

## General Committee Agenda

Meeting Number: 24

October 22, 2019, 9:30 AM - 3:00 PM

Council Chamber

Please bring this General Committee Agenda to the Council meeting on October 29, 2019.

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	Pages
1. CALL TO ORDER	
2. DISCLOSURE OF PECUNIARY INTEREST	
3. APPROVAL OF PREVIOUS MINUTES	
3.1 MINUTES OF THE OCTOBER 7, 2019 GENERAL COMMITTEE (16.0)	9
1. That the minutes of the October 7, 2019 General Committee meeting be confirmed.	
4. DEPUTATIONS	
5. PETITIONS	
6. CONSENT REPORTS - FINANCE & ADMINISTRATIVE ISSUES	
6.1 MINUTES OF THE SEPTEMBER 24, 2019 AND SEPTEMBER 27, 2019 BUDGET COMMITTEE (16.0)	24
1. That the minutes of the September 24, 2019 and September 27, 2019 Budget Committee meeting be received for information purposes.	
6.2 MINUTES OF THE MAY 15 2019, JUNE 19 2019, JULY 17, 2019 AND AUGUST 21, 2019 BOARD OF MANAGEMENT UNIONVILLE BUSINESS IMPROVEMENT AREA (16.0)	36
1. That the minutes of the May 15, 2019, June 19, 2019, July 17, 2019 and August 21, 2019 Board of Management Unionville Business Improvement Area Committee meeting be received for information purposes.	
6.3 MINUTES OF THE AUGUST 22, 2019 WASTE DIVERSION COMMITTEE	49

**(16.0)**

1. That the minutes of the August 22, 2019 Waste Diversion Committee meeting be received for information purposes.

**6.4 2020 INTERIM SPENDING AUTHORITY PENDING APPROVAL OF BUDGET (7.0)**

53

K. Soneji, ext. 2681

1. That the report titled “2020 Interim Spending Authority Pending Approval of Budget”, be received; and,
2. That Council approve 50% of the City’s 2019 Operating, Waterworks, Planning & Design, Building Standards and Engineering budgets equal to \$197,546,839 as a pre-budget approval for 2020 operating expenditures; and further,
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**6.5 2020 INTERIM SPENDING AUTHORITY PENDING 2020 INTERIM SPENDING AUTHORITY PENDING APPROVAL OF UNIONVILLE AND MARKHAM VILLAGE IMPROVEMENT AREA BUDGETS (7.0)**

55

K. Soneji, ext. 2681

1. That the report titled “2020 Interim Spending Authority Pending Approval of Unionville and Markham Village Business Improvement Area Budgets”, be received; and,
2. That Council approve 50% of the 2019 Operating Budget equivalent to the amounts of \$105,500 for the Unionville BIA (UBIA) and \$165,709 for the Markham Village BIA (MBIA) as pre-budget approval for 2020 operating expenditures; and further,
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**6.6 2020 TEMPORARY BORROWING BY-LAW (7.0)**

57

K. Soneji, ext. 2681

1. That the report titled “2020 Temporary Borrowing By-law” be received; and,
2. That a by-law be brought forward for Council approval to authorize the temporary borrowing, if required, of amounts not to exceed \$197,546,839 from January 1, 2020 to September 30, 2020 and \$98,773,419 from October 1, 2020 to December 31, 2020 to meet the expenditures of the municipality until taxes are collected and other

revenues are received; and,

3. That the Treasurer report to Council in advance of borrowing, if temporary borrowing is required; and further,
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

## **6.7 STAFF AWARDED CONTRACTS FOR THE MONTH OF SEPTEMBER 2019 (7.12)**

61

A. Moore, ext. 4711

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

## **6.8 CONTRACT EXTENSION # 110-R-15 AUDITOR GENERAL SERVICES (7.12)**

93

A. Moore, ext. 4711

1. That the report “Contract Extension # 110-R-15 Auditor General Services” be received; and,
2. That the Contract for Auditor General Services be extended for an additional five (5) years (January 1, 2020 to December 31, 2024) with MNP LLP for a maximum annual amount of \$152,640 (\$150,000 + \$2,640) inclusive of HST;
  - \$152,640 – Year 1
  - \$152,640 – Year 2
  - \$152,640 – Year 3
  - \$152,640 – Year 4
  - \$152,640 – Year 5 \$763,200 – Total
3. That the annual amount of \$152,640.00 be funded from the Operating Account #110-110-5699 subject to Council approval of the annual budget; and,
4. That the tender process be waived in accordance with Purchasing By-Law 2017-8 Part II, Section 11.1 (c) which states “when the extension of an existing Contract would prove more cost effective or beneficial”; And (h) “where it is in the best interests of the City to acquire Consulting Services from a supplier who has a proven track record with the City in terms of pricing, quality and service”; and,
5. That the Chief Administrative Officer be authorized to execute an agreement with MNP LLP in a form satisfactorily to the City Solicitor; and further,

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

## 6.9 JOINT AND SEVERAL LIABILITY AND INSURANCE REFORM FOR MUNICIPALITIES

100

C. Storto, ext. 4737

1. That the report entitled “Joint and Several Liability and Insurance Reform for Municipalities” be received; and,
2. That Council support the Association of Municipalities of Ontario’s (AMO) position that the joint and several liability principle requires reform, along with the recommendations to the Attorney General of Ontario contained within the AMO report entitled “Towards a Reasonable Balance: Addressing Growing Municipal Liability and Insurance Costs” as set out in Attachment 1 to this report; and,
3. That this resolution be forwarded to the Attorney General of Ontario and the Association of Municipalities of Ontario; and further,
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

## 7. REGULAR REPORTS - FINANCE & ADMINISTRATIVE ISSUES

### 7.1 2020 COUNCIL AND STANDING COMMITTEE MEETING CALENDAR (16.0)

121

M. Pettit, ext. 8220

1. That the 2020 Council and Standing Committee Meeting Calendar for January-December as outlined in Appendix “C” and allowing for all Council Meetings to be conducted starting at 1:00 PM to 6:00 PM with the option to host an evening Council meeting if so required, be adopted; and,
2. That staff be authorized and directed to do all things necessary to give effect to this resolution.

## 8. MOTIONS

### 8.1 CITY OF MARKHAM SINGLE-USE PLASTICS DECLARATION (5.1)

**Note:** As per Section 5.4 (c) of the City of Markham's Procedural By-Law, this Notice of Motion was presented at the October 7, 2019 General Committee Meeting, and may be considered at this meeting.

**The Markham Declaration for Immediate Action on Single-Use Plastics & Litter**

Moved By Regional Councillor Jack Heath

Seconded By COuncillor Reid McAlpine

**WHEREAS** all Canadians have the right to live in clean, healthy and resilient communities, free of litter and single-use plastic-related pollution; and

**WHEREAS** decades of over-consumption of single-use plastics have led to a global environmental crisis with millions of tonnes of single-use plastics annually polluting our communities and waterways; and

**WHEREAS** most litter found during Canadian shoreline clean-ups include plastic bottles and caps, beverage cups and lids, shopping bags, straws, stir sticks, cutlery, take-out containers, etc.; and

**WHEREAS** single-use plastics are problematic because they slowly breakdown in the environment and are consumed by wildlife and marine life with profoundly negative impacts to our food chain and ultimately human health; and

**WHEREAS** the majority of single-use plastics originate from retail stores, food premises such as restaurants and grocery stores, convenience shops, beer & liquor outlets, temporary event vendors, etc.; and

**WHEREAS** businesses that supply or offer single-use plastics do not factor in the total life-cycle environmental costs of these items, such as litter clean-up and disposal, as well as their toxic impact on humans, wildlife, marine life, soil, and water; and

**WHEREAS** in a recent national poll conducted by Friends of the Earth, 80 percent of Canadians support a ban on the production and use of single-use disposable plastic containers and packaging; and

**WHEREAS** the Canadian and Ontario governments have announced their intentions to address single-use plastics, but have taken no immediate concrete action; and

**WHEREAS** local governments like the City of Markham have taken a leadership role to mitigate pollution with bold action on textiles, waste diversion, air quality, and pesticide reduction; and

**WHEREAS** Markham, its residents and innovative business leaders are committed to taking immediate action to reduce single-use plastics; and

**WHEREAS** the cost of inaction is dramatically greater than the cost of action and, as a community, there is recognition that we are all in this together; therefore,

**BE IT RESOLVED THAT:**

1. Markham Council declares that, within three months of the adoption of this declaration the following single-use plastics must not be used by businesses serving consumers in Markham:
  - a. **Plastic film retail shopping bags.** If a retail shopping bag is necessary, it would be permissible to substitute a non-plastic alternative to be provided on request. Charging a fee for such a product would also be permissible,
  - b. **Plastic straws, plastic stir sticks, plastic drink stoppers and other similar products.** The exception would be for medical and accessibility purposes. If such products are necessary, it would be permissible to substitute a non-plastic alternative to be provided on request,
  - c. **Plastic, plastic-coated, or polystyrene take-out containers and lids.** For example, coffee cups and restaurant take-home food containers. Non plastic or non plastic-coated alternatives would be permitted,
  - d. **Plastic six-pack rings or similar items used for carrying pop, beer and other products.** Substituting them with non-plastic alternatives would be permitted,
  - e. **Single-portion condiments and single-use plastic utensils.** They may be supplied to consumers on request.
2. That this declaration applies all to retail stores, food premises such as restaurants and grocery stores, convenience shops, beer & liquor outlets, temporary event vendors, etc. across the City. Markham will monitor for non-compliance and use its enforcement powers to achieve compliance, and
3. That this declaration be forwarded to the Prime Minister, the Minister of Environment and Climate Change, the Premiers and Ministers of the Environment in each of the provinces and territories, party leaders in the 14 jurisdictions, all municipalities in Canada, the Federation of Canadian Municipalities, all provincial and municipal associations, and all impacted Markham businesses.

## 9. NOTICES OF MOTION

## 10. NEW/OTHER BUSINESS

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

11. ANNOUNCEMENTS

12. CONFIDENTIAL ITEMS

12.1 FINANCE & ADMINISTRATIVE ISSUES

12.1.1 GENERAL COMMITTEE CONFIDENTIAL MINUTES-  
OCTOBER 7, 2019 (16.0) [ Section 239 (2) (a) (b) (c) (e) (f)]

12.1.2 A PROPOSED OR PENDING ACQUISITION OR DISPOSITION  
OF LAND BY THE MUNICIPALITY OR LOCAL BOARD (6.0)  
(WARD 4)[Section 239 (2) (c)]

13. ADJOURNMENT

### **Information Page**

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

**General Committee**

Chair: Regional Councillor Jack Heath

Vice Chair: Councillor Khalid Usman

**Finance & Administrative Issues**

Chair: Regional Councillor Jack Heath

Vice Chair: Councillor Khalid Usman

**Community Services Issues**

Chair: Councillor Karen Rea

Vice Chair: Councillor Isa Lee

**Environment & Sustainability Issues**

Chair: Regional Councillor Joe Li

Vice Chair: Councillor Reid McAlpine

**Land, Building & Parks Construction Issues**

Chair: Councillor Keith Irish

Vice Chair: Councillor Andrew Keyes

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

Alternate formats are available upon request.

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

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

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

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





## General Committee Minutes

**Meeting Number: 23**  
**October 7, 2019, 9:30 AM - 3:00 PM**  
**Council Chamber**

Roll Call	Mayor Frank Scarpitti Deputy Mayor Don Hamilton Regional Councillor Jack Heath Regional Councillor Joe Li Regional Councillor Jim Jones Councillor Keith Irish	Councillor Reid McAlpine Councillor Karen Rea Councillor Andrew Keyes Councillor Amanda Collucci Councillor Khalid Usman Councillor Isa Lee
Regrets	Councillor Alan Ho	
Staff	Andy Taylor, Chief Administrative Officer Trinela Cane, Commissioner, Corporate Services Brenda Librecz, Commissioner of Community & Fire Services Claudia Storto, City Solicitor and Director of Human Resources Bryan Frois, Chief of Staff Phoebe Fu, Director of Environmental Services Mary Creighton, Director of Recreation Services	Stephen Chait, Director of Economic Growth, Culture & Entrepreneurship Biju Karumanchery, Director of Planning and Urban Design Morgan Jones, Director, Operations Hristina Giantsopoulos, Elections & Council/Committee Coordinator Alida Tari, Manager, Access & Privacy Mark Visser, Senior Manager Strategy Innovation & Investments, Financial Services,

### 1. CALL TO ORDER

The General Committee meeting convened at the hour of 9:30 AM with Regional Councillor Jack Heath in the Chair. Councillor Khalid Usman assumed the Chair during the Notice of Motion section and Councillor Karen Rea Chaired Community Services Issues 8.1 and 11.1.

The Committee recessed at 11:21 AM and reconvened at 11:35 AM.

The Committee recessed at 12:45 PM and reconvened at 1:35 PM.

**2. DISCLOSURE OF PECUNIARY INTEREST**

None disclosed.

**3. APPROVAL OF PREVIOUS MINUTES**

**3.1 MINUTES OF THE SEPTEMBER 16, 2019 GENERAL COMMITTEE (16.0)**

Moved by Councillor Reid McAlpine

Seconded by Councillor Andrew Keyes

1. That the minutes of the September 16, 2019 General Committee meeting be confirmed.

**Carried**

**4. DEPUTATIONS**

There were no deputations.

**5. PETITIONS**

There were no petitions.

**6. PRESENTATIONS - COMMUNITY SERVICES ISSUES**

**6.1 STAFF AWARD RECOGNITION - MARKHAM BUSINESS SPORTS LEAGUE 3-PITCH CHAMPIONS (12.2.6)**

Markham Business Sports League is a fun, yet competitive co-ed slow pitch league. It currently has 16 3-pitch teams that play on weekdays from various businesses located in Markham. The Markham Mavericks are largely comprised of City of Markham staff. The team has been around for close to 30 years and has won multiple championships.

The Mayor and Members of Council recognized and congratulated the Markham Mavericks on their championship. The Mayor thanked the members of the team for participating and building a sense of community within Markham.

**7. PRESENTATIONS - FINANCE & ADMINISTRATIVE ISSUES**

**7.1 ASSET MANAGEMENT AUDIT (7.0)**

Geoff Rodrigues, CPA, CA, CIA, CRMA, ORMP, MNP LLP, Auditor General, City of Markham, Veronica Bila Partner MNP, and Chris Wu, Manager MNP

delivered a PowerPoint presentation entitled "Report of the Auditor General – Asset Management Audit".

There was discussion about the difference between the City's current asset management practices and the requirements of the Provincial Legislation. Questions were asked about the City's current asset management practices relative to those of other municipalities, and the Auditor indicated that based on his experience, Markham is a leader in this area.

Committee was assured by Staff that City assets are in a state of good repair, based on the ongoing condition assessment of assets and planning for timely repair and rehabilitation.

Moved by Councillor Karen Rea

Seconded by Regional Councillor Jim Jones

1. That the presentation provided by Geoff Rodrigues, CPA, CA, CIA, CRMA, ORMP, MNP LLP, Auditor General, City of Markham, entitled "Report of the Auditor General – Asset Management Audit" be received; and,
2. That the report prepared by Geoff Rodrigues, CPA, CA, CIA, CRMA, ORMP, MNP LLP, Auditor General, City of Markham, entitled "City of Markham – Asset Management Audit" be received; and further,
3. **That staff be authorized and directed to proceed with the implementation of the management response as outlined in the Auditor's presentation.**

**Carried**

## **8. PRESENTATIONS - COMMUNITY SERVICES ISSUES**

### **8.1 APPROVAL OF THE 2019 INTEGRATED LEISURE MASTER PLAN UPDATE (6.0)**

B. Librecz, ext. 7761 , D. Walker, ext. 4414 and S. Tam, ext. 7533

Brenda Librecz, Commissioner Community and Fire Services introduced the Integrated Leisure Master Plan (ILMP) and thanked staff members: Arvin Prasad, Commissioner Development Services, Biju Karumanchery, Director, Planning & Urban Design, Ronji Borooah, City Architect, Mary Creighton, Director Leisure Services, Stephen Chait, Director Economic Growth, Culture and Entrepreneurship, Catherine Biss, CEO Markham Public Libraries, Morgan Jones Director Operations, David Plant Senior Manager Parks, Horticulture and Forestry, Richard Fournier Manager Parks and Open Space Development, Debbie Walker Library Director, Library Strategy and Innovation, Sara Tam, Manager

Business Planning and Innovation and all their teams for their contributions in creating the plan.

Commissioner Librecz thanked Members of Council for their contributions and participation in the consultation process and indicated that consultations will continue throughout the ongoing development of the ILMP.

Commissioner Librecz, Stephen Langlois, Principal Planner Monteith Brown Planning Consultants, Debbie Walker L-Director, Library Strategy and Innovation delivered a PowerPoint presentation on the ILMP.

The Mayor highlighted that three successful facilities were opened in a short time and noted the importance of this accomplishment.

The Committee discussed the plan, requested that staff provide a memo outlining what has not been accomplished since the original IMLP. The Committee discussed and suggested the following relative to the ILMP:

- Importance of future partnership opportunities
- Consider a pilot project of 'adventure playground'
- The need for a better strategy with the placement of City benches throughout the City of Markham
- The need for more than one Off-Leash dog park per Ward
- Increase outdoor winter activities within the plan
- Importance of a sports tourism strategy
- importance of parks having accessible component
- consider renaming "West Markham" (north of Highway 7) to "Northwest Markham"
- Potential extension of library hours in future to match retail hours

Commissioner Librecz advised the Committee that there is an alignment between management and building parks to matching residents needs. Initiatives will continue to be prioritized with the support of Members of Council and staff reports.

The Committee suggested that staff report back to General Committee prior to November 30, 2019.

Moved by Councillor Khalid Usman

Seconded by Councillor Andrew Keyes

1. That the presentation entitled "2019 Integrated Leisure Master Plan Update" be received; and,
2. That the report entitled "Approval of the 2019 Integrated Leisure Master Plan Update" be received; and,
3. **That staff be directed to report back to General Committee before the end of November 30, 2019; and,**
4. That Council direct the Commissioner of Community and Fire Services to incorporate the ILMP into annual Business Planning, Capital and Operating Budget processes and to report progress annually to Council; and further,
5. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**Carried**

## **9. CONSENT REPORTS - FINANCE & ADMINISTRATIVE ISSUES**

### **9.1 MINUTES OF THE MAY 13 2019, JUNE 17 AND JULY 29 2019 ADVISORY COMMITTEE ON ACCESSIBILITY (16.0)**

There was discussion relative to a motion passed ensuring that trails are all accessible. It was suggested that Chreyl McConney-Wilson, Diversity Specialist provide an email to all Members of Council clarifying the request.

Moved by Councillor Karen Rea

Seconded by Deputy Mayor Don Hamilton

1. That the minutes of the May 13, 2019, June 17, 2019 and July 29, 2019 Advisory Committee on Accessibility meeting be received for information purposes.

**Carried**

### **9.2 MINUTES OF THE MAY 15, 2019 AND JUNE 19, 2019 ANIMAL CARE COMMITTEE (16.0)**

Moved by Councillor Khalid Usman

Seconded by Councillor Andrew Keyes

1. That the minutes of the May 15, 2019 and June 19, 2019 Animal Care Committee meeting be received for information purposes.

**Carried**

**9.3 MINUTES OF THE JUNE 20, 2019 MARKHAM ENVIRONMENTAL ADVISORY COMMITTEE (16.0)**

Moved by Councillor Khalid Usman

Seconded by Councillor Andrew Keyes

1. That the minutes of the June 20, 2019 Markham Environmental Advisory Committee meeting be received for information purposes.

**Carried**

**9.4 MINUTES OF THE MAY 29, 2019, JUNE 19, 2019, JULY 10, 2019, JULY 24, 2019 AND AUGUST 7, 2019 MARKHAM – MILLIKEN CHILDREN'S FESTIVAL COMMITTEE (16.0)**

Moved by Councillor Khalid Usman

Seconded by Councillor Andrew Keyes

1. That the minutes of the May 29, 2019, June 19, 2019, July 10, 2019, July 24, 2019 and August 7, 2019 Markham-Milliken Children's Festival Committee meeting be received for information purposes.

**Carried**

**9.5 MINUTES OF THE JULY 8, 2019 SPECIAL MARKHAM PUBLIC LIBRARY BOARD (16.0)**

Moved by Councillor Khalid Usman

Seconded by Councillor Andrew Keyes

1. That the minutes of the July 8, 2019 Special Markham Public Library Board meeting be received for information purposes.

**Carried**

**9.6 MINUTES OF THE MAY 6, 2019 AND JUNE 3, 2019 RACE RELATIONS COMMITTEE (16.0)**

Moved by Councillor Khalid Usman

Seconded by Councillor Andrew Keyes

1. That the minutes of the May 6, 109 and June 3, 2019 Race Relations Committee meeting be received for information purposes.

**Carried**

**9.7 MINUTES OF THE JUNE 19, 2019, JULY 9, 2019, AUGUST 1, 2019 AND AUGUST 7, 2019 WASTE DIVERSION COMMITTEE (16.0)**

Moved by Councillor Khalid Usman

Seconded by Councillor Andrew Keyes

That the minutes of the June 19, 2019, July 9, 2019, August 1, 2019 and August 7, 2019 Waste Diversion Committee meeting be received for information purposes.

**Carried**

**9.8 AWARD OF REQUEST FOR PROPOSAL 011-R-19 MARKHAM PUBLIC LIBRARY MATERIAL AND PROCESSING SERVICES (7.12)**

D. Chung, ext. 2025

The Committee discussed the difference between the procurement process and budget process.

There was discussion relative to the number of vendors who submitted a bid to this contract. It was suggested that staff investigate if the vendor is willing to renegotiate a better price for the contract.

Moved by Councillor Karen Rea

Seconded by Deputy Mayor Don Hamilton

1. That the report entitled “Award of Request for Proposal 011-R-19 Markham Public Library Material and Processing Services” be received; and,
2. That the contract for Markham Public Library Material and Processing Services be awarded to the highest ranked / lowest priced bidder, Library Services Centre (LSC); and
3. That the term of the contract is for three (3) years with an option to renew for an additional two (2) one year periods in the total annual award amount of \$1,598,193.31 (inclusive of HST); 2020 - \$1,598,193.31\*2021 - \$1,598,193.31\*2022 - \$1,598,193.31\*2023 - \$1,598,193.31\*\*2024 - \$1,598,193.31\*\*Total: \$7,990,966.55\*For the three (3) year contract term

(January 1, 2020 – December 31, 2022), costs will be at the same itemized pricing.\*\*The two (2) optional renewal years (January 1, 2023 – December 31, 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. 2021 - 2024 is subject to Council approval; and,

4. That the contract in 2020 be funded from the 2020 project for Library Collections, subject to Council approval of the 2020 Capital Budget. Any future years 2021 – 2024 will be subject to Council approval of the annual budget; and,
5. That the Director of Library Administration & Operational Support, and Senior Manager of Procurement & Accounts Payable be authorized to exercise the option to renew the contract in years 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**

## **9.9 MEMORANDUM OF UNDERSTANDING REGARDING ADMINISTRATIVE MONETARY PENALTY (“AMP”) SYSTEM ON REGIONAL ROADS (2.17)**

M. Killingsworth, ext. 2127

Moved by Deputy Mayor Don Hamilton  
Seconded by Councillor Karen Rea

1. That the report entitled “Memorandum of Understanding regarding Administrative Monetary Penalties” be received; and,
2. That the Mayor and Clerk be authorized to execute a Memorandum of Understanding with the Region of York for the enforcement of parking infractions on Regional roads under the City’s AMP system in a form satisfactory to the City Solicitor.

**Carried**

## **10. PRESENTATIONS - FINANCE & ADMINISTRATIVE ISSUES**

### **10.1 2020 WATER/WASTEWATER RATE (5.3 & 7.0)**

V. Siu, ext. 2232



Phoebe Fu, Director Environmental Services, Veronica Siu, Senior Business Analyst delivered a PowerPoint presentation relative to the 2020 Water/Wastewater Rate Public Consultation Meeting.

The Committee briefly discussed "non-revenue" water and suggested that staff consider a more appropriate terminology. There was discussion regarding the current reserve funds and whether that is a sufficient amount.

Moved by Regional Councillor Jim Jones  
Seconded by Councillor Amanda Collucci

1. That the presentation entitled "2020 Water/Wastewater Rate Public Consultation Meeting" be received and approved for presentation at the November 5th Public Consultation meeting; and,
2. That the report entitled "2020 Water/Wastewater Rate" be received; and,
3. That Staff be authorized to hold a public meeting on November 5, 2019 at 6:30 p.m. in the Council Chamber at the Civic Centre to gather resident feedback on the proposed 2020 water/wastewater rate increase of \$0.3500/m<sup>3</sup> from \$4.4680/m<sup>3</sup> to \$4.8180/m<sup>3</sup>; and,
4. That feedback received at the public meeting along with the proposed 2020 water/wastewater rate be put forward for consideration by Council at the November 13th Council meeting; and further,
5. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**Carried**

## **11. REGULAR REPORTS - COMMUNITY SERVICES ISSUES**

### **11.1 2020 RECREATION USER FEE - MARKET ANALYSIS (6.0)**

M. Creighton, ext. 7515

The Committee discussed the user fee increase and acknowledged that they are justified.

The Committee inquired about a senior discount. Staff advised that there are different payment mechanisms for seniors and children and will provide a rate list.

The Committee congratulated Mary Creighton, Director of Recreation and staff for their work on preparing community children's programs in the event of a York Region School strike.

The Committee requested that staff report back with a user fee comparison between the City of Markham and the City of Toronto for future fee alignment.

Moved by Councillor Khalid Usman

Seconded by Regional Councillor Joe Li

1. That the report entitled "2020 Recreation User Fee - Market Analysis" be received; and,
2. That the 2020 Recreation Services additional user fees and permit increases based on market analysis be approved; and,
3. That a \$1.86 per hour increase, in addition to the Council approved increase, be applied to Adult Artificial Turf rentals be approved starting January 2020; and,
4. That the Non Prime Ice Arena fee be lowered to \$165.00, so that the fee matches the average rate amongst municipal comparators, and be approved starting January 2020; and,
5. That a \$6.00 per hour increase, in addition to the Council approved increase to the Aquatics Competitive Club community pool rental fee, be applied annually until the rental fee reaches the average rate amongst municipal comparators and be approved starting September 2020; and further,
6. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**Carried**

## **12. MOTIONS**

There were no motions.

## **13. NOTICES OF MOTION**

### **13.1 CITY OF MARKHAM SINGLE-USE PLASTICS DECLARATION**

Regional Councillor Jack Heath introduced a motion for the next General Committee meeting for a City of Markham Single-Use Plastics Declaration.

Moved by Regional Councillor Jack Heath

Seconded by Councillor Reid McAlpine

**The Markham Declaration for Immediate Action on Single-Use Plastics & Litter**

Moved by Regional Councillor Jack Heath

Seconded by Councillor Reid McAlpine

**WHEREAS** all Canadians have the right to live in clean, healthy and resilient communities, free of litter and single-use plastic-related pollution; and

**WHEREAS** decades of over-consumption of single-use plastics have led to a global environmental crisis with millions of tonnes of single-use plastics annually polluting our communities and waterways; and

**WHEREAS** most litter found during Canadian shoreline clean-ups include plastic bottles and caps, beverage cups and lids, shopping bags, straws, stir sticks, cutlery, take-out containers, etc.; and

**WHEREAS** single-use plastics are problematic because they slowly breakdown in the environment and are consumed by wildlife and marine life with profoundly negative impacts to our food chain and ultimately human health; and

**WHEREAS** the majority of single-use plastics originate from retail stores, food premises such as restaurants and grocery stores, convenience shops, beer & liquor outlets, temporary event vendors, etc.; and

**WHEREAS** businesses that supply or offer single-use plastics do not factor in the total life-cycle environmental costs of these items, such as litter clean-up and disposal, as well as their toxic impact on humans, wildlife, marine life, soil, and water; and

**WHEREAS** in a recent national poll conducted by Friends of the Earth, 80 percent of Canadians support a ban on the production and use of single-use disposable plastic containers and packaging; and

**WHEREAS** the Canadian and Ontario governments have announced their intentions to address single-use plastics, but have taken no immediate concrete action; and

**WHEREAS** local governments like the City of Markham have taken a leadership role to mitigate pollution with bold action on textiles, waste diversion, air quality, and pesticide reduction; and

**WHEREAS** Markham, its residents and innovative business leaders are committed to taking immediate action to reduce single-use plastics; and

**WHEREAS** the cost of inaction is dramatically greater than the cost of action and, as a community, there is recognition that we are all in this together; therefore,

**BE IT RESOLVED THAT:**

1. Markham Council declares that, within three months of the adoption of this declaration the following single-use plastics must not be used by businesses serving consumers in Markham:
  - a. **Plastic film retail shopping bags.** If a retail shopping bag is necessary, it would be permissible to substitute a non-plastic alternative to be provided on request. Charging a fee for such a product would also be permissible,
  - b. **Plastic straws, plastic stir sticks, plastic drink stoppers and other similar products.** The exception would be for medical and accessibility purposes. If such products are necessary, it would be permissible to substitute a non-plastic alternative to be provided on request,
  - c. **Plastic, plastic-coated, or polystyrene take-out containers and lids.** For example, coffee cups and restaurant take-home food containers. Non plastic or non plastic-coated alternatives would be permitted,
  - d. **Plastic six-pack rings or similar items used for carrying pop, beer and other products.** Substituting them with non-plastic alternatives would be permitted,
  - e. **Single-portion condiments and single-use plastic utensils.** They may be supplied to consumers on request.
2. That this declaration applies all to retail stores, food premises such as restaurants and grocery stores, convenience shops, beer & liquor outlets, temporary event vendors, etc. across the City. Markham will monitor for non-compliance and use its enforcement powers to achieve compliance, and

3. That this declaration be forwarded to the Prime Minister, the Minister of Environment and Climate Change, the Premiers and Ministers of the Environment in each of the provinces and territories, party leaders in the 14 jurisdictions, all municipalities in Canada, the Federation of Canadian Municipalities, all provincial and municipal associations, and all impacted Markham businesses.

**Carried**

## **14. NEW/OTHER BUSINESS**

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

### **14.1 INTERSECTION RECONFIGURATION (7.0)**

Councillor Karen Rea addressed the Committee suggesting that staff report back relative to the intersection reconfiguration for Robinson Street/George Street/Washington Street and Joseph Street, and advise if this matter can be included in the 2020 Budget process.

Moved by Councillor Karen Rea

Seconded by Regional Councillor Jim Jones

That staff be directed to report to General Committee with an cost estimate for the proposed intersection configuration for Robinson Street/George Street/Washington Street and Joseph Street.

**Carried**

### **14.2 LOBBYIST REGISTRY (9.0)**

Councillor Rea inquired about the progress of the Lobbyist Registry and requested that staff provide an update at a General Committee Meeting in November 2019.

### **14.3 GENERAL COMMITTEE OCTOBER 21, 2019 MEETING (16.0)**

The committee discussed that there may be difficulty achieving quorum for the General Committee meeting scheduled for October 21, 2019 and suggested it be changed to October 22, 2019 and that the agenda load be re-balanced.

Moved by Councillor Khalid Usman

Seconded by Councillor Andrew Keyes

1. That the General Committee meeting of October 21, 2019 (from 9:30AM to 3:00 PM) be moved to October 22, 2019 (from 9:30 AM to 3:00 PM); and,
2. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**Carried**

#### **14.4 FLAG RAISING (3.4)**

Deputy Mayor Don Hamilton addressed the Committee and suggested that staff report back to General Committee relative to the City's current Flag Raising Policy.

#### **15. ANNOUNCEMENTS**

There were no announcements.

#### **16. CONFIDENTIAL ITEMS**

General Committee convened into closed session at the hour of 2:39 PM.

Moved by Councillor Isa Lee

Seconded by Councillor Andrew Keyes

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

**Carried**

#### **16.1 FINANCE & ADMINISTRATIVE ISSUES**

##### **16.1.1 GENERAL COMMITTEE CONFIDENTIAL MINUTES- SEPTEMBER 3, 2019 AND SEPTEMBER 16, 2019 (16.0) [ Section 239 (2) (a) (c) (e) (f)]**

General Committee adopted the September 3 and September 16, 2019 General Committee confidential meeting minutes.

**16.1.2 BOARD OF MANAGEMENT UNIONVILLE BUSINESS  
IMPROVEMENT AREA COMMITTEE CONFIDENTIAL  
MINUTES - MAY 16, 2019, JULY 17, 2019 AND AUGUST 21, 2019  
(16.0) [Section 239 (2) (b)]**

General Committee received the Board of Management Unionville  
Business Improvement Area Committee confidential meeting minutes.

**16.1.3 A PROPOSED OR PENDING ACQUISITION OR DISPOSITION  
OF LAND BY THE CITY OR LOCAL BOARD - PROPERTY  
MATTER – WARD 2 (8.0) [Section 239 (2) (c)]**

General Committee directed staff to place the item on a future General  
Committee Meeting.

**17. ADJOURNMENT**

Moved by Regional Councillor Joe Li

Seconded by Mayor Frank Scarpitti

That the General Committee Meeting adjourn at 2.53 PM.

**Carried**



## Budget Committee Minutes

**Meeting No. 1**

**September 24, 2019, 9:00 AM - 12:00 PM**

**Council Chamber**

Members	Councillor Amanda Collucci, Chair	Regional Councillor Jack Heath
	Councillor Andrew Keyes, Vice-Chair	Councillor Keith Irish
	Mayor Frank Scarpitti (ex-officio)	Councillor Reid McAlpine
	Deputy Mayor Don Hamilton	Councillor Karen Rea
Regrets	Councillor Khalid Usman	
Roll Call	Regional Councillor Jim Jones	Bryan Frois, Chief of Staff
	Councillor Isa Lee	Matthew Vetere, Manager, Budgeting
	Andy Taylor, Chief Administrative Officer	Chris Bird, Director of Building Standards
	Trinela Cane, Commissioner, Corporate Services	Stephen Chait, Director of Economic Growth, Culture & Entrepreneurship
	Arvin Prasad, Commissioner Development Services	Biju Karumanchery, Director of Planning and Urban Design
	Claudia Storto, City Solicitor and Director of Human Resources	Morgan Jones, Director, Operations
	Joel Lustig, Treasurer	Shane Manson, Senior Manager of Revenue & Property Taxation
		Laura Gold, Council and Committee Coordinator

### 1. CALL TO ORDER

The Budget Committee convened at 9:04 AM with Councillor Amanda Collucci in the Chair.

Councillor Amanda Collucci, Budget Chief welcomed the Committee to the first meeting of the Budget Committee and provided opening remarks.

### 2. DISCLOSURE OF PECUNIARY INTEREST

None.



### **3. BUDGET PRESENTATION**

#### **3.1 2020 Budget Process and Communication Plan**

Matthew Vetere, Manager of Budgeting presented the 2020 Budget Process and Communication Plan.

##### Discussion

It was suggested that the Budget should be brought forward to General Committee for approval prior to going to Council for endorsement.

#### **3.2 Economic Scan**

Matthew Vetere presented the City's Economic Scan for 2020.

##### Discussion

In response to a Committee inquiry regarding wage settlement, staff advised that the Canadian Union of Public Employees (CUPE) contract ends March 31, 2019, and the Markham Professional Fire Fighters (MPFFA) collective agreement ends December 31, 2019.

#### **3.3 Development Trends and Outlook in Markham**

Arvin Prasad, Commissioner of Development Services spoke briefly about development trends in Markham, and introduced Patricia Arsenault from the Altus Group.

Patricia Arsenault, Altus Group provided a presentation entitled “Markham: Recent Development Trends and Short-Term Outlook”.

##### Discussion.

Committee discussed the following:

- The demand and supply of office space in Markham, and the need for new office space in Markham;
- The trend of corporate headquarter or offices moving from the greater GTA area to downtown Toronto;
- Markham's immigration and foreign investment trends;
- The development trends in Markham and how housing prices impact home sales;
- Demographic trends with respect to housing;

- Construction trends (the increase in the cost of concrete, and labour shortages) and the impact they have on development in Markham;
- Legislative changes impacting development in Markham( Bill 108, *More Homes, More Choice*, 2019);
- The impact the City's Building, Engineering, and Planning Fees have on development;
- The 2020 outlook for development applications in Markham.

The Committee suggested that the City needs to better understand why serviceable land in Markham is not being developed. In order to understand this, it was recommended that staff find out where the serviceable land is, and why the landowners are not developing the land. It was also recommended that York Region's data on land supply be reconciled to the City of Markham's data.

Commissioner Prasad committed to bringing forward a report to the Development Services Committee on this matter.

In response to Committee inquires, staff advised that a more analytical approach is being used to forecast the number of development applications submitted to the City in 2020. It was anticipated that there will be an increase in the development applications submitted to the City in 2020, but that less applications will be submitted than in 2018. Staff will continue to monitor how Bill 108, *More Homes, More Choice*, 2019 will impact the forecast. Staff do not think that increasing the City's Building, Planning, and Engineering Fees will have a significant impact the number of development applications submitted.

Moved by Mayor Frank Scarpitti  
Seconded by Councillor Andrew Keyes

That the Altus Group presentation entitled "Markham: Recent Development Trends and Short-Term Outlook" be received.

**Carried**

### **3.4 2020 Proposed Capital Budget**

Matthew Vetere presented the proposed 2020 Capital Budget.

### Discussion

In response to Committee inquiries, staff advised that a report on the additional one-time gas tax revenue received in 2019 will be brought forward to the General Committee when more information is available. Staff also advised that the total cost of the City's flood program was reduced based on the federal grant that was received. This was calculated into the total cost of the program, which was presented to Council in the spring.

Committee briefly discussed the need to have a standardized approach for determining the type of amenities that should be put in different types of City Parks. It also suggested that the community should be included in the planning of parks earlier on in the process, and that parks should be designed to encourage outdoor play and leisure. Staff advised that the new Manager of Parks has been tasked with developing a strategy in this regard and that a report on the matter will be prepared and brought forward to the Development Services Committee.

### **3.5 2020 Proposed Operating Budget**

Matthew Vetere presented the 2020 Operating Budget.

### Discussion

In response to a Committee inquiry, staff advised that the City continues to ramp-up for fire stations required in Markham. The report on the potential second crew at the Cornell Fire Station was deferred by the General Committee until after the Province completes its Regional Governance Review.

A Committee Member requested that staff also show the percentage when showing incremental increases in future budget presentations.

Moved by Mayor Frank Scarpitti

Seconded by Councillor Andrew Keyes

That the "2020 Budget Presentation" be received.

**Carried**

**4. NEW BUSINESS**

There was no new business.

**5. NEXT MEETING DATE**

The next meeting of the Budget Committee will be held on September 27, 2019 at 9:00 AM in the Council Chamber. The Directors will start presenting their Budget Presentations at this meeting. Members of the Committee were encouraged to ask the Directors questions regarding their presentation prior to the meeting.

**6. ADJOURNMENT**

Moved by Councillor Keith Irish

Seconded by Councillor Reid McAlpine

That the Budget Committee adjourn at 12:02 PM.

**Carried**



## Budget Committee Minutes

**Meeting No. 2**

**September 27, 2019, 9:00 AM - 12:00 PM**

**Council Chamber**

Members	Councillor Amanda Collucci, Chair Councillor Andrew Keyes, Vice-Chair Mayor Frank Scarpitti (ex-officio) Deputy Mayor Don Hamilton	Councillor Keith Irish Councillor Reid McAlpine Councillor Karen Rea
Regrets	Councillor Khalid Usman	
Roll Call	Regional Councillor Jim Jones Trinela Cane, Commissioner, Corporate Services Arvin Prasad, Commissioner Development Services Claudia Storto, City Solicitor and Director of Human Resources Joel Lustig, Treasurer	Matthew Vetere, Manager, Budgeting Stephen Chait, Director of Economic Growth, Culture & Entrepreneurship Brian Lee, Director, Engineering Biju Karumanchery, Director of Planning and Urban Design Morgan Jones, Director, Operations

### 1. CALL TO ORDER

The Budget Committee convened at 9:02 AM with Councillor Collucci in the Chair.

### 2. DISCLOSURE OF PECUNIARY INTEREST

None.

### 3. BUDGET PRESENTATION

#### 3.1 Economic Growth, Culture & Entrepreneurship 2020 Budget Presentation and Capital Budget Items

Stephen Chait, Director of Economic Growth, Culture & Entrepreneurship presented the 2020 Budget Director's Presentation.

## Discussion

Staff provided the following responses to Committee inquiries:

### **VentureLAB**

Staff advised that the budget for VentureLAB is 1.5 - 2.0 million dollars per year. Markham's contribution is \$300K. Some of Markham's funding partners include York University, Seneca College, and the National Research Council. The VentureLAB helps entrepreneurs start up their businesses and find venture capital, and it also helps promote awareness of Markham.

### **Budget for Business Development Missions, Programs, and Conferences**

Staff advised that there is one budget for business development missions, programs, and conferences. Some of the cost of business development missions is offset by sponsorship. The budget unfavourable variance in 2018 was partially due to Rogers Home Town Hockey and the Japan Business Development Mission.

### **Culture Venues**

Staff advised that economically sustainable communities have a vibrant culture that includes cultural venues. Many cultural facilities or events operate in a deficit or require some level of subsidy, but have a positive economic impact on the community at large. Sponsorship can help offset losses, but most large corporations are interested in sponsoring larger cultural venues.

To reduce the amount of subsidy required by the City, Markham's cultural venues now practice project based budgeting, and programs that are offered free of charge are continuously being re-evaluated to ensure they are providing the City with value.

### **Celebrate Markham Grant Program**

Staff advised that the Celebrate Markham Grant Program is funded through another cost centre. Economic Growth, Culture and Entrepreneurship's contribution to the program is the staff time required to administer the grant program.

### **Amortization of Capital Assets**

Staff advised that it currently presents the budget on an accrual basis based on the provincial requirements. Staff agreed to investigate the possibility of including the amortization of capital assets for all City business units in the future budgets.

**Fundraising Staff**

Staff advised that both the Varley Art Gallery and the Flato Markham Theatre have staff dedicated to fundraising. The employee that assists with fundraising for the Gallery is an employee of the Varley-McKay Art Foundation of Markham. The employee that assists with fundraising for the Theatre is a City employee that has a marketing position. No City staff receive commission or bonuses for raising funds, or for any other purposes. Providing commission or bonuses is against City procedure, but is permitted by provincial legislation.

**Cultural Venue Pricing**

Staff advised that Markham's pricing at its cultural venues is in the top 20% for the Greater Toronto Area. The cost to rent the theatre has become too expensive for some community groups.

**Investment in the Theatre**

Staff suggested that the City should look at the feasibility of building a new theatre prior to investing in any major enhancement to the existing theatre.

**Review of Capital Budget Items**

The following feedback was provided on the Capital Budget Items listed below:

**20001 - Economic Strategy**

Staff advised that the expertise of a consultant is required to update the City's Economic Strategy and to engage stakeholders in the process. A nine month contract for a Senior Business Development Coordinator is required to manage the project.

**20002 - Public Art Master Plan**

Committee agreed to approve the funds for the Public Art Master Plan in principle, but requested that the funds be withheld until Council approves the plan. The plan will be implemented in five phases. This Capital Budget request is for phase one of five. The funds have not been allocated to specific areas of Markham.

**20003 - 20005 - Museum Capital Budget Items**

Committee asked for a status update on the CN railcar.

**20010 - Theatre Swing Gates**

Staff advised that swing gates are required at the entrances to the Theatre parking lot to manage the lot when events are being held during the day. Currently, staff control access to the parking lot when events are being held at this time. The gates will eliminate the requirement for staff to manage the parking lot. Committee requested to see the plans/ design of the gates prior to them being installed.

**20007 - Courtyard Replacement**

Committee suggested that consideration be given to the entire Theatre outdoor landscape when redesigning the theatre courtyard.

Staff advised that the design consultant will consider this when designing the courtyard.

**20014 - McKay Accessibility Consultant**

Committee requested that a staff member with expertise in the Accessibility for Ontarians with Disabilities Act, 2005 come to a future Budget Committee meeting to explain the City's responsibility in regards to making the McKay House, and other City facilities accessible. The Committee also noted the importance of providing an accessible space for the artist. However, it suggested that the space could be provided at another City facility that is accessible rather than investing in making the McKay House accessible, as it would be difficult to make the house accessible due to it being a heritage property.

Staff advised that a consultant is required to provide meaningful solutions to this matter.

Committee deferred the approval of this item to a future Budget Committee.

Moved by Deputy Mayor Don Hamilton

Seconded by Councillor Andrew Keyes

That the Budget Committee approve Capital Budget Item No. 20001 Economic Strategy.

**Carried**



Moved by Deputy Mayor Don Hamilton  
Seconded by Councillor Reid McAlpine

That the Budget Committee approve Capital Budget Item No. 20002 Cultural Public Art Master Plan Implementation (Phase 1 of 5) in principle.

**Carried**

Moved by Councillor Keith Irish  
Seconded by Councillor Karen Rea

That the Budget Committee approve the Museum Capital Budget Items.

**Carried**

Moved by Councillor Reid McAlpine  
Seconded by Councillor Karen Rea

The Budget Committee approve the Theatre Capital Budget Items.

**Carried**

Moved by Councillor Karen Rea  
Seconded by Councillor Keith Irish

That the Budget Committee approve the Art Centre Capital Budget Item 20013;  
and,

That the Budget Committee defer the approval of Capital Budget Item 20014 - McKay Accessibility Consultant.

**Carried**

### **3.2 Planning & Urban Design 2020 Budget Presentation**

Biju Karumanchery, Director of Planning and Urban Design presented the 2020 Budget Presentation for the Planning & Urban Design Department.

Staff provided the following responses to Committee inquiries:

### **ePlans**

Staff advised that the ePlan has been implemented. All new applications are now being submitted electronically.

### ***Bill 108, the More Home, More Choice Act***

Staff advised that the City has enough staff to manage development applications. Recent changes to legislation could result in more appeals if the City exceeds the timelines indicated in the legislation.

### **Committee of Adjustment and Heritage Applications**

Staff advised that the City has enough staff to process Committee of Adjustment and Heritage Applications. Workload is managed by working together. Committee of Adjustment applications are reviewed by the Manager of Special Projects, the District Manager, and sometimes by Director of Planning and Urban Design.

Committee inquired about the following:

- Inquired if Committee of Adjustment recordings will be put online;
- Inquired why Members of Council no longer have access to Amanda.

### **Parks Trails**

Staff advised that Engineering and Planning staff work together with the consultant on the design of park trails. There is no duplication of work between Planning and Engineering staff.

### **Reserve Fund**

Staff advised that the City maintains a reserve fund to help cover the cost of staff salaries funded through develop fees if there ever was a serious downturn of the economy.

### **Development Fees**

Staff advised that the City's development fees are somewhere in middle when comparing with other local municipalities.

## **4. NEW BUSINESS**

There was no new Business.

**5. NEXT MEETING DATE**

The next meeting of the Budget Committee will be held on Friday, October 4, 2019 at 9:00 AM in the Council Chambers.

**6. ADJOURNMENT**

Moved by Councillor Keith Irish

Seconded by Councillor Reid McAlpine

That the Budget Committee adjourn at 11:58 AM.

Carried

## Unionville Business Improvement Area

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Date: Wednesday, May 16th, 2019

Location: UBIA Office

157 Main Street, Unionville

Call To Order

By Sarah Gratta

The meeting of the Board of Management for the Unionville Business Improvement Area began at

Time: 9:38 am

With Sarah Gratta in the Chair.

### Roll Call

In attendance: Sarah Gratta, Chair; Shibani Sahney, Secretary; Niina Felushkov, Treasurer; Tony Lamanna, Rob Kadlovski, Roger Kanda, Sylvia Morris

Deputy Mayor, Don Hamilton,

Staff: Executive Director, Shauna Ferguson

Late arrivals: Sylvia Morris      Time: 10:06

Regrets: Natasha Usher (Vice-Chair) Tom Vasilovsky, Reid McAlpine

Guests: John Pownall (Unionville Festival), Lake Trevelyan (Chair UVA), Ray Smylie (UVA), Wes Rowe (UVA), Sarah Iles (Cigar Bodega)

### Departure before adjournment:

Deputy Mayor Don Hamilton      Time: 10:10am

Sarah Gratta: 10:18

Shibani Sahney: 11am

Tony Lamana 11:15

Quorum : Was met until 11am

Approval of Agenda

Motion by Rob

Seconded by Don

Passed

Disclosure of Pecuniary Interest made by Sarah Gratta. Sarah who purchased custom tote bags in a three way purchase for The Valley Art Gallery, UBIA and Too Good General Store. These bags will be sold by UBIA for revenue.

Approval of April 2019 minutes by Deputy Mayor Don Hamilton

Seconded by Roger Kanda

Approved

Unionville Festival update provided by John Pownall

150 parking passes would be provided for business owners/vendors

Fireworks will be on Saturday night from 10pm until 10:20 pm

Road closures

Thursday May 30th night only a portion of Fred Varley will be closed during the performance at the Band-stand.

FRIDAY, May 31st, 2019

Road closure from Carlton to Fred Varley from 7:10pm until 2 am.

SATURDAY, June 1st, 2019

Cars would be restricted from Main Street to Pavilion, Fred Varley to Fonthill(Main Street), On Carlton from Pomander to Chambury, Main street from Bridlewalk to Pavilion.

Parade will start at 10am. There will be no cars allowed on Main Street after 9am.

All vendors must stop sales and shut down their booths by 5 pm.

Main Street will be closed until 6 pm on Saturday.

Cars will be allowed from 5pm until 6:30 pm for vendors to load their stuff and then the street will be closed again from 6:30 pm until 2 am when the Bars shut down.

SUNDAY June 2nd, 2019

The road will be closed for a Race from 7am until 9am from Carlton to Eckett. Race officially ends at 10am.

Setup time for Vendors will be from 11am until 12 noon.

Main Street will be closed from 12 noon until 5 pm

All vendors must stop selling by 5 pm.

Tony Lamanna suggested to invite the Chair for the Unionville Festival John Cabrelli for a meeting right after the festival to talk about a succession plan as a priority.

Financial Statements presented by Niina showed that this month we were in a surplus as shown on the Profit & Loss statement ending April 30th, 2019. We made a profit through the directory ads

In March Niina met the city who gave GL codes so that expenses could be properly allocated by project/expense

Rob Kadlovski requested to see the Accounts Payable. He also suggested to move towards preparing purchase orders.

Rob suggested to send out a motion for any approval Like grant writing.

Shawna got in over \$75,000 in grants so far. (Where did this number come from???)

Parked item-Roger Kanda suggested to make a subcommittee for setting a target and putting together grant applications to be put in the next agenda.

Unionville Villagers Association(UVA)-The Chair Mr.Lake Trevelyan would like to promote working together with the UBIA.

Approval of March & April Financials

These could not be approved due to lack of quorum

Next Meeting Date & Location: Wednesday June 19 at 9:30am

at the UBIA office

Adjournment:

Time: 11:55



## Unionville BIA Minutes

Date: Wednesday June 19th, 2019

Location: BIA office - 157 Main Street

BIA BOARD MEMBERS	In Attendance	Regrets
Sarah Gratta	Yes	
Natasha Usher	Yes	
Niina Fulushko	Yes	
Shibani Sahney	Yes	
Roger Kanda	Yes	
Tom Vasilovsky	Yes	
Sylvia Morris	Yes	
Rob Kadlovski	Yes	
Tony Lamana	Yes	

City:Deputy Mayor Don Hamilton

Ward 3 Councillor:Reid McAlpine

Guests:

Sarah Isles

Ray and Wes-Unionville Villagers Association

Katarina

Call to order - At 10:09 am by the Chair Sarah Gratta

Approval of the Agenda:

Motion was passed to move up the Gilmore Girls and Financials by Deputy Mayor Don Hamilton and seconded by Rob Kadlovski

Approval of Minutes:

Motion by Deputy Mayor Don Hamilton



Seconded by Rob Kadlovski

#### Financials

A Profit and Loss Statement with a breakdown of all categories was prepared and presented by Niina.

Tony Lamana suggested that we put on the agenda a discussion on which events are necessary or unnecessary to help keep the 2019 budget on track.

Approval of Financials: Tom Vasilovsky and Sylvia Morris  
All in favour of Financials at 10:20am

#### Events:

Chair Sarah Gratta spoke about the upcoming Gilmore Girls Fan Fest which will be set up behind the Queens Hotel on October 4th, 5th & 6th. Ticket price for this event is US \$275. The team will be on our street for 45 hours. The attendance will be primarily of women aged 16-60 years. The cast and volunteers would comprise of around 1600 people.

This event will be covered by ET Canada and the Huffington Post.

#### Summer Music

Every Friday, Saturday and Sunday until the end of Labour Day.

Location will be in front of the UBIA Office and the Blacksmith driveway.

Exotic Car Show - July 28th, 2019 is being handled by Dave Tucci along with the ticket sales.

Time: 11am-4pm

#### Jazz Festival

The Jazz Festival will take place on Main Street from 16th to 18th of August, 2019.

#### Summer Students

Katarina and Sam More have been hired for the summer.

#### Digital Main Street Grant

We received \$10,000 from the OBIA to purchase equipment for businesses for video presence.

Sarah Isles spoke about the parking issues for the Unionville Festival. Councillor Reid McAlpine said he had submitted a report to the city.

#### Early departure

10:39 am - Deputy Mayor Don Hamilton, Roger Kanda

10:40 am - Councillor Reid McAlpine





Other business

Jack is increasing the office rent by \$200

Ray suggested that we start using bigger and thicker bags for garbage as the current ones are leaving a trail when picked up.

There was no Disclosure of Pecuniary Interest

Meeting adjourned

Time:11am

Motion passed by by Rob Kadlovski

Seconded by Natasha Usher

Next meeting :

Wednesday,July,17th,2019

Time:9:30 am

Venue:UBIA Office

157 Main St,Unionville



## Unionville BIA Minutes

Date: Wednesday, July 17th, 2019

Location: BIA office - 157 Main Street

BIA BOARD MEMBERS	In Attendance	Regrets
Sarah Gratta	No	
Natasha Usher	Yes	
Niina Felushko	Yes	
Shibani Sahney	Yes	
Roger Kanda	Yes	
Tom Vasilovsky	Yes	
Sylvia Morris	Yes	
Rob Kadlovski	Yes	
Tony Lamana	Yes	

City: Deputy Mayor Don Hamilton

Ward 3 Councillor: Reid McAlpine (arrived at 9:43 am)

Staff: Katarina Matthiessen

Judy McIntyre (arrived at 10a.m)

Guests:

Ian Free

Chantal Tang

Ray Smylie and Wes Rowe - Unionville Villagers Association

Rachel Fell (Varley Art Gallery, Programmes and Education)

Bowie Fan (Varley Art Gallery, Communications)

Call to order - At 9:33 am by the Co-Chair Natasha Usher

Approval of Minutes:

Motion by Deputy Mayor Don Hamilton

Seconded by Tom Vasilovsky



### Disclosure of Pecuniary Interest by Niina Felushko

Niina's husband Daniel is joining Quincey Bolan as a drummer.

### Financials: Presented by Niina Felushko

All outstanding debts have been paid.

Profit and Loss Statements are in bigger buckets.

Rental agreement for the UBIA office has been renewed with the landlord for 3 years.

Summer students will be going forward until fall.

Streetscape has been budgeted.

Deputy Mayor Don Hamilton said that the city would fund \$8000 for the Christmas Parade.

Niina proposed a sub committee for fundraising for Christmas.

Deputy Mayor Don Hamilton also proposed that we discuss the Christmas Old Thyme Parade in September.

Niina asked Katarina to see a breakdown of the cost related to the Christmas Parade.

Tony Lamana suggested that we start a bucket drive(drop a loonie/toonie) to raise funds for Christmas.

### Approval of Financials (10:05am)

Motion passed by Sylvia Morris

Seconded by Rob Kadlovski

### Car Show

Judy represented Dave Tucci to discuss street closures and all approval of applications as well as security for the Car Show. All costs were incurred by Dave Tucci .He has 5 sponsors to cover all expenses and the extra remaining funds would be donated to Mental Health(Markham Stouffville Hospital).

Councillor Reid McAlpine suggested that we have a discussion to negotiate the preparations for the Christmas Parade.

### Jazz Festival

Katarina: Starting Friday ,August 16th, 2019 From Fred Varley to Font Hill from 5pm to 11pm.

Saturday, August 17th, 2019 the street will be closed from Carlton to the Bypass from 11am until 11pm.

School parking will be open

There will be 3 stages at the Band stand, Varley Patio and MC Kay Gardens.

There will be 20-30 vendors on the weekend from Fred Varley to Carlton.

There will be a free shuttle service from the Pan Am Centre to the train station at Main Street Unionville.

### Gilmore Girls Fan Fest



Organizer Jennie Whitaker will be providing information about the upcoming event at the Old Country Inn on 24th July, 2019 at 9:30am

Councillor Reid McAlpine spoke about the garbage collection and that they have gone back to the previous practice of stopping at all garbage bins instead of dragging them so that the mess is reduced.

#### New Business

Businesses on Fred Varley want to be affiliated and partner with the UBIA. Councillor Reid McAlpine said that we need to speak with the city staff regarding expanding the perimeters of the BIA.

Roger Kanda had a concern about the the parking signs for the weekends not being very clear. Deputy Mayor Don Hamilton asked him to suggest how to redesign it and send it for approval to him.

Deputy Mayor Don Hamilton asked to put this matter in the next agenda to redesign a permanent sign with a definitive period. The Board would have to move a motion for it .

Sylvia Morris had a concern about regular real estate signs which were present and how to get rid of them.

Councillor Reid McAlpine informed the Board that the old spruce tree was coming out that day but the 2 trees on the north side would remain. The old spruce tree would be replaced by a flag pole and a modern Christmas tree.

10:53 am In camera meeting

Meeting adjourned

Time: 11:25 am

Motion passed by Natasha Usher

Seconded by Rob Kadlovski

Next meeting :

Wednesday, August 21 , 2019

Time: 9:15 am

Venue: UBIA Office

157 Main St, Unionville



## Unionville BIA Minutes

Date: Wednesday, August 21st, 2019

Location: BIA office - 157 Main Street

BIA BOARD MEMBERS	In Attendance	Regrets
Sarah Gratta	Yes	
Natasha Usher	Yes	
Niina Felushko	Yes	
Shibani Sahney	Yes	
Roger Kanda	No	
Tom Vasilovsky	Yes	
Sylvia Morris	Yes	
Rob Kadlovski	Yes	
Tony Lamana	Yes	

City: Deputy Mayor Don Hamilton

Staff: Katarina Matthiessen

Late arrivals:

Deputy Mayor Don Hamilton at 9:29am

Sylvia Morris at 9:26am

Early departure. Tony Lamana at 9:48am

Guests:

Sarah Isles-Cigar Bodega

Ray Smylie- Unionville Villagers Association

Kelsey - Varley Art Gallery

Ron-Jakes Restaurant

Call to order - At 9:15am by the Chair Sarah Gratta



Approval of Minutes:  
Motion by Tom Vasilovsky  
Seconded by Natasha Usher

Deputy Mayor Don Hamilton approved the minutes after with correction.

Approval of Agenda:  
Motion by Natasha Usher  
Seconded by Niina Felushko

Approval of Financials:  
Motion by Tony Lamana  
Seconded by Tom Vasilovsky

Event updates by Chair Sarah Gratta  
Gilmore Girls Fan Fest:

So far 800 tickets have been sold. We are looking for volunteers for the BIA table. We have a liquor licence so we would be able to sell beer, chips and snacks.

We are collecting donations for swag bags. Rob Kadlovski suggested that we could have brochures for the Varley Art gallery, and other give aways with City of Markham written on it. We could also partner with the Markham Fair.

Rob also suggested that we could approach CCT to organize a tourism bus for the event.

About 1000 people are expected to attend the event everyday for 3 days.

The major events and panel discussions will be held behind IL Postino. Book signing will be at the Too Good General Store. Truffle tasting at the Old Firehall.

There will also be a farmers market on Sunday with about 10/12 tables.

Flyers need to be sent out to all the businesses on Main Street. We suggest that all businesses open early for the weekend of the GGFF.

Thursday night at the bandstand:

The street would be closed by the city for the Chicago tribute from Main Street between Carlton and the Bypass and on Fred Varley between EJ Lennox and Main Street.

Rob Kadlovski suggested that we bring a motion to the City for next year to help us to make sure that there is no liability issue for Thursday nights at the band stand. We should support Bill Dawson to discuss a motion with the city.

Sarah Isles suggested that the Thursday nights could be a fundraising opportunity to raise funds for the UBIA.

Motion to reflect that we support Bill Dawson  
Approved by Tom Vasilovsky  
Seconded by Sylvia Morris



Christmas Parade: Sarah Gratta suggested that we make a motion to move the parade from Friday night to Saturday night for next year.

It was noted that these parades and participants are often booked a year in advance so for 2019 the parade will be on the first Friday of December 6, 2019. We will also vet the idea with the participants to see if there

Rob Kadlovski suggested that we change the cost of Breakfast with Santa to \$25 (\$20 would be the cost and \$5 to charity)

Sarah Gratta suggested that we stick to \$20 for the breakfast and add an online link to choose to donate.

Motion to investigate move the parade from Friday to Saturday for 2020.

Approved by Rob Kadlovski

Seconded by Sylvia Morris

Niina Felushko suggested that we look for cheaper bands to reduce the cost of the parade. We should put a cap of \$300 on the cost of each of the bands.

Deputy Mayor Don Hamilton suggested to send a letter after the parade to all the participating bands to ask them if it was okay by them to move the parade to Saturday. Natasha asked if we could use cadets for the parade as we wouldn't have to pay them or Auxiliary Police.

Digital Main Street:

We received a grant of \$10,000 from Digital Main Street. Kirby was hired to lead a squad to go to all the businesses to improve their google presence/website/yelp.

ED Position:

Sarah GRATTA recommended Sarah Stirling. Katarina would like to end her assistant ED position officially by Labour Day.

Chair Sarah Gratta and Deputy Mayor Don Hamilton will be speaking to Joel that they would like to have a contractor as an ED.

Parking signs: Not discussed as Roger Kanda was absent for the meeting.

Wi-Fi:

Wi-Fi is working only on the south end side of street. We currently have three hotspots/transmitters. Only 125 people per day can connect to the free wifi. There is no contract with the provider. We could consider changing to Rogers as our provider. Rob Kadlovski suggested that maybe there is an opportunity to ask Rogers to work together with us.



New Business: Rob Kadlovski said that this was the first time that there was no notice sent out that the street would be closed for filming. Deputy Mayor Don Hamilton said that the City should approach the BIA. Chair Sarah Gratta said that an email was sent by the city.

Rob Kadlovski suggested that there needs to be a motion for filming approval by the City.

There was no Disclosure of Pecuniary Interest.

Meeting adjourned  
Time: 10:48am

Motion passed by Deputy Mayor Don Hamilton  
Seconded by Rob Kadlovski

Next meeting :  
Wednesday, September 18th, 2019  
Time: 9:15 am  
Venue: UBIA Office  
157 Main St, Unionville





### Waste Diversion Committee

August 22, 2019

Council Chambers

9:00 AM

<p><b>Members</b> Regional Councillor Jack Heath, Chair Regional Councillor Joe Li</p> <p><b>Guests</b> Valerie Burke</p> <p><b>Regrets</b> Councillor Khalid Usman Councillor Reid McAlpine Karl Lyew, MEAC Representative Michael DiPasquale, Supervisor, Waste Operations</p>	<p><b>Staff</b>  Brenda Librecz, Commissioner of Community &amp; Fire Services Claudia Marsales, Senior Manager, Waste and Environmental Management Sara Tam, Manager, Business Planning &amp; Innovation Juliana Aparicio, Diversion Programs Technician Angela Perry, Waste Operations Assistant Holena Newton, Water Conservation Specialist Irene Weiss, Assistant to the Director of Environmental Services Kimberley Dunsmoor, Community Outreach Assistant Laura Gold, Council/Committee Coordinator</p>
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## 1. Call to Order

The Waste Diversion Committee convened at 9:00 AM with Regional Councillor Jack Heath in the Chair without quorum.

## 2. Approval of the Minutes

The approval of the Minutes from August 1, and August 7, 2019, Waste Diversion Committee was deferred to the next meeting.

## 3. York Region Waste Management Update

### Update on Waste Management

Lindsay Milne, Program Manager, Solid Waste, York Region gave the following update on waste management:

- Provided an overview of the provincial announcement regarding the transition of the blue box program to the Producers/Stewards, and the respective timelines;
- Advised that York Region will provide input to the Province on its suggestions to improve recycling operations and diversion rates in Ontario during its consultation process;
- Advised that York Region will not be making any major investments into its material recovery facility (including the purchasing of a bag breaker) due to the recent provincial announcement that the blue box program will be taken over by the producers/stewards.

Committee briefly discussed what the new blue box program may look like for residents once the producers/stewards take over. There was some concern expressed that less items will be included in Markham's blue box program when it is transitioned.

#### Blue Box Contamination

Ron Worthy, Manager of Waste Operations, York Region provided an overview of York Region's blue box program, and some of the challenges the program is facing, in particular the contamination of the recycling stream. The types of contamination include:

- The amount of organics in the blue box due to residents not cleaning their recycling;
- Residents putting their recycling in blue recycling bags or other types of plastic bags;
- Residents putting waste, organics or textiles into recycling bins.

Mr. Worthy asked for the City of Markham's help in reducing the amount of contamination in the blue box, suggesting that the City could help by focusing on education and enforcement. He also advised that York Region has no plans to remove items from its list of recyclable items at this time. York Region's stance on black plastic is undecided at this time.

The Committee discussed some of the challenges with respect to eliminating plastic bags from recycling, like residents wanting to put their recycling in bags so it does not create litter and the thousands of weekly newspapers being delivered in plastic bags by Metroland Media that end in the blue box. The Committee suggested that larger recycling bins may resolve some of the challenges, and that York Region consider approaching Metroland Media to stop the delivery of newspapers in plastic bags.

The Committee asked if York Region would contribute to the purchase of larger recycling bins for Markham residents. Ms. Milne supported this idea in principle, but advised she would need to bring back the inquiry to York Region for its consideration.

Markham staff noted that the organic contamination, as shown in York Region's presentation, may be the result of operator error and not resident confusion as recycling and organics are co-collected. Markham staff indicated they would meet with the collection contractor to resolve this issue.

The Committee requested that a copy of York Region's presentation be circulated to the Committee.

#### **4. Miller Waste Representative**

Representatives from Miller advised recycling in bags is easier to manage from a collection perspective, but create challenges from an operational perspective. The representatives also explained that investment would be required to reconfigure York Region's material recovery facility to add a bag breaker.

Markham staff suggested that some of the blue box contamination may be due to collection error. Miller was asked to remind its staff to refrain from picking up waste (garbage, recycling, or organics) that is not sorted properly and that an "Oops" sticker indicating why it was not collected be put on it (one of Markham's three stickers). Miller was also requested to provide the City with the percentage of waste being left behind due to improper set-outs. Miller agreed to both of these requests.

Markham staff requested clarification as to the amount of contamination in the blue bags. York Region staff indicated that information is not available.

York Region staff indicated that they attempt to open blue bags for sorting at the material recovery facility.

In response to a question from the Committee on items no longer accepted by York Region, York Region staff indicated no materials have been removed from the blue box.

The Committee discussed next steps and suggested that Markham staff report back with a recommendation on how the City can address blue box contamination.

## **5. Single-Use Plastics**

Committee reviewed a draft declaration prepared by Markham staff entitled “A Call to Action to Eliminate Plastic Pollution by Reducing Single Use Items”. The following feedback was provided:

- Suggested obtaining Markham Environmental Advisory Committee’s feedback on the declaration if time permits;
- Need to define “six rings”, “fibre based alternatives”, and include a reference to single use coffee cups (under the priority actions section);
- Possibly provide alternatives to the use of balloons when prohibiting them;
- Need to be reduce the length of the resolution to one page and include space for all councillor signatures;
- Add a “whereas clause” about single-use plastic being a form of litter that is harmful to wildlife.

Markham staff suggested that a working group be formed to finalize the declaration.

## **6. Next Meeting Date**

The next meeting of the Waste Diversion Committee will be held on a date to be determined in September.

## **7. Adjournment**

The Waste Diversion Committee adjourned at 12:02 PM.



Report to: General Committee

Meeting Date: October 21, 2019

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**SUBJECT:** 2020 Interim Spending Authority Pending Approval of  
Budget  
**PREPARED BY:** Kishor Soneji, Senior Accountant, ex.t 2681

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**RECOMMENDATION:**

- 1) That the report titled “2020 Interim Spending Authority Pending Approval of Budget”, be received; and,
- 2) That Council approve 50% of the City’s 2019 Operating, Waterworks, Planning & Design, Building Standards and Engineering budgets equal to \$197,546,839 as a pre-budget approval for 2020 operating expenditures; and further,
- 3) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**PURPOSE:**

To obtain Council approval for the Treasurer to have authority to make payments necessary to support the ongoing business of the City, prior to the approval of the 2020 Operating, Waterworks, Planning & Design, Building Standards and Engineering budgets.

**BACKGROUND:**

The 2020 Interim Spending Authority is intended to allow each of the City’s Operating, Waterworks, Planning & Design, Building Standards and Engineering departments to spend up to 50% of the 2019 approved budgets for operating expenditures. This approval will enable the City operations to continue at existing approved service levels until the City’s 2020 departmental budgets for operating expenditures are approved.

The City's 2019 approved budgets for operating expenditures are:

	<b><u>2019 Approved Budget</u></b>
Operating	\$ 233,044,724
Waterworks	131,920,556
Planning & Design	11,863,445
Building Standards	9,332,205
Engineering	8,932,747
Total	<b><u>\$ 395,093,677</u></b>
50% of the above total	<b><u>\$ 197,546,839</u></b>

All expenditures for goods and services will conform to existing by-laws and policies.

**OPTIONS/ DISCUSSION:**

Not applicable

**FINANCIAL CONSIDERATIONS AND TEMPLATE:**

Not applicable

**HUMAN RESOURCES CONSIDERATIONS**

Not applicable

**ALIGNMENT WITH STRATEGIC PRIORITIES:**

Not applicable

**BUSINESS UNITS CONSULTED AND AFFECTED:**

Not applicable

**RECOMMENDED BY:**

Joel Lustig  
Treasurer

Trinela Cane  
Commissioner, Corporate Services

**ATTACHMENTS:**

Not applicable



Report to: General Committee

Meeting Date: October 21, 2019

**SUBJECT:** 2020 Interim Spending Authority Pending Approval of  
Unionville and Markham Village Improvement Area Budgets

**PREPARED BY:** Kishor Soneji, Senior Accountant x2681

**RECOMMENDATION:**

- 1) That the report titled “2020 Interim Spending Authority Pending Approval of Unionville and Markham Village Business Improvement Area Budgets”, be received; and,
- 2) That Council approve 50% of the 2019 Operating Budget equivalent to the amounts of \$105,500 for the Unionville BIA (UBIA) and \$165,709 for the Markham Village BIA (MBIA) as pre-budget approval for 2020 operating expenditures; and further,
- 3) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**PURPOSE:**

To obtain Council approval for the UBIA and MBIA to have the authority to make payments necessary to support their ongoing businesses prior to the approval of their respective 2017 operating budgets.

**BACKGROUND:**

The 2020 Interim Spending Authority is intended to allow the UBIA and MBIA to spend up to 50% of the 2019 approved budget for operating expenditures. This approval will enable BIA operations to continue at existing levels until the 2020 Budgets for operating expenditures are approved.

The BIAs’ 2019 approved operating budgets are \$210,999 for the UBIA and \$331,417 for the MBIA. Therefore, the interim spending equivalent to 50% of the 2019 operating budget will be \$105,500 and \$165,709 respectively.

**OPTIONS/ DISCUSSION:**

Not applicable

**FINANCIAL CONSIDERATIONS:**

Not applicable

**HUMAN RESOURCES CONSIDERATIONS:**

Not applicable

**ALIGNMENT WITH STRATEGIC PRIORITIES:**

Not applicable

**BUSINESS UNITS CONSULTED AND AFFECTED:**

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Not applicable

**RECOMMENDED BY:**

Joel Lustig  
Treasurer

Trinela Cane  
Commissioner, Corporate Services

**ATTACHMENTS:**

Not applicable





Report to: General Committee

Meeting Date: October 21, 2019

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**SUBJECT:** 2020 Temporary Borrowing By-law  
**PREPARED BY:** Kishor Soneji, Senior Accountant, ext. 2681

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**RECOMMENDATION:**

1. That the report titled “2020 Temporary Borrowing By-law” be received; and,
2. That a by-law be brought forward for Council approval to authorize the temporary borrowing, if required, of amounts not to exceed \$197,546,839 from January 1, 2020 to September 30, 2020 and \$98,773,419 from October 1, 2020 to December 31, 2020 to meet the expenditures of the municipality until taxes are collected and other revenues are received; and,
3. That the Treasurer report to Council in advance of borrowing, if temporary borrowing is required; and further,
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**PURPOSE:**

To obtain Council approval to allow the City of Markham to temporarily borrow funds, if required to do so.

**BACKGROUND:**

Section 407(1) of the *Municipal Act, 2001* states:

“At any time during a fiscal year, a municipality may authorize temporary borrowing until the taxes are collected and other revenues are received, of the amounts that the municipality considers necessary to meet the current expenses of the municipality for the year...”

The City of Markham (the City) is known for its financial performance, fiscal responsibility and operational excellence. With sound cash management practices and policies in place, the City’s strong financial position has not necessitated bank financing for operating purposes in the past. However, a temporary borrowing by-law is recommended for unforeseen circumstances.

On an annual basis, the City’s banker, TD Canada Trust, has requested a copy of the by-law in order to be aware of the limits, should a necessity to borrow arise.

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Subsection 407(2) of the *Municipal Act, 2001* governs the upper limits on the amounts the City can borrow, as follows:

(a) From January 1 to September 30 in the year, 50 per cent of the total estimated revenues of the municipality, as set out in the budget adopted for the year; and

(b) From October 1 to December 31 in the year, 25 per cent of the total estimated revenues of the municipality as set out in the budget adopted for the year.

Section 407(3) of the *Municipal Act, 2001* provides that until the budget is adopted in a year, the limits upon borrowing under subsection (2) shall temporarily be calculated using the estimated revenues of the municipality set out in the budget adopted for the previous year.

**OPTIONS/ DISCUSSION:**

Not applicable.

**FINANCIAL CONSIDERATIONS**

The City would be required to pay interest on any short-term borrowing. The City does not budget for interest expense, as borrowing has not been required in the past.

The Treasurer will report to Council prior to borrowing, if short-term borrowing is required.

**RECOMMENDED BY:**

Joel Lustig  
Treasurer

Trinela Cane  
Commissioner, Corporate Services

**ATTACHMENT:**

Appendix A, "2020 Temporary Borrowing Bylaw"

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## **APPENDIX A: 2020 Temporary Borrowing Bylaw**

By-law to authorize temporary borrowing to meet the expenditures of the City of Markham until taxes are collected and other revenues received.

A by-law to authorize the temporary borrowing of an amount not to exceed \$197,546,839 from January 1 to September 30, 2020 and \$98,773,419 from October 1 to December 31, 2020 to meet the current expenditures of the Corporation for the year, until taxes are collected and other revenues received.

WHEREAS Section 407 (1) of The Municipal Act authorizes that Council may borrow from time to time such sums as Council considers necessary to meet, until the taxes are collected and other revenues received, the current expenditures of the Corporation for the year; and

WHEREAS Section 407 (2) of The Municipal Act states the amount to be borrowed shall not exceed from January 1st to September 30th of the year, 50 per cent of the total estimated revenues of the Corporation, and from October 1st to December 31st, 25 per cent of the total estimated revenues for the Corporation; and

WHEREAS Section 407 (3) of The Municipal Act states that until the budget is adopted in a year, the limits upon borrowing shall temporarily be calculated using the estimated revenues of the municipality set out in the budget adopted for the previous year; and

WHEREAS the total revenues of the Corporation as set forth for the year 2019 are \$395,093,677 which was adopted by Council at the Council meeting on March 19, 2019.

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

1. The Treasurer is hereby authorized on behalf of the Municipality to borrow from time to time by way of promissory note from the Municipality's banker a sum or sums not exceeding from January 1 to September 30 of the year \$197,546,839 and from October 1 to December 31 \$98,773,419 to meet, until the taxes and other revenues are received, the current expenditures of the Municipality for the year, including the amount required for the purposes mentioned in Subsection 1 of Section 407 of The Municipal Act and to give on behalf of the Municipality to the Bank a promissory note or notes sealed with the Corporate Seal and signed by the Treasurer for the monies so borrowed, with interest, which may be paid in advance or otherwise.
2. All sums borrowed pursuant to the authority of this by-law from the said bank for any or all purposes mentioned in the said Section 407 shall with interest thereon, be a charge upon the whole of the revenues of the Municipality for the current year.

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READ A FIRST, SECOND, AND THIRD TIME AND PASSED THIS

\_\_\_\_\_ DAY OF \_\_\_\_\_ 2019.

\_\_\_\_\_  
KIMBERLEY KITTERRINGHAM  
CITY CLERK

\_\_\_\_\_  
FRANK SCARPITTI, MAYOR



Report to: General Committee

Meeting Date: October 21, 2019

**SUBJECT:** Staff Awarded Contracts for the Month of September 2019  
**PREPARED BY:** Alex Moore, ext. 4711

**RECOMMENDATION:**

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

**PURPOSE:**

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

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

**BACKGROUND:**

The Procurement By-Law delegates authority to staff to award contracts if the contract award meets specific criteria. The following chart outlines the contract award approval authority:

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

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

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

**Staff Awarded Contracts for the Month of September 2019**

<b>Number</b>	<b>BMFT Objective</b>	<b>Description</b>	<b>Award Details</b>	<b>Commission</b>
1	Engaged, Diverse and Thriving City	038-T-19: Grandview Park - Construction	Lowest Priced Bidder	DS
2	Engaged, Diverse and Thriving City	096-R-19: Lead (Planning) Consulting Services, Markham Centre Secondary Plan Update	Highest Ranked/ Lowest Priced Bidder	DS
3	Exceptional Services by Exceptional People	134-T-19 - Concrete Paving at Markham Civic Centre	Lowest Priced Bidder	CS
4	Safe & Sustainable Community	067-T-19 Play Equipment Replacement & Site Work at Various Parks	Lowest Priced Bidder	C&FS
5	Safe & Sustainable Community	121-T-19 Oil-Grit Separator Cleanouts	Lowest Priced Bidder	C&FS
6	Safe & Sustainable Community	141-T-19 Sediment Removal at Stormwater Management Pond (ID #9)	Lowest Priced Bidder	C&FS
7	Safe & Sustainable Community	149-T-19 Supply, Delivery, Install and Warranty of 531 Various Tree	Lowest Priced Bidder	C&FS
8	Safe & Sustainable Community	175-T-19 Supply and Delivery of Two (2) 11' Wide Area Mowers	Lowest Priced Bidder	C&FS
9	Safe & Sustainable Community	168-Q-19 Water Treatment Services	Lowest Priced Bidder	C&FS
10	Safe & Sustainable Community	051-R-19 Highway 7 Flato Theatre Electronic Sign	Highest Ranked/ Lowest Priced Bidder	DS
11	Safe & Sustainable Community	105-S-19 Supply and Delivery of One (1), 16' Rotary Mower	Non-Competitive Bidder	C&FS

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12	Safe & Sustainable Community	181-S-19 Supply and Delivery of Six (6), 60" Zero-Turn Mowers	Non-Competitive Bidder	C&FS
13	Stewardship of Money and Resources	131-R-19 Vending Machine Services	Highest Ranked/Highest Revenue Bidder	C&FS
14	Stewardship of Money and Resources	187-S-19 Consulting Services, Comprehensive Assessment of the Development Review Process and Roles and Responsibilities	Non-Competitive Bidder	DS

**RECOMMENDED BY:**

Joel Lustig  
Treasurer

Trinela Cane  
Commissioner, Corporate Services

#1

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

To:	Andy Taylor, Chief Administrative Officer
Award:	038-T-19: Grandview Park - Construction
Date:	September 6, 2019
Commission:	Development Services

**BID INFORMATION**

Bid closed on	June 27, 2019
Number picking up bid document	16
Number responding to bid	5

**BACKGROUND**

Grandview Park is an existing park located at 135 Doncaster Ave. (south of Doncaster Ave and east of Yonge Street).

The scope of work consists of: site preparation and grading, application of top soil, storm, water and hydro servicing connections for the park from municipal roads or adjacent site services, drainage culverts, concrete and asphalt works, washroom building / pavilion, waterplay and associated works, skatepark paving and features, site furnishings, base preparation for engineered wood fibre safety surface (for future playground area) and planting and sodding. The project will be completed by July 2020.

**RECOMMENDATION**

Recommended bidder	Cambium Site Contracting Inc. (lowest priced bidder)	
Current budget available	\$1,843,303.55	081-6150-14402-005 "Section 37 – Construction (Thornhill Park Improvements)"
Less cost of award	\$1,509,718.19	Construction
	\$ 150,971.82	Contingency (10%)
	\$1,660,690.00	Total (Inclusive of HST)
	\$ 149,462.10	Internal Management Fee @ 9%
	\$1,810,152.11	Total Cost of Award (Inclusive of HST)
Budget remaining after this award	\$ 33,151.44	*

\* The remaining budget in the amount of \$33,151.44 will be returned to the original funding source.



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**038-T-19: Grandview Park – Construction****Page 2 of 2****RECOMMENDATION (Continued)**

Cambium Site Contracting Inc. (“Cambium”) original bid price for this contract was \$1,814,237.02 (inclusive of HST) which exceeded the City’s budget. As outlined in Section 17.2 of the City’s *General Terms and Conditions*, “The City reserves the right, in its sole discretion, to negotiate with the lowest priced Bidder...in the event that the Bid prices submitted by the Bidders exceed the City’s budget...” Moreover, Section 17.3 states, “The City reserves the right, in its sole discretion, to award in whole or in part (including, without limitation, by part, item or group of items)”. Consequently, staff reviewed potential opportunities with other City stakeholders (Operations, Asset Management and Recreation) and entered into negotiations with Cambium to seek options to reduce the price, in order to better meet the City’s approved budget. Staff were able to reduce the price by \$304,518.83 from \$1,814,237.02 to \$1,509,718.19 through the deletion of the outdoor stage and storage structure.

**OPERATING BUDGET AND LIFE CYCLE IMPACT**

The incremental operating budget impact is \$20,575, which will be included in the 2021 Operating budget, subject to Council approval. The Operations Department has reviewed the project and the future maintenance requirements. Future maintenance requirements for Grandview Park includes washroom building / pavilion, waterplay, grass cutting, litter pick-up, garbage disposal and inspections.

The estimated life cycle impact is \$1,328,552 over the next 25 years. Staff will update the Life Cycle Reserve Study in 2020 to incorporate the various components of the park.

**ENVIRONMENTAL CONSIDERATIONS**

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

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

#2

**STAFF AWARD REPORT****Page 1 of 5**

To:	Andy Taylor, Chief Administrative Officer
Award:	096-R-19: Lead (Planning) Consulting Services, Markham Centre Secondary Plan Update
Date:	August 29, 2019
Commission:	Development Services

**BID INFORMATION**

Bid closed on	June 13, 2019
Number picking up bid document	13
Number responding to bid	4

**PURPOSE**

The purpose of Markham Centre Secondary Plan Update (“Plan”) is to update the current Secondary Plan (OPA 21) for Central Area Planning District PD 33-1, approved by the Ontario Municipal Board in 1997. Many development projects have since been approved and built, altering the development pattern envisioned in the current Secondary Plan. The City of Markham and other public agencies have undertaken plans, policies and studies (see Section 4) that have further defined growth and the urban fabric in Markham Centre.

The Secondary Plan update will provide specific policy directions for land use, built-form, infrastructure, public spaces, transportation, community services, digital strategies and environment and will be adopted as an amendment to the City of Markham Official Plan (OP 2014). This updated Plan will be informed by the land use designations and related policies established in the City of Markham Official Plan (OP 2014), the policies and plans established by the Region, and input from City staff, elected City officials, public stakeholder agencies, residents, landowners and the broader community. It will also consider the existing and planned infrastructure, parks, open spaces and built form, and approved development projects and those in various stages of planning approvals in Markham Centre, along with the surrounding context to ensure connectivity and transition.

The Markham Centre Secondary Plan area consists of the lands bounded by the Hydro Corridor and the Rouge River to the west, Highway 7 to the north, Kennedy Road to the east and Highway 407 to the south as shown in Figure 1. It has a total area of approximately 1,000 acres, of which nearly 300 acres are part of the Greenway System.

This study will consider three additional areas outside of the current Secondary Plan area. This includes a development parcel at the south-west corner of Highway 7 and Kennedy Road, development parcels at the north-east corner of Warden Avenue and Highway 7, and development parcels north-east of Rodick Road and 407 ETR. The first two sites are identified for medium and high density mixed use development in the City of Markham Official Plan, these key gateway sites will be integrated with the planning of Markham Centre; and, the sites along Rodick are designated for employment uses.

**096-R-19: Lead (Planning) Consulting Services, Markham Centre Secondary Plan Update**
**Page 2 of 5**
**RECOMMENDATION**

Recommended bidder	Gladki Planning Associates Inc. (highest ranked /lowest priced bidder)	
Current budget available	\$1,497,573.00	Markham Centre Secondary Plan – Project 18026 (#620-101-5699-18026)
Less cost of award	\$ 687,566.88	Award
	\$ 68,756.69	Contingency (10%)
	\$ 756,323.57	Total Award (Inclusive of HST)
	\$ 68,069.12	Internal Management Fee @ 9%
	\$ 824,392.69	Total Cost of Award (Inclusive of HST)
Budget remaining after this award	\$ 673,180.31	*

\* The remaining funds in the amount of \$673,180.31 will be retained for subsequent phases of the work, which includes the Transportation Study, Community Energy Plan and Markham Civic Square study. Any remaining funds upon the completion of these phases will be returned to the original funding source.

**BACKGROUND**

Markham Centre is identified as a Regional Centre in the York Region and Markham Official Plans. The 2010 growth forecast for Markham Centre by the City and the Region anticipated 20,000 residential units (41,000 population) and 39,000 jobs. As of 2018, City of Markham has approved approximately 18,000 residential units in Markham Centre, out of which approximately 7,500 units are built or under construction. Additionally, more development is anticipated through planning applications currently under review. Please refer to map in Appendix-B showing location of existing, planned and proposed developments. City of Markham staff are developing a Preliminary Development Concept, which integrates existing, planned and proposed developments, transportation network, and parks and open spaces. This concept will also provide an overview of anticipated development densities, which can be tested and modified through the Secondary Plan update.

Current height restrictions stemming from Buttonville Airport will be removed once Buttonville is redeveloped, which will facilitate additional height and intensification, creating the need for a clear policy direction for future developments. As Markham Centre continues to grow, one of the key objectives of the Secondary Plan update is to provide for a mixed-use urban centre that: (a) integrates a balance and diversity of residential, retail and office uses, at transit supportive densities within a Regional Centre, along a Regional Rapid Transit Corridor and associated mobility hub; and, (b) provides high quality open spaces, community uses and infrastructure to accommodate future growth

The outcome of the Secondary Plan update will be policies for Markham Centre including detailed direction for land use, built form, densities, infrastructure, transportation, community services, environment, open space, digital strategies etc. The Plan shall provide detailed policies to direct and guide development that shall help create complete communities. This Secondary Plan update, once adopted by the City and approved by the Region, shall be used to guide development or redevelopment

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**096-R-19: Lead (Planning) Consulting Services, Markham Centre Secondary Plan Update**
**Page 3 of 5****BACKGROUND (Continued)**

of Markham Centre as an amendment to the City of Markham OP 2014. The land use designations for Markham Centre and related policies in the OP 2014 shall be used to inform the update of the Markham Centre Secondary Plan.

**PROPOSAL EVALUATION**

The Evaluation Team for this RFP was comprised of Staff from Planning and Engineering, with Purchasing Staff acting as the facilitator.

Stage 1 – Technical Proposal The Stage 1 technical proposals were evaluated against the pre-established evaluation criteria as outlined in the RFP: 32 points for Experience and Qualification of the Bidder and Proposed Project Team (Lead Project Manager; Discipline Leads; and, Key Personnel including any Sub-Consultants); 24 points for Project Understanding, Methodology and Approach; 14 points for Project Delivery and Management; and 30 point for Price, totaling 100 points. Upon completion of Stage 1 (technical evaluation), the Price Proposal (Bid Form) provided by those bidders who qualified from Stage 1, (minimum score of 75%, or 52.5 points out of 70 required), proceeded to Stage 2 for price evaluation. The results of the Stage 1 evaluation are outlined below:

<b>Bidders</b>	<b>Score (out of 70)</b>	<b>Rank Results</b>
Gladki Planning Associates Inc.	55.70	1
Urban Strategies Inc.	52.80	2
The Planning Partnership	42.30	3
SGL Planning and Design Inc.	39.00	4

Stage 2- Price

Based on the Stage 1 evaluation, two bidders received a minimum of 75% or 52.5 points out of 70 and therefore, proceeded to Stage 2 - Price Evaluation. The price proposal provided by the bidders is evaluated out of 30 points, based on the criteria outlined in the RFP.

<b>Bidders</b>	<b>Score (out of 30)</b>	<b>Rank Results</b>
Gladki Planning Associates Inc.	30.00	1
Urban Strategies Inc.	25.14	2

Prices ranged from \$687,587 to \$798,937 inclusive of tax

## **096-R-19: Lead (Planning) Consulting Services, Markham Centre Secondary Plan Update**

**Page 4 of 5**

### **PROPOSAL EVALUATION (Continued)**

#### Stage 3- Presentation and Overall Scoring

To ensure the highest ranked bidder understood the City's requirements and to further evaluate the bidders' bid submissions against the requirements of this RFP, staff invited the highest ranked bidder to a presentation as allowed for in the bid document.

<b>Bidders</b>	<b>Score (out of 10)</b>	<b>Rank Results</b>
Gladki Planning Associates Inc.	8.67	1
Urban Strategies Inc.	8.00	2

#### Overall Scoring

<b>Bidders</b>	<b>Grand Total Score (out of 110)</b>	<b>Rank Results</b>
Gladki Planning Associates Inc.	94.37	1
Urban Strategies Inc.	85.94	2

### **OPTIONS / DISCUSSIONS**

Gladki Planning Associates Inc. ("Gladki"), demonstrated a thorough understanding of the project and its requirements. Their proposal demonstrated to the City's satisfaction that they have the ability to undertake the project and they have a strong understanding of the project deliverables, key issues and challenges. Through the evaluation process, Gladki and their partners also reveal a depth of experience and expertise as reflected in their methodology and approach, which includes:

- Developing a land use framework that addresses density targets and distribution, affordable housing, employment/office uses, community infrastructure etc. including consideration to the impact of Bill 108
- Creating a compelling and exciting urban design vision that is a 'relaunch' of Markham Centre
- New/implementable technology for infrastructure as part of the digital strategy
- Undertaking a robust stakeholder/community engagement to create a common vision and manage conflicts
- Conducting an iterative assessment and planning of municipal services and infrastructure

Further, with extensive experience in managing multiple sub-consultants from various disciplines, including urban design, transportation, municipal servicing, digital strategy, Gladki have demonstrated their capacity to ensure productive collaboration and seamless integration between disciplines on a variety of projects including the revitalization of Regent Park in Toronto, retail area intensification studies for Toronto and Mississauga, and corridor planning studies for Toronto.

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**096-R-19: Lead (Planning) Consulting Services, Markham Centre Secondary Plan Update****Page 5 of 5**

As the Lead Consultant with strong planning, policy and project management background, Gladki has assembled a robust team with the requisite skills, knowledge and expertise in their respective disciplines. This team of experts also have a history of successful collaboration on projects of similar scope and scale. With over four decades of urban design experience specific to the revitalization of various downtown centres, waterfront areas and communities throughout North America and Europe, Greenberg Consultant Inc. (Greenberg) will have a key and central role in creating the vision and the development concept for Markham Centre. With significant experience working on urban revitalization projects in the GTA over the last two decades, DTAH will lead urban design deliverables with strategic advice from Greenberg. Further, as both the municipal servicing and digital strategy lead, Stantec brings a unique understanding of digital infrastructure and the need to have an integrated approach to Smart City Planning, with projects like Sidewalk Toronto.

**FINANCIAL CONSIDERATIONS**

The remaining funds in the amount of \$673,180.31 (Budget: \$1,497,573 – Total Award: \$824,392.69) will be retained for subsequent phases of the work which includes the Transportation Study, Community Energy Plan and Markham Civic Square study. Any remaining funds upon the completion of these phases will be returned to the original funding source.

**OPERATING BUDGET AND LIFE CYCLE IMPACT**

Not applicable

**ENVIRONMENTAL CONSIDERATIONS**

Markham Centre Secondary Plan Update will establish Greenway System policies for the management of the natural environment, based on the recently completed City of Markham Master Environmental Servicing Plan, which includes an assessment and recommendations for the management of natural resources.

#3

**STAFF AWARD REPORT**

To:	Graham Seaman, Director of Sustainability & Asset Management
Award:	134-T-19 - Concrete Paving at Markham Civic Centre
Date:	August 27, 2019
Commission:	Corporate Services

**BID INFORMATION**

Bids closed on	August 16, 2019
Number picking up bid documents	11
Number responding to bid	6

**BACKGROUND**

The scope of work includes replacing existing interlock stones walkway with poured concrete sidewalks at two areas of the Civic Centre – at lake level (south of the building) and around the peace flame (north of the building).

The project is to be commence on September 16, 2019 and be completed by November 8, 2019.

**RECOMMENDATION**

Recommended bidder	Hylan Group Inc. (lowest priced bidder)	
Current budget available	\$ 49,386.39 <u>\$178,500.00</u> \$227,886.39	750-101-5399-17177 Civic Centre Improvements 270-101-5399-19072 Civic Centre Improvements Total Budget Available
Less cost of award	\$ 59,687.33 <u>\$ 5,968.73</u> \$ 65,656.06	Cost of Award Contingency (10%) Award Incl. of HST & Contingency (10%)
Budget remaining after this award	\$162,230.33	*

\* \$69,000.00 of the budget remaining will be retained in the account for the replacement of staircase from peace flame to amphitheatre. The remaining balance of \$93,230.33 will be returned to the original funding source of project 19072.

**OPERATING BUDGET AND LIFE CYCLE IMPACT**

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

**ENVIRONMENTAL CONSIDERATIONS**

All waste will be properly sorted, recycled and disposed of at an authorized dump, waste treatment site or recycling facility.

#4

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

To:	Andy Taylor, Chief Administrative Officer
Award:	067-T-19 Play Equipment Replacement & Site Work at Various Parks
Date:	August 27, 2019
Commission:	Community & Fire Services

**BID INFORMATION**

Bid closed on	July 26, 2019
Number picking up bid document	12
Number responding to bid	7

**BACKGROUND**

To obtain approval to award the contract for play equipment replacement & site work at the following various parks:

1. Amber Glen Park	5. Chelsea Park	9. Middleton Park	13. Quantztown Park
2. Ashton Meadows Park	6. Elson Park	10. Millenium Park	14. Vanhorn Park
3. Bayview Lane Park	7. Green Lane Park	11. Morgan Park (north and south)	15. Grandview Park
4. Berczy Park North	8. Highgate Park	12. Nordlingen Park	16. Crosby Park

The Work will consist of the following:

- Temporary fences;
- Removal/stockpiling and reinstate existing sand safety surface;
- Removal & disposal of rubber safety surface (one location);
- Removal and disposal of existing play equipment;
- Coordination of the supply and installation of new play equipment;
- Installation of stockpiled sand safety surface and increasing to 300mm depth with new playground sand;
- Installation of new rubber safety surface (one location);
- Installation of new engineered wood fiber safety surface (two locations);
- Restoration of park back to its original condition following completion of construction; and
- Coordination of CSA inspections.

All efforts are made to ensure that a like for like replacement strategy is implemented with specific attention given to replacing the same number of play elements as the equipment that is being removed.

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



**067-T-19: Play Equipment Replacement and Site Work at Various Parks Page 2 of 2****RECOMMENDATION**

Recommended bidder	Smith and Long Limited (lowest priced bidder)	
Current budget available	\$926,391.00 \$55,100.00 <u>\$150,000.00</u> \$1,131,491.00	059-6150-19194-005 Playstructure Replacement 059-6150-19195-005 Playstructure Rubberized 059-5350-19283-005 New Playground Total budget available
Less cost of award	\$1,060,889.85 <u>\$63,653.39</u> \$1,124,543.24	Cost of award (Inclusive of HST) Contingency (6%) Total cost of award (inclusive of contingency and HST)
Budget remaining after this award	\$6,947.76	*

\*The balance remaining of \$6,947.76 shall be returned to the original funding source.

**FINANCIAL CONSIDERATIONS**

Account Name	Account #	Budget Available	Cost of Award	Contingency	Total Cost of Award	Budget Remaining
Playstructure Replacement (Life Cycle Funded)	059-6150-19194-005	926,391.00	840,802.02	50,448.12	891,250.14	35,140.86
Playstructure Rubberized Surface Replacement (Life Cycle Funded)	059-6150-19195-005	55,100.00	79,779.84	4,786.79	84,566.63	(29,466.63)
New Playground – Crosby Park (Ramp Up Reserve Funded)	059-5350-19283-005	150,000.00	140,307.99	8,418.48	148,726.47	1,273.53
<b>Totals:</b>		<b>1,131,491.00</b>	<b>1,060,889.85</b>	<b>63,653.39</b>	<b>1,124,543.24</b>	<b>6,947.76</b>

**OPERATING BUDGET AND LIFE CYCLE IMPACT**

There is no incremental impact to the operating budget. The Life Cycle Reserve Study will be updated accordingly.

**ENVIRONMENTAL CONSIDERATIONS**

All trees and plants to be protected during the work, with the installation of protective fencing to protect existing trees and shrubs.

#5

**STAFF AWARD REPORT**

To:	Brenda Librecz, Commissioner, Community & Fire Services
Award:	121-T-19 Oil-Grit Separator Cleanouts
Date:	August 30, 2019
Commission:	Community & Fire Services

**BID INFORMATION**

Bid closed on	August 26, 2019
Number picking up bid document	7
Number responding to bid	6

**BACKGROUND**

This contract is for the clean out of all oil-grit separator structures as identified in the tender documents. The Contractor is to haul all collected material to a Ministry of the Environment Conservation and Parks (MECP) approved waste processing plant to process and dispose of material in an environmentally responsible and approved manner in accordance with applicable laws.

**RECOMMENDATION**

Recommended bidder	Flow Kleen Technology Ltd. (lowest priced bidder)	
Current budget available	\$192,600.00	700-101-5399-19281 OGS Cleaning
Less cost of award	\$127,836.00	Cost of award (Inclusive of HST)
	\$ 12,783.60	Contingency (10%)
	\$140,619.60	Total cost of award (inclusive of contingency and HST)
Budget remaining after this award	\$51,980.40	*

\* The remaining budget in the amount of \$51,980.40 will be returned to original funding source.

**OPERATING BUDGET AND LIFE CYCLE IMPACT**

There is no incremental impact to the operating budget. The Life Cycle Reserve Study will be updated accordingly.

**ENVIRONMENTAL CONSIDERATIONS**

Material removed from the oil-grit separators is disposed of in compliance with all regulations set forth by the MECP.

#6

**STAFF AWARD REPORT**

To:	Andy Taylor, Chief Administrative Officer
Re:	141-T-19 - Sediment Removal at Stormwater Management Pond (ID #9)
Date:	August 27, 2019
Commission:	Community & Fire Services

**BID INFORMATION**

Bid closed on	Jul 19, 2019
Number picking up document	4
Number responding to bid	3

**BACKGROUND**

To obtain approval to award the contract for Sediment Removal of the Stormwater Management Ponds at Pond #9 located southeast of Highway 7 and Pond Drive. Work will commence in November 2019 to Feb 2020 and planting to be done in Spring 2020.

**RECOMMENDATION**

Recommended bidder	Ground Force Environmental Inc. (lowest priced bidder)	
Current budget available	\$120,000.00 \$484,638.00 \$604,638.00	750-101-5399-19232 Erosion Restoration Program 058-6150-18277-005 SWM Pond Cleaning - Pond ID#9 Total Budget Available
Less cost of award	\$564,632.86 \$ 39,524.30 \$604,157.16	Cost of Award Contingency (7%) Award Incl. of HST & Contingency (10%)
Budget remaining after this award	\$ 480.84	*

\* The remaining balance of \$480.84 from project 19232 will be returned to original funding source.

**OPERATING BUDGET AND LIFE CYCLE IMPACT**

The next sediment cleaning for this location is included in the life cycle study for year 2039. There is no incremental operating budget and life cycle impact.

**ENVIRONMENTAL CONSIDERATIONS**

Sediment cleaning maintains downstream water quality, preserves fish habitat and contributes to a sustainable, healthy ecosystem that is in line with the City's Greenprint initiative. In meeting the requirement of Ministry of Environment and Climate Change (MOECC) Certificate of Approval (C of A) and more recently Environmental Compliance Approval (ECA), the City carries out pond inspections regularly. Sediment levels are monitored and when the accumulated sediment reaches a level where the removal efficiency is reduced by 5%, ponds are cleaned to ensure that the quality control function of the pond is maintained.

#7

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

To:	Brenda Librecz, Commissioner, Community & Fire Services
Award:	149-T-19 Supply, Delivery, Install and Warranty of 531 Various Trees
Date:	August 8, 2019
Commission:	Community & Fire Services

**BID INFORMATION**

Bid closed on	July 15, 2019
Number picking up bid document	6
Number responding to bid	3

**PURPOSE/BACKGROUND**

The contract is for supply, delivery, installation, and two (2) year maintenance and warranty of four hundred and eighty six (486) trees to be planted throughout the City and an additional 45 trees to be planted in Grand Cornell Park in 2019.

**RECOMMENDATION**

Recommended bidder	Nu Roots Tree Planting INC. (lowest priced bidder)	
Current budget available	\$205,476.53	Various accounts (see Financial Considerations)
Less cost of award	\$186,134.30	Total cost of award (inclusive of HST)
Budget remaining after this award	\$ 19,342.23	*

\*The remaining budget in the amount of \$19,342.23 will be used for other tree planting for these projects.

**FINANCIAL CONSIDERATIONS**

Account Name	Account #	Current Budget Available	Cost of Award	Budget Remaining/ (Shortfall)
Markham Beautification - Ward 2	700-101-5399-8507	37,669.77	35,055.30	2,614.47
Markham Beautification - Ward 8	700-101-5399-8508	34,806.76	33,378.30	1,428.46
Tree Planting in vacant sites	700-101-5399-18342	100,000.00	99,977.16	22.84
Landscape Recovery (Funding to be transferred to 700-101-5399-18342 from 031-222-0026)	700-101-5399-18342	33,000.00	17,723.54	15,276.46
<b>Totals:</b>		<b>205,476.53</b>	<b>186,134.30</b>	<b>19,342.23</b>

**OPERATING BUDGET AND LIFE CYCLE IMPACT**

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

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**149-T-19 Supply, Delivery, Install and Warranty of 531 Various Trees** **Page 2 of 2****ENVIRONMENTAL CONSIDERATIONS**

Trees produce oxygen and remove carbon dioxide and contaminants from the air. Additionally, they provide habitat for birds and other wildlife.

#8

**STAFF AWARD REPORT**

To:	Andy Taylor, Chief Administrative Officer
Award:	175-T-19 Supply and Delivery of Two (2) 11' Wide Area Mowers
Date:	September 20, 2019
Commission:	Community & Fire Services

**BID INFORMATION**

Bid closed on	September 5, 2019
Number picking up bid document	3
Number responding to bid	2

**RECOMMENDATION**

Recommended bidder	Turf Care Products (lowest priced bidder)	
Current budget available	\$140,100.00	057-5350-19213-005 New Fleet - Parks
Less cost of award	\$142,362.24	Total cost of award (Inclusive of HST)
Budget remaining after this award	(\$2,262.24)	*

\*The budget shortfall of \$2,262.24 will be funded from the Design Capital Contingency project (#7352), which has a current balance of \$70,069.

**OPERATING BUDGET AND LIFE CYCLE IMPACT**

There is incremental operating budget impact in the amount of \$5,400 associated with annual fuel, parts and maintenance requirements, which will be added to the 2020 operating budget, subject to Council approval. The new mowers will be added to the 2020 Life Cycle Reserve Study update.

**ENVIRONMENTAL CONSIDERATIONS**

The units in this award utilize the most current technology, reducing overall engine emissions.

#9

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

To:	Brenda Librecz, Commissioner, Community & Fire Services
Re:	168-Q-19 Water Treatment Services
Date:	September 3, 2019
Commission:	Community & Fire Services

**BID INFORMATION**

Bids closed on	August 23, 2019
Number picking up bid documents	5
Number responding to bid	4

**BACKGROUND**

Water Treatment Services of mechanical equipment is an integral part of any building operation. Mechanical equipment can be adversely affected by scale, corrosion, and microbiological contamination. This can lead to equipment failure, costly repairs and public's health and safety concerns when left untreated.

The contractor will continuously treat water covering a variety of equipment including but not limited to heat exchangers, cooling towers, water softeners, pumps and filters, boilers and condensers.

**RECOMMENDATION**

Recommended bidder	Alliance Water Group Inc. (lowest priced bidder)	
Current budget available	\$21,514.00	Various Operating Accounts
Less cost of award	\$20,636.93	January 1, 2020 – December 31, 2020*
	\$20,636.93	January 1, 2021 – December 31, 2021*
	\$20,636.93	January 1, 2022 – December 31, 2022**
	\$20,636.93	January 1, 2023 – December 31, 2023**
	<u>\$20,636.93</u>	January 1, 2024 – December 31, 2024**
	\$103,184.64	Total Cost of Award (Inclusive of HST)
Budget remaining after this award	\$ 877.07	

\*The initial (2) year contract term will be at the same itemized pricing.

\*\*The three (3) optional renewal years will be adjusted based on the Consumer Price Index for All Items Canada for the twelve (12) month period ending December in the applicable year.

**168-Q-19 Water Treatment Services****Page 2 of 2****FINANCIAL CONSIDERATIONS**

The following table illustrates the requirements from January 1, 2020 to December 31, 2020 broken down by facility.

<b>Line Item</b>	<b>Description</b>	<b>Account Number</b>	<b>Extended Price/Year</b>
1	8100 Warden Ave	750-757-4241	\$ 573.93
2	Aaniin Community Centre	509-921-5314	\$ 891.42
3	Angus Glen Community Centre	504-921-5314	\$ 1,196.70
4	Armada Community Centre	502-971-5314	\$ 573.93
5	Centennial Community Centre	503-921-5314	\$ 1,440.92
6	Clatworthy Arena	501-922-5314	\$ 1,196.70
7	Cornell Community Centre	505-921-5314	\$ 573.93
8	Crosby Memorial Community Centre	502-922-5314	\$ 1,196.70
9	Fred Varley Art Gallery	540-540-5314	\$ 1,440.92
10	Markham Civic Centre	750-751-4241	\$ 573.93
11	Markham Fire Station 93	750-750-5465	\$ 512.87
12	Markham Fire Station 99	750-750-5463	\$ 512.87
13	Markham Village Community Centre	503-923-5314	\$ 1,196.70
14	Markham Village Library	998-300-5310	\$ 1,440.92
15	Milliken Mills Community Centre	502-921-5314	\$ 1,733.99
16	Mt. Joy Community Centre	503-922-5314	\$ 1,196.70
17	Museum Collections Building	520-520-5414	\$ 512.87
18	Pan Am Centre	506-921-5314	\$ 1,074.59
19	Rouge River Community Centre	503-972-5314	\$ 573.93
20	Thornhill Community Centre	501-921-5314	\$ 1,074.59
21	Thornlea Pool	501-911-5314	\$ 573.93
22	Heintzman House	990-990-5414	\$ 573.93
<b>Subtotal:</b>			<b>\$20,636.93*</b>

\*Compared to the previous award (074-Q-15), this award represents an annual increase of 14.58% or \$2,625.41. The increase is a result of a 4% (\$1,160.07) average inflation adjustment since the 2016 contract and the addition of two locations (Aaniin Community Centre, Heintzman House) and a dehumidifier unit (131-Q-18) added to Milliken Mills Community Centre. These new additional locations to the contract represented a \$1,465.34 increase compared to the previous contract.

**OPERATING BUDGET AND LIFE CYCLE IMPACT**

There is no incremental impact to the operating budget and life cycle reserve study.

**ENVIRONMENTAL CONSIDERATIONS**

A continuous water treatment program will eliminate the development of harmful bacteria that can cause corrosion and microbiological contamination.



#10

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

To:	Andy Taylor, Chief Administrative Officer
Re:	051-R-19 Highway 7 Flato Theatre Electronic Sign
Date:	July 12, 2019
Commission:	Development Services

**BID INFORMATION**

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

**BACKGROUND**

To obtain approval to award the contract for the design, supply and installation of a new electronic theatre sign at the intersection of Highway 7 and Town Centre Blvd.

The existing sign was installed in 2008 and replacement is warranted based on condition assessment revealing rust, weather damage, and deteriorating electrical components. New signage will feature a full colour waterproof

3200 x 1800 LED screen equivalent to a 144" television capable of playing high resolution images, and text. In addition to a contemporary design, the sign will have a viewing distance of 150 meters, and is internally lit with light sensors that automatically dim during night-time hours.

Work to be completed by November 2019.

**RECOMMENDATION**

Recommended bidder	Everest Signs (highest ranked / lowest priced bidder)	
Current budget available	\$100,800.00	074-6150-19009-005 (Theatre Electronic Sign)
Less cost of award	\$134,323.20	Total Cost of Award (Inclusive of HST)
Budget remaining after this award	(\$33,563.20)	*

\*The shortfall of \$33,563.20 will be funded from the Non-DC Capital Contingency account. The budget request was specified with a wireless connection and in consultation with ITS, a fiber-optic cable was recommended.

The existing wireless connection will be replaced with a buried direct PVC conduit extending a fiber-optic cable from the theatre sign to the network room located at the south side of the Civic Centre. This will result in improved infrastructure, data transfer speeds, reliability, and network security (imperative to protect against hackers).

As outlined in Section 17.2 of the City's General Terms and Conditions, "The City reserves the right, in its sole discretion, to negotiate with the lowest priced / highest ranked bidder in the event that the bid prices submitted by the bidders exceed the City's budget". Consequently, staff reviewed potential

**051-R-19 Highway 7 Flato Theatre Electronic Sign****Page 2 of 2**

opportunities and entered into negotiations with Everest Signs to reduce the price in order to better meet the City's approved budget. Staff were able to reduce the price by \$12,720.00, from \$147,043.20 to \$134,323.20, a 9% reduction.

**PROPOSAL EVALUATION**

The evaluation team was comprised of staff from the Flato Markham Theatre and ITS, design consultation provided by Corporate Communications and facilitated by staff from the Procurement Department. Bidders were assessed against pre-determined technical criteria as outlined in the RFP; 20% for qualifications/performance of the company, 10% for qualifications/experience of the project team, 40% for project delivery and performance measures, and 30% for pricing. Over 15 design concepts were reviewed and narrowed down to one recommendation based on evaluation team consensus.

<b>Bidders</b>	<b>Total Score (100 points)</b>	<b>Overall Ranking</b>
<b>Everest Signs*</b>	<b>88.3</b>	<b>1</b>

\*Everest Signs showed a strong understanding of the project and has a qualified project team with over 15 years of related experience and several signs installed for City's including Newmarket, Ajax, Caledon, and Durham District School Board. Prices from bidders ranged from the lowest of \$134,323.20, to the highest of \$162,072.13.

**OPERATING BUDGET AND LIFE CYCLE IMPACT**

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

**ENVIRONMENTAL CONSIDERATIONS**

Automatic brightness control allows for reduced energy consumption during daytime and nighttime hours. Underground directional boring will be used to tunnel a connection from the sign to the network room, which minimizes disruption to the surrounding area as opposed to traditional trenching.

#11

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

To:	Andy Taylor, Chief Administrative Officer
Award:	105-S-19 Supply and Delivery of One (1), 16' Rotary Mower
Date:	September 18, 2019
Commission:	Community & Fire Services

**BACKGROUND**

To obtain approval for the supply and delivery of one (1), 16' rotary mower.

Unit 3485 will be sold upon delivery of the new unit in accordance with Purchasing By-Law 2017-8, PART V Disposal of Personal Property and proceeds will be posted to account 890 890 9305.

**RECOMMENDATION**

Recommended bidder	Turf Care Products Canada Limited (non-competitive procurement)	
Current budget available	\$84,971.00	057-6150-19207-005 Corporate Fleet Replacement (Non-Fire)
Less cost of award	\$111,936.00	Total cost of award (inclusive of HST)
Budget remaining after this award	(\$26,965.00)	*

\* The budget shortfall of \$26,965.00 will be funded from the Non-DC Capital Contingency project.

**STAFF FURTHER RECOMMENDS**

That the tendering process be waived in accordance with Purchasing By-Law 2017-18, Part II, Section 11 Non-Competitive Procurement, items 11.1 (b) where there is only one source of supply for the goods to be purchased.

**OPTIONS/DISCUSSIONS**

There are only two manufacturers who produce a 16' rotary mower, The Toro Company and Jacobsen. Turf Care Products Canada is the local distributor for The Toro Company, while G.C. Duke is the local distributor for Jacobsen. The City currently has a number of Jacobsen mowers, however has been having issues with performance due to consistent mechanical breakdowns causing the machines to be repaired. Often times, these repairs can take up to a number of weeks as the parts for such machines are often unavailable and need to be shipped in from the United States. Due to the downtime of such equipment, staff are often left with no machines to complete the scheduled work or the City has to deploy other crews to complete the work at a much slower pace. Note that it takes approximately 2.25 times more labour hours to complete with zero-turn mowers as compared to a 16' mower. The City has a number of older Toro models that are still in use and have not had any similar downtime or parts issues as the Jacobsen 16' rotary mower. Due to such issues with the Jacobsen models and the existing Toro models, Fleet has determined that only the Toro make/models are acceptable for use by the City.

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**105-S-19: Supply and Delivery of One (1), 16' Rotary Mower****Page 2 of 2**

Procurement initially obtained a quotation from The Toro Company through an existing contract with Kinetic GPO (Kinetic). Kinetic is a cooperative purchasing solution for the Canadian public sector and leverages group buys to obtain better discounts through competitive public tendering processes. Kinetic conducts their procurements in a fair, open, transparent and competitive manner and establishes various types of contracts that can be utilized by Canadian public organizations. Membership with Kinetic is required to utilize their contracts and is free to join.

In 2018, Kinetic issued a Request for Standing Offer (RFSO) for Grounds Keeping Equipment, in which The Toro Company was awarded for a period of three years plus a possible two year extension, starting on May 24, 2018. Turf Care Products Canada Limited (Turf Care) is the Ontario distributor for The Toro Company. Turf Care originally provided the City with a quotation (based on a 20% discount off the MSRP price in US dollars) of \$131,609 (pretax) for one 16' rotary mower (Toro Groundsmaster 5900-D 4WD). After further discussions and negotiations with Turf Care, a revised quotation was provided at \$110,000 each (pre-tax).

**OPERATING BUDGET AND LIFE CYCLE IMPACT**

There is no incremental operating budget impact as the vehicle being purchased is replacement for an existing unit. The Life Cycle Reserve Study will be updated to reflect the price accordingly.

**ENVIRONMENTAL CONSIDERATIONS**

The unit in this award utilize the most current technology, reducing overall engine emissions.

#12

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

To:	Andy Taylor, Chief Administrative Officer
Award:	181-S-19 Supply and Delivery of Six (6), 60" Zero-Turn Mowers
Date:	August 14, 2019
Commission:	Community & Fire Services

**BACKGROUND**

To obtain approval to award the contract for the supply and delivery of six (6), 60" zero-turn rear-discharge mowers to replace existing fleet units 3475, 3477, 3478, 4206, 4329 and 4385.

**RECOMMENDATION**

Recommended bidder	B.E. Larkin Equipment Ltd. * (non-competitive procurement)	
Current budget available	\$96,846.95	057-6150-19207-005 Corporate Fleet Replacement (Non-Fire)
Less cost of award	\$96,834.82	Total cost of award (inclusive of HST impact)
Budget remaining after this award	\$ 12.13	*

\*B.E. Larking Equipment Ltd. is the Ontario distributor of Kubota 60" Zero-Turn Mowers.

\*\* The budget remaining after this award of \$12.13 will be returned to the original funding source.

**Staff further recommends**

That the tendering process be waived in accordance with Purchasing By-Law 2017-8, Part II, Section 11 Non-Competitive Procurement, item 11.1 (e) which states, "Where the City is acquiring equipment, in which case the sources of supply may be identified based on technical specifications prepared by the User Department staff" and item 11.1(h) which states, "Where it is necessary or in the best interests of the City to acquire non-standard items from a preferred supplier who has a proven track record with the City in terms of pricing, quality and service."

**OPTIONS/DISCUSSIONS**

The City currently has 39 zero-turn mower units within its fleet. Of the 39 units, 32 were manufactured by Kubota and 7 were manufactured by Hustler.

**Comparison (Price)**

There are 4 manufacturers of a 60" zero-turn rear-discharge mower, 1. Kubota 2. Hustler 3. John Deere 4. Grasshopper. From the period of 2007-2016, the City issued six (6) tenders to the market with the Kubota being the lowest priced on 5 of the 6 tenders. Other than one tender, the other manufacturers' units have been \$2,000 to \$8,000 higher in cost.

**Comparison (Product quality)**

Other than cost, the primary difference between the Kubota and the other units is the drive system, mower deck height and accessibility of the hub and bearings for greasing. The Kubota unit is more mechanized, the drive system has an output shaft from the engine that feeds into a gearbox, which drives the mower blades and eliminates need of operators to refit the belt to the pulley system in the field. The mower deck height is adjusted using hydraulics and reduces time spent on adjusting for

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**181-S-19 Supply and Delivery of Six (6), 60" Zero-Turn Mowers** **Page 2 of 2**

various terrain. The grease fittings for the hubs are located on the top side of the mower deck for ease of preventative maintenance to reduce premature damage / failure.

**Maintenance cost**

The Kubota's unit averages an annual maintenance and repair cost of \$690, whereas the Hustler units have an average annual maintenance and repair cost of \$2,045. Therefore, Staff recommend maintaining the Kubota units moving forward due to their competitive pricing and quality of mower.

**FINANCIAL CONSIDERATIONS**

Units 3475, 3477, 3478, 4206, 4329, and 4385 will be sold upon delivery of the new units in accordance with Purchasing By-law 2017-8, PART V, Disposal of Personal Property. Proceeds will be posted to account 890 890 9305 proceeds from the Sale of Other Fixed Assets.

**OPERATING BUDGET AND LIFE CYCLE IMPACT**

There is no incremental operating impacts related to the six (6), 60" zero-turn mowers as they are replacements for existing Kubota units. There is no incremental impact to the Life Cycle Reserve Study.

**ENVIRONMENTAL CONSIDERATIONS**

All units in this award utilize the most current technology, reducing overall engine emissions.

#13

**STAFF AWARD REPORT****Page 1 of 3**

To:	Andy Taylor, Chief Administrative Officer
Re:	131-R-19 Vending Machine Services
Date:	September 5, 2019
Commission:	Community & Fire Services

**BID INFORMATION**

Bids closed on	August 23, 2019
Number picking up bid documents	5
Number responding to bid	4

**BACKGROUND**

The vending contractor is to supply, maintain, and restock vending equipment at the following locations:

<b>Location</b>	<b>Snack Machine Inventory</b>
Pan Am Centre	1
Aaniin Community Centre	1
Angus Glen Community Centre	2
Milliken Mills Community Centre	2
Centennial Community Centre	3
Thornhill Community Centre	2
Cornell Community Centre	2
Markham Village Community Centre	1
Armada Community Centre	1
R.J Clatworthy Community Centre	1
Crosby Community Centre	1
Markham Civic Centre	1

The contractor will deliver and install all equipment and stock snacks for the anticipated operational requirements as of October 1, 2019.

**131-R-19 Vending Machine Services****Page 2 of 3****RECOMMENDATION**

Recommended bidder	Naccarato Enterprises Limited (highest ranked / highest revenue bidder)	
Estimated annual gross sales	\$ 67,539.82	Recreation Vending Sales (Incl. HST Impact)
Estimated revenue of award	\$ 2,500.00	Signing Bonus*
	\$ 2,963.54	Oct 2019 – Sept 2020 Est. Commission (34%)
	\$ 22,963.54	Oct 2020 – Sept 2021 Est. Commission (34%)
	\$ 22,963.54	Oct 2021 – Sept 2022 Est. Commission (34%)
	\$ 22,963.54	Oct 2022 – Sept 2023 Est. Commission (34%)
	\$ 22,963.54	Oct 2023 – Sept 2024 Est. Commission (34%)
	\$ 2,500.00	Signing Bonus*
	\$ 22,975.02	Oct 2024 – Sept 2025 Est. Commission (34.005%)
	\$ 22,986.51	Oct 2025 – Sept 2026 Est. Commission (34.010%)
	\$ 22,998.00	Oct 2026 – Sept 2027 Est. Commission (34.015%)
	\$ 23,009.50	Oct 2027 – Sept 2028 Est. Commission (34.020%)
	<u>\$ 23,021.01</u>	Oct 2028 – Sept 2029 Est. Commission (34.025%)
	\$234,807.74	Total Estimated Revenue (Inclusive of HST)
		*

\*A \$2,500 signing bonus will be paid to the City upon commencement and renewal of the contract.

\*\*The term of the contract is for five (5) years with a 34% commission on gross sales in years 1-5 with the option to renew for an additional five (5) years to be exercised one year at a time with a 0.005% increase to commission paid in years 6-10.

**PROPOSAL EVALUATION**

The evaluation team was comprised of Staff from the Recreation Services Department with Procurement staff acting as the facilitator. The evaluation was based on pre-established evaluation criteria as detailed in the Request for Proposal: 20 points for qualifications and experience of the contractor, 10 points for organization's background

and team experience, 10 points for product selection and healthy options, 30 points for project delivery and performance measures, and 30 points for commission structure, totaling 100 points with the resulting score as follows:

Bidders	Total Score (100 Points)	Overall Ranking
<b>Naccarato Enterprises Limited*</b>	<b>93.7</b>	<b>1</b>

\*Naccarato Enterprises Limited has a strong understanding of the project and has a qualified project team that has over 15 years of related experience and is currently providing vending maintenance and restocking to cities including Newmarket, Oakville, and Milton. A minimum of 10% healthy food options will be provided in each vending machine. The commission from bidders ranged from the lowest being 15% to the highest being 34%.



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**131-R-19 Vending Machine Services****Page 3 of 3****FINANCIAL CONSIDERATIONS**

Highest ranked / highest revenue bidder Naccarato Enterprises Limited will provide a 34% commission on annual gross sales estimated to be \$22,963.54 inclusive of HST based on an average of \$67,539.82 gross sales from 2017-2019. Compared to the previous contract (15% commission), it is anticipated the City will receive an additional revenue of \$12,842.57 (\$22,973.54 - \$10,130.97) per year.

The commission from vending sales will be recorded in the Recreation Vending Sales operating accounts on a quarterly basis.

There will also be a one-time signing bonus of \$2,500 paid to the City for the initial 5 years and an additional \$2,500 signing bonus if the contract is extended for an additional 5 years. Deposits will be made to account 500-998-9394 (Recreation's Partnership Revenue)

Furthermore, Naccarato Enterprises Limited will provide an annual in-kind product allowance of \$500 upon request to be utilized at community and staff events and volunteer appreciation for the term of the contract.

**OPERATING BUDGET AND LIFE CYCLE IMPACT**

The operating budget will be adjusted to reflect the higher commission under the new contract in 2020. There is no incremental impact to the life cycle reserve study.

**ENVIRONMENTAL CONSIDERATIONS**

All vending machines under this contract will be Energy Star compliant, which includes a sleep mode to reduce energy consumption when not being used.

#14

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

To:	Andy Taylor, Chief Administrative Officer
Re:	187-S-19 Consulting Services, Comprehensive Assessment of the Development Review Process and Roles and Responsibilities
Date:	September 06, 2019
Commission:	Development Services

**PURPOSE**

To obtain approval to award a contract for the comprehensive assessment of the development review process, roles, and responsibilities. The assessment will include implications for other commenting departments across the organization.

**BACKGROUND**

On May 21, 2019, the Province of Ontario announced the provision of a \$7.35 million Provincial Audit and Accountability Fund (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.

On August 8, 2019, the Province responded to the City and identified they would provide funding for up to \$150,000 for an independent third party assessment of the City's development review process including the preparation of a final report, which will include actionable recommendations for cost savings.

On September 3, 2019, General Committee authorized Staff to execute the Ontario Transfer Payment Agreement with the Province. The agreement with the Province does not preclude the City from advancing the procurement process to retain a third party consultant, prior to authorizing the Mayor and Clerk to execute the agreement.

**RECOMMENDATION**

Recommended bidder	KPMG LLP (non-competitive procurement)	
Current budget available for this item	\$150,000.00	*
Less cost of award	\$124,363.95	Award
	\$ 12,436.40	Contingency (10%)
	\$136,800.35	Total Award (Inclusive of HST)
Budget remaining after award	\$ 13,996.65	**

\* As per General Committee meeting dated September 3, 2019, a new capital project named "Development Review Process" to fund the Provincial Audit and Accountability Fund will be opened after approval from Council on September 10, 2019.

\*\*The remaining balance of \$13,996.65 will remain in the account until completion of the project.

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**187-S-19 Consulting Services, Comprehensive Assessment of the Development Review Process and Roles and Responsibilities** **Page 2 of 3**

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**Staff further recommends**

That the tendering process be waived in accordance with Purchasing By-Law 2017-8, Part II, Section 11 Non Competitive Procurement, item 1 (g) which states “where it is in the City’s best interest not to solicit a competitive Bid;” and item (h) which states “where it is necessary or in the best interests of the City to acquire non-standard items or Consulting and Professional Services from a preferred supplier or from a supplier who has a proven track record with the City in terms of pricing, quality and service.”

**OPTIONS/DISCUSSION**

The objectives of this assessment is to ensure Markham’s development review process is:

- Efficient, streamlined, and effective,
- Clear and transparent to staff, applicant and the public,
- Aligned similarly with other municipalities in processes, staffing and resources,
- Support excellence in the built environment

The following will be evaluated in the development review process as the Development Services Commission is committed to finding efficiencies, modernize service delivery, and reduce costs through this review:

- Development review and approval processes based on the detailed process mapping that is available;
- Development application management practices and review timelines;
- Staff resources and skill sets required to meet review timelines;
- Timeline changes from Bill 108 *More Homes, More Choice Act*;
- Alternative decision-making processes.

Staff are recommending that KPMG LLP (KPMG), who has partnered with Gladki Planning Associates Inc (Gladki), to be retained by the City to provide the comprehensive assessment of the development review process and roles and responsibilities. KPMG recently completed in March 2019 an end-to-end review of the City of Toronto’s Development Review process which included stakeholder engagement, research of other jurisdictions, a final report with recommendations to improve the efficiency and effectiveness of the development review process, and development of a multi-year implementation roadmap. As the Lead Consultant with strong project management background, KPMG will lead the day-to-day project management responsibilities, tasks, and ensure deliverables are completed. With their strong policy and planning background, and having previously worked with the City of Markham on planning issues including *Planning Act*, section 37 density bonusing provisions and second suites housing policies, Gladki will play a key and central role in providing insight into the development review process.

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**187-S-19 Consulting Services, Comprehensive Assessment of the Development Review Process and Roles and Responsibilities**

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**Page 3 of 3**

Staff are of the opinion that KPMG / Gladki have the requisite skills, knowledge and expertise, which makes them uniquely qualified to deliver this project. Other consultants, without this unique experience and perspective, will require significant direction from City staff and additional time and expense to familiarize themselves, not only with the policies, which apply to the City of Markham, but also with the extensive stakeholder network that needs to be engaged to complete the following work, as required under the approved application:

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.

**OPERATING BUDGET AND LIFE CYCLE IMPACT**

Not Applicable

**ENVIRONMENTAL CONSIDERATIONS**

Not applicable.



Report to: General Committee

Meeting Date: October 22, 2019

**SUBJECT:** Contract Extension # 110-R-15 Auditor General Services  
**PREPARED BY:** Alex Moore, Senior Manager, Procurement and Accounts Payable

### **RECOMMENDATION:**

- 1) That the report “Contract Extension # 110-R-15 Auditor General Services” be received; and,
- 2) That the Contract for Auditor General Services be extended for an additional five (5) years (January 1, 2020 to December 31, 2024) with MNP LLP for a maximum annual amount of \$152,640 (\$150,000 + \$2,640) inclusive of HST;
  - \$152,640 – Year 1
  - \$152,640 – Year 2
  - \$152,640 – Year 3
  - \$152,640 – Year 4
  - \$152,640 – Year 5
  - \$763,200 – Total
- 3) That the annual amount of \$152,640.00 be funded from the Operating Account #110-110-5699 subject to Council approval of the annual budget; and,
- 4) That the tender process be waived in accordance with Purchasing By-Law 2017-8 Part II, Section 11.1 (c) which states “when the extension of an existing Contract would prove more cost effective or beneficial”; And (h) “where it is in the best interests of the City to acquire Consulting Services from a supplier who has a proven track record with the City in terms of pricing, quality and service”; and,
- 5) That the Chief Administrative Officer be authorized to execute an agreement with MNP LLP in a form satisfactory to the City Solicitor; and further,
- 6) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

### **PURPOSE:**

The purpose of this report is to extend the contract for Auditor General (AG) Services with MNP LLP (MNP) for an additional five years at the same annual fees as per the previous contract.

### **BACKGROUND:**

The AG role assists Council in holding itself and its administrators accountable for the quality of stewardship over public funds and for the achievement of value for money in operations. The AG office is an independent, objective assurance activity designed to add value and improve municipal operations. This audit process assists the municipality to accomplish its objectives by bringing a systematic, disciplined approach to evaluate and

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improve the risk management, control and governance process by carrying out financial control audits, compliance audits, and performance audits focused on the effectiveness and efficiency of processes, programs, and departments.

In October 2007, Council approved the appointment of an individual, Ingrid Cutter, as the City's first Auditor General. After the Auditor General left the City in 2010, the role remained vacant for five years (from September 2010 to November 2015).

In April 2015, a Staff presentation was made to Council, which included an overview of the Auditor General role in municipalities and the related legislative framework, as well as AG models in other municipalities. Three options and models for an AG role were presented to Council:

- Option 1 - In-House Model (*Staff did not recommend this option*)  
The City would hire an in-house AG on a full-time contract basis to perform audits, based on the audit plan. This was the model in Markham from 2007-2010.
- Option 2 – Hybrid / Co-Sourced Model (*Staff did not recommend this option*)  
The in-house AG would contract with an outside Service Provider, as required to undertake more specialized audits based on the audit plan.
- Option 3 – Outsourced Model (*Staff recommendation*)  
An outside Service Provider would perform the audits providing end-to-end services based on the audit plan.

Council endorsed Option 3, the outsourced model, because it enhanced independence of the role, provided access to a broader range of expertise to support audits, and City support Staff were not required.

In November 2015, Council approved the appointment of MNP to the position of the AG for a four-year term. Geoff Rodrigues (Partner, National Leader of Internal Audit Services) was named Auditor General.

In 2016, MNP commenced its role at the City by conducting a risk assessment of the full “audit universe” including input from Council members and senior City Staff. Based on the results of the risk assessment the four-year audit plan was developed which included the following audit priorities:

- Identification and review of the effectiveness of internal controls; and
- Evaluation of the adequacy, efficiency and effectiveness of governance and risk management.

The audit plan was also developed based on the following considerations:

- Strategic relevance to the organization
- Areas which have been audited in the past three years
- Areas where there have been a history of errors / issues

- Timing of audits, including addressing issues from prior audits
- The need for recurring audits to ensure continued compliance in certain areas
- Areas, functions, or processes where there had been significant change in the past year, or where change was expected within a year

The Auditor General committed to complete 10 audits over the four-year term. The completion and status of the deliverables under the 2016-2019 agreement are as follows:

#	Deliverable /Audit Name	Audit Status	Follow-up Status
1	Property Tax & Water Billing	Completed	Completed
2	Cash Handling	Completed	Completed
3	Vendor Management	Completed	Completed
4	Cyber Security	Completed	Planned for 2019
5	HRIS Implementation	Completed	Planned for 2019
6	Development Charges	Completed	Planned for 2020
7	Payroll	Completed	Not required
8	Asset Management	Completed	Planned for 2020
9	Information Management	In progress	Planned for 2021
10	Building and Development*	Cancelled	N/A

\*This audit has been cancelled as it has been replaced by a review of the development planning and review process audit funded through the Ontario Government Audit and Accountability Fund. This audit is expected to be completed in late Fall 2019.

Each audit noted above followed a high-level work plan from MNP, which utilized the following methodology:

#### Project Planning

- Define objectives and scope;
- Confirm project duration and schedule;
- Assign team members and develop team structure;
- Describe deliverables; and
- Create the Audit Planning Memo and distribute to stakeholders.

#### Project Execution

- Obtain existing system implementation and data migration documentation;
- Conduct interviews / discussions;
- Develop audit work plan and audit procedures;
- Understand current state; and
- Evaluate current state by performing tests and assessing processes and controls in place.

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### Project Execution

- Identify improvement opportunities;
- Prepare draft report with findings and recommendations;
- Validate and present recommendations; and
- Issue final report, incorporating management responses.

Over the contract term, MNP has executed these deliverables and audits according to the 2016-2019 AG Services Agreement and the four-year Audit Plan, meeting the City's goals, objectives and timelines, within budget.

Through the AG's audits and related recommendations, the City has been able to benefit from MNP's subject matter expertise to enhance internal controls. MNP's identification of opportunities for increased efficiencies, improved documentation controls and process improvements, promoted continuous improvement across a number of business areas as a direct results of the audits.

### **OPTIONS/ DISCUSSION:**

The new contract for AG services will commence January 2020, and will require the completion of the following deliverables:

1. Refresh of the City's "audit universe" by performing a risk assessment exercise (by facilitating risk discussions with Council, the Executive Leadership Team and Senior Management);
2. Preparation of a five-year risk based audit plan;
3. Leading the execution of the approved audit plan by conducting two to three audits per year (in areas such as financial control compliance and operations), in compliance with audit standards, for a total of 12-15 audits over the term of the contract;
4. Follow-up audits of management's implementation of action plans and remediation of audit findings;
5. Reporting on all audit activities to the General Committee of Council; and
6. Completion of follow-up audits stemming from the previous contract term.

The new five-year audit plan will be prepared based on the results of a refreshed audit risk assessment which will consider the City's strategic priorities, areas with a history of issues, audits previously performed and new or emerging areas of risk. Further, the audit plan will allow flexibility to accommodate special requests from the General Committee of Council.

The approved audit plan will form the basis for conducting individual audit engagements and will be revisited annually to address new areas of concern, and the status of the audit plan will be reported to the General Committee on a regular basis.

### **RATIONALE FOR CONTRACT EXTENSION**

MNP audits are individually tailored and involve a comprehensive review and assessment of the City's internal controls, business practices and procedures.



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MNP brings the following expertise, efficiencies and value to the City:

- **Quality of Service:** The AG (Geoff Rodrigues) and audit team have a good understanding of the role of the AG and in depth knowledge about the City and its operations. The firm provided an excellent approach to the development of the four-year audit plan. Their project scheduling and plan for resource utilization was well executed, allowing them to fulfill their obligation, on time, on budget with value added recommendations. Further, all findings and recommendations were internally validated by an MNP Quality Assurance partner.
- **Experience and Subject Matter Experts:** The AG and audit team have extensive audit experience and knowledge of the City, as well as the broader public sector and can quickly apply this information to the City. In addition to its core engagement team, MNP leveraged additional subject matter experts, as needed who provided timely additional value to the audit work. The MNP audit team also has a demonstrated track record in delivering audit services to the City, other municipalities and the broader public sector.

Given the experience of MNP's core audit team and subject matter experts, Staff believe MNP is well positioned to understand the issues and challenges faced by the City. Staff are confident that MNP will continue to deliver quality audit services.

- **Cost Savings and Efficiencies:** Given MNP's extensive audit experience with the City over the past four years, MNP has developed a thorough knowledge of the City's unique environment. Due to their knowledge gained through the 2016-2019 audits of the City's internal controls, operations, business practices and procedures, MNP will only be required to undertake an audit risk assessment "refresh" in developing the new five-year audit plan. In addition, the City will have a seamless transition and interchangeability of audit services to complete the follow-up work required for current audits and to commence the work required for the 2020-2024 audits, as all members of their core MNP audit team who previously worked on audits in connection with the 2016-2019 contract will be retained.

Geoff Rodrigues, who has served as the City's AG since 2016, will continue in the same position and will oversee each audit and work closely with City Staff and Council. MNP is in a good position to continue to help the City maximize opportunities for improvement, reduce risk exposure and optimize efficiencies.

By extending the contract with MNP, the City will eliminate the need for a complete audit risk assessment and MNP will be able to initiate the new audit plan more quickly. The experience and knowledge gained by MNP during the 2016-2019 contract can be applied and transferred to the 2020-2024 contract, resulting in cost savings and efficiencies, and minimizing duplication of efforts/costs associated with engaging a new consultant. In addition, the cost, and Staff time associated with a full RFP process is avoided.

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- **Additional Value-Add:** MNP has proactively invited City Staff to attend or has conducted seminars for Staff on pertinent matters such as cyber security and fraud awareness, free of cost. As part of the new contract, MNP will continue to provide advice and guidance on current issues and best practices.

Staff are of the opinion that MNP's performance supports the extension due to their in-depth knowledge and expertise, quality of audit work and their commitment to maintain existing fees and level of service.

## **NEXT STEPS**

Following approval from Council, MNP will develop an audit plan through consultation with Council and Senior Management, to include the following:

- Refresh of the City's Audit Universe
- Preparation of a five-year risk based audit plan for Council approval
- Execution of the approved audit plan
- Performance of follow up audits of management's implementation of action plans and remediation of audit findings
- Report on all audit activities to General Committee

## **FINANCIAL CONSIDERATIONS**

The contract award will be based on a total cost of \$763,200 inclusive of HST for the five-year term. The estimated annual cost is consistent with the current contract at \$152,640 (\$150,000 + \$2,640) inclusive of HST;

- \$152,640 – Year 1
- \$152,640 – Year 2
- \$152,640 – Year 3
- \$152,640 – Year 4
- \$152,640 – Year 5
- \$763,200 – Total

The annual amount of \$152,640.00 will be funded from the Operating Account #110-110-5699 subject to Council approval of the annual budget.

## **LEGAL CONSIDERATIONS**

The City is subject to the following trade agreements, which apply to public sector procurement above a certain dollar threshold: the Canada-European Union Comprehensive Economic and Trade Agreement (CETA), effective September 21, 2017; and the Canadian Free Trade Agreement (CFTA), effective July 1, 2017.

The recommended contract extension to MNP complies with the CETA and CFTA trade agreements.

## **HUMAN RESOURCES CONSIDERATIONS**

Not applicable

**ALIGNMENT WITH STRATEGIC PRIORITIES:**

Not applicable

**BUSINESS UNITS CONSULTED AND AFFECTED:**

Finance Staff was involved in the process and concurs with the recommendation.

**RECOMMENDED BY:**

Joel Lustig  
Treasurer

Trinela Cane  
Commissioner Corporate Services



Report to: General Committee

Meeting Date: October 22, 2019

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<b>SUBJECT:</b>	Joint and Several Liability and Insurance Reform for Municipalities
<b>PREPARED BY:</b>	Claudia Storto, City Solicitor & Director of Human Resources

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**RECOMMENDATION:**

1. That the report entitled “Joint and Several Liability and Insurance Reform for Municipalities” be received; and,
2. That Council support the Association of Municipalities of Ontario’s (AMO) position that the joint and several liability principle requires reform, along with the recommendations to the Attorney General of Ontario contained within the AMO report entitled “Towards a Reasonable Balance: Addressing Growing Municipal Liability and Insurance Costs” as set out in Attachment 1 to this report; and,
3. That this resolution be forwarded to the Attorney General of Ontario and the Association of Municipalities of Ontario; and further,
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**EXECUTIVE SUMMARY:**

The Association of Municipalities Ontario (“AMO”) submitted a position paper entitled “Towards a Reasonable Balance: Addressing growing municipal liability and insurance costs” to the Attorney General of Ontario on October 1, 2019, which is attached as Attachment 1 to this report. This paper outlines the challenges municipalities face as a result of the joint and several liability rule set out in the *Negligence Act*, R.S.O. 1990, c. N.1, related insurance cost implications, and the influence “liability chill” has on the delivery of public services. AMO has requested that municipalities indicate their support for its position and recommendations seeking a review of the principle of joint and several liability and the impact on insurance costs by submitting Council resolutions to the Attorney General of Ontario, which has indicated that submissions will be accepted until November 1, 2019.

**PURPOSE:**

The purpose of this report is to provide information regarding the challenges municipalities face as a result of the joint and several liability rule and to request that Council support the position and recommendations identified by AMO in response to the Province’s commitment to review the joint and several liability rule.

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**BACKGROUND:**

The *Negligence Act* sets out that “[w]here damages have been caused or contributed to by the fault or neglect of two or more persons, the court shall determine the degree in which each of such persons is at fault or negligent, and, where two or more persons are found at fault or negligent, they are jointly and severally liable to the person suffering loss or damage...”. While fault may be apportioned among the parties to litigation, a defendant who is only 1% responsible for damages may be required to satisfy the entire judgment, regardless of the size of the judgment or apportionment of responsibility. As a result, municipalities are targets of litigation due, in part, to a perception that they have “deep pockets” to satisfy judgments that other defendants do not. This results in scenarios where a municipality may only be found to be 1% responsible for damages and subsequently held responsible for all of the damages.

This has impacted municipalities by increasing claims against them as well as resulting in increases to insurance premiums and potentially, risking the ability to obtain insurance coverage. It has also resulted in deterring municipalities from providing certain public services that may be identified as being high risk or more likely to attract litigation. Liability concerns and risk management practices have increased over the years, impacting municipalities from a financial, operational and policy perspective. Ultimately, this has a detrimental impact on property taxpayers.

**OPTIONS/DISCUSSION:**

AMO’s position paper explains the impact of joint and several liability on Ontario municipalities through examples of recent municipal claim outcomes across Ontario and examples of how municipal insurance premiums have increased over the last few years. The paper also refers to the motion introduced by Randy Pettapiece, MPP for Perth-Wellington calling for a reform of joint and several liability in 2014 which was supported by over 200 municipalities, including the City of Markham. The paper further outlines various liability frameworks that could replace the current joint and several liability principle.

AMO recommends seven measures to address the joint and several liability issues:

1. The provincial government adopt a model of full proportionate liability to replace joint and several liability.
2. Implement enhancements to the existing limitations period including the continued applicability of the existing 10-day rule on slip and fall cases given recent judicial interpretations, and whether a 1-year limitation period may be beneficial.
3. Implement a cap for economic loss awards.
4. Increase the catastrophic impairment default benefit limit to \$2 million and increase the third-party liability coverage to \$2 million in government regulated automobile insurance plans.

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5. Assess and implement additional measures which would support lower premiums or alternatives to the provision of insurance services by other entities such as non-profit insurance reciprocals.
  6. Compel the insurance industry to supply all necessary financial evidence including premiums, claims, and deductible limit changes which support its, and municipal arguments as to the fiscal impact of joint and several liability.
  7. Establish a provincial and municipal working group to consider the above and put forward recommendations to the Attorney General.

Staff believe these recommendations will be beneficial in reducing the litigation and insurance burden on property taxpayers and recommend that Council support AMO's position paper and the above recommendations. It is further recommended that Council's resolution be forwarded to the Attorney General of Ontario and AMO to confirm its' support.

**FINANCIAL CONSIDERATIONS:**

Not applicable

**HUMAN RESOURCES CONSIDERATIONS:**

Not applicable

**ALIGNMENT WITH STRATEGIC PRIORITIES:**

Stewardship of money and resources

**BUSINESS UNITS CONSULTED AND AFFECTED:**

Financial Services

**RECOMMENDED BY:**

Claudia Storto  
City Solicitor & Director of Human Resources

Andy Taylor  
Chief Administrative Officer

**ATTACHMENTS:**

1. AMO Submission to the Attorney General of Ontario "Towards a Reasonable Balance: Addressing growing municipal liability and insurance costs", dated October 1, 2019



# Towards a Reasonable Balance:

Addressing growing municipal liability and insurance costs

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Submission to the Attorney General of Ontario

October 1, 2019



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Sent via email to: [doug.downeyco@pc.ola.org](mailto:doug.downeyco@pc.ola.org)  
[magpolicy@ontario.ca](mailto:magpolicy@ontario.ca)

October 1, 2019

The Honourable Doug Downey  
Attorney General of Ontario  
McMurtry-Scott Building, 11th Floor  
720 Bay Street  
Toronto, Ontario  
M7A 2S9

Dear Attorney General Downey,

Municipal governments accept the responsibility to pay their fair share of a loss. Always. Making it right and paying a fair share are the cornerstones of our legal system. Citizens expect nothing less of their local governments.

But what is a challenge for municipalities and property taxpayers alike, is being asked to assume someone else's responsibility for someone else's mistake. Municipal governments should not be the insurer of last resort. For municipalities in Ontario, however, the principle of joint and several liability ensures that they are just that.

Joint and several liability means higher insurance costs. It diverts property tax dollars from delivering public services. It has transformed municipalities into litigation targets while others escape responsibility. It forces municipal government to settle out-of-court for excessive amounts when responsibility is as low as 1%.

There must be a better way. There must be a better way to help ensure those who suffer losses are made whole again without asking municipalities to bear that burden alone. There must be a better way to be fair, reasonable, and responsible.

AMO welcomes the government's commitment to review joint and several liability. It is a complex issue that has many dimensions. Issues of fairness, legal principles, "liability chill", insurance failures and high insurance costs are all intertwined. Many other jurisdictions have offered additional protection for municipalities and AMO calls on the Ontario government to do the same.

What follows is a starting point for that discussion. Our paper reasserts key issues from AMO's 2010 paper, AMO's 2011 insurance cost survey, provides more recent examples, and details some possible solutions of which there are many options.

Municipalities are in the business of delivering public services. Municipal governments exist to connect people and to advance the development of a community. It is time to find a reasonable balance to prevent the further scaling back of public services owing to joint and several liability, "liability chill", or excessive insurance costs.



Together with the provincial government, I am confident we can find a better way.

Sincerely,

A handwritten signature in black ink, appearing to read 'J. McGarvey', is written over a horizontal line.

Jamie McGarvey  
AMO President



## Executive Summary

AMO's advocacy efforts on joint and several liability in no way intends for aggrieved parties to be denied justice or damages through the courts. Rather, municipal governments seek to highlight the inequity of how much "deep pocket" defendants like municipalities are forced to pay, for both in and out of court settlements.

It is entirely unfair to ask property taxpayers to carry the lion's share of a damage award when a municipality is found at minimal fault or to assume responsibility for someone else's mistake.

Municipal governments cannot afford to be the insurer of last resort. The principle of joint and several liability is costing municipalities and taxpayers dearly, in the form of rising insurance premiums, service reductions and fewer choices. The *Negligence Act* was never intended to place the burden of insurer of last resort on municipalities.

As public organizations with taxation power and "deep pockets," municipalities have become focal points for litigation when other defendants do not have the means to pay. At the same time, catastrophic claim awards in Ontario have increased considerably. In part, joint and several liability is fueling exorbitant increases in municipal insurance premiums.

The heavy insurance burden and legal environment is unsustainable for Ontario's communities. Despite enormous improvements to safety, including new standards for playgrounds, pool safety, and better risk management practices, municipal insurance premiums and liability claims continue to increase. All municipalities have risk management policies to one degree or another and most large municipalities now employ risk managers precisely to increase health and safety and limit liability exposure in the design of facilities, programs, and insurance coverage. Liability is a top of mind consideration for all municipal councils.

Joint and several liability is problematic not only because of the disproportioned burden on municipalities that are awarded by courts. It is also the immeasurable impact of propelling municipalities to settle out of court to avoid protracted and expensive litigation for amounts that may be excessive, or certainly represent a greater percentage than their degree of fault.

Various forms of proportionate liability have now been enacted by all of Ontario's competing Great Lakes states. In total, 38 other states south of the border have adopted proportionate liability in specific circumstances to the benefit of municipalities. Many common law jurisdictions around the world have adopted legal reforms to limit the exposure and restore balance. With other Commonwealth jurisdictions and the majority of state governments in the United States having modified the rule of joint and several liability in favour of some form of proportionate liability, it is time for Ontario to consider various options.

There is precedence in Ontario for joint and several liability reform. The car leasing lobby highlighted a particularly expensive court award made in November of 2004 against a car leasing company by the victim of a drunk driver. The August 1997 accident occurred when the car skidded off a county road near Peterborough, Ontario. It exposed the inequity of joint and several liability for car leasing companies. The leasing companies argued to the government that the settlement had put them at a competitive disadvantage to lenders. They also warned that such liability conditions would likely drive some leasing and rental companies to reduce their business in Ontario. As a result, Bill 18 amended the *Compulsory Automobile Insurance Act*, the *Highway Traffic*



*Act* and the Ontario *Insurance Act* to make renters and lessees vicariously liable for the negligence of automobile drivers and capped the maximum liability of owners of rental and leased cars at \$1 million. While Bill 18 has eliminated the owners of leased and rented cars as “deep pocket” defendants, no such restrictions have been enacted to assist municipalities.

A 2011 survey conducted by AMO reveals that since 2007, liability premiums have increased by 22.2% and are among the fastest growing municipal costs. Total 2011 Ontario municipal insurance costs were \$155.2 million. Liability premiums made up the majority of these expenses at \$85.5 million. Property taxpayers are paying this price.

These trends are continuing. In August of 2019, it was reported the Town of Bradford West Gwillimbury faces a 59% insurance cost increase for 2019. This is just one example. AMO encourages the municipal insurance industry to provide the government with more recent data and trends to support the industry’s own arguments regarding the impact joint and several has on premiums.

Insurance costs disproportionately affect small municipalities. For 2011, the per capita insurance costs for communities with populations under 10,000 were \$37.56. By comparison, per capita costs in large communities with populations over 75,000 were \$7.71. Property taxpayers in one northern community are spending more on insurance than their library. In one southern county, for every \$2 spent on snowplowing roads, another \$1 is spent on insurance.

In 2016, the Ontario Municipal Insurance Exchange (OMEX), a not-for-profit insurer, announced that it was suspending reciprocal underwriting operations. The organization cited, a “low pricing environment, combined with the impact of joint and several liability on municipal claim settlements” as reasons for the decision. Fewer choices fuels premium increases.

Learning from other jurisdictions is important for Ontario. The Province of Saskatchewan has implemented liability reforms to support its municipalities. As a municipal lawyer at the time, Neil Robertson, QC was instrumental in laying out the arguments in support of these changes. Now a Justice of the Court of Queen’s Bench for Saskatchewan, AMO was pleased to have Neil Robertson prepare a paper and address AMO conference delegates in 2013. Much of the Saskatchewan municipal experience (which led to reforms) is applicable to the Ontario and the Canadian municipal context. Summarised below and throughout this paper are some of Robertson’s key findings.

Robertson found that, regardless of the cause, over the years municipalities in Canada have experienced an accelerating rate of litigation and an increase in amounts of damage awards. He noted these developments challenge municipalities and raise financial, operational and policy issues in the provision of public services.

Robertson describes the current Canadian legal climate as having placed municipalities in the role of involuntary insurer. Courts have assigned municipal liability where liability was traditionally denied and apportioned fault to municipal defendants out of proportion to municipal involvement in the actual wrong.

This increased exposure to liability has had serious ramifications for municipalities, both as a deterrent to providing public services which may give rise to claims and in raising the cost and reducing the availability of insurance. The cost of claims has caused insurers to reconsider not only



what to charge for premiums, but whether to continue offering insurance coverage to municipal clients.

Robertson also makes the key point that it is reasonable for municipal leaders to seek appropriate statutory protections. He wrote:

“Since municipalities exist to improve the quality of life for their citizens, the possibility of causing harm to those same citizens is contrary to its fundamental mission. Careful management and wise stewardship of public resources by municipal leaders will reduce the likelihood of such harm, including adherence to good risk management practices in municipal operations. But wise stewardship also involves avoiding the risk of unwarranted costs arising from inevitable claims.”

And, of course, a key consideration is the reality that insurance premiums, self-insurance costs, and legal fees divert municipal funds from other essential municipal services and responsibilities.

It is in this context that AMO appreciated the commitments made by the Premier and the Attorney General to review the principle of joint and several liability, the impact it has on insurance costs, and the influence “liability chill” has on the delivery of public services. Now is the time to deliver provincial public policy solutions which address these issues.

## Recommendations

AMO recommends the following measures to address these issues:

1. The provincial government adopt a model of full proportionate liability to replace joint and several liability.
2. Implement enhancements to the existing limitations period including the continued applicability of the existing 10-day rule on slip and fall cases given recent judicial interpretations, and whether a 1-year limitation period may be beneficial.
3. Implement a cap for economic loss awards.
4. Increase the catastrophic impairment default benefit limit to \$2 million and increase the third-party liability coverage to \$2 million in government regulated automobile insurance plans.
5. Assess and implement additional measures which would support lower premiums or alternatives to the provision of insurance services by other entities such as non-profit insurance reciprocals.
6. Compel the insurance industry to supply all necessary financial evidence including premiums, claims, and deductible limit changes which support its, and municipal arguments as to the fiscal impact of joint and several liability.
7. Establish a provincial and municipal working group to consider the above and put forward recommendations to the Attorney General.



## Insurance Cost Examples

The government has requested detailed information from municipalities regarding their insurance costs, coverage, deductibles, claims history, and out-of-court settlements. Municipalities have been busy responding to a long list of provincial consultations on a wide range of topics. Some of the information being sought is more easily supplied by the insurance industry. AMO's 2011 survey of insurance costs produced a sample size of 122 municipalities and assessed insurance cost increases over a five-year period. The survey revealed an average premium increase which exceeded 20% over that period.

All of the same forces remain at play in 2019 just as they were in 2011. Below are some key examples.

**Ear Falls** - The Township of Ear Falls reports that its insurance premiums have increased 30% over five years to \$81,686. With a population of only 995 residents (2016), this represents a per capita cost of \$82.09. This amount is a significant increase from AMO's 2011 Insurance Survey result. At that time, the average per capita insurance cost for a community with a population under 10,000 was \$37.56. While the Township has not been the subject of a liability claim, a claim in a community of this size could have significant and long-lasting financial and service implications. The Township has also had to impose stricter insurance requirements on groups that rent municipal facilities. This has had a negative impact on the clubs and volunteers' groups and as a consequence, many have cut back on the service these groups provide to the community.

**Central Huron** – For many years the municipality of Central Huron had a deductible of \$5,000. In 2014, the deductible was increased to \$15,000 to help reduce insurance costs. The municipality also increased its liability coverage in 2014 and added cyber security coverage in 2018. The combined impact of these changes represents a premium cost of \$224,774 in 2019, up from \$141,331 in 2010. Per capita costs for insurance alone are now \$29.67.

**Huntsville** – Since 2010, the Town of Huntsville reports an insurance premium increase of 67%. In 2019 this represented about 3.75% of the town's property tax levy. At the same time, Huntsville's deductible has increased from \$10,000 to \$25,000. The town also reports a reluctance to hold its own events for fear of any claims which may affect its main policy. Additional coverage is purchased for these events and these costs are not included above.

**Ottawa** - In August 2018, the City began working with its insurance broker, Aon Risk Solutions ("Aon"), to prepare for the anticipated renewal of the Integrated Insurance Program in April 2019. As the cost of the City's insurance premiums had risen by approximately 25% between 2017 and 2018, this early work was intended to ensure that any further increase could be properly accounted for through the 2019 budget process. Early indications of a possible further 10% premium increase prompted the City and Aon in late 2018 to explore options for a revised Program, and to approach alternative markets for the supply of insurance.

On January 11, 2019, an OC Transpo bus collided with a section of the Westboro Station transit shelter, resulting in three fatalities and numerous serious injuries. This was the second major incident involving the City's bus fleet, following approximately five years after the OC Transpo – VIA train collision in September 2013.



The January 2019 incident prompted insurance providers to re-evaluate their willingness to participate in the City Program. Despite Aon's work to secure an alternative provider, only Frank Cowan Company ("Cowan"), the City's existing insurer, was prepared to offer the City an Integrated Insurance Program. Cowan's offer to renew the City's Program was conditional on revised terms and limits and at a significant premium increase of approximately 84%, or nearly \$2.1 million per year. According to Cowan, these changes and increases were attributable to seven principle factors, including Joint and Several Liability:

1. Escalating Costs of Natural Global Disasters;
2. Joint and Several Liability;
3. Claims Trends (in the municipal sector);
4. Increasing Damage Awards;
5. Class Action Lawsuits;
6. New and/or Adverse Claims Development; and,
7. Transit Exposure.

Cowan also indicated that the primary policy limits for the 2019-2020 renewal would be lowered from \$25 million to \$10 million per occurrence, thereby raising the likelihood of increased costs for the City's excess liability policies.

## Joint and Several in Action - Recent Examples

The following examples highlight joint and several in action. The following examples have occurred in recent years.

**GTA Municipality** – A homeowner rented out three separate apartments in a home despite being zoned as a single-family dwelling. After a complaint was received, bylaw inspectors and Fire Prevention Officers visited the property. The landlord was cautioned to undertake renovations to restore the building into a single-family dwelling. After several months of non-compliance, charges under the fire code were laid. The owner was convicted and fined. A subsequent visit by Fire Prevention Officers noted that the required renovations had not taken place. Tragically, a fire occurred which resulted in three fatalities. Despite having undertaken corrective action against the homeowner, joint and several liability loomed large. It compelled the municipality to make a payment of \$504,000 given the 1% rule.

**City of Ottawa** - A serious motor vehicle accident occurred between one of the City's buses and an SUV. The collision occurred at an intersection when the inebriated driver of the SUV failed to stop at a red light and was struck by the City bus. This collision resulted in the deaths of the SUV driver and two other occupants, and also seriously injured the primary Plaintiff, the third passenger in the SUV. The secondary action was brought by the family of one of the deceased passengers.

The Court ultimately concluded that the City was 20% liable for the collision, while the SUV driver was 80% at fault. Despite the 80/20 allocation of fault, the City was required to pay all of the approximately \$2.1 million in damages awarded in the primary case and the \$200,000 awarded in the secondary case, bringing the amount paid by the City to a total that was not proportionate to its actual liability. This was due to the application of the principle of joint and several liability, as well as the interplay between the various automobile insurance policies held by the SUV owner and





passengers, which is further explained below. Although the City appealed this case, the Ontario Court of Appeal agreed with the findings of the trial judge and dismissed it.

This case was notable for the implications of various factors on the insurance policies held by the respective parties. While most automobile insurance policies in Ontario provide for \$1 million in third party liability coverage, the insurance for the SUV was reduced to the statutory minimum of \$200,000 by virtue of the fact that the driver at the time of the collision had a blood alcohol level nearly three times the legal limit for a fully licensed driver. This was contrary to the requirements of his G2 license, which prohibit driving after the consumption of any alcohol. Further, while the Plaintiff passengers' own respective insurance provided \$1 million in coverage for underinsured motorists (as the SUV driver was at the time), this type of coverage is triggered only where no other party is in any way liable for the accident. As a result, the primary Plaintiff could only effectively recover the full \$2.1 million in damages if the Court attributed even a small measure of fault to another party with sufficient resources to pay the claim.

In determining that the City was at least partially responsible for the collision, the Court held that the speed of the bus – which according to GPS recordings was approximately 6.5 km/h over the posted limit of 60 kilometres an hour – and momentary inattention were contributing factors to the collision.

To shorten the length of the trial by approximately one week and accordingly reduce the legal costs involved, the parties had earlier reached an agreement on damages and that the findings regarding the primary Plaintiff would apply equally to the other. The amount of the agreement-upon damages took into account any contributory negligence on the part of the respective Plaintiffs, attributable to such things as not wearing a seat belt.

**City of Ottawa, 2<sup>nd</sup> example** – A Plaintiff was catastrophically injured when, after disembarking a City bus, he was struck by a third-party motor vehicle. The Plaintiff's injuries included a brain injury while his impairments included incomplete quadriplegia.

As a result of his accident, the Plaintiff brought a claim for damages for an amount in excess of \$7 million against the City and against the owner and driver of the third-party vehicle that struck him. Against the City, the Plaintiff alleged that the roadway was not properly designed and that the bus stop was placed at an unsafe location as it required passengers to cross the road mid-block and not at a controlled intersection.

Following the completion of examinations for discovery, the Plaintiff's claim against the Co-Defendant (the driver of the vehicle which struck the plaintiff) was resolved for \$1,120,000 comprising \$970,000 for damages and \$120,000 for costs. The Co-Defendant's policy limit was \$1 million. The claim against the City was in effect, a "1% rule" case where the City had been added to the case largely because the Co-Defendant's insurance was capped at \$1 million, which was well below the value of the Plaintiff's claim.

On the issue of liability, the pre-trial judge was of the view that the City was exposed to a finding of some liability against it on the theory that, because of the proximity of the bus stop to a home for adults with mental health issues, the City knew or should have known that bus passengers with cognitive and/or physical disabilities would be crossing mid-block at an unmarked crossing. This, according to the judge, could have resulted in a finding being made at trial that the City should





either have removed the bus stop or alternatively, should have installed a pedestrian crossing at this location.

The judge assessed the Plaintiff's damages at \$7,241,000 exclusive of costs and disbursements which he then reduced to \$4,602,930 exclusive of costs and disbursements after applying a reduction of 27.5% for contributory negligence and subtracting the \$970,000 payment made by the Co-Defendant's insurer.

Settlement discussions took place and the judge recommended that the matter be resolved for \$3,825,000 plus costs of \$554,750 plus HST plus disbursements.

## Joint and Several Liability in Action - Other notable cases

**Deering v Scugog** - A 19-year-old driver was driving at night in a hurry to make the start time of a movie. She was travelling on a Class 4 rural road that had no centerline markings. The Ontario Traffic Manual does not require this type of road to have such a marking. The driver thought that a vehicle travelling in the opposite direction was headed directly at her. She swerved, over-corrected and ended up in a rock culvert. The Court found the Township of Scugog 66.7% liable. The at-fault driver only carried a \$1M auto insurance policy.

**Ferguson v County of Brant** - An inexperienced 17-year-old male driver was speeding on a road when he failed to navigate a curve which resulted in him crossing the lane into oncoming traffic, leaving the roadway, and striking a tree. The municipality was found to have posted a winding road sign rather than a sharp curve sign. The municipality was found 55% liable.

**Safranyos et al v City of Hamilton** - The plaintiff was leaving a drive-in movie theatre with four children in her vehicle at approximately 1 AM. She approached a stop sign with the intention of turning right onto a highway. Although she saw oncoming headlights she entered the intersection where she was struck by a vehicle driven 15 km/h over the posted speed limit by a man who had just left a party and was determined by toxicologists to be impaired. The children in the plaintiff's vehicle suffered significant injuries. The City was determined to be 25% liable because a stop line had not been painted on the road at the intersection.

**Mortimer v Cameron** - Two men were engaged in horseplay on a stairway and one of them fell backward through an open door at the bottom of a landing. The other man attempted to break the first man's fall and together they fell into an exterior wall that gave way. Both men fell 10 feet onto the ground below, one of whom was left quadriplegic. The trial judge determined both men were negligent, but that their conduct did not correspond to the extent of the plaintiff's injuries. No liability was attached to either man. The building owner was determined to be 20% and the City of London was found to be 80% liable. The Court awarded the plaintiff \$5 M in damages. On appeal, the City's liability was reduced to 40% and building owner was determined to be 60% liable. The City still ended up paying 80% of the overall claim.

## 2011 Review of Joint and Several Liability – Law Commission of Ontario

In February 2011 the Law Commission of Ontario released a report entitled, *"Joint and Several Liability Under the Ontario Business Corporations Act"*. This review examined the application of



joint and several liability to corporate law and more specifically the relationship between the corporation and its directors, officers, shareholders and stakeholders.

Prior to the report's release, AMO made a submission to the Law Commission of Ontario to seek to expand its review to include municipal implications. The Law Commission did not proceed with a broader review at that time, but the context of its narrower scope remains applicable to municipalities. In fact, many of the same arguments which support reform in the realm of the *Business Corporations Act*, are the same arguments which apply to municipal governments.

Of note, the Law Commission's<sup>1</sup> report highlighted the following in favour of reforms:

**Fairness:** "it is argued that it is unfair for a defendant, whose degree of fault is minor when compared to that of other defendants, to have to fully compensate a plaintiff should the other defendants be insolvent or unavailable."

**Deep Pocket Syndrome:** "Joint and several liability encourages plaintiffs to unfairly target defendants who are known or perceived to be insured or solvent."

**Rising Costs of Litigation, Insurance, and Damage Awards:** "Opponents of the joint and several liability regime are concerned about the rising costs of litigation, insurance, and damage awards."

**Provision of Services:** "The Association of Municipalities of Ontario identifies another negative externality of joint and several liability: municipalities are having to delay or otherwise cut back services to limit exposure to liability."

The Law Commission found that the principle of joint and several liability should remain in place although it did not explicitly review the municipal situation.

## 2014 Resolution by the Ontario Legislature and Review by the Attorney General

Over 200 municipalities supported a motion introduced by Randy Pettapiece, MPP for Perth-Wellington which called for the implementation a comprehensive, long-term solution in 2014. That year, MPPs from all parties supported the Pettapiece motion calling for a reform joint and several liability.

Later that year the Ministry of the Attorney General consulted on three options of possible reform:

### 1. The Saskatchewan Model of Modified Proportionate Liability

Saskatchewan has adopted a modified version of proportionate liability that applies in cases where a plaintiff is contributorily negligent. Under the Saskatchewan rule, where a plaintiff is contributorily negligent and there is an unfunded liability, the cost of the unfunded liability is split among the remaining defendants and the plaintiff in proportion to their fault.

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<sup>1</sup> Law Commission of Ontario. "Joint and Several Liability Under the Ontario *Business Corporations Act*." Final Report, February 2011 Pages 22-25.



## **2. Peripheral Wrongdoer Rule for Road Authorities**

Under this rule, a municipality would never be liable for more than two times its proportion of damages, even if it results in the plaintiff being unable to recover full damages.

## **3. A combination of both of the above**

Ultimately, the government decided not to pursue any of the incremental policy options ostensibly because of uncertainty that insurance cost reductions would result. This was a disappointing result for municipalities.

While these reviews did not produce results in Ontario, many other common law jurisdictions have enacted protections for municipalities. What follows are some of the options for a different legal framework.

## **Options for Reform – The Legal Framework**

To gain a full appreciation of the various liability frameworks that could be considered, for comparison, below is a description of the current joint and several liability framework here in Ontario. This description will help to reader to understand the further options which follow.

This description and the alternatives that follow are taken from the Law Commission of Ontario's February 2011 Report entitled, *"Joint and Several Liability Under the Ontario Business Corporations Act"* as referenced above.<sup>2</sup>

### **Understanding the Status Quo and Comparing it to the Alternatives**

Where three different defendants are found to have caused a plaintiff's loss, the plaintiff is entitled to seek full payment (100%) from any one of the defendants. The defendant who fully satisfies the judgment has a right of contribution from the other liable parties based on the extent of their responsibility for the plaintiff's loss.

For example, a court may find defendants 1 (D1), 2 (D2) and 3 (D3) responsible for 70%, 20%, and 10% of the plaintiff's \$100,000 loss, respectively. The plaintiff may seek to recover 100% of the loss from D2, who may then seek contribution from D1 and D3 for their 70% and 10% shares of the loss. If D1 and/or D3 is unable to compensate D2 for the amount each owes for whatever reason, such as insolvency or unavailability, D2 will bear the full \$100,000 loss. The plaintiff will be fully compensated for \$100,000, and it is the responsibility of the defendants to apportion the loss fairly between them.

The descriptions that follow are abridged from pages 9-11 of the Law Commission of Ontario's report. These are some of the key alternatives to the status quo.

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<sup>2</sup> Ibid. Page 7.



## **1. Proportionate Liability**

### **a) Full Proportionate Liability**

A system of full proportionate liability limits the liability of each co-defendant to the proportion of the loss for which he or she was found to be responsible. Per the above example, (in which Defendant 1 (D1) is responsible for 70% of loss, Defendant 2 (D2) for 20% and Defendant 3 (D3) for 10%), under this system, D2 will only be responsible for \$20,000 of the \$100,000 total judgement: equal to 20% of their share of the liability. Likewise, D1 and D3 will be responsible for \$70,000 and \$10,000. If D1 and D3 are unable to pay, the plaintiff will only recover \$20,000 from D2.

### **b) Proportionate Liability where Plaintiff is Contributorily Negligent**

This option retains joint and several liability when a blameless plaintiff is involved. This option would cancel or adjust the rule where the plaintiff contributed to their loss. As in the first example, suppose the plaintiff (P) contributed to 20% of their \$100,000 loss. D1, D2 and D3 were responsible for 50%, 20% and 10% of the \$100,000. If D1 and D3 are unavailable, P and D2 will each be responsible for their \$20,000 shares. The plaintiff will remain responsible for the \$60,000 shortfall as a result of the absent co-defendants' non-payment (D1 and D3).

### **c) Proportionate Liability where Plaintiff is Contributorily Negligent with a Proportionate Reallocation of an Insolvent, Financially Limited or Unavailable Defendant's Share**

In this option of proportionate liability, the plaintiff and remaining co-defendants share the risk of a defendant's non-payment. The plaintiff (P) and co-defendants are responsible for any shortfall in proportion to their respective degrees of fault.

Using the above example of the \$100,000 total judgement, with a shortfall payment of \$50,000 from D1 and a shortfall payment \$10,000 from D3, P and D2 must pay for the missing \$60,000. P and D2 have equally-apportioned liability, which causes them to be responsible for half of each shortfall - \$25,000 and \$5,000 from each non-paying defendant. The burden is shared between the plaintiff (if determined to be responsible) and the remaining defendants.

### **d) Proportionate Liability with a Peripheral Wrongdoer**

Under this option, a defendant will be proportionately liable only if their share of the liability falls below a specified percentage, meaning that liability would be joint and several. Using the above example, if the threshold amount of liability is set at 25%, D2 and D3 would only be responsible for 20% and 10%, regardless of whether they are the only available or named defendants. However, D1 may be liable for 100% if it is the only available or named defendant. This system tends to favour defendants responsible for a small portion of the loss, but the determination of the threshold amount between joint and several liability and proportionate liability is arbitrary.

### **e) Proportionate Liability with a Reallocation of Some or All of an Insolvent or Unavailable Defendant's Share**

This option reallocates the liability of a non-paying defendant among the remaining defendants in proportion to their respective degrees of fault. The plaintiff's contributory negligence does not



impact the application of this reallocation. Joint and several liability would continue to apply in cases of fraud or where laws were knowingly violated.

#### **f) Court Discretion**

Similar to the fraud exception in the option above, this option includes giving the courts discretion to apply different forms of liability depending on the case.

For example, if a particular co-defendant's share of the fault was relatively minor the court would have discretion to limit that defendant's liability to an appropriate portion.

### **2. Legislative Cap on Liability**

Liability concerns could be addressed by introducing a cap on the amount of damages available for claims for economic loss.

### **3. Hybrid**

A number of jurisdictions provide a hybrid system of proportionate liability and caps on damages. Co-defendants are liable for their portion of the damages, but the maximum total amount payable by each co-defendant is capped to a certain limit.

## **The Saskatchewan Experience**

As referenced earlier in this paper, the Province of Saskatchewan responded with a variety of legislative actions to assist municipalities in the early 2000s. Some of those key developments are listed below which are abridged from *"A Question of Balance: Legislative Responses to Judicial Expansion of Municipal Liability – the Saskatchewan Experience."* The paper was written by Neil Robertson, QC and was presented to the annual conference of the Association of Municipalities of Ontario in 2013. Two key reforms are noted below.

#### **1. Reforming joint and several liability by introducing modified proportionate liability: "The Contributory Negligence Act" amendments**

The *Contributory Negligence Act* retained joint and several liability, but made adjustments in cases where one or more of the defendants is unable to pay its share of the total amount (judgement). Each of the parties at fault, including the plaintiff if contributorily negligent, will still have to pay a share of the judgement based on their degree of fault. However, if one of the defendants is unable to pay, the other defendants who are able to pay are required to pay only their original share and an additional equivalent share of the defaulting party's share.

The change in law allows municipalities to reach out-of-court settlements, based on an estimate of their degree of fault. This allows municipalities to avoid the cost of protracted litigation.

Neil Robertson provided the following example to illustrate how this works in practise:

"...If the owner of a house sues the builder for negligent construction and the municipality, as building authority, for negligent inspection, and all three are found equally at fault, they would each be apportioned 1/3 or 33.3%. Assume the damages are \$100,000. If the builder has no funds, then the municipality would pay only its share (\$33,333) and a 1/3 share of the builder's defaulting share



(1/3 of \$33,333 or \$11,111) for a total of \$44,444 (\$33,333 + \$11,111), instead of the \$66,666 (\$33,333 + \$33,333) it would pay under pure joint and several liability.”

This model will be familiar to municipal leaders in Ontario. In 2014, Ontario’s Attorney General presented this option (called the Saskatchewan Model of Modified Proportionate Liability) for consideration. At the time, over 200 municipal councils supported the adoption of this option along with the “Peripheral Wrongdoer Rule for Road Authorities” which would have seen a municipality never be liable for more than two times its proportion of damages, even if it results in the plaintiff being unable to recover full damages. These two measures, if enacted, would have represented a significant incremental step to address the impact of joint and several to Ontario municipalities.

## **2. Providing for uniform limitation periods while maintaining a separate limitation period for municipalities: “The Limitations Act”**

This act established uniform limitation periods replacing many of the pre-existing limitation periods that had different time periods. The Municipal Acts in Saskatchewan provide a uniform one-year limitation period “from time when the damages were sustained” in absolute terms without a discovery principle which can prolong this period. This helps municipalities to resist “legacy” claims from many years beforehand. This act exempts municipalities from the uniform two-year discoverability limitation period.

Limitation periods set deadlines after which claims cannot be brought as lawsuits in the courts. The legislation intends to balance the opportunity for potential claimants to identify their claims and, if possible, negotiate a settlement out of court before starting legal action with the need for potential defendants to “close the books” on claims from the past.

The reasoning behind these limitations is that public authorities, including municipalities, should not to be punished by the passage of time. Timely notice will promote the timely investigation and disposition of claims in the public interest. After the expiry of a limitation period, municipalities can consider themselves free of the threat of legal action, and continue with financial planning without hurting “the public taxpayer purse”. Municipalities are mandated to balance their budgets and must be able to plan accordingly. Thus, legacy claims can have a very adverse affect on municipal operations.

Here in Ontario, there is a uniform limitations period of two years. Municipalities also benefit from a 10-day notice period which is required for slip and fall cases. More recently, the applicability of this limitation deadline has become variable and subject to judicial discretion. Robertson’s paper notes that in Saskatchewan, courts have accepted the one-year limitations period. A further examination of limitations in Ontario may yield additional benefits and could include the one-year example in Saskatchewan and/or the applicability of the 10-day notice period for slip and fall cases.

## **Other Saskatchewan reforms**

Saskatchewan has also implemented other reforms which include greater protections for building inspections, good faith immunity, duty of repair, no fault insurance, permitting class actions, and limiting nuisance actions. Some of these reforms are specific to Saskatchewan and some of these currently apply in Ontario.





## Insurance Related Reforms

### Government Regulated Insurance Limits

The April 2019 provincial budget included a commitment to increase the catastrophic impairment default benefit limit to \$2 million. Public consultations were led by the Ministry of Finance in September 2019. AMO wrote to the Ministry in support of increasing the limit to \$2 million to ensure more adequate support those who suffer catastrophic impairment.

In 2016, the government lowered this limit as well as third-party liability coverage to \$200,000 from \$1 million. This minimum should also be increased to \$2 million to reflect current actual costs. This significant deficiency needs to be addressed.

### Insurance Industry Changes

In 1989 the Ontario Municipal Insurance Exchange (OMEX) was established as a non-profit reciprocal insurance provider for Ontario's municipalities. It ceased operations in 2016 citing, "[a] low pricing environment, combined with the impact of joint & several liability on municipal claim settlements has made it difficult to offer sustainable pricing while still addressing the municipalities' concern about retro assessments."<sup>3</sup> (Retro assessments meant paying additional premiums for retroactive coverage for "long-tail claims" which made municipal budgeting more challenging.)

The demise of OMEX has changed the municipal insurance landscape in Ontario. That joint and several liability is one of the key reasons listed for the collapse of a key municipal insurer should be a cause for significant concern. Fewer choices fuels cost. While there are other successful municipal insurance pools in Ontario, the bulk of the insurance market is dominated by for-profit insurance companies.

Reciprocal non-profit insurers are well represented in other areas across Canada. Municipalities in Saskatchewan, Alberta, British Columbia are all insured by non-profit reciprocals.

The questions for policy makers in Ontario:

Are there any provincial requirements or regulations which could better support the non-profit reciprocal municipal insurance market?

What actions could be taken to better protect municipalities in Ontario in sourcing their insurance needs?

How can we drive down insurance costs to better serve the needs of municipal property taxpayers?

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<sup>3</sup> Canadian Underwriter, August 11, 2016 <https://www.canadianunderwriter.ca/insurance/ontario-municipal-insurance-exchange-suspends-underwriting-operations-1004098148/>



## Conclusion

This AMO paper has endeavoured to refresh municipal arguments on the need to find a balance to the issues and challenges presented by joint and several liability. It has endeavoured to illustrate that options exist and offer the reassurance that they can be successfully implemented as other jurisdictions have done.

Finding solutions that work will require provincial and municipal commitment. Working together, we can find a better way that is fair, reasonable, and responsible. It is time to find a reasonable balance.





Report to: General Committee

Meeting Date: October 22, 2019

**SUBJECT:** 2020 Council and Standing Committee Meeting Calendar  
**PREPARED BY:** Martha Pettit, Deputy Clerk

**RECOMMENDATION:**

1. That the 2020 Council and Standing Committee Meeting Calendar for January-December as outlined in Appendix “C” and allowing for all Council Meetings to be conducted starting at 1:00 PM to 6:00 PM with the option to host an evening Council meeting if so required, be adopted; and,
2. That staff be authorized and directed to do all things necessary to give effect to this resolution.

**PURPOSE:**

To adopt the City of Markham's Council and Standing Committee meeting calendar for January to December 2020.

**BACKGROUND:**

Each year, the Legislative Services and Corporate Communications and Community Engagement Department prepares a Council and Standing Committee meeting calendar for the following calendar year which outlines the date and time of each Council and Standing Committee meeting.

On December 12, 2018, Council approved the 2019 meeting calendar, which provided for conducting every other Council meeting during the day starting at 1:00 PM. The alternate Council meetings were conducted in the evening starting at 6:00 PM.

Public in-person attendance statistics that were tracked for 2019 show that very few individuals attend (in-person) a Markham City Council meeting either during the daytime or at the evening sessions, unless there is an item of significant interest to the public on the agenda (see Appendix “A”). Further, because all Standing Committee and Council meetings are audio and video streamed live, listeners do not need to attend (in-person) to hear the proceedings. A recent upgrade to the City’s A/V system allows staff to publish (to the City’s website) an audio/video recording of the actual meeting once the minutes are finalized. This new feature allows individuals to “re-watch” the proceedings at a time that is most convenient for them.

To-date, the Legislative Services and Corporate Communications and Community Engagement Department has received positive feedback regarding the implementation of daytime meetings from the public, Members of Council and staff. A review of comparable municipalities reveals that several large urban municipalities such as

Vaughan, Richmond Hill (for part of the year), Brampton, London, Mississauga, Toronto and Region of York conduct Council meetings during the day (see Appendix “B”).

### **OPTIONS/ DISCUSSION:**

Seventeen Council meetings are proposed in the 2020 Meeting Calendar (see Appendix “C”). Outlined below are the four options for Council meeting start times proposed by staff for Council’s consideration.

#### **Option 1 – All Daytime Council Meetings (Evening Meetings by Exception)**

In this Option, all 2020 Council meetings will take place from 1:00 PM to 6:00 PM with the ability to hold an evening meeting as required. The benefits of this Option include:

- Members of Council are “fresh” and not deliberating on important items after a long day of meetings, etc.
- Members of Council have the evenings free for constituent meetings, events, etc.
- Members of the public have the option to submit written submissions.
- Members of the public can listen in or watch live or at a time of their choosing.

Today’s workforce has changed and 9 to 5 is no longer considered the norm.

- Staff is readily available to provide further insight, clarification and respond to questions from Council and the public as required.

This is staff’s preferred Option.

#### **Option 2 – Evening Council Meetings Once per Quarter (Additional Evening Meetings Held by Exception)**

In this Option, one evening Council meeting is held per quarter with an option to hold additional evening meetings as necessary. This would result in four evening Council meetings per calendar year - to be held on the following dates in 2020:

	Proposed Date	Meeting Start Time
First Quarter	Mar 31	6:00 PM
Second Quarter	Jun 9	6:00 PM
Third Quarter	Sept 29	6:00 PM
Fourth Quarter	Nov 24	6:00 PM

**\*\*Council meetings not falling on the above dates would start at 1:00 PM.**

The benefits of this Option include:

- Offering a variation in Council meeting start times provides alternatives/options for deputants desiring to attend in-person.
- Evening meetings are already built into the annual Council and Committee Meeting schedule.
- Agendas can be planned to ensure that items of significant public interest will be held during an evening meeting.
- Members of Council have the daytime free for constituent meetings, events, etc.

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### **Option 3 – Evening Council Meetings Every Other Month (Additional Evening Meetings Held by Exception)**

In this Option, an evening Council meeting will take place every other month (with an option to hold additional evening meetings as necessary). This would result in five evening Council meetings per calendar year to be held on the following dates in 2020:

Proposed Date	Meeting Start Time
Jan 28	6:00 PM
Mar 31	6:00 PM
May 12	6:00 PM
Sept 29	6:00 PM
Nov 24	6:00 PM

\*\*Council meetings not falling on the above dates would start at 1:00 PM.

The benefits of this Option include:

- Offering a variation in Council meeting start times offers alternatives/options for deputants desiring to attend in-person.
- Evening meetings are already built into the annual Council and Committee Meeting schedule.
- Agendas can be planned to ensure that items of significant public interest will be held during an evening meeting.
- Members of Council have the daytime free for constituent meetings, events, etc.

### **Option 4\* – Alternate Every Other Council Meeting between Daytime and Nighttime Starts (\*Status Quo – same process used in 2019)**

In this Option, Council meeting start times alternate between a daytime start time and an evening start time – this system was in effect for 2019. This would result in eight evening Council meetings per calendar year to be held on the following dates in 2020:

Proposed Date	Meeting Start Time
Jan 28	6:00 PM
Feb 25	6:00 PM
Mar 31	6:00 PM
May 12	6:00 PM
Jun 9	6:00 PM
Sept 29	6:00 PM
Oct 27	6:00 PM
Nov 24	6:00 PM

\*\*Council meetings not falling on the above dates would start at 1:00 PM.

The benefits of this Option include:

- Offering a variation in Council meeting start times offers alternatives/options for deputants desiring to attend in-person.
- Evening meetings are already built into the annual Council and Committee Meeting schedule.
- Agendas can be planned to ensure that items of significant public interest will be held during an evening meeting.
- Members of Council have the daytime free for constituent meetings, events, etc.

Staff recommend Option 1 - All Daytime Council Meetings (Evening Meetings by Exception). In this Option, all Council meetings in 2020 would have a start time of 1:00 PM, with the ability to conduct evening meetings as required. This practice is in keeping with other large urban municipalities and, based on 2019 meeting attendance statistics, will have little to no impact on in-person meeting attendance by the public. It also has the benefit of allowing for greater participation by City staff in Council meetings should they be required to respond to questions by Members of Council.

#### **FINANCIAL CONSIDERATIONS**

Not applicable

#### **HUMAN RESOURCES CONSIDERATIONS**

Not applicable

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

Not applicable

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

Not applicable

#### **RECOMMENDED BY**

Kimberley Kitteringham  
Director, Legislative Services  
& Communications

Trinela Cane  
Commissioner, Corporate Services

#### **ATTACHMENTS:**

Appendix "A" – 2019 In-Person Attendance Statistics for Council Meetings

Appendix "B" – Table of Comparable Municipalities - Council Meeting Times

Appendix "C" - Proposed 2020 Meeting Calendar for Council and Standing Committee meetings

**Appendix “A”**  
2020 Council and Standing Committee Meeting Calendar

**2019 In-Person Attendance Statistics for Council Meetings**

Date of Meeting	Start Time of Meeting	# of Public Attendees	Comments
Jan 29/19	6:00 PM	16	Santa Claus Parade Awards – 12 winning groups, counted each as 1; + 4 other individual awards
Feb 12/19	1:00 PM	0	
Feb 26/ 19	1:00 PM	0	
Mar 19/19	1:00 PM	8	
Apr 2/19	6:00 PM	4	
Apr 16/19	1:00 PM	1	
Apr 30/19	6:00 PM	20	Gemterra deputants (13)
May 14/19	1:00 PM	6	6 deputants (4 related to Licensing Committee recommendation)
May 28/19	6:00 PM	0	
Jun 12/19	2:30 PM	3	BILD lunch from 11:30 – 2:00 pm; some Members of Council in attendance may not be back by 1:00 pm
Jun 25/19	6:00 PM	6	
Jul 26/19	11:00 AM	0	Special Council meeting - Update on Bill 108
Sep 10/19	1:00 PM	7	
Sep 24/19	6:00 PM	4	

## Appendix “B”

## 2020 Council and Standing Committee Meeting Calendar

**Council Meeting Times of Other Municipalities**

<b><u>Municipality</u></b>		<b><u>Date</u></b>	<b><u>Time</u></b>	<b><u>Frequency</u></b>
Richmond Hill	Council Meeting Q1	Mondays	7:30 - 9:30 PM	bi-weekly
	Council Meeting Q2	Tuesdays	1:00 - 4:00 PM	bi-weekly
	Council Meeting Q4	Wednesdays	9:30 AM - 12:00 PM	once a month
Vaughan	Council	Tues / Wed	1:00 PM	twice a month
Brampton	Council	Wednesdays	9:30 AM	bi-weekly
Burlington	Council	Mondays	5:30 PM	once a month
Hamilton	Council	Wednesdays	5:00 PM	bi-weekly
London	Council	Tuesdays	4:00 PM	bi-weekly
Milton	Council	Mondays	7:00 PM	twice a month
Mississauga	Council	Wednesdays	9:30 AM	bi-weekly
Oshawa	Council	Mondays	6:30 PM	once a month
Pickering	Council	Mondays	7:00 PM	once a month
Toronto	Council	Tues-Wed, sometimes Wed-Thurs	9:30 AM	monthly
York Region	Regional Council	Thursdays	9:00 AM	once a month



# 2020 COUNCIL & COMMITTEE MEETINGS

## January 2020

Sun	Mon	Tue	Wed	Thu	Fri	Sat
			1 New Year's Day	2	3	4
5 Birthday of Guru Gobindh Singh (Sikh)	6	7 Christmas Day (Orthodox)	8	9	10	11
12	13	14	15	16	17	18
19	20 General Committee 9:30 am - 3:00 pm	21 7:00 pm Planning Public Meeting	22	23	24	25 Chinese New Year
26	27 Development Serv. Ctte 9:30 am - 3:00 pm	28 1:00 pm – 6:00 pm Council	29	30	31	



# 2020 COUNCIL & COMMITTEE MEETINGS

## February 2020

Sun	Mon	Tue	Wed	Thu	Fri	Sat
						1
2	3 General Committee 9:30 am - 3:00 pm	4 7:00 pm Planning Public Meeting	5	6	7	8
9	10 Development Serv. Ctte 9:30 am - 3:00 pm	11 1:00 pm – 6:00 pm Council	12	13	14	15  Nirvana Day (Buddhist)
16	17 <b>Family Day</b>	18 General Committee 9:30 am - 3:00 pm  7:00 pm Planning Public Meeting	19	20	21	22
23	24 Development Serv. Ctte 9:30 am - 3:00 pm	25 1:00 pm – 6:00 pm Council	26	27	28	29





# 2020 COUNCIL & COMMITTEE MEETINGS

## March 2020

Sun	Mon	Tue	Wed	Thu	Fri	Sat
<b>1</b>	<b>2</b> General Committee 9:30 am - 3:00 pm	<b>3</b> 7:00 pm Planning Public Meeting	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>
<b>8</b>	<b>9</b> Development Serv. Ctte 9:30 am - 3:00 pm	<b>10</b> 1:00 pm – 6:00 pm Council	<b>11</b>	<b>12</b>	<b>13</b>	<b>14</b>
<b>15</b>	<b>16</b> March Break	<b>17</b> March Break	<b>18</b> March Break	<b>19</b> March Break	<b>20</b> March Break	<b>21</b> March Break
<b>22</b>	<b>23</b> General Committee 9:30 am - 3:00 pm	<b>24</b> 7:00 pm Planning Public Meeting	<b>25</b>	<b>26</b>	<b>27</b>	<b>28</b>
<b>29</b>	<b>30</b> Development Serv. Ctte 9:30 am - 3:00 pm	<b>31</b> 1:00 pm – 6:00 pm Council				



# 2020 COUNCIL & COMMITTEE MEETINGS

## April 2020

Sun	Mon	Tue	Wed	Thu	Fri	Sat
			1	2	3	4
5	6 General Committee 9:30 am - 3:00 pm	7 7:00 pm Planning Public Meeting	8 Passover Begins At Sunset (Jewish)	9 Passover	10 <b>Good Friday</b> Passover	11
12	13 <b>Easter Monday</b>	14 Khalsa Day - Vaisakhi (Sikh)	15 Passover	16 Passover	17 Holy Friday (Orthodox)	18
19 Easter (Orthodox)	20 Development Serv. Ctte 9:30 am - 3:00 pm	21 1:00 pm – 6:00 pm Council	22	23 Ramadan Begins at Sunset (Muslim)	24 Ramadan	25
26	27	28	29	30 Buddha Day (Buddhist)		



# 2020 COUNCIL & COMMITTEE MEETINGS

## May 2020

Sun	Mon	Tue	Wed	Thu	Fri	Sat
					1	2
3	4 General Committee 9:30 am - 3:00 pm	5 7:00 pm Planning Public Meeting	6	7	8	9
10	11 Development Serv. Ctte 9:30 am - 3:00 pm	12 1:00 pm – 6:00 pm Council	13	14	15	16
17	18 <b>Victoria Day</b>	19 General Committee 9:30 am - 3:00 pm  7:00 pm Planning Public Meeting	20	21	22	23 Eid-Al-Fitr Begins at Sunset (Muslim)
24 Eid-Al-Fitr	25 Development Serv. Ctte 9:30 am - 3:00 pm	26 1:00 pm – 6:00 pm Council	27	28 Shavuot Begins at Sunset (Jewish)	29 Shavuot	30 Shavuot
31						



# 2020 COUNCIL & COMMITTEE MEETINGS

## June 2020

Sun	Mon	Tue	Wed	Thu	Fri	Sat
	<b>1</b> General Committee 9:30 am - 3:00 pm	<b>2</b> 7:00 pm Planning Public Meeting	<b>3</b>	<b>4</b> FCM Conference	<b>5</b> FCM Conference	<b>6</b> FCM Conference
<b>7</b> FCM Conference	<b>8</b> Development Serv. Ctte 9:30 am - 3:00 pm	<b>9</b> 1:00 pm – 6:00 pm Council	<b>10</b>	<b>11</b>	<b>12</b>	<b>13</b>
<b>14</b>	<b>15</b> General Committee 9:30 am - 3:00 pm	<b>16</b> 7:00 pm Planning Public Meeting	<b>17</b>	<b>18</b>	<b>19</b>	<b>20</b>
<b>21</b>	<b>22</b> Development Serv. Ctte 9:30 am - 3:00 pm	<b>23</b> 1:00 pm – 6:00 pm Council	<b>24</b>	<b>25</b>	<b>26</b>	<b>27</b>
<b>28</b>	<b>29</b>	<b>30</b>				



# 2020 COUNCIL & COMMITTEE MEETINGS

## July 2020

Sun	Mon	Tue	Wed	Thu	Fri	Sat
			1 Canada Day	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30 Eid-Al-Adha Begins at Sunset (Muslim)	31 Eid-Al-Adha	



# 2020 COUNCIL & COMMITTEE MEETINGS

## August 2020

Sun	Mon	Tue	Wed	Thu	Fri	Sat
						1
2	3 Civic Holiday	4	5	6	7	8
9	10	11	12	13	14	15
16 AMO Conference	17 AMO Conference	18 AMO Conference	19 AMO Conference	20	21	22 Ganesh Chaturthi (Hindu)
23	24	25	26	27	28	29
30	31					



# 2020 COUNCIL & COMMITTEE MEETINGS

September 2020						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
		1	2	3	4	5
6	7 <b>Labour Day</b>	8 General Committee 9:30 am - 3:00 pm  7:00 pm Planning Public Meeting	9	10	11	12
13	14 Development Serv. Ctte 9:30 am - 3:00 pm	15 1:00 pm – 6:00 pm Council	16	17	18 Rosh Hashanah Begins at Sunset (Jewish)	19 Rosh Hashanah
20 Rosh Hashanah	21 General Committee 9:30 am - 3:00 pm	22 7:00 pm Planning Public Meeting	23	24	25	26
27 Yom Kippur Begins at Sunset (Jewish)	28 Yom Kippur	29 Development Serv. Ctte 9:30 am - 3:00 pm	30 1:00 pm – 6:00 pm Council			



# 2020 COUNCIL & COMMITTEE MEETINGS

October 2020						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
				1	2 Sukkot Begins at Sunset (Jewish)	3 Sukkot
4 Sukkot	5 General Committee 9:30 am - 3:00 pm	6 7:00 pm Planning Public Meeting	7	8	9	10
11	12 Thanksgiving	13 Development Serv. Ctte 9:30 am - 3:00 pm	14 1:00 pm – 6:00 pm Council	15	16	17
18	19 General Committee 9:30 am - 3:00 pm	20 7:00 pm Planning Public Meeting	21	22	23	24
25	26 Development Serv. Ctte 9:30 am - 3:00 pm	27 1:00 pm – 6:00 pm Council	28	29	30	31





# 2020 COUNCIL & COMMITTEE MEETINGS

November 2020						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
1	2 General Committee 9:30 am - 3:00 pm	3 7:00 pm Planning Public Meeting	4	5	6	7
8	9 Development Serv. Ctte 9:30 am - 3:00 pm	10 1:00 pm – 6:00 pm Council	11 Remembrance Day	12	13	14  Diwali (Hindu)
15	16 General Committee 9:30 am - 3:00 pm	17 7:00 pm Planning Public Meeting	18	19	20	21
22	23 Development Serv. Ctte 9:30 am - 3:00 pm	24 1:00 pm – 6:00 pm Council	25	26	27	28
29	30 Birthday Of Guru Nanak Dev Sahib (Sikh)					



# 2020 COUNCIL & COMMITTEE MEETINGS

December 2020						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
		1 7:00 pm Planning Public Meeting	2	3	4	5
6	7 General Committee 9:30 am - 3:00 pm	8 Development Serv. Ctte 9:30 am - 3:00 pm  Bodhi Day (Buddhist)	9 1:00 pm – 6:00 pm Council	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25 Christmas	26 Boxing Day
27	28	29	30	31		