFFICIAL PLAN AMENDMENT

The Official Plan Amendment is consistent with the Provincial Planning Statement, 2024 and conforms to the 2022 York Region Official Plan.

The Provincial Planning Statement, 2024, issued under the Planning Act, provides principles and policy direction on matters of provincial interest relating to land use planning and development. These matters include building strong communities with an emphasis on efficient development and land use patterns, wise use and management of resources and protecting public health and safety. The Provincial Planning Statement, 2024, directs the focus of growth and development to settlement areas, which include Major Transit Station Area (“MTSA”), and specifically encourages the promotion of development and intensification within these areas. The Amendment is consistent with

the policies of the Provincial Planning Statement, 2024 as it promotes the efficient use of existing land, resources and infrastructure, while supporting active transportation and transit.

The Amendment conforms to the York Region Official Plan, 2022 by incorporating policies in local official plans to facilitate a range of housing options, unit sizes, tenure and affordability. The York Region Official Plan, 2022 identifies that MTSA are planned and designed to support existing and planned transit infrastructure and to accommodate a range and mix of land uses, housing types, employment, active transportation amenities and activities. The Amendment supports residential development within MTSA's which helps to promote a scale of development that supports transit.

The Markham Official Plan 2014 builds on the urban structure and growth hierarchy as identified in the York Region Official Plan. The 2014 Markham Official Plan also identifies residential intensification within the built-up area and promotes policies which support transit-oriented development. The Amendment is consistent with the urban structure of Markham's Official Plan and will support the development of complete communities.

Overall, the Official Plan Amendment represents good planning as it makes efficient use of land within MTSA's that the Province, Region and City have identified for intensification and redevelopment. The recommended Amendment is appropriate and supports Provincial, Regional, and Local planning policy by contributing a range and mix of housing types and promoting the use of active transportation and transit with MTSA's by allowing for an increase to the minimum permitted heights for residential units within these identified delineated areas.

PART II – THE OFFICIAL PLAN AMENDMENT
(This is an operative part of Official Plan Amendment No. XXX)

PART II – THE OFFICIAL PLAN AMENDMENT

1.0 THE OFFICIAL PLAN AMENDMENT

1.1 The following sections of Part I of the City of Markham Official Plan, 2014, as amended, are hereby amended as follows:

- a) Amending Section 8.1.5, by maintaining the existing subtitle as Section 8.1.5 and renumbering the remainder of the existing Section 8.1.5 to be the new Subsection 8.1.5.1, as follows:

“8.1.5 Height and Density for all Land Use Designations

8.1.5.1 That where the maximum heights and densities are identified in a land use designation of this Plan, it is not intended that every building in a *development approval* will achieve the maximum height and density. The appropriate height shall be the key determinant on what density can be achieved on a site along with the provision of adequate transportation and water and waste water infrastructure, and community infrastructure such as public schools and parks and open spaces.

Secondary Plans may establish height and density provisions that exceed those identified in Chapter 8 of this Plan. Increases in height above the maximum height permitted in a designation may be considered for a development provided it is within the context of an approved secondary plan or site specific policy and the application for zoning by-law amendment to permit a height increase and a site plan and/or *comprehensive block plan* is consistent with the secondary plan or site specific policy.

Increases in height and density above the maximum permitted in a designation within a *Special Policy Area* shown on Map 8 – Special Policy Areas shall not be permitted unless approved by the Ministers of Municipal Affairs and Housing and Natural Resources and Forestry as part of a comprehensive secondary plan review.”

- b) Adding a new Section 8.1.5.2 as follows:

“8.1.5.2 That notwithstanding any other provisions of this Plan to the contrary, for lands within Major Transit Stations Areas, as shown on Appendix 2 of the York Region Official Plan, a minimum height, of up to four storeys, shall be established for land use designations which permit residential dwelling units through the implementing zoning by-laws, with the exception of lands identified as:

- I. Special Policy Area within Major Transit Station Area 12 Enterprise BRT Station;
- II. Special Policy Area within Major Transit Station Area 15 McCowan BRT Station;
- III. 'Residential Low Rise' lands within Major Transit Station Area 15 McCowan BRT Station
- IV. 'Residential Low Rise' lands within Major Transit Station Area 17 Montgomery BRT Station

Development within the Special Policy Area MTSA lands shall be permitted, in accordance with Provincial regulations, guidelines, standards and procedures.”

2.0 IMPLEMENTATION AND INTERPRETATION

The provisions of the City of Markham Official Plan, 2014, as amended, regarding the implementation and interpretation of the Plan, shall apply in regard to this Amendment, except as specifically provided for in this Amendment.

This Amendment shall be implemented by an amendment to the Zoning By-law, and other Planning Act approvals, in conformity with the provisions of this Amendment.

This Amendment is exempt from approval by the Ministry of Municipal Affairs and Housing and the decision of Council is final if a notice of appeal is not received before or on the last day for filing such notice.

Prior to Council's decision becoming final, this Amendment may be modified to incorporate technical amendments to the text and associated figure(s) and schedule(s). Technical amendments are those minor changes that do not affect the policy or intent of the Amendment. The notice provisions of Section 10.7.5 of the City of Markham Official Plan, 2014, as amended, shall apply.

Appendix 2:
Proposed Zoning By-Law Amendment – HAF Initiative 3

BY-LAW 2025-XXX

A By-law to amend By-laws 1229, 2150, 2237, 2551, 122-72, 88-76 127-76, 184-78, 118-79, 165-80, 47-85, 304-87, 177-96, 2004-196 and, 2024-19, as amended

THE COUNCIL OF THE CORPORATION OF THE CITY OF MARKHAM HEREBY ENACTS AS FOLLOWS:

- 1.0 The following amendments apply to the lands as shown on Schedule ‘A’ attached hereto.
- 2.0 By-law’s 1229, 2150, 2237, 2551, 122-72, 88-76 127-76, 184-78, 118-79, 165-80, 47-85 and, 304-87, as amended, are hereby further amended as follows:

2.1 “Notwithstanding any other provision in this by-law:

- i) Where the maximum number of storeys of a building is equal to or less than 4, the maximum number of storeys shall be 4.
- ii) Where the maximum height of a building is equal to or less than 14 metres, the maximum height shall be 14 metres.

In determining the applicable zone boundary line of this by-law, where the flooding hazard limit established by the Toronto and Region Conservation Authority extends into the area identified on Schedule A, the provisions of this by-law shall not apply.”

- 3.0 By-law 177-96, as amended, is hereby further amended as follows:

3.1 By adding a new Section 6.29 as follows:

“6.29 Major Transit Station Areas

The following provisions apply to lands shown on the schedules to this by-law as being within a Major Transit Station Area:

6.29.1 Notwithstanding any other provision in this by-law:

- i) Where the maximum number of *storeys* of a *building* is equal to or less than 4, the maximum number of *storeys* shall be 4.
- ii) Where the maximum *height* of a *building* is equal to or less than 14 metres, the maximum *height* shall be 14 metres.

In determining the applicable zone boundary line of this by-law, where the flooding hazard limit established by the Toronto and Region Conservation Authority extends into the area identified on Schedule A, the provisions of this by-law shall not apply.”

- 4.0 By-law 2004-196, as amended, is hereby further amended as follows:

By adding a new Section 4.23 as follows:

“4.23 Major Transit Station Areas

The following provisions apply to lands shown on the schedules to this by-law as being within a Major Transit Station Area:

4.23.1 Notwithstanding any other provision in this by-law:

- i) Where the maximum number of *storeys* of a *building* is equal to or less than 4, the maximum number of *storeys* shall be 4.
- ii) Where the maximum *height* of a *building* is equal to or less than 14 metres, the maximum *height* shall be 14 metres.

In determining the applicable zone boundary line of this by-law, where the flooding hazard limit established by the Toronto and Region Conservation Authority extends into the area identified on Schedule A, the provisions of this by-law shall not apply.”

5.0 By-law 2024-19, as amended, is hereby further amended as follows:

“4.8.13 Major Transit Station Areas

The following provisions apply to lands shown on the schedules to this by-law as being within a Major Transit Station Area:

4.8.13.1 Notwithstanding any other provision in this by-law, where a **building** contains a residential **dwelling unit**:

- a) Within the Residential Established Neighbourhood Low Rise (RES-ENLR) zone:
 - i) Maximum number of **storeys** – 4
 - ii) Maximum **outside wall height** - 11 metres
- b) For all other zones:
 - i) Where the maximum number of **storeys** of a **building** is equal to or less than 4, the maximum number of **storeys** shall be 4.
 - ii) Where the maximum **height** of a **building** is equal to or less than 14 metres, the maximum **height** shall be 14 metres.

6.0 All other provisions of By-laws 1229, 2150, 2237, 2551, 122-72, 88-76 127-76, 184-78, 118-79, 165-80, 47-85, 304-87, 177-96, 2004-196 and, 2024-19, as amended, unless specifically modified/amended by this By-law continue to apply.

READ A FIRST, SECOND, AND THIRD TIME AND PASSED THIS XXRD DAY OF XXXXXXXX, 2025.

KIMBERLEY KITTERINGHAM
CITY CLERK

FRANK SCARPITTI
MAYOR



SCHEDULE 'A' TO BY-LAW

AMENDING BY-LAWS 1229, 2150, 2237, 2551, 122-72, 88-76 127-76, 184-78, 118-79, 165-80, 47-85, 304-87, 177-96, 2004-196, 2024-19 DATED

 BOUNDARY OF AFFECTED PARENT ZONING BY-LAWS

THIS IS NOT A PLAN OF SURVEY. Zoning Information presented in this Schedule is a representation sourced from Geographic Information Systems. In the event of a discrepancy between the zoning information contained on this Schedule and the text of zoning by-law, the information contained in the text of the zoning by-law of the municipality shall be deemed accurate.

 DEVELOPMENT SERVICES COMMISSION

1,000 500 0 1,000
Meters

Drawn By: RT

Checked By: GD

DATE: 13/5/2025

NOTE: This Schedule should be read in conjunction with the signed original By-Law filed with the City of Markham Clerk's Office

Q:\Development\Planning\Teams\ZSP TEAM21 - Housing\MTSA-42\Robb Work\Schedule A MTSA.mxd



Report to: Development Services Committee

Meeting Date: May 13, 2025

SUBJECT: RECOMMENDATION REPORT: Housing Accelerator Fund Initiative 3 (Major Transit Station Areas Policy Update) – City Initiated Official Plan and Zoning By-law Amendments
File: PR 24 196907

PREPARED BY: Jessie Huang
Senior Planner, Policy, Ext. 3286

Geoff Day, MCIP, RPP
Senior Planner, Zoning and Special Projects, Ext. 3071

REVIEWED BY: Duran Wedderburn, MCIP, RPP
Manager, Policy, Ext. 2109

Brad Roberts
Manager, Zoning and Special Projects, Ext. 2800

RECOMMENDATION:

1. THAT the staff report entitled “RECOMMENDATION REPORT: Housing Accelerator Fund Initiative 3 (Major Transit Station Areas Policy Update) – City Initiated Official Plan and Zoning By-law Amendments” be received;
2. THAT the City Initiated Official Plan and Zoning By-Law Amendments for the Housing Accelerator Fund Initiative 3 (Major Transit Station Areas Policy Update), attached as Appendix “1” and “2” be brought forward to a future Council meeting to be enacted without further notice; and
3. THAT staff be authorized and directed to do all things necessary to give effect to this resolution.

PURPOSE:

This report recommends the adoption of the Official Plan Amendment and enactment of the Zoning By-law Amendment to implement Initiative 3, Major Transit Station Areas, of the City’s Housing Accelerator Fund Action Plan, which will permit buildings of up to four (4) storeys in height on lands that permit residential dwelling units within Major Transit Station Areas through the implementing zoning by-law, with some exceptions.

BACKGROUND:

Establishment of Major Transit Station Areas (MTSAs)

Major Transit Station Areas (MTSAs) are lands generally within a 500 to 800 metre radius of a transit station (i.e., GO Station, Subway and/or Bus Rapid Transit (BRT) station, etc.)

Under the Provincial Growth Plan, upper-tier municipalities, in consultation with local municipalities, are required to delineate boundaries and set minimum density targets for MTSAs located on Provincial Priority Transit Corridors. York Region undertook this work as part of the Regional Official Plan update with input and feedback from consultations with local municipal Councils and staff. The York Region Official Plan (YROP) was approved by the Province in 2022, with a total of 22 identified MTSAs for the City of Markham.

With the removal of planning responsibilities from York Region effective July 1, 2024, the YROP is deemed to be a part of Markham's Official Plan, absorbing the MTSA policy framework set by the Region. Any modifications to the MTSA boundaries would require Provincial approvals.

It is important to note that inclusionary zoning, which is a land use planning tool, authorized under the *Planning Act*, allows municipalities to require affordable housing units to be included in residential developments and can only be implemented in MTSAs.

Key Dates

The following outlines the chronology of the Housing Accelerator Fund ("HAF") program, as it relates to Initiative 3 (Major Transit Station Areas Policy Update):

- February 2022: The Federal Budget announced \$4 billion in funding for the Housing Accelerator fund with the goal of creating at least 100,000 more housing units.
- March 2022: The Canadian Mortgage and Housing Corporation (CMHC) launched the HAF program and application process.
- June 14, 2022: The City of Markham passed a [Council resolution](#) directing Staff to submit a HAF application.
- October 11, 2023: The City received a letter from Federal Minister requesting enhancements to the City's HAF submission, which requested the City to assess and propose amendments to the City of Markham's Official Plan and Zoning By-Laws for Council consideration. The amendments would permit residential building heights of up to four (4) storeys within the City's Major Transit Station Areas ("MTSAs"), excluding those zones that are solely comprised of employment areas and preclude residential development.

- December 13, 2023: [Council resolution](#) in response to the federal Minister's request, agreed to the implementation of the above noted policy along with 4 units, as of right, throughout the city.
- January 25, 2024: City's HAF application was approved including Council's December resolution to the Federal Minister's request. The City's HAF application approval was secured through the execution of a contribution agreement with CMHC for \$58.8 million in funding, with the goal of supporting the delivery of 1640 housing units, over the course of the program.
- June 18, 2024: The Development Services Committee received a staff report that provided an overview of the work plan to implement the City's HAF Program Action Plan Initiatives, including Initiative 3, which identifies milestones involving a statutory Public Meeting and bringing the recommended Official Plan and Zoning By-law Amendments for Council's consideration.
- December 3, 2024: [Statutory Public Meeting](#) held for HAF Initiative 3 (Major Transit Station Areas Policy Update). Staff to consider feedback from Public Meeting and modify Official Plan and Zoning By-Law Amendments, where appropriate.

DISCUSSION:

Conformity with the Land Use Planning Framework

The following section provides an overview of how the proposed amendments conform and are consistent with provincial, regional and local policies and plans.

The Proposed Amendment is consistent with the Provincial Planning Statement, 2024 ("the PPS 2024")

The PPS 2024 provides direction on matters of Provincial interest related to land use planning and development. These matters include building strong communities with an emphasis on efficient development and land use patterns, wise use and management of resources, and providing an appropriate range and mix of residential types. The PPS 2024 emphasizes directing growth and development towards settlement areas, including MTSAs. It specifically encourages promoting development and intensification to these areas. The Proposed Amendment would support the Province's vision for supporting a diverse range of housing options, efficient use of existing land, resources and infrastructure, while supporting transit-oriented communities.

The Proposed Amendment conforms to the 2022 York Region Official Plan (the "YROP 2022")

The YROP 2022 states that MTSAs are a key component of York Region's Intensification and Growth Management Strategy, with each MTSA being unique with its own growth potential to support and enhance the Regional intensification hierarchy. Regional policies dictate that MTSAs are required to achieve complete communities, support economic development, and direct development to strategic growth areas in order to make efficient use of land and optimize

infrastructure. Local municipalities have the discretion to determine appropriate land use densities, building heights and other planning considerations to achieve the overall minimum density target for each MTSA. The Amendments support residential development within MTSA's, accommodating a range and mix of housing types and promotes a scale of development that supports transit that is suitable under Markham's local context.

The Proposed Amendment aligns with the 2014 Markham Official Plan (the “MOP 2014”)

The MOP 2014 identifies residential intensification within the built-up area and promotes policies which support transit-oriented development. The Amendment will reinforce the current policies and objectives of the MOP 2014, by supporting the development of complete communities and consistency with Markham's urban structure.

The proposed Amendments only applies to MTSA lands that permit residential dwelling units, or where existing legal residential dwelling units exist. The proposed Amendments establishes permissions for minimum heights of up to 4 storeys for lands that permit residential dwelling units within the MTSA through the implementing zoning by-law. This amendment does not apply to lands designated “Employment” or “Greenway” or apply to lands within the Special Policy Area of MTSA 12 Enterprise BRT Station and MTSA 15 McCowan BRT Station.

Although the proposed OPA would permit a change to the minimum permitted heights within residential land uses within the MTSA's, it would not:

- Apply to lands designated Employment or Greenway
- Change any permitted uses
- Change any permitted densities
- Change the delineated boundaries or the density targets within the MTSA's
- Apply to lands within the Special Policy Area of MTSA 12 Enterprise BRT Station and MTSA 15 McCowan BRT Station

December 3, 2024, Development Service Committee Statutory Public Meeting Feedback

No deputations were made at the statutory public meeting held on December 3, 2024.

The Development Services Committee provided general comments on the proposed Amendments. Comments received included:

- a) Recommended revisions to clarify mapping and to demonstrate the MTSA boundaries and permitted uses more clearly;
- b) Comments regarding land use permissions, if residential dwelling units would be permitted in lands designated as part of the “Greenway”; and
- c) Comments regarding the potential impacts on established neighbourhoods and introducing four-storey buildings on established residential streets.

In addition to the comments provided by Development Services Committee, eight (8) written submissions from prescribed bodies, stakeholders and the public with comments on the proposed

Official Plan and Zoning By-law Amendments have been received. Staff have completed their review of the comments and have revised the Amendments, where appropriate.

Responses to the stakeholder comments raised throughout the HAF Initiative 3 process are provided in the comment response matrix in Appendix “3” which outlines the comments received on the proposed Official Plan and Zoning By-law Amendments, and staff responses.

Staff Modifications to the Proposed Official Plan and Zoning By-law Amendments

Staff have completed their review of the feedback received to date and have revised the amendments, where appropriate:

Changes to Official Plan Policies

The proposed Official Plan Amendment Policy 8.1.5.2. has been updated to clarify that any development on MTSA lands shall only be permitted in accordance with Provincial regulations, guidelines, standards and procedures. Planning applicants would be required to complete any technical studies or meet requirements set by prescribed bodies and/or provincial agencies.

Changes to Zoning By-law Amendment and Mapping

The Zoning By-law was revised to clarify the applicability of existing caps on the maximum number of storeys over and above the proposed 4 storey permission. The by-law was further revised to include provisions on determining zone boundary lines and the applicability of the proposed by-law on hazard lands as identified by the Toronto and Region Conservation Authority (TRCA). A revision to the zoning schedule also removed lands within the MTSA areas that are designated greenway, which are also identified as hazard lands. In addition to the exempted Special Policy Area (SPA) in MTSA 15 McCowan BRT Station, a revision to the zoning schedule also demonstrates an exception to the SPA within MTSA 12 Enterprise BRT Station.

Transitional Areas/Established Neighbourhoods abutting or within MTSAs

As the majority of the low-rise residential development within the MTSAs are presently zoned Residential Established Neighbourhood Low Rise (RES-ENLR) under By-law 2024-19, only single detached built forms are permitted. Of the 22 MTSAs within the City, only 3 MTSAs (Clark Subway Station, McCowan BRT Station, and Montgomery BRT Station) have lands designated residential low-rise in the 2014 Markham Official Plan (Figure 2). In this zone, maximum building heights are determined by limiting the maximum wall height of the exterior of a building.

Lands that are zoned RES-ENLR outside of MTSA areas have a maximum outside wall height of 7.0 metres. The draft zoning by-law amendment proposes to increase this provision in MTSA areas to 11.0 metres to accommodate a fourth storey. In all other MTSA areas, the proposed increase in height is from 11.0 metres to 14.0 metres.

CONCLUSION:

The proposed Amendments are appropriate and supports Provincial, Regional and Local planning policy by providing a range and mix of housing types within MTSAs by allowing for an increase

to the minimum permitted heights for residential units within the identified areas. Staff are of the opinion that the Amendments are appropriate and represent good planning.

FINANCIAL CONSIDERATIONS

There are no financial considerations associated with this Recommendation Report.

HUMAN RESOURCES CONSIDERATIONS

Not Applicable.

ALIGNMENT WITH STRATEGIC PRIORITIES:

The City Initiated Official Plan and Zoning By-law Amendments will establish and implement the policy framework to permit up to four (4) storeys for lands that permit residential dwelling units within Major Transit Station Areas. The instruments support the achievement the following strategic priorities:

- Goal 3 – Safe, Sustainable and Complete Community in Building Markham’s Future Together, 2020 to 2026;
- Action 3 – Develop an Inclusionary Zoning By-Law for Major Transit Station Areas in Housing Choices: Markham’s Affordable and Rental Housing Strategy; and
- Housing Pledge with a Promise, the Housing Pledge approved by Markham Council in March 2023.

BUSINESS UNITS CONSULTED AND AFFECTED:

Staff from Development Planning, Urban Design, Parks Planning, Natural Heritage, Transportation, Engineering, Sustainability, System Engineering, Operations & Maintenance, Waste & Environmental Management, and Legal were consulted on the proposed draft Official Plan and Zoning By-Law Amendments. Comments were incorporated in the modifications to the draft amendments.

RECOMMENDED BY:

Giulio Cescato, MCIP, RPP
Director, Planning and Urban Design

Arvin Prasad, MCIP, RPP
Commissioner, Development Services

ATTACHMENTS AND APPENDICES:

Figure 1: MTSA Boundaries

Figure 2: MTSAs with Residential Low-Rise Designations

Appendix 1: Proposed Official Plan Amendment– HAF Initiative 3

Appendix 2: Proposed Zoning By-Law Amendment – HAF Initiative 3

Appendix 3: Comment/Response Matrix of Feedback on the Proposed OPA & ZBA-
HAF Initiative 3

Figure 1
MTSA Boundaries

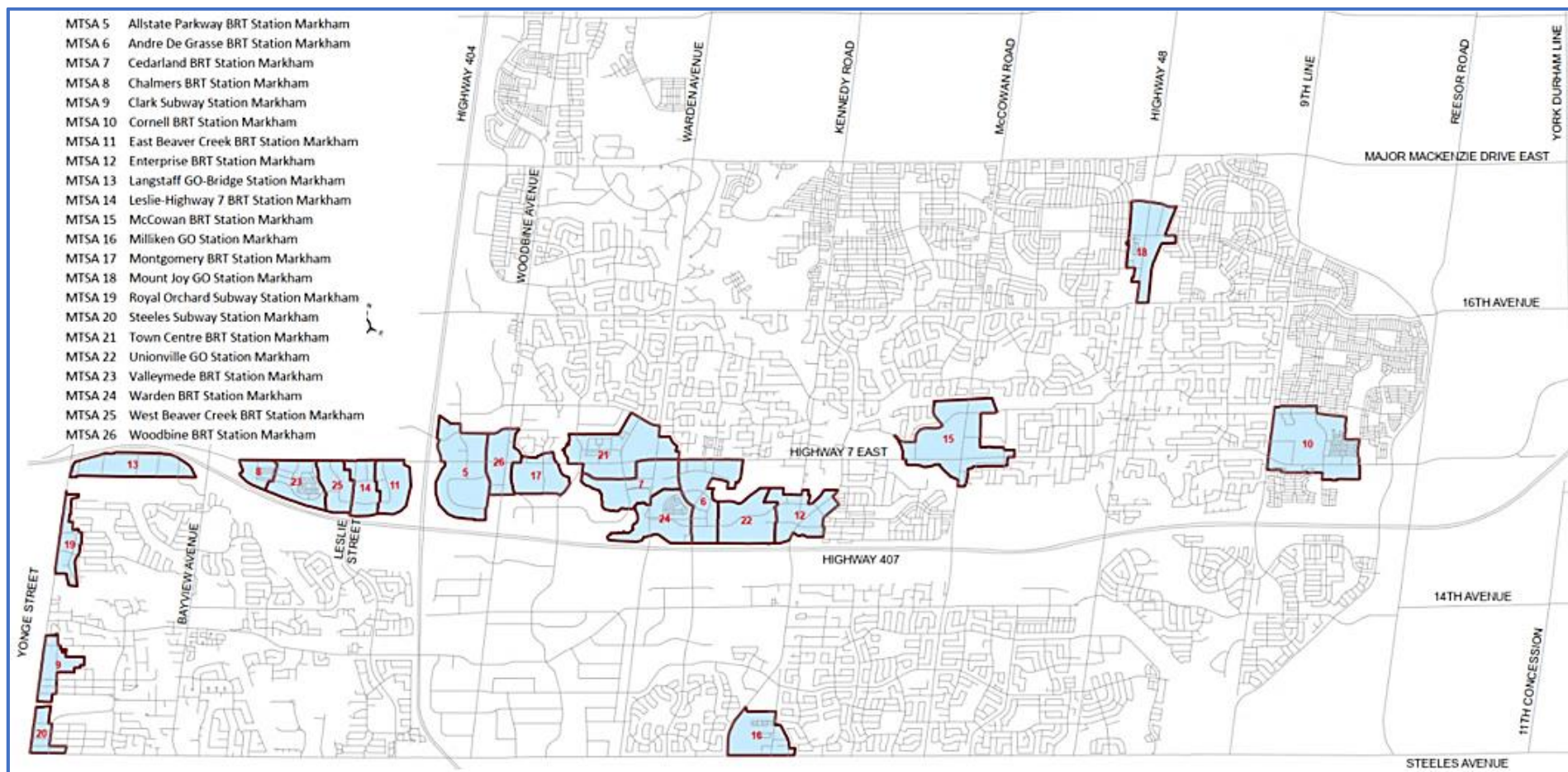
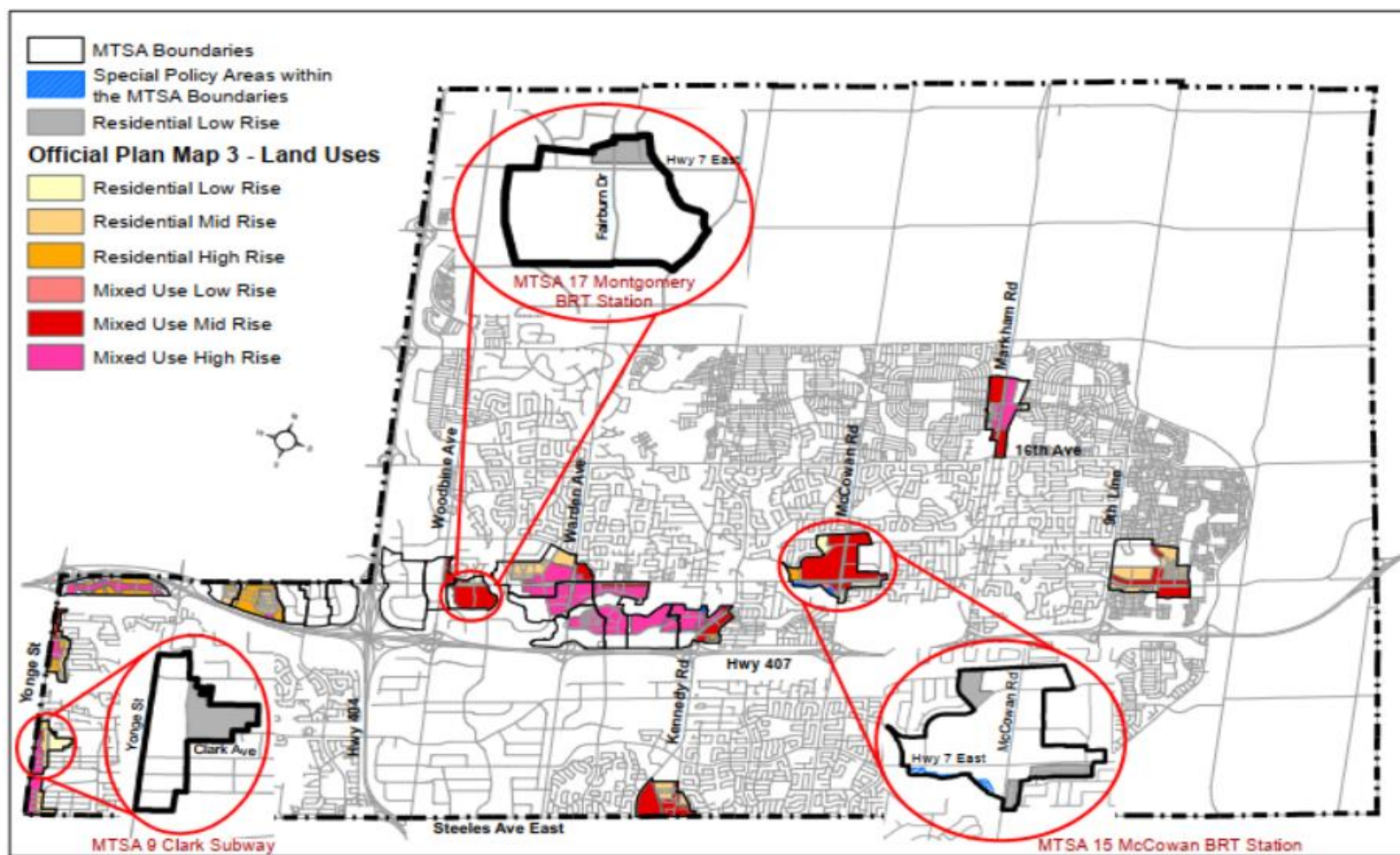


Figure 2
MTSAs with Residential Low-Rise OP Designations



Appendix 1:
Proposed Official Plan Amendment– HAF Initiative 3

CITY OF MARKHAM

OFFICIAL PLAN AMENDMENT NO. XXX

To amend the City of Markham Official Plan, 2014, as amended.

(Major Transit Station Area's within the Municipality)

XX 2025

CITY OF MARKHAM
OFFICIAL PLAN AMENDMENT NO. XXX

To amend the City of Markham Official Plan, 2014, as amended.

This Official Plan Amendment was adopted by the Corporation of the City of Markham By-law No. 2025-XX in accordance with the *Planning Act*, R.S.O., 1990 c. P.13, as amended, on the XX day of XX 2025.

Kimberley Kitteringham
City Clerk
(Signed)

Frank Scarpitti
Mayor
(Signed)



By-law 2025-XX

Being a by-law to adopt Amendment No. XXX
to the City of Markham Official Plan, 2014, as amended

THE COUNCIL OF THE CORPORATION OF THE CITY OF MARKHAM, IN
ACCORDANCE WITH THE PROVISIONS OF THE *PLANNING ACT*, R.S.O., c. P.13,
1990 HEREBY ENACTS AS FOLLOWS:

1. THAT Amendment No. XXX to the City of Markham Official Plan, 2014, as amended, attached hereto, is hereby adopted.
2. THAT this by-law shall come into force and take effect on the date of the final passing thereof.

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

Kimberley Kitteringham
City Clerk
(Signed)

Frank Scarpitti
Mayor

CONTENTS

PART I – INTRODUCTION	16
1.0 GENERAL	16
2.0 LOCATION	16
3.0 PURPOSE	16
4.0 BASIS OF THIS OFFICIAL PLAN AMENDMENT	16
PART II – THE OFFICIAL PLAN AMENDMENT	19
1.0 THE OFFICIAL PLAN AMENDMENT	19
2.0 IMPLEMENTATION AND INTERPRETATION.....	20

PART I – INTRODUCTION

(This is not an operative part of the Official Plan Amendment No. XXX)

PART I – INTRODUCTION

1.0 GENERAL

1.1. PART I – INTRODUCTION, is included for information purposes and is not an operative part of this Official Plan Amendment.

1.2. PART II – THE OFFICIAL PLAN AMENDMENT constitutes Official Plan Amendment No. XXX to the City of Markham Official Plan, 2014, as amended. Part II is an operative part of this Official Plan Amendment.

2.0 LOCATION

This Official Plan Amendment (“Amendment”) applies to lands use designations in the 2014 Markham Official Plan that permit residential units within the Major Transit Station Areas, as identified in the 2022 York Region Official Plan Appendix 2, within the geographic boundary of the City of Markham.

3.0 PURPOSE

To amend certain existing policies in the City of Markham Official Plan, 2014 to establish permissions for a minimum height of up to four storeys for lands that permit residential dwelling units within Major Transit Stations Areas, with the exception of lands identified as Special Policy Area within Major Transit Station Area 15 McCowan BRT Station.

4.0 BASIS OF THIS OFFICIAL PLAN AMENDMENT

The Official Plan Amendment is consistent with the Provincial Policy Statement, 2024 and conforms to the 2022 York Region Official Plan.

The Provincial Policy Statement, 2024, issued under the Planning Act, provides principles and policy direction on matters of provincial interest relating to land use planning and development. These matters include building strong communities with an emphasis on efficient development and land use patterns, wise use and management of resources and protecting public health and safety. The Provincial Policy Statement, 2024, directs the focus of growth and development to settlement areas, which include Major Transit Station Area (“MTSA”), and specifically encourages the promotion of development and intensification within these areas. The Amendment is consistent with the policies of the Provincial Policy Statement, 2024 as it promotes the efficient use of existing land, resources and infrastructure, while supporting active transportation and transit.

The Amendment conforms to the York Region Official Plan, 2022 by incorporating policies in local official plans to facilitate a range of housing options, unit sizes, tenure and affordability. The York Region Official Plan, 2022 identifies that MTSA are planned

and designed to support existing and planned transit infrastructure and to accommodate a range and mix of land uses, housing types, employment, active transportation amenities and activities. The Amendment supports residential development within MTSAs which helps to promote a scale of development that supports transit.

The Markham Official Plan 2014 builds on the urban structure and growth hierarchy as identified in the York Region Official Plan. The 2014 Markham Official Plan also identifies residential intensification within the built-up area and promotes policies which support transit-oriented development. The Amendment is consistent with the urban structure of Markham's Official Plan and will support the development of complete communities.

Overall, the Official Plan Amendment represents good planning as it makes efficient use of land within MTSAs that the Province, Region and City have identified for intensification and redevelopment. The recommended Amendment is appropriate and supports Provincial, Regional, and Local planning policy by contributing a range and mix of housing types and promoting the use of active transportation and transit with MTSAs by allowing for an increase to the minimum permitted heights for residential units within these identified delineated areas.

The Amendment establishes the enabling policy framework in the Markham Official Plan, 2014, which with corresponding amendments to the implementing zoning bylaws that will fulfill HAF Initiative 3 of the City's HAF Action Plan.

PART II – THE OFFICIAL PLAN AMENDMENT
(This is an operative part of Official Plan Amendment No. XXX)

PART II – THE OFFICIAL PLAN AMENDMENT

1.0 THE OFFICIAL PLAN AMENDMENT

1.1 The following sections of Part I of the City of Markham Official Plan, 2014, as amended, are hereby amended as follows:

- a) Amending Section 8.1.5, by maintaining the existing subtitle as Section 8.1.5 and renumbering the remainder of the existing Section 8.1.5 to be the new Subsection 8.1.5.1, as follows:

“8.1.5 Height and Density for all Land Use Designations

8.1.5.1 That where the maximum heights and densities are identified in a land use designation of this Plan, it is not intended that every building in a *development approval* will achieve the maximum height and density. The appropriate height shall be the key determinant on what density can be achieved on a site along with the provision of adequate transportation and water and waste water infrastructure, and community infrastructure such as public schools and parks and open spaces.

Secondary Plans may establish height and density provisions that exceed those identified in Chapter 8 of this Plan. Increases in height above the maximum height permitted in a designation may be considered for a development provided it is within the context of an approved secondary plan or site specific policy and the application for zoning by-law amendment to permit a height increase and a site plan and/or *comprehensive block plan* is consistent with the secondary plan or site specific policy.

Increases in height and density above the maximum permitted in a designation within a *Special Policy Area* shown on Map 8 – Special Policy Areas shall not be permitted unless approved by the Ministers of Municipal Affairs and Housing and Natural Resources and Forestry as part of a comprehensive secondary plan review.”

- b) Adding a new Section 8.1.5.2 as follows:

“8.1.5.2 That notwithstanding any other provisions of this Plan to the contrary, for lands within Major Transit Stations Areas, as shown on Appendix 2 of the York Region Official Plan, a minimum height, of up to four storeys, shall be established for land use designations which permit residential dwelling units through the implementing zoning by-laws, with the exception of lands identified as Special Policy Area within Major Transit Station Area 12 Enterprise BRT Station and Major Transit Station Area 15 McCowan BRT Station.

Development within these MTSA lands shall be permitted, in accordance with Provincial policy, regulations, guidelines, standards and procedures.”

2.0 IMPLEMENTATION AND INTERPRETATION

The provisions of the City of Markham Official Plan, 2014, as amended, regarding the implementation and interpretation of the Plan, shall apply in regard to this Amendment, except as specifically provided for in this Amendment.

This Amendment shall be implemented by an amendment to the Zoning By-law, and other Planning Act approvals, in conformity with the provisions of this Amendment.

This Amendment is exempt from approval by the Ministry of Municipal Affairs and Housing and the decision of Council is final if a notice of appeal is not received before or on the last day for filing such notice.

Prior to Council's decision becoming final, this Amendment may be modified to incorporate technical amendments to the text and associated figure(s) and schedule(s). Technical amendments are those minor changes that do not affect the policy or intent of the Amendment. The notice provisions of Section 10.7.5 of the City of Markham Official Plan, 2014, as amended, shall apply.

Appendix 2:
Proposed Zoning By-Law Amendment – HAF Initiative 3

BY-LAW 2025-XXX

A By-law to amend By-laws 1229, 2150, 2237, 2551, 122-72, 88-76 127-76, 184-78, 118-79, 165-80, 47-85, 304-87, 177-96, 2004-196 and, 2024-19, as amended

THE COUNCIL OF THE CORPORATION OF THE CITY OF MARKHAM HEREBY ENACTS
AS FOLLOWS:

1.0 The following amendments apply to the lands as shown on Schedule 'A' attached hereto.

2.0 By-law's 1229, 2150, 2237, 2551, 122-72, 88-76 127-76, 184-78, 118-79, 165-80, 47-85 and, 304-87, as amended, are hereby further amended as follows:

2.1 "Notwithstanding any other provision in this by-law:

- i) Where the maximum number of storeys of a building is equal to or less than 4, the maximum number of storeys shall be 4.
- ii) Where the maximum height of a building is equal to or less than 14 metres, the maximum height shall be 14 metres.

In determining the applicable zone boundary line of this by-law, where the flooding hazard limit established by the Toronto and Region Conservation Authority extends into the area identified on Schedule A, the provisions of this by-law shall not apply."

3.0 By-law 177-96, as amended, is hereby further amended as follows:

3.1 By adding a new Section 6.29 as follows:

"6.29 Major Transit Station Areas

The following provisions apply to lands shown on the schedules to this by-law as being within a Major Transit Station Area:

6.29.1 Notwithstanding any other provision in this by-law:

- i) Where the maximum number of *storeys* of a *building* is equal to or less than 4, the maximum number of *storeys* shall be 4.
- ii) Where the maximum *height* of a *building* is equal to or less than 14 metres, the maximum *height* shall be 14 metres.

In determining the applicable zone boundary line of this by-law, where the flooding hazard limit established by the Toronto and Region Conservation Authority extends into the area identified on Schedule A, the provisions of this by-law shall not apply.”

4.0 By-law 2004-196, as amended, is hereby further amended as follows:

By adding a new Section 4.23 as follows:

“4.23 Major Transit Station Areas

The following provisions apply to lands shown on the schedules to this by-law as being within a Major Transit Station Area:

4.23.1 Notwithstanding any other provision in this by-law:

- i) Where the maximum number of *storeys* of a *building* is equal to or less than 4, the maximum number of *storeys* shall be 4.
- ii) Where the maximum *height* of a *building* is equal to or less than 14 metres, the maximum *height* shall be 14 metres.

In determining the applicable zone boundary line of this by-law, where the flooding hazard limit established by the Toronto and Region Conservation Authority extends into the area identified on Schedule A, the provisions of this by-law shall not apply.”

5.0 By-law 2024-19, as amended, is hereby further amended as follows:

“4.8.13 Major Transit Station Areas

The following provisions apply to lands shown on the schedules to this by-law as being within a Major Transit Station Area:

4.8.13.1 Notwithstanding any other provision in this by-law, where a **building** contains a residential **dwelling unit**:

- a) Within the Residential Established Neighbourhood Low Rise (RES-ENLR) zone:
 - i) Maximum number of **storeys** – 4
 - ii) Maximum **outside wall height** - 11 metres
- b) For all other zones:
 - i) Where the maximum number of **storeys** of a **building** is equal to or less than 4, the maximum number of **storeys** shall be 4.
 - ii) Where the maximum **height** of a **building** is equal to or less than 14 metres, the maximum **height** shall be 14 metres.

6.0 All other provisions of By-laws 1229, 2150, 2237, 2551, 122-72, 88-76 127-76, 184-78, 118-79, 165-80, 47-85, 304-87, 177-96, 2004-196 and, 2024-19, as amended, unless specifically modified/amended by this By-law continue to apply.

READ A FIRST, SECOND, AND THIRD TIME AND PASSED THIS XXRD DAY OF XXXXXXXX, 2025.

KIMBERLEY KITTINGHAM
CITY CLERK

FRANK SCARPITTI
MAYOR



SCHEDULE 'A' TO BY-LAW

AMENDING BY-LAWS 1229, 2150, 2237, 2551, 122-72, 88-76 127-76, 184-78, 118-79, 165-80, 47-85, 304-87, 177-96, 2004-196, 2024-19 DATED

 BOUNDARY OF AFFECTED PARENT ZONING BY-LAWS

THIS IS NOT A PLAN OF SURVEY. Zoning Information presented in this Schedule is a representation sourced from Geographic Information Systems. In the event of a discrepancy between the zoning information contained on this Schedule and the text of zoning by-law, the information contained in the text of the zoning by-law of the municipality shall be deemed accurate.

 MARKHAM DEVELOPMENT SERVICES COMMISSION

1,000 0 1,000 Meters

Drawn By: RT

Checked By: GD

DATE: 24/10/2024

NOTE: This Schedule should be read in conjunction with the signed original By-Law filed with the City of Markham Clerk's Office

Q:\Development\Planning\Teams\ZSP TEAM21 - Housing\MTSA-IZ\Rob's Work\Schedule A MTSA.mxd

Appendix 3:
Comment/ Response Matrix of Feedback on the Proposed OPA & ZBA

Appendix 3: Comment/ Response Matrix of Feedback on the Proposed OPA & ZBA – HAF Initiative 3					
#	Date Received	Stakeholder Type	Address	Summary of Comments	City Staff Response
1	2-Dec-24	Landowner	5221 Highway 7, 8310-8312 McCowan Road, and Valley/ Open Space parcel to the south of 8310-8312 McCowan Road	<p>No concern with the overall direction of the proposed OPA & ZBA.</p> <p>Requested that the proposed City initiated amendments be applied to the Special Policy Area governing the southwest quadrant of Highway 7 and McCowan Road, which permits a 3-storey limit.</p>	<p>The purpose of the OPA is to establish permissions for a minimum height of up to four storeys for lands that permit residential dwellings within Major Transit Station Areas, with the exception of lands identified as Special Policy Area within Major Transit Station Area (MTSA) 15 McCowan BRT Station, through the zoning by-laws.</p> <p>Per policy 9.14.6, the maximum building height for lands designated Mixed Use Low Rise is three storeys due to its location within a Special Policy Area (SPA) and flood plain. Future development within Mixed Use Low Rise lands will have to demonstrate that flood impacts are appropriately mitigated. No intensification of lands in the SPA is permitted.</p> <p>The subject lands fall within the Special Policy Area and floodplain</p>

					within MTSA 15 McCowan BRT Station.
2	3-Dec-24	Landowner/Developer	5221 Highway 7 8310-8312 McCowan Road	Requested to be added to notification list.	Noted and applicant has been added to notification list.
3	13-Dec-24	Prescribed Body, Rogers Communications	Sitewide	No comments.	Noted.
4	13-Dec-24	Prescribed Body, Enbridge	Sitewide	No comments.	Noted.

5	19-Dec-24	Prescribed Body, Bell Canada	Sitewide	No comments.	Noted.
6	20-Dec-24	Prescribed Body, York Region	Sitewide	No comments.	Noted.
7	10-Jan-25	Prescribed Body, Toronto and Region Conservation Authority	Sitewide	<p>TRCA does not oppose establishing a minimum number of storeys and height, where appropriate, however do not support new or intensified development within hazardous lands where it poses an increase in risk to public health and safety or property- further clarity on the proposed amendments is needed.</p> <p>1) All MTSA's containing regulatory flood plan as determined by TRCA, or through studies to TRCA's satisfaction, that development of certain lands is restricted due to their vulnerability to flooding and erosion hazards and that new development or additions to existing buildings may only be permitted if written approval is obtained from TRCA.</p>	1. Policy 8.1.5.2. was revised to specify that development within MTSA lands shall be permitted in accordance with Provincial policy, regulations, guidelines, standards and procedures. The intent of this modification is to make it explicitly clear that new development or additions to existing buildings must comply with provincial standards, including meeting the requirements set by prescribed bodies, such as the TRCA.
				2) Where lands are within the Unionville Special Policy Area (SPA), the provincially approved SPA OP land use designations and policies prevail. In addition to the exception for SPA in MTSA 15, also include an exception for SPA in the MTSA 12 Enterprise BRT station some of which is within the Unionville SPA	2. Schedule 'A' has been revised to include an exception for SPA in the MTSA 12 Enterprise BRT station.

				3) For all MTSAs containing regulatory flood plains as determined by TRCA, add zoning provisions that the zone boundaries may be refined in accordance with any approved change in the regulatory flood line as determined by TRCA. The intent is to recognize any changes to the flood line due to new technical information or the outcome of any flood remediation.	3. Schedule 'A' has been revised to remove the lands zoned "Greenway" lands out of the MTSAs.
				4) Reference the following from Section 2.4 c) of the current Zoning By-law: "Where the flooding hazard limit established by the Toronto and Region Conservation Authority extends outside the Greenway One or Greenway Two zones, the applicable Greenway zone applies, except where located in a Special Policy Area as outlined in Part 13"	4. Proposed ZBA has been modified to include the following <i>"In determining the applicable zone boundary line of this by-law, where the flooding hazard limit established by the Toronto and Region Conservation Authority extends into the area identified on Schedule A, the provisions of this by-law shall not apply."</i>
8	10-Jan-25	Prescribed Body, Metrolinx	Sitewide	<p>No comments regarding the proposed OPA and ZBA, however provided the following provisions for consideration.</p> <p>1) That any development within 300m of the Metrolinx Rail Corridor shall conform to the "Metrolinx Adjacent Development Guidelines- GO Transit Heavy Rail Corridors"</p> <p>2) That any development within 300m of the Metrolinx Rail</p>	<p>1. Noted</p> <p>2. Noted</p> <p>3. Noted</p> <p>4. Noted</p> <p>5. Noted</p> <p>6. Noted</p> <p>7. Noted</p> <p>8. Noted</p> <p>9. Noted</p> <p>10. Noted</p> <p>11. Noted</p>

				<p>Corridor shall require an Acoustical Study, which shall include the current rail traffic data and the Standard Metrolinx Noise Warning Clause, to the satisfaction of Metrolinx and the City of Markham.</p> <p>3) That any development within 75m of the Metrolinx Rail Corridor shall require a Vibration Study to the satisfaction of Metrolinx and the City of Markham.</p> <p>4) That any development adjacent to the Metrolinx Rail Corridor shall not alter any drainage patterns, flows and/or volumes, absent review and approval by Metrolinx and its Technical Advisor, with all costs to be borne by the applicant/owner.</p> <p>5) That any development adjacent to the Metrolinx Rail Corridor shall require execution of agreements with Metrolinx as deemed applicable, including but not limited to, Adjacent Development Agreement, Crane Swing Agreement, Shoring System and Permission to Enter Agreement, and Non-Disclosure Agreements.</p> <p>6) That any development within 300m of the Metrolinx Rail Corridor shall require registration of an Environmental/Operational</p>	
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				<p>Easement in favour of Metrolinx, over the subject lands.</p> <p>7) That any development adjacent to the Metrolinx Rail Corridor shall provide the required setback and standard safety barrier (berm) or receive approval of an alternative barrier per a Rail Safety Report, to be reviewed by Metrolinx and its Technical Advisor, with all costs to be borne by the owner / applicant.</p> <p>8) In addition, sufficient setback for future building maintenance and other related works in proximity to the property line should also be considered.</p> <p>9) That any work within, or in close proximity to, the Metrolinx Rail corridor shall require a Metrolinx Work Permit in combination with other associated requirements as determined applicable by Metrolinx, with all costs to be borne by the owner / applicant.</p> <p>10) That any vegetation within 3.5m of the mutual property line with Metrolinx shall be restricted to low lying vegetation only.</p> <p>11) That any development adjacent to the Metrolinx Rail Corridor shall install the Metrolinx Standard Security Fence along the property line, save and except for where substitutes are</p>	
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				deemed satisfactory by Metrolinx.	
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Development Services Committee Meeting

City Initiated Official Plan and Zoning By-law Amendments

City of Markham

Major Transit Stations Areas (All Wards except 7)

File: PR 24 196907

May 13, 2025



- **June 14, 2023** - A Council resolution directing staff to submit a HAF application
- **Oct 11, 2023** – Following the City's HAF submission, the City received a letter from Federal Minister requesting enhancements to the City's HAF submission to consider permitting a minimum of 4-storeys within Major Transit Station Areas (MTSAs)
- **Dec 13, 2023** – As a response to the Federal Minister's request, Council resolution directed Staff to initiate the MTSA policy work for future Council consideration.
- **Jan 25, 2024** - City's HAF application was approved including Council's December resolution agreeing to the Federal Minister's request
- **Dec 3, 2024** – Statutory Public Meeting held for a proposed Official Plan and Zoning By-law Amendment to permit up to 4-storeys in Major Transit Station Areas





What is an MTSA?

- Defined as the area within an approximate 500 to 800 metre radius of a transit station (Bus Rapid Transit station, GO stations and subway stations).
- According to the *Planning Act*, inclusionary zoning can only be implemented in MTSAs.
- Markham has a total of 22 MTSAs.

How are MTSA boundaries established?

- Under the Provincial Growth Plan, York Region in consultation with Markham Council and staff was required to delineate boundaries and set minimum density targets for all 22 MTSAs through the York Region Official Plan (YROP) review. The YROP was approved by the Province in 2022.
- Effective July 1, 2024, the York Region Official Plan is deemed to be a part of Markham's local Official Plan, absorbing the MTSA policy framework set by the Region.

Can MTSA boundaries be modified?

- Any modifications to MTSA boundaries and minimum densities would require Provincial approval.



Prescribed Bodies

- Draft OPA & ZBA supported by York Region, Metrolinx, Enbridge, Bell Canada, and Rogers Communications
- Toronto and Region Conservation Authority (TRCA) staff suggested wording modifications to the strengthen the proposed Amendments, modify Schedule 'A' to depict Special Policy Area (SPA) lands in MTSA 12 Unionville, and include provisions on determining zone boundary lines and the applicability of the proposed by-law on hazard lands

Landowners and Developers

- General support of the proposed OPA & ZBA
- Remove exemption regarding lands in the Special Policy Area (SPA) in MTSA 15 McCowan BRT Station that only permits 3 storeys

Council

- Concerns regarding the potential impacts on established neighbourhoods and introducing four-storey buildings on established residential streets



- Proposed OPA Policy 8.1.5.2. was modified to include the exempted Special Policy Area lands in MTSA 12 and a provision:
 - *“8.1.5.2 That notwithstanding any other provisions of this Plan to the contrary, for lands within Major Transit Stations Areas, as shown on Appendix 2 of the York Region Official Plan, a minimum height, of up to four storeys, shall be established for land use designations which permit residential dwelling units through the implementing zoning by-laws, with the exception of lands identified as Special Policy Area within **Major Transit Station Area 12 Enterprise BRT Station and Major Transit Station Area 15 McCowan BRT Station.***

Development within these MTSA lands shall be permitted, in accordance with Provincial policy, regulations, guidelines, standards and procedures”



- Zoning By-Laws
 - Revised for clarity on the applicability of existing caps on the maximum number of storeys over and above the proposed 4-storey permissions
 - Revised to include provisions on determining zone boundary lines and the applicability of the proposed by-law on hazard lands identified by the TRCA.
 - *“In determining the applicable zone boundary line of this by-law, where the flooding hazard limit established by the Toronto and Region Conservation Authority extends into the area identified on Schedule A, the provisions of this by-law shall not apply.”*
- Mapping updates to Schedule ‘A’
 - Clearly identifies the Special Policy Area lands in MTSA 15 McCowan BRT Station exempted from the proposed Amendments
 - Identifies and includes the Special Policy Area Lands in MTSA 12 Enterprise BRT Station also exempted from the proposed Amendments
 - Amended the lands designated as “Greenway” from the zoning boundaries to align with the Provincial policy (*TRCA Conservation Act*).



Example of Established Neighbourhoods





Example of Established Neighbourhoods





Example of Established Neighbourhoods





Example of Established Neighbourhoods





Low-rise Designated Lands in MTSAs

Strategic Plan 2020-2026

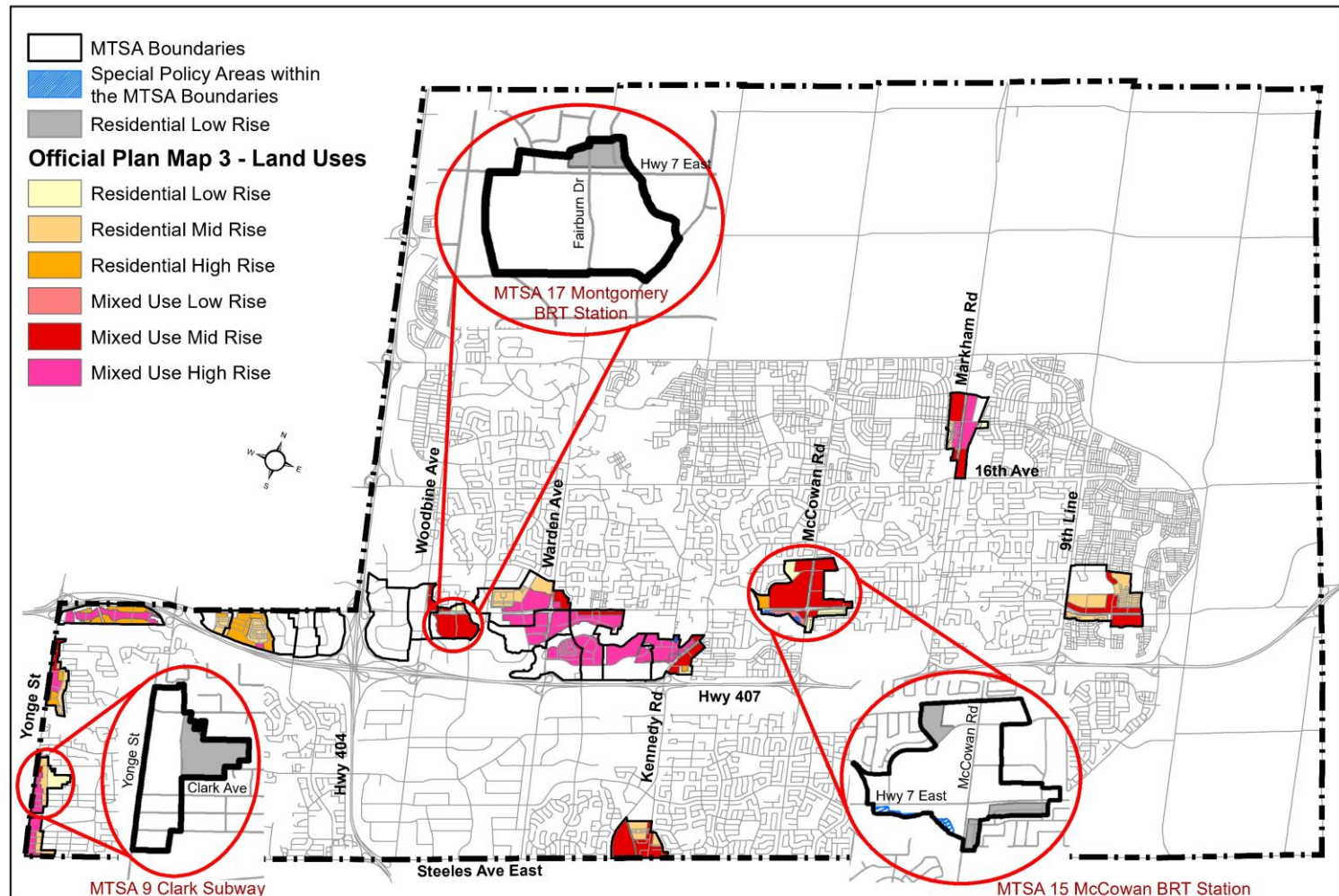
Page 106 of 428

Building Markham's Future Together

Of the 22 MTSAs in the City of Markham, only 3 of the MTSAs (Clark Subway Station, McCowan BRT Station and Montgomery BRT Station) are partly designated as low-rise in the 2014 OP.

Please note, the Clark Subway MTSA will allow the opportunity for 4-storey development but currently there is only an existing school and church designated as low-rise.

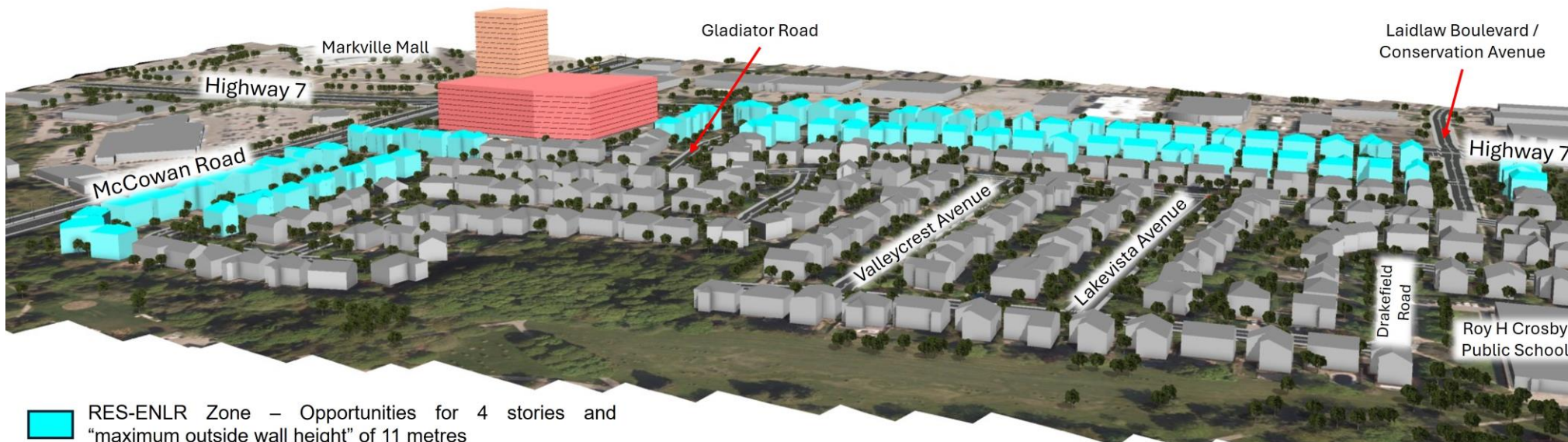
The following slides depict renderings of the McCowan BRT Station MTSA and the Montgomery BRT Station MTSA with opportunities for 4-storeys.








Renderings

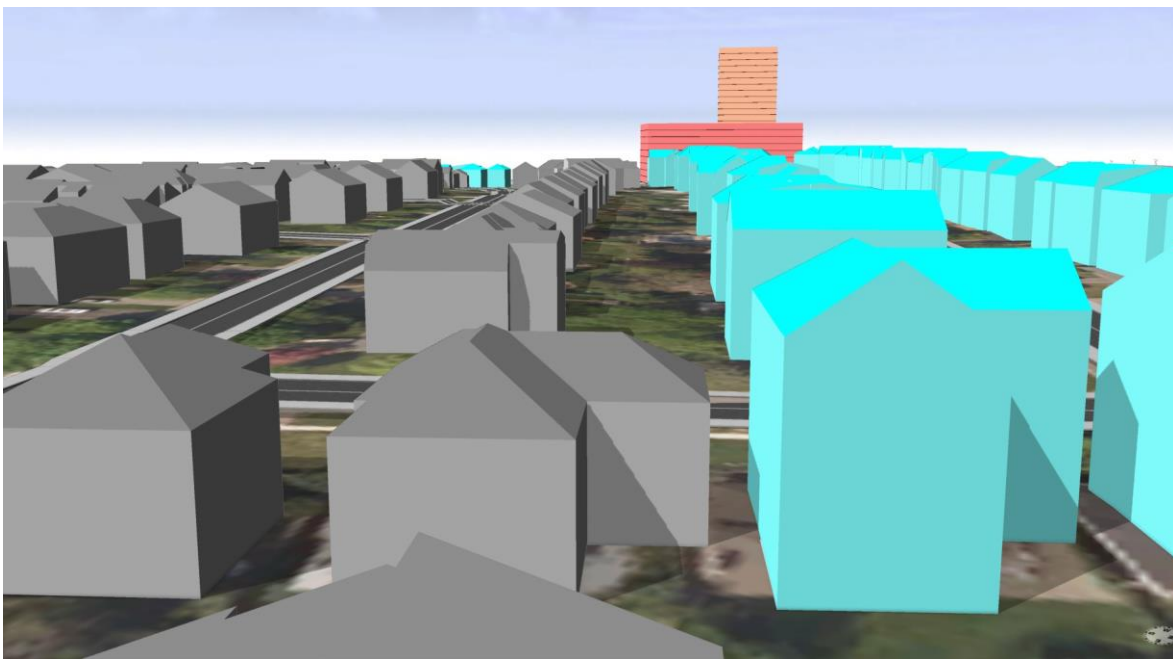
Southeast Quadrant of McCowan – McCowan BRT Station MTSA



-  RES-ENLR Zone – Opportunities for 4 stories and “maximum outside wall height” of 11 metres
-  Schematic Rendering of lands designated Mixed Use in the Draft Markville Secondary Plan
-  Schematic Rendering of intensification node on lands designated Mixed Use in the Draft Markville Secondary Plan



RES-ENLR Zone – Outside of MTSA Area – Existing 2 storey height and 7.0 metre “maximum outside wall height” apply



Street-level rendering of opportunities for 4-storeys on Southdale Drive/Conservation Avenue





Renderings

Northern Quadrant of Montgomery MSTA



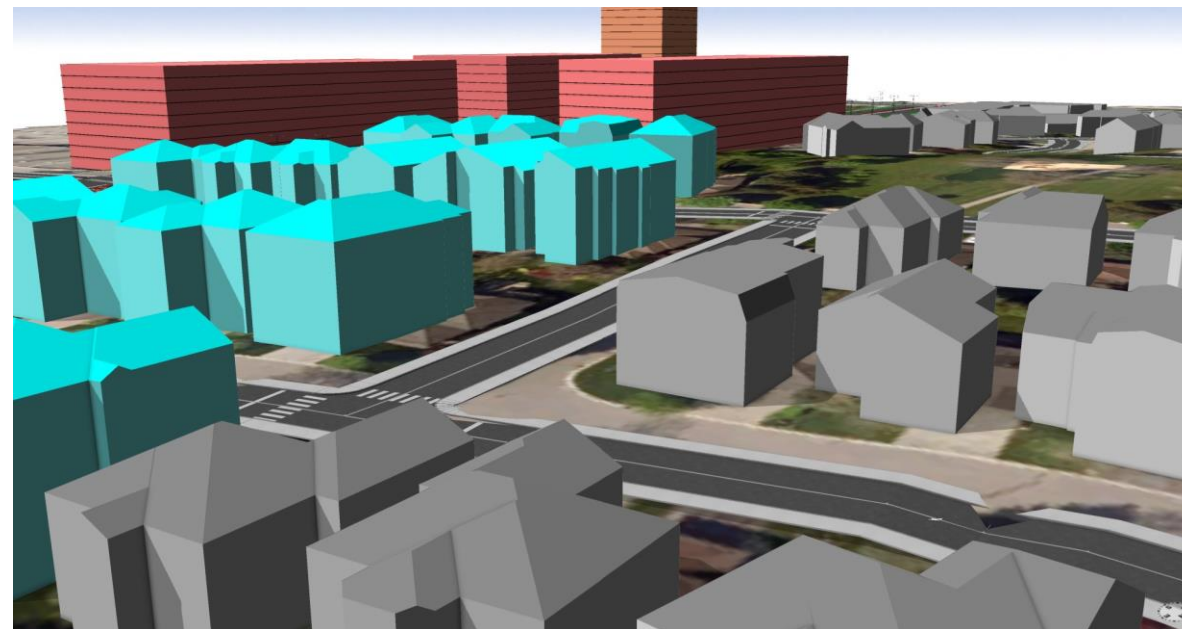
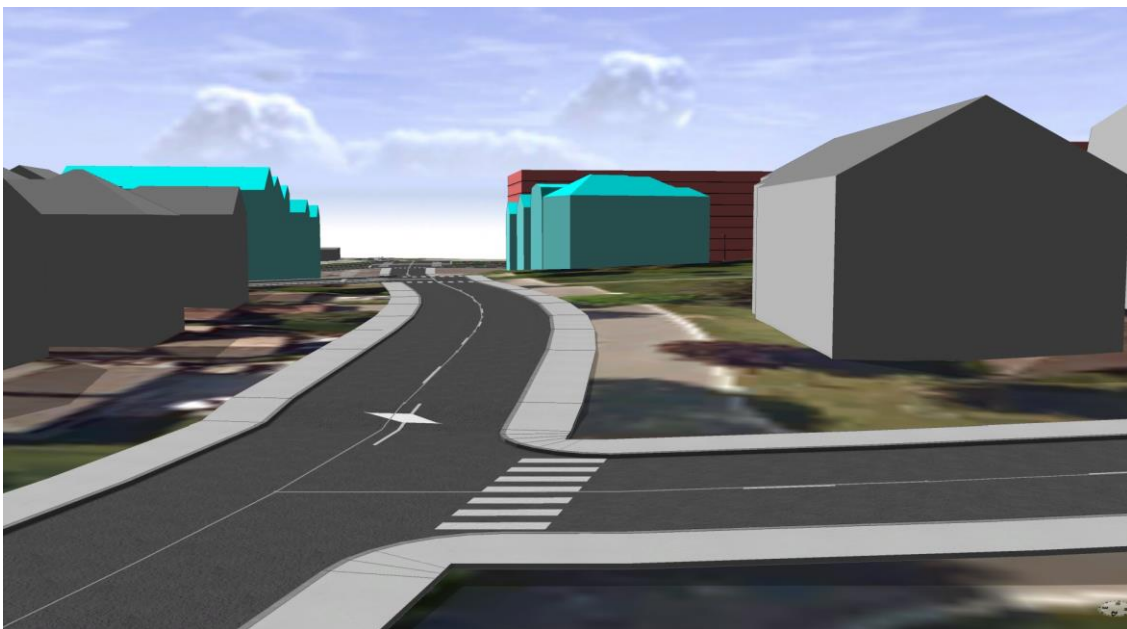
 RES-ENLR Zone – Opportunities for 4 stories and “maximum outside wall height” of 11 metres

 Schematic Rendering of lands designated Mixed Use in the 2014 Official Plan

 Schematic Rendering of active OPA and ZBLA – Lands designated Mixed Use in the 2014 Official Plan



RES-ENLR Zone – Outside of MTSA Area – Existing 2 storey height and 7.0 metre “maximum outside wall height” apply



Street-level rendering of opportunities for 4-storeys on Montgomery Court



Next Steps

- Council adoption and enactment of the draft Official Plan and Zoning By-law Amendments for MTSAs

Thank You

Appendices

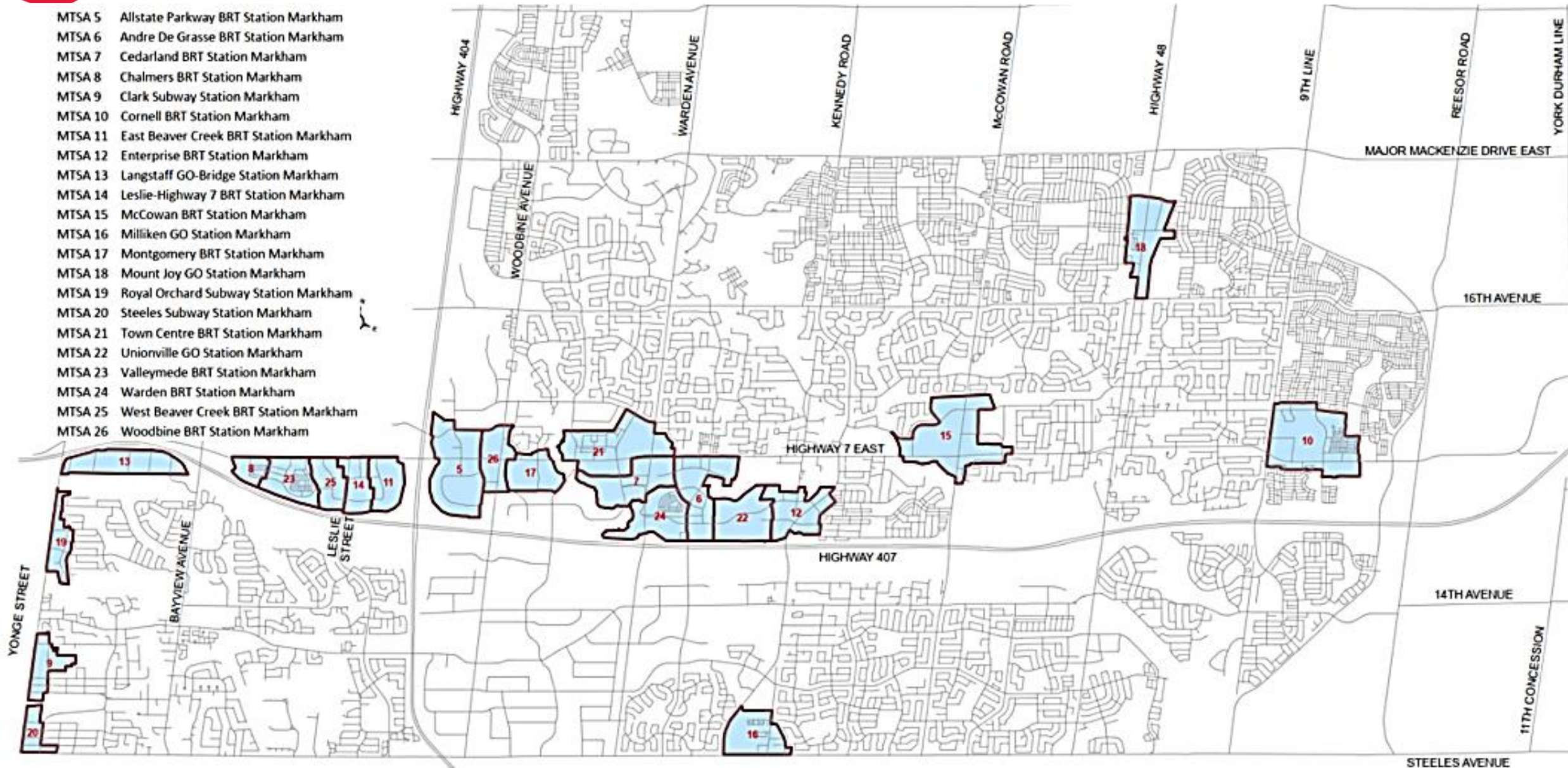


Appendix 1: 22 Major Transit Station Areas (MTSA) Strategic Plan 2020-2026

Page 114 of 428

Building Markham's Future Together

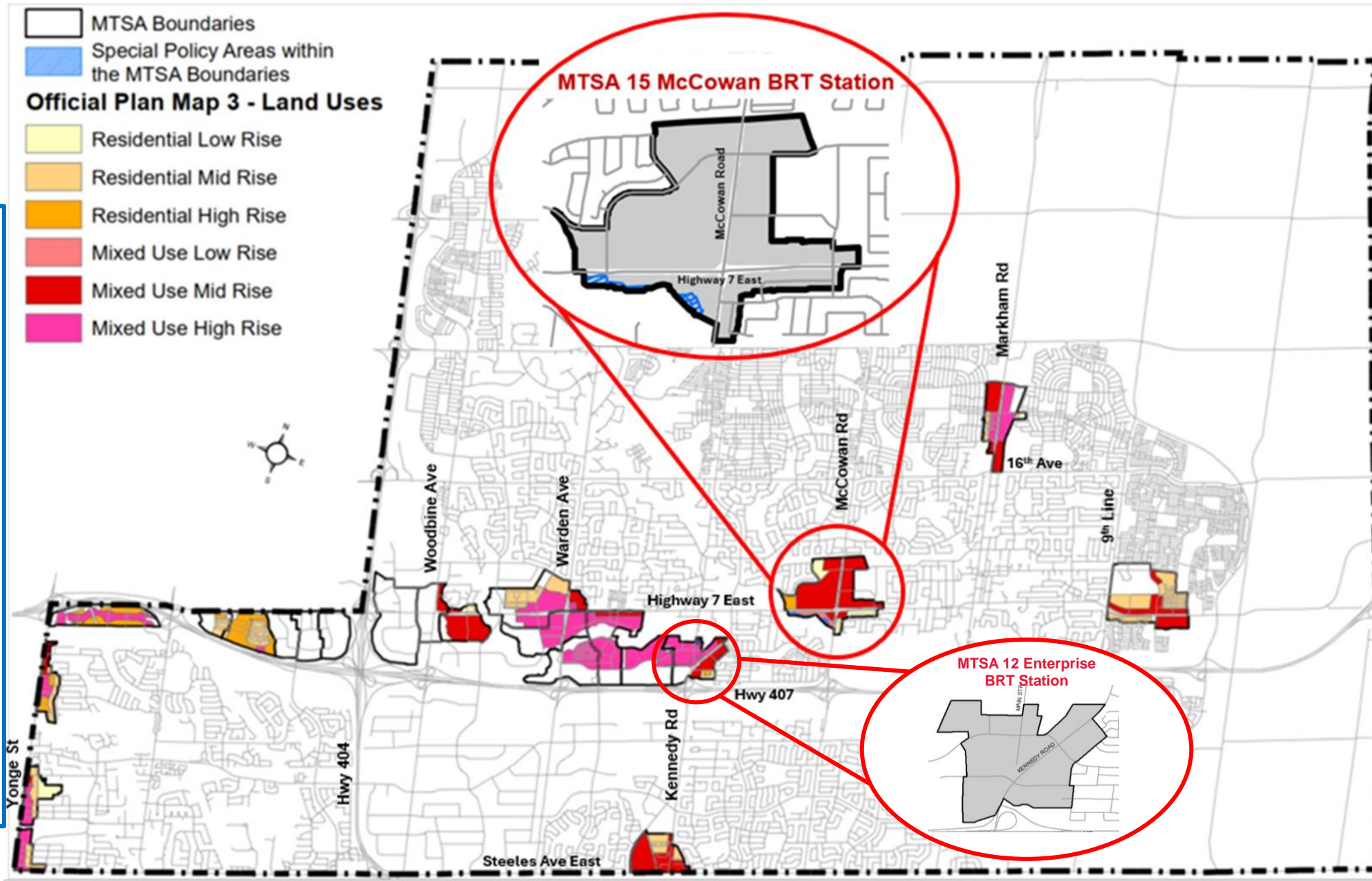
- MTSA 5 Allstate Parkway BRT Station Markham
- MTSA 6 Andre De Grasse BRT Station Markham
- MTSA 7 Cedarland BRT Station Markham
- MTSA 8 Chalmers BRT Station Markham
- MTSA 9 Clark Subway Station Markham
- MTSA 10 Cornell BRT Station Markham
- MTSA 11 East Beaver Creek BRT Station Markham
- MTSA 12 Enterprise BRT Station Markham
- MTSA 13 Langstaff GO-Bridge Station Markham
- MTSA 14 Leslie-Highway 7 BRT Station Markham
- MTSA 15 McCowan BRT Station Markham
- MTSA 16 Milliken GO Station Markham
- MTSA 17 Montgomery BRT Station Markham
- MTSA 18 Mount Joy GO Station Markham
- MTSA 19 Royal Orchard Subway Station Markham
- MTSA 20 Steeles Subway Station Markham
- MTSA 21 Town Centre BRT Station Markham
- MTSA 22 Unionville GO Station Markham
- MTSA 23 Valleyside BRT Station Markham
- MTSA 24 Warden BRT Station Markham
- MTSA 25 West Beaver Creek BRT Station Markham
- MTSA 26 Woodbine BRT Station Markham



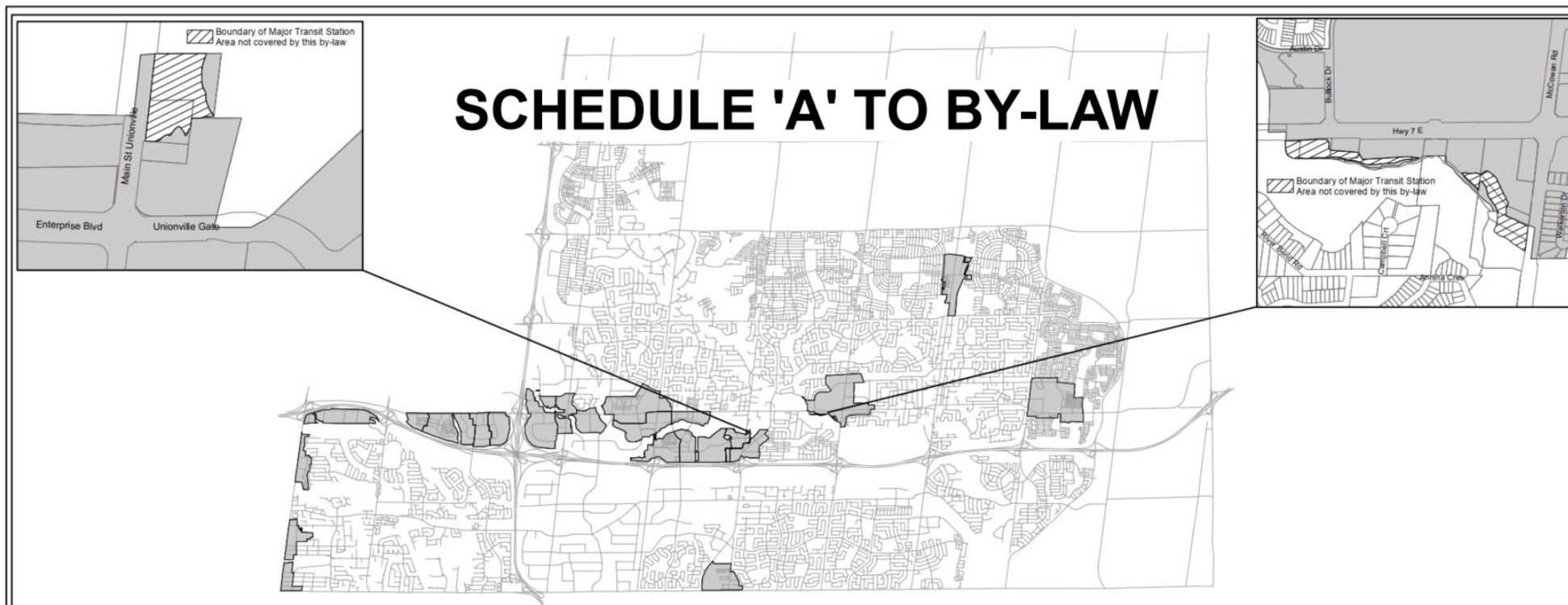


Proposed Official Plan Amendment

Establishes permissions for a minimum height of up to 4 storeys for lands that permit residential dwelling units within MTSAs through the implementing zoning by-laws, with the exception of lands identified as Special Policy Area within MTSA 12 Enterprise BRT Station and 15 McCowan BRT Station



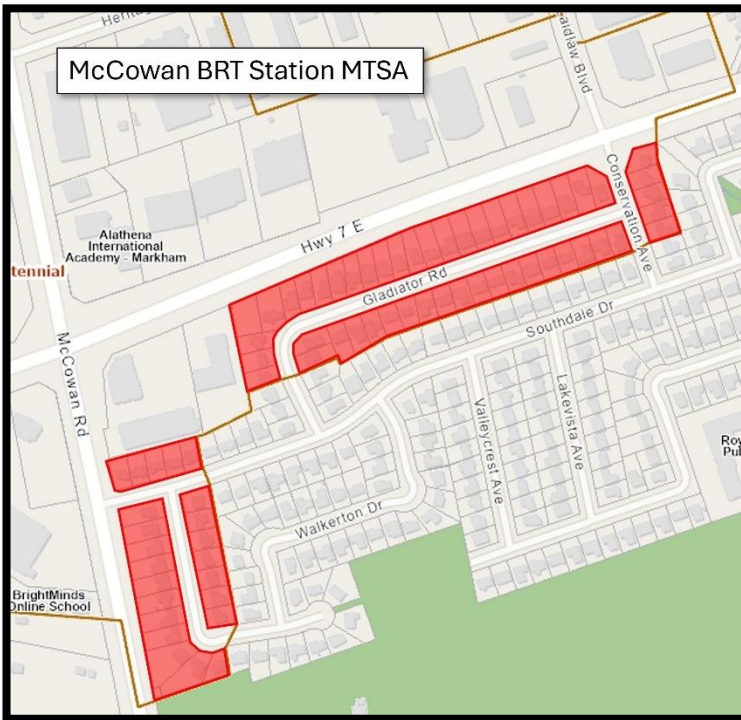
- Majority of Zoning By-laws: Where the maximum number of storeys of a building is equal to or less than 4, the maximum number of storeys shall be 4 and where the maximum height of a building is equal or less than 14 metres, the maximum height shall be 14 metres.
- By-law 2024-19 - Residential Established Neighbourhood Low Rise (RES-ENLR) zone: Permit the maximum number of storeys of a building shall be 4, and the maximum **outside wall height** shall be 11 metres.



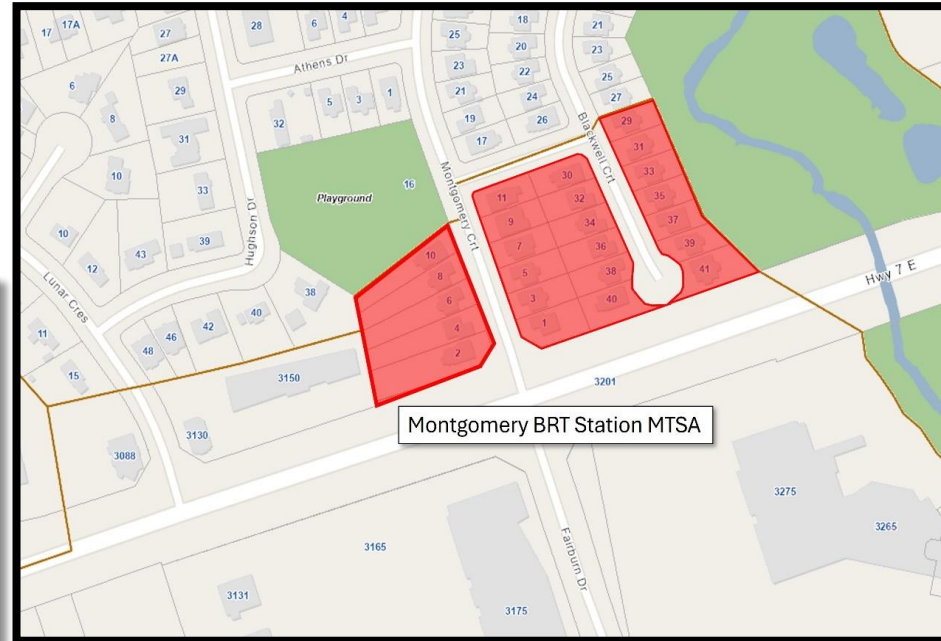


Appendix 4: MTSAs with Residential Low-Rise Designations

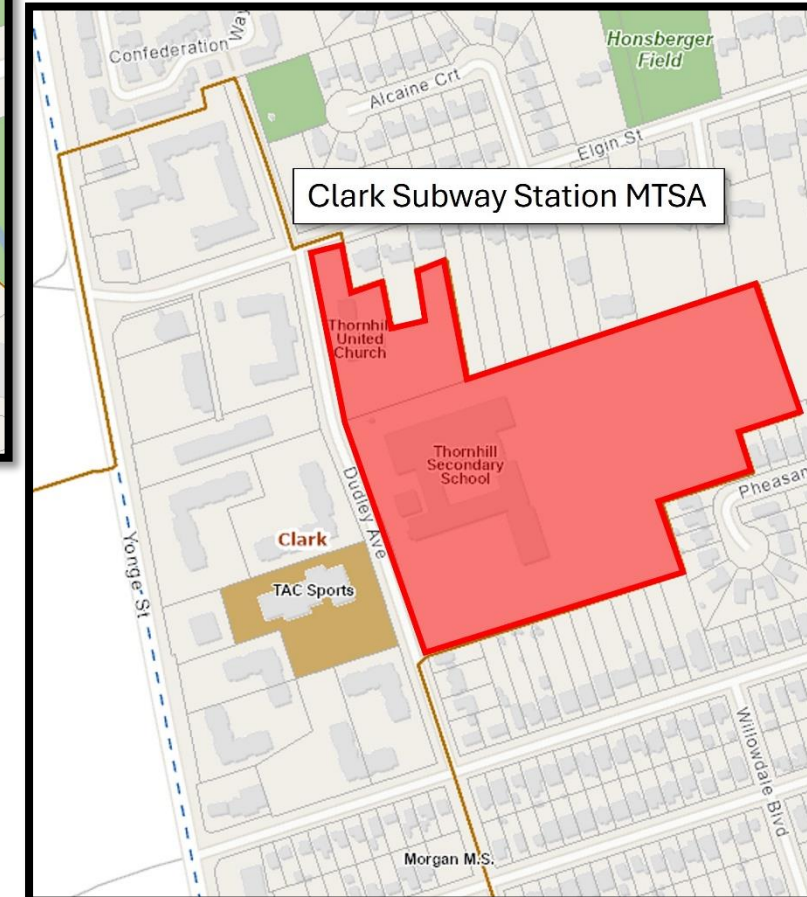
McCowan BRT Station MTSA



Montgomery BRT Station MTSA



Clark Subway Station MTSA



**S U M M A R Y****Public Meeting Held on Tuesday, May 20, 2025**

File number:	PLAN 24-193958
Applicant:	Jahangir Choudhry (c/o Mohammad Choudhry)
Property Address/Location:	17 Oakcrest Ave

Applicant's Proposal

The Applicant is proposing to demolish the existing dwelling on the Subject Lands and construct two, 2-storey detached dwellings. The Applicant is seeking a Zoning By-law Amendment to accommodate a future severance for the creation of one new lot and to implement the necessary zoning provisions to facilitate the proposed development.

Notices Sent

182 notices were mailed to homeowners within the 200-meter vicinity of the Subject Lands on April 30, 2025.

Public Meeting signs were posted on April 29, 2025

Written Submissions Received Before Printing of the Agenda

None

Written Submission Received After Printing of the Agenda

None

Notification Requested

See attached list.

Application Listing

5/20/2025

Application:

Page 1 of 1

Applicant Name	Company	Address	Home Phone#	Business Phone#
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This notice advises that, on March 4, 2025, the City of Markham received a complete Zoning By-law Amendment application for 17 Oakcrest Avenue (the “Subject Lands”) submitted by Jahangir Choudhry (c/o Mohammad Choudhry). As the owner of land within 200 m of the property, you are invited to participate in the review process.



MappiT

Tell us what you think!

A statutory Public Meeting to consider the applicant’s proposal will take place on:

Meeting Date: Tuesday, May 20, 2025

Time: 7:00 pm

Place: Members of the Development Services Committee will participate in a statutory Public Meeting remotely (Zoom link) and in person (Council Chamber) at:

Markham Civic Centre
101 Town Centre Boulevard
Markham, ON L3R 9W3

All proceedings of this meeting are recorded, and video and audio streamed on the City’s website at pub-markham.escribemeetings.com.

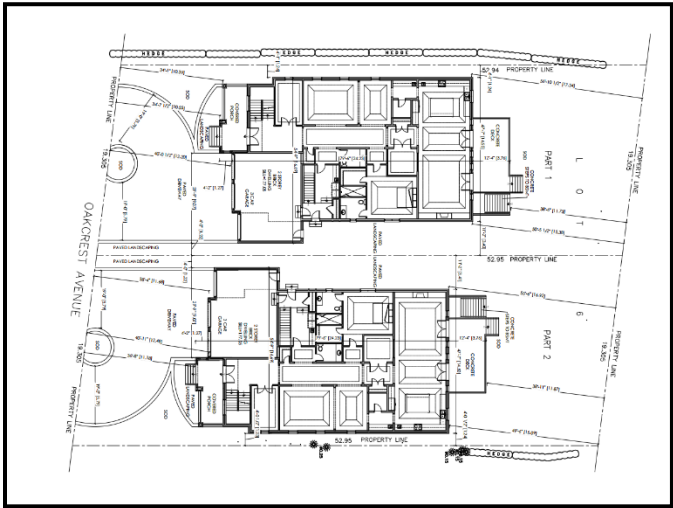
The Property

The 0.20 ha (0.49 ac) Subject Lands are located on the east side of Oakcrest Avenue, south of River Bend Road. The Subject Lands are currently occupied by one detached dwelling.



The Applicant’s Proposal

The Applicant is proposing to demolish the existing dwelling on the Subject Lands and construct two, 2-storey detached dwellings. The Applicant is seeking a Zoning By-law Amendment to accommodate a future severance for the creation of one new lot and to implement the necessary zoning provisions to facilitate the proposed development.



Additional Information



For additional information on **PLAN 24 193958**, scan this to access the Public Meeting Information Report (PMIR).

PMIR

Connect with the File Planner

File Planner: Elizabeth Martelluzzi, Senior Planner
File Planner Email: EMartelluzzi@markham.ca
File Planner Phone: (905) 477-7000, ext. 2193
File Number: Refer to application number PLAN 24 193958

Join the conversation!

Request to Speak (Deputations)

Any request to speak may be made to the Clerks Department up to the start of the statutory Public Meeting, and by one or all the following:



- a) Complete the “Request to Speak” form located online at markham.ca
- b) Email the City at notifications@markham.ca
- c) Call (905) 477-7760

Remember to provide your full contact information and the item to which you wish to speak.

Written or Email Submissions

Please quote file PLAN 24 193958 in your written or emailed comments, which the Clerks Department must receive no later than **4:00 pm the day before the statutory Public Meeting**.

- a) Written: mail or personally deliver to the Clerks Department at the address above
- b) Email: send to notifications@markham.ca

Missed the 4:00pm written submission deadline?

Consider one of the following:

- Email Members of Council at mayorandcouncillors@markham.ca
- Request to speak at the statutory Public Meeting by completing and submitting an online “Request to Speak” form at www.markham.ca

If the deadline for written submission passed and Council finished considering the item of interest at the statutory Public Meeting, you may email your written submission to Members of Council.

Want to be notified after a decision is made?

If you wish to be notified of the decision of the City of Markham, or approval authority, on the proposed Planning Project Application, you must make a written request to the Clerk’s Department at the address noted above or by email to notifications@markham.ca.

Please read this important information!

Notice to Landlords: If you are a landlord of lands containing seven (7) or more residential units, please post a copy of this notice in a location that is visible to all the residents.

Personal Information: Personal information collected in response to this planning notice will be used to assist City staff and Council to process this application and will be made public.

What if I want to appeal the proposal?

- i) If a person or public body would otherwise have an ability to appeal the decision of the Council of the City of Markham, or the approval authority, to the Ontario Land Tribunal, but the person or public body does not make oral submissions at a public meeting or make written submissions to the City of Markham before the by-law is passed, the person or public body is not entitled to appeal the decision.
- ii) If a person or public body does not make oral submissions at a public meeting, or make written submissions to the City of Markham before the by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Land Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

That means if this by-law is appealed to the Ontario Land Tribunal and you would like to participate in the appeal in some form, you **must** make an oral submission at a public meeting, or submit written comments to the City Clerk, before the by-law is passed by Markham City Council.

Date of Notice: April 30, 2025

Arvin Prasad, RPP, MCIP
Commissioner of Development Services

Jim Jones
Chair, Development Services Committee

**Suggested Draft Resolutions
for Consideration of the Development Services Committee**

Resolution if proposed Zoning By-law Amendment application is to be finalized and enacted without further notice:

1. That the report entitled "PUBLIC MEETING INFORMATION REPORT, Jahangir Choudry, Application for Zoning By-law Amendment to facilitate a future severance for the creation of two new lots with site-specific provisions at 17 Oakcrest Avenue (Ward 3), File No. PLAN 24 193958", be received.
2. That the Record of the Public Meeting held on May 20, 2025 with respect to the proposed Zoning By-law Amendment application, be received.
3. That the application by Jahangir Choudry for the proposed Zoning By-law Amendment (PLAN 24 193958), be approved and the draft implementing Zoning By-law Amendment be finalized and enacted without further notice.
4. That staff be authorized and directed to do all things necessary to give effect to this resolution.

Resolution to refer the Zoning By-law Amendment application back to staff for a report and recommendation:

1. That the report entitled "PUBLIC MEETING INFORMATION REPORT, Jahangir Choudry, Application for Zoning By-law Amendment to facilitate a future severance for the creation of two new lots with site-specific provisions at 17 Oakcrest Avenue (Ward 3), File No. PLAN 24 193958", be received.
1. That the Record of the Public Meeting held on May 20, 2025 with respect to the proposed Zoning By-law Amendment application, be received.
2. That the application Jahangir Choudry for the proposed Zoning By-law Amendment (PLAN 24 193958), be referred back to staff for a report and a recommendation.
3. That staff be authorized and directed to do all things necessary to give effect to this resolution.

**Development Services Commission
PUBLIC MEETING INFORMATION
REPORT**

Date:	Tuesday, May 20, 2025		
Application Type:	Zoning By-law Amendment (the "Application")		
Owner:	Jahangir Choudhry (the "Owner")		
Agent:	Mohammad Choudhry		
Proposal:	To facilitate a future severance for the creation of two new lots with site-specific provisions (the "Proposed Development")		
Location:	17 Oakcrest Avenue (the "Subject Lands")		
File Number:	PLAN 24 193958	Ward:	3
Prepared By:	Elizabeth Martelluzzi, Senior Planner, Central Planning District		
Reviewed By:	Barton Leung Acting Manager, Central District	Stephen Lue, MCIP, RPP Senior Manager, Development	

PURPOSE

This preliminary information pertains to the Application submitted by the Owner and contains general information on the applicable Official Plan policies and the identified issues and should not be taken as Staff's opinion or recommendation.

PROCESS TO DATE

Staff received the Application on March 4, 2025, and deemed the Application complete on March 24, 2025. The 90-day period set out in the Planning Act before the Owner can appeal to the Ontario Land Tribunal for a non-decision ends on June 22, 2025.

NEXT STEPS

- Statutory Public Meeting is scheduled for May 20, 2025
- Recommendation Report for consideration by the Development Services Committee ("DSC"), if required
- In the event of approval, enactment of the site-specific Zoning By-law Amendment
- Submission of a future Consent to Sever application to the Committee of Adjustment

BACKGROUND

Subject Lands and Area Context

Figure 1 shows the rectangular 0.20 ha (0.49 ac) Subject Lands located south of Highway 7, on the east side of Oakcrest Avenue and within the Oakcrest/Sabiston community, which is undergoing a transition with several properties having received rezoning approvals to facilitate severances. The Subject Lands have a frontage of 38.67 m (126.87 ft) on Oakcrest Avenue. Figure 2 shows a single detached dwelling occupying the Subject Lands. Figure 3 shows the surrounding land uses.

The Owner proposes to demolish the existing dwelling, obtain severance approval to create two lots, and construct a two-storey detached dwelling on each lot, as summarized in Table 1

Table 1: the Proposed Development (see Figures 4 and 5)		
	Part 1	Part 2
Lot Area	1,013.8 m ² (10,912.45 ft ²)	1,013.8 m ² (10,912.45 ft ²)
Lot Frontage	19.30 m (63.32 ft)	19.30 m (63.32 ft)
Proposed Dwelling Gross Floor Area	594.76 m ² (6,401.94 ft ²)	594.76 m ² (6,402 ft ²)

The following table summarizes the Official Plan Information

Table 2: Official Plan Information	
Current Designation:	<p>“Residential Low Rise”</p> <p>Area and Site Specific Policy 9.19.2 applies to the Subject Lands, which states that Council may consider a zoning by-law amendment to permit a consent (severance) to create one additional lot generally equal to one half of the area and frontage of the lots from the original plans of subdivision.</p>
Permitted uses:	<p>“<u>Residential Low Rise</u>”: detached dwellings, semi-detached dwellings, townhouses excluding back-to-back townhouses, small multiplex buildings containing 3 to 6 units, all with direct frontage on a public street.</p>

A Zoning By-law Amendment application is required to permit the Proposed Development

The Proposed Development is subject to By-law 2024-19, as amended, as shown in Figure 3.

Table 3: Zoning By-law Amendment Information	
Current Zone:	“Residential Established Neighbourhood Low Rise (RES-ENLR)”
Permissions:	Detached dwelling, home childcare, home occupation, and shared housing – small scale.
Proposal:	<p>The Owner’s draft Zoning By-law Amendment (“ZBLA”) proposes to amend the Zoning By-law and incorporate site-specific zoning provisions, including but not limited to a reduction in the lot frontage, an increase in lot coverage, and reduction in side yard setbacks, to facilitate the severance of the existing lot into two new lots to permit the construction of two single-detached dwellings.</p> <p>A Holding Provision is also included in the draft ZBLA to secure the issuance by the Secretary Treasurer of a Consent to Sever under subsection 53(42) of the <u>Planning Act</u>.</p>

Staff identified the following preliminary list of matters that will be assessed through the review of the Application, including other matters and issues, and addressed in a future Recommendation Report to the DSC

- a) Conformity and Consistency with Provincial, and York Region and City Official Plan**
 - i) Review of the Proposed Development and the appropriateness in the context of Provincial policies and the existing policy framework, including but not limited to Bill 23, which seeks to create more "gentle density" housing by increasing the number of units in urban areas with minimal impact on existing neighbourhoods.
- b) Review of the Proposed Development will include, but not limited to, the following:**
 - i) Review of the submitted Planning Justification Report and draft ZBLA, prepared by FSR Consultants (Wajeeha Shahrukh).
 - ii) Evaluation of the compatibility with existing lot pattern within the surrounding area.
 - iii) Appropriateness of the proposed buildings and site design including, but not limited to, built form, massing, and building location/orientation.
 - iv) Review of the technical studies submitted in support of the Proposed Development, including, but not limited to, the Stormwater Management Report and Arborist Report.
 - v) Traffic impacts, driveway access, and parking.
- d) Required Future Applications**

- i) The Owner must submit a Consent to Sever application, should the Application be approved, to permit the Proposed Development and facilitate the creation of two lots.

Accompanying Figures:

Figure 1: Location Map

Figure 2: Aerial Photo

Figure 3: Area Context and Zoning

Figure 4: Conceptual Site Plan

Figure 5: Conceptual Front (West) Building Elevations – Parts 1 and 2

Location Map

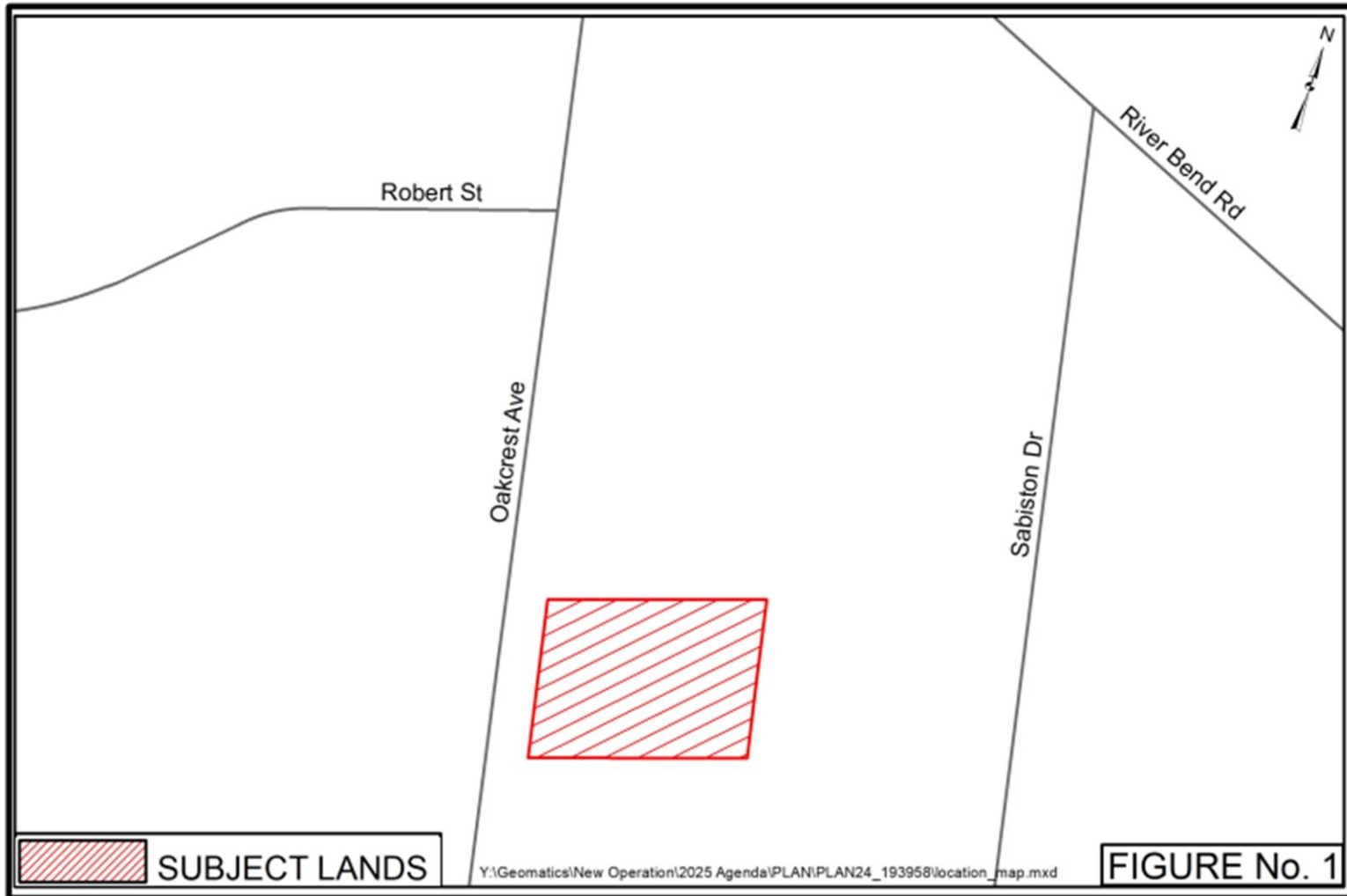
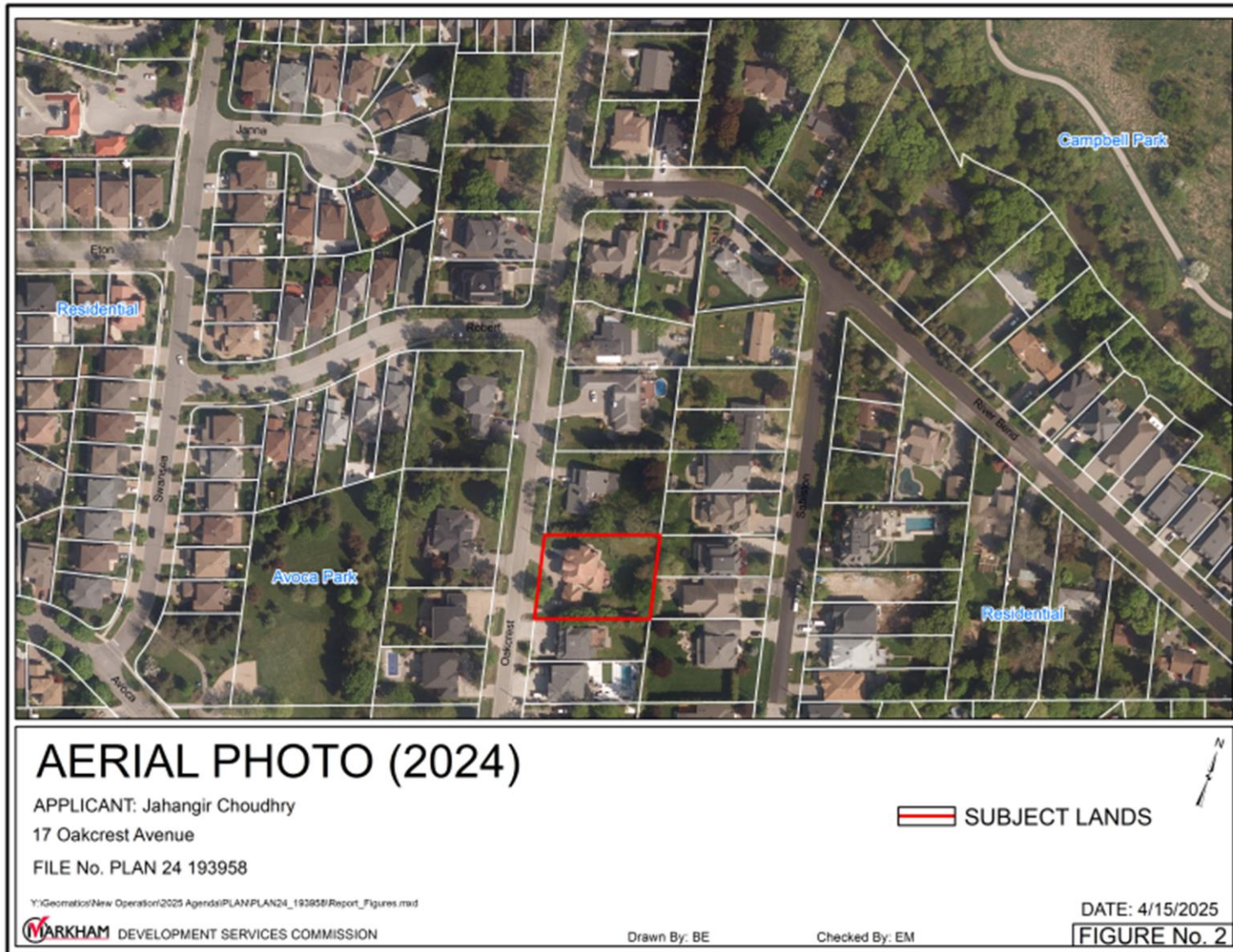
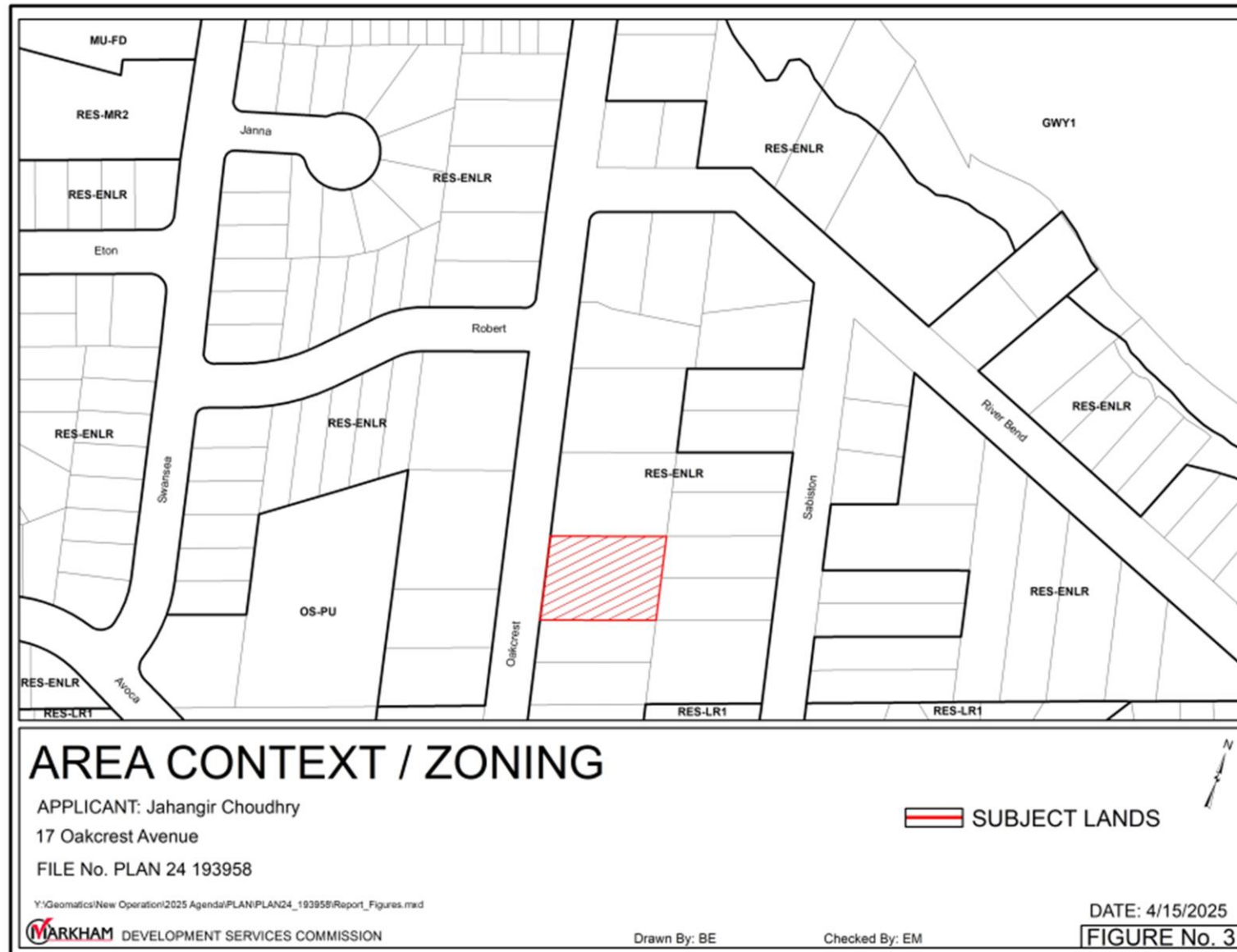


Figure 2

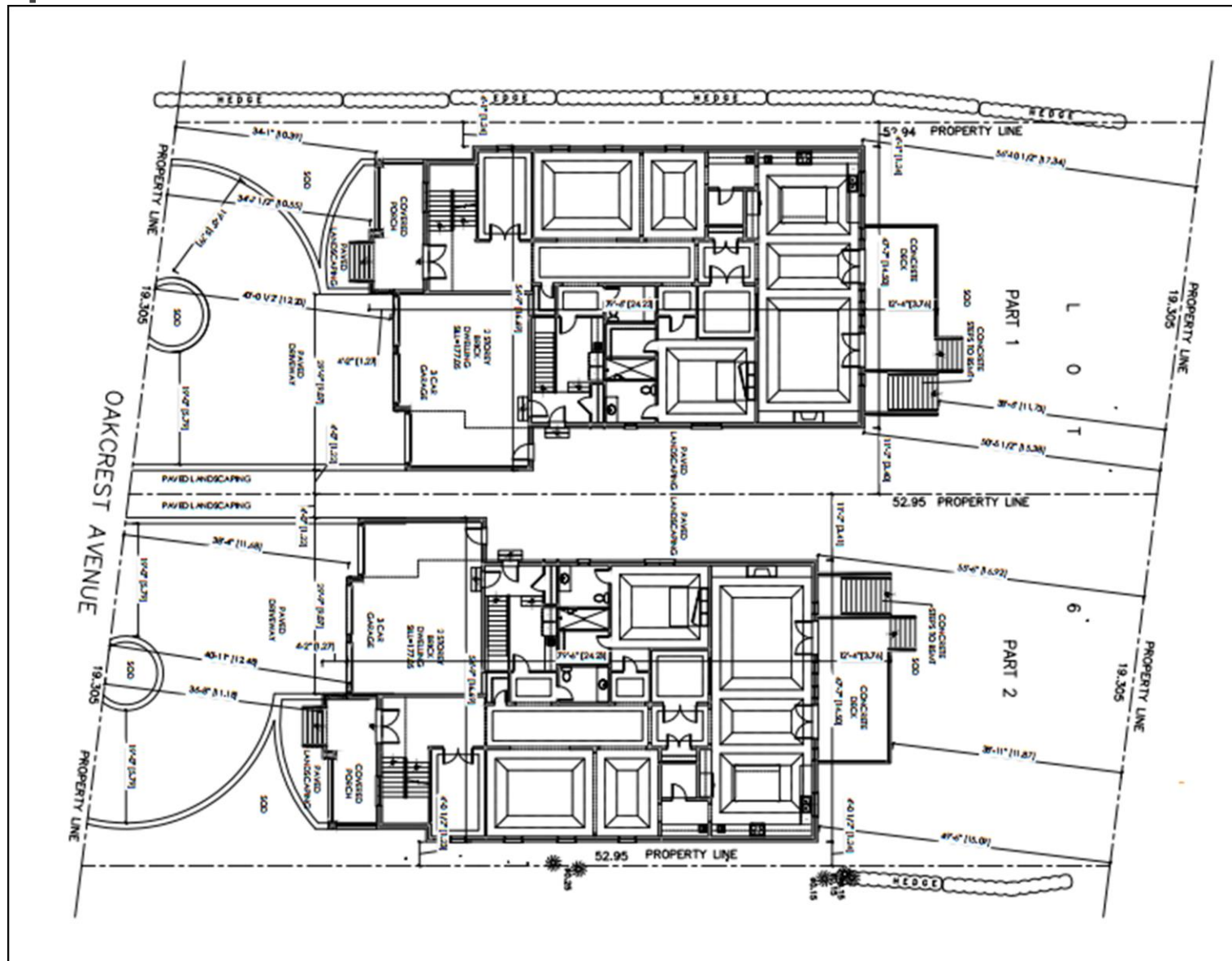
Aerial Photo



Area Context and Zoning



Conceptual Site Plan



Conceptual Front (West) Elevation – Parts 1 and 2





Statutory Public Meeting

ZONING BY-LAW AMENDMENT

Jahangir Choudhry (c/o Wajeeha Sharukh)

17 Oakcrest Avenue (Ward 3)

File PLAN 24 193958

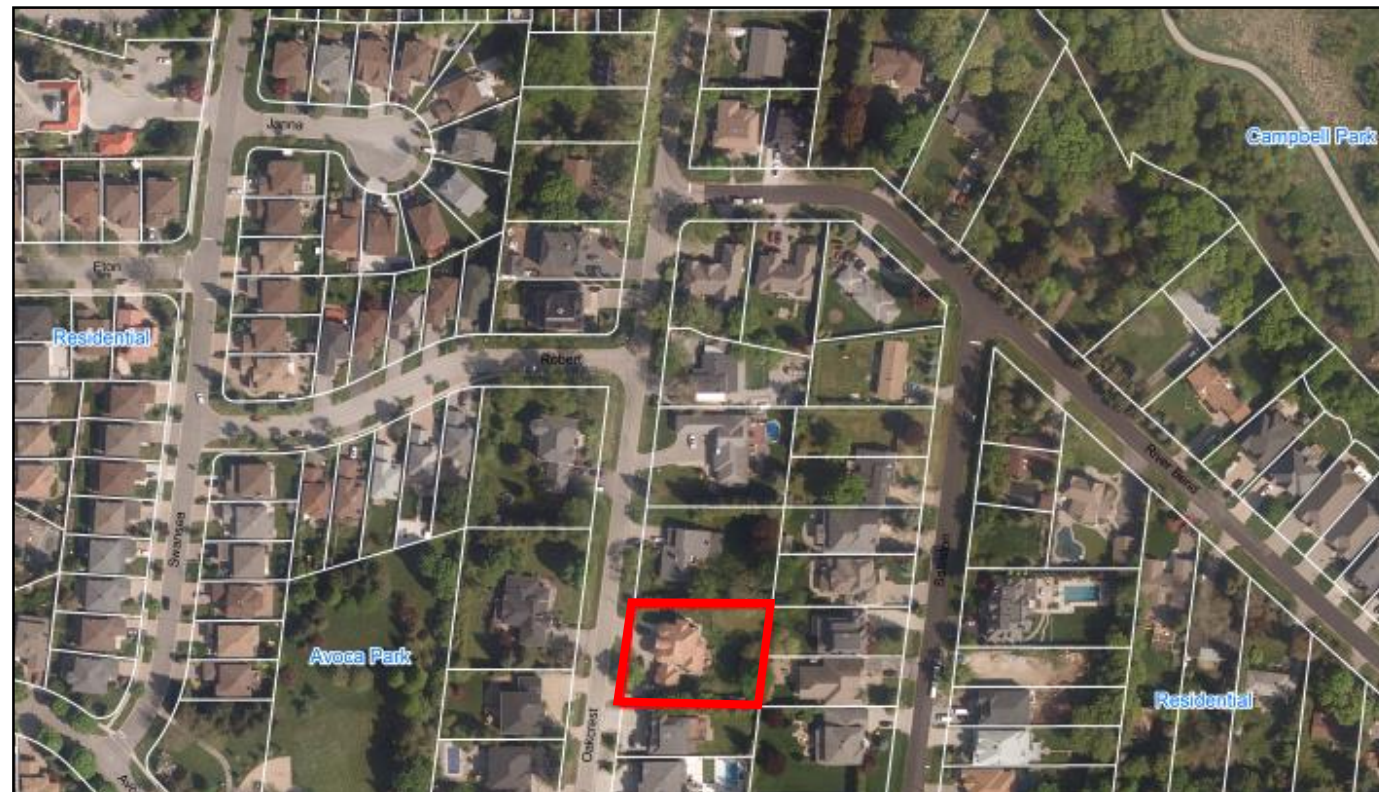
May 20, 2025

Subject Lands:

- 0.20 ha (0.9 ac)
- Currently developed with a two-storey detached dwelling

Surrounding Context:

- Residential
- Rouge River and Campbell Park



 Subject Lands



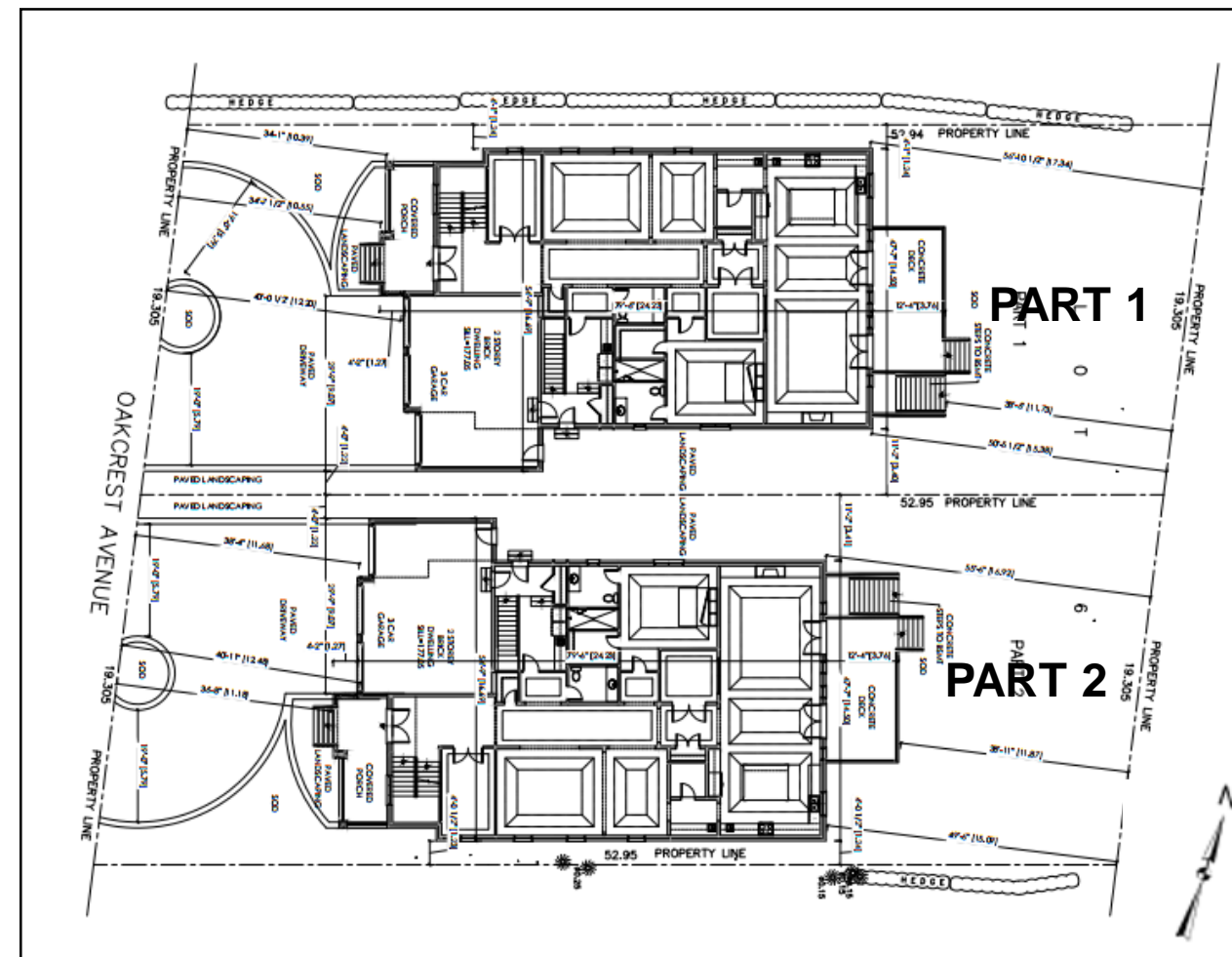
The Proposal

Strategic Plan 2020-2026

Page 134 of 428

Building Markham's Future Together

	Part 1	Part 2
Area	1,013.8 m ² (10,912.45 ft ²)	1, 013.8 m ² (10, 912.5 ft ²)
Frontage	19.3 m (63.3 ft)	19.3 m (63.3 ft)
Depth	52.9 m (173.7 ft)	52.9 m (173.7 ft)
GFA	594.76 m ² (6,401.94 ft ²)	594.76 m ² (6,401.94 ft ²)





'Residential Low Rise' permits:

- Single-detached dwellings
- Subject to Area and Site-Specific Policy



 Subject Lands



Required Zoning Amendment

Strategic Plan 2020-2026

Page 136 of 428

Building Markham's Future Together

Current Zone:

By-law 2024-19: "Residential Established Neighbourhood Low Rise"

The Owner proposes to amend the zoning to:

- Incorporate site-specific development standards
- Facilitate the future severance



Subject Lands





Outstanding Items and next steps

1. Staff will continue reviewing the Proposal
2. Committee may approve the ZBLA or refer the application back to Staff

Thank you!

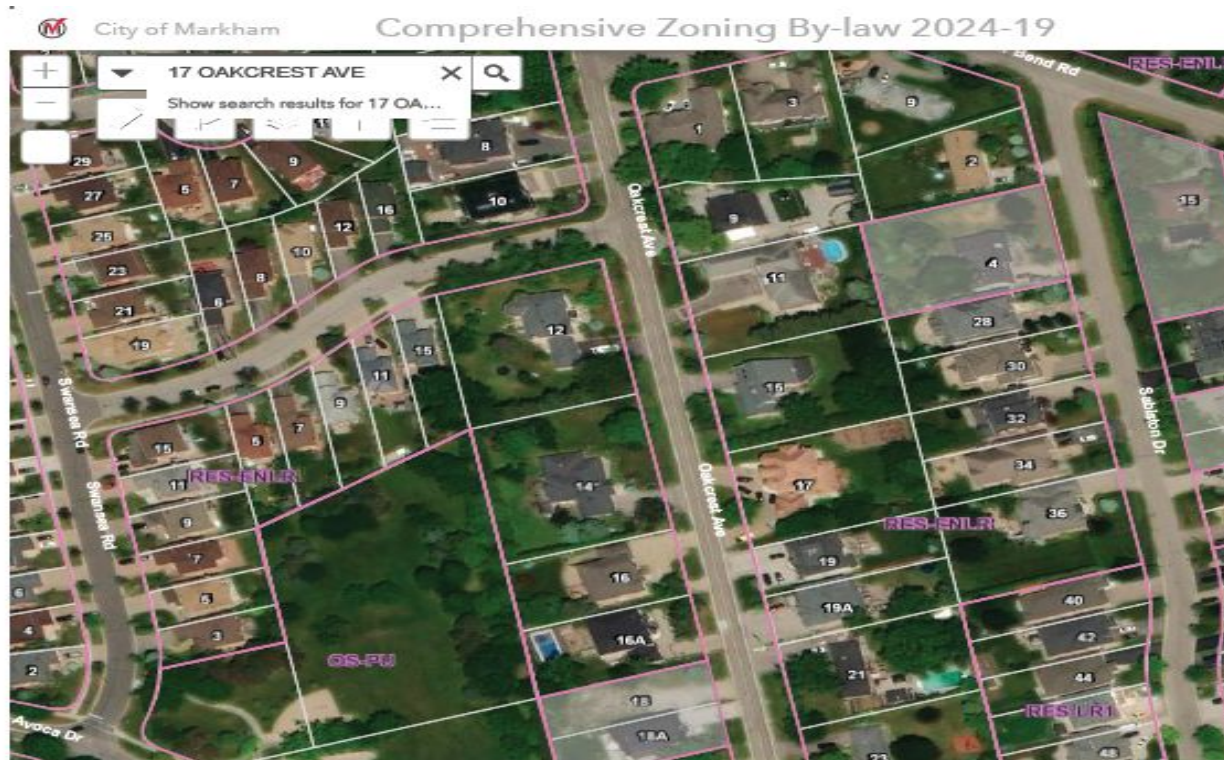
17 Oakcrest Ave Markham

Zoning Bylaw Amendment

17 Oakcrest Ave



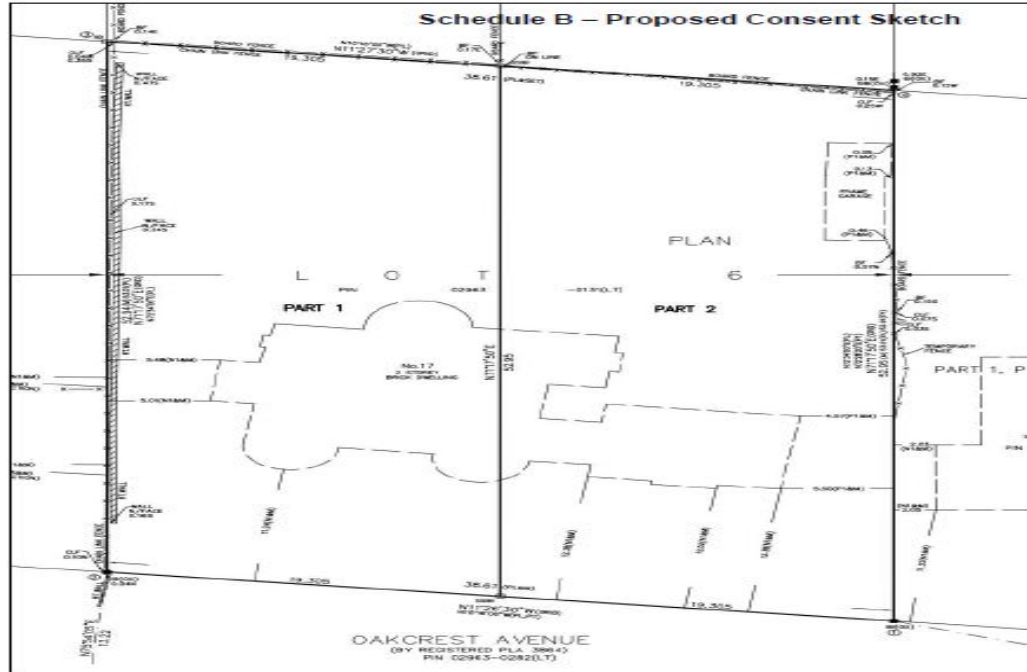
17 OakCrest Ave MArkham

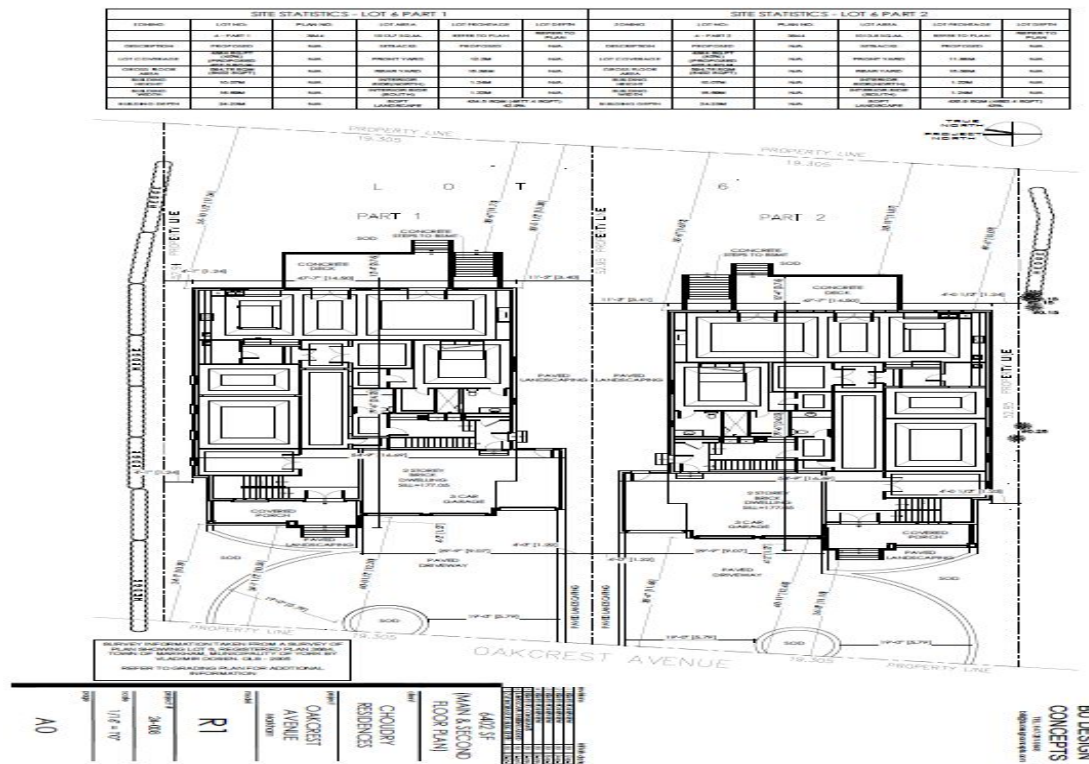


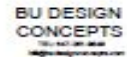
Residential Established Neighbourhood Low Rise - RES-ENLR



Current Layout of 17 Oakcrest Ave







Address	City	State	Zip
6402 SF			
(MAIN & SECOND FLOOR PLAN)			
CHOLDY RESIDENCES			
OAKCREST AVENUE			
Beverly Hills			
R2			
24-008			
1.0" = 1.0'			
B5			

Side Elevation



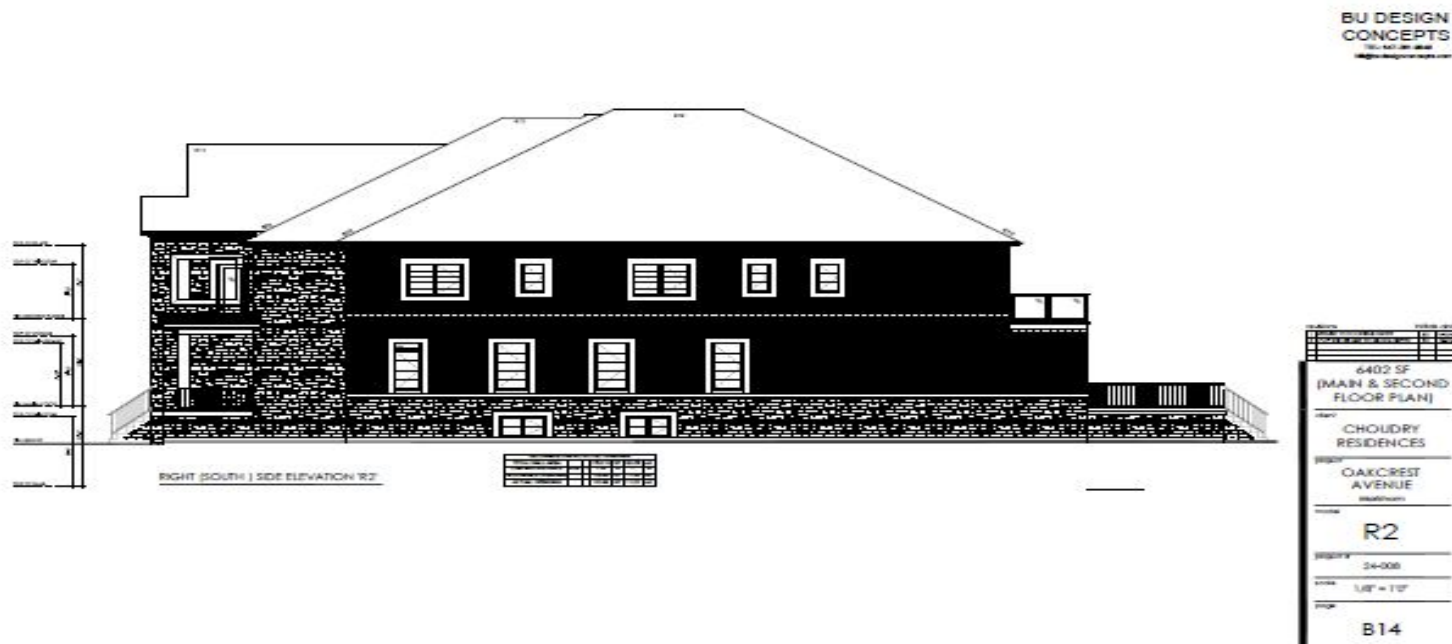
Rear Elevation



BU DESIGN
CONCEPTS
701-541-0000
info@bucdesignconcepts.com

NO.	DESCRIPTION	DATE
1	6402 SF (MAIN & SECOND FLOOR PLAN)	
2	CHoudry RESIDENCES	
3	OAKCREST AVENUE	
4	R2	
5	24-006	
6	1/8" = 1'	
7	B13	

Side Elevation



**S U M M A R Y****Public Meeting Held on Tuesday, May 20, 2025**

File number:	PLAN 24-189460
Applicant:	Engenius Development Inc. (c/o JKO Planning Services Inc.)
Property Address/Location:	10 River Bend Road

Applicant's Proposal

The Applicant is proposing to demolish the existing dwelling on the Subject Lands and construct four, two-storey detached dwellings. The Applicant is seeking an Official Plan Amendment and Zoning By-law Amendment to accommodate future severances for the creation of four new lots and to seek the necessary zoning provisions to facilitate the proposal.

Notices Sent

356 notices were mailed to homeowners within the 200-meter vicinity of the Subject Lands on April 30, 2025.

Public Meeting signs were posted on April 28, 2025

Written Submissions Received Before Printing of the Agenda

1. Raj Bissoon
2. Annette Sabatini
3. Carmelo Lamanna

Written Submission Received After Printing of the Agenda

None

Notification Requested

See attached list.

Leung, Betty

From: Chiu, Brendan
Sent: Monday, March 31, 2025 10:08 AM
To: BISSOON
Cc: notifications
Subject: RE: PLAN 24 189460

Hi Raj,

Thank you for your email. I am able to confirm receipt of your email in opposition of Official Plan Amendment and Zoning By-law Amendment submitted by Engenius Development Inc. c/o JKO Planning Services File # PLAN 24 189460 and that it will be included in the public record and available for the members of Development Services Committee to consider. I have copied Clerks to ensure you receive any future updates to the proposal.

Best,

Brendan Chiu
Planner 1, Central District
905-477-7000, Extension 2062

City of Markham Planning and Urban Design Department
101 Town Centre Boulevard, Markham ON L3R 9W3 markham.ca

-----Original Message-----

From: BISSOON <rajbissoon@rogers.com>
Sent: Saturday, March 29, 2025 11:32 AM
To: Chiu, Brendan <BChiu@markham.ca>
Subject: PLAN 24 189460

CAUTION: This email originated from a source outside the City of Markham. DO NOT CLICK on any links or attachments, or reply unless you recognize the sender and know the content is safe.

Hi Brendan,

I live at 40 Riverbend Rd.

I have a concern with the proposed 45ft lot size. Our neighbourhood is about wide lots, nature, trees and less about stacking houses one after the other.

I object to setting a precedent that smaller lots are acceptable. 50 foot lot sizes should be the minimum

Regards,
Raj Bissoon
416-710-4855

Leung, Betty

From: Chiu, Brendan
Sent: Monday, March 31, 2025 10:12 AM
To: annette sabatini
Cc: notifications
Subject: RE: River bend development

Hi Annette,

My apologies, I am sending a second email as I seem to have missed copying Clerks on it!

Best,

Brendan Chiu
Planner 1, Central District
 905-477-7000, Extension 2062

City of Markham Planning and Urban Design Department
 101 Town Centre Boulevard, Markham ON L3R 9W3
markham.ca

From: Chiu, Brendan
Sent: Monday, March 31, 2025 10:11 AM
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Hi Annette,

Thank you for your email. I am able to confirm receipt of your email in opposition of Official Plan Amendment and Zoning By-law Amendment submitted by Engenius Development Inc. c/o JKO Planning Services File # PLAN 24 189460 for 10 River Bend Road and that it will be included in the public record and available for the members of Development Services Committee to consider. I have copied Clerks to ensure you receive any future updates to the proposal.

If you would like to speak further about the proposal, please feel free to reach out to me!

Best,

Brendan Chiu
Planner 1, Central District
 905-477-7000, Extension 2062

City of Markham Planning and Urban Design Department
 101 Town Centre Boulevard, Markham ON L3R 9W3
markham.ca

Leung, Betty

From: Chiu, Brendan
Sent: Tuesday, April 22, 2025 9:15 AM
To: (null) LAMANNA
Cc: notifications
Subject: RE: Plan 24 189460

Good Morning Carmelo,

Thank you for following up and providing your comments on the proposed Zoning By-law Amendment, submitted by Engenius Development Inc. c/o JKO Planning Services File # PLAN 24 189460. I have copied in the Clerks Department in my response to ensure that your comments are noted and that you receive any future updates to the proposal.

Best,

Brendan Chiu
 Planner 1, Central District
 905-477-7000, Extension 2062

City of Markham Planning and Urban Design Department
 101 Town Centre Boulevard, Markham ON L3R 9W3 markham.ca

-----Original Message-----

From: (null) LAMANNA <carmelo_lamanna@rogers.com>
 Sent: Saturday, April 19, 2025 4:21 PM
 To: Chiu, Brendan <bchiu@markham.ca>
 Subject: Plan 24 189460

[You don't often get email from carmelo_lamanna@rogers.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

CAUTION: This email originated from a source outside the City of Markham. DO NOT CLICK on any links or attachments, or reply unless you recognize the sender and know the content is safe.

Hi Brendan,

In regards to our phone conversation regarding the 4 homes being built.

One of the homes on the drawing has only a 45 foot width lot. The other 3 have over 50 feet.

When I had my lot severed there were stricked variances guidelines and set backs.

This street has homes 3-5,000 square feet and property taxes \$10-\$15,000 year.

If we allow 45 foot lots it depreciates our homes.

Take a couple of feet from the other lots to make all four lots 50 feet.

Best regards,
Carmelo

Sent from my iPhone

Application Listing

5/20/2025

Application: 10 River Bend Road - PLAN 24 189460

Page 1 of 1

Applicant Name	Company	Address	Home Phone#	Business Phone#
			4dgdesign@gmail.com	
Raj Bissoon			416 710-4855	
			rajbissoon@rogers.com	
Carmelo Lamanna			carmelo_lamanna@rogers.com	
Annette Sabatini			416 9031031	
			annettesabatini@rogers.com	



The City of Markham received complete Official Plan Amendment and Zoning By-law Amendment applications for 10 River Bend Road (the “Subject Lands”), submitted by Engenius Development Inc. (c/o JKO Planning Services Inc.) on January 24, 2025. As the owner of land within 200 m of the property, you are invited to participate in the review process.



MappiT

Tell us what you think!

A statutory Public Meeting to consider the applicant’s proposal will take place on:

- Meeting Date:** May 20, 2025
- Time:** 7:00 pm
- Place:** Members of the Development Services Committee will participate in a statutory Public Meeting remotely (Zoom link) and in person (Council Chamber) at:
- Markham Civic Centre
101 Town Centre Boulevard
Markham, ON L3R 9W3

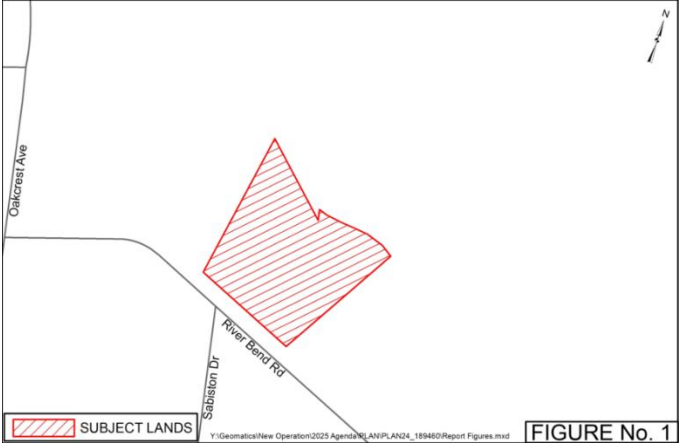
All proceedings of this meeting are recorded, and video and audio streamed on the City’s website at pub-markham.escribemeetings.com.

The Property

The 0.6 ha (1.48 ac) Subject Lands are located on the north side of River Bend Road, generally at the intersection of Sabiston Drive and River Bend Road. The Subject Lands are currently occupied by one detached dwelling.

The Applicant’s Proposal

The Applicant is proposing to demolish the existing dwelling on the Subject Lands and construct four, two-storey detached dwellings. The Applicant is seeking an Official Plan Amendment and Zoning By-law Amendment to accommodate future severances for the creation of four new lots and to seek the necessary zoning provisions to facilitate the proposal.



Additional Information

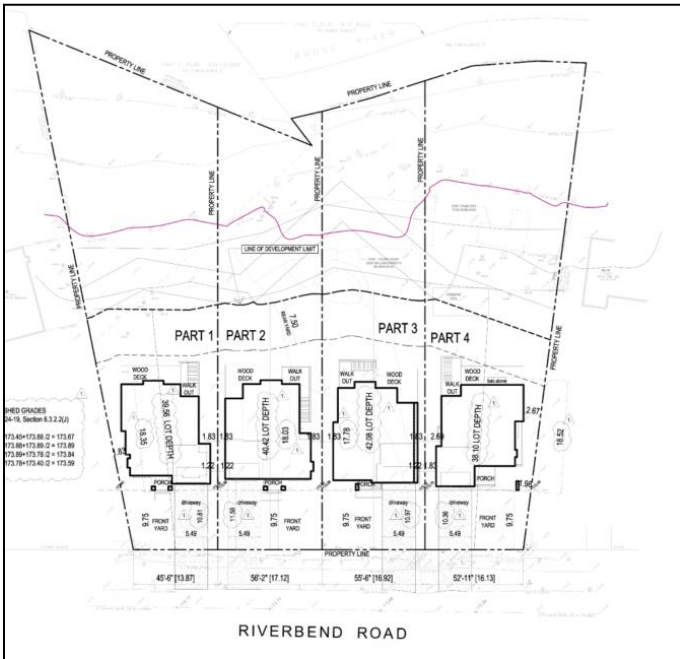


For additional information on **24 189460 PLAN**, scan this to access the Public Meeting Information Report (PMIR).

PMIR

Connect with the File Planner

- File Planner:** Brendan Chiu, Planner I
- File Planner Email:** BChiu@markham.ca
- File Planner Phone:** (905) 477-7000, ext. 2062
- File Number:** PLAN 24 189460



Join the conversation!

Request to Speak (Deputations)

Any request to speak may be made to the Clerks Department up to the start of the statutory Public Meeting, and by one or all the following:

- a) Complete the “Request to Speak” form located online at markham.ca



- b) Email the City at notifications@markham.ca
- c) Call (905) 477-7760

Remember to provide your full contact information and the item to which you wish to speak.

Written or Email Submissions

Please quote file PLAN 24 189460 in your written or emailed comments, which the Clerks Department must receive no later than **4:00 pm the day before the statutory Public Meeting**.

- a) Written: mail or personally deliver to the Clerks Department at the address above
- b) Email: send to notifications@markham.ca

Missed the 4:00pm written submission deadline?

Consider one of the following:

- Email Members of Council at mayorandcouncillors@markham.ca
- Request to speak at the statutory Public Meeting by completing and submitting an online "Request to Speak" form at www.markham.ca

If the deadline for written submission passed and Council finished considering the item of interest at the statutory Public Meeting, you may email your written submission to Members of Council.

Want to be notified after a decision is made?

If you wish to be notified of the decision of the City of Markham, or approval authority, on the proposed Planning Project Application, you must make a written request to the Clerk's Department at the address noted above or by email to notifications@markham.ca.

Please read this important information!

Notice to Landlords: If you are a landlord of lands containing seven (7) or more residential units, please post a copy of this notice in a location that is visible to all the residents.

Personal Information: Personal information collected in response to this planning notice will be used to assist City staff and Council to process this application and will be made public.

What if I want to appeal the proposal?

- i) If a person or public body would otherwise have an ability to appeal the decision of the Council of the City of Markham, or the approval authority, to the Ontario Land Tribunal, but the person or public body does not make oral submissions at a public meeting or make written submissions to the City of Markham before the proposed official plan amendment is adopted or the by-law is passed, the person or public body is not entitled to appeal the decision.
- ii) If a person or public body does not make oral submissions at a public meeting, or make written submissions to the City of Markham before the proposed official plan amendment is adopted or the by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Land Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

That means if this this official plan amendment or by-law is appealed to the Ontario Land Tribunal and you would like to participate in the appeal in some form, you **must** make an oral submission at a public meeting, or submit written comments to the City Clerk, before the official plan amendment is adopted or the by-law is passed by Markham City Council.

Date of Notice: April 30, 2025

Arvin Prasad, RPP, MCIP
Commissioner of Development Services

Jim Jones
Chair, Development Services Committee

Leung, Betty

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If we allow 45 foot lots it depreciates our homes.

Take a couple of feet from the other lots to make all four lots 50 feet.

Best regards,

Carmelo

**Suggested Draft Resolutions
for Consideration of the Development Services Committee**

Resolution if proposed Zoning By-law Amendment application is to be finalized and enacted without further notice:

1. That the report entitled "PUBLIC MEETING INFORMATION REPORT, Engenius Development Inc., Applications for Official Plan Amendment and Zoning By-law Amendment to facilitate a future severance for the creation of four new lots with site-specific provisions (Ward 3), File No. PLAN 24 189460", be received.
2. That the Record of the Public Meeting held on May 20, 2025 with respect to the proposed Official Plan Amendment and Zoning By-law Amendment applications, be received.
3. That the applications by Engenius Development Inc. for the proposed Official Plan and Zoning By-law Amendment (PLAN 24 189460), be approved and the draft implementing Official Plan Amendment and Zoning By-law Amendment be finalized and enacted without further notice.
4. That staff be authorized and directed to do all things necessary to give effect to this resolution.

Resolution to refer the Zoning By-law Amendment application back to staff for a report and recommendation:

1. That the report entitled "PUBLIC MEETING INFORMATION REPORT, Engenius Development Inc., Applications for Official Plan Amendment and Zoning By-law Amendment to facilitate a future severance for the creation of four new lots with site-specific provisions (Ward 3), File No. PLAN 24 189460", be received.
2. That the Record of the Public Meeting held on May 20, 2025 with respect to the proposed Official Plan and Zoning By-law Amendment applications, be received.
3. That the applications by Engenius Development Inc. for the proposed Official Plan Amendment and Zoning By-law Amendment (PLAN 24 189460), be referred back to staff for a report and a recommendation.
4. That staff be authorized and directed to do all things necessary to give effect to this resolution.

**Development Services Commission
PUBLIC MEETING INFORMATION
REPORT**

Date:	Tuesday, May 20, 2025		
Application Types:	Official Plan and Zoning By-law Amendment (the “Applications”)		
Owner:	Sohail Khan, Engenius Development Inc. (the "Owner")		
Agent:	Jim Kotsopoulos, JKO Planning Services Inc. (the “Applicant”)		
Proposal:	To accommodate a future severance for the creation of four new lots with site-specific provisions (the “Proposed Development”)		
Location:	10 River Bend Road (the “Subject Lands”)		
File Number:	PLAN 24 189460	Ward:	3
Prepared By:	Brendan Chiu, Planner I, Central Planning District		
Reviewed By:	Barton Leung, Senior Planner, Central Planning District	Stephen Lue, RPP, MCIP Senior Manager, Development	

PURPOSE

This preliminary information pertains to the Applications submitted by the Owner and contains general information on the applicable Official Plan policies and the identified issues and should not be taken as Staff’s opinion or recommendation.

PROCESS TO DATE

Staff received the Applications on January 27, 2025, and deemed the Applications complete on February 21, 2025. The 120-day period set out in the Planning Act before the Owner can appeal to the Ontario Land Tribunal for a non-decision ends on May 24, 2025.

NEXT STEPS

- Statutory Public Meeting is for May 20, 2025
- Recommendation Report for consideration by the Development Services Committee (“DSC”), if required
- In the event of an approval, adoption of the site-specific Official Plan Amendment (“OPA”) and enactment of the site-specific Zoning By-law Amendment (“ZBLA”)
- Submission of a future Consent to Sever application to the Committee of Adjustment

BACKGROUND

Subject Lands and Area Context

Figure 1 shows the trapezoid 0.59 ha (1.47 ac) Subject Lands located south of Highway 7, directly north of the intersection of River Bend Road and Sabiston Drive and within the Oakcrest/Sabiston community, which is undergoing a transition with several properties having received Official Plan Amendment and/or rezoning approvals to facilitate severances. The Subject Lands have a frontage of 64.04 m (210.10 ft) on River Bend Road. Figure 2 shows a single detached dwelling occupying the Subject Lands. Figure 3 shows the surrounding land uses.

The Owner proposes to demolish the existing dwelling, obtain severance approval to create four lots, and construct a two-storey detached dwelling on each lot, as summarized in Table 1

Table 1: the Proposed Development (see Figures 4 to 6)				
	Part 1	Part 2	Part 3	Part 4
Lot Area	701.06 m ² (7,546.15 ft ²)	698.72 m ² (7,520.96 ft ²)	707.66 m ² (7,617.19 ft ²)	707.77 m ² (7,618.37 ft ²)
Lot Frontage	13.87 m (45.51 ft)	17.12 m (56.17 ft)	16.92 m (55.51 ft)	16.13 m (52.92 ft)
Proposed Dwelling Gross Floor Area	374.32 m ² (4,029.18 ft ²)	373.84 m ² (4,024 ft ²)	376.33 m ² (4,050.85 ft ²)	375.75m ² (4044.56 ft ²)

The Owner proposes to amend the Markham 2014 Official Plan (the “2014 Official Plan”) to permit the Proposed Development

Table 2: Official Plan Amendment Information	
Current Designation:	<p>“Residential Low Rise” (southern portion) and “Greenway” (northern portion), 2014 Official Plan.</p> <p>Area and Site-Specific Policy 9.19.2 apply to the Subject Lands, which states that Council may consider a zoning by-law amendment to permit a consent (severance) to create one additional lot generally equal to one half of the area and frontage of the lots from the original plans of subdivision.</p>

Table 2: Official Plan Amendment Information	
Permitted uses:	<p><u>“Residential Low Rise”</u>: detached dwellings, semi-detached dwellings, townhouses excluding back-to-back townhouses, small multiplex buildings containing 3 to 6 units, all with direct frontage on a public street.</p> <p><u>Greenway</u>: intends to protect natural heritage and hydrologic features and certain protected agricultural lands while supporting agricultural activities, protection of wildlife habitat, passive recreation uses, natural heritage enhancement opportunities and nature appreciation.</p>
Proposal:	The Owner proposes adding a Site-Specific Policy Area to Section 9 ‘Area and Site-Specific Policies’ to permit a consent (severance) to create four (4) additional lots whereas only one (1) is permitted.

A Zoning By-law Amendment application is required to permit the Proposed Development

The Proposed Development is subject to By-law 2024-19, as amended, as shown in Figure 3.

Table 3: Zoning By-law Amendment Information	
Current Zone:	“Residential Established Neighbourhood Low Rise (RES-ENLR)” (southern portion) and “Greenway One (GWY1)” (northern portion)
Permissions:	<p><u>RES-ENLR</u>: detached dwelling, home childcare, home occupation, and shared housing – small scale.</p> <p><u>GWY1</u>: conservation use, detached dwelling that legally existed prior to enactment of Zoning By-law, home occupation, and golf course that legally existed prior to enactment of Zoning By-law.</p>
Proposal:	<p>The Owner’s draft ZBLA proposes to amend the Zoning By-law, including refinement of the GWY1 zone limit, and incorporate site-specific zoning provisions to facilitate the severance of the existing lot into four new lots to permit the construction of two single-detached dwellings. The GWY1 portion of the Subject Lands will be conveyed into City ownership ensuring that environmental features are protected and enhanced.</p> <p>A Holding Provision is also included in the draft ZBLA to secure the issuance by the Secretary Treasurer of a Consent to Sever under subsection 53(42) of the <u>Planning Act</u>.</p>

Staff identified the following preliminary list of matters that will be assessed through the review of the Applications, including other matters and issues, and addressed in a future Recommendation Report to the DSC

a) Conformity and Consistency with Provincial, and York Region and City Official Plan

- i) Review of the Proposed Development and the appropriateness in the context of Provincial policies, including but not limited to Bill 23, which seeks to create more "gentle density" housing by increasing the number of units in urban areas with minimal impact on existing neighbourhoods.
- ii) Review of the Proposed Development and the appropriateness of the proposed Official Plan Amendment to permit a severance of four (4) lots, in the context of the existing policy framework.

b) Review of the Proposed Development will include, but not limited to, the following:

- iii) Review of the submitted Planning Justification Report, draft OPA, and draft ZBLA, prepared by JKO Planning Services.
- iv) Evaluation of the compatibility with existing lot pattern within the surrounding area.
- v) Appropriateness of the proposed buildings and site design including, but not limited to, built form, massing, and building location/orientation.
- vi) Review of the technical studies submitted in support of the Proposed Development, including, but not limited to, the Scoped Environmental Impact Study, Functional Servicing and Stormwater Management Report, and Arborist Report.
- vii) Traffic impacts, driveway accesses, and parking.

c) External Agency Review

- i) The Application must be reviewed by the Toronto and Region Conservation Authority and any applicable requirements must be incorporated into the Proposed Development.

d) Required Future Applications

- i) The Owner must submit a Consent to Sever application, should the Application be approved, to permit the Proposed Development and facilitate the creation of four lots.

Accompanying Figures:

Figure 1: Location Map

Figure 2: Aerial Photo

Figure 3: Area Context and Zoning

Figure 4: Conceptual Site Plan

Figure 5: Conceptual South Elevation – Part 1

Figure 6: Conceptual South Elevation – Part 2

Figure 7: Conceptual South Elevation – Part 3

Figure 8: Conceptual South Elevation – Part 4

Figure 1

Location Map

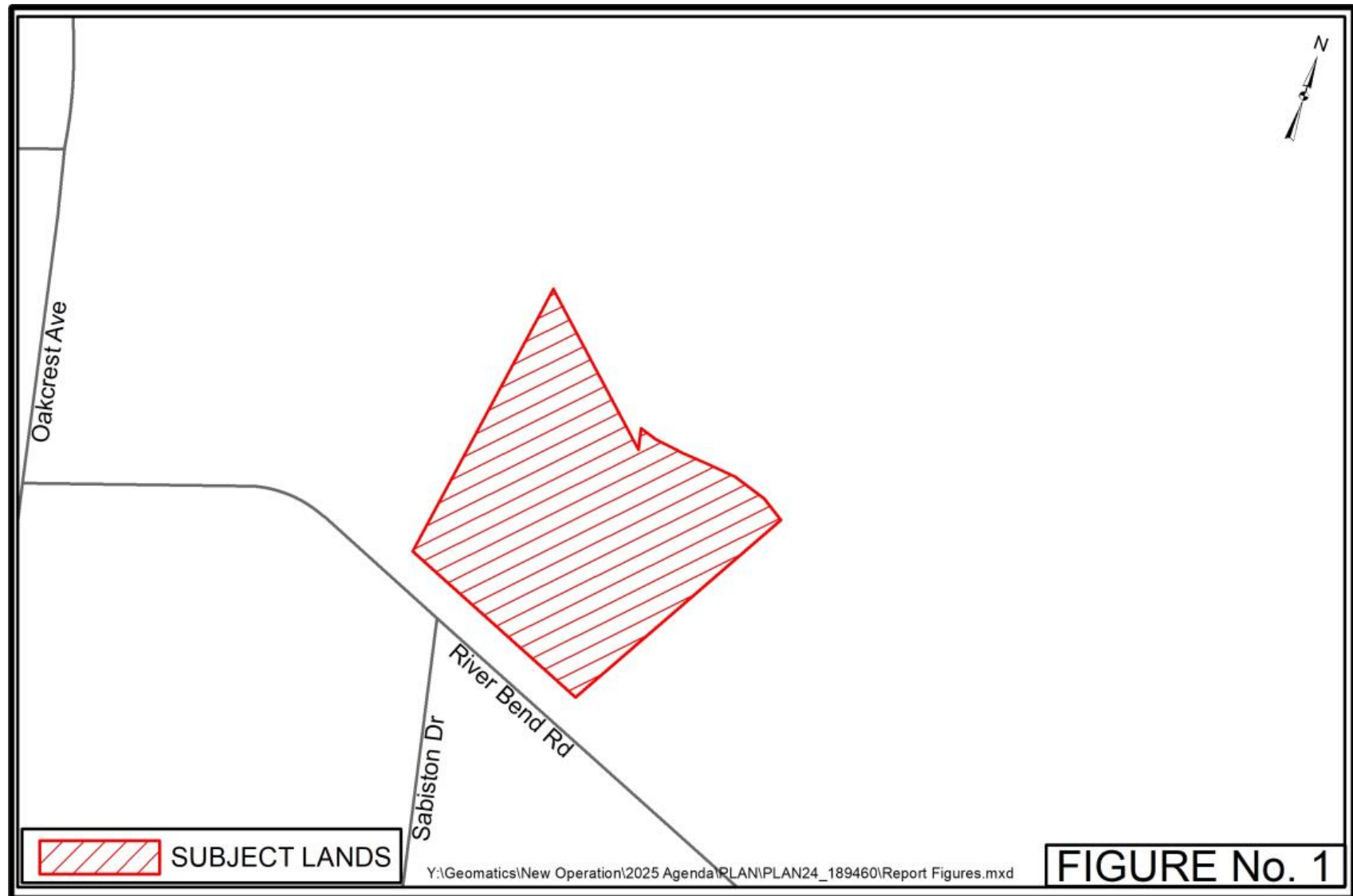


Figure 2

Aerial Photo



Figure 3

Area Context and Zoning



Figure 4

Conceptual Site Plan

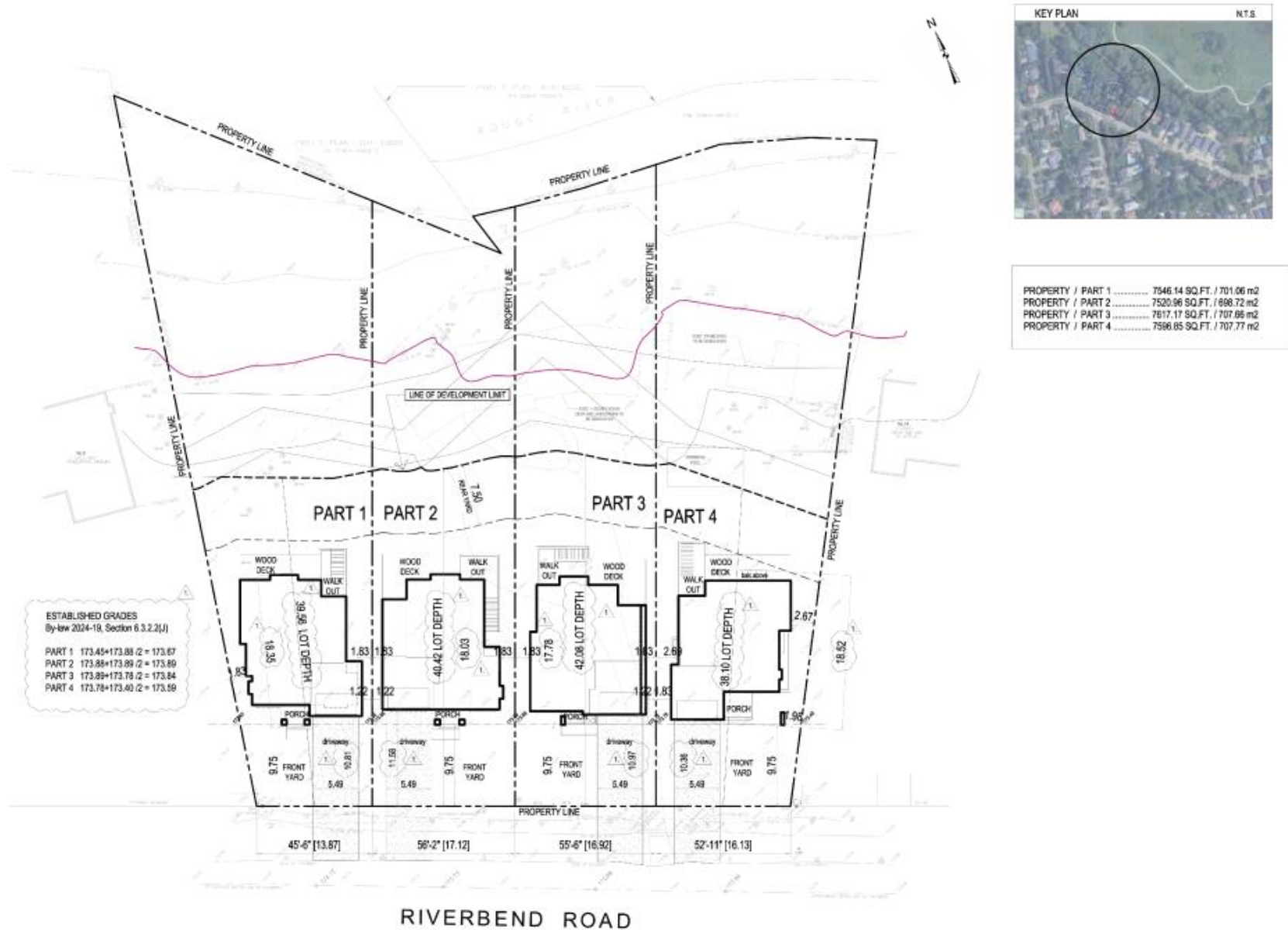


Figure 5**Conceptual South Elevation – Part 1**

Figure 6

Conceptual South Elevation – Part 2

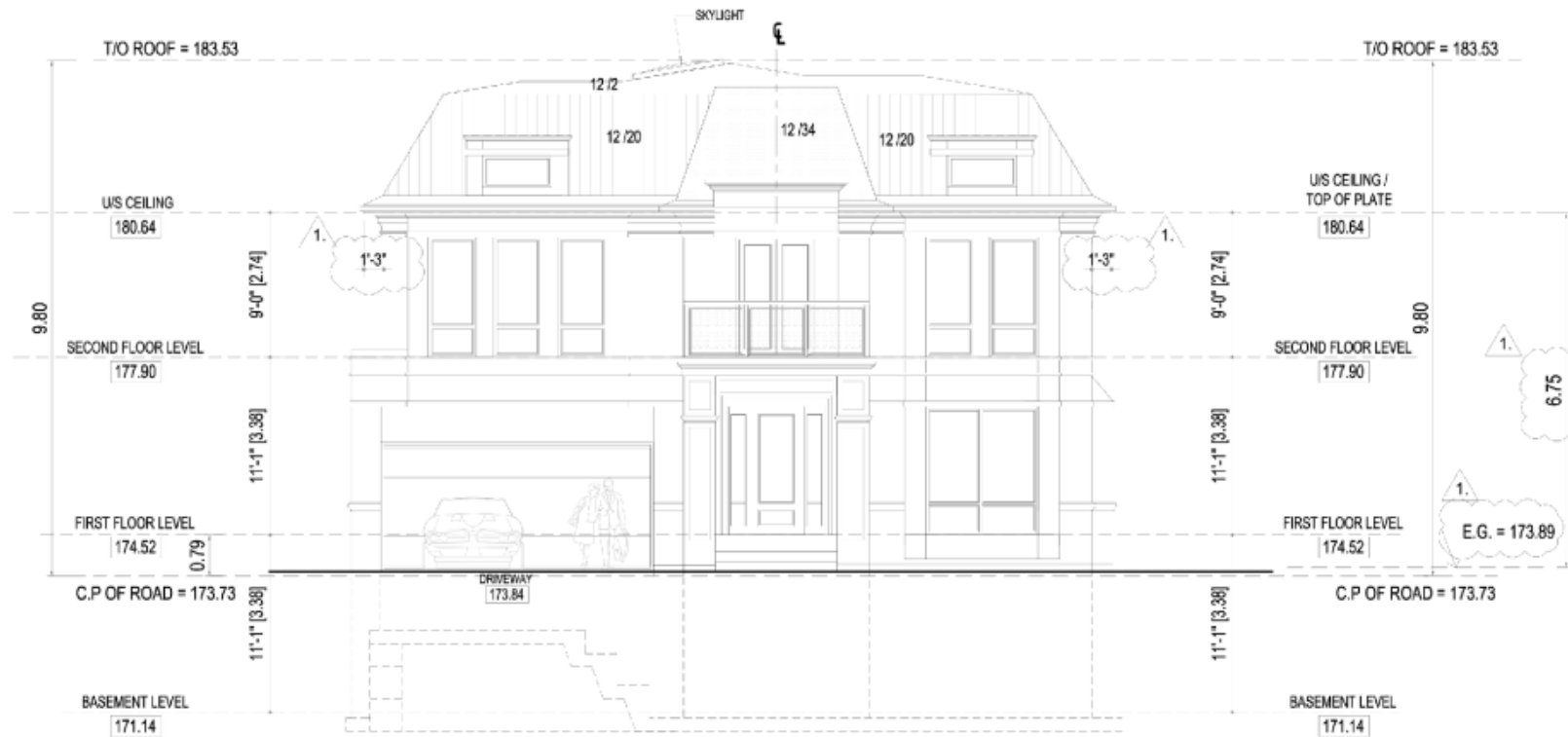
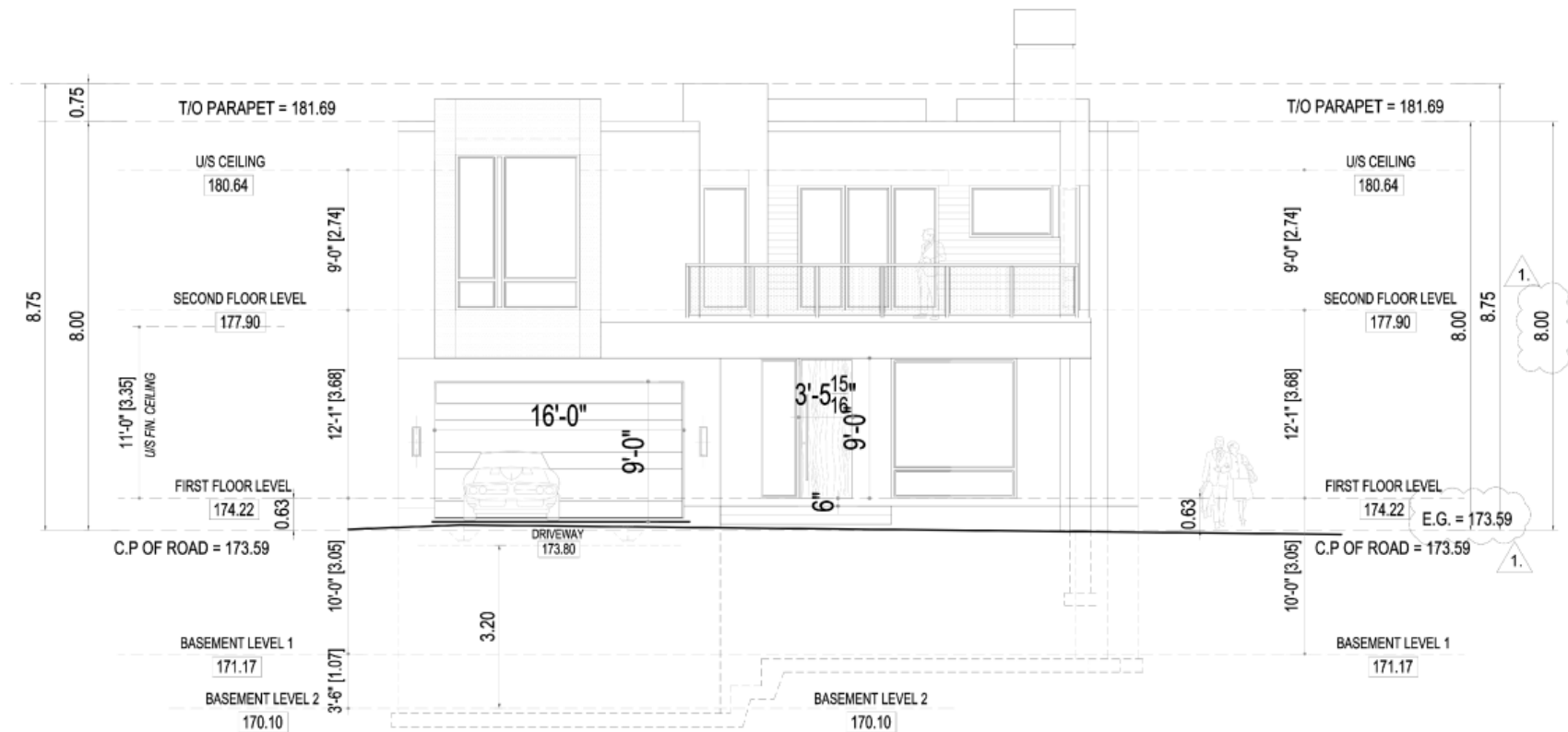


Figure 7**Conceptual South Elevation – Part 3**

Figure 8

Conceptual South Elevation – Part 4





Statutory Public Meeting

OFFICIAL PLAN AMENDMENT & ZONING BY-LAW AMENDMENT

Engenius Development Inc. c/o JKO Planning Services Inc. (Jim Kotsopoulos)

10 River Bend Road (Ward 3)

File PLAN 24 189460

May 20, 2025

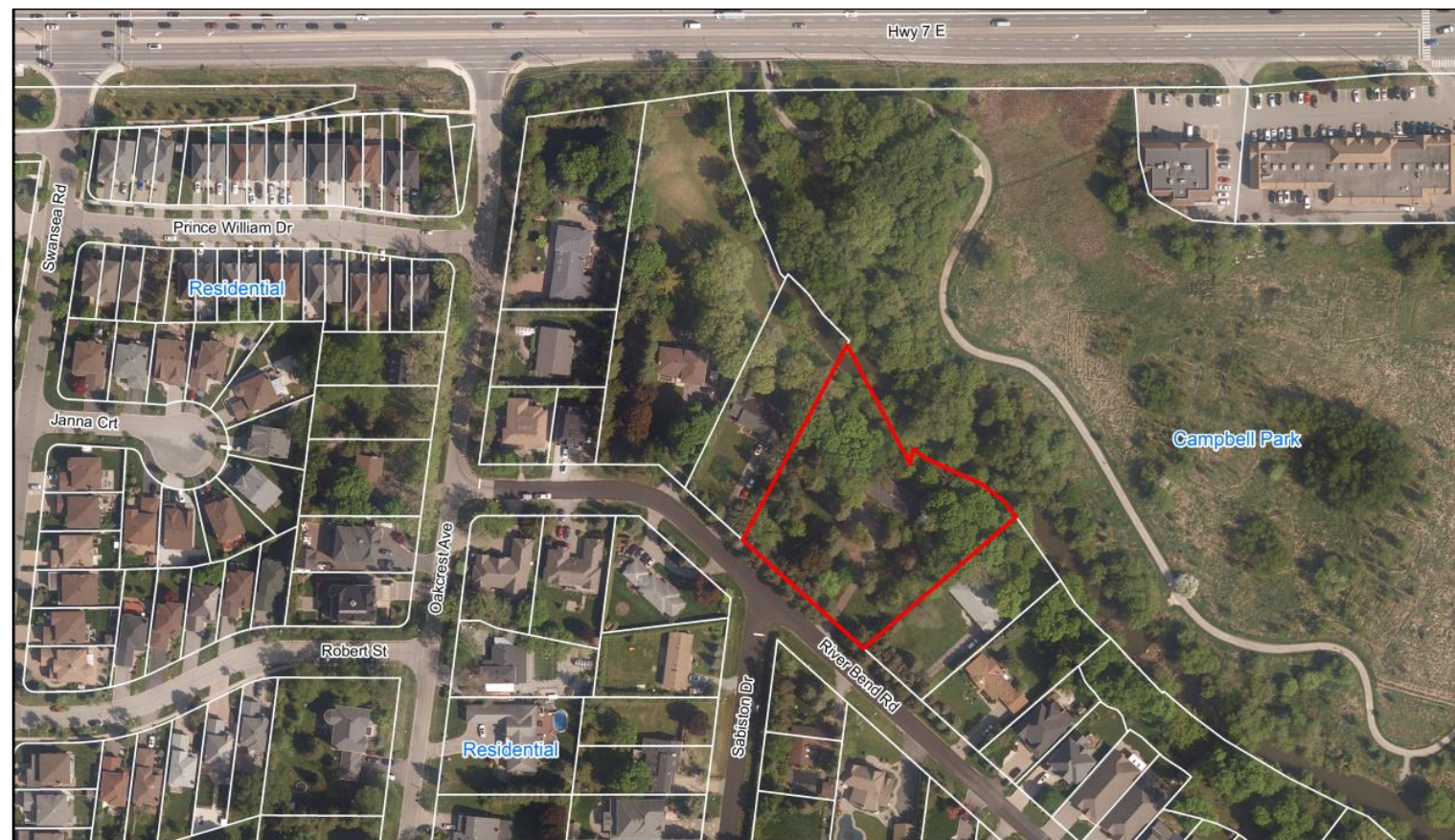


Subject Lands:

- 0.60 ha (1.47 ac)
- Currently developed with a single-storey detached dwelling

Surrounding Context:

- Residential
- Rouge River and Campbell Park

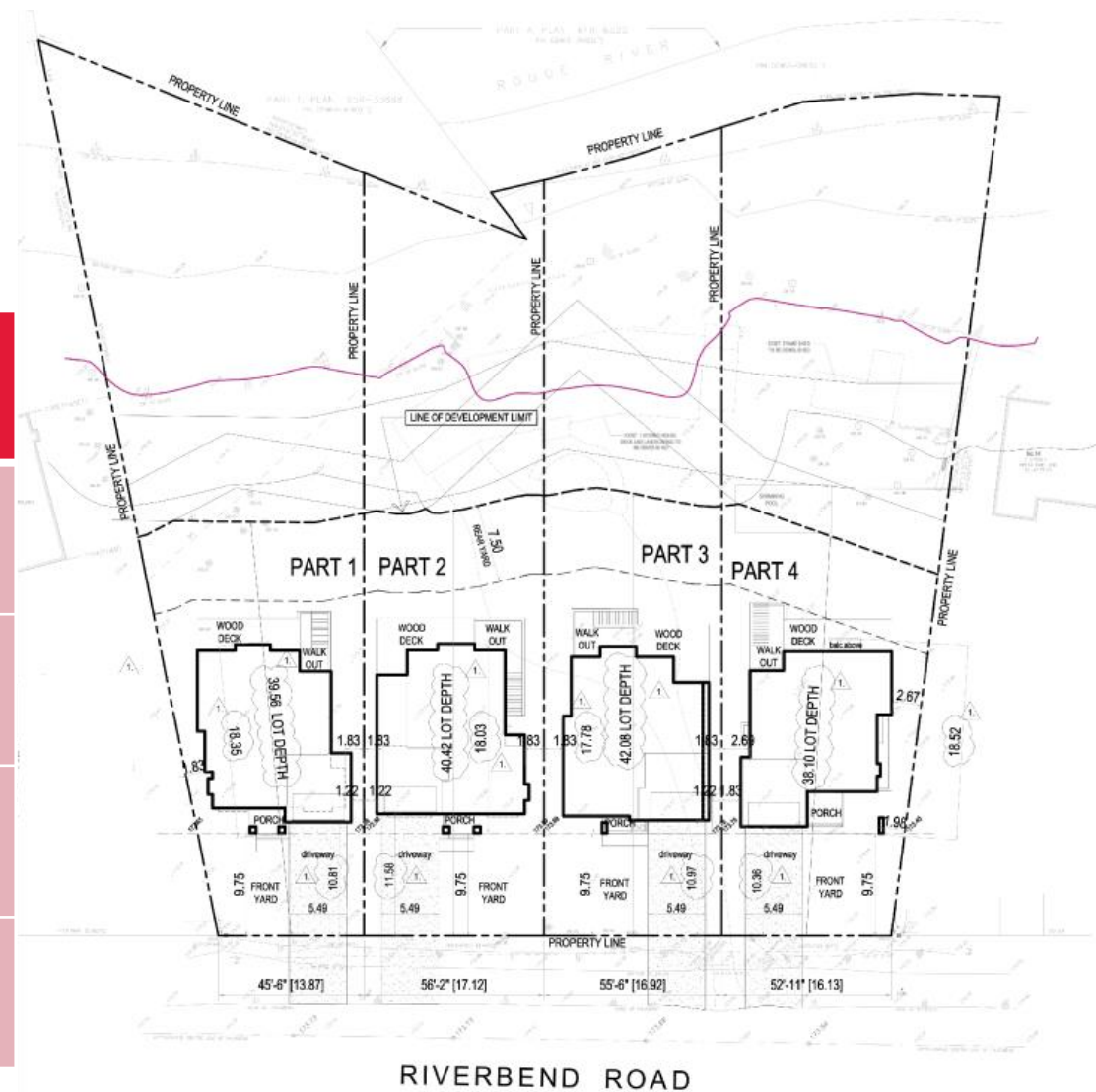


 Subject Lands



The Proposal

	Area	Frontage	Depth
Part 1	701.06 m ² (7,546.15 ft ²)	13.87 m (45.51 ft)	39.56 m (129.79 ft)
Part 2	698.72 m ² (7,520.96 ft ²)	17.12 m (56.17 ft)	40.42 m (132.61 ft)
Part 3	707.66 m ² (7,617.19 ft ²)	16.92 m (55.51 ft)	42.08 m (138.06 ft)
Part 4	707.77 m ² (7,618.37 ft ²)	16.13 m (52.92 ft)	38.10 m (125 ft)





'Residential Low Rise' and 'Greenway' permits:

- Single-detached dwellings
- 'Greenway' applies only to the rear portion
- Subject to Area and Site-Specific Policy



■ Subject Lands

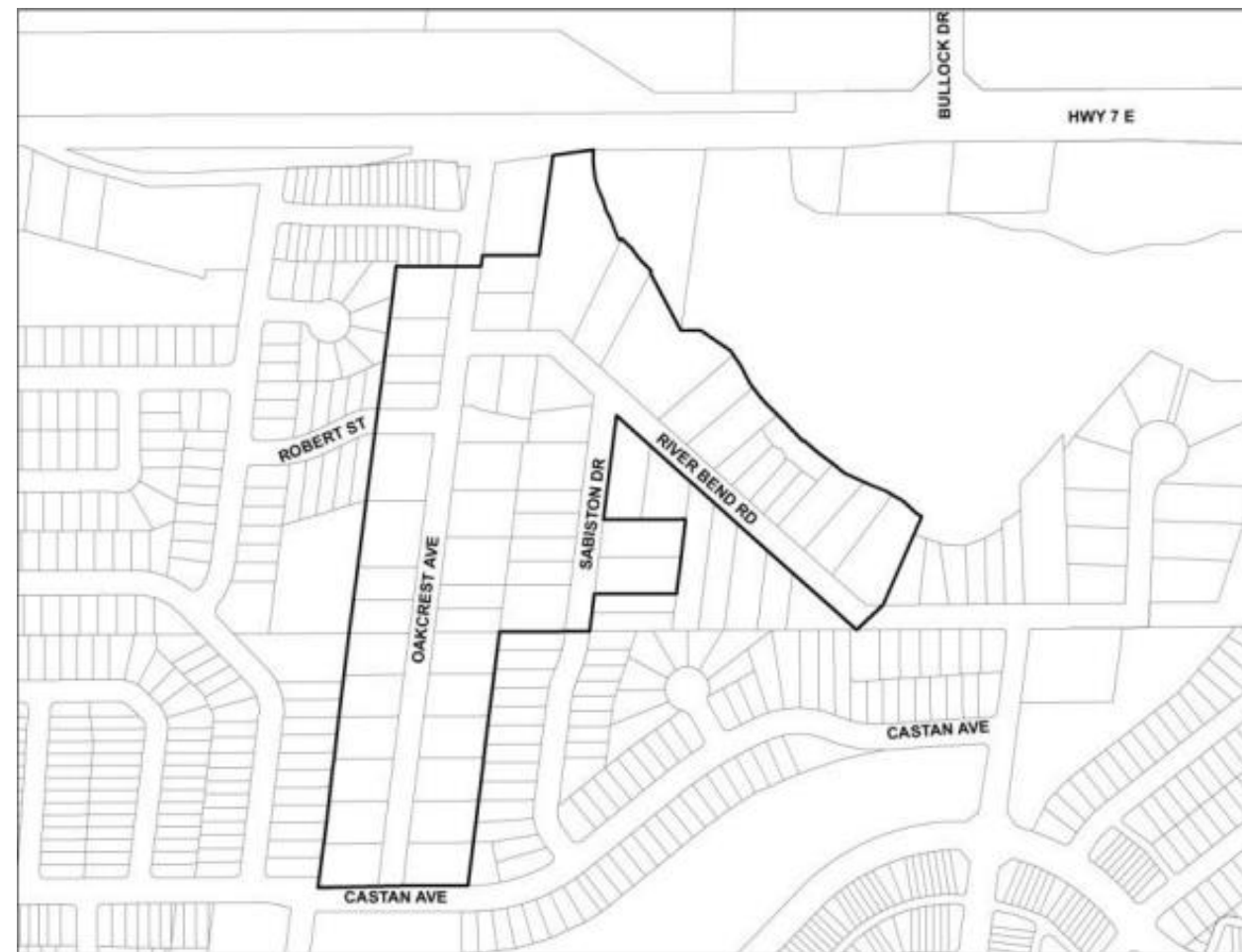


Current Area and Site-Specific Policy

Section 9.19.2: Council may consider a zoning by-law amendment to permit a consent (severance) to:

- create one additional lot
- generally equal to one half of the area and frontage from the original lot

The Owner proposes to create three additional lots





Required Zoning Amendment

Strategic Plan 2020-2026

Page 181 of 428

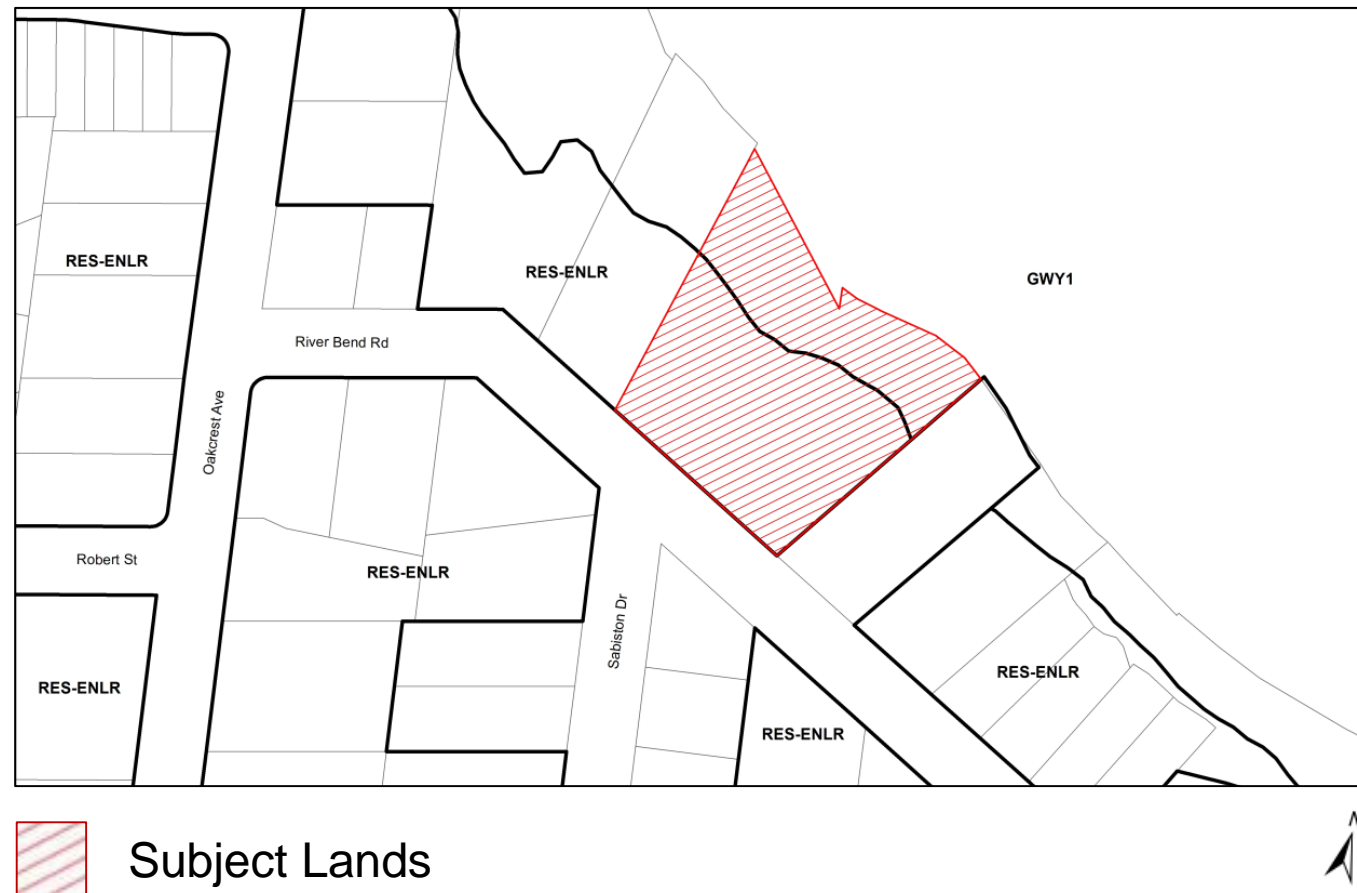
Building Markham's Future Together

Current Zone:

By-law 2024-19: "Residential Established Neighbourhood Low Rise" and "Greenway One"

The Owner proposes to amend the zoning to:

- Refine the "Greenway One" limit
- Incorporate site-specific development standards
- Facilitate the future severance





1. Staff will continue to review the Proposal
2. Committee may approve the OPA and ZBLA applications or refer the applications back to Staff

Thank you!





Report to: Development Services Committee

Meeting Date: June 10, 2025

SUBJECT: 039-T-24 and 022-R-19 - Agreements with Property Owners for Construction and Funding of Services Relating to the Main Street Unionville Reconstruction Project and the Victoria Square Boulevard Reconstruction Project (Phase 1)

PREPARED BY: Rashad Jabr, Capital Works Engineer, Ext. 2371
 Kyle Saulnier, Capital Works Engineer, Ext. 2316
 Salia Kalali, Senior Manager, Infrastructure & Capital Projects, Ext. 2360

RECOMMENDATION:

- 1) That the report entitled “039-T-24 and 022-R-19 - Agreements with Property Owners for Construction and Funding of Services Relating to the Main Street Unionville Reconstruction Project and the Victoria Square Boulevard Reconstruction Project (Phase 1)” be received;
- 2) That the Mayor and Clerk be authorized to execute agreements with property owners for the construction and funding of the Services approved by the Director of Engineering within the construction limits of Main Street Unionville Reconstruction Project and the Victoria Square Boulevard Reconstruction Project (Phase 1), provided the form of such agreements are satisfactory to the City Solicitor and the Commissioner of Development Services;
- 3) That the construction of the Services described in such agreements be included in the City’s construction contracts for the Main Street Unionville Reconstruction Project and the Victoria Square Boulevard Reconstruction Project (Phase 1); and
- 4) 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 authorization to execute agreements with private property owners for the construction and funding of the Services within the Main Street Unionville Reconstruction Project limits and the Victoria Square Boulevard (VSB) Reconstruction Project (Phase 1) limits.

BACKGROUND:

The Main Street Unionville Reconstruction Project (Attachment “A” - Contract 039-T-24) includes the renewal and replacement of underground municipal infrastructure, including watermain, storm sewer, and sanitary sewer systems, as well as streetscape improvements within the project limits.

The VSB Reconstruction Project (Phase 1) (Attachment “B” - 022-R-19) includes corridor improvements from Woodbine Avenue south to Elgin Mills Road. The project’s scope is to transform the VSB corridor into a fully urbanized section complete with active transportation facilities for both pedestrian and cyclist use (in the form of a sidewalk and

separate cycle track), and to construct municipal infrastructure including watermain, storm sewer, and sanitary sewer systems.

Private Property Owner Service Requests:

To accommodate proposed and potential future development within the Main Street Unionville Reconstruction Project and the VSB Reconstruction Project (Phase 1) limits, the City proactively engaged with private property owners to incorporate specific infrastructure improvements, referred to as the "**Services**" within this report, into the planned municipal infrastructure work.

With respect to the Main Street Unionville Reconstruction Project, private property owners have requested the City to construct new Services, that include:

- water and sanitary service connections,
- new watermain and sanitary sewers,
- and/or upgrades to existing services.

On the VSB Reconstruction Project (Phase 1), private property owners have requested the City to construct new Services, that include:

- service connections for watermain and sanitary sewers.

This report seeks authorization to enter into agreements with property owners for the City's construction and funding of such Services as part of these two separate construction projects.

OPTIONS/ DISCUSSION:

Including the Services requested by private property owners as part of the broader construction projects is a common and efficient practice. It may be beneficial for both the City and property owners for the following reasons:

- Minimizes future disturbances to newly constructed right-of-way and community;
- Minimizes the degradation of the recently constructed municipal infrastructure
- Enhances project coordination;
- Reduces potential long-term costs.

Staff propose that the City enter into agreements with property owners who request construction of the Services as part of the City's reconstruction of Main Street Unionville and the VSB Reconstruction Project (Phase 1). Such agreements would include the following terms:

- Property owner to pay for the full cost of the Services, with estimated costs to be paid in advance by the property owner;
- Property owner to provide the design of such Services, which shall be approved by the City;

-
- City to include construction of the Service in its existing construction contract for the reconstruction of Main Street Unionville (039-T-24) and its future construction contract for the VSB Reconstruction Project (Phase 1);

FINANCIAL CONSIDERATIONS

Including the construction of the Services outlined in this report in the City's construction contracts will have minimal incremental impact on the City's Operating Budget and Life Cycle Reserve Study. The full cost of the Services outlined in these agreements will be funded by the respective property owners. To ensure financial prudence, the City will seek to secure executed agreements with advance payment of the estimated costs.

ALIGNMENT WITH STRATEGIC PRIORITIES:

This initiative aligns with the City's Strategic Plan goal of "Stewardship of Money and Resources" by maximizing coordination of infrastructure investments, reducing duplication of effort, and ensuring cost recovery for work benefiting private properties.

It also supports the goal of "Safe & Sustainable Community" by ensuring long-term reliability of underground infrastructure and minimizing the need for future road disruption.

BUSINESS UNITS CONSULTED AND AFFECTED:

Legal Services, Environmental Services, and Operations Departments have been consulted in the preparation of this report.

RECOMMENDED BY:

Frank Clarizio, P.Eng.
Director, Engineering

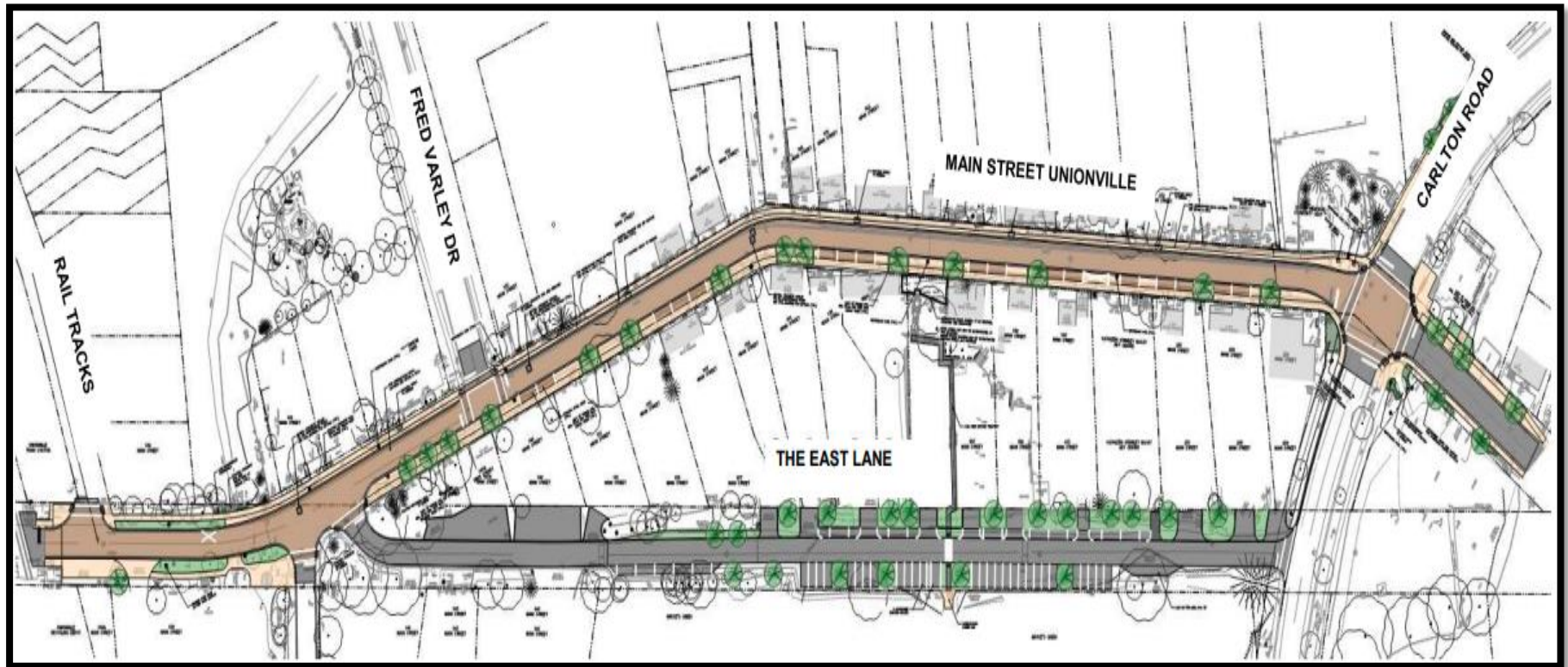
Arvin Prasad, MPA, RPP, MCIP
Commissioner, Development Services

ATTACHMENTS:

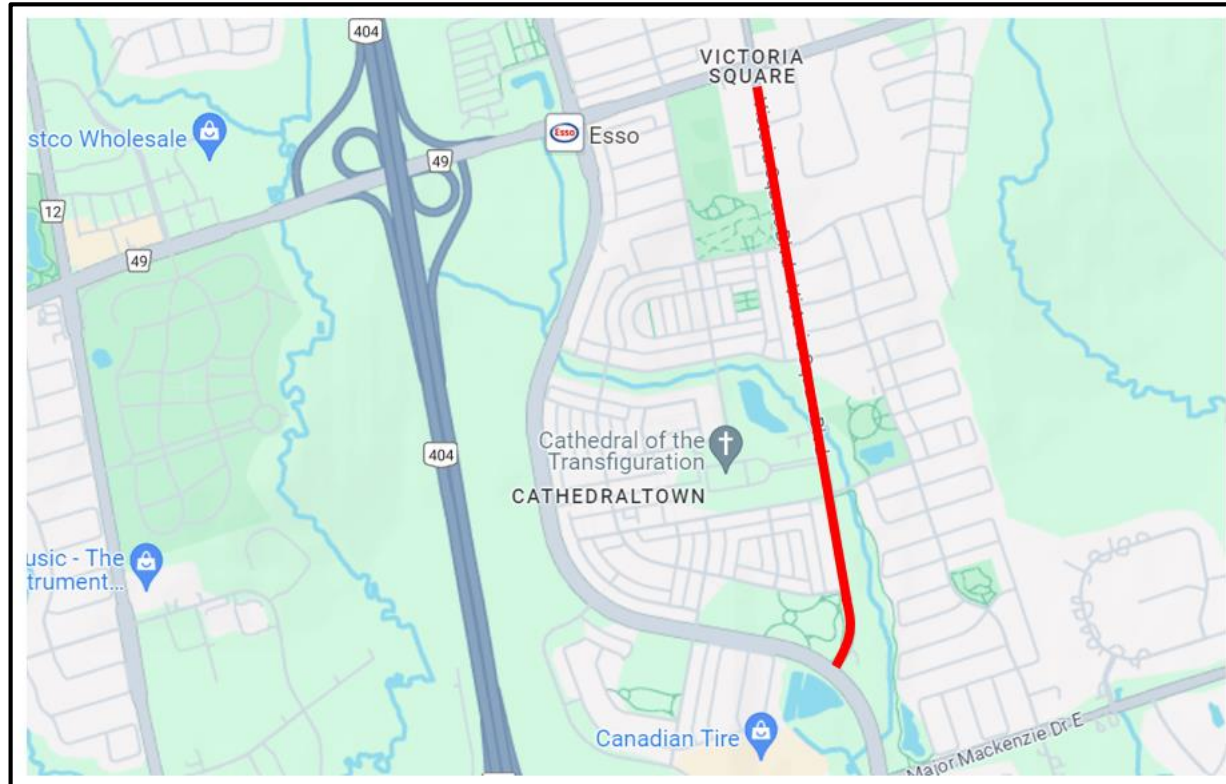
Attachment 'A' – Project Location Map for Mainstreet Unionville

Attachment 'B' – Project Location Map for Victoria Square Boulevard

Attachment 'A' – Project Location Map for Mainstreet Unionville



Attachment 'B' – Project Location Map for Victoria Square Boulevard





Report to: DSC Committee

Meeting Date: June 10, 2025

SUBJECT: Recommendation Report, Capital Budget Request for the Proposed Developer Build Strata Park at 1297 and 1307 Castlemore Avenue

PREPARED BY: Jyoti Pathak, Project Manager, Parks Planning, ex 2034
Vanessa Aubrey, Senior Parks Planner, ex. 2451

REVIEWED BY: Richard Fournier, Sr. Manager
Parks Planning, Design & Construction, ex 2120

RECOMMENDATION:

1. THAT the June 10, 2025 report titled 'Recommendation Report, Capital Budget Request for Developer Build Strata Park at 1297 and 1307 Castlemore Avenue' be received;
2. THAT a new 2025 Capital Budget for Developer Build Strata Park be established and funded from Development Charges (Parks Development Reserve) in the amount of \$744,935 inclusive of HST impact @1.76% and internal charges; 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 approval for an in-year capital addition request for the development of a strata park located at 1297 and 1307 Castlemore Avenue. The strata park is approximately 1,721 m² (0.42 acres) in size and will be located above an underground parking garage. The park programming will include a combined junior and senior children's playground, shade structure, seating, pathways and planting. 'The Owner', 9781 Markham Road Limited Partnership (Liberty Development Corporation Inc.) is eager to proceed with the construction of the proposed two residential apartment buildings and execution of Parkland Conveyance Agreement is a condition to be met prior to issuance of any building permits. The draft Parkland Conveyance Agreement includes clauses for a developer build park and the developer will be reimbursed for the cost of design and construction upon acceptance and conveyance of the built park to the City prior to registration of the Phase 2 condominium.

BACKGROUND:**Property Context and Proposed Development**

The Zoning By-law Amendment application submitted by the Owner to permit proposed mixed-use high-rise development and a strata park on a portion of the Subject Lands was approved in March 2023. The subject property is bounded by Castlemore Avenue to the north, Markham Road to the west and Anderson Avenue to the east and has an area of 2.05 hectares (5.05 acres). It is located within Ward 5 and within the Council adopted Markham Road Mount Joy Secondary Plan Area (which is currently appealed to the Ontario Land Tribunal).

The proposed development is separated into Phase 1 and 2 and seeks to construct a total of two mixed-use buildings, with four high-rise towers varying in height from 22 to 37 storeys, a combined total of 1,288 apartment units, 12 townhouses units, outdoor amenity space and a strata park block. In combination with a cash-in-lieu payment, the future conveyance of the strata park block satisfy the parkland dedication requirements of the Phase 1 Development and would be located within the Phase 2 Development lands. The Site Plan Agreement for Phase 1 Development included details of the parkland dedication requirements. The strata park will be conveyed to the City at or before registration of the condominium.

Phase 2 Development consists of two mixed-use buildings, containing 755 residential units, and the strata park. Site Plan Approval for Phase 2 was issued in March 2024, subject to conditions, including but not limited to the execution of a Parkland Conveyance Agreement. The Strata Park will be 1,712 m² (0.42 acres) and is on the east corner of the site, with Castlemore Avenue to the north and Anderson Avenue to the east. To satisfy the conditions of Site Plan Approval the City is now preparing a Parkland Conveyance Agreement which is to be executed in 2025. The Phase 2 Development Site Plan with the strata park block included is shown in Attachment A.

Developer Build Park

The City's Parks Planning and Development – Terms of Reference (ToR) is a guideline document that sets the standards, deliverables and framework within which parkland will be conveyed to the City. Section 6 of the ToR states that a developer build park is a requirement for the City's acceptance of parkland with dual-use facilities and/or stratified ownership arrangements. As the park block is located above an underground parking garage for residents of the adjacent buildings, there will be stratified ownership and Section 6 of the ToR applies to the development proposal.

For a developer build park the developer will be front ending the costs and taking on the following responsibilities:

-
- Procuring the design services of a qualified Landscape Architect
 - Procuring the engineering, surveying, geotechnical services required to construct the park to City standards;
 - Obtaining any approvals and permits;
 - Preparing tender documents and procurement of construction services supervising the construction of the park; and,
 - Providing contract administration and warranty services in support of final park design and construction.

The scope of work, details, terms and conditions of the developer build park, including financial reimbursement to the Owner, will be included in the future Parkland Conveyance Agreement.

DISCUSSION:

Liberty Phase 2 Development: Strata Park Block

City staff have been working with the Owner to create a Parks Facility Fit Plan for the future park block secured through approval of the Site Plan (SPC 23.1345330) and through the Parkland Conveyance Agreement Application (TEC 24.159835). The park programming will include a combined junior and senior children's playground, shade structure, seating, pathways and planting. The estimated budget for park design and construction is \$744,935 inclusive of HST impact @1.76% and internal charges. Further details are provided under Financial Considerations.

2022 Development Charges Background Study

The subject strata park was planned after the approval of the 2022 Development Charges Background Study and was not included in the 10-year capital forecast identified in the background study. The capital funding allocated for one of the parks identified in the 10-year capital forecast yet to be secured through the development approval process, and anticipated to be delayed beyond the forecasted period, will be reallocated to fund the design and construction of the strata park.

Parkland Conveyance Agreement

Staff have prepared a draft Parkland Conveyance Agreement which includes clauses for a developer-build park. The provisions of the Parkland Conveyance Agreement must be agreed upon by both the City and the Owner. This includes a financial commitment by the City to reimburse the Owner for the design and construction of the strata park upon its completion to the satisfaction of City staff. This commitment by the City requires approval of the costs associated with the design and construction of the proposed strata park within the Capital Budget so that the Agreement can be executed in 2025. The Agreement will outline the terms

and conditions of design and construction of the park including progressive reimbursement of construction costs at substantial performance and at the end of two-year warranty period. The park is anticipated to be completed in 2027 and conveyed to the City prior to registration of the first condominium on Phase 2 lands.

FINANCIAL CONSIDERATIONS

The design and construction costs of the approved strata park block will be funded from Development Charges (Parks Development Reserves) in the amount of \$744,935 inclusive of HST impact @ 1.76% and internal charges. The Zoning By-law Amendment for the application which included the strata park was approved in 2023, however the park development costs were not included in the previously approved 2022 Development Charges Background Study, and will be funded by substituting it for another park anticipated to be delayed to a later year.

A breakdown of the budget request is provided below:

	Proposed Developer Build Strata Park	Costs
A	Consulting Services and Contingency	\$61,947
B	Construction and Contingency	\$610,619
C	Subtotal (A + B)	\$672,566
D	HST Impact @ 1.76%	\$11,837
E	Internal Charges/ Admin. Costs	\$60,531
F	Total Budget (C + D + E)	\$744,935
	Total Budget including HST impact @ 1.76% and Internal Charges	\$744,935

In addition, future financial impact on the Operating Budget and Life Cycle Reserve Study will be brought forth for consideration during the budget process.

HUMAN RESOURCES CONSIDERATIONS

Not applicable.

ALIGNMENT WITH STRATEGIC PRIORITIES:

Development of a new strata park is aligned with Building Markham's Future Together: 2020-2026 Strategic Plan, particularly the goals of an Engaged, Diverse, Thriving and Vibrant City, and for a Safe, Sustainable and Complete Community.

BUSINESS UNITS CONSULTED AND AFFECTED:

Parks Planning, Parks Design and Construction, Parks Operations, Legal Services and Finance have been consulted and will continue to be involved in the administration of the capital funds allocation for the approved strata park at 1297 and 1307 Castlemore Avenue.

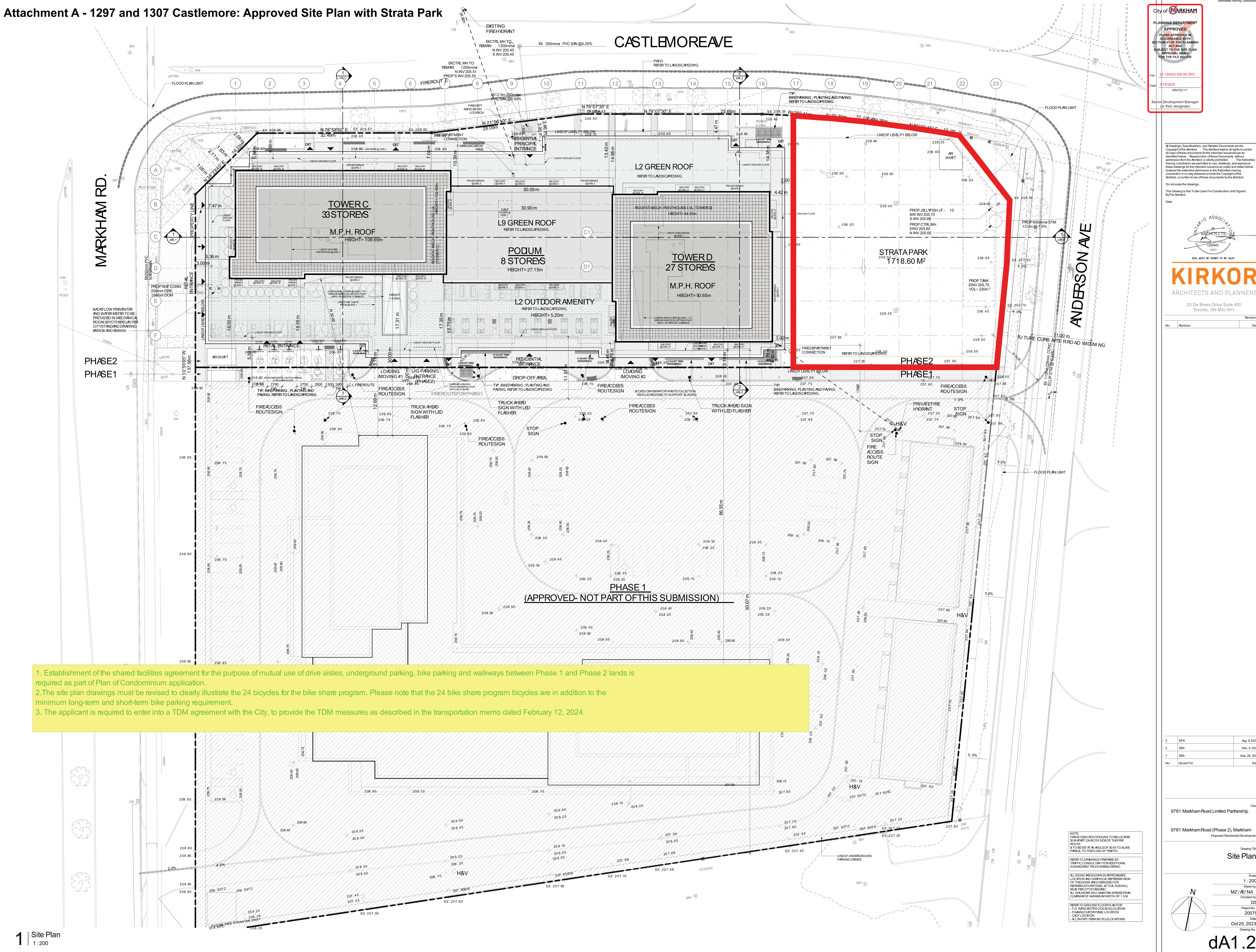
RECOMMENDED BY:

Giulio Cescato
M.C.I.P., R.P.P.
Director of Planning &
Urban Design

Arvin Prasad
M.C.I.P., R.P.P.
Commissioner of
Development Services

ATTACHMENTS:

Attachment A – 1297 and 1307 Castlemore: Approved Site Plan with Strata Park



City of MARKHAM
PLANNING DEPARTMENT
APPROVED
PLANS APPROVED IN
ACCORDANCE WITH
SECTION 41 OF THE PLANNING
ACT AND
SUBJECT TO THE SITE PLAN
APPROVAL MEMO
FOR THE FILE BELOW.
File: 23-134533.000.00-SPC
Date: 3/14/2024
MM/DD/YYYY
Senior Development Manager
(or their designate)

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By The Architect.
Date:

ARCHITECTS AND PLANNERS
KIRKOR
ARCHITECTS AND PLANNERS
20 De Boers Drive Suite 400
Toronto, ON M3J 0H1
Revisions:
No. Revision Date

1. Establishment of the shared facilities agreement for the purpose of mutual use of drive aisles, underground parking, bike parking and walkways between Phase 1 and Phase 2 lands is required as part of Plan of Condominium application.
2. The site plan drawings must be revised to clearly illustrate the 24 bicycles for the bike share program. Please note that the 24 bike share program bicycles are in addition to the minimum long-term and short-term bike parking requirement.
3. The applicant is required to enter into a TDM agreement with the City, to provide the TDM measures as described in the transportation memo dated February 12, 2024.

3 SPA Aug. 9, 2023
2 ZBA Dec. 5, 2022
1 ZBA Sep. 28, 2021
No. Issued For: Date:
9781 Markham Road Limited Partnership Client
9781 Markham Road (Phase 2), Markham
Proposed Residential Development
Drawing Title:
Site Plan
Scale:
1:200
Drawn by:
MZ/NE/NA
Checked by:
DS
Project No.:
20075
Date:
Oct 25, 2023
Drawing No.:
dA1.2

Report to: Development Services Committee

Meeting Date: June 10, 2025

SUBJECT: Comments on the Protect Ontario by Building Faster and Smarter Act, 2025 (Bill 17)

PREPARED BY: Duran Wedderburn, RPP, MCIP, Manager, Policy ext. 2109
Kevin Ross, Manager, Development Finance and Payroll ext. 2126

RECOMMENDATION:

- 1) That the report dated June 10, 2025, titled " Comments on the Protect Ontario by Building Faster and Smarter Act (Bill 17)" be received;
- 2) That this report be forwarded to the Minister of Municipal Affairs and Housing, Minister of Infrastructure, and Minister of Transportation as the City of Markham's comments on Bill 17;

Amendment to the Building Transit Faster Act, 2020

- 3) That the Province establish a formal process for consultation and coordination with municipalities in the development of provincial transit projects and the management of construction activities including traffic management plans;
- 4) That the Province work collaboratively with the City to monitor local impacts, provide regular project updates, and ensure timely notification to affected stakeholders and the public;

Amendments to the Planning Act

- 5) That the Province require formal municipal consultation to demonstrate that local transportation policies and plans are considered and aligned before issuing MZOs or imposing conditions that may adversely impact transportation systems;
- 6) That the Province clarify and provide further guidance on how MZO conditions will be cleared, to whose satisfaction, and provide a specific list of the items that can be conditioned;
- 7) That the Province ensure school sites are not located in areas that are not appropriate for sensitive land uses;

Proposed Regulations – Complete Applications

- 8) That Council not support regulations that would limit the scope, type or number of studies that may be required as part of a complete application and instead provide guidance to municipalities to facilitate consistency across the Province;
- 9) That if the Province proceeds, at a minimum sun/shadow and wind impact studies should be required as a part of Zoning Bylaw Amendment and Site Plan Control Applications;

-
- 10) That the Province partner with Ontario municipalities and practitioners on common practices and criteria for urban design studies to ensure consistency across all jurisdictions;
 - 11) That the Province provide more details on the process and requirements for certifying professionals for which municipalities would be required to accept studies;

Proposed Regulation As-of-right Variations from Setback Requirements

- 12) That Council not support changes to the Planning Act to enable the Minister of Municipal Affairs and Housing to permit variations from the zoning by-law within a prescribed percentage;
- 13) That the Province limit the applicability of the proposed legislation to existing development with reduced zoning setbacks and legal non-conforming uses;

Amendments to Transit Oriented Communities Act

- 14) That Council is generally supportive of the proposed changes where the implementation of Transit Oriented Communities aligns with the local municipal visions or plans are developed in consultation with the municipality to ensure local priorities are protected;

Building Code - Eliminate Secondary Approvals for Innovative Construction Materials

- 15) That Council support all proposed changes to streamline Ministers' rulings process for construction products;
- 16) That Council not support Building Code research efforts geared towards single unit four storey townhouses as these units are not affordable and only generate one dwelling unit. The Province should dedicate Building Code research resources to more affordable housing solutions;

Amendments to Ministry of Infrastructure Act and Metrolinx Act

- 17) That Council support all opportunities for municipal data tracking across the Province, where data collection is automated through open data;

Proposed Changes to the Development Charges Act

- 18) That Council not support the proposed change to exempt long term care homes; if the Province proceeds to institute this change, the City will be amenable if the exemption applies only to non-profit developments;
- 19) That Council not support the payment of development charges at occupancy; if the Province proceeds to institute this change, the City would be amenable if interest is levied to the date of occupancy and security can be obtained for the outstanding amounts;

- 20) That Council support the changes to the application of the development charge rate freeze, where collection is based on the lower of the frozen development charge amount plus interest or, the amount calculated using the prevailing rate;
- 21) That Council support the streamlined process for selected development charge by-law amendments, which eliminates the requirement to prepare a Development Charges Background Study if the amendment is to reduce the development charge rates;

Proposed Development Charge changes through Regulation

- 22) That Council request the City be invited to participate in the discussions on the proposed regulatory changes, inclusive of those related to the determination of eligible capital costs which may focus on the inclusion/exclusion of land, and the methodology for determining benefit to existing;
- 23) That Council support the need for more development and streamlined processes, but not support any changes to the development charge regime that will move growth related costs away from developers and onto existing residents and businesses in any significant way;

Other Proposed Cost Recovery Changes

- 24) That Council request the City be invited to participate in discussions on the utilization of a proposed utility model to construct water and wastewater services;
- 25) That staff be authorized and directed to do all the things necessary to give effect to this resolution.

PURPOSE:

This report provides an overview and proposed comments to the Province on the Protect Ontario by Building Faster and Smarter Act (Bill 17).

EXECUTIVE SUMMARY

On May 12, 2025 the Province released Bill 17 the Protect Ontario by Building Faster and Smarter Act (Bill 17). The Province is undertaking consultation on the omni-bus legislation which impacts several Acts including the Planning Act, Development Charges Act, and Transit Oriented Communities Act. The proposed changes are included in (9) posts on the Environmental Registry of Ontario (ERO) and the Ontario Regulation Registry (ORR) with commenting deadlines of June 11, 12, and 26th.

On June 5, 2025, Bill 17 received Royal Assent. It is unclear as to whether the comments invited by the Province were considered as the ERO and ORR commenting period has not concluded. Despite the status of the legislation, staff are of the opinion that the Council should still take a formal position on these important matters and the City's comments may inform future implementation processes such as regulations, consultation, or guidance documents that may be advanced by the Province.

Overall, staff have concerns about provisions in the legislation that will override the decision-making authority of the municipality that have been established through official Plans, Secondary Plans, and Zoning By-laws and the ability to request studies to support an informed decision-making process. Further, proposed changes that will shift the cost of development from developers and new growth in the municipality to the existing tax base is of significant concern.

BACKGROUND:

On May 12, 2025, the Province released the Protect Ontario by Building Faster and Smarter Act (Bill 17).

According to the Province, the intent of the Bill is to help speed up the construction of new homes and infrastructure by streamlining development processes and reducing costs in close partnership with municipalities. In addition to Bill 17, the Province is increasing investment in housing enabling legislation by adding \$400 million in immediate funding to the Housing Enabling Water System Fund (HEWSF) and Municipal Housing Infrastructure Fund (MHIP) for a total of nearly \$2.3 Billion over four years across both programs.

The Province is undertaking consultation on Bill 17 and other measures and has posted 5 items on the Environmental Registry of Ontario (ERO) and 4 items on the Ontario Regulatory Registry (ORR) with commenting deadlines of June 11, June 12, and June 26, respectively. The Bill proposed changes to several Acts, including:

- The Planning Act, R.S.O 1990;
- The Development Charges Act, 1997;
- The Building Code Act, 1992
- The Building Transit Faster Act, 2020
- Transit Oriented Communities Act, 2020
- Ministry of Infrastructure Act, 2020
- Metrolinx Act, 2026;
- City of Toronto Act, 2006

For an overview of the proposed changes, the [Protect Ontario by Building Faster and Smarter Act, 2025 – Technical Briefing](#) may be reviewed by way of this link.

It should be noted that not all of the proposals in the Technical Briefing have been released for review and comment. It is anticipated that additional consultation will be undertaken in the Fall.

On June 5, 2025, Bill 17, Protect Ontario by Building Faster and Smarter Act, 2025 received Royal Assent. The Bill was approved as proposed without any amendments. Despite the status of the Bill, staff are of the opinion that the comments prepared establish a position on these important matters and further, the comments may be used to inform future implementation matters, such as regulations, consultation, or guidelines.

OPTIONS/ DISCUSSION:

The discussion on the proposed changes introduced through Bill 17 is organized based on the impact to specific acts or proposals. Detailed staff comments on the proposed changes are provided in Appendix A.

Bill 17 – Technical Briefing and Related Initiatives

The Technical Briefing outlines measures being considered by the government that reflect a future state. Not all proposals or concepts are available for formal review and consultation and some items have been issued as final decisions.

Planning Items for Consideration

- Exemption on a case-by-case basis from the requirements that a decision under the Planning Act be consistent with provincial policy statements
- Simplified, standardized and inclusive land use designations with more permitted uses
- Targeted outreach to municipalities where additional population growth is projected to surpass current official plan estimates
- (Final Decision) Implementation of new Inclusionary Zoning requirements in Ontario Regulation 232/18 under the Planning Act to establish a maximum 25-year period for inclusionary zoning units and a 5% cap on the set aside rate.

Transportation Items for Consideration

- Accelerating transit and provincial infrastructure development
- Consult with municipalities and stakeholders on a framework that will standardize road building specifications and design across the Province by Fall 2025
- Review MTOs corridor management permitting process, modernize the approvals process and accelerate the review and issuance of highway corridor management permits by end of July 2025

Building Code

- Clarify that municipalities do not have the authority to require their own unique standards beyond the Building Code
- Consulting on more flexible design/construction options for single-unit four storey townhouses

Proposed changes to the Building Transit Faster Act

Proposed changes in legislation would expand the definition and powers associated with priority transit projects to provincial transit projects. The expanded definition would now include any transit project that Metrolinx has authority over.

The proposal would result in Metrolinx having the ability to override City authority on municipal road permits and right-of-way use for provincial transit projects. This could disrupt local traffic, limit the City's input on safety and detour plans, and impact ongoing municipal capital projects.

Staff recommend that the Province establish a formal process for consultation and coordination with municipalities in the development of any traffic management plan to help minimize local traffic impacts from the priority transit project construction.

It is further recommended that Metrolinx work collaboratively with the City to monitor local impacts, provide regular project updates, and ensure timely notification to affected stakeholders and the public.

Metrolinx should also be responsible in responding to public inquiries and complaints, and to proactively address any transportation-related issues that may arise during construction activities

Proposed changes to the Planning Act

The Province is seeking feedback on potential legislative and regulatory changes to the Planning Act and City of Toronto Act, 2006, including proposed changes to Minister's Zoning Orders and planning approvals for schools.

The purpose of these changes is to help make it easier and faster to build new homes and infrastructure like transit, roads, and water and wastewater systems, by increasing certainty throughout the development approvals process, streamline processes further to help reduce barriers, and reduce development costs.

Staff are generally supportive of removing restrictions from the establishment of school sites to ensure schools can be built faster to support community needs. However, appropriate measures need to be in place to ensure sensitive uses such as schools are not located in areas with conflicting uses that could be a risk to public health and safety such as environmentally sensitive areas or adjacent to heavy industries.

Staff are concerned that expanding Minister's authority through MZO's may bypass or override municipal Official Plans, Transportation Master Plans, and related policies, reducing opportunities for municipal review and integration of municipal policies and objectives that support a vision established by Council.

Staff recommend that the Province require formal municipal consultation and demonstrate that municipal official plans and local transportation policies and plans are considered and aligned before issuing MZO's or imposing conditions that may adversely impact the land use vision for an area or the transportation system.

Staff recommend the Province provide clarification on determining how conditions are cleared, to whose satisfaction and what items on the list can and cannot be conditioned.

Proposed regulations – Complete Applications

Bill 17 proposes to amend the Planning Act and the City of Toronto Act, 2006 to limit complete application requirements to what is currently identified in municipal official plans, except where the Ministry of Municipal Affairs and Housing approves the changes.

The proposed amendment would also result in the Minister of Municipal Affairs and Housing further regulating the reports or studies required as part of a complete application by prescribing a list of subject matters for which studies cannot be required as part of a complete application and specifying certified professionals from whom municipalities would be required to accept studies. Staff need more information to understand the requirements and criteria that would inform the identification of certified professionals, and which information and materials must be accepted.

Municipalities rely on a wide range of studies to assess the impact of planning and development proposals on the community including the natural, social and built environments impacted by a proposal. A complete application should include the full range of technical studies necessary to allow planners and council to make evidence-informed decisions to ensure that proposed developments conform to provincial and municipal policy requirements (e.g., traffic, environmental, stormwater, heritage).

Municipalities vary widely in geography, population growth, infrastructure, and environmental sensitivity. Prescriptive regulations that would limit information and material that may be required in a complete application risks excluding studies needed in large and fast growing municipalities that have unique planning requirements or if prescribed narrowly may result in disputes and delays regarding interpretation, if study lists and terminology in a provincial regulation are not aligned to study lists and terminology currently set out in local official plans.

While staff recognize that the government is looking to create more consistent and predictable requirements across municipalities. Staff have concerns that the removal of studies would impact public safety and the ability of the city to mitigate negative impacts, including but not limited to:

- Sun/Shadow Studies
- Wind Studies
- Urban Design
- Lighting

As many parts of the GTA continue to urbanize with more compact forms of development, there is a need to maintain and manage public spaces and the pedestrian realm. Studies such as Sun/Shadow, Wind, and Lighting to ensure public spaces are comfortable and user friendly. Sun/shadow and wind are common areas of concern and interest for the public when they come out to public meetings.

In Markham, there have been two recent examples at Yonge/Grandview-Barney Danson Park where studies showed an undesirable condition for public spaces which resulted in mitigation measures being implemented to preserve public spaces.

The tools identified have been widely adapted by the City and other municipalities in response to addressing previously fragmented and overly iterative reviews related to sun and shadow analysis, wind and lighting. Omitting these from the complete application process would reverse the utility of these planning tools, which are highly useful for complex development applications.

The Province should consider alternatives to a regulatory approach and instead consider developing detailed guidance for municipalities that affords some flexibility and tailoring and avoid a prescriptive one-size-fits-all approach.

Proposed regulations As-of-Right Variations from Setback Requirements

Schedule 7 of Bill 17 proposes to amend the Planning Act to provide regulation-making authority to reduce planning applications for minor variances. If passed, Bill 17 would

enable the Minister of Municipal Affairs and Housing, by regulation, to permit variation to a zoning by-law to be “as of right” if a proposal is within a prescribed percentage of the required setback (the minimum distance a building or structure must be from a property line) on specified lands. Specified lands would include parcels of urban residential lands outside of the Greenbelt Area, and exclude areas such as hazardous lands, and lands near shorelines and railways.

Staff have concerns about the following matters:

- Minimum standards for life safety such as fire or emergency access
- Applicability to properties that already have reduced standards
- Applicability to legal and non-conforming uses
- Parking supply in low density residential developments

Staff do not support the proposed as-of-right variance permissions proposed in Bill 17. In 2024, Markham Council enacted a new Comprehensive Zoning By-law that was the culmination of a 10-year, cross commission, City-initiated project that reviewed and evaluated zoning criteria which resulted in new zoning provisions that reflect current development constraints and emerging trends within the building industry. To ease development pressure as expressed by the Province, Markham established new setback criteria at minimum acceptable levels to facilitate functional development while ensuring that new development respects and reflects the existing pattern and character of adjacent developments.

Further, the proposal to grant as of right variations for setbacks downloads the minor variance process to zoning examiners within the Building Standards Department. The role of examiners will be expanded to make discretionary decisions on an application-by-application basis which will result in additional time for review or the need for additional resources. This decision may also have further impacts on By-law enforcement as they will be required to address potential variations in the field.

Proposed changes to the Transit-Oriented Communities Act

The Ministry of Infrastructure is proposing to amend the Transit-oriented Communities Act, 2020 with the intent of streamlining the planning and delivery of the Transit Oriented Communities (TOC) program and delegating certain powers under the TOC Act to other prescribed bodies. As per the Province, the TOC program aims to build vibrant, mixed-use communities that will bring more housing (including affordable housing options), jobs, retail, public amenities and entertainment within a short distance of transit stations.

The proposed amendments would expand the TOC definition under the Act to include provincial transit projects along the GO and LRT networks, and exempt transit-oriented community agreements with municipalities and building partners requiring an Order in Council approval when certain other approvals are already in place. Entities with delegated powers would also be able to enter into an agreement registered on title with any owner of land to support the TOC project.

In the Markham context, this would mean the potential for Transit Oriented Communities along the Stouffville GO line in areas such as Markham Centre and Milliken Centre, in addition to the Yonge North Subway Extension which was previously identified as a priority transit project under the in-effect Transit Oriented Communities Act.

Staff are generally supportive of the proposed change to support the advancement of transit oriented mixed-use communities on transit station area lands. However, Transit Oriented Communities (TOC) must align with the vision of local municipalities for Strategic Growth Areas and Protected Major Transit Station Areas. In many cases, municipalities have undertaken planning studies, secondary plans, and technical studies in consultation with the public and stakeholders to establish a vision to guide future growth, development, and appropriate services and amenities in these areas.

Staff generally support the proposed changes where the implementation of Transit Oriented Communities align with the local municipalities visions or plans are developed in consultation with the municipality to ensure local priorities are protected.

Building Code - Eliminate Secondary Approvals for Innovative Construction Materials

The Canadian Construction Materials Centre (CCMC) is a national body that assesses and tests products for compliance with the National Construction Codes. Currently, Ontario requires secondary approval (i.e., Minister's Ruling) for innovative construction products that have already been evaluated by the CCMC before they can be used in Ontario.

Through legislative changes to the Building Code Act and later corresponding regulatory changes to the Ontario Building Code, the proposed amendments would remove the requirement for this Minister's Ruling, including fees associated with the applications. If passed, the legislative changes are proposed to come into effect on July 1, 2025.

Additional matters:

- Clarifying that municipalities do not have the authority to require their own unique standards beyond the Building Code;

- Amending the 2024 Building Code, through Minister's regulation, to eliminate application fees for Canadian manufacturers, and exploring opportunities to prioritize Canadian manufacturers;
- Standardizing municipal data tracking for land use planning, building code and permit applications, and leveraging technology to better automate planning and permitting processes, and publishing municipal planning data on an Ontario government webpage; and
- Consulting on whether amendments to the Ontario Building and Fire Codes to provide more flexible design and construction options for single-unit four storey townhouses could improve their economic viability, coupled with a focused package of compensating measures for fire and life safety requirements.

Proposed changes to Ministry of Infrastructure Act and Metrolinx Act

The proposed amendment to the Acts would provide the Minister of Transportation and Metrolinx with the authority to direct municipalities and/or a municipal agency to provide information or data to support the development of provincial transit projects or Transit-Oriented Communities projects.

The delivery of major transit projects requires relying on the exchange of information and data to ensure transit project planning and delivery is successful. If approved, the proposed amendment would contribute to accelerating timelines associated with information and data for transit project delivery.

Staff are supportive of information and data sharing where the process can be automated through open data. Frequent and uncoordinated data requests are not efficient and require time and resources for municipalities to complete.

Proposed changes to the Development Charge Act

While the Bill proposes amendments to several Provincial statutes, the Minister of Municipal Affairs and Housing has indicated that changes to the *Development Charges Act, 1997* are the main focus at this time. The stated objectives of the Bill are to (1) simplify and standardize development charges, and (2) reduce development charges as part of a broader effort to lower the cost of housing construction.

The proposed changes to the development charge legislation can be grouped into two categories:

- a) Those that will take effect immediately upon Royal Assent; and

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- b) Those that will take effect through Regulations, some of which are enabled by the proposed new legislative authority.

Comments on selected changes are to be submitted to the Province by June 11, 2025 and these are included in the attached Appendices. Below are summary highlights of the proposed changes.

Changes that take Effect Upon Royal Assent

- 1) *Exemption for Long Term Care Homes*
 - a. This will reduce DC revenue but may not be material when assessed within the broader scope of the other changes/potential changes to the legislation.
- 2) *Streamlined Process for Selected DC By-Law Amendments*
 - a. A DC Background Study will no longer be required to amend a by-law if the change is meant to reduce the DCs, e.g. eliminate or reduce indexing.
- 3) *Changes to the Application of the DC Freeze*
 - a. Amount due will be the lower of the frozen DC amount plus interest or, the amount calculated using the current rate in effect.
- 4) *Residential DC Payments due at Occupancy*
 - a. DCs will be payable at occupancy rather than at building permit issuance but developers can opt to pay earlier (possibly at building permit issuance).

Of the four changes noted above, number four (4) will have the biggest impact on the City financially and operationally. It is also an area in the proposed legislation where there is uncertainty regarding what the legislation instructs, versus its intent, as it relates to the levying of interest between building permit issuance and occupancy – this may be clarified before the Bill receives Royal Assent. If the legislation remains as written, interest can be charged up to occupancy, and this will lessen the financial impact to the City even though there are cashflow implications related to collecting at occupancy. If interest cannot be collected to occupancy, this will have a more severe impact on the City's cashflow and ability to have funds available for infrastructure installation.

Changes to Take Effect Through Regulation

- 1) *Merging of Service Categories for DC Credits*
 - a. Consideration to allow credits to be applied across multiple service categories.
- 2) *Limitation on Eligible Capital Costs*
 - a. Potential restriction on the type of capital costs that can be recovered through DCs. The focus has been on the inclusion of land costs, but this proposed amendment expands to all capital costs.
- 3) *Definition of a Local Service*
 - a. Services within a development not recoverable through DCs are to be defined.
- 4) *Methodology for Determining Benefit to Existing (BTE)*

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- a. Development of criteria to determine the extent to which new infrastructure benefits the existing population, through consultations with municipalities and the development industry.
 - 5) *Standardize DC Background Studies and Annual Reports*
 - a. Expand requirement to spend or allocate 60% of reserve funds annually, to all services and broaden reporting requirements for the annual Treasurers DC Statements.

Other Proposed Change

- 1) *Exploring Utility Model for Water and Wastewater Infrastructure*
 - o Province is exploring the use of a public utility model for water/wastewater for infrastructure expansion which could include a municipal services corporation board, with access to financing opportunities.

There are proposed changes to take effect through regulation that could have a larger impact on the current DC regime, namely, limiting eligible capital cost (e.g. land) and prescribing a BTE methodology. These changes have the potential to limit the City's ability to adequately recover costs related to growth, leading to a transfer of these costs to the existing tax base or other funding sources – this impacts the tenet of growth paying for growth. Reductions in DC eligible capital costs, will limit the City's ability to fund capital projects and could lead to a slowdown in infrastructure construction, which in itself limits growth. The risks associated with these potential changes will be assessed once more information is available.

The Province has indicated its intent to explore a utility model for water and wastewater infrastructure, and this could mean moving water and wastewater infrastructure from development charges to the rate payers. While this might make it cheaper to build new housing by lowering development charges, it will lead to higher water rates for existing residents and businesses.

The City would like to participate in any working group formed to discuss (1) the proposed utility model to construct water and wastewater services, (2) the BTE model and (3) the determination of eligible capital costs, which may focus on the inclusion of land.

Comments on seven selected changes to the Development Charges Act are to be submitted to the Province by June 11, 2025 and these are included in the attached Appendices. The areas for feedback are:

- 1) Merging of Service Categories for DC Credits
- 2) Definition of a Local Service
- 3) Residential DC Payments due at Occupancy
- 4) Streamlined Process for Selected DC By-Law Amendments
- 5) Limitation on Eligible Capital Costs
- 6) Changes to the Application of the DC Freeze

7) Exemption for Long Term care Homes

The areas excluded for comments include the methodology for determining BTE (which will be the subject of future consultations) and the standardization of DC Background Studies and Annual Reports which are considered administrative with no impact on the DC recoveries.

Staff are scheduled to carry a report on DC (deferral) options to committee on June 17, 2025. In light of these proposed changes and the clarity required particularly around the application of interest paid at occupancy, this report will be tabled later in the summer.

FINANCIAL CONSIDERATIONS

Changes resulting from Bill 17 have potentially significant financial implications to the City, particularly those related to Development Charges (DCs). Under the framework currently in place (i.e., with impacts from Bill 23), the City is already facing a revenue pressure amounting to approximately \$80 million in potential DCs and parkland cash-in-lieu it is not able to collect. Bill 17 has the potential to further limit the City's ability to recover growth-related costs. Changes to the timing of DC payments also has an impact on the City's cash flow, potentially affecting the timing of infrastructure delivery or possibly requiring the City to borrow funds to support capital projects. In the absence of another revenue source and unless growth-related expenditures are reduced, these costs will be shifted to the tax base and potentially result in higher tax rate increases. Staff will continue to monitor the impact of these changes and incorporate them, as required, into budget processes going forward.

HUMAN RESOURCES CONSIDERATIONS

There are no human resource impacts associated with the recommendations in this report

ALIGNMENT WITH STRATEGIC PRIORITIES:

Bill 17 does not align with Goal 3.2 of Building Markham's Future Together, 2020-2023 (BMFT): "Build complete communities that offer a range of housing and employment opportunities, transportation options and outstanding community amenities". While the Bill will support a desire to increase housing supply by streamlining development approvals, it proposes to remove the ability of municipalities to require studies necessary studies that inform good planning and further erodes municipal decision making on planning for complete communities. Further, the Bill may limit the ability of the municipality to enact the principle of growth pays for growth.

BUSINESS UNITS CONSULTED AND AFFECTED:

All impacted city departments have been consulted on this staff report

RECOMMENDED BY:

Giulio Cescato, MCIP, RPP
Director, Planning & Urban Design

Arvin Prasad, MCIP, RPP
Commissioner, Development Services

Report to: Development Services Committee

Meeting Date: June 10, 2025

Page 15

Joseph Silva
Treasurer

Trinela Cane
Commissioner, Corporate Services

ATTACHMENTS:

Appendix A - Detailed Comment on Bill 17

APPENDIX A Detailed Comments on Bill 17 (Protect Ontario by Building Faster and Smarter Act, 2025) and Non-Regulatory Proposals from Technical Briefing		
ERO # 025-0450: Amendment to the Building Transit Faster Act, 2020		
Item #	Proposal/Provision of ERO	Staff Comments
1	Provincial override of municipal road permits and right-of-way access for "Prioirty Transit Projects"	Bill 17 would allow Metrolinx to override City authority over municipapl road permits and right-of-way use for priority transit projects. This could distrupt local traffic, limit City's input on safety and detour plans, and impact ongoing municipal capital projects.
2		Staff recommend that the Province establish a formal process for consultation and coordination with municipalities in the development of any traffic management plan to help minimize local traffic impacts from the priority transit project construction. It is further recommended that Metrolinx work collaboratively with the City to monitor local impacts, provide regular project updates, and ensure timely notification to affected stakeholders and the public. Metrolinx should also be responsible in responding to public inquiries and complaints, and to proactively address any transportation-related issues that may arise during construction activities.
ERO # 025-0461: Proposed Planning Act and City of Toronto Act, 2006 Changes (Schedules 3 and 7 of Bill 17)		
Item #	Proposal/Provision of ERO	Staff Comments
3	Allow the Minister to impose conditions that must be met before a use permitted by a MZO comes into effect.	It is unclear the scope of conditions that can be imposed on the municipalities and/or proponents, and whether such conditions should be better defined.
4		Expanding Minister's authority through MZOs may bypass or override municipal Official Plan, Transportation Master Plan, and related policies, reducing opportunities for municipal review and integration of transportation policy objectives.
5		Staff recommend that the Province require formal municipal consultation and demonstrate that local transportation policies and plans are considered and aligned, before issuing MZOs or imposing conditions that may adversely impact local transportation systems.
6		Clarification needed to determine how conditions are cleared and to whose satisfaction. Additionally, a specific list on what can and cannot be conditioned.
7		While the ability to attach conditions to MZOs is an improvement, the continued broad power of the Minister to issue MZOs can still override local planning processes and community wishes, leading to development that may not align with a municipality's long-term vision.
8	Provide "as-of-right" permission for K to 12 public schools and ancillary uses on land zoned for residential uses	Staff could be supportive of this change, but only if the province ensures that school sites are not located in areas inappropriate for sensitive land uses.
ERO # 025-0462: Proposed Regulations – Complete Application		
Item #	Proposal/Provision of ERO	Staff Comments
9	Municipalities can require various studies and reports, leading to delays and complications in the application process. The government is looking to create more consistent and predictable requirements across municipalities.	Based on the province's observations related to "inconstency, number of studies, delays, etc", recommend that MMAH partner with Ontario municipalities to engage on common practices, criteria and aligned approaches that can be consistently applied across all jurisdictions respecting the range of required urban design studies and requested information. The products of such engagement would assist in the province's delivery of complete communities, growth centres and intensification areas and matters of provincial interest respecting the design of development along with providing certainty to the development industry around consistent municipally aligned submission requirements for complete applications. Recommend that MMAH engage with the Municipal Designers' Roundtable (Ontario) as a useful forum for consultation. Also, Staff could require these studies, including the urban design brief as a section in the Planning Justification Report/Brief, and amend the Terms of Reference for the Planning Justification Report.
10		Given that for many municipalities there are several complete application requirements which are not currently identified in their official plans, what transition regulations will be put in place to ensure that existing/ongoing development applications which were submitted and are being reviewed based on municipalities' current requirements are not unduly delayed or otherwise negatively affected by these proposed amendments?
11		Clarity is recommended around what criteria might the Minister apply for approval of updated official plans and their complete application requirements, since many municipalities are in the process of updating their official plans (or intend to begin in the near future), and this could potentially create uncertainty and delay for future development applications.
12		While the bill claims a neutral environmental impact, environmental groups and some municipal planners argue that removing certain studies could lead to negative outcomes (e.g., increased energy consumption, inadequate stormwater management, loss of tree canopy) that municipalities will ultimately have to manage. A development may happen to be in an area where there may recommendations based on existing studies such MESP, Secondary Plan, Sub-watershed studies, SWM strategy to protect the public from the negative impacts. The Bill may overlook the recommendation of the studies which may not be favorable for public safety. Municipalities will lose the ability to require certain studies that are crucial for ensuring high-quality, context-sensitive development and mitigating negative impacts on the environment and existing communities.
13	Enabling the Minister, by regulation, to prescribe a list of subject matters for which studies cannot be required as part of a complete application, and identify the only studies that could be required as part of a complete application for an official plan amendment, zoning by-law amendment, site plan control, plan of subdivision or consent. Specifically, it is proposed that the following topics could not be required as part of a complete planning application: - Sun/Shadow - Wind - Urban Design - Lighting	Sun/Shadow - important to study impacts towards public spaces esp parks in light of seasonal/ climate change and solar access. As the language is "could not be required", does that mean we could continue to ask for the study, but it just won't be subject to the complete application process and typical review timelines?
14		Precluding shadow studies weakens evidence-based decision making on how built form should respond to shadowing issues during the application stages and when before the Ontario Land Tribunal, challenges planning decisions that would otherwise uphold and protect the viability of intensification areas, downtowns, special character communities and districts, including the protection of heritage properties and conservation districts as a matter of provincial interest. Loss of critical assessment tool for staff to implement Council's policy direction in protecting fundamental access to light for the benefit of the public including province's objective of creating complete communities, growth centres/downtowns and intensification areas where shadowing impacts must carefully looked at. Will undermine good planning and the City's strategic objectives for building a safe, healthy, resilient and inclusive City.
15		Precluding shadow studies removes the City's ability to assess the potential shadow impacts created by new developments on the public realm, including streetscapes, public parks and open space, community gardens and greenhouses, schoolyards and adjacent communities. The inability to adequately manage shadows on streets and open spaces when measured aggregately will likely have potential implications on safety, AODA concerns and even crime prevention in the public realm. Will impact the importance and utility of the public realm and its capacity to perform economically, socially and from a walkability perspective, particularly if streetscapes are in full shadow, creating uncomfortable conditions for people, businesses and other uses at grade that thrive on access to light (i.e. retail uses, cafes and patios, urban format schools, day-care amenities) in emerging urban contexts.
16		Precluding information and material related to lighting in respect of proposed development would challenge other forms of provincial and federal legislation governing bird strikes on buildings, and negate the City's ability to apply its Bird Friendly Design Guidelines. Without lighting information or the ability to provide general guidance on outdoor illumination considerations, planners and designers are unable to weigh in on matters attributed to comfort and safety, AODA considerations, wayfinding, light pollution/over-design and nighttime usability of public spaces.
17		Require lighting study submitted for information only at site plan stage, for the purpose of overall lighting strategies and bird friendly and sustainability metrics requirements.
18		Wind - wind impacts on the pedestrian realm and comfort is a real and major issue that can impact life safety, especially during the winter months. There is a direct correlation between the height of towers and wind impacts, which should be studied at the the ZBA stage.
19		Sun/shadow and wind are common areas of concerns and interest for public when they come out to public meetings. If we can't require these studies and we won't get them during the application process, we cannot inform the public and could face even more public pushback. If we learned anything from the COVID-19 pandemic, it is the need to deliver spaces that are accessible, particularly in intensified areas. There are 2 real examples whereby wind studies were not reviewed prior to land use approvals for 2 high rise developments along the Yonge Street Corridor which have resulted in undersireable peestrian level wind impacts-the park at the Devron high rise at Yonge/Grandview (Barney Danson Park) required the installationof a glass barrier to attempt to mitigate undesirable wind currents to make it a useable park.
20		At a minimum, sun/shadow and wind impact studies should be required for ZBA and SPC applications. Could consider not including it for OPA/Sub division/ Consent applications. Staff could require these studies, including the urban design brief as a section in the Planning Justification Report/Brief, and amend the Terms of Reference for the Planning Justification Report.
21		The tools identified have been widely adapted by the City and other municipalities in response to addressing previously fragmented and overly iterative reviews related to sun and shadow analysis, wind and lighting. Omitting these from the complete application process would reverse the utility of these planning tools, which are highly useful for complex development applications.
22		What is the rationale behind enabling the Minister to both prescribe a list of studies which cannot be required and identify a 'fixed' list of required studies, since either authority would arguably achieve the same goal of limiting the number of complete application requirements? There is a risk that separate regulatory lists create potential conflicts between them, which could lead to confusing and arbitrary decisions being made by municipalities and development applicants in their efforts to adhere to both lists. If the Province's aim is to achieve more consistency in complete application requirements across municipalities, a single list of permitted studies and reports would be more likely to support this goal.
23	One potential risk of enabling the Minister to regulate such requirements would be when the Minister decides to change the prescribed list(s), since depending on the frequency and volume of any changes this could also lead to then-current development applications being delayed or otherwise negatively affected, unless there are clear ministerial directives and guidelines in place to help ensure clarity and support around how potential new prescribed lists would come into effect.	
24	Without the full suite of planning tools and studies, municipalities may find it harder to adequately assess and mitigate the impacts of new development on existing infrastructure (roads, transit, water, sewers), community services (parks, recreation facilities), and the natural environment. If critical urban design and environmental considerations are not addressed through local planning, there may be a risk of creating less attractive, less functional, and less resilient communities over the long term.	
25		Recommend to require Sun/Shadow and Wind studies at Zoning stage and to assess refinement of proposal at the Site Plan stage.
26		Recommend to require lighting study submitted for information only at site plan stage, for the purpose of overall lighting strategies and bird friendly and sustainability metrics requirements.
27		Recommend to maintain Urban Design studies as part of complete application stage (i.e. OPA/ZBA and Site Plan).

28	What topics or studies should be identified as being permitted to be required by municipalities as part of a complete application?	Municipalities rely on a wide range of studies to assess the impact of planning and development proposals on the community including the natural, social and built environments impacted by a proposal. A complete application should include the full range of technical studies necessary to allow planners and council to make evidence-informed decisions to ensure that proposed developments conform to provincial and municipal policy requirements (e.g., traffic, environmental, stormwater, heritage). Municipalities vary widely in geography, population growth, infrastructure, and environmental sensitivity. Prescriptive regulations that would limit information and material that may be required in a complete application risks excluding studies needed in large and fast growing municipalities that have unique planning requirements or if prescribed narrowly may result in disputes and delays regarding interpretation if study lists and terminology in a provincial regulation are not aligned to study lists and terminology currently set out in local official plans. The province should consider alternatives to a regulatory approach and instead consider developing detailed guidance for municipalities that affords some flexibility and tailoring and avoid a prescriptive one-size-fits-all approach.
29		Should the province proceed with regulations prescribing topics or studies that may be required by municipalities as part of a complete application the full list of complete application requirements as currently set out in the City of Markham Official Plan should be provided and considered by the province to ensure the enabling requirements under the Planning Act do not exclude study requirements the City of Markham currently relies on to make evidence informed planning decisions.
30		Staff recommend the province not proceed with regulations that would list or limit the scope, type or number of studies that may be required as part of a complete application and instead provide guidance to municipalities to facilitate consistency across the province.
31		While the Province's intent of achieving faster and more standardized development application processes is clear with these proposed amendments, the rationale is unclear for choosing the four topics proposed to be disallowed over other potential choices, besides perhaps the fact that these four are among the most common types of studies/reports required by municipalities. Given that by the Province's own admission "[c]omplete application requirements ensure the information needed to assess planning applications is included with the application to enable municipalities to make timely decisions", it seems plausible to suggest these four are among the most common topics required precisely because they help enable municipalities make more timely and properly assessed planning applications.
32		By limiting discretionary/required studies, the province might increase the number of appeals to the Ontario Land Tribunal (OLT) and associated legal costs for municipalities because the public perception is more towards sustainable development and doing the due diligence by undertaking the required studies to avoid any impact on the environment.
33		Providing an answer to what topics/studies should be permissible as requirements presents several questions: without further guidance and in light of the Province's intent, how many and what kind of studies would the Province be most amenable to allowing? If the aggregated comments suggest the four topics proposed for removal are among the most popular answers for retention, would the Province be open to changing it's proposal? It seems almost guaranteed that any finalized list of studies will disproportionately affect and cause transitional delays for some municipalities more than others - not only because certain municipalities have more extensive requirements, but also given that municipalities' required studies are partly reflective of the varied range, scale and needs of their communities, development priorities, geography, ecosystems and so on.
34	Enabling the Minister, by regulation, to specify certified professionals from whom municipalities would be required to accept studies	Clarification is sought for this proposal before Staff can adequately comment or recommend whether to support or not. Among other issues identified for further clarification and consultation: how the Province is defining 'certified professional'; whether certain kinds of studies would have to be accepted from corresponding certified professionals, or vice versa; how much authority would municipalities retain over specifications that submitted studies will have to meet to be considered acceptable; what kind of legislative/regulatory changes to statutory liability are being contemplated, in regards to accepted studies which may need to be revised later on, and/or lead to developments which cause harm or other material problems after being approved.
ERO # 025-0463: Proposed Regulation – As-of-right Variations from Setback Requirements		
Item #	Proposal/Provision of ERO	Staff Comments
35		Proposal to grant as of right variations for setbacks downloads the minor variance process to the zoning examiners within building standards. Many items includes in the consolidated zoning by-law already downloaded a significant increased in workload to the zoning examiners and has doubled the average time required to complete a zoning review. Further downloading of responsibilities cannot be accommodated and will impact the delivery of zoning services, since current job duties of the zoning examiner do not include this discretionary decision making on a per application basis. Job evaluation will be required, and by-law enforcement would have to be consulted on their ability to enforce these variations in the field.
36		Recommendation that Staff could only support these changes if the appropriate resources were put in place to accommodate by-law enforcement's ability to properly and consistently assess the proposed as-of-right variations in the field, otherwise these changes would not be supported.
37		If we have any zoning standards that are minimums for reasons relating to safety such as Fire prevention or Fire fighting matters, staff would need a mechanism to confirm that any variation within 10 % of the zoning by-law is appropriate, but must meet those minimum standards.
38		Staff see an issue for developments that have already received their zoning permissions to reduce the standard required setbacks. Once this policy comes into play, does that mean that all the approved site-specific permissions for setbacks get an addition 10% percent reduction from the site-specific requirements? Need clarifications.
39		Recommendation for clarification that this policy would not apply to sites that already have site-specific approvals.
40		Current examples of residential infill projects are in many cases well beyond a 10% threshold indicated by the Province, and would do little in reducing the number of variance applications for infill applications, which make up a majority of the CoA applications heard in Markham. Variations to setback requirements could also impact requirements related to life-safety (i.e fire or emergency access) and Engineering (swales between houses). Any as-of-right variations would need to be evaluated for compliance with City Standards.
41	Enabling the Minister, by regulation, to permit variation to a zoning by-law to be “as of right” if a proposal is within a prescribed percentage of the required setback (the minimum distance a building or structure must be from a property line) on specified lands.	Would as-of-right variations extent to permissions under 45.2 of the Act related to legal non-conforming? i.e. If a variance was granted under 1226 and the house constructed would it apply that they could get a 10% expansion to the legal non-conforming setback under 2024-19?
42		Staff do not support the proposed as-of-right variance permissions proposed in Bill 17. In 2024, Markham Council enacted a new Comprehensive Zoning By-law that was the culmination of a 10-year, cross commission, City-initiated project that reviewed and evaluated zoning criteria which resulted in new zoning provisions that reflected current development constraints and emerging trends within the building industry. To ease development pressure as expressed by the province, Markham established new setback criteria at minimum acceptable levels to facilitate functional development while ensuring that new development respected and reflected the existing pattern and character of adjacent developments. Staff's concern is that in applying “as-of-right” variances in these instances, the long-term functionality of these developments may be compromised and negatively impact neighbouring lands.
43		Establishing a prescribed percentage for variance, as suggested in the proposed, presents challenges in the context of municipal planning, and it does not account for the complexity of urban planning or the diverse factors that influence the appropriateness of a variance. Automatic reductions in certain kinds of setbacks may have a negative long-term impact on developments. The use of zoning, including setbacks from features, to trigger a minor variance is seen as a less costly and more efficient way of securing necessary studies to satisfy provincial policy. In some instances, the application of zoning provisions that results in a required Minor Variance, are directly related to satisfying requirements of provincial policy. A specific example is that development in certain areas of the Oak Ridges Moraine is restricted and requires environmental assessments prior to the development being permitted.
44		A precursory review of the City's variance applications also suggests that few if any developments will benefit from these amendments, as most applications include variances to additional development standards not addressed through this bill. Each variance application is assessed independently, considering the specific characteristics of the lands in question, available infrastructure, and the surrounding land uses. Staff also noted through consultation with the City's infill builders that no matter what zoning standard is set, as long as the variance process exists, some applicants or owners will pursue a variance to get the maximum size building possible. By allowing as of right variances, the province will be moving the metric from which some variances will be applied from.
45		Staff do not support the proposal, as it will have little or no effect on reducing the number of variance applications, and will have negatively long term impacts on development.
46		The proposed as-of-right 10% reduction in setback requirements could have unintended impacts on parking supply in low-density residential developments. In many cases, the front yard setback provides the space required for driveways and off-street parking. This potentially could lead to vehicle overhanging onto sidewalk or roadways creating potential safety and risk concerns for pedestrian and road users, non-compliance with by-law requirements for minimum parking space and parking space dimensions and increase on-street parking demand.
ERO # 025-0504: Bill 17 – Accelerating Delivery of Transit-Oriented Communities		
Item #	Proposal/Provision of ERO	Staff Comments
47	Expand the TOC definition to include provincial transit projects along GO and LRT networks, and exempt TOC agreements with municipalities and building partners from requiring an Order in Council when certain approvals are already in place	While the implementation of transit oriented communities allows for the advancement of development that will leverage transit investment, development of the plans should align with the local municipalities' vision for the area, or be developed in consultation with municipalities to ensure local priorities can be protected.
ORR # 25-MMAH003: Changes to the Development Charges Act, 1997 to Simplify and Standardize the Development Charge (DC) Framework		
Item #	Proposal/Provision of ORR	Staff Comments
48	Create a Regulation-Making Authority to Merge Service Categories for Development Charge Credits	The impact is unknown at this time as the regulation has not yet been defined. The example provided within the Province's technical briefing compared credits for roads and transit services. It has been the City's practice to apply hard service DC credits to the total hard DCs levied and therefore, this would not impact the City's process. However, hard service credits are not applied against soft service credits, therefore if this is proposed in the regulations, it would impact the City's application of credits.
49		Staff suggest that the merging of credits remain within each respective hard and soft service categories, only (e.g. hard service credits cannot be applied to soft service DCs). Staff request to be included in the discussions with the Ministry of Municipal Affairs and Housing regarding the merging of service categories for DC credits.
50	Create Regulation-Making Authority to	The impact is unknown at this time as the regulation to define a 'local service' has not yet been articulated. However, changes that result in infrastructure being added to development charges, rather than being a developer obligation, will result in an increase in the charge (or vice-versa).

51	Specify What Constitutes a "Local Service"	Staff are generally supportive of a consistent approach to determining what qualifies as a 'local service'. Staff request to be included in the discussions with the Ministry of Municipal Affairs and Housing in developing the 'local service' defintion. If the decision is to transfer local costs to Development Charges, the Province needs to allow municipalities to collect for these increased costs without having to do a brand new background study.
52	Expand the Development Charge Deferral to Non-Rental Residential Developments	The payment of all residential development charges are now payable at occupancy, rather than the issuance of a building permit. The issuance of an occupancy permit cannot be withheld. Delaying the payment of DC's to the issuance of the occupancy permit could mean that the City will be unable to collect the DCs due. The circumstances under which the City may be able to obtain security will be set out in the regulation. In the absence of security, the City has little leverage, particularly with low-rise subdivision developments.
53		Building Standards issues +/- 200 residential occupancies per month. The Finance department will have an increase in workload to accommodate the procedures now occurring at occupancy. There will be costs associated with changing Markham's development permitting and compliance system, which will need to be changed to include the automatic notification of occupancy from Building Standards to Finance, since manual notification cannot be accommodated.
54		Staff see the merits in delaying the payment of development charges to occupancy for high-rise residential developments, as they take several years to build and much of their cash flow is delayed to occupancy and registration. Staff have significant concerns with the delay of DC payment to occupancy for low-rise residential developments. With high-rise residential development, occupancy permits are issued prior to condo registration, therefore a municipality has leverage and can delay regsitration until the charges are paid. Similarly, any unpaid development charges for rental and institutional developments can be added to the tax roll which provides a safeguard to ensure the charge is collected. These measures and safeguards do not exist with the proposal for low-rise residential developments. The municipality has no leverage to be able to collect after occupancy. Occupancy for low-rise developments are typically issued, with closing and transfer to the new homeowner occurring shortly thereafter. Unpaid development charges are legislatively required to be added to the tax roll, however this would place a significant burden on the new homeowner - not the builder who is required to pay the charge.
55		If payment of development charges are delayed until occupancy for non-rental residential, municipalities will experience a significant delay in cash flow which in turn, will impact its ability to fund growth related infrastructure. It is not clear whether municipalities will be able to charge interest up to occupancy.
56		Staff do not support the collection of development charges at occupancy, however if the Province goes ahead and institutes the change, municipalities should be able to collect interest (to the occupancy date) to ensure that growth can pay for growth. Municipalities should also be able to obtain financial security for outstanding development charges.
57		Changes to DC payment and interest rules could have complex financial implications that might reduce DC revenues or increase administrative burdens for municipalities. Also, the increased pace of development, without corresponding increases in funding for municipal services, could strain existing infrastructure and necessitate greater municipal investment without adequate provincial support.
58	Changes to Reduce DCs	Staff are supportive of this proposal to enable municipalities to amend a DC by-law in instances where rates are reduced or indexing being removed, without having to proceed with certain legislative requirements (e.g, prepare a background study or hold a public meeting).
59	Create a Regulation-Making Authority to Limit Eligible Capital Costs	The proposal is to prescribe limits/exceptions on capital costs that are eligible to be recovered through DCs. The inclusion of land as a capital cost has been highlighted for review in previous legislative amendments. Land is a significant component of services such as recreation, fire, and library, and therefore could drastically reduce the City's DC recovery. The City projects future land purchases to 2031 to average \$25.7M annually for roads and structures, and \$17.8M for soft services such as recreation, fire and library. If land is removed or capped as an eligible capital cost, the City will require funding from other sources such as property taxes, which could see a significant financial burden of growth-related cost being placed on the existing taxpayer.
60		The limit on certain eligible capital costs such as land, could have a significant impact on a municipality's ability to fund growth-related infrastructure. In turn, this would place the burden on the existing taxpayer unless other methods of recovery are provided by the Provincial Government. Any limits explored should be reflective of the actual costs of capital within each particular municipality (i.e. limits on land costs should be reflective of land costs within that particular municipality). Staff request to be included in discussions with the Ministry of Municipal Affairs and Housing in reviewing the limits to eligible capital costs.
61	Changes to the Application of the DC Freeze	Staff are supportive of this proposal to have developers pay the lower of the frozen rate plus interest (when DC rates are frozen at site plan and zoning amendment application with interest being added thereafter), or the prevailing rate. This has already been the City's ongoing practice, therefore this change will not impact current processes.
62	Exempt Long-Term Care Homes from Development Charges	While Staff are supportive of finding ways to encourage the development of long-term care facilities, the exemption would result in a reduction to DC revenues which will have to be recouped through other sources. Currently, the City has one development which would be immediately impacted by the exemption, which would result in a loss of DC revenue of approximately \$4.4M plus interest. Staff request clarity on whether other funding sources will be provided to offset the loss in revenue, and whether this exemption could apply potentially only to non-profit long-term care facilities.
ORR # 25-MMAH004: Eliminate Secondary Approvals for Innovative Construction Materials		
Item #	Proposal/Provision of ORR	Staff Comments
63	Remove the requirement for a Minister's Ruling for products approved by the CCMC	Staff support all proposed changes to streamline the Minister's Rulings process for construction products.
ORR # 25-MOI003: Bill 17 – Amendments to the Ministry of Infrastructure Act, 2011		
Item #	Proposal/Provision of ORR	Staff Comments
64	Permit the Minister authority to direct a municipality or agency to provide info or data to support a provincially-funded project	Staff support the opportunity for municipal data tracking across the Province, where that data collection is automated through open data. Manual collection of data is inefficient and lends to errors and omissions of data.
ORR # 25-MTO006: Bill 17 – Amending the Metrolinx Act, 2006		
Item #	Proposal/Provision of ORR	Staff Comments
65	Permit the Minister to request info and data from municipalities or agencies to support provincial transit projects or TOCs	Staff support the opportunity for municipal data tracking across the Province, where that data collection is automated through open data. Manual collection of data is inefficient and lends to errors and omissions of data.
Non-Regulatory Proposals from Technical Briefing - Protect Ontario by Building Faster and Smarter Act, 2025		
Item #	Proposal/Provision	Staff Comments
66	Changes made to O. Reg. 232/18 - Inclusionary Zoning	Clarification needed as to whether a minimum amount of inclusionary zoning units is required. In addition the length of time for requiring inclusionary zoning should be a fixed amount, as opposed to a maximum amount.
67		There should be a definition of 'affordable' units, either market or income based so that these units reflect their local community. Noting this as the Province has not included this defintion in the regulatory change.
68	Proposals to speed up transportation permitting and harmonize road construction standards	This could be an opportunity to coordinate MTO's review timeline for development applications and ensure that they are aligned with the municipal review process.
69		Although streamlining road construction standards is efficient and effective, it would be good to consider that it could lead to drastic changes in standards for some municipalities, and some flexibility should be available to suit the conditions of certain sites/municipalities.
70	Proposal to clarify that municipalities do not have the authority to require their own building construction standards beyond the Building Code	Municipalities may be unable to implement and enforce local environmental standards that go beyond the provincial building code. This may undermine local climate action plans and community sustainability goals, potentially leading to less energy-efficient and environmentally-sound developments. This may require more coordination with municipalities.
71		Building Standards S.35 of the BCA restricting municipalities from passing by-laws-laws or imposing conditions around construction standards has been in place for some time. The proposed change would further reinforce this restriction and impact City standards (such as Sustainability Metrics, Accessibility, Infill, Tree Protection, location of Fire Route etc.) that go above the minimum standards in the Building Code which affect the issuance of building permits.
72	Standardizing and automating municipal data tracking for land use planning, building code and permit applications	Staff support the opportunity for municipal data tracking across the Province, where that data collection is automated through open data. Manual collection of data is inefficient and lends to errors and omissions of data.
73		The province wants to implement municipal data tracking/IT solutions, inclusive of AI and digitization technology. Unclear of what the implications of this are, it is best if this type of system is simple and easily implemented into the current systems that the municipality is using. For municipalities that currently do not have these types of technology used, it can pose many challenges in how this tracking is developed and managed and introduces a certain level of uncertainty.
74	Consulting on more flexible design/construction options for single-unit four storey townhouses	Staff do not support code research efforts geared towards single unit four storey townhouses. This product type is not affordable to the consumer, nor does it support dwelling unit growth. Code research resources are limited and would be better suited in solutions to multi unit building types.
75		Single 4 storey townhouses do have some code issues, however from a housing supply and affordability lens these types of buildings are not affordable to the general public and only generate 1 dwelling unit. Limited code research resources that the province has should be geared towards more affordable solutions, such as the single exit for multiple dwellings issue or multiple dwelling 4 storey units.

76	MMAH consulting on making provincial policy tests inapplicable to all of the Minister's decisions under the Planning Act.	Much further extensive consultation and clarification will be sought for this proposal. Even though the Province states that this reform would not be intended for broad, routine use, with a transparent and accountable oversight framework developed to support implementation, there will be a multiple of details to discuss and concerns to be addressed if the intent truly is to ensure that such a reform wouldn't undermine developments, plans, strategies and other efforts to conform to provincial tests and achieve provincial policy goals, as well as to avoid the 'power creep' which has gradually expanded similarly exempting Ministerial authority (e.g. MZO's, with several provisions in Bill 17 being examples of such expansion).
77	Consulting with municipalities on legislative and regulatory changes to official plans by establishing simplified, standardized and inclusive land use designations	The province should primarily focus on establishing simplified, standardized and inclusive land use designations in official plans for areas where there is a clear provincial priority, for example Higher Order Transit Corridors.
78		While in the abstract there could be many efficiencies and advantages to be gained from standardizing more inclusive and simplified land uses, the success of this proposal will likely be very dependent on how it is developed and executed, as poorly managed implementation could lead to transition difficulties, OLT appeals and other significant delays for virtually any and every municipality. Issues which may arise and necessitate careful forethought include the extent of designations contemplated for reform, the statutory vehicles (e.g. legislation, regulations, policy statements, consultation forums) used for decision-making and execution, implementation timing to best ensure strategic alignment of other legislative changes which will also prompt or require updates to official plans, and transition regulations which clearly delineate how and when new standardized designations will come into effect, as well as how they would affect ongoing development applications, existing secondary plans and other municipal plans/strategies, etc.



Comments on Bill 17, Protect Ontario by Building Faster and Smarter Act, 2025

Development Services Committee

June 10, 2025

Background

- Protect Ontario by Building Faster and Smarter Act, 2025 (Bill 17) introduced on May 12, 2025
- The Bill impacts several Acts:
 - The Planning Act, R.S.O 1990;
 - The Development Charges Act, 1997;
 - The Building Code Act, 1992
 - The Building Transit Faster Act, 2020
 - Transit Oriented Communities Act, 2020
 - Ministry of Infrastructure Act, 2020
 - Metrolinx Act, 2026;
 - City of Toronto Act, 2006
- 9 items are posted on the ERO/ORR with a commenting deadline of June 11, 12, and 26
- Bill 17 received Royal Assent on June 5, 2025

Technical Briefing and Related Initiatives

- Implementation of new Inclusionary Zoning requirements, in Ontario Regulation 232/18, to establish a maximum 25-year period for inclusionary zoning units and a 5% cap on the set aside rate. **(In-effect)**
- Exemption on case-by-case basis from applying provincial policy tests to a Minister's decision under the Planning Act (e.g. approval of official plans).
- Targeted outreach to municipalities where additional population growth is projected to surpass current official plan estimates.

Building Transit Faster Act, 2020

Amendment adding a new definition of “provincial transit project” to mean any “transit project that Metrolinx has authority to carry out”, expanding application of the BTFA to all provincial transit projects.

Proposed changes recommended for further consultation with municipalities:




- The Province establish a formal process for consultation and coordination with municipalities in the development of provincial transit projects and management of construction activities including traffic management plans
- The Provincial work collaboratively with the City to monitor local impacts, provide regular project updates, and ensure timely notification to stakeholders and the public.

Planning Act

Several amendments affecting MZOs and planning approval for schools.

Proposed changes recommended for further consultation and clarification with municipalities:

- 
- The Province require formal consultation to demonstrate that local transportation policies and plans are considered and aligned before issuing MZOs or imposing conditions that may adversely impact transportation systems
 - The Province clarify and provide further guidance on how MZO conditions will be cleared, to whose satisfaction, and provide a specific list of items that can be conditioned
 - The Province ensure school sites are not located in areas that are not appropriate for sensitive land uses

Proposed Regulations – Complete Applications

Amendments to limit complete application requirements to those identified in official plans or approved by MMAH, and to regulate studies required for a complete application and specify professionals for which municipalities would be required to accept studies.

Proposed changes not supported by staff:



- Regulations that would limit the scope, type or number of studies that may be required as part of a complete application and instead provide guidance to municipalities to facilitate consistency across the Province

Proposed changes recommended for further consultation with municipalities:



- If the Province proceeds, at a minimum sun/shadow and wind impact studies should be required for Zoning By-law Amendments and Site Plan Control Applications
- The Province partner with Ontario municipalities and practitioners on common practices and criteria for urban design studies to ensure consistency across all jurisdictions
- The Province provide more details on the process and requirements for certifying professionals for which municipalities would be required to accept studies

Proposed Regulation – As-of-right Variations from Setback Requirements

Amendment to enable the Minister of Municipal Affairs and Housing to permit, by regulation, "as-of-right" variation to a zoning by-law if a proposal is within a prescribed percentage of the required setback on specified lands.

Proposed changes not supported by staff:



- Changes to the Planning Act to enable the Minister of Municipal Affairs and Housing to permit setback variations from the zoning by-law within a prescribed percentage

Proposed changes recommended for further consultation with municipalities:



- The Province limit the applicability of the proposed legislation to existing developments with reduced zoning setbacks and legal non-conforming uses

Transit-oriented Communities Act, 2020

Amendments expand TOC definition to include provincial transit projects along GO and LRT networks, and exempt TOC agreements with municipalities and building partners from requiring an Order in Council if certain other approvals are already in place.

Proposed changes generally supported by staff:



- Where the implementation of Transit Oriented Communities aligns with the municipal visions or plans are developed in consultation with the municipality to ensure local priorities are protected

Development Charges Act

Amendments include a streamlined process for DC by-law amendments in instances where DC rates are reduced - ***in effect***.

Provisions have also been added with respect to the application of the DC rate freeze, where collection is based on the lower of (1) the frozen rate plus interest or, (2) the prevailing rate - ***in effect***.

Proposed changes supported by staff:

- Streamlining the by-law amendment process in certain instances will make it easier for municipalities to amend by-laws (e.g. to reduce rates, repeal indexing) without the requirement of a Background Study.
- Application of the DC rate freeze/indexing matches the City's current practice.



Development Charges Act

Long-term care (LTC) homes will be **exempt** from development charges with no requirement to pay future instalments – ***in effect***.

Development charges for all residential development will not be payable until **occupancy** – ***not in effect; date to be determined***.

Proposed changes not supported by staff:

- Staff do not support the exemption of long-term care homes, but would be amendable if the exemption applies to non-profit LTC developments only.
- Delaying the payment of residential DCs to occupancy will negatively impact the City's cash flow which may impact the ability to fund growth-related infrastructure. It requires new processes to be implemented, and significantly increases the administration required in the assessment / collection process. Should the Province institute this change, staff recommend interest be levied to the date of payment (e.g. occupancy), and security be permitted to ensure payment of the outstanding amount.



Development Charges Act

Proposed changes requiring further consultation with municipalities:

- Proposed regulatory changes including:
 - Determination of limits and exceptions to eligible capital costs, such as land
 - Methodology to be prescribed in calculating the 'benefit to existing' (e.g. benefit of new infrastructure on existing development)
 - Definition of 'local services' to standardize what is captured under local service infrastructure policies versus development charges
 - Permit grouping of service categories for DC credits (e.g. road credits to transit DCs)
- Potential development of a public utility model for the expansion of water and wastewater infrastructure.



Development Charges Act

Proposed changes requiring further consultation (*Continued*):



Many of the proposed changes to take effect through regulation could:

- Limit the City's ability to adequately recover costs related to growth
 - Lead to the transfer of infrastructure costs to the existing tax base or other funding sources
-
- Staff do not support any changes to the development charge regime that will move growth related costs away from developers and onto existing residents and businesses.
 - Staff request to be included as part of any working group formed to discuss the proposed regulatory changes and public utility model to ensure that the tenet of growth paying for growth is reflected within any regulatory changes / utility model.



Eliminate Secondary Approvals for Innovative Construction Materials

Amendments to the Building Code Act and Ontario Building Code would remove the Minister's Ruling requirement and associated application fees for innovative products already evaluated.

Proposed changes supported by staff:



- All amendments which would streamline the Province's approval process for innovative construction products and materials.

Proposals Not supported by staff:



- Building Code research efforts geared towards single unit four storey townhouses as these units are not affordable and only generate one dwelling unit. The Province should dedicate Building Code research resources to more affordable housing solutions

Metrolinx Act and Ministry of Infrastructure Act

Amendments to provide the Ministers of Transportation and Infrastructure with the authority to request information and data from municipalities or municipal agencies which may be required to support, respectively, the development of provincial transit projects and Transit-oriented Communities or implementation of a project funded by the provincial government.

Proposed changes supported by staff:



- Opportunities for municipal data tracking by the Province across all jurisdictions, where data collection is automated through open data.

Next Steps

- Staff to submit comments to Province on Bill 17
- Participate in future consultation and engagement with the Province



Thank you!



Report to: Development Services Committee

Meeting Date: June 10, 2025

SUBJECT: Commercial Façade Improvement Grant Program - 2025
PREPARED BY: Peter Wokral, Senior Heritage Planner, ext. 7955
REVIEWED BY: Regan Hutcheson, Manager of Heritage Planning, ext. 2080
 Stephen Lue, Senior Development Manager, ext. 2520

RECOMMENDATION:

- 1) THAT the June 10, 2025, Staff report, titled “Commercial Façade Improvement Grant Program - 2025”, be received;
- 2) THAT Council supports financial assistance representing \$15,000.00 in grant assistance for:
 - a. Paint Removal from the bricks of 4592 Hwy. 7 E. in Unionville and the re-conditioning of the original wooden window frames subject to the owner obtaining a Minor Heritage Permit for the proposed work;
- 3) THAT the eligibility requirements of the Commercial Façade Improvement Grant Program be revised to require Façade Easement Agreements for grants of more than \$7,500 instead of \$5,000;
- 4) THAT the Commercial Façade Improvement Grant Program be revised to make designated historic places of worship eligible for grant funding instead of requiring them to apply to the City’s Designated Heritage Property Grant Program and that the program be renamed the Commercial Façade and Historic Places of Worship Grant Program;
- 5) THAT the 2025 grants be funded through the Commercial Façade Improvement Grant Program Fund, Account 620-101-5699-25011
- 6) AND THAT staff be authorized and directed to do all things necessary to give effect to this resolution.

PURPOSE:

This report recommends the approval of grant assistance for commercial façade improvements at 4592 Hwy. 7 E. in Unionville, revising the eligibility requirements of the program to only require a Façade Easement Agreement for a grant in excess of \$7,500 starting in 2026, and allowing historic places of worship to be eligible for grant assistance through a re-named Commercial Facade/Historic Places of Worship Façade Improvement Grant Program.

BACKGROUND:**The grant program was created in 2004**

Council approved the creation of the Commercial Façade Improvement Grant Program (the “Façade Program”) and the Commercial Signage Replacement Grant Program (the “Signage Program”) for commercial properties located in the City’s heritage conservation districts, and for individually designated commercial properties located outside of these districts.

The Programs provide financial assistance to motivate positive improvements

The purpose of the Façade and Signage Programs is to encourage and assist in the exterior improvement of privately-owned, commercial use buildings through joint public/private action and investment. Both heritage and non-heritage commercial properties in heritage districts are encouraged to apply. The Programs strive to address substantive improvements rather than short-term, cosmetic changes with the main goal being to help stimulate the revitalization of historic core areas.

Grant assistance is subject to eligibility requirements

Properties within the identified areas must have commercial uses to be eligible for grant assistance. The owner or their tenant (as an agent of the owner) can apply. The subject property must not be in default of any municipal taxes, local improvements, or any other monies payable to the City (fees or penalties). Also, the property must not be the subject of a by-law contravention, work order, or outstanding municipal requirements. Approved work completed since the 2024 deadline for applications to the program, may also be considered eligible for 2025 grant assistance.

A range of exterior façade improvements are eligible for assistance

a) Heritage Properties

Eligible facade improvements on heritage properties may include the following:

- i. Repair or restoration of original features (cornices, parapets, eaves, other architectural features)
- ii. Repair, restoration, or replacement of windows and doors
- iii. Cleaning and repair of masonry
- iv. Removal of non-original siding or facing
- v. Installation of new signage in accordance with the Special Sign District policies of the City's Sign By-law

b) Non-Heritage Properties

Eligible façade improvements on non-heritage properties may include the following:

- i. Renovation of existing commercial storefronts in accordance with standard principles of traditional storefront design (fascia board for signage above storefront, appropriate display windows, removal of incompatible alterations, etc.)
- ii. Improvements to the principal facades of incompatible buildings provided such work is sympathetic and compatible with the historic character of the area and the policies of the heritage conservation district plan
- iii. Re-cladding in more traditional materials complementary to the district character

The maximum amount of grant assistance depends on the heritage status of the property

The maximum Façade Program grant is \$10,000 for non-heritage properties and \$15,000 for heritage properties. The assistance is in the form of a 50/50 matching grant that is paid upon completion of the approved work. An applicant can receive one grant per calendar year. As a condition of any grant of more than \$5,000, the property owner is required to enter into a façade easement agreement, in perpetuity, with the municipality. For 2025, Council allocated \$60,000.00 to this Program, as part of the 2025 Capital Budget process.

Grant recipients must enter into a Letter of Understanding with the municipality

The Letter of Understanding establishes a formal arrangement between the applicant and the City, and outlines the amount of the grant, the work to be done, and the project completion date.

The Commercial Façade Program is not being fully utilized as expected

Over the past several years, the demand for Commercial Façade Improvement Grants has been relatively low compared to the uptake of the City's Designated Heritage Property Grant Program. This may be due to the program requirement of owners of commercial property having to enter into Heritage Façade Easement Agreements for grants exceeding \$5,000.00, and it may also be due to the fact that historic places of worship, which are not considered to be commercial properties, have only been eligible for funding from the City's Designated Heritage Property Grant Program, which primarily has provided assistance to residential properties.

In the past, several owners of commercial properties who were awarded grants by Council in excess of \$5,000 have requested that they only receive a grant of \$5,000 to avoid having to enter into a Façade Easement Agreement.

Also, since the creation of the Designated Heritage Property Grant program in 2010, there have been a total of nine applications from historic places of worship requesting a total of \$38,259.00 which could have potentially been funded through unused funds in the Commercial Façade Program.

OPTIONS/ DISCUSSION:

The City received one commercial property application by the deadline of April 4, 2025

The application is requesting the maximum available grant of \$15,000.00 as summarized in Table 1 with further details provided in Appendix "A".

Table 1: Summary of Grant Requests and the Amount Recommended by Staff			
Address	Grant Request by Owner ½ of Lowest Quote Provided	Staff Calculation of ½ of Eligible Work	Grant Amount Recommended by Staff based on \$60,000.00 available
4592 Hwy. 7 E. Unionville	\$15,000.00	\$15,000.00	\$15,000.00
TOTAL			\$15,000.00

Specific criteria are used to evaluate the grant requests

Heritage Section Staff and Heritage Markham, Council's heritage advisory committee, are required to review the grant applications based on the following criteria:

- The project must comply with the policies and guidelines of the area's heritage conservation district plan (if applicable).
- Preference is given to applications proposing work on heritage properties.
- On heritage properties, conservation and restoration of original architectural features will occur to the extent possible.
- Projects must obtain municipal approval to qualify.
- The assistance should not reward poor property stewardship.
- Substantive improvements rather than short-term cosmetic patch-ups should be given priority.

- g. Whether the property has received grant assistance from the program in previous years.

Upon evaluation, the current application is considered by Heritage Planning staff to meet the eligibility requirements, subject to conditions. Heritage Markham supported the grant request on May 14, 2025. (See Appendix "B").

The grant application is supportable

Staff recommend that Council support the identified grant based on the \$60,000.00 available from the 2025 budget.

The grant program may be better utilized if a Façade Easement Agreement was required for grants in excess of \$7,500 and historic places of worship were made eligible for grants

Staff suggest that the funds available for the Commercial Façade Improvement Program would be more fully utilized if the following revisions were made to the eligibility requirements of the program.

If the minimum grant amount requiring an owner to enter into a Façade Easement Agreement was raised from \$5,000 to \$7,500, staff anticipate that demand for this program would increase, as commercial façade improvements are typically more costly and some commercial property owners appear disincentivized to accept a heritage easement agreement in exchange for a \$5,000 grant.

Staff also recommend that historic places of worship designated under the Ontario Heritage Act be made eligible for funding as part of this program. There is a demonstrated demand for grants to conserve historic places of worship through the City's Designated Heritage Property Grant Program, and the work required to conserve these buildings is often greater in scope, challenging, and expensive due to the larger scale of these buildings. The maximum matching grant of \$5,000.00 available through the Designated Heritage Property Grant program is often considered insignificant relative to the costs associated with preserving these buildings.

Staff suggest that it is appropriate to make historic places of worship eligible for this grant program because they represent significant local landmarks, provide a valuable community service, and the maximum matching grants of up to \$15,000.00, would make it easier for congregations to conserve the heritage attributes of these buildings. Staff recommend the program be renamed the Commercial Facade and Historic Places of Worship Grant Program.

FINANCIAL CONSIDERATIONS

The requested grants are funded through the Heritage Façade/Signage Replacement Project Account 620-101-5699-25011, which has a 2025 allocated budget of \$60,000.00. The total sum of the grant assistance recommended by staff for allocation through the Facade and Signage Programs for 2025 is \$15,000.00.

HUMAN RESOURCES CONSIDERATIONS

Not Applicable

ALIGNMENT WITH STRATEGIC PRIORITIES:

Assisting with the costs of restoring and improving commercial properties individually designated under the *Ontario Heritage Act* and commercial properties in heritage conservation districts

promotes private investment, increases property values, and property tax revenue, while strengthening a sense of community and civic pride.

BUSINESS UNITS CONSULTED AND AFFECTED:

Heritage Markham reviewed and supported the grant request as well as the proposed changes to the program. (see Appendix B- Heritage Markham Extract of May 14, 2025). Finance staff has also reviewed this report.

RECOMMENDED BY:

Giulio Cescato, MCIP, RPP
Director of Planning and Urban Design

Arvin Prasad, MCIP, RPP
Commissioner of Development Services

ATTACHMENTS:

Appendix 'A' Summary of 2025 Commercial Façade Improvement/Signage Grant Requests

Appendix 'B' Heritage Markham Extract of May 14, 2025

Appendix ‘A’
Summary of 2025 Commercial Façade Improvement/Signage Grant Requests

4592 Highway 7 E., Unionville

Status: Designated under Part IV of the Ontario Heritage Act and subject to a Heritage Conservation Easement Agreement



Proposed Work	Quote 1	Quote 2
Removal of paint from brick and re-conditioning of historic wooden window frames	Holt Construction Services Ltd.	NA
Total Cost	\$37, 290.00	NA

Appendix 'B'

Heritage Markham Extract of May 14, 2025



HERITAGE MARKHAM EXTRACT

Date: May 23, 2025

To: R. Hutcheson, Manager of Heritage Planning

P. Wokral, Senior Heritage Planner

EXTRACT CONTAINING ITEM # 6.6 OF THE FIFTH HERITAGE MARKHAM
COMMITTEE HELD ON MAY 14, 2025

6. PART FOUR - REGULAR

6.6 2025 COMMERCIAL FAÇADE IMPROVEMENT GRANT PROGRAM

4592 HIGHWAY 7 E., UNIONVILLE REVIEW OF 2025 GRANT APPLICATIONS (16.11)

File Number:
N/A

Extracts:
R. Hutcheson, Manager, Heritage Planning
P. Wokral, Senior Heritage Planner

Regan Hutcheson, Manager, Heritage Planning, advised that one application for the 2025 Commercial Façade Improvement Grant Program was received to remove paint from the brick and restore the original windows at 4592 Highway 7. Staff recommended approving the grant for up to \$15,000. Staff are also recommending: 1) that the threshold for requiring a façade easement agreement be raised from \$5,000 to \$7,500 due to rising project costs; and 2) that historic places of worship be included under this grant program to allow them to be eligible for larger grants.

The Committee discussed the following in relation to the Commercial Façade Improvement Grant Program:

- The channels used to promote the grant program to eligible applicants and the challenge of no longer having a local newspaper to promote the program.
- That applicants can reapply for additional grants in future years but cannot apply for guaranteed multi-year funding, noting first time applicants are prioritized each year.



The Committee approved the Staff recommendation as presented.

Recommendation:

That Heritage Markham supports a matching grant of up to \$15,000.00 for the removal of paint from the brick and re-conditioning of original window at 4592 Highway 7 East provided the owner obtains a heritage permit for the most appropriate method of paint removal and a second quote for the work;

That Heritage Markham supports revising the eligibility requirements of the Commercial Façade Improvement Grant Program to only require the owner to enter into a Façade Easement Agreement with the City for grants exceeding \$7,500.00 beginning in 2026;

And That Heritage Markham supports making historic places of worship eligible for a revised Commercial Façade and Historic Place of Worship Grant Program.

Carried



Report to: Development Services Committee

Meeting Date: June, 10, 2025

SUBJECT: Designated Heritage Property Grant Applications 2025
PREPARED BY: Peter Wokral, Senior Heritage Planner, ext. 7955
REVIEWED BY: Regan Hutcheson, Manager of Heritage Planning. ext. 2080
 Stephen Lue, Senior Development Manager, ext. 2520

RECOMMENDATION:

1. THAT the June 10, 2025, report titled, "Designated Heritage Property Grant Applications 2025", be received;
2. THAT Designated Heritage Property Grants for 2025 be approved in the amounts noted for the following properties, totaling \$54,020.00, provided that the applicants comply with eligibility requirements of the program:
 - a. 357 Main St. N., Markham Village: up to \$5,000.00, for the painting of the house in historic original colours and installation of historically authentic wooden front entrance door;
 - b. 7707 Yonge St., Thornhill: up to \$5,000.00 for the installation of historically authentic 2nd storey windows facing Yonge St.;
 - c. 218 Main St., Unionville: up to \$2,000.00 for the painting of the steeple and bellcote louvres in historic original colours;
 - d. 6 Alexander Hunter Place, Markham Heritage Estates: up to \$7,500.00 for the installation of a cedar shingle roof;
 - e. 3 David Gohn Circle, Markham Heritage Estates: up to \$7,500.00 for the installation of a cedar shingle roof;
 - f. 1 Heritage Corners Lane, Markham Heritage Estates: up to \$5,000.00 for the production and installation of historically authentic louvered shutters;
 - g. 12 Wismer Place, Markham Heritage Estates: up to \$7,500.00 for the installation of a cedar shingle roof;
 - h. 1 Kalvinster Drive, Cornell: up to \$4,520.00 for the reconstruction of brick gable-end chimneys;
 - i. 99 Thoroughbred Way, Markham: up to \$5,000.00 for the repair and restoration of the historic wooden clapboard siding;
 - j. 10720 Victoria Square Blvd., Victoria Square: up to \$5,000.00 for the repair of historic brickwork;
3. THAT the grant request for 49 Church Street not be funded due to the proposed work and application not meeting the eligibility requirements of the program;
4. THAT the grants be funded through the Designated Heritage Property Grant Project Fund, Account 620-101-5699-25010 (\$60,000.00 available for 2025)

5. AND THAT Staff be authorized and directed to do all things necessary to give effect to this resolution.

PURPOSE:

This report seeks to obtain approval of ten applications for the 2025 Markham Designated Heritage Property Grant Program.

BACKGROUND:

Markham's Designated Heritage Property Grant Program was approved by Council in 2010 and includes the following highlights

Funding of Program:

- Total funding of \$120,000 was allocated to the program over a four-year period (2010-2013) based on a targeted allocation of \$30,000 per year
- The program has been continuously offered since then and was extended for an additional three years in 2022 (2023-2025) with an allocation of \$30,000.00 per year
- However, in 2024 Council authorized \$60,000.00 worth of grant funding for the 2025 program
- Only Council can authorize any continuation of the program past 2025

Amount of Assistance:

- Support to an applicant is in the form of a grant representing 50% of eligible work up to a maximum limit of \$5,000 per property for eligible work, and through an amendment to the program in 2016, a maximum amount of \$7,500.00 for the replacement of a cedar shingle roof in Markham Heritage Estates
- Minimum amount of eligible work - \$500.00

Heritage Property Eligibility:

- Properties must be designated under the Ontario Heritage Act (Part IV or Part V). In the case of Part V (Heritage Districts), only properties identified in a district plan as being of cultural heritage value or interest are eligible

Ineligible Projects:

- Commercial façade grant projects are specifically related to “the entire exterior front surface of a building which abuts the street from grade to eaves” and are not eligible as there is a separate program. However, other conservation work on a commercial property is considered eligible under the Designated Heritage Property Grant program
- At the discretion of Council, an applicant may be limited to receiving only one heritage related financial assistance grant in a calendar year
- Projects in Markham Heritage Estates (under 20 years) as these owners already receive a financial incentive through reduced lot prices

Timing and Number of Grants:

- Grants are awarded annually following requests for applications within an established deadline
- Only one grant per calendar year per property

- First time applicants will get priority each year and repeat applicants will be considered only if the annual cap is not reached by first time recipients

Municipal Eligibility Criteria:

- Subject property must be in conformity with municipal by-laws and regulations.

Eligible Projects:

- Work that primarily involves the repair, restoration or re-creation of heritage features or components (cornices, parapets, doors, windows, masonry, siding, woodwork, verandas, etc.)
- Exterior painting (see eligible amount of grant assistance)

Eligible Costs:

- The cost of materials, equipment and contracted labour (but not donated labour or materials or labour performed by the applicant)
- A grant of up to 50% for architectural/ design/ engineering fees to a maximum of \$1,000 (as part of the maximum permitted grant of \$4,000) is available.
- Exterior Painting- in documented original colours to a maximum grant contribution of \$2,000 or 25% of the cost, whichever is the lesser
(One time only grant)

Cost Estimates:

- Two separate estimates of work (due to the specialized nature of the work) are to be provided by a licensed contractor (other than the owner) for consideration.

Review Process:

- Applications will be reviewed by City (Heritage Section) staff and Heritage Markham Committee, and recommended submissions will be forwarded to Council for approval through Development Services Committee

Timeframe for Completion of Work:

- Grant commitments are valid for one year and expire if the work is not completed within that period (an extension may be granted)

Receipt of Grant Assistance:

- Grants are paid upon submission of receipts, to the satisfaction of the City

Prior Work:

- Approved work commenced since last year's deadline for applications can be considered eligible for grant funding.

Written Agreement:

- Approved applicants will be required to enter a Letter of Understanding with the City

Eligibility requirements for grant assistance require the property to be in good standing

A subject property must not be in default of any municipal taxes, local improvements or any other monies payable to the City (fees or penalties). Also, the property must not be the subject of a by-law contravention, work order, or

outstanding municipal requirements. Approved work completed since the 2024 deadline for applications to the program may also be considered eligible for assistance.

If the program is to continue, Council must extend the program

In January 2023, Council passed a resolution to extend the program for the years 2023-2025 totalling \$90,000, and in 2024 Council authorized an additional \$30,000 for the 2025 program. This year represents the last year of the program, and should Council see the merits in continuing the program, further funding should be allocated for future years. Staff is preparing a separate report regarding the extension of this program.

The deadline for 2025 grant application submissions was April 4, 2025

Heritage Section Staff received eleven applications.

OPTIONS/ DISCUSSION:

All applications were comprehensively reviewed by Heritage Section Staff and Heritage Markham

Each application was fully examined considering the type of work proposed, its eligibility using the program guidelines, the quoted cost of the work, any conditions that would need to be attached to an approval, and then evaluated using the following criteria that Council adopted as part of the program:

- a. Preference will be given to applications where the integrity of the property may be threatened if the proposed work is not undertaken
- b. Preference will be given to applications proposing work visible to the public
- c. The proposed work must comply with heritage conservation guidelines, principles and policies
- d. Scope of the work is to be clear, logical and demonstrate the maximum retention of historic fabric and heritage attributes
- e. Grant is not to reward poor stewardship
- f. The addition of new features (re-introduction of heritage elements) needs to be backed up with evidence (physical, documentary or archival)

Ten applications are recommended for approval

Staff recommend grant assistance for ten of the eleven applications received, totaling \$54,020 to be funded subject to certain conditions (see Appendix 'A' for Grant Summary). One application is not recommended for approval because the proposed work does not meet the eligibility requirements of the program, and no quotes from professional contractors were provided with the application.

Heritage Markham supports the recommended applications

On May 14, 2025, the Heritage Markham Committee reviewed the recommended applications and individual summary sheets for all applications, and supported Staff's recommendations subject to the specific conditions (See Appendix 'B').

Letter of Understanding is required

Once grant applications are approved by Council, the applicants will be required to enter a Letter of Understanding with the City detailing any conditions associated with the grant assistance. Applicants must still obtain any necessary development approval and permits to undertake the work.

FINANCIAL CONSIDERATIONS

In December 2022, Council resolved to extend the Designated Heritage Property Grant program for another three years allocating \$30,000 per year for a total of \$90,000.00 to the program. The funding for this grant program has been funded through unused grant funding from previous years and a transfer of funds from the Heritage Loan Reserve Fund.

HUMAN RESOURCES CONSIDERATIONS

Not applicable

ALIGNMENT WITH STRATEGIC PRIORITIES:

This program aligns with the Growth Management priority by working to preserve resources and features of cultural heritage value to create a higher quality community.

BUSINESS UNITS CONSULTED AND AFFECTED:

Reviewed by Finance Department and the Heritage Markham Committee

RECOMMENDED BY:

Giulio Cescato, MCIP, RPP
Director of Planning and Urban Design
Services

Arvin Prasad, MCIP, RPP
Commissioner of Development

ATTACHMENTS:

Appendix 'A': Designated Heritage Property Grant Application Summary 2025

Appendix 'B': Heritage Markham Extract May 14, 2025

Appendix 'A': Designated Heritage Property Grant Summary 2025

Address	Eligible Work	Grant Amount Requested	Grant Amount Recommended	Running Total	Comment
49 Church St.	No	No quotes provided as of April 28th	\$0.00	\$0.00	The application proposes repairs to cracks in a poured concrete foundation, repairs and repainting of new shutters, the levelling of stone steps and repainting of a picket fence, whereas none of these are heritage attributes of the property Grant funding is not recommended
357 Main St. N.	Potentially	\$5,000	\$5,000	\$5,000	Grant assistance is requested to repaint the house white and is not based on research into the original colours. The existing door appears to be modern and could be replaced with a more historically authentic wooden door. Conditional grant funding is recommended for door
218 Main St. Unionville	Potentially	\$2,000	\$2,000	\$7,000	The proposed painting of the steeple and louvred vents in existing colours is not based on analysis of original colours. Conditional grant funding is recommended
7707 Yonge St.	Potentially	\$5,000	\$5,000	\$12,000	Grant assistance is requested for the installation of historically appropriate windows on the 2 nd floor facing Yonge St. However, the specifications provided do not represent historically authentic windows. Conditional grant funding is recommended
6 Alexander Hunter Place	Yes	\$7,500	\$7,500	\$19,500	Grant assistance is requested for the installation of cedar

					shingle roof installed in 2024. Grant funding is recommended.
3 David Gohn Circle	Yes	\$7,500	\$7,500	\$27,000	Grant assistance is requested for the installation of a new cedar shingle roof installed in 2024. Grant funding is recommended.
1 Heritage Corners Lane	Yes	\$5,000	\$5,000	\$32,000	Grant assistance is requested to produce historically authentic louvred shutters. Grant funding is recommended.
12 Wismer Place	Yes	\$7,500	\$7,500	\$39,500	Grant assistance is requested for the installation of a new cedar shingle roof installed in 2024. Grant funding is recommended.
1 Kalvinster Drive.	Yes	\$4,520	\$4,520	\$44,020	Grant assistance is requested to re-build the brick gable-end chimneys. Grant funding is recommended.
99 Thoroughbred Way	Yes	\$5,000	\$5,000	\$49,020	Grant assistance is requested for the selective replacement and repair of damaged wooden clapboard and soffits in 2024. Grant funding is recommended.
10720 Victoria Square Boulevard	Yes	\$5,000	\$5,000	\$54,020	Grant assistance is requested for the repair of damaged brick masonry Grant funding is recommended.

Designated Heritage Property Grant Application

Name	Carolina Billings
Address	49 Church Street, Markham Village
Status	Part V designated dwelling in the MVHCD
Grant Project	The application proposes repairs to cracks in a poured concrete foundation, painting and repairs to shutters, the levelling of stone steps and repairs and repainting of a picket fence
Estimate 1	No quote provided as of April 29, 2025
Estimate 2	No quote provided as of April 29, 2025
Eligibility	Not eligible for grant funding as the proposed work does not preserve, restore or replicate significant heritage features of the property.
Conditions	None
Previous Grants	No
Comments	Not Recommended for Approval, no quotes provided and proposed work is ineligible as they are not considered to be significant heritage features of the property.
Grant Amount	\$0.00



Designated Heritage Property Grant Application

Name	Silvana Talevska
Address	357 Main St. North Markham Village
Status	Part V designated dwelling in the MVHCD
Grant Project	Repainting of house and replacement of front door
Estimate 1	\$15,870.00 -Confra Complete Construction
Estimate 2	\$13,108.00 -Skyrise Service Inc.
Eligibility	The work as proposed does not currently meet eligibility requirements as the proposed painting is not based on analysis of original colours and there is insufficient detail provided regarding the design of the replacement door.
Conditions	Additional information needed on paint colour and door design.
Previous Grants	No
Comments	Recommended for approval subject to meeting eligibility criteria and approval of a Heritage Permit
Grant Amount	\$5,000



Designated Heritage Property Grant Application

Name	Bahman & Firozeh Imaizenouzi
Address	7707 Yonge St., Thornhill
Status	Part V designated residence and place of business in the THCD
Grant Project	The application proposes to replace the modern windows of the second floor facing Yonge St.
Estimate 1	\$17,965.01 -LePage Millwork
Estimate 2	\$24,267.05 -Pella Windows
Eligibility	Eligible for funding
Conditions	Only eligible if the design of the replacement windows reflects the specifications of the original windows.
Previous Grants	No
Comments	Recommend for funding conditional on approval of Heritage Permit
Grant Amount	\$5,000.00



Designated Heritage Property Grant Application

Name	Markham Village Church of the Nazarene
Address	218 Main St., Unionville
Status	Part IV designated place of worship in the UHCD
Grant Project	The application proposes repainting of the steeple and louvres of the bellcote
Estimate 1	\$5,545.73 -CertaPro Painters
Estimate 2	\$11,800.00 -Royal Roofing
Eligibility	Eligible for funding
Conditions	Only eligible if the painting of steeple and louvres is based on historic paint analysis
Previous Grants	No
Comments	Recommended for approval if condition is met and approval of a Heritage Permit
Grant Amount	\$2,000.00 (maximum grant available for painting)



Designated Heritage Property Grant Application

Name	James & Janis MacDougall
Address	6 Alexander Hunter Place, Markham Heritage Estates
Status	Part IV designated residence
Grant Project	The application seeks funding for the installation of a cedar shingle roof in 2024.
Estimate 1	\$38,284.40 -Silver Oak Roofing
Estimate 2	\$41,245.00 -T Dot Roofers
Eligibility	Eligible for funding
Conditions	None
Previous Grants	No
Comments	Recommend for funding
Grant Amount	\$7,500.00



Designated Heritage Property Grant Application

Name	Katherine Minovski
Address	3 David Gohn Circle, Markham Heritage Estates
Status	Part IV designated residence
Grant Project	The application seeks funding for the installation of a cedar shingle roof in 2024.
Estimate 1	\$31,640.00 -Above All Roof and Aluminium Inc.
Estimate 2	\$60,455.00 -JD Wood Revival Inc.
Eligibility	Eligible for funding
Conditions	None
Previous Grants	No
Comments	Recommend for funding
Grant Amount	\$7,500.00



Designated Heritage Property Grant Application

Name	Karl Brumund
Address	1 Heritage Corners Lane
Status	Part IV designated dwelling in Markham Heritage Estates
Grant Project	Constructing of new louvred shutters
Estimate 1	\$11,632.00 USD - Barker Contracting Ltd.
Estimate 2	\$13,772.44- Canada Custom Shutters & Blinds
Eligibility	The proposed work is eligible for grant assistance
Conditions	Subject to obtaining a Heritage Permit for the proposed work
Previous Grants	Yes, For replacement of cedar shingle roof in 2024
Comments	Recommended for approval as the existing shutters were not historically authentic
Grant Amount	\$5,000.00



Designated Heritage Property Grant Application

Name	Linda Irving
Address	12 Wismer Place
Status	Part IV designated dwelling in Markham Heritage Estates
Grant Project	The application seeks funding for the installation of a cedar shingle roof in 2024.
Estimate 1	\$106,220.00- Silver Oak Roofing
Estimate 2	\$61,735.00- Barker Contracting Ltd.
Eligibility	The proposed work meets the eligibility requirements of the program.
Conditions	None
Previous Grants	No
Comments	Recommended for approval
Grant Amount	\$7,500.00



Designated Heritage Property Grant Application

Name	Blair Reeve
Address	1 Kalvinster Drive
Status	Part IV designated dwelling in Cornell
Grant Project	Reconstruction of the brick gable end chimneys.
Estimate 1	\$9,500.00 - D'Angelo & Sons Roofing & Exteriors
Estimate 2	\$9,040.00 - B.in Roofing Inc.
Eligibility	The proposed work is eligible
Conditions	Subject to obtaining an approved Heritage Permit.
Previous Grants	Yes, \$5,000.00 in 2010 but to previous owners.
Comments	Recommended for approval
Grant Amount	\$4,520.00



Designated Heritage Property Grant Application

Name	Jinny Lok & Raymond Layno
Address	99 Thoroughbred Way
Status	Part IV designated property
Grant Project	Repair and restoration for clapboard siding and soffits
Estimate 1	\$12,000.00 Peter Company Contracting
Estimate 2	NA
Eligibility	The completed work meets the eligibility requirements of the program.
Conditions	The work was approved through the Heritage Permit process
Previous Grants	No
Comments	Recommended for approval
Grant Amount	\$5,000.00



Designated Heritage Property Grant Application

Name	Victoria Square United Church
Address	10720 Victoria Square Boulevard
Status	Part IV designated place of worship in Victoria Square
Grant Project	Repair of exterior brickwork
Estimate 1	\$12,317.00 – Bernard Deveau
Estimate 2	NA
Eligibility	The proposed work meets the eligibility requirements of the program.
Conditions	Subject to approval through the Heritage Permit process.
Previous Grants	No
Comments	Recommended for approval
Grant Amount	\$5,000.00



Appendix 'B': Heritage Markham Extract of May 14, 2025



HERITAGE MARKHAM EXTRACT

Date: May 23, 2025

To: R. Hutcheson, Manager of Heritage Planning

EXTRACT CONTAINING ITEM # 6.5 OF THE FIFTH HERITAGE MARKHAM
COMMITTEE HELD ON MAY 14, 2025

6. PART FOUR - REGULAR

6.5 REVIEW OF GRANT APPLICATIONS

2025 DESIGNATED HERITAGE PROPERTY GRANT PROGRAM (16.11)

File Number:

N/A

Extracts:

R. Hutcheson, Manager, Heritage Planning

Regan Hutcheson, Manager, Heritage Planning, advised that there was considerable interest in the Heritage Designated Property Program this year. Council recently increased the grant budget from \$30,000 to \$60,000, which allowed for a higher volume of requests to be accommodated. Mr. Hutcheson noted that Peter Wokral, Senior Heritage Planner, had reviewed the grant applications to ensure they met the City's eligibility requirements. Staff are recommending that ten grants detailed in the accompanying memo be approved.

The Committee supported the motion as presented by Staff.

Recommendation:

That Heritage Markham supports the funding of the following ten grant applications at a total cost of \$55,020.00 subject to the amounts and conditions noted on the individual summary sheets:

- 357 Main St. N.,
- 7707 Yonge St.,
- 218 Main St. U.
- 6 Alexander Hunter Place,
- 3 David Gohn Circle,
- 1 Heritage Corners Lane,
- 12 Wismer Place,



- 1 Kalvinster Dr.,
- 99 Thoroughbred Way,
- 10720 Victoria Square Blvd.

And That Heritage Markham does not support grant funding for 49 Church St.
due to the proposed work not meeting the eligibility requirements of the program.

Carried



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).

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

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**.

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

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)

Appeal Reason	Total Adjusted Amount	City Share Total	Appeal Count
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
Total	\$574,637	\$72,587	39

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
Total s.357 Residential				19 Appeals	\$314,186

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
Total s.357 Non - Residential				9 Appeals	\$225,084

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
Total s.358 Residential				8 Appeals	\$25,932

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
Total s.358 Non - Residential				3 Appeals	\$9,435

Total				39 Appeals	\$574,637
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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.

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.

-
- 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

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

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

Project approval year	# of open projects	% of open projects	Unencumbered \$ in M
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
Total Active	785	91%	\$297.3
Warranty	74	9%	\$2.8
Total Open	859	100%	\$300.1

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

TABLE B

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

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 16th 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.

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

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

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	-	-	-
	Recreation Services	24197	Survey Instrument Upgrade/Replacement	47,800	34,445	13,355	27.9%	13,355	-	-	-
		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
		22228	IT Lifecycle Asset Replacement - Library Bilibiotheca (split from 22060)	465,700	443,510	22,190	4.8%	17,754	-	1,334	3,102
Development Services	Engineering	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
		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%	-	-	-	-
	Library	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%	-	-	-	-
Total				35,336,016	34,146,520	1,189,496		870,601	181,299	44,910	92,686

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	Wisner 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 (A)	Additional Funding Required (Draw from Contingency) (B)	Updated Project Cost (C) = (A) + (B)	% of Additional Funding Required (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

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

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.

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.

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:

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.

<u>Entity</u>	<u>2025</u>
	\$
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
Total	<u>198,000</u>
2024 Audit fee	<u>156,921</u>
Overall percentage increase over 2024	26.2%

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."

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:

Joseph Silva
Treasurer

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"> 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). Top Management focused on the review of information from July 1 to December 31, 2024. CAO Taylor was unable to attend and requested the Management Review meeting to proceed with the remaining participants. In Director Wu's absence, Edgar Tovilla served as the Acting Director of Environmental Services as well the Waterworks Operations Sr Manager. Paul Ahn is the Acting Infrastructure Sr Manager. 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. QMS performance was reviewed to confirm that the system continues to be suitable, adequate and effective.
Deficiencies Identified	<ul style="list-style-type: none"> No deficiencies were identified at this meeting.
Decisions Made	<ul style="list-style-type: none"> 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"> "Identify how many customer issues are resolved over the phone compared to onsite investigations and resolution by staff, starting April 1st, 2025" <ul style="list-style-type: none"> Staff are developing the process to make this comparison. Top Management agreed to revise the start date to July 1, 2025, with Q3 & Q4 2025 results reported in the Spring 2026 Management Review. "Review the increase in traffic and streetlight locates as the phase- in inhouse model is implemented in 2024, in comparison with water & wastewater tickets" <ul style="list-style-type: none"> 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. Assess overtime demands at different locates performance levels- Ongoing <ul style="list-style-type: none"> 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.
Action Items	<ul style="list-style-type: none"> No action items were identified at this meeting.

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">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.

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.

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.

-
- ***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:

Alice Lam – Director of Operations

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*

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.

KIMBERLEY KITTERINGHAM
TOWN CLERK

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.**

(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*

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 of 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"

Kimberley Kitteringham
City Clerk

"Frank Scarpitti"

Frank Scarpitti
Mayor

SCHEDULE ‘A’ TO BY-LAW 2018-109

ROAD OCCUPANCY FEE DESCRIPTIONS

FEE ITEM	TERM	CONDITIONS
Road Occupancy		
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
Road Surface Degradation		
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	
Excess Load		
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

Curb & Culvert Modifications		
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	m²	Min. charge 4 m²
27. Asphalt repair	m²	Min. charge 4 m²
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		
Publication Dispensing Boxes		
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)		
Boulevard Commercial Patios		
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 m²	Annual fee in addition to permit fee for each m² of public land occupied by the Patio
Demolition		
36. Demolition Fee	N/A	Operations Fee
37. Security Deposit	N/A	Minimum security deposit as per Item 10 above
Miscellaneous		
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.

~~(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

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.

Drive way 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 ~~ent~~ at the road edge and greater than the width of the driveway, as permitted under the applicable Comprehensive Zoning By-law and Curb ~~ent~~ 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 1st- 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-law2012-137 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*;
- 13.4 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 be~~ 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
<i>Road Occupancy</i>		
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
<i>Road Surface Degradation</i>		
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	
<i>Excess Load</i>		

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

<i>Curb & Culvert Modifications</i>		
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	m²	Min. charge 4 m²
27. Asphalt repair	m²	Min. charge 4 m²
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		
<i>Publication Dispensing Boxes</i>		
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)		
<i>Boulevard Commercial Patios</i>		
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 m²	Annual fee in addition to permit fee for each m² of public land occupied by the Patio
<i>Demolition</i>		
36. Demolition Fee	N/A	Operations Fee
37. Security Deposit	N/A	Minimum security deposit as per Item 10 above
<i>Miscellaneous</i>		
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:

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)



Report to: General Committee

Meeting Date: June 17, 2025

SUBJECT:	2025 Asset Management Plan and Financial Strategy
PREPARED BY:	Denny Boskovski, Manager, Corporate Asset Management Sustainability & Asset Management, Extension 6190

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:

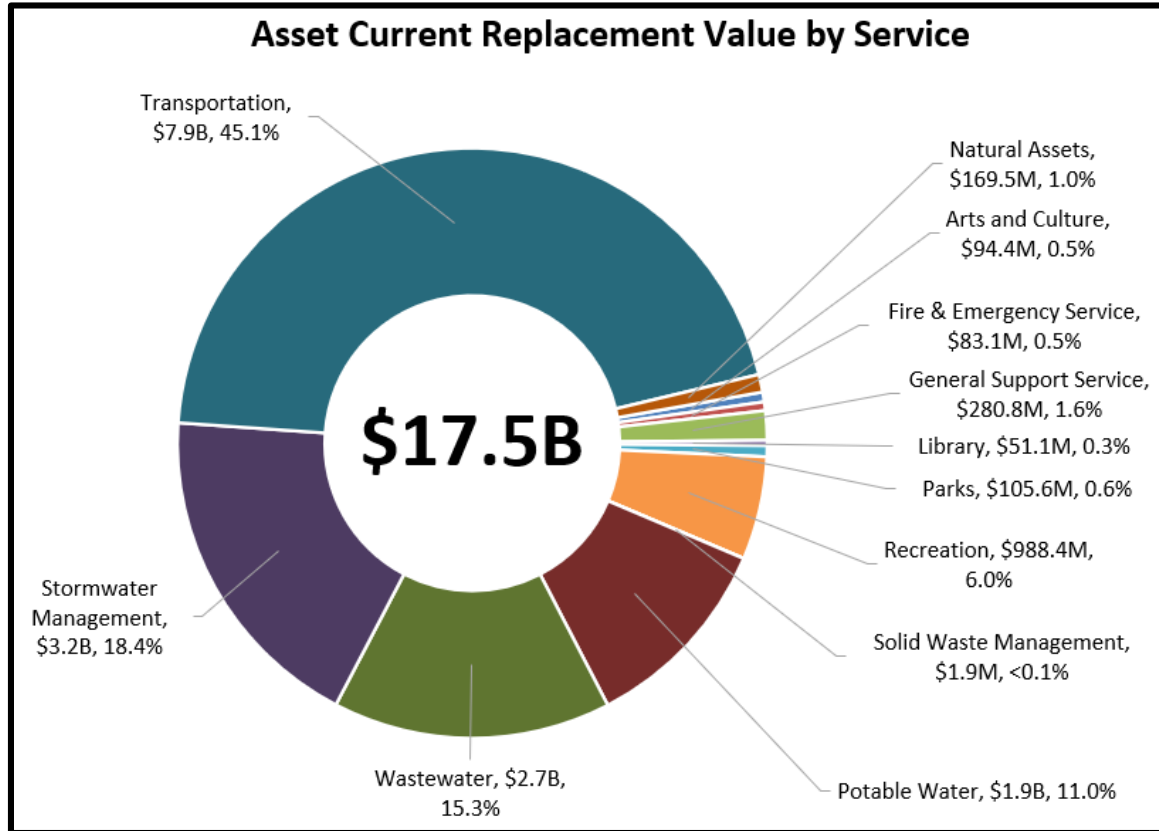
- A service-centric asset hierarchy that details the relationships between assets and the services they provide to the community
- In-house growth model forecasting future asset acquisitions and resource-hour needs
- Levels of service framework and performance measures
- Risk management strategy and 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

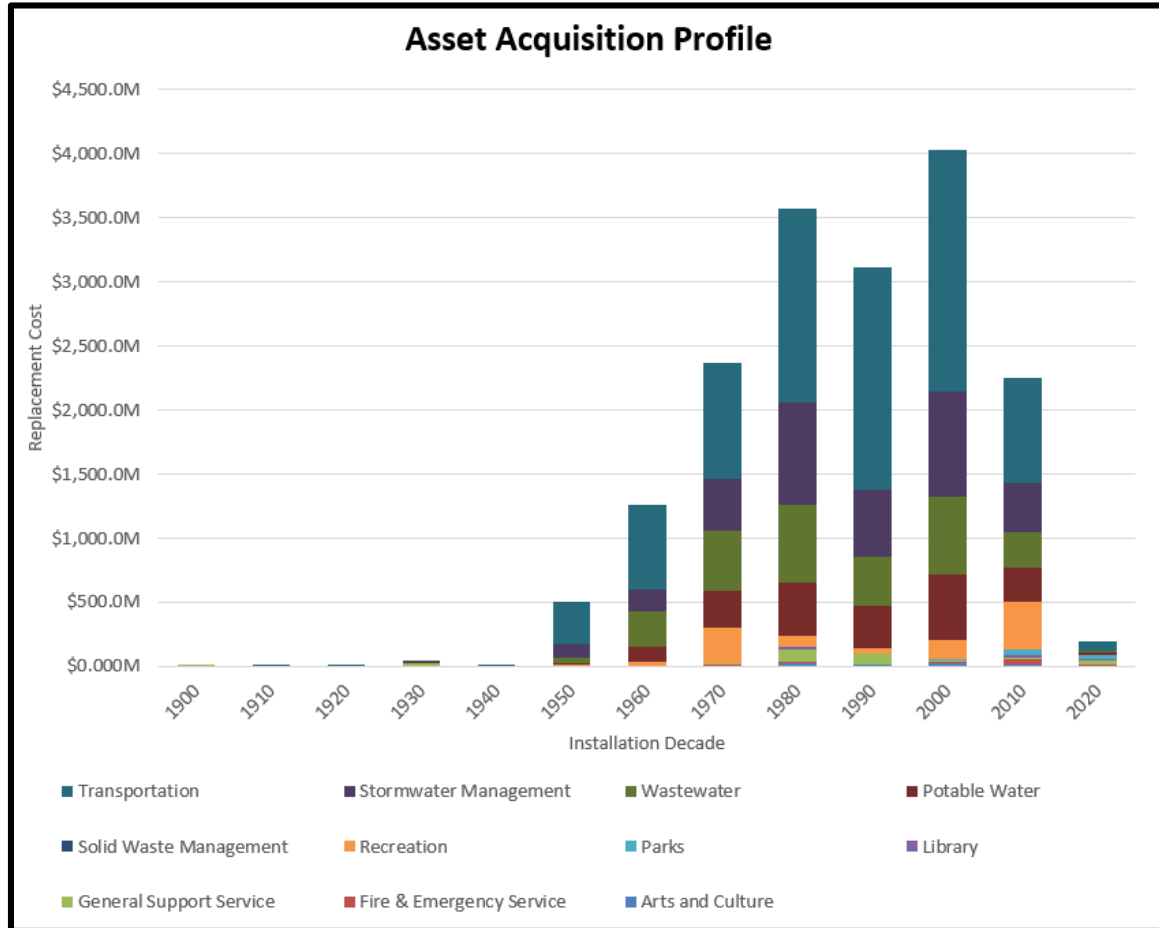
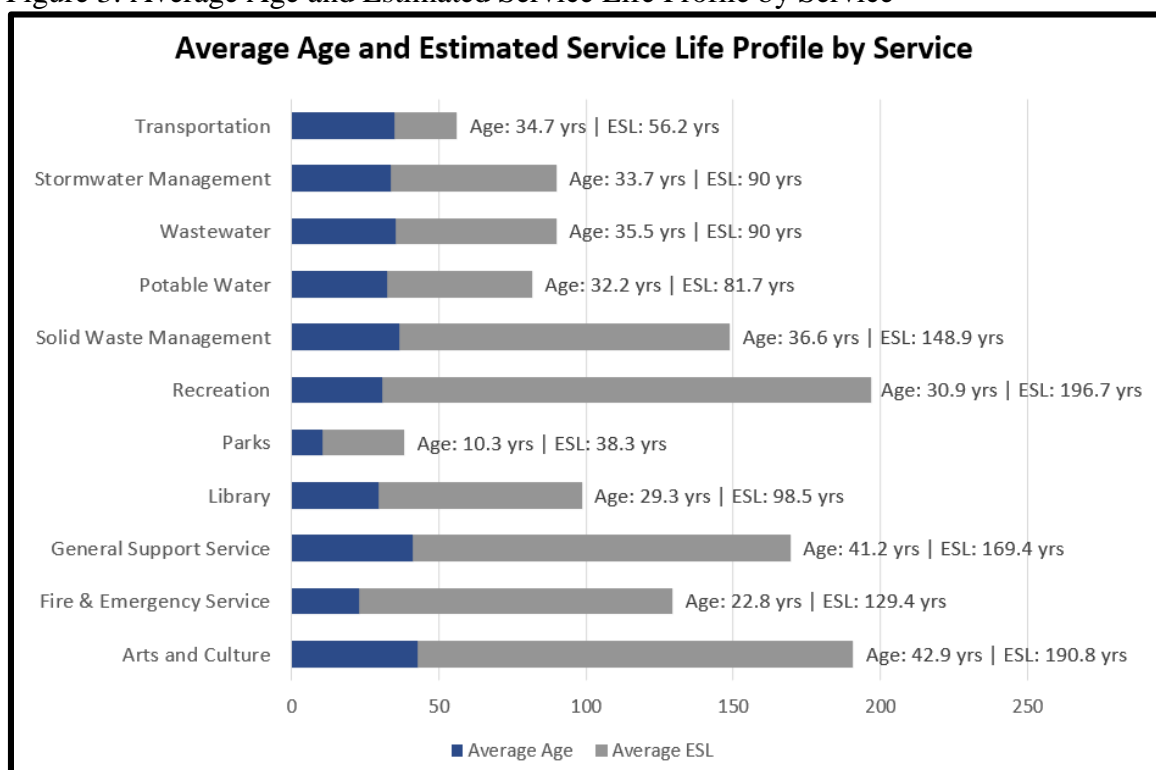


Figure 3 below illustrates the average age of assets compared with their average estimated service life. Overall, the City’s combined asset portfolio has an average age of **34 years** and average useful service life of **81 years** (averaging over assets with both short and long life spans, such as 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

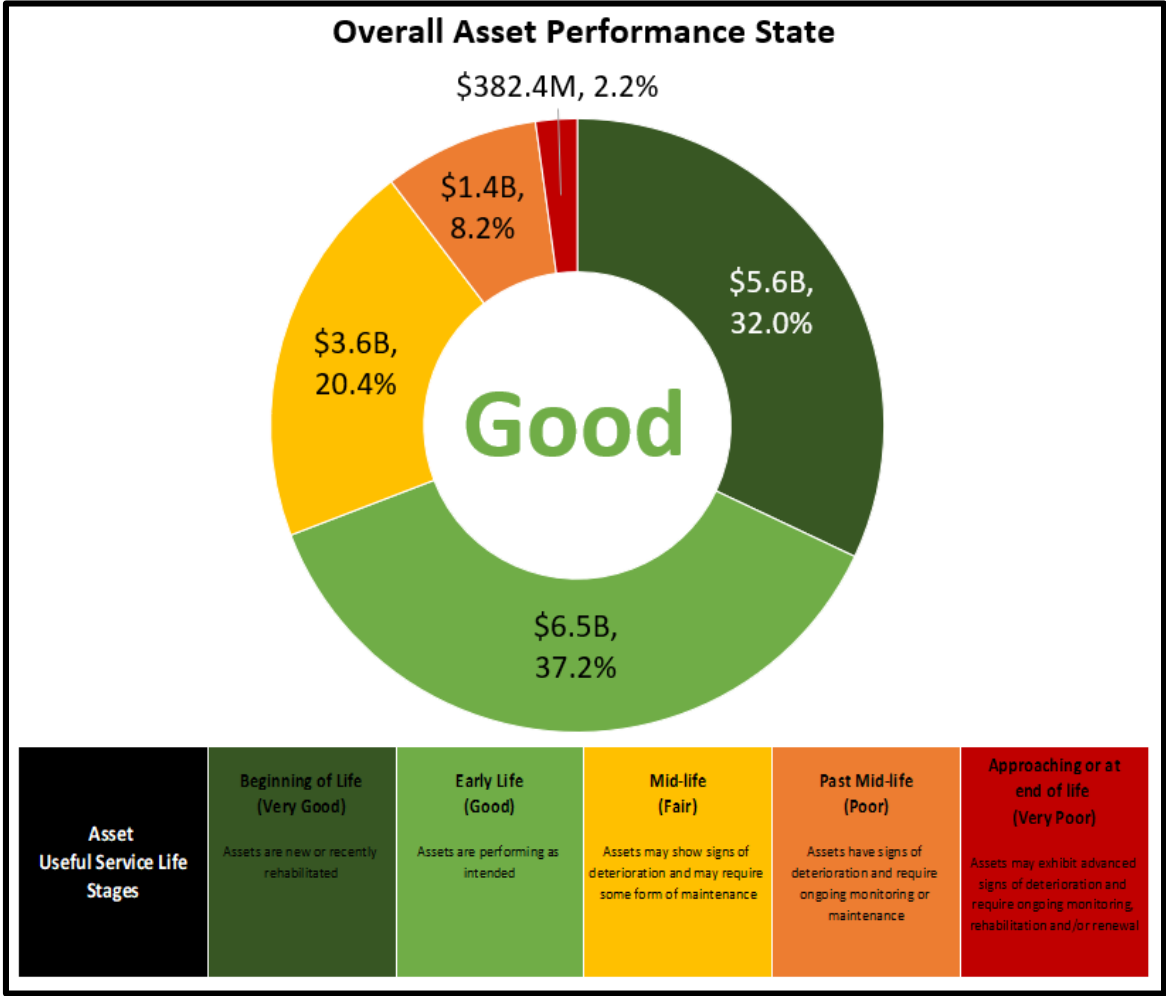
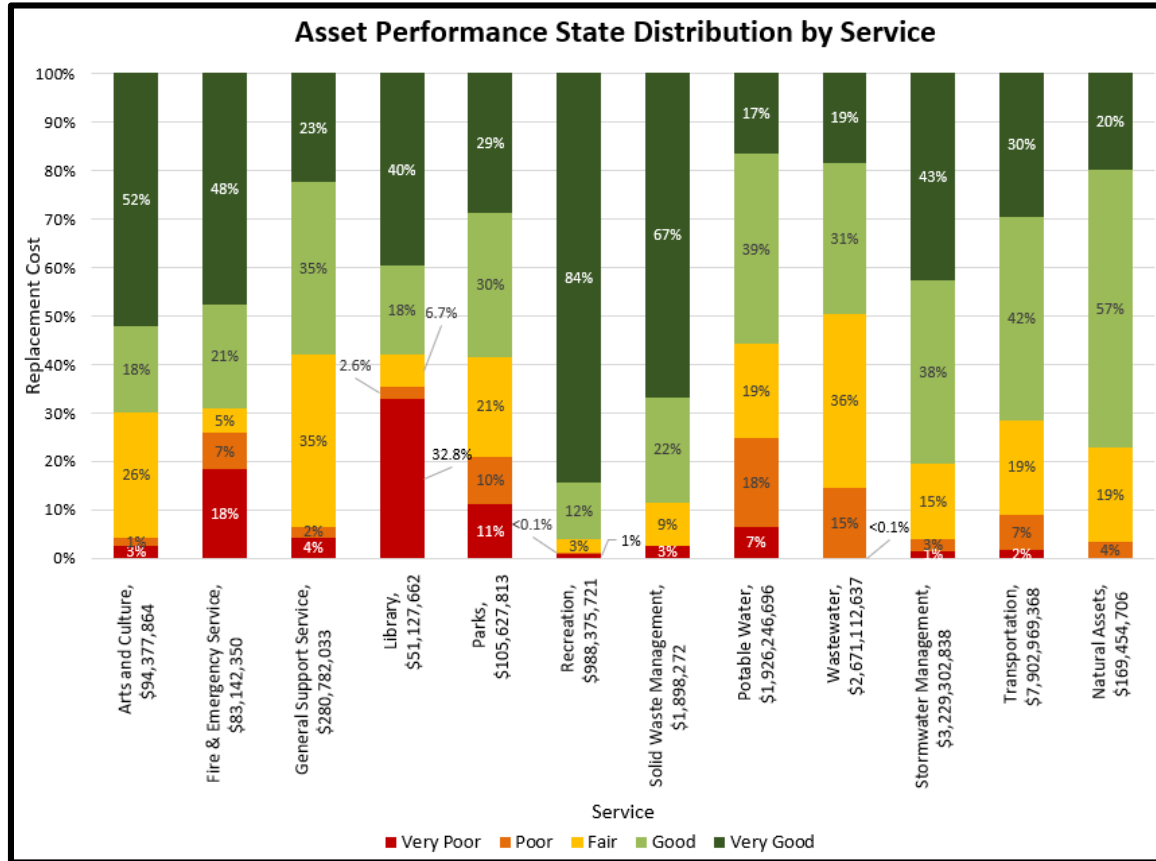


Figure 5: Asset Performance State Distribution by Service



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

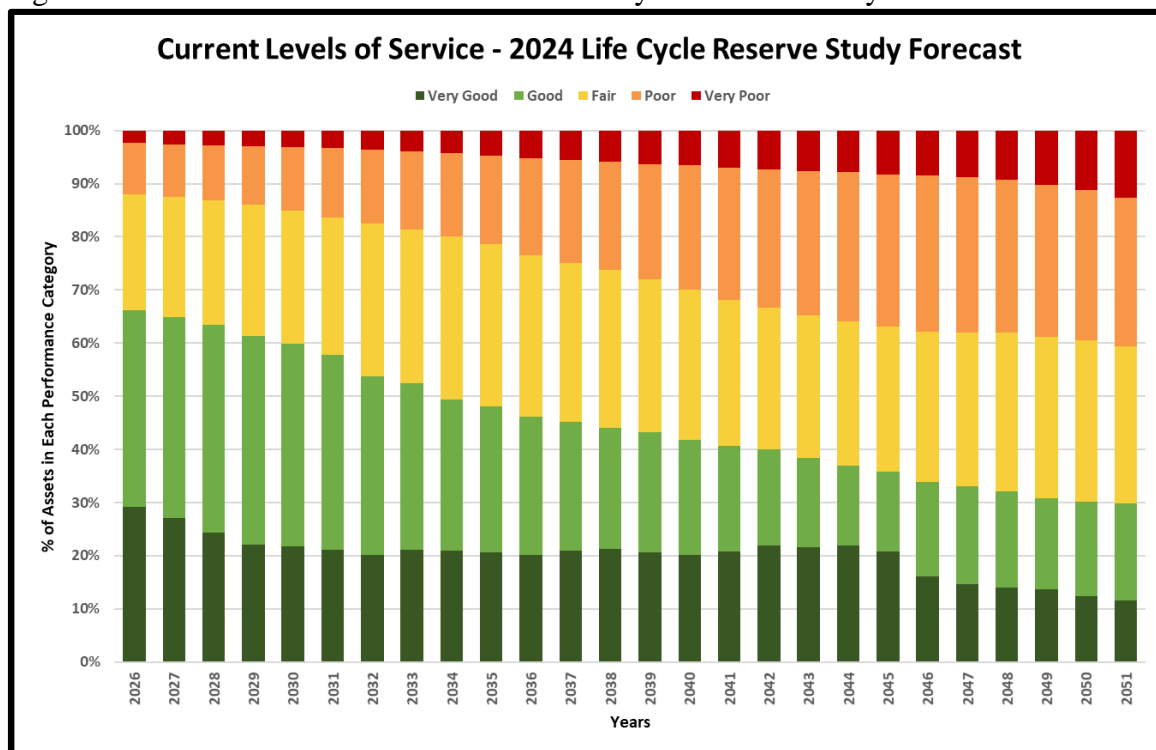
The scope of this update to the City's asset management plan includes an evaluation of planned spending levels over the planning horizon set from 2026 through to 2051 to determine if we are reinvesting the right amount of money, at the right time, to maintain our current service and performance levels 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.

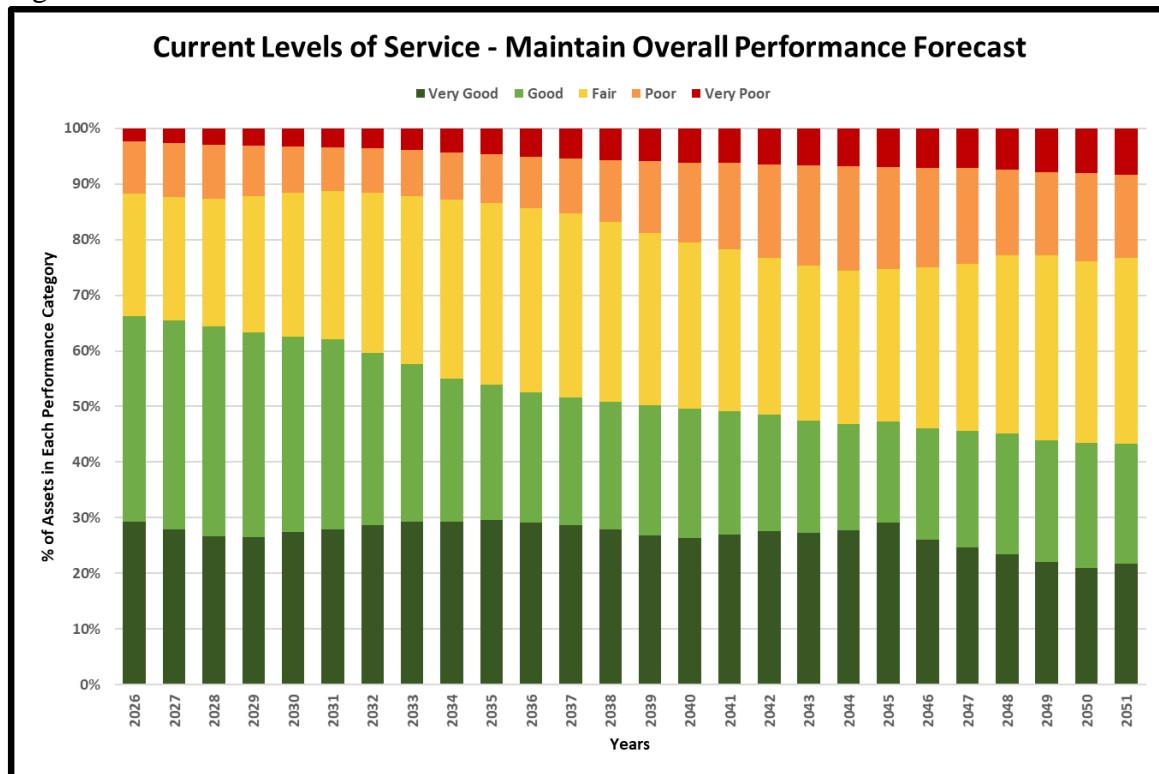
The resulting performance forecast illustrated in Figure 7 below suggests that an overall funding totaling **\$1.99B** (excluding inflationary increases) over the planning horizon is required to **maintain current asset performance levels through to 2051**. This represents an overall increase to estimated 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

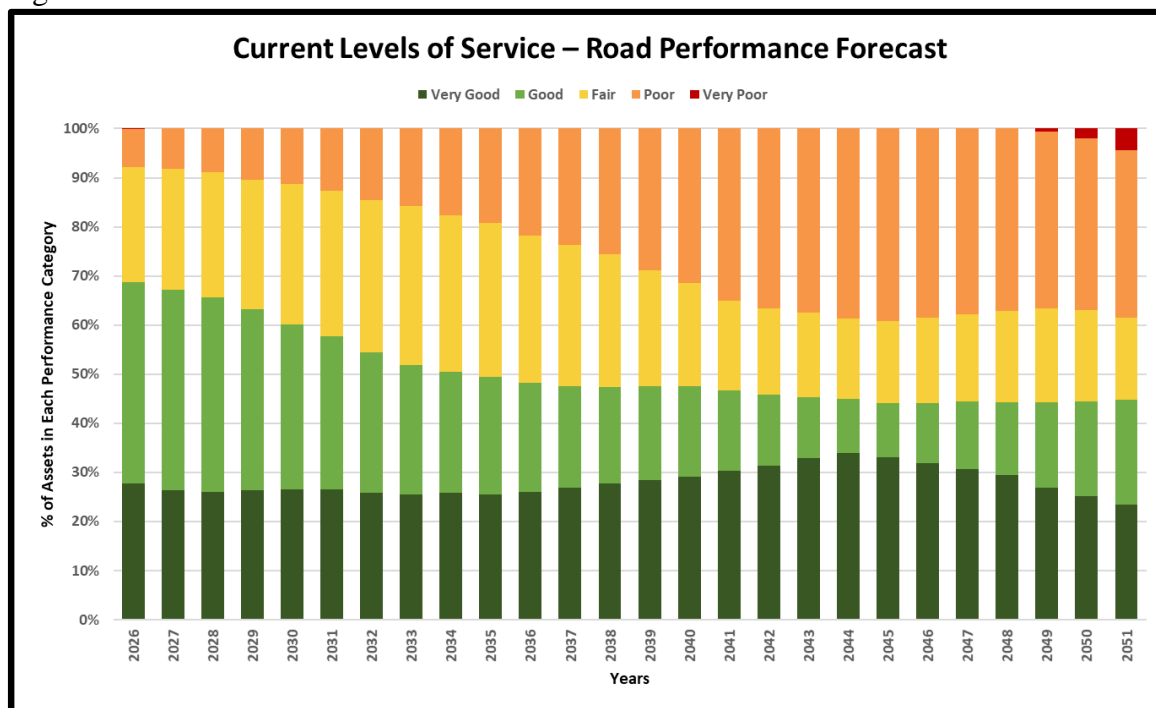
From internal routine pavement condition assessments that informed this update to the asset management plan, road performance results are summarized as follows:

- **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)

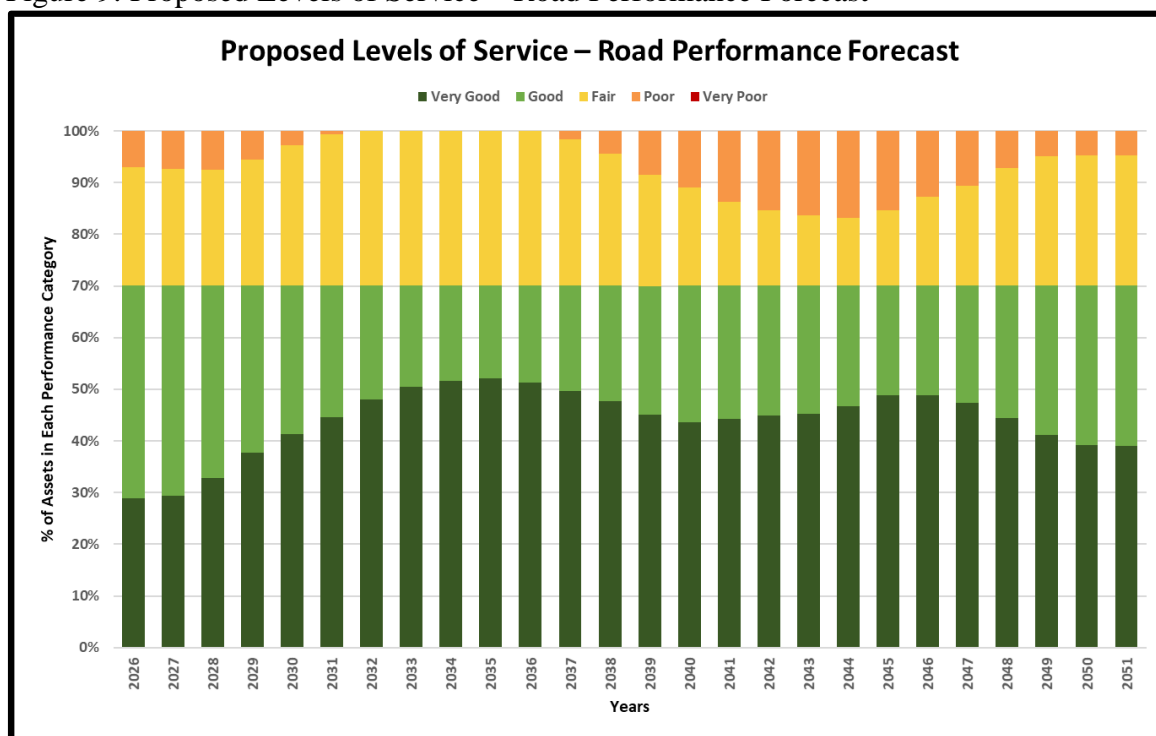
Service Level Considerations	Total Funding Requirement over the Planning Horizon	Equivalent Average Annual Funding Requirement
Road Pavement Management		
70% Scenario – Total	\$166.86M	\$6.42M
LC Renewal - Road	\$161.62M	\$6.22M
Operating Budget	\$4.19M	\$0.16M
Additional Capital	\$1.06M	\$0.04M
75% Scenario – Total	\$220.49M	\$8.48M
LC Renewal - Road	\$208.50M	\$8.02M
Operating Budget	\$10.47M	\$0.40M
Additional Capital	\$1.52M	\$0.06M
80% Scenario – Total	\$271.21M	\$10.43M
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.

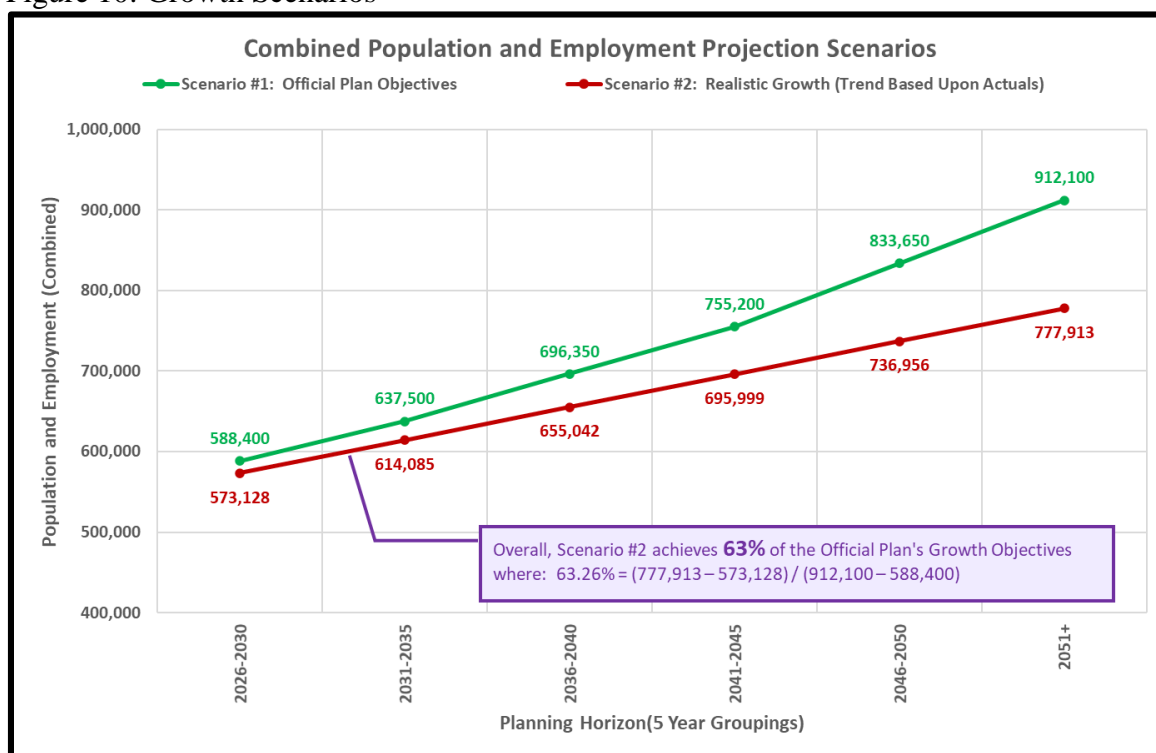
Given that growth objectives for population and employment established by Official Plan are considered ambitious with its implementation difficult to predict with any degree of certainty, the following funding projections are provided as ranges. Many influential factors and variables such as shifting 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:

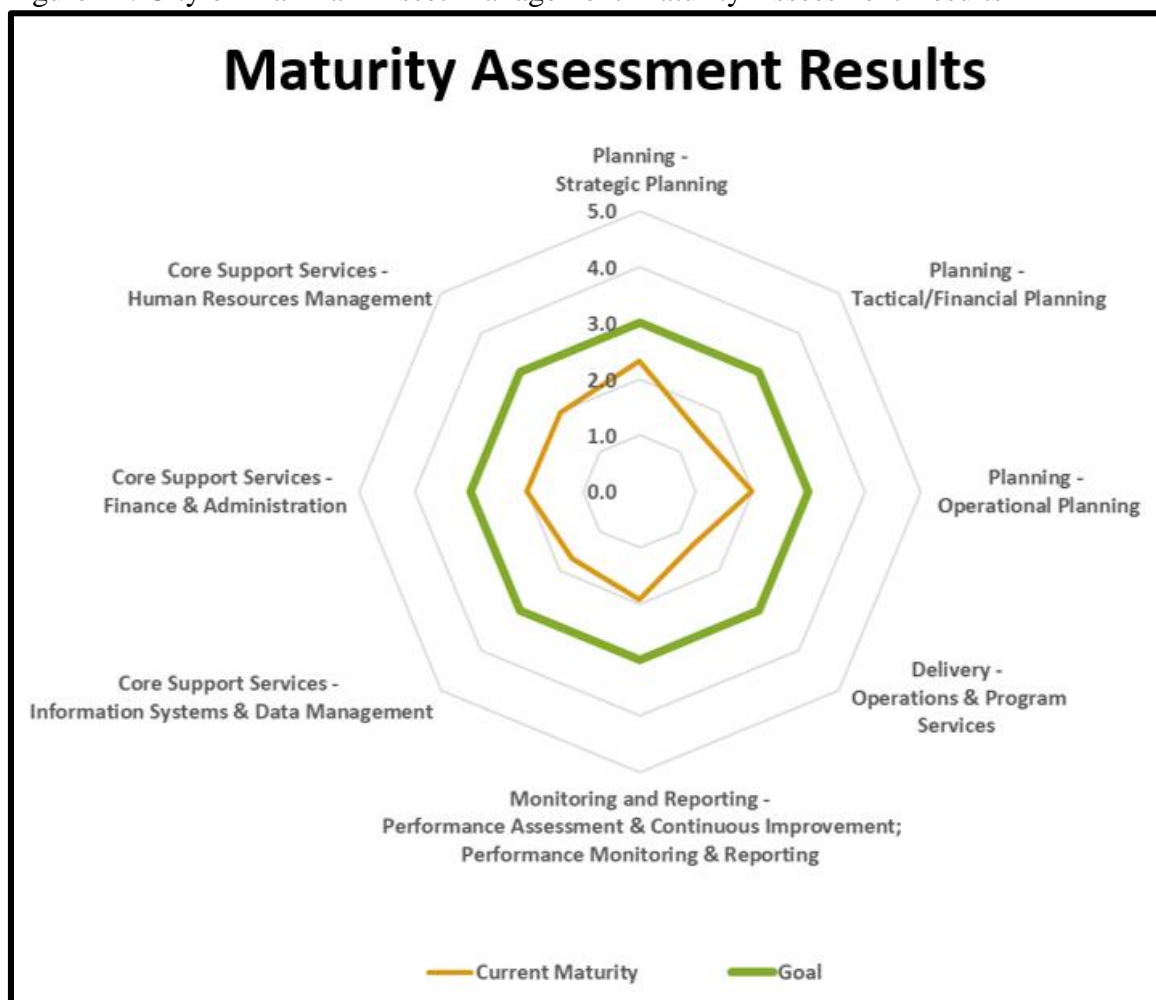
"The municipality's approach to continuous improvement and adoption of appropriate practices regarding asset management planning."

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

Service Level Considerations	Total Funding Requirement over the Planning Horizon	Equivalent Average Annual Funding Requirement
Current Levels of Service		
Maintain Overall Performance (inclusive of 70% Scenario for Roads below)	\$439.59M	\$16.91M
Proposed Levels of Service		
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
Impact of Growth		
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

Service Level Considerations	Total Funding Requirement over the Planning Horizon	Equivalent Average Annual Funding Requirement
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

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:

Graham Seaman
Director, Sustainability & Asset Management
and Asset Management Steering Committee Chair

Joseph Silva
Treasurer

Arvin Prasad
Commissioner, Development Services

Morgan Jones
Commissioner, Community Services

Trinela Cane
Commissioner, Corporate Services

Andy Taylor
Chief Administrative Officer

ATTACHMENTS:

2025 Asset Management Plan and Financial Strategy - Staff Presentation

2025 Asset Management Plan & Financial Strategy

Corporate Asset Management

General Committee, June 17, 2025





- 1) Regulatory Requirements
- 2) About this Plan
- 3) 2025 Asset Management Plan's Findings
- 4) Report's Recommendations



Regulatory Requirement

Strategic Plan – 2020 to 2026
Building Markham's Future Together

Ontario Regulation 588/17: Asset Management Planning for Municipal Infrastructure





About this Plan



State of the Infrastructure



Financial Strategy



**Current Service Level
Assessment**

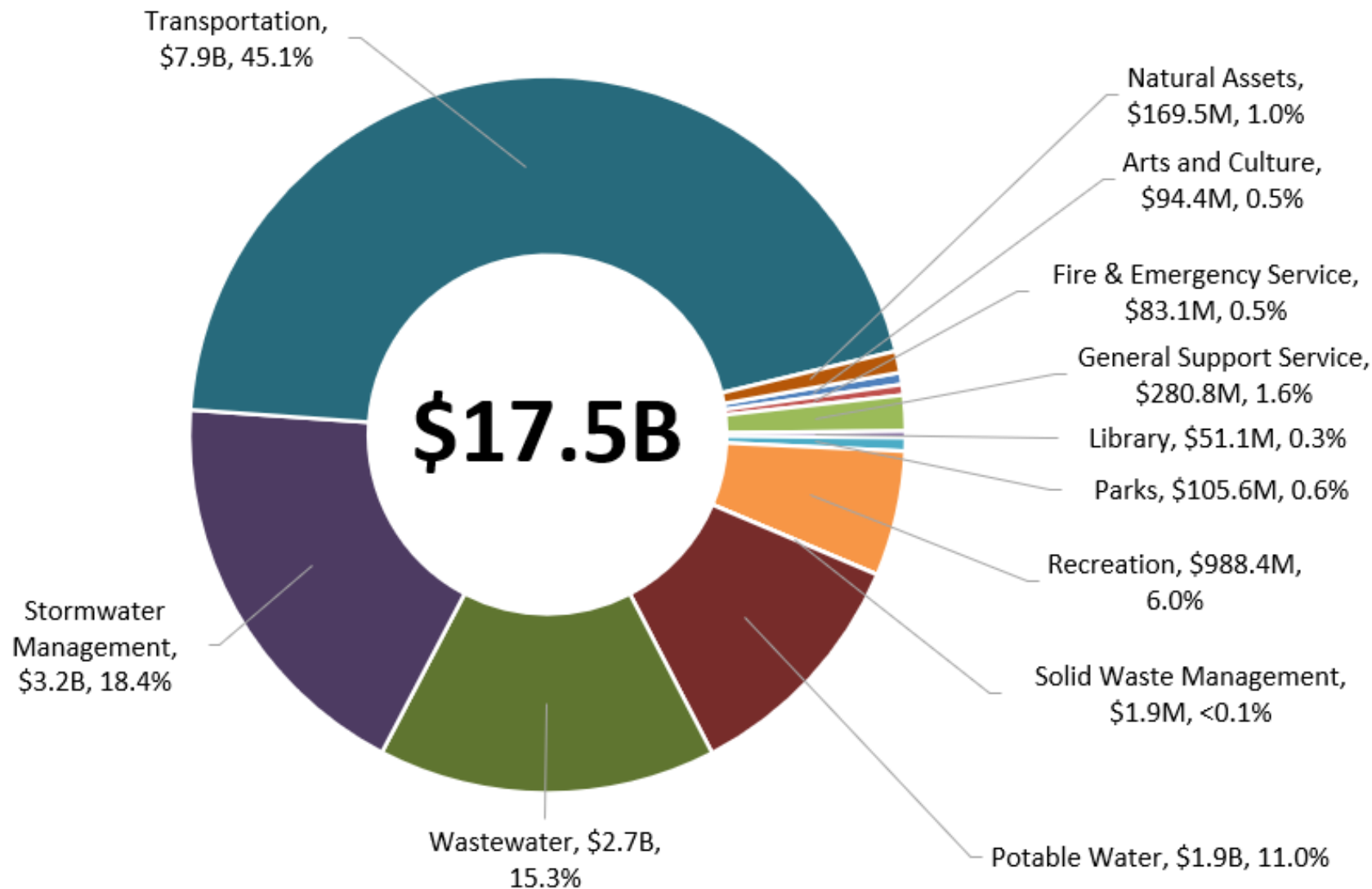


**Proposed Service Level
Assessment**



State of City Infrastructure

Current Replacement Value (CRV) by Service



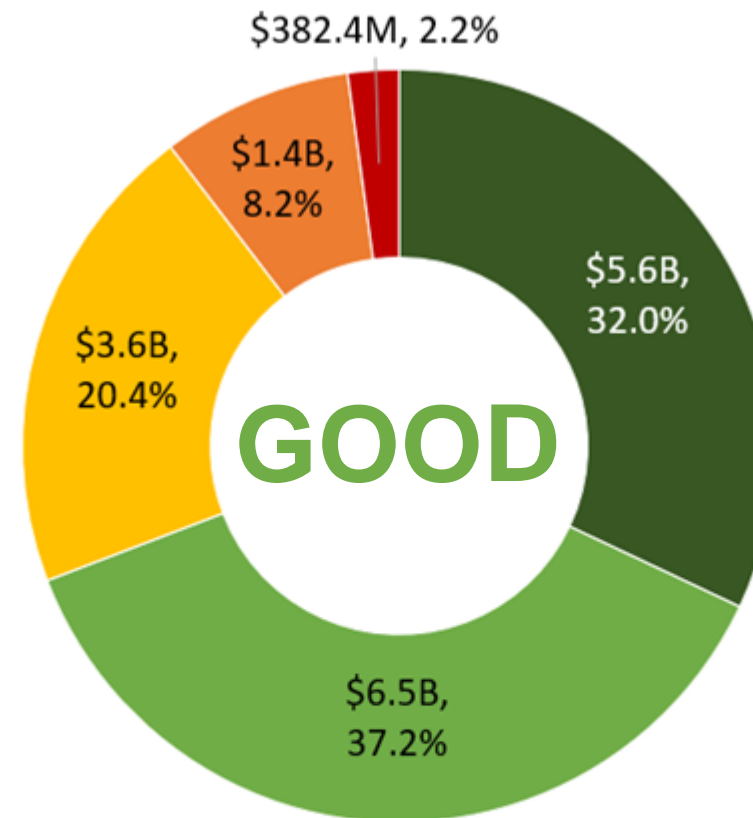


State of City Infrastructure

Installation & Performance Profiles

Key Takeaways

- Asset acquisitions peaked from the 1980s through to the 2000s
 - The City's assets are relatively young:
 - Average age of **34** years
 - Average useful service life of **81** years
 - Overall, assets remain in a **GOOD** state of performance since last reported
- ↑ **Improved to 90% or \$15.7B** (from 88% or \$15.4B) of assets performing as intended
- ↓ **Reduced to 10% or \$1.8B** (from 12% or \$2.1B) of assets are subject of planned maintenance or renewal



Asset Useful Service Life Stages	Beginning of Life (Very Good)	Early Life (Good)	Mid-life (Fair)	Past Mid-life (Poor)	Approaching or at end of life (Very Poor)
	Assets are new or recently rehabilitated	Assets are performing as intended	Assets may show signs of deterioration and may require some form of maintenance	Assets have signs of deterioration and require ongoing monitoring or maintenance	Assets may exhibit advanced signs of deterioration and require ongoing monitoring, rehabilitation and/or renewal



State of City Infrastructure

Risk Management Profile

Key Takeaways

- Highlights the significance of the asset related to the service it supports
- Better informs day to day operating, maintenance and renewal practices

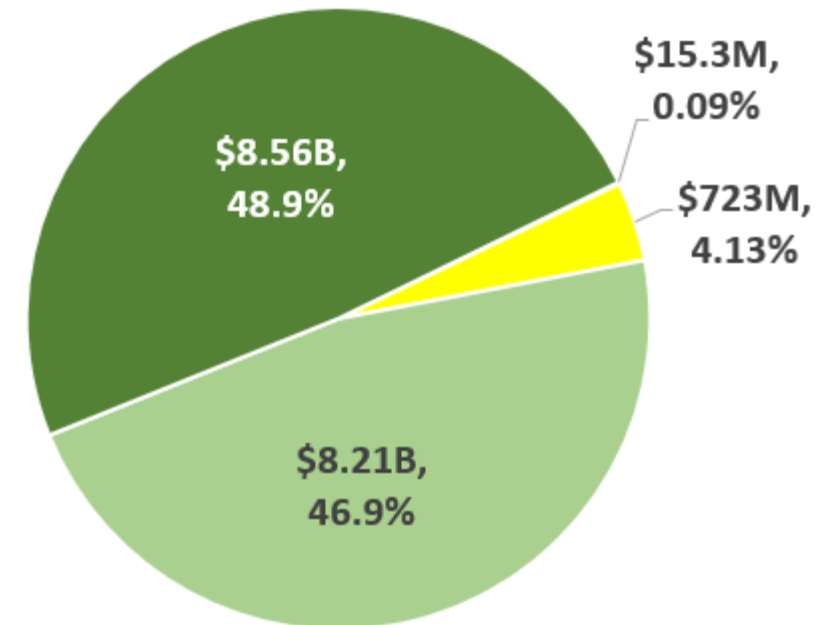
↑ **Increased to 48.9% or \$8.56B** (from 48.8% or 8.54B) assessed as **Very Low** risk

↑ **Increased to 46.9% or \$8.21B** (from 44.4% or \$7.8B) assessed as **Low** risk

↓ **Reduced to 4.13% or \$723M** (from 6.4% or \$1.1B) assessed as **Moderate** risk

↓ **Reduced to 0.09% or \$15.3M** (from 0.4% or \$67.5M) assessed as **High** risk

- **NO ASSETS** assessed as **Very High** risk

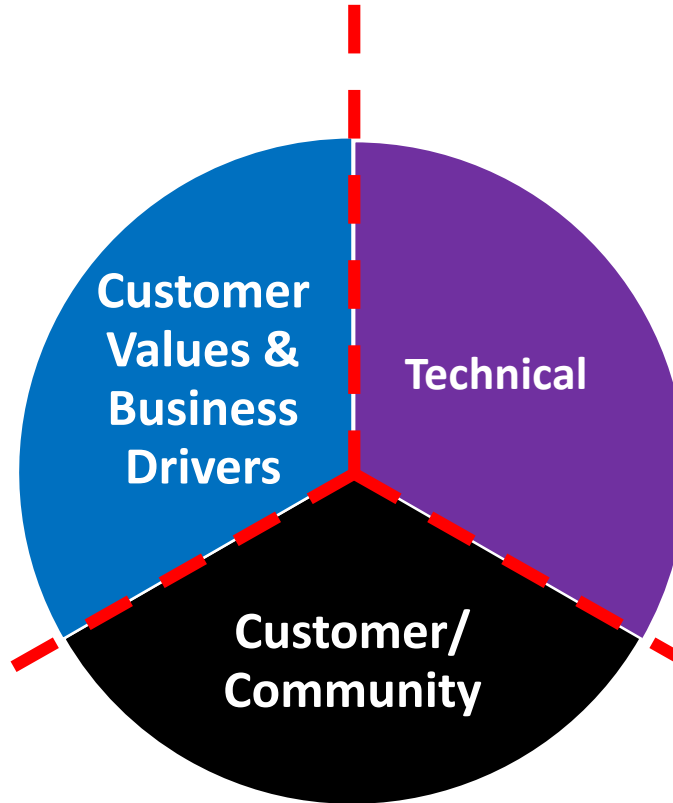


Very Low	1-5	Fit for the Future
Low	6-10	Adequate for Now
Moderate	11-15	Requires Attention
High	16-20	At Risk
Very High	21-25	Unfit for Sustained Service



WHY WE DO THINGS

- Council Direction
- BMFT
- Legislative requirements with mandates & regulations
- Tax payer priorities



ANNUAL WORK PROGRAMS & BUDGETS

(work we do and cost)

- Bridge, culvert & SWM Pond inspection
- Road resurfacing
- Watermain & Sewer main rehab & replacements
- Building renovation
- HVAC replacement
- Computer replacement

PERFORMANCE MANAGEMENT

(what our stakeholders experience)

Condition, Capacity, Functionality, Availability/ Accessibility



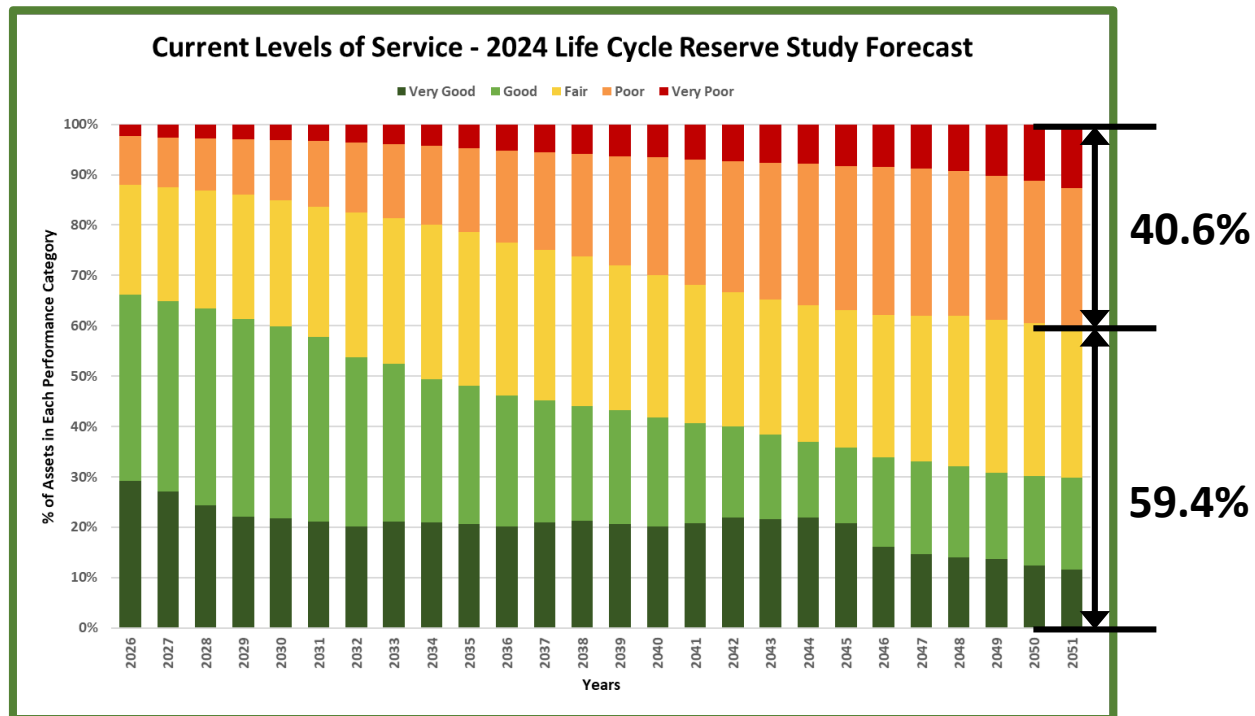
Financial implications noted in this report will be addressed as part of the annual budget process

- The City undertakes a Life Cycle Reserve Study **annually** to identify and refine asset management needs
 - the primary avenue to establish, refine, prioritize and as required, reallocate asset management funding needs
 - results inform capital projects and budget requests from departments
 - funded by a variety of sources, including those noted in this report (for example, contributions from annual operating budget and allocations from any year-end surplus)
- 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
- The budget process also identifies, prioritizes and allocates funding for growth-related capital projects (mostly funded by Development Charges) and water infrastructure renewal (covered by water rates)
- This update of the Asset Management Plan **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

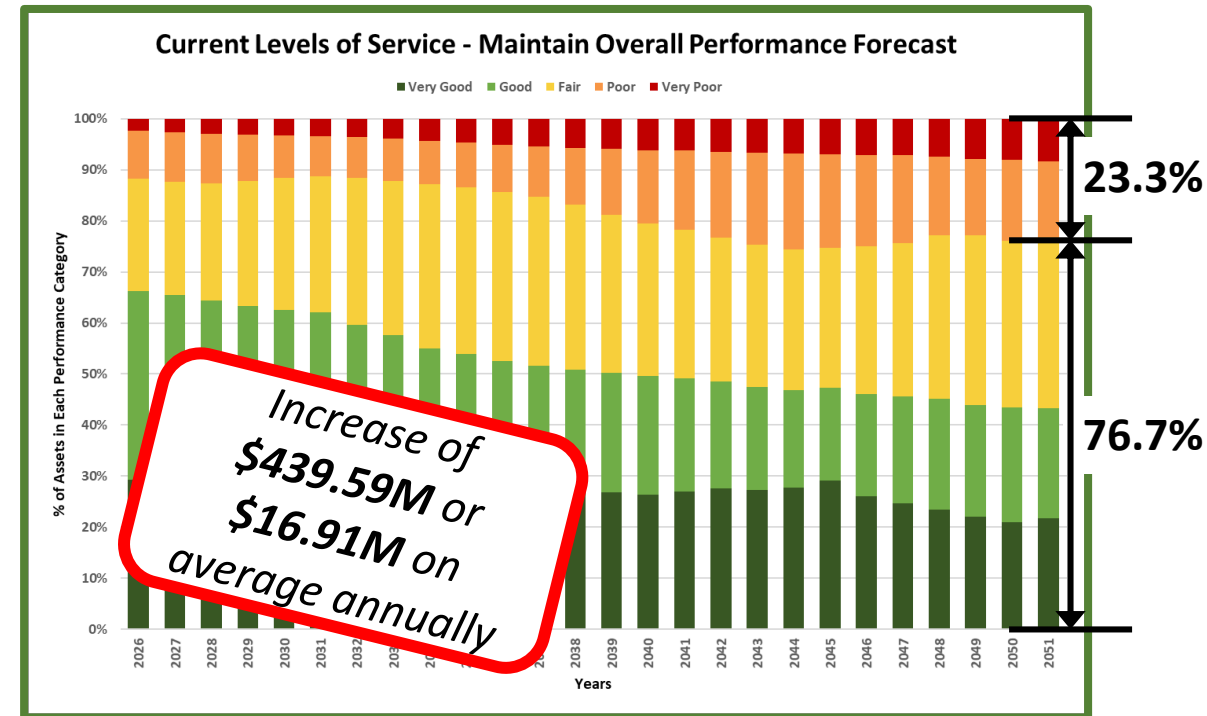


Current Level of Service

Assessment of Funding Levels to Maintain Current Performance



- 2024 LCRS planned spending levels: **\$1.55B**
- Equivalent average annual cost: **\$59.6M**
- Performance outlook **by 2051**:
 - ⬇️ **59.4% or \$10.30B** of assets performing as intended
 - ⬇️ **40.6% or \$7.03B** of assets are subject of planned maintenance or renewal



- Cost to maintain current service levels: **\$1.99B**
- Equivalent average annual cost **\$76.5M**
- Performance outlook **by 2051**:
 - ✅ **76.7% or \$13.30B** of assets performing as intended
 - ✅ **23.3% or \$4.04B** of assets are subject of planned maintenance or renewal



Proposed Level of Service

Considerations



Road Pavement Management

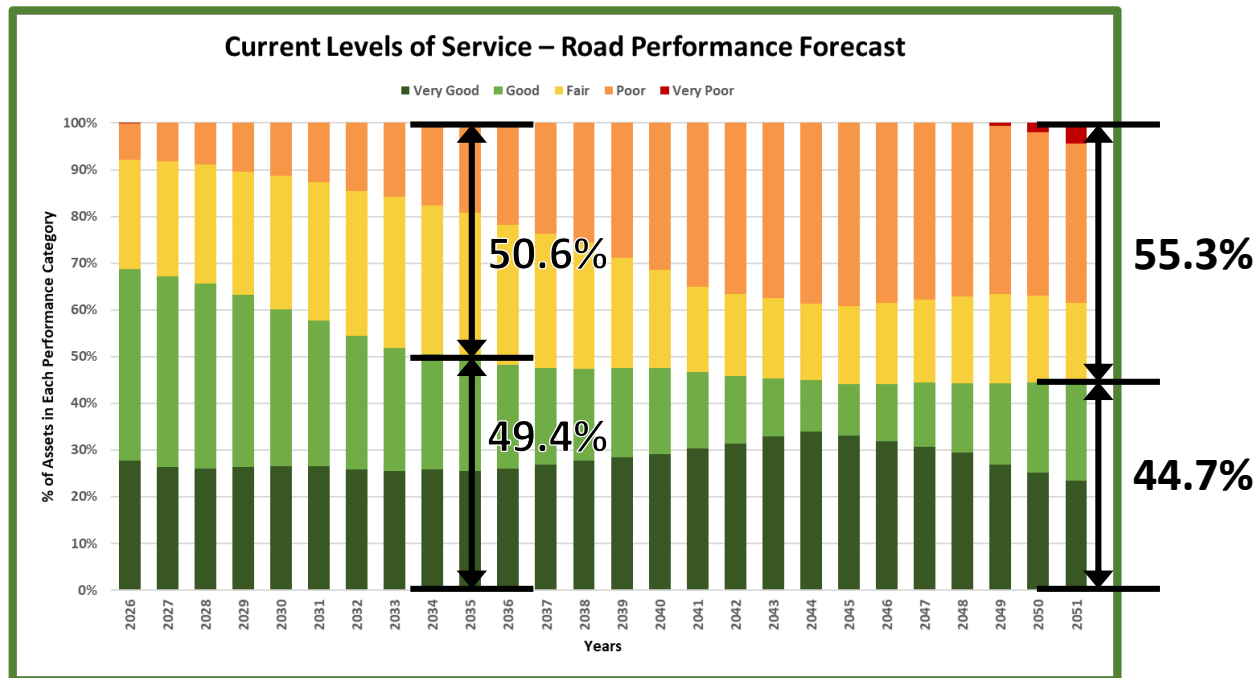


Impact of growth

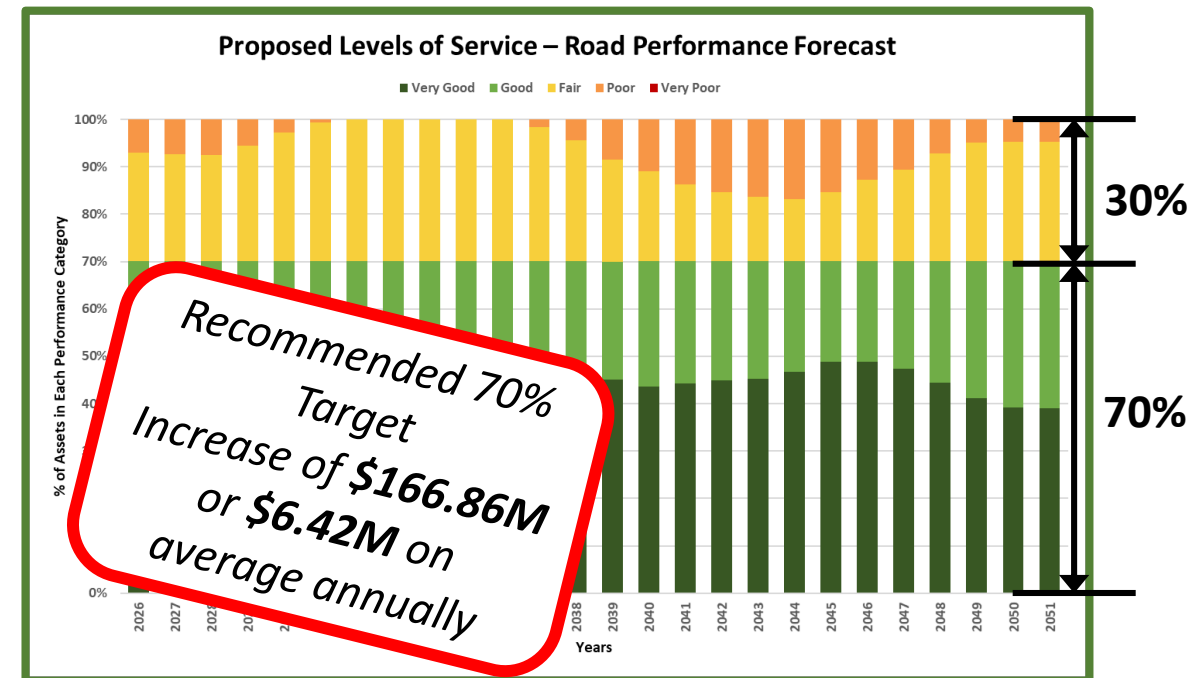


Proposed Level of Service

Road Network



- Current performance **72.6%**
- 2024 LCRS planned spending levels
- Total cost: **\$183.33M**
- Equivalent average annual cost: **\$7.05M**
- Performance outlook:
 - ↓ by 2035 = 49.4%
 - ↓ by 2051 = 44.7%

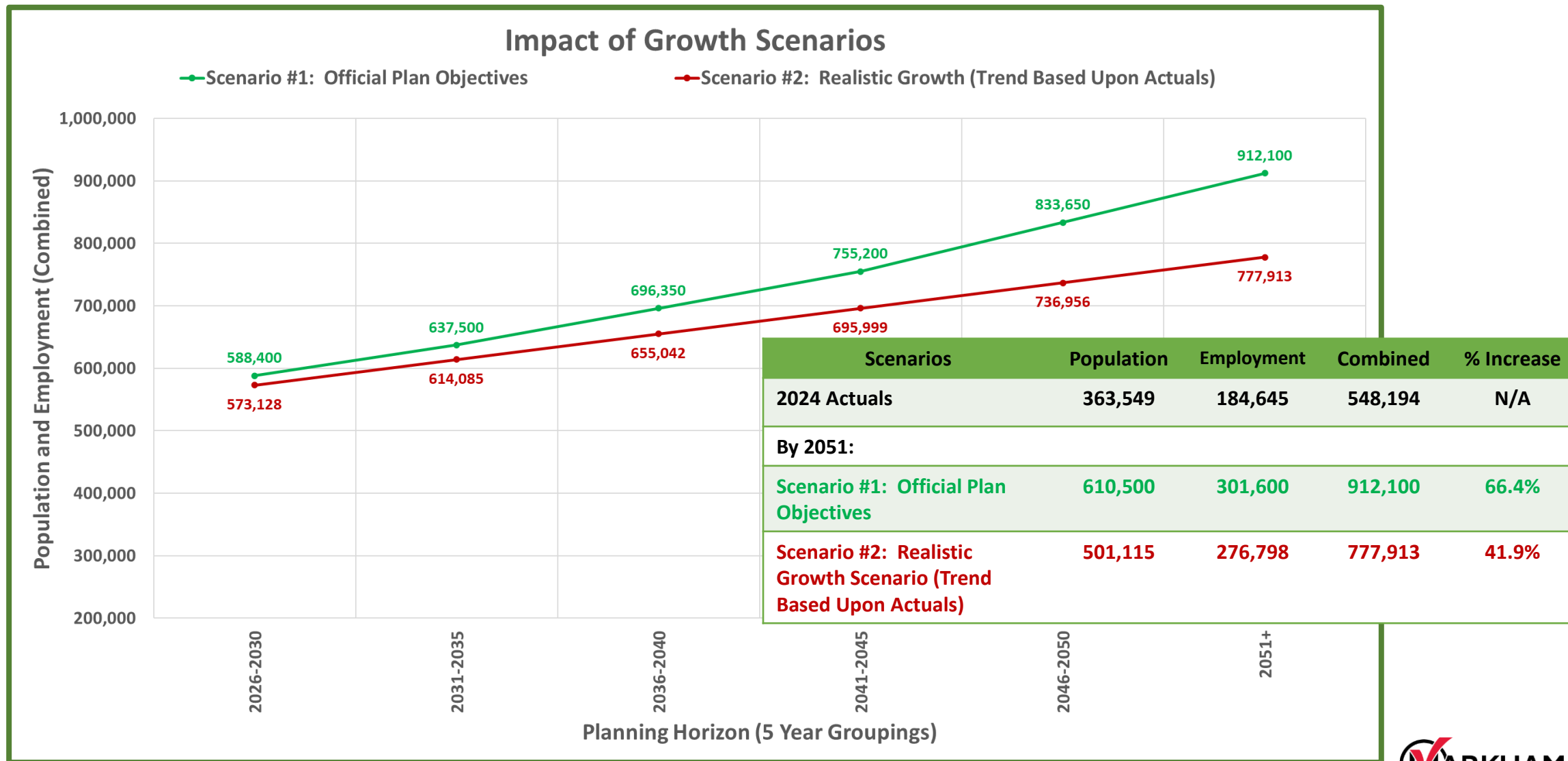


- Cost to maintain **minimum** service level of **70%**
- Total cost: **\$350.2M**
- Equivalent average annual total cost: **\$13.47M**
 - Inclusive of a recommended increase of **\$6.42M**
- ✓ Performance held to target of **70%**



Proposed Level of Service

Impact of Growth – Overview of Approach





Proposed Level of Service

Impact of Growth – By 2051 Summary Forecast

Acquisition Forecast

- Acquire between **\$4.83B to \$6.89B** additional assets to support the **City's growth objectives by 2051**
- Can represent up to a **76%** increase in quantity of assets with a potential **70%** increase in resource-hours required to manage them
- City-funded growth assets ranging from **\$1.98B to \$2.69B**
- Remaining **\$2.85B to \$4.2B** funded by other sources

Operating Budget Forecast

- Total increase to Operating Budget funding levels range from **\$128.6M to \$183.5M**
- Equivalent average annual increase ranging from **\$4.9M to \$7.1M**
- Does not including additional contributions the Life Cycle Reserve

Lifecycle Reserve Forecast

- The City may need to add approximately **\$128.8M to \$232M** to the Life Cycle Reserve to renew growth assets with service lives **12 years or less**
- Equivalent average annual increase ranging from **\$5.2M to \$9.3M annually**
- This is **in addition** to the City's annual and ongoing contribution to manage assets currently in service



Proposed Level of Service

Impact of Growth – Summary Forecast

Key Takeaways

- **By 2051**, the City may be required to fund approximately **\$2.2B to \$3.1B** in total to accommodate the demands caused by growth
- **Equivalent average annual funding requirement** ranging from **\$85.9M to \$119.3M**

By the numbers:

Scenarios	Acquisition	Operating Budget	Life Cycle Reserve	Total	Combined Average Annual
By 2051					
Scenario #1: Official Plan Objectives	\$2.69B	\$183.5M	\$232.0M	\$3.10B	\$119.3M
Scenario #2: Realistic Growth Scenario	\$1.98B	\$128.6M	\$128.8M	\$2.23B	\$85.9M



Summary

Markham's assets have a replacement value of **\$17.5B**

- **90%** are performing well and **10%** have planned maintenance, repairs or replacement
- **No** assets are in the **Very High risk** category

Our **Financial Strategy** is sound with a **strong Lifecycle Reserve** working well, of which continues to be updated and improved upon as part of the City's robust annual budget process

Through the annual budget process, give consideration for:

- **\$16.91M/yr** Cost increases to maintain current performance levels; **inclusive of roads**
 - \$6.42M/yr** Recalibrate Road Pavement Management performance target to a **minimum 70%** of the road network be maintained in a **GOOD** or better state of performance
- **\$85.9M - \$119.3M/yr** With a clearer understanding of the **Impact of Growth**, proactively plan for asset acquisition or assumption, their integration into service, and maintain them at current service levels

The Bottom Line

Markham's 2025 Asset Management Plan and Financial Strategy shows that our systems and processes are working well, we found areas for improvement and are actively working to address them; and

That any financial implications noted be referred to the City's annual budget process



Proposed Recommendations

- 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.

Taking Action Against Invasive Species

Whereas:

Invasive species are a significant risk to the health and biodiversity of natural areas and their enjoyment by the community.

Policy 3.2.2 of the Markham Official Plan 2014 provides direction to develop, in cooperation with York Region, an Urban Forest Management Plan to address local tree canopy targets, tree species diversity, *invasive species management (emphasis added)*, soil conservation strategies, and the long-term maintenance of Markham's urban forest including tracking and measuring the health benefits of the urban forest.

On May 29, 2024 Council endorsed the Natural Heritage Management Study, including an Invasive Plant Species Management Plan and Natural Areas Management Guidebook.

The Natural Areas Management Guidebook provides direction to address invasive species as a best practice.

The Invasive Species Management Plan provides information on key invasive plants in Markham, past and ongoing management efforts, and direction for the prioritization and implementation of invasive species management projects in City-owned natural areas.

On May 29, 2024 council also endorsed the Natural Assets Study.

The Natural Assets Study includes invasive species management as a current life cycle activity undertaken to manage city-owned natural assets.

The Natural Assets Study Climate Guide identifies undertaking targeted management of invasive species in sensitive ecosystems and developing an invasive species management plan as opportunities to increase resiliency of City's natural areas to climate change.

The Ontario Invasive Species Strategic Plan (2012-2022 under review) provides provincial direction and commitments on addressing the risk of invasive species.

The Ontario Invasive Species Strategic Plan is guided by overarching goals to prevent, detect, respond, manage and adapt to invasive species.

The Ontario Invasive Species Strategic Plan Identifies the role of partners and key stakeholders including federal government, *municipalities (emphasis added)*, NGOs, private sector and property owners.

The York Region Invasive Species Technical Working Group was created to foster collaboration with local municipalities, provincial and federal governments, NGOs and academia to manage invasive species.

The Rouge National Urban Park (Environment Canada) (RNUP) is guided by a multi-species Action Plan.

The RNUP multi-species action plan provides a comprehensive plan for endangered and threatened species conservation and recovery in the RNUP.

The RNUP multi-species action plan lists current targeted actions to control invasive species in the park.

The RNUP multi-species action plan Identifies an initiative to develop an Invasive Species Management Plan.

The Toronto and Region Conservation Authority (TRCA) is guided by an Invasive Species Management Strategy 2020-2025.

The TRCA Invasive Species Management Strategy includes a goal to protect and, where possible, enhance terrestrial and aquatic ecosystem function and services on TRCA-owned lands and *other public lands (emphasis added)* to ensure ecosystem health and community well-being.

The TRCA Invasive Species Management Strategy actions include collaboration and coordination among partners.

Invasive species management undertaken by the City of Markham would complement and support strategies and initiatives led by the Province of Ontario, York Region, and other agencies and stakeholders active in Markham.

Markham's current actions to manage invasive species are typically targeted and secondary activities related to other work (e.g. removing invasive species and noxious weeds harmful to human health along trails and high use park sites, storm pond cleaning, targeted community- led stewardship projects, preparing sites for tree planting areas).

Whereas Markham lacks a funded strategy to manage invasive species as a stand-alone goal.

Therefore, be it resolved that:

That Markham Council directs city staff to prepare a 2026 capital budget submission to develop a long-term invasive species management strategy with appropriate action steps; and,

That Development of a long-term invasive species management strategy be funded in the 2026 budget year, for implementation of the strategy beginning in the 2027 budget year; and,

That the long-term invasive species management strategy include cooperation with other levels of government, other public agencies, non-governmental organizations, the 407ETR and private property owners; and,

That the long-term invasive species management strategy include quantitative goals and benchmarks, such as, for illustration only, metres of shoreline or acres of green space cleared of invasive species and the recommended budget, staffing and resources needed to implement the strategy; and further,

That work to control invasive plant species move at a pace faster than the spread of the targeted invasive species.

Appendices

Invasive phragmites taking over Civic Centre pond
<photo>

Markham Environmental Advisory Committee May 29, 2025, Minutes/Endorsement (abbreviated)

Markham Natural Heritage Management Study:
<https://pub-markham.escribemeetings.com/Meeting.aspx?Id=52a65762-43fb-4494-9a9f-bce572f71a6e&Agenda=Merged&lang=English&Item=25&Tab=attachments>

Markham Natural Assets Study
<https://pub-markham.escribemeetings.com/Meeting.aspx?Id=52a65762-43fb-4494-9a9f-bce572f71a6e&Agenda=Merged&lang=English&Item=35&Tab=attachments>

Ontario Invasive Species Strategic Plan
<https://www.ontario.ca/page/invasive-species-strategic-plan-2012#section-0>

RNUP Multi-species Action Plan
<https://www.canada.ca/en/environment-climate-change/services/species-risk-public-registry/action-plans/multi-species-rouge-national-urban-park-2021.html>

TRCA Invasive Species Strategy 2020-2025
<https://pub-trca.escribemeetings.com/filestream.ashx?DocumentId=6533>

Invasive phragmites taking over Civic Centre pond





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

May 29, 2025

7:00 PM

Minutes

<p><u>Present</u> Stuart Cumner, Chair Paddy Wong, Vice-Chair Councillor Ritch Lau Sarena Karpouzis Karl Lyew Christina Wong Victoria Choy Cliff Chan Catherine Jeffrey Frank Vignando Jack Heath Kelly Lo</p>	<p><u>Staff</u> Graham Seaman, Director, Sustainability and Asset Management. Jennifer Wong, Manager, Sustainability Mark Head, Manager, Natural Heritage Patrick Wong, Senior Planner, Natural Heritage Laura Gold, Committee Clerk</p> <p><u>Regrets</u> Councillor Amanda Collucci Yash Kapur Brett Casorzo Mercy Jeyanathan</p>
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1. Invasive Species Management Strategy

Councillor Reid McAlpine presented a motion on an Invasive Species Management Strategy that he will be bring forward to a June Standing Committee meeting to seek Council's endorsement. Councillor McAlpine asked the Committee to endorse the motion. The motion is needed as invasive species, such as cattails and bulrushes (correction: phragmites, not cattails and bulrushes), are significantly affecting the City's greenspaces and displacing native plants. The desired outcome of the motion would be to have funds allocated in the 2026 Budget to develop a strategic approach and a formal policy for addressing invasive species in Markham's greenspaces similar to other Ontario municipalities.

Fred Peters, Friends of Swan Lake Park, advised that he will be providing a presentation later in the meeting that recommends a policy framework that engages local citizens to help address the issue of invasive species as it is very costly to manage. Mr. Peters noted that the City of Ottawa has a similar program to what he is recommending. Mr. Peters invited the Committee to an attend an Invasive Species Management Forum on June 18th, 9-11 AM.

Councillor McAlpine noted that engaging volunteers may be part of the solution but that professionals with expertise would also be required to address the issue. The Committee suggested seeking grant opportunities to help fund an invasive species program.

Graham Seaman, Director of Sustainability and Asset Management, noted that staff resources should be contemplated when recommending funds for an invasive species program.

Moved by Jack Heath

Seconded by Vicky Choy

Having read and discussed the following motion, Markham Environmental Advisory Committee endorses the follow motion:

Taking Action Against Invasive Species

Whereas:

Invasive species are a significant risk to the health and biodiversity of natural areas and their enjoyment by the community.

Policy 3.2.2 of the Markham Official Plan 2014 provides direction to develop, in cooperation with York Region, an Urban Forest Management Plan to address local tree canopy targets, tree species diversity, *invasive species management (emphasis added)*, soil conservation strategies, and the long-term maintenance of Markham's urban forest including tracking and measuring the health benefits of the urban forest.

On May 29, 2024 Council endorsed the Natural Heritage Management Study, including an Invasive Plant Species Management Plan and Natural Areas Management Guidebook.

The Natural Areas Management Guidebook provides direction to address invasive species as a best practice

The Invasive Species Management Plan provides information on key invasive plants in Markham, past and ongoing management efforts, and direction for the prioritization and implementation of invasive species management projects in City-owned natural areas.

On May 29, 2024 council also endorsed the Natural Assets Study.

The Natural Assets Study includes invasive species management as a current life cycle activity undertaken to manage city-owned natural assets.

The Natural Assets Study Climate Guide identifies undertaking targeted management of invasive species in sensitive ecosystems and developing an invasive species management plan as opportunities to increase resiliency of City's natural areas to climate change.

The Ontario Invasive Species Strategic Plan (2012-2022 under review) provides provincial direction and commitments on addressing the risk of invasive species.

The Ontario Invasive Species Strategic Plan is guided by overarching goals to prevent, detect, respond, manage and adapt to invasive species.

The Ontario Invasive Species Strategic Plan Identifies the role of partners and key stakeholders including federal government, *municipalities (emphasis added)*, NGOs, private sector and property owners.

The York Region Invasive Species Technical Working Group was created to foster collaboration with local municipalities, provincial and federal governments, NGOs and academia to manage invasive species.

The Rouge National Urban Park (Environment Canada) (RNUP) is guided by a multi-species Action Plan.

The RNUP multi-species action plan provides a comprehensive plan for endangered and threatened species conservation and recovery in the RNUP.

The RNUP multi-species action plan lists current targeted actions to control invasive species in the park.

The RNUP multi-species action plan Identifies an initiative to develop an Invasive Species Management Plan.

The Toronto and Region Conservation Authority (TRCA) is guided by an Invasive Species Management Strategy 2020-2025.

The TRCA Invasive Species Management Strategy includes a goal to protect and, where possible, enhance terrestrial and aquatic ecosystem function and services on TRCA-owned lands and *other public lands (emphasis added)* to ensure ecosystem health and community well-being.

The TRCA Invasive Species Management Strategy actions include collaboration and coordination among partners.

Invasive species management undertaken by the City of Markham would complement and support strategies and initiatives led by the Province of Ontario, York Region, and other agencies and stakeholders active in Markham.

Markham's current actions to manage invasive species are typically targeted and secondary activities related to other work (e.g. removing invasive species and noxious weeds harmful to human health along trails and high use park sites, storm pond cleaning, targeted community-led stewardship projects, preparing sites for tree planting areas).

Whereas Markham lacks a funded strategy to manage invasive species as a stand-alone goal.

Therefore, be it resolved that:

Markham Council directs city staff to prepare a 2026 capital budget submission to develop a long-term invasive species management strategy with appropriate action steps.

Development of a long-term invasive species management strategy be funded in the 2026 budget year, for implementation of the strategy beginning in the 2027 budget year.

The long-term invasive species management strategy include cooperation with other levels of government, other public agencies, non-governmental organizations, the 407ETR and private property owners.

The long-term invasive species management strategy include quantitative goals and benchmarks, such as, for illustration only, metres of shoreline or acres of green space cleared of invasive species and the recommended budget, staffing and resources needed to implement the strategy.

And be it further resolved that work to control invasive plant species move at a pace faster than the spread of the targeted invasive species.

Carried

2. Swan Lake Citizen Lab

Fred Peters, Friends of Swan Lake Park, provided a presentation titled Strengthening the Local Citizen's Role in Environmental Stewardship.

The Committee discussed the following in relation to invasive species management:

- Collaborating with Nature Stewards and mapping and documenting problem areas.
- Using drones to detect infestations and problem areas.
- Toronto Stewards unwillingness to go north of Steeles.
- Swan Lakes plans to address invasive species, which focus on biodiversity and human integration.

The Committee agreed to endorse in principle the Friends of the Swan Lake Park's recommendations to address invasive species at Swan Lake. The Committee also suggested that Councillor McAlpine's motion be integrated with the Friends of Swan Lake Park's recommendations.

Moved by Stuart Cumner

Seconded by Vicky Choy

- 1) That the Markham Environmental Advisory Committee endorse in principle and request that Markham Council look into the following motion of the Friends of Swan Lake Park:
 - A. Encourage Markham to adopt an integrated Natural Asset Strategy that reflects the interconnected terrestrial water and human elements; and,
 - B. Investigate the Toronto Natural Stewards (TNS) approach as potential stewardship model for managing invasive species plants in Markham's parks.
 - C. Endorse Friends of Swan Lake Park's efforts for two pilot projects for managing invasive species in Markham:
 - I. Swan Lake Citizen Science lab as monitoring model for other environmentally sensitive areas in Markham.
 - II. Using the TNS approach as a Stewardship management model for invasive species.
- 2) And That the Markham Environmental Advisory Committee request that the City investigate other municipalities practices for addressing invasive species, such as Brampton's practices.

Carried



By-law 2025-44

A by-law to designate part of a certain
plan of subdivision not subject to Part Lot Control

**Please provide date of Council Resolution or Approval (mm/dd/year)-
6/24/2025**

The Council of The Corporation of the City of Markham hereby enacts as follows:

1. That Section 50(5) of the *Planning Act*, R.S.O. 1990, P.13 shall not apply to the lands within the part of a registered plan of subdivision designated as follows:

Blocks 76, 84, 108, and 110, on Registered Plan 65M-4794, City of Markham, Regional Municipality of York
2. This By-law shall expire two years from the date of its passage by Council.

Read a first, second, and third time and passed on June 24, 2025

Kimberley Kitteringham
City Clerk

Frank Scarpitti
Mayor



EXPLANATORY NOTE

BY-LAW NO: 2025-44
Part Lot Control By-law

**Country Wide Homes at Markham Inc.
Blocks 76, 84, 108, and 110, Registered Plan 65M-4794.**

Lands Affected

The lands are located along Selina Rose Street, west of Warden Avenue and north of Berczy Green Drive.

This by-law applies to Blocks 76, 84, 108, and 110 on Registered Plan 65M-4794.

The purpose of this by-law is to exempt the subject blocks from the part lot control provisions of the *Planning Act*. The effect of this by-law is to facilitate the conveyance of 21 traditional condo townhouses.



By-law 2025-46

TO REPEAL BY-LAW 2014-20 AS AMENDED BY BY-LAW 2023-102, BEING A BY-LAW
TO DESIGNATE THE MUNSHAW HOMESTEAD.

WHEREAS City Council passed By-law 2014-20 to designate The Munshaw Homestead as being of historic and/or architectural value or interest;

AND WHEREAS City Council passed By-law 2023-102 to amend By-law 2014-20 to correct the legal description of The Munshaw Homestead;

AND WHEREAS the owner applied to City Council for a Major Heritage Permit under subsection 34(1) of the *Ontario Heritage Act* for consent to demolish The Munshaw Homestead;

AND WHEREAS City Council has approved the application to demolish The Munshaw Homestead at its meeting on March 25, 2025;

AND WHEREAS under subsection 34.3(1)(a) of the *Ontario Heritage Act*, where the council of a municipality consented to the application under subsection 34(1), the council of the municipality shall pass a by-law repealing the designation by-law and shall delete reference to the by-law from the heritage register;

NOW THEREFORE the Council of The Corporation of the City of Markham hereby enacts:

1. By-law 2014-20, being a by-law to designate The Munshaw Homestead, is repealed in its entirety.
2. By-law 2023-102, being a by-law to amend By-law 2014-20, being a by-law to correct the legal description of The Munshaw Homestead, is repealed in its entirety.

Read a first, second and third time and passed this 24th day of June, 2025.

Kimberley Kitteringham
City Clerk

Frank Scarpitti
Mayor

EXPLANATORY NOTE

BY-LAW NO: 2025-46

Munshaw Homestead

Lands Affected

The lands are located at 10 Ruggles Avenue (“Munshaw Homestead”).

The purpose of this By-law is to repeal By-law 2023-102 from the lands municipally known as 10 Ruggles Avenue. Council approved a Major Heritage Permit application seeking permission to demolish the on-site heritage resource due to significant fire damage at its meeting on March 25, 2025.



BY-LAW 2025-47

A BY-LAW TO AMEND BY-LAW 2004-196, AS AMENDED
(Removal of Hold Provision)

WHEREAS Section 34 of the Planning Act, R.S.O. 1990, c. P.13, as amended, permits a Council to pass a by-law prohibiting the use of land, buildings or structures within a defined area or areas; and,

WHEREAS Section 36 of the Planning Act, R.S.O. 1990, c. P.13, as amended, permits a Council to pass a by-law to specify the use to which lands, buildings or structures may be put at such time in the future as the hold symbol is removed by amendment to the by-law; and,

WHEREAS Zoning By-law No. 2004-196 is the governing By-law of the Corporation of the City of Markham pertaining to the subject lands; and

WHEREAS the Council of the Corporation of the City of Markham has deemed it advisable to amend Zoning By-law No. 2004-196, as amended; and,

WHEREAS it has been confirmed to Council that all of the conditions required for the removal of the Holding (H12) Symbol from the subject lands have been completed to the satisfaction of the City;

NOW THEREFORE the Council of the Corporation of the City of Markham enacts as follows:

1. THAT By-law 2004-196, as amended, is hereby further amended as follows:
 - 1.1 By removing the Holding (H12) provision from the **Markham Centre Downtown Two Exception 30 Hold 12 (MC-D2*30 H12)** for the lands outlined on Schedule “A” attached hereto.
2. THAT Zoning By-law No. 2004-196 is hereby amended to give effect to the foregoing, but shall in all other respects remain in full force and effect.
3. THAT this By-law shall come into effect upon final passing, pursuant to Section 34(21) of the Planning Act, 1990.

Read a first, second and third time and passed on June 24, 2025.

Kimberley Kitteringham
City Clerk

Frank Scarpitti
Mayor



EXPLANATORY NOTE

BY-LAW 2025-47

A By-law to amend By-law 2004-196, as amended

**Signature Tower Residence Inc.
190 Enterprise Blvd and 18 Andre De Grasse Street(“K2”)
Northwest corner of Enterprise Boulevard and Andre De Grasse Street
CON 5 PT LOT 8 RP 65R37421 PARTS 1 TO 3**

Lands Affected

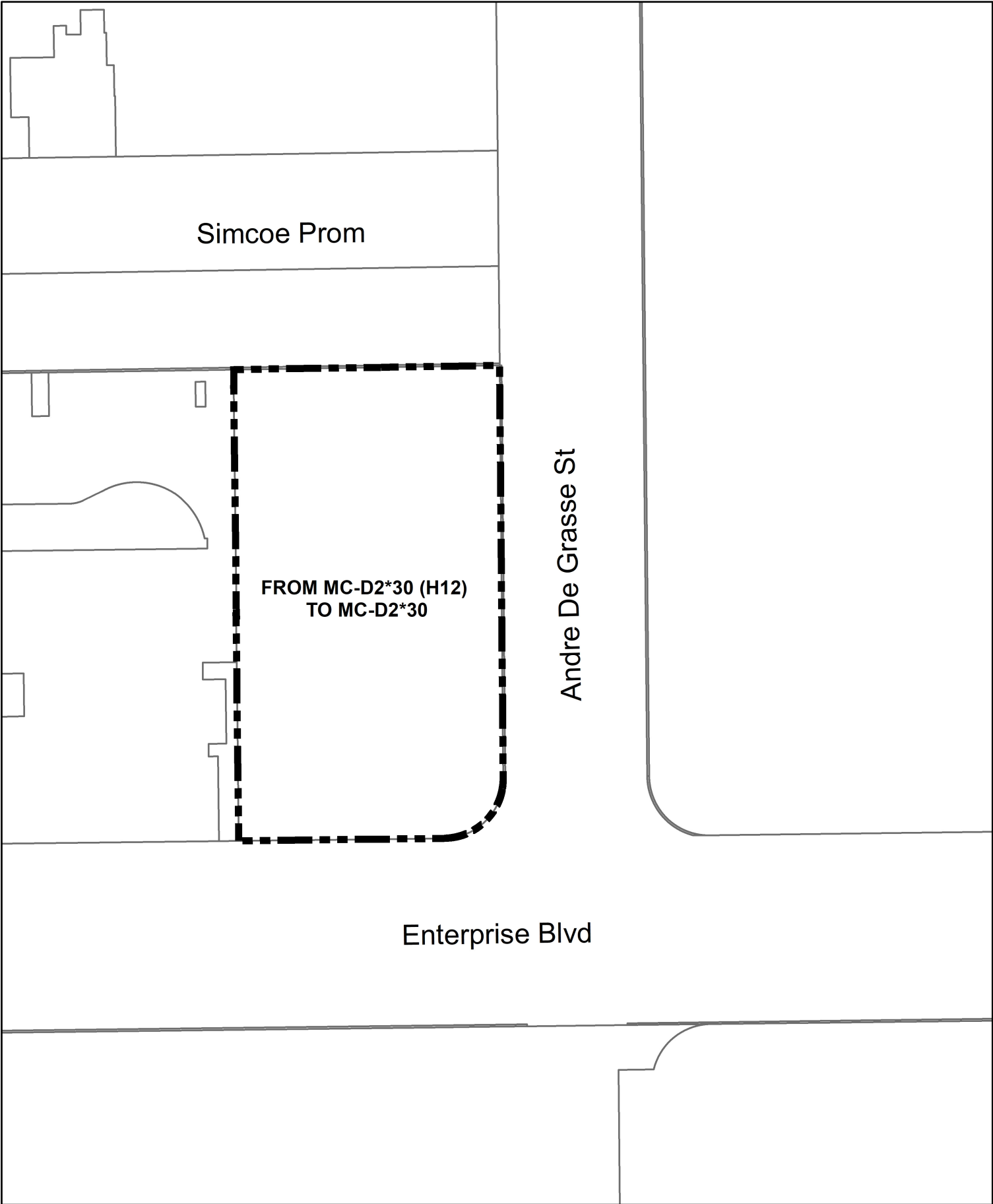
The proposed by-law amendment applies to 0.28 ha (0.69 ac) lands located on the northwest corner of Enterprise Boulevard and Andre De Grasse Street.

Existing Zoning

The subject lands are zoned Markham Centre Downtown Two Exception 30 Hold 12 (MC-D2*30 H12) by By-law 2004-196, as amended.


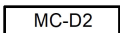
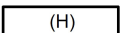
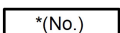
Purpose and Effect

The purpose and effect of this By-law is to remove the Holding (H12) Symbol from the zoning of the subject lands to permit a mixed-use condominium apartment development comprised of a 35 storey residential tower containing 335 units.



SCHEDULE 'A' TO BY-LAW AMENDING BY-LAW 2004-196



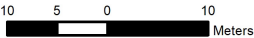
-  BOUNDARY OF AREA COVERED BY THIS AMENDMENT
-  MARKHAM CENTRE DOWNTOWN TWO
-  HOLDING PROVISION
-  EXCEPTION ZONE

THIS IS NOT A PLAN OF SURVEY. Zoning information presented in this Schedule is a representation sourced from Geographic Information Systems. In the event of a discrepancy between the zoning information contained on this Schedule and the text of zoning by-law, the information contained in the text of the zoning by-law of the municipality shall be deemed accurate.

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DEVELOPMENT SERVICES COMMISSION



Drawn By: BE Checked By: ML DATE: 6/12/2025

NOTE: This Schedule should be read in conjunction with the signed original By-Law filed with the City of Markham Clerk's Office



MARKHAM

BY-LAW 2025-49

A By-law to amend By-laws 1229, 2150, 2237, 2551, 122-72, 88-76 127-76, 184-78, 118-79, 165-80, 47-85, 304-87, 177-96, 2004-196 and, 2024-19, as amended

THE COUNCIL OF THE CORPORATION OF THE CITY OF MARKHAM HEREBY ENACTS AS FOLLOWS:

1.0 The following amendments apply to the lands as shown on Schedule ‘A’ attached hereto.

2.0 By-law’s 1229, 2150, 2237, 2551, 122-72, 88-76 127-76, 184-78, 118-79, 165-80, 47-85 and, 304-87, as amended, are hereby further amended as follows:

2.1 “Notwithstanding any other provision in this by-law:

- i) Where the maximum number of storeys of a building is equal to or less than 4, the maximum number of storeys shall be 4.
- ii) Where the maximum height of a building is equal to or less than 14 metres, the maximum height shall be 14 metres.

In determining the applicable zone boundary line of this by-law, where the flooding hazard limit established by the Toronto and Region Conservation Authority extends into the area identified on Schedule A, the provisions of this by-law shall not apply.”

3.0 By-law 177-96, as amended, is hereby further amended as follows:

3.1 By adding a new Section 6.29 as follows:

“6.29 Major Transit Station Areas

The following provisions apply to lands shown on the schedules to this by-law as being within a Major Transit Station Area:

6.29.1 Notwithstanding any other provision in this by-law:

- i) Where the maximum number of *storeys* of a *building* is equal to or less than 4, the maximum number of *storeys* shall be 4.
- ii) Where the maximum *height* of a *building* is equal to or less than 14 metres, the maximum *height* shall be 14 metres.

In determining the applicable zone boundary line of this by-law, where the flooding hazard limit established by the Toronto and Region Conservation Authority extends into the area identified on Schedule A, the provisions of this by-law shall not apply.”

4.0 By-law 2004-196, as amended, is hereby further amended as follows:

By adding a new Section 4.23 as follows:

“4.23 Major Transit Station Areas

The following provisions apply to lands shown on the schedules to this by-law as being within a Major Transit Station Area:

4.23.1 Notwithstanding any other provision in this by-law:

- i) Where the maximum number of *storeys* of a *building* is equal to or less than 4, the maximum number of *storeys* shall be 4.
- ii) Where the maximum *height* of a *building* is equal to or less than 14 metres, the maximum *height* shall be 14 metres.

In determining the applicable zone boundary line of this by-law, where the flooding hazard limit established by the Toronto and Region Conservation Authority extends into the area identified on Schedule A, the provisions of this by-law shall not apply.”

5.0 By-law 2024-19, as amended, is hereby further amended as follows:

“4.8.13 Major Transit Station Areas

The following provisions apply to lands shown on the schedules to this by-law as being within a Major Transit Station Area:

- 4.8.13.1 Notwithstanding any other provision in this by-law, where a **building** contains a residential **dwelling unit**:
- a) Within the Residential Established Neighbourhood Low Rise (RES-ENLR) zone:
 - i) Maximum number of **storeys** – 4
 - ii) Maximum **outside wall height** - 11 metres
 - b) For all other zones:
 - i) Where the maximum number of **storeys** of a **building** is equal to or less than 4, the maximum number of **storeys** shall be 4.
 - ii) Where the maximum **height** of a **building** is equal to or less than 14 metres, the maximum **height** shall be 14 metres.

6.0 All other provisions of By-laws 1229, 2150, 2237, 2551, 122-72, 88-76 127-76, 184-78, 118-79, 165-80, 47-85, 304-87, 177-96, 2004-196 and, 2024-19, as amended, unless specifically modified/amended by this By-law continue to apply.

READ A FIRST, SECOND, AND THIRD TIME AND PASSED THIS 24th DAY OF JUNE, 2025.

KIMBERLEY KITTINGHAM
CITY CLERK

FRANK SCARPITTI
MAYOR



SCHEDULE 'A' TO BY-LAW

AMENDING BY-LAWS 1229, 2150, 2237, 2551, 122-72, 88-76 127-76, 184-78, 118-79, 165-80, 47-85, 304-87,
177-96, 2004-196, 2024-19 DATED

 BOUNDARY OF AFFECTED PARENT ZONING BY-LAWS

THIS IS NOT A PLAN OF SURVEY. Zoning Information presented in this Schedule is a representation sourced from Geographic Information Systems. In the event of a discrepancy between the zoning information contained on this Schedule and the text of zoning by-law, the information contained in the text of the zoning by-law of the municipality shall be deemed accurate.

 DEVELOPMENT SERVICES COMMISSION

1,400 900 0 1,800
Meters

Drawn By: RT

Checked By: GD

DATE: 13/5/2025

NOTE: This Schedule should be read in conjunction with the signed original By-Law filed with the City of Markham Clerk's Office

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By-Law 2025-50

TO AMEND BY-LAW 2018-109 A BY-LAW TO REGULATE THE USE, ALTERATION, AND OCCUPANCY OF HIGHWAYS WITHIN THE CITY OF MARKHAM

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 24th DAY OF JUNE, 2025.

KIMBERLEY KITTINGHAM
CITY CLERK

FRANK SCARPITTI
MAYOR



By-law 2025-43

A By-law to confirm the proceedings of the Council Meeting held on
June 24, 2025.

The Council of The Corporation of the City of Markham hereby enacts as follows:

1. That the action of the Council Meeting held on June 24, 2025 in respect to each motion, resolution and other action passed and taken by the Council at the said meeting is, except where prior approval of the Local Planning Appeal Tribunal is required, hereby adopted ratified and confirmed.
2. That the Mayor and the proper officers of the City are hereby authorized and directed to do all things necessary to give effect to the said action or to obtain approvals where required and to execute all documents as may be necessary in that behalf and the Clerk is hereby authorized and directed to affix The Corporate Seal to all such documents.

Read a first, second, and third time and passed June 24, 2025.

Kimberley Kitteringham
City Clerk

Frank Scarpitti
Mayor