



General Committee Revised Agenda

Revised Items are Italicized.

Meeting Number: 20
September 3, 2019, 9:45 AM - 3:00 PM
Council Chamber

Please bring this General Committee Agenda to the Council meeting on September 10, 2019.

	Pages
1. CALL TO ORDER	
2. DISCLOSURE OF PECUNIARY INTEREST	
3. APPROVAL OF PREVIOUS MINUTES	
3.1 MINUTES OF THE JUNE 17, 2019 GENERAL COMMITTEE (16.0)	9
1. That the minutes of the June 17, 2019 General Committee meeting be confirmed.	
3.2 MINUTES OF THE JUNE 17, 2019 SPECIAL GENERAL COMMITTEE (16.0)	19
1. That the minutes of the June 17, 2019 Special General Committee meeting be confirmed.	
3.3 MINUTES OF THE JULY 22, 2019 SPECIAL GENERAL COMMITTEE (16.0)	22
1. That the minutes of the July 22, 2019 Special General Committee meeting be confirmed.	
4. DEPUTATIONS	
5. COMMUNICATIONS	
5.1 YORK REGION COMMUNICATIONS (13.4)	25

Note: Questions regarding Regional correspondence should be directed to Chris

Raynor, Regional Clerk.

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

1. That the communication dated June 21, 2019 from York Region regarding Position and Mandate for a Restructured York Region Public Health be received for information purposes; and,
2. That the following communications dated June 28, 2019 from York Region be received for information purposes:
 - a. ventureLAB 2018 Results and 2019 Agreement
 - b. Bill 108, More Homes, More Choice Act, 2019: Implications for the Development Charges Act and the Planning Act
 - c. Planning for Agriculture Background Report
 - d. Potential Financial Incentives for Office Buildings
 - e. Court Services Annual Report 2018
 - f. Greater Toronto Area West Highway, Highway 400-404 Connecting Link and Highway 404 Extension Update
 - g. Lane Designations to Operate Rapidways in the Cities of Markham, Richmond Hill and Vaughan
 - h. Pedestrian and Cyclist Safety Improvements
 - i. SM4RT Living Waste Management Plan 2018 Annual Update; and further,
3. That the following communications dated July 4, 2019 from York Region be received for information purposes:
 - a. Note of Decision - Amendment No. 26 to the Official Plan of the City of Markham (2014), as amended Robinson Glen Secondary Plan
 - b. Note of Decision - Amendment No. 24 to the Official Plan of the City of Markham (2014), as amended Berczy Glen Secondary Plan

5.2 LETTER FROM MINISTRY OF MUNICIPAL AFFAIRS AND HOUSING (12.2.6)

312

1. That the letter dated August 8, 2019 from Minister Steve Clark, Ministry of Municipal Affairs and Housing regarding the submission to the Audit and Accountability Fund be received for information purposes.

5.3	<i>CYRUS CULTURAL SOCIETY - UPDATE ON COMMUNITY FACILITY LOCATED AT 160 DUDLEY AVENUE (8.0)</i>	314
1.	That the letter dated August 28, 2019 from Cyrus Foundation and Cyrus Community Centre be received for information purposes.	
6.	PETITIONS	
7.	CONSENT REPORTS - FINANCE & ADMINISTRATIVE ISSUES	
7.1	MINUTES OF THE JUNE 11, 2019 CANADA DAY CELEBRATION ORGANIZING COMMITTEE (16.0)	317
1.	That the minutes of the June 11, 2019 Canada Day Celebration Organizing Committee meeting be received for information purposes.	
7.2	MINUTES OF THE MAY 16, 2019 MARKHAM ENVIRONMENTAL ADVISORY COMMITTEE (16.0)	322
1.	That the minutes of the May 16, 2019 Markham Environmental Advisory Committee meeting be received for information purposes.	
7.3	MINUTES OF THE MAY 27, 2019 AND JUNE 17, 2019 MARKHAM PUBLIC LIBRARY BOARD (16.0)	327
1.	That the minutes of the May 27, 2019 and June 17, 2019 Markham Public Library Board meeting be received for information purposes.	
8.	CONSENT REPORTS - COMMUNITY SERVICES ISSUES	
8.1	APPOINTMENT OF MEMBERS TO THE MARKHAM MAYOR'S YOUTH COUNCIL FOR THE PERIOD OF SEPTEMBER 3, 2019 TO JUNE 30, 2020 (5.0)	345
	P. Lee, ext. 3930	
1.	That the Report Appointment of Members to the Markham Mayor's Youth Council for the period of September 3, 2019 to June 30, 2020 be received; and,	
2.	That the following Appointments of Members to the Markham Mayor's Youth Council be confirmed for the term September 3, 2019 to June 30, 2020	

Name	High School	Grade	Ward
Karina Florea	Thornhill S.S.	9	1
Marissa Wang	Bayview S.S.	10	2
Evan Qi	Bayview S.S.	12	2
Kelly Hu	Bayview S.S.	12	2
Sidd Mittal	Unionville H.S.	12	2
Justine Lin	Unionville H.S.	10	3
Patrick Ang	St. Brother Andre C.H.S.	11	3
Selina Qiu	Markville S.S.	11	3
Boris Lam	Markville S.S.	12	3
Hana Almofti	Markville S.S.	12	3
Mankaran Pahwa	Unionville H.S.	10	4
Olivia Chan	Unionville H.S.	10	4
Maxine Bisera	St. Brother Andre C.H.S.	11	4
Johnny Wong	Markville S.S.	12	4
Gloria Huang	Bill Hogarth S.S.	9	5
Bryant Zheng	Markville S.S.	10	6
Kara Yang	Markville S.S.	10	6
Ernest Wong	St Robert CHS	11	6
Seethaa Manoharan	Bayview S.S.	11	6
Eddy Guo	Bayview S.S.	12	6
Ashwin Suganthan	Markham District H.S.	10	7
Chloe Vanderlugt	Town Centre P.H.S.	11	7
Anjali Singh	Markham District H.S.	12	7
Richard Chen	Middlefield C.I.	12	7
Ira Chandershekar	Markville S.S.	12	8

; and further,

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

9. PRESENTATIONS - COMMUNITY SERVICES ISSUES

9.1 FLOOD CONTROL PROGRAM AND STORMWATER FEE UPDATE (5.3)

349

M. Visser, ext. 4260 and R. Grech 2357

1. That the presentation entitled "Alectra Rear Lot Conversion Initiative & Stormwater Fee Update" be received; and,
2. That the report "Stormwater Fee Update" be received; and,
3. 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,
4. 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,

5. 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,
6. 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,
7. 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,
8. That the annual stormwater fee levied continue to be included as a separate line item on the final tax bill of the property; and,
9. That the City continue to allocate \$2,000,000 per year of Federal Gas Tax funding to the Flood Control Program;
10. 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,
11. 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,
12. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

10. REGULAR REPORTS - COMMUNITY SERVICES ISSUES

10.1 PROPOSED PROVINCIAL BLUE BOX PROGRAM CHANGES (5.1)

377

C. Marsales, ext. 3560

1. That the report entitled “Proposed Provincial Blue Box Program Changes” be received; and,
2. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

10.2 MASTER FIRE PLAN, TASK FORCE TERMS OF REFERENCE (SECOND CREW AT STATION 99 (CORNELL)) (7.15)

383

D. Decker, ext. 5975

1. That the report entitled “Master Fire Plan, Task Force Terms of Reference Second Crew at Station 99 (Cornell)” be received;
2. That Council approve the attached Terms of Reference for the

creation of a Council Task Force to review the recommendations from the Fire Chief for the second crew at Station 99 (Cornell) to improve fire response times for that area; and further,

3. That Council appoint members of Council to the Committee as outlined in the Terms of Reference.

11. **REGULAR REPORTS - FINANCE & ADMINISTRATIVE ISSUES**

11.1 **TRANSFER PAYMENT AGREEMENT FOR THE PROVINCIAL AUDIT AND ACCOUNTABILITY FUND (7.0)**

427

J. Yeh, ext. 7922

1. That the report dated September 3, 2019 entitled "Transfer Payment Agreement for Provincial Audit and Accountability Fund" be received; and,
2. That the Mayor and Clerk be authorized to execute the Ontario Transfer Payment Agreement with Her Majesty the Queen in right of Ontario as represented by the Minister of Municipal Affairs and Housing (the "Province") for funding an assessment of the development review process, provided the agreement is in a form satisfactory to the Commissioner of Development Services and the City Solicitor; and,
3. That a new capital project named, "Development Review Process" be created in the amount of \$150,000 to be funded from the Provincial Audit and Accountability Fund; and further,
4. 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**

16.1 **FINANCE & ADMINISTRATIVE ISSUES**

16.1.1 **GENERAL COMMITTEE CONFIDENTIAL MINUTES- JUNE 11, 2019 AND JUNE 17, 2019 (16.0) [Section 239 (2) (a) (b) (c) (d) (j)]**

16.2 LAND, BUILDING & PARKS CONSTRUCTION ISSUES

16.2.1 SECURITY OF A PROPERTY OF THE MUNICIPALITY OR
LOCAL BOARD (WARD 1) (8.2) [Section 239 (2) (a)]

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: 17
June 17, 2019, 9:30 AM - 3:00 PM
Council Chamber

Roll Call	<p>Mayor Frank Scarpitti</p> <p>Deputy Mayor Don Hamilton (left 11:01 AM)</p> <p>Regional Councillor Jack Heath</p> <p>Regional Councillor Joe Li</p> <p>Regional Councillor Jim Jones</p> <p>Councillor Keith Irish</p> <p>Councillor Alan Ho</p>	<p>Councillor Reid McAlpine</p> <p>Councillor Karen Rea</p> <p>Councillor Andrew Keyes</p> <p>Councillor Amanda Collucci</p> <p>Councillor Khalid Usman (arrived 9:41 AM)</p> <p>Councillor Isa Lee</p>
Staff	<p>Andy Taylor, Chief Administrative Officer</p> <p>Trinela Cane, Commissioner, Corporate Services</p> <p>Brenda Librecz, Commissioner of Community & Fire Services</p> <p>Catherine Conrad, City Solicitor and Acting Director of Human Resources</p> <p>Joel Lustig, Treasurer</p> <p>Josh Machesney, Elections & Committee Coordinator</p>	<p>Catherine Biss, CEO, Markham Public Library</p> <p>Sandra Skelcher, Senior Manager, Financial Planning & Reporting</p> <p>David Plant, Senior Manager, Parks, Horticulture & Forestry</p> <p>Gabrielle Anifowose, Property Appraiser & Negotiator</p>

1. CALL TO ORDER

The General Committee meeting convened at the hour of 9:36 AM with Regional Councillor Jack Heath in the Chair.

Andy Taylor introduced Markham's new City Solicitor & Director, Human Resources, Claudia Storto. Mayor Frank Scarpitti welcomed Ms. Storto on behalf of Council.

Moved by Mayor Frank Scarpitti
 Seconded by Councillor Khalid Usman

Whereas the City of Markham joined Canadians from coast to coast to coast in cheering on the Toronto Raptors of the National Basketball Association (NBA) throughout the regular season and playoffs;

Whereas Markham hosted two viewing areas of the 2019 NBA playoff games involving the Toronto Raptors during the championship round against the Golden State Warriors;

Whereas the Toronto Raptors united a nation with their perseverance, tenacity, strong character and pursuit of excellence;

Whereas the Toronto Raptors reflect the diversity of Markham;

Whereas on June 13, 2019, Game 6 of the NBA Finals, the Toronto Raptors were victorious in winning Canada's first NBA Championship; and,

Therefore be it resolved, on Monday June 17, 2019 and coinciding with the Championship Celebration and Parade for the Toronto Raptors, the City of Markham raise the Raptors flag and proclaim Toronto Raptors Day in the City of Markham.

Carried

2. DISCLOSURE OF PECUNIARY INTEREST

None disclosed.

3. APPROVAL OF PREVIOUS MINUTES

3.1 MINUTES OF THE JUNE 4, 2019 SPECIAL GENERAL COMMITTEE (16.0)

Moved by Deputy Mayor Don Hamilton
 Seconded by Regional Councillor Jim Jones

1. That the minutes of the June 4, 2019 Special General Committee meeting be confirmed.

Carried

3.2 MINUTES OF THE JUNE 4, 2019 GENERAL COMMITTEE PUBLIC INFORMATION MEETING (16.0)

Moved by Deputy Mayor Don Hamilton
Seconded by Regional Councillor Jim Jones

1. That the minutes of the June 4, 2019 General Committee Public Information meeting be confirmed.

Carried

3.3 MINUTES OF THE JUNE 11, 2019 GENERAL COMMITTEE (16.0)

Moved by Deputy Mayor Don Hamilton
Seconded by Regional Councillor Jim Jones

1. That the minutes of the June 11, 2019 General Committee meeting be confirmed.

Carried

4. DEPUTATIONS

There were no deputations.

5. PETITIONS

5.1 PETITION TO CONSTRUCT OUTDOOR TENNIS COURTS AT THE FUTURE PARK AT MCCOWAN ROAD AND JAMES PARROT AVENUE

Councillor Karen Rea submitted a petition signed by residents in favour of constructing outdoor tennis courts at the future park to be located at the southeast corner of McCowan Road and James Parrot Avenue.

Moved by Councillor Karen Rea
Seconded by Councillor Reid McAlpine

1. That the petition entitled "Petition to the City of Markham to Construct Outdoor Tennis Courts at the Future Park at the Southeast Corner of McCowan Road and James Parrot Avenue" be received; and,
2. That the petition be referred to Staff.

Carried

6. CONSENT REPORTS - FINANCE & ADMINISTRATIVE ISSUES**6.1 MINUTES OF THE APRIL 25, 2019 GERMAN MILLS COMMUNITY CENTRE BOARD (16.0)**

Moved by Councillor Keith Irish

Seconded by Councillor Alan Ho

1. That the minutes of the April 25, 2019 German Mills Community Centre Board meeting be received for information purposes.

Carried

6.2 MINUTES OF THE MAY 9, 2019 VICTORIA SQUARE COMMUNITY CENTRE BOARD (16.0)

Moved by Councillor Keith Irish

Seconded by Councillor Alan Ho

1. That the minutes of the May 9, 2019 Victoria Square Community Centre Board meeting be received for information purposes.

Carried

6.3 AWARD OF REQUEST FOR PROPOSAL 012-R-19 SUPPLY AND DELIVERY OF WORKPLACE UNIFORMS FOR STAFF & MARKHAM BRANDED PRODUCTS (7.12)

Moved by Councillor Keith Irish

Seconded by Councillor Alan Ho

1. That the report entitled “Award of Request for Proposal 012-R-19 Supply and Delivery of Workplace Uniforms for Staff & Markham Branded Products” be received; and,
2. That the contract for Supply and Delivery of Workplace Uniforms for Staff & Markham Branded Products be awarded to the highest ranked / lowest priced bidder, The Planet Group Inc; and,

3. That the term of the contract be for three (3) years with an option to renew for an additional two (2) years in the total award amount of \$809,880 (inclusive of HST); 2019 - \$80,988 (July 1 - December 31)*2020 - \$161,976*2021 - \$161,976*2022 - \$161,976*2023 - \$161,976**2024 - \$80,988 (January 1 – June 30) **Total: \$809,880*For the three (3) year contract term (July 1, 2019 – June 30, 2022), costs will be at the same itemized pricing.**The two (2) optional renewal years (July 1, 2022 – June 30, 2024), costs will be adjusted based on the Consumer Price Index for All Items Toronto for the twelve (12) month period ending December in the applicable year. 2020 - 2024 is subject to Council approval; and,
4. That the contract be funded from various City Department's Operating and Capital Budget's as identified within the Financial Consideration Section of this report, any future years 2020 – 2024 will be subject to Council approval of the annual budget; and,
5. That the Director, Legislative Services & Communications, and Senior Manager of Procurement & Accounts Payable be authorized to exercise the option to renew the contract in year 4 and 5 subject to performance and Council approval of the annual budget; and further,
6. That staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

6.4 STATUS OF CAPITAL PROJECTS AS OF APRIL 30, 2019 (7.5)

Moved by Councillor Keith Irish

Seconded by Councillor Alan Ho

1. That the report dated June 17, 2019 titled "Status of Capital Projects as of April 30, 2019" be received; and,
2. That the amount of \$7,794,731 from the closure of capital projects be transferred to the sources of funding as listed on Exhibit A; and,
3. That the closure of projects as outlined on Exhibit B and C be approved; and,
4. That the Non-Development Charge Capital Contingency Project be topped up from the Life Cycle Replacement and Capital Reserve Fund by \$444,488 to the approved amount of \$250,000; and,

5. That the Engineering Capital Contingency Project be topped up from the City-Wide Hard Development Charges Reserve by \$98,993 to the approved amount of \$100,000; and,
6. That the Design Capital Contingency Project be topped up from the Development Charges Reserve by \$55,057 to the approved amount of \$100,000; and,
7. That the Waterworks Capital Contingency Project be topped up from the Waterworks Stabilization/Capital Reserve by \$5,522 to the approved amount of \$100,000; and,
8. That the estimated shortfall of \$350,000 in Capital Project 19264 – Asphalt Cement (AC) Index Premium Asphalt Resurfacing be funded from the Gas Tax Reserve, increasing the project budget from \$225,200 to \$575,200; and further,
9. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

**6.5 MINUTES OF THE APRIL 9, 2019 AND MAY 7, 2019 SENIORS
ADVISORY COMMITTEE (16.0)**

Moved by Councillor Keith Irish

Seconded by Councillor Alan Ho

1. That the minutes of the April 9, 2019 and May 7, 2019 Seniors Advisory Committee meeting be received for information purposes.

Carried

**6.6 MINUTES OF THE JANUARY 17, 2019 AND FEBRUARY 21, 2019
BOARD OF MANAGEMENT MARKHAM VILLAGE BUSINESS
IMPROVEMENT AREA COMMITTEE (16.0)**

Moved by Councillor Keith Irish

Seconded by Councillor Alan Ho

1. That the minutes of the January 17, 2019 and February 21, 2019 Board of Management Markham Village Business Improvement Area Committee meeting be received for information purposes.

Carried

7. CONSENT REPORTS - COMMUNITY SERVICE ISSUES

7.1 PROJECT MANAGEMENT COORDINATION AND REPORTING (5.0)

Moved by Councillor Keith Irish

Seconded by Councillor Alan Ho

1. That the report entitled “Project Management Coordination and Reporting” be received; and,
2. That the “Major Project Status Tracking” Dashboard report (Attachment “A”) be received; and further,
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

7.2 IMPROVING ACCESS TO DIGITAL PUBLICATIONS IN PUBLIC LIBRARIES – A CAMPAIGN OF THE CANADIAN URBAN LIBRARY COUNCIL (3.19)

Catherine Biss, Chief Executive Officer, Markham Public Library, was in attendance to answer questions from Members of General Committee regarding the Canadian Urban Public Library Council's efforts to improve access to digital publications in public libraries.

Moved by Deputy Mayor Don Hamilton

Seconded by Councillor Andrew Keyes

1. That Markham Council endorse the following motion of support for the Canadian Urban Library Council Accessing Digital Publications Government Relations Campaign:

Whereas, the City of Markham recognizes the important role that libraries play in our community. Libraries and the early literacy programs that they run are integral to developing proficient readers and ensuring that children succeed in school. More and more, digital literacy programs run by libraries also help ensure that citizens can contribute to our digital world. Additionally, vulnerable demographic groups, including seniors, low income families, youth, and new Canadians rely on access to libraries as an important tool for their participation in

the community – from education to searching for jobs to consuming Canadian cultural materials, and,

Whereas, libraries in our community recognize that our users increasingly seek to access digital publications offered by multinational publishers, and that access to those publications is too often curtailed by prohibitively high licensing fees or else entirely denied to Canadian libraries, and,

Whereas, libraries must be in a position to offer digital publications to their users as part of their service offering to our community, particularly given the contemporary rapid pace of digitization of educational and cultural materials.

Now, there be it resolved that the City of Markham do hereby:

- i. Indicate our support for the Canadian Urban Libraries Council in its efforts to increase access to digital publications for library users in Markham and across Canada;
- ii. Call on the Federal government to investigate the barriers faced by libraries in acquiring digital publications and the problems that poses for vulnerable demographic groups in Canada; and,
- iii. Further ask the Federal government to develop a solution that increases access to digital publications across Canada and assists libraries in meeting the cost requirements to acquire digital publications.

Carried

8. REGULAR REPORTS - COMMUNITY SERVICE ISSUES

8.1 NEW PLAYGROUND CONSTRUCTION – CROSBY PARK (6.5)

Brenda Librecz, Commissioner, Community & Fire Services provided an overview of the new playground construction at Crosby Park.

Moved by Deputy Mayor Don Hamilton

Seconded by Councillor Reid McAlpine

1. That the report entitled “New Playground Construction – Crosby Park” dated June 17, 2019 be received; and,
2. That staff establish a new capital project in the amount of \$150,000 for “New Playground Construction – Crosby Park” to be funded in the amount of \$138,000 from the Facility Ramp Up Reserve; and \$12,000 from the Parkview Public School’s Parent Council for the playground construction, to be provided prior to commencement of this project; and further,

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

Carried

9. MOTIONS

There were no motions.

10. NOTICES OF MOTION

There were no notices of motions.

11. NEW/OTHER BUSINESS

There was no new / other business.

12. ANNOUNCEMENTS

There were no announcements.

13. CONFIDENTIAL ITEMS

Moved by Councillor Khalid Usman

Seconded by Councillor Amanda Collucci

That, in accordance with Section 239 (2) of the Municipal Act, General Committee resolve into a confidential session to discuss the following matters (10:12 AM):

Carried

13.1 FINANCE & ADMINISTRATIVE ISSUES

**13.1.1 BOARD OF MANAGEMENT UNIONVILLE BUSINESS
IMPROVEMENT AREA COMMITTEE CONFIDENTIAL
MINUTES - FEBRUARY 25, 2019 (16.0) [Section 239 (2) (d) (j)]**

The confidential minutes of the February 25, 2019 Board of Management Unionville Business Improvement Area Committee were confirmed.

13.2 LAND, BUILDING & PARKS CONSTRUCTION ISSUES**13.2.1 A PROPOSED OR PENDING ACQUISITION OR DISPOSITION
OF LAND BY THE MUNICIPALITY OR LOCAL BOARD (WARD
8) (8.2) [Section 239 (2) (c)]**

General Committee consented to placing this item on the June 25, 2019 Council agenda for consideration.

**13.2.2 A PROPOSED OR PENDING ACQUISITION OR DISPOSITION
OF LAND BY THE MUNICIPALITY OR LOCAL BOARD (WARD
8) (8.2) [Section 239 (2) (c)]**

General Committee consented to placing this item on the June 25, 2019 Council agenda for consideration.

14. ADJOURNMENT

The General Committee meeting adjourned at 11:27 AM.

Moved by Councillor Khalid Usman

Seconded by Councillor Reid McAlpine

1. That the June 17, 2019 General Committee meeting be adjourned.

Carried



Special General Committee Minutes

Meeting Number: 18
June 17, 2019, 5:00 PM - 8:00 PM
Council Chamber

Roll Call	<p>Mayor Frank Scarpitti (arrived 5:55 PM)</p> <p>Deputy Mayor Don Hamilton (left 6:52 PM)</p> <p>Regional Councillor Jack Heath</p> <p>Regional Councillor Joe Li</p> <p>Regional Councillor Jim Jones (arrived 5:26 PM)</p> <p>Councillor Keith Irish</p> <p>Councillor Alan Ho</p>	<p>Councillor Reid McAlpine</p> <p>Councillor Karen Rea</p> <p>Councillor Andrew Keyes</p> <p>Councillor Amanda Collucci (arrived 5:21 PM)</p> <p>Councillor Khalid Usman (arrived 5:21 PM)</p> <p>Councillor Isa Lee</p>
Staff	<p>Trinela Cane, Commissioner, Corporate Services</p> <p>Brenda Librecz, Commissioner of Community & Fire Services</p> <p>Catherine Conrad, City Solicitor and Acting Director of Human Resources</p> <p>Joel Lustig, Treasurer</p>	<p>Morgan Jones, Director, Operations</p> <p>Josh Machesney, Elections & Committee Coordinator</p> <p>Alice Lam, Senior Manager, Roads, Utility & Surveys Division</p>

1. CALL TO ORDER

The Special General Committee meeting Winter Maintenance Workshop #2 convened at the hour of 5:08 PM with Regional Councillor Jack Heath in the Chair.

2. DISCLOSURE OF PECUNIARY INTEREST

None disclosed.

3. EDUCATION & TRAINING SESSION

3.1 WINTER MAINTENANCE WORKSHOP PRESENTATION (5.10)

Brenda Librecz, Commissioner, Community & Fire Services, introduced the item.

Morgan Jones, Director, Operations, and Alice Lam, Senior Manager, Roads, Utility & Survey Division were in attendance to deliver a PowerPoint presentation regarding the Winter Maintenance Workshop Review. Mr. Jones and Ms. Lam reviewed the following:

- Snow removal service levels on local roads;
- Current windrow removal program;
- Snow removal service levels on pathways;
- Contact Centre call volumes related to winter maintenance inquiries; and,
- Your Voice Markham public inquiry survey results related to Markham's winter maintenance program.

Ms. Lam reviewed the roundtable summary of comments from Members of Council from the first Winter Maintenance Workshop that took place on June 4, 2019.

Members of General Committee discussed the Your Voice Markham survey results regarding winter maintenance and whether or not the City should raise service levels, based on the feedback received from residents. Members of General Committee requested that Staff facilitate a more comprehensive residential survey relating to winter maintenance service levels that better reflect the population of Markham.

Members of General Committee directed Staff to develop an enhanced public education campaign regarding the City's Winter Maintenance Program, once service levels have been established.

Moved By Councillor Reid McAlpine
Seconded By Regional Councillor Jim Jones

1. That the matter of increasing winter maintenance service levels be referred to Staff to allow for a comprehensive residential survey regarding winter maintenance to be conducted.

Carried

4. ADJOURNMENT

The Special General Committee meeting Winter Maintenance Workshop #2 adjourned at 7:06 PM.

Moved By Regional Councillor Jim Jones

Seconded By Councillor Karen Rea

1. That the June 17, 2019 Special General Committee meeting be adjourned.

Carried



Special General Committee Minutes

Meeting Number: 19
July 22, 2019, 10:00 AM - 4:30 PM
Pingle House

Roll Call	Mayor Frank Scarpitti	Councillor Alan Ho
	Deputy Mayor Don Hamilton (left at 3:08 PM)	Councillor Reid McAlpine
	Regional Councillor Jack Heath	Councillor Andrew Keyes
	Regional Councillor Joe Li (arrived at 1:39 PM)	Councillor Amanda Collucci
	Regional Councillor Jim Jones (left at 3:08 PM)	Councillor Isa Lee
	Councillor Keith Irish	
Regrets	Councillor Karen Rea	Councillor Khalid Usman
Staff	Andy Taylor, Chief Administrative Officer	Claudia Storto, City Solicitor and Director of Human Resources
	Trinela Cane, Commissioner, Corporate Services	Bryan Frois, Chief of Staff
	Brenda Librecz, Commissioner, Community & Fire Services	Meg West, Manager, Business Planning and Projects
	Arvin Prasad, Commissioner, Development Services	Scott Chapman, Election and Committee Coordinator

Note: This meeting will not be Audio Streamed.

Alternate formats for this document are available upon request.

1. CALL TO ORDER

The Special General Committee Strategic Planning Session convened at the hour of 10:12 AM at Pingle House with Regional Councillor Jack Heath in the Chair.

Andy Taylor, Chief Administrative Officer, provided members of General Committee with an overview of the Building Markham's Future Together (BMFT) strategic planning process to date and identified the key objectives of the day's session:

- Review and finalize the goal statements and strategic objectives developed from the previous strategic planning sessions and refined by the Strategy Planning Committee;
- Agree on priority action plans/key initiatives under each objective to finalize the draft Strategic Plan; and,
- Provide feedback regarding potential approaches for effectively engaging the community in the strategic planning process

Mr. Taylor introduced Joanne Berry, Facilitator for the Strategic Planning Session.

The Special General Committee Strategic Planning Session recessed at 12:22 PM and reconvened at 1:10 PM.

2. DISCLOSURE OF PECUNIARY INTEREST

None disclosed.

3. EDUCATION & TRAINING SESSION

3.1 STRATEGIC PLANNING (FACILITATED DISCUSSION)

Joanne Berry, Facilitator, began the strategic planning session by recognizing the work of senior staff and the Strategy Planning Committee in refining the strategic goals, objectives and key initiatives identified during the previous discussions of General Committee.

The Committee reviewed and discussed the updated goal statements and strategic objectives recommended by the Strategy Planning Committee. Potential outcome measures for tracking progress on each of the strategic goals were also discussed.

Key initiatives/actions developed and recommended by the Strategy Planning Committee for each of the updated strategic objectives were presented. Members of General Committee discussed the top strategic priorities for the current term of Council based on the list provided.

The Committee discussed next steps in the strategic planning process, including:

- Staff to develop specific strategic metrics and targets based on key measures identified by the Committee, review and polish key actions identified by the Committee, and develop a proposed community engagement process and timeline;

- Finalize the updated draft Strategic Plan and present it at two half-day Special General Committee meetings in September;
- Obtain public feedback on the updated draft Strategic Plan with a kickoff public meeting in late September followed by a community engagement program; and,
- Refine Markham's Strategic Plan based on feedback received from the public and present it to Council in November

Regional Councillor Heath provided closing remarks and extended a special thanks to Joanne Berry for facilitating the discussions.

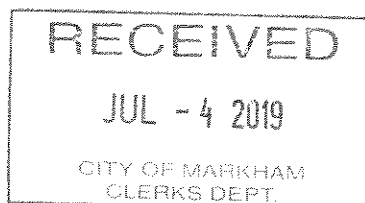
4. ADJOURNMENT

Moved By Councillor Isa Lee

Seconded By Councillor Andrew Keyes

1. That the Special General Committee Strategic Planning Session adjourn at 4:41 PM.

Carried



Regional Clerk's Office
Corporate Services

June 21, 2019

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

Dear Ms. Kitteringham:

Re: Position and Mandate for a Restructured York Region Public Health

On June 20, 2019 the York Region Board of Health adopted the following recommendations:

1. York Region Board of Health direct the Chair of the Board to send a letter to the Minister of Health, with copy to the Premier of Ontario, to include the following:
 - a. Request that the geographic area of the restructured public health entity include only the existing geographic area of York Region.
 - b. Request that the governance and operating model of the restructured public health entity maintain the integrated service model which currently exists for York Region Public Health, to continue leveraging of all municipal activities towards addressing the social determinants of health.
 - c. Highlight opposition to the cost sharing changes which are estimated to increase the tax levy contributions to public health in the range of \$12.7 million.
 - d. Highlight that the proposed changes to the operating model and boundaries would create an additional tax levy burden on York Region due to the proposed amalgamation with the Simcoe Muskoka District Health Unit and associated increase in costs.
2. Until the Ministry of Health makes its final decision on the geographic area, and governance and operating models for the new public health entity, York Region Board of Health authorize and direct the Medical Officer of Health to establish a team to engage with the Simcoe Muskoka District Health Unit, guided by the following principles:

- a. No significant service loss to York Region residents
 - b. No reduction in employment for front line positions, given that the population of York Region continues to grow
 - c. Protect current employees from job loss and maintain years of service as much as possible
 - d. Ensure that York Region tax levy funding remains in York Region to fund services in the Region
 - e. Do not exceed, on an annual basis, the total York Region tax levy funding currently contributed to deliver public health services, including both direct and indirect costs
3. York Region Board of Health authorize the Medical Officer of Health to request financial assistance from the Ministry of Health for planning and transition costs related to restructuring York Region Public Health.
4. York Region Board of Health authorize the Medical Officer of Health to retain management consulting resources as required, to advise on the structure and governance of the new public health entity.
5. This report be sent by the Regional Clerk to all nine local municipalities, York Region Members of Provincial Parliament, Canadian Union of Public Employees Local 905 (York Region Unit), Ontario Nurses Association Local 16, the Association of Municipalities of Ontario, the Association of Local Public Health Agencies, the Chief Medical Officer of Health of Ontario, the Ontario Health Agency and the other 34 Boards of Health.

The original staff report is enclosed for your information.

Please contact Dr. Karim Kurji, Medical Officer of Health at 1-877-464-9675 ext. 74012 if you have any questions with respect to this matter.

Sincerely,



Christopher Raynor
Regional Clerk

Attachment

The Regional Municipality of York

Board of Health
June 20, 2019

Report of the Commissioner of Community and Health Services and Medical Officer of Health

Position and Mandate for a Restructured York Region Public Health

1. Recommendations

1. York Region Board of Health direct the Chair of the Board to send a letter to the Minister of Health and Long-Term Care, with copy to the Premier of Ontario, requesting that:
 - a. The geographic area of the restructured public health entity include only the existing geographic area of York Region.
 - b. The governance and operating model of the restructured public health entity maintain the integrated service model which currently exists for York Region Public Health, to continue leveraging of all municipal activities towards addressing the social determinants of health.
2. Until the Ministry of Health and Long Term Care makes its final decision on the geographic area, and governance and operating models for the new public health entity, York Region Board of Health authorize and direct the Medical Officer of Health to establish a team to engage with the Simcoe Muskoka District Health Unit on the proposed restructuring model proposed by the Ministry, guided by the following principles:
 - a. No significant service loss to York Region residents
 - b. No reduction in employment for front line positions, given that the population of York Region continues to grow
 - c. Protect current employees from job loss and maintain years of service as much as possible
 - d. Ensure that York Region tax levy funding remains in York Region to fund services in the Region
 - e. Do not exceed, on an annual basis, the total York Region tax levy funding currently contributed to deliver public health services, including both direct and indirect costs
3. York Region Board of Health authorize the Medical Officer of Health to request financial assistance from the Ministry of Health and Long-Term Care for planning and transition costs related to restructuring York Region Public Health.

4. York Region Board of Health authorize the Medical Officer of Health to retain management consulting resources as required, to advise on the structure and governance of the new public health entity.
5. This report be sent by the Regional Clerk to all nine local municipalities, York Region Members of Provincial Parliament, Canadian Union of Public Employees Local 905 (York Region Unit), Ontario Nurses Association Local 16, the Association of Municipalities of Ontario, the Association of Local Public Health Agencies, the Chief Medical Officer of Health of Ontario, the Ontario Health Agency and the other 34 Boards of Health.

2. Summary

This report provides an update to the York Region Board of Health on recent announcements from the Ministry of Health and Long-Term Care (the Ministry) regarding the modernization of Ontario's public health system and the creation of ten new regional public health unit entities by April 1, 2020.

Key Points:

- Changes to Ontario's public health system will require legislative changes, Ministry staff anticipate legislation will be in place this fall, and that there will be consultation with municipalities and independent boards of health
- One of the proposed ten new public health entities would be comprised of York Region Public Health and the Simcoe County portion of the Simcoe Muskoka District Health Unit
- The new public health entity would be a stand-alone, autonomous organization separate from York Region
- The Board of the new public health entity is proposed to be in place by April 1, 2020, York Region Council would no longer serve as the Board of Health and York Region would be required to fund the new entity based on proposed new cost share ratios
- Between April 2020 and April 2021, services are proposed to be transitioned into the new entity

This report recommends the Board of Health advise the Minister of Health on its position regarding the Ministry of Health and Long Term Care's proposal on the size, governance model and administrative model for the new health entity.

- The geographic area of the restructured public health entity should include only the existing geographic area of York Region as the Region's current population is large enough to justify its own health unit, and
- The governance and operating model of the restructured public health entity maintain the models that currently exist for York Region Public Health as the integrated model is effective in addressing the social determinants of health, ensures York Region tax

levy is used to benefit York Region residents, and leverages administrative efficiencies not available in an autonomous model.

Finally, as Ministry staff has requested input on the organizational structure of the new public health entities, this report recommends giving the Medical Officer of Health authorization and a mandate to work with the Simcoe-Muskoka District Health Unit to develop a mutual proposal for consideration by the Province. Given the short timelines, it is important to begin this work in advance of the final decision by the province on the geography, governance model and administrative model for the geographic area of York Region.

3. Background

The 2019 Provincial Budget announced sweeping organizational and governance changes to the public health sector

The province is restructuring the public health system in Ontario from 35 to 10 regional health units. The new entities are proposed to be stand-alone autonomous organizations.

To achieve these proposed changes, Ministry staffs anticipate legislation in fall 2019. As of April 1, 2020, the new public health entity will be in place. As part of the legislative process, the Ministry has indicated there will be consultation with municipalities and independent boards of health. The Ministry also indicated a willingness to receive input on administrative and organizational structures of the new entity.

The proposed geographic area of the public health entity will add an area close to three times the size of York Region

As of April 1, 2020, the new public health entity is proposed to consist of York Region Public Health and the Simcoe County portion of the Simcoe-Muskoka District Health Unit. The merger of Simcoe County with York Region would create the third largest new public health entity in terms of population (after Toronto and the entity that includes Peel/Halton Regions). Planning for York Region's large, diverse and growing population is already a significant undertaking and the size of our geography at present does present operational considerations in how we provide service.

According to the 2016 Census, Simcoe County's population was 520,123 and covers a geographic area of 4,859 square kilometres, nearly three times the size of York Region. On May 15, 2019, the Board of Health for Simcoe Muskoka District Health Unit wrote a letter to the Minister of Health and Long-Term Care advocating that the full territory of their health unit be merged with York Region. This would result in a geographic area of approximately 8,800 square kilometres and a population of 584,562 (2016 Census) (Attachment 1 – Map). This position has been endorsed by three additional health units (Sudbury and District; Timiskaming; and North Bay Parry Sound). The province intends to consult on the geographical boundaries, and they may change.

York Region Public Health, while understanding of the challenges faced by Simcoe Muskoka District Health unit, does not support the merger.

Public Health has a history of integration with York Region human services, maximizing the influence on the social determinants of health and healthy public policy

Public health has been a municipal program since 1833 when the Legislature of Upper Canada allowed local municipalities to establish boards of health. As a municipal service, it helps ensure healthy communities by working with and influencing municipal functions including urban planning, transportation planning, water and waste water, housing, child care, income supports and employment. Many of these supports have direct connections to the social determinants of health (i.e. all of those factors outside of health care services that influence how healthy a community is), demonstrating the many advantages to maintaining a direct municipal connection to public health.

Public health became a Regional function in 1978 and has been fully integrated into Regional strategic planning and operations ever since. Some successes from having public health integrated within Regional service delivery include the passing of the No-Smoking Bylaw, which was greatly facilitated by having a Board of Health that includes political leaders from the local municipalities, and quick access to Regional staff and assets to support public health during the emergencies of SARS in 2003 and H1N1 in 2009. The Region also benefits from the current integrated model. Public health has made significant contributions to healthy public policy including an opioid action plan, built environments that support health, and climate change action plans.

From a departmental level, in 2007 Public Health joined the Region's Community and Health Services Department (CHS), integrating the full range of human services under one leadership group. This has maximized Public Health's ability to address the social determinants through a much broader range of initiatives than it could do on its own through provincially mandated programs under the Ontario Public Health Standards. For example, the Region's Community Investment Fund has been leveraged by Public Health to address health service gaps in the Region such as food insecurity. Public Health and the Social Services Branch partnered to deliver a breast pump discretionary benefit program for people who rely upon Ontario Works income supports. In addition, York Region Public Health operations are more efficient because of the ability to access shared administrative supports within CHS, and access a wide range of specialized expertise from other Regional departments.

York Region Public Health has been recognized as a provincial leader in excellence, innovation and wellness

In June 2019, York Region Public Health applied to become the first public health unit in Ontario to be accredited at the Gold Level against Excellence Canada's stringent Excellence, Innovation and Wellness Standard. This nationally recognized standard scrutinizes the work, culture, deliverables and staff perspectives of working within the Branch. It addresses key

requirements in five specific drivers of: leadership, planning, customers, people and processes.

Prior to applying to be considered for this important distinction, all four public health divisions were successful at receiving Silver Level against the same Excellence, Innovation and Wellness standard.

Some of the past evidence applauded by the assessors from Excellence Canada built on numerous benefits that result from the integration of public health within the Region's structure, including:

- Positive and productive relationships across a range of departments and the local municipalities
- Innovative and effective service delivery
- Several regional guidelines and standards are in place to support compliance with relevant provincial regulations and standards, including human rights, privacy, health and safety, disability, accessibility, employment standards, etc.

Other public health units and organizations are reaching out to York Region Public Health to learn about our accreditation journey.

4. Analysis

Transition into a new public health entity may negatively impact public health services for York Region residents

Public health's integration into the municipal structure has provided more effective opportunities and influence on other municipal activities to improve the lives of York Region residents. The economies of scale and specialized expertise available to the Public Health Branch as part of a large, diverse and multi-service municipal government would be lost with a move to an autonomous board and expanded geographic area. These changes may cause programming to be less effective in addressing the social determinants of health and population health.

Further, York Region has historically provided additional funding beyond the minimum required for cost-sharing. This has enabled public health to address health service gaps to benefit its citizens and meet our local needs with proactive and responsive programs. It is uncertain that the same level of quality services would be affordable under the new model.

Finally, many administrative services are provided to public health through Regional programs including Integrated Business Services Branch (e.g., finance, IT support) and Corporate Services (e.g., human resources). When York Region Public Health is no longer a Regional function, the funding for these services will need to come from the approved public health entity budget. Based on current financial commitments for these costs, there will be service delivery implications if public health needs to use funding that has historically been used to deliver mandated public health programs and services.

There are differences in the populations of York Region and Simcoe County

Despite its close proximity to York Region, there are differences in social determinant of health status indicators between Simcoe County and York Region residents resulting in each health unit providing services in response to the local need of residents. Given the differences in local needs, delivery of services and programs will not be uniform across the proposed new geographic area that would include York Region. This in turn will affect the efficiency of service delivery. For example, there are regional differences in the number of public beaches and casinos that could impact public health service delivery. More specifically, casinos have a number of social and economic issues associated with them including increased alcohol consumption and smoking as well as considerations around gambling addictions and mental health concerns.

5. Financial

Investments in public health save money and improve health

The public health sector receives approximately two per cent of the overall provincial health care budget, yet it provides a high return on investment. Under the proposed modernization plans, this already small portion of the provincial health care budget will be reduced further over the next three years, with the province anticipating \$200 million in savings.

Examples of this return on investment include:

- Every \$1 invested into adding fluoride to drinking water, saves \$38 in dental care
- Every \$1 invested into tobacco prevention programs, saves \$20 in future health care costs
- Every \$1 spent on vaccinating children with the measles-mumps-rubella vaccine, saves \$16 in health care costs
- Every \$1 spent on early childhood health and development, saves up to \$9 in future spending on health, social and justice services
- Every \$1 spent on mental health and addictions, saves up to \$7 in health care costs and \$30 dollars in lost productivity and social costs

Changes to the number of public health units and their funding model are expected to produce future savings

The 2019 Provincial Budget indicated that modernizing public health units in Ontario would lead to future annual savings of approximately \$200 million by transitioning from 35 public health units to 10. On the May 9, 2019 teleconference, the Ministry outlined budgetary considerations that will impact the new public health entities moving forward.

First, the Province advised the cost share model is changing starting in 2019. Historically, public health has been funded 75 per cent by the Ministry and 25 per cent from Regional tax levy. Starting April 1, 2019, this will be changed to a 70/30 cost-share agreement. There was

no immediate impact to public health's 2019 budget based on this announcement as the Region has historically funded public health by greater than its 25 per cent minimum requirement and over 30% in 2018. This new cost share arrangement will continue until April 2021 when it changes to a 60/40 arrangement. Subsequently, the Premier announced that retroactive changes in funding would not be implemented in 2019. No further information has been provided by the Province

Second, public health units have been tasked with identifying a 10 per cent reduction in overall spending starting April 2020. The savings are being labelled as "administrative efficiencies" resulting from the reduction of health units and the change in the cost-sharing formula. Neither the 10 per cent estimated reduction nor how the savings are to be identified has been finalized. Any budget reductions to public health funding will have an impact on front-line service delivery that York Region residents rely on.

York Region will be required to continue funding public health programs under the new entity

When the new public health entities are established, public health will no longer be a Regional function. The Region will be required to continue to fund the new entity using tax levy funds allocated under the Regional Mandatory Tax Levy Cost Share. Currently York Region would not be able to deliver on the Ontario Public Health Standards if not for the additional funding the Region provides over and above the Mandatory Tax Levy Cost Share. The impact may be that services decline, or that the costs levied on the Region by the new entity will include funding that is discretionary today.

In addition, the separation of public health from the Region would have implementation costs. It is unclear who would be responsible for these costs. Ministry staff have advised York Region Public Health that additional financial support will be available to support eligible transition costs, such as voluntary attrition packages, severances, new entity transition start-up costs, IT migration and human resources. However, this funding is not guaranteed and specific details have not been announced by the Ministry as of the writing of this report.

York Region will need to engage in transition planning

The Ministry anticipates the actual merger of public health units into the new entities would occur starting April 2020 and extend into 2021/22. It is important that the Medical Officer of Health begin to engage in official discussions with other public health units regarding transition considerations. The Medical Officer of Health will also need to maintain open dialog with Ministry staff to obtain information on transition considerations. This report recommends that the Medical Officer of Health be authorized to request financial assistance from the Ministry of Health and Long-Term Care for planning and transition costs related to restructuring York Region Public Health. Staff will report back to Board of Health in the fall, 2019 as these transition details materialize.

In addition, the Medical Officer of Health has requested authorization to work collaboratively with Simcoe-Muskoka District Health Unit to develop a proposal to the Ministry. Staff would also request Ministry funding for these costs.

6. Local Impact

Separation of York Region Public Health from the Region may temporarily or permanently interrupt progress being made on addressing the Social Determinants of Health

Initial potential impacts include the following:

- Public Health would operate externally from the Region. Currently, York Region Public Health is integrated within the Regional corporate structure and operation. This has facilitated collaborative opportunities, such as the Seniors Strategy, Mental Health Initiative, Built Environments that support health, Outreach Van program, Community Hubs Initiative, the Food Systems Workgroup, the Social Determinants of Health Department Workgroup and the Human Services Planning Board. These collaborations benefit multiple clients and partners, and support a strategic and holistic approach to service planning and delivery. Public Health operating as a separate entity may impede collaborative opportunities going forward.
- Separation of Public Health would impact the Region's ability to align with the provincial direction for integrated human services, and its ability to implement a social determinants service delivery model in York Region. Research suggests that 50% of population health is determined by our social and economic environment (Canadian Medical Association 2013). Many of the social determinants of health are strongly influenced by the actions and decisions of Regional and local municipal governments (for example, water and sanitation, and housing).

7. Conclusion

The changes outlined in the 2019 Provincial Budget are the biggest public health has faced since its inception into the municipal context. Historically public health provides an effective connection between the community and health care system to prevent conditions and factors that increase demands on the acute care system. Public health prevents disease, protects and promotes health and helps ensure fewer people require the more expensive acute care. Public health works when you cannot see it, and it has been working in tandem with municipalities since for nearly 200 years.

Feedback and recommendations to the Ministry encouraging the maintenance of York Region Public Health's current geographic boundaries and governance structure are required. The letter to the Minister of Health and Long-Term Care advocates for this to protect public health programs and services in York Region that residents have come to rely on.

Administrative, geographic and governance-related changes will not have the same impact using an efficiency finding lens as they will in other public health jurisdictions in Ontario. York Region Public Health is operationally lean and well-positioned to continue to meet the mandate while ensuring excellent, evidence-informed programs and services to residents

when, where and how they need them. Transitioning York Region Public Health into a new entity would result in decreased service delivery that is less responsive to the needs of a growing diverse population.

For more information on this report, please contact Dr. Karim Kurji, Medical Officer of Health, at 1-877-464-9675 ext. 74012. Accessible formats or communication supports are available upon request.




Recommended by: **Dr. Karim Kurji**
Medical Officer of Health

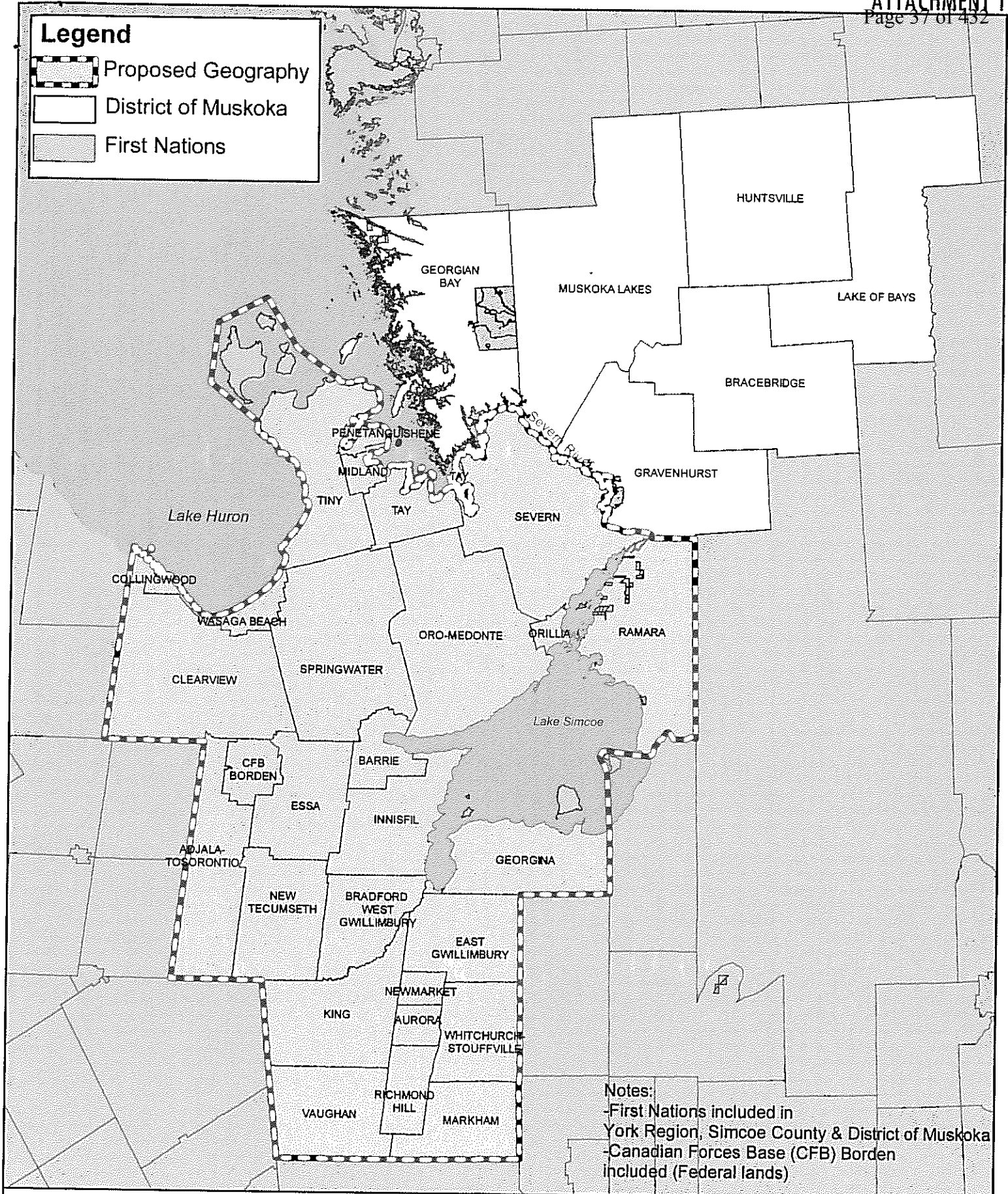
Katherine Chislett
Commissioner of Community and Health Services

Approved for Submission: **Bruce Macgregor**
Chief Administrative Officer

June 12, 2019
Attachment
9629825

Legend

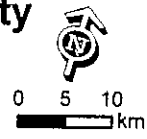
-  Proposed Geography
-  District of Muskoka
-  First Nations



Notes:
 - First Nations included in York Region, Simcoe County & District of Muskoka
 - Canadian Forces Base (CFB) Borden included (Federal lands)

Proposed Geography for the New Public Health Entity & District of Muskoka

June 11, 2019



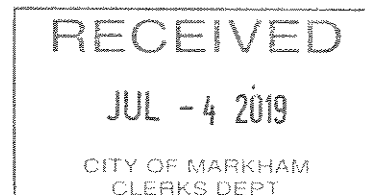
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The Regional Municipality of York
Integrated Business & Services Branch
Community and Health Services
June 2019

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Regional Clerk's Office
Corporate Services

June 28, 2019



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

Dear Ms. Kitteringham:

Re: ventureLAB 2018 Results and 2019 Agreement

On June 27, 2019 Regional Council adopted the following recommendations:

1. The Region enter into a funding agreement with ventureLAB for core services at an annual cost of \$150,000 with up to four renewals in consecutive years thereafter, for a total cost of up to \$750,000.
2. The Region enter into a further agreement for a one year term with ventureLAB for innovation network development under the new Entrepreneur and Innovation Fund at an annual cost of \$100,000 with up to four renewals for a total cost of up to \$500,000.
3. The Commissioner of Corporate Services be authorized to execute the above mentioned ventureLAB agreements including any annual renewals.
4. ventureLAB report annually to Regional Council on results and impacts of its programs and the Entrepreneur and Innovation Fund.
5. This report be circulated by the Regional Clerk to the Ministry of Economic Development, Job Creation and Trade, ventureLAB and the local municipalities.

The staff report is enclosed for your information.

Please contact Doug Lindeblom, Director of Economic Strategy at 1-877-464-9675 ext. 71503 if you have any questions with respect to this matter.

Sincerely,

A handwritten signature in black ink, appearing to be 'CR', with a large, sweeping loop and a diagonal stroke.

Christopher Raynor
Regional Clerk

Attachments

The Regional Municipality of York

Committee of the Whole
Planning and Economic Development
June 13, 2019

Report of the Commissioner of Corporate Services and Chief Planner

ventureLAB 2018 Results and 2019 Agreement

1. Recommendations

1. The Region enter into a funding agreement with ventureLAB for core services at an annual cost of \$150,000 with up to four renewals in consecutive years thereafter, for a total cost of up to \$750,000.
2. The Region enter into a further agreement for a one year term with ventureLAB for innovation network development under the new Entrepreneur and Innovation Fund at an annual cost of \$100,000 with up to four renewals for a total cost of up to \$500,000.
3. The Commissioner of Corporate Services be authorized to execute the above mentioned ventureLAB agreements including any annual renewals.
4. ventureLAB report annually to Regional Council on results and impacts of its programs and the Entrepreneur and Innovation Fund.
5. This report be circulated by the Regional Clerk to the Ministry of Economic Development, Job Creation and Trade, ventureLAB and the local municipalities.

2. Summary

This report updates Council on activities and results of ventureLAB in 2018. It also seeks approval to enter into two agreements with ventureLAB for core services and to provide entrepreneurial and innovation network support for five years. Funding for the agreements is in accordance with the approved 2019 Regional Budget.

Key Points:

- York Region's provincially recognized Regional Innovation Centre, ventureLAB has generated business growth, jobs and investments in York Region since its inception in 2011
- Increasing demand from entrepreneurs for commercialization support services has driven the need to grow the organization
- ventureLAB's funding partners, including the Region, have increased support to facilitate this growth and expand services to entrepreneurs

- To develop the innovation network across the Region, a new Entrepreneurship and Innovation Fund has been created with \$100,000 approved in the 2019 Regional budget and will be administered by ventureLAB

3. Background

ventureLAB is York Region's provincially recognized Regional Innovation Centre

ventureLAB is a not-for-profit organization that is part of a collaborative provincial innovation and entrepreneurship network called the Ontario Network of Entrepreneurs. The network includes 17 Regional Innovation Centres and 57 Small Business Enterprise Centres, four of which are located in York Region. A list of the 17 Regional Innovation Centres is attached to this report (Attachment 1).

This network of organizations across Ontario has been designed to help entrepreneurs, businesses and researchers commercialize their ideas. Regional Innovation Centres like ventureLAB provide a suite of programs and services spanning the full commercialization continuum from idea to market.

ventureLAB's mandate extends across all nine municipalities in York Region, as well as Simcoe County and Muskoka District. This report addresses ventureLAB's activities as they pertain to York Region.

The Region has provided funding to ventureLAB to deliver business innovation and commercialization programming since 2011

York Region is a founding member of ventureLAB and holds a seat on the Board of Directors. York Region has provided annual funding of \$100,000 to ventureLAB since 2011 when it was founded. Other funders include the provincial and federal governments, the City of Markham, York University, Seneca College, SE Health and several private firms including IBM.

ventureLAB is mandated as part of the provincial network to advise and develop talented entrepreneurs to build world-class growth companies in Ontario. ventureLAB develops and delivers support programs and services that target technology based entrepreneurs starting and growing global enterprises.

York Region's Economic Strategy supports innovation through the Innovation Network Development Fund

As part of the Economic Development Action Plan, supporting business commercialization services and new business formation are identified as important action items to support innovation in the Region.

Between 2011 and 2015 there were a number of requests for funding to support initiatives that would deliver services for business commercialization and start-up advisory across the

Region. To address this, Economic Strategy allocated \$35,000 annually from within the Division budget to be used to fund innovation initiatives. Support was provided to organizations within the Region that demonstrated regional impact on the economy and that helped develop the innovation network.

Combining ventureLAB funding with these other initiatives over the last four years, a total of \$637,000 was used to fund a range of innovation initiatives. Some of the initiatives include NewMakeIt, CreateITNow at Southlake Hospital, Clearwater Farm, and the Vaughan International Commercialization Centre. Funds provided were also used to leverage additional funding from other sources and levels of Government.

Each organization reported additional funding leveraged, the economic impact of the projects based on businesses supported and the number of jobs created. Organizations which received funding from the Region reported over \$53 million in economic impact.

4. Analysis

ventureLAB continues to demonstrate value to the Region's economy through its program results in 2018

ventureLAB operates the IBM Innovation Space-Markham Convergence Centre, a 50,000 square foot innovation hub that is home to over 45 tech companies and innovation partners and 300 jobs. ventureLAB has helped 2,000 businesses create over 3,500 jobs and helped over 100 companies raise \$103 Million in private and public investments since 2011. In 2018, ventureLAB engaged 158 York Region based companies through one-on-one advisory services.

Highlights include:

- **Innovation Supercluster Initiative:** In February, the Federal Minister of Innovation Science and Economic Development announced five successful Superclusters. ventureLAB collaborated with MaRS and Communitech for an Advanced Manufacturing Supercluster called Next Generation Manufacturing Canada (NGEN Canada). The CEO of ventureLAB has a seat on the Board of Directors of NGEN Canada. NGEN Canada has signed a five year contribution agreement with the Federal Government ending in March 2023 for \$230 Million in funding. This funding is to support major project applications involving York Region companies and will be distributed through ventureLAB and other NGEN partners.
- **Made in York Region - The Future of Tech:** On October 11, ventureLAB hosted an inaugural event at the IBM Innovation Space-Markham Convergence Centre, showcasing 30 companies based in York Region, attracting 250 attendees.
- **Capital Investment Program:** In 2018, 18 York Region based companies supported by ventureLAB raised \$5.8 Million in public and private investments. This funding enabled companies to launch products and expand to global markets.

- **Client Success Story: InField**, is a Markham based company and IBM-MCC tenant, that launched two new products, expanded to the US and Asia markets and grew its team by 2 people in 2018. After being accepted into ventureLABs six-month Accelerate Growth Program, InField experienced an increase in sales revenue.

ventureLAB expanded in its first year to meet increasing demand from entrepreneurs for commercialization services

In late 2017, a number of strategic objectives were underway to assist ventureLAB in meeting the demands of innovation network development and the increasing demand for client services. ventureLAB moved into the IBM Innovation Space–Markham Convergence Centre and expanded by 25,000 square feet in its first year to accommodate demand to support growing tech ventures and innovation partners looking to co-locate in one central location.

2018 was a year of transition and growth for ventureLAB and included key enhancements for a larger role in major initiatives such as the Advanced Manufacturing Supercluster NGEN Canada. A number of results were achieved through a focus on growing industry partnerships.

There was also strategic board direction to expand and refocus to meet client demands and support companies looking to scale their businesses. To support this direction current funders, including the City of Markham and York University, increased their funding contributions, and new funding partners Seneca College and SE Health were secured.

To support ventureLAB's growth needs and facilitate their success, Council approved \$250,000 in funding in the 2019 budget

On February 28, 2019, Regional Council approved the 2019 budget which included \$250,000 in annual funding to ventureLAB. The budget increased ventureLAB core funding from \$100,000 to \$150,000 per year. It also introduced a new Entrepreneurship and Innovation Fund of \$100,000 per year, to be administered by ventureLAB for distribution to promising start-ups, incubators and accelerators across the Region. This fund is separate from the Innovation Investment Fund also approved in the 2019 budget. The Innovation Investment Fund will be available for large innovation infrastructure projects with transformational potential.

The new \$100,000 Entrepreneurship and Innovation Fund will continue to support Innovation network development in York Region

The Entrepreneurship and Innovation fund will be administered by ventureLAB in collaboration with the Region's Economic Strategy Division. This fund aligns with regional strategic priorities and will be open to all industries and sectors. The purpose of the fund is to drive innovation and entrepreneurship throughout York Region by supporting promising early stage start-ups, accelerators, incubators, and community partners.

Parties interested in submitting projects to receive funding need to fit one of three funding streams:

1. **Community Partners:** Applicants must be located in York Region, be a not-for-profit organization and contribute to the development of entrepreneurship and innovation in the Region.
2. **Small Businesses and Entrepreneurs:** Applicants must be incorporated in Canada, have operations in York Region and be a Small-Medium Enterprise with 99 employees or less.
3. **Pitch Competition:** To be held at the annual Made in York Region event. Applicants must be incorporated in Canada, be a Small-Medium Enterprise with 99 employees or less and be a tech or tech-enabled company.

Funds will be awarded through a criteria based application process

To ensure that funds are disbursed between promising start-ups, accelerators and incubators, ventureLAB will hold an annual call for proposals. The evaluation process is outlined in Attachment 2.

Submitted proposals will be evaluated based on a set of criteria that will include:

- Economic Benefits: funds leveraged, partnerships created, business growth stimulated and job creation
- Innovation and Entrepreneurship Benefits: improve processes, bring new products and services to market, increase efficiency and improve profitability
- Alignment with both Regional and ventureLAB goals and priorities
- Alignment with key industries and emerging sectors in York Region

A full set of guidelines is being developed and a draft is provided in Attachment 3.

Innovation initiatives support the strategic goals of Vision 2051 and the Economic Development Action Plan

Vision 2051

An innovation economy is a goal in York Region's Vision 2051, which envisions York Region's economy as resilient and focusing on creativity and innovation with sufficient infrastructure and resources to support a knowledge-based economy. York Region's diverse labour force is supported with opportunities for collaboration and continuous learning and development.

Economic Development Action Plan

One key area of the action plan is Innovation and Entrepreneur Development which identifies the Region making strategic investments through the Innovation Network Development Fund. There are a number of activities in the Economic Development Action Plan associated with strengthening network development

5. Financial

Regional funding for ventureLAB and the Entrepreneurship and Innovation Fund is included in the approved 2019 budget. A total of \$250,000 per year for five years will be used to fund ventureLAB and develop the innovation network. The Region will be providing a total of up to \$1,250,000 in funding over five years as shown in the table below.

Table 1
Regional Investment for ventureLAB – 2019 - 2023

Year	Core Funding	Entrepreneurship & Innovation Fund
2019	\$150,000	\$100,000
2020	\$150,000	\$100,000
2021	\$150,000	\$100,000
2022	\$150,000	\$100,000
2023	\$150,000	\$100,000
Total	\$750,000	\$500,000

Regional funding accounts for 10% of ventureLAB's total revenue, which includes both core funding and program grants. Regional funds help to leverage investments from the provincial and federal governments as well as other organizations, agencies and the private sector. This includes the City of Markham, Seneca College, York University, SE Health and IBM.

The Province is ventureLAB's largest funder, providing just over 32 % of total revenue. ventureLAB's current funding agreement with the Province extends to March 31, 2020 which includes both core and program funding. No change in Provincial funding is expected for the duration of their agreement.

6. Local Impact

ventureLAB serves as an innovation and commercialization hub for companies in York Region across all nine local municipalities. ventureLAB delivers services with municipalities and their activities directly promote economic success and growth of enterprises looking to commercialize products and services. These services compliment overall network development which includes the four Small Business Enterprise Centres as well as innovation hubs and business accelerators across the Region. Local communities looking for provincial support for innovation services and initiatives work through ventureLAB to access programs. The City of Markham also provides funding to ventureLAB as a founding member of the organization with a seat on the Board of Directors.

7. Conclusion

Innovation is critical to the future economic prosperity of York Region. Regional Innovation Centres across the province, including ventureLAB, continue to support development and delivery of many support programs and services that target technology based entrepreneurs seeking to start or grow a business. ventureLAB is a key delivery partner with the Region and plays a critical role with innovation initiatives to help drive economic growth and job creation.

ventureLAB continues to demonstrate value to the Region's economy through key initiatives and program results in 2018. ventureLAB has helped 2000 businesses create over 3,500 jobs and raise \$103 Million in private and public investment since inception in 2011. Increased funding to ventureLAB will support overall growth and success of the organization, and allow ventureLAB to take on the role of administering the Entrepreneur and Innovation Fund to help build the overall innovation network across the Region.

The progress of ventureLAB's results, impact of programs through the Entrepreneur and Innovation fund will be reported as part of the annual update to Council.

For more information on this report, please contact Doug Lindeblom, Director of Economic Strategy at 1-877-464-9675 ext. 71503. Accessible formats or communication supports are available upon request.

Recommended by: **Paul Freeman, MCIP, RPP**
Chief Planner

Dino Basso
Commissioner of Corporate Services

Approved for Submission: **Bruce Macgregor**
Chief Administrative Officer

May 31, 2019
Attachments (3)
9246620

ATTACHMENT 1**List of Regional Innovation Centres across Ontario**

#	Name	Location (City/Region)
1.	Communitech	Waterloo
2.	HalTech Innovation Centre	Halton
3.	Innovation Initiatives Ontario North (IION)	North Bay
4.	Innovate Niagara	Niagara
5.	Innovation Factory	Hamilton
6.	Innovation Guelph	Guelph
7.	Invest Ottawa	Ottawa
8.	Launch Lab	Kingston
9.	MaRS	Toronto
10.	Northern Centre for Advanced Technology (NORCAT)	Sudbury
11.	Northwestern Ontario Innovation Centre	Thunder Bay
12.	RIC Centre	Mississauga
13.	Sault Ste. Marie Innovation Centre	Sault Ste. Marie
14.	Spark Centre	Durham
15.	TechAlliance of Southwestern Ontario	London
16.	ventureLAB	York Region
17.	We-Tech Alliance	Windsor

ATTACHMENT 2**ENTREPRENEUR AND INNOVATION FUND APPLICATION EVALUATION PROCESS**

STEP IN PROCESS	ACTIONS
Step 1: Call for Applications	<ul style="list-style-type: none"> • ventureLAB will release a call for applications which will include posting on their website, social media and possible news release.
Step 2: Completion and Submission of Applications	<ul style="list-style-type: none"> • Applicants will be required to indicate how their proposed project meets ventureLAB's and York Region's goals. Applicants must indicate how the services provided will support or contribute to the York Region economy. • Applicants are required to provide an estimate project budget, work plan and marketing plan.
Step 3: Evaluation	<ul style="list-style-type: none"> • A Selection Committee comprised of ventureLAB and Regional Staff and key Innovation stakeholders will review each application.
Step 4: Approval of projects recommended for Funding	<ul style="list-style-type: none"> • Projects that are successful in the evaluation will move towards funding
THROUGHOUT THE PROCESS	
Promotion	<ul style="list-style-type: none"> • Promotion of the Entrepreneur and Innovation Fund occurs through emails, media outlets, ventureLAB's website and social media, and the Region's website and social media.

ATTACHMENT 3**ENTREPRENEURSHIP AND INNOVATION FUND GUIDELINES****Concept:**

Drive innovation and entrepreneurship throughout York Region, by supporting promising early stage start-ups, accelerators and incubators, with programming delivered by York Region service delivery partners.

Overview:

The innovation fund will align with regional economic development strategic priorities and be Funding will be administered by ventureLAB, in collaboration with York Region's Economic Development Division

Key Components:

- Funds will be split between promising start ups, accelerators and incubators, as well as service delivery organizations with operations in York Region
- Qualified companies and organizations may apply for funding in one of three streams:
 - Stream 1: Community Partners
 - Stream 2: Small businesses and entrepreneurs
 - Stream 3: Pitch Competition at the annual Made in York Region event
- For streams 1 and 2, each successful recipient is required to supply or show access to matching funds of the amount requested. For example, if requesting \$5,000 from the innovation fund, the applicant would need to supply a cash contribution of \$5,000.
- For streams 1 and 2, a call for projects/proposals will be issued twice a year
- Projects must be completed within six months of approval by the selection committee
- ventureLAB will seek to expand fund value through industry partner support and sponsorship
- a weighted scale scorecard will be created to evaluate applications

Stream 1: Community Partners**Applicants must:**

- Be located in York Region
- Be a not-for-profit organization
- Contribute to the development of entrepreneurship and innovation in the Region
- Organizations across all sectors will be eligible.

Funds can be used for developing new or existing projects such as community events or entrepreneurial programming that fit the selection criteria.

Stream 2: Small Businesses and Entrepreneurs

Applicants must:

- Be incorporated in Canada
- Have operations in York Region
- Be a Small-Medium Enterprise(have 99 employees or less)

Applicants across all industries and sectors will be eligible.

- Each successful recipient is required to participate in entrepreneurship education and/or skills development programming delivered by a York Region service delivery partner, including but not limited to: Innovation York, Seneca Helix, a regional Small Business Centre, ventureLAB, Y2 Entrepreneurship Labs, or York Region Arts Council.

Stream 3: Pitch Competition at annual Made in York Region event

Each year a call will be issued in conjunction with the annual Made in York Region event. The call will be directed to regional tech companies for an opportunity to pitch for \$10,000 in funding. Each call will have a specific theme, which will vary on an annual basis. Additional funds will be sought from partners to increase the value of the pitch funding and increase participation of competition.

Applicants must:

- Be incorporated in Canada
- Be a Small-Medium Enterprise (99 employees or less)
- Be a tech or tech-enabled company

The call will be open to companies that fit the above criteria. Companies not operating in York Region must co-locate at ventureLAB's innovation hub for six months.

Each company selected will be required to participate in pitch preparation workshops provided by regional partners.

The 2019 call will be released in Spring 2019, with the final pitch competition taking place at the Made in York Region event in Fall 2019.

Evaluation Process:

- Selection committees will be established, comprising of ventureLAB staff, York Region Economic Development staff, and other key stakeholders from the region
- Scorecards for each stream will be established to review and score applications
- Companies or organizations applying for any of the streams will be ineligible to participate on the selection committee.
- Funding should be used to enable a company's growth or development, including but not limited to:
 - Developing or launching a product

- Market validation activities
- Developing community events or entrepreneurial programming
- Legal advice such as IP strategy or regulatory issues
- Hiring an external consultant with subject matter expertise that contributes to the company's commercialization or growth
- Selection committee will shortlist applicants
- For streams 1 and 2, shortlisted applicants will pitch to the selection committee, who will select the successful recipients
- Submitted proposals must demonstrate and be evaluated on a set of criteria that will include:
 - Economic Benefits: Funds leveraged, partnerships created, business growth stimulated
 - Job Creation
 - Innovation and entrepreneurship benefits
 - Alignment with key industries and emerging sectors in York Region
 - Alignment with Regional goals and priorities, and ventureLAB goals and priorities

Ineligible Activities (funds)

- Expenses
- Cannot be used to hire internal staff (full time, part time, or contract)

Reporting

- Recipient companies must set milestones which must be approved by the selection committee prior to the release of initial funds
- Mid-way progress reports must be submitted to the selection committee
- A final report must be submitted to the selection committee prior to the full release of funds

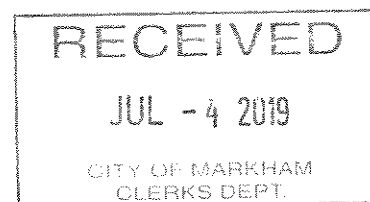
Funding Disbursement

- 50% up front; 50% upon completion of project and receipt of project report



Regional Clerk's Office
Corporate Services

June 28, 2019



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

Dear Ms. Kitteringham:

**Re: Bill 108, More Homes, More Choice Act, 2019:
Implications for the Development Charges Act and the Planning Act**

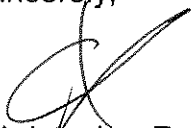
On June 27, 2019 Regional Council received your communications dated May 24, 2019 and May 30, 2019. Council also adopted the following recommendations:

1. Council endorse this report and Attachment 1 as the Region's submission to the Province in response to the Environmental Registry of Ontario (ERO) postings: Bill 108 – (Schedule 3) – the More Homes, More Choice Act: Amendments to the Development Charges Act, 1997 (ERO # 019-0017) and Bill 108 – (Schedule 12) – the More Homes, More Choice Act: Amendments to the Planning Act, 119 (ERO # 019-0016).
2. The Regional Clerk circulate this report and Attachment 1 to:
 - a. The Clerks of the local municipalities
 - b. The local Members of Provincial Parliament
 - c. The Minister of Municipal Affairs and Housing
 - d. The Building Industry and Land Development Association – York Chapter (BILD)
 - e. The Association of Municipalities of Ontario (AMO) and the Municipal Finance Officers' Association of Ontario (MFOA)

The staff report is enclosed for your information.

Please contact Edward Hankins, Director, Treasury Office at 1-877-464-9675 ext. 71644 or Sandra Malcic, Director, Long Range Planning at 1-877-464-9675 ext. 75274 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

The Regional Municipality of York

Committee of the Whole
Finance and Administration
June 13, 2019

Report of the Commissioner of Finance
and the Chief Planner

Bill 108, More Homes, More Choice Act, 2019: Implications for the Development Charges Act and the Planning Act

1. Recommendations

1. Council endorse this report and Attachment 1 as the Region's submission to the Province in response to the Environmental Registry of Ontario (ERO) postings: Bill 108 – (Schedule 3) – the More Homes, More Choice Act: Amendments to the Development Charges Act, 1997 (ERO # 019-0017) and Bill 108 – (Schedule 12) – the More Homes, More Choice Act: Amendments to the Planning Act, 1990 (ERO # 019-0016).
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 - c. The Minister of Municipal Affairs and Housing
 - d. The Building Industry and Land Development Association – York Chapter (BILD)
 - e. The Association of Municipalities of Ontario (AMO) and the Municipal Finance Officers' Association of Ontario (MFOA)

2. Summary

This report seeks Council endorsement of staff responses to Schedules 3 and 12 of Bill 108, the More Homes, More Choice Act, 2019 ("Bill 108"). Schedule 3 pertains to the *Development Charges Act, 1997*. Schedule 12 pertains to the *Planning Act, 1990*. Detailed staff comments are provided in Attachment 1.

Key Points:

- Bill 108 was tabled on May 2, 2019 and proposed amendments to 13 statutes
- Staff responses to Schedules 3 and 12 were submitted to Ontario's Environmental Registry on May 31, 2019 prior to the June 1, 2019 deadline

- Bill 108 is pending Royal Assent in June
- Bill 108 makes changes to municipal land use planning and how growth-related infrastructure and community services are funded
- York Region shares the Province's commitment to ensuring housing supply and improving affordability. However staff have significant concerns that the Bill could undermine the Province's central objective of bringing housing online faster, and restrict the ability for municipalities to pay for vital infrastructure
- The regulatory framework necessary to implement Bill 108 should be developed in partnership with municipalities

3. Background

On May 2, 2019 the Province tabled Bill 108, the cornerstone of its Housing Supply Action Plan

In November 2018, the Province announced its intention to develop a Housing Supply Action Plan ("Action Plan") aimed at addressing challenges and barriers to new home ownership and rental housing.

On May 2, 2019, the Province tabled Bill 108, as the cornerstone to the Action Plan. The Bill contains extensive legislative changes to the planning approval process and mechanisms for funding growth-related infrastructure. Bill 108 amends 13 statutes including those dealing with conservation authorities, development charges, environmental assessments, the Local Planning Appeal Tribunal (previously known as the Ontario Municipal Board - OMB), and land use planning.

Staff comments on changes to the *Environmental Assessment Act, 1990* and the *Conservation Authorities Act, 1990*, were provided separately and Council is receiving memoranda on those comments on this agenda. Neither consolidated staff comments, nor a consolidated report to Council, on Bill 108 was possible as there was no formal consultation mechanism on the overall Bill. Individual parts and schedules were released for comment on the Environmental Registry with different commenting periods.

Staff comments on Schedules 3 and 12 of Bill 108 were submitted to the Province on May 31, 2019 to meet the comment deadline

The Province provided a 30 day commenting period for Schedules 3 and 12 of the Bill, which dealt with development charges and land use planning respectively. York Region responded with a joint letter from the Commissioner of Finance and Regional Treasurer and the Chief Planner (Attachment 1). Due to the short timeframe, it was not possible to bring the staff response to Regional Council for endorsement prior to submission through the Environmental Registry on May 31, 2019. Should Council have any additional comments, staff will forward them to the Province.

An interdepartmental effort was undertaken to provide feedback on those Schedules of the Bill. In addition, staff consulted with local and neighboring municipalities, the Association of Municipalities of Ontario (AMO), and the Municipal Finance Officers' Association of Ontario (MFOA) and the Regional Planning Commissioners of Ontario (RPCO) in developing the responses.

York Region has also submitted comments on other schedules of Bill 108

Attachment 2 to this report summarizes staff comments on other sections of the Bill. Staff are supportive of some changes, such as removing the requirement for low risk projects to undertake environmental assessments (under the *Environmental Assessment Act, 1990*).

In other instances the changes have little to no impact on the Region, such as those amendments to the *Education Act, 1990*, *Environmental Protection Act, 1990* or the *Workplace Safety and Insurance Act, 1997*. Some of the changes through Bill 108 directly impact the Region's local municipalities, such as those to the *Ontario Heritage Act, 1990*. Staff will continue to monitor the progress of these Schedules and any changes that may arise and update Council as necessary.

Bill 108 is pending Royal Assent following amendments at Standing Committee

At Standing Committee on Bill 108, Schedule 3 (*Development Charges Act, 1997*) was amended so that paramedic services (referred to as ambulance services) can continue to be an eligible service. In addition, development charge payments for non-profit housing will now be phased over 21 equal annual payments, beginning at the earlier of occupancy permit or first occupancy of the development. No further changes were made to Schedule 12 of the Bill (*Planning Act, 1990*). The changes at Standing Committee do not alter staff concerns with the Bill (as outlined in the report and Attachments 1 and 2).

Bill 108 is pending Royal Assent in early June. While some of the Schedules (or portions of the Schedules) will come into effect on the date of Royal Assent, others will come into effect on a date to be named by proclamation of the Lieutenant Governor.

Much of what Bill 108 changes will be clarified and come into force through regulations

Many of the changes through Schedules 3 and 12 of Bill 108 will require new or updated regulations. Through conversations with the Province, these regulations are expected to be developed over the coming summer months. Staff have asked that the Province provide a minimum 90 day commenting period once the regulations are released and to work with staff to develop the content. In the event that the commenting period is shorter than the requested 90 days, staff will work with these time constraints and report to Council after comments were submitted.

4. Analysis

York Region shares the Province's commitment to ensuring housing supply and improving affordability however the proposed changes could counter the Province's central objective of bringing housing online faster

With a five year supply of registered and draft approved housing units and a 20 to 23 year supply of designated land, York Region has a healthy housing supply to accommodate growth. Despite this, York Region currently has a shortage of affordable housing options. Increasing housing prices are largely influenced by both supply and demand based pressures, some of which are beyond a municipality's control.

While staff are supportive of some of the changes in Bill 108, much of the proposed changes do not assess and consider all factors that impact housing supply and cause affordability challenges. It is uncertain how some of the proposed changes will result in achieving the five main objectives of Ontario's Housing Supply Action Plan (Speed, Mix, Cost, Rent and Innovation). The Region is committed to working expeditiously with the development industry, the Province and its affiliated agencies and other partners in order to advance these objectives.

Regional staff are supportive of positive elements of Bill 108

Bill 108 contains extensive legislative changes focusing on the five themes of speed, cost, mix, rent and innovation aimed at improving housing supply and affordability.

Regional staff support positive changes within Bill 108 such as:

- removing the requirement for low risk projects to undertake environmental assessments
- appointing more Local Planning Appeal Tribunal adjudicators to deal with appeals
- the removal of the 10 per cent discount for determining development charges for eligible services

Bill 108 repeals significant amendments made to reform the land use planning and appeals systems

Bill 108 makes changes to the *Planning Act, 1990* including reduced approval timelines, expanded grounds for appeal and reintroduction of de novo hearings at the discretion the Local Planning and Appeals Tribunal (LPAT). Shorter timelines and proposed LPAT changes will limit the ability to obtain meaningful public and stakeholder input and reduce the decision making authority from local councils upon appeal. In addition to staff comments, Attachment 1 to this report provides previous Council positions on OMB reform.

Staff also expressed concerns with:

- limiting the application of inclusionary zoning policies to Major Transit Station Areas (“MTSAs”) and areas where a development permit system are in place
- whether implementation of a development permit system will expedite approvals given the amount of detailed up-front work required by municipalities
- the repeal of parkland bylaws and parkland condition to approval of plan of subdivision

Improved land-use planning processes could have been achieved without the changes through Schedule 12 of Bill 108

In the staff response to the Province a number of alternative approaches to streamline the land-use planning process have been recommended by staff, including:

- consolidating *Environmental Assessment Act, 1990* and *Planning Act, 1990* approvals
- simplifying/reducing the complexity of the official plan processes
- respecting local decision making by restricting the basis of appeals to conformity matters and prohibiting de novo hearings

Changes to the *Development Charges Act, 1997* may create significant financial risks and could delay infrastructure investments

Amendments to the *Development Charges Act, 1997* manifestly change the way growth-related infrastructure is funded. These changes are anticipated to reduce development charge collections, increase financial risks, and create a greater administrative burden on the Region. By moving away from the principle of growth paying for growth, these changes could delay infrastructure investments and slow the delivery of housing supply. Specific concerns include:

- freezing development charge rates at site plan application or zoning amendment application could delay the construction of, and increase the debt risks associated with, growth-related projects not currently in the Region’s Development Charge Bylaw such as the Yonge Subway Extension
- freezing development charge rates without a deadline to construct does not encourage the timely delivery of housing supply
- delaying and phasing the payment for prescribed classes of development charges results in cash flow challenges, and creates debt pressure for municipalities
- administration of delayed and phased payments would necessitate additional staff resources. If municipalities cannot recover these costs from growth, this would be a direct impact on property taxes
- a number of Regional services would no longer be eligible for development charge funding despite being growth related and their importance to building complete communities

Staff response highlighted proposals that could achieve cost certainty for stakeholders while protecting municipal fiscal health

In response to the Province's invitation to comment, staff recommended a number of actions that could address concerns regarding cost certainty while maintaining municipal fiscal health and supporting delivery of needed infrastructure.

Some of those key recommendations are:

- ensuring a fairer sharing of risks by providing municipalities with ability to collect full or partial payment of development charges at site plan or zoning amendment application
- targeting the delayed and phased payment program to purpose-built rental and non-profit housing development, and providing municipalities with the ability to secure their interests
- addressing the funding mechanisms for the growth-related portion of Yonge Subway Extension through regulations
- ensuring municipalities have sufficient time to adopt a new development charge bylaw and community benefits charge bylaw in accordance with Bill 108

Many key details regarding Bill 108 will be provided through regulations

While Bill 108 is pending Royal Assent, a number of key issues have yet to be determined. It is expected that further clarity will be provided in the forthcoming regulations.

Some of the key issues requiring further regulatory clarity include:

- transition provisions
- rules relating to the freezing of development charge rates and phasing in of development charges for prescribed classes of development
- list of services eligible for development charge recovery
- the implementation and administration of the community benefits charge
- rules relating to development charge exemptions for secondary suites

Comments provided to the Province, under Bill 108, are aligned with a number of Vision 2051 Goal Areas

Detailed comments provided to the Province in Attachment 1 are aligned with many of the Region's Vision 2051 Goal Areas, including:

- open and responsive government
- liveable cities and complete communities
- living sustainably

- a place where everyone can thrive
- appropriate housing for all ages and stages

5. Financial

It is expected that Schedules 3 and 12 of Bill 108, once in force, will result in significant development charge shortfall and debt pressures for the Region

Development charges are a highly variable source of revenue that is dependent on the housing market and non-residential development. The level of collections is the key driver of the Region's capacity to fund growth infrastructure and its overall debt levels. The Region's current 10 year capital plan is dependent on the assumption that, on average, \$380 million of development charges will be collected annually. Of this amount, approximately \$290 million is needed annually to pay the principal and interest on existing development charges debt. The remainder of about \$90 million would be available annually to construct new growth-related projects.

While the impact of Bill 108 cannot be fully assessed until the regulations become available, early analysis suggests that, once Bill 108 is in force, there could be an estimated development charge shortfall in the order of \$300 million over five years. The impact of this shortfall could require deferrals of growth-related infrastructure projects to avoid taking on unsustainable debt levels. This could result in delayed development which would be counter to the Province's objective of accelerating housing supply.

Staff will continue to review and assess the fiscal impact of the other changes through Bill 108 and report back to Council as necessary.

6. Local Impact

Bill 108 affects all of the local municipalities

Bill 108, through its amendments to 13 statutes, impacts all of the Region's local municipalities. Specifically, Schedules 3 and 12, dealing with land use planning and development charges have a direct impact on how local municipalities will continue to grow and how they are to fund that vital infrastructure required to accommodate that growth.

7. Conclusion

Staff continue to advocate for a partnership with the Province in developing the accompanying regulatory framework associated with Bill 108

Bill 108 was an omnibus bill that, amongst other areas, changes land use planning and how growth-related infrastructure is funded. While Bill 108 is pending Royal Assent, much is still left to be determined through the enabling regulations. Staff hope to work with the Province

in order to develop a regulatory framework that strikes an equitable balance between the needs of development industry and the concerns of municipalities.

For more information on this report, please contact Edward Hankins, Director, Treasury Office at 1-877-464-9675 ext. 71644 and/or Sandra Malcic, Director, Long Range Planning at 1-877-464-9675 ext. 75274. Accessible formats or communication supports are available upon request.

Recommended by:

Laura Mirabella, FCPA, FCA
Commissioner of Finance and Regional Treasurer

Paul Freeman, MCIP, RPP
Chief Planner

Approved for Submission:

Bruce Macgregor
Chief Administrative Officer

June 6, 2019
Attachments (2)
9636628

Box Contents List - Full Description

Tracker: DT-2019-068

Box Number	Temp Box	Box Description	Storage Room	Accession	Location	Destruct Date
40382	FSDT1576	F07 2009 T4's back-up	Iron Mountain	799650241		31/12/2016

Files

Record Id	Barcode	File Description	Retention		File Dates		
			Archival	Media Type	From	To	Misc
F07. 1149572 VOL# 1 YR:2009 Payroll	\$01149572	F07 - 2009 - T4 back-up	No	C+7	01/01/2009	31/12/2009	31/12/2016
				OFFICIAL			

1 Files



May 31, 2019

Finance Department

John Ballantine, Manager
Municipal Affairs and Housing
Municipal Finance Policy Branch
13th Floor, 777 Bay St.
Toronto, ON, M5G 2E5

And to:

Planning Act Review - ERO#: 019-0016
Provincial Planning Policy Branch
13th Floor, 777 Bay St.
Toronto, ON M5G 2E5

Dear Mr. Ballantine,

Re: York Region Staff Comments in Response to Bill 108 - *More Homes, More Choice Act, 2019* - ERO # 019-0017 and ERO # 019-0016

On May 2, 2019 the Province introduced Bill 108, the *More Homes, More Choice Act, 2019*. Bill 108 proposes amendments to 13 statutes and forms the cornerstone of the government's Housing Supply Action Plan. Due to the short 30 day consultation period, it was not possible to bring the attached staff response to York Region Council for endorsement. Should Council have any additional comments staff will forward them to the Province at a later date. Detailed staff comments can be found in the attachments.

Regional staff calls upon the Government of Ontario to extend the commenting period for Bill 108 and to consult municipalities in the development of the regulations

On May 16th, 2019, York Region Council carried forward a motion to urge the Government of Ontario to halt the legislative advancement of Bill 108 to allow the Region and all municipalities to provide meaningful and constructive feedback. The Region has a long history of working with the Province and the development industry to create innovative solutions in the public interest. We look forward to continuing this productive partnership.

Regional staff request that the Province extend the commenting period until the first Fall sitting on standing orders of the Provincial legislature – September 9, 2019. This would allow sufficient time to conduct a more thorough analysis of the proposed changes, and ensure that objectives for sound decision making for housing growth that meets local needs will be reasonably achieved.

Regional staff request that the Province consult municipalities in the development of the regulations and provide a minimum 90 day commenting period. In doing so, this may help mitigate some of the concerns expressed by staff in this letter and the Attachments.

May 31, 2019

2

York Region Staff Comments in Response to Bill 108

Regional staff are supportive of positive elements of Bill 108

Bill 108 contains extensive legislative changes focusing on the five themes of speed, cost, mix, rent and innovation aimed at improving housing supply and affordability. Regional staff support positive changes within Bill 108 such as:

- removing the requirement for low risk projects to undertake environmental assessments;
- appointing more Local Planning Appeal Tribunal adjudicators to deal with appeals; and
- the removal of the 10 per cent discount for determining development charges for eligible services.

There are opportunities to achieve efficiencies within the existing planning and appeals process

Bill 108 proposes extensive changes to the *Planning Act, 1990* including significantly reduced approval timelines and expanded scope and jurisdiction of the Local Planning and Appeals Tribunal. Staff have concerns that shorter timelines and proposed Local Planning Appeals Tribunal changes will limit the ability to obtain meaningful public and stakeholder input.

Staff have identified alternative approaches to streamline the land-use planning process including:

- consolidating *Environmental Assessment Act, 1990* and *Planning Act, 1990* approvals;
- simplifying/reducing the complexity of official planning processes; and
- respecting local decision making by restricting the basis of appeals to conformity matters and prohibiting de novo hearings.

Bill 108 creates a number of significant financial risks and could delay vital infrastructure investments

Bill 108, through its changes to the *Development Charges Act, 1997*, manifestly changes the growth funding mechanism. These changes are anticipated to reduce development charge collections, which place significant financial risks and a greater administrative burden on the Region. The changes also fail to adequately incent the development industry to do their part. By moving away from the principle of growth paying for growth, these changes could delay infrastructure investments and slow the delivery of housing supply. Specific concerns include:

- Freezing development charge rates at site plan application or zoning amendment application could delay the construction of, and increase the debt risks associated with, growth-related projects not currently in the Region's Development Charge Bylaw such as the Yonge Subway Extension.
- Freezing development charge rates without a deadline to construct does not encourage the timely delivery of housing supply.
- Delaying and phasing the payment for prescribed classes of development results in a significant cash flow challenge and creates debt pressure for the Region.
- Administration of the delayed and phased payments would necessitate additional staffing needs. If municipalities cannot recover these costs from growth, this would be a direct impact on property taxes.
- A number of Regional services would no longer be eligible for development charge funding despite their importance to building complete communities.

May 31, 2019

3

York Region Staff Comments in Response to Bill 108

Early analysis shows that Bill 108, if passed, could reduce the Region's development charge collections by the order of \$300 million over the next five years. Ultimately, the cost to the Region in terms of higher development charge debt and borrowing costs would be passed onto future development through upward pressure on rates. Any project with funding needs not recovered through development charges or the Community Benefits Charge would need to be reconsidered or addressed through the Region's tax levy, which has an impact on housing affordability.

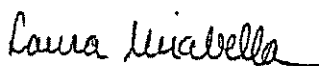
Region Staff are proposing specific and balanced recommendations aimed to increase development cost certainty while protecting municipal fiscal health

There are opportunities to address concerns regarding cost certainty while also maintaining municipal fiscal health and supporting the delivery of needed infrastructure. Key staff recommendations are highlighted below:

- ensuring a fairer sharing of risks by providing municipalities with the ability collect full or partial payment of development charges at site plan or zoning amendment application;
- targeting the delayed and phased payment program to purpose-built rental and non-profit housing development, and providing municipalities with the ability to secure their interests;
- addressing the funding mechanisms for the growth-related portion of Yonge Subway Extension through regulations; and
- ensuring municipalities have sufficient time to adopt a new development charge bylaw and community benefits charge bylaw consistent with Bill 108.

With a five year supply of registered and draft approved housing units, York Region has a healthy housing supply to accommodate growth. Regional staff are committed to working expeditiously with the development industry, the Province, agency and other partners to advance development approvals that are in the public interest. York Region staff would be happy to discuss these comments further with Provincial staff.

For questions regarding the above and attached comments, please contact Laura Mirabella Laura.Mirabella@york.ca, or Paul Freeman Paul.Freeman@york.ca.



Laura Mirabella, FCPA, FCA
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The Regional Municipality of York



Paul Freeman, MCIP, RPP,
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Attachments (2)

Attachment I

York Region Staff Comments on Schedule 3 and Schedule 12 (as it relates to the new Section 37 of the *Planning Act*, 1990) of Bill 108, the *More Homes, More Choice Act*, 2019

General Comments

York Region is a responsible and accountable order of government

York Region is a responsible and accountable order of government. With a five year supply of registered and draft approved housing units and 20 to 23 year supply of designated land, York Region has a healthy housing supply to accommodate growth. The Region is committed to working expeditiously with the development industry, the Province and its affiliated agencies and other partners in order to advance development approvals that are in the public interest.

The prescriptive nature of the changes under Bill 108 does not distinguish between municipalities; however each municipality in the Province is different. To treat all 444 Ontario municipalities the same does not recognize the significant strides and efforts some municipalities, like the Region, have made in increasing housing supply, creating an environment conducive to development and cultivating a culture of engagement and transparency with the development industry.

The Region continues to welcome a dialogue with the Province to ensure the benefits and risks associated with increasing housing supply are fairly shared between municipalities and the development industry.

While the Region is supportive of efforts to improve housing affordability, Bill 108 could create unintended consequences that are counterproductive

The Region of York supports the positive changes within Bill 108 such as:

1. removing the requirement for low risk projects to undertake environmental assessments;
2. appointing more Local Planning Appeal Tribunal adjudicators to deal with appeals;
3. streamlining the planning process provided that the planning processes are streamlined at both the provincial and local levels;
4. the removal of the 10% discount for determining development charges for hard services.

However, proposed changes to the growth funding mechanism could place significant financial risks and administrative burden on the Region. The Region is making significant infrastructure investments to support growth. In February of this year, York Region Council approved a 10-year \$6.6 billion capital plan, of which \$3.76 billion is for growth-related infrastructure. This includes \$705 million on road widening and approximately \$1.4 billion in water and wastewater projects over the 2019 to 2028 period. These investments are substantially funded through development charges. The Bill, if it becomes law, will create a structural disconnect between costs incurred by the Region and revenues received. This could result in:

- Approximately \$300 million in reduced development charge collections over the next five years (2019 to 2023)
- Delays in the construction of vital growth-related infrastructure such as Upper York Sewage Solutions, North East Vaughan Water and Sewage Servicing, and West Vaughan Water and Sewage Servicing (Phases 1 and 2), that could ultimately slow housing development
- Significant challenges to fund the Region share of the Yonge Subway Extension, a priority rapid transit project of Region-wide importance.

Development charges are an important funding source premised upon the principle of growth paying for growth. Regional development charges represent approximately five per cent of new housing prices. Limiting the ability of municipalities to recover growth-related infrastructure costs through development charges would not substantially address the issue of housing affordability.

The 30 day commenting period on Bill 108 should be extended so that municipalities may conduct a thorough analysis on its impact

Bill 108, the More Homes, More Choice Act, 2019 ("Bill 108") was tabled on May 2, 2019 and municipalities were provided with a commenting period that ended on June 1, 2019 (which is a Saturday). The omnibus Bill proposes to amend 13 statutes including making fundamental changes to the planning and development charges regime in the Province.

In order to fully appreciate the implications of the changes and provide constructive feedback that is emblematic of our partnership with the Province, additional commenting time is necessary. In addition, many key details regarding the mechanics of *Bill 108* will be provided in regulations. Municipalities should be consulted on the development of these regulations.

In order to address these concerns, staff recommend the following:

- The commenting period be extended until the first fall sitting on standing orders of the Provincial legislature – September 9, 2019
 - In the alternative, the deadline be extended an additional 60 days, for a total commenting period of 90 days
- The Province consult with municipalities, and other interested stakeholders, in the development of related regulations and provide a minimum 90 day commenting period

Staff Comments on Schedule 3 and Schedule 12 (as it relates to the new Section 37 of the Planning Act, 1990)

The freezing of development charge rates could constrain the Region's ability to fund vital growth-related projects and increase the Region's debt risk

Currently, development charges are calculated at the prevailing rate as at date of building permit issuance, unless the development proceeds by plan of subdivision or an agreement is entered into stipulating an earlier or later date.

Under Bill 108, development charge rates would be 'frozen' at an earlier point in the development process, that being when an application for a site plan or zoning approval is made. This provision severs the connection between the cost of infrastructure needed to service growth and the rates charged. This proposed change could impact virtually all development in the Region. As a minor zoning change could activate the ability to lock-in rates, there is the potential for abuse.

The 'freeze' to development charge rates is intended as a measure to provide more cost certainty to developers. However, freezing development charges, potentially many years before development occurs, means that the development charge rates paid would not reflect the actual costs incurred and the projected needs of growth. This could limit the Region's ability to fund vital growth-related projects identified in the Region's 2041 Master Plan, which was developed in consultation with the development Industry. The Region's current development charge bylaw has a forecast horizon of 2031, and does not capture the numerous projects needed to support growth beyond that horizon.

The Region has entered into agreements to have the developing landowners fund certain infrastructure and provide development charge credits as the lands are developed. It is unclear how the Region can honor these commitments given the new rate structure.

There are other ways of increasing cost certainty to developers while also ensuring that municipalities do not bear all of the risks. For example, in order to secure a rate at site plan application, developers could provide full or partial payment. This affords municipalities with greater financial certainty to implement its capital plans. It will also discourage frivolous applications which add administrative burden and could slow down the approval process.

In order to address these concerns, staff recommend the following:

- That the Province further amend section 26 of the *Development Charges Act, 1997* such that for those developments requiring site plan or zoning application, payment, or partial payment, be required at that application
 - That this full, or partial, payment, due at site plan or zoning application, is a condition of registration or site plan approval

The funding mechanism for the Yonge Subway Extension may need to be addressed separately through regulations

Yonge Subway Extension, for which the Province recently announced partial funding, is not in the Region's Development Charge Bylaw. Allowing developers to lock in current development charge rates would mean that many of those benefiting from the Yonge Subway Extension could evade rate increases to pay for it. In other words, growth is not paying for growth, and funding the Region's share of this priority project would be a much greater challenge. This could have the unintended consequence of limiting future housing supply, and increase the Region's debt risks. Staff recommend that regulations be developed for the Yonge Subway Extension such that growth-related costs associated with this project can be appropriately recovered from growth.

In order to address these concerns, staff recommend the following:

- That the Province prescribe that the Yonge Subway Extension be an eligible service for which development charges may be imposed
 - That, as it relates to the Yonge Subway Extension, provisions related to the development charge rate calculation, amount of charge, and payment be prescribed through regulations
- That the Province further amend the new section 26.1 and 26.2 such that they do not apply to development charges imposed to pay for the growth-related portion of the Yonge Subway Extension and that full payment of those charges be payable in accordance with section 26

Freezing development charge rates without a deadline to construct will not incentivize the speedy delivery of housing supply

Allowing developers to lock in rates without making a financial contribution does nothing to promote the speedy delivery of housing supply. Bill 108 could be strengthened by setting a clear deadline for when developers must commence construction after locking in rates. The prescribed interest rate should also be set high enough to incentivize speedy delivery of housing.

In order to address these concerns, staff recommend the following:

- That, as it relates to the new subsection 26.2(1)(a) and (b), the Province prescribe a time period not greater than five years between the applications referred to in subsection 26.2(1)(a) and (b) and building permit issuance
 - That, when that five year time period is not met, development charges be payable in accordance with section 26
- That, as it relates to the new subsection 26.2(5)(a) and (b), the Province prescribe that the time period between application approval and building permit/date the development charge is payable be no more than two years
- That, for the purposes of the new subsection 26.1(7) and 26.2(3), the Province prescribe an interest rate that is greater than that which is charged by the Bank of Canada, such as the Prime rate

Delayed and phased payments will create significant cash flow challenges, and debt pressures burden for the Region

Bill 108 proposes to allow non-residential development, rental housing and non-profit housing to delay and phase payments. For these classes of development, development charges would be paid in equal annual installments, beginning at the earlier of occupancy permit or first occupancy of the development, and continuing for the ensuing five years (in the case of first occupancy, it is the developer who must notify the municipality of occupancy within five days of first occupancy).

Development charges are a highly variable source of revenue that is dependent on the housing market and non-residential development. The level of collections is the key driver of the Region's capacity to fund growth infrastructure and its overall debt levels.

Non-residential development historically accounts for 18 per cent of development charge collections. The delayed and phased payments could create a cash flow challenge on the order of \$300 million over the next five years.

The Region's current 10 year capital plan is dependent on the assumption that \$380 million in average annual development charges can be achieved. Of this amount, approximately \$290 million annually is needed to pay for principle and interest on existing development charges debt. The remainder is available to construct new growth-related projects. The cash flow challenge created by the delayed and phased payments translates directly to delays in funding for growth-related projects, if the Region is to continue its prudent efforts to reduce debt.

Deferred and phased payments should be targeted to purpose-built rental and non-profit housing development

While the Region has a healthy housing supply, it is facing shortages in rental housing supply. Encouraging rental and non-profit housing supply has the best opportunity to help address housing affordability in the Region. Bill 108 could be clarified to ensure that only developments that are registered as rental developments can qualify for deferred and phased payments. This is to ensure that rental buildings stay as rental over the long term, rather than converting into condominiums.

It is unclear why a housing plan, and its enabling Bill, premised upon improving housing affordability and increasing housing supply, would address non-residential development. Municipalities should retain the flexibility to devise incentives to promote non-residential development that suit their local circumstances. York Region has the mandate to advance such economic development strategies and has worked with its local municipalities and stakeholders to do so. York Region offers various development charge deferral programs to eligible non-residential developments.

The Bill should also be clarified to ensure that a mixed-use development, may only defer and phase development charges payable for the portion of development that is in the prescribed class (e.g., rental, non-profit housing).

In order to address these concerns, staff recommend the following:

- The Province strike institutional, industrial and commercial development as permitted classes under subsection 26.1(2)
- That the Province amend the new section 26.1 defining rental to be a registered rental development and that it be operated as a rental for a minimum of 25 years
- That the Province amend the new section 26.1 to permit municipalities to register a restrictive covenant on title, requiring the development be operated as a rental
- That the Province amend the new section 26.1 and clarify that a mixed-use development, a portion of which is not a prescribed class, not be permitted to avail itself of this deferral for the portion of the development that is not a prescribed, eligible class

The Bill should ensure that in cases of delayed payments, municipalities could secure its interests

Currently, a condition of building permit issuance is the payment of development charges. Bill 108 proposes to permit developers, in prescribed classes (section 26.1), to build and then phase in their payment beginning at occupancy permit or first occupancy.

This presents municipalities with potential challenges when it comes to recovering development charges in instances where the development is sold/transferred (or the developer ceases operations). It is possible that a development could build and then sell to another entity, prior to occupancy. The new owner/purchaser may be unaware of the outstanding development charge obligation without a registered agreement. Under this scenario, while the Region could put the development charges on the tax roll, there is no guarantee they would be collected. This represents a financial risk to the Region whereupon development charges are not collected, which puts additional pressures on the tax levy and user rate. In addition, the administration requirements of this process would be significant.

It remains unclear if the phased payment plan (akin to a deferral) can be secured or if a condominium operating as a rental can qualify. It is also unclear if this phased payment can apply to mixed-use development (e.g., condo and office). Under Bill 108 municipalities can charge interest, however again the rate has yet to be prescribed.

In order to address these concerns, staff propose the following:

- Noted previously: The Province strike institutional, industrial and commercial development as permitted classes under subsection 26.1(2)
- That the Province amend the new section 26.1 such that any phased payment/deferral under this section require an agreement, stipulating an agreed upon interest rate (not prescribed) and that the municipality can take security
 - That the Province amend the new section 26.1 to permit these agreements be registered on title
- That the Province strike the following from the new subsection 26.1(3) "the earlier of" and, "and the date the building is first occupied"
 - That the Province strike the new subsection 26.2(5)(6) – notice of occupation and failure to provide notice
- That the Province amend subsection 5(3) of the *Development Charges Act, 1997*, adding a new paragraph: Costs to manage the processing and collection of the payments under the new section 26.1

Schedule 3 of Bill 108 should be amended to ensure that municipalities have sufficient time to adopt a new development charge bylaw and Community Benefits Charge Bylaw consistent with the bill

Bill 108 proposes changes to when development charge rates are determined, when development charges are payable, what growth-related costs can be funded, and how. In addition, the Community Benefits Charge must be implemented through a new process. These are fundamental changes to the development charge regime.

The Bill should be amended to ensure that municipalities have sufficient time to adopt the needed bylaws. If the 'freezing' of development charges and delayed and phased payments are permitted at a time prior to a community benefits charge and new development charge bylaw being in place, municipalities could suffer financially. In York Region, the typical development charge bylaw update takes 18 months to two years to complete.

In addition, Bill 108, as tabled, has transition provisions that could result in different sections coming into force on different dates. The More Homes, More Choice: Ontario's Housing Supply Action Plan speaks to "excessive red tape and administrative burdens that make no sense". Having the potential for multiple transition periods creates an administrative burden for municipalities and increases the complexity of the development process.

In order to address these concerns, staff propose the following:

- The transition period for all parts of Schedule 3 to the *More Homes, More Choice Act, 2019* be on the date a municipality's next development charge bylaw comes into force
 - In the alternative, all parts of Schedule 3 to the *More Homes, More Choice Act, 2019* not be in effect until June 2, 2021 (two years after the proposed commenting period ends)

Services that are currently eligible for development charge recovery should continue to be eligible

The *Development Charges Act, 1997* through Ontario Regulation 82/98 note which services are ineligible for development charge funding. Bill 108 proposes to amend Subsection 2(4) of the *Development Charges Act, 1997* and prescribe those services eligible for development charge funding. Those Regional services still eligible for development charges include, water and wastewater, roads, policing, Toronto York Spadina Subway, transit, GO Transit, and waste diversion (which is no longer subject to the 10 per cent statutory deduction).

As a result of the proposed change, Regional services that would no longer be eligible for development charge funding would be: paramedic services, public health, senior services-capital component, social housing, and court services. These services, and the funding that helps facilitate them, are vital to building a vibrant and growing Region. These services should continue to be eligible for development charges. It is unclear whether if and to what extent, these services are eligible for the proposed community benefits charge.

While the Region is supportive of removing the statutory deduction, prescribing services eligible for development charges within the *Development Charges Act, 1997* is more restrictive than if that list resided in the regulations. At some point a municipality may need to add services and it is more difficult to do so through legislative change than it would be through regulatory change. Provincial legislation related to municipal governance should be enabling and permissive.

To address these concerns, staff propose the following:

- That the Province strike the new subsection 2(4)
 - In the alternative, that the Province amend the wording in the new subsection 2(4) and replace it with: "a development charge by-law may impose development charges to pay for increased capital costs required because of increased needs for a service that is prescribed as an eligible service for the purposes of this subsection"
- That the Province amend subsection 60(1) such that: "The Lieutenant Governor in Council may make regulations, prescribing services as eligible services for the purposes of subsection 2 (4)
- That the Province prescribe, through regulation, those services eligible for development charges to pay for increased capital costs required because of increased needs and that Yonge Subway Extension, social housing, court services, public services, senior services, paramedic services be added to that list (the list of which is currently prescribed in subsection 2(4) of Schedule 3 to the *More Homes, More Choice Act, 2019*)

The Community Benefits Charge should mirror that of development charges

Bill 108 proposes that a community benefits charge, through a Community Benefits Charge Bylaw, is proposed as a new provision that could be used to recover costs no longer eligible for development charges. This new tool also replaces existing density bonusing provisions in exchange for community benefits under Section 37 of the *Planning Act, 1990*.

The *Development Charges Act, 1997* established a methodology and process for attributing and recovering growth-related costs from growth. Key elements of the Community Benefits Charge should mirror that of development charges.

Unlike development charges, Bill 108 prescribes that the maximum quantum of a community benefits charge payable, on a development, shall not exceed an amount equal to the prescribed percentage of the value of the land as of the day before the day the building permit is issued in respect of the development.

The community benefits charge should not be linked to land value. The recovery of growth-related costs should be based on the best estimate of the draw on services due to growth. Land value can change significantly over time, and has no relation to draw on services, or the cost of providing those services. Capping the charge could result in funding shortfalls. In addition, it is unclear how would the cap be implemented in a two-tier jurisdiction such as the Region, where land values vary significantly among its nine local municipalities. Any costs that are not recovered from growth would create additional pressures on the tax levy and would represent a shift from the premise that growth pay for growth.

Bill 108 also proposes that all monies received under a Community Benefits Charge Bylaw must be paid into a special account and the municipality must spend, or allocate, 60 per cent of the monies in the special account each year. Unlike operating expenditure, capital expenditures could vary significantly from year to year. Municipalities should have the flexibility to allocate (or spend) monies in the special account based on sensible capital budgeting practices. In addition, it is unclear what the impact of non-conformity with this clause will be.

To address these concerns, staff recommend the following:

- That the Province strike subsection 37(12) – maximum amount of community benefits charge and then strike the associated subsections that follow
- That the Province strike subsection 37(27) pertaining to the requirement to spend or allocate at least 60 per cent of the monies in the special account at the beginning of the year

The proposed process to levy a Community Benefits Charge could create additional administrative burden on municipalities

Bill 108 prescribes that, prior to passing a Community Benefits Charge Bylaw, the municipality shall prepare a Community Benefits Charge Strategy that identifies the facilities, services and matters that will be funded by the charges and complies with any prescribed requirements. Municipalities are also required to consult with appropriate stakeholders in the development of the Strategy. These additional requirements create an administrative burden, and add additional costs to municipalities. Currently it is unclear if the costs associated with the development of a community benefits charge bylaw will be eligible for recovery under these charges. If not, this creates additional pressures on a municipality's tax levy.

A rigorous and transparent reporting process already exists for development charges

An underlying premise for the creation of the community benefits charge is increased transparency for stakeholders. It should be remembered that the development charge calculation and reporting process is already rigorous and was made even more rigorous through *Bill 73, Smart Growth Smart Growth for Our Communities Act, 2015*.

Requirements under the *Development Charges Act, 1997* premised on transparency, include:

- Requirement to complete a development charge background study that includes the costs, methodologies and assumption used to establish the development charge rates
- Requirement to inform stakeholders and consult
- Rigorous reporting requirements under section 43 of the *Development Charges Act, 1997*
- A new requirement under Bill 73 that the municipality has is in compliance with section 59.1(1) (a municipality shall not impose additional levies)
- A new requirement under Bill 73 to table the development charge background study 60 days prior to passage
- A new requirement under Bill 73 to include an asset management plan showing assets proposed to be funded with development charges are financially sustainable

To address these concerns, staff propose the following:

- That the information and reports, required under the new subsection 37(28) be similar to those required under section 43 of the *Development Charges Act, 1997*

The Region should be permitted to fund other growth-related costs for 'soft' services through a Community Benefits Charge (under the *Planning Act, 1990*)

Under Bill 108, the recovery of growth-related capital costs, for those services not listed in the *Act*, will be through a mechanism referred to as a Community Benefits Charge Bylaw under the *Planning Act, 1990*¹. A community benefits charge bylaw will permit a municipality to impose community benefits charges against land to pay for capital costs to which the bylaw applies. The trigger of these charges includes the issuance of a building permit and the approval of a plan of subdivision.

¹ Note: At a Regional level, these services include paramedics, court services, social housing and senior services

There are also a number of areas surrounding a community benefits charge that remain unknown, including:

- Whether or not upper-tier municipalities will be permitted to levy this
- Will the eligible services be limited
- What will the deductions be

To address these concerns, staff propose the following:

- The Province clarify that upper-tier municipalities and lower tier municipalities both be permitted to levy a community benefits charge
- That the Province, through regulation, clarify which services are ineligible
- That the Province clarify what development or redevelopment is excluded from a community benefits charge and how costs attributed to excluded development can be recovered through these charges
- That the Province permit municipalities to index a community benefits charge in a manner consistent with that which is permitted under the *Development Charges Act, 1997* and Ontario Regulation 82/98
- That the Province prescribe the requirements for Strategy required under subsection 37(9)b and that it be made clear that costs associated with the development and consultation of that Strategy be eligible for a community benefits charge

Municipalities should have the flexibility to determine the development charge treatment of second units

Staff are supportive of measures to encourage a mix of affordable housing, including secondary suites. More clarity is needed to ensure that the new development charge treatment proposed in the Bill is targeted at true secondary suites.

Bill 108 provides that a purpose-built secondary suite, in prescribed classes of new residential buildings, or in ancillary structures, would be exempt from development charges (subject to prescribed restrictions). Additional analysis is needed to better understand the number and location of secondary units to assess its impact on infrastructure. Providing municipalities with flexibility to determine what constitutes a true second unit, and design the development charge program can help municipalities to manage the built form and densities being developed, while still accommodating this gentle intensification.

If further clarification is not provided, or municipalities are not permitted to ensure, through security, that these units are in fact second suites, municipalities could lose out on vital development charges required to pay for infrastructure. Additional dwelling units could be built, be exempted from development charges and then draw on municipal services.

Bill 108 also addresses secondary suites in existing buildings. Currently the *Act* provides for an exemption for the creation of up to two additional dwelling units in prescribed classes of existing residential buildings. Bill 108 proposes to change this by removing the wording 'up to two' and replacing it with 'additional'. The proposed amendment also notes that those 'additional' dwelling units may now be in structures ancillary to existing residential buildings. Without a restriction on the number of second suites a municipality could be faced with densities it cannot sustain and a form of development it does not want.

To address these concerns, staff propose the following:

- That the Province further amend subsection 2(3)b and prescribe/restrict the maximum number of additional dwelling units, in prescribed classes of existing buildings, be two
- That the Province strike the new subsection 2(3.1), thereby removing the exemption for second dwelling units in new residential buildings
 - In the alternative, the Province exclude row dwellings from the prescribed class of new residential buildings for which this exemption applies
 - That the Province clarify that the second dwelling unit be subordinate, in gross floor area, to that primary dwelling unit, and that it be up to a municipality to determine this threshold. And that this threshold be established as part of a municipality's development charge bylaw
 - In the alternative, the Province provide municipalities with the ability to ensure, through security/agreement, that these units are in fact second suites



Proposed Bill 108 (Schedule 12)
The More Homes, More Choice Act: Amendments to the Planning Act

Attachment II
Proposed Bill 108 (Schedule 12)
The More Homes, More Choice Act: Amendments to the Planning Act (ERO #019-0016)
York Region Comments

1. ADDITIONAL RESIDENTIAL UNIT POLICIES

York Region Comments	Recommendation
<p>Currently, a secondary residential unit is permitted in a house or a building ancillary to the house. Through Bill 108, a secondary residential unit would be permitted in any house and ancillary building thereby allowing two secondary residential units. Staff are supportive of the creation of secondary residential units in primary and ancillary buildings as it introduces more rental supply and intensification.</p> <p>The Bill, through the Development Charges Act, proposes to exempt a second unit created in prescribed classes of new residential buildings from development charges. This has the potential to create more financial incentive for both large and small builders to make secondary units a standard feature, instead of an option or a retrofit.</p> <p>However, in order to support these proposed changes, a number of implementation challenges would need to be addressed. This includes clarification and stricter definitions on the type of prescribed dwellings that permit secondary units. Not making this distinction would result in the loss of development charges revenue required to pay for infrastructure</p> <p>For these reasons, the location of secondary units should continue to be at the municipalities' discretion.</p>	<ul style="list-style-type: none"> • The Region encourages the Province to work with municipalities to streamline the processes for creating and registering second suites in their jurisdictions as well as provide municipalities with flexibility in identifying where those units can accommodate secondary units • Stricter definitions around the prescribed classes of new residential buildings that allow secondary units to avoid unintended financial loss

2. INCLUSIONARY ZONING POLICIES

York Region Comments	Recommendation
<p>Inclusionary zoning is a valuable tool available to local municipalities to increase the availability of affordable housing across the Region. Municipalities currently have the ability to contain inclusionary zoning policies in all or part of their respective communities. Through proposed Bill 108, inclusionary zoning would be limited to areas around protected major transit station areas (MTSAs) or areas where a development permit system is in place.</p> <p>While the Region supports the promotion of creating more affordable units near high growth areas with greater transit accessibility, limiting the application of inclusionary zoning policies to MTSAs and areas where a development permit system are in place restricts the application of this affordable housing tool.</p> <p>Consistent with the Region's <u>January 2018</u> response to the Province's draft inclusionary zoning regulation, staff recommend the Province continue to provide municipalities with flexibility in developing appropriate inclusionary zoning policies that reflect the local housing market and affordability needs. A broader application of the policies allows for a more even distribution of affordable housing across the entire community.</p> <p>Limiting the use of inclusionary zoning to protected MTSAs and to areas where development permit systems are in place counteracts the Province's priorities to bringing affordable housing online faster. Municipalities have not had sufficient time to implement inclusionary zoning since the release of the enabling regulation in April 2018. Therefore, introducing changes to inclusionary zoning at this point in time will further delay implementation. In addition to this, inclusionary zoning policies will not be able to be adopted until policies with respect to MTSAs have been adopted and approved first, as per the Growth Plan, 2019. Lastly, the establishment of a development permit system, which is subject to a Minister's Order, also has the potential to result in implementation delays due to the amount of staff time and resources required to adopt these by-laws.</p>	<ul style="list-style-type: none"> That the Province support municipalities in the implementation of inclusionary zoning policies by continuing to allow flexibility in how the policies are applied to the local community and continue to look for ways to support the creation of affordable housing units to meet the diverse needs of residents



The More Homes, More Choice Act: Amendments to the Planning Act
Proposed Bill 108 (Schedule 12)

3. MANDATORY DEVELOPMENT PERMIT SYSTEM

York Region Comments	Recommendation
<p>The Province has the ability to require a municipality to adopt or establish a development permit system (DPS). The geographic area of the DPS is at the discretion of the municipality. Through proposed Bill the Province can now require a DPS in a specified delineated area or an area surrounding and including a specified location. The Region recognizes that leveraging planning tools has the ability to provide more housing in appropriate locations for people of all ages. However, the Region questions whether the implementation of a development permit system will lead to quicker approvals.</p> <ul style="list-style-type: none"> Implementing a DPS requires a significant amount of detailed, upfront work by municipalities. This work could have the unintended consequence of prolonging the approval process. <p>There is uncertainty around how the interests of upper tier municipalities, such as access to Regional roads, servicing and transit, would be captured through this system, as implementation is done through lower tier municipalities. Upper-tier interest is generally captured at the establishment of a DPS however this may not be enough to ensure that all Regional interests are reflected.</p>	<ul style="list-style-type: none"> The Region requests clarification on how the development permit system would ensure the interests of the upper-tier municipality are reflected in the development application process

4. REDUCTION OF DECISION TIMELINES

York Region Comments	Recommendation
<p>Proposed Bill 108 introduces reduced timelines for processing development applications. Bill 139, the <i>Building Better Communities and Conserving Watersheds Act, 2017</i> had extended timelines for municipalities to process applications before the right to appeal for a non-decision of Council. Through proposed Bill 108, these timelines are even shorter than pre-Bill 139 timelines (see Table 1). Furthermore, the ability to extend the timeline for the approval authority to make a decision on official plans and official plan amendments has been eliminated.</p>	<ul style="list-style-type: none"> Staff recommends that the timelines established for review of <i>Planning Act</i> applications before an appeal is permitted to the LPAT be returned to the timelines that were in effect under Bill 139, <i>Building Better Communities and Conserving Watersheds Act, 2017</i>. The Province recognize that all parties involved in the development application process can contribute efforts to reducing processing timelines by requiring more stringent timelines around complete

Table 1 – Summary of Non-Decision Timelines

	Pre-Bill 139	Bill 139	Bill 108
Official Plan/Official Plan amendments	180 days	210 days	120 days
Zoning By-Law Amendment	120 days	150 days	90 days



Draft Plan of Subdivision	180 days	180 days	120 days
<p>development applications</p> <p>Reduced planning decision timelines has a number of implications and will have the opposite effect of bringing housing to the market faster.</p> <ul style="list-style-type: none"> • The quality of staff evaluation of applications could be negatively impacted by the shortened timelines. Additionally, the ability for staff to work with applicants and consult with the public and stakeholders will be limited. • The shortened time frame may lead to an increase of non-decision appeals which will ultimately delay the Region's ability to process applications as the matter will be awaiting an LPAT hearing. • Council decisions are required with respect to development applications. To ensure to the shortened timelines are met, special meetings of Council may be required. <p>The Region recognizes the importance of speedy approvals and is committed to reviewing applications in a timely manner. The Region has undertaken a number of initiatives to streamline the review process including implementation of a new development tracking system. These process improvements have been implemented to assist in expediting the approval process through the current timelines of the Act.</p> <p>The Region also recognizes that all parties involved in the submission and review of development proposals from the official plan, secondary plan, block plan through to zoning by-law amendment can contribute to a more timely review and approval process. The reduced timelines do not take into account the submission of poor quality applications, resubmission delays and applicants who submit "placeholder" plans with the ultimate goal to delay the approval process to file a non-decision appeal.</p> <p>Municipalities should be able to utilize the entirety of the decision timeframe to conduct comprehensive evaluations of the applications and consult with the applicant, the public and stakeholders. If the reduced timelines are implemented, municipalities should have the ability to "stop the clock" when waiting for an applicant to provide additional information on an application or awaiting resubmission. More stringent timelines for complete applications are required to assist in meeting the tight deadlines.</p>			



Proposed Bill 108 (Schedule 12)
The More Homes, More Choice Act: Amendments to the Planning Act

5. REPEALS TO BILL 139, THE BUILDING BETTER COMMUNITIES AND CONSERVING WATERSHEDS ACT, 2017

York Region Comments	Recommendation
<p>Proposed changes in Bill 108 repeal a number of significant amendments introduced through Bill 139, the <i>Building Better Communities and Conserving Watersheds Act, 2017</i>.</p> <p>Grounds for appeals on adoption or approval of an official plan are no longer limited to failure to conform with provincial plans or official plans, or failure to be consistent with provincial policy statements. This restriction, which was enacted through Bill 139 and supported by Regional Council in September 2017, helped ensure that decisions were in keeping with the respective Provincial and local planning documents. Reverting back to pre-Bill 139 will result in more appeals to the Local Planning Appeal Tribunal. Past experiences at the Region defending regional and local plans have shown that appeals amount to significant staff resource and costs related to preparation for mediation and hearings.</p> <p>Bill 108 eliminates the 20 day notice of appeal period. Through the current Act, if the approval authority fails to give notice of a decision with respect to all or part of a plan within 210 days, any person or public body may appeal to the Tribunal within the 20 day notice of appeal period. Removing this ability will once again permit unlimited and open-ended non-decision appeals, which further slows down the ability to deliver housing.</p> <p>Bill 108 eliminates the two-stage appeals process and restores the ability of "de novo" hearings, which allows for new evidence not received by council to be presented at the Tribunal. The Tribunal may consider whether the information could have affected the Council's decision, and if so, provide an opportunity for council to reconsider their decision. Returning to the former OMB model of determining land use planning disputes minimizes the respect of the local decision-making process. Past experience has shown that this approach to planning appeals has drawn out hearings. It is unclear how this reversal will speed up housing development.</p> <p>The Region has worked closely with the Province in recent years through extensive consultation to make changes to Ontario's land use planning appeals system, including comments on the Regional Planning Commissioners of Ontario report on Ontario Municipal Board reform. Regional Council has endorsed a number of recommendations in over the years with regards to changes to the former OMB. Reversing many of these significant changes takes final planning decisions out of the hands of elected Councils.</p>	<ul style="list-style-type: none"> • The Province should retain the existing policy that limits the grounds for appeals to only provincial plan and official plan conformity. The Province could also consider simplifying/reducing the complexity of official planning processes • The Province should retain the existing policy that limits the notice of appeal period to 20 days • The Province should eliminate the ability of de novo hearings • Staff recommends that the timelines established for review of Planning Act applications before an appeal is permitted to the LPAT be returned to the timelines that were in effect under Bill 139, Building Better Communities and Conserving Watersheds Act, 2017.

6. THIRD PARTY APPEALS FOR NON-DECISIONS ON OFFICIAL PLANS AND PLANS OF SUBDIVISION

York Region Comments	Recommendation
<p>Bill 108 limits who can appeal a non-appeal decision on an official plan, official plan amendments and plans of subdivision.</p> <p>Through the proposed Bill, an appeal on a non-decision of an official plan or official plan amendments is limited to the municipality that adopted the plan, the Minister and in the case of a plan amendment, the person or public body that requested the amendment. While limiting who can appeal could reduce hearing timelines, it does not allow other public bodies, like the conservation authorities, school boards, residents, and/or other interested persons the right to appeal.</p> <p>Third party appeals on plan of subdivision would be limited to the applicant, a public body who, before the approval authority gave approval to the draft plan of subdivision, made oral submissions at a public meeting or written submissions to the approval authority or made a written request to be notified of changes to the conditions, the municipality in which the land is located, the minister, or those included on the 'prescribed list of persons'. While in comparison to the restricted third party appeals for non-decision on official plans/OPA is more expansive, it still does not allow for residents, landowners or interested persons the right to appeal.</p> <p>Reducing the number of third party appeals for non-appeal decision on an official plan, official plan amendments and plans of subdivision could result in a lower number of appeals bringing housing online sooner.</p>	<ul style="list-style-type: none"> York Region is supportive of reducing the number of third party appeals as it may lead to a reduced number of appeals which would assist in bringing housing online faster.

7. ADDITIONAL CHANGES TO THE LPAT

York Region Comments	Recommendation
<p>Bill 108 proposes a number of new changes to the procedural controls of a hearing. As proposed, the LPAT will have the ability to require that parties participate in mediation or other dispute resolution process.</p> <p>The ability for the LPAT to limit the examination or cross-examination of a witness (now that</p>	<ul style="list-style-type: none"> York Region shares the Province's preference to resolve appeals through mediation. York Region recommends that any enabling regulation identify mediation and alternative dispute



The More Homes, More Choice Act: Amendments to the Planning Act
Proposed Bill 108 (Schedule 12)

<p>this has been re-introduced) as it should in theory allow the LPAT to limit unnecessary and repetitive evidence so that the hearing can be efficient. Also those who can be examined or required to produce evidence is now narrowed to those who are actively involved in the proceedings.</p> <p>The LPAT will now have the power to limit any direct examination or cross-examination of a witness if the Tribunal is satisfied that all matters relevant to the issues in the proceeding have been fully or fairly disclosed, or as the tribunal considers fair and appropriate. Bill 108 also proposes to limit the submissions by non-parties to written submissions but provide the Tribunal with the authority to examine the person who made the submission. In addition, Bill 108 proposes to now provide for mandatory mediation or other dispute resolution processes if prescribed, in specified circumstances and repeals provisions relating to the Tribunal's ability to state a case in writing for the opinion of the Divisional Court on a question of law.</p>	<p>resolution strategies are a mandatory first step to addressing appeals.</p>
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8. COMMUNITY BENEFITS CHARGE AND PARKLAND DEDICATION BY-LAWS

York Region Comments	Recommendation
<p>The Province is proposing to repeal Section 37, which is used to support local community improvements to address added pressures from significant development and introduce a new tool, the Community Benefits Charge ("CBC"). The proposed CBC regime will replace the existing density bonusing provisions in the Planning Act, development charges for discounted services (i.e., parks and community facilities), and in some cases, parkland dedication.</p> <p>Under the Region's current development charge by-law, a portion of development charges are allocated to future construction of affordable housing. Given the high cost of developing in the Greater Toronto Area, Service Managers need the ability to raise additional capital funding to supplement federal/provincial funding programs to expand the supply of affordable housing.</p> <p>The Region's 10-year capital plan for affordable housing development requires \$8.9 million in funding collected through development charges. Removing soft services, including affordable housing, could potentially create a funding gap and reduce the Region's ability to deliver affordable housing supports to residents.</p> <p>The community benefits charge will be based on a prescribed percentage of the value of the land on the valuation date, which results in uncertainty for municipalities as land values may</p>	<ul style="list-style-type: none"> Staff suggests that the Province consult further with municipalities on the drafting of the enabling regulation for the community benefits charge by-law to ensure that municipalities have the financial resources to deliver community infrastructure and services. That the Province allow municipalities to require both the community benefits charge and the conveyance of land for parks or other recreational purposes. The Province should work with municipalities to fully understand the full financial impacts of adopting a community benefits charge. An effective transition period is required



Proposed Bill 108 (Schedule 12)
The More Homes, More Choice Act: Amendments to the Planning Act

<p>to permit municipalities to prepare a Community benefits charge strategy and adopt a community benefits charge by-law before the repeal of current legislation.</p>	<p>vary over time and may not truly reflect the costs of the benefits or services required to support that development.</p> <p>Clarification is required under Subsection 37 (27), regarding the requirement to allocate or spend 60 per cent of the monies in the special 'Community Benefits' account. For example, would a defined capital program fall within the definition of "allocate?"</p> <p>It is important that the Province not repeal the parkland by-law and parkland condition to approval of plan of subdivision. Parks are a critical component of complete communities. They play an important role in enhancing physical and mental health and social wellbeing, providing connections to nature, as well as contributing to the overall vitality of a community. Increasing access to public parks and green space is of particular benefit to people living with lower incomes.</p> <p>Parkland dedication is also important for climate change mitigation and adaptation as they contribute to carbon sequestration and storage, improve air and water quality, provide natural shade and address urban heat islands, and help buffer against the damaging effects from flooding.</p>
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Summary of Changes – Bill 108 More Homes, More Choice Act

Schedule #	Statute	Summary of Changes	Input Provided/Due Date
1	Cannabis Control Act, 2017	Amendments related to the closure of premises by police officers and general prohibitions on obstructing enforcement of the Act, and penalties for contravention of the Act.	Little to no Regional impact
2	Conservation Authorities Act, 1990	Amendments that help conservation authorities focus and deliver on their core mandate, and to improve governance.	Response submitted on May 21, 2019 (ERO # 013-5018)
3	Development Charges Act, 1997	<p>Amendments to reduce development costs and provide more housing options, including:</p> <ul style="list-style-type: none"> • Making it easier for municipalities to recover costs for waste diversion, • Increasing the certainty of development costs by: <ul style="list-style-type: none"> - Deferring development charges for rental housing, institutional commercial developments and not-for-profit housing until occupancy, with payment occurring over five years, and - Freezing development charge rates at an earlier point in time in the development process (i.e. if / when an application is made for the later of site plan or zoning approval) • Providing authority to exempt second units in newly built homes or ancillary structures, and in ancillary structures to existing homes, and the conversion of communal areas to residential units in rental buildings from development charges. • Ensuring a smooth transition to a community benefits charge system. 	Response submitted on May 31, 2019 (ERO # 019-0017)
4	Education Act, 1990	<p>Amendments allowing school boards increased flexibility to:</p> <ul style="list-style-type: none"> • Spending education development charge funds on non-eligible costs so long as the project provides for pupil accommodation and reduces the costs of acquiring land • Accepting a real property interest or other prescribed benefit in lieu of the developer paying education development charges <p>New ministerial oversight over school boards' plans to acquire land including veto powers over expropriations and acquisitions</p>	Little to no Regional impact

Summary of Changes -- Bill 108 More Homes, More Choice Act

Schedule #	Statute	Summary of Changes	Input Provided/Due Date
5	Endangered Species Act, 2007	Amendments modifying the process, including longer timelines for adding to the Species at Risk listing, and establishing a payment-in-lieu trust fund to support larger-scale activities likely to protect or recover species at risk.	Response submitted on May 18, 2019 (ERO # 013-5033)
6	Environmental Assessment Act, 1990	Amendments to modernize the Environmental Assessment processes by focusing on projects that pose actual, real risks to our environment and communities, streamlining approval timelines and eliminating duplication.	Response submitted on May 24, 2019 (ERO # 013-5102)
7	Environmental Protection Act, 1990	Amendments permitting the seizure of vehicle number plates, if necessary.	Little to no Regional impact
8	Labour Relations Act, 1995	Amendments relating to the Carpenters' District Council of Ontario in section 150.7 of the Act are repealed. The provisions of section 153 that allow exclusions under that section to be limited to specified geographic areas are also repealed.	Little to no Regional impact
9	Local Planning Appeal Tribunal Act, 2017	Amendments related to the practices and procedures of the Tribunal, including: <ul style="list-style-type: none"> • requirements for participation in alternative dispute resolution processes. • empowering the Tribunal to limit any examination or cross-examination of a witness in specified circumstances. • limiting submissions by non-parties to a proceeding before the Tribunal to written submissions only and confirming that such non-parties may still be examined or required to produce evidence by the Tribunal. • requiring a case management conference in certain such appeals. • providing that the tribunal may set and charge different fees in respect of different classes of persons or proceedings. 	Response submitted May 31, 2019 (ERO # 019-0016)
10	Occupational Health and Safety Act, 1990	Various amendments are made respecting the Chief Prevention Officer's power to, among other things, revoke or amend a certification or amend the requirements for obtaining a certification.	Little to no Regional Impact
11	Ontario Heritage Act, 1990	Enhanced provincial direction to municipalities, property owners and the public on how to interpret requirements in the Act by: <ul style="list-style-type: none"> • Establishing in regulation prescribed principles that shall be considered 	Local municipal jurisdiction

Summary of Changes – Bill 108 More Homes, More Choice Act

Schedule #	Statute	Summary of Changes	Input Provided/Due Date
		<p>by municipalities when making decisions</p> <ul style="list-style-type: none"> - Creating regulatory authority to establish mandatory requirements for the content of designation by-laws; and - Improving the process for adding properties that are not yet designated (known as "listed") to the municipal heritage register, by giving notice to property owners once their property is "listed" and enabling them to object to the municipal council <ul style="list-style-type: none"> • Provide clearer rules and improve existing tools for municipalities to facilitate timely and transparent processes for reaching decisions under the Act by: <ul style="list-style-type: none"> - establishing a new 60-day timeline for notifying property owners of whether their applications for alteration and demolition are complete - establishing a new 90-day timeline for municipalities to issue a notice of intention to designate a property as having cultural heritage value or interest, when certain events as prescribed by regulation have occurred respecting the property, subject to limited exceptions as prescribed by regulation - establishing a 120-day timeline for passing a designation by-law after the municipality issues the notice of intention to designate, subject to limited exceptions as prescribed by regulation - clarifying the meaning and intent behind the term "demolition or removal", in circumstances where a property's heritage attributes have been identified • Creating a consistent and binding appeals process by: <ul style="list-style-type: none"> - Requiring that municipal decisions related to heritage designations and alterations be appealable to the Local Planning Appeal Tribunal (LPAT), and that LPAT orders on such appeals be binding 	
Schedule 12	Planning Act, 1990	<p>Amendments to streamline development approvals processes and facilitate faster decisions by:</p> <ul style="list-style-type: none"> • reducing decision timelines for municipalities and the province • increasing the certainty and predictability of the planning system by: <ul style="list-style-type: none"> - enabling the Minister to mandate the use of the community 	Response submitted May 31, 2019 (ERO # 019-0016)

Summary of Changes – Bill 108 More Homes, More Choice Act

Schedule #	Statute	Summary of Changes	Input Provided/Due Date
		<p>planning permit system in areas specified by the Minister (e.g., specified major transit station areas and provincially significant employment zones), and removing appeals of the implementing official plan amendment and, subject to regulation, the related by-law;</p> <ul style="list-style-type: none"> - focusing the discretionary use of inclusionary zoning to protected major transit station areas and areas where the community planning permit system has been required by the Minister, which would facilitate the supply of affordable housing in areas that are generally subject to growth pressures, higher housing demand, and in proximity to higher order transit; and - limiting third party appeals of plans of subdivision and approval authority non-decisions on official plans and official plan amendments <ul style="list-style-type: none"> • supporting a range and mix of housing options and boost housing supply by requiring municipalities to authorize an additional residential unit in both the primary dwelling and an ancillary building or structure • making charges for community benefits more predictable by establishing a new authority that would enable municipalities to collect funds / contributions for community benefit purposes (e.g. libraries, daycare facilities and parks). This tool would replace the existing density bonusing provisions known as section 37, development charges for discounted (soft) services under the <i>Development Charges Act, 1997</i> and, in some cases, parkland dedication • allowing the Local Planning Appeal Tribunal to make decisions based on the best planning outcome as part of a return to de novo hearings in all cases. This change would broaden the Tribunal's jurisdiction over major land use planning matters (i.e., official plans and zoning by-laws and amendments) and would give the Tribunal the authority to make a final determination on appeals of such matters 	
13	Workplace Safety and Insurance Act,	The Schedule adds a section to the Act to provide that the Board may establish premium rates for partners and executive officers who perform no construction work that are different from premium rates established for the	Little to no Regional Impact

Summary of Changes – Bill 108 More Homes, More Choice Act

Schedule #	Statute	Summary of Changes	Input Provided/Due Date
	1997	employers of the partners and executive officers and may adjust those rates.	



Regional Clerk's Office
Corporate Services

June 28, 2019

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

Dear Ms. Kitteringham:

Re: Planning for Agriculture Background Report

On June 27, 2019 Regional Council adopted the following recommendations:

1. Council direct staff to proceed with consultation on the proposed agricultural system as outlined in this report as part of the Regional Municipal Comprehensive Review.
2. The Regional Clerk forward this report and attachments to the Agriculture and Agri-Food Advisory Committee, Ministry of Municipal Affairs and Housing, Ontario Ministry of Agriculture, Food and Rural Affairs and Clerks of the local municipalities.

The staff report is enclosed for your information.

Please contact Danielle De Fields, Manager, Policy and Environment at 1-877-464-9675 ext. 71525 if you have any questions with respect to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Christopher Raynor".

Christopher Raynor
Regional Clerk

Attachments

The Regional Municipality of York

Committee of the Whole
Planning and Economic Development
June 13, 2019

Report of the Commissioner of Corporate Services and Chief Planner

Planning for Agriculture Background Report

1. Recommendations

1. Council direct staff to proceed with consultation on the proposed agricultural system as outlined in this report as part of the Regional Municipal Comprehensive Review.
2. The Regional Clerk forward this report and attachments to the Agriculture and Agri-Food Advisory Committee, Ministry of Municipal Affairs and Housing, Ontario Ministry of Agriculture, Food and Rural Affairs and Clerks of the local municipalities.

2. Summary

A Province-wide agricultural system has been introduced as part of the updates to key provincial plans to be implemented by the Region through updated policies and mapping. This report and attachments includes background analysis and a proposed approach for implementation of the agricultural system as part of the Regional Municipal Comprehensive Review (MCR) to update the Regional Official Plan. Final agricultural mapping and policy directions and updates will be included in the draft Regional Official Plan anticipated in spring 2020.

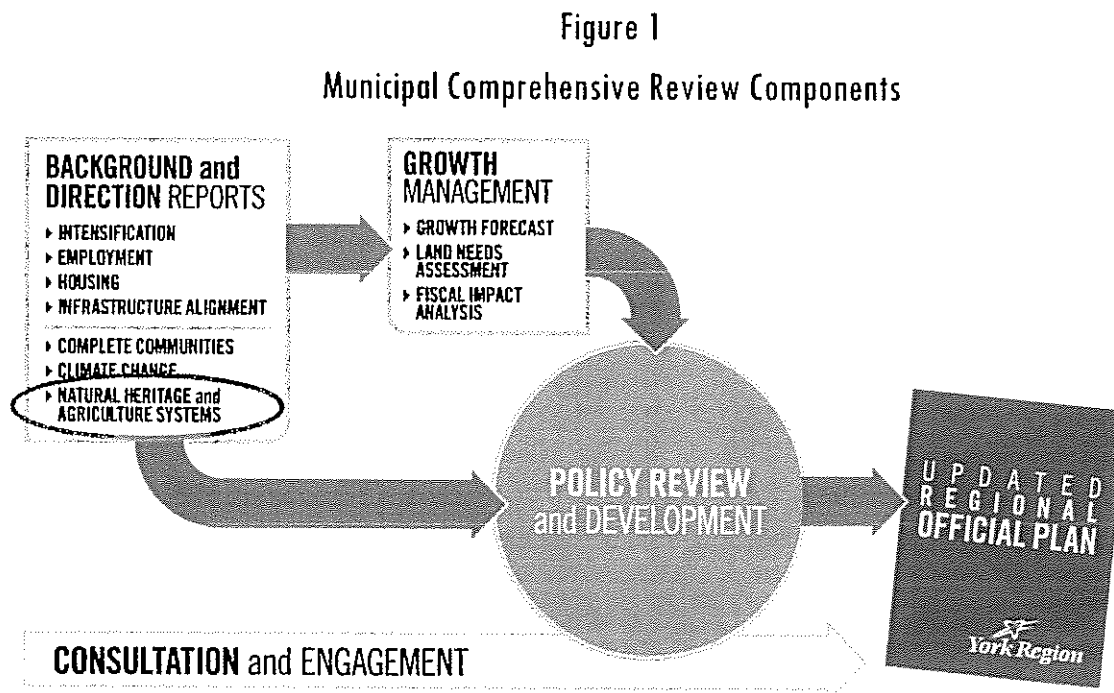
Key Points:

- Minor modifications to the agricultural land use designation in the Regional Official Plan are proposed including some areas of expansion into the rural area
- An approach to update the Official Plan is proposed to ensure conformity to provincial plans and the Provincial Policy Statement
- The Planning Advisory Committee was presented staff's proposed policy and mapping approach and is generally supportive of the direction
- Staff will continue to consult on the proposed mapping and policy changes consideration of for cemetery uses in the agricultural designation with impacted land owners, local municipalities, Agriculture and Agri-Food Advisory Committee (Agricultural Committee), MCR working groups, provincial staff and the public

3. Background

The Municipal Comprehensive Review includes implementation of the agricultural system

This report is one of a series of reports to support planning for sustainable growth through the MCR and Regional Official Plan update. Through the MCR, York Region will be updating agricultural policies and mapping in the Official Plan. Various reports and studies informing the MCR are shown in Figure 1.



York Region provided input to the provincial plan review on the agricultural system

York Region has been continually engaged in the provincial plan review process and provided recommendations to the Province on the introduction of an agricultural system in September 2017. Council supported the collaborative and flexible provincial approach to finalize identification of the agricultural system through approval of the York Region Official Plan.

The Province introduced an agricultural systems approach to support the protection of farmland, and promoting economic development of the agri-food sector. The systems approach extends beyond protecting the agricultural land base and includes identifying support elements of the agri-food network. The York Region Official Plan will designate the agricultural system and including speciality crop areas (Holland Marsh in York Region), agricultural areas (prime agriculture) and rural lands where active agriculture and related uses are ongoing and link agricultural areas and support elements of the agri-food network.

The agri-food network consists of a broad range of elements including farm buildings, agricultural services, farm markets, primary processing, distributors as well as the infrastructure that connects them.

4. Analysis

York Region is well positioned to implement the provincial agricultural system

The existing policy framework in the Regional Official Plan recognizes and supports the agricultural land base and its contribution to the agri-food network as a strong component to the Region's economy. In 2009, the Regional agricultural land base was established with a provincially approved LEAR (land evaluation and area review) which informed the agriculture and rural land use designations in the Official Plan. This work also provided the basis for strong policy direction in the 2010 Official Plan for the protection of agricultural lands. The new provincial agricultural system approach provides strong policy support to protect and enhance the agricultural community.

York Region's Agriculture and Agri-Food Strategy, endorsed by Council in October 2017 reinforces the Region's commitment to this vital sector. Implementation of the agricultural system through the Official Plan will help to achieve the Strategy's goals to support the agri-food sector with integrated land use planning and economic development.

Required policy conformity exercise builds on the existing Official Plan framework

Staff undertook a detailed review of the Provincial Policy Statement and three updated provincial plans related to the agricultural system and found that many of the Official Plan policies already reflect provincial policy direction. Staff proposes that the policy conformity approach build on the existing Official Plan policy framework. Consultation will continue with local municipalities, Agricultural Committee, Municipal Comprehensive Review working groups, provincial staff and the public to help inform updated draft Official Plan policies for Council consideration and input. Attachment 1 provides a summary of the policy conformity updates. Some of the more substantive updates that are anticipated include:

- Additional agricultural uses permitted in agricultural and rural area designations stemming from new definitions to support the agricultural system including agriculture-related uses, agri-tourism uses, on-farm diversified uses, prime agricultural area and rural area
- Requirement for an Agricultural Impact Assessment for new non-agriculture uses that may impact existing agricultural operations or agri-food network facilities to ensure that compatibility is achieved and where not, impacts are minimized and/or mitigated
- Inclusion of additional criteria for settlement boundary expansions into agricultural areas

- Stronger policy language to enhance the viability of the agri-food network such as support for healthy, local and affordable food options including urban agriculture
- New agricultural uses may occur in the buffer areas of key natural heritage and key hydrologic features subject to criteria and in some cases without the requirement of an environmental study

Differing Provincial and York Region LEAR approaches result in additional agriculture lands being identified by the Province for potential designation

The Province has produced draft mapping for municipalities to use as the basis for identifying the agricultural system in official plans. No mapping changes are proposed to specialty crop areas. To develop the draft mapping, the Province undertook a LEAR using a different methodology than that used to inform the Regional Official Plan. The York Region LEAR used one additional criterion of 'conflicting land uses' and the unit size York Region used was 100 acre (40 ha) blocks; the Province used 25 acre (10 ha) blocks. These differences, in addition to the Province's limited capacity to consider exceptions and unique local circumstances, resulted in the identification of additional agricultural lands for consideration when updating [Map 8 of the Regional Official Plan](#).

41 study areas have been evaluated to potentially extend the agricultural designation

To assist staff in updating the agricultural land based mapping, a consultant was retained to compare and assess differences between the proposed provincial mapping and the Region's current agricultural mapping. Forty-one refinement study areas identify where provincial agricultural areas overlap with York Region's rural areas as outlined in the [Region of York Agricultural Land Base Refinements report](#) and [appendix one](#). The technical analysis was based upon criteria described in Table 2 of the consultant's report and the Province's [Implementation Procedures for the Agricultural System in Ontario's Golden Horseshoe](#).

The exercise resulted in portions of 19 of the refinement study areas that could be considered by Council for inclusion into the agricultural area designation, being located in East Gwillimbury, Georgina, King, Richmond Hill, Vaughan and Whitchurch-Stouffville. The detailed mapping for each of the areas proposed to be changed is found in Attachment 2. Although the Province identified larger areas than what the consultant is recommending, based upon the evaluation process carried out staff is supportive of proceeding to land owner and stakeholder engagement on the proposed mapping and policy directions.

Land owners will be consulted on the areas identified to be considered for re-designation from Rural to Agriculture

In partnership with local municipal staff, York Region will consult with potentially impacted land owners informing them of a proposed change in the land use designation of their properties. Agricultural Committee members and provincial staff will be encouraged to

attend. This feedback this will help inform updated mapping of the agricultural system in the Official Plan.

Agricultural and Natural Heritage systems complement each other providing environmental benefits and protection

The Greenbelt Plan holds both the Natural Heritage System (NHS) and agricultural system in high regard with complementary policy protection. The NHS is an overlay on top of the agricultural system; the two systems support one another and maintain connections to the broader systems. Both contain natural resources and support recreational and tourism uses and support a vibrant agricultural economy. Together the stewardship of these systems facilitates environmental benefits and agricultural protection.

The agricultural designation of river valleys located in predominantly urban areas is being assessed

There are a number of river valleys reaching south in the Protected Countryside of the Greenbelt Plan that resemble 'green fingers' extending into the Markham and Vaughan urban areas. These river valleys are protected by both the NHS and agricultural systems. They provide an environmental buffer to the watercourses and Official Plan policies protect these lands from any substantial urban development.

Given that these areas are surrounded by or planned for urban development, staff is working with the consultant to assess the appropriateness of the agricultural designation. Through consultation with local municipal, conservation authority and provincial staff in addition to the public, staff may make recommendations for a different policy and land use designation approach for these areas while maintaining protection of the features. Land use designations that may be considered for the river valleys that run through new urban areas include rural or related natural heritage system/protected countryside designation.

Staff are seeking input on principles for considering cemeteries on agricultural lands

The 2016 [York Region Cemetery Needs Analysis and Policy Framework](#) (Cemetery Needs Analysis) was undertaken to provide an understanding of York Region's cemetery industry, existing cemetery land supply and future demand for cemetery uses. The Cemetery Needs Analysis also meets the provincial requirement to demonstrate need during the planning horizon in the event that agricultural lands are required to meet the Region's cemetery needs.

Currently, the Regional Official Plan is silent on where cemeteries are permitted. The Cemetery Needs Analysis provided recommendations to consider permitting new or expanded cemeteries in the agricultural designation subject to criteria. It is intended that rural designated lands will be explored and evaluated first before considering cemeteries on

agricultural lands. Consultation will be initiated to assess a potential policy framework on the following principles:

- Anticipated need for interments consistent with the findings of the Cemetery Needs Analysis
- Acknowledge the long term presence of cemeteries
- Respect interment and memorialization traditions of all residents
- Acknowledge the diversity of cemetery services and service providers
- Promote innovative options to deliver cemetery uses
- Recognize the value of cemeteries as part of a complete, sustainable community
- Optimize the environmental and social value of cemeteries
- Locating cemeteries within reasonable distance to population centres
- Locate and design cemeteries to meet multiple land use planning and environmental objectives (e.g. groundwater protection, natural heritage linkages, and passive recreation)

Staff are reviewing policies for existing rural commercial uses on agricultural lands currently with limited opportunity to expand or change use

Council as part of the provincial plan review recommended that a method be developed to recognize and permit existing non-agricultural uses within the agricultural designation to allow for limited redevelopment of land subject to criteria. Considerations for removing lands from the agricultural to the rural designation will not be contemplated as part of this potential policy approach. Many of these existing non-agricultural uses such as outdoor storage facilities, automotive repair shops and antique shops have limited or no opportunity to be redeveloped, potentially to a more compatible use, under the Greenbelt Plan policy framework. Consultation with local municipal planning staff is being initiated. Any proposed policy will need to take into consideration maintaining the integrity of this agricultural system. Staff will report back to Council as part of the draft Official Plan.

5. Financial

Background work for the implementation of the agricultural system has been undertaken within the existing staff complement and budget of the Planning and Economic Development Branch which included retaining an agricultural consultant to carry out the agricultural land assessment.

The agri-food sector in York Region includes everything from farms to processors, food

retailers and restaurants, and provides approximately 57,000 jobs and generates \$2.7 billion in GDP (gross domestic product) for York Region. Agriculture in York Region is a strong contributor to the economy and it is important to support this growing and vibrant industry.

6. Local Impact

Regional staff has met regularly with local municipal planning and economic development staff to discuss the implementation of the agricultural system. The Local Municipal MCR Working Group as well as individual meetings with the consultant on the proposed mapping has included local municipal staff as an integral part of the dialogue. In March 2019, the Planning Advisory Committee was provided the proposed policy and mapping approach and is generally supportive of staff's direction. Several local municipal staff members also attend the Agricultural Committee meetings where the implementation of the agricultural system has been discussed over the past year. Continued consultation with local municipal staff and the Planning Advisory Committee will occur as the policy and mapping work is completed through the MCR process. Local municipalities are key partners in the support to protect and enhance the agricultural system.

7. Conclusion

The provincial plans require the Region to implement the agricultural system through updated policy and mapping. Continued engagement will occur with the next steps of meeting directly with potentially impacted land owners to discuss proposed mapping changes as well as the cemetery industry to consider cemetery uses in the agricultural designation. The agriculture and the agri-food sector have a strong presence in York Region and the implementation of the provincial agricultural system will help to further support its prosperity. Staff will undertake the next phase in the implementation of the agricultural system and the mapping and policy updates will be presented in the draft Official Plan in spring 2020.

For more information on this report, please contact Danielle De Fields, Manager, Policy and Environment at 1-877-464-9675 ext. 71525. Accessible formats or communication supports are available upon request.

Recommended by: **Paul Freeman, MCIP, RPP**
Chief Planner

Dino Basso
Commissioner of Corporate Services

Approved for Submission: **Bruce Macgregor**
Chief Administrative Officer

May 30, 2019
Attachments (2)
eDOCS #9238334

ATTACHMENT 1

Agricultural System Regional Official Plan

Provincial Policy Conformity

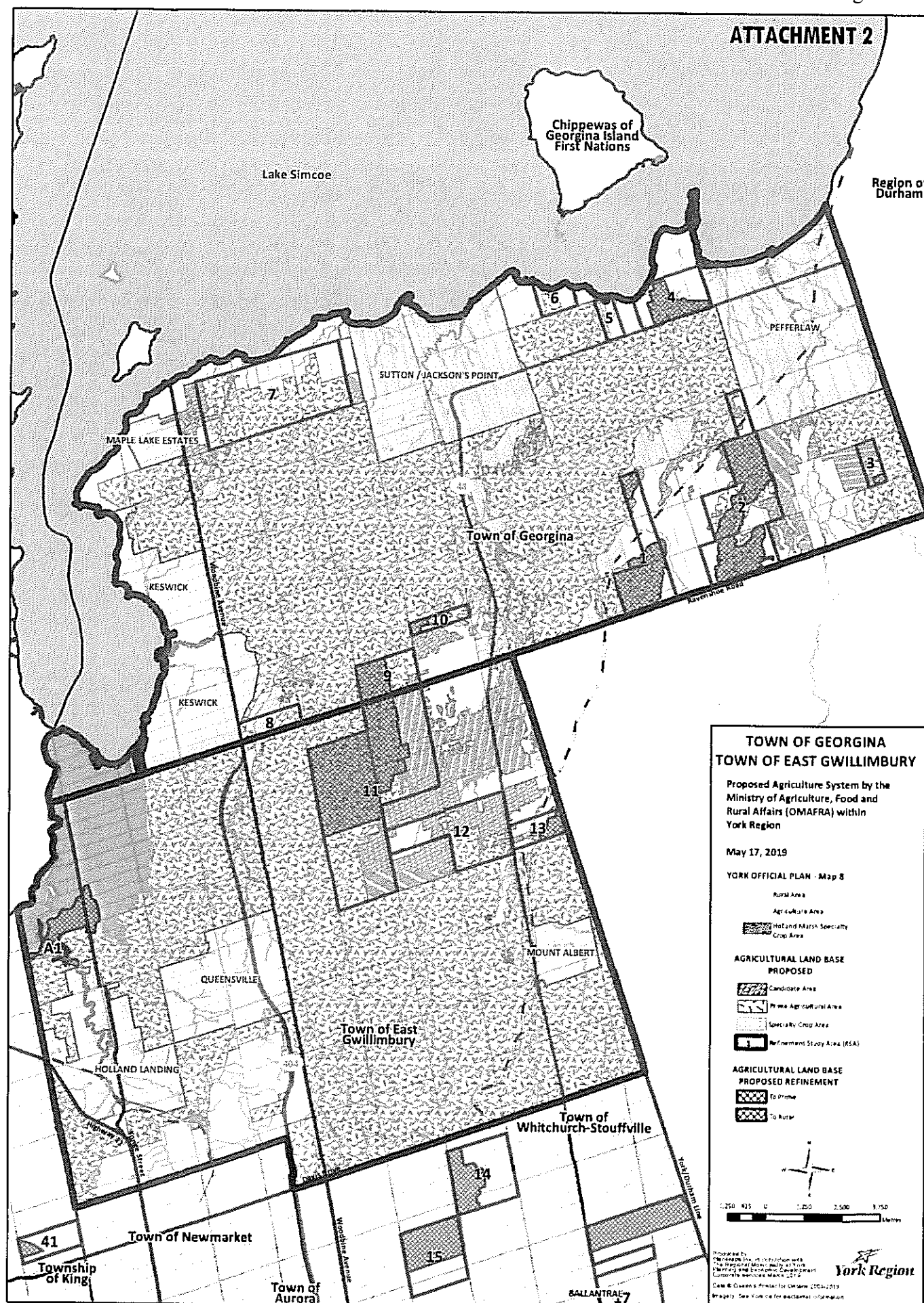
List of Provincial Policy Documents Reviewed

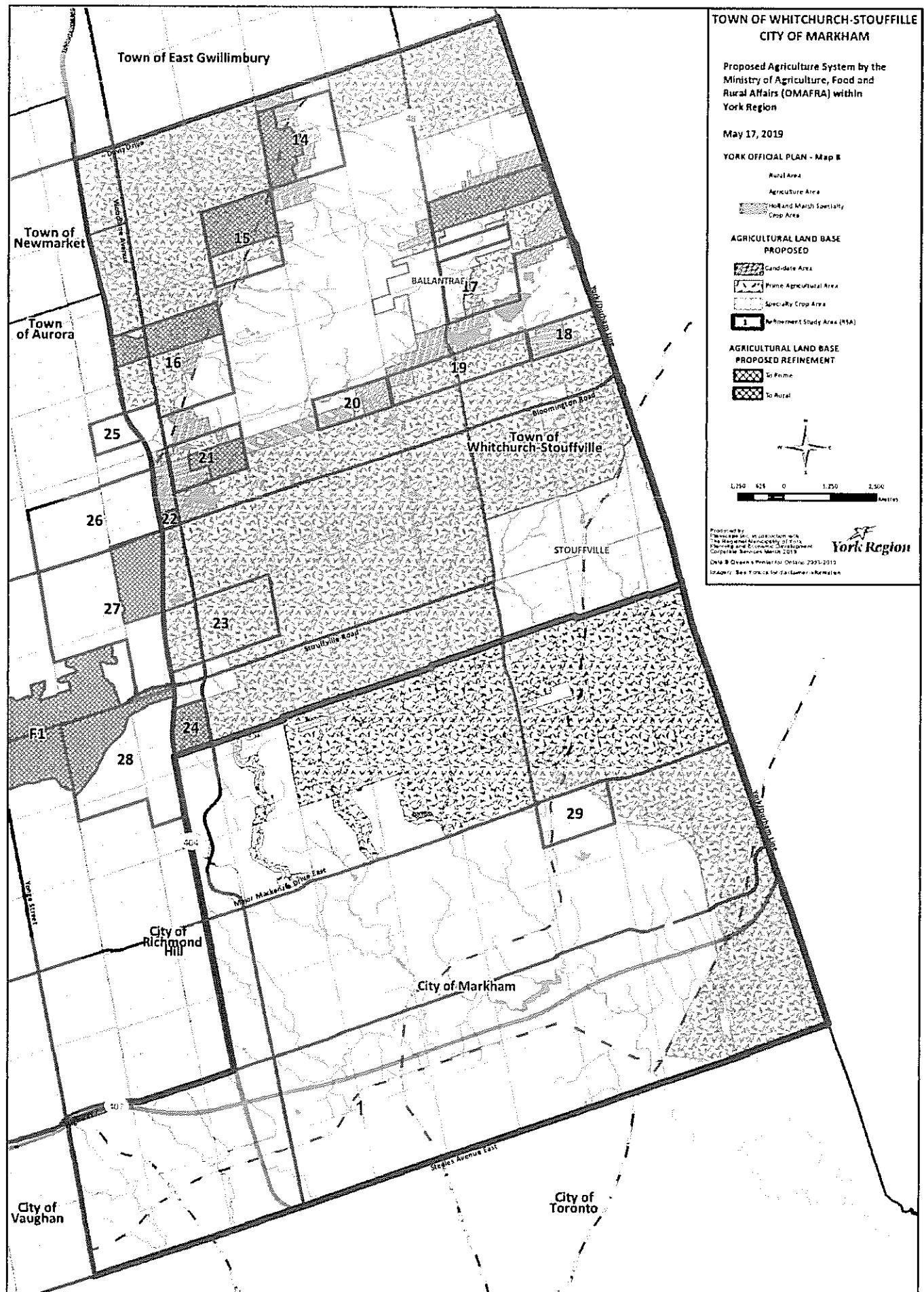
- PPS - Provincial Policy Statement
- GBP - Greenbelt Plan
- ORMCP - Oak Ridges Moraine Conservation Plan
- GP – A Place to Grow: Growth Plan for the Greater Golden Horseshoe

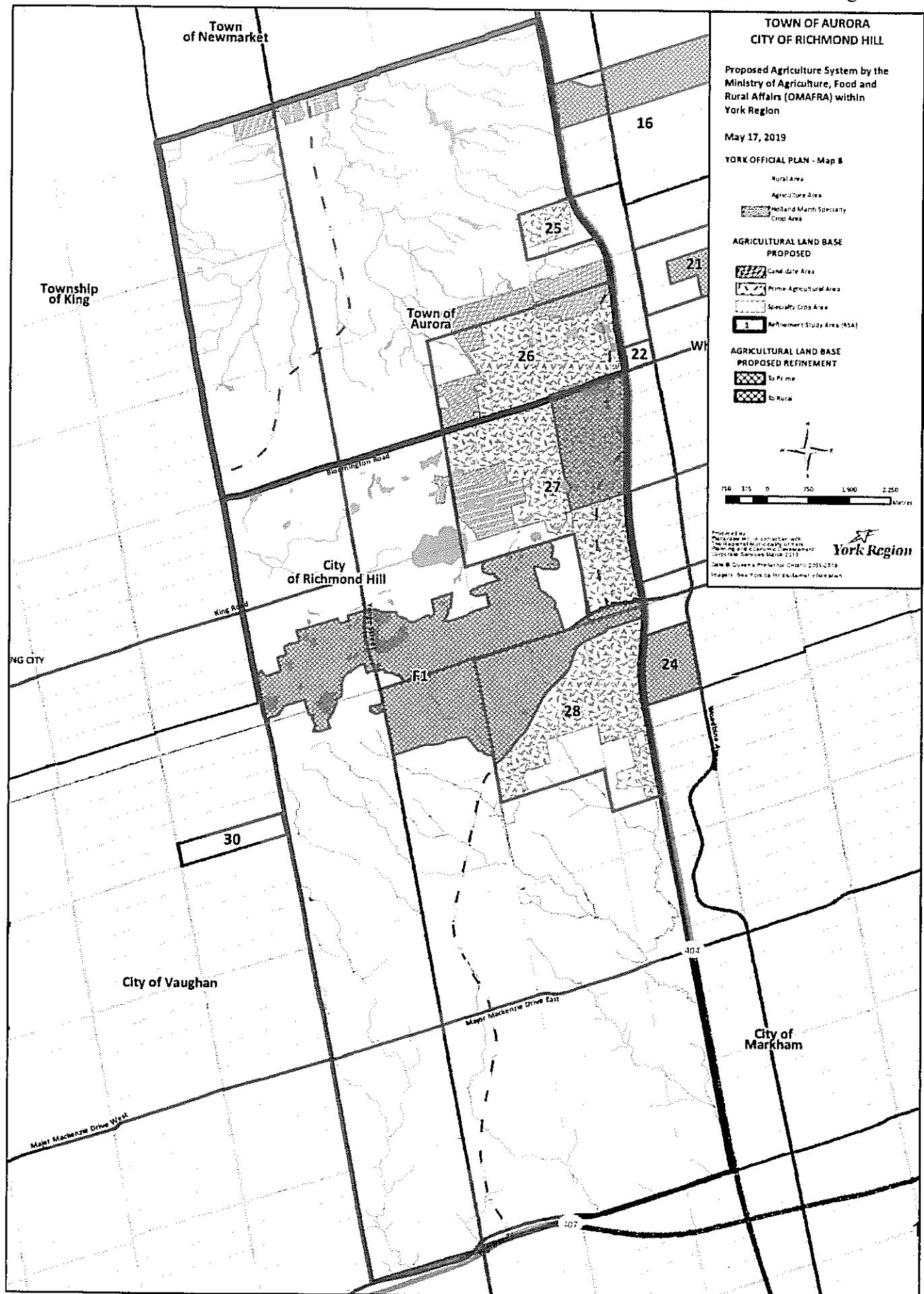
Types of Policies	Brief Description of Provincial Policy Change	Provincial Policy Documents	Potential Impact to York Region Official Plan
Designating agricultural land uses	Requirement to designate prime agricultural and specialty crop areas in official plans	PPS GBP	Areas already designated in Official Plan on Map 8, however there may be revisions based on the Agricultural mapping proposed by the Province
Permitted uses in prime agricultural areas	Variety of agricultural uses, agriculture-related uses and on-farm diversified uses permitted in prime agricultural areas	PPS	New uses to be added to the agricultural land use designation
General policy language update for Prime Agricultural Area	Several policies to be updated to reflect new policy wording: <ul style="list-style-type: none"> • agricultural uses and normal farm practices being promoted in prime agricultural areas • lot creation and lot adjustments • added specialty crop area protection • maintaining and enhancing the agricultural land base and agri-food network • implementing regional agri-food strategies • supporting local food initiatives • existing lots of records to be used for agricultural uses 	PPS GBP ORMCP GP	Update language in the Official Plan to improve consistency and alignment with provincial policy
General Policy language update for Rural Area	Several policies to be updated to reflect new policy wording: <ul style="list-style-type: none"> • permitted uses in the 	GBP GP	Update language in the Official Plan to improve consistency and alignment with provincial policy

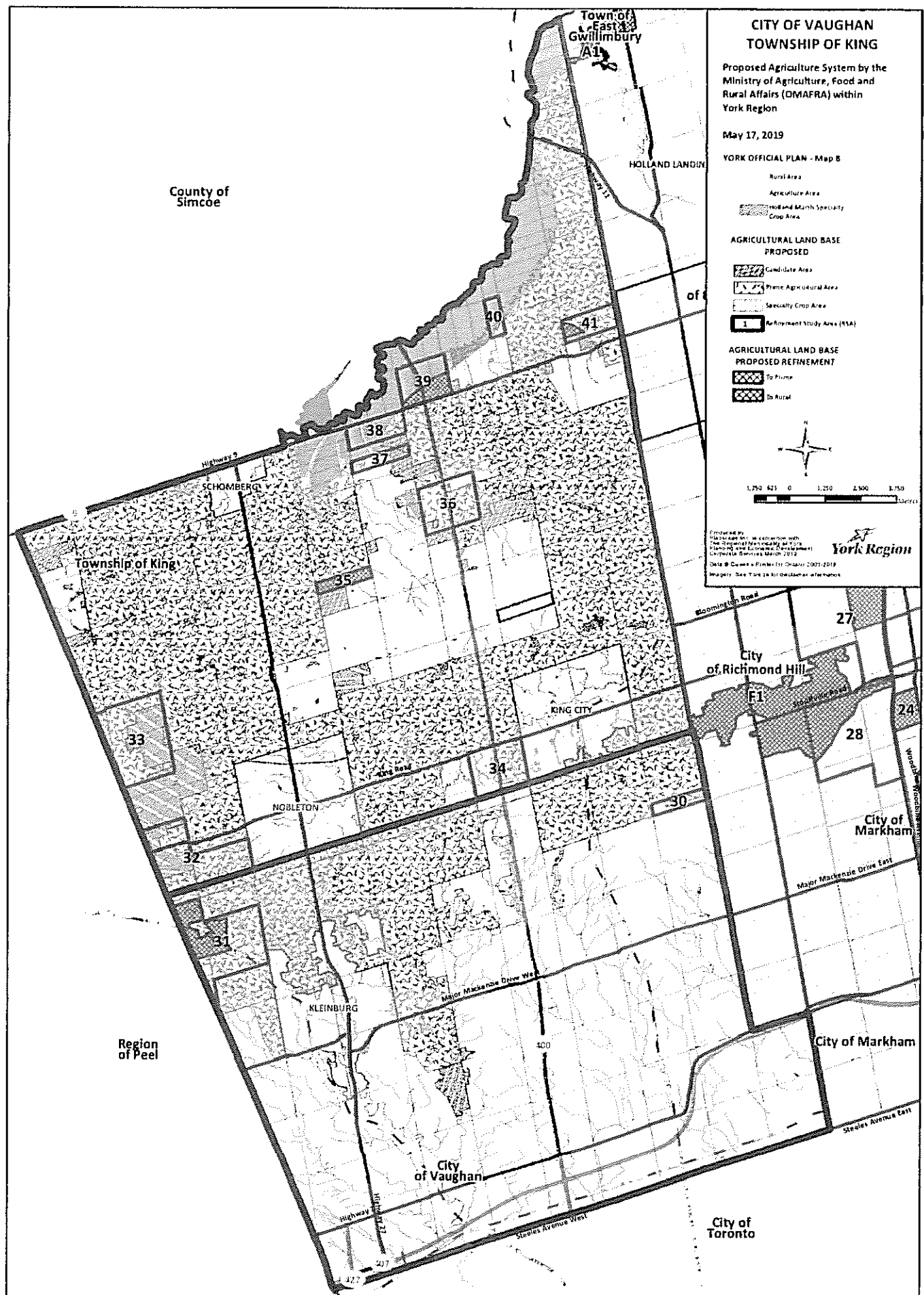
	<p>rural area</p> <ul style="list-style-type: none"> • new rural uses need to be compatible to existing agricultural operations • lot creation • introduction of community hubs 		
Settlement boundary expansions	Settlement boundary expansions permitted into agricultural and rural areas subject to criteria including the requirement of an Agricultural Impact Assessment	PPS GBP GP	New policy subsection to be added to the current settlement boundary criteria in the Official Plan
Non-agricultural uses in prime agricultural areas	Policies related to the limited types of non-agricultural uses permitted in prime agriculture	PPS GBP GP	Update policy in the Official Plan to include limited types of non-agricultural uses permitted in prime agriculture
Impacts of non-agricultural uses	New policy section requiring any impacts from non-agricultural uses including new or expanded planned corridors, small scale commercial, industrial or institutional uses on surrounding agricultural lands and natural heritage system to be mitigated as part of an Agricultural Impact Assessment	PPS GBP ORMCP GP	New policy section to be added to the Official Plan to require an Agricultural Impact Assessment subject to Peer Review demonstrating how impacts to agricultural land and natural heritage system from non-agricultural uses are mitigated
Definitions	<p>New definitions:</p> <ul style="list-style-type: none"> • Agricultural uses • Agricultural system • Agricultural condition • Agri-food network • Agri-tourism uses • Agriculture-related uses • On-farm diversified uses • Prime agricultural area • Prime agricultural land • Rural lands • Agricultural Impact Assessment <p>Existing definitions to be updated:</p> <ul style="list-style-type: none"> • Specialty Crop Areas 	PPS GBP ORMCP GP	Updated and new definitions in the Official Plan to improve consistency and alignment with provincial policy
Agri-food network	<p>Policies to maintain and enhance the agri-food network related to:</p> <ul style="list-style-type: none"> • planning for growth • strategies to implement 	GBP	Update policy in the Official Plan to reflect stronger policy support for the agri-food network

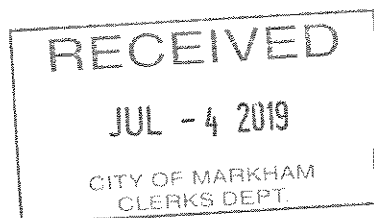
	agri-food network		
Agricultural uses within the Natural Heritage System	New policy to ensure that any expansion or alteration to agricultural uses and agricultural buildings within key features within the natural heritage system are permitted subject to criteria	GBP ORMCP GP	New policy in the Official Plan to provide exception for agricultural uses within the natural heritage system subject to criteria
Specific agricultural policies within the ORMCP	Changes in the ORMCP with respect to where agricultural uses are permitted within the land use designations	ORMCP	Maintain existing policies specific to the ORMCP identifying agricultural uses permitted within certain land use designations
Agricultural uses within wellhead protection areas and areas of high aquifer vulnerability within the ORMCP	Agricultural uses permitted in some of the wellhead protection and areas of high aquifer vulnerability areas subject to criteria	ORMCP	Maintain existing policies specific to the ORMCP that allow for an exception for agricultural uses within wellhead protection areas and areas of high aquifer vulnerability subject to criteria
Changes to boundaries outside of a Municipal Comprehensive Review	Minor adjustments to boundaries of rural settlements and mapping of the agriculture land base can be made outside of the timing of a Municipal Comprehensive Review	GP	Changes to boundaries outside of the Municipal Comprehensive Review can lead to challenges associated with population and employment growth forecasts
Planning for Growth	When planning for growth consider opportunities to support and enhance the Agricultural System including goods movement and transportation planning	GP	New policies to ensure alignment between transportation planning and agriculture
Mineral Aggregates	Agricultural Impact Assessment required for new operations and rehabilitation of older sites in the agricultural areas	GP	New policy section to be added to the Official Plan to require an Agricultural Impact Assessment subject to Peer Review demonstrating how impacts to agricultural land from mineral aggregate operations are mitigated











Regional Clerk's Office
Corporate Services

June 28, 2019

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

Dear Ms. Kitteringham:

Re: Potential Financial Incentives for Office Buildings

On June 27, 2019 Regional Council adopted the following recommendations:

1. Council authorize staff to consult with stakeholders on potential financial incentives to help promote major office development in the Region's Centres and Corridors.
2. Staff report back to Council in the Fall of 2019 on the results of the consultation and propose recommendations.
3. The Regional Clerk circulate this report to the local municipalities and industry stakeholders including the Building Industry and Land Development Association – York Chapter (BILD).

The staff report is enclosed for your information.

Please contact Doug Lindeblom, Director, Economic Strategy at 1-877-464-9675 ext. 71503 or Edward Hankins, Director, Treasury Office at 1-877-464-9675 ext. 71644 if you have any questions with respect to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Christopher Raynor".

Christopher Raynor
Regional Clerk

Attachment

The Regional Municipality of York

Committee of the Whole
Planning and Economic Development
June 13, 2019

Report of the Commissioner of Corporate Services, the Commissioner of Finance
and the Chief Planner

Potential Financial Incentives for Office Buildings

1. Recommendations

1. Council authorize staff to consult with stakeholders on potential financial incentives to help promote major office development in the Region's Centres and Corridors.
2. Staff report back to Council in the Fall of 2019 on the results of the consultation and propose recommendations.
3. The Regional Clerk circulate this report to the local municipalities and industry stakeholders including the Building Industry and Land Development Association – York Chapter (BILD).

2. Summary

This report updates Council on the state of office development in the Region, focusing on the changing nature of office development and financial incentives at the Region's local and neighboring municipalities. This report also provides key principles to consult with stakeholders on potential office incentives.

Key Points:

- Office development, particularly in Centres and Corridors, is important to the Region's competitiveness, city building initiatives, and financial sustainability
- While the Region is gaining major office employment, this is not translating into new office development particularly in Centres and Corridors where the greatest infrastructure investments have been made
- Trends and recent changes in the office market have prompted reconsideration of the use of financial incentives to spur new office development in key locations
- Development charge deferrals could be used to incent larger office buildings in Regional Centres and Corridors, where the Region has made significant higher order transit investments

3. Background

Office development, particularly in Centres and Corridors, is important to the Region's competitiveness and city building initiatives

Office space is an important element of the real estate market that supports economic prosperity. Office buildings house knowledge and service based employers, an increasingly important part of the economy. They provide a built form that allows intensification of workers in transit supportive locations, and are an integral part of developing vibrant, accessible, multi-use downtowns, such as the Centres and Corridors in York Region. Larger office buildings often serve as headquarters and research centres for domestic and global corporations and demonstrate the success and attractiveness of a location. Office development is also a major contributor to the property tax base and to development charges that are necessary to pay for the infrastructure such as transit needed to support growth and city building.

The Region has offered various office development incentives since the inception of the development charge bylaw in 1998

Beginning in 1998 and continuing through the 2007 Development Charge Bylaw and Background Study, Regional Council decided to offer a discount to the non-residential rates that would have otherwise been payable at full cost recovery to attract non-residential development in the Region. During this time, the average discounted rate to the non-retail portion (e.g., office) was 40 per cent, which was phased in through each of the bylaws during different timelines. The 2007 Development Charge Bylaw discontinued the reduction to the percentage of the incentives until they were completely phased out by mid-2010. The Region saw close to 6.8 million square feet of office space built in the twelve years from 1998 to 2010 that would have benefitted from some level of development charge discounts. This equates to approximately 567,000 square feet of space per year.

Following the phase out of the non-residential development charge discounts, the Region in 2010 introduced an 18 month development charge deferral for office buildings that were a minimum of 4 storeys. This incentive, available throughout the Region, requires that the developer provide a letter of credit. Since first being introduced, two offices totaling nearly 760,000 square feet have taken advantage of this incentive. During this period since 2010, less than 2.5 million square feet of office space in total was built in the Region. This equates to just over 300,000 square feet of space built per year, well below the rate of construction while the development charge discount was in place.

The Region last reviewed the need for office incentives in 2015 and none were recommended at that time

Between 2013 and 2015 staff reviewed the state of office development in the Region and the potential for financial incentives which culminated with the York Region Office Attraction Review (report to Council in April 2015). The review was prompted by the diminishing relative share of new office development being built in the Region versus Toronto and the rest of the 905 Regions.

This report concluded that the Region was competitive with neighboring jurisdictions on overall cost of office development (including property taxes and development charges). The Review also found that there was not a strong correlation between offering financial incentives and generating new demand. As a result, while incentives were not recommended at that time, an office attraction marketing program was proposed to raise awareness of the opportunities in the Region's Centres and Corridors. The resulting York Link marketing program was approved by Council and launched in 2016.

While the Region was conducting the office attraction review, the City of Vaughan requested that the Region consider office incentives. The City of Vaughan subsequently introduced an office incentive package. At the time, staff reviewed this request and determined that office incentives were not required as the Region was competitive.

Over the past five years, the landscape for office development and incentives has changed

Since last reviewing the need for greater incentives, there have been three key changes that have prompted staff to re-examine the efficacy of incentives. These are:

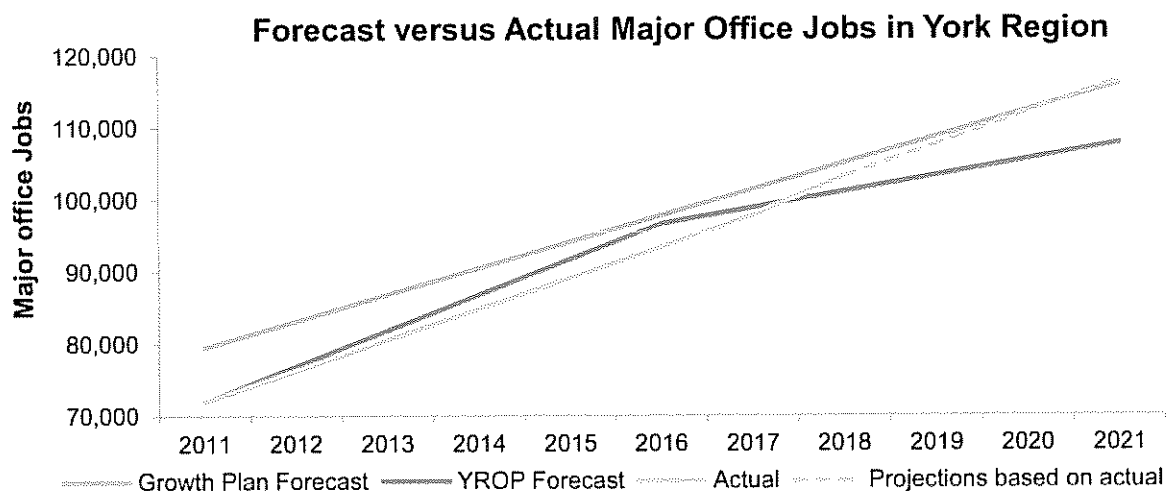
- A growing number of municipalities in the Greater Toronto Area, including three of the Region's local municipalities (Vaughan, Markham and Richmond Hill), have introduced office incentives to try and increase their share of office development activity
- The Region continues to see office employment growth, but this is not translating into the major office built form that is required in order to create dense, multi-use city centres
- While the Region's relative share of Greater Toronto Area office development has risen since 2015, Toronto and particularly Downtown Toronto is taking a bigger share, and this appears to be destined to continue. Toronto continues to offer a substantial development charge exemption incentive for major office

4. Analysis

The Region is on track to meet its major office employment growth forecasts

Office space is required to house office workers in a range of knowledge based and service businesses. The Region is experiencing strong office related employment growth, relative to both forecasts in the Growth Plan and the Regional Official Plan. The number of major office jobs exceeded the Region's Official Plan forecast in 2018 and is on track to meet the Provincial Growth Plan targets by 2020-2021, as illustrated in Figure 1 below.

Figure 1



Source: Region of York, Planning and Economic Development

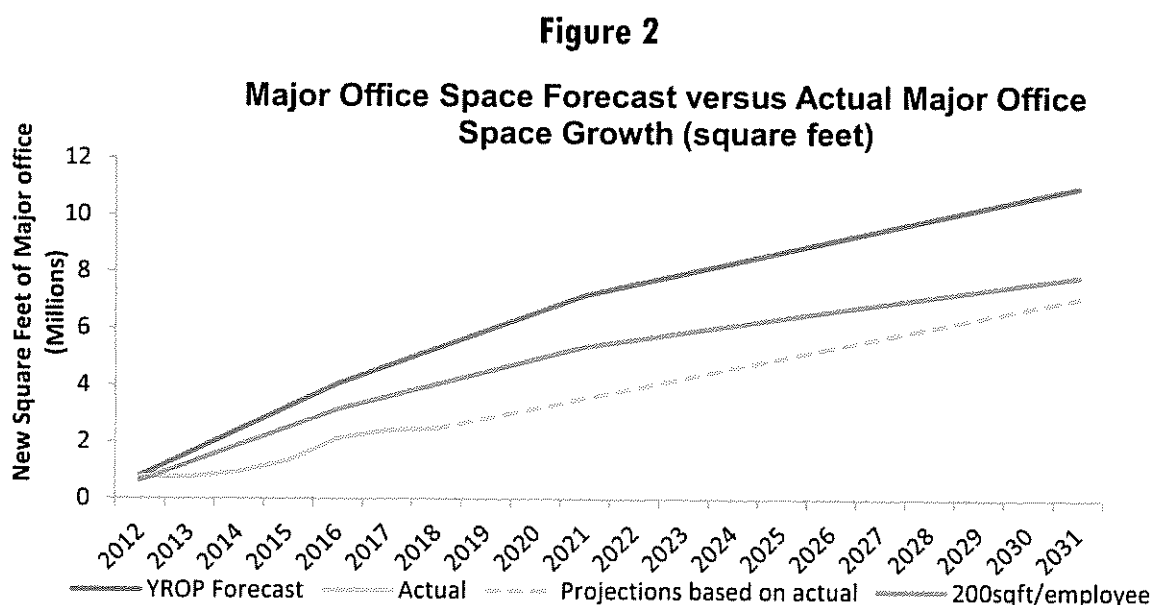
Office employment growth is not translating into office space development

While the Region is achieving its employment forecasts, major office space growth in the Region is below the Region's Official Plan forecast (see Figure 2). Office space growth is important because of the previously noted factors of competitiveness, city building and financial sustainability that new office space supports. This is particularly important in Centres and Corridors where significant transit investments have been made.

The office space forecast in the Regional Official Plan is derived by applying a space per employee factor to the major office employment forecast number. While an industry standard space per employee of 270 square feet has been used in the forecast, recent observations indicate this standard is now likely around 200 square feet per employee.

There are a number of trends in the market that are leading to employers allocating less space per employee, the most notable trends include business cost reductions/efficiencies, an increase in remote work/telecommuting, and a shift from permanent full time jobs to temporary and contract work. All of these factors are contributing to a typical space per employee factor closer to 200 square feet per employee. This means that less new major office space is required to accommodate office employment growth.

As illustrated in Figure 2, even when the 200 square feet per employee factor is applied to the employment forecast (as opposed to the 270 square feet used in the Official Plan), office space projections based on actual space built since 2011 would still be below forecast. This would suggest that some employment growth does not generate new major office space growth (e.g., due to office intensification – employees taking up less space, hoteling – workplaces are shared, etc.).



Source: Region of York, Planning and Economic Development

The City of Toronto is realizing most of the new major office development in the Greater Toronto Area

Among GTA municipalities, York Region's share of office development has increased since 2012 relative to other 905 Regions as illustrated in Table 1, with 32 buildings and close to 2.6 million square feet of space built over this time period. This represents 28 per cent of all new office space built in the GTA, up from just 7 per cent of new space in the previous 5 years.

During this period, the City of Toronto has become more dominant with respect to new office construction. As Table 1 below indicates, the City of Toronto accounts for 54 per cent of office space built in the GTA since 2012. More importantly, when looking at office buildings under construction, Toronto's share of new space increases to 76 per cent of the GTA total.

Table 1
Commercial office development projects, 20,000 square feet or larger, in the
Greater Toronto Area (2012 – present)

	City of Toronto	York Region	Peel Region	Halton Region	Durham Region	GTA 905 Total	Toronto share of GTA Total (%)
Buildings built since 2012	42	32	29	34	4	99	30
Space created (square feet) since 2012	9,243,964	2,590,473	3,080,170	1,995,093	266,027	7,931,763	54
Space Under Construction (square feet)	5,499,016	655,779	459,620	602,007	0	1,717,406	76

Source: CoStar, February 2019

Within mid-sized buildings constructed in the 100,000-250,000 square foot range since 2012, the 905 Regions dominate this segment, as indicated in Table 2. Toronto only accounts for 22% of the space built and 36% of the space under construction. Peel Region has seen the largest share of buildings and space in this size range primarily due to construction activity in the Airport Corporate Centre and Meadowvale. York Region ranks only fourth in the Toronto Region in the 100,000-250,000 square foot range, despite seeing the overall share of office development increase during this time period.

Table 2
Commercial office development projects, 100,000 square feet –
250,000 square feet, in the Greater Toronto Area (2012 – present)

	City of Toronto	York Region	Peel Region	Halton Region	Durham Region	GTA 905 Total	Toronto share of GTA Total (%)
Existing Buildings	7	4	11*	6	1	22	24
Existing square feet	912,923	697,695	1,676,769	803,909	126,929	3,305,302	22
Under Construction square feet	475,716	327,600	129,620	371,691	0	828,911	36

Source: CoStar, February 2019

Toronto's share of office development is most pronounced when looking at those buildings greater than 250,000 square feet (either recently completed or under construction). As Table 3 indicates, the 905 municipalities are relatively low compared to Toronto, with only York and Peel seeing any construction in this size range. More importantly, no large buildings are under construction anywhere in the 905 region. Downtown Toronto has 84 per cent of major

office space built since 2012 and 100 per cent of buildings in this size range under construction representing almost 5 million square feet coming on stream.

Table 3
Commercial office development projects, 250,000 square feet or larger, in the Greater Toronto Area (2012 – present)

	City of Toronto	York Region	Peel Region	Halton Region	Durham Region	GTA 905 Total	Toronto share of GTA Total (%)
Existing Buildings	11	2	2	0	0	4	73
Existing square feet	7,204,109	735,000	682,000	0	0	1,417,000	84
Under Construction square feet	4,968,340	0	0	0	0	0	100

Source: CoStar, February 2019

Of the 270 Major office buildings in the Region, most are smaller than 100,000 square feet

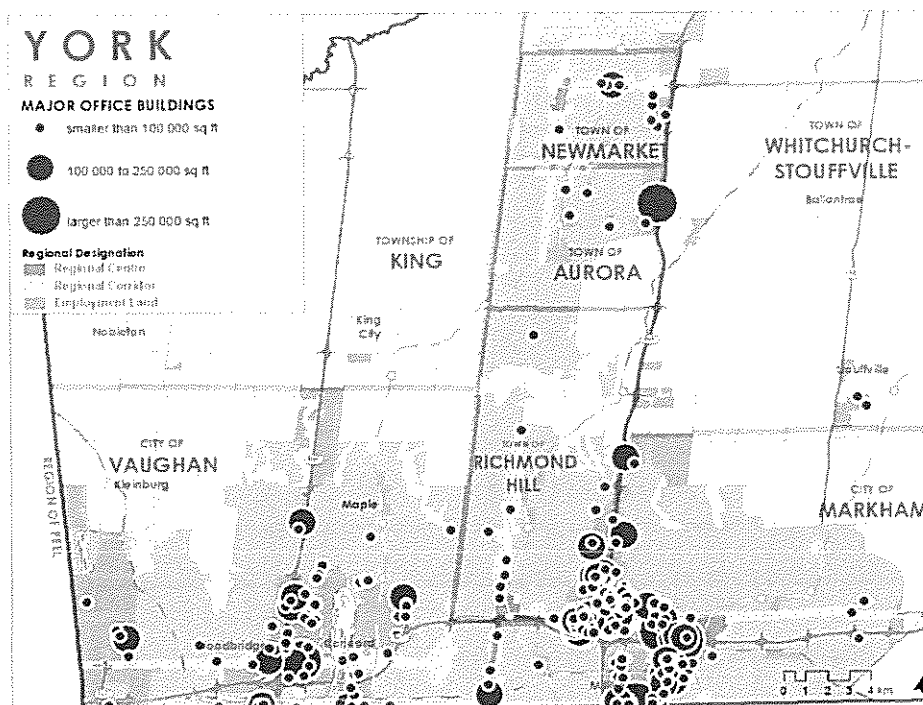
Major office is considered to be office buildings that are 20,000 square feet or larger, excluding institutional buildings such as municipal offices. Since 1975, the Region has seen the construction of 270 major office buildings that are 20,000 square feet or larger. Of those buildings, only 61 were larger than 100,000 square feet with only 7 being larger than 250,000 square feet.

Map 1 provides further detail on the location and size of existing office buildings across the Region. The majority of the offices are concentrated in a few areas:

- Vaughan Metropolitan Centre and north along Highway 400
- Highway 404/Hwy 7 area extending south along Warden Avenue to Steeles Avenue in Markham
- North along Highway 404
- Smaller concentrations in Aurora and Newmarket, and along Yonge Street from Steeles Avenue to 16th Avenue

Map 1

York Region major office buildings



Note: Figure does not include federal, provincial or municipal buildings (classified as institutional development).

Source: Region of York, Planning and Economic Development

Larger office buildings like those recently completed for KPMG in Vaughan and Aviva in Markham serve as corporate anchors of the Region's key business clusters and downtown areas. They signal the Region as a viable, attractive business investment location, and create the critical mass of space and employment necessary to leverage the transit investments made or committed, and attract the support services and workforce that make up vibrant downtown areas. It is this scale of office development that the Region needs to see built, particularly in Centres and Corridors.

There is a lack of supply of large 'Class A' office space in the Region

'Class A' office space typically locates around major infrastructure investments such as the subway or transportation hubs. Currently, there is a lack of immediately available 'Class A' office, greater than 100,000 square feet in the Region to attract or retain major tenants. If a prospective, or expanding tenant, looked at the Region for 'Class A' space of that size in the next 12 to 18 months, they could not be accommodated with the current stock or buildings in the construction pipeline.

These tenants would have to look elsewhere, and more than likely go to downtown Toronto which, through the use of financial incentives, has a significant pipeline of 'Class A' office, greater than 100,000 square feet, under construction. The fact that recently completed office buildings in the Region fill up quickly, and the Region's industrial space vacancy rate is now

at 1.2 per cent, in part through office 'conversions', suggests the supply issue in the Region is not related to a lack of demand from office tenants for space.

The current scale and location of proposed office development may not satisfy the competitiveness and city building objectives of the Region

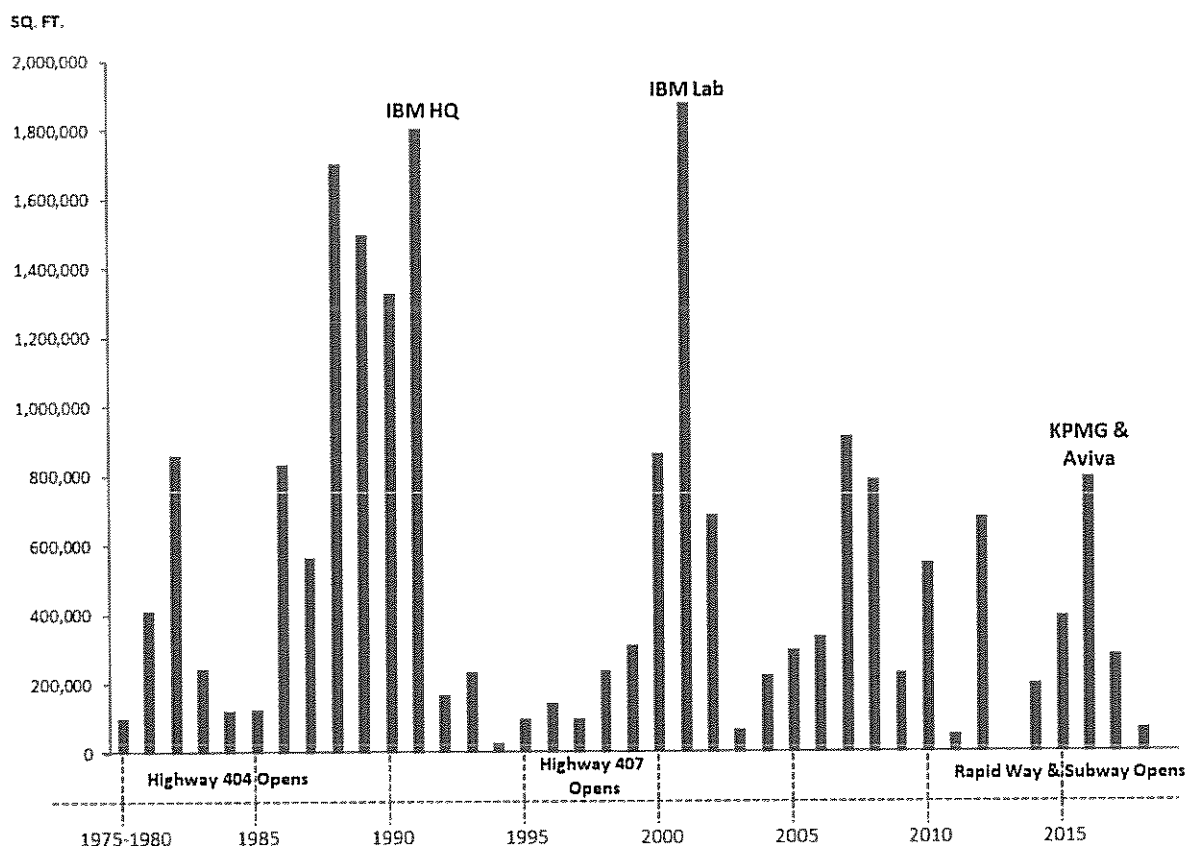
Looking at formal office proposal applications currently under review across the Region, there are 29 office buildings at some stage of the development process. These buildings total just over 2.8 million square feet of new space. Of those buildings, almost three quarters of them are not located in the Centres and Corridors, and none are over 250,000 square feet in size. The location and scale of these proposals, while necessary to help satisfy overall office space demand, will not contribute significantly to creating the vibrant downtown areas the Region is trying to attract and create.

Transportation infrastructure has driven office development in varying degrees

Staff analysed office development in the Region since 1975, illustrated on Map 1, relative to major transportation infrastructure investments. As Figure 3 illustrates, the largest peaks in office development occurred around 1990 and 2000. Both of these peaks were preceded by the opening of Highway 404 and Highway 407 respectively. The highways helped spur major office suburbanization, demonstrated in the significant office business parks anchored by major technology companies like IBM.

Office development has been slower over the past decade, which aligns with the introduction of the bus rapid transit ways beginning in 2011 and the Vaughan subway opening in 2017. There appears to be a direct correlation between office development and investment in highway infrastructure. Staff are monitoring this relationship with transit infrastructure (e.g., the major office buildings at the Vaughan Metropolitan Centre adjacent to the subway line).

Figure 3
Major Office development in York Region – 1975-2018



Source: Region of York, Planning & Economic Development

While there are a number of factors influencing office location decisions, the only factor the Region can immediately impact is government charges

Staff identified a number of factors that influence the choice of location for office development. Key considerations include vacancy rates and rents per square foot, land costs, proximity to complimentary industry, transit proximity, access to talent and government charges. Of these factors, the only one that the Region has immediate and direct influence over are the portion of construction costs related to government charges. Government charges under the Region's influence include property taxes, development charges and planning fees. Other government charges that the Region cannot impact are building permit fees, the Harmonized Sales Tax (HST), cash-in-lieu (parkland dedication) and the land transfer tax.

There is a stronger correlation between incentives and development in Toronto

As previously noted, the Region had a development charge discount for non-residential construction in its first development charge bylaw in 1998. These discounts were phased out over the next decade and in 2010 the Region's 18 month development charge deferral was introduced. The average office space development per year dropped from 567,000 square feet per year to 303,000 square feet per year between these two periods, a decrease of 45 per cent. Since office incentives were first introduced in the Region in 1998, development was more robust during the period when Regional office incentives were higher.

Toronto has seen a large increase in its share of Greater Toronto Area office development over the past decade in line with their introduction of significant incentives for office development in 2008, described in more detail below. As noted previously, the City of Toronto also has almost 5 million square feet of office development under construction which includes 100 per cent of buildings over 250,000 square feet in the Greater Toronto Area.

In 2015, the Region's largest local municipalities began to incentivize office development

Since the Region last considered office incentives, Vaughan, Markham and Richmond Hill introduced financial incentives for office development. In 2015, the City of Vaughan passed a Community Improvement Plan that includes a number of incentives, such as:

- A development charge rate freeze at August 2013 levels
- 10 Year Tax Increment Equivalent Grant (TIEG)
- 18 month development charge deferral (only available in the Vaughan Metropolitan Centre (VMC) - deferral period intended to match the Region)

These incentives have been used by four significant office developments, consisting of approximately 724,000 square feet. The City has secured some notable tenants within these buildings, including: KPMG, Miller Thomson, GFL Environmental, Harley-Davidson and FM Global.

In 2017, the City of Markham passed a new development charge bylaw and introduced a development charge discount for offices greater than 100,000 square feet. The discount provides that offices only pay 25 per cent of the applicable rate for the gross floor area in excess of 100,000 square feet.

In 2018, the City of Richmond Hill, by way of a Community Improvement Plan, began to offer a 10 Year Tax Increment Equivalent Grant for office buildings¹. Thus far there has been no take-up on the local municipal incentives in Markham or Richmond Hill; however the

¹ Note: The maximum time period for the Tax Increment Equivalent Grant (TIEG) in the City of Richmond Hill is 10 years.

programs are still in their infancy. Preliminary feedback from the municipalities indicates that take-up could increase if the incentives were not limited to the local municipal level.

Some of the Region's neighboring municipalities also offer financial incentives for office

Staff also conducted an inter-jurisdictional scan of neighbouring municipalities and found that many are providing incentives to attract office development. The City of Toronto offers the greatest incentives, exempting all development charges for non-residential gross floor area above the ground floor and providing a 10 Year Tax Increment Equivalent Grant (applies to employment districts and designated employment areas). The Tax Increment Equivalent Grant, in place for over ten years, has been taken advantage by 12 Major office projects, totalling 5.65 million square feet (as of December 2017).

Other municipalities that offer incentives for office include Mississauga, Brampton, Hamilton, Niagara Region and Windsor. Of note, the City of Mississauga introduced a suite of financial incentives in 2018 that included a Tax Increment Equivalent Grant (Table 4 below summarizes the incentives provided in neighboring municipalities). Thus far, take-up on these incentives has been limited in these municipalities for reasons that include:

- Incentive program is relatively new (e.g., Mississauga) or still proposed (i.e., Hamilton development charge incentive)
- Local municipal incentives may not be enough²
- Incentive program was not directly targeting office (e.g., Hamilton tax incentives)

Finally, York Region also competes with other jurisdictions further afield. Municipalities such as New York, Boston and Chicago (Cook County) all have different incentive programs in place for office development.

² Source: Novae Res Urbis: Greater Toronto and Hamilton Area, Peel Regional Governance: City Status, March 20, 2019, page 7.

Table 4
Interjurisdictional scan of neighboring municipal office incentives

Municipality	Incentives provided	
	Property Taxes	Development Charges
Toronto	✓	✓
Halton Region	x	✓
Mississauga	✓	x
Brampton	x	✓
Hamilton	✓	✓*
Niagara Region	✓	x
Windsor	✓	x

*Note: Proposed development charge exemptions under 2019 Development Charge Bylaw
Source: Municipal Development Charge Bylaws, Municipal Community Improvements Plans and Imagination, Manufacturing, Innovation, Technology (IMIT) Program Review: Findings and Recommendations, Hemson Consulting Inc.

It is an appropriate time to consider incentives to help encourage major office development in Regional Centres and Corridors

The analysis shows that office job growth and demand in the Region is not translating into new office supply, and there is little indication this will change in the short to medium term based on current trends in the market and examining development prospects across the GTA. There are many factors that influence the scale and development of office space, and it is difficult to determine the impact incentives have had on office development patterns.

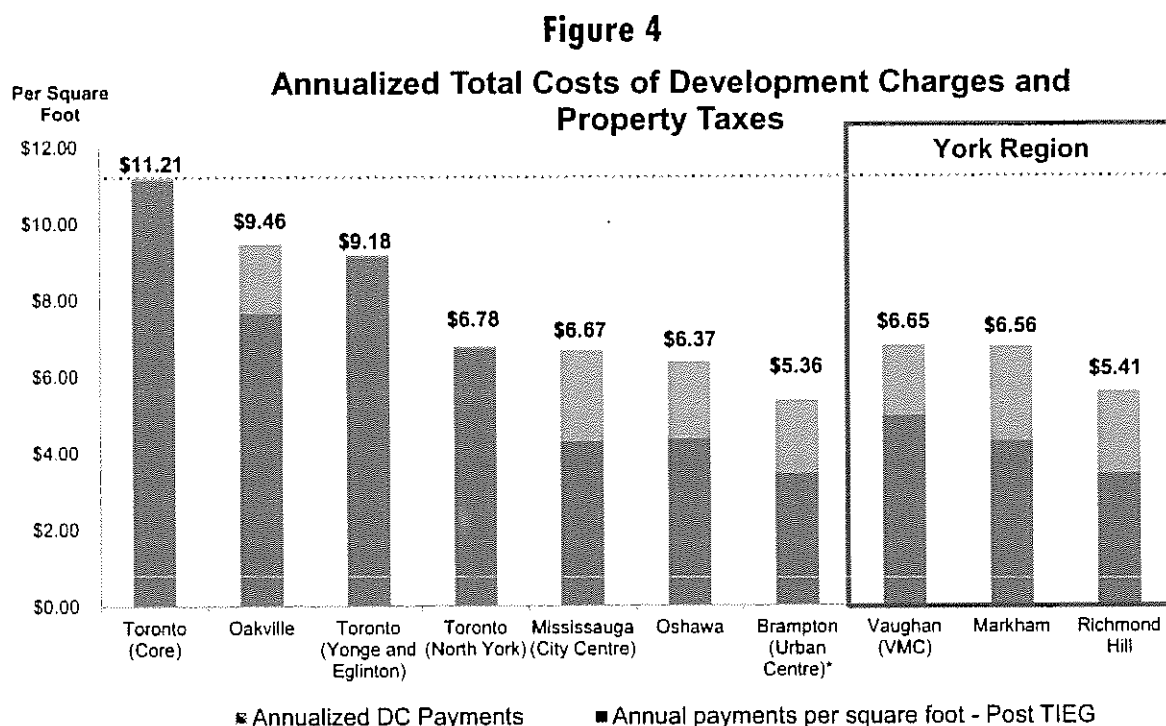
The vast majority of office space completed over the last decade or currently under construction has primarily occurred in downtown Toronto, where the greatest level of office development incentives are applied. While local municipal incentives outside Toronto have not generated significant results, these programs are mostly very new with little time for take-up to evaluate them. In addition, local incentives have a fairly minor impact on total cost of a development, and would have more impact if coupled with incentives at the Regional level.

Given the analysis of all the factors, it is appropriate to now consider Regional office incentives as a means to help stimulate office space supply in Regional Centres and Corridors where the greatest impact on overall Regional objectives around city building, transit usage and live-work connections can be achieved.

Over the 40-year life of a typical office building, combined property taxes and development charges for York Region municipalities are competitive

Staff reviewed the annualized costs of development charges and taxes per square foot for offices in the Region's southern three municipalities and neighboring jurisdictions. The results show that, while the Region's development charges may initially be high, when

combined with property taxes and annualized, the Region's municipalities are competitive over the 40-year life of a typical office building. See Figure 4 for further detail.



Notes: Annualized development payments are based on November 2018 rates spread over assumed office building life of 40 years (using discount rate of 7 per cent per Hemson Consulting Inc.). Development charge payments include Regional, local and education development charges. Annualized tax payments are based on current rates and assessment values of comparable office buildings in select Greater Toronto Area Office centres. Annualized tax payments are based on Regional (where applicable), local and education tax rates.

All annualized costs have factored in local municipal incentives (e.g., development charge discount in Markham and Tax increment Equivalent Grant in Richmond Hill, etc.). Richmond Hill's annualized costs are lower due to the sizes and ages of the buildings sampled which is reflected in their assessed values.

Source: Local municipal Community Improvement Plans, local municipal development charge bylaws, Hemson Consulting Inc. and Region of York, Treasury Office, Finance Department

Targeted financial incentives in Regional Centres and Corridors could help the Region meet its desired goals

Despite the fact that the Region's annualized total cost of development charges and property taxes are competitive, the Region is still not getting larger, speculative office development. Of the office development the Region is getting, the majority of it is not locating in the Region's Centres and Corridors, where the greatest infrastructure investment has been made in transit.

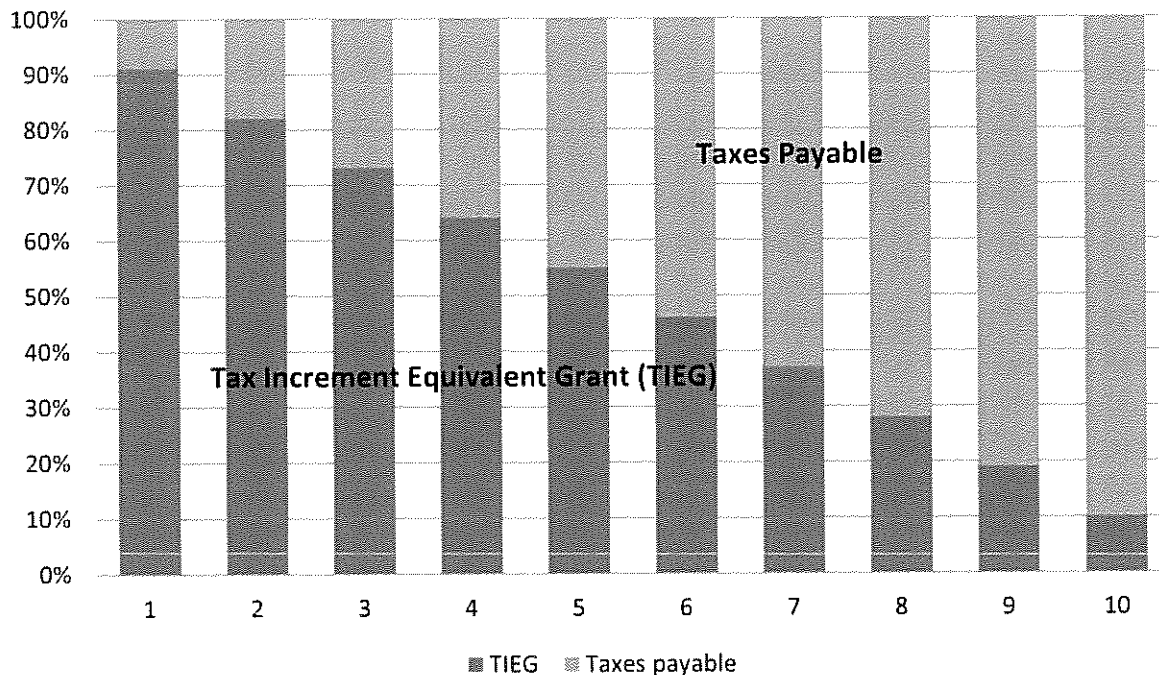
With this in mind, staff reviewed potential incentives with the aim of achieving the following outcomes:

- Encourage 'place-making' in the Regional Centres and Corridors through a mix of uses
- Promote live/work and transit
- Increase the size of proposed office buildings in the current pipeline and promote additional major office building applications
- Generate new speculative space to satisfy demand
- Minimize impact on the Region's tax levy

Local and neighboring municipalities provide property tax incentives to promote office development

The cities of Vaughan, Richmond Hill, Toronto, Mississauga and Hamilton all offer property tax relief for office developments through a Tax Increment Equivalent Grant (TIEG)³. A Tax Increment Equivalent Grant refunds a portion of the increase in property tax liability as a result of the new development taking place. The grant declines each year until the 10-years have expired and the property then pays its full taxes (see Figure 5 below for further detail). For the Region, the cost of the grant, if being treated as an operating budget item, would be recovered from the rest of the tax base via the tax levy, with the majority contributed by residential tax payers. If the grant is treated as a write-off, there would be a reduction to the Region's contribution to the debt reduction reserve and asset replacement reserves, which are tax-levy funded.

³ Note: A Tax Increment Equivalent Grant requires a Community Improvement Plan.

Figure 5**Tax Increment Equivalent Grant**

Source: Region of York, Treasury Office, Finance Department

Development charge incentives are another tool the Region could use to facilitate office development on its Centres and Corridors

Many of the Region's local and neighboring municipalities use development charge incentives as the preferred tool to promote office development. These incentives can range from a deferral of development charges to a discount or exemption of the development charge due.

A review of the development charge deferrals currently being provided indicates that they are most often for a set timeframe (e.g., 18 or 36 months). The duration of the deferrals does not change to recognize preferred location or to incentivize larger buildings. Development charge deferrals do have the advantage of being an incentive that should not impact the tax levy (e.g., they are financed through development charges as opposed to funded from the tax levy /user rate).

Development charge discounts and/or exemptions are often times structured to incentivize buildings of greater sizes (e.g., the City of Markham's development charge discounts for offices greater than 100,000 square feet). However, these incentives can only be done

though a Community Improvements Plan or a development charge bylaw⁴. Furthermore, any development charge shortfall, which is the result of such an incentive, would have to be funded through the tax levy and user rate.

Staff could develop an incentive program that promotes larger offices, in Regional Centres and Corridors, while not impacting the tax levy

In order to achieve the Region's objectives of attracting office development to the Centres and Corridors, while ensuring financial prudence, a targeted office incentive program could be developed based on the following principles:

- The program only targets the Region's Centres and Corridors
- The program only incentivizes significant office development (e.g., greater than 100,000 square feet)
- The program be capped and only be available for a limited time frame
- The program's structure considers the costs against the economic benefits of office attraction
- The program prioritizes non-tax levy funded incentives

A potential incentive program that adheres to the above principles could be a development charge deferral program. Table 5 below provides an example of a potential structure of a development charge deferral for major office buildings.

Table 5
Potential structure of a development charge deferral for office buildings

Size Threshold*	Applicable location	Duration of deferral
Greater than 400K sq. ft.		Longest
Between 250K sq. ft. and 400K sq. ft.	Regional Centres and Corridors	Intermediate
Between 100K sq. ft. and 250K sq. ft.		Base

*Note: Threshold is on a per building basis (e.g., six buildings of 50,000 square feet would not qualify)

⁴ Note: A Community Improvement Plan, under the *Planning Act, 1990*, is a process that can often take upwards of two years.

Regional incentives to facilitate purpose-built rental development could also help attract major office

Housing has been a key factor in attracting new major office developments, as employers want adequate local housing for their workers. In this regard, in June, 2018, Council endorsed a Draft Rental Housing Incentives Guideline proposing financial incentives for purpose-built rental developments. A further report on financial incentives for purpose-built rental will be brought forward in the fall and could also help attract new office developments (e.g., more complete communities, more affordable housing options for employees).

Facilitating office development in transit oriented areas is consistent with Provincial policy direction

The Growth Plan for the Greater Golden Horseshow speaks to optimizing Provincial investments in higher order transit (e.g., the Toronto York Spadina Subway extension and the Bus Rapid Transit ways). Encouraging office development along the Region's Centres and Corridors, where the greatest investments in higher order transit have been made, could help achieve the Provincial policy objective. Furthermore, facilitating a mix of uses, both non-residential and residential, provides a fiscal benefit to the Region. Office development, together with the residential development it attracts, will enhance the Region's tax assessment base, resulting in higher tax revenues to support the services the Region provides. In addition, despite the lowest commercial tax ratio in the Region compared to the GTA, office development still has a higher taxing capacity than residential properties.

The Province recently introduced legislation that could change the development charge treatment of office development

Currently development charges are set and paid at building permit for office buildings. Bill 108, *More Homes, More Choice Act, 2019* ("Bill 108"), tabled by the Provincial government on May 2, 2019, could change both the administration of development charges and the timing of payment for office development.

The legislation proposes to allow developers to lock in development charge rates on the day upon which a site plan or zoning application is made. Furthermore, non-residential developments, including offices, would not have to pay development charges until the earlier of occupancy permit or first occupancy of the development, and continue to pay, in equal annual installments, for the ensuing five years. Municipalities may charge interest at a rate to be prescribed by the Province.

Using the KPMG building in the City of Vaughan as an example office building, Table 6 summarizes the timeframe associated with the proposed administration and timing of payment of development charges.

While Bill 108 does introduce a phased payment of development charges for office, these incentives are available throughout Ontario. The provisions within Bill 108 do not target

specific locations, nor do they encourage larger offices. Since Bill 108, when it becomes law, would apply to all municipalities, it is unlikely that it could reverse the draw of major office to the City of Toronto.

Table 6

Summary of changes under Bill 108 as they could apply to office development*

Point in development/development charge payment process	Bill 108 detail	Approximate elapsed time (years)		
Site Plan Application or Zoning Approval application	Development charge rates frozen	0.75	9.5	
Subsequent amendment to applications	Development charge rates are reset			
Site plan approval	N/A			
Building Permit	If more than the prescribed time has elapsed from approval to building permit, rates are reset to building permit date	1		
Occupancy permit or first occupancy (earlier of the two)	First payment of development charges	2.75		
Payment of development charges	Second payment of development charges	5		
Payment of development charges	Third payment of development charges			
Payment of development charges	Fourth payment of development charges			
Payment of development charges	Fifth payment of development charges			
Payment of development charges	Sixth payment of development charges			

*Note: Using the KPMG building in the City of Vaughan as an example:

Site plan application – September 18, 2012

Minor variance application – August 30, 2013

Site plan approval – June 23, 2013

Building permit issuance (Foundation Permit) – May 26, 2014

Date of first occupancy – January 27, 2017

Source: City of Vaughan, Development Finance, May 22, 2019

Staff propose to consult with stakeholders on potential office incentives and report back to Council in the Fall of 2019

Pending Council approval, staff propose to begin consultations (through meetings) with stakeholders over the summer months and report back to Council in the Fall. This consultation will involve local municipalities, BILD and other industry stakeholders (including office developers), major employers, commercial real estate brokerages, and local chambers of commerce. Some of the key principles that are proposed to be consulted on include:

- Barriers to, and opportunities for, major office development in the Region
- Type of incentive (e.g., property tax relief, development charge relief, combination)
- Qualifying office size threshold
- Duration of pilot project
- Treatment of transit oriented office buildings
- Local municipal participation

Staff will then use the feedback from this consultation process to develop a financial incentives package and propose to report back in early Fall with a recommended option for Council's consideration. Table 7 summarizes the next steps in the process.

Table 7
Proposed timeline

Proposed timeline	Detail
Summer 2019	Consultation with local municipalities, BILD, other industry stakeholders (including office developers)
Fall 2019	Report back to Council on results of consultation with recommended financial incentives for consideration

Targeted office development incentives supports a number of the desired results set out in the '2019 To 2023 Strategic Plan'

Promoting office development through targeted and principled financial incentives, aligns with a number of the Community result areas in the 2019 to 2023 Strategic Plan, including:

- Fostering an environment that attracts businesses, grows employment opportunities and attracts people
- Encouraging growth in Region's Centres and Corridors and built-up urban areas
- Ensuring reliable, responsive, effective, efficient and fiscally responsible service delivery

5. Financial

If the Region provides incentives there are both costs and benefits

Whether the Region provides property tax or development charge relief, there is a financial cost associated. As noted previously, property tax grants and development charge discounts/exemptions are funded through the tax levy and user rate and therefore can create additional pressures. Conversely, development charge deferrals represent a financing cost that is financed through development charges.

Incentivizing office development does also bring with it financial benefits to the Region through the additional property tax revenues from the new office and its new surrounding developments.

6. Local Impact

Local municipal participation will be required

A long standing principle of Regional financial incentives has been that of local municipal participation. In this regard, for any financial incentives package to be successful, the Region will require local participation. This participation shall be similar, if not better, and to the satisfaction of the Region.

Encouraging major office development benefits the economies of the local municipalities and responds to recent changes

Office development and the corresponding employment it creates are of vital importance to the Region's local municipalities. In recent years, the cities of Vaughan, Markham and Richmond Hill introduced financial incentives directly targeting office development. Consideration of office incentives by the Region responds to the City of Vaughan's Council resolution, in 2012, that the Region consider incentivizing office development.

7. Conclusion

Incentives may help stimulate major office in the Region's Centres and Corridors

While the Region is achieving its employment forecast, this has not translated into significant new office gross floor area. The changing nature of employment, combined with the draw to downtown Toronto is making it difficult to attract those larger, more speculative office buildings to the Region. Over the past five years, three of the Region's local municipalities have taken steps to stimulate more office development with incentives that range from development charge deferrals, freezing of development charge rates and Tax Increment Equivalent Grants. Encouraging major office growth in the Region's Centres and Corridors, through the use of financial incentives, is in line with Provincial policy direction in the Growth Plan and leverages the significant transit infrastructure investments the Region has made in these areas.

For more information on this report, please contact Doug Lindeblom, Director, Economic Strategy at 1-877-464-9675 ext. 71503 and/or Edward Hankins, Director, Treasury Office at 1-877-464-9675 ext. 71644. Accessible formats or communication supports are available upon request.

Recommended by:

Paul Freeman, MCIP, RPP
Chief Planner

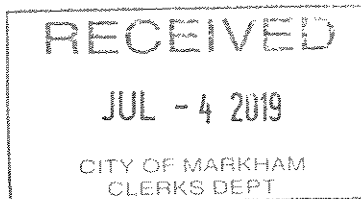
Dino Basso
Commissioner of Corporate Services

Laura Mirabella, FCPA, FCA
Commissioner of Finance and Regional Treasurer

Approved for Submission:

Bruce Macgregor
Chief Administrative Officer

May 22, 2019
9498515



Regional Clerk's Office
Corporate Services

June 28, 2019

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

Dear Ms. Kitteringham:

Re: Court Services Annual Report 2018

On June 27, 2019 Regional Council adopted the following recommendation:

1. That the Regional Clerk circulate this report to the local municipalities.

The staff report is enclosed for your information.

Please contact Lisa Brooks, Director of Court Operations at 1-877-464-9675 ext. 73209 if you have any questions with respect to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Christopher Raynor".

Christopher Raynor
Regional Clerk

Attachments

The Regional Municipality of York

Committee of the Whole
Finance and Administration
June 13, 2019

Report of the Regional Solicitor

Court Services Annual Report 2018

1. Recommendation

It is recommended that the Regional Clerk circulate this report to the local municipalities.

2. Summary

This report provides Council with an overview of the Court Services 2018 Annual Report (Attachment 1) submitted to The Ministry of the Attorney General. It provides a summary of Court Services 2018 workload activity, key accomplishments, and planned initiatives for 2019. The Annual Report is required under the Memorandum of Understanding with the Province of Ontario.

Key Points:

- Court Services continues to find innovative ways to lead key initiatives while maintaining timely, quality and cost-effective access to justice
- Court Services implemented technological advances to improve operational efficiency, enhance customer service, and improve fine enforcement and collection
- In 2019, Court Services will continue to advocate for a streamlined and modernized *Provincial Offences Act* and will look for ways to continuously improve in line with our objective to always be innovative, technologically advanced, inclusive, progressive and fiscally responsible and to uphold a sustainable justice model

3. Background

Court Services administers the *Provincial Offences Act* program under strict legislative and legal constraints

Responsibility for the administration and prosecution of certain charges under the *Provincial Offences Act* (POA) was transferred to the Region on July 12, 1999. The Ministry of the Attorney General retains overall responsibility for the integrity of the justice program. The

program is subject to strict constraints through legislation, regulations, case law, and Ministry directives.

York Region operates the second largest *Provincial Offences Act* court program in Ontario based on the number of charges filed. It is our mission to provide timely, quality, and cost-effective access to Justice.

Court Services provides two distinct functions of Court Operations and Prosecution

Court Operations is responsible for the administration and court support services at two court locations and is responsible for the administration of all *Provincial Offences Act* charges issued in York Region. Court Operations provide a variety of legislated services to the general public while maintaining York Region's customer service standards.

Prosecutions is responsible for providing a wide range of legal services including the prosecution of cases before the Ontario Court of Justice, and appeals and judicial reviews in the Ontario Superior Court, the Ontario Court of Appeal, and the Supreme Court of Canada.

The majority of charges filed in the Region's POA courts are traffic offences filed under Part I of the Provincial Offences Act

The majority of charges filed in the Region's courts are offences under Part I of the *Provincial Offences Act*. Part I charges include many of the offences under the *Highway Traffic Act* and carry a maximum penalty up to \$1,000. A ticket is issued to the defendant and the defendant has the option to pay the ticket, plead guilty before a Justice of the Peace, or request a trial. Parking offences are filed under Part II of the Act. Part III charges include more serious offences (such as driving without insurance and stunt driving). The defendant receives a summons and is required to appear in court. Maximum penalties under Part III are more severe and may include incarceration up to two years.

In accordance with in the Inter-Municipal Agreement, all municipal parking, bylaw, building and fire code matters are administered and prosecuted by York Region at the Region's cost; however, all revenue collected from municipal matters is disbursed to the appropriate municipality.

4. Analysis

External factors continue to create pressure on resources, court capacity, and budget

2018 Key Workload Drivers and Activity Statistics:

- 7,590 charges were filed per court administration clerk (159,389 total)

- 4,651 disclosure requests were processed per prosecution clerk (37,208 total), representing a 9.9 per cent increase from 2017
- 49 per cent of all Part I charges are disputed, resulting in a two per cent decrease from 2017, and a nine per cent decrease from 2016
- Over 169,000 customers are served through in-person and telephone service, representing less than one per cent increase from 2017
- Over 117,530 matters were on Trial Dockets in 2018, which included 234 charges related to cannabis

Court Services continues to lead key initiatives in 2018 which improved operational efficiency, enhanced customer service and improved fine enforcement and collection

Court services continued to identify innovative ways to respond to the increased workload while maintaining operational standards. Initiatives focused on continuous improvement through leveraging technology and partnering with stakeholders to improve service delivery.

2018 Key Initiatives:

- Improved information to the public through two communication campaigns to educate and streamline information provided to the public
- Participated in inter-municipal mentoring, corporation or resource-sharing initiatives including representing York Region on various Municipal Court Managers Association (MCMA) committees and working in partnership with York Regional Police
- Executed Agreements with the City of Toronto and the Town of Aurora for property tax rolling and expanding the use of civil enforcement to improve the collection of defaulted fines under the Provincial Offences Act
- Trained staff in the provision of Accessible Customer Service, mental health, change management; In collaboration with YRP facilitated a phased approach to the Run, Hide, Defend security training
- Implemented a remote-video testimony solution to allow officers to provide real-time testimony from outside the courtroom enhancing public safety by keeping officers in their jurisdictions and saving their time and transportation costs
- Implemented the electronic filing of Part One summons matters in conjunction with the York Regional Police
- Completed a pilot project with the Ministry of the Attorney General and the Office of the Treasury Board. Using behavioural science, interventions were developed and added to fine Notices and reminders to improve fine-payment behaviours

The use of technological enhancements makes York Region a leader among municipalities

In 2018, York Region began using video testimony to allow York Regional Police officers to provide real-time testimony from a video suite in police district. This technological enhancement improves public safety by keeping officers in their jurisdiction and minimizing the time an officer is required to be off the road. Additional cost efficiencies will be achieved through reduced time and transportation costs. York Region is the first municipality to use video testimony in *Provincial Offences Act* matters. This technology was first introduced in one courtroom and one police district and due to its immediate success, will expand to additional police districts in 2019.

Continued advocacy and continuous improvement will create a streamlined and modernized Court Services

In 2018, Court Services identified areas for process improvement to create efficiencies and maintain performance measures. In 2019, Court Services will continue to advocate for a streamlined and modernized *Provincial Offences Act* and will look for ways to continuously improve in line with our objective to always be innovative, technologically advanced, inclusive, progressive and fiscally responsible and to uphold a sustainable justice model. In particular, we will be providing disclosure to defendants through web-based solutions.

Court staff will continue to look for ways to improve operational efficiencies. For example, we will explore legislative reforms to have automated speed enforcement and red light camera charges moved into an administrative penalty system.

2019 Goals:

- Finalize transition plan for the implementation of online disclosure system in collaboration with York Regional Police
- Enhance public awareness and communication through targeted external campaigns
- Review and implement improvements to court administration and prosecution processes
- Improve court utilization through trial scheduling
- Part III Download – Develop transition plan to assume Part III prosecutions (more serious offences)
- Identify additional opportunities to streamline shared processes with York Regional Police
- Review and revise collection practices including the development of collection measures and target
- Develop transition plan for the relocation of Courts to 17150 Yonge street in 2020
- Enhance training material for court staff
- Complete required upgrades to technology

5. Financial

There are no financial implications directly associated with this report. The performance measures set out in this report are reflected in the 2018 operating budget.

6. Local Impact

There is no local municipal impact directly associated with this report. The Region's POA courts provide court administration and prosecution related to municipal by-law and parking matters for all nine local municipalities.

7. Conclusion

This report provides an overview of the activities and services provided by the Legal and Court Services Department, Court Services Branch. The Branch continues to balance its responsibilities and obligations to provide an efficient and effective service to the residents of York Region, the local municipalities, the province of Ontario, the judiciary, and over 30 law enforcement and regulatory agencies operating within the Region.

Court Services continues to identify innovative ways to respond to workload pressures however legislative constraints continue to be a challenge for Provincial Offences Act programs. York Region will continue to advocate for meaningful legislative changes that will create flexibility in service delivery, providing municipalities the ability to deliver POA services in response to specific pressures experienced within individual jurisdictions.

For more information on this report, please contact Lisa Brooks, Director of Court Operations at ext. 73209. Accessible formats or communication supports are available upon request.

Recommended by: **Joy Hulton**
Regional Solicitor

Approved for Submission: **Bruce Macgregor**
Chief Administrative Officer

May 29, 2018
Attachments (1)
eDOCS# 9473377

Attachment 1



Annual Report

For the Year Ended December 31, 2018

Legal & Court Services
Court Services Branch

Table of Contents

Court Services Mandate	Page 3
Organization Chart	Page 4
Message from Directors	Page 5
Key Initiatives and Achievements	Page 6-8
Key Workload Drivers	Page 9-12
Expenditure and Revenue Analysis	Page 13
Introduction to the External Auditor's Report	Page 14
Statement of Receipts and Expenses	Page 15
Notes to the Financial Statement	Page 16
Court Services: Priorities for 2019.....	Page 17

Court Services Mandate

Court Services provides two distinct functions: Court Operations and Prosecution. York Region operates the second largest *Provincial Offences Act* court program in Ontario.

Provides Services to:

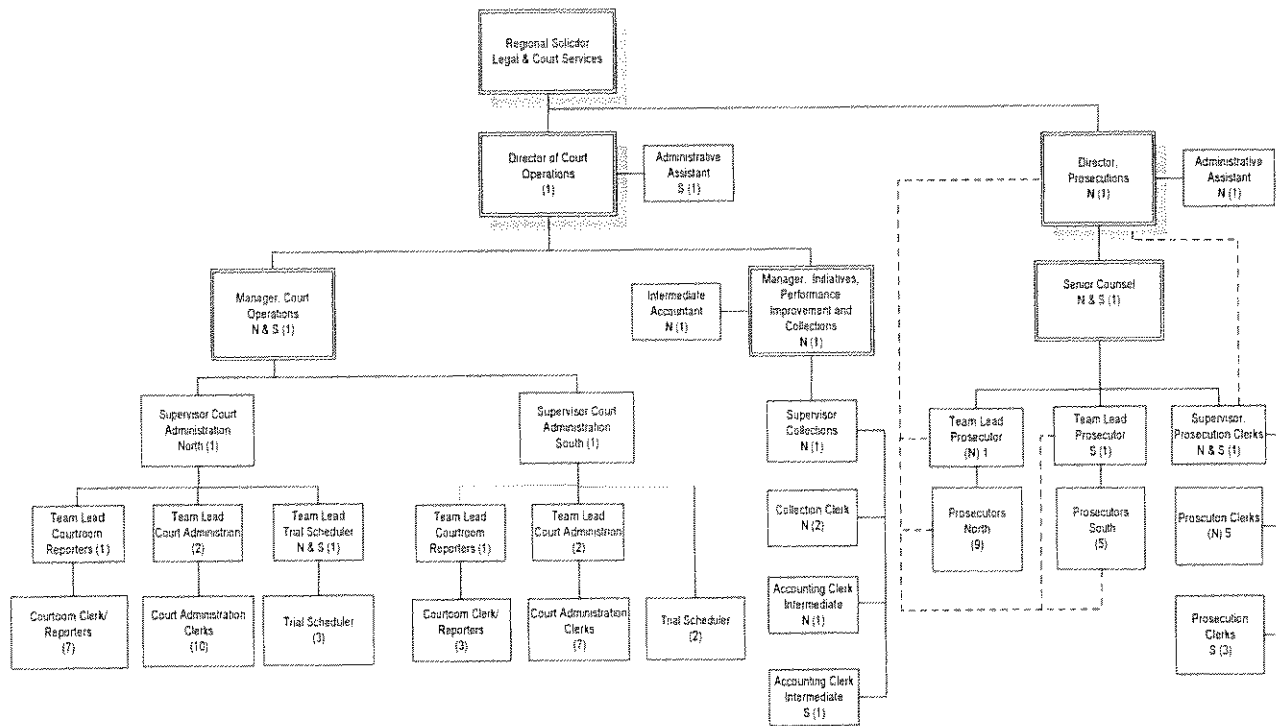
- Members of the Public
- York Region Local Municipalities
- Over 30 Law Enforcement and Regulatory Agencies
- Ministry of the Attorney General
- Judiciary

Operates:

- 2 Court Locations
Newmarket and Richmond Hill
- 6 Trial Courtrooms
(4 in Newmarket, 2 in Richmond Hill)
- 2 Intake Courtrooms
(1 in Newmarket, 1 in Richmond Hill)

We are committed to creating and fostering a progressive culture in Courts that strives to always be innovative, technologically advanced, inclusive, progressive, and fiscally responsible and which upholds a sustainable justice model.

Organization Chart at December 2018



(79 FTEs)

Message from the Director of Court Operations

Lisa Brooks

Court Services is committed to business and service excellence in the administration of justice. In 2018, Court Operations continued its focus on implementing technology to create operational efficiency, improving customer service delivery and communications, and improving fine enforcement and collection. Court Operations continues to identify opportunities to partner with stakeholders to mentor them, share resources, and improve access to justice. In 2019, our focus will be to continue our Provincial Offences Act (POA) streamlining and modernization efforts. We will be expanding the use of technology by identifying opportunities to replace the existing case management system. We will also implement the electronic filing and upload of certain charges and implement an online disclosure system in collaboration with the York Regional Police (YRP). We will continue to provide timely, quality, and cost-effective access to justice.

Message from the Director of Prosecutions

Hans Saamen

Prosecutions is responsible for a wide range of legal services including the prosecution of charges before the Ontario Court of Justice (OCJ) and appeals and judicial reviews in the OCJ, the Superior Court of Justice and the Court of Appeal for Ontario. In 2018, Prosecutions continued its focus on improving efficiencies in the use of electronic disclosure to receive and manage the disclosure of YRP charges. It was also involved in initiatives focused on the efficient use of court time: The Part I summons process was amended to resolve charges laid without the need to proceed to trial; YRP officers also began providing video testimony from the detachment making York Region the first municipally operated court in the province to do so. As we move into 2019, we will be focused on providing defendants access to disclosure through web based solutions. We will also focus on continued advocacy for streamlining and modernization of the POA, as well as legislative reforms to have automated speed enforcement and red light camera charges moved into an administrative penalty system in order to free up court time.

2018 Key Initiatives and Achievements

Customer service improvements:

Launched two successful communication campaigns to educate the public:

- Take Care of Your Ticket in Three Easy Steps
- Debunking Traffic Ticket Myths

Streamlined York Region Court Services external website to allow additional online forms for the public

Inter-municipal mentoring, cooperation or resource-sharing initiatives:

York Region Court Services conducted a stakeholder meeting to engage local municipal partners and enforcement agencies to provide relevant updates

Director and manager conducted in person meetings with ministry and municipal stakeholders to discuss local issues

Held monthly meetings with York Regional Police to share information, discuss issues, provide updates and identify opportunities to partner on technology projects

York Region Court Services represented MCMA on various committees (Legislative, Education, Forms, NFDD, ICON, and Statistics Committee)

York Region Management team attended the MCMA Annual Conference and OMTRA Conference

In partnership with York Regional Police and the Government of Ontario Justice Video Network, York Region implemented a remote testimony solution to enable police officers to provide real-time testimony from a location other than the courtroom where the trial is taking place. York Region was the first provincial offences court to introduce the technology for police testimony

York Region led 16 municipalities in the planning, creating and implementation of a new transcription production model

Fine enforcement improvements:

In 2018, York Region executed agreements with the City of Toronto and Town of Aurora in addition to agreements already in place with five other municipalities to add fines to property tax toll where applicable

Expanded the use of civil enforcement tools in support of the collection strategy, resulting in an increase of writs filed from the previous year

Staff training initiatives:

Together with York Regional Police, facilitated a phased approach to the Run, Hide, Defend active shooter security training

Provided change management training to all court staff to provide insight into how change impacts people, and equips them with the knowledge, skills and tools to successfully lead each person through change

Provided Mental health training for court administration team leads and accessibility coordinators to help staff learn to recognize and understand the symptoms of poor mental health and mental illnesses, including those related to substance abuse and get practical tools and solutions for accommodating people in distress or recovering from a crisis

Regional Accessibility Unit provided training on accessible customer service guidelines that included tips, processes and templates to best serve our customers with disabilities and meet the mandatory requirements set out in the Customer Service Standards under the Accessibility for Ontarians with Disabilities Act, 2005

Invited a motivational speaker to speak to all staff on creating a "Get To" culture which is designed to create and sustain a team of people who are energetic, engaged, passionate, high performing, self-motivated, and fun

Facilities improvements:

In partnership with York Regional Police and the Government of Ontario Justice Video Network, York Region implemented a remote testimony solution to enable police officers to provide real-time testimony from a location other than the courtroom where the trial is taking place. York Region was the first provincial offences court to introduce the technology for police testimony

Information technology upgrades:

In collaboration with York Regional Police, implemented electronic filing of Part One Summons matters

Integrated the uploading of Part One Summons images into daily case management system processes

Introduced scanners at the front counters to read the barcodes of tickets and NFDD notices to automatically populate the ticket number into ICON to reduce data entry errors

Other initiatives:

In collaboration with Ontario's Behavioural Insights Unit and The Ministry of Attorney General, designed, conducted and completed a pilot project to develop interventions that were added to the Notice of Fine and Due Date reminder notices to determine the impact on fine behaviour

Accomplishments

In 2018, Court Services created its first-ever multi-year plan for the years 2019 – 2023. The plan complements the Region's Strategic Plan by adding specific context associated with the services it delivers. It will inform, focus, and re-affirm the services, values and goals for the branch.

Court Services Staff continue to have high profile positions with the MCMA. Lisa Brooks co-chaired the MCMA Statistics Committee to develop meaningful measures to assist with and enhance the delivery and management of Provincial Offences services. Barb Ryner, Manager of Court Administration, chaired the MCMA Education Committee that created and implemented an alternative transcriptions model, which would outsource transcript creation for participating courts and Sandra Garand, the Supervisor of Court Administration, chaired the MCMA Forms Committee to make recommendations on form development and acts as liaison between its members and the Ministry of Attorney General. Lisa is also leading the municipal Administrative Monetary Penalty System (AMPS) Working Group involved in the exploring opportunities to implement a Region-wide AMPS to reduce municipal charges in our POA courts.

Hans Saamen, Director of Prosecutions, was a guest speaker at the Law Society of Ontario on Practice and Procedure for Paralegals involving trial and evidence issues. Both Hans and Chris Bendick, Senior Counsel, Prosecutions have presented at the Osgoode Hall Law School Certificate Program for Paralegals on issues involving procedure and evidence in the Provincial Offences Court. Hans was also involved with the Ontario Traffic Council (OTC) working group on issues involving the implementation of Automated Speed Enforcement. Hans and Chris are involved in the municipal Cannabis Working Group on issues involving the implementation of provincial regulation for the use of recreational cannabis and drafting a standard by-law. Both are also members on the AMPS working group. Hans and his team also provide training to new York Regional Police officers. Hans and Chris have also reviewed and revised draft by-laws for several local municipalities with a view to making enforcement and prosecution more effective.

Notable Precedent Setting Cases

Prosecutions successfully argued a number of precedent setting cases:

R. v. Martingrove Properties—the Ontario Court of Justice held that the presumptive ceiling for section 11(b) Charter applications (unreasonable delay to trial) gets reset once a retrial is granted. The charge in this case involved a delay of 10 years from the charge date, where there were three trials with dismissal of the charges and successful appeals of these dismissals. Leave to the Court of Appeal for Ontario was denied.

R. v. McGuigan—the Court of Appeal for Ontario clarified that the testing procedures for speed measuring devices used for speeding offences are first party disclosure to which the defendant is entitled to receive. The Court also held that the Region could post these testing procedures on the Region's website to satisfy its disclosure obligations, thereby greatly streamlining the disclosure process.

Chow v. York (Regional Municipality)—The Ontario Court of Justice on appeal reviewed the meaning of "complete and regular on its face" for Certificates of Offence and provided an excellent summary of what errors or omissions would make the Certificate of Offence not complete and regular and what errors or omissions would not affect the regularity and completeness.

Key Workload Drivers

Total Charges Filed (by Agency) in 2018

	Number of Charges	Percentage of Caseload
York Region Police	119,051	74.69%
Ministries and Other Agencies	17,089	10.72%
Ontario Provincial Police	13,275	8.33%
York Region	6,371	4.00%
Town of Whitchurch-Stouffville*	943	0.59%
Town of Aurora*	858	0.54%
City of Markham	444	0.28%
Town of East Gwillimbury*	425	0.27%
Township of King*	334	0.21%
City of Vaughan	236	0.15%
Town of Richmond Hill	235	0.15%
Town of Georgina	68	0.04%
Town of Newmarket	60	0.03%
Total Charges Filed	159,389	100.00%

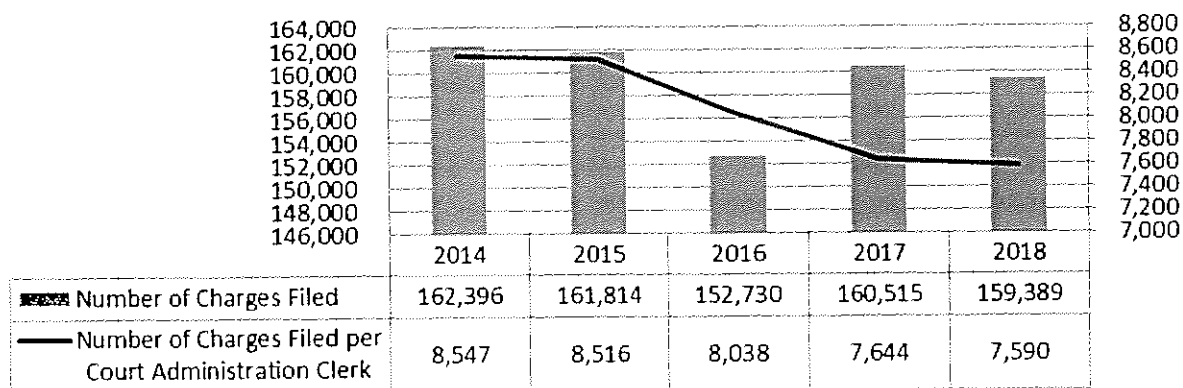
*These municipalities have not yet "opted in" under section 18.6(1)(a) of the *Provincial Offences Act*. This means that their Parking Tickets are still being processed through the ICON computer system and are automatically included in the total number of charges filed. For other municipalities (those that have "opted in"), parking charges are not included in the statistics above.

In 2018, the total charges filed in York Region remained stable.

Act Type	Number of Charges Filed
Certificate of Offence - Accidents (i.e. Motor Vehicle)	5,182
Accident Information	10
Federal Certificate of Offence	296
Federal Information	7
Certificate of Offence	139,667
Parking Infraction Notice	3,316
Information	10,911

The Provincial standard for number of charges filed per court administration clerk is in the range of 5,000 - 6,000. In 2018, the number of charges filed per court administration clerk was 7,590, a slight decrease from 2017. Court Services continues to look for innovative ways to manage workload while providing high quality of work and customer service.

Number of Charges Filed per Court Administration Clerk

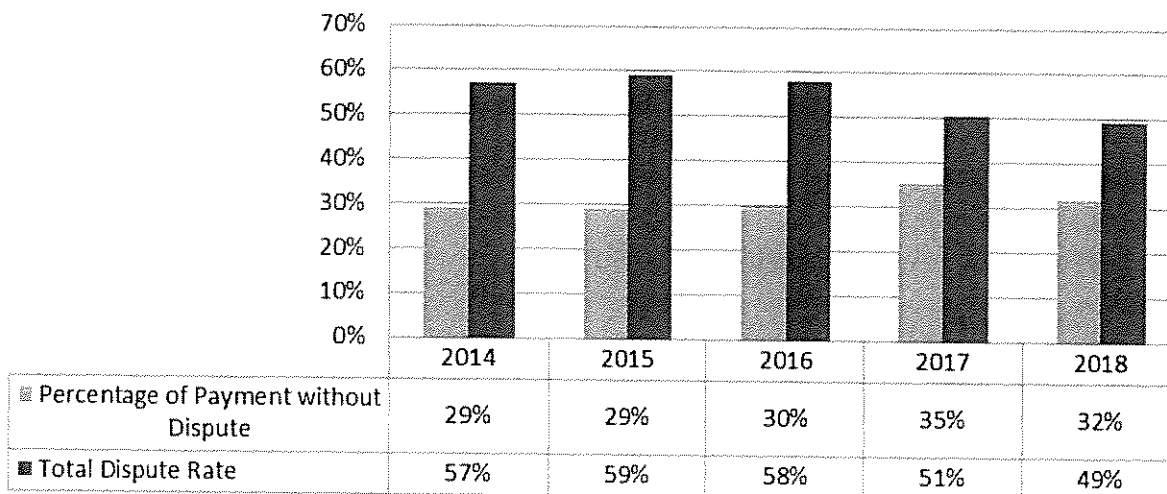


York Region continues to provide almost 170,000 in-person and telephone services to all court users at both court locations.

	Front Counter	Telephone	Total Customers Served
Newmarket Court Location	46,381	37,849	84,230
Richmond Hill Court Location	56,131	29,293	85,424
Total	102,512	67,142	169,654

High Dispute Rate

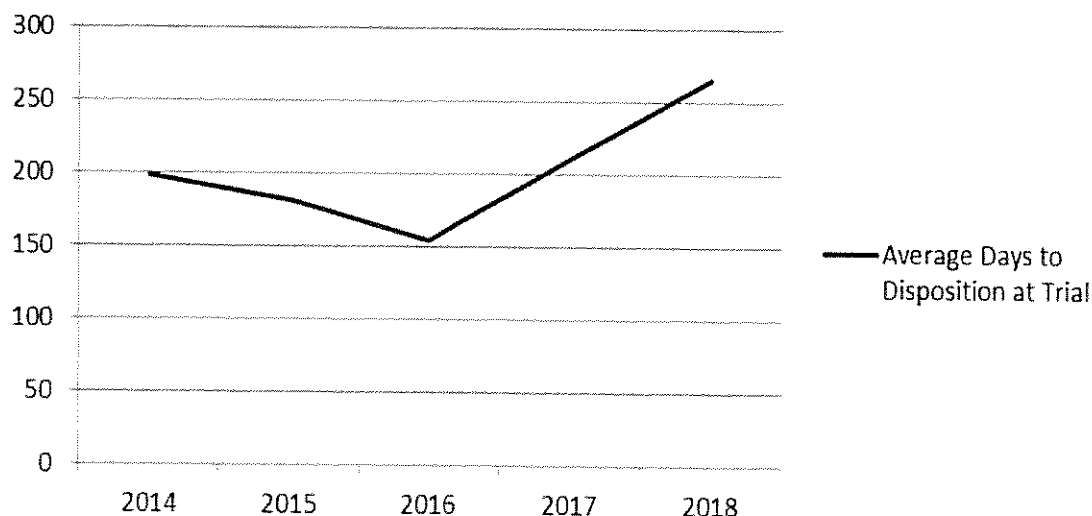
The dispute rate continues to decrease largely as a result of the suspension of the Early Resolution Program in 2017. At 49 per cent, the dispute rate is two per cent lower than 2017. The high dispute rate in York Region creates pressure on the resources of the court program.



Note: The remaining percentage of workload is Fail to Respond convictions

The average days to disposition at trial has increased 26 per cent from 2017. As the trial option is the only option available to defendants to dispute their charge, suspension of the early resolution has put increased pressure on trial dockets. Court staff continues to maintain time to trial within the legislative timeframes through the redistribution of workload.

Average Days to Disposition at Trial



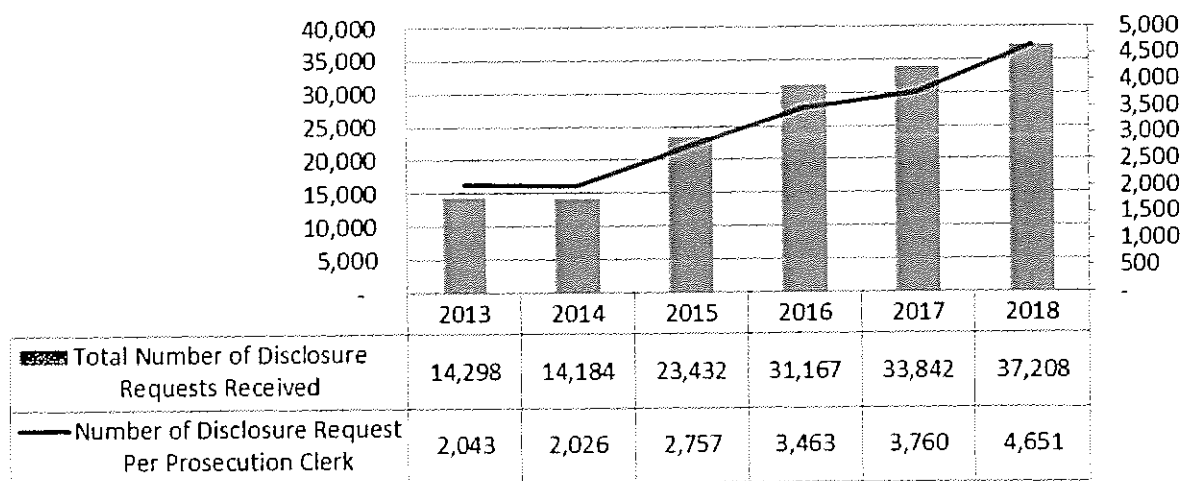
The Early Resolution program was suspended effective January 1, 2017. Over 117,000 matters were addressed in Trial Courts in 2018, which represents a 13 per cent increase from 2017 (103,714 matters in 2017). Despite a general increase in all Part One traffic matters, the largest increase was in the Richmond Hill R4 court, mainly as a result of the increase in red light camera ticket matters.

One of the challenges faced by Court Services is scheduling multiple day trials for Ministry matters. If the matter is resolved on the first day, the courtroom will remain vacant as the presiding justice is often reallocated to another location.

Appearance Room	Grand Total
R3 - Traffic and Municipal Parking and Bylaws	19,929
R4 - Part One Traffic Court	18,632
T1 - Part One Traffic Court	22,243
T2 - Ministry and Municipal Parking and Bylaw Court	8,077
T3 - Part Three Provincial Court	25,479
T4 - Part One Traffic Court	23,170
Total Number of Matters on Trial Dockets	117,530

Changes to the Notice of Trial and notification to the defendants of a right to disclosure have increased the number of disclosure requests received by Prosecutions. The disclosure rates continue to increase as a result of the increased trial requests.

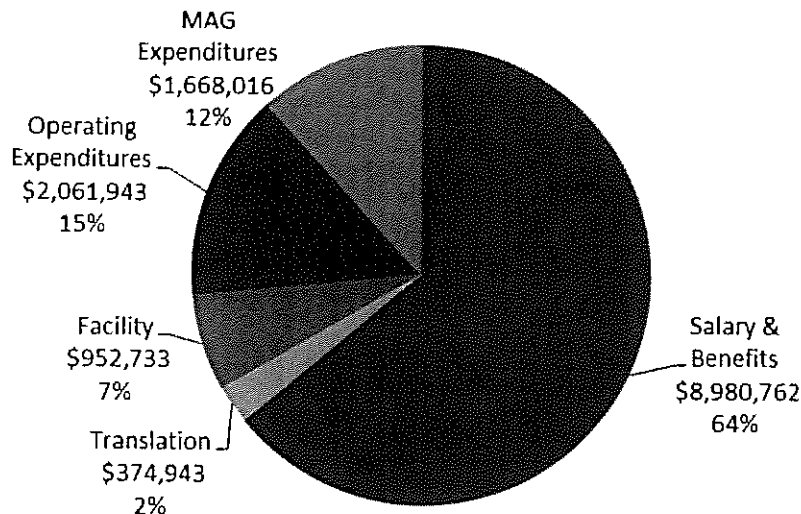
Number of Disclosure Requests per Prosecution Clerk



Note: In 2018, the number of prosecution clerks was reduced from 9 to 8 due to the conversion of the team lead prosecution clerk position to a supervisor, prosecution clerk position.

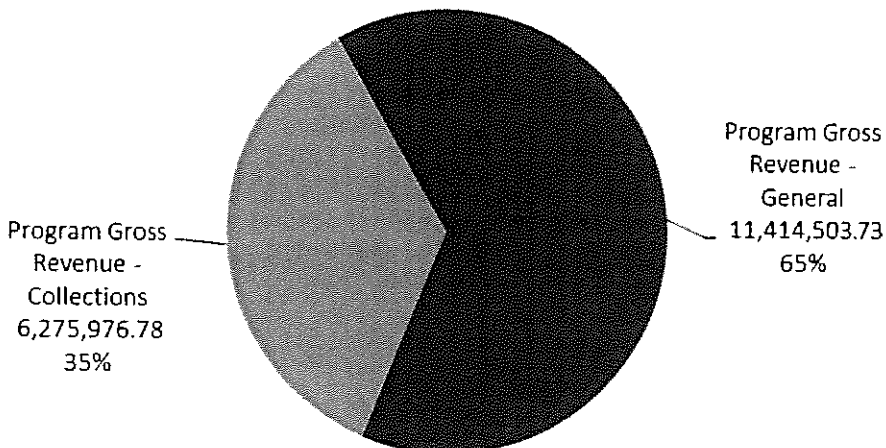
No provincial standards exist for the number of disclosure requests per prosecution clerk

2018 Operating Budget by Expenditure Category



*Ministry of Attorney General (MAG) expenditures decreased eight per cent in 2018 from the previous year as of result of decreased judicial and provincial prosecution hours

2018 Revenue Source¹



¹ 2018 Revenue Source calculations include both internal and external collections efforts due to the decline in collections from third-party agencies. In 2017, the calculations included overall revenue and collection agency revenue were reported.

Expenditure

Salary and Benefits

Includes all staffing expenses related to Court Administration, Prosecution and Collections. Includes all permanent, casual and temporary staffing in addition to overtime and benefits.

MAG Expenditures

Total cost of expenses paid to the Ministry of Attorney General including Judicial and ICON related costs. Victim Fine Surcharge and Dedicated fines are not included.

Operating Expenditures

Total cost of general operating expenses including the purchase of charging documents, witness fees, general office supplies, postage expenses and other minor operating expenses.

Facility

Total cost of facility expenses.

Translation

Total cost of providing interpreter services to court users.

2018 Auditors Report

An independent audit of the consolidated financial statements of the Regional Municipality of York for the year ending December 31, 2018 was completed by KPMG in May 2018. Accordingly, the scope of the audit included the information about the results of the Region's Provincial Offences Office presented in the notes to the consolidated financial statement.

Excerpt from the Regional Auditor's Report

PROVINCIAL OFFENCES ADMINISTRATION

The Region administers prosecutions and the collection of related fines and fees under the authority of the Provincial Offences Act ("POA"). The POA is a procedural law for administering and prosecuting provincial offences, including those committed under the *Highway Traffic Act*, *Compulsory Automobile Insurance Act*, *Trespass to Property Act*, *Liquor Licence Act*, Municipal By-laws and minor federal offences. Offenders may pay their fines at any court office in Ontario, at which time their receipt is recorded in the Integrated Courts Offences Network system ("ICON"). The Region recognizes fine revenue when the receipt of funds is recorded by ICON regardless of the location where payment is made.

Gross revenue is comprised primarily of fines levied under Part I, II and III (including delay penalties) for POA charges. The total revenue for 2018 amounts to \$22,665,795 (2017 - \$21,942,116) and the net revenue amounts to \$3,650,124 (2017 - \$2,183,364). Balances arising from operation of the POA offices are consolidated with these financial statements.

THE REGIONAL MUNICIPALITY OF YORK

Provincial Offences Office

Statement of Receipts and Expenses

For the year ended December 31, 2018

	Budget <u>2018</u> (Unaudited) \$	Actual <u>2018</u> \$	Actual <u>2017</u> \$
Revenue			
Fines and Miscellaneous Revenue Collected	20,716,196	22,665,795	21,942,116
Expenses and Disbursements			
Salaries and Benefits	8,873,040	8,980,762	8,854,775
General Administration	1,590,725	1,451,114	1,799,352
Program Related Services	1,811,994	1,764,241	1,927,260
Professional Services	895,463	865,706	803,293
Occupancy Expenses	1,017,841	951,167	989,829
Amortization	0	0	0
Asset Acquisitions	47,000	25,407	57,821
	<u>14,236,063</u>	<u>14,038,397</u>	<u>14,432,330</u>
Income before disbursements to area municipalities and others	6,480,133	8,627,398	7,509,786
Disbursements to Area Municipalities and Others	<u>(5,562,125)</u>	<u>(4,977,274)</u>	<u>(5,326,422)</u>
Net Surplus/(Deficit)	918,008	3,650,124	2,183,364
Contribution from Reserves	744,539	0	0
Contribution to Reserves	<u>(120,000)</u>	<u>(1,120,000)</u>	<u>(857,795)</u>
Net Surplus/(Deficit) after Contribution to/from Reserves	<u>1,542,547</u>	<u>2,530,124</u>	<u>1,325,569</u>

The accompanying notes are an integral part of the financial statement

THE REGIONAL MUNICIPALITY OF YORK

Provincial Offences Office Note to the Financial Statement December 31, 2018

The Regional Municipality of York (the Region) administers prosecutions and the collection of related fines and fees under the authority of the Provincial Offences Act ("POA"). The POA is a procedural law for administering and prosecuting provincial offences, including those committed under the Highway Traffic Act, Compulsory Automobile Insurance Act, Trespass to Property Act, Liquor Licence Act, Municipal By-laws and minor federal offences. The POA governs all aspects of legal process from serving notice to a defendant, to conducting trials, including sentencing and appeals.

1. SIGNIFICANT ACCOUNTING POLICIES

The statement of financial activities for the Region's Provincial Offences Office is prepared by management in accordance with generally accepted accounting policies for local governments as recommended by the Public Sector Accounting Board of the Chartered Professional Accountants of Canada. Significant aspects of the accounting policies are as follows:

a) Revenues

Revenues are accounted on cash basis. The revenues of the court office consist of fines levied under Parts I, II and III (including delay penalties) for POA charges filed at the courts and located at The Tannery Mall, 465 Davis Drive, Newmarket and 50 High Tech Road, Richmond Hill. Offenders may pay their fines at any court office in Ontario, at which time their receipt is recorded in the Integrated Courts Offences Network system ("ICON") operated by the Province of Ontario. The Region recognizes fine revenues when the receipt of funds is recorded by ICON regardless of the location where payment is made.

The Region also recognizes revenues that are collected on behalf of Area Municipalities and the Ministry of the Attorney General. These revenues include payments recovered with respect to local area municipal By-laws, Dedicated Fines related to various statutes, licence plate denial fees and the Province's portion of parking fees as well as the Victim Fine Surcharge.

Partial payments received for fines are automatically applied in the ICON system in the following order:

- Victim fine surcharge
- Fine
- Costs
- Administrative fees
- Collection agency costs

b) Expenses

Expenses are recorded on the accrual basis of accounting which recognizes expenses as they are incurred and measurable as a result of the receipt of goods or services and creation of a legal obligation to pay.

c) Use of estimates

The preparation of the financial statement in conformity with generally accepted accounting principles requires management to make estimates and assumptions that affect the reported amounts of revenues and expenditures and disclosure of contingencies at the date of the financial statement and for the period being reported on. Actual results could vary from these estimates.

d) Reserve

In 2015, a reserve was established to assist in planning and managing costs, which can vary significantly each year. The reserve will be funded through any net surplus in the prior year, after allocations, with an established upset limit.

Court Services: Priorities for 2019

Customer Service:

- Implement online disclosure system in collaboration with York Regional Police
- Enhance public awareness and communication through targeted external campaigns
- Review and implement changes to court administration and prosecution processes

Efficient case management:

- Improve court utilization through trial scheduling
- Part III Download – Develop transition plan for P3 prosecutions

Process Improvement:

- Implement the electronic filing of Part I charges
- Electronic upload of Part III charges
- Finalize process manuals for all Court Operations positions

Performance Focused:

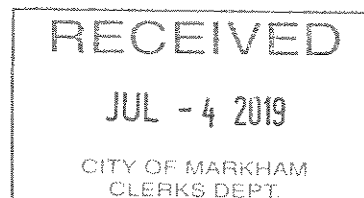
- Review and revise default collection practices including the development of measures and targets.
- Review and revise collection practices
- Develop transition plan for the move to the annex

Training and Development:

- Develop enhanced training material for staff

Technology:

- Identify opportunities to replace existing case management system
- Replace Iconview and upgrade ICON server



Regional Clerk's Office
Corporate Services

June 28, 2019

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

Dear Ms. Kitteringham:

**Re: Greater Toronto Area West Highway
Highway 400–404 Connecting Link and Highway 404 Extension Update**

On June 27, 2019 Regional Council adopted the following recommendations:

1. Council support a robust highway network to move people, goods and services and achieve provincial Growth Plan population and employment objectives in York Region and encourage:
 - a) The resumption of Environmental Assessment for Greater Toronto Area West Highway for near-term inclusion in the Southern Highways Program
 - b) The inclusion of the Highway 400-404 Connecting Link and the Highway 404 Extension to Highway 12 in the next Southern Highways Program
2. The Regional Chair communicate this position in a letter to the Members of Provincial Parliament from York Region and the Provincial Ministers of Transportation and Municipal Affairs and Housing.
3. The Regional Clerk circulate this report to the Regions of Peel and Halton, Simcoe County, Town of Bradford-West Gwillimbury and the local municipalities.

The staff report is enclosed for your information.

Please contact Brian Titherington, Director, Transportation and Infrastructure Planning at 1-877-464-9675 ext. 75901 if you have any questions with respect to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Christopher Raynor', with a large, stylized initial 'C' and a long, sweeping horizontal stroke extending to the right.

Christopher Raynor
Regional Clerk

Attachment

The Regional Municipality of York

Committee of the Whole
Transportation Services
June 13, 2019

Report of the Commissioner of Transportation Services

Greater Toronto Area West Highway Highway 400–404 Connecting Link and Highway 404 Extension Update

1. Recommendations

1. Council support a robust highway network to move people, goods and services and achieve provincial Growth Plan population and employment objectives in York Region and encourage:
 - a) The resumption of Environmental Assessment for Greater Toronto Area West Highway for near-term inclusion in the Southern Highways Program
 - b) The inclusion of the Highway 400-404 Connecting Link and the Highway 404 Extension to Highway 12 in the next Southern Highways Program
2. The Regional Chair communicate this position in a letter to the Members of Provincial Parliament from York Region and the Provincial Ministers of Transportation and Municipal Affairs and Housing.
3. The Regional Clerk circulate this report to the Regions of Peel and Halton, Simcoe County, Town of Bradford-West Gwillimbury and the local municipalities.

2. Summary

This report provides Council with an update on the planned Greater Toronto Area (GTA) West Highway, the Highway 400–404 Connecting Link (commonly known as the Bradford Bypass), and the Highway 404 Extension to Highway 12 and the critical role the highway corridors serve in accommodating the movement of goods, services and people to meet population and employment targets set forth in the provincial Growth Plan. Attachment 1 shows the alignment for these corridors.

Key Points:

- The three sections of highway are:

- The GTA West Highway is a proposed 50 kilometre long four to six lane provincial highway extending from Highway 400 in York Region to Highway 401 in Halton Region.
- The Highway 400–404 Connecting Link is a proposed 16 kilometre, four-lane provincial highway that will connect Highway 400 in Bradford-West Gwillimbury to Highway 404 in East Gwillimbury. The EA for the Highway 400–404 Connecting Link was completed in 2002 and the lands are now protected for future highway construction.
- The Highway 404 Extension is a proposed 39 kilometre, four-lane provincial highway that will extend Highway 404 from Woodbine Avenue south of Ravenshoe Road in East Gwillimbury, to Highway 12 in Durham Region. The EA for the Highway 404 Extension was completed in 2002 and the lands are now protected for future highway construction.
- The three proposed highway corridors would allow for improved goods and people movement from the southern urbanized communities of York Region to markets and employment locations west of the Greater Toronto Hamilton Area (GTHA).
- As the province has recently signalled its desire to build transportation infrastructure that will move people and goods more efficiently, support the growing population and strengthen the economy, it is recommended that Council now reaffirm York Region's position relative to these three critical freeway network elements.

3. Background

In 2018, The Ministry of Transportation Ontario announced they will no longer proceed with the Greater Toronto Area West Transportation Corridor Environmental Assessment

The GTA West Transportation Corridor (GTA West Corridor) was identified to support future demand in the greater golden horseshoe through a multi-modal Transportation Development Strategy (TDS). This strategy made recommendations for optimizing the existing transportation network, improvements to non-roadway transportation modes such as transit and rail, widening of existing highways and a new transportation corridor. Work was underway through to December 2015 to identify the route and develop the preliminary design for the GTA West Corridor.

In February 2018, after reviewing advice from the GTA West Corridor Review Advisory Panel, Ministry of Transportation of Ontario (MTO) announced they would no longer proceed with the GTA West Transportation Corridor Environmental Assessment.

In March 2018, the province announced that MTO and the Independent Electricity System Operator would jointly proceed with a Northwest GTA Corridor Identification Study intended

to identify lands for a multi-purpose linear corridor to protect for future infrastructure such as utilities, transit or other transportation modes.

In November 2018, the Province of Ontario announced their intention to restart the GTA West Transportation Corridor Environmental Assessment

In their release of “*A Plan for the People, Ontario Economic Outlook and Fiscal Review, 2018 Background Papers*”, the province announced the following regarding the GTA West Highway:

“Ontario is doing the work necessary to resume the EA for the GTA West Highway Corridor, which was suspended in 2015. The EA will identify and address transportation needs in a corridor study area covering portions of York, Peel and Halton Regions. Building more transportation infrastructure would speed up travel, and help alleviate traffic congestion in the Greater Toronto Area”.

The Environmental Assessments for the Highway 400–404 Connecting Link and the Highway 404 Extension were completed in 2002

On August 28, 2002, the Ministry of Environment granted approval for both the Highway 400–404 Connecting Link EA and the Highway 404 Extension EA. The Environmental Assessment identified a need for the highway to meet and support residential growth and goods movement between northern York Region, Simcoe County and Durham Regions and recreational traffic to areas such as Muskoka and Haliburton to the southern Greater Toronto and Hamilton Area. In 2004, the province designed the approved alignment of the Highway 400–404 Connecting Link and Highway 404 Extension as Controlled Access Highway Corridors under the Highway Traffic Act, thereby protecting the route from development until the highways are constructed.

Construction of the Highway 400–404 Connecting Link and the Highway 404 Extension have not been identified in the MTO’s capital plan, Southern Highways Program.

The GTA West Highway and Highway 400–404 Connecting Link have been included in the provincial 2017 Growth Plan for the Greater Golden Horseshoe

The provincial 2017 Growth Plan for the Greater Golden Horseshoe identifies the GTA West Highway as a future transportation corridor and the Highway 400–404 Connecting Link as a highway extension. The Highway 404 Extension from Woodbine Avenue to Highway 12 is not identified in the Growth Plan.

The three planned highways are identified in the York Region Official Plan and Transportation Master Plan

The York Region [Official Plan](#) and [Transportation Master Plan](#) identify the GTA West Highway, Highway 400–404 Connecting Link and Highway 404 Extension as planned transportation corridors.

4. Analysis

Council has long advocated for accelerated implementation of the GTA West Highway and the Highway 400-404 Connecting Link

Council advocacy for the GTA West Highway is summarized below:

- [May 2007](#) - Council requested that MTO expedite the GTA West Transportation Corridor and other EAs that are needed for the provincial Growth Plan.
- [May 2011](#) - Council advised MTO that York Region will continue with the planning of lands affected by the GTA West Transportation Corridor route planning area, while ensuring appropriate secondary and official plan policies for those lands recognise and protect for the transportation corridor as it is being defined through the on-going provincial EA process.
- December 2012 - GTA West Transportation Corridor Council Resolution: The following was resolved:
 - MTO be requested to proceed with Stage 2 of the EA as expeditiously as possible;
 - MTO be requested to work collaboratively with York Region to prioritise the refinement of the Preliminary Route Planning Study Area in York Region as an early part of the Stage 2 work in defining and assessing alternative alignments for the GTA West Highway.
- [March 2016](#) - report provided Council with an update on the suspended EA process and recommended that MTO resume the EA and define the preferred alignment as soon as possible.
- [April 2018](#) - Council Memo informed Council of the province's decision to no longer proceed with the GTA West Transportation Corridor EA, and that the province was proceeding instead with a planning study to identify lands for a multipurpose linear corridor to protect for future infrastructure such as utilities, transit or other transportation modes.

Council advocacy for the Highway 400–404 Connecting Link is summarized below:

- March 2008 - Council requested that the Regional Chair communicate to the province that the Highway 400–404 Connecting Link must be included in the provincial plan as necessary infrastructure required within the 2031 horizon, and request that the province develop a schedule to move forward with the highway construction.
- January 2011 - Council endorsed staff comments on the proposed Growth Plan Amendment including the need for the Highway 400–404 Connecting Link to support growth to 2031.
- November 2011 - staff reported that York Region and Simcoe County staff had developed the scope of work for a joint York-Simcoe Cross Boundary Transportation Study. Council endorsed the scope of work and authorized staff to proceed with the study. The joint study, completed in 2012, reconfirmed the need for the Highway 400–404 Connecting Link.
- June 2012 - Council directed staff to work with Simcoe County, Bradford West Gwillimbury, East Gwillimbury, Newmarket and Georgina to develop a joint communication strategy to advocate for the Highway 400 - 404 Connecting Link.

The completion of the Greater Toronto and Hamilton Area freeway network in York Region is critical to supporting provincial objectives, help build resilient and sustainable communities and support economic growth

The planning, design and construction of the GTA West Highway, Highway 400–404 Connecting Link and the Highway 404 Extension, are foundational to building resilient and sustainable communities in York Region and the GTHA. These highway connections will allow the Region to more efficiently connect people to jobs and support economic growth through expanding highway connections both north and south and east and west to better complete the provincial highway network across the GTHA.

Over the next ten years, the Region is investing \$2.02B in arterial road improvements to build an arterial road network to assist in supporting Regional economic growth and new and existing homes and businesses. The completion of the provincial highway network will build upon these road improvements to establish a reliable, well-connected, robust transportation network. This network will facilitate the efficient movement of goods, services and people in and through York Region, connect existing and future employment lands in York Region, Simcoe County and Peel Region, enhance the economic vitality of the Region and improve live-work opportunities, particularly for residents in the Region's northern municipalities.

Arterial road and provincial freeway improvements will be key to the Region meeting provincially-directed population and employment objectives and to accommodate provincially and federally significant goods movement corridors.

The Highway 404 Extension should be added to the provincial 2017 Growth Plan to align with the York Region Official Plan and Transportation Master Plan

The most recent phase of the Highway 404 Extension from Green Lane to Woodbine Avenue/Ravenshoe Road was opened to traffic in September 2014. The further extension to Highway 12 in Durham Region has been EA approved since 2002 and the corridor protected for future construction.

As a first step, the Highway 404 Extension should be added to the provincial Growth Plan to align with the Regional Official Plan and Transportation Master Plan.

5. Financial

There are no financial implications resulting from this report.

6. Local Impact

Local municipalities generally benefit from new highways that provide capacity needed to accommodate growth and improve traffic congestion.

The exact alignment of the planned GTA West Highway has not been confirmed. This alignment uncertainty impacts a number of development areas in Vaughan, including Vaughan 400 North Employment Area Secondary Plan, Kleinburg-Nashville Secondary Plan and West Vaughan Employment Area Secondary Plan. MTO has been working with the City of Vaughan to ensure that the alignment alternatives are protected within development plans.

7. Conclusion

York Region continues to advocate for provincial highway expansion, including the planned GTA West Highway, Highway 400–404 Connecting Link and the Highway 404 Extension. Highway expansions are key elements to supporting the Region's economic vitality and accommodating the provincial Growth Plan.

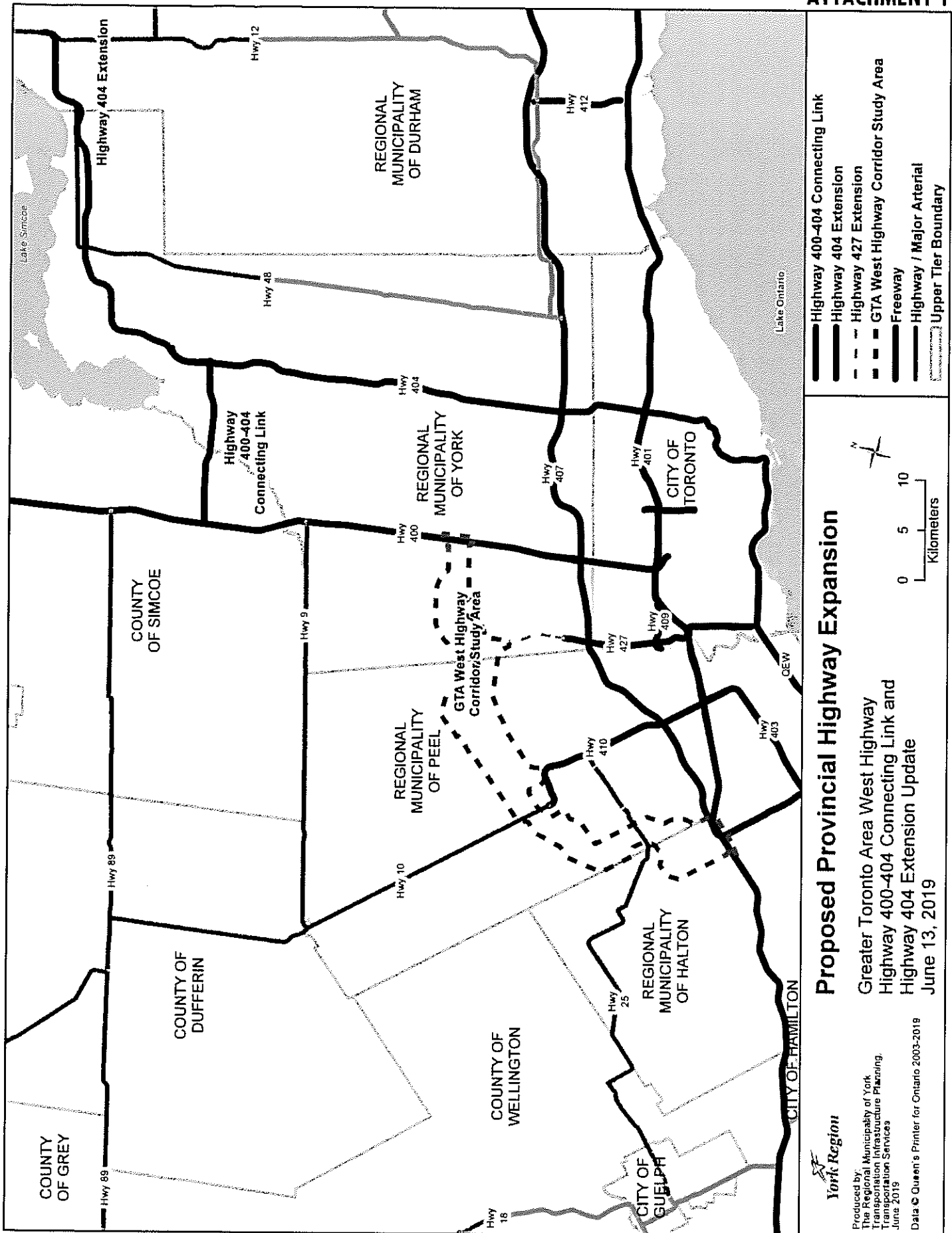
For more information on this report, please contact Brian Titherington, Director, Transportation and Infrastructure Planning at 1-877-464-9675 ext. 75901. Accessible formats or communication supports are available upon request.

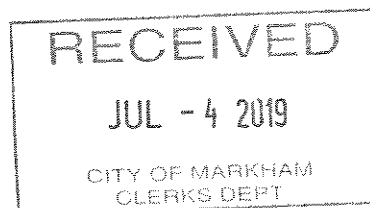
Recommended by: **Paul Jankowski**
Commissioner of Transportation Services

Approved for Submission: **Bruce Macgregor**
Chief Administrative Officer

May 30, 2019
Attachment (1)
9369554

ATTACHMENT 1





Regional Clerk's Office
Corporate Services

June 28, 2019

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

Dear Ms. Kitteringham:

**Re: Lane Designations to Operate Rapidways in the Cities of Markham,
Richmond Hill and Vaughan**

On June 27, 2019 Regional Council adopted the following recommendations:

1. The existing Lane Designation Bylaw No. 2009-23 be amended to designate newly-constructed bus rapidway lanes outlined in Table 2.
2. The Regional Clerk circulate this report to Clerks of the Cities of Markham, Richmond Hill and Vaughan, York Region Rapid Transit Corporation and Chief of York Regional Police.
3. The Regional Solicitor prepare the necessary bylaws.

The staff report is enclosed for your information.

Please contact Joseph Petrungaro at 1-877-464-9675 ext. 75220 if you have any questions with respect to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Christopher Raynor".

Christopher Raynor
Regional Clerk

Attachment

The Regional Municipality of York

Committee of the Whole
Transportation Services
June 13, 2019

Report of the Commissioner of Transportation Services

Lane Designations to Operate Rapidways in the Cities of Markham, Richmond Hill and Vaughan

1. Recommendations

1. The existing Lane Designation Bylaw No. 2009-23 be amended to designate newly-constructed bus rapidway lanes outlined in Table 2.
2. The Regional Clerk circulate this report to Clerks of the Cities of Markham, Richmond Hill and Vaughan, York Region Rapid Transit Corporation and Chief of York Regional Police.
3. The Regional Solicitor prepare the necessary bylaws.

2. Summary

This report seeks Council approval to designate lanes on Regional roads to operate bus rapid transit service.

Key Points:

- Viva service operates in exclusive dedicated lanes to provide efficient rapid transit service to citizens
- Rapidway lanes need to be designated to allow exclusive use for Viva bus rapid transit service in dedicated lanes

3. Background

Viva service operates in exclusive dedicated lanes to provide efficient rapid transit service to citizens

Rapidway lanes are dedicated lanes for bus rapid transit service, which operate in the centre of the road, allowing Viva buses to move out of mixed traffic lanes, maximizing people-moving capacity and enabling people to get around York Region's busiest corridors more

efficiently. Rapidways are controlled with dedicated transit signals that typically operate concurrent with through traffic. These transit signals are enhanced with transit signal priority measures that assist buses in maintaining their schedules. Figure 1 is an image of a completed section of rapidway on Highway 7. Previously designated dedicated rapidway lanes are identified in Attachment 1.

Figure 1
Viva Service on Highway 7 Rapidway



Highway 7, east rapidway looking west to Valleymede Station

Since rapidways are located in the centre lanes of the corridor, left turn movements must operate with their own separate signal phase or be restricted to ensure the safety of vehicles crossing the rapidway lanes. Given the width of the roadway, pedestrians may be required to cross in two phases, stopping on the landscaped median between them.

Due to physical and operational constraints, some sections of the rapidway are a partial rapidway with a single dedicated rapidway lane in only one direction, while some sections of the Viva bus rapid transit service continue to operate in mixed traffic.

Completed rapidway sections have created seamless connections to Regional centres and additional sections are anticipated to be completed by the end of 2020

The completed Viva rapidway along Highway 7 East has created seamless connections between the Richmond Hill Regional Centre and Markham Regional Centre. The completed Viva rapidway along Highway 7 West in the City of Vaughan connects to the Vaughan

Metropolitan Centre and the TTC subway. In the Town of Newmarket, the completed Viva rapidway along Davis Drive provides fast, reliable transit with connections to the Newmarket Regional Centre, Southlake Regional Health Centre and Highway 404.

YRRTC construction schedules (see Attachment 2) indicate remaining rapidway sections will be completed as follows:

- Highway 7 West rapidway in the City of Vaughan is anticipated to be completed in December 2019
- Yonge Street section of rapidway in the Town of Newmarket is anticipated to be completed in December 2019
- Yonge Street section of rapidway in the City of Richmond Hill is anticipated to be completed in December 2020

4. Analysis

Rapidway lanes need to be designated to allow exclusive use for Viva bus rapid transit service in dedicated lanes

Rapidway lanes are designed for Viva bus rapid transit use. The intent of these dedicated lanes is to improve the person-moving capacity on Regional corridors. Amending the Lane Designation Bylaw will restrict the use of the rapidways to certain vehicle class types prescribed within the bylaw and are therefore enforceable in accordance with the Highway Traffic Act. Lane designation is required to ensure the rapidway is exclusively designated for bus rapid transit vehicles and will have provisions for use by emergency service vehicles responding to calls, as well as road maintenance vehicles.

Table 2 outlines the Regional road sections scheduled for implementation of rapidway lane designation. Attachment 3 is a map of the location.

Table 2
Regional Roads to be Designated for Rapidways

Bus Rapid Transit Project	Portion of Highway	Limit	Class of Vehicle	Times or Days
H2 East	Highway 7 (Y.R. 7) Partial eastbound rapidway located in the centre lane	Yonge Street Connector (Y.R. 7) to Bathurst Street Connector (Y.R. 7)	Bus Rapid Transit Vehicles Emergency Service Vehicles Maintenance Vehicles	24 hours, 7 days a week, effective July 2019
H2 East	Bathurst Street Connector Road (Y.R. 7) Full rapidway located in the centre lane	Highway 7 (Y.R. 7) to Bathurst Street (Y.R. 38)	Bus Rapid Transit Vehicles Emergency Service Vehicles Maintenance Vehicles	24 hours, 7 days a week, effective July 2019

5. Financial

Costs to install the required signs for implementation of the dedicated lanes referenced in this report are included in the approved York Region Rapid Transit Corporation project budget funded by Metrolinx.

Bus rapid transit corridors require specialized maintenance which includes snow removal, transit priority signals, landscaping and transit terminal maintenance. This section of rapidway along Highway 7 from Yonge Street Connector Road to Bathurst Street Connector Road is estimated to cost \$238,000.00 and is included in approved 2019 budget submission which includes the 2020 outlook year.

6. Local Impact

Local municipal staff has been informed of the recommendations contained within this report. Residents will be provided with improved rapid transit service offering more sustainable transportation options, including a more connected and efficient transportation network.

7. Conclusion

As construction of this portion of the H2E bus rapid transit project nears completion, it is necessary to implement lane designations to support safe and efficient transit and traffic operations along this rapidway corridor. Revisions to the Lane Designation Bylaw are required to support bus rapid transit service.

Staff recommends the sections of Regional roads outlined in this report be designated for the exclusive use of bus rapid transit vehicles and the turn restrictions outlined be implemented to support safe operations. Designation of these lanes will increase capacity on a busy corridor, benefit transit operations and support planned growth to better serve residents in York Region.

The Regional Solicitor is required to amend the schedules to the bylaws governing lane designations and the Regional Clerk notify the Cities of Markham, Richmond Hill and Vaughan, York Region Rapid Transit Corporation and York Regional Police of the amendments.

For more information on this report, please contact Joseph Petrungaro at 1-877-464-9675 ext. 75220. Accessible formats or communication supports are available upon request.

Recommended by: **Paul Jankowski**
Commissioner of Transportation Services

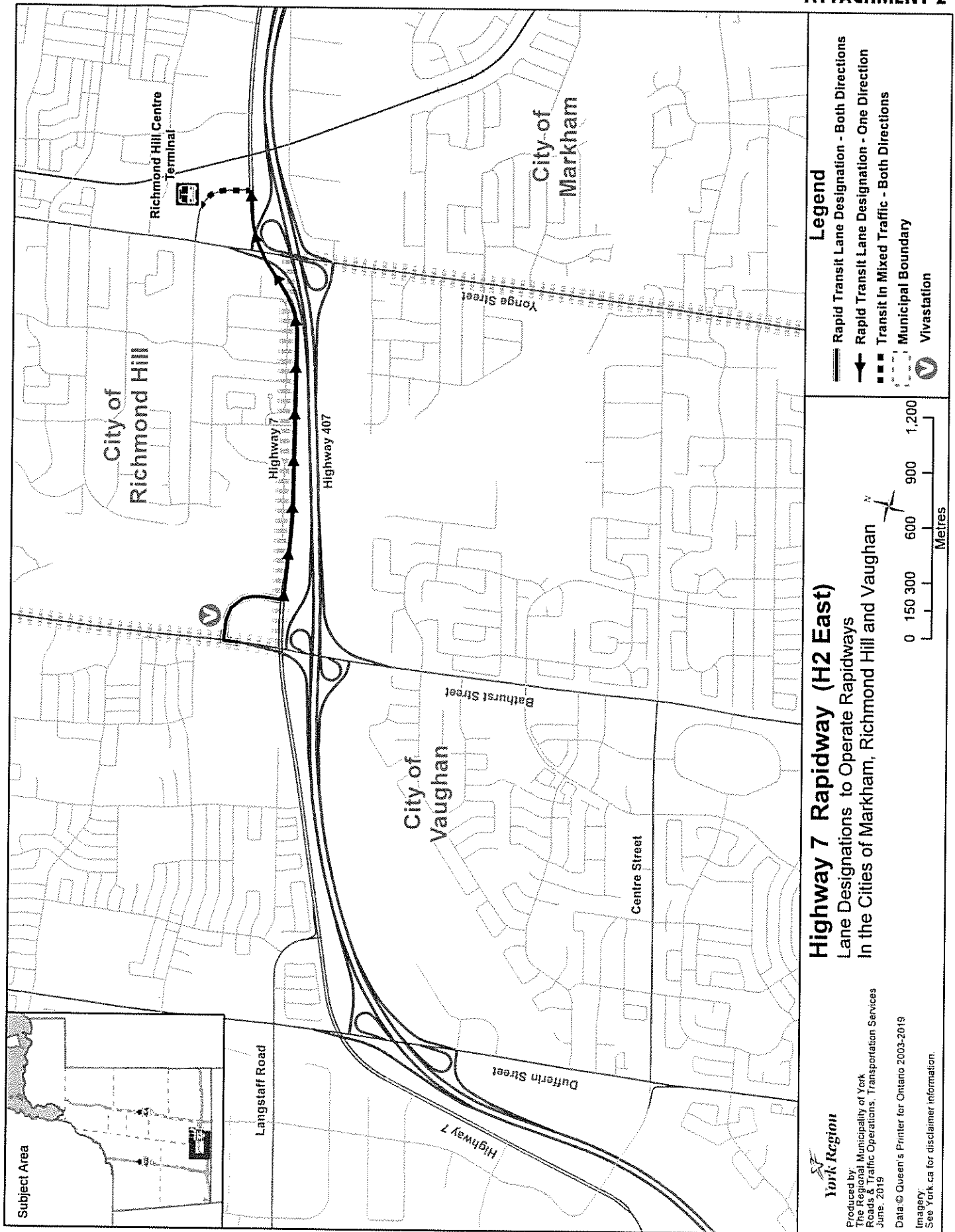
Approved for Submission: **Bruce Macgregor**
 Chief Administrative Officer

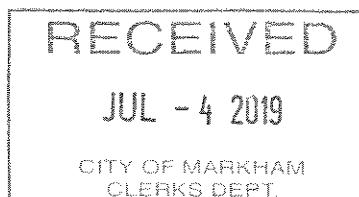
May 29, 2019
 Attachments (2)
 9070847

ATTACHMENT 1**Regional Roads Designated for Bus Rapid Transit Service**

Portion of Highway	Limit	Class of Vehicle	Times or Days
Highway 7 (Y.R. 7), two centre lanes of the highway as designated by lane markings	East limit of Bayview Avenue (Y.R. 34) to the west limit of South Town Centre Boulevard	Bus rapid transit vehicles	24 hours, 7 days a week
Davis Drive (Y.R. 31), two centre lanes of the highway as designated by lane markings	From 200 metres west of the west limit of Yonge Street (Y.R. 1) to 150 metres east of the east limit of Roxborough Road/Patterson Street	Bus rapid transit vehicles	24 hours, 7 days a week
Highway 7 (Y.R. 7), centre lane	West limit of Bowes Road to the east limit of Jane Street (Y.R. 55)	Bus rapid transit vehicles	24 hours, 7 days a week

ATTACHMENT 2





Regional Clerk's Office
Corporate Services

June 28, 2019

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

Dear Ms. Kitteringham:

Re: Pedestrian and Cyclist Safety Improvements

On June 27, 2019 Regional Council adopted the following recommendations:

1. Council receive this report for information.
2. The Regional Clerk circulate this report and Attachment 1 to the local municipalities.

The staff report is enclosed for your information.

Please contact Joseph Petrungaro, Director, Roads and Traffic Operations at 1-877-464-9675 ext. 75220 if you have any questions with respect to this matter.

Sincerely,

A handwritten signature in black ink, appearing to be "Chris Raynor".

Christopher Raynor
Regional Clerk

Attachment

The Regional Municipality of York

Committee of the Whole
Transportation Services
June 13, 2019

Report of the Commissioner of Transportation Services

Pedestrian and Cyclist Safety Improvements

1. Recommendation

Council receive this report for information.

2. Summary

This report provides Council with a plan to improve pedestrian and cyclist safety.

Key Points:

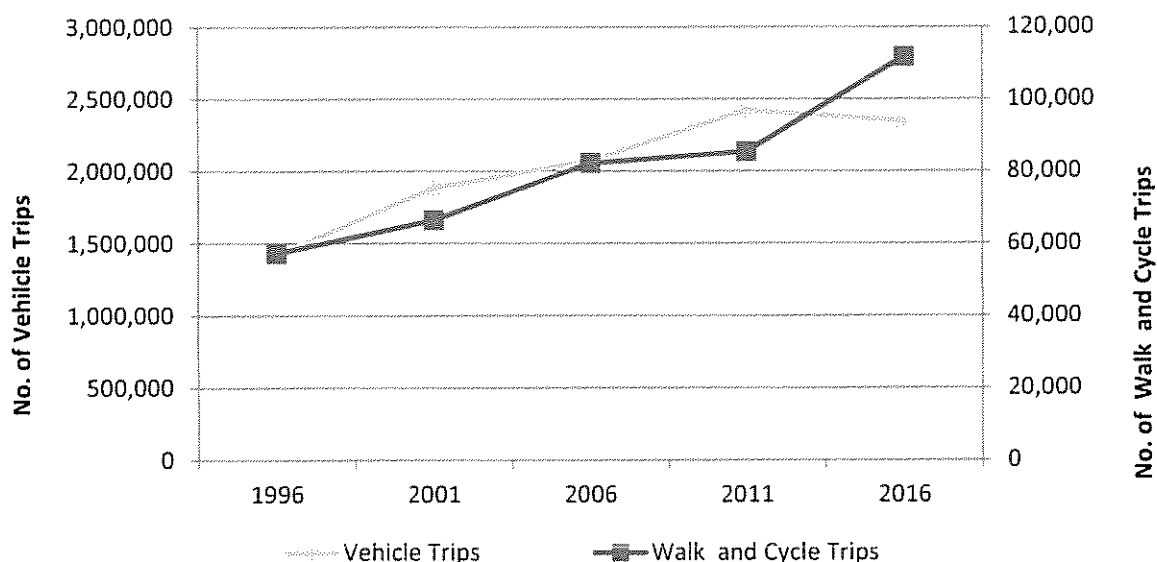
- A quantitative data and predictive approach was taken to evaluate risk exposure to pedestrians and cyclists
- Study results indicate that pedestrians and cyclists are at risk with turning vehicles at signalized intersections on Regional roads
- A suite of operational measures were evaluated and selected based on effectiveness, applicability to Regional roads and implementation time frame
- A pedestrian and cyclist safety index was developed to prioritize the Region's signalized intersections based on risk exposure to pedestrians and cyclists
- Operational measures will be implemented and evaluated to support further implementation, which may influence driver behaviour and create a safer environment for pedestrians and cyclists

3. Background

York Region residents are choosing to walk and cycle more

Based on information from the most recent Transportation Tomorrow Survey in 2016, active modes of transportation, including walking and cycling trips, have been increasing at a higher rate in comparison to vehicle trips over the last decade in York Region (Figure 1).

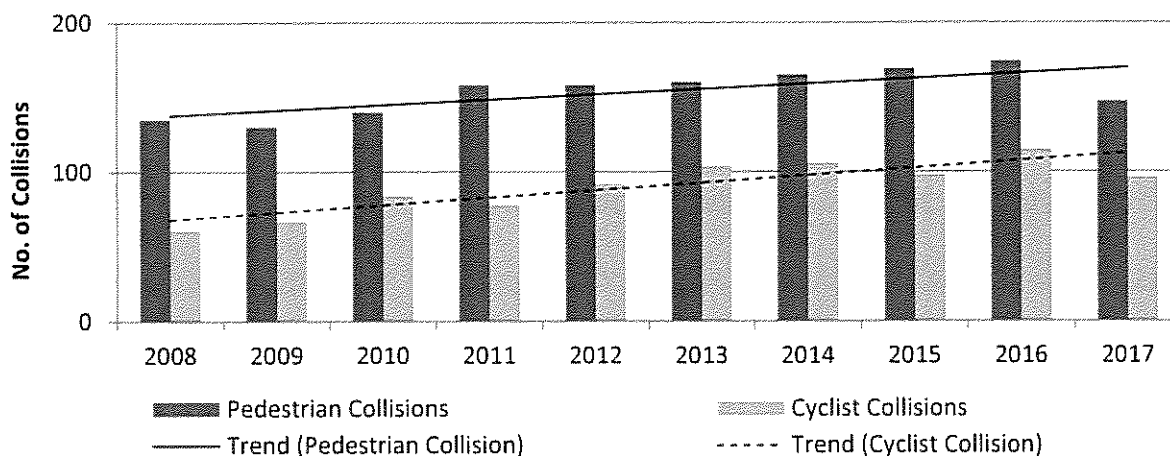
Figure 1
Daily Walking and Cycling and Vehicle Trips in York Region



Pedestrian and cyclist collisions are increasing in York Region and neighbouring regions

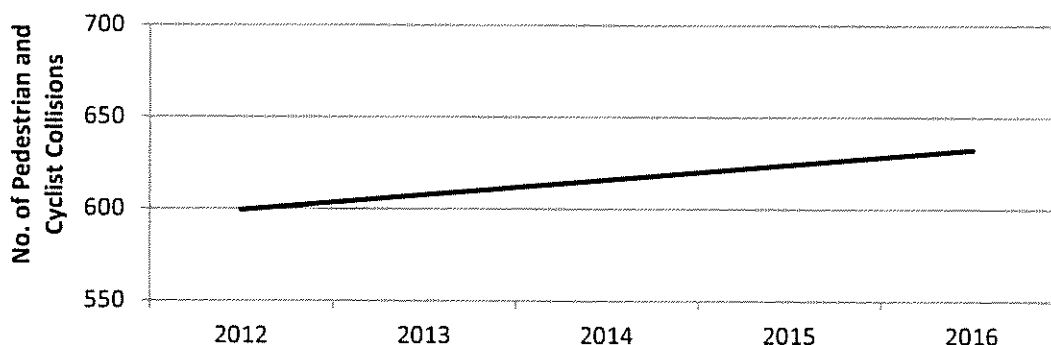
A review of pedestrian and cyclist collision statistics over the past 10 years shows that pedestrian and cyclist collisions are on the rise in York Region (Figure 2). The increase in pedestrian and cyclist collisions is likely related to the increase in active modes of transportation and the corresponding interaction between pedestrians and cyclists with vehicles.

Figure 2
Pedestrian and Cyclist Collision Statistics between 2008 and 2017



This is not exclusive to York Region. Pedestrian and cyclist collision data collected from neighbouring regions shows a generally increasing trend from 2012 to 2016 (Figure 3). Collision experience indicates that operational measures need to be considered to improve pedestrian and cyclist safety.

Figure 3
Pedestrian and Cyclist Collisions in York and Neighbouring Regions



The Region is applying The Pedestrian and Cycling Planning and Design Guidelines, including operational measures, to help enhance pedestrian and cyclist safety

York Region Official Plan 2016, Section 7.2 Moving People and Goods, Active Transportation, has active transportation policies of Council to update and apply the York Region Pedestrian and Cycling Master Plan's Planning and Design Guidelines in the implementation of the Regional pedestrian and cycling network. The Regional Pedestrian and Cycling Planning and Design Guidelines is currently being finalized to provide a comprehensive manual for the planning and design of active transportation facilities in the Region. The guidelines reflect an emphasis on facility types, emerging design treatments for intersections and better integration with other Regional planning and design initiatives to create safe environments for pedestrians and cyclists. Based on these guidelines, road and intersection improvements have been and continue to be undertaken to enhance safety for pedestrian and cyclists. These operational measures include:

- Pedestrian-accessible intersections compliant with the Accessibility for Ontarians with Disabilities Act
- Tighter intersection curb radii in urban areas to slow turning vehicles and decrease the crossing distance for pedestrians
- More crossing time for pedestrians allocated at signalized intersections
- High visibility crossings to highlight potential pedestrians at intersections
- Pedestrian countdown signals to provide more awareness for pedestrians

- Leading pedestrian interval traffic signals to allow pedestrians a 'head start' when crossing
- Additional warning signage
- Testing of responsive pedestrian crossing devices to allow intersections to identify the presence of pedestrians without the need to press a button
- Separated bike facilities

Staff committed to undertake further analysis to identify operational measures to improve pedestrian and cyclist safety

The [2017 Traveller Safety Report](#) highlighted that pedestrians and cyclists are more likely to be injured or killed when involved in collisions, despite that motorists account for the majority of trips and vehicle-only collisions significantly outnumber collisions involving pedestrians and cyclists.

More than 90 per cent of all collisions involving pedestrians and more than 80 per cent of all collisions involving cyclists resulted in injuries or fatalities. Collision statistics also showed that pedestrian and cyclist collisions primarily occurred at signalized intersections, with approximately 80 per cent involving pedestrians and 60 per cent involving cyclists. Staff committed to undertake further analysis to identify and consider potential strategies and operational measures to address pedestrian and cyclist safety.

4. Analysis

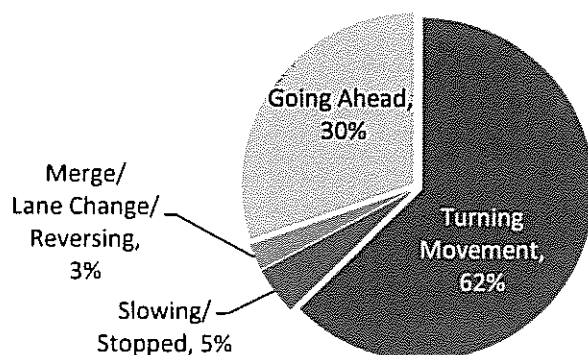
A quantitative data and predictive approach was taken to evaluate risk exposure to pedestrians and cyclists

The National Cooperative Highway Research Program, administered by the Transportation Research Board, has developed a quantitative and predictive approach to evaluate pedestrian and cyclists safety that not only addresses locations with prior collision occurrence, but also determines high impact locations based on risk characteristics, demand and roadway environment. A consultant was retained to assist in the evaluation and the report is included as Attachment 1.

Study results indicate that pedestrians and cyclists are at risk with turning vehicles at signalized intersections on Regional roads

Regional collision statistics show that 62 per cent of all pedestrian and cyclist collisions involve a turning vehicle (Figure 4). For pedestrians, left-turning vehicles account for 36 per cent, while right-turning vehicles account for 30 per cent. For cyclist collisions, right-turning vehicles account for close to 50 per cent, while left-turning vehicles account for 14 per cent.

Figure 4
Vehicle Maneuver in Pedestrian and Cyclist Collisions

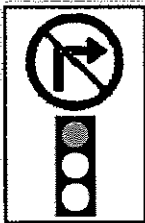

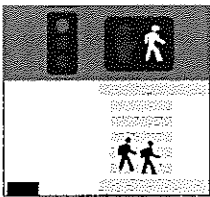



A suite of operational measures were evaluated and selected based on effectiveness, applicability to Regional roads and implementation time frame

An industry scan across North America identified a suite of operational measures that have been tested and proven to help improve pedestrian and cyclist safety. Some are already being implemented through Regional road construction projects such as bike boxes, controlled mid-block crossings and enhanced green pavement markings, and should be considered more broadly. Details of each operational improvement are included in Attachment 1.

Staff reviewed the industry-reported operational measures and selected measures to address high impact collisions involving pedestrians and cyclists that are turning movement conflicts at signalized intersections. Effectiveness, applicability to Regional roads and implementation time frame were considered as well. Recommended operational measures include prohibit right turn on red, protected left turn movement, leading pedestrian interval and additional warning signage. A description and potential safety benefit of each operational measure selected is outlined in Table 1.

Table 1
Pedestrian and Cyclist Operational Measures

Operational Measures		Description	Potential Safety Benefits *
Prohibit right turn on red		Reduces conflicts with pedestrians who are crossing perpendicular to the vehicle direction	Up to 8 per cent reduction in overall collisions
Protected left turn movement		Left turning vehicles are given exclusive right-of-way independent of pedestrian crossing time	68 per cent reduction in all collisions involving left-turning vehicles
Leading Pedestrian Traffic Signal Intervals		Pedestrians can better establish their presence in the crossing by entering an intersection approximately seven seconds before vehicles	59 per cent reduction in pedestrian-vehicle collisions
Additional Warning Signage		Signs informing motorists that pedestrians and cyclists have the right-of-way within the intersection	40 per cent reduction in overall collisions

* Safety Benefits reported through industry analysis and experience (Crash Modification Factors)

A pedestrian and cyclist safety index was developed to prioritize Regional signalized intersections based on risk exposure to pedestrians and cyclists

The principles of the National Cooperative Highway Research Program approach has been used in the development of a pedestrian and cyclist safety index to prioritize signalized intersections on Regional roads. The index consists of a weighted score taking into consideration variables such as road characteristic, road user volume, crossing distance, speed limit and environment. The factors and their variables are listed in Table 2.

Table 2
Factors and Variables Included in the Pedestrian and Cyclist Safety Index

Factors	Variables
Safety	Total pedestrian and cyclist collisions (10 years)
	Potential for safety improvement
Demand	Pedestrian and cyclist volume
	Proximity to schools, community centre, commercial development
	Proximity to transit
	Nearby population density
Road Environment	Traffic volume
	Turning volume
	Speed limit
	Pedestrian crossing distance

Operational measures will be implemented and evaluated to support further implementation, which may influence driver behaviour and create a safer environment for pedestrians and cyclists

Locations scoring within the top 20 per cent of the pedestrian and cyclist safety index were further analyzed to consider traffic operation impacts such as delay, queuing and potential for neighbourhood infiltration. Locations with high traffic operation impacts and/or under construction were excluded. Four intersections were selected for implementation of the recommended operational measures starting this summer, in time for the new school year in September. Table 3 lists the four intersections and operational measures being implemented.

Table 3
Intersections with Highest Risk Exposure to Pedestrians and Cyclists

Intersection and Time Line	Critical Crosswalk	No Right Turns on Red	Protected Left Turn	Leading Pedestrian Interval	Warning Signage and Enforcement
Major Mackenzie Drive (Y.R. 25) and Bayview Avenue (Y.R. 34)	East	Westbound Right Turn	Southbound Left Turn		√
Yonge Street (Y.R. 1) and Clark Avenue	North	Southbound Right Turn		√	√
Bathurst Street (Y.R. 38) and Carrville Road/Rutherford Road (Y.R. 73)	West	Eastbound Right Turn		√	√
Bathurst Street (Y.R. 38) and Clark Avenue	West	Eastbound Right Turn	Northbound Left Turn		√

Staff will perform ongoing monitoring of these operational measures over a period of one year to evaluate safety benefits and understand corresponding impacts on vehicular traffic. Evaluation criteria include impacts to traffic operations, travel time increase, traffic delay, queuing, etc. Before and after video conflict analysis will also be used to compare near-miss and close-call incidents to measure potential collision risk. Based on the results, these operational measures will be considered for permanent installation as well as applicability at other locations.

York Region continues to build partnerships with stakeholders to promote operational measures to improve pedestrian and cyclist safety

Staff has worked on a number of safety initiatives in collaboration with local municipalities, York Regional Police, Public Health, Public School Boards, the Province, Canadian Automobile Association and surrounding cities. The community was engaged through visits to senior homes, schools and community events to provide safety information, such as driver-focused education programs to influence driver behaviour. Citizen feedback has been positive.

Building on this success and these partnerships, the Region will launch a pedestrian and cyclist safety campaign to highlight the operational measures outlined in this report and to gather citizen feedback. The safety campaign will take place during the summer in conjunction with the implementation of the operational measures and will include on-site public outreach to highlight the operational measures.

5. Financial

The Region continues to monitor and analyze traffic operations and data to ensure investments in the Regional road network are optimized. Costs of these activities are included in the 2019 approved Transportation Services Operating Budget.

6. Local Impact

With increased Regional urbanization and growth in the use of active transportation modes, balancing the demands and reducing potential conflicts between all road users benefits all our communities. Although an impact to driver delay is recognized, the Region's commitment to traveller safety has been established as a high priority. The Region is committed to working with local partners to find efficiencies in the road network and enhance public safety.

Staff will continue to work with local municipalities, York Regional Police, York Region Transit, Public Health and Public School Boards to identify strategies and operational measures to address the traveller safety experience for all road users.

The selected operational measures have been shared with local municipal staff and findings of the ongoing monitoring and evaluation will be shared once available.

7. Conclusion

Recognizing that walking and cycling trips are growing and collisions are on the rise, staff committed to undertake analysis to improve pedestrian and cyclist safety and report back to Council.

A quantitative data and predictive approach was taken to evaluate risk exposure to pedestrians and cyclists. Study results indicate that pedestrians and cyclists are at risk with turning vehicles at signalized intersections on Regional roads. A suite of operational measures were evaluated and selected based on effectiveness, applicability to Regional roads and implementation time frames. A pedestrian and cyclist safety index was developed to prioritize Regional signalized intersections based on risk exposure to pedestrians and cyclists. Operational measures will be implemented and evaluated to support further implementation, which may influence driver behaviour and create a safer environment for pedestrians and cyclists.

For more information on this report, please contact Joseph Petrungaro at 1-877-464-9675 ext. 75220. Accessible formats or communication supports are available upon request.

Recommended by: **Paul Jankowski**
Commissioner of Transportation Services

Approved for Submission: **Bruce Macgregor**
Chief Administrative Officer

May 29, 2019
Attachment (1)
9104796

ATTACHMENT 1

York Region Pedestrian and Cyclist Safety Study

Type of Document
Summary Report

Project Number
BRM-00605686-A0



Prepared By
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Date Submitted
June 2019



Executive Summary

The York Region 2017 Annual Traffic Safety Report has indicated that pedestrian and cyclist collisions account for the highest percentage of injury and fatality collisions within the Region. In addition, while total collisions are decreasing, pedestrian and cyclist collisions are increasing. In this study:

- 10 years of collision data were analyzed to distinguish statistical and geospatial patterns of characteristics of collisions involving pedestrians and cyclists;
- Industry review was conducted to identify potential safety improvements and rate each on its potential effectiveness at addressing York Region collision patterns; and
- An index was developed to prioritize individual locations for upgrades based on observed and predicted safety, existing and potential demand and existing environmental conditions.

Collision data analysis

A detailed analysis of the Region's 10-year history of collisions involving pedestrians and cyclists was conducted, including geo-spatial analysis. The Geographic Information Systems (GIS) database developed for this project consisted of creating more than 100 layers, including original data, supporting data layers from York Region Self-Serve Data Depot, and data layers adapted and/or generated.

The most significant issues identified in this study were collisions occurring in urban areas, and collisions occurring at signalized intersections when motor vehicles were turning left or right. Drivers failing to yield right-of-way to pedestrians or cyclists was identified as the major cause of these collisions. Inattentiveness of drivers, which contributes to driver error, was found to be increasing in pedestrian and cyclist collisions over the study period. A secondary finding was the over-representation of young adult and elderly pedestrians and cyclists in collisions, compared to their rate of use of these modes. Additionally, while mid-block collisions were not identified as a major issue, it was observed that they typically occur where no controlled crossing exists.

Industry review of safety improvements

An extensive review of industry best practice and research into the effectiveness of potential safety improvements was conducted. A list of potential improvements suitable for York Region to address the key issues was identified, including: their positive and negative attributes; an estimate of effectiveness, costs/benefits, and timeframes to implement; and, based on this information, a ranked list of safety applications based on potential benefits to the Region.

Prioritization index of locations for improvement

To guide the implementation of pedestrian and cyclist safety improvements across the Region, a prioritized index of specific locations to be further evaluated and upgraded was developed. This index was developed using factors and variables intended specifically to address the most prominent collision patterns identified, including safety (collision history and potential for safety improvement), demand (existing pedestrian volumes and potential demand based on proximity to retail, transit, schools and high-density residential areas) and existing conditions (overall traffic volumes, turning traffic volumes, speed and number of lanes on approach roadways).

Table of Contents

Executive Summary	i
Table of Contents.....	ii
1 Introduction	1
1.1 Context.....	1
1.2 Objective	1
2 Collision Data Analysis.....	2
2.1 Methodology	2
2.1.1 York Region Context	2
2.1.2 Statistical Analysis of Collision Data.....	2
2.1.3 Geospatial Analysis of Collision Data	3
2.2 Observed Patterns	8
3 Safety Improvements	13
3.1 Industry Review of Potential Improvements	13
3.1.1 Short Term Improvements	14
3.1.2 Medium Term Improvements	16
3.2 Rating of Potential Improvements	22
4 Implementation and Prioritization	24
4.1 Scope of Prioritization Index.....	24
4.1.1 Purpose.....	24
4.1.2 Methodology.....	25
4.1.3 Factors	25
4.1.4 Variables	26
4.2 Prioritization.....	27
4.2.1 Variable Scoring.....	27
4.2.2 Ranked Index.....	28
4.3 Safety Improvement Trials at Priority Intersections.....	30
Legal Notification.....	31

1 Introduction

1.1 Context

The York Region 2017 Annual Traffic Safety Report has indicated that pedestrian and cyclist collisions account for the highest percentage of injury and fatality collisions within the Region. From 2008 to 2017, average daily vehicle volumes have increased year-over-year on average, from approximately 2.2 million vehicles to 2.45 million vehicles. Over this period, total collisions have ranged between approximately 7,500 and 10,500 per year and show a decreasing trend.

During the same period, cyclist- and pedestrian-related collisions show an increasing trend of approximately 3% per year on average, as presented in Figure 1, despite a significant decrease observed in 2017. Combined pedestrian and cyclist collisions range from approximately 175 to 300 per year, accounting for approximately 2.6% of all collisions in York Region during this period.

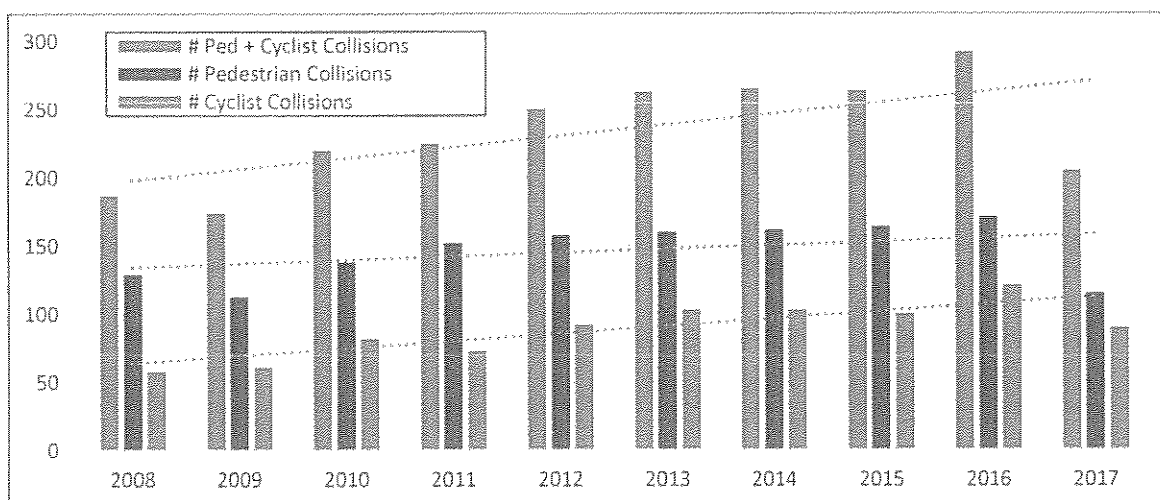


Figure 1 – York Regional Roads Pedestrian and Cyclist Collisions (2008 to 2017)

As a result, York Region requested EXP Services to conduct a Traffic Safety Study to analyze pedestrian and cyclist related collisions within the Region to identify potential quantified improvements to improve safety for these vulnerable road users. This report summarizes the analysis, findings, applicable safety improvements and recommendations of the study.

1.2 Objective

The primary goal of this study was to identify patterns of collisions characteristics in York Region; investigate immediate and long-term safety measures that could benefit pedestrians and cyclists throughout York Region; and develop a prioritization index of locations for safety improvements to be implemented.

2 Collision Data Analysis

2.1 Methodology

2.1.1 York Region Context

Prior to performing statistical analysis, discussions were undertaken with York Region staff to determine trends and specific concerns, including potential location and facility correlations, to inform the analysis. During this process, multiple regional data sets were obtained for statistical and geospatial analysis, as described below. These data included:

- Traffic volume data (AADT at intersections and mid-block locations)
- Collision data (10-year collisions involving pedestrians and cyclists)
- Traffic control data (signals, regulatory signage, red light cameras, etc.)
- Roadway network (speed zones, number of lanes, illumination, etc.)
- Active transportation network (sidewalks, multi-use paths, cycling facilities, etc.)
- Transit network (e.g. bus stop locations)
- Existing facilities network (schools, parks, hospitals, shopping centres, parking, etc.)
- Population density and distribution data

2.1.2 Statistical Analysis of Collision Data

Motor Vehicle Accident Report (MVAR) data was obtained for all collisions throughout York Region involving pedestrians and/or cyclists over the past 10 years. These data were examined, quantified and categorized, and observations of patterns were made. Pedestrian and cyclist collisions were analyzed separately. Of approximately 90,000 total collisions from 2008 to 2017, 1,462 collisions (1.6%) involved pedestrians and 883 collisions (1.0%) involved cyclists.

The data were analyzed, and patterns were identified with respect to many collision-specific and locational criteria, including:

- Severity of collision (i.e. property damage only; minimal, minor or major injury; fatality)
- Roadway characteristics including posted speed and number of lanes
- Collision location (midblock or intersection) and type of traffic control (i.e. traffic signals, stop sign, pedestrian crossover, no control, etc.)
- Environmental (i.e. weather, time of day) and lighting conditions
- Age of road users involved (pedestrians/cyclists and vehicle drivers)
- Condition of road users involved (i.e. normal, inattentive, fatigue, alcohol/drug, etc.)
- Action of vehicle driver involved (i.e. driving properly, failure to yield right-of-way, improper turn, speeding, disobeyed control, etc.)
- Vehicle maneuver (i.e. going ahead, turning left, turning right, slowing/stopping, etc.)
- Action of pedestrian/cyclist involved (i.e. crossing with right-of-way, crossing without right-of-way, running onto road, etc.)

2.1.3 Geospatial Analysis of Collision Data

Traffic collision data are inherently spatial—collisions (pedestrian/cyclists) occur at discrete locations with multiple events possible for each location. An exhaustive geospatial analysis of the 2,345 pedestrian and cyclist collisions which occurred during the 10-year period was conducted using ESRI ArcGIS software. A total of 95 separate geospatial plots were created to analyze the data set. This assisted in the identification of geographic patterns of collisions (and collisions of specific types) and highlighted correlations between collisions and site-specific characteristics.

Mapping of Collision Characteristics

Collisions were mapped in several ways to identify and visualize patterns. For example, the distribution of pedestrian and cyclist collisions was mapped by municipality and compared to overall population distribution. These are shown graphically in Figure 2.

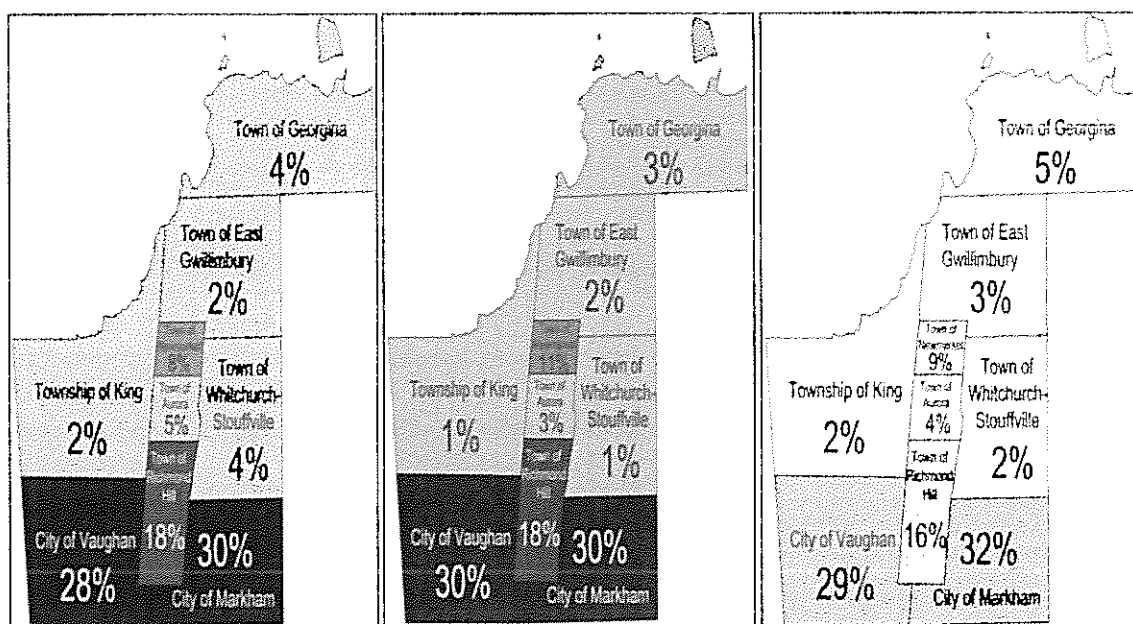


Figure 2 – Distribution of Population (Left), Pedestrian Collisions (Centre) and Cyclist Collisions (Right)

Collision frequency was mapped to identify overall patterns. Figure 3 and Figure 4 show these for pedestrians and cyclists respectively. The frequency maps show not only individual high frequency locations (e.g. Yonge Street at Mulock Drive for pedestrian collisions) but also high frequency *corridors* (e.g. Kennedy Road from Steeles Avenue to Hwy. 7 for cyclist collisions).

The following characteristics, which had been identified through the statistical analysis, were also mapped: time of day, day of week, month, and year (each separately); night versus day; road location (intersection versus mid-block); vehicle maneuver; and traffic control. In addition, fatal collisions were mapped separately. Although relatively rare, it was important to see if there were any evident geospatial patterns.

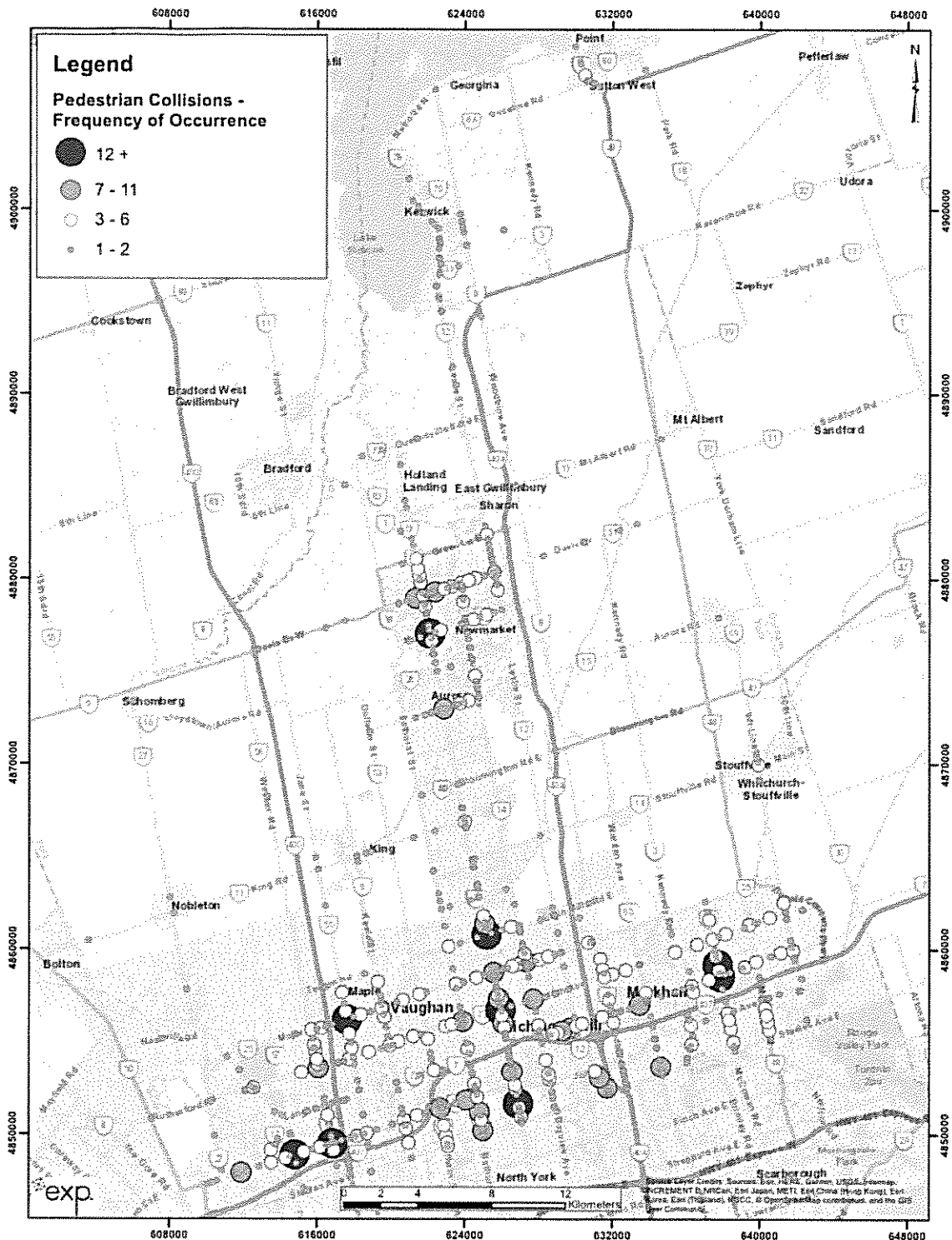
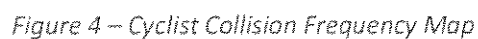


Figure 3 – Pedestrian Collision Frequency Map



Combinations of Collision Characteristics

In addition to pure geographic mapping, further insight was determined by analyzing combinations of collision characteristics geospatially. Combinations and subsets were analyzed which reflected both the statistical analysis of the 10-year data set, as well as the annual traffic safety study conducted by the Region. Specifically, the following were analyzed:

- For pedestrian collisions:
 - Driver error with road location (intersection vs mid-block) and weather condition
 - Pedestrian age (specifically young adult) versus collision type
 - Road location (intersection vs mid-block) with light condition (day vs night) and vehicle maneuver
 - Traffic control condition with pedestrian action and number of lanes, for midblock collisions with pedestrians crossing only
- For cyclist collisions:
 - Cyclist action with traffic control type and number of lanes for mid-block collisions
 - Cyclist age (specifically young adult) versus collision type
 - Road location (intersection vs mid-block) with light condition (day vs night) and vehicle maneuver

Cross-Referencing with Geospatial Data

Geospatial data sets were cross-referenced to provide greater details on contributing factors to the collisions, the collision types and severity, the roadway geometric features, the high-risk user groups, the existing traffic control, and the human behaviors associated with the collisions.

These cross-referenced data sets also provide important information regarding potential countermeasure implementation. An example is the correlation between the location of off-road hiking and multi-use trails and midblock pedestrian collisions, shown in **Figure 5**—an identified goal in York Region's Transportation Master Plan is to improve the connectivity of the trail system. Similar geospatial analysis cross-referencing data sets involved demographic characteristic or linear facilities:

- Population density with all collisions
- Total traffic volumes with all collisions, subdivided by severity
- The presence of sidewalks with pedestrian collisions
- Bicycle facilities with cyclist collisions, subdivided by severity, location (intersection vs mid-block), posted speed and weather condition

Other analysis considered the proximity of collisions to specific features, for example:

- Bus stops with pedestrian collisions
- Pedestrian collisions mid-block and intersection with proximity to schools and hospitals

Some analyses had a null result. That is, there was no correlation found between the characteristic and the frequency of collisions. Others identified specific locations where certain safety improvements might be effective.

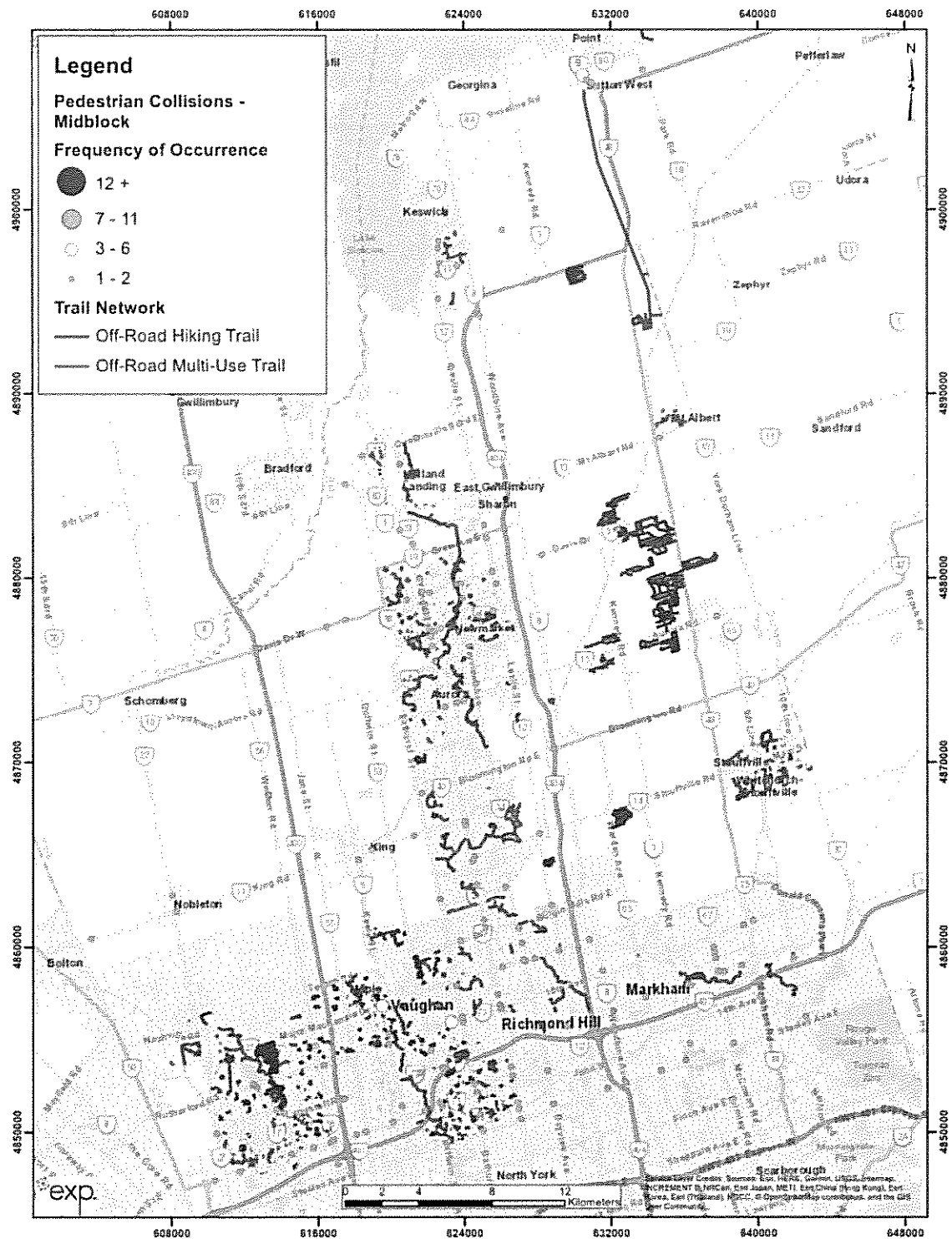


Figure 5 - Midblock Pedestrian Collisions Correlated to Off-Road Trail System

2.2 Observed Patterns

The analysis of 10 years of collision data, presented in the previous section, was synthesized to develop the following findings related to pedestrian and cyclist collisions. The findings are presented in decreasing order of significance.

Most pedestrian and cyclist collisions take place in urban areas.

More than 95% of pedestrian collisions and more than 90% of cyclist collisions occur in urban areas of York Region, likely due to the presence of more pedestrians, cyclists and transit users in these areas compared to rural areas of the Region.

Most collisions occur with turning vehicles at signalized intersections.

Approximately three quarters (75%) of pedestrian collisions occurred at signalized intersections. This finding is not necessarily typical; for example, only 10% of pedestrian collisions in the City of Toronto occur at a traffic signal¹. 77% of pedestrian collisions at signalized intersections in York Region involved the vehicle making a turning movement—43% involved a left-turning vehicle and 34% involved a right-turning vehicle.

Similarly, approximately three-fifths (61%) of cyclist collisions occurred at signalized intersections, a finding which is again not necessarily typical; for example, only 6% of cyclist collisions in the City of Toronto occur at a traffic signal². 73% of cyclist collisions at signalized intersections involved the motor vehicle making a turning movement—15% involved a left-turning vehicle and 59% involved a right-turning vehicle. These findings are represented in Figure 6.

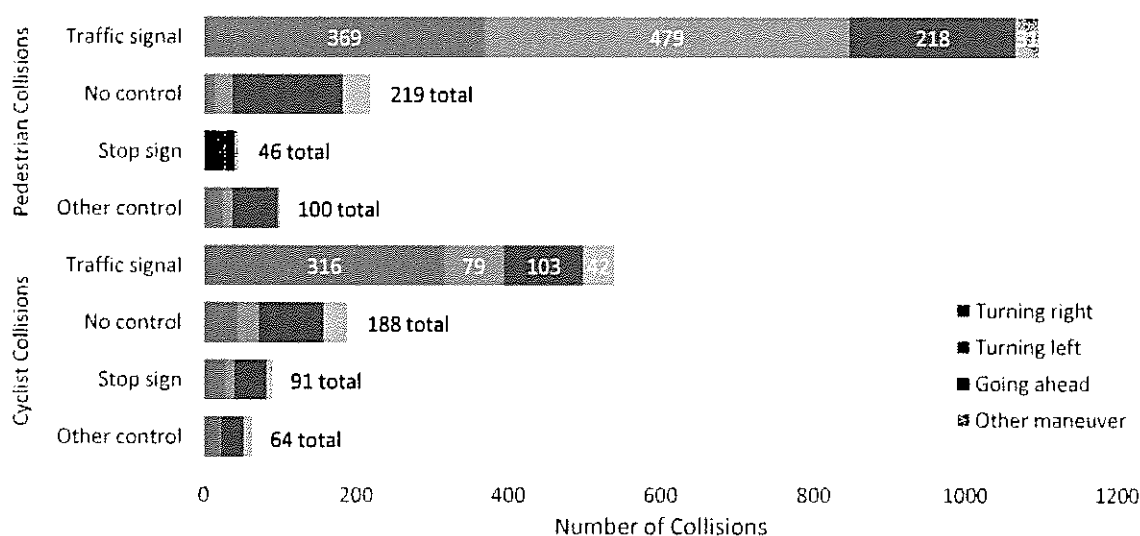


Figure 6 – Vehicle Maneuver in Pedestrian and Cyclist Collisions

¹ Toronto Public Health. Pedestrian and Cyclist Safety in Toronto. June 2015

² Ibid.

Right-turning vehicles pose a significant hazard to cyclists.

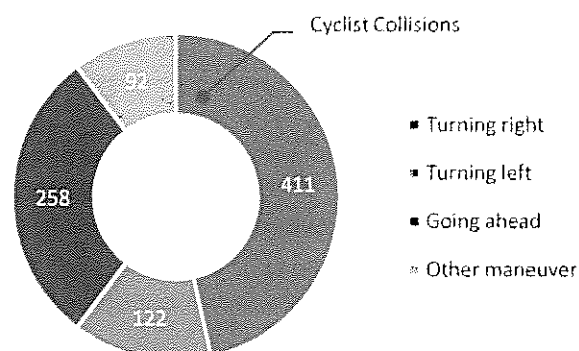


Figure 7 – Vehicle Maneuver in Cyclist Collisions

In nearly half (47%) of all collisions involving cyclists, the motor vehicle was turning right, while in only 14% of collisions the motor vehicle was turning left. This finding is represented in Figure 7. This is line with the pattern, but to a greater extreme, of a German study which found that 20% of cyclist collisions involved a turning vehicle, of which approximately 2/3 were turning right³.

The driver of the motor vehicle was driving properly in 40% of all cyclist collisions, failed to yield the right-of-way in 31% of collisions, made an improper turn in 11% of collisions, made another error in 8% of collisions and was unknown in a further 10%. This wide distribution of driver action leads to the conclusion that public understanding of the assignment of right-of-way between cyclists and turning vehicles may be a concern.

Driver error accounts for most collisions with pedestrians and cyclists.

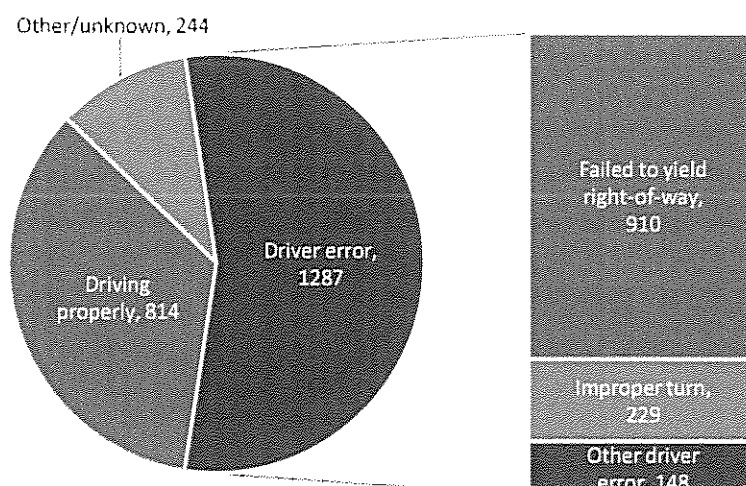


Figure 8 – Apparent Driver Action in All Pedestrian and Cyclist Collisions

Approximately 55% (1,287) of the 2,345 pedestrian and cyclist collisions analyzed were caused by driver error as shown in Figure 8. The most common driver error was failing to yield the right-of-way, followed by improper turns. The driver was driving properly in approximately 30% of collisions, and in approximately 10% of collisions the apparent driver action was listed as 'other' or was unknown.

³ Richter & Sachs (Technische Universitaet Berlin, Dept. Of Road Planning and Operation). Turning accidents between cars and trucks and cyclists driving straight ahead. 2017

Approximately 58% of pedestrian collisions were caused by driver error—in these cases, pedestrians were typically crossing with the right-of-way (84% of pedestrian collisions where driver error was recorded). When the motorist was driving properly (32% of pedestrian collisions), the most common pedestrian action was crossing without right-of-way (46% of pedestrian collisions where the driver was driving properly), followed by running onto the roadway (12%). Approximately 50% of collisions involving cyclists were caused by driver error. These findings are represented in **Figure 9**.

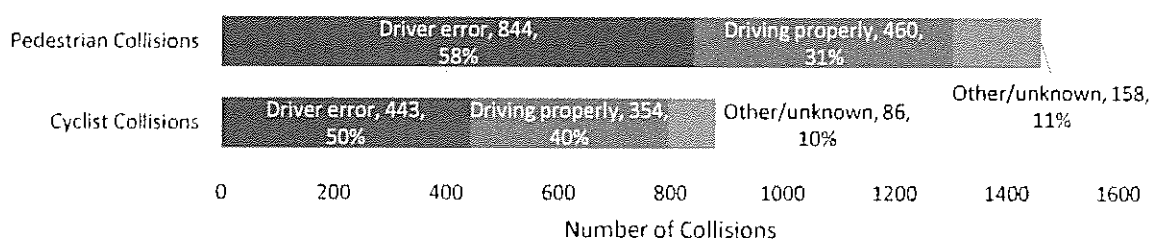


Figure 9 – Apparent Driver Action by Type of Collision

One possible reason for driver error in collisions is inattention of the driver. **Figure 10** shows that driver inattention (defined by both driver condition as inattentive and driver error in MVAR codes) has been increasing over the study period.

Extensive studies, such as the Virginia Tech Transportation Institute (VTTI)/ National Highway Safety Administration (NHTSA) 100 car naturalistic driving study⁴, have shown a strong correlation between distraction in the seconds prior to a crash occurring. This study, which monitored drivers' actions including eye movements 100% of the time for an entire year, found that inattention was involved in 90% of crashes and near-crashes. Reducing driver inattention has been a focus of road authorities and enforcement agencies as a result.

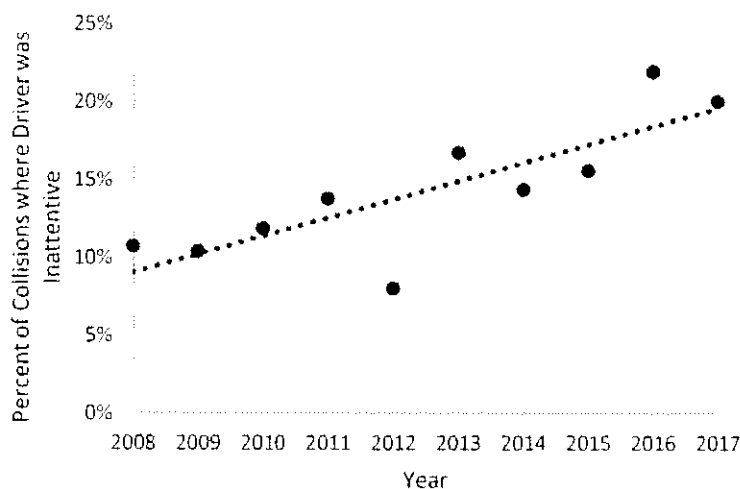


Figure 10 – Driver Inattentiveness in Pedestrian/Cyclist Collisions

⁴ Klauer, S. G., Dingus, T. A., Neale, V. L., Sudweeks, J., Ramsey, (2006) The Impact of Driver Inattention on Near-Crash/Crash Risk: An Analysis Using the 100-Car Naturalistic Driving Study Data DOT HS 810 594

Midblock collisions typically occur in locations without controlled crossings.

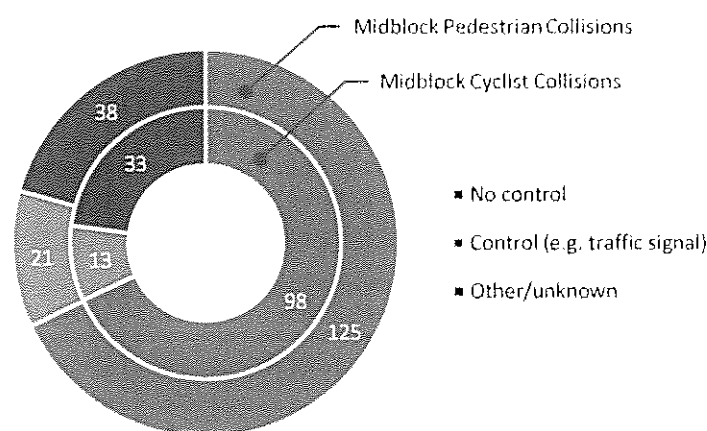


Figure 11 – Control Type in Midblock Collisions

Midblock pedestrian and cyclist collisions were found to be much less common than those at intersections (87% of pedestrian collisions and 84% of cyclist collisions occurred at intersections). However, where midblock collisions did occur, they were typically in locations without a controlled crossing: approximately two-thirds of midblock collisions involving both pedestrians and cyclists occurred in locations with no control (see Figure 11).

Young adults (20-29) and the elderly (60+) are disproportionately involved in collisions.

The involvement of pedestrians and cyclists in collisions over the past 10 years, by age group, was compared to the total daily number of walking and cycling trips originating in York Region for each age group, as shown in Figures 12 and 13. The total daily trips were derived from the 2016 Transportation Tomorrow Survey (TTS), an established source for origin-destination information across the Greater Golden Horseshoe. Pedestrian trips were derived by summing the 'walk' and 'transit excluding GO Rail' trip mode categories, since nearly all local transit trips involve walking.

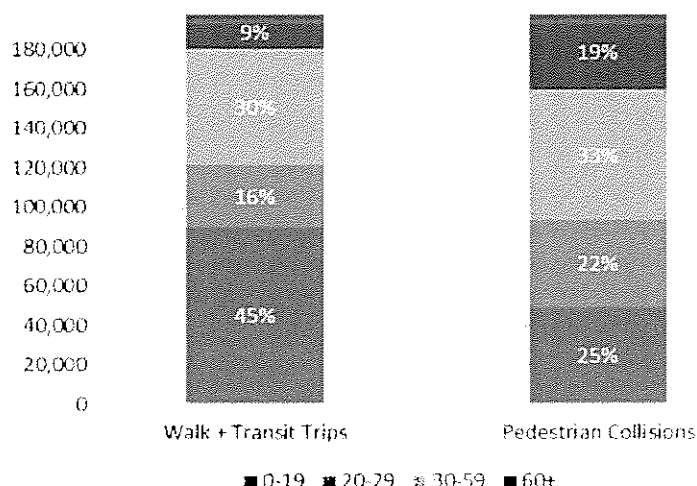


Figure 12 – Pedestrian Trips and Collisions by Age

Young adults, ages 20 to 29, were disproportionately more involved in collisions as pedestrians and as cyclists. The ratio of the proportion of collisions involving this age group to the proportion of total trips made by this age group is nearly 1.5 as pedestrians (i.e. 22% versus 16%) and more than 2.5 as cyclists, as shown in Figure 14. It is noted that 75% of young pedestrians involved in collisions at intersections were crossing with the right-of-way.

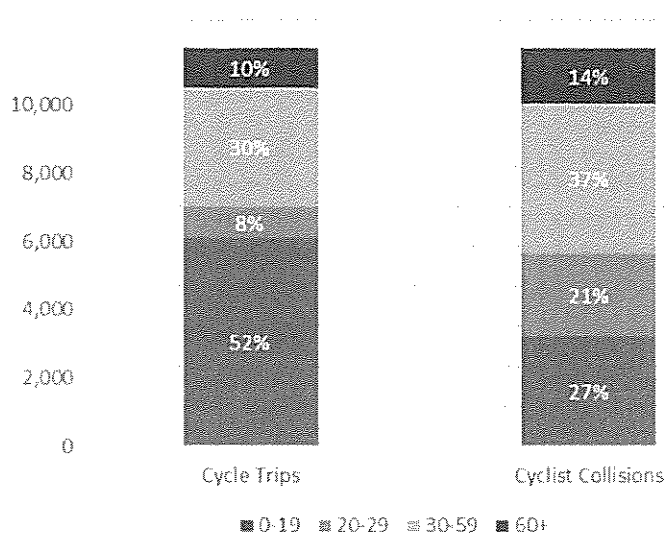


Figure 13 – Cyclist Trips and Collisions by Age

Elderly people, ages 60 and above, were also disproportionately more involved in collisions as pedestrians (ratio of the proportion of collisions involving this age group to the proportion of total trips made by this age group is more than 2.0) and as cyclists (about 1.4). However, it should be noted that the magnitude of collisions involving elderly pedestrians and cyclists is lower than in all other ranges, corresponding to a lower exposure (less total daily trips for walking and cycling modes).

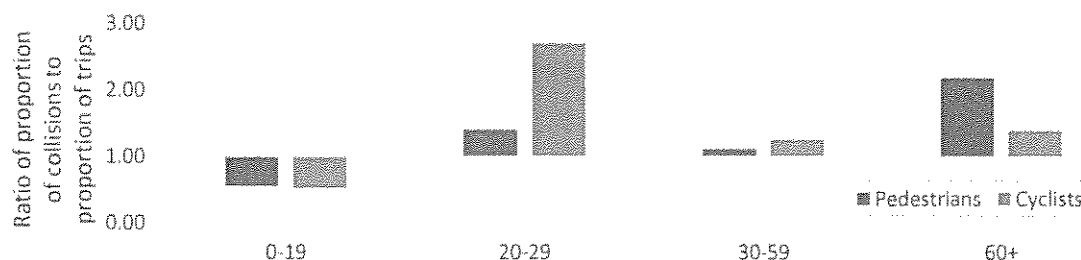


Figure 14 – Involvement in Collisions (Relative to Trips) by Age Group

Finally, it is observed that children and teenagers (0-19) make the most trips by both pedestrian and cycling modes (triple the daily pedestrian trips and six times the daily cycling trips of the 20-29 age group) but are proportionately less involved in collisions.

3 Safety Improvements

3.1 Industry Review of Potential Improvements

A transportation industry scan was conducted to determine if the major problem statements identified in York Region are comparable to general transportation trends throughout North America and the rest of the world. This scan also identified any innovative improvements that are currently being used in the industry to improve pedestrian and cyclist safety. Based on the trends identified in the statistical and geospatial analysis of pedestrian and cyclist collisions in York Region, industry review was to determine current research, trends and best practices in the following categories:

- Strategies and countermeasures to reduce pedestrian and cyclist collisions
- Innovations in safety applications for pedestrian and cyclist crossings
- Collisions involving vehicle turning maneuvers
- Collisions occurring at midblock locations
- Age of pedestrians and cyclists involved in collisions

Some identified measures, such as pedestrian countdown signals and longer pedestrian clearance times were not included in this analysis as they are already implemented on most or all of York Region roadways. Other measures, such as raised crosswalks or removal of on-street parking, were not included in this analysis as they are not applicable to York Region roadways which are mostly primary arterials without parking.

The safety measures were identified and evaluated using several sources, including guidelines and research reports. These sources include:

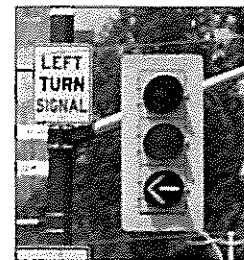
- Ontario Traffic Manual Book 15 (Pedestrian Crossing Treatments) and Book 18 (Cycling Facilities)—these guidelines are applicable standards in Ontario and provide best practice recommendations
- US Federal Highway Administration (FHWA) Pedestrian/Bicycle Safety Guide and Countermeasure Selection System—these guidelines include various statistics and case studies
- FHWA Crash Modification Factors (CMF) Clearinghouse—CMFs provide quantified estimates of crash reductions due to the implementation of various measures, based on compiled research. Not all identified factors have associated CMF factors researched.
- Various research reports published by the National Cooperative Highway Research Program (NCHRP) under the Transportation Research Board (TRB), including NCHRP Report 500: Guidance for Implementation of the AASHTO Strategic Highway Safety Plans Vols. 5, 10, 12, 18 and 19

Short and medium term improvements are described below in detail. The long term measures of improving the network of pedestrian and cycling facilities are incorporated in the Region's Active Transportation Master Plan.

3.1.1 Short Term Improvements

Protect turning movement at intersections

Providing fully protected left-turn and/or right-turn phases at intersections reduces conflicts with pedestrians and cyclists by removing permitted turning phases (drivers are permitted to turn but must yield to oncoming vehicles and cyclists as well as crossing pedestrians). With the implementation of protected turning movements, turning vehicles and pedestrians are given exclusive right-of-way in sequence.



Benefits

- Reduces potential conflicts by removing permitted turning phases
- Shown to reduce overall crashes by up to 68%⁵

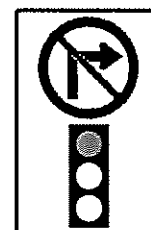
Impacts

- Additional phases may increase overall automobile delay at intersections

Recommended: Currently protect turning movements in York Region for motorist protection; should also be used at select locations to improve pedestrian and cyclist safety.

Restrict turning movements at intersections

Restricting left turns at intersections reduces conflicts with pedestrians and cyclists by removing permitted turning phases (drivers are permitted to turn but must yield to oncoming vehicles and cyclists as well as crossing pedestrians). Restricting right turns on red (RTOR) reduces conflicts with pedestrians who are crossing perpendicular to the vehicle direction.



Benefits

- Reduces potential conflicts by removing permitted turning phases
- Shown to reduce overall crashes by up to 8%⁶

Impacts

- Restricting turning movements altogether may result in unintended routes through neighborhoods
- Restricting RTOR may increase overall automobile delay at intersections

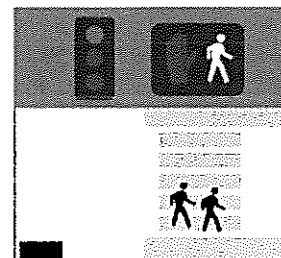
Recommended: Currently restrict turning movements in York Region for motorist protection and path control; should also be used at select locations to improve pedestrian and cyclist safety.

⁵ FHWA Crash Modification Factors (CMF) Clearinghouse – www.cmfclearinghouse.org

⁶ Ibid.

Leading pedestrian intervals

A leading pedestrian interval (LPI) gives pedestrians the opportunity to enter an intersection 3-7 seconds before vehicles are given a green indication. With this head start, pedestrians can better establish their presence in the crosswalk before vehicles have priority to turn left. They provide the following benefits: 60% reduction in pedestrians-vehicle collisions at intersections; increased visibility of crossing pedestrians; reduced conflicts between pedestrians and vehicles; increased likelihood of motorists yielding to pedestrian; and enhanced safety for pedestrians who may be slower to start into the intersection.



Benefits

- Allows pedestrians to establish presence and increases their visibility
- Have been shown to reduce pedestrian-vehicle collisions at intersections by up to 59%⁷.

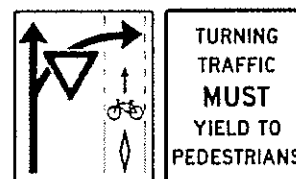
Impacts

- Increases overall automobile delay at intersections due to additional red time

Recommended: York Region has begun to pilot leading pedestrian intervals; should be further implemented at critical locations.

Warning signage

Signs which indicate to vehicles turning right that pedestrians and/or cyclists have the right-of-way within the intersection and must wait for the crosswalk to be clear.



Benefits

- May increase motorist awareness and understanding of right-of-way
- Increased visibility and awareness can reduce crashes by up to 40%^{Error! Bookmark not defined.}

Impacts

- Additional signage at intersections may cause oversaturation of driver attention

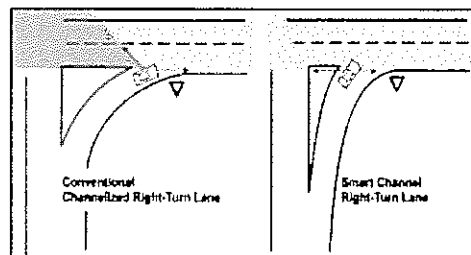
Recommended: Included in recent Canadian and Ontario industry guidelines; should be introduced at critical locations.

⁷ FHWA Crash Modification Factors (CMF) Clearinghouse – www.cmfclearinghouse.org

3.1.2 Medium Term Improvements

Smart channels

Smart Channel alignment forces right-turning vehicles to slow to a near-stop as they approach and make their turns and places the pedestrian crossing directly in front of and perpendicular to the turning vehicles, increasing driver awareness. They also provide refuge islands separating the full-length pedestrian crossing into shorter segments.



Benefits

- Decreases speed of turning motorists
- Increases visibility of pedestrian crossing (perpendicular to turning vehicles)
- Also improves vehicle-vehicle visibility
- Shown to reduce crashes by up to 44%⁸

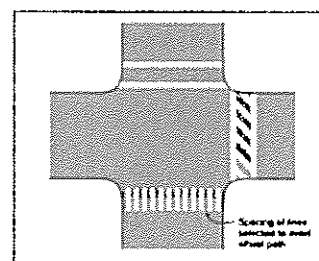
Impacts

- Pavement marking require regular maintenance (curbs must remain wider due to truck turning movements)
- Decreased vehicle speed may increase delay slightly for right-turning vehicles

Recommended: York Region's best practice is to remove channelized right turns entirely in construction in urban areas; where removal is not possible Smart Channel should be included in standard design, additionally should use pavement marking version in select locations as a trial.

Enhanced crosswalk pavement markings

High-visibility crosswalk markings, such as ladder markings, are an alternative to the typical parallel line markings. High-visibility crosswalks are recommended to be used in locations with high pedestrian and vehicle volume. Various studies have shown decreases in pedestrian-vehicle collisions⁹



Enhanced paving or colored paint can be used to further enhance the visibility of crosswalks in locations with high pedestrian volumes. York Region has implemented colored paving stone crosswalks along the Highway 7 BRT route.

Benefits

- Increases visibility of pedestrian crossing
- Shown to reduce crashes by 20% to 40%⁸

Impacts

- Pavement markings require regular maintenance

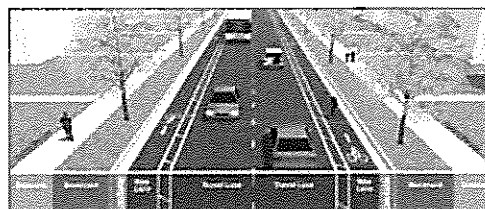
Recommended: Ladder crosswalk markings are used in York Region in all location where intersection geometry allows; should prioritize intersection improvements where current geometry precludes required direct crossings.

⁸ FHWA Crash Modification Factors (CMF) Clearinghouse – www.cmfclearinghouse.org

⁹ FHWA (2014) Evaluation of Pedestrian-Related Roadway Measures: A Summary of Available Research

Road diet

Road diets involve reducing the width of roadways as they approach intersections. They reduce the number of lanes pedestrians must cross and slow traffic on the approaches. One common road diet design in Ontario is to reduce a four-lane cross-section to three lanes (including two-way left turn lane) with bicycle lanes or a parking lane.



Benefits

- Reduces width of pedestrian crossings, therefore reducing exposure to conflicts
- May decrease motorist speed due to narrower or fewer lanes
- Allows for introduction of dedicated cycling facilities

Impacts

- Fewer travel lanes may decrease automobile capacity of roadway (in some cases, such as four- to three-lane reduction with TWLTL, may allow for similar capacity)
- Additional pavement markings or landscaping features may require regular maintenance

Recommended: Road diets are used widely throughout GTA; should continue to look for implementation opportunities as part of resurfacing and reconstruction projects.

Curb extensions

Curb extensions (also known as bulb-outs) extend the sidewalk or curb line out into the parking lane and reduce the effective street width. This countermeasure improves pedestrian crossings by reducing the pedestrian crossing distance, reducing the time that pedestrians are in the street, visually and physically narrowing the roadway, and improving the ability of pedestrians and motorists to see each other.¹⁰



Benefits

- Reduces width of pedestrian crossings
- Increases visibility of pedestrian crossing
- May reduce motorist speeds due to narrower roadway and tighter curb radii

Impacts

- Capital cost of curb construction

Recommended/ Limited Applicability: Typically used on local and collector roads in high density urban areas; consider use but may have limited applicability on York Region roads.

¹⁰ FHWA Pedestrian Safety Guide and Countermeasure Selection System – www.pedbikesafe.org

Reduce corner radius at intersections

Larger curb radii typically result in high-speed turning movements by motorists, which may increase the risk of pedestrians being struck by right-turning vehicles. Smaller radii can improve pedestrian safety by requiring motorists to reduce vehicle speed by making sharper turns and shortening pedestrian crossing distances which thereby improves signal timing. Also, the smaller radii provide larger pedestrian waiting areas at corners, improve sight distances, and allow for greater flexibility of curb ramp placement¹⁰.



Benefits

- Reduces width of pedestrian crossings
- Reduces motorist speeds due to narrower roadway and tighter curb radii

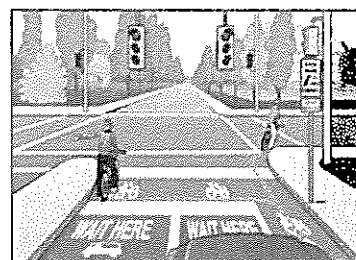
Impacts

- Capital cost of curb construction
- May restrict some truck and emergency vehicle movements

Recommended: Reduced corner radii considered as part of all York Region intersection improvements; should continue to implement.

Bike boxes / cross-rides / green cycling areas

Bike boxes allow cyclists to have a safe and visible location to queue, ahead of motorists. In Ontario, cyclists and motorists are provided clear indication of these areas as they are painted bright green and contain bicycle pavement markings in them. A crossride is dedicated space at an intersection, identified by unique pavement markings, for cyclists to legally ride their bicycle through an intersection without dismounting. A crossride may appear alongside a pedestrian crosswalk as a separate facility or may be combined with a crosswalk to save space in some areas.



Benefits

- Increases motorist awareness and understanding of right-of-way at intersections on roads with dedicated cycling facilities
- Shown to reduce crashes by up to 39%^{Error! Bookmark not defined.}

Impacts

- Increases complexity of pavement markings for motorists
- Requires regular maintenance

Recommended: Introduced within York Region (for example Hwy 7 bike boxes); should consider implementing on all designated York Region bicycle facilities.

Advance stop lines

Advance yield/stop line include the stop bar or “sharks’ teeth” yield markings placed 6 to 15 meters in advance of a marked crosswalk to indicate where vehicles are required to stop or yield. This countermeasure discourages drivers from stopping too close to crosswalks and blocking other drivers’ views of pedestrians and pedestrians’ views of vehicles. Pedestrians can see if a vehicle is stopping or not stopping and can take evasive action. Studies have found that advance yield markings at midblock crossings can be particularly useful when combined with signs and beacons, such as the Pedestrian Hybrid Beacon or Rectangular Rapid-Flashing Beacon (RRFB)¹¹.



Benefits

- Increases visibility of pedestrian crossing
- Shown to reduce crashes by up to 25%¹²

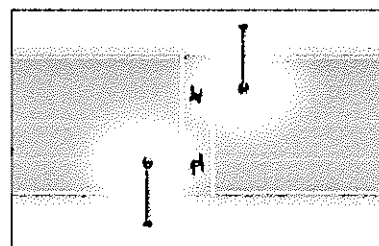
Impacts

- Additional pavement markings require regular maintenance

Recommended/ Limited Applicability: Advance yield line associated with new Pedestrian Crossovers only, which has limited potential use on Regional arterial roads; continue to use required advance stop line at mid-block pedestrian signals.

Enhanced lighting

Appropriate quality and placement of lighting can enhance an environment and increase comfort and safety. Pedestrians may assume that their ability to see oncoming headlights means motorists can see them at night; however, without sufficient lighting, motorists may not be able to see pedestrians in time to stop. A study sponsored by the FHWA found that 20 lx (a unit of illuminance) was necessary for motorists to detect a pedestrian in the crosswalk. To achieve 20 lx, the luminaire should be placed 3 m upstream of the crosswalk. This differs from traditional placement of luminaires over the actual intersection.¹³



Benefits

- Increases visibility of pedestrian crossing

Impacts

- Capital and maintenance costs of lighting

Recommended: York Region currently uses Transportation Association of Canada guidelines; as part of the LED upgrade program should consider installation of enhanced lighting at pedestrian crossings.

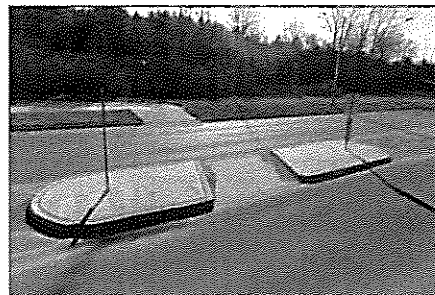
¹¹ FHWA Pedestrian Safety Guide and Countermeasure Selection System – www.pedbikesafe.org

¹² NCHRP Research Report 841: Development of Crash Modification Factors for uncontrolled Pedestrian Crossing Treatments

¹³ FHWA Report No. FHWA-HRT-08-053 Informational Report on Lighting Design for Midblock Crosswalks (2008)

Pedestrian crossing islands

A pedestrian crossing island (or refuge area) is a raised island which can be implemented either at controlled crossing locations (e.g. between opposing traffic lanes at intersections or pedestrian crossovers) or at uncontrolled crossing locations (locations such as trail crossings where a controlled crossing is not warranted). These islands separate crossing pedestrians from motor vehicles and have been shown to reduce pedestrian collisions by up to 56%.



If implemented at an uncontrolled crossing location, the roadway characteristics, pedestrian exposure and geometry should be considered before providing a pedestrian crossing island and other physical components (e.g. signage) which designate the location as an uncontrolled crossing. The Ontario Traffic Manual (Book 15, Section 7) recommends implementing designated uncontrolled crossings only under the following conditions: the roadway should have a posted speed limit of 50 km/h or less; pedestrian and traffic volumes should not exceed the warrant thresholds for controlled crossing treatments; the roadway should have a maximum of two lanes in each direction; and the roadway should be classified as a collector or lower (i.e. the roadway should not be a major collector or arterial).

Benefits

- Reduces width of individual pedestrian crossing movements, therefore reducing exposure to conflicts

Impacts

- Capital cost of median island
- Increases width of roadway (potential property requirements) if no existing median

Recommended/ Limited Applicability: Pedestrian crossing islands are used in some lower or single tier GTA municipalities but not currently in York Region; should consider their use, however very few Regional roads will meet all requirements, so typically mid-block pedestrian signals should be installed instead.

Danish offset

Danish offsets are an enhanced form of pedestrian refuge islands which are offset on either side, providing a safe middle refuge and orienting pedestrians to face oncoming traffic as they cross the second leg. They also are more beneficial to those with mobility issues compared to standard pedestrian refuges. If implemented at an uncontrolled crossing location, the same conditions which apply to pedestrian crossings (OTM Book 15) apply to Danish offsets.



Benefits

- Reduces width of individual pedestrian crossing movements, therefore reducing exposure to conflicts

Impacts

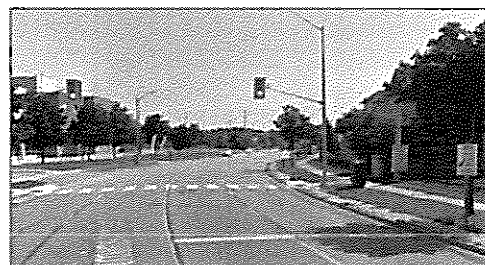
- Capital cost of median island
- Increases width of roadway (potential property requirements) if no existing median

- Increases visibility between pedestrians and motorists

Recommended/ Limited Applicability: Danish offset crossings have had limited use in GTA municipalities but not currently in York Region; should consider their use, however very few Regional roads will meet all requirements, so typically mid-block pedestrian signals should be installed instead.

Controlled mid-block pedestrian crossings

One type of controlled pedestrian crossing is the pedestrian crossover, which allow pedestrians to cross the road where there are no traffic lights or stop signs. Motorists and cyclists must come to a complete stop when pedestrians indicate they want to cross the road at a crossover. All traffic must remain stopped until pedestrians reach the sidewalk on the opposite side of the road. These rules also



apply to school crossings and other locations where a crossing guard is present. Another type of controlled pedestrian crossing (preferred in York Region to pedestrian crossovers) is an Intersection or Midblock Pedestrian Signal (MPS pictured), which function similarly to regular traffic signals where vehicles must stop when the indication is red.

Benefits

- Clearly assigns right-of-way between pedestrians and motorists at otherwise uncontrolled crossings
- Shown to reduce crashes by up to 29%¹⁴.

Impacts

- Capital cost of traffic control (e.g. signals)
- Increases automobile delay

Recommended: York Region currently installs pedestrian traffic signals according to OTM Book 12 guidelines; should additionally review location requests for network connectivity and regular pedestrian crossing spacing.

¹⁴ FHWA Crash Modification Factors (CMF) Clearinghouse – www.cmfclearinghouse.org

3.2 Rating of Potential Improvements

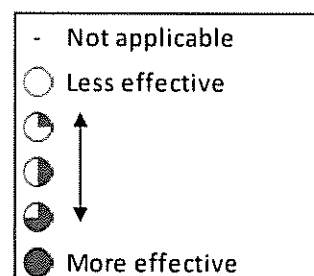
The safety improvements identified in the previous section were rated on their potential effectiveness for improving safety for the major observed collision patterns in York Region, as well as on their estimated cost and applicability on York Region roads. These ratings were combined to determine an overall recommendation rating for each measure. The methodology for rating each of these categories is described below and a summary of recommendations is shown in **Table 1**.

Effectiveness at Improving Safety for Targeted Collision Types

Based on the major collision patterns identified in Section 2, four overarching types of collisions were identified to be targeted by potential safety improvement measures. These are:

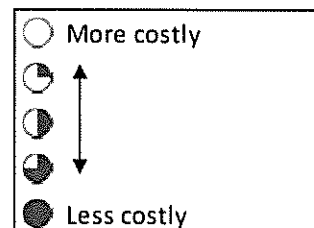
1. Pedestrian collisions with turning vehicles at signalized intersections.
2. Cyclist collisions with turning vehicles at signalized intersections.
3. Collisions involving young adult pedestrians and cyclists (ages 20 to 29).
4. Collisions occurring at midblock locations with four or more lanes and no traffic control.

Each identified safety measure was rated for its potential effectiveness to improve safety for each of these four types of collisions. These ratings were based on an industry review of best practice and applicable research on the anticipated benefits and impacts of each measure, as outlined in Section 3.1.



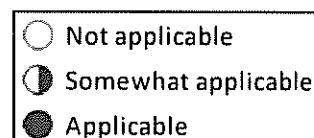
Cost

Each measure was rated based on its potential cost to implement. These ratings are based on the estimated typical installation of each measure. In general, measures which involve infrastructure changes (i.e. controlled midblock crossings) are anticipated to be costlier than those that do not (i.e. signage, pavement markings, etc.).



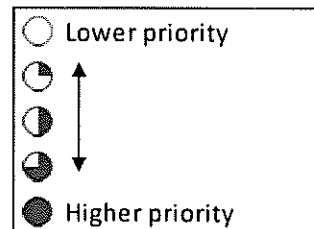
Applicability on York Region Roads

Most roads under the jurisdiction of York Region are arterial roadways with four or more lanes. Some identified measures are not applicable to these types of roads, while some are possible but are generally not used.



Overall Recommendation Rating

The ratings for each of the categories listed above were combined to determine an overall recommendation for each identified measure specific to York Region conditions and collision patterns. Measures which have potential to improve safety for multiple collision types are generally recommended to be implemented at a higher priority.



Implementation time frame

A general time frame for implementation is identified for each type of improvement measure, based on the infrastructure or network modifications required. In general, measures which involve minor upgrades to signal timing, signage and/or pavement markings can be provided in a “short” time frame. Measures which involve moderate to substantial infrastructure upgrades (e.g. medians, new traffic signals, etc.) can be provided in a “medium” time frame. Network improvements can be provided in a “long” time frame.

Table 1 – Summary of Recommended Measures

Measure	Effectiveness at Improving Safety for Targeted Collision Type				Cost Rating	Applicability on Regional Roads	Overall Recommendation Rating	Implementation Time Frame
	1	2	3	4				
Protect turning movements at intersections	●	●	●	-	●	●	●	Short
Restrict turning movements at intersections	●	●	●	-	●	●	●	Short
Leading pedestrian intervals	●	-	●	-	●	●	●	Short
Warning signage (i.e. turning traffic yield to pedestrians/cyclists)	●	●	●	-	●	●	●	Short
Education campaigns focused on distracted road users (pedestrians, cyclists and drivers)	●	●	●	●	●	●	●	Short
Smart Channels	●	●	●	-	●	●	●	Medium
Enhanced (e.g. ladder) pavement markings at pedestrian crossings	●	-	●	-	●	●	●	Medium
Road diet to narrow lanes/ reduce speed	●	●	●	●	●	●	●	Medium
Curb extensions	●	-	●	●	●	●	●	Medium
Reduce corner radius at intersections	●	●	●	-	●	●	●	Medium
Bike boxes / cross-rides / green cycling areas	-	●	●	●	●	●	●	Medium
Improve pedestrian network connections	●	-	●	●	●	●	●	Long
Advance stop lines	●	●	-	●	●	●	●	Medium
Enhanced lighting	●	●	●	●	●	●	●	Medium
Pedestrian crossing islands/ Danish offset	-	-	●	●	●	●	●	Medium
Controlled mid-block crossings	-	-	-	●	●	●	●	Medium
Improve cycling network connections (i.e. dedicated cycling facilities)	-	●	●	-	●	●	●	Long

4 Implementation and Prioritization

Safety data analysis revealed Region-wide patterns of collision characteristics to be addressed (Section 2). Potential safety improvements were identified by an industry review and rated by their anticipated effectiveness at addressing Region-specific collision patterns (Section 3). To guide the implementation of pedestrian and cyclist safety improvements in the Region, a prioritized index of specific locations to be further diagnosed and upgraded was developed.

In the long term, improved pedestrian and cycling facilities should be implemented systemically throughout the Region when new roads are built, or existing roads are reconstructed. Certain improvements, such as dedicated cycling facilities, should be implemented on a corridor or network basis. York Region's Pedestrian and Cycling Planning and Design Guidelines (2018) provide facility selection tools and design standards for this purpose.

4.1 Scope of Prioritization Index

4.1.1 Purpose

The purpose of the prioritization exercise is to identify specific locations where operational improvements have the greatest potential to improve pedestrian and cyclist safety. Considering Objective 3 of York Region's 2016 Transportation Master Plan to "*Integrate Active Transportation in Urban Areas*", a secondary goal is to increase active transportation mode share by improving pedestrian and cyclist comfort and accessibility in areas where there may be high potential active transportation demand but where the existing environment may be unwelcoming.

Based on the observed patterns of collision characteristics in York Region and the suite of identified potential improvement measures, the following parameters for prioritization were developed:

- Both pedestrian and cycling modes are addressed, since the most prominent collision patterns are shared (e.g. turning vehicles at signalized intersections) and several of the identified operational improvements have potential to improve safety for both modes (e.g. protecting or prohibiting turning movements).
- The prioritization exercise addresses signalized intersections only and uses variables which prioritize urban areas and intersections with a high proportion of turning volumes, since the safety analysis showed prominent patterns of collisions with these characteristics.

The recommended operational improvements are intended to be implemented throughout the Region, starting with the locations having the highest prioritization index. Each prioritized intersection will be reviewed for applicability, to understand site-specific problems and constraints, and to select and design which of the recommended safety measure be implemented. The systemic application will be validated at initial trial locations prior to proceeding. Safety benefits and operational impacts will be monitored and assessed pre and post implementation.

4.1.2 Methodology

The methodology for the prioritization index was based on the ActiveTrans Priority Tool Guidebook¹⁵ published by the National Cooperative Highway Research Program (NCHRP). The methodology assigns each potential improvement location with a prioritization score by summing the weighted scores for several evaluation factors. Factors and factor weights were selected to prioritize locations which have potential to achieve the purpose set out in the previous section. Several related variables were analyzed to determine the score for each factor.

4.1.3 Factors

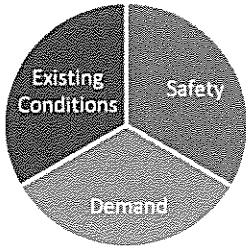
To achieve the objectives of the prioritization exercise, three factors were selected for analysis. These factors are relevant to York Region's goal to implement safety improvements at signalized intersections with the greatest potential to improve pedestrian and cyclist safety, especially in areas where there may be high potential to increase active transportation mode share but where the existing environment may be unwelcoming.

- **Safety** – Accounts for the risk of a pedestrian or bicyclist being involved in a collision. Safety is important because pedestrians and bicyclists are particularly vulnerable to being injured or killed when struck by a motor vehicle. In addition, concerns about safety can be a significant barrier to people choosing to walk and bicycle. The safety factor is evaluated in terms of reported pedestrian and bicycle crashes from both historical and predictive perspectives.
- **Demand** – Represents existing and potential pedestrian and bicycle activity levels. Demand is a key factor considering the goal to improve pedestrian and bicycle facilities where they will be most used. Existing pedestrian and bicycle volume measurements were used, in addition to an estimate of potential or 'latent' demand considering proximity to pedestrian and cyclist attractors and high-density land uses. An increasing body of evidence supports the concept of latent demand as a method to focus investments on areas with the greatest potential for multimodal trips, even if current levels of walking and bicycling trips are low.
- **Existing Conditions** – Accounts for physical conditions that have an impact on pedestrian or bicycle safety, comfort, or demand, including the permanent physical road environment as well as travel behaviours that influence conditions for walking and cycling, such as traffic volumes and speed.

Each of the three factors was weighted equally in the prioritization formula, based on York Region policy and discussions with York Region staff. Each factor is given an arbitrary weight of 20 points, leading to a total score for each assessed location of 60 points (see **Table 2**).

¹⁵ NCHRP Report 803: Pedestrian and Bicycle Transportation Along Existing Roads – ActiveTrans Priority Tool Guidebook ; Transportation Research Board; Washington DC; 2015

Table 2 – Intersection Prioritization Factor Weights

Factor	Weight	
Safety	20	
Demand	20	
Existing Conditions	20	
TOTAL SCORE OUT OF:	60	

4.1.4 Variables

For each of the three analysis factors, several variables were selected to effectively represent the factor as described in the previous section. Each variable is scored out of five points. A brief description of each variable and its effective weighted contribution to the final score out of 60 is outlined in Table 3.

Table 3 – Intersection Prioritization Variables

Factor	Variable	Description	Score out of	% of factor	Factor weight	Effective variable weight
Safety	Observed collisions	Total collisions involving pedestrians and cyclists (10 years) based on MVAR data.	5	50%	20	10
	Potential for Safety Improvement (PSI)	Quantitative predictive measure of potential for increasing safety, using Safety Performance Functions (statistical analysis of collisions between all road users, considering various environmental factors).	5	50%		10
Demand	Existing pedestrian demand	Eight-hour pedestrian volume from most recent Turning Movement Counts at each intersection.	5	25%	20	5
	Proximity to transit	Scores are based on proximity to transit routes. Higher scores are given to intersections of routes and VIVA routes.	5	25%		5
	Proximity to attractors	Shopping centers within 500 m and schools within 800 m radius of intersection.	5	25%		5
	Average adjacent population density	Average population density within 800 m radius of intersection, based on 2016 census data.	5	25%		5

Existing Conditions	Traffic volume	Total eight-hour vehicle traffic from most recent Turning Movement Counts at each intersection.	5	25%	20	5
	Total turning traffic volume	Total eight-hour turning vehicle traffic from most recent Turning Movement Counts at each intersection.	5	25%		5
	Traffic speed	Average speed of approaching roads in km/h.	5	25%		5
	Number of travel lanes	Sum of travel lanes on all approaches.	5	25%		5
TOTAL SCORE OUT OF:					60	60

4.2 Prioritization

4.2.1 Variable Scoring

The safety, demand and existing conditions characteristics were evaluated for most signalized intersections in York Region¹⁶. The variables were scored using a percentile system (except for the transit variable) as outlined in **Table 4**. The percentile ranges are smaller for higher scores to increase sensitivity near the top of the ranked index.

Table 4 – Intersection Prioritization Scoring Criteria

Variable Score		0	1	2	3	4	5
Percentile (where applicable)		0%	40%	60%	75%	85%	95%
Safety	Collisions (10 years)	< 1	≥ 1	≥ 2	≥ 4	≥ 5	≥ 8
	PSI	< 1.00	≥ 1.00	≥ 6.14	≥ 16.41	≥ 31.08	≥ 79.06
Demand	Pedestrian Volume (8 hrs)	< 33	≥ 33	≥ 95	≥ 180	≥ 297	≥ 600
	Transit	no stops	N/A	one route	two routes	two routes, one VIVA	two routes, both VIVA
	Nearby Attractors	< 1	≥ 1	≥ 2	≥ 3	≥ 4	≥ 5
	Population Density	< 15.68	≥ 15.68	≥ 22.54	≥ 29.33	≥ 34.76	≥ 47.27
Existing Conditions	Vehicle Volume (8 hrs)	< 14,937	≥ 14,937	≥ 19,275	≥ 23,371	≥ 26,927	≥ 34,570
	Turning Volume (8 hrs)	< 2,829	≥ 2,829	≥ 4,044	≥ 5,877	≥ 8,174	≥ 10,482
	Average Approach Speed	< 55.0	≥ 55.0	≥ 56.7	≥ 60.0	≥ 63.3	≥ 70.0
	Total Approach Lanes	< 13	≥ 13	≥ 16	≥ 16	≥ 18	≥ 20

¹⁶ Intersections with no available Turning Movement Count data were excluded from analysis.

4.2.2 Ranked Index

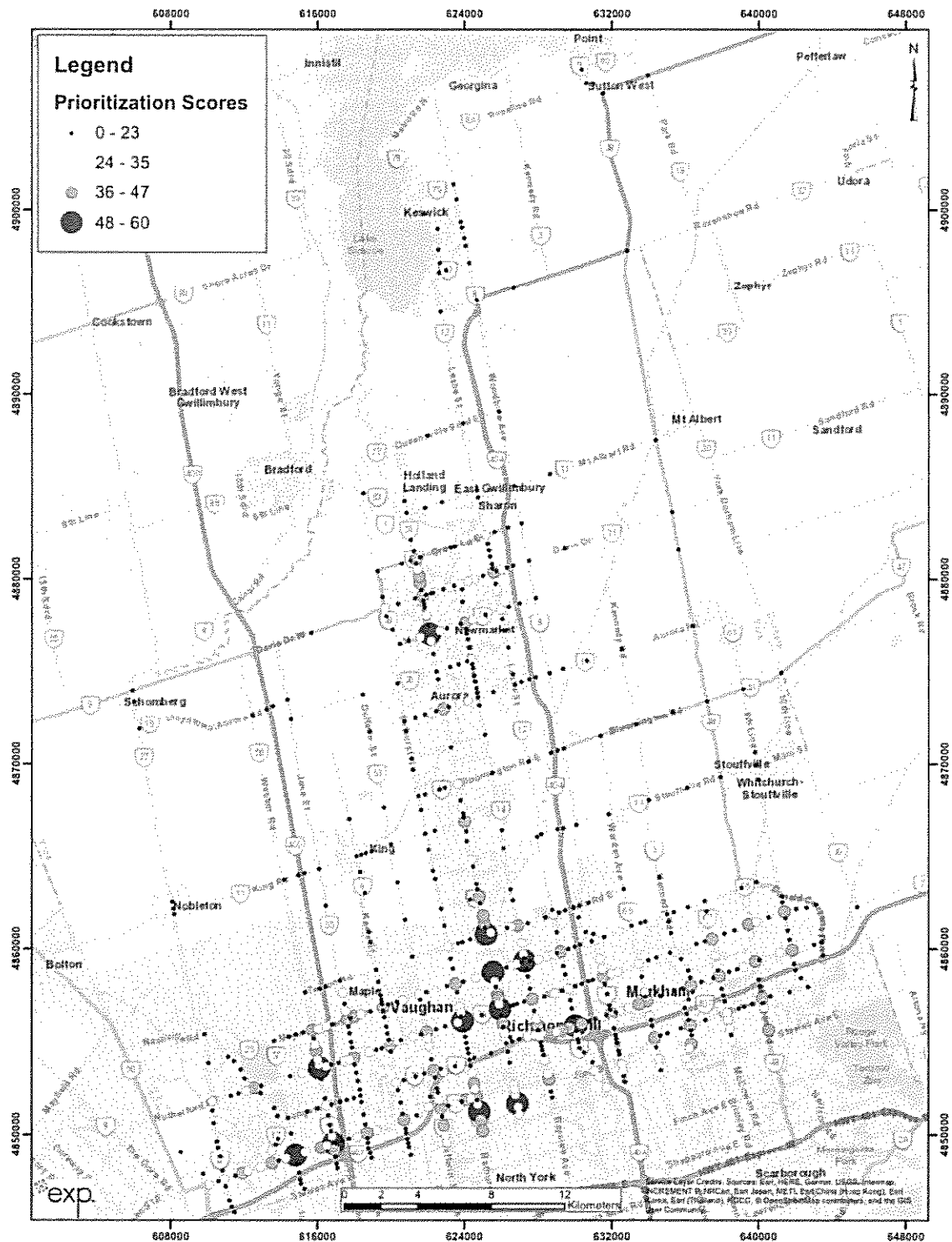
The scores for each variable were combined and weighted to determine the scores for each factor (safety, demand and existing conditions). The sum of the factor scores equates to the total weighted prioritization score (out of 60) for each intersection, with higher scores indicating higher priority for improvement. A ranked list of intersections with scores over 48 (80% of 60) or higher are included in **Table 5** and the full index of all signalized intersections is mapped in **Figure 15** and included as **Appendix A**.

Table 5 – Intersection Prioritization Index

Signalized Intersection	Variable Scores (all /5)										Factor Scores			
	Safety		Demand				Ex. Conditions				Safety (/20)	Demand (/20)	Ex. Conditions (/20)	Total Weighted Score (/60)
	Collisions	PSI	Ped. Volume	Transit	Attractors	Pop. Density	Traffic Volume	Turning Volume	Speed	Approach Lanes				
Yonge Street & Carrville Road/ 16 th Avenue *	5	5	5	5	5	5	5	4	0	5	20	20	14	54
Yonge Street & Mulock Drive *	5	5	5	5	5	3	4	4	3	5	20	18	16	54
Major Mackenzie Drive East & Bayview Avenue	5	5	5	3	5	4	4	4	3	4	20	17	15	52
Highway 7 & Weston Road *	5	5	5	5	3	0	5	5	4	5	20	13	19	52
Weston Road & Rutherford Road **	5	5	3	3	3	4	5	5	3	5	20	13	18	51
Highway 7 & Leslie Street *	4	5	5	5	5	0	5	4	4	5	18	15	18	51
Yonge Street & Major Mackenzie Drive *	5	5	5	5	5	4	4	3	0	4	20	19	11	50
Highway 7 & Pine Valley Drive *	5	5	4	5	2	1	5	5	3	5	20	12	18	50
Yonge Street & Elgin Mills Road *	5	5	5	5	4	3	4	4	1	3	20	17	12	49
Yonge Street & Clark Avenue	5	4	5	5	4	5	4	3	0	5	18	19	12	49
Bathurst Street & Carrville Road/ Rutherford Road	5	4	5	3	5	2	5	4	2	5	18	15	16	49
Bathurst Street & Clark Avenue W	5	4	5	3	4	4	5	4	1	4	18	16	14	48

* Excluded due to recent or imminent construction

** Excluded due to identified traffic operational impacts



4.3 Safety Improvement Trials at Priority Intersections

Intersections with prioritization scores of 48 or higher were selected for trials of safety improvements to be implemented and evaluated for future systemic implementation. The value 48 represents a natural break point in the data set, 80% of the maximum index and provides for a reasonable number of initial trial locations. These intersections are bolded in **Table 5**. Several intersections were eliminated from consideration as they were recently, are currently or are imminently undergoing construction and therefore not applicable for before/after analysis. Intersections were also identified which have the high potential for adverse operational impacts including neighbourhood traffic infiltration.

For each identified high-priority intersection, further diagnosis will be completed to understand site-specific problems, constraints and conditions, and to select and design safety improvements accordingly. This diagnosis will include:

- Analysis of pedestrian counts and turning movement counts to determine high-exposure conflicts
- Video conflict analysis to identify where and how conflicts occur
- Field observations to identify environmental, behavioural or other factors that may be influencing crashes and conflicts
- Detailed analysis of collision history to identify site-specific patterns or circumstances of collisions
- Operational analysis to define existing traffic conditions and potential impacts to conditions based on proposed improvements

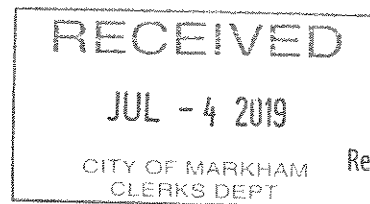
Staff will monitor each intersection to evaluate the safety benefits and understand the corresponding impacts on vehicular traffic. Video conflict analysis and field observations from before and after implementation will be compared to determine what safety benefits have been realized, if any. Traffic operational impacts such as travel time increase, delay and queuing issues will also be evaluated. Based on the results, these operational measures will be considered for permanent installation as well as applicability at other locations.

Legal Notification

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EXP Quality System Checks			
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Prepared By:	Michael Piovesana, EIT		
Reviewed By:	Margot Smeenck, P.Eng., PTOE		



Regional Clerk's Office
Corporate Services

June 28, 2019

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

Dear Ms. Kitteringham:

Re: SM4RT Living Waste Management Plan 2018 Annual Update

On June 27, 2019 Regional Council adopted the following recommendations:

1. The Regional Municipality of York supports full producer responsibility for single use plastic, aluminum and metal drink containers.
2. The Regional Clerk circulate this report to the local municipalities and the Minister of Environment, Conservation and Parks.

The staff report is enclosed for your information.

Please contact Laura McDowell, Director, Environmental Promotion and Protection at 1-877-464-9675 ext. 75077 if you have any questions with respect to this matter.

Sincerely,



Christopher Raynor
Regional Clerk

Attachment

The Regional Municipality of York

Committee of the Whole
Environmental Services
June 13, 2019

Report of the Commissioner of Environmental Services

SM4RT Living Waste Management Plan 2018 Annual Update

1. Recommendation

It is recommended that the Regional Clerk circulate this report to the local municipalities and the Minister of Environment, Conservation and Parks.

2. Summary

This report is the annual update to Council on implementation of the SM4RT Living Waste Management Master Plan. The Plan sets direction for waste management policy and programs, with a focus on waste reduction and continuous improvement of services in the integrated waste management system. It is jointly delivered by the Region and its local municipal partners, in collaboration with the community. The Balanced Scorecard (Attachment 1) provides a summary of key metrics and programs delivered as part of the SM4RT Living Plan.

Key Points:

- The waste generation rate continues to decrease. The rate shows curbside and depot-collected material separately to better track and understand trends in components of the overall system
- The Region and our local municipalities are participating in consultations with the Province to prepare for transition under the *Waste-Free Ontario Act*
- The Region and our local municipalities continue to expand and improve SM4RT Living programs with support from community partners
- The focus of our SM4RT Living Plan on waste reduction is well aligned with the Province's shift towards a circular economy and has positioned the Region to adapt to challenges faced in Ontario and beyond. The Update will continue to refine the direction and tools we need to continuously improve resiliency in the integrated waste management system.

3. Background

First five years of the SM4RT Living Plan focussed on research and pilot testing new programs

The SM4RT Living Plan shifts focus from diversion to waste reduction. York Region was the first Ontario municipality to move in this direction; in the last five years, more communities including City of Toronto and Peel Region have followed suit and the Province is also making this shift. In the first five years, 32 priority initiatives were explored as outlined in the [2017 Balanced Scorecard](#). Work in the initial years included pilot testing of new programs, research, policy development, and data collection.

Key areas of focus included:

- Food waste reduction
- Reuse and repair
- Improving performance in the multi-residential sector
- Advocating Council endorsed principles and preparing for transition of the Blue Box to full producer responsibility

In 2018 a review and update of the SM4RT Living plan was initiated. The scope of the project includes: expanding and refining successful programs; building partnerships to deliver programs efficiently; preparing infrastructure and contracts for the Region's changing needs including transition of waste diversion programs to full producer responsibility; examining promising practices to improve performance in the multi-residential sector and reducing impacts of single-use plastics.

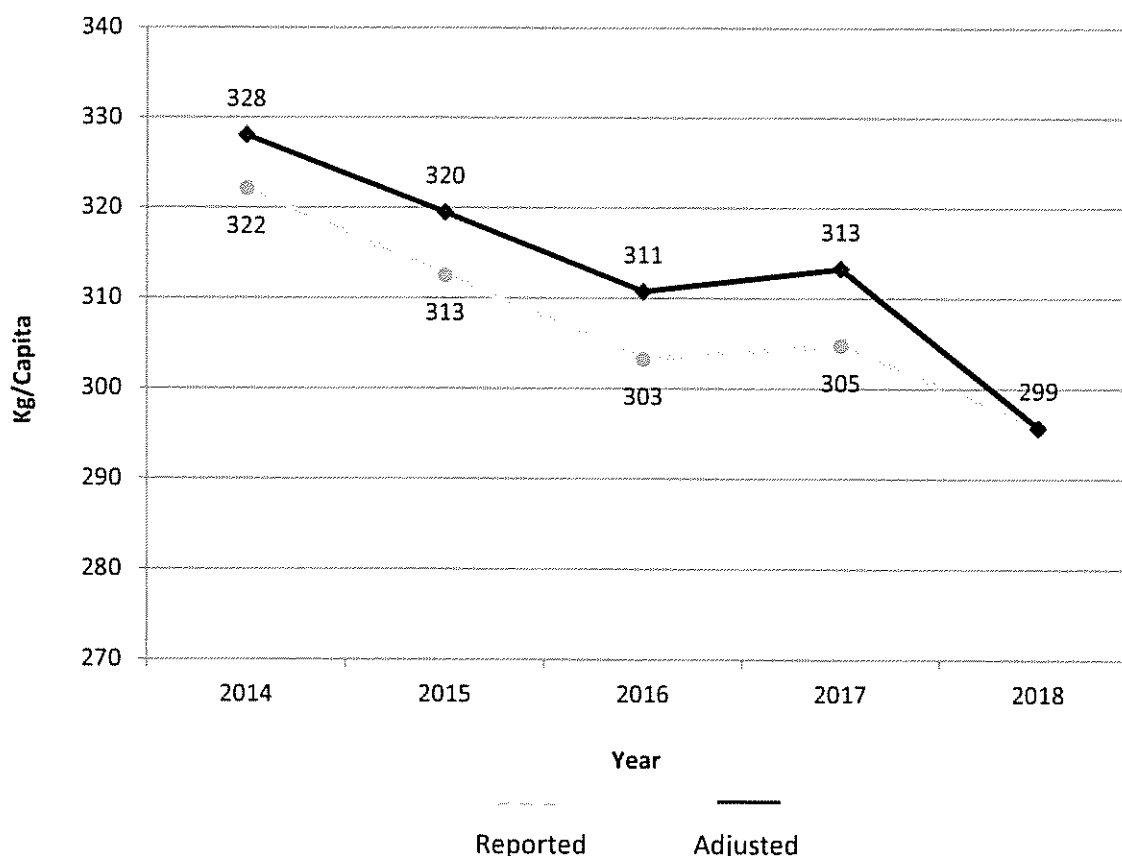
4. Analysis

Waste generation rate tracks progress towards the SM4RT Living Plan long term target

The waste generation rate is reported annually and represents all of the material managed through local and Regional waste programs on a per capita basis (kg/capita). It tracks progress towards the SM4RT Living Plan's target of 289 kg/capita by 2031. The 2018 waste generation rate has been adjusted to reflect the release of the 2016 census data.

Accordingly, the 2018 waste generation rate more accurately reflects actual growth that occurred between 2014 and 2018 and the resultant waste generation rate for those years. Actual population growth was lower than previously forecasted resulting in a higher per capita waste generation rate. As seen in Figure 1, a downward trend in waste generation occurred in 2014 through to 2018.

Figure 1
Waste Generation Rate: 2014 - 2018



2018 waste generation rate shows changing usage patterns at waste depots

The waste generation rate decreased by 4.5 per cent in 2018, compared to 2017. Much of this decrease was driven by changes in usage patterns at the community environmental centres. In the past, the Centres have received heavy loads from repeat commercial customers, taking advantage of below-market pricing due to the previous volume-based fee structure. These loads were causing slow downs and long line ups at the sites. In 2017, a temporary ban on large commercial vans at Elgin Mills Community Environmental Centre was instituted to address the slow downs while construction was occurring. Some traffic was redirected to McCleary Court while other customers shifted to private waste management options. Recent upgrades at the sites included adding scales to allow for more transparent and equitable weight-based fees aligned with comparable sites in the Greater Toronto Area. The scales provide more data on individual transactions and capture both paid and free material drop-off transactions.

In 2018, the Community Environmental Centres saw a shift in customer use patterns as a result of the new fees. The 2018 paid transactions at the sites decreased by two per cent from 2017 and the average load per transaction decreased from 367 kg in 2017 to 184 kg in

2018. This suggests that customers with heavier loads using these facilities because of the volume-based fees found other options, while the new weight-based fees are working well for residential and small business customers. In 2019, the Region will be working on a strategy to attract more of these users to ensure the sites are used to their full potential.

Trends in curbside waste generation reflect influence of housing type, consumer trends and climate patterns

The curbside waste generation rate includes material collected by local municipal programs at the curb, at multi-residential buildings and through special programs such as textiles and e-waste. Curbside waste represents almost 90 per cent of the waste managed through the waste system. This metric most closely tracks the impact of SM4RT Living waste reduction and diversion programs, which primarily target household waste. Table 1 shows the 2018 curbside generation rate by municipality.

Table 1
2018 Curbside Waste Generation Rate (Kg/capita⁺)

Municipality	Garbage	Blue Box*	Green Bin	Yard Waste	Other**	Total Curbside
Aurora	99	78	76	38	2	293
East Gwillimbury	78	71	74	38	<1	261
Georgina	93	79	71	29	<1	272
King	82	88	80	43	1	294
Markham	59	67	91	32	9	258
Newmarket	83	75	73	38	<1	269
Richmond Hill	77	67	80	32	<1	256
Vaughan	88	65	83	31	<1	267
Whitchurch-Stouffville	90	69	78	28	2	267
Overall	77	69	83	33	3	265
2018 vs 2017	-1	-2	0	+2	+1	0

+ Based on total population, including privately serviced condominiums. Impact on waste generation rate is minimal as it represents less than one per cent of overall tonnage, mostly in Vaughan

*Blue Box generation rate not adjusted for contaminated loads

**includes textiles, waste electronics, scrap metal, batteries

The curbside generation rate remained the same between 2017 and 2018. A slight decrease was seen in garbage and Blue Box rates, while green bin rates remained constant and the yard waste and other streams increased slightly.

Across the local municipalities, a number of factors influence differences in waste generation from households:

- Higher density communities such as Markham, Richmond Hill and Vaughan may see lower generation due to more multi-residential homes with limited space
- Use of collection-based enforcement approaches such as mandatory clear bags for garbage and curbside bans on textiles, electronics and household hazardous waste materials contribute to the lower waste generation rate in Markham
- Higher rates of new development such as that occurring in East Gwillimbury, introduce more uncertainty in the waste generation rate because new homes may not be using the waste system for the full year, depending on their move-in date and when they begin to receive collection services
- Changing weather patterns and storm events due to climate change affect the quantity and timing of yard waste generation
- Yard waste generation may also be influenced by property types – larger urban lots in established neighbourhoods in Aurora and King may generate more yard waste due to larger trees and lot sizes; rural communities such as Georgina and Whitchurch-Stouffville may be composting yard waste instead of using curbside collection
- Success of local municipal textile collection, electronic waste events and depot programs is reflected in the growth of the 'Other Programs' category
- Consumer trends such as buying second-hand, repairing instead of replacing items, renting or sharing instead of purchasing, choosing durable products with minimal packaging or reading digital media instead of print reduces waste generation. These trends are influenced by SM4RT Living reduction and reuse programs

Rising contamination rates in blue box requires coordinated education and enforcement at the curb

The Curbside Waste Generation Rates in Table 1 are based on participation at the curb and are not adjusted to reflect rising contamination levels in the Blue Box stream. Table 2 below shows Blue Box contamination rate by municipality based on 2018 audits.

Table 2
2018 Blue Box Contamination Rate by municipality

Municipality	Contamination Rate
Whitchurch –Stouffville	9%
East Gwillimbury	12%
Newmarket	13%
Georgina	14%
Aurora	16%
King	19%
Richmond Hill	19%
Vaughan	23%
Markham	31%

There has been a steady increase in the level of contamination in the blue box since 2010. While some contamination is expected in a single stream blue box program, the southern three municipalities, which account for over 70 per cent of curbside blue box tonnes, have contamination levels that are impacting the ability to effectively market materials, particularly given the recent contamination restrictions by international end-markets. Clear communication regarding placing recyclables loose in the blue box as well as tips on what items can go in the blue box is being coordinated between the Region and our Local Municipal partners to improve the quality of materials at the curb. Staff from the Region and southern three municipalities have been meeting to discuss best means to reduce contamination at the curb through education and enforcement.

Expansion of reduction and reuse programs continues with support from local municipal and community partners

The SM4RT Living plan identified numerous pilot programs to drive change in consumer behaviours through community-based programming on reduction and reuse. In 2018, the Region and local partners worked to expand successful pilots and programs. The 2018 Balanced Scorecard (Attachment 1) showcases these efforts across the Region. Community partners have played a key role in the success of this expansion. The Repair Café series in 2018 was made possible through the support of several public libraries and local municipal partners as well as York Region Makers and a host of dedicated volunteers. In 2019, the

program will include more than a dozen events across the Region, with over half led by community partners such as the Markham Public Library and King Township.

Partnerships established through this program also led to the development of the Lendery, a new initiative launching at Markham Public Library in July 2019 and planned for Newmarket Public Library in early 2020. The Lendery allows patrons of the library to borrow tools, sporting goods, kitchen gadgets and other infrequently used items instead of buying their own. Continued support for community collaborations will be key to future expansion of reduction and reuse programs and new approaches are being explored as part of the 5 year update.

SM4RT Living Plan priorities supported by Provincial Food and Organic Waste Policy

In 2018 the Ontario government released its *Food and Organic Waste Framework*, detailing new requirements for waste reduction and resource recovery activities for municipalities and private sector. Through the shift in government after the spring election, some elements of the action plan were removed but the focus on food waste reduction and diversion remains. York Region is a leader in this area, with a well-established Green Bin program complimented by the Good Food consumer education program launched in 2015. Communities across the province will now be required to follow suit to meet reduction and diversion targets for food waste. This will generate opportunities for partnership with other municipalities, retailers and institutions on food waste education. The Region is well positioned to lead this work with the Ontario Food Collaborative, a municipal partnership that supports food waste and food literacy education. The Policy will also increase demand for organics processing in Ontario; the Region is continuing to plan for long term organics processing capacity. Building on the feasibility study completed in 2017, the Region is developing an implementation plan for an organics processing facility as part of the Update.

Provincial Environment Plan signals continued focus on waste, including transition to full producer responsibility and reduction of single use plastics

The Province recently released several documents for comment, including their road map for environmental programs, the *Made-in-Ontario Environment Plan* and a follow up discussion paper specifically addressing litter and waste reduction in Ontario. The Region and its local municipal partners are working together to provide holistic comments and recommendations to the Province on behalf of our residents. The Update will identify key actions needed to ensure the Region and local municipalities are proactively preparing for changes in the waste management system over the next five years.

5. Financial

SM4RT Living Plan's focus on reduction and reuse is the most cost effective approach to providing efficient waste management services

When the SM4RT Living Plan was approved in 2013, staff identified that the low hanging fruit in terms of diversion had been addressed, resulting in only incremental gains since 2008. Continuing to add new diversion programs could significantly increase costs to deliver waste management services in York Region and provide only marginal returns in diversion. The SM4RT Living Plan focuses on decreasing waste generation to allow for 'infra-stretching' or the ability to extend the life of assets and cost effectively manage increasing demand associated with growth. As of today, this focus maintains its priority as challenges continue to plague waste management infrastructure while meeting growth demands and cost pressures.

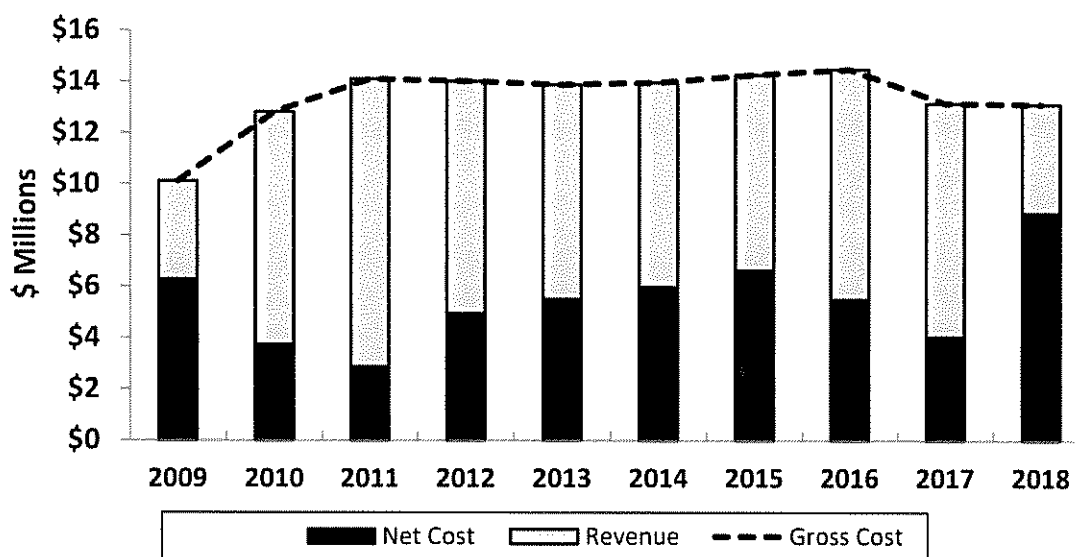
Region and local municipalities managing uncertainty around Blue Box transition

A significant challenge on waste management infrastructure is most evident with the Blue Box program. While the province has signaled continued commitment to moving ahead with transitioning this program to full producer responsibility, details have not been forthcoming. The Region and local municipalities must continue to plan for provision of Blue Box collection and processing for the foreseeable future, including contract extensions, new contracts and investments in infrastructure to accommodate new materials and new market requirements.

Tightening markets and increasing contamination cause declining revenues for the Blue Box program

Since 2011, the Region has invested over \$18 million in upgrades at the Materials Recovery and Transfer Facility to improve sorting technology to keep with up change in material composition, increased contamination level and, more recently, stringent quality requirements imposed by end markets. Despite these upgrades, the net operating cost is extremely inconsistent as it is dependent on revenues received from the sales of recovered recyclables. As shown in Figure 2 below, the gross annual Blue Box operating costs are relatively consistent over the past ten years while net cost ranges from \$8.9 million (2018) to \$2.9 million (2011). While 2019 revenue is a forecasted \$1.8 million higher than 2018, stringent end market quality requirements and saturation of other oversea recyclable markets will most likely continue to result in declining revenues from sales of recovered recyclables. This impact may increase the Region's overall net Blue Box operating cost moving forward.

Further impacts may be realized through increasing contamination loads as seen at the Earl Turcott Transfer Station in Markham where contamination has doubled since 2010. Contamination includes organic material found mixed in with recyclables, especially where recyclables were collected in plastic bags. Lowering contamination levels is a necessity in order to market recyclable materials which would not only help yield higher revenue but also ensure that materials collected in the Blue Box are actually recycled.

Figure 2: Blue Box Annual Operating Cost and Revenue (2009-2018)

At the same time, producers continue to dispute the amount of the annual Blue Box funding allocation, requiring costly and time consuming negotiations. As a result, the Municipal 3Rs Collaborative is advocating for full transition of the Blue Box program with a phased approach initiated as soon as possible and completed by 2024. Accelerating the implementation of the circular economy is a means to resolve this issue and reduce the strain on taxpayers. Region staff continue to actively participate in the Municipal 3Rs Collaborative and ensure Regional and local municipal interests are represented.

6. Local Impact

Region and Local Municipal partnership key to success of Blue Box program

York Region staff, together with local municipal staff will continue to work collaboratively to address the issue of contamination. Ultimately, contamination will need to be addressed at the curb with clear and consistent messaging and enforcement. A collaborative approach is necessary to minimize confusion for residents on how to participate in the Blue Box program and ensure contamination is managed at the curb so that materials collected can be recycled.

Continued coordinated efforts are needed at the curb to ensure readiness for transition to full producer responsibility

In previous discussions, producers have indicated that one possible outcome under full producer responsibility includes municipalities as service providers for curbside collection. Under this scenario, it is possible that municipalities would incur penalties if the municipality is unable to comply with strict contamination thresholds. In other jurisdictions such as British

Columbia, where full producer responsibility is in place, producers set contamination limits as low as 3 per cent, with penalties applying if the contamination exceeds this threshold. Municipalities that implement strict curbside enforcement and are able to reduce contamination levels will be in a better position to meet expectations once the blue box program is transitioned to full producer responsibility.

Local municipalities continue to drive reuse by expanding successful programs and partnerships

York Region, together with our local municipal partners, is leading in programs and initiatives that focus on waste reduction and reuse and as a result there are currently no municipal comparators. Staff have discussed with other municipalities the need to streamline key metrics, such as the waste generation rate, to help standardize performance measurement as it relates to reduction and reuse.

Local municipalities have expanded successful programs such as curbside giveaway days, with additional events for existing participants, expansion to East Gwillimbury and Richmond Hill, and collaboration on common dates and promotion in partnership with the Region. This low cost program continues to be popular with residents, receiving positive feedback and engagement on social media and high resident satisfaction on follow up surveys.

Seven local municipalities launched or expanded textile education and diversion programs in partnership with charities. These activities diverted over 2600 tonnes of textiles from the waste stream in 2018:

- Markham continues to expand its very successful collection bin program across the City
- Aurora, Whitchurch-Stouffville and Newmarket established a new partnership with Diabetes Canada to provide collection bins in those communities
- King Township continued its popular bin program and piloted curbside collection on several dates
- Richmond Hill developed an education program that supports existing community donation programs and encourages waste reduction
- City of Vaughan offered textile collection at Environment Days and is exploring options to provide collection bins to multi-residential buildings

7. Conclusion

SM4RT Living Plan Five Year Update sets course for continued leadership and success of the integrated waste management system

Council's leadership in endorsing the SM4RT Living Plan in 2013, with its unique focus on waste reduction has positioned the Region and local municipalities as leaders in the municipal waste sector in Canada. The Update recommendations, brought forward to Council in early 2020, will include:

- Plans to continue momentum on current initiatives promoting reduction, reuse and recycling
- New ideas and approaches to deal with litter, single use plastics, and multi-residential engagement
- Implementation plan for an organics processing solution to meet future demand and reduce greenhouse gas emissions
- Advocacy and planning for managing transition to extended producer responsibility

This work will ensure that the Region and our local municipal partners are prepared for the challenges and opportunities in the waste management sector over the next five years.

For more information on this report, please contact Laura McDowell, Director, Environmental Promotion and Protection at 1-877-464-9675 ext.75077. Accessible formats or communication supports are available upon request.

Recommended by:

Erin Mahoney, M. Eng.
Commissioner of Environmental Services

Approved for Submission:

Bruce Macgregor
Chief Administrative Officer

May 31, 2019
Attachments (1)
9064410

SM4RT LIVING PLAN **BALANCED SCORECARD** 2018



WHAT IS THE SM4RT LIVING PLAN?

The SM4RT Living Plan is York Region's Integrated Waste Management Master Plan. Developed by York Region and its local municipal partners and approved by council in 2013, the plan sets the course for waste management in the Region for the next 25 to 40 years. Over the past five years, thousands of residents have helped implement priority initiatives with a focus on the 4R's: reduce, reuse, recycle and recover. The SM4RT Living Plan is moving York Region away from the traditional linear model of waste management to a more sustainable circular economy approach.



PRODUCTS AND PACKAGING

- Advocating to the province to make producers responsible for capture and recycling of their products to drive better packaging and product design that is more recyclable and durable for reuse
- Advocating for provincial leadership to drive change and create opportunities for innovative solutions that result in increased diversion and improved environmental outcomes



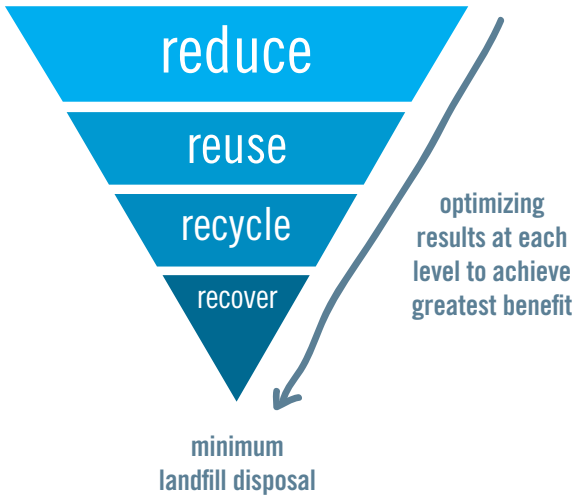
INFLUENCE CONSUMER CHOICES

- Providing residents opportunities for reuse and repair through innovative programs such as Repair Cafés, Curbside Giveaway Days and textile diversion
- Building community partnerships to expand programs and shift mindsets and behaviours to reduce consumption and increase reuse



INCREASING DIVERSION THROUGH RECYCLING AND COMPOSTING

- Providing convenient, accessible and efficient collection programs to single-family and multi-residential homes
- Reclaiming energy and resources such as metals from residual waste
- Proactively planning for long-term capacity needs and leveraging technology to improve efficiency of infrastructure
- Maximizing opportunities for recycled material to become new products and packaging



4Rs

REDUCE

2031 Target: Reduction of green bin material by 15%, yard waste by 5% and other waste streams by 5%

REUSE

2031 Target: Lower garbage generation by 5% through support of reuse initiatives

RECYCLE

2031 Target: Increase material diverted from landfill by 4%

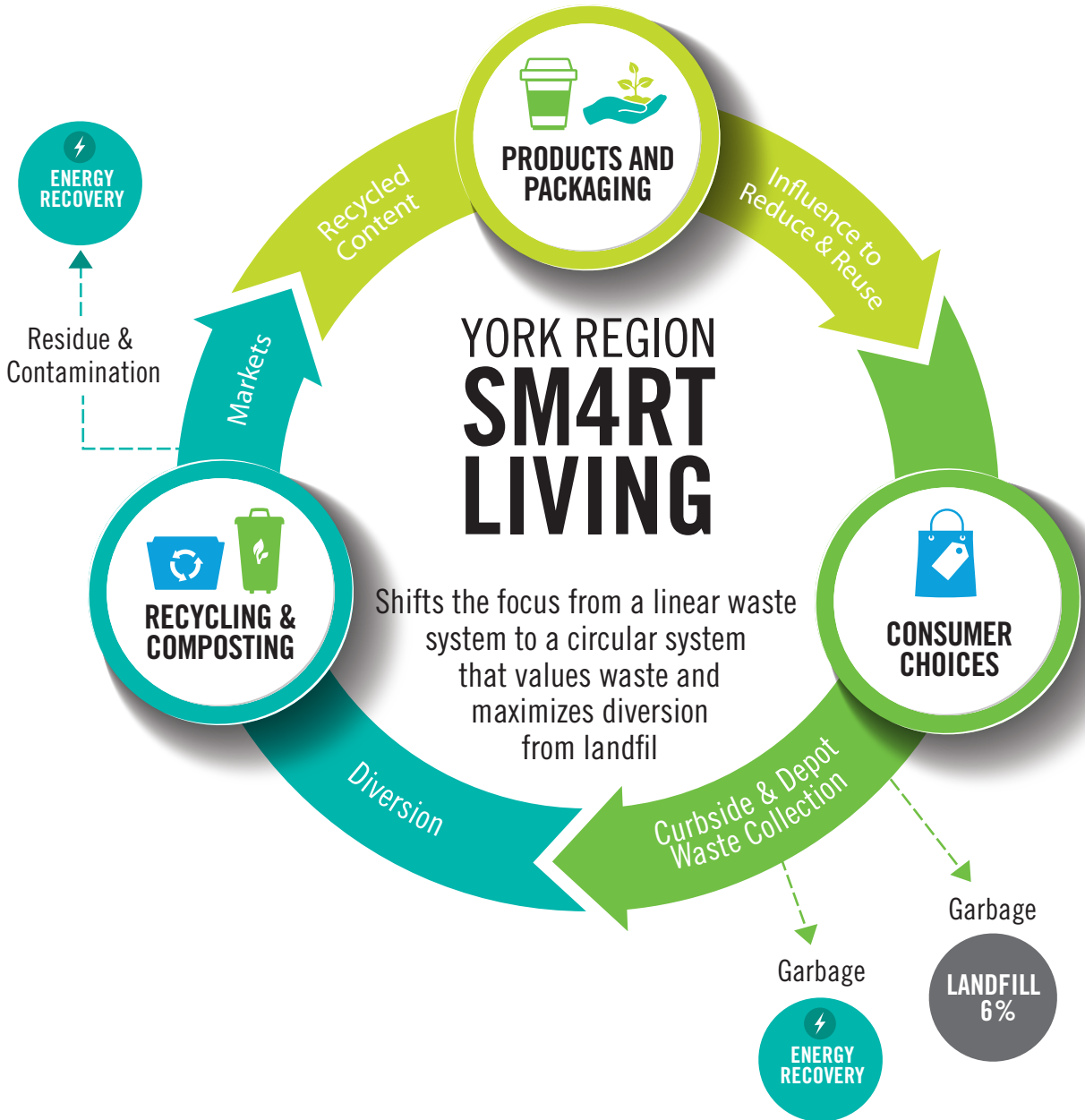
RECOVER

90% diversion from landfill Capturing 60 to 80% of metals from residual waste

LINEAR ECONOMY



CIRCULAR ECONOMY



YORK REGION WASTE GENERATION RATE

WHAT IS IT?
Waste generation rate is a tonnage per person measurement (kg/capita) used to track progress towards the SM4RT Living Plan waste reduction target. The rate shows curbside and depot-collected material separately.

WHY TRACK IT?
The SM4RT Living Plan focuses on waste reduction initiatives as well as increasing diversion. A new metric was needed to track progress towards long-term targets. Curbside waste generation rate is more representative of the waste reduction initiatives because it tracks materials residents are placing out at the curb.

WHAT ARE THE TRENDS?
The waste generation rate is complex and varies year to year. There are external factors such as housing types, population growth, seasonal population and climate change which all affect the rate differently per municipality.
The SM4RT Living programs are driving long-term behaviour change to reduce waste generation. Successful programs are continuing to be expanded.

INCREASING SUCCESS OF REUSE PROGRAMS
The Region in collaboration with local partners hosted seven Repair Café's. Curbside Giveaway Days were hosted in eight municipalities and a first time promotion of an online swapping platform to facilitate the process was introduced. Textile collection continues to grow through locally driven programs in some of the northern six municipalities led by the Town of Aurora.

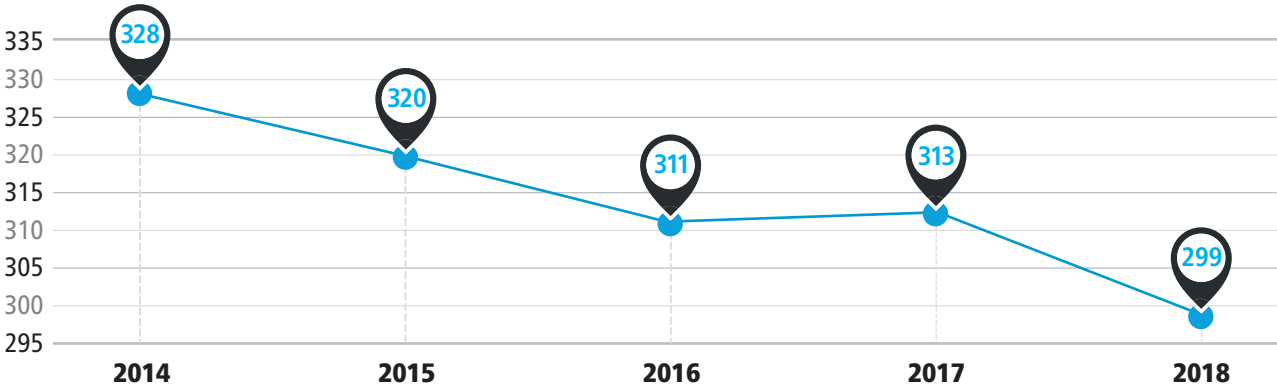
NEW PARTNERSHIPS TO SUPPORT INNOVATIVE PROGRAMS
York Region, Markham Public Library and York Region Makers established a partnership to develop the first Lendery - a library of things- such as household items, sporting goods and hand tools. In 2018, planning began with a donation drive to build the inventory for the Milliken Mills Lendery, which is set to launch in 2019. Residents contributed 98 items to help build this community resource.

The Region's Water Conservation and Efficiency group teamed up with Waste Management to conduct water and food waste audits at York Region run long-term care facilities in Newmarket and Vaughan identifying recommendations for food waste reduction.

REGION'S LEADERSHIP IN FOOD WASTE INFLUENCING POLICY AT PROVINCIAL AND FEDERAL LEVEL
The Region was one of the first municipalities to have a food waste reduction program. Recent provincial policy, such as the Food and Organic Waste Framework, aligns with the SM4RT Living Plan's food waste reduction strategy. The new Canada Food Guide reflects similar messaging to the Good Food Program promoting mindfulness around eating habits and cooking more often at home.

FOCUS ON REDUCTION IS A COST-EFFECTIVE, RESILIENT APPROACH
Through the SM4RT Living Plan, Regional Council has demonstrated leadership in building the resilience of the waste management system and influencing change through continued advocacy efforts. The Five Year Review and Update will focus direction of policy and programs to ensure the Region and local municipal partners continue to address challenges in the waste management system.

Curbside Waste Generation Rate 2014-2018




WASTE MANAGEMENT PERFORMANCE

Curbside Waste Generation Rate (kg/capita)

MUNICIPALITY	CURBSIDE COLLECTION				SPECIAL PROGRAMS (Textiles, e-waste, batteries, scrap metal)	TOTAL CURBSIDE WASTE GENERATION RATE
	GARBAGE	BLUE BOX*	ORGANICS	YARD WASTE		
Town of Aurora	99	78	76	38	2	293
Town of East Gwillimbury	78	71	74	38	<1	261
Town of Georgina	93	79	71	29	<1	272
Township of King	82	88	80	43	1	294
City of Markham	59	67	91	32	9	258
Town of Newmarket	83	75	73	38	<1	269
City of Richmond Hill	77	67	80	32	<1	256
City of Vaughan	88	65	83	31	<1	267
Town of Whitchurch-Stouffville	90	70	78	28	2	267
Overall Curbside Waste Generation Rate	77	69	83	33	3	265
2017 vs 2018	-1	-2	0	+2	+1	0

*Blue box generation rate not adjusted for contaminated loads



**2031 TARGET
TOTAL WASTE
GENERATION RATE**
**289 kg
PER CAPITA**

Total Waste Generation Rate (kg/capita)

CURBSIDE WASTE GENERATION	YORK REGION DEPOT WASTE GENERATION RATE		OTHER (YORK REGION TRANSIT, SCHOOL BOARDS, ROADS DEPARTMENT, N6 BIA)		TOTAL WASTE GENERATION RATE
	RESIDENTIAL	SMALL BUSINESS			
265	21	7	6		299

CURBSIDE WASTE TRENDS 2014-2018 (Kg/capita)

	2014	2015	2016	2017	2018	2014-2018 TREND
GARBAGE	82	80	78	78	77	↓
BLUE BOX	76	72	70	71	69	↓
ORGANICS	84	85	84	83	83	→
YARD WASTE	39	35	29	31	33	↓



REPAIR CAFÉ

York Region in partnership with local towns, cities, libraries and York Region Makers, give broken items new life at Repair Cafés. Seven events were hosted in 2018. 2019 plans include 14 events hosted by the Region or community partners, such as Markham Public Library and King Township.

287 PARTICIPANTS
OVER 200 ITEMS FIXED



TEXTILES

Textile programs are offered in seven municipalities through donation bins, event days, community garage sales, and education campaigns. Aurora, Whitchurch-Stouffville and Newmarket established a new partnership to support their programs.

165+ MUNICIPAL COLLECTION BINS
2,612 TONNES OF TEXTILES COLLECTED



FOOD WASTE

The award winning Good Food campaign has tips to help you plan and prepare meals, save time and money, eat healthy and waste less. The Region is exploring new partnerships in 2019.

23 GOOD FOOD OUTREACH EVENTS
OVER 4,300 PEOPLE ENGAGED



CURBSIDE GIVEAWAY DAYS

A low-cost program that allows residents to place items no longer needed at the curb that neighbours can take for free! 2018 included new dates in Richmond Hill and East Gwillimbury. Common dates for June and October will continue in 2019.

37 EVENT DAYS
MOST COMMON ITEM: FURNITURE



MULTI-RESIDENTIAL

Building managers, superintendents and tenants reduced waste through reuse and recycling initiatives. Aurora's e-waste and battery collection pilot continues, Richmond Hill updated their development standards and Vaughan expanded collection services to more buildings in 2018.

PROMOTION & EDUCATION MATERIALS TO 19,745 UNITS
21,000+ UNITS SERVED WITH 3-STREAM COLLECTION



SCHOOL PROGRAMS

Regional and local municipal programs inspire and support elementary schools to reduce their waste and improve reuse and recycling efforts at school and at home.

52 PRESENTATIONS BY LOCAL MUNICIPALITIES
4,000+ STUDENTS ENGAGED



COMPOSTING

A backyard composter can divert approximately 100kg of food and yard waste per year leaving behind garden gold. In 2018, eight event days were held in partnership with local municipalities.

911 BACKYARD COMPOSTERS SOLD
91 TONNES OF ORGANICS DIVERTED



BUSINESS PROGRAMS

A Waste Reduction Forum was held in Vaughan to educate and inspire businesses to reduce waste to achieve bottom line results.

47 BUSINESSES
96% OF PARTICIPANTS SATISFIED



SMART LIVING PLAN
**BALANCED
SCORECARD**
2018

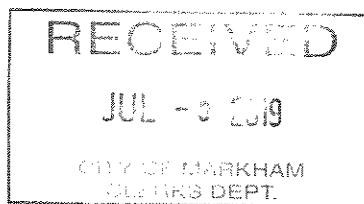
2018 PARTNERS

Thank you to residents and partners for continued support and commitment to sustainable waste reduction programs.



SMART LIVING PLAN **BALANCED SCORECARD 2018**





Corporate Services

Via e-mail and mail

File No.: OPA 26
Regional File No.: LOPA.17.M.0049

July 4, 2019

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

Dear Ms. Kitteringham:

**Re: Notice of Decision
Amendment No. 26 to the Official Plan of the
City of Markham (2014), as amended
Robinson Glen Secondary Plan**

On June 27, 2019, York Region Council approved, with modifications, the above captioned Official Plan Amendment.

Please find attached York Region's Notice of Decision.

Sincerely,

A handwritten signature in black ink, appearing to read "Jason Ezer".

Jason Ezer, MCIP, RPP
Senior Planner

JE/

Attachment (1): Notice of Decision

Copy to: Stephen Lue, Development Manager, North District, City of Markham (e-mail)
Daniel Brutto, Planner II, City of Markham (e-mail)

YORK-#9727352-v1



Regional File No.: OPA 26 (LOPA.17.M.0049)
 Applicant: City of Markham
 Date of this notice: July 4, 2019
 Last date of appeal: July 24, 2019

Notice of Decision

to Approve an Amendment to the Official Plan of the City of Markham

The Regional Municipality of York is the approval authority for this Official Plan Amendment. This notice of decision is given in accordance with Section 17(35) of the *Planning Act*, R.S.O. 1990, c. P.13. The decision of The Regional Municipality of York is to **MODIFY and APPROVE** Amendment No. 26 to the Official Plan of the City of Markham.

Lands Subject to the Amendment:

Municipality: City of Markham (Robinson Glen Block)

Location: Refer to Key Map

Purpose and effect of the Amendment:

Official Plan Amendment No. 26, known as the Robinson Glen Secondary Plan, amends the City of Markham Official Plan as it pertains to the subject lands by adding detailed policies in order to guide future development of a new community.

Proposed modifications to the Amendment:

York Region proposes to approve OPA 26 with modifications as shown on Attachment 1.

Effect of Written Submissions on Decision:

The effect of written submissions was in-line with Regional Council's decision to approve the Amendment.

Other applications affecting the subject lands:

N/A

For additional information:

A copy of the proposed Official Plan Amendment and the decision will be available for inspection at York Region's Planning and Economic Development Branch, Corporate Services Department from 8:30 am to 4:30 pm on regular business days. For assistance, please contact Jason Ezer, Senior Planner, at 1-877-464-9675, extension 71533 or jason.ezer@york.ca.

Who may appeal:

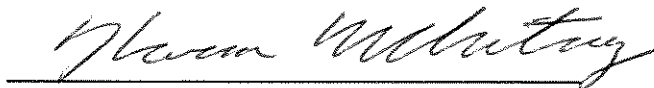
If applicable, only individuals, corporations or public bodies may appeal a decision of the approval authority to the Local Planning Appeal Tribunal ("Tribunal"). A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or the group on its behalf.

No person or public body shall be added as a party to the hearing of the appeal unless, before the plan was adopted, the person or public body made oral submissions at a public meeting or written submissions to the council or, in the opinion of the Tribunal, there are reasonable grounds to add the person or public body as a party.

When and how you may appeal:

The last day for filing an appeal is no later than 4:30 pm on **July 24, 2019** and it must be received in writing. A notice of appeal may not be sent by email. A notice of appeal must:

1. Be filed with the approval authority, addressed to:
Ms. Karen Whitney, MCIP, RPP
Director, Community Planning and Development Services
Corporate Services Department
York Region Administrative Centre
17250 Yonge Street
Newmarket, Ontario L3Y 6Z1
2. Be accompanied by the completed Tribunal appeal form, setting out the reasons for the appeal and the specific part of the proposed Official Plan or Official Plan Amendment to which the appeal applies; and,
3. Be accompanied by the fee required by the Tribunal and a fee of \$500.00 payable to The Regional Municipality of York for preparing the record to be submitted to the Tribunal.



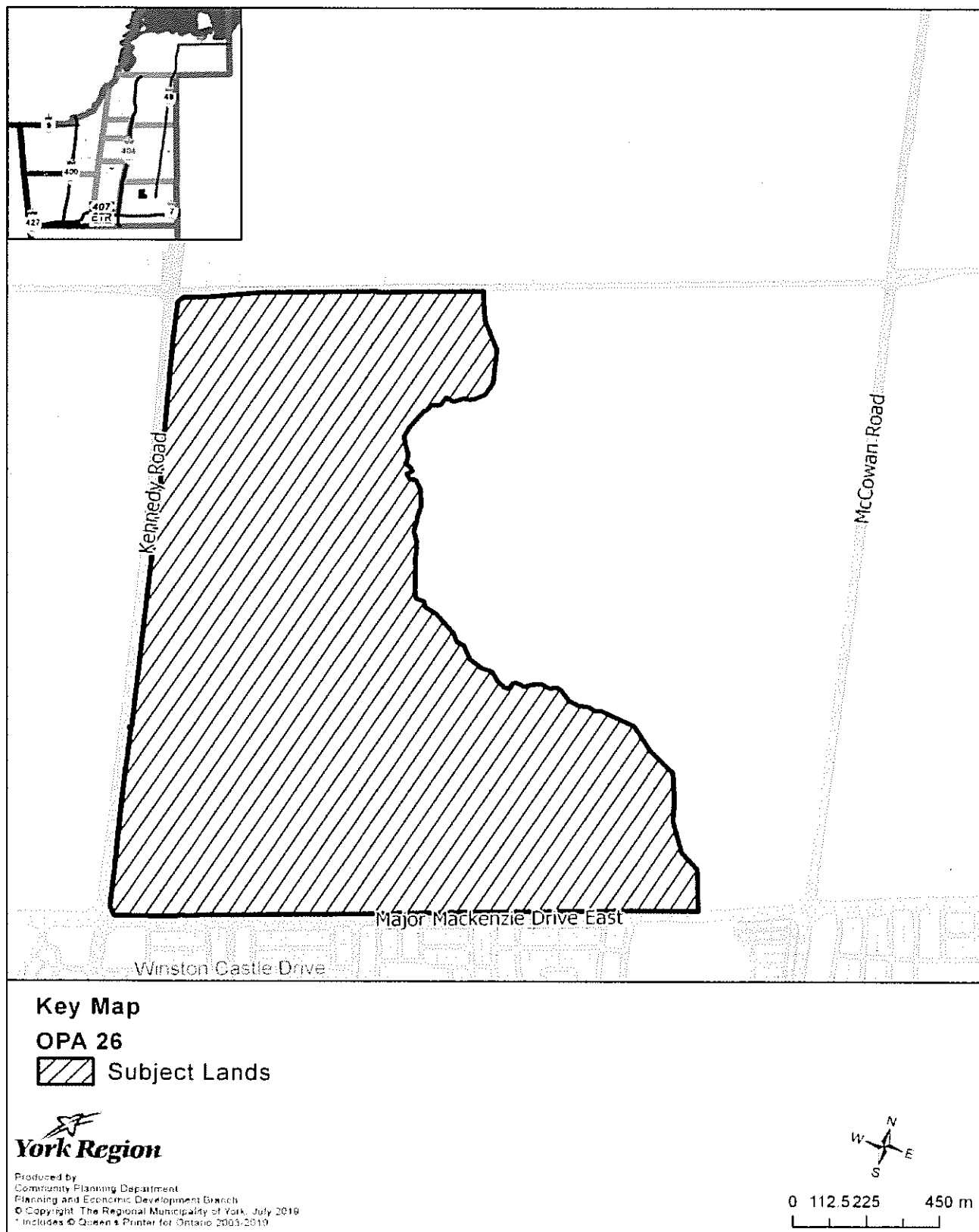
Karen Whitney, MCIP, RPP
Director, Community Planning and Development Services

Dated: July 4, 2019

YORK-#9727349-v1-OPA_26_-_Notice_of_Decision

KEY MAP

Robinson Glen Secondary Plan Area (OPA 26)



ATTACHMENT 1

PROPOSED MODIFICATIONS TO ROBINSON GLEN SECONDARY PLAN

Note: Strikethrough denotes deleted text. Underlined text denotes added text.

The INTRODUCTION is modified as follows:

1. Section 2.0 is modified to reflect a revised easterly boundary of the Secondary Plan Area as follows:

2.0 LOCATION AND DESCRIPTION OF THE AMENDMENT AREA

The lands subject to this Amendment are located within the concession block bounded by Major Mackenzie Drive East, Kennedy Road, Elgin Mills Road East, and McCowan Road, as shown on Schedule "A". The subject lands, which total approximately 229 190 hectares of land in the western portion of the block west of the centreline of the westerly branch of Robinson Creek ~~Robinson Creek and the boundary of the Greenbelt Plan~~, are legally described as Parts of Lots 21,22, 23, 24 and 25, Concession 6.

The subject lands, ~~which are located to the west of the Greenbelt Plan Boundary~~ outside of the Greenway System are identified for urban development in the Official Plan. Existing land uses consist primarily of agricultural and rural residential uses. In addition, the lands contain natural heritage features primarily associated with the Greenway System related to Robinson Creek, and a number of several cultural heritage resources.

2. Section 3.0 is modified to reflect the additional Greenway System lands within the Secondary Plan Area as follows:

3.0 PURPOSE OF THE AMENDMENT

The purpose of this Amendment is to incorporate into the Official Plan a Secondary Plan for a new community within the Future Urban Area Planning District, referred to as the Robinson Glen Community.

The Secondary Plan designates lands for primarily residential uses, incorporating required community facilities such as schools and parks, opportunities for local and community retail, and integrated open space and transportation systems. The Secondary Plan also designates natural heritage lands for protection from development and provides policy direction with respect to matters related to the Greenway System in the concession block including direction with respect to road linkages and the location of stormwater management facilities.

The Amendment refines the 'Greenway' designation and replaces the 'Future Neighbourhood Area' land use designation shown in Map 3 - Land Use of Part I of the Official Plan with appropriate residential and mixed use land use designations for the developable portions of the subject lands. The Amendment also refines certain policies, maps and appendices in Part I of the Official Plan as they pertain to the Secondary Plan Area, to be consistent with the Secondary Plan.

3. Section 4.3 is modified to reflect a revised easterly boundary of the Secondary Plan Area as follows:

4.3 Greenbelt Plan 2017

The Greenbelt Plan 2017 together with the Growth Plan builds on the Provincial Policy Statement 2014 by providing additional and more area specific land use policies on where urban growth will not occur in order to provide for the protection of agriculture and the natural environment from urban development.

The Greenbelt lands ~~within and to the east of~~ the Robinson Glen Secondary Plan Area generally reflect the alignment of the Robinson Creek which traverses ~~the eastern portions of lands within and to the east of~~ the Secondary Plan Area in a north-south direction. ~~These fingers of The is~~ Greenbelt “finger” lands connect to the larger Greenbelt Plan lands north of the City limits.

The Greenbelt lands comprise a large component of the protected Greenway System structural component and land use designation ~~within and to the east of~~ the Secondary Plan Area in the Official Plan. Although refinements to the Greenway System resulting from extensive field work are proposed through this Amendment, these refinements are consistent with the Greenbelt Plan and do not alter Greenbelt Plan boundaries.

AMENDMENT TO PART I OF THE OFFICIAL PLAN 2014 is modified as follows:

4. Clauses 1.1 e) and 1.1 f) are modified to reflect a revised easterly boundary of the Secondary Plan Area as follows:
 - e) Map 5 - Natural Heritage Features and Landforms is amended by reflecting the modified boundary of the ‘Greenway System’ as detailed on Schedule “D” attached hereto; modifying the boundaries of ‘Woodlands’ and ‘Other Greenway System Lands including certain naturalized stormwater management facilities’, as shown on Schedule “E” attached hereto.
 - f) Map 6 - Hydrologic Features is amended by reflecting the modified boundary of the ‘Greenway System’ as detailed on Schedule “D” attached hereto; modifying the boundaries of ‘Valleylands’, ‘Provincially Significant Wetlands’, ‘Wetlands’, and ‘Other Greenway System Lands including certain naturalized stormwater management facilities’, and adding ‘Provincially Significant Wetlands’ as shown on Schedule “F” attached hereto.
5. Clause 1.2 a) is modified to reflect a revised easterly boundary of the Robinson Secondary Plan Area by replacing Figure 9.9.1 as follows:

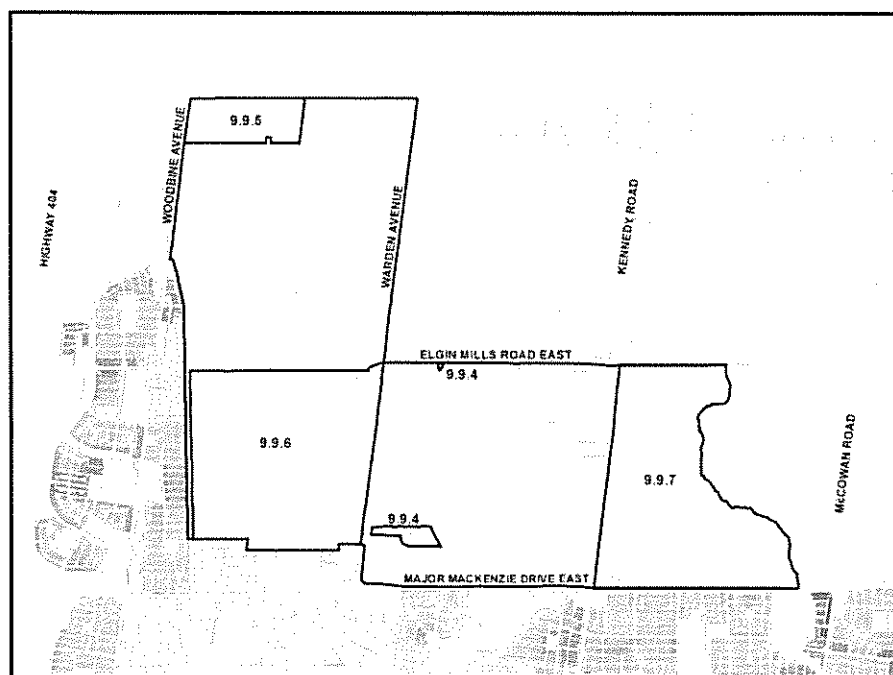


Figure 9.9.1"

6. Clause 1.2 b) is modified to reflect a revised easterly boundary of the Secondary Plan Area by replacing Figure 9.9.7 and removing reference to the boundary of the Greenbelt Plan as follows:

"Robinson Glen Secondary Plan

- 9.9.7 The detailed goals, objectives, policies, and maps of the Secondary Plan for the Robinson Glen Secondary Plan Area contained in Part II of the Official Plan 2014, as amended, shall apply to the lands bounded by Elgin Mills Road East to the north, Kennedy Road to the west, Major Mackenzie Drive East to the south, and the centreline of the westerly branch of the Robinson Creek ~~boundary of the Greenbelt Plan~~ to the east, as shown in Figure 9.9.7:

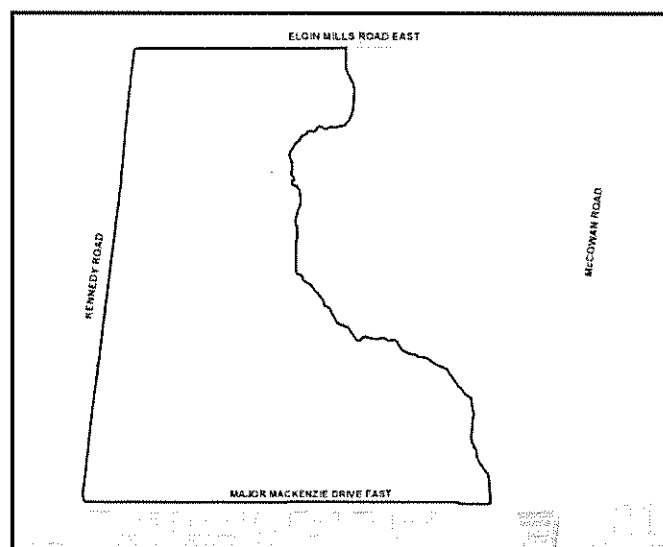


Figure 9.9.7"

7. Clause 1.3 is modified to reflect the Berczy Glen Secondary Plan as follows:
- 1.3 The following sections of Part I of the Official Plan 2014, as amended, are hereby amended to incorporate a new Robinson Glen Secondary Plan under Part II as follows:
 - a) The Table of Contents is hereby amended by: ~~i) A adding "12.2 Robinson Glen Secondary Plan" after 12.1 Berczy Glen Secondary Plan."~~ adding "12.2 Robinson Glen Secondary Plan" after 12.1 Berczy Glen Secondary Plan." ~~below the new Chapter 12: Secondary Plans"~~.
 - b) Section 1.5 is hereby amended by adding the following text after "Secondary Plan for the Berczy Glen Secondary Plan": "2. Secondary Plan for the Robinson Glen Community."
8. Clause 1.4 is modified to reflect a revised easterly boundary of the Secondary Plan Area by replacing Figure 12.0:

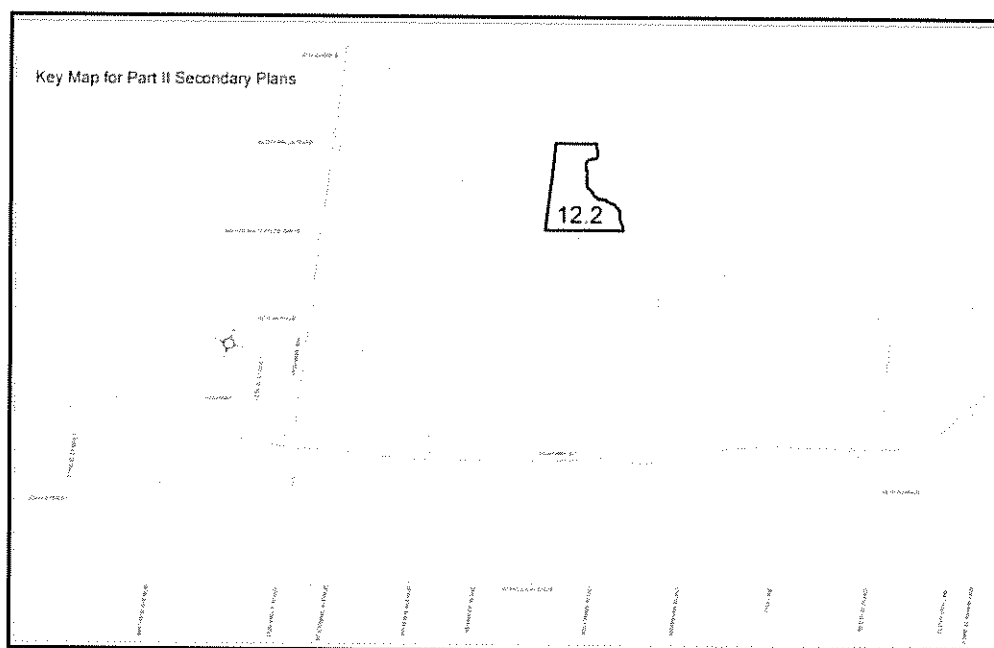


Figure 12.0"

9. Schedules "A" through "N" are modified by extending the easterly extent of the Boundary of Amendment Area to the centreline of the westerly branch of the Robinson Creek as shown on Schedules "A" through "N" attached.
10. All Maps, Figures and Appendices in Part I of the Official Plan that depict the easterly boundary of the Robinson Glen Secondary Plan Area are modified to reflect the revised Boundary of Amendment Area shown in Schedules "A" through "N" attached.

AMENDMENT TO PART II OF THE OFFICIAL PLAN 2014 is modified as follows:

11. The TABLE OF CONTENTS is modified by deleting reference to APPENDICES 4, 5 and 6.

12. Section 1.1 is modified to reflect a revised easterly boundary of the Secondary Plan Area as follows:

1.1 Location and Description of the Secondary Plan Area

The Robinson Glen Secondary Plan Area is located within the concession block bounded by Major Mackenzie Drive East, Kennedy Road, Elgin Mills Road East, and McCowan Avenue, as shown on Map SP1 – Detailed Land Use Plan. More specifically, the Secondary Plan Area which includes a total of approximately 229 ~~190~~ hectares of land is located in the western portion of the block west of the centreline of the westerly branch of Robinson Creek ~~of Robinson Creek and the boundary of the Greenbelt Plan~~. The lands are legally described as Parts of Lots 21, 22, 23, 24 and 25, Concession 6.

Existing land uses consist primarily of agricultural and rural residential uses. In addition, the lands contain natural heritage and hydrologic features primarily associated with the Greenway System related to Robinson Creek, and a number of ~~several~~ cultural heritage resources.

The Robinson Glen Secondary Plan Area is located north of the existing Berczy Village community. To the north and east, lands are designated for Countryside and Greenway. The concession block to the west is located within the Future Urban Area Planning District and designated for urban residential development.

13. Section 3.1.1 is modified to reflect a revised easterly boundary of the Secondary Plan Area as follows:

- 3.1.1 This Secondary Plan provides for a distribution of land uses and appropriate land use designations to ensure the development of the Robinson Glen community as a compact, complete and transit-supportive community. The structural elements of the Robinson Glen community include a protected Greenway System ~~located within the Urban Area, and between the Urban Area and the centerline of the westerly branch of Robinson Creek, within the~~ Secondary Plan Urban Area, which consists of Residential Neighbourhood Areas, Mixed Use Neighbourhood Areas including a Neighbourhood Service Node and a Retail Focus Area, an integrated Parks and Open Space System, and a comprehensive Transportation System.

14. Section 3.1.6 a) is modified to include reference to connections to specific streets as follows:

3.1.6. Transportation System

- a) A Transportation System consisting of arterial, collector and local roads, will accommodate the majority of cycling, vehicular, and transit service traffic within the community as well as serve as links to the neighbouring areas including connections to William Berczy Boulevard, The Bridle Walk, Ridgecrest Road, and Stonebridge Drive.

15. Section 4.0 is modified to add a preamble as follows:

4.0 ENVIRONMENTAL SYSTEMS

This Section addresses the Greenway System, the Urban Forest System, water resources, stormwater management and environmental hazards.

16. Sections 4.1 and 4.1.1 are modified to reflect a revised easterly boundary of the Secondary Plan Area as follows:

4.1 Greenway System

The protected Greenway System lands located within the Robinson Glen Secondary Plan Area ~~reflect~~ Urban Area, and between the Urban Area and the centerline of the westerly branch of Robinson Creek as depicted on Map SP2—Greenway System, Map SP3—Natural Heritage Features, Map SP4—Hydrologic Features, and Appendix 4—Greenway System between Urban Area and Westerly Branch of Robinson Creek, Appendix 5—Natural Heritage Features between Urban Area and Westerly Branch of Robinson Creek, and Appendix 6—Hydrologic Features between Urban Area and Westerly Branch of Robinson Creek ~~for the most part,~~ comprise the natural heritage system associated with Robinson Creek. The Robinson Creek corridor extends in a north-south direction ~~adjacent to the~~ along the eastern edge of the Robinson Glen Secondary Plan Area providing a natural heritage spine adjacent to the community. The Robinson Creek is a tributary of the Rouge River and is part of the larger Rouge Watershed System. The primary objective of Markham's Greenway System is to protect and enhance the natural heritage system within a connected landscape. The Greenway System also forms part of Markham's interconnected Parks and Open Space System and provide limited opportunities for passive nature-based recreational activities. Greenway System lands are not available for urban development.

The Greenway System lands within the Robinson Glen Secondary Plan Area ~~Urban Area, and between the Urban Area and the centerline of the westerly branch of Robinson Creek as depicted on Map SP2—Greenway System, Map SP3—Natural Heritage Features, Map SP4—Hydrologic Features, and Appendix 4—Greenway System between Urban Area and Westerly Branch of Robinson Creek, Appendix 5—Natural Heritage Features between Urban Area and Westerly Branch of Robinson Creek, and Appendix 6—Hydrologic Features between Urban Area and Westerly Branch of Robinson Creek~~ consist of Natural Heritage Network lands, Rouge Watershed Protection Area lands, and Greenbelt Plan Area lands. Natural Heritage Network lands contain the *natural heritage and hydrologic features* that are to be protected, and enhanced where appropriate to provide opportunities to improve their *biodiversity, connectivity and ecological function*. These *natural heritage and hydrologic features* provide an array of *ecological functions*, including *habitat of endangered and threatened species, special concern species*, and other urban wildlife found throughout the City.

The Rouge Watershed Protection Area lands are delineated through application of criteria established in the Rouge North Management Plan. The Rouge North Management Plan contains objectives to ensure the long-term protection of Rouge watershed tributaries that flow into the Rouge National Urban Park in east Markham.

The Greenbelt Plan Area lands ~~within the Urban Area, and between the Urban Area and the centerline of the westerly branch of Robinson Creek as depicted on Map SP2—Greenway System, Map SP3—Natural Heritage Features, Map SP4—Hydrologic Features, and Appendix 4—Greenway System between Urban Area and Westerly Branch of Robinson Creek, Appendix 5—Natural Heritage Features between Urban Area and Westerly Branch of Robinson Creek, and Appendix 6—Hydrologic Features between Urban Area and Westerly Branch of Robinson Creek~~ are identified as Natural Heritage System of the Protected Countryside. Some of these lands are currently being farmed. It is intended that where these cultivated lands in the Greenway System are no longer being used for agriculture, they will have the potential to be restored and returned to a natural state in support of the vision and goals of the Provincial Greenbelt Plan, Markham's Official Plan and the Subwatershed Study undertaken for the Future Urban Area lands.

The Greenway System within the Robinson Glen Secondary Plan Area has been refined based on the Subwatershed Study and the master environmental servicing plan and may be subject to further minor refinements through development approvals, ~~based on a master environmental servicing plan and environmental impact studies.~~ Certain stormwater management facilities in support of the Robinson Glen Community are planned to be provided in the on Greenway System and between the Secondary Plan Urban Area boundary and the centerline of the westerly branch of Robinson Creek as depicted on Appendix 4—Greenway System between Urban Area and Westerly Branch of Robinson Creek, Appendix 5—Natural Heritage Features between Urban Area and Westerly Branch of Robinson Creek, and Appendix 6—Hydrologic Features between Urban Area and Westerly Branch of Robinson Creek and appropriate direction has been provided to manage this infrastructure.

- 4.1.1 To identify, protect and enhance the Greenway System in the Robinson Glen Secondary Plan Area within the Urban Area, and between the Urban Area and the centerline of the westerly branch of Robinson Creek as depicted on Map SP2—Greenway System, Map SP3—Natural Heritage Features, Map SP4—Hydrologic Features, and Appendix 4—Greenway System between Urban Area and Westerly Branch of Robinson Creek, Appendix 5—Natural Heritage Features between Urban Area and Westerly Branch of Robinson Creek, and Appendix 6—Hydrologic Features between Urban Area and Westerly Branch of Robinson Creek in a manner consistent with Section 3.1 of the Official Plan, the policies of this Secondary Plan, and the Subwatershed Study and master environmental servicing plan prepared in support of this Secondary Plan.
17. Section 4.1.2 is deleted as the lands are now contained within the Secondary Plan Area.
18. Sections 4.1.3 through to 4.1.16 are re-numbered to reflect the deletion of Section 4.1.2.
19. Former sections 4.1.4, 4.1.5, 4.1.6, 4.1.7 and 4.1.11 are modified to reflect a revised easterly boundary of the Secondary Plan Area as follows:
- 4.1.4 4.1.3 That further to Sections 3.1.2.1 and 3.1.2.10 of the Official Plan, the components of the Natural Heritage Network within the Robinson Glen Secondary Plan Area include the following:
 - a) *natural heritage and hydrologic features*, and more specifically:
 - i. *wetlands and provincially significant wetlands;*
 - ii. *habitat of threatened and endangered species;*
 - iii. *significant portions of the habitat of special concern species in the Greenbelt Plan Area;*
 - iv. *fish habitat;*
 - v. *significant valleylands;*
 - vi. *woodlands and significant woodlands;*
 - vii. *significant wildlife habitat;*
 - viii. *permanent streams and intermittent streams;*
 - ix. *seepage areas and springs;*
 - b) *vegetation protection zones* associated with features identified in a) above; and
 - c) *hazardous lands and hazardous sites.*

Where these features are mapped, they are generally as shown on Map SP3 – Natural Heritage Features and Map SP4 – Hydrologic Features, ~~Appendix 5—Natural Heritage Features between~~

~~Urban Area and Westerly Branch of Robinson Creek, and Appendix 6—Hydrologic Features between Urban Area and Westerly Branch of Robinson Creek.~~

- ~~4.1.5~~ 4.1.4 That the *vegetation protection zones* as generally shown on Map SP3 – Natural Heritage Features ~~and, Map SP4 – Hydrologic Features, and Appendix 5—Natural Heritage Features between Urban Area and Westerly Branch of Robinson Creek, and Appendix 6—Hydrologic Features between Urban Area and Westerly Branch of Robinson Creek~~ be required in accordance with Section 3.1.2.22 through 3.1.2.27 of the Official Plan, with the exception of Section 3.1.2.25₁ which does not apply within the Robinson Glen Secondary Plan Area.
- ~~4.1.6~~ 4.1.5 That the boundaries of the Greenway System and the Natural Heritage Network within the Robinson Glen Secondary Plan Area, including the delineation of *natural heritage and hydrologic features* and their associated *vegetation protection zones* as shown in Map SP2 – Greenway System, Map SP3 – Natural Heritage Features and Map SP4 – Hydrologic Features; ~~and Appendix 5—Natural Heritage Features between Urban Area and Westerly Branch of Robinson Creek, and Appendix 6—Hydrologic Features between Urban Area and Westerly Branch of Robinson Creek~~ are to be confirmed in the field and may be refined or modified in accordance with Section 3.1.1.3 of the Official Plan.
- ~~4.1.7~~ 4.1.6 That lands identified as ‘Rouge Watershed Protection Area’ on Map SP2 – Greenway System ~~and Appendix 4—Greenway System between the Urban Area and Westerly Branch of Robinson Creek~~ are subject to Section 3.1.4 of the Official Plan. The boundary of the ‘Rouge Watershed Protection Area’ shall be further refined through the master environmental servicing plan and environmental impact studies in accordance with Section 3.1.4 of the Official Plan. Where the limits of the ‘Rouge Watershed Protection Area’ are shown as dashed on Map SP2 – Greenway System, Appendix 4—Greenway System between the Urban Area and Westerly Branch of Robinson Creek environmental studies required in support of *development approvals* may result in some minor variations to the boundary, but will not substantially revise the boundary.
- ~~4.1.11~~ 4.1.10 That a Natural Heritage Restoration Plan for the Greenway System lands in the Secondary Plan Area ~~(both within the Secondary Plan Area and lands identified in Section 4.1.1)~~ be prepared by development proponents to the satisfaction of the City in consultation with the Toronto and Region Conservation Authority. The Natural Heritage Restoration Plan will:
- a) identify opportunities for enhancement and restoration, and management for the Greenway System, as provided for in the Greenbelt Plan, Official Plan, and this Secondary Plan and considering the findings of the Subwatershed Study, master environmental servicing plan and any class environmental assessments;
 - b) identify enhancement and restoration priorities; and,
 - c) identify as a priority the establishment of *natural self-sustaining vegetation* on lands which will no longer be in agricultural use, having regard for the intended use.
20. Former Section 4.1.15 is modified by italicizing the term “features” as follows:
- 4.1.15 That where nature-based trails are provided for in Greenway System, the following shall apply:
- a) trails shall be designed to avoid or minimize impacts to *natural heritage and hydrologic features* by generally being located outside of the Natural Heritage Network and at the outer edge of the Greenway System, where feasible;

21. Section 4.4.1 is modified by replacing reference to Section 7.2.4 with correct reference to 7.2.1.12.
22. Section 6.2.2 c) and d) are modified to reflect a revised easterly boundary of the Secondary Plan Area as follows:
 - 6.2.2 That the Robinson Glen Community Design Plan will also address:
 - c) how the Greenway System lands within the ~~Urban Area, and between the Urban Area and the centerline of the westerly branch of Robinson Creek~~ Robinson Glen Secondary Plan Area will be integrated within the community fabric to provide for the protection and enhancement of *natural heritage and hydrologic features* within an interconnected Parks and Open Space System;
 - d) how the interconnected Parks and Open space System will integrate the City Parks and Open Space Lands including Greenway System lands within the Robinson Glen Secondary Plan Area ~~Urban Area, and between the Urban Area and the centerline of the westerly branch of Robinson Creek~~, and lands associated with *public school* sites and stormwater management facilities, with the active transportation network;
23. Section 7.1.1.4 is modified by adding additional requirements for right-of-way conveyances as follows:
 - 7.1.1.4 To require through the *development approval* process, where appropriate and at no public cost, and in accordance with the Planning Act, the conveyance of lands within the Berczy Glen Secondary Plan Area needed to achieve the road network shown on Map SP5 – Road Network and the active transportation network shown on Map SP6 – Transit and Active Transportation Network in accordance with Section 7.1.3.4 of the Official Plan. Determination of final right-of-way requirements shall be made through the completion of the Functional Traffic Design Study, Transportation Impact Assessment and/or any applicable environmental assessment as initiated through the *development approval* process. Notwithstanding the planned rights-of-way for minor collector roads, should it be determined through the *development approval* process that greater right-of-way widths are required, the additional lands shall be conveyed to the City and/or the Region at no public cost, without an amendment to this Secondary Plan.
24. Section 7.1.2.2 is modified by adding additional policies f) and g) regarding vehicle access restrictions and continuous collector streets as follows:
 - f) to restrict vehicle access from developments adjacent to Regional Roads to maximize the efficiency of the Regional street system through techniques such as suitable local street access, shared driveways and interconnected properties; and
 - g) to plan and implement, including land takings necessary for, continuous collector streets in both east-west and north-south directions, in all new urban developments.
25. Section 7.1.2.5 is modified by clarifying the location of public utilities within laneways as follows:
 - 7.1.2.5 That public laneways within the road network of the Robinson Glen Secondary Plan Area, be planned to achieve the following:

- a) a secondary road network at the rear of development lots and blocks providing access to the required on-site parking and service areas; and
- b) design requirements, consistent with the comprehensive urban design guidelines for the Future Urban Area Planning District and the Community Design Plan, to be determined through functional traffic design studies and transportation impact assessments.

~~Public utilities may be located within lanes subject to functional and design standards established by the City.~~

City owned public utilities may be located within the paved portion of laneways subject to functional and design standards established by the City. Privately owned utilities may be located within boulevard/grass portion of the laneway subject to functional and design standards established by the City.

26. Section 8.2.3.4 is modified to reduce the minimum building height in the 'Residential High Rise' designation as follows:

8.2.3.4 To provide for only the following height and density provisions for lands designated 'Residential High Rise':

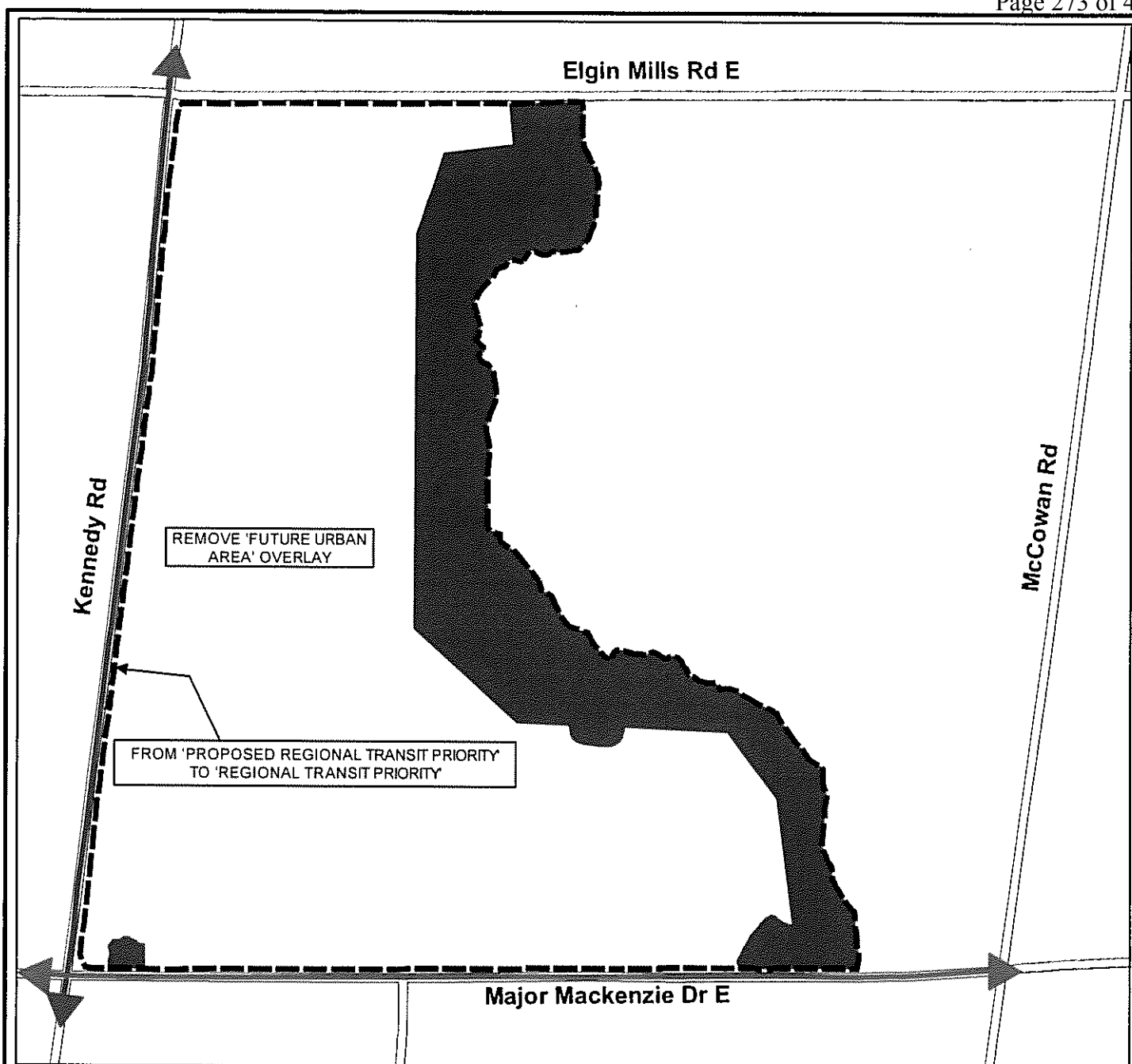
- a) a minimum building height of 4 3 storeys and a maximum building height of 15 storeys, with the following exceptions:
 - i. buildings associated with *day care centres, places of worship* and *public schools* which may have a minimum height equivalent to 2 storeys; and
 - ii. apartment buildings may have an attached podium of a minimum of 3 storeys.
- ~~b) for the purposes of this Secondary Plan, stacked townhouses shall be deemed to meet the minimum 4-storey requirement; and~~
- ~~e)b)~~ a minimum density of 80 units per net hectare and a maximum density of 200 units per net hectare.

27. Section 8.4.2 is modified to reflect a revised easterly boundary of the Secondary Plan Area as follows:


8.4.2 To provide for only the following uses on lands designated 'Greenway' as shown on Map SP1 – Detailed Land Use Plan ~~and on those lands between the community boundary and Robinson Creek:~~





- a) archaeological activity;
- b) ecological restoration activity;
- c) forest, wildlife habitat and fisheries management and conservation;
- d) watershed management, conservation and flood and erosion control projects carried out by a public authority;
- e) trails and nature-based public recreational activities including associated recreational infrastructure;
- f) transportation, servicing or utility infrastructure in accordance with Sections 3.1.2.9 and 7.1.1.7 of the Official Plan including stormwater management infrastructure such as underground tanks;
- g) communications/telecommunications infrastructure, subject to the requirements of the Greenbelt Plan where applicable;
- h) dwelling unit within the Greenbelt Plan Area, subject to Section 4.5 of the Greenbelt Plan;

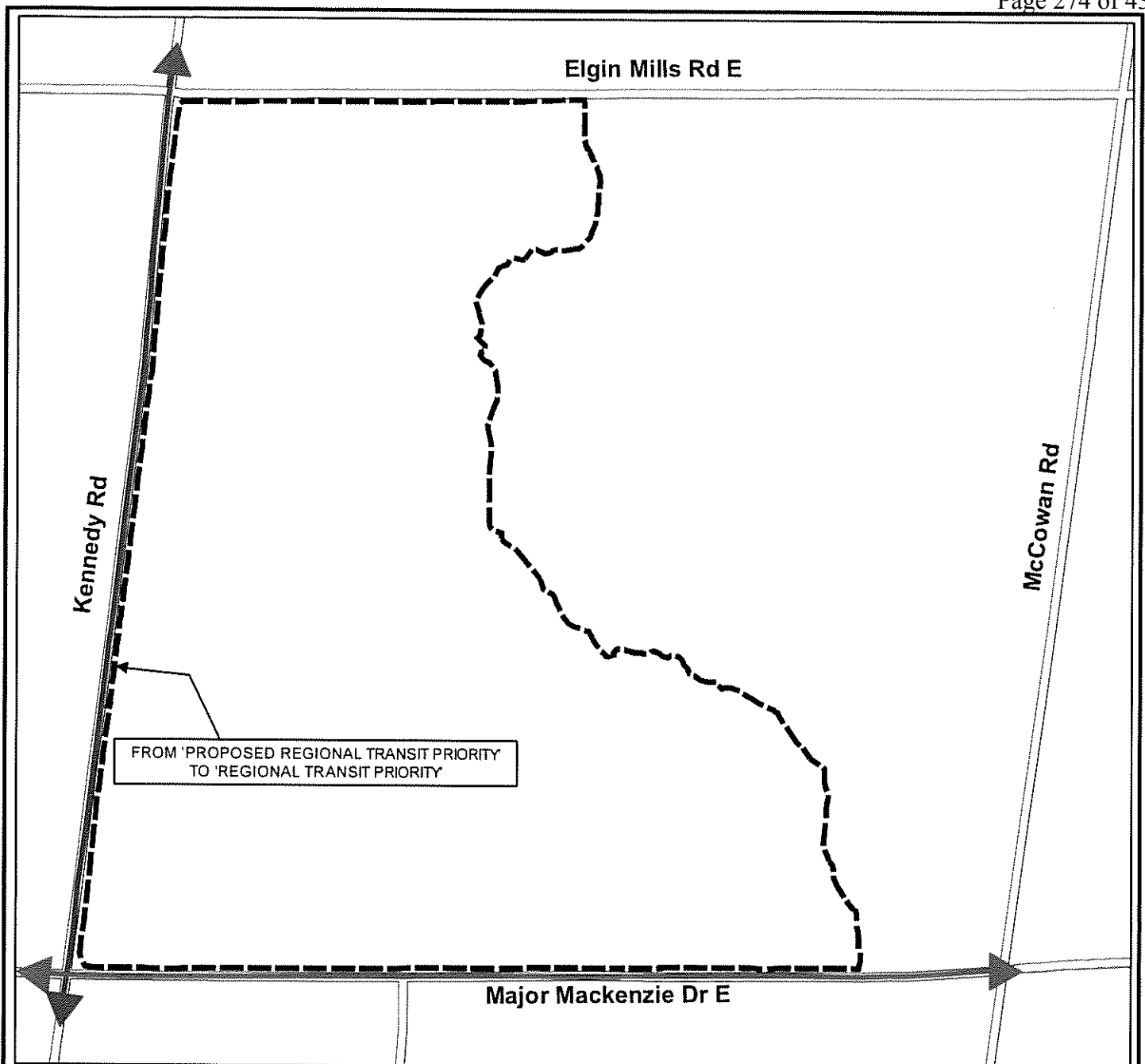
- i) dwelling unit within the Greenway System but outside the Greenbelt Plan Area, provided that it was a legally existing use prior to the adoption of this Secondary Plan;
 - j) home occupation; and
 - k) secondary suite in accordance with Section 8.13.3 of the Official Plan.
- 28. Maps SP1 through SP6 and Appendices 1 through 3 are modified by extending the easterly extent of the Boundary of Secondary Plan Area to the centreline of the westerly branch of the Robinson Creek as shown on Maps "SP1" through "SP6" and Appendices 1 through 3 attached.
- 29. Appendix 4 - Greenway System Between Urban Area and Westerly Branch of Robinson Creek, Appendix 5 - Natural Heritage Features Between Urban Area and Westerly Branch of Robinson Creek and Appendix 6 - Hydrologic Features Between Urban Area and Westerly Branch of Robinson Creek are deleted.




AMENDMENT TO MAP 1 - MARKHAM STRUCTURE OF THE MARKHAM OFFICIAL PLAN 2014, AS AMENDED OFFICIAL PLAN AMENDMENT XXX


 BOUNDARY OF AMENDMENT AREA

-  Greenway System as modified by Schedule "D"
-  Neighbourhood Area
-  Regional Transit Priority
-  Regional Rapid Transit Corridor



**AMENDMENT TO MAP 2 - CENTRES AND CORRIDORS AND TRANSIT NETWORK
OF THE MARKHAM OFFICIAL PLAN 2014, AS AMENDED
OFFICIAL PLAN AMENDMENT XXX**

 **BOUNDARY OF AMENDMENT AREA**

 **Regional Transit Priority**

 **Regional Rapid Transit Corridor**

Elgin Mills Rd E


McCowan Rd


Kennedy Rd

FROM 'FUTURE NEIGHBOURHOOD AREA'
TO DESIGNATIONS AS SHOWN

Major Mackenzie Dr E



**AMENDMENT TO MAP 3 - LAND USE
OF THE MARKHAM OFFICIAL PLAN 2014, AS AMENDED
OFFICIAL PLAN AMENDMENT XXX**

 BOUNDARY OF AMENDMENT AREA

 Greenway System as modified by Schedule "D"

RESIDENTIAL

Residential Low Rise

 Residential Mid Rise Residential High Rise**MIXED USE** Mixed Use Mid Rise Mixed Use High Rise

Elgin Mills Rd E

McCowan Rd

Kennedy Rd


REFINEMENTS TO 'ROUGE
WATERSHED PROTECTION
AREA', AND 'NATURAL
HERITAGE NETWORK' AS
SHOWN






ADD 'NATURAL
HERITAGE
NETWORK LANDS'

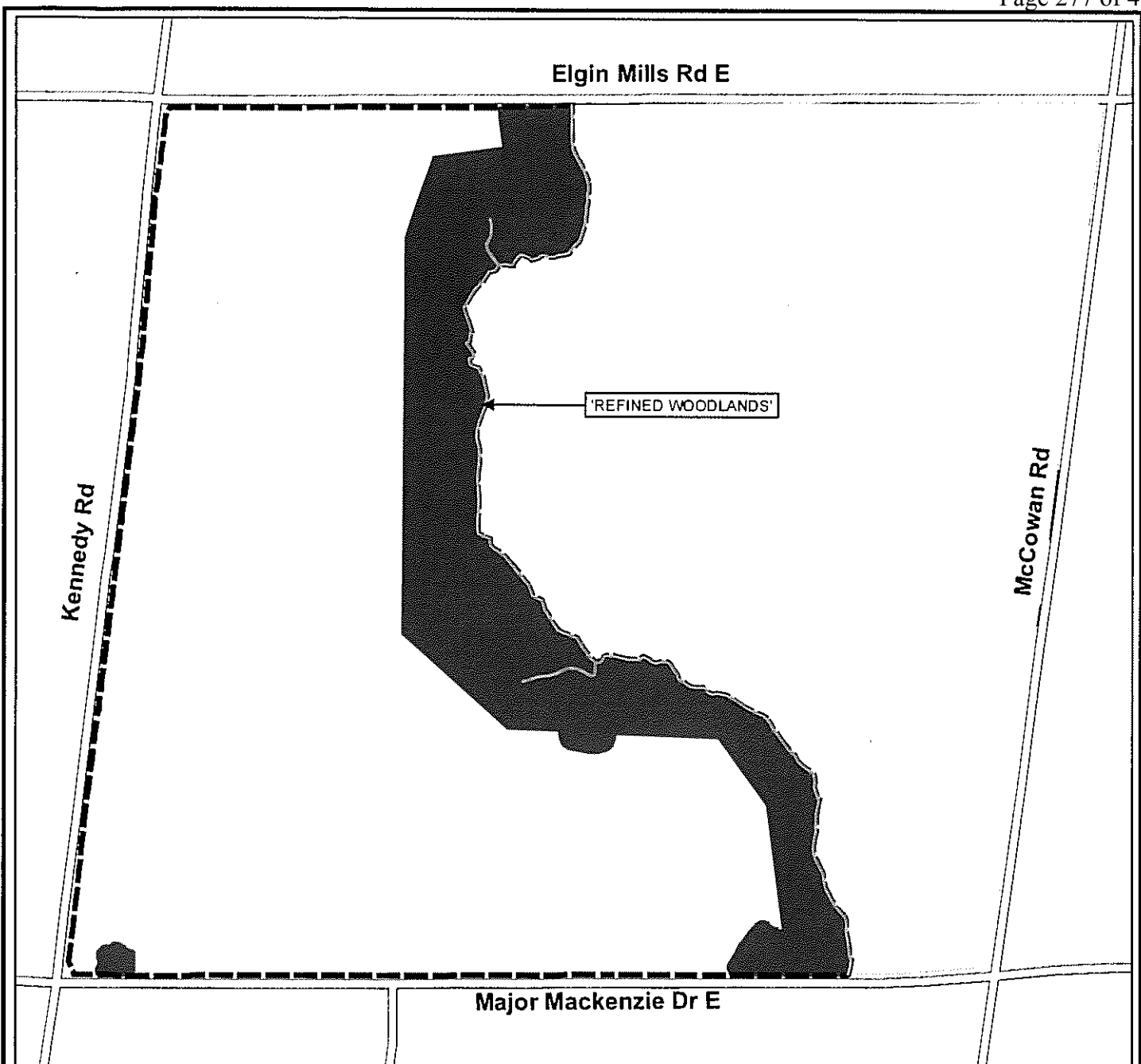
ADD 'GREENWAY
SYSTEM BOUNDARY'

Major Mackenzie Dr E


AMENDMENT TO MAP 4 - GREENWAY SYSTEM OF THE MARKHAM OFFICIAL PLAN 2014, AS AMENDED OFFICIAL PLAN AMENDMENT XXX





 BOUNDARY OF AMENDMENT AREA

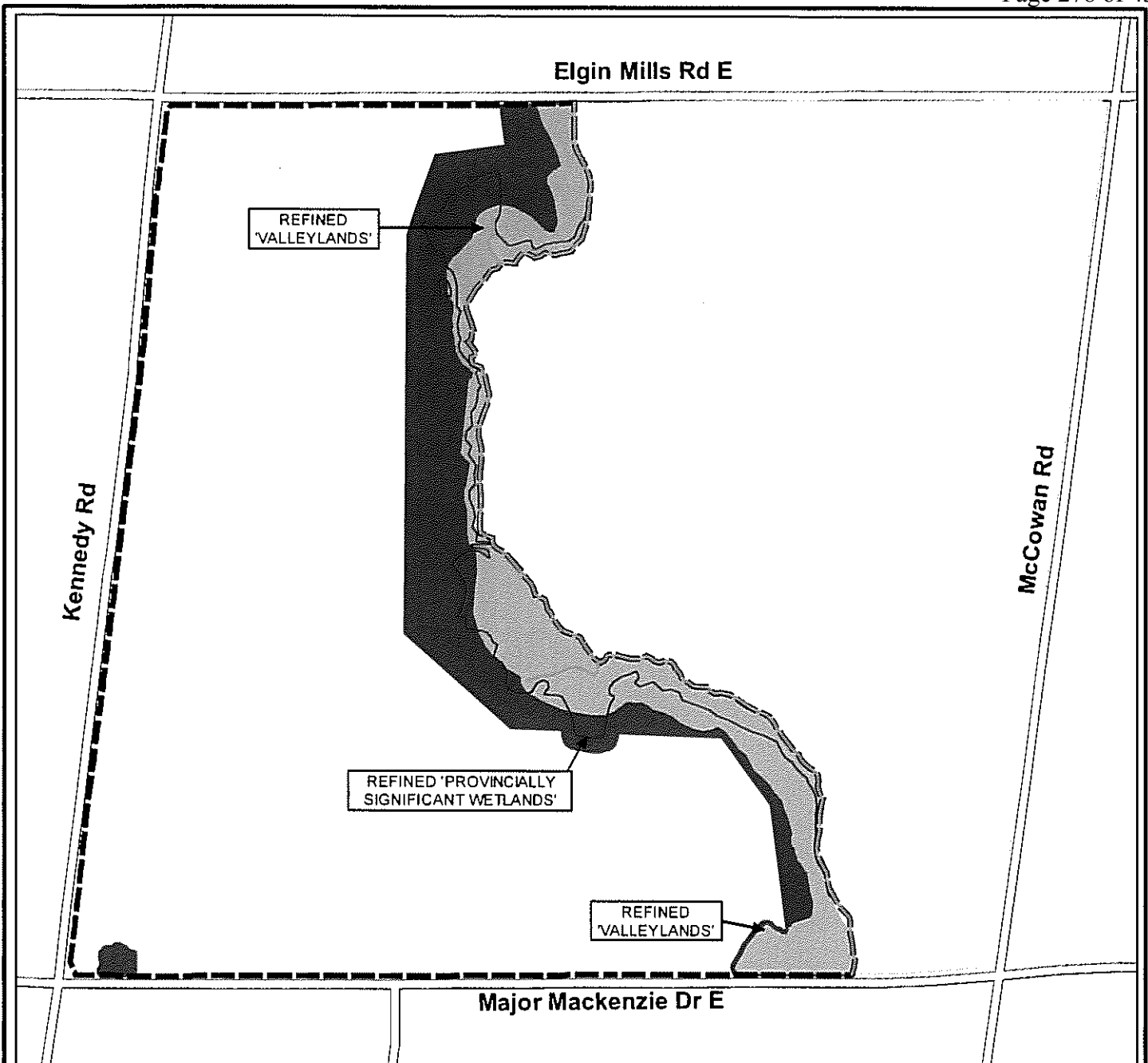
-  Greenway System Boundary
-  Natural Heritage Network
-  Rouge Watershed Protection Area
-  Greenbelt Plan Area
-  Other Greenway System Lands including certain naturalized stormwater management facilities



AMENDMENT TO MAP 5 - NATURAL HERITAGE FEATURES AND LANDFORMS OF THE MARKHAM OFFICIAL PLAN 2014, AS AMENDED OFFICIAL PLAN AMENDMENT XXX

 BOUNDARY OF AMENDMENT AREA

-  Greenway System Boundary as modified by Schedule "D"
-  Woodlands
-  Other Greenway System Lands including certain naturalized stormwater management facilities
-  Permanent Streams and Intermittent Streams



**AMENDMENT TO MAP 6 - HYDROLOGIC FEATURES
OF THE MARKHAM OFFICIAL PLAN 2014, AS AMENDED
OFFICIAL PLAN AMENDMENT XXX**

BOUNDARY OF AMENDMENT AREA

Greenway System as modified by Schedule "D"

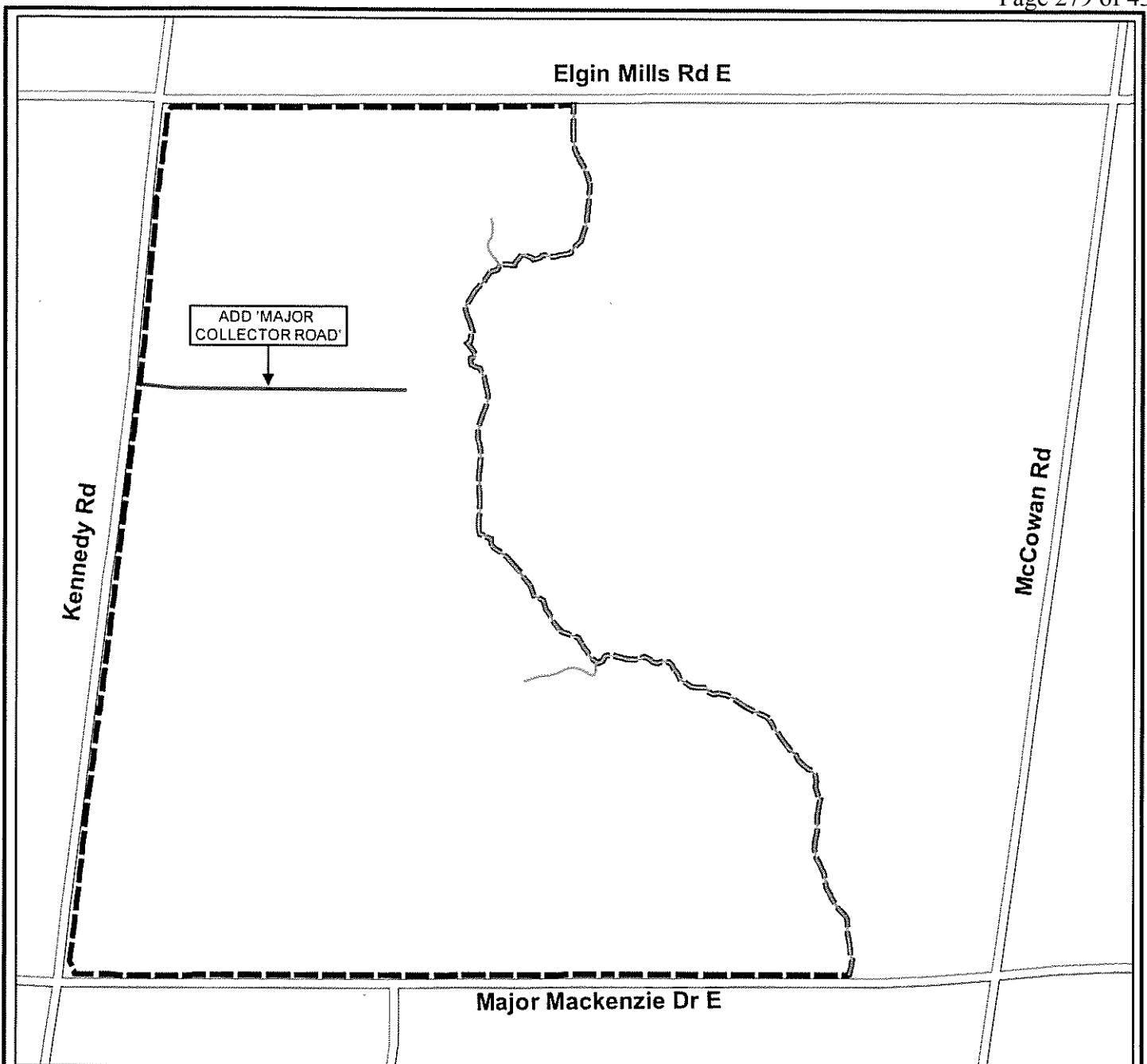
Valleylands

Other Greenway System Lands including certain naturalized stormwater management facilities

Wetlands

Provincially Significant Wetlands

Permanent Streams and Intermittent Streams

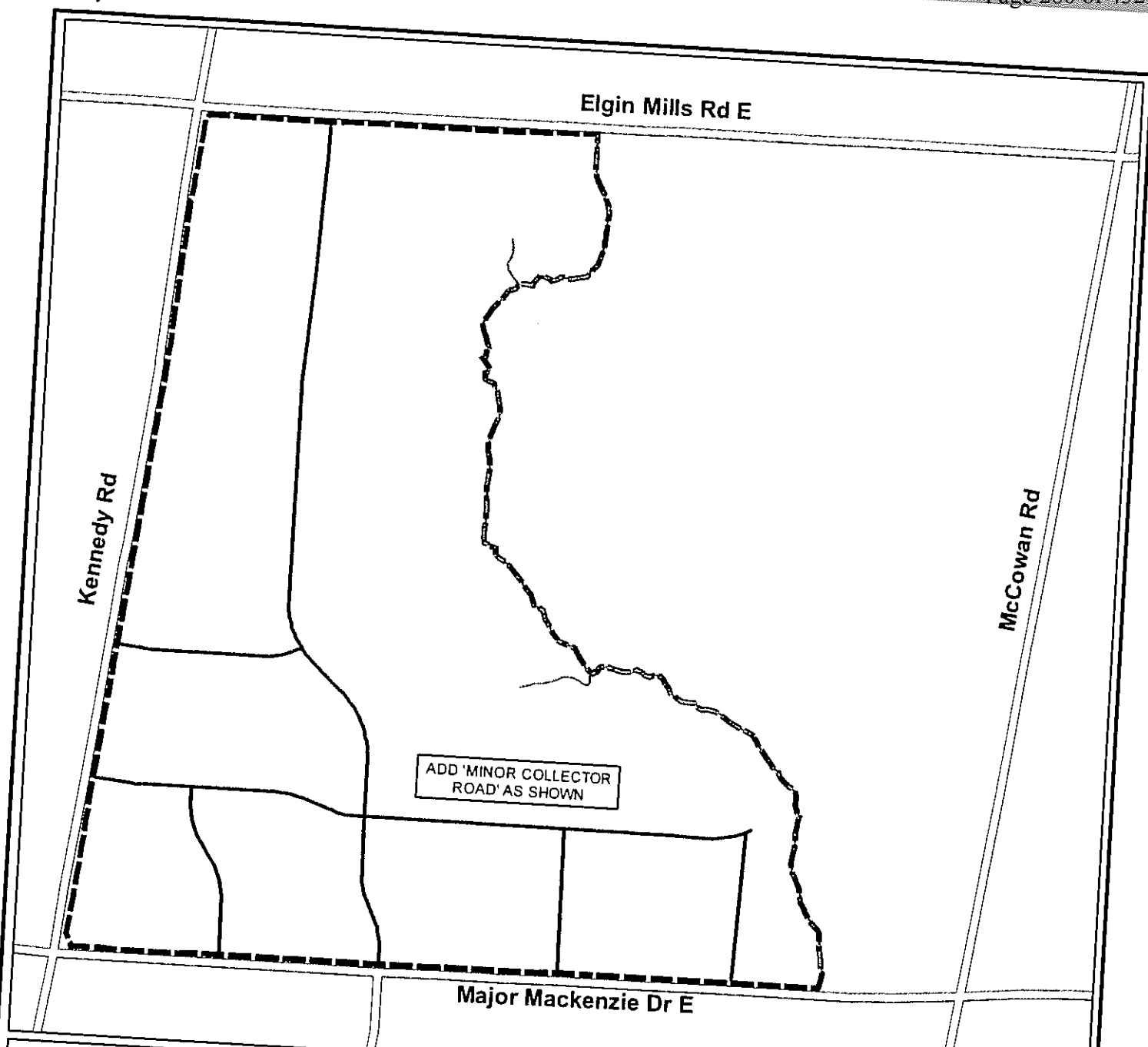


AMENDMENT TO MAP 10 - ROAD NETWORK
OF THE MARKHAM OFFICIAL PLAN 2014, AS AMENDED
OFFICIAL PLAN AMENDMENT XXX


--- BOUNDARY OF AMENDMENT AREA


— Major Collector Road


..... Permanent Streams and Intermittent Streams

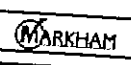


AMENDMENT TO MAP 11 - MINOR COLLECTOR ROAD NETWORK
OF THE MARKHAM OFFICIAL PLAN 2014, AS AMENDED
OFFICIAL PLAN AMENDMENT XXX

 BOUNDARY OF AMENDMENT AREA

 Minor Collector Road

 Permanent Streams and Intermittent Streams



1:13,000

SCHEDULE "H" TO OPA 26

11/27/2018

Elgin Mills Rd E


McCowan Rd

Kennedy Rd


FROM 'FUTURE URBAN AREA'
TO 'URBAN AREA'

Major Mackenzie Dr E

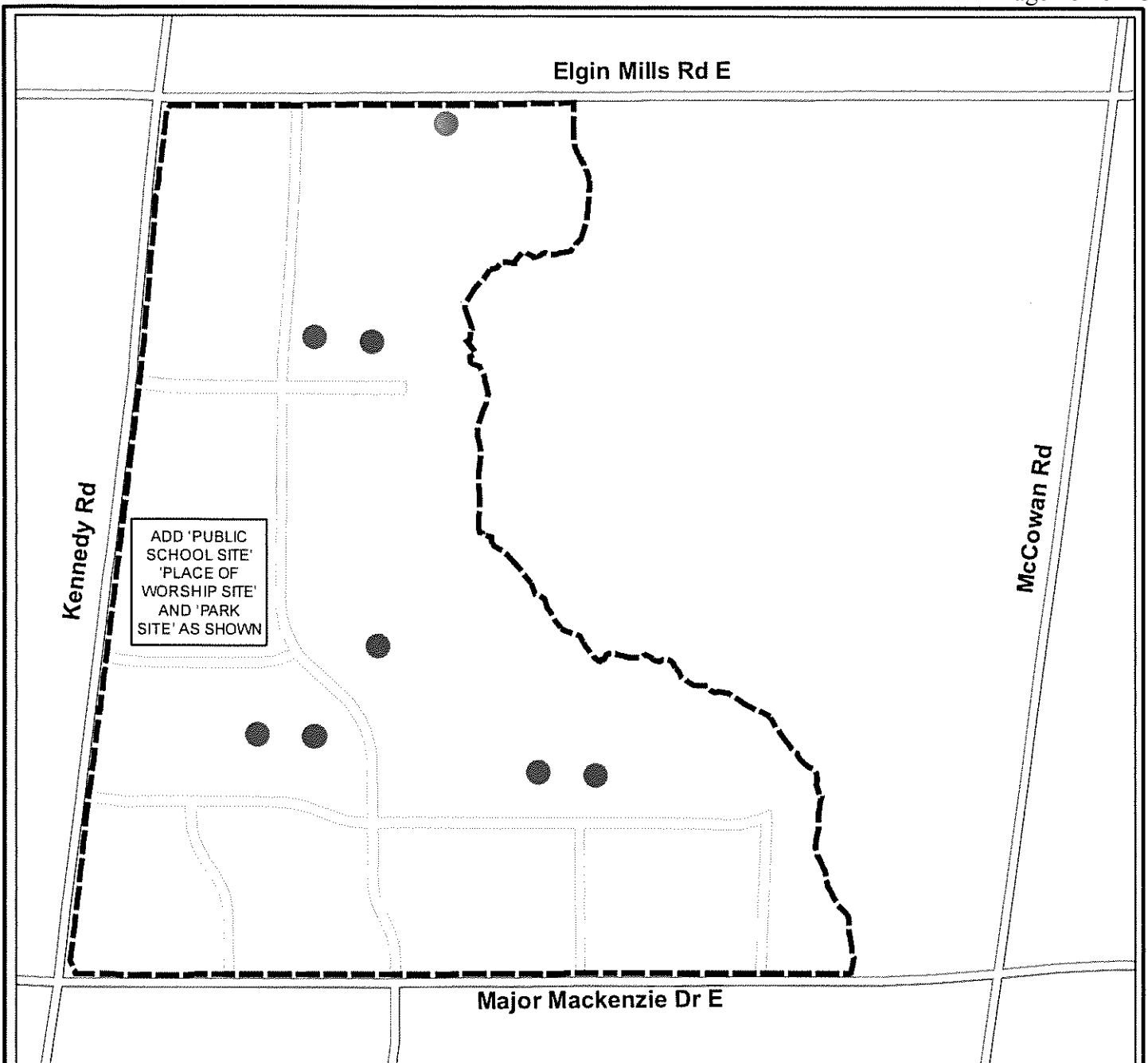
AMENDMENT TO MAP 12 - URBAN AREA AND BUILT UP AREA
OF THE MARKHAM OFFICIAL PLAN 2014, AS AMENDED
OFFICIAL PLAN AMENDMENT XXX

 BOUNDARY OF AMENDMENT AREA


 Urban Area




 Provincial Built Boundary



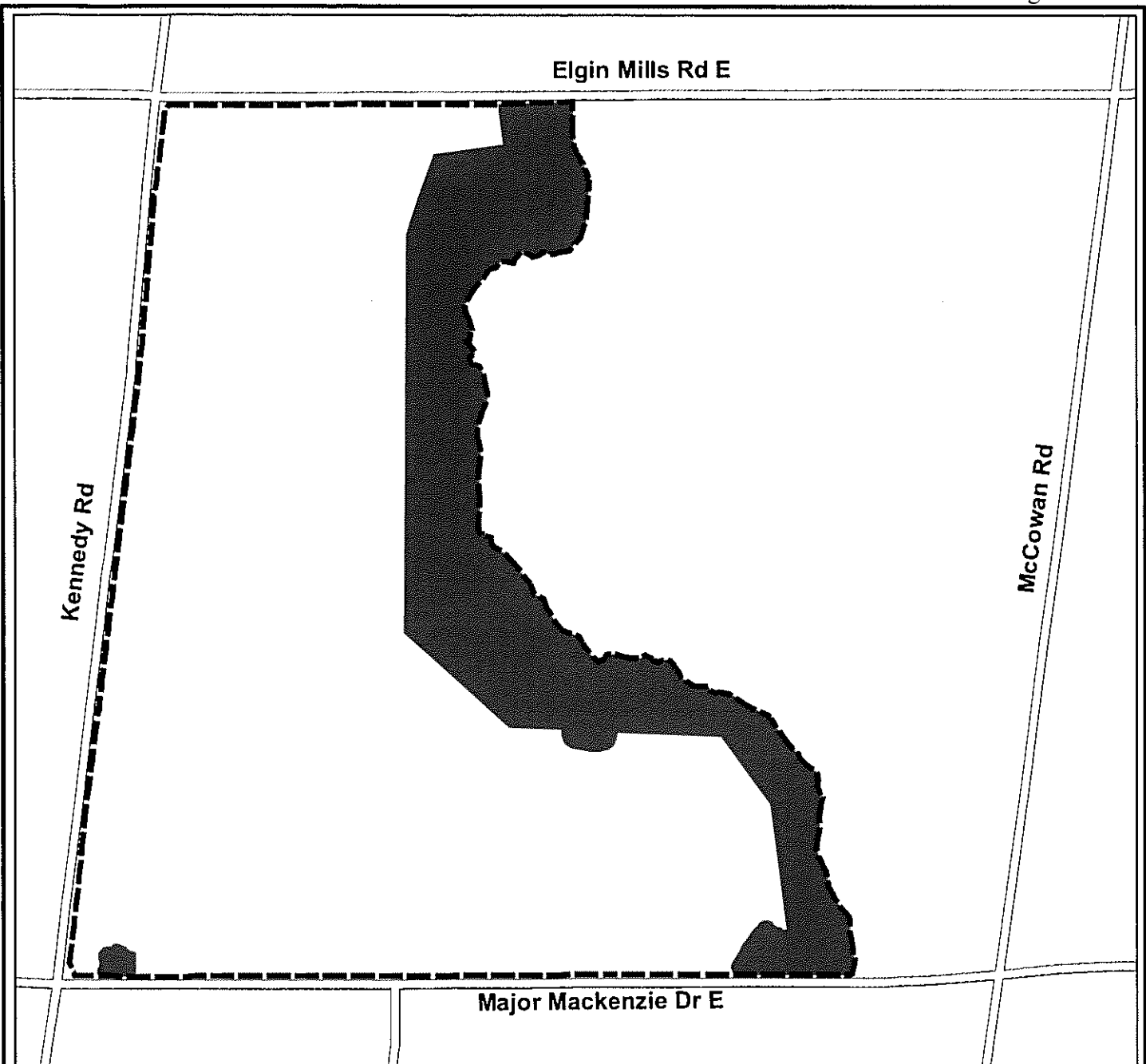


**AMENDMENT TO MAP 14 - PUBLIC SCHOOL, PLACE OF WORSHIP AND PARK SITES
OF THE MARKHAM OFFICIAL PLAN 2014, AS AMENDED
OFFICIAL PLAN AMENDMENT XXX**


 BOUNDARY OF AMENDMENT AREA


-  Public School Site
-  Place of Worship Site
-  Park Site



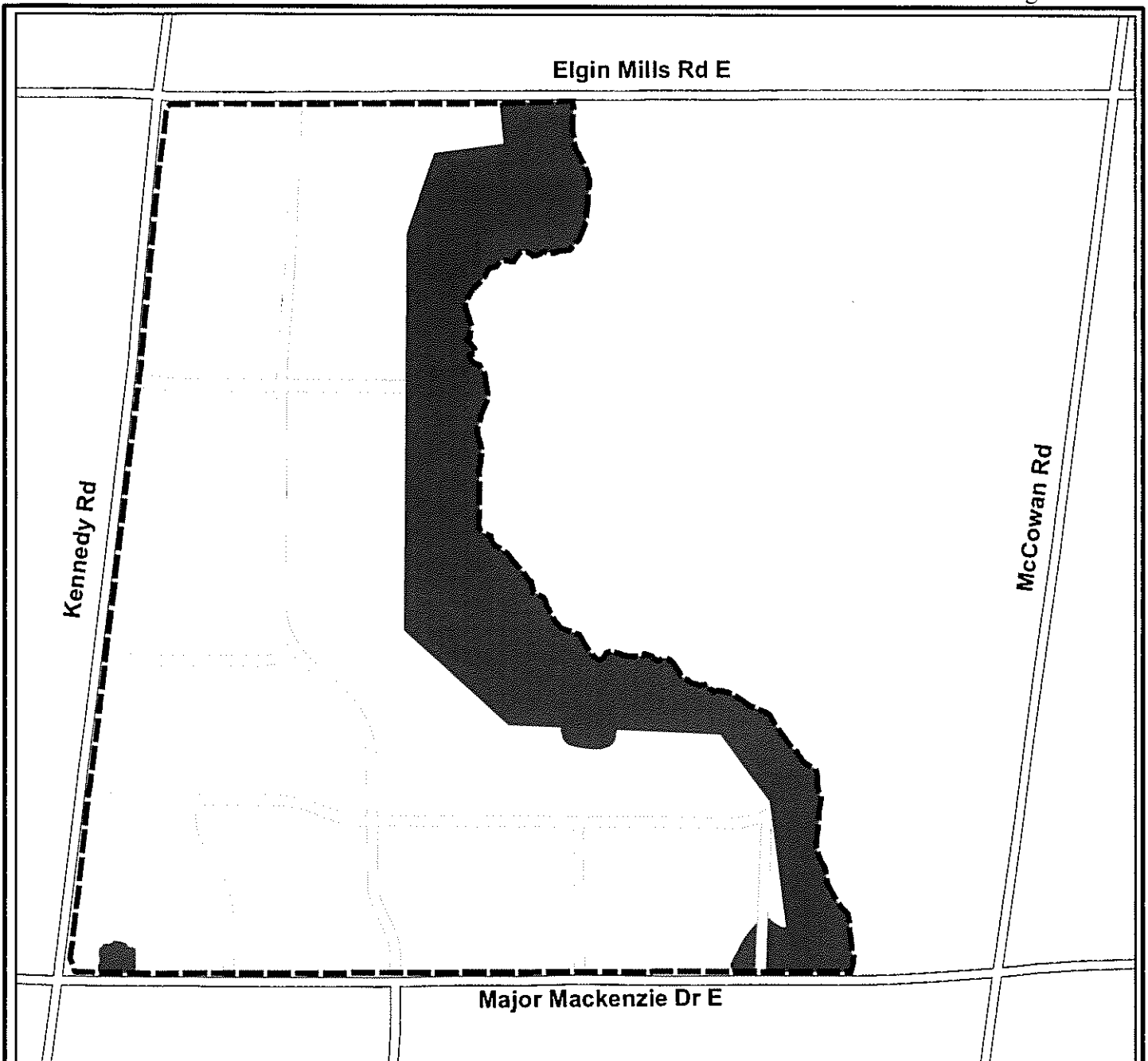


**AMENDMENT TO APPENDIX B - HEADWATER DRAINAGE FEATURES
OF THE MARKHAM OFFICIAL PLAN 2014, AS AMENDED
OFFICIAL PLAN AMENDMENT XXX**


 BOUNDARY OF AMENDMENT AREA


 Greenway System as modified by Schedule "D"



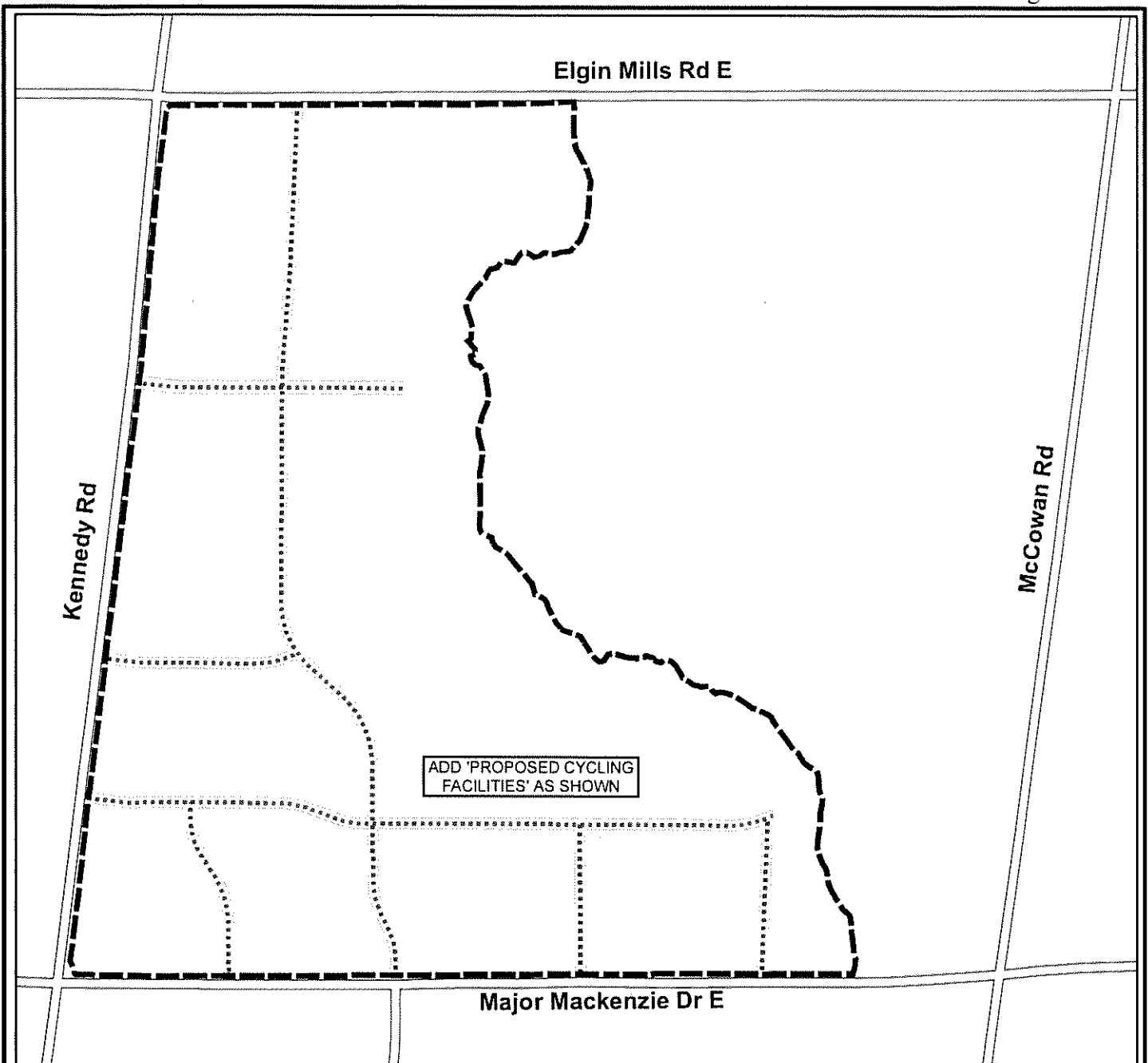


**AMENDMENT TO APPENDIX C - COMMUNITY FACILITIES
OF THE MARKHAM OFFICIAL PLAN 2014, AS AMENDED
OFFICIAL PLAN AMENDMENT XXX**


 **BOUNDARY OF AMENDMENT AREA**


 **Greenway System as modified by Schedule "D"**



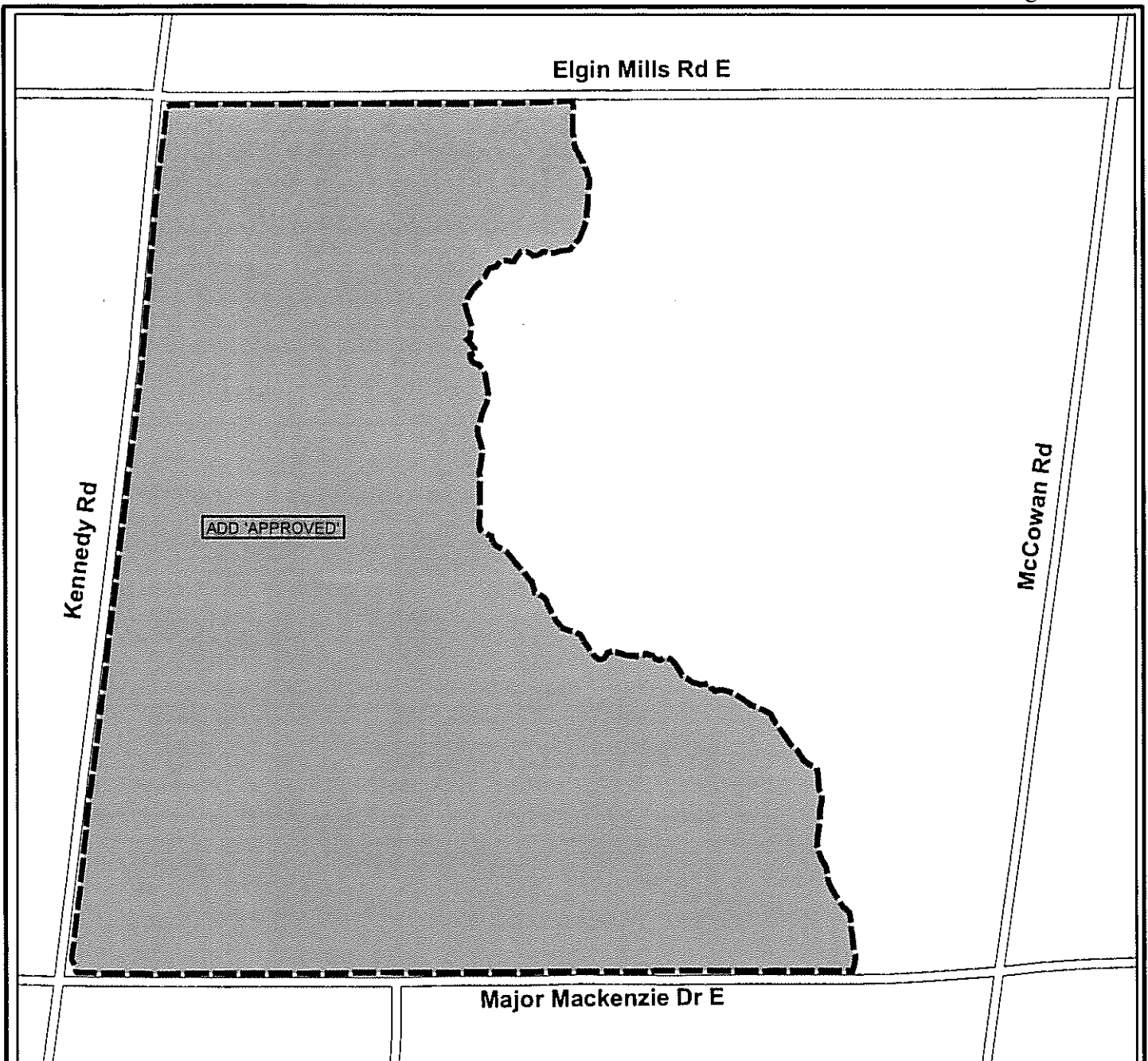


AMENDMENT TO APPENDIX D - CYCLING FACILITIES
OF THE MARKHAM OFFICIAL PLAN 2014, AS AMENDED
OFFICIAL PLAN AMENDMENT XXX


 BOUNDARY OF AMENDMENT AREA

 Proposed Cycling Facilities





AMENDMENT TO APPENDIX F - SECONDARY PLAN AREAS
OF THE MARKHAM OFFICIAL PLAN 2014, AS AMENDED
OFFICIAL PLAN AMENDMENT XXX

 BOUNDARY OF AMENDMENT AREA

 Approved



**MAP SP1
DETAILED LAND USE**
ROBINSON GLEN SECONDARY PLAN
(Official Plan Amendment XXX)

Boundary of Secondary Plan Area
Boundary of Secondary Plan Urban Area

RESIDENTIAL

Residential Low Rise
Residential Mid Rise I
Residential Mid Rise II
Residential High Rise

MIXED USE

Mixed Use Mid Rise
See Section 5.3.1.6
Mixed Use High Rise
Mixed Use High Rise - Retail Focus

GREENWAY SYSTEM

Greenway

PARKS AND OPEN SPACE

Community Park / Neighbourhood Park
Stormwater Management Facility

COMMUNITY INFRASTRUCTURE, SERVICE FACILITIES

Public Elementary School
Public Secondary School











OTHER

Place of Worship

Scale: 1:3,500
Date: 11/27/2018



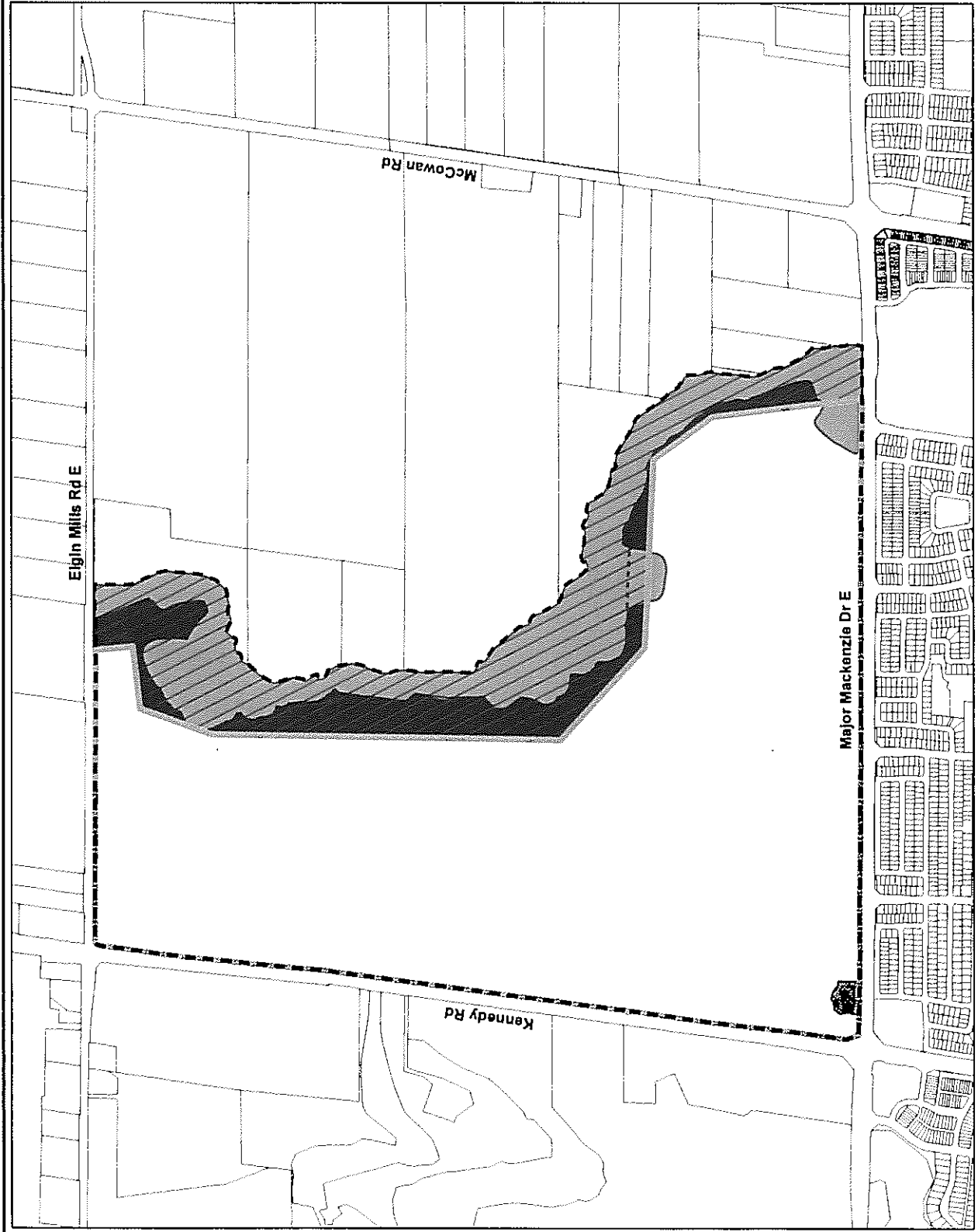
**MAP SP2
GREENWAY SYSTEM
ROBINSON GLEN SECONDARY PLAN
(Official Plan Amendment XXX)**

-  Boundary of Secondary Plan Area
-  Boundary of Secondary Plan Urban Area
-  Greenway System Boundary
-  Natural Heritage Network
-  Rough Watershed Protection Area
-  Rough Watershed Protection Area
-  Subject to Section 4.1.7
-  Other Greenway System Lands including certain naturalized stormwater management facilities
-  Permanent Streams and Intermittent Streams
-  Greenway Plan Area - Natural Heritage System of the Protected Countryside




11/27/2018

SCALE: 1:9,500







Date: 11/27/2018



MAP SP3
NATURAL HERITAGE FEATURES
ROBINSON GLEN SECONDARY PLAN
 (Official Plan Amendment XXX)

-  Boundary of Secondary Plan Area
-  Boundary of Secondary Plan Urban Area
-  Greenway System Boundary

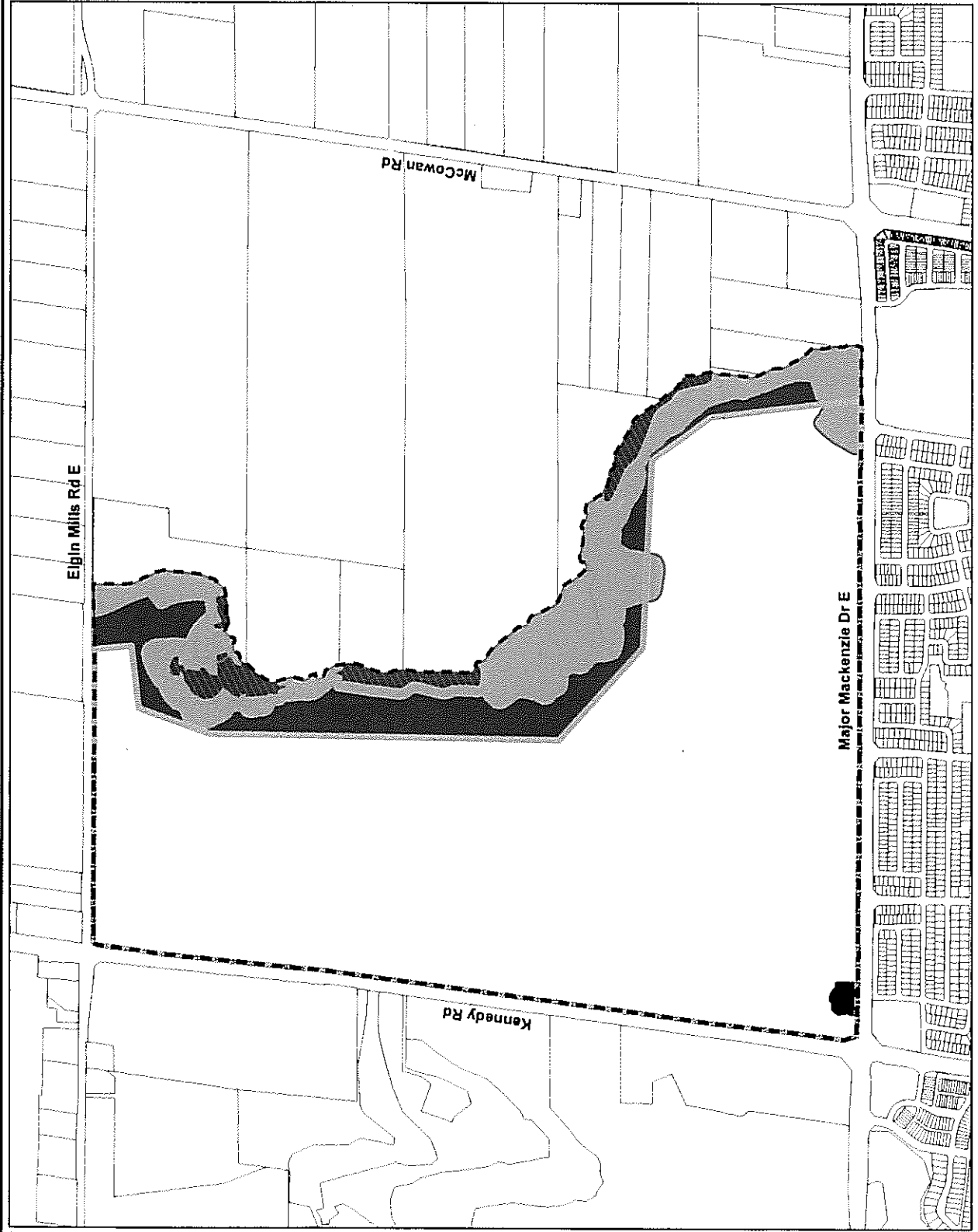
NATURAL HERITAGE NETWORK

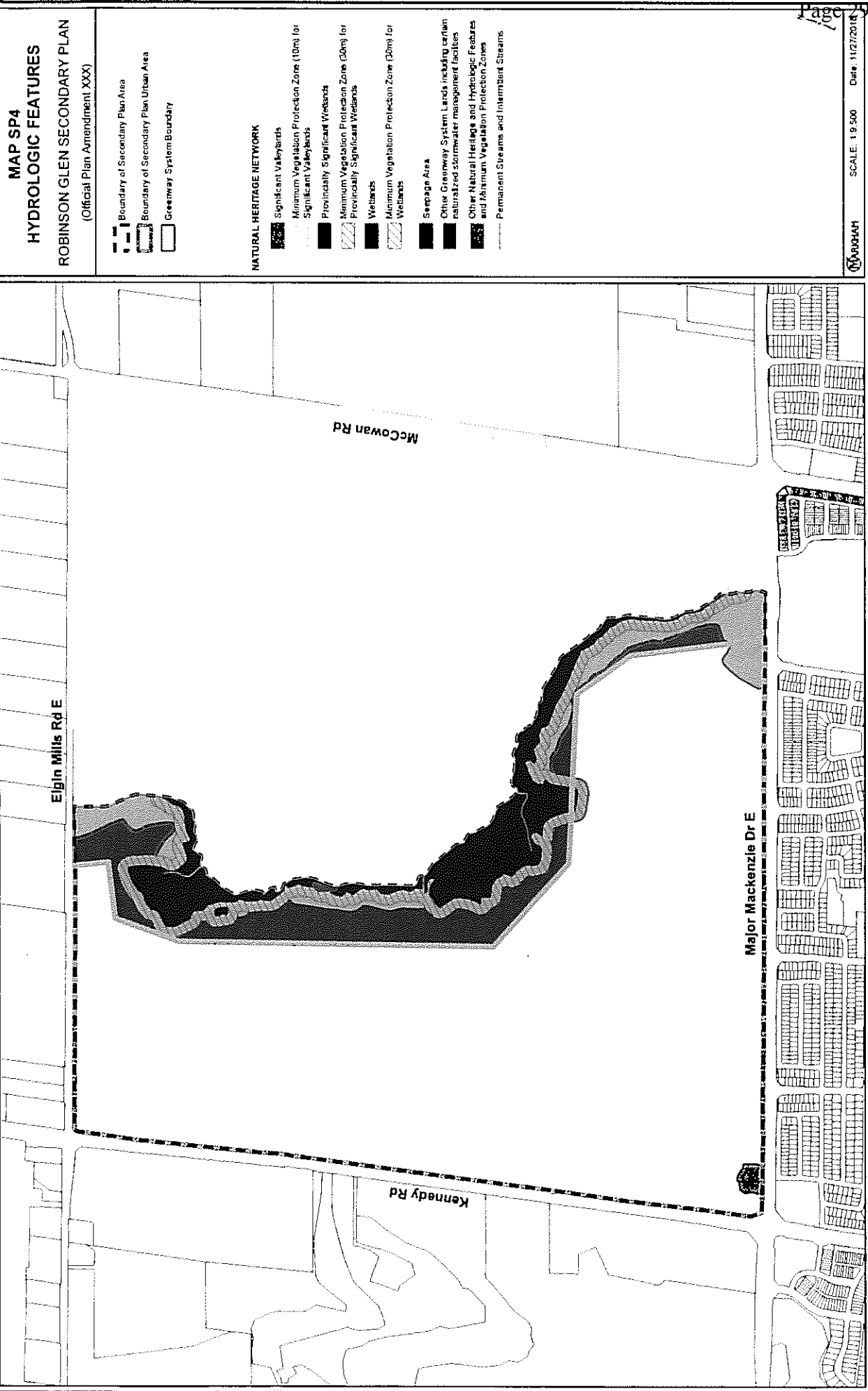
-  Significant Woodlands
-  Minimum Vegetation Protection Zone (30m) for Significant Woodlands
-  Other Greenway System Lands including certain naturalized stormwater management facilities
-  Woodlands (Subject to 4.1.16)
-  Other Natural Heritage and Hydrologic Features and Minimum Vegetation Protection Zone
-  Permanent Streams and Intermittent Streams

Map 30441

SCALE: 1:9,500

Date: 11/27/2018





MAP SP5
ROAD NETWORK
ROBINSON GLEN SECONDARY PLAN
(Official Plan Amendment XXX)

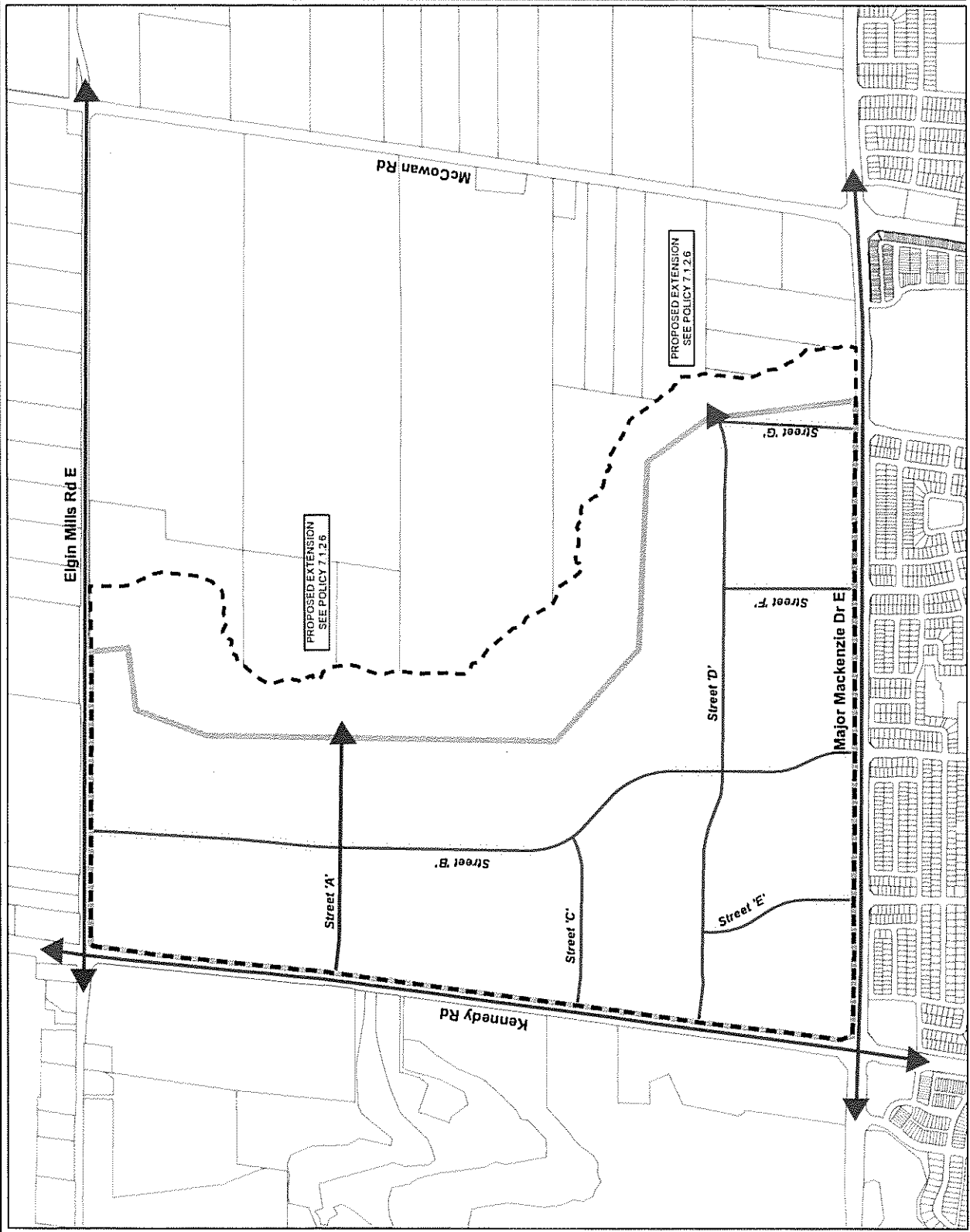
Boundary of Secondary Plan Area
 Boundary of Secondary Plan Urban Area

ARTERIAL ROADS
 Region of York Arterial Road

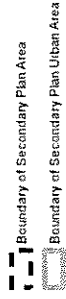
COLLECTOR ROADS
 Major Collector Road
 (Up to 30.5 metre right-of-way)
 Minor Collector Road
 (Up to 24.5 metre right-of-way)

SCALE: 1:5,500 Date: 11/27/2018

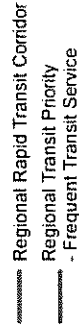
GJKHAM



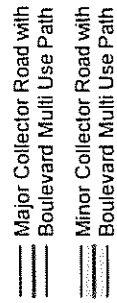
MAP SP6
TRANSIT AND ACTIVE
TRANSPORTATION NETWORK
ROBINSON GLEN SECONDARY PLAN
 (Official Plan Amendment XXX)



ARTERIAL ROADS

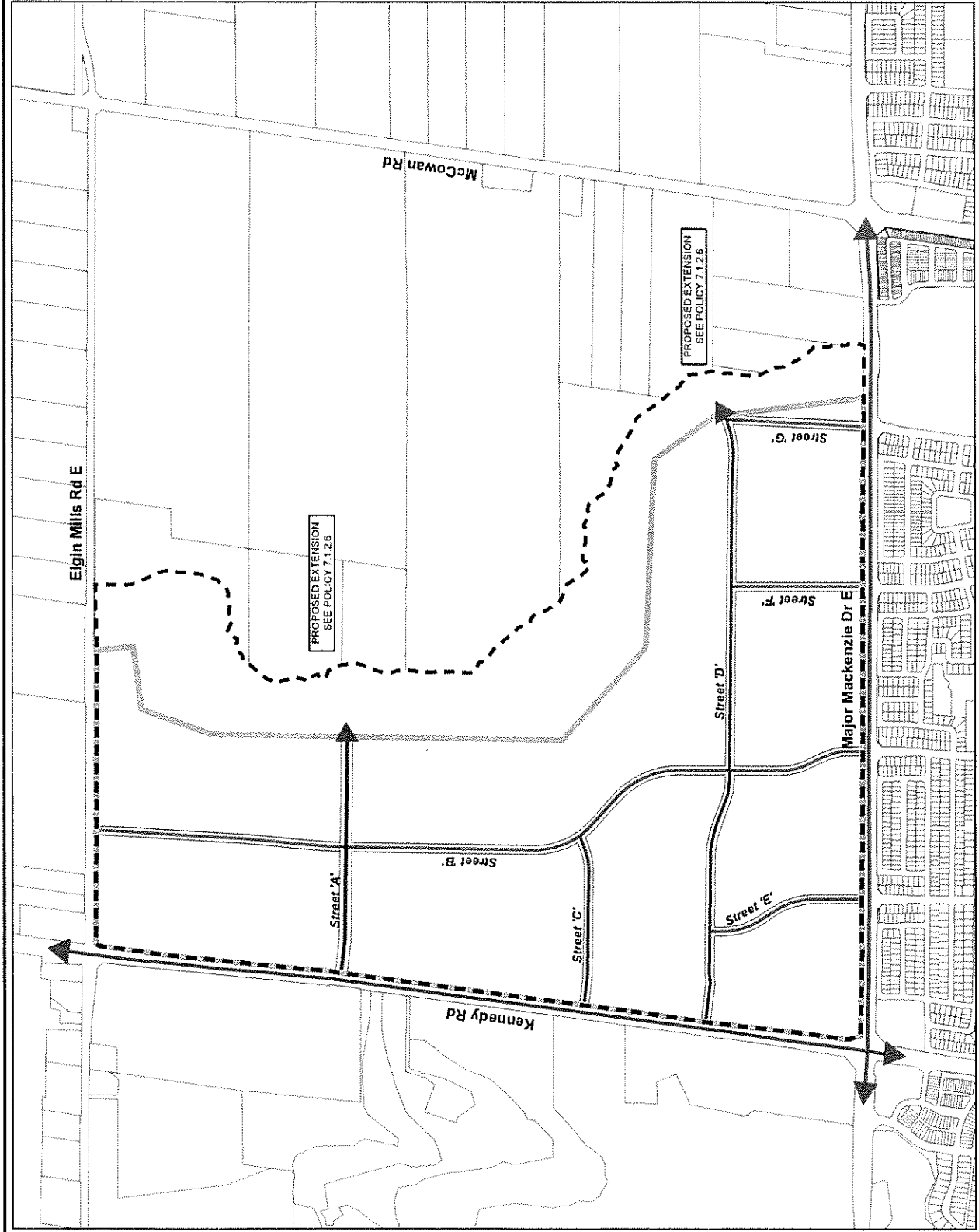


ACTIVE TRANSPORTATION NETWORK



SCALE: 1:9,500

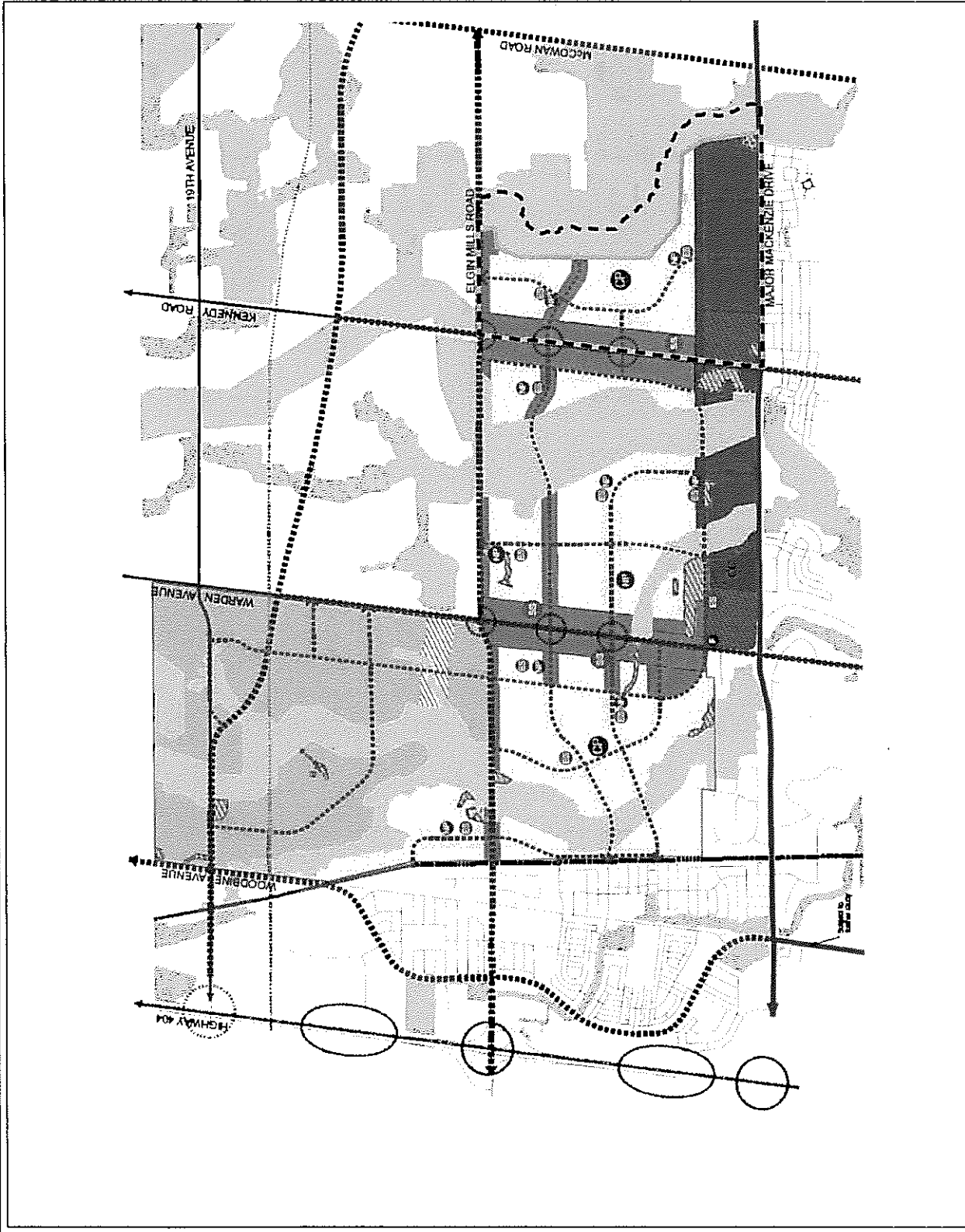
Date: 11/27/2018



APPENDIX 1 **FUTURE URBAN AREA** **COMMUNITY STRUCTURE PLAN** **ROBINSON GLEN SECONDARY PLAN** (Official Plan Amendment XXX)

- Boundary of Secondary Plan Area
- Boundary of Secondary Plan Urban Area
- October 17, 2017 Council endorsed Community Structure Plan, with the exception of the Proposed Ecological Corridor which remains under study until a Council resolution is achieved.
- Study Area
- Greenway System
- Proposed Ecological Corridor (Under Study)
- Greenway System Under Study
- Residential Neighbourhood Area
- Mixed Use Neighbourhood Corridor
- Mixed Use Regional Corridor
- Mixed Use Regional Corridor - Retail Focus
- Employment Area
- Neighbourhood Service Node
- Community Centre
- Community Park
- Neighbourhood Park
- Neighbourhood Park (2.1 ha or greater based on parkland dedication requirement)
- Elementary School
- Secondary School
- Fire Station
- Proposed Collector Road Network
- Existing Highway Interchange
- Proposed Highway Interchange
- Proposed Highway Mid-block Crossing
- Proposed Arterial Road System
- Highway
- Proposed Regional Rapid Transit Corridor
- Proposed Regional Transit Priority (Frequent Transit Network and/or HOV)
- Hydro Corridor
- Trans-Canada Pipeline Easement

SCALE: 1:25,000 Date: 11/27/2019



APPENDIX 2 CULTURAL HERITAGE RESOURCES

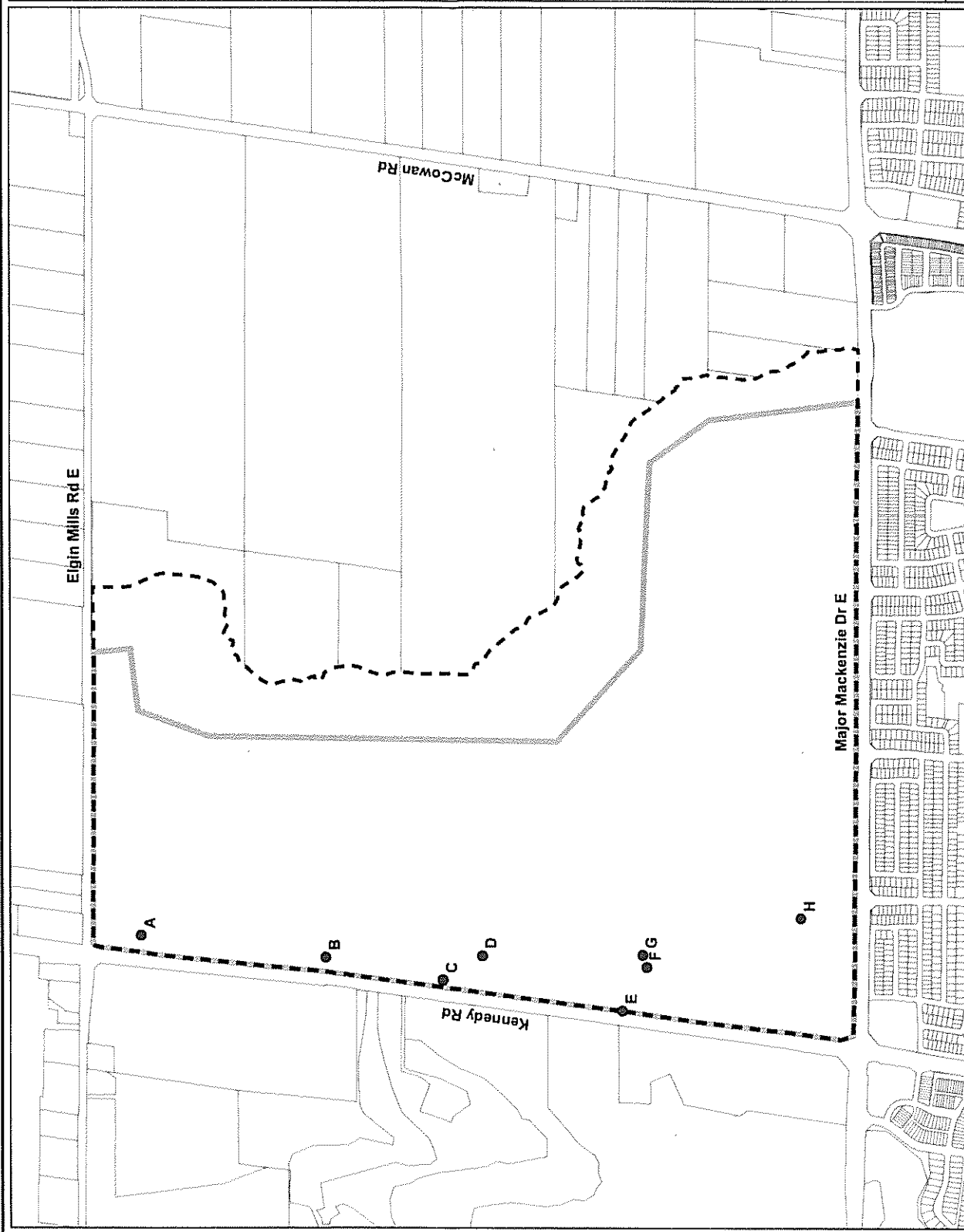
ROBINSON GLEN SECONDARY PLAN
(Official Plan Amendment XXX)

- Boundary of Secondary Plan Area
- Boundary of Secondary Plan Urban Area
- Cultural Heritage Resource
- A. The Francis Walker House, c. 1850
10725 Kennedy Road
- B. The Arthur Wegg House, c. 1922
10537 Kennedy Road
- C. The George Sommerfeldt Homestead, c. 1856
10411 Kennedy Road
- D. The Sommerfeldt Homestead, c. 1840
10379 Kennedy Road
- E. The Pingle Farm Cemetery
10225 Kennedy Road
- F. The J.P. Carr Cottage, c. 1950
10225 Kennedy Road
- G. The Homer Wilson House, c. 1900
10225 Kennedy Road
- H. The Jacob Pingle Sr. House, c. 1840
4638 Major MacKenzie Drive East






MARKHAM

SCALE: 1:9,500

Date: 11/27/2018

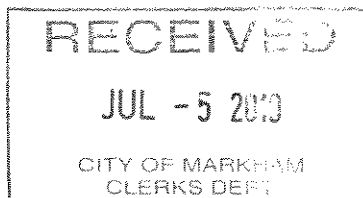


**APPENDIX 3
GROUNDWATER
RESOURCES**
ROBINSON GLEN SECONDARY PLAN
(Official Plan Amendment XXX)

-  Boundary of Secondary Plan Area
-  Boundary of Secondary Plan Urban Area
-  Highly Vulnerable Aquifers
-  Significant Groundwater Recharge Area
-  Wellhead Protection Area - Quarry (WHPA-Q2)

SCALE: 1:5,500 Date: 11/27/2018





Corporate Services

Via e-mail and mail

File No.: OPA 24
Regional File No.: LOPA.17.M.0047

July 4, 2019

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

Dear Ms. Kitteringham:

**Re: Notice of Decision
Amendment No. 24 to the Official Plan of the
City of Markham (2014), as amended
Berczy Glen Secondary Plan**

On June 27, 2019, York Region Council approved, with modifications, the above captioned Official Plan Amendment.

Please find attached York Region's Notice of Decision.

Sincerely,

A handwritten signature in black ink, appearing to read "Jason Ezer".

Jason Ezer, MCIP, RPP
Senior Planner

JE/

Attachment (1): Notice of Decision

Copy to: Stephen Lue, Development Manager, North District, City of Markham (e-mail)
Stephen Kitagawa, Senior Planner, City of Markham (e-mail)

YORK-#9727338-v1



Regional File No.: OPA 24 (LOPA.17.M.0047)
 Applicant: City of Markham
 Date of this notice: July 4, 2019
 Last date of appeal: July 24, 2019

Notice of Decision

to Approve an Amendment to the Official Plan of the City of Markham

The Regional Municipality of York is the approval authority for this Official Plan Amendment. This notice of decision is given in accordance with Section 17(35) of the *Planning Act*, R.S.O. 1990, c. P.13. The decision of The Regional Municipality of York is to **MODIFY and APPROVE** Amendment No. 24 to the Official Plan of the City of Markham.

Lands Subject to the Amendment:

Municipality: City of Markham (Berczy Glen Block)

Location: Refer to Key Map

Purpose and effect of the Amendment:

Official Plan Amendment No. 24, known as the Berczy Glen Secondary Plan, amends the City of Markham Official Plan as it pertains to the subject lands by adding detailed policies in order to guide future development of a new community.

Proposed modifications to the Amendment:

York Region proposes to approve OPA 24 with modifications as shown on Attachment 1.

Effect of Written Submissions on Decision:

The effect of written submissions was in-line with Regional Council's decision to approve the Amendment.

Other applications affecting the subject lands:

N/A

For additional information:

A copy of the proposed Official Plan Amendment and the decision will be available for inspection at York Region's Planning and Economic Development Branch, Corporate Services Department from 8:30 am to 4:30 pm on regular business days. For assistance, please contact Jason Ezer, Senior Planner, at 1-877-464-9675, extension 71533 or jason.ezer@york.ca.

Who may appeal:

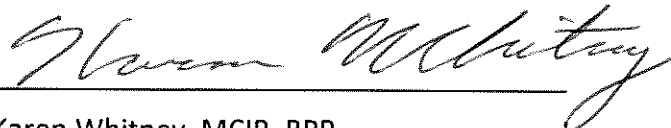
If applicable, only individuals, corporations or public bodies may appeal a decision of the approval authority to the Local Planning Appeal Tribunal ("Tribunal"). A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or the group on its behalf.

No person or public body shall be added as a party to the hearing of the appeal unless, before the plan was adopted, the person or public body made oral submissions at a public meeting or written submissions to the council or, in the opinion of the Tribunal, there are reasonable grounds to add the person or public body as a party.

When and how you may appeal:

The last day for filing an appeal is no later than 4:30 pm on **July 24, 2019** and it must be received in writing. A notice of appeal may not be sent by email. A notice of appeal must:

1. Be filed with the approval authority, addressed to:
Ms. Karen Whitney, MCIP, RPP
Director, Community Planning and Development Services
Corporate Services Department
York Region Administrative Centre
17250 Yonge Street
Newmarket, Ontario L3Y 6Z1
2. Be accompanied by the completed Tribunal appeal form, setting out the reasons for the appeal and the specific part of the proposed Official Plan or Official Plan Amendment to which the appeal applies; and,
3. Be accompanied by the fee required by the Tribunal and a fee of \$500.00 payable to The Regional Municipality of York for preparing the record to be submitted to the Tribunal.

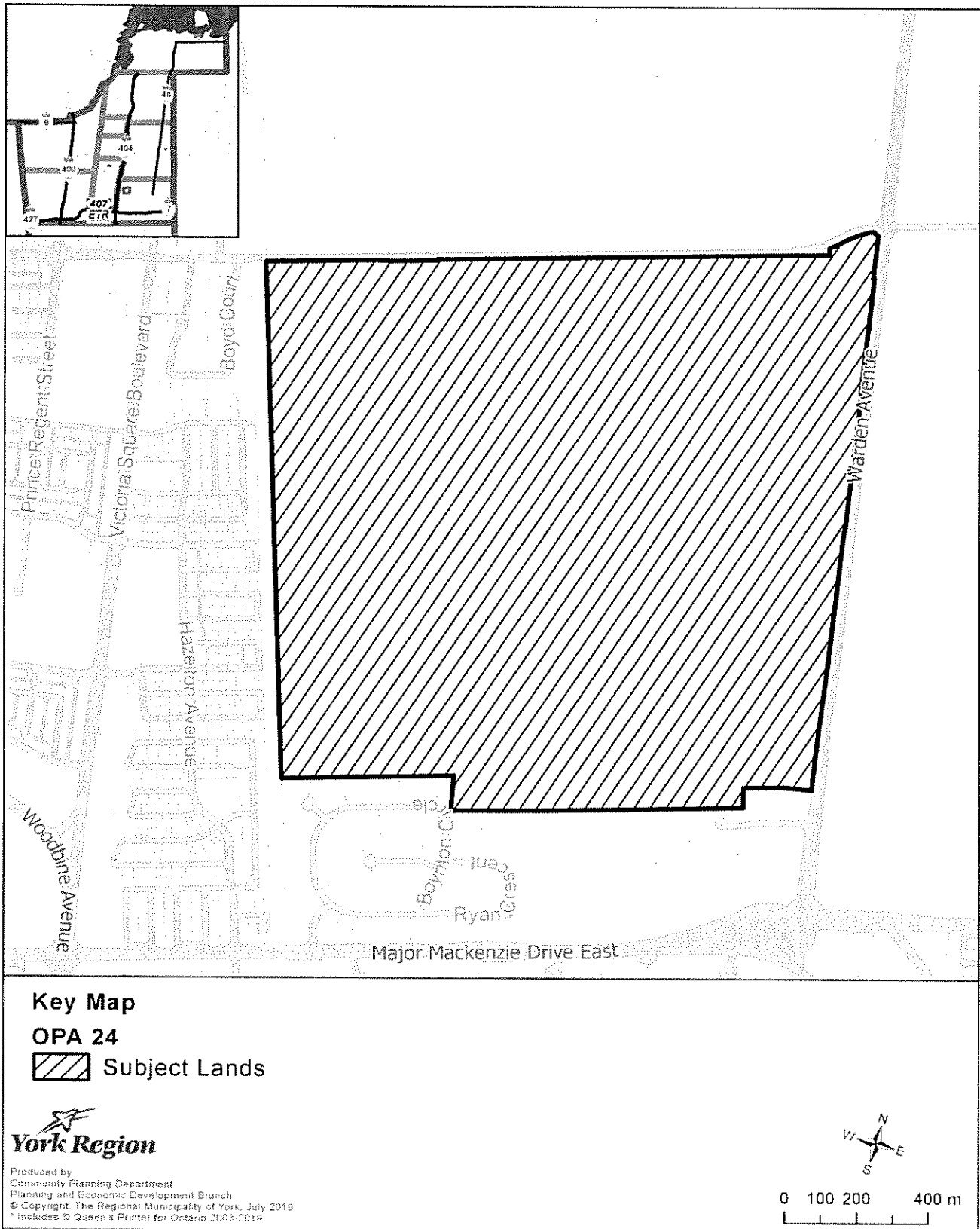

Karen Whitney, MCIP, RPP
Director, Community Planning and Development Services

Dated: July 4, 2019

YORK-#9727334-v1-OPA_24_-_Notice_of_Decision

KEY MAP

Berczy Glen Secondary Plan Area (OPA 24)



ATTACHMENT 1

PROPOSED MODIFICATIONS TO BERCZY GLEN SECONDARY PLAN

Note: Strikethrough denotes deleted text. Underlined text denotes added text.

AMENDMENT TO PART 1 OF THE OFFICIAL PLAN 2014 is modified as follows:

1. Schedules "C", "G", "J", "L", and "M" are modified to reflect a minor alignment change to the Major Collector Road as attached.

AMENDMENT TO PART II OF THE OFFICIAL PLAN 2014 is modified as follows:

2. Section 3.1.6 a) is modified to include reference to connections to specific streets as follows:

Transportation System

- 3.1.6. a) A Transportation System consisting of arterial, collector and local roads, will accommodate the majority of cycling, vehicular, and transit service traffic within the community as well as serve as links to the neighbouring areas including connections to Rinas Avenue, Stony Hill Boulevard and Vine Cliff Boulevard.

3. Section 4.1.14 a) is modified by italicizing the term "features" as follows:

- 4.1.14 That where nature-based trails are provided for in the Greenway System, the following shall apply:
 - a) trails shall avoid or minimize impacts to *natural heritage and hydrologic features* by generally being located outside of the Natural Heritage Network and at the outer edge of the Greenway System, and along both sides of the Berczy Creek, where feasible;

4. Section 4.3.6 is modified by replacing the reference to Section 4.3.6 with 4.3.5.

5. Section 4.4.1 is modified by replacing reference to Section 7.2.1 with correct reference to 7.2.1.1.

6. Section 7.1.1.4 is modified by adding additional requirements for right-of-way conveyances as follows:

- 7.1.1.4 To require through the *development approval* process, where appropriate and at no public cost, and in accordance with the Planning Act, the conveyance of lands within the Berczy Glen Secondary Plan Area needed to achieve the road network shown on Map SP5 – Road Network and the active transportation network shown on Map SP6 – Transit and Active Transportation Network in accordance with Section 7.1.3.4 of the Official Plan. Determination of final right-of-way requirements shall be made through the completion of the Functional Traffic Design Study, Transportation Impact Assessment and/or any applicable environmental assessment as initiated through the *development approval* process. Notwithstanding the planned rights-of-way for minor collector roads, should it be determined through the *development approval* process that greater right-of-way widths are required, the additional lands shall be conveyed to the City and/or the Region at no public cost, without an amendment to this Secondary Plan.

7. Section 7.1.2.2 is modified by adding additional policies f) and g) regarding vehicle access restrictions and continuous collector streets as follows:

- f) to restrict vehicle access from developments adjacent to Regional Roads to maximize the efficiency of the Regional street system through techniques such as suitable local street access, shared driveways and interconnected properties; and
- g) to plan and implement, including land takings necessary for, continuous collector streets in both east-west and north-south directions, in all new urban developments.

8. Section 7.1.2.4 is modified by clarifying the location of public utilities within laneways as follows:

7.1.2.4 That public laneways within the road network of the Berczy Glen Secondary Plan Area, be planned to achieve the following:

- a) a secondary road network at the rear of development lots and blocks providing access to the required on-site parking and service areas; and
- b) design requirements, in a manner consistent with the comprehensive urban design guidelines for the Future Urban Area Planning District and the Community Design Plan, to be determined through the functional traffic design studies and transportation impact assessments.

~~Public utilities may be located within lanes subject to functional and design standards established by the City.~~

City owned public utilities may be located within the paved portion of laneways subject to functional and design standards established by the City. Privately owned utilities may be located within boulevard/grass portion of the laneway subject to functional and design standards established by the City.

9. Section 8.2.1.3 is modified by deleting “excluding back to back townhouse” and by adding Section d) as follows:

Building Types

8.2.1.3 To provide for only the following building types on lands designated ‘Residential Low Rise’:

- a) detached dwelling, semi-detached dwelling, townhouse ~~excluding back to back townhouse~~, duplex, small multi-plex building containing 3 to 6 units, all with direct frontage on a public street. A zoning by-law amendment to permit the above building types without direct frontage on a public street may also be considered, at appropriate locations, where a development block has frontage on an arterial or a major collector road, or where an individual lot has frontage on a public park which fronts a public street;
- b) coach house located above a garage on a laneway; ~~and~~
- c) buildings associated with day care centres, places of worship and public schools; and
- d) back to back townhouses, subject to review of an application for development approval. In considering an application for back to back townhouses on lands designated ‘Residential Low Rise’, Council shall ensure that development adheres to the criteria outlined below:
 - i. appropriate site location in terms of proximity to transit;
 - ii. appropriate lot widths to ensure the provision of on-street parking, street trees, and private amenity space;
 - iii. the proposed built form fronts on to a public road;
 - iv. the density of the proposal is consistent with the density range established in Section 8.2.1.4 of this Secondary Plan; and,

v. the proposed back-to-back townhouses are located in close proximity to public parks, where feasible.

10. Maps SP1, SP5, SP6 and Appendix 2 are modified to reflect a minor alignment change to Street 'D' as attached.

Elgin Mills Rd E






Hydro Corridor

FROM 'FUTURE NEIGHBOURHOOD AREA'
TO DESIGNATIONS AS SHOWN

Warden Ave

Major Mackenzie Dr E

AMENDMENT TO MAP 3 - LAND USE OF THE MARKHAM OFFICIAL PLAN 2014, AS AMENDED OFFICIAL PLAN AMENDMENT XXX

-  BOUNDARY OF AMENDMENT AREA
-  Greenway System as modified by Schedule "D"
-  Residential Low Rise
-  Residential Mid Rise
-  Mixed Use Mid Rise

Elgin Mills Rd E


Hydro Corridor


ADD 'MAJOR COLLECTOR ROAD'


Warden Ave

Major Mackenzie Dr E

AMENDMENT TO MAP 10 - ROAD NETWORK
OF THE MARKHAM OFFICIAL PLAN 2014, AS AMENDED
OFFICIAL PLAN AMENDMENT XXX

 BOUNDARY OF AMENDMENT AREA

 Major Collector Road

 Permanent Streams and Intermittent Streams as modified by Schedule "F"

Elgin Mills Rd E


Hydro Corridor




Warden Ave

ADD 'PUBLIC SCHOOL SITE'
'PLACE OF WORSHIP SITE'
AND 'PARK SITE' AS SHOWN

Major Mackenzie Dr E

**AMENDMENT TO MAP 14 - PUBLIC SCHOOL, PLACE OF WORSHIP AND PARK SITES
OF THE MARKHAM OFFICIAL PLAN 2014, AS AMENDED
OFFICIAL PLAN AMENDMENT XXX**

 BOUNDARY OF AMENDMENT AREA

-  Public School Site
-  Place of Worship Site
-  Park Site

Elgin Mills Rd E


Hydro Corridor

Warden Ave

Major Mackenzie Dr E

**AMENDMENT TO APPENDIX C - COMMUNITY FACILITIES
OF THE MARKHAM OFFICIAL PLAN 2014, AS AMENDED
OFFICIAL PLAN AMENDMENT XXX**

 BOUNDARY OF AMENDMENT AREA

 Greenway System as modified by Schedule "D"

Elgin Mills Rd E


Hydro Corridor


Warden Ave

ADD 'PROPOSED CYCLING
FACILITIES' AS SHOWN


Major Mackenzie Dr E

AMENDMENT TO APPENDIX D - CYCLING FACILITIES
OF THE MARKHAM OFFICIAL PLAN 2014, AS AMENDED
OFFICIAL PLAN AMENDMENT XXX





 BOUNDARY OF AMENDMENT AREA

 Proposed Cycling Facilities



**MAP SP1
DETAILED LAND USE**
BERCZY GLEN SECONDARY PLAN
(Official Plan Amendment XXX)

 Boundary of Secondary Plan Area


RESIDENTIAL

-  Residential Low Rise
-  See Section 6.2.1.6
-  Residential Mid Rise I
-  Residential Mid Rise II



MIXED USE

-  Mixed Use Mid Rise
-  See Section 6.3.1.6




GREENWAY SYSTEM

-  Greenway


PARKS AND OPEN SPACE

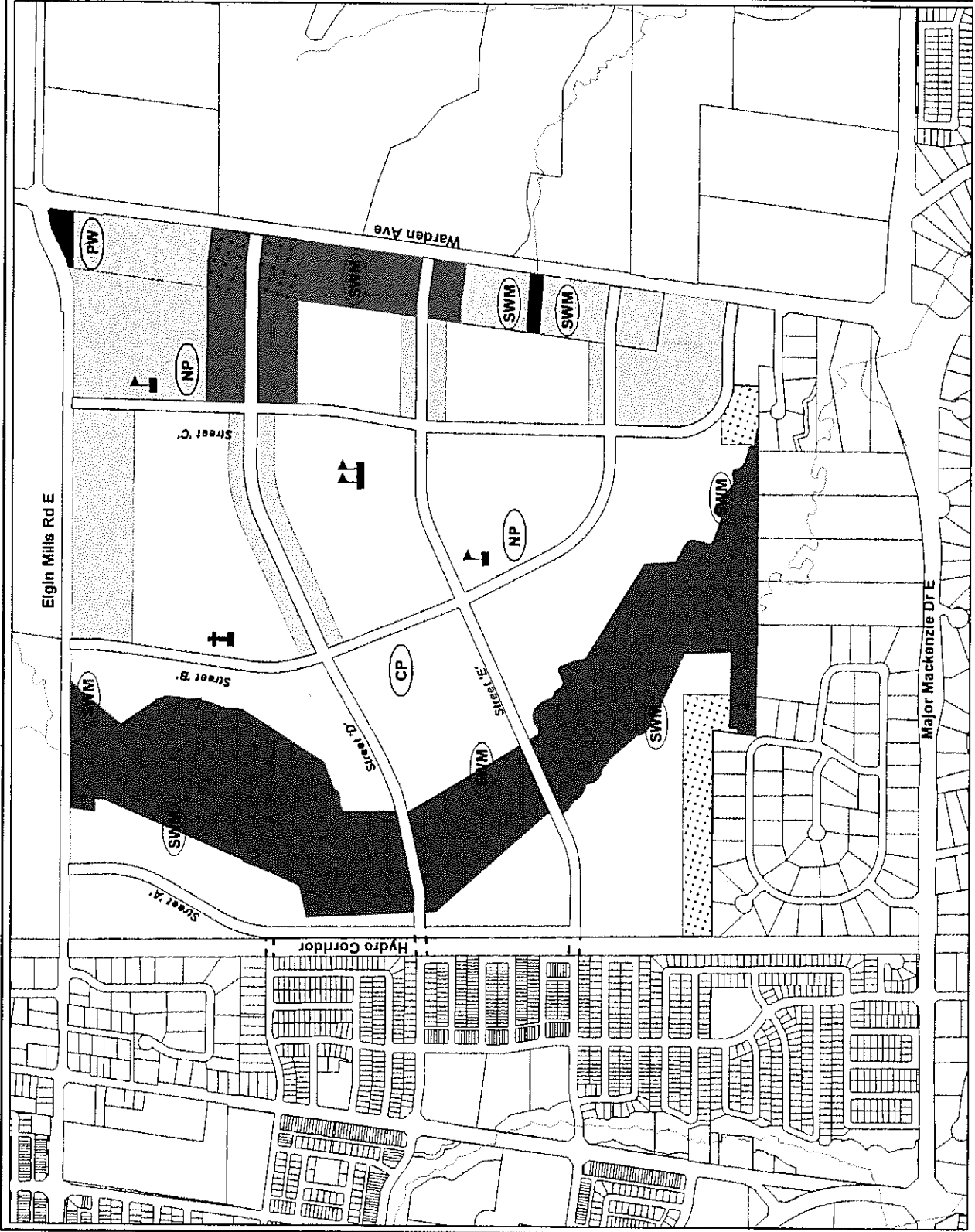
-  Community Park / Neighbourhood Park
-  Stormwater Management Facility

COMMUNITY INFRASTRUCTURE, SERVICE FACILITIES

-  Public Elementary School
-  Public Secondary School
-  Catholic Elementary School

OTHER

-  Place of Worship



MAP SP5 ROAD NETWORK

BERCZY GLEN SECONDARY PLAN
(Official Plan Amendment XXX)



Boundary of Secondary Plan Area

ARTERIAL ROADS

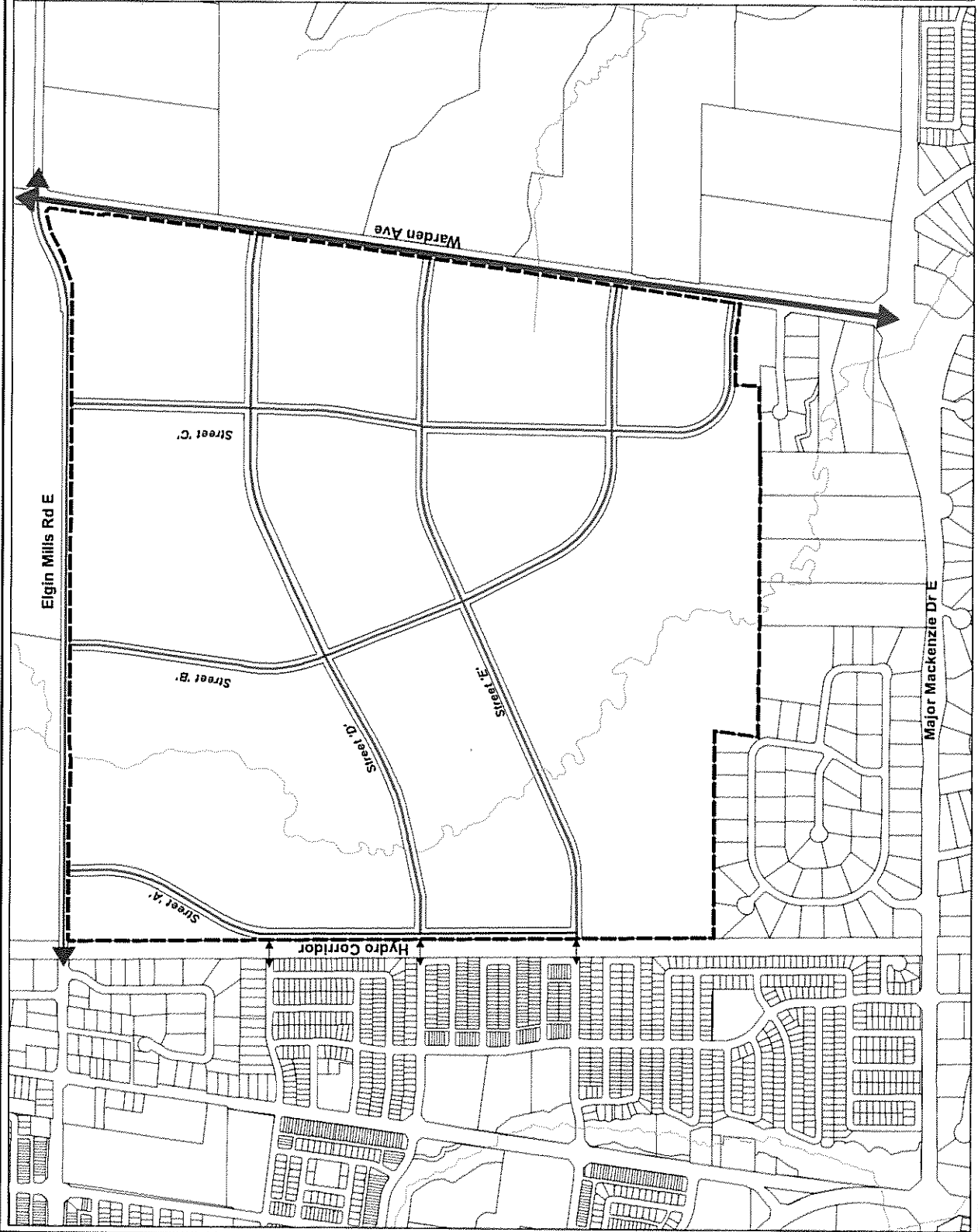
Region of York Arterial Road

COLLECTOR ROADS

Major Collector Road
(Up to 30.5 metre right-of-way)

Minor Collector Road
(Up to 24.5 metre right-of-way)

Minor Collector Road or Local
Road Connection



SCALE: 1:5,500

Date: 11/27/2016

MAP SP6
TRANSIT AND ACTIVE
TRANSPORTATION NETWORK
BERCZY GLEN SECONDARY PLAN
(Official Plan Amendment XXX)



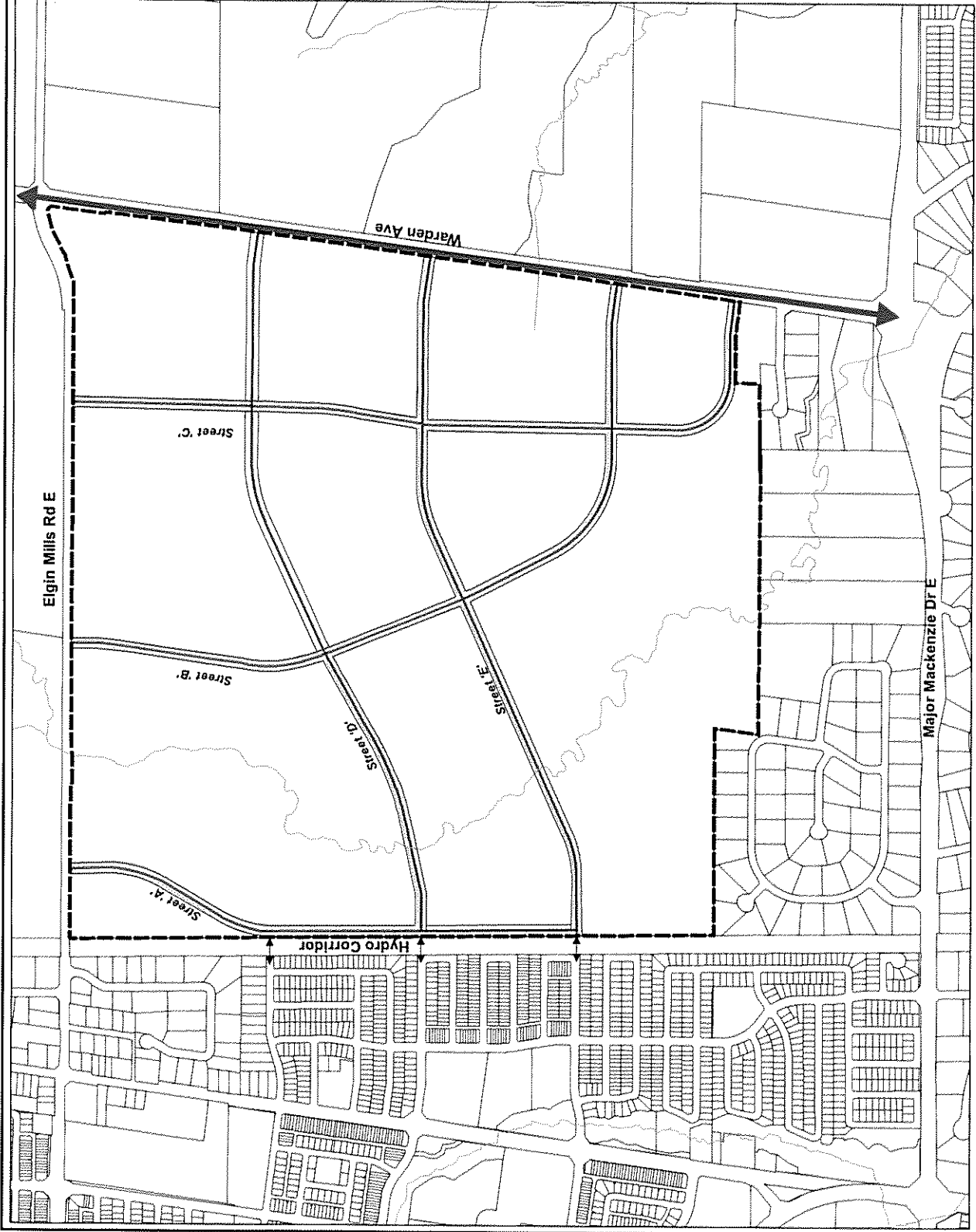
Boundary of Secondary Plan Area

ARTERIAL ROADS

Regional Transit Priority
- Frequent Transit Service

ACTIVE TRANSPORTATION NETWORK

- Major Collector Road with
Boulevard Multi Use Path
- Minor Collector Road with
Boulevard Multi Use Path
- Minor Collector Road or Local
Road Connection



SCALE: 1:8,500

Date: 11/27/2019

**APPENDIX 2
CULTURAL HERITAGE
RESOURCES**
BERCZY GLEN SECONDARY PLAN
(Official Plan Amendment XXX)



Boundary of Secondary Plan Area

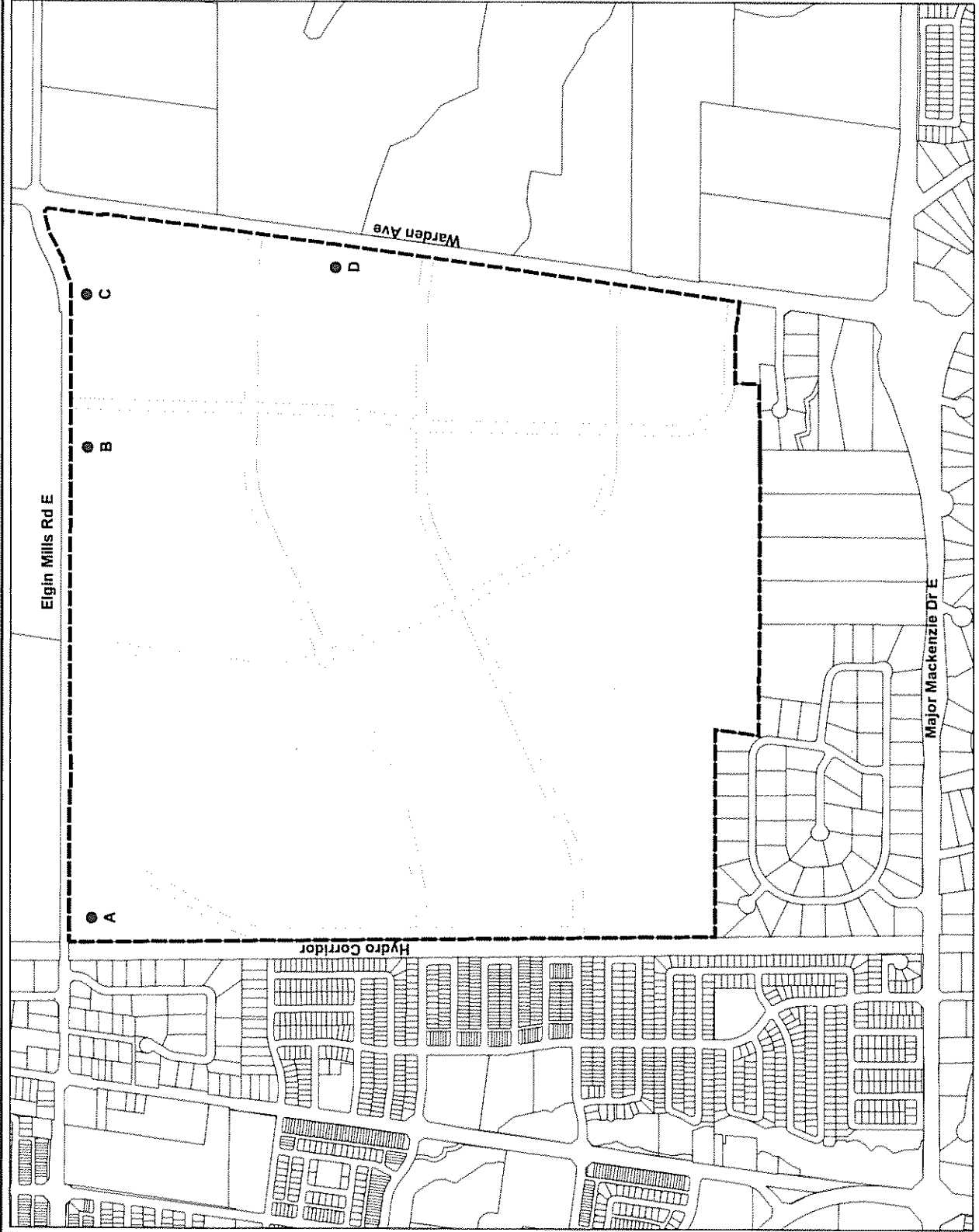
● Cultural Heritage Resource

- A. Thomas Frisby Jr. House, c. 1915
3151 Elgin Mills Road East
- B. Lyon-Schell-Frisby House, c. 1850
3575 Elgin Mills Road East
- C. John Doner Jr./The Tot House, c. 1843
3693 Elgin Mills Road East
- D. Sanderson House, c. 1920 (formerly
Tudor House)
10505 Warden Avenue



SCALE: 1:5,500

Date: 11/27/2019



**Ministry of
Municipal Affairs
and Housing**

Office of the Minister

777 Bay Street, 17th Floor
Toronto ON M5G 2E5
Tel.: 416 585-7000

**Ministère des
Affaires municipales
et du Logement**

Bureau du ministre

777, rue Bay, 17^e étage
Toronto ON M5G 2E5
Tél. : 416 585-7000



MIN-2019-003914

August 8, 2019

Your Worship
Mayor Frank Scarpitti
City of Markham
mayorscarpitti@markham.ca

Dear Mayor Frank Scarpitti,

Thank you for your submission to the *Audit and Accountability Fund* and for your commitment to demonstrating value for money.

I am pleased to inform you that the Government of Ontario will provide funding of up to \$150,000.00 towards the Development Review Process for the cost of an independent third-party reviewer to deliver a final report with specific and actionable recommendations for cost-savings by November 30, 2019.

In the 2019 Ontario Budget, *Protecting What Matters Most*, our government put forward a plan to achieve savings of four cents on the dollar to set Ontario on the path to a sustainable government. As an important part of this plan, our government is committed to assisting large urban municipalities in doing their part to become more efficient. The work the *Audit and Accountability Fund* will support in your municipality is an important step toward achieving that goal.

A transfer payment agreement is required to provide funding for this work. I have enclosed a transfer payment agreement for this project for your review and signing.

Ministry staff will work with your staff to finalize the transfer payment agreement and work through details of funding implementation. Should you have any questions, please feel free to contact Marcia Wallace, Assistant Deputy Minister at marcia.wallace@ontario.ca.

I would like to offer my congratulations on this funding approval under the *Audit and Accountability Fund* and extend my best wishes as you work to improve service delivery and administrative efficiency in your municipality.

Sincerely,

A handwritten signature in blue ink that reads "Steve Clark". The signature is written in a cursive, flowing style.

Steve Clark
Minister

c. Andy Taylor
CAO, City of Markham



Mayor and Council
City of Markham
C/O City Clerk

Aug, 28, 2019

Re: Cyrus Community Centre update

Introduction

Cyrus Foundation is a registered Canadian charity committed to building inclusive environments across the country where youth ages 15 to 25 can engage, inspire and grow. Places to build connections with peers, mentors and the community and participate in an explosion of ideas and opportunities that are infinite in scope, reach, direction, possibilities and solutions for the future.

To invest in youth is to invest in Canada's future...

The best way to ensure a strong future for Canada is to invest in our young people. At Cyrus Foundation, our mission is to empower the youth to realize their full potential through social innovation, entrepreneurialism, and education... We can't do this alone. We need your support to make it happen!

Historical Background

As you know we leased the building when it was abandon facility for over 8 years and was in the state of dis-repair. Since we took over the building in 2016, we hired a suite professional building consultants to advise us on how to modify the building to meet your expectations and our needs.

Due to hazardous nature of components in the building such as asbestos and mold, we addressed these issues first and then all other deficiencies;

We started the project in May 2016 to modernize the 22,000 ft2 facility as follow:

- 1- Removal of asbestos
- 2- Removal of old wires and electrical fixtures
- 3- Removal of old plumbing and installing appropriate fixtures
- 4- Installation of new flooring through the facility
- 5- Power washed the entire facility to prepare to paint
- 6- Removal of drywall with mold and installation of new drywall



- 7- Removal of damage area in the roof and replacement
- 8- Repair of the roof in area where it was repairable
- 9- Install new fire alarm monitoring system
- 10- Install safety system as per fire Dept. instruction
- 11- Removal of exterior building flashing and installation of new flashing throughout the building and the aluminum face of the building
- 12- Major tree removal and clean up of around the building
- 13- Installation of new ceiling tiles throughout the building
- 14- Installation of new heating and cooling system throughout the building by shutting down the old boilers.
- 15- Installation of control system to monitor the heat and cold in the building
- 16- Removal of over 30 windows and replacement with the matching double glazed windows
- 17- Replacement of over 55 glass on most of the windows as they had wood covers
- 18- Repair and replace vanities in all washrooms including accessories and mirrors
- 19- Installation of new security system (with help from Mayor of Markham)
- 20- Conversion of abandon room to a new digital library call Cyrus Library
- 21- Installation of professional lighting and sound system for all GYM area.
- 22- And Etc...

Programs and events

- 1- From January 2019 to July 31, there were 11,891 total visited and attended programs where held 346 classes and events.
- 2- In 2018 we have had total of 288 events and 10,478 people.
- 3- Cyrus community center has been a sweet home for full time school for children with leaning challenges where their parents are involved with the programs.
- 4- In addition we formed a partnership with TAC sports where they provide sports programs to children in York region, especially those teenagers who are not very interested in sports and trying to get them involved,
- 5- We have been a home to a technical college where students from all walks of life participate in technical pogroms for upgrading their skills. We have established our Board of Directors and appointed a President...
- 6- Cyrus community center has enrolled over 2000 hours of volunteer hours to help high school students to meet their volunteer hours requirements.



- 7- One of the real success of Cyrus community center has been to build an art gallery where mainly high school and emerging arties use the gallery to exhibit their artworks. In all these shows parents visit the gallery to support their teenagers.

Cyrus Community center would like to invite the city councilors and the staff to participate in Oct 26, 19 for our second year opening celebration, last year we had over 650 people. In addition, we would like to invite you for Oct. 29, 2019 for International Cyrus day programs. Details of programs will come next week.

In addition , I would like all of you to visit our full school of young children, sports hub, yoga programs, mental health workshops, parents coaching weekly classes. The last week of September our art gallery will host students art works whre last year over 800 partners and students and school staffs participated

In summary, the Cyrus Community Centre has completed main deficiencies in the building and continuously looking to improve further. As our Foundation is maturing the number of participants are growing very rapidly. We look forward to continually improving and growing our contributions to the Markham community. Almost 24 months past since the start of the center. We strongly believe that the next 24 months will be incredible changes to the interior and exterior of the building. We believe that that we have captured only 10% of communities and this will grow over 30% in the next 24 months. Accordingly, we are preparing the infrastructure to meet these growing demand.

Thank you for this opportunity to provide and update and please let me know if you have any questions. Thanks to the city staff members, mayor and councilors continuous support to make a Markham a great community to live, grow, and prosperous.

Best regards



Mohammed Eslami

Founder
Cyrus Foundation and Cyrus Community Centre



2019 MARKHAM CANADA DAY CELEBRATION ORGANIZING COMMITTEE

MINUTES June 11, 2019 Meeting No. 4

Attendance

Members

Satya Arora
Perry Chan
John Chan
Edward Chiu
Zulaika Hoosainny
Kash Khan
Sabrina Luong (SEAS)
Saadia Zakki

Council

Councillor Amanda Collucci
Councillor Khalid Usman

Staff

Andrea Berry, Corporate Communications
Rebecca Cotter, Corporate Communications
Yvonne Lord Buckley, Corporate Communications
Tasha Manesh, EA to Councillor Khalid Usman
Maxine Roy, Corporate Communications
Jing Yu, Corporate Communications
Bev Shugg Barbeito, Committee Coordinator

Guests

YRP PC Karen Chen
YRP PC Niko Dimitrakopoulos

Regrets

Allan Bell
John Chin (Scouts Canada)
Kane Elliott
Teresa Ing
Prem Kapur
Susan Li (SEAS)
Aaron Madar
Francis Yim (SEAS)
YRP PC Jin Park

Michael Blackburn, Corporate Communications
Matt Busato, Operations
Craig Breen, Operations
Jason Britton, Working Supervisor, Operations
Morgan Jones, Operations
Fion Lau, EA to Councillor Amanda Collucci
Dean McDermid, Plant Operations
Jay Pak, Financial Analyst
David Plant, Manager, Operations
Andrea Tang, Manager Financial Planning
Renee Zhang, Special Events

The fourth meeting of the 2019 Markham Canada Day Celebration Organizing Committee convened at 6:14 p.m. with Councillor Amanda Collucci serving as Chair.

1. WELCOME

Councillor Amanda Collucci welcomed everyone to the meeting.

2. ADOPTION OF THE MINUTES OF THE MEETING HELD ON MAY 15, 2019

It was

Moved by Satya Arora
Seconded by Sabrina Luong

That the minutes of the 2019 Markham Canada Day Celebration Organizing Committee meeting held on May 15, 2019 be adopted as distributed.

CARRIED

3. PLANNING FOR CANADA DAY 2019

a) Budget

Trinela Cane, Commissioner of Corporate Services, reporting for Jay Pak, Financial Analyst, distributed and reviewed the report entitled *Canada Day 2019 Preliminary Results as of June 10, 2019*. She reviewed the report, advising that the 2018 Actual Expenses serve as the Canada Day 2019 base budget, the 2019 column will be filled in as expenses are known, and the Current Commitment column shows the expenses known to date.

Yvonne Lord Buckley, Corporate Communications, reported that the number of buses would be confirmed soon and then the cost of YR Transit could be finalized, and a meeting would be held to finalize security plans and their cost.

It was

Moved by Satya Arora
Seconded by Sabrina Luong

That the 2019 Markham Canada Day Celebration Organizing Committee offer an honorarium of \$800 to Scouts Canada for providing first aid services on Canada Day meeting.

CARRIED

Trinela Cane reviewed other expenses to ensure they are tracking within budget. It has been confirmed that Le Parc will provide volunteers with a lunch of pizza and a beverage at a cost of \$5.00 per person.

It was noted that the Canada Day 2018 budget had started with a deficit, but that through the diligent efforts of Committee members, savings were found and there was an accumulated surplus for Canada Day 2019 events. It was felt that it would be advantageous to economize where possible without sacrificing the quality of the event in order to provide a surplus for the 2020 Canada Day plans.

b) Road Occupancy Approvals

YRP PC Niko Dimitrakopoulos noted that a meeting would be held soon with City staff to confirm plans and that costs would remain similar to those of last year.

c) First Aid

No report was available.

d) Security

It was reported that lighting and fencing plans have been finalized. Perry Chan will meet with Dean McDermid on June 19 to review the plans.

e) Parade

It was reported that there are currently 19 entries confirmed for the parade. This is lower than in the past but it is not unusual for the number of participants to increase close to the date of the event. It was noted that YRP would appreciate having a list of parade participants and VIP attendees, such as Councillors, MPs, and MPPs.

f) Corporate Communications and Community Engagement Proposal

Andrea Berry, Corporate Communications, advised that the Facebook event is now live and encouraged Committee members to share this with their contacts. The communications and social media plan, and general promotions such as mobile signs and posters, will be in effect as of June 12. Communications is arranging to have interesting backdrops for photo opportunities at Milne Park and is creating a promotional video. The Emergency Plan will be created in conjunction with Operations staff and YRP.

g) Mayor's Seniors' Luncheon

Jing Yu reported for Renee Zhang that registration for the luncheon is full. It is expected that costs will be within budget. Saadia Zakki will provide Andrea Berry with the timing of the luncheon events. Renee Zhang will provide an orientation of the event for new Markham Councillors.

Approximately 50 volunteers will be needed. Many Markham staff members have volunteered to assist with setup and clean-up activities; other volunteers are provided by YR Police, Markham Fire Services, YR Transit, EMS, and CUPE.

h) Transit Arrangements

Jing Yu reported that 11 buses will pick up approximately 490 seniors at seven pick-up points. This will mean 11 volunteers, and 2 alternates, will be required as bus captains. An orientation session will be arranged for the volunteers. Councillor Usman will provide the names of potential volunteers to Yvonne Lord Buckley. Edward Chiu volunteered to help coordinate the transit plans.

Yvonne Lord Buckley advised that the transit arrangements from Centennial Community Centre to Milne Park will remain the same as last year. She will confirm whether there will be any price increase.

i) Food Vendors

Jing Yu, Corporate Communications, reported that there are 14 confirmed and paid food vendors; Milne Park could accommodate 18-20 food vendors. The paid vendors are offering a variety of food such as ice cream, BBQ, Japanese, South Asian, Juice/Bubble Tea, and Hot Dogs.

j) Children's Activities

Councillor Amanda Collucci reported for Fion Lau that all of the activities have been secured and costs are within budget. Food vouchers @ \$7.00 will be purchased to provide a sandwich wrap and drink for volunteers.

k) Stage & Sound

Perry Chan reported that plans are on schedule. He reminded Committee members that the stage will be used for the Asian Festival immediately prior to Canada Day and therefore will not be delivered to Milne Park until 11 pm on June 30. This will require set-up overnight on June 30, all appropriate inspections to be scheduled for early in the day on July 1, 2019, and the sound check for School of Rock scheduled for 1 pm. Perry Chan noted that it will be important for all involved in the set up to adhere to the schedule to ensure everything is ready for the Canada Day entertainment. The banners will need to be delivered to Milne Park on June 29 to ensure they're on hand for installation.

Perry Chan noted that the City permit has not yet been issued.

l) Fireworks

It was reported that high level fireworks are most appropriate for use at Milne Park. Dean McDermid will develop a contingency plan in the event of rainy and/or windy weather.

Action: D. McDermid

m) Entertainment

Yvonne Lord Buckley reported that the City is finalizing the agreement with the School of Rock; Perry Chan is waiting for information about the bands' requests contained in the agreement rider.

n) Volunteers

Sabrina Luong, SEAS Centre, reported that some subcommittees have advised how many volunteers would be needed for their activities and what the duties would be; Yvonne Lord Buckley will confirm the times and locations required for activities she is coordinating. T-shirts have been ordered for volunteers and will be distributed at the June 26 meeting. A tent and booth will be provided for volunteers. Yvonne Lord Buckley will co-ordinate an orientation for volunteers.

o) Sponsorship

It was reported that total sponsorship revenue to date is very close to the 2019 target. Councillor Usman has been most helpful in securing sponsorships and recommended that the Committee write the YRP Police to request sponsorship support. Corporate Communications continues to follow up on promising leads.

p) Signage

Many signs can be used again in 2019; only signs specific to this event, such as the entertainment line-up, will need to be created. Corporate Communications will work with Craig Breen to produce all required signs.

q) Parking

It was reported that only food vendors, artists, Councillors, City staff and Committee members will be able to park at Milne Park.

Kash Khan arrived at 7:10 pm.

r) Citizenship Court

It was reported that the Corporate Communications coordinates the arrangements in conjunction with the Clerk's Office. 50 new Canadians will be sworn in during the ceremony this year. Rebecca Cotter will confirm whether Canada pins will be provided.

4. OTHER BUSINESS

- a) Rebecca Cotter will confirm with the Mayor's Office that invitations to the Mayor's Seniors Luncheon, Parade, and formal ceremony, have been sent to dignitaries.
- b) Andrea Berry will provide the line-up for the formal ceremony and the script for Alan Bell.
- c) Lanyards, with a card containing contact numbers to be used in case of emergencies on Canada Day, will be distributed to Committee members.

5. NEXT MEETING

The next meeting will be held on Wednesday, June 26, 2019 at 6:00 pm in the Canada Room, Markham Civic Centre.

6. ADJOURNMENT

It was

Moved by Edward Chiu
 Seconded by Kash Khan

That the fourth meeting of the 2019 Markham Canada Day Celebration Organizing Committee adjourn at 7:20 PM.

CARRIED



MARKHAM ENVIRONMENTAL ADVISORY COMMITTEE

MINUTES

**Ontario Room, Markham Civic Centre
May 16, 2019**

Attendance

Members

Kevin Boon, Chair
Ashok Bangia
Karl Fernandes
Phil Ling
Diane Ross
Natasha Welch

Regrets

Christopher Ford, Vice Chair
Alimasi Chen
Karl Lyew, Immediate Past Chair
Nadine Pinto
Regional Councillor Jack Heath

Council

Regional Councillor Joe Li

Guests

Martin Bush, Drawdown
Stewart Cumner, Resident
Margit Muller, Teacher

Staff

Jacqueline Tung, Community Engagement
Assistant
Jennifer Wong, Sustainability Coordinator
Bev Shugg Barbeito, Committee Coordinator

1. CALL TO ORDER

The Markham Environmental Advisory Committee (MEAC) was called to order at 7:13 PM with Kevin Boon presiding as Chair.

2. CHANGES OR ADDITIONS TO THE AGENDA

It was agreed to add the following items to Other Business:

- Hiatus of Alimasi Chen

The agenda was accepted as amended.

3. ADOPTION OF THE MINUTES OF THE MARKHAM ENVIRONMENTAL ADVISORY COMMITTEE MEETING HELD ON APRIL 18, 2019

It was

Moved by Phil Ling
 Seconded by Natasha Welch

That the minutes of the Markham Environmental Advisory Committee (MEAC) meeting held on April 18, 2019 be adopted as distributed.

CARRIED

4. MATTERS ARISING FROM THE MINUTES

A. INFORMATION ON MARKHAM INITIATIVES AND COUNCIL MATTERS

- Regional Councillor Joe Li reported that, in order to promote ways to decrease greenhouse gas emissions, Markham may implement a community bike-share program, a system of bicycles available for short term rental that allows users to get a bicycle at one location and drop it off at another. Markham will first study the results of a pilot project in Kingston Ontario.
- Regional Councillor Joe Li also reported that he will champion environmental issues, such as waste management, during this municipal term. The contract to provide waste management services for Markham is being considered for renewal. He advised that he would like Markham to move forward with implementing an underground waste management system in new developments. He will lead a group of developers on a trip to Quebec to view this type of system.

B. FOLLOW UP ON ACTION ITEMS

Chair Kevin Boon reviewed and updated the action items.

5. NEW BUSINESS

A. EARTH MONTH PLANNING

Jacqueline Tung reviewed the results of the Earth Day event.

She advised that:

- approximately 450 – 550 people attended
- 180 passports were completed, more than the 124 completed in the previous year
- There were 55 test drives
- People heard about the event via the website and social media
- People liked the animal shows, the children's activities, and the interactive activities; Face painting for the children was very popular
- Next year, people would like to see more animal shows and be able to test drive more cars
- People thought Markham should address these environmental issues: tree planting, water conservation and quality, waste management
- A slide show was created to run at the Earth Day event but was not in a compatible format, so it was not able to be used.

Ms. Tung recommended the following enhancements for next year:

- Better coordination of test drives
- More coordination of volunteer assignments including having volunteers remain at their assigned station as scheduled
- Increase the variety of exhibitors

The Committee felt that there were positive results this year but noted that people don't specifically attend for the Earth Day event; rather they attend the venue for something else and drop in. It was noted that media attention includes newspaper ads, mobile signs in high traffic areas, media releases and social media. The Committee discussed ways to attract residents to the event including asking other EACs what has worked well in their areas. Jennifer Wong and Jacqueline Tung advised that Markham would be open to new ideas. It was suggested that planning for a different type of Earth Day event would need to start sooner. This discussion will be continued at future meetings.

B. CLIMATE EMERGENCY

Martin Bush advised that severe global warming is affecting all parts of the world, even Canada, as noted in three major reports:

- The May 2019 report from the Intergovernmental Science Policy Platform on Biodiversity and Ecosystem Services has determined that out of 8 million known species of animals and plants, about 1 million are under threat of extinction;
- The report on Canada's Changing Climate, issued by Environment and Climate Change Canada earlier this year, has forecast that Canada will warm twice as fast as the global average, which will very likely increase the probability and intensity of heatwaves, wildfires, extreme weather and floods;
- The *Special Report: Global Warming of 1.5°C* issued last year by the Intergovernmental Panel on Climate Change has determined that the world has just over a decade to take concerted and effective action to reduce emissions of greenhouse gases if global warming is to be limited to not more than 1.5°C above pre-industrial levels.

In the past few months, there has been a groundswell of concern relating to the climate change emergency. In Canada, 300 municipalities have declared a state of climate emergency; England and Scotland have also done so.

It was recommended that MEAC recommend to Markham Council that it also declare a state of emergency and a draft declaration was reviewed. It was suggested that a Council declaration would signal to the Markham community that Council is aware there is a climate emergency and that it wants to do something about it, while reinforcing links between the Council and the community. This could also raise community interest in Markham's Municipal Energy Plan (MEP) and other environmental plans.

Committee discussion suggested that:

- This type of messaging is key and the approach is strong
- The element of youth be included in the messaging

Such a request from MEAC to Council would be placed on an agenda for a future meeting of the General Committee. Regional Councillor Joe Li could ask to speak to the issue and would need a colleague to second it. However, MEAC members would also need to attend the meeting to support the request.

It was agreed that MEAC members will suggest edits to the draft declaration, Phil Ling will incorporate the suggestions into a final document, and forward it on to Jennifer Wong for review by Markham staff. Then, the Committee will be able to consider the motion to recommend the revised declaration to Markham Council.

It was

Moved by Phil Ling
Seconded by Ashok Bangia

That the Markham Environmental Advisory Committee is in alignment with the principle of declaring a climate emergency and will prepare a declaration for consideration by Markham Council.

CARRIED

Environmental Advisory Committee
May 16, 2019
Page 5 of 5

6. OTHER BUSINESS

- Chair Kevin Boon advised Committee members that Alimasi Chen is not able to participate in Committee meetings or events this year. The Clerk's Office has advised that an Advisory Committee member may take time off from committee responsibilities and, in such instances, the committee member in question would not be counted towards quorum. After discussion, it was

Moved by Ashok Bangia
Seconded by Phil Ling

That the Markham Environmental Advisory Committee respect the request of Alimasi Chen to take the remainder of this year off from participating as part of the Markham Environmental Advisory Committee.

CARRIED

7. NEXT MEETING

The next meeting of the Markham Environmental Advisory Committee will be held on Thursday, June 20, 2019 at 7:00 p.m., in the Ontario Room, Markham Civic Centre.

8. ADJOURNMENT

It was

Moved by Natasha Welch
Seconded by Phil Ling

That the Markham Environmental Advisory Committee adjourn at 9:15 PM.

CARRIED

AGENDA 2.1**MARKHAM PUBLIC LIBRARY BOARD****Regular Meeting****Minutes of First Meeting held on Monday, May 27, 2019 7:02 p.m. Markham Village Library, Program Room, 6031 Highway 7 East, Markham L3P 3A7**

Present from Board: Mr. Ben Hendriks, Chair
 Mr. Alick Siu, Vice-Chair
 Mrs. Pearl Mantell
 Ms. Margaret McGrory
 Mr. Anthony Lewis
 Mr. Raymond Chan
 Mr. Edward Choi
 Mr. Jay Xie
 Councillor Keith Irish (from 1.5)

Present from Staff: Mrs. Catherine Biss, CEO & Secretary-Treasurer
 Mrs. Diane Macklin, Director, Community Engagement
 Ms. Deborah Walker, Director, Library Strategy & Planning
 Ms. Andrea Cecchetto, Director, Service Excellence
 Ms. Michelle Sawh, Director, Administration
 Mr. Fred Whitmarsh, Manager, Unionville Library
 Ms. Megan Garza, Manager, Organizational Transformation
 Mr. Shaun McDonough, Research Analyst
 Mr. Patrick Pan, manager, Facilities & Workplace Safety
 Mrs. Susan Price, Board Secretary

Regrets: Mr. David Whetham
 Mrs. Lillian Tolensky
 Mr. Les Chapman
 Deputy Mayor Don Hamilton
 Councillor Andrew Keyes
 Ms. Iqra Awan

Guests: Ms. Naketa Wright, Manager, KPMG
 Mr. Reagan Travers, Manager, KPMG

1.0 Call to Order/Approval of Agenda

Mrs. Catherine Biss, CEO called the meeting to order at 7:02 p.m.

Moved by Mr. Alick Siu
 Seconded by Mrs. Pearl Mantell

Resolved that the agenda be approved.

Carried.

AGENDA 2.1**1.1 Election of Board Chair and Vice-Chair:**

The CEO invited nominations for the position of Chair.

Mrs. Pearl Mantell nominated Mr. Ben Hendriks for the position of Chair.

Mr. Ben Hendriks accepted the nomination.

Ms. Margaret McGrory seconded the nomination.

There were no other nominations for the position of Chair. Nominations for the position of Chair were closed.

Moved by: Mr. Raymond Chan

Seconded by: Mr. Alick Siu

Resolved that the nominations for the position of Chair be closed and that Mr. Ben Hendriks is hereby elected to the position of Chair for the term ending January 2020.

Carried.

The CEO invited nominations for the position of Vice-Chair.

Mrs. Pearl Mantell nominated Mr. Alick Siu for the position of Vice-Chair.

Mr. Alick Siu accepted the nomination.

Ms. Margaret McGrory seconded the nomination.

There were no other nominations for the position of Vice-Chair. Nominations for the position of Vice-Chair were closed.

Moved by: Mr. Raymond Chan

Seconded by: Mr. Edward Choi

Resolved that the nominations for the position of Vice-Chair be closed and that Mr. Alick Siu is hereby elected to the position of Vice-Chair for the term ending January 2020.

Carried.

The Chair Mr. ben Hendriks presided over the remainder of the meeting.

1.2 Confirmation of the Results of the Election of Chair and Vice-Chair:

Moved by Mrs. Pearl Mantell

Seconded by Ms. Margaret McGrory

Resolved that the election of Mr. Ben Hendriks to the position of Chair held at the First Meeting May 27, 2019 be confirmed and that Mr. Ben Hendriks be appointed as Chair for the term ending January 2020.

AGENDA 2.1

And that the election of Mr. Alick Siu to the position of Vice-Chair held at the First Meeting May 27, 2019 be confirmed and that Mr. Alick Siu be appointed as Vice-Chair for the term ending January 2020.

Carried.

1.3 **Declaration of Conflict of Pecuniary Interest**

None.

1.4 **Delegation**

None.

1.5 **Chair's Remarks:**

The Chair explained to the Board the reasoning for the acknowledgment to draw attention to the spirit of truth and reconciliation and call attention to the history of Indigenous peoples. The Chair had prepared a couple of slides showing Treaty areas.

CHAIR'S INDIGENOUS LAND ACKNOWLEDGMENT

Before we begin today's meeting, we would like to give acknowledgment to the traditional lands we are grateful to have the opportunity to gather on today. We acknowledge our presence on the traditional territory of many Indigenous Nations who have and continue to call this territory home including the Wendat, Anishnabek Nation, the Haudenosaunee Confederacy, the Mississaugas of Lake Scugog, Rice Lake and Mud Lake and Alderville First Nation.

The Chair welcomed the new Board and thanked those that attended last week's orientation and the Policy Governance Workshop at Richmond Hill Library May 4. He thought the SOLS sponsored session was very interesting and advised the Board that he is now Co-Chair of OLBA.

Mr. Hendriks advised the Board that Letters of Appreciation have been sent to former Board Members; Marilyn Aspevig, Yemisi Dina, Alfred Kam and Jennifer Yip.

The Chair informed the Board that four times per year they would be receiving a schedule of events and that the Board Secretary would be sending e-mail reminders for any events that may be of benefit for Board Members to attend.

After the Auditors Report we will take a few minutes for Board Members to introduce themselves.

Mr. Hendriks reminded the Board that each Member must review the Accessible Customer Service Policy as well as complete other training outlined. A form will be circulated for Member signatures.

1.6 **Board CEO-Linkage BCL-2e Policy; Performance Review (Chair):**

The Chair advised the Board that the process for the Chief Executive Officer Performance Review for the year 2018 (ending February 28, 2019) was undertaken and completed.

The signed documents will be filed along with the CEO's response, per procedure.

Additionally, there will be a copy stored in a secured file on the server.

AGENDA 2.1

Please note that Agenda 5.2 was moved ahead in order to accommodate our guests.

5.2 **Financial Statements of the Markham Public Library Board:**

Mr. Hendriks welcomed Ms. Naketa Wright, Manager, and KPMG and Mr. Reagan Travers, Manager, KPMG.

Ms. Wright advised the Board of certain standard Audit procedures, that the Audit was clean and that there were no deficiencies. All that will be required to complete the Audit is the approval of the Board and the signature of the Chair.

Moved by Mr. Alick Siu
Seconded by Councillor Keith Irish

Resolved that the report entitled “Financial Statements of the Markham Public Library Board, December 31, 2018” be received; and,

That the Board approve the Financial Statements of the Markham Public Library Board December 31, 2018; and,

That the Board Chair be authorized to sign the approved 2018 Financial Statements on behalf of the Board; and,

That the Board authorize Staff to issue the final audited Financial Statements for the fiscal year ended December 31, 2018;

And that Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried.

1.7 **Introductions of Board Members**

The Chair asked everyone present to provide a brief update on their reasons for joining the Library Board and what their goals are for the next four years. Among the nine Members present there was a diverse and wide skill set and backgrounds. Some Members have been long term residents of Markham, others relative newcomers. Reasons for joining the Board were varied and all members have in common that they believe in what the Library has to offer and want to promote it throughout the community.

2.0 **Consent Agenda:**

Moved by Mr. Alick Siu
Seconded by Mr. Anthony Lewis

Resolved that the Consent Agenda comprising Agenda items 2.0 to 2.3.3 and the same are hereby approved as written and the CEO of the Library is hereby authorized and directed to take such action that may be necessary to give effect to the recommendations as therein contained:

AGENDA 2.1

- 2.1 Minutes of Regular Meeting, April 22, 2019
- 2.2 Declaration of Due Diligence by the CEO
- 2.3 Communication and Correspondence:
 - 2.3.1 Markham Life: A Journey into Markham's Past
 - 2.3.2 Markham Life: Markham Public Library
 - 2.3.3 snapdMARKHAM: Botquest: MPL's Robotics Tournament

Carried.

The Chair explained that the Consent Agenda allows for batching of routine items that are approved in one motion.

3.0 CEO's Highlights, May, 2019:

Mr. Hendriks asked the CEO if she would like to address anything in the May Highlights.
Mrs. Biss commented on the following items contained in the report.

Southern Ontario Library Services

Mentioned the budget cuts and layoffs and reduction of services.

ILMP (Integrated Leisure Master Plan)

This has been a major project and has had final review at a staff level.

MPL's Inclusion Strategy

MPL's staff undertook the development of a system strategy to promote diversity, equity and inclusion. Additional objectives identified in this strategy include:

- A review of C3, MPL's classification system with a view to decolonize taxonomies related to Indigenous and LGBTQ+ issues
- The development of an inclusive language guide for MPL staff
- The adoption of an inclusion lens when developing new services or policies
- The inclusion of leadership competencies related to the promotion of inclusion for management and leadership staff

The strategy also includes opportunities for staff to promote diversity through peer-led initiatives. These projects will be developed and implemented throughout 2021.

Canadian Urban Libraries Meeting

Following the GLAM summit, CEO's of Large Urban Public Libraries held their spring meeting. One topic of particular interest was security challenges for public libraries and how different centres were dealing with them.

Moved by Mr. Alick Siu

Seconded by Mr. Anthony Lewis

Resolved that the report entitled "CEO's Highlights, May 2019" be received.

Carried.

AGENDA 2.1

4.0 **Annual Monthly Policy Review**

(To be undertaken at the January meeting)

5.0 **Internal Monitoring Reports:**

(Compliance list of internal monitoring reports and discussion led by members.)

5.1 **Monitoring Report-Executive Limitation EL-2d Financial Condition** **(Assigned to Mr. Alick Siu)**

Mr. Siu explained that monthly EL assignments are given to Board Members to review reports prepared by Staff. This particular report is prepared three times per year. He sent out an e-mail to fellow Members and did not receive any comments or concerns. The report confirmed that the CEO and MPL's practices relative to MPL's Financial Condition comply with the requirements of EL-2d policy.

Moved by Mr. Alick Siu
Seconded by Mr. Raymond Chan

Resolved that report entitled "Internal Monitoring Report -Executive Limitation EL -2d, Financial Condition" be received.

Carried.

6.0 **Ends**

7.0 **Governance:**

7.1 **MPL Policies- Procurement Policy Update**

Staff explained that the Procurement Policy was approved by the Board in 2015 and this update is more "cosmetic" in nature in order to bring MPL's policy in line with recent changes to the City's procurement policy.

The CEO told the Board that whenever possible the Library aligns their policies with those of the City.

Moved by Mrs. Pearl Mantell
Seconded by Ms. Margaret McGrory

Resolved that the report entitled – MPL Policies-Procurement Policy Update" be received.

Carried.

8.0 **Ownership Linkage:**

8.1 **Input from Board Members**

The Chair informed the Board that this Agenda item provides opportunity for the Board to discuss any events they may have attended.

AGENDA 2.1

Mr. Hendriks attended Aaniin Library in order to introduce Honorable Mary NG MP Markham-Thornhill who was there promoting Canada Summer Jobs. The media was present and CSJ students when she announced job grants to the Library which would fund twenty seven summer camp students (\$52,000).

9.0 **Board Advocacy:**

9.1 **Regional Review (A.Siu)**

The Vice-Chair had requested an opportunity to inform the Board about the Regional Government Review Consultations held May 6.

Mr. Siu informed the Board that there were 5 deputations given by residents.

The issue of amalgamation is a complex one and the ramifications of such will impact sectors in different ways.

Stephen Abram, CEO was present representing the interest of Libraries, as amalgamation could impact funding.

9.2 **GLAM Summit Review**

Mr. Hendriks attended this event as part of his role as a member of the Board of OLA.

He provided an event overview, future learning opportunities, 5 key insights and 5 key links and resources to share if anyone would like them.

10.0 **Education**

11.0 **Incidental Information:**

11.1 **Skills Criteria Update**

The Chair requested that the Board hand in their criteria/skill sets by the end of the meeting.

12.0 **New Business:**

12.1 **Accessing Digital Publications: Government Relations Campaign**

The CEO informed the Board that Digital content is one of the fastest growing segments in circulation but publishers' high-priced and restrictive pricing strategies have made acquiring of these resources extremely expensive.

Many efforts have been made in the past with little or no result.

CULC (Canada Urban Libraries) has come up with a new e-content campaign which involves the following steps:

- Approval by MPL Board to follow through
- Present to Council to Obtain their support
- Raise awareness through social media etc.
- Letters to MP's with a copy of Council's endorsement

AGENDA 2.1

There was a lot of discussion around the budget, and whether this endeavor had any financial consequences.

Moved by Mr. Edward Chan
Seconded by Mr. Alick Siu

That Markham Public Library Board approves the following resolution and requests that the City of Markham Council approves the following motion of support for the Canadian Urban Library Council Accessing Digital Publications Government Relations Campaign

WHEREAS, the City of Markham recognizes the important role that libraries play in our community. Libraries and the early literacy programs that they run are integral to developing proficient readers and ensuring that children succeed in school. More and more, digital literacy programs run by libraries also help ensure that citizens can contribute to our digital world. Additionally, vulnerable demographic groups, including seniors, low income families, youth, and new Canadians rely on access to libraries as an important tool for their participation in the community – from education to searching for jobs to consuming Canadian cultural materials, and

WHEREAS, libraries in our community recognize that our users increasingly seek to access digital publications offered by multinational publishers, and that access to those publications is too often curtailed by prohibitively high licensing fees or else entirely denied to Canadian libraries, and

WHEREAS, libraries must be in a position to offer digital publications to their users as part of their service offering to our community, particularly given the contemporary rapid pace of digitization of educational and cultural materials, Now, there be it resolved that the City of Markham do hereby:

1. Indicate our support for the Canadian Urban Libraries Council in its efforts to increase access to digital publications for library users in Markham and across Canada;
2. Call on the Federal government to investigate the barriers faced by libraries in acquiring digital publications and the problems that poses for vulnerable demographic groups in Canada; and
3. Further ask the Federal government to develop a solution that increases access to digital publications across Canada and assists libraries in meeting the cost requirements to acquire digital publications.

Carried.

12.2 Teen Representative to the Library Board:

Moved by Mr. Alick Siu
Seconded by Mrs. Pearl Mantell

**Resolved that Markham Public Library Board approves the appointment of a non-voting teen representative to the Markham Library Board for a one year term;
And that Staff be authorized and directed to do all things necessary to give effect to this resolution.**

Carried.

AGENDA 2.1

13.0 **Board Evaluation :**

13.1 May Questionnaire: performance of Board Members deferred to September.

14.0 **In Camera Agenda**

None.

15.0 **Adjournment**

Moved by Mr. Alick Siu and seconded by Mr. Edward Choi that the meeting be adjourned at 9:07 p.m.

AGENDA 2.1**MARKHAM PUBLIC LIBRARY BOARD****Regular Meeting****Minutes of Regular Meeting held on Monday, June 17, 2019 7:04 p.m. Markham Village Library, Program Room, 6031 Highway 7 East, Markham L3P 3A7**

Present from Board: Mr. Ben Hendriks, Chair
 Mr. Alick Siu, Vice-Chair
 Mrs. Pearl Mantell
 Mrs. Lillian Tolensky
 Ms. Margaret McGrory
 Mr. Les Chapman
 Ms. Iqra Awan
 Mr. Raymond Chan
 Mr. Anthony Lewis
 Deputy Mayor Don Hamilton (from 2.0)
 Mr. Edward Choi
 Councillor Keith Irish (from 5.3)
 Councillor Andrew Keyes (from 5.3)

Present from Staff: Mrs. Catherine Biss, CEO & Secretary-Treasurer
 Mrs. Diane Macklin, Director, Community Engagement
 Ms. Deborah Walker, Director, Library Strategy & Planning
 Ms. Andrea Cecchetto, Director, Service Excellence
 Ms. Polly Chan, Financial Analyst
 Mrs. Susan Price, Board Secretary

Regrets: Mr. David Whetham
 Mr. Jay Xie

1.0 Call to Order/Approval of Agenda

Mr. Ben Hendriks, Chair called the meeting to order at 7:04 p.m.

Moved by Mr. Anthony Lewis
 Seconded by Mrs. Lillian Tolensky

Resolved that the agenda be approved.

Carried.

1.1 Declaration of Conflict of Pecuniary Interest

None.

AGENDA 2.1

1.2 Delegation

None.

1.3 Chair's Remarks:

CHAIR'S INDIGENOUS LAND ACKNOWLEDGMENT

Before we begin today's meeting, we would like to acknowledge the traditional lands as described by the Williams Treaties of 1923 that we are grateful to have the opportunity to gather on today. We acknowledge our presence on the traditional territory of many Indigenous Nations who have and continue to call this territory home including the Wendat, Anishnabek Nation, the Haudenosaunee Confederacy, the Mississaugas of Lake Scugog, Rice Lake and Mud Lake and Alderville First Nation.

The Chair informed the Board there are many issues surrounding the Truth and Reconciliation with Indigenous people. Forefront currently is the report on "Murdered and Missing Indigenous Women". The Chair explained the purpose of the Report and encouraged Board members to read it.

Mr. Hendriks reminded the Board to complete the form "Accessible Customer Service Policy" and complete the other training and as well to sign the form in circulation and confirm their commitment to complete the training outlined.

Any Member who has not done so, please complete the Criteria/Skills Set and hand in to the Board Secretary.

The Chair explained the reasons for the fall presentation to Council and asked for volunteers to serve on a working group that will meet a couple of times over the summer. The Chair explained the purpose of a working group and the goal to provide the new Counsel with information on the role of the Library in the Community.

Volunteers are: Margaret McGrory, Alick Siu, Les Chapman, Raymond Chan and Ben Hendriks. It is anticipated that the presentation will go to General Committee in October. The Working Group presentation will go to the full Board in September for feedback.

2.0 Consent Agenda:

The Chair asked if there were any comments or questions. There were some comments on the award winning Aaniin Community Centre and Library and a question on the MPL Lendery.

Moved by Mrs. Pearl Mantell
Seconded by Mr. Alick Siu

Resolved that the Consent Agenda comprising Agenda items 2.0 to 2.3.6 and the same are hereby approved as written and the CEO of the Library is hereby authorized and directed to take such action that may be necessary to give effect to the recommendations as therein contained:

AGENDA 2.1

2.2 Declaration of Due Diligence by the CEO

2.3 Communication and Correspondence:

- 2.3.1 Employment and Social Development Canada: Giving young Canadians the skills and experience they need to launch meaningful careers
- 2.3.2 interiordesign.net Aaniin Community Centre & Library be Perkins+Will: 2018 Best of the Year Winner for Institutional
- 2.3.3 Perkins+Will: Aaniin community Centre and Library Wins Interior Design's Best of Year Award
- 2.3.4 snapdMARKHAM; Battle of the Books
- 2.3.5 YorkRegion.com: MPL Lendery
- 2.3.6 bardown.com: A library in Markham has these incredible signs out for "Kawhi'et Zone"

Carried.

3.0 CEO's Highlights, June, 2019:

Mrs. Biss commented on the following items contained in the report:

Ontario Provincial Funding for Public Libraries

Several weeks ago, the Provincial Expenditure Estimates were released, setting out the details of the operating and capital spending requirements of Ministries and Legislative Offices for the fiscal year commencing April 1, 2019 based on the 2019-20 Ontario Budget.

Concurrently, Minister Michael Tibollo announced the Province is maintaining its base funding for public libraries.

Changes to Interlibrary Loan Services in Ontario

The 2019 Ontario budget cut funding for SOLS and OLS-North resulting in the suspension of interlibrary loan services across the province. Following discussions led by FOPL (Federation of Ontario Public Libraries), a resumption of loan services was announced utilizing Canada Post materials postage rate. Libraries will be able to apply for a rebate from SOLS, however the change puts Ontario out of step with other Canadian provinces, most of which wholly subsidize this service in recognition of its importance in providing equitable access to library materials for all provincial residents.

2019 ILMP Integrated Leisure Master Plan (ILMP) Update

The 2019 ILMP is now scheduled to go to General Committee on October 7, 2019.

The report is complete, however a couple of issues have recently arisen. The introduction of Bill 108 and changes to Ontario's Development Charges framework have created uncertainty regarding the financial implications of the ILMP Update recommendations. The Parks inventory used in the ILMP Update was developed through a methodology that differs to that used in the Parks and Open Space Acquisition Strategy. These differences will be analyzed and documented. In the meantime the Commissioner and the Director, Recreation Services are meeting with Councillors to ensure the final report addresses constituent needs and priorities.

Interior Design Award for the Aaniin Community Centre and Library

There were comments on this success story, and how the facility is extremely well used.

Markham Public Library Board Youth Representative

As per the recommendation passed at the May Board meeting, a young person has been selected to fulfill this role September 2019 to June 2020.

AGENDA 2.1

Quarterly Board Statistics report-2019

There was clarification on some of the numbers and a reference to Digital Literacy which the Library contributes to in many ways and continues to be a strong area of growth for MPL's customers and communities.

Study Finds Reading with Toddlers Reduces Harsh Parenting, Enhances Child Behavior

MPL promotes the routine of reading to children on a daily basis. The Rutgers Study suggest that additional benefits are derived from shared reading such as a stronger parent-child bond, less hyperactivity and fewer attention problems in children.

Moved by Mr. Raymond Chan

Seconded by Mr. Anthony Lewis

Resolved that the report entitled "CEO's Highlights, June 2019" be received.

Carried.

4.0 **Annual Monthly Policy Review**

(To be undertaken at the January meeting)

5.0 **Internal Monitoring Reports:**

(Compliance list of internal monitoring reports and discussion led by members.)

5.1 **Monitoring Report-Executive Limitation EL-2c Budgeting/Forecasting** **(Assigned to Mr. Alick Siu)**

Mr. Siu sent out an e-mail to fellow Members and did not receive any feedback. He asked if there were any questions from the floor and there was clarification of the breakdown of the Capital Budget and an explanation about when the Operating might be available.

Regarding the increased budget for collections in 2020, the CEO advised that this is a normal year-over-year increase due to inflation that is built into the annual budget cycle by the Finance Dept. The funding source for the collections budget is life-cycle as library items are assets that wear out through use and/or lose currency need to be replaced and renewed with up-to-date new materials annually.

The report confirmed that the CEO and MPL's practices relative to MPL's Budgeting/Forecasting comply with the requirements of EL-2c policy.

Moved by Mr. Alick Siu

Seconded by Mrs. Lillian Tolensky

Resolved the Board receives the report entitled "Internal Monitoring Report -Executive Limitation EL -2c, Budgeting/Forecasting".

Carried.

5.2 **Monitoring Report-Executive Limitation EL-2h Community Relations** **(Assigned to Mrs. Pearl Mantell)**

Mrs. Mantell sent an e-mail to all Board members and did not receive any questions or concerns.

AGENDA 2.1

She declared that this was not surprising as the report is clear and there is no doubt as to how well the Library serves the community.

The policy states “With respect to the Board’s reputation and standing in the community, the CEO shall not endanger the organizations’ public image, credibility, or its ability to accomplish Ends”.

The report confirmed that the CEO and MPL’s practices relative to MPL’s Community Relations comply with the requirements of EL-2h policy.

Moved by Mrs. Pearl Mantell
Seconded by Mrs. Lillian Tolensky

Resolved that the report entitled “Internal Monitoring Report: Executive Limitation, EL -2h, Community Relations” be received.

Carried.

5.3 **Monitoring Report-Executive Limitation EL-2i Compensation and Benefits**
(Assigned to Mrs. Lillian Tolensky)

Mrs. Tolensky advised that she sent an e-mail to Board Members and did not receive any questions and asked if there were any from the floor.

There were some clarifications required as to how board members were to review the EL monitoring reports. Experienced Members explained that each Board Member is responsible for reading the reports. If they have questions or concerns they have an opportunity to pass them on to the Board member responsible who then provides them ahead of time to staff for response or they can also raise their questions at the meeting.

The format of the EL-report is quite specific; the statements are listed according to the parameters set out in each **Executive Limitation** (some being lengthier than others) and then a report follows each statement.

There was a lot of discussion on EL Review procedure and the specific function of each monitoring report. A brief review will be conducted by Staff to see if modifications need to be made and the Chair advised that for the September Executive Limitation Monitoring Report, a step by step review would take place.

The report confirmed that the CEO and MPL’s practices relative to MPL’s Financial Compensation and Benefits comply with the requirements of EL-2i policy.

Moved by Mrs. Lillian Tolensky
Seconded by Mr. Alick Siu

Resolved that the report entitled “Internal Monitoring Report-Executive Limitation EL -2i Compensation and Benefits” be received.

Carried.

AGENDA 2.1

5.4 **Monitoring Report-Executive Limitation EL-2j Communication and Counsel to the Board (March 2019 to May 2019)** (Assigned to Ms. Margaret McGrory)

Ms. McGrory explained that this Monitoring Report is on the CEO's communications to the Board, ensuring that it is properly informed and equipped to make appropriate decisions.

Ms. McGrory sent an e-mail to Board Members and did not receive any questions.

She advised the Board that she is confident that the report contains the right level of information for the Board and the CEO is in compliance with providing sufficient information to the Board. The Deputy Mayor had a question on the negative language used within the monitoring reports and the CEO explained that this is the "Carver Model" of Governance. According to John Carver, "The board will instruct the CEO through written policies that prescribe the organizational Ends to be achieved and through the Executive Limitations describe the organizational actions which must be avoided, allowing the CEO to use any reasonable interpretation of these policies."

The report confirmed that the CEO and MPL's practices relative to MPL's Communication and Counsel to the Board comply with the requirements of EL-2j policy.

Moved by Ms. Margaret McGrory
Seconded by Mr. Edward Choi

Resolved that the internal monitoring report entitled "Executive Limitation: EL -2j Communication and Counsel to the Board (March 2019 to May 2019)" be received.

Carried.

6.0 **Ends**

7.0 **Governance**

8.0 **Ownership Linkage:**

8.1 **Input from Board Members**

The Chair informed the Board that this section of the agenda provides an opportunity for Board Members to inform other Members of any Library related activities they have participated in over the past month.

One member had a problem with the postal code field while completing the survey "Your Voice Markham" and was advised to contact the City Contact Centre or any of the Councillors present.

Mr. Hendriks attended the quarterly OLBA (Ontario Library Board Association) meeting. He noted that there had been a lot of discussion around Bill 108 and Advocacy connecting to the provincial Government. There was a question about advocacy and an explanation of current lobbying protocols.

There was clarification on the roles of OLA (Ontario Library Association) and OLBA (Ontario Library Board Association).

AGENDA 2.1

There was a question from the Deputy Mayor expressing concern about provincial funding for libraries. The Chair explained the process of lobbying for continuing support and funding and the efforts of the OLA and FOPL to make sure the message reaches those that need to hear it. Deputy Mayor Hamilton asked if there was a Plan B in the event of a financial shortfall due to a reduction in provincial funding. The CEO responded that at this time the Minister of Culture, Sport and Tourism has affirmed the provincial grant funding and she will keep watch for the need of further lobbying,

The Chair attended the Unionville Festival and declared the Library a significant presence in the Community.

The Chair advised that the Ontario Library Association (OLA) is preparing to lobby the province regarding Bill 108 changes to development charges and in particular the proposal to remove library materials from the collection of development charges. Effectively a download from the province, this would put pressure on municipalities to fund library materials for new branches, or to open new branches with empty shelves.

9.0 **Board Advocacy:**

9.1 **Events for the Next Quarter**

Staff explained the list of Programs and Events will be in the Board package four times per year. In the summer there are a lot of camps so there are fewer events than the rest of the year. In this report there were two mentioned: **Repair Café** and the launch of the **MPL Lendery July 10**.

Deputy Mayor Hamilton enquired where items came from for the Lendery. Staff responded that some items were purchased as part of the Region program, but many items were donated. Items will be kept in a good state of repair by volunteers from Repair Café. A primary objective of the MPL Lendery is to reduce consumption of products that may only be used once by the purchaser. The lending of tools etc. encourages residents to learn new skills at no cost. Tools will be restricted to low risk items.

There were a lot of questions and discussion. Councillor Keyes had a question about storage. Staff responded that pictures of the items would be in the catalog and storage would not be in the public space. Due to high demand, most Lendery items are checked out most of the time resulting in minimal impact on storage capacity. Donations are for specified items only and will not be accepted if they are not on the list.

In response to a question regarding the impact of the Lendery service on core workloads of branch staff, it was noted that the Lendery is supported by volunteers and staff will be responsible for circulation activities only.

There was discussion of the issue of “hidden poverty” in the service area and how the Lendery will provide access to tools for residents unable to purchase them.

Moved by Mrs. Pearl Mantell
Seconded by Mr. Alick Siu

Resolved that the report “Events for the next Quarter” be received.

Carried.

AGENDA 2.1

10.0 **Education:**

10.1 **Community Learning Hubs**

Staff explained that the Library Strategic Plan 2015 to 2019 includes Strategic Theme 4: Community Learning Hubs. This theme has guided the planning for library branch infrastructure and service delivery from 2015 to the present, within the framework of four objectives.

Key Achievements from 2015 to 2019 Include:

- **Plan for Future innovative library service delivery**

Engaged in City Community Planning Initiatives

Developed self-services Urban Storefront Branch concept for potential future branches in areas of intensification

Prepared for future co-location opportunities

Developed preliminary concepts for school co-locations

Planned for future library service delivery

- **Update Existing Facilities**

Upgrades to older branches achieved through life-cycle funded projects

- **Open the Southeast/Aaniin Library**

Finalized planning for the multi-year project, soft opening December 29, 2017 officially opened July 14, 2018

- **Improve the Experience**

Developed improved policies and expanded branch open hours

Funding Future Library Branches

Bill 108, the *More Homes, More Choice Act, 2019* and changes to the *Development Charges Act* have created uncertainty regarding financial planning in relation to the ILMP Update.

The Ministry is currently procuring expert advice and launching consultation with the municipal sector to determine the best way to replace the current system of development charges, develop the formula for a community benefits charge and ensure that municipalities have the resources and tool available to support and build complete communities.

Markham Centre Library

The capital budget submission entitled "Markham Centre Library-Architectural Consultant" proposed that the next step is hiring a consultant to conduct community consultation and develop concept design options for 2020 to 2021.

There was some discussion on the possible future of Markham Centre Library

Councillor Irish had questions about an automated library and if there were concerns from staff members.

The CEO explained how this would impact Staff and the "automated library" was a way to extend hours without affecting staffing levels.

It was noted that the service model will need to address accessibility such as providing guidance and service to the visually impaired.

There was a lot of discussion about utilizing underused (closed spaces such as schools) and the possibility/viability of co-locations, security issues and accessibility.

Moved by Ms. Iqra Awan
Seconded by Mr. Alick Siu

AGENDA 2.1

Resolved that the report “Community Learning Hubs” be received.

Carried.

11.0 Incidental Information:

11.1 Staff Recognition Event

There were several questions about how Staff are recognized and how many events are held. The CEO explained that this recommendation applies to an annual event which provides Board Members with the opportunity to mix and meet with Staff. In addition MPL holds a quarterly “Coffee with the CEO” Event and that annually the City of Markham sponsors a Staff Appreciation Day that is open to all employees.

There was a question on “Staff Development” and the CEO responded that there is a comprehensive program as part of the library’s Performance Development program. Staff meet annually with their Manager to set performance objectives and to discuss development opportunities. As part of the overall development program, there is a current focus on staff well-being. She cites that the current economic and social environment is challenging for staff as libraries are picking up the “social slack”, providing social work services as they deal with homelessness, under-employment, mental health issues and drug problems.

Moved by Mr. Edward Choi
Seconded by Mrs. Lillian Tolensky

Resolved that the board approve up to \$1,500.00 to cover the cost of the Staff Recognition Event.

Carried.

12.0 New Business:

Deputy Mayor Hamilton suggested that Board meetings should be rotated around Markham Library branches. The Chair and CEO responded that this is a current practice. A schedule will be established according to the availability of meeting rooms as programs are scheduled many months in advance.

13.0 Board Evaluation :

13.1 Deferred.

14.0 In Camera Agenda

None.

15.0 Adjournment

Moved by Mr. Alick Siu that the meeting be adjourned at 9:10 p.m.



Report to: General Committee

Meeting Date: September 3, 2019

SUBJECT: Appointment of Members to the Markham Mayor's Youth Council for the period of September 3, 2019 to June 30, 2020

PREPARED BY: Portia Lee, Recreation Coordinator, Programs and Outreach Recreation Services

RECOMMENDATION:

1. That the Report Appointment of Members to the Markham Mayor's Youth Council for the period of September 3, 2019 to June 30, 2020 be received; and,
2. That the following Appointments of Members to the Markham Mayor's Youth Council be confirmed for the term September 3, 2019 to June 30, 2020;

Name	High School	Grade	Ward
Karina Florea	Thornhill S.S.	9	1
Marissa Wang	Bayview S.S.	10	2
Evan Qi	Bayview S.S.	12	2
Kelly Hu	Bayview S.S.	12	2
Sidd Mittal	Unionville H.S.	12	2
Justine Lin	Unionville H.S.	10	3
Patrick Ang	St. Brother Andre C.H.S.	11	3
Selina Qiu	Markville S.S.	11	3
Boris Lam	Markville S.S.	12	3
Hana Almofti	Markville S.S.	12	3
Mankaran Pahwa	Unionville H.S.	10	4
Olivia Chan	Unionville H.S.	10	4
Maxine Bisera	St. Brother Andre C.H.S.	11	4
Johnny Wong	Markville S.S.	12	4
Gloria Huang	Bill Hogarth S.S.	9	5
Bryant Zheng	Markville S.S.	10	6
Kara Yang	Markville S.S.	10	6
Ernest Wong	St Robert CHS	11	6
Seethaa Manoharan	Bayview S.S.	11	6
Eddy Guo	Bayview S.S.	12	6
Ashwin Suganthan	Markham District H.S.	10	7
Chloe Vanderlugt	Town Centre P.H.S.	11	7

Anjali Singh	Markham District H.S.	12	7
Richard Chen	Middlefield C.I.	12	7
Ira Chandershekar	Markville S.S.	12	8

; and further, That Staff be authorized and directed to do all things necessary to give effect to this resolution.

PURPOSE:

The purpose of the report is to confirm appointments to the Markham Mayor's Youth Council for the term September 3, 2019 to June 30, 2020.

BACKGROUND:

The Markham Mayor's Youth Council (MMYC), formally known as Mayor's Youth Task Force (MYTF), was created in 1994 to address issues that are pertinent to youth in the community. The group's mandate is:

1. To act in an advisory capacity in providing advice on issues of concern to youth.
2. To act in an advocacy role by providing new ideas and views to council and staff.
3. To raise awareness in the community through planned events (e.g. Youth Week, Youth Forums, Youth Job Fair, etc).
4. To encourage youth participation within the community.

The MMYC is a group of high school students from the City of Markham who meet twice a month to plan events and discuss issues facing youth. The purpose of the MMYC is to provide local youth a voice by which they may give input and develop initiative to enhance youth opportunities within the City of Markham. The Recreation Coordinator, Programs and Outreach will act as staff liaison.

Area Youth Councils are also very active in Thornhill, Unionville, Markham and Milliken. These area councils are responsible for providing specific youth events and opportunities within their communities. The Area Youth Councils coordinate with the MMYC to support City wide youth activities. Recreation Coordinators/Supervisors in each of the areas act as staff liaison and mentor to the youth.

Nomination Process

Nominations into the MMYC are conducted in May and June each year. The nomination process includes:

1. Call for community members to join the Markham Mayor's Youth Council
 - Applications and deadlines were advertised on the MMYC social media pages (Facebook and Instagram) and on the City of Markham website;
 - MMYC and Youth Council members promoted applications within their schools and community;
 - Area Youth Councils (Thornhill, Markham, Milliken and Unionville) promoted the MMYC opportunity to the members, and at their Youth Week events.

-
2. Markham Mayor's Youth Council received 129 applications to fill 14 positions for the 2019/2020 year.
 3. Ninety-three (93) applicants were selected to move forward to the first screening step (24hr Challenge).
 4. Eleven 24hr Challenge groups were formed with 7-8 members in each group.

Each group is assigned a project from the list below and asked to develop a presentation identifying solutions:

- Markham Expo programming ideas
 - Increase youth political engagement within the City of Markham specifically addressing youth related social issues and environmental sustainability
 - Increase youth community outreach and communication
 - Establish MMYC presence in the City of Markham
 - Increase MMYC relations with other local youth councils
 - Engaging younger youth (Grade 10 and under) to attend events
 - Engaging youth with special needs to participate within the community
 - Promoting youth volunteerism
5. Interview panels included: two (2) Markham Mayor's Youth Council Chairs, two (2) Markham Mayor's Youth Council Members, one (1) Full Time staff member, (Recreation Coordinator, Programs and Outreach)
 - Panels interviewed 38 applicants over a 2-week period
 6. Confirmation of the Markham Mayor's Youth Council members was completed on August 12 2019 for the 2019/2020 term. While staff strive to find equal representation by Ward this is not always possible based on where the applications have been received.
 7. The Markham Mayor's Youth Council has an active volunteer program called the Ambassador program. This program is comprised of 15-20 youth, who are directly overseen by the Markham Mayor's Youth Council Co-Chairs and the staff liaison. The Ambassadors assist in planning and supporting the Markham Mayor's Youth Council on events throughout the year. Many of the youth involved in the Ambassador program are looking to gain experience with the Markham Mayor's Youth Council. The Ambassador program strives to have representation from all Wards.

FINANCIAL CONSIDERATIONS

No Financial implications are to be considered in this report.

HUMAN RESOURCES CONSIDERATIONS

No Human Resources implications are to be considered in this report.

ALIGNMENT WITH STRATEGIC PRIORITIES:

Not Applicable

BUSINESS UNITS CONSULTED AND AFFECTED:

Not Applicable

RECOMMENDED BY:

Mary Creighton
Director of Recreation Services

Brenda Librecz
Commissioner of Community
& Fire Services

Report to: General Committee

Meeting Date: September 3, 2019

SUBJECT: Flood Control Program and Stormwater Fee Update
PREPARED BY: Mark Visser, ext. 4260
Rob Grech, ext. 2357

RECOMMENDATION:

1. That the report “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;
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.

EXECUTIVE SUMMARY:

In February 2013, Council approved a long-term, 30-year, Flood Control Program which sets funding requirements to achieve level of service improvements for drainage systems.

Staff utilized three principles to develop the fee methodology:

- Ability to pay
- Equity / fairness (relationship to runoff)
- Ease of administration and communication

In 2014, Council approved the implementation of a stormwater fee of \$47 for residential properties, and the fee was included on property tax final installment bills beginning in 2015.

In 2015, Council approved the implementation of a stormwater fee of \$29 per \$100,000 current value assessment (CVA) for Non-Residential and Vacant Land properties, which was included on tax bills beginning in 2016. Council authorized the treasurer to adjust the Non-Residential and Vacant Land annual stormwater fee to compensate for the average change in the City CVA. As a result, the 2019 rate is \$26 per \$100,000 CVA.

At the time of fee implementation, the program costs were estimated at \$234M - \$288M (2014 dollars). Staff is to review and adjust the fee every 5 years to ensure the program is adequately funded. The review will include and evaluation of factors that may contribute to changes in the rate, including the costs of the program, the growth of the City, value changes in CVA, and inflation.

Program implementation is currently on schedule, and project status is summarized in Appendix 'B'. The following changes to the original program have been made:

- Implementation of a new Private Plumbing Protection Rebate Program, initiated in 2018;
- Acceleration of West Thornhill Phase 4A construction to 2021;
- Acceleration of the Markham Village/Unionville Flood Protection study, beginning in 2018.

Staff updated Flood Control Program cost estimates in 2018 for all phases of the Flood Control Program, resulting in an increase from the \$234M-\$288M range (2014 Dollars), used to set the original Stormwater Fees, to \$367M-\$382M (2018 Dollars). Taking into account the offset of the \$6.5M Canadian Water and Wastewater Fund (CWWF) and \$48.6M Disaster Mitigation and Adaptation Fund (DMAF) grant funding obtained, and that original fees were set based on a \$288M (2014 Dollars) funding amount, there is an estimated revenue shortfall of \$24M-39M (2018 Dollars) for the 30 year program.

In order to eliminate the funding shortfall, staff recommend stormwater fee increases of \$3 for residential properties and \$2 per \$100,000 CVA for non-residential and vacant land properties in 2020, along with subsequent annual increases of \$1/year for residential properties and 2% per year for non-residential and vacant land properties. These fees, in

combination with the annual \$2M allocation of the Federal Gas Tax grant (as approved by Council in 2013), are necessary in order to ensure the Flood Control Program is fully funded over the 30-year time frame of the initiative.

The above changes are reflected in By-law 2020-XXX, a by-law to repeal and replace Stormwater Fee By-law 2015-130, which is included as Appendix “A” to this staff report.

The City will continue to use the tax billing system for the billing and collection of the annual stormwater fees, and it is recommended that the City continue to allocate \$2,000,000 per year of Federal Gas Tax funding to the Flood Control Program.

PURPOSE:

The purpose of this report is to:

- To provide a status update on the City of Markham 30 year Flood Control Program and its funding requirements.
- Obtain Council endorsement of By-law 2020-XXX, a by-law to repeal and replace Stormwater Fee By-law 2015-130 as outlined in Appendix “A” to this staff report.

BACKGROUND:

In February 2013, Council approved a long-term, 30-year, Flood Control Program which sets funding requirements to achieve level of service improvements for drainage systems. Council also identified City-wide fees and Federal Gas Tax Funds as the funding sources for the program. The adoption of City-wide fees recognizes that proposed improvements will contribute to overall community benefits.

In June 2013, Council directed Staff to develop an implementation plan for the long-term flood control strategy and a City-wide fee structure based on runoff contribution. In November 2013, Council approved a City-wide Stormwater Fee structure consisting of flat and variable fees. The approved fee structure allocates fees to residential and non-residential property categories in proportion to City-wide runoff potential. The proportion of high-runoff surfaces City-wide is 60% residential and 40% non-residential.

Staff utilized three principles to develop the fee methodology:

- Ability to pay
- Equity / fairness (relationship to runoff)
- Ease of administration and communication

On November 17, 2014, Council approved the implementation of a stormwater fee of \$47 for residential properties, and the fee was included on property tax final installment bills beginning in 2015. At that time, the program costs were estimated at \$234M - \$288M (2014 dollars).

On May 26, 2015, Council approved the following:

-
- That billing of annual stormwater fee for Non-Residential and Vacant Land properties commence in 2016 at a rate of \$29 per \$100,000 of current value assessment (CVA).
 - That the Treasurer be authorized to adjust the annual stormwater rate for Non-Residential and Vacant Land properties to compensate for the average change in the City CVA.
 - That any property with a CVA of less than \$100,000 shall not have a stormwater fee imposed upon it.

Based on the average changes in CVA, the Stormwater Fee rate for non-residential and vacant land property is \$26 per \$100,000 CVA for 2019.

The following process for updating the fee was included in a Staff report in May of 2015: “The Stormwater Fee will be reviewed every 5 years. At the time of the review, Staff will evaluate those factors that may contribute to changes in the rate, including the costs of the program, the growth of the City, value changes in CVA, and inflation. Staff will make changes to the fee to ensure the flood control program is adequately funded.”

In September 2017, the City obtained a funding grant of \$6.5M for West Thornhill 2B from the Ministry of Infrastructure of Ontario through the Clean Water and Wastewater Fund (CWWF).

Also in September 2017, Council approved the following changes to the Flood Control Program:

- Implementation of a new Private Plumbing Protection Rebate Program, to be initiated in 2018;
- Acceleration of West Thornhill Phase 4A construction to 2021;
- Acceleration of the Markham Village/Unionville Flood Protection study, beginning in 2018.

In March 2019, the City’s application for funding from the Disaster Mitigation and Adaptation Fund (DMAF) was approved for the full grant request in the amount of \$48.6M for the Don Mills Channel, West Thornhill Phases 3 & 4 and Thornhill Community Centre from Infrastructure Canada. . Staff will submit a separate report on the grant seeking Council authority to execute an agreement with Infrastructure Canada.

OPTIONS/ DISCUSSION:

A) Project status and Implementation Timeline

The Citywide Flood Control Program includes projects that range from major capital improvements to the storm system, to educational programs and subsidies for residents to improve their private plumbing systems. Outside of the Citywide Flood Control Program, Environmental Services also compliments flood mitigation through its Downspout Disconnection program, erosion control program, and coordinates sanitary sewer improvements along with stormwater pipe upgrades. These various initiatives range from a private/local level, to large infrastructure improvements to provide a comprehensive flood mitigation program.

The award of the \$48.6M DMAF grant from Infrastructure Canada has allowed the City to expedite the completion of the Don Mills Channel project by 3 years, with the planned completion of the project now scheduled for 2027.

A summary of the project status and comparison of original and updated schedule for all phases of the Flood Control Program and other complimentary programs are provided below. Location maps have been included in Appendix 'B'.

Table 1 Flood Control Program - Project Status and Implementation Status

Area	Original Implementation Schedule	Current Implementation Schedule	Status
West Thornhill			
Phase 1A: Bayview Glen Area	2014 - 2015	2014 - 2015	Completed as of Nov. 2016; Maintenance completion Nov. 2017
Phase 1B: Bayview Glen Area	2015 - 2016	2015 - 2016	Substantially completed as of Aug. 2016; Maintenance completion Aug. 2018
Phase 1C: Canadiana Road	2016	2016	Substantially completed as of Dec. 2016; Maintenance completion Dec. 2018;
Phase 2A: Grandview Area	2016 - 2017	2016 - 2017	Substantially completed as of Dec 2016; Maintenance completion Dec. 2018
Phase 2B: Grandview Area (Park & Proctor Ave)	2017-2018	2017 - 2018	Substantially completed as of Dec. 2017; Maintenance completion Dec. 2019
Phase 2C: Grandview Area	2018-2019	2018 - 2019	Construction commencement: Jun. 2018
Phase 2D: Grandview Area	2020-2021	2019 - 2020	Construction commencement: April 2019
Phase 3: Clark Ave/ Henderson Area	2021-2022	2020 - 2022	Design – 90% complete
Phase 4: Royal Orchard Area	2023-2025	2021 & 2023 – 2025	Design – 30% complete
Don Mills Channel			
Woodbine/Denison	2018-2030	2018-2027	Environmental Assessment – 100% Complete Property acquisition – 50% complete
City Wide Program			
Private Plumbing Protection Rebate Program	N/A	2018-2020	Program Implementation Underway
Markham Village/Unionville	2030-2044	2018-2030	Environmental Assessment – 30% Complete
Other City Wide Areas	2030-2044	2030-2044	Not Initiated

B) Stormwater Fee Review

Staff updated Flood Control Program cost estimates in 2018 for all phases of the Flood Control Program, resulting in an increase from the \$234M-\$288M range (2014 Dollars), used to set the original Stormwater Fees, to \$367M-\$382M (2018 Dollars). Taking into account the offset of the \$6.5M CWWF and \$48.6M DMAF grant funding obtained, and that original fees were set based on a \$288M (2014 Dollars) funding amount, there is an estimated revenue shortfall of \$24M-\$39M (2018 Dollars) for the 30 year program.

The primary drivers in these Flood Control Program cost increases include:

- Project advancement from planning level estimates, and Municipal Class Environmental Assessment concept estimates, to more defined preliminary and final design costs estimates:
 - Changes to the scope and extent of the work occur when more is known about the site conditions
- Detail design would include more information on size/technical specifications of what will be built including actual site conditions that were unforeseen during detailed design
- Inflation / construction market escalation
- Implementation schedule changes affecting borrowing costs

Staff are recommending an initial increase of \$3 per residential property in 2020, followed by \$1/year increases thereafter. Similarly, non-residential properties would have \$2 per \$100,000 CVA increase in 2020 with 2% annual increases thereafter. As the stormwater rates have not increased since they were implemented, the proposed increases are less than inflation over that period.

Table 2 illustrates the proposed stormwater fee increases:

Table 2 – Recommended Stormwater Fee Update

	Initial Increase in 2020	Incremental Annual Increases after 2020
Residential Increase	\$3	\$1/year
Non-Residential Increase	\$2/\$100,000 CVA	2%/year

This rate update would allow the City to collect funds equal to the estimated program costs. The City would incur borrowing costs associated with a negative reserve balance (reaching \$55M in 2027). These negative balances may be funded through internal borrowing. The DMAF grant will contribute to mitigate larger fee increases and at the same time accelerate the timelines for key projects.

Examples of fees for various property types under this option are shown in Table 3.

Table 3 Proposed Stormwater Fees for Various Property Types (\$)

Type (CVA Value)	2019 (Existing)	2020 (New)	2021 (New)	2022 (New)	2023 (New)	2024 (New)
Residential	\$47	\$50	\$51	\$52	\$53	\$54
Non-Residential (\$0.5M CVA)	\$130	\$140	\$143	\$146	\$149	\$152
Non-Residential (\$1M CVA)	\$260	\$280	\$286	\$291	\$297	\$303
Non-Residential (\$2M CVA)	\$520	\$560	\$571	\$583	\$594	\$606
Non-Residential (\$5M CVA)	\$1,300	\$1,400	\$1,428	\$1,457	\$1,486	\$1,515
Non-Residential (\$10M CVA)	\$2,600	\$2,800	\$2,856	\$2,913	\$2,971	\$3,031
Non-Residential (\$20M CVA)	\$5,200	\$5,600	\$5,712	\$5,826	\$5,943	\$6,062
Non-Residential (\$50M CVA)	\$13,000	\$14,000	\$14,280	\$14,566	\$14,857	\$15,154
Non-Residential (\$425M CVA)	\$110,500	\$119,000	\$121,380	\$123,808	\$126,284	\$128,809

The proposed non-residential stormwater fee equates only 1.5% (industrial) to 1.7% (commercial) of the total tax bill for Non-Residential type properties. The average impact of the proposed fee *increase* is less than 1 cent per square foot per year.

The annual stormwater fee will continue to be imposed on all properties 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.

FINANCIAL CONSIDERATIONS

Staff recommend stormwater fee increases of \$3 for residential properties and \$2 per \$100,000 CVA for non-residential and vacant land properties in 2020, along with annual increases of \$1/year for residential properties and 2% per year for non-residential and vacant land properties. These fees, in combination with the annual \$2M allocation of the Federal Gas Tax grant (as approved by Council in 2013), are necessary in order to ensure the Flood Control Program is fully funded over the 30-year time frame of the initiative.

As staff are endeavoring to complete the work in a timely manner, much of the work will be undertaken in advance of the City receiving the stormwater fee revenue. The following graph noted below illustrates the forecasted expenditures and the projected revenue (note: the fluctuation in revenue between 2018 and 2027 is related to the timing of the \$6.5M CWWF grant, and \$48.6M DMAF grant):

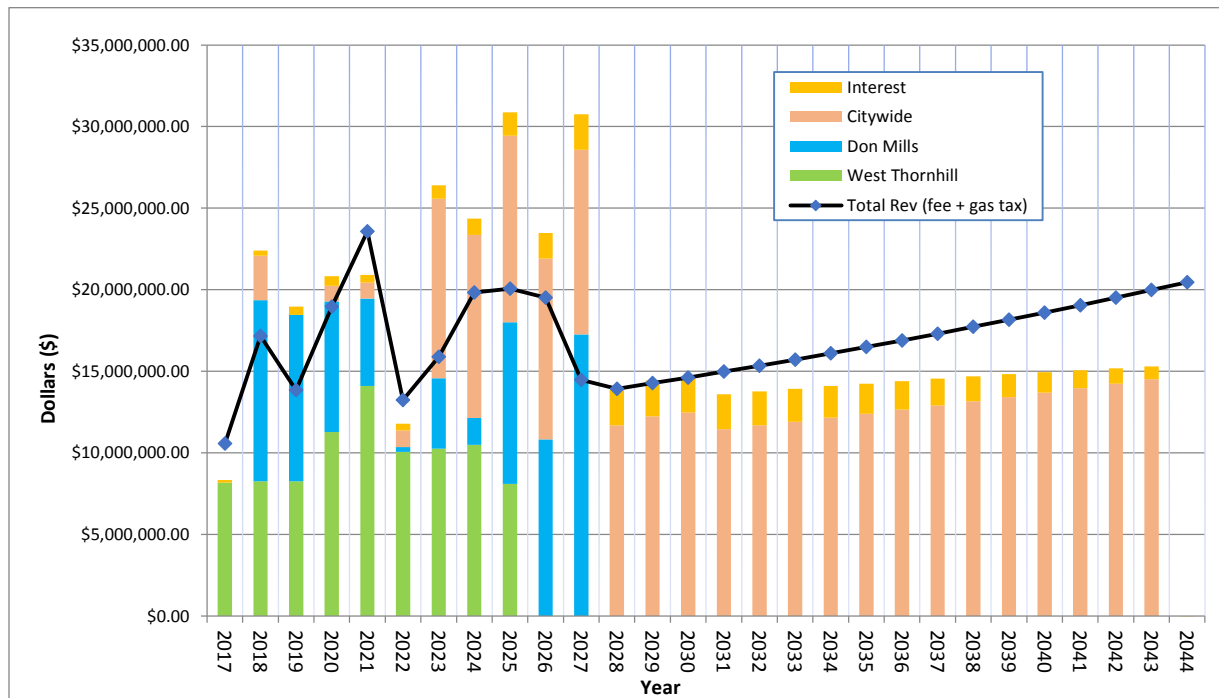


Figure 1 Stormwater Revenue/Expense Trending

As a result of the accelerated expenditures, the Stormwater Fee Reserve is projected to be in a negative balance throughout the duration of the Flood Control program, with a peak negative balance of approximately \$57M:

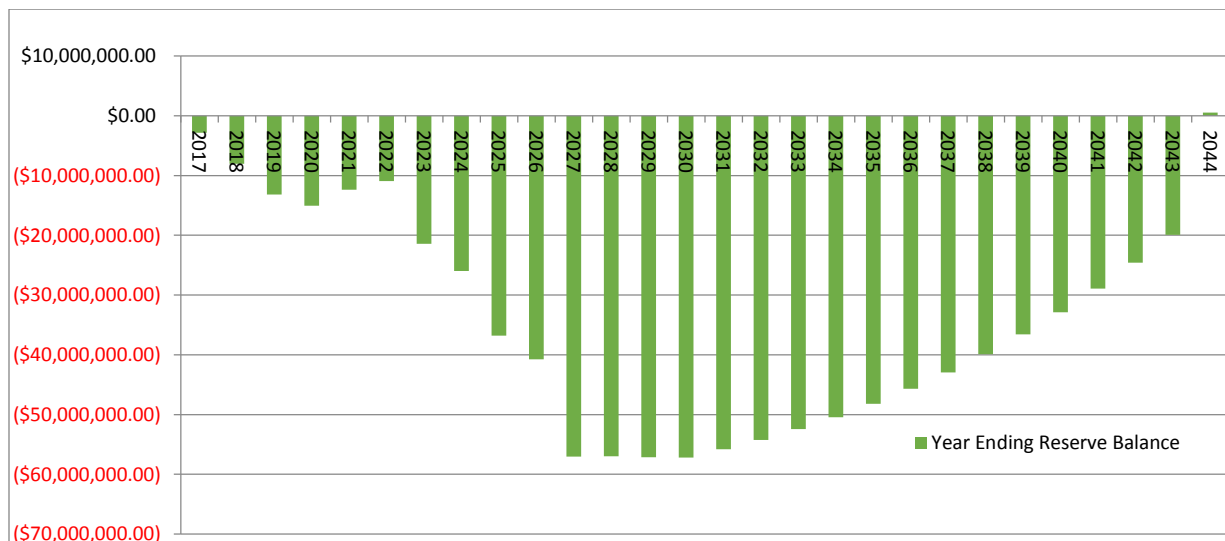


Figure 2 Stormwater Reserve Balance

Currently, the City is managing the negative reserve balance through internal borrowing. As the reserve continues to move into a further negative position, there may be a need for external borrowing.

The City will continue to use the tax billing system for the billing and collection of the annual stormwater fees. The 2020 Stormwater Fee increase of \$3/property from \$47 to \$50/year per residential property will be reflected on the final tax bill in June 2020. The 2020 Stormwater Fee increase of \$2/\$100,000 CVA for non-residential properties will be reflected on the final tax bill in September 2020.

The Stormwater Fee will be reviewed by staff every 5 years and staff will report back to Council in 2024 with any required changes to Stormwater Fees, for implementation in 2025, to ensure that the Flood Control Program is adequately funded. Staff will evaluate those factors that may contribute to changes in the rate including cost of the program, the growth of the City, value changes in CVA, and inflation.

It is recommended that the Treasurer continue to be authorized to adjust the annual stormwater rate for Non-Residential and vacant land properties to compensate for the average change in the City CVA.

It is recommended that the City continue to allocate \$2,000,000 per year of Federal Gas Tax funding to the Flood Control Program.

FINANCIAL CONSIDERATIONS

Not Applicable.

HUMAN RESOURCES CONSIDERATIONS

Not Applicable.

ALIGNMENT WITH STRATEGIC PRIORITIES:

The Flood Control Program is aligned with our objectives to provide better quality services to the public and is consistent with “Building Markham’s Future Together” strategic plan’s goal of a *Safe & Sustainable Community*.

BUSINESS UNITS CONSULTED AND AFFECTED:

Not Applicable.

RECOMMENDED BY:

Eddy Wu
Acting Director, Environmental Services

Brenda Librecz
Commissioner, Fire & Community Services

Joel Lustig,
Treasurer

Trinela Cane,
Commissioner, Corporate Services

ATTACHMENTS:

Appendix ‘A’ – Stormwater Fee By-Law 2020-XXX

Appendix ‘B’ – Flood Control Program Location Maps

APPENDIX A**Bylaw 2020-XXX**

A by-law to repeal and replace Stormwater Fee By-law 2015-130

Whereas Section 11 of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended, (the “Municipal Act”) authorizes The Corporation of the City of Markham (the “City”) to exercise authority over drainage and flood control matters; and,

Whereas Section 391 of the Municipal Act authorizes the City to pass bylaws imposing fees or charges on persons for services or activities provided or done by or on behalf of it; and,

Whereas the Council for the City deems it necessary and desirable to implement a stormwater Flood Control Program for purposes of the safety and well-being of persons, and the City’s economic and environmental well-being; and,

Whereas the Council for the City deems it necessary and desirable to create a separate Stormwater Fee to fund capital projects to improve the storm drainage system;

Now Therefore the Council for The Corporation of the City of Markham enacts as follows:

1. Definitions

1. In this Bylaw:
 - (a) “City” means The Corporation of the City of Markham;
 - (b) “Council” means the Council of The Corporation of the City of Markham;
 - (c) “MPAC” means the Municipal Property Assessment Corporation;
 - (d) “Property” means any real property within the geographical boundary of the City of Markham;
 - (e) “Property Owner” means an individual, partnership or corporation who owns Property;
 - (f) “Property” means Property within the geographical boundary of the City of Markham classified by the MPAC;

-
- (g) “Residential Property” means Property within the geographical boundary of the City of Markham classified as Residential by the MPAC;
 - (h) “Non-Residential Property” means Property within the geographical boundary of the City of Markham classified as Non-Residential by the MPAC;
 - (i) “Vacant Land” means Property within the geographical boundary of the City of Markham classified as Land without structures or outbuildings by the MPAC;
 - (j) “Stormwater” means surface and rain water, melted snow and ice, and uncontaminated water when discharged to the stormwater drainage system from freshwater swimming pools, underground drains, foundation drains and groundwater;
 - (k) “Stormwater Fee” means the amount charged under this Bylaw based upon the rate and class of the Property;
 - (l) “Treasurer” means the Treasurer of the City or his/her delegate;
 - (m) “Tax Bill” means the property tax bill under the Municipal Act sent to Property Owners by the City;
 - (n) “Flood Control Program” means the City-wide upgrade of storm drainage systems as approved in Class Environmental Assessment or other remediation studies.
2. THAT an annual Stormwater Fee be imposed on all property within the City of Markham, save and except those noted as exempt in this bylaw to fund a long-term Flood Control Program which includes construction of storm drainage system capital projects and administration of the stormwater program.
 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 be increased by 2% per year, each year thereafter; AND

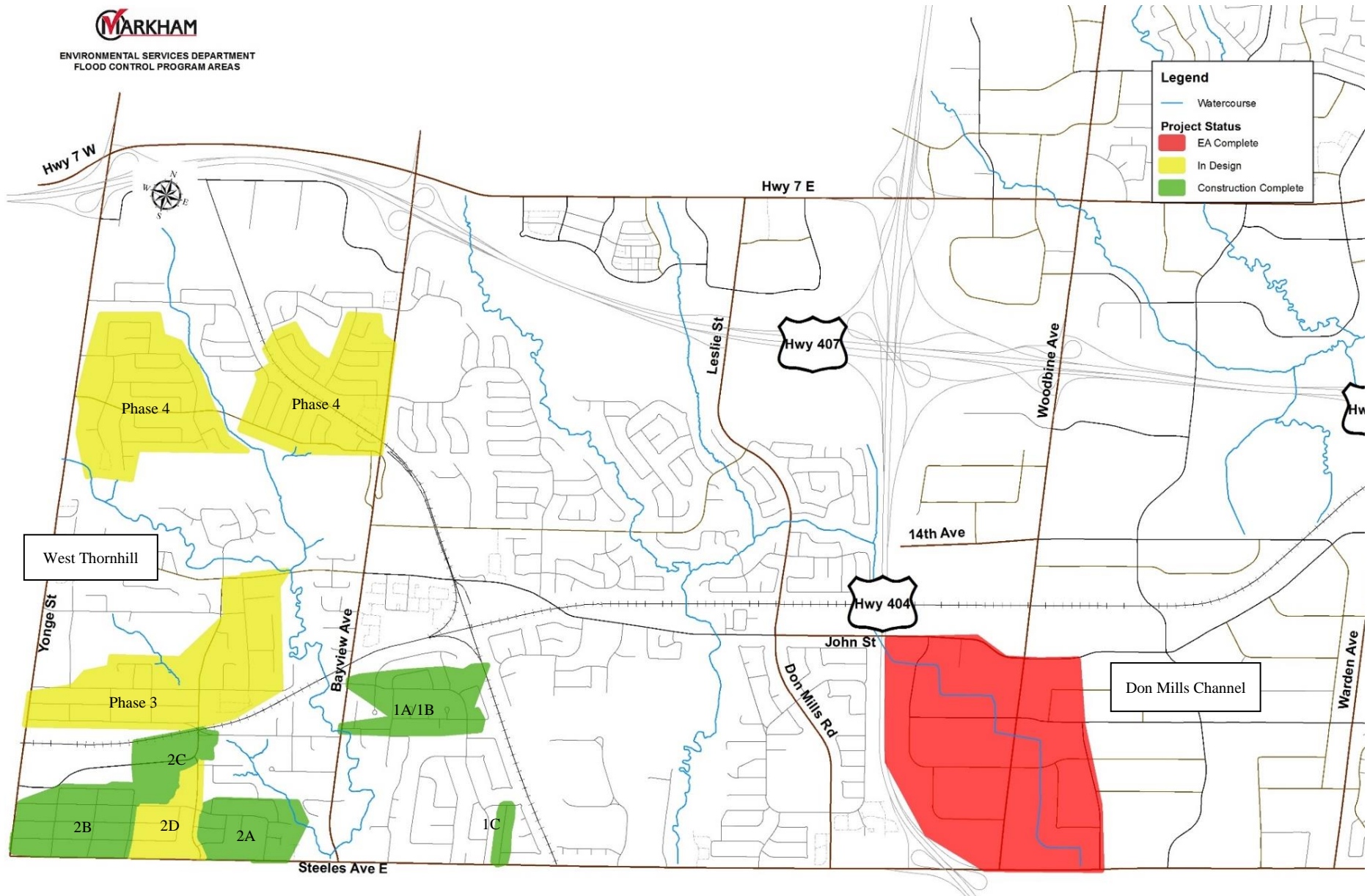
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6. THAT the Treasurer continue to be authorized to adjust the annual stormwater fee rate for both Non-Residential and Vacant Land properties to compensate for the average annual change in City-wide CVA; AND
 7. THAT any Property with a total CVA of less than \$100,000, as determined by MPAC is exempt from this by-law and shall not have a Stormwater Fee imposed upon it; AND
 8. THAT any Property owned by the City is exempt from this by-law and shall not have a Stormwater Fee imposed upon it; AND
 9. THAT any Property owned by a District School Board or School Authority as defined under the Ontario *Education Act*, as amended, is exempt from this by-law and shall not have a Stormwater Fee imposed upon it; AND
 10. THAT the annual Stormwater Fee levied by this by-law be included as a separate line item on the final tax bill of the property; AND
 11. THAT the Stormwater Fee levied by this by-law be due and payable in conjunction with the tax bill installments of the property; AND
 12. THAT payment of the Stormwater Fee be paid to the Treasurer at the Municipal Offices, 101 Town Centre Boulevard, Markham, Ontario, L3R 9W3; AND
 13. THAT By-law 2015-130 be repealed in its entirety and replaced with the Stormwater Fee By-law as outlined in Appendix "A" to this staff report; and further
 14. THAT this by-law come into force and effect on the date it is passed.

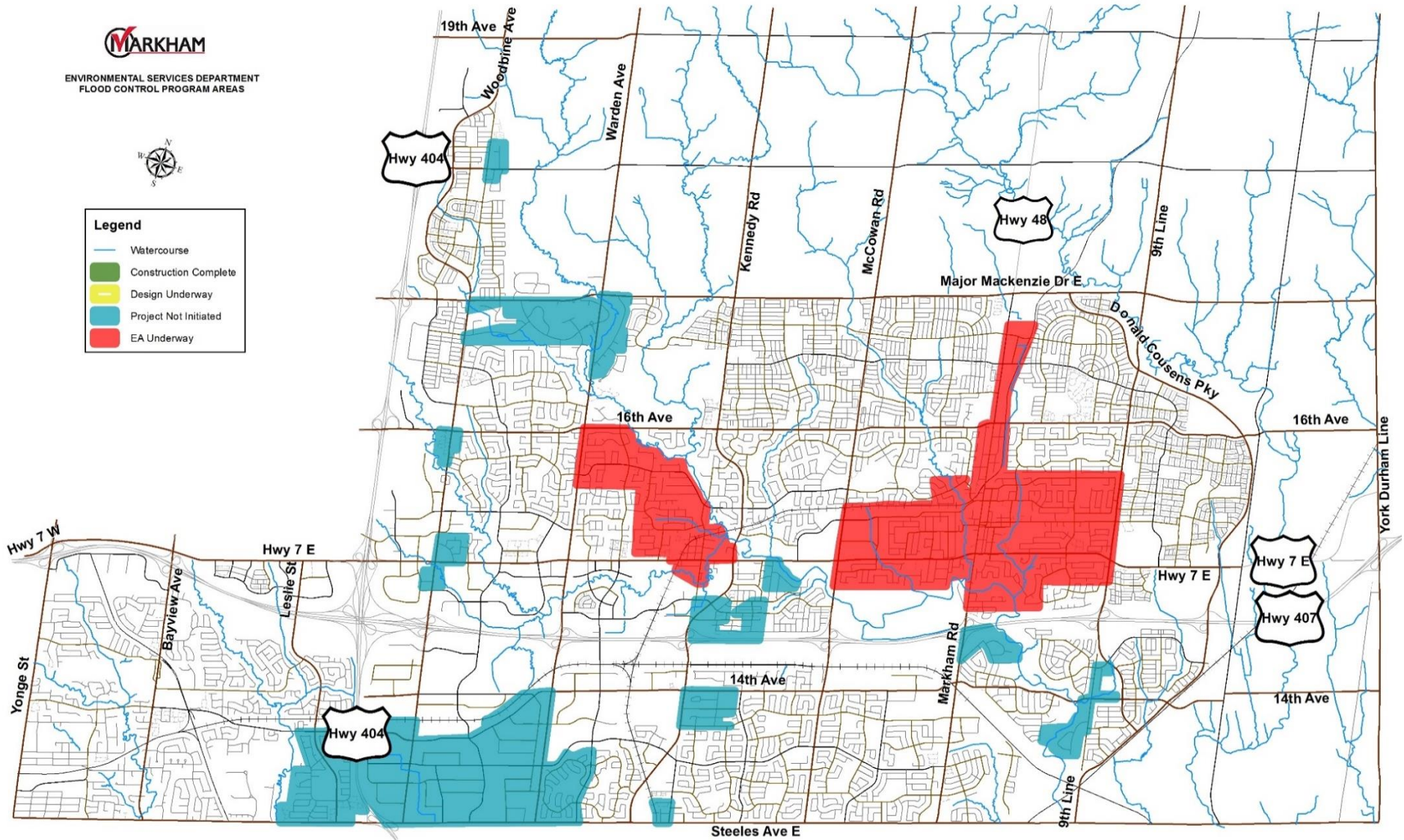
**READ A FIRST, SECOND, AND THIRD TIME AND PASSED ON THIS XX DAY
OF XX**

Kimberley Kitteringham
City Clerk

Frank Scarpitti
Mayor

APPENDIX B: LOCATION MAPS





Alectra Rear Lot Conversion Initiative & Stormwater Fee Update

General Committee – September 3, 2019

Agenda

- Overview of Alectra Rear Lot Conversion Initiative & Customer Survey Results (From Alectra Utilities)
- Overview of Options for Accelerating the Lot Conversion Initiative
- Impacts to Stormwater Fee
- Staff Recommendations

Background

- Council approved the stormwater fee of \$47 for residential properties (2014) and \$29 per \$100,000 CVA for non-residential properties (2015)
- In 2019, staff reviewed program costs, and recommended an increase by \$3 per property for residential properties (\$1 per year increase thereafter) and \$2 per 100,000 CVA for non-residential properties (2% increase per year thereafter), to be implemented beginning in 2020
- At Council on April 16, 2019, Staff were directed to review the potential inclusion of the costs associated with Alectra's Rear Lot Conversion (RLC) Initiative to the City's stormwater fee

Purpose

- To provide an overview of Alectra's Rear Lot Conversion Initiative, related to the undergrounding of back yard hydro lines
- To provide a summary of options for accelerating the Rear Lot Conversion Initiative
- To define the potential impact of the program on the City's stormwater fee



Rear Lot Conversion Initiative - Overview

- Several older suburban and urban neighbourhoods contain rear lot or “backyard” infrastructure for electricity service. Infrastructure is 40 years of age or older.
- Approximately 11,000 of the 1 Million customers that Alectra Utilities services are supplied through rear lot overhead infrastructure; of those approximately 2,000 customers are located in Markham.
- Rear lot infrastructure present the following operational challenges:
 - Repairs and maintenance is complicated due to access challenges for trucks and equipment. Private amenities (trees, pools, sheds, etc.) create obstacles.
 - Rear lot overhead equipment is subject to greater tree contact during severe weather.
 - Elevated safety risks should the infrastructure fail on customer property.
- Due to these challenges, outage restoration is typically three times longer for rear lot customers compared to customers with underground front lot service.



Alectra Utilities' Customer Survey & Engagement

- In the spring of 2019, based on initial customer needs and priorities and a preliminary set of potential investments for 2020-2024, Alectra Utilities engaged customers to assess their preferences between specific investment options.
- Alectra Utilities received responses from 32,000 customers.
- The survey was directed to all customers including specific customers who are serviced with rear lot overhead infrastructure.
- The customers are asked to provide their preference on the following:
 - Preferred Design Option (e.g. Partial Underground, Full underground)
 - Timing and pacing of investment for the rear lot conversion initiative.

Alectra Utilities Survey - Design Approaches

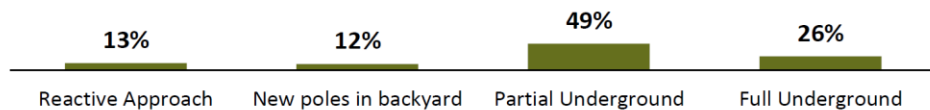
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Which of the following design approaches would you prefer?

Option	Rear lot or “backyard” equipment design choices
Reactive Approach <u>Additional</u> \$X.XX per month annually (\$Y.YY more per bill by 2024)	Reactively replace rear lot assets when they have reached their physical end-of-life criteria, knowing that there could be prolonged reliability impacts. This option leaves customers vulnerable to longer than average storm outages and resulting safety risks.
New poles in backyard <u>Additional</u> \$X.XX per month annually (\$Y.YY more per bill by 2024)	Proactively replace old poles and equipment, with new poles and equipment in backyards. This would improve day-to-day reliability but leaves customers vulnerable to longer than average storm outages, and resulting safety risks.
Partial Underground <u>Additional</u> \$X.XX per month annually (\$Y.YY more per bill by 2024)	Proactively re-locate some rear lot infrastructure to front lot underground. This would address some of the vulnerability to longer than average storm outages and resulting safety risks.
Full Underground <u>Additional</u> \$X.XX per month annually (\$Y.YY more per bill by 2024)	Proactively re-locate all rear lot infrastructure to front lot underground. This would completely resolve the vulnerability to longer than average storm outages and resulting safety risks.

Survey Findings:

- 75% Support for undergrounding of key rear lot infrastructure exists**
- Little support (25%) for replacing poles with like for like infrastructure**



n=17,705

Alectra Utilities Survey - Timing of Works

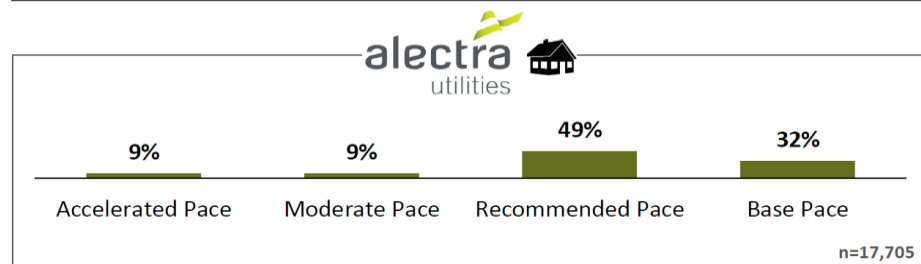


Which of the following timing options would you prefer?

Option	Pacing of renewal and conversion	Service renewed and converted over 5-year period
Accelerated Pace <i>Additional \$X.XX per month annually (\$Y.YY more per bill by 2024)</i>	Renew and convert existing rear lot overhead locations over 30 year period	Approximately 1,810 customers (16% of customer with rear lot)
Moderate Pace <i>Additional \$X.XX per month annually (\$Y.YY more per bill by 2024)</i>	Renew and convert existing rear lot overhead locations over 40 year period	Approximately 1,360 customers (12% of customer with rear lot)
Recommended Pace <i>Additional \$X.XX per month annually (\$Y.YY more per bill by 2024)</i>	Renew and convert existing rear lot overhead locations over 70 year period	Approximately 851 customers (8% of customer with rear lot)
Base Pace <i>Within current rates</i>	Renew and convert existing rear lot overhead locations on a reactive emergency basis	Expose customers serviced by these lines to prolonged outage and safety risks

Survey Findings:

- 81% of respondents are satisfied with the current pace of the program, which was also recommended by Alectra Staff.**
- Only 18% of respondents supported acceleration of the program beyond the recommended pace.**



Rear Lot Renewal Implementation – Alectra Utilities

- Alectra Utilities owns and operates these assets, and is responsible for their maintenance and replacement. Alectra Utilities applies and requires approval from the Ontario Energy Board (OEB) for capital investments and to recover the investment through rates.
- At the pacing level suggested in the OEB submission; Alectra Utilities projects that it will take 70 years to renew and convert the existing rear lots in its entire service area; Alectra Utilities projects that will take 33 years at an estimated cost of \$60M (2019\$) to renew the rear lot customers in Markham.
- Alectra Utilities continues to seek increased investment funding for rear lot conversion projects. To date, applications at the Ontario Energy Board have not been fully approved.
 - Partial budget approved for rear lot conversion projects implemented in 2015-2017.
 - Application for 2018 & 2019 was not approved, Alectra Utilities will continue to inspect, maintain and repair rear lot overhead infrastructure.
- Alectra Utilities provided plans to Markham to complete rear lot conversion in several scenarios; implementation of 33 years (base case), 20 years and 10 years (accelerated)
- Acceleration of the initial beyond the base case would require an external funding source and approval of budget for projects not funded through rates.

Funding Overview - Markham

- No budget has been allocated to maintenance/replacement of rear lot infrastructure because Alectra is responsible for this work;
- Alectra has estimated costs for accelerating the program completion in 10-20 years, from the current 33 year implementation period;
 - If OEB approves funding for the program, Alectra funds base costs, and Alectra wants Markham to fund costs associated with program acceleration
 - If OEB does not approve funding for the program (as in 2018-2019), the program would be further delayed, or could go forward should Markham fund the total cost
- The Stormwater Fee uses stormwater runoff volumes as the basis for splitting costs between Residential and Non-Residential land owners (60%/40% split). This would not apply to the rear lot conversion program because:
 - Program is 99% focused in residential areas
 - Runoff volumes are unrelated to the conversion of hydro lines (different asset types)
- Additional public consultation would be required to change purpose of a dedicated stormwater fee

**PRINCIPLES USED TO SPLIT COSTS BETWEEN RESIDENTIAL/NON-RESIDENTIAL USERS FOR THE STORMWATER FEE DO NOT APPLY TO THIS REAR LOT CONVERSION INITIATIVE.
SHOULD COSTS BE ADDED TO THE FEE, THEY SHOULD ONLY BE CHARGED TO RESIDENTIAL OWNERS.**

Stormwater Rate Impacts

- Based on updates to the Flood Control Program, a \$3 increase (from \$47 to \$50 for residential properties) is required in 2020, prior to consideration of the rear lot conversion initiative. The rate would be increased \$1 per year thereafter;
- To fund the rear lot conversion initiative, an additional increase to the residential rate above and beyond the stormwater fee would be needed;
- Given uncertainty in OEB approvals, a very significant increase in the stormwater fee would be required to fund the entire program – incremental increases from \$28- \$51 (see below) - this is not a preferred option

	Rear Lot Conversion Initiative Costs (2017 Dollars)			Required 2020 Residential Stormwater Rate Increase (In Addition to \$50/year for existing program)			Required New 2020 Residential Stormwater Rate with Inclusion of RLC Initiative	
Implementation Time	Base (A)	Program Acceleration (Markham) (B)	Total Program Cost (C) = (A) + (B)	Base (D)	Program Acceleration (E)	Total (F) = (D) + (E)	Program Acceleration (\$50 + E)*	Total Rear Lot Conversion Program (\$50 + F)**
33 Year Option	\$60.0M	\$0	\$60.0M	\$28	\$0	\$28	\$50	\$78
20 Year Option	\$60.0M	\$26.7M	\$86.7M	\$28	\$12	\$40	\$62	\$90
10 Year Option	\$60.0M	\$52.7M	\$112.7M	\$28	\$23	\$51	\$73	\$101

SIGNIFICANT INCREASE IN THE RATE WOULD RESULT BY INCLUDING THE REAR LOT CONVERSION INITIATIVE WITHIN THE STORMWATER FEE

* Assuming Base cost is funded by Alectra & Acceleration cost by Markham

** Assuming Base + Acceleration costs funded by Markham

Staff Recommendations – Rear Lot Conversion Initiative

- Staff recommend that funding for the rear lot conversion initiative not be included within stormwater fee for the following reasons:
 - Based on Alectra surveys, little public interest exists in accelerating the rear lot conversion initiative
 - City would be paying for maintenance/ replacement of assets that are not owned by the City
 - Public transparency on changing the purpose of a dedicated fee without public consultation
 - Principles used to split costs for the stormwater fee do not apply to this initiative
 - Significant uncertainty with program implementation due to OEB approval process – no guarantee that program acceleration alone costs will be sufficient
 - Significant increase in costs result in large increase in stormwater fee

Stormwater Fee Recommendations

1. That the report “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,

Stormwater Fee Recommendations

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;
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,
11. That Staff be authorized and directed to do all things necessary to give effect to this resolution.



Report to: General Committee

Meeting Date: September 3, 2019

SUBJECT: Proposed Provincial Blue Box Program Changes
PREPARED BY: Claudia Marsales, Senior Manager Waste Management
 Ext 3560

RECOMMENDATION:

- 1) That the report entitled “Proposed Provincial Blue Box Program Changes” be received; and,
- 2) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

EXECUTIVE SUMMARY:

- In June 2019, the Province engaged David Lindsay as a Special Advisor on Recycling and Plastic Waste to help address plastic litter and improve recycling in the province.
- For six weeks, the Special Advisor held mediation sessions with municipal (AMO) and industry stakeholders and in July delivered his report on how Ontario can better manage recycling.
- The new plan proposes to transfer up to 100% of Blue Box program costs to Stewardship Ontario (producers) thereby shifting the costs to deliver Blue Box programs from property taxpayers to producers.
- Once implemented, municipalities will no longer be burdened with the cost of running a recycling program. The proposed changes only impacts Blue Box recycling: residential and multi residential. Markham will continue to retain responsibility for garbage, Green Bin and yard waste collection programs. Depots impacts are unknown at this time.
- Blue Box programs will begin preparing for transition once the Resource Productivity and Recovery Authority approves the plan, no later than December 31, 2020 and completed by 2025.

PURPOSE:

To provide a status update on Ontario's announced Blue Box program changes and potential impact to municipal Blue Box programs.

BACKGROUND:

Since the 1980s, municipalities have been responsible for managing blue box recycling programs in Ontario. There are currently over 240 municipally based blue box programs, each with its own rules on what can and cannot be recycled. For example, Styrofoam, plastic shopping bags and other flexible plastic film is accepted in Toronto blue boxes, but not in York Region's municipal blue box.

The cost of financing Ontario's blue box programs is currently split between municipal taxpayers and Stewardship Ontario (the producers of products and packaging).

Province to change municipal Blue Box recycling programs

In 2016, the previous Liberal government passed new legislation *The Waste-Free Ontario Act*, recommending radical changes to Ontario's Blue Box recycling system.

The legislation transferred responsibility for the Blue Box recycling system from municipalities to Stewardship Ontario whose membership includes Loblaw's, Toronto Star, Unilever, Nestle, Canadian Tire, Walmart, LCBO and Sobeys.

In 2018, a change in government resulted in a new Ontario Ministry of the Environment, Conservation and Parks and the subsequent release of a new discussion paper entitled 'Reducing Litter and Waste in Our Communities'.

The discussion paper outlined eight key areas for action:

- prevent and reduce litter in our neighbourhoods and parks
- increase opportunities for Ontarians to reduce and divert waste at home, at work and on the go
- make producers responsible for the waste generated from their products and packaging
- reduce and divert food and organic waste from households and businesses
- reduce plastic waste going into landfills and waterways
- provide clear rules for compostable products and packaging
- recover the value of resources in waste
- support competitive and sustainable end-markets for Ontario's waste

Province appoints Special Advisor to prepare report

On June 7th, 2019, the Minister of the Environment, Conservation and Parks appointed David Lindsay as a Special Advisor on Recycling and Plastic Waste to facilitate a process

between municipal governments and product stewards to transition the Blue Box program from municipalities over to the stewards.

The Special Advisor was assigned to deliver a report to the government on July 20, 2019, addressing:

- A measured timeframe for transition of Blue Box program to Stewardship Ontario
- Ensuring a common collection system; maintain or improve collection
- Transitioning municipal assets
- Standardizing what's in the blue box; add/remove products
- Determining eligible sources for blue box materials
- Promoting increased diversion from landfill
- Setting effective diversion targets
- Tackle plastic waste and litter

Special Advisor report released

On August 08, 2019, the Provincial government released the Special Advisors report. AMO participated in the short consultation process on behalf of municipal members.

The report provided recommendations to the Minister of the Environment, Conservation and Parks for transitioning the management of Ontario's Blue Box Program from municipalities to Stewardship Ontario.

Key Highlights of the report

Highlights of the report recommendations are:

- **Keep the Blue Box service**- Province should maintain blue box collection as an essential part of any collection system, but producers should be allowed to collect some packaging through other methods i.e. at depots or stores.
- **Multiyear transition** - The report recommends a six-year transition of the Blue Box program to full producer responsibility based on the following timeline: the Minister provides direction in 2019, a timeline of 12-18 months for regulation development (2019-2020), a two-year preparation process (2021-2022), and a three-year transition for all municipal programs (2023-2025).
- **Standard Province wide system** - common collection system should have a standard list of materials across Ontario and allow producers to use other methods to meet or supplement diversion requirements. Province wide promotion and education campaigns will reduce the public's confusion about what is and what is not recyclable in the Blue Box.
- **Multi residential recycling** - Transition must consider whether and when it makes sense for producers to be responsible for blue box services beyond curbside or depot collection. Producers should provide blue box collection wherever it was provided by municipalities as of a specified date. Going forward they will provide blue box service for new residential developments. After

completing transition, producers should gradually expand collection in multi-residential buildings, as well as parks and public spaces where municipalities provide waste collection.

- **Business and Commercial recycling** - Blue box services should not be expanded to industrial, commercial and institutional establishments as they already have their own waste servicing arrangements and existing contracts for diversion. Recycling in these facilities is covered by a different regulatory framework at this time.
- **Incineration /energy from waste** – Incineration and energy-from-waste should not count as diversion. Reduce, reuse, recycle (3R's not 4R's) should count as diversion. Only processes that continue to make materials available as a resource for new products or packaging should be considered diversion.

Some Municipal assets maybe stranded

Over the years, Municipalities have made significant investments in recycling facilities and equipment to collect, sort, transfer and process blue box materials. As Stewardship Ontario develops a province-wide collection system, some municipal infrastructure may no longer be needed and become stranded assets. The Special Advisor report recommends that if Stewardship Ontario is given full financial responsibility and accountability, they must have control to decide which assets will be used in a future collection and management system. Producers should not be forced to use, or pay for, municipal assets they do not need.

Markham's only assets consist of the 4 recycling depots and the Styrofoam densifier. Staff are confident Markham will continue to manage and control these assets in the future. It is unclear whether York Regions Recycling facility will be impacted.

Transition and service contracts

Transition is the process of the producers taking operational control of delivering blue box services, and municipalities ending or transferring existing contractual relationships.

The plan is for a gradual handover of blue box operations to producers over a number of years, while at the same time steadily eliminating the existing shared funding program.

Minister issues direction to Stewardship Ontario and the Resource Productivity and Recovery Authority

On August 15, 2019, the Minister issued direction and set clear timelines:

- The Resource Productivity and Recovery Authority (RPPRA) will oversee the wind up of current Blue Box diversion programs.
- The producers will submit a plan to the Resource Productivity and Recovery Authority by June 30, 2020.

-
- The Blue Box program will begin preparing for transition once the Resource Productivity and Recovery Authority approves the plan, no later than December 31, 2020.
 - Blue Box funding to municipalities will not be available starting on January 1, 2023 and ending on December 31, 2025, which is the date that the new producer responsibility framework will be fully implemented.

Transition to the new framework is to be staggered over three years, with approximately one-third of total blue box tonnage to transition in each of the three years.

It is recognized that determining which municipalities would transition in each 'third' is a complex task and will require further consideration

Consolidating municipalities into collection clusters could improve efficiency and reduce costs – clusters could be geographically based, arranged by municipal readiness or a combination of other factors. Municipalities could be selected based on clusters of geographic proximity, cost-effectiveness of operational logistics, readiness for transition e.g., expiry of waste management contracts, or municipal ability to end those contracts early), or other factors.

The first group of municipalities will transfer responsibility of their programs to Stewardship Ontario starting January 1, 2023. By December 31, 2025, producers will be fully responsible for providing blue box services province wide.

Impacts on Markham's Program

York Region is a 2-tier system governed by the Regional Municipality of York Act 1994. The Act states local municipalities are responsible for collection and York Region is responsible for processing and disposal.

As a consequence of the recent announcement of the new Blue Box program and opportunity to transition and reduce recycling costs, staff will be reporting in the fall on the collection contract renewal process.

OPTIONS/ DISCUSSION:

The Province has stated that the Blue Box program will continue to be convenient and accessible for the people of Ontario. Residents who currently receive municipal blue box services will continue to receive the same services throughout the transition period. Once producers are fully responsible for the program, Ontarians will experience the same or improved access to blue box services across the province.

As we wait for the Blue Box regulations, staff is hopeful that the Province incorporates municipal advice and allows for adequate time and certainty for all stakeholders to plan and collaborate successfully.

Markham and York Region waste management staff will continue to work collaboratively to coordinate the transition process with a goal of reducing any negative impacts.

From a resident's perspective, staff believe that this is a positive step forward with the benefits outweighing the challenges.

FINANCIAL CONSIDERATIONS

Not Applicable

HUMAN RESOURCES CONSIDERATIONS

Not Applicable

ALIGNMENT WITH STRATEGIC PRIORITIES:

Not Applicable

BUSINESS UNITS CONSULTED AND AFFECTED:

Not Applicable

RECOMMENDED BY:

Phoebe Fu
Director, Environmental Services

Brenda Librecz
Commissioner, Community & Fire
Services

ATTACHMENTS:

None



Report to: General Committee

Meeting Date: September 3, 2019

SUBJECT: Master Fire Plan, Task Force Terms of Reference
(Second Crew at Station 99 (Cornell))

PREPARED BY: Dave Decker, Fire Chief (ext. 5975)

RECOMMENDATION:

- 1) THAT the report entitled “Master Fire Plan, Task Force Terms of Reference Second Crew at Station 99 (Cornell)” be received;
- 2) THAT Council approve the attached Terms of Reference for the creation of a Council Task Force to review the recommendations from the Fire Chief for the second crew at Station 99 (Cornell) to improve fire response times for that area; and
- 3) THAT Council appoint four members of Council to the Committee as outlined in the Terms of Reference.

PURPOSE:

The purpose of this report is to provide, as directed by General Committee on June 12th 2018, Terms of Reference for the formation and appointment of Members of Council to a Council Task Force to review the report and recommendations from the Fire Chief f

BACKGROUND:

Markham Fire and Emergency Services Master Fire Plan (MFP) was completed and adopted in principle by Council in March 2012. In June of 2012, the Master Fire Plan - Implementation Plan was approved subject to annual business planning, operating, and capital budget processes.

Consistent with municipal fire services, staff used two reliable sources of benchmarked data to guide decision-making related to the Council-approved service levels for the City of Markham’s fire protection services.

They include:

1. **Fire Underwriters Survey (FUS)** provides data on public fire protection for fire insurance statistical work and underwriting. Staff engaged FUS in 2013, resulting in three key areas of improvement, namely Pre-Fire Planning, Total Fire Force Available, and Ladder (Aerial) Truck Service. This is consistent with the MFP in supporting a consistent level of service across the municipality.

-
2. **The National Fire Protection Association (NFPA)** standards for fire response criteria are used in the MFP to address minimum staffing, travel time to a reported fire and to safely and effectively perform the tasks necessary to conduct initial fire attack, and activities to support search and rescue.

In 2017, the Fire Chief undertook a geospatial review of fire response across the City and measured the results against Council-approved levels of service established in the Master Fire Plan and its Implementation Plan. Deployment mapping was completed through GIS and reviewed.

The Fire Chief delivered a presentation with recommendations during the April 9, 2018 General Committee meeting reporting on the MFP and activities to address service response deficiencies. The presentation demonstrated how fire response occurs and the critical need for the first truck to arrive at the scene within 4 minutes (first truck) and the remaining 3 trucks within 8 minutes. The Fire Chief was directed to prepare a staff report on the subject which was presented to General Committee on June 12th whereby staff was directed to report back with a terms of reference for a Council Task Force related to the second crew at Cornell. At Council the report was deferred to a meeting in 2019 and staff were asked staff to develop a process for review. This report is a follow up to the directions of Council related to the Fire Chief's recommendations related to the Second Crew for Cornell to address the service deficiencies in that area.

OPTIONS/ DISCUSSION:

As directed by Council, the attached Terms of Reference for a Council Task Force for the purpose of evaluating the Fire Chief's recommendations related to addressing needs to improve fire response within the service area of Station 99 (Cornell).

The mandate of the Task Force would include:

1. To ensure clarity and understanding the current fire response conditions and what would be required to meet established standards as detailed in the Markham Master Fire Plan to provide public safety and protection of property. (Including overview of best practices in provision of life safety responses.)
2. To evaluate/discuss alternate options to improve fire response times in Station 99 area and other deficient areas.
3. To determine if there is any potential for neighboring fire departments to address response in deficient areas across the City.
4. To review options, impacts and costs to address deficiencies City wide.
5. That the Task Force make recommendations to General Committee on the outcomes of the meetings

The review will include resource planning data/GIS mapping used by staff to develop recommendations. Staff to provide background information used to make decisions.

Priority areas of focus for the review:

- **Public Safety:** Ensure consistent and equal response to fire and other emergencies across all neighborhoods.
- **Growth Management:** Ensure that levels of service are maintained as a result of increased population from new development within the context of a variety of build forms - vertical communities to land based developments.
- **Financial Management:** Continue to utilize good financial practices such as ramp up reserves prior to the need occurring.
- **Continuous Improvement** – ensuring operational plans reflect changes in built form, experience from past fire occurrences (Markham and other locations), and opportunities to utilize new types of equipment and technology that benefit public safety.

Staff are recommending four members of Council be appointed to the Task Force that would be formed to focus on the most critical needs within the Fire Response that being the need to add a second crew to Cornell.

That on formation of the Committee that meetings be scheduled and the review of this important public safety matter be completed by the end of the year- end with the Task Force reporting findings to General Committee in the December.

FINANCIAL CONSIDERATIONS

There are no funding implications as a result of the formation of the Task Force unless additional resources are requested during the process.

HUMAN RESOURCES CONSIDERATIONS

None at this time

ALIGNMENT WITH STRATEGIC PRIORITIES:

Safe and Sustainable Community

Moving forward with the 2nd crew at Cornell is consistent with the Council Approved Master Fire Plan and Implementation Plan approved in 2012.

Growth Management: The recommendation supports existing and future growth to achieve a consistent and equitable level of fire response across the City addressing areas experiencing service gaps.

BUSINESS UNITS CONSULTED AND AFFECTED:

Not applicable.

RECOMMENDED BY:

Dave Decker
Fire Chief

Brenda Librecz
Commissioner, Community & Fire
Services

ATTACHMENTS:

1. Terms of Reference for a Fire Response Task Force
2. 2018 Report to General Committee - Master Fire Plan, Second Crew at Station 99 (Cornell)
3. Presentation to April 2018 General Committee



Master Fire Plan - Second Crew at Station 99 (Cornell) Review

T e r m s o f R e f e r e n c e F o r A C o u n c i l T a s k F o r c e

August 2019

1. Establishment

In June 2018, Council directed that the recommendations from the Fire Chief related to the need for a second crew at Station 99 for the purpose of improving fire and other emergency response be referred to Council in 2019. The direction to staff at the General Committee related to this item was that staff report back on terms of reference for the establishment of a Task Force to review the Fire Chief's recommendations.

2. Mandate

The purpose of the Task Force:

1. To ensure clarity and understanding about the current fire response conditions and what would be required to meet established standards as detailed in the Markham Master Fire Plan for public safety and the protection of property. Including an overview of best practices and standard practices of other municipalities in the provision of life safety responses.
2. To evaluate/discuss alternate options to improve fire response times in Station 99 area and other deficient areas.
3. To determine if there is any potential for neighbouring fire departments to address fire and other emergency response in deficient areas across the City.
4. To review options, impacts and costs to address deficiencies City wide.
5. That the Task Force make recommendations to General Committee on the outcomes and findings of the meetings in an expedited manner due to the importance of addressing public safety.

The review will include resource planning data/GIS mapping used by staff to develop recommendations including the 2nd crew at Station 99 (Cornell). Staff to provide background information used to make decisions. The Markham Fire Master Plan and related background data will be provided.

Priority areas of focus for the review:

- **Public Safety:** Ensure consistent and equal response to fire and other emergencies across all neighborhoods.
- **Growth Management:** Ensure that levels of service are maintained as a result of increased population from new development within the context of a variety of built forms - vertical communities to land based development including basement apartments or second suites.
- **Financial Management:** Continue to utilize good financial practices such as ramp up reserves prior to the need occurring.
- **Continuous Improvement** – ensuring operational plans reflect changes in built form, learnings from past fire experiences (Markham and other locations), and opportunities to utilize new types of equipment and technology that benefit public safety.

Background:

A staff report and presentation was made to Council in June of 2018 recommending the activation of a second crew at Station 99 (Cornell) with the objective of reducing the existing fire response deficiency in the City with Wards 5 and 7 being the most severely impacted areas. The fire response time is measured against a target set by City Council when the Master Fire Plan was approved in 2012. The report was referred to 2019 after the election and directed that a task force (sub-committee) be established and that staff provide a terms of reference.

Key Facts:

- In the Province of Ontario the minimum fire response standard is well established and based on National Fire Protection Association Standard (NFPA) 1710 **Standard for the Organisation and Deployment of Fire Suppression Operations, Emergency Medical Operations, and Special Operations to the Public by Career Fire Departments** which provides response targets to ensure public safety.
- Effective July 2019 municipal Fire Departments in the Province of Ontario will be required to publically report response time performance based on NFPA 1710. The information will include the percentage of times that the response times are met.
- Services provided through Master Fire Plan recommendations contribute to the City's Corporate Goals of Exceptional Services by Exceptional People; Engaged, Diverse & Thriving City; Safe & Sustainable Community; and Stewardship of Money & Resources.

Deliverable:

The Task Force will make recommendations to Council regarding the second crew at Station 99 (Cornell) and a process to address other remaining gaps in fire and emergency response by December 2019.

Background Materials:

- 2018 Reports and presentations to Council

Term:

- September to December 2019

3. Membership and Roles and Responsibilities

Composition:

The Sub-Committee to be comprised of the following members:

Role and Responsibilities	Members
Chair and three members (4)	<ul style="list-style-type: none"> • Mayor Scarpitti • Chair of Community Services • Two Members of Council
Senior Staff and Support	<ul style="list-style-type: none"> • Dave Decker, Fire Chief • Adam Grant, Deputy Fire Chief • Commissioner of Community and Fire Services Brenda Librecz • Andy Taylor, CAO • Committee Secretary (Clerks)

4. Meeting Schedule and Decision Making

Meeting Schedule:

All meetings will occur and be scheduled as determined by the Chair

Decision Making:

Decision-making will adhere to the current practices established for sub-committees of Council with final recommendations to be provided to General Committee.

5. Reporting Requirements and Methods

The appointed Committee Secretary will manage the meeting agenda and minutes with involvement of the Chair, and Commissioner of Community & Fire Services.

6. Budget and Resources

No budget impact. Resources will be supplied internally to support the work of the sub-Committee.

7. Test for Completion

The mandate of the sub-committee will be considered complete when the deliverables set out in this mandate have been accomplished or the Task Force has been dissolved by Council



Master Fire Plan Cornell 2nd Crew



Objectives

- Obtain Council approval to move forward with the second crew at Station 99 in Cornell
- Define Responsibilities
- Explain fire and incident response service levels
- Illustrate existing response service levels by Ward
- Identify immediate and future resource requirements to provide a consistent level of service across the City to all residents

Master Fire Plan

- Master Fire Plan initiated 2010 - completed 2011
- Presented and received by Council March 2012
- Implementation plan received and approved by Council June 2012
- Master Fire Plan Updates December 2014, December 2017

Fire Chief's Responsibility

Fire Protection and Prevention Act 1997 (FPPA)

Responsibility to Council

6.(3) A Fire Chief is the person who is ultimately responsible to the Council of a municipality that appointed him or her for the delivery of fire protection services.

Once Council has approved the level of service, Council assumes responsibility while the Fire Chief is accountable to manage delivery of fire protection services and make recommendations for any changes or improvements.

Services Provided

- **Fire - Three Lines of Defense** - Fire Prevention Education, Fire Code Enforcement and Fire Response
 - Structural, vehicle, aircraft, ground cover
- **Emergency Services** - Other Types of Response
 - Medical, Hazardous Material, Technical Rescue, Police Assist, Vehicle Rescue, Ice/Water and, Elevator Rescue

National Fire Protection Association Standard 1710 Fire Response

City of Markham - Established Level of Service

- First in truck (4 firefighters) - 240 secs (4 minutes)
- 1st Alarm (16 firefighters) - 480 secs (8 minutes)
- The initial response goal is to meet the minimum travel times 90% of the time in the urbanized area
- The Master Fire Plan refers to the NFPA 1710 standard as the benchmark and target for response in the City of Markham



Current 4 Minute Response

Ward 1	
4 mins	62%

Ward 2	
4 mins	64%

Ward 3	
4 mins	58%

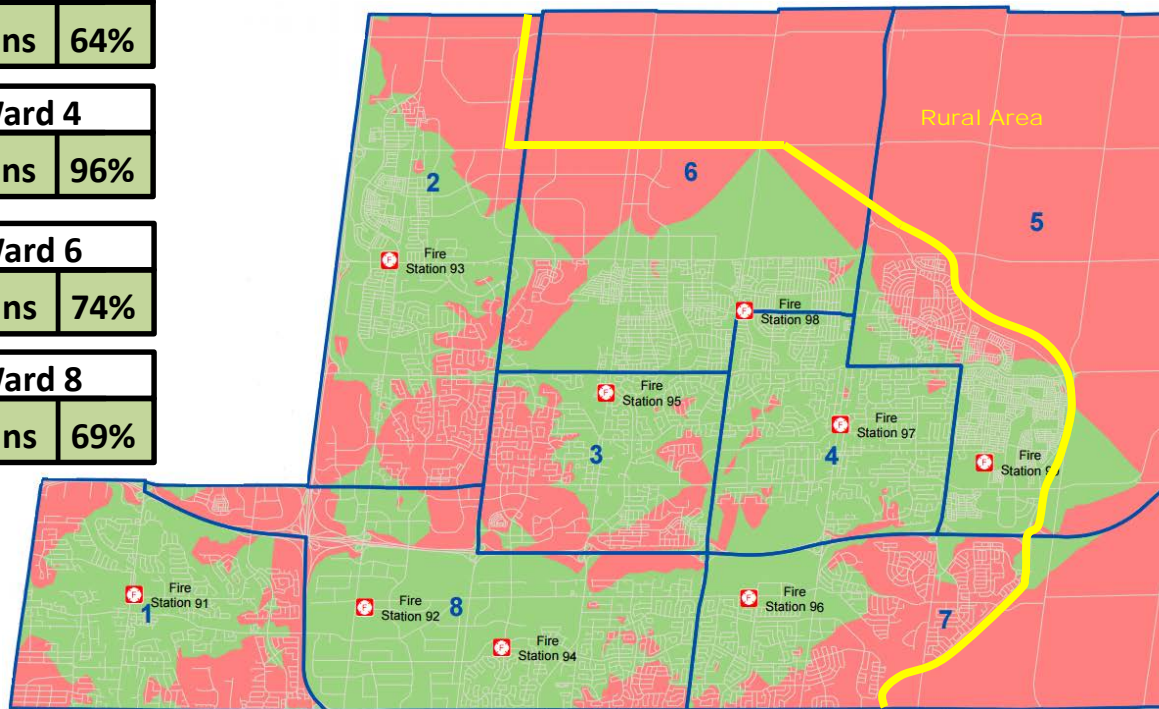
Ward 4	
4 mins	96%

Ward 5	
4 mins	57%

Ward 6	
4 mins	74%

Ward 7	
4 mins	39%

Ward 8	
4 mins	69%



GOAL

4 Firefighters
in 4 minutes
travel time
90% of the
time

Green Area

4 minute or less
response

Red Area

Greater than 4
minute response



Current 8 Minute Response

Ward 1	
8 mins	25%

Ward 2	
8 mins	46%

Ward 3	
8 mins	94%

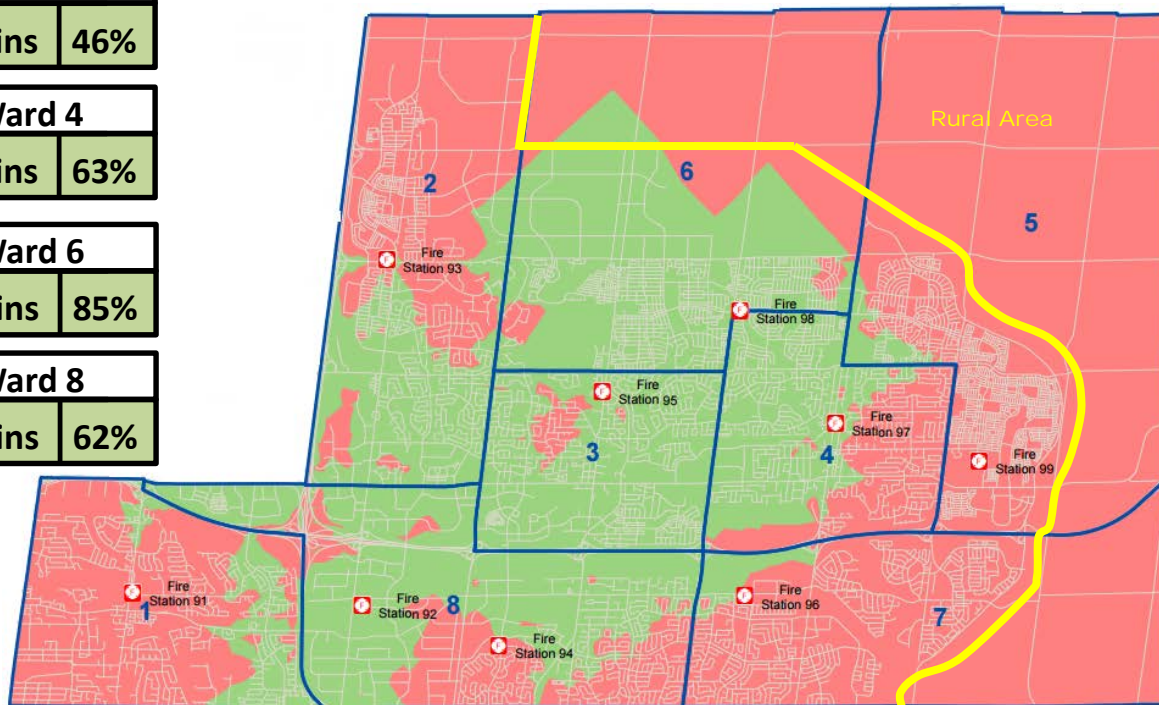
Ward 4	
8 mins	63%

Ward 5	
8 mins	5%

Ward 6	
8 mins	85%

Ward 7	
8 mins	6%

Ward 8	
8 mins	62%



GOAL

16 Firefighters
in 8 minutes
travel time
90% of the
time

Green Area

8 minute or less
response

Red Area

Greater than 8
minute response

NFPA 1710 Residential Fire

Initial 1st alarm to a reported fire in a typical 2000 ft², two-story single family dwelling without a basement and with no exposures ... recommendation is 16 firefighters.



Current Response

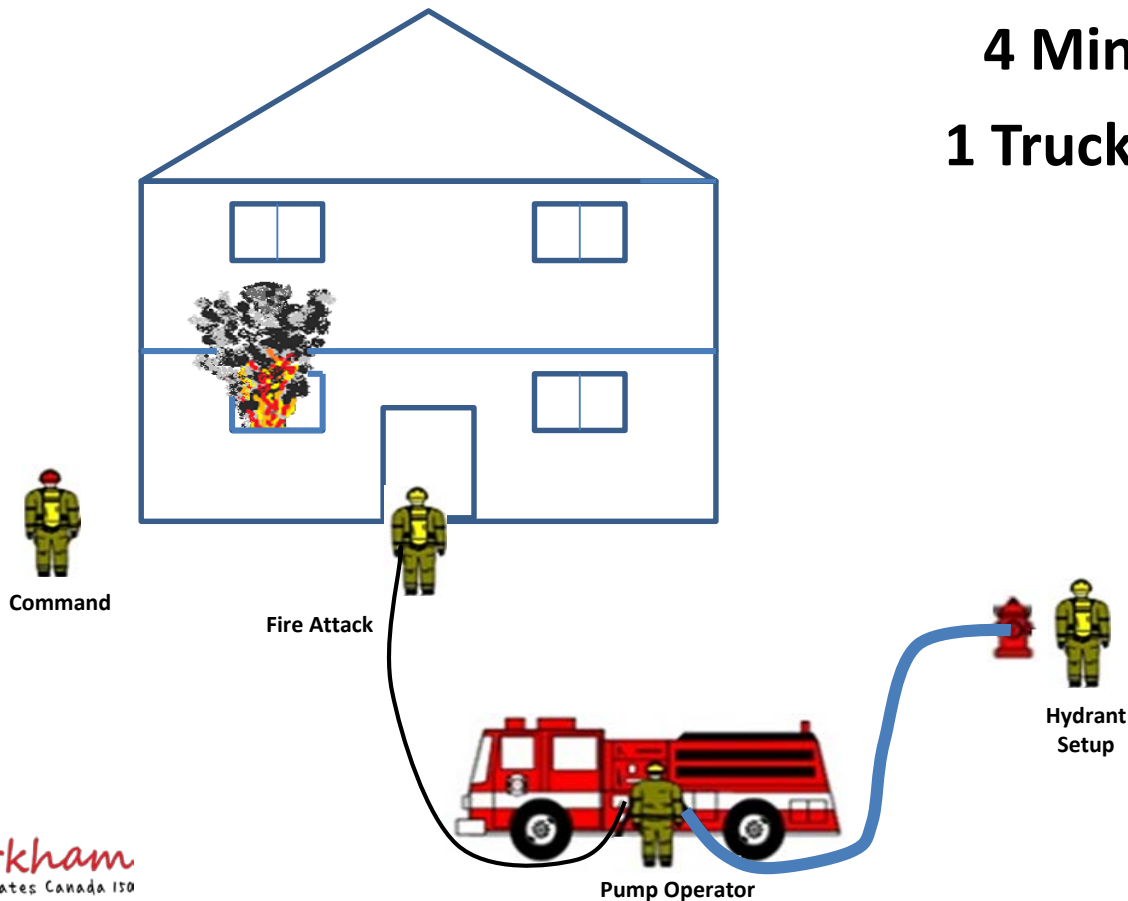
MFES: 16

NFPA: 16



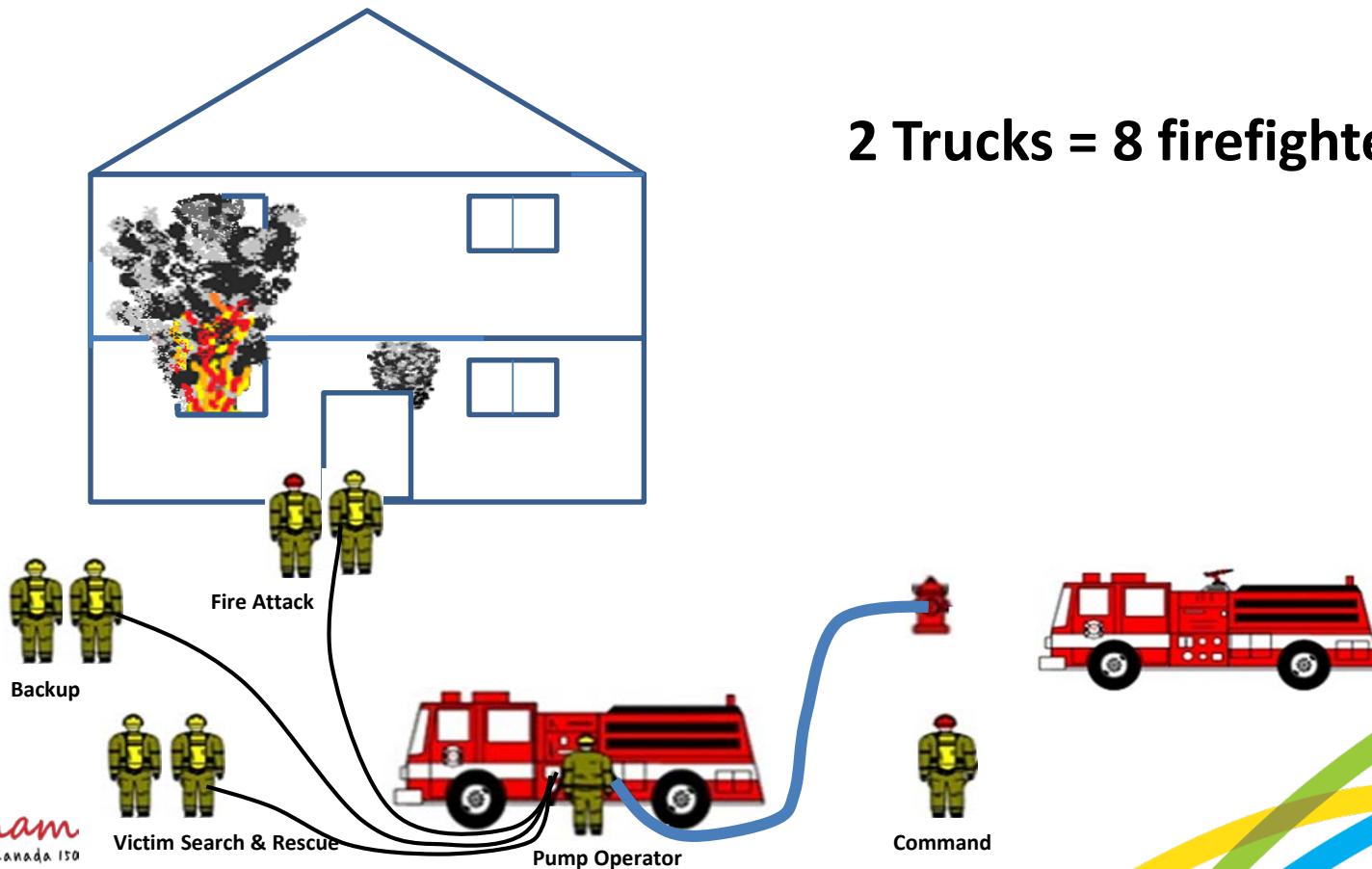
4 Minute Response

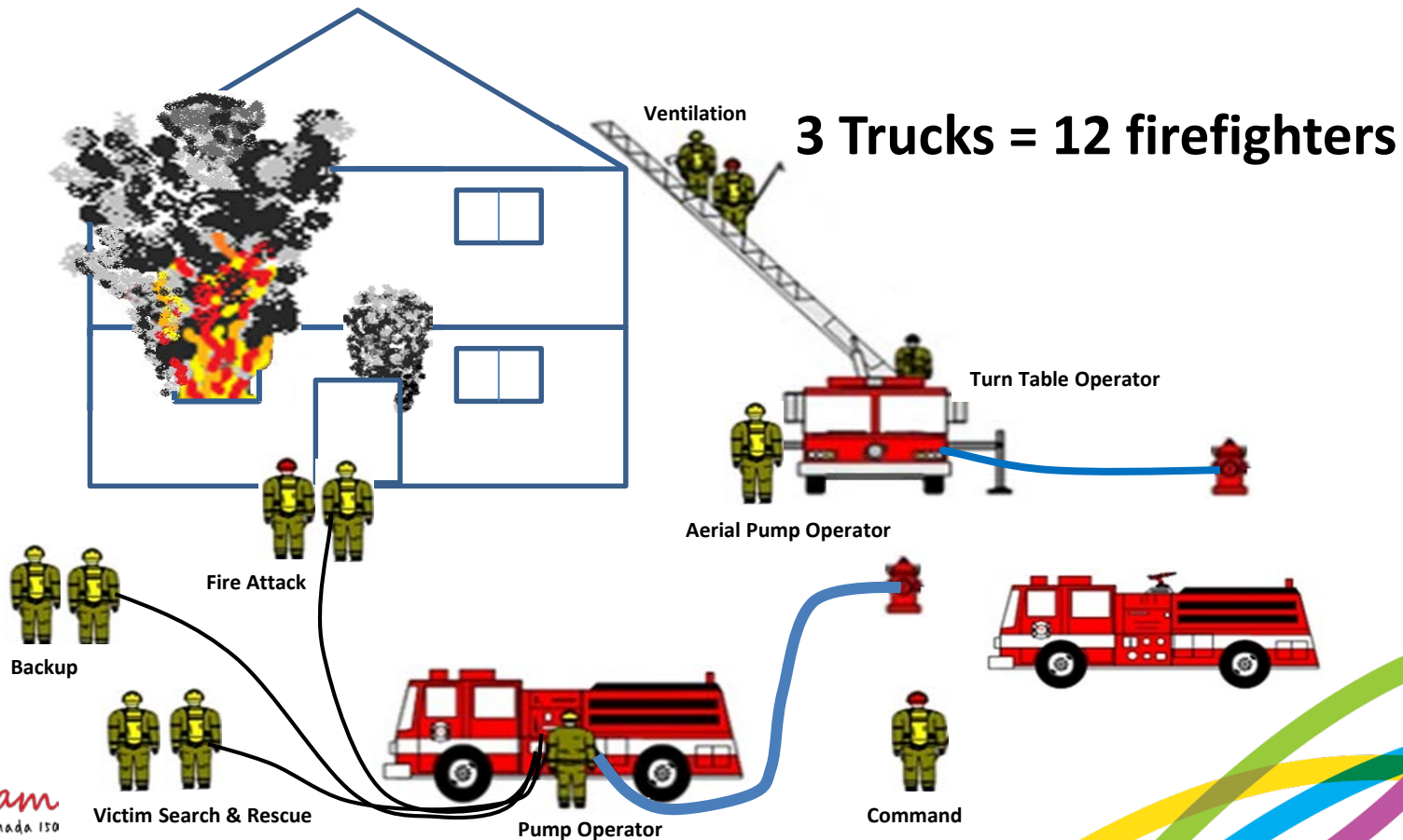
1 Truck = 4 firefighters





2 Trucks = 8 firefighters

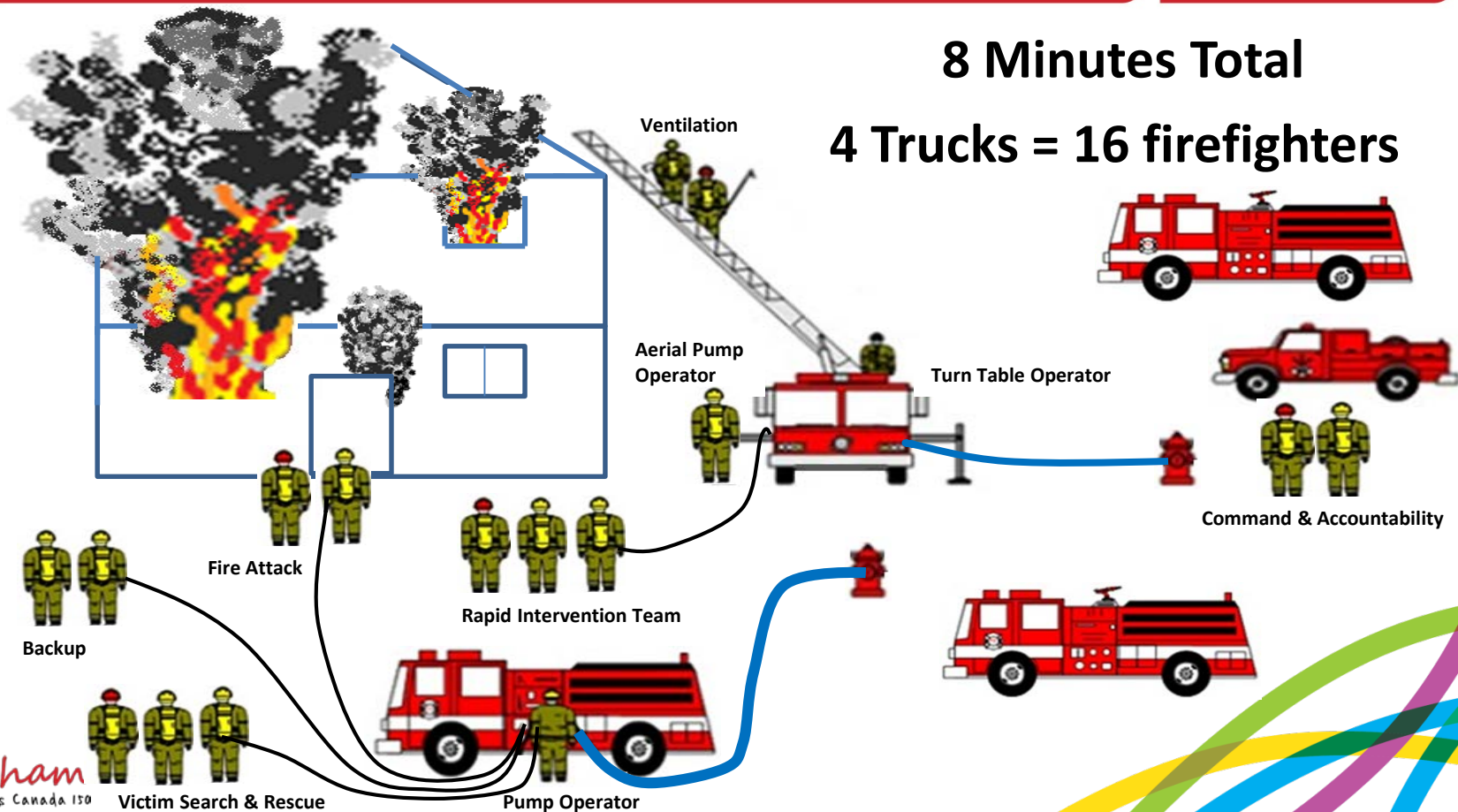






8 Minutes Total

4 Trucks = 16 firefighters



Lauraview Fire - Ward 6



Hartwell Fire - Ward 2



Service Level Review

- 4 minute response deficiencies improve only as additional stations are built and staffed with a crew.
- 8 minute response deficiencies will only improve when additional crews are added to existing stations and when additional stations are built.
- Three most significant fire response deficiencies:

1. Ward 5	Fire Response	5%
2. Ward 7	Fire Response	6%
3. Ward 1	Fire Response	25%



Cornell Second Crew Impact

8-Minute Response (16 Firefighters)

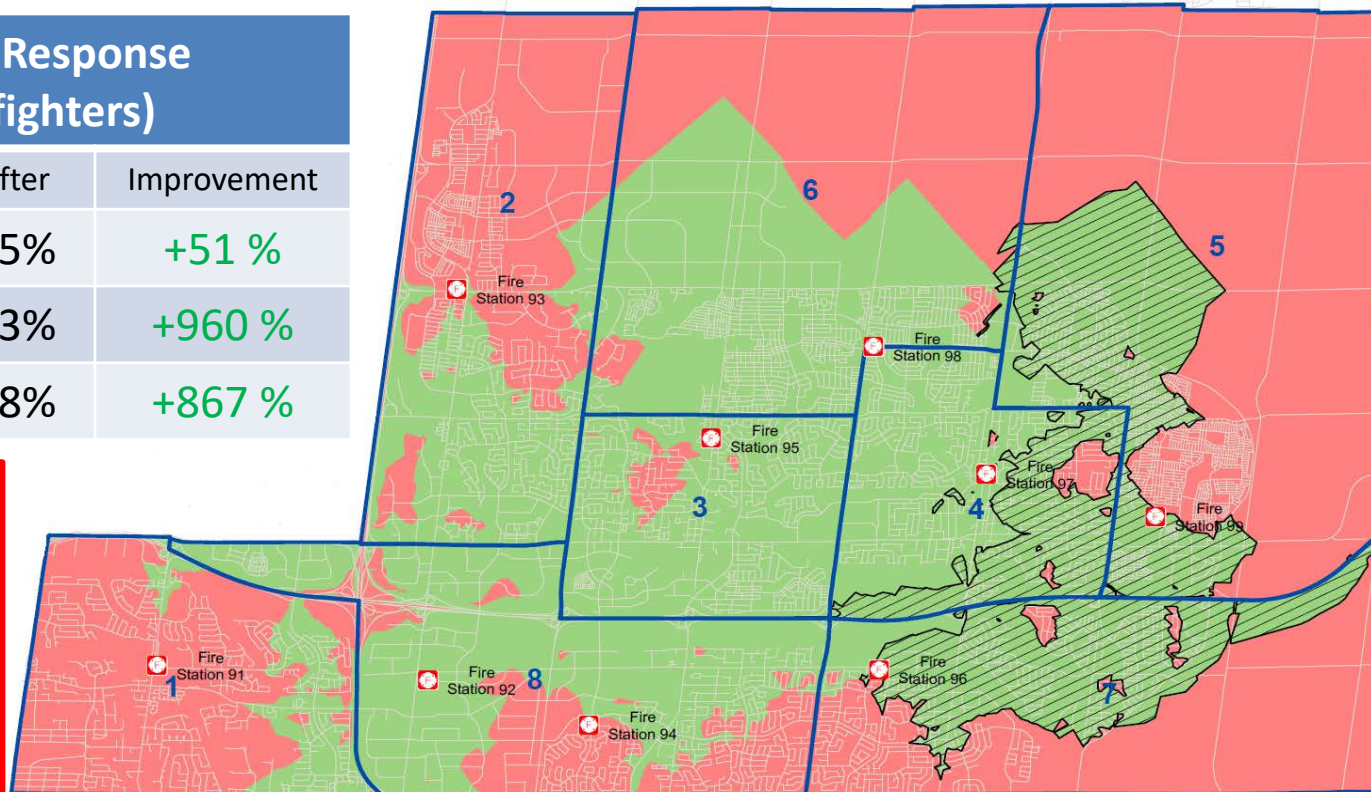
Ward	Existing	After	Improvement
4	63% → 95%		+51 %
5	5% → 53%		+960 %
7	6% → 58%		+867 %

Green Area

8 minute or less
response

Red Area

Greater than 8
minute response



Summary

The Master Fire Plan provides recommendations for future stations, apparatus and staff based on growth in an effort to achieve a consistent and equitable level of service with the minimum resources necessary to respond to a fire.

As Fire Chief it is my duty to report information and make recommendations that provide Council an opportunity to make informed decisions. Due to continued growth and taking into consideration the fire response deficiencies in Ward 5 and 7 and in order to work toward a consistent and equitable level of service for the residents I recommend that Council approve the recruitment of the 2nd crew for Station 99 Cornell.

I will provide a report to Council during the 2nd quarter of 2019 addressing the remaining deficiencies in fire response and a plan to provide a consistent level of service across the City including future requirements for stations and resources.



Questions





Report to: General Committee

Meeting Date: May 22, 2018

SUBJECT: Master Fire Plan, Second Crew at Station 99 (Cornell)
PREPARED BY: Dave Decker, ext. 5975

RECOMMENDATION:

- 1) THAT the report entitled “Master Fire Plan, Second Crew at Station 99 (Cornell)” be received;
- 2) THAT Council approve the Fire Chief’s recommendation to proceed immediately with the establishment of a second crew at Station 99 (Cornell) to improve fire response times for that area; and
- 3) THAT Staff be authorized and directed to do all things necessary to give effect to this resolution.

PURPOSE:

The purpose of this report is to obtain approval from Council to move forward with the recruitment process to staff the second crew at Fire Station 99 (Cornell) in order to address identified gaps in fire response and to provide requested information.

BACKGROUND:

Markham Fire and Emergency Services Master Fire Plan (MFP) was completed and adopted in principle by Council in March 2012. In June of 2012, the Master Fire Plan - Implementation Plan was approved subject to annual business planning, operating, and capital budget processes. Staff provided an update to Council on the MFP in December 2014.

Consistent with other municipal fire services, staff used two reliable sources of benchmarked data to guide decision-making related to the Council-approved service levels for the City of Markham’s fire protection services. They include:

1. Fire Underwriters Survey (FUS) provides data on public fire protection for fire insurance statistical work and underwriting. Staff engaged FUS in 2013, resulting in three key areas of improvement, namely Pre-Fire Planning, Total Fire Force Available, and Ladder (Aerial) Truck Service. Staff are making progress on these improvements, which are consistent with the MFP in supporting a consistent level of service across the municipality.
2. The National Fire Protection Association (NFPA) standards for fire response criteria are used in the MFP to address minimum staffing, travel time to a reported fire and to safely and effectively perform the tasks necessary to conduct initial fire attack, and activities to support search and rescue.

In 2017, the Fire Chief undertook a geospatial review of fire response across the City and measured the results against Council-approved levels of service established in the Master Fire Plan and its Implementation Plan.

The Fire Chief delivered a presentation at the April 9, 2018 General Committee meeting reporting on the MFP and activities to address service response deficiencies. A staff report was requested to support the presentation.

DISCUSSION:

The 2017 review conducted extensive mapping of response times from existing fire stations to every neighborhood for both the first truck on scene and the initial 1st alarm assignment using the NFPA standard of 16 firefighters, which translates into a 4 fire apparatus response. The mapping accounted for developed and anticipated new development areas, road network, and urban densities. The mapped data was then used to compare against the Council-approved levels of service to determine gaps.

A main finding was the levels of service for fire response time across the City are not equal and that there are several areas within existing and new neighborhoods that are not being provided with the standard approved by Council. Key factors on response time are the characteristics of the road network and the travel time necessary for four fire apparatus to arrive on scene. The presentation (see Attachment) made at the April 9, 2018 General Committee meeting illustrated some of the considerations and complexities. It showed that significant improvement in response time can be achieved with the activation of a second crew at Station 99 (Cornell).

Roles & Responsibilities of the Fire Chief

The Fire Protection and Prevention Act 1997 (FPPA) defines the role of the Fire Chief as *“the person who is ultimately responsible to Council of a municipality that appointed him or her for the delivery of fire protection services.”* It is with this responsibility that the Fire Chief has prepared this report to Council about the service deficiencies and recommendations to address them based on the most cost-effective solution. Protecting the lives and properties of a community is a shared responsibility. While the City Council is responsible for establishing the levels of service, the Fire Chief is responsible for managing the levels of service in this case as outlined in the approved MFP.

Establishing & Regulating Bylaw and Upcoming Review in 2019

With reference to the types of fire incidents responded to by MFES, the Establishing & Regulating Bylaw must clearly identify the levels of service to be provided. The FPPA provides the Fire Chief with the authority to maintain the established level of service and report back to Council to either change a level of service or a request for additional resources in order to meet current levels of service. In addition to this report, staff is committed to providing a full report in the 2nd quarter of 2019 to outline proposed changes to the Establishing & Regulating By-law in order to maintain compliance with the FPPA and address gaps in service levels.

Fire Response & Resource Deployment

The City of Markham uses a “*minimum established response*” approach to tackle fires in residential, commercial, and high-rise buildings, as well as other emergency incidents. Setting the minimum established response and target response time reflect the analyses of risks, professional judgment, experience, and the City of Markham’s tolerance of acceptable risks to life safety and property protection.

It is a general industry practice that the initial 1st alarm response to a reported fire includes 4 fire trucks staffed with 16 firefighters in total. The tasks and positions assigned at a fire scene are prescribed by health and safety legislation and were explained in the Attachment and at the April 9, 2018 General Committee meeting. The target is for the full 1st alarm response to arrive in 8 minutes of travel time 90% of the time in an urbanized area. As noted in the 2017 Review of Current Response Time table, MFES is not meeting the established standard in 7 of the 8 wards, primarily a result of increased growth.

2017 Review of Current Response Time

Ward	Target: 1st Truck with 4 Firefighters on Scene 90% of Time in the Urbanized Area		Target: 4 Trucks with 16 Firefighters on Scene 90% of the Time in the Urbanized Area			
	4-Minute or Less	Target Met	8-Minute or Less	Target Met	Change resulting from Second Crew (Cornell)	Target Met
1	62%	No	25%	No	--	No
2	64%	No	46%	No	--	No
3	58%	No	94%	Yes	--	Yes
4	96%	Yes	63%	No	95%	Yes
5	57%	No	5%	No	53%	No
6	74%	No	85%	No	--	No
7	39%	No	6%	No	58%	No
8	69%	No	62%	No	--	No

Redeployment of existing resources was the first potential solution examined to address the above-noted gaps but there was no additional capacity available since fire deployment has already been maximized.

The use of a second crew has been used twice in the City of Markham, with their placement in Station 91 (Thornhill) and Station 95 (Unionville). Placing a 3rd second crew in the City at Station 99 (Cornell) will create a network of second crews across Markham, improving response time in areas that experience the greatest deficiencies, notably Wards 5 and 7, and improving response time in other areas such as Ward 4. Station 99 in Cornell was built to accommodate a second crew, a ladder truck and related equipment are already in place, and staff ramp-up funding commenced in 2014. Implementing a second crew at Cornell is the first step in the journey to address identified service level deficiencies, as a result of growth. Additional work and analysis will be undertaken by staff in 2019 as part of the E&R Bylaw update.

Arising from the feedback received at the April 9, 2018 General Committee, staff were requested to provide additional information on the following:

Is There a Different Way of Operating the Fire Service?

Municipal fire services are a well-regulated industry and have implemented many best practices collectively over time. As a result the operating model used by MFES to provide safe, effective and efficient fire suppression services is an industry best practice. In addition, MFES has continuously improved its processes, procedures, and equipment to meet the needs of the community in a cost-effective way. An example is the implementation of a “*technological*” improvement in deploying firefighting foam on every fire apparatus to greatly improve Markham’s fire suppression capability. Fact-based decision-making has been used to undertake risk assessments and apply sound research to support the meeting of Council-approved levels of service.

The cost per capita for fire services in Markham is one of the lowest. The City of Markham operating model is one of continuous improvement and cost-effective services, which has been adhered to by the Markham Fire & Emergency Services Department. The aforementioned 2019 review will take into consideration any changes to fire suppression practices and other factors to improve fire service operations.

Dynamic Crews (Staging)

MFES has used the dynamic staging of crews for many years. When firefighters and equipment are deployed at active incidents, the balance of remaining on-duty staff and apparatus are redeployed to provide best possible coverage or response time across the city. Dynamic staging is a process for redistributing remaining resources (on-duty staff and apparatus) to provide the most effective response with the remaining resources available. Dynamic staging is used 24/7 and may include escalation to include other fire services entering into the City of Markham within the scope of the Provincial Mutual Aid system.

Dynamic staging does not create more resources and it is not a substitute for the provision of adequate resources necessary to provide the initial 1st alarm assignment for fire response within the specified targets.

Public Safety Answering Point (PSAP)

Staff is working with York Region Police to better understand Public Safety Answering Point (PSAP) time, which is the period of time from which a 911 is answered until it is transferred to MFES. Currently the data is not readily available to MFES. PSAP times have no impact or factor into the analyses for fire stations, firefighters or apparatus deployment.

Effective January 1, 2020, the Fire Prevention and Protection Act prescribes that a municipality must report on fire department response times. This change was passed in the Ontario Legislature on May 7, 2018. MFES will be revising its procedures to be in compliance with these regulatory changes.

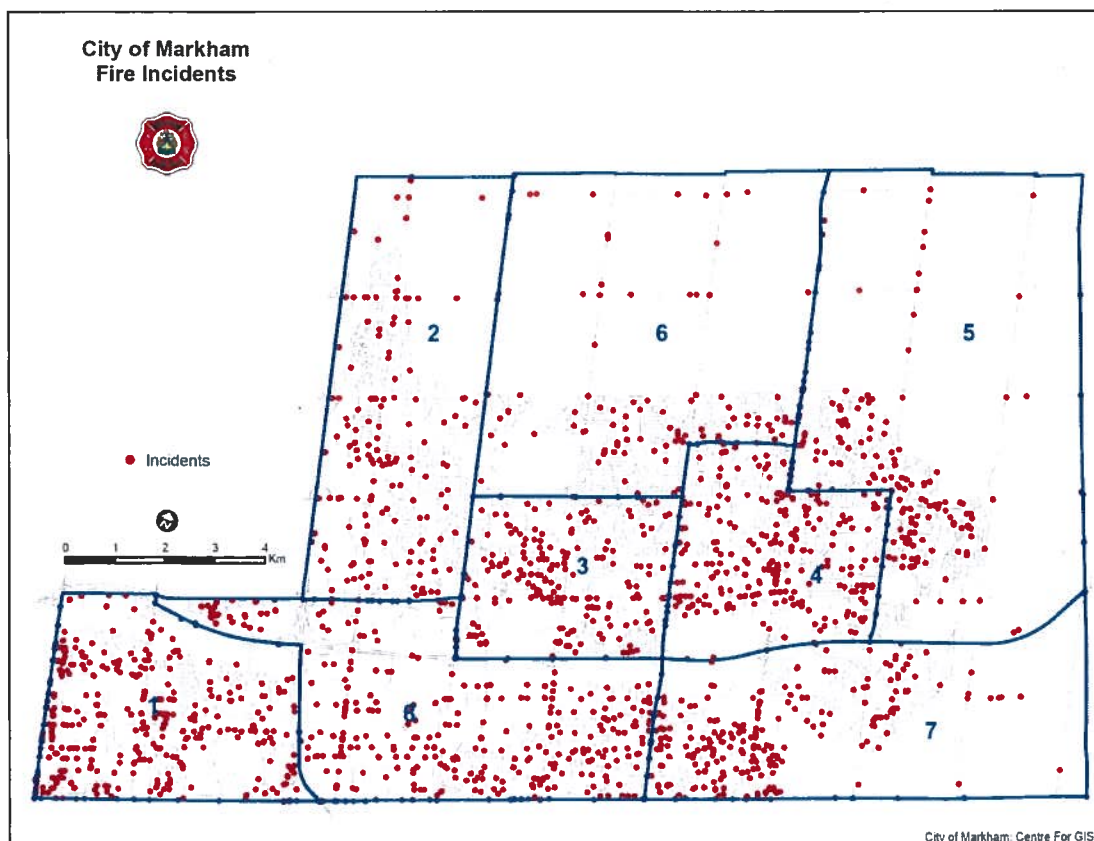
Three- vs. Four-Member Crew

The current best practice in the industry is the use of a four-member crew. Reducing the crew size will translate into an increase in the number of responding crews and apparatus in order to meet the 16 firefighters within 8-minute travel time. The existing gaps in response time may be exacerbated, there are other operational deployment impacts to be considered, and it does not eliminate the need to provide a second crew at Cornell. Additionally, changing the number of firefighters at a fire scene could put residents, firefighters and properties at risk.

Further discussion on crew size will be addressed in the aforementioned 2019 staff report.

GIS Fire Mapping 2012 - 2017

General Committee requested a map to visually display the number of fires that have occurred in the City of Markham. The accompanying map depicts fires that have occurred from 2012 to 2017, along with the current Ward boundaries. Since 2012, there were 2,389 reported fires or an annual average of 398 reported fires. Over the mapping period, reported fires are somewhat evenly distributed across the City, supporting the need for a consistent distribution of fire resources across the municipality.



Recommended Action

In reference to the legislated roles and responsibilities of the Fire Chief, this city's Fire Chief seeks Council approval to establish a second crew at Station 99 (Cornell) in order to improve fire response times of 8-minutes or less in areas that are experiencing the

greatest deficiencies, notably Wards 5 and 7. Establishing a second crew will significantly improve fire responses in Ward 5 from 5% to 53% and Ward 7 from 6% to 58% and has the additional benefit of improving the response time for Ward 4 so that it meets the established target. All Wards require further on-going analysis to identify the resource requirements to meet the 90% target.

Establishing a second crew at a Station 99, is further supported in that the additional fire apparatus for Station 99 has been purchased and the station was renovated to house a second crew.

Furthermore, staff will provide a report to Council in the 2nd quarter of 2019 to address all remaining gaps in fire response and provide recommendations with the objective to provide a consistent level of service across the City.

FINANCIAL CONSIDERATIONS

Currently in the 5th year of a 9-year ramp-up for staffing costs, with funds allocated each year.

HUMAN RESOURCES CONSIDERATIONS

Human Resources staff will be involved with the recruitment process (business as usual).

ALIGNMENT WITH STRATEGIC PRIORITIES:

Growth Management: The recommendation supports existing and future growth to achieve a consistent and equitable level of fire response across the City by addressing areas experiencing service gaps.

Municipal Services: Moving forward with the 2nd crew at Cornell is consistent with the Council Approved Master Fire Plan and Implementation Plan approved in 2012.

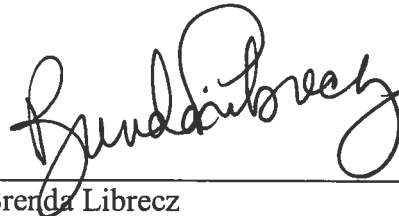
BUSINESS UNITS CONSULTED AND AFFECTED:

Not applicable.

RECOMMENDED BY:



Dave Decker
Fire Chief



Brenda Librecz
Commissioner, Community & Fire
Services

ATTACHMENTS:

Master Fire Plan Cornell 2nd Crew Presentation on April 9, 2018



Master Fire Plan

Cornell 2nd Crew Report

Background

Further to the presentation to Council April 9, 2018 a report was put forward as requested by Council which seeks approval to move forward with the 2nd crew at Station 99 in Cornell. The report addresses several of questions asked during the presentation and recommends that Council approve the 2nd crew at Cornell.

Presentation Questions and Additional Information

- Is there a different way of operating the fire service ?
- Can MFES utilize dynamic crews ?
- Access to public safety answering point data ?
- Three vs. 4 member crew ?
- GIS Fire Mapping Data 2012 - 2017

Impacts as a result of Adding the Second Crew

- Improved level of service in line with the Council approved level of service,
- Improved response times across the City,
- Improved capability to perform rescue safely,
- Improved level of firefighter safety,
- Further enhanced dynamic staging, and
- Potential for a decrease in property damage.

Master Fire Plan

As indicated during the April 9th presentation, the Council Approved Master Fire Plan details the initial 1st Alarm Response to include the 1st arriving truck with 4 firefighters in a 4 minute travel time and the balance of the 1st alarm of 12 firefighters within an 8 minute travel time to 90% of the urbanized area. This response is based on best practice as indicated by the National Fire Protection Association. All research and planning has been in accordance with the approved level of service and targets described in the Master Fire Plan.

Fire Chief's Responsibility

Fire Protection and Prevention Act 1997 (FPPA)

Responsibility to Council

6.(3) A Fire Chief is the person who is ultimately responsible to the Council of a municipality that appointed him or her for the delivery of fire protection services.

Once Council has approved the level of service, Council assumes responsibility while the Fire Chief is accountable to manage delivery of fire protection services and make recommendations for any changes or improvements.



Current 8 Minute Response

Ward 1	
8 mins	25%

Ward 2	
8 mins	46%

Ward 3	
8 mins	94%

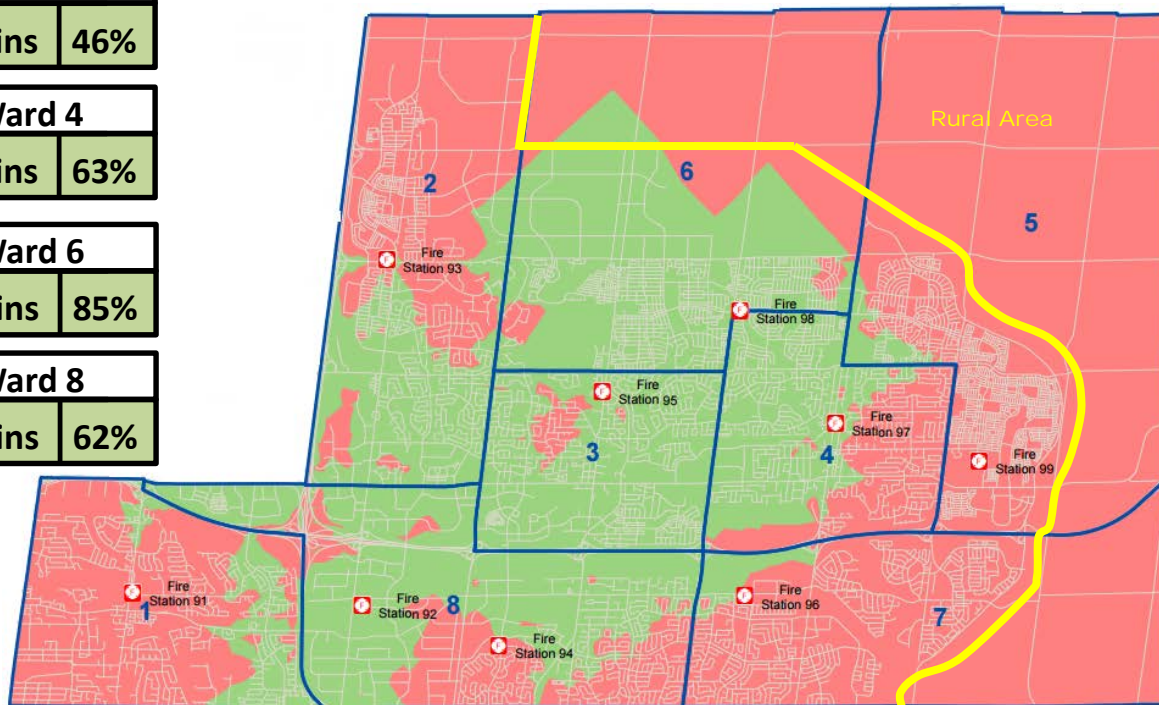
Ward 4	
8 mins	63%

Ward 5	
8 mins	5%

Ward 6	
8 mins	85%

Ward 7	
8 mins	6%

Ward 8	
8 mins	62%



GOAL

16 Firefighters
in 8 minutes
travel time
90% of the
time

Green Area

8 minute or less
response

Red Area

Greater than 8
minute response



Cornell Second Crew Impact

8-Minute Response (16 Firefighters)

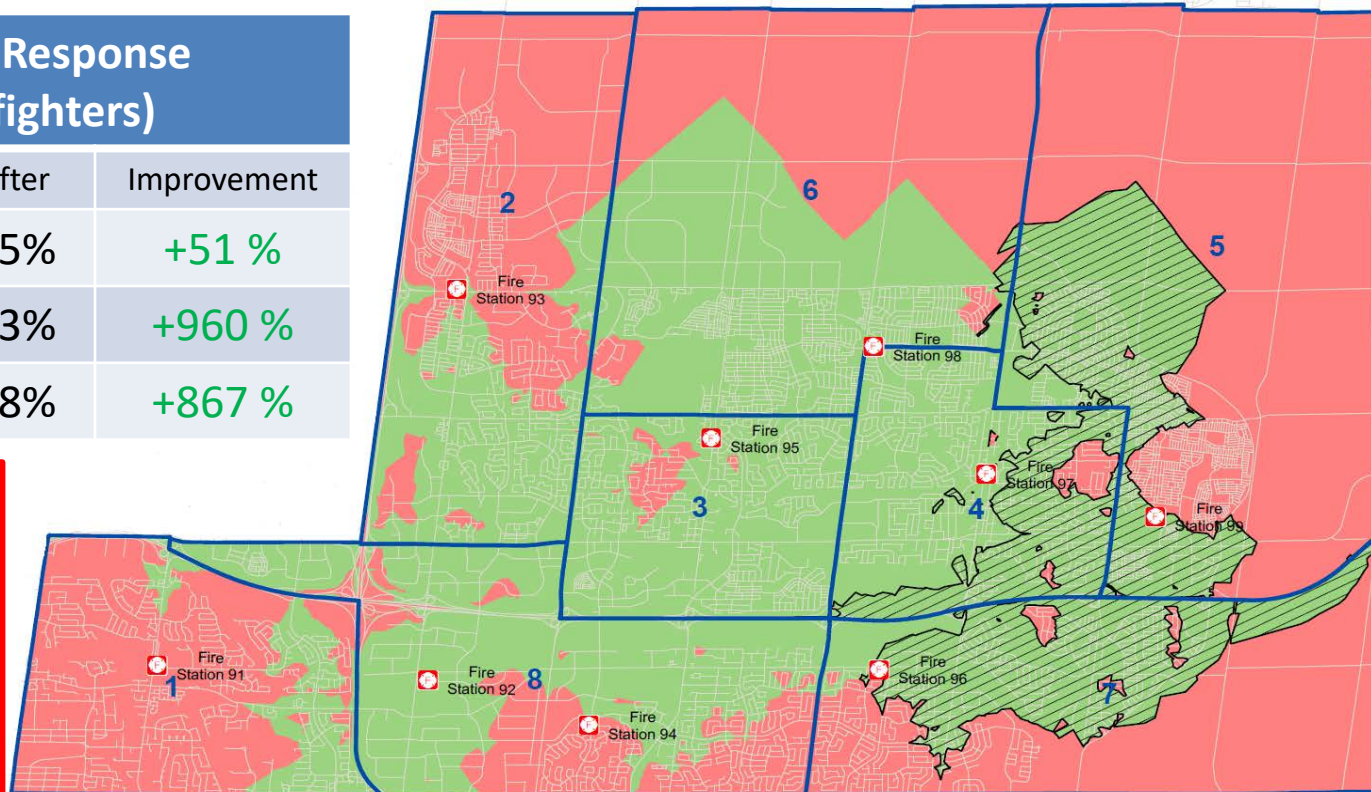
Ward	Existing	After	Improvement
4	63% → 95%		+51 %
5	5% → 53%		+960 %
7	6% → 58%		+867 %

Green Area

8 minute or less
response

Red Area

Greater than 8
minute response



Summary

The Master Fire Plan provides recommendations for future stations, apparatus and staff based on growth in an effort to achieve a consistent and equitable level of service with the minimum resources necessary to respond to a fire.

As Fire Chief it is my duty to report information and make recommendations that provide Council an opportunity to make informed decisions. Due to continued growth and taking into consideration the fire response deficiencies in Ward 5 and 7 and in order to work toward a consistent and equitable level of service for the residents I recommend that Council approve the recruitment of the 2nd crew for Station 99 Cornell.

Questions





Report to: General Committee

Meeting Date: September 3, 2019

SUBJECT: Transfer Payment Agreement for the Provincial Audit and Accountability Fund

PREPARED BY: John Yeh, MCIP, RPP, Manager, Strategy and Innovation – ext.7922

RECOMMENDATION:

1. That the report dated September 3, 2019 entitled “Transfer Payment Agreement for Provincial Audit and Accountability Fund” be received; and,
2. That the Mayor and Clerk be authorized to execute the Ontario Transfer Payment Agreement with Her Majesty the Queen in right of Ontario as represented by the Minister of Municipal Affairs and Housing (the “Province”) for funding an assessment of the development review process, provided the agreement is in a form satisfactory to the Commissioner of Development Services and the City Solicitor; and,
3. That a new capital project named, “Development Review Process” be created in the amount of \$150,000 to be funded from the Provincial Audit and Accountability Fund; and,
4. That staff be authorized and directed to do all things necessary to give effect to this resolution.

PURPOSE:

The purpose of the report is to obtain Council’s authority for:

- a) The Mayor and Clerk to execute the Ontario Transfer Payment Agreement with the Province for the City to receive Provincial funding up to \$150,000 towards the assessment of the City’s development review process; and
- b) The creation of a new capital project for the development review process.

BACKGROUND:

On May 21, 2019 the Province announced the provision of a \$7.35 million Provincial Audit and Accountability Fund to help large municipalities and district school boards to review municipal service delivery expenditures to find efficiencies and modernize service delivery, while protecting jobs.

Eligible municipalities could apply individually or collectively, with other municipalities, to undertake independent third-party reviews. The Province would provide funding for the City to retain a third party consultant to complete the following:

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- 1) A review of service delivery expenditures and modernization opportunities and administrative processes to reduce costs;
 - 2) Preparation of a final report with specific actionable recommendations for cost savings and improved efficiencies; and
 - 3) Completion by November 30, 2019 with a publicly posted independent third-party report outlining the analysis, findings, and actionable recommendations.

Only third-party service provider fees are eligible for funding. Municipal administrative costs, such as staff time, are not eligible.

At the June 12, 2019 Markham Council meeting, Council passed a resolution directing staff to apply to the Province for funding a third party review of the City's processes in the following areas in priority order:

- 1) Development review process related to the Building, Engineering, and Planning departments
- 2) New parks delivery and parks maintenance processes
- 3) Recreation services process review

On June 28, 2019 City staff submitted an application to the Province for funding reviews of the above three areas. Due to the short time frame for preparing the application, pricing quotes were requested from consulting firms that have experience in reviewing those particular services.

On August 8, 2019, the Ministry of Municipal Affairs and Housing informed the City that it will receive funding of up to \$150,000 towards an independent third party assessment of the City's development review process related to the Building, Engineering, and Planning departments, including the preparation of a report which will include actionable recommendations for cost savings (see **Appendix "A"**). The other two areas proposed by the City for review related to new parks delivery and parks maintenance processes and recreation process review were not approved for funding.

OPTIONS/ DISCUSSION:

The Province has provided City staff the Ontario Transfer Payment Agreement form setting out the terms of funding. The following is a high level description of the terms:

- The Province will providing funding to the City of up to \$150,000.
- The funding is for the City to retain an independent third party consultant to provide a comprehensive assessment of the City's development review process roles and responsibilities. "Based on the current application process mapping and documentation for official plan amendments, zoning by-law amendments, and plans of subdivision, the reviewer will provide a report identifying opportunities for improvement and make recommendations that would facilitate improved review

and approval processes, and clarity in roles and responsibilities, while ensuring thorough and meaningful plan review and excellence in the built environment.”

- By November 30, 2019, the report of the findings and recommendations of the third party consultant must be completed and posted on the City’s publically assessable website.
- By December 13, 2019, a final report must be submitted to the Province, which will provide financial information on the project (including financial information on what the municipality paid to the third party consultant with back up documentation).
- Funding from the Province will only be available for reimbursing the City for the cost of paying the third party reviewer.
- Funding is subject to the Ontario Legislature allocating the necessary funds to make the payments under the agreement.

Staff recommend that the Mayor and Clerk be authorized to execute the Ontario Transfer Payment Agreement with the Province for funding an assessment of the development review process.

Staff also recommend that a new capital project named, “Development Review Process” be created in the amount of \$150,000 to be funded from the Provincial Audit and Accountability Fund.

NEXT STEPS:

Staff are in the process of retaining a consultant to undertake an assessment of the development review process. The assessment will be charged to the new capital project and then reimbursed by the Province upon successful approval of the final report with supporting documentation as required (e.g., paid invoices).

FINANCIAL CONSIDERATIONS

Staff recommend that a new capital project named, “Development Review Process” in the amount of \$150,000 to be funded from the Provincial Audit and Accountability Fund be created.

The assessment of the City’s development review process will be charged to the new capital project and subsequently reimbursed by the Province.

HUMAN RESOURCES CONSIDERATIONS

Not applicable

ALIGNMENT WITH STRATEGIC PRIORITIES:

The assessment of the City’s development review process supports efforts to manage growth and provide efficient and high quality municipal services which are key elements

of the Exceptional Services by Exceptional People; Safe and Sustainable Community; and Stewardship of Money and Resources strategic priorities.

BUSINESS UNITS CONSULTED AND AFFECTED:

Legal Services, Financial Services, and the Development Services Commission were consulted in the preparation of this report and their comments have been included.

RECOMMENDED BY:

Arvin Prasad, MCIP, RPP
Commissioner Development Services

Trinela Cane
Commissioner Corporate Services

Claudia Storto
City Solicitor and
Director of Human Services

Joel Lustig
Treasurer

ATTACHMENT:

Appendix “A”: Letter from Minister of Municipal Affairs and Housing Steve Clark Regarding Provision of Funding for the Assessment of the Development Review Process

**Ministry of
Municipal Affairs
and Housing**

Office of the Minister

777 Bay Street, 17th Floor
Toronto ON M5G 2E5
Tel.: 416 585-7000

**Ministère des
Affaires municipales
et du Logement**

Bureau du ministre

777, rue Bay, 17^e étage
Toronto ON M5G 2E5
Tél. : 416 585-7000



Ontario

MIN-2019-003914

August 8, 2019

Your Worship
Mayor Frank Scarpitti
City of Markham
mayorscarpitti@markham.ca

Dear Mayor Frank Scarpitti,

Thank you for your submission to the *Audit and Accountability Fund* and for your commitment to demonstrating value for money.

I am pleased to inform you that the Government of Ontario will provide funding of up to \$150,000.00 towards the Development Review Process for the cost of an independent third-party reviewer to deliver a final report with specific and actionable recommendations for cost-savings by November 30, 2019.

In the 2019 Ontario Budget, *Protecting What Matters Most*, our government put forward a plan to achieve savings of four cents on the dollar to set Ontario on the path to a sustainable government. As an important part of this plan, our government is committed to assisting large urban municipalities in doing their part to become more efficient. The work the *Audit and Accountability Fund* will support in your municipality is an important step toward achieving that goal.

A transfer payment agreement is required to provide funding for this work. I have enclosed a transfer payment agreement for this project for your review and signing.

Ministry staff will work with your staff to finalize the transfer payment agreement and work through details of funding implementation. Should you have any questions, please feel free to contact Marcia Wallace, Assistant Deputy Minister at marcia.wallace@ontario.ca.

I would like to offer my congratulations on this funding approval under the *Audit and Accountability Fund* and extend my best wishes as you work to improve service delivery and administrative efficiency in your municipality.

Sincerely,

A handwritten signature in blue ink that reads "Steve Clark". The signature is written in a cursive, flowing style.

Steve Clark
Minister

c. Andy Taylor
CAO, City of Markham