



Revised Council Agenda

Revised Items are Italicized.

Meeting No: 15
September 10, 2019, 1:00 PM
Council Chamber

Alternate formats for this document are available upon request.
Council meetings are live video and audio streamed on the City's website.

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

Pages

1. CALL TO ORDER

INDIGENOUS LAND ACKNOWLEDGEMENT

We begin today by acknowledging that we walk upon the traditional territories of Indigenous Peoples and we recognize their history, spirituality, culture, and stewardship of the land. We are grateful to all Indigenous groups for their commitment to protect the land and its resources and we are committed to reconciliation, partnership and enhanced understanding.

2. DISCLOSURE OF PECUNIARY INTEREST

3. APPROVAL OF PREVIOUS MINUTES

3.1 COUNCIL MINUTES JUNE 25, 2019 13

1. That the Minutes of the Council meeting held on June 25, 2019, be adopted.

3.2 SPECIAL COUNCIL MEETING MINUTES, JULY 26, 2019 38

1. That the minutes of the Special Council meeting held on July 26, 2019, be adopted.

4. PRESENTATIONS

5. DEPUTATIONS

6. COMMUNICATIONS

- 6.1 28-2019 NOMINATIONS FOR 2020 COLLEGE PHYSICIANS AND SURGEONS OF ONTARIO COUNCIL AWARD (12.2.6) 49

The College of Physicians and Surgeons of Ontario is accepting nominations for the 2020 Council Award. The Council Award honours outstanding Ontario physicians who have demonstrated excellence and embody a vision of the "ideal physician".

1. That the letter from the College of Physicians and Surgeons of Ontario Council regarding the Nominations for the 2020 College of Physicians and Surgeons of Ontario Council Award be received for information.

- 6.2 29-2019 SPECIAL OCCASION PERMIT - CRAFT BEER + FOOD FESTIVAL (WARD 3) (3.21) 52

Requesting an approval from the City of Markham to designate the Craft Beer + Food Festival being held on September 14, 2019 from 12:00 noon to 6:00 p.m. at 169 Enterprise Blvd., as a community festival of Municipal Significance. The City's designation is a requirement of the Alcohol and Gaming Commission of Ontario (AGCO) to support the application of a Special Occasion Permit to be utilized in conjunction with the Craft Beer + Food Festival.

1. That the request for the City of Markham for a Special Occasion Permit be received and approved, subject to compliance with all applicable by-laws, regulations and City requirements for special occasion permits with respect to temporary facilities, and further;
2. That the City of Markham recognize the Craft Beer + Food Festival as a community event of "Municipal Significance".

- 6.3 30-2019 SPECIAL OCCASION PERMIT - DIVERSITY COMMUNITY CULTURAL FESTIVAL (WARD 6) (3.21) 53

Requesting an approval from the City of Markham to designate the Diversity Community Cultural Festival being held on September 14, 2019, from 3:00 p.m. to 12:00 a.m. at 10801 McCowan Road as an event of Municipal Significance. The City's designation is a requirement of the Alcohol and Gaming Commission of Ontario (AGCO) to support the application of a Special Occasion Permit to be utilized in conjunction with the Diversity Community Cultural Festival.

1. That the request for the City of Markham for a Special Occasion Permit be received and approved, subject to compliance with all applicable by-laws, regulations and City requirements for special occasion permits with respect to temporary facilities, and further;

2. That the City of Markham recognize the Diversity Community Cultural Festival as an event of "Municipal Significance".

7. PROCLAMATIONS

7.1 PROCLAMATION AND FLAG RAISING REQUESTS (3.4)

No Attachment

1. That the following proclamations, issued by the City Clerk in accordance with the City of Markham Proclamation Policy, be received for information purposes:
 - a. India Independence Day - August 15, 2019
 - b. Mitochondrial Disease Awareness Week - September 16 - 22, 2019
 - c. Dementia Friendly Day for World Alzheimer's Day - September 21, 2019
 - d. National Coaches Week - September 21- 29, 2019
 - e. Franco-Ontarian Day - September 25, 2019
 - f. Prostate Cancer Awareness Month - September
 - g. Wrongful Conviction Day - October 2, 2019
 - h. Child Care Worker and Early Childhood Educator Appreciation Day - October 24, 2019
2. That the following new requests for proclamation be approved and added to the Five-Year Proclamations List approved by Council:
 - a. September Sickle Cell Awareness Month - September
 - b. Show Your Local Love Day - September 17, 2019
 - c. Military Family Appreciation Day - September 20, 2019
3. That the following requests for flags to be raised at the Anthony Roman Markham Civic Centre flagpole, approved by the City Clerk in accordance with the City of Markham Community Flag Raisings & Flag Protocol Policy, be received for information purposes:
 - a. India Independence Day - August 18, 2019; (Organized by Vedic Cultural Centre - Arya Samaj Markham)
 - b. Franco-Ontarian Day - September 25, 2019; (Organized by Ecole elementaire catholique Sainte-Marguerite-Bourgeoys)

8. REPORT OF STANDING COMMITTEE

8.1 REPORT NO. 32 - GENERAL COMMITTEE (SEPTEMBER 3, 2019)

Please refer to your September 3, 2019 General Committee Agenda for reports.

Mayors and Members of Council:

That the report of the General Committee be received & adopted. (Items 1 to 4):

8.1.1 APPOINTMENT OF MEMBERS TO THE MARKHAM MAYOR'S YOUTH COUNCIL FOR THE PERIOD OF SEPTEMBER 3, 2019 TO JUNE 30, 2020 (5.0)

55

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.

8.1.2 FLOOD CONTROL PROGRAM AND STORMWATER FEE UPDATE (5.3)

59

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.
(By-law 2019-100)

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

87

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.

8.1.4 PROPOSED PROVINCIAL BLUE BOX PROGRAM CHANGES
(5.1)

93

MOTION:

WHEREAS the Ontario Ministry of the Environment, Conservation, and Parks has issued direction to Stewardship Ontario to begin the transition of Ontario’s Blue Box Program from Municipalities to producers of plastic and other packaging;

AND WHEREAS Municipalities have acted as the primary Blue Box service provider for over 30 years establishing successful, convenient, and cost effective recycling programs for their residents;

AND WHEREAS the City of Markham (“Markham”), its residents, and its innovative business community have initiated bold actions over the years and demonstrated environmental leadership resulting in:

An 82% community diversion rate and a 74% RPRA (Resource Productivity & Recovery Authority) net diversion rate;

A curbside waste generation rate of only 258 kg per capita as a result of Markham’s Clear Bag garbage program and material bans; Recycling services to all of Markham’s 132 multi-residential buildings;

160,770 visits by residents to Markham's community recycling depots in 2018;

An award winning Textile diversion program which has diverted over 15 million lbs of textiles from the waste stream;

Zero Waste and 3-stream collection services to all Markham community facilities, primary schools and BIAs (business improvement areas);

AND WHEREAS, the Mayor and City Council wishes to ensure the continued success of Markham's integrated waste management and recycling system and that the amended Blue Box Program meets the needs of our growing community;

Therefore be it resolved:

1. That the report entitled "Proposed Provincial Blue Box Program Changes" be received; and,
2. That the Province ensures that municipalities are meaningfully involved in the transition process and a robust and extensive consultation with all stakeholders; and,
3. That the City of Markham with its environmental leadership experiences offers to provide support to the Province and Stewardship Ontario during the transition process; and,
4. That the Provincial Government ensure the new Blue Box Plan will not negatively impact Ontarians' experience with, and access to, Blue Box services and related diversion programs and that service levels and convenience for residents will be maintained or improved; and,
5. That the Province establish and enforce through regulation, aggressive diversion targets for the Blue Box Plan that clearly articulates a goal of zero waste, supported with programs aimed to eliminate waste and create a strong circular economy; and,
6. That the Province ensure that the Blue Box Plan respect the cost effectiveness, efficiency, and environmental performance of the integrated collection system currently provided by municipalities including the efficiency of material co-collection; and,
7. That the Province ensure the Blue Box Plan include a cost recovery mechanism to compensate municipalities for the additional cost of materials redirected to the organics or waste streams as result of a reduced Blue Box material

acceptance list; and,

8. That Council authorize the Commissioner of Community & Fire Services /or designate to actively participate in the consultation process to advance Markham's priorities; and,
9. That the City Clerk circulate this Motion to the Clerks of York Region and the local municipalities and the Minister of the Environment, Conservation and Parks; and further,
10. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

9. MOTIONS

10. NOTICE OF MOTION TO RECONSIDER

11. 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".*

12. ANNOUNCEMENTS

13. BY-LAWS - THREE READINGS

That By-laws 2019-78, 2019-85 to 2019-100 be given three readings and enacted.

Three Readings

- | | | |
|------|--|-----|
| 13.1 | BY-LAW 2019-78 CAN AM EXPRESS, 332 AND 338 JOHN STREET, ZONING BY-LAW AMENDMENT | 99 |
| | <p>A By-law to amend Zoning By-law 77-73, as amended to permit outdoor storage of buses and other motor vehicles on a temporary basis.</p> <p>(Item 8.3.1, Report No. 22, May 14, 2019 Council Meeting).</p> | |
| 13.2 | BY-LAW 2019-85 2426483 ONTARIO LIMITED (WYVIEW GROUP), PART LOT CONTROL EXEMPTION BY-LAW (65M-4562) | 102 |
| | <p>A by-law to designate part of a certain plan of subdivision not subject to Part Lot Control, Blocks 2 and 3 on Registered Plan 65M-4562, West side of Village Parkway, North of Highway 7.</p> | |
| 13.3 | BY-LAW 2019-86 A BY-LAW TO ESTABLISH STREETS LAID OUT ACCORDING TO PLAN OF SUBDIVISION 65M-4252 AS A PUBLIC | 104 |

HIGHWAY PART OF LOTS 22 AND 23, CONCESSION 3 (MONARCH CORPORATION)

A by-law to adopt Moulton Gate, Quinton Drive, Murison Drive, Donald Buttress Boulevard, Staglin Court, Pope John Paul II Square, Robert Osprey Drive, Vitanna Road, Russell Dawson Road, Lebarr Road, Markland Street, and the Lanes namely Blocks 128 to 135, inclusive, for public use and declared to be and form part of the City of Markham highway system.

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| 13.4 | BY-LAW 2019-87 A BY-LAW TO ESTABLISH STREETS LAID OUT ACCORDING TO PLAN OF SUBDIVISION 65M-4341 AS A PUBLIC HIGHWAY PART OF LOT 19 AND PART OF THE WEST HALF OF LOT 20, CONCESSION 7 (DOVCOM REALTY INC.) | 105 |
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A by-law to adopt Beacon Point Street, Hyacinth Street, Begonia Street, Furrow Street, and the Lanes (Blocks 98, 99 and 100), for public use and declared to be and form part of the City of Markham highway system.

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| 13.5 | BY-LAW 2019-88 A BY-LAW TO ESTABLISH STREETS LAID OUT ACCORDING TO PLAN OF SUBDIVISION 65M-4399 AS A PUBLIC HIGHWAY PART OF THE WEST HALF OF LOT 20, CONCESSION 7 (MACKENZIE BUILDERS & DEVELOPERS LTD.) | 106 |
|------|--|-----|

A by-law to adopt Greenspire Avenue, Hammersly Boulevard, Hermitage Boulevard, Memon Place, and the Lane (Block 58), inclusive, for public use and declared to be and form part of the City of Markham highway system.

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| 13.6 | BY-LAW 2019-89 A BY-LAW TO APPOINT A DEPUTY CITY CLERK FOR THE CORPORATION OF THE CITY OF MARKHAM | 107 |
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Appointment of M. Killingsworth.

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| 13.7 | BY-LAW 2019-90 A BY-LAW TO AMEND PARKING BY-LAW 2005-188 (65M-4252) | 108 |
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A by-law to amend Schedule C of the Parking By-law pertaining to “Prohibited Parking”. (65M-4252).

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| 13.8 | BY-LAW 2019-91 A BY-LAW TO AMEND PARKING BY-LAW 2005-188 (65M-4398) | 110 |
|------|---|-----|

A by-law to amend Schedule C of the Parking By-law pertaining to “Prohibited Parking”. (65M-4398).

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| 13.9 | BY-LAW 2019-92 A BY-LAW TO AMEND PARKING BY-LAW 2005-188 (65M-4399) | 112 |
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A by-law to amend Schedule C of the Parking By-law pertaining to “Prohibited

Parking”. (65M-4399).

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| 13.10 | BY-LAW 2019-93 A BY-LAW TO AMEND TRAFFIC BY-LAW 106-71 (65M-4252) | 113 |
| | To add compulsory stops at specific intersections within the City of Markham (65M-4252). | |
| 13.11 | BY-LAW 2019-94 A BY-LAW TO AMEND TRAFFIC BY-LAW 106-71 (65M-4398) | 115 |
| | To add compulsory stops at specific intersections within the City of Markham (65M-4398). | |
| 13.12 | BY-LAW 2019-95 A BY-LAW TO AMEND TRAFFIC BY-LAW 106-71 (65M-4399) | 118 |
| | To add compulsory stops at specific intersections within the City of Markham (65M-4399). | |
| 13.13 | BY-LAW 2019-96 A BY-LAW TO AMEND SPEED BY-LAW 2017-104 (65M-4398) | 119 |
| | To establish a maximum speed limit of 40 kilometres per hour on specific streets within the City of Markham. | |
| 13.14 | BY-LAW 2019-97 TEMPORARY USE BY-LAW, 2690622 ONTARIO, INC., 4121 HIGHWAY 7 EAST | 120 |
| | A by-law to amend By-law 304-87, as amended to permit the temporary storage of automobiles for the Audi dealership on the north side of Highway 7. | |
| 13.15 | BY-LAW 2019-98 A BY-LAW TO ESTABLISH STREETS LAID OUT ACCORDING TO PLAN OF SUBDIVISION 65M-4398 AS A PUBLIC HIGHWAY PART OF THE WEST HALF OF LOT 16 AND PART OF LOT 17, CONCESSION (UPPER UNIONVILLE INC.) | 123 |
| | A by-law to adopt Wilfred Murison Avenue, Harbord Street (Two Portions), Frederick Stamm Crescent, Beckett Avenue (Two Portions), Hua Du Avenue, Busch Avenue (Two Portions), Manila Avenue, Aksel Rinck Drive, Fierheller Court, Henry Bauer Avenue (Two Portions), Brock Avenue, Holst Avenue, Hubner Avenue, Wagner Drive, Christian Ritter Drive, James Glover Drive, Percy Stover Drive, Charles Vogel Drive, and the Lanes (Blocks 393 to 401), for public use and declared to be and form part of the City of Markham highway system. | |
| 13.16 | BY-LAW 2019-99 SUNRISE ACQUISITIONS (HWY 7) INC., PART LOT | 124 |

CONTROL EXEMPTION BY-LAW (65M-4539)

A by-law to designate part of a certain plan of subdivision not subject to Part Lot Control, Block 3, Registered Plan 65M-4539, located at 4116-4154 Highway 7 East and 99-131 (odd numbers only) Lichfield Road.

13.17 **BY-Law 2019-100 STORMWATER FEE BY-LAW**

126

A by-law to repeal and replace Stormwater Fee By-law 2015-130.

(Item 8.1.2, Report 32)

14. CONFIDENTIAL ITEMS14.1 *APPROVAL OF CONFIDENTIAL COUNCIL MINUTES - JUNE 25, 2019 (10.0)*14.2 *COUNCIL - SEPTEMBER 10, 2019*14.2.1 *PERSONAL MATTERS ABOUT AN IDENTIFIABLE INDIVIDUAL, INCLUDING MUNICIPAL OR BOARD EMPLOYEES (BOARD/ COMMITTEE APPOINTMENTS) (16.24) [Section 239 (2) (b)]*14.3 *DEVELOPMENT SERVICES COMMITTEE - SEPTEMBER 9, 2019*14.3.1 *LITIGATION OR POTENTIAL LITIGATION, INCLUDING MATTERS BEFORE ADMINISTRATIVE TRIBUNALS, AFFECTING THE MUNICIPALITY OR LOCAL BOARD – (APPEAL BY 1637063 ONTARIO INC.) 2522584 ONTARIO INC., MARYDALE AVENUE (WARD 7) (8.0) [Section 239 (2) (e)]*14.3.2 *LITIGATION OR POTENTIAL LITIGATION, INCLUDING MATTERS BEFORE ADMINISTRATIVE TRIBUNALS, AFFECTING THE MUNICIPALITY OR LOCAL BOARD - ANDRIN INVESTMENTS LIMITED, 5440 16TH AVENUE (WARD 4) (8.0) [Section 239 (2) (e)]***15. CONFIRMATORY BY-LAW - THREE READINGS**

That By-law 2019-101 be given three readings and enacted.

Three Readings

BY-LAW 2019-101 A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE COUNCIL MEETING OF SEPTEMBER 10, 2019.

No attachment

16. ADJOURNMENT



Council Minutes

Meeting Number: 13
June 25, 2019, 6:00 PM
Council Chamber

| | | |
|-----------|---|--|
| Roll Call | Deputy Mayor Don Hamilton Regional Councillor Jack Heath Regional Councillor Joe Li (arrived 6:10 pm) Regional Councillor Jim Jones Councillor Keith Irish Councillor Alan Ho | Councillor Reid McAlpine Councillor Karen Rea Councillor Andrew Keyes Councillor Amanda Collucci Councillor Khalid Usman (left 6:40 pm) Councillor Isa Lee |
| Regrets | Mayor Frank Scarpitti | |
| Staff | Andy Taylor, Chief Administrative Officer Trinela Cane, Commissioner, Corporate Services Brenda Librecz, Commissioner, Community & Fire Services Arvin Prasad, Commissioner, Development Services Catherine Conrad, City Solicitor & Acting Director, Human Resources Joel Lustig, Treasurer | Bryan Frois, Chief of Staff Kimberley Kitteringham, City Clerk Martha Pettit, Deputy City Clerk John Wong, Technology Support Specialist II Claudia Storto, City Solicitor and Director of Human Resources Ronald Blake, Senior Manager, Development, Planning & Urban Design |

Alternate formats for this document are available upon request

1. CALL TO ORDER

INDIGENOUS LAND ACKNOWLEDGEMENT

We begin today by acknowledging that we walk upon the traditional territories of Indigenous Peoples and we recognize their history, spirituality, culture, and stewardship of the land. We are grateful to all Indigenous groups for their commitment to protect the

land and its resources and we are committed to reconciliation, partnership and enhanced understanding.

The meeting of Council convened at 6:03 PM, 2018 in the Council Chamber. Deputy Mayor Don Hamilton presided.

2. DISCLOSURE OF PECUNIARY INTEREST

None disclosed.

3. APPROVAL OF PREVIOUS MINUTES

3.1 COUNCIL MINUTES - JUNE 12, 2019

Moved by Councillor Alan Ho

Seconded by Regional Councillor Jim Jones

1. That the Minutes of the Council Meeting held on June 12, 2019, be adopted.

Carried

4. PRESENTATIONS

There were no presentations.

5. DEPUTATIONS

There were no deputations.

6. COMMUNICATIONS

6.1 24-2019 SPECIAL OCCASION LIQUOR PERMIT FOR GREEK ORTHODOX COMMUNITY OF MARKHAM (WARD 6) (3.21)

Moved by Councillor Amanda Collucci

Seconded by Councillor Khalid Usman

1. That the request for the City of Markham for a Special Occasion Permit be received and approved, subject to compliance with all applicable by-laws, regulations and City requirements for special occasion permits with respect to temporary facilities; and,

2. That the City of Markham recognize the Annual Greek Summer Festival, being held at 11359 Warden Avenue at the following dates and times, as an event of "Municipal Significance":

- July 19, 2019, 5:00 pm – July 20, 2019, 2:00 am
- July 20, 2019, 5:00 pm – July 21, 2019, 2:00 am
- July 21, 2019, 5:00 pm – July 22, 2019, 1:00 am
- July 26, 2019, 5:00 pm – July 27, 2019, 2:00 am
- July 27, 2019, 5:00 pm – July 28, 2019, 2:00 am
- July 28, 2019, 5:00 pm – July 29, 2019, 1:00 am.

Carried

6.2 25-2019 MEMORANDUM - NEAMSBY INVESTMENTS INC., 1375 DENISON STREET, ZONING BY-LAW AMENDMENT (10.5)

Moved by Councillor Reid McAlpine

Seconded by Councillor Karen Rea

1. That the Memorandum dated June 25, 2019 from the Commissioner of Development Services regarding the Zoning By-law Amendment for Neamsby Investments Inc., 1375 Denison Street, be received.

(By-law 2019-76)

Carried

6.3 26-2019 LIQUOR LICENCE APPLICATION - SHIN JIN HOTPOT CHICKEN (WARD 3) (3.21)

(New Liquor Licence for indoor areas)

Moved by Councillor Reid McAlpine

Seconded by Councillor Karen Rea

1. That the request for the City of Markham to complete the Municipal Information Form be received for information.

Carried

6.4 27-2019 MEMORANDUM GEMTERRA (WOODBINE) INC., OFFICIAL PLAN AND ZONING BY-LAW AMENDMENT (10.3, 10.5)

(Item 8.1.1, Report No. 16, April 30, 2019 Council Meeting).

Moved by Councillor Reid McAlpine

Seconded by Councillor Karen Rea

1. That the memorandum dated June 25, 2019 and titled “Gemterra (Woodbine) Inc., Official Plan and Zoning By-law Amendment Applications to permit 33 townhouses at 9064 to 9110 Woodbine Avenue File Nos. OP/ZA 17 153653 (Ward 2)” be received, and,
2. That the proposed amendment to the 2014 Markham Official Plan, attached as Appendix ‘A’, be approved; and,
3. That the amendments to Zoning By-laws 19-94 and 177-96, as amended be approved and the draft implementing Zoning By-law, attached as Appendix ‘B’, be finalized and enacted without further notice; and,
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

(By-law 2019-81 and 2019-82)

Carried

7. PROCLAMATIONS

There were no proclamations.

8. REPORT OF STANDING COMMITTEE

8.1 REPORT NO. 27 DEVELOPMENT SERVICES COMMITTEE (JUNE 10, 2019)

Moved by Councillor Keith Irish

Seconded by Councillor Isa Lee

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

Carried

8.1.1 RECOMMENDATION REPORT: RENAME THE SECTION OF MEADOWVIEW AVENUE BETWEEN YONGE STREET AND DONCASTER AVENUE TO DONCASTER AVENUE (10.14)

Moved by Councillor Keith Irish

Seconded by Councillor Isa Lee

1. That the report entitled “Rename the section of Meadowview Avenue between Yonge Street and Doncaster Avenue to Doncaster Avenue”, dated June 10, 2019, be received; and,
2. That Development Services Committee authorize Staff to initiate the process for renaming the City owned section of Meadowview Avenue between Yonge Street and Doncaster Avenue to Doncaster Avenue; and,
3. That a letter be sent via registered mail to the land owners abutting the affected section of Meadowview Avenue about the proposed renaming and that if the land owners have any questions or concerns to contact staff; and,
4. That Staff report back to Council prior to the proposed street name change; and further,
5. That Staff be authorized and directed to do all things necessary to give effect to these resolutions.

Carried

8.2 REPORT NO. 29 GENERAL COMMITTEE (JUNE 17, 2019)

Moved by Councillor Khalid Usman

Seconded by Councillor Amanda Collucci

That the report of the General Committee be received & adopted. (Items 1 to 4):

Carried

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

Moved by Councillor Khalid Usman

Seconded by Councillor Amanda Collucci

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 City Clerk, Director, Legislative Services & Corporate 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

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

Moved by Councillor Khalid Usman

Seconded by Councillor Amanda Collucci

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

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

Moved by Councillor Khalid Usman

Seconded by Councillor Amanda Collucci

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, therefore 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 further,

- iii. 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

8.2.4 NEW PLAYGROUND CONSTRUCTION – CROSBY PARK (6.5)

Moved by Councillor Khalid Usman

Seconded by Councillor Amanda Collucci

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

8.3 REPORT NO. 30 DEVELOPMENT SERVICES COMMITTEE (JUNE 24, 2019)

Moved by Regional Councillor Jack Heath

Seconded by Councillor Amanda Collucci

That the report of the Development Services Committee be received & adopted.
(Items 1 - 3):

Carried

8.3.1 NASCENT/SHER (9704 MCCOWAN) INC., OFFICIAL PLAN AND ZONING BY-LAW AMENDMENT APPLICATIONS TO PERMIT AN 8 STOREY MIXED USE APARTMENT BUILDING AND THREE 5 STOREY APARTMENT BUILDINGS AT 9704 MCCOWAN ROAD FILE NOS. OP/ZA 17 174837 (WARD 6) (10.3, 10.5)

Moved by Regional Councillor Jack Heath

Seconded by Councillor Amanda Collucci

1. That the memorandum dated June 24, 2019 and titled “Nascent/Sher (9704 McCowan) Inc., Official Plan and Zoning By-law Amendment Applications to permit an 8 storey mixed use apartment building and three 5 storey apartment buildings at 9704 McCowan Road File Nos. OP/ ZA 17 174837 (Ward 6)” be received; and,
2. That the communications of Shakeel Walji on behalf of Nascent/Sher (9704 McCowan) Inc. attached as Appendix ‘A’, be received; and,
3. That the proposed amendment to the 2014 Markham Official Plan, attached as Appendix ‘B’, be approved; and,
4. That the amendments to Zoning By-laws 304-87 and 177-96, as amended be approved and the draft implementing Zoning By-law, attached as Appendix ‘C’, be finalized and enacted without further notice; and further,
5. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

(By-law 2019-71 and 2019-79)

Carried

8.3.2 ELGIN MILLS ROAD MUNICIPAL CLASS ENVIRONMENTAL ASSESSMENT (WARDS 2, 5 AND 6) (5.7)

Moved by Regional Councillor Jack Heath

Seconded by Councillor Amanda Collucci

1. That the report entitled “Elgin Mills Road Municipal Class Environmental Assessment (Wards 2, 5 and 6)” be received; and,
2. That Capital Account 19033 (Elgin Mills Road Environmental Condition Study) be revised to increase the budget to \$567,000, inclusive of HST impact, and the account be renamed Elgin Mills Road Municipal Class Environmental Assessment project ; and,
3. That the budget increase of \$184,300, inclusive of HST impact, be funded from the Development Charges Reserve; and,
4. That the Development Services Committee update its previous decision in a report entitled “Municipal Road Transfer – Elgin Mills Road Transfer and Donald Cousens Parkway Extension Transportation Planning Study” dated May 14, 2018, to complete the Elgin Mills

Class EA , detailed design and construction of a portion or all of Elgin Mills Road, from Victoria Square Boulevard to 1000m east of Kennedy Road, before transferring the road to the Regional Municipality of York; and,

5. That the Regional Municipality of York be informed of Council's decision; and further,
6. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

8.3.3 REQUEST FOR CHANGES TO PROVINCIALY SIGNIFICANT EMPLOYMENT ZONES (10.0)

Note: The following was endorsed by the Development Services Committee at the June 24, 2019 Development Services Committee meeting following a deputation made by a representative of Buttonville Airport lands and the lands at 2938 Major Mackenzie Drive.

Moved by Regional Councillor Jack Heath

Seconded by Councillor Amanda Collucci

1. Whereas the Province has established the Provincially Significant Employment Zones and continues to accept new requests for mapping changes; and,
2. Whereas a representative of Buttonville Airport lands and the lands at 2938 Major Mackenzie Drive delegated at the Development Services Committee on June 24, 2019 requesting the removal of such lands from the PSEZ; and,
3. Whereas the City of Markham has undertaken significant planning and visioning for the Buttonville Airport lands; and,
4. Whereas certain lands within the City of Markham should be added to or removed from the mapping for the Provincially Significant Employment Zones as summarized in Appendix 'A'; and,
5. Therefore, be it resolved that the report entitled "Request for changes to the Provincially Significant Employment Zones", dated June 25, 2019 be received; and,

6. That the report entitled “Request for changes to the Provincially Significant Employment Zones”, dated June 25, 2019 be forwarded to the Assistant Deputy Minister of Municipal Affairs and Housing and York Region; and further;
7. That the City of Markham requests the Ministry of Municipal Affairs and Housing to add to and remove lands identified from the mapping for the Provincially Significant Employment Zones in Appendix ‘A’ including the Buttonville Airport lands and the lands at 2938 Major Mackenzie Drive East as depicted in Appendix ‘D’ and ‘E.

Carried

8.4 REPORT 31 DEVELOPMENT SERVICES PUBLIC MEETING (JUNE 24, 2019)

Moved by Councillor Amanda Collucci

Seconded by Councillor Keith Irish

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

Carried

8.4.1 PRELIMINARY REPORT, ANGUS GLEN VILLAGE LTD., 4071 AND 4289 MAJOR MACKENZIE DRIVE EAST, SOUTH SIDE OF MAJOR MACKENZIE DRIVE, WEST OF KENNEDY ROAD, ZONING BY-LAW AMENDMENT AND SITE PLAN CONTROL APPLICATIONS TO PERMIT 173 TOWNHOUSES ON THE SUBJECT LANDS FILE NO. ZA/SPC 18 154612 (WARD 6) (10.5, 10.6)

Moved by Councillor Amanda Collucci

Seconded by Councillor Andrew Keyes

1. That site plan endorsement be delegated to staff for the application submitted by Angus Glen Village LTD. at 4289 and 4071 Major Mackenzie Drive East.

Carried

Council consented to add the following recommendations from the June 24, 2019 Development Services Public Meeting to the Council agenda for deliberation:

Moved by Councillor Amanda Collucci

Seconded by Councillor Andrew Keyes

1. That the presentations by staff and the Applicant on the development proposal be received; and,
2. That the deputation made by Sidney Shaw at the June 24, 2019 Development Services Public Meeting, regarding the application from Angus Glen Village Ltd., to amend Zoning By-law 177-96, be received; and,
3. That the report titled “PRELIMINARY REPORT, Angus Glen Village Ltd., 4071 and 4289 Major Mackenzie Drive East, south side of Major Mackenzie Drive East, west of Kennedy Road, Zoning By-law Amendment and Site Plan Control Applications to permit 173 townhouses on the subject lands, File No. ZA/SPC 18 154612 (Ward 6)” dated June 10, 2019, be received; and,
4. That the Record of the Public Meeting held on June 24, 2019, with respect to the proposed Zoning By-law Amendment and Site Plan Control Applications to permit 173 townhouses on the subject lands, File No. ZA/SPC 18 154612 (Ward 6)”, be received; and further,
5. That the applications by Angus Glen Village Ltd., to amend Zoning By-law 177-96, as amended, and for Site Plan Control, be referred back to staff for a report and recommendation to evaluate the proposal.

Carried

9. MOTIONS

9.1 DESIGN CHARRETTE FOR MARKHAM ROAD - MOUNT JOY SECONDARY PLAN AREA (10.4)

Moved by Councillor Andrew Keyes

Seconded by Councillor Amanda Collucci

Whereas a number of development applications within the Markham Road - Mount Joy corridor between 16th Avenue and Major Mackenzie Drive are currently under review; and,

Whereas the Official Plan 2014 identifies the Markham Road – Mount Joy Local Corridor as an intensification area, and requires the preparation of a secondary plan for this corridor; and,

Whereas the Study area will extend slightly beyond the boundaries of the Markham Road-Mount Joy Secondary Plan in all directions; and,

Whereas the Stouffville GO line runs through the corridor, with an existing station at Bur Oak Avenue and a potential station at Major Mackenzie Drive; and,

Whereas a Request for Proposals (RFP) is currently being finalized to retain consulting services for a Markham Road – Mount Joy Secondary Plan Study, which will develop a comprehensive development plan and key policy direction for the corridor, addressing land use and urban design, transportation (including transit and active transportation) and municipal servicing; and,

Whereas the results of this Study will form the basis of a new statutory Secondary Plan to be prepared by staff following the Study; and,

Whereas a key component of the Secondary Plan Study is the development of a Demonstration Plan which will identify appropriate land uses (including parks), built form, and the distribution of height and density, among other things; and,

Whereas public engagement is an important component in the development of the Demonstration Plan; and further,

Whereas staff will consider 3-D drawings for the Demonstration Plan for visualization purposes;

Now therefore be it resolved:

1. That the RFP include a provision for a design charrette to develop the Demonstration Plan; and,
2. That the design charrette include residents and other stakeholders; and,
3. That the details of the design charrette, including the appropriate length and specific nature, be confirmed once the successful consulting team is awarded the Study; and,
4. That the Chair and Vice-Chair of Development Services Committee and members of the Markham Sub-Committee be invited to provide input to the successful consulting team and staff on the details of the design charrette; and further,
5. That the City of Markham have regard for the protection of the Markham Village Heritage Conservation District which includes Main Street Markham

Carried

10. NOTICE OF MOTION TO RECONSIDER

There were no notices of motions.

11. NEW/OTHER BUSINESS

11.1 NEW/ OTHER BUSINESS: DECLARATION OF SURPLUS LAND - 6360 16TH AVENUE (8.6)

Notice of Proposed Sale

City of Markham

Proposed Sale of Surplus Real Property

(Pursuant to By-law 178-96)

Moved by Regional Councillor Jim Jones

Seconded by Councillor Alan Ho

1. That the notice of proposed sale for the City owned lands legally described as Part of Block 11, Plan 65M-3103, designated as Part 16 on Plan 65R-38061 be confirmed.

(In-Camera Item No. 14.4.2, June 12, 2019 Council Meeting)

Carried

11.2 NEW/ OTHER BUSINESS: NOISE ATTENUATION FENCE - 407 ETR (13.2)

Moved by Councillor Karen Rea

Seconded by Regional Councillor Jack Heath

That the rules of procedure be waived to introduce an item related to Noise Attenuation Fence.

Carried by 2/3 of Members Present

Moved by Councillor Karen Rea

Seconded by Regional Councillor Jack Heath

Whereas the Provincial Government is responsible for building and maintaining barriers between residential properties and the 400 series Highways; and,

Whereas in previous years, municipalities and developers installed back lot fencing on private property which would preclude maintenance and replacement costs for the municipality and the province; and,

Whereas changes are now being made to install such fencing and barriers on public property, thus acknowledging municipal and provincial maintenance responsibilities in the future when required; and,

Whereas the lands north of the 407ETR and east of Markham Road have a residential sub-division that backs onto the 407ETR; and,

Whereas the housing development and the fence predated the highway, although they were planned with the coming of the highway in mind; and,

Whereas the fence is approximately 20 years old, ranging in height from 12 – 14 feet and is deteriorating badly.

Whereas the 407ETR has received complaints from various homeowners since 2010-2011; and

Whereas the 407ETR and the Province has failed to accept responsibility for fence maintenance for the residents that reside on Rougehaven Way and Schouten Crescent, which back on to the 407ETR; and,

Whereas the 407ETR have recently installed a chain link fence on the 407ETR property which is not satisfactory for safety, noise and pollution; and,

Whereas the Province is now replacing similar walls and fences along sections of the 401 at Keele, in Durham and at the intersection where Highway 412 meets the 401 Highway, all on public property; and,

Whereas the 407ETR continues to increase in usage and the residents that live behind, should be protected from noise, pollution, safety, and from having to maintain such a major sound barrier fence,

Now therefore be it resolved:

That the Province be requested to regrade the entire area between the resident's property line and the 407 ETR at their cost,

That the Province builds a new fence or wall similar to the others along the 401 Highway on public lands and not private property,

That the Province have an agreement with the 407ETR to ensure that this area is maintained to ensure no further maintenance issues in the future for the residents.

That a copy of this motion to be sent to the Honourable Doug Ford, Premier of Ontario, Minister of Transportation Caroline Mulroney and Paul Calandra local MPP for their consideration.

Carried

11.3 NEW/ OTHER BUSINESS: SPONSORSHIP DONATION (3.0)

As per Section 10.1 (j) of the "City of Markham's Code of Conduct", Councillor Isa Lee advised Council that she will be hosting a Community Event at the Armadale Community Centre in September 7, 2019 which will be supported through sponsorship and donations.

Moved by Councillor Isa Lee

Seconded by Regional Councillor Jack Heath

That the rules of procedure be waived to introduce a new item related to Sponsorship and Donation at a community event.

Carried by a 2/3 vote of Members of Council present

Council consented to endorse the Community event at the Armadale Community Centre as per Section 10.1 (j) of the "Council Code of Conduct" which permits *"sponsorships and donations for community events or initiatives organized or run by a Member, or a third party on behalf of a Member, where Council has authorized or endorsed the event or initiative."*

11.4 NEW/ OTHER BUSINESS: FUNDING FOR INTERNATIONAL TRAVEL TO ATTEND "BELT AND ROAD SUMMIT", HONG KONG, 11-12 SEPTEMBER 2019 (10.16)

Regional Councillor Jim Jones requested Council support for his attendance at the "Belt and Road Summit" to be held in Hong Kong from September 11-12, 2019.

Moved by Regional Councillor Jim Jones

Seconded by Regional Councillor Jack Heath

That the rules of procedure be waived to introduce an item related to Funding for International Travel to the "Belt and Road Summit" in Hong Kong, from September 11-12, 2019.

Carried by a 2/3 vote of Members of Council present

Moved by Councillor Amanda Collucci
Seconded by Regional Councillor Joe Li

1. That the motion put forward by Regional Councillor Jim Jones to attend the "Belt and Road Summit" in Hong Kong be deferred to the September 10, 2019 Council meeting.

Lost

Moved by Regional Councillor Jim Jones
Seconded by Councillor Andrew Keyes

1. That a funding allocation up to \$5,000 be provided for Regional Councillor Jim Jones to attend the "Belt and Road Summit" in Hong Kong from September 11-12, 2019.

Lost on a tie vote

12. ANNOUNCEMENTS

12.1 RETIREMENT OF CATHERINE CONRAD, CITY SOLICITOR AND ACTING DIRECTOR OF HUMAN RESOURCES (12.0)

Andy Taylor, Chief Administrative Officer, announced that it was Catherine Conrad's last Council meeting and thanked her for her 30+ years of dedicated municipal service.

13. BY-LAWS - THREE READINGS

Moved by Councillor Isa Lee
Seconded by Regional Councillor Joe Li

That By-laws 2019-68 to 2019-77, 2019-79, 2019-81 to 2019-83 be given three readings and enacted.

Carried

Three Readings**13.1 BY-LAW 2019-68 A BY-LAW TO AMEND PARKING BY-LAW 2005-188**

To amend Schedule C of the Parking By-law pertaining to “Prohibited Parking”.

Carried

13.2 BY-LAW 2019-69 B. MCGREGOR DEVELOPMENTS LIMITED, PART LOT CONTROL EXEMPTION BY-LAW

A by-law to designate part of a certain plan of subdivision not subject to Part Lot Control, Part of Lot 83 and Blocks 90 and 91, Registered Plan 65M-3168; designated as Parts 1, 2, 3, 4, 5, 6, 7, 8, 9, 11, 15, 16, 17, 18, and 19 on Reference Plan 65R-38319, located at 57 and 59 Bridlefield Lane.

Carried

13.3 BY-LAW 2019-70 - ROAD DEDICATION BY-LAW

A by-law to establish streets laid out according to Plan of Subdivision 65M-4450 as a public highway Part of Lot 19, Concession 8 (Humbold Properties Limited) City of Markham, Regional Municipality of York.

Carried

13.4 BY-LAW 2019-71 NASCENT/ SHER, 9704 MCCOWAN INC., AMENDMENT TO THE IN FORCE OFFICIAL PLAN (REVISED 2014), AS AMENDED

A by-law to adopt an Official Plan Amendment to the in force Official Plan (Revised 2014), as amended, to facilitate a mixed use mid-rise development.

(Item 8.3.1, Report No. 30)

Carried

13.5 BY-LAW 2019-72 ROAD DEDICATION BY-LAW (BUR OAK AVENUE)

A By-law to dedicate certain lands as part of the highways of the City of Markham (Block 41, Plan 65M-3634, designated as Part 1, 65R-33092 - Bur Oak Avenue).

Carried

13.6 BY-LAW 2019-73 DIGRAM DEVELOPMENTS MARKHAM INC., PART LOT CONTROL BY-LAW

A by-law to designate part of a certain plan of subdivision not subject to Part Lot Control, Part of Block 25 inclusive on Registered Plan 65M-3796, designated as Parts 1 and 2 on Plan 65R-37098, located north of 16th Avenue, on the west side of Williamson Road, within registered plan of subdivision 65M-3796.

Carried

13.7 BY-LAW 2019-74 A BY-LAW TO DEEM CERTAIN LANDS NOT TO BE A REGISTERED PLAN OF SUBDIVISION

(Block 64, Registered Plan 65M-3789 and Block 113, Registered Plan 65M-3794)

Carried

13.8 BY-LAW 2019-75 NEAMSBY INVESTMENTS INC., SOUTH OF DENISON STREET AND EAST OF BIRCHMOUNT ROAD, AMENDMENT TO THE IN FORCE OFFICIAL PLAN (REVISED 2014), AS AMENDED

A by-law to adopt an Official Plan Amendment to the in force Official Plan (Revised 2014), as amended, to provide for sports and fitness recreation use.

(Item 8.3.2, Report No. 22, May 14, 2019 Council Meeting).

Carried

13.9 BY-LAW 2019-76 NEAMSBY INVESTMENTS INC., SOUTH OF DENISON STREET AND EAST OF BIRCHMOUNT ROAD, ZONING BY-LAW AMENDMENT

A By-law to amend By-law 108-81, as amended to provide for sports and fitness recreation use.

(Item 8.3.2, Report No. 22, May 14, 2019 Council Meeting).

Carried

13.10 BY-LAW 2019-77 B. MCGREGOR DEVELOPMENTS INC., 57 AND 59 BRIDLEFIELD LANE, HOLD REMOVAL BY-LAW

A By-law to amend By-law 177-96, as amended to allow for the development of single detached dwellings on the subject lands.

Carried

- 13.11 BY-LAW 2019-78 CAN AM EXPRESS, 332 AND 338 JOHN STREET,
ZONING BY-LAW AMENDMENT

Note: A postponement of this By-law was requested by the applicant.

Postponed

- 13.12 BY-LAW 2019-79 NASCENT/ SHER, 9704 MCCOWAN ROAD, ZONING BY-LAW AMENDMENT

A By-law to amend By-law 304-87, as amended, and By-law 177-96, as amended to facilitate a mixed use mid-rise development.

(Item 8.3.1, Report No. 30)

Carried

- 13.13 BY-LAW 2019-81 GEMTERRA (WOODBINE) INC., WEST OF WOODBINE AVENUE, SOUTH OF 16TH AVENUE, AMENDMENT TO THE IN FORCE OFFICIAL PLAN (REVISED 2014), AS AMENDED

A by-law to adopt an Official Plan Amendment to the in force Official Plan (Revised 2014), as amended, to provide for townhouse development.

(Item 8.1.1, Report No. 16, April 30, 2019 Council Meeting)

Carried

- 13.14 BY-LAW 2019-82 GEMTERRA (WOODBINE) INC., WEST OF WOODBINE AVENUE, SOUTH OF 16TH AVENUE, ZONING BY-LAW AMENDMENT

A By-law to amend By-law 19-94, as amended. and By-law 177-96, as amended, to provide for townhouse development.

(Item 8.1.1, Report No. 16, April 30, 2019 Council Meeting)

Carried

- 13.15 BY-LAW 2019-83 A BY-LAW TO REPEAL AND REPLACE BY-LAW 2002-311 BEING A BY-LAW TO APPOINT DEPUTY CLERKS FOR THE CORPORATION OF THE CITY OF MARKHAM

(Appointment of A. Tari, L. Gold, S. Chapman, H. Giantsopoulos, C. Aguila-Wong and L. Bisera.)

Carried

14. CONFIDENTIAL ITEMS

Council consented to add the following item to the Confidential agenda:

14.4 PERSONAL MATTERS ABOUT AN IDENTIFIABLE INDIVIDUAL, INCLUDING MUNICIPAL OR BOARD EMPLOYEES (BOARD/ COMMITTEE APPOINTMENTS) (16.24) [Section 239 (2) (b)]

Moved by Regional Councillor Jim Jones

Seconded by Councillor Reid McAlpine

That, in accordance with Section 239 (2) of the Municipal Act, Council resolve into a private session to discuss the following confidential matters at 6:43 pm:

14.1 COUNCIL

14.1.1 PERSONAL MATTERS ABOUT AN IDENTIFIABLE INDIVIDUAL, INCLUDING MUNICIPAL OR BOARD EMPLOYEES (BOARD/ COMMITTEE APPOINTMENTS) (16.24) [Section 239 (2) (b)]

14.2 GENERAL COMMITTEE (JUNE 17, 2019)

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

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

14.3 DEVELOPMENT SERVICES COMMITTEE (JUNE 24, 2019)

14.3.1 LITIGATION OR POTENTIAL LITIGATION, INCLUDING MATTERS BEFORE ADMINISTRATIVE TRIBUNALS, AFFECTING THE MUNICIPALITY OR LOCAL BOARD – MINUTES OF SETTLEMENT (DORSAY) (8.0) [Section 239 (2) (e)]

Carried

Moved by Regional Councillor Jim Jones

Seconded by Councillor Karen Rea

That Council rise from Confidential session at 7:31 pm.

Carried

The Confidential items were approved by Council as follows:

14.1 COUNCIL

14.1.1 PERSONAL MATTERS ABOUT AN IDENTIFIABLE INDIVIDUAL, INCLUDING MUNICIPAL OR BOARD EMPLOYEES (BOARD/ COMMITTEE APPOINTMENTS) (16.24) [Section 239 (2) (b)]

Moved by Regional Councillor Jim Jones

Seconded by Regional Councillor Joe Li

1. That the following persons be appointed to the Doors Open Markham Organizing Committee:

| <u>Name</u> | <u>Term</u> |
|------------------|-------------------|
| Meghana Umrajkar | November 30, 2020 |
| Shakir Khan | November 30, 2020 |
| Khalid Meraj | November 30, 2020 |
| Nicole Hendricks | November 30, 2020 |

2. That the following persons be appointed to the Heritage Markham Committee:

| <u>Name</u> | <u>Term</u> |
|-----------------|-------------------|
| Paul Tiefenbach | November 30, 2022 |
| Shan Goel | November 30, 2022 |
| Doug Denby | November 30, 2021 |

Carried

14.2 GENERAL COMMITTEE (JUNE 17, 2019)

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

Moved by Councillor Isa Lee

Seconded by Councillor Amanda Collucci

1. That The Confidential Report on the Proposed or Pending Acquisition or Disposition of Land by the Municipality or Local Board (Ward 8), be received; and,
2. That staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

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

Moved by Councillor Isa Lee

Seconded by Councillor Keith Irish

1. That The Confidential Report on the Proposed or Pending Acquisition or Disposition of Land by the Municipality or Local Board (Ward 8), be received; and,
2. That staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

14.3 DEVELOPMENT SERVICES COMMITTEE (JUNE 24, 2019)

14.3.1 LITIGATION OR POTENTIAL LITIGATION, INCLUDING
MATTERS BEFORE ADMINISTRATIVE TRIBUNALS, AFFECTING
THE MUNICIPALITY OR LOCAL BOARD – MINUTES OF
SETTLEMENT (DORSAY) (8.0) [Section 239 (2) (e)]

Moved by Regional Councillor Jim Jones

Seconded by Councillor Andrew Keyes

1. That the confidential report on Litigation or Potential Litigation, including matters before Administrative Tribunals, affecting the Municipality or Local Board, be received; and further,
2. That staff and legal counsel be authorized and directed to do all things necessary to give effect to this resolution.

Carried

14.4 PERSONAL MATTERS ABOUT AN IDENTIFIABLE INDIVIDUAL,
INCLUDING MUNICIPAL OR BOARD EMPLOYEES (BOARD/
COMMITTEE APPOINTMENTS (16.24) [Section 238 (2) (b)]

Council consented to not report out on this matter.

15. CONFIRMATORY BY-LAW - THREE READINGS

Moved by Councillor Isa Lee

Seconded by Regional Councillor Joe Li

That By-law 2019-80 be given three readings and enacted.

Three Readings

BY-LAW 2019-80 A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE
COUNCIL MEETING OF JUNE 25, 2019.

Carried

16. ADJOURNMENT

Moved by Councillor Karen Rea

Seconded by Councillor Reid McAlpine

That the Council meeting be adjourned at 7:51 p.m.

Carried

Kimberley Kitteringham
City Clerk

Don Hamilton
Deputy Mayor



Special Council Minutes

Meeting Number: 14
July 26, 2019, 11:00 AM
Council Chamber

| | | |
|-----------|--|---|
| Roll Call | <p>Mayor Frank Scarpitti</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</p> <p>Councillor Isa Lee</p> |
| Regrets | Deputy Mayor Don Hamilton | |
| Staff | <p>Andy Taylor, Chief Administrative Officer</p> <p>Trinela Cane, Commissioner, Corporate Services</p> <p>Brenda Librecz, Commissioner, Community & Fire Services</p> <p>Arvin Prasad, Commissioner, Development Services</p> <p>Claudia Storto, City Solicitor and Director of Human Resources</p> <p>Joel Lustig, Treasurer</p> <p>Bryan Frois, Chief of Staff</p> <p>Kimberley Kitteringham, City Clerk</p> <p>Martha Pettit, Deputy City Clerk</p> | <p>John Wong, Technology Support Specialist II</p> <p>Ronald Blake, Senior Manager, Development, Planning & Urban Design</p> <p>John Yeh, Manager, Strategy & Innovation</p> <p>Mark Visser, Sr Manager Strategy Innovation & Investments</p> <p>Kevin Ross, Manager, Development Finance & Payroll</p> <p>Margaret Wouters, Senior Manager, Policy & Research</p> <p>Francesco Santaguida, Assistant City Solicitor</p> <p>Geoff Day, Senior Planner</p> |

Alternate formats for this document are available upon request

1. CALL TO ORDER

INDIGENOUS LAND ACKNOWLEDGEMENT

We begin today by acknowledging that we walk upon the traditional territories of Indigenous Peoples and we recognize their history, spirituality, culture, and stewardship of the land. We are grateful to all Indigenous groups for their commitment to protect the land and its resources and we are committed to reconciliation, partnership and enhanced understanding.

The Special Council meeting convened at 11:06 AM on July 26, 2019 in the Council Chamber with Regional Councillor Joe Li presiding as Chair. Mayor Frank Scarpitti assumed the Chair at 11:16 AM.

Council recessed at 1:22 PM and reconvened at 2:10 PM.

2. DISCLOSURE OF PECUNIARY INTEREST

None disclosed.

3. DEPUTATIONS

There were no deputations.

4. UPDATE ON BILL 108, MORE HOMES, MORE CHOICE ACT, 2019

4.1 CITY OF MARKHAM COMMENTS ON CERTAIN PROPOSED REGULATIONS UNDER THE PLANNING ACT AND LOCAL PLANNING APPEAL TRIBUNAL ACT RELATED TO BILL 108, MORE HOMES, MORE CHOICE ACT, 2019 (10.0)

Moved by Regional Councillor Jim Jones

Seconded by Councillor Keith Irish

Whereas the City of Markham recognizes that the More Homes, More Choice Act 2019, (Bill 108) received Royal Assent on June 6, 2019; and,

Whereas the City of Markham reaffirms its concerns with Bill 108 as outlined in the May 28, 2019 Council resolution submitted to the Province of Ontario prior to the commenting deadline, and in particular, the following clauses:

“That the Province of Ontario leave development charges as the tool to recover the costs of hard and soft services as currently obtained, and that if a

community benefits charge is being considered, that it be restricted to section 37 and parkland dedication as it relates to providing affordable housing in municipalities across Ontario.” and,

“That the proposed Local Planning Appeal Tribunal process that reverts back to a “de novo” hearing process is not supported. The Province should carry forward the current test for the appeal of a Planning Act application requiring the Local Planning Appeal Tribunal to evaluate a municipal decision on a planning application based on its consistency with the Provincial Policy Statement, and conformity with Provincial Plans, as well as Regional and local Official Plans, or if the Province is unwilling to restore the appeal test, the Province should revise Bill 108 to provide for more deference to Council’s decisions.”

Now therefore be it resolved:

1. That the report entitled “City of Markham Comments on Certain Proposed Regulations Under the *Planning Act* and *Local Planning Appeal Tribunal Act* related to Bill 108, *More Homes, More Choice Act, 2019*”, dated July 26, 2019, be received; and,
2. That this report, with recommendations from the City of Markham on certain proposed regulations to the *Planning Act* and the *Local Planning Appeal Tribunal Act* related to Bill 108, *More Homes, More Choice Act, 2019*, (Environmental Registry of Ontario Proposal No. 019-00181 and Proposal No. 19-MAG007) be forwarded to the Minister of Municipal Affairs and Housing, and York Region; and,
3. That the proposed transition rules under the *Local Planning Appeal Tribunal Act, 2017* apply to *Planning Act* appeals where the Tribunal has not provided written notice that an appeal is valid, and that appeals which have received a Notice of Validation proceed under the Bill 139 requirements; and,
4. That the Province maintain the ability to appeal a community planning permit system implementing by-law from Ontario Regulation 173/16 “Community Planning Permits” when the Minister issues an order to require a local municipality to adopt or establish a system; and,
5. That the City of Markham supports the proposed Regulations pertaining to additional residential units as long as they do not preclude the ability of the City to restrict through the zoning by-law where additional units are permitted, in accordance with the Regulations; and further,

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

Carried as Amended

4.2 CITY OF MARKHAM COMMENTS ON PROPOSED REGULATIONS - DEVELOPMENT CHARGES ACT, 1997 AND COMMUNITY BENEFITS CHARGE AUTHORITY (10.0)

Moved by Councillor Andrew Keyes

Seconded by Councillor Amanda Collucci

1. **That the report entitled, "City of Markham Comments on Proposed Regulations - Development Charges Act, 1997 and Community Benefits Charge Authority" be received; and,**
2. **That this report, with the recommendations from the City of Markham on the proposed regulations to the Development Charges Act, 1997 and the Community Benefits Authority, be forwarded to the Premier of Ontario, Minister of Municipal Affairs and Housing, all York Region MPPs and the Regional Municipality of York; and,**
3. **That the City of Markham strongly urges the Province of Ontario to ensure that the implementation of the Community Benefits Charge will result in revenue neutrality for municipalities; and,**
4. That the City of Markham supports the following:
 - a. **The Province's efforts to increase the affordable housing supply in Ontario communities and encourages the Province to work with local municipalities and other government agencies to develop mechanisms toward that goal; and,**
 - b. **The Provincial implementation timeline of January 1, 2021 to transition to the Community Benefits Charge regime; and,**
 - c. **The Province's recommendation under Section 26.1 of the Development Charges Act, 1997, and,**
 - d. **The community benefits reporting requirements as proposed by the Province; and,**
 - e. **The parkland reporting requirements as proposed by the Province; and,**

- f. **The proposed list of developments included in the community benefits exemptions, to the extent that they are applicable to non-profit developments only; and,**
 - g. **The Minister of Municipal Affairs and Housing's proposal not to establish a maximum interest rate to be applied during the deferral and freeze of development charges; and,**
- 5. That the City of Markham request the Province:
 - a. **Authorize municipalities to register a priority lien on the tax roll of properties with mandatory development charge deferrals to protect the municipality against losses in the event of bankruptcy or land ownership changes; and,**
 - b. **Allow municipalities to use additional tools, other than a priority lien, to ensure that mandatory development charge deferrals are secured in a manner that protects municipal interests; and,**
 - c. **Specify that the date for which development charges are to be determined/frozen under Section 26.2 of the Development Charges Act, 1997 begins when an application for a zoning by-law amendment is deemed complete pursuant to section 34(10.4) of the Planning Act, and further, that a provision be made for municipalities to determine what constitutes acceptance of a site plan application for the purposes of determining development charges; and,**
 - d. **Mandate that any major revisions to an application require a recalculation of the applicable development charges from the date the major revision is accepted by the municipality, or the date such revision is deemed major by the municipality; and,**
 - e. **Clarify the proposed regulations related to secondary dwelling units in new residential buildings to indicate that a secondary dwelling unit is subordinate to, or accessory to, a main residential building in order to be identifiably differentiated from other residential development such as multi-unit buildings (e.g. multi-plexes, stacked townhouses); and,**
 - f. **Amend the Community Benefits Charge to reflect a fixed per capita charge in addition to a percentage of land value; and,**
 - g. **Set the Community Benefits Charge cap percentage for low density development at a minimum of 20% of land value (if it is solely linked**

to a percentage of land value) in order to maintain revenue neutrality for the City of Markham; and,

- h. **Set the Community Benefits Charge cap percentage for high density development at a minimum of 85% of land value (if it is solely linked to a percentage of land value) with the percentage increasing as intensification increases in order to maintain revenue neutrality for the City of Markham; and,**
 - i. **Establish the proposed range of the Community Benefits Charge cap based on building type (low density vs high density) and geographic location; and,**
 - j. **Allow municipalities to establish a fee as part of the proposed process for land appraisals to offset the additional administrative costs; and,**
 - k. **Authorize municipalities to levy a Community Benefits Charge in a Community Planning Permit area (without a cap); and,**
 - l. **Permit municipalities, where the Minister designates an area subject to a Community Planning Permit System, to enter into cost-sharing agreements with multiple landowners to provide community services to those areas; and further,**
6. **That staff be authorized and directed to do all things necessary to give effect to this resolution.**

Carried as Amended

Council consented to vote separately on the original Recommendation No. 8 contained in the staff report.

Moved by Regional Councillor Jack Heath

Seconded by Councillor Karen Rea

- 1. That the City of Markham does not support equal installments under Section 26.1 of the Development Charges Act, 1997 for industrial and commercial development.

Lost

Council consented to amend the original Recommendation No. 8 contained in the staff report as follows:

Moved by Councillor Alan Ho

Seconded by Regional Councillor Jim Jones

1. That the City of Markham supports the Province's recommendation under Section 26.1 of the Development Charges Act, 1997.

Carried as Amended

Council had before it the following original 24 recommendations contained in the staff report for consideration:

1. That the report entitled, "City of Markham Comments on Proposed Regulations - Development Charges Act, 1997 and Community Benefits Charge Authority" be received; and,
2. That this report, with the recommendations from the City of Markham on the proposed regulations to the *Development Charges Act, 1997* and the Community Benefits Authority, be forwarded to the Minister of Municipal Affairs and Housing and to York Region; and,
3. That the City of Markham supports the Province's intent to ensure that the implementation of the Community Benefits Charge will result in municipalities like the City of Markham remaining revenue neutral; and,
4. That the City of Markham supports the Province's efforts to bring more affordable housing to our communities; and,
5. That the City of Markham supports the implementation timeline of January 1, 2021 to transition to the Community Benefits Authority; and,
6. That municipalities be allowed to register a priority lien on the tax roll of properties with mandatory development charge deferrals to protect the municipality against losses in the event of bankruptcy or land ownership changes; and,
7. That municipalities be allowed to use additional tools, other than a priority lien, to ensure that mandatory development charge deferrals are secured in a manner that protects municipal interests; and,

8. That the Commercial Development subject to payments in equal installments under Section 26.1 of the *Development Charges Act, 1997* should not include retail development; and,
9. That Section 26.2 of the *Development Charges Act, 1997* regarding when development charges are to be determined/frozen specify that for zoning by-law amendment applications, that the date that an application is deemed complete pursuant to section 34(10.4) of the Planning Act be the date upon which development charges are determined and, further that a provision be made for municipalities to determine what constitutes acceptance of a site plan application for the purposes of determining development charges; and,
10. That any major revisions to an application require a recalculation of the applicable development charges from the date the major revision is accepted by the municipality, or the date such revision is deemed major by the municipality; and,
11. That the City of Markham supports the Minister's proposal not to establish a maximum interest rate to be applied during the deferral and freeze of development charges; and,
12. That the proposed regulations related to secondary dwelling units in new residential buildings should be clarified to indicate that a secondary dwelling unit is subordinate to, or accessory to, a main residential building in order to be identifiably differentiated from other residential development such as multi-unit buildings (e.g. multi-plexes, stacked townhouses); and,
13. That the City of Markham supports the community benefits reporting requirements as proposed; and,
14. That the City of Markham supports the parkland reporting requirements as proposed; and,
15. That the City of Markham support the proposed list of developments included in the community benefits exemptions, to the extent that they are applicable to non-profit developments only; and,
16. That the Province add a fixed component to the Community Benefits Charge formula to account for the costs of building growth-related infrastructure; and,
17. That if the Community Benefits Charge cap is solely linked to a percentage of land value, that the percentage for low density development be a minimum of 20% of land value in order to maintain revenue neutrality for the City of Markham; and,

18. That if the Community Benefits Charge cap is solely linked to a percentage of land value, that the percentage for high density development be a minimum of 85% of land value, with the percentage increasing as intensification increases in order to maintain revenue neutrality for the City of Markham; and,
19. That the proposed range of the Community Benefits Charge cap be based on building type (low density vs high density) and geographic location within Ontario; and,
20. That the proposed process for land appraisals will add additional costs to the administrative process that should be recoverable through a fee; and,
21. That the City of Markham supports the proposed list of services to be excluded from the Community Benefits Charge; and,
22. That municipalities be granted authority to levy a Community Benefits Charge in a Community Planning Permit area, which should not be subject to any proposed cap; and,
23. That where the Minister designates an area subject to a Community Planning Permit System, the municipality may be allowed to enter into cost-sharing agreements with multiple landowners to provide community services to those areas; and further,
24. That staff be authorized and directed to do all things necessary to give effect to this resolution.

5. CONFIDENTIAL ITEM

Council consented to add a confidential item to the Special Council meeting agenda for consideration.

Moved by Councillor Karen Rea

Seconded by Regional Councillor Jack Heath

That the following confidential item be placed on the July 26, 2019 Special Council meeting agenda for consideration:

1. PERSONAL MATTERS ABOUT AN IDENTIFIABLE INDIVIDUAL,
INCLUDING MUNICIPAL OR LOCAL BOARD EMPLOYEES (6.7) [Section 239
(2) (b)]

Carried by a Two Thirds Vote

Moved by Councillor Alan Ho
 Seconded by Councillor Reid McAlpine

That, in accordance with Section 239 (2) of the Municipal Act, Council resolve into a confidential session at 4:03 p.m. to discuss the following matter:

1. PERSONAL MATTERS ABOUT AN IDENTIFIABLE INDIVIDUAL,
 INCLUDING MUNICIPAL OR LOCAL BOARD EMPLOYEES (6.7) [Section 239
 (2) (b)]

Carried

Moved by Councillor Khalid Usman
 Seconded by Regional Councillor Jack Heath

That Council rise from confidential session at 4:06 pm.

Carried

The Confidential item was approved by Council as follows:

- 5.1 PERSONAL MATTERS ABOUT AN IDENTIFIABLE INDIVIDUAL,
 INCLUDING MUNICIPAL OR LOCAL BOARD EMPLOYEES (6.7) [Section
 239 (2) (b)]

Moved by Councillor Karen Rea
 Seconded by Councillor Andrew Keyes

1. That on the personal matter about an identifiable individual, including
 municipal or local board employees, staff proceed as directed by Council.

Carried

6. CONFIRMATORY BY-LAW

- 6.1 BY-LAW 2019-84 A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE
 SPECIAL COUNCIL MEETING OF JULY 26, 2019

Moved by Councillor Isa Lee
 Seconded by Councillor Keith Irish

That By-law 2019-84 be given three readings and enacted.

Three Readings

BY-LAW 2019-84 A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE
SPECIAL COUNCIL MEETING OF JULY 26, 2019

Carried

7. ADJOURNMENT

Moved by Councillor Isa Lee

Seconded by Councillor Keith Irish

1. That the Special Council meeting be adjourned at 4:07 PM.

Carried

Kimberley Kitteringham

City Clerk

Frank Scarpitti

Mayor



THE
COLLEGE
OF
PHYSICIANS
AND
SURGEONS
OF
ONTARIO

July 8, 2019

TO MAYOR, CITY CLERK AND COUNCILLORS:

**Nominate an Outstanding Ontario Physician in Your Community
The College of Physicians and Surgeons of Ontario Council Award**



Did You Know?

***Over the last four years,
the Council Award has
been presented to four
physicians nominated by
their local city council?***

The College of Physicians and Surgeons (CPSO) is now accepting nominations for the **2020 Council Award**. The Council Award honours outstanding Ontario physicians who have demonstrated excellence and embody a vision of the “ideal physician”.

The criteria for selecting a physician for the Council Award are outlined in the enclosed nomination form. The criteria are based upon eight “physician roles” that reflect society’s expectations of what is needed to practise modern medicine.

Through the award, the College honours Ontario physicians whose performance in each of these roles is outstanding, recognizing that individual physicians will demonstrate more extensive expertise in some roles than in others.

If you know of a physician who meets the selection criteria, please nominate him or her for the Council Award.

The deadline for receipt of nominations is September 30, 2019 at 5:00 p.m.

For further information, please contact the Council Awards Program at 416-967-2600 or 1-800-268-7096 extension 257 or cpsoaward@cpso.on.ca.



The Council Award honours outstanding Ontario physicians who have demonstrated excellence and come closest to meeting society's vision of an "ideal physician."

Four awards are presented each year, in the following categories: Academic Specialty, Community Specialty, Academic Family Practice and Community Family Practice.

CRITERIA

The criteria for selecting a physician for the Council Award is based on the eight physician roles identified as the essential qualities needed to practise modern medicine:

- medical expert/clinical decision maker
- health advocate
- communicator
- learner
- collaborator
- scientist/scholar
- gatekeeper/resource manager
- person & professional

The Council Award recognizes physicians whose performance in these roles is outstanding, recognizing that they may demonstrate more extensive expertise in some roles than in others. Details on the elements of each role are outlined on the CPSO's award webpage.

ELIGIBILITY FOR NOMINATION

Anyone may nominate a physician for the Council Award. To be eligible for nomination, a physician must be licensed in Ontario and be in good standing with the College. Previous nominees who were unsuccessful are eligible. Former recipients of the Council Award or the Excellence in Quality Management of Medical Care Award are not eligible for nomination. Council Members and staff of the College and members of their immediate families are also not eligible.

NOMINATION INSTRUCTIONS

1. Complete the **nomination form**.
2. Provide a **detailed nominator's statement** describing how the nominee has demonstrated overall excellence and contributed to the profession. *You are encouraged to include pertinent supporting materials such as testimonials, reports, media articles, CVs, etc.*
3. Find a **second** for the nomination who will provide a written testimonial about the nominee's accomplishments.
4. The completed Council Award nomination package (including nominator's statement, supporting material and second's statement) can be emailed to cpsoaward@cpso.on.ca or mailed to the following address:

*The Council Award,
c/o Communications Department
College of Physicians and Surgeons of Ontario
80 College Street, Toronto, Ontario, M5G 2E2*

For more information, please contact:
Call: 416-967-2600 or 1-800-268-7096, ext. 257
E-mail: cpsoaward@cpso.on.ca

Additional information and nomination forms are available at:
www.cpso.on.ca/council-award

CHECKLIST:

- ☐ **NOMINATION FORM**
- ☐ **NOMINATOR'S STATEMENT**
- ☐ **SECONDER'S STATEMENT**
- ☐ **SUPPORTING DOCUMENTS (OPTIONAL)**
- ☐ **NOMINEE'S CV (OPTIONAL)**

The deadline for the nominations is Monday, September 30, 2019 at 5:00 p.m.

NOMINATION FORM

Please provide Nominator and Seconder
Statements and any additional information
in support of your nomination



NOMINEE

FIRST NAME:

LAST NAME:

NOMINEE'S ADDRESS:

EMAIL ADDRESS:

TELEPHONE:

DATE AND PLACE OF BIRTH:

DEGREES EARNED (DEGREE, SCHOOL, YEAR):

SPECIALTY, IF ANY:

TYPE OF PRACTICE:

FACULTY APPOINTMENTS, IF ANY:

PREVIOUS HONOURS AND AWARDS:

If you need more space, please attach additional pages

NOMINATOR

FIRST NAME:

LAST NAME:

ADDRESS:

E-MAIL ADDRESS:

TELEPHONE NUMBER:

PLEASE INDICATE YOUR RELATIONSHIP TO THE NOMINEE:

SECONDER (must be provided)

FIRST NAME:

LAST NAME:

ADDRESS:

E-MAIL ADDRESS:

TELEPHONE NUMBER:

Bisera, Leikha

Subject: Special Occasion Liquor Permit - Craft Beer + Food Festival

From: **mary pan**

Date: Wed, 28 Aug 2019 at 10:08

Subject: Re: FOLLOWUP - Special Occasion Liquor Permit - Craft Beer + Food Festival

To: Jayakrishnan, Chitra

Hi Chitra,

I emailed you instead a SOP request, which is on this email chain:

"On behalf of The Remington Group, I would like to advise of the intention to apply for a Special Occasions Permit for the Craft Beer + Food Festival. The community event will take place on Saturday, September 14 from 12 noon to 6 pm at the Origin Square located at 169 Enterprise Blvd.

We're requesting for the City of Markham's consideration to recognize the event as a "Community Festival" of Municipal significance as required for the SOP application."

In order to apply for a SOP from AGCO, please advise when I may expect the letter from the City to recognize the event as a "Community Festival" of Municipal [significance.as](#) the event is 2.5 weeks away.

Many thanks,
Mary Pan

MARY PAN & Co. 1 studio 1

Transforming ideas into reality

CONFIDENTIALITY NOTICE: The information in this electronic mail message is private and confidential to the ordinary user of the e-mail address to which it was addressed and may also be privileged. Should you receive this message in error, you are hereby notified that any disclosure, reproduction, distribution or use of this message and its attachments is strictly prohibited; and should be deleted from your system. If you have received this message in error, please immediately notify the sender by reply transmission and promptly delete this communication without copying it or opening any attachments.

Bisera, Leikha

Subject: SPECIAL OCCASION PERMIT - DIVERSITY COMMUNITY CULTURAL FESTIVAL (WARD 6)

LETTER OF MUNICIPAL SIGNIFICANCE REQUEST.
SPECIAL OCCASION PERMIT.

To: City Clerk office. Markham Municipal.
Event Venue: Markham Fairground.
Re: Rising Star Promotions. July 20th 2019 Markham and York community council.

To whom it may concern: Dear Sir or Madam,

Rising Star Promotion LLC. is hosting an event called 1st Annual " DIVERSITY COMMUNITY CULTURAL FESTIVAL" (DCCF). on September 14th 2019. from 3pm to 12pm. at Markham Fairground 10801 McCowan Road L3p3j3. Toronto Canada. expectancy is 2800 people at the event. confirmation contact is Valerie selva. 905-642-3247 Ex250. (Manager).

This event will be held inside the Markham fairground.

The purpose for the Diversity Cultural community Festival is to raise awareness of the importance of bringing everyone together, promoting different Cultural uniqueness, caring and unified for all people.

Our aim to ensure everyone in the community regardless of age, gender, nationality and social economic class, people may not always interact with different cultures, but everyone can enjoy the celebration of diversity through food, music, colorful Art and craft fashion on show. The event is accessible to those with additional needs. Side by Side, its possible.

we are inviting local artist, including local creative talented youths, Retired musical folks, local country musical folks to come and jam and promote their talent, shine their instruments and bring them back alive again.

As I myself in the medical field, we are involving the local health integration network (LHIN) to participate on setting a Tent Booth to promote education on Diabetes, yearly Mammogram check up, heart disease and healthy foods diet. we also setting up aside for Donations of clothes, shoes to help with local community in needs.

we are inviting local businesses' to promote and boost their business both insight and off sight spending related to visitors stop at local gas station, souvenirs shops, restaurants and hotels stay overnight.

Furthermore we are working diligently and well informed the department of fire building and health, local police , officer Patrick Gros of Markham police dept. Mrs Shitra of Markham municipal clerk. the event will also be supervised by the licensed security guards.

Our 1st year Diversity cultural community festival will be supporting a local charity to raise money for breast cancer society of Canada. Sick kid foundation of Canada. in this year effort will be making a responsible and regulated alcohol in the event strictly serve for adult over 19 years of age. Monitor alcohol consumption at the premises.

Markham fairground management will be providing house keeping, cleaning and disposable plastic and waste to the assign area to ensure surrounding area remain safe ,clean and secure for the people.

Please Contact me if you have any question.
sincerely regards

Kola Onabajo

Diversity Community Cultural Festival Organizer Rising Star promotion



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):

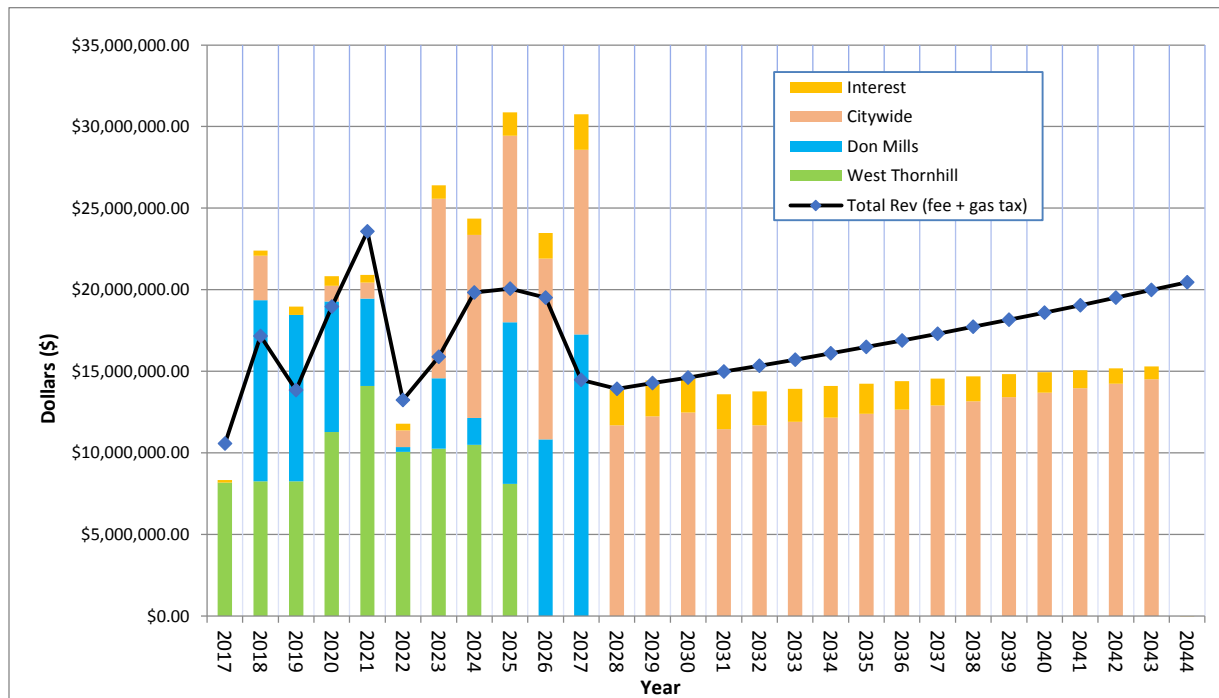


Figure 1 Stormwater Revenue/Expense Trending

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:

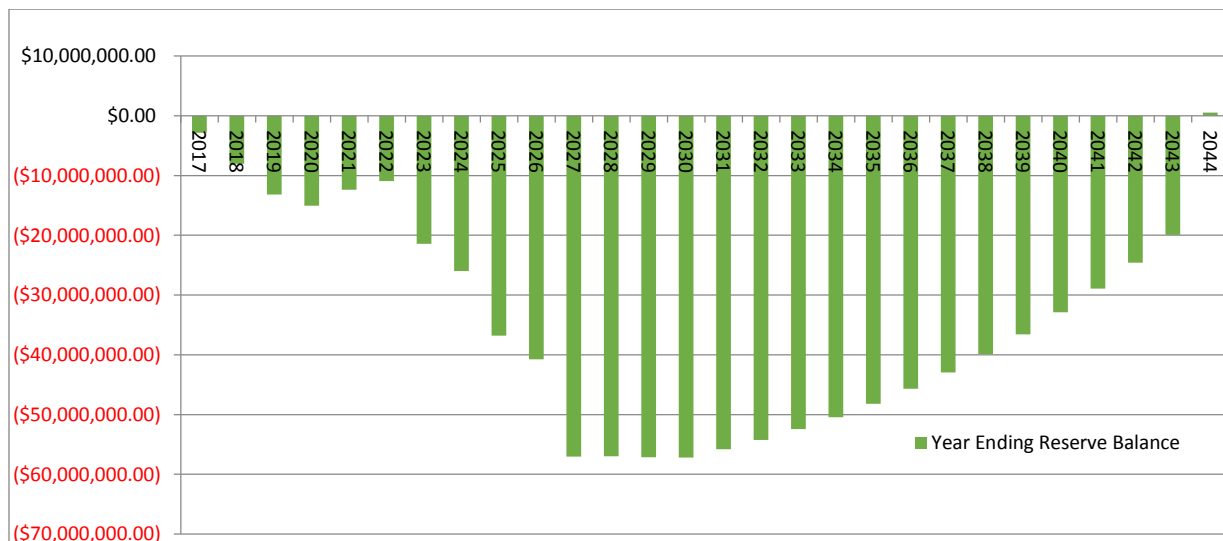


Figure 2 Stormwater Reserve Balance

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;

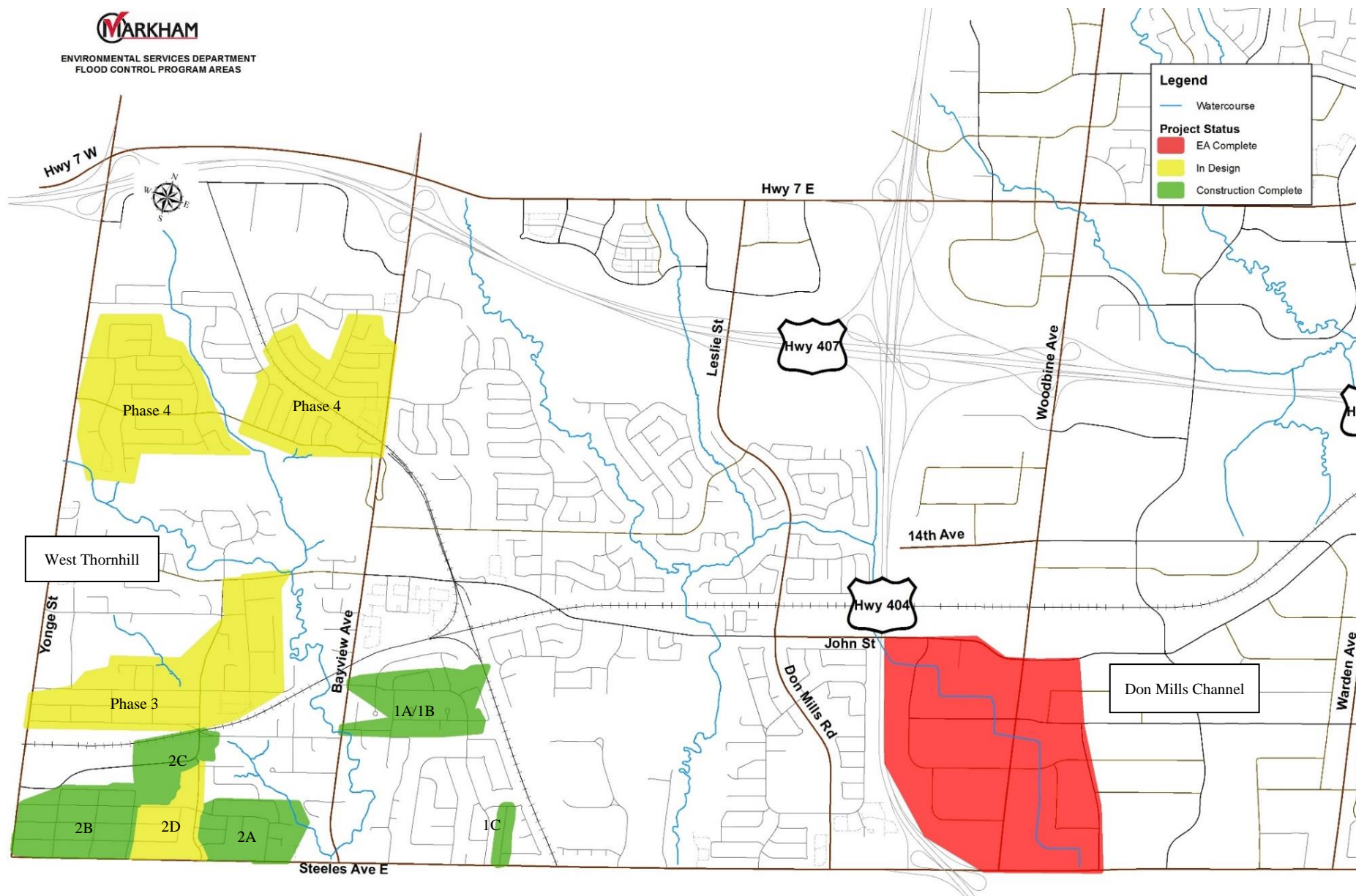
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- (g) “Residential Property” means Property within the geographical boundary of the City of Markham classified as Residential by the MPAC;
 - (h) “Non-Residential Property” means Property within the geographical boundary of the City of Markham classified 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

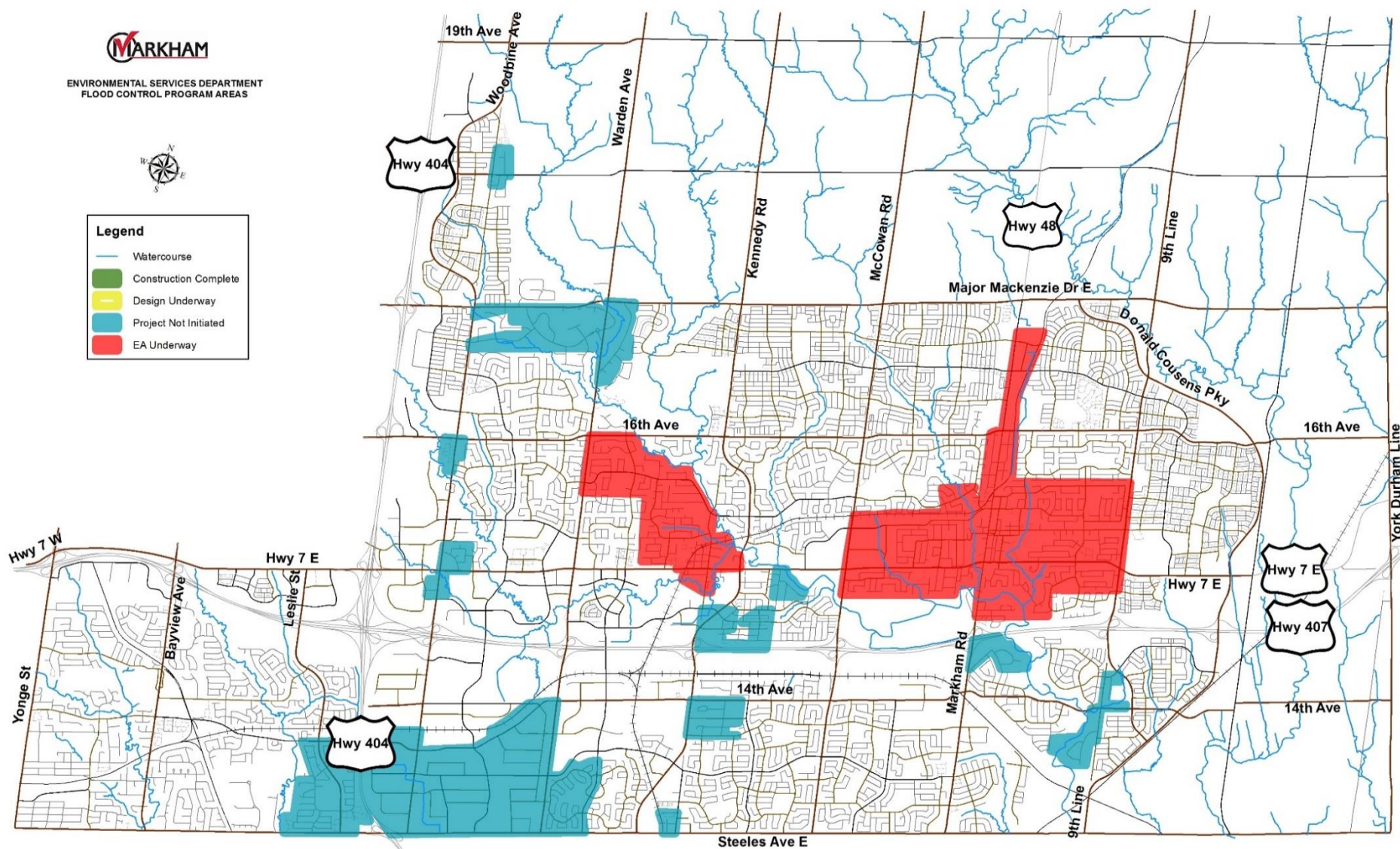
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6. THAT the Treasurer continue to be authorized to adjust the annual stormwater fee rate for both Non-Residential and Vacant Land properties to compensate for the average annual change in City-wide CVA; AND
 7. THAT any Property with a total CVA of 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

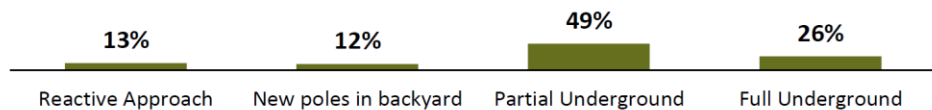
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Which of the following design approaches would you prefer?

| 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

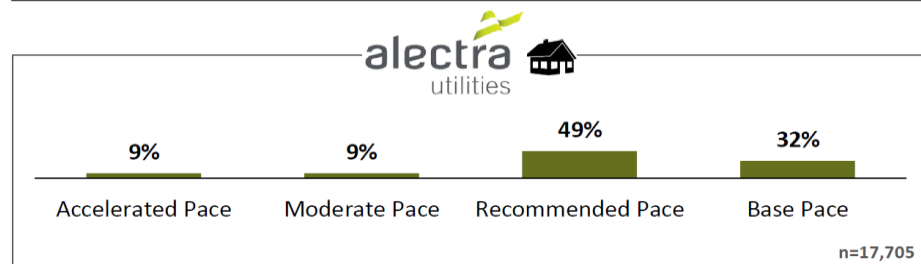


Which of the following timing options would you prefer?

| 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: 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:

-
- 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



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



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



By-law 2019-xx

A By-law to amend By-law 77-73, as amended

The Council of The Corporation of the City of Markham hereby enacts as follows:

- 1. That By-law 77-73, as amended, is hereby further amended as follows:
 - 1.1 Notwithstanding any other provisions of By-law 77-73, as amended, the provisions in this By-law shall apply to those lands shown on Schedule 'A', attached hereto.
 - 1.1.1 Permitted Uses

The following additional uses are permitted on lands shown on Schedule 'A':

 - a) outdoor storage of buses or motor vehicles
 - 1.1.2 Special Site Provisions

The following additional provisions apply:

 - a) additions to existing buildings are not permitted;
 - b) construction of new buildings is not permitted;
 - c) the installation of additional impermeable surface material is not permitted;
 - d) a maximum of twenty (20) buses shall be stored on the subject lands at any given time; and,
 - e) the storage of any derelict or inoperable buses or motor vehicles is prohibited.
- 2. All other provisions of By-law 77-73, as amended, not inconsistent with the provisions of this By-law, shall continue to apply.
- 3. This By-law shall expire on December 1, 2021, in accordance with the provisions of Section 39 of the Planning Act RSO 1990.

Read a first, second and third time and passed on _____,
2019.

Kimberly Kitteringham
City Clerk

Frank Scarpitti
Mayor



EXPLANATORY NOTE

BY-LAW 2019-_____
A Temporary Use By-law to amend By-law 77-73, as amended

332 and 338 John Street
Parts of Lot 14, Registered Plan 2382

Lands Affected

This By-law amendment applies to the lands noted above within the Thornhill community.

Existing Zoning

332 and 338 John Street are zoned M – Industrial under Zoning By-law 77-73, as amended.

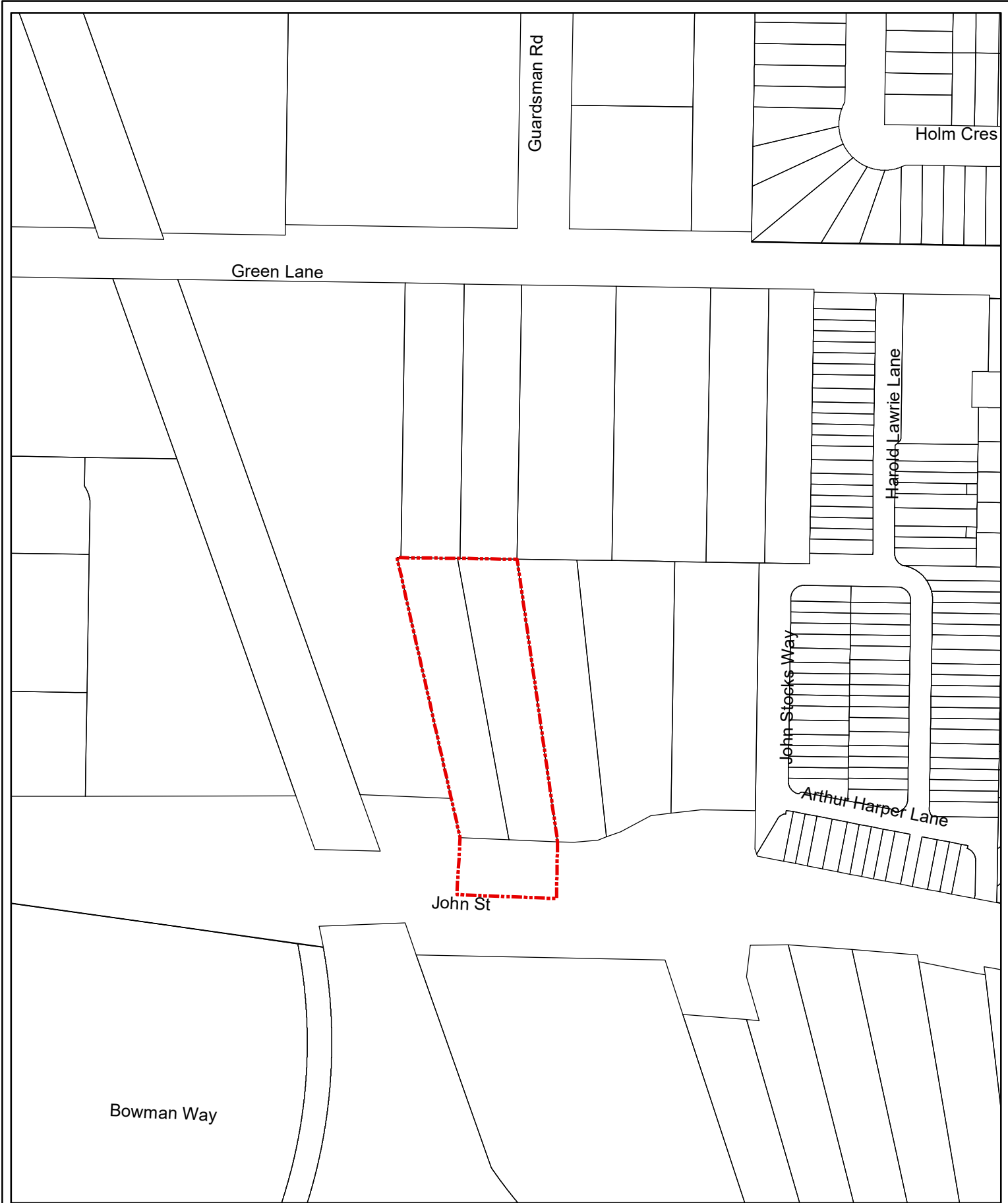
Purpose and Effect

The purpose of this by-law amendment is to permit outdoor storage of buses and other motor vehicles on the subject property on a temporary basis.

The purpose and effect of the by-law amendment is to permit outdoor storage of buses and other motor vehicles until December 1, 2021, as permitted under Section 39 of the Planning Act. The intent is to allow outdoor for a temporary period until the required approvals for future redevelopment have been obtained.

Note Regarding Further Planning Applications on this Property

The *Planning Act* provides that no person shall apply for a minor variance from the provisions of this by-law before the second anniversary of the day on which the by-law was amended, unless the Council has declared by resolution that such an application is permitted.



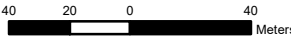
**BY-LAW SCHEDULE "A" TO BY-LAW
AMENDING BY-LAW 77-73 DATED**



BOUNDARY OF AREA COVERED BY THIS BY-LAW SCHEDULE



DEVELOPMENT SERVICES COMMISSION



Drawn By:DD Checked By:RC

DATE: 06/10/19

Q:\Geomatics\New Operation\By-Laws\ZA\ZA18231295\ZA18231295.mxd

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

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



By-law 2019-xx

A by-law to designate part of a certain
plan of subdivision not subject to Part Lot Control

The Council of The Corporation of the City of Markham hereby enacts as follows:

- 1. That Section 50(5) of the *Planning Act*, R.S.O. 1990, P.13 shall not apply to the lands within the part of a registered plan of subdivision designated as follows:

Blocks 2 and 3 on Registered Plan 65M-4562;
City of Markham, Regional Municipality of York

- 2. This By-law shall expire two years from the date of its passage by Council.

Read a first, second, and third time and passed on -----.

Kimberley Kitteringham
City Clerk

Frank Scarpitti
Mayor



EXPLANATORY NOTE

BY-LAW NO: 2017-XXXX
Part Lot Control Exemption By-law

2426483 Ontario Limited (Wyview Group)
West side of Village Parkway, north of Highway 7

The proposed by-law applies to Blocks 2 and 3 on Registered Plan 65M-4562, located on the west side of village Parkway, north of Highway 7.

The purpose of this by-law is to exempt the subject lands from the part lot control provisions of the Planning Act.

The effect of this by-law is to allow for the conveyance of 72 individual townhouse units.



By-law 2019-xx

A by-law to establish streets laid out according
to Plan of Subdivision 65M-4252 as a public highway
Part of Lots 22 and 23, Concession 3
(Monarch Corporation)
City of Markham, Regional Municipality of York

Whereas by plan of subdivision registered in the Land Registry Office for the Land Titles Division of York Region (No. 65) as No. 65M-4252, the streets laid out in accordance with the said plan of subdivision have been dedicated for highway purposes;

Now therefore the Council of The Corporation of the City of Markham hereby enacts as follows:

1. That the streets named Moulton Gate, Quinton Drive, Murison Drive, Donald Buttress Boulevard, Staglin Court, Pope John Paul II Square, Robert Osprey Drive, Vitanna Road, Russell Dawson Road, Lebarr Road, Markland Street, and the Lanes namely Blocks 128 to 135, inclusive, as laid out and dedicated in accordance with the Plan of Subdivision registered in the Land Registry Office for the Land Titles Division of York Region (No. 65) as Plan No. 65M-4252 is hereby adopted for public use and declared to be and form part of the City of Markham highway system.

Read a first, second, and third time and passed on -----.

Kimberley Kitteringham
City Clerk

Frank Scarpitti
Mayor



By-law 2019-xx

A by-law to establish streets laid out according
to Plan of Subdivision 65M-4341 as a public highway
Part of Lot 19 and Part of the
West Half of Lot 20, Concession 7
(Dovcom Realty Inc.)
City of Markham, Regional Municipality of York

Whereas by plan of subdivision registered in the Land Registry Office for the Land Titles Division of York Region (No. 65) as No. 65M-4341, the streets laid out in accordance with the said plan of subdivision have been dedicated for highway purposes;

Now therefore the Council of The Corporation of the City of Markham hereby enacts as follows:

- 1. That the streets named Beacon Point Street, Hyacinth Street, Begonia Street, Furrow Street, and the Lanes (Blocks 98, 99 and 100) as laid out and dedicated in accordance with the Plan of Subdivision registered in the Land Registry Office for the Land Titles Division of York Region (No. 65) as Plan No. 65M-4341 is hereby adopted for public use and declared to be and form part of the City of Markham highway system.

Read a first, second, and third time and passed on -----.

Kimberley Kitteringham
City Clerk

Frank Scarpitti
Mayor



By-law 2019-xx

A by-law to establish streets laid out according
to Plan of Subdivision 65M-4399 as a public highway
Part of the West Half of Lot 20, Concession 7
(MacKenzie Builders & Developers Ltd.)
City of Markham, Regional Municipality of York

Whereas by plan of subdivision registered in the Land Registry Office for the Land Titles Division of York Region (No. 65) as No. 65M-4399, the streets laid out in accordance with the said plan of subdivision have been dedicated for highway purposes;

Now therefore the Council of The Corporation of the City of Markham hereby enacts as follows:

- 1. That the streets named Greenspire Avenue, Hammersly Boulevard, Hermitage Boulevard, Memon Place, and the Lane (Block 58), inclusive, as laid out and dedicated in accordance with the Plan of Subdivision registered in the Land Registry Office for the Land Titles Division of York Region (No. 65) as Plan No. 65M-4399 is hereby adopted for public use and declared to be and form part of the City of Markham highway system.

Read a first, second, and third time and passed on -----.

Kimberley Kitteringham
City Clerk

Frank Scarpitti
Mayor



BY-LAW 2019-xxx

A by-law to appoint a Deputy City Clerk for the Corporation of the City of Markham

WHEREAS Section 228(2) of the Municipal Act, 2001, provides that Council may appoint a Deputy City Clerk to perform certain statutory duties;

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

1. That Michael Killingsworth be and is hereby appointed Deputy City Clerk, By-Law Enforcement, Licensing & Regulatory Services for the Corporation of the City of Markham effective immediately and shall have all the powers and duties of the Clerk under the Municipal Act, 2001 and all other Acts.
2. That in addition to the required statutory duties, the Deputy City Clerk shall perform such other duties as Council may from time to time by resolution direct.
3. That this By-law shall come into force and take effect on September 10, 2019.

READ A FIRST, SECOND, AND THIRD TIME AND PASSED THIS 10TH DAY OF SEPTEMBER 2019.

KIMBERLEY KITTERINGHAM
CITY CLERK

FRANK SCARPITTI
MAYOR



By-law 2019-xx

TO AMEND PARKING BY-LAW 2005-188
65M-4252

BE IT ENACTED BY THE COUNCIL OF THE CORPORATION OF THE CITY OF MARKHAM THAT PARKING BY-LAW 2005-188 BE, AND THE SAME IS HEREBY AMENDED AS FOLLOWS:

1. That Schedule C of Parking By-Law 2005-188 pertaining to "Prohibited Parking" be amended by adding the following:

| COLUMN 1 | COLUMN 2 | COLUMN 3 | COLUMN 4 |
|--------------------------------|-------------------|--|------------------------------------|
| <u>LOCATION</u> | <u>SIDE(S)</u> | <u>BETWEEN</u> | <u>PROHIBITED TIME OR DAYS</u> |
| Markland Street | South/East | Woodbine Ave. By-Pass to Russel Dawson. | Anytime |
| Markland Street | North/West | Woodbine Ave. By-Pass to Russel Dawson. | Anytime |
| Moulton Gate | South | Markland Street to Staglin Court | Anytime |
| Staglin Court | East | #70 Staglin Court to #136 Staglin Court | Anytime |
| Staglin Court | South | #136 Staglin Court to #171 Staglin Court | Anytime |
| Staglin Court | North/East radius | #157 Staglin Court to #149 Staglin Court | Anytime |
| Staglin Court | North/West radius | #123 Staglin Court to #137 Staglin Court | Anytime |
| Robert Osprey Drive | East | #70 Robert Osprey Dr. to #68 Robert Osprey Dr. | Anytime |
| Robert Osprey Drive | West | #73 Robert Osprey Dr. to #69 Robert Osprey Dr. | Anytime |
| Robert Osprey Drive | East | #58 Robert Osprey Dr. to across from #45 Robert Osprey Dr. (south limit) | Anytime |
| Donald Buttress Boulevard West | North | From Russell Dawson Road to Murison Drive | Anytime |
| Murison Drive | North/East | #70 Murison Drive to #88 Murison Drive | Anytime |
| Quinton Drive | East | #14 Quinton Drive to #30 Quinton Drive | Anytime |
| Lebarr Road | West | Flankage of #1 Lebarr Road | Anytime |

2. The By-Law shall come into force and effect upon receiving the third reading by the Council of the City of Markham and also when authorized signs have been erected.

READ A FIRST, SECOND AND THIRD TIME AND PASSED THIS_____

DAY OF _____, 2019.

KIMBERLEY KITTERINGHAM
CITY CLERK

FRANK SCARPITTI
MAYOR



By-law 2019-xx

TO AMEND PARKING BY-LAW 2005-188
65M-4398

BE IT ENACTED BY THE COUNCIL OF THE CORPORATION OF THE CITY OF MARKHAM THAT PARKING BY-LAW 2005-188 BE AND THE SAME IS HEREBY AMENDED AS FOLLOWS:

1. That Schedule C of Parking By-Law 2005-188 pertaining to “Prohibited Parking” be amended by adding the following:

| COLUMN 1 | COLUMN 2 | COLUMN 3 | COLUMN 4 |
|-----------------------|----------------|---|-----------------------------------|
| <u>LOCATION</u> | <u>SIDE(S)</u> | <u>BETWEEN</u> | <u>PROHIBITED TIME OR DAY</u> |
| Frederick Stamm Cres. | North/West | East property line of 51 Frederick Stamm Crescent and A point of 30m West-South of 51 Frederick Stamm Crescent East property line | Anytime |
| Frederick Stamm Cres. | East/South | Flankage of 42 Frederick Stamm Crescent and frontage of 42 Frederick Stamm Crescent | Anytime |
| Frederick Stamm Cres. | West/South | Across 34 Frederick Stamm Crescent and Street light post frontage of 25 Frederick Stamm Crescent | Anytime |
| Frederick Stamm Cres. | North/East | Flankage of 34 Frederick Stamm Crescent and frontage of 34 Frederick Stamm Crescent | Anytime |
| Henry Bauer Ave. | South/West | Across flankage of 12 Henry Bauer Ave. and 11 Henry Bauer Ave. | Anytime |
| Henry Bauer Ave. | North/East | Flankage of 12 Henry Bauer Ave. and 10 Henry Bauer Ave. | Anytime |
| Aksel Rinck Dr. | East/South | Frontage of 45 Aksel Rinck Dr. and flankage of 45 Aksel Rinck Dr. | Anytime |
| Christian Ritter Dr. | West/South | Frontage of 15 Christian Ritter Dr. and across 26 Christian Ritter Dr. | Anytime |
| Christian Ritter Dr. | North/ East | Flankage of 26 Christian Ritter Dr. and frontage of 26 Christian Ritter Dr. | Anytime |
| Christian Ritter Dr. | North/West | Frontage of 92 Christian Ritter Dr. and flankage of 94 Christian Ritter Dr. | Anytime |
| Christian Ritter Dr. | South/East | Across 92 Christian Ritter Dr. and 117 Christian Ritter Dr. | Anytime |
| Harbord Street | West | In Its Entirety | Anytime |

2. The By-Law shall come in and force and effect upon receiving the third reading by the Council of the City of Markham and also when authorized signs have been erected.

READ A FIRST, SECOND AND THIRD TIME AND PASSED THIS 10TH DAY OF SEPTEMBER, 2019.

KIMBERLEY KITTINGHAM
CITY CLERK

FRANK SCARPITTI
MAYOR



By-law 2019-xx

TO AMEND BY-LAW 2005-188
65M-4399

BE IT ENACTED BY THE COUNCIL OF THE CORPORATION OF THE CITY OF MARKHAM THAT PARKING BY-LAW 2005-188 BE AND THE SAME IS HEREBY AMENDED AS FOLLOWS:

1. That Schedule C of Parking By-Law 2005-188 pertaining to "Prohibited Parking" be amended by adding the following:

| COLUMN 1 | COLUMN 2 | COLUMN 3 | COLUMN 4 |
|-------------------|----------------------------|---|------------------------------------|
| <u>LOCATION</u> | <u>SIDE(S)</u> | <u>BETWEEN</u> | <u>PROHIBITED TIME OR DAYS</u> |
| Greenspire Avenue | East Side | Major Mackenzie Drive (Y.R. 25) and #91 Greenspire Avenue | Anytime |
| Memon Place | South and East Sides | #156 Memon Place and #104 Memon Place | Anytime |
| Memon Place | East and North Sides | #86 Memon Place and #32 Memon Place | Anytime |
| Memon Place | North/West and South Sides | #111 Memon Place and #79 Memon Place | Anytime |
| Memon Place | South/West and North Sides | #39 Memon Place and #153 Memon Place | Anytime |

2. The By-Law shall come into force and effect upon receiving the third reading by the Council of the City of Markham and also when authorized signs have been erected.

READ A FIRST, SECOND AND THIRD TIME AND PASSED THIS_____ DAY OF _____, 2019.

KIMBERLEY KITTERINGHAM
TOWN CLERK

FRANK SCARPITTI
MAYOR



By-law 2019-xx

TO AMEND BY-LAW 106-71
65M-4252

BE IT ENACTED BY THE COUNCIL OF THE CORPORATION OF THE CITY OF MARKHAM THAT BY-LAW NUMBER 106-71 BE AND THE SAME IS HEREBY AMENDED AS FOLLOWS:

1. By adding to Schedule 12 - Compulsory Stops - at the following named intersections:

| COLUMN 1 | COLUMN 2 | COLUMN 3 |
|---|--|---|
| <u>INTERSECTION</u> | <u>FACING TRAFFIC</u> | <u>LOCATION OF STOP SIGN</u> |
| Laneway 6 at Markland St. | Northbound on Laneway 6 | East side of Laneway 6/South side of Markland St |
| Moulton Gate at Markland Street | Westbound on Moulton Gate | North side of Moulton Gate/East side of Markland Street |
| Moulton Gate at Staglin Gate | Eastbound on Moulton Gate | South side of Moulton Gate/West side of Staglin Court |
| Robert Osprey Drive at Staglin Court | Northbound Robert Osprey Drive | East side of Robert Osprey Drive/South side of Staglin Court |
| Laneway 6 at Staglin Court | Southbound on Laneway 6 | West side of Laneway 6, North side of Staglin Court |
| Vitanna Road at Donald Buttress Blvd West | Northbound on Vitanna Road | East side of Vitanna Road/South side of Donald Buttress Blvd West |
| Laneway 7 at Vitanna Road | Eastbound on Laneway 7 | South side of Laneway 7, West side of Vitanna Road |
| Donald Buttress Blvd West at Russel Dawson Road | Eastbound on Donald Buttress Blvd West | South side of Donald Buttress Blvd West, West side of Russel Dawson Rd. |
| Markland Street at Woodbine Ave. By-Pass | Eastbound on Markland Street | South side of Markland St/West of Woodbine Ave. By-Pass |
| Laneway 2 at Russel Dawson Road | Westbound on Laneway 2 | North side of Laneway 2 / East side Russell Dawson Road |
| Russel Dawson Road at Pope John Paul II Square | Northbound on Russel Dawson Road | East side of Russel Dawson Road/South side of Pope John Paul II Square |
| Pope John Paul II Square at Lebarr Road | Eastbound on Pope John Paul II Square | South side of Pope John Paul II Square/West side of Lebarr Road |

| | | |
|--|--|--|
| Donald Buttress Blvd East at Victoria Square Blvd. | Eastbound on Donald Buttress Blvd East | South side of Donald Buttress Blvd East/West side of Victoria Square Boulevard |
| Laneway 1 at Donald Buttress Blvd East | Northbound on Laneway 1 | East side of Laneway 1/South side of Donald Buttress Blvd East |
| Lebarr Road at Donald Buttress Blvd East | Northbound on Lebarr Road | East Side of Lebarr Road/ South side of Donald Buttress Blvd East |
| Donald Buttress Blvd East at Lebarr Road | Westbound on Donald Buttress Blvd East | North side of Donald Buttress Blvd East/East side of Lebarr Road |
| John Paul II Square at Russell Dawson Road | Westbound on John Paul II Square | North side of John Paul II Square/East side of Russel Dawson Road |
| Laneway 8 at Russel Dawson Road | Eastbound on Laneway 8 | South side of Laneway 8/West side of Russel Dawson Road |
| Laneway 8 at Vitanna Road | Westbound on Laneway 8 | North side of Laneway 8/East side of Vitanna Road |
| Laneway 3 at Laneway 8 | Northbound on Laneway 3 | East side of Laneway 3/South side of Laneway 8 |
| Laneway 4 at Quinton Drive | Northbound on Laneway 4 | East side of Laneway 4/South of Quinton Drive |
| Laneway 4 at Laneway 5 | Southbound on Laneway 4 | West side of Laneway 4/North of Laneway 5 |

2. The By-Law shall come into force and effect upon receiving the third reading by the Council of the City of Markham and also when authorized signs have been erected.

READ A FIRST, SECOND AND THIRD TIME AND PASSED THIS_____ DAY OF _____, 2019.

KIMBERLEY KITTINGHAM
TOWN CLERK

FRANK SCARPITTI
MAYOR



By-law 2019-xx

TO AMEND BY-LAW 106-71
65M-4398

BE IT ENACTED BY THE COUNCIL OF THE CORPORATION OF THE CITY OF MARKHAM THAT BY-LAW NUMBER 106-71 BE AND THE SAME IS HEREBY AMENDED AS FOLLOWS:

1. By adding to Schedule 12 – Compulsory Stops – at the following named intersections:

| COLUMN 1 | COLUMN 2 | COLUMN 3 |
|--|------------------------------------|---|
| <u>INTERSECTION</u> | <u>FACING TRAFFIC</u> | <u>LOCATION OF STOP SIGN</u> |
| Holst Ave. at Harbord Street | Westbound on Holst Ave. | North side of Holst Ave. on the east side of Harbord St. |
| Frederick Stamm Cres. at Harbord Street | Eastbound on Frederick Stamm Cres. | South side of Frederick Stamm Cres. on the west side of Harbord Street |
| Frederick Stamm Cres. at Harbord Street | Eastbound on Frederick Stamm Cres. | South side of Frederick Stamm Cres. on the west side of Harbord Street |
| Hubner Ave. at Harbord Street | Westbound on Hubner Ave. | North side of Hubner Ave. on the east side of Harbord St. |
| Lane 6 at Frederick Stamm Cres. | Northbound on Lane 6 | East side of Lane 6 on the south side of Frederick Stamm Cres. |
| Lane 6 at Wilfred Murison Ave. | Southbound on Lane 6 | West side of Lane 6 on the north side of Wilfred Murison Ave. |
| Wilfred Murison Ave. at Kennedy Rd. | Westbound on Wilfred Murison Ave. | North side of Wilfred Murison Ave. on the east side of Kennedy Rd. |
| Lane 7 at Frederick Stamm Cres. | Northbound on Lane 7 | East side of Lane 7 on the south side of Frederick Stamm Cres. |
| Lane 7 at Wilfred Murison Ave. | Southbound on Lane 7 | West side of Lane 7 on the north side of Wilfred Murison Ave. |
| Lane 5 at Wilfred Murison Ave. | Northbound on Lane 5 | South side of Wilfred Murison Ave. on the east side of Lane 5 |
| Lane 5 at Henry Bauer Ave. | Eastbound on Lane 5 | South side of Lane 5 on the west side of Henry Bauer Ave. |
| Henry Bauer Ave. at Wilfred Murison Ave. | Northbound on Henry Bauer Ave. | South side of Wilfred Murison Ave. on the east side of Henry Bauer Ave. |

| | | |
|-------------------------------------|-------------------------------|--|
| Henry Bauer Ave. at Harbord Street | Eastbound on Henry Bauer Ave. | South side of Henry Bauer Ave. on the west side of Harbord Street |
| Henry Bauer Ave. at Harbord Street | Westbound on Henry Bauer Ave. | North side of Henry Bauer Ave. on the east side of Harbord Street |
| Lane 8 at Wilfred Murison Ave. | Northbound on Lane 8 | South side of Wilfred Murison Ave. on the east side of Lane 8 |
| Lane 8 at Henry Bauer Ave. | Southbound on Lane 8 | North side of Henry Bauer Ave. on the west side of Lane 8 |
| Lane 9 at Wilfred Murison Ave. | Northbound on Lane 9 | South side of Wilfred Murison Ave. on the east side of Lane 9 |
| Lane 9 at Henry Bauer Ave. | Southbound on Lane 9 | North side of Henry Bauer Ave. on the west side of Lane 9 |
| Hua Du Ave. at Harbord Street | Westbound on Hua Du Ave. | East side of Harbord Street on the north side of Hua Du Ave. |
| Aksel Rinck Dr. at Harbord Street | Eastbound on Aksel Rinck Dr. | West side of Harbord Street on the south side of Aksel Rinck Dr. |
| Aksel Rinck Dr. at Beckett Avenue | Southbound on Aksel Rinck Dr. | North side of Beckett Avenue on the west side of Aksel Rinck Dr. |
| Lane 3 at Beckett Ave. | Northbound on Lane 3 | South side of Beckett Ave. on the east side of Lane 3 |
| Lane 3 at Busch Ave. | Southbound on Lane 3 | North side of Busch Ave. on the west side of Lane 3 |
| Fierheller Court at Aksel Rinck Dr. | Eastbound on Fierheller Court | West side of Aksel Rinck Dr. on the south side of Fierheller Court |
| Lane 4 at Aksel Rinck Dr. | Westbound on Lane 4 | East side of Aksel Rinck Dr. on the north side of Lane 4 |
| Lane 4 at Harbord Street | Eastbound on Lane 4 | West side of Harbord Street on the south side of Lane 4 |
| Beckett Ave. at Kennedy Road | Westbound on Beckett Ave. | East side of Kennedy Road on the north side of Beckett Ave. |
| Brock Ave. at Beckett Ave. | Northbound on Brock Ave. | South side of Beckett Ave. on the east side of Brock Ave. |
| Brock Ave. at Busch Ave. | Southbound on Brock Ave. | North side of Busch Ave. on the west side of Brock Ave. |
| Brock Ave. at Busch Ave. | Northbound on Brock Ave. | South side of Busch Ave. on the east side of Brock Ave. |
| Brock Ave. at Manila Ave. | Southbound on Brock Ave. | West side of Brock Ave. on the north side of Manila Ave. |

| | | |
|---|------------------------------------|--|
| Lane 2 at Harbord Street | Westbound on Lane 2 | North side of Lane 2 on the east side of Harbord Street |
| Lane 2 at Christian Ritter Dr. | Eastbound on Lane 2 | South side of Lane 2 on the west side of Christian Ritter Dr. |
| Manila Ave. at Harbord Street | Westbound on Manila Ave. | North side of Manila Ave. on the east side of Harbord Street |
| Christian Ritter Dr. at Manila Ave. | Northbound on Christian Ritter Dr. | South side of Manila Ave. on the east side of Christian Ritter Dr. |
| Wagner Dr. at Manila Ave. | Northbound on Wagner Dr. | South side of Manila Ave. on the east side of Wagner Dr. |
| Wagner Dr. at Christian Ritter Dr. | Southbound on Wagner Dr. | North side of Christian Ritter Dr. on the west side of Wagner Dr. |
| James Glover Dr. at Christian Ritter Dr. | Southbound on James Glover Dr. | West side of James Glover Dr. on the north side of Christian Ritter Dr. |
| James Glover Dr. at Manila Ave. | Northbound on James Glover Dr. | East side of James Glover Dr. on the south side of Manila Ave. |
| Busch Ave. at Harbord Street | Westbound on Busch Ave. | North side of Busch Ave. on the east side of Harbord St. |
| Percy Stover Dr. at Christian Ritter Dr. | Southbound on Percy Stover Dr. | West side of Percy Stover Dr. on the north side of Christian Ritter Dr. |
| Percy Stover Dr. at Manila Ave. | Northbound on Percy Stover Dr. | East side of Percy Stover Dr. on the south side of Manila Ave. |
| Charles Vogel Dr. at Christian Ritter Dr. | Southbound on Charles Vogel Dr. | West side of Charles Vogel Dr. on the north side of Christian Ritter Dr. |
| Lane 1 at Christian Ritter Dr. | Westbound on Lane 1 | East side of Christian Ritter Dr. on the north side of Lane 1 |
| Lane 1 at William Berczy Blvd. | Eastbound on Lane 1 | South side of Lane 1 on the west side of William Berczy Blvd. |

2. The By-Law shall come into force and effect upon receiving the third reading by the Council of the City of Markham and also when authorized signs have been erected.

READ A FIRST, SECOND AND THIRD TIME AND PASSED THIS _____ DAY OF _____, 2019.

KIMBERLEY KITTERINGHAM
TOWN CLERK

FRANK SCARPITTI
MAYOR



By-law 2019-xx

TO AMEND BY-LAW 106-71
65M-4399

BE IT ENACTED BY THE COUNCIL OF THE CORPORATION OF THE CITY OF MARKHAM THAT BY-LAW NUMBER 106-71 BE AND THE SAME IS HEREBY AMENDED AS FOLLOWS:

1. By adding to Schedule 12 - Compulsory Stops - at the following named intersections:

| COLUMN 1 | COLUMN 2 | COLUMN 3 |
|--|----------------------------------|--|
| <u>INTERSECTION</u> | <u>FACING TRAFFIC</u> | <u>LOCATION OF STOP SIGN</u> |
| Greenspire Avenue at Major Mackenzie Drive | Northbound on Greenspire Avenue | East side on Greenspire Avenue, on the south side of Major Mackenzie |
| Hammersly Boulevard at Greenspire Avenue | Westbound on Hammersly Boulevard | North side on Hammersly Boulevard, on the east side of Greenspire Avenue |
| Greenspire Avenue at Hammersly Boulevard | Northbound on Greenspire Avenue | East side on Greenspire Avenue, on the south side of Hammersly Boulevard |
| Heritage Boulevard at Greenspire Avenue | Eastbound on Hermitage Boulevard | South side on Hermitage Boulevard, on the west side of Greenspire Avenue |
| Memon Place at Memon Place | Westbound on Memon Place | North side on Memon Place (east/west leg), on the east side of Memon Place (north/south leg) |
| Memon Place lane at Memon Place | Westbound on Memon Place lane | Fronting south flank of #37 Memon Place lane on north side of lane |
| Memon Place lane at Memon Place | Eastbound on Memon Place lane | Fronting north flank of #109 Memon Place lane on south side of lane |

2. The By-Law shall come into force and effect upon receiving the third reading by the Council of the City of Markham and also when authorized signs have been erected.

READ A FIRST, SECOND AND THIRD TIME AND PASSED THIS _____ DAY OF _____, 2019.

KIMBERLEY KITTERINGHAM
CITY CLERK

FRANK SCARPITTI
MAYOR



By-law 2019-xx

**TO AMEND BY-LAW 2017-104
65M-4398**

BE IT ENACTED BY THE COUNCIL OF THE CORPORATION OF THE CITY OF MARKHAM THAT BY-LAW NUMBER 2017-104 BE AND THE SAME IS HEREBY AMENDED AS FOLLOWS:

1. By adding to the following street to Schedule “A” defining a maximum speed of 40 kilometres per hour:

| <u>COLUMN 1</u> <u>HIGHWAY</u> | <u>COLUMN 2</u> <u>FROM</u> | <u>COLUMN 3</u> <u>TO</u> |
|---|--|--|
| James Glover Dr. | In Its Entirety | In Its Entirety |

2. The By-Law shall come into force and effect upon receiving the third reading by the Council of the City of Markham and also when authorized signs have been erected.

READ A FIRST, SECOND AND THIRD TIME AND PASSED THIS _____ DAY
OF _____, 2019.

KIMBERLEY KITTERINGHAM
TOWN CLERK

FRANK SCARPITTI
MAYOR



By-law 2019-xx

A by-law to amend By-law 304-87, as amended

The Council of The Corporation of the City of Markham hereby enacts as follows:

1. That By-law 304-87, as amended, is hereby further amended as follows:
 - “1.1 Notwithstanding any other provisions of By-law 304-87, as amended, the provisions in this By-law shall apply to those lands zoned Rural Residential One (RR1) as shown on Schedule ‘A’, attached hereto. All other provisions of By-law 304-87, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.
 - 1.1.1 Permitted Uses**

The following additional use is permitted on the lands shown on Schedule ‘A’:

 - a) An outdoor storage yard for the parking and storage of operable motor vehicles only.
 - 1.1.2 Special Zone Standards**

The following additional provisions apply specifically to the additional use permitted on those lands shown on Schedule ‘A’:

 - a) Adjoining Highway 7 a strip of land having minimum depth of 2 metres shall be used only for LANSCAPED OPEN SPACE.
2. This By-law shall expire on XX, 2022 in accordance with the provisions of Section 39 of the Planning Act RSO 1990, as amended.

Read a first, second, and third time and passed on -----2019.

Kimberley Kitteringham
City Clerk

Frank Scarpitti
Mayor



EXPLANATORY NOTE

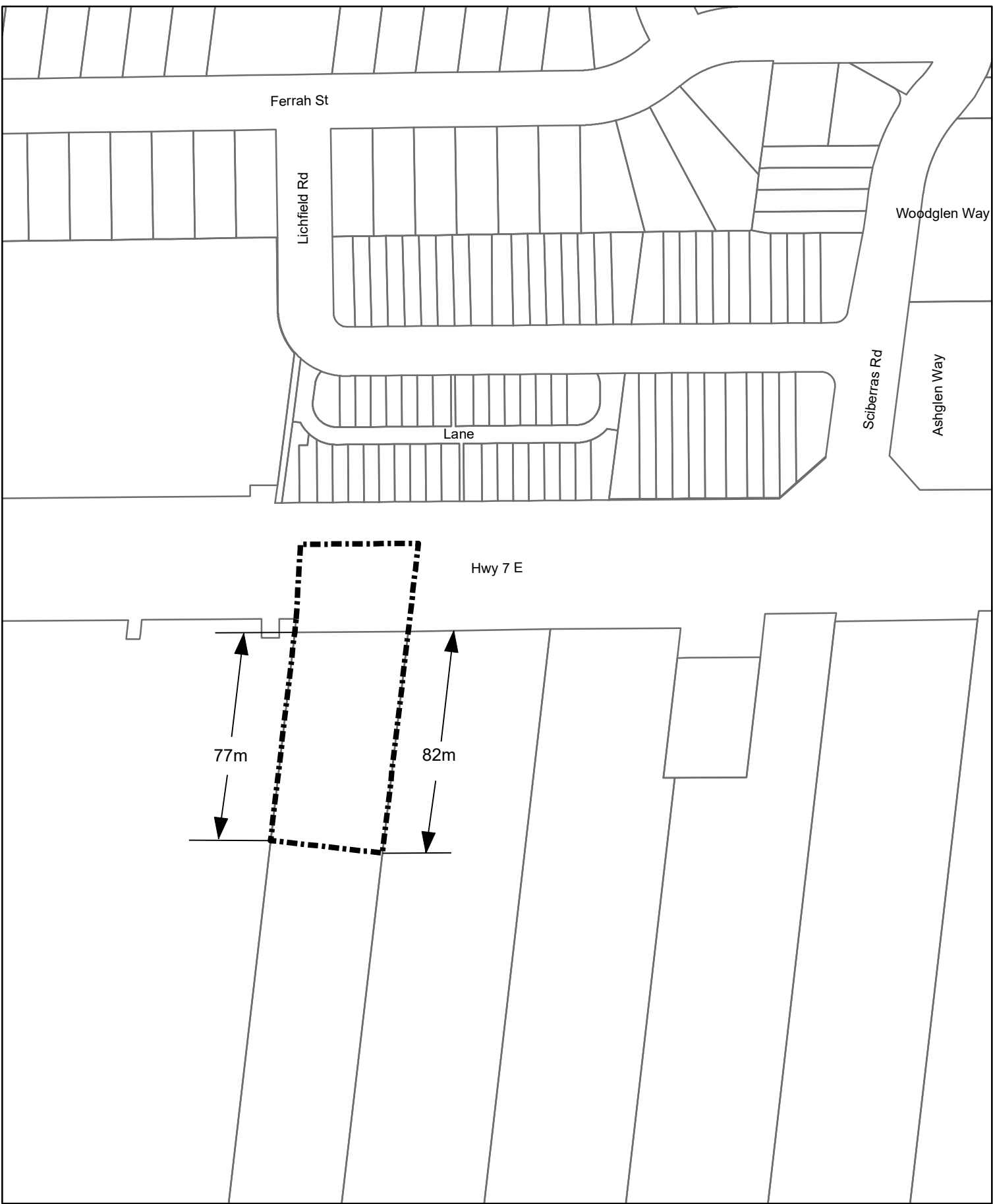
BY-LAW 2019-XXX
A Temporary Use By-law to amend By-law 304-87, as amended

2412371 Ontario Ltd.
4121 Highway 7 East

Lands Affected
This By-law amendment applies to approximately 0.17 hectare (0.42 acre) of land located on the south side of Highway 7, east of Birchmount Road.

Existing Zoning
The lands are currently zoned Rural Residential One (RR1) by By-law 304-87, as amended.

Purpose and Effect
The purpose and effect of this by-law amendment is to permit the northerly portion of 4121 Highway 7 east to be used for the temporary storage of automobiles for the Audi dealership on the north side of Highway 7 opposite the subject property, while the dealership is being reconstructed.



SCHEDULE "A" TO BY-LAW
AMENDING BY-LAW 304-87 DATED

 BOUNDARY OF AREA COVERED BY THIS SCHEDULE

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

Q:\Geomatics\New Operation\By-Laws\ZA\ZA18154593\ZA18154593.mxd

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



By-law 2019-xx

A by-law to establish streets laid out according
to Plan of Subdivision 65M-4398 as a public highway
Part of the West Half of Lot 16 and Part of Lot 17, Concession 6
(Upper Unionville Inc.)
City of Markham, Regional Municipality of York

Whereas by plan of subdivision registered in the Land Registry Office for the Land Titles Division of York Region (No. 65) as No. 65M-4398, the streets laid out in accordance with the said plan of subdivision have been dedicated for highway purposes;

Now therefore the Council of The Corporation of the City of Markham hereby enacts as follows:

1. That the streets named Wilfred Murison Avenue, Harbord Street (Two Portions), Frederick Stamm Crescent, Beckett Avenue (Two Portions), Hua Du Avenue, Busch Avenue (Two Portions), Manila Avenue, Aksel Rinck Drive, Fierheller Court, Henry Bauer Avenue (Two Portions), Brock Avenue, Holst Avenue, Hubner Avenue, Wagner Drive, Christian Ritter Drive, James Glover Drive, Percy Stover Drive, Charles Vogel Drive, and the Lanes (Blocks 393 to 401), inclusive, as laid out and dedicated in accordance with the Plan of Subdivision registered in the Land Registry Office for the Land Titles Division of York Region (No. 65) as Plan No. 65M-4398 is hereby adopted for public use and declared to be and form part of the City of Markham highway system.

Read a first, second, and third time and passed on -----.

Kimberley Kitteringham
City Clerk

Frank Scarpitti
Mayor



By-law 2019-xx

A by-law to designate part of a certain
plan of subdivision not subject to Part Lot Control

The Council of The Corporation of the City of Markham hereby enacts as follows:

- 1. That Section 50(5) of the *Planning Act*, R.S.O. 1990, P.13 shall not apply to the lands within the part of a registered plan of subdivision designated as follows:

Block 3, Registered Plan 65M-4539; City of Markham, Regional Municipality of York
- 2. This By-law shall expire two years from the date of its passage by Council.

Read a first, second, and third time and passed on -----.

Kimberley Kitteringham
City Clerk

Frank Scarpitti
Mayor



EXPLANATORY NOTE

BY-LAW NO: 2019-XXXX
Part Lot Control Exemption By-law

Sunrise Acquisitions (Hwy 7) Inc.
4116-4154 Highway 7 East and 99-131 (odd numbers only) Lichfield Road

The proposed by-law applies to Block 3 on Registered plan 65M-4539, which is located on the north side of Highway 7, west of Sciberras Road.

The purpose of this by-law is to exempt the subject lands from the part lot control provisions of the *Planning Act*.

The effect of this by-law is to permit the conveyance of 35 individual townhouse units.



Bylaw 2019-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;

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- (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
 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

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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