



Development Services Committee Revised Agenda

Revised Items are Italicized.

Meeting Number 20
December 9, 2019, 9:30 AM - 3:00 PM
Council Chamber

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

Pages

1. CALL TO ORDER
2. DISCLOSURE OF PECUNIARY INTEREST
3. APPROVAL OF PREVIOUS MINUTES
 - 3.1 DEVELOPMENT SERVICES COMMITTEE MINUTES – NOVEMBER 25, 2019 (10.0) 12
 1. That the minutes of the Development Services Committee meeting held November 25, 2019, be confirmed.
 - 3.2 DEVELOPMENT SERVICES PUBLIC MEETING MINUTES – NOVEMBER 19, 2019 (10.0) 24
 1. That the minutes of the Development Services Public Meeting held November 19, 2019, be confirmed.
4. PRESENTATIONS
 - 4.1 PRESENTATION OF SERVICE AWARDS (12.2.6)

Regan Hutcheson, Manager - Heritage, Planning & Urban Design, 30 years

David Miller, Manager, Development, Planning & Urban Design, 30 years

Dereje Tafesse, Senior Capital Works Engineer, Engineering, 25 years

Christopher Beaumont, Firefighter, Fire Services, 25 years

David Leslie, Firefighter, Fire Services, 25 years

Donald Stoneman, Firefighter, Fire Services, 25 years

Stella Attai, Financial Analyst, Accounting, Financial Services, 20 years

Vincent Lai, Senior Systems Analyst, Information Technology Services, 20 years

Michael Prior, Working Supervisor, Operations - Parks, 20 years

Mark Leadbetter, Facility Yard Maintenance, Operations - Roads, 20 years

Stephen McGilvray, Ops Working Sup-Contract Administration, Operations - Roads, 20 years

Geoff Day, Senior Planner, Planning & Urban Design, 20 years

Phoebe Fu, Director, Environmental Services, Environmental Services, 15 years

Hossein Sharif, Senior Capital Engineer, Environmental Services, 15 years

Shahid Rehman, Inventory Control Coordinator, Operations - Fleet, 15 years

Patrick Fry, Working Supervisor, Roads, Operations - Roads, 15 years

Donald Hamilton, Deputy Mayor, Mayor and Council, 10 years

Danny Roberts, Operations Labourer/Driver, Operations - Parks, 10 years

Stephen McCoy, Facility Operator I, Thornhill C.C., Recreation Services, 10 years

Graham Seaman, Director, Sustainability & Asset Management, Sustainability & Asset Management, 10 years

Yan Yan Tori Tsang, Zoning Examiner, Building Standards, 5 years

Niamh O'Laoghaire, Manager, Art Gallery, Culture-Arts Centres-Dept Support, 5 years

Andreea Necula, Brownfield Environmental Technologist, Engineering, 5 years

Mandeep Aujla, Application Support Specialist, Information Technology Services, 5 years

Alice Lam, Manager, Roads Operations, Operations, 5 years

Ryan Turnbull, Facility Operator II, Cornell C.C., Recreation Services, 5 years

5. DEPUTATIONS

6. COMMUNICATIONS

7. PETITIONS

8. CONSENT REPORTS - DEVELOPMENT AND POLICY ISSUES

8.1 HERITAGE MARKHAM COMMITTEE MINUTES – NOVEMBER 13, 2019 (16.11) 29

1. That the minutes of the Heritage Markham Committee meeting held November 13, 2019, be received for information purposes.

8.2 RECOMMENDATION REPORT DEMOLITION OF LISTED BARN 10988 WARDEN AVENUE NORTH MARKHAM PLANNING DISTRICT, WARD 2 (16.11, 10.13) 47

G. Duncan, ext. 2296

1. That the report titled “Recommendation Report, Demolition of Listed Barn, 10988 Warden Avenue, North Markham Planning District, Ward 2,” dated December 9, 2019, be received; and,
2. That Council not oppose the demolition of the Brumwell Barn and not proceed with designation under Part IV of the Ontario Heritage Act and endorse the recommendations of Heritage Markham Committee with respect to the property owner incorporating selected salvaged materials into the development of the site, advertising the remaining portions of the barn for salvage, provision of a Markham Remembered Interpretive Plaque, and providing a copy of the Heritage Impact Assessment to the Archives of the Markham Museum; and further,
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

8.3 PRELIMINARY REPORT APPLICATION FOR ZONING BY-LAW AMENDMENT AND DRAFT PLAN OF SUBDIVISION, SUBMITTED BY FLATO DEVELOPMENTS INC. (SHAKIR REHMATULLAH) 53

AT 2695 ELGIN MILLS RD, TO PERMIT THE DEVELOPMENT OF A 3-STOREY OFFICE BUILDING AND 5-STOREY HOTEL WITH ATTACHED CONVENTION CENTRE (WARD 2) FILE NO. PLAN 19 119540 (10.5, 10.7)

M. Rokos, ext. 2980

1. That the report titled “PRELIMINARY REPORT, Application for Zoning By-law Amendment and Draft Plan of Subdivision, submitted by FLATO Developments Inc. (Shakir Rehmatullah) at 2695 Elgin Mills Rd, to permit the development of a 3-storey office building and

5-storey hotel with attached convention centre (Ward 2)” be received.

8.4 APPROVAL OF THE CONTINUATION OF THE MARKHAM DESIGNATED HERITAGE PROPERTY GRANT PROGRAM, 2020-2022 (16.11)

62

P. Wokral, ext. 7955

1. That the report entitled “Approval of the Continuation of the Markham Designated Heritage Property Grant Program, 2020-2022”, dated December 9, 2019, be received; and,
2. That a by-law be adopted to implement the Markham Designated Heritage Property Grant Program (2020-2022) generally in the form attached as Appendix “C” to this report; and,
3. That the existing reserve fund entitled “Designated Heritage Property Grant Reserve Fund” continue to be used as the funding source for the program; and,
4. That the Designated Heritage Property Grant Program be allocated \$90,000 in funding for the three year period (2020-2022) from the following sources;
 - a. Prior year unused grant funding in the Designated Heritage Property Grant Reserve Fund in the amount of \$56,090;
 - b. A transfer of \$33,910 (\$90,000 - \$56,090) from the Heritage Loan Reserve Fund, which has a current balance of \$160,695; and,
5. That By-law 175-81, as amended, (A By-law to Establish a Heritage Fund) be amended as per Appendix “D” to this report; and further,
6. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

8.5 REPORT ON INCOMING PLANNING APPLICATIONS FOR THE PERIOD OF SEPTEMBER 15, 2019 TO NOVEMBER 15, 2019 (10.0)

92

N. Orsi, ext. 8100

1. That the report entitled “Report on Incoming Planning Applications for the period of September 15, 2019 to November 15, 2019” be received and staff to be directed to process the application in accordance with the approval route outlined in the report.

9. PRESENTATIONS - DEVELOPMENT AND POLICY ISSUES

9.1 MARKHAM CENTRE SECONDARY PLAN UPDATE (10.3) 100

S. Lue, ext. 2520

1. That the presentation by Mr. Stephen Lue, Manager, Central District, entitled “Markham Centre Secondary Plan Update” be received.

9.2 MARKHAM ROAD MOUNT JOY SECONDARY PLAN STUDY - STATUS UPDATE (10.3) 109

D. Lyons, ext. 2459

1. That the presentation entitled “Markham Road Mount Joy Secondary Plan Study - Status Update” be received.

10. REGULAR REPORTS - DEVELOPMENT AND POLICY ISSUES

10.1 THE MARLEIGH RETIREMENT RESIDENCE PHASE II (AMICA UNIONVILLE INC.) SITE PLAN APPLICATION TO PERMIT THE SECOND PHASE OF A RETIREMENT RESIDENCE LOCATED AT 34 MAIN STREET (WARD 3) FILE NO. SC 14 120628 (10.6) 119

S. Bordone, ext. 8230

Note: Kathryn Randle, Director, Development & Planning with Rockport Group will be in attendance to provide a presentation on this matter.

1. That the presentation by Kathryn Randle, Director, Development & Planning with Rockport Group, to permit the second phase of a retirement residence located at 34 Main Street, File No. SC 14 120628, be received; and,
2. That the Site Plan Application, submitted by Amica Unionville Inc. (the “Owner”), to permit the second phase of a retirement residence located at 34 Main Street, File No. SC 14 120628, be endorsed, in principle, subject to the conditions attached hereto as Appendix A; and,
3. That final Site Plan Approval be delegated to the Director of Planning and Urban Design or his designate; and,
4. That Council grant servicing allocation for a maximum of 16 units (retirement rooms) that will include cooking facilities; and,
5. That the City reserves the right to revoke or reallocate servicing allocation should the development not proceed in a timely manner; and,
6. That this endorsement shall lapse after a period of three years from the date of endorsement in the event that a Site Plan Agreement is not

executed within that period; and further,

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

10.2 GROWTH PLAN, 2019 CLARIFICATION FROM MINISTER OF MUNICIPAL AFFAIRS AND HOUSING ON URBAN EXPANSIONS (10.0) 159

D. Lyons, ext. 2459

Note: Staff will provide a presentation on this matter.

1. That the memorandum entitled “Growth Plan, 2019 Clarification from Minister of Municipal Affairs and Housing on Urban Expansions” be received.

10.3 RECOMMENDATION REPORT 2585231 ONTARIO INC.APPLICATIONS FOR ZONING BY-LAW AMENDMENT TO PERMIT MID-RISE RESIDENTIAL AND TOWNHOUSE DEVELOPMENT (PHASE 1 ONLY) 171

AND FOR DRAFT PLAN OF SUBDIVISION TO CREATE DEVELOPMENT, ROAD, PARK AND OPEN SPACE BLOCKS AT 9999 MARKHAM ROAD (WARD 5) (10.7,10.5)

FILE NOS: ZA/SU 18 180621

S. Muradali, ext. 2008

1. That the staff report titled “RECOMMENDATION REPORT, Applications for Zoning By-law Amendment to permit mid-rise residential and townhouse development (Phase 1 only) and for Draft Plan of Subdivision to create development, road, park and open space blocks at 9999 Markham Road (Ward 5), File No: ZA/SU 18 180621”, be received; and,
2. That the record of the Public meeting held on March 26th, 2019 regarding the applications for Zoning By-law Amendment and Draft Plan of Subdivision 19TM-18007, be received; and,
3. That Council approval of the Zoning By-law Amendment application (ZA 18 180621) for Phase 1 of the development, submitted by 2585231 Ontario Inc. and attached in Appendix ‘A’ be finalized and enacted without further notice; and,
4. That Council approve the Draft Plan of Subdivision 19TM-18007 (SU 18 180621) submitted by 2585231 Ontario Inc. subject to the conditions attached as Appendix ‘B’; and,
5. That Council assign servicing allocation for a maximum of 151 townhouses (including stacked townhouses) and 260 apartment units; and,

6. That Council permit application for minor variances within two (2) years of the proposed amending by-law coming into force, attached as Appendix 'A', in accordance with Section 45(1.4) of the Planning Act; and further,
7. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

10.4 ASSESSMENT OF THE DEVELOPMENT REVIEW PROCESS (10.0)

220

Note: Presentation attached.

J. Yeh, ext. 7922

1. That the report dated December 9, 2019 entitled "Assessment of the Development Review Process" be received; and,
2. That staff be directed to form a Process Improvement team to implement the twenty one recommendations from KPMG's third-party assessment report entitled "Development Review Process Assessment – City of Markham", as noted in Appendix 'B'; and further,
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

10.5 RECOMMENDATION REPORT REQUEST FOR AUTHORIZATION TO RECEIVE PARKLAND DEDICATION FOR THE PROPOSED TIMES GROUP CORPORATION RESIDENTIAL HIGH RISE DEVELOPMENT SOUTH OF HIGHWAY 7, EAST OF BAYVIEW AVENUE BLOCK 45, PLAN 65M-3226

308

FILE NO. SC 17 137260 (WARD 8) (6.3)

R. Cefaratti, ext. 3675

1. That the Staff report dated December 9, 2019 entitled "RECOMMENDATION REPORT Request for authorization to receive parkland dedication for the proposed Times Group Corporation residential high rise development south of Highway 7, east of Bayview Avenue Block 45, Plan 65M-3226, File No. SC 17 137260 (Ward 8)" be received; and,
2. That Staff be authorized and directed to enter into agreement(s) with Times Group Corporation to provide the parkland required for the High Density Development on Block 45, Plan 65M-3226 as land from part of Block 46, Plan 65M-3226; and further,
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

11. REGULAR REPORTS - TRANSPORTATION AND INFRASTRUCTURE ISSUES

11.1 HIGHWAY 404 RAMP EXTENSION (ARISTOTLE AVENUE) - LAND CONVEYANCE (5.10)

313

A. Cachola, ext. 2711

1. That the report entitled “Highway 404 Ramp Extension (Aristotle Avenue) – Land Conveyance” be received; and,
2. That in accordance with By-law 178-96, the lands legally described as Part of Block 9, Plan M-2029 designated as the Parts 7, 9, 10 and 14 on Reference Plan 65R-36152 (the “**Surplus Lands**”) be declared surplus to municipal purposes; and,
3. That subject to recommendation #2, the Mayor and Clerk be authorized to execute any documents and/or agreements required to transfer the Surplus Lands to Her Majesty the Queen in Right of the Province of Ontario represented by the Minister of Transportation for the Province of Ontario (“**MTO**”) for nominal consideration, provided that the form and content of such documents and agreements are satisfactory to the Director of Engineering and the City Solicitor; and further,
4. That staff be authorized and directed to do all things necessary to give effect to this resolution.

12. REGULAR REPORTS - CULTURE AND ECONOMIC DEVELOPMENT ISSUES

12.1 2020 CHINA HARBIN INTERNATIONAL WINTER CITIES CONFERENCE, JANUARY 4-7, 2020 (10.16)

316

S. Tam, ext. 3883

1. That the report titled, “2020 China Harbin International Winter Cities Conference, January 4-7, 2020” dated December 9, 2019, be received; and,
2. That the City of Markham be represented by Councillor Alan Ho, Chair of Culture and Economic Development Committee to attend the 2020 China Harbin International Winter Cities Conference in Harbin, China from January 4-7, 2020; and,
3. That the total cost of the business trip to attend the 2020 China Harbin International Winter Cities Conference in Harbin, China not exceed \$5,000.00 and be expensed from the 2020 Economic Alliances account 610-9985812, contingent upon Council approval of the 2020 Operating Budget; and further,
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

12.2 APPROVAL TO ATTEND THE INTELLIGENT COMMUNITIES FORUM TOP7 COMMUNITIES OF 2020 CONFERENCE IN TAOYUAN, TAIWAN (7.13)

325

N. Kenea, ext. 4733

1. That the report dated December 9, 2019 entitled “ICF Top7 Communities of 2020 Conference in Taoyuan, Taiwan” be received; and,
2. That the City of Markham be represented at the Conference by Chief Information Officer, Nasir Kenea; and,
3. That the total cost of to attend the conference approximately in the amount of \$3,000 be funded from the 2020 Operating budget account 400 998 5200; and further,
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

13. MOTIONS

14. NOTICES OF MOTION

15. 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".*

16. ANNOUNCEMENTS

17. CONFIDENTIAL ITEMS

17.1 DEVELOPMENT AND POLICY ISSUES

17.1.1 DEVELOPMENT SERVICES COMMITTEE CONFIDENTIAL MINUTES - NOVEMBER 12, 2019 (10.0) [Section 239 (2) (e)]

17.1.2 LITIGATION OR POTENTIAL LITIGATION, INCLUDING MATTERS BEFORE ADMINISTRATIVE TRIBUNALS, AFFECTING THE MUNICIPALITY OR LOCAL BOARD.

ADVICE THAT IS SUBJECT TO SOLICITOR-CLIENT PRIVILEGE, INCLUDING COMMUNICATIONS NECESSARY FOR THAT PURPOSE (10.7,10.5) (WARD 5) [Section 239 (2) (e) (f)]

17.1.3 LITIGATION OR POTENTIAL LITIGATION, INCLUDING MATTERS BEFORE ADMINISTRATIVE TRIBUNALS, AFFECTING THE MUNICIPALITY OR LOCAL BOARD

Update regarding the City of Vaughan's Yonge-Steeles Corridor Secondary Plan Appeal and Request for Direction

18. ADJOURNMENT

Information Page

Development Services Committee Members: All Members of Council

Development and Policy Issues

Chair: Regional Councillor Jim Jones

Vice-Chair: Councillor Keith Irish

Transportation and Infrastructure Issues

Chair: Deputy Mayor Don Hamilton

Vice-Chair: Councillor Reid McAlpine

Culture and Economic Development Issues

Chair: Councillor Alan Ho

Vice-Chair: Councillor Khalid Usman

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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.

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

**Development Services Committee is scheduled to recess for
lunch from approximately 12:00 PM to 1:00 PM**

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



Development Services Committee Minutes

Meeting Number 19

November 25, 2019, 9:30 AM - 3:00 PM

Council Chamber

Roll Call	<p>Mayor Frank Scarpitti Deputy Mayor Don Hamilton (left at 2:59 PM) Regional Councillor Jack Heath Regional Councillor Joe Li Regional Councillor Jim Jones Councillor Keith Irish Councillor Alan Ho</p>	<p>Councillor Reid McAlpine Councillor Karen Rea Councillor Andrew Keyes Councillor Amanda Collucci Councillor Khalid Usman Councillor Isa Lee</p>
Staff	<p>Andy Taylor, Chief Administrative Officer Arvin Prasad, Commissioner, Development Services Trinela Cane, Commissioner, Corporate Services Claudia Storto, City Solicitor and Director of Human Resources Bryan Frois, Chief of Staff Joel Lustig, Treasurer Ron Blake, Senior Development Manager, Planning & Urban Design Stephen Chait, Director, Economic Growth, Culture & Entrepreneurship</p>	<p>David Miller, Manager, West District Nhat-Anh Nguyen, Senior Manager, Development & Environmental Engineering Stephanie DiPerna, Manager, Plans Review Matthew Vetere, Manager, Budgeting John Yeh, Manager, Strategy & Innovation Francesco Santaguida, Assistant City Solicitor Scott Chapman, Election & Council/Committee Coordinator</p>

Alternate formats for this document are available upon request

1. CALL TO ORDER

The Development Services Committee convened at the hour of 9:32 AM in the Council Chamber with Regional Councillor Jim Jones presiding as Chair.

Development Services Committee recessed at 12:06 PM and reconvened at 1:01 PM.

Development Services Committee recessed at 1:07 PM and reconvened at 1:12 PM.

2. DISCLOSURE OF PECUNIARY INTEREST

None disclosed.

3. APPROVAL OF PREVIOUS MINUTES

3.1 DEVELOPMENT SERVICES COMMITTEE MINUTES – NOVEMBER 12, 2019 (10.0)

Moved by Deputy Mayor Don Hamilton

Seconded by Councillor Keith Irish

1. That the minutes of the Development Services Committee meeting held November 12, 2019, be confirmed.

Carried

4. PRESENTATIONS

4.1 PRESENTATION OF SERVICE AWARDS (12.2.6)

Mayor Frank Scarpitti, members of Development Services Committee, and senior staff recognized the following members of staff for their years of service to the City of Markham:

Chee Tung, Building Engineer, Building Standards, 40 years

Carla Crockett, Building Inspector II, Building Standards, 30 years

Mary Hristov, Licensing Officer, Legislative Services and Communications, 30 years

Gregory Lees, Provincial Offences Officer II, Legislative Services and Communications - Bylaws, 30 years

Lorne Dehaas, Supervisor, Community Facility, Recreation Services, 30 years

Kevin Hicks, Facility Operator III, Angus Glen C.C., Recreation Services, 30 years

Janet Clarry, Alarm Room Supervisor, Fire Services, 25 years

Jacqueline Dyson-Fleming, Public Education Officer, Fire Services, 25 years

Pablo Cufre, General Repair/Chief Operations, Recreation Services, 25 years

Mark Visser, Sr Manager Strategy Innovation & Investments, Financial Services, 20 years

Linda Canton-Yuen, Provincial Offences Officer I, Legislative Services and Communications - Bylaws, 20 years

Jill McWhinnie, Senior Licensing & Standards Officer, Legislative Services and Communications - Bylaws, 20 years

Kevin Beck, General Repair/Chief Operator, Recreation Services, 20 years

Carrie Colangelo, Coordinator, Research & Marketing, Culture-Admin-Culture Services, 15 years

Sandra Tam, Senior Business Development Officer, Dpt Econ Gr, C & E - Dept. Support, 15 years

Mario Puopolo, Supervisor, Waterworks, Environmental Services, 15 years

Paul Sit, Fire Prevention Officer, Fire Services, 15 years

Antonietta Rescigno, Community Outreach Assistant, Recreation Services, 15 years

Donald Roe, Supervisor, Community Program, Recreation Services, 15 years

Kirk Berthiaume, Firefighter, Fire Services, 10 years

Brett Dean, Firefighter, Fire Services, 10 years

James Douma, Firefighter, Fire Services, 10 years

Rebecca Ellis, Firefighter, Fire Services, 10 years

Blair Gallant, Firefighter, Fire Services, 10 years

Angela Hrkac, Firefighter, Fire Services, 10 years

Andrew Ireland, Firefighter, Fire Services, 10 years

Samuel Kim, Firefighter, Fire Services, 10 years

Andrew Kubes, Firefighter, Fire Services, 10 years

Alexander Marshall, Firefighter, Fire Services, 10 years

David McCartney, Firefighter, Fire Services, 10 years

Matthew McKnight, Firefighter, Fire Services, 10 years

Roman Mosor, Firefighter, Fire Services, 10 years

Colin Rose, Firefighter, Fire Services, 10 years

Mark Siu, Senior Capital Works Engineer, Engineering, 5 years

Ziad Yassi, Senior Development Engineer, Engineering, 5 years

Jeewon Jay Pak, Senior Financial Analyst, Financial Services, 5 years

Zahra Budhwani, Human Resources Coordinator, Human Resources, 5 years

Janet Beatty, Manager, Community, Recreation Services, 5 years

Jason Henwood, Facility Operator II, Recreation Services, 5 years

Pete Mangos, Facility Operator I, Pan Am Centre, Recreation Services, 5 years

5. DEPUTATIONS

Deputations were provided for the following item:

#9.1 - Ladies Golf Club of Toronto

Refer to the individual item for the deputation details.

6. COMMUNICATIONS

Communications were submitted for the following items:

#9.1 - Ladies Golf Club of Toronto

#9.2 - Development Fee and Building Fee By-law Update

7. PETITIONS

There were no petitions.

8. CONSENT REPORTS - DEVELOPMENT AND POLICY ISSUES

8.1 THORNHILL SUB-COMMITTEE MINUTES - OCTOBER 15, 2019 (LANGSTAFF GATEWAY) (10.0)

Moved by Regional Councillor Jack Heath

Seconded by Councillor Keith Irish

1. That the minutes of the Thornhill Sub-Committee (Langstaff Gateway) meetings held October 15, 2019, be received for information purposes.

Carried

8.2 MARKHAM SUB-COMMITTEE MINUTES (CORNELL ROUGE NATIONAL URBAN PARK GATEWAY) - SEPTEMBER 30, 2019 (10.0)

Moved by Regional Councillor Jack Heath

Seconded by Councillor Keith Irish

1. That the minutes of the Markham Sub-Committee (Cornell Rouge National Urban Park Gateway Study) meeting held September 30, 2019, be received for information purposes.

Carried

9. REGULAR REPORTS - DEVELOPMENT AND POLICY ISSUES

9.1 RECOMMENDATION REPORT - THE LADIES GOLF CLUB OF TORONTO, APPLICATIONS BY 2526574 ONTARIO LIMITED (TRIDEL) FOR OFFICIAL PLAN AND ZONING BY-LAW AMENDMENTS AND SITE PLAN APPROVAL TO PERMIT A TWELVE STOREY RESIDENTIAL BUILDING AND A FOURTEEN STOREY RESIDENTIAL BUILDING ON THE SOUTH EAST SIDE OF ROYAL ORCHARD, WEST OF BAYVIEW AVENUE (7859 YONGE STREET) FILE NOS. OP/ZA 18 171600 AND SPC 18 256868 (WARD 1) (10.3, 10.5)

Ron Blake, Senior Development Manager, Planning & Urban Design, introduced the staff report and provided members of Committee with an overview of the development applications.

Mike Mestyan, Tridel, and Kate Cooper, Bousfields Inc., representatives for the applicant, addressed the Committee and delivered a presentation on the development applications, including an overview of the proposed site plan and key revisions made to the original proposal following consultations with staff and the local community.

Moved by Deputy Mayor Don Hamilton

Seconded by Regional Councillor Jack Heath

That Development Services Committee suspend the rules of procedure to permit individuals to read the written submissions of persons not in attendance for this item.

Carried by a Two Thirds Vote of Members Present

Joan Anderton, Vice President of the Ladies' Golf Club of Toronto Board of Directors, addressed the Committee and spoke in support of the development applications. Ms. Anderton requested that Committee endorse the staff recommendation, noting the importance of the project in securing the legacy and continued viability of the Ladies' Golf Club of Toronto.

Ted Langdon, Markham resident, addressed the Committee and spoke in support of the development applications. Mr. Langdon requested that the Committee endorse the staff recommendation, identifying the community benefits that may be secured through the proposed development such as the provision of premium condominium housing, community servicing infrastructure improvements, and the continued viability of the Ladies' Golf Club of Toronto.

Eric Lakien, representative for the Board of Directors for York Region Condominium Corporation No. 798, addressed the Committee and expressed the Board's support for the development applications, subject to the applicant's commitment to addressing the issue of traffic infiltration through the private roads of the neighbouring Landmark condominium complex as noted in the Board's written communications to Development Services Committee at the statutory public meeting held on January 22, 2019.

John McIntosh, Markham resident, addressed the Committee and spoke in support of the development applications.

Alena Gotz, representative for the Aileen-Willowbrook Residents Ratepayers Association, addressed the Committee and stated concerns with the development applications, including increased traffic congestion and a potential shortage in existing community services resulting from the proposed scale of residential intensification.

Evelin Ellison, representative for the Ward One South Residents Ratepayers Association, addressed the Committee and stated concerns with the development applications, including the loss of greenspace and the capacity of existing road and servicing infrastructure to accommodate the proposed scale of residential intensification.

Joan Feng addressed the Committee on behalf of Brian Korson, Aileen-Willowbrook Residents Ratepayers Association, and related Mr. Corson's concerns with the development applications, including impacts to local traffic congestion and traffic safety issues resulting from the proposed increases in residential density.

Alena Gotz addressed the Committee on behalf of Roman Komarov, Aileen-Willowbrook Residents Ratepayers Association, and related Mr. Komarov's concerns with the development applications, including impacts to local traffic congestion resulting from the proposed increases in residential density.

Mia Poscente, representative for the Royal Orchard Ratepayers Association, addressed the Committee and spoke in support of the development applications. Ms. Poscente requested that the Committee endorse the staff recommendation, identifying the community benefits that may be secured through the proposed development including critical upgrades to storm sewer infrastructure and the continued viability of the Ladies' Golf Club of Toronto.

Pam McLennan, Markham resident, addressed the Committee and spoke in support of the development applications.

The Committee discussed the following relative to the development applications:

- Importance of ensuring the continued and long-term viability of the Ladies' Golf Club of Toronto;
- Opportunity for accelerated delivery of critical stormwater and sewer infrastructure upgrades to the surrounding community through the proposed development;
- Constraints of future public trail connections to the Pomona Mills trail through the golf course valley lands;
- Opportunities for further discussion with York Region regarding the merits of widening Royal Orchard Boulevard to accommodate a dedicated left turn lane into the proposed development;
- Concerns about the scale of proposed underground parking and potential impacts on local traffic congestion;
- Securing contributions from the applicant toward traffic control improvements on Royal Orchard Boulevard and Bayview Avenue; and,
- Sustainable design features to be incorporated into the proposed development.

Moved by Councillor Keith Irish

Seconded by Councillor Khalid Usman

1. That the report titled “The Ladies’ Golf Club of Toronto, Applications by 2526574 Ontario Limited (Tridel) for Official Plan and Zoning By-law Amendments and Site Plan Approval to permit a twelve storey residential

building and a fourteen storey residential building on the south east side of Royal Orchard, west of Bayview Avenue (7859 Yonge Street) File Nos. OP/ZA 18 171600 and SPC 18 256868 (Ward 1)” be received; and,

2. **That the deputations made by Joan Anderton on behalf of the Ladies' Golf Club of Toronto Board of Directors, Ted Langdon, Eric Lakien, John McIntosh, Alena Gotz on behalf of the Aileen-Willowbrook Residents Ratepayers Association, Evelin Ellison on behalf of the Ward One South Residents Ratepayers Association, Joan Feng on behalf of Brian Korson, Alena Gotz on behalf of Roman Komarov, Mia Poscente on behalf of the Royal Orchard Ratepayers Association, and Pam McLennan be received; and,**
3. **That the written communications submitted by Mia Poscente on behalf of the Royal Orchard Ratepayers Association, Gareth Stackhouse, Fogler Rubinoff LLP, on behalf of the Landmark Shared Facilities Committee, and Peter Rawson be received; and,**
4. That the proposed amendment to the 2014 Markham Official Plan, attached as Appendix ‘A’, be finalized and approved; and,
5. That the amendments to Zoning By-laws 2150 and 177-96, as amended be approved and the draft implementing Zoning By-law, attached as Appendix ‘B’, be finalized and enacted, without further notice; and,
6. That the Site Plan application by The Ladies’ Golf Club of Toronto be endorsed in principle, subject to the Conditions attached as Appendix ‘C’ and that Site Plan approval be delegated to the Director of Planning and Urban Design or his designate; and,
7. That site plan endorsement shall lapse after a period of three (3) years from the date of Staff endorsement, in the event that the site plan agreement is not executed within that period; and,
8. That in accordance with the provisions of subsection 45(1.4) of the Planning Act, R.S.O. 1990, c.P.13, as amended, the owner shall, through this Resolution, be permitted to apply to the Committee of Adjustment for a variance from the provisions of the zoning by-law attached as Appendix ‘B’ to this report, before the second anniversary of the day on which the by-law was approved by Council; and,
9. That servicing allocation for one hundred seventy three (173) dwelling units be assigned to the subject development; and,

10. That the City reserves the right to revoke or reallocate servicing allocation should the development not proceed in a timely manner; and,
11. That Council authorizes the City to enter into an agreement with the developer, to share the costs associated with municipal service upgrades required along Royal Orchard Boulevard, to accommodate the development of the “Subject Lands” for high rise residential condominium buildings, to the satisfaction of the CAO and the City Solicitor; and further,
12. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

9.2 DEVELOPMENT FEE AND BUILDING FEE BY-LAW UPDATE (ALL WARDS) (10.0)

Arvin Prasad, Commissioner, Development Services, introduced the staff report.

John Yeh, Manager, Strategy & Innovation, delivered a presentation on the proposed updates to the City of Markham's Development Fee By-law and Building Fee By-law.

There was discussion regarding the scale of development fees collected in Markham relative to other municipalities in the Greater Toronto Area. There was also discussion on the relative impact of the proposed updates to Markham's development fee structure on the City's development reserves.

Moved by Mayor Frank Scarpitti
Seconded by Councillor Khalid Usman

1. That the Report titled “Development Fee and Building Fee By-laws Update (All Wards)” dated November 25, 2019 be received; and,
2. **That the written communications provided by Carmina Tupe on behalf of the Building Industry and Land Development Association (BILD) be received; and,**
3. That the proposed amendments be referred to the Development Services Committee Public Meeting to be held on December 3, 2019; and,
4. **That Staff be directed to meet with representatives of the Building Industry and Land Development Association (BILD) regarding the**

proposed amendments prior to the December 3, 2019 Development Services Committee Public Meeting; and further,

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

Carried

10. REGULAR REPORTS - CULTURE AND ECONOMIC DEVELOPMENT ISSUES

10.1 FRIENDS OF THE MARKHAM MUSEUM BOARD MINUTES (MAY 8, JUNE 12, SEPTEMBER 18, 2019) AND EXTRACT DATED MAY 8, 2019 (16.0)

There was no discussion on this item.

Moved by Deputy Mayor Don Hamilton

Seconded by Councillor Andrew Keyes

1. That the minutes of the Friends of the Markham Museum Board meeting held May 8, June 12 and September 18, 2019, be received for information purposes; and,
2. That Council endorse the recommendations from the May 8, 2019 Friends of the Markham Museum Board Extract:

"THAT the list of artifacts for deaccession (attachment C) from the Saw Mill and Honey House Collection (in Chapman House) be approved for acceptance and submitted to the City of Markham for final approval."

Carried

11. MOTIONS

There were no motions.

12. NOTICES OF MOTION

There were no notices of motion.

13. NEW/OTHER BUSINESS

There was no new / other business.

14. ANNOUNCEMENTS

There were no announcements.

15. CONFIDENTIAL ITEMS

Development Services Committee did not proceed into confidential session.

15.1 DEVELOPMENT SERVICES COMMITTEE CONFIDENTIAL MINUTES - NOVEMBER 12, 2019 (10.0) [Section 239 (2) (e)]

Development Services Committee consented to postpone consideration of this item to a future meeting.

15.2 CULTURE AND ECONOMIC DEVELOPMENT ISSUES

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

***Development Services Committee consented to consider this item in public session.**

MARKHAM INNOVATION EXCHANGE (MiX) (8.0)

Stephen Chait, Director, Economic Growth, Culture & Entrepreneurship, delivered a presentation on the Markham Innovation Exchange (MiX). Mr. Chait provided members of Committee with an overview of the MiX project, including the timeline of the development concept for the subject lands, strategic vision for the MiX area, and recommended next steps.

Joe Berridge, Urban Strategies, addressed the Committee and provided members with an overview of the strategic context of the subject lands as well as the economic development opportunities associated with the MiX vision relative to emerging trends in the information technology economy.

The Committee discussed the following relative to the presentation:

- Distinguishing features and strategic opportunities associated with an innovation district development model relative to those of urban growth centres and traditional business parks;

- Opportunity to leverage and support Markham's reputation as a leader in the information technology economy through strategic implementation of the MiX project;
- Importance of securing appropriate employment uses in the Phase 1 development process in accordance with the long-term vision and objectives of the MiX;
- Need for commercial amenities and public transit enhancements to attract and retain investment in the MiX;
- Suggested inclusion in the RFP a call for advice on strategic real estate investment options to optimize returns on lands owned by the City within the MiX area; and,
- Anticipated timetable for the delivery of servicing infrastructure for the Phase 1 lands.

Moved by Mayor Frank Scarpitti

Seconded by Councillor Alan Ho

- 1. That the presentation entitled “Markham Innovation Exchange (MiX)” be received; and,**
- 2. That staff be authorized to engage in an RFP process for the advisory/consulting work necessary to prepare the call for investor interest; and,**
- 3. That Capital funds not exceeding \$510,000 (inclusive of HST) be pre-approved as part of the 2020 Capital Budget for advisory/consulting work to prepare the call for investor interest, and to be funded from the Land Acquisition Reserve; and further,**
- 4. That staff be directed to do all things necessary to give effect to the recommendations in the staff presentation.**

Carried

16. ADJOURNMENT

Moved by Councillor Isa Lee

Seconded by Councillor Khalid Usman

1. That the Development Services Committee meeting adjourn at 3:36 PM.

Carried



Development Services Public Meeting Minutes

Meeting Number 11

November 19, 2019, 7:00 PM - 10:00 PM

Council Chamber

Roll Call	Mayor Frank Scarpitti	Councillor Reid McAlpine
	Deputy Mayor Don Hamilton	Councillor Karen Rea
	Regional Councillor Jack Heath	Councillor Andrew Keyes
	Regional Councillor Joe Li	Councillor Khalid Usman
	Councillor Keith Irish	Councillor Isa Lee
	Councillor Alan Ho	
Regrets	Regional Councillor Jim Jones	Councillor Amanda Collucci
Staff	Ron Blake, Senior Development	Laura Gold, Council/Committee
	Manager, Planning & Urban Design	Coordinator
	Sally Campbell, Manager, East	Scott Chapman, Election &
	District	Council/Committee Coordinator
	David Miller, Manager, West District	

Alternate formats for this document are available upon request

1. CALL TO ORDER

The Development Services Public Meeting convened at the hour of 7:03 PM in the Council Chamber with Councillor Keith Irish presiding as Chair.

2. DISCLOSURE OF PECUNIARY INTEREST

None disclosed.

3. DEPUTATIONS

Deputations were received for the following items:

#4.1 - 12 & 16 Deer Park Lane

#4.2 - 11087 Victoria Square Blvd (SV Sisdimz Corp.)

Refer to the individual item for the deputation details.

4. REPORTS

4.1 PRELIMINARY REPORT APPLICATION FOR ZONING BY-LAW AMENDMENT TO PERMIT TWO SEMI-DETACHED AND ONE SINGLE DETACHED DWELLING AT 12 & 16 DEER PARK LANE ON THE WEST SIDE OF ELIZABETH STREET. (WARD 4) FILE NO. ZA 19 128208 (10.5)

The Public Meeting for this date was to consider an application submitted by Gil and Marina Shcolyar for a Zoning By-law Amendment to permit two semi-detached lots and one single detached dwelling at 12 & 16 Deer Park Lane on the west side of Elizabeth Street (Ward 4) (File No. ZA 19 128208).

The Committee Clerk advised that 222 notices were mailed on October 30, 2019, and a Public Meeting sign was posted on October 1, 2019. One written submission was received regarding this proposal.

Sally Campbell, Manager, East District, delivered a presentation regarding the development application, including an overview of the site context, applicable Official Plan and zoning context, issues and considerations identified by staff, and next steps in the application process.

Murray Evans, Evans Planning, consultant for the applicants, delivered a presentation on the development application, including an overview of the site context, conceptual site plan and conceptual renderings.

Cathy Lee, Markham resident, addressed the Committee and stated concerns with the potential impacts resulting from the proposed development scale for the subject lands, including compatibility with surrounding properties in the Heritage District, increased parking on adjacent residential streets, and safety concerns related to increased traffic infiltration and a lack of adequate traffic controls at the intersection of Deer Park Lane and Elizabeth Street/Wales Avenue.

The Committee discussed the following relative to the development application:

- Options for addressing drainage issues impacting the subject lands and adjacent properties;
- Potential traffic control improvements to mitigate traffic infiltration and safety concerns on residential streets adjacent to the subject lands;

- Concerns about potential parking on adjacent residential streets resulting from inadequate parking capacity for the proposed units;
- Feasibility of constructing a sidewalk on the north side of Deer Park Lane; and,
- Ensuring compatible design and development scale relative to the neighbouring Heritage District, to be secured through a future development agreement as recommended by Heritage Markham at its September 23, 2019 meeting.

Moved by Councillor Karen Rea

Seconded by Mayor Frank Scarpitti

1. That the Development Services Commission report dated September 23, 2019, entitled “Preliminary Report, Application for Zoning By-law Amendment to permit two semi-detached and one single detached dwelling at 12 & 16 Deer Park Lane on the west side of Elizabeth Street. (Ward 4). File No. ZA 19 128208”, be received; and,
2. That the deputation made by Cathy Lee at the November 19, 2019 Development Services Committee Public Meeting regarding the Zoning By-law Amendment application to permit two semi-detached and one single detached dwelling at 12 & 16 Deer Park Lane on the west side of Elizabeth Street be received; and,
3. That the communications submitted by Bruce Orpwood to the November 19, 2019 Development Services Public Meeting regarding the Zoning By-law Amendment application to permit two semi-detached and one single detached dwelling at 12 & 16 Deer Park Lane on the west side of Elizabeth Street be received; and,
4. That the Record of the Public Meeting held on October 22nd, 2019 with respect to the proposed application for Zoning By-law Amendment, be received; and,
5. That the applications by Evans Planning Inc., for a Zoning By-law Amendment (ZA 19 128208) be referred back to staff for a report and a recommendation; and further,
6. That staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

4.2 PRELIMINARY REPORT APPLICATION FOR OFFICIAL PLAN AMENDMENT, ZONING BY-LAW AMENDMENT, AND DRAFT PLAN OF SUBDIVISION, SUBMITTED BY SV SISDIMZ CORP. AT 11087 VICTORIA SQUARE BOULEVARD (WARD 2) FILE NO. PLAN 19 161649 (10.3, 10.5, 10.7)

The Public Meeting for this date was to consider an application submitted by SV Sisdimz Corp. for an Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision for 17 townhouse units and 9 townhouse live/work units at 11087 Victoria Square Boulevard (Ward 2) (File No. Plan 19 161649).

The Committee Clerk advised that 83 notices were mailed on October 29, 2019, and a Public Meeting sign was posted on October 29, 2019. No written submissions were received regarding this proposal.

David Miller, Manager, West District, addressed the Committee and delivered a presentation on the development application, including an overview of the area context, applicable Official Plan and zoning context, and next steps in the application process.

Marshal Smith, KLM Planning Partners, consultant for the applicant, addressed the Committee and delivered a presentation on the development proposal, including an overview of the site context, conceptual site plan, and conceptual elevations.

John Castro, Empire Communities, consultant for the neighbouring landowner to the south of the subject lands, addressed the Committee and requested that the applicant enter into a cost-sharing agreement with his client for the construction of required community servicing infrastructure.

The Committee discussed the following relative to the development application:

- Viability of the proposed commercial units resulting from the setback from Victoria Square Boulevard and a lack of adequate on-site and adjacent on-street visitor parking;
- Potential incorporation of municipal surplus lands abutting Victoria Square Boulevard into the proposed development;
- Opportunities and implications of providing for additional land use intensification and permissions for the subject lands under the 2014 Official Plan;
- Concerns about a deficiency in outdoor amenity space to serve residents of the proposed development; and,

- Potential remediation required for the subject lands resulting from the previous use as a motor vehicle service station.

Moved by Councillor Alan Ho

Seconded by Councillor Khalid Usman

1. That the Development Services Commission report dated October 28, 2019, entitled “Preliminary Report, Application for Official Plan Amendment, Zoning By-law Amendment, and Draft Plan of Subdivision, submitted by SV Sisdimz Corp. at 11087 Victoria Square Boulevard (Ward 2), File No. PLAN 19 161649”, be received; and,
2. That the deputation made by John Castro, Empire Communities, at the November 19, 2019 Development Services Public Meeting regarding the applications submitted by SV Sisdimz Corp. at 110187 Victoria Square Boulevard be received; and,
3. That the Record of the Public Meeting held on November 19, 2019 with respect to the proposed applications for Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision, be received; and,
4. That the applications by SV Sisdimz Corp., for a proposed Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision (PLAN 19 161649), be referred back to staff for a report and a recommendation; and further,
5. That staff be authorized and directed to do all things necessary to give effect to this resolution

Carried

5. ADJOURNMENT

Moved by Councillor Khalid Usman

Seconded by Deputy Mayor Don Hamilton

1. That the Development Services Public Meeting adjourn at 9:06 PM.

Carried

**Heritage Markham Committee Meeting
City of Markham**

November 13, 2019

Canada Room, Markham Civic Centre

Members

Graham Dewar, Chair
Doug Denby
Evelin Ellison
Anthony Farr
Shan Goel
Councillor Reid McAlpine
David Nesbitt
Jennifer Peters-Morales
Councillor Karen Rea

Regrets

Maria Cerone
Ken Davis
Councillor Keith Irish
Paul Tiefenbach

Staff

Regan Hutcheson, Manager, Heritage Planning
George Duncan, Senior Heritage Planner
Peter Wokral, Senior Heritage Planner
Victoria Hamilton, Committee Secretary (PT)

Graham Dewar, Chair, convened the meeting at 7:23 PM by asking for any disclosures of interest with respect to items on the agenda.

Graham Dewar disclosed an interest with respect to Item # 6 (34 Main Street North, Markham Village HCD), by nature of being the contractor, and did not take part in the discussion of or vote on the question of the approval of this matter.

Anthony Farr disclosed an interest with respect to Item # 6, (38 Colborne Street, Thornhill HCD), by nature of being the neighbour, and did not take part in the discussion of or vote on the question of the approval of this matter.

1. Approval of Agenda (16.11)

- A) Addendum Agenda
- 91 and 93 Main Street North, Markham Village HCD
- B) New Business from Committee Members
- Heritage Markham December 2019 Meeting and Year End Reception

Recommendation:

That the November 13, 2019 Heritage Markham Committee agenda be approved, as amended.

CARRIED

**2. Minutes of the October 9, 2019
 Heritage Markham Committee Meeting (16.11)**

Extracts: R. Hutcheson, Manager of Heritage Planning

[Minutes](#)

Recommendation:

That the minutes of the Heritage Markham Committee meeting held on October 9, 2019 be received and adopted, as presented.

CARRIED

**3. Other Subject,
 Doors Open Markham,
 Heritage Markham Representative (16.11)**

Extracts: R. Hutcheson, Manager of Heritage Planning

[Memorandum](#)

George Duncan, Senior Heritage Planner, addressed the Committee and summarized the details outlined in the memo. He requested that the citizen committee members consider joining the Doors Open Markham Organizing Committee.

Recommendation:

That Heritage Markham continue to be represented on the Doors Open Markham Organizing Committee by Councillor Reid McAlpine only at this time, until such time as a citizen member of Heritage Markham comes forward to volunteer.

CARRIED

**4. Financial Matters,
2020 Heritage Markham Committee Budget (16.11)**

Extracts: R. Hutcheson, Manager of Heritage Planning

Memorandum

Regan Hutcheson, Manager of Heritage Planning, addressed the Committee and summarized the details outlined in the memo, noting that the Heritage Markham budget was part of Planning and Urban Design.

Councillor McAlpine inquired whether the estimated actual expenses for 2019 were available. Staff commented that the expenses were under budget as some funds were not spent.

There was discussion regarding the use of funds and adjustments to various budget line items. The Committee requested that the Meeting Refreshments budget be changed to \$600, and the Year End Reception budget be changed to \$500. It was suggested that the reception should be catered rather than having Staff provide the refreshments.

The Committee requested that the funds allocated for Committee members to attend the Ontario Heritage Conference be noted as a separate line item in the budget.

Recommendation:

That Heritage Markham endorses a Heritage Markham budget for 2020 in the amount of \$8,150.00; and,

That the budget for 2020 be forwarded to the Director of Planning and Urban Design (Development Services Commission).

CARRIED

**5. Committee of Adjustment Variance Application,
 28 Church Street,
 Markham Village Heritage Conservation District,
 Proposed Addition to an Existing Heritage Dwelling (16.11)**

File Number: A/92/19

Extracts: R. Hutcheson, Manager of Heritage Planning
 P. Wokral, Heritage Planner
 J. Leung, Committee of Adjustment

Memorandum

Peter Wokral, Senior Heritage Planner, addressed the Committee and summarized the details outlined in the memo, noting the reduced number of variances as well as the revisions to the scope of the remaining variances.

The applicant's representative, Stefano DiGiulio of SDG Designs, was in attendance and presented the revised design, including restoration of the chimney. S. DiGiulio remarked that his arborist advised that the black walnut tree bordering the properties of 28 and 32 Church Street was under joint ownership by the properties because the trunk and root bed had grown into 28 Church Street, and that efforts to retain the tree were going to be made including the use of horizontal board hoarding, air spading around the tree, and a hydrovac to perform an investigative trench to determine whether the tree may be damaged during the construction. The value of the tree, and cost for its replacement, was discussed.

It was noted that the revised house size was 3,703 ft², whereas the memorandum stated 4,122 ft².

In response to an inquiry, S. DiGiulio advised that the proposed house would be 10.6 feet deeper than the house at 32 Church Street.

The committee noted their preference that the addition not overwhelm the existing heritage home, and recommended that the height of the house be reduced by 3 feet in height. S. DiGiulio advised he was willing to revise the drawings to reflect the Committee's recommendation.

A deputation was made by Jamie Therien, the owner of 32 Church Street, who expressed concern that the depth of the proposed house was still greater than the other houses on the street, and that the other houses were built within the bylaw. He stated that he appreciated the adjustments made, but that the proposed dwelling was still too large.

S. DiGuilo was asked by the Chair to depart the room at 7:56 p.m. following multiple requests by the Chair not to interrupt J. Therien during the deputation. He was requested to return following the conclusion of J. Therien's deputation.

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In response to an inquiry from the committee, S. DiGiulio advised that they were moving the location of the proposed driveway away from 32 Church Street, out of respect for the neighbour.

The committee expressed concern that the proposed house would extend in front of, and behind, the house at 32 Church Street.

Staff provided further clarification on their reasoning for recommending the acceptance of the variances, noting that it would be preferable for the mass to be reduced with the height of the proposed house lowered, and permitting the house to have a greater depth to allow for an appropriate transition in height from the 1-storey heritage house to the 2-storey addition. Staff noted that records indicated that 32 Church Street had obtained a depth variance in the past to permit a building depth of 20.02 meters.

The committee discussed the setback of the proposed house, with it being noted that the houses on this street did not historically have the same setbacks.

The committee stated that the posts in front of the garage did not match the porch posts or the style of the house, and that aesthetically it would be better for the posts to match.

There was a brief discussion regarding the possibility of a second suite in the basement, and the greenery of the backyard.

At the request of the committee, a revised streetscape was reviewed.

The committee inquired whether the front would be a vaulted ceiling or flat. S. DiGiulio advised that it was dependent on the original timber found once construction commenced.

S. DiGiulio was asked for his position regarding the recommendations made by Staff, to which he responded that he was willing to make the requested design revisions. Regarding the street facing gable over the garage, Staff advised that it did not serve any function and did not match the style of the simple working cottage of the heritage home.

The committee commented that the applicant may wish to consider simplifying the siding material and style as well as the roof line to keep the focus on the heritage house.

Recommendation:

That Heritage Markham has no objection to the requested variance to permit a Minimum Front Yard Setback of 2.23m (7ft.) for the minor relocation of the existing cultural heritage resource at 28 Church Street; and,

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That Heritage Markham has no objection to the requested variances to permit a maximum building depth of 24.2m (79.3 ft.) and a maximum net floor area ratio of 46.1% for the addition to the existing heritage dwelling at 28 Church Street conditional upon the owner obtaining Site Plan Approval generally based on the design concept prepared by SDG Design on November 5, 2019; and,

That the Site Plan Control Application address the tree issue and any necessary protection requirements, and the following design revisions related to the proposed addition and restoration of the main house:

- Incorporation of some of the second storey room volumes within the roof structure to further reduce the height of the addition by 3 feet;
- the elimination of the shed roof over the rear slope of the heritage portion of the existing dwelling with the connecting link no higher than the ridge of the heritage roof;
- the deletion of the large wooden ornamental brackets at the peak of the gable roofs of the addition;
- deletion of the street facing gable above the garage; and
- replacement of the proposed Arts & Crafts front door in the heritage portion of the house with a historically appropriate, solid wood, six, or four panel door;

CARRIED

**6. Heritage Permit Applications,
 Delegated Approvals: Heritage Permits,
 38 Colborne Street, Thornhill HCD,
 205 Main Street, Unionville HCD,
 17 Maple Lane, Unionville HCD,
 33 Joseph Street, Markham Village HCD,
 34 Main Street North, Markham Village HCD (16.11)**

File Numbers: HE 19 137859

HE 19 138161

HE 19 137648

HE 19 137651

HE 19 138677

Extracts: R. Hutcheson, Manager of Heritage Planning

[Memorandum](#)

Graham Dewar disclosed an interest with respect to Item # 6 (34 Main Street North, Markham Village HCD), by nature of being the contractor, and did not take part in the discussion of or vote on the question of the approval of this matter.

Anthony Farr disclosed an interest with respect to Item # 6, (38 Colborne Street, Thornhill HCD), by nature of being the neighbour, and did not take part in the discussion of or vote on the question of the approval of this matter.

Graham Dewar recused himself from the discussion and this item was chaired by Jennifer Peters-Morales.

The committee requested clarification on the location of the privacy fence to be erected. Staff advised that the fence would face Albert Street and that a permit was required due to the bylaw regarding frontage of the house being Albert Street although the house faced Joseph Street. Staff clarified that only a portion of the back yard would be enclosed.

Recommendation:

That Heritage Markham receive the information on heritage permits approved by Heritage Section staff under the delegated approval process.

CARRIED

- 7. Building or Sign Permit Application,
 Demolition Permit Application,
 Delegated Approvals: Building, Demolition and Sign Permits,
 30 Colborne Street, Thornhill HCD,
 8966 Woodbine Avenue, Buttonville HCD,
 11 Princess Street, Markham Village HCD,
 151 Main Street, Unionville HCD,
 175 Main Street, Unionville HCD,
 70 Karachi Drive, Individually Designated (16.11)**

File Numbers: 18 255929 HP

19 135126 AL

19 133557 DP

19 120840 SP

19 136465 SP

19 134589 SP

Extracts: R. Hutcheson, Manager of Heritage Planning

[Memorandum](#)

Recommendation:

That Heritage Markham receive the information on building, demolition and sign permits approved by Heritage Section staff under the delegated approval process.

CARRIED

- 8. Information,
 Ministry of Heritage, Sport, Tourism and,
 Culture Industries (16.11)**

Extracts: R. Hutcheson, Manager of Heritage Planning

[Memorandum](#)

Recommendation:

That Heritage Markham Committee receive the information on the changes to the Ministry responsible for cultural heritage resources.

CARRIED

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**9. Information,
 Architectural Conservancy of Ontario (ACO) Heritage Awards (16.11)**

Extracts: R. Hutcheson, Manager of Heritage Planning
 G. Duncan, Senior Heritage Planner

[Memorandum](#)

Recommendation:

That Heritage Markham Committee congratulates George Duncan, local author (and Markham's Senior Heritage Planner) on winning the 2019 Stephen A. Otto Award for Scholarship from the Architectural Conservancy of Ontario for his book "*Unionville – A Village in the City*".

CARRIED

**10. Site Plan Control Application (Re-circulation),
 2968 Elgin Mills Road,
 Semi-Detached Dwellings,
 Victoria Square Community (16.11)**

File Number: SC 14 109571

Extracts: R. Hutcheson, Manager of Heritage Planning
 R. Cefaratti, Senior Planner

[Memorandum](#)

Recommendation:

That based on the streetscape drawings, Heritage Markham has no further comments on the proposed development at 2968 Elgin Mills Road from a heritage perspective.

CARRIED

**11. Request for Feedback,
 195 Main Street North,
 Markham Village Heritage Conservation District,
 Proposed Demolition of a Non-Heritage Detached Garage (16.11)**

Extracts: R. Hutcheson, Manager of Heritage Planning
 P. Wokral, Senior Heritage Planner

[Memorandum](#)

Recommendation:

That Heritage Markham has no objection to a future demolition permit application for the existing one and one half storey detached accessory building at 195 Main Street N.

CARRIED

**12. Site Plan Control Application,
 180 Main Street North, Markham Village,
 Proposed Commercial Parking Lot and,
 Addition to Heritage House (16.11)**

File Number: SPC 19 134808

Extracts: R. Hutcheson, Manager of Heritage Planning
 P. Wokral, Senior Heritage Planner

[Memorandum](#)

Recommendation:

That Heritage Markham has no objection to the proposed 10 space parking lot layout for 180 Main Street N. prepared by Stevens Burgess Architects Ltd. in May 2019; and,

That Heritage Markham has no objection to the proposed one storey addition to the existing heritage building and concrete barrier free ramp prepared by Stevens Burgess Architects Ltd. in May 2019, subject to the minor improvements identified by staff; and,

That final review of the site plan application and any necessary development application required to approve the plans prepared by Stevens Burgess Architects Ltd. in May 2019 be delegated to Heritage Section Staff; and further,

That the applicant enter into a site plan agreement with the City containing the standard conditions regarding materials, windows, colours etc.

CARRIED

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**13. Information,
 15 Colborne Street, Thornhill Heritage Conservation District,
 Council Approval – Amendment to the Robert Jarrot House,
 Statement of Cultural Heritage Value or Interest (16.11)**

Extracts: R. Hutcheson, Manager of Heritage Planning

[Extract](#)

Recommendation:

That Heritage Markham receive as information.

CARRIED

**14. Heritage Permit Application,
 185 Main Street Unionville,
 Unionville Heritage Conservation District,
 Proposed Seating Area (16.11)**

File Number: HE 19 137681

Extracts: R. Hutcheson, Manager of Heritage Planning
 P. Wokral, Senior Heritage Planner
 D. McDermid, Parks Operations
 D. Plant, Senior Manager Parks Operations

[Memorandum](#)

Peter Wokral, Senior Heritage Planner, addressed the Committee and summarized the details outlined in the memo, noting that the project was being funded through a grant from the province.

A committee member expressed concern regarding the removal of the limited green space along Main Street, and inquired whether community groups had had an opportunity to discuss this matter.

Councillor Reid McAlpine commented that consideration was given as to where the funds should be spent and that the creation of more public gathering places and seating along Main Street was the primary incentive for this project. He commented that the project had to be completed by March 2020 which did not permit time for feedback from the community groups.

Councillor McAlpine inquired after the material proposed for the black metal fence. Staff advised that a hot dipped metal fence was proposed.

There was a brief discussion regarding alternate options for the funding, with it being noted that the funding deadline was the limiting factor in considering other options at this time.

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Recommendation:

That Heritage Markham has no objection to the proposed re-landscaping of the public lands identified in the Heritage Permit application HE 19 137681; and

That any further review, including furniture selection, be delegated to Heritage Section staff.

CARRIED

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15. Correspondence (16.11)

Extracts: R. Hutcheson, Manager of Heritage Planning

[Correspondence](#)

Recommendation:

That the following correspondence be received as information:

- a) Architectural Conservancy of Ontario: ACORN Magazine, Fall 2019 (Staff has full copy)
- b) Ontario Barn Preservation: Notice of a presentation on November 29, 2019 in Stratford
- c) Society for the Preservation of Historic Thornhill: Newsletter, November 2019 (Staff has full copy)

CARRIED

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**16. Site Plan Control Application,
 377 Main Street North,
 Addition to a Commercial Building,
 Markham Village Heritage Conservation District (16.11)**

File Number: Pending

Extracts: R. Hutcheson, Manager of Heritage Planning
 F. Hemon-Morneau, Project Planner

Memorandum

George Duncan, Senior Heritage Planner, addressed the Committee and summarized the details outlined in the memo, noting that the changes to the exterior would bring the architecture of the building more in line with the Main Street North streetscape from a heritage perspective.

The applicant's representative, David Johnston, presented the proposed changes, noting that the building previously went through site plan approval for another project several years ago.

The committee recommended that the landscaping and rear fence be improved. D. Johnston advised that this matter was already being discussed with the owner.

The committee inquired why the height of the second storey was being raised to a full two storeys. D. Johnston advised that the current vertical walls were only 2.5 feet before angling in, which was too low for cabinets to be placed against the walls to maximize the use of the space.

Recommendation:

That Heritage Markham supports the proposed alterations to the Type C commercial building at 377 Main Street North from a heritage perspective subject to the applicant entering into a site plan agreement containing the standard conditions regarding colours, materials, etc, and the shutters being a traditional louvered design; and

That Heritage Markham recommends the landscaping and rear fence of the property be improved; and

That if any variances are found to be required in order to implement the project during the circulation of the application to Zoning, that the application be brought back to the Heritage Markham Committee for further review and comment.

CARRIED

**17. Request for Feedback,
7111 Reesor Road,
Proposed Stone-Coated Metal Panel Roof,
The Robert Milroy House (16.11)**

Extracts: R. Hutcheson, Manager of Heritage Planning
P. Wokral, Senior Heritage Planner

[Memorandum](#)

Peter Wokral, Senior Heritage Planner, addressed the Committee and summarized the details outlined in the memo.

The committee commented that it was difficult to assess whether the look of the proposed metal panels would be appropriate without seeing the product in person.

The committee requested to see a sample of the product in the proposed colour and design and to defer a recommendation until it was reviewed.

Recommendation:

That Heritage Markham defer providing a recommendation until a sample of the proposed roofing product in the correct colour and design is reviewed by the committee.

CARRIED

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 November 13, 2019
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**18. Zoning By-law Amendment Application,
 Official Plan Amendment Application,
 347 Main Street North, Markham Village,
 Proposed Townhouse Development (16.11)**

File Number: Plan 19 123533

Extracts: R. Hutcheson, Manager of Heritage Planning
 P. Wokral, Senior Heritage Planner

Memorandum

Peter Wokral, Senior Heritage Planner, addressed the Committee and summarized the details outlined in the memo. He noted that Staff was awaiting information from the Urban Design Department regarding fire safety and waste disposal plans, and that the plan may require revision as a result.

The applicant's representative, Catherine A. Spears from Spears and Associates Inc., planner for KIANIK Homes was in attendance and provided 120 Robinson Street as an examples of a development in the heritage district with the same format of homes not fronting on a public street.

Councillor Karen Rea advised that the property at 120 Robinson was subsidized housing, and inquired whether the proposed property would have subsidized housing. C. Spears confirmed it would not.

Councillor Rea advised that the neighbouring residents were not pleased with the semi-detached home at 10 and 12 Deer Park, and requested that a community meeting be held in the New Year before this matter returned to Heritage Markham. The applicant's representative agreed to the community meeting.

In response to an inquiry, C. Spears advised that the arborist had provided a Tree Preservation Plan and that there were no plans to remove any of the trees.

Recommendation:

That Heritage Markham defer a recommendation until after a community meeting is held for feedback on the proposed development.

CARRIED

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**19. Request for Feedback,
17 Euclid Street, Unionville Heritage Conservation District,
Proposed Skylights (16.11)**

Extracts: R. Hutcheson, Manager of Heritage Planning
G. Duncan, Senior Heritage Planner

Memorandum

George Duncan, Senior Heritage Planner, addressed the Committee and summarized the details outlined in the memo. He noted that Heritage Staff did not typically support skylights on the roof of a heritage building but in this case, the roof was on a secondary part of building and not visible from street. G. Duncan noted that a building permit or heritage permit would be required to be applied for by the applicant.

The applicant, Victor Chau, was in attendance and in response to an inquiry from the committee, advised that the reason for the skylights was to provide natural lighting in the space rather than using electric lighting.

Recommendation:

That Heritage Markham has no objection from a heritage perspective to the addition of three skylights on the rear roof slopes of the barn at 17 Euclid Street subject to the skylights being flat in profile, coloured to match the roof, placed out of street view and the applicant obtaining the necessary permit from the City.

CARRIED

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**20. Heritage Permit Application,
 91 and 93 Main Street North, Markham Village HCD (16.11)
 File Number: HE 19 139736**

Extracts: R. Hutcheson, Manager of Heritage Planning
 P. Wokral, Senior Heritage Planner

Memorandum

Peter Wokral, Senior Heritage Planner, addressed the Committee and summarized the details outlined in the memo.

Recommendation:

That the Heritage Markham does not support the replacement of the existing wooden shingles at 91 and 93 Main Street North with new vinyl shingles;

That Heritage Markham could support the replacement of the existing wooden shingles on the roof component at 93 Main Street North with an appropriate asphalt shingle that has been reviewed and approved by Heritage Section staff;

That Heritage Markham recommends that the existing shingles on the second storey walls at 91 Main Street North only be replaced with new wooden shingles with the same dimensions and exposure as the existing shingles and be painted or stained in an appropriate colour that has been reviewed and approved by Heritage Section staff; and

That Heritage Markham has no objection to the installation of a metal standing seam roof on the rear bay windows of 91 Main Street North.

CARRIED

**21. Information,
Heritage Markham December 2019 Meeting and Year End Reception (16.11)**

Recommendation:

That the Heritage Markham meeting on December 11, 2019 will begin at 6:15 p.m., or no later than 6:30 p.m., to accommodate the Heritage Markham Year End Reception following the meeting.

CARRIED

22. Adjournment

The Heritage Markham Committee meeting adjourned at 10:03 PM.

CARRIED



Report to: Development Services Committee

Meeting Date: December 9, 2019

SUBJECT: **Recommendation Report**
 Demolition of Listed Barn
 10988 Warden Avenue
 North Markham Planning District, Ward 2

PREPARED BY: George Duncan, CAHP, Senior Heritage Planner, ext. 2296

REVIEWED BY: Regan Hutcheson, MCIP, RPP, CAHP
 Manager of Heritage Planning, ext. 2080

RECOMMENDATION:

- 1) That the report titled “Recommendation Report, Demolition of Listed Barn, 10988 Warden Avenue, North Markham Planning District, Ward 2,” dated December 9, 2019, be received; and,
- 2) That Council not oppose the demolition of the Brumwell Barn and not proceed with designation under Part IV of the Ontario Heritage Act and endorse the recommendations of Heritage Markham Committee with respect to the property owner incorporating selected salvaged materials into the development of the site, advertising the remaining portions of the barn for salvage, provision of a Markham Remembered Interpretive Plaque, and providing a copy of the Heritage Impact Assessment to the Archives of the Markham Museum; and further,
- 3) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

PURPOSE:

To recommend that Council support the demolition of a barn listed on the *Markham Inventory of Property of Cultural Heritage Value or Interest* at 10988 Warden Avenue, within the North Markham Planning District.

BACKGROUND:

The Region of York has purchased the property for a future road maintenance facility

The Region of York has purchased this rural property for a future Southeast District Road Maintenance and Snow Management Facility. The North Planning District has received a Request for Pre-Consultation for an Official Plan Amendment, Zoning By-law Amendment, and Site Plan Control Application in support of the proposed development. Submission of formal applications has not yet occurred, but staff has met with the applicant in connection with the Request for Pre-Consultation.

The property is located within the North Markham Planning District

Under the Markham Official Plan 2014, the subject property is located within the Future Employment Area of the North Markham Planning District. The property is currently zoned A1 (Agricultural) under Bylaw 304-87.

The property is listed on the Markham Register of Property of Cultural Heritage Value or Interest

The property is listed on the *Markham Register of Property of Cultural Heritage Value or Interest*. It contains a gambrel-roofed barn dating from c.1900 known as the Brumwell Barn, a vacant structure. The associated farmhouse, not a heritage building, was demolished in 2017.

The Region has advised the City of their intention to demolish the barn

The Region does not wish to retain and re-use the barn as they have deemed it not suitable for the intended purpose for the property. They have undertaken a Heritage Impact Assessment and a Condition Assessment of the building in support of demolition of the barn. Their consultants have concluded it does not meet the provincial criteria for designation under Part IV of the Ontario Heritage Act and is not suitable for adaptive re-use.

The proposed barn demolition has been before Heritage Markham on two occasions

The proposed demolition of the Brumwell Barn was first before Heritage Markham Committee on June 12, 2019. At that meeting, Heritage Markham decided not to pursue a recommendation to designate the property under the Act on the basis of the consultant report and staff input, but requested that the Region look further into the adaptive re-use of the barn as a part of the future facility. The Region commissioned Tacoma Engineers to undertake a Condition Assessment to determine the feasibility of converting the barn to a storage or office facility, and the conclusions of the report were presented to Heritage Markham at the October 9, 2019 committee meeting. On the basis of the consultant's findings, Heritage Markham agreed to not oppose the demolition of the Brumwell Barn subject to conditions.

Heritage Markham has asked that the Region salvage materials from the barn and to install an interpretive plaque

Heritage Markham requested the following conditions be attached to their decision not to oppose the demolition of the barn:

1. A commitment to salvage selected elements of the barn complex to incorporate into one of the proposed new buildings on the property (such as the office) or possibly as decorative landscape features;
2. A commitment to advertise the availability of the barn structures/materials (that are not needed for #1) for possible re-use elsewhere to avoid the materials going to landfill; and
3. Agreeing through the Site Plan Control application process to provide a Markham Remembered interpretive plaque describing the history of the site, to be installed in a visible location on the property;

And:

That a copy of the Heritage Impact Assessment be provided to the Markham Museum for their Archives.

OPTIONS/ DISCUSSION:

The Ontario Heritage Act enables municipalities to consider protecting listed properties from demolition

For properties listed on the *Register*, the Act enables municipalities to protect a building of cultural heritage value or interest from demolition by passing an Intention to Designate. This must be done within 60 days of an official acknowledgement of receipt of the owner's notification of their intention to demolish. In this case, Heritage Markham has not recommended that Council proceed with an Intention to Designate, based on the relative significance of the Brumwell Barn, its condition, and issues around its potential for adaptive re-use for the Region's purposes.

Staff has no objection to the proposed demolition of the Brumwell Barn and recommends that Heritage Markham's conditions be endorsed by Council

Staff supports Heritage Markham's recommendations concerning the demolition of the Brumwell Barn and the associated conditions. Staff recommends that Council endorse Heritage Markham's conditions to ensure the Brumwell Barn is appropriately commemorated, and through re-use of selective elements, it remains part of the property incorporated into a building or landscape feature.

The Chief Building Official has determined that a demolition permit application is not required for a farm building

Heritage Section staff has been advised that farm buildings are exempt from the requirement for a demolition permit, so the Region may proceed with the demolition of the barn with no further approvals required from the municipality.

FINANCIAL CONSIDERATIONS AND TEMPLATE:

None

HUMAN RESOURCES CONSIDERATIONS

Not Applicable

ALIGNMENT WITH STRATEGIC PRIORITIES:

Not Applicable

BUSINESS UNITS CONSULTED AND AFFECTED:

The demolition request was reviewed by Heritage Markham, Council's advisory committee on heritage matters.

RECOMMENDED BY:

Biju Karumanchery, M.C.I.P., R.P.P.
Director, Planning & Urban Design

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

ATTACHMENTS:

Figure 1: Applicant & Location Map

Figure 2: Building Photograph

FILE PATH:

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FIGURE 1**APPLICANT NAME & LOCATION MAP**

APPLICANT/OWNERS: The Regional Municipality of York

LOCATION MAP:

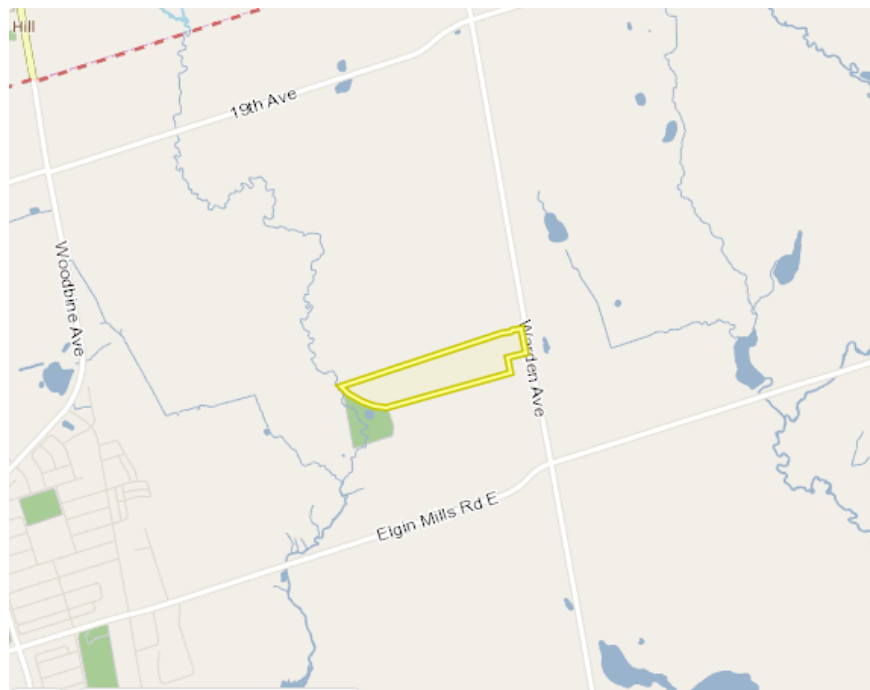


FIGURE 2: BUILDING PHOTOGRAPH



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Brumwell Barn, c.1900, 10988 Warden Avenue



Report to: Development Services Committee

Meeting Date: December 9, 2019

SUBJECT: PRELIMINARY REPORT
 Application for Zoning By-law Amendment and Draft Plan of Subdivision, submitted by FLATO Developments Inc. (Shakir Rehmatullah) at 2695 Elgin Mills Rd, to permit the development of a 3-storey office building and 5-storey hotel with attached convention centre (Ward 2)
 File No. PLAN 19 119540

PREPARED BY: Marty Rokos, MCIP, RPP, ext. 2980, Senior Planner

REVIEWED BY: David Miller, MCIP, RPP, ext. 4960, Manager, West District

RECOMMENDATION:

That the report titled “PRELIMINARY REPORT, Application for Zoning By-law Amendment and Draft Plan of Subdivision, submitted by FLATO Developments Inc. (Shakir Rehmatullah) at 2695 Elgin Mills Rd, to permit the development of a 3-storey office building and 5-storey hotel with attached convention centre (Ward 2)” be received.

PURPOSE:

This report provides preliminary information on applications for Zoning By-law Amendment and Draft Plan of Subdivision. This report contains general information regarding applicable Official Plan (OP) or other policies as well as other issues. The report should not be taken as Staff’s opinion or recommendation on the application.

PROCESS TO DATE:

Applications for Zoning By-law Amendment and Draft Plan of Subdivision were deemed complete by the City on October 15, 2019.

Next Steps

- Statutory Public Meeting; and
- Recommendation Report.

BACKGROUND:

On September 13, 2019 the applicant submitted complete applications for Zoning By-law Amendment and Draft Plan of Subdivision. The property subject to the applications is located on the south side of Elgin Mills Road between Highway 404 and Woodbine Avenue. It has an area of approximately 27,272 m² (6.74 acres) with a frontage of approximately 9.5 m on Elgin Mills Road East. The total developable area is 15,994 m² (3.95 acres). There are no buildings on the property. A tributary of Lower Carlton Creek and an associated natural heritage corridor run through the southerly portion of the property. An existing driveway accesses the property from Elgin Mills Road.

The surrounding land uses are as follows:

North: Elgin Mills Road East, low rise residential lands, vacant employment lands adjacent to Highway 404, and two heritage dwelling fronting the north side of Elgin Mills Road East.

East: Vacant lands designated “Business Park Employment”

South: Vacant lands designated “General Employment”

West: Highway 404 and vacant lands in the City of Richmond Hill

Proposal

The applicant is proposing an office and hotel complex with a convention centre. The approximate gross floor areas (GFA) of the proposed buildings are as follows:

- 3-storey office building, 2,600 m² (27,986 sq. ft.)
- 5-storey hotel, 5,700 m² (61,354 sq. ft.). The number of rooms in the proposed hotel has not been identified at this time.
- 1-storey convention centre attached to the hotel, 930 m² (10,010 sq. ft.).

The total proposed GFA would be approximately 9,230 m² (99,351 sq. ft.) which results in a floor space index (FSI) of approximately 0.57 across the total developable area. A total of 278 parking spaces are proposed, including 110 underground spaces. Because of the narrowness of the frontage on Elgin Mills Road and the site’s proximity to the Highway 404 interchange, the buildings are oriented to a proposed extension of an existing municipal road stub off Woodbine Avenue. The road extension is proposed as a cul-de-sac that provides vehicular access to the development and terminates at the boundary of the subject lands.

Official Plan 2014

The subject lands are designated “Business Park Employment” under the 2014 Official Plan (as partially approved on November 24, 2017 and further updated on April 9, 2018) and is also subject to the area specific policies of the Cathedral district.

The “Business Park Employment” designation applies to lands adjoining 400 series highways and is to be planned and developed for prestige industrial and office development, frequently in larger scale buildings located on large properties. This designation is intended to provide strategic locations planned and developed for prestige, larger scale, industrial and office development in business park settings offering high visibility and excellent access to 400 series highways, arterial roads, and transit services. The Official Plan provides for the proposed uses, including offices, hotels and convention centres.

Zoning

The subject lands are zoned “Rural Residential Four (RR4)” Zone in By-law 304-87. The RR4 Zone permits a single detached dwelling, home occupation, private home daycare, agricultural uses, and public conservation. The applicant proposes to remove the subject lands from By-law 304-87 and incorporate them into By-law 177-96. The lands would be rezoned from RR4 to a site specific “Business Park (BP)” Zone and “Open Space One (OS1)” Zone.

The proposed site specific BP Zone would permit the same uses as the parent BP Zone, including business offices, hotels, motels, and trade and convention centres. The Official Plan provides for the proposed uses. It would have site specific performance standards relating to maximum depth of the front and exterior side yard parking areas, minimum height for a convention centre, and definitions for front and exterior side lot lines.

Draft Plan of Subdivision

The Draft Plan of Subdivision proposes to create the development and natural wildlife corridor blocks.

OPTIONS/ DISCUSSION:

The following is a brief summary of the issues raised to date. These matters, and others identified through the circulation and detailed review of the proposal, will be addressed, if necessary, in a final report to the Committee:

1. Revise the Block Plan and Draft Plan to show a loop road that continues in a crescent shape through the subject lands and intersects with Woodbine Avenue again at the road stub to the south opposite Betty Roman Boulevard.
2. Further details on the conceptual site plan are required, including but not limited to dimensions, setbacks, parking spaces, landscaped areas, pedestrian circulation, etc.
3. Resolve any issues resulting from the review of technical studies including the Planning Rationale, Transportation Mobility Plan, Environmental Site Assessment, Functional Servicing Report, Stormwater Management Report, and Noise Report.
4. Confirm any outstanding financial obligation, including but not limited to cash in lieu of parkland dedication, tree replacement/compensation, and public art contribution.
5. Resolve any issues relating to the natural heritage corridor on the southerly portion of the subject lands.

FINANCIAL CONSIDERATIONS

Not applicable.

HUMAN RESOURCES CONSIDERATIONS

Not applicable.

ALIGNMENT WITH STRATEGIC PRIORITIES:

The proposed development is to be evaluated in the context of growth management, environmental, and strategic priorities of Council.

BUSINESS UNITS CONSULTED AND AFFECTED:

The applications have been circulated to various City departments and external agencies and are currently under review.

RECOMMENDED BY:

Biju Karumanchery, M.C.I.P., R.P.P.
Director, Planning and Urban Design

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

ATTACHMENTS:

Figure 1 – Location Map

Figure 2 – Area Context/Zoning

Figure 3 – Aerial Photo (2018)

Figure 4 – Conceptual Site Plan

AGENT:

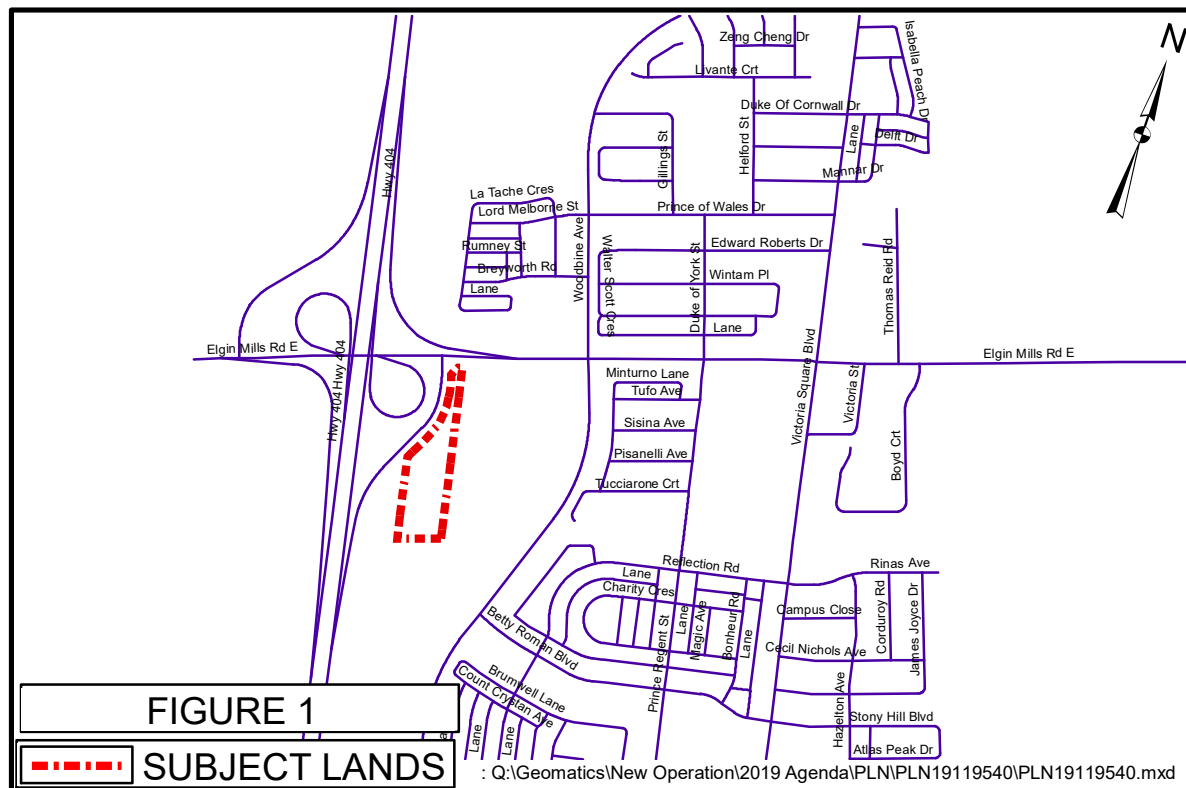
Emma West

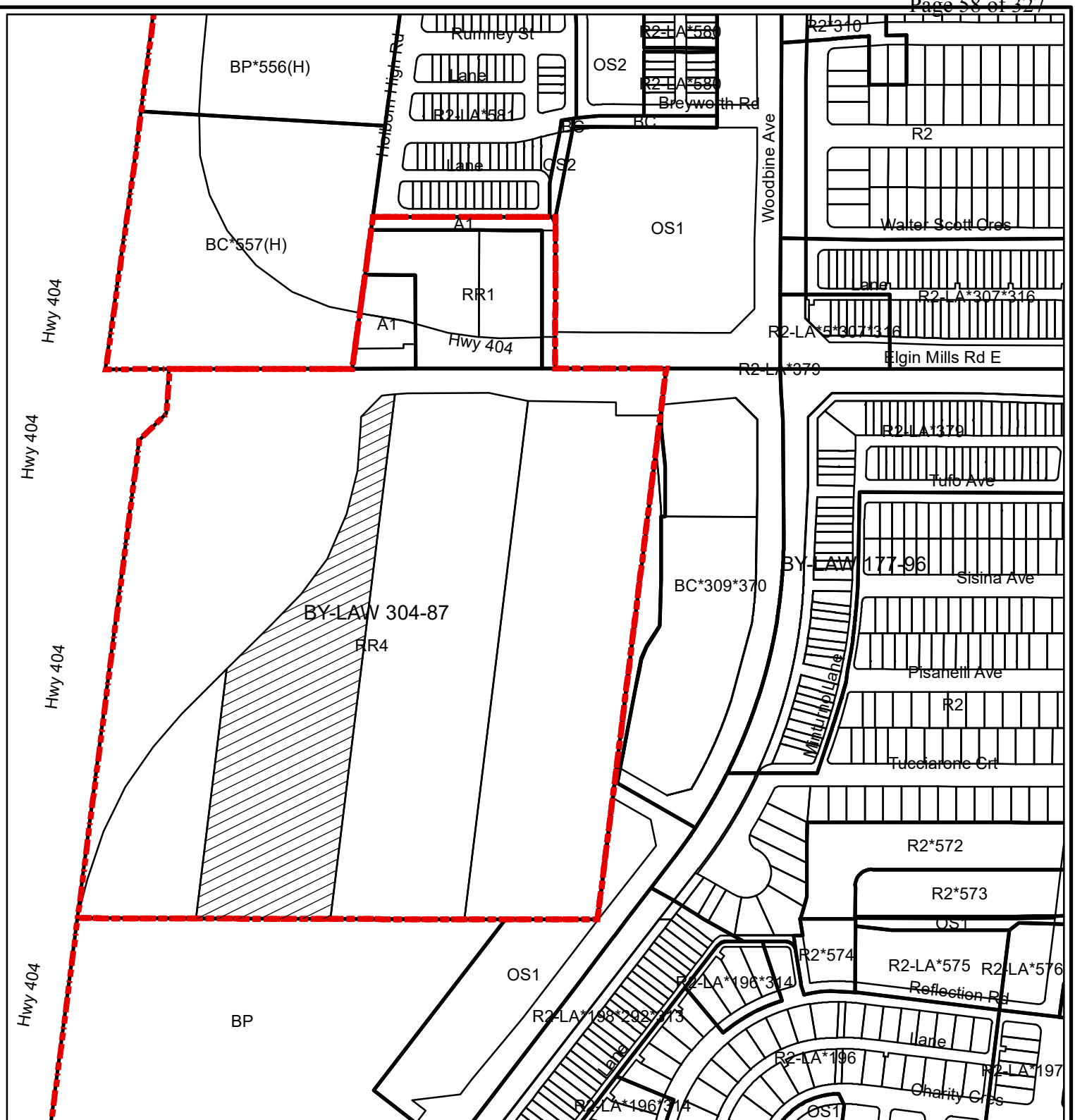
Bousfields Inc.

3 Church Street Unit 200

Toronto, Ontario M5E 1A9

Tel.: 416-947-9744 ext. 266





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AREA CONTEXT/ZONING

APPLICANT: FLATO DEVELOPMENTS INC.
2695 ELGIN MILLS ROAD E.

FILE No: PLN 19119540(MR)

 SUBJECT LANDS

DATE: 10/27/19



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AIR PHOTO 2018

APPLICANT: FLATO DEVELOPMENTS INC.
2695 ELGIN MILLS ROAD E.

FILE No: PLN 19119540(MR)

 SUBJECT LANDS

DATE: 10/27/19



DEVELOPMENT SERVICES COMMISSION

Drawn By: DD

Checked By: MR

FIGURE No. 3





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CONCEPTUAL SITE PLAN

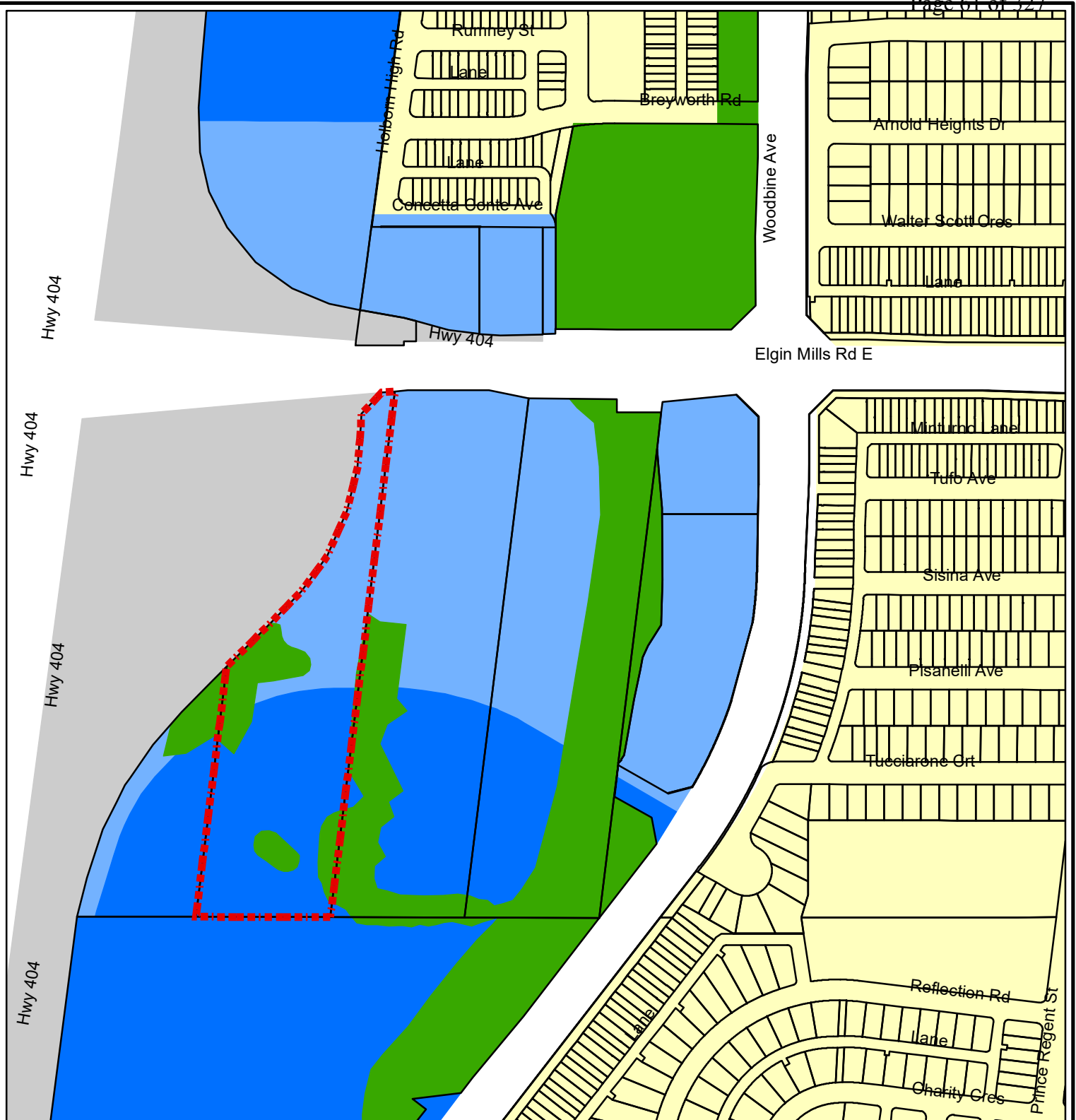
APPLICANT: FLATO DEVELOPMENTS INC.
2695 ELGIN MILLS ROAD E.

FILE No: PLN 19119540(MR)

[Dashed Box] SUBJECT LANDS

DATE: 10/27/19

FIGURE No. 4



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MAP 3 OP LAND USE

APPLICANT: FLATO DEVELOPMENTS INC.
2695 ELGIN MILLS ROAD E.

FILE No: PLN 19119540(MR)

- Business Park Employment
- Greenway
- Residential Low Rise
- Service Employment
- Transportation and Utilities



SUBJECT LANDS DATE: 10/27/19



DEVELOPMENT SERVICES COMMISSION

Drawn By: DD

Checked By: MR

FIGURE No. 5



Report to: Development Service

Meeting Date: December 9, 2019

SUBJECT: Approval of the Continuation of the Markham Designated Heritage Property Grant Program, 2020-2022

PREPARED BY: Peter Wokral, Senior Heritage Planner, ext. 7955
Regan Hutcheson, Manager, Heritage Planning, ext 2080

RECOMMENDATION:

- 1) That the report entitled “Approval of the Continuation of the Markham Designated Heritage Property Grant Program, 2020-2022”, dated December 9, 2019, be received; and,
- 2) That a by-law be adopted to implement the Markham Designated Heritage Property Grant Program (2020-2022) generally in the form attached as Appendix “C” to this report; and,
- 3) That the existing reserve fund entitled “Designated Heritage Property Grant Reserve Fund” continue to be used as the funding source for the program; and,
- 4) That the Designated Heritage Property Grant Program be allocated \$90,000 in funding for the three year period (2020-2022) from the following sources;
 - a. Prior year unused grant funding in the Designated Heritage Property Grant Reserve Fund in the amount of \$56,090;
 - b. A transfer of \$33,910 (\$90,000 - \$56,090) from the Heritage Loan Reserve Fund, which has a current balance of \$160,695; and,
- 5) That By-law 175-81, as amended, (A By-law to Establish a Heritage Fund) be amended as per Appendix “D” to this report; 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 obtain approval for the continuation of the Markham Designated Property Grant Program for an additional three year period (2020-2022) based on an allocation of \$30,000 per year for a total commitment of \$90,000.

BACKGROUND:

Ontario Heritage Act allows Council to provide grants

Sections 39 and 45 of the Ontario Heritage Act allow a Council of a municipality to provide grants to owners of property designated under the Act for the purpose of paying (in whole or in part) the cost of alteration of such designated property on terms and conditions as Council may prescribe.

Council approved the creation of the Markham Designated Heritage Property Grant Program in 2010

On January 19, 2010, Markham Council approved the Markham Designated Heritage Property Grant Program to encourage the preservation, restoration and enhancement of heritage buildings in Markham by providing a financial incentive to private owners of designated properties for the repair and restoration of existing heritage features and the restoration of missing heritage features. The Program was approved and funded for a four year period (2010-2013) using accrued interest generated from the Heritage Loan Fund Reserve as the funding source. The Program was extremely well received by property owners who appreciated the direct financial assistance from the City.

Council extended the program for 2014-2016 and 2017-2019

Council has extended the Designated Heritage Property Grant Program twice for an additional six years in the amount of \$30,000 per year. For the period 2014-2016, the \$90,000 funding for the Program was obtained from the accrued interest generated from the Heritage Loan Fund Reserve, and unused grant money from previous years of the program. For the period 2017-2019, the funding was comprised of accrued interest and capital from the Heritage Loan Fund Reserve and unused grant money from previous years.

Details of the Heritage Property Grant Program

The full details of the program are presented in the Guidelines document and the By-law. Highlights include:

- Total funding in the amount of \$300,000 was allocated to the program over a 10 year period (2010-2019) based on a targeted allocation of \$30,000 per year;
- Assistance to the owner is in the form of a grant representing 50% of eligible work up to a maximum limit of \$5,000 per property for eligible work;
- Minimum amount of eligible work - \$500;
- Properties must be designated under the Ontario Heritage Act (Part IV or Part V). In the case of Part V (Heritage Districts), only properties identified in a district plan as being of cultural heritage value or interest (contributing properties) are eligible;
- Ineligible Projects- Commercial façade projects (front elevation) in heritage districts as there is a separate program and also buildings in Markham Heritage Estates which have been in place for less than 20 years as these owners had received a financial incentive through reduced lot prices;
- Grants are awarded on an annual cycle following a request for applications with a spring deadline established;
- Only one grant is permitted per calendar year per property;
- Subject property has to be in conformity with municipal by-laws and regulations;
- Eligible work primarily involves the repair, restoration or re-creation of heritage features or components (cornices, parapets, doors, windows, masonry, siding, woodwork, verandas, etc.);
- Eligible costs included the cost of materials, equipment and contracted labour (but not donated labour or materials). A grant of up to 50% for architectural/ design/ engineering fees to a maximum of \$1,000 (as part of the maximum permitted grant of \$5,000) is available;

- Two separate estimates of work (due to the specialized nature of the work) are to be provided by a licensed contractor (other than the owner) for consideration;
- Applications are reviewed by City (Heritage Section) staff and the Heritage Markham Committee, and recommended submissions are forwarded to Council for approval;
- Grant commitments are valid for 1 year and expire if the work is not completed within that time period (however an extension can be granted);
- Grants are only paid upon an inspection by staff of the work and submission of receipts to the satisfaction of the City;
- Approved applicants are required to enter into a Letter of Understanding with the City.

Council has also created a number of other heritage financial assistance programs to address specific issues

Council currently offers the following financial assistance programs to the heritage community:

Heritage Property Tax Program - offers an annual property tax refund to help offset the additional maintenance costs associated with conserving the heritage features on a designated property. Municipal and education tax components can be reduced by 30%. Requires a Heritage Easement with the City.

Heritage Loan Fund - Offers a short term loan (5 years) of up to \$15,000 at a reduced interest rate to restore heritage features or replicate lost features on a designated property. The program was created in 1981 and was initially funded in the amount of \$200,000 from the tax base.

Commercial Façade Improvement/Signage Grant - provides matching grants of up to \$15,000 to assist in restoration or improvement to the front elevation exteriors of commercial properties in heritage districts (\$10,000 maximum for non-heritage properties). Assistance up to \$1,000 to replace inappropriate commercial signage in a heritage district is also available.

OPTIONS/ DISCUSSION:

The Program has been well used and has generated private investment

Over the last ten years, Markham Council has approved 88 applications for funding assistance as part of the Designated Heritage Property Grant Program totaling \$354,396. Of these approvals, 64 applications have been completed to date representing \$253,097 in grant assistance (See chart below and Appendix “A”).

Year	Approved Applications	Grant Commitment	Abandoned Applications	Completed Applications	Applications Underway	Grant amount paid
2010	9	29,560	3	6	0	20,635
2011	9	28,630	1	8	0	26,642
2012	12	55,398 *	2	9	0	36,834
2013	13	47,013 *	3	10	0	34,859
2014	5	25,000	0	5	0	25,000
2015	13	51,656 *	1	10	0	40,838
2016	5	21,792	0	0	0	0

2017	11	44,547 *	1	10	0	43,025
2018	6	27,024	2	4	0	18,988
2019	5	23,776**	0	2	3	6,276
Total	88	354,396	13	64	3	253,097

* Council approved a transfer of funds from the Commercial Façade Improvement Grant Program to this program to allow additional applications to be funded above the original annual commitment of \$30,000

**Council approved a transfer of funds from the Designated Heritage Grant Program to the Commercial Façade/Signage Improvement to allow funding above the original commitment of \$25,000

Thirteen projects associated with the grant assistance have been abandoned, while three are still in process. The approved work has included: chimney and veranda reconstructions, reintroducing historic shutters, repainting in historic colours, window and door restoration and replication, production of wooden storm windows, and restoration of masonry walls.

Investing in heritage conservation also helps the local economy by increasing property values, employing local contractors, purchasing supplies from local businesses, and preserving our local heritage resources for future generations. Over the last ten years, on average, every grant dollar awarded has resulted in \$3.88 in private investment. To date, the grants have generated over \$957,080 in private investment in the local economy (see chart below and Appendix “A” for details on the economic impact of this grant assistance program from 2010-2018).

Year	Grant Amounts	Total Private Project Amounts	Multiplier Effect
2010	20,635	116,737	\$1 to \$5.66
2011	26,642	107,700	\$1 to \$4.04
2012	36,834	125,855	\$1 to \$3.42
2013	34,859	126,482	\$1 to \$3.63
2014	25,000	77,134	\$1 to \$3.09
2015	40,838	144,915	\$1 to \$3.55
2016	0	0	0
2017	43,025	195,497	\$1 to \$4.54
2018	18,988	62,760	\$1 to \$3.31
Total	246,821	957,080	\$1 to \$3.88

The continuation of the Program is recommended for an additional three years

As per the staff report of June 7, 2016 which recommended the continuation of the Program (2017-2019), staff was to report to Council in the final year of the program (2019) on the potential extension of the Program.

It is recommended that the Designated Heritage Property Grant Program be extended for an additional three years in the amount of \$30,000 per year for a total expenditure of \$90,000. It is recommended that the administration and procedures of the Program remain the same.

Heritage Markham supports the continuation of the Program

Heritage Markham has consistently supported the continuation of this program.

FINANCIAL CONSIDERATIONS AND TEMPLATE:**Funding the Program**

It is recommended by staff that \$90,000 of the required funding for this grant program be funded as follows:

- a. Prior year unused grant funding in the Designated Heritage Property Grant Reserve Fund in the amount of \$56,090;
- b. A transfer of \$33,910 (\$90,000 - \$56,090) from the Heritage Loan Reserve Fund, which has a current balance of \$160,695.

The loan fund was established in 1981 with an allocation of \$200,000 (tax based) and has been invested successfully for many years when interest rates were high. The current balance is \$160,695.

To use a portion of the principal from the Heritage Loan Fund will require an amendment to the Heritage Loan Fund By-law (see Appendix "D"). This amendment reduces the principal amount from as identified in the By-law \$183,101.00 to \$138,221 by the end of 2022.

HUMAN RESOURCES CONSIDERATIONS

Not Applicable

ALIGNMENT WITH STRATEGIC PRIORITIES:

This project aligns with the Growth Management priority by working to preserve resources and features of cultural heritage value in order to create a better quality of community

BUSINESS UNITS CONSULTED AND AFFECTED:

Reviewed by Financial Services

RECOMMENDED BY:

Biju Karumanchery M.C.I.P., R.P.P.
Director, Planning and Urban Design

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

ATTACHMENTS:

- | | |
|--------------|--|
| Appendix "A" | Markham Designated Heritage Property Grant Program -
Guidelines (2017-2019) |
| Appendix "B" | New Designated Property Grant Program By-law |
| Appendix "C" | Amendment to Heritage Loan Fund By-law |

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City of Markham Designated Heritage Property Grant Program

Guidelines

2020 to 2022



**This program is administered under the provision of these Guidelines
and By-law 2019-XX, being a By-law to establish a Designated Heritage Property Grant
Program 2020-2022**

Planning and Urban Design Department

Heritage Section

Designated Heritage Property Grant Program

1.0 Purpose of the Program

The purpose of the Designated Heritage Property Grant Program is to offer financial assistance on a cost sharing basis to owners of properties of cultural heritage significance towards the conservation and restoration of property's heritage attributes.

2.0 Definitions

'Act' means the *Ontario Heritage Act*, R.S.O. 1990, c. O.18, as amended from time to time;

'Applicant' means the owner of the property applying for a grant, or their agent, if such agent is authorized in writing by the owner to act as agent for making the application;

'Eligible Heritage Property' means real property, including all buildings and structures thereon, located in the City of Markham, that has either been designated under Part IV of the Act or is within a heritage conservation district designated under Part V of the Act and which has been identified in a Heritage Conservation District Plan as being of cultural heritage value or interest [Classes A and B in Thornhill, Class A (and B at the discretion of Council on the recommendation of Heritage staff) in Unionville, Class A in Buttonville, and Type A in Markham Village];

'Eligible Conservation Work' means that which is described in section 5.1 of this document;

'Eligible Property' means that which is described in section 3.0 of this document;

'Guidelines' means the City's Designated Heritage Property Grant Program Guidelines, as may be amended from time to time;

'Heritage Attributes' means the principal external features, characteristics, context and appearance that contribute to the cultural heritage significance of an eligible property;

'Heritage Markham' means the City's municipal heritage advisory committee;

'Manager' means the Manager, Heritage Planning, for the City of Markham and includes his or her delegates;

3.0 Eligibility

3.1 Eligibility Requirements

- Only **Eligible Heritage Properties**, as defined herein, are eligible for this program.
- The **Eligible Heritage Property** must not be in arrears or default of any municipal taxes, local improvements charges or any other monies owed to the City (fees or penalties).
- The **Eligible Heritage Property** must not be the subject of a contravention, work order or outstanding municipal requirements, unless the consent of the Commissioner of Development Services is obtained. A contravention includes offences under a municipal by-law, Act or regulation for which enforcement proceedings have been commenced, but not necessarily finalized, that relates specifically to the building or land for which a grant is sought or given.
- Existing use of property must be in conformity with applicable zoning by-law regulations and other relevant planning controls.
- Projects undertaken between the deadline for applications of the previous year and the current year deadline will be considered eligible for grant assistance, provided that all other eligibility requirements of the program are met.

3.2 Eligible Applicants

Owners and tenants of an **Eligible Heritage Property** may apply for assistance. Tenants are required to provide documentation of the property owner's consent to the improvements. Written consent may be either in the form of a lease indicating the lessee's authority for property renovation and repair, or written documentation of the property owner's agreement to the proposed alterations.

Heritage resources owned by any level of government are not eligible except in the following cases:

- (a) where the property is under long term lease to an individual and the tenant or lessee is the applicant; or
- (b) where a non-profit community group has assumed, by long-term lease or legal agreement, responsibility for the building and the non-profit community group is the applicant.

3.3 Commercial Façade Improvements

Commercial façade projects¹ (front elevation) for properties in commercial use in heritage conservation districts are ineligible as there is a separate financial assistance program for this type of project.

Other **Eligible Conservation Work** on these properties is considered eligible under the Designated Heritage Property Grant Program. However, at the discretion of Council, an

Applicant may be limited to receiving for only one heritage related financial assistance grant in a calendar year.

3.4 Markham Heritage Estates Properties

Properties in Markham Heritage Estates subdivision are ineligible as property owners already receive a financial incentive through reduced lot prices, unless the relocated building has been on the new lot for at least 20 years.

Note 1

*Under the **Commercial Façade Improvement Grant Program**, “façade” is defined as “the entire exterior front surface of a building which abuts the street from grade to eave or fascia line. Improvements above the storefront level including roof repairs and roof replacement, are only eligible when performed in conjunction with storefront improvements. Where a building abuts two streets or an alley, empty lot, parking area or openspace, such building may have other faces considered facades if the City, at its sole discretion, determines they are highly visible”.*

4.0 Grant Information

4.1 Amount of Grant Assistance

The amount of a grant is calculated as a maximum of fifty percent (50%) of the eligible cost of the **Eligible Conservation Work**, as approved by the City. Approved applicants who undertake at least \$500 in improvements are eligible to apply for a grant of up to 50% of the cost with a maximum limit of \$5,000 in grants per property for **Eligible Conservation Work** or in the case of replacement of an existing cedar shingle roof in Markham Heritage Estates, up to a maximum of \$7,500 (subject to Section 3.4).

The owner of the property must pay the remaining fifty percent (50%) of the eligible costs as part of its contribution to the **Eligible Conservation Work**. Subject to approval, an applicant may use the City of Markham Loan Fund as part of the matching component for grant assistance.

The costs of labour, materials and equipment related to the **Eligible Conservation Work** may be considered part of the cost of the **Eligible Conservation Work** provided proof of such costs are verified by invoices. Donated labour and materials are not considered part of the eligible costs or part of the owner's matching contribution.

Two cost estimates for the **Eligible Conservation Work** are to be provided by independent professional/licensed contractors other than the owner. The grant will not necessarily be calculated based upon the lowest estimate, but will be based on the most appropriate quote for the proposed work as determined by Heritage Section staff, taking into consideration the cost quoted, the scope of work described and the capabilities of the contractor to complete the work. The grant will not address cost increases or over runs.

4.2 Frequency of Grant

Subject to approval, an **Eligible Heritage Property** may receive one grant per calendar year. If a grant is provided, the work must be completed and inspected before another grant application may be submitted to the municipality.

First-time applicants will get priority each year and repeat applicants will be considered only if the annual cap is not reached by first-time applicants.

4.3 Completion of Work

Grant commitments are valid for one (1) year and expire if the work is not completed within that time period. This timeframe may be extended at the discretion of the **Manager**.

4.4 Use of Other Heritage Related Grant Programs

For an **Eligible Heritage Property**, at the discretion of Council, an **Applicant** may be limited to receiving only one heritage related financial assistance grant in a calendar year.

5.0 Eligible Projects

5.1 Eligible Conservation Work

For the proposed work to be eligible for a grant, it must be **Eligible Conservation Work**, which means the following:

- (a) any conservation work which directly and appropriately preserves, restores or enhances specific **Heritage Attributes** and does not detract from or diminish the cultural heritage value of the property or the district including:
 - (i) preservation or conservation of existing exterior architectural elements or features which are significant (i.e. repair of deteriorated original elements such as doors and windows, siding and roofing materials, architectural trims, verandas, historic chimneys, fences and other significant features; repointing and cleaning of masonry only if the materials and methods will not cause harm to the historic masonry);
 - (ii) re-construction of significant exterior architectural elements or features which still exist, but are beyond conservation or repair (this would include accurate reconstructions of original features using materials, sizes and configurations which match the original);
 - (iii) restoration or re-introduction of significant exterior architectural elements or features which have been lost, but for which the appearance can be clearly determined from archival or documentary sources, or physical evidence that supports the existence of the missing feature (i.e. removal of modern material such as vinyl and aluminum siding and replacement with original material).
 - (iv) introduction or repair of protective elements to protect original features (i.e. wooden storm windows).
- (b) any work necessary to restore the building to structural soundness including the correction of serious structural faults which threaten the building's survival (i.e. introduction of supporting beam, alterations to correct a failing foundation), but not routine maintenance;
- (c) any work which directly and appropriately preserves, restores or enhances specific **Heritage Attributes** associated with historic cemeteries and their features such as mausolea, dead houses, stone walls, wrought iron gates and fences which are part of the original design, but not specific grave markers, tombs or monuments;
- (d) exterior painting in documented original colours to a maximum grant contribution of \$2,000 or 25% of the cost, whichever is the lesser. This

is a one time only grant per property. After the initial grant, it is expected that paint maintenance will be the owner's responsibility. This would not preclude the property owner from submitting a future grant application for other eligible works.

- (e) a replacement cedar shingle roof in Markham Heritage Estates subject to the roof being installed on a batten system to provide proper ventilation and to prolong the lifespan of the roof, and subject to section 3.4.
- (f) other alterations which the **Manager**, in his or her sole discretion, determines are important to the cultural heritage significance of the property.

Where a **Eligible Heritage Property** contains non-heritage additions or elements, or the proposed work involves new additions, only the **Heritage Attributes** of the property will be subject to grant assistance.

The final determination of what constitutes **Eligible Conservation Work** is at the discretion of the **Manager**, in consultation with **Heritage Markham**, with reference to the Guidelines, and the final decision is made by the Council of the City of Markham.

5.2 Ineligible Work/Projects

Ineligible work includes, but is not limited to, the following:

- (a) Interior work, unless related to structural issues;
- (b) Short term, routine maintenance;
- (c) Work on modern additions or work to accommodate modern renovations to a building of cultural heritage value;
- (d) Landscaping;
- (e) Paving;
- (f) Lighting unless repair or restoration of a Heritage Attribute;
- (g) Signs and commemorative plaques;
- (h) Eaves-trough, unless considered significant architectural features of the building such as those with decorative elements or those made from long-lasting materials such as copper and lead;
- (i) Mechanical systems and insulation;
- (j) Skylights;
- (k) Poor or defective work;
- (l) Non-permanent fixtures;
- (m) Commercial façade projects (front elevation) in heritage conservation districts; and
- (n) Projects in Markham Heritage Estates subdivision unless the building or structure has been on the lot for at least 20 years.

5.3 Eligible Costs

Eligible costs shall be the cost of materials, equipment and contracted labour to complete eligible conservation, restoration or preservation work, documented by

invoices to the satisfaction of the **Manager**. Labour provided by the applicant or tenant of the building will not be an eligible cost.

Other reimbursable expenses include professional architectural/ engineering/ design fees, to a maximum grant of \$1,000 (as part of the maximum permitted grant).

The grant is paid, subject to compliance with these **Guidelines**, upon completion of the previously approved work.

5.4 Approval Considerations

The following considerations will apply when reviewing all applications for grant assistance:

- a) Preference will be given to applications where the integrity of the **Eligible Heritage Property** may be threatened if the proposed conservation work is not undertaken
- b) Preference will be given to applications proposing work visible to the general public;
- c) The project should generally comply with acknowledged heritage conservation principles, policies and guidelines including, but not limited to, a specific Markham heritage conservation district plan, policies of the Ontario Ministry of Culture, and the Standards and Guidelines for the Conservation of Historic Places in Canada;
- d) The scope of the work is clear, logical and demonstrates the maximum retention of the historic fabric and **Heritage Attributes**;
- e) Grant assistance can only be obtained for projects which have received municipal approval prior to work being initiated. However, approved projects undertaken between the deadline for applications of the previous year and the current year deadline will be considered eligible for grant assistance, provided that all other eligibility requirements of the program are met.
- f) The grant program should not reward poor stewardship.

6.0 Application Details

6.1 Application Deadline

Grants are to be awarded on an annual cycle following a request for applications within a deadline established by the **Manager**, and published from time to time on the City's website and in other media, at the discretion of the **Manager**.

6.2 Application Requirements

1. Application Form

The **Applicant** is required to complete an application form available from the Planning and Urban Design Department (Markham Civic Centre) or from the City's website. The **Applicant** is encouraged to engage a professional (architect, engineer or designer) to assist with decisions on alterations and provide the necessary drawings.

2. Information to Accompany Application

The application must include all the details necessary for a full understanding of the proposed work, and shall include:

- a) A professionally prepared and scaled drawing of the proposed work, including any specific details as may be required by the **Manager**. Depending on the nature and extent of the work, a building permit and the required drawings may be required.
- b) Samples of proposed materials or colours, and any product information.
- c) the cost estimates required by clause 4.1 hereof.

6.3 Application Process

The Designated Heritage Property Grant Program will be administered by Markham's Planning and Urban Design Department. The Heritage Planning Section will co-ordinate the program.

Step 1. Determine if you are eligible (pre-application consultation)

Prior to submitting a formal application for financial assistance, it is recommended that the following steps be undertaken:

- a) Determine if the property is eligible to receive funding. Contact the Heritage Section.
- b) Discuss any restoration or rehabilitation proposal with the Building Department to determine any zoning or other building regulations.
- c) Discuss any restoration or rehabilitation proposal with a Heritage Section staff member
- d) If an application appears eligible, consider reviewing it with **Heritage Markham** for feedback purposes.
- e) Secure a grant application form from the Development Services Counter or from the City's website and complete and return it with the necessary documentation.

This pre-application consultation stage should help to avoid ineligible proposals.

Step 2. Submit your application

Submit a completed application with all required materials before the deadline date.

Step 3. Staff Review

The application will be reviewed by City Staff to ensure that it meets all the eligibility requirements, including confirmation that no municipal requirements are outstanding.

Step 4. Grant Review Committee

The review of all grant applications will be undertaken by Heritage Section staff. All applications will be forwarded to **Heritage Markham** for its consideration and recommendation. Heritage Section staff will report on applications that are recommended for approval to Council, through the Development Services Committee. The submissions will be reviewed against the **Guidelines**, and grants will be recommended for the projects that are most deserving in the opinion of Heritage Staff.

Step 5. Approval by Council

All grants will require approval by Council, through the Development Services Committee.

Step 6. Notification/ Legal Agreement

Applicants who secure grant approval will be notified and required to enter into a Letter of Understanding with the municipality. This document establishes a formal arrangement between the **Applicant** and the City and outlines the amount of the grant, and the project completion date. The Letter of Understanding must be signed and returned to the City.

If an application is unsuccessful, a letter will be sent confirming that a grant will not be issued.

Step 7. Undertaking the Improvements

Nothing contained in the grant application procedures or approval relieves the applicant from obtaining all necessary municipal planning and building department approvals. All work must be carried out in accordance with the requirements of the Ontario Building Code and municipal by-laws.

The applicant is required to obtain the consent of the **Manager** for any changes to the project which are proposed during the course of the work.

Step 8. Issuing the Grant

Before a grant will be paid by the City, the following must occur:

- (a) the **Eligible Conservation Work** must be completed within one (1) year from the date of approval of the grant by Council, and be completed to the satisfaction of the **Manager**.

In exceptional cases, the timeframe for project completion may be extended. In such cases, a written request, stating the reasons for required for the extension, must be submitted by the applicant for review and approval at the discretion of the **Manager**;

- (b) The **Eligible Conservation Work** must be completely paid for by the owner with documentation to verify such payment (i.e. copies of paid invoices), and the work completed to the satisfaction of the **Manager**;
- (c) the **Manager** must be in receipt of all required documentation as identified in the **Guidelines** (i.e. paid invoices), and any other documentation reasonably required by the **Manager**;
- (d) the completed **Eligible Conservation Work** must reflect the **Eligible Conservation Work** that was approved by Council or as amended by the **Manager**. Heritage Section is responsible for the inspection to ensure that works have been completed as proposed.
- (e) The City reserves the right to withhold the payment of all or a portion of the grant if the work has not been substantially completed in accordance with the approved plans and specifications, or payment documentation, such as invoices, are incomplete, unclear or have not been submitted.
- (f) If the cost of the completed work is less than the original amount upon which the grant was calculated, the grant will be revised to reflect fifty percent (50%) of the new cost.

7.0 General Information

7.1 Funding Availability

Funding for this grant program will be considered on an annual basis by Markham Council as part of its overall annual budget process. Individual grants are approved subject to the availability of funding.

7.2 Continuation of the Program

The City, in its sole discretion, may change or discontinue this program at any time.

7.3 By-law

This program has been created by municipal by-law. Please see “By-law 2016-65, being a By-law to establish a Designated Heritage Property Grant Program 2017-2019” for further details.

For further Information, please contact:

Heritage Section
Planning and Urban Design Department
City of Markham
101 Town Centre Boulevard
Markham, ON L3R 9W3

905-477-7000, ext. 2585

905-475-4739 (FAX)

heritage@markham.ca

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DESIGNATED HERITAGE PROPERTY GRANT PROGRAM

The purpose of this program to encourage the preservation, restoration and enhancement of heritage buildings in the City of Markham by providing financial assistance to owners of designated heritage properties for the repair and restoration of existing heritage features and the restoration of missing heritage features. See the Grant Guidelines for full details.

<u>PROPERTY INFORMATION</u>				
Municipal Address:	Street No.:	Street Name:		Unit Num.:
Commercial Name (if applicable)				
Designation By-law #:		Heritage Conservation District:		
<u>OWNER and APPLICANT INFORMATION</u>				
Property Owner Information (check one)		Person(s)		Company
Registered Land Owner:	Surname:	First Name:		
Name	(if Company)			Company Officer:
Address:	Street No.:	Street Name:	Unit Num.:	
City:		Province:		Postal Code:
Telephone:	No. ()	Fax: ()	E- Mail:	
<u>Applicant Information (if different than Owner):</u>				
Application Contact:	Surname:	First Name:		
Name	(if Company)			Company Officer:
Address:	Street No.:	Street Name:	Unit Num.:	
City:		Province:		Postal Code:
Telephone:	No. ()	Fax: ()	E- Mail:	
<p>I hereby make the above application for a Designated Heritage Property Grant, declaring all the information contained herein is true and correct, and acknowledging the City of Markham will process the application based on the information provided.</p> <p>The personal information on this form is collected under the authority of the Section 39 and 45 of the Ontario Heritage Act, R.S.O. 1990, c.O.18, as amended and the City of Markham Designated Heritage Property Grant Program By-law, as amended. The information collected will be used by the City of Markham to administer and enforce the Designated Heritage Property Grant Program. Questions about the collection can be directed to the Development Services-Heritage Section, City of Markham, 101 Town Centre Blvd., Markham, ON, L3R 9W3, Telephone: 905 475 4861, email: developmentsservices@markham.ca.</p>				
Signature:		Title:		
Printed Name of Signatory:		Date:		

If the applicant is not the owner, the property owner must complete this section. If there is more than one owner, a separate authorization from each individual or corporation is required. Attach an additional page or pages in the same format as this authorization if necessary.

lands, hereby authorize (*print name of applicant*),

to submit the above application to the City of Markham for approval thereof.

Signature: _____

Date:

Printed Name of Signatory:

Title:

Description of Work to be Undertaken

- Please provide a detailed, written description of the proposed improvements

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DESIGNATED HERITAGE PROPERTY GRANT PROGRAM

Additional Information to Accompany Application		
<ul style="list-style-type: none"> ➤ A professionally prepared and scaled drawing of the proposed work (i.e. for replication of specific heritage features such as a window or trim-work) to fully illustrate the proposed eligible conservation project, if applicable. ➤ Samples of proposed materials or paint colours, if applicable. ➤ Please consult with Heritage Staff prior to submission to determine what type of additional information should be submitted to best support your application 		
Cost Estimates		
Please attach two (2) independent contractor estimates for the eligible conservation work.		
Name of Preferred Contractor		
Amount	\$	
Name of Second Contractor		
Amount	\$	
Grant Request		
Cost of Eligible Conservation Work (material, equipment, labour)	\$	
Professional Fees	\$	
Other	\$	
Total Estimate	\$	
For Further Information:		
Planning and Urban Design Department- Heritage Section DEVELOPMENT SERVICES COMMISSION 101 TOWN CENTRE BOULEVARD MARKHAM, ONTARIO, L3R 9W3 Telephone 905-477-7000, ext. 2585 Fax 905-475-4739 heritage@markham.ca		
FOR OFFICE USE ONLY		
Date Rec'd :		
Application Information Rec'd	YES	NO
Application Rec'd By:		
Entered into AMANDA by:	Date:	
Application Number:		



BY-LAW 2019-XX

Being a By-law to establish a Designated Heritage Property Grant Program (2020-2022)

WHEREAS the Council of The Corporation of the City of Markham is authorized, pursuant to Section 39 of the Ontario Heritage Act, R.S.O. 1990, c.O.18, as amended (the “Act”), to pass by-laws providing for the making of a grant or loan to the owner of a property that has been designated under Part IV of the Act (a “designated property”), as being of cultural heritage value or interest, for the purpose of paying for the whole or any part of the cost of alteration of such property on such terms and conditions as the Council may prescribe;

AND WHEREAS the Council of The Corporation of the City of Markham is authorized, pursuant to Section 45 of the Act, to pass by-laws providing for the making of a grant or loan to the owner of any building or structure and the land appurtenant thereto that is situate within an area that has been designated by by-law under Part V of the Act, as a heritage conservation district, for the purpose of paying for the whole or any part of the cost of alteration of such property on such terms and conditions as the Council may prescribe;

AND WHEREAS the Council of The Corporation of the City of Markham deems it advisable and in the public interest to provide a grant program for designated properties on the terms set out in this by-law as an incentive to encourage property owners to renovate and restore such buildings, and thereby contribute to the overall character and identity of the City of Markham;

AND WHEREAS on January 19, 2010, the Council of The Corporation of the Town of Markham approved the Designated Heritage Property Grant Program as a four year project, and Council approved the Grant Program Guidelines on the same date;

AND WHEREAS on September 24, 2013, the Council of The Corporation of the City of Markham approved the continuation of the Designated Heritage Property Grant Program for an additional three year period, and Council approved revised Grant Program Guidelines on the same date;

AND WHEREAS on June 14, 2016, the Council of The Corporation of the City of Markham approved the continuation of the Designated Heritage Property Grant Program for an additional three year period (2017-2019), and Council approved revised Grant Program Guidelines on the same date;

AND WHEREAS on December 10, 2019, the Council of the Corporation of the City of Markham approved the continuation of the Designated Heritage Property Grant Program for an additional three year period (2020-2022);

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

DEFINITIONS

- 1.1 In this by-law, unless otherwise specified in this by-law:
- (a) ‘Applicant’ shall mean the owner of the property applying for a grant, or their agent, if such agent is authorized in writing by the owner to act as agent for making the application;
 - (b) ‘Contravention’ shall mean an offence under a municipal by-law, statute or regulation for which enforcement proceedings have been commenced that relates specifically to the building or land for which a grant is sought or given;
 - (c) ‘Designated Heritage Property’ shall mean real property including all buildings and structures thereon that have been designated by municipal by-law as being of cultural heritage value or interest pursuant to Parts IV and V of the Act;
 - (d) ‘Eligible Conservation Work’ shall mean that which is described in sections 5.1 and 5.2 of this by-law;
 - (e) ‘Eligible Property’ shall mean that which is described in sections 4.1 to 4.5 of this by-law;
 - (f) ‘Guidelines’ shall mean the City’s Designated Heritage Property Grant Program Guidelines, as may be amended from time to time;
 - (g) ‘Heritage Attributes’ shall mean the principal exterior features, characteristics, context and appearance that contribute to the cultural heritage significance of an eligible property;
 - (h) ‘Heritage Markham’ shall mean the City’s municipal heritage advisory committee;
 - (i) ‘Manager’ shall mean the City’s Manager, Heritage Planning and includes his or her delegates;

- (j) ‘Preservation and/or Conservation’ shall mean the act or process of applying measures necessary to sustain the existing form, integrity and materials of a cultural heritage property;
- (k) “Program” shall mean the City’s Designated Heritage Property Grant Program; and
- (l) ‘Restoration’ shall mean the process of accurately revealing, recovering, replicating or representing the state of a heritage property at a particular period in its history, while still protecting the cultural heritage value of the property.

TERM AND AMOUNT OF GRANT PROGRAM

- 2.1 The Heritage Designated Property Grant Program shall be established in the amount of ninety thousand dollars (\$90,000) with funds allocated to the program over a three (3) year period at a minimum of thirty thousand dollars (\$30,000) per year from the date of the passing of this by-law.
- 2.2 If a grant has been approved by Council, but not paid out on the day this Program expires, the grant amount shall still be provided in accordance with this by-law.
- 2.3 Any funds remaining in the Program at the end of the three year period shall be transferred to the Heritage Loan Reserve Fund.

SPECIFIC GRANT AMOUNT AND OWNER CONTRIBUTION

- 3.1 Each grant may be awarded in the amount of up to half the cost (50%) of the Eligible Conservation Work up to a maximum of five thousand dollars (\$5,000) or in the case of replacement of an existing cedar shingle roof in Markham Heritage Estates, up to a maximum of seven thousand, five hundred dollars (\$7,500).
- 3.2 The owner of the property shall match the City’s grant amount as part of its contribution to the Eligible Conservation Work.
- 3.3 The owner may use any funds available to him or her from the City of Markham Heritage Loan Reserve Fund as part of the owner’s matching contribution to the Eligible Conservation Work.
- 3.4 Donated labour and materials shall not be considered part of the costs or part of the owner’s matching contribution.

- 3.5 The costs of labour, materials and equipment related to the Eligible Conservation Work may be considered part of the cost of the Eligible Conservation Work provided proof of such costs are verified by invoices.
- 3.6 A property may receive only one Program grant per calendar year.
- 3.7 Before another grant is considered by the City, the work associated with the current grant must be completed, inspected and approved by the Manager.
- 3.8 Whether a grant is awarded, and the amount of the grant, shall be subject to available funding within annual program budgets of the City.
- 3.9 At the sole discretion of Council, an Applicant for an Eligible Property may be limited to receiving only one grant from a City heritage related financial assistance program in a calendar year.
- 3.10 First-time applicants will get priority each year and repeat applicants will be considered only if the annual cap is not reached by first-time applicants.
- 3.11 A property may receive only one grant for exterior painting to a maximum of \$2,000 or 25% of the cost, whichever is the lesser.

ELIGIBLE PROPERTY

- 4.1 For a property to be considered Eligible for a grant, the property must be:
 - (a) designated under the Ontario Heritage Act (the “Act”):
 - (i) for a single property, a designation by-law under Part IV of the Act must have been passed and registered; or
 - (ii) for a property located within a heritage conservation district, a designation by-law must have been passed under Part V of the Act and only properties identified in the District Plan as being of cultural heritage value or interest [being Classes A and B in Thornhill, Class A (and B at the discretion of Council on the recommendation of Heritage Staff) in Unionville, Class A in Buttonville, and Type A in Markham Village] are eligible; and
 - (b) located within the City of Markham; and
 - (c) free of property tax arrears, any fees or penalties owed to the City, compliance orders, enforcement orders, contraventions of municipal requirements and the like.

- 4.2 Where a Designated Heritage Property contains non-heritage additions or elements, or the proposed work involves new additions, only the Heritage Attributes of the property will be subject to grant assistance.
- 4.3 Heritage resources owned by any level of government are not eligible except in the following cases:
- (a) where the property is under long term lease to an individual; or
 - (b) where a non-profit, community group has assumed, by long-term lease or legal agreement, responsibility for the building.
- In these cases, such parties may make an application for a grant as the agent of the owner.
- 4.4 Commercial façade projects (front elevation) for properties in commercial use in heritage conservation districts are not eligible for this Program as there is a separate financial assistance Program for this type of project. Other Eligible Conservation Work on these properties is eligible.
- 4.5 Properties in Markham Heritage Estates subdivision are not eligible for this Program unless and until the building has been located on the property in Markham Heritage Estates for a minimum of twenty (20) years.

ELIGIBLE CONSERVATION WORK

- 5.1 For the proposed work to be eligible for a grant, it must be Eligible Conservation Work, which means the following:
- (a) any conservation work which directly and appropriately preserves, restores or enhances specific Heritage Attributes and does not detract from or diminish the cultural heritage value of the property or the district including:
 - (i) preservation/conservation of existing architectural elements or features which are significant;
 - (ii) re-construction of significant architectural elements or features which still exist, but are beyond conservation or repair;
 - (iii) restoration or re-introduction of significant architectural elements or features which have been lost, but for which the appearance can be clearly determined from archival or documentary sources, or physical evidence that supports the existence of the missing feature.
 - (iv) introduction or repair of protective elements to protect original features.

- (b) any preservation/conservation work necessary to restore the building to structural soundness including the correction of serious structural faults which threaten the building's survival, but not routine maintenance;
- (c) any preservation/conservation work which directly and appropriately preserves, restores or enhances specific Heritage Attributes associated with historic cemeteries and their features such as mausolea, dead houses, stone walls, wrought iron fences and gates which are part of the original design, but not specific grave markers, tombs or monuments; and
- (d) exterior painting in documented original colours;
- (e) a replacement cedar shingle roof in Markham Heritage Estates subject to the roof being installed on a batten system to provide proper ventilation and to prolong the lifespan of the roof and subject to section 4.5;
- (f) any architect, designer and engineering professional fees to a maximum of one thousand dollars (\$1,000) as a component of the maximum grant amount for work directly related to the proposed preservation/conservation, rehabilitation or restoration project; and
- (g) any other alterations which the Manager, in his or her sole discretion, determines are important to the cultural heritage significance of the property.

- 5.2 The final determination of what constitutes Eligible Conservation Work is at the discretion of the Manager, in consultation with Heritage Markham, with reference to the Guidelines, and the final decision is made by Markham Council.
- 5.3 Eligible Conservation Work will be generally guided by the following policies and principles: individual heritage conservation district plans, Conservation Principles from the Ontario Ministry of Culture and the Standards and Guidelines for the Conservation of Historic Places in Canada.
- 5.4 Projects undertaken between the deadline for applications of the previous year and the current year deadline will be considered eligible for grant assistance provided that all other eligibility requirements of the Program are met.

INELIGIBLE WORK/ PROJECTS

- 6.1 Ineligible work will include, but is not limited to, the following:
- (a) Interior work, unless related to structural issues;
 - (b) Short term, routine maintenance, including painting, other than as permitted herein;

- (c) work on modern additions or work to accommodate modern renovations to a building of cultural heritage value;
- (d) landscaping;
- (e) paving;
- (f) lighting unless repair or restoration of a heritage attribute;
- (g) signs and commemorative plaques;
- (h) eaves-troughs, unless considered significant architectural features of the building such as those with decorative elements or those made from long-lasting materials such as copper or lead;
- (i) mechanical systems and insulation;
- (j) skylights;
- (k) poor or defective work; and
- (l) non-permanent fixtures.

6.2 Commercial façade projects (primarily work on the front elevation) in heritage conservation districts are ineligible as there is a separate financial assistance program for this type of project. Eligible Conservation Work on commercial properties other than work on the front elevation is eligible for assistance under this Program.

ADMINISTRATION OF THE PROGRAM

- 7.1 The Designated Property Grant Program shall be administered by the Manager.
- 7.2 The overall administration of the Program shall be in compliance with this by-law and the Guidelines.
- 7.3 At minimum, the Program shall be offered at least once per calendar year.
- 7.4 All applications shall be considered by Council for approval after having been reviewed and a recommendation provided by Heritage Planning staff and Heritage Markham.
- 7.5 Approval of a grant does not absolve the owner from obtaining all other approvals required by law to undertake the project.
- 7.6 Before a grant will be paid by the City, the following must occur:
 - (a) the Eligible Conservation Work must be completely paid for by the owner with documentation to verify such payment, and completed to the satisfaction of the Manager;

- (b) the Eligible Conservation Work must be completed within one (1) year from the date of approval of the grant by Council in order to receive the grant;

In exceptional cases, the timeframe for project completion may be extended. In such cases, a written request, stating the reasons required for the extension, must be submitted by the applicant for review and approval is at the discretion of the Manager;

- (c) the Manager must be in receipt of all required documentation as identified in the Guidelines, and as requested by the Manager;
- (d) the completed Eligible Conservation Work must reflect the Eligible Conservation Work that was approved by Council or as amended by the Manager.

7.7 The City reserves the right to withhold the payment of all or a portion of the grant if the work has not been substantially completed in accordance with the approved plans and specifications, or payment documentation, such as invoices, are incomplete, unclear or have not been submitted.

7.8 If the cost of completed work is less than the original amount upon which the grant was calculated, the grant will be revised to reflect 50% of the new cost.

7.9 Any monies remaining in the budget for this Program and not allocated during a calendar year shall be transferred for use to the next calendar year for use as part of the Program.

READ A FIRST, SECOND, AND THIRD TIME AND PASSED THIS
XX DAY OF XX, 20XX.

KIMBERLEY KITTERINGHAM,
CITY CLERK

FRANK SCARPITTI, MAYOR



By-law 2019 – XX

A By-law to amend By-law 175-81, as amended, being
a by-law to establish a Heritage Fund

WHEREAS the Council of the Town of Markham established a Heritage Fund in 1981 to provide loans to the owners of properties designated under Part IV or Part V of the Ontario Heritage Act for the purpose of paying for the whole or any part of the cost of alterations on such terms and conditions as the Council may prescribe;

AND WHEREAS Council established the Heritage Fund in the amount of \$200,000 and has maintain the principal of the Fund at that level;

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

1. That Clause #1 and Clause #2 of By-law 175-81 be amended by deleting the sum of “200,000.00” and inserting in lieu thereof the sum of “138,221.00”.
2. That all other provisions of By-law 175-81, as amended be and the same are hereby ratified and confirmed.

READ A FIRST, SECOND, AND THIRD TIME AND PASSED THIS 10th DAY OF December, 2019.

Kimberley Kitteringham
City Clerk

Frank Scarpitti
Mayor



Report to: Development Services Committee

Meeting Date: December 9, 2019

SUBJECT: Report on Incoming Planning Applications for the period of September 15, 2019 to November 15, 2019

PREPARED BY: Nathalie Orsi, Supervisor, Development Administration, ext. 8100

RECOMMENDATION:

1. That the report entitled “Report on Incoming Planning Applications for the period of September 15, 2019 to November 15, 2019” be received and staff to be directed to process the application in accordance with the approval route outlined in the report.

EXECUTIVE SUMMARY:

Not Applicable

PURPOSE:

The purpose of the report is to provide Committee with a brief summary of all incoming applications and advise of the process the application is expected to proceed through.

BACKGROUND:

AMANDA file names have changed as follows:

PLAN – Official Plan Amendment, Zoning By-Law Amendment, Draft Plan of Subdivision Applications (now combined for ePLAN digital application submission).

SPC – Site Plan Control Approval Application

CNDO – Application for Approval of Draft Plan of Condominium

For the sake of Planning Applications, this report is reporting on a total of:

- 2-Zoning Amendments applications
- 1-Official Plan Amendment application
- 12-Site Plan Control applications
- 1-Draft Plan of Subdivision application
- 2-Draft Plan of Condominium applications

OPTIONS/ DISCUSSION:

The chart below outlines each application type, the property location (ward, district and address), a brief description of the proposal/request and the approval route, for all development related applications received through the period of September 15, 2019 to November 15, 2019. A majority vote of Committee is necessary to move (bump up) an application from a staff approval route to the Committee approval route.

	Application Type & File #	Ward & District Team	Description of Development Proposal	Approval Route
1	SPC 19 134808	4, Heritage	<ul style="list-style-type: none"> • Tristan Frenette-Ling c/o Stevens Burgess Architects Ltd. (Kelly Gilbride) • 180 Main Street North • Located south west corner of Bullock Drive & Main Street North • Site Plan Control application to convert the existing building to accommodate a café, business studio, and residential use. 	Staff
2.	SPC 19 134920	3, Central	<ul style="list-style-type: none"> • Livante Holdings (BG Phase V) Inc. (Ben Wong) c/o Gatzios Planning + Development Consultants Inc. (James Koutsovitis) • 4031 16th Avenue • Located south side of 16th Avenue, West of Kennedy Road • Site Plan Control application to permit the relocation of a heritage house and construction of a 590.93m² addition. 	Staff
3.	SPC 19 135227	8, West	<ul style="list-style-type: none"> • Transforce Administration Inc (Charlie DiCarlo) c/o Bousfields Inc. (Kate Cooper) • 2815 14th Avenue • Located south side of 14th Avenue, west of Woodbine Avenue • Site Plan Control application has been submitted to permit an asphalt plant. 	Staff

	Application Type & File #	Ward & District Team	Description of Development Proposal	Approval Route
4.	SPC 19 135335	8, West	<ul style="list-style-type: none"> • 400 Cochrane Drive Inc. (Allan Perez) c/o 2597835 Ontario Inc. (Ali Mesgarzadeh) • 400 Cochrane Drive • Located west of Woodbine Avenue, north of the Highway 407 • Site Plan Control application to permit a new asphalt ramp, new drive-in truck door. The relocation of the existing door. 	Staff
5.	CNDO 19 135372	5, East	<ul style="list-style-type: none"> • Kymberville Capital Inc. c/o (Joanne Barnett) • Blocks 17, 18, 19, 20, & 21 on Registered Plan 65M-4603 on Fredrick Wilson Avenue • located north of Highway 7 and west of Donald Cousens Parkway • Draft Plan of Condominium application on a proposed residential townhouse development. 	Staff
6.	CNDO 19 136142	4, East	<ul style="list-style-type: none"> • Bur Oak (ARH) Developments Inc. c/o Maria-Christina Fiorucci • 1709 Bur Oak Avenue • Located south side of Bur Oak Avenue, west of Markham Road • Draft Plan of Condominium application on 81 apartment residential units with underground parking. 	Staff

	Application Type & File #	Ward & District Team	Description of Development Proposal	Approval Route
7.	SPC 19 136253	3, Heritage	<ul style="list-style-type: none"> • Hanna Song c/o Gregory Design Group (Russ Gregory) • 123 Main Street • Located east side of Main St, Unionville and north of Highway 7 East • Site Plan Control application proposing to construct a new two car garage with loft. 	Staff
8.	SPC 19 136373	5, East	<ul style="list-style-type: none"> • 2431988 Ontario Ltd. (Domenic Porretta) c/o LARKIN+ land use planners (Daniel Ceron) • 7 Highway E • Located south of the future of Rustle Woods Avenue extension to the east, the future Diamondwood Road extension to the west and north future Arthur Bonner Avenue extension. • Site Plan Control application for the development of 312 stacked townhouse units and a 12-storey mixed-use building with 259 units, associated parking, amenity space and ground floor commercial fronting Rustle Woods Avenue. 	Council/Committee

	Application Type & File #	Ward & District Team	Description of Development Proposal	Approval Route
9.	SPC 19 136761	4, Heritage	<ul style="list-style-type: none"> • Sin Yuk Wong and Kwok Wa lau c/o Zero Degree Studio Inc. (Roy Chan) • 269 Main Street N • Located east side of Main Street North, south of Gleason Avenue • Site Plan Control application to construct a two storey 201.89 m² (2162.45 ft²) residential addition to the rear of the existing heritage district dwelling to create a 3 unit residential building. 	Staff
10.	SPC 19 137282	3, Central	<ul style="list-style-type: none"> • Minto Communities c/o Anderson Marques • 4300 Highway 7 East • Located north side of Highway 7 East, west of Main Street, Unionville • Site Plan Control application to redevelop the northern portion of the Unionville Home Society property to construct a senior friendly campus consisting of 153 apartment building 	Council/Committee
11.	PLAN 19 137397	3, Central	<ul style="list-style-type: none"> • Digram Development Inc., c/o Wajeetha Shahrukh • 55, 63 & 83 Helen Avenue. • Located east of Kennedy Road and north of Highway 407 • Official Plan and Zoning By-law Amendments to permit one high density residential block permitting 1590 apartment units, and 4000 m².of non-residential units. The details of the proposed high-density residential block. To be finalized site plan approval which will be submitted at a later date 	Council/Committee

	Application Type & File #	Ward & District Team	Description of Development Proposal	Approval Route
12.	PLAN 19 137814	1, West	<ul style="list-style-type: none"> • Greencapital Limited Partnership c/o Gatzios Planning + Development Consultants Inc. • 10 Royal Orchard Blvd • Located east of Yonge Street • Official Plan and Zoning By-Law Amendments to redevelop for 1590 apartment units, and 4000 m².of non-residential units. There will be 4 residential buildings with heights ranging from 25-59 storeys 	Council/Committee
13.	SPC 19 138814	8, West	<ul style="list-style-type: none"> • Markham Central Park Inc. (JIAYING DAI) c/o Petroff Partnership Architects (Angela Ng) • 55 East Valhalla Drive • Located east side of East Valhalla, south of Highway 7 • Site Plan Control application to develop a multiple buildings that include 4 Industrial, one storey office building, and one 11 storey Hotel. 	Council/Committee
14.	SPC 19 138876	1, West	<ul style="list-style-type: none"> • York Region Separate School Board • 135 Green Lane • Located east of Aileen Road, south side of Green Lane. • Site Plan Control application to develop 472 m² childcare addition to existing school building. 	Staff
15.	CNDO 19 139460	2, West	<ul style="list-style-type: none"> • Howland Green Limited c/o Christina Orsi • 200 Cachet Woods Court • Located west side of Cachet Woods Court, north 16th Avenue • Draft Plan of Condominium on a 3 storey commercial office building • 	Council/Committee

	Application Type & File #	Ward & District Team	Description of Development Proposal	Approval Route
16.	SPC 19 140106	1, West	<ul style="list-style-type: none"> • Holy Cross Cemetery Administration c/o Everard Planning Consultants, Mike Everard • 8361 Yonge Street • Located on the east side of Yonge Street, south of the Highway 407 • Site Plan Control application for a 115.m², one 1 storey administration office expansion to existing 1 storey office building. 	Council/Committee
17.	PLAN 19 140215	3, Central	<ul style="list-style-type: none"> • 2690622 Ontario Inc. (Xeubin Ma) c/o Maculay Shiomi Howson c/o Mr. Nick Pileggi • 4077, 4121 & 4101 Highway 7 East • Located south side of Highway 7, east of Birchmount Road • Zoning By-Law Amendment to permit an increase in the maximum unit count from 1225 to 1990 units and an increase in the maximum building height from 25 storeys to 47 storeys. 	Council/Committee
18.	SPC 19 140245	4, Heritage	<ul style="list-style-type: none"> • 1777507 Ontario Limited c/o David Johnston Architects Ltd • 377 Main Street North Markham • Located east side of Main Street North, south of 16th Avenue • Site Plan Control application to construct a 35m² second story addition to the existing commercial building. 	Staff

FINANCIAL CONSIDERATIONS

Not applicable

HUMAN RESOURCES CONSIDERATIONS

Not applicable

ALIGNMENT WITH STRATEGIC PRIORITIES:

Not applicable

BUSINESS UNITS CONSULTED AND AFFECTED:

Not applicable

RECOMMENDED BY:

Biju Karumanchery, M.C.I.P., R.P.P.
Director, Planning and Urban Design

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

ATTACHMENTS:

Not applicable





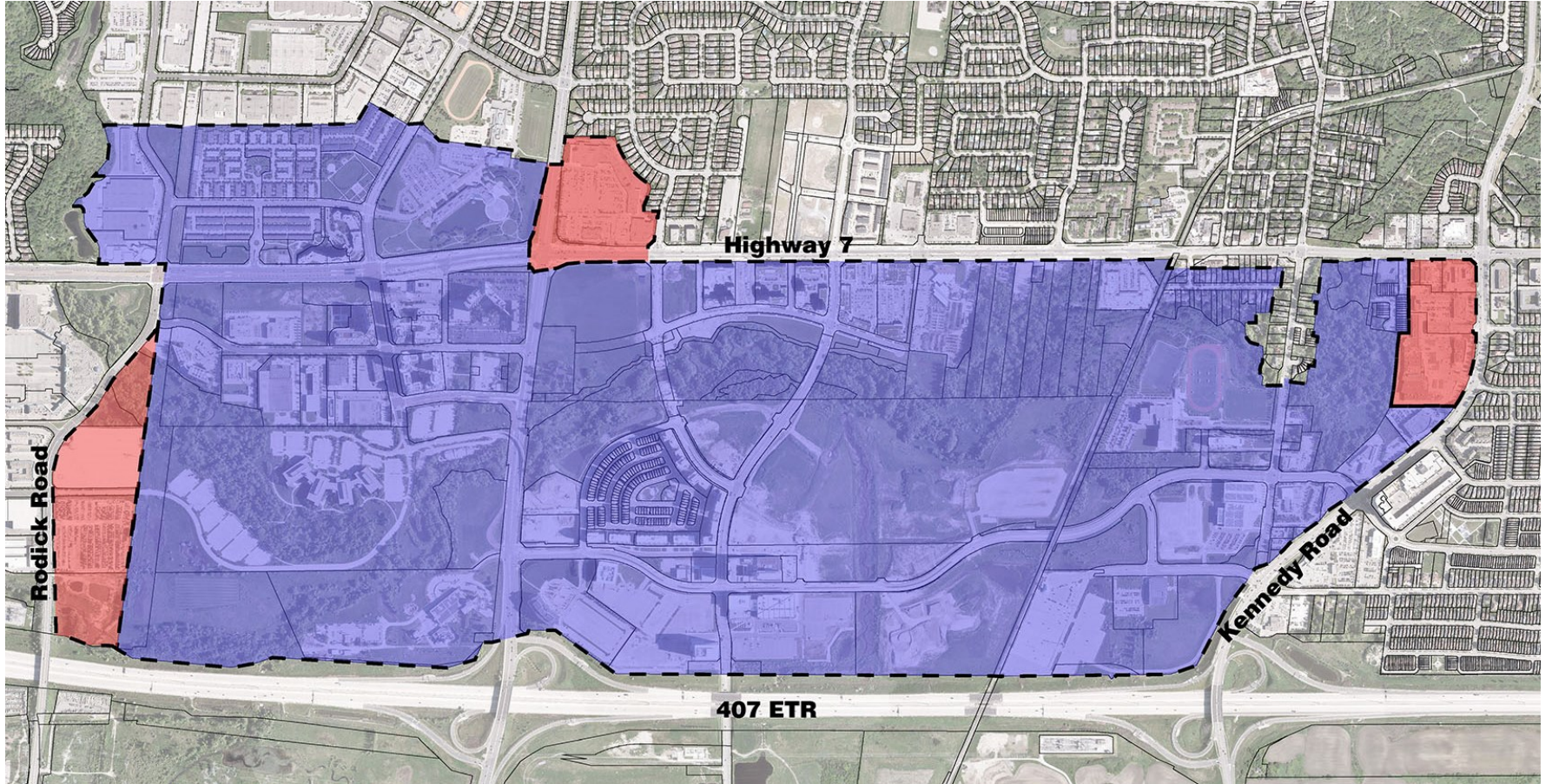


	OPA 21 - 1997	City's Growth Strategy (2010 Forecast)	The New Plan
Population	25,000	41,000	?
Employment	17,000	39,000	?

- 715 hotel suites
- 1.8 million ft² of office development
- Nearly 8,000 residential units built/under construction

- Active
- Affordable
- Beautiful
- Connected
- Diverse (land use and population)
- Engaged
- Family-friendly
- Resilient
- Smart
- Sustainable
- Transit-Oriented
- Vibrant
- Walkable





An aerial rendering of a proposed urban development in Markham. The image shows a dense cluster of modern buildings, including several high-rise towers and lower-rise commercial or residential structures. A prominent feature is a large, curved residential development with a mix of building heights. The area is interspersed with green spaces and trees. In the background, a large stadium or arena is visible. The overall scene is set during the day, with sunlight casting shadows on the buildings and streets.

MARKHAM CENTRE VISION

"To create a complete and integrated community, containing a mix of uses suitable to a City Centre, including recreational, cultural and institutional facilities."

**An Experienced and
Multi-Disciplinary Team**

gladki
planning
associates

KEN GREENBERG

dtah

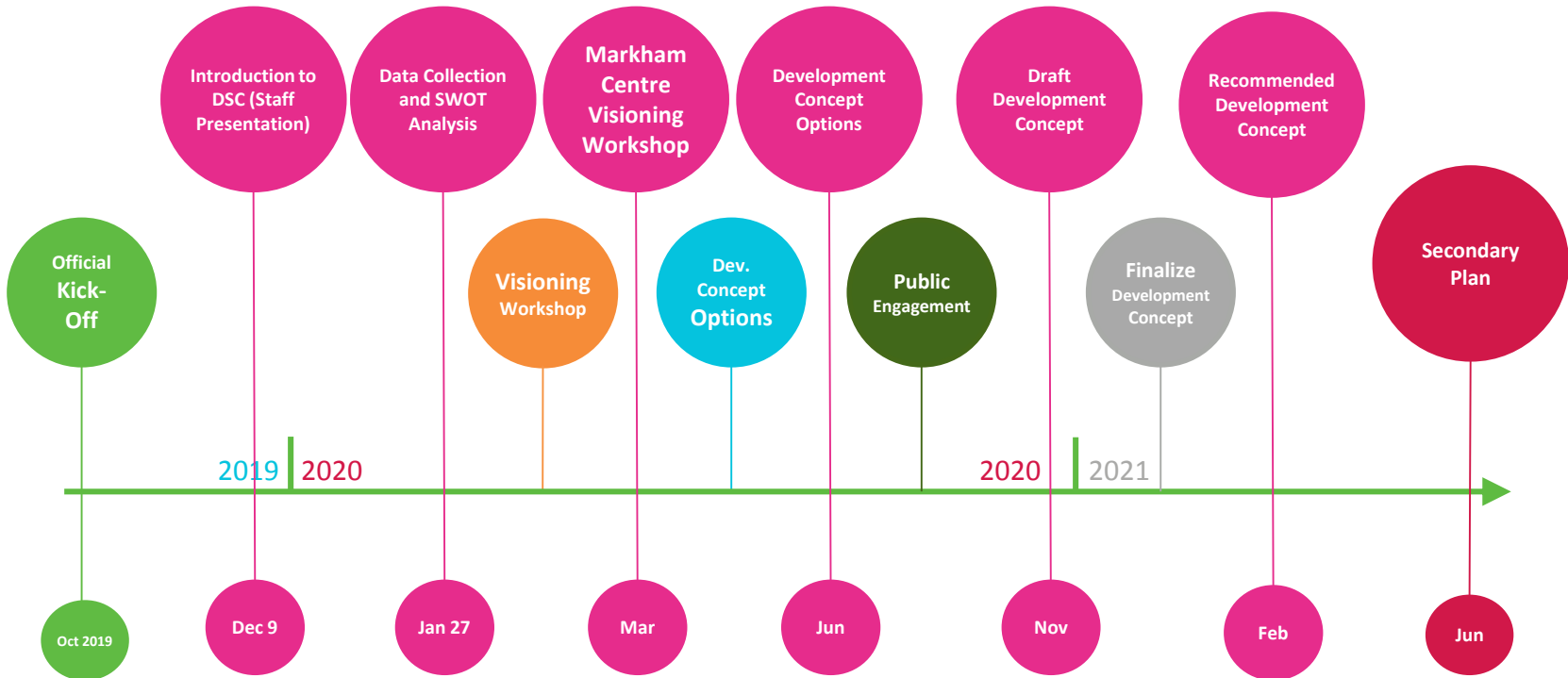


Stantec

Transportation (coming soon)



We are
HERE



Thank You

Markham Road – Mount Joy Secondary Plan Study

**Status Update
December 9, 2019**

Study Overview

Policy Direction

- Official Plan 2014 identifies the area as a Local Corridor and intensification area, and also identifies the need for a secondary plan to guide future development

Study Purpose

- To prepare a development concept and policy guidance that will inform the preparation of a secondary plan

Study Components

- Multi-disciplinary study that integrates Land Use & Urban Design, Transportation, and Municipal Servicing



Vision

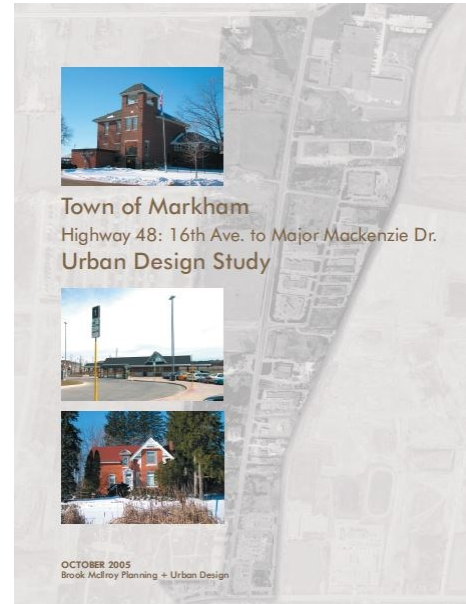
The vision for the Markham Road – Mount Joy Local Corridor is:

“... for a **mixed-use corridor that functions as a main street integrating a range of housing, employment, shopping and recreation opportunities**, at transit supportive densities adjacent to the GO station, to serve the adjacent communities of Berzcy Village, Wismer Commons, Greensborough and Swan Lake.”

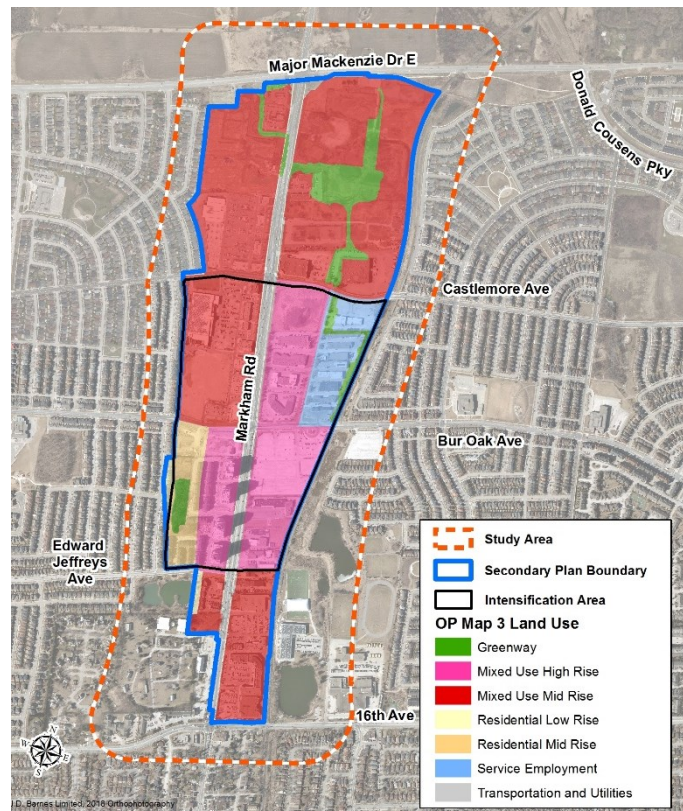
Official Plan, 2014

Previous Studies

- The Study will build on previous work in the area, including:
 - Highway 48: 16th Avenue to Major Mackenzie Drive Urban Design Study, 2005
 - Markham Road Corridor Transportation Study, 2012
 - Markham Road Corridor Servicing Study, 2012



Official Plan 2014, Map 3 – Land Use



Development Activity



Markham Road – Mount Joy Today

Markham Rd at 16th Ave looking north



Markham Rd at Bur Oak Ave looking north



Bur Oak Ave at Mount Joy GO Station looking west



Markham Rd approaching Major Mackenzie Dr



Castlemore Ave at the Rail Corridor, looking east



Study Process and Timeline

Study Process and Timeline

	WE ARE HERE					
	Phase 1	Phase 2	Phase 3	Phase 4	Phase 5	Phase 6
Phases:	Project Kick-off	Background Review & Analysis	Vision, Guiding Principles & Demonstration Plan	Community Consultation	Analysis and Recommendations	Final Reports
Tasks:	<ul style="list-style-type: none">Project Kick-OffWork PlanStakeholder and Community Consultation Approach	<ul style="list-style-type: none">Assess Existing ConditionsAssess Potential GO StationTransportation ModellingDesign Charrette Options	<ul style="list-style-type: none">Design CharretteDevelop Vision & Guiding PrinciplesDraft Demonstration PlanKey Policy DirectionInterim Report	<ul style="list-style-type: none">Community Consultation	<ul style="list-style-type: none">TransportationMunicipal ServicingFinal Demonstration Plan	<ul style="list-style-type: none">Final Study Report
Council Touch-Points:	<ul style="list-style-type: none">Councillor 1:1sDSC	<ul style="list-style-type: none">Markham Sub-Committee	<ul style="list-style-type: none">Design Charrette	<ul style="list-style-type: none">Markham Sub-CommitteeDSC		<ul style="list-style-type: none">Markham Sub-CommitteeDSC
Timing:	Q4 2019	Q1 2020	Q1/Q2 2020	Q2/Q3 2020	Q3/Q4 2020	Q4 2020

Stakeholder Engagement

Key Considerations

Land Use & Urban Design

- **APPROPRIATE MIX AND INTENSITY OF USES** - Integrating **housing (including affordable housing), jobs, parks and open space, shopping and recreational opportunities**
- **PLACEMAKING** - Creating an **appealing, compact, vibrant and walkable community**
- **TRANSITION** – Having regard for the **Markham Village Heritage Conservation District**

Transportation

- **IMPROVED MOBILITY** – Evaluating the transportation network and integrating the findings of parallel studies to ensure **anticipated development can be supported**
- **CONNECTIVITY** - Improving connections within and through the study area for all modes of transportation
- **TRANSIT** - Assessing transit opportunities and the **potential for an additional GO Rail Station** at Major Mackenzie Drive

Municipal Servicing

- **LONG-TERM FOCUS** - Ensuring **flexibility for and future proofing** long-term servicing needs
- **NATURALIZATION** - Examining the **potential to “daylight”** buried sections of Mount Joy Creek
- **FLOODPLAIN MANAGEMENT** - Investigating options that can **address flood prone lands**

Consultant Team

Land Use & Urban Design

SvN



AECOM

Transportation

HDR

Municipal Servicing

counterpoint 
ENGINEERING

Next Steps

- Q1 2020:
 - Update to Markham Sub-Committee to provide an update on the background review and analysis phase of the study, and provide options for the design charrette



MEMORANDUM

TO: Chair and Members of Development Services Committee

FROM: Arvin Prasad, Commissioner of Development Services

PREPARED BY: Sabrina Bordone, Senior Planner, Central District

REVIEWED BY: Stephen Lue, Development Manager, Central District

DATE: December 9, 2019

RE: The Marleigh Retirement Residence Phase II (Amica Unionville Inc.)
Site Plan Application to permit the second phase of a retirement residence located at 34 Main Street (Ward 3)
File No. SC 14 120628

RECOMMENDATION:

- 1) That the presentation by Kathryn Randle, Director, Development & Planning with Rockport Group, to permit the second phase of a retirement residence located at 34 Main Street, File No. SC 14 120628, be received;
- 2) That the Site Plan Application, submitted by Amica Unionville Inc. (the "Owner"), to permit the second phase of a retirement residence located at 34 Main Street, File No. SC 14 120628, be endorsed, in principle, subject to the conditions attached hereto as Appendix A;
- 3) That final Site Plan Approval be delegated to the Director of Planning and Urban Design or his designate;
- 4) That Council grant servicing allocation for a maximum of 16 units (retirement rooms) that will include cooking facilities;
- 5) That the City reserves the right to revoke or reallocate servicing allocation should the development not proceed in a timely manner;

- 6) That this endorsement shall lapse after a period of three years from the date of endorsement in the event that a Site Plan Agreement is not executed within that period;
- 7) And that Staff be authorized and directed to do all things necessary to give effect to this resolution.

PURPOSE:

The purpose of this memorandum is to discuss and recommend endorsement, in principle, of the Phase 2 retirement residence.

BACKGROUND:

The 1.2 ha (3.1 ac) subject lands are located on the west side of Main Street Unionville, north of Enterprise Boulevard, and are municipally known as 34 Main Street (the “subject lands”), as shown on Figure 1. Bill Crothers Drive, which connects Bill Crothers Secondary School to Enterprise Boulevard, bisects the subject lands into an east and west parcel.

The east parcel is comprised of the Phases 1 and 2 lands. The development of the Phase 1 lands was completed in 2015 and consists of a nine-storey retirement residence. The Phase 2 development, which fronts Main Street Unionville and is the subject of this memorandum, is currently vacant and situated east of the existing Phase 1 lands.

The west parcel comprises the Phase 3 lands and currently serves as a surface visitor parking lot for the Phase 1 lands, as shown on Figure 2. The Phase 3 lands are intended for development in the future. Currently a nine-storey retirement residence is permitted.

HISTORY OF PREVIOUS ENDORSEMENT:

On April 21, 2009, the Development Services Committee (“DSC”) endorsed, in principle, the Site Plan Application to permit development on both the Phase 1 and 2 lands (see Appendix C). At the time of the original endorsement, the Owner proposed a phasing plan that included the Phase 1 lands adjacent to Main Street Unionville and the Phase 2 lands on the east side of Bill Crothers Drive. The DSC endorsed both Phases with building heights of nine-storeys linked by a common podium.

The Owner now proposes to modify the Phase 2 retirement residence building in response to market demands, client needs, and City staff comments. The proposed modifications improves the overall functionality of the building and client experience.

PROPOSAL:

The Owner’s proposed development (the “proposed development”) comprises the following key elements on the Phase 2 lands:

- a) a nine-storey retirement residence with a gross floor area (“GFA”) of 11,507 m² (123,863 ft²);
- b) a total of 143 units;
- c) a shared private driveway that extends from Bill Crothers Drive to Main Street Unionville with the Phase 1 lands and the lands to the south (municipally known as 28 Main Street); and,
- d) One level of underground parking consisting of 58 parking spaces.

The more significant changes from the previous endorsement to the proposed development are summarized below:

- An increase in the number of units (from 133 to 143 units), as a result of care floors being introduced (these units are smaller than independent living units);
- The introduction of cooking facilities for a maximum of 16 units (retirement rooms);
- The shared private driveway has been reconfigured to accommodate access to the proposed development to the south (28 Main Street);
- The entire building has been shifted 1.9 m south from the Phase 1 building to further articulate the built form;
- The building materials have changed from primarily red and buff brick with green spandrel to a mix of stone, brick and grey spandrel;
- Balconies have been introduced to some of the independent units to create a more residential feel;
- An outdoor seating area has been introduced on the south side of the building to help animate the space;
- A large porch has been added at the southeast corner fronting onto Main Street Unionville; and,
- Minor increases to the building height have been made and approved by the Committee of Adjustment (see below), while maintaining the terracing and stepping back of the building from Main Street Unionville.

Minor Variances have been granted by the City’s Committee of Adjustment

On November 13, 2019, the Owner received approval of minor variances from the Committee of Adjustment to facilitate the improvements to the proposed development (File No. A/93/19). The approved minor variances relate to matters including: landscape strip width, number of retirement rooms, height, required setbacks and underground parking encroachment.

City Staff and external agencies have no objection to the proposed development

City staff and external agencies, including the Toronto and Region Conservation Authority, reviewed the proposed development. The Owner has worked collaboratively with City staff and external agencies to address all technical issues and comments. The Phase 2 retirement residence building is generally consistent with the originally endorsed application, is stepped back in height from Main Street Unionville, is compatible with its surrounding uses and provides options for assisted living, memory care and independent suites within one building.

Servicing allocation is required for a maximum of 16 retirement rooms

The original endorsement considered the proposed development as an institutional use, which does not require servicing allocation. The Owner currently proposes that 16 of the 143 retirement rooms include cooking facilities in Phase 2, which requires the allocation of servicing capacity. A condition to this effect is included in the Recommendations of this memorandum.

CONCLUSION:

Staff are generally satisfied with the proposed development and recommend endorsement, in principle, subject to the conditions outlined in Appendix A. Staff further recommend that final Site Plan Approval be delegated to the Director of Planning and Urban Design or his designate.

ATTACHMENTS:

Figure 1: Location Map

Figure 2: Aerial Photo

Appendix A: Conditions of Site Plan Approval

Appendix B: Presentation prepared by Kathryn Randle, Rockport Group

Appendix C: April 21, 2009, Recommendation Report

AMANDA FILE NO.: SC 14 120628

APPENDIX A

City of Markham
 Conditions of Site Plan Approval
 The Marleigh Retirement Residence Phase II (Amica Unionville Inc.)
 34 Main Street
 File No. SC 14 120628

1. Prior to final Site Plan Approval, the Owner shall submit the final site plan and elevation drawings, underground parking garage layout plans, grading, servicing and engineering drawings, and landscape plans, along with any other plans, studies and reports, which are required to comply with the requirements of the City and external agencies, to the satisfaction of the Commissioner of Development Services.

2. The Owner shall enter into an Amending Site Plan Agreement with the City and the said Agreement shall contain all standard and special provisions and requirements of the City and external agencies including, but not limited to, the following:
 - a. Provision for the payment by the Owner of all applicable fees, recoveries, development charges, cash-in-lieu of parkland dedication, and any other financial obligations and securities.

 - b. Provision that the Owner shall agree to implement the Bird-Friendly Measures, as identified on the Bird-Friendly checklist provided on the building elevations, to the satisfaction Director of Planning and Urban Design.

 - c. Provision that the Owner agrees to achieve LEED Silver Equivalent, as identified on the site plan, to the satisfaction of the Director of Planning and Urban Design.

 - d. Provisions for satisfying all requirements of City Departments and public agencies.

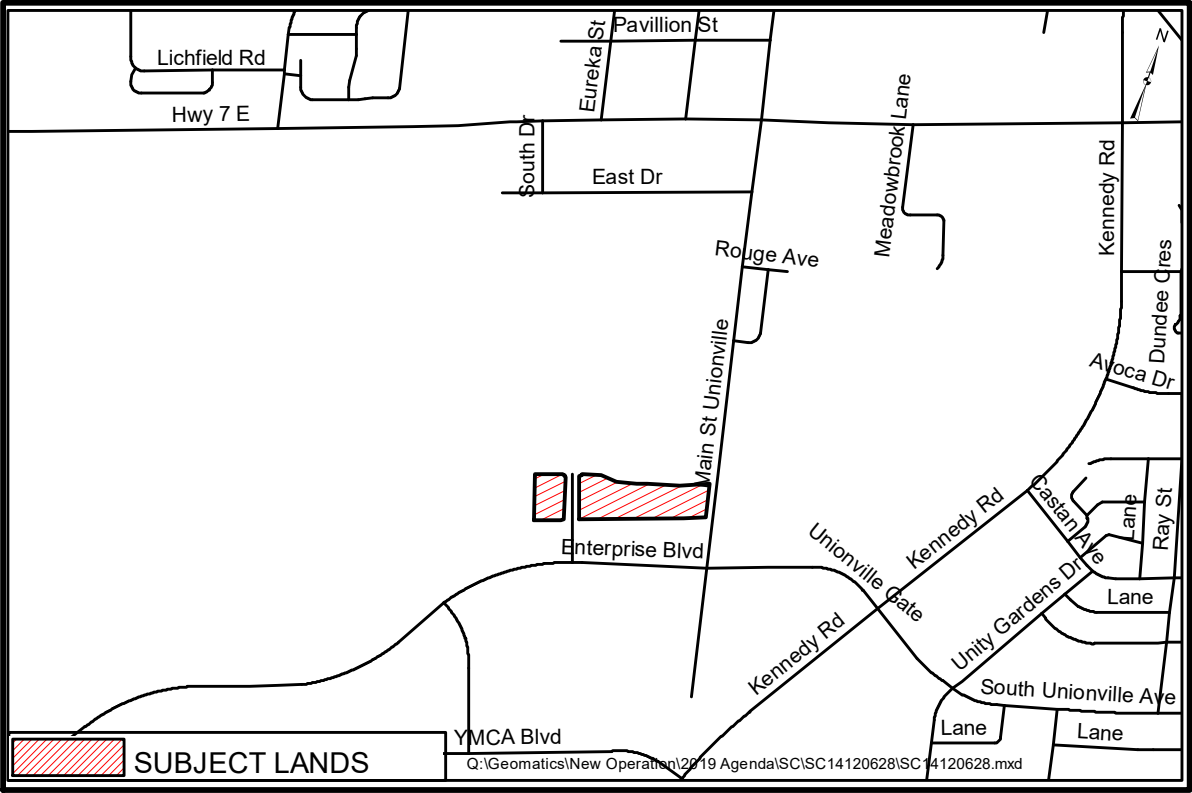
 - e. Provisions to secure implementation of the recommendations of the approved reports.

 - f. Provision to secure implementation of the approved Transportation Demand Management Plan.

4. Prior to executing the Site Plan Agreement, the Owner shall submit to the City copies of a registered easement document for the east-west mutual driveway shared with the property immediately to the south. The Owner shall prepare a registered plan and the bear the costs for preparation of the reference plan and

transfer documents as may be required for the land transfer, to the satisfaction of the Commissioner of Development Services.

5. Prior to the issuance of Site Plan Approval, the Owner shall obtain a permit from the Toronto and Region Conservation Authority.
6. This endorsement shall lapse and Site Plan Approval will not be issued, after a period of three years commencing on December 9, 2019, in the event that the Site Plan Agreement is not executed within that period.






AERIAL PHOTO (2018)

APPLICANT: Amica Unionville Inc.
34 Main St. Unionville South

FILE No. SC 14120628 (SB)

Q:\Geomatics\New Operation\2019 Agenda\SC\SC14120628\SC14120628.mxd

 Subject Lands

Date: 19/11/2019



DEVELOPMENT SERVICES COMMISSION

Drawn By: CPW

Checked By: SB

FIGURE No. 2

Proposed Retirement Residence Phase 2 Development 34 Main St. Unionville, ON






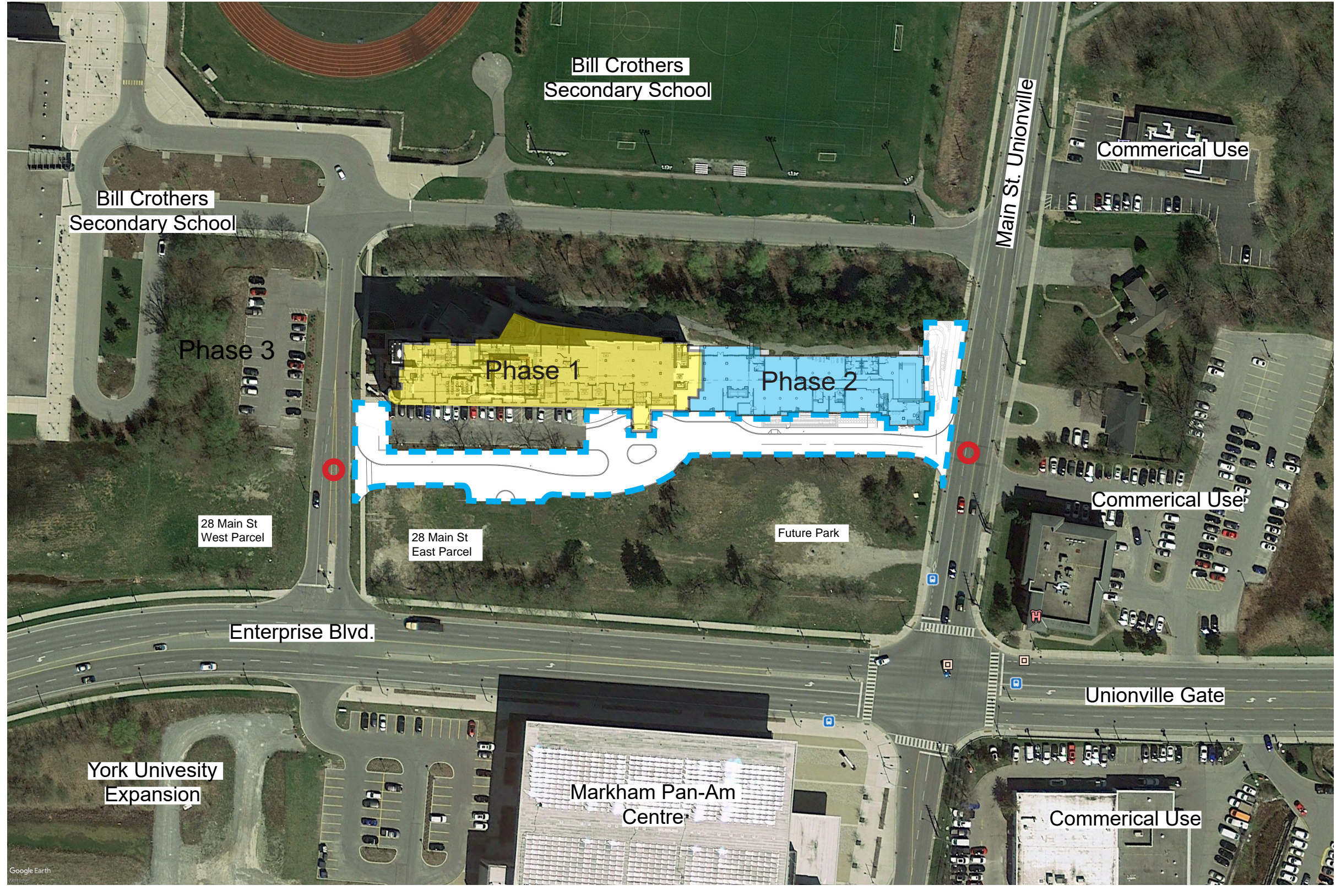
-  Existing Phase 1
-  Proposed Phase 2
-  Proposed Phase 2 Landscape/Driveway
-  Proposed Phase 2 Vehicular Access



Master Plan - Existing

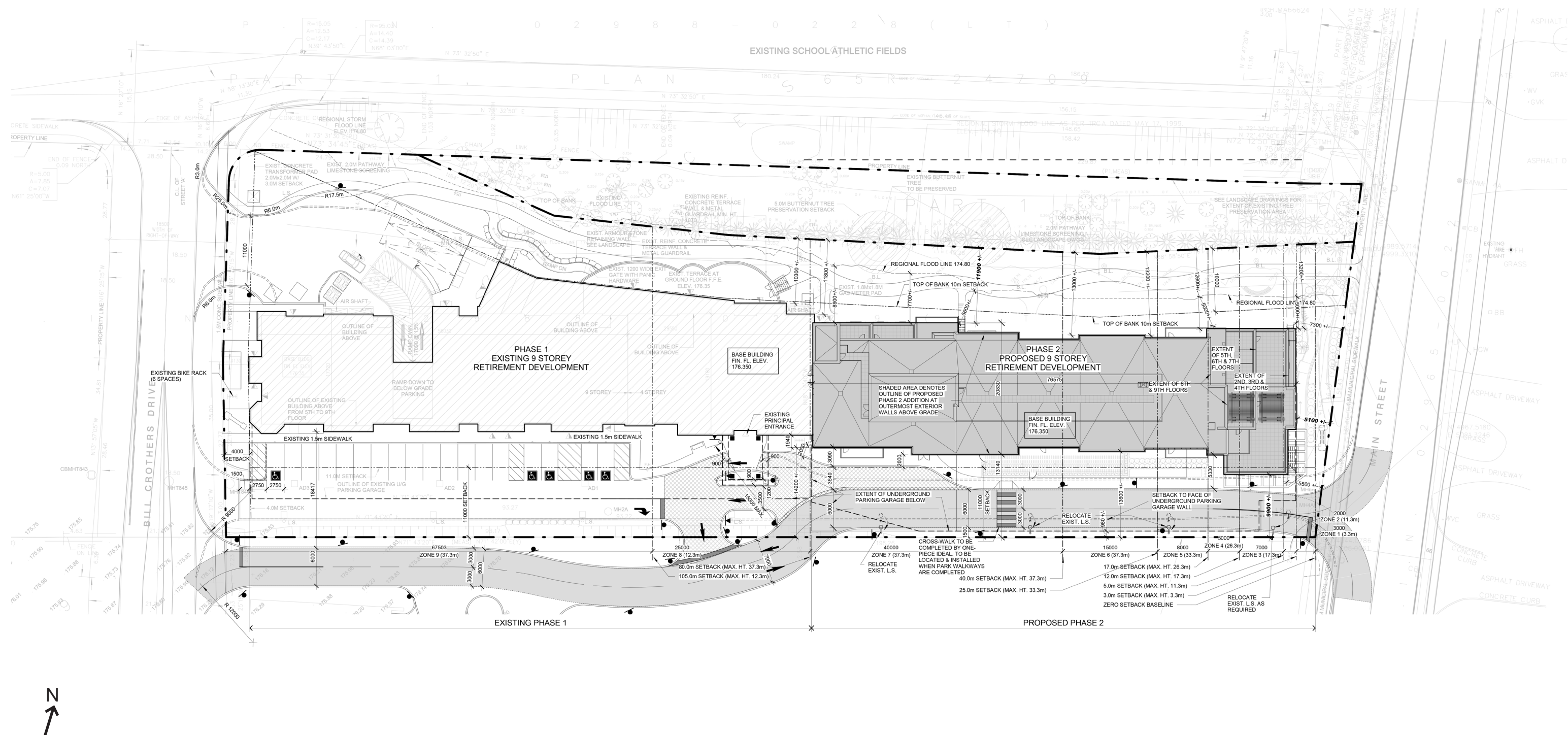
Proposed Retirement Residence Phase 2 Development
34 Main St. Unionville, ON
11/12/19

-  Existing Phase 1
-  Proposed Phase 2
-  Proposed Phase 2 Landscape/Driveway
-  Proposed Phase 2 Vehicular Access



Master Plan - Proposed Ph. 2

Proposed Retirement Residence Phase 2 Development
34 Main St. Unionville, ON
11/12/19






Artists Concept



ROCKPORT® AMICA
Life. Lived better. SENIOR LIFESTYLES

View From Main St.

Proposed Retirement Residence Phase 2 Development
34 Main St. Unionville, ON
11/12/19

 **MARKHAM BIRD FRIENDLY BUILDING CHECKLIST**

Applicant to include checklist on Elevation Drawing(s) at first site plan submission. Drawing(s) to be stamped and signed by an OAA member.

MANDATORY PRIMARY TREATMENTS FOR ALL DEVELOPMENTS
At Grade Condition (check to confirm the below is applied)

☒ Bird friendly treatment is applied on minimum 85% of contiguous glass panel area, if each panel area is greater than 2m² and within 16m from finished grade.

Roof Landscape Condition (check to confirm one of the below is applied)

☐ Bird friendly treatment is applied on minimum 85% of contiguous glass panel area, if each panel area is greater than 2m² and within 16m from roof level finished grade.

☐ Development contains no glass panel within 16m from roof level finished grade.

Patterns (check to confirm one or more of the below are applied)

☐ **Stripes**
Horizontal strip spacing is less than 5cm on centre; vertical strip spacing is less than 10cm on centre; horizontal strips widths are greater than 3.1mm; and vertical strips widths are greater than 6.1mm.

☐ **Dots**
Dot size is larger than 5mm; horizontal strip spacing is less than 5cm on centre; and vertical strip spacing is less than 10cm on centre.

Specifications (check to confirm one or more of the below is applied)

☐ Pattern is applied as fritting or etching of glass; and pattern colour are high contrast in relation to the background.

☐ Pattern is applied as film on exterior surface of glass; and pattern colour are high contrast in relation to the background.

1.4 LEED® CREDITS OVERVIEW

These specifications outline the intended LEED® credits needed to achieve LEED® Certify Equivalency status for the project. Requirements, procedures and documentation needed for achieving each credit in the table listed below is included in this document.

Selected LEED® Credits for 34 Main Street	
SS-p1	Erosion & Sedimentation Control
SS-c7.2	Heat Island Effect, Roof
WE-c3	Water Use Reduction
EA-p3	CFC Reduction in HVAC&R Equipment and Elimination of Halons
EA-c4	Ozone Protection
MR-c2	Construction Waste Management
MR-c4	Recycled Content
MR-c5	Regional Materials
IEQ-c3.1	Construction IAQ Management Plan: During Construction
IEQ-c3.2	Construction IAQ Management Plan: Testing Before Occupancy
IEQ-c4.1	Low-Emitting Materials: Adhesives & Sealants
IEQ-c4.2	Low-Emitting Materials: Paints and Coating
IEQ-c4.3	Low-Emitting Materials: Carpet
IEQ-c5	Indoor Chemical & Pollutant Source Control
ID-1.4	Low Mercury Lamps

SRS Consulting Engineers
7225 Woodbine Ave., suite 115A, Markham, Ontario. L3R 1A3
Tel: 416-258-2218

Thank you





Report to: Development Services Committee

Report Date: April 21, 2009

SUBJECT: **RECOMMENDATION REPORT**
Main Street Residence (Unionville) Inc. ("The Rockport Group")
Zoning By-law Amendment and site plan applications to permit the development of a retirement residence at 34 Main Street South, Unionville.
Markham Centre

ZA 06 120486 & SC 08 128054

PREPARED BY: Central District Development Services Team
 Ext. 6588

RECOMMENDATIONS:

- 1) That the report dated April 21, 2009 titled "RECOMMENDATION REPORT, Main Street Residence (Unionville) Inc. ("The Rockport Group"). Zoning By-law Amendment and site plan applications to permit the development of a retirement residence at 34 Main Street South, Unionville. Markham Centre (ZA 06 120486 & SC 08 128054)," be received;
- 2) That the record of the Public Meeting held on November 4, 2008 regarding the proposed Zoning By-law Amendment be received;
- 3) That the Zoning By-law amendment application (ZA 06 120486) submitted for 34 Main Street South Unionville be approved, and that the draft implementing Zoning By-law (ZA 06 120486) to amend Zoning By-law 122-72, as amended, be finalized and enacted by Council at a later date, upon resolution of all of the site plan issues identified in this report, to the satisfaction of the Town;
- 4) That the proposed retirement residence use and site plan for Phases 1 and 2 be endorsed in principle, subject to the conditions attached as Appendix 'A';
- 5) That Site Plan approval be delegated to the Director of Planning and Urban Design, or her designate, to be issued following execution of a Site Plan Agreement. Site Plan approval is issued only when the Director has signed the Site Plan;

Report to: Development Services Committee

Report Date: April 21, 2009

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- 6) That the proposed retirement residence shall be considered as an institutional use for servicing allocation purposes and cash-in-lieu of parkland dedication;
 - 7) That the Chief Administrative Officer and the Town Solicitor be authorized to negotiate an agreement, and the Mayor and Clerk be authorized to enter into said agreement with the York Region District School Board, regarding future operations and maintenance of the storm drainage system in the Bill Crothers Secondary School Site, for drainage of Street 'A';
 - 8) That the Mayor and Town Clerk be authorized to enter into an agreement with the York Region District School Board, the Owner, and any other benefiting landowners for the construction of storm sewers including stormwater management facilities in the Bill Crothers Secondary School site, to the satisfaction of the Chief Administrative Officer and the Town Solicitor;
 - 9) That Council authorizes the Mayor and Town Clerk to enter into a construction agreement for Street 'A', if required;
 - 8) And that Staff be authorized and directed to do all things necessary to give effect to this resolution.

EXECUTIVE SUMMARY:

Zoning By-law amendment and Site Plan applications have been submitted by The Rockport Group on behalf of Main Street Residence (Unionville) Inc. to permit the development of a retirement residence at 34 Main Street South, Unionville (the "subject property"), which is located south of Highway 7, west of Kennedy Road, immediately adjacent to the Bill Crothers Secondary School in Markham Centre.

The proponent is proposing a phased development comprised of two (2) nine-storey buildings (Buildings A and B) and contemplates a third, 9-storey future building (Building C) on the westerly portion of the site adjacent to the high school. A total of 393 units are proposed for the overall development. There was a previous proposal at this site by the Co-operators Development Corp. in 2006 for three (3) eight-storey residential condominium buildings with approximately 319 units.

A Zoning By-law amendment is required to permit the proposed development as the subject property is zoned *Rural Residential One (RRI)* which permits only a single family detached dwelling. Site-specific development standards and *Hold* provisions will also be implemented as part of this application, and incorporated into the Markham Centre By-law 2004-196. It is recommended that the draft implementing Zoning By-law be finalized and enacted by Council at a later date, upon resolution of the site plan issues.

A community information meeting was held on October 6, 2008 to allow the owner to present the proposed development to the community. The statutory Public Meeting was

Report to: Development Services Committee

Report Date: April 21, 2009

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held on November 4, 2008 and the applicant made presentations to the Markham Centre Advisory Group on September 25, 2008 and December 18, 2008.

The proponent has been working to address technical and design issues such as:

- Access onto Main Street South, Unionville;
- The timing and delivery of Street 'A';
- Potential for shared access with the property to the south;
- TRCA approval and valleyland buffer issues;
- Relationship to the lands to the south and interface with the school site;
- Tree inventory and preservation;
- Sustainable development practices;
- Built form and height;
- Connection to District Energy; and
- Participation in the Markham Centre Landowners Group.

PURPOSE:

The purpose of this report is to discuss and recommend approval of the Zoning By-law amendment application and to recommend endorsement in principle, of the Site Plan application to permit a retirement residence at 34 Main Street South, Unionville ("Main Street") in Markham Centre.

BACKGROUND:

Property and Area Context

34 Main Street is located within Markham Centre's East Precinct, on the west side of Main Street Unionville, south of Highway 7, north of Unionville Gate, and west of Kenendy Road (Figure 1). The subject property encompasses 1.4 hectares (3.5 acres) and contains a significant amount of trees and natural vegetation.

Surrounding land uses include the Bill Crothers Secondary School to the north and west (44 Main Street). The GO rail line is located immediately west of the school. South of the site are lands owned by Sylmatt Investments (Kopansky family). The future extension of Enterprise Boulevard to Main Street South, Unionville ("Main Street") is located just south of the Sylmatt Investments lands. To the east across Main Street, is an existing residential dwelling (Figure 3).

Previous Proposal by the Co-Operators Development Corporation

The subject property was formerly owned by the Co-Operators Development Corporation. In 2006, a Zoning By-law amendment application was submitted by the Co-Operators to permit three (3) eight-storey residential condominium buildings with a total of approximately 319 units. Servicing allocation was not available for the proposed development, and a recommendation report was not finalized.

Current proposal by Main Street Residence (Unionville) Inc.

A revised Zoning By-law amendment application was submitted in August 2008, by the Rockport Group on behalf of Main Street Residence (Unionville) Inc. and a site plan

application was submitted in October 2008. The proponent is proposing to phase development of retirement residences with a total of approximately 393 units. The units will be a mixture of studios, one-bedroom, one-bedroom with den, and two-bedroom units. The overall development will be comprised of three (3) nine-storey buildings, a proposed public road (Street 'A'), and a private outdoor amenity space fronting onto Main Street (Figure 4). A three-storey podium between Building A and Building B will accommodate the primary entrance and common facilities for both Phases 1 and 2.

Phase 1 (Building A) will front onto Main Street with three (3) storeys abutting Main Street and stepping up to nine (9) storeys (30.5 metres). Building A will have a gross floor area of approximately 13,000 m² (139,935 ft²) and consist of 144 units (Figure 4). Phase 2 (Building B) contemplates 139 units in a nine-storey building which will be located to the rear (west) of Building A and east of Street 'A' and have a gross floor area of approximately 9,435 m² (101,561 ft²). Phase 3 (Building C) contemplates a future building to the west of Street 'A' and adjacent to the secondary school (Figure 5). Detailed plans for Phase 3 will be provided at a later date, and that phase will be subject to a future site plan application and report.

Markham Centre Secondary Plan

The property is designated *Commercial-Community Amenity Area (General)* in the Markham Centre Secondary Plan (OPA 21). The *Community Amenity Area* designation provides for a mix of residential, commercial, employment and community uses in a pedestrian friendly manner. The *Community Amenity Area-General* designation provides for medium and high density residential use, subject to review of a specific development proposal and rezoning.

Zoning

34 Main Street is zoned *Rural Residential One (RR1)* which permits only a single family residential dwelling (Figure 2). A zoning amendment is required to permit the proposed retirement residence development and to implement site-specific development standards to ensure the proposal meets the criteria for a retirement residence use with common dining facilities.

Hold (H) provisions will be applied to Phases 2 and 3, and the By-law amendment will incorporate the subject property into the Markham Centre By-law 2004-196, as amended. The valleylands and/or buffer zone required by the TRCA will be zoned *Open Space*.

The *Hold (H)* provision on the Phase 2 lands can only be removed when the following conditions have been satisfied:

1. The Owner shall coordinate and make satisfactory arrangements, including entering into any necessary agreements with the Town and the York Region District School Board, for the construction of the Street 'A' right-of-way located within the subject property, including all municipal infrastructure, and to designate all lands as public highway, all at no cost to the Town; and

Report to: Development Services Committee

Report Date: April 21, 2009

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2. Execution of an agreement with the Town, including financial securities, for the construction of Street 'A' within the subject property.

A *Hold (H)* provision will be applied to Phase 3 and can only be removed when the following conditions have been met:

1. Execution of a site plan agreement for Phase 3;
2. Arrangements for site servicing including any external services to the satisfaction of the Town and at no cost to the Town; and
3. Construction of Street 'A' to the satisfaction of the Town.

East Precinct Plan

The purpose of the East Precinct Plan is to provide a planning context in which to evaluate future development applications. A draft East Precinct Plan was presented to Council in January 2006, however, formal endorsement was deferred pending resolution of land ownership issues and on-going discussions regarding the use of Town-owned lands. Staff prepared a report to Development Services Committee in September 2008 recommending a further review of the East Precinct. The review was recommended particularly as it relates to the recent designation of the Unionville GO station as a future mobility hub and the need to integrate the East Precinct with the Remington Group's plan to the west, across the GO rail line, and the proposed CSIO facility. It is not anticipated, however, that this review will impact on the road network or built form criteria, previously established in the draft East Precinct Plan, as they relate to the applicant's lands.

Markham Centre Advisory Group

This application was presented to the Markham Centre Advisory Group (the "Advisory Group") on September 25, 2008 and December 18, 2008, and the Markham Centre Report Card and Performance Measures Checklist have been applied to this proposal. The Advisory Group generally accepted the proposal subject to the proponent addressing certain built form and public space matters, environmental considerations, and transportation matters in response to the Markham Centre Report Card. These matters are discussed later in this report. The Advisory Group recommended that the proponent continue to pursue LEED accreditation for this project.

Community Information Meeting and Statutory Public Meeting

A community information meeting was held on October 6, 2008 and a statutory public meeting was held on November 4, 2008 which were attended by residents and a representative from the Unionville Ratepayers Association. Issues raised at these meetings include LEED certification, relationship between the proposed development, the secondary school, access issues with regard to the property to the south, the TRCA buffer zone, building height, tree preservation, access to Main Street and the proposed public road. These matters are discussed later in this report.

OPTIONS/ DISCUSSION:**Servicing allocation not required**

The proposed retirement residence units will consist of bedrooms with a living area, and in some instances with a den. However, kitchens will not be provided in the individual units. A centralized dining area and kitchen will be provided for the residents to have their meals. In accordance with Region of York allocation policy, servicing allocation for the proposed development is therefore not required. The Zoning By-law amendment will be drafted to ensure that the proposed development cannot be converted to residential condominium units at a later date without the need for a Zoning By-law amendment and servicing allocation. This report recommends that Council deem the proposed retirement residence as an institutional use for servicing purposes.

Toronto and Region Conservation Authority (TRCA) approval required

The northerly portion of the subject property is located within the TRCA Regulated Area of the Rouge River Watershed and Regional Storm Floodplain. The Valley and Stream Corridor Management Program (VSCMP) also applies to these applications. Typically, a 10 metre buffer zone is required as part of the VSCMP (Figure 4) and encroachments are not permitted within this buffer zone. Although part of the valley corridor system, these lands are physically separated from the corridor by the location of the access driveway to the secondary school.

The TRCA issued a permit for the previous application submitted by the Co-Operators. This current proposal however, differs from the previous plans for which the TRCA permit was issued. The proponent has been working with the TRCA to ensure that an appropriate buffer zone (minimum 10m), building setbacks and any other requirements are satisfactorily addressed. Encroachments are not permitted within the required buffer zone.

The TRCA is currently withholding recommendations on the site plan pending submission of a Stormwater Management Report, Sediment and Erosion Control Plan and revised Planting Plan necessary to complete their review. TRCA approval is a condition of site plan endorsement (See Appendix 'A' attached). The owner will be required to convey the valleylands to the Town (Figure 4), and this is a condition of site plan approval (see Appendix 'A' attached).

The proponent is proposing a pedestrian walkway through a portion of the valleylands, however, this will require an agreement with the Town, and the Town will not be responsible for the maintenance of pedestrian walkways or any structures within the TRCA floodplain area and this condition will be included in the site plan agreement (see Appendix 'A' attached).

Design and construction of Street 'A' (proposed public street)

Street 'A', a public street, is proposed as a component of the proposed development (Figure 5). The future development of Phases 2 and 3 will front onto Street 'A' and parking and service access would occur via Street 'A'. The proposed street will eventually connect to the Bill Crothers Secondary School site and Enterprise Boulevard

to the south. Construction of Street 'A' will require lands from the abutting property to the south in order to connect to Enterprise Boulevard. The proposed public street (Street 'A'), as shown on the site plan (Figure 4) must align with the existing driveway location on the Bill Crothers Secondary School site to the north, and accommodate a sidewalk on either side (see Appendix 'A' attached).

The proponent has had discussions with the York Region District School Board (the "School Board"), the abutting landowner to the north and west, to secure an access easement on the School Board property for municipal service vehicles. Town staff are in receipt of a letter from the School Board dated January 23, 2009, indicating that they are prepared to provide an access easement subject to the Owner agreeing to cost sharing for sanitary and stormwater management services front-ended by the School Board. The proponent is still in negotiations with the School Board. A permanent access easement from the School Board, in favour of the Town is a condition of site plan endorsement (see Appendix 'A' attached).

In the event that the proponent is unable to reach an agreement with the School Board, a cul-de-sac will be required at the north end of Street 'A' to provide adequate turning movements for municipal service vehicles (eg. snow ploughs, garbage trucks, etc.) and further design work will be required with regard to this. A condition of site plan endorsement will secure the necessary area for a cul-de-sac at the termination of Street 'A' or alternative measures to accommodate turning movements of municipal vehicles, in the event that an access easement from the School Board is not granted (see Appendix 'A' attached). The cul-de-sac, if required, would affect the unit yield and design of Phase 2.

Provision of the cul-de-sac, if necessary, would require design changes to implement Phase 2 of this project. A Plan & Profile of Street 'A' to Enterprise Boulevard, designed to Town standards is required as a condition of site plan approval (see Appendix 'A' attached). The Owner is required to prepare a reference plan and transfer documents to convey the land required for the proposed road right-of-way within the subject lands, to the Town free of costs and encumbrances.

To ensure delivery of Street 'A' in a timely fashion, the *Hold* provision on the Phase 2 lands cannot be removed until the Street 'A' right-of-way within the property has been conveyed and arrangements for the delivery of Street 'A' have been made to the satisfaction of the Town. The Owner is required to participate with the Town and the York Region District School Board for the delivery of their portion of Street 'A', and to enter into a construction agreement with the Town, if required, for the construction of Street 'A', including all municipal infrastructure, at no cost to the Town. The requirements for the design, approval, construction, acceptance and assumption of Street 'A' will be included in a construction or development agreement. The Letters of Credit secured through this site plan application will not be reduced beyond the amount required to secure the construction of the applicant's portion of Street 'A' (see Appendix 'A').

The conveyance of the Street 'A' right-of-way within the subject lands, with a minimum 18.5 metre right-of-way and cul-de-sac (if required) is a condition of site plan approval. The proponent is required to provide all environmental site assessment reports to the Town for peer review and concurrence. A Record of Site Condition is required to be filed with the Provincial Environmental Site Registry all in accordance with the Environmental Protection Act (see Appendix 'A' attached).

Engineering requirements must be met to the satisfaction of the Town*Storm Drainage*

The proponent is required to drain its site and the future public road, Street 'A', through the existing school site as outlined in a previous drainage study. The School oversized the storm sewers and stormwater management facility to accommodate the future development of these lands, the lands to the south and Street 'A' and therefore a cost sharing/ maintenance agreement is required. Prior to the execution of a site plan agreement, the Owner is required to enter into a cost-sharing agreement with the York Region District School Board and the Town, for storm sewers including stormwater management facilities, in the Bill Crothers Secondary School site.

Sanitary Drainage

Servicing plans and all other engineering requirements must be provided to the satisfaction of the Town, prior to site plan endorsement (see Appendix 'A' attached).

Transportation and parking

A Traffic Assessment has been reviewed and accepted by the Town. The proponent is presenting the proposal as a "low-traffic generating" development given that the residents will be seniors, in combination with the provision of a shuttle bus service to the residents. Permanent, full access on Main Street is required until Street 'A' is completed. There is the potential for restricting movements on Main Street when Street 'A' is completed, and this is a condition which will be included in the site plan agreement.

Sustainable development practices

The proponent has provided staff with a list of sustainable development practices for review. Some of the proposed sustainable measures include:

- Alternative transportation such as public transportation access, hybrid vehicles for autoshare and carpools, and designated parking for autoshare and carpools;
- Water efficient landscaping and water efficient fixtures;
- Optimizing energy performance through Low-E windows, wall and roof installation, occupancy sensor lighting and ventilation controls, and energy star appliances;
- Use of salvaged, refurbished, and reused materials, products and furnishings for 5% of the building materials;
- Use of recycled content such as recycled drywall, steel, flyash/slag in concrete (up to 7.5%);
- Use of up to 10% regional materials and certified wood; and
- Green housekeeping.

The proponent has committed to implementing the above-noted list. Additional sustainable initiatives recommended by staff include minimized water run-off, stormwater infiltration, maximizing tree preservation and landscaping opportunities, a white roof, water re-use and minimizing the heat island effect. The proponent will be required to incorporate appropriate Fatal Light Awareness Program (FLAP) components to their development to ensure more bird-friendly buildings. Town staff will review the final plans to incorporate appropriate bird-friendly development measures and the Owner will be required to implement sustainable development practices to the satisfaction of the Town (see Appendix 'A' attached).

District Energy

New developments within Markham Centre have been connecting to District Energy. The proponent has had initial discussions with District Energy, however, these discussions have not yet resulted in a commitment from the applicant to connect to District Energy. A permanent connection may be unavailable for Phase 1, until Street 'A' can be linked to the extension of Enterprise Boulevard through the neighbouring property to the south. Staff will continue to pursue this matter with the applicant and Markham District Energy (see Appendix 'A' attached).

Markham Centre Landowners Group

There is an active Landowners Group in Markham Centre within which the proponent is required to be a participant. The proponent has had discussions with the Group and is required to provide confirmation from the Trustee of the Markham Centre Landowners Group that they have fulfilled their obligations under the Landowners Group Agreement and are in good standing (see Appendix 'A' attached).

Tree preservation and landscaping

The proposed development will result in the removal of a significant number of trees. There are two rows of trees along the northern property line. The proponent was originally proposing to preserve one row of trees and remove the second row, however, they have shifted the building back and will endeavour to also protect the second row of trees, especially during construction. Tree protection measures will need to be implemented during construction (see Appendix 'A' attached).

The Owner's landscape architect and certified arborist, along with the TRCA and a representative from the Town's Community Services identified thirty (30) existing Kentucky Coffeetrees on the subject property which are of suitable size to be transplanted to two separate locations on the nearby Rouge River flood plain. A tree planting plan reflecting the relocation and replanting of the coffee trees is required, to the satisfaction of the Town. Given the number of trees and natural vegetation to be removed, an enhanced compensation program will be pursued by Town staff to ensure that additional tree planting is provided, particularly in light of the Mayor's Trees for Tomorrow initiative. A tree planting or landscape plan, and a tree inventory and preservation plan, including the trees to be protected within the buffer, setbacks, and open space areas must be approved by the Town prior to site plan endorsement (see Appendix 'A' attached).

Town staff recommend a minimum 3 metre landscape buffer with trees adjacent to the neighbouring property to the south. Revised landscaping plans addressing staff concerns must be approved prior to site plan endorsement (see Appendix 'A' attached).

Urban design

Phase 1 (Building A) will be comprised of a nine-storey building fronting onto Main Street. The proposed nine-storey building will be prominent in this location and will be the first building of this height to be introduced in the vicinity. The building will be three storeys along Main Street to address the interface with Main Street and create a pedestrian-oriented environment. The building then steps up to six and nine storeys (Figure 5).

The level of building materials including brick, glass, refinished metal and stucco are generally satisfactory subject to revisions recommended by Town staff, including but not limited to, accentuation of the roof cornice and cornice at the 7th floor, introducing dark brick at regular intervals to break up the massing of the building, and simplifying the detailing and the range of exterior materials along the Main Street facade. The roof top equipment is required to be screened and the rooftop features should be integrated in the overall design concept of the building. A pedestrian entrance has been added on Main Street which will enhance interaction at street level. The building massing and limited use of reflective glass on the building should help to facilitate implementing bird-friendly practices into the design.

An open space area is proposed fronting onto Main Street at the north-east corner of the site. This space will incorporate a trellis feature to match the building details, seating walls, and decorative paving and planting. The open space design must be approved prior to site plan approval (see Appendix 'A' attached). Town staff will ensure that the pedestrian connectivity and public spaces throughout the site are enhanced and appropriate easements and maintenance requirements are introduced in the site plan agreement.

Cash-in-lieu of Parkland

It is recommended that the owner pay the institutional rate of 5% towards cash-in-lieu of parkland dedication in accordance with the Planning Act. The alternative cash-in-lieu of parkland rate, identified in the Markham Centre Secondary Plan (OPA 21) for residential development will not be applied to this development as it has been determined to be an institutional use for servicing allocation purposes.

Recommend Council endorsement in principle

There are still a number of outstanding site plan and technical issues which need to be resolved to the satisfaction of the Town. Therefore, staff recommend Council endorsement of the overall concept site plan for Phases 1 and 2 in principle, subject to the conditions identified in Appendix 'A', and approval of the Zoning By-law amendment application. The draft implementing Zoning By-law will be brought forward for enactment upon resolution of site plan related issues.

Report to: Development Services Committee

Report Date: April 21, 2009

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FINANCIAL TEMPLATE


Not applicable.

ALIGNMENT WITH STRATEGIC PRIORITIES:

Growth management through appropriate intensification, built form, and the public stewardship of valleylands.

DEPARTMENTS CONSULTED AND AFFECTED:

All comments provided by internal departments and external agencies have been incorporated into this report and conditions of site plan endorsement.

RECOMMENDED BY:
Biju Karumanchery, M.C.I.P., C.P.P.
Senior Development Manager
James Baird, M.C.I.P., C.P.P.
Commissioner, Development Services**ATTACHMENTS:**

Appendix 'A' – Conditions of Site Plan Endorsement

Figure 1- Location Map

Figure 2- Area Context

Figure 3- Aerial Photo

Figure 4- Proposed Site Plan (Phase 1)

Figure 5- Proposed Site Plan (Phase 2)

Figure 6- Proposed Building Elevations

Coloured Renderings

Report to: Development Services Committee

Report Date: April 21, 2009

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AGENT

Tatiana Di Giacintio
Development Manager
The Rockport Group
170 The Donway West
Suite 307
Don Mills, ON, M3C 2G3
Tel: 416-444-7391
Fax: 416-445-4849

File path: Amanda\File 06 120486\Documents\Recommendation Report

APPENDIX 'A'

SITE PLAN CONDITIONS

1. That prior to the site plan and elevation drawings being endorsed by the Director of Planning and Urban Design:
 - a) The Owner shall provide a Functional Servicing Study to the satisfaction of the Director of Engineering;
 - b) The Owner shall make arrangements with the York Region District School Board to secure an access easement, in favour of the Town, for municipal service vehicles over the abutting property to the north (the Bill Crothers Secondary School site), to the satisfaction of the Town. In the event that an access easement is not granted, the Owner will be required to design a cul-de-sac at the termination of Street 'A' to Town standards, which may affect the design of Phase 2 or, provide alternative measures to accommodate turning movements of municipal vehicles, to the satisfaction of the Town;
 - c) The Owner shall provide written confirmation from the TRCA that they have no objections to approval of the proposed site plan, to the satisfaction of the Town; and
 - d) The Owner provides a tree planting plan and landscape plan, including how and where the existing coffee trees will be relocated and replanted, and compensation for the removal of any other trees or vegetation, to the satisfaction of the Director of Planning and Urban Design.

2. That the Owner enters into a site plan agreement with the Town of Markham, containing all standard and special provisions and requirements of the Town and other public agencies including, but not limited to:
 - a) Provision for the payment by the Owner of all applicable fees, recoveries, development charges, and cash-in-lieu of parkland dedication;
 - b) Provisions for satisfying all requirements of the Town Departments and external agencies;
 - c) Provision to ensure that the Owner does not reduce the Letters of Credit secured through this agreement, beyond the level required to secure the Owner's portion of Street 'A';
 - d) Provision to ensure that the Owner construct a cul-de-sac at the termination of Street 'A', to Town standards, in the event that an access easement from the York Region District School Board, in favour of the Town, over the abutting property to the north, for municipal vehicles, or alternative measures to accommodate turning movements of municipal vehicles, has not been provided to the satisfaction of the Town;
 - e) Provision for Street 'A' to align with the driveway location on the south perimeter of the abutting property to the north (the Bill Crothers

Secondary School site), and with the future connection to Enterprise Boulevard;

- f) Provision for the Owner to enter into a maintenance agreement with the Town for the maintenance of pedestrian walkways/structures constructed within the flood plain area;
- g) Provision for the Owner to pursue arrangements to connect to District Energy, if possible, to the satisfaction of the Town;
- h) Provision for the potential re-evaluation of movement and access on Main Street South, Unionville, prior to Phase 2 being developed and the Hold on Phase 2 being lifted, as determined by sound engineering practices;
- i) Provision for the Owner to work with the abutting landowner to the south respecting a future potential shared access easement to Street 'A', to the satisfaction of the Town;
- j) Provision for the Owner to participate in the enhanced hoarding program and that staff be authorized to enter into a Hoarding Agreement with the Owner; and
- k) Provision for the Owner to implement sustainable development standards and practices, to the satisfaction of the Town.

3. That prior to execution of the site plan agreement:

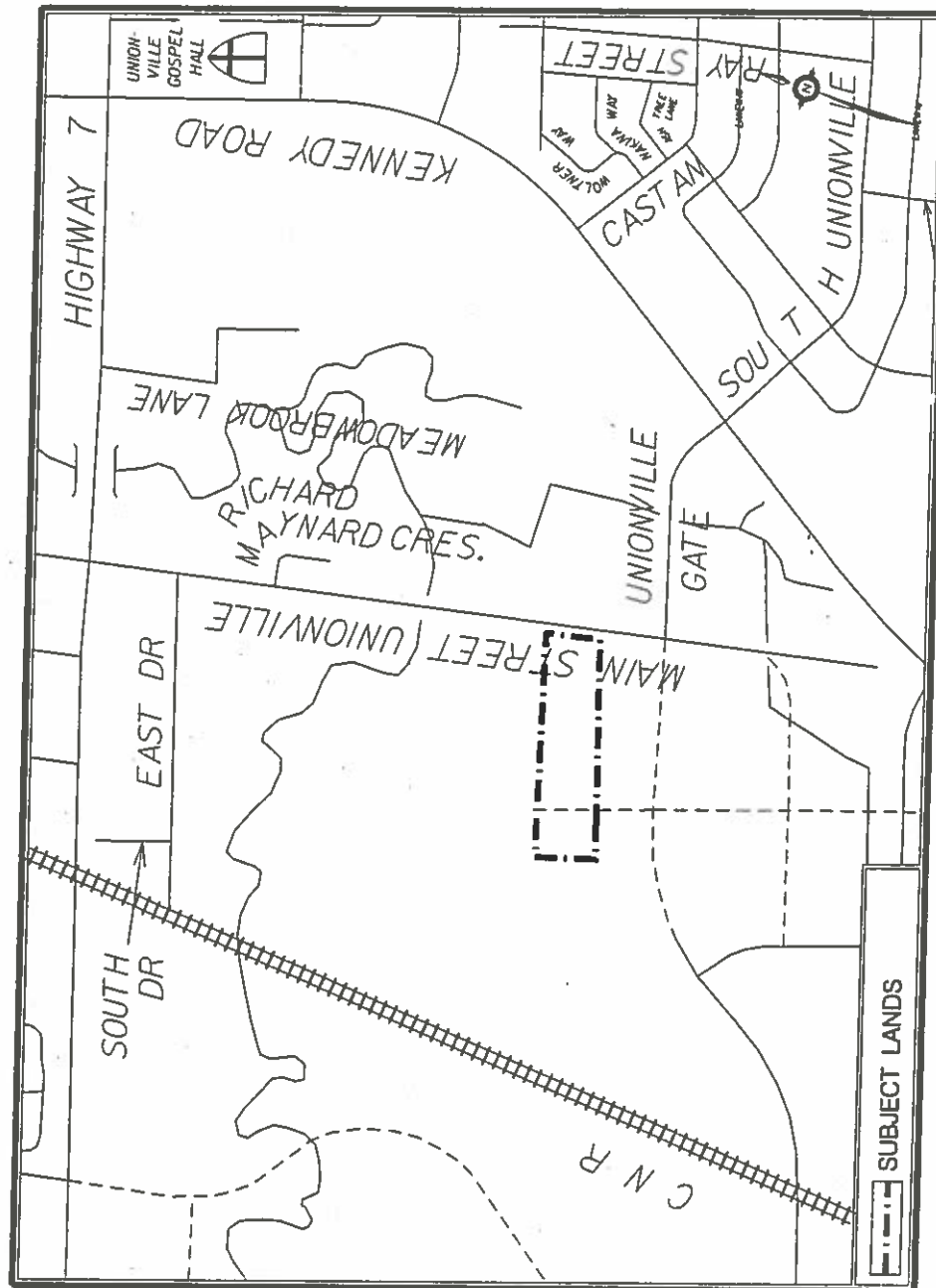
- a) The Owner shall submit final drawings, including but not limited to, site plan and elevation drawings, landscape plans, composite utility plans, pavement marking and signage plans, and drainage area plan, that comply with all requirements of the Town, TRCA, and other public agencies, to the satisfaction of the Town;
- b) That the Owner shall submit final plans which incorporate appropriate Fatal Light Awareness Program (FLAP) components to ensure more bird-friendly buildings, to the satisfaction of the Town;
- c) The Owner shall submit all engineering submissions and requirements including, but not limited to, Plan & Profile of Street 'A' to Town standards, a cost estimate of the construction of Street 'A', Plan & Profile for all municipal services and all service connections within Main Street, Environmental Site Assessment report, Geotechnical report for road pavement structure, updated Environmental Analysis, grading and servicing plans, to the satisfaction of the Director of Engineering;
- d) The Owner enters into a cost sharing agreement with the York Region District School Board and the Town, for the storm sewers including stormwater management facilities, in the Bill Crothers Secondary School site;
- e) The Owner conveys the required Street 'A' right-of-way through the subject property, and cul-de-sac (if required), to the Town;
- f) The Owner conveys the required valleylands to the Town;
- g) The Owner provides a clearance letter from the Trustee of the Markham Centre Landowners Group confirming that the Owner has fulfilled its

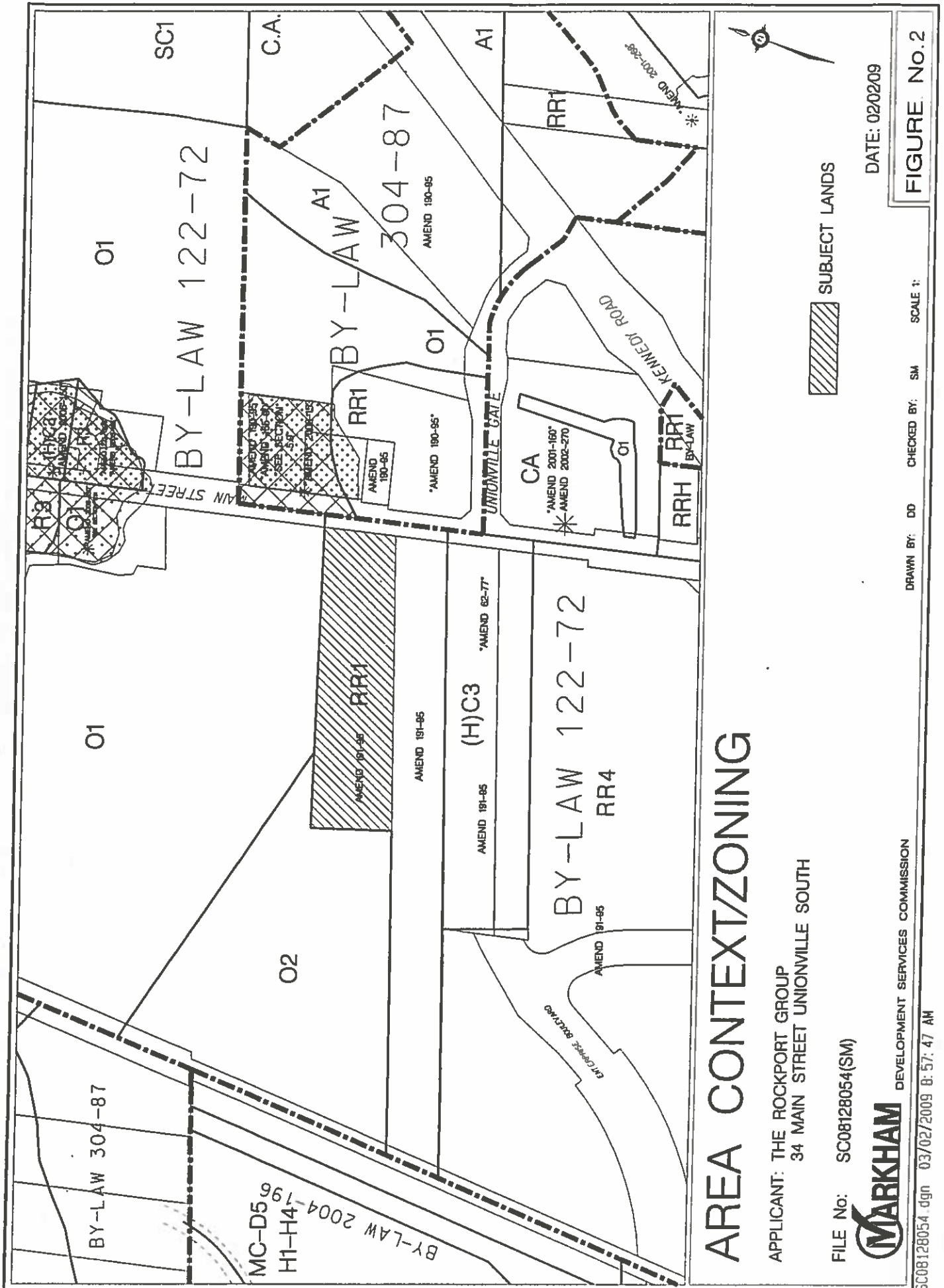
obligations of the Landowners Group Agreement, and is in good standing, to the satisfaction of the Town; and

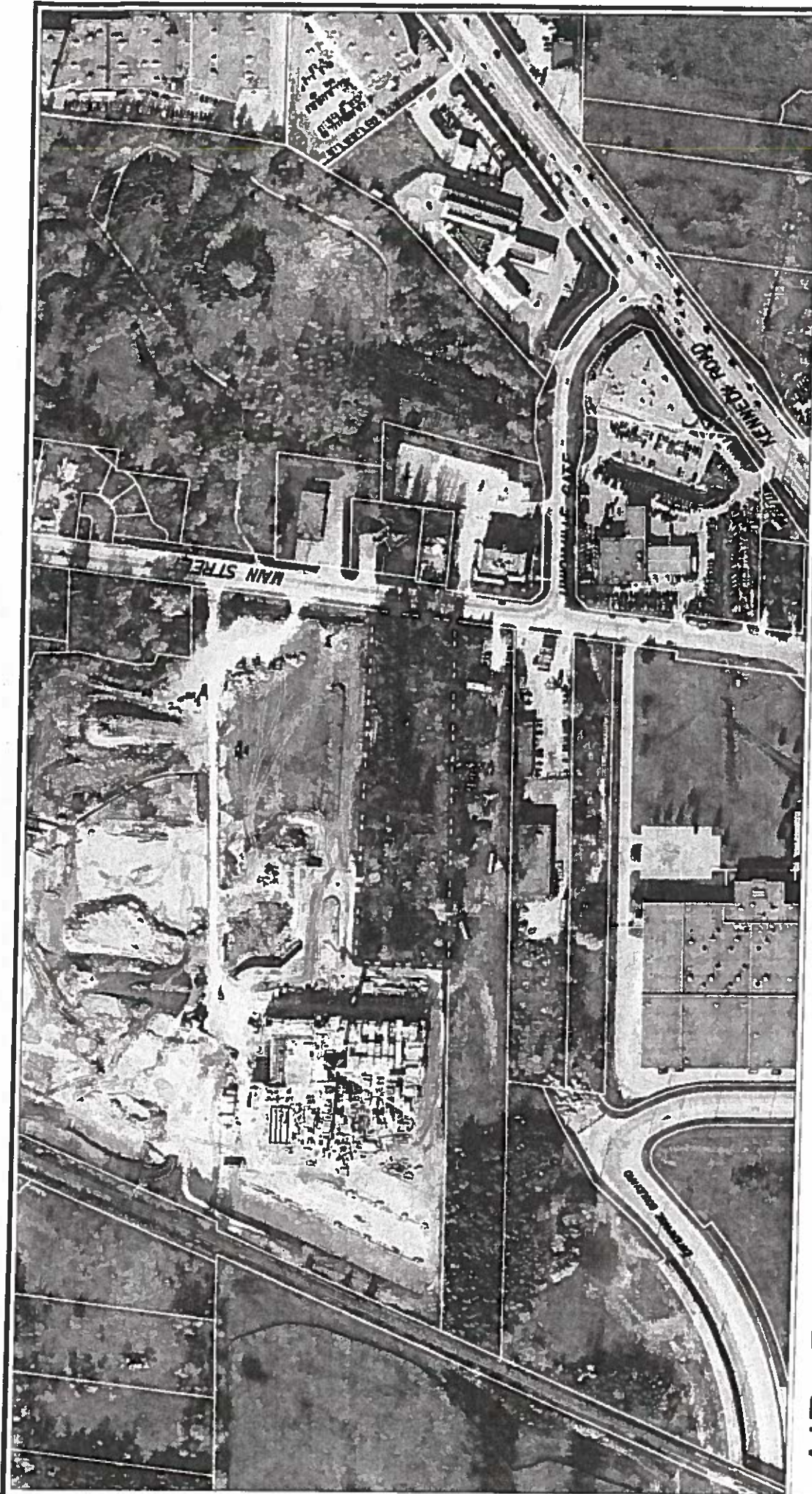
- h) Amendments to Zoning By-laws 122-72 and 2004-196, as amended, to implement the proposed site plan shall have come into effect in accordance with the provisions of the Planning Act.

4. That prior to site plan approval:

- a) The Owner shall obtain the appropriate TRCA permits for the proposed development.







AIR PHOTO 2007

APPLICANT: THE ROCKPORT GROUP
34 MAIN STREET UNIONVILLE SOUTH

FILE No: SC08128054(SM)



DEVELOPMENT SERVICES COMMISSION

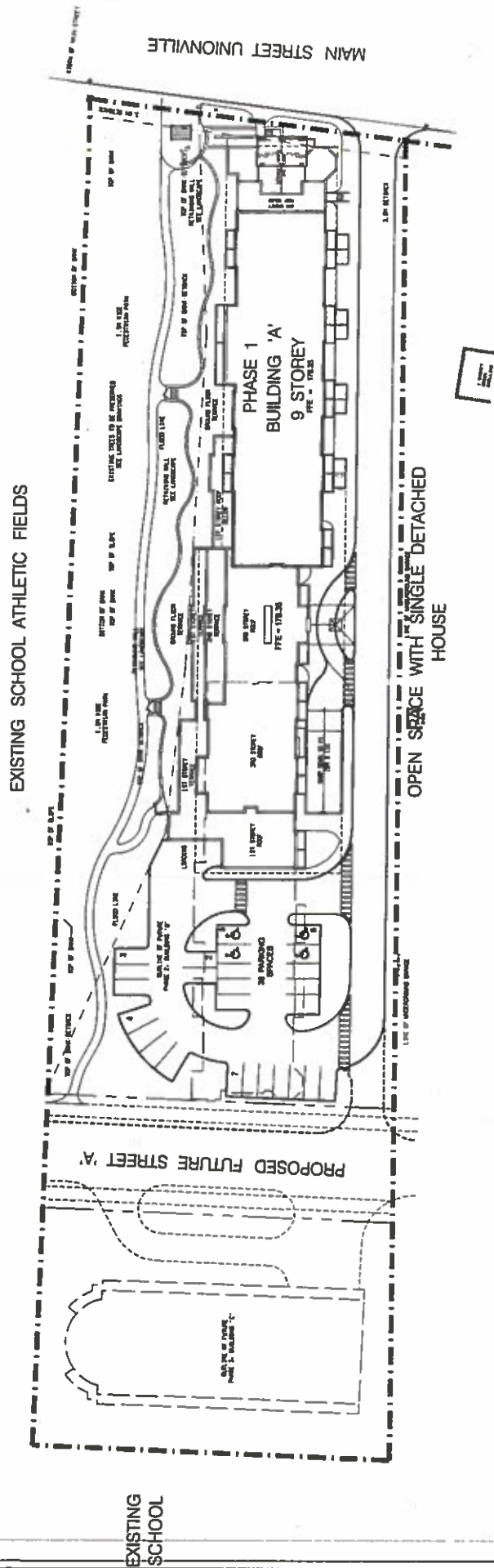


 SUBJECT LANDS

DATE: 02/02/09

DRAWN BY: DD CHECKED BY: SM SCALE 1:

FIGURE No.3



SITE PLAN PHASE ONE

APPLICANT: THE ROCKPORT GROUP
34 MAIN STREET UNIONVILLE SOUTH

FILE No: SC08128054(SM)



DEVELOPMENT SERVICES COMMISSION

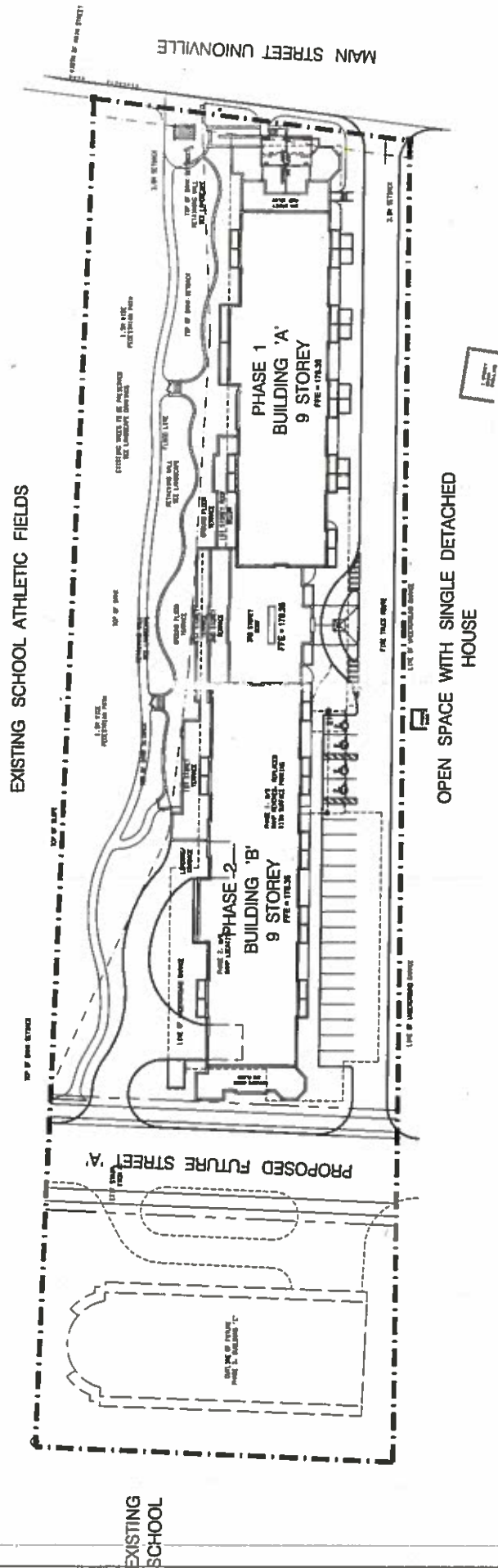
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DATE: 02/02/09

FIGURE No.4

DRAWN BY: DD CHECKED BY: SM SCALE 1:



SITE PLAN PHASE TWO

APPLICANT: THE ROCKPORT GROUP
34 MAIN STREET UNIONVILLE SOUTH

FILE No: SC08128054(SM)



DEVELOPMENT SERVICES COMMISSION

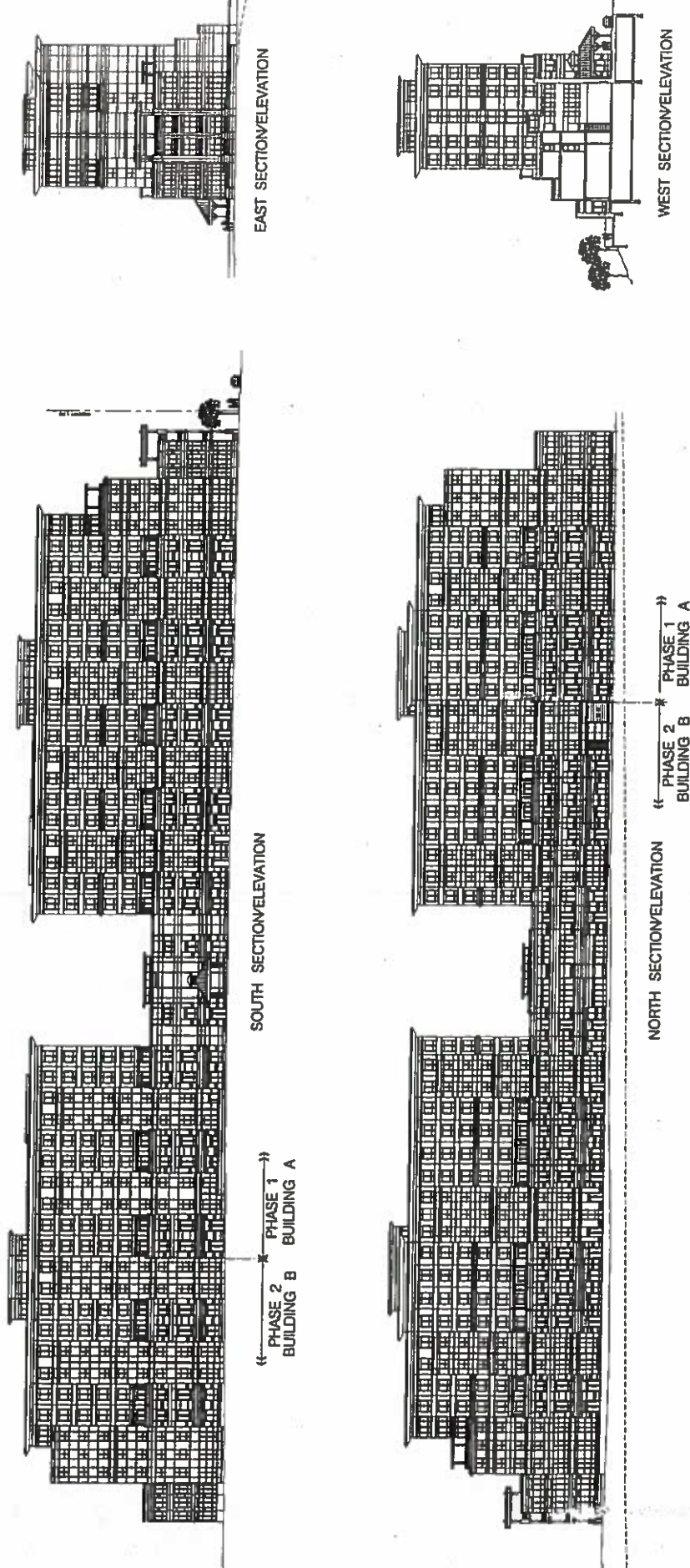
SUBJECT LANDS

DATE: 02/02/09

FIGURE No.5

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ELEVATIONS

APPLICANT: THE ROCKPORT GROUP
34 MAIN STREET UNIONVILLE SOUTH

FILE No: SC08128054(SM)



DEVELOPMENT SERVICES COMMISSION

DATE: 02/02/09

FIGURE No.6

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SC08128054.dgn 09/02/2009 10:04:16 AM











MEMORANDUM

To: Mayor and Members of Council

From: Arvin Prasad, Commissioner of Development Services

Prepared by: Darryl Lyons, MCIP, RPP, Manager, Policy, Policy & Research ext. 2459

Date: December 9, 2019

Re: Growth Plan, 2019 Clarification from Minister of Municipal Affairs and Housing on Urban Expansions

RECOMMENDATION:

1. That the memorandum entitled “Growth Plan, 2019 Clarification from Minister of Municipal Affairs and Housing on Urban Expansions” be received.

BACKGROUND:

In January 2019, the Province released Proposed Amendment 1 to the Growth Plan, 2017 proposing a number of key policy changes. Council provided comments on Proposed Amendment 1 in late February 2019. The Province released its decision on Proposed Amendment 1 in the form of A Place to Grow: Growth Plan for the Greater Golden Horseshoe 2019 (Growth Plan, 2019), which took effect on May 16, 2019.

York Region is required to bring its official plan into conformity with the Growth Plan, 2019 by July 1, 2022. Markham is required to bring its official plan into conformity with the Region’s Official Plan within one year of it coming into effect. York Region, in consultation with area municipalities, is in the process of completing its 2041 municipal comprehensive review (MCR) conformity exercise to the Growth Plan, 2019.

DISCUSSION:

On November 12, 2019, the Minister of Municipal Affairs and Housing sent a letter to Heads of Council within the Greater Golden Horseshoe providing clarification on the government’s position regarding two policy matters in the Growth Plan, 2019: the municipal comprehensive review process and settlement boundary expansions up to 40 hectares outside of a municipal comprehensive review process (refer to Appendix ‘A’ for a copy of the letter).

Municipal Comprehensive Review Process

The Growth Plan, 2019 defines an MCR as “a new official plan or an official plan amendment, initiated by an upper-or single-tier municipality under Section 26 of the Planning Act that comprehensively applies the policies and schedules of the Plan”. The Minister’s letter outlines the government’s position that

municipalities may choose to undertake a phased municipal comprehensive review (MCR) through multiple official plan amendments, rather than a single official plan amendment. This clarification has no anticipated impact on Markham's planning policy process as MCR's can now only be undertaken at the regional level.

40-Hectares Settlement Boundary Expansion Policy

The Growth Plan, 2019 through policy 2.2.8.5 now provides that a settlement area boundary expansion may occur outside of an MCR for up to 40-hectares of land provided certain provisions are met such as:

- The lands that are added will be planned to achieve at least the minimum greenfield density target (50 people and jobs/ha measured across York Region)
- The location of the settlement area boundary expansion will be identified based on the comprehensive application of all of the policies in this Plan, including certain specified matters (e.g. sufficient infrastructure, avoiding key hydrologic areas, agricultural areas and the natural heritage system for the Growth Plan, 2019 where possible)
- The affected settlement area is not a rural settlement area or in the Greenbelt Area
- The settlement area is serviced by municipal water and wastewater systems and there is sufficient reserve capacity to service the lands; and,
- The additional lands and associated forecasted growth will be fully accounted for in the land needs assessment associated with the next MCR.

Previously, the language of policy 2.2.8.5 was not clear as to who could initiate an up to 40-hectare settlement area boundary expansion and whether there was any limit on its use. The Minister's letter clarifies the government's position that there is no limit to how often a municipality can undertake settlement boundary expansions of up to 40-hectares outside of a MCR and that these settlement boundary expansions may be municipally or privately initiated.

The letter confirms a significant Growth Plan policy shift that could result in ad hoc urban expansions being approved throughout the Region without demonstrated need and outside of a comprehensive growth management planning process which was a pillar of the original Growth Plan in 2006.

Based on this clarification, York Region and the City of Markham may receive privately initiated planning applications for settlement boundary expansions of up to 40 hectares, which would be difficult to review outside of a comprehensive land needs analysis. In addition, it is staff's position that unlimited and uncoordinated site-specific urban expansions could result in a redirection of growth from centres and corridors planned around major transit investments (Markham Centre, Langstaff Gateway, Cornell, etc) to greenfield areas, and less efficient use of infrastructure investments in general.

It should be noted that York Region is currently completing a land needs assessment to determine how it will accommodate its 2041 population and employment forecasts that are outlined in the Growth Plan, 2019. It is anticipated that York Region will release the draft land needs assessment, including 2041 population and employment forecasts for each lower-tier municipality, in late Q1 2020 which would inform whether there is any need for additional urban land in Markham or elsewhere in the Region to 2041.

Current Regional Requirements for a Settlement Boundary Expansion

The policies of the in-force York Region Official Plan and Markham Official Plan, 2014 require completion of a regionally initiated MCR for a proposed expansion of the 'Urban Area'. In accordance with the *Planning Act*, a municipally or privately initiated settlement boundary expansion would require an approved amendment to the York Region Official Plan before the City could adopt an amendment to the Markham Official Plan for such an expansion. The *Planning Act* also does not allow appeals to the Local Planning Appeal Tribunal of a lack of decision or refusal of a privately initiated settlement area boundary expansion application.

ATTACHMENTS:

Appendix 'A': Growth Plan, 2019 Clarification Letter from Minister of Municipal Affairs and Housing

**Ministry of
Municipal Affairs
and Housing**

Office of the Minister

777 Bay Street, 17th Floor
Toronto ON M5G 2E5
Tel.: 416 585-7000

**Ministère des
Affaires municipales
et du Logement**

Bureau du ministre

777, rue Bay, 17^e étage
Toronto ON M5G 2E5
Tél. : 416 585-7000



November 12, 2019

Dear Head of Council:

Earlier this year, our government introduced *A Place to Grow: Growth Plan for the Greater Golden Horseshoe* as part of the **More Homes, More Choice: Ontario's Housing Supply Action Plan** to increase housing supply, create more jobs, attract business investments and better align our infrastructure. Today, I am writing to provide further clarity on two specific provisions in *A Place to Grow* as your municipality undertakes its work to meet conformity with the growth plan by July 1, 2022. This clarity is with respect to the government's position on the municipal comprehensive review process and the policy permitting settlement area boundary expansions of up to 40-hectares outside of the municipal comprehensive review.

As you will recall, *A Place to Grow* provides municipalities with greater flexibility in local planning decision-making. Notably, *A Place to Grow* helps ensure intensification and density targets better reflect growth rates, local realities and market conditions; allows municipalities to make changes to their settlement area boundaries more quickly and easily, while continuing to provide protection for employment and agricultural lands as well as natural areas; and provides policies that direct intensification around transit to increase the supply of housing and jobs near transit hubs.

To ensure that we continue to meet our commitment to build more homes faster, our government has taken the position that municipalities may choose to take a phased approach to their municipal comprehensive review through *multiple* official plan amendments. We recognize that one size does not fit all and that the current and potential changes in provincial and regional planning frameworks can make it challenging to do planning in a timely, efficient, and effective manner. As such, providing municipalities with the choice of phasing their municipal comprehensive review or achieving conformity as part of one single new official plan or plan amendment is responsive to the needs of local communities.

In addition to the flexibility provided in the approach to the municipal comprehensive review, our government has also taken the position that, so long as they meet applicable policies in *A Place to Grow*, there is no limit to how often a municipality can undertake the settlement boundary expansions of up to 40-hectares that take place outside of the municipal comprehensive review. The up to 40-hectare expansion, which

can either be municipally or privately initiated, supports our government's growth management objectives of allowing communities to develop in ways that expand housing and economic opportunities while maintaining protections for our environmentally sensitive areas, including the Greenbelt, cultural heritage assets, and key employment and agricultural lands.

While there are several other requirements in *A Place to Grow* that support our increased housing supply objectives, I wanted to bring clarity to these two specific planning provisions given their immediate impact on getting supply online faster. These policies, along with policies that allow for employment area conversions that facilitate the introduction of residential uses, provide opportunities for local decision makers to put forward plans that address housing supply goals in a timely manner. By ensuring that municipalities do not have to wait until the next municipal comprehensive review to implement planning changes, our government aims to get shovels in the ground quicker and to have development happen sooner.

It is anticipated that additional information on the implementation of *A Place to Grow* will be forthcoming. In the interim, if you have any questions and/or concerns, please feel free to contact Cordelia Clarke Julien, Assistant Deputy Minister, Ontario Growth Secretariat at cordelia.clarkejulien@ontario.ca. Thank you for your time.

Sincerely,



Steve Clark
Minister of Municipal Affairs and Housing

c: Stephen Hamilton
Senior Policy Advisor
Office of the Honourable Steve Clark
Ministry of Municipal Affairs and Housing

Cordelia Clarke Julien
Assistant Deputy Minister, Ontario Growth Secretariat
Ministry of Municipal Affairs and Housing

Marcia Wallace
Assistant Deputy Minister, Municipal Services Division
Ministry of Municipal Affairs and Housing

Growth Plan, 2019 Clarification from Minister of Municipal Affairs and Housing on Urban Expansions

December 9, 2019

Context

- The Province released A Place to Grow: Growth Plan for the Greater Golden Horseshoe 2019 (Growth Plan, 2019), which took effect on May 16, 2019
 - York Region is required to bring its official plan into conformity with the Growth Plan by July 1, 2022
 - Markham is required to bring its official plan into conformity with the Region's Official Plan within one year of it coming into effect
- York Region, in consultation with area municipalities, is in the process of completing its 2041 municipal comprehensive review (MCR)



The Minister's Letter

- On November 12, 2019, the Minister of Municipal Affairs and Housing sent a letter to Heads of Council providing clarification on two policy matters in the Growth Plan, 2019:
 - the municipal comprehensive review process
 - settlement boundary expansions up to 40 hectares outside of a MCR process

Municipal Comprehensive Review Process

Context:

- The Growth Plan, 2019 defines an MCR as “a new official plan or an official plan amendment, initiated by an upper-or single-tier municipality under Section 26 of the Planning Act that comprehensively applies the policies and schedules of the Plan”

Minister's Clarification:

- Municipalities may choose to undertake a phased MCR through multiple official plan amendments, rather than a single official plan amendment

Implication:

- No impact anticipated to the City of Markham as MCR's can now only be undertaken at the regional level

Settlement Expansion – Up to 40ha

Context:

- Growth Plan, 2019 provides that a settlement boundary expansion may occur outside of a MCR for up to 40-hectares of land provided certain provisions are met such as
 - meeting the minimum greenfield density target
 - avoiding agricultural areas and provincial Natural Heritage System wherever possible, and not in the Greenbelt Area
 - ensuring appropriate community infrastructure and reserve capacity
 - York Region accounting for the lands and forecasted growth and in the next MCR process

Minister's Clarification:

- There is no limit to how often a municipality can undertake settlement boundary expansions of up to 40-hectares outside of an MCR and that these settlement boundary expansions may be municipally or privately initiated

Settlement Expansion – Up to 40ha (Cont'd)

Implication:

- The letter confirms a significant policy shift that could result in ad hoc urban expansions being approved without demonstrated need and outside of comprehensive growth management planning, which was a pillar of the Growth Plan in 2006
- York Region and the City of Markham may receive privately initiated planning applications for settlement boundary expansions of up to 40 hectares, which would be very difficult to review outside of a comprehensive land needs analysis
- If approved, the expansions it would have to be accounted for in the Region's MCR process, which could result in an oversupply of lands

Settlement Expansion – Up to 40ha (Cont'd)

Note:

- York Region is responsible for determining land needs across the region to 2041 and is preparing a land needs assessment (draft anticipated Q1 2020)
- A settlement expansion would have to be approved in the York Official Plan prior to a Markham Official Plan Amendment being adopted
- Planning Act does not allow for appeals of privately initiated settlement area boundary expansion applications



Report to: Development Services Committee

Meeting Date: December 9th, 2019

SUBJECT: RECOMMENDATION REPORT
2585231 Ontario Inc.
Applications for Zoning By-law Amendment to permit mid-rise residential and townhouse development (Phase 1 only) and for Draft Plan of Subdivision to create development, road, park and open space blocks at 9999 Markham Road (Ward 5).

File Nos: ZA/SU 18 180621

PREPARED BY: Stacia Muradali, MCIP, RPP, Ext. 2008
Senior Planner, East District

REVIEWED BY: Ron Blake, MCIP, RPP, Ext. 2008
Senior Development Manager

Francesco Santaguida, Ext. 3583
Assistant City Solicitor

[Click or tap here to enter text.](#)

RECOMMENDATION:

- 1) That the staff report titled “RECOMMENDATION REPORT, Applications for Zoning By-law Amendment to permit mid-rise residential and townhouse development (Phase 1 only) and for Draft Plan of Subdivision to create development, road, park and open space blocks at 9999 Markham Road (Ward 5), File No: ZA/SU 18 180621”, be received; and,
- 2) That the record of the Public meeting held on March 26th, 2019 regarding the applications for Zoning By-law Amendment and Draft Plan of Subdivision 19TM-18007, be received; and,
- 3) That Council approval of the Zoning By-law Amendment application (ZA 18 180621) for Phase 1 of the development, submitted by 2585231 Ontario Inc. and attached in Appendix ‘A’ be finalized and enacted without further notice; and,
- 4) That Council approve the Draft Plan of Subdivision 19TM-18007 (SU 18 180621) submitted by 2585231 Ontario Inc. subject to the conditions attached as Appendix ‘B’; and,
- 5) That Council assign servicing allocation for a maximum of 151 townhouses (including stacked townhouses) and 260 apartment units; and,
- 6) That Council permit application for minor variances within two (2) years of the proposed amending by-law coming into force, attached as Appendix ‘A’, in accordance with Section 45(1.4) of the Planning Act; and further,

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

EXECUTIVE SUMMARY:

Not applicable.

PURPOSE:

This report seeks approval of the proposed Zoning By-law Amendment for Phase 1 of the proposed development to permit mid-rise residential and townhouse development, and approval of the Draft Plan of Subdivision application which will create development, road, park and open space blocks to permit residential and future development at 9999 Markham Road.

BACKGROUND:**Subject land and area context**

9999 Markham Road (the “subject land”) is located at the south-east corner of Markham Road and Major Mackenzie Drive and is approximately 12.83 hectares (31.7 acres) (Figure 1). The subject land was formerly used for industrial warehousing and manufacturing by Emerson Electric. There is an existing open water channel which runs across the south-west corner of the site.

The Rail Corridor (GO/Metrolinx) abuts the subject land to the east. There is an existing Esso Gas Station, a Tim Hortons/ Wendy’s, approved townhouse development and proposed mixed use high density development across the street on the west side of Markham Road. There is a garden nursery and rural properties on the north side of Major Mackenzie Drive. A mix of light industrial, commercial and place of worship uses is located to the south (Figure 3). The Mount Joy GO Station is located further south at the south-east corner of Bur Oak Avenue and Markham Road.

Previous proposal for commercial development with future residential uses

The previous landowner, Villarmark Inc. submitted an application to amend the zoning in 2007 to facilitate the construction of a mixed use centre including commercial, retail, office and residential uses on the subject land. A Preliminary Report went to Development Services Committee (DSC) on March 18th, 2008, however the application never advanced to a statutory Public Meeting before the application was revised in 2012. In 2012, Villarmark Inc. submitted revised zoning by-law amendment and new draft plan of subdivision and site plan applications (ZA/SU/SC 12134590) to permit mainly large format commercial and retail uses, a movie theatre, office uses and a future 10-storey residential apartment building. Anderson Avenue, which is located east of Markham Road, between Bur Oak Avenue and Castlemore Avenue, was proposed to be extended to Major Mackenzie Drive through the subject land and was to be conveyed to the City as part of the plan of subdivision application. The current landowner is now proposing phased residential development.

Ontario Municipal Board (OMB) appeals

A staff Memorandum dated May 22nd, 2012 provided an update to DSC on the revised and new development applications. The statutory Public Meeting was held on June 19th, 2012. In October 2012, Villarmark Inc. appealed the zoning by-law amendment, draft plan of subdivision and site plan applications to the OMB for non-decision. No further progress was made on those applications following the OMB appeals. Villarmark Inc. has since sold the subject land to 2585231 Ontario Inc., the current landowner.

In processing these current applications, staff have taken the position that given the difference between the current proposal which is the subject of this report, and the applications previously filed by Villarmark Inc., the current applications constitute new applications, and have been treated as such.

Official Plan and need for a Secondary Plan

The subject land is located within the Markham Road-Mount Joy Corridor (“Markham Road Corridor”) in the City’s 2014 Official Plan (as partially approved on November 24th, 2017 and further updated on April 9th, 2018) (the “2014 Official Plan”). The 2014 Official Plan requires a new Secondary Plan for the Markham Road Corridor. The Markham Road Secondary Plan (the “Secondary Plan”) will incorporate a land use planning study, transportation study and municipal servicing study which ultimately will inform opportunities and constraints facing development along the Markham Road Corridor. One of the main components of the Secondary Plan’s land use planning study is to determine if, and by how much to increase the population and employment density, as well as to evaluate if, and which additional services and amenities are needed to support that density. A further component of the Markham Road Corridor Secondary Plan will involve examining whether the area warrants from a transportation planning perspective a future GO Station at Major Mackenzie Drive and the Stouffville Rail Corridor to support anticipated increases in population and employment along the Markham Road Corridor. The applicant proposes advancing Phase 1 of development before the Markham Road Corridor Secondary Plan is established. The applicant agrees that any development beyond Phase 1 will not advance until, at a minimum, the draft vision for the Secondary Plan has been endorsed by Council and Staff are of the opinion that it is appropriate to advance any future phases.

The subject land is shown as “Mixed Use Mid Rise” and “Greenway” in the 2014 Official Plan, which shall be used as a general guide for proposed development on the subject land. Until a new Secondary Plan is approved, the policies of the Official Plan (Revised 1987), as amended, shall apply.

The Official Plan (Revised 1987), as amended, designates the subject land “Major Commercial Area” which contemplates a diverse range of retail, service, commercial, community, institutional and recreational uses. The “Major Commercial Area” designation also provides for medium and high density residential uses subject to a rezoning application and site-specific development application. The applicant is proposing medium density residential development for Phase 1 of development which will conform to the Official Plan (Revised 1987), as amended.

Zoning

The subject land is zoned “Select Industrial and Warehousing (M.I.)” in Zoning By-law 88-76, as amended, which permits a range of industrial uses (Figure 2). Phase 1 of the proposed development will be zoned to permit the proposed residential uses and implement site-specific development standards. The Phase 2 lands will not be zoned until the applicant and staff are in a position to proceed with that phase of development.

Proposed phased development**Phase 1**

Phase 1 of development is proposed to be comprised of residential development, a public park, an east/west public road which will connect to Markham Road and serve as a primary access for the proposed development, and a portion of the Anderson Avenue extension which will run north/south and connect to Major Mackenzie Drive. Multi-use pathways and on-street parking are proposed along the Anderson Avenue extension and a multi-use pathway is proposed along the north side of the east/west road connection to Markham Road. The existing water channel at the south-west corner of the subject land will also be conveyed to the City as part of Phase 1 (Figure 5).

The residential development (Blocks 1 and 2) is proposed to be comprised of townhouses and stacked townhouses as well as mid-rise buildings up to a maximum of eight (8) storeys. There will be approximately 154 townhouses including stacked townhouses. The total number of apartment units and townhouses will be finalized as part of the site plan application. The applicant will also be developing the townhouse portion of the development first (Phase 1A) and will develop the mid-rise buildings which will have frontage on Major Mackenzie Drive (Phase 1B) at a later date. There will be private amenity space along the length of the rail corridor on the subject land located within the required 30 metre setback to the rail corridor (Figure 6).

Phase 2

Phase 2 of development is proposed to be comprised of future residential development (Blocks 3 and 4), an open space block (Block 5) and another portion of the Anderson Avenue extension (Block 8). Phase 2 development will be dependent on the outcome of the Markham Road Corridor Secondary Plan, which will direct the density, changes or additions to the local road network, as well as analyze the public park and community amenity space required. As a result, the applicant will only register the Phase 1 blocks while Phase 2 of the draft plan of subdivision will be registered at a later date (Figure 5).

Public Input

The statutory Public Meeting respecting the current Zoning By-law Amendment and Draft Plan of Subdivision applications was held on March 26th, 2019, and there were no residents who spoke to the item at the statutory Public Meeting. One (1) written submission was received from a resident who lives on the east side of the rail corridor. It is Staff's opinion that the traffic generated from the proposed development will unlikely infiltrate the resident's neighbourhood as the existing rail corridor acts as a barrier for vehicular traffic.

OPTIONS/ DISCUSSION:**Proposal to rezone Phase 1 of the subject land**

The proposed amendment to the zoning by-law will rezone only the Phase 1 land from “Select Industrial and Warehousing” in Zoning By-law 88-76, as amended to “Residential Two (R2)” and “Residential Four (R4)” zone categories. This zoning amendment will include site-specific development standards to permit the proposed townhouses and stacked townhouses with a maximum height of three (3) storeys, and the proposed mid-rise buildings with a maximum height of eight (8) storeys (Appendix ‘A’).

The proposed public park (Block 7) and water channel open space block (Block 6) will be zoned in the appropriate “Open Space Two (OS2)” zone category. The Regional Municipality of York (the “Region”) has identified that additional lands may be required for the embankments to provide for the road over rail grade separation to accommodate the additional height for the electrification of the rail corridor. As a result, in the absence of a detailed design for an overpass over the existing rail corridor, the Region is requesting that a Hold (H)) provision be placed on Block 2 until a detailed design demonstrates that these lands do not preclude the overpass of the rail corridor (Appendix ‘A’).

Proposed draft plan of subdivision*Development blocks*

Blocks 1 and 2 will be approximately 4.42 hectares (10.9 acres) and will be developed as part of Phase 1 (Figure 4). Townhouses and stacked townhouses are proposed for Block 1 (Phase 1A) and eight (8) storey mid-rise buildings are proposed for Block 2 (Phase 1B). Development for Blocks 3 and 4 (Phase 2) which are a total of 5.4 hectares (13.3 acres) will be proposed following at a minimum, Development Services Committee (DSC) endorsement of a draft vision for the Secondary Plan. It should be noted that development of Block 3 will not proceed until the existing contamination located in the general area of Blocks 4, 5 and 8 is remediated to the satisfaction of the City Solicitor and Director of Engineering and Block 8, the portion of Anderson Avenue located in Phase 2 is built (Appendix ‘B’). A 0.3 metre reserve will also be placed along the perimeter of Block 3 (Figure 4).

Park block

A 0.41 hectare (1 acre) park (Block 7) is proposed (Figure 4). The applicant initially proposed the park block at the south end of the subject land, however, further to consultation with City staff the park block has been relocated and reconfigured to a more appropriate central location. An approximate 0.5 hectare (1.2 acre) park will be required for the 154 townhouses and stacked townhouses proposed for Block 1 (still to be finalized at the site plan application stage). Additional parkland will be required for the remainder of the Phase 1 development, namely the proposed mid-rise buildings and the remaining townhouses. A combination of physical parkland and cash-in-lieu of parkland will be provided for Phase 1. Parkland for Phase 2 will be determined at a future date when this phase proceeds.

Public road blocks

Street 'A' and Block 8 comprise the extension of Anderson Avenue to Major Mackenzie Drive on the subject land (Figure 4). Street 'A' will be constructed as part of Phase 1 and Block 8 will be constructed as part of Phase 2. It should be noted that Phase 2 development (Blocks 3 and 4) will not be allowed until Block 8 is constructed and the existing contamination is remediated. Street 'B' will be connect to Markham Road and will be constructed as part of Phase 1. The Owner is required to provide a functional design of Streets 'A' and 'B' to the satisfaction of the Director of Engineering, prior to registration of the subdivision. The intersection alignment and traffic signal design of Street 'B' and Markham Road still needs to be reviewed and finalized (Appendix 'B').

Open space blocks

There are two (2) open space blocks proposed (Blocks 5 and 6) which in total are approximately 1.27 hectares (3.13 acres) (Figure 4). The existing water channel is located within Block 6 which will be conveyed to the City. The landowner obtained approval from both the TRCA and the City to restore the valleylands around the channel as there was a previous TRCA violation against the previous landowner. Those restoration works have been completed. The City will determine as part of the future Phase 2 development if it is appropriate to take Block 5 as parkland dedication. The applicant has demonstrated to the satisfaction of the TRCA and the City that the natural feature (the water channel), hazard and associated buffer lands have been appropriately located in Block 6.

York Region

The Region requested a Hold (H) provision be placed on Block 2 until they have completed the design and/or are satisfied about the potential alignments and land requirements for the Major Mackenzie Drive overpass of the Stouffville Rail Corridor. The Region also requires a road widening along the subject land frontage on Major Mackenzie Drive to provide minimum 22.5 metre from the centerline of Major Mackenzie Drive and any lands required for additional turn lanes at the intersections. A 10 metre by 10 metre daylight triangle at the intersection of Major Mackenzie Drive and Street 'A' is also required. A 0.3 metre reserve will also be placed along the Major Mackenzie Drive frontage. The Owner is required to provide a clearance letter from the Region advising that all of their conditions have been satisfied, prior to registration of the draft plan of subdivision (Appendix 'B').

Toronto and Region Conservation Authority (TRCA)

The Owner still has to address outstanding TRCA comments and provide a clearance letter from the TRCA prior to registration of the draft plan of subdivision. The TRCA has requested that the applicant explore the opportunity to expand the stream corridor within Block 6 because Street 'B' curves slightly northwards. In addition, encroachment into the channel block is proposed for infrastructure works (eg. Street 'B' sidewalk, stormwater management outfalls and associated channels). As a result, the applicant should explore compensation opportunities within the open space block (Block 5). Compensation could take the form of a planting plan which builds upon vegetation already approved/ established within the channel block (Block 6). The applicant is still required to provide detailed engineering reports, a water balance assessment, erosion and

sediment control plan, detailed planting and restoration plans for both Blocks 5 and 6 (Appendix 'B').

Transportation comments

The applicant is initiating a Municipal Class Environmental Assessment (EA) for the extension and improvement of Anderson Avenue. The Class EA Study will inform the alignment of Anderson Avenue through the south Phase 2 land (and continuing to Castlemore Avenue). The applicant is required to complete the Class EA Study and make any necessary revisions to the draft plan prior to development approvals for the Phase 2 lands. A Functional Design Study is required for both Streets 'A' and 'B' to the satisfaction of the Director of Engineering prior to registration of the Phase 1 lands. The Functional Design Study should amongst other things demonstrate lane transitions between mid-block and intersections, storage and taper requirements at the intersections, traffic controls at the intersections, turning radii, sidewalks and multi-use pathways, active transportation links and parking bay locations. The alignment of Street 'B' with the private driveway for the proposed residential and mixed use development on the west side of Markham Road also needs to be finalized. The applicant is required to address all transportation comments to the satisfaction of the Director of Engineering (Appendix 'B').

Parking

The applicant is requesting a parking reduction for visitors parking. The applicant is proposing a visitors parking rate of 0.2 spaces per unit, whereas, 0.25 spaces per unit is required. The applicant is also proposing 1 resident parking space per stacked townhouse instead of the required 1.25 spaces per dwelling unit. The applicant will be providing the required 2 residents parking spaces per townhouse dwelling. Staff have reviewed the proposed parking reduction and are generally satisfied with the parking justification as the proposed parking rates will help encourage the use of public transit. The reduced parking rates have been reflected in the attached zoning by-law amendment (Appendix 'A').

Site plan application

The applicant has submitted a site plan application for Phase 1A. The site plan application is still under review and a future comprehensive revised submission is required. Some of the site plan matters staff asked the applicant to consider include lot and unit configuration, building elevations, provision of sufficient space for tree planting, design of the private amenity space within the Metrolinx setback along the rail corridor, landscaping, provision and distribution of visitors parking spaces, interface with the proposed park and Phase 1B, and incorporating age friendly components in the design of the townhouses. Notwithstanding that the applicant has provided a conceptual site plan, detailed site plan comments will be provided when Staff have the opportunity to review and comment on the revised site plan submission. Site Plan approval is required prior to any construction of Phase 1A and 1B.

Public art and Section 37 contribution

The applicant is required to provide a Public Art contribution in accordance with the City's public art policies and Section 37 of the Planning Act. The public art contribution has been identified in the Zoning By-law Amendment (Appendix 'A') and is collected prior to execution of a site plan agreement. Any applicable Section 37 for the proposed mid-rise buildings will be determined at that site plan application stage.

Permission to apply for minor variances within two (2) years of by-law enactment

The applicant has requested that Council grant exemption from subsection 45(1.4) of the Planning Act, which will permit applications for minor variances within two (2) years of the enactment of the amending by-law attached as Appendix 'A'. Staff have no objection to this request as Staff are still working with the applicant on improving the conceptual site plan which has not yet been finalized. Staff will have the opportunity to review the appropriateness of any requested minor variances should any such applications be made in the future. The provision will be included in the Resolution of Council.

FINANCIAL CONSIDERATIONS:

Not applicable.

HUMAN RESOURCES CONSIDERATIONS

Not applicable.

ALIGNMENT WITH STRATEGIC PRIORITIES:

The applications align with the City's strategic priority of providing a safe and sustainable community.

BUSINESS UNITS CONSULTED AND AFFECTED:

The applications have been circulated to various departments and external agencies and their conditions and comments have been incorporated into the Zoning By-law Amendment as well as Draft Plan Conditions.

RECOMMENDED BY:

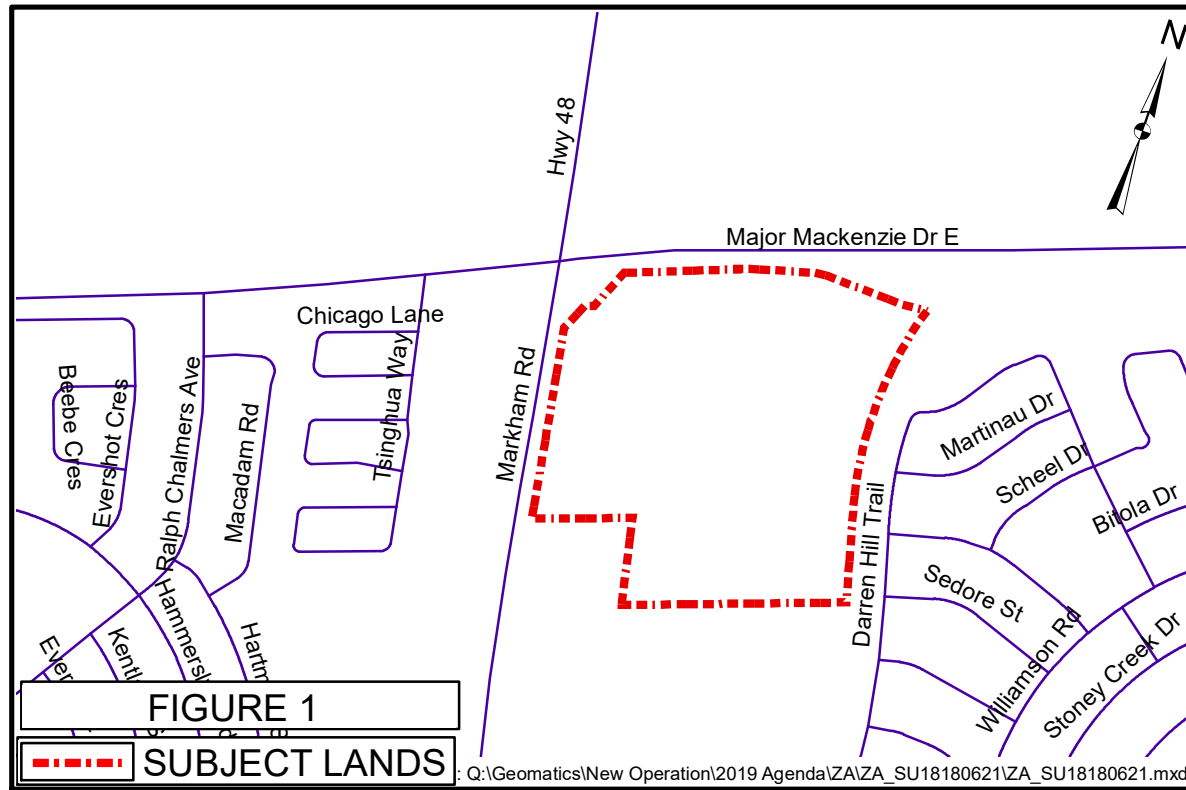
Biju Karumanchery, M.C.I.P., R.P.P.
Director, Planning & Urban Design

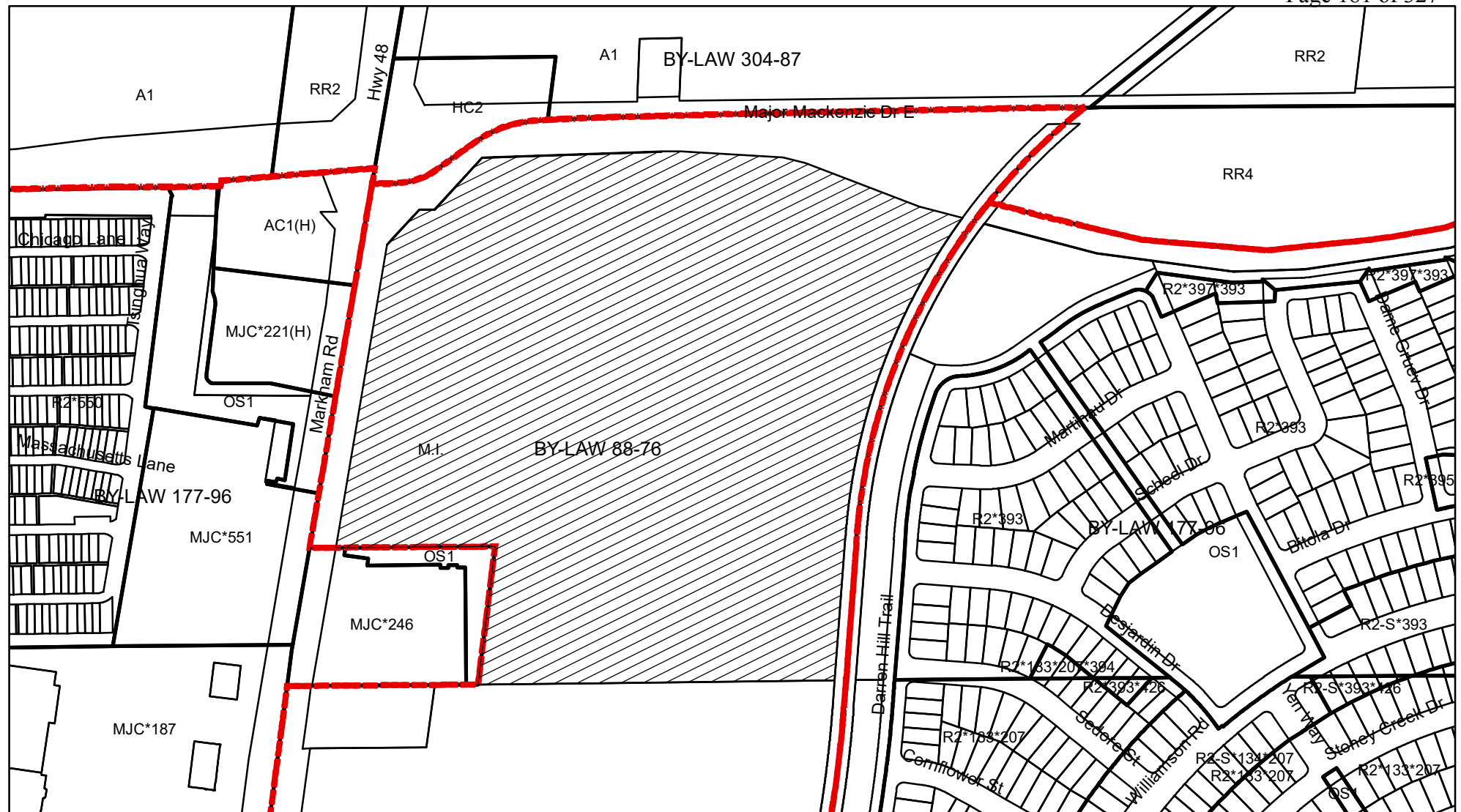
Arvin Prasad, M.C.I.P., R.P.P.
Commissioner, Development Services

ATTACHMENTS:

Figure 1:	Location Map
Figure 2:	Area Context/ Zoning
Figure 3:	Air Photo
Figure 4:	Proposed Draft of Subdivision
Figure 5:	Proposed Phasing Plan
Figure 6:	Proposed Conceptual Site Plan
Appendix 'A':	Proposed Zoning By-law Amendment
Appendix 'B':	Draft Plan Conditions

File path: Amanda\File 18 180621\Documents\Recommendation Report





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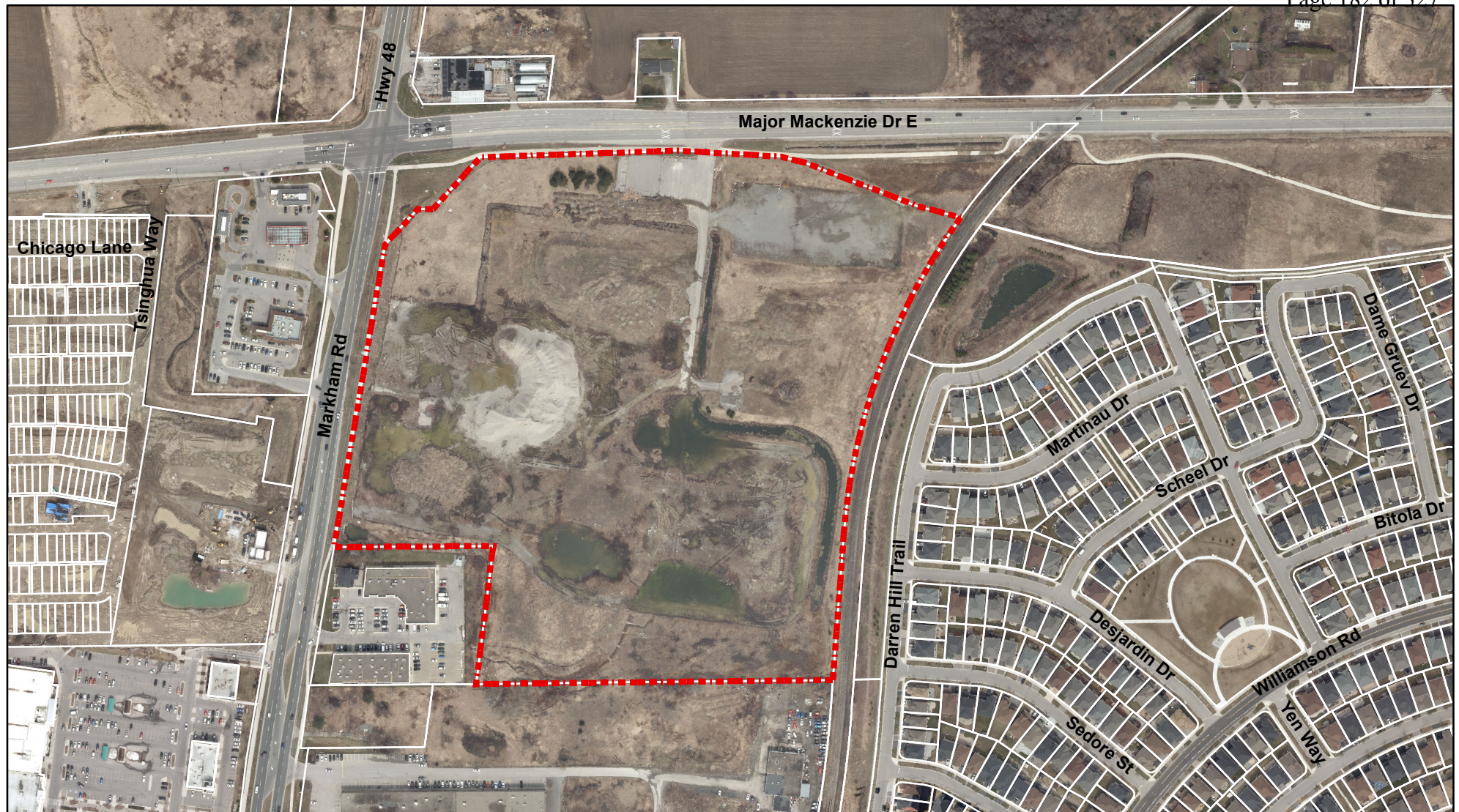
AREA CONTEXT/ZONING

APPLICANT: 2585231 ONTARIO INC.
9999 MARKHAM RD.

FILE No: ZA_SU18180621(SM)

 SUBJECT LANDS





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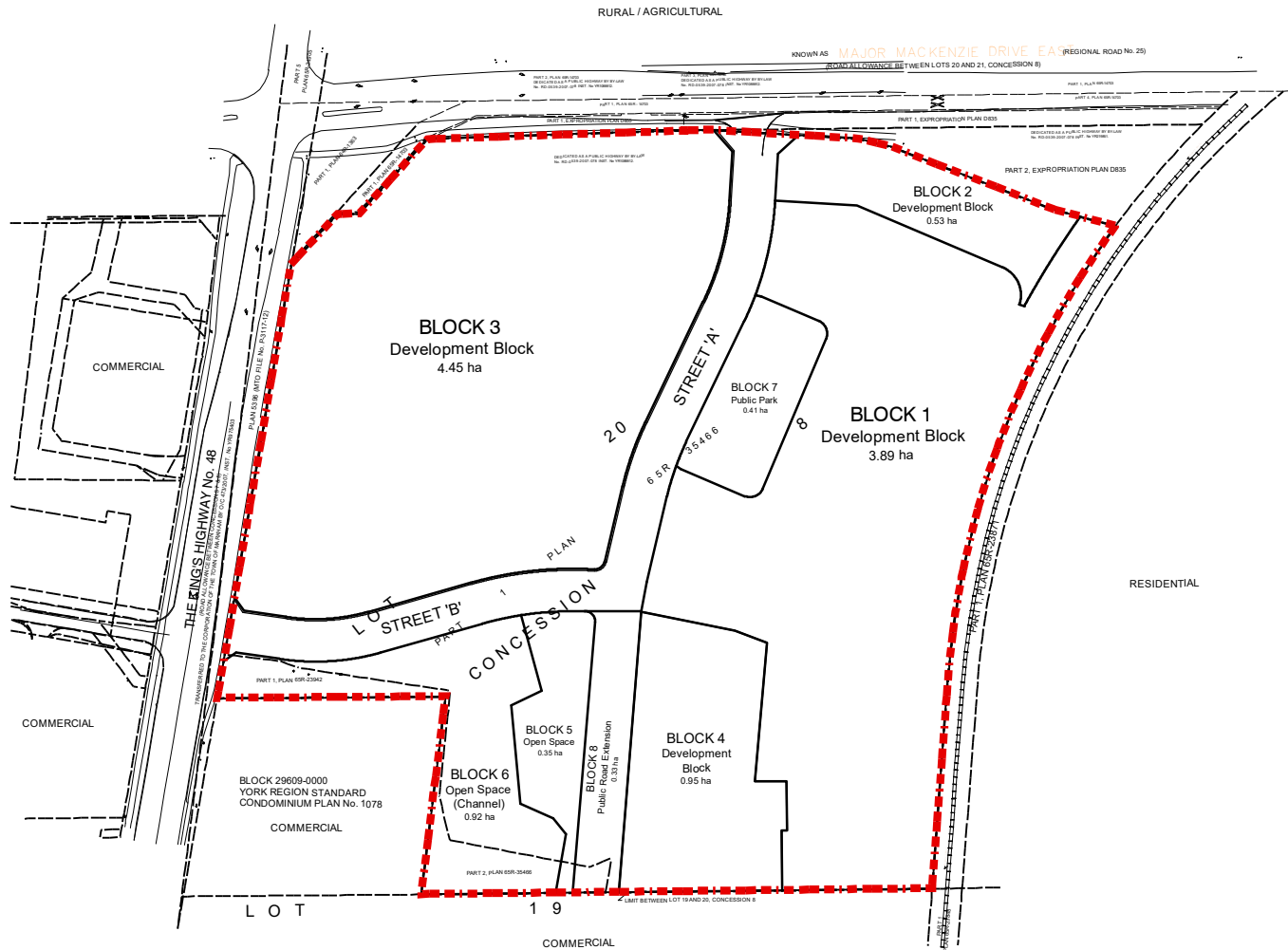
AIR PHOTO 2018

APPLICANT: 2585231 ONTARIO INC.
9999 MARKHAM RD.

FILE No: ZA_SU18180621(SM)

 SUBJECT LANDS





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DRAFT PLAN OF SUBDIVISION

APPLICANT: 2585231 ONTARIO INC.
9999 MARKHAM RD.

FILE No: ZA_SU18180621(SM)

 SUBJECT LANDS

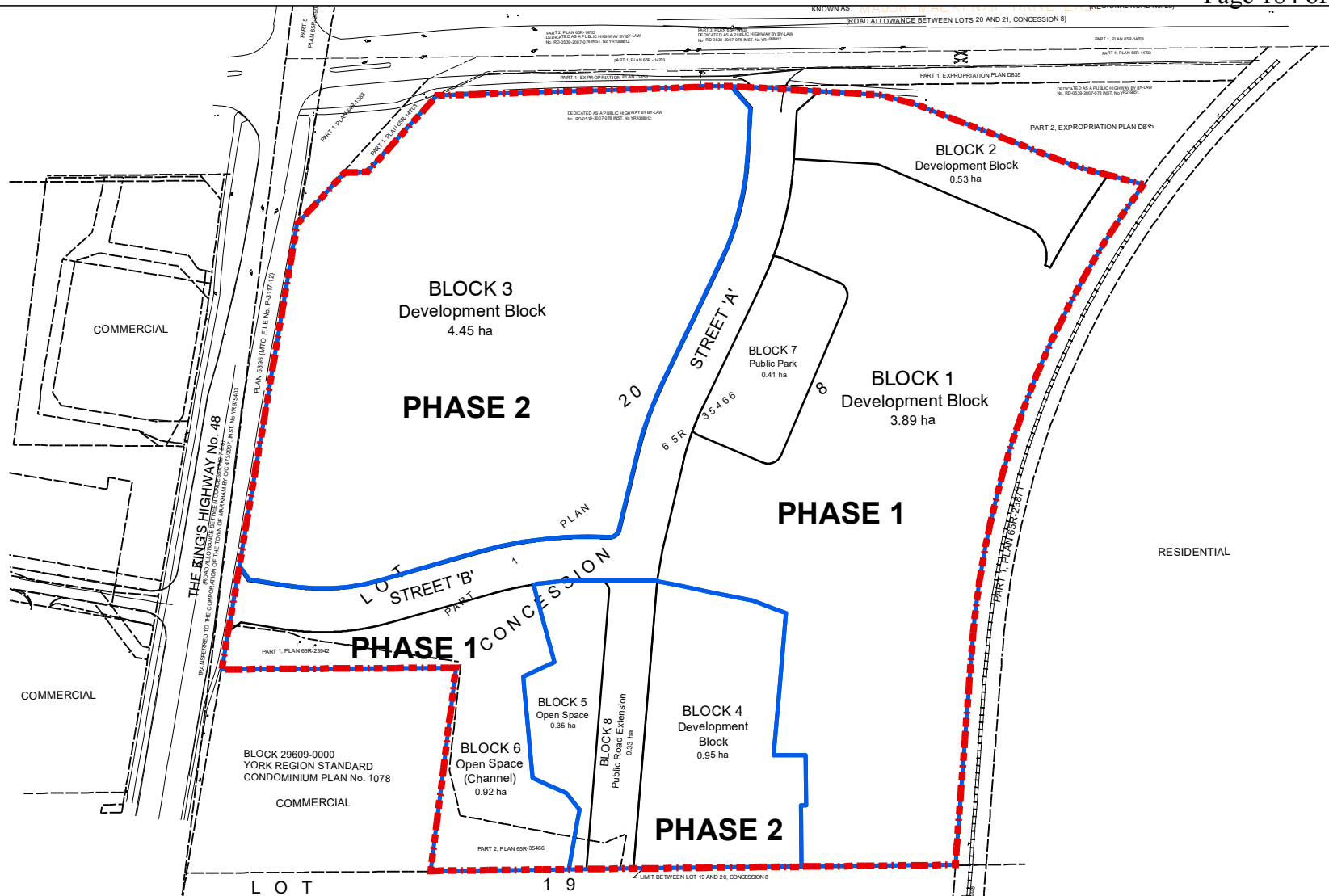
DATE: 11/21/19

DEVELOPMENT SERVICES COMMISSION

Drawn By: DD

Checked By: SM

FIGURE No. 4



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PROPOSED PHASING PLAN

APPLICANT: 2585231 ONTARIO INC.
9999 MARKHAM RD.

FILE No: ZA_SU18180621(SM)

SUBJECT LANDS

DATE:11/21/19

FIGURE No. 5



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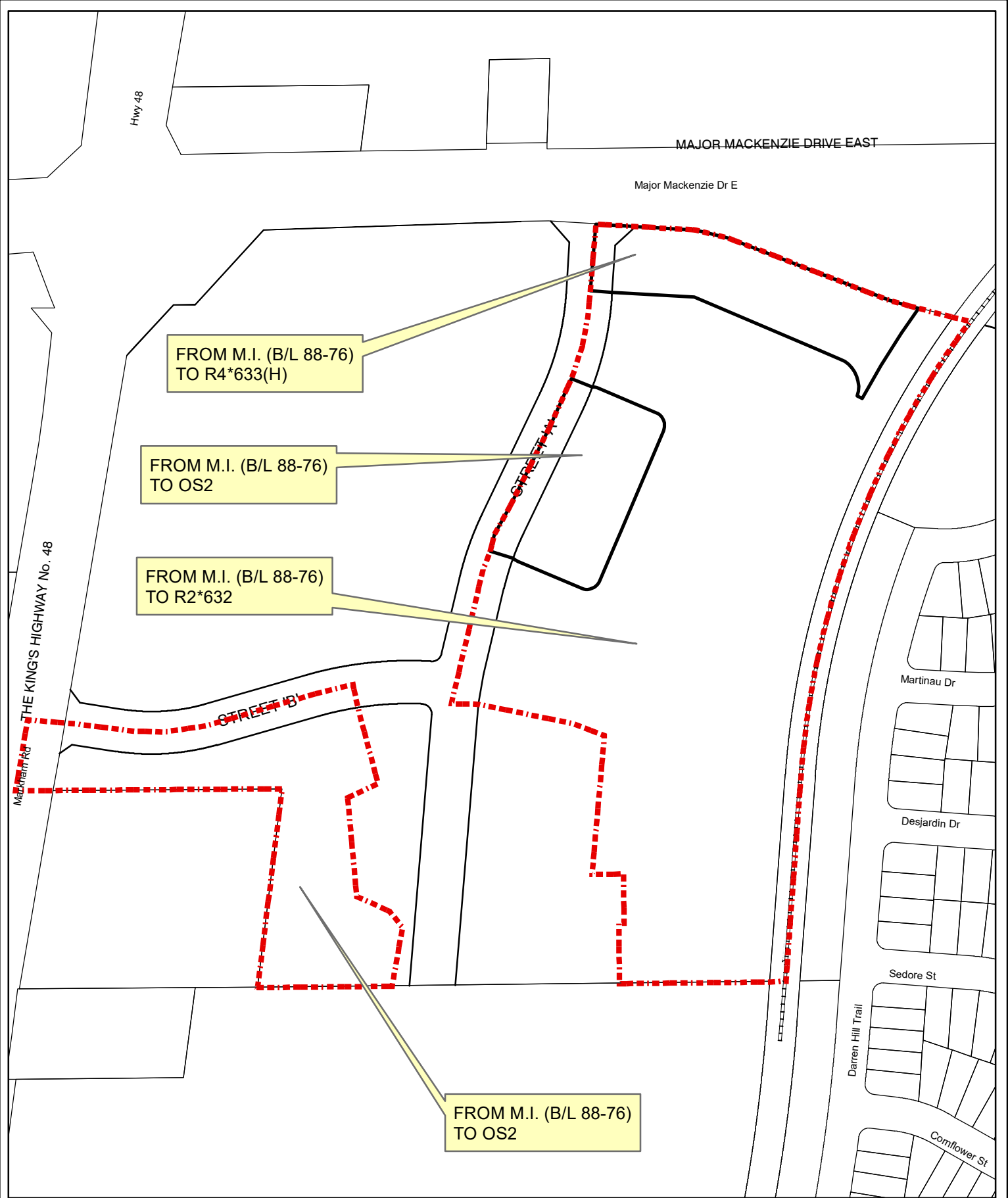
CONCEPTUAL CONCEPT PLAN

APPLICANT: 2585231 ONTARIO INC.
9999 MARKHAM RD.

FILE No: ZA_SU18180621(SM)

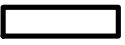
 SUBJECT LANDS

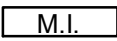
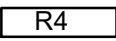


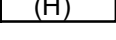
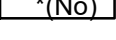




BY-LAW SCHEDULE "A" TO BY-LAW
AMENDING BY-LAWS 88-76 AND 177-96 DATED

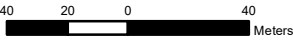
 BOUNDARY OF AREA COVERED BY THIS BY-LAW SCHEDULE
TO BE DELETED FROM 88-76 AND ADDED TO 177-96

 BOUNDARY OF ZONE DESIGNATION(S)

	SELECT INDUSTRIAL AND WAREHOUSE		RESIDENTIAL FOUR		OPEN SPACE TWO
	RESIDENTIAL TWO		HOLDING PROVISION		EXCEPTION NUMBER



DEVELOPMENT SERVICES COMMISSION



Drawn By:DD Checked By:SM

DATE:11/22/19

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

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

DRAFT PLAN CONDITIONS

THE CONDITIONS OF THE COUNCIL OF THE CITY OF MARKHAM
TO BE SATISFIED PRIOR TO RELEASE FOR REGISTRATION OF
PLAN OF SUBDIVISION 19TM-18007
2585231 ONTARIO INC.
ARE AS FOLLOWS:

1. General

- 1.1 Approval shall relate to a draft plan of Subdivision prepared by Evans Planning with the Surveyors Certificate from Rady-Pentek & Edward Surveying Inc. dated September 19th, 2019, and incorporate the following redline revisions:
 - Any redline revisions required to address comments from the City and external agencies.
- 1.2 This draft approval shall apply for a maximum period of three (3) years from date of issuance by the City, and shall accordingly lapse on XXXX, 2022, unless extended by the City upon application by the Owner.
- 1.3 The Owner shall enter into a subdivision agreement with the City agreeing to satisfy all conditions of the City and Agencies, financial and otherwise, prior to final approval.
- 1.4 The Owner acknowledges and understands that prior to final approval of this draft plan of subdivision, any amendments (if applicable) to the City's new 2014 Official Plan (as partially approved on November 24th, 2017 and further updated on April 9th, 2018), as amended, and Zoning By-law 177-96, as amended to implement the plan shall have come into effect in accordance with the provisions of the Planning Act.
- 1.5 The Owner acknowledges and agrees that the draft plan of subdivision and associated conditions of draft approval may require revisions, to the satisfaction of the City, to implement or integrate any recommendations from studies required as a condition of draft approval, as well as any comments and conditions received from municipal departments and external agencies after draft approval is granted.
- 1.6 Prior to the release for registration of the Draft Plan of Subdivision (19TM-18007), the Owner shall prepare and submit to the satisfaction of the City of Markham, all technical reports, studies and drawings, including but not limited to, transportation impact assessment studies, functional traffic design studies, stormwater management reports, functional servicing reports, design briefs, detailed design drawings, noise studies, servicing and infrastructure phasing plan, etc., to support

the Draft Plan of Subdivision. The Owner agrees to revise the Draft Plan of Subdivision as necessary to incorporate the design and recommendations of the accepted technical reports, studies, and drawings.

- 1.7 The Owner shall implement the designs and recommendations of the accepted technical reports/ studies submitted in support of the Draft Plan of Subdivision, including but not limited to, traffic impact assessment studies, functional traffic design studies, stormwater management reports, functional servicing reports, design briefs, detailed design drawings, noise studies, to the satisfaction of the City, and at no cost to the City.

The Owner agrees to revise the Draft Plan of Subdivision as necessary to incorporate the recommendations, to implement or integrate any recommendations from the above studies and drawings.

- 1.8 Prior to Council approval of any zoning by-law amendment and/or minor variance applications for Block 3 and Block 4, the Owner covenants and agrees to undertake and complete the Class EA study for the extension of Anderson Avenue from the proposed Street "B" to Castlemore Avenue.
- 1.9 Prior to approval of any development on Block 3 and Block 4, the Owner covenants and agrees to environmentally remediate and convey Block 8 to the City, to the satisfaction of the Director of Engineering and the City Solicitor, free of all costs and encumbrances.
- 1.10 The Owner shall design and construct all required relocations of, and modifications to existing infrastructure, including but not limited to, watermains, sewers, light standards, utilities, stormwater management facilities and roads to the satisfaction of, and at no cost to the City.
- 1.11 The Owner shall agree in the Subdivision Agreement to pay to the City, all required fees in accordance with the City's Fee By-law 211-83, as amended by Council from time to time.
- 1.12 The Owner shall agree in the Subdivision Agreement or Pre-Servicing Agreement, whichever comes first, to submit financial securities for each phase of the Draft Plan of Subdivision as required by the City of Markham, prior to construction of municipal infrastructure as required to service that phase of development.
- 1.13 The Owner covenants and agrees to enter into a construction agreement and/or encroachment agreement or any other agreement deemed necessary to permit construction of services, roads, stormwater management facilities or any other services that are required external to the Draft Plan of Subdivision and that are required to service the proposed development, to the satisfaction of the Director of Engineering and the City Solicitor.

- 1.14 Prior to final approval of the draft plan, the Owner acknowledges and agrees to obtain required approval from the Region of York, Toronto and Region Conservation Authority (TRCA), Ministry of Transportation (MTO), Metrolinx and any other applicable public agencies.
- 1.15 The Owner shall covenant and agree in the subdivision agreement to obtain approval of Site Alteration Plans in accordance with the City's Standards prior to proceeding with any on-site works and more particularly topsoil stripping.
- 1.16 The Owner shall covenant and agree in the Subdivision Agreement to include in the building permit application all mitigation recommendations from the geotechnical consultant to waterproof basements, which are below the ground water to the satisfaction of the Chief Building Official on a lot specific basis. The Owner shall further covenant and agree that the acceptance of these measures will be subject to approval from the Chief Building Official.
- 1.17 The Owner shall covenant and agree in the Subdivision Agreement that development/ development applications for Blocks 3,4,5 and 8 (Phase 2) will not proceed prior to a draft vision (at minimum) of the Markham Road Corridor Secondary Plan being endorsed by Development Services Committee (DSC)

2. Community Design

- 2.1 The Owner shall retain and design consultant to prepare architectural control guidelines to be submitted to the Director of Planning and Urban Design for approval prior to execution of the subdivision agreement for Development Block 1.
- 2.2 The Owner shall retain a design consultant to implement the Architectural Control Guidelines.
- 2.3 Plans submitted for model home permits for any building within the plan of subdivision shall bear an approval stamp identifying the architectural company retained for architectural control and the signature of the control architect. The approval stamp shall certify that the floor plans, building elevations and site plans are designed in accordance with the approved architectural guidelines.
- 2.4 The Owner shall ensure that the design architect for any buildings within the plan of subdivision shall not assume the role of control architect for the plan of subdivision.

3. Parks and Open Space

- 3.1 The Owner and City covenant and agree that parkland dedication within this plan is required at a rate specified in the City's Parkland Dedication By-law 195-90, as amended.
- 3.2 The Owner covenants and agrees to convey Block 6 as open space to the City, free of all costs and encumbrances, to the satisfaction of the Director of Planning and Urban Design, upon registration of Phase 1 of the plan of subdivision.
- 3.3 The Owner covenants and agrees to convey Block 5 to the City, free of all costs and encumbrances, to the satisfaction of the Director of Planning and Urban Design, as part of the Phase 2 development and the use of Block 5 will be determined at that time.
- 3.4 The Owner covenants and agrees to convey Block 7 as a public park to the City, free of all costs and encumbrances to the satisfaction of the Director of Planning and Urban Design, upon registration of Phase 1 of the plan of subdivision.
- 3.5 The Owner acknowledges and agrees that conveyance of Block 7 will satisfy a portion of the parkland requirement for Blocks 1 and 2 of this development and that any parkland under dedication will be reconciled through the payment of cash-in-lieu of parkland at the time of execution of the subdivision agreement.
- 3.6 The Owner acknowledges and agrees that additional parkland dedication will be required for Blocks 3 and 4 at the time of execution of the subdivision agreement for Blocks 3 and 4 or at the time of registration of Blocks 3 and 4 or as part of any future development application for Blocks 3 and 4. The size and configuration of the park block(s) will also be determined at that time.
- 3.7 The City of Markham reserves the right to require land dedication or payment of cash-in-lieu of parkland or request a combination of approaches as specified in Parkland Dedication 195-90, as amended.
- 3.8 The Owner shall post approved copies of the Open Space Plans for Blocks 5 and 6 and Conceptual Park Development Master Plans for the park in all sales offices for dwelling units within the draft plan of subdivision.

4. Landscape Works

- 4.1 Prior to execution of the subdivision agreement, the Owner shall submit landscape plans, to the satisfaction of the Director of Urban Design, and which includes:
 - a) Street tree planting in accordance with the City of Markham Streetscape Manual, dated June 2009;

- b) Streetscape plans including street trees for Street 'A', Street 'B', Markham Road, Major Mackenzie Drive and other public streets;
 - c) A specialized depth of topsoil in the entire municipal boulevard to appropriately plant boulevard trees in accordance with the City of Markham Streetscape Manual dated June 2009;
 - d) Fencing as required;
 - e) A landscape plan for open space Blocks 5 and 6;
 - f) A landscape plan for the metro link landscape buffer;
 - g) Any other landscaping as determined by the approved Tree Inventory and Preservation Plan and the Environmental Master Drainage Plan;
- 4.2 The Owner shall construct all landscaping in accordance with the approved plans at no cost to the City.
- 4.3 The Owner shall not permit their builders to charge home purchasers for the items listed in Condition 4.1.
- 4.4 The Owner shall include in all agreements of purchase and sale the following clause:
- “PURCHASERS ARE ADVISED THAT AS A CONDITION OF APPROVAL OF THE SUBDIVISION WITHIN WHICH THIS LOT IS LOCATED, THE CITY OF MARKHAM HAS REQUIRED THE DEVELOPER TO UNDERTAKE AND BEAR THE COST OF THE FOLLOWING ITEMS:
- STREET TREES (TREES PLANTED IN THE CITY BOULEVARD OR IN ADJACENT PUBLIC LANDS OR PRIVATE LOTS TO MEET 4.1 A)
 - FENCING AS REQUIRED BY THE CITY
FENCING AT LANES (IF SPECIFICALLY REQUIRED BY THE CITY)
 - TREE PLANTING IN REAR YARDS ADJOINING THE LANES (IF SPECIFICALLY REQUIRED BY THE CITY)
 - NOISE ATTENUATION FENCING AS IDENTIFIED IN THE NOISE IMPACT STUDY
 - FENCING OF SCHOOL, PARK, WALKWAY AND STORMWATER MANAGEMENT POND BLOCKS
 - BUFFER PLANTING FOR OPEN SPACE, WALKWAY AND STORMWATER MANAGEMENT POND BLOCKS AND SINGLE LOADED STREET ALLOWANCES

- DECORATIVE FENCING AS IDENTIFIED ON LANDSCAPE PLANS APPROVED BY THE CITY

THE DEVELOPER HAS BORNE THE COST OF THESE ITEMS AND THE HOME PURCHASER IS NOT REQUIRED TO REIMBURSE THIS EXPENSE.”

5. Tree Inventory and Tree Preservation Plans

- 5.1 The Owner shall submit for approval a tree inventory and tree preservation plan to the satisfaction of the Director of Planning and Urban Design in accordance with the City of Markham Streetscape Manual dated 2009, as amended from time to time.
- 5.2 The Owner shall submit for approval a tree inventory and tree preservation plan showing the trees to be preserved prior to issuance of “Top Soil Stripping Permit, Site Alteration Plan or Pre-Servicing Agreement” to the satisfaction of the Director of Planning and Urban Design.
- 5.3 The Owner shall submit a site grading plan showing the trees to be preserved based on the approved Tree Preservation Plan prior to the issuance of a Top Soil Stripping Permit, Site Alteration Plan or Pre-Servicing Agreement to the satisfaction of the Director of Planning and Urban Design. The Owner shall obtain written approval from the Director of Planning and Urban Design prior to removal of any trees or destruction or injury to any part of a tree within the area of the draft plan.
- 5.4 The Owner shall submit for approval, as part of the tree inventory and tree preservation plan, in accordance with the City of Markham Streetscape Manual a tree compensation schedule detailing replacement and enhancement planting or the replacement value based on the following:
 - a) Trees between 20cm and 40cm diameter at breast height (DBH) shall be replaced at a ratio of 2:1
 - b) All trees over 40cm DBH shall have an individual valuation submitted to the City by an ISA certified Arborist in accordance with the Council of Tree and Landscape Appraisers (CTLA) Guide for Plant Appraisal (2000)
 - c) Where a site does not allow for the 2:1 replacement, the City will negotiate a credit for tree planting on alternate sites
 - d) The requirement for the replacement or equivalent economic value following unauthorized tree removal or damage shall be determined by the City.

6. Financial

- 6.1 Prior to execution of the subdivision agreement the Owner shall provide a letter of credit, in an amount to be determined by the Director of Planning and Urban Design,

to ensure compliance with applicable tree preservation, fencing, streetscape, buffer, landscaping and other landscaping requirements.

7. Noise Impact Study

- 7.1 Prior to final approval of the draft plan, the Owner shall submit a Noise Impact Study, prepared by a qualified noise consultant, with recommended mitigation measures for noise generated by road traffic and by any other identified noise sources, to the satisfaction of the City, in consultation with the Region of York and Metrolinx. The Owner further agrees to make any revisions to the draft plan that may be required to achieve the recommendations of the Noise Impact Study.
- 7.2 The Owner shall covenant and agree in the subdivision agreement to implement noise control measures and warning clauses as recommended by the approved Noise Impact Study, to the satisfaction of the City (Commissioner of Development Services), in consultation with the Region of York and Metrolinx.

8. Municipal Services

- 8.1 The Owner shall covenant and agree to design and construct all municipal services in accordance with City standards and specifications.
- 8.2 Prior to release for registration of the Draft Plan of Subdivision, the Owner shall demonstrate to the satisfaction of the City that two (2) independent water supply points to provide for adequate redundancy and looping for domestic and fire protection purposes will be provided.
- 8.3 The Owner shall agree in the Subdivision Agreement to not apply for any building permits until the City is satisfied that adequate road access, municipal water supply, sanitary sewers and storm drainage facilities are available to service the proposed development.
- 8.4 The Owner shall covenant and agree in the Subdivision Agreement to revise and/or update the accepted functional servicing and stormwater management reports, if directed by the City in the event that the Director of Engineering determines that field conditions are not suitable for implementation of the servicing and stormwater strategy recommended in the previously accepted functional servicing and stormwater management reports.

9. Lands to be Conveyed to the City/ Easements

- 9.1 The Owner shall grant required easements to the appropriate authority for public utilities, drainage purposes or turning circles, upon registration of the plan of subdivision. The Owner shall also provide for any easements and works external to the Draft Plan of Subdivision necessary to connect watermains, storm and

sanitary sewers to outfall trunks and stormwater management facilities to the satisfaction of the City.

- 9.2 The Owner shall convey 0.3m reserves along the west edge of Street 'A' and north edge of Street 'B' (Block 9) and north ends of Blocks 5 and 8 (Block 10) to the City, free of all costs and encumbrances, upon registration of the Draft Plan of Subdivision.
- 9.3 The Owner shall convey Block 6 to the City, free of all costs and encumbrances, to the satisfaction of the City, upon registration of the Draft Plan of Subdivision.
- 9.4 The Owner acknowledges that Block 6 constitutes a portion of the Exhibition Creek Valley (the "Channel") located within the Owner's lands and the remaining portion is located on the adjacent lands with municipal address 9899-9909 Markham Road. The Owner covenants and agrees that prior to registration of the Draft Plan of Subdivision, to make arrangements with the Owner of the adjacent lands to convey easements over the portion of the channel on the adjacent lands, free of all costs and encumbrances, to the City.

10. Utilities

- 10.1 The Owner shall covenant and agree in the subdivision agreement that hydro electric, telephone, gas and television cable services and any other form of telecommunication services shall be constructed at no cost to the City as underground facilities within the public road allowances or within other appropriate easements, as approved on the Composite Utility Plan, to the satisfaction of the City and authorized agencies.
- 10.2 The Owner shall covenant and agree in the subdivision agreement to enter into any agreement or agreements required by any applicable utility companies, including Alectra (formerly PowerStream) , Enbridge, telecommunications companies, etc.
- 10.3 The Owner shall covenant and agree in the subdivision agreement to facilitate the construction of Canada Post facilities at locations and in manners agreeable to the City of Markham in consultation with Canada Post and that where such facilities are to be located within public rights-of-way they shall be approved on the Composite Utility Plan and be in accordance with the Community Design Plan.
- 10.4 The Owner acknowledges that Standard Community Mailbox installations are to be done by Canada Post at locations approved by the municipality and shown on the Composite Utility Plan. The Owner agrees that should it propose an enhanced Community Mailbox installation, any costs over and above the standard installation must be borne by the Owner, and be subject to approval by the City in consultation with Canada Post.
- 10.5 The Owner covenants and agrees that it will permit any telephone or telecommunication service provider to locate its plant in a common trench within

the proposed subdivision prior to registration provided the telephone or telecommunications services provider has executed a Municipal Access Agreement with the City. The Owner shall ensure that any such service provider will be permitted to install its plant so as to permit connection to individual dwelling units within the subdivision as and when each dwelling unit is constructed.

11. Transportation Impact Study/Internal Functional Traffic Design Study

- 11.1 The Owner acknowledges and agrees that prior to registration, to provide a functional design of Street 'B' (the east-west collector road from Markham Road to Street 'A') and Street 'A' (from Major Mackenzie Drive East to Street 'B'), to the satisfaction of the Director of Engineering. Further, the Owner acknowledges and agrees to revise the draft plan of subdivision to incorporate the functional design of Streets 'A' and 'B' as accepted by the Director of Engineering.
- 11.2 The Owner acknowledges and agrees to provide daylight triangles in accordance with the City's Engineering standards for the Markham Road/ Street 'B' and Street 'A / Street 'B' intersections. A 10 metre x 10 metre daylight triangle is required for collector-to-collector road intersections.
- 11.3 The Owner covenants and agrees that a traffic signal design be prepared for the Markham Road/ Street 'B' intersection to the satisfaction of the Director of Engineering and that the financing for the traffic signal implementation be secured. Further, the Owner covenants and agrees that the traffic signal control at the Markham Road/ Street 'B' intersection will be complete and operation upon Street 'B' connecting to Markham Road.
- 11.4 The Owner acknowledges and agrees that the draft plan of subdivision and associated conditions of draft approval may require revisions, to the satisfaction of the Director of Engineering, to implement or integrate any amendments or recommendations from the ongoing Transportation Impact Assessment Study, Functional Traffic Design Study and the Anderson Avenue Class EA Study.

12. Development Charges

- 12.1 The Owner covenants and agrees to provide written notice of all development charges related to the subdivision development, including payments made and any amounts owing, to all first purchasers of lands within the plan of subdivision at the time the lands are transferred to the first purchasers.
- 12.2 The Owner shall pay all fees and development charges as set out in the subdivision agreement.

13. Environmental Clearance

- 13.1 The Owner covenants and agrees to retain a “Qualified Person” to prepare all necessary Environmental Site Assessments (ESA) and file Records of Site Condition with the Provincial Environmental Site Registry for all lands to be conveyed to the City. The “Qualified Person” shall be defined as the person who meets the qualifications prescribed by the *Environmental Protection Act* and O. Reg. 153/04, as amended. The lands to be conveyed to the City shall be defined as any land or easement to be conveyed to the City, in accordance with the City’s Environmental Policy and Procedures for Conveyance of Land to the City pursuant to the Planning Act.
- 13.2 Prior to the earlier of any construction, including site alteration, the execution of a pre-servicing agreement or Subdivision Agreement, the Owner agrees to submit Environmental Site Assessment (ESA) report(s) prepared by a Qualified Person, in accordance with the Environmental Protection Act and its regulations and all applicable standards for all lands to be conveyed to the City for peer review and concurrence.
- 13.3 Prior to the earlier of any construction including site alteration, the execution of a pre-servicing agreement or Subdivision Agreement of a phase within the Draft Plan of Subdivision, the Owner agrees to submit environmental clearance(s) and Reliance Letter(s) from a Qualified Person to the City for all lands or interests in lands to be conveyed to the City to the satisfaction of the City of Markham. The Environmental Clearance and Reliance Letter will be completed in accordance with the City’s standards and will be signed by the Qualified Person and a person authorized to bind the Owner’s company. The City will not accept any modifications to the standard Environmental Clearance and Reliance letter, except as and where indicated in the template.
- 13.4 The Owner covenants and agrees that if, during construction of a phase within the Draft Plan of Subdivision, contaminated soils or materials or groundwater are discovered, the Owner shall inform the City of Markham immediately, and undertake at its own expense, the necessary measures to identify and remediate the contaminated soils or groundwater, all in accordance with the *Environmental Protection Act* and its regulations, to the satisfaction of the City of Markham and the Ministry of the Environment, Conservation and Parks.
- 13.5 The Owner agrees to assume full responsibility for the environmental condition of the Lands comprising the Draft Plan of Subdivision. The Owner shall further agree in the Subdivision Agreement to indemnify and save harmless the City, its directors, officers, Mayor, Councillors, employees and agents from any and all actions, causes of action, suits, claims, demands, losses, expenses and damages whatsoever that may arise either directly or indirectly from the approval and Assumption by the City of the municipal infrastructure, the construction and use of the municipal infrastructure, or anything done or neglected to be done in connection with the use or any environmental condition on or under the Lands comprising the

Draft Plan of Subdivision, including any work undertaken by or on behalf of the City in respect of the Lands comprising the Draft Plan of Subdivision and the execution of this Agreement.

14. Heritage

- 14.1 Prior to final approval of the draft plan of subdivision or any phase thereof, the Owner shall carry out a cultural heritage resource assessment for the lands within the draft plan to ensure the assessment and identification of appropriate treatment of built heritage and archaeological resources, and further to mitigate any identified adverse impacts to significant heritage resources to the satisfaction of the City (Commissioner of Development Services) and the Ministry of Culture. No demolition, grading, filling or any form of soil disturbances shall take place on the lands within the draft plan in proximity to the heritage resource prior to the issuance of a letter from the Ministry of Culture (Heritage Branch) to the City indicating that all matters relating to heritage resources have been addressed in accordance with licensing and resource conservation requirements.
- 14.2 The Owner shall covenant and agree in the subdivision agreement to implement any measures recommended by the heritage resource assessment, to the satisfaction of the City and the Ministry of Culture.

15. Well Monitoring Program and Mitigation Plan

- 15.1 Prior to any site alteration activities, the Owner shall check if there are any active wells within 500 metres of the Zone of Influence (ZOI). If any active wells are found within the ZOI, the Owner shall prepare and implement a Well Monitoring Program and Mitigation Plan, in accordance with the City's requirements to the satisfaction of the Director of Engineering.

16. Other City Requirements

- 16.1 The Owner acknowledges and agrees that firebreak lots within the draft plan shall be designated in the subdivision agreement, to the satisfaction of the Fire Chief. The Owner shall provide a letter of credit in an amount to be determined by the Fire Chief at the subdivision agreement stage to ensure compliance with this condition.
- 16.2 The Owner shall acknowledge and agree in the subdivision agreement that building permits will not be issued for lands in any stage of development within the draft plan of subdivision until the Director of Building Services has been advised by the Fire Chief that there is an adequate water supply for firefighting operations and two remote accesses for firefighting equipment is available.
- 16.3 The Owner shall acknowledge and agree that the adequacy and reliability of water supplies for firefighting purposes are subject to review and approval of the Fire Chief or his designate.

16.4 The Owner shall covenant and agree in the subdivision agreement to include warning clauses in agreements of purchase and sale for all units with single car garages advising purchasers of the following:

- the City's parking by-law requires a minimum of two parking spaces, one in the driveway and one in the garage;
- the City's zoning by-law restricts the width of the driveway, this width does not allow two cars to park side by side; and,
- overnight street parking will not be permitted unless an overnight street parking permit system is implemented by the City

16.5 The Owner shall provide and post display plans in all sales offices which clearly indicate the location of the following facilities in relation to the lot being purchased, prior to any Agreements of Purchase and Sale being executed by the Owner, a builder or their real estate agents:

Park, by type, including Park and Open Space Concept Plans and Streetscape Plans; stormwater management ponds and related facilities; schools by type; place of worship sites; other institutional site by type; commercial site by type; other surrounding land uses and facilities as specified by the City; existing or future: rail facilities, provincial highways, arterial and collector roads, transit routes and stops; City approved sidewalk, walkway and bike route locations; City approved postal box and utility furniture locations or possible locations if prior to approval; City lot grading standards.

All display plans shall be reviewed and approved at the sales office by City staff, prior to the opening of the sales office.

16.6 The Owner covenants and agrees to purchase from the City two (2) recycling containers, one (1) green bin and one (1) kitchen collector per residence so that each purchaser may participate in the City's waste diversion program. Furthermore, the Owner shall ensure that the recycling containers, green bins, kitchen collectors and educational materials are deposited in each home on or before the date of closing.

16.7 The Owner covenants and agrees to contact the City at least four (4) weeks prior to unit occupancy to arrange an appointment time in which the recycling containers, green bins, kitchen collectors and educational materials are to be collected by the Owner.

16.8 The Owner covenants and agrees to pay to the City the cost for recycling containers, green bins and kitchen collectors and to provide said recycling containers, green bins and kitchen collectors to purchasers at the same cost as paid to the City.

- 16.9 The Owner covenants and agrees that during the construction phase of the development, unobstructed roadway access to a width no less than 6 metres will be provided for the safe passage of municipal waste and recycling collection vehicles on the designated collection day. Furthermore, if required, the Owner shall provide vehicle turning space that meets the City's engineering design standards. The Owner agrees that at times when the above defined access cannot be provided, the Owner shall be responsible for moving all residential waste, recyclables and organics from the occupied units to an agreed upon centralized location at the Owner's expense, for collection by the City.

17. Region of York

Clauses/Conditions to be included in the Subdivision Agreement

- 17.1 The Owner shall save harmless York Region from any claim or action as a result of water or sanitary sewer service not being available when anticipated.
- 17.2 The Owner shall agree in wording satisfactory to Development Engineering, that no direct private access is permitted onto Major Mackenzie Drive. All accesses shall be provided through local roads.
- 17.3 The Owner shall agree in wording satisfactory to Development Engineering, to provide direct shared pedestrian/cycling facilities and connections from the proposed development to Major Mackenzie Drive and surrounding Collector & Local Roads to support active transportation and public transit, where appropriate. A drawing shall be provided to illustrate the layout of active transportation facilities within the proposed development and connections to the Regional roads, to the satisfaction of the Region.
- 17.4 The Owner shall agree in wording satisfactory to Development Engineering, to implement the recommendations provided in the Transportation Study, to the satisfaction of the Region.
- 17.5 The Owner agrees that a Holding Provision shall be placed on Block 2 until the Region has completed the design and is satisfied the vertical and horizontal design is approved or until the Region has sufficient certainty regarding the potential alignment(s) and land requirements for the Major Mackenzie Drive overpass of the Stouffville Rail Corridor, or in the likelihood of its ultimate approval and construction.
- 17.6 The Owner shall agree in wording satisfactory to Development Engineering, to provide notice in the subsequent Purchase Agreements, Tenant Lease Agreement, Site Plan Agreements, Condominium Agreements, and Declaration of Condominium Agreements, of the future grade separation proposed on Major Mackenzie Drive at the rail corridor crossing:

“THE OWNER ACKNOWLEDGES AND AGREES THAT THE REGION IS PROTECTING FOR A GRADE SEPARATION AT THE MAJOR MACKENZIE DRIVE AND THE RAIL CROSSING.”

- 17.7 The Owner shall agree in wording satisfactory to Development Engineering, to provide notice in the subsequent Purchase Agreements, Tenant Lease Agreement, Site Plan Agreements, Condominium Agreements, and Declaration of Condominium Agreements, of the future extension of the Anderson Road Extension from Castlemore Avenue to Street “A” and Street “B” to connect to Major Mackenzie Drive. The Owner and Purchasers will be required in the subsequent Purchase Agreements, Tenant Lease Agreements, Site Plan Agreement, Condominium Agreements and Declaration of Condominium Agreement to acknowledge the planned public road connection to/from the south.

“THE OWNER ACKNOWLEDGES AND AGREES THAT ANDERSON AVENUE IN THE SOUTH WILL EXTEND NORTHERLY TO STREET “A” AND STREET “B” TO CONNECT TO MAJOR MACKENZIE DRIVE.”

- 17.8 The Owner shall agree in wording satisfactory to Development Engineering, to implement all recommendations provided in the revised Transportation Study, including Transportation Demand Management, to the satisfaction of the Region.
- 17.9 The Owner shall agree in wording satisfactory to Development Engineering, that site plan application approvals from the Region are required to be in place prior the commencement of any site alteration or construction works for Blocks 1, 2 & 3.
- 17.10 The Owner shall agree in wording satisfactory to Development Engineering, to implement the noise attenuation features as recommended by the noise study and to the satisfaction of Development Engineering.
- 17.11 The Owner shall agree in wording satisfactory to Development Engineering, that where berm, noise wall, window and/or oversized forced air mechanical systems are required, these features shall be certified by a professional engineer to have been installed as specified by the approved Noise Study and in conformance with the Ministry of Environment guidelines and the York Region Noise Policy.
- 17.12 The following warning clause shall be included in a registered with respect to the lots or blocks affected:
- "Purchasers are advised that despite the inclusion of noise attenuation features within the development area and within the individual building units, noise levels will continue to increase, occasionally interfering with some activities of the building's occupants."
- 17.13 Where noise attenuation features will abut a York Region right-of-way, the Owner

shall agree in wording satisfactory to York Region's Development Engineering, as follows:

- a) That no part of any noise attenuation feature shall be constructed on or within the York Region right-of-way;
- b) That noise fences adjacent to York Region roads may be constructed on the private side of the 0.3 metre reserve and may be a maximum 2.5 metres in height, subject to the area municipality's concurrence; and
- c) That maintenance of the noise barriers and fences bordering on York Region right-of-way shall not be the responsibility of York Region.

17.14 The Owner shall agree in wording satisfactory to Development Engineering, to be responsible to decommission any existing wells on the owner's lands in accordance with all applicable provincial legislation and guidelines and to the satisfaction of the area municipality.

17.15 The Owner shall agree in wording satisfactory to Development Engineering, that the Owner will be responsible for determining the location of all utility plants within York Region right-of-way and for the cost of relocating, replacing, repairing and restoring any appurtenances damaged during construction of the proposed site works. The Owner must review, or ensure that any consultants retained by the Owner, review, at an early stage, the applicable authority's minimum vertical clearances for aerial cable systems and their minimum spacing and cover requirements. The Owner shall be entirely responsible for making any adjustments or relocations, if necessary, prior to the commencement of any construction.

Conditions to be Satisfied Prior to Final Approval

17.16 The road allowances included within the draft plan of subdivision shall be named to the satisfaction of the City of Markham and York Region.

17.17 The Owner shall provide to the Region the following documentation to confirm that water and wastewater services are available to the subject development and have been allocated by the City of Markham:

- a) A copy of the Council resolution confirming that the City of Markham has allocated servicing capacity, specifying the specific source of the capacity, to the development proposed within this draft plan, or any phase thereof, and
- b) A copy of an email confirmation by City of Markham staff stating that the allocation to the subject development remains valid at the time of the request for Regional clearance of this condition.

17.18 The Owner shall design, install and commission the proposed direct connection to

the Region's 600mm diameter watermain on Major Mackenzie Drive to the satisfaction of the Region.

- 17.19 The Owner shall provide an electronic set of the final engineering drawings showing the watermains and sewers for the proposed development to the Community Planning and Development Services Division and the Infrastructure Asset Management Branch for record.
- 17.20 Should the proposed major development include bulk fuel ($\geq 2500\text{L}$) or bulk chemicals ($\geq 500\text{L}$) within the HVA, a Contaminant Management Plan (CMP) will be required for the Region's Water Resources Branch for review and approval. If a CMP is not required, a letter prepared by a qualified professional will be required in its place stating that the above noted activities will not be occurring.
- 17.21 The Owner shall provide a revised Transportation Study to the satisfaction of the Region.
- 17.22 The Owner shall demonstrate that a public road extension is provided to the southern limits of their site.
- 17.23 Concurrent with the submission of the subdivision servicing application (MECP) to the area municipality, the Owner shall provide a set of engineering drawings and reports, for any works to be constructed on or adjacent to the York Region road, to Development Engineering, Attention: Manager, Development Engineering, that includes the following drawings:
 - i. Plan and Profile for the York Region road and intersections;
 - ii. Cross Section on York Region right-of-way at 20m interval where the site is abutting;
 - iii. Grading and Servicing Plans;
 - iv. Intersection/Road Improvements, including the recommendations of the Transportation Report;
 - v. Construction Access Design;
 - vi. Utility and underground services Location Plans;
 - vii. Signalization and Illumination Designs;
 - viii. Line Painting;
 - ix. Traffic Control/Management Plans;
 - x. Erosion and Siltation Control Plans;
 - xi. Landscaping Plans, including tree preservation, relocation and removals;
 - xii. Arborist Report;
 - xiii. Sidewalk locations, concrete pedestrian access to existing and future transit services and transit stop locations as required by York Region Transit/Viva
 - xiv. Functional Servicing Report;
 - xv. Stormwater Management Report; and

xvi. Water supply and distribution report and model.

- 17.24 The Owner shall submit a detailed Development Charge Credit Application to York Region, if applicable, to claim any works proposed within the York Region Right-of-Way. Only those works located in their ultimate location based on the next planning upgrade for this Right-of-Way will be considered eligible for credit, and any work done prior to submission without prior approval will not be eligible for credit.
- 17.25 The Owner shall provide drawings for the proposed servicing of the site to be reviewed by the Engineering Department of the area municipality. Engineering drawings (stamped and signed by a professional engineer), and MECP forms together with any supporting information shall be submitted to City of Markham.
- 17.26 The location and design of the construction access for the subdivision work shall be completed to the satisfaction of Development Engineering and illustrated on the Engineering Drawings.
- 17.27 The Owner shall demonstrate, to the satisfaction of Development Engineering, that all existing driveway(s) along the Regional road frontage of this subdivision will be removed as part of the subdivision work, at no cost to York Region.
- 17.28 The Owner shall demonstrate, to the satisfaction of Development Engineering, that the streetline elevations shall maintain a minimum 2% cross slope within the boulevard from the streetline to the top of curb, unless otherwise specified by Development Engineering.
- 17.29 The Owner shall submit drawings depicting the following to the satisfaction of York Region staff:
- a) All existing woody vegetation within the York Region road right-of-way.
 - b) Tree protection measures to be implemented on and off the York Region road right-of-way to protect right of way vegetation to be preserved.
 - c) Any woody vegetation within the York Region road right-of-way that is proposed to be removed or relocated. However, it is to be noted that tree removal within York Region road right-of-way shall be avoided to the extent possible/practical. Financial or other compensation may be sought based on the value of trees proposed for removal.
 - d) A planting plan for all new and relocated vegetation to be planted within the York Region road right of way, based on the following general guideline:
- Tree planting shall be undertaken in accordance with York Region standards as articulated in Streetscaping Policy and using species from the

York Region Street Tree Planting List. These documents may be obtained from the Forestry Section. If any landscaping or features other than tree planting (e.g. flower beds, shrubs) are proposed in the York Region right-of-way by the Owner or the area municipality for aesthetic purposes they must be approved by Development Engineering and shall be maintained by the area municipality with the exception of the usual grass maintenance.

- e) For landscape features not maintained to York Region's satisfaction, the area municipality will be responsible for the cost of maintenance or removal undertaken by the Region.

17.30 The Owner shall engage the services of a consultant to prepare and submit for review and approval, a noise study to the satisfaction of Development Engineering recommending noise attenuation features.

17.31 Upon registration, the Owner shall convey the following lands to York Region for public highway purposes, free of all costs and encumbrances, to the satisfaction of York Region Solicitor:

- a) A widening across the full frontage of the site where it abuts Major Mackenzie Drive of sufficient width to provide a minimum of 22.5 metres from the centreline of construction of Major Mackenzie Drive and any lands required for additional turn lanes at the intersections,
- b) A 10 metre by 10 metre daylight triangles at Street "A" and Major Mackenzie Drive, and
- c) A 0.3 metre reserve across the full frontage of the site where it abuts Major Mackenzie Drive and adjacent to the above noted widening(s).

17.32 The Owner shall provide a solicitor's certificate of title in a form satisfactory to York Region Solicitor, at no cost to York Region with respect to the conveyance of the above noted lands to York Region.

17.33 The Region requires the Owner submit a Phase One Environmental Site Assessment ("ESA") in general accordance with the requirements of the Environmental Protection Act and O. Reg. 153/04 Records of Site Condition, as amended ("O. Reg. 153/04"). The Phase One ESA must be for the Owner's property that is the subject of the application and include the lands to be conveyed to the Region (the "Conveyance Lands"). The Phase One ESA cannot be more than two (2) years old at: (a) the date of submission to the Region; and (b) the date title to the Conveyance Lands is transferred to the Region. If the originally submitted Phase One ESA is or would be more than two (2) years old at the actual date title of the Conveyance Lands is transferred to the Region, the Phase One ESA will need to be either updated or a new Phase One ESA submitted by the Owner. Any update or new Phase One ESA must be prepared to the satisfaction of the Region and in

general accordance with the requirements of O. Reg. 153/04. The Region, at its discretion, may require further study, investigation, assessment, delineation and preparation of reports to determine whether any action is required regardless of the findings or conclusions of the submitted Phase One ESA. The further study, investigation, assessment, delineation and subsequent reports or documentation must be prepared to the satisfaction of the Region and in general accordance with the requirements of O. Reg. 153/04. Reliance on the Phase One ESA and any subsequent reports or documentation must be provided to the Region in the Region's standard format and/or contain terms and conditions satisfactory to the Region.

The Region requires a certified written statement from the Owner that, as of the date title to the Conveyance Lands is transferred to the Region: (i) there are no contaminants of concern, within the meaning of O. Reg. 153/04, which are present at, in, on, or under the property, or emanating or migrating from the property to the Conveyance Lands at levels that exceed the MOECC full depth site condition standards applicable to the property; (ii) no pollutant, waste of any nature, hazardous substance, toxic substance, dangerous goods, or other substance or material defined or regulated under applicable environmental laws is present at, in, on or under the Conveyance Lands; and (iii) there are no underground or aboveground tanks, related piping, equipment and appurtenances located at, in, on or under the Conveyance Lands.

The Owner shall be responsible for all costs associated with the preparation and delivery of the Phase One ESA, any subsequent environmental work, reports or other documentation, reliance and the Owner's certified written statement.

- 17.34 The Owner or the Owner's authorized representative shall submit a Statutory Declaration that no contaminant, pollutant, waste of any nature, hazardous substance, toxic substance, dangerous goods, or other substance or material defined or regulated under applicable environmental laws is present at, on, in or under lands to be conveyed to the Region (including soils, substrata, surface water and groundwater, as applicable): (i) at the time of conveyance, at a level or concentration that exceeds the Environmental Protection Act O. Reg. 153/04 (as amended) full depth generic site condition standards applicable to the intended use of such lands by the Region or any other remediation standards published or administered by governmental authorities applicable to the intended land use; and (ii) in such a manner, condition or state, or is emanating or migrating from such lands in a way, that would contravene applicable environmental laws.
- 17.35 The Owner shall demonstrate, to the satisfaction of Development Engineering, that all local underground services will be installed within the area of the development lands and not within York Region's road allowance. If a buffer or easement is needed to accommodate the local services adjacent to York Region's Right-of-Way, then the Owner shall provide a satisfactory buffer or easement to the Area Municipality, at no cost to the Region.

17.36 The Owner shall provide a copy of the executed Subdivision Agreement to the Regional Corporate Services Department, outlining all requirements of the Corporate Services Department.

17.37 The Owner shall enter into an agreement with York Region, agreeing to satisfy all conditions, financial and otherwise, of the Regional Corporation; Regional Development Charges are payable in accordance with Regional Development Charges By-law in effect at the time that Regional development charges, or any part thereof, are payable.

17.38 The Regional Corporate Services Department shall advise that Conditions 17.1 to 17.37 inclusive, have been satisfied.

18. Ministry of Natural Resources (MNR)

18.1 The Owner shall agree in the subdivision agreement to satisfy all requirements of the MNR with respect to the endangered species and any potential impacts on the draft plan of subdivision, and to provide written confirmation that it has consulted with MNR in this respect, to the satisfaction of the Commissioner of Development Services.

19. Enbridge Gas Distribution

19.1 The Owner covenants and agrees in the subdivision agreement:

- a) To contact Enbridge Gas Distribution's Customer Connections department by emailing for service and metre installation details and to ensure that all gas piping is installed prior to the commencement of site landscaping (including, but not limited to: tree planting, silva cells and/or soil trenches) and/or asphalt paving.
- b) If the gas main needs to be relocated as a result of changes in the alignment or grade of the future road allowances or for temporary gas pipe installations pertaining to phased construction, all costs are the responsibility of the Owner.
- c) In the event that easement(s) are required to serve this development, the applicant will provide the easement(s) to Enbridge Gas Distribution at no cost.
- d) The Owner will grade all road allowances to as final elevation as possible, provide necessary field survey information and all approved municipal road cross-sections, identifying all utility locations prior to the installation of the gas piping.

20. Canada Post

- 20.1 The Owner covenants and agrees that delivery to the proposed mid-rise buildings (Phase 1B) will be via private lock box assembly (LBA). Delivery to the proposed townhouse dwellings will be via centralized mailbox delivery.
- 20.2 The Owner covenants and agrees to contact Canada Post well in advance of the construction start date to discuss a suitable mailroom location. The Owner/ Developer will provide a rear-loading mailroom for any building with more than 100 units.
- 20.3 The Owner covenants and agrees to supply, install and maintain a central mail facility for Canada Post; ensure all mail delivery equipment is installed in a location that is readily accessible to the occupants and Canada Post personnel; and ensure that all mail is accessible by persons with physical disabilities.
- 20.4 The Owner covenants and agrees in the subdivision agreement to comply with the following conditions:
- a) The Owner/ developer agrees to include on all purchases and sale, a statement that advises the prospective purchaser that mail delivery will be from a designated Community Mailbox.
 - b) The Owner/ developer will be responsible for notifying the purchaser of the exact Community Mailbox locations prior to the closing of any home/ unit sale.
 - c) The Owner/developer will consult with Canada Post to determine suitable locations for the placement of Community Mailboxes and to indicate these locations on the appropriate servicing plans.
 - d) The Owner/ developer will provide the following for each Community Mailbox site and include these requirements on the appropriate servicing plans:
 - i) an appropriately sized sidewalk section (concrete pad) to place the Community Mailboxes on;
 - ii) any required walkway across the boulevard; and
 - iii) any required curb depressions for wheelchair access.
- 20.5 The Owner/developer further agrees to determine and provide a suitable temporary Community Mailbox(s) location(s) which may be utilized by Canada Post until the curbs, sidewalks and final grading have been completed at the permanent Community mailbox locations. This will enable Canada Post to

provide mail delivery to the new homes as soon as they are occupied.

- 20.6 The Owner/ developer further agrees to provide Canada Post at least 60 days notice prior to the confirmed first occupancy date to allow for the community mailboxes to be ordered and installed at the prepared temporary location.

21. Streetlight Types:

- 21.1 The Owner shall agree in the Subdivision Agreement to contact the City of Markham prior to commencing the design for Streetlighting to confirm the type(s) of poles and luminaires to be provided for different streets and/or lanes.

22. Roads

- 22.1 The Owner covenants and agrees that road allowances within the Draft Plan of Subdivision shall be named to the satisfaction of the City and Regional Municipality of York ("Region").
- 22.2 The Owner shall covenant and agree to design and construct all municipal roads in Accordance with City standards and specification.
- 22.3 The Owner shall covenant and agree in the Subdivision Agreement to provide temporary turning circles where required at their cost and remove them and restore the streets to their normal condition at their cost when required by the City, to the satisfaction of the City of Markham. The design of the temporary turning circles, and any implications on surrounding land use, shall be addressed in the Subdivision Agreement to the satisfaction of the City.

23. Toronto and Region Conservation Authority (TRCA)

- 23.1 That prior to any development, pre-servicing or site alteration, or registration of this plan or any phase thereof, the applicant shall submit, provide and/or attain the approval from the TRCA for:
- a) A detailed engineering report stamped by a professional engineer that in addition to describing the storm drainage system for the proposed development of the subject lands, includes:
 - i. Location and description of all outlets and other facilities, grading, site alterations or development which may require a permit pursuant to Ontario Regulation 166/06, the Authority's Development, Interference with Wetlands and Alterations to Shorelines and Watercourse Regulation;

- ii. Confirmation that TRCA's stormwater management criteria (including stormwater quantity and quality control) and the criteria requirements for water balance and erosion control have been met or exceeded;
 - iii. Preliminary estimates of the required stormwater management facilities required for each block in the subdivision;
 - iv. Water balance measures with supporting calculations;
 - v. Detail drawings, locations and plans for proposed water balance and LID measures in the appropriate drawings;
 - vi. Detailed grading plans and site servicing plans including grading plans for the proposed infrastructure within the channel block as well as potential modifications to the channel to expand the channel if feasible;
 - vii. Demonstration that any modifications to the channel block will have no overall adverse impact on the storage and conveyance of floor waters.
- b) A Water Balance Assessment (if not already fully addressed in the engineering report above) outlining the required water balance criteria and how they are to be met or exceed by the proposed mitigation measures which have been deemed appropriate for the site;
- c) A detailed and comprehensive Erosion and Sediment Control Plan and Erosion and Sediment Control Report, which complies with the TRCA's Erosion and Sediment Control Guidelines for Urban Construction (available at www.sustainabletechnologies.ca).
- d) A detailed Planting/ Restoration Plan (s) for the channel block (Block 6) which includes proposed species and quantities as well as planting locations to the satisfaction of TRCA and City of Markham staff. The Planting/Restoration Plan(s) should address:
- i. Areas of disturbance within the channel block for proposed transportation and stormwater infrastructure;
 - ii. The new alignment of Street 'B' and the resultant areas not already vegetated through the Ontario Regulation 166/06 permit for the naturalized channel works.
- e) A detailed Planting/Restoration Plan(s) for the open space block (Block 5) which includes proposed species and quantities as well as planting locations to the satisfaction of the TRCA and City of Markham staff to compensate for the proposed infrastructure (Street 'B' sidewalk and stormwater infrastructure) to be located within the channel.
- 23.2 The applicant provide an updated Flood Plain Map sheet as well as accompanying digital modelling based upon new works within the channel block if required.
- 23.3 The applicant provide confirmation that the natural feature, hazard and associated buffer lands (Block 6) have been placed into an appropriate Open Space zoning category and will be conveyed into public ownership.

23.4 The applicant obtain all Ontario Regulation 166/06 (as amended) permits from the TRCA for all works proposed on the subject property for which permits would be required and that sufficient securities are provided for the proposed restoration plantings. Please note permits will be required for channel modifications, the proposed storm outlet(s) and the construction of Street 'B;.

23.5 That the draft plan be red-lined revised, if necessary, in order to meet the requirements of TRCA's conditions, or in order to meet current established standards in place at time of Registration of the Plan or any phase thereof.

24. Ministry of Transportation (MTO)

24.1 Prior to registration, the Owner must submit to the Ministry of Transportation for review and approval, a copy of the Stormwater Management Report (electronic copy), Site Grading and Servicing Plan(s), addressing the intended treatment of the calculated runoff.

24.2 Prior to registration, the Owner must submit to the Ministry of Transportation, for review and approval a copy of the Traffic Impact Study addressing the anticipated traffic volumes and their impact on Highway 48.

24.3 Prior to registration, the Owner must submit to the Ministry of Transportation for review and approval a copy of the proposed site and street Lighting Design and Calculations in the isometric format, using AG-32 and Auto-Lux (format acceptable to the MTO).

24.4 The location and design of the proposed intersection to Highway 48 must conform to Ministry standards.

24.5 The Owner acknowledges that each phase of development will require a separate clearance letter from the Ministry.

25. Metrolinx

25.1 The Owner acknowledges the following all to the satisfaction of Metrolinx:

- a) A 30 metre setback is required for residential development;
- b) A 2.5 metre safety barrier is to be provided in conjunction with the setback;
- c) The proponent shall engage a qualified consultant to prepare a noise and vibration study, to be submitted for review;
- d) The proponent shall submit a drainage report for review. Any proposed alterations to the existing drainage pattern affecting GO Transit's rail Corridor must receive prior concurrence from Metrolinx;

- e) A 1.83 metre high security fence is to be provided along the property line where direct access to the rail corridor is afforded;
- f) A 7 metre vegetation setback, to be measured from the centreline of Metrolinx's outer most track, has been established in association with the planned electrification of the Stouffville Rail Corridor. The proponent shall prepare a Landscape Plan for review. Limited types of vegetation are allowed within this section such as low rise shrubs and/or decorative grasses;
- g) Warning clauses required by Metrolinx shall be inserted into all development agreements, offers to purchase and agreements of Purchase and Sale or Lease of each dwelling unit within 300 metres of the railway right-of-way;
- h) The Owner shall enter into an agreement with Metrolinx stipulating how applicable concerns will be addressed. The agreement will include an environmental easement for operational emissions, to be registered on title against all residential dwellings within 300 metre of the rail corridor and in favour of Metrolinx;
- i) It should be noted that any construction activity within or immediately adjacent to the rail corridor must be coordinated with Metrolinx consultant AECOM. Permits and flagging may be required depending on the nature of the proposed work;
- j) Grade separation of Major Mackenzie Drive has been previously contemplated by York Region. Although no timelines have been established as of yet, such a project would have property implications (temporary during construction and on-going with the final alignment) along the site frontage on Major Mackenzie Drive.

26. Alectra Utilities

- 26.1 The Owner or his agent is required to contact Alectra to discuss all aspects of the project. Alectra will require site plan drawings, draft M-plans, legal plans, architectural design drawings, electrical consultant's drawings, number of units/ lots in the subdivision agreement and type of the subdivision/development, square footage of the buildings, the required voltage, amperage and building loads, along with the completed and signed Subdivision Application Information Form (SAIF). Alectra will then use this information to determine the type of available service in the area to supply the proposed development and determine the design fee for the subdivision or development.
- 26.2 The Owner covenants and agrees that all proposed buildings, billboards, signs and other structures associated with the development must maintain minimum clearance to the existing overhead or underground electrical distribution system as specified by the Ontario Electrical Safety Code and the Occupational Health and Safety Act.
- 26.3 The Owner covenants and agrees that if there are any existing components of Alectra's electrical distribution system on the proposed project site, they will have to be relocated by Alectra at the Developer's cost. Any conflicts due to driveway

locations or clearances to the existing overhead or underground distribution system will have to be relocated by Alectra at the Developer's cost.

27. Bell

- 27.1 The Owner covenants and agrees, in words satisfactory to Bell Canada, that it will grant to Bell Canada any easements that may be required, which may include a blanket easement, for communication/ telecommunication infrastructure. In the event of any conflict with existing Bell Canada facilities or easements, the Owner shall be responsible for the relocation of such facilities or easements.
- 27.2 The Owner covenants and agrees to contact Bell Canada during detailed design to confirm the provision of communication/ telecommunication infrastructure needed to service the development.
- 27.3 The Owner covenants and agrees that prior to commencing any work, the Developer must confirm that sufficient wire-line communication/ telecommunication infrastructure is available. In the event that such infrastructure is unavailable, the Developer shall be required to pay for the connection to and/or extension of the existing communication/ telecommunication infrastructure.

28. External Clearances

- 28.1 Prior to final approval of the draft plan of subdivision, clearance letters, containing a brief statement detailing how conditions have been met, will be required from authorized agencies as follows:
 - a) The Ministry of Culture shall advise that condition 14 has been satisfied.
 - b) The Region of York shall advise that condition 17 has been satisfied.
 - c) The Ministry of Natural Resources shall advise that condition 18 has been satisfied.
 - d) Enbridge Gas Distribution shall advise that condition 19 has been satisfied.
 - e) Canada Post shall advise that condition 20 has been satisfied.
 - f) Toronto and Region Conservation Authority shall advise that condition 23 has been satisfied.
 - g) Ministry of Transportation shall advise that condition 24 has been satisfied.
 - h) Metrolinx shall advise that condition 25 has been satisfied.
 - i) Alectra Utilities shall advise that conditions 26 has been satisfied.

j) Bell Canada shall advise that condition 27 has been satisfied.

Dated:

Ron Blake, Senior Development Manager

DRAFT

Appendix “A”



BY-LAW 2019-_____

A By-law to amend By-law 88-76, as amended
(to delete lands from the designated area of By-law 88-76)
and to amend By-law 177-96, as amended
(to incorporate lands into the designated area of By-law 177-96)

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

1. That By-law 88-76, as amended, is hereby further amended as follows:
 - 1.1 By deleting the lands shown on Schedule ‘A’ attached hereto from the designated area of By-law 88-76, as amended.
2. By-law 177-96, as amended, is hereby further amended as follows:
 - 2.1 By expanding the designated area of By-law 177-96, as amended, to include the lands as shown on Schedule “A” attached hereto.
 - 2.2 By rezoning the lands outlined on Schedule ‘A’ attached hereto from:

from:
Select Industrial and Warehousing (M.I.) under By-law 88-76

to:
Residential Two * 632 (R2*632)
Residential Four *633 (Hold) [R4*633 (H)]
and
Open Space Two
 - 2.3 By adding the following subsection to Section 7 – EXCEPTIONS

Exception 7.632	2585231 Ontario Inc. 9999 Markham Rd	Parent Zone R2
File ZA 18 180621		Amending By-law 2019-XX
Notwithstanding any other provisions of By-law 177-96, the following provisions shall apply to the land shown on Schedule “A” attached to this By-law 2019-XX. All other provisions, unless specifically modified/amended by this section, continue to apply to the lands subject to this section.		

7.632.1 Additional Permitted Uses	
The following additional uses are permitted:	
a)	<i>Multiple Dwellings</i>
b)	<i>Accessory Dwelling Units</i>
7.632.2 Special Zone Standards	
a)	Notwithstanding any further division or partition of the lands subject to this Section, all lands zoned with Exceptions *632 shall be deemed to be one lot for the purposes of this By-law.
b)	Minimum required <i>exterior side yard</i> – 2.4 m
c)	Minimum required <i>interior side yard</i> – 1.5 m
d)	Minimum required <i>rear yard</i> – 30 m
e)	Minimum required front yard – 5 m
f)	Maximum number of <i>multiple dwelling units</i> - 21
g)	Maximum <i>building height</i> – 14 m
h)	Minimum width of a <i>townhouse unit</i> – 5.4 m
i)	Minimum number of <i>parking spaces</i> – 1 space per <i>multiple dwelling unit</i>
j)	Minimum number of visitors parking spaces - 0.2 per <i>dwelling unit</i>
k)	Minimum separation distance between <i>buildings</i> – 3 m
l)	Notwithstanding k) above, architectural features such as sills, belt courses, cornices, eaves, chimney breasts, pilasters, roof overhangs, and <i>balconies</i> may project 0.6 metres into the required minimum distance from the <i>main wall</i> of a <i>building</i> .
m)	For the purposes of this By-law, the westerly <i>lot line</i> abutting “Street A” on “Schedule A” to this by-law shall be deemed to be the <i>front lot line</i> .
n)	One (1) <i>accessory dwelling unit</i> is permitted in a <i>townhouse dwelling</i>
o)	The provisions of Table B2 shall not apply

Exception 7.633	2585231 Ontario Inc. 9999 Markham Rd	Parent Zone R4
File ZA 18 180621		Amending By- law 2019-XX
Notwithstanding any other provisions of By-law 177-96, the following provisions shall apply to the land shown on Schedule “A” attached to this By-law 2019-XX. All other provisions, unless specifically modified/amended by this section, continue to apply to the lands subject to this section.		
7.633.1 Special Zone Standards		
a)	Notwithstanding any further division or partition of the lands subject to this Section, all lands zoned with Exceptions *633 shall be deemed to be one lot for the purposes of this By-law.	
b)	Minimum required <i>exterior side yard</i> – 3 m	
c)	Minimum required <i>interior side yard</i> – 12.5m	
d)	Minimum required <i>rear yard</i> – 8.5 m	
e)	Notwithstanding d) above, a canopy, roof overhang, or unenclosed roofed structure over a <i>driveway</i> or <i>drive aisle</i> , may encroach into the required <i>rear yard</i> , provided it is no closer than 1 metre from the rear <i>lot line</i> .	
f)	Minimum required front yard – 1.8 m	

g)	Minimum setback from a daylight triangle – 0.1 metres
h)	Maximum number of storeys - 8
i)	Minimum number of visitors parking spaces - 0.2 per <i>dwelling unit</i>
j)	For the purposes of this By-law, the <i>lot line</i> abutting Major Mackenzie Drive shall be deemed to be the <i>front lot line</i> .
k)	Minimum setback for a <i>private garage</i> or <i>parking garage</i> located completely below <i>established grade</i> , or access ramp or driveway leading to an underground <i>private garage</i> or <i>parking garage</i> – 0.6 metres

3. SECTION 37 AGREEMENT

A contribution by the Owner to the City for the purpose of public art, in the amount of \$1425.00 per townhouse dwelling unit and multiple dwelling unit, and \$850.00 per apartment dwelling unit, to be indexed to the Ontario rate of inflation as per the consumer price index (CPI), in accordance with Section 37 of the Planning Act, shall be required.

Payments shall be collected in accordance with the terms of an agreement to secure for the Section 37 contribution. Nothing in this section shall prevent the issuance of a building permit as set out in Section 8 of the Building Code Act or its successors.

4. HOLDING PROVISION

For the purpose of this By-law the Holding Provision (H) is hereby established and is identified on Schedule 'A' attached hereto by the letter (H) in parenthesis following the zoning symbol.

No person shall hereafter erect or alter any building or structure on lands subject to the Holding Provision (H) for the purposes permitted under this By-law until an amendment to this By-law to remove the letter (H) have come into effect pursuant to the provisions of Section 36 of the Planning Act. Prior to removing the Holding Provision (H), the following conditions must be met to the satisfaction of the City of Markham:

- a) That the Region of York provides written confirmation that they are satisfied that an updated preliminary detail design prepared either by the applicant or Metrolinx, for the grade separation which takes into consideration the land requirements and embankments needed to accommodate additional height for electrification of the rail corridor is acceptable; or
- b) That the Region of York provides an updated preliminary detail design for the grade separation which takes into consideration the land requirements and embankments needed to accommodate additional height for the electrification of the rail corridor; or
- c) That satisfactory arrangements have been made between the Owner and the Region to protect for any future land requirements for the Major Mackenzie Drive grade separation of the Stouffville Rail Corridor.

5. All other provisions of By-law 177-96, as amended, not consistent with the provisions of this by-law shall continue to apply.

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

Kimberley Kitteringham
City Clerk

Frank Scarpitti
Mayor

AMANDA File No.: ZA 18 180621



EXPLANATORY NOTE

BY-LAW 2019-_____

A By-law to amend By-laws 88-76 and 177-96, as amended

**9999 Markham Road
Part of Lot 20, Concession 8
2585231 Ontario Inc.**

Lands Affected

The proposed by-law amendment applies to approximately 6.8 hectares (16.8 acres) of land at the south-east corner of Markham Road and Major Mackenzie Drive and municipally known as 9999 Markham Road.

Existing Zoning

By-law 88-76, as amended, currently zones the subject lands as “Select Industrial and Warehousing (M.I.)”.

Purpose and Effect

The purpose and effect of this By-law is to delete the property from the designated area of By-law 88-76, as amended and amend By-law 177-96 to incorporate the subject lands into its designated area, and to rezone the subject property to “Residential Two *632 (R2*632)”, “Residential Four *633 (Hold) [R4*633(H)] and “Open Space Two (OS2)”, in order to facilitate phased development consisting of a common element condominium multiple dwelling and townhouse development in Phase 1A and mid-rise buildings in Phase 1B.

DRAFT



Report to: Development Services Committee

Meeting Date: December 9, 2019

SUBJECT: Assessment of the Development Review Process
PREPARED BY: John Yeh, MCIP, RPP, Manager, Strategy and Innovation
 (ext.7922)

RECOMMENDATION:

1. That the report dated December 9, 2019 entitled “Assessment of the Development Review Process” be received; and,
2. That staff be directed to form a Process Improvement team to implement the twenty one recommendations from KPMG’s third-party assessment report entitled “Development Review Process Assessment – City of Markham”, as noted in Appendix ‘B’; and further,
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

PURPOSE:

The purpose of the report is to provide a summary of the results of KPMG’s assessment of the City’s Development Review Process for official plan amendments, zoning by-law amendments, site plans, and plans of subdivision which was initiated as part of the Provincial Audit and Accountability Fund to help large municipalities become more efficient and modernize service delivery while protecting front line jobs.

BACKGROUND:

On May 21, 2019 the Province announced the provision of a \$7.35 million Provincial Audit and Accountability Fund to help large municipalities and district school boards to review municipal service delivery expenditures to find efficiencies and modernize service delivery, while protecting jobs.

Eligible municipalities could apply to the Province for funding to retain a third party consultant to complete the following:

- 1) A review of service delivery expenditures and modernization opportunities and administrative processes to reduce costs;
- 2) Preparation of a final report with specific actionable recommendations for cost savings and improved efficiencies; and
- 3) Completion by November 30, 2019, with a publicly posted independent third-party report outlining the analysis, findings, and actionable recommendations (this deadline has since been extended to December 31, 2019 and the deadline for the final report to the Province has been extended from December 13, 2019 to January 17, 2020).

Only third-party service provider fees are eligible for funding. Municipal administrative costs, such as staff time, are not eligible.

At the June 12, 2019 Markham Council meeting, Council passed a resolution directing staff to apply to the Province for funding a third party review of the City's processes in the following areas in priority order:

- 1) Development review process related to the Building, Engineering, and Planning departments
- 2) New parks delivery and parks maintenance processes
- 3) Recreation services process review

On June 28, 2019 City staff submitted an application to the Province for funding reviews of the above three areas. Due to the short time frame for preparing the application, pricing quotes were requested from consulting firms that have experience in reviewing these particular services.

On August 8, 2019, the Ministry of Municipal Affairs and Housing informed the City that it will receive funding of up to \$150,000 towards an independent third party assessment of the City's development review process. At the September 10, 2019 Markham Council meeting, a resolution provided direction to execute the Ontario Transfer Agreement to receive the Provincial funding and the creation of a new capital project.

In September 2019 staff retained KPMG to conduct the assessment of the City's development review process with Gladki Planning Associates providing Planning and Development subject knowledge.

City staff continuously explore opportunities to improve the development review process. At the November 25, 2019 Development Services Committee, staff reported on proposed development and building fee changes noting several planning, urban design, and engineering process improvements implemented in 2019 (see **Appendix 'A'**). Retaining KPMG builds on these process improvements to have an independent third-party examine the City's development review process from a more formal perspective by engaging extensively with City staff and the development industry.

OPTIONS/ DISCUSSION:

The development review process contributes to building safe, sustainable, complete communities, and excellence in the built environment. Markham is a high growth municipality with increasingly complex and challenging development opportunities that is transitioning from lower to higher density growth. The City of Markham has nine types of development applications operating within Provincial Planning legislation, York Region's Planning framework (Regional Official Plan), and the City's Planning framework (Markham Official Plan, Zoning By-law, etc):

-
- Official Plan Amendment
 - Zoning By-law Amendment
 - Plan of Subdivision
 - Site Plan
 - Plan of Condominium
 - Minor Variance
 - Consent (Land Division)
 - Heritage Site Plan
 - Heritage Permit

Of these nine, official plan amendment, zoning by-law amendment, plan of subdivision, and site plan approval processes were reviewed for opportunities to streamline and improve efficiency.

Consultation with City staff and Development Industry Revealed the City to Have a Very Positive Reputation but Areas of Improvement were Identified

The City brought together representatives from various departments involved in the development review process to guide KPMG's assessment. Departments included Planning & Urban Design, Engineering, Economic Growth, Building Standards, Culture and Entrepreneurship, Operations, Environmental Services, and Legal Services.

To understand the current state of the City's development review process, forty four City documents were reviewed and over 80 stakeholders were interviewed, participated in workshops, surveyed including City staff, elected City officials, York Region, Toronto and Region Conservation Authority, Building Industry and Land Development Association, Developers, Planning Consultants, and Engineering Consultants.

Through the consultations, it was identified that Markham has a positive reputation for highly skilled staff, customer service, and an effective geographic team-based approach. KPMG noted the City's overall structure is solid but recommends operational improvements from the twenty eight challenges identified which include the following (See **Appendix 'B'**, section Appendix I: Current State Summary):

- Process: Occasional conflicting or contradictory comments provided to applicants resulting in longer development review timelines
- People and Organization: Unclear roles and responsibilities of staff, commenting partners and elected officials and the lead Planner often lacks the tools to overcome process delays and conflicting comments
- Governance: There is a gap between anticipated application processing timelines and the experience of staff and applicants
- Technology and Information: Underdeveloped online portal that results in applicant frustration
- Customer: Premature applicant escalations disrupting workflow processes that results in ad hoc prioritization of applications and delays in processing other applications

21 Recommendations for Markham's Development Review Process to be more Efficient, Effective, and Impactful

KPMG has prepared a report with twenty one recommendations to improve Markham's development review process (See **Appendix 'B'**). A number of consultation workshops

were held as noted above and include a process improvement workshop and two co-design workshops with management and staff for input to KPMG's recommendations. The following are highlights of KPMG's recommendations:

Develop and implement standardized comment templates to streamline workflow processes and accelerate review timelines:

Internal and external stakeholders stated that there is inconsistency in how development application comments are summarized, consolidated and transmitted to applicants. Some departments and some planners provide a standardized format for summarizing application comments but is not consistently applied. Similarly, applicants are not required to use a standardized format to identify how they have addressed City comments at re-submission. KPMG recommends that the City develop application submission templates for staff and applicants. The staff template would be used by the lead Planner to collect, collate and transmit consolidated application comments to applicants at each application milestone. The implementation of ePLAN may offer additional opportunities to streamline and automate the comment templates included in this recommendation.

Establish a standardized in-person meeting structure to align internal commenting partners, resolve conflicting comments and enhance customer service:

For a Pre-consultation process it is proposed there be an internal meeting to review the application and understand key issues to be resolved, followed by an external meeting between staff and the applicant. Following first circulation of the application there would be an internal staff meeting to review and reconcile any conflicts between departments and identify a unified position. Another external meeting would then be held with the applicant to review comments. Internal and external meetings should be attended by relevant staff from Engineering, Planning & Urban Design, Fire Services, Environmental Services and Operations as appropriate. The City should consider opportunities to leverage existing meeting structures, like District Team meetings and the Project Review meeting.

Develop a mandatory escalation protocol to reduce the negative impact of stakeholder interventions during the formal development review process:

During consultations it was noted that applicants frequently contact senior City staff and elected officials to inquire about the status of an application and discuss other application-related issues. This can result in time-consuming internal follow-up and reporting, ad hoc prioritization of applications, and extended review timelines. KPMG recommends the City establish an escalation protocol that includes criteria to trigger a response and a streamlined reporting process. The City should develop a communications and roll out plan that includes presentations to industry and elected officials. Managing the amount of escalations will ensure legitimate issues are brought to senior staff and elected officials to be dealt with appropriately.

Define and document development review-related roles and responsibilities to reduce process inefficiencies:

The roles and responsibilities of key development review stakeholders should be well defined. Clearly defined roles and responsibilities will contribute to process efficiencies. The City should define and document a responsibility assignment matrix (RACI:

Responsible, Accountable, Consulted, Informed) for each development application type. The RACI should document:

- The mandate of each internal and external commenting partner (i.e., the subject matter for which the commenting partner is responsible);
- Application-related approval authorities and accountabilities; and,
- The roles and responsibilities of applicants; and,
- The roles and responsibilities of elected officials.

Empower the lead Planner to be fully in charge of all aspects of file management and operational decision making:

Lead Planners are not fully empowered to perform their functions effectively. This results in delays, conflicting comments, and other inefficiencies. Internal and external commenting partners for the most part retain the authority to withhold approval regardless of the issue's relative importance. This can lead to delays which impacts customer service and development timelines. The lead Planner should be empowered by centralizing accountability for decision making on all application issues and being the accountable file lead to resolve conflicting comments and proactively manage files.

Formalize Project Review meetings as a governance mechanism to resolve difficult application-related issues:

Existing Project Review meetings are a way to resolve issues but vary significantly across applications and Districts on how often they are discussed. The City should formalize Project Review meetings to resolve difficult application issues by standardizing it across all Development Districts, a pre-determined procedure be developed to include items on the agenda, participation be determined based on the applications that are part of the meeting and include staff including internal commenting partners, and templates be used to document application-related decisions.

Establish a performance measurement framework to improve the management and evaluation of the development review process:

The City's current approach to performance measurement is underdeveloped and inconsistent as many aspects of the review process are not tracked (e.g. total circulation time, commenting partner review time, total staff time, etc). The City should establish a performance measurement framework to improve the management and evaluation of the development review process that is integrated into the implementation of ePLAN that identifies new key performance indicators and automation opportunities. The framework should include:

- The identification of end-to-end and department-specific key performance indicators (KPIs), including efficiency and effectiveness measures;
- KPI collection procedures;
- KPI reporting procedures, including the identification of appropriate KPIs for each major stakeholder group and how they will be shared (e.g., a high-level monthly dashboard with strategic KPIs for senior-level staff and a weekly report with operational measures for managers); and,
- A process for reviewing the effectiveness of KPIs.

Improve the City's online development review portal to help improve application quality:

KPMG recommends a review of the online planning portal be based on feedback from industry stakeholders. The review should include an inventory of existing content and the identification of frequently requested information, including reports, studies and guidelines. The review should be undertaken in consultation with industry and external commenting partners to help ensure that it is easy-to-use and client-friendly. It should also include the development of a refresh schedule to help ensure current content is accurate, up-to-date and comprehensive.

Establish formal two-way learning opportunities for staff and industry to improve application quality and facilitate collaboration:

Staff and industry stakeholders identified a need for more frequent and formal opportunities to share experiences and knowledge outside of the development review process. Opportunities include training sessions for entry-level industry consultants on City processes, standards and guidelines to enhance application quality and training for entry-level staff on development strategies and land economics to better understand an applicant's perspective.

A Process Improvement Team is Recommended to be Established to Implement KPMG's Recommendations

KPMG has recommended an implementation structure with a dedicated Process Improvement team to lead, monitor, and report on the implementation of the twenty one recommendations from this report. Due to the short time period since September 2019 that KPMG has had in preparing the recommendations and implementation plan to meet the Provincial Audit and Accountability Fund requirements for completion, Senior staff will need to identify resources to fully review the implementation plan and then follow through to implement the recommendations.

While KPMG has assumed a twelve month timeline to implement the recommendations, full implementation may go beyond twelve months depending on available resources to staff the Process Improvement team. The Implementation team will need to prepare a work plan with milestones for the recommendations, prepare a change management and communications plan, and execute the recommendations.

FINANCIAL CONSIDERATIONS

A new capital project named "Development Review Process" in the amount of \$150,000 was created and will be reimbursed through the Province's Audit and Accountability Fund once the final report is submitted in January 2020.

HUMAN RESOURCES CONSIDERATIONS

The Development Services Commission will use existing staffing resources to staff the Process Improvement team and prepare longer-term plans to ensure sustainability in process improvements and project management related to the development process.

ALIGNMENT WITH STRATEGIC PRIORITIES:

The assessment of the City's development review process supports efforts to manage growth and provide efficient and high quality municipal services which are key elements of the Exceptional Services by Exceptional People; Safe and Sustainable Community; and Stewardship of Money and Resources strategic priorities.

BUSINESS UNITS CONSULTED AND AFFECTED:

Legal Services, Financial Services, Operations, Environmental Services and the Development Services Commission were consulted in preparation of this staff report.

RECOMMENDED BY:

Arvin Prasad, MCIP, RPP
Commissioner Development Services

ATTACHMENTS:

Appendix 'A' – Development Review Process Improvements
Appendix 'B' – KPMG Third-Party Report on the Development Review Process
Assessment – City of Markham

Appendix 'A'

**2019 Development Review Process Improvements Implemented by City of Markham
Planning & Urban Design and Engineering Departments**

Planning & Urban Design:

- Pilot the sharing of draft agreements to enable developers to begin understanding the financial and site specific implications, and have necessary discussions with staff, prior to the finalization of the agreement
- Streamlined preparation of tree preservation conditions and tree inspections for Committee of Adjustment applications
- Soft launch of site plan review and approvals through ePLAN online application submission
- Submission and processing of Pre-Consultation Requests, Townhouse Siting Applications, Draft Plan of Condominium and Site Alteration Permits available through ePLAN
- Updated Application Management and Data Automation (AMANDA) electronic application tracking procedures for Official Plan Amendments; Zoning By-law Amendment; Subdivision and Site Plan applications
- Updated “Development Application Procedure” Manual to reflect new processes associated with e-plan
- Committee of Adjustment report sign off process digitized
- Revamped training for Committee of Adjustment members, including training for ‘on the spot’ amendments of applications to reduce deferrals.
- Updated / standardized site plan agreement template (to be launched shortly)
- A customized Parkland Calculation template was prepared to calculate parkland and cash-in-lieu requirements for all types of development applications. The chart is also designed to be circulated to the following departments for approval on specific matters as listed below. This chart will then be attached to a draft memo to Legal for Agreements and saved on AMANDA for future reference.
 - Planning (unit numbers, GFA and land area)
 - Real Property (Land value for cash-in-lieu)
 - Urban Design (parkland requirement calculations)
 - Finance (confirmation of calculations)
- For minor variance and severance applications, Urban Designers are not required to provide Planners with written comments. Comments will be discussed at team meetings and the Planner assigned to the file will prepare the comments and approval conditions. The tree preservation matters will be handled by Operations. This can potentially reduce the circulation time and help Urban Design staff to focus their efforts on more complex applications.
- Site Alteration Permit for Tree Removals prior to Agreement Execution: For Draft Plan of Subdivision and Site Plan applications that have been through several cycles of review and if tree removal /preservation is acceptable to Urban Design staff, Letters of Credit will be collected for tree compensation through site alteration permits and the actual compensation value will be reconciled at the time of site plan/subdivision agreements.

Appendix 'A'

Urban Design is working with Engineering and Legal staff to draft standard conditions for Letters of Credit collection, draws and release.

Engineering:

- Streamlined and clarified the process when business owners request to upsize or replace their service connections so as to not require them to go through the site plan review process. Clarifies roles and responsibilities between Engineering and Waterworks.
- Clarified the roles and responsibilities between groups within the Engineering Department regarding the review and acceptance of photometric/streetlighting assessments
- Clarified roles and responsibilities between groups within the Engineering Department regarding the review and acceptance of traffic control signal design
- Review of municipal stormwater management facilities added to Transfer of Review Agreement with the Ministry of the Environment, Conservation and Parks (MECP) to minimize delays to approval and construction. Previous process involves developers making direct submissions to MECP for stormwater management facilities (e.g. storm water management ponds, underground storage tanks) which can take many months.
- Streamlined and clarified what type of works can be reviewed and approved under the site alteration review process and to clarify the roles and responsibilities between groups within the Development Services Commission regarding the review and acceptance
- Delegation of authority to Director of Engineering for acceptance for maintenance and assumption of subdivision which eliminates the need for a staff report to Council so that the process can take place when a subdivision meets all conditions
- Delegation of authority to Director of Engineering to sign applications for Toronto & Region Conservation Authority and Provincial Ministry permits for the City's capital projects rather than request Council's authority



Development Review Process Assessment

City of Markham

KPMG LLP

Final Report
December 3, 2019

Disclaimer

This document has been prepared by KPMG LLP ("KPMG") for the Corporation of the City of Markham ("Client") pursuant to the terms of our engagement agreement with Client dated October 17, 2019 (the "Engagement Agreement").

KPMG neither warrants nor represents that the information contained in this document is accurate, complete, sufficient or appropriate for use by any person or entity other than Client or for any purpose other than set out in the Engagement Agreement.

This document may not be relied upon by any person or entity other than Client, and KPMG hereby expressly disclaims any and all responsibility or liability to any person or entity other than Client in connection with their use of this presentation.

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Chapter 1: Executive Summary

Executive Summary

The City of Markham (City or Markham) retained KPMG LLP (KPMG) in September 2019 to conduct an assessment of the City's development review process. Our engagement team included Gladki Planning Associates, which provided planning and development subject matter knowledge.

Throughout our engagement, staff and industry stakeholders emphasized Markham's reputation for highly skilled staff, customer service and effective team-based approach to development review. Our work builds on that foundation.

Markham's development review process is working well but there are significant opportunities for improvement. This report includes 21 recommendations to help ensure the City's development review process remains efficient, effective and impactful as Markham continues to grow and the nature of development evolves.

Markham is fast growing. The volume, pace and complexity of development is increasing as the City accommodates new residents and new jobs, transitioning from lower to higher density growth. Our recommendations will help ensure that the development review process responds to these new pressures and continues to provide the vital public goods that make the City an engaged, diverse and thriving place to call home.

Objectives, Scope & Work Plan

Markham is seeking to ensure that its development review process is efficient, streamlined and effective; clear and transparent; and, supports excellence in the built environment.

Our assessment included four development application types: Official Plan Amendments, Zoning By-law Amendments, Site Plan Control Applications and Plans of Subdivision Applications.

Our approach comprised four phases, shown in Figure 1. Our work was accelerated to meet the deadlines provided by the Province of Ontario's Audit and Accountability Fund, through which this work was funded.

Figure 1: Work Plan



This report and its recommendations are grounded in a robust evidence base that draws on 7 sources of data and information:

- A review of more than 40 documents;

Executive Summary

- More than 30 hours of one-on-one interviews with 20 senior City staff and external commenting partners, including the Regional Municipality of York (York Region) and the Toronto and Region Conservation Authority (TRCA).
- Three focus groups with over 25 industry representatives and an online industry survey;
- Two workshops with 20 managers from across the development review process;
- A half-day process improvement workshop with 15 frontline development review staff;
- Two co-design workshops with 15 managers and 10 frontline staff; and,
- KPMG leading practice.

See Chapter 2 for more information about our approach.

Current State Findings

Markham's development review process is achieving many of the City's objectives. Staff and industry stakeholders consistently identified the City's reputation for highly skilled staff, customer service and effective team-based approach to development review as strong points that differentiate Markham from its municipal peers.

The overarching structure is in place but there is room for operational improvements. Our current state findings identified 28 challenges impacting Markham's development review process. These challenges include:

- Conflicting or contradictory comments provided to applicants that result in longer development review timelines and applicant frustration;
- Late-stage requests from commenting partners that could have been accommodated more effectively earlier in the process;
- Inefficient circulation processes that add to staff workloads;
- Unclear roles and responsibilities that lead to duplication of effort, re-work and staff frustration;
- Undeveloped project and application management tools that result in process inefficiencies; and,
- Applicant escalations that disrupt established workflow processes and result in the ad hoc prioritization of applications.

Our complete current state findings are included in Appendix 1.

Recommendations

This report includes 21 recommendations to help ensure Markham's development review process is efficient, effective and impactful. Our recommendations build on what works by:

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- Implementing low cost tools to streamline the circulation process and empower frontline staff;
- Clarifying roles and responsibilities to eliminate duplication and reduce conflicting or contradictory comments;
- Simplifying circulation processes to reduce process steps and accelerate review timelines;
- Establishing a protocol to reduce the negative impact of stakeholder escalations; and,
- Refreshing performance measures to better manage and evaluate the development review process.

Our recommendations should be aligned with the City's implementation of ePLAN, which is already helping improve the efficiency, effectiveness and impact of the development review process.

A summary of our recommendations is included in Figure 2 on Page 9. Chapter 3 includes a detailed discussion of each recommendation.

Implementation Roadmap and Next Steps

Chapter 4 presents our implementation roadmap with prioritized actions for each of our 21 recommendations.

The successful implementation of these recommendations will require sustained executive-level support and dedicated project leadership. Most importantly, it will require cooperation and collaboration with applicants and the many internal and external commenting partners involved in the development review process. To help ensure success, we also provide a recommended implementation structure and high-level change management and communications frameworks.

How to Read this Report

This report has four chapters including this Executive Summary. Chapter 2 presents our approach, including our objectives, scope, methodology and work plan. Chapter 3 presents our recommendations, and Chapter 4 presents our implementation roadmap and related implementation structure, including change management and communications frameworks.

Our current state findings are included in Appendix 1. Appendices 2 and 3 include supporting material related to our approach.

Limitations

Given the tight timelines associated with the provincial Audit and Accountability Fund, which funded this project, an in-depth quantitative assessment of the development review process was outside the scope of our work. Moreover, while the City is working towards more effective information and data management through the implementation of ePLAN, the City does not possess the comprehensive development review-related data sets required for such an assessment. As a result, our analysis relied on a robust qualitative evidence base, such as interviews, focus groups and

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workshops. While these activities were structured to be broad-based and representative, they could not be comprehensive given time and budget.

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Figure 2 presents our recommendations. They are organized into the five layers of our assessment framework. More information about our methodology is included in Chapter 2. Our detailed recommendations are included in Chapter 3.

Figure 2: Recommendations

Layer	Findings
Process	<ul style="list-style-type: none"> 1.0 Develop and implement standardized comment templates to streamline workflow processes and accelerate review timelines. 1.1 Develop criteria to structure the recirculation process to reduce application churn and late-stage comments. 1.2 Clarify and simplify the circulation process for technical commenting partners. 1.3 Establish a standardized in-person meeting structure to align internal commenting partners, resolve conflicting comments and enhance customer service. 1.4 Establish regular standing meetings with external commenting partners and review how and when each external commenting partner is engaged in the development review process. 1.5 Undertake a review of the City's site plan control and delegation by-laws to identify additional delegation opportunities and speed up review timelines. 1.6 Update and publish existing Terms of Reference (TORs) for required studies and review opportunities for additional TORs to encourage process consistency and improved application quality. 1.7 Streamline the report approval process to reduce process inefficiencies and increase development review staff capacity.

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Layer	Findings
	<p>1.8 Develop a mandatory escalation protocol to reduce the negative impact of stakeholder interventions during the formal development review process.</p> <p>1.9 Adopt a formal continuous improvement program to maximize the impact of existing process improvements.</p>
People & Organization	<p>2.0 Define and document development review-related roles and responsibilities to reduce process inefficiencies.</p> <p>2.1 Empower the lead Planner on each development application to be fully in charge of all aspects of file management and operational decision making.</p> <p>2.2 Equip lead Planners with enhanced project management tools and training.</p> <p>2.3 Formalize Project Review meetings as a governance mechanism to resolve difficult application-related issues.</p> <p>2.4 Implement a file transfer protocol to reduce the process inefficiencies associated with staff turnover and absences.</p>
Governance	<p>3.0 Establish a performance measurement framework to improve the management and evaluation of the development review process.</p> <p>3.1 Begin the transition to staff time tracking to improve process management and performance measurement.</p>

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Layer	Findings
Technology & Information	<p>4.0 Review the implementation plan for ePLAN to help ensure a smooth transition to the new technology system and the full utilization of its capabilities.</p> <p>4.1 Improve the City's online development review portal to help improve application quality.</p>
Customer	<p>5.0 Measure customer satisfaction with the development review process (e.g., annual surveys) to track performance and continually improve the user experience with this City service.</p> <p>5.1 Establish formal two-way learning opportunities for staff and industry to improve application quality and facilitate collaboration.</p>

Chapter 2: Approach & Work Plan

2: Approach & Work Plan

The City retained KPMG in September 2019 to conduct an assessment of the City's development review process. Our engagement team included Gladki Planning Associates, which provided planning and development subject matter knowledge.

The City's Commissioner of Development Services sponsored the work. A senior-level interdepartmental Project Team provided oversight. The Project Team included representatives from Planning and Urban Design, Engineering, Economic Growth, Culture and Entrepreneurship, Operations, Environmental Services and Building Standards, among others. A Manager from the Development Services Commission provided day-to-day support.

Objectives, Scope & Methodology

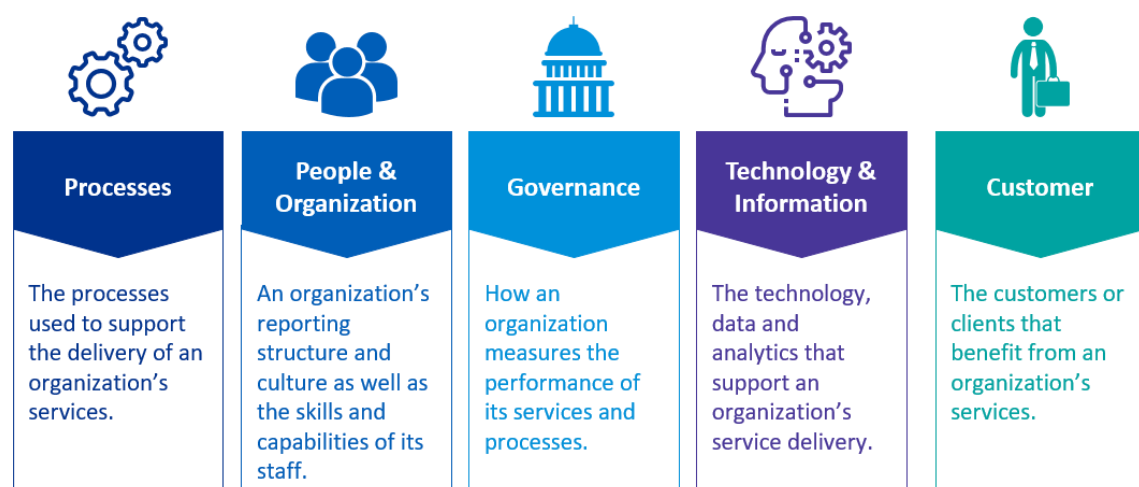
Markham is seeking to ensure that its development review process is efficient, streamlined and effective; clear and transparent; and, supports excellence in the built environment.

Our assessment included four development application types: Official Plan Amendments, Zoning By-law Amendments, Site Plan Control Applications and Plans of Subdivision Applications. For each application type, our scope included processes, management practices, roles, responsibilities, timelines, performance measures, information and technology.

Our scope was interdepartmental. We engaged and examined all major Departments involved in the development review process – including Planning and Urban Design, Building Standards, Engineering, Operations, Environmental Services and Fire Services, among others.

Our assessment framework for this engagement is built on our Target Operating Model (TOM) methodology. A TOM is a framework for understanding and analyzing an organization or service. The TOM used for this engagement had five layers, described below in Figure 3.

Figure 3: Assessment Framework

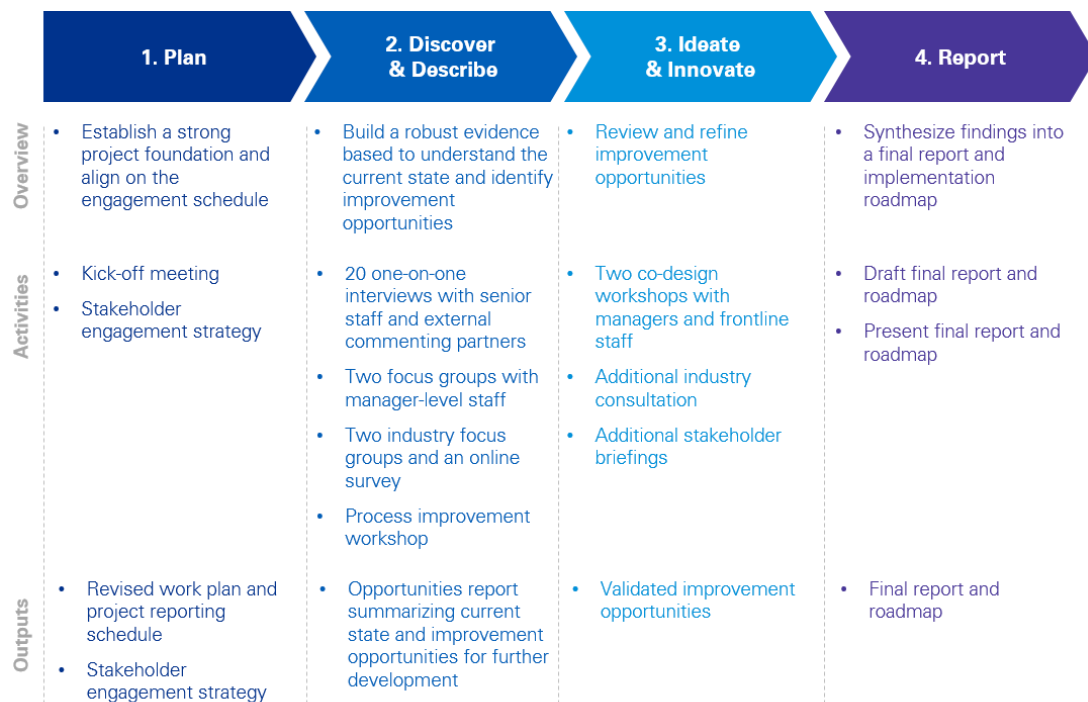


2: Approach & Work Plan

Work Plan

Work commenced on September 16, 2019 and closed on November 29, 2019. Our approach comprised four phases, shown in Figure 4. Our work was accelerated to meet the deadlines provided by the Province of Ontario's Audit and Accountability Fund, through which this work was funded.

Figure 4: Work Plan



1. Plan

We worked closely with the City's Project Manager to confirm the assessment's objectives and work plan. On September 18, 2019, we facilitated a kick-off meeting with the Project Team to validate the assessment's updated project objectives and work plan. We also reviewed and refined a stakeholder engagement strategy, including the identification of stakeholders, tactics and engagement timelines.

2. Discover & Describe

During the second phase, we built the foundations of a robust evidence base to understand the current state and identify improvement opportunities.

We conducted an in-depth review of more than 40 documents provided by the City. Documents included organizational charts, process maps, guidelines, performance measures and previous reviews and studies. A list of documents reviewed is included in Appendix 2.

We also completed approximately 38 hours of stakeholder engagement with more than 65 internal and external stakeholders. Our stakeholder engagement activities included:

2: Approach & Work Plan

- 20 one-on-one interviews with senior City staff, elected officials and external commenting partners, including York Region and the TRCA;
- Two focus groups with 20 manager-level staff representing Departments engaged in the development review process; and,
- Two focus groups with 25 industry representatives, including developers and consultants as well as representatives from Building Industry and Land Development Association.

We also created and distributed an online industry survey for industry representatives unable to attend our in-person focus groups. A complete list of the stakeholders engaged in our work is included in Appendix 3.

One-on-one interviews were typically 30 to 60 minutes in length. We followed a semi-structured approach that included interview questions distributed in advance but allowed interviewees to identify new issues. Focus groups were two hours in length and followed a similar, semi-structured approach.

Alongside interviews and focus groups, we also conducted a process improvement workshop with 15 frontline staff. We used a Lean approach to map the major processes for each of our four application types, identifying pain points, strengths and improvement opportunities.

We synthesized our findings into an interim report. The interim report included a summary of the current state as well as a long-list of improvement opportunities for additional development during Phase 3. The interim report was presented to the Commissioner, Development Services and the Director, Planning and Urban Design on October 23, 2019. We also presented the interim report to the Project Team on October 25, 2019.

3. Ideate & Innovate

During the third phase, we developed the key improvement opportunities included in our interim report through two co-design workshops with manager-level and frontline staff. During the workshops, we worked alongside staff to review and refine seven key improvement opportunities. Outputs from the workshop were incorporated into this report.

4. Report

During the fourth and final phase, we synthesized our findings into this final report and implementation roadmap. Draft versions of this report were shared with the Commissioner, Development Services and the Director, Planning and Urban Design on November 14, 2019 and the Project Team on November 20, 2019. We also presented the key findings in this report to industry representatives on November 25, 2019. Revisions have been incorporated into this final version.

Chapter 3: Recommendations

Recommendations

This chapter presents our recommendations to improve the efficiency, effectiveness and impact of Markham's development review process.

Our recommendations are organized into the five layers of our assessment framework and grounded in an evidence base that draws on seven sources of information:

- A review of more than 40 documents;
- More than 30 hours of one-on-one interviews with 20 senior City staff and representatives from York Region and the TRCA;
- Three workshops with 25 industry representatives and an online industry survey;
- Two workshops with over 20 managers from across the development review process;
- A process improvement workshop with 15 front-line staff;
- Two co-design workshops with 15 managers and 15 front-line staff; and,
- KPMG leading practice.

Additional detail about our methodology and evidence base is included in Chapter 2.

Unless otherwise noted, recommendations apply to all four development application types within the scope of our review.

These recommendations should be read and understood alongside the City's ongoing ePLAN implementation. There may be opportunities to accelerate the implementation of these recommendations through ePLAN and/or enhance the implementation of ePLAN by implementing these recommendations. We have noted recommendations that will be impacted by ePLAN's implementation in the body of this Chapter.

These recommendations were reviewed by the Chief Administrative Officer, Development Services Commissioner, Director of Planning and Urban Design and the Project Team. Our recommendations were also shared with industry representatives during a roundtable meeting on November 25, 2019.

Revisions and edits have been incorporated into this final draft.

1. Process

This section presents our recommendations related to the Process layer of our assessment framework.

Process Recommendations	
1.0	Develop and implement standardized comment templates to streamline workflow processes and accelerate review timelines.
1.1	Develop criteria to structure the recirculation process to reduce application churn and late-stage comments.
1.2	Clarify and simplify the circulation process for technical commenting partners.

Recommendations

Process Recommendations	
1.3	Establish a standardized in-person meeting structure to align internal commenting partners, resolve conflicting comments and enhance customer service.
1.4	Establish regular standing meetings with external commenting partners and review how and when each external commenting partner is engaged in the development review process.
1.5	Undertake a review of the City's site plan control and delegation by-laws to identify additional delegation opportunities and speed up review timelines.
1.6	Update and publish existing Terms of Reference (TORs) for required studies and review opportunities for additional TORs encourage process consistency and improved application quality.
1.7	Streamline the report approval process to reduce process inefficiencies and increase development review staff capacity.
1.8	Develop a mandatory escalation protocol to reduce the negative impact of stakeholder interventions during the formal development review process.
1.9	Adopt a formal continuous improvement program to maximize the impact of existing process improvements.

1.0 Develop and implement standardized comment templates to streamline workflow processes and accelerate review timelines.

Internal and external stakeholders stated that there is significant inconsistency in how development application comments are summarized, consolidated and transmitted to applicants. While some departments and some planners provide a standardized format for summarizing application comments, the practice is not widespread. Similarly, applicants are not required to use a standardized format to identify how they have addressed City comments at re-submission.

This process inefficiency leads to applicant and staff frustration. Conflicting or contradictory comments are easily missed, applicants spend time and effort collating comments, and staff are unsure if comments have been adequately addressed. It also contributes to "comment trickle", whereby comments are sent to applicants at different times by different commenting partners, rather than consolidated into a single package.

To close this gap, the City should develop and implement standardized application submission templates for staff and applicants.

The staff template would be used by the lead Planner to collect, collate and transmit consolidated application comments to applicants at each application milestone, i.e., after first and subsequent circulations. The staff template should itemize each comment, including commenting partner and commenting date. To avoid duplication

Recommendations

and reduce the administrative burden on the lead Planner, a single template should be used by all Departments. The City should consider placing the staff template online in a location that is easily accessible by all commenting partners, such as the City's AMANDA system.

The applicant template would be used by applicants to demonstrate how comments have been addressed at each application milestone, i.e., on submission and subsequent resubmissions. It should identify how each comment was addressed and the related application changes and where to locate them in the documents provided.

Submission templates would help accelerate processing times by facilitating the early identification of conflicting or contradictory comments and decrease the administrative burden on staff and applicants associated with reviewing comments and how they have been addressed.

The implementation of ePLAN may offer additional opportunities to streamline and automate the comment templates included in this recommendation.

1.1 Develop criteria to structure the recirculation process to reduce application churn and late-stage comments.

Our evidence base indicated that applications are generally circulated to all internal and external commenting partners on each recirculation, even when the issues to be resolved are narrow and involve a limited number of commenting partners. Overly broad circulations increase application churn and contribute to late-stage, unexpected comments – a significant industry pain point.

To reduce this development review process irritant, the City should develop criteria to determine which commenting partners should receive each recirculation. The criteria should be structured to limit recirculations to commenting partners with i) unresolved issues and/or ii) commenting partners that are impacted by changes in the most recent submission.

As an added measure, the City should consider implementing an opt-in rule for internal commenting partners. Following each circulation after submission, each commenting partner would be required to opt in to the next circulation. If the commenting partner did not opt in, they would not participate in the next circulation, reducing the overall number of commenting partners and increasing commenting partner capacity for more value-adding work.

To facilitate an opt-in approach, commenting partners should be encouraged to be as explicit as possible in their comments and any steps that should be taken to address those comments. Explicit comments and related instructions will make it easier for the lead Planner to determine whether comments have been adequately addressed or if commenting departments should be re-engaged.

1.2 Clarify and simplify the circulation process for technical commenting partners.

The circulation process for technical commenting partners is not well-defined, leading to the duplication of effort and staff frustration. Our process improvement workshop revealed that technical commenting partners (Environmental Services, Fire Services

Recommendations

and Operations) often receive the same application from multiple sources, including the lead Planner, application intake and the lead engineer. In many cases, these applications are at different stages of the review process, contributing to version control issues and re-work.

The City should identify a single lead responsible for circulating applications to technical commenting partners and for receiving their comments. The development engineer assigned to the file is well positioned for this role given the current “one window” structure for technical commenting partners. This would also align with leading practice in other municipalities with a similar single point of contact approach for technical review.

This recommendation should be considered alongside the implementation of ePLAN to align with its functionality.

1.3 Establish a standardized in-person meeting structure to align internal commenting partners, resolve conflicting comments and enhance customer service.

Development review is collaborative. Success requires frequent cooperation and communication across staff teams and between staff and applicants. A standardized in-person meeting cadence is a leading practice used across North America to facilitate collaboration, cooperation and communication. In-person meetings:

- Encourage internal commenting partners to identify a single, shared City position;
- Facilitate the early identification and resolution of conflicting comments, reducing review cycles and overall application timelines;
- Reduce the administrative burden associated with scheduling ad hoc meetings, particularly for the lead Planner; and,
- Enhance customer service by allowing staff and applicant teams regular opportunities to quickly identify and resolve issues.

Our recommended meeting structure is identified in Figure 5. This structure was developed through our co-design process. It builds on Markham’s existing informal practice. To support the recommended meeting structure, applicants should be provided with a single set of consolidated comments whenever possible.

Figure 5: Recommended Meeting Structure

Process Milestone	Meeting	Description
Pre-Consultation	Internal Meeting #1	Internal staff meeting to review application and align on key issues to be resolved.
	External Meeting #1	Staff-applicant meeting to review application and align on next steps.

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Process Milestone	Meeting	Description
Following First Circulation	Internal Meeting #2	Internal staff meeting to review consolidated comments, reconcile any conflicts and identify a consistent, unified position to articulate to the applicant.
	External Meeting #2	Staff-applicant meeting to review consolidated comments and discuss next steps.

Internal and external meetings should be attended by relevant staff from Engineering, Planning & Urban Design, Fire, Environmental Services and Operations. Similarly, applicants should be encouraged to bring all relevant consultants to staff-applicant meetings. To reduce scheduling challenges and encourage attendance, the City should consider introducing pre-calendared “meeting days”: weekly or bi-weekly blocks of time reserved for staff and applicant meetings.

The lead Planner should chair the internal and external meetings and take responsibility for the meeting agenda and record of decisions. The lead Planner should also retain the discretion to identify required participants from both staff and applicant teams.

To facilitate implementation, the City should consider opportunities to leverage existing meeting structures, like district meetings and Project Review meetings.

1.4 Establish regular standing meetings with external commenting partners and review how and when each external commenting partner is engaged in the development review process.

The City should establish monthly standing meetings to review and discuss development applications with the Region of York (Region) and the Ontario Ministry of Transportation (MTO). This recommendation builds on the City’s existing practice with the Toronto & Region Conservation Authority (TRCA), which was identified as a timely and effective way to identify and resolve issues to reduce commenting cycles.

Monthly standing meetings with external commenting partners should be used to:

- Discuss open development applications;
- Address application-related issues; and,
- Review the City’s development application pipeline to facilitate resource planning.

Standing meetings should be aligned with the meeting structure included in Recommendation 1.3 to facilitate external commenting partner engagement in the development review process, particularly during the pre-consultation phase.

The City should also review the role of external commenting partners in its development review process and establish formal guidelines for engaging the Region

Recommendations

and MTO. Internal stakeholders and representatives from external commenting partners advised us that the City currently lacks standard operating procedures about when and how external commenting partners are to be engaged. This contributes to the inefficient circulation process identified in Recommendation 1.1 and often delays development review timelines.

1.5 Undertake a review of the City's site plan control and delegation by-laws to identify additional delegation opportunities and speed up review timelines.

Markham's site plan control and delegation by-laws have not been amended since 2009 and 2006, respectively. Markham staff advised that neither by-law has ever been comprehensively reviewed. Internal and external stakeholders consistently advised that the current by-laws do not reflect the growing volume and complexity of development applications and are out-of-step with municipal peers. The site plan control and delegation by-laws review should include:

- Additional staff delegation. A common practice in other Ontario municipalities, delegated site plan approval can streamline the development review process by reducing the time and resources required for Council approval.
- Exemptions for certain minor variances: Minor variances that have low to no impact on neighbouring properties should be considered for exemption from the site plan control process. Subjecting low to no impact applications to the full site plan control process was identified as a significant pain point by staff.
- Application to heritage buildings. Small, single unit heritage buildings are currently subject to site plan control regardless of need or complexity. Internal stakeholders indicated that site plan control is seldom appropriate for smaller, single unit applications and can draw staff time and system resources away from more complex applications.
- The relationship between site plan control and the zoning by-law amendment process. Internal stakeholders and industry representatives indicated that the relationship between site plan and zoning is often unclear, which results in site plan-related issues being brought forward into the zoning by-law amendment review process. The City should identify opportunities to reduce duplication across these two application types, ensuring each serves a distinct planning purpose.

1.6 Update and publish existing Terms of Reference (TORs) for required studies and review opportunities for additional TORs to encourage process consistency and improved application quality.

Terms of Reference (TORs) are a standard project management tool used to encourage consistency and transparency in complex business environments. In the development review context, TORs can be used to clearly define the requirements for each application component, encouraging process consistency across districts and applications as well as better application quality. TORs are used in many Ontario municipalities to provide guidance to staff and applicants.

Recommendations

Our evidence base indicates that the City has developed but not implemented TORs for some application components. As a first step, the City should review, update and implement existing TORs, and make these TORs available on the City's online planning portal.

The City should then work with industry to identify additional opportunities for TORs across the development review process. The City should consider implementing TORs for all major application-related studies (e.g., urban design, transportation, Stormwater, planning rationale, etc.). The regular review of TORs and related opportunities will also help foster a culture of continuous improvement across key development review stakeholders.

1.7 Streamline the report approval process to reduce process inefficiencies and increase development review staff capacity.

Our process improvement workshop indicated that the approval or sign-off process for development review-related reports involved many steps, extending development review timelines and contributing to staff frustration. Workshop participants indicated that preliminary and final reports for OPA, ZBA, SPC and Plans of Subdivision typically require review and approval by up to five individuals, including:

- The Senior Development Manager;
- The Director, Planning & Urban Design;
- The Director, Development Engineering;
- The Commissioner of Development Services; and,
- The City's Chief Administrative Officer.

The City should review the current report approval process and identify opportunities to reduce the number of approval steps. The City should also consider encouraging broader adoption of eScribe, an online platform for report review and approval.

Streamlining the report approval process will also help empower frontline decision-making, strengthening the role of the lead Planner. See Recommendation 2.1 for more information about the role of the lead Planner.

1.8 Develop a mandatory escalation protocol to reduce the negative impact of stakeholder interventions during the formal development review process.

Our evidence base indicated that applicants frequently contact senior City staff and elected officials to inquire about the status of an application and discuss other application-related issues. These stakeholder interventions can result in numerous process inefficiencies, including:

- Time-consuming internal follow-up and reporting requirements;
- The ad hoc re-prioritization of development review applications;
- Extended development review timelines; and,
- Inefficient workload management for development review staff.

Recommendations

To reduce the negative impact of escalations, the City should establish an escalation protocol that includes criteria to trigger a response to escalations and a streamlined reporting process. Figure 6 below outlines the escalation criteria and reporting process that were developed during our co-design workshops.

Figure 6: Escalation Criteria and Reporting Process

Category	Escalation Criteria	Reporting Process
Purpose	Identify reasonable criteria to determine when an escalation should warrant a fulsome response.	Reduce the administrative burden created by unplanned stakeholder interventions by standardizing the tasks and tools used to respond to them.
Description	<p>Escalations to senior City staff and elected officials should be permitted on a “last resort” basis. This means that prior to escalating an application-related issue, applicants should first try to resolve the issue with the lead Planner and relevant district manager.</p> <p>Applicants should be able to demonstrate that previous attempts to resolve the issue through these regular process channels have not been successful.</p>	<p>The reporting process should include:</p> <ul style="list-style-type: none"> — An escalation submission form (a short submission form completed by applicants to document and submit the details of the escalation); — An escalation reporting template (a short, e.g., 1-2 page, information template including key application-related information and a staff response to the issues identified by the applicant in the submission form; and, — A standardized response timeline for follow-up by staff to establish clear expectations for stakeholders and help staff better manage workloads. <p>Where feasible, the reporting process should be integrated with ePLAN, e.g., the intake form should be submitted and managed through ePLAN or online if possible.</p>

To help ensure the effectiveness of the protocol, the City should develop a communications and roll out plan that includes presentations to industry and elected officials. The protocol should also be made accessible on the City’s online development portal and included in staff training and onboarding.

Recommendations

To enhance process management, the City should begin collecting data on stakeholder interventions. Data collection would establish a baseline and allow for more in-depth analysis about the impacts of escalations and help identify and resolve underlying causes, such as recurring process bottlenecks.

1.9 Adopt a formal continuous improvement program to maximize the impact of existing process improvements.

A continuous improvement (CI) program is a widely used mechanism to improve the effectiveness and efficiency of complex processes and services. A formal CI program improves performance by creating a formal mechanism to review, revise, document and implement incremental and strategic process improvements on an on-going basis.

Our analysis indicates that the City has undertaken a number of process improvement exercises over the last five to 10 years (i.e. memo standardization, digital approvals for staff reports) but many of the recommendations from these efforts have not been consistently implemented or effectively monitored.

To maximize the value and impact of work already done, the City should adopt a formal CI program to review and implement existing process improvement work. The program should include:

- A clearly defined process improvement lead with accountability for the program across the complete, end-to-end development review process;
- A review of existing process improvement work and the identification of findings and recommendations that remain relevant and should be implemented;
- A clearly defined approval authority to sign off on process improvements and related process changes; and,
- Monitoring and evaluation of improvements, including a regular review cycle to determine effectiveness and the need for further change.

To further empower the lead Planner as the application lead, we also recommend that they be mandated to regularly gather improvement opportunities from their development review teams. These opportunities can then be reviewed and actioned by the process improvement lead.

2. People & Organization

This section presents our recommendations related to the People & Organization layer of our assessment framework.

People & Organization Recommendations

- | | |
|-----|---|
| 2.0 | Define and document development review-related roles and responsibilities to reduce process inefficiencies. |
|-----|---|

Recommendations

People & Organization Recommendations

- | | |
|-----|--|
| 2.1 | Empower the lead Planner to be fully in charge of all aspects of file management and operational decision making. |
| 2.2 | Equip lead Planners with enhanced project management tools and training. |
| 2.3 | Formalize Project Review meetings as a governance mechanism to resolve difficult application-related issues. |
| 2.4 | Implement a file transfer protocol to reduce the process inefficiencies associated with staff turnover and absences. |

2.0 Define and document development review-related roles and responsibilities to reduce process inefficiencies.

Our evidence base indicated that the roles and responsibilities of key development review stakeholders are not well defined. The lack of clearly defined roles and responsibilities contribute to process inefficiencies, including:

- Duplicative review cycles as staff and commenting partners review and comment on the same issues; and,
- Excessive review cycles as staff and commenting partners review and comment on issues outside their mandate.

To clarify development review-related roles and responsibilities and reduce process inefficiencies, the City should define and document a responsibility assignment matrix or RACI (responsible, accountable, consulted, informed) for each development application type. At a minimum, the RACI should document:

- The mandate of each internal and external commenting partner (i.e., the subject matter for which the commenting partner is responsible);
- Application-related approval authorities and accountabilities;
- The roles and responsibilities of applicants; and,
- The roles and responsibilities of elected officials.

To help ensure the effectiveness of the responsibility assignment matrix, the City should:

- Reflect the RACI in job descriptions as they are updated;
- Include the RACI in development review-related training, including staff onboarding;
- Embed the accountabilities included in the RACI into ePLAN;
- Review and promote the RACI with elected officials and applicants. For example, by including the RACI on the City's online development portal.

Recommendations

Once established and promoted, the City should begin tracking any significant incidents related to ambiguities in roles and responsibilities (e.g., when they result in application delays). See recommendation 1.9 for more information on continuous improvement.

2.1 Empower the lead Planner to be fully in charge of all aspects of file management and operational decision making.

There is a clear consensus among staff and industry that the lead Planner is and should be the lead for each development application. This consensus is aligned with standard practice in other North American municipalities.

The City's current business model requires Planners to:

- Co-ordinate development applications from pre-consultation to final approval;
- Manage applicants and the public as the development application's primary point of contact; and,
- Apply city-building knowledge and expertise when collating comments from internal and external partners and reconciling conflicting perspectives.

In practice, however, lead Planners are not fully empowered with the required authorities to perform these functions effectively. This results in delays, conflicting comments and other process inefficiencies.

For example, the City's current business model requires application review and approval from a broad range of internal and external commenting partners. In most cases, commenting partners retain the authority to withhold approval regardless of the issue's relative importance or the lead Planner's position. This can lead to delays and unnecessary escalations to more senior decision-makers, negatively impacting customer service and contributing to application churn.

The City should empower the lead Planner to address these issues by:

- Centralizing accountability for decision-making on all application-related issues in the Development Services Commission; and,
- Identifying the lead Planner as the accountable file lead in the responsibility assignment matrix included in Recommendation 2.0.

Operationally, this means that the City's application review teams will be led by lead Planners who are empowered to identify application-related City priorities, resolve conflicting comments and proactively manage files.

This recommendation should be read alongside recommendations 2.2 and 2.3.

2.2 Equip the lead Planner with enhanced project management tools and training.

File management and co-ordination is one of the lead Planner's core responsibilities, as noted above in Recommendation 2.1. Our document analysis and stakeholder interviews indicate that the lead Planner has few project management tools and templates available to help fulfil this responsibility.

Recommendations

Project management tools are a standard industry practice that can make file management easier by reducing the time spent on administrative tasks, clarifying timelines and improving the documentation of key decisions.

The City should develop a standard suite of project management tools to support the lead Planner. These tools should include:

- Project schedules;
- Checklists for key decisions and project milestones;
- Templates for all application-related communications and reporting;
- Standardized agendas and decision registers for all application-related milestone meetings; and,
- Application management tools, like tracking logs, to assist planners and more senior staff monitor applications across commenting partners and throughout the full application lifecycle in a consistent and comparable manner.

These tools should be made available in an accessible location, such as the City's internal development portal and adopted into training and onboard of all development review-related staff.

2.3 Formalize Project Review meetings as a governance mechanism to resolve difficult application-related issues.

Internal stakeholders indicated that Project Review meetings are an effective way to resolve difficult application-related issues, such as conflicting comments. While these meetings happen today, they vary significantly across applications and districts in terms of regularity, participants/attendance rate and overall effectiveness.

The City should build on this strength and formalize Project Review meetings as a governance mechanism to resolve difficult application-related issues. Operationally, this means that:

- Project Review meetings should be standardized across all Development Districts;
- A pre-determined procedure should be developed for planners and other development review staff to put items on the agenda for discussion;
- Participation should be determined according to the applications included on the meeting agenda but should typically include all relevant staff from the Development District and other internal commenting partners; and,
- Simple templates should be used by the lead Planner or supporting administrative staff to document application-related decisions.

This more standardized approach to Project Review would provide development review staff with a predictable, easy-to-use mechanism to resolve difficult issues, reducing the churn associated with the ad hoc resolution of these issues. The meetings can also be used as a tool to review development review workloads and application volumes across staff and commenting partners.

Recommendations

2.4 Implement a file transfer protocol to reduce the process inefficiencies associated with staff turnover and absences.

Staff turnover and absences contribute to late-stage comments and extended review cycles, particularly given the multi-month (and sometime multi-year) timelines associated with complex applications.

To address these challenges, the City should develop a simple file transfer protocol. The protocol should include:

- How and when information is collected and shared between staff;
- How and when the applicant and other development review staff is informed of the file transfer; and,
- A file transfer checklist to help ensure that all appropriate steps have been taken, including activities to update roles and permissions in IT systems.

Applicants identified staff turnover as a significant source of frustration. The file transfer protocol should be led by the district manager and will help eliminate the disruptions associated with staff turnover, increasing applicant satisfaction and the consistency of the development review process across individuals and districts.

3. Governance

This section presents our recommendations related to the Governance layer of our assessment framework.

Governance Recommendations	
3.0	Establish a performance measurement framework to improve the management and evaluation of the development review process.
3.1	Begin the transition to staff time tracking to improve process management and performance measurement.

3.0 Establish a performance measurement framework to improve the management and evaluation of the development review process.

Performance measurement is critical to organizational success, particularly for complex, interdepartmental services like development review. Our analysis indicates that the City's current approach to performance measurement is underdeveloped and inconsistent:

- Many critical elements of the development review process are not currently tracked or measured, such as total circulation time, total commenting partner review time and total staff time;

Recommendations

- Inaccurate review timelines, which cause staff and applicant frustration;
- Performance measurement tools and maturity that varies significantly across departments; and,
- Reporting mechanisms and related systems that are highly manual (e.g., spreadsheets) and time-intensive.

The City should establish a performance measurement framework to improve the management and evaluation of the development review process. The framework should be grounded in leading practice and analysis of past performance. It should include:

- The identification of end-to-end and department-specific key performance indicators (KPIs), including efficiency and effectiveness measures;
- KPI collection procedures;
- KPI reporting procedures, including the identification of appropriate KPIs for each major stakeholder group and how they will be shared (e.g., a high-level monthly dashboard with strategic KPIs for senior-level staff and a weekly report with operational measures for managers); and,
- A process for reviewing the effectiveness of KPIs.

The new performance measurement framework should be integrated into the implementation and rollout of ePLAN, including the identification of new KPIs and automation opportunities.

We have included example KPIs in Figure 7. These KPIs are based on KPMG leading practice and our stakeholder interviews. They are not exhaustive and meant as a starting point for further review and discussion.

Figure 7: Example Key Performance Indicators

Category	KPI
Efficiency	<ul style="list-style-type: none"> — Total elapsed time from complete application to approval. — Total elapsed time for each circulation. — Total elapsed time for each commenting partner for each circulation. — Total elapsed time with the applicant from complete application to approval. — Total elapsed time with the applicant for each circulation.
Effectiveness	<ul style="list-style-type: none"> — Applicant satisfaction surveys. — Public satisfaction surveys. — Number of new comments by circulation. — Number of comments unaddressed by applicants.

Recommendations

3.1 Begin the transition to staff time tracking to improve process management and performance measurement.

Time tracking is a standard industry practice that can provide important business insights and improve the overall management and performance of complex processes and services. In the development review context, time tracking would:

- Help establish realistic application processing timelines;
- Provide insight into staff workloads and productivity, allowing management to better allocate work across individuals and districts;
- Allow the City to develop more complex and useful performance measures, like total staff time elapsed on an application; and,
- Better understand the overall costs of the development review process, a fee-based service.

The transition to time tracking is a significant change that is outside the scope of this review. Initial steps that the City could take immediately to start the transition include:

- The development of a business case for time tracking, identifying the benefits and associated costs;
- The determination of appropriate technology, including existing City tools used in other departments and integration opportunities with ePLAN; and,
- The establishment of a simplified time tracking process – including how time tracking data is entered, stored and used as well as the key process milestones used to track time by staff.

4. Technology and Information

This section presents our recommendations related to the Technology and Information layer of our assessment framework.

Technology & Information Recommendations	
4.0	Review the implementation plan for ePLAN to help ensure a smooth transition to the new technology system and the full utilization of its capabilities.
4.1	Improve the City's online development review portal to help improve application quality.

Recommendations

4.0 Review the implementation plan for ePLAN to help ensure a smooth transition to the new technology system and the full utilization of its capabilities.

There is broad-based optimism about ePLAN and a consensus among both staff and industry that “going paperless” will lead to improved coordination, consistency and overall system efficiency.

Many internal and external stakeholders expressed anxiety about the potential ePLAN learning curve, expressing a need for live, on-demand support to manage the transition. Nearly all stakeholders from Building Standards, which has fully implemented ePLAN, advised that live, on-demand support was critical to the Department’s successful internal and external rollout of the new technology.

The City should review the implementation plan, including change management and communications, associated with the ePLAN implementation to:

- Assess current project resourcing, including opportunities to identify dedicated applicant and staff support person(s) to assist with the rollout of additional application types in early 2020. A system roll-out of this size in comparable organizations typically requires a core team of at least 2 to 4 dedicated project staff supplemented by a broader network of subject-matter experts and administrative supports;
- Better understand what worked and did not work during the roll-out of ePLAN in Buildings Standards, replicating any leading practices;
- Refresh the training calendar and determine what methods or approaches will help enhance their learning and eventual use of the system. This work should be done in consultation with staff and applicants; and,
- Identify opportunities to integrate the ePLAN implementation with the recommendations and roadmap included in this report.

4.1 Improve the City’s online development review portal to help improve application quality.

A majority of staff and industry stakeholders indicated that development review-related information can be difficult to find online. Interviewees generally found the online planning portal (<https://www.markham.ca/wps/portal/home/business/planning>) difficult to navigate and use, noting that information could be out of date, unavailable or hard to find, e.g., the current zoning by-law and past studies.

The online planning portal is an important tool to help applicants improve application quality. Better application quality leads to fewer comments and circulations, reducing processing timelines. Using the portal to proactively share information and process-related updates will also result in fewer ad hoc requests.

The City should undertake a review of the online planning portal. The review should include an inventory of existing content and the identification of frequently requested information, including reports, studies and guidelines. The review should be undertaken in consultation with industry and external commenting partners to help

Recommendations

ensure that it is easy-to-use and client-friendly. It should also include the development of a refresh schedule to help ensure current content is accurate, up-to-date and comprehensive.

Many industry stakeholders identified the City of Toronto's Application Information Centre as a leading practice that Markham should consider.

5. Customer

This section presents our recommendations related to the customer layer of our assessment framework.

Customer Recommendations	
5.0	Measure customer satisfaction with the development review process (e.g., annual surveys) to track performance and continually improve the user experience with this City service.
5.1	Establish formal two-way learning opportunities for staff and industry to improve application quality and facilitate collaboration.

5.0 Measure customer satisfaction with the development review process (e.g., annual surveys) to track performance and continually improve the user experience with this City service.

Formally and consistently soliciting feedback from applicants will enable the City to gain insight into the effectiveness of the development review process and staff. Current industry feedback is collected anecdotally, through channels like the City Builder's Forum or applicant calls to senior staff and elected officials.

The City should develop applicant satisfaction surveys to better track and continually improve the customer experience. The City should consider two types of user feedback survey:

- An annual survey distributed on an industry-wide basis to understand system-level satisfaction and trends; and,
- Randomly selected, pulse-style surveys following application completion milestones to gather real-time insights into immediate challenges and opportunities that require action.

Effective customer satisfaction surveys are short, easy-to-complete and generally involve one to five questions. The City should consider measuring applicant satisfaction with the following aspects of the development review process:

- Timelines;
- Customer service;
- Clarity and transparency; and,

Recommendations

- Cost.

The results of the surveys should be published internally and externally (at appropriate levels of detail), and can form part of the performance measurement framework and continuous improvement system included in Recommendations 3.0 and 1.9.

5.1 Establish formal two-way learning opportunities for staff and industry to improve application quality and facilitate collaboration.

The staff-applicant collaboration at the centre of the development review process depends on mutual understanding. Staff and industry stakeholders identified a need for more frequent and formal opportunities to get together and share experiences and knowledge outside of the development review process.

The City should build on the success of the City Builder's Forum and establish formal two-way learning opportunities for staff and applicants, particularly for manager-level and frontline staff. Opportunities we have seen in other jurisdictions include:

- Training sessions for entry-level industry consultants on City processes, standards and guidelines to enhance application quality; and,
- Training sessions for entry-level staff on development strategies and land economics to enhance understanding of the applicant context and related development pressures.

The City should also work with industry and industry associations to identify professional networking events and other development opportunities, such as industry conferences, to foster collegiality.

Senior City staff also identified leadership training as a significant gap during our stakeholder interviews. To close this gap, the City should consider and explore additional opportunities for internal professional development, growth and mentorship.

Chapter 4: Implementation Plan

Implementation Plan

This Chapter presents our plan to implement the recommendations included in Chapter 2. It has five sections, described in Figure 8. Our implementation plan is based on KPMG leading practice.

Figure 8: Implementation Plan Sections

#	Section	Description
4.1	Implementation Structure	High-level resourcing and governance required to successfully implement the recommendations and promote a continuous improvement culture.
4.2	Implementation Roadmap	Specific actions and timelines for each of the recommendations included in Chapter 3.
4.3	Implementation Scorecard	Performance measures to monitor progress and help demonstrate success.
4.4	Change Management Framework	A framework to drive effective change management.
4.5	Communications Framework	A framework to structure effective communications.

4.1 Implementation Structure

Successful implementation of the recommendations included in this report will require dedicated resources and effective governance.

Based on the scope of the recommendations included in Chapter 3, we recommend the creation of a dedicated Process Improvement (PI) Team to lead, monitor and report on the implementation of the report's recommendations. We anticipate one full-time project management resource along with one to two support staff able to dedicate 25-50% of their time to the project. Based on the roadmap included in Section 4.2, we anticipate staff will be required for approximately 12 months, with the bulk of activity occurring during the first six months.

The capabilities of the PI Team should include:

- Program and project management;
- Change management;
- Communications;
- Stakeholder engagement (internal and external);

Implementation Plan

- Business process improvement; and,
- Experience with planning and/or development application reviews.

The PI Team will also need to draw on subject matter specialists (e.g., urban planners, engineers, etc.) on an as-needed basis throughout the implementation.

Alongside the PI Team, Markham should establish a clearly defined, interdepartmental governance structure to facilitate implementation-related decision-making and empower the PI Team to drive change. We recommend a Process Improvement (PI) Committee with the following membership:

- The Commissioner, Development Services (Chair)
- The Director, Development Planning & Urban Design
- The Director, Development Engineering
- The Director, Environmental Services
- The Director, Operations
- The Assistant City Solicitor
- The ePLAN Project Lead

The mandate of the PI Committee should include strategic direction and oversight of the implementation, decision-making on key approvals and monitoring implementation progress and overall project success.

Our implementation roadmap, included in Section 4.2 includes key activities for the PI Team and key approvals for the PI Committee.

Implementation Plan

4.2 Implementation Roadmap

This section presents our implementation roadmap, beginning on the next page. It includes implementation actions for each of our 21 recommendations. We also include actions to set-up the implementation structure included in Section 4.1.

Our recommendations and roadmap should be read alongside the City's implementation of ePLAN. We anticipate that ePLAN offers opportunities to accelerate and/or extend our recommendations. Similarly, there may be opportunities to incorporate the findings from this report into the implementation of ePLAN.

We have included a 12 month timeline, which assumes the implementation structure and the appropriate resources described in Section 4.1. In some cases, noted in our roadmap, full implementation may stretch beyond 12 months.

Implementation Plan

Implementation Structure



Timeline for Implementation

0-3 months

4-6 months

6-12 months

Recommendation

Description of Activities

Establish a dedicated Process Improvement (PI) Team to lead, monitor and report on the implementation of recommendations from this report.

- Develop roles and responsibilities for the PI Team.
- Recruit PI Team lead and members with the capacity and capability to deliver the recommendations in this report. Develop the terms of reference.
- PI Team to develop the work plan with detailed milestones for each aspect of the implementation roadmap.
- Develop the strategic and tactical Change Management and Communications plans outlined in Chapter 4.
- Execute the implementation roadmap as described throughout Chapter 4.
- Institute a “sustainment” structure that supports ongoing review of the implementation of key recommendations.

Implementation Plan

Process		Timeline for Implementation		
		0-3 months	4-6 months	6-12 months
Recommendation		Description of Activities		
1.0	Develop and implement standardized comment templates to streamline workflow processes and accelerate review timelines.	<ul style="list-style-type: none"> Inventory submission memos and lessons learned from commenting partners. PI Team to prepare draft submission memo templates leveraging internal leading practice. Finalize templates and submit to PI Committee for approval. Make the templates publicly available on the online planning portal. 		
1.1	Structure the circulation process to reduce application churn and late-stage comments.	<ul style="list-style-type: none"> PI Committee to approve circulation approach described in Recommendation 1.1. PI Team, in consultation with internal commenting partners, to identify and document required process, training and system (i.e., Amanda and ePLAN) changes to implement circulation updates/changes. Consider implementing opt-in rule on a pilot basis in a single Development District to refine before full roll-out. 		
1.2	Clarify and simplify the circulation process for technical commenting partners.	<ul style="list-style-type: none"> PI Team, in consultation with technical commenting partners, to develop new process for circulation to technical commenting partners. PI Team to document proposed circulation process and submit to the PI Committee for approval. Implement the new circulation process. 		
1.3	Establish a standardized in-person meeting structure to align internal commenting partners, resolve conflicting comments and enhance customer service.	<ul style="list-style-type: none"> PI Committee to approve the meeting cadence described in Recommendation 1.4. PI Team to document proposed meeting approach, including timelines, objectives and outcomes, attendee checklist, roles/responsibilities, project management tools and templates. Launch meeting cadence for go-forward applications. Consider implementing on a pilot basis to refine before full rollout. 		

Implementation Plan

Process



Timeline for Implementation

0-3 months

4-6 months

6-12 months

Recommendation		Description of Activities
1.4	Establish regular standing meetings with external commenting partners and review how and when each external commenting partner is engaged in the development review process.	<ul style="list-style-type: none"> Catalogue lessons learned from TRCA standing meetings. Consult with external commenting partners to gain buy-in and identify a support resource from their organization. PI Team to develop proposed meeting structure details (time, agenda, objectives, etc.) and include in Terms of Reference. PI Committee to approve Terms of Reference. Begin standing meetings.
1.5	Undertake a review of the City's site plan control and delegation by-laws to identify additional delegation opportunities and speed up review timelines.	<ul style="list-style-type: none"> PI Team to draft Terms of Reference for by-law review project and submit for approval to PI Committee. Consider seeking Council approval for Terms of Reference to help prioritize review. Undertake the review, documenting and evaluating any process-related changes. Seek Council approval for delegation opportunities identified.
1.6	Update and publish existing Terms of Reference (TORs) and review opportunities for additional TORs encourage process consistency and improved application quality.	<ul style="list-style-type: none"> Inventory existing TORs, identifying TORs that can be implemented immediately and those that require updating. PI Committee to approve "ready to go" TORs and make publicly available on the online portal. PI Team to engage industry and staff to identify additional TORs for development. Consider identifying a specific TOR lead to take ownership of TOR development process.
1.7	Streamline the report approval process to reduce process inefficiencies and increase development review staff capacity.	<ul style="list-style-type: none"> Document approval requirements and review timelines for all development review related reports. PI Team, working with senior staff, to develop streamlined approval steps and related timelines. PI Committee to approve new approval process. Update process documentation and RACI matrix with new approval process for reports.

Implementation Plan

Process

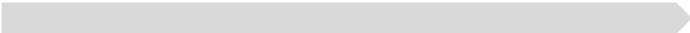



Timeline for Implementation

0-3 months

4-6 months

6-12 months

Recommendation		Description of Activities
1.8	Develop a mandatory escalation protocol to reduce the negative impact of stakeholder interventions during the formal development review process.	 <ul style="list-style-type: none"> PI Team, in consultation with staff and stakeholders, to document the escalation protocol as described in Recommendation 1.8. Documentation should include development of templates for escalation-related intake and reporting. PI Committee to approve the escalation protocol. Implement the protocol, focusing on communications with industry and elected officials. Begin tracking escalations to support continuous improvement.
1.9	Adopt a formal continuous improvement program to maximize the impact of existing process improvements.	 <ul style="list-style-type: none"> PI Team, in consultation with staff and stakeholders, to develop Terms of Reference for the CI program, including mandate, resource requirements, objectives and a high-level work plan. PI Team to inventory existing but “on the shelf” process improvement projects to identify “quick wins.” PI Committee to approve the CI program Terms of Reference. Consider transitioning the PI Team to support the CI program.

Implementation Plan

People and Organization








Timeline for Implementation

0-3 months

4-6 months

6-12 months

Recommendation		Description of Activities
2.0	Define and document development review-related roles and responsibilities to reduce process inefficiencies.	 <ul style="list-style-type: none"> PI Team to document existing roles and responsibilities, leveraging existing documentation and job descriptions. PI team to develop draft RACI matrix and submit to PI Committee for approval. Reflect the RACI in job descriptions as they are updated and include in development review-related training including staff onboarding. Embed the accountabilities included in the RACI into ePLAN. Review and promote the RACI with elected officials and applicants. Post the RACI on the City's online development portal.
2.1	Empower the lead Planner to be fully in charge of all aspects of file management and operational decision making.	 <ul style="list-style-type: none"> Identify the planner as the accountable file lead in the RACI included in Recommendation 2.0. Undertake training of existing and new staff about the planner's lead role in development review.
2.2	Equip lead Planners with enhanced project management tools and training.	 <ul style="list-style-type: none"> PI Team to collect existing project management tools/templates and assess for relevance. PI Team to work with development review staff to assess needs for tools and templates. Consider beginning with those identified in Recommendation 2.2. Develop draft materials and gather feedback from development review staff. PI Committee to approve tools and templates. Develop a training calendar including internal and third party providers/modules to facilitate uptake.
2.3	Formalize Project Review meetings as a governance mechanism to resolve difficult application-related issues.	 <ul style="list-style-type: none"> Develop Terms of Reference for Project Review Meetings, using Recommendation 2.3 as a guide. PI Committee to approve Terms of Reference. Implement new approach.
2.4	Implement a file transfer protocol to reduce the process inefficiencies associated with staff turnover and absences.	 <ul style="list-style-type: none"> PI Team to document the file transfer protocol in consultation with staff including details described in Recommendation 2.4. PI Committee to approve the file transfer protocol. Include the protocol as part of go-forward offloading activities for existing staff.

Implementation Plan

Governance



Timeline for Implementation

0-3 months

4-6 months

6-12 months

Recommendation		Description of Activities
3.0	Establish a performance measurement framework to improve the management and evaluation of the development review process.	<ul style="list-style-type: none"> PI Team to inventory existing performance measures used across the development review process, including metrics, systems, collection frequency and use. PI Team to develop detailed project plan to develop performance measurement framework. Planning should be integrated into ePLAN, considering new tools, capabilities and automation opportunities. Conduct jurisdictional scan to identify valuable development review process KPIs, using those included in Recommendation 3.0 as a starting point. Develop the performance measurement framework and submit to PI Committee for approval.
3.1	Begin the transition to staff time tracking to improve process management and performance measurement.	<ul style="list-style-type: none"> Research leading practice for time tracking in other jurisdictions including Ontario municipalities. Develop the business case for time tracking at the City and a work plan to implement it. Integrate planning into ePLAN. PI Committee to approve business case. Implement time tracking including any technology requirements/enhancements.

Implementation Plan

Technology & Information


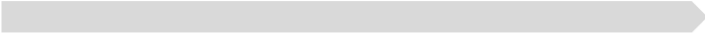


Timeline for Implementation

0-3 months

4-6 months

6-12 months

Recommendation		Description of Activities
4.0	Review the implementation plan for ePLAN to help ensure a smooth transition to the new technology system and the full utilization of its capabilities	 <ul style="list-style-type: none"> PI Team to assess current staffing and future staffing needs based on 2020 go-live and leading practices described in Recommendation 4.0. Gather additional leading practices and lessons learned from the Building Standards department. Develop a business case for an on-demand support resource to accompany the ePLAN roll-out in Development Services. Consult staff and industry for their training needs and preferences related to ePLAN. PI Team and ePLAN team to review respective roll out plans to find alignment. Include ePLAN review as a component of the new CI program described in 1.9. PI Committee and ePLAN governance to review and approve updates/changes to the ePLAN roll-out.
4.1	Improve the City's online development review portal to help improve application quality.	 <ul style="list-style-type: none"> Inventory the existing online portal, including content and accuracy of content. Gather additional leading practice by reviewing other online development review portals. Consult industry and staff about their information-related needs. PI Team to develop plan to update online portal and go-forward approach to keeping site up-to-date, including a schedule and accountable lead. Update the online development portal with new materials. Consider enhancements to the portal's user interface.

Implementation Plan

Customer



Timeline for Implementation

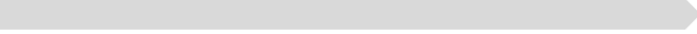

0-3 months

4-6 months

6-12 months

Recommendation

Description of Activities

5.0	Measure customer satisfaction with the development review process (e.g., annual surveys) to track performance and continually improve the user experience with this City service.	 <ul style="list-style-type: none"> • Gather leading practices for customer satisfaction surveys, including those already used in the City (e.g., content, platforms, frequency, use, etc.). • PI Team to develop customer satisfaction surveys, using Recommendation 5.0 as a starting point. • Implement surveys and begin collecting data.
5.1	Establish formal two-way learning opportunities for staff and industry to improve application quality and facilitate collaboration.	 <ul style="list-style-type: none"> • Gather feedback from staff and industry about ideas/programs to support two-way learning opportunities including those described in Recommendation 5.1. • PI Team to develop a business case for a two-way learning program (work plan, costs, anticipated benefits). • PI Committee to approve business case. • Identify lead resource with ownership of the program. • Implement the program.

Implementation Plan

4.3 Implementation Scorecard

This section presents a scorecard to help measure the implementation of the recommendations included in Chapter 3. Demonstrating progress will help build buy-in with internal and external stakeholders, facilitating change.

This scorecard should be reviewed and approved by the PI Committee and reviewed on a monthly basis by the PI Team.

Figure 9: Implementation Scorecard

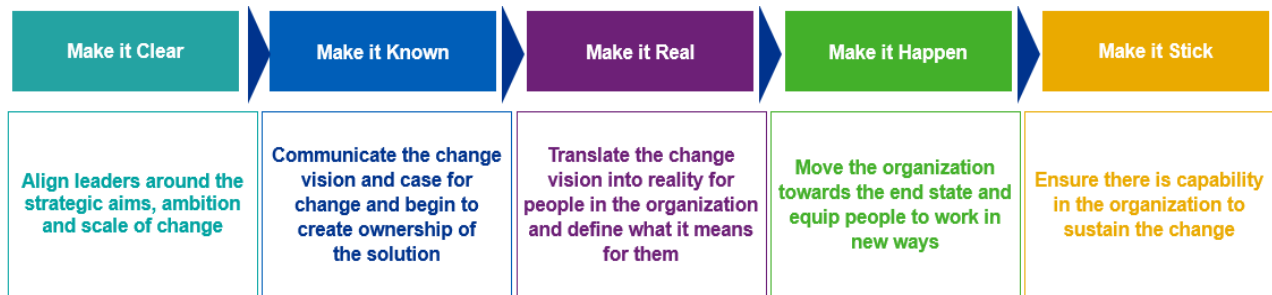
Success Factor	Does this Exist? (✓/✗)
Implementation Structure	
<ul style="list-style-type: none"> The recommendations and roadmap included in this report have been approved by City Council. 	
<ul style="list-style-type: none"> A clear project governance structure is in place and working well (see Section 4.1). 	
<ul style="list-style-type: none"> Sufficient staff capacity and resources are dedicated to the work ahead and are working well (see Section 4.1). 	
Project Management	
<ul style="list-style-type: none"> Work plans exist to support the implementation of all recommendations. 	
<ul style="list-style-type: none"> A holistic communications strategy and the accompanying communications plans are developed for the relevant recommendations. 	
<ul style="list-style-type: none"> Recommendations are implemented according to roadmap timelines; delays are justified and communicated. 	
<ul style="list-style-type: none"> Recommendations that have been implemented are reviewed every six to 12 months for effectiveness. 	
Customer Centricity	
<ul style="list-style-type: none"> Applicants are engaged in the implementation process (e.g., regular status updates are shared at the City Builder's Forum). 	
<ul style="list-style-type: none"> The applicant experience is measured and improving (see Recommendation 5.0). 	

Implementation Plan

4.4 Change Management Framework

Effective change management aligns leaders and staff around change that is clearly defined, justified and well-communicated. Figure 10 presents KPMG's change management framework as a starting point for the development of a detailed change management plan to support the implementation of the recommendations included in Chapter 3.

Figure 10: KPMG's Change Management Framework



To help ensure internal and external stakeholders are ready, willing and able to implement change, Markham should:

1. **Make it Clear:** ensure senior City leadership understands and is committed to the importance of visible, aligned and ongoing support for an improved development review process. Formalize this support in the establishment of the PI Committee included in Section 4.1.
2. **Make it Known:** develop and implement a detailed communications plan that clearly articulates the overall case for change to each stakeholder group. Consider identifying champions in each development review-related Department to help spread the message. Ensure approval of this report and its roadmap is widely communicated.
3. **Make it Real:** stand up the PI Team included in Section 4.1. Clearly define the PI Team's roles, responsibilities and mandate. Develop detailed change management plans for the recommendations included in Chapter 3.
4. **Make it Happen:** Begin implementation. Resolve issues and mitigate risks by escalating them through appropriate channels. Focus on high-impact recommendations and continuously monitor the effect of implementation on each stakeholder group.
5. **Make it Stick:** use the Implementation Scorecard to measure progress and maintain momentum. In the long-term, use the CI Program included in recommendation 1.9 to review and calibrate changes on an ongoing basis.

Implementation Plan

4.5 Communications Strategy

Communications is a critical change-enabler. This section presents five strategic principles to support effective communications during a significant, process-driven transformation:

1. **Equip leaders and change agents:** equip leaders and other change agents with easy-to-use key messages and communication tools.
2. **Develop tailored key messages:** identify different stakeholder groups and develop targeted key messages for each group.
3. **Communicate consistent messages:** communicate consistent messages emphasizing the case for change and anticipated benefits.
4. **Reinforce messages:** repeat and reinforce key messages and progress through a variety of tactics and channels with each stakeholder group.
5. **Engage industry:** communicate directly and regularly with this stakeholder groups.

These principles should be used as a starting point for the development of a tactical communications plan to support the implementation of the recommendations included in Chapter 3. A tactical communications plan should define the communications-related activities that accompany each recommendation/change as well as the overall improvement project. An effective tactical communications plan should include:

- The overall case for change;
- The unique key messages that accompany each initiative or recommendation;
- The key audience(s) when communicating each key message;
- The roll-out timelines; and
- The methods and channels that are to be used when communicating.

Figure 11, on the next page, provides additional detail on each of the five communications principles included in this section.

Implementation Plan

Figure 11: Communication Principles

Principle	Outcomes	High Level Tactics
Equip leaders and change agents.	Organizational leadership and change champions have the tools needed to promote the case for change.	<ul style="list-style-type: none"> During the first 90 days, provides a refresher course in change management and effective communications for leaders and change agents. Continuously update key messages and communication tools for leadership to ensure they remain relevant and effective.
Develop tailored key messages.	Different stakeholder groups are targeted with specific key messages, increases the chances of success.	<ul style="list-style-type: none"> Identify different internal and external stakeholder groups involved in the development review process. Review how the overall implementation roadmap will impact each group as well as the implementation of specific recommendations. Develop targeted key messages that speak to how each stakeholder group will be impacted by the change, identifying each group's unique case for change.
Communicate consistent messages	Key messages are developed and are consistent across initiatives and time, and align with the broader goals of the Development Services Commission.	<ul style="list-style-type: none"> Identify near-term milestones and any quick wins/ Develop and leverage key messages consistently through all communications to build consistency, credibility and support. Create a common look and style for change communications. Use it consistently in materials so that communications are recognizable.

Implementation Plan

Principle	Outcomes	High Level Tactics
Reinforce messages	Multiple opportunities are created for key stakeholders to provide input.	<ul style="list-style-type: none"> • Provide regular communications which set specific, clear and relevant expectations and then report back on progress. • Use existing communication channels (email, internal portals, the online planning portal) to regularly share information. • Develop standards and messages for the change writ-large, and cater messaging in tactical communications plans that support individual initiatives. • Encourage two-way dialogue and feedback from stakeholders to continuously improve communication approaches.
Engage industry	Initiatives underway are consistently communicated to industry stakeholders to maintain their awareness and buy-in.	<ul style="list-style-type: none"> • Provide structured, formal updates to industry groups, leveraging existing mechanisms, like the City Builder's Forum. • Follow up with all industry stakeholders engaged by KPMG to provide a status update and opportunity to review and validate this report.

Appendix 1: Current State Summary

Current State Summary

This Appendix summarizes our findings about the challenges facing the development review process. The challenges are organized into the five layers of our analytical framework, described in more detail in Chapter 2.

These findings were included in our interim report, which was reviewed and validated by the Development Services Commission, Planning and Development Director and the Project Team.

Process

This section sets out our findings related to the processes layer of our analytical framework.

Process Challenges
<p>Conflicting Comments and Late Comments</p> <ul style="list-style-type: none"> — Conflicting comments and late-stage comments can be difficult for staff and industry to resolve, increasing processing timelines and negatively impacting applicant satisfaction. — Comments are not consistently summarized by staff or applicants at key application milestones (e.g., resubmissions), increasing the administration burden on staff and applicants. <p>Broad Late-stage Circulations</p> <ul style="list-style-type: none"> — Applications are often circulated to all commenting partners, even though outstanding issues are narrow. The broad circulation encourages net-new comments, which lead to additional cost and extended timelines. <p>Application Streaming</p> <ul style="list-style-type: none"> — Application streaming is inconsistent. In most cases, applications of varying size, complexity and quality are processed and resourced in the same way, resulting in a suboptimal allocation of staffing resources. <p>Relationship with External Commenting Partners</p> <ul style="list-style-type: none"> — The City's relationship with MTO and York Region could be strengthened, and currently causes delays to review timelines and frustrates staff and applicants <p>Commenting Timelines</p> <ul style="list-style-type: none"> — The review timelines for internal and external commenting partners are not based on anticipated work effort or application complexity. These timelines are seldom met and drive staff and applicant frustration. <p>Process Improvement Follow-through</p> <ul style="list-style-type: none"> — There is a culture of continuous process improvement but changes are not consistently documented, implemented or measured.

Current State Summary

Process Challenges

- Similarly, Terms of Reference for application requirements were developed in the past, but were not formally adopted or publicized.

Complex Endorsement Process

- The endorsement process for SPC applications is complex and difficult to understand for staff and other stakeholders.

Project & Practice Management

- Project and practice management tools are underdeveloped, contributing to process inconsistencies.

SPC and Heritage Delegation

- Lack of SPC and Heritage delegation creates reporting burden for staff and increases approval times.

Relationship between ZBA and SPC Applications

- The relationship between ZBA and SPC applications is beginning to blur, with increasing amounts of detail required at the ZBA stage.
- The same issues are often reviewed at the SPC stage, creating duplication for staff and industry.

Rigid Application of Guidelines and Standards

- According to industry, the application of guidelines and standards can be overly rigid, particularly on unique or infill sites, which are increasingly becoming the norm as Markham transitions into a higher density community.

People & Organization

This section sets out our findings related to the People and Organization layer of our analytical framework.

People & Organization Challenges

Unclear Roles and Responsibilities

- The roles and responsibilities of staff, consulting partners and elected officials are not well defined across the development review process, which can cause duplication of effort and re-work as well as significant frustration for frontline staff.

Underpowered Application Lead

- The City Planner is the application lead but often lacks the tools and experience

Current State Summary

People & Organization Challenges

to drive applications forward and overcome process delays and conflicting comments.

Application Resourcing

- Application volumes are high relative to available staff resources, which can drive staff frustration and extend processing timelines. Many internal and external stakeholders advised that Markham's staffing model was lean in comparison to other municipalities.

Knowledge Transfer Mechanisms Lacking

- Existing knowledge transfer mechanisms and file transfer procedures are limited. As a result, staff turnover can disrupt the development review process, extending timelines and contributing to net-new, late-stage comments.

Excessive Approval Steps

- Sign-off requirements can be excessive and duplicative for Council-related reports (preliminary report, final report, SPC endorsement report), increasing processing timelines and contributing to conflicting comments.

Inconsistent Escalations from Senior Staff

- Escalations from applicants and senior staff are inconsistent and often unexpected, driving additional reporting requirements and re-prioritizing applications.

Governance

This section sets out our findings related to the Governance layer of our analytical framework.

Governance Challenges

Inaccurate development review timelines

- There is a significant gap between application processing timelines and the experience of staff and applicants. Existing timelines are not based on processing effort (historical or anticipated), reducing the transparency of the development review process.

Limited measurement and KPIs in place across the development review process

- Many critical elements related to the development review process are not currently tracked or measured.

No Portfolio-wide View of Application Pipeline

- Senior staff do not have a portfolio-wide view of the application pipeline that identifies

Current State Summary

Governance Challenges

application volumes and bottlenecks. Existing reporting is inconsistent and ad hoc.

Technology & Information

This section sets out our findings related to the Technology and Information layer of our analytical framework.

Technology & Information Challenges

Inconsistent Tools

- Many departments use different technology tools to track and monitor development applications and application comments. These systems are not integrated and contribute to duplication.

ePLAN Change Management

- Internal and external stakeholders are broadly excited about the potential for ePLAN to streamline the development review process and enhance collaboration and creativity.
- In the near-term, staff and industry identified a need for additional training and change management to ensure the rollout and transition is smooth and the tool is used to its fullest potential.

Online Portal

- The City's online portal can be hard to navigate for users.
- Certain core process documents are not currently accessible online, such as the City's zoning by-law.

Customer

This section sets out our findings related to the Customer (applicant and public) layer of our analytical framework.

Customer Challenges

Poor Application Quality

- Poor application quality, particularly on application submission, drives staff re-work and increases processing timelines.

Premature Escalations by Applicants

Current State Summary

Customer Challenges

- Applicants often escalate files to senior staff and/or elected officials as a matter-of-course. The reporting requirements related to escalations create additional work for front-line staff and result in ad-hoc and inconsistent prioritization of applications.
- There are not criteria in place to trigger or direct senior-level involvement in a file.

Reactive Customer Service

- According to industry, while staff are responsive to issues raised, they tend not to be proactive in addressing issues or identifying challenges.

Ineffective Process-wide Communication

- Significant process changes are not effectively communicated to industry and can sometimes be a surprise.

“Us vs. Them” Culture

- Industry identified that in some instances, the relationship between staff and applicants can sometimes be adversarial, a barrier to strong working relationships.
- Many industry stakeholders identified a need for a broader recognition of their importance to achieving the City’s development-related objectives.

Appendix 2: Document Register

Document Register

In support of our analysis, we reviewed 44 documents related to the development review process. Figure 12 below details the documents that were reviewed.

Figure 12: Documents reviewed as part of this engagement

#	Document Description
1	AMANDA system – corresponding PLAN Folder design
2	AMANDA system – corresponding SPC Folder Design
3	Application Volumes: by type, and district (2019)
4	Conditional Permits Guide
5	Construction Activity Report: 2009-2019 dashboards
6	Development Engineer Job Description
7	Development Process Dashboard
8	Development Services Organizational Structure
9	District Team Maps
10	Engineering Technologist Job Description
11	Environmental Engineer Job Description
12	Environmental Technician Job Description
13	ePLAN Project Charter
14	ePLAN System Summary
15	ePLAN: Proposal Award
16	ePLAN: Proposal Award - Staff Report
17	ePLAN Workflow: Subdivision, Zoning Amendments, Official Plan Amendments
18	Official Plan Amendment: High level summary document
19	Online development portal
20	Operating Costs and Revenue: Planning, Engineering, and Building (2015-2019)
21	Plan of Subdivision Approval: High level summary document
22	Plan of Subdivision: Process Flowcharts

Document Register

#	Document Description
23	Plan subtype: Zoning Amendment - processes
24	Planner 1 Job Description
25	Planner 2, Development Job Description
26	Process Flow Chart: Site Plan Approval
27	Process Improvement Record: from industry
28	Process Improvement Record: from staff
29	Process Service Levels (summarized for all application types)
30	Process: Building Permit
31	Process: OP/Rezoning amendment
32	Process: OPA
33	Process: Planning and Development Applications
34	Process: Pre-Consultation to Circulation
35	Process: SPC (Site Plan)
36	Process: Subdivision to Draft Approval
37	Roles and Responsibilities: Plan of Subdivision
38	Senior Development Engineer Job Description
39	Senior Development Planner Job Description
40	Site Plan Applications: 2014-2018 endorsement volumes
41	Timelines: site plan control
42	Transportation Engineer Job Description
43	Workflow: Site Plan Control Requirement and Circulation
44	WSCS Final Report: development process review

Appendix 3: Staff Engagement Register

Staff Engagement Register

We engaged 51 city staff and elected officials during our work using multiple methods including one-on-one interviews, focus groups and a process improvement workshop. The staff engaged during our work are detailed below in Figure 13 and organized by first name.

Figure 13: Stakeholder Consultation Record

Name, Role	Interview	Focus Group	Process Workshop
Andy Taylor, Chief Administrative Officer	x		
Arvin Prasad, Commissioner, Development Services	x		
Audrey Farias, Senior Planner, Urban Design			x
Biju Karumanchery, Director, Planning and Urban Design	x	x	
Bradley Roberts, Manager, Zoning and Special Projects		x	
Brenda Librecz, Commissioner, Community and Fire Services	x		
Brian Lee, Director, Engineering	x		
Celia Fan, Systems Engineer			x
Christin Miller, Supervisor, Zoning			x
Chris Bird, Director Building Standards	x	x	
Daniel Brutto, Planner II			x
David Miller, Manager - Developement		x	
Francesco Santaquida, Assistant City Solicitor	x	x	x
Frank Scarpitti, Mayor of Markham	x		
Frashed Kawasia, Senior Development Engineer			x
Geoff Day, Senior Planner			x
George Macris, Chief Fire Prevention Officer		x	
Gord Miokovic, Manager, System Engineering		x	
Hailey Miller, Technician			x
Henry Lo, Senior Transportation Engineer			x
Jim Jones, Regional Councillor and Chair, Development Services Committee	x		
Keith Irish, Councillor and Chair, Development Services Committee Public Meetings	x		
Kevin Ross, Manager, Development Finance and Payroll		x	

Staff Engagement Register

Name, Role	Interview	Focus Group	Process Workshop
Liz Wimmer, Senior Planner, Urban Design			x
Luiz Juarez, Planner II			x
Margaret Wouters, Manager, Policy and Research		x	
Mark Visser, Senior Manager, Financial Strategy & Investments		x	x
Michael DiPasquale, Supervisor, Waste Management Operations			x
Miguel Ibrahim, Engineering Technologist			x
Morgan Jones, Director, Operations	x		
Nathalie Orsi, Supervisor, Administration Supervisor		x	
Nhat-Anh Nguyen, Senior Manager, Development and Environmental Engineering	x		
Parvathi Nampoothiri, Acting Manager, Urban Design	x	x	
Peter Solymos, Supervisor, Waterworks			x
Peter Wokral, Senior Planner			x
Phoebe Fu , Director, Environmental Services	x		
Raymond Law, Senior Manager, Business, Fleet and Public Realm		x	
Regan Hutcheson, Manager, Heritage District		x	
Reza Fani, Manager, Development Engineering		x	
Robert Maritzel, Supervisor, Survey, Utility and Technical Unit		x	
Ronji Borooah, City Architect	x		
Sabrina Bordone, Senior Planner			x
Sally Campbell, Manager, Development - East	x	x	
Sheila Kerz, Supervisor, Permit Administration			x
Stacy Larkin, Agreements Coordinator			x
Stephanie DiPerna, Manager, Plans Review		x	
Stephen Chait, Director, Economic Growth, Culture and Entrepreneurship	x	x	
Stephen Corr, Senior Planner			x
Stephen Dearborn, Technical Coordinator Roads			x

Staff Engagement Register

Name, Role	Interview	Focus Group	Process Workshop
Stephen Lue, Manager, Development - Central		x	
Tania Lewinberg, Public Realm Coordinator			x



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Development Review Process Assessment

**City of Markham
Development Services Committee
December 9, 2019**



Disclaimer

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Project Overview

Overview of the Development Review Process Assessment



Leadership

- The Commissioner of Development Services sponsored the assessment and retained KPMG to support the work.
- Gladki Planning Associates (GPA) acted as subject matter experts with experience navigating Ontario's planning processes.
- The assessment is funded via the Province of Ontario's Audit and Accountability Fund.



Objectives

The purpose of the review was to ensure the process:

- ✓ Is efficient and effective;
- ✓ Provides clarity, certainty and transparency to applicants and the public; and,
- ✓ Produces good city-building outcomes.



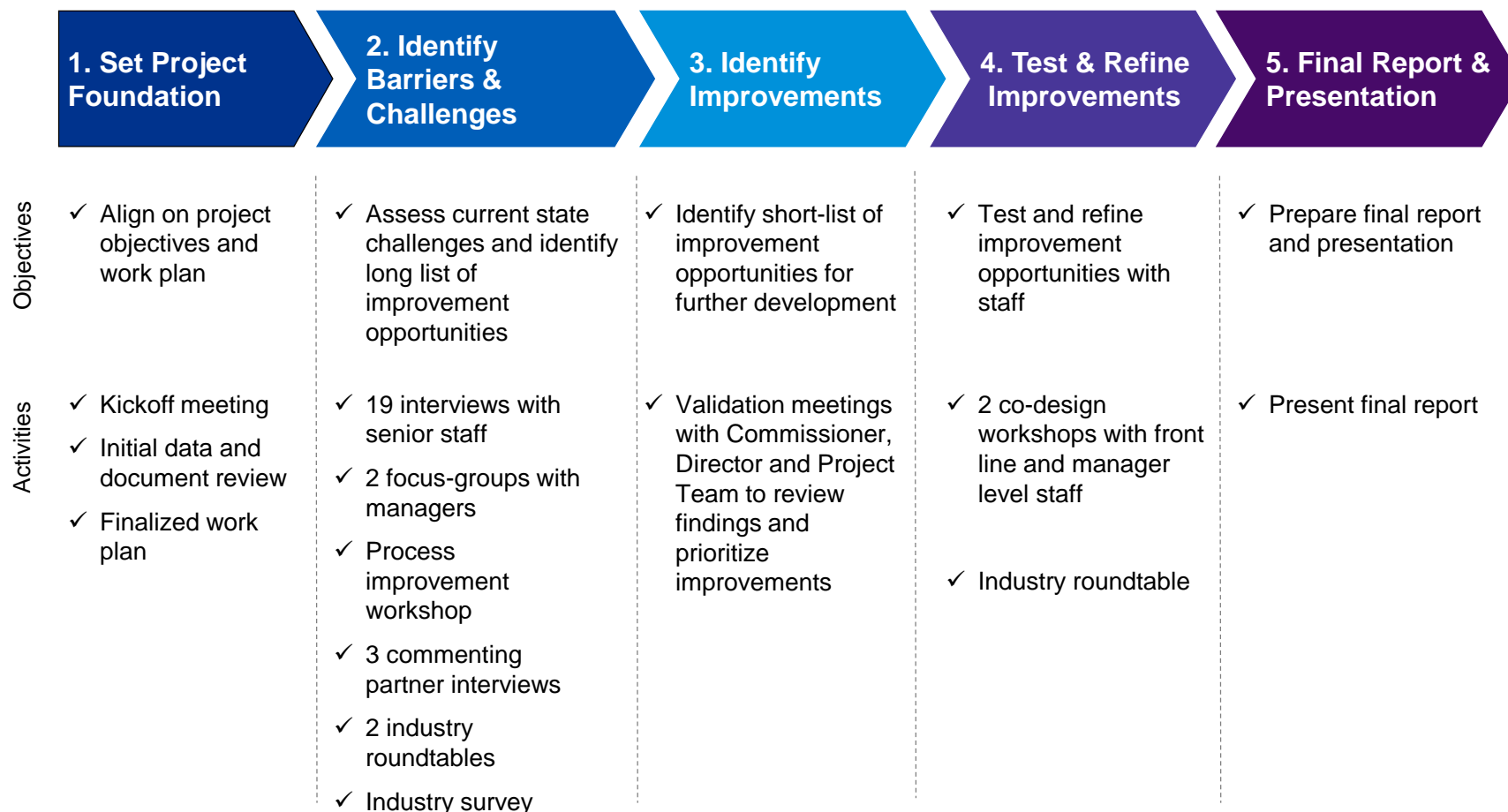
Scope

Our scope focused on four development application types:

- Official Plan Amendments (OPA);
- Zoning By-Law Amendments (ZBA);
- Site Plan Control Applications (SPC); and,
- Plans of Subdivision (PS).

Approach and Work plan

Our work took place over approximately nine weeks beginning in late September. We worked collaboratively with Markham staff to build a robust evidence base and identify improvement opportunities.



Extensive Internal & External Stakeholder Engagement

Our work is anchored in a substantive evidence base consisting of eight main sources of information, including: document review, internal and external stakeholder engagement, a process improvement workshop and a co-design process.



30+ Industry
Stakeholders
& Commenting
Partners



50+ City of
Markham
Staff Engaged



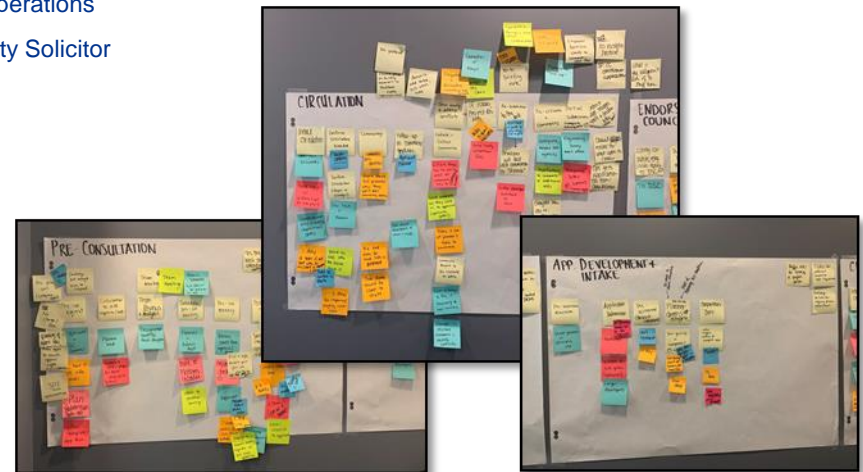
35+ Hours of
Consultation



40+ Documents
Analyzed

City of Markham stakeholders engaged included:

- Mayor's Office
- Chief Administrative Officer
- Commissioner's Office (Development Services, Community and Fire Services)
- Planning and Urban Design
- Development Engineering
- Economic Growth, Culture and Entrepreneurship
- Building Standards
- Environmental Services
- Operations
- City Solicitor





Findings

Core aspects of the process are working well but there is room for improvement

The team-based, district model is working well.

Staff and industry stakeholders indicated that the current model is working well and encourages collaboration and cooperation with industry and across disciplinary lines.

“

Markham's process is one of the best in the GTA. When working with other municipalities, we tell them to go to Markham and check out their approach. That is what good looks like.”

First-in-class staff expertise and experience.

Internal and external stakeholders consistently emphasized that development review staff demonstrate best-in-class technical skills and development review experience and are committed to city-building excellence.

“

Markham continues to position itself as a leader in community building. It has skilled planning staff who work in the best interest of effective long-term city-building.

Strong reputation for excellent customer service.






Markham has a reputation for customer service excellence that sets the City apart from its GTA peers. From senior staff to the frontline, staff are responsive and customer-focused.

“

Markham staff are highly responsive. You can pick up the phone and get in touch with junior and senior-level staff alike and discuss the details of your application.

Summary of Challenges

We identified 30 challenges impacting the efficiency and effectiveness of the development review process. A summary of those findings is included below across each layer of our assessment framework.

 Process	Contradictory and late-stage comments, which extend timelines and cause applicant and staff frustration.
 People & Organization	Unclear roles and responsibilities, which contribute to re-work and an underpowered application lead that results in ineffective file and project management.
 Governance	Inaccurate development review timelines that decrease the transparency and predictability of the development review process.
 Technology & Information	An underdeveloped online application portal that is not applicant-friendly.
 Customer	Varying application quality and premature escalations that increase staff workloads and re-prioritize applications.

Recommendations for Improvements

Our assessment identified 21 recommendations to overcome challenges and improve process efficiency and effectiveness across each layer of our assessment framework.



Process



People & Organization



Governance



Technology & Information



Customer



Outcomes

- ✓ Empowered frontline staff and enhanced customer service.
- ✓ Reduced duplication and fewer conflicting/contradictory comments.
- ✓ Streamlined circulation processes and accelerated review timelines.
- ✓ Reduced application churn and re-work.
- ✓ Improved line-of-sight into process performance and application pipeline.

Recommendations: Process, People & Organization, Governance



Process

- Develop criteria to structure the re-circulation process to reduce late-stage comments and increase review cycles.
- Establish standardized in-person meeting and governance structures to support to reduce contradictory comments and enhance project management.
- Develop an escalation protocol to reduce the re-work and disruption associated with unnecessary escalations.



People & Organization

- Empower the lead Planner to be fully in charge of all aspects of file management and operational decision making to enhance application and project management.
- Define and document development review-related roles and responsibilities to reduce process inefficiencies.
- Implement an easy-to-use file transfer protocol to reduce the process disruption associated with absences and turnover.



Governance

- Establish a performance measurement framework to improve the management and evaluation of the development review processed. The framework should identify measures as well as how they'll be collected and used in process-related decision-making.

Recommendations: Technology & Information, Customer



Technology & Information

- Improve the contents of the City's online development review portal to help improve application quality and the customer/applicant experience with the development review process.
- Ensure the rollout of ePLAN is adequately resourced to enable a smooth transition and maximize the potential of the new system.



Customer

- Measure customer satisfaction with the development review process to track performance and contribute to continuous improvement.
- Establish formal two-way learning and mentorship opportunities for staff and industry to improve application quality and facilitate collaboration and collegiality.



Thank You



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Report to: Development Services Committee

Meeting Date: December 9, 2019

SUBJECT: RECOMMENDATION REPORT Request for authorization to receive parkland dedication for the proposed Times Group Corporation residential high rise development south of Highway 7, east of Bayview Avenue Block 45, Plan 65M-3226, File No. SC 17 137260 (Ward 8)

PREPARED BY: Rick Cefaratti, MCIP, RPP, ext.3675
Senior Planner, West District

RECOMMENDATION:

1. That the Staff report dated December 9, 2019 entitled “RECOMMENDATION REPORT, Request for authorization to receive parkland dedication for the proposed Times Group Corporation residential high rise development south of Highway 7, east of South Park Road, Block 45, Plan 65M-3226, File No. SC 17 137260 (Ward 8)” be received; and,
2. That Staff be authorized and directed to enter into agreement(s) with Times Group Corporation to provide the parkland required for the High Density Development on Block 45, Plan 65M-3226 as land from part of Block 46, Plan 65M-3226; and further,
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

PURPOSE:

Staff is seeking authorization for a portion of the lands located west of South Park Road and east of German Mills Creek, (Block 46, Plan 65M-3226), in the Leitchcroft Community, to be conveyed to the City for park purposes, to meet the parkland dedication requirements for the recently approved residential high rise development located on the south side of Highway 7 east of South Park Road (Block 45, Plan 65M-3226). The locations of these properties are shown on Figure 1 – Location Map, and Figure 2 – Air Photo).

BACKGROUND:

Applications by Times Group for Official Plan and Zoning By-law Amendments were approved by Council and an application for Site Plan Approval was endorsed in principle by Development Services Committee in February 2018 for two residential apartment buildings of 37 and 34 storeys on the south side of Highway 7 east of South Park Road. Times Group subsequently revised their concept in May 2019 to reduce the height of both buildings to 24 storeys, to conform to the current Buttonville Airport Height Restrictions, which have not yet received the required exceptions to allow for the taller buildings. The February 2018 recommendation report identified that cash-in-lieu of parkland would be required for the proposed development. The report also noted that parkland dedication requirements would be addressed through the Site Plan approval process.

The 34 and 37 storey tower proposal was for a combined total of 767 units. The revised site plan application for two 24 storey towers proposed a combined total of 493 units. Times Group has indicated that they are working closely with NAV Canada to get the required exceptions to the Buttonville Airport Height regulations to allow the 37 and 34 storey towers.

Times Group has indicated that they want to move forward with the two proposed 24 storey high rise apartments containing 493 units. Based on 493 units, the parkland dedication requirement is 1.197 ha. (2.957 ac.). If an agreement can be reached with NAV Canada, the site plan will be amended to show 34 and 37 storey apartment buildings, with a combined total of 767 units, which will require approximately 1.862ha. (4.601 ac.) of parkland.

As an alternative to cash in lieu, Times Group has now agreed to convey parkland on Block 46 to the City, instead of cash-in-lieu, to fulfill their parkland requirement for the proposed Block 45 high rise development.

Times Group has also reached an agreement with the York Region District School Board (YRDSB) to provide an elementary school site on part of Block 46. The YRDSB is willing to accept a site with an area of approximately 1.62 ha. (4 ac.), subject to conditions.

In addition, Times Group is planning on developing the Highway 7 frontage of Block 46 with high density condominium apartment buildings. Applications for the development of the north portion of Block 46, have not been submitted.

Table 1 below summarizes the approximate land requirements of the YRDSB for a school site and the City for parkland dedication:

Table 1

Total Area (Block 46): 8.42 ha. (20.8 ac.)
School Board Requirements from Block 46: 1.62 ha. (4 ac.)
Park Requirement for 493 unit proposal on Block 45: 1.197 ha. (2.957 ac.)
Additional Park Requirement for 767 unit proposal on Block 45: 0.665 ha. (1.64 ac.)

OPTIONS/ DISCUSSION:

City and school board staff have been working together to look for opportunities to create a community hub within the Leitchcroft area with a combined park/school block. This includes an agreement between YRDSB and Times Group to accept part of Block 46 for an elementary school. The provision of a school site by YRDSB and conveyance of a portion of Block 46 for parkland purposes to the City, will support the objective of creating a community hub, and fulfills a need for parkland within the local area.

The parkland is proposed to be conveyed to the City incrementally as development is approved. The first conveyance will be approximately 1.197 ha (2.957 ac). This will occur with the finalization of the site plan agreement for the current 493 unit, 24 storey proposal. The Legal Department is currently preparing the site plan agreement for the current proposal which will be forwarded to Times Group for execution. The site plan application for the current 493 unit proposal was endorsed on July 4, 2019. The second conveyance of 0.665 ha. (1.64 ac) will occur as a condition of approval for the 767 unit proposal, which is subject to NAV Canada approval. Times Group will be required to submit a revised site plan application and enter into an amended site plan agreement for the 767 unit proposal. The third conveyance of additional parkland will occur with the approval of future development on the north portion of Block 46.

CONCLUSION:

The proposal for parkland, for the high rise apartment development on Block 45, to be provided by the conveyance of parkland on Block 46, is desirable, and is supported by staff. Staff are recommending that all of the parkland required for the development of Blocks 45 and 46, as outlined in this report be dedicated to the City incrementally (as new development is approved) as land located in Block 46, Plan 65M-3226.

RECOMMENDED BY:

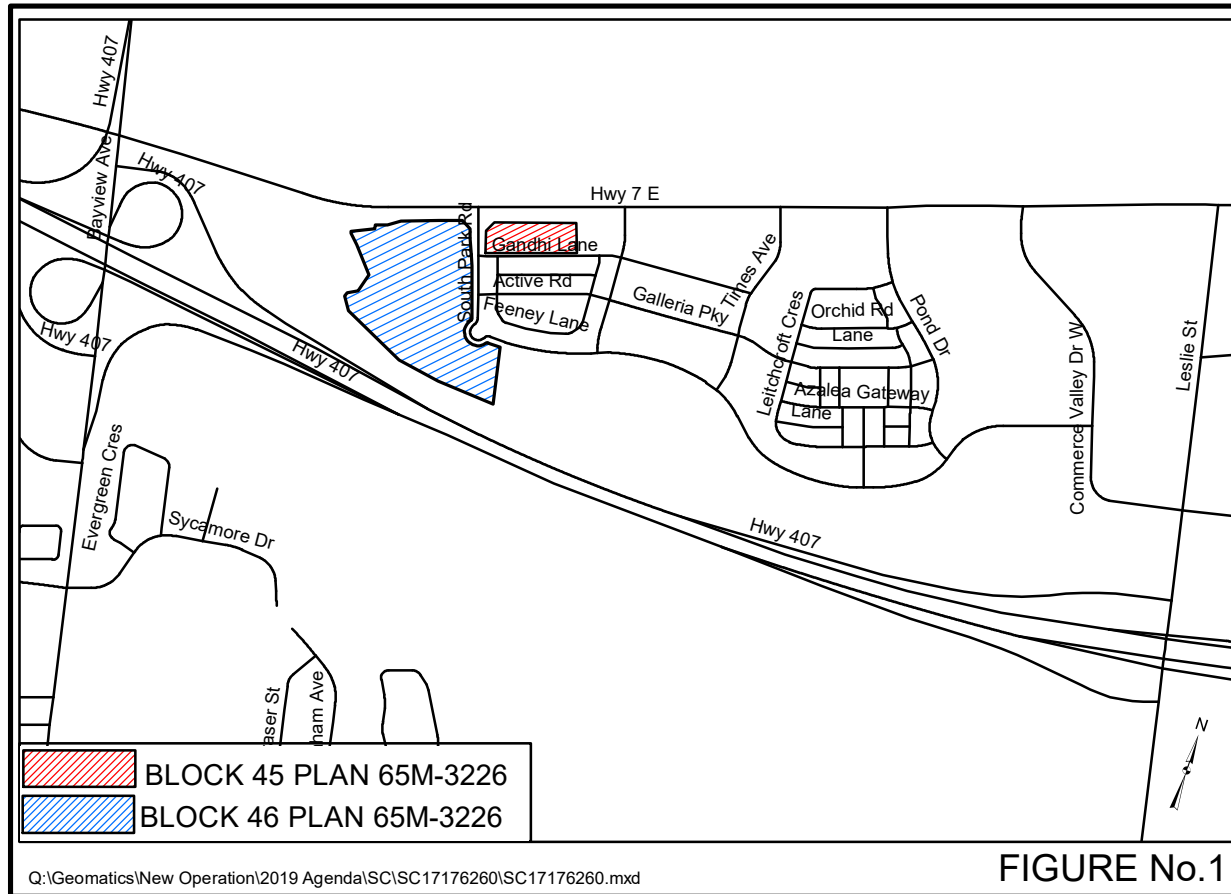
Biju Karumanchery, M.C.I.P., R.P.P.
Director of Planning and Urban Design

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

ATTACHMENTS:

Figure 1: Location Map

Figure 2: Air Photo





AERIAL PHOTO (2018)

APPLICANT: 1107656 Ontario Inc. (Times Group Inc.)
 Block 45, Plan 65m-3266, Property I.D. 84467
 SE, Corner of HWY.7 & South Park Rd.

FILE No. SC 17176260 (RC)

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MARKHAM DEVELOPMENT SERVICES COMMISSION

Drawn By: CPW

Checked By: RC

Date: 19/11/2019

FIGURE No.2

- TIMES GROUP PAVILLIA
TOWER SITE
- FUTURE PARKLAND AND YDSB
SCHOOL SITE





Report to: Development Services Committee

Meeting Date: December 9, 2019

SUBJECT: Highway 404 Ramp Extension (Aristotle Avenue) – Land Conveyance

PREPARED BY: Alain Cachola, P.Eng., Senior Manager, Infrastructure and Capital Works, Ext. 2711

RECOMMENDATION:

- 1) That the report entitled “Highway 404 Ramp Extension (Aristotle Avenue) – Land Conveyance” be received; and,
- 2) That in accordance with By-law 178-96, the lands legally described as Part of Block 9, Plan M-2029 designated as the Parts 7, 9, 10 and 14 on Reference Plan 65R-36152 (the “**Surplus Lands**”) be declared surplus to municipal purposes; and,
- 3) That subject to recommendation #2, the Mayor and Clerk be authorized to execute any documents and/or agreements required to transfer the Surplus Lands to Her Majesty the Queen in Right of the Province of Ontario represented by the Minister of Transportation for the Province of Ontario (“**MTO**”) for nominal consideration, provided that the form and content of such documents and agreements are satisfactory to the Director of Engineering and the City Solicitor; and further,
- 4) That staff be authorized and directed to do all things necessary to give effect to this resolution.

PURPOSE:

The purpose of this report is to seek Council authorization to declare the Surplus Lands surplus to the municipality and convey the same lands to MTO for nominal consideration.

BACKGROUND:

Between Highway 7 and 16th Avenue, the arterial roads were experiencing severe traffic congestion and the demand on the east-west road network is now above its capacity. The Markham Transportation Planning Study (June 2002), the Region’s Mid-Block Crossing Study (2012) and Region’s Transportation Master Study (2016) indicated that construction of a crossing of Highway 404 north of Highway 7 and a northbound ramp extension would help to achieve a better distribution of traffic demand by providing additional capacity to the network.

To address the congestion, the construction of the Highway 404 Mid-Block Crossing (Norman Bethune) and Highway 404 Ramp Extension (Aristotle Avenue) commenced in Spring 2016 and the project was completed and opened to traffic in July 2018. The project was led by York Region and cost shared between York Region, the City of Markham and the City of Richmond Hill pursuant to a tri-party agreement between the parties (the “**Tri-Party Agreement**”).

OPTIONS/ DISCUSSION:

With the completion and opening of the Highway 404 Mid-Block Crossing (Norman Bethune) and Highway 404 Ramp Extension (Aristotle Avenue) in Summer 2018, staff have been working to complete the land transfers set out in the Tri-Party Agreement. Under the Tri-Party Agreement, the City is required to convey lands forming the northbound ramp extension under the jurisdiction of MTO (“the “MTO Lands”) to MTO for road purposes.

The lands legally described as part of Block 9, Plan M-2029 designated as the Parts 6, 8, 11, 12 and 13 on Reference Plan 65R-36152 form part of the MTO Ramp and were previously declared surplus and approved for conveyance to MTO for nominal consideration when the report entitled “Highway 404 Ramp Extension (Aristotle Avenue) at Highway 7, and Highway 404 Mid-Block Crossing (Norman Bethune Avenue) between Allstate Parkway and East Beaver Creek Road” was approved by Council on November 15, 2016 (the “**2016 Report**”)

Staff are currently working with MTO to convey the lands forming the MTO Ramp to MTO. However, it was discovered that the Surplus Lands, which form part of the MTO Ramp were not declared surplus in the 2016 Report. The City is obligated in the Tri-Party Agreement to convey the Surplus Lands to MTO. Accordingly, staff recommend that the Surplus Lands be declared surplus and conveyed to MTO for nominal consideration.

FINANCIAL CONSIDERATIONS

N/A

ALIGNMENT WITH STRATEGIC PRIORITIES:

The proposed work for the mid-block crossings are required to continue to accommodate development in City of Markham and southern York Region. Therefore, the recommendations align with the City’s Strategic Plan goals of “Safe & Sustainable Community” and “Stewardship of Money & Resources”

BUSINESS UNITS CONSULTED AND AFFECTED:

Legal Department was consulted on this report.

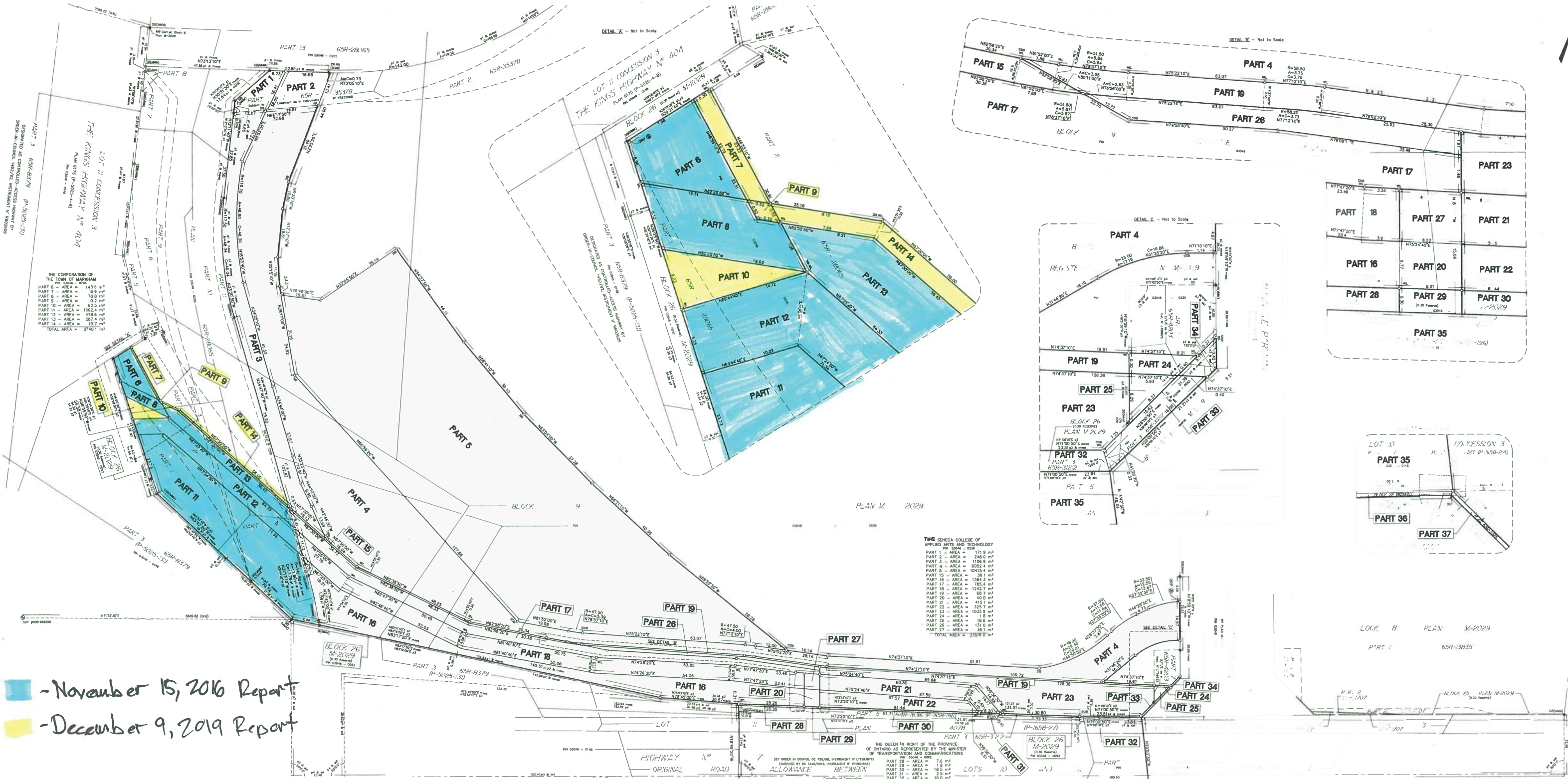
RECOMMENDED BY:

Brian Lee, P.Eng.
Director of Engineering

Arvin Prasad, MCIP, RPP
Commissioner, Development Services

ATTACHMENTS:

Attachment ‘A’ – Lands to be Conveyed





Report to: Development Services Committee

Meeting Date: December 9, 2019

SUBJECT: 2020 China Harbin International Winter Cities Conference,
January 4-7, 2020

PREPARED BY: Sandra Tam, Sr. Business Devt. Officer, ext.3883

RECOMMENDATION:

1. That the report titled, “2020 China Harbin International Winter Cities Conference, January 4-7, 2020” dated December 9, 2019, be received; and,
2. That the City of Markham be represented by Councillor Alan Ho, Chair of Culture and Economic Development Committee to attend the 2020 China Harbin International Winter Cities Conference in Harbin, China from January 4-7, 2020; and,
3. That the total cost of the business trip to attend the 2020 China Harbin International Winter Cities Conference in Harbin, China not exceed \$5,000.00 and be expensed from the 2020 Economic Alliances account 610-9985812, contingent upon Council approval of the 2020 Operating Budget; and further,
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

EXECUTIVE SUMMARY:

Not Applicable.

PURPOSE:

The purpose of this report is to request pre-budget approval for business travel for Councillor Alan Ho, Chair of Culture and Economic Development Committee to Harbin China from January 4-7, 2020 to represent Mayor Frank Scarpitti and the City of Markham at the 2020 China Harbin International Winter Cities Conference.

The Conference focuses on building international partnerships and seeking new opportunities in key sectors including sports, culture, tourism, health and senior care, as well as creative industries.

The business trip is an integral part of the City’s 10-Year Economic Strategy “Markham 2020”. It addresses the objective of building Global Markham and Branded Markham.

BACKGROUND:

On July 16, 2019, Harbin Mayor Mr. Sun Zhe extended an invitation to Mayor Frank Scarpitti to attend the International Winter Cities Conference during the 36th Ice and Snow Festival between January 4-7, 2020. Mayor Scarpitti was unavailable to attend and

has passed on the invitation to Councillor Alan Ho, Chair of Culture and Economic Development to represent him at the Conference.

Markham-Harbin Relations

Markham and Harbin relations started in 2019 when the Centre of Sustainable and Integrated Design (CSID), a Markham non-profit group that focuses on promoting international cultural and artistic exchanges organized the first Markham Ice and Snow Festival at the Markham Civic Centre from February 9 to 18, 2019. The Festival, presented in co-operation with the City of Markham, and the Harbin People's government, was inspired by the Harbin International Ice and Snow Festival, known around the world for its stunning display of breathtaking ice sculptures. Not only did the Festival introduce Markham and the Greater Toronto Area to one of the greatest winter festivals around the world, it also provided a platform for Canadian and Chinese artists to display their work, and further promote the municipal friendship between the City of Markham and the City of Harbin, China. It drew thousands of visitors to observe and appreciate the talented workmanship of ice sculptors from Harbin. Building on its success, the Centre of Sustainable and Integrated Design is planning to organize the second Markham Ice and Snow Festival in Markham in 2020.

OPTIONS/ DISCUSSION:

Markham's strong diversity has proven to be successful in inspiring innovation which leads to economic growth and cultural vibrancy. The 2020 China Harbin International Winter Cities Conference offers new opportunities for Markham to build strategic international relations, and to achieve these goals.

By participating in the Conference, Markham gains the benefit of advancing its economic development goals of building a "Branded Markham" and a "Global Markham".

2020 China Harbin International Winter Cities Conference

Hosted by the Harbin People's Government China during the 36th Ice and Snow Festival, the annual conference aims to deepen friendship and facilitate cooperation among Harbin's international sister- and friendship- cities.

Key programs include International Winter Cities Symposium, International Business and Chamber of Commerce Business Matching, "Voice of Sister Cities" Symphony Concert, Mascot Tour, International Youth Ice Hockey Invitational and International Ice and Snow Sculpture Competition.

Benefits for Markham to participate in the 2020 China Harbin International Winter Cities Conference:

1. Showcase Markham's diversity and as a global destination for arts and culture
2. Expand international awareness
3. Promote Markham as a preferred location for foreign direct investment

4. Create opportunities to build international partnership on winter sports and cultural exchanges

2020 China Harbin International Winter Cities Conference Agenda

January 4	- Registration
January 5	- International Winter Cities Symposium
	- Harbin International Ice and Snow Festival and International Winter Cities Conference Opening Ceremony
January 6	- Opening Ceremony and Opening Match of International Youth Ice Hockey Invitational
	- International Business and Chamber of Commerce Business Matching
January 7	- Return to Toronto

FINANCIAL CONSIDERATIONS

Economic Development staff estimate the costs for the business travel plans as follows:

International & Domestic Airfare	\$3,000.00
Accommodation, Local Transportation & Meals	1,500.00
<u>Marketing/Protocol Expenditure</u>	<u>500.00</u>
Total:	<u>\$5,000.00</u>

The total travel cost of \$5,000.00 to be expensed from within 2020 Economic Alliances account 610-9985812.

HUMAN RESOURCES CONSIDERATIONS

Not Applicable.

ALIGNMENT WITH STRATEGIC PRIORITIES:

This initiative is an integral part of Markham's 10-Year Economic Strategy "Markham 2020". The program addresses the objective of building Global Markham and Branded Markham.

BUSINESS UNITS CONSULTED AND AFFECTED:

Legal and Financial Services.

RECOMMENDED BY:

Stephen Chait, MPA, CMC
Director, Economic Growth, Culture &
Entrepreneurship

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

ATTACHMENTS:

- A) Harbin Mayor Sun Zhe Invitation to Mayor Frank Scarpitti, July 16, 2019.
- B) 2020 China Harbin International Winter Cities Conference Agenda



Harbin Municipal Government

哈尔滨 • 中国

MAYOR SUN ZHE
CITY OF HARBIN

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Harbin 150021 P. R. China

Tel: +86-451-8466-4730

Fax: +86-451-8466-4225

July 16th, 2019

The Honorable Mr. Frank Scarpitti,
Mayor, City of Markham, Canada

Dear Mr. Frank Scarpitti,

On behalf of Harbin Municipal People's Government and 10.98 million Harbin citizens, I would like to extend our warmest regards to you and your citizens in City of Markham.

First of all, congratulations for the successful 2019 Markham Ice & Snow Festival, which marks the friendship and cooperation between our two cities! We also thank you for sending Councillor Alan Ho to Harbin in support of our ice & snow festival in January, 2019.

Since its inception in 1985, Harbin International Ice and Snow Festival, an annual event, has become the largest Ice and Snow Festival in the world. Diverse activities covering tourism, culture, economic and trade, sports will be organized between January 4th and January 7th, including the Opening Ceremony of Harbin International Ice and Snow Festival & Ice and Snow World, International Snow Sculpture Expo, International Ice and Snow Sculptures Competition and business match-making events. The 35th Ice and Snow Festival held last year has generated 23.39 million tourists in total.

To deepen friendship and facilitate cooperation among international sister cities for win-win results, Harbin will host the International Winter Cities Conference during the 36th Ice and Snow Festival period between January 4th - 7th, 2020. During the Conference, we would like to invite winter cities, chamber of commerce and companies around the globe to participate our diverse events, including International Winter Cities Symposium, International Business and Chamber of Commerce Match-making, "Voice of Sister Cities" Symphony Concert, Mascot Tour, International Youth Ice Hockey Invitational and International Ice and Snow Sculpture Competition. By organizing these events, we hope to share experiences and resources in winter festivals, tap potential and promote cooperation between winter cities.

We will be pleased to cover the expenses of a delegation up to 5 members headed by you for 4 days stay in Harbin. Business, chambers of commerce people, artists and athletes are welcome to join our other events (see the attached introduction), whose expenses in Harbin will also be covered by us during that period. Please send the RSVP form back to us before November 1st, 2019.

Harbin, a glittering winter wonderland with vivid ice and snow sculptures, awaits your participation with open arms !

For further information, please don't hesitate to contact Cathy KAI at Harbin Foreign Affairs Office at 86-451-84664730 or hfao@sina.com

Yours Sincerely,

A handwritten signature in black ink, appearing to be '孙喆' (Sun Zhe), written in a cursive style.

Sun Zhe

Mayor of Harbin, P. R. China

2020 China Harbin International Winter Cities Conference

Agenda

Saturday 4, January 2020

All Day Registration

19:00-20:30 "Voice of Sister Cities" Symphony Concert

Sunday 5, January 2020

09:00-12:00 International Winter Cities Symposium

14:00-16:00 City Tour

17:30-19:00 Opening Ceremony & Welcoming Reception of
Harbin International Ice and Snow Festival &
International Winter Cities Conference

19:30-20:30 Opening Ceremony of Ice and Snow World
(including Mascot Tour)

Monday 6, January 2019

10:00-11:15 Opening Ceremony and Opening Match of International
Youth Ice Hockey Invitational

13:30-16:00 International Business and Chamber of Commerce
Match-making

Tuesday 7, January, 2019

All Day Departure

Major Events

I. International Winter Cities Symposium

We are expecting over 30 representatives from Harbin's sister cities, partner cities, major winter cities and organizing committee of winter festivals to attend the International Winter Cities Symposium. Themed on "Sharing Experiences in Winter Festivals and Vision for Future Development", the symposium aims to deepen understanding and seek common development of winter cities. Agenda includes 10-minute keynote speech by the Mayor of Harbin, 5-minute keynote speech by representatives from sister cities, winter cities and organizing committee of winter festivals, deliberation on International Winter Cities Initiative and group photo (10 minutes).

II. International Business and Chamber of Commerce Match-making

Targeting at inviting companies and chambers of commerce from major countries (cities) in the fields of green food, winter industry, culture&tourism, health&elderly care, mechanic manufacturing and new materials, we hope to find the right partners for Harbin businesses and find business opportunities for all the participants.

III. "Voice of Sister Cities" Symphony Concert

"Voice of Sister Cities" Symphony Concert will be held at Harbin Music Hall. Violinists, cellists, pianists, vocalists, wind instrument players and other musicians from sister cities and partner cities will be invited to perform classic music pieces together with Harbin Symphony Orchestra.

IV. International Winter Cities and Festivals Mascot Tour

Santa Claus, Bonhomme Carnaval and other sister cities' mascots will be invited to tour at the Central Pedestrian Street and Ice and Snow World to demonstrate culture of sister cities for deepening understanding and fostering friendship.

V. International Youth Ice Hockey Invitational

Ice hockey teams from Harbin's sister cities and partner cities will be invited to participate the International Youth Ice Hockey Invitational, which will include opening ceremony, all-play-all matches, closing ceremony, award ceremony and discussions among participants about training methods.

VI. International Ice and Snow Sculptures Competition

Ice and snow sculpture artists from Harbin' s sister cities, partner cities and winter cities will be invited to participate the International Ice Sculpture and Ice Assemblage Sculpture Competition held at Ice and Snow World as well as the International Snow Sculpture Competition held at Sun Island.



Report to: Development Services Committee

Meeting Date: December 9, 2019

SUBJECT: Approval to Attend the Intelligent Communities Forum Top7 Communities of 2020 Conference in Taoyuan, Taiwan

PREPARED BY: Nasir Kenea, CIO, Ext. 4733

RECOMMENDATION:

- 1) That the report dated December 9, 2019 entitled “ICF Top7 Communities of 2020 Conference in Taoyuan, Taiwan” be received; and,
- 2) That the City of Markham be represented at the Conference by Chief Information Officer, Nasir Kenea; and,
- 3) That the total cost of to attend the conference approximately in the amount of \$3,000 be funded from the 2020 Operating budget account 400 998 5200; and further,
- 4) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

PURPOSE

The purpose of this report is to request approval for business travel for Nasir Kenea, Chief Information Officer to Taoyuan, Taiwan from February 7, 2020 to February 13, 2020 to make a presentation, and to participate on behalf of Markham at the Intelligent Community Forum’s (ICF) TOP7 Communities of 2020 Conference and Announcement.

Participation in the conference will serve to enhance Markham’s profile and reputation among global intelligent communities.

BACKGROUND

The City of Markham has been named to the Intelligent Community Forum’s Smart21 Intelligent Communities of 2020. Inclusion on this list of twenty-one leading municipalities from around the world recognizes Markham’s readiness and performance in the development of inclusive prosperity, social health and cultural richness on a foundation of information and communications technology.

After further evaluation by ICF, seven of the Smart21 communities will advance and be named as the Top7 Intelligent Communities of 2020. Markham is currently preparing a submission to be considered as one of the ICF Top7 communities. The submission is due the first week of January 2020.

The announcement of the Top7 will be made on February 10, 2020 at the ICF Top7 Communities of 2020 Conference in Taiwan.

The event will bring together the founders of the ICF, representatives from Taiwanese companies and organizations along with delegates from Intelligent Communities from around the world. The agenda will include keynote speakers, panel discussions, study tours and presentations that detail leading community-based technology solutions from global communities and organizations.

OPTIONS / DISCUSSION

Markham has received an invitation to attend the conference to speak at the conference and to have its case study profiled. This represents an outstanding opportunity for the City CIO to highlight Markham's digital achievements and to share its message with a global audience.

Benefits for Markham to participate in the Conference include the following:

1. The Conference will showcase Markham as the high-tech capital of Canada and promote Markham's strong information technology and knowledge-based business sectors, as well as the excellent quality of life in our community.
2. It helps build and strengthen relationships with a broad range of municipalities and businesses, which may lead to increased cooperation, and possible investment and trade opportunities for Markham.
3. The Conference provides an international forum in which to learn and network with leading experts in the development of intelligent communities.
4. Markham has an opportunity to share its achievements in digital and Smart City initiatives, enhancing the City's international reputation.

FINANCIAL CONSIDERATIONS:

Costs related to conference registration, some accommodation, site visits and some meals will be covered by the conference organizers.

Travel expenses, ground transportation and incidentals at an estimated cost of \$3,000 will be covered from the 2020 operating budget of the ITS Department.

HUMAN RESOURCES CONSIDERATIONS:

Not Applicable

ALIGNMENT WITH STRATEGIC PRIORITIES:

This opportunity supports the Digital Markham Strategy initiative to "Create a compelling Digital Markham identity" with a focus on innovation as well as the new Building Markham's Future Together council strategy.

BUSINESS UNITS CONSULTED AND AFFECTED:

Not Applicable

RECOMMENDED BY:

Trinela Cane
Commissioner, Corporate Services