

General Committee Revised Agenda

Revised Items are Italicized.

Meeting Number: 9
April 23, 2019, 1:00 PM - 3:00 PM
Council Chamber

Please bring this General Committee Agenda to the Council meeting on April 30, 2019.

	Pages
1. CALL TO ORDER	
2. DISCLOSURE OF PECUNIARY INTEREST	
3. APPROVAL OF PREVIOUS MINUTES	
3.1 MINUTES OF THE APRIL 8, 2019 GENERAL COMMITTEE (16.0)	8
1. That the minutes of the April 8, 2019 General Committee meeting be confirmed.	
4. DEPUTATIONS	
5. COMMUNICATIONS	
5.1 YORK REGION COMMUNICATIONS (13.4)	19
Note: Questions regarding Regional correspondence should be directed to Chris Raynor, Regional Clerk.	
The following York Region Communications are available <u>on-line only</u> .	
1. That the communication dated March 28, 2019 from York Region regarding Comments on Proposed Amendment 1 to Growth Plan be received for information purposes.	
6. PETITIONS	
7. CONSENT REPORTS - FINANCE & ADMINISTRATIVE ISSUES	
7.1 AWARD OF RFP 196-R-18 SUPPLY AND DELIVERY OF WHEELED	51

CURBSIDE GREEN BIN CONTAINERS (7.12)

T. Casale, ext. 3190 and M. DiPasquale, ext. 3710

1. That the report entitled “Award of RFP 196-R-18 Supply and Delivery of Wheeled Curbside Green Bin Containers” be received; and,
2. That the Contract for the supply and delivery of wheeled curbside green bin containers be awarded to the highest ranked / lowest priced bidder “Nova Products o/a Peninsula Plastics Ltd ” in the annual amount of \$112,731.76 inclusive of HST; and,
3. That the 2019 award amount of \$112,731.76 inclusive of HST be funded from Operating account number 770-773-4132 “Green Bins For Resale”; and,
4. That the remaining budget in the amount of \$17,268.24 be reported as part of the 2019 operating budget year-end variance and reduced from the 2020 Operating Budget; and,
5. That Staff be authorized to exercise the option to renew the contract for three (3) additional years (2020-2022) subject to the Consumer Price Index for Canada (“CPI”) (September to September) and Council approval of the 2020 to 2022 Operating budget as follows;
 - Year 1 (2020) \$112,731.76 (Incl. of HST) + CPI Index
 - Year 2 (2021) \$112,731.76 (Incl. of HST) + CPI Index
 - Year 3 (2022) \$112,731.76 (Incl. of HST) + CPI Index; and further,
 - That Staff be authorized and directed to do all things necessary to give effect to this resolution.

7.2 STAFF AWARDED CONTRACTS FOR THE MONTHS OF FEBRUARY AND MARCH 2019 (7.12)

54

A. Moore, ext. 4711

1. That the report entitled “Staff Awarded Contracts for the Months of February and March 2019” be received; and,
2. That Staff be authorized and directed to do all things necessary to give effect to this resolution

7.3 2019 FIRST QUARTER INVESTMENT PERFORMANCE REVIEW (7.0)

81

M. Visser, ext. 4260

1. That the report dated April 23, 2019 entitled “2019 First Quarter Investment Performance Review” be received; and,
2. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

8. PRESENTATION - FINANCE & ADMINISTRATIVE ISSUES

8.1 2018 UNITED WAY CAMPAIGN CHEQUE PRESENTATION (12.2.6)

Note: Members of the United Way Toronto & York Region will be in attendance for the cheque presentation.

9. PRESENTATION - LAND, BUILDING & PARKS CONSTRUCTION ISSUES

9.1 PUBLIC WORKS FACILITY EXPANSION (8.6)

92

R. Law, ext. 4852 and H. Tencer ext. 5988

1. That the presentation entitled "Public Works Facility Expansion" be received.

10. REGULAR REPORTS - FINANCE & ADMINISTRATIVE ISSUES

10.1 2018 CONSOLIDATED FINANCIAL STATEMENTS (7.0)

122

S. Skelcher, ext. 3880

1. THAT the presentation titled “2018 Consolidated Financial Statements” be received; and,
2. THAT the report titled “2018 Consolidated Financial Statements” be received; and
3. THAT Council approve the draft Consolidated Financial Statements of The Corporation of the City of Markham (the City), the City of Markham Public Library (the Library), Community Boards, Business Improvement Areas (BIAs) and Investment in Markham Enterprises Corporation (MEC), for the fiscal year ended December 31, 2018; and,
4. THAT Council authorize Staff to publish the final audited Statements for the fiscal year ended December 31, 2018 upon receiving the Independent Auditors’ Report; and,
5. THAT the KPMG LLP Audit Findings Report for the year ended December 31, 2018 be received; and,
6. THAT this matter be forwarded to Council for adoption on April 30,

2019; and,

7. THAT Staff be authorized and directed to do all things necessary to give effect to this resolution.

10.2 **ADVISORY BOARD AND COMMITTEE (ABC) REVIEW FOR THE 2018-2022 TERM OF COUNCIL (16.0)**

193

K. Kitteringham, ext. 4729, M. Pettit, ext. 8220 and L. Gold, ext. 4930

1. That the report titled “Advisory Board and Committee (ABC) Review for the 2018-2022 Term of Council” be received; and,
2. That Council maintain the ABCs as outlined in **Appendix “E”**; and,
3. That Council re-classify, amalgamate or dissolve the ABCs as outlined in **Appendix “F”** as of June 30, 2019, and Council extend its sincere thanks to all citizen appointees and City staff liaisons of these ABCs for their contribution to Markham over the years; and,
4. That the composition of the Appointment Committee be maintained and that this Committee conduct interviews for the Heritage Markham Committee, Committee of Adjustment, and the Library Board; and, that a panel of City staff conduct interviews for all other ABCs and present the slate of candidates to Council for approval on an as needed basis; and further,
5. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

11. **REGULAR REPORTS - COMMUNITY SERVICE ISSUES**

11.1 **WATER RELATED BY-LAW UPDATE AND CONSOLIDATION (2.0 & 5.3)**

269

R. Fei, ext. 2687 and G. Miokovic, ext. 2519

1. That the report entitled “Water Related By-law Update and Consolidation”, dated April 23, 2019, be received; and,
2. That the proposed Water Use By-law, as described in this report and in the form set out in Attachment “A” be approved and enacted; and,
3. That the four new Waterworks Fees as described in this report be approved, and that an amendment to By-law No. 2002-276 “Fee By-law”, as amended, be approved and enacted in the form set out in Attachment “B”; and,
4. That an amendment to By-law No. 2016-84 “AMPS By-law for Non-Parking Offences”, as amended, be approved and enacted in the form

set out in Attachment “C”; and,

5. That an amendment to By-law No. 2012-137 “Licensing, Permit and Service Fees By-law”, as amended, be approved and enacted in the form set out in Attachment “D”; and,
6. That each of the Director of Environmental Services and the Director of Engineering be authorized to execute agreements (i.e. “Water Service Connection Installation Agreement”) for the construction of Water Service Connections with property owners under section 6.1.1 of the Proposed Water Use By-law to the satisfaction of the Director of Environmental Services or the Director of Engineering ; and further,
7. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

12. MOTIONS

13. NOTICES OF MOTION

14. NEW/OTHER BUSINESS

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

15. ANNOUNCEMENTS

16. CONFIDENTIAL ITEMS

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

16.1 FINANCE & ADMINISTRATIVE ISSUES

16.1.1 GENERAL COMMITTEE CONFIDENTIAL MINUTES - MARCH 25, 2019 (16.0) [Section 239 (2) (b) (c) (d)]

16.1.2 A PROPOSED OR PENDING ACQUISITION OR DISPOSITION OF LAND BY THE MUNICIPALITY OR LOCAL BOARD (WARD) (8.2) [Section 239 (2) (c)]

16.1.3 LABOUR RELATIONS OR EMPLOYEE NEGOTIATIONS (11.0) [Section 239 (2) (d)]

16.2 LAND, BUILDING & PARKS CONSTRUCTION ISSUES

16.2.1 A PROPOSED OR PENDING ACQUISITION OR DISPOSITION
OF LAND BY THE MUNICIPALITY OR LOCAL BOARD
(WARD 2) (8.2) [Section 239 (2) (c)]

16.2.2 A PROPOSED OR PENDING ACQUISITION OR DISPOSITION
OF LAND BY THE MUNICIPALITY OR LOCAL BOARD
(WARD 2) (8.2) [Section 239 (2) (c)]

17. ADJOURNMENT

Information Page

General Committee Members: All Members of Council

General Committee

Chair: Regional Councillor Jack Heath

Vice Chair: Councillor Khalid Usman

Finance & Administrative Issues

Chair: Regional Councillor Jack Heath

Vice Chair: Councillor Khalid Usman

Community Services Issues

Chair: Councillor Karen Rea

Vice Chair: Councillor Isa Lee

Environment & Sustainability Issues

Chair: Regional Councillor Joe Li

Vice Chair: Councillor Reid McAlpine

Land, Building & Parks Construction Issues

Chair: Councillor Keith Irish

Vice Chair: Councillor Andrew Keyes

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

Alternate formats are available upon request.

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

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

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

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



General Committee Minutes

Meeting Number: 7

April 8, 2019, 9:30 AM - 3:00 PM

Council Chamber

Roll Call	Mayor Frank Scarpitti	Councillor Reid McAlpine
	Deputy Mayor Don Hamilton	Councillor Karen Rea
	Regional Councillor Jack Heath (left at 10:26 AM and returned at 11:56 AM)	Councillor Andrew Keyes
	Regional Councillor Joe Li	Councillor Khalid Usman
	Regional Councillor Jim Jones	Councillor Isa Lee
	Councillor Alan Ho	
Regrets	Councillor Keith Irish	Councillor Amanda Collucci
Staff	Andy Taylor, Chief Administrative Officer	Joel Lustig, Treasurer
	Trinela Cane, Commissioner, Corporate Services	Bryan Frois, Chief of Staff
	Brenda Librecz, Commissioner of Community & Fire Services	Kimberley Kitteringham, City Clerk
	Arvin Prasad, Commissioner Development Services	Chris Alexander, Supervisor, Licensing & Standards
	Catherine Conrad, City Solicitor and Acting Director of Human Resources	Kevin Ross, Manager, Development Finance
		Robert Penner, Manager, Utilities Inspections & Survey Group
		Josh Machesney, Elections & Committee Coordinator

1. CALL TO ORDER

The General Committee meeting convened at the hour of 9:35 AM with Regional Councillor Jack Heath in the Chair; Councillor Karen Rea Chaired Community Services related items.

Mayor Frank Scarpitti offered remarks to commemorate the one year anniversary of the Humboldt Broncos hockey team bus crash in rural Saskatchewan. General Committee observed a moment of silence to honour and remember the victims.

Councillor Khalid Usman assumed the Chair at 10:26 AM.

General Committee recessed at 11:15 AM and reconvened at 11:28 AM.

2. DISCLOSURE OF PECUNIARY INTEREST

Councillor Karen Rea expressed a disclosure of pecuniary interest with respect to item 12.1.2 "Personal Matters about an Identifiable Individual, Including Municipal or Local Board Employees (Report of Integrity Commissioner Regarding Code of Conduct Complaint about Ward 4 Councillor Karen Rea)" on the March 25, 2019 General Committee meeting agenda (pending litigation on the same matter). It is noted that Councillor Karen Rea did not participate in the discussion or vote on the matter when the matter came before General Committee on March 25, 2019.

3. APPROVAL OF PREVIOUS MINUTES

3.1 MINUTES OF THE MARCH 25, 2019 GENERAL COMMITTEE (16.0)

Moved by Deputy Mayor Don Hamilton

Seconded by Regional Councillor Joe Li

1. That the minutes of the March 25, 2019 General Committee meeting be confirmed.

Carried

4. DEPUTATIONS

4.1 MARKHAM STOUFFVILLE HOSPITAL AND THE MARKHAM STOUFFVILLE FOUNDATION (12.2.6)

Jo-anne Marr, CEO & President, Markham Stouffville Hospital and Suzette Strong, CEO, Markham Stouffville Foundation, were in attendance to deliver a PowerPoint presentation regarding the future plans for the Markham Stouffville hospital.

Moved by Mayor Frank Scarpitti

Seconded by Councillor Khalid Usman

1. That the presentation by Jo-Anne Marr, CEO & President, Markham Stouffville Hospital, and Suzette Strong, CEO, Markham Stouffville Foundation, dated April 8, 2019, be received.

Carried

5. COMMUNICATIONS

5.1 YORK REGION COMMUNICATIONS (13.4)

Moved by Regional Councillor Jim Jones

Seconded by Councillor Andrew Keyes

1. That the following communications dated March 6, 2019 from York Region be received for information purposes:
 - a. Appointments to Boards and Advisory Committees for the 2019-2022 Term,
 - b. Proposed Amendment 1 to the Growth Plan; and,
2. That the following communications dated March 22, 2019 from York Region be received for information purposes:
 - a. 2018 Employment and Industry Report
 - b. 2018 Drinking Water Systems Report
 - c. Proposed Employment Area Conversion Criteria
 - d. 2018 Integrated Management System Update Report for Water, Wastewater and Waste Management
 - e. Community Improvement Project Area for Affordable Rental Housing Incentives
 - f. Economic Development - 2018 Year in Review

Carried

6. PETITIONS

There were no petitions.

7. CONSENT REPORTS - FINANCE & ADMINISTRATIVE ISSUES

7.1 MINUTES OF THE FEBRUARY 21, 2019 MARKHAM ENVIRONMENTAL ADVISORY COMMITTEE (16.0)

Moved by Regional Councillor Jim Jones

Seconded by Councillor Andrew Keyes

1. That the minutes of the February 21, 2019 Markham Environmental Advisory Committee meeting be received for information purposes.

Carried

7.2 MINUTES OF THE FEBRUARY 25, 2019 MARKHAM PUBLIC LIBRARY BOARD (16.0)

Moved by Regional Councillor Jim Jones

Seconded by Councillor Andrew Keyes

1. That the minutes of the February 25, 2019 Markham Public Library Board meeting be received for information purposes.

Carried

7.3 AWARD OF TENDER 002-T-19 ASPHALT MAINTENANCE (7.12)

Moved by Regional Councillor Jim Jones

Seconded by Councillor Andrew Keyes

1. That the report entitled “Award of Tender 002-T-19 Asphalt Maintenance” be received; and,
2. That the contract for asphalt maintenance be awarded to the lowest priced Bidder, Forest Contractors Ltd. for one (1) year in the amount of \$1,065,819.99 (Inclusive of HST), with an option to renew the contract for an additional three (3) years. The price will remain firm fixed for the first three (3) years. The remaining one (1) year will be subject to an annual price increase based on the Consumer Price Index for All Items Canada for the twelve (12) month period ending October 31 in the applicable year and shall not exceed 3%; and,
3. That the award in the amount of \$1,065,819.99 inclusive of HST be funded from operating and capital accounts as identified in the Financial Considerations section of this report with total available budget of \$1,268,260.00; and,
4. That the remaining budget in the amount of \$202,440.01 (\$1,268,260.00 - \$1,065,819.99) be utilized to address potential additional asphalt maintenance on an as required basis; and,

5. That the 2020 – 2023 purchase orders be adjusted for growth and/or price escalation, subject to Council approval of the respective year's budgets; and further,
6. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

7.4 DEVELOPMENT CHARGES DECEMBER 31, 2018 RESERVE BALANCES AND ANNUAL ACTIVITY OF THE ACCOUNTS (7.11)

Kevin Ross, Manager, Development Finance, addressed General Committee and explained that the deficit projection for Markham's development charge reserve is based on the City's consultant's forecast of planned growth throughout York Region. He further explained that the infrastructure needed to support planned growth must be built in advance of the growth.

Moved by Councillor Reid McAlpine

Seconded by Regional Councillor Jim Jones

1. That the report titled "Development Charges December 31, 2018 Reserve Balances and Annual Activity of the Accounts" be received by Council as required under Section 43(1) of the *Development Charges Act, 1997, as amended*; and,
2. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

7.5 2018 YEAR-END REVIEW OF OPERATIONS (7.0)

Councillor Reid McAlpine requested that Staff extend the financial review to Mayor and Members of Council call centre operations and provide Members of General Committee with that information as part of the 2019 First Quarter Review of Operations.

Moved by Councillor Reid McAlpine

Seconded by Regional Councillor Jim Jones

1. That the report entitled "2018 Year-End Review of Operations" be received; and,
2. That the City's 2018 net favourable variance of \$3.58M be transferred as follows, as per the approved Financial Planning and Budgeting Policy :

- a. \$1.40M to the Corporate Rate Stabilization Reserve to achieve a balance equal to 15% of the local tax levy as per City policy;
- b. \$2.18M to the Life Cycle Capital Replacement and Capital Reserve Fund; and further,
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

8. PRESENTATIONS - FINANCE & ADMINISTRATIVE ISSUES

8.1 CHEQUE PRESENTATION FROM ANIMAL CARE COMMITTEE FOR CAT ADOPTION AND EDUCATION CENTRE (2.8)

Chris Alexander, Supervisor, Licensing & Standards, was in attendance to provide a brief update regarding the Cat Adoption and Education Centre and introduce members of the Animal Care Committee.

Denielle Duncan, Chair, Animal Care Committee, was in attendance to deliver a PowerPoint presentation that provided an overview of the role and initiatives of the Animal Care Committee.

Members from the Animal Care Committee were in attendance to present a cheque for \$3,000 to Members of Council for the Markham Cat Adoption Centre.

Members of General Committee thanked Staff and the Animal Care Committee for their continued work with the Markham Cat Adoption Centre.

Moved by Councillor Khalid Usman

Seconded by Councillor Isa Lee

1. That the presentation from Denielle Duncan, Chair, Animal Care Committee, regarding the Animal Care Committee Overview, dated April 8, 2019, be received.

Carried

9. PRESENTATIONS - COMMUNITY SERVICE ISSUES

9.1 TELECOMMUNICATION COMPANY ACTIVITIES IN THE CITY OF MARKHAM (5.0)

Brenda Librecz, Commissioner, Community & Fire Services, introduced the item, and explained that Members of General Committee should be aware of the

substantial work that will be completed as part of telecommunication company activities in the City.

Robert Penner, Manager, Utility Inspections and Survey Group, was in attendance to deliver a PowerPoint presentation regarding Telecommunication Company Activities in the City of Markham, including:

- Rogers and Bell work plans;
- Implications to meeting service levels;
- Financial implications & funding agreements; and,
- Community impacts and communications plan.

There was discussion by Members of General Committee regarding the following:

- The allowable size of the cable conduits being installed by telecommunication companies in Markham;
- When telecommunication companies may install cables;
- Ensuring coordination between telecommunication company activity and City activity in Right of Ways in order to mitigate the disruption to residents during cable installation.

Paul Chetcuti, Permits & Utilities Coordinator, Rogers Telecommunications, was in attendance and answered questions from Members of General Committee.

Moved by Deputy Mayor Don Hamilton

Seconded by Regional Councillor Jim Jones

1. That the presentation by Mr. Robert Penner, Manager, Utility Inspection & Survey Group entitled "Telecommunication Company Activities in the City of Markham", be received;
2. That the staff report entitled, Telecommunication Company Activities in the City of Markham be received; and,
3. That the Mayor and Clerk be authorized to execute funding agreements between the City and telecommunication companies to cover the costs to meet service levels as a result of increased permit applications relating to infrastructure upgrade projects, as outlined in this report, provided that the form and content of such agreements are satisfactory to the Commissioner, Community and Fire Services and the City Solicitor; and,
4. That 5 additional two year contract staff be hired at the cost of approximately \$332,000 per year, with costs being funded through amounts paid to the City pursuant to a funding agreement and through permit fees recovered from increased permit review applications; and,

5. That the Treasurer and Director of Operations be authorized to hire additional temporary staff to address the legislated time requirements for permit review during the period of increased volumes with the costs of such fully recovered through amounts paid to the City pursuant to funding agreement(s) and through permit fees recovered from increased permit review applications; and further,
6. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

10. REGULAR REPORTS - FINANCE & ADMINISTRATIVE ISSUES

10.1 POSSIBLE APPOINTMENT OF MARKHAM'S ALTERNATE MEMBER FOR REGIONAL COUNCIL (16.0)

Kimberley Kitteringham, City Clerk, introduced the item, and explained that Council has the authority under the Municipal Act to appoint an alternate member of Regional Council.

Members of General Committee elected not to appoint an alternate member to Regional Council at this time.

Moved by Councillor Karen Rea

Seconded by Regional Councillor Jim Jones

1. That the report entitled "Possible Appointment of Markham's Alternate Member for Regional Council" be received; and,
2. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

10.2 FLOOD CONTROL PROGRAM – DISASTER MITIGATION & ADAPTATION FUND (DMAF) (5.5 & 7.0)

Brenda Librecz, Commissioner, Community & Fire Services, introduced the item and announced that the City of Markham has received a substantial grant from the Federal Government for the City's Flood Control Program - Disaster Mitigation & Adaptation Fund.

Ms. Librecz acknowledged the following staff for their work on the grant application submission:

- Rob Muir, Manager, Stormwater

- Prathapan Kumar, Senior Manager, Infrastructure
- Rob Grech, Coordinator, Waterworks
- Phoebe Fu, Director, Environmental Services

Moved by Mayor Frank Scarpitti

Seconded by Deputy Mayor Don Hamilton

1. That the Report entitled “Flood Control Program – Disaster Mitigation & Adaptation Fund (DMAF)” be received; and
2. That Council approve the shared funding allocation between the Government of Canada and City of Markham as follows:

Government of Canada Share (40%) (A)	\$48,640,000.00
City of Markham Share (60%) (B)	<u>\$72,960,000.00</u>
Total Funding (C) = (A) + (B)	\$121,600,000.00

3. That the Mayor and Clerk be authorized to execute the Disaster Mitigation & Adaptation Fund (DMAF) Agreement (and any related documents), in a form and content satisfactory to the City Solicitor and the Commissioner of Community & Fire Services, and that the Commissioner of Community & Fire Services (or designate) be authorized to act as an authorized signing officer for the City under the Agreement (including for the purpose of submitting required reports and confirmations); and further,
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

10.3 FLOOD CONTROL PROGRAM AND STORMWATER FEE UPDATE (5.5 & 7.0)

General Committee consented to refer this item directly to the April 16, 2019 Council meeting for consideration.

1. That the report “Flood Control Program and Stormwater Fee Update” be received; and,
2. That an annual stormwater fee continue to be imposed on all property within the municipal boundaries of the City of Markham, save and except those noted in the Stormwater Fee By-law 2020-XXX as outlined in Appendix “A” to this staff report; and,

3. That the annual stormwater fee for Residential properties be increased in year 2020 from \$47 to \$50 per property; and further be increased by \$1 per year, each year thereafter; and,
4. That the annual stormwater fee rate for Non-Residential properties be increased in year 2020 by \$2 per \$100,000 of current value assessment (CVA); and further be increased by 2% per year, each year thereafter; and,
5. That the annual stormwater fee rate for Vacant Land properties be increased in year 2020 by \$2 per \$100,000 of current value assessment (CVA) and further be increased by 2% per year, each year thereafter; and,
6. That the Treasurer continue to be authorized to adjust the annual stormwater fee rate for both Non-Residential and Vacant Land properties to compensate for the average annual change in City-wide CVA; and,
7. That the annual stormwater fee levied continue to be included as a separate line item on the final tax bill of the property; and,
8. That the City continue to allocate \$2,000,000 per year of Federal Gas Tax funding to the Flood Control Program; and,
9. That By-law 2015-130 be repealed in its entirety and replaced with the Stormwater Fee By-law 2020-XXX as outlined in Appendix “A” to this staff report; and,
10. That staff report back to Council in 2024 with any required update to the annual Stormwater Fees, for implementation in 2025, to ensure that the Flood Control Program is adequately funded; and further,
11. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

11. MOTIONS

There were no motions.

12. NOTICES OF MOTION

There were no notices of motions.

13. NEW/OTHER BUSINESS

13.1 POTENTIAL AMALGAMATION - MUINICIPAL RESERVES (7.0)

Deputy Mayor Don Hamilton advised that some residents have expressed concern about what would happen to the City's reserves if Markham were to be amalgamated and asked for comment. Mayor Frank Scarpitti provided comment on the matter.

Deputy Mayor Don Hamilton suggested that there should be some mechanism in place to protect Markham's reserves should amalgamation occur.

Staff had no comment on the matter and agreed to undertake further analysis. Members of General Committee requested that Staff look at the fiscal health and status of neighbouring municipalities as well as the Region of York.

14. ANNOUNCEMENTS

There were no announcements.

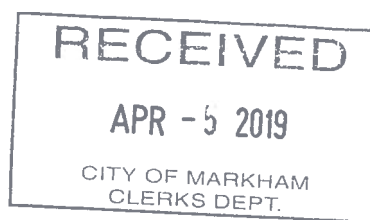
15. ADJOURNMENT

General Committee adjourned at 12:08 PM.

Moved by Deputy Mayor Don Hamilton
Seconded by Councillor Karen Rea

1. That April 8, 2019 General Committee be adjourned.

Carried



Corporate Services
Regional Clerk's Office

March 28, 2019

Ms. Kimberley Kitteringham
City Clerk
City of Markham
101 Town Centre Boulevard
Markham, ON L3R 9W3

Dear Ms. Kitteringham:

Re: Comments on Proposed Amendment 1 to the Growth Plan

Council first considered this matter on February 28, 2019 (see enclosed). On March 21, 2019, following a successful reconsideration motion, Council then made the following further decisions on this matter:

Moved by Regional Councillor Hamilton

Seconded by Regional Councillor Jackson

Whereas, Regional Council adopted comments to forward to the Province regarding 'Proposed Amendment 1 to the Growth Plan' at its Regional Council meeting on February 28, 2019, and

Whereas, Regional Council directed staff to bring forward any additional comments for consideration at its Committee of the Whole meeting on March 7th, 2019:

Therefore be it resolved that:

1. The Regional Municipality of York make additional comment to the Government of Ontario to amend the proposed Amendment 1 to the Growth Plan for the Greater Golden Horseshoe as follows:
2. Amend proposed policy 2.2.7.2 to set the minimum density target for York Region's designated greenfield area to 50 residents and jobs per hectare.

Carried

Moved by Mayor Scarpitti

Seconded by Regional Councillor Jackson

1. Be it resolved that the Regional Municipality of York request that the provincial government not include provincially significant employment zones in the Growth Plan for the City of Markham and along the 400 corridor from approximately Major Mackenzie Drive to the King-Vaughan border (as shown on Attachment 2, page 3 of the Region's original submission) for the City of Vaughan, the current level of protections in the 2017 Growth Plan with respect to upper-tier official plans should be maintained, including the prohibition of institutional and sensitive land uses in employment areas that would have qualified as 'prime employment areas'.
2. That in the event provincially significant employment zones remain in the Growth Plan it is requested that, prior to providing recommendations on mapping changes, Regional staff be provided the opportunity for further discussion with Provincial staff regarding the criteria for selection of the mapped employment areas, the intent and use of the PSEZ, and refinement to the mapping to reflect local planning considerations.
3. And further, that if provincially significant employment zones are included in the Growth Plan, staff support the inclusion of provincially significant employment zones in MTSA's in principle; however, provincially significant employment zones are not supported within MTSA's in the Markham Centre Urban Growth Centre.
4. And further, that the Regional Municipality of York advise the provincial government that we have removed our request to designate the Future Employment Area in the City of Markham's 2014 Official Plan as a provincially significant employment area.

Carried

Moved by Mayor Lovatt

Seconded by Mayor Scarpitti

Whereas Highway 404 is one of the most significant pieces of infrastructure for people and major goods movement in York Region;

Whereas the lands along the Highway 404 corridor are highly valued for employment growth;

Whereas the majority of the undeveloped lands along Highway 404 are considered a buffer between key natural heritage features and settlement areas by the provincial plans;

Whereas freezing miles of land as a buffer to protect the natural heritage features in this area is not only unnecessary, but also a huge waste of municipal and provincial investment and economic development opportunities;

Whereas not all industrial developments are a threat to the environment;

Whereas the Town has a shortage of Industrial and Commercial assessment;

Whereas York Region has a very well-established and effective land use planning system that requires proposed industrial developments to undertake rigorous studies and thorough assessments to ensure there is no adverse environmental impact; and

Whereas the provincial review of the Growth Plan is a superb opportunity for York Region to identify new and attractive employment lands for growth and convert existing less desirable employment lands to other uses.

Therefore be it resolved

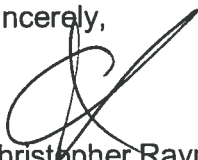
That Regional Council request the province to designate the lands on the east side of Highway 404 in the Town of Whitchurch-Stouffville, as identified in the attached map, Provincially Significant Employment Zone through Amendment #1 to the Growth Plan for the Greater Golden Horseshoe (2017).

Carried

The Council decision from February 28, 2019 and original staff report are enclosed for your information.

Please contact Paul Bottomley, Manager, Policy, Research and Forecasting at 1-877-464-9675 ext.71530 if you have any questions with respect to this matter.

Sincerely,

A handwritten signature in black ink, appearing to be 'CR', written over a horizontal line.

Christopher Raynor
Regional Clerk

Attachments



Comments on Proposed Amendment 1 to the Growth Plan

On February 28, 2019 Regional Council made the following decision:

1. Council endorse this report and Attachments 1 and 2 as the Region's submission to the Province in response to the Environmental Registry of Ontario (ERO) postings: Proposed Amendment to the Growth Plan for the Greater Golden Horseshoe, 2017 (ERO # 013-4504), Proposed Framework for Provincially Significant Employment Zones (ERO # 013-4506), Proposed Modifications to O.Reg. 311/06 (Transitional Matters – Growth Plans) (ERO # 013-4505) and Proposed Modifications to O.Reg. 525/97 (Exemption from Approval – Official Plan Amendments) (ERO 013-4507) *with the following amendment:*
 - a) *Council requests that the Province reduce the intensification target for York Region from 60% to 50%.*
2. The Regional Clerk forward this report and attachments to the Ministry of Municipal Affairs and Housing, the Clerks of the local municipalities and the Clerks of the other upper and single-tier municipalities in the GTHA.
3. *The Province be made aware that additional comments regarding provincially significant employment zones may be forthcoming.*

The Regional Municipality of York

Committee of the Whole
Planning and Economic Development
February 21, 2019

Report of the Commissioner of Corporate Services and Chief Planner

Comments on Proposed Amendment 1 to the Growth Plan

1. Recommendations

1. Council endorse this report and Attachments 1 and 2 as the Region's submission to the Province in response to the Environmental Registry of Ontario (ERO) postings: Proposed Amendment to the Growth Plan for the Greater Golden Horseshoe, 2017 (ERO # 013-4504), Proposed Framework for Provincially Significant Employment Zones (ERO # 013-4506), Proposed Modifications to O.Reg. 311/06 (Transitional Matters – Growth Plans) (ERO # 013-4505) and Proposed Modifications to O.Reg. 525/97 (Exemption from Approval – Official Plan Amendments) (ERO 013-4507).
2. The Regional Clerk forward this report and attachments to the Ministry of Municipal Affairs and Housing, the Clerks of the local municipalities and the Clerks of the other upper and single-tier municipalities in the GTHA.

2. Summary

This report provides Council with proposed comments on the Province's proposed Amendment 1 to the Growth Plan, associated regulation changes and a framework for provincially significant employment zones for endorsement.

Key Points:

- Overall, staff generally support the direction of the proposed changes to the Growth Plan.
- Staff support proposed changes to intensification and density targets that apply to York Region and provincially significant employment zones, subject to modifications recommended in this report.
- Staff recommend that all employment land conversions and settlement area boundary expansions continue to be considered only at the time of a Regional municipal comprehensive review.

3. Background

Province is soliciting comments on proposed Amendment 1 to the 2017 Growth Plan

The Provincial Growth Plan for the Greater Golden Horseshoe, 2017 (Growth Plan) provides a long-term framework for managing growth and sets out where and how to grow. Policy direction on infrastructure planning and protecting resources is incorporated in the Plan as part of an integrated approach to growth management. The current Growth Plan came into effect in July 2017 and replaced the original 2006 Growth Plan. York Region's Official Plan and all land use planning decisions must conform with the Growth Plan.

In the fall of 2018, the Ministry of Municipal Affairs and Housing held a number of working group sessions and a stakeholder forum with representatives from the municipal sector, development industry and other stakeholder groups to discuss Growth Plan implementation issues, challenges and potential solutions.

The deadline for comments is February 28, 2019

On January 15, 2019, the Province released proposed Amendment 1 to the Growth Plan for comment. According to the Province, proposed changes are intended to address potential barriers to increasing the supply of housing, creating jobs and attracting investments. Comments are to be made through the Environmental Registry of Ontario (ERO) and are due by February 28, 2019. In addition to Amendment 1, there are associated postings for comment dealing with a Proposed Framework for Provincially Significant Employment Zones and modifications to two regulations related to Growth Plan implementation.

4. Analysis

Staff comments on Amendment 1 to the Growth Plan are organized under the following themes: Intensification and Density Targets, Employment Planning, Settlement Area Boundary Expansion, Small Rural Settlements, Major Transit Station Areas and Agricultural and Natural Heritage Systems. Attachment 1 provides detailed comments.

Overall, the proposed changes to the Growth Plan are generally supported

Subject to the recommended modifications in this report and the attachment, overall, staff are generally supportive of the changes proposed for the Growth Plan. The proposed amendment maintains many of the key guiding principles of the current Growth Plan for York Region. These include prioritizing growth through intensification and higher densities for greenfield areas while providing increased flexibility for municipalities.

INTENSIFICATION AND DENSITY TARGETS

Proposed intensification targets reflect “one size does not fit all”

Throughout the consultation process, Greater Golden Horseshoe (GGH) municipalities highlighted the need for a “one size does not fit all” approach with respect to intensification targets. In response, Amendment 1 proposes application of different intensification targets for three geographic zones of upper and single-tier municipalities in the GGH. York Region is grouped with the City of Hamilton and the Regions of Peel and Waterloo, all with a minimum intensification target of 60 percent, the highest among the three zones. This means that 60 percent of residential growth is to occur within the Provincially delineated built-up area on an annual basis. This accelerates intensification from what is in the 2017 Growth Plan which phases in intensification from 50 percent to 2031 and then 60 percent from 2031 to 2041.

The second group of municipalities has an intensification target of 50 percent which includes the Regions of Durham and Halton, while the third group is to establish an intensification target based on maintaining or improving their current minimum intensification target. This multi-zoned approach recognizes varying abilities of different regions within the GGH to accommodate intensification. Table 1 below summarizes both intensification and Designated Greenfield Area density targets for the three zones.

Table 1
Intensification and Density Targets in Amendment 1

Municipalities by Geographic Zone	Intensification Target (Built-up area)	Designated Greenfield Area Density Target
Inner Zone		
Regions of York, Peel, Waterloo and City of Hamilton	60%	60 residents and jobs per hectare
Middle Zone		
Cities of Barrie, Brantford, Guelph, Orillia and Peterborough and Regions of Durham, Halton and Niagara	50%	50 residents and jobs per hectare
Outer Zone		
City of Kawartha Lakes and the Counties of Brant, Dufferin, Haldimand, Northumberland, Peterborough, Simcoe and Wellington	To establish a target based on maintaining or improving on their current minimum intensification target	40 residents and jobs per hectare

York Region is well-positioned to achieve increased intensification

Staff support the placement of York Region within the Inner Zone and the associated intensification target. From 2006 to 2017, York Region has averaged 48 percent of annual housing growth occurring within the built-up area (i.e. 48% intensification rate). Significant investment in transit and other infrastructure combined with comprehensive planning for intensification allows York Region to accommodate the proposed intensification target. Over \$3 billion has been invested by all three levels of government in transit infrastructure in York Region including the Spadina subway extension and Bus Rapid Transit corridors along Highway 7, Yonge Street and Davis Drive, with additional transit expansions and improvement planned.

York Region's Centres and Corridors strategy has been in place since 1994 and local municipalities have been implementing the Regional structure by developing secondary plans for Regional and local centres and corridor intensification areas. In addition, there are opportunities for a range of more modest forms of intensification including smaller scale infill projects and second suites which will contribute to meeting the Region's intensification target.

Designated Greenfield Area density target is proposed to be maintained at 60 residents and jobs per hectare

The current Growth Plan requires an overall minimum density of 60 residents and jobs per hectare for the existing Designated Greenfield Area and a minimum density of 80 residents and jobs per hectare for future urban expansion areas, if required. The proposed amendment would remove the requirement for a higher density for future urban expansion areas while maintaining the overall minimum 60 residents and jobs per hectare density target. This means that across the Designated Greenfield Area (excluding employment lands), both existing built and unbuilt areas together must reach a density of 60 residents and jobs per hectare.

Similar to the intensification target, the Province has taken an approach of customizing density targets by geographic zones of municipalities (see Table 1). York is grouped with the City of Hamilton and the Regions of Peel and Waterloo with a minimum density target of 60 residents and jobs per hectare. The second grouping of municipalities has a proposed minimum density target of 50 residents and jobs per hectare and third group, 40 residents and jobs per hectare.

Staff support the proposed minimum target of 60 residents and jobs per hectare across the Designated Greenfield Area. This is appropriate for York Region and also allows for the continued planning of the Region's New Community Areas at 70 residents and jobs per hectare, as set out in the Regional Official Plan. This density is intended to encourage the development of more complete communities.

Criteria for alternative intensification and Designated Greenfield Area density targets has been simplified

Amendment 1 also proposes simplified criteria for establishing alternative intensification and Designated Greenfield Area targets. In considering alternative target requests, staff expect the Province will maintain the key principles and purpose of the Growth Plan. To do so, staff recommend that additional criteria be included when considering an alternative intensification target which would require improving upon the historic level of intensification being achieved in the upper or single-tier municipality. Consideration of alternative targets should only occur at the time of a municipal comprehensive review and not at any time as suggested by the proposed new policy.

Designated Greenfield Area minimum density targets proposed for other upper and single-tier municipalities is below transit supportive densities

Although not directly applicable to York Region, a minimum Designated Greenfield Area density target of 40 or 50 residents and jobs per hectare is not considered to be transit supportive and does not generally promote walkable, compact and complete communities. The Designated Greenfield Area target of 50 residents and jobs per hectare as proposed is not equivalent to the 2006 Growth Plan 50 residents and jobs per hectare density policy since the latter included employment lands in the calculation which tend to be at a lower density than community lands. A Designated Greenfield Area density target at 40 or 50 for community lands is well below the minimum density target in the 2006 Growth Plan and could result in very low density and inefficient greenfield growth. Staff suggest that the Designated Greenfield Area target be set at 60 residents and jobs per hectare for all upper and single-tier municipalities in the Greater Golden Horseshoe in order to promote transit supportive and complete communities.

EMPLOYMENT PLANNING

Consideration of employment land conversions should remain at the time of a municipal comprehensive review

Under the current Growth Plan, conversions of employment lands to non-employment uses are only permitted through a municipal comprehensive review. Amendment 1 is proposing a one-time window for municipalities to undertake employment land conversions between the effective date of Amendment 1 and the next municipal comprehensive review, subject to criteria. Included in the criteria is a requirement to maintain a significant number of jobs on lands being proposed for conversion.

In staff's view, employment land conversions should continue to be considered only at the time of a municipal comprehensive review. In addition to other criteria, conversion of employment lands need to be assessed in the context of the Region's employment land base, regional employment trends and employment forecast for the local municipality and the Region. The proposed requirement to maintain "a significant number of jobs" on the lands

being considered for conversion is vague and open to a wide range of interpretation. If the Province decides to maintain this proposed policy, it is staff's recommendation that only municipally initiated employment land conversions be considered as part of the one-time window. In addition, the Province should clarify the wording in Amendment 1 to indicate that only a one-time window is being proposed.

Since York Region's Municipal Comprehensive Review process is currently well underway, it is not clear whether this new provision in the Growth Plan would apply to York Region. To date, York Region has received over 30 requests for employment land conversions. To evaluate these areas comprehensively, it is recommended that York Region continue with the current process of assessing employment land conversions only as part of the municipal comprehensive review.

Province is proposing provincially significant employment zones

Associated with Amendment 1 is a proposed framework for provincially significant employment zones identified by the Minister of Municipal Affairs and Housing. Areas within these zones are deemed to be crucial to the province's economy and would not be able to be converted outside of a municipal comprehensive review. The proposed provincially significant employment zones mapping is shown in Attachment 2 (page 1). Twenty-nine zones across the Greater Golden Horseshoe are identified. Four zones include lands within York Region. Collectively, these zones cover a significant portion of the Region's employment land base in southern York Region (see page 2 of Attachment 2). The ability to designate prime employment areas as set out in the current Growth Plan would be removed under Amendment 1. Prime employment areas are defined as land extensive and low density employment uses that require locations near major good movement facilities and corridors.

Staff support identifying provincially significant employment zones to protect the Region's employment land base. It is recommended that the Province add designated employment lands along 400 series highways in the Region as shown on pages 3, 4 and 5 of Attachment 2. These areas all have potential to be significant concentrations of employment and economic output when they are developed and need to be protected for employment land uses. Any potential conversions should be considered comprehensively through the municipal comprehensive review. In addition to including these areas, staff recommend minor modifications to the boundaries of the zones proposed by the Province to include the full extent of the employment areas.

Province should clarify the intent of the change in definition of Office Parks

Amendment 1 proposes to change the definition of office parks by deleting wording that states that they are employment areas designated in an official plan. This could be interpreted that office parks in employment areas would no longer be considered employment lands and therefore not subject to employment land conversion policies. Staff assume this is not the intent and request the Province to clarify the definition and policies around office parks.

SETTLEMENT AREA BOUNDARY EXPANSION

The proposed amendment would permit small scale settlement area boundary expansions outside of a municipal comprehensive review

Amendment 1 would allow a settlement area boundary expansion in advance of a municipal comprehensive review subject to the following requirements: the lands will achieve the Designated Greenfield Area density target or applicable employment area density target, the location of the lands will meet applicable Growth Plan requirements, the proposed area is not a rural settlement or in the Greenbelt, is no larger than 40 hectares, is municipally serviced with available capacity and will be taken into account in the forecast and land needs assessment for the next municipal comprehensive review.

Staff recommend any area boundary expansions only be considered at the time of a municipal comprehensive review when there can be a full assessment of the need for the expansion in the context of the overall Regional structure, supporting infrastructure and population and employment forecasts.

If the Province proceeds with this policy, the Province should specify there is a limit of a potential total expansion of 40 hectares outside of the municipal comprehensive review process. In addition, if this policy is maintained, any potential 40 hectare settlement area expansion should only occur if municipally initiated by an upper or single-tier municipality.

Amendment 1 also proposes a new policy which allows adjusting settlement area boundaries outside of a municipal comprehensive review provided there would be no net increase in land within settlement areas. The adjustment would need to support the ability to meet intensification and density targets and must not be a rural settlement or in the Greenbelt. Staff are not supportive of this policy as it could result in ad hoc exchanges of lands in the settlement area without regard to the impacts on overall Regional urban structure, necessary infrastructure and population and employment forecasts.

Criteria for determining the location of settlement area boundary expansions have been simplified

The current Growth Plan contains criteria to determine feasibility and the most appropriate location for urban boundary expansions. Amendment 1 simplifies requirements and introduces more flexibility while maintaining key considerations in evaluating locational options for urban expansion. The amended criteria are intended to focus more on outcomes and demonstrating that a particular criterion has been met rather than specifying studies that need to be completed. The revised criteria are generally reasonable, subject to the recommended modifications in Attachment 1, since it maintains the key considerations for evaluating potential urban boundary expansions.

SMALL RURAL SETTLEMENTS

Proposed amendment recognizes the role of small rural settlements in accommodating growth

Under the current Growth Plan, many of the Region's hamlets and other rural settlement areas are categorized as undelineated built-up areas. These are settlement areas for which the Province has not delineated a built boundary. Initially, these areas were to be treated as part of the Designated Greenfield Area. In 2018, a regulation was passed that restricted this requirement to undelineated areas outside of hamlets in the Greenbelt Plan and rural settlements in the Oak Ridges Moraine Conservation Plan. In York Region, Ballantrae, Fairfield's Estates and Maple Lake Estates remain as undelineated areas that are to be treated as part of the Designated Greenfield Areas. Inclusion of these areas in the Designated Greenfield Area make it more challenging to meet the required density target since they are developed and planned for relatively low densities.

Amendment 1 introduces a new term, rural settlements, which are existing hamlets or similar small settlement areas that are long-established and identified in official plans. The term "undelineated built-up area" is proposed to be deleted. These changes are reasonable since rural settlement areas are intended to accommodate relatively modest levels of growth at lower densities and should not be part of the Designated Greenfield Area.

A proposed new Growth Plan policy would allow for minor boundary adjustments of non-Greenbelt rural settlements outside of a municipal comprehensive review. The change would constitute minor rounding out of existing development in keeping with the rural character of the area, subject to confirmation that servicing can be provided and subject to provisions in the Provincial Policy Statement. Similar to the settlement area expansion policies, staff are of the view that boundary expansions of rural settlements should only be considered as part of a municipal comprehensive review. The fact that "minor" is not a defined term could potentially lead to broad interpretation of this policy. If the Province decides to proceed with this policy, rural settlement boundary adjustments should be municipally initiated.

MAJOR TRANSIT STATION AREAS

More streamlined and flexible approach is proposed for delineating Major Transit Station Areas

Major Transit Station Areas (MTSAs) are defined under the Growth Plan as the area including and around existing and planned higher order transit stations or stops within a settlement area. York Region is required to delineate and set minimum density targets for MTSAs located within provincially defined priority transit corridors. There is also the option to identify MTSAs beyond these corridors. MTSAs are classified as Strategic Growth Areas and are to be planned for specified minimum densities in the Growth Plan (e.g. 160 residents and jobs per hectare for Bus Rapid Transit stations).

Amendment 1 allows municipalities to delineate and set density targets for MTSA's in advance of the municipal comprehensive review, subject to identifying the MTSA's as "Protected" under the Planning Act. This provision protects MTSA's from planning appeals related to issues of land use, building height and density. The delineation and setting of density targets for MTSA's is currently well underway as part of the York Region municipal comprehensive review process. Therefore, this provision would likely not result in a more expedited process, at least for the current municipal comprehensive review. Going forward, it would be beneficial to employ a streamlined approach to delineate and set targets for new MTSA's or modifications to existing MTSA boundaries and/or density targets. This process can occur outside of the municipal comprehensive review since the density targets for MTSA's are long term targets that are most likely to be achieved beyond the horizon of the Growth Plan.

Province is proposing to simplify the process and criteria for alternative minimum density targets for Major Transit Station Areas

Separate approval by Council and the Minister would no longer be required for alternative minimum density targets for Major Transit Station Areas. The proposed criteria considers whether development is severely restricted or prohibited by provincial policy as well as consideration whether a major trip generator or transit feeder service will sustain high ridership at the station. Staff request that an additional criterion be included which provides additional flexibility for the context of the lands surrounding a major transit station which may not be appropriate for extensive intensification (e.g. King City GO Station Major Transit Station Area).

Amendment 1 also clarifies that MTSA delineation can range from an approximate 500 to 800 metre radius of a transit station. This provides flexibility for situations where it is appropriate for a MTSA boundary to extend beyond 500 metres to include nearby intensification areas or areas of existing high density development.

The Province has also requested feedback on the question of whether employment areas that overlap with major transit station areas should be included in the provincially significant employment zones and implications associated with potential conversion requests. In staff's view, MTSA's without residential uses can exist in employment areas and provincially significant employment zones at transit supportive densities.

AGRICULTURAL AND NATURAL HERITAGE SYSTEMS

Provincial agricultural lands and natural heritage system mapping may be refined through the municipal comprehensive review

The Province is proposing that provincial mapping of the agricultural land base and Natural Heritage System does not apply until it has been implemented in upper and single-tier official plans. This direction is consistent with previous Regional comments on draft Provincial guidance for the Natural Heritage System and Agricultural System submitted in 2017.

Municipalities would be able to refine and implement mapping in advance of the municipal comprehensive review. Once provincial mapping of the agricultural land base has been implemented in official plans, further refinement may only occur through a municipal comprehensive review. During the period before provincial mapping is implemented in official plans, it is proposed that the Growth Plan policies for protecting prime agricultural areas and natural heritage systems apply. Staff support this proposed policy direction.

Proposed Growth Plan Amendment 1 supports objectives of Vision 2051, the Strategic Plan 2015 to 2019 and Regional Official Plan

Provincial growth management policies in the Growth Plan have direct impact on Vision 2051 goals including Creating Liveable Cities and Complete Communities. The Growth Plan policies also support achievement of the Strategic Plan 2015 to 2019 objectives of ensuring optimal locations for business and employment growth are available, and encouraging growth in Regional Centres and Corridors. The Growth Plan and the proposed amendment support the key themes of the Regional Official Plan: a Sustainable Natural Environment, Healthy Communities and Economic Vitality.

5. Financial

As part of the current Regional municipal comprehensive review process, Regional population and employment forecasts will be updated to 2041, consistent with Growth Plan policies. The growth forecast will be used in the next update of the development charges by-law. The proposed minimum intensification target of 60 percent will require directing growth to areas with existing infrastructure but will also require a continued shift in the housing market towards higher density forms of housing in areas with infrastructure investment providing the opportunity to capitalize on the existing investment.

A lower than anticipated growth rate for either ground-related or higher density housing could result in a shortfall of projected development charges collections and assessment growth revenue. This could cause delays in capital cost recovery, impact costs for debt repayment, create pressures on the Region's operating budget and result in a need for potential deferrals of elements in the capital program. Staff will be assessing financial implications and will report back to Council with a fiscal strategy.

6. Local Impact

The proposed Growth Plan Amendment has direct implications for local municipalities. The new intensification target will affect local municipal intensification targets and growth forecasts. The other proposed changes to the Growth Plan will have potential local municipal impacts with regards to planning for new communities, centres and corridors planning and employment land planning.

Local municipal staff are working alongside the Region in updating their official plans to reflect the policies in the updated Regional Official Plan generated through the Regional

municipal comprehensive review, once approved. Under the Planning Act, local municipal official plans are required to update to conform to the ROP within one year of it coming into effect.

7. Conclusion

This report has provided a summary of staff's comments on the Province's proposed Amendment 1 to the Growth Plan. Proposed policies in the areas of Intensification and Density Targets, Employment Planning, Settlement Area Boundary Expansion, Small Rural Settlements, Major Transit Station Areas and Agricultural and Natural Heritage Systems are generally supported by staff subject to the comments outlined in this report.

It is recommended that staff submit this report and the attachments to the Province as the formal submission in response to proposed Amendment 1 to the Growth Plan. Once the Growth Plan changes are finalized, staff will assess the impacts of any further changes to the current Regional municipal comprehensive review process and report back to Council as necessary.

For more information on this report, please contact Paul Bottomley, Manager Policy, Research and Forecasting at 1-877-464-9675 ext.71530. Accessible formats or communication supports are available upon request.

Recommended by:

Paul Freeman
Chief Planner

Dino Basso
Commissioner of Corporate Services

Approved for Submission:

Bruce Macgregor
Chief Administrative Officer

February 8, 2019
Attachments (2)
eDOCS # 9132693

Attachment 1

York Region Comments on Proposed Amendment 1 to the Growth Plan for the Greater Golden Horseshoe, 2017 (ERO # 013-4504), Proposed Framework for Provincially Significant Employment Zones (ERO # 013-4506), Proposed Modifications to O.Reg. 311/06 (Transitional Matters – Growth Plans) (ERO # 013-4505) and Proposed Modifications to O.Reg. 525/97 (Exemption from Approval – Official Plan Amendments) (ERO 013-4507)

**ERO # 013- 4504
Amendment 1 to the Growth Plan for the Greater Golden Horseshoe**

General Comments	
	<p>York Region staff are generally supportive of the Province's direction proposed in Amendment 1 for York Region of continuing to prioritize growth through intensification and increasing flexibility for municipalities.</p> <p>The Growth Plan presents challenges for the Region with respect to meeting growth targets and providing the necessary infrastructure to service that growth. It is recommended that the review of the Growth Plan result in consequential amendments to other regulations to streamline Environmental Assessment and other provincial approval processes to bring infrastructure online more quickly to service designated and planned growth.</p>
Intensification and Density Targets	
2.2.2.1, 2.2.7.2	<p>Staff support the proposed minimum intensification target of 60 percent and the Designated Greenfield Density Target of 60 residents and jobs per hectare for York Region. Both are appropriate and reasonable targets for York Region given the level of transit infrastructure investment and the well-established land use planning framework for Regional centres and corridors as well as local centres and corridors and other intensification areas.</p> <p>Although not applicable to York Region, staff note that the proposed DGA densities of 40 and 50 residents and jobs per hectare proposed for the other two groups of municipalities in the GGH are lower than typical subdivisions being built today and are lower than the 2006 Growth Plan 50 density target since the 2006 DGA density calculation included employment lands (which are typically at a lower density than community lands). In staff's view, the Designated Greenfield Area target should be set at 60 for all municipalities in order to promote transit supportive complete communities.</p>
2.2.2.4, 2.2.7.4	<p>Staff accept the reduced criteria for alternative intensification and density targets provided that the prime direction of the Growth Plan of prioritizing growth intensification is maintained when the Province is assessing alternative targets. An additional criterion is also recommended that requires that an alternative intensification target be higher than historic intensification levels.</p> <p>The proposed amendment states that Councils can request alternative targets for intensification at any time and not be restricted by the timing of a MCR. Alternative targets should only be requested at the time of a MCR in order to properly align with forecasting and</p>

York Region Comments – Proposed Growth Plan Amendment 1

	growth management work that is undertaken as part of the MCR.
Employment Planning	
2.2.5.10	<p>Staff recommend employment land conversions remain at the time of a Regional municipal comprehensive review. Conversions of employment lands need to be assessed in the context of the overall Regional employment land base and employment forecast. In addition, the requirement to maintain “a significant number of jobs” on lands being considered for conversion is too vague and open to a wide range of interpretation.</p> <p>Notwithstanding staff’s position stated above, if the Province decides to proceed with the one-time window for conversions, these should be limited to only municipally initiated conversions. Staff also request that language be clarified in the amendment to indicate that it would be only a one-time window for conversions.</p> <p>Staff request clarification on what constitutes “at the time of next municipal comprehensive review” in the context of the “one time window” for considering employment land conversions? It is not clear if this provision only applies to municipalities that have not commenced their municipal comprehensive review processes?</p>
2.2.5.4	Staff accept the proposed change to require municipalities to set multiple density targets for employment areas rather than a single target.
2.2.5.5 2.2.5.6 2.2.5.7	Staff agree with the policy direction on locating and preserving employment areas adjacent to major goods movement facilities and corridors and the requirement to provide for an appropriate interface between employment areas and adjacent non-employment areas. Staff also support the proposed policy to allow for employment area designations to be incorporated into upper or single-tier official plans by amendment at any time in advance of the next MCR.
2.2.5.8	This policy should prioritize the minimization or mitigation of adverse impacts on sensitive land uses and not the other way around.
2.2.5.12	Staff support identifying provincially significant employment zones to protect the Region's employment land base but as stated above, maintain that all employment land conversions should only be considered at the time of a Regional municipal comprehensive review. Comments on the mapping for the provincially significant employment zones are provided under the comments section on the Proposed Framework for Provincially Significant Employment Zones in this Attachment.
2.2.5.14	“Outside of employment areas, redevelopment of any employment lands should retain space for a similar number of jobs to remain accommodated on site.” Suggest simplifying this policy to say that the redevelopment should accommodate a similar number of jobs.
Definitions	<p>Province should add a definition of provincially significant employment zones in the definition section of the Growth Plan.</p> <p>Amendment 1 proposes to change the definition of office parks to delete the component of the definition that states they are employment areas designated in an official plan. This could</p>

York Region Comments – Proposed Growth Plan Amendment 1

	be interpreted that office parks in employment areas would no longer be considered employment lands and therefore would not be subject to any employment land conversion policies. Assuming this is not the intent, staff request the Province to clarify the definition and policies around office parks.
Settlement Area Boundary Expansion	
2.2.8.5 2.2.8.6	<p>Settlement area boundary expansions should only be considered at the time of a municipal comprehensive review (MCR) when there can be a full assessment of the need for the expansion in the context of the overall Regional structure, supporting infrastructure and population and employment forecast.</p> <p>If the Province proceeds with this policy, it should be clarified there is a limit of a potential total expansion of 40 hectares outside of the MCR process. In addition, if this policy is maintained, any potential 40 hectare settlement area expansion should only occur as a result of an upper or single-tier municipally initiated process.</p>
2.2.8.4	Staff do not support the proposed provision allowing municipalities to adjust settlement area boundaries outside the MCR if there is no net increase in land within the settlement area. This policy could lead to multiple ad hoc adjustments across the Region without proper regard for the Region's population and employment forecast, planned urban structure and other considerations in planning for appropriate locations for growth. In addition, it is not clear whether the exchange of lands in the Province's proposed policy would be an exchange of the same type of lands. For example, could there be an exchange of non-developable lands within the settlement area for developable lands outside of the settlement area?
2.2.8.3	Staff generally support the amended criteria to evaluate locations for settlement area boundary expansions which provide more flexibility and focus on outcomes rather than specific studies in meeting requirements. Staff do have concerns regarding the change in Section 2.2.8.3.d – which proposes to change the language from stating that the proposed expansion including the associated water, wastewater and stormwater servicing would not negatively impact the water resource system to minimize and mitigate potential negative impacts on watershed conditions. This is counter to other Provincial direction including source water protection and Section 4.2.1. – Water Resource Systems in the Growth Plan.
Small Rural Settlements	
2.2.9.7	Any boundary expansions of rural settlements should occur as part of a municipal comprehensive review. In addition, the lack of definition for the term “minor” could lead to misuse of this policy. If the Province decides to proceed with this policy, rural settlement boundary adjustments should be municipally initiated.
2.2.9.7.c	It is recommended that this section specify that servicing is achievable through reserve infrastructure capacity, similar to how it is addressed in section 2.2.8.5.d
Definitions	Staff support removal of the term “undelineated built-up area” and introduction of the defined term rural settlement to recognize areas which are not intended to accommodate significant

York Region Comments – Proposed Growth Plan Amendment 1

	growth and which would not be considered part of the Designated Greenfield Area.
Major Transit Station Areas	
2.2.4.4	Staff request an additional criterion be added to allow alternative minimum density targets for MTSA's that have very limited intensification potential in both the short and long term based on existing development in the surrounding lands.
2.2.4.5.	Staff support the proposed policy to allow municipalities to delineate and set density targets for MTSA's in advance of the municipal comprehensive review. Staff note that this process is already underway as part of the Region's current MCR, so the new provision would likely not result in a more expedited process for the current MTSA delineation and target setting process. Going forward, it would be useful to employ a streamlined approach to delineate and set targets for new MTSA's or modifications to existing MTSA boundaries and/or density targets.
Definitions	Staff support additional flexibility provided in clarifying that MTSA's can range from an approximate 500 to 800 metre radius from a transit station subject to our comments on Section 2.2.4.5, giving flexibility to municipalities.
Agricultural and Natural Heritage Systems	
4.2.2.4 4.2.2.5 4.2.6.7 4.2.6.8	<p>Staff support proposed changes that specify provincial mapping of the agricultural land base and Natural Heritage System for the Growth Plan does not apply until implemented in the Regional Official Plan as well as the ability for municipalities to refine and implement provincial mapping in advance of the MCR. This provision provides upper and single-tier municipalities with the flexibility to advance the work associated with the mapping and policies required to conform to the Growth Plan or undertake it during the municipal comprehensive review process.</p> <p>Staff also agree with the specification that once provincial mapping of the agricultural land base has been implemented in official plans, further refinements may only occur through a MCR.</p>
4.2.6.3	With respect to the interface between agricultural and non-agricultural uses outside of settlement areas, staff agree with the new provision that mitigation measures, where appropriate, should be based on an agricultural impact assessment.
Other Areas	
1.2	Request clarification on how the Province is defining "market demand" and how that is to be balanced while ensuring housing supply meets local need through a full range and mix of housing types and tenures including affordable housing. Market demand should not be prioritized over unsustainable forms of development. The Province could consider linking the phrase "what is needed in local communities" to local housing needs identified through 10-year housing and homelessness plans, which would align with Growth Plan section 2.2.6.1.c.

York Region Comments – Proposed Growth Plan Amendment 1

	<p>With respect to rental housing supply, municipalities lack the necessary tools and resources to match demand with supply. The Province should consider introducing new tools, such as the ability to zone by tenure recently introduced in British Columbia, to assist municipalities in responding to market and local community needs.</p> <p>Staff support the Province's mandate of putting people first. To support this, it is recommended that re-inclusion of social equity in the Vision is needed. As noted in Section 2.2.1.4, social equity is an important element in complete communities where people live, work and play.</p>
2.1	<p>In third last paragraph of Section 1.2. request removing "in larger urban centres" and adding a revision that would indicate that all communities need to grow at transit supportive densities appropriate for the local context and transit service being contemplated, rather than just those in larger urban centres.</p> <p>As identified in York Region's submission on the Made-in-Ontario Environment Plan, the Growth Plan provides critical direction that supports Greenhouse Gas reduction and community resilience. It is recommended that the proposed GHG reduction target of 30% below 2005 levels by 2030 be considered a minimum. The Province is encouraged to establish a longer term (2050 target) aligned with the Intergovernmental Panel on Climate Change.</p>
2.2.1	<p>Section 2.2.1.4.f. – Amendment 1 proposes to remove the reference to "low carbon communities", staff question how will the objective of being more environmentally sustainable be measured?</p> <p>Section 2.2.1.4.g. – Request that the word "appropriate" be removed with reference to low impact development. The inclusion of this word weakens the policy direction for the implementation of green infrastructure.</p>
2.2.6.1	<p>Staff accept the proposed removal of the requirement for a formal Housing Strategy but also recognize that the Housing Strategy is a key input to the Provincial Land Needs Assessment Methodology. Staff recommend that the Province amend the current Land Needs Assessment Methodology (LNA) to reflect the removal of the Housing Strategy. It should also be recognized that there will still be the need to plan for housing need with respect to determining housing mix options and affordable ownership and rental targets which will be required as inputs to the LNA.</p>
3.1	<p>In second paragraph, recommend returning text to "lower density development" from unmanaged growth in the statement "costs could be saved by moving from unmanaged growth to a more compact built form." Unmanaged growth could include both low and high density development. The statement makes more sense as previously written since lower density development is generally more costly to service.</p> <p>More generally, there is reference throughout the proposed Amendment to "unmanaged growth." This term implies municipalities and the Province have had little control over growth</p>

York Region Comments – Proposed Growth Plan Amendment 1

	<p>in the GGH. It is recommended that a term such as “non-transit supportive growth” or similar be used.</p> <p>It is stated that the Plan aligns with provincial asset management regulations on page 26. It is recommended that consideration be given to protecting lands needed to facilitate asset management activities (e.g. easements) through a similar mechanism used to protect for transit corridors or employment areas.</p>
3.2.6.2.c, 3.2.7.1a, & 4.2.1.3	<p>Water and Wastewater Systems, Stormwater Management, Water Resource Systems</p> <p>It is recommended that “or equivalent” be removed. Watershed plans are important tools that help ensure drinking water sources are protected and should not be overridden.</p>
4.2.10	<p>Climate Change</p> <p>It is recommended the Province define what “other provincial plans and policies” take the place of the Ontario Climate Change Strategy. It would be beneficial for these to be defined to provide clarity on the guidance municipalities can use to ensure a consistent approach in developing vulnerability risks assessments, assessment of climate change impacts, etc.</p>
5.2.2	<p>Supplementary Direction</p> <p>Staff have concern regarding the potential for the Province to identify, establish or update “provincially significant employment zones” without consultation with municipalities. Recommend modifying this direction by inserting “in consultation with upper and single tier municipalities.”</p>

ERO # 013- 4506**Proposed Framework for Provincially Significant Employment Zones**

Staff support the concept of provincially significant employment zones to be identified by the Minister of Municipal Affairs and Housing. Recommended modifications to the employment zone mapping are provided in Attachment 2 (pages 3, 4 and 5). The modifications consist of areas that Regional staff are proposing be added based on local municipal employment area designations as well as areas recommended for removal based on non-employment land use designations. The mapping in Attachment 2 highlights selected larger suggested modifications to the provincially significant employment zone boundaries. It is requested that Provincial staff follow-up with York Region staff to review in detail the complete proposed mapping modifications. Staff are proposing that designated employment lands along 400 series highways in the Region be added as provincially significant employment zones. These areas have potential to be significant concentrations of employment and economic output when developed and need to be protected for employment uses.

The Province is seeking feedback on whether employment areas that overlap with MTSA's should be included in the provincially significant employment zones. In our view, certain MTSA's may only have employment generating uses but at transit supportive densities, therefore, there is no need to exclude MTSA's from provincially significant employment zones.

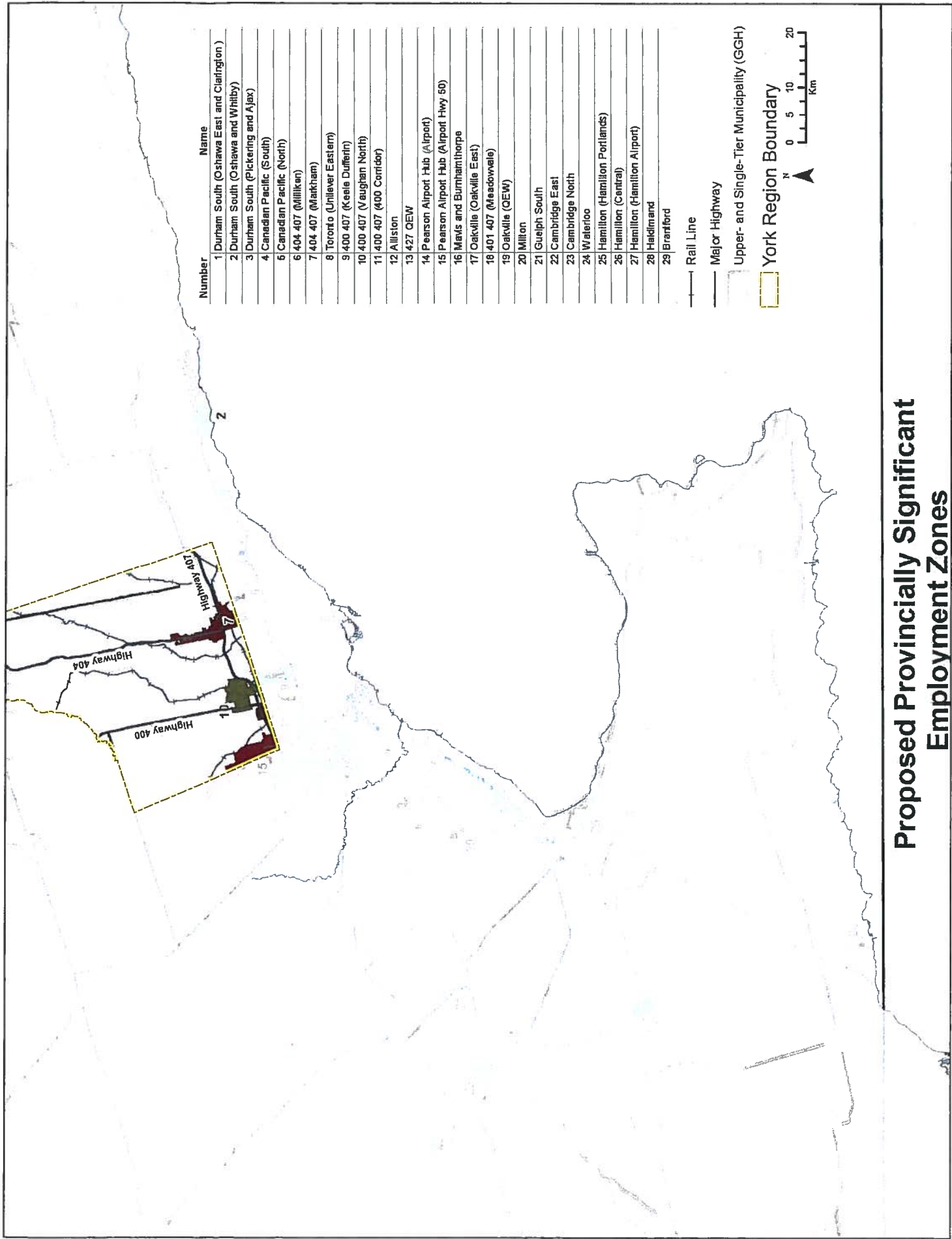
ERO # 013- 4505**Proposed Modifications to O.Reg.311/06 (Transitional Matters – Growth Plans)**

This regulation prescribes transition provisions for growth plans under the Places to Grow Act.

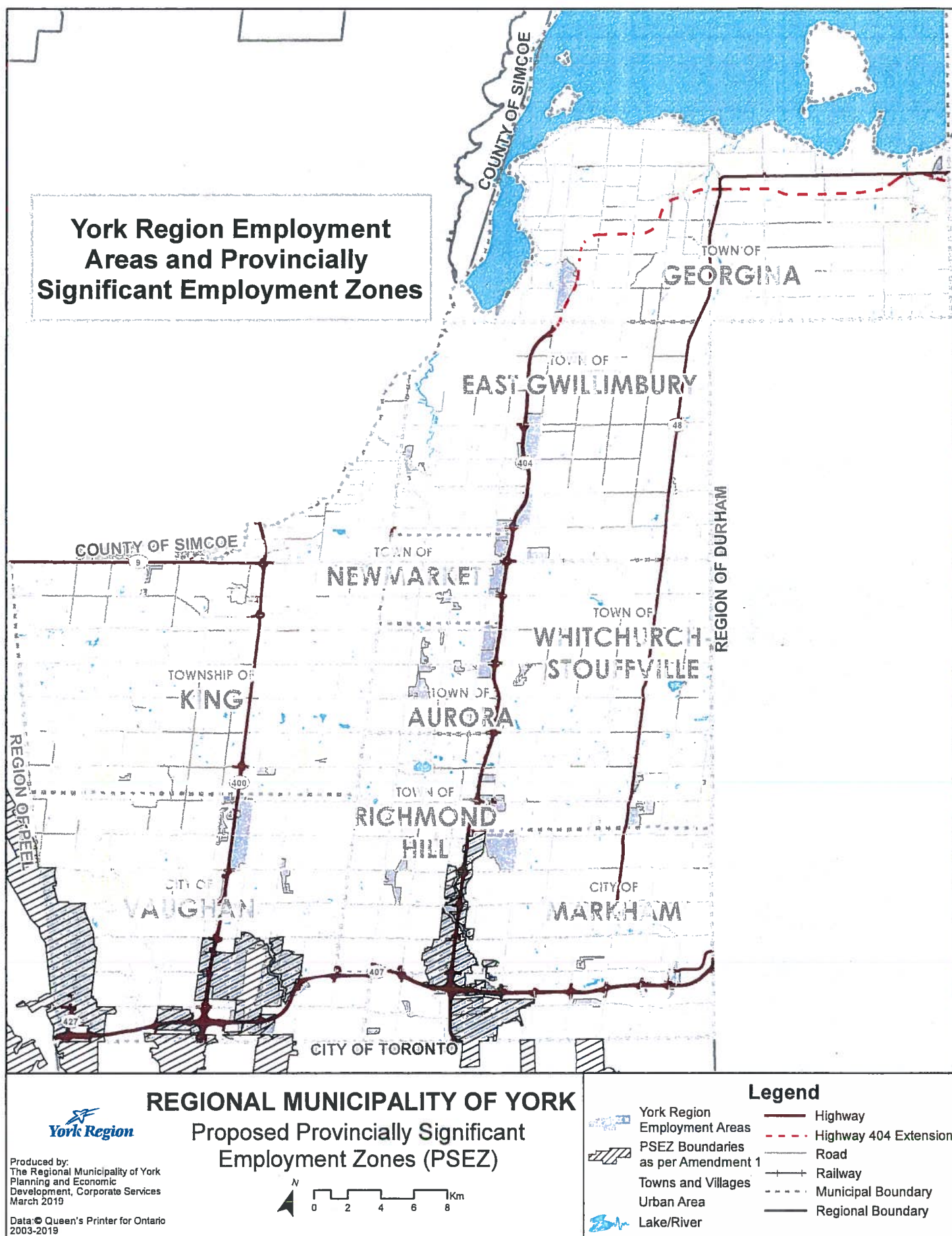
Although staff have been advised by Provincial staff that this regulation does not propose to eliminate the standard land needs assessment methodology, staff want to re-iterate the importance of having a consistent standard approach to land needs assessment. Staff support the current land needs assessment methodology as set out by the Province. In regards to this transition regulation, the Province is also seeking feedback as to whether there are any specific planning matters in process that should be addressed through the transition regulation. Staff would agree with the example provided by the Province that adopted official plan amendments under appeal should be subject to a transition regulation.

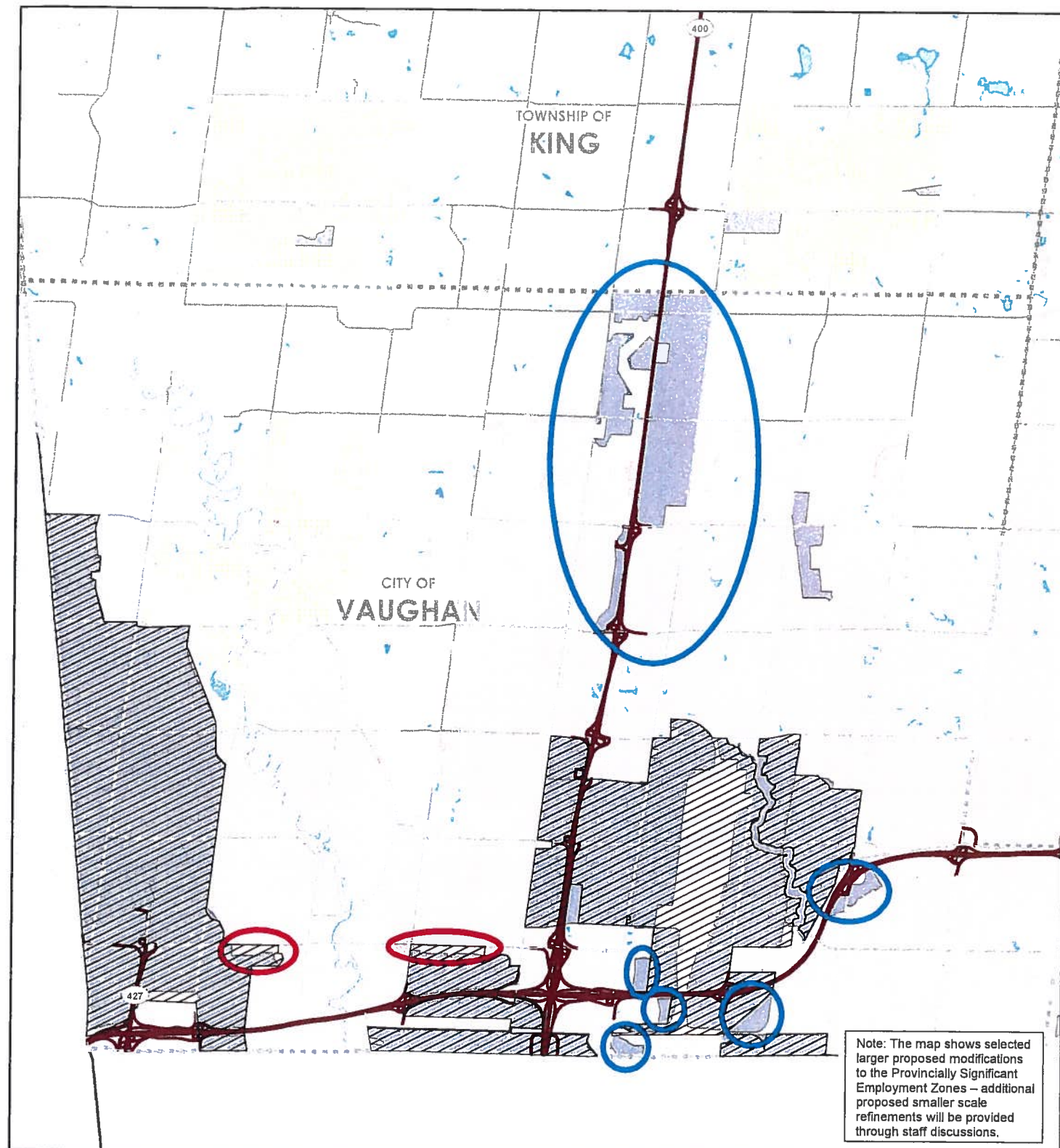
ERO # 013- 4507**Proposed Modifications to O.Reg.525/97 (Exemption from Approval – Official Plan Amendments)**

The purpose of this regulation is to facilitate the proposed amendments to the Growth Plan that would allow municipalities the flexibility to make changes to their official plan to implement the Agricultural System for the Greater Golden Horseshoe mapping or the Natural Heritage System for the Growth Plan mapping before their next municipal comprehensive review, while ensuring that the Minister's approval would be required for these changes. Staff support the proposed changes to the regulation.



Proposed Provincially Significant Employment Zones





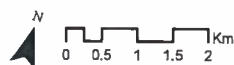
REGIONAL MUNICIPALITY OF YORK

Proposed Provincially Significant Employment Zones (PSEZ)



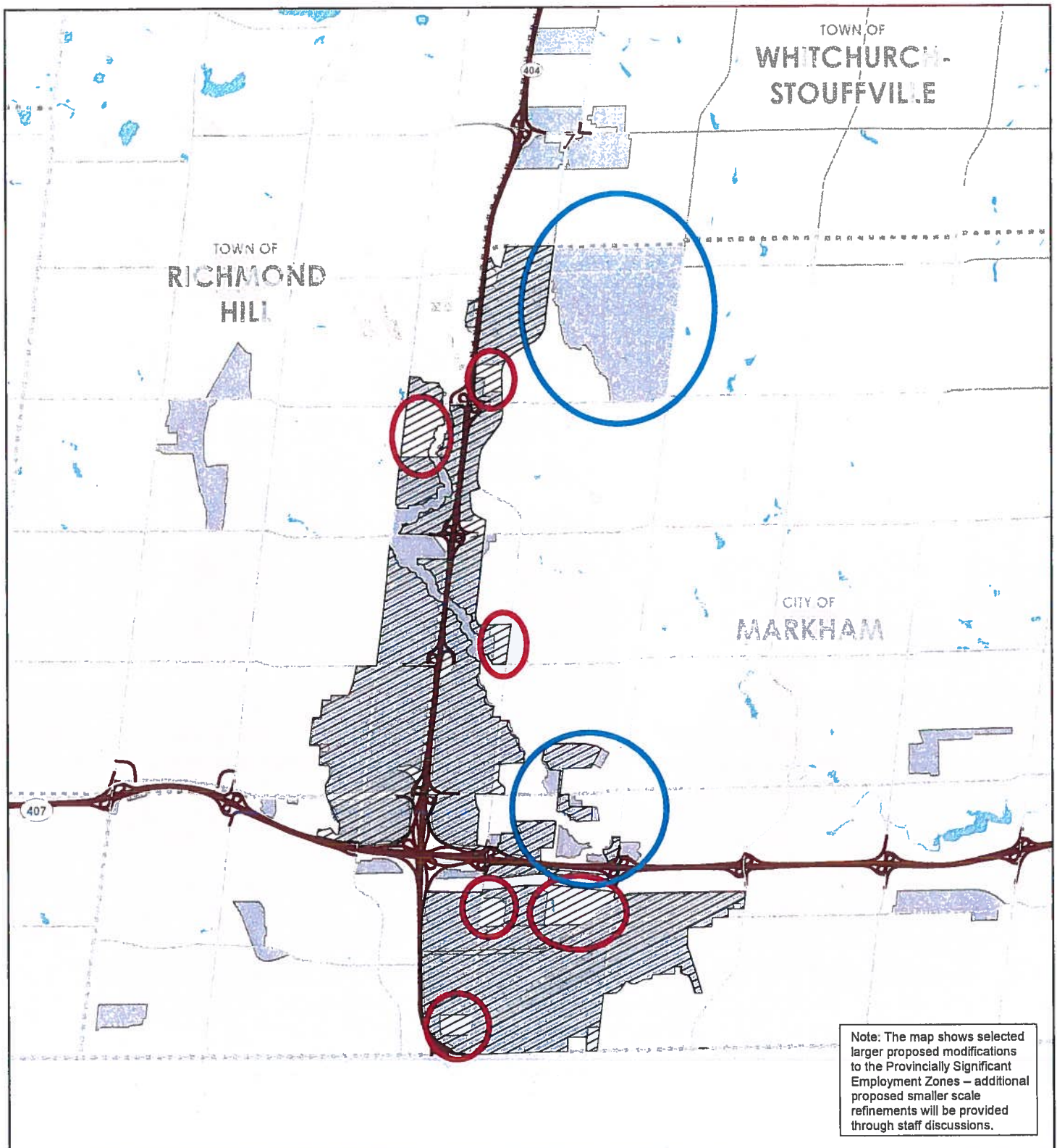
Produced by:
The Regional Municipality of York
Planning and Economic
Development, Corporate Services
March 2019

Data: © Queen's Printer for Ontario
2003-2019



Legend

- | | | | |
|--|------------------------------------|--|--------------------|
| | York Region Employment Areas | | Highway |
| | PSEZ Boundaries as per Amendment 1 | | Road |
| | Towns and Villages | | Railway |
| | Urban Area | | Municipal Boundary |
| | | | Regional Boundary |
| | Lake/River | | |
| | Recommended Deletions from PSEZ | | |
| | Recommended Additions to PSEZ | | |



REGIONAL MUNICIPALITY OF YORK

Proposed Provincially Significant Employment Zones (PSEZ)

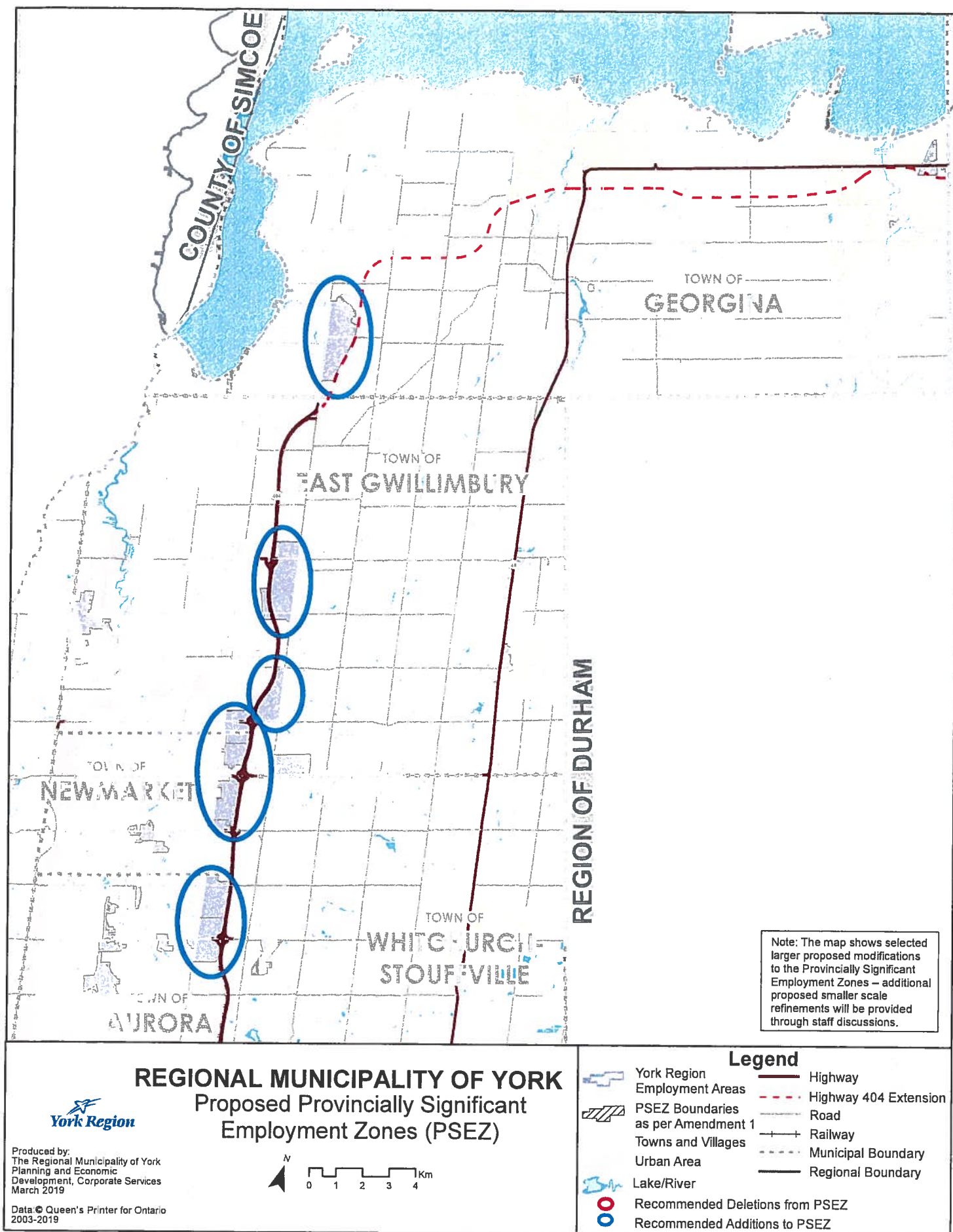
Produced by:
The Regional Municipality of York
Planning and Economic
Development, Corporate Services
March 2019

Data: © Queen's Printer for Ontario
2003-2019



Legend

- | | |
|------------------------------------|--------------------|
| York Region Employment Areas | Highway |
| PSEZ Boundaries as per Amendment 1 | Road |
| Towns and Villages | Railway |
| Urban Area | Municipal Boundary |
| Lake/River | Regional Boundary |
| Recommended Deletions from PSEZ | |
| Recommended Additions to PSEZ | |





Report to: General Committee

Meeting Date: April 23, 2019

SUBJECT: Award of RFP 196-R-18 Supply and Delivery of Wheeled Curbside Green Bin Containers

PREPARED BY: Michael DiPasquale, Supervisor, Waste Mgmt., Ext. 3710
Tony Casale, Senior Construction Buyer, Ext. 3190

RECOMMENDATION:

1. That the report entitled “Award of RFP 196-R-18 Supply and Delivery of Wheeled Curbside Green Bin Containers” be received; and,
2. That the Contract for the supply and delivery of wheeled curbside green bin containers be awarded to the highest ranked / lowest priced bidder “Nova Products o/a Peninsula Plastics Ltd ” in the annual amount of \$112,731.76 inclusive of HST; and,
3. That the 2019 award amount of \$112,731.76 inclusive of HST be funded from Operating account number 770-773-4132 “Green Bins For Resale”; and,
4. That the remaining budget in the amount of \$17,268.24 be reported as part of the 2019 operating budget year-end variance and reduced from the 2020 Operating Budget; and,
5. That Staff be authorized to exercise the option to renew the contract for three (3) additional years (2020-2022) subject to the Consumer Price Index for Canada (“CPI”) (September to September) and Council approval of the 2020 to 2022 Operating budget as follows;
 - Year 1 (2020) \$112,731.76 (Incl. of HST) + CPI Index
 - Year 2 (2021) \$112,731.76 (Incl. of HST) + CPI Index
 - Year 3 (2022) \$112,731.76 (Incl. of HST) + CPI Index; and further,
6. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

EXECUTIVE SUMMARY:

Not Applicable

PURPOSE:

To obtain approval to award the contract for the annual supply and delivery of 8,200 wheeled curbside green bin containers.

BACKGROUND:

Curbside green bins are purchased for resale to City of Markham residents on a cost recovery basis. The green bins are sold at Markham’s four Community Recycling Depots and at Markham’s four major community centres. Green bins are also delivered to new residential developments at occupancy through the Developer. The green bins are sold to residents and the costs related to new residential development are charged to the subdivision agreement.

BID INFORMATION

Advertised	ETN
Bids closed on	November 27, 2018
Number picking up bid documents	3
Number responding to bid	3

PROPOSAL EVALUATION

The Evaluation Team was comprised of staff from Environmental Services with Procurement staff acting as the facilitator. The proposals were evaluated based on pre-established evaluation criteria as listed in the Request for Proposal: 25% qualifications and experience of the contractor; 35% technical specifications of the bin and 40% price, totaling 100%.

Contractor	Total Score (out of 100)	Rank Results
Nova Products	98.60	1

Note: Prices from the three bidders ranged from \$112,731.76 to \$151,783.18. As compared to the previous contract, this contract represents a reduction of 14%.

OPTIONS/ DISCUSSION:

Not Applicable

FINANCIAL CONSIDERATIONS:

Budget available and account #	\$ 130,000.00	770 773 4132 Green Bins For Resale
Less cost of award	\$ 112,731.76	Year 1 (2019)
Budget remaining	\$ 17,268.24	

*The remaining budget in the amount of \$17,268.24 will be reported as part of the 2019 operating budget year-end variance and reduced from the 2020 Operating Budget.

OPERATING BUDGET AND LIFECYCLE IMPACT:

The 2020 operating budget will be reduced from \$130,000 to \$112,731.76 and then adjusted for any CPI escalation based on this award. There is no incremental life cycle study impact.

ENVIRONMENTAL CONSIDERATIONS:

The green bin is a fundamental waste management tool for Markham residents, which allows them to participate in the organic collection program. Organic separation and collection helps the City achieve its high waste diversion rate.

HUMAN RESOURCES CONSIDERATIONS

Not Applicable

ALIGNMENT WITH STRATEGIC PRIORITIES:

The project goals are consistent with the Building Markham's Future Together strategic priority of providing a "Safe and Sustainable Community" through organic separation and collection programs.

BUSINESS UNITS CONSULTED AND AFFECTED:

The Finance department has been consulted and their comments have been incorporated.

RECOMMENDED BY:

Eddy Wu
Acting Director, Environmental Services

Brenda Librecz
Commissioner, Community & Fire
Services

ATTACHMENTS:

Not Applicable



Report to: General Committee

Meeting Date: April 23, 2019

SUBJECT: Staff Awarded Contracts for the Months of February and March 2019
PREPARED BY: Alex Moore, Senior Manager, Procurement & A/P, Ext. 4711

RECOMMENDATION:

1. That the report entitled “Staff Awarded Contracts for the Months of February and March 2019” be received; and,
2. That Staff be authorized and directed to do all things necessary to give effect to this resolution

PURPOSE:

Pursuant to Part III section 15 of the Procurement Bylaw (No. 2017-8), passed by Council on March 21, 2017, a report shall be submitted to Council on a monthly basis to advise of awarded contracts greater than \$50,000.

This report advises Council of all contracts, awarded by the Chief Administrative Officer or Commissioners, or Directors with a total cost exceeding \$50,000 for the month of February and March 2019.

BACKGROUND:

The Procurement By-Law delegates authority to staff to award contracts if the contract award meets specific criteria.

The following chart outlines the contract award approval authority:

Dollar threshold	Within Criteria*	Outside Criteria*
\$50,000 or greater, but less than \$100,000	Director	Commissioner
\$100,000 or greater, but less than \$350,000	Commissioner	CAO
\$350,000 or greater	CAO	Council

* If one (1) of the below noted criteria is not met then the contract award is identified as outside criteria and the approval authority.

- The Contract Award is to the lowest priced or highest ranked (as applicable), compliant Bidder
- The expenses relating to the goods/ services being procured are included in the budget (Operating/Capital).
- The Contract Award is within the approved budget.
- The term of the Contract is for a maximum of four (4) years.
- There is no litigation between the Successful Bidder and the City at the time of Contract Award.
- There is no disqualified Bidder (which disqualified Bidder is also the lowest priced or highest ranked Bidder (as applicable) pursuant to the Quotation process) at the time of Contract Award.

OPTIONS/ DISCUSSION:**Staff Awarded Contracts for the Month of February 2019**

Number	BMFT Objective	Description	Award Details	Commission
1	Exceptional Services by Exceptional People	070-T-18 Skylight Replacement, EIFS, and Re-Coating of Metal Roof at Milliken Mills Community Centre	Lowest Priced Bidder	CS
2	Exceptional Services by Exceptional People	242-S-18 Servicing of Fitness Equipment	Non-Competitive Bidder	C&FS
3	Exceptional Services by Exceptional People	041-S-19 Smart City Accelerator Research –Pilot Project	Non-Competitive Bidder	CS
4	Safe & Sustainable Community	178-T-18 - Security Gate Installation at Main Works Yard and Markham Museum	Lowest Priced Bidder	C&FS
5	Safe & Sustainable Community	262-Q-18 Furnace Replacement and Furnace Room Retrofit at Markham Museum	Lowest Priced Bidder	C&FS
6	Safe & Sustainable Community	018-S-19 Erosion Control and Bank Stabilization along Milne Creek	Non-Competitive Bidder	C&FS
7	Stewardship of Money and Resources	010-R-19 Corporate-Wide Supply & Delivery of Photocopy Paper	Sole Bidder	CS

Staff Awarded Contracts for the Month of March 2019

Number	BMFT Objective	Description	Award Details	Commission
8	Safe & Sustainable Community	232-T-18 Supply & Installation of Back-Up Generator at Aaniin Community Centre	Lowest Priced Bidder	CS
9	Safe & Sustainable Community	001-T-19 Concrete Maintenance	Lowest Priced Bidder	C&FS
10	Safe & Sustainable Community	013-Q-19 Servicing, Supply and Delivery of Parts to City Owned Pools on an as required basis	Lowest Priced Bidder	C&FS
11	Safe & Sustainable Community	020-T-19: Parking Lot Yarl Cedarwood Park - Construction	Lowest Priced Bidder	DS
12	Safe & Sustainable Community	024-T-19 Replacement of Ten CSP Culverts at Various Locations	Lowest Priced Bidder	C&FS
13	Safe & Sustainable Community	031-T-19 Arboriculture Services	Lowest Priced Bidder	C&FS
14	Safe & Sustainable Community	035-Q-19 Residential and Commercial Grass Cutting & Maintenance Services	Lowest Priced Bidder	CS

15	Stewardship of Money and Resources	003-T-19 Short Term Rental of Vehicles	Lowest Priced Bidder	C&FS
16	Stewardship of Money and Resources	004-T-19 Grass Cutting and Maintenance Services	Lowest Priced Bidder	C&FS
17	Stewardship of Money and Resources	254-S-18 Information Markham Service Agreement - Contract Extension	Non-Competitive Bidder	CS
18	Stewardship of Money and Resources	026-S-19 Parking Garage Remote Monitoring and Maintenance at Cornell C.C	Non-Competitive Bidder	C&FS
19	Stewardship of Money and Resources	027-S-19 Facility Rinkboards and Markham Life Magazine Advertising	Non-Competitive Bidder	C&FS

#1

**STAFF AWARD REPORT**

To:	Andy Taylor, Chief Administrative Officer
Award:	070-T-18 Skylight Replacement, Exterior Insulating Finishing System, and Re-Coating of Metal Roof at Milliken Mills Community Centre

BID INFORMATION

Bid closed on	October 4, 2018
Number picking up document	12
Number responding to bid	4

BACKGROUND

These repairs are to address water penetration within the library that have been an ongoing issue. The work also includes the replacement of 15 skylights throughout the community centre. The work will commence in May 2019 with an estimated completion of September 2019 and will not disrupt building operations.

RECOMMENDATION

Recommended Supplier	Tower Restoration Ltd. (Lowest Priced Bidder)	
Current Budget Available	\$179,774.59	750-101-5399-18101 Roofing Replacement Projects
Less cost of award	\$255,417.60	(Includes HST)
	\$ 20,433.41	Contingency
	\$275,851.01	Total Cost of Award
Budget remaining after this award	(\$ 96,076.42)	*

* The shortfall is mainly due to additional structural repairs required to address the bowing of the masonry wall at the library clerestory. These additional structural repairs were not included within the budget and cost an additional \$85,071 (including contingency), the remaining \$11,005.42 is due to market prices being higher than estimated.

Staff met with the consultant and Tower Restoration Ltd. and negotiated a 2% or \$5,088.00 cost reduction from the original bid price as allowed under the Purchasing By-Law.

OPERATING BUDGET AND LIFE CYCLE IMPACT

There is no incremental operating budget impact. The life cycle reserve study will be adjusted accordingly.

ENVIRONMENTAL CONSIDERATIONS

To reduce the environment impact of the work environmentally friendly products were specified. As specified in the bid document, all construction materials will be disposed of at an authorized dump, waste treatment site or recycling facility by the Contractor, and will be disposed of in accordance with applicable by-laws and regulations.

The EIFS installation will provide some energy savings as the system includes the placement of insulation onto the clerestory masonry walls.

#2

**STAFF AWARD REPORT**

To:	Andy Taylor, Chief Administrative Officer
Award:	242-S-18 Servicing of Fitness Equipment at Fire Stations, Civic Centre, 8100 Warden Ave, Aaniin, Centennial, Thornhill, and Cornell Community Centres

BACKGROUND

The contract is for servicing of City fitness equipment at various city locations for a period of three (3) years commencing on January 1, 2019, at the same itemized pricing. Service and repair to fitness equipment on an on-call basis is necessary to extend product life, minimize equipment downtime, and ensure safe use for fitness members. Preventative maintenance and inspection on all equipment is scheduled four times a year at a minimum for facilities such as fire stations, Civic Centre, 8100 Warden Ave, and up to once a month for large facilities: Aaniin, Centennial, Thornhill, and Cornell Community Centres.

RECOMMENDATION

Recommended Supplier	Advantage Fitness Sales Inc. (Non-Competitive Procurement)	
Current Budget Available	\$26,968.44	
Less cost of award	\$26,968.44 January 1 – December 31, 2019 \$26,968.44 January 1 – December 31, 2020* <u>\$26,968.44</u> January 1 – December 31, 2021* \$80,905.32 Total Cost of Award (Inclusive of HST)	
Budget Remaining after this award	\$ 0.00	*

*Subject to Council's approval of the 2020-2021 operating budgets.

Staff further recommends:

THAT the tendering process be waived in accordance with Purchasing By-Law 2017-8, Part II, Section 11 Non Competitive Procurement, item 11.1 (h) which states "Where it necessary or in the best interest of the City to acquire non-standard items or Professional Services from a preferred supplier or from a supplier who has a proven track record with the City in terms of pricing, quality and service."

OPTIONS/DISCUSSIONS

Advantage Fitness Sales Inc. (Advantage Fitness) has been the awarded supplier of this contract since 2005 for preventative maintenance and service repairs (sole or lowest priced bidder). Approximately 80% of City fitness equipment has been sourced from Advantage Fitness that include treadmills, elliptical, strength trainers, bikes, motion trainers, and stair masters. The 80% is not inclusive of dumbbells, medicine balls, benches, or strength bands. In 2012, staff approved the award of contract (238-Q-12) to Advantage Fitness for a period of three (3) years (2013-2015). This award was further extended for an additional three (3) years for the period between 2015-2018.

Staff tendered the Servicing of City Fitness Equipment at Various City Locations on three (3) separate occasions (2005, 2009 and 2012). Advantage Fitness has been the lowest priced supplier or sole bidder on all three (3) of these competitive tenders and was 33% and 37% lower than the 2nd lowest bidder respectively in 2005 and 2012.

Year	Number of Bids Received	Lowest Priced Bidder
2005	2	Advantage Fitness
2009	1	Advantage Fitness
2012	2	Advantage Fitness

OPTIONS/DISCUSSIONS Continued

Fitness Equipment maintenance and repair is a specialized industry with few competent contractors in the marketplace. In reviewing the market, a combination of factors resulted in the lack of bid responses. Advantage Fitness is an exclusive dealer of Life Fitness equipment and has the necessary certifications to service Cybex and Precor cardio and strength equipment which makeup approximately 80% of all City equipment. As a result, it is beneficial for the City to use the manufacturer to provide preventative maintenance services as it ensures consistent warranty on parts and labour on standardized equipment.

Over the course of the contract, there has been no increase in hourly service rate to the City from Advantage Fitness however, staff recommend a second preventative maintenance technician at Cornell and Centennial during their monthly site visit. Furthermore, Aaniin Community Centre was added to the preventative maintenance schedule therefore resulting in an increase of \$2,791 per year from the previous contract.

OPERATING BUDGET AND LIFE CYCLE RESERVE IMPACT

Facility	Operating Account	2019 Budget	Cost of Award (Inclusive of HST)*	Balance Remaining**
Centennial Community Centre	503-941-5314	\$10,000.00	\$6,324.38	\$3,675.62
Cornell Community Centre	505-941-5314	\$7,000.00	\$5,412.61	\$1,587.39
Thornhill Community Centre	501-941-5314	\$10,000.00	\$4,386.87	\$5,613.13
Fire Department	420-599-5425	\$91,690.00	\$4,386.87	\$87,303.13
Pan Am Centre	506-941-5314	\$10,000.00	\$3,666.41	\$6,333.59
Aaniin Community Centre	509-941-5314	\$10,000.00	\$2,791.28	\$7,208.72
Total		\$138,690.00	\$26,968.44	\$111,721.56

*The award estimate is based on 2019 requirements.

**The remaining budget will be used for other arena maintenance service agreements as budgeted for in the respective accounts.

ENVIRONMENTAL CONSIDERATIONS

N/A

#3

**STAFF AWARD REPORT**

To:	Andy Taylor, Chief Administrative Officer
Award:	041-S-19 Smart City Accelerator Research –Pilot Project

BACKGROUND

The pilot project contract for the Smart City platform installation, configuration, hosting, support and licensing for one year with a six (6) month pilot phase.

RECOMMENDATION

Recommended Supplier	Bell Mobility Inc. (Non Competitive Procurement)	
Current Budget Available	\$800,495.00	75-5350-16254-005 Digital Markham
Less cost of award	\$203,520.00	Cost of Award (Inclusive of HST)
Budget available after this award	\$596,975.00	

*Budget remaining will be used for other initiatives for Digital Markham strategy.

Staff recommends that the tendering process be waived in accordance with Purchasing By-Law 2017-8, Part II, Section 7 Non Competitive Procurement, item 1 (g) where it is in the City's best interest not to solicit a competitive Bid and (h) "Where it necessary or in the best interest of the City to acquire non-standard items from a preferred supplier."

OPTIONS/DISCUSSIONS

As part of our Digital Markham strategy, the City have engaged with the industry to identify potential opportunities to test new Smart City technologies. Our strategy includes the establishment of "living labs" to test new and innovative technology capabilities to improve efficiency and enhance City services. The Bell Smart City Accelerator Research Program aligns with the City's goal of being a platform for innovation.

The Smart City initiative is being developed for the purpose of research and study as a pilot project. The data collected via sensors located on equipment such as water mains, hydrants, temperature / humidity sensors, and on buildings. The field testing data collected by these sensors will help guide decisions on the management of City operations and equipment in the future. In addition, the project will help identify potential efficiencies and service delivery enhancement presented through these technologies. The pilot will also help the city to assess how such Smart City Platforms could enable data-driven decisions.

The pilot project will be for six months period starting in May 2019. The scope of the planned pilot primarily include asset management; water leak detection; storm/flood water monitoring; environmental monitoring; and, energy management.

IBM and Bell Partnership

The partnership leverages the benefit of private sector investment and expertise, while advancing our digital agenda for the City. Bell has partnered with Markham, Ontario based IBM Canada to integrate IBM's data and analytics technology into internet of things (IoT) systems on the Bell Smart City platform. Supported by Bell's broadband networks, IBM technology will collect data from the above listed assets and infrastructure through sensors, along with the City's open data, to provide a single, consolidated digital dashboard view of city operations. This will allow staff across City departments to collaborate in real-time, and will lead to better-informed decisions regarding management of city operations, and delivery of services for residents.

OPERATING BUDGET AND LIFE CYCLE IMPACT

There is no incremental operating budget or life cycle reserve study impact resulting from this pilot project.

ENVIRONMENTAL CONSIDERATIONS

N/A

#4

**STAFF AWARD REPORT**

To:	Andy Taylor, Chief Administrative Officer
Award:	178-T-18 - Security Gate Installation at Main Works Yard and Markham Museum

BID INFORMATION

Bids closed on	January 28, 2019
Number picking up bid documents	6
Number responding to bid	4

BACKGROUND

The scope of work includes:

- Supply and installation of 1 (one) vehicle and 1 (one) pedestrian gate at Main Works Yard (555 Miller Avenue Markham)
- Supply and installation of 1 (one) vehicle gate at Markham Museum (9350 Markham Rd, Markham)

It is anticipated the project will be completed by October 31, 2019.

RECOMMENDATION

Recommended Supplier	P & C General Contracting Ltd. (Lowest Priced Bidder)	
Current Budget Available	\$117,500.00	270-101-5399-18091 - Corporate Security Operations & System Upgrades
Less cost of award	\$106,764.84	Cost of Award (Inclusive of HST)
	<u>\$ 10,676.48</u>	Contingency (10%)
	\$117,441.33	Total Cost of Award (Inclusive of HST)
Budget Remaining after this award	\$ 58.67	*

*The remaining balance of \$58.67 will be returned to original funding source.

OPERATING BUDGET AND LIFE CYCLE IMPACT

There is no incremental operating budget impact. There is no incremental life cycle impact over the next 25 years.

ENVIRONMENTAL CONSIDERATIONS

N/A

#5

**STAFF AWARD REPORT**

To:	Graham Seaman, Director of Sustainability & Asset Management
Award:	262-Q-18 Furnace Replacement and Furnace Room Retrofit at Markham Museum

BID INFORMATION

Bids closed on	February 6, 2019
Number picking up bid documents	8
Number responding to bid	7

BACKGROUND

This project will be completed by May 31, 2019.

RECOMMENDATION

Recommended Supplier	Dontex Construction Ltd. (Lowest Priced Bidder)	
Current Budget Available	\$29,900.00 <u>\$25,100.00</u> \$55,000.00	073-6150-16080-005 Markham Site and Facility Maintenance 510-101-5399-17024 Museum Facility Improvements Total Budget Available
Less cost of award	\$48,226.10 <u>\$ 4,822.61</u> \$53,048.71	Cost of Award Contingency (10%) Total Award
Budget Remaining after this award	\$ 1,951.29	*

*The remaining balance of \$1,951.29 will be returned to original funding source (510-101-5399-17024).

OPERATING BUDGET AND LIFE CYCLE IMPACT

The new units qualify for an incentive of \$200/furnace totaling \$400. The 2 new units are more efficient and will result in estimated gas savings of \$750/year per furnace, or \$1,500/year in total.

There is no incremental life cycle impact.

ENVIRONMENTAL CONSIDERATIONS

New units are more efficient in comparison to the existing units. Enbridge estimates approximately 2,512 m³/year per unit gas savings.

#6

**STAFF AWARD REPORT**

To:	Andy Taylor, Chief Administrative Officer
Award:	018-S-19 Erosion Control and Bank Stabilization along Milne Creek

BACKGROUND

This property is located on land owned by the Toronto and Region Conservation Authority ('TRCA') and under management agreement with the City, which indicates all maintenance work and associated costs are under City's responsibility. The project will be completed by March 31, 2019, in order to comply with environmental regulations to avoid construction work during fisheries timing windows.

RECOMMENDATION

Recommended Supplier	Toronto and Region Conservation Authority "TRCA" (Non-Competitive Procurement)	
Current Budget Available	\$66,000.00	750-101-5399-19232 Erosion Restoration Program
Less cost of award	\$59,885.76 <u>\$ 5,988.58</u> \$65,874.34	Award Contingency (10%) Total Cost of Award
Budget Remaining after this award	\$ 125.66	*

*Remaining funds of \$125.66 will be returned to original funding source.

Staff further recommends:

THAT the Tender process be waived in accordance with Purchasing By-Law 2017-8, Part II, Section 11, item 2 (e) which states "Request for Tenders, Requests for Proposals and Requests for Quotations may not be required for goods and services to be provided by Toronto and Region Conservation Authority (TRCA).

OPTIONS/DISCUSSION

Staff recommends a non-competitive contract award to TRCA based on the following rationale:

Cost Savings

As TRCA reviews and is the permitting agency under "O. Reg. 166/06; Toronto and Region Conservation Authority (Regulation of Development, interference with wetlands and Alterations to Shorelines and Watercourses). TRCA has the authority to do work within watercourses which would otherwise require a permit from TRCA and take a considerable amount of time to obtain given the pre-existing site conditions. The permit cost is \$5,500 and will be waived by TRCA.

Efficiency & Interchangeability

In 2016, TRCA was retained by the City to carry out emergency remedial works at Bronte Road to address a failed stream bank that was threatening a City owned sanitary sewer. The work completed ahead of targeted estimated completion date and under budget because TRCA was able to expedite the permitting process internally and are familiar with this type of work.

Technical Expertise

TRCA has the resources and equipment to carry out some of the restoration work required and has long standing history and demonstrated expertise in conducting crossing and channel restoration works.

Proven Track Record

TRCA has successfully completed numerous projects for the City's Engineering, Waterworks and Operations Departments.

OPERATING BUDGET AND LIFE CYCLE IMPACT

There is no incremental impact to the Operating budget and the Life Cycle Reserve Study.

ENVIRONMENTAL CONSIDERATIONS

The eroded stream bank will be restored as part of the project. TRCA will consult with the Ministry of Natural Resources and Forestry and the Department of Fisheries and Oceans regarding endangered species and Fisheries Act requirements.

#7



STAFF AWARD REPORT

To:	Andy Taylor, Chief Administrative Officer
Award:	010-R-19 Corporate-Wide Supply & Delivery of Photocopy Paper

BID INFORMATION

Bids closed on	November 30, 2018
Number picking up bid documents	7
Number responding to bid	1

BACKGROUND

The contract is for supply and delivery of photocopy paper for four (4) years with renewal options every six (6) months due to price fluctuation on paper. Rates will be adjusted based on mutually agreed rates. The City of Markham leverages the volumes from the school boards to achieve competitive pricing. The RFP included requirements for various types of white/coloured recycled paper with 30%, 50% or 100% recycling content.

The York Catholic District School Board, on behalf of the York Purchasing Co-Operative, issued a Request for Proposal (CRFP 2018-10) for the Supply and Delivery of Paper. All 9 municipalities in York Region, as well the following organizations participated in this bid:

1. York Catholic District School Board
2. York Region District School Board
3. York Region
4. York Regional Police

RECOMMENDATION

Recommended Bidder	Ariva, Division of Domtar Inc. (Sole Bidder)	
Current Budget Available	\$ 28,874.99	User Departments' Annual Office Supplies Operating Account #4002
Less cost of award	\$ 28,874.99 \$ 28,874.99 \$ 28,874.99 \$ 28,874.99 \$115,499.96	January 1, 2019 – December 31, 2019* January 1, 2020 – December 31, 2020* January 1, 2021 – December 31, 2021* January 1, 2022 – December 31, 2022* Total Cost of Award (Inclusive of HST)
Budget Remaining after this award	\$ 0.00	*

*Subject to Council approval of the annual operating budget.

EVALUATION SUMMARY

The evaluation was based on pre-established evaluation criteria as outlined in the RFP:

Sole Bidder	Score
Ariva, Division of Domtar Inc.	90.50

Compared to the previous contract pricing (July – December 2018), the new pricing under this contract for the majority of our paper purchases has remained the same.

OPERATING BUDGET AND LIFE CYCLE IMPACT

There is no incremental impact to the Operating budget.

ENVIRONMENTAL CONSIDERATIONS

The paper will be Forest Stewardship Council (FSC) certified which is an organization established to promote the responsible management of the world's forests. The City uses 100% recycled photocopy paper which is recognized by Environment Canada and is displayed on products that meet or exceed established criteria for greenhouse gas emissions, water consumption, and use recycled fiber.

#8

**STAFF AWARD REPORT**

To:	Andy Taylor, Chief Administrative Officer
Award:	232-T-18 Supply & Installation of Back-Up Generator at Aaniin Community Centre

BID INFORMATION

Bids closed on	February 19, 2019
Number picking up bid documents	25
Number responding to bid	9

BACKGROUND

The scope of work includes the supply and installation of back-up generator at Aaniin Community Centre to enable the facility to provide heated or cooled shelter space to residents in the event of an emergency power outage. This project will be completed by December 31, 2019.

RECOMMENDATION

Recommended Bidder	Supply Point Inc. (Lowest Priced Bidder)	
Current Budget Available	\$553,022.16	056-5350-16204-005 Aaniin CC Emergency Reception Centre - Power Supply
Less cost of award	\$526,302.72 \$ 26,315.14 \$552,617.86	Cost of Award * Contingency (5%) Total Award
Budget Remaining after this award	\$ 404.30	**

*The Bid Price includes a cash allowance of \$11,193.60 for BAS programming testing and commissioning by the City's current contractor and for utility service to de-energize and re-energize the main power supply for any modification within the building's main power switchboard.

**The remaining balance of \$404.30 will be returned to the original funding source.

OPERATING BUDGET AND LIFE CYCLE IMPACT

There is an annual operating budget impact of \$1,000, which will be addressed in the 2020 budget. There is no incremental impact to life cycle.

ENVIRONMENTAL CONSIDERATIONS

The contractor will apply to Ministry of Environment (MOE) for approval of the generator exhaust system and sound emissions to suit code requirements.

The engine will comply with Tier 2 emission limit of U.S. EPA New Source Performance Standards for stationary emergency engines.

#9

**STAFF AWARD REPORT**

To:	Andy Taylor, Chief Administrative Officer
Award:	001-T-19 Concrete Maintenance

BID INFORMATION

Bid closed on	February 11, 2019
Number picking up bid document	12
Number responding to bid	7

RECOMMENDATION

Recommended Bidder	Epic Paving & Contracting Ltd. (Lowest Priced Bidder)	
Current Budget Available	\$1,356,600.00	Various Accounts (See Financial Considerations)
Less cost of award	\$1,181,077.44 \$1,181,077.44 \$1,204,698.99 <u>\$1,228,792.97</u> \$4,795,646.84	2019 – Year 1 (Inclusive of HST) 2020 – Year 2 (Inclusive of HST)* 2021 – Year 3 (Inclusive of HST)* 2022 – Year 4 (Inclusive of HST)* Total Cost of Award
Budget Remaining after this award	\$ 175,522.56	**

* The contract term is one (1) year term with an option to renew the contract for three (3) additional one (1) year periods. Years 3 and 4 are subject to an annual price increase based on the Consumer Price Index for All Items Canada for the twelve (12) month period ending October in the applicable year. Years 2 – 4 are subject to Council approval of the 2020-2022 budgets.

** The remaining budget in the amount of \$175,522.56 will address additional concrete deficiencies on an as required basis. Concrete maintenance requirements are anticipated to increase due to the freeze thaw cycles caused by the frequent temperature fluctuations experienced in the 2018/2019 winter season.

FINANCIAL CONSIDERATIONS

Account Name	Account #	Budget Available for this item	Cost of Award	Budget Remaining
Asphalt Maintenance	700-501-5304	\$450,000.00	\$391,777.13	\$58,222.87
Localized Repairs – Curb & Sidewalk	050-6150-19179-005	\$886,600.00	\$771,888.00	\$114,712.00
Localized Repairs – Parking Lots	050-6150-18211-005	\$10,000.00	\$8,706.16	\$1,293.84
Railway Crossings	050-6150-18213-005	\$10,000.00	\$8,706.16	\$1,293.84
TOTAL		\$1,356,600.00	\$1,181,077.44	\$175,522.56

OPERATING BUDGET AND LIFE CYCLE IMPACT

There is no incremental impact to the operating budget and Life Cycle Reserve Study.

ENVIRONMENTAL CONSIDERATIONS

N/A

#10

**STAFF AWARD REPORT**

To:	Brenda Librecz, Commissioner Community & Fire Services
Award:	013-Q-19 Servicing, Supply and Delivery of Parts to City Owned Pools – “as required” basis

BID INFORMATION

Bids closed on	February 22, 2019
Number picking up bid documents	4
Number responding to bid	4

RECOMMENDATION

Recommended Supplier	Superior Pool Spa & Leisure Ltd. (Lowest Priced Supplier)	
Current Budget Available	\$ 79,950.00	Various Accounts - See Financial Considerations
Less cost of award	\$ 79,950.00	April 1, 2019 – March 31, 2020*
	\$ 79,950.00	April 1, 2020 – March 31, 2021**
	\$ 79,950.00	April 1, 2021 – March 31, 2022**
	\$ 79,950.00	April 1, 2022 – March 31, 2023**
	\$ 319,800.00	Total Cost of Award (Inclusive of HST)
Budget Remaining after this award	\$ 0.00	**

* The term of the contract is for one (1) year commencing on April 1, 2019 with an option to extend for an additional three (3) one year periods.

**Subject to Council's approval of the 2020-2023 operating budgets.

OPERATING BUDGET AND LIFE CYCLE IMPACT

There is no incremental operating budget impact. There is no incremental life cycle impact.

FINANCIAL CONSIDERATIONS

Facility	Operating Account	2019 Budget Available	Cost of Award *
Centennial Community Centre	503-921-5414	\$ 12,300.00	\$ 12,300.00
Angus Glen Community Centre	504-921-5414	\$ 6,150.00	\$ 6,150.00
Milliken Mills Community Centre	502-921-5414	\$ 12,300.00	\$ 12,300.00
Morgan Pool	503-912-5414	\$ 3,075.00	\$ 3,075.00
Thornhill Community Centre	501-921-5414	\$ 6,150.00	\$ 6,150.00
Rouge River Community Centre	503-972-5414	\$ 3,075.00	\$ 3,075.00
Cornell Community Centre	505-921-5414	\$ 8,200.00	\$ 8,200.00
Pan Am Centre	506-921-5414	\$ 8,200.00	\$ 8,200.00
Thornlea Pool	501-911-5399	\$ 12,300.00	\$ 12,300.00
Aaniin Community Centre	509-921-5414	\$ 8,200.00	\$ 8,200.00
Total		\$ 79,950.00	\$ 79,950.00

*The award estimate is based on 2018 requirements.

ENVIRONMENTAL CONSIDERATIONS

N/A

#11

**STAFF AWARD REPORT**

To:	Andy Taylor, Chief Administrative Officer
Award:	020-T-19: Parking Lot Yarl Cedarwood Park - Construction

BID INFORMATION

Bid closed on	February 21, 2019
Number picking up document	24
Number responding to bid	18

BACKGROUND

The scope of work consists of the following: temporary construction fencing; site preparation and grading of site; top soiling of site; planting and sodding; concrete curbs; asphalt paving; line painting; and 22 new parking spots. The tender specified that the contractor will complete this park by June 2019.

RECOMMENDATION

Recommended Bidder	Mopal Construction Limited (Lowest Priced Bidder)	
Current Budget Available	\$114,699.60	081-5350-18035-005 "Parking Lot Yarl Cedarwood Park – Construction
Less cost of award	\$121,537.05	Construction
	\$ 8,507.59	Contingency (7%)
	\$130,044.64	Total (Inclusive of HST)
	\$ 11,704.02	Internal Management Fee @ 9%
	\$141,748.66	Total Cost of Award (Inclusive of HST)
Budget shortfall after this award	(\$27,049.06)	*

*The budget shortfall in the amount of (\$27,049.06) will be funded from the Design Capital Contingency \$24,344.15 (90%) and the Non-DC Capital Contingency \$2,704.91 (10%).

OPERATING BUDGET AND LIFE CYCLE IMPACT

The incremental operating budget impact is \$1,878 which has been included in the 2019 Operating budget.

The incremental life cycle impact is \$22,000 over the next 25 years. Staff will update the Life Cycle Reserve Study at the next update to incorporate the various components of the park.

The Operations Department has reviewed the project and the future maintenance requirements. Future requirements for Parking Lot Yarl Cedarwood Park includes line marking and sweeping, litter pick-up, garbage disposal and inspections.

ENVIRONMENTAL CONSIDERATIONS

Included Specification Section 01561 – Environmental Protection in the contract documents in order to meet or exceed regulatory environmental procedures during construction:

- Park grading is designed to minimize the amount of import and/or export of soils
- Plant materials (i.e., shrubs and trees are non-invasive and many of which are native species)

#12

**STAFF AWARD REPORT**

To:	Brenda Librecz, Commissioner, Community & Fire Services
Award:	024-T-19 Replacement of Ten (10) CSP Culverts at Various Locations

BID INFORMATION

Bid closed on	March 1, 2019
Number picking up document	20
Number responding to bid	12

BACKGROUND

The replacement of the ten (10) Corrugated Steel Pipe (CSP) culverts as identified in the annual structures inspection program will be completed by August 2019.

RECOMMENDATION

Recommended Bidder	Municipal Maintenance Inc. (Lowest Priced Bidder)	
Current Budget Available	\$ 333,900.00	058-6150-19222-005 Culverts Replacement
Less cost of award	\$ 211,014.12	Cost of Award (Incl. of HST)
	<u>\$ 21,101.41</u>	Contingency (10%)
	\$ 232,115.53	Total Award Inclusive of HST
Budget Remaining	\$ 101,784.47	*

*The remaining budget of \$101,784.47 will be returned to the original funding source. The favorable variance was mainly due to removal of two (2) culverts from original budget scope, C138 at Miller Ave will be replaced as part of Miller Ave road improvement project (to be completed by Engineering Department) and C156 is not required at this time, based on condition assessments.

OPERATING BUDGET AND LIFECYCLE IMPACT

The existing corrugated steel pipes (CSP) with a service life of 30 years are being replaced with High Density Polyethylene (HDPE) pipes with a service life of 50 years, and therefore there is no incremental impact to the Life Cycle reserve over the next 25 years. The Life Cycle Reserve Study will be updated to reflect the change in useful life from 30 years to 50 years.

There is no incremental Operating budget impact.

ENVIRONMENTAL CONSIDERATIONS

The contractor will ensure compliance to the Environmental Protection Act, the Ontario Water Resources Act and the Fisheries Act while undertaking this work.

#13

**STAFF AWARD REPORT**

To:	Andy Taylor, Chief Administrative Officer
Award:	031-T-19 Arboriculture Services

BID INFORMATION

Bid closed on	March 12, 2019
Number picking up bid document	5
Number responding to bid	4

RECOMMENDATION

Recommended Bidder	Weller Tree Service (Lowest Priced Bidder)	
Current Budget Available	\$141,524.35	730-734-5399 Parks / Forestry Contracted Service
Less cost of award	\$141,524.35	2019 – Year 1 (Inclusive of HST)
	\$141,524.35	2020 – Year 2 (Inclusive of HST)*
	\$141,524.35	2021 – Year 3 (Inclusive of HST)*
	<u>\$141,524.35</u>	2022 – Year 4 (Inclusive of HST)*
	\$566,097.40	Total Cost of Award
Budget Remaining after this award	\$ 0.00	

* The contract term is for one year with an option to renew the contract for three additional one-year periods. The price will remain fixed for the first two (2) years. The remaining two (2) years (2021/22) will be subject to an annual price increase based on the Consumer Price Index for All Items Canada for the twelve (12) month period ending September 30 in the applicable year. Years 2-4 are subject to Council approval of the 2020-2022 operating budgets.

Note: The award amount is based on hourly rates for a two or three crew member team with a bucket truck and chipper or a knuckle crane truck and stumper machine. The yearly estimate is 1,315 hours.

OPERATING BUDGET AND LIFE CYCLE IMPACT

There is no incremental impact to the Life Cycle Reserve Study over the next 25 years.

ENVIRONMENTAL CONSIDERATION

The maintenance and preservation of the City's tree canopy is an integral part of the greenspace component of parks and open space lands. The benefits of a healthy tree canopy reach far beyond affording shade and provide many social and economic benefits to residents and businesses alike.

#14

**STAFF AWARD REPORT**

To:	Kimberley Kitteringham, Director, Legislative Services & Communications
Re:	035-Q-19 Residential and Commercial Grass Cutting & Maintenance Services

BID INFORMATION

Bids closed on	March 8, 2019
Number picking up bid documents	19
Number responding to bid	14

BACKGROUND

Residential grass cutting and maintenance services are required on citywide private property (residential, commercial/industrial, and vacant lots) on an on-call hourly basis from April 1 to December 31 of each year. The frequency of the grass cutting requests is based on the number of violation calls received from the residents. The approximate annual on-call hours is 300 hours per year for residential, vacant, and commercial lots combined.

RECOMMENDATION

Recommended Supplier	ViRi Property Services Inc. (Lowest Priced Supplier)	
Current Budget Available	\$22,285.44	310-323-4294
Less cost of award	\$22,285.44	April 1, 2019 – December 31, 2019*
	\$22,285.44	April 1, 2020 – December 31, 2020**
	<u>\$22,285.44</u>	April 1, 2021 – December 31, 2021**
	\$66,856.32	Total Cost of Award (Inclusive of HST)
Budget Remaining after this award	\$ 0.00	***

*The term of the contract is for one (1) season commencing on April 1, 2019 with an option to extend for an additional two (2) seasons at the same itemized pricing.

**Subject to Council's approval of the 2020-2021 operating budgets.

***Program is cost recovery. All charges will be billed back to property owners and/or contractors.

OPERATING BUDGET AND LIFE CYCLE IMPACT

There is no incremental operating budget impact. There is no incremental life cycle impact.

ENVIRONMENTAL CONSIDERATIONS

N/A

#15

**STAFF AWARD REPORT**

To:	Andy Taylor, Chief Administrative Officer
Award:	003-T-19 Short Term Rental of Vehicles for Seasonal Requirements

BID INFORMATION

Bid closed on	February 22, 2019
Number picking up bid document	6
Number responding to bid	5

RECOMMENDATION

Recommended Bidder	Somerville National Leasing & Rentals Ltd. (Lowest Priced Bidder)	
Current Budget Available	\$166,954.00	Various accounts (See Financial Consideration)
Less cost of award	\$166,948.47	2019 Inclusive of HST*
	\$166,948.47	2020 Inclusive of HST*
	\$166,948.47	2021 Inclusive of HST*
	\$166,948.47	2022 Inclusive of HST*
	\$667,793.88	Total Cost of Award
Budget Remaining after this award	\$ 5.53	

*Subject to Council approval of the 2019-2022 budgets.

Note: The seasonal requirements are for 45 vehicles over a period of 4 – 9 months. The contract term is for one (1) year from April 1, 2019 to December 31, 2019, with an option to renew for an additional three (3) years (2020 – 2022) at the same itemized pricing. As compared to the previous contract (2015-2018), the monthly cost of 2500-series trucks decreased by 2.66% and the monthly cost of 1500-series trucks increased by 8.25%.

FINANCIAL CONSIDERATION

Account Name	Account #	Budget Available	Amount to Allocate to this project	Cost of Award	Budget Remaining
Fleet Vehicle Rental	750-7525500	168,184.10	149,556.00	149,782.58	- 226.58
Recreation	500-9987899	5,620.00	5,620.00	5,470.62	149.38
Engineering	640-9985500	5,000.00	4,552.00	4,661.63	- 109.63
Waterworks	760-9985421	261,200.00	7,226.00	7,033.65	192.35
Totals:		440,004.10	166,954.00	166,948.47	5.53

OPERATING BUDGET AND LIFE CYCLE IMPACT

There is no incremental impact to the Operating Budget and Life Cycle Reserve Study.

ENVIRONMENTAL CONSIDERATIONS

N/A

#16

**STAFF AWARD REPORT**

To:	Andy Taylor, Chief Administrative Officer
Award:	004-T-19 Grass Cutting Services and Maintenance Services

BID INFORMATION

Bid closed on	February 13, 2019
Number picking up bid document	14
Number responding to bid	7

RECOMMENDATION

Recommended Bidder	2659974 Ontario Inc. (Crixus Property Services) (Lowest Priced Bidder)	
Current Budget Available	\$192,000.00	730-730-5399 Contract Services Weed Removal
Less cost of award	\$152,466.91 \$152,466.91 \$152,466.91 <u>\$152,466.91</u> \$609,867.64	2019 (April – Nov 2019) Inclusive of HST* 2020 (April – Nov 2020) Inclusive of HST* 2021 (April – Nov 2021) Inclusive of HST* 2022 (April – Nov 22) Inclusive of HST* Total Cost of Award
Budget Remaining after this award	\$ 39,533.09	**

*Subject to Council approval of the 2019-2022 budgets.

**The remaining budget in the amount of \$39,533.09 will be reported as part of the 2019 results of operations and reduced from the 2020 Operating Budget.

Note: The contract term is one (1) year term starting April 22, 2019 to November 4, 2019 with an option to renew the contract for three (3) additional years. The renewal terms are subject to an annual price increase based on the Consumer Price Index for All Items Canada for the twelve (12) month period ending September 30 in the applicable year.

The contract is for 84.45 hectares of boulevards to be cut 15 times per season. As compared to the previous contract, under this contract the price per hectare has decreased by 10.6%.

OPERATING BUDGET AND LIFE CYCLE IMPACT

The remaining budget in the amount of \$39,533.09 will be reported as part of the 2019 results of operations and reduced from the 2020 Operating Budget. There is no incremental impact to the Life Cycle Reserve Study.

ENVIRONMENTAL CONSIDERATIONS

N/A

#17

**STAFF AWARD REPORT**

To:	Andy Taylor, Chief Administrative Officer
Award:	254-S-18 Information Markham Service Agreement - Contract Extension

BACKGROUND

To obtain approval to renew the contract with Information Markham for a 3 year period from January 1, 2019 to December 31, 2021. As in previous years, the contract terms include the provision of general reception, welcome centre and switchboard services as required. The hours of service are as follows:

- General Reception Services during the hours of 8:30am to 4:30pm, Monday to Friday (excluding statutory holidays) at the Great Hall Kiosk and Thornhill Kiosk of the Markham Civic Centre.
- General Reception and Switchboard Services during the hours of 10:00am to 3:00pm, Saturdays and Sundays, and during the hours of 4:30pm-8:30pm, Monday to Friday (excluding the statutory holidays) at the Great Hall Kiosk of the Markham Civic Centre.

RECOMMENDATION

Recommended Supplier	Information Markham (Non-Competitive Procurement)	
Current Budget Available	\$ 87,284.47	310 331 5640 Temp. Employee Services (2019)
Less cost of award	\$ 87,284.47 \$ 87,284.47 <u>\$ 87,284.47</u> \$261,853.41	January 1, 2019 – December 31, 2019* January 1, 2020 – December 31, 2020* January 1, 2021 – December 31, 2021* Total Cost of Award (Inclusive of HST)
Budget Remaining after this award	\$ 0.00	**

*The contract includes an annual increase based on Consumer Price Index (CPI) rate for the preceding 12 months based on the CPI (Toronto, All Items Excluding Energy) from November to November. This price adjustment will be made in 2020 and 2021.

Staff further recommends:

THAT the tendering process be waived in accordance with Purchasing By-Law 2017-8, Part II, Section 11 Non Competitive Procurement, item 1 (c) when the extension of an existing contract would prove more cost-effective or beneficial.

And

(h) "Where it necessary or in the best interest of the City to acquire non-standard items from a preferred supplier who has a proven track record with the City in terms of pricing, quality and service."

FINANCIAL CONSIDERATIONS

Under this contract the annual cost for Information Markham services is \$87,284.47 which represents a 7.5% increase from \$81,170.60 from the 2015-2018 award. This is a result of Bill 148 for increased minimum wage in addition to revisions to scope of work. Weekly paid hours have been reduced by 9 hours per week to offset increased costs.

ENVIRONMENTAL CONSIDERATIONS

N/A

#18

**STAFF AWARD REPORT**

To:	Andy Taylor, Chief Administrative Officer
Award:	026-S-19 Parking Garage Remote Monitoring and Maintenance at Cornell C.C

BACKGROUND

The contract for remote monitoring and maintenance of the parking garage at Cornell Community Centre (Cornell).

RECOMMENDATION

Recommended Supplier	Precise Parklink (Non-Competitive Procurement)	
Net Budget for this item	\$ 36,000.00	505-921-5314 Facility Maintenance (Cornell CC)
Less cost of award	\$ 64,736.00	See 'Financial Considerations'
Budget Remaining after this award	(\$ 28,736.00)	
Revenue	\$ 30,000.00	Based on historical trending
Budget Remaining after Revenue	\$ 1,264.00	
Cost of award net of Revenue	\$ 34,736.00	Year 1 - 2019*
	\$ 34,736.00	Year 2 - 2020**
	\$ 34,736.00	Year 3 - 2021**
	\$ 34,736.00	Year 4 - 2022**
	\$ 34,736.00	Year 5 - 2023**
	\$ 173,680.00	Total Cost of Award (Inclusive of HST)
Budget Remaining after this award	\$ 1,264.00	*

*Cost of award is based on historic volume, subject to change based on actual requirements.

**Subject to Council's approval of the 2019-2023 operating budgets.

Staff further recommends:

THAT the tendering process be waived in accordance with Purchasing By-Law 2017-8, Part II, Section 11 Non Competitive Procurement, item 11.1: (b) "Where there is only one source of supply for the goods to be purchased;"

OPTIONS/DISCUSSIONS

Controlled access to the parking garage is a necessity to protect the needs of Community Centre and Library users. Without this parking equipment, there would be limited controls to manage the use of parking spaces by Markham Stouffville Hospital users. Staff believe this would result in a lack of available parking for visiting patrons, which in turn could negatively impact registration and participation in Recreation and Library programs at Cornell. Expenses are offset by revenue gained by patrons visiting longer than 3 hours.

Remote monitoring allows for constant supervision and immediate 3rd party customer service in the event patrons require assistance leaving or entering the garage. Security Cameras are used to capture and report cases of vandalism, mischief, and accidents to the police caused by cars colliding with the gates or ticket machines.

Precise Parklink (Precise) has been providing gated, remote monitoring, and maintenance services at the Cornell garage since September 2013 and is the only company that can monitor, provide maintenance and replacement parts for their equipment. There are 307 parking spaces including 9 accessible spaces averaging 20,000 cars per month not including special events which allow patrons to park for 3 hours free of charge.

FINANCIAL CONSIDERATIONS

Net Budget for this item	\$ 36,000.00	505-921-5314 Facility Maintenance (Cornell CC)
Less: Fixed Annual Maintenance Cost	\$ 47,736.00	(a) Includes remote monitoring, maintenance, insurance, collection/replacement (\$3,978/month)
Less: Variable Operating Costs*	\$ 17,000.00	Includes Internet costs for credit card processing, tickets, and credit card charges, and repairs from vandalism
Total Award	\$ 64,736.00	(b) Inclusive of HST
Revenue*	\$ 30,000.00	(c)
Net cost of award after Revenue	\$ 34,736.00	
Budget Remaining after this award	\$ 1,264.00	

*The projected variable costs and revenues are based on historic volume and are subject to change.

OPERATING BUDGET AND LIFE CYCLE RESERVE IMPACT

There is no incremental impact to the Operating Budget and Life Cycle Reserve Study.

ENVIRONMENTAL CONSIDERATIONS

N/A

#19

**STAFF AWARD REPORT****Page 1 of 2**

To:	Andy Taylor, Chief Administrative Officer
Award:	027-S-19 Facility Rinkboards and Markham Life Magazine Advertising

BACKGROUND

The contract is for selling of advertising space in the “Markham Life” magazine, on the City’s community centre rink boards, on the waste/recycling bins, and on any such other City advertising assets as agreed to in writing from the City.

The scope of work is to include the following:

- Collect signed advertising contracts from advertising clients for submission to the City of Markham on a weekly basis;
- Request approval from the City’s graphic designer to ensure advertising layouts and artwork is appropriate;
- Track all sales in tracking sheet provided by City on a weekly basis;
- Where possible, collect up-front payments from Clients for all advertisement sales;
- Submit invoices to the City each quarter for all commissions earned in accordance with the “Consultant Commission Structure” provision;

RECOMMENDATION

Recommended Supplier	Christine Rogers (Non-Competitive Procurement)	
Original Budget Available	\$ 70,000.00	795-796-8859 (Markham Life Expense)
	\$ 40,000.00	795-796-4772 (Facility Advertising Expense)
Less cost of award	\$ 110,000.00	February 1 – January 31, 2019*
	\$ 110,000.00	February 1 – January 31, 2020**
	\$ 110,000.00	February 1 – January 31, 2021**
	\$ 333,000.00	Total Cost of Award (Inclusive of HST)
Budget Remaining after this award	\$ 0.00	

*2019 advertising expense is benchmarked on 2018 commission total for both Markham Life and Facility Advertising. Commission expense represents 25% of total advertising revenue for the City.

**2020 and 2021 subject to council approval of the annual operating budget.

Note: The City invoices all clients on receipt of signed advertising contracts and reconcile the consultant’s invoice for payable commission against paid and placed advertisements quarterly, on receipt of the consultant’s invoice. The City will pay a one-time 25% commission payment to the consultant for each advertisement sold and paid in full by the Client.

Staff further recommends:

THAT the tendering process be waived in accordance with Purchasing By-Law 2017-8, Part II, Section 11 Non Competitive Procurement, item 11.1 (h) which states “Where it necessary or in the best interest of the City to acquire non-standard items or Professional Services from a preferred supplier or from a supplier who has a proven track record with the City in terms of pricing, quality and service.”

OPTIONS/DISCUSSIONS

Christine Rogers has been selling advertisements for the City of Markham since 2016 and staff have been pleased with her quality of service and sales results. Christine’s knowledge and longstanding relationships with the City and Markham clients has been proven advantageous in driving corporate communication’s sales revenue. Facility advertising revenue growth is expected to grow significantly over the next 5 years. Furthermore, corporate communications is looking to enhance and diversify their facility advertising offerings to include ballpark/sports fields in addition to digital screen advertising. Christine Rogers is authorized by Corporate Communications to

provide discounts of up to 10% off the published advertising price for advertising insertions of four issues or more in Markham Life Magazine. Discounts greater than 10% must be approved in writing by the City.

Since mid-2016, Christine has been able to substantially increase ad sales year over year by over 150% from 2016-2018 as shown below. Christine's 25% commission for ad sales is below the industry rate as an ad sales person who receives commission without a base salary is typically between 40% - 50%.

Total Sale Figures from 2016-2018 and 2019 estimated target:

Year	Markham Life Ad Sales	Facility Advertising Sales
2019 (Target)	\$280,000.00	\$160,000.00
2018	\$279,172.44	\$105,434.48
2017	\$238,141.16	\$35,260.00*
2016	\$95,530.20**	\$41,801.92*

*These figures represent sales in 2017 & 2016, before Christine Rogers was hired for facility advertising.

**Christine Rogers started until mid-2016. As a result, her 2016 sales figures were significantly lower than 2017 and 2018.

Total Commission Figures from 2016-2018 and 2019 estimated target:

Year	Markham Life Ad Sales Commission (25%)	Facility Advertising Sales Commission (25%)
2019 (Target)	\$70,000.00	\$40,000.00
2018	\$69,793.11	\$26,358.62*
2017	\$59,535.29	n/a
2016	\$23,882.55	n/a

*2018 is the first year Christine Rogers was authorized to secure facility advertising.

OPERATING BUDGET AND LIFE CYCLE RESERVE IMPACT

Staff will continue to monitor facility advertising growth for the duration of the contract and adjust commission based on increased sales.

ENVIRONMENTAL CONSIDERATIONS

N/A

RECOMMENDED BY:

Joel Lustig
Treasurer

Trinela Cane
Commissioner, Corporate Services



Report to: General Committee

Meeting Date: April 23, 2019

SUBJECT: 2019 First Quarter Investment Performance Review
PREPARED BY: Mark Visser, Senior Manager of Financial Strategy & Investments, x4260

RECOMMENDATION:

- 1) That the report dated April 23, 2019 entitled “2019 First Quarter Investment Performance Review” be received; and,
- 2) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

EXECUTIVE SUMMARY:

Not applicable

PURPOSE:

Pursuant to Regulation 438/97 Section 8, the Municipal Act requires the Treasurer to “prepare and provide to the Council, each year or more frequently as specified by Council, an investment report”.

The investment report shall contain,

- (a) a statement about the performance of the portfolio of investments of the municipality during the period covered by the report;
- (b) a description of the estimated portion of the total investments of a municipality that are invested in its own long-term and short-term securities to the total investment of the municipality and a description of the change, if any, in that estimated proportion since the previous year’s report;
- (c) a statement by the Treasurer as to whether or not, in his opinion, all investments were made in accordance with the investment policies and goals adopted by the municipality;
- (d) a record of the date of each transaction in or disposal of its own securities, including a statement of the purchase and sale price of each security;
- (e) such other information that the Council may require or that, in the opinion of the Treasurer, should be included.

BACKGROUND:

Not applicable

OPTIONS/ DISCUSSION:

Not applicable

FINANCIAL CONSIDERATIONS

The 2019 forecast for Income Earned on Investments is \$13.76 million based on an estimated average general portfolio balance of \$430.0M invested at an average rate of 3.20%. As discussed during the 2019 budget process, this amount may not be sustainable in future years as the Prime Rate is the highest it has been since 2008. As such, the 2019 Income Earned on Investments budget was set at \$11.0 million. Any interest earned in 2019 in excess of \$11.0 million in 2019 will be transferred to reserves.

The following table shows the forecasted investment income by quarter with an estimated transfer to reserves of \$2.76 million in 2019. The quarterly budget allocations reflect the changing portfolio balances and rates of return throughout the year.

Period	Avg. Balance	Avg. Rate	Forecast
Q1	\$400.0m	3.30%	\$3,254,795
Q2	\$460.0m	3.11%	\$3,570,876
Q3	\$460.0m	3.11%	\$3,610,117
Q4	\$399.7m	3.30%	\$3,324,212
2019 Forecast	\$430.0m	3.20%	\$13,760,000
Forecasted Transfer to Reserves			(\$2,760,000)
2019 Budget			\$11,000,000

The first quarter typically has lower average portfolio balances as Markham makes payments to the Region and School Board on December 15th and doesn't begin collecting tax payments again until February. As a result, the Q1 2019 forecast assumes an average general fund portfolio balance of \$400.0 million to be invested at an average rate of return of 3.30%. The actual average portfolio balance and the average rate of return were both above the forecasted levels.

For the three months ending March 31, 2019, the City of Markham's Income Earned on Investments was \$3.634 million, compared to a forecast of \$3.255 million, representing a \$379,000 favourable variance to forecast.

Interest Rate

The Prime Rate was stable at 3.95% throughout the first quarter. Although the Prime Rate continues to be at its highest since 2008, it is not being reflected in long term interest rates. During the first quarter, 10-year Canada bonds had an average yield of only 1.85%.

During the first quarter of 2019, the City's general portfolio investments (including interest charged to reserves with negative balances) had an average interest rate of 3.46%. Furthermore, \$0.196 million of capital gains were generated, increasing the rate of return

to 3.66%; 36 basis points higher than forecast. The difference in the rate of return accounts for a favourable variance (to forecast) of \$360,000.

Portfolio Balance

The forecasted average portfolio balance for Q1 2019 was \$400.0 million. The actual average general fund portfolio balance (including cash balances) for the first quarter of 2019 was \$402.4 million. The higher portfolio balance accounts for a favourable variance (to forecast) of \$19,000.

Variance Summary

	<u>Forecast</u>	<u>Actual</u>	<u>Variance</u>
Portfolio Balance	\$400.m	\$402.4m	\$2.4m
Interest Rate	3.30%	3.66%	0.36%
Investment Income	\$3.255m	\$3.634m	\$0.379m
Portfolio Balance Variance Impact			\$0.019m
Interest Rate Variance Impact			\$0.360m

Portfolio Composition

All investments made in the first quarter of 2019 adhered to the City of Markham investment policy. At March 31, 2019, 41% of the City's portfolio (not including bank balances) was comprised of government issued securities. The remaining 59% of the portfolio was made up of instruments issued by Schedule 1 Banks (Exhibit 1). All of these levels are within the targets established in the City's Investment Policy.

The March 31, 2019 investment portfolio (not including bank balances) was comprised of the following instruments: Bonds 53%, Principal Protected Notes (PPNs) 29%, and GICs 18% (Exhibit 2).

At March 31, 2019, the City's general portfolio balance (all funds excluding DC) was \$535.6 million (including bank balances). The City's portfolio (all funds excluding DCA) was broken down into the following investment terms (Exhibit 3):

Under 1 month	55.8%
1 month to 3 months	4.1%
3 months to 1 year	10.4%
Over 1 year	29.7%
Weighted average investment term	1,250.2 days
Weighted average days to maturity	708.6 days

Money Market Performance

The City of Markham uses the 3-month T-bill rates to gauge the performance of investments in the money market. The average 3-month T-bill rate for the first quarter of 2019 was 1.65% (source: Bank of Canada). Money market investments (including bank balances) held by the City of Markham during the first quarter of 2019 had an average return of 2.31%. Therefore, the City's money market investments outperformed 3-month

T-Bills by 66 basis points. See Exhibit 4 for all Money Market securities held by the City of Markham in the first quarter of 2019.

Bond Market Performance

The 2019 YTD highlights of Markham's bond portfolio are as follows:

- 2 bonds/PPNs purchased with a face value of \$10.0 million
- 1 bond matured with a face value of \$3.4 million
- 2 PPNs sold with a face value of \$4.8 million
- \$196,000 of capital gains earned

See Exhibit 5 for all Bonds held by the City of Markham in the first quarter of 2019.

Outlook

Given the low yields for long term bonds, there is little incentive to invest in anything other than short term instruments or PPNs (which have returns that are linked to equity markets). If the Prime Rate continues to stay in the 4% range, the \$13.76 million forecast for Investment Income should be able to be achieved.

HUMAN RESOURCES CONSIDERATIONS

Not applicable

ALIGNMENT WITH STRATEGIC PRIORITIES:

Not applicable

BUSINESS UNITS CONSULTED AND AFFECTED:

Not applicable

RECOMMENDED BY:

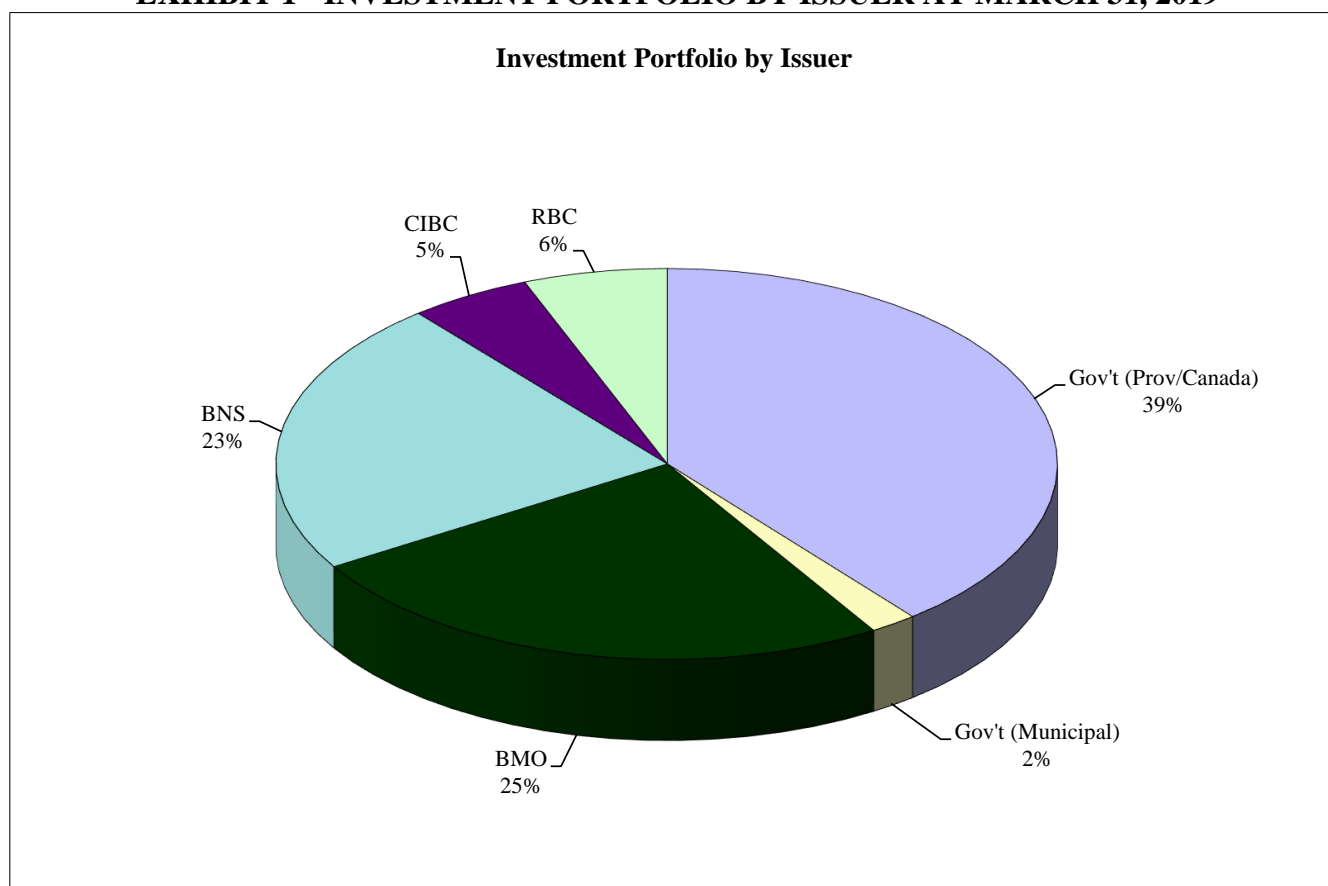
Joel Lustig, Treasurer

Trinela Cane, Commissioner,
Corporate Services

ATTACHMENTS:

Appendix 1:

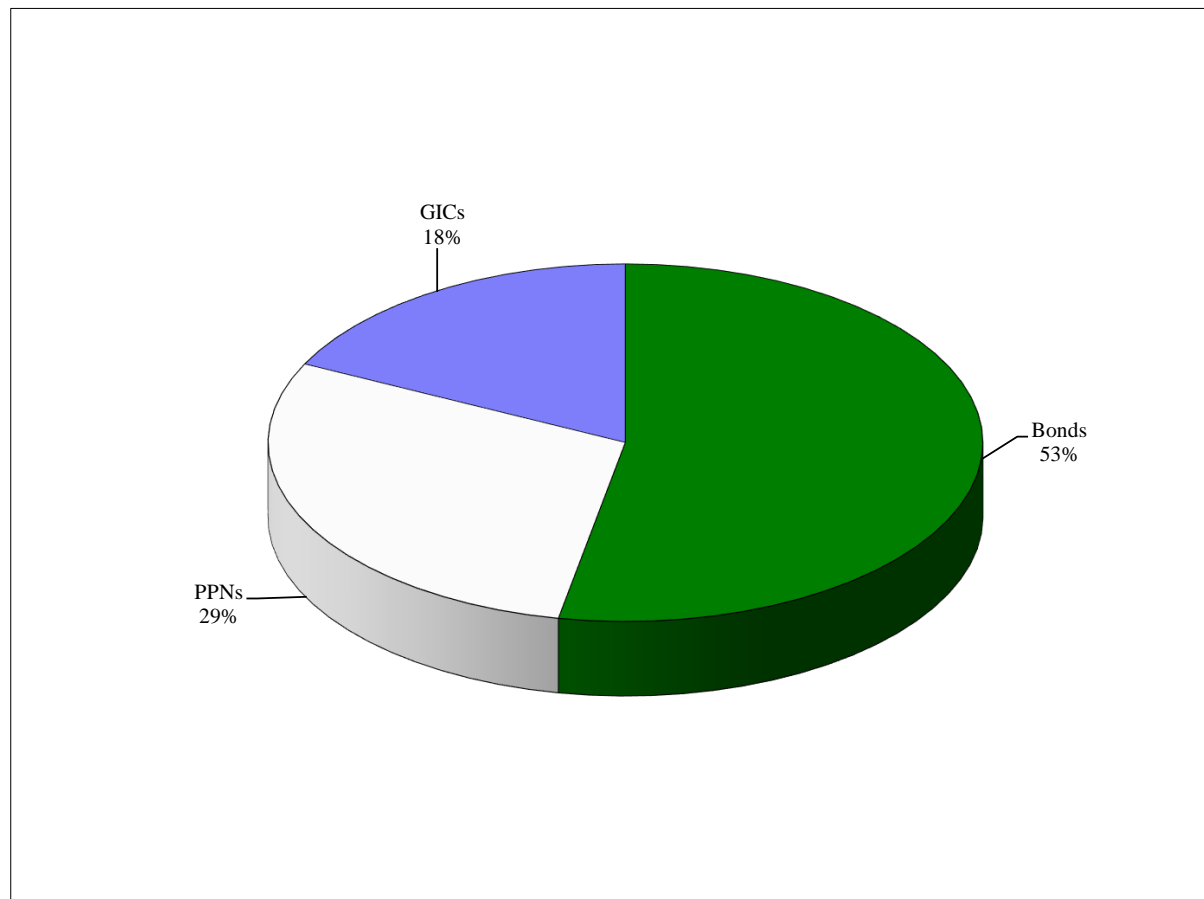
- Exhibit 1 – Investment Portfolio by Issuer
- Exhibit 2 – Investment Portfolio by Instrument
- Exhibit 3 – Investment Terms
- Exhibit 4 – 2019 Q1 Money Market Investments
- Exhibit 5 – 2019 Q1 Bond Market Investments
- Exhibit 6 – 2019 Q1 DCA Fund Investments

EXHIBIT 1 - INVESTMENT PORTFOLIO BY ISSUER AT MARCH 31, 2019

Quarter-End Portfolio Balance (All Funds; excluding bank balances): \$236.6m

	Investment <u>Policy Targets</u>	Portfolio at <u>Mar 31/19</u>
Government (Federal/Provincial)	>40%, no max	39% *
Government (Municipal)	max 30%	2%
Schedule A Banks:		
Bank of Nova Scotia	max 20%	23% *
Bank of Montreal	max 20%	25% *
CIBC	max 20%	5%
Royal Bank of Canada	max 20%	6%
Toronto Dominion	max 20%	0%
Schedule A Banks Total	max 60%	59%
Schedule B Banks:		
Hong Kong Bank	max 15%	0%
		<u>100%</u>

* The City's Investment Policy allows for deviations of +/- 5% in order to take advantage of market conditions

EXHIBIT 2 - INVESTMENT PORTFOLIO BY INSTRUMENT AT MARCH 31, 2019

Quarter-End Portfolio Balance (All Funds, excluding cash balances): \$236.6m

EXHIBIT 3 - INVESTMENT TERMS (All Funds excluding DCA)

INSTRUMENT	ISSUER	INT_RATE	DATE_BGT	DATE_SOLD	BOUGHT	MATURITY VALUE	LENGTH	DAYS to MA
BANK ACCOUNT		2.28	31-Mar-2019	01-Apr-2019	298,980,590.22	298,999,266.27	1	1
Less than 1 month					298,980,590	55.8%		
BOND	YORK	5.09	29-Apr-2009	29-Apr-2019	997,590.00	1,000,000.00	3,652	29
PPN	BMO	3.50	17-May-2018	17-May-2019	6,000,000.00	6,000,000.00	365	47
BOND	ONT	4.33	15-Jan-2009	02-Jun-2019	5,440,850.00	5,000,000.00	3,790	63
BOND	ONT	4.48	30-Jan-2009	02-Jun-2019	3,223,410.00	3,000,000.00	3,775	63
BOND	ONT	4.70	26-Aug-2009	02-Jun-2019	3,829,560.00	6,000,000.00	3,567	63
BOND	ONT	2.50	21-Jun-2018	21-Jun-2019	2,660,000.00	2,660,000.00	365	82
Between 1 and 3 months					22,151,410	4.1%		
GIC (2023)	BNS	3.25	01-Aug-2018	01-Aug-2019	10,000,000.00	10,325,000.00	365	123
GIC (2022)	RBC	3.07	14-Sep-2018	14-Sep-2019	10,000,000.00	10,307,000.00	365	167
GIC (2019)	BNS	2.60	24-Sep-2018	24-Sep-2019	8,000,000.00	8,208,000.00		
BOND	BNS	3.30	04-Sep-2013	18-Oct-2019	2,961,000.00	3,000,000.00		
GIC (2020)	BNS	2.46	20-Nov-2018	20-Nov-2019	5,000,000.00	5,123,000.00	365	234
BOND	WATERLOO	3.80	30-Nov-2010	30-Nov-2019	1,495,455.00	1,500,000.00	3,287	244
BOND	RBC	2.74	12-Mar-2013	06-Dec-2019	4,066,000.00	4,000,000.00	2,460	250
GIC (2021)	BNS	2.15	25-Feb-2019	25-Feb-2020	4,000,000.00	4,086,000.00	365	331
GIC (2020)	BNS	2.16	02-Mar-2019	02-Mar-2020	5,000,000.00	5,108,000.00	366	337
BOND	BMO	2.26	03-Mar-2019	03-Mar-2020	5,000,000.00	5,000,000.00	366	338
Between three months and one year					55,522,455	10.4%		
PPN	BMO	0.00	04-Oct-2016	03-Apr-2020	2,061,220.70	2,061,220.70	1,277	369
BOND	ONT	4.86	26-Aug-2009	02-Jun-2020	2,400,000.00	4,000,000.00	3,933	429
BOND	ONT	4.01	17-Aug-2010	02-Jun-2020	2,041,860.00	3,000,000.00	3,577	429
PPN	BMO	1.25	25-Jun-2014	25-Jun-2020	5,150,665.30	5,150,665.30	2,192	452
BOND	ONT	4.08	29-Nov-2010	13-Jul-2020	3,401,750.00	5,000,000.00	3,514	470
BOND	ONT	4.85	15-Jul-2009	02-Dec-2020	2,916,400.00	5,000,000.00	4,158	612
BOND	BCMFA	4.22	04-Apr-2011	01-Jun-2021	3,492,685.00	3,500,000.00	3,711	793
BOND	YORK REGION	3.43	18-Nov-2011	30-Jun-2021	2,098,160.00	2,000,000.00	3,512	822
BOND	CIBC	3.37	19-Mar-2013	07-Jan-2022	3,735,250.00	5,000,000.00	3,216	1,013
BOND	CIBC	3.32	29-May-2013	07-Jul-2022	3,714,500.00	5,000,000.00	3,326	1,194
BOND	ONT	4.56	18-Feb-2011	08-Sep-2022	5,975,600.00	10,000,000.00	4,220	1,257
BOND	ONT	4.52	30-Mar-2011	02-Dec-2022	4,772,000.00	8,000,000.00	4,265	1,342
BOND	CIBC	3.50	12-Mar-2013	07-Jan-2023	4,493,412.00	6,300,000.00	3,588	1,378
BOND	ONT	3.59	04-Dec-2013	08-Sep-2023	2,836,040.00	4,000,000.00	3,565	1,622
BOND	ONT	3.25	01-Nov-2012	02-Dec-2023	2,805,600.00	4,000,000.00	4,048	1,707
BOND	ONT	3.20	02-Oct-2012	07-Feb-2024	3,499,150.00	5,000,000.00	4,145	1,774
BOND	ONT	3.53	10-Feb-2014	02-Jun-2024	3,496,950.00	5,000,000.00	3,765	1,890
BOND	BNS	3.33	26-Jun-2018	26-Jun-2024	4,000,000.00	4,000,000.00	2,192	1,914
BOND	ONT	3.48	21-Mar-2014	02-Dec-2024	2,774,800.00	4,000,000.00	3,909	2,073
PPN	BMO	1.00	13-May-2015	13-May-2025	7,000,000.00	7,000,000.00	3,653	2,235
BOND	SASK	2.56	07-Mar-2019	30-May-2025	4,272,250.00	5,000,000.00	2,276	2,252
PPN	BMO	0.00	16-Sep-2015	16-Sep-2025	3,000,000.00	3,000,000.00	3,653	2,361
PPN	BMO	1.00	30-Dec-2015	30-Dec-2025	7,000,000.00	7,000,000.00	3,653	2,466
PPN	BMO	0.00	31-Mar-2016	31-Mar-2026	6,000,000.00	6,000,000.00	3,652	2,557
PPN	BMO	0.00	17-Aug-2016	17-Aug-2026	5,000,000.00	5,000,000.00	3,652	2,696
PPN	BMO	1.25	23-Feb-2017	23-Feb-2027	5,000,000.00	5,000,000.00	3,652	2,886
PPN	BMO	1.00	05-Apr-2017	05-Apr-2027	5,000,000.00	5,000,000.00	3,652	2,927
BOND	ONT	2.81	27-Apr-2016	02-Jun-2028	4,291,440.00	6,000,000.00	4,419	3,351
BOND	ONT	2.63	13-Dec-2017	02-Jun-2028	7,620,000.00	10,000,000.00	3,824	3,351
BOND	ONT	3.06	21-Dec-2016	02-Dec-2028	6,959,700.00	10,000,000.00	4,364	3,534
BOND	ONT	2.93	13-Jan-2017	02-Dec-2028	4,965,800.00	7,000,000.00	4,341	3,534
PPN	BNS	1.50	31-Dec-2018	31-Dec-2028	7,000,000.00	7,000,000.00	3,653	3,563
PPN	BMO	0.00	01-Mar-2019	01-Mar-2029	5,000,000.00	5,000,000.00	3,653	3,623
PPN	BMO	1.50	15-Sep-2017	14-Sep-2029	6,000,000.00	6,000,000.00	4,382	3,820
BOND	ONT	3.11	17-Apr-2018	02-Dec-2029	4,900,700.00	7,000,000.00	4,247	3,899
BOND	ONT	3.05	18-Jun-2018	02-Dec-2029	4,253,700.00	6,000,000.00	4,185	3,899
Over 1 year					158,929,633	29.7%		

Bonds/PPNs
Money Market

194,603,498
340,980,590

Average Length of Investment (days)

Portfolio Balance Mar 31, 2019
General Fund and Other Reserves
(not including DCA)

535,584,088

Weighted Average Days to Maturity

EXHIBIT 4 - 2019 Q1 MONEY MARKET INVESTMENTS (All Funds excluding DCA)

ISSUER	INT RATE	DATE BOUGHT	DATE SOLD	BOUGHT	SOLD
BANK BALANCE	2.28	31-Mar-19	1-Apr-19	298,980,590.22	298,999,266.27

APPENDIX 5 - 2019 Q1 BOND/PPN INVESTMENTS

BONDS/PPNs THAT MATURED IN 2019:

ISSUER	COUPON RATE	YIELD	PURCHASE DATE	MATURITY DATE	COST	FACE VALUE
BC	-	4.71	1-May-09	9-Jan-19	2,168,745.25	3,387,500.00

BONDS/PPNs SOLD IN 2019:

ISSUER	COUPON RATE	YIELD	PURCHASE DATE	DATE SOLD	COST	FACE VALUE	SALE PROCEEDS	CAPITAL GAIN/(LOSS)
BMO PPN	1.25%	1.25	25-Jun-2014	25-Feb-2019	1,849,334.70	1,849,334.70	1,984,525.72	135,191.02
BMO PPN	0.00%	0.00	04-Oct-2016	25-Feb-2019	2,938,779.30	2,938,779.30	3,000,000.00	61,220.70

BOLD HOLDINGS at MARCH 31, 2019:

ISSUER	COUPON RATE	YIELD	PURCHASE DATE	MATURITY DATE	COST	FACE VALUE
YORK	5.000	5.094	29-Apr-2009	29-Apr-2019	997,590.00	1,000,000.00
ONT	5.350	4.334	15-Jan-2009	02-Jun-2019	5,440,850.00	5,000,000.00
ONT	5.350	4.479	30-Jan-2009	02-Jun-2019	3,223,410.00	3,000,000.00
ONT	-	4.704	26-Aug-2009	02-Jun-2019	3,829,560.00	6,000,000.00
ONT	2.500	2.500	21-Jun-2018	21-Jun-2019	2,660,000.00	2,660,000.00
BNS	3.036	3.300	04-Sep-2013	18-Oct-2019	2,961,000.00	3,000,000.00
WATERLOO	3.750	3.796	30-Nov-2010	30-Nov-2019	1,495,455.00	1,500,000.00
RBC	2.990	2.740	12-Mar-2013	06-Dec-2019	4,066,000.00	4,000,000.00
BMO	2.250	2.260	03-Mar-2018	03-Mar-2020	5,000,000.00	5,000,000.00
ONT	-	4.858	26-Aug-2009	02-Jun-2020	2,400,000.00	4,000,000.00
ONT	-	4.010	17-Aug-2010	02-Jun-2020	2,041,860.00	3,000,000.00
ONT	-	4.080	29-Nov-2010	13-Jul-2020	3,401,750.00	5,000,000.00
ONT	-	4.850	15-Jul-2009	02-Dec-2020	2,916,400.00	5,000,000.00
BCMFA	4.150	4.220	04-Apr-2011	01-Jun-2021	3,492,685.00	3,500,000.00
YORK REGION	4.000	3.426	18-Nov-2011	30-Jun-2021	2,098,160.00	2,000,000.00
CIBC	-	3.368	19-Mar-2013	07-Jan-2022	3,735,250.00	5,000,000.00
CIBC	-	3.320	29-May-2013	07-Jul-2022	3,714,500.00	5,000,000.00
ONT	-	4.560	18-Feb-2011	08-Sep-2022	5,975,600.00	10,000,000.00
ONT	-	4.524	30-Mar-2011	02-Dec-2022	4,772,000.00	8,000,000.00
CIBC	-	3.500	12-Mar-2013	07-Jan-2023	4,493,412.00	6,300,000.00
ONT	-	3.590	04-Dec-2013	08-Sep-2023	2,836,040.00	4,000,000.00
ONT	-	3.251	01-Nov-2012	02-Dec-2023	2,805,600.00	4,000,000.00
ONT	-	3.200	02-Oct-2012	07-Feb-2024	3,499,150.00	5,000,000.00
ONT	-	3.530	10-Feb-2014	02-Jun-2024	3,496,950.00	5,000,000.00
BNS	3.300	3.328	26-Jun-2018	26-Jun-2024	4,000,000.00	4,000,000.00
ONT	-	3.480	21-Mar-2014	02-Dec-2024	2,774,800.00	4,000,000.00
SASK	-	2.560	07-Mar-2019	30-May-2025	4,272,250.00	5,000,000.00
ONT	-	2.809	27-Apr-2016	02-Jun-2028	4,291,440.00	6,000,000.00
ONT	-	2.630	13-Dec-2017	02-Jun-2028	7,620,000.00	10,000,000.00
ONT	-	3.060	21-Dec-2016	02-Dec-2028	6,959,700.00	10,000,000.00
ONT	-	2.930	13-Jan-2017	02-Dec-2028	4,965,800.00	7,000,000.00
ONT	-	3.110	17-Apr-2018	02-Dec-2029	4,900,700.00	7,000,000.00
ONT	-	3.050	18-Jun-2018	02-Dec-2029	4,253,700.00	6,000,000.00
					125,391,612.00	164,960,000.00

PPN HOLDINGS at MARCH 31, 2019:

ISSUER	COUPON RATE	PARTICIPATION RATE	PURCHASE DATE	MATURITY DATE	COST	FACE VALUE
BMO PPN	-	85%	04-Oct-2016	03-Apr-2020	2,061,220.70	2,061,220.70
BMO PPN	1.250	70%	25-Jun-2014	25-Jun-2020	5,150,665.30	5,150,665.30
BMO PPN	3.500	100%	17-May-2018	17-May-2019	6,000,000.00	6,000,000.00
BMO PPN	1.000	110%	13-May-2015	13-May-2025	7,000,000.00	7,000,000.00
BMO PPN	-	250%	16-Sep-2015	16-Sep-2025	3,000,000.00	3,000,000.00
BMO PPN	1.000	150%	30-Dec-2015	30-Dec-2025	7,000,000.00	7,000,000.00
BMO PPN	-	350%	31-Mar-2016	31-Mar-2026	6,000,000.00	6,000,000.00
BMO PPN	-	280%	17-Aug-2016	17-Aug-2026	5,000,000.00	5,000,000.00
BMO PPN	1.250	75%	23-Feb-2017	23-Feb-2027	5,000,000.00	5,000,000.00
BMO PPN	1.000	100%	05-Apr-2017	05-Apr-2027	5,000,000.00	5,000,000.00
BNS PPN	1.500	195%	31-Dec-2018	31-Dec-2028	7,000,000.00	7,000,000.00
BMO PPN	-	370%	01-Mar-2019	01-Mar-2029	5,000,000.00	5,000,000.00
BMO PPN	1.500	100%	15-Sep-2017	14-Sep-2029	6,000,000.00	6,000,000.00
					69,211,886.00	69,211,886.00

TOTAL BONDS AND PPNs

194,603,498.00	234,171,886.00
-----------------------	-----------------------

EXHIBIT 6 - 2019 Q1 DCA FUND INVESTMENTS

ISSUER	INT RATE	DATE BOUGHT	DATE SOLD	BOUGHT	SOLD
--------	----------	-------------	-----------	--------	------

Current Holdings:

BANK BALANCE	2.25	31-Mar-19	1-Apr-19	15,806,383.05	15,807,357.42
				15,806,383.05	

PUBLIC WORKS FACILITY EXPANSION

April 23, 2019

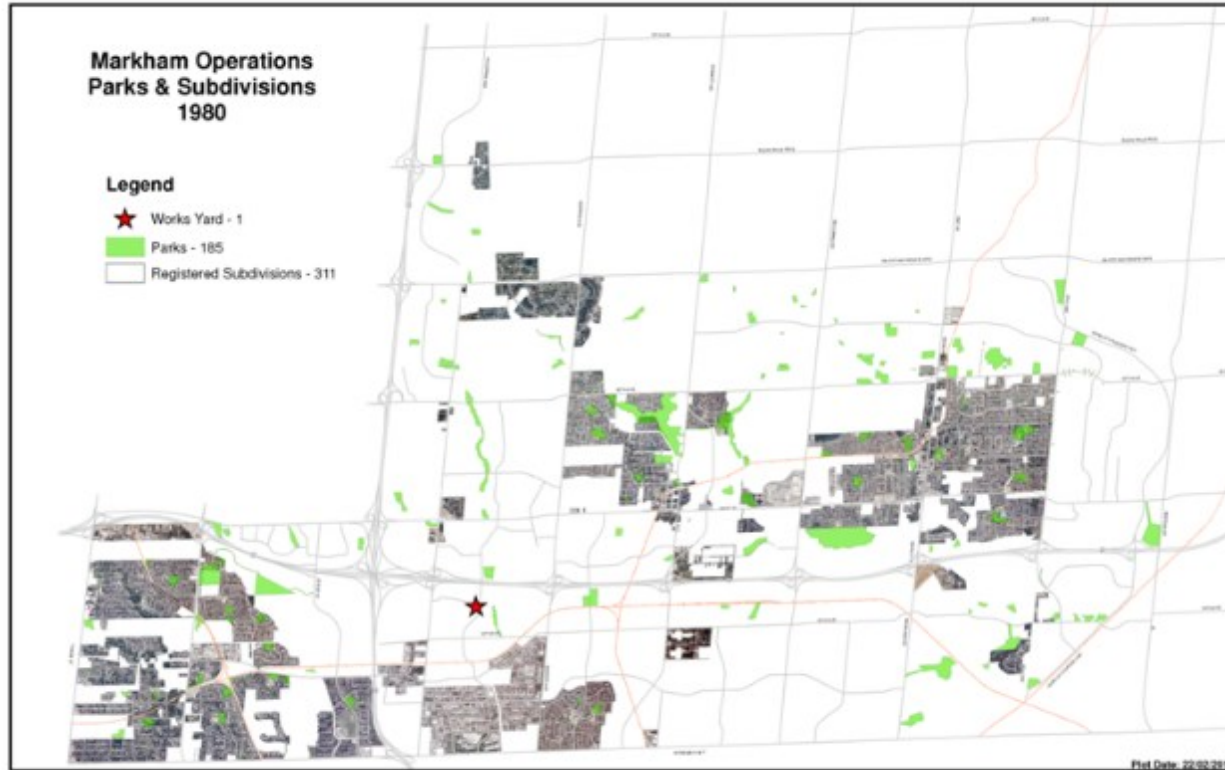
Purpose & Objectives

- Seek Council approval to acquire lands in east Markham, and construct an additional public works facility
- The additional public works facility is required in order to:
 - Address constraints on Operations facilities' capacity to meet current staff, material and equipment demands
 - Position the Operations Department to address future growth
 - Respond proactively to ongoing urbanization
 - Facilitate flexible and efficient deployment of services and increase productivity
 - Manage our environmental footprint effectively

Agenda

- Historic Growth
- Public Works Facilities
- Needs Assessment Approach and Assumptions
- Primary Drivers and Pressures
- Proposed East Yard and Potential Site Allocation
- Review of Other Alternatives
- Available Funding
- Estimated Cost and Phasing

Markham Historic Growth - 1980



Markham Historic Growth - 2000



Markham Historic Growth - 2016



Existing Facilities

Location	Functions	Useable Area
West Parks Yard	¼ Parks Operations	2.3 acres
Central Parks Yard	½ Parks Operations	5.7 acres
Miller Yard	Operations Management Survey and Utilities Administration, Accounting, and Technical All Roads Operations ¼ of Parks Operations Fleet Services and Supplies	11.0 acres
Other	Forestry Operations Snow and Misc. Storage	3.1 acres
TOTAL		22.1 acres

Approach

- Review of the existing facility infrastructure, population and annual growth projections, urban expansion areas and transportation networks
- Engaged consultant who prepared a needs assessment, forecasting current and future requirements
- Completed an assessment of all Operations Department facilities using best practices
- Explored partnership opportunities with Miller Waste and Region of York, including opportunities for cost sharing and service delivery
- Provide recommendations for short and long-range facility improvements with estimates of associated costs

Assumptions

- Current growth projections to 2031
- West Park and Central Park yards to continue operating status quo
- Majority of administrative services for Operations will be housed at Miller in the future
- Maintain existing service delivery models and existing service levels

Primary Drivers

- Growth
 - 214 kilometers of road inventory added in last 10 years
 - 383 additional hectares of parkland added in last 10 years
- Built Form
 - Higher density developments
 - Increased need for snow removal due to lack of adequate snow storage areas (e.g. laneway communities and downtown)
- Environmental Protection
 - Treatment of salt laden by-products (e.g. snow storage is controlled by legislation)
 - Management of our environmental footprint

Pressures

- Capacity
 - Salt/Sand/Brine Storage, snow storage, vehicle/equipment storage, capacity to respond to emergencies (e.g. EAB, ice storm)
- Deployment
 - Time required to mobilize equipment to respond to winter events
 - Overcrowding and long queues in yards contribute to delays
- Travel Time and Distance
 - Travel time to and from the yard to the area of service
 - Travel time reduces productivity and travel distance increases costs of providing service

Capacity

- Manage current and future service levels, based on past and anticipated growth of the City and mitigate risks associated with limited storage capacity
- Salt storage capacity
 - current capacity of 8,000 tonnes
 - capacity should be 27,000 tonnes based on size and scope of transportation network
- Vehicle and Equipment Storage
 - current capacity only allows for a portion of winter maintenance contractor vehicles on site
 - optimal scenario would allow for all vehicles stored on site to increase speed of deployment and reduce operating costs

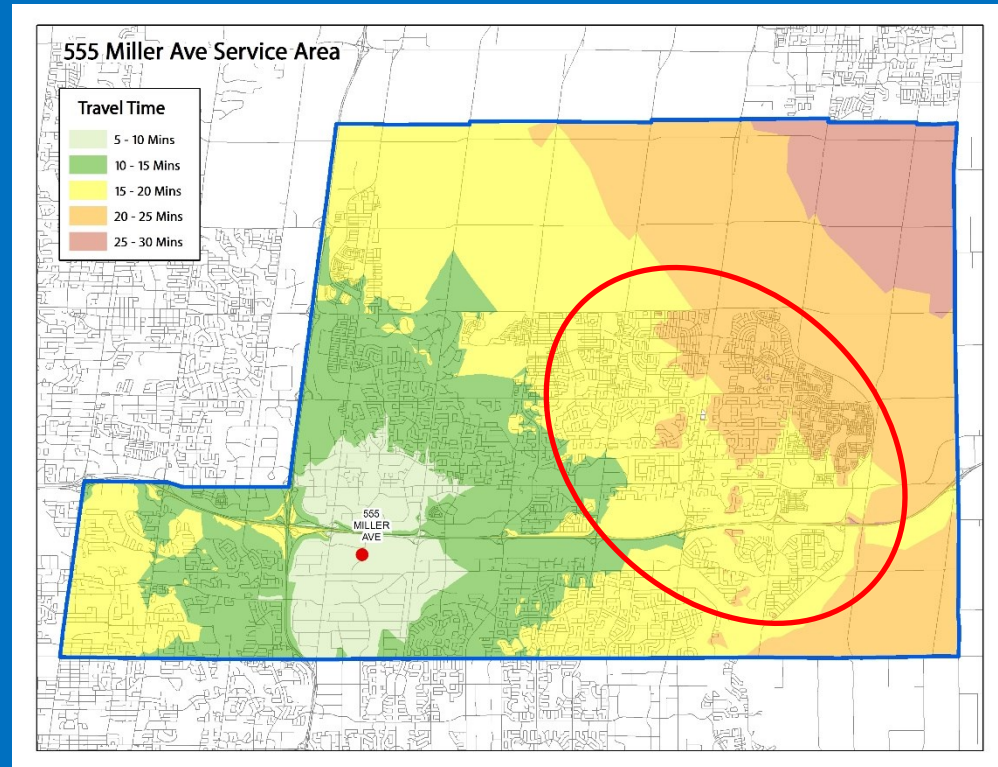
Deployment

- Service levels are affected due to amount of time to deploy
- Lost productivity due to queueing during deployment
- Initial deployment in response to a snow storm requires up to 50 vehicles queuing to load salt
 - Average load time is approximately 2 minutes per vehicle
 - Therefore, first vehicle is deployed after 2 minutes, second vehicle is deployed after 4 minutes, etc.
 - Final vehicle is not deployed until over 1.5 hours from initial
 - Approximately 40 operator hours can be spent in deployment queue during the initial loading process

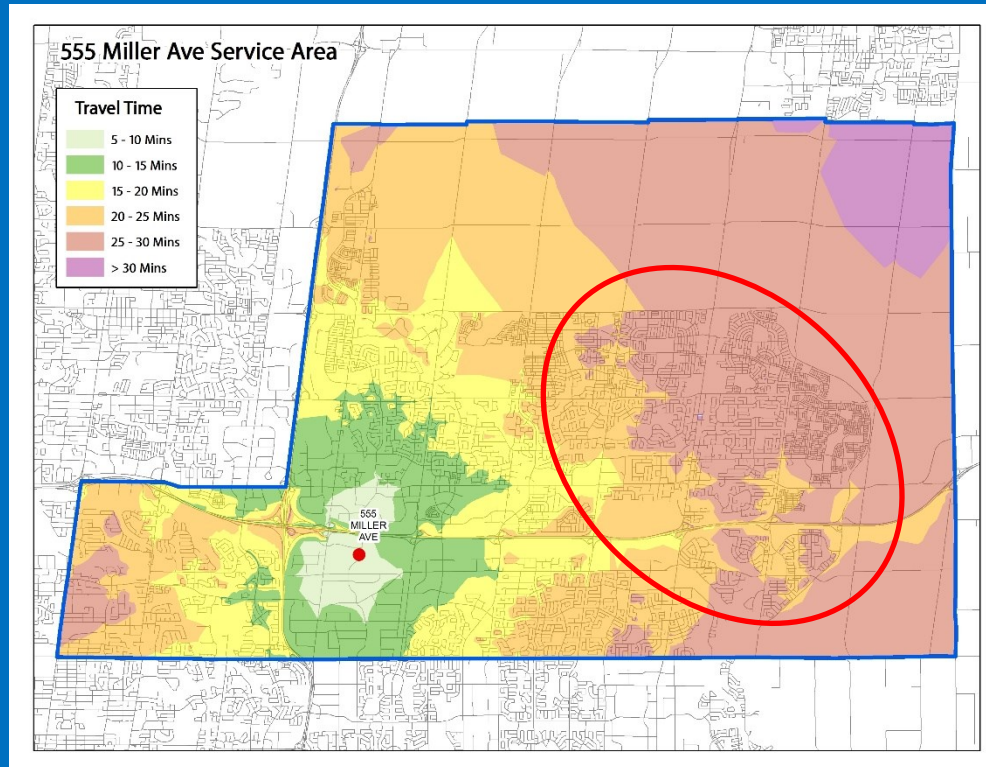
Travel Time and Distance

- Travel time and distance from current works yards negatively impacts service levels and productivity
 - inconsistent service levels between communities based on distance from works yards
 - Increased travel distances results in increased cost such as fuel and ETR fees.
 - Productivity is lost when operators spend time travelling between works yard and service area to replenish materials or load and haul snow
- A typical winter maintenance route may require a truck to be loaded three times, resulting more than 1.5 hours of “dead head” time for a route in east Markham

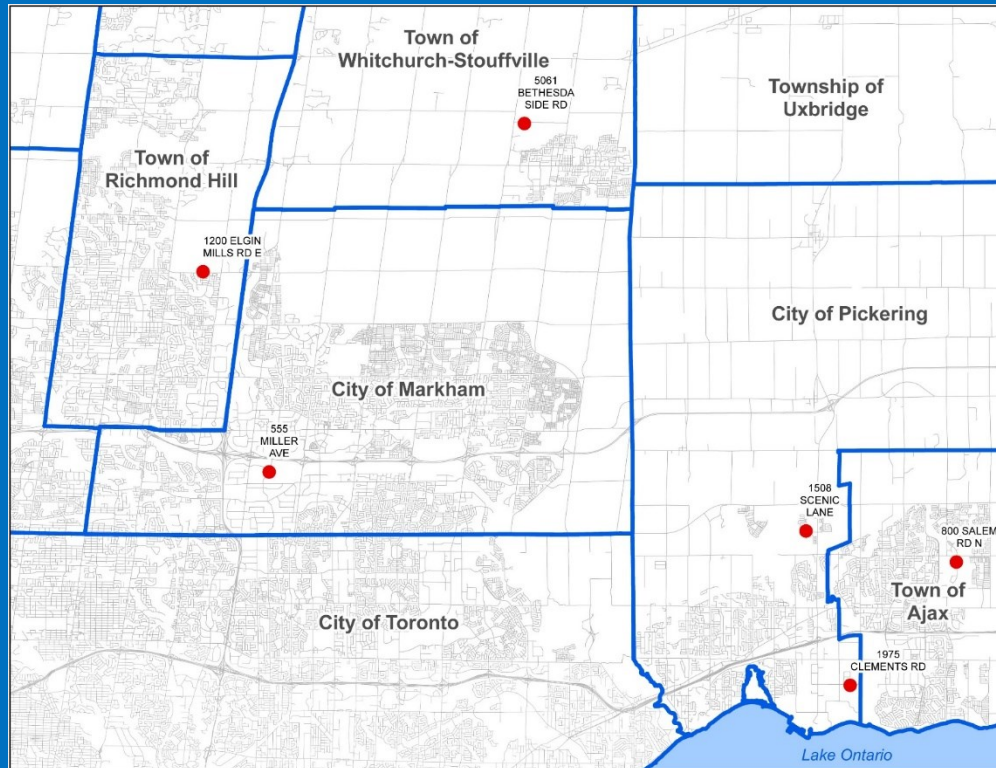
Time from 555 Miller – Average Traffic & Good Weather



Travel Time from 555 Miller – Weather Delayed



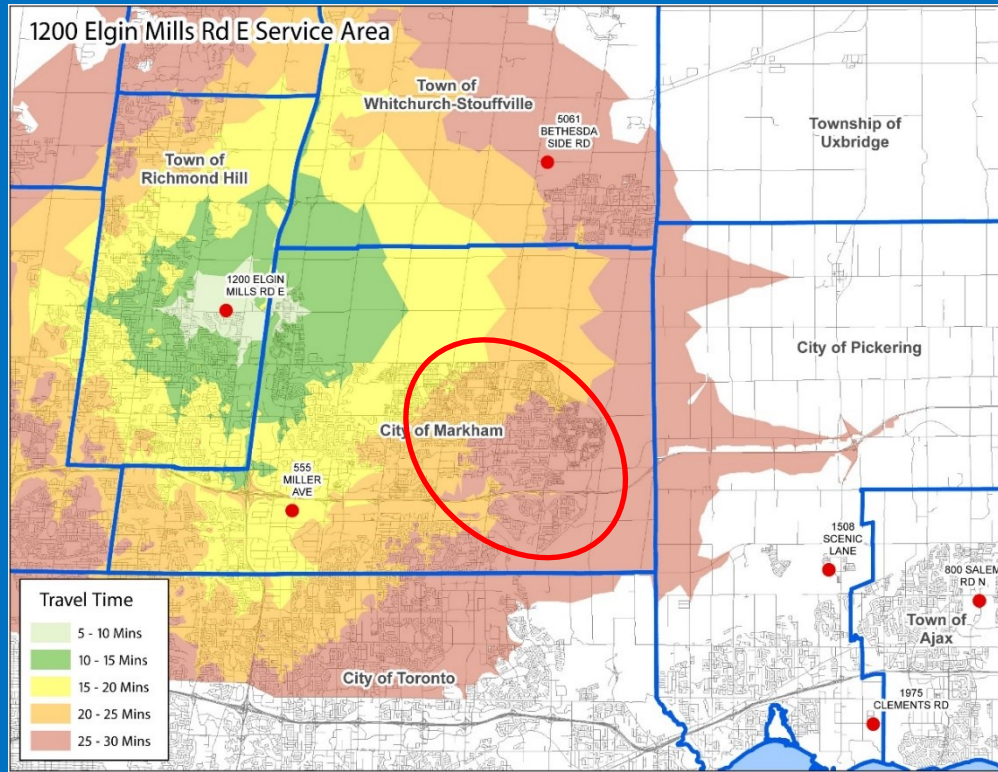
Neighbouring Operations Centres



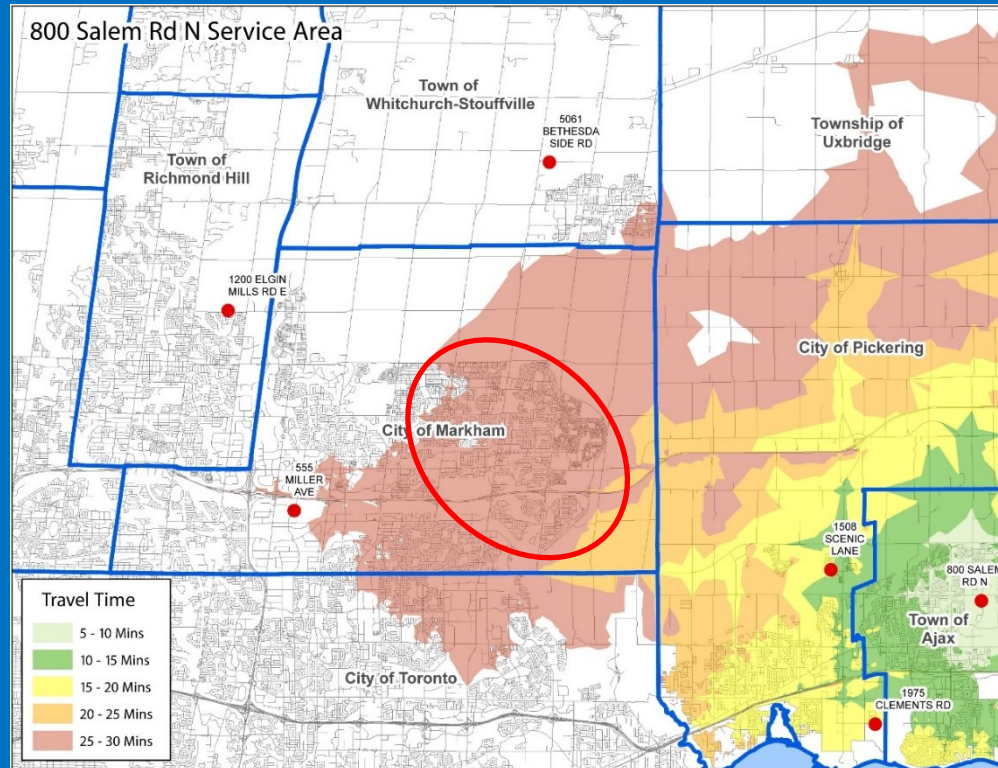
Neighbouring Operations Centres

	Population (2016)	Land Area (km²)	Lane-km of Roads	Km of Sidewalks	Yard Size (acres)
Markham	329,000	212.35	2,224	1,112	22.1
Richmond Hill	195,000	101.11	1,068	690	17
Whitchurch- Stouffville	46,000	206.22	575	121	13
Pickering	92,000	231.59	438	294	10 + 16
Ajax	120,000	67.07	390	150	12

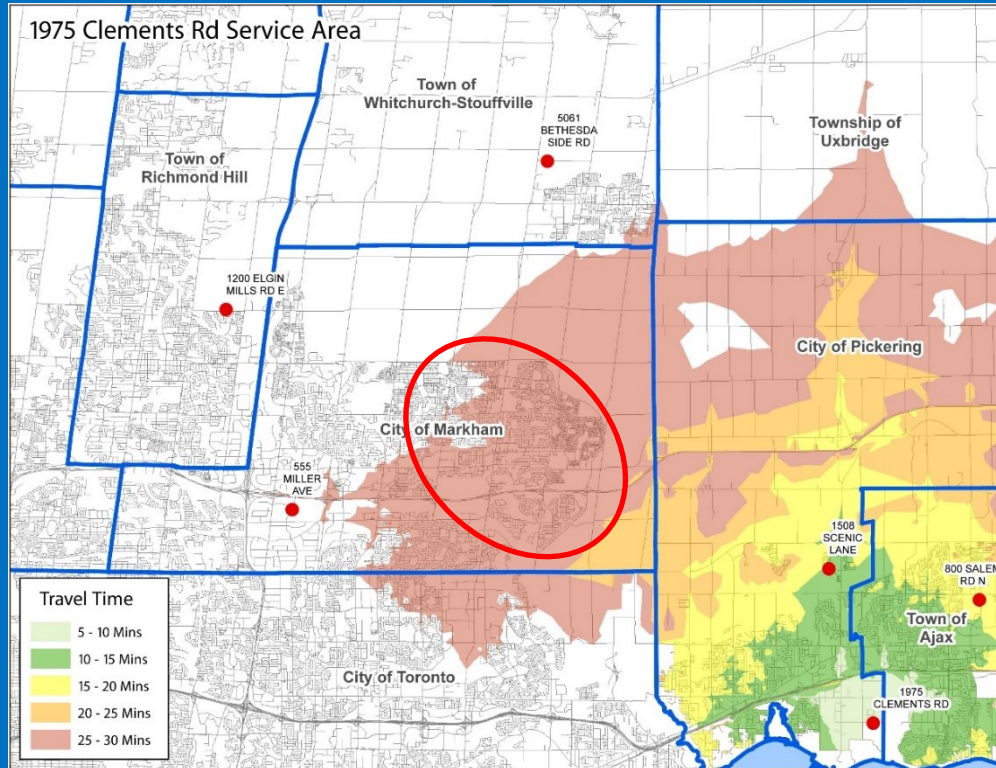
Richmond Hill Operations Centre – Average



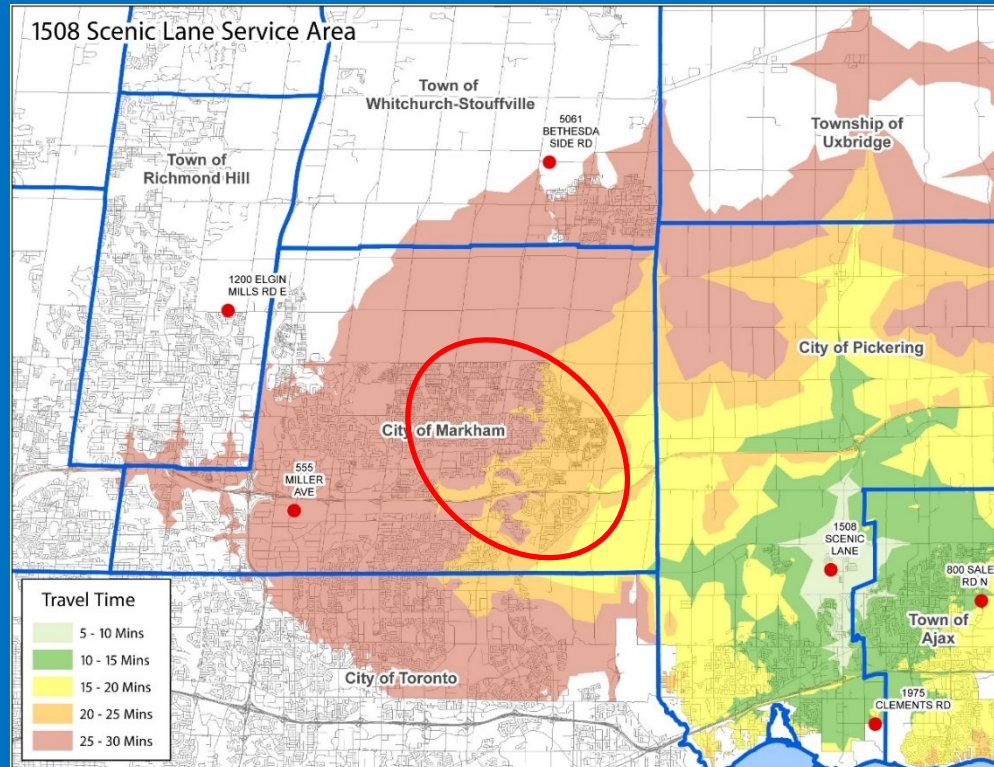
Ajax Operations Centre – Average



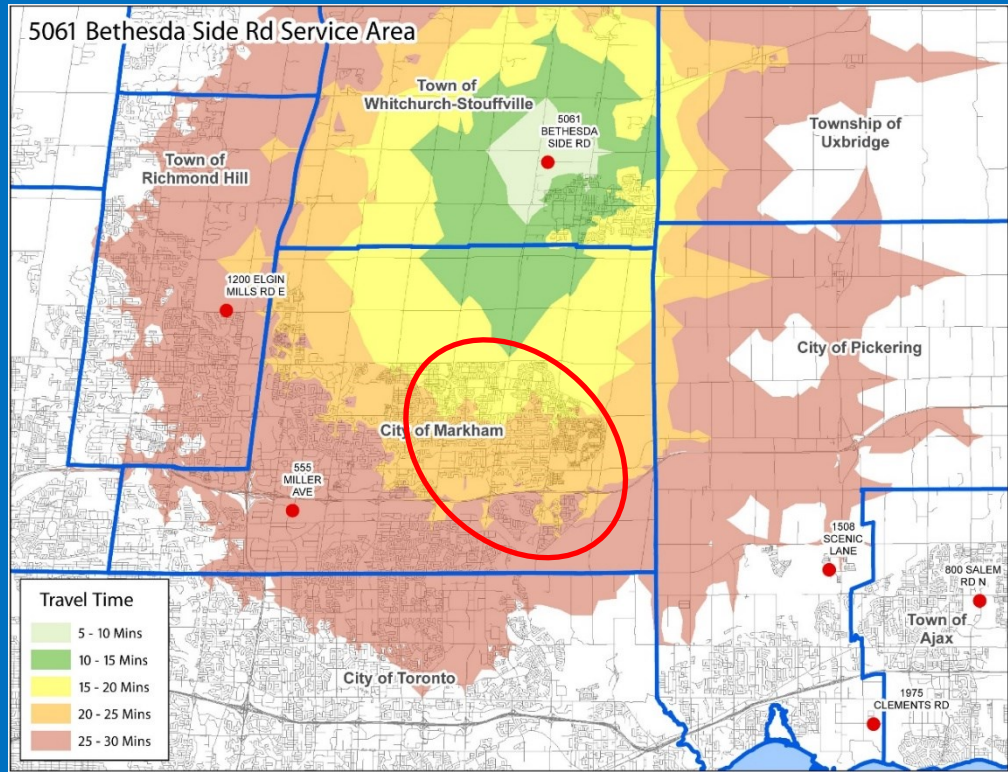
New Pickering Operations Centre – Average



Old Pickering Operations Centre – Average



Whitchurch-Stouffville OC – Average



Observations

- East Yard has an identified land requirement of ~21.8 acres
 - Markham land requirement for the east yard exceeds the total size of any of the other OCs on their own (between 10-16 acres)
 - Other OCs are relatively new and sized for their growth
- Miller Works Yard is about 11 km from the east service area
 - Whitchurch-Stouffville site is the closest non-Markham OC to the east service area at 13 km – which is further away than Miller
 - Other OCs are more than twice the distance, between 20-28 km
- Travel time from Miller Works Yard to some areas in the east can be up to 25 minutes on a typical day and longer during peak hours or weather events
 - These travel time/distances are not ideal, and deployment from W-S OC can take even longer to reach some parts of service area

Proposed Site Allocations by Function

Miller	East (~21.8 acres)	
<u>Functions</u>	<u>Functions</u>	<u>Components</u>
Operations Management Survey and Utilities Administration, Accounting, and Technical $\frac{1}{3}$ of Roads Operations $\frac{1}{4}$ of Parks Operations* Fleet Services and Supplies	$\frac{2}{3}$ of Roads Operations $\frac{1}{4}$ of Parks Operations* Sign Shop Forestry	Salt, Sand, Brine Storage Snow Storage Decanting Facility Indoor Heated Space Support Services Outdoor Storage Contractor Parking Surge Capacity
* Remaining Parks Operations at Central Yard and John St. Yard		

Value Proposition

- Addresses the challenges for Operations within the eastern and northern area
- Mitigates serious risk issues in the areas of salt management that are needed to address growth and improve service
- Supports compliance with the York Region Sanitary Use By-law.
- Property could be used to address unforeseen surge capacity requirements and/or municipal service changes.
- Provides space for essential contractor equipment, e.g. winter maintenance, to ensure their prompt availability in meeting service levels and safety standards

Conclusion

- None of the neighbouring operations centres can adequately address the pressures Markham is currently facing, due to their capacity and location
- Addition of a public works yard in north-east Markham will relieve pressures that are impacting service delivery – capacity, deployment and travel
- Despite possible outcomes of the Regional Government Review, the size and location of the proposed public works yard is justified and required to maintain service levels

Estimated Construction Costs

Phase 1 (1-3 Years)	Salt/Sand/Brine Storage Temporary Parking Servicing (Water, Sanitary and Hydro) Site Infrastructure Create temporary Snow Storage, add salt structure	\$ 10,640,000
Phase 2 (3-5 Years)	Permanent Snow Storage with SWM Decanting Facility Servicing (Water, Sanitary and Hydro)	\$ 8,340,000
Phase 3 (5+ Years)	Office and Indoor Heated Space Outdoor Storage Surge Capacity Permanent Parking	\$ 12,785,000
Total Construction		\$ 31,765,000

Funding Sources

Source		Public Works	Parks	TOTAL
Development Charges	Balance as per BGS	\$13,500,000		\$13,500,000
	Collections '19-26	\$15,000,000	\$10,000,000	\$25,000,000
	Collections '26-31	\$6,000,000		\$6,000,000
	Subtotal	\$35,000,000	\$10,000,000	\$44,500,000
Life-cycle/Non-DC Growth Reserve				\$4,500,000
TOTAL				\$49,000,000

Financial Considerations

- Public Works Development Charges Reserve will be in a deficit position after phase 1, with the deficit growing during the second and third phases of the project
 - The majority of Public Works DCs collected between 2021-2031 will be used to pay down the above deficit by 2031 (based on current DC rates and population forecasts)
 - If growth forecasts do not materialize, it may take longer to pay off the deficit
- The Province is currently reviewing the Development Charges Act. If they increase the non-growth share of Public Works infrastructure, additional costs will need to be funded through the Non-DC Growth reserve
- The operating and life cycle costs of the East Works Yard will be incorporated into future budgets



Report to: General Committee

Meeting Date: April 23, 2019

SUBJECT: 2018 Consolidated Financial Statements
PREPARED BY: Sandra Skelcher, Manager Financial Reporting and Payroll
 Kishor Soneji, Senior Accountant

RECOMMENDATION:

- 1) That the presentation titled “2018 Consolidated Financial Statements” be received; and,
- 2) That the report titled “2018 Consolidated Financial Statements” be received; and,
- 3) That Council approve the draft Consolidated Financial Statements of The Corporation of the City of Markham (the City), the City of Markham Public Library (the Library), Community Boards, Business Improvement Areas (BIAs) and Investment in Markham Enterprises Corporation (MEC), for the fiscal year ended December 31, 2018; and,
- 4) That Council authorize Staff to publish the final audited Statements for the fiscal year ended December 31, 2018 upon receiving the Independent Auditors’ Report; and,
- 5) That the KPMG LLP Audit Findings Report for the year ended December 31, 2018 be received; and,
- 6) That this matter be forwarded to Council for adoption on April 30, 2019; and further,
- 7) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

EXECUTIVE SUMMARY:

KPMG LLP has completed an audit of the Consolidated Financial Statements of the City of Markham and has expressed an unqualified opinion that the Statements present fairly, in all material respects, the consolidated financial position of the City.

The audited Statements are a report card on the financial position, health and strength of the City. The 2018 financial results continue to demonstrate Markham’s strong leadership and excellence in financial planning and fiscal prudence.

Following approval, the audited Statements will be included in the 2018 Annual Report which will be published on the City’s website and will be distributed to Council upon completion.

PURPOSE:

The purpose of this report is to obtain Council adoption of the 2018 Statements and to seek authority to publish the audited financial information as required by the Municipal Act (*the Act*).

BACKGROUND: 2018 Consolidated Financial Statements

This report and its appendices are prepared in accordance with *the Act* as follows:

- *Section 286 (1)* requires the Treasurer to report the financial affairs of the municipality to Council.
- *Section 294 (1)* requires a municipality to prepare, for each fiscal year, annual financial statements in accordance with generally accepted accounting principles (GAAP) for local governments as recommended, from time to time, by the Public Sector Accounting Board (PSAB) of the Chartered Professional Accountants of Canada (CPAC).
- *Section 296 (1)* requires a municipality to appoint an auditor, licensed under the Public Accounting Act, who is responsible for annually auditing the accounts and transactions of the municipality and its local boards and expressing an opinion on the financial statements of these bodies based on the audit.

PSAB issues recommendations and reporting requirements that serve the public's interest by strengthening accountability in the public sector through the development, recommendation, and acceptance of accounting and financial reporting standards.

The Statements reflect the financial position of the City, the operating results, and how the City financed its activities and met its cash requirements. Additionally, the Statements confirm that the resources were obtained and used consistent with the Council-approved budgets.

The City engaged the external audit firm KPMG LLP, Chartered Accountants to audit the Statements as at December 31, 2018 and their accompanying Notes to Financial Statements (Notes). The Notes comprise a summary of significant accounting policies and other explanatory information. The audit is conducted in accordance with Canadian Generally Accepted Auditing Standards to obtain reasonable assurance as to whether the Statements are free from material misstatement.

The Statements include the City's wholly owned investment in MEC, including MEC's shares in Alectra Inc. (Alectra) of 15.73% (2017: 15.73%) and Markham District Energy Inc. (MDE) of 100%.

DISCUSSION:**CONSOLIDATED STATEMENT OF FINANCIAL POSITION (Balance Sheet)**
(Appendix A – Page 1)

The Statement of Financial Position outlines the City's financial assets, financial liabilities and non-financial assets. The outcome of the statement shows an Accumulated Surplus at year end of \$4,606.58M, an increase of \$151.42M (3.4%) over 2017.

	\$ in millions		
	<u>2018</u>	<u>2017</u>	<u>Incr. / (Decr.)</u>
Financial Assets	854.05	758.95	95.10
Financial Liabilities	<u>364.53</u>	<u>312.19</u>	<u>52.34</u>
Net Financial Assets	489.52	446.76	42.76
Non-Financial Assets	<u>4,117.06</u>	<u>4,008.40</u>	<u>108.66</u>
Accumulated Surplus	<u>4,606.58</u>	<u>4,455.16</u>	<u>151.42</u>

Financial Assets

Financial assets are the resources controlled by the organization as a result of past events and from which future economic benefits are expected. Financial assets include cash and other assets expected to be converted to cash, sold or consumed either within a year or in the operating cycle. These assets are continually turned over in the course of normal business activities.

The City ended the year with financial assets totalling \$854.05M, an increase of \$95.10M (12.5%) over 2017.

Cash and investments increased in 2018 from \$302.20M to \$389.14M (\$86.94M, 28.8%). The major contributors to the increase were in deferred revenues received for parkland cash-in-lieu and development charges. (net \$47.05M). A reduction in cash outflows for capital projects in 2018 compared to 2017 also affected the cash and investment balance at year-end. The average rate of return on investments in 2018 was 3.12% (2017: 2.95%), an increase of 17 basis points from 2017.

Property taxes receivable decreased from \$25.95M to \$25.59M (-\$0.36M) as a result of an increase in collection of taxes due from prior years.

Accounts receivable decreased from \$58.77M to \$47.76M (-\$11.01M, -18.8%) in 2018. Payment of \$7.58M was received from Alectra Inc. for deferred interest on promissory notes issued to the City. Other receivables from the Region of York for shared project agreements were reduced by \$4.51M.

Investment in MEC increased by \$18.16M (5.0%) in 2018. This increase in equity includes the equity pick-up for 2018 of \$21.33M, offset by a reduction in share capital of \$1.54M and is further reduced by dividends received of \$1.63M.

A summary of the overall change in the City's investment in MEC is shown in the following chart:

	\$ in millions		
	<u>2018</u>	<u>2017</u>	<u>Incr. / (Decr.)</u>
Equity in MEC, January 1, 2018	362.16	253.54	108.62
Gain on exchange of shares of PowerStream for shares of Alectra Inc.	-	105.90	(105.90)
Equity pick-up for the year	21.33	10.91	10.42
Increase / (Decrease) in share capital	(1.54)	(1.53)	(0.01)
Dividend paid by MEC to City	(1.63)	(6.66)	5.03
Equity in MEC, December 31, 2018	<u>380.32</u>	<u>362.16</u>	<u>18.16</u>

Financial Liabilities

Financial liabilities are financial obligations to outside organizations or other individuals that are the result of transactions or events that occurred on or before the end of the accounting period.

Financial liabilities were \$364.53M at the end of 2018, an increase of \$52.34M (16.8%) from 2017.

Accounts payable and accrued liabilities increased in 2018 from \$142.73M to \$148.03M (\$5.30M, 3.7%). There was a \$12.08M increase in amounts owed to the Region and School Boards for water purchases, property taxes & development charges, due to timing of payments, as well as a \$2.04M increase in payroll liabilities. These were offset by a \$9.95M decrease in amounts owed to vendors as a result of completion of capital works throughout the year (release of holdbacks).

Deferred revenues increased from \$126.27M to \$173.32M (\$47.05M, 37.3%) in 2018, with a \$30.86M increase in parkland cash-in-lieu receipts, \$5.51M in funds from developers for capital projects and \$4.35M in development charges, accounting for 87% of the total.

Employee future benefits liabilities were nominally adjusted as per actuarial valuations for the current year end.

Long-term liabilities decreased from 12.24M to \$11.53M (-\$0.71M, -5.8%) in recognition of payments toward long-term loans from the Federation of Canadian Municipalities (FCM) and Canada Mortgage & Housing Corp. (CMHC).

Non-Financial Assets

Non-financial assets are assets with physical, rather than cash value. They include tangible capital assets (TCA) such as land & buildings, inventories of supplies such as salt and sand, as well as prepaid expenses.

Non-financial assets totalled \$4,117.06M at the end of 2018, an increase of \$108.66M (2.7%), which is almost entirely (99.5%) related to the addition of tangible capital assets. The major assets purchased, acquired through development or put into service following construction completion in 2018 were land, roads, stormwater & waterworks infrastructure and parks & pathways.

CONSOLIDATED STATEMENT OF OPERATIONS AND ACCUMULATED SURPLUS**(Income Statement)****(Appendix A – Page 2)**

This statement accounts for the City's consolidated revenues and expenses from operations, and includes other accounting adjustments such as the value of contributed assets from developers (\$128.13M), deferred revenues earned (\$20.54M), the equity pick up from MEC (\$21.33M) and the amortization of TCA in the accounting period (\$76.38M). The major components of the statement are illustrated below.

	\$ in millions		
	<u>2018</u>	<u>2017</u>	<u>Incr. / (Decr.)</u>
Revenues	561.41	601.79	(40.38)
Less Expenses	<u>409.99</u>	<u>385.87</u>	<u>24.12</u>
Annual Surplus	151.42	215.92	(64.50)
Accumulated Surplus, Beginning of Year	4,455.16	4,239.24	215.92
Accumulated Surplus, End of Year	<u>4,606.58</u>	<u>4,455.16</u>	<u>151.42</u>

The accumulated surplus of \$4,606.58M consists of individual operating fund surplus', equity in MEC, reserves and reserve funds, etc. as outlined in the following table:

	\$ in millions		
	<u>2018</u>	<u>2017</u>	<u>Incr. / (Decr.)</u>
Operating fund surplus (excl. waterworks)	3.58	5.60	(2.02)
Waterworks	0.51	0.35	0.16
Community Boards and BIAs	<u>0.37</u>	<u>0.30</u>	<u>0.07</u>
Operating Surplus Total	4.46	6.25	(1.79)
Equity in Markham Enterprises Corporation	380.32	362.16	18.16
Invested in Tangible Capital Assets and Other	4,071.19	3,971.74	99.45
Reserves and Reserve Funds	<u>150.61</u>	<u>115.01</u>	<u>35.60</u>
Total Accumulated Surplus	<u>4,606.58</u>	<u>4,455.16</u>	<u>151.42</u>

Operating Fund Surplus

At the Council meeting on April 16, 2019, the year end results of operations were brought forward. Council approved the transfer to Reserves of the City's 2018 net favourable operating fund surplus in the amount of \$3.58M. Combining this with the Waterworks surplus of \$0.51M and a surplus of \$0.37M for Community Boards and BIAs, nets the Operating Surplus Total of \$4.46M.

Equity in Markham Enterprises Corporation

This represents the value of the investment in MEC of \$380.31M as detailed in the Financial Assets section on page 4 of this report.

Invested in Tangible Capital Assets and Other

The investment in tangible capital assets and other totaled \$4,071.19M. This represents the net book value of TCA such as Land, Buildings, Equipment and Infrastructure and other adjustments at the year end.

Reserves and Reserve Funds

The Reserves and Reserve Funds are set aside by Council for specific purposes. The inflows into these funds are largely from the operating budget and the outflows are generally to fund capital projects, employee future benefit needs and other initiatives as directed by Council. The Reserves and Reserve Funds totalled \$150.61M at the close of 2018, a increase of \$35.60M from 2017.

The \$150.61M total Reserve and Reserve Funds plus the \$137.77M Deferred Reserve Funds are fully funded as illustrated by the comparison to the total cash and investments below.

	<u>\$ in millions</u>
A. Total Cash & Investments	389.14
Reserves	167.58
Reserve Funds	(16.97)
Deferred Reserve Funds (DCs, Parkland cash-in-lieu, Gas Tax & Section 37)	<u>137.77</u>
B. Total Reserves, Reserve Funds & Deferred Reserve Funds	<u>288.38</u>
A. - B.	<u>100.76</u>

Reserves totalled \$167.58M, an increase of \$23.09M over 2017. The net increase was the result of the following changes to Reserves:

Reserves	\$ in millions		
	<u>2018</u>	<u>2017</u>	<u>Incr. / (Decr.)</u>
Building fee	13.60	10.25	3.35
Capital gains	4.16	4.16	0.00
Corporate rate stabilization	21.13	20.46	0.67
Development fee	1.18	(6.65)	7.83
Facility ramp up	14.86	12.55	2.31
Firefighters sick leave benefits	6.34	6.34	0.00
Insurance	3.93	3.88	0.05
Long-term disability benefit	21.09	20.26	0.83
Waterworks	80.40	71.77	8.63
Other	0.89	1.47	(0.58)
Total Reserves	<u>167.58</u>	<u>144.49</u>	<u>23.09</u>

Reserve Funds increased by \$12.51M from 2017. The increase was a result of the following changes to the Reserve Funds:

Reserve Funds	\$ in millions		
	<u>2018</u>	<u>2017</u>	<u>Incr. / (Decr.)</u>
Environmental land acquisition	9.84	9.51	0.33
Land acquisition	(164.93)	(166.72)	1.79
Library infrastructure	6.22	6.10	0.12
Life cycle replacement and capital	100.83	90.07	10.76
Non-DC growth	6.55	7.15	(0.60)
Post retirement benefits	14.23	13.88	0.35
Workplace Safety & Insurance Board	4.23	4.10	0.13
Other	6.06	6.43	(0.37)
Total Reserve Funds	<u>(16.97)</u>	<u>(29.48)</u>	<u>12.51</u>

Communication

Section 295 (1) of the Act requires municipalities to annually communicate to its ratepayers, the results of the municipality's year end. The financial statements will be published on the City's website upon receipt of the final audited version from KPMG LLP and will form an important part of the City's 2018 Annual Report publication.

For the past seventeen consecutive years, the City has received the Government Finance Officers Association (GFOA) '*Canadian Award for Financial Reporting*'. The award provides recognition for excellence in governmental accounting and financial reporting. The receipt of this award signifies that Markham delivered a comprehensive annual financial report that demonstrates full transparency and disclosure over and above the minimum requirements of Generally Accepted Accounting Principles. Upon receiving the Independent Auditor's Report, the 2017 Annual Report will again be submitted to the GFOA.

RECOMMENDED BY:

Joel Lustig
Treasurer

Trinela Cane
Commissioner, Corporate Services

ATTACHMENTS:

2018 Consolidated Financial Statements Presentation

Appendix A – 2018 Consolidated Financial Statements

Appendix B – 2018 Audit Findings Report

2018 Consolidated Financial Statements

Presentation to General Committee

April 23, 2019

Agenda

1. Introduction
2. Requirements
3. Audit Summary
4. Financial Results Discussion
5. Presentation by Mr. Kevin Travers, Partner, KPMG LLP-Audit Findings Report

1. Introduction

The Financial Statements are a report card on the financial position, health and strength of the City:

- reflect the financial position of the organization, the operating results, and how the City financed its activities and met its cash requirements
- confirm that the resources were obtained and used consistent with the budgets approved by Council

Statements consolidate the financial activities of:

- City of Markham
- Community Boards and Business Improvement Areas (BIAs)
- City's investment in Markham Enterprises Corporation

2. Requirements

- We are required by The *Municipal Act* to :
 - ✓ prepare annual financial statements in accordance with Canadian Generally Accepted Accounting Principles (GAAP) for governments as recommended by the Public Sector Accounting Board (PSAB),
 - ✓ have the financial statements audited by a licensed auditor,
 - ✓ report the financials to Council, and
 - ✓ publish the statements

3. Audit Summary

- Schedule:
 - KPMG audit team was onsite one week in November 2018 & one week in early February 2019, performing interim & preliminary year end work.
 - The team returned & was onsite for six weeks from February 19th until March 29th, 2019 carrying out the audit of the financial records of the City and associate corporations.
- No adjustments or differences were communicated to Management
- Clean audit opinion

4. Financial Results

Consolidated Statement of Financial Position (Balance Sheet)

	\$ in millions		
	<u>2018</u>	<u>2017</u>	<u>Incr. / (Decr.)</u>
Financial Assets	854.05	758.95	95.10
Financial Liabilities	<u>364.53</u>	<u>312.19</u>	<u>52.34</u>
Net Financial Assets	489.52	446.76	42.76
Non-Financial Assets	4,117.06	4,008.40	108.66
Accumulated Surplus	<u>4,606.58</u>	<u>4,455.16</u>	<u>151.42</u>

4. Financial Results

Consolidated Statement of Financial Position (Balance Sheet) cont'd.

❖ Financial Assets increased by \$95.10M

Financial Assets	Incr. / (Decr.)	Significant change drivers
Cash & investments	\$86.94 M	• Net increase in deferred revenues \$47.05M
		• Reduced spending on projects
Accounts receivable	\$(11.01 M)	• Deferred interest paid by Alectra \$7.58M
Investment in MEC	\$18.16 M	• Equity pick up \$21.33M, offset by reduction in share capital (\$1.54M) and dividends paid (\$1.63)

4. Financial Results

Consolidated Statement of Financial Position (Balance Sheet) cont'd.

❖ Financial Liabilities increased by \$52.34M

Financial Liabilities	Incr. / (Decr.)	Significant change drivers
Accounts payable & accrued liabilities	\$5.30 M	<ul style="list-style-type: none"> • Increase in amounts owed to Region & School boards - timing of water purchases & property taxes \$12.08M and payroll liabilities of \$2.04M • Offset by decrease in holdbacks (\$10.32M), released to contractors on completion of projects
Deferred revenues	\$47.05 M	<ul style="list-style-type: none"> • Inflows \$78.00M • Outflows (\$30.95M) - lower project spending
Long term liabilities	\$(0.71) M	<ul style="list-style-type: none"> • Scheduled loans re-payments to Canada Mortgage & Housing Corp. (CMHC) & Federation of Canadian Municipalities (FCM)

4. Financial Results

Consolidated Statement of Financial Position (Balance Sheet) cont'd.

❖ Non-Financial Assets increased by \$108.66M

Non-Financial Assets	Incr. / (Decr.)	Significant change drivers
Tangible Capital Assets (TCA)	\$108.10 M	•Land, Infrastructure, parks/pathways
Prepaid expenses and inventories	\$0.56 M	•Computer software licenses, maintenance agreements, winter control inventory

4. Financial Results

Consolidated Statement of Operations and Accumulated Surplus (Income Statement)

	\$ in millions		
	<u>2018</u>	<u>2017</u>	<u>Incr. / (Decr.)</u>
Revenues	561.41	601.79	(40.38)
Less Expenses	<u>409.99</u>	<u>385.87</u>	<u>24.12</u>
Annual Surplus	151.42	215.92	(64.50)
Accumulated Surplus, Beginning of Year	4,455.16	4,239.24	215.92
Accumulated Surplus, End of Year	<u>4,606.58</u>	<u>4,455.16</u>	<u>151.42</u>

4. Financial Results

Details of Accumulated Surplus

	\$ in millions		
	<u>2018</u>	<u>2017</u>	<u>Incr. / (Decr.)</u>
Operating fund surplus (excl. waterworks)	3.58	5.60	(2.02)
Waterworks	0.51	0.35	0.16
Community Boards and BIAs	<u>0.37</u>	<u>0.30</u>	<u>0.07</u>
Operating Surplus Total	4.46	6.25	(1.79)
Equity in Markham Enterprises Corporation	380.32	362.16	18.16
Invested in Tangible Capital Assets and Other	4,071.19	3,971.74	99.45
Reserves and Reserve Funds	<u>150.61</u>	<u>115.01</u>	<u>35.60</u>
Total Accumulated Surplus	<u>4,606.58</u>	<u>4,455.16</u>	<u>151.42</u>

5. Presentation of the Audit Findings Report

Kevin Travers, Partner, KPMG LLP

APPENDIX A

Consolidated Financial Statements of

**THE CORPORATION OF
THE CITY OF MARKHAM**

December 31, 2018

INDEPENDENT AUDITORS' REPORT

To the Members of Council, Inhabitants and Ratepayers of The Corporation of the City of Markham

Opinion

We have audited the accompanying consolidated financial statements of The Corporation of the City of Markham (the Corporation), which comprise:

- the consolidated statement of financial position as at December 31, 2018
- the consolidated statement of operations for the year then ended
- the consolidated statement of changes in net financial assets for the year then ended
- the consolidated statement of cash flows for the year then ended
- and notes to the consolidated financial statements, including a summary of significant accounting policies

(Hereinafter referred to as the “financial statements”)

In our opinion, the accompanying financial statements present fairly, in all material respects, the consolidated financial position of The Corporation of the City of Markham as at December 31, 2018, and its consolidated results of operations, its consolidated changes in net financial assets and its consolidated cash flows for the year then ended in accordance with Canadian public sector accounting standards.

Basis for Opinion

We conducted our audit in accordance with Canadian generally accepted auditing standards. Our responsibilities under those standards are further described in the Auditors' Responsibilities for the Audit of the Financial Statements section of our report.

We are independent of the Corporation in accordance with the ethical requirements that are relevant to our audit of the financial statements in Canada and we have fulfilled our other responsibilities in accordance with these requirements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

Responsibilities of Management and Those Charged with Governance for the Financial Statements

Management is responsible for the preparation and fair presentation of the financial statements in accordance with Canadian public sector accounting standards, and for such internal control as management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is responsible for assessing the Corporation's ability to continue as a going concern, disclosing as applicable, matters related to going concern and using the going concern basis of accounting unless management either intends to liquidate the Corporation or to cease operations, or has no realistic alternative but to do so.

Those charged with governance are responsible for overseeing the Corporation's financial reporting process.

Auditors' Responsibility for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditors' report that includes our opinion.

Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with Canadian generally accepted auditing standards will always detect a material misstatement when it exists.

Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of the financial statements.

THE CORPORATION OF THE CITY OF MARKHAM
Notes to the Consolidated Financial Statements
Year ended December 31, 2018
(All dollar amounts are in \$000)

As part of an audit in accordance with Canadian generally accepted auditing standards, we exercise professional judgment and maintain professional skepticism throughout the audit.

We also:

- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion.
- The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Corporation's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by management.
- Conclude on the appropriateness of management's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Corporation's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditors' report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditors' report. However, future events or conditions may cause the Corporation to cease to continue as a going concern.
- Evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.
- Communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.
- Obtain sufficient appropriate audit evidence regarding the financial information of the entities within the Group Entity to express an opinion on the financial statements. We are responsible for the direction, supervision and performance of the group audit. We remain solely responsible for our audit opinion.

Chartered Professional Accountants, Licensed Public Accountants

Vaughan, Canada
Date: April 30, 2019

THE CORPORATION OF THE CITY OF MARKHAM
Consolidated Statement of Financial Position
December 31, 2018 with comparative figures for 2017
(All dollar amounts are in \$000)

	Note	2018	2017
FINANCIAL ASSETS			
Cash and investments	4	\$ 389,141	\$ 302,196
Property taxes receivable	5	25,591	25,946
Unbilled user charges		10,889	9,378
Accounts receivable	6	47,760	58,785
Investment in Markham Enterprises Corporation	7	380,312	362,159
Other current assets		360	488
		854,053	758,952
FINANCIAL LIABILITIES			
Accounts payable and accrued liabilities	8	148,032	142,726
Deferred revenue	9	173,322	126,276
Employee future benefits liabilities	10	31,649	30,953
Long-term liabilities	11	11,530	12,236
		364,533	312,191
NET FINANCIAL ASSETS		\$ 489,520	\$ 446,761
NON-FINANCIAL ASSETS			
Tangible capital assets	12	4,113,357	4,005,265
Inventories of supplies		1,503	1,263
Inventories of land - heritage estates		86	86
Prepaid expenses		2,119	1,790
		4,117,065	4,008,404
ACCUMULATED SURPLUS	15	\$ 4,606,585	\$4,455,165

The accompanying notes are an integral part of these financial statements.

THE CORPORATION OF THE CITY OF MARKHAM
Consolidated Statement of Operations and Accumulated Surplus
For the year ended December 31, 2018 with comparative figures for 2017
(All dollar amounts are in \$000)

	Note	2018		2017
		Budget	Actual	Actual
Revenues				
Property taxes		\$ 156,260	\$ 156,737	\$ 150,884
User charges	13	194,255	192,852	\$ 168,205
Government transfers	14	12,142	11,158	8,305
Contributions from developers and others		169	128,130	71,142
Investment income		16,243	15,726	20,519
Tax penalties		4,158	4,482	4,215
Gain on sale of tangible capital assets		-	873	275
Deferred revenue earned		16,556	20,543	48,690
Equity pick up from Markham Enterprises Corporation	7	-	21,327	116,806
Other		5,565	9,578	12,748
TOTAL REVENUES		405,348	561,406	601,789
Expenses				
General government		60,698	52,289	56,278
Protection to persons and property		47,710	49,254	46,337
Transportation services		62,506	61,103	57,624
Environmental services		153,573	146,179	132,319
Recreation and cultural services		86,710	88,324	81,268
Planning and development services		14,667	12,803	11,944
Other		48	34	102
TOTAL EXPENSES		425,912	409,986	385,872
ANNUAL SURPLUS (DEFICIT)		(20,564)	151,420	215,917
ACCUMULATED SURPLUS, BEGINNING OF YEAR		4,455,165	4,455,165	4,239,248
ACCUMULATED SURPLUS, END OF YEAR	15	\$ 4,434,601	\$ 4,606,585	\$ 4,455,165

The accompanying notes are an integral part of these financial statements.

THE CORPORATION OF THE CITY OF MARKHAM
Consolidated Statement of Change in Net Financial Assets
For the year ended December 31, 2018 with comparative figures for 2017
(All dollar amounts are in \$000)

	2018		2017
	Budget	Actual	Actual
Annual surplus (deficit)	(20,564)	151,420	215,917
Acquisition of tangible capital assets	(131,845)	(185,230)	(244,178)
Amortization of tangible capital assets	73,757	76,384	72,890
Disposal/write-down of tangible capital assets	-	754	168
	(78,652)	43,328	44,797
Acquisition of inventories of supplies	-	(1,503)	(1,255)
Acquisition prepaid expenses	-	(2,119)	(1,790)
Consumption of inventories of supplies	-	1,263	1,265
Use of prepaid expenses	-	1,790	1,268
Change in net financial assets	(78,652)	42,759	44,285
Net financial assets, beginning of year	446,761	446,761	402,476
Net financial assets, end of year	368,109	489,520	446,761

The accompanying notes are an integral part of these financial statements.

THE CORPORATION OF THE CITY OF MARKHAM
Consolidated Statement of Cash Flows
For the year ended December 31, 2018 with comparative figures for 2017
(All dollar amounts are in \$000)

	<u>2018</u>	<u>2017</u>
CASH PROVIDED BY (USED IN):		
OPERATING ACTIVITIES		
Annual surplus	151,420	215,917
Add (deduct) items not involving cash		
Amortization of tangible capital assets	76,384	72,890
Disposal/write down of tangible capital assets	754	168
Change in employee future benefits and other liabilities	696	105
Equity pick up in Markham Enterprises Corporation	(21,327)	(116,806)
Contributed tangible capital assets	(120,344)	(68,305)
Change in non-cash assets and liabilities		
Property taxes receivable	355	1,559
Accounts receivable	11,025	5,816
Unbilled user charges	(1,511)	(1,014)
Other current assets	128	2
Accounts payable and accrued liabilities	5,306	568
Long-term liabilities	(706)	(682)
Deferred revenue	47,046	(1,020)
Inventories of supplies	(240)	10
Prepaid expenses	(329)	(522)
Net change in cash from operating activities	148,657	108,686
CAPITAL ACTIVITIES		
Acquisition of tangible capital assets	(64,886)	(175,873)
Net change in cash from capital activities	(64,886)	(175,873)
INVESTING ACTIVITIES		
Dividend from Markham Enterprises Corporation	1,634	6,656
Decrease in share capital of Markham Enterprises Corporation	1,540	1,532
Net change in cash from investing activities	3,174	8,188
NET CHANGE IN CASH AND CASH EQUIVALENTS	86,945	(58,999)
OPENING CASH AND CASH EQUIVALENTS	302,196	361,195
CLOSING CASH AND CASH EQUIVALENTS	389,141	302,196
Supplementary information:		
Interest paid	412	437
Interest received	9,075	8,153

The accompanying notes are an integral part of these consolidated financial statements.

THE CORPORATION OF THE CITY OF MARKHAM
Notes to the Consolidated Financial Statements
Year ended December 31, 2018
(All dollar amounts are in \$000)

1. SIGNIFICANT ACCOUNTING POLICIES

The consolidated financial statements of The Corporation of The City of Markham (the City) are prepared by management in accordance with Canadian public sector accounting standards, as recommended by the Public Sector Accounting Board (PSAB) of the Chartered Professional Accountants of Canada (CPA Canada). Significant accounting policies adopted by the City are as follows:

a) Reporting Entity

These consolidated financial statements reflect the assets, liabilities, revenues and expenses of the reporting entity. The reporting entity is comprised of all organizations, local boards and committees accountable for the administration of their financial affairs and resources, to the City, and which are owned or controlled by the City, including the following:

- City of Markham Public Library Board
- Old Markham Village Business Improvement Area
- Unionville Business Improvement Area

Inter-entity transactions and balances are eliminated on consolidation.

b) Investment in Markham Enterprises Corporation

Markham Enterprises Corporation (MEC) and its subsidiaries are accounted for on a modified equity basis, consistent with the Canadian public sector accounting standards as recommended by PSAB for government business enterprises. Under the modified equity basis of accounting, the business enterprise's accounting principles are not adjusted to conform to those of the City, and inter-organizational transactions and balances are not eliminated. The City recognizes its equity interest in the annual income or loss of MEC in its consolidated statement of operations and accumulated surplus with a corresponding increase or decrease in its investment asset account. Any dividends that the City may receive from MEC are reflected as reductions in the investment asset account.

c) Accounting for Region and School Board Transactions

The property taxes, other revenues, expenses, assets and liabilities with respect to the operations of the Regional Municipality of York (the Region) and the York Region District School Boards (School Boards) are not reflected in the municipal fund balances of these financial statements.

d) Trust Funds

Trust funds and their related operations administered by the municipality are not consolidated, but are reported separately on the "Trust Funds Statement of Financial Position" and the "Trust Funds Statement of Operations and Fund Balances".

e) Basis of Accounting

Revenues are recorded in the period in which the transactions or events occurred that gave rise to the revenue.

Expenses are the cost of goods and services acquired in the period whether or not payment has been made or invoices received.

THE CORPORATION OF THE CITY OF MARKHAM
Notes to the Consolidated Financial Statements
Year ended December 31, 2018
(All dollar amounts are in \$000)

1. SIGNIFICANT ACCOUNTING POLICIES (continued)

f) Government Transfers

Government transfers are recognized in the financial statements in the period in which the events giving rise to the transfer occurred, providing that the transfers are authorized, any eligibility criteria and stipulations have been met, and reasonable estimates of the amounts can be made.

The City adopted PS 3410, *Government Transfers* that establishes the recognition, measurement and disclosure requirements for government transfers. It provides specific revenue recognition criteria for transferring government and recipient government.

g) Deferred Revenue

Funds received for specific purposes are accounted for as deferred revenue until the City discharges the obligation, which led to receipt of the funds.

h) Property Taxes and Related Revenues

Property tax billings are prepared by the City based on assessment rolls compiled by the Municipal Property Assessment Corporation (MPAC). Property tax rates are established annually by City Council, incorporating amounts to be raised for local services and amounts that the City is required to collect on behalf of the Region and School Boards for education purposes. Realty taxes are billed based on the assessment rolls provided by MPAC.

A normal part of the assessment process is the issuance of supplementary assessment rolls that provide updated information with respect to changes in property assessment. Once a supplementary assessment roll is received, the City determines the property taxes applicable and issues supplementary tax bills. Assessments and the related property taxes are subject to appeal. Any supplementary billing adjustments made necessary by the determination of such changes will be recognized in the fiscal year they are determined and the impact shared with the Region and School Boards as appropriate.

The City is entitled to collect interest and penalties on overdue property taxes. These revenues are recorded in the period the interest and penalties are levied.

The City adopted PS 3510, *Property Tax Revenues* that addresses recognition and reporting of property tax revenue. This establishes recognition of revenue when they meet the definition of an asset, and are authorized by a legislature or Council when the taxable event occurs.

i) Employee Future Benefits

The City accounts for its participation in the Ontario Municipal Employee Retirement System (OMERS), a multi-employer public sector pension fund, which is accounted for as a defined contribution plan. Vacation entitlements are accrued for as entitlements are earned. Sick leave benefits are accrued where they are vested and subject to pay out when an employee leaves the City's employment. Other employee future benefits are accrued in accordance with the projected benefit method prorated on service and management's best estimate of salary escalation and retirement ages of employees. Actuarial valuations, where necessary for accounting purposes, are performed triennially. The discount rate used to determine the accrued benefit obligation was determined by reference to market interest rates at the measurement date on high-quality debt instruments with cash flows that match the timing and amount of expected benefit payments. Unamortized actuarial gains or

THE CORPORATION OF THE CITY OF MARKHAM
Notes to the Consolidated Financial Statements
Year ended December 31, 2018
(All dollar amounts are in \$000)

1. SIGNIFICANT ACCOUNTING POLICIES (continued)

losses are amortized on a straight-line basis over the expected average remaining service life of the related employee groups.

Unamortized actuarial gains or losses for event-triggered liabilities, such as those determined as claims related to Workplace Safety and Insurance Board (WSIB) are amortized over the average expected period during which the benefits will be paid. The cost of plan amendments is accounted for in the period they are adopted.

Management, on approval from City Council, has set aside funds specifically for the financing of future costs.

j) Investment Income

Investment income is reported as revenue in the period earned. Investment income earned on obligatory reserve funds is added to the fund balance and forms part of the respective deferred revenue and/or obligatory reserve funds balance.

k) Non-Financial Assets

Non-financial assets are not available to discharge existing liabilities and are held for use in the provision of services. They have useful lives extending beyond the current year and are not intended for sale in the ordinary course of operations.

(i) Tangible Capital Assets

Tangible capital assets are recorded at cost which includes amounts that are directly attributed to acquisition, construction, development or betterment of the asset. The cost, less residual value of the tangible capital assets, excluding land, are amortized on a straight-line basis over their estimated useful lives in number of years as follows:

Asset	Useful Life - Years
Buildings and building improvements	40
Equipment	5 – 20
Furniture and fixtures	10 – 15
Infrastructure	10 – 100
Library furniture and fixtures	10
Library media collection	7
Park and pathways	10 – 60
Vehicles	7 – 9
Waterworks equipment	9
Waterworks infrastructure	15 – 100
Waterworks vehicles	7

Amortization is prorated to six months in the year of acquisition and in the year of disposal. Assets under construction are not amortized until the asset is available for productive use.

(ii) Contributions of Tangible Capital Assets

Tangible capital assets received as contributions are recorded at their fair value at the date of receipt and also are recorded as revenue. Tangible capital assets conveyed from developers are recorded at the estimated engineering value at time of registration.

THE CORPORATION OF THE CITY OF MARKHAM
Notes to the Consolidated Financial Statements
Year ended December 31, 2018
(All dollar amounts are in \$000)

1. SIGNIFICANT ACCOUNTING POLICIES (continued)

(iii) Works of Art and Cultural and Historic Assets

Works of art and cultural and historic assets are not recorded as assets in these financial statements.

(iv) Interest Capitalization

Interest is capitalized whenever external debt is issued to finance the construction of tangible capital assets.

(v) Inventories of Supplies

Inventories of supplies held for consumption are recorded at the lower of cost and replacement cost.

(vi) Inventories of land

Inventories of heritage land held for sale and are recorded at cost.

l) Use of Estimates

The preparation of financial statements requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the consolidated financial statements and the reported amount of revenues and expenditures during the period. Actual results could differ from these estimates.

m) Budget Figures

The approved operating and capital budgets for 2018 are reflected on the Consolidated Statement of Operations and Accumulated Surplus and on the Consolidated Statement of Change in Net Financial Assets. The Capital budget is on a project-oriented basis, the costs of which may be carried but over one or more years and, therefore, may not be comparable with the current year actual amounts. The budget presented in these financial statements has been reconciled to the approved budgets to reflect the accrual basis of accounting (Note 19).

n) Segment Disclosure

The City adopted PSAB Standard 2700 for Segment Disclosures. A segment is defined as a distinguishable activity or group of activities of a government for which it is appropriate to separately report financial information to achieve the objectives of the standard. The City has provided definitions of the segments used and presented financial information in segmented format in Note 18.

o) Reporting for Contaminated Sites

The City adopted PSAB Standard PS 3260 Liability for Contaminated Sites effective January 1, 2015. Under PS 3260, contaminated sites are defined as the result of contamination being introduced in air, soil, water or sediment of a chemical, organic or radioactive material or live organism that exceeds an environmental standard. This standard relates to sites that are not in productive use and sites in productive use where an unexpected event resulted in contamination. The City adopted this standard on a prospective basis.

Contaminated sites are defined as the result of contamination being introduced that exceeds an environmental standard. A liability for remediation of contaminated sites is recognized, net of any expected recoveries, when all of the following criteria are met:

- an environmental standard exists

THE CORPORATION OF THE CITY OF MARKHAM
Notes to the Consolidated Financial Statements
Year ended December 31, 2018
(All dollar amounts are in \$000)

1. SIGNIFICANT ACCOUNTING POLICIES (continued)

- contamination exceeds the environmental standard
- the organization is directly responsible or accepts responsibility for the liability
- future economic benefits will be given up, and
- a reasonable estimate of the liability can be made.

p) Adoption of accounting policies

The City has adopted the following PSAB Standards effective January 1, 2018:

(i) Assets (PS 3210)

PS 3210 provides additional guidance on the definition of assets and what is meant by economic resources, control, past transactions and events and from which future economic benefits are to be obtained. For the year ended December 31, 2018, all material assets have been disclosed and reported within this definition.

(ii) Contingent Assets (PS 3320)

PS 3320 introduces a definition for possible assets arising from existing conditions or situations involving uncertainty which will be ultimately resolved when one of more future events occur that are not within the government's control. Disclosure of a contingent asset is required under this standard when the occurrence of a confirming future event is likely.

(iii) Contractual Rights (PS 3380)

PS 3380 requires the disclosure of information in regards to future rights to economic resources arising from contracts or agreements that will result in a future economic benefit. Such disclosure includes the nature, extent and timing of contractual rights. The City is involved with various contracts and agreements arising in the ordinary course of business. This results in contractual rights to economic resources.

(iv) Related Party disclosures (PS 2200)

A related party exists when one party has the ability to exercise control or shared control over the other. Related parties include key management personnel, their close family members and the entities they control or have shared control over. Related party transactions are disclosed if they occurred at a value different from that which would have been arrived at if parties were unrelated and the transaction has material effect on the consolidated financial statements

(v) Inter-Entity Transactions (PS 3420)

PS 3420 provides guidance on how to account for and report transactions between public sector entities that comprise a governments reporting entity. This section provides guidance for the measurement of these transactions. All City transactions are recorded at the exchange amount, being the amount agreed to by both parties.

THE CORPORATION OF THE CITY OF MARKHAM
Notes to the Consolidated Financial Statements
Year ended December 31, 2018
(All dollar amounts are in \$000)

2. OPERATIONS OF SCHOOL BOARDS AND THE REGION OF YORK

Further to Note 1, requisitions were made by the Region and School Boards requiring the City to collect property taxes and payments in lieu of property taxes on their behalf. The amounts collected and remitted are summarized as follows:

	School Boards	Region of York	2018	2017
Taxation	\$ 235,528	\$ 307,840	\$ 543,368	\$ 515,696
Payment in lieu of taxes	270	707	977	1,050
Supplementary taxes	2,370	3,592	5,962	6,696
Amount requisitioned and transferred	\$ 238,168	\$ 312,139	\$ 550,307	\$ 523,442

3. PENSION AGREEMENTS

The City makes contributions to the Ontario Municipal Employees Retirement System (OMERS), which is a multi-employer plan, on behalf of its employees. The plan is a defined benefit plan which specifies the amount of the retirement benefit to be received by the employees based on the length of credited service and average earnings. Employees contribute between 9.0% and 15.9% of their salary and the City matches the employee contribution.

Total OMERS contributions amounted to \$22,930 (2017 - \$23,106) of which \$11,465 (2017 - \$11,553) represented the City's portion and \$11,465 (2017 - \$11,553) represented employees portion

Since OMERS is a multi-employer pension plan, the City does not recognize any share of the pension plan deficit of \$4.2 billion as of 2018 (2017 - \$5.9 billion) based on the fair market value of the Plan's assets, as this is a joint responsibility of all Ontario municipalities and their employees.

4. CASH AND INVESTMENTS

	2018	2017
Cash	\$ 169,044	\$ 92,346
Investments	220,097	209,850
	\$ 389,141	\$302,196

Cash balance includes investments in the amount of \$12,169 (2017 - \$58,161) which have a maturity date of less than three months. Investments consist of authorized investments pursuant to the provisions of the Municipal Act and include short-term instruments of various financial institutions, government bonds, and Treasury Bills. Investments, which are reported at cost for money market and face value for bonds, had a market value of \$217,695 (2017 - \$215,663) at the end of the year. For the year 2018, the average rate of return earned was 3.12% (2017 - 2.95%).

THE CORPORATION OF THE CITY OF MARKHAM
Notes to the Consolidated Financial Statements
Year ended December 31, 2018
(All dollar amounts are in \$000)

5. PROPERTY TAXES RECEIVABLE

The balance in property taxes receivable, including penalties and interest, is comprised of the following:

	2018	2017
Current year	\$ 20,029	\$ 19,748
Arrears prior years	6,563	7,199
	26,592	26,947
Less: Allowance for uncollectible taxes	(1,001)	(1,001)
	\$ 25,591	\$ 25,946

The Municipal Property Assessment Corporation (MPAC) is responsible for the valuation of the current value assessment (CVA) of all properties in Ontario. MPAC determines the CVA for all properties and provides it annually to municipalities in the form of an Assessment Roll, which the municipalities use to calculate property taxes for each individual property.

The Province of Ontario introduced a four-year property assessment cycle in 2009, which included a mandatory phase-in of reassessment increases for all properties. The Province chose to repeat the four-year assessment cycle and therefore, for the 2017 through 2020 tax years, all properties are assessed and taxed based on their CVA as of the valuation date of January 1st, 2016. The 2019 taxation year marks the third year of the current phase-in cycle.

The City of Markham's property tax revenue and property tax receivables rely on the stability of the assessment roll, which is subject to annual assessment appeals that create an amount of uncertainty related to the amount of property tax receivables. This financial uncertainty continues to illustrate the requirement of the provision allowance, which was established in the amount of \$1,001 (2017 - \$1,001). Further, as a result of an initiative by the Chair of the Assessment Review Board (ARB), a commitment was made by the ARB to address the regular and systemic backlog of all property assessment appeals.

6. ACCOUNTS RECEIVABLE – ALECTRA INC. INTEREST

Alectra Inc. owed a sum of \$7,584 (2017 - \$7,584) being interest at 5.58% per annum due for the period October 2006 to September 2008 on promissory notes issued to the City along with the deferred interest payment.

On October 31, 2018, Alectra Inc. made a payment of deferred interest in the amount of \$7,584 (2017 - \$7,584) owed on promissory notes issued by Alectra Inc. The deferred interest was accrued during the period of October 2006 to September 2008 at a rate of 5.58% per annum on the promissory notes. During the deferral period, the City received secondary interest on the deferred interest payments. All secondary interest amounts outstanding was also paid on October 31, 2018.

THE CORPORATION OF THE CITY OF MARKHAM
Notes to the Consolidated Financial Statements
Year ended December 31, 2018
(All dollar amounts are in \$000)

7. INVESTMENT IN MARKHAM ENTERPRISES CORPORATION

Markham Enterprises Corporation (MEC) is wholly owned by the City of Markham. MEC owns 100% of Markham District Energy Inc. (MDE) and 15.73% of Alectra Inc. (2017 – 15.73%).

The following consolidated financial statements of Markham Enterprises Corporation include the financial information of its subsidiaries Markham District Energy Inc. and Alectra Inc. for the period from January 1, 2018 to December 31, 2018.

	2018	2017
Assets		
Current	18,717	13,475
Capital	117,879	120,016
Investment in Alectra Inc.	316,007	311,497
Other	1,778	1,778
Total Assets	454,381	446,766
Liabilities		
Current	8,674	8,884
Other	54,418	56,715
Long Term	10,977	19,008
Total Liabilities	74,069	84,607
Shareholder's Equity		
Common shares	97,916	99,456
Promissory notes payable	79,184	79,184
Retained earnings and contributed Surplus	203,212	183,519
Total Shareholder's Equity	380,312	362,159
Total Liabilities and Shareholder's Equity	454,381	446,766
Results of Operations		
Revenues	45,667	72,668
Operating expenses	24,340	61,752
Net Income	21,327	10,916
Equity pick up in Markham Enterprises Corporation	21,327	10,916
Gain on exchange of shares of PowerStream for shares of Alectra Inc.	-	105,890
(Decrease) in share capital	(1,540)	(1,532)
Dividend	(1,634)	(6,656)
Net Change in Equity in Markham Enterprises Corporation	18,153	108,618
Opening shareholder's equity	362,159	253,541
Closing shareholder's equity	380,312	362,159

THE CORPORATION OF THE CITY OF MARKHAM
Notes to the Consolidated Financial Statements
Year ended December 31, 2018
(All dollar amounts are in \$000)

8. ACCOUNTS PAYABLE AND ACCRUED LIABILITIES

Accounts payable and accrued liabilities include financial obligations to outside organizations and individuals as a result of transactions and events on or before the end of the accounting period. They are the result of contracts, agreements and legislation in force at the end of the accounting period that require Markham to pay for goods and services acquired or provided prior to the accounting date. A breakdown of the accounts payable and accrued liabilities is as follows:

	2018	2017
Trade accounts payable	\$ 44,812	\$ 54,758
Payable to other governments	80,004	67,921
Payroll liabilities	7,983	5,946
Accrued liabilities	15,233	14,101
	\$ 148,032	\$ 142,726

9. DEFERRED REVENUE

Deferred revenue represents user charges and fees which have been collected but for which the related services have yet to be performed. These amounts will be recognized as revenues in the fiscal year the services are performed. The following is the current status of the deferred revenues:

	Opening Balance	Inflows	Revenues earned	Closing Balance
Development charges	\$53,787	\$23,351	\$19,006	\$58,132
Parkland cash-in-lieu	34,190	32,396	1,536	65,050
Federal Gas tax	7,491	9,780	8,903	8,368
Section 37 funds	3,350	2,865	-	6,215
	98,818	68,392	29,445	137,765
Deferred revenue and deposits	27,458	9,603	1,504	35,557
	\$126,276	\$77,995	\$30,949	\$173,322

10. EMPLOYEE FUTURE BENEFITS LIABILITIES

	2018	2017
Long-term disability	\$ 5,877	\$ 5,864
Post employment benefits	13,184	13,107
Vacation pay - City	2,792	2,638
Vacation pay - Library	125	136
Vested sick leave benefits	6,142	5,980
Workplace Safety & Insurance Board	3,529	3,228
	\$ 31,649	\$ 30,953

THE CORPORATION OF THE CITY OF MARKHAM
Notes to the Consolidated Financial Statements
Year ended December 31, 2018
(All dollar amounts are in \$000)

10. EMPLOYEE FUTURE BENEFITS LIABILITIES (continued)

a) Long-Term Disability Benefits (LTD)

The City provides long-term disability benefits to eligible employees. At the year end, the accrued liability of \$5,877 (2017 – \$5,864) represents the actuarial valuation of benefits to be paid on the history of claims with employees. The City has established a long-term disability reserve to reduce future impact of these obligations. The accrued benefit liability and the net benefit cost for the fiscal year were determined by an actuarial valuation for December 2017.

b) Post-Employment Benefits

The City provides for post-employment benefits (extended health and dental benefits) to eligible retiring employees to age 65. The City recognizes these post-employment costs as they are earned during the employee's tenure of service. The benefit liability at December 31, 2018 is \$13,184 (2017 – \$13,107). The accrued benefit liability and the net benefit cost for the fiscal year were determined by an actuarial valuation updated December 2015.

c) Vested Sick-Leave Benefits

Under the sick leave benefit plan, which is available only to the City's Firefighters, employees can accumulate unused sick leave and may become entitled to a cash payment when they leave the City's employment. The liability for these accumulated days, to the extent that they have vested and could be taken in cash by an employee on termination, amounted to approximately \$6,142 (2017 - \$5,980). The accrued benefit liability and the net benefit cost for the fiscal year were determined by an actuarial valuation updated December 2016.

d) Workplace Safety and Insurance Board (WSIB) Obligations

Effective January 1, 1999, the Corporation of the City of Markham became a Schedule II employer under the Workplace Safety and Insurance Act and follows a policy of self-insurance for all its employees. The City remits payments to the WSIB as required to fund disability payments. The estimated future liability relating to WSIB amounted to \$3,529 (2017 - \$3,228) and was determined by an actuarial valuation. A Workplace Safety and Insurance Reserve Fund, funded by annual contributions from the Operating Fund, has been established to protect against any unknown future liability. The accrued benefit liability and the net benefit cost for the fiscal year were determined by an actuarial valuation for December 2016.

Information about the City's self-insured, defined benefit plans is as follows:

		LTD	Post employment benefits	Vested sick- leave	WSIB	2018	2017
Accrued benefit liability, beginning of year	\$	5,864	\$ 13,107	\$ 5,980	\$ 3,228	\$ 28,179	\$ 28,179
Service cost		858	492	465	252	2,067	1,636
Interest cost		181	518	239	186	1,124	1,108
Benefit payments		(847)	(830)	(582)	(374)	(2,633)	(2,397)
Amortization of actuarial loss(gain)		(179)	(103)	40	237	(5)	(347)
Accrued benefit liability, end of year	\$	5,877	\$ 13,184	\$ 6,142	\$ 3,529	\$ 28,732	\$ 28,179

THE CORPORATION OF THE CITY OF MARKHAM
Notes to the Consolidated Financial Statements
Year ended December 31, 2018
(All dollar amounts are in \$000)

10. EMPLOYEE FUTURE BENEFITS LIABILITIES (continued)

The actuarial valuations of the plans were based upon a number of assumptions about the future events, which reflect management's best estimates. The following represents the more significant assumptions made:

	LTD	Post employment benefits	Vested sick- leave	WSIB
Expected inflation rate	N/A	N/A	N/A	0.00%
Expected level of salary increase	N/A	N/A	3.00%	3.00%
Interest discount rate	3.50%	4.50%	4.00%	4.00%

11. LONG-TERM LIABILITIES

On July 1, 2010 and April 14, 2014, the City received a loan of \$12,000 from Canada Mortgage Housing Corporation (CMHC) and a \$4,000 low-interest loan from Federation of Canadian Municipalities (FCM) respectively through the Region. As a lower-tier municipality the City does not have the ability to borrow long-term funds, and as such the borrowing was done through the Region. The loan received on July 1, 2010 was used to fund the purchase of the Markham District Energy Birchmount plant. The plant was subsequently leased back to Markham District Energy (MDE), a 100% subsidiary of MEC. The loan received on April 14, 2014 was used to fund the cost of Cornell Community Centre.

The loan of \$12,000 is to be amortized over a period of 20 years, at an interest rate of 4.04%. An annual payment to the Region of \$886 consists of principal and interest. The first payment was due July 1, 2011. The loan of \$4,000 is to be amortized over a period of 20 years, at an interest rate of 2%. An annual payment to Region of \$244 consists of principal and interest. The first payment was due October 4, 2014.

12. TANGIBLE CAPITAL ASSETS

a) Capital work in progress

Assets under construction having a value of \$27,857 (2017 - \$57,878) have not been amortized. Amortization of these assets will commence when the asset is put into service.

b) Contributed Tangible Capital Assets

Contributed tangible capital assets have been recognized at fair market value at the date of contribution. The value of contribution assets received during the year is \$120,344 (2017 - \$68,305) comprised of land in the amount of \$70,344 (2017 - \$28,089), roads infrastructure in the amount of \$38,166 (2017 - \$28,860) and water and wastewater infrastructure in the amount of \$11,834 (2017 - \$11,356).

c) Tangible Capital Assets Disclosed at Nominal Values

Where an estimate of fair value could not be made, the tangible capital asset was recognized at a nominal value.

d) Works of Art and Historical Treasures

The City manages and controls various works of art and non-operational historical cultural assets including buildings, artifacts, paintings and sculptures located at City sites and public display areas. These assets are not recorded as tangible capital assets and are not amortized.

THE CORPORATION OF THE CITY OF MARKHAM
Notes to the Consolidated Financial Statements
Year ended December 31, 2018
(All dollar amounts are in \$000)

12. TANGIBLE CAPITAL ASSETS (continued)

	Cost				Accumulated Depreciation				Net Book Value	
	Jan 1, 2018	Additions	Disposals & Adjustments	Dec 31, 2018	Jan 1, 2018	For the year	Disposals & Adjustments	Dec 31, 2018	Balance at Dec,31, 2018	Balance at Dec,31, 2017
Land	1,965,874	79,397	(754)	2,044,517	-	-	-	-	2,044,517	1,965,874
Buildings	404,010	6,588	-	410,598	116,425	9,894	-	126,319	284,279	287,585
Equipment	32,165	3,683	(1,873)	33,975	16,455	3,623	(1,873)	18,205	15,770	15,710
Furniture & Fixtures	7,699	318	(59)	7,958	5,155	596	(59)	5,692	2,266	2,544
Infrastructure	1,357,640	92,673	(8,914)	1,441,399	458,020	36,663	(8,914)	485,769	955,630	899,620
Library Furniture & Fixtures	3,386	1	(383)	3,004	1,579	288	(383)	1,484	1,520	1,807
Library Media Collection	18,415	2,370	(1,674)	19,111	9,968	2,438	(1,674)	10,732	8,379	8,447
Parks & Pathways	84,973	9,539	(3,191)	91,321	33,165	4,873	(3,191)	34,847	56,474	51,808
Vehicles	15,516	1,243	(701)	16,058	7,443	1,856	(701)	8,598	7,460	8,073
Waterworks Equipment	1,375	40	(119)	1,296	867	140	(119)	888	408	508
Waterworks Infrastructure	1,032,100	19,147	(640)	1,050,607	327,241	15,848	(640)	342,449	708,158	704,859
Waterworks Vehicles	1,316	252	(54)	1,514	764	165	(54)	875	639	552
Total	4,924,469	215,251	(18,362)	5,121,358	977,082	76,384	(17,608)	1,035,858	4,085,500	3,947,387
Capital work in progress	57,878	(30,021)		27,857					27,857	57,878
Grand Total	4,982,347	185,230	(18,362)	5,149,215	977,082	76,384	(17,608)	1,035,858	4,113,357	4,005,265

THE CORPORATION OF THE CITY OF MARKHAM
Notes to the Consolidated Financial Statements
Year ended December 31, 2018
(All dollar amounts are in \$000)

13. USER CHARGES

	2018	2017
Water and sewer billing to ratepayers	\$ 121,384	111,284
Building permits	11,791	7,332
Culture venues	3,613	3,351
Engineering	10,231	8,265
Facility rentals	9,196	7,946
Licenses	1,808	1,631
Landscaping	3,362	1,988
Parking violations	3,056	2,970
Planning	10,357	7,925
Recreation programs	13,244	11,894
Other	4,810	3,619
Total	\$ 192,852	168,205

14. GOVERNMENT TRANSFERS

The City recognizes the transfer of government funding as revenue in the year the events giving rise to the transfer occurred. The details of government transfer for the year are:

	2018	2017
Provincial Grant:		
Transportation services	-	8
Environmental services	1,260	1,333
Recreation and cultural services	658	819
Planning and development services	337	186
	\$ 2,255	\$ 2,346
Federal Grant:		
General government	8,903	5,959
	\$ 8,903	\$ 5,959
	\$ 11,158	\$ 8,305

THE CORPORATION OF THE CITY OF MARKHAM
Notes to the Consolidated Financial Statements
Year ended December 31, 2018
(All dollar amounts are in \$000)

15. ACCUMULATED SURPLUS

Accumulated surplus consists of individual fund surplus and reserves and reserve funds as follows:

	2018	2017
City operating fund surplus including library, community boards, and business improvement areas	4,464	6,252
Equity in Markham Enterprises Corporation	380,312	362,159
Invested in tangible capital assets and other	4,071,191	3,971,738
	4,455,967	4,340,149
RESERVES SET ASIDE FOR SPECIFIC PURPOSES BY COUNCIL		
Berczy landscape feature	203	203
Building fee	13,603	10,251
Capital gains	4,160	4,160
Corporate rate stabilization	21,131	20,459
Development fee	1,179	(6,650)
Election expenses	8	860
Election rebates	675	416
Facility ramp up	14,861	12,547
Firefighters sick leave benefits	6,340	6,340
Insurance	3,932	3,884
Long-term disability benefits	21,093	20,260
Waterworks	80,400	71,765
Total reserves	167,585	144,495
RESERVE FUNDS SET ASIDE FOR SPECIFIC PURPOSES BY COUNCIL		
Cemetery expenses	117	115
Emerald Ash Borer	552	956
Environmental land acquisition	9,838	9,506
Environmental sustainability fund	111	131
Heritage	345	362
Land acquisition	(164,929)	(166,721)
Library infrastructure	6,218	6,097
Life cycle replacement and capital	100,832	90,067
Museum	18	17
Non-DC growth	6,549	7,148
Post employment benefits	14,229	13,876
Public art acquisition	2,723	1,423
Stormwater fee	224	1,799
Theatre	813	749
Trees for Tomorrow program	29	42
Workplace Safety & Insurance Board (WSIB)	4,234	4,097
WSIB excess compensation	1,130	857
Total reserve funds	(16,967)	(29,479)
Total	4,606,585	4,455,165

THE CORPORATION OF THE CITY OF MARKHAM
Notes to the Consolidated Financial Statements
Year ended December 31, 2018
(All dollar amounts are in \$000)

16. LEASE OBLIGATIONS

As at December 31, 2018, the City is committed to minimum annual operating lease payments for premises and equipment as follows:

2019	\$71
2020	72
2021	74
2022	67
2023	43
2024 and over	216
	<hr/>
	\$543

17. CONTINGENCY

Unsettled Legal Claims and Potential Other Claims

The City has been named as the defendant in certain legal actions in which damages have been sought. The outcome of these actions is not determinable at this time and, accordingly, no provision has been made in these financial statements for any liability that may result.

18. SEGMENTED INFORMATION

The City is a diverse municipal government that provides a wide range of services to its citizens. For management reporting purposes, the City's operations and activities are organized functionally based on services provided. Certain allocation methodologies are employed in the preparation of segmented financial information. User charges and other revenues are allocated to the segments based upon the segment that generated the revenue. Government transfers are allocated to the segment based upon the purpose for which the transfer was made. Deferred revenues earned and developer contributions are allocated to General Government.

The segmented information with a brief description of the service area is as follows:

a) General Government

General government service area includes the Office of Mayor and Members of Council, Chief Administrative Officer, Human Resources, Legal, Sustainability Office, Legislative Services, Financial Services, Corporate Communications and Community Engagement, and Information Technology Services. The departments are responsible for general governance and corporate management.

b) Protection to Persons and Property

Protection service area includes Fire and Emergency Services and Building Standards. The departments are responsible to perform fire prevention and protection, fire alarm, building services and other auxiliary services.

THE CORPORATION OF THE CITY OF MARKHAM
Notes to the Consolidated Financial Statements
Year ended December 31, 2018
(All dollar amounts are in \$000)

18. SEGMENTED INFORMATION (continued)

c) Transportation Services

Transportation service area includes Roads, Parking Control and Asset Management. The departments are responsible for road maintenance, hard-top and loose-top maintenance, winter patrol, salt, sanding, snow removal, street lighting and administration of facilities and parking.

d) Environmental Services:

Environmental service area includes Waterworks and Waste Management. The departments are responsible for the administration of the sanitary and storm sewer system, distribution of water, and the administration of garbage collection and garbage recycling.

e) Recreation and Cultural Services

The recreation and cultural service area includes Park, Recreation services, Culture services and Markham Public Libraries. The departments are responsible for providing and facilitating the development and maintenance of high-quality parks, recreation services and cultural services, and administration of libraries.

f) Planning and Development Services

Planning and development services area includes Planning and Urban Design and Engineering. The departments are responsible for administration of land use plans and policies for sustainable development of the City.

g) Other

The Legislative Services department is responsible for administration of cemetery maintenance and morgues.

THE CORPORATION OF THE CITY OF MARKHAM
Year ended December 31, 2018
(All dollar amounts are in \$000)

18. SEGMENTED INFORMATION (continued)

	<i>General Government</i>	<i>Protection to persons and property</i>	<i>Transportation services</i>	<i>Environmental Services</i>	<i>Recreation and Cultural services</i>	<i>Planning and Development</i>	<i>Others</i>	2018	2017
<u>Revenues</u>									
Taxation, grants in lieu, assessments	707,044	-	-	-	-	-	-	707,044	674,326
Collection for other authorities	(550,307)	-	-	-	-	-	-	(550,307)	(523,442)
Property taxes for City purposes	156,737	-	-	-	-	-	-	156,737	150,884
User charges	3,158	13,374	13,759	122,347	26,464	13,728	22	192,852	168,205
Government transfers	8,903	-	-	1,260	658	337	-	11,158	8,305
Contribution from developers and others	128,130	-	-	-	-	-	-	128,130	71,142
Investment income	15,726	-	-	-	-	-	-	15,726	20,519
Tax penalties	4,482	-	-	-	-	-	-	4,482	4,215
Gain on sale of tangible assets	873	-	-	-	-	-	-	873	275
Deferred revenue earned	20,543	-	-	-	-	-	-	20,543	48,690
Equity pick up from Markham Enterprises Corporation	21,327	-	-	-	-	-	-	21,327	116,806
Others	6,717	387	675	815	974	5	5	9,578	12,748
Total	366,596	13,761	14,434	124,422	28,096	14,070	27	561,406	601,789
<u>Expenses</u>									
Salaries, Wages and employee benefits	26,627	44,777	14,447	8,073	46,474	7,684	-	148,082	141,062
Operating Materials and Supplies	11,007	1,058	4,363	1,445	14,189	1,110	34	33,206	32,350
Contracted Services	11,582	1,592	12,779	110,467	8,932	3,869	-	149,221	136,694
Rents and Financial Expenses	(1,426)	121	94	2,674	703	140	-	2,306	2,079
External Transfers to others	375	-	-	-	-	-	-	375	360
Long Term Debt Charges	412	-	-	-	-	-	-	412	437
Amortization of tangible capital assets	3,712	1,706	29,420	23,520	18,026	-	-	76,384	72,890
Total Expenses	52,289	49,254	61,103	146,179	88,324	12,803	34	409,986	385,872
Annual Surplus/(Deficit)	314,307	(35,493)	(46,669)	(21,757)	(60,228)	1,267	(7)	151,420	215,917

THE CORPORATION OF THE CITY OF MARKHAM
Notes to the Consolidated Financial Statements
December 31, 2018
(All dollar amounts are in \$000)

19. BUDGET FIGURES

The budget figures presented in these consolidated financial statements are based on the Council approved 2018 budget. The following table reconciles the approved budget figures as presented in these financial statements using the accrual basis of accounting.

	2018	2017
	\$	\$
Revenues		
Approved operating budget	378,456	361,305
Approved capital budget	77,715	81,474
Transfer from reserve funds	(50,823)	(41,943)
Total revenues	405,348	400,836
Expenses		
Approved operating budget	378,456	361,305
Transfer to reserve funds	(46,004)	(48,385)
Expenses not capitalized	19,627	19,615
Post-employment benefit expenses	77	92
Amortization	73,756	73,169
Total expenses	425,912	405,796
Annual surplus/(deficit)	(20,564)	(4,960)

20. TRUST FUNDS

Trust funds administered by the City for the benefit of others amounting to \$2,431 (2017 - \$2,414) have not been included in the "Consolidated Statement of Financial Position" nor have their operations been included in the "Consolidated Statement of Operations and Accumulated Surplus". The details of trust funds administered by the City and their Financial Position and Statement of Financial Activities and Fund Balances are as follows:

a) Morgan Park Trust Fund

The T. & G. Morgan Memorial Fund in Markham Village was established in 1918 as a result of the last Will and Testament of George Morgan to hold funds, the interest earned on which can be used to offset certain maintenance costs of Morgan Park. As at December 31, 2018 the balance was \$82 (2017 - \$80).

b) Varley-McKay Art Foundation Trust Fund

The Varley-McKay Art Foundation Trust Fund was established by Council Resolution on December 11, 2001. This trust is funded by the amount received from the Estate of Kathleen G. McKay. Interest earned on these funds is available to the Varley-McKay Art Foundation of Markham to fund art appreciation and development. As at December 31, 2018 the balance was \$1,299 (2017 - \$1,299).

THE CORPORATION OF THE CITY OF MARKHAM

December 31, 2018

(All dollar amounts are in \$000)

20. TRUST FUNDS (continued)**c) Markham Environmental Advisory Committee Trust Fund**

The Markham Environmental Advisory Committee (previously the Markham Conservation Committee) Trust Fund was established by Council Resolution on April 15, 1992 to receive donations, grants, subsidies, and other amounts, to be used to cover costs associated with conservation and naturalization programs and projects undertaken by the Markham Environmental Advisory Committee. As at December 31, 2018 the balance was nil (2017 - \$2).

d) Cemetery Trust Fund

The Cemetery Trust Fund was established under the Regulations of the Cemeteries Act to accumulate certain funds from the sale or transfer of an interment right to a purchaser in accordance with the Regulations. These funds are to be held in trust for the care and maintenance of the cemetery. Interest earned on amounts held by the Fund is used towards the maintenance, security and preservation of the cemetery, its grounds, buildings, equipment and markers in accordance with the Regulations. As at December 31, 2018 the balance was \$942 (2017 - \$928).

e) Older Adults In Action Trust Fund

Council Resolution established the Older Adults In Action Trust Fund on March 10, 1998 to collect donations for the Club and Older Adult Centre. As at December 31, 2018 the balance was \$10 (2017 - \$10).

f) Markham History - Research and Publication Trust Fund

The Markham History – Research and Publication Trust Fund was established by Council Resolution on June 1, 2004 to plan and monitor the implementation of research, writing, digitizing and production of historical media that illuminates various themes in Markham's history. As at December 31, 2018 the balance was \$98 (2017 - \$95).

21. CONTRACTUAL RIGHTS

City revenues to be generated in the future, in relation to existing lease agreements are approximately \$28,057. The City has also entered into Provincial funding agreements, whereby the estimated future funding is \$51,713.

<u>Year</u>	<u>Lease agreements</u>	<u>Provincial funding agreements</u>
2019	2,682	9,980
2020	2,528	9,980
2021	2,466	10,433
2022	2,444	10,433
2023	2,107	10,887
2024 and beyond	15,830	-
Total	28,057	51,713

22. SUBSEQUENT EVENT

On January 1, 2019, Alectra Inc. amalgamated with Guelph Hydro Electric Systems Inc. ("GHESI"). Alectra Inc. issued 485,000 Class G Common Shares to Guelph Municipal Holdings Inc. ("GMHI") in consideration for all the issued and outstanding shares of GHESI. This common shares issuance by the Alectra Inc. represents an effective 4.6% interest in its aggregate issued and outstanding classes of common shares. The amalgamation is expected to result in more efficient and enhanced service delivery through lower operating costs, while providing significant benefits for communities and shareholders.

The new shareholder ownership structure as a result of this merger is as follows: Barrie Hydro Holdings – 8.4%, Enersource Corporation – 29.6%, Hamilton Utilities Corporation – 17.3%, Markham Enterprises Corporation – 15%, St. Catharines Hydro Inc. – 4.6%, Vaughan Holdings Inc. – 20.5% and GMHI – 4.6%.

The accounting and valuation for the amalgamation is still being finalized. Consequently, disclosures regarding the amount of the purchased assets and liabilities cannot be determined.

23. COMPARATIVE FIGURES

Certain comparative figures have been reclassified to conform to the financial statement presentation adopted in the current year.

The Corporation of the City of Markham

Audit Findings Report for the year ended
December 31, 2018

KPMG LLP

Chartered Professional Accountants,
Licensed Public Accountants

April, 2019

kpmg.ca/audit



Appendix B



Table of contents

EXECUTIVE SUMMARY	1
AUDIT RISKS AND RESULTS	3
CRITICAL ACCOUNTING ESTIMATES	8
SIGNIFICANT ACCOUNTING POLICIES	10
TECHNOLOGY IN THE AUDIT	12
ADJUSTMENTS AND DIFFERENCES	13
CURRENT DEVELOPMENTS AND AUDIT TRENDS	14
APPENDICES	18



The contacts at KPMG in connection with this report are:

Kevin Travers, CPA, CA
Lead Audit Engagement Partner
Tel: 416-228-7994
ktravers@kpmg.ca

Reagen Travers, CPA, CA
Audit Senior Manager
Tel: 416-549-7963
rtravers@kpmg.ca

Executive summary



Purpose of this report*

The purpose of this Audit Findings Report is to assist you, as a member of Council, in your review of the results of our audit of the consolidated financial statements (“the financial statements”) of the Corporation of the City of Markham (“the City”) as at and for the year ended December 31, 2018.



Changes from the Audit Plan

There have been no significant changes regarding our audit from the Audit Planning Report that was reported to management.



Finalizing the audit

As of the date of this report, we have completed the audit of the financial statements, with the exception of certain remaining procedures, which include amongst others:

- Completing our discussions with the audit committee / general committee;
- Obtaining evidence of the Council’s approval of the financial statements;
- Receipt of the signed management representation letter (to be signed upon approval of the financial statements).

We will update the general committee, and not solely the Chair (as required by professional standards), on significant matters, if any, arising from the completion of the audit, including the completion of the above procedures. Our auditors’ report will be dated upon the completion of any remaining procedures.

*This Audit Findings Report should not be used for any other purpose or by anyone other than the General Committee and City Council. KPMG shall have no responsibility or liability for loss or damages or claims, if any, to or by any third party as this Audit Findings Report has not been prepared for, and is not intended for, and should not be used by, any third party or for any other purpose.



Executive summary



Adjustments and differences

For the City financial statements, we did not identify differences that remain uncorrected. We did not identify any adjustments that were communicated to management and subsequently corrected in the financial statements.



Critical accounting estimates

Overall, we are satisfied with the reasonability of critical accounting estimates.

The critical areas of estimates relate to: depreciation of capital assets, valuation related to land acquisitions, receivables, and accruals for employee future benefits.

See pages 8 and 9



Significant accounting policies and practices

The City adopted five new public sector accounting standards in the current year: See pages 10 and 11 for considerations regarding the implementation of the new standards in the current year financial statements



Control and other observations

We did not identify any control deficiencies that we determined to be significant deficiencies in ICFR.



Independence

We are independent with respect to the City of Markham, within the meaning of the relevant rules and related interpretations prescribed by the relevant professional bodies in Canada and any other standards or applicable legislation or regulation.

Audit risks and results

We highlight our significant findings in respect of significant financial reporting risks as identified in our discussion with management in the Audit Plan, as well as any additional significant risks identified.

Significant financial reporting risk

- Fraud risk from management override of control
-
- As this risk is not rebuttable, our audit methodology incorporated the required procedures in professional standards to address this risk.
 - These procedures included the testing of journal entries and other adjustments, performing a retrospective review of estimates and evaluating the business rationale of significant unusual transactions.
 - We did not identify any issues or concerns regarding management override of controls.

Significant financial reporting risk

- Fraud risk from revenue recognition
-
- Our audit methodology incorporated the required procedures in professional standards to address this risk.
 - These procedures included testing of journal entries and other adjustments, substantively testing revenues (both recognized and amounts held as deferred at year end), and recalculating management's determination of deferred revenue – obligatory reserve funds through auditing management's methodology.
 - We did not identify any issues related to fraud risk associated with revenue recognition.

Audit risks and results

Significant findings from the audit regarding other areas of focus are as follows:

Area of focus

- Tangible capital assets

Our response and significant findings

- During our substantive testing of tangible capital asset additions, we noted that the City recognized \$215.3M (2017 - \$290.2M) in total additions, which is comprised of \$98.7M (2017 - \$221.9M) of assets capitalized from work in progress ("WIP"), \$55.0M (2017 - \$46.8M) relating to assets capitalized from developer contributions and \$61.6 (2017 - \$21.4M) relating to land purchases/acquisitions.
- We reviewed on a sample basis the additions to tangible capital assets and noted that management has correctly capitalized the additions from work in progress to capital assets and developer contributions land acquisitions.
- In our testing, we reviewed the contributions from developers and others recognized of \$120.3M (2017 - \$68.3M) on the statement of operations and accumulated surplus and noted that management has appropriately recognized the related revenue.
- No exceptions were noted during testing.



Audit risks and results

Significant findings from the audit regarding other areas of focus are as follows:

Area of focus

- Land acquisitions

Our response and significant findings

- Completeness of land acquisitions had been identified as an area of focus of the audit.
- KPMG obtained the listing of land additions provided by the legal department and tested substantively by agreeing to surveyor's certificates and land title transfer documents in order to ensure that land transfers were appropriate and recorded in the correct fiscal period.
- A listing of all land transfers in fiscal 2019 was also obtained and tested substantively to ensure cut-off for fiscal 2018 was appropriate.
- No exceptions were noted during testing.



Audit risks and results

Significant findings from the audit regarding other areas of focus are as follows:

Area of focus

- Deferred revenue earned

Our response and significant findings

- During our substantive testing, we noted that the City recognized \$20.5M (2017 - \$48.6M) of deferred revenue earned.
- We obtained the deferred revenue continuity schedule and selected samples for testing to determine if the selected amounts had been recognized in the current year in accordance with the appropriate legislation or agreements that the revenues pertain to.
- Based on our testing, we conclude that deferred revenue was recognized appropriately.
- No exceptions were noted during testing.



Audit risks and results

Area of focus

- Markham Enterprises Corporation (“MEC”) Investment

Our response and significant findings (continued)

- The City recognizes its investment in MEC using the modified equity method.
- We reviewed the criteria per PS 3070 – Investment in Government Business Enterprises and noted the City’s investment in MEC continues to meet all criteria of the section and therefore it is appropriate to continue to record the investment in MEC using the modified equity method of accounting.
- We reviewed the MEC modified equity method calculation. We noted that there are two major components to the calculation. They are: MEC’s current year net income / other comprehensive income and MEC’s dividend declared and paid to the City. These transactions are disclosed in Note 7 of the financial statements.
- Based on the work performed, KPMG concludes that management has appropriately reflected its investment in MEC using modified equity accounting in accordance with PS 3070 for fiscal 2018.
- Included in the annual surplus for the City for the year is \$21,327K, which represents 100% of the net income of MEC for the year.



Critical accounting estimates

Certain figures in the consolidated financial statements contain elements requiring the use of judgment and assumptions that management makes about the future, and other sources of estimation uncertainty, at the end of the reporting period. These judgments and estimates have a risk of resulting in a material adjustment to carrying amounts of assets and liabilities within the next financial year. Generally, these are considered to be “critical accounting estimates.”

We have summarized our assessment of the subjective areas.

Item

Contingent Liabilities

See discussion below

KPMG comment

Contingent Liabilities:

- The CPA Handbook PS 3300 Contingent Liabilities requires that the City recognize a liability when “...it is likely that a future event will confirm that a liability has been incurred at the date of the financial statements; and the amount can be reasonably estimated.”
- At any point in time, the City is subject to a number of matters which could potentially result in the determination of a contingent liability as defined above, including, but not limited to matters such as legal claims, contract settlement accruals etc.
- We reviewed the City’s assessments of contingent liabilities and the process employed to develop and record the estimated liabilities. Where applicable, we met with the individuals responsible for the process and are satisfied that the methodology used is consistent with the approach taken in prior years and has been appropriately reviewed.
- As these items are resolved, it is possible that the final amounts recorded for these liabilities may change, however the amounts currently recorded represent management’s best estimates of exposure given the information presently available.



Critical accounting estimates

Item	Balance (\$'000s)
Amortization expense	\$ 76,384
Employee future benefits	\$ 31,649

Item

Amortization expense:

- We have reviewed the estimated useful lives of the various additions from work in progress to tangible capital assets and conclude that they are reasonable.
- Fiscal 2018 amortization expense was recalculated and it was determined that management's calculation of the amortization expense was appropriate.

Employee future benefits:

- We reviewed actuarial reports regarding estimates related to Employee Future Benefits, and conducted tests of detail to assess the reliability of the information used within the reports.
- We recalculated the accruals based on the information noted above, and did not identify any discrepancies.

We believe management's process for identifying critical accounting estimates is appropriate.

Significant accounting policies

Adoption of accounting standards

The following new significant accounting policies and practices were selected and applied during the period as per the requirement of Public Sector Accounting Standards. These accounting policies will be applied prospectively.

Our response and significant findings

For the year ended December 31, 2018, the City is required to adopt the following new public sector accounting standards (PSAS) :

PS 2200 – Related Party Disclosures

- This standard defines related parties and requires disclosure of material transactions occurring between related parties at a value that is different from that which would have been arrived at if the parties were unrelated.
- The City has internal policies over procurement and conduct that address conflicts of interest and transactions with individuals or parties at non-arms' length. We held discussions with management who informed us that there were no material related party transactions that were not transacted at fair value during the year. Our findings from our review of Council and committee meeting minutes were consistent in this regard. At the completion of the audit, we will obtain from management a signed representation letter indicating that there were no related parties or transactions not identified to us or disclosed in the financial statements.

PS 3420 – Inter-Entity Transactions

- These are transactions occurring between commonly controlled entities. There are no inter-entity transactions to consider as there are no commonly-controlled entities to the City.

PS 3380 – Contractual Rights

- Contractual rights, which are rights to economic resources arising from contracts or agreements that will result in both an asset and revenue in the future, must be disclosed and described. As at December 31, 2018, there were a number of contracts for funding support, shared services, and leases. The aggregate amounts for each of these types of contracts are disclosed in note 21 to the financial statements.



Our response and significant findings (con't)

- For a sample of contracts, we verified the maximum amount available to the City, ensured that amounts are to be earned in future periods, and recalculated the future portions by deducting actual revenues earned to date on the contracts.

PS 3320 – Contingent Assets


Contingent assets, which exist when an unresolved existing condition exists and an expected future event will resolve that uncertainty as to whether an asset exists, must be disclosed. Management has considered a number of circumstances, including litigation where the City is the plaintiff and situations with the potential for recoveries. Management has not identified any contingent assets, which is supported by the City Solicitor. No disclosures are required.

PS 3210 – Assets

- Items meeting the expanded definition of assets must be recorded as assets in the statement of financial position. The City has recorded all such assets. This standard does not have a significant impact on the financial statements.

Technology in the audit

As previously communicated in our Audit Planning Report, we have utilized technology to enhance the quality and effectiveness of the audit.

 Areas of the audit where Technology and D&A routines were used	
Tool	Our results and insights
Journal Entry Testing	<p>We utilized our proprietary D&A tool, IDEA, to evaluate the completeness of the journal entry population through a roll-forward of all accounts, analyze journal entries and determine sub-populations for more focused and risk-based testing, and apply certain criteria to sub-populations to identify potential high-risk journal entries for further testing.</p> <p>We did not identify any issues in regards to the completeness of journal entries. Moreover, we are satisfied with the results of our testing of specific relevant journal entries</p>
Recalculation of amortization expense	<p>We utilized our proprietary D&A tool, IDEA to evaluate and recalculate the amortization expense related to tangible capital assets incurred by the City during the year.</p> <p>We did not identify any issues in regards to the amortization expense. Moreover, we are satisfied with the results of our testing.</p>

Adjustments and differences



Adjustments and differences identified during the audit have been categorized as “Corrected adjustments” or “Uncorrected differences”. These include disclosure adjustments and differences.

Professional standards require that we request of management and the audit committee that all identified adjustments or differences be corrected. We have already made this request of management.

Corrected adjustments

We did not identify any adjustments that were communicated to management and subsequently corrected in the financial statements.

Uncorrected differences

We did not identify differences that remain uncorrected.

Current developments and audit trends

Title	Details	Link
Public Sector Update - connection series	Public Sector Accounting Standards are evolving – Get a comprehensive update on the latest developments from our PSAB professionals. Learn about current changes to the standards, active projects and exposure drafts, and other items.	Contact your KPMG team representative to sign up for these webinars.

Our discussions with you, our audit opinion and what KPMG is seeing in the marketplace—both from an audit and industry perspective—indicate the following is specific information that will be of particular interest to you. We would, of course, be happy to further discuss this information with you at your convenience.

Thought Leadership	Overview	Links
Accelerate	Accelerate is a KPMG trends report and video series that includes the perspective of subject matter leaders from across KPMG in Canada on seven key issues impacting organizations today that are disrupting the audit committee mandate.	Link to report
The Blockchain shift will be seismic	Blockchain technology is a focused disruptor of the very foundations of external and internal audit: financial recordkeeping and reporting. This Audit Point of View article offers insight on how blockchain technology is impacting business and what audit committees should be thinking about to prepare for certain risks.	Link to report
Audit Quality 2018	Learn about KPMG's ongoing commitment to continuous audit quality improvement. We are investing in new innovative technologies and building strategic alliances with leading technology companies that will have a transformative impact on the auditing process and profession. How do we seek to make an impact on society through the work that we do?	Link to report
Cyber defense in depth	High walls alone won't defend the castle Assume that you have been compromised and work on what needs to be done to address it.	Link to report



Current developments and audit trends

Public Sector Accounting Standards

The following are upcoming changes that will be effective in future periods. We have provided an overview of what these standards are and what they mean to your financial reporting so that you may evaluate any impact to your future financial statements.

Standard	Summary and implications
Asset Retirement Obligations	<ul style="list-style-type: none"> – A new standard has been approved that is effective for fiscal years beginning on or after April 1, 2021 (<i>for the City's 2022 year end</i>). – The new standard addresses the recognition, measurement, presentation and disclosure of legal obligations associated with retirement of tangible capital assets in productive use. Retirement costs would be recognized as an integral cost of owning and operating tangible capital assets. PSAB currently contains no specific guidance in this area. – The ARO standard would require the public sector entity to record a liability related to future costs of any legal obligations to be incurred upon retirement of any controlled tangible capital assets ("TCA"). The amount of the initial liability would be added to the historical cost of the asset and amortized over its useful life. – As a result of the new standard, the public sector entity would have to: <ul style="list-style-type: none"> • consider how the additional liability will impact net debt, as a new liability will be recognized with no corresponding increase in a financial asset; • carefully review legal agreements, senior government directives and legislation in relation to all controlled TCA to determine if any legal obligations exist with respect to asset retirements; • begin considering the potential effects on the organization as soon as possible to coordinate with resources outside the finance department to identify AROs and obtain information to estimate the value of potential AROs to avoid unexpected issues.
Revenue	<ul style="list-style-type: none"> – A new standard has been approved that is effective for fiscal years beginning on or after April 1, 2022 (<i>for the City's 2023 year end</i>). – The new standard establishes a single framework to categorize revenues to enhance the consistency of revenue recognition and its measurement. – The standard notes that in the case of revenues arising from an exchange, a public sector entity must ensure the recognition of revenue aligns with the satisfaction of related performance obligations.

	<ul style="list-style-type: none"> – The standard notes that unilateral revenues arise when no performance obligations are present, and recognition occurs when there is authority to record the revenue and an event has happened that gives the public sector entity the right to the revenue.
Financial Instruments and Foreign Currency Translation	<ul style="list-style-type: none"> – New accounting standards, PS3450 <i>Financial Instruments</i>, PS2601 <i>Foreign Currency Translation</i>, PS1201 <i>Financial Statement Presentation</i> and PS3041 <i>Portfolio Investments</i> have been approved by PSAB and are effective for years commencing on or after April 1, 2021 (<i>for the City's 2022 year end</i>). – Equity instruments quoted in an active market and free-standing derivatives are to be carried at fair value. All other financial instruments, including bonds, can be carried at cost or fair value depending on the government's choice and this choice must be made on initial recognition of the financial instrument and is irrevocable. – Hedge accounting is not permitted. – A new statement, the Statement of Remeasurement Gains and Losses, will be included in the financial statements. Unrealized gains and losses incurred on fair value accounted financial instruments will be presented in this statement. Realized gains and losses will continue to be presented in the statement of operations. – Based on stakeholder feedback received, PSAB is considering certain scope amendments to PS 3450 <i>Financial Instruments</i>. An exposure draft with the amendments is expected to be issued in December 2018. The proposed amendments are expected to include the accounting treatment of bond repurchases, scope exclusions for certain activities by the federal government, and improvements to the transitional provisions.
Employee Future Benefit Obligations	<ul style="list-style-type: none"> – PSAB has initiated a review of sections PS3250 <i>Retirement Benefits</i> and PS3255 <i>Post-Employment Benefits, Compensated Absences and Termination Benefits</i>. Given the complexity of issues involved and potential implications of any changes that may arise from this review, the project will be undertaken in phases. Phase I will address specific issues related to measurement of employment benefits. Phase II will address accounting for plans with risk sharing features, multi-employer defined benefit plans and sick leave benefits. – Three Invitations to Comment were issued and have closed. The first Invitation to Comment sought guidance on whether the deferral provisions in existing public sector standards remain appropriate and justified and the appropriateness of accounting for various components of changes in the value of the accrued benefit obligation and plan assets. The second Invitation to Comment sought guidance on the present value measurement of accrued benefit obligations. A third Invitation to Comment sought guidance on non-traditional pension plans. – The ultimate objective of this project is to issue a new employment benefits section to replace existing guidance.
Public Private Partnerships ("P3")	<ul style="list-style-type: none"> – A taskforce was established in 2016 as a result of increasing use of public private partnerships for the delivery of services and provision of assets. – A Statement of Principles ("SOP") was issued in August 2017 which proposes new requirements for recognizing, measuring and classifying infrastructure procured through a public private partnership. An Exposure Draft of the new standard is expected to be issued in December 2018. – The SOP proposes that recognition of infrastructure by the public sector entity would occur when it controls the purpose and use of the infrastructure, when it controls access and the price, if any, charged for use, and it controls any significant interest accumulated in the infrastructure when the P3 ends.

	<ul style="list-style-type: none"> – The SOP proposes the public sector entity recognize a liability when it needs to pay cash or non-cash consideration to the private sector partner for the infrastructure. – The infrastructure would be valued at cost, with a liability of the same amount if one exists. Cost would be measured by discounting the expected cash flows by a discount rate that reflects the time value of money and risks specific to the project.
Concepts Underlying Financial Performance	<ul style="list-style-type: none"> – PSAB is in the process of reviewing the conceptual framework that provides the core concepts and objectives underlying Canadian public sector accounting standards. – A Statement of Concepts (“SOC”) and Statement of Principles (“SOP”) were issued for comment in May 2018 and has closed. – The SOC proposes a revised, ten chapter conceptual framework intended to replace PS 1000 <i>Financial Statement Concepts</i> and PS 1100 <i>Financial Statement Objectives</i>. The revised conceptual framework would be defined and elaborate on the characteristics of public sector entities and their financial reporting objectives. Additional information would be provided about financial statement objectives, qualitative characteristics and elements. General recognition and measurement criteria, and presentation concepts would be introduced. – The SOP includes principles intended to replace PS 1201 <i>Financial Statement Presentation</i>. The SOP proposes: <ul style="list-style-type: none"> • Removal of the net debt indicator, except for on the statement of net debt where it would be calculated exclusive of financial assets and liabilities that are externally restricted and/or not available to settle the liabilities or financial assets. • Changes to common terminology used in the financial statements, including re-naming accumulated surplus (deficit) to net assets (liabilities). • Restructuring the statement of financial position to present non-financial assets before liabilities. • Removal of the statement of remeasurement gains (losses) with the information instead included on a new statement called the statement of changes in net assets (liabilities). This new statement would present the changes in each component of net assets (liabilities). • A new provision whereby an entity can use an amended budget in certain circumstances. – Inclusion of disclosures related to risks and uncertainties that could affect the entity’s financial position.
International Strategy	<ul style="list-style-type: none"> – PSAB is in the process of reviewing its current approach towards International Public Sector Accounting Standards. This project may result in changes to the role PSAB plays in setting standards in Canada. – A consultation paper was released for comment in May 2018 and has closed. The consultation paper described the decision-making criteria PSAB expects to consider in evaluating the international strategy that best serves the public sector. It also introduced four proposed international strategies that PSAB considers to be viable.

Appendices



Appendix 1: Required communications



Appendix 2: Audit Quality and Risk Management



Appendix 3: Background and professional standards

Appendix 1: Required communications



In accordance with professional standards, there are a number of communications that are required during the course of and upon completion of our audit.

These include:



Auditors' Report

The conclusion of our audit is set out in our draft auditors' report attached to the draft financial statements.



Management representation letter

In accordance with professional standards, copies of the management representation letter are provided to the Audit Committee. Management has provided you with a copy of the representation letter for the audit of the financial statements.

Appendix 2: Audit Quality and Risk Management



KPMG maintains a system of quality control designed to reflect our drive and determination to deliver independent, unbiased advice and opinions, and also meet the requirements of Canadian professional standards.

Quality control is fundamental to our business and is the responsibility of every partner and employee. The following diagram summarizes the six key elements of our quality control system.

Visit our [Audit Quality Resources page](#) for more information including access to our most recent [Audit Quality Report](#).

Other controls include:

- Before the firm issues its audit report, the Engagement Quality Control Reviewer reviews the appropriateness of key elements of publicly listed client audits
- Technical department and specialist resources provide real-time support to audit teams in the field

We conduct regular reviews of engagements and partners. Review teams are independent and the work of every audit partner is reviewed at least once every three years.

We have policies and guidance to ensure that work performed by engagement personnel meets applicable professional standards, regulatory requirements and the firm's standards of quality.

All KPMG partners and staff are required to act with integrity and objectivity and comply with applicable laws, regulations and professional standards at all times.



We do not offer services that would impair our independence.

The processes we employ to help retain and develop people include:

- Assignment based on skills and experience
- Rotation of partners
- Performance evaluation
- Development and training
- Appropriate supervision and coaching

We have policies and procedures for deciding whether to accept or continue a client relationship or to perform a specific engagement for that client.

Existing audit relationships are reviewed annually and evaluated to identify instances where we should discontinue our professional association with the client.

Appendix 3: Background and professional standards



Internal control over financial reporting

As your auditors, we are required to obtain an understanding of internal control over financial reporting (ICFR) relevant to the preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances for the purpose of expressing an opinion on the financial statements but not for the purpose of expressing an opinion on internal control. Accordingly, we do not express an opinion on the effectiveness of internal control

Our understanding of ICFR was for the limited purpose described above and was not designed to identify all control deficiencies that might be significant deficiencies or material weaknesses and therefore, there can be no assurance that all significant deficiencies or material weaknesses and other control deficiencies have been identified. Our awareness of control deficiencies varies with each audit and is influenced by the nature, timing, and extent of audit procedures performed, as well as other factors.

The control deficiencies communicated to you are limited to those control deficiencies that we identified during the audit.

Documents containing or referring to the audited financial statements

We are required by our professional standards to read only documents containing or referring to audited financial statements and our related auditors' report that are available through to the date of our auditors' report. The objective of reading these documents through to the date of our auditors' report is to identify material inconsistencies, if any, between the audited financial statements and the other information. We also have certain responsibilities, if on reading the other information for the purpose of identifying material inconsistencies, we become aware of an apparent material misstatement of fact.

We are also required by our professional standards when the financial statements are translated into another language to consider whether each version, available through to the date of our auditors' report, contains the same information and carries the same meaning.



kpmg.ca/audit



KPMG LLP, an Audit, Tax and Advisory firm (kpmg.ca) and a Canadian limited liability partnership established under the laws of Ontario, is the Canadian member firm of KPMG International Cooperative ("KPMG International").

KPMG member firms around the world have 174,000 professionals, in 155 countries.

The independent member firms of the KPMG network are affiliated with KPMG International, a Swiss entity. Each KPMG firm is a legally distinct and separate entity, and describes itself as such.

© 2018 KPMG LLP, a Canadian limited liability partnership and a member firm of the KPMG network of independent member firms affiliated with KPMG International Cooperative ("KPMG International"), a Swiss entity. All rights reserved.





Report to: General Committee

Meeting Date: April 23, 2019

SUBJECT: Advisory Board and Committee (ABC) Review for the 2018 – 2022 Term of Council

PREPARED BY: Kimberley Kitteringham, City Clerk, ext. 4729
 Martha Pettit, Deputy Clerk, ext. 8220
 Laura Gold, Council/Committee Co-ordinator, ext. 4930

RECOMMENDATION:

1. That the report titled “Advisory Board and Committee (ABC) Review for the 2018-2022 Term of Council” be received; and,
2. That Council maintain the ABCs as outlined in **Appendix “E”**; and,
3. That Council re-classify, amalgamate or dissolve the ABCs as outlined in **Appendix “F”** as of June 30, 2019, and Council extend its sincere thanks to all citizen appointees and City staff liaisons of these ABCs for their contribution to Markham over the years; and,
4. That the composition of the Appointment Committee be maintained and that this Committee conduct interviews for the Heritage Markham Committee, Committee of Adjustment, and the Library Board; and, that a panel of City staff conduct interviews for all other ABCs and present the slate of candidates to Council for approval on an as needed basis; and further,
5. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

PURPOSE:

Markham City Council’s governance structure includes a number of advisory boards and committees (ABCs) that provide input into decision-making in the City. These bodies are reviewed at the beginning of a Council term to ensure they continue to contribute to a sustainable legislative structure that enhances Council’s ability to achieve its objectives. This report provides a comprehensive review of Markham’s existing ABCs and recommends changes to same for the 2018-2022 term of Council.

BACKGROUND:

ABCs have traditionally been created by municipal councils to provide feedback/advice on specific projects, events or issues. ABC members are appointed by Council and can provide valuable expertise and perspectives that add richness and authenticity to initiatives and projects, etc. In Markham, appointments to ABCs are conducted in accordance with the City’s Board & Committee Appointment Policy (**see Appendix “A”**). ABCs can also facilitate communication between community members and can serve as a liaison between municipal staff, local partners and community members. Additionally, an ABC can provide an important mechanism for engagement and information exchange. The mandate, purpose and objectives of ABCs are usually captured in a Terms of Reference document and the approved minutes of ABC meetings are usually included on the relevant Standing Committee agendas for information purposes. It is considered a best practice (for continuity and to encourage the exchange of new ideas) to stagger the terms of ABC member appointments such that they do not

all expire at the same time. Municipal Councils are under no obligation to take the advice or recommendations put forward by ABCs.

ABCs generally require significant municipal resources to support. For instance, in Markham, ABCs typically have a Staff Liaison(s), whose role it is to serve as a conduit between the City and the committee, and provide support and direction. The majority of Markham's ABCs also have some form of secretariat and/or communications support provided by the City.

Many ABCs were created before electronic and social media tools were in general use and were the primary way for councils to receive advice directly from citizens about specific issues. Over the past several years however, there have been significant improvements in municipal government approaches to citizen engagement. This has increased the ability of citizens to interact directly with their elected representatives and municipal staff in less formal ways and without participation on ABCs. In fact, the City of Markham has recently launched a new online web tool **YourVoiceMarkham.ca** to facilitate and increase public engagement on City projects, programs and initiatives.ⁱ This changing public consultation landscape in local government has coincided with an emerging trend of reducing the number of ABCs in Ontario municipalities.

At the end of 2018, Legislative Services staff undertook a review of Markham's ABCs which included the following:

- A municipal survey comparing the committee structure of 8 other municipalities with Markham's committees (Brampton, Georgina, London, Mississauga, Newmarket, Oshawa, Pickering, and Whitchurch-Stouffville) to determine Advisory Committee practices and trends in other municipalities;
- An internal survey of the Appointment Committee on the appointment process;
- An internal survey of Council/Committee Coordinators and Staff Liaisons on the amount of time they spent supporting their assigned Advisory Committee;
- An internal survey of Committee Chairs and Staff Liaisons of Advisory Committees, excluding working groups, Community Centre Boards, foundations and tribunals and inactive committees, on the efficiency and effectiveness of their committees and on the appointment process; and,
- Research on meeting attendance, ABC accomplishments, and on the diversity of volunteer applicants (this information was obtained from attendance records, meeting minutes, input from staff, and from the voluntary diversity survey applicants complete when they submit their application form).

On February 26, 2019 Council passed a resolution regarding the following Advisory Committees of the Development Services Committee: Markham Centre Advisory Committee, Historical Unionville Community Vision Committee, Cornell Advisory Group, Markham Main Street Committee, planning matters related to the Langstaff Area, and the Milliken Mills Main Street Advisory Committee (**see Appendix "B"**).

OPTIONS/ DISCUSSION:

Attached to this report as **Appendix “C”** is a document entitled “Report on Markham’s Citizen Advisory Boards and Committee 2014-2018.” A summary of its key findings follows.

Key ABC Review Findings**1. Number of ABCs**

Markham currently has 61 ABCs including 32 with citizen appointments, 3 comprised of Council Members only, 2 Foundations, 15 Sub-Committees of Council, 3 tribunals, and 6 Community Centre Boards, (see **Appendix “D”**). This is considerably more than most other Ontario municipalities.ⁱⁱ Some of these ABCs are considered inactive (they met less than three times in the previous Council term). Significant municipal resources are required to support these bodies (see page 3 of **Appendix “C”**). In fact, with the recent amendments to the Municipal Act (via Bill 68) some of Markham’s ABCs may also now constitute “local boards” under the Act. The implications of this designation are numerous and far-reaching. For instance, this would require them to abide by many of the same rules as Council (e.g. adherence to open meeting requirements, implementation of codes of conduct, retaining an Integrity Commissioner, maintaining a conflict of interest registry, etc.). Staff are in the process of reviewing which of Markham’s current ABCs may fall under these new requirements.

To ensure the City is better able to provide adequate support to each ABC and to offer a meaningful volunteer experience for those ABCs with citizen members, staff suggest that the City reduce its current number of ABCs by combining ABCs with similar mandates, with the expectation that any outstanding deliverables would be transferred to the inheriting Committee. Staff also recommend dissolving inactive ABCs or those which have already completed their mandate.

It is also suggested that the ABCs created to support specific special events (e.g., Canada Day Committee) be reclassified as “Task Forces” with a 2-year term of appointment.ⁱⁱⁱ This will allow these bodies to function with greater flexibility and less formality and will alleviate the issues some have experienced achieving quorum for meetings.

Legislative Services staff will be reporting back prior to June, 2019 with recommendations regarding a new legislative framework for the hearing of all quasi-judicial matters currently presented to the Licensing Appeal Hearing Committee and the Property Standards Committee.

Reducing the number of ABCs will allow the City to better balance the benefits of ABCs with the staff and Council resources required to support them. A list of ABCs proposed to remain “as is” is attached as **Appendix “E”**. A list of ABCs to be modified or dissolved is attached as **Appendix “F”**.

2. ABC Effectiveness

Based on the research conducted, it is clear that many of Markham’s ABCs are active in some form. Their accomplishments vary from hosting an event, community outreach,

raising funds for a City program or initiative, hearing deputations on matters regarding their mandate, or providing feedback to Council on City policies or programs. However, in reality, Markham's ABCs do not generally "advise" Council in a direct or obvious sense. For instance, only a few of them actually made a presentation at a Standing Committee or Council Meeting or provided recommendations to Council.

3. ABC Appointments

The ABC Appointment Committee is currently comprised of the Mayor and all Regional Councillors. In order to convene the Committee, three Members must be present. On average, the Appointment Committee meets from 10-20 times per year and conducts approximately 60 -120 interviews annually. The current process is both time consuming and challenging in terms of coordinating suitable interview times with the schedules of five busy Members of Council. As such, it is recommended that the Appointment Committee be tasked with conducting the interviews for the following statutory bodies: Committee of Adjustment, Heritage Markham and the Library Board. Interviews for all other ABCs would be conducted by an internal Staff panel (comprised of a member of the Legislative Services Department and the Committee Staff Liaison) with recommendations brought forward for Council's approval. This streamlined appointment procedure will result in a more efficient process that is less demanding on the schedules of the Mayor and Regional Councillors.

FINANCIAL CONSIDERATIONS:

Based on an estimated average cost of \$50 for refreshments per meeting as noted in the Review Report (See page 12 of **Appendix "C"**), at an average of 10 meetings per year (monthly meetings, save and except July & August) the reduction of 29 ABCs will result in approximately \$1,450 savings on refreshment costs. This is a very rough estimate as some Committees recommended to be dissolved met less than 10 times per year and/or were not provided refreshments on a regular basis.

CONCLUSION:

Since their inception, Markham's ABCs have provided tremendous value to the City. However, they also require significant resources to support and have resulted in other ongoing challenges as discussed in this report. The resourcing requirements will likely continue to increase with the enhanced legislative requirements contained in the Municipal Act. The proposed changes in this report will reduce the number of ABCs by 29 (leaving 32 ABCs) thereby reducing the amount of City resources required for support. This will allow time for staff to: 1. focus on updating the Terms of Reference for each remaining ABC to ensure they reflect Markham's strategic priorities; 2. review the terms of appointment for ABC members; and 3. focus on providing a more meaningful volunteer experience for ABC members.

The public is interested in greater accountability from government and more transparency in decision making. At the same time, local governments are looking for opportunities to gather greater public input. Not surprisingly, this has resulted in the emergence of other (and arguably more effective) public consultation methods (public open houses, online surveys, social media). It is clear that the traditional "one-size-fits-all" approach to public engagement exemplified by a traditional ABC-centric governance model is no longer appropriate for the City. As issues emerge in the future, it is recommended that

the City explore alternative public engagement options such as the ones noted above or create time-limited Task Forces.

Upon approval, Legislative Services staff will notify the Chairs and members of all impacted ABCs. Councillor appointments to ABCs will then be undertaken, followed by any outstanding citizen appointments to same. All outgoing ABC members will be formally recognized at Council's Volunteer Appreciation event scheduled for the fall.

ALIGNMENT WITH STRATEGIC PRIORITIES:

This report recommends changes to the City's ABC structure to ensure advisory bodies operate efficiently and in a manner that supports the City's Strategic Plan "Building Markham's Future Together".

BUSINESS UNITS CONSULTED AND AFFECTED:

ABC Staff Liaisons and Committee Chairs were consulted in the preparation of the ABC review conducted by Legislative Services staff.

RECOMMENDED BY:

Kimberley Kitteringham
City Clerk/Director of Legislative Services
& Corporate Communications & Engagement

Trinela Cane
Commissioner of Corporate Services

ATTACHMENTS:

Appendix "A" – Board & Committee Appointment Policy

Appendix "B" – Council Extract from February 26, 2019 Meeting RE: DSC Advisory Committees

Appendix "C" – "Review Report on Markham's Citizen Advisory Boards and Committees 2014-2018"

Appendix "D" - Current List of Markham ABCs (Citizen and Non-Citizen)

Appendix "E" – ABCs to Remain As Is for the 2018-2022 Term of Council

Appendix "F" - Proposed Changes to ABCs

ⁱ Designed to reach out and educate, seek input, submit ideas and opinions, YourVoiceMarkham.ca is a versatile platform that is easy to use. As participants visit the site, they are encouraged to identify what areas of our business interest or concern them, allowing the City to keep them informed of projects that they have already engaged in and new ones as they develop.

ⁱⁱ The 8 municipalities surveyed by Legislative Services staff had, on average, only 14 Advisory Committees.

ⁱⁱⁱ In 2015, the City of Vaughan dramatically reduced its Sub-Committees and Advisory Committees and replaced them with time-limited Task Forces with specific mandates. In 2019, the Town of Whitchurch-Stouffville reduced their ABCs to 4 (from 18) and established Staff Working Groups.



CITY OF MARKHAM

**BOARD & COMMITTEE
APPOINTMENT POLICY**

Table of Contents

1.	DEFINITIONS	3
2.	ELIGIBILITY & GENERAL QUALIFICATIONS OF MEMBERS	5
3.	TERM & LENGTH OF SERVICE ON A BOARD OR COMMITTEE.....	5
4.	MEMBER RECRUITMENT PROCESS	6
5.	APPLICATION PROCESS	7
6.	SELECTION PROCESS.....	8
7.	VACANCIES.....	10
8.	ORIENTATION FOR NEW MEMBERS	11
9.	LEAVE OF ABSENCE	11
10.	COMPLETION OF MEMBERS TERM	12
11.	EXCEPTIONS TO THIS POLICY.....	12
12.	INTERPRETATION & ADMINISTRATION	12

PURPOSE OF POLICY

The purpose of the City of Markham (Markham) Board and Committee Appointment Policy is to ensure a fair and equitable appointment process to City **Boards** and **Committees** where:

- The most qualified applicants are appointed as **Members**; and
- Applicants are representative of Markham's diverse community with a broad wealth of experience and skills.

SCOPE OF POLICY

This Policy applies to appointments to all Markham **Boards** and **Committees**. This Policy does not apply to Markham **Boards** and **Committees** which are subject to their own applicable legislative requirements, governing by-laws and/or other legal requirements regarding **Board** and **Committee** appointments.

1. DEFINITIONS

The following definitions are referred to throughout this Policy:

Appointment Committee – means a Sub-Committee of **Council** responsible for interviewing applicants and recommending a candidate/slate of candidates for **Council**'s consideration and for ensuring consistency, fairness and professionalism in the recruitment, selection and orientation process.

Board, Committee – means any Advisory Committee, Statutory Committee or Board, established by a resolution of **Council** or by enabling legislation, to provide advice, make recommendations; fulfill a statutory or quasi-judicial role; organize events; or provide program support among other functions.

Clerk – means the Clerk of the City of Markham, or his or her designate.

Council – means the **Council** of the Corporation of the City of Markham.

Diversity Information – means information provided on a voluntary basis regarding board and committee applicants' 1) age; 2) gender; 3) aboriginal status; 4) visual minority status; 5) length of time in Canada; and 6) persons with a barrier to ability. **Diversity Information** is used to determine the relative diversity represented on **Boards** and **Committees** at various stages of the **Board** and **Committee** appointment process. **Diversity Information** reflects the communities of focus outlined in the Markham Diversity Action Plan and profile criteria used by Statistics Canada in the course of their data collection.

Eligibility – means the qualifications established by **Council** that an applicant must possess in order to serve on **Boards** and **Committees**.

Member – means a person appointed by **Council** to serve on a **Board** or **Committee**.

Orientation Session – means a training session for new **Members** of **Boards** and **Committees**.

Recruitment Information Session – refers to a meeting or event where interested applicants can enquire about volunteer opportunities related to **Boards** and **Committees**.

Short Listed Applicants – means a list determined by the **Appointment Committee** of the most qualified applicants for appointment to a particular **Board** or **Committee**. Persons appearing on this list can be appointed or considered as alternates if a vacancy arises.

Term of Council – means the period of time for which **Council** is elected to serve, as governed by applicable legislation.

Terms of Reference – a document outlining the mandate and board or committee operational details including such things as composition, activities, term, quorum, meeting schedule, staff roles and the like. **Terms of Reference** must be approved by **Council**, including any amendments.

Voluntary Diversity Form – is a confidential form voluntarily completed by **Board** and **Committee** applicants to collect **Diversity Information**.

2. ELIGIBILITY & GENERAL QUALIFICATIONS OF MEMBERS

- 2.1. A **Member** must be 18 or more years of age to serve on **Boards** and **Committees**, unless otherwise specified in the Terms of Reference for the applicable **Board** or **Committee**, or where youth representation is required.
- 2.2. A **Member** will be a resident of Markham, or own property within Markham unless it is deemed by **Council** that there is need to acquire specialized knowledge, experience or representation, or a need to maintain continuity within a **Board** or **Committee** and requires reappointment of a **Member** who has moved from Markham.
- 2.3. **Members** are responsible for advising the **Clerk** of any change with respect to their **Eligibility** to serve on **Boards** and **Committees**. The **Clerk** in consultation with the appropriate **Staff** will then decide if the **Member** is still eligible to serve on the **Boards** and **Committees** based on other qualifying criteria.
- 2.4. Employees of the City of Markham or a local board are not eligible to serve as a **Member**, unless provided for in legislation.

3. TERM & LENGTH OF SERVICE ON A BOARD OR COMMITTEE

- 3.1. **Members** will be appointed for a period of time set out in the **Terms of Reference** for the applicable **Board** or **Committee**, and will continue to serve until any of the following scenarios occur:
 - i) Their term expires;
 - ii) Their appointment is revoked by Council;
 - iii) They no longer meet the required **Eligibility**; and,
 - iii) The **Board** or **Committee** to which they are appointed is dissolved by Council.
- 3.2. Notwithstanding Section 3.1, **Members** will continue to be appointed and serve beyond their term of appointment until the appointment of successors.
- 3.3. **Members** will not be appointed to more than two (2) **Boards** or **Committees** in a **Term of Council**.
- 3.4. **Members** will not be appointed for more than two (2) consecutive terms on the same **Board** or **Committee**. Notwithstanding the foregoing, **Council** may reappoint a **Member** beyond two (2) consecutive terms if deemed necessary by **Council** to maintain continuity and to achieve balance between new and experienced **Members**.
- 3.5. **Members** eligible for reappointment must complete an application form and submit it to the **Clerk**.

- 3.6. **Members** that have served two (2) consecutive terms on one (1) **Board** or **Committee** may apply to serve on another **Board** or **Committee**.

4. **MEMBER RECRUITMENT PROCESS**

- 4.1. The recruitment of **Members** will begin where vacancies are required to be filled, and, if applicable, following any changes to the terms of reference for the applicable **Boards** and **Committees**, or after the establishment of any new **Boards** and **Committees**.
- 4.2. The recruitment process includes written advertisements and may include a **Recruitment Information Session** for interested applicants, where possible.
- 4.3. Advertisements

Advertisements for vacancies on **Boards** and **Committees** will contain the following information:

- A. **Member Eligibility;**
 - B. Meeting frequency and time;
 - C. Information on how to obtain the following: 1) an application form; 2) **Board** and **Committee Terms of Reference**; and 3) information with respect to attending a **Board** or **Committee** meeting prior to submitting an application;
 - D. The date, time, and location of the **Recruitment Information Session** held to provide information about various **Boards** and **Committees** to interested applicants;
 - E. Details with respect to submitting an application including, without limitation, application deadline, where to submit the application or the application process;
 - F. A note that personal information is collected in accordance with the *Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c. M.56*;
 - G. A note that the vacancy is a volunteer position.
- 4.4. Vacancies on **Boards** and **Committees** will be advertised in appropriate locations as determined by the **Clerk**.
- 4.5. Recruitment Information Sessions

At the onset of the recruitment process and whenever possible, a **Recruitment Information Session** may be held to provide an opportunity for prospective **Members** to ask questions of staff regarding the **Boards** and **Committees**.

4.6. Filling Positions Where Specialized Knowledge is Required

Boards and **Committees** may have one or more position in its composition designated to a stakeholder group with a specialized knowledge, experience or representation. **Council** may fill this type of vacancy in the following manner: 1) by invitation; 2) by seeking the assistance of a recruitment agency; or, 3) outreach to specific organizations or other means deemed appropriate by **Council**. Activities with respect to filling **Board** and **Committee** vacancies where specialized expertise is required will be coordinated by the **Clerk**, in consultation with applicable staff.

5. APPLICATION PROCESS

- 5.1. All applicants will submit to the **Clerk** a completed application, together with a resume or other supporting information, where applicable.
- 5.2. Completed applications must be submitted before the deadline prescribed by the **Clerk** in order to be considered for appointment to **Boards** and **Committees**.
- 5.3. Applicants applying to more than one vacancy will be requested to prioritize their preference.
- 5.4. Applicants will answer questions on the application form based on their first preference and to the best of their ability.
- 5.5. In order to support Markham's commitment to diverse representation on its **Boards** and **Committees**, applicants will be encouraged to complete a **Voluntary Diversity Form**. The information collected will be processed separately from the application form and will remain confidential and in the secure care and custody of the **Clerk**.

In order to process the **Diversity Information** in a fair and equitable manner, the information will be collected in the following manner:

- A. Upon receipt of the application by the **Clerk**, the application form along with the diversity form will be assigned a sequential application number;
- B. The **Clerk** will then separate the application form from the diversity form;
- C. Once the deadline for receiving applications has past, the **Clerk** will provide a copy of all application forms to the **Appointment Committee** (see Section 6);
- D. The **Appointment Committee** will provide the **Clerk** with the application number(s) of the applicants selected to be interviewed;

- E. After the interviews have occurred and the applicants have been selected, the **Appointment Committee** will provide the **Clerk** with the application number(s) of the applicants selected by the **Appointment Committee** for Council's consideration;
 - F. The **Clerk** will match the number on the application form with the number on the **Voluntary Diversity Form** in order to provide an aggregate indicator of the diversity of applicants at each stage of the recruitment process: applications received, applicants interviewed and applicants selected for recommendation to Council;
 - G. The **Clerk** will provide **Council** with the diversity statistics on an annual basis;
 - H. The **Clerk** will retain **Diversity Information** records in accordance with the City Record Policy after which point it will be destroyed.
- 5.6. Applicants may be required to complete supplementary screening requirements, such as a criminal record check; all applicants exposed to children will be required to complete a vulnerable sector screening. These requirements will be noted in the recruitment advertisement and are considered part of the **Eligibility** requirements for **Members** of a particular **Board** or **Committee**.
- 5.7. All personal information collected in the application process, is collected in accordance with the *Municipal Freedom of Information and Protection of Privacy Act R.S.O., 1990, c.M.56* and will be used to determine **Eligibility** for appointment and aggregate **Diversity Information**.

6. SELECTION PROCESS

- 6.1. **Council** will appoint a Sub-Committee known as the **Appointment Committee** to fill all vacancies on **Boards** and **Committees**. The **Appointment Committee** will be comprised of five (5) Members of Council appointed by **Council**, and will be responsible for interviewing **Short Listed Applicants** and recommending a candidate/slate of candidates for **Council's** consideration and for ensuring consistency, fairness and professionalism in the recruitment, selection and orientation process.
- 6.2. The current Chair or another **Member** of the **Board** or **Committee** may be invited to attend the **Appointment Committee** interviews. As well, **Boards** or **Committees** may provide the **Clerk** with suggested candidate evaluation criteria for consideration.
- 6.3. The Member(s) of Council appointed to the **Board** or **Committee** where a vacancy occurs may provide input on the applicants, or suggest selection criteria for consideration by the **Appointment Committee**.

- 6.4. The **Appointment Committee** must have a minimum of three (3) Members of **Council** in attendance to hold meetings, including applicant interviews.
- 6.5. The **Clerk**, in consultation with appropriate staff, will pre-screen applicants for the **Appointment Committee**.
- 6.6. Once the **Appointment Committee** feels that there are an adequate number of appropriate applications, the **Appointment Committee** will review the applications and create a short list of applicants to interview. The **Appointment Committee** may request an extension to the application submission deadline when there are an insufficient number of applications deemed appropriate.
- 6.7. Unless the **Appointment Committee** decides otherwise, current **Members** that are eligible for reappointment will be evaluated in the same way as all new applicants.
- 6.8. Applicants that have been short listed will be invited to an interview by a representative of the Office of the Mayor and Members of **Council**, or the **Clerk**.
- 6.9. All applicants being interviewed for the same **Board** or **Committee** will be asked the same questions in order to ensure a fair and equitable appointment process. The **Clerk** will provide the **Appointment Committee** with interview questions. The applicants' responses will be evaluated using a measured or scored approach.
- 6.10. The **Appointment Committee** will recommend to **Council** one applicant per vacancy.
- 6.11. The **Appointment Committee** is encouraged to recommend additional **Short Listed Applicants** to fill future vacancies. The **Clerk** will maintain confidential records of **Short Listed Applicants**, and other qualified applicants, that can be used to fill future vacancies for the current Term of Council. All **Short Listed Applicants** will be advised of their application status.
- 6.12. The **Appointment Committee** recommendations will be provided to the **Clerk**, and placed on a Confidential Agenda for consideration by **Council** in accordance with Section 239 (b) of the *Municipal Act, 2001 S.O. 2001, c. 25*.
- 6.13. Once **Council** makes its appointments, the City will send a letter to all successful and unsuccessful Applicants congratulating them on their appointment or thanking them for their interest in applying, respectively.
- 6.14. Once **Council** makes its appointments the **Clerk** will provide **Council** with aggregate statistics pertaining to the diversity of the applicants at the different stages of the appointment process. These statistics are calculated based on information collected from the **Voluntary Diversity Form** (see Section 5.5). The **Clerk** will provide **Council** with this information annually, and will include the diversity statistics from the following stages of the appointment process:

- A. Applications received;
 - B. Applicants interviewed;
 - C. Applicants selected.
- 6.15. All newly appointed **Members** of **Boards** and **Committees** will sign two (2) copies of the Code of Conduct that will be provided to **Members** in their orientation package. **Members** will keep one (1) copy for their reference and return one (1) copy to the **Clerk**.
- 6.16. The **Clerk** will notify the applicable Staff of the appointment and provide them with information on how to contact the new **Member(s)**.
- 6.17. The **Clerk** will maintain a confidential database containing all appointments to **Boards** and **Committees**.

7. VACANCIES

- 7.1. Vacancies on **Boards** and **Committees** are created when a **Member** resigns or vacates the position, effective:
- A. The date of the resignation;
 - B. The date the **Member** is removed by **Council** resolution;
 - C. The date the **Member** no longer qualifies for the position;
 - D. The date of the death of the **Member**.
- 7.2. In accordance with the Rules of Procedure Governing Statutory and Advisory Committees (as amended), **Boards** and **Committees** may pass a resolution requesting that a **Member's** position be declared vacant when a **Member** has been absent without good reason for three (3) consecutive meetings or five (5) meetings in any calendar year.
- 7.3. A **Member** who is resigning from their appointed position will submit a written letter of resignation to the **Clerk**.
- 7.4. Whenever possible, vacancies will be filled from the **Short Listed Applicants** for particular **Boards** and **Committees**; otherwise vacancies will be filled as specified in Sections 4, 5 and 6.

8. ORIENTATION FOR NEW MEMBERS

- 8.1. The **Clerk**, in consultation with appropriate staff will provide new **Members** with an orientation package prior to the first meeting, which will generally include:
 - A. Previous meeting minutes;
 - B. **Members'** contact information, provided the consent of the **Members** has been obtained;
 - C. Meeting dates;
 - D. **Terms of Reference**;
 - E. Rules of Procedure Governing Statutory and Advisory Committees (as amended);
 - F. Two (2) copies of the Code of Conduct;
 - G. Accessible Customer Service: A Guide for Markham Advisory Boards and Committees Members and Volunteers;
 - H. Markham's Strategic Priorities; and
 - I. Other relevant documentation deemed appropriate for volunteers prepared in cooperation with key stakeholders.
- 8.2. Staff will, whenever possible, telephone new **Members** to provide them with meeting details and to address any questions or concerns.
- 8.3. At the onset of each **Council** term, once **Council** makes its appointments, the **Clerk** will hold an **Orientation Session** for newly appointed **Members**. An **Orientation Session** will also be held for **Members** appointed to fill a vacancy in the midst of a **Term of Council**, when there is sufficient attendance to hold an **Orientation Session**.

9. LEAVE OF ABSENCE

- 9.1. A **Member** who would like to take a leave of absence for an extended period of time must obtain the approval of the **Board** or **Committee**. The approved request will be forwarded to the **Clerk**.
- 9.2. **Council** may appoint a temporary **Member** to the **Board** or **Committee**. The temporary vacancy will be filled as prescribed above in Section 7. The **Member** whose spot is vacant as a result of a leave of absence will not be included towards establishing quorum until the temporary vacancy is filled.

10. COMPLETION OF MEMBERS TERM

- 10.1. At the completion of a **Member**'s term or once **Council** receives the resignation; the **Member** will be sent a letter thanking them for their service.
- 10.2. At the completion of a **Member**'s term or when a **Member** submits their resignation, the **Clerk** may conduct an exit interview with the objective of improving the volunteer position (to be conducted in person or by completing a written questionnaire). The **Member** may provide suggestions for improving the position, or may seek information with respect to other opportunities to serve on other **Boards** and **Committees**.

11. EXCEPTIONS TO THIS POLICY

Where a conflict exists between the provisions of this policy and any legislative or legal requirement, the legislative or legal requirement will prevail.

12. INTERPRETATION & ADMINISTRATION

The **Clerk** is responsible for interpreting and administering this policy, and such interpretations will be final.



RESOLUTION OF COUNCIL MEETING NO. 5 DATED FEBRUARY 26, 2019

11. NEW/OTHER BUSINESS

11.3. NEW/OTHER BUSINESS: APPOINTMENT TO DEVELOPMENT SERVICES

SUB-COMMITTEES (16.24)

Unionville Subcommittee

1. That the following Members of Markham Council be appointed to the Unionville Subcommittee for a term ending November 14, 2022, to take effect immediately:
 - Deputy Mayor Don Hamilton (Chair)
 - Councillor Alan Ho
 - Councillor Reid McAlpine
 - Councillor Amanda Collucci; and,
2. That planning and development matters pertaining to Markham Centre Advisory Committee be included as part of the mandate of the Unionville Subcommittee and that community representatives be invited to attend where there are specific agenda items; and,
3. That planning and development matters related to Historical Unionville Community Vision committee be included as part of the mandate of the Unionville Subcommittee and that community representatives be invited to attend where there are specific agenda items; and,
4. That the Chair and Vice-Chair of Development Services Committee are ex-officio Members of the Unionville Subcommittee; and further,
5. That the Unionville Subcommittee Terms of Reference be amended, accordingly.

Markham Subcommittee

1. That the following Members of Markham Council be appointed to the Markham Subcommittee for a term ending November 14, 2022, to take effect immediately:
 - Regional Councillor Jack Heath (Chair)
 - Councillor Karen Rea
 - Councillor Amanda Collucci
 - Councillor Andrew Keyes; and,

2. That planning and development matters related to Cornell Advisory Group be included as part of the mandate of the Markham Subcommittee and that community representatives be invited to attend where there are specific agenda items; and,
3. That planning and development matters related to Markham Main Street Committee be included as part of the mandate of the Markham Subcommittee and that community representatives be invited to attend where there are specific agenda items; and,
4. That the Chair and Vice-Chair of Development Services Committee are ex-officio Members of the Markham Subcommittee; and further,
5. That the Markham Subcommittee Terms of Reference be amended, accordingly.

Thornhill Subcommittee

1. That the following Members of Markham Council be appointed to the Thornhill Subcommittee for a term ending November 14, 2022, to take effect immediately:
 - Regional Councillor Jim Jones (Chair)
 - Councillor Keith Irish
 - Councillor Khalid Usman;
 - Councillor Isa Lee; and,
2. That planning and development matters related to the Langstaff area be included as part of the mandate of the Thornhill Subcommittee; and,
3. That the Chair and Vice-Chair of Development Services Committee are ex-officio Members of the Thornhill Subcommittee; and further,
4. That the Thornhill Subcommittee Terms of Reference be amended, accordingly.

Milliken Subcommittee

1. That the following Members of Markham Council be appointed to the Milliken Subcommittee for a term ending November 14, 2022, to take effect immediately:
 - Regional Councillor Joe Li (Chair)
 - Councillor Khalid Usman
 - Councillor Isa Lee; and,
2. That planning and development matters related to the Milliken Mills Main Street Advisory Committee be included as part of the mandate of the Milliken Subcommittee and that community representatives be invited to attend where there are specific agenda items; and,
3. That the Chair and Vice-Chair of Development Services Committee are ex-officio Members of the Milliken Subcommittee; and further,

4. That the Milliken Subcommittee Terms of Reference be amended, accordingly.

A handwritten signature in black ink, appearing to be 'KK', with a horizontal line extending to the right.

Kimberley Kitteringham
City Clerk

Copy to:

- Trinela Cane
- Catherine Conrad
- Martha Pettit
- Alida Tari
- Laura Gold

APPENDIX “C”



APPENDIX C - REPORT ON MARKHAM CITIZEN ADVISORY BOARDS COMMITTEES 2014-2018 - APRIL 4

Engaging Markham residents in the democratic process.

Prepared by Laura Gold

Note: This Report deals with Advisory Boards/Committees with citizen Members only.

Table of Contents

1. Executive Summary	2
2. Purpose	6
3. Methodology	6
4. Why we have Advisory Boards and Committees	7
5. How Does Markham Compare with its Peer Municipalities?	7
6. Appointments to Markham's Advisory Committees	9
7. The Diversity of Markham's Committees	10
8. How Advisory Committees Impact City Resources	11
9. Terms of References of Markham Advisory Boards/Committees	13
10. Meeting Effectiveness of Markham's Advisory Boards/Committees	14
11. Meeting Attendance at Markham's Advisory Boards/Committees	15
12. Committee Communication with Staff, Members of Council, and Other Committees	16
13. Committee Accomplishments	17
14. The Volunteer Experience	17
15. Other Survey Results	18
16. Recommendations	18
16. Conclusion	20
17. Appendixes	21
"Appendix A" Markham Citizen Advisory Boards/Committees and Working Groups	22
"Appendix B" Staff Time Spent Supporting Markham's Advisory Committees Summary of Results	23
Staff Time Spent Supporting Committees Broken-down by Committee	25
"Appendix C" Number of Meetings Held without Quorum in 2014-2018 Term of Council	40
"Appendix D"	41
Markham Advisory Board/Committee Accomplishments in 2014-2018 Term of Council	41

1. Executive Summary

Markham's Advisory Boards/Committee

The City of Markham has 42 Advisory Boards/Committees (see “**Appendix A**”). They provide Markham City Council with expertise, advice, assistance, and feedback from a citizen perspective. Research and surveys were conducted to evaluate the efficiency and effectiveness of these Advisory Boards/Committees during the 2014-2018 Term of Council.

How Markham Compares with its Peer Municipalities

Staff in the Legislative Services and Corporate Communications and Community Engagement Department surveyed nine municipalities (Georgina, Markham, Mississauga, Oshawa, Pickering, Newmarket, Stouffville, Brampton, and London) regarding their Advisory Board/Committee practices. The municipalities on average had 15.1 Advisory Board/Committees. Most of the municipalities surveyed: did not permit Committee Members to remotely participate in meetings (67%); required their Advisory Boards/Committees to report annually to Council (78%); and had a Code of Conduct (56%).

The Appointment Process to Serve on a City Committee

In the 2014-2018 Term of Council, Markham's Appointment Committee, comprised of the Mayor and Regional Councillors, conducted approximately 350 interviews. During this same time, approximately 250 Markham residents were appointed to serve on a committee, and approximately 65 members resigned from their position on an Advisory Boards/Committee. Based on survey results (survey were completed by the Appointment Committee, Advisory Chairs, and Staff Liaisons), the following is recommended: 1) the composition of the Appointment Committee be reviewed in the new Term of Council; 2) the interview questions be refreshed; 3) regular updates on the status of appointments be provided to the relevant Board/Committee Chair; and 4) attendance of the Appointment Committee be monitored to ensure quorum is achieved more frequently.

Diversity of Markham's Committees

In the 2014-2018 Term of Council, (50%) of all applicants to Advisory Boards/Committee were a visual minority, with (55%) of these applicants being appointed as members. The majority of applicants that indicated they were a visual minority were Asian (40%) or East Indian (36%). Only (4%) of applicants indicated they have a disability. Applicants aged (44-54) were most likely to get appointed to a board or committee and applicants aged (18-24) were least likely to get appointed to a committee. An equal number of males and females were appointed to boards or committees from the applicants that identified their gender. It is recommended that the City work on increasing the number of applications submitted by (18-24) year olds and persons with a disability by (10%) by choosing promotional activities that target these audiences. It is also recommended,

Report on Markham's Citizen Advisory Boards/Committees 2014 – 2018

if possible, that the composition of the Appointment Committee be diversified to provide more diverse insight into the decision making process with respect to the selection of members. Consider having the appointed Council representative of the Committee participate in the recruitment for citizen members of the Committee.

City Resources Required to Support a Markham Advisory Board/Committee

Markham's Advisory Boards/Committees require significant City resources to support them, which include staff resources and meeting refreshments. Advisory Committees for the City's large events require the greatest amount of staff resources. The median amount of staff time spent per year supporting a City Advisory Board/Committee is estimated to be 240.5 hours. The estimated cost of providing basic refreshments to an Advisory Board/Committee per year is \$500. The total estimated cost of providing an Advisory Board/Committee with staff resources and basic refreshments is \$12,525 per year, based on the median amount of time staff spent per year supporting a City committee (see **"Appendix B"**).

It is recommended that the City reduce its number of Advisory Boards/Committees by (10%) to ensure committees are effectively supported while managing the City's limited resources. It is suggested that this be done by combining similar Advisory Boards/Committees and disbanding inactive ones. It is also recommended that a balance scorecard be created and completed each year to measure the costs and benefits associated with each Advisory Board/Committee on a go forward basis.

Terms of Reference

A recent survey of Advisory Board/Committee Chairs indicate that (56%) of Committee Chairs felt their committee's Terms of Reference were not appropriate, although (78%) of Committee Chairs felt their committees were achieving their mandate. Qualitative feedback suggests that committee Terms of References should be updated to reflect the City's current strategic goals and activities, and to ensure members are engaged. Based on the survey results, it is recommended that the City review the City's Advisory Board/Committee Terms of References that have not been recently updated in the new Term of Council to ensure their mandate provides value to its members and to the City. It is also being recommended that a Terms of Reference be created for any committee that does not currently have one.

Meeting Effectiveness

Survey results indicate that only (52%) of Advisory Board/Committee Chairs felt their committee meetings were effective, although (96%) felt they were either effective or somewhat effective. Qualitative feedback suggested the following: that a refresher on the rules of procedure be provided; that the rules regarding meeting attendance be better enforced; and that all committees receive meeting refreshments. Based on the survey results, it is recommended that in the new

Report on Markham's Citizen Advisory Boards/Committees 2014 – 2018

Term of Council the City provide a refresher on meeting procedure to each committee, and that the Committee Chairs be trained on how to chair a meeting.

Meeting Attendance

Markham's Advisory Boards/Committees on average held 1.7 meetings per year without quorum. The Markham-Milliken Children's Festival Committee and the Canada Day Committee had the most difficulty obtaining quorum. The following is being recommended: 1) each Advisory Board/Committee establish rules of engagement regarding meeting attendance and for the handling of other problem areas the committee may be experiencing; 2) the rules of procedure regarding meeting attendance be better enforced; and, 3) The structure of the City's event-based committees be changed so that they exist primarily to assist the City in the organization of events - so that quorum is not required to pass committee resolutions regarding event decisions.

Committee Accomplishments

Based on the research conducted, the majority of Markham's Advisory Boards/Committees are active. Their accomplishments may include hosting an event, community outreach, raising funds for a City program or initiative, hearing deputations on matters regarding their mandate, or providing feedback on City policies or programs. Survey results indicate that (45%) of Committee Chairs versus (25%) of staff are satisfied with their committee's accomplishments. Based on these results, it is recommended that a business plan template or annual work plan be created that committees be required to complete each year to ensure the activities they are focusing on are within their mandate and are contributing to the goals of the organization.

Volunteer Experience

Markham residents may volunteer to participate on a City Advisory Board/Committee to make a difference in their community and/or to be engaged in the democratic process. Survey results suggest that volunteer contributions need to be better recognized by the City while a member is still serving on a board or committee. It is recommended that a volunteer recognition plan be created to better acknowledge the hard work of committee members while they are serving on a City committee.

Communication

Effective boards and committees have a good relationship with City Staff, Members of Council and other Advisory Boards/Committees. Survey results suggest that the communication between committees and staff need to be improved, and that boards and committees need to be better connected with the City's activities and goals. It is recommended that an annual meeting be held with Board/Committee Chairs, Secretariat Staff, and Staff Liaisons to improve communication with the City and committees, and to help promote inter-committee communication.

Conclusion

Effective committees require City resources. In order to ensure their success, the City must balance the number of Advisory Boards/Committees it has with the resources it is able to provide.

2. Purpose

The purpose of this report is to provide a snapshot of Markham's Advisory Boards/Committees in the 2014-2018, Term of Council and make recommendations for the next Term of Council. Some of the subject matters covered in this report include:

- Why we have boards and committees;
- The appointment process to serve on a City Advisory Board/Committee;
- The Diversity of City's Advisory Boards/Committees;
- Other municipalities' practices with respect to Advisory Boards/Committees;
- How committees impact City resources;
- The efficiency and effectiveness of the City's Advisory Boards/Committees, including their:
 - Terms of Reference;
 - meeting effectiveness;
 - meeting attendance;
 - communication with the City;
 - accomplishments; and,
 - volunteer experience.

3. Methodology

In order to review the efficiency and effectiveness of the City's Advisory Boards/Committees, and the citizen appointment process to serve on a City Advisory Board/Committee, the following surveys were conducted and completed on a voluntary basis:

- The Appointment Committee was surveyed on the appointment process;
- Council/Committee Coordinators and Staff Liaisons were surveyed on the amount of time they spent supporting their assigned Advisory Board/Committee during the last Council term;
- Other municipalities were surveyed on their practices with respect to their Advisory Boards/Committees;
- Committee Chairs and Staff Liaisons of Markham Advisory Boards/Committees, excluding working groups, Community Centre Boards, foundations, tribunals, and inactive committees, were surveyed on the efficiency and effectiveness of their committees and on the appointment process.

Research was also gathered on meeting attendance, board and committee accomplishments, and on the diversity of volunteer applicants. This information was obtained from attendance records,

meeting minutes, input from staff, and from the voluntary diversity survey applicants complete when they submit their application form.

4. Why we have Advisory Boards and Committees

Advisory Boards/Committees are generally created by Council in response to citizen concerns, to support Council priorities, or to address an operational need. Some of the City's Advisory Boards/Committees are legislatively required. Typically, these bodies have a Terms of Reference stipulating their mandate and outlining roles and responsibilities. A Council resolution or by-law is required to form an Advisory Board/Committee.

Some of the benefits the City gains from its Advisory Boards/Committees include:

- Obtaining expertise, experience and perspective from a citizen perspective;
- Receiving advice on matters related to the board or committee's mandate;
- Obtaining feedback on new City programs and policies;
- Receiving help organizing a large City event; and,
- Engaging residents in the democratic process.

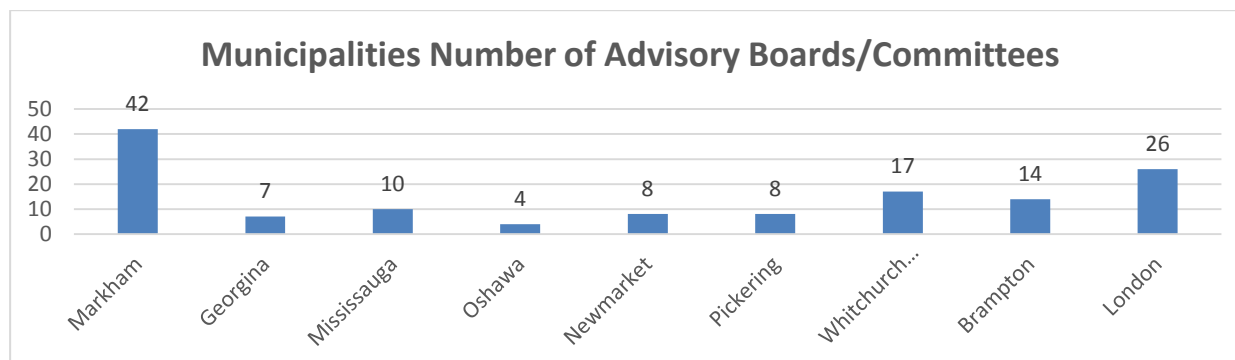
5. How Does Markham Compare with its Peer Municipalities?

Nine local municipalities were surveyed regarding their Advisory Board/Committee practices. Responses to the survey were received from Georgina, Mississauga, Oshawa, Pickering, Newmarket, Whitchurch-Stouffville, Brampton, and London. Markham's practices were then compared against the survey results. The results were as follows:

Number of Advisory Boards/Committees

Municipalities on average have 15.1 Advisory Boards/Committees. Markham has 42 Advisory Boards/Committees, which is (278%) or 26.9 more than the survey sample.

The chart below shows how many Advisory Boards/Committees each surveyed municipality has.



Remote Participation of Members at Meetings

Six or (67%) of the nine municipalities' surveyed did not permit members of its Advisory Boards/Committees to remotely participate in meetings. Two or (22%) permitted their Advisory Committee on Accessibility members to participate remotely. Markham was the only municipality to let members of its Advisory Boards/Committees to participate remotely when possible, however, remote participants are not included towards quorum.

Reporting Requirements

Seven or (78%) of the municipalities' surveyed required their Advisory Boards/Committees to report annually to Council. However, none of the municipalities surveyed required their Advisory Boards/Committees to submit an annual report with key performance indicators. Similarly, Markham recommends that all Advisory Boards/Committees report to Council on an annual basis with respect to their accomplishments, but does not require its Advisory Boards/Committees to submit an annual report with key performance indicators.

Code of Conduct

Five or (56%) of the municipalities surveyed had a Code of Conduct for its Advisory Boards/Committees. Three or (60%) of these municipalities used the Integrity Commissioner to investigate complaints. One or (20%) use their Clerk to investigate complaints. In comparison, Markham currently has a simple Code of Ethics, but is in the process of replacing it with a more comprehensive Code of Conduct and the Clerk currently investigates complaints.

With the recent amendments to the Municipal Act (via Bill 68) some of Markham's ABCs may also now constitute "local boards" under the Act. The implications of this designation are numerous and far-reaching. For instance, this would require them to abide by many of the same rules as Council (e.g. open meeting requirements, codes of conduct, integrity commissioner, conflict of

interest registry, etc.). Staff are in the process of reviewing which of Markham's ABCs may fall under these new requirements.

6. Appointments to Markham's Advisory Committees

The City of Markham has 41 citizen Advisory Boards/Committees (see Appendix A). Appointments to these committees are overseen by the Appointment Committee, comprised of the Mayor and the four Regional Councillors. The Appointment Committee conducted approximately 350 interviews between January 1, 2015, and June 31, 2018, and recommended to Council approximately 250 citizen appointments.

During this same period, there were approximately 65 citizen members that resigned from a Markham Advisory Board/Committee. Some of the reasons citizens resign from committees include: moving out of Markham; work conflicting with committee obligations; and/or a shift in their life focus.

Feedback from the Appointment Committee was to include the Council Liaison(s), the Councillor(s) appointed to the committee in the interview process, to refresh some of the interview questions, and to keep an attendance record of who attends each interview session. A full analysis of the Appointment Committee could not be conducted due to poor response to the survey.

The following qualitative feedback was obtained from the survey results from the Committee Chairs and the Staff Liaisons regarding the appointment process to serve on a City Advisory Board/Committee:

- Include the Councillor Liaison(s) in the interviews held to select new members;
- Include the Committee Chair in the interview process;
- Advise residents interested in serving on a committee of the work requirements prior to appointing them to a board or committee;
- Consult with the Chair of the committee prior to appointing new members to the committee;
- Enforce term limits and residency requirements;
- Waive the requirement to hold an interview of past Members who are re-applying to serve on a board or committee.

7. The Diversity of Markham's Committees

Markham strives for the composition of its Advisory Boards/Committees to reflect the diversity of Markham. Diversity on boards and committees helps promote innovation, insightful decision making, inclusiveness, and decisions/advice that reflect the diversity of Markham's residents and businesses.

When applicants apply to serve on a Markham Advisory Board/Committee they have the option to complete a voluntary diversity survey. The following diversity results are based on the results from this survey, in 2014-2018 Term of Council:

Visual Minority

- (50%) of all applicants to boards and committees identified themselves as being a visual minority;
- (55%) of these applicants were appointed as a member to a Markham Advisory Board/Committee;
- The majority of applicants that identified themselves as being a visual minority that were appointed to a Markham Advisory Board/Committee identified themselves as being Asian (40%) or East Indian (36%).

Disability

- (4%) of all applicants to committees identified themselves as having a disability;
- (40%) of these members that indicated they had a disability were appointed to a Markham Advisory Board/Committee.

Age

- The greatest number of applicants to Markham Advisory Boards/Committees were aged from (35-44) years old (20%);
- The least number of applicants to Markham Advisory Boards/Committees were aged from (18-24) years of age (5%);
- (68%) of applicants aged (45-54) were successfully appointed to a Markham Advisory Board/Committee (more than any other age group);
- (23%) of applicants aged (18-24) were successfully appointed to a Markham Advisory Board/Committee (less than any other age group).

Gender

- (53%) of applicants to Markham Advisory Boards/Committees identified themselves as male; (39%) identified themselves as female; and (8%) did not identify their gender.

- Applicants that were appointed to a Markham Advisory Board/Committee that identified their gender were (50%) male, and (50%) female.

Having more diverse board and committees brings many benefits, but can also lead to cultural or generational differences between members. Accordingly, Markham has started to provide its Advisory Boards/Committees with diversity training.

8. How Advisory Committees Impact City Resources

Advisory Boards/Committees require City resources to operate. Most committees have a Staff Liaison, Council Liaison and Council/Committee Coordinator that attend meetings and provide support. Additionally, many boards and committees are provided with refreshments at meetings. The cost of supporting a board or committee should be considered prior to creating a new committee, and when reviewing the costs and benefits derived from existing committees.

The amount of human resources required to support a City Advisory Board/Committee was estimated by asking staff from a sample of the City's committees to complete a survey on the matter. Responses were received from the staff that support the following committees (see **"Appendix B"** for a detailed breakdown of the staff time spent supporting committees):

- Advisory Committee on Accessibility;
- Animal Care Committee;
- Canada Day Committee;
- Cycling & Pedestrian Advisory Committee;
- Doors Open Markham Committee;
- Environmental Advisory Committee;
- German Mills Meadow & Natural Habitat Liaison Committee;
- Markham-Milliken Children's Festival Committee;
- Senior's Advisory Committee;
- Senior's Hall of Fame Committee;
- Public Realm Advisory Committee;
- Race Relations Committee;
- Varley-McKay Art Foundation of Markham.

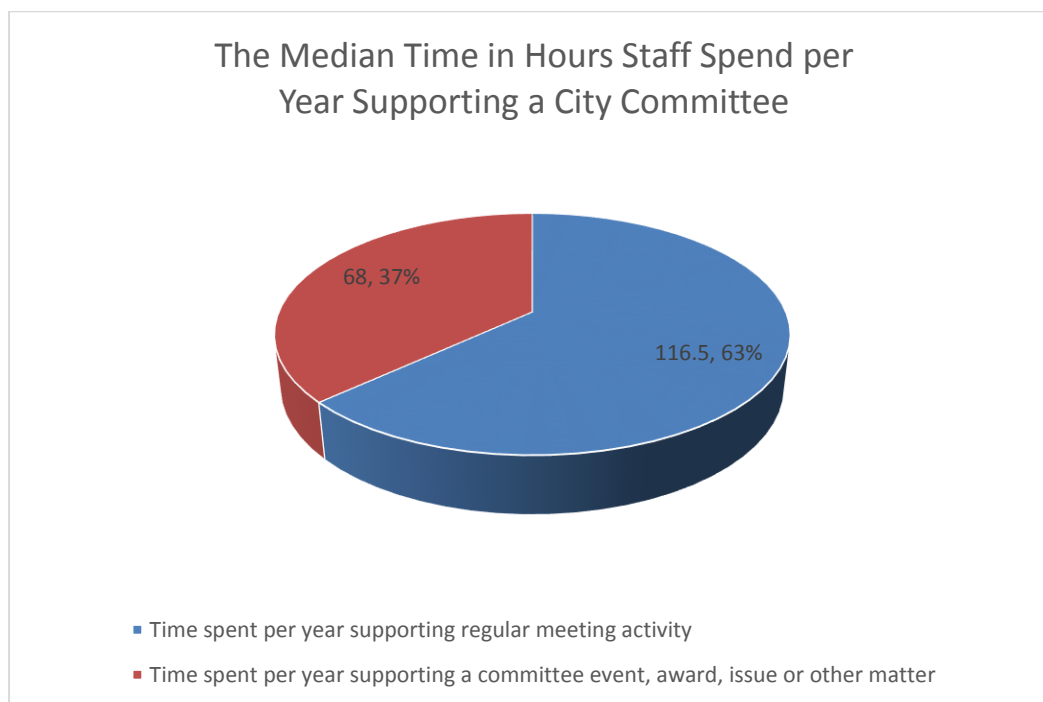
The survey results indicate that there is a large range in the amount of human resources required to support a City board or committee, with Committees for large City events requiring the most staffing resources. Consequently, the median was used to estimate the amount of staff time required to support a board or committee. The results are as follows:

- The median amount of staff time spent supporting regular committee activities per meeting is 11.25 hours;

Report on Markham's Citizen Advisory Boards/Committees 2014 – 2018

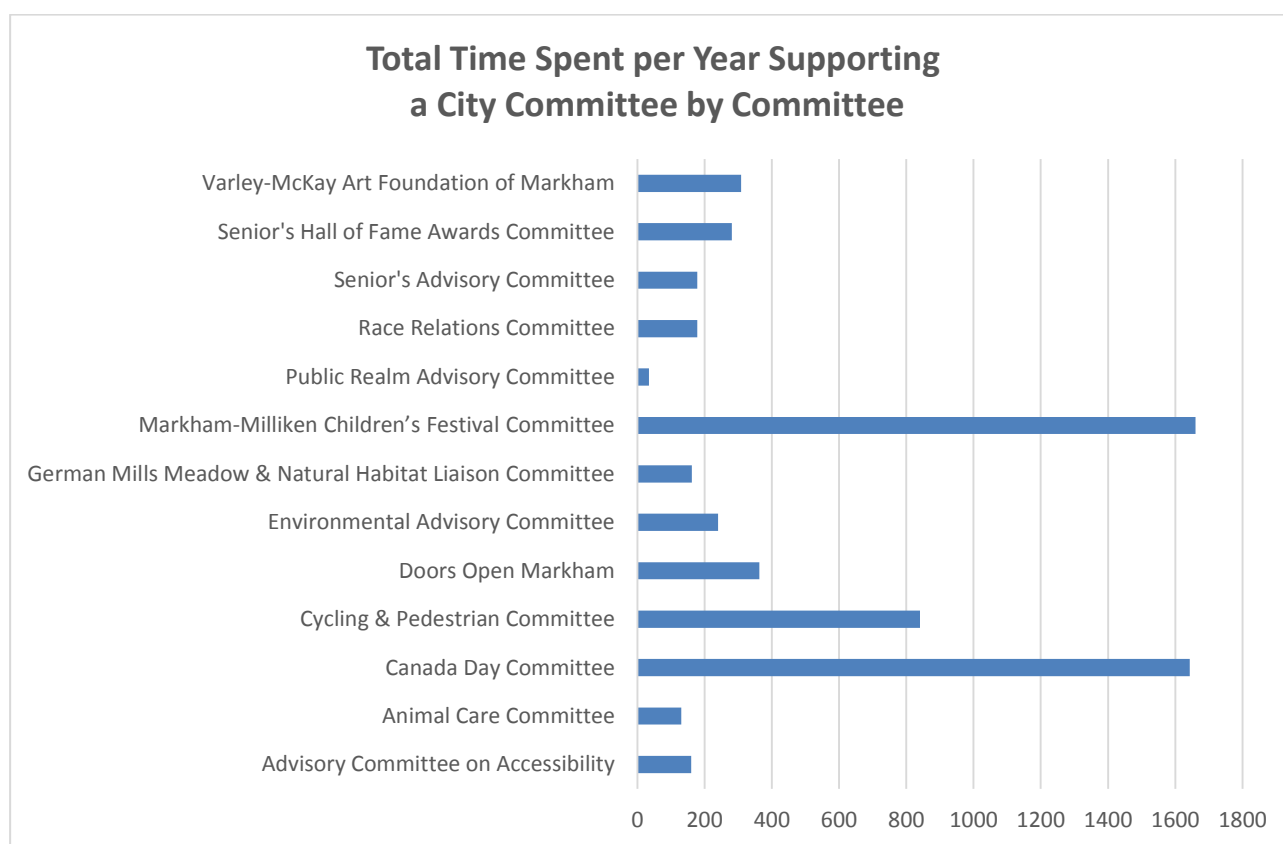
- The median amount of staff time spent supporting regular committee activities per year is 116.5 hours;
- The median staff time spent per year supporting an event or award, and/or handling committee issues or any other matter pertaining to the committee is 68 hours;
- The median total amount of staff time spent per year supporting a committee is 240.5 hours;
- The estimated cost of providing staff support to a committee is \$12,025 per year based on the median amount of hours spent supporting a committee, and on the assumption that staff members are paid \$50 per hour;
- The cost of providing a committee of 15 people coffee, tea, a jug a water and cookies is \$50 per meeting, or \$500 per 10 meetings.
- The total estimated cost of providing staff resources and refreshments to a committee per year is \$12,525, based on basic meeting refreshments provided at 10 committee meetings, and on the median staff resources provided to support a committee.

Below is a chart displaying the median time in hours staff spend per year supporting a City committee.



Report on Markham's Citizen Advisory Boards/Committees 2014 – 2018

Below is a chart listing by committee the total time staff spent supporting the committee per year.



9. Terms of References of Markham Advisory Boards/Committees

An Advisory Board/Committee's Terms of Reference outlines its mandate, roles and responsibilities, composition, and meeting frequency. Typically the Terms of Reference is created when the body is first established. However, some committees were never provided with a Terms of Reference document. Over the years, some Terms of References have been reviewed and updated, but many have not been updated since the committee was originally established. Changes to a committee's Terms of Reference must be approved by Council. All City committees should have a Terms of Reference so that they have a clear mandate and understanding of their roles and responsibilities.

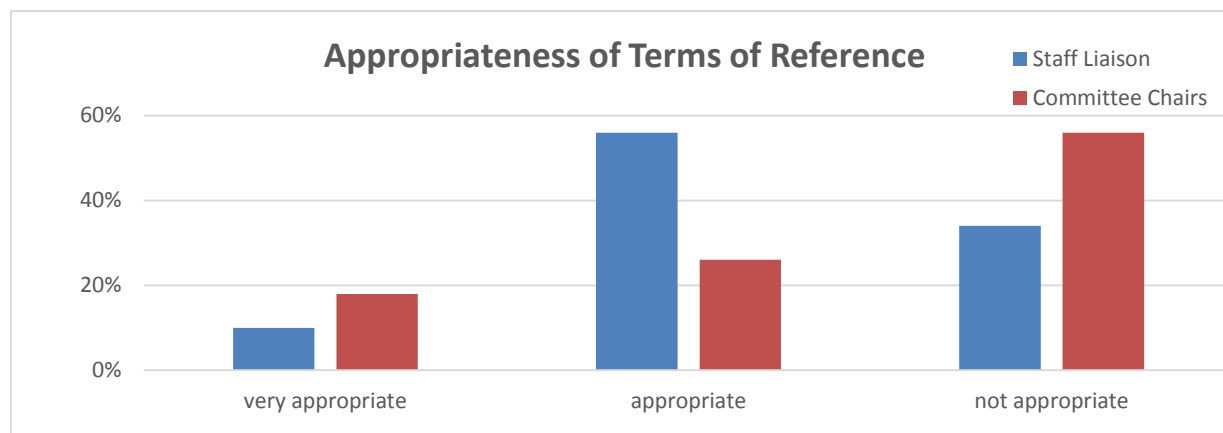
The following quantitative feedback on Markham's Advisory Board/Committee Terms of Reference was provided from the survey results:

- (56%) of Committee Chairs felt that their committee's Terms of Reference was not appropriate versus (34%) of Staff;

Report on Markham's Citizen Advisory Boards/Committees 2014 – 2018

- (78%) of Committee Chairs felt their committees were achieving or somewhat achieving their mandate versus (94%) of Staff;
- (30%) of Committee Chairs were very satisfied with the composition/mix of committee members versus (16%) of Staff;
- (60%) of Committee Chairs were somewhat satisfied with the composition/mix of committee members versus (69%) of Staff.

Below is a chart comparing the responses of Staff versus the responses of Committee Chair in regards to the appropriateness of their committee's Terms of Reference.



The following qualitative feedback was obtained from the Committee Chairs and the Staff Liaisons from the survey results:

- Update Terms of Reference documents to reflect the City's current strategic goals (project should be undertaken by Clerks in partnership with the Committees);
- Ensure Committees have a purpose and that its members understand their role.

10. Meeting Effectiveness of Markham's Advisory Boards/Committees

Effective meetings have a purpose and Committee Members leave feeling they have accomplished something. They have a set agenda with items related to the committee's mandate with sufficient time allotted to discuss each item. A majority of members are in attendance so the board or committee is able to make decisions. The City's "Rules of Procedure Governing Statutory and Advisory Committee Meetings" are followed and all members have an opportunity to share their

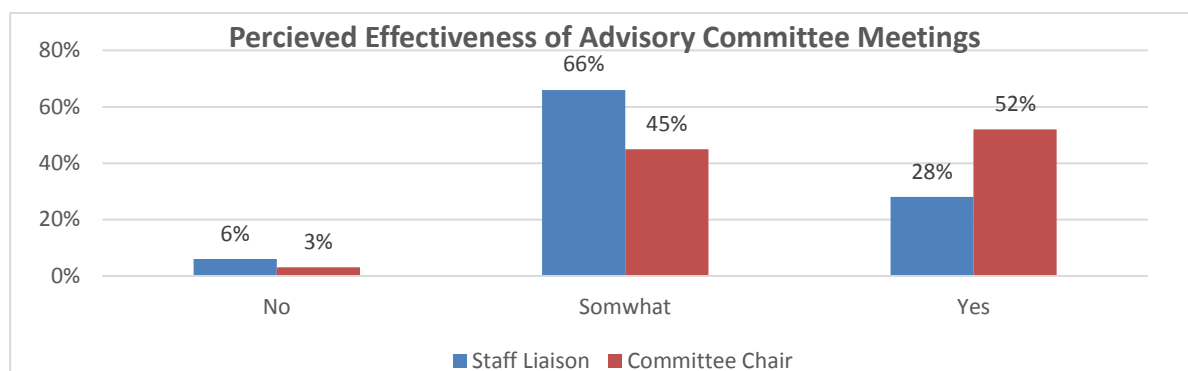
Report on Markham's Citizen Advisory Boards/Committees 2014 – 2018

viewpoint in a respectful manner. Holding effective meetings helps Advisory Boards/Committee's achieve their goals and work as a team.

The following quantitative results regarding meeting effectiveness was obtained based on the survey results:

- (52%) of Committee Chairs felt that their committee meetings were effective versus (28 %) of Staff Liaisons;
- (96%) of Committee Chairs and (94%) of Staff Liaisons thought that their committee meetings were either somewhat effective or effective;

Below is a chart that compares Staff Liaisons' and the Committee Chairs' perceived effectiveness of Advisory Board/Committee meetings.



The following qualitative feedback was obtained from the Committee Chairs and the Staff Liaisons from the survey results:

- Enforce the Rules of Procedure regarding meeting attendance, so that members not attending meetings are removed from committees;
- Ensure the appointed Councillor and Staff Liaisons regularly attend meetings;
- Provide meeting refreshments to all committees;
- Provide a refresher on meeting procedure in the new Term of Council, and any time a new member joins the board or committee.

11. Meeting Attendance at Markham's Advisory Boards/Committees

Advisory Boards/Committees sometimes have difficulty obtaining quorum (having a majority of members in attendance at a meeting). Committees cannot make decisions when they do not have quorum. However, items on the agenda can be discussed. Quorum is often lost due to poor

weather, meetings held in December, meetings held during the March or summer breaks, meetings held soon after a large committee event, when members are unsatisfied with their volunteer experience, when members feel their role is unclear, or when there is committee conflict. When committees have trouble achieving quorum it can impact the morale of members and the overall effectiveness of the committee.

Some strategies used in this Term of Council to resolve issues regarding obtaining quorum were: reducing the number of times per year certain committees meet; cancelling meetings when there is nothing on the agenda; rebuilding committees that had dwindling membership; and resolving issues identified by committees. Although some progress has been made, meeting attendance remains an issue for some committees.

The majority of Advisory Board/Committee meetings in the 2014-2018, Term of Council were held with quorum (see "Appendix C"). The average number of meetings held per year without quorum was 1.7. There were no Advisory Committees that struggled significantly with quorum in this time period. However, Markham's Canada Day Committee and Markham-Milliken Children's Festival were two committees that struggled the most with obtaining quorum.

12. Committee Communication with Staff, Members of Council, and Other Committees

Effective committees have a good relationships with City Staff, Members of Council and other City committees. They have a Staff and Council Liaison that keeps them updated on City issues/matters related to their mandate. Furthermore, they communicate with other committees on matters of a shared interest, for example, event committees sharing ideas regarding children's activities and performers. Lastly, it appears that when an Advisory Board/Committee has good relations with Staff, Council, and other City committees it enhances the members' volunteer experience by making them feel their work is valued and that they are contributing to the community.

The following qualitative feedback was obtained from the survey results from the Staff Liaisons and Committee Chairs on committee communication matters:

- Improve communication/strengthen the relationship between committees and staff;
- Improve the connection between committee activities and the City's goals/activities;
- Consider committee recommendations as the voice of the community;
- Clarify the support Corporate Communications and the Mayor's Office Representative can provide to committees;

- Provide Committees with ways to get their message out (e.g. allowing them to have their own website or Facebook Page);
- Improve the transition of new staff with respect to supporting committees (e.g. a change in the Corporate Communication Representative, Mayor's Office Representative, Council/Committee Coordinator or Staff Liaison on a committee);
- Create an umbrella committee that all Chairs of Advisory Boards/Committee serve on to share ideas and to encourage City committees to work together.

13. Committee Accomplishments

The accomplishments of the City's Advisory Boards/Committees are the activities they undertake to achieve their mandate. These activities were reviewed for the 2014-2018, Term of Council by reviewing past meeting minutes. The results showed that most of the City's Advisory Boards/Committees are active. Some of the types of activities they have been undertaking include (see "Appendix B" to view a more comprehensive list of committee accomplishments):

- Community engagement activities;
- Raising funds for a City program or initiative;
- Hosting an award, event or fair;
- Listening to deputations from the community on matter regarding their mandate;
- Providing feedback to staff on a City program, policy, or initiative; and/or,
- Holding a focus group.

The following quantitative result regarding committee accomplishments was obtained from Staff Liaisons and Committee Chairs from the survey results:

- (41%) of Advisory Committee Chairs were very satisfied with their Committee's accomplishments versus only (25%) of Staff Liaisons.

14. The Volunteer Experience

Residents may volunteer to serve on a City Advisory Board/Committee to give back to the community, make a difference, learn more about municipal government, or to gain new skills or knowledge. Volunteers that are satisfied with their volunteer placement generally feel their hard work is valued and respected.

The following qualitative feedback was obtained regarding the volunteer experience serving on a City Advisory Board/Committee from the Committee Chairs survey results:

- Acknowledge the hard work of Committee Members;
- Respect and appreciate the volunteer time of Committee Members.

15. Other Survey Results

The following miscellaneous qualitative feedback was obtained from the Committee Chairs and the Staff Liaisons on other Advisory Board/Committee matters from the survey results:

- Suggested that Markham Theatre is working collaboratively as a cohesive team and that it is very committed to contributing to the huge success of the Theatre;
- Suggested that a budget be provided to Advisory Boards/Committees that they can use for projects or initiatives they are undertaking;
- Recommended that cemetery operations be taken over by City Staff;
- Recommended that the Agricultural Advisory Committee be disbanded, as it is no longer active.

16. Recommendations

Based on the survey results and the research conducted, staff recommend the following to improve the efficiency and effectiveness of Markham's Advisory Boards/Committees:

Improving the Management of City Resources and Communication between the City and Advisory Boards/Committees

- Develop a balanced scorecard that can be used to measure the costs and benefits of each City Advisory Board/Committee that is completed on an annual basis (Secretariat Staff to develop);
- Create a business plan template that can be completed by Advisory Boards/Committees and submitted to Council for approval each year to help ensure the activities they are focusing on are working towards the goals of the organization (Secretariat Staff to develop);
- Reduce the number of Advisory Boards/Committees by (10%) so that City can better support the Board/Committees that it has with the current resources;

Report on Markham's Citizen Advisory Boards/Committees 2014 – 2018

- Hold a meeting once per year with Secretariat Staff, Staff Liaisons, and Committee Chairs to improve communication between the City's Advisory Boards/Committees and the City, and to encourage committees to communicate with each other.

Improving the Appointment Process

- Review the composition of the Appointment Committee in 2018-2022 Term of Council;
- Provide regular updates to the Committee Chair on the status of the appointments;
- Refresh the interview questions used to interview committee members to ensure the City is appointing applicants with the right skillsets.
- Keep an attendance record of who attends the Appointment Committee sessions.

Diversity on Committees

- Increase the number of applications submitted to be considered for a position on a Markham Advisory Board /Committee by (18-24) year olds by (10%) by using social media and other ways of promoting the vacancies that appeal more to a younger audience (Secretariat Staff to work with Corporate Communications to achieve this objective);
- Increase the number of applications submitted by persons with disabilities by (10%) by using more innovative ways to promote vacancies to this target audience (Secretariat Staff to work with Corporate Communications to achieve this objective);
- If possible, have more diversity in the composition of the Appointment Committee to diversify the insight that goes into the decision making process with respect to the selection of members.

Board/Committee Terms of References

- Review City Advisory Boards/Committee Terms of References that have not been recently reviewed in the new Term of Council in collaboration with the committees to ensure their mandate is providing value to the City and its volunteers;
- Ensure all Advisory Boards/Committees have a Terms of Reference (Secretariat Staff to work with Staff Liaison's to create Terms of References if required).

Meeting Effectiveness

- Provide a refresher on meeting procedures to all Advisory Boards/Committees in new Term of Council;
- Provide Committee Chairs with training on how to Chair a meeting.

Meeting Attendance

- Have committees establish rules of engagement regarding meeting attendance and other problem areas that a committee may be experiencing;

Report on Markham's Citizen Advisory Boards/Committees 2014 – 2018

- Ensure the rules of procedure regarding meeting attendance are enforced;
- Change the structure of the City's event committees so that they exist primarily to assist the City in the organization of events, so that quorum is not required to pass committee resolutions regarding event decisions.

Volunteer Experience

- Develop a volunteer recognition plan to recognize Committee Members hard work while they are still serving on a Markham committee.

Combine Similar Committees and Disband Inactive Committees

- Combine the Public Art and Public Realm Advisory Committee or disband the Public Realm Advisory Committee;
- Combine the Senior's Hall of Fame Awards Committee and the Senior's Advisory Committee
- Disband the Achievement & Civic Recognition Committee, Agricultural Advisory Committee, and the Pan Am Host Advisory Committee, as these committees are no longer active.

16. Conclusion

In conclusion, Markham has many active Advisory Boards/Committees comprised of members that represent the diversity of Markham. These bodies engage residents in the democratic process and provide Council with valuable advice from a citizen perspective. However, City resources are required to support these committees. Advisory boards/committees that are sufficiently supported by staff and Council operate effectively. These committees also seem to provide a more rewarding volunteer experience to its members. Given the current resources available, the City must balance the number of Advisory Boards/Committee it has with the amount of staff and Council support required. The City otherwise risks the success of its Advisory Boards/Committees: in achieving their mandates; providing value to the City; and in being able to provide members with a rewarding volunteer experience.

17. Appendixes

- A) Appendix A** – List of Markham Advisory Boards/Committees
- B) Appendix B** – Staff Time Spent Supporting Markham's Advisory Boards/Committees
- C) Appendix C** - Meetings Held Without Quorum in the 2014-2018 Term of Council
- D) Appendix D** - Markham Advisory Board/Committee Accomplishment in the 2014 -2018 Term of Council

“Appendix A”**Markham Citizen Advisory Boards/Committees and Working Groups
(listed in alphabetical order)**

- | | |
|---|--|
| 1. Achievement & Civic Recognition Committee | 23. Markham-Milliken Children's Festival Committee |
| 2. Advisory Committee on Accessibility | 24. Milliken Mills Main Street Advisory Group |
| 3. Agricultural Advisory Committee | 25. Markham Sports Hall of Fame Committee |
| 4. Animal Care Committee | 26. Markham Village Train Station Community Centre Board |
| 5. Box Grove Community Centre Board | 27. Mayor's Youth Council |
| 6. Canada Day Committee | 28. Milne Pathway Working Group |
| 7. Cedar Grove Community Centre Board | 29. Pan Am Host Advisory Committee |
| 8. Cemetery Board | 30. Property Standards Committee |
| 9. Committee of Adjustment | 31. Public Art Advisory Committee |
| 10. Cornell Advisory Group | 32. Public Realm Advisory Committee |
| 11. Cycling & Pedestrian Advisory Committee | 33. Public Library Board |
| 12. Door Open Markham Committee | 34. Race Relations Committee |
| 13. Environmental Advisory Committee | 35. Santa Claus Parade Advisory Committee |
| 14. Flato Markham Theatre Advisory Board | 36. Seniors Advisory Committee |
| 15. Friends of the Markham Museum Board | 37. Senior's Hall of Fame Awards Committee |
| 16. German Mills Community Centre Board | 38. Train Anti Whistling Working Group |
| 17. German Mills Meadow & Natural Habitat Liaison Committee | 39. Thornhill Revitalization Committee |
| 18. Heintzman House Community Centre Board | 40. Unionville-Stiver Mill Preservation Advisory Committee |
| 19. Heritage Markham Committee | 41. Varley-McKay Art Foundation of Markham |
| 20. Historical Unionville Community Vision Committee | 42. Victoria Square Community Centre Board |
| 21. Main Street Markham Committee | |
| 22. Markham Centre Advisory Group | |

Other City Advisory Committees that are comprised of only Councillor Members or Councillor Members and Business Representatives include:

1. Licensing Committee
2. Automated Vacuum Collection Feasibility Working Group
3. Pandemic Readiness Emergency Plan Steering Committee

“Appendix B”
Staff Time Spent Supporting Markham's Advisory Committees

Summary of Results

Committee	Time spent per meeting in hours supporting regular meeting activities	Time spent per year in hours supporting regular meeting activity	Time spent per year in hours supporting a committee event, award, issue or other matter	Total time spent per year in hours supporting the committee	Estimated Cost – with assumption that staff are paid \$50 per hour
Advisory Committee on Accessibility	10.83	110.3	50	160.3	\$8,015
Animal Care Committee	11	110	21	131	\$6,550
Canada Day Committee	26.67	213.36	1430	1643.36	\$82,188
Cycling & Pedestrian Committee	21	212	64	841	\$42,050
Doors Open Markham	8	80	283	363	\$18,150
Environmental Advisory Committee	11.25	116.5	124	240.5	\$12,025
German Mills Meadow & Natural Habitat Liaison Committee	56	112	50	162	\$8,100
Markham-Milliken Children's Festival Committee	23.5	188	1472	1660	\$83,000
Public Realm Advisory Committee	9.75	19.5	15	34.5	\$1,725
Race Relations Committee	10.83	110.3	68	178.3	\$8,915
Senior's Advisory Committee	13	130	48	178	\$8,900
Senior's Hall of Fame Awards Committee	9	90	191	281	\$14,050
Varley-McKay Art Foundation of Markham	19.75	158	151	309	\$15,450
Total	230.58	1649.96	3967	6181.96	\$309,118.00

The Mean, Median and Range of Staff Time Spent Supporting Committees

	Average Amount of Time Spent in Hours Supporting a Meeting	Time spent per year in Hours supporting regular meeting activity	Time spent per year in Hours supporting a committee event, award, issue or other matter	Total time spent per year in hours supporting the committee
Mean	17.74	126.92	305.12	475.54
Median	11.25	116.5	68	240.5
Range	48	193.86	1415	1625.5

Report on Markham's Citizen Advisory Boards/Committees 2014 – 2018

Staff Time Spent Supporting Committees Broken-down by Committee

Advisory Committee on Accessibility

Monthly Activities

Task/Action	Committee Coordinator Time Spent in Hours	Staff Liaison Time Spent in Hours	Corporate Com. Time in Hours	Total Hours
Time spent per meeting preparing, coordinating or reviewing the agenda	1	0	0	1
Time spent per meeting preparing or reviewing the meeting minutes and following up on action items	2.5	0.5	0	3
Time spent per meeting attending the meeting	2.5	3	0	5.5
Time spent per meeting on email correspondence	1	0.33	0	1.33
Total per month	7	3.83	0	10.83
Total time per year (total times the number of meetings) • Meets 10 times per year	70	38.3	2 (per year)	110.3

Yearly Activities

Task/Action	Committee Coordinator Time Spent in Hours	Staff Liaison Time Spent in Hours	Corp Com Time in Hours	Total Hours
Time spent per year supporting and/or attending a committee event or award	15	15	15	45
Time spent per year managing committee issues or on any other mattering pertaining to your role supporting the Committee	2	1	2	5
Total	17	16	17	50

Grand Total	160.3
--------------------	--------------

Report on Markham's Citizen Advisory Boards/Committees 2014 – 2018

Animal Care Committee**Monthly Activities**

Task/Action	Committee Coordinator Time Spent in Hours	Staff Liaison Time Spent in Hours	Corp Com Time Spent in Hours	Total Hours
Time spent per meeting preparing, coordinating or reviewing the agenda	1	1	0	2
Time spent per meeting preparing or reviewing the meeting minutes and following up on action items	2.5	0.5	0	3
Time spent per meeting attending the meeting	2	2	0	4
Time spent per meeting on email correspondence	1	1	0	2
Total per month	6.5	4.5	0	11
Total time per year (total times the number of meetings) • Meets 10 times per year	65	45	0	110

Yearly Activities

Task/Action	Committee Coordinator Time Spent in Hours	Staff Liaison Time Spent in Hours	Corp Com Time Spent in Hours	Total Hours
Time spent per year supporting and/or attending a committee event or award	1	5	3	9
Time spent per year managing committee issues or on any other mattering pertaining to your role supporting the Committee	2	10	0	12
Total	3	15	3	21

Grand Total	131
--------------------	------------

Report on Markham's Citizen Advisory Boards/Committees 2014 – 2018

Canada Day Committee**Monthly Activities**

Task/Action	Committee Coordinator Time Spent in Hours	Staff Liaison Time Spent in Hours	Corp Com Time Spent (includes the time multiple employees) in Hours	Total Hours
Time spent per meeting preparing, coordinating or reviewing the agenda	1	0.26	0.41	1.67
Time spent per meeting preparing or reviewing the meeting minutes and following up on action items	2.5	0.5	1	4
Time spent per meeting attending and preparing for the meeting	2	3	7	12
Time spent per meeting on email correspondence	1	8	0 (included under time spent support the event)	9
Total per month	6.5	13.25	8.41	26.67
Total time per year (total times the number of meetings) • Meets 8 times per year	52	106	67.28	213.36

Yearly Activities

Task/Action	Committee Coordinator Time Spent in hours	Staff Liaison Time Spent in hours	Corp Com Time Spent in hours	Total hours
Time spent per year supporting and/or attending a committee event or award	0	300	764	950
Time spent per year managing committee issues or on any other mattering pertaining to your role supporting the Committee	2	25	339	366
Total	2	325	1103	1430

Grand Total	1643.36
--------------------	----------------

Report on Markham's Citizen Advisory Boards/Committees 2014 – 2018

The Canada Day Committee is supported by each and every member of the Corporate Communications team. Special Events begins logistics planning in January, while communications team begins sponsorship activities. Designers are tasked with signage and social media images, communications follows its comprehensive communications plan to create media advisories and conducts media outreach, signage content, social media, advertising and portal messaging, and oversees all aspects of the event.

On July 1, at least 12 members of Corporate Communications are required to manage the day's four (Citizenship Ceremony, Senior's Luncheon, People's Parade, and Milne Dam Park) events from 6 a.m. to finish, with several attending and managing the entire day.

Working with Community and Fire Services, considerable time is placed on ensuring a proper emergency communication plan is prepared and read to launch, should it be required.

Report on Markham's Citizen Advisory Boards/Committees 2014 – 2018

Cycling & Pedestrian Advisory Committee**Monthly Activities**

Task/Action	Committee Coordinator Time Spent in Hours	Staff Liaison Time Spent in Hours	Corp Com Time Spent in Hours	Total in Hours
Time spent per meeting preparing, coordinating or reviewing the agenda	1	1	0	2
Time spent per meeting preparing or reviewing the meeting minutes and following up on action items	3	4	0	7
Time spent per meeting attending and preparing for the meeting	2	8.5	0	10.5
Time spent per meeting on email correspondence	1	0.5	0	1.5
Total per month	7	14	0	21
Total time per year (total times the number of meetings) • Meets 10 times per year	70	140	2 (per year)	212

Yearly Activities

Task/Action	Committee Coordinator Time Spent in Hours	Staff Liaison Time Spent in Hours	Corp Com Time Spent in Hours	Total Hours
Time spent per year supporting and/or attending a committee event or award	1	140	70	211
Time spent per year managing committee issues or on any other mattering pertaining to your role supporting the Committee	2	350	66	418
Total	3	490	136	629

Grand Total	841
--------------------	------------

Report on Markham's Citizen Advisory Boards/Committees 2014 – 2018

Doors Open Markham**Monthly Activities**

Task/Action	Committee Coordinator Time Spent in Hours	Staff Liaison Time Spent in Hours	Corp Com Time Spent in Hours	Total Hours
Time spent per meeting preparing, coordinating or reviewing the agenda	0	1	0	1
Time spent per meeting preparing or reviewing the meeting minutes and following up on action items	0	2	0	2
Time spent per meeting attending and preparing for the meeting	0	2	2	4
Time spent per meeting on email correspondence	0	1	0	1
Total per month	0	6	2	8
Total time per year (total times the number of meetings) • Meets 10 times per year	0	60	20	80

Yearly Activities

Task/Action	Committee Coordinator Time Spent in Hours	Staff Liaison Time Spent in Hours	Corp Com Time Spent in Hours	Total Hours
Time spent per year supporting and/or attending a committee event or award	0	0 (counted these hours in other questions)	210	210
Time spent per year managing committee issues or on any other mattering pertaining to your role supporting the Committee	0	13	60	73
Total	0	13	270	283

Grand Total	363
--------------------	------------

Report on Markham's Citizen Advisory Boards/Committees 2014 – 2018

Environmental Advisory Committee**Monthly Activities**

Task/Action	Committee Coordinator Time Spent in Hours	Staff Liaison Time Spent in Hours	Corp Com Time Spent in Hours	Total Hours
Time spent per meeting preparing, coordinating or reviewing the agenda	1	0.5	0	1.5
Time spent per meeting preparing or reviewing the meeting minutes and following up on action items	2.5	0.5	0	3.0
Time spent per meeting attending the meeting	2.5	2.5	0	5
Time spent per meeting on email correspondence	1	0.75	0	1.75
Total per month	7	4.25	0	11.25
Total time per year (total times the number of meetings) • Meets 10 times per year	70	42.5	4 (attend 2 meetings per year)	116.5

Yearly Activities

Task/Action	Committee Coordinator Time Spent in Hours	Staff Liaison Time Spent in Hours	Corp Com Time Spent in Hours	Total Hours
Time spent per year supporting and/or attending a committee event or award	1	50	47	98
Time spent per year managing committee issues or on any other mattering pertaining to your role supporting the Committee	2	14	10	26
Total	3	64	57	124

Grand Total	240.5
--------------------	--------------

Report on Markham's Citizen Advisory Boards/Committees 2014 – 2018

German Mills Meadow & Natural Habitat Liaison Committee**Monthly Activities**

Task/Action	Committee Coordinator Time Spent in Hours	Staff Liaison Time Spent in Hours (3 staff attend)	Corp Com Time Spent in Hours	Total Hours
Time spent per meeting preparing, coordinating or reviewing the agenda	1	21	0	22
Time spent per meeting preparing or reviewing the meeting minutes and following up on action items	3	12	0	15
Time spent per meeting attending the meeting	2	6	0	8
Time spent per meeting on email correspondence	1	10	0	11
Total per month	7	49	0	56
Total time per year (total times the number of meetings) • Meets 2 times per year	14	98	0	112

Yearly Activities

Task/Action	Committee Coordinator Time Spent	Staff Liaison Time Spent	Corp Com Time Spent	Total
Time spent per year supporting and/or attending a committee event or award	0	0	0	0
Time spent per year managing committee issues or on any other mattering pertaining to your role supporting the Committee	1	49	0	50
Total	1	49	0	50

Grand Total	162
--------------------	------------

Report on Markham's Citizen Advisory Boards/Committees 2014 – 2018

Markham-Milliken Children's Festival Committee**Monthly Activities**

Task/Action	Committee Coordinator Time Spent in Hours	Staff Liaison Time Spent in Hours	Corp Com Time Spent in Hours (includes multiple staffs time)	Total Hours
Time spent per meeting preparing, coordinating or reviewing the agenda	1	0.5	0.5	2
Time spent per meeting preparing or reviewing the meeting minutes and following up on action items	2.5	1	1.5	5
Time spent per meeting attending and preparing for the meeting	2	2	6.5	10.5
Time spent per meeting on email correspondence	1	5	0 (included under time spent supporting the event)	6
Total per month	6.5	8.5	8.5	23.5
Total time per year (total times the number of meetings) • Meets 8 times per year	52	68	68	188

Yearly Activities

Task/Action	Committee Coordinator Time Spent	Staff Liaison Time Spent	Corp Com Time Spent	Total
Time spent per year supporting and/or attending a committee event or award	0	120	974	1094
Time spent per year managing committee issues or on any other mattering pertaining to your role supporting the Committee	2	16	360	378
Total	2	136	1,334	1,472

Grand Total	1660
--------------------	-------------

Corporate Communications carries the bulk of the responsibility for this event, from securing sponsorships and volunteers, to managing the intricate details of two entertainment stages, inflatables, free activity stations and more. Each Member of Special Events, Design and Communications plays a significant role for

Report on Markham's Citizen Advisory Boards/Committees 2014 – 2018

the months leading up to the event, and including a full day on event day. Working with Community & Fire Services, considerable time is placed on ensuring proper emergency communications plan is prepared and ready to launch, should it be required.

Report on Markham's Citizen Advisory Boards/Committees 2014 – 2018

Public Realm Advisory Committee**Monthly Activities**

Task/Action	Committee Coordinator Time Spent in Hours	Staff Liaison Time Spent in Hours (3 staff attend)	Corp Com Time Spent in Hours	Total Hours
Time spent per meeting preparing, coordinating or reviewing the agenda	1	0.5	0	1.5
Time spent per meeting preparing or reviewing the meeting minutes and following up on action items	3	0.5	0	3.5
Time spent per meeting attending the meeting	2	1	0	3
Time spent per meeting on email correspondence	1	0.75	0	1.75
Total per month	7	2.75	0	9.75
Total time per year (total times the number of meetings) • Meets 2 times per year	14	5.5	0	19.5

Yearly Activities

Task/Action	Committee Coordinator Time Spent in Hours	Staff Liaison Time Spent in Hours	Corp Com Time Spent in Hours	Total Hours
Time spent per year supporting and/or attending a committee event or award	0	12	0	12
Time spent per year managing committee issues or on any other mattering pertaining to your role supporting the Committee	1	2	0	3
Total	1	14	0	15

Grand Total	34.5
--------------------	-------------

Report on Markham's Citizen Advisory Boards/Committees 2014 – 2018

Race Relations Committee**Monthly Activities**

Task/Action	Committee Coordinator Time Spent in Hours	Staff Liaison Time Spent in Hours	Corp Com Time Spent in Hours	Total Hours
Time spent per meeting preparing, coordinating or reviewing the agenda	1	0	0	1
Time spent per meeting preparing or reviewing the meeting minutes and following up on action items	2.5	0.5	0	3
Time spent per meeting attending the meeting	2.5	3	0	5.5
Time spent per meeting on email correspondence	1	0.33	0	1.33
Total per month	7	3.83	0	10.83
Total time per year (total times the number of meetings) • Meets 10 times per year	70	38.3	2 (attends 1 meeting per year)	110.3

Yearly Activities

Task/Action	Committee Coordinator Time Spent in Hours	Staff Liaison Time Spent in Hours	Corp Com Time Spent in Hours	Total Hours
Time spent per year supporting and/or attending a committee event or award	40	15	10	65
Time spent per year managing committee issues or on any other mattering pertaining to your role supporting the Committee	2	1	0	3
Total	42	16	10	68

Grand Total	178.3
--------------------	-------

Report on Markham's Citizen Advisory Boards/Committees 2014 – 2018

Senior's Advisory Committee**Monthly Activities**

Task/Action	Committee Coordinator Time Spent in Hours	Staff Liaison Time Spent in Hours	Corp Com Time Spent in Hours	Total Hours
Time spent per meeting preparing, coordinating or reviewing the agenda	1	0.25	0	1.25
Time spent per meeting preparing or reviewing the meeting minutes and following up on action items	2	0.25	0	2.25
Time spent per meeting attending the meeting	2.5	4	0	6.5
Time spent per meeting on email correspondence	1	2	0	3
Total per month	6.5	6.5	0	13.0
Total time per year (total times the number of meetings) • Meets 10 times per year	65	65	0	130

Yearly Activities

Task/Action	Committee Coordinator Time Spent	Staff Liaison Time Spent	Corp Com Time Spent	Total
Time spent per year supporting and/or attending a committee event or award	1	25	10	36
Time spent per year managing committee issues or on any other mattering pertaining to your role supporting the Committee	2	10	0	12
Total	3	35	10	48

Grand Total	178
--------------------	------------

Report on Markham's Citizen Advisory Boards/Committees 2014 – 2018

Senior's Hall of Fame Awards Committee**Monthly Activities**

Task/Action	Committee Coordinator Time Spent in Hours	Staff Liaison Time Spent in Hours	Corp Com Time Spent in Hours	Total Hours
Time spent per meeting preparing, coordinating or reviewing the agenda	1	0	0	1
Time spent per meeting preparing or reviewing the meeting minutes and following up on action items	2	0	0.5	2.5
Time spent per meeting attending the meeting	2	0	1.5	3.5
Time spent per meeting on email correspondence	1	0	1	2
Total per month	6	0	3	9
Total time per year (total times the number of meetings) • Meets 10 times per year	60	0	30	90

Yearly Activities

Task/Action	Committee Coordinator Time Spent in Hours	Staff Liaison Time Spent in Hours	Corp Com Time Spent in Hours	Total Hours
Time spent per year supporting and/or attending a committee event or award	21	0	85	106
Time spent per year managing committee issues or on any other mattering pertaining to your role supporting the Committee	7	0	78	85
Total	28	0	163	191

Grand Total	281
--------------------	------------

Report on Markham's Citizen Advisory Boards/Committees 2014 – 2018

Varley-McKay Art Foundation of Markham**Monthly Activities**

Task/Action	Committee Coordinator Time Spent in Hours	Staff Liaison Time Spent in Hours	Corp Com Time Spent in Hours	Total Hours
Time spent per meeting preparing, coordinating or reviewing the agenda	1	0.5	0	1.5
Time spent per meeting preparing or reviewing the meeting minutes and following up on action items	4	1	0	5
Time spent per meeting attending and preparing for the meeting	2.5	8.75	0	11.5
Time spent per meeting on email correspondence	1	1	0	2
Total per month	8.5	11.25	0	19.75
Total time per year (total times the number of meetings) • Meets 8 times per year	68	90	0	158

Yearly Activities

Task/Action	Committee Coordinator Time Spent in Hours	Staff Liaison Time Spent in Hours	Corp Com Time Spent in Hours	Total in Hours
Time spent per year supporting and/or attending a committee event or award	0	53	10	63
Time spent per year managing committee issues or on any other mattering pertaining to your role supporting the Committee	0	88	0	88
Total	0	141	10	151

Grand Total	309
--------------------	------------

Report on Markham's Citizen Advisory Boards/Committees 2014 – 2018

“Appendix C”**Number of Meetings Held without Quorum in 2014-2018 Term of Council**

Committee	2015		2016		2017		2018	
	No. of Meetings	No. of Meetings without Quorum	No. of Meetings	No. of Meetings without Quorum	No. of Meetings	No. of Meetings without Quorum	No. of Meetings	No. of Meetings without Quorum to date
Advisory Committee on Accessibility	8	1	10	0	10	1	10	1
Agricultural Advisory Committee	2	1	6	1	0	0	0	0
Animal Care Committee	12	0	12	2	10	0	10	1
Canada Day Committee	7	0	8	0	8	1	7	3
Cycling and Pedestrian Advisory Committee	10	0	10	0	10	0	10	0
Doors Open Markham	8	0	8	0	9	0	10	0
Environmental Advisory Committee	10	0	8	1	9	1	10	1
Flato Markham Theatre Advisory Board	9	1	9	2	9	0	9	0
German Mills Meadow & Natural Habitat Liaison Committee	1	0	2	0	2	0	2	0
Friends of the Markham Museum Board	10	0	9	0	9	1	10	1
Historical Unionville Community Vision Committee	0	0	4	0	9	1	9	0
Main Street Markham	10	0	8	1	5	1	5	0
Markham-Milliken Children's Festival Committee	9	5	7	1	8	2	8	2
Markham Sports Hall of Fame Awards Committee	0	0	7	0	9	0	6	1
Public Art Advisory Committee	4	0	4	0	4	0	4	0
Public Library Board	10	0	10	1	9	0	10	1
Public Realm Advisory Committee	4	0	3	1	4	0	2	1
Seniors Advisory Committee	12	1	7	2	8	0	10	1
Seniors Hall of Fame Committee	5	1	7	0	8	1	8	1
Varley-McKay Art Foundation of Markham	8	0	7	1	5	0	7	0
total	139	10	146	13	145	9	147	14

“Appendix D”**Markham Advisory Board/Committee Accomplishments
in 2014-2018 Term of Council**

Committee	Accomplishments
1. Achievement & Civic Recognition Committee	Did not meet in this Term of Council
2. Advisory Committee on Accessibility	<ul style="list-style-type: none"> • Provides feedback on the City's multiyear accessibility plan; • Provided feedback on the accessibility of the City's website; • Provided feedback on the accessibility of key commercial and City site plans; • Made recommendations to Council on accessibility matters; • Organized the 2015, 2016, 2017, and 2018 Accessibility Fair; • Supported the Markham Board of Trade Award 2015, and 2016; • Created and launched the Markham Accessibility Award; • Participated in the Canada Day Parade.
3. Agricultural Advisory Committee	<ul style="list-style-type: none"> • Organized the 2015 and 2016 Agricultural Tour; • Made recommendations to Council on agricultural matters; • Provided feedback on the City Tree-By-Law, the Province's Land Use Planning Review, and on building permit fees for agricultural buildings; • Received presentations on relevant City programs; • Attended the Friends of the Greenbelt Workshop; • Has meet since 2016.
4. Animal Care Committee	<ul style="list-style-type: none"> • Heard deputations regarding matters pertaining to animals; • Donated \$36K to the Cat Adoption and Education Centre; • Participated in the Unionville Old Tyme Christmas Parade; • Made recommendation to Council on matters regarding animals; • Attended many events educating the public on the City's animal services and

Report on Markham's Citizen Advisory Boards/Committees 2014 – 2018

Committee	Accomplishments
	raising funds for the Cat Adoption and Education Centre; <ul style="list-style-type: none"> • Provided feedback on relevant City programs; • Reviewed and made recommendations to staff with respect to the City's Animal Control By-Law.
5. Box Grove Community Centre Board	<ul style="list-style-type: none"> • Managed the operations of Box Grove Community Centre.
6. Canada Day Committee	<ul style="list-style-type: none"> • Helped organize the 2015, 2016, 2017, and 2018 Canada Day event.
7. Cedar Grove Community Centre Board	<ul style="list-style-type: none"> • Manages the operations of Box Grove Community Centre.
8. Cemetery Board	<ul style="list-style-type: none"> • Managed the City's cemeteries.
9. Cornell Advisory Group	<ul style="list-style-type: none"> • Provided feedback on development applications being submitted for the Cornell area.
10. Cycling & Pedestrian Advisory Committee	<ul style="list-style-type: none"> • Organize and plan the annual Giro and Cycling Day in Markham; • Provided feedback on relevant City programs and projects; • Heard deputations on Cycling matters; • Made recommendations to Council on cycling and pedestrian matters (e.g. requesting Council pass a by-law restricting vehicles from parking on bicycle facilities, and endorsing the Lake to Lake Path implementation through the City of Markham).
11. Door Open Markham Committee	<ul style="list-style-type: none"> • Organize and plan the Doors Open Markham event.
12. Environmental Advisory Committee	<ul style="list-style-type: none"> • Participated in the Net Zero Workshop held by City of Markham; • Attended the annual Regional Environmental Advisory Committee meeting; • Hosted Earth Day Events in 2015, 2016, 2017, and in 2018; • Worked with the Cycling & Pedestrian Committee promote awareness of the City' trail system at the Earth Day Event; • Helped promote the City's new textile program; • Attended the Provincial Environmental Advisory Committee Symposium; • Provided feedback on City programs;

Report on Markham's Citizen Advisory Boards/Committees 2014 – 2018

Committee	Accomplishments
	<ul style="list-style-type: none"> • Heard deputation on environmental matters.
13. Flato Markham Theatre Advisory Board	<ul style="list-style-type: none"> • Hosted Fundraising Gala in 2015, 2016, 2017, and 2018; • Hosted Live Art Awards and requested that the week be proclaimed; • Provided feedback on the theatre operations; • Launched Every Child Every Year; • Provided feedback/input into the development of the Theatre's Strategic Plan; • Provided feedback on theatre programs; • Raised funds for the theatre; • Supported a grant application for the Theatre.
14. Friends of the Markham Museum Board	<ul style="list-style-type: none"> • Hosted a speaker series at the Museum; • Provided feedback on the Museum Strategic Plan; • Raised funds for the Museum.
15. German Mills Community Centre Board	<ul style="list-style-type: none"> • Manages the operations of the German Mills Community Centre Board.
16. German Mills Meadow & Natural Habitat Liaison Committee	<ul style="list-style-type: none"> • Provided recommendations to Council and staff regarding the German Mills Meadow & Natural Habitat.
17. Heintzman House Community Centre Board	<ul style="list-style-type: none"> • Hosted an annual art show; • Host an annual Halloween event; • Host an annual Christmas Craft Sale;
18. Historical Unionville Community Vision Committee	<ul style="list-style-type: none"> • Made recommendations to Council regarding the Unionville area (e.g. requesting Unionville Core Area Streetscape Master Plan, introducing wayfinding signs on Main Street Unionville, and requesting full enforcement of property standards on Main Street Unionville); • Received presentations from staff on the Main Street Unionville Vision Plan and on other relevant matters.
19. Main Street Markham Committee	<ul style="list-style-type: none"> • Provided input on relevant City programs/projects; • Made recommendations to staff and Council regarding the Main Street Markham Area (e.g. requesting staff investigate installing a heritage bus shelter at Princess and Main Street Markham, and

Report on Markham's Citizen Advisory Boards/Committees 2014 – 2018

Committee	Accomplishments
	<p>on the requesting the replacement of the tree/Christmas tree near the old City Hall);</p> <ul style="list-style-type: none"> Received presentation/updates on relevant City projects/programs.
20. Markham Centre Advisory Group	<ul style="list-style-type: none"> Provided feedback on development applications in the area.
21. Markham-Milliken Children's Festival Committee	<ul style="list-style-type: none"> Assisted staff in the planning and undertaking of the Markham-Milliken Children's Festivals held in 2015, 2016, 2017, and 2018.
22. Milliken Advisory Group	Did not meet in this Term of Council.
23. Markham Sports Hall of Fame Committee	<ul style="list-style-type: none"> Planning/creating the Markham Sports Hall of Fame Awards; First Award ceremony to be held in 2019.
24. Mayor's Youth Taskforce	<ul style="list-style-type: none"> Markham Youth Expo – Annual event for youth and community to showcase youth talent and services for youth. Amazing Race Markham – Annual event for youth to participate in a fun and challenging full day race. Teams raise funds for a chosen local charity such as the food bank, Native Youth Services, MSH Collage- Annual networking event which brings area youth councils together for social and networking. Think Tank – Annual event which brings together local presenters to present on topics relating to youth issues and topics. Get Involved Conference – Annual conference in which the MMYC host local grade 8 students for a day long conference. Topics include leadership, volunteering, and teamwork.
25. Pan Am Host Advisory Committee	<ul style="list-style-type: none"> Helped organize the Pan Am festivities in Markham.
26. Property Standards Committee	<ul style="list-style-type: none"> Heard property standard appeals and made decisions on the matters.
27. Public Art Advisory Committee	<ul style="list-style-type: none"> Reviews and advises Council on public art projects including the Downtown Markham Public Art installation, the Benjamin Thorne, Berczy, and Rizal statues, the Charity Sculpture, and the War Memorial Cenotaph; Participated in the York University Public Art Symposium May 2017.

Report on Markham's Citizen Advisory Boards/Committees 2014 – 2018

Committee	Accomplishments
28. Public Realm Advisory Committee	<ul style="list-style-type: none"> • Provided feedback on Markham's public realm projects; • Projects have included: Forest of Hope, Unionville inspiration board, wrapping of traffic control boxes, revitalization of park shelters, and community message boards.
29. Public Library Board	<ul style="list-style-type: none"> • Provided feedback on Library policies, programs, and operations.
30. Race Relations Committee	<ul style="list-style-type: none"> • Hosted the 2015, 2016, and 2018 Many Faces of Markham event; • Had a booth at the York Region Police, International Day for the Elimination of Racism event; • Had a booth at the Taste of Asia promoting the Race Relations Committee; • Held a youth conference; • Held a Human Rights Event; • Held a Race Relations Open House; • Provided feedback on the Diversity and Inclusion Charter for York Region; • Hosted a Community Round table event.
31. Santa Claus Parade Advisory Committee	<ul style="list-style-type: none"> • Planned and organized the Markham Santa Claus Parade.
32. Seniors Advisory Committee	<ul style="list-style-type: none"> • Heard presentations on matters regarding seniors; • Provided feedback at many meetings on Markham's proposed Older Adult Strategy; • Hosted a Health and Wellness Fair for Seniors; • Provide input into the Senior's section in Markham Life, including providing article ideas; • Received presentation and provided feedback from a seniors perspective on City program; • Assisted with the a senior's art show and fashion show; • Hosted a senior's craft show; • Helped promote the Senior's Extravaganza and other seniors events.
33. Senior's Hall of Fame Awards Committee	<ul style="list-style-type: none"> • Obtained nominations for the Senior's Hall of Fame Awards ceremony; • Provided input into the planning and organization of the ceremony;

Report on Markham's Citizen Advisory Boards/Committees 2014 – 2018

Committee	Accomplishments
	<ul style="list-style-type: none"> Judged the nominations and selected the winners of the awards.
34. Thornhill Revitalization Committee	<ul style="list-style-type: none"> Did not meet in this Term of Council.
35. Unionville-Stiver Mill Preservation Advisory Committee	<ul style="list-style-type: none"> Did not meet in this Term of Council.
36. Varley-McKay Art Foundation of Markham	<ul style="list-style-type: none"> Primary focus is on raising funds to support the <u>Varley Art Gallery of Markham</u>, with a focus on art acquisitions, conservation of the art collection, educational programs and exhibition research; Organized the annual Rouge Varley Gala; Hosted Vintages at the Varley New World Wine event; The Foundation also helps operate an active volunteer program to further support the Varley Art Gallery of Markham.
37. Victoria Square Community Centre Board	<ul style="list-style-type: none"> Managed the operations of Victoria Square Community Centre.

Appendix “D”

Current List of ABCs

Advisory Committees with Citizen Appointments

1.	Achievement & Civic Recognition Committee
2.	Advisory Committee on Accessibility
3.	Agricultural Advisory Committee
4.	Animal Care Committee
5.	Canada Day Committee
6.	Cemetery Board
7.	Cornell Advisory Group
8.	Cycling & Pedestrian Advisory Committee
9.	Doors Open Markham Committee
10.	Environmental Advisory Committee
11.	Flato Markham Theatre Advisory Board
12.	German Mills Meadow & Natural Habitat Liaison Committee
13.	Heritage Markham Committee
14.	Historical Unionville Community Vision Committee
15.	Main Street Markham Committee
16.	Markham Centre Advisory Group
17.	Markham-Milliken Children’s Festival Committee
18.	Milliken Mills Main Street Advisory Group
19.	Markham Sports Hall of Fame Committee
20.	Mayor’s Youth Council
21.	Milne Pathway Working Group
22.	Pan Am Host Advisory Committee
23.	Public Art Advisory Committee
24.	Public Realm Advisory Committee
25.	Public Library Board - appointed for the term of Council
26.	Race Relations Committee
27.	Santa Claus Parade Advisory Committee
28.	Seniors Advisory Committee
29.	Senior’s Hall of Fame Awards Committee
30.	Train Anti Whistling Working Group
31.	Thornhill Revitalization Committee
32.	Unionville-Stiver Mill Preservation Advisory Committee

Advisory Committees with Council Members Only - appointed for the term of Council

1.	Appointment Committee
2.	Automated Vacuum Collection Feasibility Working Group
3.	Pandemic Readiness Emergency Plan Steering Committee

Foundations

1.	Varley-McKay Art Foundation of Markham
2.	Friends of the Markham Museum Board

Council Sub-Committees - appointed for the term of Council

1.	Budget Sub-Committee
2.	Development Charges Sub-Committee
3.	Eabametoong First Nations Sub-Committee
4.	Environmental Issues Committee
5.	Green Print Steering Committee
6.	Information Communication & Technology Sub-Committee
7.	Markham Sports Entertainment & Cultural Centre Sub-Committee
8.	Markham Sub-Committee* (including Main Street Markham & Cornell Advisory Group)
9.	Milliken Mills Sub-Committee* (including Milliken Mills Main Street Advisory Group)
10.	Parking Advisory Committee
11.	South East Community Centre & Library
12.	Thornhill Sub-Committee* (including Langstaff Implementation Committee)
13.	Transit Sub-Committee
14.	Unionville Sub-Committee* (including Historical Unionville Community Vision Committee, Markham Centre Advisory Group and Markham Centre Sub-Committee)
15.	York University Committee

*Adopted by Council on February 26, 2019.

Tribunals (Quasi-Judicial)

1.	Licensing Committee*
2.	Committee of Adjustment – appointed for the term of Council
3.	Property Standards Committee - appointed for the term of Council

*No citizen appointees on this Committee

Community Centre Boards

1.	Box Grove Community Centre Board
2.	Cedar Grove Community Centre Board
3.	German Mills Community Centre Board
4.	Heintzman House Community Centre Board
5.	Markham Village Train Station Community Centre Board
6.	Victoria Square Community Centre Board

APPENDIX “E”**ADVISORY BOARDS AND COMMITTEES (ABCS) TO REMAIN AS IS****FOR 2018-2022 TERM OF COUNCIL****Advisory Committees with Citizen Appointments**

1.	Advisory Committee on Accessibility
2.	Animal Care Committee
3.	Cemetery Board
4.	Cycling & Pedestrian Advisory Committee
5.	Environmental Advisory Committee
6.	Flato Markham Theatre Advisory Board
7.	Heritage Markham Committee
8.	Markham Sports Hall of Fame Committee
9.	Mayor's Youth Council
10.	Public Art Advisory Committee
11.	Public Library Board
12.	Race Relations Committee
13.	Seniors Advisory Committee

Advisory Committees with Council Members Only

1.	Appointment Committee*
----	------------------------

*conducting interviews for Heritage Markham, Public Library Board & Committee of Adjustment only

Foundations – no changes

1.	Varley-McKay Art Foundation of Markham
2.	Friends of the Markham Museum Board

Tribunals (Quasi-Judicial) – no changes at this time

1.	Licensing Committee*
2.	Committee of Adjustment
3.	Property Standards Committee

*proposed changes to be brought forward in June 2019

Council Sub-Committees

1.	Budget Sub-Committee (including Development Charges Sub-Committee)
2.	Markham Sub-Committee* (including Main Street Markham & Cornell Advisory Group)
3.	Milliken Mills Sub-Committee* (including Milliken Mills Main Street Advisory Group)
4.	Thornhill Sub-Committee* (including Langstaff Implementation Committee)
5.	Unionville Sub-Committee* (including Historical Unionville Community Vision Committee, Markham Centre Advisory Group and Markham Centre Sub-Committee)

*Adopted by Council on February 26, 2019.

Community Centre Boards – no changes

1.	Box Grove Community Centre Board
2.	Cedar Grove Community Centre Board
3.	German Mills Community Centre Board
4.	Heintzman House Community Centre Board
5.	Markham Village Train Station Community Centre Board
6.	Victoria Square Community Centre Board

APPENDIX “F”**PROPOSED CHANGES TO EXISTING COMMITTEES****FOR 2018-2022 TERM OF COUNCIL****Advisory Committees to be Re-Classified as Taskforces**

	Committee Name	Proposed 2 Year Term
1.	Canada Day Committee	September - September
2.	Doors Open Markham	November - November
3.	Markham-Milliken Children's Festival Committee	September - September
4.	Santa Claus Parade Advisory Committee	January - January

Advisory Committee Functions to be Amalgamated into Another Existing Committee & Originating Committee Dissolved

	Committee Name	Comments
1.	Agricultural Advisory Committee	Matters will be sent directly to DSC
2.	Automated Vacuum Collection Feasibility Working Group	Matters will be sent directly to General Committee
3.	Cornell Advisory Group	Matters will be dealt with at the Markham Sub-Committee*
4.	Development Charges Sub-Committee	Matters will be dealt with at the Budget Sub-Committee
5.	Eabametoong First Nations Sub-Committee	Matters will be sent directly to General Committee
6.	Environmental Issues Committee	Matters will be sent directly to General Committee. Cross Commission Staff can give grants out with criteria, similar to Celebrate Markham
7.	Green Print Steering Committee	Matters will be sent directly to General Committee
8.	Historical Unionville Community Vision Committee	Matters will be dealt with at the Unionville Sub-Committee*
9.	Information Communication & Technology Sub-Committee	Matters will be sent directly to General Committee

10.	Langstaff Implementation Committee	Matters will be dealt with at the Thornhill Sub-Committee*
11.	Main Street Markham	Matters will be dealt with at the Markham Sub-Committee*
12.	Markham Centre Advisory Group	Matters will be dealt with at the Unionville Sub-Committee*
13.	Markham Centre Sub-Committee	Matters will be dealt with at the Unionville Sub-Committee*
14.	Milliken Mills Main Street Advisory Group	Matters will be dealt with at the Milliken Mills Sub-Committee*
15.	Pandemic Readiness Emergency Plan Steering Committee	Matters will be dealt with under the City's Emergency Management program
16.	Public Realm Advisory Committee	Matters will be sent directly to General Committee
17.	Seniors Hall of Fame Awards Committee	Matters will be dealt with at the Seniors Advisory Committee
18.	Transit Sub-Committee	Matters will be sent directly to Development Services Committee
19.	York University Committee	Matters will be sent directly to General Committee

*Adopted by Council on February 26, 2019.

Advisory Committees to be Dissolved

	Committee Name	Comments
1.	Achievement and Civic Recognition Committee	Will be handled through Mayor's office if required
2.	German Mills Meadow and Natural Habitat Liaison Committee	Mandate completed
3.	Markham Sports Entertainment and Cultural Centre Subcommittee	Mandate completed
4.	Milne Pathway Working Group	Mandate completed
5.	Pan Am Host Advisory Committee	Mandate completed
6.	Parking Advisory Committee	Did not meet in past term of Council
7.	South East Community Centre and Library	Mandate completed
8.	Thornhill Revitalization Committee	Mandate completed
9.	Train Anti-Whistling Group	Mandate completed

10.	Unionville Stiver Mill Preservation Advisory Committee	Mandate completed
-----	---	-------------------



Report to: General Committee

Meeting Date: April 23, 2019

SUBJECT:	Water Related By-law Update and Consolidation
PREPARED BY:	Rebecca Fei, Compliance Engineer – Ext 2687
	Gord Miokovic, Manager of System Engineering – Ext 2519

RECOMMENDATION:

1. That the report entitled “Water Related By-law Update and Consolidation”, dated April 23, 2019, be received; and,
2. That the proposed Water Use By-law, as described in this report and in the form set out in Attachment “A” be approved and enacted; and,
3. That the four new Waterworks Fees as described in this report be approved, and that an amendment to By-law No. 2002-276 “Fee By-law”, as amended, be approved and enacted in the form set out in Attachment “B”; and,
4. That an amendment to By-law No. 2016-84 “AMPS By-law for Non-Parking Offences”, as amended, be approved and enacted in the form set out in Attachment “C”; and,
5. That an amendment to By-law No. 2012-137 “Licensing, Permit and Service Fees By-law”, as amended, be approved and enacted in the form set out in Attachment “D”; and,
6. That each of the Director of Environmental Services and the Director of Engineering be authorized to execute agreements (i.e. “Water Service Connection Installation Agreement”) for the construction of Water Service Connections with property owners under section 6.1.1 of the Proposed Water Use By-law to the satisfaction of the Director of Environmental Services or the Director of Engineering ; and further,
7. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

PURPOSE:

This report summarizes the update and consolidation of three existing water related by-laws and seeks Council’s approval of the proposed Water Use By-law (Attachment “A”) and the establishment of four new Waterworks Fees (Attachment “B”).

This report also seeks Council’s approval for housekeeping amendments to By-law No. 2016-84 “AMPS By-law for Non-Parking Offences” (Attachment “C”) and By-law No. 2012-137 “Licensing, Permit and Service Fees By-law” (Attachment “D”) that will be required if the proposed Water Use By-law is enacted.

BACKGROUND:

The City’s water supply system serves approximately 82,277 residential and ICI (Industrial, Commercial and Institutional) water customers. The City’s water supply system consists of approximately 1,070 km of water mains, 82,277 service connections and related water meters, 8,620 public fire hydrants and other appurtenances.

To establish a regulation framework for the water supply system, the City currently has three existing water related by-laws:

- 1) By-law No. 1602 was enacted by Council on June 11, 1956 to regulate the construction, operation and maintenance of the City’s waterworks system. Several minor amendments were made up to November 20, 2012. Major updates are required to reflect current industry practice and water system management as well as billing requirements.

-
- 2) By-law No. 105-95 was enacted by Council on June 27, 1995 to regulate lawn watering during the summer season. Only minor updates are required to incorporate our current outdoor water restriction practice.
 - 3) Water Meter By-law No. 2012-42 was enacted by Council on November 20, 2012 to regulate the installation, maintenance, access and reading of water meters. The By-law was last amended on June 26, 2018 and requires minor updates to better support the City's water metering program.

The City's water by-laws are intended to:

- 1) Protect the integrity of the water supply system by setting out requirements for construction, operation and maintenance of the City's water system.
- 2) Improve operational efficiency by defining the roles and responsibilities of the City and water customers.
- 3) Ensure the by-law requirements can be met by providing more streamlined enforcement mechanisms for those infractions.

OPTIONS/ DISCUSSION:

I. Approach used to Undertake the By-law Updates and Consolidation

In order to reflect our current water system related requirements and bylaw enforcement practices, it is necessary to update the three existing water related by-laws and consolidate them into one comprehensive by-law that will be easier to understand. The following approach was used to develop the new Water Use-Bylaw (Attachment "A").

1. "Table of Contents" has been added for easy navigation of the new Water Use By-law.
2. New provisions were added to the By-law to address specific issues encountered related to water service, water metering and billing, and waterworks system management.
3. Existing provisions have been revised or expanded to clarify the requirements.
4. To ensure the proposed Water Use By-law conforms to industry practice, staff have reviewed other Water Use By-laws in the Greater Toronto Area and where necessary incorporated those provisions.
5. Attachment "E" (i.e. *Summary of three By-laws' updates and consolidation into one new Water Use By-law*) identifies all changes.
6. The existing three water related by-laws will be repealed with the enactment of the proposed Water Use by-law.

II. Key Updates to By-law No. 1602 enacting rules and regulations of Waterworks construction, operation and maintenance:

All provisions have been reworded and expanded to reflect the current practices before being consolidated into the new Water Use By-law. Key changes are highlighted below:

1. Section 6 "*Water Service Connections*" has been added to identify all components associated with water service connections – from application, installation, replacement and the related costs.
2. Section 6.8 "*Frozen Water Service Connection/Private Water Pipes*" and section 6.9 "*Vacant or unheated Properties*" have been added to clarify the responsibilities of the City

and owners when water service connections, private water service pipes, private fire mains or water meters freeze or properties are left vacant or unheated for extended periods of time.

3. Section 11.0.1 "*Prohibition of New Private Well Within Municipal Water Service Areas*" has been added to prohibit the establishment of any new or replacement private wells in a water serviced urban area. It also lists situations when an exemption for a new or replacement private well may be permitted.
4. Section 12 "*Billings and Collection of Accounts*" has been added to explain current billing practices.

III. Updates of By-law No. 105-95 Regulating Lawn Watering:

All sections have been consolidated with two changes highlighted below:

1. Markham's current By-law related to lawn watering (i.e. odd numbered addresses are permitted to water lawns on the odd numbered days of the month; and even numbered addresses are permitted to water lawns on the even numbered days of the month) provides an additional watering day (the 31st) for the odd-numbered addresses. As such, for the months with 31 days, section 10.0.0(c) has been added to permit residents with all addresses to water their lawns on the 31st of those months.
2. Section 10.1 "*Water Use Restriction Order*" has been added to give the Director of Environmental Services the authority to issue such restrictions when one or more water supply situations warrant such restriction, such as insufficient water supply or insufficient water pressure associated with issues related to the operation of Markham's or Region of York's water infrastructure. Restrictions would typically be undertaken in consultation with Region of York.

IV. Updates of Water Meter By-law No. 2012-242:

All sections have been consolidated with five key changes highlighted below:

1. Section 7.0.1 "*Water Meters –City Property*" and Section 7.0.2 "*Private Water Meters – Not the City's responsibility; not used for the City's water billing purposes*" have been added to clarify the types and purpose of water meter and the related responsibility.
2. Section 7.1.8(f), 7.2.2(c) and 7.3.2(h) have been added to deal with water theft through opened water meter by-pass valves, water meters which have been tampered with or from illegal connections. For water meters that fail to register, back charges are estimated for no more than a 24 month period. However, these new sections give the Director of Environmental Services the discretion to back charge beyond the 24 month period where water theft has occurred.
3. Section 7.2.1(j) has been added to deal with those owners or occupiers who refuse the City access to the water meter. It gives the City the authority to enter onto property in accordance with the Section 14 "Powers of Entry" provisions in the By-law and the *Municipal Act*. Section 14.2.1 of the By-law allows the City enter to read, inspect, install, repair, replace, maintain, alter or remove a water meter or related appurtenances. Section 14.0 of the By-law also provides that no person shall hinder, obstruct or deny the City access to a property for any purpose permitted in the By-law.
4. Section 7.3.5(d) permits the City to issue an Order to an owner or occupier when they fail to comply with the City's notices to schedule a meter replacement appointment, to provide

the City access to a water meter, or to repair or replace their private water system prior to the City's water meter replacement.

5. Section 7.5 "*Unmetered Fire Line*" has been added to permit the continued use of grandfathered fire lines installed without metering.

V. Proposed New Waterworks Charge/Fee:

Along with the proposed Water Use By-law, the four new Waterworks Fees as described in Attachment "B" should be established and incorporated into Markham's Fee By-law No. 2002-276.

VI. Amendments to other City By-laws:

1. Currently, two City By-laws make reference to Water Meter By-law No. 2012-242:
 - By-law No. 2016-84 "AMPS By-law for Non Parking Offences"
 - By-law No. 2012-137 "Licensing, Permits and Service Fees By-law"
2. Housekeeping amendments to these two By-laws are necessary so that reference to the Water Meter By-law No. 2012-242 is removed and replaced with the new Water Use By-law recommended in this report. Attachment "C" and Attachment "D" are the proposed amendments to these two By-laws.
3. In addition, two new offence provisions from the proposed Water Use By-law [i.e. section 7.3.5(e)(ii) and section 7.3.5(e)(iii)] are being added to the "AMPS By-law for Non-Parking Offences".
4. The existing two water related AMPS offences will remain in the By-law No. 2016-84, but will be renumbered to match the corresponding provisions of the proposed Water Use By-law [i.e. section 7.3.5(e)(i) and section 9.0.0].

VII. Delegated Authority to Enter into Water Service Connection Installation Agreements:

1. Section 6.1.1 of the new Water Use By-law gives each of the Director of Environmental Services and the Director of Engineering the discretion to authorize property owners to install their own water service connections, including a watermain, under certain circumstances.
2. An agreement (i.e. "Water Service Connection Installation Agreement") is required to outline the obligations of the owner and the City with respect to the installation of the water service connections and any associated works.
 - A. The owner's obligation would include:
 - Hiring a Professional Engineer to: (a) carry out the design and to administer the agreement on behalf of the owner; (b) submit the design to the City for review and approval; (c) inspect and certify that the construction meets the City's requirements; and (d) any other obligations that the Professional Engineer needs to fulfill.
 - Retaining a contractor to install the water service connection in accordance with the design prepared by the owner's Professional Engineer and approved by the City.
 - Providing financial securities to guarantee the completion of the work to the City's satisfaction and payment of other applicable fees as required by the agreement.
 - Complying with all applicable laws and City By-laws.
 - B. The City's obligations would include:

-
- Review and approval of the design of the proposed construction prepared by the owner's Professional Engineer.
 - Inspection of the installation.
 - Acceptance of the installation when certified by the Professional Engineer and if satisfactory to the Director of Environmental Services or the Director of Engineering.
 - Release of the financial securities in accordance with the conditions set out in the agreement.
3. A template agreement will be developed, the terms and conditions of which will be to the satisfaction of the Director of Environmental Services and the Director of Engineering and in a form that is to the satisfaction of the City Solicitor. It is recommended that the execution of the agreements be delegated to each of the Director of Environmental Services and Director of Engineering.

FINANCIAL CONSIDERATIONS

The four new Waterworks Fees as described in Attachment "B" will be charged, billed and collected directly from the customers. The revenue generation from those new fees will be monitored and the 2020 budget will be adjusted based on actual fees collected in 2019.

HUMAN RESOURCES CONSIDERATIONS

Not Applicable

ALIGNMENT WITH STRATEGIC PRIORITIES:

Municipal Services/Excellence Markham – Update and consolidation of Markham's water-related by-laws will help our water customers and contractors better understand the City's water-related requirements in one concise document. Further, the new By-law now reflects current industry practice and water system management requirements.

BUSINESS UNITS CONSULTED AND AFFECTED:

The following departments and business units were consulted during the preparation of Water related By-law Update and Consolidation and this report:

• Engineering	• Building Standards	• Fire and Emergency
• Legislative Services	• Financial Services	• Legal Services

RECOMMENDED BY:

Phoebe Fu, P.Eng
Director, Environmental Services

Brenda Librecz
Commissioner, Community and Fire Services

ATTACHMENTS:

1. Attachment "A" – Proposed Water Use By-law (2019-XXX)
2. Attachment "B" – Proposed amendment to Fee By-law No. 2002-276
3. Attachment "C" – Proposed amendment to By-law No. 2016-84
4. Attachment "D" – Proposed amendment to By-law No. 2012-137
5. Attachment "E" – Summary of three By-laws' updates and consolidation into one new Water Use By-law

Attachment “A”

Table of Contents

PREAMBLES.....1

1. DEFINITIONS..... 2

2 APPLICATION OF BY-LAW 7

3 ADMINISTRATION OF BY-LAW 7

 3.0 Waterworks System Construction, Operation and Maintenance..... 7

 3.1 Water Rates, Charges and Revenues Responsibilities..... 8

 3.2 By-law Administration and Enforcement..... 8

4 USE AND RECEIPT OF WATER..... 8

5 ESTABLISHMENT AND DISCONTINUANCE OF WATER SERVICE ACCOUNT 8

 5.0 Establishment of Water Service Account..... 8

 5.1 Discontinuance of Water Service Account..... 9

6 WATER SERVICE CONNECTIONS 9

 6.0 Application for Water Service Connections 9

 6.0.0 All Water Service Connections require City Approval 9

 6.0.1 Application for Water Service Connection..... 9

 6.0.2 Application refused by the City 10

 6.0.3 Temporary Water Service Connections 10

 6.0.4 Water Service During Construction..... 10

 6.1 Installation of Water Service Connections 11

 6.1.0 Installation by the City..... 11

 6.1.1 Installation by the Owner..... 11

 6.1.2 Connection or Water Service Connection Installation rejected by the City 11

 6.1.3 Pre-installed Water Service Connections 12

 6.2 Costs of Water Service Connections 12

 6.3 Water Service Operation and Maintenance – By the City..... 12

 6.4 Number of Water Service Connections 13

 6.5 Replacement of Water Service Connections 13

 6.6 Existing Water Service Connection or Pre-serviced Lot..... 13

 6.6.0 Existing Water Service Connection to be turned off prior to demolition..... 13

 6.6.1 Existing Water Service Connection to be re-used 13

 6.6.2 Re-use of existing Water Service Connection not permitted..... 14

 6.6.3 Existing Water Service Connection to be disconnected 14

 6.7 Private Water Service Pipes and Private Fire Service Mains 14

 6.7.0 Installation by the Owner..... 14

 6.7.1 Private Fire Protection Systems in Buildings 14

 6.7.2 Private Water Service Pipe Sizes and Materials..... 14

 6.7.3 Maintenance Responsibilities 15

 6.7.4 Investigation and Repair of Leakage on Private Water System 15

 6.8 Frozen Water Service Connection/Private Water Pipes 15

6.9 Vacant or unheated Properties 16

6.10 Tests and Disinfection 16

7 WATER METER..... 17

7.0 Water to Be Metered..... 17

7.0.0 Water to Be Metered..... 17

7.0.1 Water Meters – City Property 18

7.0.2 Private Water Meters – Not the City’s Responsibility; not used for the City’s
Water billing purposes 18

7.0.3 Sprinkler Meter for Irrigation System 18

7.1 Water Meter Installation 18

7.1.0 Installation of Residential Water Meter 18

7.1.1 Installation of ICI and Multi-Residential Water Meter 19

7.1.2 Supply of Water Meter 19

7.1.3 Application for Water Meter – (Only for Infill Home, ICI and Multi-Residential
Water Meter Application)..... 20

7.1.4 Size of Water Meter 20

7.1.5 Water Meter Loss or Damage 20

7.1.6 Notification by Owner 20

7.1.7 Provision for Installing a Water Meter 20

7.1.8 Water Meter By-Pass Piping 20

7.1.9 Water Meter Chamber 21

7.2 Water Meter Inspection 22

7.2.0 Water Meter Inspection and Sealing..... 22

7.2.1 Water Meter Access..... 22

7.2.2 Water Meter Interference Prohibited 23

7.3 Water Meter Maintenance 23

7.3.0 Maintenance of Water Meter Appurtenances and Piping..... 23

7.3.1 Maintenance of Chambers 24

7.3.2 Water Meter Accuracy 25

7.3.3 Water Meter Relocation..... 26

7.3.4 Water Meter Leaks 26

7.3.5 Water Meter Replacement 27

7.4 Water Meter Removal due to Building Demolition 27

7.5 Unmetered Fire Line..... 28

8 WATER TURN OFF / TURN ON 28

8.0 Water Turn off by Request 28

8.1 Water Turn on by Request..... 29

8.2 Water Turn off / Reduction of Water supply by the City 29

9 FIRE HYDRANTS 30

9.0 Public Fire Hydrants 30

9.1 Private Fire Hydrants..... 31

9.2 Fire Hydrant Flow Tests 31

9.3 Fire Hydrant Permits 31

9.4 Fire Hydrant Relocation 32

9.4.0 Application and Cost of Relocation..... 32

9.4.1 Construction and Payment..... 32

10 WATER USE RESTRICTION..... 32

10.0 Lawn Watering Restriction 32

10.1 Water Use Restriction Order 33

11 MISCELLANEOUS REQUIREMENTS 33

11.0 Private Water Supply System..... 33

11.0.0 Conversion from Private Well Supply to the Waterworks System 33

11.0.1 Prohibition of New Private Well within Municipal Water Service Areas..... 34

11.1 Steam Boilers 34

11.2 Water-Cooled Air-Conditioning Systems 35

12 BILLINGS AND COLLECTION OF ACCOUNTS..... 35

12.0 Changes of occupancy and Consumer information must be reported..... 35

12.1 Non-Metered and Metered Accounts 35

12.2 Regular Billings..... 35

12.3 Final Billings 35

12.4 Water Meter does not record properly or cannot be read – Estimated Consumption .. 35

12.5 Water Meters without Remote Readout Unit 36

12.6 Charges for late payment..... 36

12.7 Notice of non-payment..... 36

12.8 Records of Non-payment..... 36

12.9 Collection of non-payment from the Property Owner..... 36

12.10 Water Turn off or Reduction for Non-payment 37

12.11 Water Arrears collected as a lien on Property 37

13 CONTACT INFORMATION..... 37

14 POWERS OF ENTRY 38

15 ENFORCEMENT 39

16 OFFENCES 39

17 PENALTY PROVISIONS..... 39

17.1 Proceeds of Fines..... 40

17.2 Unpaid Fines 40

18 ADMINISTRATIVE PENALTIES 40

19 GENERAL BY-LAW ENFORCEMENT POWERS 40

19.0 Order to Discontinue Activity..... 40

19.1 Work Order 40

19.2 Remedial Action 40

20 NOTICE/SERVICE 41

21 FEES 41

21.0 Service Fees..... 41

21.1 Recovery of Costs 41

22 GENERAL PROVISIONS 41

23 BY-LAW WORDING 41

24 SEVERABILITY..... 42

Updated: March 26, 2019

Water Use By-law #2019-XXX

25 REPEAL 42

26 INTERPRETATION 42

27 SHORT TITLE 42

28 EFFECTIVE DATE..... 42



BY-LAW 2019-XXX

A by-law to enact rules and regulations covering the construction, operation and maintenance of a Waterworks System within the serviced area of the City of Markham.

WHEREAS The Corporation of the City of Markham (hereinafter referred to as the “City”) is a lower-tier municipality within the Regional Municipality of York in the Province of Ontario;

AND WHEREAS subsection 11(3) and (4) of the *Municipal Act, 2001*, S.O. 2001 c. 25, as amended (hereinafter referred to as the “*Municipal Act*”), authorizes lower tier municipalities to pass by-laws respecting public utilities including systems that distribute Drinking Water;

AND WHEREAS the City has certain responsibilities for the distribution of Drinking Water within the jurisdiction of the City of Markham;

AND WHEREAS the City is deemed to be the “water purveyor” as defined in subsection 1.4.1.2 (1) (b) of the *Ontario Building Code*;

AND WHEREAS Part 7 of the *Ontario Building Code*, as amended, authorizes a municipality to regulate the connection of individual water services to a municipal potable water system;

AND WHEREAS subsection 7.6.1.3 (5) of the *Ontario Building Code* states that “Where the water supply is to be metered, the installation of the meter, including the piping that is part of the meter installation and the valving arrangement for the meter installation, shall be according to the water purveyor’s requirements”;

AND WHEREAS subsection 80 (1) of the *Municipal Act*, authorizes a municipality, at reasonable times, to enter on land to which it supplies a public utility,

- (a) to inspect, repair, alter or disconnect the service pipe or wire, machinery, equipment and other works used to supply the public utility; or
- (b) to inspect, install, repair, replace or alter a public utility meter.

AND WHEREAS subsection 80 (2) of the *Municipal Act* authorizes a municipality to shut off or reduce the supply of a public utility to the land for the purposes of subsection 80 (1);

AND WHEREAS subsections 81 (1) and (2) of the *Municipal Act* authorize a municipality to shut off the supply of a public utility to land if fees or charges payable by the Owners or Occupants of the land for the supply of the public utility are overdue, upon providing reasonable notice of the proposed shut off to the Owners and Occupants;

AND WHEREAS subsection 82 (1) of the *Municipal Act* provides that a municipality is not liable for damages caused by the interruption or reduction of the amount of a public utility supplied to the land of any Person as a result of an emergency or a breakdown, repair or extension of its public utility if, in the circumstances, reasonable notice of its intention to interrupt or reduce is given;

AND WHEREAS subsection 91 (9) of the *Municipal Act* authorizes a municipality to enter upon land to repair and maintain its public utilities;

AND WHEREAS the Council of the Corporation of the City of Markham deems it expedient to have water restrictions for certain classes of Property within the serviced area of the City of Markham;

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

AND WHEREAS subsection 398 (1) of the *Municipal Act* provides that fees and charges imposed by a municipality on a Person constitute a debt of the Person to the municipality;

AND WHEREAS subsection 398 (2) of the *Municipal Act* states that a municipality may add fees and charges to the Tax Roll of the Property to which the public utility is supplied and

collect them in the same manner as municipal taxes and such fees shall have priority lien status;

AND WHEREAS subsection 425 (1) of the *Municipal Act* authorizes a municipality to pass by-laws providing a Person who contravenes it is guilty of an offence and subsection 429 (1) authorizes the establishment of a system of fines for offences under a by-law of the municipality;

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 434.2 (1) of the *Municipal Act* provides that an Administrative Penalty imposed by a municipality on a Person constitutes a debt of the Person to the municipality;

AND WHEREAS sections 435 and 437 of the *Municipal Act* provides for conditions governing the power of entry of a municipality;

AND WHEREAS subsection 436 (1) of the *Municipal Act* authorizes a municipality to pass by-laws providing that a municipality may enter on land at any reasonable time for the purpose of carrying out an inspection to determine whether or not a by-law, direction or order of the municipality is being complied with;

AND WHEREAS section 444 of the *Municipal Act* authorizes a municipality to make an Order requiring the Person who contravened a by-law or who caused or permitted the contravention or the Owner or Occupier of the land on which the contravention occurred to discontinue the activity and any Person who contravenes such Order is guilty of an offence;

AND WHEREAS section 445 authorizes a municipality to 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 the work to correct the contravention;

AND WHEREAS section 446 authorizes a municipality to direct or require a Person to do a matter or thing and in default of it being done, the matter or thing shall be done at that Person's expense and the municipality may collect the costs from the Person required to do it by action or by adding the costs to the Tax Roll and collecting them in the same manner as municipal taxes;

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

1. DEFINITIONS

1.0 For the purpose of this By-law, the following definitions and interpretations shall govern:

- 1) “**Account**” means the record of Water consumption and all fees and charges relating to a Property;
- 2) “**Administrative Penalty**” means an administrative penalty established by the City By-law No. 2016-84, as amended;
- 3) “**Advanced Metering Infrastructure (AMI)**” means all aspects related to collection, transmission, storage and monitoring of consumption, diagnostic and status data from metering devices by an automatic two-way metering infrastructure including the related equipment, software and hardware as adopted by the City from time to time for the purposes of billing, data analysis and remote utility management;
- 4) “**AMPS By-law for Non-Parking Offences**” means the City By-law No. 2016-84, a by-law to implement an Administrative Monetary Penalty System for Non-Parking Offences, as amended from time to time;
- 5) “**Applicable Law**” means any applicable federal, provincial or municipal laws, statutes, by-laws, rules, regulations, Orders, directives and codes including the *Ontario Building Code* and *Fire Code* as amended from time to time;
- 6) “**Applicant**” means any Person who makes an application under this By-law;

- 7) “**Automatic Meter Reading (AMR)**” means all aspects related to collection, transmission and storage of consumption data from metering devices by an automatic system including the related equipment, software and hardware as adopted by the City from time to time for the purposes of billing and data analysis;
- 8) “**AWWA Standards**” means the standards adopted by the American Water Works Association, as amended from time to time;
- 9) “**Back Charges**” means additional charges added to an Account to correct deficiencies, arising out of or in relation to a stopped Water Meter, illegal connections, Water Meter in by-pass, tampered Water Meter, opened by-pass valve, Water Meter Reversal, incorrect Water Meter conversion multiplier, non-sewer charges, and other applicable situations which may cause the City to lose water sale revenue because of improper use of Water, Water Meters or the Waterworks System;
- 10) “**Backflow**” means a flowing back of or reversal of the normal direction of flow of water, as defined by the *Ontario Building Code*, as amended;
- 11) “**Backflow Preventer**” means a device or method that prevents Backflow in a water distribution system, as defined by the *Ontario Building Code*, as amended;
- 12) “**Building**” means a structure as defined by subsection 1 (1) of the *Building Code Act, 1992*, S.O. 1992, c.23, as amended;
- 13) “**Business Day**” means any working day, Monday to Friday inclusive, but excludes public holidays as defined in Part I of the *Employment Standards Act, 2000*, S.O. 2000, c.41, as amended;
- 14) “**Chief Building Official**” means the chief building official appointed by Council for the purpose of enforcement of the *Building Code Act, 1992*, S.O. 1992, c.23, as amended, or their designate;
- 15) “**City**” means the Corporation of the City of Markham and includes its employees, Municipal Law Enforcement Officers, and authorized agents and contractors retained to act on the City’s behalf ;
- 16) “**City Standards and Specifications**” means the City’s *Engineering Design Criteria, Engineering Standard Drawings and Municipal Inspection & Construction Guidelines*, as amended from time to time or any other document superseding or replacing it;
- 17) “**Consumer**” means any or all of the Owner, Occupier, Developer or Builder of a Property which is serviced by, connected to or uses the Waterworks System;
- 18) “**Continuing Offence**” means a Person can be charged with a separate offence for each day on which the offence was committed or continued;
- 19) “**Council**” means the Council of the Corporation of the City of Markham;
- 20) “**Developer or Builder**” means the Owner or Person who has entered into an agreement with the City for the purposes of permitting development or construction to occur on a Property or land, which includes but is not limited to subdivision and site plan agreements entered into pursuant to the *Planning Act*, R.S.O. 1990, c. P. 13, as amended; or the Owner or Person to whom a building permit has been issued by the City pursuant to the *Building Code Act, 1992*, S.O.1992, c23, as amended;
- 21) “**Director of Engineering**” means the person designated as the Director for the Department of Engineering of the City or their designate;
- 22) “**Director of Environmental Services**” means the person designated as the Director for the Department of Environmental Services of the City or their designate;
- 23) “**Drinking Water**” means water intended for human consumption as defined by subsection 2 (1) of the *Safe Drinking Water Act, 2002*, c.32, as amended;
- 24) “**Fee By-law**” means the City By-law No.2002-276, a by-law to impose fees or charges for services or activities provided or done by the City, as amended from time to time;

- 25) **“Fire Chief”** means the person appointed by the Council and who is responsible for the delivery of fire protection services in the City pursuant to the *Fire Protection and Prevention Act*, 1997, S.O. 1997, c. 4, as amended, or their designate;
- 26) **“Fire Code”** means Ontario Regulation 213/07 of the Fire Protection and Prevention Act, 1997, S.O. c.4, as amended or any successor thereto;
- 27) **“Fire Protection System”** means an assembly of pipes, valves, appurtenances and fittings that conveys Water from the Private Fire Service Main to the private fire hydrants(s), the fire sprinkler system or the standpipe and hose system, or any combination of the foregoing in or outside the building;
- 28) **“ICI”** means industrial, commercial and institutional, including mixed use Buildings which contain at least one of an industrial, commercial or institutional use;
- 29) **“Infill Home”** means a new home built on a vacant lot, a severed lot or on a lot where an existing structure is demolished;
- 30) **“Irrigation System”** means fixed equipment, which includes sprinkler heads, piping and other components that are used primarily to apply Water to vegetation;
- 31) **“Licensing, Permit and Service Fees By-law”** means the City By-law No.2012-137, a by-law to establish licenses fees and to impose fees or charges on Persons for services or activities provided or done by or on behalf of the City, as amended from time to time;
- 32) **“Multiple Offence”** means an offence in respect of two or more acts or omissions each of which separately constitutes an offence and is a contravention of the same provision of a by-law;
- 33) **“Multi-Residential”** includes apartment buildings, residential condominium buildings, and townhouse condominium blocks;
- 34) **“Municipal Law Enforcement Officer”** means an employee of the City who has been appointed to enforce the City By-laws or a member of the York Regional Police;
- 35) **“Occupancy Certificate or Occupancy Permit”** means documents issued by the Department of Building Standards of the City confirming a Building's compliance with prescribed standards set out in the *Ontario Building Code*;
- 36) **“Occupier”** or **“Occupant”** includes a Person residing on or in a Property; a Person entitled to the possession of the Property; a tenant or leaseholder; and, where that Person is a corporation, shall include the officers, directors and shareholders of that corporation;
- 37) **“Ontario Building Code”** means Ontario Regulation 332/12, of the *Building Code Act*, 1992, S.O. c.23, as amended or any successor thereto;
- 38) **“Ontario Drinking Water Quality Standards”** means Ontario Regulation 169/03 under *Safe Drinking Water Act*, 2002, S.O.2000, c.32, as amended or any successor thereto;
- 39) **“Order”** includes a Notice, Work Order, Order to Comply, and Order to Discontinue issued by the City;
- 40) **“Owner”** means a Person who is the registered owner of a Property or who has any right, title, estate, or interest in a Property, other than that of only an Occupant and, where that Person is a corporation, shall include the officers, directors and shareholders of that corporation, and shall include any Person with authority or power over or control of that Property on the behalf of an Owner. An Owner includes a Developer or Builder;
- 41) **“Person”** means an individual, sole proprietorship, partnership, municipality, unincorporated association, unincorporated organization, corporation, trustee, heir, executor, administrator or other legal representative, Owner or Occupier of a Property, and includes an agent or employee of any of them;

- 42) “**Plumbing**” means a water system, drainage system and a venting system or parts thereof as defined in subsection 1 (1) of the *Building Code Act, 1992*, S.O.1992,c.23, as amended;
- 43) “**Private Fire Service Main**” means pipes, fittings and appurtenances that convey Water from the Water Service Connection for the purpose of fire protection or suppression only to all points in a fire protection or suppression system;
- 44) “**Private Water Meter**” means a Water Meter which is not owned, serviced or maintained by the City;
- 45) “**Private Water Service Pipe**” means the pipe and fittings owned by an Owner of Property that convey Water from the Water Service Connection to a Water Meter, or to the point where the pipe and fittings connected to the Water Service Connection enters a Building or structure if there is no Water Meter;
- 46) “**Private Water System**” means an assembly of pipes, fittings, valves, equipment and appurtenances owned by an Owner of Property that convey Water from the Private Water Service Pipe to Water supply outlets, fixtures, Plumbing appliances, devices and appurtenances and all other points downstream of the Water Meter or downstream of the point where the Private Water Service Pipe enters a Building or structure if there is no Water Meter;
- 47) “**Professional Engineer**” means an engineer experienced in municipal works, registered with the Association of Professional Engineers Ontario, possessing a current valid license to practice professional engineering as required by *the Professional Engineers Act*, R.S.O.1990, as amended or any successor thereto, and working for a consulting engineering company registered through a Certificate of Authorization to undertake engineering work;
- 48) “**Property**” means one house, one Building, one structure, one lot or block on a plan of subdivision or one parcel of land within the City which has a unique municipal address and is adjacent to the Waterworks System;
- 49) “**Qualified Person**” means an individual who holds a Drinking Water System Operator’s certificate under Ontario Regulation 128/04 (*Certification of Drinking Water System Operators and Water Quality Analysts*) of the *Safe Drinking Water Act*, S.O.2002, c.32, as amended or any successor thereto;
- 50) “**Remote Readout Unit**” means any device which is used to record or transmit the meter register reading of a Water Meter whether or not it is installed at a separate location from the Water Meter but does not include the Water Meter register;
- 51) “**Renovated Building**” means any Building or structure where the Plumbing or piping around or adjacent to a Water Meter is changed or altered after the Water Meter is installed;
- 52) “**Road Allowance**” means any right of way for the purpose of a road dedicated to the City or Regional Municipality of York;
- 53) “**Safe Drinking Water Act**” means the *Safe Drinking Water Act*, S.O.2002, c.32, as amended or any successor thereto
- 54) “**Single-Residential**” includes detached, linked, semi-detached houses and free hold townhouses, but excludes Multi-Residential uses;
- 55) “**Sprinkler Meter**” is a part of the Waterworks System and means any Water Meter which is installed separately for the purpose of metering water used by irrigation systems;
- 56) “**Street Line**” means the boundary of a Property abutting a Road Allowance;
- 57) “**Tax Roll**” means a listing of all taxable property in the City for a given year;
- 58) “**Temporary Water Service Connection**” means a water supply pipe which is installed for a specific short term purpose;
- 59) “**Treasurer**” means the Treasurer of the City or his/her designate;

- 60) “**Vacant**” means a vacant or an unoccupied Property regardless of the length of time the Property has been left unattended or not inhabited;
- 61) “**Valve Box**” is a part of the Waterworks System and means the vertical pipe and cap installed over an underground valve in the Waterworks System which allows the said valve to be operated from ground level;
- 62) “**Valve Chamber**” is a part of the Waterworks System and means the underground structure housing a valve in the Waterworks System which permits access to and operation of the said valve from ground level;
- 63) “**Water**” means Drinking Water;
- 64) “**Water Bill**” means the charge that is made to the Consumer for the City’s water and wastewater services which are billed by the City or any authorized agents acting on behalf of the City of Markham;
- 65) “**Watermain**” means a pipe forming part of the Waterworks System that conveys municipal Water supply to Water Service Connections;
- 66) “**Water Meter**” is a part of the Waterworks System and means the meter read, serviced, maintained or supplied by the City to measure the quantity of Water consumed at, in or upon a Property;
- 67) “**Water Meter Chamber**” is a part of the Waterworks System and means the underground structure housing a Water Meter which is located within three (3) meters of the Street Line;
- 68) “**Water Meter Replacement Program**” means an annual capital program implemented by the City to replace Water Meters at or near the end of their lifespan of approximately twenty (20) years. This proactive annual program reduces maintenance costs, and risks of water leaks at the meter, and provides an accurate measurement of Water consumed or wasted by the Consumer;
- 69) “**Water Rates**” includes “water rate” and “flat rate water charge” as set out in the Fee By-law;
- 70) “**Water Service Box**” is a part of the Waterworks System and means the vertical pipe and cap installed over the Water Shut Off Valve and stem on the Water Service Connection;
- 71) “**Water Service Connection**” is a part of the Waterworks System and means the pipes, fittings and appurtenances used for the purpose of supplying a Property in the City of Markham with Water from the Waterworks System and is located between the Street Line and the Watermain or between the Water Service Box and the Watermain;
- 72) “**Water Shut Off Valve**” is a part of the Waterworks System and means the valve on the Water Service Connection owned and used by the City to turn off or turn on the Water supply from the Waterworks System to any Property;
- 73) “**Water Use Restriction Order**” means a ban or other restrictions put into effect that restricts the outdoor use of Water;
- 74) “**Waterworks System**” means the municipal drinking water system which is owned and operated by the City licensed pursuant to the *Safe Drinking Water Act, S.O.2002, c.32*, as amended;
- 75) “**Waterworks User Fees**” means waterworks fees, charges and rates as set out in the Fee By-law, but not including Water Rates;
- 76) “**Well**” means an excavation or structure created in the ground by digging, driving, boring, or drilling to access groundwater;
- 77) “**Wells Regulation**” means Ontario Regulation 903 under *Ontario Water Resources Act, R.R.O. 1990*, as amended or any successor thereto;
- 78) “**Work**” means all construction, operation and maintenance activities related to the Waterworks System.

2 APPLICATION OF BY-LAW

2.0 This By-law shall apply to

- 2.0.0 Every Person using or drawing Water from the Waterworks System;
- 2.0.1 The Owner or Occupier of every Property upon which Water is used, unless the Water being used is not supplied by the Waterworks System; and
- 2.0.2 All Properties with a connection to the Waterworks System whether metered or not, and whether the connection is permanent or temporary.

3 ADMINISTRATION OF BY-LAW

3.0 Waterworks System Construction, Operation and Maintenance

- 3.0.0 The City shall be responsible for the construction, operation and maintenance of the Waterworks System in accordance with all Applicable Law including but not limited to the *Safe Drinking Water Act*.
- 3.0.1 The City shall become the operator of a water system that is built within the Road Allowance as part of a subdivision by a Developer or Builder with the approval of the City, once the water system has been put into service even if it has not yet been assumed by the City.
- 3.0.2 The City shall be responsible for the administration of the Waterworks System including Water Meter installation, Water Meter maintenance and testing, and Water Meter Replacement program.
- 3.0.3 The administration of the installation of new, renovated or altered Private Water Service Pipes, Private Fire Service Mains, Private Water Systems and appurtenances thereto, and Backflow Preventers on private Property is the responsibility of the City's Chief Building Official pursuant to the *Ontario Building Code*.
- 3.0.4 The City shall be authorized to inspect all existing Private Water Service Pipes, Private Fire Service Mains, Private Water Systems and appurtenances thereto, and Backflow Preventers located and installed on private Property.
- 3.0.5 Any Person who has undertaken or caused or permitted to be undertaken any construction or work, whether authorized or approved by the City or not, and which is located under, over, across or along any Watermain or other part of the Waterworks System shall be liable to the City for any damage caused by such construction or work. The Person shall notify the City immediately of any damage and the City will undertake the repair of any such damage and all costs for the repairs including but not limited to any overhead and administrative fees as set out in the Fee By-law, incurred by the City shall be the responsibility of such Person.
- 3.0.6 Conditions on Water Supply
 - a. The City agrees to use reasonable diligence in providing a regular and uninterrupted Water supply and quality of Water but does not guarantee:
 - i. a constant Water service; or
 - ii. the maintenance of unvaried Water pressure; or
 - iii. the maintenance of unvaried Water quality; or
 - iv. the maintenance of unvaried Water supply. and
 - b. The City shall not be liable to the Consumer or any Person for any damages, including but not limited to direct or consequential damages, in relation to the provision of Water as set out in 3.0.5(a), or caused by or arising out of the breaking of any Private Water Service Pipe or attachment, or any material buildup in a Private Water System, or arising from the shutting off of Water to repair, replace or install any

part of the Waterworks System including but not limited to Watermains or to tap Watermains.

3.1 Water Rates, Charges and Revenues Responsibilities

- 3.1.0 The City shall be responsible for reading Water Meters and for the accounting, billing and collection of Waterworks User Fees and Water Rates charged in accordance with the Fee By-law.
- 3.1.1 The Water Rates, Waterworks User Fees and Back Charges shall be charged in accordance with the Fee By-law.
- 3.1.2 Water supplied by the City and measured by the Water Meter will be charged to the Consumer, regardless of whether the Water supplied is consumed or wasted.
- 3.1.3 Consumers shall be charged for and shall pay the amount due and owing as set out on their Water Bill for their Property based on the quantity of Water supplied by the City and in accordance with the Water Rates as set out in the Fee By-law.

3.2 By-law Administration and Enforcement

- 3.2.0 The Director of Environmental Services shall be responsible for the administration and enforcement of this By-law, including prescribing the content of:
 - a. any forms,
 - b. the City Standards and Specifications, or
 - c. any other documents required under this By-law as amended or revised from time to time.
- 3.2.1 The Director of Environmental Services may authorize any programs or projects which may exempt Persons or Properties from the application of a specific provision or provisions of this By-law.

4 USE AND RECEIPT OF WATER

- 4.0 No Person shall sell, dispose, or permit the sale or disposal of Water within the City without the prior written approval of the Director of Environmental Services.
- 4.1 No Person shall use, cause or permit Water to be used other than through a Water Service Connection to the Property at which the Water is supplied, except with the prior written approval of the Director of Environmental Services.
- 4.2 No Person shall obtain Water from the Waterworks System, without making an application to and being authorized by the Director of Environmental Services to do so and paying the appropriate charges, fees and Water Rates for it, except with the prior written approval of the Director of Environmental Services.

5 ESTABLISHMENT AND DISCONTINUANCE OF WATER SERVICE ACCOUNT

5.0 Establishment of Water Service Account

The supply of Water to a Property from the Waterworks System shall not be turned on until the following requirements have been completed to the satisfaction of the Director of Environmental Services:

- 5.0.0 A written application has been completed by the Owner or Developer and approved by the Director of Environmental Services indicating the purpose for which the Water is required;
- 5.0.1 The necessary Water Service Connection and Private Water Service Pipe have been installed and inspected by and are to the satisfaction of the Director of Environmental Services or the Director of Engineering;
- 5.0.2 The cost of such installations have been fully paid by Owner or Developer;
- 5.0.3 A Water Meter and all related wiring has been installed, tested and sealed to the satisfaction of the Director of Environmental Services; and

5.0.4 An Account has been created by the City or the City's authorized agent.

5.1 **Discontinuance of Water Service Account**

An Owner, may request that the Water supply to a Property from the Waterworks System be permanently discontinued. The Owner shall make such request in writing to the Director of Environmental Services. If the discontinuance request is approved by the Director of Environmental Services, the Account associated with that Property will be closed once the following requirements have been completed to the satisfaction of the Director of Environmental Services:

- 5.1.0 The Owner has prepaid in full all required fees for the permanent removal of the Water Meter and the Water turn off in the amounts set out in the Fee By-law;
- 5.1.1 The City has removed the Water Meter and turned off the Water supply at the Water Shut Off Valve of the Property;
- 5.1.2 The Owner has paid in full all Water Rates or other charges due and owing on such Account for the Property up to and until the Water has been turned off and the Water Meter has been removed by the City; and
- 5.1.3 The Owner has paid the Final Billing as required by section 12.3 of this By-law after the final Water Meter reading is taken and the Water Meter is removed by the City.

6 **WATER SERVICE CONNECTIONS**

6.0 **Application for Water Service Connections**

6.0.0 All Water Service Connections require City Approval

No Person shall connect or permit a connection to the Waterworks System or alter or permit an alteration to an existing Water Service Connection without the prior approval of the Director of Environmental Services or the Director of Engineering and such connections shall be in full compliance with the requirements of this By-law.

6.0.1 Application for Water Service Connection

Any Person who requires a new Water Service Connection or wishes to change or alter an existing Water Service Connection to the Waterworks System shall submit an application on the prescribed form and shall comply with the following requirements to the satisfaction of the Director of Environmental Services or the Director of Engineering:

- a. Detailed plans for the Water Service Connection shall be submitted to the satisfaction of the Director of Environmental Services or the Director of Engineering and in accordance with all requirements set out in the City Standards and Specifications;
- b. Where a Water Service Connection is to be installed as part of:
 - i. an unmetered fire line;
 - ii. for any use other than a Single-Residential Property; or
 - iii. where the proposed Water Service Connection is greater than twenty five (25) millimeters in diameter;

detailed design drawings of the proposed Water Service Connection or unmetered fire line, prepared and stamped by a Professional Engineer, shall be submitted to the satisfaction of the Director of Environmental Services or the Director of Engineering and in accordance with all requirements set out in the City Standards and Specifications;

- c. The Owner has signed the application certifying the completeness and accuracy of the information provided on the application and in the plans or drawings; and

- d. Payment has been made to the City of all applicable fees, deposits and charges, in the amounts as set out in the Fee By-law prior to the installation of the Water Service Connection by the City.

6.0.2 Application refused by the City

The Director of Environmental Services or the Director of Engineering may refuse approval of an application for a Water Service Connection where, in the opinion of the Director of Environmental Services or the Director of Engineering,

- a. The City's Waterworks System may be adversely affected;
- b. There is insufficient Water supply available;
- c. There is insufficient Water allocation to service the Property;
- d. A Watermain is not adjacent to the Applicant's Property;
- e. The Property does not have frontage on a Road Allowance with a Watermain from which it can receive a Water Service Connection;
- f. The Property cannot receive a Water Service Connection through a public easement; or
- g. The Water Service Connection would contravene existing City By-laws or other Applicable Law.

6.0.3 Temporary Water Service Connections

- a. An application for a temporary Water Service Connection shall comply with the permanent Water Service Connection application process set out in this By-law and sections 6.0.1 and 6.0.2 shall apply to both temporary and permanent Water Service Connection applications.
- b. Any temporary Water Service Connection approved by the Director of Environmental Services or Director of Engineering shall expire six (6) months from the date of approval. Prior to the expiration of the six (6) month period, the Applicant may apply to renew or extend the approval of the temporary Water Service Connection for an additional six (6) months subject to the approval of the Director of Environmental Services.
- c. Upon the expiration of the temporary Water Service Connection approved under this section, the City may turn off the Water supply to the Property. The Applicant shall be responsible for the proper disconnection of the Water Service Connection and the return of the Water Meter in accordance with City requirements.

6.0.4 Water Service During Construction

A Developer or Builder requiring Water for construction purposes shall make a separate application for a Water Service Connection on the prescribed form or in accordance with any requirements prescribed by the Director of Environmental Services, to the City for each subdivision or site development proposed and shall comply with the following requirements to the satisfaction of the Director of Environmental Services:

- a. Detailed plans shall be submitted to the satisfaction of the Director of Environmental Services illustrating the Water Service Connection point to the Waterworks System for the construction purposes;
- b. A tested Backflow Preventer shall be installed on the water pipe and after the Water Service Connection point to the Waterworks System to the satisfaction of the Director of Environmental Services and in accordance with City By-laws and Applicable Law;
- c. Payment has been made in full to the City for all construction Water fees, in the amount set out in the subdivision agreement or site plan agreement entered into with the City; and

- d. Payment has been made to the City of all applicable fees, deposits and charges, in the amount as set out in the Fee By-law prior to turn on or turn off of Water supply by the City.

6.1 **Installation of Water Service Connections**

6.1.0 Installation by the City

Upon the approval of an application by the Director of Environmental Services or the Director of Engineering submitted pursuant to section 6.0.1 or 6.0.3, a Water Service Connection shall be installed by the City, in accordance with the City Standards and Specifications, at the expense of the Owner, as specified in section 6.2 “Costs of Water Service Connections”.

6.1.1 Installation by the Owner

- a. Notwithstanding section 6.1.0, if an application has been approved by the Director of Environmental Services or the Director of Engineering pursuant to section 6.0.1 or 6.0.3, the Director of Environmental Services or the Director of Engineering may authorize an Owner, in writing, to install a Water Service Connection including any Watermain, at the Owner’s expense in the following circumstances and subject to the requirements set out in sections 6.1.1(b) to 6.1.1(d):
 - i. the Water Service Connection shall be installed within or as part of an unassumed subdivision;
 - ii. the Water Service Connection shall be installed in conjunction with the construction of new Watermain infrastructure related to the Owner’s project;
 - iii. the Water Service Connection shall be installed within the City’s approved easement;
 - iv. The Water Service Connection shall be a requirement of a site plan application process;
 - v. The existing Water Service Connection for an ICI or Multi-Residential Property is required to be replaced with a larger pipe size;
 - vi. The existing ICI or Multi-Residential Property requires a new Water Service Connection; or
 - vii. Any other circumstances that the Director of Environmental Services deems appropriate.
- b. The Owner shall enter into a written agreement with the City with respect to the installation of the Water Service Connection, any related Work, the payment of securities and the assumption of risk by the Owner in relation to same, on such terms and conditions as are acceptable to the Director of Environmental Services or the Director of Engineering and in a form that is satisfactory to the City Solicitor;
- c. The Owner shall construct the Water Service Connection in accordance with the City Standards and Specifications and any other terms and conditions as set out in the agreement referred to in section 6.1.1 (b); and
- d. The construction of the Water Service Connection by the Owner shall be inspected by and installed to the satisfaction of the Director of Environmental Services or the Director of Engineering and the Owner shall notify the Director of Environmental Services or the Director of Engineering that it is ready for inspection prior to the commencement of any backfilling or restoration of the Road Allowance or easement where the Water Service Connection has been installed.

6.1.2 Connection or Water Service Connection Installation rejected by the City

If a Person connects to the Waterworks System or installs a Water Service Connection in a manner other than as permitted by this By-law, the

Director of Environmental Services or the Director of Engineering may require the Owner to undertake the following, at the Owner's expense:

- a. Re-excavate the connection or Water Service Connection for the purpose of inspection and testing to the satisfaction of the Director of Environmental Services or the Director of Engineering;
- b. If required, reinstall the Water Service Connection or any associated Work to the satisfaction of the Director of Environmental Services or the Director of Engineering and in compliance with this By-law; or
- c. Disconnect the Water Service Connection which shall not be reinstalled or reconnected except with the prior written permission of the Director of Environmental Services or the Director of Engineering and in full compliance with the requirements of this By-law.

6.1.3 Pre-installed Water Service Connections

- a. Where the Water Service Connection has been pre-installed by a Developer or Builder, or under the City's direction on lands assumed by the City, a building permit pursuant to the *Ontario Building Code* must be issued prior to the connection of the Private Water Service Pipe to the pre-installed Water Service Connection for each separate Water Service Connection.
- b. If a Water Service Connection or its appurtenance that was pre-installed as part of a plan of subdivision or a site development has been damaged, the Owner of the Property shall be responsible for all associated repair or replacement costs.

6.2 **Costs of Water Service Connections**

6.2.0 Upon the approval of an application for a Water Service Connection by the Director of Environmental Services or the Director of Engineering, the Director of Environmental Services or the Director of Engineering shall determine and advise the Owner of:

- a. All costs of providing such Water Service Connection, which include;
 - i. the City's contractor construction and contingency costs;
 - ii. the City's administrative costs to manage the construction work and conduct inspection for connecting the Private Service Pipe to the Water Service Connection in the amount as set out in the Fee By-law;
 - iii. the City's Water service fee for turning-on the Water to the Property in the amount as set out in the Fee By-law; and
- b. The conditions upon which such Water Service Connection shall be provided.

6.2.1 Prior to installation of the Water Service Connection by the City, the Owner shall pay to the City all costs as set out in section 6.2.0 (a) and comply with any such conditions provided in accordance with section 6.2.0 (b).

6.2.2 Notwithstanding sections 6.2.0 and 6.2.1, if the Water Service Connection is installed by the Owner in accordance with section 6.1.1 and such installation is accepted by the Director of Environmental Services or the Director of Engineering, the Owner shall only be required to pay the City's waterworks service fee, the service fee for turning on the Water supply to the Property and any other applicable fees set out in the Fee By-law.

6.3 **Water Service Operation and Maintenance – By the City**

6.3.0 No Person, except the Director of Environmental Services or those acting under his/her direction, shall open or close any water valve, fire hydrant, Water Valve Chamber, Watermain or any pipe, fixture or other part of the Waterworks System used for the Water supply or disturb, tamper or interfere with same in any manner whatsoever.

6.3.1 No Person, except the Director of Environmental Services or those acting under his/her direction, shall turn on /turn off or alter any Water Shut Off Valve.

6.3.2 The City is responsible for maintaining and repairing Water Service Connections between the Watermain and the Street Line or in the City's Road Allowance or easement.

6.4 Number of Water Service Connections

6.4.0 Unless otherwise approved by the Director of Environmental Services or Director of Engineering, no Person shall install, or permit the installation of a Water Service Connection that services more than one Property.

6.4.1 Unless otherwise approved by the Director of Environmental Services or Director of Engineering, no Person shall install, or permit the installation of a Water Service Connection that services more than one Property even if those Properties are owned or occupied by the same Person.

6.4.2 Unless otherwise approved by the Director of Environmental Services or Director of Engineering, no Person shall install, or permit the installation of more than one Water Service Connection for each Property.

6.4.3 For Property that is Multi-Residential or ICI, additional Water Service Connections and Water Meters may be permitted or required only with the prior approval of the Director of Environmental Services or Director of Engineering.

6.4.4 Dual Water Service Connections and Water Meters for a Property may be provided only for looping purposes to ensure Water supply redundancy or in accordance with the requirements under the *Ontario Building Code*.

6.5 Replacement of Water Service Connections

6.5.0 If a new Water Service Connection has been approved to replace an existing Water Service Connection, the existing Water Service Connection shall be disconnected at the connection point to the Watermain and the existing Water Service Box shall be removed at the same time as the new Water Service Connection is installed.

6.5.1 The Owner shall pay all costs and fees associated with the disconnection of an existing Water Service Connection and the connection of new a Water Service Connection in the amount as set out in the Fee By-law.

6.6 Existing Water Service Connection or Pre-serviced Lot

6.6.0 Existing Water Service Connection to be turned off prior to demolition

An Owner who has received a permit to demolish a Property shall provide the Director of Environmental Services with a notice five (5) days in advance of the demolition and the Water Service Connection shall be turned off by the City at that Property's Water Shut Off Valve. The Owner shall pay the City's Water turn off service fee in the amount as set out in the Fee By-law.

6.6.1 Existing Water Service Connection to be re-used

If the Owner is seeking to re-use the existing Water Service Connection, which previously serviced the Building, or use the installed Water Service Connection of a pre-serviced Property, the Owner shall make an application on the prescribed form to re-use the Water Service Connection and shall comply with the following requirements to the satisfaction of the Director of Environmental Services:

- a. Detailed design drawings illustrating the location, size, material and condition of the existing Water Service Connection shall be submitted to the satisfaction of the Director of Environmental Services; and
- b. The Owner shall retain a Professional Engineer to perform the field inspection of the existing Water Service Connection and to provide the City with a report indicating whether the existing Water Service

Connection conforms to the City Standards and Specifications and confirming whether it can be re-used.

- c. The Director of Environmental Services may refuse the re-use of the existing Water Service Connection if it fails to conform to the City Standards and Specifications or if it is determined to be defective.

6.6.2 Re-use of existing Water Service Connection not permitted

The re-use of an existing Water Service Connection shall not be permitted, if the new proposed Private Water Service Pipe or a pre-serviced Property has a larger size than the existing Water Service Connection. The Owner shall apply for a new Water Service Connection as set out in sections 6.0.1 and 6.0.2 and pay for the costs of new Water Service Connection as set out in section 6.2.

6.6.3 Existing Water Service Connection to be disconnected

If the existing Water Service Connection is not re-used, or in the case of a pre-serviced Property where such connection will not be used for servicing the Property, the existing Water Service Connection shall be disconnected at the connection point to the City Watermain and the existing Water Service Box shall be removed at the time the new Water Service Connection for the Property is being installed. The Owner shall pay all costs and fees associated with the disconnection of the existing Water Service Connection in accordance with the Fee By-law.

6.7 Private Water Service Pipes and Private Fire Service Mains

6.7.0 Installation by the Owner

- a. All Private Water Service Pipes shall be installed by and at the expense of the Owner of the Building or Property for which such Water services are required. The Water Meter for all Water services shall be supplied by the City.
- b. The Private Water Service Pipes shall be installed in accordance with the site servicing design drawings approved by the City and the requirements of the *Ontario Building Code*.
- c. City's Inspection before turn on of the Water Supply

The Chief Building Official shall be notified by the Owner of the Property when a Private Water Service Pipe has been laid, and is ready for inspection. All works must be left uncovered and convenient for examination until inspected and approved. The Water supply shall not be turned on unless the work has been inspected and approved by the Chief Building Official.

6.7.1 Private Fire Protection Systems in Buildings

All Fire Protection Systems in a Building shall be constructed so as to provide exclusive access to the Fire Protection System to the City's Fire and Emergency Department in accordance with the *Ontario Building Code*.

6.7.2 Private Water Service Pipe Sizes and Materials

- a. All Private Water Service Pipes shall be of the same material and size as the Water Service Connection to which such Private Water Service Pipe is connected, and the pipes and fittings used for Private Water Service Pipes shall conform to the design and quality standards as prescribed by the City Standards and Specifications.
- b. Property Expansion/Renovation
During a Property expansion or renovation, the installation of a new Private Water Service Pipe that has a larger size than the existing Water Service Connection and connecting it to the existing Water Service Connection shall not be permitted. The Owner shall apply for a new Water Service Connection as set out in section 6.0 with a size larger than or equal to the new Private Water Service Pipe. Once the new Water Service Connection is constructed, the new Private Water

Service Pipe can be connected to the new Water Service Connection. Meanwhile, the existing Water Service Connection shall be disconnected as set out in section 6.6.3.

6.7.3 Maintenance Responsibilities

Every Owner shall maintain their Private Water Service Pipe in proper working order and shall be responsible for undertaking any required repairs and maintenance to the Private Water Service Pipe, its fixtures and appurtenances at their own expense and in a prompt manner.

6.7.4 Investigation and Repair of Leakage on Private Water System

- a. Every Owner shall be responsible for investigating and determining the cause of any leak, defect or malfunction in the Private Water System serving the Owner's Property. The City is not responsible for locating any leaks for the Owner.
- b. Every Owner shall, at their own expense, repair any leak, defect or malfunction in, of or on the Private Water Service Pipe, Private Fire Service Main or private fire hydrant located on or servicing their Property which results in Water being consumed or lost before passing through the Water Meter, including but not limited to any leak, defect or malfunction related to valves, fittings or corroded piping, as soon as possible after becoming aware of any such leak, defect or malfunction. Every Owner shall pay the cost of Water consumed or lost as a result of such leak, defect or malfunction.
- c. In the event that an Owner fails or refuses to repair any and all leaks, defects or malfunctions in, of or on the Private Water Service Pipe, or Private Fire Service Main or private fire hydrant located on or servicing their Property which results in Water being consumed or lost before passing through the Water Meter, including any leak, defect or malfunction related to valves, fittings or corroded piping, the City may issue an Order to the Owner to do so.
- d. The Owner shall comply with such Order issued by the City pursuant to section 6.7.4 (c) and undertake any required works and repairs within five (5) Business Days of being served with the Order.
- e. If the Owner fails to comply with such Order of the City in accordance with sections 6.7.4 (c) and 6.7.4 (d), the City may make such repairs as the City deems necessary or appropriate and the Owner shall pay to the City the full cost of such work, inspection fees for each attendance at the Property by the City as well as any overhead and administrative fees in the amounts as set out in the Fee By-law.
- f. If the Owner fails to comply with such Order of the City in accordance with sections 6.7.4 (c) and 6.7.4 (d), the City reserves the right to turn off Water supply to the Property until the leaking Private Water Service Pipe or Private Fire Service Main or private fire hydrant is repaired.
- g. The Owner shall pay all costs related to the loss of Water. Where the Water loss has not been recorded by a Water Meter, Water consumption shall be estimated by the City according to the nature of the leak.
- h. The Owner of a Property shall grant the City access to the Property to confirm a leak and its location in the Private Water System through a leak survey, when the City determines it is necessary to conduct such an inspection.

6.8 Frozen Water Service Connection/Private Water Pipes

6.8.0 Every Owner shall ensure that all Private Water Service Pipes, the Private Water System, Private Fire Service Mains and Water Meter on their Property are protected from freezing.

6.8.1 An Owner of a Property shall be responsible for

- a. Thawing out a frozen Private Water Service Pipe, Private Water System, Private Fire Service Main or Water Meter;
- b. Any damage incurred in the event that any of the Private Water Service Pipe, Private Water System or Private Fire Service Main or Water Meter freezes; and
- c. Any Water loss or discharge which occurs as the result of a leak in a frozen Private Water Service Pipe, Private Water System, Private Fire Service Main or Water Meter.

6.8.2 The City shall be responsible for thawing out a frozen Water Service Connection up to the Water Service Box.

6.9 Vacant or unheated Properties

6.9.0 When any Property is left Vacant or where the temperature in a Building is allowed to drop to below five (5) degrees Celsius, the Owner or Occupant shall turn off the Water supply within the Property and drain the piping and Water Meter therein. The Owner or Occupant may make an application to the City to turn off the Water supply at the Water Service Box. The Water Shut Off Valve will be turned on only at the request of the Owner or Occupant and in their presence. The Owner or Occupant shall pay for these Water turn off/turn on service fees in the amounts as set out in the Fee By-law.

6.9.1 When any Property is left Vacant or where the temperature in a Building is allowed to drop to below five (5) degrees Celsius and the Water supply has not been turned off, and the Property suffers damage to it and its contents from a leaking, frozen or burst Water pipe or Water Meter, the Owner or Occupant shall have no claim for any such loss or damage against the City and the Owner or Occupant shall pay all applicable Waterworks User Fees in the amounts as set out in the Fee By-law and any further costs incurred by the City as a result. These costs may include the Water Meter replacement cost if the Water Meter is damaged.

6.9.2 Should the City become aware of such leaking or burst water pipes or Water Meter, the Director of Environmental Services may turn off the Water supply to the Property at the Water Service Box, and the Water supply shall not be turned on until the Director of Environmental Services, in his/her discretion, considers it safe and advisable to do so. The Owner or Occupant shall pay for these Water turn off/turn on service fees in the amounts as set out in the Fee By-law.

6.10 Tests and Disinfection

6.10.0 Water supply for ICI, and Multi-Residential Properties shall not be turned on until the Private Water Service Pipes, Private Water Systems, or Private Fire Service Mains have been inspected, pressure tested, flushed and satisfy the requirements of sections 6.10.1, 6.10.2 and 6.10.3 as they apply.

6.10.1 No Person shall connect or permit to be connected any Private Water Service Pipes, Private Water Systems or Private Fire Service Mains of a size equal to or greater than fifty (50) millimeters in diameter to a Water Service Connection until the Owner of the Property has complied with following requirements to the satisfaction of the Director of Environmental Services:

- a. Submission of a completed application on a form prescribed by the Director of Environmental Services.
- b. The Private Water Service Pipes, Private Water Systems or Private Fire Service Mains shall be disinfected under the supervision of a Professional Engineer qualified to perform such work, in accordance with the City Standards and Specifications and *Ontario Drinking Water Quality Standards* and at the expense of the Owner.
- c. After the Private Water Service Pipes, Private Water Systems or Private Fire Service Mains have been disinfected, Water samples shall

be taken and testing shall be conducted in accordance with the following :

- i. Water sampling, and transportation of the Water sample to the laboratory shall be conducted by a Qualified Person;
 - ii. analytical testing of the Water sample shall be conducted by an accredited laboratory which is licensed by the Ontario Ministry of the Environment, Conservation and Parks, or successor, for the provision of Drinking Water testing services; and
 - iii. a complete Water sample chain of custody shall be properly established from the taking and transportation of the Water sample through to the report of the test results; and
 - d. Prepare and submit to the City a report explaining the Water test results which shall be to the satisfaction of the Director of Environmental Services as set out in this By-law.
- 6.10.2 The Water supply to a Property requiring Water testing in accordance with section 6.10.1 shall not be turned on until the following documents are received by and are to the satisfaction of the Director of Environmental Services within forty-eight (48) hours of the receipt of the laboratory testing results:
- a. An original copy of the Water sampling laboratory analysis report indicating satisfactory disinfection and the associated chain of custody form;
 - b. A written verification of satisfactory disinfection by a Professional Engineer retained by the Owner; and
 - c. All documentation must be stamped, signed and sealed by the Owner's Professional Engineer.
- 6.10.3 All field disinfection, Water sampling, laboratory testing and analysis report preparation, and the Professional Engineer's verification as required by this By-law shall be done at the expense of the Owner.

7 WATER METER

7.0 Water to Be Metered

7.0.0 Water to Be Metered

- a. No Person shall use or permit the use of Water that has not passed through a Water Meter.
- b. Every Owner shall have a Water Meter installed and in use at their Property where such Property is supplied with Water by the City.
- c. All Water supplied to a Property through Private Water Service Pipes shall pass through a Water Meter and shall be charged to the Consumer at such rates as set out in the Fee By-law. All Water passing through the Water Meter will be charged for whether used or wasted.
- d. Sections 7.0.0 (a) and (b) and (c) shall not apply where:
 - i. Water is used by authorized City personnel acting in the course of their duties or by City authorized agents or contractors expressly acting within the scope of their contract;
 - ii. Water is used by the City for firefighting purposes;
 - iii. Water is used by Consumers at a Property serviced by the City on a "flat rate water charge" as of the date of the coming into force of this By-law;
 - iv. Water is used for construction purposes with the approval of the City in accordance with the provisions of this By-law; or
 - v. Where the use of un-metered Water is otherwise permitted by this By-law.

- e. All Water Service Connections to the Waterworks System are required to be metered. Any Owner of a residential unit who does not have a Water Meter installed shall pay the City a “flat rate water charge” as set out in the Fee By-law.
- f. Any existing Property serviced by the Waterworks System, on a “flat rate water charge”, is required to have a new Water Meter installed within one (1) year from the day the “flat rate water charges” started or the enactment of this By-law, whichever is earlier.
- g. If two or more Water Service Connections supply Water to a Property, each Water Service Connection shall be separately metered.
- h. Notwithstanding the issuance of any Occupancy Permit under the *Ontario Building Code*, no Person shall draw or use any Water until the Water Meter for the Property has been installed, inspected and sealed by and to the satisfaction of the Director of Environmental Services.

7.0.1 Water Meters – City Property

All Water Meters including Remote Readout Units, wiring and AMR/AMI equipment that register Water supplied and billed by the City, are and shall remain the property of the City, although initially paid for by an Owner or Consumer, and shall be supplied, maintained and replaced by the City.

7.0.2 Private Water Meters – Not the City’s Responsibility; not used for the City’s Water billing purposes

- a. Additional Private Water Meters required for the individual metering or internal private billing purposes within a Building or on a Property shall be installed by and at the expense of the Owner on the downstream side of the Water Meter.
- b. Consumption readings from Private Water Meters will not be recognized by the City for municipal billing purposes. The City is not responsible for any maintenance of Private Water Meters or any requested reconciliation arising from the use of Private Water Meters.

7.0.3 Sprinkler Meter for Irrigation System

The Owner or Occupier of a Property with a Sprinkler Meter shall pay the City the Water turn on/turn off fee in the amounts as set out in the Fee By-law, for each attendance at the Property as requested by the Owner or Occupier.

7.1 **Water Meter Installation**

7.1.0 Installation of Residential Water Meter

- a. No Person shall turn on or cause to turn on the Water supply to a Property or use or draw Water from the Waterworks System until a Water Meter has been installed at the Property and inspected and sealed by and to the satisfaction of the Director of Environmental Services.
- b. All Water Meters that have been installed at a Property, shall be inspected and sealed by and to the satisfaction of the Director of Environmental Services and all associated fees and charges for the Water Meter and any required inspection fees and other applicable fees in the amounts as set out in the Fee By-law must be paid in full prior to turning on the Water supply by the City.
- c. Notwithstanding the issuance of an Occupancy Permit under the *Ontario Building Code*, no Person shall occupy a Building prior to the installation of a Water Meter, nor shall any Person use or draw Water from the Waterworks System prior to the installation of the Water Meter. In the event that Water is used or drawn contrary to the above, the Owner shall pay the City a “flat rate water charge” as set out in the

Fee By-law from the time of issuance of the Occupancy Certificate to the time of installation of a Water Meter.

- d. In the case of an Infill Home:
 - i. The City shall send a notice to the Owner/Occupier advising the Owner/Occupier to submit a Water Meter Application and schedule an appointment for the installation a new Water Meter by the City or a City authorized third party agent within thirty (30) days upon receipt of such Notice;
 - ii. The notice shall be served:
 - (a) personally on the Occupier; and
 - (b) either personally on the Owner or mailed by regular mail to the last known address of the Owner according to the current assessment rolls.
 - iii. The Owner shall pay to the City the full cost of the installation of a Water Meter, and all applicable fees and charges in the amounts as set out in the Fee By-law.
- e. In the case of a Property subject to meter replacement or installation in accordance with the City's meter maintenance program or AMR/AMI program, the City may install such Water Meter, conduit and wire for Remote Readout Unit and AMR/AMI equipment at no expense to the Owner.

7.1.1 Installation of ICI and Multi-Residential Water Meter

- a. An Owner shall install or cause to be installed a Water Meter in accordance with this By-law on the Owner's Property in a secure and accessible location a minimum five (5) Business Days prior to occupancy.
- b. An Owner shall install or cause to be installed all Plumbing and appurtenances related to the Water Meter, including conduit for wiring in accordance with the City Standards and Specifications and at the sole expense of the Owner.
- c. Notwithstanding any other provisions of this By-law, the wire and the Remote Readout Unit or AMR/AMI equipment shall be installed by the City prior to the Owner's occupancy of a new or Renovated Building or part thereof.
- d. Except as otherwise provided for in this By-law, no Person shall turn on or cause to be turned on the Water supply to a Property until the City has inspected and sealed the Water Meter installed at the Property as set out in this By-law.
- e. In the event that Water supply to a Property has been turned on prior to the City inspection and sealing of the Water Meter at the Property, the Director of Environmental Services reserves the right to turn off the supply of Water to the Property.
- f. To allow for proper flow of Water or maintenance of equipment or both, the City may require an Owner to install the proper valving arrangement in respect of the supply of Water to the Property in accordance with the City Standards and Specifications at the sole expense of the Owner.
- g. In the case of a Property subject to meter replacement or installation in accordance with the City's meter maintenance program or AMR/AMI program, the City may install such Water Meter, conduit and wire for Remote Readout Unit and AMR/AMI equipment at no expense to the Owner.

7.1.2 Supply of Water Meter

Water Meters for new development shall be supplied by the City at the Owner's expense in accordance with the Fee By-law and the City Standards and Specifications.

7.1.3 Application for Water Meter – (Only for Infill Home, ICI and Multi-Residential Water Meter Application)

An Owner/Applicant of an Infill Home, ICI or Multi-Residential Property who requires a new Water Meter for a new or Renovated Building or who wishes to change the Water Meter size in an existing Building shall submit a completed Water Meter application on the prescribed form to the City and shall comply with the following requirements to the satisfaction of the Director of Environmental Services:

- a. For ICI and Multi-Residential Water Meter applications only, the Owner/Applicant shall provide the City with:
 - i. calculated peak flow rate including consumption flow and fire flow, to be supplied and certified by a Professional Engineer, to pass through the Water Service Connection;
 - ii. type of business; and
 - iii. number of occupants or employees.
- b. The Owner/Applicant shall sign the application form and shall be responsible for the completeness and accuracy of all information provided with the application;
- c. The Owner shall pay the application fee at the time of submission of application; and
- d. All applicable Water Meter fees and charges in the amounts as set out in the Fee By-law must be received by the City prior to the application being processed.

7.1.4 Size of Water Meter

- a. Based on the information supplied by the Owner/Applicant in their application, the Director of Environmental Services shall determine the size of the Water Meter required for the Property.
- b. Unless approved by the Director of Environmental Services, the size of a residential Water Meter shall not be in excess of twenty-five (25) millimeters in diameter.

7.1.5 Water Meter Loss or Damage

- a. Other than damage caused by the City, every Owner shall be responsible for any loss or damage to a Water Meter including but not limited to damage caused by freezing.
- b. The Owner shall pay the City the costs for making the necessary repairs to or for the replacement of such Water Meter and all applicable fees and charges in the amounts as set out in the Fee By-law.

7.1.6 Notification by Owner

The Owner shall immediately notify the Director of Environmental Services that the Property is ready for the installation of a Water Meter.

7.1.7 Provision for Installing a Water Meter

The Owner shall ensure that provision is made in the piping system of all existing, new and Renovated Buildings or structures for the installation of a Water Meter of the same diameter as the Private Water Service Pipe in accordance with the City Standards and Specifications.

7.1.8 Water Meter By-Pass Piping

- a. Every Owner shall install by-pass piping for Water Meter sizes greater than twenty-five (25) millimeters in diameter, and maintain same in good working order in accordance with the City Standards and Specifications and at the sole expense of the Owner.

- b. Once the by-pass piping has been installed by the Owner, the Owner shall immediately notify the Director of Environmental Services, and the City shall seal the by-pass valve in the closed position upon notification of its installation by the Owner. No Person shall, unless authorized by the Director of Environmental Services, open a by-pass valve or break its seal, or cause a by-pass valve to be opened or a seal to be broken, after it has been inspected and sealed by the City.
- c. Where the by-pass pipe or valves of a Property are not installed in accordance with the City Standards and Specifications, the City may Order the Owner to undertake the following work at the sole expense of the Owner:
 - i. To install a new or replace the Water Meter by-pass pipe or valves; and/or
 - ii. To remove any defective pipe or valves and install a new pipe or valves.
- d. An Owner shall comply with an Order made under section 7.1.8 (c) within thirty (30) days from receipt of the Order from the City.
- e. If an Owner fails to:
 - i. Supply, install or maintain the by-pass pipe and valves in proper working order in accordance with 7.1.8 (a); or
 - ii. Comply with an Order of the City made pursuant to this By-law within the time required,

The City may perform any work required by the Order including but not limited to supply, install, repair, replace or otherwise maintain the by-pass pipe and valves, as the City considers appropriate and the Owner shall pay to the City the full cost of the work, the inspection fee for each attendance at the Property, and all other applicable fees and charges in the amounts as set out in the Fee By-law.

- f. If a by-pass valve is opened or the seal is broken or damaged regardless of the cause:
 - i. the City shall close or seal the by-pass valve once it is discovered and monitor the Water consumption pattern for the Property for twelve (12) months after the by-pass valve is closed and re-sealed;
 - ii. the City will apply that Water consumption pattern as the base Water consumption for the Property and determine how long and how much Water consumption has been unbilled in accordance with the historic billing for the Property; and
 - iii. the City will Back Charge the Owner or Occupant of the Property for the Water consumed through the opened or seal-broken by-pass valve based on the Water Consumption pattern pursuant to subsection (ii) above for the duration as set out in section 7.3.2(g) and 7.3.2 (h) of this By-law. Back charges for ICI and Multi-Residential Property will be calculated based on the “water rate” and Single-Residential Property will be calculated based on the “flat rate water charge” as set out in the Fee By-law.

7.1.9 Water Meter Chamber

- a. If the Director of Environmental Services is of the opinion that a Water Meter cannot be conveniently located inside a Building or structure in accordance with the City Standards and Specifications or where the City does not have access to the Water Meter, the Director of Environmental Services may require the Water Meter to be installed in a Water Meter Chamber constructed by the Owner in accordance with the City Standards and Specifications, at the sole expense of the Owner.

- b. All Water Meter Chambers shall be placed in a location approved by the Director of Environmental Services, prior to construction.
- c. No Person shall obstruct or permit the obstruction of a Water Meter Chamber and associated valves.
- d. No Person shall place shrubs, trees, or other landscaping within one and one half (1.5) meters of the outer perimeter of a Water Meter Chamber.
- e. The Owner shall keep all landscaping on his Property cut back and clear of a Water Meter Chamber and the access to a Water Meter Chamber.
- f. To facilitate the reading of a Water Meter, the City may require the Owner to:
 - i. Prepare the Water Meter Chamber cover for the installation of a chamber cover type Remote Readout Unit in accordance with the City Standards and Specifications at the sole expense of the Owner.
 - ii. If the City determines a chamber cover type Remote Readout Unit device is not appropriate for a location, the City may:
 - (a) Determine the appropriate type and location of the Remote Readout Unit and the Owner shall install such unit at the sole expense of the Owner according to the City Standards and Specifications; and
 - (b) Require the Owner to install a mounting post and plate to accommodate the Remote Readout Unit at the sole expense of the Owner.

7.2 Water Meter Inspection

7.2.0 Water Meter Inspection and Sealing

- a. Every Water Meter on a Property shall be inspected and sealed by the City at or about the time of installation or relocation. The Owner shall notify the City within forty-eight (48) hours of the installation or relocation of a Water Meter that it has been installed or relocated and is ready for inspection.
- b. The Owner or Occupier shall, within the time set out in a notice provided by the City, permit the City to have free, clear and unobstructed access to the Water Meter to inspect, test, read, repair, maintain, alter, disconnect, remove, replace or seal such Water Meter.
- c. In case of Water Meter inspection, testing, repair, replacement or maintenance, the City will provide reasonable notice to the Owner or Occupier when required by and in accordance with the *Municipal Act*.

7.2.1 Water Meter Access

- a. The Owner shall install or cause to be installed a Water Meter in a location that is in accordance with the City Standards and Specifications.
- b. The Water Meter shall be installed in or on a Property where it is convenient for the City to inspect, test, read, repair, maintain, alter, disconnect, remove, replace or seal such Water Meter. The location of a Water Meter shall be accessible without the use of a portable ladder or the necessity of climbing over or removal of an obstacle.
- c. When requested by the City, an Owner or Occupier, as the case may be, shall remove any insulation or other obstructions or material from, on or around a Water Meter in order to provide the City with full, unobstructed access to the Water Meter. The Owner or Occupier shall be responsible for replacing any materials removed at their own expense.

- d. If access to the Water Meter is not free and clear of any and all obstructions, the City may issue an Order requiring the Owner or Occupier to remove all obstructions or materials and to provide free and clear access.
- e. If the Owner or Occupier fails to carry out the work as required by the City within thirty (30) days from receipt of the Order, then the City may perform all necessary work including the removal of any insulation or other obstructions or material blocking free and clear access to the Water Meter. The City shall not be liable for any loss or damage to the Owner's Property or loss or damage otherwise suffered by the Owner or Occupier arising from such work.
- f. The Owner or Occupier shall pay all costs incurred by the City for carrying out the work required as a result of the Owner or Occupier failing to comply with an Order to remove insulation or other material blocking the Water Meter. The Owner or Occupier shall also pay the inspection fee, if any, for each attendance at the Property by the City, and all applicable fees and charges in the amounts as set out in the Fee By-law.
- g. As part of an inspection, the City shall at all times be permitted to take photographs, including digital images, of any Plumbing, Water Meter, Private Meter, by-pass pipe and valves, inlet and outlet valves, Backflow Preventer, Private Water System, Private Water Service Pipe, Private Fire Service Main or Water Meter Chamber.
- h. The Owner or the Occupier shall, within the time set out in the City notice, permit the City to inspect the Private Water Service Pipe, Private Water System, Private Fire Service Main, or the inlet, outlet, flushing, drainage and by-pass valves on piping adjacent to or around the Water Meter.
- i. The Owner or the Occupier of a Property with a Water Meter not equipped with Remote Readout Unit shall, within the time set out in the City notice, permit the City to have free, clear and unobstructed access to the Water Meter for a visual Water Meter reading a minimum of two (2) times per calendar year.
- j. If the Owner or Occupier refuses to provide the City access to the Water Meter, the City may exercise Section 14 "Powers of Entry" as set out in this By-law.

7.2.2 Water Meter Interference Prohibited

- a. No Person, except as authorized by the City, shall perform, permit or cause the tampering, un-sealing, reversal, or alteration of a Water Meter in any way which may interfere with the proper registration of the quantity of Water that passes through a Water Meter or ought to pass through a Water Meter.
- b. No Person shall connect any pipes or other appurtenances to direct flow from a Private Water Service Pipe upstream of a Water Meter or the by-pass pipe and valves.
- c. If the City determines that a seal on a Water Meter has been tampered with or is broken, or if any pipes or other appurtenances directing flow upstream of the Water Meter have been connected or installed, then the City will re-seal the Water Meter. The City will Back Charge the Owner or Occupier of the Property for the Water consumed through the tampered, broken, reversed or un-sealed Water Meter or through a pipe or other appurtenance directing flow upstream of the Water Meter, as estimated by the City and in accordance with section 7.3.2(h).

7.3 **Water Meter Maintenance**

7.3.0 Maintenance of Water Meter Appurtenances and Piping

- a. Every Owner shall ensure that all valves are fitted with proper handles and that all valves to, from and around the Water Meter are installed and properly maintained in accordance with the City Standards and Specifications.
- b. Every Owner shall maintain all Plumbing including all piping, fittings and valves to and from and around a Water Meter in good working order and shall replace and repair them as necessary in accordance with the City Standards and Specifications. The Owner is not responsible for maintaining the Water Meter and/or the associated strainer.
- c. If the City determines that the condition of a Private Water Service Pipe, Private Fire Service Main, or Private Water System or valves on piping adjacent to the Water Meter is such that the Water Meter cannot be properly or conveniently tested, calibrated or repaired in place or removed for the purpose of testing, replacing or repairing, the Owner shall, at his sole expense, repair or, if necessary, replace the Private Water Service Pipe, Private Fire Service Main, or Private Water System or valves, as the case may be, to enable the City to test, calibrate, repair or remove the Water Meter.
- d. Where the City determines that a Private Water Service Pipe, Private Fire Service Main or Private Water System or valves on piping adjacent to the Water Meter requires repair or replacement in accordance with section 7.3.0(c), the City may issue an Order to the Owner to repair or replace the Private Water Service Pipe, Private Fire Service Main or Private Water System or valves, as the case may be, within thirty (30) days from the receipt of such Order, at the sole expense of the Owner. The Owner shall obtain a building permit from the City prior to the repair or replacement of the Private Water Service Pipe or Private Water System.
- e. If the Owner or his/her authorized agent does not carry out the Work as required within thirty (30) days from the receipt of the Order from the City, then the City may carry out the work and turn off the Water supply to the Property during the removal, replacement, repair, testing and calibration of the Water Meter. The City shall not be liable for any loss or damage to the Owner's Property, including but not limited to direct or consequential damages, or loss or damage otherwise suffered by the Owner or an Occupant arising from such work or the turn off or on of the Water supply.
- f. The Owner shall pay all costs incurred by the City for carrying out the work required under an Order and pursuant to section 7.3.0 (e), as a result of the Owner failing to make the necessary repair or replacement. The Owner shall also pay the inspection fee for each attendance at the Property made by the City, and all applicable fees and charges in the amounts as set out in the Fee By-law.

7.3.1 Maintenance of Chambers

- a. This section applies to all chambers including Water Meter Chambers and chambers for Sprinkler Meters if installed.
- b. Every Owner shall be responsible for maintaining, repairing and replacing any chamber, and for keeping it in a safe condition.
- c. Every Owner shall remove and dispose of all solid and liquid debris, waste and other materials which are non-essential to the proper functioning of the Water Meter or Sprinkler Meter and/or which may be hazardous, toxic, combustible or explosive in nature, both inside and above a chamber. The removal and disposal of such material is subject to all Applicable Law.
- d. Every Owner shall, upon receipt of a notice from the City requesting an inspection, provide the City with access, within the time set out in the City notice, to any chamber, or to permit the City to inspect, maintain, repair, replace or read the Water Meter or Sprinkler Meter.

- e. Pursuant to sections 7.3.1 (c) and (d), every Owner shall ensure that all solid and liquid material is removed from the chamber to allow access. If an Owner is unable to remove material from the chamber, within the time set out in the notice, the Owner shall notify the City no less than forty-eight (48) hours before the scheduled inspection or other purpose for which the access is required. In addition, the Owner shall at the same time, advise the City of a date and time, no more than five (5) Business Days later, when access will be provided.
- f. If an Owner fails to provide the City with access to a chamber in accordance with 7.3.1 (d), or 7.3.1 (e), the Owner shall pay the inspection fee for each subsequent attendance at the Property made by the City, and all applicable fees and charges in the amounts as set out in the Fee By-law.

7.3.2 Water Meter Accuracy

- a. Pursuant to this By-law, the testing, flow rates and procedures used to determine Water Meter (all types and sizes) accuracy will be in accordance with the current AWWA Standards.
- b. An Owner, upon written application to the City, on the prescribed form, may make a request to have the Water Meter at his/her Property tested by the City to determine if the Water Meter is over- registering. The Owner shall pay to the City the fee as set out in the Fee By-law for such testing.
- c. If a Water Meter is found to be over-registering the acceptable meter accuracy range of the type and size of the meter being tested, as governed by the AWWA standards in favour of the City, the City shall credit the Owner's Account with an amount equal to the difference between the amount that had been billed and the amount that would have been billed had the Water Meter been recording consumption accurately. Such credit adjustment shall cover a period of no more than twenty-four (24) months and shall include the testing fee in the amounts as set out in the Fee By-law.
- d. Notwithstanding 7.3.2 (c) above, in the event that the Water Meter had been installed, replaced, or tested and calibrated within a twenty-four (24) month period prior to the accuracy test requested by the Owner, and if a Water Meter is found over-registering the acceptable meter accuracy range of the type and size of the meter being tested, as governed by the AWWA standards in favour of the City, the City shall credit the Owner's Account with an amount equal to the difference between the excess amount billed from the time of the installation, replacement or testing and calibration, whichever is later, to the time of the accuracy test requested by the Owner.
- e. If a Water Meter is found to be over-registering by an amount less than or equal to the acceptable meter accuracy range of the type and size of the meter being tested, as governed by the AWWA standards then no credit shall be applied to the Owner's Account. In addition, the Owner shall pay to the City all expenses incurred by the City in removing, replacing, flow monitoring or testing the Water Meter in the amounts as set out in the Fee By-law.
- f. Positive displacement type Water Meters up to and including fifty (50) millimetres in diameter shall be removed by the City and tested at an off-site location specified by the City. Compound, turbine, electromagnetic and fire service Water Meters equal and greater than fifty (50) millimetres in diameter shall, at the City's sole discretion, be tested either on site or at an off-site location specified by the City.
- g. If a Water Meter fails to register, the City will Back Charge the Owner a Water consumption fee based on previous metered consumption history for the period during which the Water Meter failed to register but for not more than twenty-four (24) months. Back charges for ICI

and Multi-Residential Property will be calculated based on the “water rate” and Single-Residential Property will be calculated based on the “flat rate water charge” as set out in the Fee By-law.

- h. Notwithstanding the forgoing, the City may Back Charge beyond the twenty-four (24) month period in those circumstances, as determined by the Director of Environmental Services to be appropriate, including but not limited to where the failure of the Water Meter to register arises as a result of a by-pass valve that is opened or a seal that has been broken contrary to section 7.1.8 of this By-law, or where a Water Meter has been reversed, tampered with, un-sealed or altered or if any pipes or other appurtenances directing flow upstream of the Water Meter have been connected or installed contrary to section 7.2.2 of this By-law.

7.3.3 Water Meter Relocation

- a. No Person shall relocate a Water Meter that has been installed on a Property to the satisfaction of the Director of Environmental Services without the prior written consent of the Director of Environmental Services.
- b. No Person shall disconnect a Water Meter for maintenance or repair without the prior written consent of the Director of Environmental Services.
- c. An Owner/Applicant may make an application, on the prescribed form to the Director of Environmental Services, to relocate a Water Meter on a Property. If the Water Meter relocation is approved by the Director of Environmental Services, the Owner/Applicant shall pay all costs associated with any relocation of the Water Meter including all applicable fees and charges in the amounts as set out in the Fee By-law.
- d. The Director of Environmental Services shall not approve the application for a Water Meter relocation if:
 - i. the application is incomplete;
 - ii. the prescribed fee is not paid; or
 - iii. the proposed relocation is not in accordance with the City Standards and Specifications with respect to the location of the Water Meter or otherwise.
- e. If the location of an installed Water Meter on a Property does not comply with the City Standards and Specifications, the City may issue an Order requiring the relocation of an installed Water Meter within thirty (30) days from the receipt of the Order from the City, at the sole cost of the Owner.
- f. All work undertaken and materials used to relocate a Water Meter shall conform to the City Standards and Specifications and comply with the requirements of the *Ontario Building Code*.
- g. If an Owner or his/her authorized agent fails to carry out the work as required by the City under 7.3.3 (e) within fifteen (15) days from the receipt of the Order from the City, then the City may carry out the Water Meter relocation and all necessary work required. The City shall not be liable for any loss or damage to the Owner’s Property or any loss or damage otherwise suffered by the Owner or any Occupant arising from such work.
- h. The Owner shall pay all costs incurred by the City for carrying out the work required as a result of the Owner failing to comply with an Order to relocate the Water Meter pursuant to section 7.3.3 (e). The Owner shall also pay the inspection fee for each attendance at the Property made by the City, and all applicable fees and charges in the amounts as set out in the Fee By-law.

7.3.4 Water Meter Leaks

- a. Every Owner or Occupier shall immediately notify the City if any leaks develop at the Water Meter or its couplings.
- b. The City will repair the leaks at the Water Meter or its couplings at no charge to the Owner. The City shall not be liable for any damage or loss to the Owner's Property or any loss or damage suffered by the Owner or Occupant, including but not limited to direct or consequential damages, as a result of any such leaks at the Water Meter or its couplings.

7.3.5 Water Meter Replacement

- a. A Water Meter will be scheduled for replacement when approaching the end of its lifecycle under the City's annual Water Meter Replacement Program.
- b. The City will send a notice to the Owner/Occupier advising the Owner/Occupier to schedule an appointment with the City or a City authorized third party agent to replace the Water Meter within thirty (30) days pursuant to the Water Meter Replacement Program. The Owner/Occupier shall provide the City or a City authorized third party agent access to the Water Meter in order to undertake the Water Meter replacement.
- c. The City may send a notice to the Owner/Occupier requiring the Owner/Occupier to repair or replace the Private Water Service Pipe or Private Water System prior to the City's Water Meter replacement at their Property.
- d. If an Owner/Occupier fails to comply with the City's notice to schedule an appointment with the City to replace the Water Meter, to provide access to the Water Meter, or to repair or replace the Private Water Service Pipe or Private Water System prior to the City's Water Meter replacement, the City may issue an Order requiring the Owner/Occupier to schedule the appointment with the City to replace the Water Meter, to provide access to the Water Meter or to repair or replace the Private Water Service Pipe or Private Water replacement prior to the City's Water Meter replacement at their Property.
- e. It is an offence when:
 - i. an Owner/Occupier, fails to comply with an Order to schedule an appointment with the City or a City authorized third party agent to replace the Water Meter;
 - ii. an Owner/Occupier, fails to comply with an Order to allow the City access to replace the Water Meter scheduled for replacement under the City's Water Meter Replacement Program; and/or;
 - iii. an Owner/Occupier, fails to comply with an Order to repair or replace the Private Water Service Pipe or Private Water System prior to the City's Water Meter replacement at their Property.

7.4 **Water Meter Removal due to Building Demolition**

- 7.4.0 No Person shall demolish a Building or cause a Building to be demolished until the final Water Meter reading is obtained and the Water Meter and Remote Readout Unit are recovered by the City.
- 7.4.1 An Owner who has received a permit to demolish a Building shall notify the City in writing a minimum of five (5) Business Days in advance of the date on which the Water supply to the Property is no longer required. The Owner shall also make an appointment with the City to take a final Water Meter reading, remove the Water Meter and the Remote Readout Unit from the Property and turn off the Water supply at the Water Shut Off Valve.

- 7.4.2 The Owner shall pay the City the Water Meter removal cost in the amount as set out in the Fee By-law.
- 7.4.3 The Owner shall be present at the Property when the final Water Meter reading is taken, the Water Meter is removed and the Water supply is turned off at the Water Shut Off Valve.
- 7.4.4 In the event an Owner fails to attend at the Property and provide access to the City at the appointment time set under this By-law, the Owner shall pay the City the missed appointment fee in the amount as set out in the Fee By-law.
- 7.4.5 In the event an Owner fails to provide access to a Property prior to the demolition of a Building or structure on the Property, in accordance with this By-law, the Owner shall pay to the City an amount equal to the cost of a new Water Meter and Remote Readout Unit of the same type and size in accordance with the fees and charges set out in the Fee By-law. The Owner shall also pay the amount of Water consumption, from the last Water Meter reading date to the date of disconnection of the Private Water Service Pipe or Water Service Connection from the Waterworks System, as estimated by the City.
- 7.4.6 If the Director of Environmental Services determines that it is not necessary to recover a Water Meter from a Property to be demolished, then the City will notify the Owner in writing after receipt of the notice from the Owner to demolish a Building or structure. Upon receipt of the notice from the City and after the disconnection of the Private Water Service Pipe or Water Service Connection from the Waterworks System, an Owner may proceed with the demolition of the Building. In such case, the Owner shall be responsible for the removal and disposal of the Water Meter.

7.5 Unmetered Fire Line

- 7.5.0 An unmetered Water service line installed prior to the passage of this By-law for fire protection purposes and Water used to serve private fire hydrants, automatic sprinkler systems and standpipes may remain unmetered upon the request to and approval by the Director of Environmental Services.
- 7.5.1 An unmetered fire line shall be separate from a domestic Water service line. An unmetered fire line and a domestic Water service line may be combined within the Road Allowance or easement provided separation takes place within the public Road Allowance or easement and provided further that a valve is installed on each branch within the Road Allowance or easement so that each line can be isolated.
- 7.5.2 Where an unmetered fire line has been approved by the Director of Environmental Services pursuant to section 7.5.0, no Person shall take or use Water from the unmetered Water service line for any purpose other than fire protection or testing of the fire protection system unless prior written approval has been given by the Director of Environmental Services.

8 WATER TURN OFF / TURN ON

8.0 Water Turn off by Request

- 8.0.0 An Owner shall notify the Director of Environmental Services no less than forty-eight (48) hours in advance of the date on which the Owner requires the City to temporarily turn off the Water supply to a Property. If the Owner requires the Water supply to the Property to be turned off permanently then the Owner shall make the request in writing and provide the Director of Environmental Services with the written notification a minimum of fifteen (15) Business Days prior to the turn off date.
- 8.0.1 The Owner shall pay the City fees to turn off the Water supply to a Property either temporarily or permanently in accordance with the Fee By-law.

Updated: March 26, 2019

Water Use By-law #2019-XXX

- 8.0.2 In the event that the Property is occupied by Occupants, the Owner shall also provide the Occupants with written notice of the Water turn off at the same time the Owner notifies the City in accordance with this By-law.
- 8.0.3 The Owner shall make an appointment with the City and the Owner or his/her authorized agent shall attend at the Property to ensure the City has access to the Property, Water Meter and the Water Shut Off Valve when the Water supply is being turned off.
- 8.0.4 In the event that an Owner or his/her authorized agent fails to attend at or provide the City access to the Property at the set appointment time, then the Owner shall pay the cost for the missed appointment in accordance with the Fee By-law.
- 8.0.5 In the case of an emergency requiring the Water to be turned off, the notice requirements in this By-law may be waived by the Director of Environmental Services.
- 8.0.6 No Person shall turn off the supply of Water to a Property at the Water Shut Off Valve, without the prior authorization of the Director of Environmental Services.

8.1 Water Turn on by Request

- 8.1.0 An Owner shall notify the Director of Environmental Services no less than forty-eight (48) hours in advance of the date on which the Owner requires the City Water supply to the Property to be turned on.
- 8.1.1 The Owner shall pay the City fees to turn on the Water supply to a Property either temporarily or permanently in accordance with the provisions of the Fee By-law.
- 8.1.2 The Owner shall make an appointment with the City and the Owner or his/her agent shall attend at the Property to ensure the City has access to the Property, Water Meter and the Water Shut Off Valve when the Water supply is being turned on.
- 8.1.3 In the event that Owner or his/her authorized agent fails to attend at or provide the City access to the Property, at the appointment time set, then the Owner shall pay the cost for the missed appointment in accordance with the Fee By-law.
- 8.1.4 No Person shall turn on the supply of Water to a Property at the Water Shut Off Valve without the prior authorization of the Director of Environmental Services.

8.2 Water Turn off / Reduction of Water supply by the City

- 8.2.0 The Director of Environmental Services may, as he/she deems appropriate, turn off or reduce the Water supply to a Property as follows:
 - a. Turn off the supply of Water if fees or charges payable by the Owners or Occupants of the Property for the supply of Water to the Property are overdue or in arrears, upon providing reasonable notice of the proposed turn off to the Owners and Occupants of the Property by personal service or prepaid mail or by posting the notice on the Property in a conspicuous place;
 - b. Turn off the Water if fees or charges payable by the Owners or Occupants of the Property in respect of a sewage system are overdue or are in arrears, and the fees and charges are based on the fees payable for the supply of Water to the Property, upon providing reasonable notice of the proposed turn off to the Owners and Occupants of the Property by personal service or prepaid mail or by posting the notice on the Property in a conspicuous place;
 - c. Turn off or reduce the supply of Water as a result of an emergency, including but not limited to a leak in a Private Water Service Pipe, a Private Fire Service Main, a private fire hydrant, a Water Meter, a Watermain, Water Service Connection or any part of the Waterworks

System if, in the circumstances, reasonable notice of the intention to interrupt or reduce the supply of Water is given;

- d. Turn off or reduce the supply of Water as result of a breakdown, repair or extension of the Waterworks System if, in the circumstances, reasonable notice of the intention to interrupt or reduce the supply of Water is given;
 - e. Turn off or reduce the supply of Water to a Property in order to inspect, repair, alter or disconnect the service pipe or wire, machinery, equipment and other works used to supply Water, including but not limited to any part of the Waterworks System;
 - f. Turn off or reduce the supply of Water to a Property in order to inspect, install, repair, replace or alter a Water Meter, Remote Readout Unit, Water Meter Chamber, or any other meter used by the City to measure the quantity of Water consumed at or on a Property;
 - g. In the event that the Director of Environmental Services determines, in his/her sole discretion, that an immediate threat of contamination to any part of the Waterworks System exists that may endanger public health or safety, the City at its discretion, may without prior notice, discontinue the Water supply to any Property, for the purposes of preventing or containing any such threat of contamination in accordance with the *Safe Drinking Water Act*, 2002, S.O. 2002, c.32, as amended;
 - h. Turn off or reduce the supply of Water temporarily or permanently, at the request of the Owner and upon approval of the Director of Environmental Services pursuant to the provisions of this By-law; or
 - i. Turn off or reduce the supply of Water in accordance with any provision of this By-law or in accordance with the *Municipal Act* or all other Applicable Law.
- 8.2.1 If the Water supply to a Property has been turned off by the City, no Person shall turn on or use the Water supply or permit the Water supply to be turned on or used without the prior written approval of the Director of Environmental Services.
- 8.2.2 The City shall not be liable for damages or loss caused, including but not limited to direct or consequential damages, by the interruption or reduction of the amount of Water supplied to the land or Property of any Person as a result of an emergency or a breakdown, repair or extension of the Waterworks System if, in the circumstances, reasonable notice of the City's intention to interrupt or reduce the supply of Water is given.

9 FIRE HYDRANTS

9.0 Public Fire Hydrants

- 9.0.0 No Person shall at any time operate or take Water from a public fire hydrant except:
- a. a municipal fire fighter, where Water is required for fire protection or fire training purposes;
 - b. a Person who has written authorization from the Director of Environmental Services and in accordance with the terms and conditions of the written authorization;
 - c. a Person who is the holder of a hydrant permit issued under section 9.3 of this By-law; or
 - d. a water operator from the City's Environmental Services Department, or any successor.
- 9.0.1 No Person shall park an automobile, truck or vehicle of any description on a public road within a distance of three (3) meters of any public fire

hydrant measured along the curb line or along the shoulder of the roadway immediately adjacent to the public fire hydrant.

- 9.0.2 A driveway shall be constructed no closer than one and half (1.5) meters from a public fire hydrant.

9.0.3 Anti-tampering devices

Where anti-tampering devices are required to be installed on fire hydrants in new developments, the cost of purchasing, installing and maintaining such devices shall be borne by the Developer or Builder.

9.1 Private Fire Hydrants

- 9.1.0 No Person shall install a private fire hydrant unless the following requirements have been met to the satisfaction of the Director of Engineering:
- a complete application to install the private fire hydrant has been submitted on the prescribed form to the City;
 - the type of the private fire hydrant to be installed is approved by the Director of Engineering;
 - the manufacturer of the private fire hydrant to be installed is approved by the Director of Engineering; and
 - a Building Permit for the installation of the private fire hydrant has been issued by the Chief Building Official.
- 9.1.1 The Director of Engineering may approve or reject applications for the installation of a private fire hydrant based on compliance with the requirements set out in the City Standards and Specifications.

9.2 Fire Hydrant Flow Tests

- 9.2.0 A Person may make an application to the Director of Environmental Services on the prescribed form requesting permission to conduct a public fire hydrant or a private fire hydrant flow test in order to determine the characteristics of the local Waterworks System.
- 9.2.1 A Person requesting a fire hydrant flow test shall pay to the City in advance of the test, all applicable fees and charges associated with the performance of the test in the amounts as set out in the Fee By-law.
- 9.2.2 The Person shall provide the Director of Environmental Services with a copy of the flow test results promptly upon the completion of the test. Such flow test results shall include the date, time, location and duration of the fire hydrant flow test.

9.3 Fire Hydrant Permits

- 9.3.0 A Person may make an application to the Director of Environmental Services on the prescribed form for a hydrant permit for the temporary supply of Water from a public fire hydrant.
- 9.3.1 The Director of Environmental Services may, by issuing a hydrant permit, authorize the use of a specified fire hydrant for the temporary supply of Water for a specified period of time and subject to specified conditions, including but not limited to the supervision of such use by the City. A hydrant permit may, at the discretion of the Director of Environmental Services, be suspended for any length of time.
- 9.3.2 If an application has been approved by the Director of Environmental Services and a hydrant permit has been issued, the City will provide and install a Backflow Preventer, a valve and a temporary hydrant meter on the public fire hydrant. Prior to the City's turn on of the Water supply at the hydrant, the Applicant shall provide the City with a security deposit as set out in the Fee By-law to ensure the safe return and proper working condition of the Backflow Preventer, temporary hydrant meter and valve supplied by the City and to cover against any potential damage that may be caused to the fire hydrant. The Applicant shall be responsible for

reimbursing the City for all costs associated with any damage caused, including but not limited to repair or replacement costs to the Backflow Preventer, temporary hydrant meter, valve or fire hydrant and any other damage arising out of or in relation to the fire hydrant, its use and/or the use of Water from the fire hydrant. The City may draw upon the security deposit provided to cover the costs of any such damage.

- 9.3.3 No Person shall remove or tamper with the supplied Backflow Preventer, valve and temporary hydrant meter installed on the public fire hydrant for the temporary supply of Water.
- 9.3.4 Water shall only be supplied from the public fire hydrant through the temporary hydrant meter. No Person shall connect to the public fire hydrant or take Water from the public fire hydrant except through the temporary hydrant meter installed by the City.
- 9.3.5 When the hydrant permit issued for the temporary use of the public fire hydrant has expired or its use is complete, the City will remove the Backflow Preventer, valve and temporary hydrant meter from the public fire hydrant and the Applicant shall pay the City for the following fees and charges at such rates and in the amounts as set out in the Fee By-law:
 - a. all Water consumption registered on the hydrant meter installed on the public fire hydrant;
 - b. the rental fee for using the public fire hydrant; and
 - c. the hydrant meter installation and removal by the City.

9.4 Fire Hydrant Relocation

9.4.0 Application and Cost of Relocation

- a. A Person may submit an application on the prescribed City form to the Director of Environmental Services for the relocation of a public fire hydrant.
- b. If the Director of Environmental Services approves the relocation of a public fire hydrant in accordance with the City Standards and Specifications, the Applicant shall pay all costs associated with and incurred by the City for the relocation of the fire hydrant. Prior to the commencement of any work by the City, the Applicant shall provide the funding in the form of a deposit, the amount of which to be determined by the Director of Environmental Services and which shall include a minimum of twenty percent (20%) contingency.

9.4.1 Construction and Payment

- a. Upon completion of the fire hydrant relocation, including surface restoration, the Director of Environmental Services shall determine the cost of the fire hydrant relocation, site restoration and the administrative fees. The Applicant shall pay for those actual costs and all applicable fees and charges in the amount as set out in the Fee By-law.
- b. In the event that the actual cost of the work is greater than the original deposit provided, the City shall issue an invoice to the Applicant detailing the difference between the actual cost and the deposit. The Applicant shall pay the outstanding balance by the due date stated on the invoice.
- c. In the event that the actual cost of the work is less than the original deposit provided, the City shall refund the difference between the actual cost and the deposit to the Applicant.

10 WATER USE RESTRICTION

10.0 Lawn Watering Restriction

- 10.0.0 No Person shall use or cause or permit the use of Water from the Waterworks System for the purpose of watering a lawn by hose, pipe,

sprinkler or permanent Irrigation System at any time between June 1st and September 30th in every year except as follows:

- a. All Owners or Occupants of residential properties with an even numbered municipal address shall be permitted to use water between 6:00 a.m. and 9:00 a.m. or 6:00 p.m. and 9:00 p.m. on an even numbered day of the month.
- b. All Owners or Occupants of residential properties with an odd numbered municipal address shall be permitted to use water between 6:00 a.m. and 9:00 a.m. or 6:00 p.m. and 9:00 p.m. on an odd numbered day of the month.
- c. All Owners or Occupants of residential properties shall be permitted to use water between 6:00 a.m. and 9:00 a.m. or 6:00 p.m. and 9:00 p.m. on the 31st day of the month.
- d. The provision of sections 10.0.0 (a), 10.0.0 (b) and 10.0.0 (c) shall apply to all ICI Properties, and Multi-Residential buildings provided that watering shall be permitted for three (3) hours only between the hours of midnight (12:00 a.m.) and 6:00 a.m.

10.0.1 The lawn watering restriction set out in section 10.0.0, shall not apply to newly laid sod for a period of two (2) months after the sod is first laid.

10.1 Water Use Restriction Order

10.1.0 The Director of Environmental Services may issue a Water Use Restriction Order in the event that the Director of Environmental Services determines:

- a. there is insufficient Water supply in the Waterworks System to maintain an appropriate volume of Water storage for the continued proper and safe operation of the Waterworks System; or
- b. there is insufficient Water pressure in the Waterworks System for firefighting purposes; or
- c. there is an upset or flow restriction caused by the maintenance activities of the Waterworks System.

10.1.1 The Director of Environmental Services will give reasonable notice to the public describing the circumstances associated with the issuance of a Water Use Restriction Order, the date on which it is to take effect and the conditions or restrictions of the Water use that would apply. Notice may be given by any means that, in the opinion of the Director of Environmental Services, is sufficient to provide reasonable notice to the public of the Water Use Restriction Order, which may include posting on the City's website.

10.1.2 No Person, shall use or cause or permit, the use of Water in contravention of the conditions set out in the Water Use Restriction Order issued by the Director of Environmental Services.

10.1.3 Once the situation that caused the issuance of the Water Use Restriction Order has been resolved or is no longer in effect, the Director of Environmental Services will withdraw the Water Use Restriction Order.

11 MISCELLANEOUS REQUIREMENTS

11.0 Private Water Supply System

11.0.0 Conversion from Private Well Supply to the Waterworks System

- a. If a residential Property is originally serviced by a private Well system and the Owner requests to convert it to the Waterworks System, the Owner shall make an application for a Water Service Connection for such conversion.
- b. The Water Service Connection application for such conversion shall conform to section 6.0 of this By-law.

- c. Upon the Director of Environmental Services or Director of Engineering's approval of an application for a Water Service Connection pursuant to section 6.0 and after the Water Service Connection has been installed, the City will not turn on the Water supply until the Owner has complied with the following conditions to the satisfaction of the Chief Building Official:
 - i. The original private Well connection shall be fully and properly disconnected from the Building to the satisfaction of the Chief Building Official ;
 - ii. A Water Meter has been installed on the Property by the City; and
 - iii. All disconnection and Plumbing Works have been fully inspected and approved by and are to the satisfaction of the Chief Building Official.
- d. After the conversion from a Private Well supply to the Waterworks System is complete in accordance with section 11.0.0 (c), the Owner shall comply with the following:
 - i. The original private Well system shall be properly abandoned and decommissioned in accordance with the Wells Regulation; and
 - ii. All documentation related to the Well abandonment and decommission shall be submitted to the Chief Building Official for review.

11.0.1 Prohibition of New Private Well within Municipal Water Service Areas

- a. Where municipal Water Service Connections are available, the establishment of a new private Well or the replacement of an existing private Well used as a primary or auxiliary Water supply for any permanent Water use purpose is prohibited.

- b. Exemptions

Notwithstanding section 11.0.1 (a), a private Well may be permitted with the prior written approval of the Director of Environmental Services and subject to any conditions imposed by the Director of Environmental Services, including payment of any applicable fees, in the following circumstances:

- i. private Well which legally existed prior to the date of passing this By-law;
- ii. private Well used for watering grass in golf courses or for use in agriculture-designated farms, hobby farms, or demonstration farms applications;
- iii. private Well installed for the purpose of environmental site remediation, water monitoring or site dewatering;
- iv. private Well owned or operated by the City, or approved by the City and located on lands owned by the City; or
- v. Any such other private Well approved by the Director of Environmental Services.

11.1 **Steam Boilers**

- 11.1.0 Where steam boilers are supplied with Water from the Waterworks System, the City shall not be liable for any damage, including but not limited to direct or consequential damages, which may result to any Person, Property or equipment that may arise from turning off the Water supply for any purpose whatsoever, even if notice is not given by the City prior to turning off the Water supply, or arising out of or related to an uneven Water pressure.

- 11.1.1 For all Water Service Connections to boilers, an Owner shall install Backflow Preventers and suitable relief valves or expansion tanks to relieve thermal expansion.

11.2 Water-Cooled Air-Conditioning Systems

- 11.2.0 No Person shall use any Water supplied by the City in any air-conditioning installation whatsoever, except only in those air-conditioning installations where Water is only used for make-up purposes and no Water is permitted to run to waste.
- 11.2.1 An exemption from section 11.2.0 may be permitted only in exceptional circumstances as approved by the Director of Environmental Services and shall be subject to any conditions imposed by the Director of Environmental Services.

12 BILLINGS AND COLLECTION OF ACCOUNTS

12.0 Changes of occupancy and Consumer information must be reported

- 12.0.0 The Owner of Property shall notify the City in writing of any change of occupancy to the Property and shall pay all applicable fees and charges for the change of occupancy.
- 12.0.1 The City may require a new Occupant or Consumer to complete and sign a Consumer information form.

12.1 Non-Metered and Metered Accounts

- 12.1.0 Non-metered Accounts shall be charged with the “flat rate water charge” as set out in the Fee By-law.
- 12.1.1 Metered Accounts shall be charged with the “water rate” as set out in the Fee By-law.

12.2 Regular Billings

- 12.2.0 Accounts shall be billed monthly, bi-monthly or on any other basis at the discretion of the Director of Environmental Services or Treasurer. The bill shall be deemed to be served upon the Consumer if it is delivered or sent by mail to the mailing addresses provided by the Consumer.
- 12.2.1 When Water Rates change through a billing period, the Water use charge shall be prorated for that billing period.

12.3 Final Billings

- 12.3.0 When a Consumer proposes to vacate any Property supplied by Water, the Consumer shall give notice to the City at least two (2) business days before vacating the Property to permit the reading of the Water Meter. If such notice is not given, then the Consumer may be billed for:
 - a. an estimated bill; or
 - b. the amount calculated by the next Water Meter reading, whichever is the greatest.
- 12.3.1 Any Person who has moved into or is newly occupying a Building supplied with Water shall notify the City immediately so that the Water Meter may be read and so that the Account and records may be updated.

12.4 Water Meter does not record properly or cannot be read – Estimated Consumption

- 12.4.0 In the event of a Water Meter failing to record properly, or where the Remote Readout Unit is unable to obtain a reading, the Consumer shall pay the estimated Water consumption on the basis of a corresponding period in the immediately previous year.
- 12.4.1 Where the Consumer did not occupy the same Property for the corresponding period in the immediately previous year, then the Consumer shall pay the estimated Water consumption on the basis of a similar period in the current year.

- 12.4.2 Where section 12.4.0 and 12.4.1 do not apply, then the Consumer shall pay the applicable “flat rate water charge” as set out in the Fee By-law.

12.5 Water Meters without Remote Readout Unit

- 12.5.0 If it is not feasible to install a Remote Readout Unit to a Water Meter on a Property and the Owner obtained the approval of Director of Environmental Services to make Water Meter readings by themselves, the Owner or Occupant shall provide the Water Meter readings to the City at the agreed upon and required regular Water billing frequency.
- 12.5.1 If the Owner or Occupant fails to provide a Water Meter reading to the City within or by the required time, the Owner or Occupant shall pay for the estimated Water consumption on the basis of a corresponding period in the immediately previous year.
- 12.5.2 After two consecutive estimated Water consumptions, the Owner or Occupant shall provide the City with access to the Property to read the Water Meter. If the Owner or Occupant fails to provide the City access to read the Water Meter, then the Owner or Occupant shall pay for the Water consumption estimated at the discretion of the Director of Environmental Services.

12.6 Charges for late payment

When an Account is not paid by the due date stated on the bill, the Account is overdue and a late payment charge will be assessed to the Account.

12.7 Notice of non-payment

- 12.7.0 Where an Account remains unpaid thirty (30) days after the due date on the Water Bill, a final notice shall be sent out by the regular mail to the Consumer and Property Owner.
- 12.7.1 If the Account remains unpaid sixty (60) days after the due date on the Water Bill, the City may do any or all of the following:
- Turn off or reduce the Water supply to the Property;
 - Add the Water arrears to the Tax Roll of the Property and collect it in the same manner as municipal taxes; and/or
 - Use any other means or method to collect any unpaid or overdue Accounts available at law.

12.8 Records of Non-payment

- 12.8.0 The City shall keep records of unpaid or overdue Accounts. Such records shall include the street, number and location of the Property, and if the Water has been turned off for non-payment of Account balance. Records of non-payment kept by the City shall be for the information and protection of any Person or Persons intending to purchase any Property, and such Person or Persons who inquire with the City whether any Accounts of non-payment appear upon such records.
- 12.8.1 If no such Accounts appear, such Person may, upon the payment of a records search fee as set out in Fees By-law, receive a certificate from the City to that effect, but unless such certificate is issued, the City may collect any sums which may be subsequently discovered to have been due against such Property, but which were not discovered or had been omitted from the register at the time of search.
- 12.8.2 Sections 12.8.0 and 12.8.1 shall not preclude or stop the City from using any other means or method of collecting any unpaid or overdue Accounts available at law.

12.9 Collection of non-payment from the Property Owner

- 12.9.0 All fees charged for Water consumed or supplied to a Property, or fees, charges or expenses incurred for the replacement or repair of Private Water Service Pipes, Water Meters, fixtures and all other appliances connected to a Water Service Connection or the Waterworks System or for damage to

the same, shall be regarded as due and owing to the City from the Owner of the Property.

12.10 Water Turn off or Reduction for Non-payment

- 12.10.0 If an overdue Account cannot be collected from the Owner or the Occupant of the Property, the Director of Environmental Services may turn off or reduce Water supply to the Property. An application to turn on the Water supply to the Property will not be approved by the Director of Environmental Services notwithstanding that the Property may have changed ownership or occupancy, until such unpaid Account and other fees and charges owing have been paid in full to the City.
- 12.10.1 When Water is supplied to more than one party through a single Water Meter, the Account for the Water supply will be in the name of the Owner of the Property and the payment shall be the responsibility of the Owner. In case of an overdue Account, the Water may be turned off by the Director of Environmental Services for non-payment of an overdue Account by the Owner, notwithstanding that one or more of the parties have paid their proportion of the Account to the Owner or to any other party.
- 12.10.2 Prior to turning off the Water to a Property for non-payment of an overdue Account, the City shall provide reasonable notice of the proposed Water turn off to the Owner and Occupier of the Property by personal service, prepaid mail or by posting the notice on the Property in a conspicuous place.
- 12.10.3 When the Water has been turned off by the Director of Environmental Services for non-payment of an overdue Account, it will not be turned on until all outstanding Accounts and all applicable fees and charges for the Water turn off and turn on in the amounts as set out in the Fee By-law have been paid in full to the City.

12.11 Water Arrears collected as a lien on Property

- 12.11.0 Unpaid fees and charges for the supply of Water to a Property shall have priority lien status, and may be added to the Tax Roll of the Property to which the Water was supplied in accordance with the *Municipal Act*.
- 12.11.1 When the unpaid fees and charges are levied to a condominium Property where the Water supplied is measured and accounted for by a single bulk Water Meter, the unpaid Water fees and charges of a condominium corporation may be transferred to the Tax Rolls against the corporation's individual condominium units on a pro-rata basis equal to the proportions, expressed in percentages, allocated to the units, in which the unit owners are to contribute to the common expenses as set out in the declaration of the condominium corporation. The City Treasurer or designate may exempt units, in whole or in part, from their proportionate share of Water arrears where such units are directly supplied with metered Water.

13 CONTACT INFORMATION

- 13.0 Every Owner of a Property where a Water Meter has been or is going to be installed shall provide the City with the following information:
 - 13.0.0 Legal name, address and current telephone number of the Owner;
 - 13.0.1 Legal name, address and current telephone number of the Occupant(s); and
 - 13.0.2 Where an Owner has appointed an authorized agent to act on their behalf, the Owner shall provide the name, address and current telephone number of the authorized agent.
- 13.1 In the event that there is a change in any of the information provided to the City pursuant to section 13.0, then an Owner shall provide the City with updated information in writing within five (5) Business Days from the date the change occurred.

14 POWERS OF ENTRY

- 14.0 No Person shall hinder, obstruct, or attempt to hinder or obstruct or to deny the City or any City employee, Municipal Law Enforcement Officer, authorized agent or contractor expressly acting within the scope of this By-law or pursuant to the *Municipal Act* access to a Property for any purpose provided for in this By-law or pursuant to the *Municipal Act*.
- 14.1 Any Person who hinders or obstructs, or attempts to hinder or obstruct, or who denies access to the City or any City employee, Municipal Law Enforcement Officer, authorized agent or contractor expressly acting within the scope of this By-law or pursuant to the *Municipal Act* shall be deemed to be in contravention of this By-law.
- 14.2 The City or any City employee, Municipal Law Enforcement Officer, authorized agent or contractor expressly acting within the scope of this By-law or pursuant to the *Municipal Act* may enter onto land or Property to which Water is supplied by the City at any reasonable time in accordance with the requirements of this By-law and sections 79, 80, 435, 436, 437 and 438 of the *Municipal Act*, in order to:
 - 14.2.0 Inspect, repair, alter or disconnect a service pipe or wire, machinery, equipment and other works used to supply Water;
 - 14.2.1 Read, inspect, install, repair, replace, maintain, alter or remove a Water Meter, AMI or Remote Readout Unit;
 - 14.2.2 Inspect a Backflow Preventer;
 - 14.2.3 Turn off or reduce the Water supply;
 - 14.2.4 When a Customer discontinues the use of Water or the City lawfully ceases supplying Water to the Property, to: turn off the Water; to remove any property of the City; and/or to determine whether Water has been, or is being, unlawfully used;
 - 14.2.5 Inspect Water service leakage including Private Water Service Pipe or Private Fire Service Main or private fire hydrant;
 - 14.2.6 Follow up on an Order issued under this By-law;
 - 14.2.7 Follow up on an Order made under section 431 of the *Municipal Act*;
 - 14.2.8 Carry out an inspection to determine compliance with the requirements or provisions of this By-law, or a direction or Order issued pursuant to this By-law;
 - 14.2.9 Undertake remedial work in accordance with this By-law or the *Municipal Act*; and/or.
 - 14.2.10 For any other purpose authorized by this By-law or the *Municipal Act*.
- 14.3 When exercising its power of entry under this By-law, the City will provide reasonable notice to the Owner or Occupier when required by and in accordance with sections 435 and 437 of the *Municipal Act*.
- 14.4 Where an inspection is conducted by a Municipal Law Enforcement Officer, City employee, or authorized agent, the City representative conducting the inspection may, in accordance with section 436 (2) of the *Municipal Act*:
 - 14.4.0 Require the production for inspection of documents or things relevant to the inspection;
 - 14.4.1 Inspect and remove documents or things relevant to the inspection for the purpose of making copies or extracts;
 - 14.4.2 Require information from any person concerning a matter relating to the inspection; and
 - 14.4.3 Alone or in conjunction with a person possessing special or expert knowledge make examinations or take tests, samples or photographs necessary for the purpose of the inspection.

- 14.5 When the City has provided notice to exercise a power of entry when required by and in accordance with this By-law and the *Municipal Act*, and the Owner or Occupier has not provided access within the time set out in the City notice, the Owner or Occupier will be charged a “missed appointment or service refusal” fee in the amount as set out in the Fee By-law to compensate the City for costs incurred in attempting access and for each subsequent attempt.

15 ENFORCEMENT

- 15.0 The provisions of this By-law may be enforced by a Municipal Law Enforcement Officer or any other City staff authorized to do so by the Director of Environmental Services.
- 15.1 A Municipal Law Enforcement Officer who has reasonable grounds to believe that a Person has contravened any provision of this By-law may require that Person to provide their identification to the Officer.
- 15.2 Every Person who is required by a Municipal Law Enforcement Officer to provide identification under section 15.1 shall identify themselves to the Municipal Law Enforcement Officer and give their correct name, date of birth, and address, which shall constitute sufficient identification. Failure to provide sufficient identification shall constitute obstruction of the Municipal Law Enforcement Officer.

16 OFFENCES

- 16.0 Every Person who contravenes or fails to comply with any provision of this By-law or an Order or notice issued pursuant to this By-law is guilty of an offence.
- 16.1 Every Person who contravenes or fails to comply with any provision of this By-law is guilty of an offence and upon conviction is liable to a fine as provided for by the Provincial Offences Act, R.S.O. 1990, Chapter P.33, as amended.
- 16.2 No Person shall fail to comply with any conditions or term of any Order or notice issued under this By-law.
- 16.3 No Person shall hinder or obstruct, or attempt to hinder or obstruct, a Municipal Law Enforcement Office or any person who is exercising a power or performing a duty under this By-law.
- 16.4 If there is a contravention of any provision of this By-law, and the contravention has not been corrected, the contravention of the provision shall be deemed to be a Continuing Offence for each day or part of a day that the contravention remains uncorrected.
- 16.5 If any Order has been issued under this By-law, and the Order has not been complied with, the contravention of the Order shall be deemed to be a Continuing Offence for each day or part of a day that the Order is not complied with.
- 16.6 For purposes of this By-law, an offence is a second or subsequent offence if the act giving rises to the offence occurred after a conviction had been entered at an earlier date for the same offence.

17 PENALTY PROVISIONS

- 17.0 Every Person who is guilty of an offence under this By-law, upon conviction shall be subject to the following penalties established pursuant to the *Municipal Act*:
- 17.0.0 Upon first conviction, to a fine of not less than Two Hundred and Fifty Dollars (\$250.00) and not more than Fifty Thousand Dollars (\$50,000.00).
- 17.0.1 Upon a second or subsequent conviction for the same offence, to a fine of not less than Four Hundred Dollars (\$400.00) and not more than One Hundred Thousand Dollars (\$100,000.00).
- 17.0.2 Upon conviction for a Continuing Offence, to a fine of not less than Two Hundred and Fifty Dollars (\$250.00) and not more than Ten Thousand Dollars (\$10,000.00) for each day or part of the day that the offence

continues. The total of the daily fines may exceed One Hundred Thousand Dollars (\$100,000.00).

- 17.0.3 Upon conviction of a Multiple Offence, to a fine of not less than Two Hundred and Fifty Dollars (\$250.00) and not more than Ten Thousand Dollars (\$10,000.00) for each offence included in the Multiple Offence. The total of all fines for each included offence may exceed One Hundred Thousand Dollars (\$100,000.00).

17.1 **Proceeds of Fines**

Pursuant to subsection 433 (1) of the *Municipal Act*, where a Person has been convicted of any offence under this By-law, every fine imposed for a contravention of this By-law belongs to the City.

17.2 **Unpaid Fines**

Pursuant to subsection 441.1 of the *Municipal Act*, the Treasurer 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.

18 **ADMINISTRATIVE PENALTIES**

- 18.0 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 to this By-law, a Municipal Law Enforcement Officer may issue an Administrative Penalty to the Person who has contravened this By-law.
- 18.1 The Municipal Law Enforcement 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.
- 18.2 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 the AMPS By-law for Non-Parking Offences, as amended, or any successor by-law.
- 18.3 A Person who is issued an Administrative Penalty shall be subject to the procedures as provided for in the AMPS By-law for Non-Parking Offences, as amended, or any successor by-law.
- 18.4 An Administrative Penalty imposed on a Person pursuant to this By-law 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 a Tax Roll and collected in the same manner as municipal taxes.

19 **GENERAL BY-LAW ENFORCEMENT POWERS**

19.0 **Order to Discontinue Activity**

Pursuant to section 444 of the *Municipal Act*, the City may issue an Order requiring any Person, who contravened this By-law or who caused or permitted the contravention or the Owner or Occupier of the land or Property on which the contravention occurred to discontinue the contravening activity.

19.1 **Work Order**

Pursuant to section 445 of the *Municipal Act*, the City may issue an Order requiring any Person, who contravened this By-law or who caused or permitted the contravention or the Owner or Occupier of the land or Property on which the contravention occurred to do the work to correct the contravention.

19.2 **Remedial Action**

Wherever this By-law or an Order issued pursuant to this By-law directs or requires any work or thing to be done, in default of its being done by the Person directed or required to do it, such work or thing may be done by the City at the expense of the Person. Pursuant to section 446 of the *Municipal Act*, the City may recover all the

costs incurred in doing the work or thing from the Person directed or required to do it by action or by adding the costs to the Tax Roll and collecting them in the same manner as municipal taxes.

20 NOTICE/SERVICE

- 20.0 Where an Order is issued or a notice is given by the City, unless otherwise provided for in this By-law, the Order or notice may be served:
 - 20.0.0 personally on the Person to whom it is directed;
 - 20.0.1 mailed by regular mail to the last known address provided to the City of the Person to whom it is directed; or
 - 20.0.2 posted in a conspicuous place at the subject Property.
- 20.1 A Person is deemed to be in receipt of the Order or notice on the date it is served personally or posted at the subject Property and five (5) Business Days after the Order or notice is posted by mail to the last known address provided to the City. If no address for the Person has been provided, then the City will send the Order or notice by mail to the Property address identified on the Tax Rolls.

21 FEES

- 21.0 **Service Fees**
 - 21.0.0 The municipal service fees for the administration and enforcement of this By-law shall be in accordance with the City’s Licensing, Permit and Service Fees By-law.
 - 21.0.1 Service fees for the administration and enforcement of this By-law may be applied when a contravention has been confirmed by a Municipal Law Enforcement Officer pursuant to the Licensing, Permit and Service Fees By-law.
- 21.1 **Recovery of Costs**

Pursuant to section 446 of the *Municipal Act*, where the City, its employees or authorized agents have performed work required to bring the Property into compliance with the 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 municipal taxes.
- 21.2 Fees and charges imposed on a Person pursuant to the Fee By-law, or the Licensing, Permit and Service Fees By-law, as may be amended from time to time, constitute a debt of the Person to the City. The Treasurer may add such fees and charges imposed by the City to the Tax Roll in accordance with the provisions of section 398(2) of the *Municipal Act* and collect them in the same manner as municipal taxes.
- 21.3 Any fees, charges and administrative costs associated with this By-law are non-refundable and are either set out in the Fee By-law or the Licensing, Permit and Service Fees By-law, as may be amended from time to time.

22 GENERAL PROVISIONS

Where a timeframe is set out in this By-law for carrying out any action, the Director of Environmental Services may extend the time for compliance beyond the established timeframe provided such extension is acceptable to the Director of Environmental Services.

23 BY-LAW WORDING

Unless the context requires otherwise, where a word importing the singular number is used in this By-law, such word shall include the plural and vice versa, and words importing one gender shall include all genders. The grammatical changes required to make the provisions of this By-law apply to individuals (male or female), sole proprietorships, partnerships, unincorporated associations, unincorporated organizations, corporations, trustees, heirs,

executors, administrators and other legal representatives where the context so requires shall be assumed as though in each case fully expressed.

24 SEVERABILITY

Notwithstanding that any section, or any part or parts thereof, of this By-law may be found by any court of law to be invalid, unenforceable or beyond the power of the Council to enact, it is the intention of Council that such section, or part or parts thereof, of this By-law shall be deemed to be severable, and all other sections of this By-law, or parts thereof, are separate and independent there from and enacted as such.

25 REPEAL

By-law No.1602, By-law No.105-95 and By-law No.2012-242, as amended, are hereby repealed in their entirety.

26 INTERPRETATION

The provisions of Part VI of the *Legislation Act*, 2006, S.O.2006 c.21, Schedule F, shall apply to this By-law.

27 SHORT TITLE

This By-law may be referred to as the “Water Use By-law”.

28 EFFECTIVE DATE

This By-law comes into force and effect on the day it is passed.

BY-LAW READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 23rd DAY OF APRIL, 2019.

FRANK SCARPITTI, MAYOR

KIMBERLEY KITTINGHAM, CITY
CLERK

Updated: March 26, 2019

Attachment “B”



By-law 2019-XXX

**To amend By-law 2002-276 being a By-law to impose fees or charges for services or activities provided or done by the Town of Markham.
(Amendments to Fee By-law)**

WHEREAS Section 391 of the *Municipal Act*, 2001 provides that a municipality may pass a by-law for imposing fees or charges for services or activities provided by or done on behalf of it;

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

- (1) That the attached four new Waterworks Service Fees be added to the “Community Services – Water” section in the Schedule “A” of By-law 2002-276.

BY-LAW READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 23rd DAY OF APRIL, 2019.

<hr/>	<hr/>
Kimberley Kitteringham City Clerk	Frank Scarpitti Mayor

Updated: March 26, 2019

No.	Fee Description	Current Rate	Rate effective on April 8, 2019	Pertain to Sections in Water Use By-law	Fee Basis
1	Fee for "Repair the Damage to the Waterworks System caused by Construction or other Work"	N/A	Cost-plus	Section 3.0.5	<p>"Cost-plus" means actual costs incurred by the City to perform the service (either by City staff or contracted out) plus overhead and applicable taxes.</p> <p>The calculation will include:</p> <ul style="list-style-type: none"> Contractor or City incurred costs to perform the service; plus Staff time plus overhead costs to administer the work.
2	Waterworks Service Fee for "Change in Water Service Connection requested and performed by the Property Owner "	N/A	16% of "Water Service Connection Construction Cost" (pre-tax amount)	Section 6.2.2	<p>"Water Service Connection Construction Cost" is a quote/estimated cost for doing the work from a third party. (This cost to be paid directly by the owner)</p> <ul style="list-style-type: none"> "16%" charge is to cover the City's administrative, overhead and inspection components.
3	Fee for "Investigation and Repair Leakage on Private Water System "	N/A	Cost - plus	Section 6.7.4	<p>"Cost-plus" means actual costs incurred by the City to perform the service (either by City staff or contracted out) plus overhead and applicable taxes.</p> <p>The calculation will include:</p> <ul style="list-style-type: none"> Contractor or City incurred costs to perform the service; plus Staff time plus overhead costs to administer the work.
4	Fee for "Relocation of Fire Hydrant requested by the Property Owner and performed by the City"	N/A	"Fire Hydrant Relocation Construction Cost" plus 16% of "Fire Hydrant Relocation Construction Cost" (pre-tax amount)	Section 9.4.1	<p>The calculation will include:</p> <ul style="list-style-type: none"> "Fire Hydrant Relocation Construction Cost", which means the construction cost charged by the City's contractor and applicable taxes; plus "16%" charge is to cover the City's administrative, overhead and inspection components.

Attachment “C”



By-law 2019-XXX

**To amend By-law 2016-84 being a By-law to implement an Administrative Monetary
Penalty System for Non-Parking Offences.
(Amendments to AMPS For Non Parking Offences By-law)**

WHEREAS the Council of The Corporation of the City of Markham, (the “City) considers it desirable to amend By-law 2016-84, a By-law to implement an Administrative Monetary Penalty System for Non-Parking Offences; and,

WHEREAS subsection 434.1(1) of the Municipal Act, 2001, S.O. 2001, c. 25, as amended (the “*Municipal Act*”) authorizes a municipality to require a person to pay an administrative penalty if the municipality is satisfied that the person has failed to comply with a by-law of the municipality passed under the *Municipal Act*;

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

- (1) That the Schedule for “Designated Provisions for Water Meter By-law 2012-142” in Schedule “A” of By-law 2016-84 be deleted and replaced by the attached Schedule for “Designated Provisions for Water Use By-law 2019-XX”.

BY-LAW READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 23rd DAY OF APRIL, 2019.

Kimberley Kitteringham
City Clerk

Frank Scarpitti
Mayor

Schedule for “Designated Provisions for Water Use By-law 2019-XX”.

Water Use By-law 2019-XXX??

Designated Provisions for Water Use By-law 2019-??			
Column 1 Item	Column 2 Designated Provisions	Column 3 Short Form Wording	Column 4 Administrative Penalty Amount
1	7.3.5(e)(i)	Fail to comply with an Order to schedule an appointment with the City or a City authorized third party agent to replace the water meter.	\$250.00
2	7.3.5(e)(ii)	Fail to comply with an Order to allow the City access to replace the water meter scheduled for replacement under the City’s Water Meter Replacement Program.	\$250.00
3	7.3.5(e)(iii)	Fail to comply with an Order to repair or replace the private water service pipe or private water system prior to the City’s water meter replacement at their property.	\$250.00
4	9.0.0	Operate or take water from a public fire hydrant without a hydrant permit issued by the City	\$250.00

Attachment “D”



By-law 2019-XXX

To amend Bylaw 2012-137 “Licensing, Permit and Service Fees By-law”

WHEREAS the Council of The Corporation of the City of Markham, (the “City) considers it desirable to amend By-law 2012-137, a Licensing, Permit and Service Fees By-law,

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

- (1) That the Schedule for “Water Meter By-law Inspection Administration” in Schedule “B” of By-law 2012-137, be deleted and replaced by the attached Schedule for “Water Use By-law Inspection Administration”.

BY-LAW READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 23rd DAY OF APRIL, 2019.

Kimberley Kitteringham
City Clerk

Frank Scarpitti
Mayor

Updated: March 26, 2019

Schedule for “Water Use By-law –Inspection Administration”

By-law	Licence/Permits/Registration Type	Term	Fees and Charges	Amount
Water Use By-law 2019-XXX	Water Use By-law Inspection Administration			
	First Inspection Fee	N/A	Fee	\$64.00
	Second Inspection Fee	N/A	Fee	\$131.00
	Subsequent Inspection Fee	N/A	Fee	\$271.00
	Municipal Remedy Fee	N/A	Fee	7% of Invoice

Updated: March 11, 2019

Attachment “E”
Summary of three By-laws’ Updates and Consolidation into one new Water Use By-law

[Note: (1) By-law #1602; (2) “Water Meter By-law” #2012-242; (3) By-law #105-95]

Section Titles in New Water Use By-law	From By-law #2012-242, By-law #1602, By-law #105-95 or New Clauses	Comments on Updates
Table of Contents	New Clauses	Intended for easier navigation of the by-law
Preamble	From By-law #2012-242 – Preamble	Expanded the wording to reflect all aspects covered in the consolidated Water By-law.
1. Definitions	From By-law #2012-242 – Definitions	Revised certain definitions and added some new definitions.
2. Application of by-law	From By-law #2012-242 – Section 2	No change
3. Administration of by-law		
3.0 Waterworks system construction, operation and maintenance	New Clauses	To outline the City’s areas of responsibility and explain the limitations on the level of service of City’s water supply. The wording of section 3.0.6 was adopted from City of London’s and Durham Region’s Water By-laws.
3.1 Water rates, charges and revenues responsibilities	From By-law #2012-242 – Section 3.0	No change
3.2 By-law administration and enforcement		
3.2.0	From By-law #2012-242 – Section 3.1	No change
3.2.1	New Clauses	To give the Director of Environmental Services’ authority to exempt some specific situations or projects from this By-law. The wording was adopted from Toronto’s Water By-law.
4. Use and receipt of water		
4.0	From By-law #2012-242 – Section 4.0	No change

Updated: March 11, 2019

Section Titles in New Water Use By-law	From By-law #2012-242, By-law #1602, By-law #105-95 or New Clauses	Comments on Updates
4.1	New Clauses	To ensure no municipal water supply without municipal water service connections. The wording was adopted from Toronto's Water By-law.
4.2	From By-law #2012-242 – Section 4.1	No change
5. Establishment and Discontinuance of Water Service Account		
5.0 Establishment of Water Service Account	New Clauses	To reflect the current practice in establishing a Water Account
5.1 Discontinuance of Water Service Account	From By-law #1602 – Section 39	Revised the wording to reflect current practice of cancelling a Water Account.
6. Water Service Connections		
<u>6.0 Application for water service connections</u>		
6.0.0 All Water Service connections require City approval	New Clauses	To ensure all water connections whether new or altered have City's approval and oversight to protect the quality of the water supply.
6.0.1 Application for Water Service Connection	From By-law #1602 – Section 12	Expanded the wording to reflect current practice.
6.0.2 Application refused by the City	From By-law #1602 – Section 12	Expanded the wording to list all scenarios.
6.0.3 Temporary water service connections	New Clauses	To ensure that temporary water service connections are subject to the same “application” and “approval” process as the permanent water service connection while placing a limit on the connection duration.
6.0.4 Water Service during construction	From By-law #1602 – Section 31	Revised the wording to reflect current practice and authority.
<u>6.1 Installation of water service connections</u>		

Updated: March 11, 2019

Section Titles in New Water Use By-law	From By-law #2012-242, By-law #1602, By-law #105-95 or New Clauses	Comments on Updates
6.1.0 Installation by the City	From By-law #1602 – Section 10	Revised the wording.
6.1.1 Installation by the Owner	New Clauses	To permit specific property owners and developers (such as: ICI and new residential developments) to install the water service connections using their own contractors with the City's oversight.
6.1.2 Connection or water service connection installation rejected by the City	New Clauses	To establish authority and reflect the current practice.
6.1.3 Pre-installed water service connections	New Clauses	To establish the responsibility associated with pre-serviced properties and service damage.
<u>6.2 Costs of water service connections</u>	From By-law #1602 – Section 6 & 7	Revised and expanded the wording to reflect the current practice for infill homes and redeveloped residential properties.
<u>6.3 Water Service Operation and Maintenance– By the City</u>	From By-law #1602 – Section 11& 42	Revised the wording to assure all water valves are operated by City staff or under City authority.
<u>6.4 Number of water service connections</u>		
6.4.0	From By-law #1602 – Section 21 (1) & (2)	Revised the wording. One water service connection only services one property.
6.4.1	New Clauses	One water service connection cannot service more than one property even though they are owned by the same owner.
6.4.2	New Clauses	One property cannot have more than water service connection.
6.4.3	New Clauses	To establish water service requirements in “land severance” cases. Gives authority to the Director of Environmental Services to permit or require more than one water service connection

Updated: March 11, 2019

Section Titles in New Water Use By-law	From By-law #2012-242, By-law #1602, By-law #105-95 or New Clauses	Comments on Updates
		or water meter for an ICI or multi-residential property.
6.4.4	New Clauses	To satisfy the Ontario Building Code’s requirement for water service redundancy.
<u>6.5 Replacement of water service connections</u>	New Clauses	To establish rules for those infill homes and redeveloped residential properties.
<u>6.6 Existing Water Service Connection or Pre-serviced Lot</u>		
6.6.0 Existing Water Service Connection to be turned off prior to demolition	New Clauses	To establish rules for each of those specific scenarios.
6.6.1 Existing Water Service Connection to be re-used	New Clauses	
6.6.2 Re-use of existing Water Service Connection not permitted	New Clauses	
6.6.3 Existing Water Service Connection to be disconnected	New Clauses	
<u>6.7 Private water service pipes and private fire service mains</u>		
6.7.0 Installation by the owner	From By-law #1602– Section 16,17,18 &19	Revised the wording.
6.7.1 Private Fire Protection Systems in Buildings	From By-law #1602 – Section 32 (1)	Revised the wording.
6.7.2 Private water service pipe sizes and materials	From By-law #1602 – Section 15	Revised the wording.
6.7.3 Maintenance responsibilities	From By-law #1602– Section 20	Revised the wording.
6.7.4 Investigation and repair of leakage on private water system	New Clauses	To set expectations of the City and property owners.

Updated: March 11, 2019

Section Titles in New Water Use By-law	From By-law #2012-242, By-law #1602, By-law #105-95 or New Clauses	Comments on Updates
<u>6.8 Frozen water service connection/Private water pipes</u>	New Clauses	To clarify the responsibilities of the City and owners in a “frozen water service” situation.
<u>6.9 Vacant or unheated Properties</u>	New Clauses	To clarify the owner’s responsibility associated with water damage from a frozen service when a property is left “vacant or unheated”.
<u>6.10 Tests and Disinfection</u>	New Clauses	To reflect our current practice and compliance with the provincial Safe Drinking Water Act.
7. Water Meters		
<u>7.0 Water to be metered</u>		
7.0.0 Water to be metered		
7.0.0 (a), (b), (d), (e), (f), (g)	From By-law #2012-242 – Section 5.0.0	No change.
7.0.0 (c)	New Clauses	To ensure all water passing through a water meter shall be paid for by the customers regardless of whether the water is used or wasted.
7.0.0 (h)	New Clauses	To ensure all newly constructed buildings have a water meter installed prior to using the water.
7.0.1 Water Meters –City property	New Clauses	To clarify water meter ownership.
7.0.2 Private Water Meters – Not the City’s responsibility; not used for the City’s water billing purposes	New Clauses	To define private water meters and related responsibility.
7.0.3 Sprinkler meter for irrigation system	From By-law #2012-242 – Section 5.3	No change
<u>7.1 Water meter installation</u>		

Updated: March 11, 2019

Section Titles in New Water Use By-law	From By-law #2012-242, By-law #1602, By-law #105-95 or New Clauses	Comments on Updates
7.1.0 Installation of Residential water meter	From By-law #2012-242 – Section 5.0.1	Subsection 7.1.0(a) is a revised version - To ensure that water cannot be turned on until the water meter is installed and passed the City's inspection.
7.1.1 Installation of ICI and Multi-residential water meter	From By-law #2012-242 – Section 5.0.2	No change
7.1.2 Supply of Water Meter	From By-law #2012-242 – Section 5.0.3	No change
7.1.3 Application for water meter - (Only for Infill Home, ICI & Multi-residential Water Meter application)	From By-law #2012-242 – Section 5.0.4	No change
7.1.4 Size of water meter	From By-law #2012-242 – Section 5.0.5	No change
7.1.5 Water meter loss or damage	From By-law #2012-242 – Section 5.0.6	No change
7.1.6 Notification by owner	From By-law #2012-242 – Section 5.0.7	No change
7.1.7 Provision for installing a water meter	From By-law #2012-242 – Section 5.0.8	No change
7.1.8 Water meter by-pass piping		
(a), (b), (c), (d) and (e)	From By-law #2012-242 – Section 5.0.9	No change
(f) (i.e. use of unmetered water)	New Clause	To deal with the unmetered and unbilled water consumption through opened by-pass valves.
7.1.9 Water meter chamber	From By-law #2012-242 – Section 5.0.10	No change
<u>7.2 Water meter inspection</u>		
7.2.0 Water meter inspection and sealing	From By-law #2012-242 – Section 5.1.0	No change
7.2.1 Water meter access		
(a), (b), (c), (d), (e),(f), (g), (h), (i)	From By-law #2012-242 – Section 5.1.1	Subsections (b) and (c) had minor wording change.

Updated: March 11, 2019

Section Titles in New Water Use By-law	From By-law #2012-242, By-law #1602, By-law #105-95 or New Clauses	Comments on Updates
(j) (i.e. refusal to provide access to meter)	New Clause	To establish the City's "Power of Entry" to do the water meter inspection.
7.2.2 Water meter interference prohibited		
(a)	From By-law #2012-242 – Section 5.1.2(a)&(b)	Consolidated 5.1.2(a) and (b) into 7.2.2(a).
(b)	From By-law #2012-242 – Section 5.1.2(c)	No change
(c) (i.e. ability to back charge for unmetered water use when discovered)	From By-law #2012-242 – Section 5.1.2(d)	Expanded wording to specify that Back Charges will apply to those water meter interference cases.
<u>7.3 Water meter maintenance</u>		
7.3.0 Maintenance of water meter appurtenances and piping	From By-law #2012-242 – Section 5.2.0	No change
7.3.1 Maintenance of chambers	From By-law #2012-242 – Section 5.2.1	No change
7.3.2 Water meter accuracy		
(a), (b), (c),(d), (e), (f),(g)	From By-law #2012-242 – Section 5.2.2 (a), (b), (c),(d), (e), (f),(g)	No change
(h) ability to back charge for unmetered water use when deliberately tampered with (water theft)	New Clause	To establish that Back Charges may be applied beyond a 24 month period in those situations determined to be appropriate when a by-pass valve or water meter has been deliberately tampered with.
7.3.3 Water Meter Relocation	From By-law #2012-242 – Section 5.2.3	No change
7.3.4 Water Meter Leaks	From By-law #2012-242 – Section 5.2.4	No change
7.3.5 Water Meter Replacement		
(a), (b), (d)& (e)(i)(ii)	From By-law #2012-242 – Section 5.2.5	Subsection 7.3.5(d) had minor wording changes.

Updated: March 11, 2019

Section Titles in New Water Use By-law	From By-law #2012-242, By-law #1602, By-law #105-95 or New Clauses	Comments on Updates
(c)if private plumbing configuration does not permit the City to replace water meter	New Clause	To establish the City's authority to require the owner/occupier to repair or replace their Private Water Service Pipe or Private Water System around the water meter prior to the City's water meter replacement at their property.
(e)(iii)	New Clause	To clarify that it is an offence when owner/occupier refuses to repair or replace their Private Water Service Pipe or Private Water System around the water meter prior to the City's water meter replacement at their property.
<u>7.4 Water meter removal due to building demolition</u>	From By-law #2012-242 – Section 5.4	Changed the section title.
<u>7.5 Unmetered Fire Line</u>	New Clauses	To establish rules for the continuous use of grand-fathered unmetered fire lines.
8. Water Turn off /Turn on		
8.0 Water Turn off by request	New Clauses	To reflect the current practice.
8.1 Water Turn on by request	New Clauses	To reflect the current practice.
8.2 Water Turn off / Reduction of Water Supply by the City		
8.2.0	New Clauses	To list the scenarios under which the City has authority to turn-off or reduce the water supply the Water.
8.2.1	New Clauses	To specify that the water supply to the property turned-off by the City shall not be turned-on without the City's approval.
8.2.2	From By-law #1602 – Section 37	Revised the wording.
9. Fire Hydrants		
9.0 Public Fire Hydrants		

Updated: March 11, 2019

Section Titles in New Water Use By-law	From By-law #2012-242, By-law #1602, By-law #105-95 or New Clauses	Comments on Updates
9.0.0	From By-law #2012-242 – Section 6.0	Revised the wording.
9.0.1 & 9.0.2 (i.e. ensure public fire hydrants are accessible by the Fire Department)	New Clauses	To establish rules for the use of space around public fire hydrants.
9.0.3 Anti-tampering devices	New Clauses	To establish rules for public fire hydrants in new subdivisions.
9.1 Private Fire hydrants	New Clauses	To establish rules for the installation approval, use & maintenance of private fire hydrants.
9.2 Fire Hydrant Flow Tests	New Clauses	To reflect the current practice.
9.3 Fire Hydrant Permits	From By-law #2012-242 – Section 6.1	Had minor restructuring.
9.4 Fire hydrant Relocation	New Clauses	To reflect the current practice.
10. Water Use Restriction		
10.0 Lawn Watering Restriction	From By-law #105-95 – Section 1 & 2	Revised the wording. For July and August (i.e. the months with 31 days), section 10.0.0(c) has been added to allow all addresses to water their lawns on the 31st of those months.
10.1 Water Use Restriction Order	New Clauses	To give the Director of Environmental Service the authority to restrict water use in specific water supply emergency situations.
11. Miscellaneous Requirements		
<u>11.0 Private Water Supply System</u>		
11.0.0 Conversion from Private Well Supply to the Waterworks System	New Clauses	To specify requirements for such conversion to a Municipal water supply.
11.0.1 Prohibition of New Private Well within the Municipal Water Service Areas	New Clauses	To prohibit the establishment of a new private well or replacement of an existing private well in a Municipally water serviced urban area and list the situations when an exemption may be provided.

Updated: March 11, 2019

Section Titles in New Water Use By-law	From By-law #2012-242, By-law #1602, By-law #105-95 or New Clauses	Comments on Updates
11.1 Steam boilers	From By-law #1602– Section 22	Revised the wording.
11.2 Water-cooled air-conditioning systems	From By-law #1602– Section 45	To prohibit the use of any type of water-cooled air-conditioning systems and add wording to permit exemptions in exceptional circumstances.
12. Billings and Collection of Accounts		
12.0 Changes of occupancy and consumer information must be reported	New Clauses	To reflect current practices.
12.1 Non-metered and Metered Accounts	New Clauses	To reflect current practices.
12.2 Regular Billings	New Clauses	To reflect current practices.
12.3 Final Billings	From By-law #1602– Section 29	Revised the wording to reflect current practices.
12.4 Water Meter does not record properly or cannot be read – Estimated Consumption	New Clauses	To reflect current practices.
12.5 Water Meters without Remote Readout Unit	New Clauses	To establish rules allowing for water meters without remote readout unit.
12.6 Charges for late payment	New Clauses	To reflect current industry practices.
12.7 Notice of non-payment	From By-law #1602– Section 45	Revised the wording.
12.8 Records of non-payment	From By-law #1602– Section 27 & 28	Revised the wording.
12.9 Collection of non-payment from the property owner	New Clauses	To reflect current industry practices.
12.10 Water turn off or reduction for non-payment	From By-law #1602– Section 26, 40 & 41	Revised the wording.
12.11 Water Arrears collected as a lien on property	New Clauses	To reflect current industry practices.

Updated: March 11, 2019

Section Titles in New Water Use By-law	From By-law #2012-242, By-law #1602, By-law #105-95 or New Clauses	Comments on Updates
13. Contact information	New Clauses	To establish what information needs to be provided from water customers.
14. Powers of Entry	From By-law #2012-242– Section 3.2,3.3, 3.4, 3.5, 3.6 & 3.7	Expanded the wording to set out the City’s authority to enter onto property under various scenarios.
15. Enforcement	New Clauses	To reflect bylaw enforcement practices.
16. Offences	New Clauses	To establish offence provisions for charge purposes.
17. Penalty Provisions	From By-law #2012-242– Section 8	“Special Fines” provisions have been deleted because it is very challenging to enforce them.
18. Administrative Penalties		
18.0, 18.1, 18.2 & 18.3	From By-law #2012-242– Section 12	No change
18.4	New Clauses	To reflect one of the new more streamlined bylaw enforcement practices being used by the City – Administrative Penalty.
19. General by-law enforcement powers		
19.0 Order to discontinue activity	From By-law #2012-242– Section 9.0	No change
19.1 Work Order	From By-law #2012-242– Section 9.1	No change
19.2 Obstruction	From By-law #2012-242– Section 9.2	No change
19.3 Remedial Action	New Clause	To establish the City’s authority to take remedial action to undertake work or repairs not completed by a customer required to do so and recover the costs from the customer.
20. Notice/Service	From By-law #2012-242– Section 10	No change
21. Fees		
21.0 Service Fees	New Clauses	To reflect current fees charged to recover costs associated with bylaw officers dealing with water by-law compliance issues.

Updated: March 11, 2019

Section Titles in New Water Use By-law	From By-law #2012-242, By-law #1602, By-law #105-95 or New Clauses	Comments on Updates
21.1 & 21.2 Recovery of Costs	New Clauses	To establish the City's authority to recover unpaid fees either through collection actions or by adding them to the tax roll and collecting them as municipal taxes.
21.3	From By-law #2012-242– Section 11	Revised the wording
22. General Provisions	From By-law #2012-242– Section 13	Reference of the AWWA standard has been removed since it is included in the “definition”.
23. By-law wording	From By-law #2012-242– Section 7	No change
24. Severability	From By-law #2012-242– Section 14	No change
25. Repeal	From By-law #2012-242– Section 15	Revised the wording
26. Interpretation	From By-law #2012-242– Section 16	No change
27. Short title	From By-law #2012-242– Section 17	Revised the wording
28. Effective date	From By-law #2012-242– Section 18	Revised the wording