

# Revised Council Agenda

## Revised Items are Italicized.

Meeting No. 4  
March 10, 2020, 1:00 PM  
Council Chamber

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

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

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### Pages

#### 1. CALL TO ORDER

##### INDIGENOUS LAND ACKNOWLEDGEMENT

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

#### 2. DISCLOSURE OF PECUNIARY INTEREST

#### 3. APPROVAL OF PREVIOUS MINUTES

##### 3.1 COUNCIL MINUTES - FEBRUARY 25, 2020

11

1. That the Minutes of the Council Meeting held on February 25, 2020 be adopted.

#### 4. PRESENTATIONS

#### 5. DEPUTATIONS

#### 6. COMMUNICATIONS

##### 6.1 COMMUNICATIONS - LETTER FROM WUHAN MAYOR

43

Letter dated February 27, 2020 from Zhou Xianwang, Mayor of Wuhan expressing gratitude for the concern and support related to COVID-19.

1. That the letter dated February 27, 2020 from Zhou Xianwang, Mayor of Wuhan expressing gratitude for the concern and support related to COVID-19, be received.

## 7. PROCLAMATIONS

### 7.1 PROCLAMATION AND FLAG RAISING REQUESTS (3.4)

No Attachment

1. That the following proclamations, issued by the City Clerk in accordance with the City of Markham Proclamation Policy, be received for information purposes:
  - a. Day of Mourning for Workers Killed or Injured on the Job - April 28, 2020
  - b. Multiple Sclerosis Awareness Day - May 27, 2020
2. That the following new requests for proclamation be approved and added to the Five-Year Proclamations List approved by Council:
  - a. Flight of the Monarchs Day - August 22, 2020
  - b. Cherish Integrated Services Day - September 21, 2020
  - c. *World Turtle Day - May 23, 2020*
  - d. *National Feral Cat Day - October 16, 2020*
3. That the following requests for flag to be raised at the Anthony Roman Markham Civic Centre flagpole, approved by the City Clerk in accordance with the City of Markham Community Flag Raisings & Flag Protocol Policy, be received for information purposes:
  - a. Day of Mourning for Workers Killed or Injured on the Job - April 28, 2020 (Organized by the City of Markham)
  - b. Multiple Sclerosis Awareness Day - May 27, 2020 (Organized by the York Region Multiple Sclerosis Chapter)

## 8. REPORT OF STANDING COMMITTEE

### 8.1 REPORT NO. 8 - DEVELOPMENT SERVICES COMMITTEE (FEBRUARY 24, 2020)

Please refer to your February 24, 2020 Development Services Committee Agenda for reports.

Mayor and Members of Council:

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

8.1.1 PROVINCIAL CONSULTATION ON TRANSFORMING AND MODERNIZING THE DELIVERY OF ONTARIO'S BUILDING CODE SERVICES (10.13) 44

1. That the Council of the City of Markham advise the Minister of Municipal Affairs and Housing that the City of Markham;
  - a. Supports further study and consultation on how Ontario Building Code services are delivered in Ontario; and,
  - b. Supports revising the administration of the provincial qualification and registration program for all building practitioners; and,
  - c. Supports Ontario Building Code amendments that facilitate the use of Prime Consultants in Ontario; and,
  - d. Does not support the implementation of a Certified Professional program in Ontario; and,
2. That the City of Markham's Chief Building Official report back with an update before the end of 2020; and further,
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

8.1.2 FRIENDS OF THE MARKHAM MUSEUM BOARD MINUTES (OCTOBER 9, NOVEMBER 13, 2019, JANUARY 8, 2020 AND EXTRACT DATED OCTOBER 9, 2019 (16.0) 50

1. That the minutes of the Friends of the Markham Museum Board meeting held October 9, November 13, 2019 and January 8, 2020, be received for information purposes; and,
2. That Council endorse the recommendations from the October 9, 2019 Friends of the Markham Museum Board Extract:

"THAT the Collections Management Committee recommends the attached list of artifacts (Attachment B) for deaccession from the Implement Tent be approved for acceptance and submitted to the City of Markham for final approval."

8.1.3 MAKING OUR MARK. MARKHAM PUBLIC ART MASTER PLAN 2020-2024 (10.16)

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1. That the report entitled Markham's Public Art Implementation Plan 2020-2024 be received; and,
2. That the Public Art Implementation Plan 2020-2024 be approved; and,
3. That the recommended governance model be approved; and,
4. **That the interdepartmental working group established for a major public art project or historic/commemorative installation include the local ward councillor of the area in which the project or installation is planned; and further,**
5. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

8.2 REPORT NO. 9 GENERAL COMMITTEE (MARCH 2, 2020)

Please refer to your March 2, 2020 General Committee Agenda for reports.

Mayor and Members of Council:

That the report of the General Committee be received & adopted. (Items 1 and 2):

8.2.1 AWARD OF CONSTRUCTION TENDER 217-T-19 WEST THORNHILL – PHASE 3A STORM SEWER AND WATERMAIN REPLACEMENT (7.12)

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1. That the report entitled "Award of Construction Tender 217-T-19 West Thornhill – Phase 3A Storm Sewer and Watermain Replacement" be received; and,
2. That the contract for Tender 217-T-19 West Thornhill – Phase 3A Storm Sewer and Watermain Replacement be awarded to the lowest priced Bidder, Memme Excavation Company Limited in the amount of \$14,249,313.97, inclusive of HST; and,
3. That a 10% contingency in the amount of \$1,424,931.40 inclusive of HST, be established to cover any additional construction costs and that authorization to approve expending of this contingency amount up to the specified limit be in accordance with the Expenditure Control Policy; and,
4. That the construction award in the amount of \$15,674,245.37 (\$14,249,313.97 + \$1,424,931.40) be funded from the



following capital projects:

- a. 058-6150-20252-005 “West Thornhill Flood Control Implementation - Phase 3A Construction”; and,
  - b. 053-5350-20258-005 “Cast Iron Watermain Replacement – West Thornhill Phase 3A” as outlined under the financial considerations section in this report; and,
5. That the remaining funds in project #20252 “West Thornhill Flood Control Implementation - Phase 3A Construction” in the amount \$298,433.98 will not be required from the Stormwater Fee Reserve and the budget remaining in project #20258 “Cast Iron Watermain Replacement – West Thornhill Phase 3A” in the amount of \$3,623.66 will be returned to the original funding source; and,
  6. That a 5-year moratorium be placed on any major servicing and utility installation along restored areas including Morgan Avenue (Yonge St. to Henderson Ave.), Henderson Avenue (Glen Cameron Rd. to 60m north of Clark Ave.) and Clark Avenue (from Henderson Ave. to Johnson St.) and Vanwood Road; and further,
  7. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

#### 8.2.2 2019 SUMMARY OF REMUNERATION AND EXPENSES FOR COUNCILLORS AND APPOINTEES TO BOARDS (7.0) 133

1. That the report titled “2019 Summary of Remuneration and Expenses for Councillors and Appointees to Boards” be received; and,
2. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

#### 8.3 *REPORT NO. 10 - DEVELOPMENT SERVICES COMMITTEE (MARCH 9, 2020)*

##### 8.3.1 *WHITCHURCH-STOUFFVILLE HIGHWAY 48 CORRIDOR UPDATE (10.0)* 137

**Whereas the Province of Ontario has made it a priority to address the housing crisis with various measures including streamlining of development approvals; and,**

**Whereas the Province has approved the 2019 Growth Plan which**

allows for 40 ha urban boundary expansions outside the Municipal Comprehensive Review process subject to Regional approval; and,

Whereas the Town of Whitchurch-Stouffville has initiated a visioning exercise anticipating development for its lands within the Highway 48 corridor including lands within Markham at the City/Town boundary; and,

Whereas Flato Developments Inc. has submitted a request for a Minister's Zoning Order ("MZO") pursuant to section 47 of the Planning Act for 11.89 ha of its lands at the Town of Whitchurch-Stouffville and City of Markham boundary at Highway 48; and,

Whereas the Ministry of Municipal Affairs and Housing has requested input from the City on the MZO request by Flato Developments Inc. to facilitate a proposed residential development located on part of Lots 31 and 32, Concession 7, located along the Highway 48 corridor, split between the Town of Whitchurch-Stouffville and City of Markham; and,

Whereas the Town of Whitchurch-Stouffville is supportive of the MZO request; and,

Whereas the Flato Developments Inc. lands subject to the requested MZO within the City of Markham consists of a 3.5 ha parcel proposal for a range of no less than 120 to 500 purpose built rental seniors units and 34 market ownership townhouse units with accessible ground floor secondary suites; and,

Whereas the Flato Developments Inc. proposal would bring benefits to the City of Markham including rental and seniors housing.

Now therefore be it resolved:

1. That Council supports the request by Flato Developments Inc. for a MZO on the basis that the Order require a range of no less than 120 to 500 purpose built rental seniors units and 34 market ownership townhouse units with accessible ground floor secondary suites; and
2. That should the MZO be approved, the developer be required to obtain draft plan of subdivision and site plan approval and submit payment of all development application fees, including Official Plan Amendment and Zoning By-law Amendment fees; and
3. That the Minister be requested to provide that the MZO be

deemed for all purposes to be and to always have been a by-law passed by Markham Council pursuant to subsection 47(4) of the Planning Act.

4. That the Minister be requested to direct in the Order that all elements related to the residential development required by the municipality, including but not limited to parkland, amenity space, section 37 (public art) contribution, and servicing to Dickson Hill, be referred to Markham Council for approval as part of the development process; and further,
5. That this Resolution be forwarded to the Minister of Municipal Affairs and Housing, the Town of Whitchurch-Stouffville, and the Region of York.

## 9. MOTIONS

## 10. NOTICE OF MOTION TO RECONSIDER

## 11. NEW/ OTHER BUSINESS

### 11.1 ROAD DEDICATION OF EAST/WEST MUNICIPAL ROAD EAST OF MIDDLEFIELD ROAD AND NORTH/SOUTH MUNICIPAL ROAD SOUTH OF 14TH AVENUE

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(PLAN 65R-35636, PLAN 65R-35649, AND 65R-38206) (WARD 7)

1. That the report entitled “Road Dedication of East/West Municipal Road east of Middlefield Road and North/South Municipal Road south of 14th Avenue (Plan 65R-35636, Plan 65R-35649, and 65R-38206) (Ward 7)” be received; and,
2. That Part of Lot 5, Concession 7, designated as Parts 3, 4, 5 and 6, Plan 65R-35636, and Parts 1, 2 and 4 Plan 65R-35649, save and except Part 3, 65R-35649 and Part 1, 65R-38052, be dedicated as public highway and named Mumbai Drive; and,
3. That Part of Lot 5, Concession 7, designated as Part 7, Plan 65R-35636, and Parts 2 and 3, 65R-38206, save and except Part 7, Plan 65R-35649 and Part 2, 65R-38052, be dedicated as public highway and named Vanni Avenue; and,
4. That subject to recommendations 2) and 3), the City enact a By-law to dedicate these lands as part of the highways of the City of Markham, as set out in Attachment No. 3 - Road Dedication By-law 2020-\_\_\_\_; and,
5. That in accordance with By-law 178-96, the City declare Part of Lot 5, Concession 7, designated as Parts 5, 6, 7 Plan 65R-35649 and Parts 14, 15, 16, 17 Plan 65R-34398 (“Regional Road Lands”) as surplus to municipal needs; and,

6. That the Regional Road Lands be conveyed to The Regional Municipality of York for road purposes at no cost; and,
  7. That By-law 106-71 be amended to allow compulsory stops along the future Mumbai Drive and Vanni Avenue (collectively, “Municipal Roads”); and,
  8. That By-law number 2017-104 be amended to define the maximum speeds along the Municipal Roads; and,
  9. That By-law number 2005-188 be amended to Prohibit Parking along the Municipal Roads; and further,
  10. That staff be authorized and directed to do all things necessary to give effect to this resolution.
- (By-laws 2020-21 to 2020-24)

## 12. ANNOUNCEMENTS

## 13. BY-LAWS - THREE READINGS

That By-laws 2020-14 to 2020-19 be given three readings and enacted.

### Three Readings

13.1	BY-LAW 2020-14 A BY-LAW TO AMEND PARKING BY-LAW 2005-188 (65M-4355)	152
13.2	BY-LAW 2020-15 A BY LAW TO AMEND PARKING BY-LAW 2005-188 (65M-4458)	153
13.3	BY-LAW 2020-16 A BY-LAW TO AMEND STOP BY-LAW 106-71 (65M-4435)	154
13.4	BY-LAW 2020-17 A BY-LAW TO AMEND STOP BY-LAW 106-71 (65M-4458)	155
13.5	BY-LAW 2020-18 A BY-LAW TO ESTABLISH STREETS LAID OUT ACCORDING TO PLAN OF SUBDIVISION 65M-4435 AS A PUBLIC HIGHWAY PART OF LOT 12, REGISTERED PLAN 2196 (SUNRISE ACQUISITIONS (UNIONVILLE) INC.)  (Peshawar Avenue and Greenberg Gate)	156
13.6	BY-LAW 2020-19 A BY-LAW TO ESTABLISH STREETS LAID OUT ACCORDING TO PLAN OF SUBDIVISION 65M-4458 AS A PUBLIC HIGHWAY BLOCKS 249, 250, 251, 252, PLAN 65M-3840 AND PART OF LOT 10, CONCESSION 9, (LINDVEST PROPERTIES (CORNELL) LIMITED)  (Montague’s Lane and Lindcrest Manor)	157

13.7 *BY-LAW 2020-21 ROAD DEDICATION BY-LAW* 158

A by-law to dedicate certain lands as part of the highways of the City of Markham (Parts 3, 4, 5 and 6, Plan 65R-35636, and Parts 1, 2 and 4 Plan 65R-35649, save and except Part 3, 65R-35649 - Mumbai Drive and Part 7, Plan 65R-35636, and Parts 2 and 3, 65R-38206, save and except Part 7, Plan 65R-35649 - Vanni Drive)

(Item No. 11.1, New/ Other Business)

13.8 *BY-LAW 2020-22 A BY-LAW TO AMEND TRAFFIC BY-LAW 106-71* 159

To add compulsory stops at specific intersections within the City of Markham  
(Item No. 11.1, New/ Other Business)

13.9 *BY-LAW 2020-23 A BY-LAW TO AMEND SPEED BY-LAW 2017-104* 160

To establish a maximum speed limit of 40 kilometres per hour on specific streets within the City of Markham.

(Item No. 11.1, New/ Other Business)

13.10 *2020-24 A BY-LAW TO AMEND PARKING BY-LAW 2005-188* 161

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

(Item No. 11.1, New/ Other Business)

## 14. **CONFIDENTIAL ITEMS**

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

### 14.1 COUNCIL

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

### 14.2 *DEVELOPMENT SERVICES COMMITTEE (MARCH 9, 2020)*

- 14.2.1 *LITIGATION OR POTENTIAL LITIGATION, INCLUDING MATTERS BEFORE ADMINISTRATIVE TRIBUNALS, AFFECTING THE MUNICIPALITY OR LOCAL BOARD; – LPAT APPEAL - 271, 337 TO 343 AND 347 TO 357 WILLIAM FORSTER ROAD (WARD 5) [SECTION 239 (2) (e)] (8.0)*

Development Services Committee consented to place this matter on the March 10, 2020 confidential Council agenda for consideration.

- 14.2.2 *LITIGATION OR POTENTIAL LITIGATION, INCLUDING MATTERS BEFORE ADMINISTRATIVE TRIBUNALS, AFFECTING THE MUNICIPALITY OR LOCAL BOARD; LPAT APPEAL ARYEH CONSTRUCTION LIMITED (WARD 3) [SECTION 239 (2) (e)]*

Development Services Committee consented to place this matter on the March 10, 2020 confidential Council agenda for consideration.

- 14.2.3 *ADVICE THAT IS SUBJECT TO SOLICITOR-CLIENT PRIVILEGE, INCLUDING COMMUNICATIONS NECESSARY FOR THAT PURPOSE; - LANGSTAFF GATEWAY PROPERTY MATTERS (8.0) [Section 239 (2) (f)]*

Development Services Committee consented to place this matter on the March 10, 2020 confidential Council agenda for consideration.

## 15. **CONFIRMATORY BY-LAW - THREE READINGS**

That By-law 2020-20 be given three readings and enacted.

Three Readings

BY-LAW 2020-20 A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE COUNCIL MEETING OF MARCH 10, 2020.

No attachment

## 16. **ADJOURNMENT**



## Council Minutes

**Meeting Number: 3**  
**February 25, 2020, 1:00 PM**  
**Council Chamber**

Roll Call	Mayor Frank Scarpitti Deputy Mayor Don Hamilton Regional Councillor Jack Heath Regional Councillor Joe Li Regional Councillor Jim Jones Councillor Keith Irish	Councillor Reid McAlpine Councillor Karen Rea Councillor Andrew Keyes Councillor Amanda Collucci Councillor Khalid Usman Councillor Isa Lee
Regrets	Councillor Alan Ho	
Staff	Andy Taylor, Chief Administrative Officer Trinela Cane, Commissioner, Corporate Services Brenda Librecz, Commissioner, Community & Fire Services Arvin Prasad, Commissioner, Development Services Claudia Storto, City Solicitor and Director of Human Resources Biju Karumanchery, Director, Planning & Urban Design Joel Lustig, Treasurer Bryan Frois, Chief of Staff	Andrea Berry, Sr. Manager, Corp Comm & Community Engagement Kimberley Kitteringham, City Clerk Martha Pettit, Deputy City Clerk John Wong, Technology Support Specialist II Ronald Blake, Senior Manager, Planning and Urban Design Margaret Wouters, Senior Manager, Policy and Research Tanya Lewinberg, Public Realm Coordinator

**Alternate formats for this document are available upon request**

### 1. CALL TO ORDER

The meeting of Council convened at 1:10 PM on February 25, 2020 in the Council Chamber. Mayor Frank Scarpitti presided.

## **INDIGENOUS LAND ACKNOWLEDGEMENT**

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

## **2. DISCLOSURE OF PECUNIARY INTEREST**

None disclosed.

## **3. APPROVAL OF PREVIOUS MINUTES**

Moved by Deputy Mayor Don Hamilton

Seconded by Councillor Karen Rea

1. That the minutes of the February 11, 2020 Council meeting be adopted.

**Carried**

## **4. PRESENTATIONS**

There were no presentations.

## **5. DEPUTATIONS**

- 5.1 DEPUTATIONS - SUPPLEMENTARY REPORT: CITY OF MARKHAM  
COMMENTS ON YORK REGION'S DRAFT EMPLOYMENT FRAMEWORK  
– 2041 REGIONAL MUNICIPAL COMPREHENSIVE REVIEW (10.0)

The following individuals addressed Council on this matter:

1. Sam Orrico provided comments.
2. Jae Truesdell provided a presentation and comments.

(See Item 8.2.1 for Council's decision on this matter)



5.2 DEPUTATIONS - RECOMMENDATION REPORT UPTOWN GREEN GARDEN INC., FOR OFFICIAL PLAN AND ZONING BY-LAW AMENDMENTS (WARD 6) (10.3, 10.5)

The following individuals addressed Council on this matter:

1. John Law provided comments specific to noise classification.
2. Li Zhang provided comments in opposition of the rezoning.
3. Ying Jiang provided comments in opposition of the rezoning.
4. Min Zhu provided comments in opposition of the rezoning.

(See Item 8.4.1 for Council's decision on this matter)

## 6. COMMUNICATIONS

6.1 COMMUNICATION - APPLICATIONS FOR ZONING BY-LAW AMENDMENT AND DRAFT PLAN OF SUBDIVISION SUBMITTED BY CONDOR PROPERTIES LTD. TO PERMIT TWO RESIDENTIAL TOWERS OF 50 AND 45 STOREYS CONNECTED BY A 10 STOREY PODIUM AT 25, 11,9 AND 5 LANGSTAFF ROAD EAST (WARD 1) (10.5, 10.7)

Moved by Regional Councillor Jim Jones

Seconded by Councillor Keith Irish

1. That the memo dated February 25, 2020 from the Commissioner, Development Services on "Application for Zoning By-law Amendment and Draft Plan of Subdivision, submitted by Condor Properties Ltd. to permit two residential towers of 50 and 45 storeys connected by a 10 storey podium at 25, 11, 9, and 5 Langstaff Road East (Ward 1), File Nos. ZA 18 162178 and SU 18 162178"; be received, and,
2. That Draft Plan of Subdivision 19TM-18006 (SU 18 162178) submitted by Condor Properties Ltd. be approved subject to **all** the conditions attached in **revised** Appendix 'A' as may be modified by the Director of Planning and Urban Design or designate; and,
3. That Zoning By-law Amendment application (ZA 18 162178) submitted by Condor Properties Ltd. and attached as Appendix 'B' be finalized and enacted without further notice; and further,

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

(By-law 2020-11)

### **Carried as Amended**

Council had before it the following original recommendation:

1. That the memo dated February 25, 2020 from the Commissioner, Development Services on "Application for Zoning By-law Amendment and Draft Plan of Subdivision, submitted by Condor Properties Ltd. to permit two residential towers of 50 and 45 storeys connected by a 10 storey podium at 25, 11, 9, and 5 Langstaff Road East (Ward 1), File Nos. ZA 18 162178 and SU 18 162178"; be received, and,
2. That Draft Plan of Subdivision 19TM-18006 (SU 18 162178) submitted by Condor Properties Ltd. be approved subject to the conditions attached in Appendix 'A' as may be modified by the Director of Planning and Urban Design or designate; and,
3. That Zoning By-law Amendment application (ZA 18 162178) submitted by Condor Properties Ltd. and attached as Appendix 'B' be finalized and enacted without further notice; and further,
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

## **7. PROCLAMATIONS**

### **7.1 PROCLAMATION AND FLAG RAISING REQUESTS (3.4)**

Moved by Councillor Andrew Keyes

Seconded by Councillor Isa Lee

1. That the following proclamations, issued by the City Clerk in accordance with the City of Markham Proclamation Policy, be received for information purposes:
  - a. Epilepsy Awareness Month - March
  - b. Purple Day (Epilepsy Awareness) - March 26, 2020

2. That the following new request for proclamation be approved and added to the Five-Year Proclamations List approved by Council:
  - a. World Lymphedema Day - March 6, 2020

**Carried**

## **8. REPORT OF STANDING COMMITTEE**

### **8.1 REPORT NO. 5 - DEVELOPMENT SERVICES COMMITTEE (FEBRUARY 10, 2020)**

Moved by Regional Councillor Jim Jones

Seconded by Councillor Keith Irish

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

**Carried**

#### **8.1.1 RECOMMENDATION REPORT AUTHORIZATION FOR SUBMISSION OF A MINOR VARIANCE APPLICATION BY KING SQUARE LIMITED ON THE LANDS MUNICIPALLY KNOWN AS 9390 WOODBINE AVENUE (WARD 2) (10.12)**

Moved by Regional Councillor Jim Jones

Seconded by Councillor Keith Irish

1. That the report entitled “Authorization for Submission of a Minor Variance Application by King Square Limited on the lands municipally known as 9390 Woodbine Avenue (Ward 2)”, dated February 10, 2020, be received; and,
2. That in accordance with the provisions of subsections 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 variances from the provisions of Zoning By-law 2019-35, before the second anniversary of the day on which the by-law was approved by Council; and further,
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**Carried**

8.1.2 RECOMMENDATION REPORT APPLICATIONS FOR OFFICIAL PLAN AND ZONING BY-LAW AMENDMENTS SUBMITTED BY KINGSBERG WARDEN DEVELOPMENTS INC. TO PERMIT AN 8-STOREY, 91 UNIT RESIDENTIAL BUILDING ON THE LANDS MUNICIPALLY KNOWN AS 3882 HIGHWAY 7 EAST (WARD 3) (10.3, 10.5)

Moved by Regional Councillor Jim Jones

Seconded by Councillor Keith Irish

1. That the report entitled “RECOMMENDATION REPORT, Applications for Official Plan and Zoning By-law Amendments submitted by Kingsberg Warden Developments Inc. to permit an 8-storey, 91 unit residential building on the lands municipally known as 3882 Highway 7 East (Ward 3)”, dated February 10, 2020, be received; and,
2. That the Official Plan Amendment application submitted by Kingsberg Warden Developments Inc., to amend the 2014 Official Plan, be approved, and that the draft Official Plan Amendment attached as Appendix ‘A’ be finalized and adopted without further notice; and,
3. That the Zoning By-law Amendment application submitted by Kingsberg Warden Developments Inc., to amend Zoning By-law 118-79, as amended, be approved and that the draft Zoning By-law Amendment attached as Appendix ‘B’ be finalized and enacted without further notice; and further,
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

(By-laws 2020-8 and 2020-9)

**Carried**

8.1.3 AWARD OF RFP 195-R-19 CONSULTING ENGINEERING SERVICES FOR A MUNICIPAL CLASS ENVIRONMENTAL ASSESSMENT STUDY FOR ELGIN MILLS ROAD FROM PRINCE REGENT STREET TO MCCOWAN ROAD (WARDS 2, 5 AND 6) (5.7)

Moved by Regional Councillor Jim Jones

Seconded by Councillor Keith Irish

1. That the report entitled “Award of RFP 195-R-19 Consulting Engineering Services for a Municipal Class Environmental Assessment Study for Elgin Mills Road from Prince Regent Street to McCowan Road (Wards 2, 5 and 6)”, be received; and,
2. That the Contract for RFP 195-R-19 Consulting Engineering Services for a Municipal Class Environmental Assessment Study for Elgin Mills Road from Prince Regent Street to McCowan Road be awarded to the highest ranked lowest priced bidder, Cole Engineering Group Limited in the amount of \$482,292.64, inclusive of HST; and,
3. That a 10% contingency in the amount of \$48,229.26, inclusive of HST, be established to cover any additional costs to deliver the Municipal Class EA Project and that authorization to approve expenditures of this contingency amount up to the specified limit be in accordance with the Expenditure Control Policy; and,
4. That an allowance in the amount of \$61,056.00, inclusive of HST, be established for permits and additional fees that may be required as part of the study; and,
5. That the Engineering Department Capital Administration Fee in the amount of \$71,242.01, inclusive of HST, be transferred to Revenue Account 640-998-8871 (Capital Admin Fees); and,
6. That the project cost of \$662,819.91 ( $\$482,292.64 + \$48,229.26 + \$61,056.00 + \$71,242.01$ ) inclusive of HST, be funded from capital account 640-101-5699-19033 (Elgin Mills Municipal Class Environmental Assessment Study) with budget available of \$567,000; and
7. That the budget shortfall in the amount of \$95,819.91 ( $\$567,000 - \$662,819.91$ ) be funded from the Development Charges Reserve; and
8. That the Regional Municipality of York be informed of Council’s decision; and further,

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

**Carried**

8.2 REPORT NO. 6 - SPECIAL DEVELOPMENT SERVICES COMMITTEE  
(FEBRUARY 11, 2020)

Moved by Regional Councillor Jim Jones

Seconded by Councillor Keith Irish

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

**Carried**

8.2.1 SUPPLEMENTARY REPORT: CITY OF MARKHAM COMMENTS  
ON YORK REGION'S DRAFT EMPLOYMENT FRAMEWORK – 2041  
REGIONAL MUNICIPAL COMPREHENSIVE REVIEW (10.0)

Christine Cote, representing SmartCentres appeared before Council providing clarification. Sandra Wiles also representing the applicant provided comments.

Council had before it the following original recommendation for consideration:

1. That the report entitled "Supplementary Report: City Of Markham Comments on York Region's Draft Employment Framework – 2041 Regional Municipal Comprehensive Review" dated February 11, 2020 be received; and,
2. **That the deputations of Christine Cote, Sandra Wiles, Sam Balsamo, Kate Cooper, Dagmar Teubner, Patrick Kerney, and Randy Peddigrew be received; and,**
3. **That the communications submitted by Dagmar Teubner be received; and,**
4. That the February 11, 2020 report entitled "Supplementary Report: City Of Markham Comments on York Region's Draft Employment Framework – 2041 Regional Municipal Comprehensive Review, which includes the report dated September 23, 2019 entitled "City of Markham Comments on York Region's Draft Employment

Framework – 2041 Regional Comprehensive Review” attached as Appendix ‘A’, as well as the direction from Development Services Committee regarding 11 requests for employment land conversion, be forwarded to York Region as Markham Council’s input to date on the Region’s 2041 Municipal Comprehensive Review; and,

5. That Council not support the request submitted by Markham Woodmills Developments Inc. for conversion of the employment lands located at the northeast corner of Highway 404 and Elgin Mills Road; and,
  - a. **That staff be directed to work with the landowner to identify a broader range of potential non-residential uses for the subject lands; and,**
6. That Council support the request submitted by 1628740 Ontario Inc. and 1628741 Ontario Inc. for conversion of the employment lands located at 2718 and 2730 Elgin Mills Road, subject to confirmation by York Region that no access to the employment lands along Highway 404 immediately to the west of the subject lands is possible from Elgin Mills Road through the subject lands; and,
  - a. **That staff be directed to work with the landowner to identify a broader range of potential non-residential uses for the subject lands; and,**
7. That Council support the following employment land conversion requests, subject to the respective landowners entering into an agreement with the City of Markham for submissions of Official Plan and Zoning-By-law amendment applications contemplating the provision of affordable purpose-built rental and seniors housing as well as retention of employment uses, prior to ultimate consideration of the conversion requests by York Region Council:
  - a. **Condor Properties Ltd., 2920 16<sup>th</sup> Avenue;**
  - b. **King Square Ltd., 136 Markland Street; and,**
  - c. **Neamsby Investments Inc., 5821 to 5933 14<sup>th</sup> Avenue; and,**
8. **That Council's consideration of the request submitted by The Wemat Group for conversion of the employment lands located at the southwest corner of Highway 7 and Highway 404 be postponed to allow for the submission of an appropriate revised development**

**concept plan prior to ultimate consideration of the conversion request by York Region Council; and,**

9. **That Council's consideration of the request submitted by Belfield Investments for conversion of the employment lands located at the southwest corner of Highway 407 and Woodbine Avenue not be supported at this time, but that the potential for mixed use development on the lands be evaluated through a future study of the larger area context; and,**
10. That Council's consideration of the following requests for conversion of employment lands to a non-employment land use be postponed and evaluated through secondary plan studies:
  - a. **Meadow Park Investments, 77 Anderson Avenue, as well as the additional parcels in the Mount Joy Business Park;**
  - b. **Wu's Landmark/First Elgin Mills Developments Inc., 10900 Warden Avenue & 3450 Elgin Mills Road;**
  - c. **Cornell Rouge Development Corporation, Varlese Brothers Limited, 2432194 Ontario Inc., and 2536871 Ontario Inc., 7386-7482 Highway 7, 8600-8724 Reesor Road; and**
  - d. **Norfinch Construction (Toronto) Ltd., 7845 Highway 7; and,**
11. **That Council support the request for conversion of employment lands submitted by Primont Homes and Cornell Rouge Development Corp. (Part of Lot 11, Concession 9); and,**
12. That Council not support the consideration of the following additional request for the conversion of employment area lands to a non-employment land use as described in Appendix 'B' to the February 11, 2020 report, in the 2041 Regional Municipal Comprehensive Review:
  - a. **Varmo Investment Company, 108, 111-113, 112-118 Doncaster Ave; and,**
13. That Council support the staff-initiated conversion of the following additional employment areas lands for non-employment uses, as described in the September 23, 2019 report attached as Appendix 'A' to this report, as follows:
  - a. **The parcel(s) municipally known as 110 Copper Creek Drive in Box Grove, as described in Appendix 'E' to the September 23, 2019 report; and further,**



14. That staff be authorized and directed to do all things necessary to give effect to the resolution.

Moved by Councillor Keith Irish

Seconded by Regional Councillor Joe Li

1. **That staff report back to the Development Services Committee with respect to clause no. 5 :**

**"5. That Council not support the request submitted by Markham Woodmills Developments Inc. for conversion of the employment lands located at the northeast corner of Highway 404 and Elgin Mills Road; and,**

- a. **That staff be directed to work with the landowner to identify a broader range of potential non-residential uses for the subject lands; and, "**

**Carried**

Moved by Councillor Reid McAlpine

Seconded by Councillor Karen Rea

That staff report back to the Development Services Committee with respect to clause no. 6:

6. That Council support the request submitted by 1628740 Ontario Inc. and 1628741 Ontario Inc. for conversion of the employment lands located at 2718 and 2730 Elgin Mills Road, subject to confirmation by York Region that no access to the employment lands along Highway 404 immediately to the west of the subject lands is possible from Elgin Mills Road through the subject lands; and,

- a. That staff be directed to work with the landowner to identify a broader range of potential non-residential uses for the subject lands; and,

**Lost**

Moved by Regional Councillor Jim Jones

Seconded by Councillor Keith Irish

1. That the report entitled “Supplementary Report: City Of Markham Comments on York Region’s Draft Employment Framework – 2041 Regional Municipal Comprehensive Review” dated February 11, 2020 be received; and,
2. That the deputations of Christine Cote, Sandra Wiles, Sam Balsamo, Kate Cooper, Dagmar Teubner, Patrick Kerney, and Randy Peddigrew at the February 11, 2020 Special Development Services Committee meeting be received; and,
3. **That the deputations of Sam Orrico and Jae Truesdell at the February 25, 2020 Council meeting be received; and,**
4. That the communications submitted by Dagmar Teubner be received; and,
5. That the February 11, 2020 report entitled “Supplementary Report: City Of Markham Comments on York Region’s Draft Employment Framework – 2041 Regional Municipal Comprehensive Review, which includes the report dated September 23, 2019 entitled “City of Markham Comments on York Region’s Draft Employment Framework – 2041 Regional Comprehensive Review” attached as Appendix ‘A’, as well as the direction from Development Services Committee regarding 11 requests for employment land conversion, be forwarded to York Region as Markham Council’s input to date on the Region’s 2041 Municipal Comprehensive Review; and,
6. That Council support the request submitted by 1628740 Ontario Inc. and 1628741 Ontario Inc. for conversion of the employment lands located at 2718 and 2730 Elgin Mills Road, subject to confirmation by York Region that no access to the employment lands along Highway 404 immediately to the west of the subject lands is possible from Elgin Mills Road through the subject lands; and,
  - a. That staff be directed to work with the landowner to identify a broader range of potential non-residential uses for the subject lands; and,
7. That Council support the following employment land conversion requests, subject to the respective landowners entering into an agreement with the City of Markham for submissions of Official Plan

and Zoning-By-law amendment applications contemplating the provision of affordable purpose-built rental and seniors housing as well as retention of employment uses, prior to ultimate consideration of the conversion requests by York Region Council:

- a. Condor Properties Ltd., 2920 16<sup>th</sup> Avenue;
  - b. King Square Ltd., 136 Markland Street; and,
  - c. Neamsby Investments Inc., 5821 to 5933 14<sup>th</sup> Avenue; and,
8. That Council's consideration of the request submitted by The Wemat Group for conversion of the employment lands located at the southwest corner of Highway 7 and Highway 404 be postponed to allow for the submission of an appropriate revised development concept plan prior to ultimate consideration of the conversion request by York Region Council; and,
  9. That Council's consideration of the request submitted by Belfield Investments for conversion of the employment lands located at the southwest corner of Highway 407 and Woodbine Avenue not be supported at this time, but that the potential for mixed use development on the lands be evaluated through a future study of the larger area context; and,
  10. That Council's consideration of the following requests for conversion of employment lands to a non-employment land use be postponed and evaluated through secondary plan studies:
    - a. Meadow Park Investments, 77 Anderson Avenue, as well as the additional parcels in the Mount Joy Business Park;
    - b. Wu's Landmark/First Elgin Mills Developments Inc., 10900 Warden Avenue & 3450 Elgin Mills Road;
    - c. Cornell Rouge Development Corporation, Varlese Brothers Limited, 2432194 Ontario Inc., and 2536871 Ontario Inc., 7386-7482 Highway 7, 8600-8724 Reesor Road; and
    - d. Norfinch Construction (Toronto) Ltd., 7845 Highway 7; and,
  11. That Council support the request for conversion of employment lands submitted by Primont Homes and Cornell Rouge Development Corp. (Part of Lot 11, Concession 9); and,

12. That Council not support the consideration of the following additional request for the conversion of employment area lands to a non-employment land use as described in Appendix 'B' to the February 11, 2020 report, in the 2041 Regional Municipal Comprehensive Review:
  - a. Varmo Investment Company, 108, 111-113, 112-118 Doncaster Ave; and,
13. That Council support the staff-initiated conversion of the following additional employment areas lands for non-employment uses, as described in the September 23, 2019 report attached as Appendix 'A' to this report, as follows:
  - a. The parcel(s) municipally known as 110 Copper Creek Drive in Box Grove, as described in Appendix 'E' to the September 23, 2019 report; and further,
14. That staff be authorized and directed to do all things necessary to give effect to the resolution.

**Carried as Amended**

Moved by Councillor Keith Irish  
 Seconded by Deputy Mayor Don Hamilton

1. That the matter on "Supplementary Report: City Of Markham Comments on York Region's Draft Employment Framework – 2041 Regional Municipal Comprehensive Review" be brought forward for consideration following Deputations.

**Carried**

### 8.3 REPORT NO. 7 - GENERAL COMMITTEE (FEBRUARY 18, 2020)

Moved by Regional Councillor Jack Heath  
 Seconded by Councillor Andrew Keyes

That the report of the General Committee be received & adopted, save and except for Item Nos. 8.3.2 and 8.3.3:

**Carried**

### 8.3.1 TRANSFER OF UNCLAIMED REFUNDABLE SECURITY DEPOSITS (7.0)

Moved by Regional Councillor Jack Heath

Seconded by Councillor Andrew Keyes

1. That the report entitled, “Transfer of Unclaimed Refundable Security Deposits” be received; and,
2. That the Treasurer be authorized to transfer unclaimed security deposits, up to the amount of \$773,000.00, representing deposits placed prior to December 31, 2014 for undertakings, to the Corporate Rate Stabilization Reserve; and,
3. That the cost incurred to place the Public Notice, exclusive of HST, be offset against the refundable security deposits to be transferred to the City’s reserve; and,
4. That the Treasurer be authorized to transfer future unclaimed security deposits to the Corporate Rate Stabilization Reserve; and,
5. That the Treasurer be authorized to release any security deposits, from the Corporate Rate Stabilization Reserve in the event of a future, eligible, refund claim; and further,
6. That staff be authorized and directed to do all things necessary to give effect to this resolution.

**Carried**

### 8.3.2 ROADSIDE DITCH ALTERATION POLICY (5.0)

Moved by Regional Councillor Jack Heath

Seconded by Councillor Andrew Keyes

1. That the report entitled “Roadside Ditch Alteration Policy”, dated February 18, 2020, be received; and,
2. That the presentation entitled “Roadside Ditch Alteration Policy”, dated February 18, 2020, be received; and,
3. That Council adopt the Roadside Ditch Alteration Policy, as presented in “Attachment “A””; and,
4. That Council approve amendment to the Road Occupancy By-law 2018-109 as deemed necessary by the City Solicitor and the

Commissioner of Fire and Community Service to implement the Roadside Ditch Alteration Policy; and,

5. That the ditch restoration program be implemented starting in year 2021; and further,
6. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**Carried**

### 8.3.3 CREATING A COMPETITIVE ECONOMY / RAIL INTEGRATED COMMUNITIES (RICs) (5.0)

Moved by Regional Councillor Jim Jones

Seconded by Councillor Andrew Keyes

Council consented to review a revised resolution as follows:

**Whereas, the City of Markham strives, where feasible, to create complete mixed-use, high density Rail Integrated Communities (RIC) at rail stations as part of its development objectives; and,**

**Whereas, City of Markham's desire is to create a rail transit corridor that provides for a range of housing and economic development opportunities and investment that results in a high quality of life, walkable communities, reduced transit commute times, reduced gridlock and a smaller carbon footprint; and,**

**Whereas, strategically planned, rail transit corridors creates a framework to guide change and sustainable growth over the next 40 years by transforming the Stouffville, Richmond Hill and Barrie GO transit lines from regional commuter heavy rail transit network to an urban high frequency urban metro light rapid rail service; and,**

**Whereas, Rail Integrated Communities are key to changing development patterns at all GO, subway and 407 Transitway stations; and,**

**Whereas, the Province has indicated that future GO, subway and 407 Transitway development will be based on re-purposing lands to their highest and best use in partnership with the private sector, development industry, investors and pension funds; and,**

**Whereas, Vancouver's Canada Line currently accommodates 150,000 boardings per day, with two-car driverless electric trainsets, 40-50m station platforms and a frequency of 18 trains per hour, and growing to 250,000 boardings per day over the next 6-7 years with system improvements and future growth plans; and,**

**Whereas the Richmond Hill GO line has 10,500 boardings per day with 10 car double decker trainsets; and,**

**Whereas the Stouffville and Barrie lines each have 18,000 boardings per day with 12 car double decker trainsets with 300m station platforms; and,**

**Whereas, the GO rail transit network has the potential for substantial increases in ridership, greater efficiency and a better return on investment; and,**

**Whereas, rail integrated community stations provide convenient access to the urban metro light rapid rail system, better utilizes surrounding lands for development versus parking lots, and when combined with first and last-mile (FMLM) solutions, reduces the 11 billion dollars of lost economic productivity caused by gridlock in the Greater Toronto Area; and,**

**Whereas, the goal is to achieve 200,000 boardings per day for each of the Stouffville, Richmond Hill and Barrie GO lines by 2041;**

**Now therefore, be it resolved:**

- 1. That the current/future stations in the three GO rail transit corridors in York Region be strategically planned as complete Rail Integrated Communities that are scalable, attractive, utilizing state-of-the-art technological solutions, including district energy, central garbage collection system, utilidor (underground efficient multi-utility corridor), frictionless technology solutions (IoT), integrated urban schools, urban vertical farming and a 20 per cent affordable housing strategy which in total could reduce the cost of living by 20-30 per cent; and,**
- 2. That the Government of Ontario be requested to initiate the planning process to re-purpose the GO Transit lines through York Region, creating rail integrated communities, supported by urban high frequency rapid rail service; with shorter electric trainsets, shorter station platforms, more rail stations with a frequency of 3-**

**5 minute service in peak times and 6-12 minute in non-peak times in collaboration with Metrolinx, York Region, and the cities of Toronto, Markham, Vaughan and Richmond Hill; and,**

- 3. That capital financing for stations could be generated from, but not limited to: development charges, land value capture, condo transit fee uplift, investors, pension fund investments and Tax Incremental Financing; and,**
- 4. That all RIC stations identified in the attached map be seriously considered for a range of 5.0-12.0 FSI and that the final plans, when adopted, be included in the Official Plans of the respective municipalities; and,**
- 5. That a copy of this resolution be forward to York Region and the cities of Toronto, Vaughan and Richmond Hill for their endorsement and partnership in achieving these objectives; and further,**
- 6. That a copy of this resolution and presentation materials be forwarded to:**
  - a. The Honourable Doug Ford, Premier of Ontario;**
  - b. The Honourable Christine Elliott, Deputy Premier and Minister of Health;**
  - c. The Honourable Rod Phillips, Minister of Finance;**
  - d. The Honourable Victor Fedeli, Minister of Economic Development, Job Creation & Trade;**
  - e. The Honourable Stephen Lecce, Minister of Education;**
  - f. The Honourable Caroline Mulroney, Minister of Transportation & Francophone Affairs;**
  - g. The Honourable Jeff Yurek, Minister of the Environment, Conservation and Parks;**
  - h. The Honourable Greg Rickford, Minister of Energy, Minister of Indigenous Affairs;**
  - i. The Honourable Paul Calandra, Government House Leader;**
  - j. The Honourable Steve Clark, Minister of Municipal Affairs and Housing;**



- k. **The Honourable Laurie Scott, Minister of Infrastructure Ontario;**
- l. **The Honourable Andrea Horwath , Leader of the Official Opposition, Ontario New Democratic Party;**
- m. **The Honorable John Fraser, Ontario Liberal Party;**
- n. **The Honorable Mike Schreiner, Green Party of Ontario; and,**
- o. **All York Region MPPs, and MPs.**

**Carried as Amended**

Council had before it the following original recommendation for consideration:

Whereas City of Markham planning strives to create complete, mixed-use, high-density, Rail Integrated Communities (RICs) at its rail stations as part of its development objectives to create a competitive and balanced economy, high quality of life, walkable communities, reduced commuter times, reduced gridlock, and reduced carbon footprint; and,

Whereas Rail Integrated Communities (RICs) are key to changing development patterns by creating mixed-us high-rise communities at GO Transit, subway and 407 Transitway stations; and,

Whereas Rail Integrated Communities (RICs) present the opportunity to incorporate 20 per cent affordable housing into these areas by re-purposing the 407 hydro corridor transmission lands and GO Transit station parking lots; and,

Whereas Rail Integrated Communities (RICs) allow the development of autonomous vehicle First Mile/Last Mile strategy at transit stations; and,

Whereas the Province of Ontario has indicated that future GO Transit, subway, and 407 Transitway development will be based on re-purposing the lands to their highest and best use in partnership with the private sector development industry, investors, and pension funds; and,

Whereas Vancouver's Canada Line currently has 150,000 boardings per day with two-car driverless electric trainsets, 40-50m station platforms, and a frequency of 18 trains per hour; and,

Whereas the Richmond Hill GO line has 10,500 boardings per day with 10 car double-decker trainsets; and,

Whereas the Stouffville and Barrie GO lines have 18,000 boardings per day with 12-car double-decker trainsets with 300m station platforms; and further,

Whereas the GO rail transit network is an underperforming government asset, as almost all of the GO stations in the Greater Toronto Area (GTA) are predominantly parking lots filled with cars that significantly contributed to the 11 billion dollars of lost economic productivity by gridlock, and the GO Transit network does not have enough stations surrounded by office, retail, and residential development nor enough frequency of rail transit service, and each GO Transit corridor should be planned to achieve ridership of 200,000 boardings per day for the Stouffville, Richmond Hill, and Barrie lines;

Therefore, be it resolved:

1. That current and future stations in the three GO rail transit corridors in York Region be strategically planned as complete Rail Integrated Communities (RICs) (i.e., as scalable, attractive rail integrated communities throughout York Region that could include district energy, central garbage collection systems, utility corridors, Internet of Things, and urban vertical farming which could create communities that reduce the cost of living by 20-30 per cent); and,
2. That the Government of Ontario and Metrolinx be requested to support the re-purposing of the GO Transit lines throughout York Region, transitioning them to more subway-style services with shorter electric trainsets, shorter station platforms, more rail stations with a frequency of 3-5 minutes service in peak times and 6-12 minute service in non-peak times; and,
3. That Metrolinx be requested to complete upgrades to the GO rail network, allowing all Rail Integrated Communities (RICs) to have similar functionality, scalability, and be spatially planned; and,
4. That all station areas included in the attached rail transit station map be included in York Region's Municipal Comprehensive Review; and,

5. That financing for these stations be from development charges, up-zoning, re-purposing land, condo transit fee uplift, investors, pension fund investments, and Tax Increment Financing (TIF); and,
6. That the Province of Ontario be requested to support the development of scalable, Rail Integrated Communities (RICs) throughout York Region; and,
7. That a copy of this resolution be forwarded to the councils of the City of Richmond Hill and City of Vaughan for their endorsement and partnership in achieving these objectives; and further,
8. That a copy of this resolution be forwarded to:
  - a. the Honourable Doug Ford, Premier of Ontario;
  - b. the Honourable Christine Elliott, Deputy Premier and Minister of Health;
  - c. the Honourable Rod Phillips, Minister of Finance;
  - d. the Honourable Victor Fedeli, Minister of Economic Development, Job Creation and Trade;
  - e. the Honourable Stephen Lecce, Minister of Education;
  - f. the Honourable Caroline Mulroney, Minister of Transportation & Francophone Affairs;
  - g. the Honourable Jeff Yurek, Minister of the Environment, Conservation and Parks;
  - h. the Honourable Greg Rickford, Minister of Energy, Mines, Northern Development and Indigenous Affairs;
  - i. the Honourable Todd Smith, Minister of Children, Community and Social Services;
  - j. the Honourable Steve Clark, Minister of Municipal Affairs and Housing;
  - k. the Honourable Laurie Scott, Minister of Infrastructure Ontario;
  - l. all Members of Parliament and Members of Provincial Parliament in the Regional Municipality of York; and,
  - m. the Council of the Regional Municipality of York.

8.4 REPORT NO. 8 - DEVELOPMENT SERVICES COMMITTEE (FEBRUARY 24, 2020)

Moved by Regional Councillor Jim Jones

Seconded by Councillor Keith Irish

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

**Carried**

8.4.1 RECOMMENDATION REPORT UPTOWN GREEN GARDEN INC., FOR OFFICIAL PLAN AND ZONING BY-LAW AMENDMENTS AND SITE PLAN APPROVAL TO PERMIT A NINE (9) STOREY MIXED USE BUILDING ON THE WEST SIDE OF KENNEDY ROAD, NORTH OF 16TH AVENUE (9332 TO 9346 KENNEDY ROAD, FILE NOS. OP 18 182671, ZA 18 182671 AND SPC 19 132197 (WARD 6) (10.3, 10.5)

Discussion on this matter ensued.

Moved by Regional Councillor Jim Jones

Seconded by Councillor Keith Irish

1. That the report titled “ RECOMMENDATION REPORT, Applications Uptown Green Garden Inc., for Official Plan and Zoning By-law Amendments and Site Plan Approval to permit a nine (9) storey mixed use building on the west side of Kennedy Road, north of 16th Avenue, 9332 to 9346 Kennedy Road, File Nos. OP 18 182671, ZA 18 182671 and SPC 19 132197 (Ward 6)” be received; and,
2. **That the deputations of John Law, Li Zhang, Ying Jiang, and Min Zhu at the February 25, 2020 Council meeting be received, and,**
3. That the Official Plan Amendment application submitted by Uptown Green Garden Inc., to amend the 2014 Official Plan, be approved by Council, and that the draft Official Plan Amendment attached as Appendix ‘A’ be finalized and adopted by Council; and,
4. That the amendments to Zoning By-laws 304-87 and 177-96, as amended be approved and the draft implementing Zoning By-law, attached as Appendix ‘B’, be finalized and enacted, without further notice; and,

5. That the Site Plan application by Uptown Green Garden Inc., be endorsed in principle, subject to the Conditions attached as Appendix 'C' and subject to any refinements as required by the Design Review Panel; and,
6. **That prior to final site plan approval, staff will investigate and determine what additional noise mitigation measures, if any, can be put in place and that Council be advised through a memorandum on the status, and,**
7. That the approval of the Site Plan application be delegated to the Director of Planning and Urban Design or his designate once further refinements to the building elevations have been provided to the satisfaction of the City Architect; and,
8. That site plan endorsement shall lapse after a period of three (3) years from the date of endorsement, in the event that the site plan agreement is not executed within that period; and,
9. 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,
10. That servicing allocation for two hundred and sixty nine (269) dwelling units be assigned to the subject development; and,
11. That the City reserves the right to revoke or reallocate servicing allocation should the development not proceed in a timely manner; and,
12. That the proposed mixed use development be designated a Class 4 area to allow for the implementation of "on building" noise control measures to mitigate sound level excesses on the building emanating from the existing Unionville Montessori Private School site located at 4484 16<sup>th</sup> Avenue; and further,
13. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

(By-laws 2020-12 and 2020-13)

**Carried as Amended**

Council consented to add the following clause:

- **That prior to final site plan approval, staff will investigate and determine what additional noise mitigation measures, if any, can be put in place and that Council be advised through a memorandum on the status,**

Moved by Councillor Amanda Collucci

Seconded by Councillor Karen Rea

1. That the matter on "RECOMMENDATION REPORT, Applications Uptown Green Garden Inc., for Official Plan and Zoning By-law Amendments and Site Plan Approval to permit a nine (9) storey mixed use building on the west side of Kennedy Road, north of 16th Avenue, 9332 to 9346 Kennedy Road, File Nos. OP 18 182671, ZA 18 182671 and SPC 19 132197 (Ward 6)" be brought forward for consideration following Deputations.

**Carried**

**9. MOTIONS**

There were no motions.

**10. NOTICE OF MOTION TO RECONSIDER**

There were no notices of motion to reconsider.

## 11. NEW/OTHER BUSINESS

### 11.1 RECOMMENDATION FROM THE DECEMBER 4, 2019 LICENSING COMMITTEE HEARING (18 BROOKFIELD COURT) (2.0)

Regional Councillor Jim Jones left the meeting during the discussion of this item.

Moved by Councillor Karen Rea

Seconded by Councillor Andrew Keyes

1. That the application to remove one (1) Black Walnut Tree at 18 Brookfield Court, Markham, be approved; and,
2. That the applicant provide for four (4) replacement trees on the property of 18 Brookfield Court or any other private property in Markham, and in a size and native species deemed appropriate by staff, by September 30, 2020, or provide a cash-in-lieu payment of **\$300.00** per tree; and further,
3. That the recommendations are based on the unique characteristics of this case only and are not intended to be precedent setting nor to be used as a basis for future cases.

**Carried as Amended**

Council consented to reduce the cash-in-lieu payment from \$600 to \$300 per tree.

Moved by Councillor Karen Rea

Seconded by Regional Councillor Jim Jones

1. That the matter on "Recommendation From The December 4, 2019 Licensing Committee Hearing (18 Brookfield Court)" be brought forward for consideration following Deputations.

**Carried**

Council had before it the following original recommendation for consideration:

1. That the application to remove one (1) Black Walnut Tree at 18 Brookfield Court, Markham, be approved; and,
2. That the applicant provide for four (4) replacement trees on the property of 18 Brookfield Court or any other private property in Markham, and in a size and native species deemed appropriate by staff, by September 30, 2020, or provide a cash-in-lieu payment of \$600.00 per tree; and further,

3. That the recommendations are based on the unique characteristics of this case only and are not intended to be precedent setting nor to be used as a basis for future cases.

#### 11.2 RECOMMENDATION FROM THE DECEMBER 4, 2019 LICENSING COMMITTEE HEARING (16 HAMMOK CRESCENT) (2.0)

Regional Councillor Jim Jones returned to the meeting.

Deputy Mayor Don Hamilton left the meeting during the discussion of this item.

Moved by Councillor Andrew Keyes

Seconded by Councillor Amanda Collucci

1. That the application to remove one (1) Austrian Pine at 16 Hammok Crescent, Markham, be approved; and,
2. That the applicant provide for four (4) replacement trees on the property of 16 Hammok Crescent or any other private property in Markham, and in a size and native species deemed appropriate by staff, by September 30, 2020, or provide a cash-in-lieu payment of **\$300.00** per tree; and further,
3. That the recommendations are based on the unique characteristics of this case only and are not intended to be precedent setting nor to be used as a basis for future cases.

**Carried**

Council consented to reduce the cash-in-lieu payment from \$600 to \$300 per tree.

Council had before it the following original recommendation for consideration:

1. That the application to remove one (1) Austrian Pine at 16 Hammok Crescent, Markham, be approved; and,
2. That the applicant provide for four (4) replacement trees on the property of 16 Hammok Crescent or any other private property in Markham, and in a size and native species deemed appropriate by staff, by September 30, 2020, or provide a cash-in-lieu payment of \$600.00 per tree; and further,
3. That the recommendations are based on the unique characteristics of this case only and are not intended to be precedent setting nor to be used as a basis for future cases.



11.3 NEW/ OTHER BUSINESS - DESTINATION MARKHAM CORPORATION  
BOARD OF DIRECTORS COUNCIL APPOINTMENTS (16.24)

Discussion on this matter ensued.

Moved by Councillor Amanda Collucci

Seconded by Councillor Andrew Keyes

1. **That Council endorse the appointment of the following four (4) members of Council to serve as the non-independent Directors; Mayor Scarpitti, Councillor Keyes, Councillor Collucci and Councillor Usman.**

**Carried**

Moved by Regional Councillor Jack Heath

Seconded by Councillor Karen Rea

1. That the matter be deferred to the next Council meeting.

**Lost**

Moved by Councillor Karen Rea

Seconded by Councillor Isa Lee

1. That Regional Councillor Jack Heath be added to serve as a non-independent Director on the Destination Markham Corporation Board of Directors.

**Lost**

**12. ANNOUNCEMENTS**

There were no announcements.

**13. BY-LAWS - THREE READINGS**

Moved by Regional Councillor Jack Heath

Seconded by Councillor Keith Irish

1. That By-law 2020-11 be brought forward for consideration following Communications.

**Carried**

Moved by Councillor Keith Irish

Seconded by Regional Councillor Jack Heath

1. That By-law 2020-11 be given three readings and enacted.

**Carried**

Moved by Councillor Khalid Usman

Seconded by Councillor Reid McAlpine

1. That By-laws 2020-8 and 2020-9 and 2020-12 to 2020-13 be given three readings and enacted.

**Carried**

**Three Readings**

- 13.1 BY-LAW 2020-8 KINGSBERG WARDEN DEVELOPMENT INC., NORTH SIDE OF HIGHWAY 7 EAST BETWEEN WARDEN AVENUE AND BIRCHMOUNT ROAD, AMENDMENT TO THE IN FORCE OFFICIAL PLAN (REVISED 2014), AS AMENDED

**Carried**

- 13.2 BY-LAW 2020-9 KINGSBERG WARDEN DEVELOPMENT INC., NORTH SIDE OF HIGHWAY 7 EAST BETWEEN WARDEN AVENUE AND BIRCHMOUNT ROAD, ZONING BY-LAW AMENDMENT

**Carried**

- 13.3 BY-LAW 2020-11 CONDOR PROPERTIES INC., 25 LANGSTAFF ROAD, ZONING BY-LAW AMENDMENT

**Carried**

- 13.4 BY-LAW 2020-12 UPTOWN GREEN GARDEN INC., 9332 – 9346 KENNEDY ROAD, AMENDMENT TO THE IN FORCE OFFICIAL PLAN (REVISED 2014), AS AMENDED

**Carried**

13.5 BY-LAW 2020-13 UPTOWN GREEN GARDEN INC., 9332 – 9346 KENNEDY ROAD, ZONING BY-LAW AMENDMENT

**Carried**

**14. CONFIDENTIAL ITEMS**

Moved by Regional Councillor Jim Jones

Seconded by Councillor Keith Irish

Council consented to not resolve into confidential session.

**Carried**

14.1 CONFIDENTIAL COUNCIL MINUTES - FEBRUARY 11, 2020

Moved by Regional Councillor Jim Jones

Seconded by Councillor Keith Irish

1. That the confidential Council minutes of February 11, 2020 be adopted.

**Carried**

14.2 COUNCIL

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

Moved by Councillor Isa Lee

Seconded by Regional Councillor Jack Heath

1. That the following person be appointed to the Unionville BIA:

<u>Name</u>	<u>Term Expiry</u>
Sarah Isles	November 14, 2022

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

<u>Name</u>	<u>Term Expiry</u>
Jenny Zhang	November 30, 2022
Yuen Ling (Elaine) Yip	November 30, 2022

3. That the following person be appointed to the Heritage Markham Committee:

<u>Name</u>	<u>Term Expiry</u>
Jason McCauley	November 30, 2023

**Carried**

#### 14.3 DEVELOPMENT SERVICES COMMITTEE

##### 14.3.1 LITIGATION OR POTENTIAL LITIGATION, INCLUDING MATTERS BEFORE ADMINISTRATIVE TRIBUNALS, AFFECTING THE MUNICIPALITY OR LOCAL BOARD; – LPAT APPEAL - 91 ANDERSON AVENUE (WARD 5) [SECTION 239 (2) (e)] (8.0)

Moved by Councillor Andrew Keyes

Seconded by Councillor Khalid Usman

1. That the confidential report on litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; LPAT Appeal - 91 Anderson Avenue (Ward 5), be received, and,
2. That Council direct the City Solicitor and Staff not to attend the Local Planning Appeal Tribunal hearing regarding the decision of the Committee of Adjustment to approve the minor variances related to permitting a Respite Day Care Facility within employment lands, and permitting reduced parking spaces, subject to the following conditions;
  - a. That the Variances apply only to the proposed development as long as it remains;
  - b. That for the purposes of this variance, a Respite Day Care Facility means a non-profit and non-commercial facility offering the temporary care of adults, persons with disability, or other persons requiring supervised care on a temporary basis, which provides day programs, education, training or supervision to participants, such as an adult day program, but does not include overnight stay, child care centres, or other private schools;
  - c. That no individual Respite Day Care Facility shall exceed 1,000 m<sup>2</sup> in Gross Floor Area;

- d. That the Applicant satisfies the requirements of the Toronto and Region Conservation Authority (“TRCA”), financial or otherwise, as indicated in their letter to the Secretary-Treasurer attached as Appendix “C” to the Staff Report, to the satisfaction of the TRCA, and that the Secretary-Treasurer receive written confirmation that this condition has been fulfilled to the satisfaction of the TRCA;
  - e. That the Applicant satisfies the financial requirements of the City for a minor variance application fee, to the satisfaction of the Director of Planning and Urban Design or designate, and that the Secretary-Treasurer receive written confirmation that this condition has been fulfilled to the satisfaction of the Director of Planning and Urban Design or designate; and further,
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**Carried**

Deputy Mayor Don Hamilton returned to the meeting.

**15. CONFIRMATORY BY-LAW - THREE READINGS**

Moved by Councillor Khalid Usman

Seconded by Deputy Mayor Don Hamilton

That By-law 2020-10 be given three readings and enacted.

Three Readings

BY-LAW 2020-10 A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE COUNCIL MEETING OF FEBRUARY 25, 2020.

**Carried**

**16. ADJOURNMENT**

Moved by Councillor Isa Lee

Seconded by Councillor Keith Irish

That the Council meeting be adjourned at 4:36 p.m.

**Carried**

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Kimberley Kitteringham  
City Clerk

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Frank Scarpitti  
Mayor



武汉市人民政府  
THE PEOPLE'S MUNICIPAL GOVERNMENT OF WUHAN

Distinguished Mayor Frank Scarpitti,

Since the outbreak of COVID-19 in Wuhan, you have expressed great concern about the epidemic and called on overseas Chinese, organizations and citizens in Markham to offer strong support to us. We are deeply moved to see you shouting "武汉加油 (Wuhan, stay strong!)" in a video. On behalf of Wuhan Municipal People's Government and over 10 million Wuhan citizens, I would like to extend our heartfelt gratitude to Markham for your kind and selfless assistance. I would also like to express sincere thanks to the Canada Hubei Chamber of Commerce and other organizations, as well as Joe Lu and other friends for their continuous concern and all-out assistance.

Since 2006 when Wuhan and Markham became sister cities, we have maintained close exchanges and frequent cooperation in such sectors as science, technology, economy, trade, and education. At present, the seven batches of emergency supplies donated by Markham have been distributed to the front line of epidemic prevention and control in Wuhan, including the Central Hospital and others, contributing strong support for us to win the battle against COVID-19.

Let's pull together to combat over COVID-19 and bring everything back to normal soon. As we firmly believe, under the strong leadership of our President Xi Jinping, with Chinese people united as one, and with the concern and support from communities at home and abroad, including our friends in Markham, the people of Wuhan will surely claim full victory combating the epidemic!

Thank you again for your concern and support. Wish you good health and happiness! May Markham prosper!

周先旺

Zhou Xianwang  
Mayor of Wuhan  
February 27, 2020



Report to: Development Services Commission

Meeting Date: February 11, 2020

**SUBJECT:** Provincial Consultation on Transforming and Modernizing the Delivery of Ontario's Building Code Services

**PREPARED BY:** Chris Bird, Director of Building Standards, ext. 4716

## **RECOMMENDATION:**

That Council of the City of Markham advise the Minister of Municipal Affairs and Housing that the City of Markham;

1. Supports further study and consultation on how Ontario Building Code services are delivered in Ontario;
2. Supports revising the administration of the provincial qualification and registration program for all building practitioners;
3. Supports Ontario Building Code amendments that facilitate the use of Prime Consultants in Ontario;
4. Does not support the implementation of a Certified Professional program in Ontario,
5. That the Chief Building Official report back with an update before the end of 2020, and,
6. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

## **EXECUTIVE SUMMARY:**

On September 24, 2019, the Ministry circulated a discussion paper titled *Transforming and Modernizing the Delivery of Ontario's Building Code Services* to solicit public comment about proposed administrative changes to the building code services provided by the Ministry. These proposals were not technical in nature.

The discussion paper stated that building sector stakeholders, including building officials, have been asking for better, more modern and timely services and resources to support their ability to understand and apply the highly technical and complex building code. The paper went on to say, "MMAH [the Ministry] has provided a suite of building code services in the past but over time the delivery of these services has not kept pace with the needs of the sector, making the model unsustainable. The Ministry needs to implement a model that will enable the delivery of improved services to promote consistency and better support the sector."

## **PURPOSE:**

The purpose of this report is to provide Council with a high level summary of the proposals currently being considered by the provincial Ministry of Municipal Affairs and Housing to amend the administration of Ontario Building Code services and to address recent reports in the press about the Province 'eyeing changes that could see developers hiring their own inspectors.'



**BACKGROUND:**

Due to the timing of the Ministry consultation (September 25 – November 25, 2019) and due to the vague nature and limited details provided in the paper and by Ministry staff, it's difficult to provide a fulsome report to Council. Even now, it is unclear of the substantive direction the Ministry is taking. The aim of the consultation, according to a government statement, is 'modernizing and transforming the delivery of building code services to help speed up the construction of new housing and building projects, and better support Ontario's \$38-billion building industry.' The Large Municipalities Chief Building Officials [LMCBO] committee, a well-established and recognized group of Chief Building Officials representing municipalities from across the Province, submitted a collective response on the paper to the Ministry in November.

The Ministry's discussion paper focused on four main areas of particular interest:

- The establishment of an Administrative Authority
- Training, Qualification, Registration and Recruitment
- The use of Prime Consultants and Certified Professionals
- Building Code Administration and Enforcement

**OPTIONS/ DISCUSSION:**

Over time the ability to sustain effective delivery of services traditionally provided by the Ministry has become increasingly difficult and it is well recognized that they have not kept pace with the needs of the building sector. Accordingly, the Ministry is proposing a new model based on the establishment of an 'administrative authority', a private, non-profit corporation that would deliver services on a cost recovery basis.

**The Administrative Authority [AA] model:**

Historically, the provincial Ministry has been responsible for:

- Setting policy direction and establishing regulatory building standards in the form of the Building Code Act and Ontario Building Code;
- Overseeing the qualification and registration of building practitioners, including chief building officials, inspectors and designers; and
- Providing support to consumers (e.g. publishing guides and resources and explaining policy intent of code requirements)

The Ministry claims the AA model is the preferred option of the 10 models they explored. Since there was no known public consultation in that selection, building officials and other industry stakeholders are lacking clarity on how and why the AA model was selected. Functionally, it appears the Ministry would maintain the responsibility of setting policy and establishing regulatory standards. All other administrative functions noted above would be transferred to the AA.

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A governance model has not been clearly articulated but operationally, it appears the Minister of MMAH would select a 'board of directors' and would have the authority to appoint the chair. LMCBO strongly recommended it include a balanced representation from all industry stakeholders including designers, builders, regulators and lawyers from both the public and private sector. And further that it should consist of knowledgeable practitioners of the BCA, OBC regulations and applicable laws and have experience working in the building industry. The mandate of the AA board cannot be politically driven or influenced; it must focus on the administrative matters relating to standards for competencies for all practitioners, and provide timely building code interpretations and guides, something that has been lacking for years.

To fund the operation of the AA, the Ministry is proposing a user fee, paid by permit applicants, for directly delivered services such as registration, Commission and product authorization fees and to collect a levy on top of municipal building permit fees proposed to be calculated at 0.016% of the construction value of the project, to be collected by the municipality and remitted to the AA, this representing a potential liability and administrative burden on the municipality.

LMCBO is not convinced that the AA model as described in the paper is the best solution to deliver the services needed in the Province. There are a number of concerns that must be addressed:

- Accountability and oversight of the AA
- Funding through additional fees collected by municipalities having higher construction volumes would be proportionally higher and would therefore contribute greater dollars to support the AA with no guarantee of services;
- Establishing uniform construction value on which to base the fee;
- Those individuals or organizations contributing significant funds (levies) may feel entitled to advantageous representation on the board and affect its decision making; and,
- Small businesses and less sophisticated applicants may object to the additional fee to be added to their building permit fee for services they don't feel directly the beneficiary of.

### **Training, Qualification, Registration and Recruitment**

The Ministry, in their discussion paper, acknowledge the shortcomings of the current training, examination and qualification regime. As proposed this would become the responsibility of the AA. Significant changes were made in the past through the enactment of the *Building Code Statute Law Amendment Act, 2002, S.O.2002, c.9-Bill 124* to introduce prescriptive timelines for permit review and issuance, and qualification of chief building officials, inspectors and designers. This was a bold initiative and was enacted, in part, to help improve compliance of permit submissions and expedite issuance. Unfortunately, municipalities have noticed no substantive improvement and there continues to be a gap in building code knowledge between designers and constructors with no accountability.

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LMCBO is supportive of a more modernized training and qualification regime that should include the following:

- Delivery of a comprehensive training, qualification and examination program administered by experts in the industry and/or in education;
- In conjunction with that program, a more robust data base to confirm that practitioners are properly qualified in the right category of buildings;
- Improved and audited training in building code, construction practices and legal matters for all practitioners including inspectors, designers and builders;
- Continuous Professional Development (CPD) following the same protocol and taking into considerations the CPD requirements of other professional organizations of which regulators may already be members;
- Encouragement and promotion of the construction and regulatory industry within secondary and post- secondary schools to address building code knowledge and recruitment challenges in coming years;
- Training in soft skills like customer service and conflict resolution.

### **Prime Consultants and Certified Professionals**

Currently, coordination of permit documents and submissions is frequently lacking leaving it to the regulator to complete. This leads to multiple submissions and extended permit processing times. Accordingly, LMCBO supports the introduction of a legislative requirement for a Prime (or coordinating) Consultant, a qualified person to coordinate designs and field reviews of design professionals involved in a project to ensure compliant, coordinated and complete submissions. The Ontario Association of Architects also supports such a program.

The government also consulted on the use of a Certified Professional program similar to that used in British Columbia and Australia. It is likely this is the type of program that recently reported in the press about the Province ‘eyeing changes that could see developers hiring their own inspectors.’ As the office of Municipal Affairs and Housing Minister Steven Clark recently quoted, ‘the idea remains a proposal at this point and no decisions have been made as consultations continue on updating the provincial building code.’

In British Columbia, municipalities that elect to participate in such a program, which they are not compelled to do, are few. Under that program, municipalities continue to issue building and occupancy permits through an administrative process but the Certified Professional [CP], hired by the developer, assume the role of plan review and inspection functions. Such CP’s, we understand, must be licensed as an Architect or professional Engineer, hold enhanced qualifications and their designs must undergo a concept review by an independent Engineer prior to permit application. While these professionals hold legal and ethical obligations under their respective Acts, potential for conflict of interest arise. There are significant concerns about how the industry would maintain independence of the Certified Professional from the hiring contractor and how to remove the municipality from liability under the existing “Joint and Several” liability regime. Recent disasters such as the Elliot Lake parking structure collapse, the Grenfell fire in London England, the Boeing 737 Max crashes and failing apartment buildings in Australia all involve some form of self-regulation and all point to the need for improved

regulations and independent government oversight. Accordingly, LMCBO does not support the introduction of a Certified Professional program but favors government oversight that provides independent and objective reviews of construction with an improved focus on training, qualifications and an improved permit submissions.

### **Additional Information: Streamlining of Development and Building Approvals**

The Ministry's discussion paper presents proposals to transform and modernize the delivery of Ontario's Building Code services. It does not make specific proposals or recommendations to streamline development and building approvals; it's more about the functions not currently being provided by the ministry; an effective training and qualification regime, supports like building code interpretations, intent statement, guides and information bulletins to promote consistency and understanding in applying the building code and digital transformation. All of these will certainly help. But streamlining as important as it is, should not come at the expense of public safety and accountability. It should be noted that municipalities in Ontario have the authority to issue conditional permits prior to compliance with certain other applicable laws. This has been a widely adopted practice by most municipalities to get shovels in the ground at the earliest opportunity and in Markham is used on almost every building other than housing projects.

Several other organizations have offered their perspectives on means to improving and streamlining development and building approvals. They include:

- *Streamlining the Development and Building Approvals Process in Ontario* (July 2018), published by RESCON (Residential Construction Council of Ontario), and,
- The Ontario Association of Architects response to the Ministry's discussion paper
- *Modernizing Building Approvals in Ontario: Catching Up with Advanced Jurisdictions* (July 2017) published by Ryerson University's Centre for Urban Research & Land Development.

### **FINANCIAL CONSIDERATIONS**

There are currently no financial considerations arising from the discussion paper.

### **HUMAN RESOURCES CONSIDERATIONS**

None at the present time.

### **ALIGNMENT WITH STRATEGIC PRIORITIES:**

Not applicable

### **BUSINESS UNITS CONSULTED AND AFFECTED:**

None at the present time

**RECOMMENDED BY:**

Chris Bird,  
Director of Building Standards

Arvin Prasad,  
Commissioner of Development Services

**ATTACHMENTS:**

None

**FRIENDS OF THE MARKHAM MUSEUM BOARD MEETING**  
**Meeting No. 84**  
**Markham Museum, Mount Joy Staff Room**  
**October 9, 2019, 5:00 p.m.**

<b>In Attendance:</b>	<b>Regrets:</b>
Bill Crothers, Chair	Anisa Anwar
Doug Worsley, Vice Chair	Athena Hurezeanu
Wendy Kadlovski, Treasurer	Jill ten Cate
Lorne Smith	Cathy Molloy, Museum Director
Councillor Andrew Keyes	
Councillor Karen Rea	
Sue Smitko	
Anna Masci	
<i>Ex Officio:</i>	<i>Guests:</i>

**1. CALL TO ORDER AND OPENING REMARKS**

The meeting of the Friends of the Markham Museum Board was called to order at 5:07 p.m. with B. Crothers presiding as Chair.

**2. DECLARATIONS**

Nil.

**3. ADDITIONS/CHANGES TO THE AGENDA**

Moved By: L. Smith  
 Seconded By: D. Worsley

**THAT** the agenda for the October 9, 2019 meeting be approved as distributed.

**Carried. (3.1)**

**4. REGRETS**

A. Hurezeanu and J. Cate sent their regrets.

**5. ADOPTION OF MINUTES OF MEETING**

Moved By: D. Worsley  
 Seconded By: W. Kadlovski

**THAT** the minutes of the Friends of the Markham Museum meeting on September 18, 2019 be approved as amended.

**Carried. (5.1)**

**6. BUSINESS ARISING FROM THE MINUTES**

a) Donor Recognition: Will discuss next meeting.

**7. NEW BUSINESS**

Nil.

**8. DIRECTOR'S REPORT**

Nil.

**9. TREASURER'S REPORT**

The current bank balance is \$77,180.88. Currently looking for potential projects at which to direct fundraising efforts.

Moved by W. Kadlovski

Seconded by L. Smith

**THAT** the Board approves the Treasurer's report.

**Carried.** (9.1)

**10. YOUTH MEMBER REPORT**

No report.

**11. COMMITTEE REPORTS**

- a) Collections Committee: The committee submitted a report (Attachment A)

Moved by D. Worsley

Seconded by W. Kadlovski

**THAT** the Collections Management Committee recommends the attached list of artifacts (Attachment B) for deaccession from the Implement Tent be approved for acceptance and submitted to the City of Markham for final approval.

**Carried.** (11.a.1)

- b) Development Committee: Will meet with Markham Little Theatre soon to discuss the next event. Also looking for suggestions for other events.

- c) Executive Committee: Has not met recently.

- d) Book Marketing Committee: Has not met recently.

**12. MARKHAM HISTORICAL SOCIETY REPORT**

The MHS attended Applefest and sold 2000 fritters and raised about \$2500. The fritter stand was extremely busy with guests waiting 20-30 minutes. The logo and mission statement finalized in the November newsletter. MHS was also recognized during the dedication of the Lunau Centre. Next meeting, Manfred will be showing off heritage phonographs.

**13. OTHER BUSINESS**

- a) C. Molloy pointed out that 2021 will be the Museum's 50<sup>th</sup> anniversary.

**14. NEXT MEETING**

The Chair informed the Board that the next meeting would be held on November 13 at 5 p.m. in the Mount Joy Staff Room at Markham Museum.

**15. ADJOURNMENT**

Moved by: D. Worsley

Friends of the Markham Museum Board  
October 9, 2019

Page 3

**THAT** the October 9, 2019 meeting of the Friends of the Markham Museum Board be adjourned.

**Carried. (15.1)**

Meeting adjourned 5:57 p.m.

## ATTACHMENT A

### COLLECTIONS MANAGEMENT BRIEF

September 19, 2019

The Collections Management Committee met on September 19, 2019 for review of artifacts selected for deaccession to the collection of Markham Museum, that will be presented to the Friends of Markham Museum.

#### **Artifacts for Discussion:**

Members of the committee were presented by museum staff with a list of artifacts (Implements from the Tent) that are slated for deaccession (indicated by “NO” pass). These assessed artifacts were discussed individually in detail by committee members and museum staff to ascertain that the items should be deaccessioned. The threshing machine will be retained as part of the teaching collection.

#### **Approval:**

**Motion by Lorne Smith, seconded by Ardy Reid** that the list (attached) of artifacts for deaccession from the Implement Tent be submitted to the Friends of the Markham Museum for approval, with final submittal to the City of Markham. **Motion carried.**

#### **Closing comments:**

Thanks were expressed to the staff for the professional submittal of the archival material that was reviewed.

Collections Review will continue at our next meeting, scheduled for November 20, 2019.

## ATTACHMENT B



Attachment B -  
Batch 12 - Implemen



**FRIENDS OF THE MARKHAM MUSEUM BOARD MEETING**  
**Meeting No. 85**  
**Markham Museum, Mount Joy Staff Room**  
**November 13, 2019, 5:00 p.m.**

<b>In Attendance:</b>	<b>Regrets:</b>
Bill Crothers, Chair	Anisa Anwar
Doug Worsley, Vice Chair	Athena Hurezeanu
Wendy Kadlovski, Treasurer	Sue Smitko
Lorne Smith	Councillor Karen Rea
Jill ten Cate	Councillor Andrew Keyes
	Anna Masci
<i>Ex Officio:</i>	<i>Guests:</i>
Cathy Molloy, Museum Director	
<i>Staff:</i>	
Matthew Wright (Recording Secretary)	

**1. CALL TO ORDER AND OPENING REMARKS**

The meeting of the Friends of the Markham Museum Board was called to order, without quorum, at 5:03 p.m. with B. Crothers presiding as Chair.

**2. DECLARATIONS**

Nil.

**3. ADDITIONS/CHANGES TO THE AGENDA**

Moved By: D. Worsley

Seconded By: W. Kadlovski

**THAT** the agenda for the November 13, 2019 meeting be approved as distributed.

**Approved in  
principle, deferred  
due to lack of  
quorum. (3.1)**

**4. REGRETS**

S. Smitko, A. Masci and Cllr. A. Keyes sent their regrets.

**5. ADOPTION OF MINUTES OF MEETING**

Moved By: D. Worsley

Seconded By: L. Smith

**THAT** the minutes of the Friends of the Markham Museum meeting on October 10, 2019 be approved as distributed.

**Approved in  
principle, deferred  
due to lack of  
quorum. (5.1)**

**6. BUSINESS ARISING FROM THE MINUTES**

- a) Donor Recognition: Will discuss next meeting.

**7. NEW BUSINESS**

Nil.

**8. DIRECTOR'S REPORT**

C. Molloy submitted a report (Attachment A)

Moved by W. Kadlovski

Seconded by L. Smith

**THAT** the Board approves the Director's report.

**Approved in  
principle, deferred  
due to lack of  
quorum. (8.1)**

**9. TREASURER'S REPORT**

The current bank balance is \$77,771.03. Received \$92.20 via United Way payroll deductions. Discussed Museum projects and potential funding. C. Molloy will collect and report. Friends will discuss process.

Moved by W. Kadlovski

Seconded by L. Smith

**THAT** the Board approves the Treasurer's report.

**Approved in  
principle, deferred  
due to lack of  
quorum. (9.1)**

**10. YOUTH MEMBER REPORT**

No report.

**11. COMMITTEE REPORTS**

- a) Collections Committee: Next meeting November 20.

- b) Development Committee: Had a post mortem meeting with Markham Little Theatre. The night went well with 66 tickets sold. People came from as far as Shelburne, ON. Some ticketing system issues, payment coming soon. Discussed next year's event. MLT will be adding more seating so we can increase maximum from 90 to 100. The committee will investigate a speaker event in 2020.

Moved by W. Kadlovski

Seconded by L. Smith

**THAT** the Board confirms the actions of the Development Committee with regards to the event partnered with the Markham Little Theatre in September 2019.

**Approved in  
principle, deferred**

**due to lack of  
quorum. (11.b.i)**

Moved by J. Cate  
Seconded by D. Worsley

**THAT** the Board approves proceeding with another event partnered with the Markham Little Theatre in 2020.

**Approved in  
principle, deferred  
due to lack of  
quorum. (11.b.ii)**

- c) Executive Committee: The Chair discussed the possibility of adding the City Historian to the Board ex-officio, as mentioned at past AGMs.
- d) Book Marketing Committee: Sold only one book in October. Perhaps we can be mentioned in the Deputy Mayor's newsletter.

## 12. **MARKHAM HISTORICAL SOCIETY REPORT**

The last MHS meeting was cancelled due to snow. December 9 will be the Christmas program and potluck.

## 13. **OTHER BUSINESS**

Nil.

## 14. **NEXT MEETING**

The Chair informed the Board that the next meeting would be held on January 8 at 5 p.m. in the Mount Joy Staff Room at Markham Museum.

## 15. **ADJOURNMENT**

Moved by: D. Worsley

**THAT** the November 13, 2019 meeting of the Friends of the Markham Museum Board be adjourned.

**Approved in  
principle, deferred  
due to lack of  
quorum. (15.1)**

Meeting adjourned 5:58 p.m.

## **ATTACHMENT A**

### **Friends of the Markham Museum, Directors' Report**

November 13, 2019

#### **Programs:**

Camp planning for 2020 has begun.

With RBC funding via the Canadian Museum Association, an individual is researching the Mantel site archaeological work and artifacts, and developing a framework for potential programming and future exhibition.

**Curatorial:**

Research is progressing for the next exhibition in the Main Gallery. Installation scheduled for January 2021.

**Events and Business Development:**

Applefest hosted Markham 225, with free admission and programming after 4 p.m. Seven thousand people attended the combined events. The Museum is considering Applefest be free going forward; however, significant sponsorship would be required. Program staff are working with Cynthia to develop a 'team-building' private function event product.

**Capital Programs**

1. HVAC system in Mount Joy is done!!!! Finally.
2. Mini-Putt, Pavilion, Harness Shop will done as the weather allows.
3. Staff are already working on updating the database for 2021.

**Ontario Museum Association**

Thank you to all Friends that attended the lunch with OMA council.

Cathy was elected as Vice President of the OMA at the October annual conference.

**FRIENDS OF THE MARKHAM MUSEUM BOARD MEETING**  
**Meeting No. 86**  
**Markham Museum, Mount Joy Staff Room**  
**January 8, 2020, 5:00 p.m.**

<b>In Attendance:</b>	<b>Regrets:</b>
Bill Crothers, Chair	Doug Worsley, Vice Chair
Wendy Kadlovski, Treasurer	Athena Hurezeanu
Lorne Smith	Sue Smitko
Anna Masci	Councillor Karen Rea
	Councillor Andrew Keyes
	Anisa Anwar
	Jill ten Cate
<i>Ex Officio:</i>	<i>Guests:</i>
Cathy Molloy, Museum Director	
<i>Staff:</i>	
Matthew Wright (Recording Secretary)	

**1. CALL TO ORDER AND OPENING REMARKS**

The meeting of the Friends of the Markham Museum Board was called to order, without quorum, at 5:10 p.m. with B. Crothers presiding as Chair.

**2. DECLARATIONS**

Nil.

**3. ADDITIONS/CHANGES TO THE AGENDA**

Moved By: W. Kadlovski

Seconded By: A. Masci

**THAT** the agenda for the January 8, 2020 meeting be approved as distributed.

**Approved in  
principle, deferred  
due to lack of  
quorum. (3.1)**

**4. REGRETS**

S. Smitko, D. Worsley and Cllr. A. Keyes sent their regrets.

**5. ADOPTION OF MINUTES OF MEETING**

Moved By: W. Kadlovski

Seconded By: L. Smith

**THAT** the minutes of the Friends of the Markham Museum meeting on January 8, 2020 be approved as distributed.

**Approved in  
principle, deferred  
due to lack of  
quorum. (5.1)**

**6. BUSINESS ARISING FROM THE MINUTES**

- a) Donor Recognition: Will discuss next meeting.

**7. NEW BUSINESS**

Nil.

**8. DIRECTOR'S REPORT**

C. Molloy submitted a report (Attachment A)

Moved by W. Kadlovski

Seconded by L. Smith

**THAT** the Board approves the Director's report.

**Approved in  
principle, deferred  
due to lack of  
quorum. (8.1)**

**9. TREASURER'S REPORT**

The current bank balance is \$72,990.88. Recently transferred about \$14,000 to the City as part of the twice annual transfer.

Moved by A. Masci

Seconded by L. Smith

**THAT** the Board approves the Treasurer's report.

**Approved in  
principle, deferred  
due to lack of  
quorum. (9.1)**

**10. YOUTH MEMBER REPORT**

No report.

**11. COMMITTEE REPORTS**

- a) Collections Committee: No report.
- b) Development Committee: Plan to hold another event with the Markham Little Theatre in September. The committee is now investigating a speaker event in 2020.
- c) Executive Committee: The AGM will take place in April or May
- d) Book Marketing Committee: Sold only five books in December, all during the events that Lorne Smith has been attending as a speaker.

**12. MARKHAM HISTORICAL SOCIETY REPORT**

Next meeting the second Monday in February. AGM and Bring & Brag.

**13. OTHER BUSINESS**

Nil.

**14. NEXT MEETING**

The Chair informed the Board that the next meeting would be held on February 12 at 5 p.m. in the Mount Joy Staff Room at Markham Museum.

## 15. ADJOURNMENT

Moved by: A. Masci

**THAT** the January 8, 2020 meeting of the Friends of the Markham Museum Board be adjourned.

**Approved in  
principle, deferred  
due to lack of  
quorum. (15.1)**

Meeting adjourned 6:09 p.m.

## ATTACHMENT A

### Museum Director's Report January 7, 2020

The scope of the archeology-lab feasibility study is better defined. We will no longer consider acceptance of artifacts related to the Mantle site. Stouffville intends to incorporate collection storage for the artifacts as part of a large interpretive centre. We can now focus on the current archaeological collections at the Museum to use in the proposed lab.

This is all good; first, the Mantle site materials will be stored locally in a purpose built facility. Second, this allows Markham Museum to focus on a learning lab and a contemporary interactive space that can be adapted to all levels of learning and experience.

Currently, the Museum has employed, with support of RBC via CMA, a researcher, to detail potential programs and exhibits. Several units within the curriculum have potential delivery in the lab. We will also be able to develop specialized birthday party programs, and partnerships with universities and colleges. The lab will also be a part of many camp programs.

I am pleased to report record drop-in attendance over the holidays. The second week of the holiday season, in particular was very busy, with over 100 drop-in visitors a day for January 3rd-5th. Camp programs sold out, and there were a few large private rentals. It was by far, the busiest holiday season ever at the Museum.

### Approved Capital Work for 2020

Council approved capital projects for 2020, in November, and for the Museum are as follows:

1. Strickler Barn, phase 2 of 2. Work includes; roof work, repair/replace walls, doors, staircase, new catering kitchen, mechanical, electrical site works. Phase 1, (\$119,800), is complete.
2. Museum Various. Cider Mill repair of walls, electrical, porch, fire system, millwork, doors. Train Station repair of walls, floor, doors, and painting. Lunau Centre, repair of walls, flooring, painting. Site wide, animal pest control and cleaning.
3. Museum Maintenance. Baptist Church water heater and fixtures, Lunau Centre sidewalks, Harness Shop, electrical, counters, painting. Mountjoy, painting. Additional 2-way radios. Transport, painting, humidifiers, auto door opener, water heater. Windmill repair.



## FRIENDS OF THE MARKHAM MUSEUM BOARD EXTRACT

DATE: October, 9<sup>th</sup>, 2019

TO: Development Service Committee

EXTRACT CONTAINING ITEM 11a OF THE FRIENDS OF MARKHAM MUSEUM  
MEETING HELD ON October 9th, 2019.

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### **11 a) COLLECTIONS COMMITTEE**

Moved by D. Worsley

Seconded by W. Kadlovski

THAT the Collections Management Committee recommends the attached list of artifacts (Attachment B) for deaccession from the Implement Tent be approved for acceptance and submitted to the City of Markham for final approval.

**CARRIED** (11.a.)



Attachment B -  
Assessment Report -

Implement Tent						
Points	Pass	Accession #	Common Name	Location	Source Info	Teaching?
20	No	M.L.1978.7	Tractor	Implement Tent	Markham Museum Collection	Yes
5	No	M.L.1982.3	Farm Tractor	Implement Tent	Markham Museum Collection	
30	No	M.1972.50.1	Block Mould	Implement Tent	Markham Museum Collection	
15	No	M.1974.115.1	Wagon	Implement Tent	Markham Museum Collection	
5	No	M.1984.0.234	Threshing Machine	Implement Tent	Markham Museum Collection	
20	No	M.1984.30.1	Farm Tractor	Implement Tent	Brass, John	
20	No	M.1989.0.182	Grindstone	Implement Tent	Markham Museum Collection	
20	No	M.1989.0.183	Grindstone	Implement Tent	Markham Museum Collection	
0	No	T.2018.0.928	Tractor	Implement Tent	Markham Museum Collection	
-15	No	T.2018.0.931	Shaving Horse	Implement Tent	Markham Museum Collection	



Report to: Development Services Committee

Meeting Date: February 24, 2020

**SUBJECT:** Markham's Public Art Implementation Plan 2020-2024  
**PREPARED BY:** Niamh O'Laoghaire, Manager, Varley Art Gallery, ext. 3273

### **RECOMMENDATION:**

1. THAT the report entitled Markham's Public Art Implementation Plan 2020-2024 be received; and
2. THAT the Public Art Implementation Plan 2020-2024 be approved; and
3. THAT the recommended governance model be approved; and
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 final approval of the Public Art Implementation Plan 2020-2024 (attachment one) designed to execute the goals outlined in the approved Making Our Markham: Markham's Public Art Master Plan 2020-2024 (attachment two). The Master Plan is the blueprint for a Public Art Program that celebrates the cultural diversity of Markham, fosters Markham's role as a high tech capital of Canada, promotes an engaged, thriving and vibrant City, and contributes to the building of complete communities. Implementation of the Public Art Master Plan will ensure that Markham follows best practice in the field of cultural development, celebration and engagement.

Approval and execution of the Public Art Implementation Plan 2020-2024 (attachment one) will direct the development and execution of a successful public art program from 2020 to 2024 including prioritizing potential sites and opportunities for new public art projects in Markham, and identifying best practices for the administration and implementation of public art projects.

### **BACKGROUND:**

On October 28, 2019 Making Our Markham: Markham's Public Art Master Plan 2020-24 (attachment two) was presented to the Development Services Committee and approved by Council on November 13, 2019, leading to the following resolutions:

1. That the report entitled Making Our Markham: Markham's Public Art Master Plan 2020-24 be received; and,
2. That the Making Our Markham: Markham's Public Art Master Plan 2020- 24 be approved; and,

- 
3. That the five-year Public Art Implementation Plan be approved in principle, and that Council direct the Commissioner of Development Services to incorporate the Implementation Plan into annual Business Planning, Capital and Operating Budget processes and to report progress annually to Council; and,
  4. That the title of Public Art Coordinator be changed to Public Art Curator to reflect the requirements of the role; and,
  5. That staff be directed to report back on a revised governance model for the approval of public art in Markham for consideration at a future Development Services Committee meeting; and further,
  6. That staff be directed to do all things necessary to give effect to this resolution.

The purpose of today's report is twofold. The first objective is to request final approval of the Public Art Implementation Plan. The Implementation Plan will be executed by the Public Art Curator who reports through the Manager of the Varley Art Gallery to the Director of Economic Growth, Culture and Entrepreneurship in the Development Services Commission.

The second purpose of today's report is to recommend a revised governance model for the Public Art Master Plan.

### **Key Accomplishments**

Since 2013, five permanent, major public art works in the city have been commissioned through the public art program, with two more on the way, to be completed in 2019 and 2020. In addition, the program has facilitated community art initiatives in collaboration with the City's Public Realm section such as the Henderson Bridge mural projects, Pan Am student art project, and managed contributions by local community members.

Markham's Public Art Collection includes the following completed works:

- *Cloudflower* by Douglas Walker, 2015, Cornell Community Centre, Ward 5
- *Gambrel Journey* by kipjones, 2015, Markham Museum, Ward 4
- *Quarry* by Mary Anne Barkhouse, 2016, Carlton Road, Unionville, Ward 3
- *Monument to William Berczy* by Marlene Hilton Moore, 2016, 16<sup>th</sup> Avenue and Kennedy Road, Ward 6
- *Monument to Benjamin Thorne* by Les Drysdale, 2017, Thornhill Community Centre, Ward 1
- *Dr. José P. Rizal* by Ignacio (Mogi) Mogado, 2019, Luneta Gardens, Boxgrove Bypass at Rizal Avenue, Ward 7



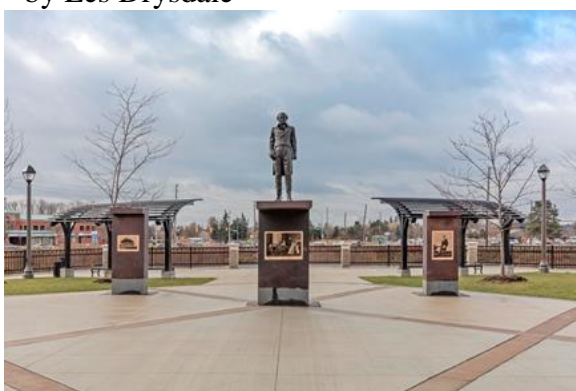
*Benjamin Thorne*  
by Les Drysdale



*Quarry* by Mary Anne Barkhouse



*Gambrel Journey*  
by kipjones



*Monument to William Berczy*  
by Marlene Hilton Moore



*Cloudflower*  
by Douglas Walker

## OPTIONS/ DISCUSSION:

### **Implementation Plan Consultation Process**

Developing the Markham Public Art Master Plan and Implementation Plan required significant consultation on the part of the Workshop Architecture Consultant, the Public Art Coordinator and the Varley Art Gallery Manager. This included meetings with staff members in many departments and all three Commissions in the City of Markham including the CAO and three Commissioners, the Mayor and Councillors. External stakeholders included local developers, York University and Parks Canada personnel. The community as a whole was invited to engage through a public art workshop mounted in partnership with York Region Arts Council at YSpace in downtown Markham. The Markham Public Art Advisory Committee (MPAAC) contributed its input and reviewed drafts of the plan as it progressed. MPAAC has enthusiastically endorsed both the Markham Public Art Master Plan and the Public Art Implementation Plan.

### **Five –Year Implementation Plan**

The Public Art Master Plan recommends a detailed five-year Implementation Plan (see attachment one for full details, and the simplified chart next page). Based on internal and external consultation the Implementation Plan itemizes each of the priority locations in

line with the City's development plans for the next five years balanced with prioritization of areas that do not have public art investment. The Plan also itemizes:

- the appropriate project type for each site
- the best acquisition method (e.g. direct commission, open call, curated selection, etc.)
- the required funding
- the funding source, (reserve, operating or capital funds)
- the relevant City business unit(s) involved, and
- a production timeline.
- the best acquisition method (e.g. direct commission, open call, curated selection, etc.)
- the required funding
- the funding source, (reserve, operating or capital funds)
- the relevant City business unit(s) involved, and
- a production timeline.

The Implementation Plan provides a roadmap for Markham to achieve a visionary and innovative Public Art Program and Collection.

	LOCATION	SITE CATEGORY	PROJECT TYPE	PROJECT START DATE				
				2020	2021	2022	2023	2024
1	PanAm Centre Plaza Public Art Project	Key Civic Sites, Gateways and Heritage	Large scale, multiple components, stand alone	X				
2	Main Street Unionville Streetscape	Streetscapes and Transit	Integrated artwork and pilot projects in collaboration with Public Realm	X	X			
3	Digital Art Platform, site(s) to be determined	Key Civic Sites, Gateways and Heritage	Platform for changing digital art commissions			X		
4	Across Ward Seasonal Artwork(s) in Parks and Trails	Parks and Trails, tbd.	Seasonal Artwork in 1-2 locations every 2 years		X		X	
5	Varley Art Gallery Courtyard	Key Civic Sites, Gateways and Heritage	A sculptural work commissioned in partnership with Varley Art Gallery			X		
6	Across-Ward Walking Routes	Streetscapes and Transit	Art Mentorship Program to promote 2-3 walking routes, biannually			X	X	X
7	Rouge River Trails, Markham Centre	Parks and Trails	A possible combination of longer term and seasonal artwork			X	X	X

---

### **Recommended Governance Models**

Recommendation 7 of Making Our Markham: Markham's Public Art Master Plan concerns Public Art Program concerns Public Art Governance (see attachment 2) and establishes a clear approvals process and the roles for each of: Markham City Council; the Public Art Program and Culture staff; an Interdepartmental Public Art Working Group; the Departments of Planning and Urban Design and Public Realm; the Markham Public Art Advisory Committee; the Varley Art Gallery Acquisitions Committee as well as Art Selection Panels established on a project-by-project basis. Recommendation 7 clearly establishes the pre-eminent role of City Council in the approval of the City's public art policies and plans (which establish priorities, projects and annual budgets). It also endorses the role of City Council in approving Markham's negotiated developer agreements that include public art provision terms. Further, Recommendation 7 clarifies that:

Council plays a key role in approving program priorities, project plans and budgets but it is best practice for [Council] to be arms-length to specific decisions on artwork selection, otherwise the process of curator and jury selections may be compromised. This would undermine the involvement of citizens and experts. Staying arms-length from detailed decisions has the added benefit of shielding Councillors from potential criticism.

### **Public Art Governance Models Across Canada**

Following the October 28, 2019 Development Services Committee meeting, and the Committee's request for further information, Workshop Architecture Consultant Helena Grdadolnik issued a Public Art Governance Survey (attachment three). She polled municipalities all across Canada regarding their public art governance models. Detailed replies were received from municipalities from across Canada representing British Columbia, Alberta, Manitoba, Saskatchewan, Ontario, New Brunswick, Nova Scotia and Newfoundland and Labrador, in effect a national snapshot of governance models. The respondents ranged from small, rural communities to large urban centres, (e.g., from Saanich BC to Winnipeg MB and the City of Toronto). There were numerous useful comparators for the City of Markham, i.e. small to midsize cities with highly diverse populations: Richmond BC, Surrey BC, Halifax Regional Municipality NS, etc.

The survey respondents were specifically asked about the role of their respective City Councils. 80% of respondents indicated that their City Council approved the public art master plan, whereas 64% responded that their City Council approved the annual public art budget. However only a small number of City Councils approve the specifics of individual projects. Only 16% of respondents required City Council approval of project plans valued at over \$500,000 and only 13% of respondents required City Council approval for artists and concept contracts valued at over \$1,000,000. The survey thus indicates first, that City Councils generally do not get involved with the details of individual projects, and second, that project budget is not widely used as the standard that determines the need for City Council approval. Overall, then, the results of the survey validate the arms-length governance model outlined in Recommendation 7 of Making Our Markham: Markham's Public Art Master Plan.

### **Public Installations for Historic/Commemorative Purposes**

Notwithstanding the foregoing, staff understand that; City Council may choose from time to time to engage with particular projects beyond what is outlined in the approved Public Art Master Plan, specifically with regard to installations commemorating historic individuals and events. Staff therefore recommend proceeding in a way that allows the City to adhere to best practices in the field of Public Art while also accommodating greater Council input into historic and commemorative installations, including final approval of the project.

### **How the Governance Processes Will Work**

To demonstrate how the governance models and public engagement processes will work for each of A) public art, B) public installation for historic/commemorative purposes and C) donations of public art, we provide the chart below. The chart provides a sample step-by-step selection process for each of the three categories. For the major public art sample (left hand column) we utilize the first project/site listed in the Markham Public Art Implementation Plan: the Pan Am Centre.

<b>A. Major Public Art</b>	<b>B. Historic/Commemorative Installations</b>	<b>C. Donations</b>
<b>1. Interdepartmental working group</b> (with input from public art, planning, urban design, engineering, operations, public realm, recreation, parks, finance, legal and Corp Comm), identifies project opportunity and endorses technical feasibility	<b>1. Interdepartmental working group</b> (with input from public art, planning, urban design, engineering, operations, public realm, recreation, parks, finance, legal and Corp Comm), identifies project opportunity and budget source, and endorses technical feasibility	<b>1. Donation Proposal Received</b> All Public Art donation proposals received by MPAAC, Council and/or staff are referred to the Public Art Curator.
<b>2. MPAAC Recommendation</b> On recommendation of MPAAC (comprising community members and staff) Public Art staff bring a Public Art Project to City Council for approval	<b>2. City staff</b> bring the Public Installation for Historic/Commemorative Purposes to City Council for approval	<b>2. The Public Art Curator</b> reviews the donation proposal to see if it meets the following criteria: a) an artist has created/will create the proposed artwork; b) the artwork has clear authenticity and provenance
<b>3. City Council approves the project, site and budget</b>	<b>3. City Council approves the installation, site and budget</b>	<b>3. The Interdepartmental Public Art Working Group</b> (with input from public art, planning, urban design, engineering, operations, public realm, recreation, parks, finance, legal and Corp Comm), review the proposed donation to see if it is compatible with City plans and policies and to review technical feasibility if there is a proposed site.



A. Major Public Art	B. Historic/Commemorative Installations	C. Donations
<b>4. Design Brief Developed</b> <ul style="list-style-type: none"> <li>• Workshop/Focus group with <b>staff and community users of Pan Am Centre</b></li> <li>• Workshop/Focus group with <b>community: local residents and businesses</b> in the area</li> </ul>	<b>4. Design Brief Developed</b> <p>Workshop/Focus group with <b>council member(s), staff, representatives of the local community and relevant stakeholder groups.</b></p>	<b>4. Art Acquisitions Committee</b> <p>The Public Art Curator drafts a report on the proposed donation and presents to the Art Acquisitions Committee based on the following criteria:</p> <ul style="list-style-type: none"> <li>a) artistic merit</li> <li>b) physical condition, durability and maintenance/conservation requirements</li> </ul>
<b>5. Project Selection</b> <ul style="list-style-type: none"> <li>• <b>Two-stage international open competition;</b></li> <li>• <b>Independent selection panel,</b> coordinated by Public Art staff and composed of three recognised visual arts professionals and one Pan Am Centre user and one local resident;</li> <li>-Release design brief, international open call for artistic credentials;</li> <li>-Selection panel chooses five artists to enter the second stage;</li> <li>-Shortlisted artists visit site and prepare specific proposals for the site;</li> <li>-Showcase proposals online with design brief through Yourvoice Markham for public feedback;</li> <li>-Selection panel reviews proposals, interviews artists and chooses winning proposal;</li> <li>• In addition to the selection panel, relevant technical staff on the interdepartmental working group will attend the selection meetings to provide professional and technical advice and feedback.</li> </ul>	<b>5. Project Selection</b> <p>Selection panel coordinated by City staff and composed of <b>relevant professionals and council member(s) and one or two representatives of the local community</b> determines the method and the process of selection (e.g., direct commission, open competition, purchase of existing object.)</p> <ul style="list-style-type: none"> <li>• Selection panel may showcase proposals online with design brief through YourVoice Markham for public feedback;</li> <li>• If an open competition, selection panel reviews proposals, interviews artists and chooses winning proposal</li> <li>• In addition to the selection panel, relevant technical staff on the interdepartmental working group will attend the selection meetings to provide professional and technical advice and feedback.</li> </ul>	<b>5. MPAAC Committee</b> <p>If recommended, the Public Art Curator updates the report on the proposed donation to the Markham Public Art Advisory Committee (MPAAC) who review the proposal based on suitability to the site in Markham, to the community(ies) in question and compatibility with the Public Art Program and Collection.</p>

<b>A. Major Public Art</b>	<b>B. Historic/Commemorative Installations</b>	<b>C. Donations</b>
<b>6. Progress Report to City Council</b>	<b>6. Report to City Council for Approval</b> City staff bring the selected installation to City Council for final approval	<b>6. Report to City Council</b> If recommended by MPAAC, the Public Art Curator will update the report to present to Council for information. The donor receives a letter from the City informing them that their Donation is accepted contingent upon the following:  a) A signed donor release b) donation appraisal (where a tax receipt is requested) c) maintenance and conservation plan d) unless waived by the City, the donor is responsible for all costs related to the donation including but not limited to: appraisal, transportation, engineering, site preparation, installation and at least 10% of the value of the donation to cover future maintenance and conservation
<b>7. Ongoing Community engagement</b> <ul style="list-style-type: none"> <li>Public talk by selected artist to introduce the chosen proposal and engage public feedback;</li> <li>Users workshop with staff and users of Pan Am Centre led by community engagement professionals for input to finalize the design</li> <li>Community workshop with local residents and businesses led by community engagement professionals for input to finalize the design</li> </ul>	<b>7. Ongoing Community engagement</b> as relevant to the project	<b>7. Ongoing Community engagement</b> as relevant to the project, e.g. public talk by artist or Public Art staff to introduce the donation and engage the public
<b>8. Installation</b> Public Art staff coordinate artwork fabrication, site preparation and installation, as required.	<b>8. Installation</b> City staff coordinate purchase or fabrication, site preparation and installation, as required.	<b>8. Installation</b> Public Art staff coordinate site preparation and installation, as required.

A. Major Public Art	B. Historic/Commemorative Installations	C. Donations
9. Project opened to the public, on-going education program and maintenance	9. Project opened to the public, on-going education program and maintenance	9. Project opened to the public, on-going education program and maintenance

### **Conclusion**

Approval of the Public Art Implementation Plan 2020-2024 will support a renewed Vision for a thriving and vibrant City. Public Art will highlight the city's unique characteristics and create new experiences through which local residents and visitors can engage with each other and the rich surroundings in Markham. The plan will enable the City of Markham to realize exciting public art projects that will: inspire people to live in, visit and invest in Markham; celebrate the diverse cultures and heritage in Markham from multiple points of view; and connect residents to Markham's built and natural environment.

### **FINANCIAL CONSIDERATIONS**

There are no further financial considerations beyond those already approved at the October 28, 2019 Development Services Committee meeting.

### **HUMAN RESOURCES CONSIDERATIONS**

There are no further Human Resources considerations beyond those already approved at the October 28, 2019 Development Services Committee meeting.

### **ALIGNMENT WITH STRATEGIC PRIORITIES:**

Endorsement of the Making Our Markham: Public Art Master Plan 2020-24 is in alignment with the City's Integrated Leisure Master Plan (2010, updated 2019), Culture Plan (2012) Action 24 and 34, Public Realm Strategy (2014) Goal 5 – Creating Gateways and Destinations and Action 5.1 and 5.3, and the City's Official Plan (2014) Section 6.1.7. The City's Official Plan, being updated in 2019, includes under its Goal 2 the following action item: "Implement the Public Art Master Plan". The Public Art Master Plan will also intersect with and support the following plans in progress: the Public Realm Gateway Plan, the Cornell Rouge National Urban Park Gateway Study and Destination Markham.

### **BUSINESS UNITS CONSULTED AND AFFECTED:**

Development Services Commission: Economic Growth, Culture & Entrepreneurship, Engineering, Urban Planning and Design.

Community and Fire Services Commission: Operations (Parks & Forestry Division, Public Realm), Recreation Services.

Corporate Services Commission: Corporate Communications, Finance, Legal Services

**RECOMMENDED BY:**

Christina Kakaflikas  
Acting Director, Economic Growth  
Culture and Entrepreneurship

Arvin Prasad  
Commissioner,  
Development Services

**ATTACHMENTS:**

- One: Markham Public Art Implementation Plan 2020-24
- Two: Making Our Markham: Public Art Master Plan, 2020-24
- Three: Public Art Governance Survey

PUBLIC ART PROJECTS AND BUDGETS

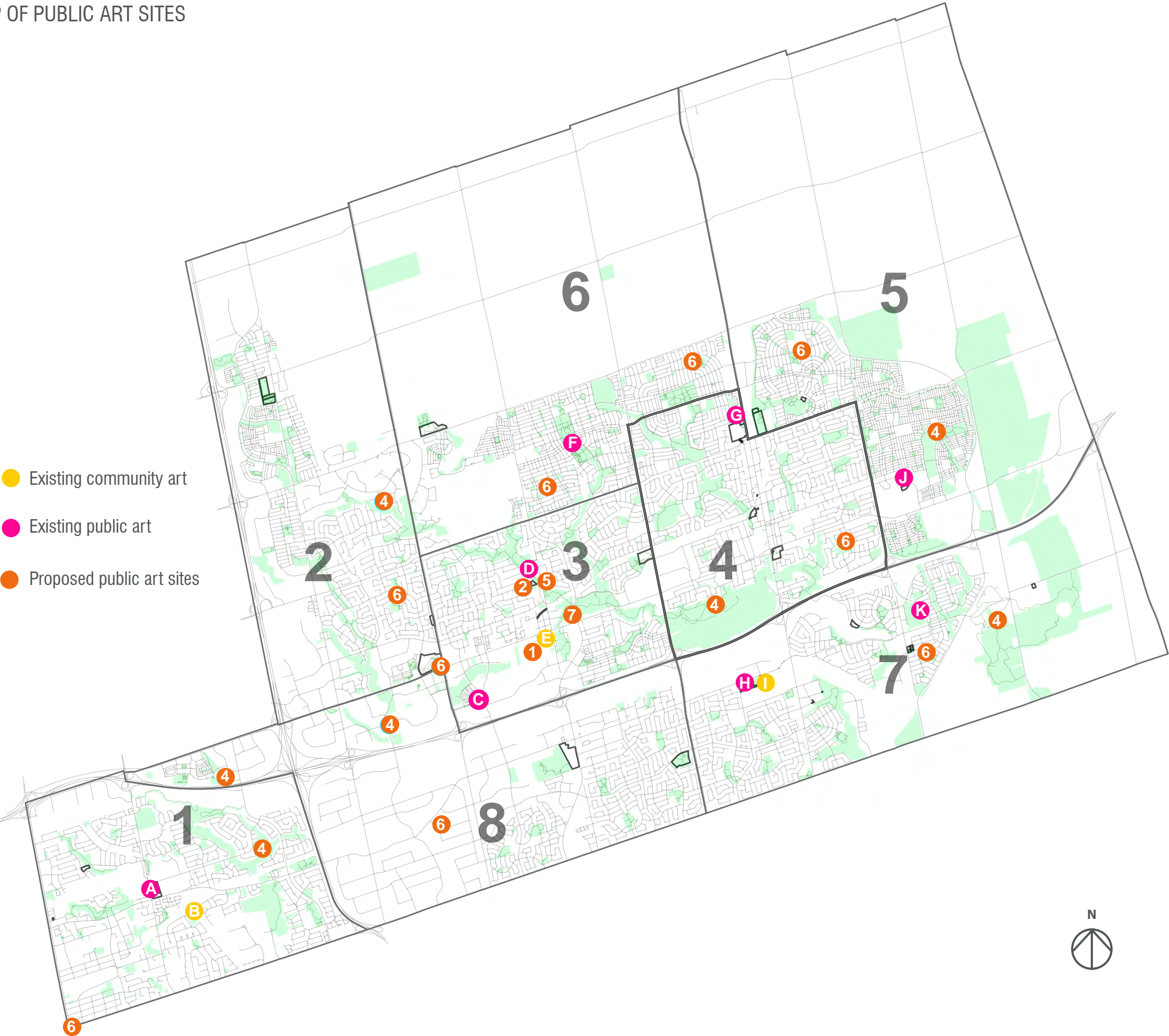
		SITE CATEGORY *	PROJECT START DATE AND BUDGET					PROJECT DESCRIPTION
			2020	2021	2022	2023	2024	
1	PanAm Centre Plaza Public Art Project	1. Key Civic Sites, Gateways and Heritage	\$850,000 Reserve					A visually prominent, large-scale artwork that may have multiple components and be seen from a distance as an icon of Markham, as well as to assist in making the PanAm Plaza more inviting. Community members will be engaged in the development of the artist brief in order to determine priorities and parameters for the site.
2	Main Street Unionville Streetscape	4. Streetscapes and Transit	\$150,000 Operating	\$200,000 Reserve				One or more artists to work with City staff, community members and the streetscape design team to integrate art within the streetscape project, in collaboration with Public Realm. \$200,000 of the budget will come from the Public Art Acquisition Reserve (for capital works) and \$150,000 will come from the Public Art Annual Operating Budget (which may include integrated work, pilot projects and other programming).
3	Digital Art Platform, site(s) to be determined	1. Key Civic Sites, Gateways and Heritage			\$700,000 Reserve			A site (or sites) is yet to be determined. The purpose of this project is to have a platform for changing digital art commissions that can help to identify Markham's role as the High Tech Capital of Canada, and for the artwork to become a gateway marker for the City, either on or near a major transportation corridor.
4	Seasonal Artwork in Trails and Parks	3. Parks and Trails		\$150,000 Operating		\$150,000 Operating		Seasonal art projects programmed for one or two trails and/or parks every second year. Sites will be identified across Wards and ensure prioritization of Wards 2 and 8 that do not have existing public art investment. Suggested initial sites may include: Rouge National Park trails, Uptown Markham Rouge River Trails, Milne Dam Conservation Park, Stiver Mill Garden, Leitchcroft Park and/or Cochrane Pond Park.
5	Varley Art Gallery Courtyard Sculpture	1. Key Civic Sites, Gateways and Heritage			\$200,000 Reserve			A sculptural work to be commissioned for the Varley Art Gallery courtyard, in partnership with the Varley Art Gallery and their curators, and with potential for further fundraising through a combination of private and corporate partnerships, sponsorships and grants.
6	Walking Routes Art Mentorship Program	4. Streetscapes and Transit			\$75,000 Operating	\$150,000 Reserve	\$75,000 Operating	Two or three projects identified to promote walking routes in Markham neighbourhoods and to provide local artists with mentorship opportunities to increase their skills and experience. Sites to be identified every second year starting with Wards 2 and 8 that do not yet have public art investment. Locations will be selected together with the Ward Councillor, City staff, community members, MPAAC, and artists. For example, a site may include connecting between the VIVA corridor and the Civic Centre, high school, theatre and rink.
7	Rouge River Trails Markham Centre	3. Parks and Trails			\$75,000 Operating	\$350,000 Capital	\$75,000 Operating	The artwork may be a combination of longer term and seasonal artwork. It may have an environmental and/or educational focus. There may be opportunities to develop the project(s) and its parameters through an artist residency and in partnership with local community members.
from Public Art Acquisition Reserve Fund			\$850,000	\$200,000	\$900,000	\$150,000	\$0	\$2,100,000
from Annual Public Art Operating Budget			\$150,000	\$150,000	\$150,000	\$150,000	\$150,000	\$750,000
from City Capital Budget			\$0	\$0	\$0	\$350,000	\$0	\$350,000
Public Art Program Management Budget** subtotal			\$100,000	\$100,000	\$100,000	\$100,000	\$100,000	\$500,000
Contingency (from Public Art Acquisition Reserve Fund)								\$250,000
Public Art Program Budget total 2020-2024								\$3,950,000

\* Site Categories 2 (Facilities Projects) and 5 (Major Urban Development) from the Markham Public Art Master Plan will be identified and budgeted separately as projects arise.

\*\* From Annual Public Art Operating Budget, includes staffing, administrative costs, marketing material and events.

MAP OF PUBLIC ART SITES

- Existing community art
- Existing public art
- Proposed public art sites



EXISTING CITY-OWNED PUBLIC ART

- A. Monument to Benjamin Thorne by Les Drysdale
- B. Henderson Bridge Murals \*
- C. Living Light by Jill Anholt (in progress)
- D. Quarry by Mary Ann Barkhouse
- E. Pan Am Community Art Projects \*
- F. Monument to William Berczy by Marlene Hilton Moore
- G. Gambrel Journey by kipjones
- H. Top Garden by GUILD (in progress)
- I. 7 Grandfather Teachings led by Tessa Shanks \*
- J. Cloudflower by Douglas Walker
- K. Dr. Joze Rizal Monument
- \* Existing community art projects

PROPOSED PUBLIC ART SITES 2020-25

- 1. PanAm Centre Plaza
- 2. Main Street Unionville Streetscape
- 3. Digital Art Platform (site(s) to be determined)
- 4. Seasonal Arwork in Trails and Parks (sites to be determined)
- 5. Varley Art Gallery Courtyard
- 6. Walking Routes Art Mentorships (sites to be determined)
- 7. Rouge River Trails Markham Centre



# MAKING OUR MARKHAM

## PUBLIC ART MASTER PLAN 2020-2024



Top Garden conceptual image by GUILD



#MarkhamPublicArt  
[markham.ca/publicart](http://markham.ca/publicart)

PREPARED FOR  
THE CITY OF MARKHAM  
BY

**WORKSHOP**  
architecture

FINAL DRAFT SEPT 2019





# **MAKING OUR MARKHAM**

## **PUBLIC ART MASTER PLAN 2020-2024**

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## EXECUTIVE SUMMARY

It is time for the City of Markham to renew its vision, objectives and definition of Public Art in order to cultivate a Public Art Program that distinguishes Markham from other Greater Toronto Area municipalities, to be a leader in the field in Canada and beyond. Innovative Public Art will highlight the city's unique characteristics and create new experiences and destinations through which local residents and visitors can engage with each other and the rich surroundings in Markham.

Public art can animate public spaces in the city, give people a sense of belonging and add another dimension to the city's built and natural spaces to make for an engaged, diverse, vibrant and thriving city. Public art will be one way the City can grow and foster an environment for the arts and creative communities to flourish and enrich the fabric of Markham's neighbourhoods.

A Public Art Policy Framework for the City of Markham (then Town of Markham) was approved by the City Council in 2003. This led to the initiation of the Markham Public Art Program and the founding of the Markham Public Art Advisory Committee. In 2012 Markham approved a Public Art Policy to direct the integration of public art into public places and in the same year approved a Culture Plan that identified public art as a key contributor to the uniqueness and identity of Markham. In 2013, the part time contract position of Public Art Coordinator was established. Since then, five permanent, major public art works in the city have been commissioned through the program, with two more on the way, to be completed in 2019. Private developers have been encouraged to contribute to the public art collection in Markham and over the past five years the City has received \$2.47 million from private sector developers to be used for the production of public art.

This Public Art Master Plan will support the City of Markham in realising public art projects that will: Inspire people to live in, work in, visit and invest in Markham; Celebrate the diverse cultures and heritage in Markham from multiple points of view; and Connect residents to Markham's built and natural environment. The seven recommendations listed on the next page will direct the development and implementation of a successful public art program from 2020 to 2024 including prioritizing potential sites and opportunities for new public art projects in Markham, and identifying best practices for the administration and implementation of public art projects.

**RECOMMENDATION 1:** Adopt updated vision, objectives and guiding principles within the City of Markham Public Art Policies, Markham Municipal Projects and Private Sector, as outlined in Section 1 below.

**RECOMMENDATION 2:** Adopt updated definitions within the City of Markham Public Art Policies, Markham Municipal Projects and Private Sector, as outlined in Section 2 below and in **Appendix A**.

**RECOMMENDATION 3:** Adopt revisions to the City of Markham Public Art Policy—Private Sector to reduce from five to three the current options for participation in the Markham Public Art Program by eliminating Options D and E and revising the remaining options to follow best practices, as outlined in Section 3 below.

**RECOMMENDATION 4:** Adopt revisions to the City of Markham Public Art Policy—Municipal Projects relating to funding investments as follows and as outlined in Section 4 below:

- a. As per the existing 2012 Public Art Policy, contribute up to 1% of the capital budget of major City capital projects to integrating Public Art into the public facility, including parks, trails, community centres, libraries, streetscapes and infrastructure (bridges, walls, waterworks, etc.).
- b. Private development projects to participate in the Markham Public Art Program as per Recommendation 3.
- c. Establish an annual municipal funding of at least \$250,000 for the Public Art Program.
- d. Encourage partnerships and private donations for further investment in the City's Public Art Program, to follow the City's donation and acquisition processes.

**RECOMMENDATION 5:** Adopt the proposed Public Art Site Selection criteria, types and sites as presented in Section 5 below and **Appendix C**.

**RECOMMENDATION 6:** Adopt revisions to the City of Markham Public Art Policy—Municipal Projects relating to art acquisitions, including procurement and assessing donations and gifts, as outlined in Section 7 below and in **Appendix D**.

**RECOMMENDATION 7:** Adopt revisions to the City of Markham Public Art Policy—Municipal Projects including the governance process as outlined in Section 6 below and in **Appendix E**.

## FINDINGS SUMMARY

### WHAT WE HEARD

Over the course of preparing the master plan, we received a wide range of input from the Public Art Master Plan Steering Committee, the Public Art Advisory Committee, the Mayor, CAO and Commissioners. We met with internal stakeholders representing a wide range of departments on 14 November 2018 and held an external stakeholder meeting on 27 November 2018 attended by local developers, York University, Parks Canada and the non-profit group Park People. In January 2019 we met with the York Region Arts Council and in March 2019 we held a well-attended Public Meeting with thirty members of the public, the Mayor and five Councillors participating.

City staff in various departments were interested in having clear definitions of Public Art and other Public Realm initiatives as well as defined roles, responsibilities and a plan for asset management. They were concerned with the process governing the City's public art. They also cautioned against being too prescriptive so as not to limit the ability of staff to work with artists and art organizations on program initiatives.

Staff from Planning and Engineering would like to see artwork assist in meeting active transportation goals in Markham, while staff in Urban Design and Public Realm would like to see more artwork integrated into major new City facilities and parks, major development sites and the gateways being identified through the City's Gateway Master Plan, currently in process. There was overall support for both highlighting key sites in the City and providing art in underserved neighbourhoods, and to see artwork at popular public sites, but also in areas to be discovered.

At the external stakeholder meeting the two developer representatives were interested in knowing how the funds already collected from them for public art would be deployed, as they saw benefit to having more public art in the City of Markham and wanted to ensure their investment in the program is put to work. Parks Canada

saw a lot of potential in partnering with the City and using art projects, and in particular a gateway and temporary art projects, to bring people to Rouge Park as the trails are developed and connected between now and 2022.

Both internal and external groups supported a focus on digital artwork and viewed the program as having tourism potential if it was of a high quality and unique amongst the Greater Toronto Area's public art offerings. Participants would like public art to engage all communities in Markham, to share a sense of belonging and to help nurture a vibrant community. This objective would need to be supported by community engagement in the development of the Public Art project. It was noted that there is a lot of celebration of European settlers in the current Public Art Collection, but not as much space given to more recent, culturally diverse residents and to Indigenous stories. This was a point that came up again amongst residents during the Public Workshop. They were interested in the Public Art Program sharing a wider variety of stories including those of the many cultures that are here today, but also the stories from those that were displaced, such as the Indigenous communities. The latter narratives counterpoint and complement the settler stories.

Other feedback shared by multiple residents at the Public Workshop include encouraging the Public Art Program to be open to playful, interactive and digital forms of artwork as well as temporary art projects. Residents would also like the Public Art Program to include art that is visible from major roads and highways balanced with art integrated into streetscapes and trails in a way that it can be discovered by people walking.



## CITY OF MARKHAM PUBLIC ART WORKSHOP



## BACKGROUND DOCUMENT REVIEW

Public Art was identified as a priority in each of the following: Markham's Integrated Leisure Master Plan (2010), Markham's Culture Plan (2012), Markham's Public Realm Strategy (2014) and Markham's Official Plan (2014). Public Art was identified in these documents as a means to demonstrate the unique character of Markham's neighbourhoods, heritage districts and business areas, enhance public spaces, define gateways, create landmarks, recognize local cultural identity including commemorating historic events and/or persons, and engage the public.

- In accordance with Section 6.1.7 of the City of Markham Official Plan (OP), public art is a key element of place making. It has the power to define a community and create a unique sense of place. It can enhance the urban fabric of the community by creating landmarks, recognizing local culture as well as global influences and contributing to social and economic vibrancy. Further, according to the Official Plan, Markham supports the provision of public art as a means of fostering community identity by:
  - Incorporating public art into Markham's public places, facilities and infrastructure;
  - Encouraging other public agencies to incorporate public art into public places, facilities and infrastructure; and
  - Encouraging the private sector to incorporate public art into their developments and sites.
- Although they are supportive of the provision of public art, Markham's Official Plan, Secondary Plans and area-Specific Policies should make explicit reference to Markham's existing 2012 Public Art Policy.
- Public Art Policy – Municipal: Council will allocate up to 1% of Markham capital projects for the Public Art Program, but not all eligible projects have seen a Public Art investment.
- Art approvals go through Markham's Public Art Advisory Committee (MPAAC) and Council both before and after the artist/artwork is selected. This is not recommended as it adds confusion to the process,

particularly with the involvement of an external Art Selection Committee. The roles of each committee, and the approval process, need to be clarified.

- The Public Art acquisition process outlined in the existing Public Art Policy should be made more flexible to accommodate all potential acquisition and commissioning scenarios.
- Public Art Policy – Private Sector: The goal of up to 1% contribution of construction cost from developers, is encouraged, not mandatory, but in practice has been very successful.
- Markham's Public Realm Strategy: Goal 5. Creating Gateways and Destinations and Action 5.1 and 5.3 relate directly to Public Art.
- City of Markham Culture Plan and Policy 2012 re-inforces the municipal and private sector Public Art policies:
  - Action 24 - Establish internal guidelines for cultural enhancements to civic facilities as new buildings are constructed or as renovation projects occur;
  - Action 34: Establish a formal process for integrated planning between the Culture and Planning Departments to advance public art and cultural spaces within private development.

## PLANS IN PROGRESS

- A strategic initiative entitled "Destination Markham" is currently in development. This strategy is intended to promote greater awareness of Markham as a preferred place to visit, work, invest, study, live, celebrate, engage in sports and be entertained.
- The Public Realm program within the City's Operations Department is preparing a vision and Gateway Master Plan for the City. This will include recommendations for gateway development that will integrate a strong sense of place defining entry/exit into and around the City.
- The 2019 Integrated Leisure Master Plan Update reconfirms the importance of Public Art in Markham.
- City of Markham's Strategic Plan 2020-2023



## 1. PUBLIC ART VISION

**RECOMMENDATION 1:** Adopt updated vision and objectives within the City of Markham Public Art Policies, Markham Municipal Projects and Private Sector, as outlined below.

Public art can animate public spaces in the city, give people a sense of belonging and add another dimension to the city's built and natural spaces. Public art can also help to support City goals and initiatives – for example, building Healthy Communities or reinforcing Walk-to-school routes. With a renewed vision, objectives and definition of Public Art, the City of Markham can cultivate a Public Art Program that distinguishes Markham from other Greater Toronto Area municipalities to be a leader in the field in Canada and beyond.

Markham is a growing city that still feels like a town at heart. It has changed rapidly over the last few decades with a growing number of residents, many of them new immigrants from Asia, but it has also remained close to its settler roots. Markham is a city of opposites co-existing. Nineteenth century heritage towns and new communities sit alongside each other. Higher density developments and tech-sector companies are balanced by a rich natural environment of rivers, parks and trails – including the Cornell Rouge National Urban Park.

The history and accomplishments of the colonial settlers are well-documented in Markham through prominent works of Public Art and in place names, yet other aspects of the city's identity are not as well marked – including the vibrant multi-generational Asian community and the long story of the Indigenous presence in the area which predates colonial settlement by thousands of years. Markham is also a city in flux. A Public Art Program should not be limited to commemorations but could instead brandish a new vision for what Markham aspires to be and can become.

### VISION

It is time to make our mark! Innovative Public Art will highlight the city's unique characteristics and create new experiences through which local residents and visitors can engage with each other and the rich surroundings in Markham.

### OBJECTIVES

Each public art project will meet at least two of the following objectives:

1. **INSPIRE** people to live in, work in, visit and invest in Markham.
2. **CELEBRATE** the diverse cultures and heritage in Markham from multiple points of view.
3. **CONNECT** residents to Markham's built and natural environment.

### GUIDING PRINCIPLES

The City of Markham's Public Art Program follows the guiding principles below:

1. Community engagement and education
2. Cultivation of the local arts sector - in a wide variety of art forms and practices
3. Artistic excellence and innovation
4. Protection of artists' integrity - fair pay for artists and retention of their copyright and moral rights
5. Professionalism, fairness and equity in processes
6. Financial sustainability and responsibility of the program
7. Accessibility and geographic reach of the collection

## PUBLIC ART EXAMPLES: VISION AND OBJECTIVES



**INSPIRE** people to live in, work in, visit and invest in Markham.

images: Berzcy Park fountain by Claude Cormier, Toronto (left); Herald/Harbinger by B. Rubin and J. Thorp, Calgary (right).



**CELEBRATE** the diverse cultures and heritage in Markham from multiple points of view.

images: Cracked Wheat by Shary Boyle, Gardiner Museum, Toronto (left); Artist Greg Hill with the Samuel de Champlain monument, Ottawa. Photo by Jeff Thomas (right).



**CONNECT** residents to Markham's built and natural environment.

images: Elevated Wetlands by Noel Harding, Toronto (left); Garden of Future Follies by Studio of Received Ideas (right).



## CASE STUDY

### MÜNSTER SCULPTURE PROJECTS

Münster Sculpture Projects is a one-hundred day exhibition of sculptures in public places in the town of Münster, Germany (population 310,000). It has been held every ten years since the 1977. It was initiated by the Westphalian State Museum to bridge understanding about art in public places following the public outcry for the placement of a sculpture by George Rickey. The exhibition now shows the works of dozens of invited international artists in public places across Münster.

The artists are selected by a curatorial committee of international art experts. Each artist then chooses a site and develops an artwork for the specific site. The exhibition is paid jointly by the municipality, the province, the state and private sponsorships. In 2017, the budget was approximately \$11 million, with 35 artworks, 40 artists, over 70 corporate and art foundation sponsors and approximately 650,000 visitors from 72 nations. Tours were available in 11 languages as well as in accessible formats (e.g. sign language). After every exhibition, the city buys a few of the exhibited sculptures for permanent installation – there are currently thirty-five works in the collection that premiered at the exhibition.

**HOW THIS IS RELEVANT TO MARKHAM:** With a population of 310,000 people, Münster is approximately the same size as the City of Markham. This model shows how, with a strong vision, Markham can build on their public art program to become a tourist destination known for innovative contemporary art. Previous exhibitions such as Land | Slide at the Markham Museum have laid the groundwork for developing further contemporary art events and collaborations and the Varley Art Gallery provides a solid foundation from which to build potential partnerships and future donors.

Images top to bottom: Superwoman by Tom Otterness; On Water by Ayse Erkmen; We Are Still and Reflective by Martin Boyce; Celestial Masks by Herve Youmbi.



## 2. DEFINING PUBLIC ART

**RECOMMENDATION 2:** Adopt updated definitions within the City of Markham Public Art Policies, Markham Municipal Projects and Private Sector, as outlined below and in Appendix A.

There are many different definitions of Public Art and a broad or theoretical definition is useful when framing the benefits of artistic work in the public domain.

For a municipality a definition of Public Art should not shut out artforms or art practices, but it will need to establish a boundary.

The City must determine the kinds of work for which it will and will not maintain responsibility. For this reason, the following definition of public art is proposed for the City of Markham Public Art Collection:

**Public Art**, for the purposes of the curated Public Art Collection is an original work in any medium that meets all the following criteria: the work is created by one or more Professional Artists; the work is relevant to its site and context; the work has been planned and executed with the specific intention of being sited or staged in a public space; and the work has been acquired following the City of Markham's established processes.

There is a strong program of Public Realm initiatives in the City of Markham including Community Art projects such as murals painted by students under the guidance of an artist or art teacher, and Public Realm Elements such as utility box wraps or landscape gateway features. Even when created or led by a Professional Artist, these are not defined as Public Art as their acquisition does not follow the City's established processes, and the works will not be insured and maintained within the Public Art Collection. For clarity we recommend defining the various categories of artwork and outlining the basic roles and responsibilities for each.

In **Appendix A** you will find the full list of updated definitions.

**Public Realm** is defined as all privately and public owned spaces, indoors and outdoors, which are generally accessible, either visually or physically, to the public free of charge. Also referred to as public places; when referred to as public domain it can as a social space, a forum for discussion, a place to reach consensus.

A **Professional Artist** is someone who: earns a living through art making; or possesses a diploma in an area considered to be within the domain of the fine artist; or teaches art in a school of art or applied art; or whose work is often seen by the public or is frequently or regularly exhibited; or is recognized as an artist by consensus of opinion among professional artists.

*Note: the definition is the International Artists Association definition used by the Canadian Artists Representation (CARFAC).*

**Public Art Collection** shall be defined as the works of public art belonging to the City of Markham. The Public Art Collection will only include work that is defined as Public Art and that will be maintained and insured by the City of Markham for more than one year. The Public Art Collection will include Stand-alone Public Art, Integrated Public Art, Public Art Platforms, Social Practice Art and two-dimensional works of art. It will include Commemorations and Street Art when they are conceived by a Professional Artist. The Collection will not include Temporary Art, Non-sanctioned Public Art, Community Art, Commemorations that are not by a Professional Artist, and/or Public Realm Elements.



## PUBLIC ART EXAMPLES: DEFINITIONS



**Stand-alone Public Art** is a work of public art that is not a physical part of a building, structure or landscape. Image: Digital Orca by Douglas Coupland, Vancouver.



**Temporary Public Art** is created for a specific occasion, specific time frame or event and is situated at a particular site on a temporary basis. Image: The House That Sets the North by Xiaoqing Yan, Mississauga.



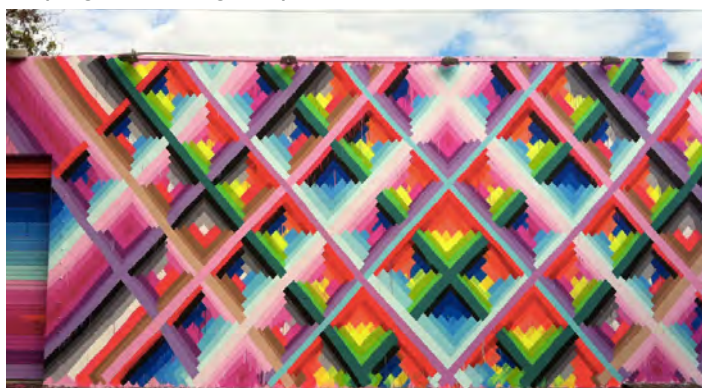
A **Commemoration** is a work that is designed to honour a particular idea, individual or to commemorate a particular event. If a Commemoration is created by a Professional Artist and sited or staged in public space, it will also be a work of Public Art. Image: Salvadore Allende Monument, Michel de Broin, Montreal.



**Integrated Public Art** forms a physical part of a building, structure or landscape. If the site were to be redeveloped, the art would be as well. Image: Chromatic Induction Seats by Carlos Cruz-Diez, Caracas.



A **Public Art Platform** is a place and/or infrastructure in the Public Realm that is reserved for a rotating exhibition of art-work. An art platform can take many forms including a physical podium, a sanctioned street art wall or a digital screen. Image: Alison Lapper Pregnant by Marc Quinn, Fourth Plinth art program, Trafalgar Square, London, UK.



**Street Art** is an urban style of temporary public art on walls, sidewalks and roadways that is sanctioned and permitted. It is distinct from graffiti which is not-sanctioned or permitted and is a form of vandalism. Image: Mural by Maya Hayuk, Wynwood Walls, Miami, USA.

### 3. DEVELOPMENT AND PUBLIC ART

**RECOMMENDATION 3:** Adopt revisions to the City of Markham Public Art Policy—Private Sector to reduce from five to three the current options for participation in the Markham Public Art Program by eliminating Options D and E and revising the remaining options to follow best practices.

There is a high level of development interest and activity in Markham. Local land developers have been very engaged in the Public Art Program through providing artwork and through financial contributions to the Markham Public Art Acquisition Reserve Fund utilized by the City to develop artwork.

The developer investment in Public Art is supported by Section 37 of the Ontario Planning Act and is outlined in the City of Markham Public Art Policy—Private Sector. This Private Sector policy is out of date and needs to be reviewed. There are currently five options for private sector development contributions, but it is recommended to simplify the policy. The options should be reduced to three, with revisions to their descriptions in the policy to ensure that the proposed contribution follows best practice in public art: Option A, a financial contribution to Markham in trust for the commissioning of public art located on the site of the development project; Option B, a developer undertakes its own public art project on the site of the development project following a commissioning or acquisition process approved by the City of Markham; Option C, a financial contribution is made to the Markham Public Art Acquisition Reserve Fund with the funds going to one or more projects to be planned and undertaken by the City following its established processes. In this option, the City of Markham will own the art, include it in their collection, be responsible for the artwork's maintenance and conservation, and can de-accession and dispose of it in the future as required and in keeping with the City's approved processes.

Although all three options are available, the City may prefer Option C in many cases for the following reasons:

- With the funds centralized and managed by the City of Markham on public property, the City of Markham can plan for a Public Art Program more holistically

to achieve a focused vision and ensure equitable distribution geographically, and diversity in artists, artforms and themes.

- The principles of how art is acquired and selected are best handled by the public sector.
- Changes of ownership can lead to issues with the maintenance and conservation of public art on private land, in particular with condominium boards. Issues around how to deal with art lifecycles and site redevelopments are also a concern.

The developer's Public Art contribution amount is based on encouraging a contribution of at least one percent of the development's above-ground construction budget. The City will reserve at least 10% of the funds of a Public Art project for future maintenance and conservation and can use the funds towards the management of the project (typically around 10% of a project's budget).

Section 37 of the Planning Act allows a City to negotiate an increase in density or height for a project in exchange for community benefits such as Public Art, but the benefit must be durable (i.e. capital facilities) and have an appropriate geographic relationship to the development site. For this reason, the funds in the Markham Public Art Acquisition Reserve collected from a development project cannot be used for areas of the city that are far from the development site, and they cannot be used toward shorter duration Public Art projects. *Please note: There may be changes to Section 37 of the Planning Act due to Bill 108. Once the details are known, Markham's Private Sector policy may need to be reviewed.*

A process for donations is currently one of the options set out in the Private Sector policy. Donations should be treated separately from the private developer program with a distinct policy and process, as outlined in Section 7 below.



## CASE STUDY

### PUBLIC ART AT SQUARE ONE

**HOW IT STARTED:** Square One Mall has an art program that began a few years after the City of Mississauga's Council approved a Public Art Policy and Program in 2010. Oxford Properties Group, the owner of Square One, commissioned award-winning artists Young and Giroux in 2013 to create an artwork for the shopping mall's food court expansion. The permanent installation, called *Lambent*, was unveiled to the public in 2015. "We are excited to officially unveil *Lambent*, suspended above Food Central, as part of our ongoing commitment to offering customers an unparalleled shopping experience and a premium destination for fashion, art and culture in the western Greater Toronto Area. We are proud to house such a dramatic and uniquely Canadian piece of art, as part of our ongoing commitment to supporting local talent and the Mississauga arts community." Greg Taylor, GM Square One, Oxford Properties Group

**PROGRAMMING:** Oxford Properties contacted The Embassy of Imagination, an art practice comprised of youth from Kinngait (Cape Dorset, NU). Young artists Parr Josephee and Tommy Quvianaqtuliaq (pictured to the right) created self-portraits that were exhibited within Square One in 2017.

**ONGOING PARTNERSHIPS:** Square One has been regularly partnering with the Art Gallery of Mississauga (AGM) starting with a satellite exhibition of *Pattern Migration* in 2017 as part of the launch of their new luxury wing. A 200×40-foot hoarding wall displayed prints by Sanaz Mazinani, a digital animation by Diyan Achjadi, and illuminated display cases featuring figurines by Soheila Esfahani. In 2018, Square One hosted the AGM Benefit Art Auction. The event showcases contemporary Canadian works of art, from emerging and established artists, all in support of AGM's community-engaged programmes.

**HOW THIS IS RELEVANT TO MARKHAM:** Markham is known for its destination malls. As it is likely that they may undergo expansion and/or redevelopment in the next few years, the City of Markham could encourage including artwork integrated into their buildings and partnerships on public art programming. Square One is an example of the destination marketing benefits of public art installations and programming. With the newly founded Destination Markham Corporation, there may be potential for the mall owners to seek funding or other support for some of this cultural activity.

Images top to bottom: *Lambent*, Young and Giroux, Square One; Embassy of Imagination exhibition in Square One; *Pattern Migration* exhibition in Square One; Art Gallery of Mississauga Benefit Art Auction in Square One.



## 4. INVESTING IN PUBLIC ART

**RECOMMENDATION 4:** Adopt revisions to the City of Markham Public Art Policy—Municipal Projects relating to funding investments as follows:

- a. As per the existing 2012 Public Art Policy, contribute up to 1% of the capital budget of major City capital projects to integrating Public Art into the public facility, including parks, trails, community centres, libraries, streetscapes and infrastructure (bridges, walls, waterworks, etc.).
- b. Private development projects to participate in the Markham Public Art Program as per Recommendation 3.
- c. Establish annual municipal funding of at least \$250,000 for the Public Art Program.
- d. Encourage partnerships and private donations for further investment in the City's Public Art Program, to follow the City's donation and acquisition processes.

### PERCENT FOR ART POLICIES (a and b):

The City of Markham has two existing Public Art Policies: one each for Municipal and Private Sector projects. Each policy encourages up to one percent of investment from the construction costs of City capital projects and private developments respectively. The City has used the municipal policy to invest in public art at the Aaniin Community Centre, where the artwork *Top Garden* will be installed in 2019.

Private developer provision in public art is negotiated through Markham's City Planning and Urban Design team. In most cases, the City has received the developer public art provision in the form of funds for the Public Art Reserve. In Markham Centre the public art provision from The Remington Group was provided as a combination of installed work and funds to support artwork commissioned by the City for the streetscape.

The Master Plan will include an implementation plan for 2020-2024 that disperses the available funds in the Public Art Reserve. Additional funding will be collected commensurate with growth and new City capital projects. *Please note: There may be changes to Section 37 of the Planning Act due to Bill 108. Once the details are known, Markham's Private Sector policy may need to be reviewed and Bill 108 could also affect the current and future Public Art Acquisitions Reserve.*

### ANNUAL MUNICIPAL FUNDING (c):

In **Appendix B**, we have included a funding comparison of cities in Canada with public art programs. A public art budget based on a percentage of capital budgets is a standard for many cities, with the rate ranging from 0.5% to 2%, and 1% as the most typical rate used. In 2017, Markham's capital budget was \$81,000,000. A 1% percent investment for public art, as per the existing Public Art Policy would amount to \$810,000 municipal funds per year, 0.5% would amount to \$405,000.

In 2015 and 2016 the City of Markham budgeted \$150,000 per year for public art projects, but there was no annual municipal budget for public art in the approved 2017 and 2018 budgets separate from funding public art through major new capital projects due to underspend from the previous years. \$145,000 was budgeted for public art staffing and acquisitions in 2019.

If one percent of new capital projects is the only mechanism used to invest in public art in Markham, neighbourhoods without capital work will not have public art. To ensure there is equity across the City and to successfully achieve the delivery of the Public Art Policy vision, an annual budget is needed to invest in public art in existing City facilities and/or in public spaces and parks in areas where there is no planned new development.

An annual budget could also help to support local mentorships and pilot temporary projects or public art platforms with changing artwork, such as content for a digital art screen -- many of these are not eligible for developer funding from Section 37 of the Planning Act in the Province of Ontario. \$250,000 is requested to cover staffing, administrative costs, regular programming and educational activities, marketing material, events and seasonal and/or temporary pilot projects.

As public art can help to promote tourism and destination marketing with “high quality attractions” and “distinctive experiences” for residents and visitors, the newly formed Destination Markham Corporation should be considered as the revenue source for annual operating funding of the public art program. The corporation receives a 50% share of the Municipal Accommodation Tax, which is anticipated to amount to \$2.5 - \$3 million annually.

#### **DESTINATION MARKHAM VISION:**

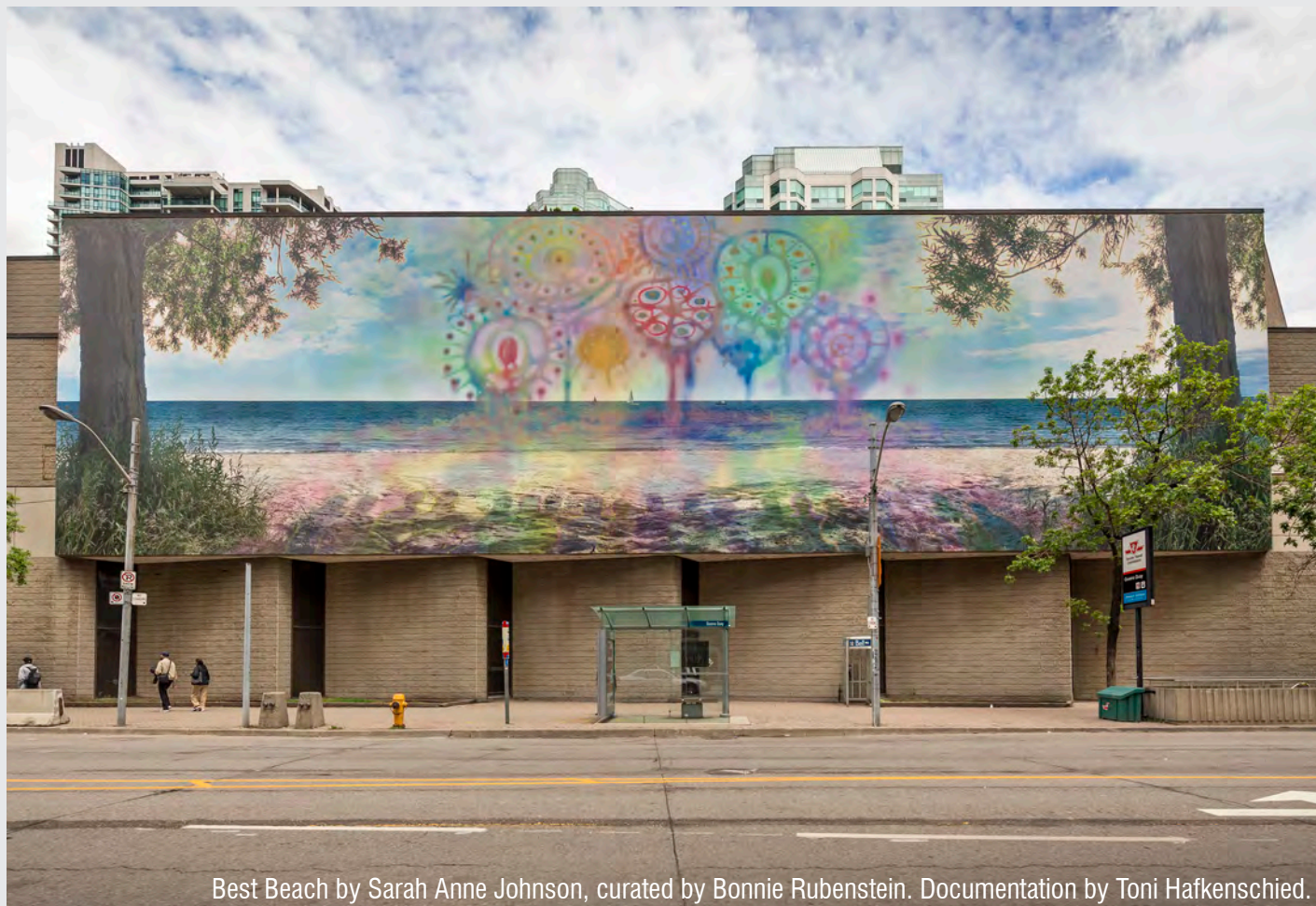
Markham will be among the top places in Canada to live, work, play and do business. Markham will be regarded as a highly desirable, welcoming place with distinctive, high quality attractions and exceptional amenities for residents, visitors, talent and business. Together with its stakeholders and the community, Markham will co-create and promote distinctive experiences for residents and visitors; and grow opportunities for businesses and talent to thrive in the 21st century.

**PARTNERSHIPS AND DONATIONS (d):** Partnerships with other public agencies who are located in, and/or operate in Markham can strengthen the City of Markham's investment in public art. For example, York University has a public art program, and Parks Canada representatives at the external stakeholder meeting expressed interest in using public art programming in the audience development for the Rouge National Park. Donations of art and funds from private companies and individuals should also be encouraged, when they follow the criteria and processes as outlined in Section 7.



## CASE STUDY

## BEST BEACH BY SARAH ANNE JOHNSON



Best Beach by Sarah Anne Johnson, curated by Bonnie Rubenstein. Documentation by Toni Hafkenschied.

Philanthropic charity Partners in Art (PIA) and StreetAR-Toronto collaborated with the Scotiabank Contact Photography Festival to fund *Best Beach*, a photographic mural by Sarah Anne Johnson that was exhibited from 2015 to 2017.

The artwork is located along the west-facing wall of the Toronto Westin Harbour Castle Convention Centre. From the artist's website, "[the mural] is positioned at a busy location that lies at the gateway to the Islands, yet is visibly closed off from it. Johnson's image connects the urban space to its neighbouring natural environment—trees on either side of the frame serve as a proscenium, while shadowy figures are gathered in the foreground. As constructions of Johnson's highly theatrical imagination, these shadows allude not only to an audience witnessing the dramatic scene, but also to spectators on the street who are being enticed to join them at the

beach. Exploring the space between reality and fiction, experience and desire, Johnson captures the promise of a local landscape and transforms it into an idyllic place that seems very far from the city."

**HOW THIS IS RELEVANT TO MARKHAM:** Developing a strong public art program with a unique vision can be a tourism draw, particularly shorter-term public art installations as demonstrated in this case study. For this reason, Markham's Municipal Accommodation Tax should be considered as one source of potential funding. Another could be through match-funding via sponsorships and/or partnerships with established festivals/organizations to help promote Markham's public art program and increase its visibility in the art sector and to a wider public audience.



## 5. PUBLIC ART SITE SELECTION

**Recommendation 5:** Adopt the proposed Public Art Site Selection criteria, types and sites as presented in Appendix C.

To build on the public art vision and objectives, and to create a public art program that differentiates and highlights Markham's unique characteristics we have outlined a series of five public art site types with corresponding approaches and a list of priority sites. In **Appendix C** we have selected a sample site for each type, to demonstrate the approach and how projects for the final selected sites could be defined.

To support new sites that may come up in the five categories and for decision-making beyond the five-year timeframe of the Public Art Master Plan, we have compiled a site selection criteria evaluation form that can be found below. The site selection criteria are built on what we heard and the relevant municipal background documents we reviewed.

### PUBLIC ART SITE SELECTION CRITERIA

### SITE CATEGORIES AND PRIORITIES

Evaluation criteria	Description	Scoring (rating 1-10)
1. Meeting City of Markham's strategic and planning goals	This criterion identifies whether the proposed site will help Markham meet the City's goals as established through the strategic plan, City-wide plans, department plans, and planning documents including the Official Plan, Secondary Plans and Urban Design Guidelines.	/10
2. Distribution and variety	This criterion identifies whether the proposed site will help to meet the aim of providing equity in public art provision throughout Markham and whether the site will add to the variety of types of sites, art forms and experiences currently existing and planned in the city.	/10
3. Public activity and use	This criterion establishes whether the proposed site is located in a publicly active area, or whether art can increase the profile of under-used sites where the City would like to encourage further activity, and whether it supports the current and/or proposed use of the site.	/10
4. Transportation access to site	This criterion rates the ability for people to travel to the proposed site from elsewhere in Markham from multiple modes.	/10
5. Site capacity and appropriateness	This criterion identifies whether the proposed site has the capacity to facilitate and sustain a high-quality public artwork and whether the site can provide sufficient latitude to hold interest to an artist.	/10
	<b>Score</b>	<b>/50</b>
	To be considered further, sites should have a minimum rating of at least 35/50 and should not score lower than 6.5/10 in any one category.	

### Site Category 1. Key City Sites, Gateways and Heritage Areas

**Resources:** Partner with other agencies and/or City departments, up to 1% for eligible sites and/or funds from Public Art Reserve.

**Preferred approach:** Commission stand-alone artwork to be developed for the site. Pilot art projects developed in areas that are in transition/undergoing major change in the next five to ten years could be used as a lower budget approach to increase awareness and to develop the public art program.

1. PanAm Centre Plaza
2. Markham Civic Centre + Future Civic Square
3. Varley Art Gallery Courtyard
4. Cornell Rouge National Urban Park gateway
5. Future York University Campus

### Site Category 2. Facilities Projects

**Resources:** Up to 1% for eligible sites as per Public Art Policy.

**Preferred approach:** Artist on design team with artwork integrated into capital construction.

6. Angus Glen Community Centre
7. Milliken Mills Community Centre
8. Future Operations Centre (site in NE to be determined)
9. Armadale Community Centre

### Site Category 3. Parks and Trails

**Resources:** Funded by the Public Art Reserve and/or annual budget – for equitable distribution to underserved areas.

**Preferred approach:** Art on a neighbourhood scale developed by artists engaged with local communities, selected through a call for artist-initiated projects in underserved areas, or through curatorial selection.

10. Rouge River Trails Markham Centre (Birchmount Park)
11. Rouge National Park trails
12. Milne Dam Conservation Park

13. Uptown Markham Rouge River trails
14. Leitchcroft Park
15. Boxgrove Community Park
16. Partnership with Eabametoong First Nations (location TBD)
17. Wismer Park

### Site Category 4. Streetscape and Transit

**Resources:** Up to 1% for eligible sites and/or from Public Art Reserve.

**Preferred approach:** Smaller scale artwork by local or emerging artists to encourage active transportation and integrated art and/or commissions for stand-alone art.

18. Highway 7 transit stops
19. Main Street Unionville Streetscape
20. Unionville GO Mobility Hub
21. York Region transit hubs
22. Buttonville streetscape
23. Walk-to-School routes

### Site Category 5. Major Urban Developments

**Resources:** Developer funding to Public Art Reserve.

**Preferred approach:** Focus on digital/high-tech art selected through approved curatorial selection or proposal call.

24. Gallery Square
25. Movieland Markham
26. Remington Centre
27. Pavilia Towers
28. Riverview Uptown Markham
29. Langstaff Gateway Development
30. Cornell Centre

## CASE STUDY

### UC SAN DIEGO STUART COLLECTION

The Stuart Collection at UC San Diego (UCSD) seeks to enrich the cultural, intellectual, and scholarly life of the UCSD campus and of the San Diego community by building and maintaining a unique collection of site-specific works by leading artists of our time. Under an agreement forged in 1982 between the Stuart Foundation and the University of California San Diego, the entire campus may be considered as sites for commissioned sculpture including integration of some of the art projects with university buildings.

**ART COMMISSIONING PROCESS:** Artists are invited to develop proposals with the assistance of the Stuart Collection staff. Artists select and tailor their work to a specific UCSD site. The selection of artists for commissions is based on the advice of the Stuart Collection Advisory Board, which is composed of art professionals of international stature. Projects chosen for realization by the Advisory Board are then submitted to a campus review process.

**HOW THIS IS RELEVANT TO MARKHAM:** The City of Markham started to build their collection in 2003, at the outset of the Public Art Program. Selection and artwork development processes and a commitment to high quality artists and artwork are needed to build a strong collection. Markham will soon be home to a satellite campus of York University and a Metrolinx Mobility Hub, and the City also continues to attract high tech companies and high net worth residents. Therefore, municipal investment in the public art program could be leveraged through partnerships and sponsorships.

Images top to bottom: Another by Barbara Kruger; Fallen Star by Do Ho Suh; Read/Write/Think/Dream by John Baldessari; Snake Path by Alexis Smith; Bear by Tim Hawkinson.





## 6. PUBLIC ART PROGRAM PROCESSES

**RECOMMENDATION 6:** Adopt revisions to the City of Markham Public Art Policy—Municipal Projects relating to art acquisitions, including procurement and assessing donations and gifts, as outlined below and in Appendix D.

### DETAILED PROCEDURES

The City of Markham's Public Art Policy -- Municipal Projects is very thorough and includes many processes to manage the Public Art Program. The high-level direction within the policy should remain, but for future development of the program and flexibility, the detailed procedures should be removed from the policy and, instead, be working documents for the management of the program.

### DONATIONS POLICY

For clarity in roles and responsibilities, and transparency in decision-making, the donations review procedure should be updated as outlined in **Appendix D**.

### ACQUISITIONS METHOD

Trade agreements allow for exceptions to municipal procurement rules for art and culture, as is reflected in the acquisition processes of the municipal museums and gallery, but there is only one approved acquisition method in the current Public Art Policy – a two-stage open proposal call. To achieve the Public Art Program Vision and Objectives further art acquisition methods should be considered including: curated selection, artist on a design team, invited calls and artists selected from credentials.

### COMMUNITY ENGAGEMENT STRATEGY

Public art has the potential for connecting people to their place in a profound way. Communities will be regularly informed, involved and engaged in Public Art Projects and with the Public Art Collection. Various tools and levels of information, education and engagement may be used to suit different scales and types of public art projects, programs and communities. Programming and resources will help to promote the Public Art Collection amongst those who live in, work in, and visit Markham.

See below for an outline of key points to inform and involve community members in the process of new commissions and with the existing Public Art Collection. This will help to build trust with the community and to continue to build on the high quality cultural offerings of the City of Markham.

#### Education

- Maps and self-guided trails of the Public Art Collection to be made available online and in print.
- Public Art Curator or other art experts to host tours and artist talks.

#### Information and Engagement

- Open House meetings to be held in the community at key stages – for example, upon artist selection, early art concept development, and final art proposal before fabrication begins. Any public feedback will be shared with the artist for their consideration.
- Use Your Voice Markham, an online engagement portal for citizens that can be used to share project plans and monitor a project's process. It is also a platform for citizens to voice their opinions and ideas for current and future projects, and to monitor a project's progress.
- The process of engagement may be tailored to the type of artist commission:
  - Integrated Art Commissions: When the artist is hired to be a member of the design team at an early stage in a capital project's development, the public engagement for the art can be integrated within the capital project's public consultation plan. The artist may be asked to attend one or more public meetings.

- Stand-alone Art Commissions: For key civic sites, there may be public input into developing the project parameters/artist brief. Commissioned artists may be invited to give an artist talk in a public venue during the development of their artwork (either presenting their previous work when first contracted, or presenting in advance of the commissioned installation). Where appropriate to the site and project (for artwork in community parks and trails) artists will be contracted to involve the community in the development of their art concept/installation.
- Pilot/Short-term Commissions: The artwork in pilot or short-term commissions serves to stimulate public discourse about a place, and lays the groundwork for considering longer-term artwork.
- Please note that where an artist is expected to attend public meetings, give a talk, engage with community members, or any other work extra to their art commission, that this should be clear in the invite or call and must be compensated in addition to the artist fee for developing the artwork.

## MAINTENANCE AND CONSERVATION

Works of public art come in many different materials and forms which will have different types of maintenance and conservation needs. The following principles should be followed to manage the Public Art Collection:

- Artist to provide maintenance manual for new commissions
- At least 10% of the budget of each Public Art project to be set aside for future maintenance and conservation for long-term installations (more for artwork with higher maintenance requirements)
- Public Art Collection is reviewed annually to plan for necessary cleaning and conservation
- Follow de-accessioning processes for an artwork where required.

## STAFF SKILLS AND RESPONSIBILITIES

There are a number of different skills needed to run a Public Art Program and these likely will not be found in a single staff member. Furthermore, the program will need to have cross-departmental cooperation in its management. To support this, we have outlined the staff skills and experience required and the potential full-time equivalents (FTE) and existing staff roles that could help to support the program.

### Manager, Varley Gallery

Responsible for managing the Public Art Curator and the oversight of the Public Art Program, including reporting to the senior management and Council as required.

### Public Art Curator (0.6 FTE)

- knowledge of local, national and international contemporary art, artists and art practices
- minimum 5 years experience working with artists to help develop and realize their vision
- minimum 5 years experience in creating curatorial statements and artist/artwork selection

In order for the staff in this role to stay current in contemporary art, this role should be part-time so they are able to work on complementary projects, but in order to successfully implement the master plan we propose to increase the role from the current 0.5 FTE to 0.6 FTE. We also propose to rename this position from the current title of Public Art Coordinator, to Public Art Curator, in order to be clear about the experience and skills required.

### Project Management Coordinator (0.4 FTE)

- at least 5 years experience in municipal capital project management and working across departments to achieve a capital project vision

This position refers to the time commitment of an existing City staff member(s) who may be involved in the project management of a Public Art Program-initiated project, on an as-needed basis.

## Administration

Administration for the program will be handled through existing resources. There is currently a distributed administrative support system, integrated into the existing organizational structure, that will be maintained. For example, Clerks staff coordinate and take minutes for the Markham Public Art Advisory Committee. Financial processing is through the administrator who supports the Manager of the Varley Gallery.

## Interdepartmental Public Art Working Group Members

Operational-level staff from the following departments with knowledge of their plans and processes to advise on managing Public Art Projects and the Public Art Collection:

- Urban Design and Planning (negotiating with developers, including public art in planning documents)
- Public Realm (advising on upcoming plans and projects and reviewing potential public art sites in parks and facilities)
- Engineering (budgeting and implementation of municipal capital projects)
- Transportation (advising on upcoming plans and reviewing potential public art sites in streetscapes and transit)
- Operations (reviewing art maintenance procedures and assisting with annual Collection assessment)
- Finance (program budgets and reserve fund)
- Legal (artist contracts)
- Corporate Communications (events/PR support)

## MPAAC TERMS OF REFERENCE

MPAAC has a terms of reference document that governs the committee's composition, roles and responsibilities. The following is an outline to guide the revision of the existing Terms of Reference document:

- There will be a maximum of fourteen members on the committee.
- One or two Councillors and one Regional Councillor will be appointed as members of the committee.

They will be responsible for advocating for the Public Art Program with Council, stakeholders, staff and residents.

- There will be a maximum of nine volunteer citizen members who can demonstrate a keen interest in and knowledge of contemporary art and/or the public realm.
- Three designated City staff including the Public Art Curator, the Director of the Varley Art Gallery, and a citizen from the Clerk's office.
- In addition to the fourteen members outlined above, a maximum of two further members of the the City of Markham staff may sit on the committee in a non-voting capacity only. These members should have relevant knowledge and interest in contemporary art and/or the public realm, but they should not be members of the Interdepartmental Public Art Working Group as well.
- The committee composition will strive to achieve a diversity of perspectives.
- A Chair and Vice-Chair will be appointed from among the citizen members.
- Terms will be three-years and staggered.
- The Term of Office will be determined in accordance with the City's Board/Committee.
- A Quorum shall be deemed when a majority of members are in attendance.
- Meetings are held quarterly, with meetings for the full year scheduled in September. Extra meetings may be at the call of the Chair.
- If a member misses two consecutive meetings without advising the Chair of the reason in advance, then the member may be asked to step down.
- Roles and responsibilities
  - To provide feedback to staff on draft public art policies and plans in advance of the report being brought forward to Council for approval;
  - To review and provide feedback on the City's Public Art Program and activities on a quarterly basis; and
  - To advocate for the City's public art program with Council, residents, and potential sponsors.

## CASE STUDY

### SURREY PUBLIC ART PROGRAM

The City of Surrey has run a public art program since 1998. The implementation of the public art policy is carried out by three full-time equivalent municipal staff members. The policy and program are guided by:

- The Public Art Advisory Committee (but as of March 2019 the Parks, Recreation & Culture Committee is assuming their responsibilities).
- An Interdepartmental Art Team within the City that is a strong mechanism for cross-departmental cooperation with membership from Parks, Recreation and Culture, Engineering Planning and Development, Facilities Management and Finance, Technology and Human Resources.

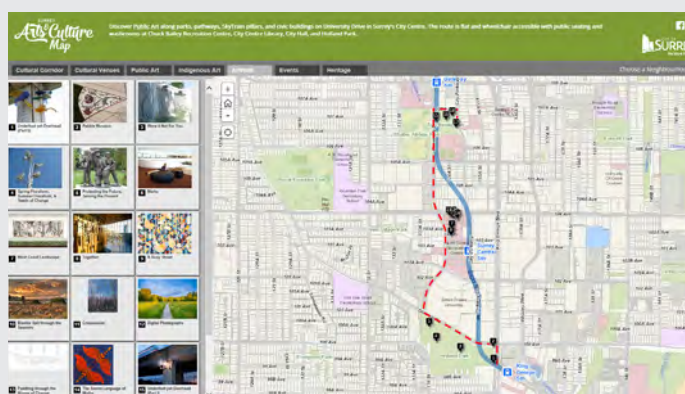
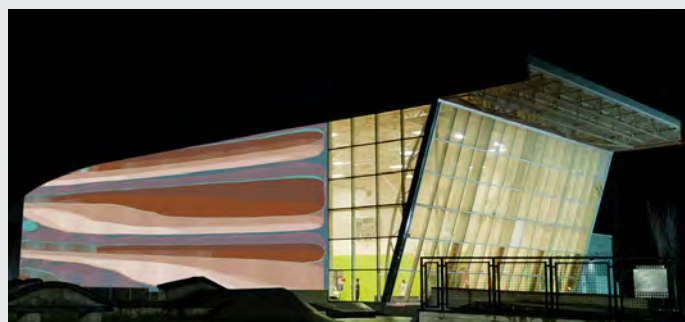
**CIVIC FUNDING:** The City contributes 1.25% of new Civic construction projects to fund the Surrey Public Art Collection. The funds could be used for art in the new facility, or it may be pooled for use on other sites, with 10% of the budget set aside for future maintenance.

**PROJECT EXAMPLE:** Surrey Urban Screen was established as the public art feature of the Chuck Bailey Recreation Centre, in partnership with the Surrey Art Gallery in 2010. The large-format screen serves as a platform for the presentation of digital art. The exhibition program is managed by the gallery staff and there is a Surrey Urban Screen Advisory Committee and Terms of Reference established for operations and programming.

**PRIVATE DEVELOPMENT:** Development applicants discuss a public art strategy with City staff as part of the rezoning process for increased density. The rate of contribution for eligible development projects is 0.5% of the estimated total project construction cost.

**OUTREACH:** Surrey's Public Art Program uses the following promotion and education tools: Walking Tours, Didactic Panels, Website, Interactive Public Art Map including the City Centre Art Walking Loop -- which links a diverse collection of public art installations in Surrey's new City Centre.

Images top to bottom: Liquid Landscapes by Nicolas Sasso on UrbanScreen, Surrey, BC; The Way In Which It Was Given To Us by Marianne Nicolson, UrbanScreen, Surrey, BC; Surrey Art Walk map.



**HOW THIS IS RELEVANT TO MARKHAM:** The City of Surrey is a mid-sized city slightly larger than Markham, at a population of 518,000 people, but it has similarities in its proximity to a major urban centre (Vancouver), rapid development from a rural to suburban with multiple town centres and now a dense urban area in its core. Similar to Markham, it has also seen a major influx of South Asians since the 1990s. As Markham bills itself as Canada's High Tech Capital, therefore, a digital art platform program such as Surrey UrbanScreen is a relevant model to consider for Markham's Public Art Program. As the art changes over time, tourists and local people will continue to have renewed interest in visiting the site.



## 7. PUBLIC ART PROGRAM GOVERNANCE

**RECOMMENDATION 7:** Adopt revisions to the City of Markham Public Art Policy—Municipal Projects including the governance process as outlined below and in Appendix E.

The governance process and role of each party involved in decision-making for the public art program have been updated to meet best practices in municipal public art programs, including procedural clarity and a transparent decision-making process. A chart of the governance and decision-making process can be found in **Appendix E**.

### RECOMMENDED ROLES

#### Markham Council

- Approves the public art policies and plans (which establish priorities, projects and annual budgets).
- Approves negotiated developer agreements that include public art provision terms.

*Note: Council plays a key role in approving program priorities, project plans and budgets but it is best practice for them to be arms-length to specific decisions on artwork selection, otherwise the process of curator and jury selections may be compromised. This would undermine the involvement of citizens and experts. Staying arms-length from detailed decisions has the added benefit of shielding Councillors from potential criticism, as art can be subjective and there may need to be time to build connections between the work and Markham communities more widely.*

#### Public Art/Culture Staff

- Implements and manages the public art policies, plans and program, following agreed procedures.
- Reports annually to Council on public art program activities.

#### Interdepartmental Public Art Working Group

Representatives of relevant departments who oversee planning, capital projects and cultural provision meet quarterly. Roles:

- Updating on potential opportunities for public art: City plans for new parks and facilities and/or major renovations; City priorities/programs; and developments.
- Advice and direction to Culture on public art projects in the workplan.

#### Planning and Urban Design Department

Promotes public art and open negotiations with developers through Section 37 of the Ontario Planning Act, to create public art opportunities in Markham, working together with the Culture Department.

#### Public Realm, Community Services

Manages other Public Realm initiatives such as Community Art and Public Realm Elements.

#### Markham Public Art Advisory Committee (MPAAC)

Committee of citizen representatives

- Reviews public art policies and plans to provide advice to staff in advance of reports to Council, including for proposed donations.
- Reviews and gives staff feedback on public art program activity quarterly.
- Advocates for the public art program with Council and citizens and potential sponsors.

#### Art Acquisition Committee

A committee of the Varley McKay Art Foundation:

- Reviews proposed public art donation for artistic merit, condition and future conservation considerations before it is considered by MPAAC for community appropriateness.

#### Art Selection Panels

Panels are struck anew for each project, with a combination of local citizens and art professionals both relevant to the project (the latter to be a majority).

- Review artist credentials or artwork concepts for selection and/or review artistic development during an artist contract for curatorial feedback
- Panellists are paid at least the minimum CARFAC (Canadian Artists Representation) fee for their time, unless they are otherwise being contracted by the City (e.g. a staff member or lead designer on a capital project).



## CASE STUDY

### VANCOUVER ARTIST-INITIATED CALL

Since 2010, the City of Vancouver Public Art Program periodically invites artists to propose their ideas for public art projects through an open call. Artists can propose artworks in any scale, scope, and medium, including permanent installations, performative and temporary work. This is an invitation for artists to experiment and propose meaningful gestures within public space.

**SUPPORTING ARTISTS:** The Artist-Initiated Call is open to both established and emerging artists, including those interested in expanding their practices into the public realm for the first time. Artist-Initiated Projects are commissioned and funded by the City of Vancouver. The City also supports artists by providing necessary resources and staff support through the course of project development and realization.

#### ARTIST-INITIATED CALL GOALS:

- Enable artists to create their own public art opportunities
- Commission significant public artworks
- Support Musqueam, Squamish and Tsleil-Waututh visibility on the land
- Engage established understandings of the city
- Mentor and support artists in producing public art

**SITES:** Artists propose their project site. Shortlisted artists work with the City to review and confirm a final site during Concept Development and Detailed Design.

**SELECTION:** Proposals are evaluated by a panel of artists, curators, and members of the Musqueam, Squamish, and Tsleil-Waututh Nations in a two-stage process. In the first stage, the Selection Panel will shortlist artists who will be paid an honorarium to develop Concept Proposals. In the second stage the panel will recommend the final projects to be commissioned.

Artist selection criteria for the first stage:

- Strength and creativity of past work
- Demonstrate ability to produce and present work
- Connection and relevance to place
- Contribute to the public art collection of the City
- Engage with critical contemporary art dialogues
- Consistency with the recognition of Vancouver as the unceded homelands of the Musqueam, Squamish, and Tsleil-Waututh Nations



Images top to bottom: Monument to East Vancouver by Ken Lum, Vancouver; A False Creek by R. Weppeler /T. Mahovsky, Vancouver.

**HOW THIS IS RELEVANT TO MARKHAM:** This is a program model that would help to distinguish Markham's Public Art Program amongst other municipalities in Ontario. It would provide a way to support local and emerging artists in a range of artforms, while also providing a compelling opportunity for artists of national/international significance to produce work in Markham. This art acquisition model also provides a strong framework for engaging community members, First Nations and other stakeholders in the process of selecting artists and the artwork's development, while also allowing room for artistic practice to flourish.

## APPENDIX A: PUBLIC ART DEFINITIONS

**Public Art**, for the purposes of the curated Public Art Collection is an original work in any medium that meets all the following criteria: the work is created by one or more Professional Artists; the work is relevant to its site and context; the work has been planned and executed with the specific intention of being sited or staged in a public space; and the work has been acquired following the City of Markham's established processes.

**Public Realm** is defined as all privately and public owned spaces, indoors and outdoors, which are generally accessible, either visually or physically, to the public free of charge. Also referred to as public places; when referred to as public domain it can be as a social space, a forum for discussion, a place to reach consensus.

A **Professional Artist** is someone who: earns a living through art making; or possesses a diploma in an area considered to be within the domain of the fine artist; or teaches art in a school of art or applied art; or whose work is often seen by the public or is frequently or regularly exhibited; or is recognized as an artist by consensus of opinion among professional artists. Note: definition is the International Artists Association definition used by the Canadian Artists Representation (CARFAC).

An **Established Artist** is an artist who has an extensive body of work, a history of national and/or international presentation and who has achieved wide recognition by their peers.

An **Emerging Artist** is an artist in the early years of their career who may have had some previous professional exhibitions, commissions, presentations or installations.

A **Local Artist** is an artist who lives or works in the City of Markham, or who can demonstrate a strong connection to the City of Markham.

## CATEGORIES

**Public Art Collection** shall be defined as the works of public art belonging to the City of Markham. The Public Art Collection will only include work that is defined as Public Art and that will be maintained and insured by the City of Markham for more than one year. The Public Art Collection will include Stand-alone Public Art, Integrated Public Art, Public Art Platforms, Social Practice Art and two-dimensional works of art. It will include Commemorations and Street Art when they are conceived by a Professional Artist. The Collection will not include Temporary Art, Non-sanctioned Public Art, Community Art, Commemorations that are not by a Professional Artist, and/or Public Realm Elements.

**Stand-alone Public Art** is a work of public art that is not a physical part of a building, structure or landscape.

**Integrated Public Art** forms a physical part of a building, structure or landscape. If the site were to be redeveloped, the art would be as well.

**Temporary Public Art** is created for a specific occasion, specific time frame or event and which is situated at a particular site on a temporary basis

A **Public Art Platform** is a place and/or infrastructure in the Public Realm that is reserved for a rotating exhibition of artwork. An art platform can take many forms including a physical podium (e.g. Trafalgar Square's fourth plinth), a sanctioned street art wall or a digital screen. An art platform could be dedicated exclusively to public art or shared with other content (e.g. transit ad space used for public art programming). To ensure success for an art platform, there should be a plan for regular funding or an endowment in place for new works of art before it is established.

A **Commemoration** is a work that is designed to honour a particular idea, individual or to commemorate a particular event. If a Commemoration is created by a Professional Artist and sited or staged in public space, it will also be a work of Public Art.

**Street Art** is an urban style of temporary public art on walls, sidewalks and roadways that is sanctioned and permitted. It is distinct from graffiti which is not-sanctioned or permitted and is a form of vandalism. Street Art commissioned by a Professional Artist is a form of Public Art.

**Social Practice Art** is a work that is led and conceived by a Professional Artist, but that may involve community members in its development or creation. Social Practice Art is a type of Public Art and would therefore be subject to copyright and moral rights considerations.

**Community Art** is an artistic activity that may or may not be led by a Professional Artist, that involves community members who contribute a variety of talents, to conceive and create a work. Community Art is distinct from Public Art as it will not be subject to the same copyright and moral rights provisions as a work by a Professional Artist and it will not be considered for inclusion in the Public Art Collection.

**Public Realm Elements** are artistic elements in the Public Realm, that may or may not also serve a functional purpose, that are not conceived or created by a Professional Artist.

**Non-sanctioned Public Art** is work that did not follow the City of Markham's established Public Art processes. Therefore, such works are not sanctioned and are not included in the Public Art Collection.

## ACQUISITION TERMS

**Acquisition** is the procuring of public art through commission, purchase, donation, gift or bequest.

**Accession** is the procedure of acquiring and recording a public artwork as part of the Public Art Collection. Refer to the Varley Art Gallery Collection Policy and Procedures.

**De-accession** is the procedure for removing an object from its site and from the Public Art Collection. Refer to the Varley Art Gallery Collection Policy and Procedures.

**Maintenance Plan** is a plan created by the artist and agreed by the City at the time of commissioning a work that lays out the process for maintenance and conservation for an artwork that will be included in the Public Art Collection.

**Art Acquisition Committee** refers to the designated committee as defined by the Markham Collection Policies whose role it is to evaluate an artwork to be included in the Public Art Collection.

**Art Selection Panel** refers to a group of people composed of art professionals and members of the community selected to serve as members of a jury to evaluate an artist for selection for an art opportunity.

**Copyright** grants the author of a work the sole right to reproduce, distribute, display, and alter their works of art. It expires 50 years after the artist's death. It may be assigned or licensed to another individual or institution and/or it may be assigned exclusively or jointly. Copyright also extends to the use of images of the artwork for promotional or educational purposes. Upon commissioning a work, the City should ask an artist to provide an irrevocable non-exclusive license in perpetuity for the City to reproduce images of artworks for non-commercial purposes.

**Artist's Moral Rights** include the right to the integrity of the work in regard to associations or modifications. They include the right to be associated with the work as

its author by name, pseudonym or the right to remain anonymous. Moral Rights are non-transferable and endure even after copyright has been assigned. The rights may be waived by the artist agreeing to not exercise them in whole or in part, but this is something that should only be asked for in very specific and rare circumstances.

Examples of violation of Moral Rights may include:

- An act or omission performed on the artwork that affects the honour or reputation of the artist; and
- Changing the colour of the artwork or adorning it with additional elements.

Taking steps to restore or preserve the artwork would not be included as long as such work is performed in good faith. Also, changing the location of the work does not generally constitute a violation, but in the case of works of public art, the exact siting may be considered part of the work, so this should be clarified in the contract.

## ACQUISITION METHODS

**Artist on design team:** Artists can be contracted to collaborate with architects, engineers and designers during the early stages of the design of a building, infrastructure or master plan. As a member of the design team, the artist can contribute to the overall design process, may identify specific opportunities for integrated artwork, or be responsible for a distinct area of design in consultation and coordination with the other team members. An artist should be selected based on the quality of their work, but also their experience and desire to work in a collaborative way. Artists should be compensated for their time to attend meetings and develop their ideas. They may also be responsible for a distinct art budget, or they may be asked to contribute ideas that fall within the full project budget managed by the prime consultant.

**Artist proposal call:** Artists are asked to develop a proposal that includes their art ideas, budget, schedule and team. Artists shortlisted for a proposal are paid a stipend to cover some or all of the proposal costs. The call may be open, invited or limited.

**Artist credential call:** Artists are asked to submit examples of their previous work, answer why they are interested, and how their art practice is suited to the opportunity. The call may be open, invited or limited. This may be the first stage in either a proposal call or interview selection process.

**Artist interview selection:** A final selection of an artist from those who are invited or shortlisted from a credential call, may be selected through an interview process based on their previous works, their suitability and approach to the opportunity.

**Artist residency:** A residency is when an artist works closely with a host organisation or a community, often over an intensive period of time, to create artwork. Artists can be invited to reside on a full or part-time basis and in some cases accommodation or studio space is offered. Artists for a residency are typically selected through a credential call and/or interview selection process.

**Artist-initiated:** At certain times, artists may propose their own ideas for public art projects, or they may be invited to propose an idea for a public art project without a defined site and parameters. An artist-initiated call could ask artists to respond to a specific topic of community interest or importance; encourage artists to address topics that motivate their work; or ask for proposals within a large park or neighbourhood but with no specific site selected.

An **Artist Mentorship** is an opportunity for an emerging artist to work with an established artist, on a project relevant to their area of work and interest. Mentee artists should be selected by the established artist together with an art professional or administrator. Both the mentor and the mentee should be duly compensated for their time. The goal is to develop productive matches that help to develop emerging artists' professional skills and experience.

**Curated selection** will involve a curator using their expertise and knowledge of artists' practice to select one or more artists for a Public Art opportunity.



## APPENDIX B: COMPARISON OF MUNICIPAL PUBLIC ART FUNDING

Municipality	City budget for public art	Private development contributions	Population
Barrie	1% (projects over \$1 million)	Considering use of Section 37	167,000
Brantford	Annual Contribution \$35,000	None	97,000
Burlington	\$200,000-\$250,000	Encourage through planning tools	178,000
Guelph	budgeted annually	Encourage through Section 37	122,000
Halton Hills	\$100,000 annually	In progress: Voluntary contribution	59,000
Hamilton	budgeted annually \$70,000- \$250,000	Encourage 1% through Section 37 and/or SPA	721,000
Kingston	up to \$250,000 per year	To be considered	124,000
Kitchener	1% (projects over \$100,000)	Encourage voluntary participation of 1%	219,000
London	1% of a 5 year rolling average	Encourage 1% through Section 37 and/or SPA	475,000
Mississauga	\$100,000-\$200,000 annually, plus specific projects	Encourage 1% through Section 37 and/or SPA	713,000
Newmarket	budgeted annually	Section 37	80,000
Niagara Falls	not specified	No mention	83,000
Pelham	1% and pooling	Encourage 1% through Section 37 and/or SPA	16,600
Oakville	budgeted every five years	No mention found	193,000
Oshawa	\$60,000 annual contribution + \$20K to operating for temporary	no mention	150,000
Ottawa	1% (projects over \$2 million)	Encourage contributions and use of Section 37 where applicable	883,000
Peterborough	1% pooled from rolling capital average	Encourage contributions	80,000
Richmond Hill	1.5% (City capital projects over 500 sqm) - pooled across City	Use of Section 37	186,000
St. Catharines	budgeted annually	No mention	131,000
Thunder Bay	1%	No mention	102,000
Toronto	\$250,000 annually (plus 1% for relevant projects)	1% through use of Section 37, S45 (9) conditions, S51 (25) + (26)	2,615,000
Vaughan	annual operating budget \$50,000 (Y1) increase to \$150,000 (Y5)	1% through use of Section 37, S45 (9) conditions, S51 (25) + (26)	288,000
Waterloo	1% (City & Region) up to \$300,000	City encourages 1% through Section 37 and/or SPA	99,000
Windsor	1% (considered on selected capital)	No mention	211,000

Note: where percentages are mentioned, this is calculated on eligible City capital project's construction costs, but not on land and servicing costs.

## MUNICIPAL PUBLIC ART FUNDING IN OTHER PROVINCES

Municipality	City budget for public art	Population
St. John's , NL	Annual contribution 24K	106,000
Moncton, NB	1%	107,000
Boucherville, QB	not specified	41,000
Montreal, QC	1%	705,000
Winnipeg	\$500,000 annually (cut in 2019)	271,000
Saskatoon SK	1% on projects over 5M up to \$500,000	252,000
Canmore, AB	\$3 pre capita from capital reserve fund	12,000
Coquitlam, BC	Annual Contribution	139,000
Lethbridge, AB	1%	84,000
Medecine Hat, AB	1.25%	61,000
Red Deer, AB	1%	91,000
St. Albert, AB	1% (up to a maximum of \$220,000)	61,000
Strathcona County, AB	1% of projects over 500,000 up to \$250,000	92,000
Wood Buffalo, AB	not specified	64,000
Burnaby, BC	No mention	233,000
Esquimalt, BC	1.25%	16,000
Golden, BC	1.00%	4,000
Nanaimo, BC	1% (projects over \$250,000)	88,000
Nelson, BC	3% of building permit fees	10,000
Richmond. BC	1%	216,000
N. Vancouver District, BC	\$50,000 (approx 2%)	84,000
Port Moody, BC	0.3% of full capital budget	28,000
Prince George, BC	budgeted annually	72,000
West Vancouver, BC	Annual Contribution \$50,000	43,000
Surrey, BC	1.25%	590,000
Saanich, BC	1% (projects over \$250,000)	110,000
Vancouver, BC	% of rolling average of capital	675,000
Whistler, BC	1%	12,000
Victoria, BC	\$150,000 (approx 1%)	80,000

Note:

1. Where percentages are mentioned, this is calculated on eligible City capital project's construction costs, but not on land and servicing costs.
2. Information on private developer contributions have not been included because, as the other provinces are subject to different Planning law, this information is not applicable.

## SITE CATEGORY 1 | KEY CIVIC SITES, GATEWAYS AND HERITAGE AREAS

### site type description

Highly visible civic plazas, gateway locations and heritage areas that are opportunities to highlight Markham's natural and built features.

### approach

Iconic artworks that build on Markham's identity.

### suggested budget range: large

\$250,000 to \$850,000+ per project

### art acquisition method(s)

Selected by a call for credentials (open, limited or invited) where an artist is selected for the commission based on an approach and an interview (not a proposal). Or an artist can be selected as part of a design team, or by an internal or external curator.

### sites may include:

- PanAm Centre Plaza
- Markham Civic Centre \_ Future Civic Square
- Varley Art Gallery Courtyard
- Cornell Rouge National Urban Park gateway
- Future York University Campus

### example site

#### PANAM CENTRE PLAZA

Site artwork in the PanAm Centre Plaza to make the space more inviting to people. This could include artwork that also provides the functions of seating, lighting, planting and/or shade.



images clockwise from top: Berzcy Park dog fountain by Claude Cormier, Toronto; Elevated Wetlands by Noel Harding, Toronto; Cracked Wheat by Shary Boyle, Gardiner Museum, Toronto; Great Picnic by Mark Reigelman, Cleveland; Garden of Future Follies by Studio of Received Ideas, Toronto.



## SITE CATEGORY 2 | FACILITIES PROJECTS

### site type description

New parks, libraries, community centres and other City buildings on highly visible sites. Also, for major renovations.

### approach

Artwork integrated into capital construction project.

### suggested budget range: medium

\$200,000 to \$500,000 per project

### art acquisition method(s)

An artist is requested in the RFP for the design team of a new facility, or the artist could be added to the design team through a separate call for credentials (and interview) at a very early stage of the project. It is recommended for the lead designer to be involved if the latter method is chosen.

### sites may include:

- Angus Glen Community Centre
- Milliken Mills Community Centre renovation
- Future Operations Centre (site in NE to be determined)
- Armadale Community Centre

### example site

#### ANGUS GLEN COMMUNITY CENTRE

Integrate artwork into the park design adjacent to the recently renovated community centre. The artwork should be developed to celebrate the community and build a sense of pride and ownership in local people who use the facility.



images left to right: Thunderbay wall by Studio Kimiis, Thunder Bay; Spin by Panya Clark Espinal, Downsview Park Station, Toronto Hands by Christian Moeller, San Jose International Airport.



## SITE CATEGORY 3 | PARKS AND TRAILS

### site type description

Neighbourhood parks and trail systems that are either well-used community amenities or that would benefit from the addition of art.

### approach

Public art on a neighbourhood scale to be developed to serve under-represented areas or key community themes.

### suggested budget range: medium

\$100,000 to \$250,000 per project

### art acquisition method(s)

Selected by an artist-initiated proposal call, or by an internal or external curator or through a call for credentials (open, limited or invited) for an artist residency, where an artist is selected for the commission based on an approach and an interview (not a proposal).

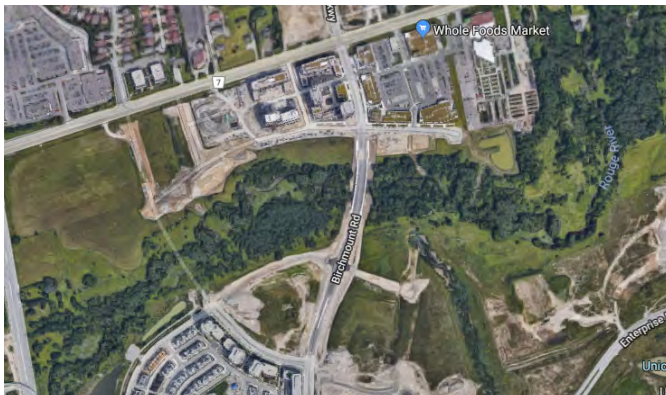
### sites may include:

- Rouge River Trails Markham Centre (Birchmount Park)
- Rouge National Park trails
- Milne Dam Conservation Park
- Uptown Markham Rouge River Trails
- Leitchcroft Park
- Boxgrove Community Park
- Potential partnership with Eabme-toong First Nations (Location TBD)
- Wismer Park

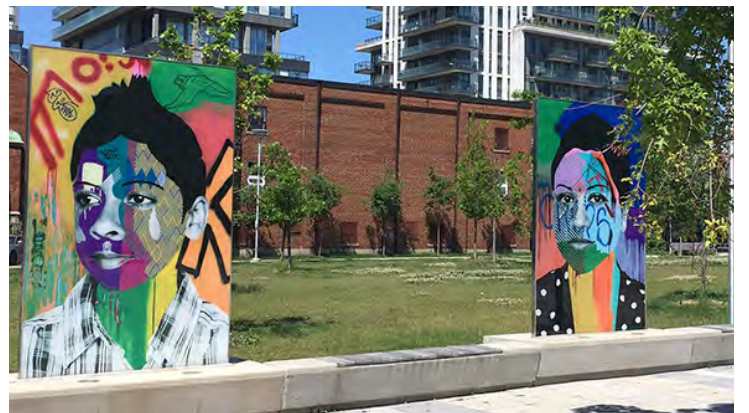
### example site

#### ROUGE RIVER TRAILS MARKHAM CENTRE

An artwork, or series of artworks, that promote the use and discovery of Birchmount Park Trails and the natural environment. The artist can work with community members to develop specific site locations.



images clockwise from top: Mirrored Circles for Ba Jin by Adrian Blackwell, Shanghai; Faces of Regent Park by Dan Bergeron, Toronto; Bird Mnemonics by Mark Prier, Mississauga; Salish Sea by Chris Paul, Sidney, BC.





## SITE CATEGORY 4 | STREETSCAPES AND TRANSIT

### site type description

Major active transportation and transit corridors, transit hubs and road right-of-ways near schools.

### approach

Short-term artwork (6 weeks to 12 months) or small-scale artwork by local or emerging artists to encourage active transportation

### suggested budget range:

#### small to medium

\$150,000 to \$500,000 per art program budget (individual artwork budgets could be from \$25,000)

### art acquisition method(s)

Selected by an internal or external curator or through an artist-initiated proposal call or a call for credentials (open, limited or invited) where an artist is selected for the commission based on an approach and an interview (not a proposal).

### sites may include:

- Highway 7 transit stops
- Main Street Unionville Streetscape
- Unionville GO Mobility Hub
- York Region transit hubs
- Buttonville Streetscape
- Walk-to-School routes

### example site

#### TRANSIT STOP AT MARKHAM CIVIC CENTRE

Artwork can be focused on youth who make up a large proportion of the primary pedestrians and/or transit-users. Art could be integrated into the transit stop or the important corner civic site. It could be visible from a car, but provide more detail or elements to discover from a pedestrian-scale.



images clockwise from top left: An Interval Connection by Nestor Kruger, Shanghai; Bollards by Antony Gormley, UK; A Long Conversation (for Oona) by Peter Gazendam, Vancouver; Site Specific by Scott Eunson and Marianne Lovink, Toronto.

## SITE CATEGORY 5 | MAJOR URBAN DEVELOPMENTS

### site type description

Private development sites over 100,000 square metres.

### approach

Focus on iconic and digital or high-technology artforms

### suggested budget range: large

\$250,000 to \$750,000+ per project (including \$25,000+ budget for a local artist mentorship)

### art acquisition method(s)

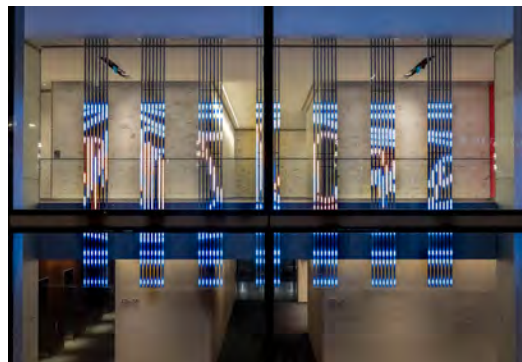
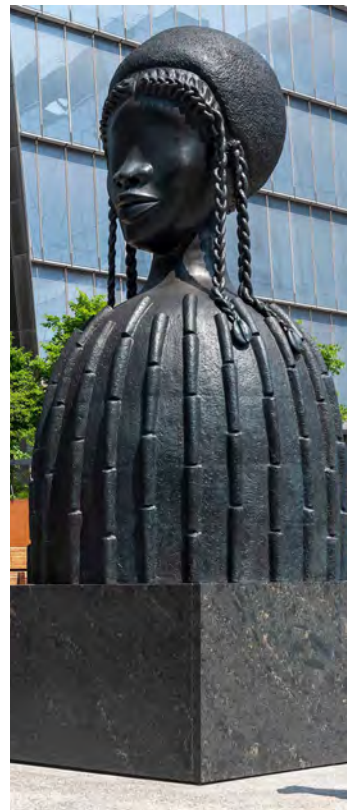
Selected by an approved curator or through a proposal call with a City-approved process and jury of art professionals

### sites may include:

- Gallery Square
- Movieland Markham
- Remington Centre
- Pavilia Towers
- Riverview Uptown Markham
- Langstaff Gateway Development
- Cornell Centre

### example site LANGSTAFF GATEWAY DEVELOPMENT

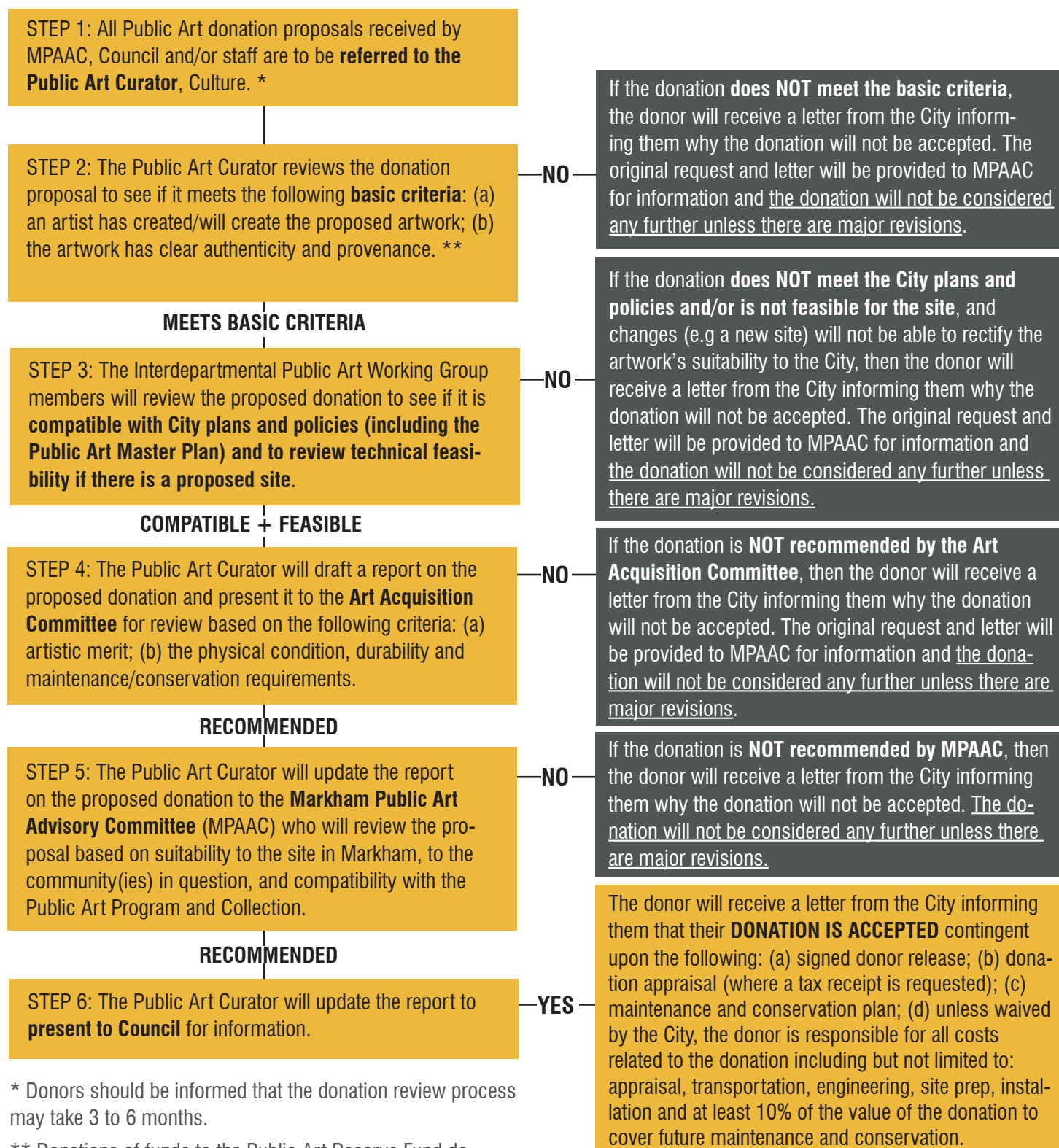
An iconic digital/high-tech artwork could be a marker for the community within the site and also be seen from highway 407. The artwork could be located in one of the park nodes, such as Cedar Park, so that it is on publicly-accessible space or it could be on the side of a building. Either way, the art location should be visible from a long view corridor, both within the site and beyond.



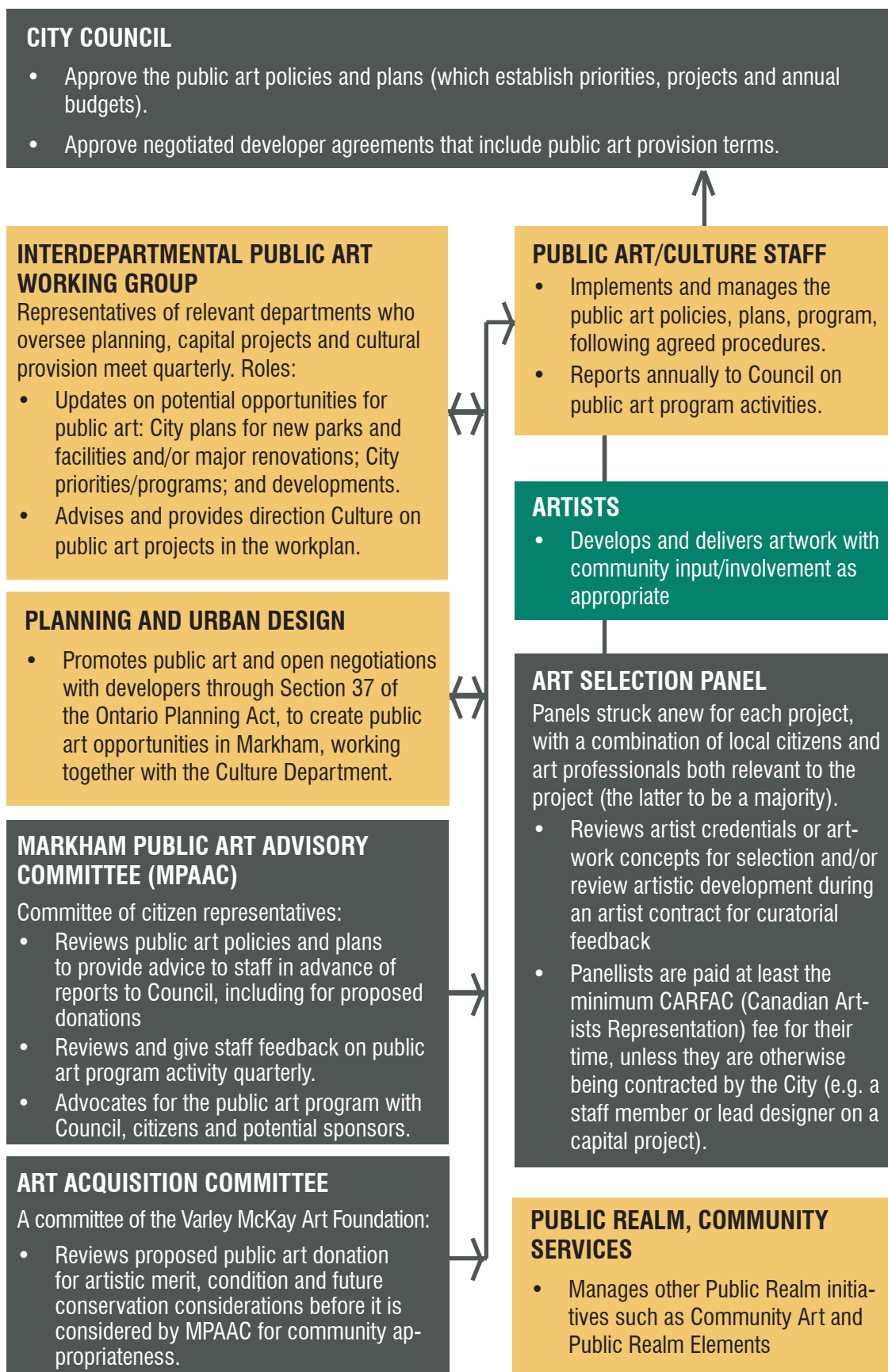
images clockwise from top left: Brick House by Simone Leigh, High Line Plinth, New York; Jiigew by spmb with Brook McIlroy, Thunder Bay; Herald/Harbinger by Ben Rubin and Jer Thorp, Calgary; We Are All Animals by Public Studio, Daniels Corporation, Toronto



## APPENDIX D: DONATIONS PROCESS FOR WORKS OF PUBLIC ART



## APPENDIX E: GOVERNANCE OVERVIEW



## Q1 Name of municipality and province

Answered: 31 Skipped: 0

#	RESPONSES	DATE
1	City of Victoria	12/30/2019 11:49 PM
2	Mission, British Columbia	12/30/2019 10:02 PM
3	City of Maple Ridge	12/24/2019 8:48 PM
4	Saanich, BC	12/24/2019 5:21 PM
5	District of West vancouver, BC	12/20/2019 10:54 PM
6	District of Sechelt	12/20/2019 10:50 PM
7	canmore, alberta	12/20/2019 4:17 PM
8	Strathcona County, AB	12/16/2019 4:05 PM
9	St. Albert, Alberta	12/16/2019 4:00 PM
10	City of Kingston, Ontario	12/15/2019 11:04 PM
11	City of Mississauga	12/13/2019 7:30 PM
12	Saint John New Brunswick	12/13/2019 6:52 PM
13	City of Waterloo	12/13/2019 1:12 PM
14	Toronto, ON	12/12/2019 9:01 PM
15	City of Toronto	12/12/2019 8:47 PM
16	City of Toronto (I am answering this on behalf of city planning's program - not culture division which would be separate. I will forward your ask to Culture Division, which is responsible for commissioning art on public lands (unless its a donation from developer program. thanks	12/12/2019 6:28 PM
17	Cambridge	12/12/2019 6:22 PM
18	Oshawa, Ontario	12/12/2019 6:17 PM
19	Nelson BC	12/12/2019 6:01 PM
20	Richmond. BC	12/12/2019 5:47 PM
21	Town of Halton Hills	12/12/2019 5:34 PM
22	City of St. John's, NL	12/12/2019 5:21 PM
23	Lethbridge, Alberta	12/12/2019 4:46 PM
24	Halifax Regional Municipality, Halifax NS	12/12/2019 4:39 PM
25	City of Guelph	12/12/2019 4:33 PM
26	Ottawa	12/12/2019 4:28 PM
27	Windsor, ON	12/12/2019 4:27 PM
28	Winnipeg, Manitoba	12/12/2019 4:25 PM
29	Saskatoon, SK	12/12/2019 4:08 PM
30	City of Nanaimo	12/12/2019 4:03 PM
31	do not use	12/11/2019 7:53 PM

## Q2 Population of municipality

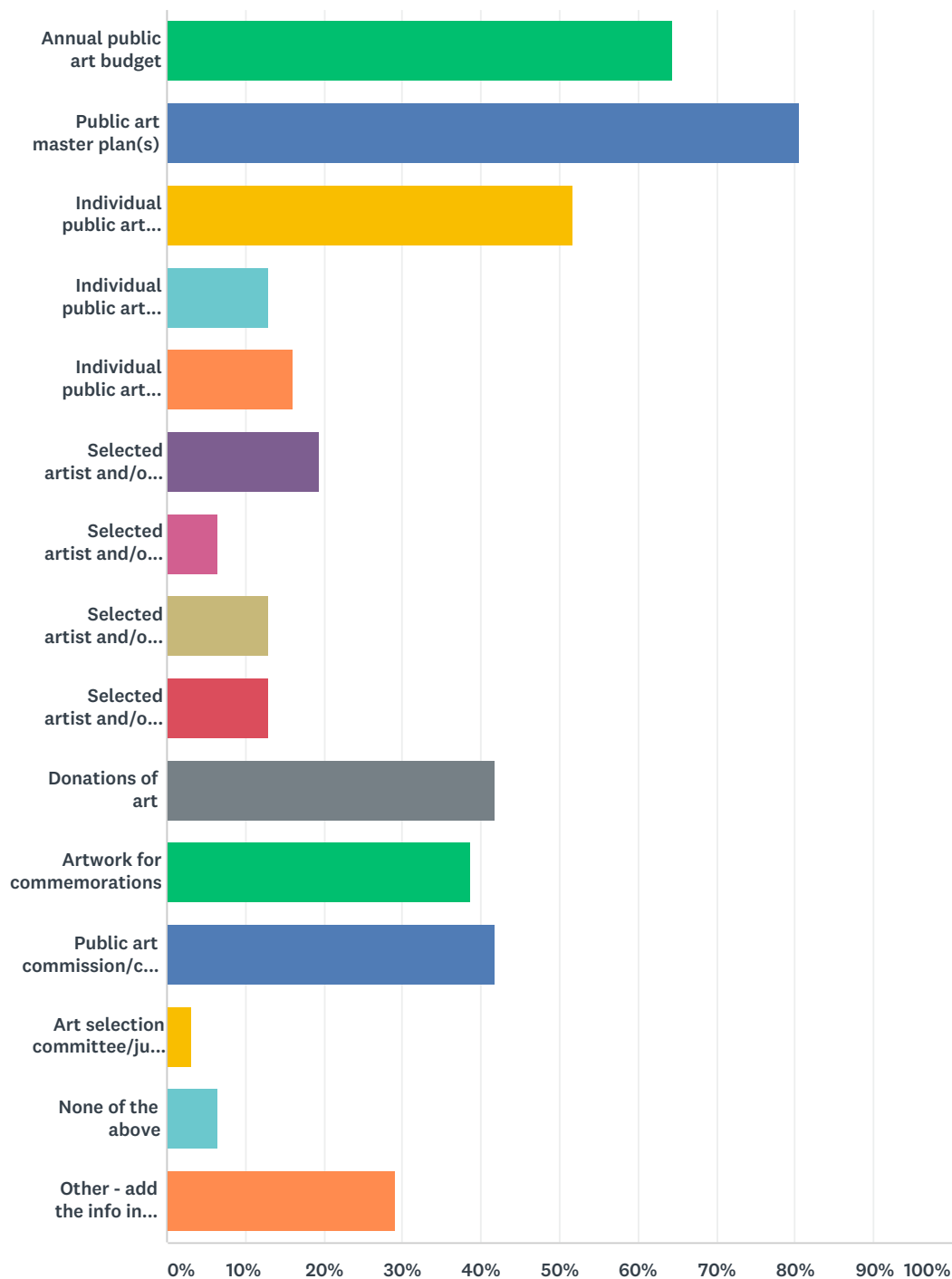
Answered: 31 Skipped: 0

#	RESPONSES	DATE
1	86000	12/30/2019 11:49 PM
2	40,000	12/30/2019 10:02 PM
3	82,000	12/24/2019 8:48 PM
4	120,000	12/24/2019 5:21 PM
5	43,000	12/20/2019 10:54 PM
6	10,000	12/20/2019 10:50 PM
7	15,000	12/20/2019 4:17 PM
8	about 98,000 (75,000 in Sherwood Park & the rest rural	12/16/2019 4:05 PM
9	~67,000	12/16/2019 4:00 PM
10	136,000	12/15/2019 11:04 PM
11	828,854	12/13/2019 7:30 PM
12	70,000	12/13/2019 6:52 PM
13	130000	12/13/2019 1:12 PM
14	2.8 Million	12/12/2019 9:01 PM
15	2.8 Million	12/12/2019 8:47 PM
16	4 Million +	12/12/2019 6:28 PM
17	134000	12/12/2019 6:22 PM
18	172,000	12/12/2019 6:17 PM
19	11000	12/12/2019 6:01 PM
20	250,000	12/12/2019 5:47 PM
21	62,000	12/12/2019 5:34 PM
22	As of the 2016 census, there are 108,860 inhabitants in St. John's itself, 178,427 in the urban area and 205,955 in the St. John's Census Metropolitan Area (CMA).	12/12/2019 5:21 PM
23	100,000	12/12/2019 4:46 PM
24	430,500	12/12/2019 4:39 PM
25	135,000	12/12/2019 4:33 PM
26	1 million	12/12/2019 4:28 PM
27	217000	12/12/2019 4:27 PM
28	800,000	12/12/2019 4:25 PM
29	273,000	12/12/2019 4:08 PM
30	96,000	12/12/2019 4:03 PM
31	do not use	12/11/2019 7:53 PM



### Q3 For which of the following items do you require Council approval? Select all that apply.

Answered: 31 Skipped: 0



ANSWER CHOICES	RESPONSES	
Annual public art budget	64.52%	20
Public art master plan(s)	80.65%	25

Individual public art project plans - all values	51.61%	16
Individual public art project plans - value over \$100,000	12.90%	4
Individual public art project plans - value over \$500,000	16.13%	5
Selected artist and/or artwork - all values	19.35%	6
Selected artist and/or art concept- contract value over \$100,000	6.45%	2
Selected artist and/or art concept - contract value over \$500,000	12.90%	4
Selected artist and/or art concept - contract value over \$1,000,000	12.90%	4
Donations of art	41.94%	13
Artwork for commemorations	38.71%	12
Public art commission/committee members	41.94%	13
Art selection committee/jury members	3.23%	1
None of the above	6.45%	2
Other - add the info in question 5 below.	29.03%	9
Total Respondents: 31		

## Q4 Have you changed your approvals process or governance model in the last ten years? If so, can you please briefly describe the changes.

Answered: 24 Skipped: 7

#	RESPONSES	DATE
1	During our last review of the policy (2018) we decided to separate the policy and the program guidelines to be two separate documents. We did this to try and clarify roles and responsibilities as well as approvals. We wanted to be very clear that council is responsible for approving policy (guiding/strategic document) and that staff is responsible for the guidelines which are operational in nature and need to be adaptive to changes within our organization and to keep in line with best practice.	12/30/2019 11:49 PM
2	We've built the program to be arms length from Council as much as possible but the Public Art Committee remains a Committee of Council. One Councillor is the appointed Liaison to this Committee and he/she never participates in artwork selection panels, just administrative meetings of the Committee. Make up of committee has changed to reflect Council's priorities - adding youth and business representatives which the Committee has always tried to do.	12/24/2019 8:48 PM
3	No, working on revisions in 2020	12/20/2019 10:54 PM
4	No, our plan is only 5 years old.	12/16/2019 4:05 PM
5	The City is currently in the process of reviewing the structure of the Public Art Advisory Committee and considering forming a new committee of council to replace the current volunteer community committee.	12/16/2019 4:00 PM
6	<ul style="list-style-type: none"> <li>• Framework for a Public Art Program – 2010 - Council established the Civic Public Art Program and approved annual investment from City's capital budget to cover minimum costs of developing / maintaining a public art program</li> <li>• Corporate Policy and Procedure 07-03-01 – Bonus Zoning (2012) – enables the City to secure community benefits when increases in permitted height and/or density are deemed good planning by Council</li> <li>• Corporate Policy and Procedure 05-02-07-City Acquired Art (2013) – set out guidelines for when Council approval is required for - Public Art Master Plan (2016) - changed Council's role in the Donations Policy, as the policy was cancelled / put on a moratorium (see q5).</li> </ul>	12/13/2019 7:30 PM
7	We have removed council from the operating level of commissions and instead, have our council appointed committee review the RPF and make recommendations on Jury selection. Council has to release the budgets (because it is stored in a Reserve Fund) and accept the selected artwork into the Public Art Collection.	12/13/2019 1:12 PM
8	No.	12/12/2019 9:01 PM
9	Donations of art and/or monuments now have to comply with City policy, or they are approved by Council. Not all donations require Council approval.	12/12/2019 8:47 PM
10	Sometimes, the public art plans are delegated to the Chief Planner (staff) for approval, depending on what was negotiated as approval process	12/12/2019 6:28 PM
11	We have not changed the policy. Master plan is slated for 2021; changes will happen then.	12/12/2019 6:22 PM
12	Our first Public Art Policy was approved in 2015 and subsequently the first Public Art Master Plan was approved in 2018. Both these documents outline the role of Council, Public Art Task Force, staff -- both the documents serve as companions to each other.	12/12/2019 6:17 PM
13	No	12/12/2019 6:01 PM
14	No. The current Public Art Policy was updated and approved by Council in 2010.	12/12/2019 5:47 PM
15	No - our first ever Public Art Master Plan was approved in 2018, so this is new for our Municipality	12/12/2019 5:34 PM
16	We are going to Council on January 20, 2020 to discuss changes to our Policy and procedures. I can provide you with more information on this presentation now, if you'd like, and/or an update after the presentation.	12/12/2019 4:46 PM

17	policy adopted in 2008; being updated now (expected to go before Regional Council in January 2020; no expected changes to governance)	12/12/2019 4:39 PM
18	Yes - created and established Public Art Advisory Committee in 2014 to select/approve artists/projects plans/commissions.	12/12/2019 4:33 PM
19	some tweaks to the policy occurred in 2015 but not in any significant way, they mostly added to the programs ability to do more with the same level of autonomy.	12/12/2019 4:28 PM
20	no.	12/12/2019 4:27 PM
21	no	12/12/2019 4:25 PM
22	Yes, a revised Public Art Advisory Committee was created in 2015 to adjudicate public art, promote public art, and approve public art plans. The Committee is appointed by City Council. The Committee has one designated position for a City Councillor, youth, and one for First Nation/Metis.	12/12/2019 4:08 PM
23	no	12/12/2019 4:03 PM
24	do not use	12/11/2019 7:53 PM

## Q5 We would welcome any notes you would like to add regarding the information provided above, or any comments in general regarding the role of Council in the governance of municipal public art programs.

Answered: 26 Skipped: 5

#	RESPONSES	DATE
1	Role of City Council Council will: • Approve the Public Art Policy and any changes to the Public Art Policy, as needed. • Approve expenditures from the Public Art Reserve Fund through the budget process. • Approve up to one per cent public art expenditures for capital projects through the budget process. • Approve the annual public art maintenance budget through the budget process. • Approve members of the Art in Public Place Committee (APPC) through the standard Public Advisory Committee selection process. • Appoint a member of Council to the Art in Public Places Committee as a 'Council Liaison' in a non-voting capacity.	12/30/2019 11:49 PM
2	Hi Helena We have just drafted a new policy and program that will go to Council for approval early in 2020. In the new program we do not have Council approval required for any projects. I will send you a copy of the draft. In the existing program, Council approval is required. Unfortunately they went through an ugly time with a project they approved that had a lot of community backlash. While it was originally started as a political attack, it got out of hand and ultimately led to the project being cancelled. Council told us they did not want to go through that again and asked us to review the program and not have them approving projects.	12/30/2019 10:02 PM
3	The PASC is required to provide an annual report once a year to Council reporting on milestones and achievements the past year and requesting permission from Council to place artwork in various locations/sites in the community. Council does not comment or vote on the type of artwork for the locations or budget as that has been delegated to the Committee. Our annual budget is an operational item that gets approved along with the rest of the City's operations. The Committee does have the opportunity to go to Council if there are requests that are unexpected or celebrations that mark something significant during Business Planning time. For significant installations, there is usually more updates to Council and corporate management team just to ensure we keep the communications open and anticipate public comments. In addition, we've not included public art projects in the various infrastructure marketing/promotions (print, video, social etc). This has been helpful to get more profile and visibility for the public art too as part of the infrastructure projects.	12/24/2019 8:48 PM
4	For our budget, Saanich uses a 1% for public art model from municipal capital projects and construction projects over \$250,000.	12/24/2019 5:21 PM
5	Our Council values community consultation so we are still working through how our public art selection panel(s) take the place of broader consultation. However, larger projects will no doubt continue to require a certain amount of broader outreach in making public art project decisions.	12/20/2019 10:54 PM
6	site approval is required by Council - people in Canmore are very concerned about their "view sheds"	12/20/2019 4:17 PM
7	Re: question #3 When council approves a capital project, they are approving the 1% for art as well, so this figure does come up in the budget, along with projected conservation costs so technically they do approve it. If there is more than \$250,000 to be spent on an artwork, the amount must be approved by Council. Council has no other involvement in the Public Art Selection process	12/16/2019 4:05 PM
8	Council also approves negotiated agreements with private developers that may contain sections related to the provision of Public Art, where applicable.	12/15/2019 11:04 PM

9	Re: Individual public art project plans, anything over \$10,000 requires council approval. Re: Donations - we currently have a moratorium on accepting all donations, until a donations policy is created. Council will still have some kind of role, but what that will look like is currently tbd. Re: art selection committee/jury members and public art commission/committee members - Council may recommend qualified committee members, but it would be up to City public art staff's discretion, as our Council has an arms length role. Re: Other - Council plays a role in approving agreements with private developers that may contain sections related to the provision of public art, but this would be led by Planning, not the Public Art staff.	12/13/2019 7:30 PM
10	City of Waterloo needs to re-open the policy at some point to tighten up the language about section 37 contributions (including the donation of art as part of section 37 contributions) as well as add additional information about the process of temporary public art (that isn't part of the collection).	12/13/2019 1:12 PM
11	Hi Helena, I know Jane filled this out for Planning, so this is the Culture version. A lot of our approvals are through the budget process, so I included that as "annual public art budget". We require council approval to release s.37 funds for projects, which I counted as "individual public art project plans". Donations and commemorations sometimes go to community council and sometimes to full council, depending on the project.	12/12/2019 9:01 PM
12	The public art commission at the City of Toronto would be enhanced with the presence of artists, and would be more effective if they were appointed by Council.	12/12/2019 8:47 PM
13	In city planning's percent for public art program, we do not report to council on the results of private developer competitions, rather the process through which the art will be determined.	12/12/2019 6:28 PM
14	In addition to budget and approving master plans, Oshawa City Council approves locations for public art projects for the upcoming year but they do not approve the specific artwork or artists (this is the responsibility of the Public Art Task Force to determine appropriate jurying approaches). When the report on location approval is submitted, it outlines the type of project, and other details (e.g. theme) if appropriate, link to the prioritization of the location (as identified in the Public Art Master Plan) and next steps in the process -- but the intent of the report is to receive location approval.	12/12/2019 6:17 PM
15	Currently, no Council approval is sought for artwork on private land that is commissioned through the City's public art process. Council has requested a change in Policy to allow them to approve art on private land but it was referred back to staff for more information when presented in Fall 2019.	12/12/2019 5:47 PM
16	Council has to approve the location, scope, scale, budget and general direction of the project before the call for submissions is issued. They have no approval over the final project selected. So far this seems to be working well so far.	12/12/2019 5:34 PM
17	Although all recommendations made regarding public art must ultimately be approved by Council, this is usually more of a ratification process, and not an involved assessment. The recommendation from the review committee/jury has always (to my knowledge - at least in the past seven years) been accepted.	12/12/2019 5:21 PM
18	We require Council approval for selected artist and/or art concept for projects \$15,000 and above.	12/12/2019 4:46 PM
19	Council would also be the approving body for the deaccession of any works in the public art collection; gifts and donations, and signing authority, fall under our municipal procurement policy	12/12/2019 4:39 PM
20	Council motion required to transfer funds from public art reserve to capital projects.	12/12/2019 4:33 PM
21	Council will only be involved in approving deaccessioning of significant artworks. The ability to recommend deaccession is under our program and General Manager, not council.	12/12/2019 4:28 PM
22	our public art advisory committee has a Councillor on it along with a jury approved by Council. So arms' length.	12/12/2019 4:27 PM
23	Annually, we submit a spending plan of \$500K for specific sites/projects, within the context of a long-term plan which is also updated annually, for consideration during Council's Capital Budget process.	12/12/2019 4:25 PM
24	The public art committee is too large at 11 members. The Committee itself and Administration are reviewing its membership, roles and responsibilities. A scenario is to reduce membership to 5 to 7 members and be advisory to staff, not City Council.	12/12/2019 4:08 PM

25	We use a selection committee that is guided by our Community Plan for Public Art. Once selected those project(s) that are recommended by the selection committee would go to Council for final approval. The plan was endorsed by Council in 2010.	12/12/2019 4:03 PM
26	do not use	12/11/2019 7:53 PM



Q6 If you would like to receive a copy of the tabulated results of this survey please add your email below. Your contact details will not be shared. If you use the research, we ask that you credit the work as follows: prepared by Workshop Architecture for the City of Markham.  
Thank you for your assistance!

Answered: 30 Skipped: 1

ANSWER CHOICES	RESPONSES	
Name	100.00%	30
Company	0.00%	0
Address	0.00%	0
Address 2	0.00%	0
City/Town	0.00%	0
State/Province	0.00%	0
ZIP/Postal Code	0.00%	0
Country	0.00%	0
Email Address	100.00%	30
Phone Number	0.00%	0

#	NAME	DATE
1	Connor Tice	12/30/2019 11:49 PM
2	stephanie key	12/30/2019 10:02 PM
3	Yvonne Chui	12/24/2019 8:48 PM
4	Nadine	12/24/2019 5:21 PM
5	Doti Niedermayer	12/20/2019 10:54 PM
6	Siobhan Smith	12/20/2019 10:50 PM
7	Chris Bartolomie	12/20/2019 4:17 PM
8	Barbara Chapman	12/16/2019 4:05 PM
9	Paul Pearson	12/16/2019 4:00 PM
10	Danika Lochhead	12/15/2019 11:04 PM
11	Philippa French	12/13/2019 7:30 PM
12	Kate Wilcott	12/13/2019 6:52 PM
13	Sonya Poweska	12/13/2019 1:12 PM
14	Catherine Dean	12/12/2019 9:01 PM
15	jane perdue	12/12/2019 6:28 PM
16	Wanda Schaefer	12/12/2019 6:22 PM
17	Catherine Richards	12/12/2019 6:17 PM
18	Joy Barrett	12/12/2019 6:01 PM

19	Biliana Velkova	12/12/2019 5:47 PM
20	Catherine McLeod	12/12/2019 5:34 PM
21	Théa Morash	12/12/2019 5:21 PM
22	Jillian Bracken	12/12/2019 4:46 PM
23	Jamie MacLellan	12/12/2019 4:39 PM
24	Stacey Dunnigan	12/12/2019 4:33 PM
25	Julie DuPont	12/12/2019 4:28 PM
26	cathy masterson	12/12/2019 4:27 PM
27	tamara rae biebrich	12/12/2019 4:25 PM
28	Kevin Kitchen	12/12/2019 4:08 PM
29	Chris Barfoot	12/12/2019 4:03 PM
30	do not use	12/11/2019 7:53 PM
#	COMPANY	DATE
There are no responses.		
#	ADDRESS	DATE
There are no responses.		
#	ADDRESS 2	DATE
There are no responses.		
#	CITY/TOWN	DATE
There are no responses.		
#	STATE/PROVINCE	DATE
There are no responses.		
#	ZIP/POSTAL CODE	DATE
There are no responses.		
#	COUNTRY	DATE
There are no responses.		
#	EMAIL ADDRESS	DATE
1	ctice@victoria.ca	12/30/2019 11:49 PM
2	skey@mission.ca	12/30/2019 10:02 PM
3	ychui@mapleridge.ca	12/24/2019 8:48 PM
4	nadinekawata@saanich.ca	12/24/2019 5:21 PM
5	dniedermayer@westvancouver.ca	12/20/2019 10:54 PM
6	ssmith@sechelt.ca	12/20/2019 10:50 PM
7	chris.bartolomie@canmore.ca	12/20/2019 4:17 PM
8	barbara.chapman@strathcona.ca	12/16/2019 4:05 PM
9	ppearson@stalbert.ca	12/16/2019 4:00 PM
10	dlochhead@cityofkingston.ca	12/15/2019 11:04 PM
11	Philippa.french@mississauga.ca	12/13/2019 7:30 PM
12	kate.wilcott@saintjohn.ca	12/13/2019 6:52 PM
13	Sonya.poweska@waterloo.ca	12/13/2019 1:12 PM
14	catherine.dean@toronto.ca	12/12/2019 9:01 PM

15	jane.perdue@toronto.ca	12/12/2019 6:28 PM
16	schaeferw@cambridge.ca	12/12/2019 6:22 PM
17	carichards@oshawa.ca	12/12/2019 6:17 PM
18	cultural@nelson.ca	12/12/2019 6:01 PM
19	bvelkova@richmond.ca	12/12/2019 5:47 PM
20	cmcleod@haltonhills.ca	12/12/2019 5:34 PM
21	tmorash@stjohns.ca	12/12/2019 5:21 PM
22	jillian.bracken@lethbridge.ca	12/12/2019 4:46 PM
23	maclelaj@halifax.ca	12/12/2019 4:39 PM
24	stacey.dunnigan@guelph.ca	12/12/2019 4:33 PM
25	julie.dupont@ottawa.ca	12/12/2019 4:28 PM
26	cmasterson@citywindsor.ca	12/12/2019 4:27 PM
27	tamara.rae@winnipegarts.ca	12/12/2019 4:25 PM
28	kevin.kitchen@saskatoon.ca	12/12/2019 4:08 PM
29	chris.barfoot@nanaimo.ca	12/12/2019 4:03 PM
30	do not use	12/11/2019 7:53 PM
#	PHONE NUMBER	DATE
There are no responses.		



Report to: General Committee

Meeting Date: March 2, 2020

**SUBJECT:** Award of Construction Tender 217-T-19 West Thornhill –  
Phase 3A Storm Sewer and Watermain Replacement

**PREPARED BY:** Prathapan Kumar, Senior Manager, Env. Services, Ext. 2989  
Flora Chan, Senior Buyer, Ext. 3189

**RECOMMENDATION:**

1. That the report entitled “Award of Construction Tender 217-T-19 West Thornhill – Phase 3A Storm Sewer and Watermain Replacement” be received; and,
2. That the contract for Tender 217-T-19 West Thornhill – Phase 3A Storm Sewer and Watermain Replacement be awarded to the lowest priced Bidder, Memme Excavation Company Limited in the amount of \$14,249,313.97, inclusive of HST; and,
3. That a 10% contingency in the amount of \$1,424,931.40 inclusive of HST, be established to cover any additional construction costs and that authorization to approve expending of this contingency amount up to the specified limit be in accordance with the Expenditure Control Policy; and,
4. That the construction award in the amount of \$15,674,245.37 (\$14,249,313.97 + \$1,424,931.40) be funded from the following capital projects:
  - (a) 058-6150-20252-005 “West Thornhill Flood Control Implementation - Phase 3A Construction”; and,
  - (b) 053-5350-20258-005 “Cast Iron Watermain Replacement – West Thornhill Phase 3A” as outlined under the financial considerations section in this report; and,
5. That the remaining funds in project #20252 “West Thornhill Flood Control Implementation - Phase 3A Construction” in the amount \$298,433.98 will not be required from the Stormwater Fee Reserve and the budget remaining in project #20258 “Cast Iron Watermain Replacement – West Thornhill Phase 3A” in the amount of \$3,623.66 will be returned to the original funding source; and,
6. That a 5-year moratorium be placed on any major servicing and utility installation along restored areas including Morgan Avenue (Yonge St. to Henderson Ave.), Henderson Avenue (Glen Cameron Rd. to 60m north of Clark Ave.) and Clark Avenue (from Henderson Ave. to Johnson St.) and Vanwood Road; 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:**

The purpose of this report is to obtain Council approval to award the contract for the West Thornhill – Phase 3A Storm Sewer and Watermain Replacement.

**BACKGROUND:**

The stormwater flood control implementation strategy was approved by Council on Nov 8, 2011 for the West Thornhill area in accordance with the City's November 2010 Class EA Study. The City-wide Flood Control Program is a 30-year program with an estimated cost of \$367M - \$382M (2018 dollars). The first phase (1A, 1B & 1C) of the remediation included storm sewer capacity upgrades in the Bayview Glen neighbourhood, second phase (2A, 2B, 2C & 2D) includes the Grandview area and Phase 3 includes Clark Ave./ Henderson area. Implementation schedule is outlined in the table below:

Area	Proposed Implementation Schedule	Status
Phase 1A: Bayview Glen Area	2014 - 2015	Substantially completed as of Nov 2015; Maintenance completion Nov 2017
Phase 1B: Bayview Glen Area	2015 - 2016	Substantially completed as of Aug 2016; Maintenance completion Aug 2018
Phase 1C: Canadiana Road	2016	Substantially completed as of Dec 2016; Maintenance completion Dec 2018;
Phase 2A: Grandview Area	2016 - 2017	Substantially completed as of Dec 2016; Maintenance completion Dec 2018
Phase 2B: Grandview Area (Park & Proctor Ave)	2017 - 2018	Substantially completed as of Dec 2017; Maintenance completion Dec 2019
Phase 2C: Grandview Area	2018 - 2019	Substantially completed as of Nov 2019; Maintenance completion Nov 2021
Phase 2D: Grandview Area	2019 - 2020	Substantially completed as of Nov 2019; Maintenance completion Nov 2021
<b>Phase 3A: Clark Ave./ Henderson Area (This Award)</b>	<b>2020</b>	<b>Construction Commencement April 2020</b>
Phase 3B & 3C: Clark Ave./ Henderson Area	2021 - 2022	
Phase 4: Royal Orchard Area	2021 & 2023 - 2026	

To support the program, on June 24, 2014, Council approved the structure of the stormwater fee rates in order to meet the annual revenue target for the first 5-year cycle of the Program. The new stormwater fee supports the 30-year initiative, to improve storm drainage capacity and limit flooding risks in urban areas.

On April 16, 2019 Council approved a \$50 annual fee per residential property for 2020 and further increase of \$1 per year up to 2024 and an increase of 2% per \$100,000 of current value

assessment (CVA) and 2% annual increase thereafter for non-residential properties. Stormwater fees will be re-assessed in 2025.

### **Construction Tender for Phase 3A**

Due to the scope of the project, contractors were prequalified to ensure that they had the necessary qualifications, experience and resources to complete the work in accordance with the City's requirements and within the specified timelines. Prequalification 279-P-13 was issued in accordance with the Purchasing By-law 2004-341.

### **Pre-Qualification Information (279-P-13)**

Prequalification closed on	October 29, 2013
Number of Contractors picking up the Pre-qualification document	16
Number of Contractors responding to the Pre-qualification	12
Number of Contractors Pre-qualified	6

### **Construction Tender Information (217-T-19)**

Bids closed on	January 30, 2020
Number picking up the Bid document	4
Number responding to the Bid	2

Note: Two (2) bidders who picked up the document did not submit a bid due to their current work load.

### **Price Summary**

<b>Bidder</b>	<b>Bid Price (Incl. of HST)</b>
<b>Memme Excavation Company Limited</b>	<b>\$ 14,249,313.97</b>

### **OPTIONS/ DISCUSSION:**

#### Watermain Replacement

The existing cast iron watermain on Morgan Ave., Dudley Ave., Lilian Ave., and Vanwood Road are close to the end of their life cycle. Combined replacement of services will minimize disruption to the local community by avoiding replacement of watermain and repair of the roadway at a later date.

The replacement of cast iron watermain is consistent with the City's strategy to upgrade aged and deficient watermain to improve supply capacity and reliability. Replacement of these old cast iron watermain will also offer improved reliability (less risk of breaks) as well as improve water quality and flows for domestic and fire demand. Based on experience, cast iron watermain are susceptible to internal and external corrosion as they age which leads to poor water quality and increased watermain breaks. The new watermain replacement material will be PVC pipe, which has a service life of 90 years and is superior as it is heat resistant, chemical resistant and non-corrosive.

The Tender award includes the replacement of the existing watermain at a cost of \$5,694,938.34 inclusive of 10% contingency and HST impact.

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### Public Input

A Public Information Committee (PIC) meeting will be scheduled in March 2020, prior to construction, to provide an update to the area residents and businesses, as well as to address any potential issues or concerns that the public may have on the proposed construction.

### Traffic Management Plan

The objective of the traffic management plan is to limit the traffic within the construction zone (only local traffic will be allowed) and divert through traffic onto adjacent roadways.

### Communications Plan

Staff will provide regular updates to the affected stakeholders as well as early notification for any disruptions to driveway access or municipal services. The City's website will provide up-to-date information, as required, on the status of the project.

### Construction Moratorium

In August 2019, Environmental Services staff advised all utility companies (e.g. Alectra Utilities Enbridge, Rogers and Bell Canada) that all upgrades to their infrastructure be completed prior to permanent restoration of roads in 2020.

Environmental Services staff is requesting that Council approve a 5-year moratorium on major construction work within the following roadway, which is to be enforced immediately after construction is complete. Minor and emergency repairs would be permitted. The moratorium would not affect any utility projects within the boulevard area.

- Morgan Avenue (Yonge St. to Henderson Ave.),
- Henderson Avenue (from Glen Cameron Rd. to 60 m north of Clark Ave.),
- Clark Avenue (Henderson Ave. to Johnson St.)
- Vanwood Road

### Project Schedule for Phase 3A:

- March 2020 - Issue of Purchase Order
- Late April 2020 - Commencement of work
- December 18, 2020 - Completion of 70% work to base asphalt
- January to Spring 2021 - Winter Shutdown
- Spring 2021 to Summer 2021 - Complete remaining 30% work, top asphalt, restoration etc.



## FINANCIAL CONSIDERATIONS

The following table summarizes the financial considerations for Phase 3A:

	Storm	Water	
Budget Available for Construction component of this Project (A)	\$10,277,741.00	\$5,698,562.00	058-6150-20252-005 053-6150-20258-005
Less: Construction Cost (B)	\$9,072,097.29	\$5,177,216.67	} Awarded to Memme Excavation Company Limited (217-T-19)
Less: Construction Contingency (10%) (C)	\$907,209.73	\$517,721.67	
<b>Total Cost (D) = (B) + (C)</b>	<b>\$9,979,307.02</b>	<b>\$5,694,938.34</b>	
Budget Remaining (E) = (A) – (D)	\$298,433.98	\$3,623.66	*

\*The remaining funds in project #20252 “West Thornhill Flood Control Implementation - Phase 3A Construction” in the amount \$298,433.98 will not be required from the Stormwater Fee Reserve. The remaining funds in project #20258 “Cast Iron Watermain Replacement – West Thornhill Phase 3A” in the amount of \$3,623.66 will be returned to the original funding source.

## OPERATING BUDGET AND LIFE CYCLE RESERVE IMPACT

The constructed stormwater pipes and associated infrastructure is estimated to last 100 years and PVC watermain service life is estimated to be 90 years. As such, there is no incremental impact to the Life Cycle Reserve Study over the next 25 years. There is no incremental operating budget impact.

## HUMAN RESOURCES CONSIDERATIONS

Not Applicable.

## ALIGNMENT WITH STRATEGIC PRIORITIES:

The proposed flood remediation program is aligned with City’s goal to provide better quality services to the public and is consistent with the Building Markham’s Future Together strategic priority on the “Growth Management” and “Environment” as it considers sustainability on the built environment.

## BUSINESS UNITS CONSULTED AND AFFECTED:

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

## RECOMMENDED BY:

Phoebe Fu  
Director, Environmental Services

Brenda Librecz  
Commissioner, Community & Fire Services

## ATTACHMENTS:

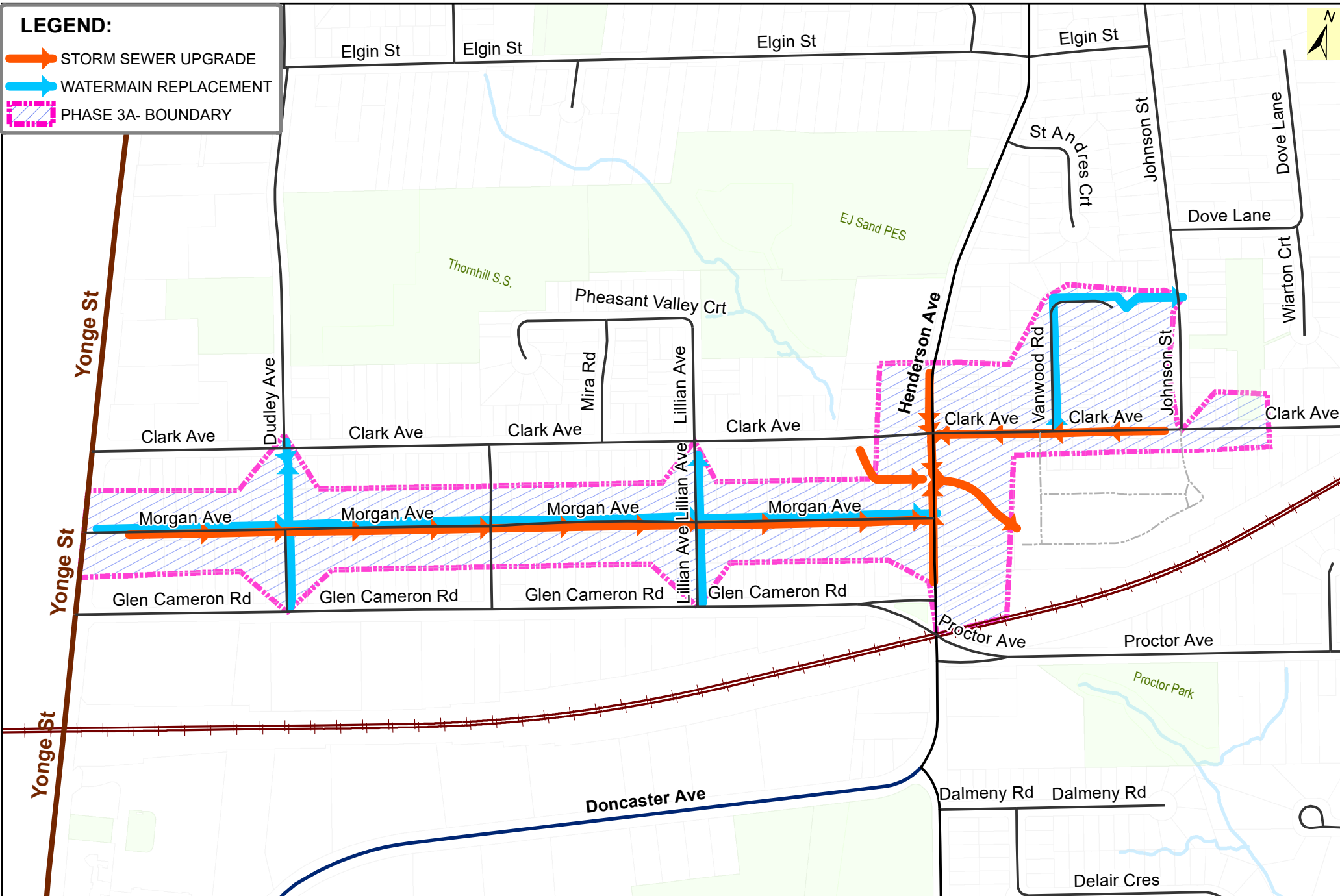
Attachment A – Location Map

Attachment B – West Thornhill Flood Control Implementation Phases

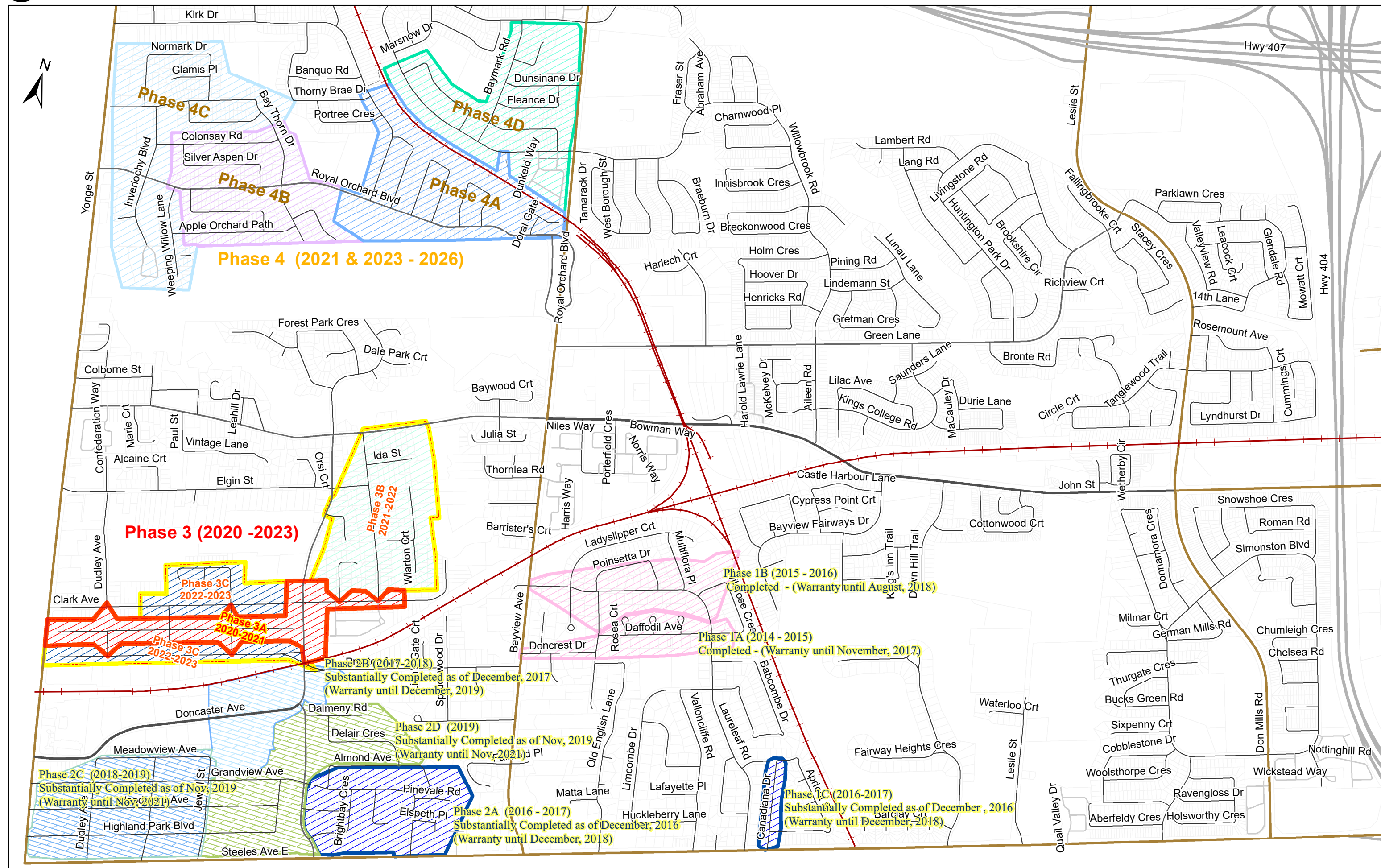


# Location Map: West Thornhill Flood Control Implementation - Ph 3A Cons.

ES - Infrastructure (2020)









Report to: General Committee

Meeting Date: March 2, 2020

**SUBJECT:** 2019 Summary of Remuneration and Expenses for Councillors and Appointees to Boards

**PREPARED BY:** Sandra Skelcher, Senior Manager, Financial Planning & Reporting

**RECOMMENDATION:**

1. That the report titled “2019 Summary of Remuneration and Expenses for Councillors and Appointees to Boards” be received; and,
2. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**PURPOSE:**

As required by the Municipal Act, this report sets out the remuneration and expenses paid to Councillors and appointees to local boards and other bodies.

**BACKGROUND:**

The Municipal Act under section 284 (1) states that the treasurer of a municipality shall in each year on or before March 31 provide to the council of the municipality an itemized statement on remuneration and expenses paid in the previous year to,

- (a) Each member of council in respect of his or her services as a member of the council or any other body, including a local board, to which the member has been appointed by council or on which the member holds office by virtue of being a member of council;
- (b) Each member of council in respect of his or her services as an officer or employee of the municipality or other body described in clause (a); and
- (c) Each person, other than a member of council, appointed by the municipality to serve as a member of any body, including a local board, in respect of his or her services as a member of the body.

Furthermore, section 284 (2) requires that the statement shall identify the by-law under which the remuneration or expenses were authorized to be paid.

These expenses have been made in accordance with By-law 77-93 as amended by By-law 2002-273.

Appendix A includes the local portion of remuneration paid to Council members, the regional portion of remuneration (where applicable), discretionary expenses and Council directed expenses.

Appendix B includes remuneration and expenses for appointees to local boards.

**RECOMMENDED BY:**

Joel Lustig  
Treasurer

Trinela Cane  
Commissioner, Corporate Services

**ATTACHMENTS:**

Appendix A – 2019 Summary of Remuneration and Expenses for Mayor and Council

Appendix B – 2019 Summary of Remuneration and Expenses for Appointees to Local Boards





**CITY OF MARKHAM**  
**SUMMARY OF REMUNERATION AND EXPENSES FOR MAYOR AND COUNCIL**  
**FOR THE YEAR ENDED DECEMBER 31, 2019**

	Mayor Frank Scarpitti	Regional Councillors				Ward Councillors							
		Don Hamilton	Jack Heath	Joe Li	Jim Jones	Keith Irish	Alan Ho	Reid McAlpine	Karen Rea	Andrew Keyes	Amanda Collucci	Khalid Usman	Isa Lee
Councillors Remuneration (Note 1)	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
Local	189,808	93,172	93,470	85,895	88,395	86,502	85,570	86,502	87,870	87,502	87,870	85,570	86,502
Region	57,460	57,460	57,460	57,460	57,460	-	-	-	-	-	-	-	-
<b>Total Remuneration (Note 2)</b>	<b>247,268</b>	<b>150,632</b>	<b>150,930</b>	<b>143,355</b>	<b>145,855</b>	<b>86,502</b>	<b>85,570</b>	<b>86,502</b>	<b>87,870</b>	<b>87,502</b>	<b>87,870</b>	<b>85,570</b>	<b>86,502</b>
Local Discretionary Expenses													
Mileage and Gasoline	4,306	-	1,093	-	-	577	-	-	397	1,494	587	-	878
Cell Phone and Computer	-	193	-	-	7,353	-	-	-	-	-	-	-	-
Meetings	53	347	835	-	-	579	-	25	868	253	2,339	47	413
Training, Seminars and Conferences	-	-	-	-	-	122	-	-	38	204	-	-	14
Vehicle Capitalization	12,255	-	-	-	-	-	-	-	-	-	-	-	-
407 ETR	2,239	27	-	-	-	-	-	-	82	253	-	-	249
Membership Fees and Subscriptions	-	-	-	-	-	-	-	-	-	75	-	-	-
Promotion and Advertising	3,155	7,294	3,513	-	-	5,381	8,000	6,647	6,104	5,721	4,427	1,035	3,133
Printing and Office Supplies	-	133	498	-	647	778	-	-	483	-	-	-	1,534
<b>Total Discretionary Expenses</b>	<b>22,008</b>	<b>7,994</b>	<b>5,939</b>	<b>-</b>	<b>8,000</b>	<b>7,437</b>	<b>8,000</b>	<b>6,672</b>	<b>7,972</b>	<b>8,000</b>	<b>7,353</b>	<b>1,082</b>	<b>6,221</b>
Other:													
Regional and Local Councillor – Newsletters	692	-	-	1,018	5,800	4,793	4,058	5,075	5,024	2,112	4,253	4,188	6,294
Markham Public Library Board Mileage	-	-	-	-	-	200	-	-	-	200	-	-	-
Region Discretionary Expenses (Note 4)	-	467	1,906	-	1,364	-	-	-	-	-	-	-	-
TRCA Remuneration & Expenses (Note 4)	-	-	2,372	-	-	-	-	-	-	-	-	-	-
<b>Total Other</b>	<b>692</b>	<b>467</b>	<b>4,278</b>	<b>1,018</b>	<b>7,164</b>	<b>4,993</b>	<b>4,058</b>	<b>5,075</b>	<b>5,024</b>	<b>2,312</b>	<b>4,253</b>	<b>4,188</b>	<b>6,294</b>
Council Directed Expenses (Non - Discretionary)													
Training, Seminars and Conferences	2,142	-	4,779	4,005	622	5,646	3,059	1,469	5,051	5,401	5,993	3,467	4,583
Business Mission	2,196	-	1,769	7,372	3,542	1,835	-	-	1,583	-	-	-	-
<b>Total Council Directed Expenses</b>	<b>4,338</b>	<b>-</b>	<b>6,548</b>	<b>11,377</b>	<b>4,164</b>	<b>7,481</b>	<b>3,059</b>	<b>1,469</b>	<b>6,634</b>	<b>5,401</b>	<b>5,993</b>	<b>3,467</b>	<b>4,583</b>

Note 1: Does not include applicable benefits

Note 2: See Details below

**DETAILS OF REMUNERATION**

	Mayor Frank Scarpitti	Regional Councillors				Ward Councillors							
		Don Hamilton	Jack Heath	Joe Li	Jim Jones	Keith Irish	Alan Ho	Reid McAlpine	Karen Rea	Andrew Keyes	Amanda Collucci	Khalid Usman	Isa Lee
Councillors Remuneration	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
City of Markham	140,308	87,197	79,270	79,270	79,270	79,877	79,270	79,877	79,270	79,877	79,270	79,270	79,877
Markham Enterprises Corporation	-	5,975	-	6,625	9,125	6,625	6,300	6,625	-	7,625	-	6,300	6,625
Markham District Energy Inc.	7,000	-	14,200	-	-	-	-	-	8,600	-	8,600	-	-
Alectra Inc.	42,500	-	-	-	-	-	-	-	-	-	-	-	-
<b>Total Local Remuneration (Note 3)</b>	<b>189,808</b>	<b>93,172</b>	<b>93,470</b>	<b>85,895</b>	<b>88,395</b>	<b>86,502</b>	<b>85,570</b>	<b>86,502</b>	<b>87,870</b>	<b>87,502</b>	<b>87,870</b>	<b>85,570</b>	<b>86,502</b>
Region of York (Note 4)	57,460	57,460	57,460	57,460	57,460	-	-	-	-	-	-	-	-
<b>Total Remuneration</b>	<b>247,268</b>	<b>150,632</b>	<b>150,930</b>	<b>143,355</b>	<b>145,855</b>	<b>86,502</b>	<b>85,570</b>	<b>86,502</b>	<b>87,870</b>	<b>87,502</b>	<b>87,870</b>	<b>85,570</b>	<b>86,502</b>

Note 3: Compensation includes additional work done by members of Council as a result of direction by Council and/or Council controlled entities

Note 4: All remuneration and expenses related to Region of York are also reported by the Region

## Appendix B

**CITY OF MARKHAM**  
**SUMMARY OF REMUNERATION AND EXPENSES FOR APPOINTEES TO LOCAL BOARDS**  
**FOR THE YEAR ENDED DECEMBER 31, 2019**

<u>City of Markham Public Library Board</u>	<u>Note</u>	<u>Mileage</u>
Ben Hendriks (Chair)		\$300
Councillor Andrew Keyes		200
Councillor Keith Irish		200
Alick Siu		200
Anthony Lewis		200
David Whetham		200
Edward Choi		200
Iqra Awan		200
Jay Xie		200
Les Chapman		200
Lillian Tolensky		200
Margaret McGrory		200
Pearl Mantell		200
Raymond Chan		200
Timea Gergely	1	80
<b>Total</b>		<b><u>\$2,980</u></b>

<u>Committee of Adjustment</u>		<u>Honorarium</u>
Gregory Knight (Chair)		\$2,830
Philip Gunn (Chair)	2	1,000
Arun Prasad		2,500
Gary Muller	2	830
Jeamie Crispi Reingold		2,500
Kelvin Kwok	3	1,670
Patrick Samson	3	1,670
Sally Yan	3	1,670
Thomas Gutfreund		2,500
<b>Total</b>		<b><u>\$17,170</u></b>

**Notes:**

1. Meeting attendance September to December 2019
2. Members resigned effective April 30, 2019
3. New members effective May 1, 2019





# **Whitchurch-Stouffville Highway 48 Corridor Update**

**March 9, 2020**

**Arvin Prasad, Commissioner of Development Services**



## Chronology of Markham and Whitchurch-Stouffville (WS) Regarding Highway 48 Corridor

Timeline	Direction
May 15, 2018	<b><u>WS Council</u></b> – Requests Markham to participate in a joint working group with WS to review all options for transportation, transit, pedestrian connectivity, public safety and municipal services, which would benefit both municipalities
September 10, 2018	<b><u>Markham DSC</u></b> – Responds with a resolution for staff to proceed to participate in the joint working group
May 21, 2019	<b><u>WS Council</u></b> – Staff to work with Markham staff through the Joint Working Group to develop a joint vision for the Highway 48 corridor for the consideration of the respective municipal Councils; and through the visioning exercise, explore areas along the Highway 48 corridor that can be considered for settlement area boundary expansion.
June 10, 2019	<b><u>Markham DSC</u></b> – Responds by referring WS Council's request to Markham staff to report back
July 16, 2019	<b><u>WS Council</u></b> – Initiates a procurement process to retain a consultant to undertake a visioning exercise for the Highway 48 corridor to identify areas for potential future settlement area boundary expansions and a preferred concept plan; and authorization for Mayor and Clerk to sign a funding agreement with FLATO Developments Inc. to fund the exercise.



## Chronology of Markham and Whitchurch-Stouffville (WS) Regarding Highway 48 Corridor

Timeline	Direction
September 2019	<b>WS</b> released Request for Proposal for Highway 48 Corridor Visioning Exercise
October 2019	<b>WS</b> reissued Request for Proposal to clarify scope
December 2019	<b>WS</b> retained The Planning Partnership
January 21, 2020	<b><u>WS Council</u></b> – Recommended to York Regional Council that the Town's growth initiatives, such as Highway 48 Visioning Exercise Study and proposed employment growth along the Highway 404 Corridor be considered in the Region's growth forecast and land needs assessment to 2041
February 4, 2020	<b><u>WS Council</u></b> – Report received updating the Highway 48 Corridor Visioning Exercise noting consultant retained and work plan
February 18, 2020	<b><u>WS Council</u></b> – Support for the issuance of a Minister's Zoning Order as requested by FLATO Developments Inc. for a residential development in the "Whitebelt" area west of Highway 48 and north of the Whitchurch-Stouffville and Markham municipal boundary



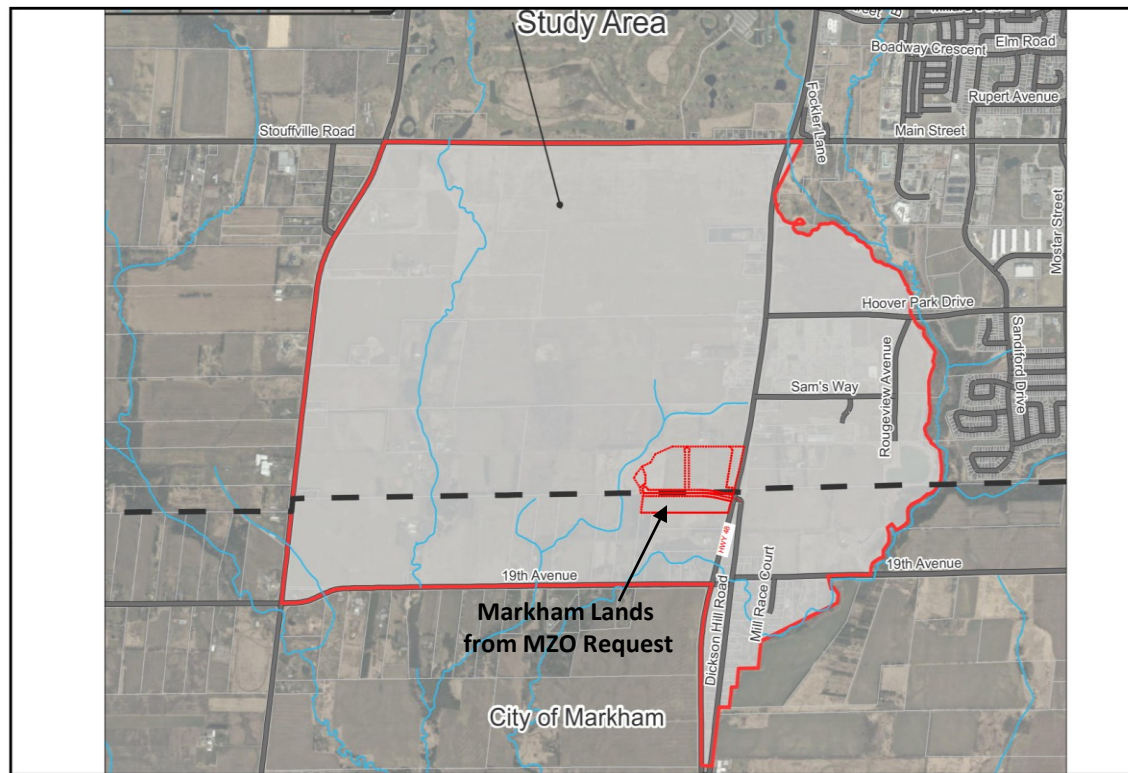
## Minister's Zoning Order (MZO) Request by FLATO Developments Inc.

- On December 2, 2019 Minister of Municipal Affairs and Housing (MMAH) received an MZO request from FLATO Developments Inc.
- The total development proposal includes 11.89 hectares in Whitchurch-Stouffville and Markham
- The Minister can make an MZO to control the use of land in Ontario
  - MZO's prevail over municipal official plans and zoning by-laws
  - MZO's have been used to protect or address matters of Provincial interest
  - A Minister's decision is required to be consistent with the Provincial Policy Statement
- February 27, 2020 Deputy Minister, MMAH letter requesting input from Markham to inform the Ministry's staff review



## MZO Request and W-S Visioning Exercise Study Area

- Development proposal portion in Markham is 3.5 hectares (includes 1.02 hectares of landscape open space)
- For Markham lands, FLATO proposes:
  - 120 units of purpose-built rental for seniors
  - 34 townhouse units for market ownership with aging in place ground floor units
- For Whitchurch-Stouffville lands, 4 apartments (60 units each) and 113 townhouses are proposed





## Conclusion

- Whitchurch-Stouffville Highway 48 Visioning Exercise
  - Whitchurch-Stouffville is proceeding with the work plan with expected completion in July 2020 (joint working group meetings, public meetings, Council updates)
  - To date no direction yet from Markham Development Services Committee:
    - to participate or not to participate in the joint working group with Whitchurch-Stouffville
    - regarding Markham lands within the study area
- MZO Request from FLATO Developments Inc.
  - Deputy Minister, MMAH requesting input from Markham



Report to: Council

Meeting Date: March 10, 2020

**SUBJECT:** Road Dedication of East/West Municipal Road east of Middlefield Road and North/South Municipal Road south of 14<sup>th</sup> Avenue (Plan 65R-35636, Plan 65R-35649, and 65R-38206) (Ward 7)

**PREPARED BY:** Mark Siu, Senior Capital Works Engineer, Ext. 2625  
Marija Ilic, Manager, Infrastructure and Capital Works, Ext. 2136

**REVIEWED BY:** Alain Cachola, Senior Manager, Infrastructure and Capital Works, Ext. 2711

### **RECOMMENDATION:**

1. That the report entitled “Road Dedication of East/West Municipal Road east of Middlefield Road and North/South Municipal Road south of 14th Avenue (Plan 65R-35636, Plan 65R-35649, and 65R-38206) (Ward 7)” be received; and,
2. That Part of Lot 5, Concession 7, designated as Parts 3, 4, 5 and 6, Plan 65R-35636, and Parts 1, 2 and 4 Plan 65R-35649, save and except Part 3, 65R-35649 and Part 1, 65R-38052, be dedicated as public highway and named Mumbai Drive; and,
3. That Part of Lot 5, Concession 7, designated as Part 7, Plan 65R-35636, and Parts 2 and 3, 65R-38206, save and except Part 7, Plan 65R-35649 and Part 2, 65R-38052, be dedicated as public highway and named Vanni Avenue; and,
4. That subject to recommendations 2) and 3), the City enact a By-law to dedicate these lands as part of the highways of the City of Markham, as set out in Attachment No. 3 - Road Dedication By-law 2020-\_\_\_; and,
5. That in accordance with By-law 178-96, the City declare Part of Lot 5, Concession 7, designated as Parts 5, 6, 7 Plan 65R-35649 and Parts 14, 15, 16, 17 Plan 65R-34398 (“Regional Road Lands”) as surplus to municipal needs; and,
6. That the Regional Road Lands be conveyed to The Regional Municipality of York for road purposes at no cost; and,
7. That By-law 106-71 be amended to allow compulsory stops along the future Mumbai Drive and Vanni Avenue (collectively, “Municipal Roads”); and,
8. That By-law number 2017-104 be amended to define the maximum speeds along the Municipal Roads; and,
9. That By-law number 2005-188 be amended to Prohibit Parking along the Municipal Roads; and further,



- 
10. 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 Council authorization for the following:

- To dedicate the East/West Municipal Road east of Middlefield Road, Lot 5, Concession 7 designated as Parts 3, 4, 5 and 6, Plan 65R-35636, and Parts 1, 2 and 4 Plan 65R-35649, save and except Part 3, 65R-35649 and Part 1, 65R-38052, as public highway and named Mumbai Drive; and,
- To dedicate the North/South Municipal Road, south of 14th Avenue Lands Part of Lot 5, Concession 7, designated as Part 7, Plan 65R-35636, and Parts 2 and 3, 65R-38206, save and except Part 7, Plan 65R-35649 and Part 2, 65R-38052, as public highway and named Vanni Avenue; and,
- To declare Regional Road Lands surplus to municipal needs and to authorize the conveyance of the Regional Road Lands to the Region; and,
- To amend By-laws 106-71, 2017-104, and 2005-188 to allow compulsory stops, maximum speeds, and prohibit parking, respectively along the Municipal Roads.

**BACKGROUND:**

The Municipal Roads and the Regional Road Lands were acquired by the City from the landowners immediately south of the Municipal Roads for road and park purposes. Council approved the design and construction of these roads in two phases on June 17, 2013 and on December 16, 2014.

The Municipal Roads are located east of Middlefield Road and south of 14<sup>th</sup> Avenue and provide vehicular and pedestrian access to the Aaniin Community Centre.

The Regional Road Lands were acquired for the purpose of providing the daylight triangle at the south leg of the 14<sup>th</sup> Avenue and Vanni Avenue intersection. These lands form part of the Regional intersection and are required by the Region to facilitate the operation of the intersection. The Regional Road Lands also include lands for 14<sup>th</sup> Avenue road widening west of the intersection.

**OPTIONS/ DISCUSSION:**

The Municipal Roads are accessible to the public and should be dedicated as a public highway. The names chosen for the Municipal Roads are Mumbai Drive for the east/west road from Middlefield Road, and Vanni Avenue for the north/south road from 14<sup>th</sup> Avenue.

Mumbai Drive and Vanni Avenue are Council approved names within the Street and Park Name Reserve List.

**FINANCIAL CONSIDERATIONS:**

Not applicable.

**HUMAN RESOURCES CONSIDERATIONS:**

Not applicable.

**ALIGNMENT WITH STRATEGIC PRIORITIES:**

Not applicable.

**BUSINESS UNITS CONSULTED AND AFFECTED:**

The Legal Department, Parks and Open Space Group and Traffic Engineering were consulted on this report and their comments have been incorporated.

**RECOMMENDED BY:**

Brian Lee, P.Eng.  
Director of Engineering

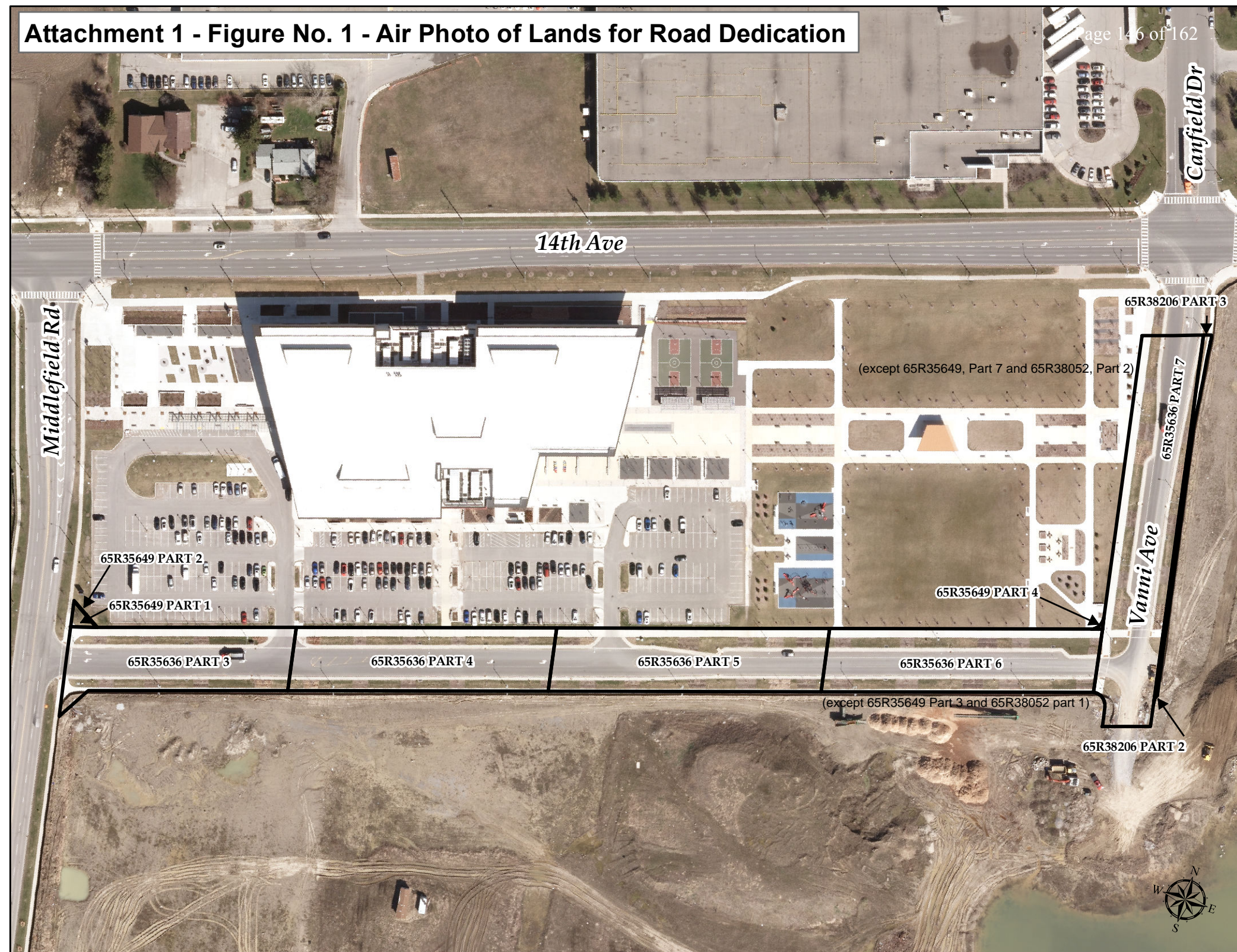
Arvin Prasad, MCIP, RPP  
Commissioner, Development  
Services

**ATTACHMENTS:**

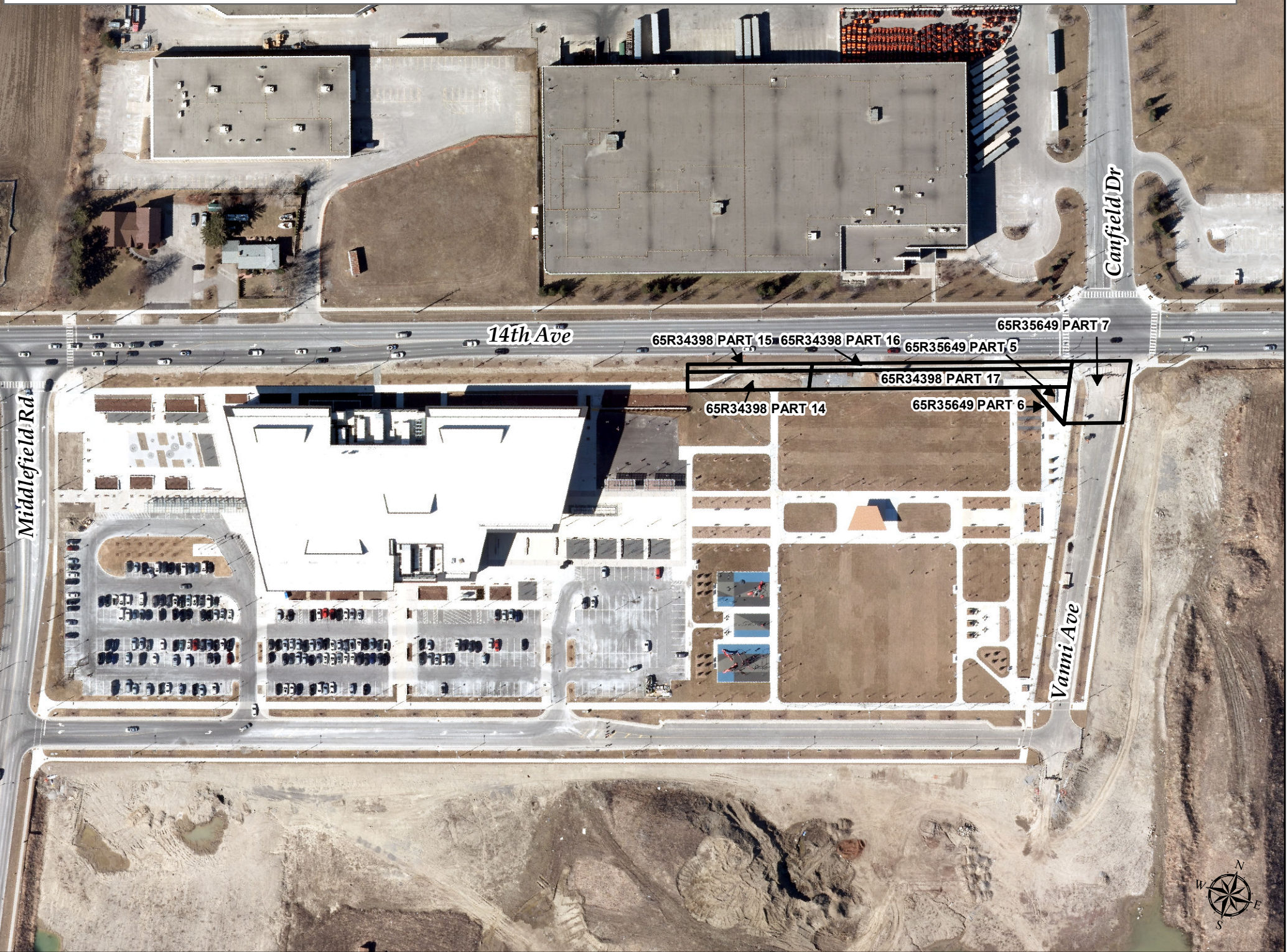
- Attachment 1 Figure. 1: Air Photo of lands for Road Dedication
- Attachment 2 Figure 2: Air Photo of lands deemed surplus to be transferred to York Region
- Attachment 3 Road Dedication By-law 2020-\_\_\_\_\_
- Attachment 4 Compulsory Stops By-law 106-71
- Attachment 5 Maximum Speed By-law 2017-104
- Attachment 6 Prohibited Parking By-law 2005-188



# Attachment 1 - Figure No. 1 - Air Photo of Lands for Road Dedication











# By-law 2020-

A by-law to dedicate certain lands as  
part of the highways of the City of Markham

Whereas Part of Lot 5, Concession 7, designated as [Parts 3, 4, 5, 6 and 7 Plan 65R-35636](#) and [Parts 1, 2, and 4, Plan 65R-35649](#), , and [Parts 2 and 3, 65R-38206](#), City of Markham, Regional Municipality of York were conveyed to The City of Markham, Regional Municipality of York for public use.

NOW THEREFORE the Council of the Corporation of the City of Markham enacts as follows:

1. THAT Part of Lot 5, Concession 7, , designated as [Parts 3, 4, 5 and 6, Plan 65R-35636](#), and [Parts 1 ,2 and 4 Plan 65R-35649](#), save and except Part 3, 65R-35649, , City of Markham, Regional Municipality of York are hereby established and laid out as part of the public highways of the City of Markham and named Mumbai Drive.
2. THAT Part of Lot 5, Concession 7, designated as Part of Lot 5, Concession 7, designated as [Part 7, Plan 65R-35636](#), and [Parts 2 and 3, 65R-38206](#), save and except Part 7, Plan 65R-35649, City of Markham, Regional Municipality of York are hereby established and laid out as part of the public highways of the City of Markham and named Vanni Avenue.

Read a first, second, and third time and passed on January XX, 2020.

\_\_\_\_\_  
Kimberley Kitteringham  
City Clerk

\_\_\_\_\_  
Frank Scarpitti  
Mayor

**THE CORPORATION OF THE CITY OF MARKHAM**  
**BY-LAW NUMBER \_\_\_\_\_**  
**TO AMEND BY-LAW 106-71**

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

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

<u>COLUMN 1</u> <u>INTERSECTION</u>	<u>COLUMN 2</u> <u>FACING TRAFFIC</u>	<u>COLUMN 3</u> <u>LOCATION OF STOP SIGN</u>
Middlefield Road and Mumbai Drive	Westbound traffic on Mumbai Drive	East side of Middlefield Road, on the north side of Mumbai Drive
Mumbai Drive and Vanni Avenue	Eastbound traffic on Mumbai Drive	West side of Vanni Avenue on the south side of Mumbai Drive
Vanni Avenue and Mumbai Drive	Southbound on Vanni Avenue	West side of Vanni Avenue on the North side of Mumbai Drive

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

READ

A FIRST, SECOND AND THIRD TIME AND PASSED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020.

\_\_\_\_\_  
MARTHA PETTIT  
CITY CLERK

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

**THE CORPORATION OF THE CITY OF MARKHAM**  
**BY-LAW NUMBER \_\_\_\_\_**  
**TO AMEND BY-LAW 2017-104**

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

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

<u>COLUMN 1</u> <u>HIGHWAY</u>	<u>COLUMN 2</u> <u>FROM</u>	<u>COLUMN 3</u> <u>TO</u>
Mumbai Drive	In It’s Entirety	
Vanni Avenue	In It’s Entirety	

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

READ A FIRST, SECOND AND THIRD TIME AND PASSED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020.

\_\_\_\_\_  
MARTHA PETTIT  
CITY CLERK

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



THE CORPORATION OF THE CITY OF MARKHAM

BY-LAW NUMBER \_\_\_\_\_

TO AMEND BY-LAW 2005-188

BE IT ENACTED BY THE COUNCIL OF THE COPORATION OF THE CITY OF MARKHAM THAT Parking By-Law 2005-188 be and the same is hereby amended as follows:

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

COLUMN 1 <u>LOCATION</u>	COLUMN 2 <u>SIDE(S)</u>	COLUMN 3 <u>BETWEEN</u>	COLUMN 4 <u>PROHIBITED TIME OR DAY</u>
Mumbai Drive	North	From Middlefield Road to a point 265m east of Middlefield Road	Anytime
Mumbai Drive	South	Middlefield Road and Vanni Avenue	Anytime
Vanni Avenue	East	14 <sup>th</sup> Avenue and Mumbai Drive	Anytime
Vanni Avenue	West	From 14th Avenue to a point 85m south of 14th Avenue	Anytime

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

READ A FIRST, SECOND AND THIROAD TIME AND PASSED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020.

\_\_\_\_\_  
MARTHA PETTIT  
CITY CLERK

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



By-law 2020-xx

TO AMEND PARKING BY-LAW 2005-188  
65M-4355

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

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

COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4
<u>LOCATION</u>	<u>SIDE(S)</u>	<u>BETWEEN</u>	<u>PROHIBITED TIME OR DAYS</u>
Peshawar Avenue	North	Greenberg Gate and 62 Peshawar Avenue	Anytime

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

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

DAY OF \_\_\_\_\_, 2020.

KIMBERLEY KITTERINGHAM  
TOWN CLERK

FRANK SCARPITTI  
MAYOR



By-law 2020-xx

TO AMEND PARKING BY-LAW 2005-188  
65M-4458

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

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

COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4
<u>LOCATION</u>	<u>SIDE(S)</u>	<u>BETWEEN</u>	<u>PROHIBITED TIME OR DAYS</u>
Lindcrest Manor	South	The Barley Lea Street and Kalvinster Drive	Anytime

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

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

DAY OF \_\_\_\_\_, 2020.

KIMBERLEY KITTERINGHAM  
TOWN CLERK

FRANK SCARPITTI  
MAYOR



**By-law 2020-xx**

**TO AMEND STOP BY-LAW 106-71  
65M-4435**

---

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

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

COLUMN 1	COLUMN 2	COLUMN 3
<u>INTERSECTION</u>	<u>FACING TRAFFIC</u>	<u>LOCATION OF STOP SIGN</u>
Peshawar Avenue and Greenberg Gate	Eastbound on Peshawar Avenue	South side of Peshawar Avenue, West side of Greenberg Gate.

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

READ A FIRST, SECOND AND THIRD TIME AND PASSED THIS\_\_\_\_\_ DAY OF \_\_\_\_\_, 2020.

\_\_\_\_\_  
KIMBERLEY KITTINGHAM  
TOWN CLERK

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



By-law 2020-xx

TO AMEND STOP BY-LAW 106-71  
65M-4458

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

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

COLUMN 1	COLUMN 2	COLUMN 3
<u>INTERSECTION</u>	<u>FACING TRAFFIC</u>	<u>LOCATION OF STOP SIGN</u>
Montague’s Lane and The Barley Lea Street	Eastbound on Montague’s Lane	South side of Montague’s Lane, West side of The Barley Lea Street
Lindcrest Manor and Lane 3	Northbound on Lane 3	South side of Lindcrest Manor, East side of Lane 3

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

READ A FIRST, SECOND AND THIRD TIME AND PASSED THIS\_\_\_\_\_ DAY OF \_\_\_\_\_, 2020.

\_\_\_\_\_  
KIMBERLEY KITTERINGHAM  
TOWN CLERK

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



**By-law 2020-xx**

A by-law to establish streets laid out according  
to Plan of Subdivision 65M-4435 as a public highway  
Part of Lot 12, Registered Plan 2196  
(Sunrise Acquisitions (Unionville) Inc.)  
City of Markham, Regional Municipality of York

---

Whereas by plan of subdivision registered in the Land Registry Office for the Land Titles Division of York Region (No. 65) as No. 65M-4435, the streets laid out in accordance with the said plan of subdivision have been dedicated for highway purposes;

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

- 1. That the streets named Peshawar Avenue and Greenberg Gate, as laid out and dedicated in accordance with the Plan of Subdivision registered in the Land Registry Office for the Land Titles Division of York Region (No. 65) as Plan No. 65M-4435 is hereby adopted for public use and declared to be and form part of the City of Markham highway system.

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

\_\_\_\_\_  
Kimberley Kitteringham  
City Clerk

\_\_\_\_\_  
Frank Scarpitti  
Mayor





**By-law 2020-xx**

A by-law to establish streets laid out according  
to Plan of Subdivision 65M-4458 as a public highway  
Blocks 249, 250, 251, 252, Plan 65M-3840 and  
Part of Lot 10, Concession 9,  
(Lindvest Properties (Cornell) Limited)  
City of Markham, Regional Municipality of York

---

Whereas by plan of subdivision registered in the Land Registry Office for the Land Titles Division of York Region (No. 65) as No. 65M-4458, the streets laid out in accordance with the said plan of subdivision have been dedicated for highway purposes;

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

1. That the streets named Montague’s Lane and Lindcrest Manor, as laid out and dedicated in accordance with the Plan of Subdivision registered in the Land Registry Office for the Land Titles Division of York Region (No. 65) as Plan No. 65M-4458 is hereby adopted for public use and declared to be and form part of the City of Markham highway system.

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

\_\_\_\_\_  
Kimberley Kitteringham  
City Clerk

\_\_\_\_\_  
Frank Scarpitti  
Mayor



# By-law 2020-

A by-law to dedicate certain lands as  
part of the highways of the City of Markham

Whereas Part of Lot 5, Concession 7, designated as [Parts 3, 4, 5, 6 and 7 Plan 65R-35636](#) and [Parts 1, 2, and 4, Plan 65R-35649](#), , and [Parts 2 and 3, 65R-38206](#), City of Markham, Regional Municipality of York were conveyed to The City of Markham, Regional Municipality of York for public use.

NOW THEREFORE the Council of the Corporation of the City of Markham enacts as follows:

1. THAT Part of Lot 5, Concession 7, , designated as [Parts 3, 4, 5 and 6, Plan 65R-35636](#), and [Parts 1 ,2 and 4 Plan 65R-35649](#), save and except Part 3, 65R-35649, , City of Markham, Regional Municipality of York are hereby established and laid out as part of the public highways of the City of Markham and named Mumbai Drive.
2. THAT Part of Lot 5, Concession 7, designated as Part of Lot 5, Concession 7, designated as [Part 7, Plan 65R-35636](#), and [Parts 2 and 3, 65R-38206](#), save and except Part 7, Plan 65R-35649, City of Markham, Regional Municipality of York are hereby established and laid out as part of the public highways of the City of Markham and named Vanni Avenue.

Read a first, second, and third time and passed on January XX, 2020.

\_\_\_\_\_  
Kimberley Kitteringham  
City Clerk

\_\_\_\_\_  
Frank Scarpitti  
Mayor

**THE CORPORATION OF THE CITY OF MARKHAM**  
**BY-LAW NUMBER \_\_\_\_\_**  
**TO AMEND BY-LAW 106-71**

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

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

<u>COLUMN 1</u> <u>INTERSECTION</u>	<u>COLUMN 2</u> <u>FACING TRAFFIC</u>	<u>COLUMN 3</u> <u>LOCATION OF STOP SIGN</u>
Middlefield Road and Mumbai Drive	Westbound traffic on Mumbai Drive	East side of Middlefield Road, on the north side of Mumbai Drive
Mumbai Drive and Vanni Avenue	Eastbound traffic on Mumbai Drive	West side of Vanni Avenue on the south side of Mumbai Drive
Vanni Avenue and Mumbai Drive	Southbound on Vanni Avenue	West side of Vanni Avenue on the North side of Mumbai Drive

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

READ

A FIRST, SECOND AND THIRD TIME AND PASSED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020.

\_\_\_\_\_  
MARTHA PETTIT  
CITY CLERK

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

**THE CORPORATION OF THE CITY OF MARKHAM**  
**BY-LAW NUMBER \_\_\_\_\_**  
**TO AMEND BY-LAW 2017-104**

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

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

<u>COLUMN 1</u> <u>HIGHWAY</u>	<u>COLUMN 2</u> <u>FROM</u>	<u>COLUMN 3</u> <u>TO</u>
Mumbai Drive	In It’s Entirety	
Vanni Avenue	In It’s Entirety	

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

READ A FIRST, SECOND AND THIRD TIME AND PASSED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020.

\_\_\_\_\_  
MARTHA PETTIT  
CITY CLERK

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

THE CORPORATION OF THE CITY OF MARKHAM

BY-LAW NUMBER \_\_\_\_\_

TO AMEND BY-LAW 2005-188

BE IT ENACTED BY THE COUNCIL OF THE COPORATION OF THE CITY OF MARKHAM THAT Parking By-Law 2005-188 be and the same is hereby amended as follows:

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

COLUMN 1 <u>LOCATION</u>	COLUMN 2 <u>SIDE(S)</u>	COLUMN 3 <u>BETWEEN</u>	COLUMN 4 <u>PROHIBITED TIME OR DAY</u>
Mumbai Drive	North	From Middlefield Road to a point 265m east of Middlefield Road	Anytime
Mumbai Drive	South	Middlefield Road and Vanni Avenue	Anytime
Vanni Avenue	East	14 <sup>th</sup> Avenue and Mumbai Drive	Anytime
Vanni Avenue	West	From 14th Avenue to a point 85m south of 14th Avenue	Anytime

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

READ A FIRST, SECOND AND THIROAD TIME AND PASSED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020.

\_\_\_\_\_  
MARTHA PETTIT  
CITY CLERK

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

COLUMN 1 <u>LOCATION</u>	COLUMN 2 <u>SIDE(S)</u>	COLUMN 3 <u>BETWEEN</u>	COLUMN 4 PROHIBITED <u>TIME OR DAY</u>
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