



Electronic Council Meeting

Revised Agenda

Meeting No. 18
October 27, 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.

Council meetings are video and audio streamed on the City's website at:

<https://pub-markham.escrimemeetings.com/>



Electronic Revised Council Meeting Agenda

Revised Items are Italicized.

Meeting No. 18
October 27, 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 - OCTOBER 14, 2020

12

1. That the Minutes of the Council Meeting held on October 14, 2020, be adopted.

4. PRESENTATIONS

5. DEPUTATIONS

6. COMMUNICATIONS

7. PROCLAMATIONS

8. REPORT OF STANDING COMMITTEE

8.1. REPORT NO. 29 - DEVELOPMENT SERVICES COMMITTEE (OCTOBER 13, 2020)

Please refer to your October 13, 2020 Development Services Committee Agenda for reports.

Mayor and Members of Council:

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

8.1.1. STEELES AVENUE EAST WIDENING UPDATE – MARKHAM ROAD TO NINTH LINE (WARD 7) (5.10) 32

1. That the memorandum titled “Steeles Avenue East Widening Update – Markham Road to Ninth Line (Ward 7)” be received; and,
2. **That the communications submitted by Brian Titherington, Director, Transportation & Infrastructure Planning from the Regional Municipality of York, be received; and,**
3. That the City of Toronto **and the Regional Municipality of York** be requested to complete the widening of Steeles Avenue East between Tapscott Road and Ninth Line Road by 2024; and
4. That The Regional Municipality of York be requested to provide Markham Council with an update on the Steeles Avenue jurisdictional issue; and
5. That this Council resolution be forwarded to the City of Toronto and The Regional Municipality of York; and further,
6. That Staff be directed to do all things necessary to give effect to this resolution.

8.1.2. CITY INITIATED TECHNICAL ZONING BY-LAW AMENDMENT TO CLARIFY THAT FRONT PORCHES ARE PERMITTED BEYOND THE MAXIMUM PERMITTED BUILDING DEPTH, CITY PARK (TOWN CRIER) HOMES INC. (WARD 4) (10.0) 43

1. That the Information Memorandum, entitled “City Initiated Technical Zoning By-law Amendment to clarify that front porches are permitted beyond the maximum permitted Building Depth, City Park (Town Crier) Homes Inc. (Ward 4)”, be received; and,
2. That the technical zoning by-law amendment, to amend

Zoning By-law 1229, as amended by By-law 2017-112, be approved and that the draft by-law attached as Appendix ‘A’ be finalized and enacted; and further,

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

(By-law 2020-98)

8.2. REPORT NO. 30 - GENERAL COMMITTEE (OCTOBER 19, 2020)

Please refer to your October 19, 2020 General Committee Agenda for reports.

Mayor and Members of Council:

That the report of the General Committee be received & adopted. (Items 1 to 7):

- | | | |
|---|--|----|
| 8.2.1. | 2021 INTERIM SPENDING AUTHORITY PENDING APPROVAL OF BUDGET (7.0) | 49 |
| <ol style="list-style-type: none"> 1. That the report titled “2021 Interim Spending Authority Pending Approval of Budget”, be received; and, 2. That Council approve 50% of the City’s 2020 Operating, Waterworks, Planning & Design, Building Standards and Engineering budgets, equal to \$205,261,876, as a pre-budget approval for 2021 operating expenditures; and further, 3. That Staff be authorized and directed to do all things necessary to give effect to this resolution. | | |
| 8.2.2. | 2021 INTERIM SPENDING AUTHORITY PENDING APPROVAL OF UNIONVILLE AND MARKHAM VILLAGE BUSINESS IMPROVEMENT AREA BUDGETS (7.0) | 51 |
| <ol style="list-style-type: none"> 1. That the report titled “2021 Interim Spending Authority Pending Approval of Unionville Business Improvement Area and Markham Village Business Improvement Area Budgets”, be received; and, 2. That Council approve 50% of the 2020 Operating Budget equivalent to the amounts of \$107,111 for the Unionville BIA (UBIA) and \$154,976 for the Markham Village BIA (MVBIA) as pre-budget approval for 2021 operating expenditures; and further, 3. That Staff be authorized and directed to do all things necessary to give effect to this resolution. | | |
| 8.2.3. | 2021 TEMPORARY BORROWING BY-LAW (7.3) | 53 |

1. That the report titled “2021 Temporary Borrowing By-law” be received; and,
 2. That a by-law be brought forward for Council approval to authorize the temporary borrowing, if required, of amounts not to exceed \$205,261,876 from January 1, 2021 to September 30, 2021, and \$102,630,938 from October 1, 2021 to December 31, 2021 to meet the expenditures of the municipality until taxes are collected and other revenues are received; and,
 3. That the Treasurer report to Council in advance of borrowing, if temporary borrowing is required; and further,
 4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.
- (By-law 2020-97)

8.2.4. AWARD OF PROPOSAL 005-R-20 SUPPLY AND IMPLEMENTATION, UNIFIED COMMUNICATION AND VOIP PHONE SYSTEM (7.12)

57

1. That the report entitled “Award of Proposal 005-R-20 Supply and Implementation, Unified Communication and VoIP Phone System; and,
2. That the contract for 005-R-20 Supply and Implementation, Unified Communication and VoIP Phone System be awarded to the highest ranked/lowest priced bidder, Unity Connected Solutions Inc. in the amount of \$1,364,866.34 inclusive of HST, to an upset limit of \$750,321.41 for the hardware, licenses, software, training and implementation costs and \$614,544.93 for nine years of warranty, ongoing support and maintenance; and,
3. That the hardware, licenses, software, training and implementation costs to the upset limit amount of \$750,321.41 be funded from capital project 18079, IT Life Cycle Asset Replacement, GL account 49-6150-18079-005 and capital project 19063, ITS - City Wide Telephone System Replacement, GL account 49-6150-19063-005, with a combined available budget of \$764,759.42; and,
4. That the cost of the warranty, support and maintenance fee for six (6) years in the amount of \$406,401.96 inclusive of HST and \$208,142.97 for the three (3) additional optional years be funded from #400-404-5461 with current annual budget of \$107,508.64 and subject to Council approval of the 2021-2029 operating budgets in the amounts of;

- a. Year 1 (2021) - \$ 67,733.66
- b. Year 2 (2022) - \$ 67,733.66
- c. Year 3 (2023) - \$ 67,733.66
- d. Year 4 (2024) - \$ 67,733.66
- e. Year 5 (2025) - \$ 67,733.66
- f. Year 6 (2026) - \$ 67,733.66
- g. Year 7 (2027) - \$ 69,380.99*
- h. Year 8 (2028) - \$ 69,380.99*
- i. Year 9 (2029) - \$ 69,380.99*

Total - \$614,544.93

*Optional Year Renewal

- 5. That surplus capital budget in the amount of \$14,438.01 in Capital Project 19063 be returned to sources and the 2021 operating budget of #400-404-5461 be reduced by \$39,774.98; and
- 6. That the Chief Information Officer and Senior Manager Procurement & Accounts Payable be authorized to execute the additional renewal years for the life cycle of the project (at the sole discretion of the City); and,
- 7. That Unity Connected Solutions Inc. be designated as the preferred vendor for the City's telephony service needs and for Mitel Hardware and software products for the term of this contract; and,
- 8. That the purchase orders may be adjusted to acquire additional Mitel hardware and software to support growth and/or future telephone system upgrade or integration related projects, subject to the Expenditure Control Policy and budget approval; and,
- 9. That the Chief Information Officer and Senior Manager, Procurement & Accounts Payable be authorized to approve any new purchases related to this contract needed due to growth and/or future telephone system upgrade due to change in technology or system integration with other applications related to the project during the term of this contract; subject to the Expenditure Control Policy and budget approval; and further,

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

8.2.5. 2021 BUDGET SCHEDULE (7.0)

64

1. That the report dated October 19, 2020 titled “2021 Budget Schedule” be received; and
2. That the following schedule for the 2021 Budget be approved with the dates and times below:

Meeting #1 – Tuesday, November 3, 2020 (9:00 a.m. to 12:00 p.m.)

Meeting #2 – Friday, November 6, 2020 (9:00 a.m. to 12:00 p.m.)

Meeting #3 – Tuesday, November 10, 2020 (9:00 a.m. to 12:00 p.m.)

Meeting #4 – Friday, November 13, 2020 (9:00 a.m. to 12:00 p.m.)

General Committee – Monday, November 16, 2020 (9:30 a.m.)

– Draft presentation of the proposed 2021 Budget for the public meeting

Meeting #5 – Tuesday, November 17, 2020 (9:00 a.m. to 12:00 p.m.)

Meeting #6 – Friday, November 20, 2020 (9:00 a.m. to 12:00 p.m.)

Public Meeting – Wednesday, November 25, 2020 (7 p.m. to 9 p.m.)

– Feedback from the public meeting will be incorporated into the report to Council

Meeting #7 – Friday, November 27, 2020 (9:00 a.m. to 12:00 p.m.) – if required

Council Decision – Wednesday, December 9, 2020 (1:00 p.m.)

Press Conference – Thursday, December 10, 2020 (10:00 a.m.)

3. That the following schedule for the 2021 Water & Wastewater Rate be approved with the dates and times

below:

General Committee – Monday, November 2, 2020 (9:30 a.m.)

Public Meeting – Thursday, November 12, 2020 (6:30 p.m. to 7:30 p.m.)

– Feedback from the public meeting will be incorporated into the report to Council

Council Decision – Wednesday, December 9, 2020 (1:00 p.m.); and further,

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

8.2.6. EAST MARKHAM WORKS YARD (5.0)

68

1. That the presentation entitled “East Markham Works Yard – General Committee – October 19, 2020” be received; and,
2. That the requested budget increase to the capital project in the amount of \$1,503,734 (incl HST) be funded from Development Charges Reserves in the amount of \$1,455,140.65 or 97.5%, and the Non-DC Growth Reserve in the amount of \$37,593.35 or 2.5%; and,
3. That the City grant an easement to Alectra Utilities, for nominal consideration over part of the lands municipally known as 10192 9th Line acceptable to the City’s Senior Manager of Real Property in the event that such easement is required by Alectra to provide services to the site (the “Alectra Easement”); and,
4. That the Mayor and Clerk be authorized to execute agreement(s) with Alectra Utilities required for the development of a works yard on the land municipally known as 10192 9th Line and to convey the Alectra Easement, if required, provided the form of such agreement(s) is satisfactory to the City Solicitor and the CAO; and,
5. **That the CAO undertake a 3rd party independent review of this process and come back with recommendations based on their findings; and further,**
6. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

8.2.7. 2020 MARKHAM ENVIRONMENTAL SUSTAINABILITY FUND (MESF), FUNDING APPLICATIONS APPROVAL (7.0, 5.7)

83

1. That the report entitled “2020 Markham Environmental

Sustainability Fund (MESF), Funding Applications Approval' be received; and,

2. That the external funding application Pollinators: Bees, Butterflies and Beyond submitted by Swan Lake for a pollinator awareness and planting project, for \$3,730.90, be approved to be funded from the MESF reserve; and,
3. That the internal funding application for a Smart Irrigation System Pilot at Milliken Mills Park for \$6,200.00, submitted by the Environmental Services Department be approved to be funded from the MESF reserve; and further,
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

8.3. REPORT NO. 31 - SPECIAL GENERAL COMMITTEE (OCTOBER 21, 2020)

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

Mayor and Members of Council:

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

8.3.1. COVID-19 IMPACT UPDATE (7.0)

87

1. That the presentation entitled COVID-19 Impact Update be received; and,
2. That the City not apply for Phase 2 funding as part of the Safe Restart Agreement; and,
3. That the City suspend the Municipal Accommodation Tax from January 1st, 2021 to December 31st, 2021, and if required, request endorsement of this action from the Destination Markham Corporation; and further,
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

8.4. REPORT NO. 32 - DEVELOPMENT SERVICES COMMITTEE (OCTOBER 26, 2020)

Please refer to your October 26, 2020 Development Services Committee Agenda for reports.

Mayor and Members of Council:

8.4.1. ONTARIO HERITAGE ACT (BILL 108) PROPOSED REGULATIONS (16.11)

97

1. That the report titled “*Ontario Heritage Act* (Bill 108) – Proposed Regulation”, dated October 26, 2020, be received; and,
2. That the report including Appendix ‘A’- Summary Chart of Markham’s Comments/Feedback be submitted to the Province as the City of Markham’s response to the Environmental Registry request for comment; and,
3. That the Province be advised that to proceed with implementation of these changes (proclamation of new legislation and the proposed Regulation) on January 1, 2021, which will require substantive changes to municipal protocols and procedures during a pandemic, imposes an unreasonable burden on stakeholders whose focus should be on responding to this unprecedented health challenge, and therefore proclamation should be postponed to July 1, 2021; and,
4. **That if the Conservation Review Board (CRB) is replaced by the Local Planning Appeal Tribunal (LPAT) as the ultimate appeal body for municipal decisions related to the designation, amendment, repeal, or alteration of a heritage property under the *Ontario Heritage Act*, the Province ensure that Tribunal members assigned to such appeals possess appropriate expertise in cultural heritage matters and an appropriate understanding of the *Ontario Heritage Act*; and,**
5. That this report be forwarded to the October 27, 2020 City Council meeting: and further,
6. 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

Three Readings

13.1. BY-LAW 2020-97 2021 TEMPORARY BORROWING BY-LAW

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

(Item No. 8.2.3, Report 30)

- 13.2. *BY-LAW 2020-98 CITY PARK (TOWN CRIER) HOMES INC., 7 TOWN CRIER LANE, TECHNICAL ZONING BY-LAW AMENDMENT* 117

A By-law to amend By-law 1229, as amended, to confirm that porches are permitted to encroach into the required front yard.

(Item No. 8.1.2, Report 29)

- 13.3. *BY-LAW 2020-99 FOREST HILL HOMES (CORNELL TOWNS) LTD., SOUTH SIDE OF RUSTLE WOODS AVENUE, WEST OF CORNELL ROUGE BOULEVARD, ZONING BY-LAW AMENDMENT* 120

A By-law to amend By-law 304-87, as amended and By-law 177-96, as amended to to permit the development of 75 townhouse dwellings.

(Item 8.2.2, Report 3, January 29, 2019 Council Meeting)

14. **CONFIDENTIAL ITEMS**

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

14.1. GENERAL COMMITTEE - OCTOBER 19, 2020

- 14.1.1. A POSITION, PLAN, PROCEDURE, CRITERIA OR INSTRUCTION TO BE APPLIED TO ANY NEGOTIATIONS CARRIED ON OR TO BE CARRIED ON BY OR ON BEHALF OF THE MUNICIPALITY OR LOCAL BOARD;- TELECOMMUNICATION MUNICIPAL CONSENT (8.0) [SECTION 239 (2) (k)]

General Committee consented to place this matter on the October 27, 2020 confidential Council agenda for consideration.

- 14.1.2. THE SECURITY OF THE PROPERTY OF THE CITY OR LOCAL BOARD; LEASE UPDATE (8.2) [SECTION 239 (2) (a)]

General Committee consented to place this matter on the October 27, 2020 confidential Council agenda for consideration.

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

That By-law 2020-96 be given three readings and enacted.

Three Readings

BY-LAW 2020-96 A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE
COUNCIL MEETING OF OCTOBER 27, 2020.

No attachment

16. ADJOURNMENT



Electronic Council Meeting Minutes

Meeting No. 17

October 14, 2020, 1:00 PM

Live streamed

Roll Call	<p>Mayor Frank Scarpitti</p> <p>Deputy Mayor Don Hamilton</p> <p>Regional Councillor Jack Heath</p> <p>Regional Councillor Joe Li</p> <p>Regional Councillor Jim Jones</p> <p>Councillor Keith Irish</p> <p>Councillor Alan Ho</p>	<p>Councillor Reid McAlpine</p> <p>Councillor Karen Rea</p> <p>Councillor Andrew Keyes</p> <p>Councillor Amanda Collucci</p> <p>Councillor Khalid Usman</p> <p>Councillor Isa Lee</p>
Staff	<p>Andy Taylor, Chief Administrative Officer</p> <p>Trinela Cane, Commissioner, Corporate Services</p> <p>Arvin Prasad, Commissioner, Development Services</p> <p>Claudia Storto, City Solicitor and Director of Human Resources</p> <p>Biju Karumanchery, Director, Planning & Urban Design</p> <p>Joel Lustig, Treasurer</p> <p>Bryan Frois, Chief of Staff</p> <p>Kimberley Kitteringham, City Clerk</p> <p>Martha Pettit, Deputy City Clerk</p> <p>John Wong, Technology Support Specialist II</p> <p>Hristina Giantsopoulos, Elections & Council/Committee Coordinator</p>	<p>Adam Grant, Fire Chief, Fire & Emergency Services</p> <p>Meg West, Manager of Business Planning and Projects</p> <p>Graham Seaman, Director, Sustainability & Asset Management</p> <p>Francesco Santaguida, Assistant City Solicitor</p> <p>Hersh Tencer, Senior Manager, Real Property, Legal Services</p> <p>Lisa Chen, Sr. Manager, Financial Planning & Reporting</p> <p>Veronica Siu, Senior Financial Analyst</p> <p>Alice Lam, Sr. Mgr, Roads, Survey & Utility</p> <p>Margaret Wouters, Senior Manager, Policy & Research</p> <p>Loy Cheah, Senior Manager, Transportation</p> <p>Aqsa Malik, Planner I</p>

Alternate formats for this document are available upon request

1. CALL TO ORDER

The meeting of Council convened at 1:06 PM on October 14, 2020 in the Council Chamber. Mayor Frank Scarpitti presided.

INDIGENOUS LAND ACKNOWLEDGEMENT

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

2. DISCLOSURE OF PECUNIARY INTEREST

None disclosed.

3. APPROVAL OF PREVIOUS MINUTES**3.1 COUNCIL MINUTES - SEPTEMBER 30, 2020**

Moved by Councillor Reid McAlpine

Seconded by Councillor Alan Ho

1. That the Minutes of the Council Meeting held on September 30, 2020, be adopted.

Carried

4. PRESENTATIONS

There were no presentations.

5. DEPUTATIONS

There were no deputations.

6. COMMUNICATIONS

There were no communications.

7. PROCLAMATIONS

7.1 PROCLAMATIONS (3.4)

Moved by Regional Councillor Jack Heath

Seconded by Councillor Karen Rea

1. That the following proclamation, issued by the City Clerk in accordance with the City of Markham Proclamation Policy, be received for information purposes:

- a. Waste Reduction Week - October 19-23, 2020

Carried

8. REPORT OF STANDING COMMITTEE

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

Moved by Regional Councillor Jim Jones

Seconded by Councillor Keith Irish

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

Carried

- 8.1.1 RECOMMENDATION REPORT, ANGUS GLEN VILLAGE LTD.,
4071, 4073 AND 4289 MAJOR MACKENZIE DRIVE EAST, SOUTH
SIDE OF MAJOR MACKENZIE DRIVE,

WEST OF KENNEDY ROAD, ZONING BY-LAW AMENDMENT
APPLICATION TO REVISE THE DEVELOPMENT STANDARDS
FOR 173 TOWNHOUSES PROPOSED ON THE SUBJECT LANDS,
FILE NO. ZA 18 154612 (WARD 6) (10.5)

Moved by Regional Councillor Jim Jones

Seconded by Councillor Keith Irish

1. That the report dated September 14, 2020 entitled “RECOMMENDATION REPORT, Angus Glen Village Ltd., 4071, 4073 and 4289 Major Mackenzie Drive East, south side of Major Mackenzie Drive, west of Kennedy Road, Zoning By-law Amendment to revise the development standards for 173 townhouses proposed on the subject lands, File No. ZA 18 154612 (Ward 6)”, be received; and,
2. That the amendment to By-law 177-96, as amended, be approved and the draft implementing Zoning By-law, attached as Appendix ‘A’, be finalized and enacted, without further notice, subject to the Toronto and Region Conservation Authority confirming that their technical requirements have been addressed; and,
3. That Markham Council requests York Region to approve the signalization of the centrally located intersection, that serves as the principal access to Major Mackenzie Drive East, at the **Land** Owner’s expense; and,
4. That in accordance with the provisions of subsection 45(1.4) of the Planning Act, R.S.O. 1990, c.P.13, as amended, the owner shall, through this Resolution, be permitted to apply to the Committee of Adjustment for a variance from the provisions of the zoning by-law attached as Appendix ‘A’ to this report, before the second anniversary of the day on which the by-law was approved by Council; and further,
5. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried as Amended

Council consented to amend clause 3 from:

3. That Markham Council requests York Region to approve the signalization of the centrally located intersection, that serves as the principal access to Major Mackenzie Drive East, at the Owner’s expense; and,

to:

3. That Markham Council requests York Region to approve the signalization of the centrally located intersection, that serves

as the principal access to Major Mackenzie Drive East, at the **Land** Owner's expense; and

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

Moved by Regional Councillor Jim Jones

Seconded by Councillor Keith Irish

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

Carried

8.2.1 ROAD SAFETY UPDATE -TRAFFIC SAFETY AUDIT RESULTS
(CITY-WIDE) (5.10)

Moved by Regional Councillor Jim Jones

Seconded by Councillor Keith Irish

1. That the report entitled "Road Safety Update - Traffic Safety Audit Results (City-wide)" and presentation entitled "Traffic Safety Audit Results", be received; and
2. That the deputation of Peter Miasek on behalf of the Cycling and Pedestrian Advisory Committee (CPAC) be received; and,
3. That the deputation of Elisabeth Tan, resident, be received; and,
4. That the communications submitted by Cosimo Crupi on behalf of the Unionville Cycling Club be received; and,
5. That staff be directed to proceed with the development of a City-wide Road Safety Plan with priority initiatives to be directed towards the Denison Street and Main Street Markham corridors; and,
6. That staff be directed to explore new traffic calming measures to address vehicle speed and traffic infiltration on City streets, and to report back prior to conducting pilot projects; and
7. That staff be directed to evaluate and, where feasible, incorporate the principles of Vision Zero into the Road Safety Plan; and,

8. That staff be directed to investigate and develop appropriate branding and communications for the Road Safety Plan; and,
9. That staff be directed to develop a short-term and long-term comprehensive public education program that aligns with the principles of the Road Safety Plan; and,
10. That the City Clerk send a copy of this report and Council resolution to York Region; and further
11. That staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

**8.2.2 RECOMMENDATION REPORT EVANS PLANNING INC.
PROPOSED ZONING BY-LAW AMENDMENT APPLICATION FOR
TWO SEMI-DETACHED LOTS**

**AND ONE RESIDUAL LOT AT 12 AND 16 DEER PARK LANE
(NORTH OF DEER PARK LANE, WEST OF ELIZABETH STREET).
WARD 4 (10.5)**

Moved by Regional Councillor Jim Jones

Seconded by Councillor Keith Irish

1. That the report dated September 29, 2020 titled
“RECOMMENDATION REPORT Evans Planning Inc. Proposed
Zoning By-law Amendment application for two semi-detached lots
and one residual lot at 12 and 16 Deer Park Lane (north of Deer Park
Lane, west of Elizabeth Street). Ward 4”, be received; and,
2. That the record of the Public Meeting held on November 19, 2019
regarding the Zoning By-Law Amendment application submitted by
Gil & Marina Scholyar c/o Evans Planning be received; and,
3. That the Zoning By-law Amendment application submitted by Gil &
Marina Scholyar c/o Evans Planning to amend By-law 1229, as
amended, be approved, and that the Zoning By-law Amendment
attached as Appendix ‘A’ be finalized and enacted without further
notice; and,
4. That Council assign servicing allocation for up to 5 residential units
for the proposed development; and further,

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

(By-law 2020-93)

Carried

8.3 REPORT NO. 28 - GENERAL COMMITTEE (OCTOBER 5, 2020)

Moved by Regional Councillor Jack Heath

Seconded by Councillor Amanda Collucci

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

Carried

8.3.1 2021 CAPITAL BUDGET PRE-APPROVAL (REVISED) (7.5)

Moved by Regional Councillor Jack Heath

Seconded by Councillor Amanda Collucci

1. That the report dated October 5, 2020 titled, “2021 Capital Budget Pre-Approval (Revised)” be received; and,
2. That Council approve the 2021 Capital Budget Pre-Approval, which totals \$8,694,600 as outlined in Appendices 1 and 2; and further,
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

8.3.2 CONTRACT EXTENSION FOR WIDE AREA NETWORK (WAN) CONNECTIVITY AND INTERNET SERVICES (7.13)

Moved by Regional Councillor Jack Heath

Seconded by Councillor Amanda Collucci

1. That the report entitled “Contract Extension for Wide Area Network (WAN) Connectivity and Internet Services” be received; and,

2. That the contract for WAN Services and Internet Services be extended for two (2) years (October 1, 2020 - September 30, 2022) to Rogers Communications at 11.6% discounted rate, in the amount of \$577,814.44, inclusive of HST, broken down as follows;

- October 1, 2020 – December 31, 2020 \$ 72,226.81
- January 1, 2021 – December 31, 2021 \$288,907.22
- January 1, 2022 – September 30, 2022 \$216,680.41

Total (2 years) \$577,814.44; and,

3. That the contract for Internet Services with higher bandwidth (increasing from 500Mbps to 600Mbps) be extended for two years (October 1, 2020 - September 30, 2022) to Bell Canada at the existing 2019 rate, in the amount of \$79,006.46 inclusive of HST, broken down as follows;

- October 1, 2020 – December 31, 2020 \$ 9,875.81
- January 1, 2021 – December 31, 2021 \$ 39,503.23
- January 1, 2022 – September 30, 2022 \$ 29,627.42

Total (2 years) \$ 79,006.46; and,

4. That the WAN Services from Rogers and the two Internet Services from Rogers and Bell be funded from operating budget account# 400-404-5108 in the amount of \$656,820.90 (inclusive of HST) over a two (2) year period; and,
5. That the tendering process be waived in accordance with Purchasing Bylaw 2017-8, Part II, Section 7 (1) (c) which states “when the extension of an existing contract would prove more cost-effective or beneficial”; and further,
6. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

8.3.3 CONTRACT # 043-S-20 TO OPERATE AND MAINTAIN THE COMBINED HEAT AND POWER SYSTEM AT ANGUS GLEN COMMUNITY CENTRE (7.12)

Moved by Regional Councillor Jack Heath

Seconded by Councillor Amanda Collucci

1. That the report entitled “Contract # 043-S-20 To Operate and Maintain the Combined Heat and Power System at Angus Glen Community Centre” be received; and,
2. That the Operation and Maintenance of the Angus Glen Combined Heat and Power System be awarded to Markham District Energy Inc. (“MDE”) to an annual upset limit of \$167,904.00 inclusive of HST impact for a period of five (5) years (2020 – 2024), totaling \$839,520.00 inclusive of HST impact (excluding adjustment to CPI) over that five (5) year period; and,
3. That years 2 – 5 (2021-2024) be adjusted based on the Consumer Price Index (CPI) Ontario All-Items (January to January); and,
4. That the 2020 award be funded from operating budget account 504-921-5314 “Service Agreements Facility Maintenance”; and,
5. That the tendering process be waived in accordance with Purchasing By-Law 2017-8, Part II, Section 11.1 (h), which states “where it is in the best interests of the City to acquire non-standard items or Professional Services from a supplier who has a proven track record with the City in terms of pricing, quality and service;” and,
6. That the Mayor and Clerk be authorized to execute the agreement with Markham District Energy Inc, in a form approved by the CAO and the City Solicitor; and,
7. That the CAO be authorized to extend the contract for an additional five (5) years (2025-2029) subject to Council’s approval of the annual operating budget; and further,
8. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

8.4 REPORT NO. 29 - DEVELOPMENT SERVICES COMMITTEE (OCTOBER 13, 2020)

Moved by Regional Councillor Jim Jones

Seconded by Regional Councillor Jack Heath

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

Carried

- 8.4.1 EMPLOYMENT LAND CONVERSION REQUESTS: THE WEMAT GROUP (COMMERCE VALLEY); MARKHAM WOODMILLS DEVELOPMENTS INC. (SMARTCENTRES); 1628740 ONTARIO INC. AND 1628741 ONTARIO INC. (TUCCIARONE);
- AND CORNELL ROUGE DEVELOPMENT CORPORATION, VARLESE BROTHERS ET AL, AND NORFINCH CONSTRUCTION (CORNELL) (10.0)

Moved by Regional Councillor Jim Jones

Seconded by Regional Councillor Jack Heath

M11 THE WEMAT GROUP

Whereas York Region is undertaking an Official Plan Review through a municipal comprehensive review (MCR) 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 City of Markham Council passed a resolution on February 25, 2020 to postpone consideration of the employment conversion request by The Wemat Group (17.1 hectares) for lands located at the southwest corner of Highway 7 and Highway 404 to allow for the submission of an appropriate revised development concept plan prior to ultimate consideration of the conversion request by York Region Council; and,

Whereas City of Richmond Hill Council on February 26, 2020 passed a resolution indicating their interest in considering a municipally initiated conversion of employment lands within the south-eastern part of the Beaver Creek Business Park for mixed-use development and support for the conversion requests submitted by Parkway Hotels and Convention Centre Inc. and Crestpoint Real Estate Inc. in this area; and,

Whereas a Regional Committee of the Whole meeting is scheduled for October 15, 2020, to consider a Regional staff report seeking decisions on employment conversion requests and endorsement of employment area mapping to be included in the Regional Official Plan; and,

Whereas one of the recommendations in the October 15, 2020, Regional staff report 'Proposed Employment Area Mapping and Employment Conversions', is for Regional Council to not approve the employment conversion request submitted by The Wemat Group, and to map the lands as an employment area in the Regional Official Plan;

Therefore now be it resolved:

1. That Regional Council be requested to defer consideration of the employment conversion request M11 The Wemat Group to allow the City of Markham to undertake a joint study with the City of Richmond Hill, in consultation with landowners and York Region, to confirm the appropriate mix of uses on these and surrounding lands, taking into account the potential conversion of employment lands on the north side of Highway 7 in Richmond Hill; and,
2. That Regional Council be requested to initiate a municipal comprehensive review process within three years of adoption of a new Regional Official Plan in order to revisit the M11 The Wemat Group and related employment conversions in the area that are deferred as part of the current municipal comprehensive review process; and further,
3. That Markham staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

Moved by Regional Councillor Jim Jones
Seconded by Regional Councillor Jack Heath

M8 MARKHAM WOODMILLS DEVELOPMENT INC.

Whereas York Region is undertaking an Official Plan Review through a municipal comprehensive review (MCR) 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 City of Markham Council passed a resolution on February 25, 2020 to not support the employment land conversion request submitted by M8 Markham Woodmills Developments Inc. (1.9 hectares) located at the northeast corner of Highway 404 and Elgin Mills Road; and that staff be directed to work with the landowner to identify a broader range of potential non-residential uses for the subject lands; and,

Whereas City of Markham Council passed a resolution on February 25, 2020 to support the employment land conversion request submitted by M3 1628740 Ontario Inc. and 1628741 Ontario Inc. (1.0 hectare) located at 2718 and 2730 Elgin Mills Road, subject to confirmation by York Region that no access to the employment lands along Highway 404 immediately to the west of the subject lands is possible from Elgin Mills Road through the subject lands; and that staff be directed to work with the landowner to identify a broader range of potential non-residential uses for the subject lands; and,

Whereas discussions are ongoing with respect to the broader range of potential non-residential uses for the subject lands and access issues; and,

Whereas a Regional Committee of the Whole meeting is scheduled for October 15, 2020, to consider a Regional staff report seeking decisions on employment conversion requests and endorsement of employment area mapping to be included in the Regional Official Plan; and,

Whereas the recommendations in the October 15, 2020 Regional staff report 'Proposed Employment Area Mapping and Employment Conversions', is for Regional Council to not approve the employment

conversion requests submitted by Markham Woodmills Developments Inc (M8), and 1628740 Ontario Inc., 1628741 Ontario Inc. (M3);

Therefore now be it resolved:

1. That Regional Council be requested to defer consideration of the employment conversion request M8 Markham Woodmills Development Inc. until April 2021 to allow the City of Markham to continue to work with the landowner to identify a broader range of non-residential uses for the site and address access issues; and
2. That Regional Council be requested to defer consideration of the employment conversion request M3 1628740 Ontario Inc. and 1628741 Ontario Inc. until April 2021 to allow the City of Markham to continue to identify a broader range of non-residential uses and to address site access issues in coordination with the adjacent landowner identified in Clause 1 of this Resolution; and further,
3. That Markham staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

Moved by Regional Councillor Jim Jones

Seconded by Regional Councillor Jack Heath

**M4 CORNELL ROUGE DEVELOPMENT CORPORATION,
VARLESE BROTHERS ET AL, AND M7 NORFINCH
CONSTRUCTION LTD**

Whereas York Region is undertaking an Official Plan Review through a municipal comprehensive review (MCR) 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 City of Markham Council passed a resolution on February 11, 2020, to endorse the Cornell Rouge National Urban Park Gateway Study Final Report as a framework for the creation of a pedestrian-focused

Gateway connecting Cornell Centre and the Rouge National Urban Park; and directed City staff to work with landowners and agencies in a block planning and land use exercise to determine the appropriate land uses, built form and streetscape design to achieve the Gateway vision; and,

Whereas the lands subject to the employment conversion requests by Cornell Rouge Development Corporation, Varlese Brothers et al (17.9 hectares), and Norfinch Construction (0.75 hectares) located north and south of Highway 7 within the Gateway study area, offer a unique opportunity for uses other than strictly employment uses that complement the Rouge National Urban Park and contribute to the development of the Gateway; and,

Whereas City of Markham Council passed a resolution on February 25, 2020 to postpone consideration of the Cornell Rouge Development Corporation, Varlese Brothers et al, and Norfinch Construction requests for conversion of employment lands to non-employment land uses to allow further evaluation through secondary plan [land use] studies; and,

Whereas a Regional Committee of the Whole meeting is scheduled for October 15, 2020, to consider a Regional staff report seeking decisions on employment conversion requests and endorsement of employment area mapping to be included in the Regional Official Plan; and,

Whereas two of the recommendations in the October 15, 2020 Regional staff report 'Proposed Employment Area Mapping and Employment Conversions', are for Regional Council to not approve the employment conversion requests submitted by Cornell Rouge Development Corporation, Varlese Brothers et al, and Norfinch Construction Ltd., and to map the lands as employment areas in the Regional Official Plan;

Therefore now be it resolved:

1. That Regional Council be requested to defer consideration of the employment conversion requests M4 Cornell Rouge Development Corporation, Varlese Brothers et al, and M7 Norfinch Construction Ltd until April 2021 to allow the City of Markham to continue to work with the landowners to confirm appropriate uses for the lands through a land use/built form study for the Cornell Rouge National Urban Park Gateway; and,

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

Carried

9. MOTIONS

There were no motions.

10. NOTICE OF MOTION TO RECONSIDER

There were no notices of motions.

11. NEW/OTHER BUSINESS

11.1 NEW/ OTHER BUSINESS - FEASIBILITY OF PILOTING MICROSOFT 365 CLOUD SERVICE – APPOINTMENT OF EVALUATION USER-GROUP COMMITTEE MEMBERS (7.13)

Moved by Regional Councillor Jack Heath

Seconded by Regional Councillor Joe Li

1. **That Council appoint the following Council members to the Microsoft 365 Cloud Service Pilot Evaluation User-Group Committee: (1) Regional Councillor Jim Jones; (2) Councillor Keith Irish and (3) Councillor Andrew Keyes; and,**
2. **That staff be authorized and directed to do all things necessary to give effect to this resolution.**

Carried

12. ANNOUNCEMENTS

There were no announcements.

13. BY-LAWS - THREE READINGS

Moved by Councillor Isa Lee

Seconded by Councillor Khalid Usman

1. That By-laws 2020-91 to 2020-94 be given three readings and enacted

Carried

Three Readings

- 13.1 BY-LAW 2020-91 A BY-LAW TO ESTABLISH AND MAINTAIN A SYSTEM FOR THE COLLECTION AND DISPOSAL OF REFUSE IN THE CITY OF MARKHAM

Carried

- 13.2 BY-LAW 2020-92 2124123 ONTARIO LIMITED, PART LOT CONTROL EXEMPTION BY-LAW

A by-law to designate part of a certain plan of subdivision not subject to Part Lot Control, Block 1 (inclusive), Registered Plan 65M-4595, located 16-52 William Saville Street, 2-40 Teasel Way, and 3932-3940 Highway 7 East.

Carried

- 13.3 BY-LAW 2020-93 EVANS PLANNING INC., NORTHWEST CORNER OF DEER PARK LANE AND ELIZABETH STREET (LOT 5), ZONING BY-LAW AMENDMENT

A By-law to amend By-law 1229, as amended, to permit a residential re-development.

(Item 8.2.2, Report 27)

Carried

13.4 BY-LAW 2020-94 ROAD DEDICATION BY-LAW (ACTIVE ROAD)

A by-law to dedicate certain lands as part of the highways of the City of Markham, Part Block 45, Plan 65M-3226 designated as Part 7, Plan 65R-37288 and Part Block 45, Plan 65M-3226 designated as Part 2, Plan 65R-38835 - Active Road.

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 GENERAL COMMITTEE - OCTOBER 5, 2020

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

Moved by Regional Councillor Jack Heath
Seconded by Deputy Mayor Don Hamilton

1) That the following person be reappointed to the Heritage Markham Committee:

Ken Davis for a term expiring on November 30, 2023

2) That the resignations of Sabat Ismail and Harmony Law from the Race Relations Committee be received with regret for information purposes and that letters of appreciation be forwarded by Mayor Frank Scarpitti.

Carried

14.1.2 THE SECURITY OF THE PROPERTY OF THE CITY OR LOCAL BOARD – LEASE ASSIGNMENT (8.2) [Section 239 (2) (a)]

Moved by Regional Councillor Jack Heath
Seconded by Councillor Karen Rea

1. That the confidential report on the security of the property of the City or Local Board – Lease Assignment, be received; and,
2. That Staff be authorized and directed to do all things necessary to give effect to the actions set out in this report.

Carried

14.2 DEVELOPMENT SERVICES COMMITTEE - OCTOBER 13, 2020

14.2.1 LITIGATION OR POTENTIAL LITIGATION, INCLUDING MATTERS BEFORE ADMINISTRATIVE TRIBUNALS, AFFECTING THE MUNICIPALITY OR LOCAL BOARD; [SECTION 239 (2) (e)] – LPAT APPEAL – 4389 19th AVENUE (WARD 6) (8.0)

Moved by Regional Councillor Jim Jones

Seconded by Councillor Keith Irish

1. That the confidential report regarding litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; – LPAT Appeal – 4389 19th Avenue (Ward 6) 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 requested minor variance as it relates to a reduction to the interior side yard setback for a partially constructed accessory building, subject to imposing the following conditions of approval as set out below in the event that the LPAT allows the variance:
 - a. The variances apply only to the proposed development as long as it remains;
 - b. That the variances apply only to the subject development, in substantial conformity with the batch stamped plans attached as Appendix “B” to the City of Markham’s Staff Report, 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 a scoped Arborist Report and Tree Assessment and Preservation Plan which includes all trees within 6.0 m (19.69 ft) of the proposed accessory building, be prepared and submitted by a qualified arborist in accordance with the City's Streetscape Manual (2009), as amended, to be reviewed and approved by the Director of Operations or designate, and that the Secretary-Treasurer receive written confirmation that this condition has been fulfilled to his or her satisfaction;
 - d. That tree replacements be provided and/or tree replacement fees be paid to the City, if required by the Director of Operations or designate, in accordance with the Tree Assessment and Preservation Plan, and that the Secretary-Treasurer receive written confirmation that this condition has been fulfilled to his or her satisfaction;
 - e. That prior to the re-commencement of construction or demolition, tree protection be erected and maintained around all trees on site as deemed necessary by the Director of Operations or designate, including street trees, in accordance with the City's Streetscape Manual (2009) as amended, and inspected by City Staff to the satisfaction of the Director of Operations or designate, and that the Secretary-Treasurer receive written confirmation that this condition has been fulfilled to his or her satisfaction; and
 - f. That a Landscape Plan be submitted by the Applicant to ensure that adequate vegetative buffering/screening is planted along the north, and west elevations of the proposed accessory building 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 his or her satisfaction; and further;
3. That Staff do all things necessary to give effect to these resolutions.

Carried

15. CONFIRMATORY BY-LAW - THREE READINGS

Moved by Councillor Isa Lee

Seconded by Councillor Andrew Keyes

That By-law 2020-95 be given three readings and enacted.

Three Readings

BY-LAW 2020-95 A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE
COUNCIL MEETING OF OCTOBER 14, 2020.

Carried

16. ADJOURNMENT

Moved by Councillor Isa Lee

Seconded by Councillor Keith Irish

1. That the Council meeting be adjourned at 2:05 p.m.

Carried

Kimberley Kitteringham

City Clerk

Frank Scarpitti

Mayor



MEMORANDUM

To: Mayor and Members of Council

From: Arvin Prasad, Commissioner, Development Services

Prepared by: Loy Cheah, Senior Manager, Transportation, Ext. 4838

Date: October 13, 2020

Re: Steeles Avenue East Widening Update – Markham Road to Ninth Line (Ward 7)

RECOMMENDATIONS:

1. That the memorandum titled “Steeles Avenue East Widening Update – Markham Road to Ninth Line (Ward 7)” be received; and,
2. That the City of Toronto be requested to complete the widening of Steeles Avenue East between Tapscott Road and Ninth Line Road by 2024; and
3. That The Regional Municipality of York be requested to provide Markham Council with an update on the Steeles Avenue jurisdictional issue; and
4. That this Council resolution be forwarded to the City of Toronto and The Regional Municipality of York; and further,
5. That Staff be directed to do all things necessary to give effect to this resolution.

BACKGROUND:

Steeles Avenue is under the jurisdiction of the City of Toronto. This memorandum provides an update on the status of the Steeles Avenue - east of Markham Road to Ninth Line widening project. The last update to Council was provided on February 25, 2019.

The widening of Steeles Avenue East from east of Markham Road to Ninth Line was planned as part of the Donald Cousens Parkway to Morningside Avenue Link Environmental Assessment (EA), connecting Highway 48 north of Major Mackenzie Drive to the 407ETR and to an extension of Morningside Avenue in the City of Toronto. As part of that individual environmental assessment approval from the Province, York Region and the City of Toronto are required to resolve the current jurisdictional issues for Steeles Avenue and to agree on roles and responsibilities in implementing this project. Principles for an agreement between York Region and the City of Toronto were endorsed in 2014 by both Councils, and a

draft agreement setting out the roles and responsibilities for each municipality for capital and operating parameters was developed in 2017.

In addition to the section of Steeles Avenue East widening, the EA also includes a widening of Ninth Line/Donald Cousens Parkway from Steeles Avenue to Box Grove Bypass and an extension of Morningside Avenue to Steeles Avenue from its current terminus at McNicoll Avenue. See Attachment 'A'.

The City of Toronto has been conducting the detailed design of the Steeles Avenue East widening since 2018 with an original construction start date of 2021.

DISCUSSION:

Steeles Avenue East Widening Project is Delayed

With regard to the Steeles Avenue East widening project, additional requirements related to stormwater management and watercourse crossings have been encountered by Toronto in the detailed design assignment. These additions have budget, schedule and City of Toronto Council approval implications. The amount of delay to the project caused by these additions are unknown at this time but is expected to be more than one year.

For the other major components of the Donald Cousens Parkway Extension project:

1. York Region is conducting the detailed design of the widening of Ninth Line/Donald Cousens Parkway from Steeles Avenue to Box Grove Bypass. The construction of this widening is programmed in York Region's 10-Year Roads and Transit Capital Construction Plan to start in 2022. This construction timing is planned to coincide with the original timing of the Steeles Avenue East widening.
2. The City of Toronto had previously indicated that the extension of Morningside Avenue will be implemented through their development approval process. Development is now occurring on the land parcel at the southeast corner of Steeles Avenue and Tapscott Road. The section of Morningside Avenue extension from Steeles Avenue to Passmore Avenue is being constructed with that development and is anticipated to be completed in 2021. The remaining section of Morningside Avenue extension from Passmore Avenue to McNicoll Avenue will then remain to be constructed by future land development on the adjacent lands.

Shared Responsibility of Steeles Avenue Still Pending Negotiations between York Region and City of Toronto

As noted above, the widening of Steeles Avenue East is subject to an agreement between York Region and the City of Toronto that will specify the roles and responsibilities of each municipality in terms of capital and operating parameters. This condition of approval for the EA included a five-year deadline, starting from the January 2013 approval of the EA, for the two municipalities to arrive at an agreement.

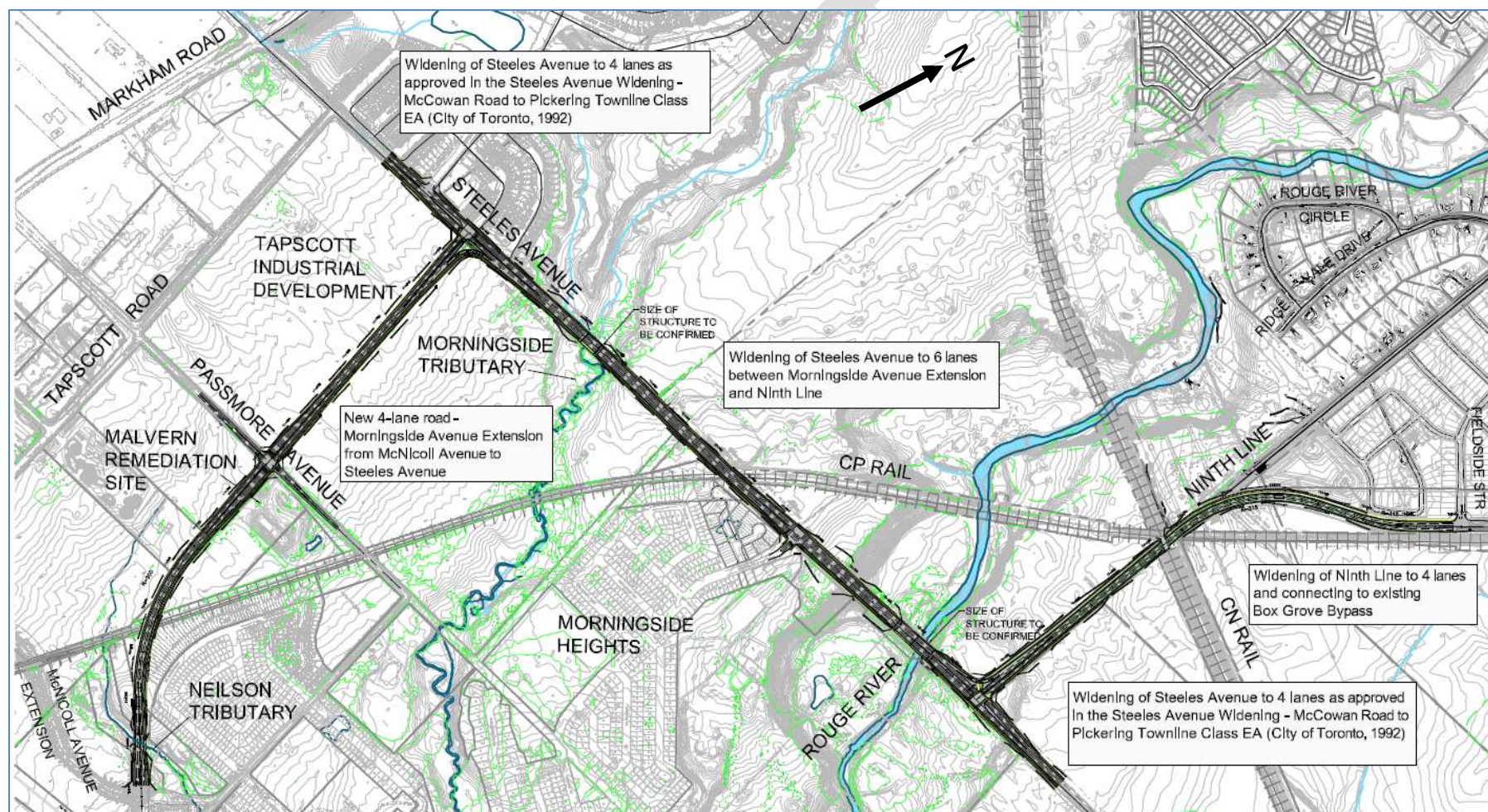
Principles for an agreement were set out and agreed to in 2014 by both parties, and a detailed agreement was developed in 2017 but not executed. See Attachment 'B'.

As an agreement has not been achieved, York Region has been obtaining one-year extensions from the Ministry of the Environment, Conservation and Parks to the above deadline since 2018.

As there has not been any further updates from York Region on this issue since 2018, staff recommends that York Region be requested to provide an update on the status of discussions with the City of Toronto on the shared responsibility of Steeles Avenue so that Council may have a more complete understanding of the status of the Steeles Avenue east widening project.

ATTACHMENTS:

- A. Remaining unconstructed components of the Donald Cousens Parkway to Morningside Avenue Link
- B. 2018 York Region Update on the Toronto/York Steeles Avenue Agreement

Attachment 'A'**Remaining unconstructed components of the Donald Cousens Parkway to Morningside Avenue Link**



Attachment 'B'

Office of the Commissioner
Transportation Services

Memorandum

To: Committee of the Whole

From: Paul Jankowski, Commissioner of Transportation Services

Date: June 7, 2018

Re: **Toronto/York Steeles Avenue Agreement Update
Kennedy Road to Ninth Line**

This memorandum provides an update on the Toronto/York Steeles Avenue Agreement. In December 2017, after many years of discussions, Toronto City Council endorsed the principles of a proposed agreement to implement long-awaited capital improvements to Steeles Avenue that will benefit both York Region and City of Toronto travellers.

Council directed staff to work with Toronto to develop an agreement for Steeles Avenue from Markham Road to Ninth Line

Road improvements to Steeles Avenue, from east of Markham Road to Ninth Line, were identified in the Individual Environmental Assessment study completed by York Region for the Donald Cousens Parkway to Morningside Avenue Link. In addition to widening Steeles Avenue to six lanes from east of Tapscott Road to Ninth Line, the study also recommends widening Ninth Line to four lanes from Steeles Avenue to Box Grove, and the extension of Morningside Avenue from Steeles Avenue south to the existing terminus at McNicoll Avenue, as a new four-lane road. The study was approved by the Ministry of the Environment and Climate Change on January 23, 2013.

In giving approval to proceed with the undertaking, the Minister of the Environment and Climate Change imposed a number of conditions, one of which requires the development of a cost-sharing and implementation agreement with the City of Toronto.

In [June 2014](#), Council endorsed a set of principles to guide the development of a Steeles Avenue Agreement from east of Markham Road to Ninth Line.

City of Toronto staff coordinated a similar report to Toronto City Council in [July 2014](#) and received endorsement of the same principles.

June 7, 2018

Toronto/York Steeles Avenue Agreement Update
Kennedy Road to Ninth Line

The original agreement limits were later extended west to Kennedy Road

In [September 2015](#), Council agreed to a York Region, Toronto and Metrolinx partnership to cost-share in a Class Environmental Assessment study for improvements to Steeles Avenue from Kennedy Road to Midland Avenue, including widening of Steeles Avenue to six lanes, and a grade separation at the Stouffville GO Rail corridor.

At that time, Council endorsed extending the limits of the Steeles Avenue Agreement to include the entire section from Kennedy Road to Ninth Line. This represents a seven kilometre section of the overall 40 kilometre Steeles Avenue boundary between the City of Toronto and York Region (see Attachment 1).

In [December 2017](#), Toronto Council endorsed the extended Kennedy Road to Ninth Line limits for the Agreement, matching the limits agreed to by Regional Council.

The following is an overview of the Toronto/York Steeles Avenue Agreement:

- The proposed agreement is for a term of ten years, from January 1, 2019 to December 31, 2028
- Toronto will maintain jurisdictional ownership over Steeles Avenue
- Toronto will operate and maintain Steeles Avenue on behalf of both parties, including traffic systems, guided by mutually-agreed standards and protocols
- A joint, ten-year capital plan will be created for consideration by both Councils; capital works will need to be approved by both Councils
- All municipal maintenance, operations and capital costs will be split equally
- Toronto will be responsible for planning, design and construction of all capital works and the Region will be a co-proponent
- City of Toronto will acquire any lands necessary for capital works

Local residents and businesses will benefit from improvements to Steeles Avenue

City of Markham residents and businesses will benefit from the Steeles Avenue road widening and grade separation projects that have already been advanced with Regional cost-sharing. These projects will also include improvements to sidewalks, bike lanes, streetscape and transit facilities.

June 7, 2018

Toronto/York Steeles Avenue Agreement Update
Kennedy Road to Ninth Line

In addition, a new municipal road intersection is currently proposed for the Forest Bay Homes subdivision on the north side of Steeles Avenue between the Morningside tributary and the Parkview Golf Course. This proposed intersection is being included in the ongoing design assignment for Steeles Avenue, from east of Markham Road to Ninth Line, and is expected to be constructed concurrently with the Steeles Avenue widening.

Staff have been working with City of Toronto to advance two Steeles Avenue capital projects

In approving the Agreement principles in June 2014, Council authorized staff to work with the City of Toronto to advance the detailed design for widening Steeles Avenue, from east of Markham Road to Ninth Line, on a 50/50 cost-sharing basis. The ongoing design assignment is being led by the City of Toronto and is scheduled to be completed in 2019.

York Region was also a partner in the Class Environmental Assessment for improvements to Steeles Avenue from Kennedy Road to Midland Avenue. Council agreed to cost-sharing the study equally between York Region, City of Toronto and Metrolinx. The study was led by the City of Toronto and was completed in March 2017.

The follow-on design and construction of the Steeles Avenue grade separation at the Stouffville GO line is being led by Metrolinx

The follow-on detailed design and construction of the undertaking, including widening of Steeles Avenue to six lanes and a grade separation at the Stouffville GO line, has been incorporated by Metrolinx in the Regional Express Rail program. A Metrolinx design/build contract is underway and, in addition to the Steeles Avenue works, the contract also includes construction of double tracks and a number of station upgrades on the Stouffville GO line.

The Region's share for Steeles Avenue costs will be considered as part of the 2019 multi-year budget submission to Council

The Region's current financial commitment to Steeles Avenue is limited to the ongoing detailed design from east of Markham Road to Ninth Line, and the already-completed Class Environmental Assessment for improvements from Kennedy Road to Midland Avenue.

The Region's future financial commitments related to the Steeles Avenue Agreement will now need to be considered as part of the prioritization process used in developing the draft 2019 multi-year budget submission to Council. Operating costs such as those for winter and summer maintenance, operation of traffic signals and illumination, as well as the Region's share of capital costs for various Steeles Avenue improvements, will

June 7, 2018

Toronto/York Steeles Avenue Agreement Update
Kennedy Road to Ninth Line

have to be addressed. These capital improvements will include widening and grade separation from Kennedy Road to Midland Avenue, and widening from Tapscott Road to Ninth Line as part of the Donald Cousens Parkway to Morningside Avenue Link. Construction of the Stouffville GO grade separation by Metrolinx is scheduled to begin in 2019. Construction of the Steeles Avenue widening between Tapscott Road and Ninth Line is anticipated to commence in 2021.

With Toronto Council's approval of the principles and limits previously endorsed by Regional Council, the Steeles Avenue Agreement is being finalized

With Toronto Council's approval of the principles in December 2017, the details of the agreement are now being finalized with City of Toronto staff. The agreement is expected to be in force in 2019 or early 2020.

The Steeles Avenue Agreement supports much-needed transportation infrastructure in the Markham/Toronto boundary area. The agreement will represent a significant achievement in building a partnership with the City of Toronto and will set the stage for an agreement for the remainder of Steeles Avenue and other joint priorities with the City.

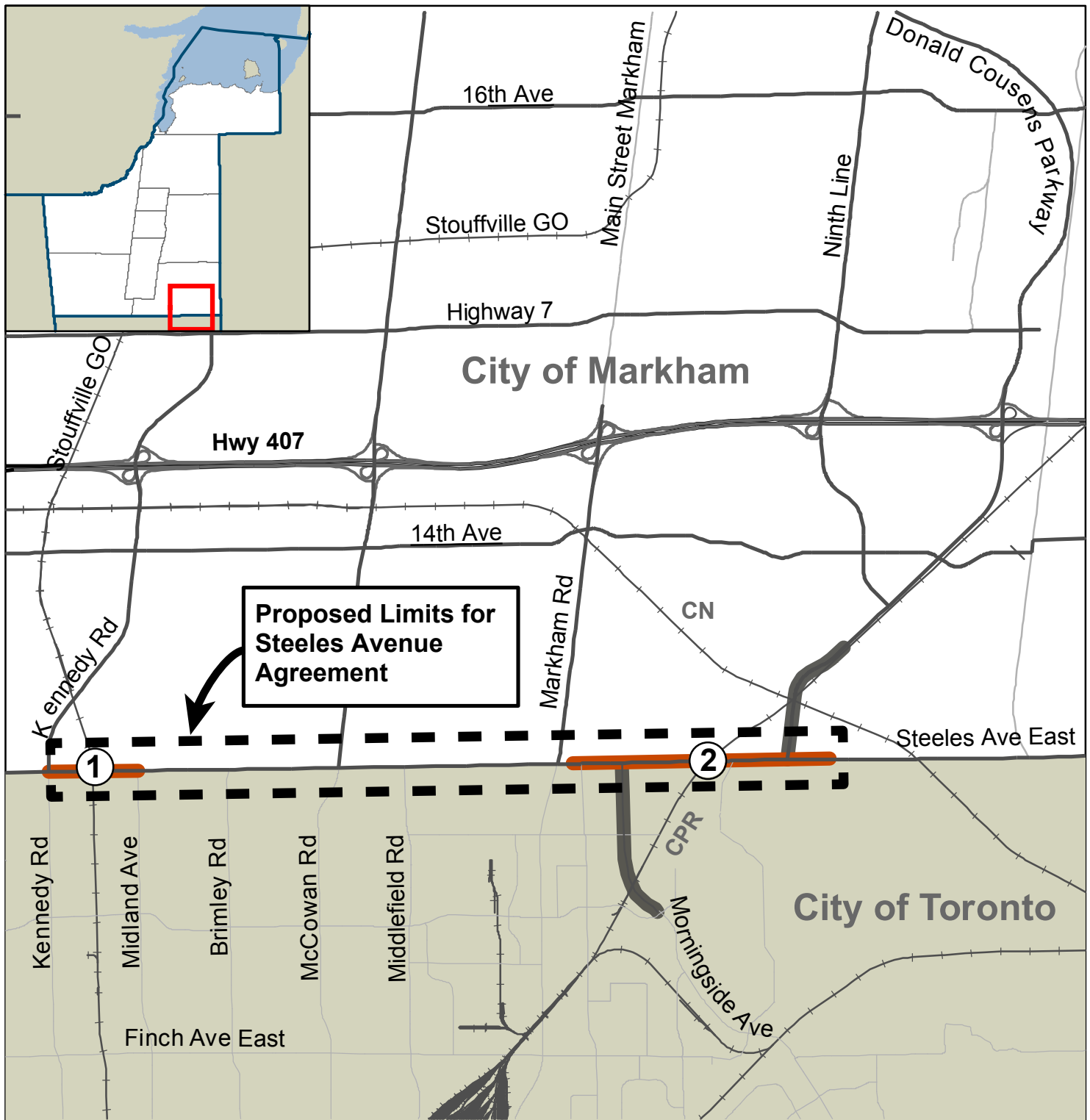
For more information, please contact Brian Titherington, Director of Transportation and Infrastructure Planning at 1-877-464-9675 ext. 75901.

Paul Jankowski
Commissioner of Transportation Services

SM/sm

Attachment (1)

8248244



York/Toronto Steeles Avenue Agreement Update, Kennedy Road to Ninth Line

June 14, 2018



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Legend

- Steeles Agreement Limits
- Project Areas
- ① Environmental Assessment, Steeles Ave. from Kennedy Rd. to Midland Ave.
- ② Detailed Design, Steeles Ave. from east of Markham Rd. to Ninth Line

0 0.75 1.5 Km



Transportation Services Department

MEMORANDUM

To: City of Markham Development Services Committee

From: Brian Titherington, Director, Transportation & Infrastructure Planning

Date: Tuesday October 13, 2020

Re: Progress update on the Toronto/York Steeles Avenue Agreement

This memorandum provides an update on the Steeles Avenue Agreement as it relates to agenda item 8.1 for the Development Services Committee meeting on October 13, 2020.

York Region staff most recently reported to Regional Council on this issue in June 2018. The June 7, 2018 Memorandum from the Commissioner of Transportation Services to Regional Council can be found [here](#) or via the Region's website (www.york.ca).

Regional Council approved the principles of the Steeles Avenue Agreement in June 2014. As part of this process Regional Council also authorized cost sharing with the City of Toronto to advance the detailed design for widening Steeles Avenue, from east of Markham Road to Ninth Line. The ongoing design assignment is being led by the City of Toronto and cost shared equally with York Region. The cost sharing agreement only applies to the ongoing detailed design work being undertaken by the City of Toronto. Cost sharing for construction would be subject to a final Steeles Avenue Agreement.

York Region staff have been working with City of Toronto staff to finalize the Steeles Avenue Agreement in accordance with the principles agreed to by both York Region Council and City of Toronto Council. The City of Toronto is currently addressing the final outstanding concern related to their authority to operate a widened Steeles Avenue, where the northern property limit will be beyond the current City limits. City staff believe the concern will be addressed before the design work for Steeles Avenue is complete. Once the Steeles Avenue Agreement is complete, staff will report to Regional Council for final approval.

For more information, please contact Lauren Crawford, Manager of Transportation Long-Term Planning at 1-877-464-9675 ext. 73115.

A handwritten signature in dark ink, appearing to read 'B-Titherington', written over a horizontal line.

Brian Titherington
Director, Transportation & Infrastructure Planning
Transportation Services

cc. Regional Chair Wayne Emmerson

Frank Scarpitti, Mayor of Markham

Markham Regional Councilors (Don Hamilton, Regional Councillor and Deputy Mayor,
Jim Jones, Regional Councillor, Jack Heath, Regional Councillor, Joe Li, Regional
Councillor)

Bruce Macgregor, Regional CAO

Lina Bigioni, Chief of Staff

Paul Jankowski, Commissioner, Transportation Services



MEMORANDUM

To: Mayor and Members of Development Services Committee

From: Arvin Prasad, Commissioner of Development Services

Prepared by: Stephen Corr, Senior Planner, East District

Date: October 13, 2020]

**Re: Information Memorandum
City Initiated Technical Zoning By-law Amendment to clarify that front
porches are permitted beyond the maximum permitted Building Depth
City Pa**

RECOMMENDATION:

- 1) That the Information Memorandum, entitled “City Initiated Technical Zoning By-law Amendment to clarify that front porches are permitted beyond the maximum permitted Building Depth, City Park (Town Crier) Homes Inc. (Ward 4)”, be received;
- 2) That the technical zoning by-law amendment, to amend Zoning By-law 1229, as amended by By-law 2017-112, be approved and that the draft by-law attached as Appendix ‘A’ be finalized and enacted; and
- 3) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Purpose:

This memorandum provides information on a City initiated technical zoning by-law amendment to clarify that front porches are permitted up to 2 metres beyond the maximum permitted building depth for 11 single detached dwellings proposed by City Park (Town Crier) Homes Inc.

Background

The 1.27 ha (3.13 ac) subject lands are located on the south side of Parkway Avenue, east of Main Street Markham North (See Figure 1) and are within the Markham Village Heritage Conservation District. Surrounding land uses are predominantly residential, comprised of existing single detached dwellings to the north, east and south. Grace Anglican Church and Morgan Park are located west of the subject lands, and Franklin Public Elementary School is located to the southwest.

On December 12, 2017, City of Markham Council resolved to approve Draft Plan of Subdivision, Official Plan Amendment and Zoning By-law amendment applications to permit the development of 11 single detached dwellings fronting onto a private street on the subject lands. The

development will be a common element condominium. Site Plan Control and Draft Plan of Condominium applications for this development are currently under review. The approved zoning by-law amendment (Amending By-law 2017-112) permitted a number of site specific development standards to implement the proposed built form of the dwellings, including:

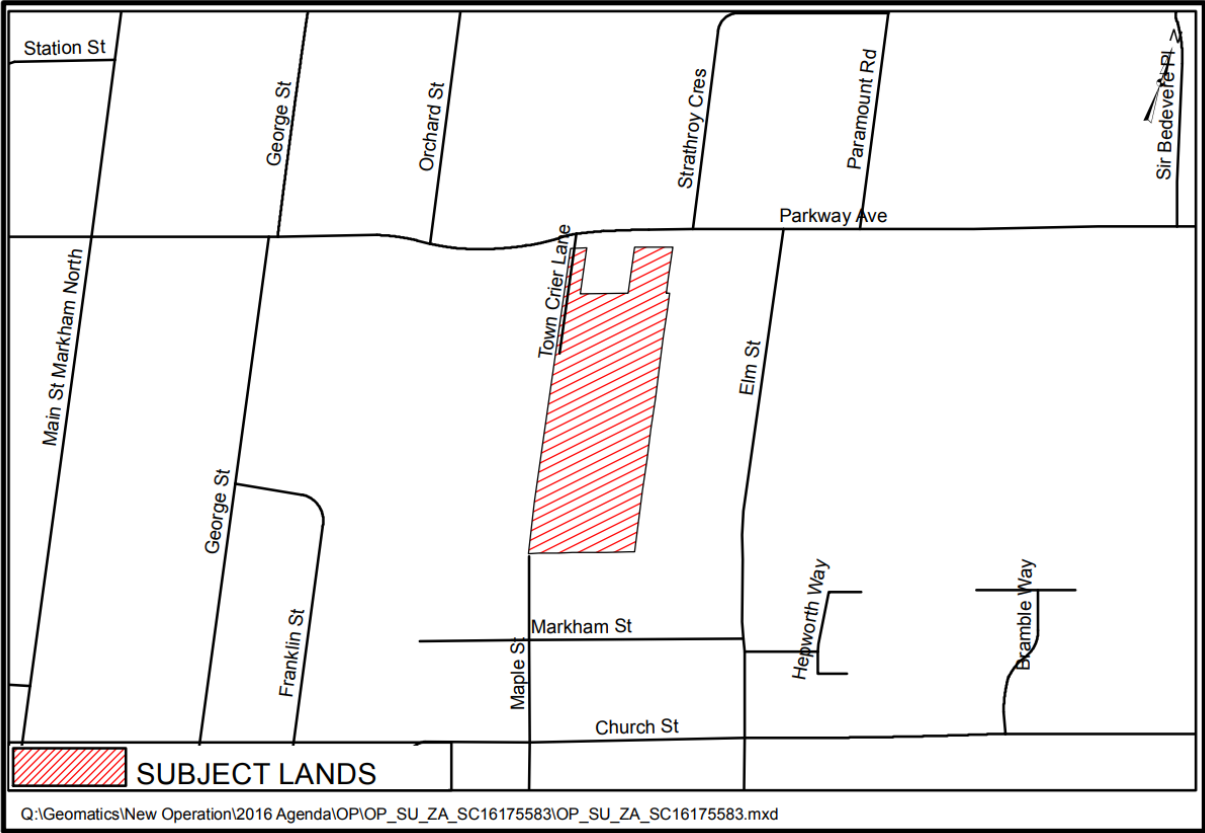
- A maximum permitted building depth of 24 metres (m); and
- Permission for unenclosed porches and stairs to encroach a maximum of 2.0 m into a required front yard.

The permitted 24.0 m depth reflects the total length of dwellings, and the 2.0 m porch encroachment in the front yard reflects the configuration of porches, both shown on conceptual site and elevation plans submitted in support of the various development applications.

Notwithstanding the above, the depth indicated on the conceptual plans showed the incorrect total building depth, as it is calculated in Zoning By-law 1229, as amended. The City interprets ‘Depth’ to include all covered components of a dwelling, including covered porches.

While the conceptual plans did not show the correct building “Depth”, the conceptual plans showed the porches extending into the front yard, and those plans formed the basis of the City’s evaluation of the applications. The existing zoning permits encroachments into the front yard to facilitate these porches; however, an amendment to the calculation of “Depth” was inadvertently omitted. This revision to Amending By-law 2017-112, is attached as Appendix ‘A’. Staff support the technical amendment as it clarifies that the porches are permitted to extend beyond the maximum building Depth permitted for the lots in accordance with the City’s definition.

Figure 1 – Site Location



By-law 2017-112

A By-law to amend By-law 1229, as amended

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

1. That By-law 1229, as amended, is hereby further amended as it applies to the lands outlined on Schedule 'A' as follows:

- 1.1 By rezoning Part 1 as shown on Schedule "A" attached hereto

from:

Institutional (I) Zone

to:

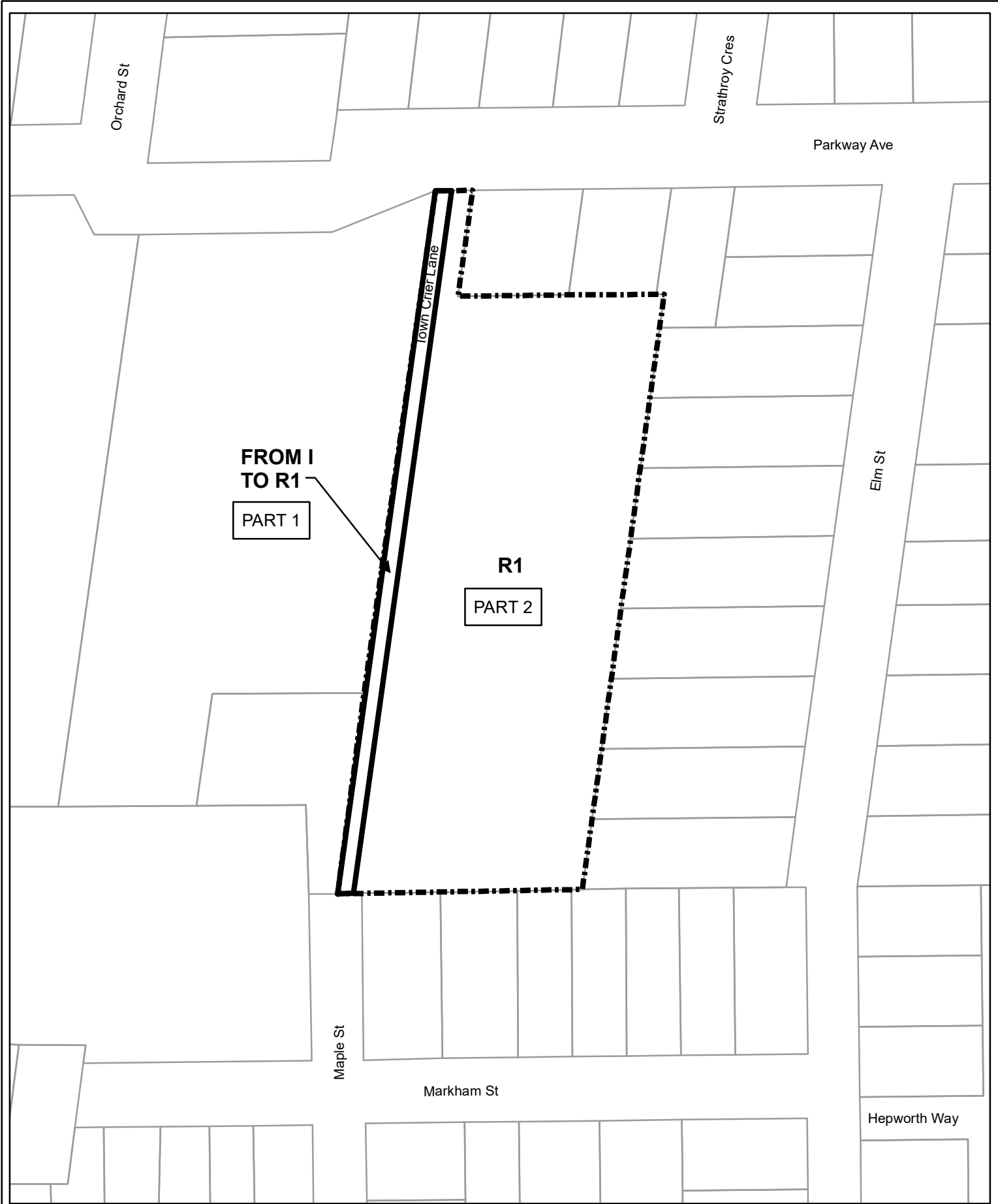
Residential One (R1) Zone

- 1.2 By adding the following subsection to Section 12- EXCEPTIONS, which shall apply to Parts 1 and 2 as shown on Schedule "A" attached hereto:

Exception 12.42	City Park (Town Crier) Homes Inc. 7 Town Crier Lane	Parent Zone R1
File ZA 16 175583		Amending By-law 2017-112
Notwithstanding any other provisions of this By-law, the following provisions shall apply to the land shown on Schedule "A" attached to this By-law. All other provisions, unless specifically modified/amended by this section, continue to apply to the lands subject to this section.		
12.42 Special Zone Standards		
The following special Zone Standards shall apply:		
a)	Town Crier Lane is deemed to be a <i>Public Street</i> for the purpose of determining zone standards;	
b)	The <i>Lot Line</i> abutting Town Crier Lane shall be deemed the <i>Front Lot Line</i> for the purpose of determining zone standards;	
c)	Minimum <i>Lot Frontage</i> – 15 metres;	
d)	Minimum <i>Front Yard</i> – 4.5 metres, except that the minimum <i>Front Yard</i> to an attached <i>Private Garage</i> is 5.8 metres	
e)	Minimum <i>Side Yard</i> – 1.5 metres	
f)	Maximum <i>Building Height</i> – 11.2 metres	
g)	Maximum <i>Building Height</i> where a lot abuts the north or south lot line of the lands shown as Parts 1 & 2 on Schedule "A" to this By-law – 10.5 metres	
h)	Maximum <i>Building Depth</i> – 24.0 metres	
i)	Maximum <i>Gross Floor Area</i> including a <i>Private Garage</i> - 465 m ²	
j)	Maximum <i>Net Floor Area Ratio</i> – not applicable	
k)	Maximum <i>Lot Coverage</i> – 43%	
l)	Unenclosed porches and stairs may encroach into a required <i>Front Yard</i> , and may project beyond the maximum <i>building depth</i> , a maximum of 2.0 metres	

2. A contribution by the Owner to the City for the purposes of public art, in the amount of \$1500.00 per unit in 2017 dollars, 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 December 12, 2017.



SCHEDULE "A" TO BY-LAW

AMENDING BY-LAW 1229 DATED



-  BOUNDARY OF AREA COVERED BY THIS SCHEDULE
-  BOUNDARY OF ZONE DESIGNATION(S)
- SUBJECT TO SECTION 12.42 OF BY-LAW 1229
-  INSTITUTIONAL
-  RESIDENTIAL ONE

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

Q:\Geomatics\New Operation\By-Laws\OP\OP_SU_ZA_SC 16175583\OP_SU_ZA_SC 16175583.mxd

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



Report to: General Committee

Date Report Authored: October 19, 2020

SUBJECT: 2021 Interim Spending Authority Pending Approval of Budget

PREPARED BY: Lisa Chen – Senior Manager, Financial Planning & Reporting

RECOMMENDATIONS:

- 1) That the report titled “2021 Interim Spending Authority Pending Approval of Budget”, be received; and
- 2) THAT Council approve 50% of the City’s 2020 Operating, Waterworks, Planning & Design, Building Standards and Engineering budgets, equal to \$205,261,876, as a pre-budget approval for 2021 operating expenditures; and
- 3) THAT Staff be authorized and directed to do all things necessary to give effect to this resolution.

PURPOSE:

To obtain Council approval for the Treasurer to have authority to make payments necessary to support the ongoing business of the City, prior to the approval of the 2021 Operating, Waterworks, Planning & Design, Building Standards and Engineering budgets.

BACKGROUND:

The 2021 Interim Spending Authority is intended to allow each of the City’s Operating, Waterworks, Planning & Design, Building Standards and Engineering departments to spend up to 50% of the 2020 approved budgets for operating expenditures. This approval will enable the City operations to continue at existing approved service levels until the City’s 2021 departmental budgets for operating expenditures are approved. The City’s 2020 approved budgets for operating expenditures are:

	<u>2020 Approved Budget</u>
Operating	\$ 240,962,772
Waterworks	140,669,974
Planning & Design	10,568,647
Building Standards	9,534,885
Engineering	8,787,473
Total	<u>\$ 410,523,751</u>
50% of the above total	<u>\$ 205,261,876</u>

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

OPTIONS/ DISCUSSION:

Not applicable

FINANCIAL CONSIDERATIONS AND TEMPLATE:

Not applicable

HUMAN RESOURCES CONSIDERATIONS

Not applicable

ALIGNMENT WITH STRATEGIC PRIORITIES:

Not applicable

BUSINESS UNITS CONSULTED AND AFFECTED:

Not applicable

RECOMMENDED BY:

Joel Lustig
Treasurer

Trinela Cane
Commissioner, Corporate Services



Report to: General Committee

Meeting Date: October 19, 2020

SUBJECT: 2021 Interim Spending Authority Pending Approval of
Unionville Business Improvement Area and Markham Village
Business Improvement Area Budgets

PREPARED BY: Lisa Chen – Senior Manager, Financial Planning & Reporting

RECOMMENDATION:

- 1) That the report titled “2021 Interim Spending Authority Pending Approval of Unionville Business Improvement Area and Markham Village Business Improvement Area Budgets”, be received; and,
- 2) That Council approve 50% of the 2020 Operating Budget equivalent to the amounts of \$107,111 for the Unionville BIA (UBIA) and \$154,976 for the Markham Village BIA (MVBIA) as pre-budget approval for 2021 operating expenditures; and further,
- 3) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

PURPOSE:

To obtain Council approval for the UBIA and MVBIA to have the authority to make payments necessary to support their ongoing businesses prior to the approval of their respective 2021 operating budgets.

BACKGROUND:

The 2021 Interim Spending Authority is intended to allow the UBIA and MVBIA to spend up to 50% of the 2020 approved budget for operating expenditures. This approval will enable BIA operations to continue at existing levels until the 2021 Budgets for operating expenditures are approved.

The BIAs’ 2020 approved operating budgets are \$214,221 for the UBIA and \$309,951 for the MVBIA. Therefore, the interim spending equivalent to 50% of the 2020 operating budgets will be \$107,111 and \$154,976 respectively.

OPTIONS/ DISCUSSION:

Not applicable

FINANCIAL CONSIDERATIONS

Not applicable

HUMAN RESOURCES CONSIDERATIONS

Not applicable

ALIGNMENT WITH STRATEGIC PRIORITIES:

Not applicable

BUSINESS UNITS CONSULTED AND AFFECTED:

Not applicable

RECOMMENDED BY:

Joel Lustig
Treasurer

Trinela Cane
Commissioner, Corporate Services

ATTACHMENTS:

Not applicable



Report to: General Committee

Meeting Date: October 19, 2020

SUBJECT: 2021 Temporary Borrowing By-law
PREPARED BY: Lisa Chen – Senior Manager, Financial Planning & Reporting

RECOMMENDATION:

1. THAT the report titled “2021 Temporary Borrowing By-law” be received; and
2. THAT a by-law be brought forward for Council approval to authorize the temporary borrowing, if required, of amounts not to exceed \$205,261,876 from January 1, 2021 to September 30, 2021, and \$102,630,938 from October 1, 2021 to December 31, 2021 to meet the expenditures of the municipality until taxes are collected and other revenues are received; and
3. THAT the Treasurer report to Council in advance of borrowing, if temporary borrowing is required; and
4. THAT Staff be authorized and directed to do all things necessary to give effect to this resolution.

PURPOSE:

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

BACKGROUND:

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

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

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

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

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

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

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

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

OPTIONS/ DISCUSSION:

Not applicable

FINANCIAL CONSIDERATIONS

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

The City has secured a temporary borrowing facility with the City's financial institution to bridge potential cash flow shortfalls due to the impacts of COVID-19.

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

HUMAN RESOURCES CONSIDERATIONS

Not applicable

ALIGNMENT WITH STRATEGIC PRIORITIES:

Not applicable

BUSINESS UNITS CONSULTED AND AFFECTED:

Not applicable

RECOMMENDED BY:

Joel Lustig
Treasurer

Trinela Cane
Commissioner, Corporate Services

ATTACHMENTS:

Appendix A, "2021 Temporary Borrowing Bylaw"

APPENDIX A: 2021 Temporary Borrowing Bylaw

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

A by-law to authorize the temporary borrowing of an amount not to exceed \$205,261,876 from January 1 to September 30, 2021 and \$102,630,938 from October 1 to December 31, 2021 to meet the current expenditures of the Corporation for the year, until taxes are collected and other revenues received.

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

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

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

WHEREAS the total revenues of the Corporation as set forth for the year 2020 are \$410,523,751 which was adopted by Council at the Council meeting on December 10, 2019.

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

1. The Treasurer is hereby authorized on behalf of the Municipality to borrow from time to time by way of promissory note from the Municipality's banker a sum or sums not exceeding from January 1 to September 30 of the year \$205,261,876 and from October 1 to December 31 \$102,630,938 to meet, until the taxes and other revenues are received, the current expenditures of the Municipality for the year, including the amount required for the purposes mentioned in Subsection 1 of Section 407 of The Municipal Act and to give on behalf of the Municipality to the Bank a promissory note or notes sealed with the Corporate Seal and signed by the Treasurer for the monies so borrowed, with interest, which may be paid in advance or otherwise.
2. All sums borrowed pursuant to the authority of this by-law from the said bank for any or all purposes mentioned in the said Section 407 shall with interest thereon, be a charge upon the whole of the revenues of the Municipality for the current year.

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

_____ DAY OF _____ 2020.

KIMBERLEY KITTERRINGHAM
CITY CLERK

FRANK SCARPITTI, MAYOR



Report to: General Committee

Meeting Date: October 19, 2020

SUBJECT: Award of Proposal 005-R-20 Supply and Implementation,
Unified Communication and VoIP Phone System

PREPARED BY: Mobasshirul Islam, Ext 2322
Sugun Rao, Ext. 4868
Rosemarie, Patano, Ext. 2990

RECOMMENDATION:

1. THAT the report entitled “Award of Proposal 005-R-20 Supply and Implementation, Unified Communication and VoIP Phone System;
2. THAT the contract for 005-R-20 Supply and Implementation, Unified Communication and VoIP Phone System be awarded to the highest ranked/lowest priced bidder, Unity Connected Solutions Inc. in the amount of \$1,364,866.34 inclusive of HST, to an upset limit of \$750,321.41 for the hardware, licenses, software, training and implementation costs and \$614,544.93 for nine years of warranty, ongoing support and maintenance;
3. THAT the hardware, licenses, software, training and implementation costs to the upset limit amount of \$750,321.41 be funded from capital project 18079, IT Life Cycle Asset Replacement, GL account 49-6150-18079-005 and capital project 19063, ITS - City Wide Telephone System Replacement, GL account 49-6150-19063-005, with a combined available budget of \$764,759.42;
4. THAT the cost of the warranty, support and maintenance fee for six (6) years in the amount of \$406,401.96 inclusive of HST and \$208,142.97 for the three (3) additional optional years be funded from #400-404-5461 with current annual budget of \$107,508.64 and subject to Council approval of the 2021-2029 operating budgets in the amounts of;
 - a. Year 1 (2021) - \$ 67,733.66
 - b. Year 2 (2022) - \$ 67,733.66
 - c. Year 3 (2023) - \$ 67,733.66
 - d. Year 4 (2024) - \$ 67,733.66
 - e. Year 5 (2025) - \$ 67,733.66
 - f. Year 6 (2026) - \$ 67,733.66
 - g. Year 7 (2027) - \$ 69,380.99*
 - h. Year 8 (2028) - \$ 69,380.99*
 - i. Year 9 (2029) - \$ 69,380.99*

Total - \$614,544.93

* Optional Year Renewal

5. THAT surplus capital budget in the amount of \$14,438.01 in Capital Project 19063 be returned to sources; THAT the 2021 operating budget of #400-404-5461 be reduced by \$39,774.98;

-
6. THAT the Chief Information Officer and Senior Manager Procurement & Accounts Payable be authorized to execute the additional renewal years for the life cycle of the project (at the sole discretion of the City);
 7. THAT Unity Connected Solutions Inc. be designated as the preferred vendor for the City's telephony service needs and for Mitel Hardware and software products for the term of this contract;
 8. THAT the purchase orders may be adjusted to acquire additional Mitel hardware and software to support growth and/or future telephone system upgrade or integration related projects, subject to the Expenditure Control Policy and budget approval;
 9. THAT the Chief Information Officer and Senior Manager, Procurement & Accounts Payable be authorized to approve any new purchases related to this contract needed due to growth and/or future telephone system upgrade due to change in technology or system integration with other applications related to the project during the term of this contract; subject to the Expenditure Control Policy and budget approval;
 10. THAT Staff be authorized and directed to do all things necessary to give effect to this resolution.

PURPOSE:

The purpose of this report is to obtain approval to award the contract for "005-R-20 Supply and Implementation, Unified Communication and VoIP Phone System" to the highest ranked, lowest priced bidder, Unity Connected Solutions Inc., for a term of six (6) years with an option to renew for an additional three (3) year term.

BACKGROUND:

The City's current telephone system, purchased in 2011, is well past its expected service life and does not offer commonly available telecommunications features needed for a mobile and modern workplace. For example, softphone, an alternative to a physical desk phone, is a mobile client component that will enable smartphones to become extensions of the phone system. In addition the new system offers integration of the Contact Centre customer relationship management (CRM) system and the email messaging system, enhancing customer service.

The age of the system also puts it at risk of failing, which could impair the city's ability to deliver services. The manufacturer has long discontinued production and support for this system and its parts, making the City reliant on refurbished equipment. Technical assistance, bug fixes, and system updates are no longer available from the manufacturer.

The Call Centre software, which is critical for the operations of the City's Contact Centre is old, and lacks major functions that are needed in order to offer the necessary level of customer service experience.

Accordingly an RFP was issued to obtain proposals that will provide the City with Unified Communication (which combine multiple enterprise communications channels, such as messaging, voice and video calling) and a Voice over Internet Protocol (VoIP) (the phone system that leverages the data network to connect phones) phone system. The call centre system needed for the Contact Centre was also included. City business requirements included support and maintenance of the system for a term of six (6) years, with an option to renew the contract for additional three (3) years.

BID INFORMATION:

Advertised, place and date	January, 14 2020
Bid closing date	February, 20 2020
Number picking up documents	13
Number responding to bid	5

Due to the COVID pandemic, the project was put on hold pending evaluation of all capital projects. In June, the project was re-started and evaluations of submissions, demonstrations, and negotiations commenced thereafter.

PROPOSAL EVALUATION

The bid evaluation team was comprised of staff from the ITS department, Contact Centre and Library, with staff from Procurement acting as the facilitator. Staff evaluated five (5) proposal submissions.

The evaluation was based on pre-established evaluation criteria as listed in the Request for Proposal: Price 30%, Experience and Qualification of the Bidder 10%, Technical Requirements 35%, Project Understanding, Methodology & Delivery Management 25% and Product Demo 20%, for a total of 120% with resulting score as noted below.

As part of the evaluation process, proponents for the top three ranked proposals were invited for demo/interview sessions.

Bidder	Total Score Technical and Financial (out of 100)	Score for Demo (Out of 20)	Final Score (Out of 120)
Unity Connected Solutions Inc.	88.47	18.54	107.01

Unity Connected Solutions Inc. was the highest ranked, lowest priced bidder. Scoring highest on its technical submission, Unity also demonstrated a thorough understanding of the project and its requirements via the Interview and Question/Answer Segment.

The City is receiving a complete solution including installation and support to ensure a successful deployment and positive transition to the new solution. The Unity proposed solution includes: full installation services with their core expertise in IP telephony, networking and call centres; a full reseller and manufacturer support model of the entire solution for nine (9) years; local, dedicated sales and support teams; full preventative and proactive remote monitoring of the voice and data solution; an improved customer support

experience to ensure the City of Markham transitions to the new communication systems smoothly; and special discounting being presented up to 70% Off Manufacturer List Pricing as part of this award.

After evaluation was completed, Procurement staff negotiated with Unity, the highest ranked/lowest priced bidder and achieved a 15% (\$246,663 inclusive of tax) cost reduction from their initial proposed price as allowed under the Purchasing By-Law, while still maintaining the same level of project deliverables.

The following is the negotiated savings:

	Hardware, licenses, software, training and implementation	Warranty, support and maintenance Years 1 – 6	Warranty, support and maintenance Years 7 – 9	Total
	\$	\$	\$	\$
Original Bid Submission	765,948	525,036	320,544	1,611,528
Negotiated Fee	<u>750,321</u>	<u>406,401</u>	<u>208,143</u>	<u>1,364,865</u>
Award savings	15,627	118,635	112,401	246,663
% Reduction	2%	23%	35%	15%

In addition to the above, Procurement also negotiated the following value-added components:

- 12 remote professional services hours per month on an as required basis for any moves, adds and changes for 3 years – value equivalent to \$ 1,648 per month
- Decommissioning and removal of all existing hardware at no additional cost
- Early payment discount of 2% Net-20 days

OPTIONS/ DISCUSSION:

The telephone system is an important component of the infrastructure supporting delivery of services to City residents and businesses. It is a critical service for both Fire and Contact Centre operations.

Unity's Mitel Solution includes the following enhancements not available with the current City telephony system:

- Mobility features for mobile workers that will enable staff to communicate as effectively from the road as they would from their desks. It includes different "find me / follow me" twinning features that enable users to receive calls on their smart phone and transfer calls seamlessly with their desk phone and also place outgoing calls from their mobile devices.
- Unified messaging delivers voice mail and/or email notification to users' email mailboxes allowing staff to access their voicemail using City provided smartphones, outlook client or outlook web access. This enables users to share and

-
- manage their communications in the most convenient and effective way, enhancing productivity and customer service.
- The proposed solution comes with “softphone”, a software application that runs on a staff computer and functions as a virtual phone that appears graphically as a real phone on the users’ computer screens. This will enable all staff to have access to their business phone system from any location on City deployed laptop, tablet, or other portable computing devices. This provides an opportunity to reduce the number of fixed physical desk phones.
 - Enhanced security that includes secure communication on all internal calls with strong authentication and end-to-end encryption.
 - Call Centre Solution for the Contact Centre which includes a Computer Telephony Integration (CTI) function to display information about the caller from a CRM system, such as their contact details or call history helping Staff to take a more data-driven approach while interacting with their callers, enhancing the service experience.
 - Ability to route calls coming into a central phone line for a specific city service to be to the appropriate on-duty Staff member wherever they are working.
 - All outgoing calls made from the new system will always display the City’s primary number and the City of Markham name, a more professional approach that provides confirmation that the call is indeed from the City.

Currently, desk phones are deployed on almost all staff desks. Since March 2020, due to COVID-19, many Staff have successfully transitioned to working remotely, creating the opportunity to rethink what communication tools will be needed and how they will be used in future.

The recommended strategy is to deploy on-premise desk phones to only those users with specialized job functions that require physical desk phones. All other users will be provided soft phones, which are an application-driven phone on their corporate computers, and provides the flexibility to be used from the work office or home office. Users with corporate smartphones will also use soft phones that integrate with their smartphones. This approach provides the most efficient way to build in flexibility while providing tools to all users, and managing costs.

Based on these factors, staff recommends that the Unity Connected Solutions Inc. be awarded the contract 005-R-20 for the Supply and Implementation, Unified Communication and VoIP Phone System.

FINANCIAL CONSIDERATIONS

The cost of award includes 2 components: one-time costs for acquisition of hardware, software, licenses, training and implementation, and recurring operating costs for warranty, support and maintenance for 6 years, with an option to renew the contract for additional 3 years.

Capital Costs

The one-time cost in the amount of \$750,321.41, inclusive of HST impact, will be funded from Capital Project 18079, IT Life Cycle Asset Replacement, GL account 49-6150-

18079-005, and Capital Project 19063, ITS City Wide Telephone System Replacement, GL account 49-6150-19063-005, with a combined available budget of \$764,759.42. The surplus budget of \$14,438.01 will be returned to sources.

Project	Amount	
18079 - IT Life Cycle Asset Replacement	\$ 159,047.52	(A)
19063 - ITS City Wide Telephone System Replacement	<u>605,711.90</u>	(B)
Budget Available	764,759.42	(C) = (A) + (B)
One-Time Acquisitions and Implementation Cost	<u>750,321.41</u>	(D)
Surplus Budget to be Returned to Sources	14,438.01	(E) = (C) - (D)

Operating Costs

The award includes services of warranty, support and maintenance for 9 years, from January 2021 to December 2029, for a total amount of \$614,544.93, inclusive of HST impact, to be funded from GL account 400-404-5461, subject to Council approval of annual operating budget from 2021 to 2029. The terms are as follow:

Year of Term	Year	Maintenance Costs	
		Annual	Total Over Term
Year 1 to 6	2021 - 2026	\$ 67,733.66	\$ 406,401.96 (F)
Year 7 to 9	2027 - 2029	69,380.99	<u>208,142.97</u> (G)
Maintenance Costs over the Term			614,544.93 (H) = (F) + (G)

The 2021 operating cost per award is \$67,733.66. The current operating budget for telephony per award 009-R-11 renewal in 2017 is \$107,508.64. The 2021 operating budget will be reduced by \$39,774.98. Should the contract is renewed for additional 3 years, the 2027 operating budget will be increased by \$1,647.13.

2021 Budget Impact	
Current Annual Budget for Maintenance	\$ 107,508.64 (I)
2021 Maintenance Cost	<u>67,733.66</u> (J)
Saving for 2021	39,774.98 (K) = (I) - (J)

HUMAN RESOURCES CONSIDERATIONS

Not Applicable

ALIGNMENT WITH STRATEGIC PRIORITIES:

Not Applicable

BUSINESS UNITS CONSULTED AND AFFECTED:

All department of the City including recreation, library, engineering, planning were invited in the workshops to discuss and gather their requirements prior to preparing the RFP. All the city departments would be directly or indirectly affected by the project as they all use the telephony system.

RECOMMENDED BY:

Trinela Cane

Commissioner, Corporate Services



Report to: General Committee

Report Date: October 19, 2020

SUBJECT: 2021 Budget Schedule

PREPARED BY: Lisa Chen, Senior Manager, Financial Planning & Reporting

RECOMMENDATION:

1) THAT the report dated October 19, 2020 titled “2021 Budget Schedule” be received; and

2) THAT the following schedule for the 2021 Budget be approved with the dates and times below:

Meeting #1 – Tuesday, November 3, 2020 (9:00 a.m. to 12:00 p.m.)

Meeting #2 – Friday, November 6, 2020 (9:00 a.m. to 12:00 p.m.)

Meeting #3 – Tuesday, November 10, 2020 (9:00 a.m. to 12:00 p.m.)

Meeting #4 – Friday, November 13, 2020 (9:00 a.m. to 12:00 p.m.)

General Committee – Monday, November 16, 2020 (9:30 a.m.)

– Draft presentation of the proposed 2021 Budget for the public meeting

Meeting #5 – Tuesday, November 17, 2020 (9:00 a.m. to 12:00 p.m.)

Meeting #6 – Friday, November 20, 2020 (9:00 a.m. to 12:00 p.m.)

Public Meeting – Wednesday, November 25, 2020 (7 p.m. to 9 p.m.)

– Feedback from the public meeting will be incorporated into the report to Council

Meeting #7 – Friday, November 27, 2020 (9:00 a.m. to 12:00 p.m.) – if required

Council Decision – Wednesday, December 9, 2020 (1:00 p.m.)

Press Conference – Thursday, December 10, 2020 (10:00 a.m.)

3) THAT the following schedule for the 2021 Water & Wastewater Rate be approved with the dates and times below:

General Committee – Monday, November 2, 2020 (9:30 a.m.)

Public Meeting – Thursday, November 12, 2020 (6:30 p.m. to 7:30 p.m.)

– Feedback from the public meeting will be incorporated into the report to Council

Council Decision – Wednesday, December 9, 2020 (1:00 p.m.)

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

PURPOSE:

The purpose of this report is to obtain approval on the proposed meeting dates for:

- 1) 2021 Budget; and
- 2) 2021 Water & Wastewater Rate

BACKGROUND:

The 2021 Budget process will include six Budget Committee meetings, seven, if required, that will be held over the month of November 2020. In addition, input will be sought through a virtual public meeting through Zoom, to be held on November 25, 2020. Staff will incorporate feedback from the public meeting into the report to Council. It is proposed that a Council decision on the 2021 Budget will be made on December 9, 2020, followed by a press conference on December 10, 2020.

The 2021 Water & Wastewater rate will be discussed at General Committee on November 2, 2020. A virtual public meeting through Zoom will be held on November 12, 2020. Staff will incorporate feedback from the public meeting into the report to Council on December 9, 2020.

OPTIONS/ DISCUSSION:

Markham is focused on effective fiscal management and operational excellence to ensure sustainability of our City for the future.

1. 2021 Budget

Staff commenced the 2021 Budget process in March 2020 with the annual Life Cycle Reserve Study update. The goal of the update is to determine if there are sufficient funds in the Life Cycle Replacement & Capital Reserve Fund at the end of the 25-year period. Details of the 2020 update will be provided at the first Budget Committee meeting on November 3, 2020.

Preliminary operating and capital budgets are being developed with consideration of items such as the departmental business plans, Life Cycle Reserve Study, Development Charges Background Study. Consideration will also be given to findings from an economic (fiscal) scan, which is a forecast of items that may have a financial impact on the budget such as collective agreements, inflation, interest rates and legislative changes.

A comprehensive review of budgets has been conducted by Staff, Commissioners and the CAO prior to being presented to the Budget Committee.

In contrast to prior budget years, the COVID-19 pandemic has had a significant impact on the City in 2020. With the closure of facilities and cancellation of programs, staff have continued to work on identifying mitigating strategies to offset the impact. The 2021 Budget process will address the ongoing impact of the pandemic and identify areas of opportunities or concerns for the City going into 2021.

1a. Budget Committee and Other Meeting Dates

The proposed dates for the Budget Committee meetings to review, discuss and approve the 2021 Budget are outlined below:

Budget Committee

- | | |
|---------------------------------|---|
| <i>Meeting #1</i> | <ul style="list-style-type: none"> – Tuesday, November 3, 2020 (9:00 a.m. to 12:00 p.m.) – 2021 Budget Overview (including review of the budget process, fiscal scan, overview of the Primary Operating budget, Capital budgets and Life Cycle Reserve Study update) |
| <i>Meeting #2</i> | <ul style="list-style-type: none"> – Friday, November 6, 2020 (9:00 a.m. to 12:00 p.m.) – Capital Budget review |
| <i>Meeting #3</i> | <ul style="list-style-type: none"> – Tuesday, November 10, 2020 (9:00 a.m. to 12:00 p.m.) – Continuation of Capital Budget review |
| <i>Meeting #4</i> | <ul style="list-style-type: none"> – Friday, November 13, 2020 (9:00 a.m. to 12:00 p.m.) – Continuation of Capital Budget review |
| <i>General Committee</i> | <ul style="list-style-type: none"> – Monday, November 16, 2020 (9:30 a.m.) – Draft Operating Budget Public Meeting Presentation (based on the budget status following the November 13 Budget Committee meeting) |
| <i>Meeting #5</i> | <ul style="list-style-type: none"> – Tuesday, November 17, 2020 (9:00 a.m. to 12:00 p.m.) – Continuation of Capital Budget review |
| <i>Meeting #6</i> | <ul style="list-style-type: none"> – Friday, November 20, 2020 (9:00 a.m. to 12:00 p.m.) – Primary Operating Budget – Building, Planning, Engineering Operating Budget – Waterworks Operating Budget |
| <i>Public Meeting</i> | <ul style="list-style-type: none"> – Wednesday, November 25, 2020 (7 p.m. to 9 p.m.) – Public input to the 2021 Budget – Staff will incorporate feedback from the public meeting into the report to Council |
| <i>Meeting #7</i> | <ul style="list-style-type: none"> – Friday, November 27, 2020 (9:00 a.m. to 12:00 p.m.) – if required |
| <i>Council Decision</i> | <ul style="list-style-type: none"> – Wednesday, December 9, 2020 (1:00 p.m.) – Council decision on 2021 Budget |
| <i>Press Conference</i> | <ul style="list-style-type: none"> – Thursday, December 10, 2020 (10:00 a.m.) – Press conference and media release on 2021 Budget |

1b. Communications Plan

All Budget Committee meetings will be virtual meetings through Zoom, and are open to the public. The meetings are streamed through Markham's website. Following the meetings, the presentation can be viewed and listened to on the Markham's website.

Notices of the Budget Committee meetings will be advertised in the Economist & Sun, Thornhill Liberal, Markham's electronic information boards, social media, and on Markham's website.

1c. Paperless Capital Budget

On-line access to capital request forms was implemented in 2013 to align with the paperless agenda initiative. The process of accessing 2021 capital request forms on-line will be provided to Members of Council on Friday, October 23, 2020. Training, if required, will be provided prior to the budget deliberation process.

If you require a hard copy of the Capital Budget binders please email Lisa Chen at lchen@markham.ca.

2. 2021 Water & Wastewater Rate

Markham owns and operates the water distribution and wastewater collection systems, and purchases water supply and wastewater treatment from the Region of York. The Region of York purchases water from the City of Toronto and the Region of Peel.

The 2021 Water & Wastewater rate will be discussed at General Committee on November 2, 2020. A virtual public Zoom meeting will be held on November 12, 2020. Staff will incorporate feedback from the public meeting into the report to Council on December 9, 2020.

RECOMMENDED**X**

Joel Lustig
Treasurer

X

Trinela Cane
Commissioner, Corporate Services

ATTACHMENTS:

N/A



East Markham Works Yard

Presentation to General Committee



October 19, 2020



Purpose of Presentation

1. To identify additional project budget requirements and request funding approval for a budget increase of \$1,503,734
2. Provide an update on project schedule and revised opening date of Spring/Summer 2021
3. Request authority to grant an easement to Alectra for provision of electrical services



Project Update

- April 2019 – Project approved by Council
- August 2019 – Land purchase completed
- February 2020 – Zoning Bylaw amended to allow outdoor storage and office for an Operations Works Yard
- June 2020
 - Council update and budget increase of \$6.072M approved
 - Tender for the GC (Orin Contractors Group) closed in June 2020, Contract awarded to Orin
- July 2020
 - Construction commenced July 2, 2020
 - Site Plan Approval was issued
- August 2020
 - Building Permit and TRCA approvals issued August 5, 2020
 - Early August - contractor unexpectedly encountered large amounts of top soil on the site
- October 2020
 - Construction continues, but is already four weeks behind



Revised Budget

Initial Project Budget (2018)	Budget Increase for Construction Costs (Request Approved by Council June 9, 2020)	Budget Increase for Changes during Construction (October 19, 2020)	Estimated Total Revised Project Cost (October 19, 2020)
\$8,240,000	\$6,072,306	\$1,503,734	\$15,816,040



Increases to Construction Costs

ITEM	DESCRIPTION	BUDGET	ESTIMATED COST	BUDGET INCREASE
Excess Topsoil	Export additional 10,000m3 of soil from the site	\$0	\$420,000	\$420,000
Additional Fill	Import additional 22,000m3 of engineered fill to site	\$0	\$361,800	\$361,800
Generator Revision and Upsize	Change to one (1) larger generator to power entire site	\$40,000	\$375,000	\$335,000
Permit Changes	Changes to drawings and specifications between tender drawings and permit approvals	\$0	\$120,000	\$120,000
Left Turn Lane Length Increase	Region revised and increased required length of left hand turn lane (LTL)	\$300,000	\$400,000	\$100,000
Footing and Grade Beam Revisions	Changes to the depth and thickness of the foundation due to grading	\$0	\$55,000	\$55,000



Increases to Construction Costs (cont'd.)

ITEM	DESCRIPTION	BUDGET	ESTIMATED	BUDGET INCREASE
Fuel System	Structural changes to the concrete pad and electrical revisions to suit the fuel system design	\$0	\$50,000	\$50,000
Alectra Connect	New hydro service to site	\$30,000	\$60,926	\$30,926
Wall & Guard Rail Relocation	To increase the storage capacity of the salt structure	\$0	\$5,000	\$5,000
SUB TOTAL		\$370,000	\$1,847,726	\$1,477,726
TOTAL INCREASE Incl. HST Impact				\$1,503,734



Additional Topsoil/Engineered Fill – Cost Increase

- 2018/19 Design Phase - 20 boreholes were drilled that showed topsoil depths anywhere between 50mm (2 inches) and 350mm (14"). The average depth of topsoil from all of the boreholes = 145mm / 5.7".
 - Location of boreholes determined by consultants based on site topography, location of proposed building locations, storm water ponds, and hydrological studies
- July/August 2020 Construction Phase - discovered valleys and pits of topsoil with depths up to 1.3m (4'), meaning significant increase in top soil and reduction of stable fill available on the site
- Resulting in increases in imported fill and exported top soil

ITEM	TENDER DESIGN (Cut/Fill) Anticipated Volumes (m3)	ACTUAL VOLUMES During Construction (m3)
Imported Fill	3,200	22,000
Exported Top Soil	(1,300)	(10,000)

- Result: Cost increase of \$361,800 for fill import and \$420,000 for top soil export



Cost Increases (\$100k+)

CHANGE	DESCRIPTION	ESTIMATED ADDITIONAL COST
Generator Upsize	<ul style="list-style-type: none">• Tendered design = two (2) smaller portable generators to power essential items in an outage• On the electrical consultant's recommendation based on feedback from Operations, to revise the design to one (1) larger unit (similar to 555 Miller) that can power entire site more effectively and efficiently	\$335,000
Permit Changes	<ul style="list-style-type: none">• Project was tendered for construction prior to permits being issued in order to start construction July 2020• During permit applications to City, Region of York and TRCA, there were changes to the designs and specs that led price increases to the contract	\$120,000



Cost Increases (\$100k+)

CHANGE	DESCRIPTION	ESTIMATED ADDITIONAL COST
Regional Road (9 th Line) widening for left turn lane	<ul style="list-style-type: none">During Site Plan Approval, the Region required the City to widen Ninth Line and install a left turn lane into the south entrance of the site. Based on the Region's comments estimated construction cost = \$300KDue to Region's revisions to the design post SPA (longer left turn lane and road widening) the construction cost has increased to \$400K	\$100,000



Schedule Update & Revised Opening

- Currently four weeks behind schedule
- COVID and weather delays may cause further sliding of schedule
- Winter construction will likely result in increased costs and reduced durability of paving installed
- In consultation with Operations we are **revising opening date to spring/summer 2021**
- Operations will manage salt capacity with the two new salt barns at 555 Miller (right) that added 4,500 T of storage





Easement to Alectra Utilities

- October 2020 - Offer to Connect agreement issued by Alectra Utilities to provide a new service connection and transformer to the EMWY site
- Alectra's standard Offer to Connect requires any easements necessary be able to be granted now or in the future before signing the agreement.
- Staff are seeking authority to grant any easements necessary now or in the future for this site to Alectra for nominal consideration



Recommendation

1. THAT the presentation entitled “East Markham Works Yard – General Committee – October 19, 2020” be received; and
2. THAT the requested budget increase to the capital project in the amount of \$1,503,734 (incl. HST) be funded from Development Charges Reserves in the amount of \$1,466,140.65 or 97.5% and the Non-DC Growth Reserve in the amount of \$37,593.35 or 2.5%; and
3. THAT the City grant an easement to Alectra Utilities, for nominal considerations over part of the lands municipally known as 10192 9th Line acceptable to the City’s Senior Manager of Real Property in the event that such easement is required by Alectra to provide services to the site (the “Alectra Easement”); and
4. THAT the Mayor and Clerk be authorized to execute agreement(s) with Alectra Utilities required for the development of a works yard on the lands municipally known as 10192 9th Line and to convey the Alectra Easement, if required, provided the form of such agreement (s) is satisfactory to the City Solicitor and the CAO; and
5. THAT Staff be authorized and directed to do all things necessary to give effect to this resolution.



End of Presentation



Site Plan





End of Update



Report to: General Committee

Meeting Date: October 19, 2020

SUBJECT: 2020 Markham Environmental Sustainability Fund (MESF),
Funding Applications Approval

PREPARED BY: Claudia Marsales, Senior Manager, Waste and Environmental
Management

RECOMMENDATION:

1. THAT the report entitled “2020 Markham Environmental Sustainability Fund (MESF), Funding Applications Approval” be received;
2. AND THAT the external funding application Pollinators: Bees, Butterflies and Beyond submitted by Swan Lake for a pollinator awareness and planting project, for \$3,730.90, be approved to be funded from the MESF reserve;
3. AND THAT the internal funding application for a Smart Irrigation System Pilot at Milliken Mills Park for \$6,200.00, submitted by the Environmental Services Department be approved to be funded from the MESF reserve;
4. AND THAT further, that Staff be authorized and directed to do all things necessary to give effect to this resolution.

PURPOSE:

The purpose of this report is to recommend that funding from the Markham Environmental Sustainability Fund (MESF) be provided for two environmental projects as recommended by the MESF Committee.

BACKGROUND:

Council created MESF in 2002 to assist the City with funding innovative and leading environmental initiatives, including pilot projects, which contribute to the sustainability and health of the natural environment and support GreenMarkham and Waste Diversion targets.

All approved MESF projects are expected to meet at least one of the following objectives:

- Project is a leading innovation (i.e. pilot project) that can be showcased by Markham;
- Project promotes education, understanding and participation in environmental sustainability in Markham;
- Project supports the City’s environmental policies and strategic plan.

On January 20, 2020, Council approved the continuation of the MESF program and the addition of the Sustainable Neighbourhood Small Grant (SNSG) as part of the Markham

Environmental Sustainability Fund (MESF). The purpose of the SNSG is to support small scale, resident-led projects within Markham that focus on enhancing the health and resilience of our ecosystem and sustainability of our natural environment. Small grants up to a maximum \$500 / project are available for residents. Due to Covid-19, the application deadline was extended to June 2020 and the received applications are being evaluated for approval. For the 2020 funding year, \$10,000 has been allocated for SNSG projects from the MESF Budget

The MESF and Sustainable Neighbourhood Small Grant program is administered by the Waste & Environmental Management section of the Environmental Services Department and applications are reviewed by an internal staff committee with representation from a broad range of departments including Sustainability, Operations, Culture and Waste Management.

OPTIONS/ DISCUSSION:

Project Details:

The MESF Committee received two applications for the 2020 funding year. The application submitted by Swan Lake was originally received for the 2017 funding cycle and resubmitted in 2019.

1. Swan Lake – Markham's Pollinators: Bees, Butterflies and Beyond Swan Lake Butterfly Way Project

Working with the David Suzuki Foundation, Swan Lake Village will plant a Butterfly Way garden to attract butterflies back to the area. Volunteer gardeners will plant and maintain native flowers, plants and shrubs that will increase and sustain butterfly and bee pollinator populations. This project provides an enhanced area for the community to enjoy and educate residents to create pollinator gardens in their own space. The MESF Committee has confirmed that the plantings do not interfere with the park refresh currently underway.

This project supports Markham's declaration in 2016 to become a Monarch-Friendly City. The project creates habitat for local pollinators and to educate residents about pollinators and their environmental importance.

The total funding request for this initiative is \$3,730.90 for garden preparation and plants.

2. Environmental Services – Smart Irrigation System Pilot (Milliken Mills Park)

Markham has close to 100 irrigated parks, parkettes and sports fields with automatic systems. The pilot is to test a smart irrigation control system that enable the programming, monitoring, and operation of irrigation systems with cloud software for Wi-Fi. The City can monitor and adapt system operation and irrigation run times in response to different conditions. The system will also provide historical data to allow analysis and reporting of what ran when, how much water was used, and identification of problems.

This pilot project will test and verify the smart irrigation technology to determine the opportunity to increase water efficiency during peak demand season, and identify potential efficiency in Operations/Parks staff time to service sites.

The total funding request is \$6,200.00 for the purchase, installation, and analysis of the smart irrigation system. This project will be a departmental collaborative effort lead by Environmental Services with support from Operations-Parks.

Both MESF projects meet MESF program requirements and community funding criteria and are recommended for approval by the MESF Committee.

FINANCIAL CONSIDERATIONS:

Both applications have been evaluated based upon the approved criteria.

The funding required is \$3,730.90 for the Swan Lake Butterfly Way Project and \$6,200.00 for the Smart Irrigation System Pilot at Milliken Mills Park for a total funding amount of \$9,930.90 (\$3,730.90 + \$6,200.00).

Both projects are to be funded from the MESF reserve, reducing the current reserve balance from \$57,248.56 to \$47,317.66 (\$57,248.56-\$9,930.90). The reserve balance of \$47,317.66 will be sufficient for the 2021 project applications. After the 2021 application period, Staff will re-evaluate the need to top up the reserve as part of the 2022 capital budget process.

The table below summarizes the recommended expenditures from the MESF Reserve.

MESF Reserve

MESF Reserve Balance - as of September 30, 2020	57,248.56
Swan Lake - Butterfly Way Project	(3,730.90)
Smart Irrigation System Pilot (Milliken Mills Park)	(6,200.00)
MESF Reserve Balance	47,317.66

CONCLUSION:

Both recommended projects align with corporate initiatives regarding environmental sustainability.

The MESF Committee is recommending that the two MESF funding applications for community environmental projects totaling \$9,930.90 be approved.

HUMAN RESOURCES CONSIDERATIONS

Not Applicable

ALIGNMENT WITH STRATEGIC PRIORITIES:

Aligns with MESF guidelines and supports GreenMarkham goals.

BUSINESS UNITS CONSULTED AND AFFECTED:

The Operations and Finance Departments have been consulted.

RECOMMENDED BY:

Phoebe Fu
Director Environmental Services

Our Actions Count



COVID UPDATE OCTOBER 21, 2020

Let's Flatten the Curve
& keep our community safe



Our Actions Count



ONGOING RESPONSE FINANCIAL PERFORMANCE

Agenda

1. Financial Assistance Update: Safe Restart Agreement
2. Property Tax Collection Results
3. Cash Flow Update
4. City Relief Measures Update
5. 2020 Tax Funded COVID-19 Impact
6. 2020 Non-Tax Funded COVID-19 Impact
7. 2021 Outlook
8. Recommendations

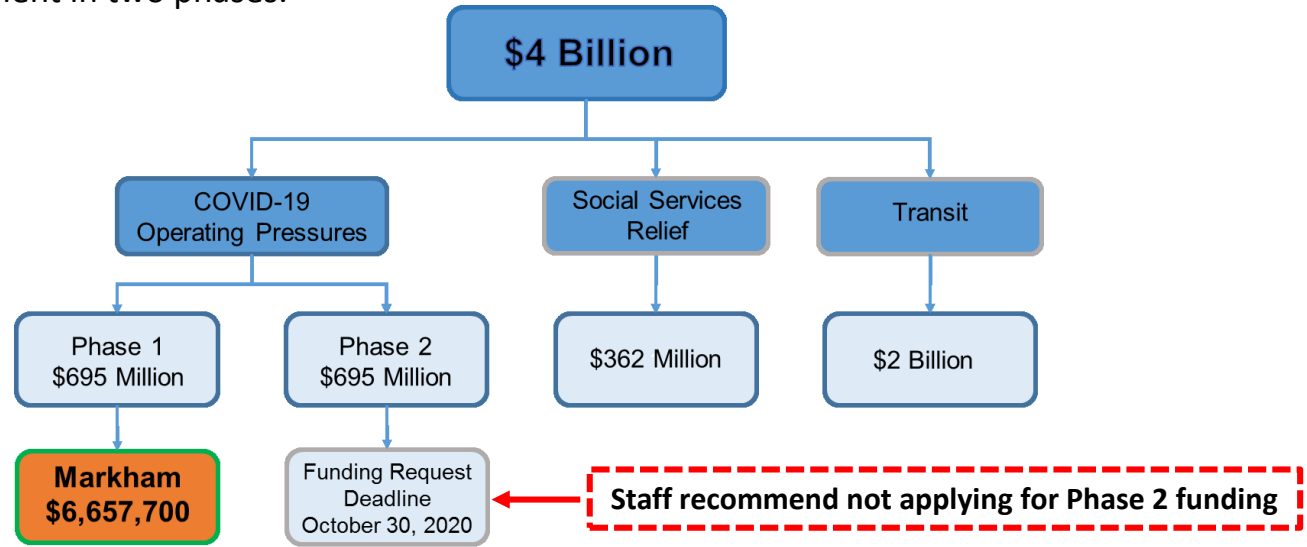
Our Actions Count



ONGOING RESPONSE FINANCIAL PERFORMANCE

1. Financial Assistance Update: Safe Restart Agreement

On July 27, the Federal and Provincial Governments announced the provision of up to \$4 billion as part of the Safe Restart Agreement in two phases.



Our Actions Count



ONGOING RESPONSE FINANCIAL PERFORMANCE

2. Property Tax Collection Results

Property Tax Bill Instalment Type	% Collected of the 2020 <u>Interim</u> Property Tax Bills (pre-COVID)	% Collected of 2020 <u>Final Residential</u> Tax Bills (as of Oct 19)	% Collected of 2020 <u>Final Non-Residential</u> Tax Bills (as of Oct 19)	YTD Total Taxes % Collected (as of Oct 19)
Regular Tax Instalment	96.4%	86.9%	83.2%	91.6%
Pre-authorized Tax Instalment (PTP)	98.1%	98.6%	99.9%	98.4%
Total % Collected	96.9%	89.7%	86.3%	93.4%

- YTD results are significantly better than previously reported to Council
- Year-end collection forecasted to be between 92% and 95% (3-year average 96.5%)



3. Cash Flow Update

- The current forecast indicates that the City will have sufficient cash flows until year-end which mitigates the need to borrow
- Should the City need to borrow in 2021, staff will advise Council in December
- Reinstatement of late payment charges on January 1, 2021 will encourage property owners in arrears to make tax payments by December 31, 2020, which will reduce early 2021 cash flow risks

Our Actions Count



ONGOING RESPONSE FINANCIAL PERFORMANCE

4. City Relief Measures Update

The City of Markham implemented a number of property tax and fee relief measures to help residents and businesses experiencing financial hardship due to the COVID-19 pandemic which included:

Residents

- Waived late payment charges for residential property taxpayers to Dec 31st, 2020
- Eliminated of the 2020 Stormwater fee
- Maintained the April 1st, 2019 water rate

Businesses

- Waived late payment charges for non-residential property taxpayers to Dec 31st, 2020
- Eliminated of the 2020 Stormwater Fee, *(\$560 for a property valued at \$2M)*
- Maintained the April 1st, 2019 water rate
- Suspended the Municipal Accommodation Tax (MAT) to Dec 31st, 2020
- Providing the opportunity to defer development charges and application fees until Dec. 31st, 2020

- **Measures provided \$16.8M in relief to residents and businesses in 2020**
- **Reinstatement of property tax and fees will commence January 1st, 2021**
- **Continue suspension of the MAT tax to December 31st, 2021**

Our Actions Count

ONGOING RESPONSE FINANCIAL PERFORMANCE

5. 2020 Tax Funded COVID-19 Impact

	2020 Forecast
1. TAX FUNDED COVID IMPACTS (\$Millions)	
Recreation programs & rentals (cancelled)	(17.00)
Culture shows, programs & rentals (cancelled)	(3.76)
Library programs & fines (cancelled)	(0.78)
Late payment charges on property taxes (foregone), Supplemental Tax revenue & Finance user fees (foregone & reduced collection)	(3.90)
Parking fines, permits & licences (reduced collection)	(2.63)
Additional COVID related expenditures	(2.61)
TAX FUNDED COVID IMPACTS	(30.68)
2. TAX FUNDED MITIGATING ACTIONS (\$Millions)	
Recreation expenditure savings	13.00
Culture expenditure savings	2.75
Library expenditure savings	3.94
Other Personnel & Non-Personnel Savings (excluding Rec, Culture, Library)	4.43
TAX FUNDED MITIGATING ACTIONS	24.12
TAX FUNDED IMPACT RELATED TO COVID (1+2)	(6.56)
Safe Restart Funding - Phase 1	6.66
TAX FUNDED IMPACT - AFTER SAFE RESTART FUNDING - PHASE 1	0.10

Our Actions Count



ONGOING RESPONSE FINANCIAL PERFORMANCE

6. 2020 Non-Tax Funded COVID-19 Impact

	2020 Forecast
NON-TAX FUNDED COVID IMPACTS (\$Millions)	
Deferred Stormwater fee	(9.70)
Deferred Building, Engineering, Planning & Design revenues	(1.10)
Maintain Water/wastewater rate at 2019 level	(1.00)
Suspended MAT tax	(3.30)
NON-TAX FUNDED COVID IMPACTS	(15.10)

Stormwater, Water, and Development revenues will be collected in the future and due to uncertainty around eligibility of MAT tax it is recommended to not apply for Phase 2 funding



7. 2021 Outlook

2021 Capital Budget

- Preliminary 2021 project submission includes 177 projects totaling \$100.2M, a decrease of 33% in projects and 10% in dollars from the 2020 Capital Budget (263 projects totaling \$111.5M)

2021 Operating Budget

- Strategic actions will continue to be implemented to mitigate known impacts of COVID-19
- The 2021 operating budget currently reflects a shortfall that necessitates a tax rate increase



8. Recommendations

1. That the presentation entitled COVID-19 Impact Update be received;
2. That the City not apply for Phase 2 funding as part of the Safe Restart Agreement;
3. That the City suspend the Municipal Accommodation Tax from January 1st, 2021 to December 31st, 2021, and if required, request endorsement of this action from the Destination Markham Corporation;
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution



Report to: Development Services Committee

Meeting Date: October 26, 2020

SUBJECT: Ontario Heritage Act (Bill 108) – Proposed Regulation
PREPARED BY: Regan Hutcheson, Manager, Heritage Planning, ext. 2080

RECOMMENDATION:

- 1) That the report titled “*Ontario Heritage Act (Bill 108) – Proposed Regulation*”, dated October 26, 2020, be received;
- 2) That the report including Appendix ‘A’ - Summary Chart of Markham’s Comments/Feedback be submitted to the Province as the City of Markham’s response to the Environmental Registry request for comment;
- 3) That the Province be advised that to proceed with implementation of these changes (proclamation of new legislation and the proposed Regulation) on January 1, 2021, which will require substantive changes to municipal protocols and procedures during a pandemic, imposes an unreasonable burden on stakeholders whose focus should be on responding to this unprecedented health challenge, and therefore proclamation should be postponed to July 1, 2021;
- 4) That this report be forwarded to the October 27, 2020 City Council meeting; and
- 5) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

PURPOSE:

To provide comments from the City of Markham on the proposed Regulation in support of recent amendments to the *Ontario Heritage Act*.

BACKGROUND:

Recent changes to the Ontario Heritage Act require additional details to be prescribed through Regulation

As part of Ontario’s Housing Supply Action Plan, the *More Homes, More Choice Act, 2019* (Bill 108) made amendments to several pieces of legislation, including the *Ontario Heritage Act* (OHA). According to the Ministry of Heritage, Sport, Tourism and Culture Industries, the OHA amendments will provide clearer direction and timelines for local decision makers, heritage professionals and development proponents about protecting heritage properties, and create a consistent appeals process, while maintaining local control over heritage decisions. As part of an overall review of Bill 108 in 2019, the City of Markham provided comments identifying a number of concerns regarding the proposed amendments to the *Ontario Heritage Act*. Although approved by the Province, the amendments have yet to come into force through proclamation. Some of the amendments require additional details to be prescribed by the Lieutenant Governor in Council through regulation.

The Provincial government expects the OHA amendments and the associated Regulation will help to align municipal decisions in the heritage conservation process with Planning Act processes, improve municipal processes for identifying, designating and managing proposed changes to heritage properties, and improve clarity for property owners and development proponents.

A draft Regulation has been released for comment with a deadline of November 5, 2020

To fulfill the intent of the Housing Supply Action Plan and bring the *OHA* amendments into force, certain matters are proposed to be prescribed in regulation. The proposed date for all amendments to the *OHA* and the proposed Regulation to come into force is January 1, 2021 (delayed from July 1, 2020 due to the COVID 19 pandemic).

The draft Regulation was released on September 21, 2020 on the Province's Environment Registry providing for a 45 day review period ending on November 5th. The Provincial government has also announced it will be updating the *Ontario Heritage Tool Kit* (an education guide) to explain the changes to the *OHA* and intends to post drafts of the updated guidance documents for public review and comment later in 2020.

OPTIONS/ DISCUSSION:

The draft Regulation posted on the Environment Registry covers a wide array of heritage topics

According to the Environmental Registry, the following are the key components to be prescribed in Regulation:

- Principles that a municipal council shall consider when making decisions under specific parts of the *OHA*.
- Mandatory content for designation by-laws.
- Prescribe events such as Official Plan Amendment, Zoning By-law Amendment and Plan of Subdivision applications which would trigger the new 90-day timeline for issuing a Notice of Intention to Designate (NOID) and exceptions to when the timeline would apply.
- Exceptions to the new 120-day timeline to pass a designation by-law after a Notice of Intention to Designate has been issued.
- Minimum requirements for complete applications for alteration or demolition of heritage properties.
- Steps that must be taken when council has consented to the demolition or removal of a building or structure, or a heritage attribute.
- Information and material to be provided to Local Planning Appeal Tribunal (LPAT) when there is an appeal of a municipal decision to help ensure that it has all relevant information necessary to make an appropriate decision.
- Housekeeping amendments related to amending a designation by-law and an owner's re-application for the repeal of a designation by-law.
- Transition provisions.

Appendix 'A' to this report provides a summary chart of the key components of the Regulation, staff comments and feedback for the Ministry of Heritage, Sport, Tourism and Culture Industries.

The amendments to the *OHA* and the Regulation will impact Markham's administrative and planning processes involving cultural heritage resources

The changes proposed in the draft regulation and the recent amendment to the *OHA* will have an impact on how Markham processes matters involving a cultural heritage resource. Those changes include new principles that have to be considered by Council, what has to be included in a designation by-law, the notice of intention to designate a property that affects an OPA, ZBA, or Plan of subdivision will have to be addressed within specific timelines (90 days of application submission), the passing of a designation by-law must occur within a set timeline, adherence to provincial complete application requirements for certain heritage applications, and new administrative steps to be undertaken once demolition or removal of either a structure or a specific heritage attribute is approved..

These changes will require increased staff time and resources, and will impact how the City processes certain planning applications. Many of the proposed regulations are procedural and provide clarity on the new processes that were approved in Bill 108.

Heritage Markham Committee has reviewed the Regulation and supports the staff comments

On October 14, 2020, Heritage Markham Committee reviewed the initial staff comments related to the draft Regulation and concurred with the noted feedback.

The staff report and summary chart of comments and feedback should be forwarded to the Provincial government as Markham's response.

As noted, the deadline for comments on the draft Regulation is November 5th. It is recommended that the Development Services Committee report including the summary chart of comments and feedback (Appendix 'A') should be forwarded to the Provincial government as Markham's response.

It is also recommended that Council advise the Province that the decision to proceed with implementation of these changes (proclamation of new legislation and the Regulation) on January 1, 2021 should be extended. These amendments will require substantive changes to municipal protocols and procedures during a pandemic and imposes an unreasonable burden on stakeholders whose focus should be on responding to this unprecedented health challenge. Proclamation should be postponed to July 1, 2021 which would allow additional time to understand the changes and modify administrative and planning processes, and would allow the municipality to review the anticipated release of the new/revised *Ontario Heritage Tool Kit* which is to provide guidance on how to interpret and implement these new changes.

FINANCIAL CONSIDERATIONS

Not applicable

HUMAN RESOURCES CONSIDERATIONS

Not applicable

ALIGNMENT WITH STRATEGIC PRIORITIES:

Not applicable

BUSINESS UNITS CONSULTED AND AFFECTED:

Planning and Urban Design (Heritage) and Legal Services; Heritage Markham Committee

RECOMMENDED BY:

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

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

ATTACHMENTS:

Appendix 'A' – Summary Chart of Markham's Comments/Feedback

APPENDIX ‘A’ – Summary Chart of Markham’s Comments/Feedback

Regulatory Proposals	Comment	Feedback
<p>1. Principles to guide municipal decision making</p> <p>The amendments to the <i>Ontario Heritage Act</i> give authority to prescribe principles that a municipal council shall consider when making decisions under prescribed provisions of Parts IV and V of the Act. The proposed principles relate to the purpose of the <i>Ontario Heritage Act</i> and are intended to help decision-makers better understand what to focus on when making decisions under the Act. The proposed principles are consistent with Ontario’s policy framework for cultural heritage conservation.</p> <p><u>Principles</u></p> <p>The following are the principles that a council of a municipality shall consider when the council exercises a decision-making authority under a provision set out in subsection (1) or (2):</p> <p>1. Property that is determined to be of cultural heritage value or interest should be protected and conserved for all generations.</p> <p>2. Decisions affecting the cultural heritage value or interest of a property or heritage conservation district should,</p>	<ul style="list-style-type: none"> • It is clear that the municipality must consider the principles (“shall”); • #1 indicates that cultural heritage property “should” be protected and conserved whereas the Provincial Policy Statement indicates that significant properties “shall” be conserved. • Unclear as to how adherence to the Principles is to be reflected in the decision-making • Does #2iii require consideration of those who have expressed a view or does this require the municipality to solicit these views in some manner 	<p>Consider making the principles in the OHA consistent with the PPS heritage policies.</p> <p>Provide clarity as to how adherence to the Principles is to be reflected in the decision-making by a Council.</p> <p>Provide clarity on 2iii as to whether this only refers to those person or communities who have expressed an interest.</p> <p>Ensure that 2iii related to heritage conservation as the primary goal in achieving this principle. Other interests should be considered, but should not be subjugated to those interests</p>

APPENDIX 'A' – Summary Chart of Markham's Comments/Feedback		
Regulatory Proposals	Comment	Feedback
<p>i. minimize adverse impacts to the cultural heritage value or interest of the property or district,</p> <p>ii. be based on research, appropriate studies and documentary evidence, and</p> <p>iii. demonstrate openness and transparency by considering the views of all interested persons and communities.</p> <p>3. Conservation of properties of cultural heritage value or interest should be achieved through identification, protection and wise management, including adaptive reuse where appropriate.</p> <p>(4) For the purpose of this section,</p> <p>“adaptive reuse” means the alteration of a property of cultural heritage value or interest to fit new uses or circumstances while retaining the heritage attributes of the property.</p>		
<p>2. Mandatory content for designation by-laws</p> <p>The <i>Ontario Heritage Act</i> amendments provide a regulatory authority to prescribe mandatory content for designation by-laws. The goal is to achieve greater consistency across municipalities and to provide improved clarity for property owners through designation by-laws</p>	<ul style="list-style-type: none"> • This is a worthy objective and supported • One of the requirement is that the by-law must contain a site plan, scale drawing, aerial photograph or other image that identifies each area of the property that has cultural heritage value or interest.”- in the past, the Registry office had problems with by- 	<p>Confirm that the provincial Land Registry Office will permit the required images in by-laws.</p> <p>Provide greater clarity on how to achieve requirement #4 while still being brief.</p>

APPENDIX 'A' – Summary Chart of Markham's Comments/Feedback		
Regulatory Proposals	Comment	Feedback
<p>including:</p> <ul style="list-style-type: none"> Identifying the property for the purposes of locating it and providing an understanding of its layout and components; Establishing minimum requirements for the statement of cultural heritage value or interest; and Setting standards for describing heritage attributes. <p>“4. The description of the heritage attributes of the property must be brief and must explain how each heritage attribute contributes to the cultural heritage value or interest of the property. 5. The by-law may list any physical features of the property that are not heritage attributes.”</p>	<p>laws that included images.</p> <ul style="list-style-type: none"> The fourth requirement notes that the description of the attribute must be brief but then requires an explanation as to how this attributes supports the cultural heritage value of the property- seems excessive. And if required, will likely increase the staff time required to complete a designation by-law. It is positive that the by-law can now include features that are not heritage attributes to provide clarity (for example- a newer garage on the property). This provides clarity to the property owner and the City. 	
<p>3. 90-day timeline to issue a Notice of Intention to Designate</p> <p>Amendments to the <i>Ontario Heritage Act</i> establish a new 90-day timeline for issuing a notice of intention to designate (NOID) when the property is subject <u>to prescribed events</u>. It also allows for exceptions to this restriction to be prescribed.</p> <p>The new timeline is intended to encourage discussions</p>	<ul style="list-style-type: none"> Markham has always informed applicants of our desire to preserve and protect specific cultural heritage resources at the beginning of the review process and we achieve it as a condition of development approval/agreement condition at the end of process. As proposed, we would have to issue a NOID within 90 days of application submission. If we don't achieve a 	<p>A 90 day timeframe does not appear to be sufficient or appropriate given the need to research and evaluate a property, seek input from the MHC on designation, prepare staff reports and secure Council approval for issuance of a NOID. Suggest the timeline be increased.</p> <p>Early NOID and passing of the by-law will result in registering the by-law on</p>

APPENDIX ‘A’ – Summary Chart of Markham’s Comments/Feedback

Regulatory Proposals	Comment	Feedback
<p>about potential designations with development proponents at an early stage to avoid designation decisions being made late in the land use planning process. The ministry has proposed three triggers which would place this restriction on council’s ability to issue a NOID. These are applications submitted to the municipality for either an official plan amendment, a zoning by-law amendment or a plan of subdivision.</p> <p>The proposed regulation also provides exceptions to when the 90-day timeline applies. The ministry is proposing the following categories of exceptions.</p> <p><u>Mutual agreement</u> – Where an extension of, or exemption from, the 90-day restriction on issuing a NOID is mutually agreed to by the municipality and the property owner who made the application under the <i>Planning Act</i>.</p> <p><u>Administrative restrictions</u> – Where municipal council or heritage committee are limited in their ability to reasonably fulfill the statutory requirements for issuing a NOID within the original 90-day timeframe. This would apply in cases of a declared emergency or where a municipal heritage committee would be unable to provide its recommendations to council. The timeframe would be extended by 90 days.</p> <p><u>New and relevant information</u> – Where new and relevant information could have an impact on the potential cultural</p>	<p>negotiated exception with the applicant:</p> <ul style="list-style-type: none"> ○ We would need to have all research undertaken and reviewed by Heritage Markham and approved Council within 90 days; ○ Potentially have to apply the designation by-law to a larger land parcel if the land has not been subdivided into lots or blocks. <ul style="list-style-type: none"> • These new timelines will require significant changes to internal processes. • This early requirement for designation may impact the planning review process- may be designating a property without knowing how the resource will ultimately fit into the development. • Under the <u>Administrative restrictions</u> section to allow extra days, it is unclear as to what constitutes “where a MHC would be unable to provide its recommendation to council”. • Under the <u>New and relevant information</u> section, it is unclear as to what constitutes ‘new and relevant’. 	<p>the entire development parcel rather than the final lot or block which is problematic from a land registration and administrative perspective.</p> <p>Provide more clarity as to what constitutes “where a MHC would be unable to provide its recommendation to council”.</p> <p>Provide more clarity as to what constitutes “new and relevant” information which would support a further extension of the timeline.</p>

APPENDIX 'A' – Summary Chart of Markham's Comments/Feedback		
Regulatory Proposals	Comment	Feedback
<p>heritage value or interest of the property is revealed and needs further investigation. Council would be able to extend the timeframe through a council resolution. In the case of new and relevant information council would have 180 days from the date of the council resolution to ensure there is sufficient time for further information gathering and analysis to inform council's decision.</p> <p><u>Expiration of restriction</u> – The 90-day restriction on council's ability to issue a NOID would not remain on the property indefinitely and would no longer apply when the application that originally triggered the 90-day timeframe is finally disposed of under the <i>Planning Act</i>.</p> <p>The proposed regulation also provides notification requirements related to the exceptions to the 90-day timeframe restriction.</p>		
<p>4. 120-day timeline to pass a designation by-law</p> <p>Amendments to the <i>Ontario Heritage Act</i> establish a new requirement for designation by-laws to be passed within 120 days of issuing a Notice of Intention to Designate (NOID). It also allows for exceptions to be prescribed. The ministry is proposing the following categories for exceptions.</p> <p><u>Mutual agreement</u> - Where an extension of, or exemption</p>	<ul style="list-style-type: none"> At present in Markham, we pass the designation by-law once we have a clear understanding of the actual parcel of land that will contain the heritage resource. This new process could result in registration on a large parcel of development land (unless an exemption or extension is granted) Under the <u>New and relevant information</u> section, it is unclear as to what constitutes 'new and relevant'. 	<p>Provide more clarity as to what constitutes "new and relevant" information which would support a further extension of the timeline.</p> <p>Provide greater flexibility to work with landowners and developers in passing a designation by-law to ensure that Heritage Resources are protected on the appropriate lands.</p> <p>Clarify what happens if the by-law is not passed within the timeframe.</p>

APPENDIX 'A' – Summary Chart of Markham's Comments/Feedback		
Regulatory Proposals	Comment	Feedback
<p>from, the requirement to pass a by-law within 120 days of issuing a NOID is mutually agreed to by the municipality and the property owner.</p> <p><u>Administrative restrictions</u> – Where municipal council is limited in its ability to reasonably fulfill the statutory requirements for passing a designation bylaw within the original 120-day timeframe. This would apply in cases of a declared emergency.</p> <p><u>New and relevant information</u> – Where new and relevant information that could have an impact on the potential cultural heritage value or interest of the property is revealed and needs further investigation. Council would be able to extend the timeframe through a council resolution to ensure there is enough time for further information gathering and analysis to inform its decision.</p> <p>Council would have an additional 180 days from the date of the council resolution to pass the bylaw.</p> <p>Exceptions allowing for the extension of the 120-day timeframe for passing a by-law must occur prior to the expiry of the initial 120 days. The proposed regulation includes notification requirements related to the exceptions to the 120-day timeframe.</p>		
5. 60-day timeline to confirm complete	<ul style="list-style-type: none"> This only applies to individual designations (Part IV); not district 	No Comment; proposal is supported

APPENDIX ‘A’ – Summary Chart of Markham’s Comments/Feedback		
Regulatory Proposals	Comment	Feedback
<p>applications, alteration or demolition and contents of complete applications</p> <p>Amendments to the <i>Ontario Heritage Act</i> establish a new timeline of 60 days for the municipality to respond to a property owner about the completeness of their application for alteration of, or demolition or removal affecting, a designated heritage property. It also provides a regulatory authority for the Province to set out minimum requirements for complete applications.</p> <ol style="list-style-type: none"> 1. The name, address, telephone number and, if applicable, the email address of the applicant. 2. The name of the municipality from which consent is being requested. 3. A description of the property that is the subject of the application, including such information as the concession and lot numbers, reference plan and part numbers, and street names and numbers. 4. Photographs that depict the existing buildings, structures and heritage attributes that are affected by the application and their condition and context. 5. A site plan or sketch that illustrates the location of the proposed alteration, demolition or removal. 6. Drawings and written specifications of the proposed alteration, demolition or removal. 7. The reasons for the proposed alteration, demolition or removal and the potential impacts to the heritage attributes of the property. 8. All technical cultural heritage studies that are relevant to the proposed alteration, demolition or removal. 	<p>properties.</p> <ul style="list-style-type: none"> • It should result in more useful information being provided by the applicant (since the application will not be considered complete until all the info is submitted) • The province is proposing certain requirements for a complete application which can be supplemented by additional municipal requirements (as long as they are officially approved) • Time begins when the application is ‘served’ on the municipality which means received in the door. Will need to ensure there is no lost time between transferring the materials from the front counter to the person reviewing the materials 	

APPENDIX 'A' – Summary Chart of Markham's Comments/Feedback		
Regulatory Proposals	Comment	Feedback
<p>9. An affidavit or a sworn declaration by the applicant certifying that the information required under this section and provided by the applicant is accurate.</p> <p>The purpose of these provincial minimum standards is to ensure transparency so that property owners are aware of what information is required when making an application. The details of what is proposed in regulation reflect current municipal best practices. <u>The proposed regulation also enables municipalities to build on the provincial minimum requirements for complete applications as a way of providing additional flexibility to address specific municipal contexts and practices.</u> Where municipalities choose to add additional requirements, the proposed regulation requires them to use one of the following official instruments: municipal by-law, council resolution or official plan policy.</p> <p>The proposed regulation establishes that the 60-day timeline for determining if the application is complete and <u>has commenced starts when an application is served on the municipality.</u> It further proposes that applications may now be served through a municipality's electronic system, in addition to email, mail or in person.</p>		
<p>6. Prescribed steps following council's consent to a demolition or removal under s.</p>	<ul style="list-style-type: none"> • This is only applicable to individually designated properties (Part IV) • Provides direction on what 	<p>Can the requirement for Council to determine the impact of the demolition or removal on the by-law</p>

APPENDIX ‘A’ – Summary Chart of Markham’s Comments/Feedback

Regulatory Proposals	Comment	Feedback
<p>34.3</p> <p>Amendments to the <i>Ontario Heritage Act</i> provide that municipal council consent is required for the demolition or removal of any heritage attributes, in addition to the demolition or removal of a building or structure. This is because removal or demolition of a heritage attribute that is not a building or structure, such as a landscape element that has cultural heritage value, could also impact the cultural heritage value or interest of a property.</p> <p>Prior to the amendments, where council approved a demolition or removal under s. 34, the Act required council to repeal the designation by-law. However, in cases where only certain heritage attributes have been removed or demolished, or where the demolition or removal was of a structure or building that did not have cultural heritage value or interest, the property might still retain cultural heritage value or interest. In these cases, repeal of the by-law would not be appropriate.</p> <p>The proposed regulation provides municipalities with improved flexibility by requiring council to first determine the impact, if any, of the demolition or removal on the cultural heritage value or interest of the property and the corresponding description of heritage attributes. Based on the determination council makes, it is required to take the appropriate administrative action, which ranges from issuing a notice that no changes to the by-law are</p>	<p>administrative action Council is to take based on the scope and significance of the demolition or removal. Council has to consult with its MHC</p> <ul style="list-style-type: none"> • Will require a second report to Council unless these requirements can be built into the initial report on the demolition or removal • Additional workload to prepare a second report to Council – can this be delegated to a named position or staff member. • Relocation of a designated heritage resource from a property to a new property can use a shorter process and is not appealable. 	<p>and the corresponding administrative action be delegated to a named staff position or staff member (after consulting with the MHC) to avoid a second report to Council.</p>

APPENDIX 'A' – Summary Chart of Markham's Comments/Feedback		
Regulatory Proposals	Comment	Feedback
<p>required, to amending the by-law as appropriate, to repealing the by-law. Council's determination and the required administrative actions that follow are not appealable to LPAT.</p> <p>The proposed regulation provides that, where council <u>has agreed to the removal of a building or structure from a designated property to be relocated to a new property, council may follow an abbreviated process for designating the receiving property.</u> The proposed regulation provides a series of administrative steps to support the designation by-law. Council's determination that the new property has cultural heritage value or interest and the subsequent designation by-law made under this proposed regulation would not be appealable to LPAT.</p>		
<p>7. Information to be provided to LPAT upon an appeal</p> <p>With the exception of decisions made under section 34.3 as described above, <u>all final municipal decisions related to designation, amendment and repeal, as well as alteration of a heritage property under the Act will now be appealable to LPAT, in addition to decisions related to demolition and Heritage Conservation Districts, which were already appealable to LPAT.</u> The decisions of LPAT are binding. Preliminary objections to designation matters</p>	<ul style="list-style-type: none"> • This provides a list of required information the City has to forward to LPAT in cases of appeal • 15 calendar days is tight 	<p>Consider making the timeframe for submission of materials consistent with Planning Act appeals (20 days)</p>

APPENDIX 'A' – Summary Chart of Markham's Comments/Feedback		
Regulatory Proposals	Comment	Feedback
<p>will now be made to the municipality, before the final decision is made. Prior to the amendments, appeals of designation-related notices or appeals of alteration decisions were made to the Conservation Review Board, whose decisions were not binding.</p> <p>A regulatory authority was added to ensure <u>that appropriate information and materials related to designations, alteration and demolition decisions are forwarded to the LPAT</u> to inform appeals. The proposed regulation outlines which materials and information must be forwarded for every LPAT appeal process in the Act by the clerk <u>within 15 calendar days of the municipality's</u></p>		
<p>8. Housekeeping amendments</p> <p>Amendments to the Act included regulatory authority to address a few housekeeping matters through regulation. Previously, where a municipality proposed <u>to make substantial amendments to an existing designation by-law it stated that the designation process in section 29 applied with necessary modifications. The proposed regulation clearly sets out the modified process, including revised language that is more appropriate for an amending by-law.</u></p> <p>The proposed regulation also makes it clear that there is</p>	<ul style="list-style-type: none"> Proposes an improved process to amend an existing designation by-law which will be useful to update older by-laws which do not conform to current requirements. Also maintains the 1 year restriction to re-apply to repeal a designation by-law which is supported. 	No Comment

APPENDIX 'A' – Summary Chart of Markham's Comments/Feedback		
Regulatory Proposals	Comment	Feedback
<p><u>no 90-day restriction on issuing a notice of proposed amendment to a by-law and provides that council has 365 days from issuing the notice of proposed amendment to pass the final amending by-law and that this timeframe can only be extended through mutual agreement.</u></p> <p>The proposed regulation also outlines restrictions on a property owner's ability to reapply for repeal of a designation by-law where the application was unsuccessful, unless council consents otherwise. <u>The one-year restriction on an owner's reapplication maintains what had been included in the Act prior to the amendments.</u></p>		
<p>9. Transition</p> <p>Section 71 of the <i>Ontario Heritage Act</i> establishes a regulation-making authority for transitional matters to facilitate the implementation of the amendments, including to deal with any problems or issues arising as a result of amendments. The proposed transition rules provide clarity on matters that are already in progress at the time the amendments come into force.</p> <p><u>General Transition Rule</u></p> <p>All processes that commenced on a date prior to proclamation would follow the process and requirements</p>	<ul style="list-style-type: none"> • A NOID passed before proclamation of these changes would have 365 days to pass the by-law • Appropriate that the 90 day restriction on issuing a NOID does not apply until the identified planning application is declared 'complete'. • 	No comment

APPENDIX 'A' – Summary Chart of Markham's Comments/Feedback		
Regulatory Proposals	Comment	Feedback
<p>set out in the Act as it read the day before proclamation. The proposed regulation sets out the specific triggers for determining if a process had commenced.</p> <p><u>Exceptions</u></p> <p>Outstanding notices of intention to designate</p> <p>Where council has published a notice of intention to designate but has not yet withdrawn the notice or passed the by-law at the time of proclamation, the municipality will have 365 days from proclamation to pass the by-law, otherwise the notice will be deemed withdrawn. Where a notice of intention to designate has been referred to the Conservation Review Board, the 365 days would be paused until the Board either issues its report or until the objection has been withdrawn, whichever occurs earlier.</p> <p><u>90-Day restriction on issuing a NOID</u></p> <p>The 90-day restriction on council's ability to issue a NOID would only apply <u>where all notices of complete application have been issued by the municipality in relation to a prescribed Planning Act application, on or after proclamation.</u></p>		

APPENDIX 'A' – Summary Chart of Markham's Comments/Feedback		
Regulatory Proposals	Comment	Feedback

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2021 Temporary Borrowing Bylaw

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

A by-law to authorize the temporary borrowing of an amount not to exceed \$205,261,876 from January 1 to September 30, 2021 and \$102,630,938 from October 1 to December 31, 2021 to meet the current expenditures of the Corporation for the year, until taxes are collected and other revenues received.

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

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

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

WHEREAS the total revenues of the Corporation as set forth for the year 2020 are \$410,523,751 which was adopted by Council at the Council meeting on December 10, 2019.

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

1. The Treasurer is hereby authorized on behalf of the Municipality to borrow from time to time by way of promissory note from the Municipality's banker a sum or sums not exceeding from January 1 to September 30 of the year \$205,261,876 and from October 1 to December 31 \$102,630,938 to meet, until the taxes and other revenues are received, the current expenditures of the Municipality for the year, including the amount required for the purposes mentioned in Subsection 1 of Section 407 of The Municipal Act and to give on behalf of the Municipality to the Bank a promissory note or notes sealed with the Corporate Seal and signed by the Treasurer for the monies so borrowed, with interest, which may be paid in advance or otherwise.
2. All sums borrowed pursuant to the authority of this by-law from the said bank for any or all purposes mentioned in the said Section 407 shall with interest thereon, be a charge upon the whole of the revenues of the Municipality for the current year.

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

_____ DAY OF _____ 2020.

KIMBERLEY KITTERRINGHAM
CITY CLERK

FRANK SCARPITTI, MAYOR



By-law 2020-xx

A By-law to amend By-law 1229, as amended

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

- 1. That By-law 1229, as amended, is hereby further amended as it applies to the lands outlined on Schedule ‘A’ as follows:
 - 1.1 By deleting Subsection 12.42 l) and replacing it with the following:

“12.42.1) Unenclosed porches and stairs may encroach into a required Front Yard, and may project beyond the maximum building depth, a maximum of 2.0 metres”
 - 1.2 All other provisions of By-law 1229, as amended, not inconsistent with the provisions of this by-law shall continue to

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

Kimberley Kitteringham
City Clerk

Frank Scarpitti
Mayor



EXPLANATORY NOTE

BY-LAW 2020-_____

Technical By-law Amendment to By-law 1229, as amended by by-law 2017-112

City Park (Town Crier) Homes Inc.
7 Town Crier Lane
South side of Parkway Avenue, east of Main Street Markham North
ZA 16 175583

Lands Affected

The proposed by-law amendment applies to a parcel of land with an approximate area of 1.19 hectares (2.94 acres), which is located on the south side of Parkway Avenue, east of Main Street Markham North in the Markham Village Heritage Conservation District.

Existing Zoning

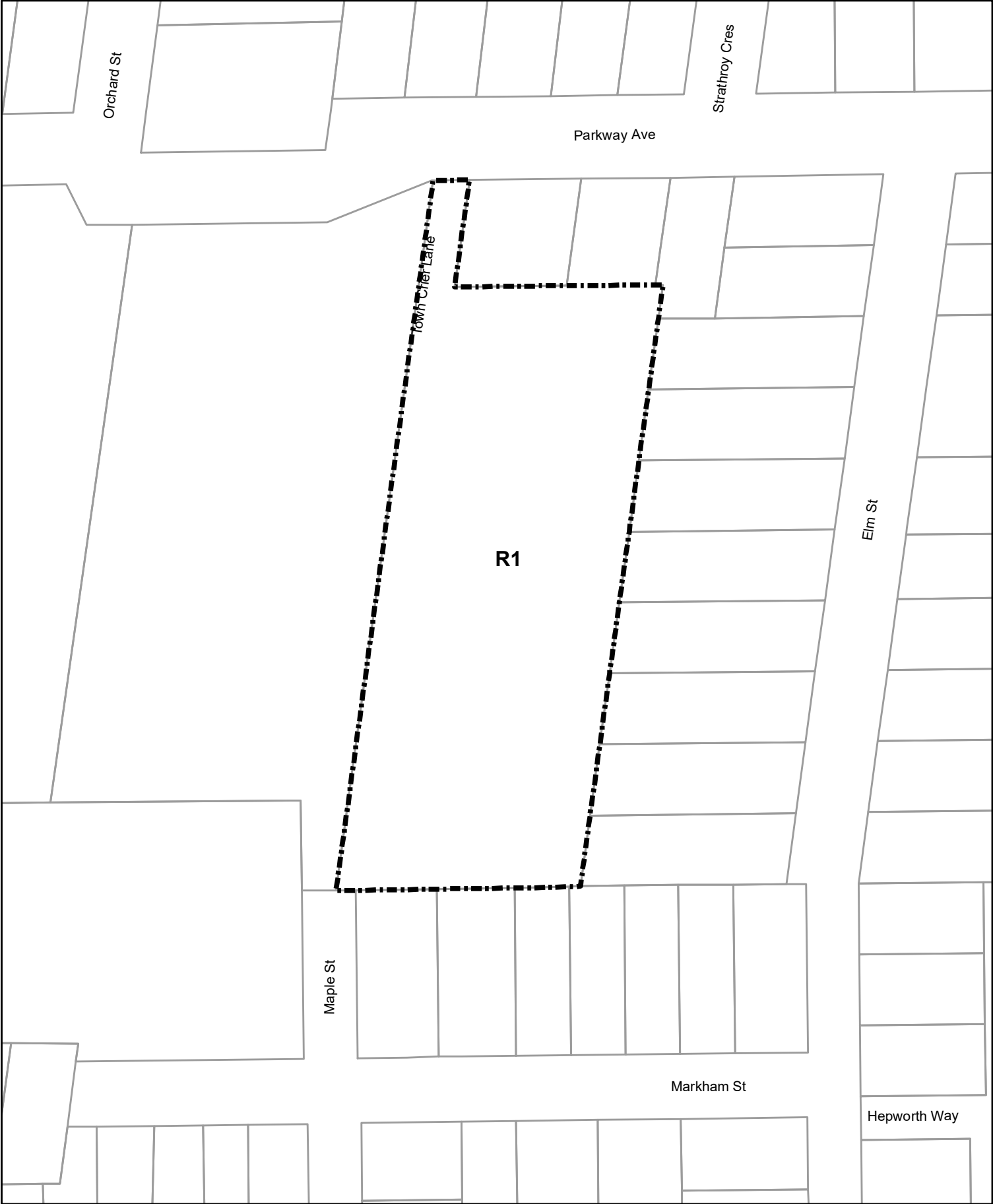
Residential One (R1) Zone under By-law 1229, as amended.

Purpose and Effect

The purpose of this technical by-law amendment is to confirm that porches are permitted to encroach into the required front yard and are excluded from the maximum permitted building depth requirement.

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.



SCHEDULE "A" TO BY-LAW AMENDING BY-LAW 1229 DATED



 BOUNDARY OF AREA COVERED BY THIS SCHEDULE

 RESIDENTIAL ONE

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



By-law 2020-xx

A By-law to amend By-law 304-87, as amended
(to delete lands from the designated area of By-law 304-87)
and 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 304-87, as amended, is hereby further amended by deleting the lands shown on Schedule ‘A’ attached hereto, from the designated area of By-law 304-87, as amended.
- 2. That 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 shown on Schedule ‘A’ attached hereto.
 - 2.2 By zoning the lands outlined on Schedule ‘A’ attached hereto as follows:

Residential Two*607 (R2*607) Zone

- 3. By adding the following subsection to Section 7- EXCEPTIONS

Exception 7.607	Forest Hill Homes (Cornell Towns) Ltd. (South side of Rustle Woods Avenue, west of Cornell Rouge Boulevard)	Parent Zone R2
File ZA 12 111705		Amending By-law 2020- XXX
Notwithstanding any other provisions of this By-law, the provisions in this Section shall apply to those lands denoted *607 as shown on ‘Schedule A’ to this By-law subject to any holding provisions applying to the subject lands.		
7.607.1 Only Permitted Uses		
a)	<i>Townhouse Dwellings</i>	
b)	<i>Home Occupation</i>	
c)	<i>Home Child Care</i>	
7.607.2 Special Zone Standards		
The following specific Zone Standards shall apply:		
a)	Notwithstanding any further division or partition of any lands subject to this Section all lands zoned R2*607 shall be deemed to be one <i>lot</i> for the purposes of this By-law;	
b)	Rustle Woods Avenue is deemed to be the front lot line;	
c)	The provisions of table B2 shall not apply;	
d)	<i>Minimum width of a townhouse dwelling – 4.5 m;</i>	
e)	<i>Minimum front yard – 2.0 m;</i>	
f)	<i>Minimum setback to any other lot line – 1.6 m</i>	
g)	<i>Minimum setback of porches and architectural features such as sills, belt courses, cornices, eaves, chimney breasts, pilasters, roof</i>	

	overhangs, balconies, window bays and window wells to any <i>lot line</i> – 0.55m
h)	<i>Minimum</i> setback to any <i>lot line</i> of stairs accessing a <i>porch</i> – 0.15m
i)	<i>Minimum</i> distance between <i>townhouse buildings</i> – 2.5 m
j)	Notwithstanding i) above, porches and mechanical rooms accessed from the exterior are permitted to encroach into the required minimum distance a maximum of 1 metre from each <i>townhouse building</i> , providing a minimum setback of 0.9 m to the adjacent building, <i>porch</i> or mechanical room is maintained.
k)	<i>Maximum height</i> of a <i>townhouse dwelling</i> –15.0 m
l)	<i>Decks and balconies</i> may be located above the <i>first storey</i> of a <i>building</i>
m)	Projections of <i>Decks and balconies</i> on the first storey above the garage: i) Minimum - 2.59 m ii) Maximum – 4.5 m

4. SECTION 37 AGREEMENT

- 4.1 A contribution by the Owner to the City for the purpose of public art, in the amount of \$1425.00 per townhouse dwelling in 2020 dollars, 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 _____,
2019.

Kimberley Kitteringham
City Clerk

Frank Scarpitti
Mayor



EXPLANATORY NOTE

BY-LAW 2020-_____

A By-law to amend By-law 177-96, as amended

**Forest Hill Homes (Cornell Towns) Ltd.
Block 2, Plan 65M-4525
South side of Rustle Woods Avenue, west of Cornell Rouge Boulevard**

Lands Affected

The proposed by-law amendment applies to 1.2 hectares (3.0 acres) of land located within Cornell Centre, on the south side of Rustle Woods Avenue and west of Cornell Rouge Boulevard.

Existing Zoning

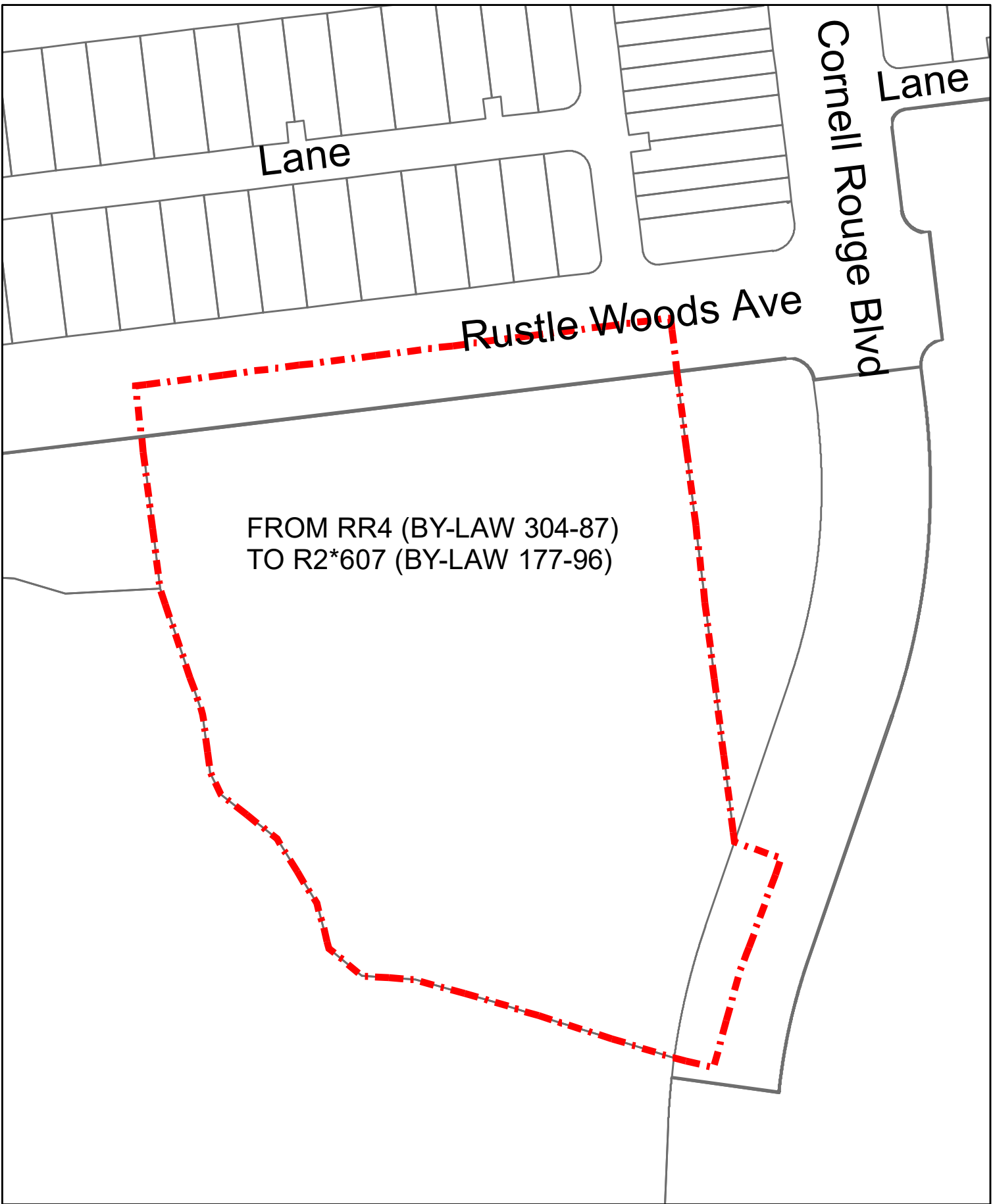
The subject lands are currently zoned Rural Residential Four (RR4) under By-law 304-87, as amended.

Purpose and Effect

The purpose of this By-law is to delete the lands from the designated area of By-law 304-87, as amended, incorporate the lands into the designated area of By-law 177-96, as amended, and zone the subject lands to a “Residential Two*607 (R2*607) Zone”. The effect of this by-law is to permit the development of 75 townhouse dwellings which are part of a common element condominium.

Notice Regarding Further Planning Applications on this Property


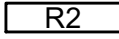

In accordance with Section 45(1.3) and 45(1.4) of the Planning Act, R.S.O. 1990, c.P.13, as amended on July 1, 2016 through the enactment of Bill 73, no person shall apply for a minor variance from the provisions of the by-law in respect of land, building or structure before the second anniversary of the day on which the by-law was amended, unless Council has declared by resolution that such an application is permitted.



SCHEDULE "A" TO BY-LAW 177-96

AMENDING BY-LAW 2020- DATED

 BOUNDARY OF AREA COVERED BY THIS SCHEDULE

- | | |
|---|------------------------|
|  | RURAL RESIDENTIAL FOUR |
|  | RESIDENTIAL TWO |
|  | EXCEPTION NUMBER |

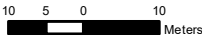


THIS IS NOT A PLAN OF SURVEY. Zoning information presented in this Schedule is a representation sourced from Geographic Information Systems. In the event of a discrepancy between the zoning information contained on this Schedule and the text of zoning by -law, the information contained in the text of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

Q:\Geomatics\New Operation\By-Laws\ZA\ZA12111755\Schedule A.mxd



DEVELOPMENT SERVICES COMMISSION



Drawn By: RT Checked By: SC DATE: 11/08/2020

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