



Electronic Council Meeting

Revised Agenda

Meeting No. 16
September 30, 2020, 1:00 PM
Live streamed

Note: Members of Council will be participating in the meeting remotely.

Due to COVID-19, our facilities are closed to the public.
Access is not permitted to the Markham Civic Centre and Council Chamber.

Members of the public may submit written deputations by email
to clerkspublic@markham.ca

Members of the public who wish to make virtual deputations must register by completing an online [***Request to Speak Form***](#) or e-mail clerkspublic@markham.ca providing full name, contact information and item they wish to speak to. Alternatively, you may connect via telephone by contacting the Clerk's office at 905-479-7760 on the day of the meeting.

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Electronic Revised Council Meeting Agenda

Revised Items are Italicized.

Meeting No. 16
September 30, 2020, 1:00 PM
Live streamed

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

Pages

1. CALL TO ORDER

INDIGENOUS LAND ACKNOWLEDGEMENT

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

2. DISCLOSURE OF PECUNIARY INTEREST

3. APPROVAL OF PREVIOUS MINUTES

3.1 COUNCIL MINUTES - SEPTEMBER 15, 2020

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1. That the Minutes of the Council Meeting held on September 15, 2020, be adopted.

4. PRESENTATIONS

5. DEPUTATIONS

5.1 *DEPUTATIONS - GEESE MANAGEMENT AT SWAN LAKE – OVERVIEW OF OPTIONS AND PATH FORWARD (5.0)*

The following will address Council on this matter:

1. Madeleine Nevins
2. Rain Geiger
3. Darrell Heffernan

(See Item 8.2.1, Report 26.)

6. COMMUNICATIONS

- | | | |
|-----|---|----|
| 6.1 | 29-2020 - LIQUOR LICENCE APPLICATION - UPPER UNIONVILLE GOLF CLUB (WARD 6) (3.21) | 24 |
| | (New liquor licence for indoor and outdoor areas) | |
| | <ol style="list-style-type: none"> 1. That the request for the City of Markham to complete the Municipal Information Form be received for information and be processed accordingly. | |
| 6.2 | 30-2020 - LIQUOR LICENCE APPLICATION - CREATE WITH KIRSHY (WARD 1) (3.21) | 30 |
| | (New liquor licence for indoor area) | |
| | <ol style="list-style-type: none"> 1. That the request for the City of Markham to complete the Municipal Information Form be received for information and be processed accordingly. | |
| 6.3 | 31-2020 - MEMORANDUM - GEMTERRA (WOODBINE) INC. 9064-9110 WOODBINE AVENUE, TECHNICAL AMENDMENT TO SCHEDULE 'A' OF BY-LAW 2019-82, FILE NO. ZA 17 153653 (WARD 2) (10.5) | 34 |
| | <p>Memorandum dated September 30, 2020 from the Commissioner, Development Services regarding "Gemterra (Woodbine) Inc. 9064-9110 Woodbine Avenue, Technical Amendment to Schedule 'A' of By-law 2019-82, File No. ZA 17 153653 (Ward 2)".</p> | |
| | <ol style="list-style-type: none"> 1. That the memorandum entitled "Gemterra (Woodbine) Inc., 9064 to 9110 Woodbine Avenue, Technical Amendment to Schedule 'A' of By-law 2019-82, File No. ZA 17 153653, dated September 30, 2020 be received; and, 2. That Schedule 'A' to By-law 2019-82, be repealed and replaced with a revised Schedule 'A' attached hereto; and further, 3. That Staff be authorized and directed to do all things necessary to give effect to this resolution. | |
| 6.4 | 32-2020 - MEMORANDUM - SWAN LAKE GEESE MANAGEMENT PROGRAM – ADDITION OF STROBE LIGHTS (5.0) | 43 |

Memorandum dated September 29, 2020 from the Director, Environmental Services regarding "Swan Lake Geese Management Program – Addition of Strobe Lights)".

1. Staff do not recommend that the strobe lights be installed based on other organization's experiences, low likelihood of success, potential risks associated with other wildlife in the park, and limited time usage (1.5 months).

7. PROCLAMATIONS

7.1 PROCLAMATIONS (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. Caribbean Heritage Month - October 2020
 - b. Wrongful Conviction Day - October 2, 2020
 - c. Child Care Worker and Early Childhood Educator Appreciation Day - October 22, 2020
2. That the following new request for proclamation, issued by the City Clerk in accordance with the City of Markham Proclamation Policy, be received and added to the Five-Year Proclamations List approved by Council:
 - a. Dyslexia Awareness Month - October 2020

8. REPORT OF STANDING COMMITTEE

8.1 REPORT NO. 25 - DEVELOPMENT SERVICES COMMITTEE (SEPTEMBER 14, 2020)

Please refer to your September 14, 2020 Development Services Committee Agenda for reports.

Mayor and Members of Council:

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

- 8.1.1 9999 MARKHAM ROAD, HOLD (H) PROVISION, 2585231
ONTARIO INC., ZA 18 180621 (10.5)

1. **That the deputation by Michael Walker, OnePiece Developments, be received.**
2. That Staff be directed to bring forward a by-law for Hold (H) removal from the Phase 1C lands after staff and the applicants have reviewed the development concepts for Phases 1B and 1C and have reached agreement on the appropriate land area requirements for each Phase **and provided an appropriate zoning by-law amendment application for the Phase 1C lands has been reviewed and approved by Council;** and,
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

8.2 REPORT NO. 26 - GENERAL COMMITTEE (SEPTEMBER 21, 2020)

Please refer to your September 21, 2020 General Committee Agenda for reports.

Mayor and Members of Council:

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

8.2.1 GEESE MANAGEMENT AT SWAN LAKE – OVERVIEW OF OPTIONS AND PATH FORWARD (5.0)

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1. That the presentation entitled “Geese Management at Swan Lake – Overview of Options and Path Forward”, dated September 21, 2020, be received; and,
2. That Council approve the proposed changes outlined in the presentation to the existing Swan Lake Geese Control program; and,
3. That a review of options for modifying the habitat to deter geese from Swan Lake shall be considered through the Park Refresh Plan; and,
4. That the budget shortfall, in the amount of \$9,500, be funded from the Non-DC capital contingency for project 20250 Water Quality Improvements and Geese Control for the implementation of 2020 fall hazing and volunteer program; and,
5. That the 2021 Water Quality Improvements and Geese Control project request include \$10,000 for the TRCA managed geese relocation program; and,
6. **That Council approve an additional \$9,000.00 to include a strobe light pilot for geese population management; and,**

7. That staff be directed to provide additional information on the impacts of a strobe light pilot program to foster geese population management for the Council Meeting on September 30, 2020, and further,
8. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

8.2.2 ASSUMPTION OF MCCOWAN ROAD WATERMAIN AND ASSOCIATED INFRASTRUCTURE CONSTRUCTED BY THE REGIONAL MUNICIPALITY OF YORK (5.0)

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1. That the report entitled “Assumption of McCowan Road Watermain and associated infrastructure constructed by the Regional Municipality of York” be received; and,
2. That Staff be authorized to assume the ownership of the new McCowan Road 150mm diameter PVC watermain and associated infrastructure constructed by The Regional Municipality of York; and,
3. That the Director of Environmental Services be authorized to execute the Memorandum of Understanding between The Regional Municipality of York and the City of Markham related to the assumption of McCowan Road Watermain and associated infrastructure, to the satisfaction of the City Solicitor; and further,
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

8.2.3 EMERGENCY COVID-19 RELIEF FOR THE HOTEL ACCOMMODATION SECTOR (10.16)

Whereas the COVID-19 pandemic has brought unprecedented public health challenges to Canada which has resulted in a slowdown of the Canadian economy and has created significant financial pressures to most industry sectors; and,

Whereas this unprecedented environment of economic uncertainty has directly and immediately impacted the hospitality and tourism sectors, with hotels experiencing record low occupancy rates driven in part by the closure of international borders, reduced business workshops and conferences combined with lower consumer travel confidence; and,

Whereas the uncertainty of recovery timing and the expectation that a full recovery may take several years, it is imperative that the provincial government provide immediate measures to protect and assist Ontario’s Hotel Industry so they can remain resilient and

viable during this uncertain time; and,

Whereas the COVID-19 pandemic had prompted the Province of Ontario to postpone the 2020 Assessment Update, and further directed that all Ontario property assessments to be levied upon for the 2021 tax year, continue to be based on the fully phased-in assessment amounts utilized for the 2020 tax year; and,

Whereas the current property assessment values of hotel properties do not represent the current negative financial impact of COVID-19 and the substantial decrease in revenue experienced by Hotels, which will result in inaccurate property assessments and significant property tax burdens moving forward into the 2021 taxation year and beyond; and,

Whereas Markham Council through the Destination Markham Corporation is in the midst of launching several programs and strategic initiatives to support the reopening and recovery of the tourism economy with the goal of increasing Hotel overnight stays,

Now therefore be it resolved:

1. That Markham Council requests the Province of Ontario work with local municipalities to develop immediate options which could assist the Hotel Industry with mitigating the significant financial impacts resulting from the COVID-19 pandemic; and,
2. That these options include but not be limited to the following:
 - a. Requesting the Municipal Property Assessment Corporation (MPAC) undertake a review and re-evaluation of all Hotel property assessments prior to the issuance of the 2021 final tax bill by Ontario municipalities; and,
 - b. Requesting the Minister of Finance consider removing the education portion of the property taxes for Hotel properties in Ontario for the 2021 taxation year, and,
 - c. Requesting the Minister of Finance consider developing a tax relief program to assist Hotel properties with the record low occupancy rates and limited revenue

potential during this unprecedented time; and,

3. Be it further resolved, that a copy of this resolution be sent to:
 - a. The Honourable Doug Ford, Premier of Ontario;
 - b. The Honourable Rod Phillips, Minister of Finance;
 - c. The Honourable Steve Clark, Minister of Municipal Affairs and Housing;
 - d. All Members of Provincial Parliament in the Regional Municipality of York;
 - e. All Council Members of the Regional Municipality of York;
 - f. All Municipal Property Assessment Corporation (MPAC) Board of Directors;
 - g. Nicole McNeill, President and Chief Administrative Officer, MPAC;
 - h. Carmelo Lipsi, Vice-President, Valuation and Customer Relations and Chief Operating Officer, MPAC; and,
 - i. Greg Martino, Vice-President, Valuation and Assessment Standards and Chief Valuation and Standards Officer, MPAC.

8.3 *REPORT NO. 27 - DEVELOPMENT SERVICES COMMITTEE
(SEPTEMBER 29, 2020)*

Mayor and Members of Council:

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

8.3.1 *METROLINX TRANSIT PROJECT ASSESSMENT PROCESS FOR
TRAIN STORAGE FACILITY IN MARKHAM CENTRE (WARD
3) (5.0)*

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1. That the staff memo entitled “Metrolinx Transit Project Assessment Process for Train Storage Facility in Markham Centre, Ward 3” be received; and,
2. That Metrolinx and York Region be informed that Markham Council does not support a train storage facility in the proposed location; and,
3. **That staff be directed to continue to work with Metrolinx to**

identify an alternate and more appropriate location for the train storage facility; and further,

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

9. MOTIONS

10. NOTICE OF MOTION TO RECONSIDER

11. NEW/OTHER BUSINESS

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

12. ANNOUNCEMENTS

13. BY-LAWS - THREE READINGS

14. CONFIDENTIAL ITEMS

15. CONFIRMATORY BY-LAW - THREE READINGS

That By-law 2020-90 be given three readings and enacted.

Three Readings

BY-LAW 2020-90 - A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE COUNCIL MEETING OF SEPTEMBER 30, 2020

No attachment

16. ADJOURNMENT



Electronic Council Meeting Minutes

Meeting No. 15
September 15, 2020, 1:00 PM
Live streamed

Roll Call	Mayor Frank Scarpitti	Councillor Reid McAlpine
	Deputy Mayor Don Hamilton	Councillor Karen Rea
	Regional Councillor Jack Heath	Councillor Andrew Keyes
	Regional Councillor Joe Li	Councillor Amanda Collucci
	Regional Councillor Jim Jones	Councillor Khalid Usman
	Councillor Keith Irish	Councillor Isa Lee
	Councillor Alan Ho	
Staff	Andy Taylor, Chief Administrative Officer	Hristina Giantsopoulos, Elections & Council/Committee Coordinator
	Trinela Cane, Commissioner, Corporate Services	Ronald Blake, Senior Manager, Development, Planning & Urban Design
	Arvin Prasad, Commissioner, Development Services	Victoria Chai, Assistant City Solicitor
	Claudia Storto, City Solicitor and Director of Human Resources	Meg West, Manager of Business Planning and Projects
	Joel Lustig, Treasurer	Morgan Jones, Director, Operations
	Bryan Frois, Chief of Staff	Shane Manson, Senior Manager, Revenue & Property Taxation
	Mary Creighton, Director, Recreation Services	Tanya Lewinberg, Public Realm Coordinator
	Kimberley Kitteringham, City Clerk	Darryl Lyons, Manager, Policy
	Martha Pettit, Deputy City Clerk	Terence Tang, Technology Support Specialist II
	John Wong, Technology Support Specialist II	

Alternate formats for this document are available upon request

1. CALL TO ORDER

The meeting of Council convened at 1:08 PM on September 15, 2020. 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.

On behalf of Council, Mayor Frank Scarpitti acknowledged the 40th Anniversary of the Marathon of Hope in honour of Terry Fox's lasting legacy.

Deputy Mayor Don Hamilton left the meeting at 3:27 pm.

2. DISCLOSURE OF PECUNIARY INTEREST

Mayor Frank Scarpitti disclosed an interest with respect to Item No. 8.1.2 - "Feasibility of Piloting Microsoft 365 Cloud Service" and did not take part in the discussion or vote on this matter. The Mayor advised that his brother is connected with Compugen, one of the proponents to the request for proposal.

3. APPROVAL OF PREVIOUS MINUTES

3.1 COUNCIL MINUTES - AUGUST 25, 2020

Moved by Councillor Keith Irish

Seconded by Councillor Isa Lee

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

Carried

4. PRESENTATIONS

4.1 PRESENTATION - UPDATE ON YORK UNIVERSITY MARKHAM CENTRE CAMPUS (8.0)

Dr. Rhonda Lenton, President and Vice-Chair, York University delivered a presentation on the York University Markham Centre campus and provided a

timeline for the completion of the campus. Together with York University colleagues present at the meeting, Dr. Lenton responded to questions from members of Council.

Moved by Councillor Alan Ho

Seconded by Councillor Khalid Usman

That the presentation on the York University Markham Centre campus by Dr. Rhonda Lenton, President and Vice-Chair, York University be received.

Carried

5. DEPUTATIONS

5.1 DEPUTATION - RECOMMENDATION FROM THE SEPTEMBER 4, 2020 LICENSING COMMITTEE HEARING (46 BRYANT ROAD) (2.0)

Nicki Lawrence advised that she was available for any questions Council may have on the matter.

(See Item No. 11. 1, New/ Other Business for Council's decision on this matter.)

6. COMMUNICATIONS

6.1 27-2020 - LIQUOR LICENCE APPLICATION - SWISS CHALET (WARD 3) (3.21)

Moved by Councillor Andrew Keyes

Seconded by Councillor Karen Rea

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

Carried

6.2 28-2020 - LOCAL PLANNING APPEAL TRIBUNAL (LPAT) DECISION - ANDRIN WISMER MARKHAM LIMITED, 5440 16TH AVENUE (13.13)

Summary from Victoria Chai, Assistant City Solicitor:

On November 13, 2019, City Council approved a settlement between Andrin Wismer Markham Ltd. (“Andrin”) and the City of Markham regarding appeals by

Andrin from the City's failure to make a decision regarding applications for a zoning by-law amendment, draft plan of subdivision, and site plan approval for the lands located on the north side of 16th Avenue on the east side of Alexander Lawrie Avenue, legally described as Part of Lot 16, Concession 7, being Part 1 on Reference Plan 65R-37416, City of Markham, with the municipal address of 5440 16th Avenue.

The settlement permits the development of a common element condominium with 10 semi-detached and 68 townhouse units, an amenity area, and parking.

On September 11, 2020, the LPAT approved the draft plan of subdivision and zoning by-law amendment to incorporate lands into the designated area of By-law 177-96 to permit the development outlined above. The wording of the zoning by-law amendment has been finalized and the zoning-by-law amendment requires assignment of a number for municipal tracking purposes.

The site plan referral to the LPAT remains outstanding; however, the City and Andrin Wismer have been working on finalizing the site plan approval.

(By-law 2020-89)

Moved by Councillor Andrew Keyes

Seconded by Councillor Karen Rea

1. That the Local Planning Appeal Tribunal (LPAT) Decision - Andrin Wismer Markham Limited, 5440 16th Avenue, be received.

Carried

7. PROCLAMATIONS

7.1 PROCLAMATION AND FLAG RAISING REQUESTS (3.4)

Moved by Councillor Reid McAlpine

Seconded by Councillor Alan Ho

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. International Literacy Day - September 8, 2020

Carried

8. REPORT OF STANDING COMMITTEE

8.1 REPORT NO. 24 - GENERAL COMMITTEE (SEPTEMBER 8, 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 8.1.2:

Carried

8.1.1 CANCELLATION, REDUCTION, OR REFUND OF TAXES UNDER SECTIONS 357 AND 358 OF THE MUNICIPAL ACT, 2001 (7.3)

Moved by Regional Councillor Jack Heath

Seconded by Councillor Andrew Keyes

1. That the Report for the Cancellation, Reduction or Refund of Taxes under Sections 357 and 358 of the *Municipal Act, 2001* be received; and,
2. That taxes totalling approximately \$1,165,931 be adjusted under Section 357 and 358 of the Municipal Act, 2001 of which the City's portion is estimated to be \$182,589; and,
3. That the associated interest be cancelled in proportion to the tax adjustments; and,
4. That the Treasurer be directed to adjust the Collector's Roll accordingly; and further,
5. That staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

8.1.2 FEASIBILITY OF PILOTING MICROSOFT 365 CLOUD SERVICE (7.13)

Mayor Frank Scarpitti declared a conflict and did not vote on this matter.

Deputy Mayor Don Hamilton assumed the Chair for this item.

Moved by Regional Councillor Jack Heath

Seconded by Councillor Andrew Keyes

1. That the report dated September 8, 2020 entitled “Feasibility of Piloting Microsoft 365 Cloud Service” be received; and,
2. That staff, participate in a free pilot of the Microsoft online productivity solution for up to 50 users for a six month period; and,
3. That an evaluation user-group comprised of Members of Council and staff be established; and,
4. That implementation support costs of \$25,000 (excluding HST) to execute the pilot be approved; and,
5. That staff report back on the results of the pilot in Q1 2021; and further,
6. That staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

Mayor Frank Scarpiiti resumed the Chair of the meeting.

8.1.3 APPOINTMENT OF MEMBERS TO THE MARKHAM MAYOR’S YOUTH COUNCIL FOR THE PERIOD OF SEPTEMBER 15, 2020 TO JUNE 30, 2021 (16.24)

Moved by Regional Councillor Jack Heath

Seconded by Councillor Andrew Keyes

1. That the Report Appointment of Members to the Markham Mayor’s Youth Council for the period of September 15, 2020 to June 30, 2021 be received;

2. And that the following Appointments of Members to the Markham Mayor's Youth Council be confirmed for the term September 15, 2020 to June 30, 2021;

Name	School	Grade	Ward
Jin Zhou	Henderson Avenue Public School	8	1
Karina Florea	Thornhill Secondary School	10	1
Elyssa Qi	St. Augustine Catholic High School	9	2
Stephanie Sheng	Bayview Secondary School	10	2
Marissa Wang	Bayview Secondary School	11	2
Eric Gao	Unionville High School	10	3
Justine Lin	Unionville High School	11	3
Patrick Ang	St. Brother Andre Catholic High School	12	3
Selina Qiu	Markville Secondary School	12	3
Ivan Yu	Unionville High School	12	3
Manny Pahwa	Unionville High School	11	4
Olivia Chan	Unionville High School	11	4

Maxine Bisera	St. Brother Andre Catholic High School	12	4
Jorden Robinson	Milliken Mills High School	12	4
Jiabei He	Bill Hogarth Secondary School	9	5
Gloria Huang	Bill Hogarth Secondary School	10	5
Bryant Zheng	Markville Secondary School	11	6
Kara Yang	Markville Secondary School	11	6
Jonathan Feng	Markville Secondary School	11	6
Ernest Wong	St Robert Catholic High School	12	6
Seethaa Manoharan	Bayview Secondary School	12	6
Ashwin Suganthan	Markham District High School	11	7
Chloe Vanderlugt	Town Centre Private High School	12	7
Sara Mohammed	Markham District High School	12	7
Ulain Umar	Father Michael McGivney Catholic High School	11	8

3) And that Staff be authorized and directed to do all things necessary to give effect.

Carried

9. MOTIONS

There were no motions.

10. NOTICE OF MOTION TO RECONSIDER

There were no notices of motions.

11. NEW/OTHER BUSINESS

Council consented to add the following items under New/ Other Business (1) Review of the Tree By-Law Appeal Process; and (2) Redevelopment of Buttonville Airport Lands.

11.1 NEW/ OTHER BUSINESS - RECOMMENDATION FROM THE SEPTEMBER 4, 2020 LICENSING COMMITTEE HEARING (46 BRYANT ROAD) (2.0)

Discussion on this matter ensued.

Moved by Regional Councillor Jack Heath

Seconded by Councillor Isa Lee

That the following recommendation of the Licensing Committee from the Hearing held on September 4, 2020, be approved and adopted:

1. That the application to remove one (1) Silver Maple at 46 Bryant Road, Markham be approved; and,
2. That the applicant provide for six (6) replacement trees on the property of 46 Bryant Road, Markham, or on any other private property in Markham in a size and native species deemed appropriate by staff, by December 31, 2021, 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 by Recorded Vote (12:1)

(See Following Recorded Vote)

Recorded Vote:

YEAS: Councillor Keith Irish, Councillor Alan Ho, Councillor Karen Rea, Regional Councillor Jim Jones, Deputy Mayor Don Hamilton, Mayor Frank Scarpitti, Regional Councillor Jack Heath, Regional

Councillor Joe Li, Councillor Andrew Keyes, Councillor Amanda Collucci, Councillor Khalid Usman, Councillor Isa Lee **(12)**

NAYS: Councillor Reid McAlpine **(1)**

Moved by Councillor Keith Irish

Seconded by Councillor Isa Lee

1. That a call on the question be made once the speakers list is exhausted.

Carried by Two Thirds Vote

Moved by Regional Councillor Jack Heath

Seconded by Councillor Keith Irish

1. That Council consider the matter of "Recommendation from the September 4, 2020 Licensing Committee Hearing " immediately following the Deputations with respect thereto.

Carried

11.2 REVIEW OF TREE BY-LAW APPEAL PROCESS

Moved by Councillor Reid McAlpine

Seconded by Deputy Mayor Don Hamilton

1. That staff be directed to review the Tree By-law appeal process and report back.

Carried

11.3 REDEVELOPMENT OF BUTTONVILLE AIRPORTS LANDS

Arvin Prasad, Commissioner, Development Services provided an update on the matter. Discussion on this matter ensued. Staff were requested to provide an update at the next Development Services Committee meeting.

Moved by Regional Councillor Jim Jones

Seconded by Regional Councillor Jack Heath

Whereas York Region is undertaking an Official Plan Review through a municipal comprehensive review process for a 2051 planning horizon; and,

Whereas the Growth Plan for the Greater Golden Horseshoe, 2019 requires upper-tier municipalities, in consultation with lower-tier municipalities, to designate all employment areas in official plans and protect them for appropriate employment uses over the long term; and,

Whereas the York Region Official Plan, 2010 does not identify or map employment areas, but contemplates inclusion of some non-employment uses in the Toronto Buttonville Airport lands in policy 7.2.92 which states: “That the Toronto Buttonville Municipal Airport lands are designated for business park use, in the City of Markham Official Plan, including permission to operate an airport. When airport operations at the Buttonville Airport cease, the significant majority of the subject lands shall be retained for business park use, and the balance for a mix of urban uses. The City of Markham, in consultation with the Region, will determine the details of the future use of these lands through an implementing secondary plan process. The re-use of the Airport site is intended to generate a range of quality employment opportunities and expand upon the number of jobs planned for the site; and,

Whereas an official plan amendment (secondary plan) application for the Buttonville Municipal Airport lands was submitted by the landowner to identify specific land use designations for the lands, and appealed to the Ontario Municipal Board (OMB); and

Whereas a settlement was reached between York Region, the City of Markham and the landowner in 2017 resulting in a draft secondary plan being presented to the OMB for approval; and

Whereas the OMB approved the secondary plan subject to conditions, and

Whereas the appeal was withdrawn by the landowner in 2020 prior to the conditions being satisfied and a final decision being issued, resulting in the secondary plan not coming into force;

Whereas a Special Meeting of Regional Council is scheduled for September 17, 2020 regarding ‘Planning for Employment and Employment Conversions’ that contains draft mapping that identifies the Toronto Buttonville Municipal Airport lands as an employment area to be included in the Regional Official Plan;

Therefore now be it resolved:

1. That Council supports the intent of Regional Official Plan 2010 policy 7.2.92 being maintained in the Regional Official Plan update through the current municipal comprehensive review process; and,
2. That Markham staff work with Regional staff and the landowner to maintain the intent of policy 7.2.92 in the updated Regional Official Plan.

Carried

12. ANNOUNCEMENTS

There were no announcements.

13. BY-LAWS - THREE READINGS

Moved by Councillor Reid McAlpine

Seconded by Councillor Alan Ho

That By-law number 2020-89 be assigned for municipal tracking purposes for the following:

- 13.1 BY-LAW 2020-89 ANDRIN WISMER MARKHAM LIMITED, 5440 16TH AVENUE, ZONING BY-LAW AMENDMENT

Carried

14. CONFIDENTIAL ITEMS

Council consented to not resolve into confidential session. The following Confidential items were approved by Council in open session:

14.1 COUNCIL

- 14.1.1 APPROVAL OF CONFIDENTIAL COUNCIL MINUTES - JULY 14 & 16, 2020 AND AUGUST 25, 2020 (16.0) [Section 239 (2) (a) (b) (c) (e) (f)]

Moved by Councillor Keith Irish

Seconded by Councillor Alan Ho

1. That the confidential Council minutes of July 14 & 16, 2020 and August 25, 2020 be adopted.

Carried

14.2 GENERAL COMMITTEE - SEPTEMBER 8, 2020

14.2.1 PERSONAL MATTERS ABOUT AN IDENTIFIABLE INDIVIDUAL, INCLUDING MUNICIPAL OR LOCAL BOARD EMPLOYEES (11.0) [Section 239 (2) (b)]

Moved by Regional Councillor Jack Heath

Seconded by Councillor Andrew Keyes

1. That staff be authorized to proceed as directed by Council on September 15, 2020 with respect to the Labour Relations or Employee Negotiations (Collective Bargaining) matter.

Carried

14.3 DEVELOPMENT SERVICES COMMITTEE - SEPTEMBER 14, 2020

14.3.1 LITIGATION OR POTENTIAL LITIGATION, INCLUDING MATTERS BEFORE ADMINISTRATIVE TRIBUNALS, AFFECTING THE MUNICIPALITY OR LOCAL BOARD; [SECTION 239 (2) (e)] – LPAT APPEAL – 20 PERSONNA BOULEVARD (8.0)

Moved by Councillor Alan Ho

Seconded by Regional Councillor Jim Jones

1. That the confidential report on litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; – LPAT Appeal – 20 Personna Boulevard be received; and,
2. That Council direct the City Solicitor and Staff not to attend the Local Planning Appeal Tribunal (“LPAT”) hearing regarding the appeal of the decision of the Committee of Adjustment (the “Committee”) denying the minor variances as they relate to a minimum rear yard setback for an accessory building, a maximum deck projection, and a minimum rear yard setback for a deck, subject to imposing the

following conditions of approval as set out below in the event that the LPAT allows the variances:

- a. The variances apply only to the existing deck and accessory building for as long as they remain.
 - b. That the variances apply only to the subject development, in substantial conformity with the plans attached as Appendix “B” to the City of Markham’s Staff Report, dated June 6, 2020, and received by the City of Markham on March 27, 2020, and that the Secretary-Treasurer receive written confirmation from the Director of Planning and Urban Design or designate that this condition has been fulfilled to his or her satisfaction.
 - c. That the Secretary-Treasurer receives written confirmation from the Toronto and Region Conservation Authority (TRCA) that the requirements indicated in their letter dated March 20, 2020 and attached as Appendix “C” to the City of Markham’s Staff Report, dated June 6, 2020, have been fulfilled to the satisfaction of the TRCA.
 - d. That a Landscape Plan be submitted by the applicant to ensure that adequate vegetative buffering/screening is planted along the north, east, and west property lines in accordance with the Landscape Plan 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,
3. That Staff do all things necessary to give effect to these resolutions.

Carried

14.3.2 LITIGATION OR POTENTIAL LITIGATION, INCLUDING MATTERS BEFORE ADMINISTRATIVE TRIBUNALS, AFFECTING THE MUNICIPALITY OR LOCAL BOARD; [SECTION 239 (2) (e)] – LPAT APPEAL – 105-107 MAIN STREET UNIONVILLE (8.0)

Moved by Councillor Reid McAlpine
Seconded by Councillor Keith Irish

1. That the confidential report on litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; LPAT Appeal – 105-107 Main Street Unionville, be received; and,
2. That Council direct the City Solicitor, or designate, and Staff to attend the Local Planning Appeal Tribunal (“LPAT”) hearing to oppose the proposed minor variances at the appeal of the decision of the Committee of Adjustment; and,
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

15. CONFIRMATORY BY-LAW - THREE READINGS

Moved by Councillor Keith Irish

Seconded by Councillor Isa Lee

That By-law 2020-88 be given three readings and enacted.

Three Readings

BY-LAW 2020-88 A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE COUNCIL MEETING OF SEPTEMBER 15, 2020.

Carried

16. ADJOURNMENT

Moved by Councillor Isa Lee

Seconded by Councillor Keith Irish

That the Council meeting be adjourned at 4:22 p.m.

Carried

Kimberley Kitteringham

City Clerk

Frank Scarpitti

Mayor



Alcohol and Gaming Commission of Ontario
 Licensing and Registration
 90 SHEPPARD AVE E SUITE 200
 TORONTO ON M2N 0A4
 Fax: 416-326-8711
 Tel: 416-326-8700 or 1-800-522-2876 toll free in Ontario

Municipal Information

The information requested below is required in support of all applications for a new Liquor Sales Licence or outdoor areas being added to an existing Liquor Sales Licence.

Section 1 - Application Details

Premises Name <i>Upper Unionville Golf Club</i>	Premises Telephone Number <i>905-888-8842</i>		
Contact Name <i>Alex Scott</i>	Contact's Telephone Number <i>905-888-8842 ex 205</i>	Email Address <i>ascott@upperunionvillegolf.com</i>	
Address <i>11707 Kennedy Rd</i>	City / Town <i>Markham</i>	Province / State <i>ON</i>	Postal Code <i>L6C 1P2</i>

Does the application for a Liquor Sales Licence include:

- ☒ Indoor areas
☒ Outdoor areas

Section 2 - Municipal Clerk's Official Notice of Application for a Liquor Sales Licence in your Municipality

Municipal Clerk:

Please confirm the "Wet/Damp/Dry" status below.

Name of village, town, township or city where taxes are paid: (If the area where the establishment is located was annexed or amalgamated, provide the name of the Village, Town, Township or City was known as)

Is the area where the establishment is located:

- ☐ Wet (for spirits, beer, wine) ☐ Damp (for beer and wine only) ☐ Dry

Note:

Specific concerns regarding zoning or non-compliance with by-laws must be clearly outlined **in a separate submission or letter within 30 days of this notification.**

Signature of Municipal Official	Title
Address of Municipal Office	Date <div style="text-align: center;"> YYYY MM DD </div>



Liquor Licence Questionnaire

The Corporation of the City of Markham

To evaluate your Liquor Licence Application, you are required to complete this Questionnaire.

Submit the all required documentation to the Clerk's Office by mail or in-person to the address below.

City of Markham
Clerk's Office
Legislative Services Department
101 Town Centre Boulevard
Markham, Ontario
L3R 9W3

Attention: Public Services Assistant

If you have any questions about this Questionnaire, please call 905-477-7000 ext. 2366.

Liquor Licence Questionnaire Checklist

The following items **must** be submitted with this completed Questionnaire to the Clerk's Office:

- ✓ Applicable fee;
- ✓ A sample menu; and,
- ✓ Copy of the floor plan showing the layout; areas that require licensing, seating arrangements, washrooms (show fixtures) and exits.

Applicant Contact Information

First Name Alex		Last Name Scott	
Street Number 444	Street Name Evelyn Ave		Suite/Unit Number
City Keswick	Postal Code L4P 3C8		Province Ontario
Telephone Number 905 N/A	Mobile Number 905-960-1575	Email alexscott@uppermerivillegolf.com	

Restaurant Information

Name of Restaurant Upper Meriville Golf Club			
Street Number 11207	Street Name Kennedy Rd		Suite/Unit Number
City Markham	Postal Code L6C 1P2		Province Ontario

Page 1 of 2

Rev. Jan/17

Information on this form is collected under the authority of Section 11 of the Municipal Act, 2001, S.O. 2001, c. 25, as amended and Section 12 of the Liquor Licence Act, R.S.O. 1990, Chapter L.19, as amended. The information you have provided will be used to contact you and process your Liquor Licence Application. If you have questions about this collection contact the Access & Privacy Manager, Legislative Services Development, 101 Town Centre Boulevard, Markham, Ontario, L3R 9W3, 905-477-5530.

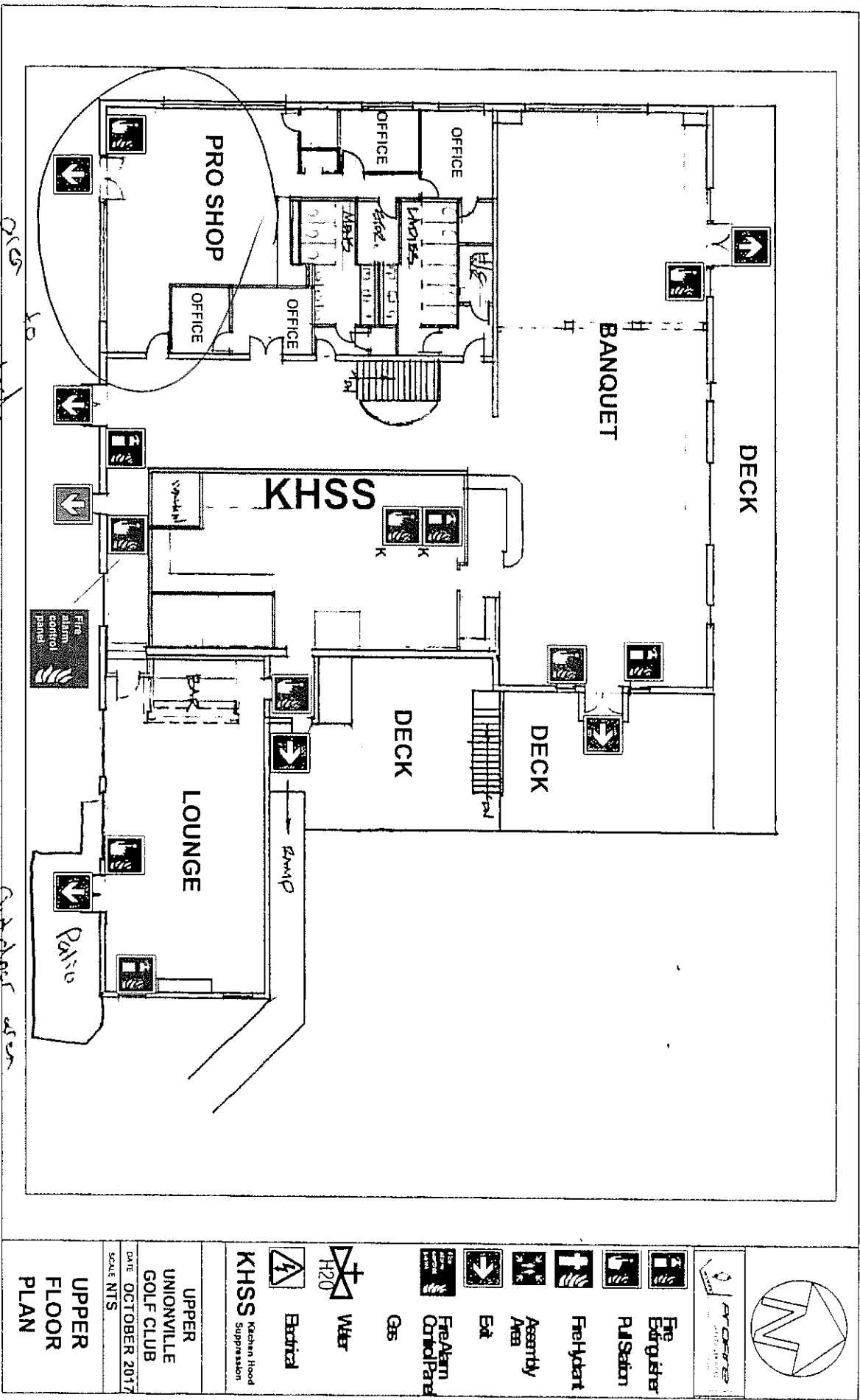
What is the closest major intersection to the restaurant? <i>Kennedy and Elgin Mills</i>	What is the distance between the restaurant and the closest residential area? (in kilometres) <i>4 km</i>
Does the restaurant have a valid Business Licence issued by the City of Markham? <input checked="" type="radio"/> Yes <input type="radio"/> No Business Licence Number: <i>20 101158 EE</i> <i>Public Hall: 20 102309 PH</i> If no, please note that a Business Licence is required.	Does the restaurant have a working Fire Alarm System? <input checked="" type="radio"/> Yes <input type="radio"/> No
Type of restaurant (select one) <input type="checkbox"/> Family <input type="checkbox"/> Roadhouse <input checked="" type="checkbox"/> Sports Bar <input type="checkbox"/> Fine Dining <input type="checkbox"/> Take Out <input type="checkbox"/> Cafe	
What, if any, entertainment or amusements will be provided in the restaurant? (select all that apply) <input type="checkbox"/> Karaoke <input type="checkbox"/> Live Entertainment <input type="checkbox"/> Casino <input type="checkbox"/> Off-Track Betting <input type="checkbox"/> Arcade	
Is the liquor licence application for an expansion of the existing operations? <input checked="" type="radio"/> Yes <input type="radio"/> No <i>Banquet Hall - 151</i> <i>Restaurant - 60</i> <i>PUB Ratio - 49.</i>	
If yes, please provide the <u>current</u> existing maximum seating capacity: _____	
If no, please provide the <u>planned</u> existing maximum seating capacity: _____	
Location History	
Has a Building Permit been applied for or obtained for this location? <input type="radio"/> Yes Building Permit Number: _____ <input checked="" type="radio"/> No	
Was the location previously used as a restaurant? <input checked="" type="radio"/> Yes <input type="radio"/> No If no, a Building Permit is required. Contact Building Services at 905-477-7000 ext. 4870 for more information.	
If the location was previously used as a restaurant, has construction or alteration been proposed? <input type="radio"/> Yes <input checked="" type="radio"/> No If yes, please provide Alteration Permit Number: _____	


Applicant's Signature

Sept 16th 2020
Date

old
to
add

Get door as in
to license



Pro Shop Snack Menu

Chocolate Bars.....\$ 2.50

Kashi Bars..... \$3.50

Chips..... \$2.50

Trail Mix..... \$2.50

Peanuts..... \$2.50

Banana Bread..... \$2.50

Plus, applicable taxes

Appetizers

Fries \$5

Sweet Potato Fries \$6
Chipotle Mayo

Onion Rings \$5

Calamari \$9
House made Tartar Sauce

Chicken Fingers \$12
Fries with Plum sauce

Chicken Wings
BBQ, Honey Buffalo, Medium,
Honey Garlic, Hot
Salt and Pepper, Lemon Pepper
1 Lbs \$12.95 | 2 Lbs \$19.95

Salads and Pasta

Full Caesar Salad \$10
Romaine, grated Parmesan,
Bacon and Creamy Caesar Dressing

1/2 Caesar Salad \$5
Romaine, grated Parmesan,
Bacon and Creamy Caesar Dressing

Full Mixed Green \$10
Cherry Tomato, Cucumbers
House Dressing

1/2 Mixed Green \$5
Cherry Tomato, Cucumbers
House Dressing

Pasta Napolitana \$15
Pappardelle pasta tossed in House made
Di San Marzano Tomato Sauce

The Foursome Platter \$28
2lbs of Wings
Fries, Onion Rings and Kettle Chips

Teen Sandwiches

*Sandwiches Served w/ House Salad or Fries
Substitute for Caesar Salad, Onion Rings or Sweet Potato Fries for \$1.50*

UU Club \$15
Grilled Chicken Breast, Crispy Bacon, Shredded Romaine, Tomatoes, Pesto Mayo on Grilled Rosemary Focaccia

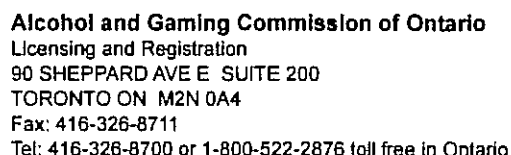
Bacon Cheeseburger \$15
Grilled Prime Rib Burger with Crispy bacon and White Cheddar Cheese

Butterflied Grilled Sausage \$15
Served with Roasted Peppers Sautéed Onions and Grain Mustard

Grilled Veggie Wrap \$15
Grilled Peppers, Zucchini, Eggplant Arugula and Goat Cheese

Prices Are Subject to Applicable Taxes

Upper Unionville Golf Club



Section 1 - Application Details

Premises Name	Premises Telephone Number		
Create With Kirshy	416-258-1016		
Contact Name	Contact's Telephone Number	Email Address	
Shane Kirshenblatt	416-258-1016	info@createwithkirshy.com	
Address	City / Town	Province / State	Postal Code
55 Glen Cameron Rd.	Thornhill	ON	L3T 5W2

☒ Indoor areas
☐ Outdoor areas

Section 2 - Municipal Clerk's Official Notice of Application for a Liquor Sales Licence in your Municipality

Please confirm the "Wet/Damp/Dry" status below.

Name of village, town, township or city where taxes are paid: (If the area where the establishment is located was annexed or amalgamated, provide the name of the Village, Town, Township or City was known as)

☐ Wet (for spirits, beer, wine) ☐ Damp (for beer and wine only) ☐ Dry

Specific concerns regarding zoning or non-compliance with by-laws must be clearly outlined in a separate submission or letter within 30 days of this notification.

Signature of Municipal Official	Title
Address of Municipal Office	Date <div> <div>YYYY</div> <div>MM</div> <div>DD</div> </div>

WARD-1



Liquor Licence Questionnaire

The Corporation of the City of Markham

To evaluate your Liquor Licence Application, you are required to complete this Questionnaire.

Submit the all required documentation to the Clerk's Office by mail or in-person to the address below.

City of Markham
Clerk's Office
Legislative Services Department
101 Town Centre Boulevard
Markham, Ontario
L3R 9W3

Attention: Public Services Assistant

If you have any questions about this Questionnaire, please call 905-477-7000 ext. 2366.

Liquor Licence Questionnaire Checklist

The following items **must** be submitted with this completed Questionnaire to the Clerk's Office:

- ✓ Applicable fee;
- ✓ A sample menu; and,
- ✓ Copy of the floor plan showing the layout, areas that require licensing, seating arrangements, washrooms (show fixtures) and exits.

Applicant Contact Information

First Name Shane		Last Name Kirshenblatt	
Street Number 1446	Street Name Avenue Rd.		Suite/Unit Number 3
City North York		Postal Code M5N 2H7	Province ON
Telephone Number 416-258-1016	Mobile Number	Email info@createwithkirshy.com	

Restaurant Information

Name of Restaurant Create With Kirshy			
Street Number 55	Street Name Glen Cameron Rd.		Suite/Unit Number 201
City Thornhill		Postal Code L3T 5W2	Province ON

Page 1 of 2

Rev. Jan/17

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What is the closest major intersection to the restaurant? Yonge and Clark	What is the distance between the restaurant and the closest residential area? (in kilometres) less than 1 km
Does the restaurant have a valid Business Licence issued by the City of Markham? <input type="radio"/> Yes <input checked="" type="radio"/> No Business Licence Number: _____ If no, please note that a Business Licence is required.	Does the restaurant have a working Fire Alarm System? <input type="radio"/> Yes <input checked="" type="radio"/> No
Type of restaurant (select one) <input type="checkbox"/> Family <input type="checkbox"/> Roadhouse <input type="checkbox"/> Sports Bar <input type="checkbox"/> Fine Dining <input type="checkbox"/> Take Out <input checked="" type="checkbox"/> Cafe	
What, if any, entertainment or amusements will be provided in the restaurant? (select all that apply) <input type="checkbox"/> Karaoke <input checked="" type="checkbox"/> Live Entertainment <input type="checkbox"/> Casino <input type="checkbox"/> Off-Track Betting <input type="checkbox"/> Arcade	
Is the liquor licence application for an expansion of the existing operations? <input type="radio"/> Yes <input checked="" type="radio"/> No If yes, please provide the <u>current</u> existing maximum seating capacity: _____ If no, please provide the <u>planned</u> existing maximum seating capacity: <u>25</u>	
Location History	
Has a Building Permit been applied for or obtained for this location? <input type="radio"/> Yes Building Permit Number: _____ <input checked="" type="radio"/> No	
Was the location previously used as a restaurant? <input type="radio"/> Yes <input checked="" type="radio"/> No If no, a Building Permit is required. Contact Building Services at 905-477-7000 ext. 4870 for more information.	
If the location was previously used as a restaurant, has construction or alteration been proposed? <input type="radio"/> Yes <input checked="" type="radio"/> No If yes, please provide Alteration Permit Number: _____	



Applicant's Signature

September. 23, 2020

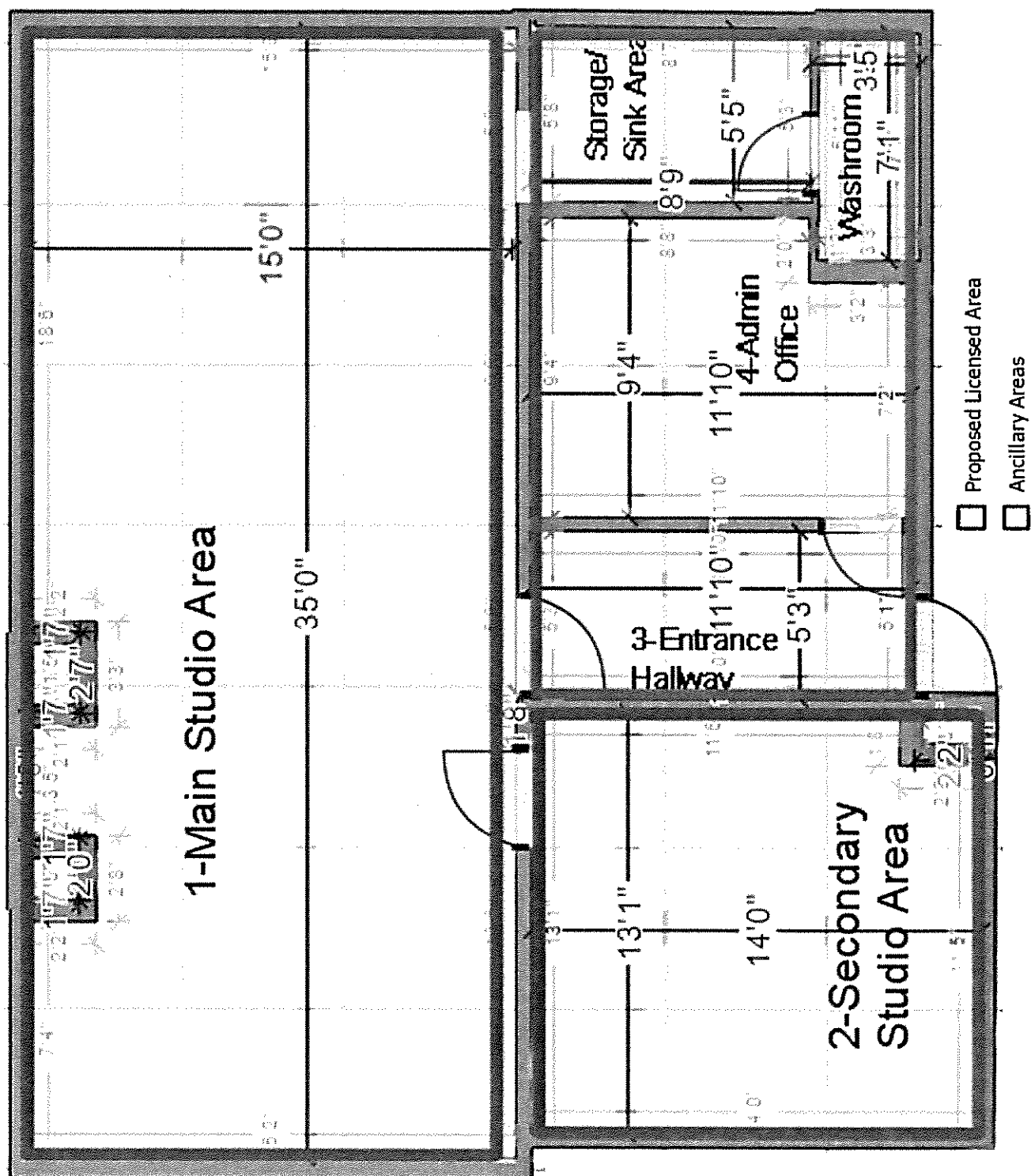
Date

Page 2 of 2

Rev. Jan/17

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Create With Kirshy Floorplan For AGCO Licensing Application





MEMORANDUM

To: Mayor and Members of Council

From: Arvin Prasad, Commissioner of Development Services

Prepared by: Rick Cefaratti, Senior Planner, West District

Date: September 30, 2020

Re: Gemterra (Woodbine) Inc. 9064-9110 Woodbine Avenue, Technical Amendment to Schedule 'A' of By-law 2019-82, File No. ZA 17 153653 (Ward 2)

RECOMMENDATION:

- 1) That the memorandum entitled "Gemterra (Woodbine) Inc., 9064 to 9110 Woodbine Avenue, Technical Amendment to Schedule 'A' of By-law 2019-82, File No. ZA 17 153653, dated September 30, 2020 be received;
- 2) That Schedule 'A' to By-law 2019-82, be repealed and replaced with a revised Schedule 'A' attached hereto; and,
- 3) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

BACKGROUND:

The 0.95 ha (2.35 ac.) subject lands are located on the west side of Woodbine Avenue within the Buttonville Heritage Conservation District (Figure 1). A heritage dwelling ("Buttonville Mill House") is located on the southerly portion of the subject lands. The remainder of the lands is proposed to be developed with 33 townhouses accessed from a common element condominium road driveway, with the valleylands and associated environmental buffers to be conveyed to the City.

On June 25, 2019, Council enacted By-law 2019-82, a By-law to amend Zoning By-laws 19-94 and 177-96, both as amended, to provide for the proposed development (see Attachment 1). The By-law deleted portions of the subject lands from the designated area of By-law 19-94, and amended By-law 177-96 to incorporate such lands into the designated area of that By-law. These By-law amendments rezoned the subject lands from Residential Medium Density Two – RMD1 and Open Space (O2) under By-law 19-94 to Residential Two*625 (R2) under By-law 177-96 and Open Space (O3) under By-law 19-94.

COMMENT:

This technical amendment proposes to correct a mapping error in the zoning by-law where certain small portions of the lands were inadvertently zoned incorrectly. Through the Building Department's review of a building permit application, it was brought to Planning staff's attention that By-law 2018-92 inadvertently rezoned certain small portions of the lands from an RMD1 Zone under By-law 19-94 to an O3 Zone under By-law 19-94, whereas the intent of the By-law amendment was to rezone all of the rear yards to Residential Two*625 (R2) under By-law 177-96 (see Attachment 2 – Site Plan).

The Planning and Urban Design Department endorsed the associated Site Plan application for the proposed townhouse development on July 15, 2020 and the Building Department has confirmed that building permit applications for the proposed townhouse development are currently under review.

This mapping error will not prevent the issuance of a building permit for the affected townhouse units. However, the associated decks and steps for Units 23 and 24 of Block 4 are not permitted, and any future accessory structures cannot be located within the portion of the rear yards of the affected lots highlighted in yellow on the Site Plan (Attachment 2) unless the zoning schedule errors are corrected through this technical amendment.

Staff note that an associated Subdivision agreement has been executed by the Owner and that the remaining lands within the Open Space (O2) and (O3) Zones will be conveyed to the City. In addition, the Site Plan agreement is under review and will be finalized shortly. Staff continue to work with Gemterra to register the associated Draft Plan of Subdivision as well as finalize the Site Plan Agreement and Site Plan approval.

CONCLUSION:

To correct a technical error in By-law 2019-82 which would inadvertently prohibit the construction of the decks and associated steps for Units 23 and 24 located within Block 4 of the proposed development and prohibit future accessory structures in the areas indicated in yellow on the site plan (Attachment 2), staff support the technical amendment of By-law 2019-92 by replacing the current Schedule 'A' to By-law 2019-82 with the new Schedule 'A' as shown on Attachment 3.

ATTACHMENTS:

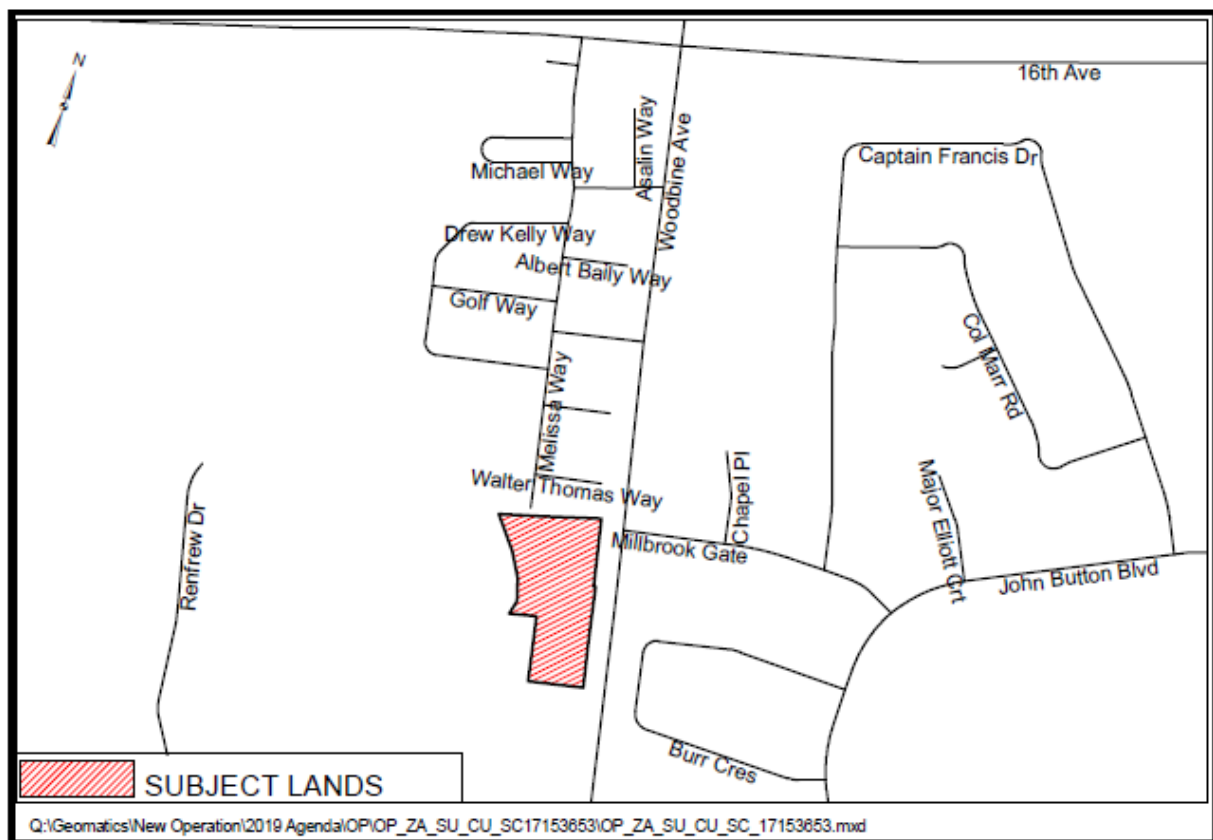
Figure 1: Location map

Attachment 1: By-law 2019-82

Attachment 2: Site Plan

Attachment 3: Revised Schedule 'A' to By-law 2019-82

Figure 1





EXPLANATORY NOTE

BY-LAW 2019-82

A By-law to amend By-laws 19-94 and 177-96, as amended

9064, 9074, 9084, 9100 and 9110 Woodbine Ave

CON 3 PT LOT 14 PT LOT 15 RS64R7192 PART 1 RS65R16211 PART 3

(Proposed Townhouse Development)

Lands Affected

The proposed by-law amendment applies to 0.95 hectares (2.35 acres) of land comprised of 5 properties located on the west side of Woodbine Avenue at Millbrook Gate, and municipally known as 9064, 9074, 9084, 9100 and 9110 Woodbine Avenue.

Existing Zoning

By-law 19-94, as amended, currently zones the subject lands as Residential Medium Density One – RMD1 and Open Space – O2 under By-law 19-94.

Purpose and Effect

The purpose and effect of this By-law is to delete portions of the subject lands from the designated area of By-law 19-94, amend By-law 177-96 to incorporate lands into the designated area of By-law 177-96, and to rezone the subject property as follows:

from:

Residential Medium Density Two – RMD1

Open Space (O2) under By-law 19-94

to:

Residential Two*625 (R2) under By-law 177-96

Open Space (O3) under By-law 19-94

In order to permit the development of thirty three (33) three townhouses on the subject lands. The existing heritage dwelling (Buttonville Mill House) will remain on these lands.

Note Regarding Further Planning Applications on this Property

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



By-law 2019-82

A By-law to amend By-law 19-94, as amended
(to delete lands from the designated area of By-law 19-94)
and to amend By-law 177-96, as amended
(to incorporate lands into the designated area of By-law 177-96)

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

- 1. That By-law 19-94, as amended, is hereby further amended as follows:
 - 1.1 By deleting the lands shown on Schedule ‘A’ attached hereto from the designated area of By-law 19-94, as amended.
 - 1.2 By rezoning the lands shown hatching on Schedule ‘A’ attached hereto:

from:
Residential Medium Density One – RMD1
to:
Open Space (Environmental Buffer) (O3)
- 2. By-law 177-96, as amended, is hereby further amended as follows:
 - 2.1 By expanding the designated area of By-law 177-96, as amended, to include the lands as shown on Schedule “A” attached hereto.
 - 2.2 By rezoning the lands outlined on Schedule ‘A’ attached hereto from:

from:
Residential Medium Density One – RMD1
Open Space (O2)
under By-law 19-94
to:
Residential Two*625 (R2) Zone under By-law 177-96
Open Space (O3) under 19-94
 - 2.3 By adding the following subsection to Section 7 - EXCEPTIONS

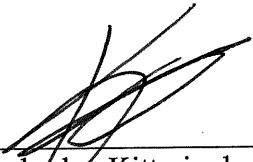
Exception 7.625	Gemterra (Woodbine) Inc. 9064, 9074, 9084, 9100 and 9110 Woodbine Avenue	Parent Zone R2
File ZA 17 153653		Amending By-law 2019-82
Notwithstanding any other provisions of this By-law, the following provisions shall apply to the land denoted by the symbol *625 on the schedules to this By-law. All other provisions, unless specifically modified/amended by this section, continue to apply to the lands subject to this section.		
7.625.1 Only Permitted Uses		
The following uses are the only permitted uses:		
a)	<i>Dwelling, Townhouse</i>	
b)	<i>Dwelling, Single-Detached</i>	
c)	<i>Home Occupation</i>	
d)	<i>Park, Private</i>	
7.625.2 Special Zone Standards		
The following specific Zone Standards shall apply:		

a)	Notwithstanding any further division or partition of the land subject to this Section, all lands zoned with Exception *625 shall be deemed to be one lot for the purposes of this By-law.
b)	For the purposes of this By-law, the <i>lot line</i> abutting Woodbine Avenue shall be deemed to be the <i>front lot line</i> .
c)	Minimum <i>lot frontage</i> – 40 metres
d)	Minimum <i>front yard</i> – 3.0 metres
e)	Minimum <i>rear yard</i> – 5.0 metres
f)	Minimum north <i>side yard</i> – 4.5 metres
g)	Minimum south <i>side yard</i> – 2.5 metres
h)	Maximum <i>Height</i> – 13.5 m
i)	Notwithstanding h) above, units within 9 metres of the north lot line shall have a maximum height of 11 metres
j)	Maximum garage width - 6.1 metres
k)	Minimum width of any <i>Townhouse Dwelling</i> unit- 6.0 metres
l)	Minimum <i>private park area</i> – 285 m ²
m)	Maximum number of <i>Townhouse Dwelling</i> - 33
p)	Minimum number of visitor parking spaces - 8
q)	provisions of Table B2 shall not apply

3. SECTION 37 AGREEMENT

A contribution by the Owner to the City of \$1,425.00 per residential unit in 2019 dollars, based on the total number of units, to be indexed to the Ontario rate of inflation as per the consumer price index (CPI), in accordance with Section 37 of the Planning Act, as amended, shall be required. Payments shall be collected in accordance with the terms of an agreement to secure for the Section 37 contribution. Nothing in this section shall prevent the issuance of a building permit as set out in Section 8 of the Building Code Act or its successors..

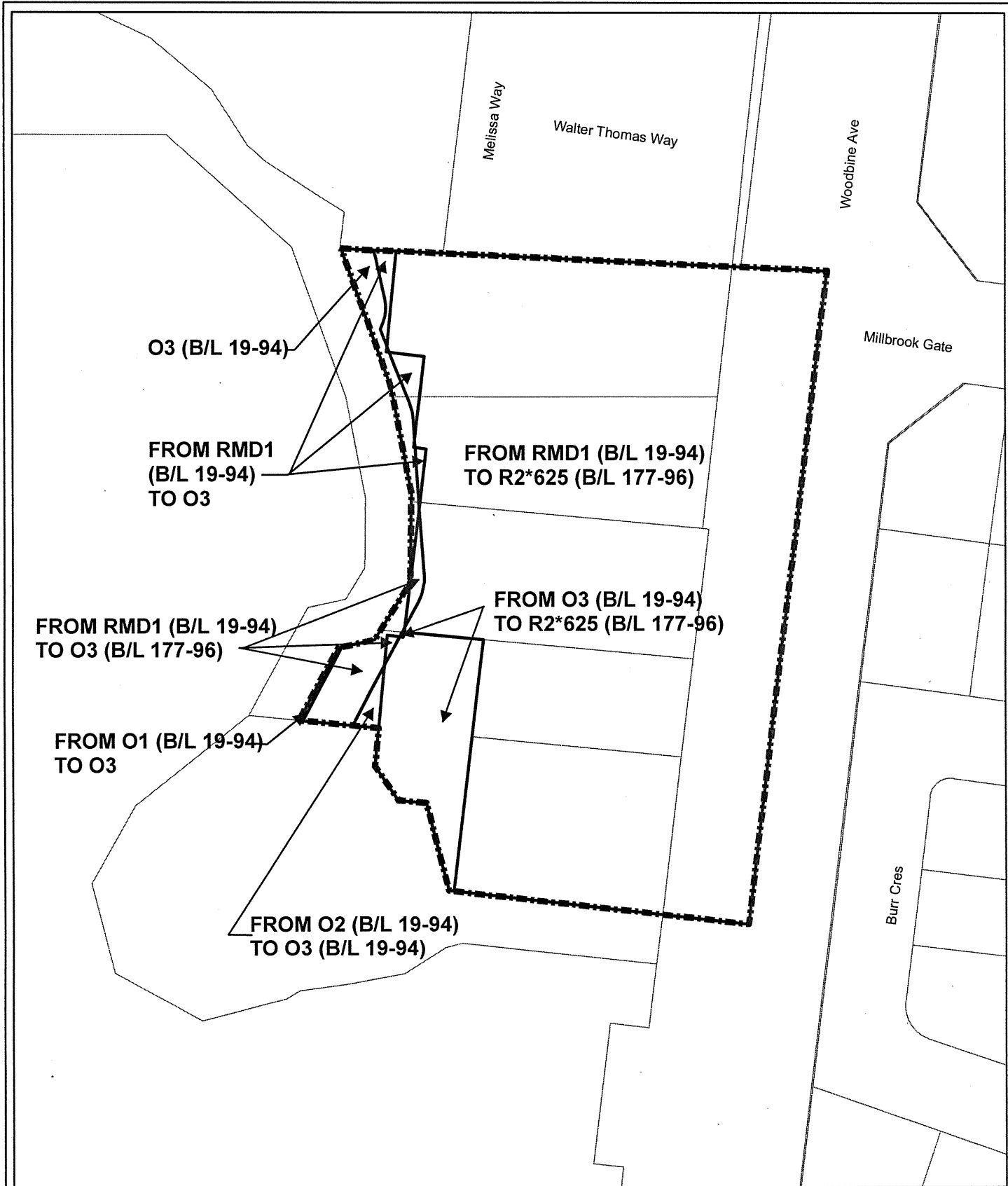
Read a first, second and third time and passed on June 25, 2019.



Kimberley Kitteringham
City Clerk



Don Hamilton
Deputy Mayor



SCHEDULE "A " TO BY-LAW 2019-82

AMENDING BY-LAWS 19-94 & 177-96 DATED JUNE 25, 2019

- BOUNDARY OF AREA COVERED BY THIS SCHEDULE
- BOUNDARY OF ZONE DESIGNATION(S)
- R2 Residential Two
- RMD1 Residential Medium Density One
- O1 Open Space One
- O2 Open Space Two
- O3 Open Space Three
- *No. Exception Section Number

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

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DEVELOPMENT SERVICES COMMISSION



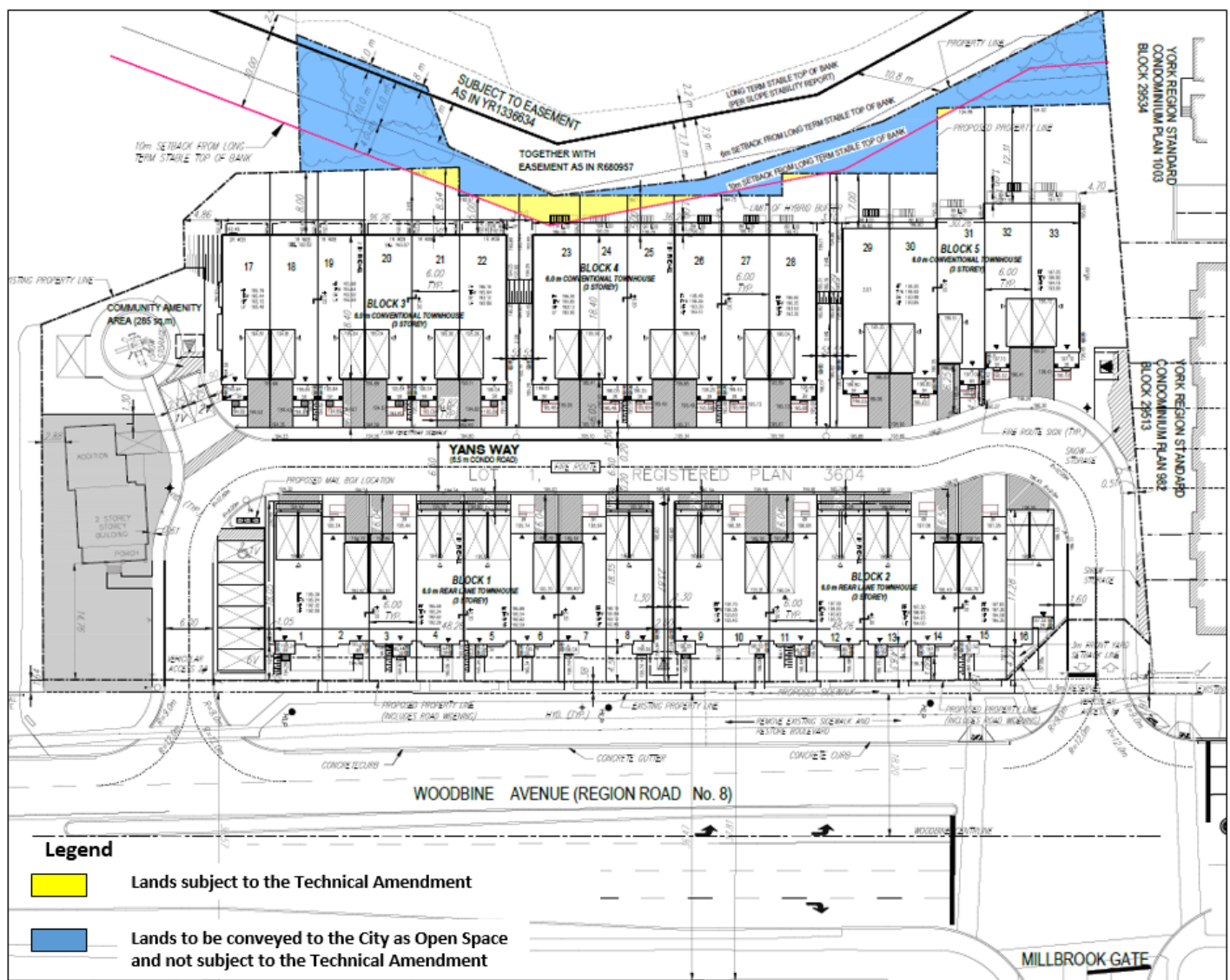
Drawn By: CPW

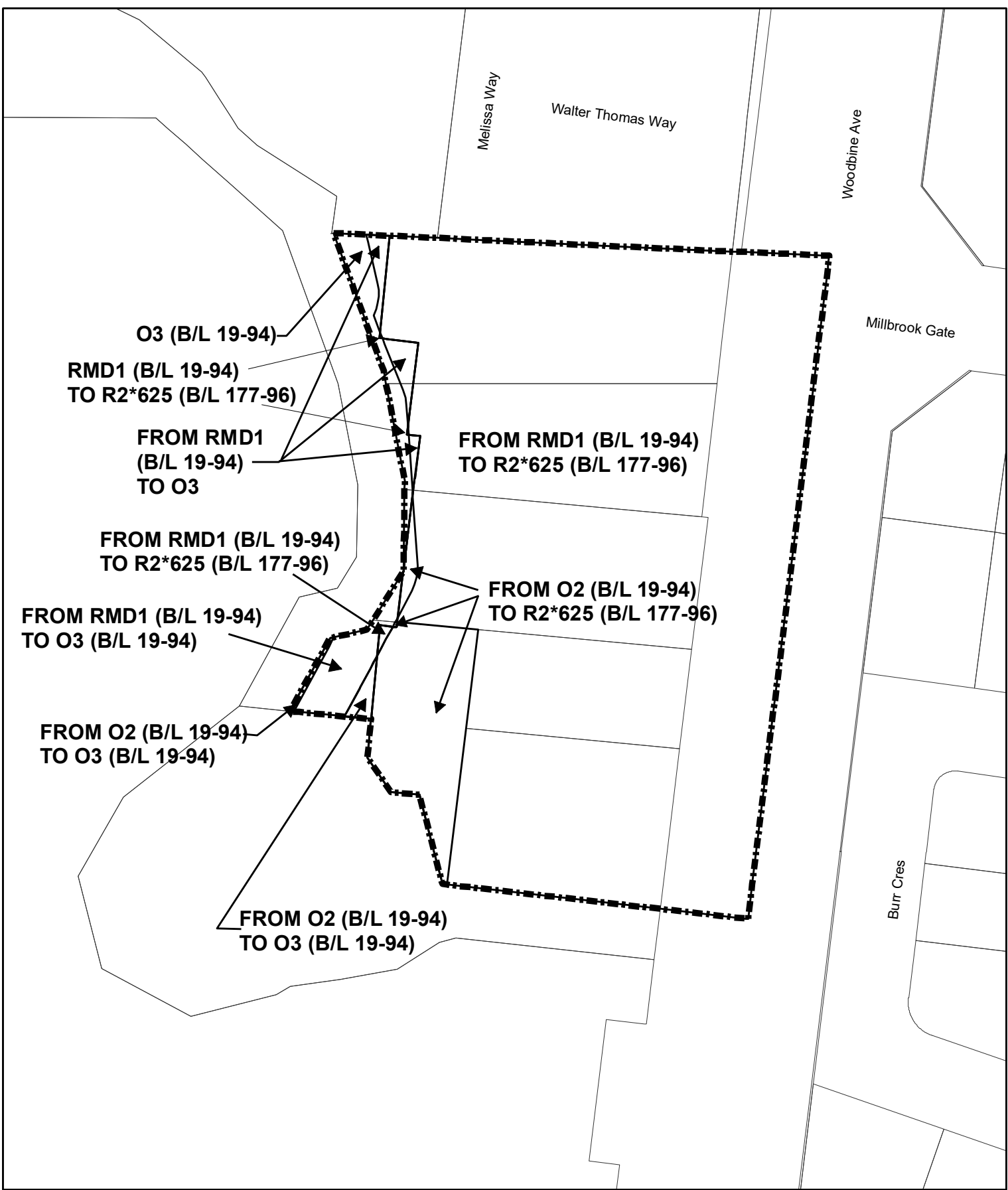
Checked By: RC

DATE: 11/03/2019

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

Attachment 2 – Site Plan





SCHEDULE "A " TO BY-LAW

AMENDING BY-LAWS 19-94 & 177-96 DATED



- BOUNDARY OF AREA COVERED BY THIS SCHEDULE
- BOUNDARY OF ZONE DESIGNATION(S)
- Residential Two
- Residential Medium Density One
- Open Space One
- Open Space Two
- Open Space Three
- Exception Section Number

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

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DEVELOPMENT SERVICES COMMISSION

10 5 0 10 Meters

Drawn By: CPW

Checked By: RC

DATE: 11/03/2019

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



MEMORANDUM

To: Mayor and Members of Council

From: Phoebe Fu, Director, Environmental Services

Prepared by: Rob Grech, Manager, Stormwater
Phoebe Fu, Director, Environmental Services

Date: September 29, 2020

Re: Swan Lake Geese Management Program – Addition of Strobe Lights

RECOMMENDATION:

Staff do not recommend that the strobe lights be installed based on other organization's experiences, low likelihood of success, potential risks associated with other wildlife in the park, and limited time usage (1.5 months).

BACKGROUND:

Swan Lake, located in Ward 5, has water quality issues that result in reduced water clarity and the presence of algae. Part of the water quality strategy includes a geese management program that was introduced by the City in 2016 to reduce nutrient loading by the geese in Swan Lake Park. In June of 2020, Staff presented water quality improvements options and Council asked that Staff to report back on geese management program.

The current geese management program involves egg oiling performed in the spring, and hazing, performed 16 days per month in Spring/Fall and 8 days per month in the summer. While the number of geese present at the park has been reduced in the spring and summer, high numbers of geese are present in the fall months, especially in the evening and overnight.

Staff reviewed the geese management strategy, spoke to experts at the TRCA, and program managers at other municipalities, and presented proposed program changes to Markham Sub-Committee on August 31, 2020 and General Committee on September 21, 2020. The following options were presented:

Option	Staff Recommendation
Habitat Modification	To be Considered by General Committee as part of Park Refresh Plan
Modifications of Existing Hazing Program to Fall Only (30 visits/month)	Recommended
Strobe Lights	Not Recommended
Relocation	Recommended
Culling	Not Recommended
Volunteer Program	Recommended

The cost of the staff recommended options are \$9,500 in 2020, to be funded through project #20250 (Water Quality Improvements and Geese Control), and an additional \$10,000 per year, to be included in the budget request for 2021.

To adopt the strobe lights for a trial period during the Fall of 2020 would cost \$8000 and need to be removed by November 2020 due to the return of the Swans.

DISCUSSION

Through the discussion at General Committee on September 21, 2020, Staff were asked to provide more information on strobe lights.

Should Council choose to proceed with the strobe lights, the cost of the installation is \$8,000. The lights can only be installed for a short 1.5 months (from mid October to late November). This one-time cost does not fully utilize the life cycle of the lights (2-3 years), and will have limited impact into the future. Further, due to the non-repeated nature of the pilot, it will be very difficult to quantify the effectiveness of the lights and justify the cost.

Advantages to Strobe Lights/Manufacturer's Claims

The strobe lights work by using a solar powered LED that flashes every two seconds, and is intended to disrupt the sleep patterns of geese within approximately a 100 yard radius of the light. They are installed by boat, and anchored to the bottom of the lake, and removed before lake freezes, with little maintenance required after installation. The strobe lights have a guaranteed life of 2 years, but may last 3-5 years depending on site conditions.

The manufacturer of the strobe lights claim that they disrupt the sleep patterns of geese and have a 97% success rate. They have also claimed that the lights would have no impact on other wildlife, including the swans that are expected to be present on the lake.

Should the manufacturer's claims be correct, the strobe lights would be very well suited to the problem at Swan Lake, because they are intended to disrupt the geese on the lake at night, which has been noted as one of the primary concerns with the current geese management program.

City Review of Manufacturer's Claims:

In order to review the effectiveness of the strobe lights, the City completed a literature review, spoke to experts at TRCA, and called other municipalities or proponents that have tried them in the past.

Literature Review

There is little amount of published research available on the effectiveness of strobe lights. One article, published by University of Nebraska in 2007, suggested that the use of strobe lights was ineffective in reducing geese presence on test sites.

TRCA

TRCA provided input on both the impact of the strobe lights on wildlife, as well as the effectiveness of the lights in deterring geese.

From an effectiveness point of view, TRCA had not received positive feedback from industry contacts on the use of strobe lights for geese control, and do not use them as part of their geese control programs in other areas.

With respect to impact on wildlife, TRCA has noted that there is a general lack of published information on the impact of these specific lights on wildlife, but believes that the following risks exist, based on the published information:

- Urban light installations may result in changes to bird movement, habitat selection and settlement, and migration patterns;
- The strobe lights can attract and disorient songbirds, causing direct or indirect mortality;
- Strobe lights may increase stress responses in fish, and may have impacts on the aquatic ecosystem; and,
- Artificial lighting has impacts on sea turtles, and so it may also have impacts on freshwater turtles (although TRCA was not aware of any specific published information).

Other Geese Control Programs

The City reviewed the effectiveness claim made by the manufacturer by speaking to other proponents of geese control programs across North America. In summary, the feedback suggested that the strobe lights did not work at all, or worked for a very short time period, until the geese adapted to their presence.

The following feedback was received on programs in other locations:

Location	Feedback
Powell River, BC	- Strobe lights installed, but were not successful and removed
Massillon, OH	- Had short term success with strobe lights, but all geese returned, and were seen sleeping near lights
Attleboro, MA	- Strobe lights not successful – program was switched to hazing with dogs
York University	- Installed prior to Pan Am Games – no impact on geese population
Lamoreux Park, Cornwall	- Strobe Lights not successful
Esquimalt Naval Base – Victoria, BC	- Strobe Lights worked upon installation, but geese have adapted and so success is mixed. Coverage may have been a problem.



MEMORANDUM

To: Mayor and Members of Council

From: Director of Planning and Urban Design, Biju Karumanchery

Prepared by: Stacia Muradali, Acting Manager, East District

Date: September 14th, 2020

Re: **9999 Markham Road, Hold (H) Provision, 2585231 Ontario Inc., ZA 18 180621**

RECOMMENDATION:

THAT the Hold (H) provision related to the GO Station feasibility study continue to apply to Phases 1B and 1C of the subject lands at 9999 Markham Road until the viability of a GO Station at Major Mackenzie Drive has been confirmed through further analysis in consultation with Metrolinx;

AND THAT Staff be authorized and directed to do all things necessary to give effect to this resolution.

In the event Council decides to remove the Hold (H) provision from Phase 1C lands, the following resolution can be passed:

THAT Staff be directed to bring forward a by-law for Hold (H) removal from the Phase 1C lands after staff and the applicants have reviewed the development concepts for Phases 1B and 1C and have reached agreement on the appropriate land area requirements for each Phase;

AND THAT Staff be authorized and directed to do all things necessary to give effect to this resolution.

BACKGROUND:

2585231 Ontario Inc. submitted applications to amend the Zoning By-law and for Site Plan approval for Phase 1 of the proposed development at 9999 Markham Road located at the south-

east corner of Major Mackenzie Drive and Markham Road (Figure 1). An application for Draft Plan of Subdivision was also submitted for the entire property. The subject land is located within the Markham Road- Mount Joy Secondary Plan (the “Secondary Plan”) area. The Secondary Plan is currently being undertaken with a draft land use concept anticipated in December 2020.

On December 9th, 2019, Staff brought forward a Recommendation Report to Development Services Committee recommending approval of the Zoning By-law Amendment application for Phase 1 of development and approval of the Draft Plan of Subdivision for the entire property. The built form and density, and hence the appropriate zoning, for Phase 2 of the development will be dependent on the outcome of the Secondary Plan Study. The proposed Phase 1 of development was comprised of Phase 1A which included 154 townhouses, a public park, public roads and an open space channel block. Phase 1B fronts onto Major Mackenzie Drive and is proposed to be comprised of 8-storey mid-rise buildings containing 260 apartment units. A Hold (H) provision was placed on Phase 1B as a York Region requirement to protect for grade separation land requirements.

In anticipation of a potential GO Station at Major Mackenzie Drive, Council on December 10th, 2019 created Phase 1C which was the north portion of Phase 1A containing 37 townhouses and implemented a Hold (H) provision on Phases 1B and 1C which was intended to be removed subject to the availability of further details with respect to the potential GO Station (Figure 2). Staff was directed to report back on the matter in May 2020. Information was presented to Markham Sub-Committee on May 7th, July 29th and August 5th, 2020 regarding the Hold (H) provision matter and the progress of the feasibility study for the potential GO Station at Major Mackenzie Drive. During the July 29th and August 5th, 2020 Sub-Committee meetings the City’s Secondary Plan Consultants advised that a GO Station was potentially feasible at this location subject to further analysis in consultation with Metrolinx. Further, at the August 5th Sub-Committee meeting staff recommended that the Hold (H) provision related to the GO Station feasibility study continue to apply to Phases 1B and 1C, until the draft land use concept for the Markham Road – Mount Joy Secondary Plan is endorsed by Development Services Committee.

At the Markham Sub-Committee meeting on July 29th, 2020, the landowner of 9999 Markham Road requested that the Hold (H) provision be removed from Phase 1C and proposed a mid-rise development of 6-8 storeys instead of the 37 townhouses which were previously proposed. The landowner did not suggest that the Hold (H) provision should be removed from Phase 1B at this time. Although Staff had not previously reviewed a specific mid-rise development proposal from the landowner, and notwithstanding staff’s recommendation to continue the Hold (H) provision on Phases 1B and 1C as noted above, at the meeting staff did acknowledge that a mid-rise development proposal may provide appropriate transition between the Phase 1A townhouses and the future Phase 1B which may be mid to high rise development:-

On August 5th, 2020, Markham Sub-Committee referred a decision on whether to remove the Hold (H) provision from Phase 1C to an upcoming meeting of Council.

DISCUSSION:

Option for Hold (H) provision to remain on Phase 1C

As noted previously, the City's consultants have confirmed that a GO Station is potentially feasible in the Markham Road/ Major Mackenzie Drive East area. Staff anticipate that a draft land use concept for the Secondary Plan, or an option thereof, would reflect this finding and will be presented to Development Services Committee in December 2020. However, at this time it is felt that a land use concept in itself will not provide sufficient guidance with respect to the appropriate development of Phases 1B and 1C. Such guidance with respect to the appropriate built form and density within Phases 1B and 1C would have to wait until the viability of the potential GO Station is confirmed through further analysis to be carried out in consultation with Metrolinx.

Staff and the Secondary Plan consultants have concerns with removing the Hold (H) provision at this time, as suggested by the applicants, to allow mid-rise development to proceed in advance of the GO Station feasibility being determined. The Secondary Plan consultants have indicated that proceeding with mid-rise development within Phase 1C in the absence of broader comprehensive planning to best position the City for a business case to Metrolinx could potentially jeopardize the viability of a new GO Station in this area. Staff recommend that the Hold (H) provision remain in place for Phases 1B and 1C until the viability of the GO Station is confirmed through further analysis and consultation with Metrolinx.

Alternative Option: Removal of the Hold (H) Provision on Phase 1C

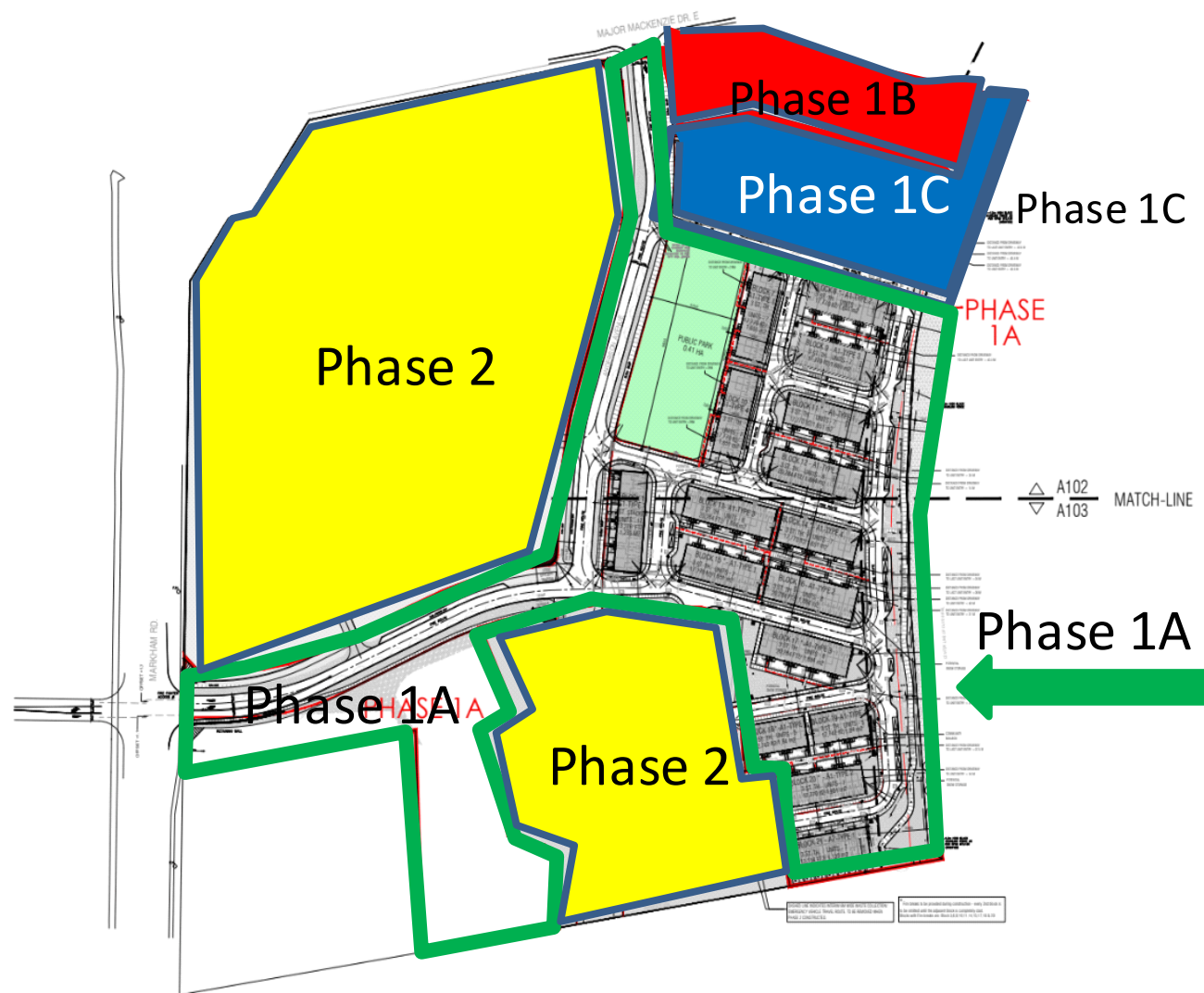
Markham Sub-Committee requested that Staff present an alternative option which was discussed on August 5th, 2020, involving the removal of the Hold (H) provision on the Phase 1C lands. Phase 1C is zoned "Residential Four *632 (H2) [R4*632 (H2)]" in Zoning By-law 177-96, as amended (attached as Appendix 'A'). The R4 zone permits apartment dwellings which can include mid-rise apartment dwellings, however, the site-specific development standards implemented in December 2019 permit a maximum building height of 14 metres and sets out development standards that are more appropriate for townhouses rather than mid-rise apartment buildings.

If the Hold (H) provision is removed from Phase 1C, the landowner will still be required to submit a Zoning By-law Amendment application, to increase the height, as well as to implement site-specific development standards for the proposed 6-8 storey mid-rise development. Staff have not reviewed a specific mid-rise development proposal from the landowner, however, recognize that a mid-rise development proposal within Phase 1C may provide appropriate built form transition from the Phase 1A townhouses as well as an acceptable transition to the Phase 1B

lands which may be developed with mid rise or high rise buildings depending on the viability of the GO Station in the area. In addition, a mid rise development within Phase 1C, similar to what has been proposed on the 1B lands, would generate significantly more units in support of a future GO station in the area than the 37 townhouses originally proposed for these lands.

However, with respect to the future development of the lands, staff still require confirmation that the 1B lands have sufficient depth to accommodate future mid-rise or high-rise developments as well as potential elements of a future GO station in the vicinity such as a component of the GO station parking. Conversely, the Phase 1C lands, originally intended to accommodate 37 townhouses, would appear to have excess lands after accommodating two mid-rise buildings as proposed by the applicant. Staff have had discussions with the applicant about potentially transferring some lands from Phase 1C to Phase 1B to address the staff concern about the current depth of the 1B lands.

In the event Council decides to remove the Hold (H) provision from Phase 1C lands prior to confirmation of the viability of a GO Station at Major Mackenzie Drive, through further analysis in consultation with Metrolinx, it would be appropriate for Committee to direct staff to bring forward a by-law for Hold (H) removal from the Phase 1C lands after staff and the applicants have reviewed the development concepts for Phases 1B and 1C and have reached agreement on the appropriate land area requirements. Any draft hold removal by-law that is brought forward for Council's consideration in due course would then reflect the appropriate land areas required for the development of the two phases.



PROPOSED PHASING PLAN

APPLICANT: 2585231 Ontario Inc. (Adam Liu)

FILE No: SU/ZA18 180621

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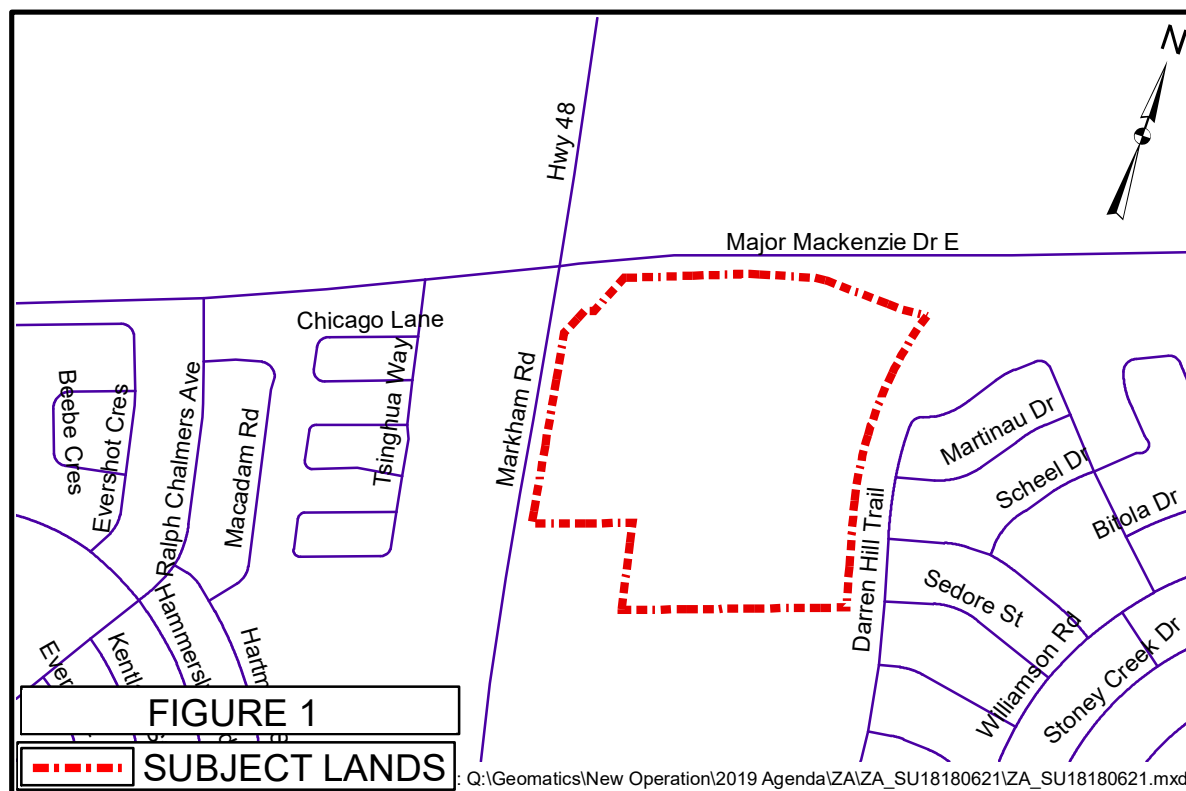
MARKHAM DEVELOPMENT SERVICES COMMISSION

Drawn By: RT

Checked By: SM

DATE: 25/08/2020

FIGURE No. 2





Geese Management at Swan Lake

Overview of Options and Path Forward

September 21, 2020

**Environmental Services/Operations
General Committee**



Agenda

- Background/Purpose
- Swan Lake Geese Control
 - Current Activities
 - Options for Improvement
 - Staff Recommended Program Changes
- Next Steps



Background/Purpose

At the June 23rd, 2020 Council meeting, Staff presented the Swan Lake Water Quality Improvement Program. Council asked staff to report back:

- In Fall of 2020 on additional options relating to vegetation, tree planting and strobe lights with regard to geese control, and report back in fall of 2020 with recommendations (Phase 1);
- In 2021, on an overall water quality (with service levels) and park improvement program that will be sustainable (Phase 2);
- To General Committee through the Markham Sub-Committee with the participation of Friends of Swan Lake;

The purpose of this meeting is to obtain feedback from the Friends of Swan Lake on the Geese Control Program (Phase 1), prior to discussing the matter at the Markham Sub-Committee.

The overall water quality and park improvement program (Phase 2) will be discussed in 2021.



Swan Lake





Background – Swan Lake

- Swan Lake was formed through quarrying activities performed in the 1970s and 1980s
- It is a man made, 'closed' system, meaning that no watercourses flow into or out of the lake as in most natural systems
- Swan Lake has been experiencing water quality problems since the mid 90s, when the first chemical treatment was applied by a developer
- Swan Lake has been classified as being in a hyper-eutrophic state in most years because of the poor water clarity and frequent algal blooms that are present
- Mute Swans are brought in to the lake and cared for by residents in the surrounding areas. In the absence of mute swans, wild trumpeter swans are present





Geese Background

- Life span up to 30 years
- Mating is for life - average nest size is 4-7 eggs
- Typically return to the same nesting and birth sites every year
- Molting of adult birds occurs every summer, rendering them flightless for 6 weeks, usually in July
- Attracted to areas that have an easily accessible water body and an area with turf grass for grazing where they feel safe
- Consumes up to 4lb/day of grass
- An adult goose drops 2lb/day of fecal matter, high in phosphorus, which contributes approximately 20-30% of the total nutrient input into Swan Lake, worsening the water quality



Canada Geese are protected under the Migratory Birds Convention Act. It is illegal to disturb damage or destroy the nest or eggs of Canada geese unless permitted by Environment Canada.



Geese Management Overview

- At any given site, the geese population consists of:
 - Resident Geese
 - Inhabit the park for three seasons of the year
 - Nest within the park
 - Return each year
 - Molt migrants
 - Geese that nest elsewhere, but come to Swan Lake during the molting period (mid June – mid July)
 - Migratory geese
 - Present in spring and fall (longer stay in fall)
 - Often do not feed at Swan Lake, and hence do not need to leave the water
 - Only present for a short time



Geese Management Strategies Need to be Designed for Each of the Above Groups In Order to be Effective. The goal is to manage the geese population – complete eradication of geese from Swan Lake is not possible.



Current City Geese Management Program

- Geese management activities have been performed at Swan Lake (since 2016).
- Program components:
 - ☑ Hazing:
 - Specially trained dogs and experienced stalk geese to make them feel unsafe
 - Laser is used to deter geese from water and inaccessible areas during low light and at night
 - Remote control boats are used when stubborn geese are encountered, or the water deemed too cold or dangerous for the use of dogs
 - Visits performed 16 times per month in spring and fall, 8 times per month in summer
 - ☑ Egg Oiling: the contractor searches for nests and performs egg oiling to prevent goslings from being born

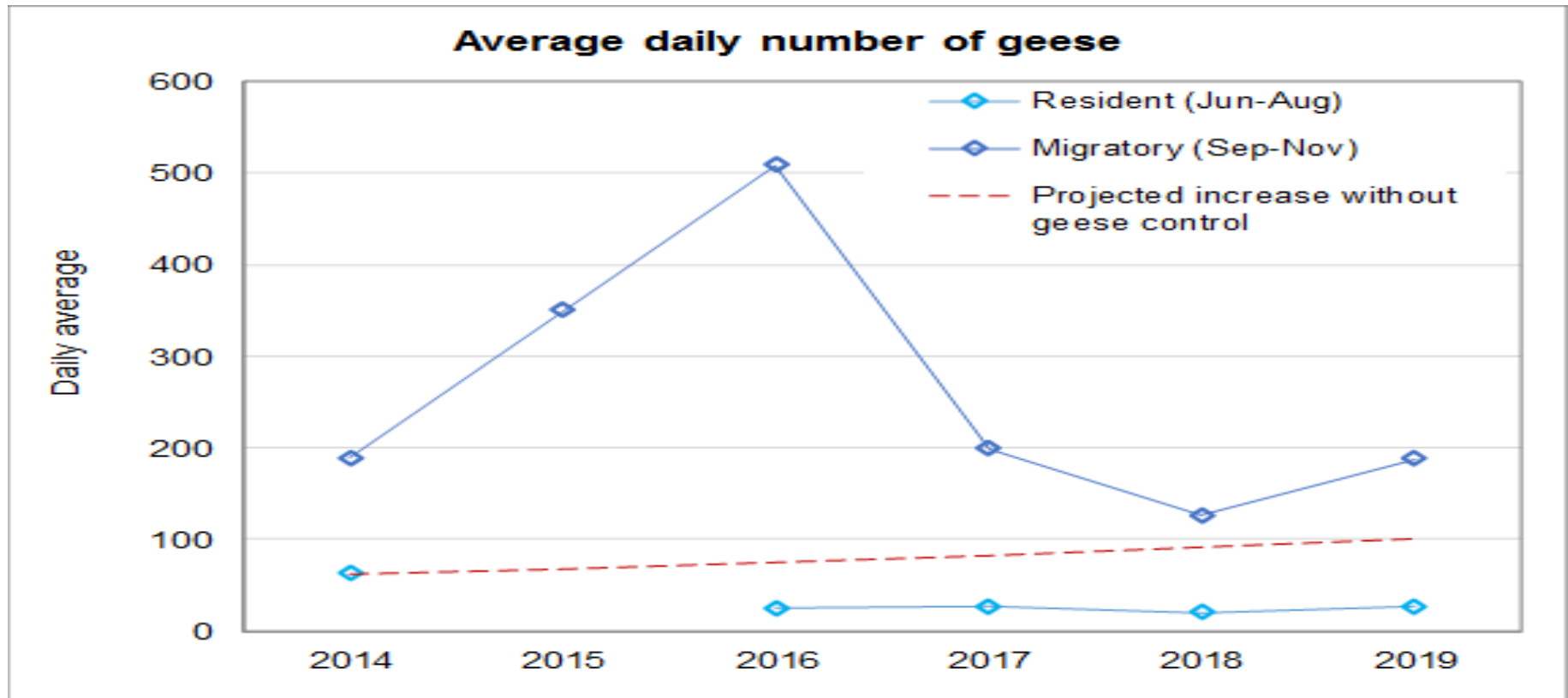


**City currently spends approximately \$14,000/year
on Geese Control at Swan Lake**



Geese Count at Swan Lake

- Geese population has declined at Swan Lake despite an increase in the overall population in Southern Ontario since geese management activities have been undertaken



Since 2016, geese counts are performed 2-4 times per week. Prior to 2016, geese counts were performed twice per month. Graph presents average values for the year.

Note: There is significant variability in migratory geese numbers based on when counts are taken. Migratory geese numbers are known to be much higher than the reported average at times.



Goals – Geese Management Improvements

1. To reduce the number of resident, molt migrant and migratory geese present at Swan Lake in order to reduce the impact to both the park and the water quality within the lake
2. To implement methods that will result in reduction in the geese population at Swan Lake in both the short and long term
3. To implement methods that will not increase the population in other parks and natural areas surrounding Swan Lake
4. To develop a program that is environmentally sustainable, and will support the diverse wildlife currently present at Swan Lake, and support the user experience of the park
5. To develop a program that can be delivered at a reasonable cost



Consultation - TRCA

- Consultation on geese management options have been provided by the Toronto and Region Conservation Authority (TRCA)
- Through it's Restoration and Infrastructure Division, TRCA runs geese management programs, and undertakes geese and lake management plans, shoreline naturalization studies and develops public education campaigns related to geese management
- Danny Moro has 20+ year of experience in geese control with TRCA, undertaking works along the Toronto Waterfront, Ajax, Brampton, etc.





Municipal Consultation

In developing a plan, the City has consulted with or completed research on geese control programs in other jurisdictions. This includes:

Municipality/Location	Activities	Outcome
TRCA – Toronto Waterfront, Brampton, Pickering, Ajax	Egg Oiling/Relocation	Relocation program effective
St. Catherine's	Relocation	Relocation program effective
Toronto	City Wide Hazing Program	Not effective – frequency of hazing was insignificant
City of Powell River, BC	Strobe Lights	Strobe lights not effective
City of Massillon, OH	Strobe lights	Strobe lights not effective
City of Attleboro, MA	Strobe Lights Hazing	Strobe lights not effective Hazing has been effective
Denver	Culling	Effective, but public protests against activities



List of Available Options

1. Habitat Modification
2. Modify Existing Hazing Program
3. Other Scaring Techniques: Strobe Lights
4. Relocation
5. Culling
6. Education and Outreach



Option 1 – Habitat Modification



Overview of Option

- Improve the current vegetation surrounding the lake to make the areas less friendly to geese
- Would require multi-year planning and implementation
- Design would have consideration for lake access and viewing by the public to ensure that aesthetic benefits of lake are realized

Cost

- \$35,600 to TRCA for design (future year request)
- Construction and annual operational costs TBD

PROS

- Proven to be a long term, effective solution in reducing resident geese populations by City, TRCA and Canadian Wildlife Service
- Environmental-friendly and non-intrusive – may attract a larger variety of wild bird species
- To be designed to enhance and not detract from the user experience of the park/lake

CONS

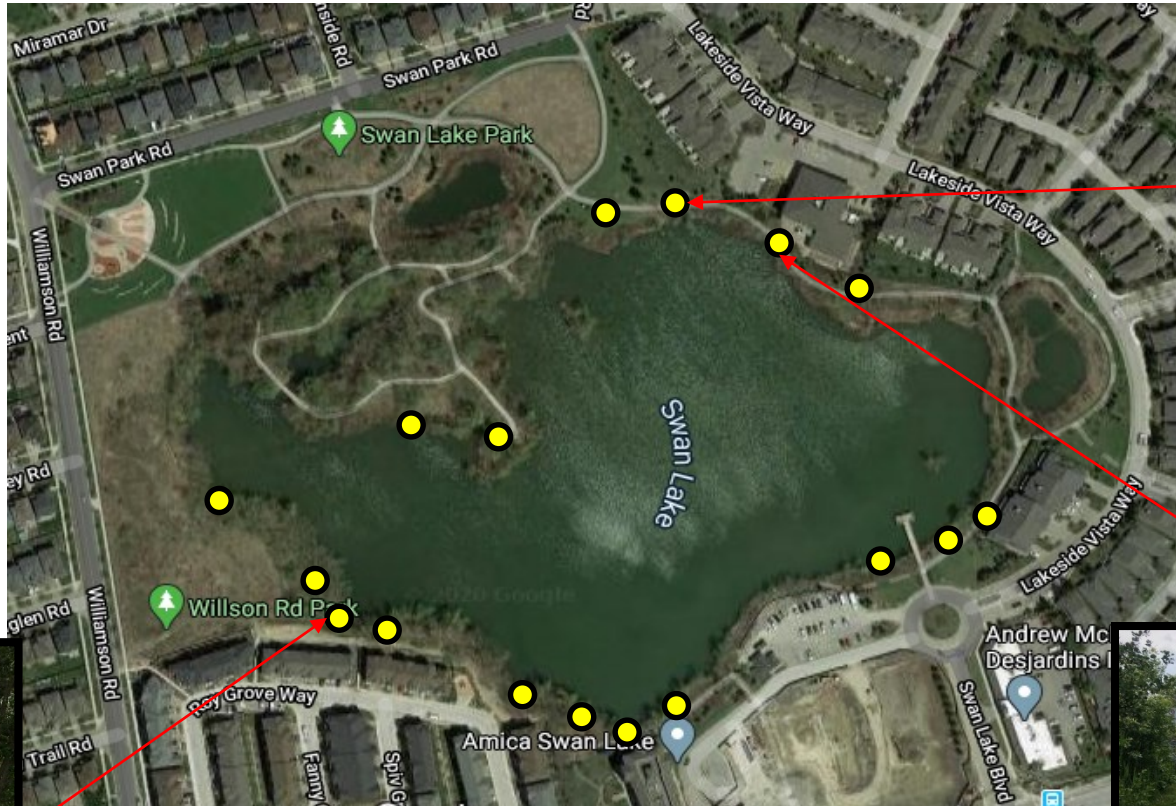
- Could not be implemented in the short term
- Has no significant impact on migratory geese
- May increase the number of geese in surrounding parks/open spaces

Staff Recommend that this option be brought to General Committee as part of Park Refresh Plan for Swan Lake



Potential Habitat Modification Opportunities

Access Points from Land to Water



- Locations where no barrier between lake and geese feeding areas are present



Habitat Modification

Lake Wilcox
Before & After



Potential shoreline improvements act as geese deterrent, but also allow public to still view the lake



Option 2 – Modify Existing Hazing Program

Overview of Options

- Frequency of hazing visits could be increased in fall such that hazing is completed on a daily basis
- Frequency of hazing visits could be reduced in summer during geese molting period

Cost

- \$7,500 one-time cost in 2020 (as Spring/Summer Works Already Undertaken)



PROS

CONS

- TRCA recommended hazing as most effective method of addressing migratory birds in later fall on a site specific basis
- Environmentally friendly, as dog is trained to haze humanly

- Over time, resident geese get use to hazing
- May increase geese population at nearby sites
- Not effective during molting season, as birds are flightless, and cannot leave when scared

Staff recommend this option and that it be funded from project 20250 Water Quality Improvements and Geese Control



Option 3 - Installed Scaring Devices: Strobe Lights

Overview of Option



- Solar Powered, flashing lights disturb geese sleep and makes them seek a more peaceful setting
- Strobe lights can be installed as a pilot in 2020, when mute Swans are not present

PROS

- Can be installed in short term

CONS

- Several other municipalities and City's current goose control contractor reported units are not effective
- Based on reports, geese get used to the deterrent and ignore it after a short period, or from first installed
- It is likely that strobe lights may impact other species of birds/wildlife at the lake (TRCA)
- Manufacturer would not provide references – only lists anonymous referrals on website

Staff do not recommend this option



Option 4 - Relocation

Overview of Option

- Relocation involves identifying an appropriate site for the geese to be relocated to; and rounding up and transporting the geese to the new site
- It is carried out when geese are moulting and flightless; this is typically done in mid-June

Cost

- \$10,000 cost, starting in 2021



PROS

- Method is proven effective by TRCA at reducing number of resident geese and molt migrants at several locations across the GTA
- Would not increase population at other sites within Markham
- Environmentally friendly

CONS

- Some geese will return (minimum 15%)
- No direct impact on migratory geese
- Need to ensure the health and well-being of the geese throughout the relocation
- The public may perceive the rounding up operation as inhumane
- Relocation could not be completed until June 2021

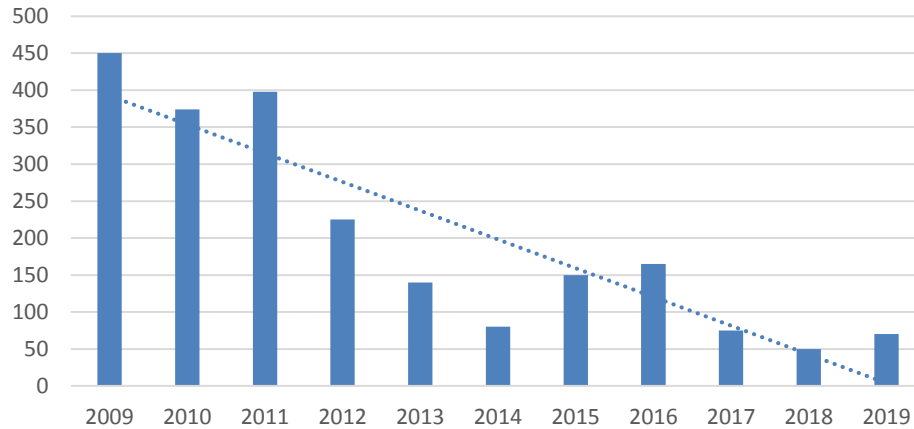
Staff recommend this option.

The cost is included in 2021 Water Quality Improvements and Geese Control capital project request.

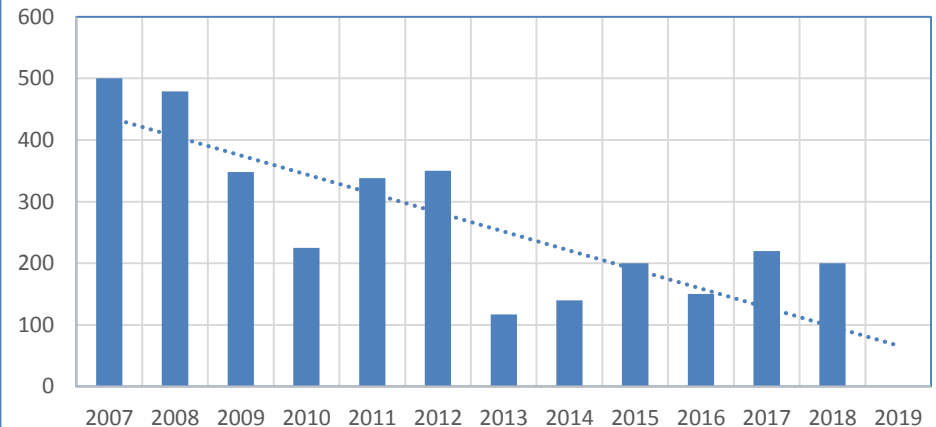


TRCA Relocation Program Results

Western Beaches - Canada Goose Relocation Program



Ajax Waterfront - Canada Goose Relocation Program





Option 5 - Culling

Overview of Option

- Geese would be captured in July when they are flightless and then euthanized humanely



PROS

- Effective against resident and molt migrant geese
- No risk that the geese will return
- Does not increase population elsewhere

CONS

- Not considered humane by animal rights advocacy groups – City of Denver faced intense backlash for culling program, including public protests
- TRCA does not support culling – this is not considered environmentally friendly
- Not effective against fall migratory birds
- Difficulty finding contractors and obtaining permits
- Process would need repeating as geese from other sites likely to come to Swan Lake

Staff do not recommend this option



Option 6 – Volunteer Program

Overview of Option

- Institute multi-language or pictorial signage at Swan Lake to increase understanding of the geese management initiative at Swan Lake
- Institute volunteer programs to conduct the following:
 - Reporting nest locations
 - Collecting Information on the geese, other wildlife and Water Quality at Swan Lake
 - Supplementary hazing, where appropriate

Cost

- \$2,000 (one-time to make the signs)
- \$400 in ongoing costs, for maintenance of signage, to be absorbed in the 2021 operating budget

PROS	CONS
<ul style="list-style-type: none">• Low cost option that can be implemented immediately• Recommended by TRCA	<ul style="list-style-type: none">• n/a

Staff recommend this option and that it be funded from project 20250 Water Quality Improvements and Geese Control



Summary of Options for Geese Control Improvement at Swan Lake

Option #	Title	Evaluation	Cost
#1	Habitat Modification	To be referred to Park Refresh Plan (Long Term Improvement – Resident Geese)	\$35,600 for design (timeline to be determined through the Park Refresh Plan)
#2	Hazing Program	Recommended (Short Term Improvement – Migratory Birds)	One-time cost of \$7,500 in 2020
#3	Scaring Technique: Strobe Lights (pilot)	Not Recommended by Staff	N/A
#4	Relocation	Recommended (Long Term Improvement – Resident Geese)	Cost of \$10,000/year starting in 2021
#5	Culling	Not recommended	N/A
#6	Volunteer Program	Recommended (Short Term Improvement – Resident & Migratory Geese)	One-time cost of \$2,000 Ongoing operating cost of \$400 starting 2021 to be absorbed in the 2021 operating budget

Based on recommendations, the cost of \$9.5k in 2020 be funded from project 20250 Water Quality Improvements and Geese Control and the cost of \$10k in 2021 be included in the 2021 Water Quality Improvements and Geese Control project request



Consultation

The public consultation consisted of the following:

- Meeting with Friends of Swan Lake and Mark Henschel on July 31, 2020
- Additional correspondence with Fred Peters and Mark Henschel

The following summarizes the feedback received from the public:

- The public has supported the staff recommended approach of Habitat Modification, Hazing, Relocation and Volunteer Program
- Friends of Swan Lake requested that strobe lights be instituted at the lake as an additional deterrent to migratory geese
- Mark Henschel expressed concern over the impact of the strobe lights on the mute swans that are brought into the park by the community



Markham Subcommittee

- Presentation and discussion at Markham Sub-Committee on August 14, 2020
- Per minutes:
 - That the Swan Lake Geese Management Program proposed by staff be endorsed; and,
 - That the components of the geese management public education volunteer program be further defined in the staff report to General Committee; and further,
 - That the use of strobe lights be recommended for a trial period during the Fall 2020 season.
- Staff recommendation differs from Markham Subcommittee regarding Strobe Lights
 - Strobe light units are not effective based on other municipalities
 - Strobe lights may impact other species of birds/wildlife at the lake (TRCA)
 - If installed in October 2020, it will be have to removed within 2 months as Swan will be returning to the Lake in 2021
 - One-time cost of \$8,000 for one short period and unable to use it for 2-3 years is not recommended
- If Strobe light is approved to proceed, it would increase the cost of the recommended initiatives in 2020 from \$9.5k to \$17.5k (\$9.5k for Hazing and Volunteer program + \$8k for Strobe Lights)



Next Steps

- In the Fall, 2020
 - Begin revised fall hazing program;
 - Initiate volunteer program
- Request budget increases through 2021 capital and operating budget process
- Return to Council with Water Quality and Park Refresh Options



Staff Recommendation

1. THAT the presentation entitled “Geese Management at Swan Lake – Overview of Options and Path Forward”, dated September 21, 2020, be received;
2. AND THAT Council approve the proposed changes outline in the presentation to the existing Swan Lake Geese Control program;
3. AND THAT a review of options for modifying the habitat to deter geese from Swan Lake shall be considered through the Park Refresh Plan;
4. AND THAT the budget shortfall, in the amount of \$9,500, be funded from the Non-DC capital contingency for project 20250 Water Quality Improvements and Geese Control for the implementation of 2020 fall hazing and volunteer program;
5. AND THAT the 2021 Water Quality Improvements and Geese Control project request include \$10,000 for the TRCA managed geese relocation program;
6. AND THAT Staff be authorized and directed to do all things necessary to give effect to this resolution.



WE WANT TO GO BACK TO THE FUTURE

FROM THIS



BACK TO THIS



Item 8.1 – Geese Management at Swan Lake
General Committee of Markham Council
Monday September 21, 2020

Thank You to Markham Staff

- Thank you to Rob Grech and David Plant for the time taken for walkabouts around the Park to discuss our concerns and outline your views
- For 32 new trees and new “toxic” algae warning signs
- For outlining the scope of the proposed “Park Refresh” Program



General Committee Members

We ask for Your Support on Two Issues

1. Approval of the staff proposed enhanced Goose management program, including:
 - a) A new goose relocation program (June)
 - b) More intense geese hazing program for the fall
2. Approval of a trial program using strobe lights as part of the enhanced fall hazing program
 - a) Staff still has concerns and does not support inclusion
 - b) Markham Subcommittee (Aug 14) supported inclusion of strobe lights

The Case For Enhanced Goose Management Program

- This review is triggered by a concern about the phosphorus contribution
 - Fall migration is the primary contributor to phosphorus load (70%)
- Primary community impact nesting and visiting geese
 - Stay throughout the summer and into the fall and pollute parkland areas
 - Numbers are smaller (100+) however they significantly impact parkland areas and phosphorus load (25%)
- Once young can fly, numbers on lake at night increase (Aug. 10 – 230+)
 - those that nested elsewhere move to the safety of the lake

Community Impact	Parkland Pollution	Noise Pollution	Phosphorus Contribution
Nesting/ Visiting	✓		25%
Spring Migration		✓	5%
Fall Migration		✓	70%
Program Benefits			
Spring	✓	✓	✓
Summer (Hazing)	✓		
Fall (Hazing)		✓	✓

Financial Assessment of Program

	Benefits of Proposed Programs									
	Program	Goal	Phosphorus (Kg)		Savings		Program Cost	Multi Year	Park Issues	Less Noise
			Load	Reduction	# Yrs	Value				
Resident Geese	Eggs/ Relocation	50%	3.8	1.9	5	\$12,497	\$ 17,000	✓	✓	
Spring Migration	Hazing	0%	0.8	0.0	1	\$0	\$ -			✓
Fall Migration	Hazing	25%	10.5	2.6	1	\$3,499	\$ 9,500			✓
Note: To eliminate 1 kg of phosphorus using Phoslock costs \$1,333			15	4.5		\$15,996	\$ 26,500			
			30%							

Annual Program costs \$26,600, with potential Phoslock savings of \$16,000

- **Spring Program : Worthwhile – Cost \$17,000, reduces costs \$12,500 (5 yrs.)**
 - Provides multiple year reduction in geese count (benefits over 5 yr. Phoslock cycle)
 - Reduces parkland pollution
 - Could be made more effective if the nesting groups could be relocated as well.
- **Fall Program : Questionable Value**
 - Cost \$9,500, reduces Phoslock costs by \$3,500 (assume 25% reduction, 1 yr. benefit)
 - Over 5 year Phoslock cycle: Costs \$47,500 to save Phoslock costs of \$17,500 (37%)
 - Primary benefit is one-time phosphorus reduction, some reduction in noise pollution
 - Need to increase effectiveness to at least 50% to justify the cost
 - More effective if we could alter migration patterns – realize multi-year benefits

2100 Geese Taking an Afternoon Nap on Swan Lake (Nov 27, 2017)



- Daily counts over 1,000 frequent in Oct/Nov (currently 750)
 - Fly over neighbouring homes 4x day – sunrise, midday(2), sunset
- Fall migration accounts for 70% of phosphorus contribution
 - Longer stays if good weather and food plentiful
- Can Hazing (scaring) be successful?
 1. What % will leave the lake following hazing
 2. What % return within 2 hrs?
 3. What % return the next day?

Temperature and Snow Fall Are Big Factors

- Difficult to assess the success of past hazing efforts
- Temperature and snow cover (access to food) may have more to do with the changing counts than hazing efforts
- Fall 2015 & 2016 warm, cooler periods 2018-2019

	Geese Days				Average Max		Light Snow December
	Total Year	Sept-Nov. %	Estimate	Daily Average	November F	C	
2019	26,000	71%	17,745	195	38.7	3.7	
2018	24,433	45%	10,920	120	38.8	3.8	Dec 3 - 30
2017	23,403	78%	18,200	200	44.8	7.1	Dec 5 - 15
2016	67,158	68%	45,500	500	51.1	10.6	Dec 3 - 10
2015					51.0	10.5	Dec 8, Dec 16
2014	23,152	79%	18,200	200	41.4	5.2	Dec 1 - 18
Note: On Tuesday Sept. 15, 2020 there were 750 Geese on Swan Lake							

Concerns Expressed About Strobe Lights

1. **Don't scare geese away - true**

- Not designed to “scare” them. Objective is to disrupt sleep patterns, encouraging them to find quieter resting area

2. **Work for awhile but geese get use to them**

- Perhaps a valid concern for full season use – resident birds have reason to tough it out
- Perhaps migratory birds less reason to persist and will move on

3. **Negative impact on other wildlife**

- Perhaps a valid concern for full season use (best all season alternative)
- Proposal is to use strobes for fall migration period (Oct./Nov.).
- May trigger earlier departure of other migrating birds
 - Wild trumpeter swans have already left the lake
 - Regular mute swans are not on the lake this year, in future could be removed to co-ordinate timing with the program.

Proposed Fall Program Concerns & Options

Concerns – Low probability of success

Questionable that hazing techniques will reduce geese count impact by 25%, therefore even poorer economics

1. Costly & Labour intensive exercise
2. Need to exceed 50% success rate to justify the cost

Three Options

1. Abandon fall hazing program – poor economics
2. Proceed as proposed by Staff (daily hazing - \$9,500)
3. Perpetual Harassment – daily hazing, add strobe lights (\$17,500)
 - Try to reduce stays 50% to make program financially viable
 - A multi-year effort may alter migration patterns

2 Year Fall Trial

Recommend Perpetual Harassment

Goals: Reduce phosphorus contribution (Baseline 18,000 geese days)

1. Realize minimal annual reduction goals of 25% (13,500)
2. Realize financial viability at 50% reduction (9,000)
3. Alter migration patterns - get multi-year benefit

Perpetual Harassment Program

- Implement staff's proposed increase to daily harassment
 - Dogs, laser light or boats as proposed
- Add 7 strobe lights on the water to discourage same day return

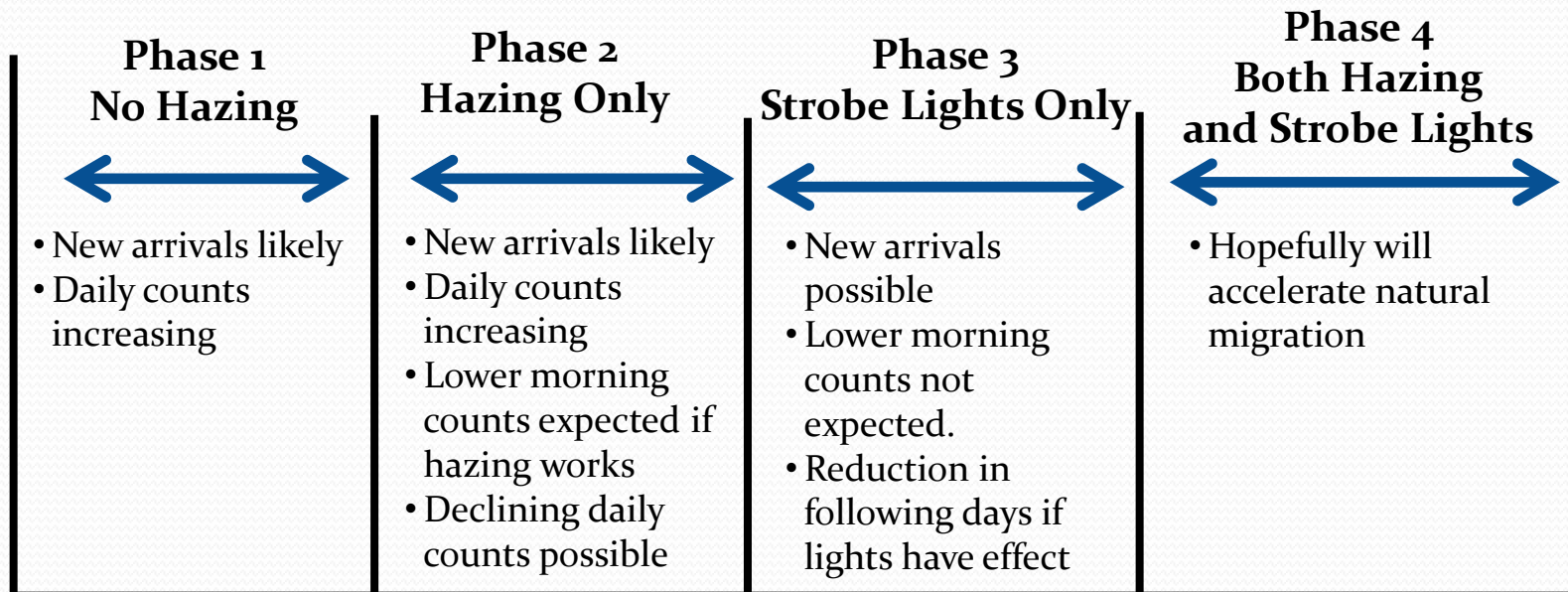
Trial costs for Markham: \$17,500 in 2020 (\$9,500 in 2021)

- Staff proposed daily hazing \$9,500 + one time \$8,000 for 7 lights
- If successful, lights can be reused either permanently through 2021 or only for the fall migration period.

Measuring Effectiveness of Hazing Efforts

- 20+ volunteers – 3-4 counts per week
- Count will provide baseline for 2020 geese volume
- Primary objective is to determine if any hazing techniques are effective
 - can we encourage early departures south

4 phase program “proposed” to city staff



Our Recommendations

1. Support General Program Proposed by Staff
2. **Support “Perpetual” fall hazing program that includes strobe lights**
 - Add 7 strobe lights during the fall for all night disruption (\$8,000 – last 3-5 yrs.)
3. Reassess after 2020 and 2021
 - Continue if financially viable



**Friends of
Swan Lake Park**

WE WANT TO GO BACK TO THE FUTURE

FROM THIS



BACK TO THIS



Thank You For Your Support!



Report to: General Committee

Meeting Date: September 21, 2020

SUBJECT: Assumption of McCowan Road Watermain and associated infrastructure constructed by the Regional Municipality of York

PREPARED BY: Shumin Gao, Acting Manager of System Engineering, Ext: 6230

RECOMMENDATION:

1. That the report entitled “Assumption of McCowan Road Watermain and associated infrastructure constructed by the Regional Municipality of York” be received;
2. That Staff be authorized to assume the ownership of the new McCowan Road 150mm diameter PVC watermain and associated infrastructure constructed by The Regional Municipality of York;
3. That the Director of Environmental Services be authorized to execute the Memorandum of Understanding between The Regional Municipality of York and the City of Markham related to the assumption of McCowan Road Watermain and associated infrastructure, to the satisfaction of the City Solicitor; and
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

EXECUTIVE SUMMARY:

N/A

PURPOSE:

The purpose of this report is to obtain Council approval to assume the ownership of the new 150mm diameter PVC watermain and associated infrastructure along McCowan Road north of Major Mackenzie Drive (see Attachment A) which was constructed by The Regional Municipality of York (the Region) in 2020 and to enter into a Memorandum of Understanding regarding same.

BACKGROUND:

In approximately 2006 or 2007, three (3) private wells ran dry due to the Region’s 16th Avenue Sanitary Trunk Sewer Dewatering construction project. These wells provide

water supply for three (3) residential houses in a rural area located on McCowan Road, between Major Mackenzie Drive East and Elgin Mill Road East (see Attachment A).

The Region entered an agreement in approximately May or June 2009 with each owner of the affected properties to provide municipal water to these houses by installing a watermain and water service connections on McCowan Road. In their agreement with the Region, the property owners agreed to pay for the water consumption to be billed by the City of Markham. In 2020, the Region designed and constructed a new 150mm diameter PVC watermain to the City's design standards. The Region has proposed, and City staff support, that the City assume the ownership of this watermain.

OPTIONS/ DISCUSSION:

The *Municipal Act, 2001* (the Act) provides that the Region and the City each have non-exclusive jurisdiction over water distribution. Section 89(a) of the Act further provides that where both the Region and the City have the authority to distribute water in the City, the Region shall only supply water to the City (and not to individual homeowners). The City is the only entity that can distribute water to those affected residents on McCowan Road.

In order to distribute water to the affected residents, a new 150mm diameter PVC watermain, two (2) valve chambers, two (2) fire hydrants and four (4) water service connections were constructed along the McCowan Road right of way (see Attachment A) by the Region.

The Region and the City have discussed how to allocate ownership, and responsibilities for the maintenance and operation of the water valve chambers, the watermain, fire hydrants and all related appurtenances as well as billing related to water consumption. These responsibilities are set out in detail in a Memorandum of Understanding (MOU) summarized below:

- City of Markham owns and maintains the new watermain, fire hydrants and water service connections
- Region owns and maintains the two (2) new valve chambers according to the Regional Ownership Boundary for Water and Wastewater Infrastructure Policy
- The demarcation that separates the Region's and City's assets follows the Water and Wastewater Asset Ownership Agreement between the Region and the City.

The MOU has not been finalized as of the date of this report. It is presently being negotiated between the Region's and City's Legal Departments.

FINANCIAL CONSIDERATIONS:

There is no incremental impact to the Waterworks Life Cycle Reserve Study over the next 25 years as the newly assumed assets have useful lives greater than 25 years. (Useful life: Watermain 90 years, service connection 90 years, hydrant 60 years).

There will be minimal incremental operating impact for the maintenance of these assets which will be accommodated within the existing operating budget.

HUMAN RESOURCES CONSIDERATIONS:

N/A

ALIGNMENT WITH STRATEGIC PRIORITIES:

Assumption of the new 150mm diameter watermain along McCowan Road, which was constructed by the Region to the City's design standards, enables the City's to provide municipal water services to its customers.

BUSINESS UNITS CONSULTED AND AFFECTED:

Legal Services and Financial Services have been consulted in the preparation of this report.

RECOMMENDED BY:

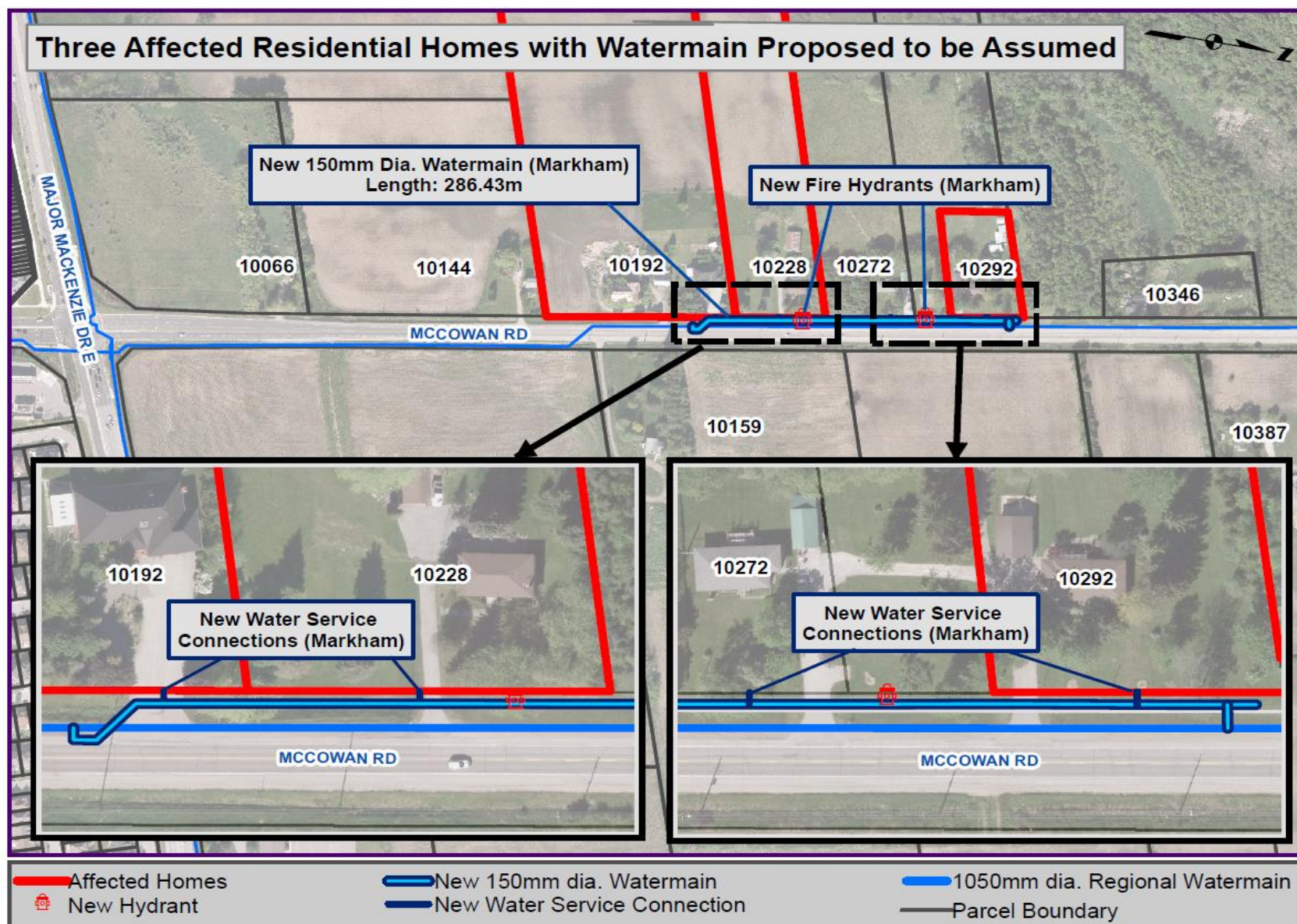
Phoebe Fu
Director, Environmental Services

Andy Taylor
CAO

ATTACHMENTS:

Attachment A - Three Affected Residential Homes with Watermain Proposed to be Assumed.

Attachment A





MEMO to Development Services Committee

To: Mayor and Members of Council

C: Andy Taylor, CAO
Arvin Prasad, Commissioner, Development Services

From: Brian Lee, Director, Engineering, x7507
Biju Karumanchery, Director, Planning & Urban Design x4713

Prepared by: Stephen Lue, Development Manager, Central District, x2520

Date: September 29, 2020

Re: Metrolinx Transit Project Assessment Process for Train Storage Facility in Markham Centre (Ward 3)-

RECOMMENDATION:

1. That the staff memo entitled “Metrolinx Transit Project Assessment Process for Train Storage Facility in Markham Centre, Ward 3” be received; and
2. That Metrolinx and York Region be informed that Markham Council does not support a train storage facility in the proposed location; and further
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

BACKGROUND

Metrolinx has been studying the expansion of its rail network for the last few years and has held various round one public consultation events related to different elements of its expansion project. Projects of interest in Markham include a proposed layover/storage facility in Markham Centre, and two road-rail grade separations on Kennedy Road (north of Steeles Avenue East) and Denison Street. Currently, there are three concurrent Transit Project Assessment Processes (“TPAPs”) and two TPAP addendums being undertaken as shown below. This round of the public consultation is a combined virtual open house for all TPAPs and Addendums, and was held between August 18 and September 1, 2020.

- 1) [New Track and Facilities TPAP](#)
- 2) Scarborough Junction Grade Separation TPAP (not in Markham)
- 3) [Stouffville Rail Corridor Grade Separation TPAP](#)

- 4) Addendums:
 - a) Network-Wide Structure Project (Addendum to the Barrie Rail Corridor Expansion TPAP 2017) (not in Markham)
 - b) Addendum to the GO Rail Network Electrification TPAP 2017

Staff generally supports the Stouffville Rail Corridor Grade Separation TPAP. With both projects, Metrolinx proposes that the roads pass under the rail corridor. Staff is working with Metrolinx on the Denison Street Grade Separation with special attention to a potential [GO Station at Denison Street](#), which Council endorsed in April 2016, followed by a request to Metrolinx to incorporate the requested station. A combined Notice of Commencement (for all the TPAPs and Addendums) was issued on September 8, 2020 and there is a 120 day comment period, see Attachment B.

PURPOSE

The purpose of this report is to present to Committee Staff's objection to Metrolinx's New Track and Facilities TPAP as it pertains to the new train storage facility in Markham Centre, the City's emerging downtown.

DISCUSSION

Metrolinx Proposes a Train Storage Facility in Markham Centre

Metrolinx proposes a layover/storage facility ("train storage facility") in the New Track and Facilities TPAP in the location west of the existing rail line, between Enterprise Boulevard and the Rouge River. This storage facility would provide train storage during off-peak periods, cleaning, servicing, waste management, crew services, and track, switches and utilities maintenance. Its location close to its "revenue" trips would mitigate any economic impact of travelling long distances without passengers ("non-revenue" trips). Metrolinx selected this location based on the operational needs to maximize service efficiently.

The proposed train storage facility in Markham Centre is a new single-track facility of approximately 600 metres in length, which would accommodate the storage of two 12-car trains. There will also be an access road with Metrolinx staff parking and electrification infrastructure located off Enterprise Boulevard. The train storage facility would be within the existing rail corridor and additional property would be required for the access road and electrification infrastructure. More information is available from the Metrolinx [Unionville Storage Yard Facility webpage](#) – also see Attachment A.

A Train Storage Facility in this Location is Not Compatible with Provincial and Municipal Planning Vision/Policies

During the pre-TPAP consultation, Metrolinx conducted numerous meetings with City staff regrading the location of the train storage facility. City staff has expressed that the location of the facility is not compatible with the City's vision of an emerging downtown. In particular, the following planning documents/principles does not support such a facility.

The Provincial Policy Statement 2020 (“PPS”)

The vision of the PPS supports efficient use of land, resources and infrastructure. Specifically, it states, “efficient development patterns optimize the use of land, resources and public investments in infrastructure and public service facilities. These land use patterns promote a mix of housing, including affordable housing, employment, recreation, parks and open spaces, and transportation choices that increase the use of active transportation and transit before other modes of travel.” The PPS encourages development patterns that support strong, livable and healthy communities by endorsing intensification as a means to accommodate growth and increase urban vitality.

Policy 1.2.6.1, respecting land use compatibility states, “*major facilities* and *sensitive land uses* shall be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential adverse effects from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term operational and economic viability of major facilities in accordance with provincial guidelines, standards and procedures.”

The PPS defines *major facilities* as, “facilities which may require separation from sensitive land uses, including but not limited to airports, manufacturing uses, transportation infrastructure and corridors, rail facilities, marine facilities, sewage treatment facilities, waste management systems, oil and gas pipelines, industries, energy generation facilities and transmission systems, and resource extraction activities.” Furthermore, *sensitive land uses* is defined as, “buildings, amenity areas, or outdoor spaces where routine or normal activities occurring at reasonably expected times would experience one or more adverse effects from contaminant discharges generated by a nearby major facility. Sensitive land uses may be a part of the natural or built environment. Examples may include, but are not limited to: residences, day care centres, and educational and health facilities.” The location of proposed train storage facility is adjacent to an existing high school, senior residences, and approved high-density residential developments.

The City acknowledges the requirement of the Metrolinx train storage facility to support this GO line. However, the proposed storage use in a location within the heart of Markham’s downtown, where the highest concentration of development to support the transit network is expected, cannot be evaluated with the PPS in absence of further design details on the neighbouring impacts to the existing and planned surrounding sensitive land uses.

A Place to Grow: Growth Plan for the Greater Golden Horseshoe 2019 (the “Growth Plan”)

The Growth Plan implements the Province’s vision of stronger and prosperous communities. The vision and guiding principles indicate the overall intent to minimize sprawl by directing growth to existing built-up areas, limit settlement area expansions, create compact and complete communities, and optimize the use of existing infrastructure and transit services. The lands near frequent transit should be planned to be supportive of transit and active transportation and provide a range and mix of uses and activities. The Growth Plan defines transit-supportive as compact, mixed-use development that has a high level of employment and residential densities.

The Growth Plan further states that the minimum 40% intensification set by York Region within the Built-Up Area continues to be applied. This intensification target may increase to a minimum 50% upon the approval of the next municipal comprehensive review. Markham Centre, as a defined Urban Growth Centre (“UGC”) in the Growth Plan, is expected to accommodate a significant amount of population and

employment growth as stated in Policy 2.2.3.2b, where the planned minimum density of 200 residents and jobs per hectare will be achieved by 2031. Its vision includes these urban centres “be vibrant and characterized by more compact development patterns that support climate change mitigation and adaptation, and provide a diversity of opportunities for living, working, and enjoying culture.”

The use of lands for the Metrolinx train storage facility within the core of Markham Centre, a designated UGC, would not contribute to the successful implementation of the Growth Plan vision for a vibrant urban centre.

York Regional Official Plan 2010 (YROP)

The YROP identifies Markham Centre within the Urban Area and as one of four Regional Centres, which are intended to “contain a wide range of uses and activities, and be the primary focal points for intensive development that concentrates residential, employment, live/work, mobility, investment, and cultural and government functions.” Policy 5.4.23 states that these areas shall contain the highest development densities and greatest mix of uses in the Region.

The YROP identifies a hierarchy for accommodating intensification within the Urban Area. The highest concentrations of intensification are to be located in Regional Centres and along Regional Corridors, subsequently followed by GO Transit stations, bus terminals and subway stations. The lands for the Metrolinx train storage facility are located both in a Regional Centre and near the Unionville GO Transit Station, which represent an area where intensification should be focused. The policies continue to promote a more compact, mixed-use urban form to support a higher level of transit service.

It is Staff’s opinion that the use of the lands for the Metrolinx train storage facility does not support the vision and policies of the YROP which calls for the highest development densities and greatest mix of uses in this Regional Centre.

The 1987 Markham Official Plan (“1987 OP”), as Amended by the 1997 Markham Centre Secondary Plan (“OPA 21”)

The policies of the 1987 OP remains in effect, as amended by OPA 21, which site-specifically permits high-density and mixed-use developments in this area. OPA 21 establishes the framework for the creation of an urban, high density, mixed use community. Markham Centre is envisioned to contain the greatest mix of uses and highest densities with a currently projection of approximately 41,000 population and 39,000 jobs. OPA 21 is currently under review by the City and will update the current projections and existing policies to be consistent with the PPS and conform to the Growth Plan.

The proposed location of the train storage facility adjacent to planned high-density community west of the rail line may impose unexpected and additional requirements on future developments for noise, light, and safety mitigation works. Furthermore, the proposed location is located within the heart of the Markham Centre Secondary Plan Area. It is adjacent to existing and approved major residential and mixed-use developments and sensitive land uses, including valley lands, seniors’ residences, and the Bill Crothers Secondary School, and could pose potential health impacts to the existing and future residents and users within the downtown.

The use of the lands for the Metrolinx train storage facility does not conform to OPA 21 as the facility location contradicts the Secondary Plan vision and policies, would impede this area's emergence as a successful downtown, and is incompatible with the existing and planned surrounding land uses.

The Markham Centre Vision

A key strength of Markham Centre, an Anchor Hub and Urban Growth Centre designated by the Province in the 2008 Big Move and the Growth Plan, is the existing and planned high quality rapid transit network coupled with significant development potential. The area around the Unionville GO Station will continue to grow as a major transit hub for GO Train, GO Bus, VIVA Bus Rapid Transit, York Region Transit, and will eventually become a Mobility Hub, which not only provides a transit interface, but a major origin and destination. In the longer-term future, the 407 Transitway will integrate with this major hub and provide seamless rapid east-west cross town transit movement to connect the various radial rail corridors. The Mobility Hub area is identified for high density and high quality development as planned through the current Markham Centre Secondary Plan Study Update. To include a train storage facility in an area envisioned as a vibrant core of the City's emerging downtown would represent a lost opportunity to maximize its potential as a successful urban centre.

CONCLUSION

Based on the incompatible land use of the train storage facility within Markham Centre, Staff recommends Council advise Metrolinx that it does not support the proposed train storage facility. It is also recommended that this memo be forwarded to Metrolinx and York Region for their information.

ATTACHMENTS

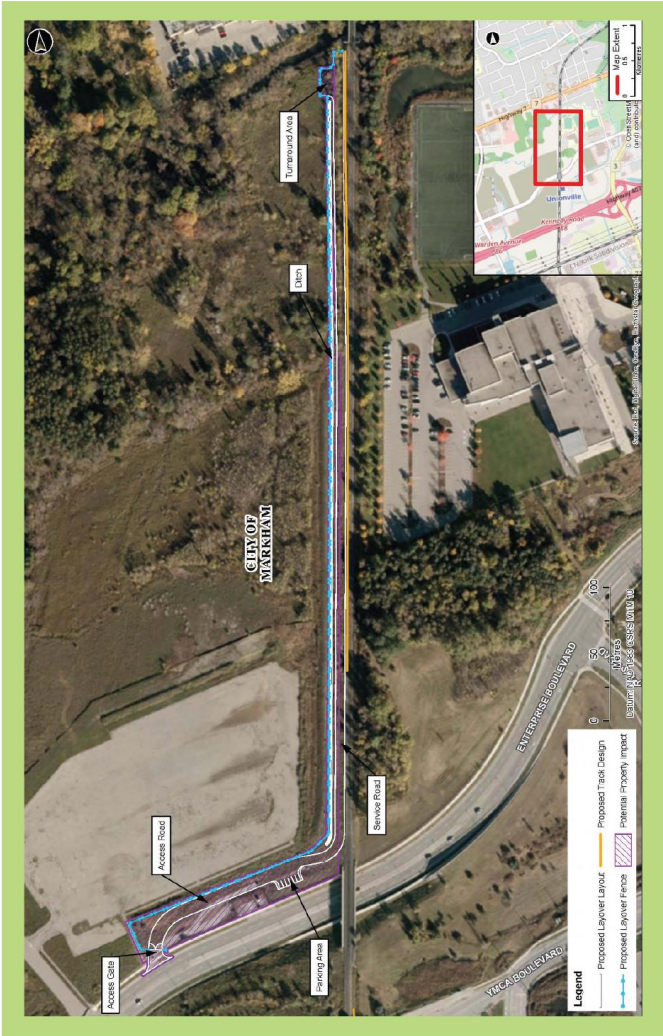
Attachment A – Proposed Unionville Storage Yard Facility – City of Markham (Metrolinx Webpage)
Attachment B – Notice of Commencement Issued on September 8, 2020

Attachment A

Proposed Unionville Storage Yard Facility – City of Markham

GO Expansion – New Track & Facilities TPAP

Proposed Unionville Storage Yard Facility – City of Markham



Proposed Site Plan



To meet increasing service levels, the Unionville Storage Yard Facility is required for:

- Storing trains during the day and night.
- Reducing rail congestion on the Stouffville Corridor.
- Serving as the terminus of the electrified segment of the Stouffville corridor.

Design Elements:

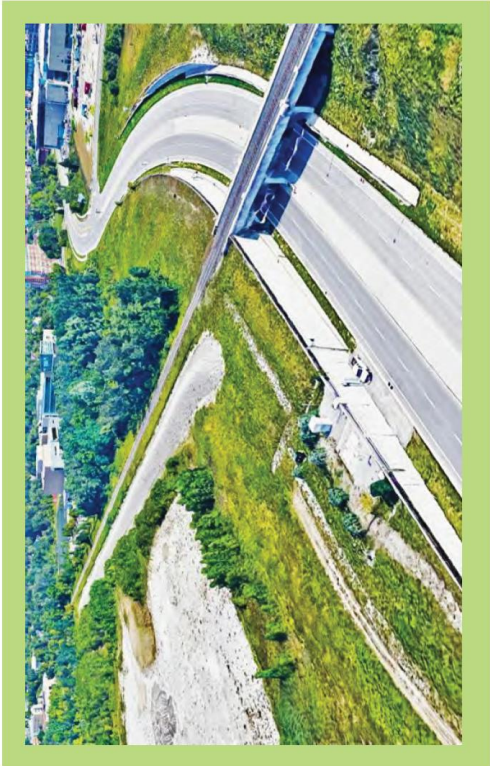
- Electrification infrastructure
- Storage for 2 GO Trains (single track)
- Includes staff parking
- Connection to mainline track
- Staff entrance from Enterprise Boulevard

Surrounding Characteristics:

- Storage tracks will be located within Metrolinx rail right of way
- Additional property will be needed for a new access road connecting to Enterprise Boulevard, as well as for electrification infrastructure

GO Expansion – New Track & Facilities TPAP

Proposed Unionville Storage Yard Facility - City of Markham



Existing Site



Proposed Site

Note: conceptual design subject to further study



GO Expansion – New Track & Facilities TPAP

Effects and Proposed Mitigation Measures Proposed Unionville Storage Yard Facility – City of Markham

Type of Effect	Description of Potential Effects	Proposed Mitigation Measure
Natural Environment	<ul style="list-style-type: none">Electrification clearance zones will entail vegetation removals/clearing mainly within the existing Metrolinx owned rail corridor.The lands identified for property acquisition and construction are comprised of vegetation dominated by non-native grasses and common urban tolerant herbaceous plants.While vegetation communities provide foraging and nesting/shelter habitat for resident and migratory birds and common urban mammals, the proposed minor encroachments are considered to be of low impact from an ecological perspective given the position of these communities along the exiting rail corridor and the availability of similar and higher quality habitat nearby.As no bridge modifications are included in the proposed works, no direct or long-term impacts are anticipated to the Rouge River aquatic environment.	<ul style="list-style-type: none">Tree/vegetation removals, and any associated permitting or compensation, will proceed in accordance with Metrolinx's Vegetation Management Guidelines and Tree Removal Strategy.Measures will be implemented to avoid destruction, injury or interference with wildlife. On-site personnel will be provided with information (e.g. fact sheets) that address the existence of potential SAR on site, the identification of the SAR and the procedure(s) to follow if a protected species is encountered or injured.Construction Monitoring Plan will be developed with site- specific mitigation measures and regularly monitored for.



GO Expansion – New Track & Facilities TPAP

Effects and Proposed Mitigation Measures Continued
Proposed Unionville Storage Yard Facility – City of Markham

Type of Effect	Description of Potential Effects	Proposed Mitigation Measure
Stormwater Management	<ul style="list-style-type: none">Increases to impervious areas, with potential effects to water quantity and quality.Potential for alterations to the local drainage system, both overland and storm sewers.Proposed construction activities pose a potential impact due to sediment transport into adjacent natural areas including watercourses, wetlands and municipal drainage infrastructure.	<ul style="list-style-type: none">A Drainage and Stormwater Report, an Erosion and Sediment Control Plan and detailed drainage design and erosion and sediment control drawings will be prepared prior to construction.Requirements for stormwater quantity and quality controls will be carefully reviewed and implemented as required.A hydraulic assessment will be completed for the adjacent tributary of the Rouge River prior to construction to determine potential flooding effects and further mitigation measures.
Visual	<ul style="list-style-type: none">Visual impacts affecting existing view sheds from Bill Crothers Secondary School and recreational areas nearby	<ul style="list-style-type: none">As part of detailed design, efforts will be made to minimize visual impacts as much as possible.A Design Excellence process will be followed to integrate the new infrastructure design into the existing environment to reduce the extent of visual impacts.

Attachment B

Notice of Commencement Issued on September 8, 2020



Notice of Commencement

GO Expansion Program - Transit Project Assessment Process

The population of the Greater Golden Horseshoe is increasing, and with it, traffic and transit congestion. Metrolinx is committed to improving the GO Rail Network to bring 15-minute, two-way electrified service to core parts of the rail network through the GO Expansion Program. There are a number of Metrolinx projects currently underway or planned along several GO rail corridors that are associated with the GO Expansion Program and support Metrolinx's goal of transforming the GO Rail Network into a comprehensive regional rapid transit network. The GO Expansion Program is intended to support the planning, design and construction of new infrastructure within existing GO rail corridors and includes consideration of the need for new structures or facilities (such as grade separations and layover sites), track work and electrification systems. To this end, Metrolinx is proposing new infrastructure that involves carrying out three (3) Transit Project Assessment Processes (TPAPs) as prescribed in *Ontario Regulation 231/08, Transit Projects and Metrolinx Undertakings* (Transit Projects Regulation).

The TPAPs

Metrolinx has identified various infrastructure requirements to achieve GO Expansion service level targets across the GO Rail Network. Proposed infrastructure includes new/upgraded tracks, new layover and storage facilities, grade separations, pedestrian crossings, and new switches. The infrastructure requirements are being planned as three separate transit TPAPs and are described below:

New Track & Facilities TPAP:

To support GO Expansion and increased service along the Lakeshore West, Kitchener, Barrie, Stouffville, Lakeshore East, and Richmond Hill corridors, the following rail infrastructure is proposed (see Figure 1):

- Four (4) new rail layover/storage facilities needed to facilitate train storage and maintenance:
 - Don Valley Layover Facility, in the City of Toronto;
 - Unionville Storage Yard, in the City of Markham;
 - Walkers Line Layover Facility, in the City of Burlington; and
 - Beach Layover Facility, in the City of Burlington.
- Three (3) new GO Station platforms at:
 - Oshawa GO Station;
 - Mount Joy GO Station; and
 - Unionville GO Station.
- Thickson Road bridge expansion, in the Town of Whitby;
- Electrification of a portion of the Richmond Hill rail corridor (along Bala Subdivision, north to Pottery Road), in the City of Toronto;
- New or upgraded tracks; and
- New switches along six (6) rail corridors (not shown on key map):
 - 60 proposed switches Lakeshore West Corridor
 - 21 proposed switches Kitchener Corridor
 - 32 proposed switches Barrie Corridor
 - 3 proposed switches Richmond Hill Corridor
 - 10 proposed switches Stouffville Corridor
 - 23 proposed switches Lakeshore East Corridor
 - Detailed mapping of proposed switch locations is available on the website.

For additional information on New Track and Facilities, please visit:
[Metrolinxengage.com/goexpansion/NewTracks&Facilities](https://metrolinxengage.com/goexpansion/NewTracks&Facilities)

Stouffville Rail Corridor Grade Separations TPAP:

To support GO Expansion and increased service along the Stouffville Corridor, the following modifications are proposed (see Figure 2):

- Road-rail grade separations at Denison Street and Kennedy Road in the City of Markham;

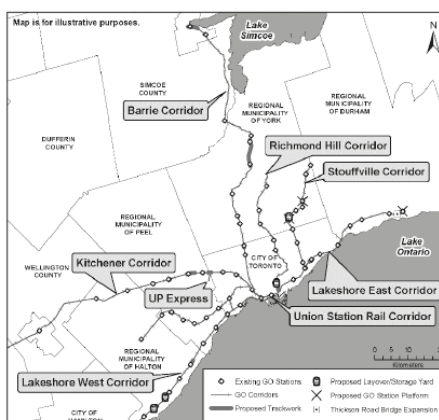


FIGURE 1 NEW TRACK & FACILITIES TPAP KEY MAP

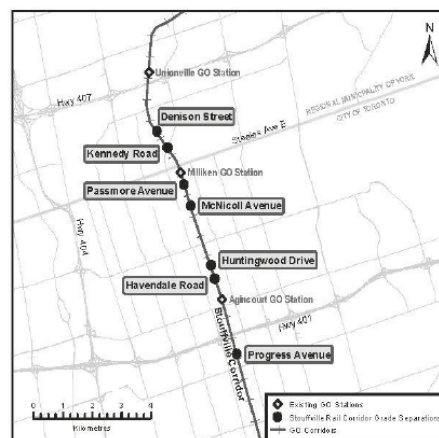


FIGURE 2 STOUFFVILLE RAIL CORRIDOR GRADE SEPARATIONS TPAP KEY MAP

- Road-rail grade separations at Passmore Avenue, McNicoll Avenue, Huntingwood Drive and Progress Avenue in the City of Toronto; and
- Road closure with a grade-separated multi-use crossing at Havendale Road in the City of Toronto.

For additional information on Stouffville Rail Corridor Grade Separations, please visit:

[Metrolinxengage.com/goexpansion/StouffvilleRailCorridor](https://metrolinxengage.com/goexpansion/StouffvilleRailCorridor)

Scarborough Junction Grade Separation TPAP:

To support GO Expansion and increased service along the Stouffville and Lakeshore East Corridors, a new rail-rail grade separation is proposed at Scarborough Junction in the City of Toronto. Supporting modifications include (see Figure 3):

- New rail-rail separation through a tunnel traveling under the Lakeshore East (LSE) Rail Corridor to accommodate the new second track on the Stouffville Rail Corridor;
- Modification or relocation of the Scarborough GO Station building;
- Expanded rail bridge at St. Clair Avenue East;
- Layover area for train storage (Midland Layover);
- Depressed rail under road grade separation at Danforth Road;
- Depressed rail corridor from St. Clair Avenue East Bridge to Corvette Park; and
- Multi-use crossing to replace the existing at-grade crossing at Corvette Park.

For additional information on Scarborough Junction Grade Separation, please visit:

[Metrolinxengage.com/goexpansion/ScarboroughJunction](https://metrolinxengage.com/goexpansion/ScarboroughJunction)

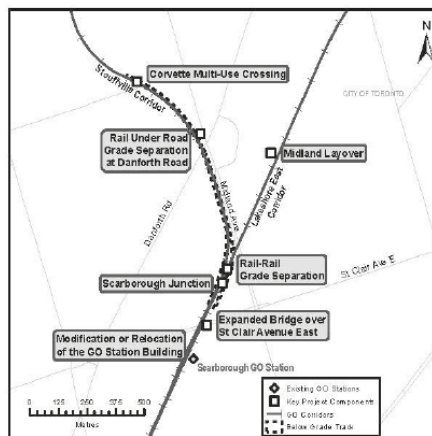


FIGURE 3 SCARBOROUGH JUNCTION GRADE SEPARATION TPAP KEY MAP

The Process

A Transit Project Assessment Process (TPAP) is a focused impact assessment created specifically for transit projects. The process involves a pre-planning/consultation phase followed by a regulated up to 120-day phase that starts with the Notice of Commencement and ends with the Notice of Completion. The process includes consultation, an assessment of positive and negative impacts, an assessment of measures to mitigate negative impacts and documentation in an Environmental Project Report (EPR). The EPR is made available for a 30 day public and agency review at the Notice of Completion and is followed by a 35-day Ministry of Environment, Conservation and Parks review.

Consultation

We thank everyone for their feedback to date. Two public open houses have already been held during the pre-planning phase of these TPAPs, including public meetings in February 2020 and a virtual open house in August 2020. As Metrolinx formally commences the three (3) TPAPs, we will continue to get your feedback through a third public virtual open house to be held in the Fall of 2020. To stay informed please visit:

[Metrolinxengage.com/goexpansion/oncorridor](https://metrolinxengage.com/goexpansion/oncorridor)

We encourage the public, government agencies, Indigenous communities and other interested parties to actively participate in the TPAPs by visiting the TPAP websites outlined above or contact Metrolinx directly with comments or questions (as outlined below).

Provide Feedback

If you would like to be added to our regional mailing list, submit a comment or question, or receive additional information related to the TPAPs, please call 416-202-0888 or contact the regional address relevant to where your area of interest is located: TorontoEast@metrolinx.com (East of Don River); TorontoWest@metrolinx.com (West of Don River); HaltonRegion@metrolinx.com; DurhamRegion@metrolinx.com; YorkRegion@metrolinx.com; Peel@metrolinx.com; or SimcoeCounty@metrolinx.com.

Comments and information regarding this project are being collected to assist in meeting the requirements of the *Environmental Assessment Act*. All personal information included in a submission - such as name, address, telephone number and property location - is collected, maintained and disclosed by the Ministry of the Environment, Conservation and Parks for the purpose of transparency and consultation. The information is collected under the authority of the *Environmental Assessment Act* or is collected and maintained for the purpose of creating a record that is available to the general public as described in s. 37 of the *Freedom of Information and Protection of Privacy Act*. Personal information you submit will become part of a public record that is available to the general public unless you request that your personal information remain confidential. For more information, please contact the Senior Privacy Officer for Metrolinx at 416-202-5941 or the Ministry of the Environment, Conservation and Parks, Freedom of Information and Privacy Coordinator at 416-314-4075.

Metrolinx is working to provide residents and businesses in the Greater Golden Horseshoe with a transportation system that is modern, efficient and integrated. Find out more about Metrolinx's Regional Transportation Plan at www.metrolinx.com.

Pour plus de renseignements, veuillez composer le 416 874-5900 ou le 1 888 GET-ON-GO (438-6646).

This Notice was first issued on September 8, 2020.