



Electronic Council Meeting

Revised Agenda

Meeting No. 19
November 10, 2020, 1:00 PM
Live streamed

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

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

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

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

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Electronic Revised Council Meeting Agenda

Revised Items are Italicized.

Meeting No. 19
November 10, 2020, 1:00 PM
Live streamed

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

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

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 27, 2020**

16

1. That the Minutes of the Council Meeting held on October 27, 2020, be adopted.

4. **PRESENTATIONS**

5. **DEPUTATIONS**

5.1. *DEPUTATIONS - APPEAL OF HERITAGE PERMIT FOR A FENCE AT 3 VICTORIA LANE, UNIONVILLE (16.11)*

Masood Mohajer will address Council on this matter.

6. COMMUNICATIONS

- 6.1. 33-2020 - LIQUOR LICENCE APPLICATION - NEW CENTURY RESTAURANT (WARD 8) (3.21) 32

*Note: This application was previously approved at the August 25, 2020 Council meeting as "New Century Banquet", however, the name and address of the establishment was subsequently updated.

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

- 6.2. 34-2020 COMMUNICATIONS - APPEAL OF HERITAGE PERMIT FOR A FENCE AT 3 VICTORIA LANE, UNIONVILLE (16.11) 47

Email dated November 9, 2020 from Christine Costa providing comments.

(Item 11.1, New Other Business)

1. That the email dated November 9, 2020 from Christine Costa providing comments regarding Appeal of Heritage Permit for a Fence at 3 Victoria lane, Unionville, be received.

- 6.3. 35-2020 COMMUNICATIONS - CLERA HOLDINGS INC. ZONING BY-LAW AMENDMENT AND SITE PLAN APPLICATIONS (10.5, 10.6) 49

Email dated November 10, 2020 from Bob Forhan providing comments.

(Item 8.1.2, Report 32)

1. That the email dated November 10, 2020 from Bob Forhan regarding "Clera Holdings Inc., Zoning By-law Amendment and Site Plan Applications", be received.

7. PROCLAMATIONS

8. REPORT OF STANDING COMMITTEE

- 8.1. 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:

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

- 8.1.1. RECOMMENDATION REPORT, CORBETT LAND STRATEGIES INC., ON BEHALF OF EMIX LTD., APPLICATIONS TO AMEND THE OFFICIAL PLAN AND ZONING BY-LAW TO ADD COMMERCIAL USES INCLUDING A COMMERCIAL SELF-STORAGE FACILITY 52

AT 8400 WOODBINE AVENUE, WEST SIDE OF WOODBINE AVENUE, NORTH OF PERTH AVENUE (WARD 8) FILE NOS. PLAN 19 132742 AND PLAN 20 110587 (10.3, 10.5)

1. That the report dated October 26, 2020, entitled “RECOMMENDATION REPORT, Corbett Land Strategies Inc., on behalf of Emix Ltd., Applications to amend the Official Plan and Zoning By-law to add commercial uses including a Commercial self-storage Facility at 8400 Woodbine Avenue, west side of Woodbine Avenue, north of Perth Avenue (Ward 8) File Nos. PLAN 19 132742 and PLAN 20 110587”, be received; and,
2. That the Official Plan Amendment application submitted by Corbett Land Strategies Inc., on behalf of Emix Ltd., to amend the 2014 Official Plan, be approved by Council, and that the draft Official Plan Amendment attached as Appendix ‘A’ be finalized and adopted by Council; and,
3. That the amendment to Zoning By-law 165-80, as amended, be approved and the draft implementing Zoning By-law, attached as Appendix ‘B’, be finalized and enacted, without further notice; 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 ‘B’ 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.

(By-law 2020-100 and 2020-101)

- 8.1.2. APPLICATIONS FOR ZONING BY-LAW AMENDMENT AND SITE PLAN APPROVAL SUBMITTED BY CLERA HOLDINGS INC. ON BLOCK 81, REGISTERED PLAN 65M-4033 (WEST SIDE OF WOODBINE AVENUE, SOUTH OF ELGIN MILLS ROAD EAST) TO FACILITATE A COMMERCIAL DEVELOPMENT (WARD 2) (10.5, 10.6) 76

1. That the report titled “Applications for Zoning By-law

Amendment and Site Plan Approval submitted by Clera Holdings Inc. on Block 81, Registered Plan 65M-4033 (west side of Woodbine Avenue, south of Elgin Mills Road East) to facilitate a commercial development(Ward 2)” be received; and,

2. **That the deputation of Stephen Hunt and Sandra Wiles, consultant to the applicant, be received;**
3. That Zoning By-law Amendment application (PLAN 19 123509) submitted by Clera Holdings Inc. be approved and the implementing by-law attached as Appendix ‘B’ be finalized and enacted without further notice; and,
4. That in accordance with the provisions of subsections 45 (1.4) of the Planning Act, R.S.O. 1990, c.P.13, as amended, the Owners shall through this Resolution, be permitted to apply to the Committee of Adjustment for a variance from the provisions of the accompanying Zoning By-law, before the second anniversary of the day on which the by-law was approved by Council; and,
5. That the Site Plan application (SPC 19 123509) submitted by Clera Holdings Inc., to facilitate the development of two one-storey buildings and two two-storey commercial buildings with a GFA of 3,697 m² (Ward 2) be endorsed in principle, subject to the conditions in Appendix ‘A’; and,
6. That this endorsement shall lapse and site plan approval will not be issued, after a period of three (3) years commencing on October 14, 2020 in the event that the site plan agreement is not executed within that time period; and,
7. That Site Plan Approval be delegated to the Director of Planning and Urban Design or designate, to be issued following execution of a site plan agreement. The Site Plan is only approved when the Director or designate has signed the site plan; and further,
8. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

(By-law 2020-102)

8.2. REPORT NO. 33 GENERAL COMMITTEE (NOVEMBER 2, 2020)

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

Mayor and Members of Council:

That the report of the General Committee be received & adopted. (Items 1 to 5):

- 8.2.1. TENDER 049-T-20 GRASS CUTTING AND MAINTENANCE SERVICES (RENEWAL YEARS 2021-2023) (6.0)

1. That the report entitled “Tender 049-T-20 Grass Cutting and Maintenance Services (Renewal Years 2021- 2023)” be received; and,
2. That the contract for Tender 049-T-20 Grass Cutting and Maintenance Services be awarded to the lowest priced bidder, Markham Property Services Ltd., for an additional three (3) years (2021– 2023), with a CPI increase in 2022 and 2023 as follows;
 - 2021 - \$218,574.98 (inclusive of HST)
 - 2022 - \$218,574.98 (inclusive of HST)*
 - 2023 - \$218,574.98 (inclusive of HST)** 2022 and 2023 are subject to an annual price increase based on the Consumer Price Index for All Items - Canada for the twelve (12) month period ending December 31 in the applicable year; and,
3. That the estimated 2021 costs of \$218,574.98 be funded from account 730-730-5399 (Contracted Services), subject to Council approval of the 2021 operating budget; and,
4. That the purchase orders for years 2022 and 2023 be adjusted for growth and/or price escalation, subject to Council approval of the respective year’s budgets; and further,
5. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

8.2.2. 2021 COUNCIL AND STANDING COMMITTEE MEETING CALENDAR (16.0)

101

1. That the 2021 Council and Standing Committee Meeting Calendar be approved; and,
2. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

8.2.3. 2021 WATER / WASTEWATER RATE (5.1, 5.3)

113

1. That the presentation entitled “2021 Water/Wastewater Rate Public Consultation Meeting” be received and approved for presentation at the November 12th Public Consultation meeting; and,
2. That the report entitled “2021 Water/Wastewater Rate” be received; and,
3. That Staff be authorized to hold an electronic public meeting on November 12th, 2020 at 6:30 p.m. to gather resident feedback on the principle of, increasing the 2021 water/wastewater rate by the same percentage as the Region of York’s wholesale rate and present two scenarios:

- a. Scenario 1: Increase of 0%
 - b. Scenario 2: Increase of 2.9%, which is consistent with the Region of York's wholesale rate increase for 2021, as tabled at Regional Council in the Region's Water and Wastewater Financial Sustainability Plan from October 2015; and,
4. That feedback received at the public meeting along with the proposed 2021 water/wastewater rate tentatively scheduled to be put forward for consideration of Council on December 9th, 2020; and further,
 5. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

8.2.4. SWAN LAKE PARK – PARKS OPERATIONS AND PARKS REFRESH DRAFT PLAN (6.3) 155

1. That the presentation entitled "Swan Lake Park – Parks Operations and Parks Refresh Draft Plan" dated November 2, 2020 be received; and,
2. That the recommended funding outlined in the presentation be committed to the park refresh subject to Council approval and further,
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

8.2.5. MAINTENANCE OF REGIONAL ROADS AND BOULEVARDS (5.10) 190

1. That the memorandum entitled "Maintenance of Regional Roads and Boulevards" dated November 2, 2020 be received; and,
2. That staff recommend winter maintenance service provision remain as is at this time; and,
3. That staff recommend improved coordination in the operating field amongst front line supervisors to enhance winter maintenance service provision; and,
4. That staff recommend City residents and Council continue to utilize the City's Contact Centre to generate work orders for both the City and the Region for the following issues:
 - a. Dead animal removal
 - b. Pot hole repair
 - c. Fallen tree removal
 - d. Debris removal

- e. Grass cutting; and,
- 5. That staff recommend further investigation of the City's and the Region's contracts to explore possible options in grass cutting download or upload; and,
- 6. That staff recommend requesting the Region to consider increasing their cutting cycles to align to the City's; and,
- 7. **That staff review the grass cutting contract with the Region when the existing one expires; and,**
- 8. **That staff further discuss grass cutting with the City's existing service provider to explore their ability to undertake this increase in work should they be requested to do so; and,**
- 9. **That staff initiate consultations with the City of Toronto with respect to grass cutting service levels along Steeles Avenue where it borders with the City of Markham; and further;**
- 10. That staff be authorized and directed to do all things necessary to give effect to this resolution.

8.3. REPORT NO. 34 - DEVELOPMENT SERVICES PUBLIC MEETING
(NOVEMBER 3, 2020)

Please refer to your November 3, 2020 Development Services Public Meeting Agenda for reports.

Mayor and Members of Council:

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

8.3.1. PRELIMINARY REPORT APPLICATION FOR ZONING BY-LAW AMENDMENT TO PERMIT A COMMERCIAL SELF-STORAGE FACILITY AT 30 HERITAGE ROAD (WARD 4). FILE NO. PLAN 20 106216 (10.5)

196

- 1. That the Development Services Commission report dated October 13th, 2020, entitled "PRELIMINARY REPORT Application for Zoning By-Law Amendment to permit a commercial self-storage facility as an additional use with site-specific development standards at 30 Heritage Road, on the east side of McCowan Road, (Ward 4). File No. PLAN 20 106216", be received; and,
- 2. That the Record of the Public Meeting held on November 3rd, 2020 with respect to the proposed application for Zoning By-law Amendment submitted by 30 Heritage Development Limited Partnership Inc., to permit a commercial self-storage facility at 30 Heritage Road, be received; and,

3. That the application to amend Zoning By-law 1229 be approved and enacted without further notice; and further,
4. That staff be authorized and directed to do all things necessary to give effect to this resolution.

8.3.2. PRELIMINARY REPORT, 254632 ONTARIO INC.,
APPLICATION FOR A ZONING BY-LAW AMENDMENT, TO
PERMIT MOTOR VEHICLE AND AUTO PARTS SALES AS
WELL AS OUTDOOR STORAGE OF VEHICLES AT 120
DONCASTER AVENUE (WARD 1) FILE NO. PLAN 20 115420
(10.5)

207

1. That the report dated October 13, 2020, entitled “PRELIMINARY REPORT, 254632 Ontario Inc., Application for a Zoning By-law Amendment, to permit motor vehicle sales and auto parts sales as well as outdoor storage of vehicles at 120 Doncaster Avenue (Ward 1) File No. PLAN 20 115420”, be received; and,
2. That the written communications submitted by Armand Scaini be received; and,
3. That the Record of the Public Meeting held on November 3, 2020, with respect to the proposed Zoning By-law to add motor vehicle sales and auto parts sales as well as outdoor storage of vehicles at 120 Doncaster Avenue (Ward 1) File No. PLAN 20 115420”, be received; and,
4. That the application by 254632 Ontario Inc., to amend Zoning By-law 2053, as amended, be approved and enacted without further notice; and further,
5. That staff be authorized and directed to do all things necessary to give effect to this resolution.

8.4. *REPORT NO. 35 - DEVELOPMENT SERVICES COMMITTEE
(NOVEMBER 9, 2020)*

Please refer to your November 9 2020 Development Services Committee Agenda for reports.

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

8.4.1. *CITY INITIATED EXTENSION OF TEMPORARY USE ZONING
BY-LAW TO PERMIT OUTDOOR PATIOS AND ASSOCIATED
STRUCTURES FILE NO.: PR-20-115253 (CITY-WIDE) (10.5)*

215

1. That the report titled “City Initiated Extension of Temporary Use Zoning By-law to permit outdoor patios and associated structures” be received; and,
 2. That the City wide temporary zoning by-law to permit new or expansions to existing outdoor patios and associated structures be approved; and,
 3. That authority to act on behalf of Council to grant municipal authorizations required by the Alcohol and Gaming Commission of Ontario (“AGCO”) for temporary extension of a liquor license be delegated to the City Clerk; and,
 4. That the fee for the processing of requests to the City for the temporary extension of liquor licenses be waived in 2021; and,
 5. That existing approved temporary new, or temporary expansions to existing patios located on private property are granted temporary expansions until December 31, 2021; and further,
 6. That Staff be authorized and directed to do all things necessary to give effect to this resolution.
- (By-law 2020-130)

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".

11.1. APPEAL OF HERITAGE PERMIT APPLICATION FOR A FENCE 3 VICTORIA LANE, UNIONVILLE, HE 20 125034 (WARD 3) (16.11)

224

Note: This matter was discussed at the November 9, 2020 Development Services Committee. The Committee did not make a recommendation on this matter.

1. That the Report titled “Appeal of a Heritage Permit Application for a Fence, 3 Victoria Lane, Unionville, File: HE 20 125034 (Ward 3)” dated November 9, 2020 be received; and,
2. That the Heritage Markham Committee resolution of September 9, 2020 recommending denial of the Heritage Permit for the unauthorized chain link fence from a heritage perspective, be received as information; and,
3. That the Heritage Permit application HE 20 125034 in support of a

chain link fence at 3 Victoria Lane be approved subject to the submission of the Heritage Permit application fee for unauthorized work; and further,

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

12. ANNOUNCEMENTS

13. BY-LAWS - THREE READINGS

That By-laws 2020-100 to 2020-128 and 2020-130 be given three readings and enacted.

Three Readings

- | | | |
|-------|--|-----|
| 13.1. | BY-LAW 2020-100 EMIX LTD., 8400 WOODBINE AVENUE, AMENDMENT TO THE IN FORCE OFFICIAL PLAN (REVISED 2014), AS AMENDED | 263 |
| | A by-law to adopt an Official Plan Amendment to the in force Official Plan (Revised 2014), as amended, to provide for a commercial storage facility use on the subject property. | |
| | (Item 8.1.1, Report 32) | |
| 13.2. | BY-LAW 2020-101 EMIX LTD., 8400 WOODBINE AVENUE, ZONING BY-LAW AMENDMENT | 272 |
| | A By-law to amend By-law 165-80, as amended, to to add more uses on the property. | |
| | (Item 8.1.1, Report 32) | |
| 13.3. | BY-LAW 2020-102 CLERA HOLDINGS, INC., SOUTH OF ELGIN MILLS ROAD AND WEST OF WOODBINE AVENUE, ZONING BY-LAW AMENDMENT | 275 |
| | A By-law to amend By-law 177-96, as amended to permit a commercial development on the lands. | |
| | (Item 8.1.2, Report 32) | |
| 13.4. | BY-LAW 2020-103 A BY-LAW TO AMEND TRAFFIC BY-LAW 106-71 (65M-4498) | 279 |
| | To add compulsory stops at specific intersections within the City of Markham. | |
| 13.5. | BY-LAW 2020-104 A BY-LAW TO AMEND TRAFFIC BY-LAW 106-71 (65M-4613) | 280 |

	To add compulsory stops at specific intersections within the City of Markham.	
13.6.	BY-LAW 2020-105 ROAD DEDICATION BY-LAW (BOUSFIELD GATE AND KIRKHAM DRIVE)	281
	A by-law to dedicate certain lands as part of the highways of the City of Markham	
	1. Block 161, Plan 65M-4619 - Bousfield Gate	
	2. Reserve Block 168, Plan 65M-4619 - Kirkham Drive	
13.7.	BY-LAW 2020-106 A BY-LAW TO AMEND PARKING BY-LAW 2005-188 (65M-4429)	283
	To amend Schedule C of the Parking By-law pertaining to “Prohibited Parking”.	
13.8.	BY-LAW 2020-107 A BY-LAW TO AMEND PARKING BY-LAW 2005-188 (65M-4085 AND 65M-4086)	284
	To amend Schedule C of the Parking By-law pertaining to “Prohibited Parking”.	
13.9.	BY-LAW 2020-108 A BY-LAW TO AMEND PARKING BY-LAW 2005-188 (65M-4241)	285
	To amend Schedule C of the Parking By-law pertaining to “Prohibited Parking”.	
13.10.	BY-LAW 2020-109 A BY-LAW TO AMEND PARKING BY-LAW 2005-188 (65M-4357)	286
	To amend Schedule C of the Parking By-law pertaining to “Prohibited Parking”.	
13.11.	BY-LAW 2020-110 A BY-LAW TO AMEND PARKING BY-LAW 2005-188 (65M-4496)	287
	To amend Schedule C of the Parking By-law pertaining to “Prohibited Parking”.	
13.12.	BY-LAW 2020-111 A BY-LAW TO AMEND PARKING BY-LAW 2005-188 (65M-4498)	288
	To amend Schedule C of the Parking By-law pertaining to “Prohibited Parking”.	
13.13.	BY-LAW 2020-112 A BY-LAW TO AMEND PARKING BY-LAW 2005-	289

	188 (65M-4613)	
	To amend Schedule C of the Parking By-law pertaining to “Prohibited Parking”.	
13.14.	BY-LAW 2020-113 A BY-LAW TO AMEND SPEED BY-LAW 2017-104 (65M-4613)	290
	To establish a maximum speed limit of 40 kilometres per hour on specific streets within the City of Markham.	
13.15.	BY-LAW 2020-114 A BY-LAW TO AMEND TRAFFIC BY-LAW 106-71 (65M-4085 and 65M-4086)	291
	To add compulsory stops at specific intersections within the City of Markham.	
13.16.	BY-LAW 2020-115 A BY-LAW TO AMEND TRAFFIC BY-LAW 106-71 (65M-4204)	293
	To add compulsory stops at specific intersections within the City of Markham.	
13.17.	BY-LAW 2020-116 A BY-LAW TO AMEND TRAFFIC BY-LAW 106-71 (65M-4241)	294
	To add compulsory stops at specific intersections within the City of Markham.	
13.18.	BY-LAW 2020-117 A BY-LAW TO AMEND TRAFFIC BY-LAW 106-71 (65M-4357)	295
	To add compulsory stops at specific intersections within the City of Markham.	
13.19.	BY-LAW 2020-118 A BY-LAW TO AMEND TRAFFIC BY-LAW 106-71 (65M-4429)	297
	To add compulsory stops at specific intersections within the City of Markham.	
13.20.	BY-LAW 2020-119 A BY-LAW TO AMEND TRAFFIC BY-LAW 106-71 (65M-4496)	299
	To add compulsory stops at specific intersections within the City of Markham.	
13.21.	BY-LAW 2020-120 A BY-LAW TO ESTABLISH STREETS LAID OUT ACCORDING TO PLAN OF SUBDIVISION 65M-4085 AS A PUBLIC HIGHWAY LOT 24 AND BLOCKS B AND C, REGISTERED PLAN 6037 AND PART OF LOTS 19 AND 20, CONCESSION 5 (ANGUS GLEN VILLAGE LTD., TRUSTEE)	301

- (Angus Glen Boulevard, Ernie Amsler Court, Dungannon Drive, Glengordon Crescent, Berkshire Crescent and Royal County Down Crescent, and the Lanes (Blocks B and C) and the Walkway (Block 143), inclusive)
- 13.22. BY-LAW 2020-121 A BY-LAW TO ESTABLISH STREETS LAID OUT ACCORDING TO PLAN OF SUBDIVISION 65M-4086 AS A PUBLIC HIGHWAY PART OF LOTS 19 AND 20, CONCESSION 5 (ANGUS GLEN VILLAGE LTD. TRUSTEE) 302
- (Glengordon Crescent, Dungannon Drive and Stollery Pond Crescent, and the Lanes namely Lane A, Lane B, Lane C and Lane D, inclusive)
- 13.23. BY-LAW 2020-122 A BY-LAW TO ESTABLISH STREETS LAID OUT ACCORDING TO PLAN OF SUBDIVISION 65M-4204 AS A PUBLIC HIGHWAY PART OF LOT 20, CONCESSION 5 (ANGUS GLEN VILLAGE LTD.) 303
- (Royal West Road, inclusive)
- 13.24. BY-LAW 2020-123 A BY-LAW TO ESTABLISH STREETS LAID OUT ACCORDING TO PLAN OF SUBDIVISION 65M-4241 AS A PUBLIC HIGHWAY PART OF LOT 20, CONCESSION 5 (ANGUS GLEN VILLAGE LTD.) 304
- (Royal West Road, inclusive)
- 13.25. BY-LAW 2020-124 A BY-LAW TO ESTABLISH STREETS LAID OUT ACCORDING TO PLAN OF SUBDIVISION 65M-4357 AS A PUBLIC HIGHWAY PART OF LOTS 19 AND 20, CONCESSION 5 (ANGUS GLEN VILLAGE LTD.) 305
- (Berkshire Crescent (both sections) and Stollery Pond Crescent, and the Lanes (Blocks 79, 80, and 81), inclusive)
- 13.26. BY-LAW 2020-125 A BY-LAW TO ESTABLISH STREETS LAID OUT ACCORDING TO PLAN OF SUBDIVISION 65M-4429 AS A PUBLIC HIGHWAY PART OF WEST HALF OF LOT 16, CONCESSION 6 (UPPER UNIONVILLE INC.) 306
- (Cherna Avenue, Nipigon Avenue, Ivanhoe Drive and London Plane Drive, and the Lanes (Blocks 49, 50, 51, 52 and 53), inclusive)
- 13.27. BY-LAW 2020-126 A BY-LAW TO ESTABLISH STREETS LAID OUT ACCORDING TO PLAN OF SUBDIVISION 65M-4496 AS A PUBLIC HIGHWAY BLOCK 62, REGISTERED PLAN 65M-3908 AND BLOCK 292, REGISTERED PLAN 65M-4008 (BOX GOVE NORTH INC. AND BOX GROVE HILL DEVELOPMENTS INC.) 307
- (Agatha Gamble Street, Decast Crescent, Luzon Avenue and Villa Ada Drive,

and the Lanes (Blocks 42 and 43), inclusive)

- 13.28. BY-LAW 2020-127 A BY-LAW TO ESTABLISH STREETS LAID OUT ACCORDING TO PLAN OF SUBDIVISION 65M-4498 AS A PUBLIC HIGHWAY PART OF LOT 20, CONCESSION 5 (ANGUS GLEN VILLAGE LTD.) 308

(Tralee Court, and the Lane (Block 31), inclusive)

- 13.29. BY-LAW 2020-128 A BY-LAW TO ESTABLISH STREETS LAID OUT ACCORDING TO PLAN OF SUBDIVISION 65M-4613 AS A PUBLIC HIGHWAY PART OF LOT 1, REGISTERED PLAN 3555, 309

LOTS 6 AND 7, REGISTERED PLAN 4113, PART OF BLOCK 53, REGISTERED PLAN 65M-4065 AND PART OF THE EAST HALF OF LOT 16 AND PART OF LOT 17, CONCESSION 5 (KYLEMORE COMMUNITIES (YORKTON) LTD.)

(Yorkton Boulevard and New Yorkton Avenue, inclusive)

- 13.30. *BY-LAW 2020-130 - A BY-LAW TO AMEND BY-LAWS 1229, 1442, 1507, 1767, 1912, 2053, 2150, 2237, 2284-68, 2402, 2489, 2551, 2571, 2612, 11-72, 122-72, 77-73, 83-73, 84-73, 119-73, 151-75, 88-76, 127-76, 250-77, 145-78, 162-78, 163-78, 184-78,* 310

72-29, 91-79, 118-79, 134-79, 153-80, 165-80, 72-81, 90-81, 108-81, 193-80, 221-81, 28-82, 194-82, 196-82, 47-85, 304-87, 19-94, 177-96, 28-97, and 2004-196, as amended.

To add additional special zone standards for outdoor patios within the geographic boundaries to allow the continued operation of existing temporary patios, and patio expansions.

(Item 8.4.2, Report 8.4)

14. CONFIDENTIAL ITEMS

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

14.1. COUNCIL

- 14.1.1. APPROVAL OF CONFIDENTIAL COUNCIL MINUTES - OCTOBER 27, 2020 (16.0) [Section 239 (2) (a) (b) (c) (e) (f)]

- 14.1.2. APPROVAL OF RESTRICTED AND CONFIDENTIAL COUNCIL MINUTES - NOVEMBER 26, 2019 AND MARCH 27, 2020 (16.0) [Section 239 (2) (a) (b) (c) (e) (f)]

- 14.1.3. PERSONAL MATTERS ABOUT AN IDENTIFIABLE INDIVIDUAL, INCLUDING CITY OR LOCAL BOARD EMPLOYEES (8.0) [Section 239 (2) (b)]
- 14.1.4. LABOUR RELATIONS OR EMPLOYEE NEGOTIATIONS (11.0) [Section 239 (2) (d)]
- 14.1.5. LABOUR RELATIONS OR EMPLOYEE NEGOTIATIONS (11.0) [Section 239 (2) (d)]

15. CONFIRMATORY BY-LAW - THREE READINGS

That By-law 2020-129 be given three readings and enacted.

Three Readings

BY-LAW 2020-129- A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE COUNCIL MEETING OF NOVEMBER 10, 2020.

No attachment

16. ADJOURNMENT



Electronic Council Meeting Minutes

Meeting No. 18

October 27, 2020, 1:00 PM

Live streamed

Roll Call	<p>Mayor Frank Scarpitti Deputy Mayor Don Hamilton Regional Councillor Jack Heath Regional Councillor Joe Li Regional Councillor Jim Jones Councillor Keith Irish Councillor Alan Ho</p>	<p>Councillor Reid McAlpine Councillor Karen Rea Councillor Andrew Keyes Councillor Amanda Collucci Councillor Khalid Usman Councillor Isa Lee</p>
Staff	<p>Andy Taylor, Chief Administrative Officer Trinela Cane, Commissioner, Corporate Services Arvin Prasad, Commissioner, Development Services Claudia Storto, City Solicitor and Director of Human Resources Brian Lee, Director, Engineering Joel Lustig, Treasurer Bryan Frois, Chief of Staff Phoebe Fu, Director, Environmental Services Hersh Tencer, Senior Manager, Real Property, Legal Services Kimberley Kitteringham, City Clerk</p>	<p>Martha Pettit, Deputy City Clerk John Wong, Technology Support Specialist II Hristina Giantsopoulos, Elections & Council/Committee Coordinator Morgan Jones, Director, Operations Stephen Corr, Senior Planner Jacqueline Chan, Assistant City Solicitor Meg West, Manager of Business Planning and Projects Terence Tang, Technology Support Specialist II Regan Hutcheson, Manager - Heritage, Planning & Urban Design</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 27, 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

Councillor Karen Rea disclosed an interest with respect to Item No. 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)", and the related By-law under Item No. 13.2 as she has outstanding litigation on this matter and did not take part in the discussion or vote on this matter.

3. APPROVAL OF PREVIOUS MINUTES**3.1 COUNCIL MINUTES - OCTOBER 14, 2020**

Moved by Regional Councillor Jack Heath
Seconded by Councillor Amanda Collucci

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

Carried

4. PRESENTATIONS

There were no presentations.

5. DEPUTATIONS

There were no deputations.

6. COMMUNICATIONS

There were no communications.

7. PROCLAMATIONS

There were no proclamations.

8. REPORT OF STANDING COMMITTEE

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

Moved by Regional Councillor Jim Jones
Seconded by Councillor Keith Irish

That the report of the Development Services Committee be voted on separately.
(Items 1 to and 2):

Carried

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

Moved by Regional Councillor Jim Jones
Seconded by Councillor Keith Irish

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.

Carried

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)

Councillor Karen Rea declared a conflict and did not vote or participate in the discussion on this matter.

Moved by Regional Councillor Jim Jones

Seconded by Councillor Keith Irish

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)

Carried

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

Moved by Regional Councillor Jack Heath
Seconded by Councillor Andrew Keyes

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

Carried

8.2.1 2021 INTERIM SPENDING AUTHORITY PENDING APPROVAL OF BUDGET (7.0)

Moved by Regional Councillor Jack Heath
Seconded by Councillor Andrew Keyes

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.

Carried

8.2.2 2021 INTERIM SPENDING AUTHORITY PENDING APPROVAL OF UNIONVILLE AND MARKHAM VILLAGE BUSINESS IMPROVEMENT AREA BUDGETS (7.0)

Moved by Regional Councillor Jack Heath
Seconded by Councillor Andrew Keyes

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.

Carried

8.2.3 2021 TEMPORARY BORROWING BY-LAW (7.3)

Moved by Regional Councillor Jack Heath

Seconded by Councillor Andrew Keyes

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)

Carried

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

Moved by Regional Councillor Jack Heath

Seconded by Councillor Andrew Keyes

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.

Carried

8.2.5 2021 BUDGET SCHEDULE (7.0)

Moved by Regional Councillor Jack Heath

Seconded by Councillor Andrew Keyes

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.

Carried

8.2.6 EAST MARKHAM WORKS YARD (5.0)

Moved by Regional Councillor Jack Heath
Seconded by Councillor Andrew Keyes

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 an independent third party review of the East Works Yard Project be undertaken and its findings reported back to Council; and further,
6. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

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

Moved by Regional Councillor Jack Heath

Seconded by Councillor Andrew Keyes

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.

Carried

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

Moved by Regional Councillor Jack Heath
 Seconded by Councillor Khalid Usman

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

Carried

8.3.1 COVID-19 IMPACT UPDATE (7.0)

Moved by Regional Councillor Jack Heath
 Seconded by Councillor Khalid Usman

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.

Carried

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

Moved by Regional Councillor Jim Jones

Seconded by Councillor Karen Rea

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

Carried

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

Moved by Regional Councillor Jim Jones

Seconded by Councillor Karen Rea

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.

Carried

9. MOTIONS

There were no motions.

10. NOTICE OF MOTION TO RECONSIDER

There were no notices of motions.

11. NEW/OTHER BUSINESS

There were no new / other business.

12. ANNOUNCEMENTS

There were no announcements.

13. BY-LAWS - THREE READINGS

Moved by Councillor Khalid Usman
Seconded by Councillor Reid McAlpine

That By-laws 2020-97 and 2020-99 be given three readings and enacted.

That By-law 2020-98, voted on separately, be given three readings and enacted.

Carried

Three Readings

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

14

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)

Carried

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

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)

Councillor Karen Rea declared a conflict and did not vote on this matter.

Carried

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

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)

Carried

14. CONFIDENTIAL ITEMS

Moved by Councillor Amanda Collucci

Seconded by Councillor Isa Lee

That, in accordance with Section 239 (2) of the *Municipal Act*, Council resolve into a private session to discuss the following confidential matters at 1:17 PM:

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)]

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

Carried

Moved by Councillor Isa Lee
Seconded by Regional Councillor Joe Li

That Council rise from Confidential session at 2:52 pm.

Carried

The following Confidential items were approved by Council:

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)]

Moved by Regional Councillor Jack Heath
Seconded by Councillor Andrew Keyes

1. That the confidential staff report on 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 be received; and,
2. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

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

Moved by Regional Councillor Jack Heath
Seconded by Councillor Andrew Keyes

1. That the confidential presentation on the security of the property of the city or local board – Lease Update, be received; and,
2. That staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

15. CONFIRMATORY BY-LAW - THREE READINGS

Moved by Councillor Alan Ho
Seconded by Councillor Isa Lee

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.

Carried

16. ADJOURNMENT

Moved by Councillor Isa Lee
Seconded by Councillor Keith Irish

That the Council meeting be adjourned at 2:57 p.m.

Carried

Kimberley Kitteringham
City Clerk

Frank Scarpitti
Mayor



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

Municipal Information

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

Section 1 - Application Details

Premises Name NEW CENTURY RESTAURANT		Premises Telephone Number 647 483 9999	
Contact Name ROSE BUT (AGENT)		Contact's Telephone Number 416 818 1318	Email Address butwing2@gmail.com
Address 398 Ferrier St, unit 115-121	City/Town MARKHAM	Province/State ON	Postal Code L3R 2Z5

Does the application for a Liquor Sales Licence include:

- Indoor areas
 Outdoor areas

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

Municipal Clerk:

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

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

Is the area where the establishment is located:

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

Note:

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

Signature of Municipal Official	Title
Address of Municipal Office	Date YYYY MM DD



Liquor Licence Questionnaire

The Corporation of the City of Markham

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

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

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

Attention: Public Services Assistant

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

Liquor Licence Questionnaire Checklist

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

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

Applicant Contact Information

First Name Mengxue		Last Name Li	
Street Number 398	Street Name Ferrier Street		Suite/Unit Number 108 115-121
City Markham		Postal Code L6B 0Z5	Province ON
Telephone Number	Mobile Number 6475143666	Email newcenturybanquet@gmail.com	

Restaurant Information

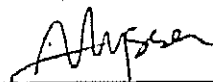
Name of Restaurant New Century Banquet (2700549 Ontario INC)			
Street Number 398	Street Name Ferrier Street		Suite/Unit Number 168
City Markham		Postal Code L6B 0Z5	Province ON

Page 1 of 2

Rev. Jan/17

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

What is the closest major intersection to the restaurant? N/A	What is the distance between the restaurant and the closest residential area? (in kilometres) 1
Does the restaurant have a valid Business Licence issued by the City of Markham? <input type="radio"/> Yes <input checked="" type="radio"/> No Business Licence Number: _____ If no, please note that a Business Licence is required.	Does the restaurant have a working Fire Alarm System? <input checked="" type="radio"/> Yes <input type="radio"/> No
Type of restaurant (select one) <input type="checkbox"/> Family <input type="checkbox"/> Roadhouse <input type="checkbox"/> Sports Bar <input checked="" type="checkbox"/> Fine Dining <input type="checkbox"/> Take Out <input type="checkbox"/> Cafe	
What, if any, entertainment or amusements will be provided in the restaurant? (select all that apply) <input checked="" type="checkbox"/> Karaoke <input type="checkbox"/> Live Entertainment <input type="checkbox"/> Casino <input type="checkbox"/> Off-Track Betting <input type="checkbox"/> Arcade	
Is the liquor licence application for an expansion of the existing operations? <input checked="" type="radio"/> Yes <input type="radio"/> No If yes, please provide the <u>current</u> existing maximum seating capacity: _____ If no, please provide the <u>planned</u> existing maximum seating capacity: _____	
Location History	
Has a Building Permit been applied for or obtained for this location? <input checked="" type="radio"/> Yes Building Permit Number: <u>19 126604 000 01 AL</u> <input type="radio"/> No	
Was the location previously used as a restaurant? <input checked="" type="radio"/> Yes <input type="radio"/> No If no, a Building Permit is required. Contact Building Services at 905-477-7000 ext. 4870 for more information.	
If the location was previously used as a restaurant, has construction or alteration been proposed? <input checked="" type="radio"/> Yes <input type="radio"/> No If yes, please provide Alteration Permit Number: <u>19 126604 000 01 AL</u>	




 Applicant's Signature

Aug 20 2020

 Date

Rev.	Description	Date	By
1	Issue for Review	10/15/10	TAES
2	Issue for Construction	10/15/10	TAES
3	Issue for Construction	10/15/10	TAES
4	Issue for Construction	10/15/10	TAES

COPYRIGHT PROPERTY OF THE ARCHITECT AND MUST BE RETURNED TO THE ARCHITECT WITH ALL DRAWINGS, SPECIFICATIONS AND RELATED DOCUMENTS IN PART OR IN WHOLE IS FORBIDDEN WITHOUT THE WRITTEN PERMISSION OF THE ARCHITECT.
 DO NOT SCALE DRAWINGS.
 CONTRACTOR MUST CHECK & VERIFY ALL DIMENSIONS ON SITE.
 THIS DRAWING IS NOT TO BE USED FOR CONSTRUCTION UNTIL SIGNED BY THE ARCHITECT.

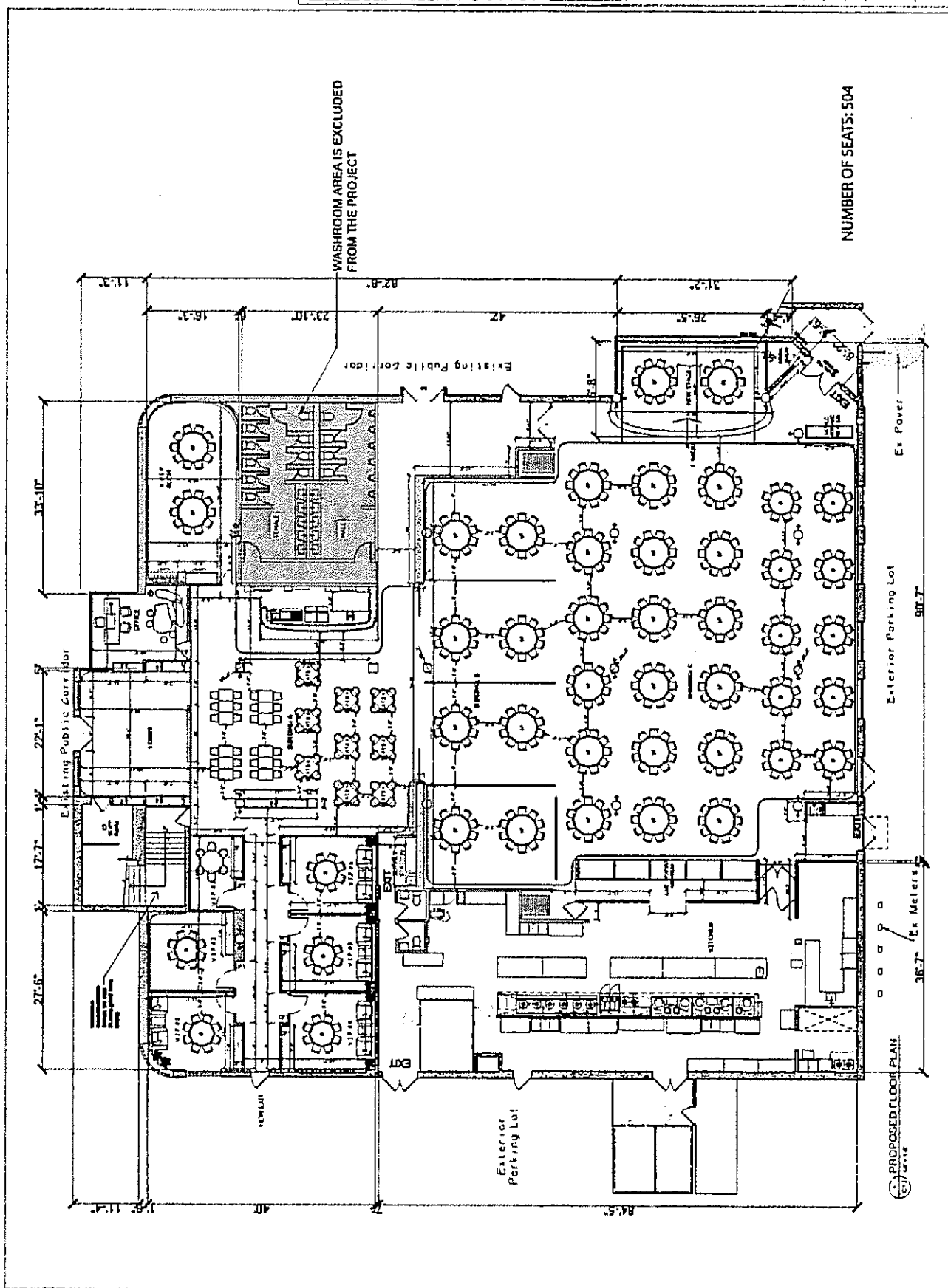


TAES Architects Inc.
 88 SCARBOROUGH RD
 TORONTO, ONTARIO M1H 2Y7
 T: 416 291 2200
 F: 416 291 2206

RESTAURANT
 8116-3687 Ferner ST, Markham, ON L3R 1H9

Project Number	120110417
Drawn	Issue 10E - 10/10
Checked	Date Oct 2010

FLOOR PLAN
 Drawing No.



潮
好
時

新世紀皇宮

海鮮酒

潮州菜

CHIU CHOW CUISINE

潮味家鄉菜

- | | |
|--|---------------------|
| 潮式蠔烙 | \$22. ⁸⁰ |
| Pan Fried Oyster Omelette | |
| 九層塔炒蜆 | \$22. ⁸⁰ |
| Stir Fried Clams w/Basil | |
| 芥蘭沙爹炒牛肉 | \$22. ⁸⁰ |
| Stir Fried Beef w/Chinese Kale in Satay Sauce | |
| 九層塔炒牛柳絲 | \$23. ⁸⁰ |
| Stir Fried Beef Tenderloin w/Basil | |
| 咸菜銀杏豬肚湯 | \$21. ⁸⁰ |
| Ginkgo Pork Belly Soup w/Pickles | |
| 涼瓜味菜大腸 | \$23. ⁸⁰ |
| Stir Fried Intestine w/Bitter Melon & Pickles | |
| 乾貝蝦乾浸冬瓜 | \$19. ⁸⁰ |
| Winter Melon w/Dried Scallops & Dried Shrimp | |
| 潮式川椒雞 | \$23. ⁸⁰ |
| Chicken w/Sichuan Peppers in Chiu Chow Style | |
| 沙爹粉絲大蝦煲 | \$32. ⁸⁰ |
| Prawns w/Vermicelli in Satay Sauce | |
| 厚菇大芥菜 | \$19. ⁸⁰ |
| Mustard Green with Mushroom | |
| 潮式大芥菜炖排骨 | \$18. ⁸⁰ |
| Braised Pork Ribs w/Mustard in Chiu Chow Style | |
| 潮味豆醬魚 | \$18. ⁸⁰ |
| Chiu Chow Style Fish w/Bean Sauce | |
| 潮州凍蟹 | 時價 |
| Steamed Crab in Chiu Chow Style (Cold Platter) | |

滷水

- | | |
|--------------------------------|-----------------------|
| 滷水拼盤 | \$23. ⁸⁰ |
| Marinated Delights Combination | |
| 滷水鴨 | \$21. ⁸⁰ |
| Marinated Duck | |
| 滷水大腸 | \$13. ⁹⁹ |
| Marinated Pork Intestines | |
| 滷水豆腐 | \$9. ⁸⁰ |
| Marinated Tofu | |
| 滷水雞蛋 | \$1. ⁸⁰ 每隻 |
| Marinated Egg (each) | |

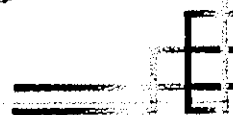
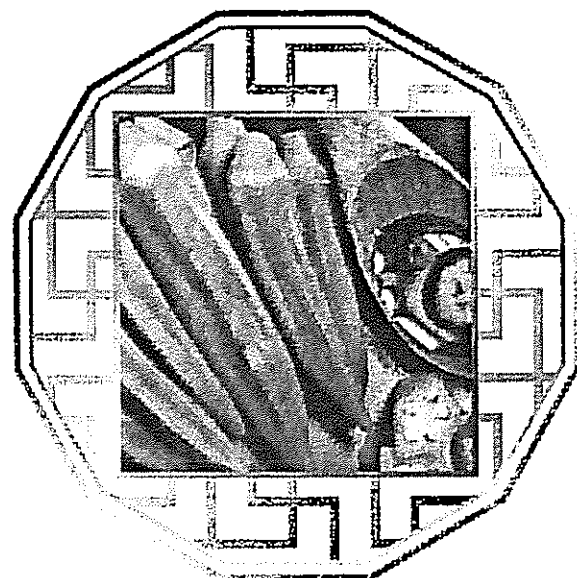
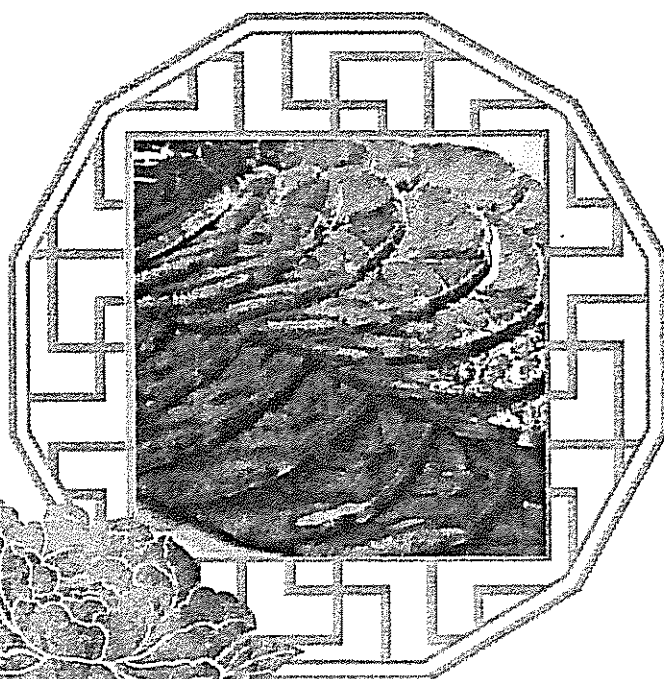
點心

- | | |
|-------------------------------------|--------------------|
| 潮州蒸粉果 | \$4. ⁹⁰ |
| Chiu Chow Style Steamed Dumplings | |
| 韭菜粿 | \$6. ⁹⁰ |
| Chiu Chow Style Chive Dumplings | |
| 炸春餅 | \$5. ⁹⁰ |
| Chiu Chow Style Crispy Spring Cakes | |
| 三色水晶包 | \$5. ⁹⁰ |
| Steamed Crystal Bun | |
| 潮式糯米卷 | \$5. ⁹⁰ |
| Steamed Glutinous Rice Rolls | |
| 綠豆爽 | \$5. ⁹⁰ |
| Green Beans Sweet Soup | |

Appetizer & Cold Dishes

精選小菜
滋味小食

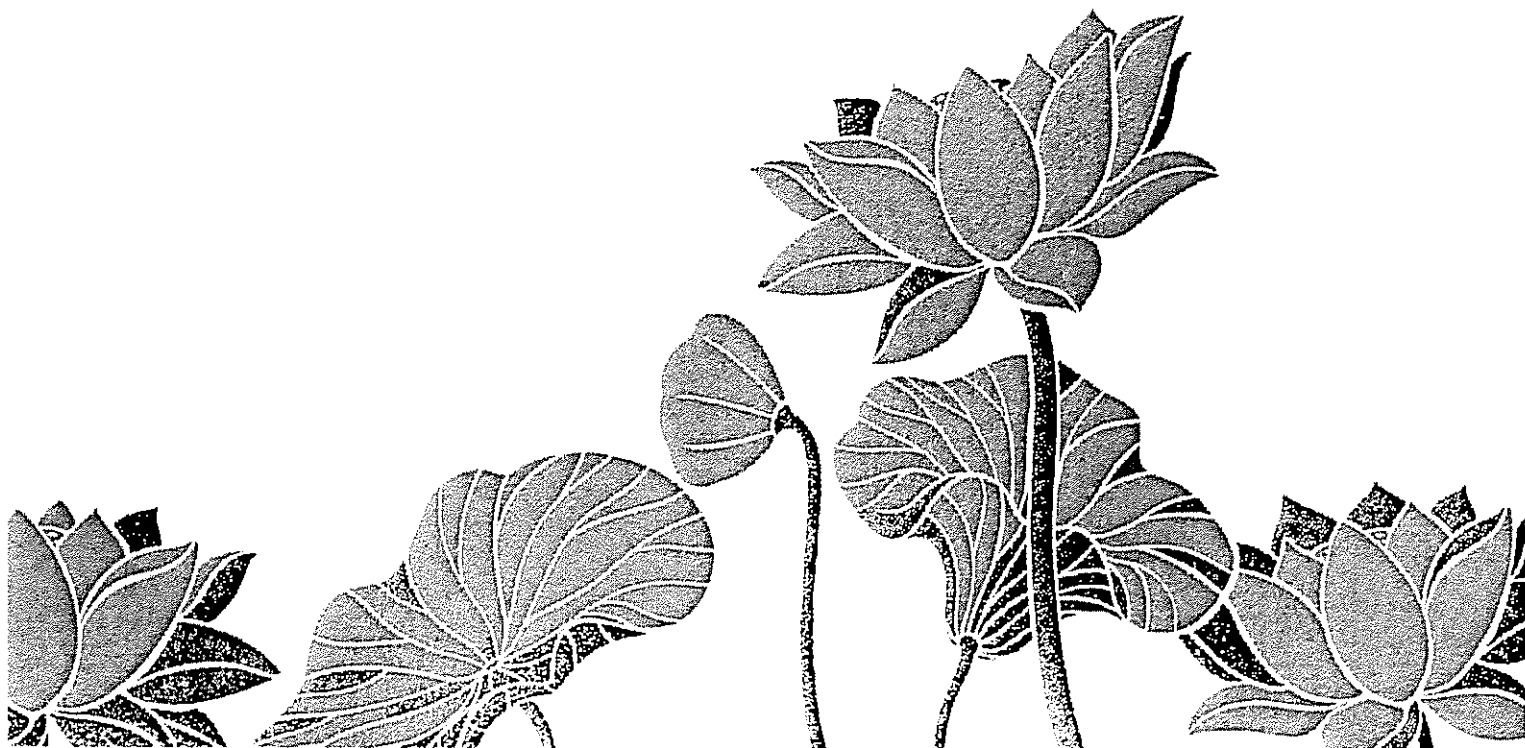
醬油童子蒜	Seasoned Baby Garlics W/ Soy Sauce (Cold Platter)	\$8.00
涼拌青瓜仔	Seasoned Cucumbers (Cold Platter)	\$8.00
涼拌衝菜絲	Seasoned Shredded Mustard Stems (Cold Platter)	\$8.00
金蒜泡茄子	Golden Garlic with Eggplant	\$8.00
水煮花生	Salted Boiled Peanuts	\$8.00
菠菜花生	Seasoned Spinach W/ Fried Peanuts (Cold Platter)	\$8.00
青芥辣黑木耳	Seasoned Black Fungus W/ Wasabi (Cold Platter)	\$8.00
榨菜腎片	Seasoned Pickled Mustard Tuber And Kidney Slice (Cold Platter)	\$10.00
四川五香牛腱	Szechwan Spiced Beef Tendon	\$10.00
泰式鳳爪	Thai Style Chicken Feet	\$10.00
五香熏魚	Spiced Smoked Fish	\$10.00
日式海藻	Japanese Seaweed Salad	\$8.00
芥末秋葵	Cold-dressed Okra w/ Wasabi	\$8.00
涼拌皮蛋	Seasoned preserved eggs	\$8.00
秘制素鵝	Seasoned Mock Goose (Soya)	\$10.00



Soup

湯羹

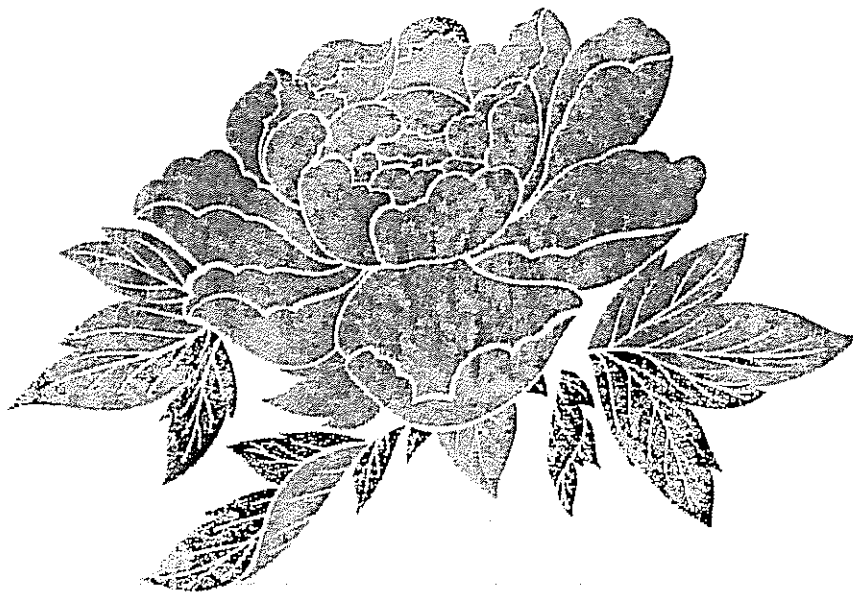
金湯海皇羹	Braised Pumpkin Soup w/Dice Seafood	\$8. ⁸⁰ /每位 per person	\$24. ⁸⁰ /例 regular
西湖牛肉羹	Minced Beef & Egg White Thick Soup	\$8. ⁸⁰ /每位 per person	\$22. ⁸⁰ /例 regular
鷄茸粟米羹	Minced Chicken w/Sweet Corn Thick Soup	\$6. ⁰⁰ /每位 per person	\$20. ⁸⁰ /例 regular
鮮蟹肉魚肚羹	Fresh Crab Meat & Fish Maw Thick Soup	\$8. ⁸⁰ /每位 per person	\$26. ⁸⁰ /例 regular
鮮蝦雲吞湯	Fresh Shrimp Wanton Soup	\$6. ⁰⁰ /每位 per person	\$22. ⁸⁰ /例 regular
素酸辣湯	Hot & Sour Vegetable Soup	\$6. ⁰⁰ /每位 per person	\$20. ⁸⁰ /例 regular
海皇酸辣湯	Hot & Sour Seafood Soup	\$8. ⁰⁰ /每位 per person	\$22. ⁸⁰ /例 regular



Chef's Recommendations

廚師推薦

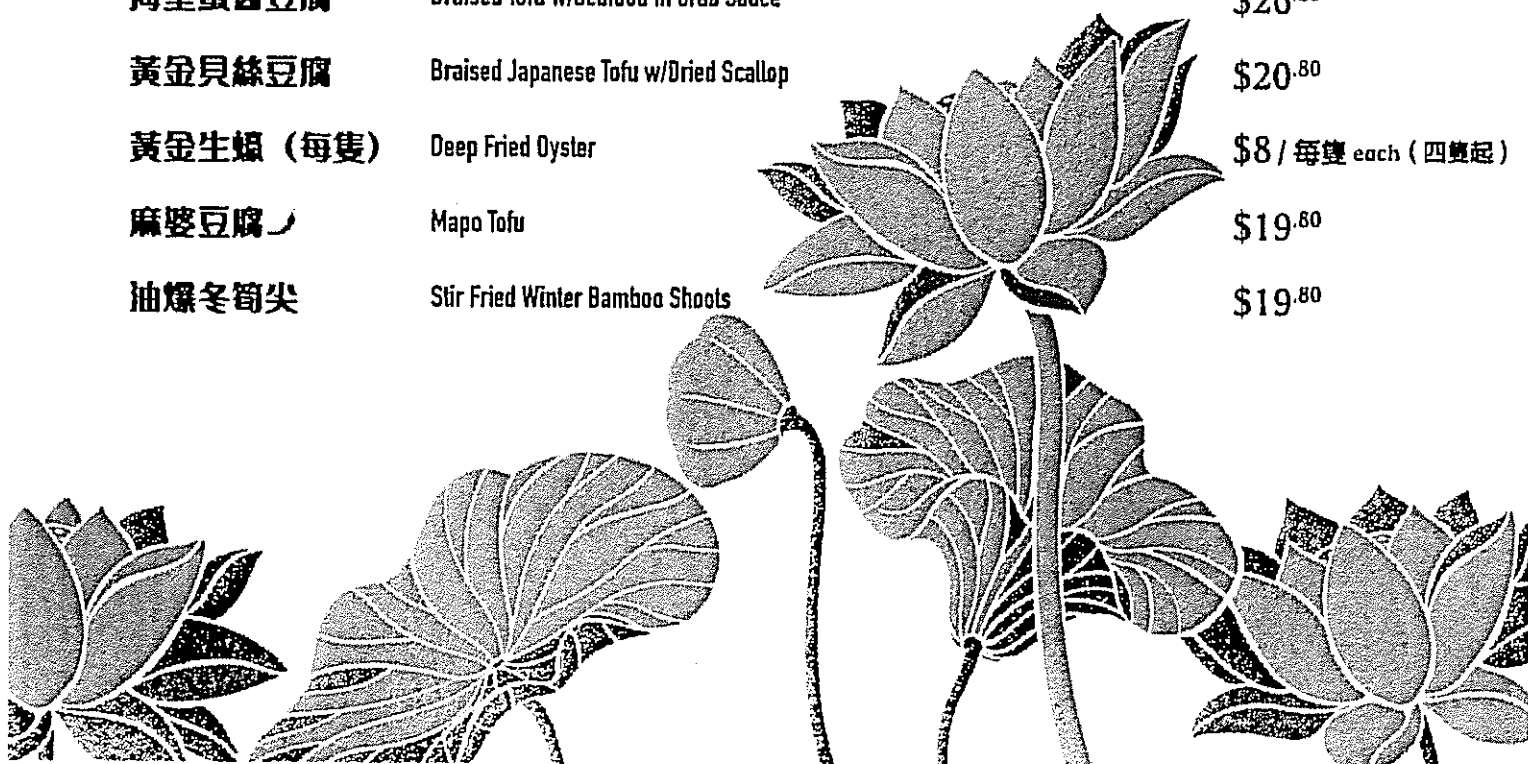
金銀蒜蒸開邊蝦	Steamed Prawns w/Garlic	\$8 / 每隻 each (四隻起)
黑椒牛油焗蝦皇	Butter Baked Prawns w/Black Pepper	\$8 / 每隻 each (四隻起)
蜜椒生蠔	Oyster w/Honey & Black Pepper	\$7 / 每隻 each (四隻起)
峨眉生蠔	O mei Style Oyster	\$7 / 每隻 each (四隻起)
潮式凍大蟹	Chiu Chow Style Steamed Crabs (cold platter)	時價
沙姜生炒黃油走地雞件	Stir Fried Chicken w/Ginger	\$21. ⁸⁰





名菜精選

荷塘清爽	Stir Fried Assorted Vegetables (Sliced Lotus Root, Sweet Bean, Black Fungus, Green Edamame, Celery, Water Chestnut Slices, Sweet Bamboo Shoots) (蓮藕、甜豆、雲耳、青毛豆、西芹、馬蹄片、甘筍)	\$19. ⁸⁰
麵醬茄子花腩	Braised Pork Belly & Eggplants w/Sweet Soy Sauce	\$20. ⁸⁰
飄香橫角蒸腩仔	Steamed Pork Belly w/Chinese Olives	\$20. ⁸⁰
蘿蔔煮魚腩	Turnip & Fish Paste Fillet Stew	\$19. ⁸⁰
橫菜肉碎四季豆	Stir Fried Green Bean w/Minced Pork & Chinese Olive Vegetable	\$19. ⁸⁰
海皇蟹蓉豆腐	Braised Tofu w/Seafood in Crab Sauce	\$26. ⁸⁰
黃金貝絲豆腐	Braised Japanese Tofu w/Dried Scallop	\$20. ⁸⁰
黃金生蠔 (每隻)	Deep Fried Oyster	\$8 / 每隻 each (四隻起)
麻婆豆腐	Mapo Tofu	\$19. ⁸⁰
油爆冬筍尖	Stir Fried Winter Bamboo Shoots	\$19. ⁸⁰



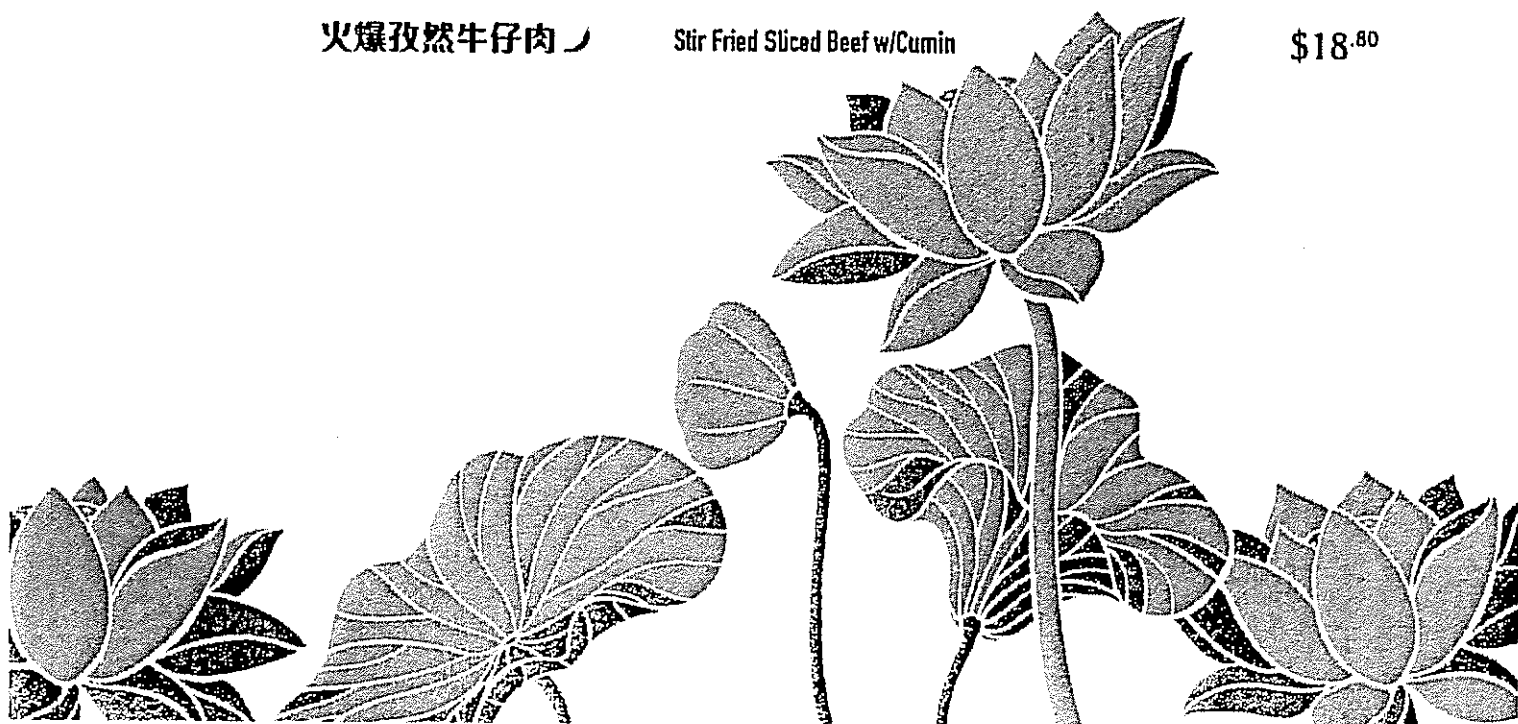


名菜精選

京都焗肉骨	Stir Fried Spare Ribs w/Sweet & Sour Sauce	\$22. ⁸⁰
金蒜梅香橫角骨	Spare Ribs w/Garlic & Marinated Olives	\$22. ⁸⁰
七彩味菜牛柳絲	Stir Fried Shredded Beef w/Preserved Vegetable	\$26. ⁸⁰
陳皮金針雲耳蒸文昌雞	Steamed Chicken w/Black Fungus & Dried Tangerine Peel	\$23. ⁸⁰
台灣三杯雞	Taiwan-style Stewed Chicken w/Three Cups Sauce	\$22. ⁸⁰
蔥燒海參	Braised Sea Cucumber w/Green Onions	\$48. ⁸⁰
豉油皇虎皮尖椒	Pan-Seared Green Chili Pepper w/Soy Sauce	\$13. ⁸⁰
鮮蝦肉碎燴魚肚	Braised Fish Maw w/Prawns & Minced Pork	\$24. ⁸⁰

名菜精選

童子蒜牛柳粒	Stir Fried Diced Beef w/Garlic	\$26. ⁹⁹
鹹魚蒸花腩	Steamed Pork Belly w/Salted Fish	\$19. ⁸⁰
鹹魚蒸肉餅	Steamed Pork Patty w/Salted Fish	\$21. ⁸⁰
梅菜蒸白肉餅	Steamed Pork Patty w/Preserved Vegetables	\$19. ⁸⁰
豉椒黃斑頭腩	Braised Grouper Belly w/Pepper	\$32. ⁸⁰
葱油香煎帶魚	Deep Fried Hairtail Fish	\$20. ⁸⁰
番茄蛋煮紅衫魚	Braised Golden Thread Fish w/Tomatoes & Eggs	\$20. ⁸⁰
酸豆角肉碎紅衫魚	Braised Golden Thread Fish w/Minced Pork & Pickled Cowpea	\$18. ⁸⁰
碧綠炒魚鬆	Stir Fried Fish Paste Fillet w/Vegetable	\$14. ⁸⁰
世紀金牌蒜香骨	Deep Fried Spare Ribs w/Garlic	\$21. ⁸⁰
松仁魚米之香	Fish Ball w/Roasted Pine Nuts & Corns	\$19. ⁸⁰
藍莓咕嚕肉	Sweet & Sour Pork w/Blueberries	\$21. ⁸⁰
黑椒琥珀牛柳	Stir Fried Diced Steak w/Walnut in Black Pepper Sauce	\$32. ⁸⁰
蔥爆磨菇牛仔肉	Stir Fried Sliced Beef w/Mushroom	\$18. ⁸⁰
火爆孜然牛仔肉	Stir Fried Sliced Beef w/Cumin	\$18. ⁸⁰





名菜精選

脆皮乳鴿	Crispy Roasted Pigeon	\$32. ⁸⁰
豉汁蒸白鱈	Steamed Eels w/Black Bean Sauce	\$32. ⁸⁰
皇子菇扒豆苗	King Oyster Mushroom & Pea Sprout	\$24. ⁸⁰
金銀蛋浸菜心	Braised Choi Sum w/Salted Eggs & Preserved Eggs	\$19. ⁸⁰
巴蜀豆瓣魚	Braised Fish w/Spicy Bean Sauce	\$29. ⁸⁰
府膳烤羊架	Roasted Lamb Rack	\$8 / 每件 each
豉汁炒蜆	Stir Fried Clams w/Black Bean Sauce	\$20. ⁸⁰
明爐燒鴨	Roasted Duck	\$33. ⁸⁰ /每隻 whole \$18. ⁸⁰ /半隻 half
白切文昌雞	Cantonese Poached Chicken	\$33. ⁸⁰ /每隻 whole \$18. ⁸⁰ /半隻 half
砂鍋手撕雞	Shredded Chicken in Casserole	\$33. ⁸⁰ /每隻 whole \$18. ⁸⁰ /半隻 half
砂鍋豉油雞	Braised Chicken w/Soy Sauce in Casserole	\$33. ⁸⁰ /每隻 whole \$18. ⁸⁰ /半隻 half
秘制肥叉燒	Honey Glazed B.B.Q. Pork	\$18. ⁸⁰

四位套餐

Combo for 4

時令足料靚湯

Soup of The Day

明爐叉燒

Honey Glazed B.B.Q. Pork

鮮蝦肉碎魚肚

Braised Fish Maw w/Prawns & Minced pork

荷塘清爽

Stir Fried Assorted Vegetables

清蒸蔥油海上鮮

Steamed Seafood w/Scallion Oil

滋潤甜品

Dessert Specialty

\$148

六位套餐

Combo for 6

時令足料靚湯

Soup of The Day

XO醬松茸炒鮮蝦魚肚

Stir Fried Prawns, Fish Maw & Matsutake w/ X.O sauce

荷塘清爽

Stir Fried Assorted Vegetables

金蒜梅欖角骨

Pork Ribs w/Marinated Olives

砂鍋豉油雞 [半隻]

Braised Chicken w/Soy Sauce in Casserole (half)

清蒸蔥油青斑

Steamed Green Bass w/Scallion Oil

滋潤甜品

Dessert Specialty

\$178

八至十位套餐

Combo for 8 - 10

- 明爐片皮鴨 (一隻)
- 二度炒焗或斬件
- 金湯松茸貝絲魚肚羹
- 鮮磨菇蔥燒海參蝦仁
- 蛋絲紅杞浸豆苗
- 潮式鹹菜煮魚鮮
- 砂鍋手撕雞一隻
- 蒜蓉粉絲蛋白蒸龍蝦(三磅)
- 櫻菜肉碎炒飯
- 滋潤甜品

\$378

八至十位套餐

Combo for 8 - 10

- 明爐片皮鴨(一隻)
- 二度炒焗或斬件
- 香芒珍寶蝦球(十隻)
- 金湯海皇松茸魚肚羹
- 鮮磨菇蔥燒海參蝦仁
- 荷塘清爽
- 潮式鹹菜煮海上鮮
- 砂鍋豉油雞
- 蟹皇扒豆腐
- 金銀蒜粉絲蒸龍蝦(三磅)
- 櫻菜肉碎炒飯
- 滋潤甜品

Sliced Roasted Marinated Duck Meat

Stir Fried Jumbo Prawns w/Mango (10pcs)

Matsutake & Fish Maw Thick soup

Braised Sea Cucumbers & Shrimps w/Mushrooms & Green Onions

Stir Fried Assorted Vegetables

Stir Fried Assorted Seafood w/Pickled Sour Mustard

Braised Chicken w/Soy Sauce in Casserole

Braised Tofu w/Crab Meat

Steamed Lobsters & w/Garlic & Vermicelli

Fried Rice w/Chinese Olive Vegetable & Minced Pork

Dessert Specialty

\$458

Drink List-New Century Banquet

Chinese Wine

- Flying Fairy Kweichow Moutai
Chiew 貴州茅台
- Er Guo Tou 北京二鍋頭
- TianZhiLan Sky Blue 天之藍

Japanese Sake

- NANBU BIJIN

Korean Spirits

- CHARM SOJU

Beer

- CANADIAN
- BUDWERSER
- COOL LIGHT
- SAPPORO-import beer
- ASAHI-import beer
- HEINEKEN-import beer
- TSING TAO-import beer

Soft drink /Juice

- Ice tea
- Coke
- Diet-Coke
- Sprite
- Ice Herbal Tea 加多寶
- 桂花酸梅湯
- Orange juice
- Apple juice

Red wine

- J.LOHR Merlot
- WOODBRIDGE Cabernet sauvignon
- WOLF BLESS Cabernet sauvignon
- MASI Campofiorin
- BERINGER BRO Bourbon barrel red blend
- RUFFINO Chianti

White wine

- BAREFOOT Chardonnay
- BAREFOOT Riesling

Cognac

- Remy Martin XO
- Hennessy VSOP

Spirits

- VODKA
- RUM
- GIN
- WHISKEY

Subject: FW: Reply to the email....."Addition to Tomorrow's Council Agenda - Item 10.1 Appeal of Heritage Permit for a Fence at 3 Victoria Lane, Unionville"

From: Christine Costa

Sent: November 9, 2020 7:58:26 PM

To: Lombardi, Grace

Cc: Pettit, Martha; Bisera, Leikha; Chapman, Scott

Subject: Re: Reply to the email....."Addition to Tomorrow's Council Agenda - Item 10.1 Appeal of Heritage Permit for a Fence at 3 Victoria Lane, Unionville"

CAUTION: This email originated from a source outside the City of Markham. DO NOT CLICK on any links or attachments, or reply unless you recognize the sender and know the content is safe.

Good evening Grace,

Thank you for advising that my deputation regarding the Heritage Permit application for a fence at 3 Victoria Lane will be discussed at tomorrow's Council meeting.

My partner and I are sincerely regretful for assuming that a Heritage Permit was not required for a rear fence, and not applying for one prior to its installation. We would like to welcome any and all members of Council to visit to my property tomorrow morning to see the subject rear fence in person. They will quickly see that the fence is unobtrusive, recedes into the landscape, and does not negatively impact the heritage character of the District. Could you please forward this invitation to them?

We remain hopeful that Council will support Heritage Planning staff's recommendation that the permit be approved subject to the fee/fine. We would really like to avoid having to take this matter to the Local Planning Appeal Tribunal (LPAT) should the permit application be declined. Fingers crossed.

Thanks again for your assistance.

Regards,

Christine

On Mon., Nov. 9, 2020, 4:20 p.m. Lombardi, Grace, wrote:

Hello,

Thank you for your deputation for agenda item # 10.1 – Appeal of Heritage Permit Application for a Fence 3 Victoria Lane, Unionville at the Development Services Committee meeting held on Monday November 9, 2020. This email is to inform you that the Development Services Committee voted to go into closed session to

receive legal advice from the City Solicitor. Please be advised that this matter will be on the Council agenda at tomorrow's Council meeting. Members of the public are welcome to view the meeting through the live video stream at www.markham.ca. The meeting will begin at 1:00 PM.

So you are aware, please note that the Procedural By-law provides that deputants cannot appear at both Committee and Council on the same matter. If you have any questions regarding the Council agenda, please contact Leikha Bisera at lbisera@markham.ca.

Sincerely,

Grace Lombardi

Acting Election and Committee Coordinator | Legislative Services

City of Markham | Anthony Roman Centre

101 Town Centre Boulevard

Markham, Ontario, L3R 9W3

Phone: 905-477-7000 ext 4290

Email: glombardi@markham.ca

www.markham.ca



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Subject: FW: Romandale Farms Limited and King David Inc Objection Letter re. Clara Holdings Inc. Applications (File No. PLAN 19 123509 and SPC 19 123509)
Attachments: Romandale Farms and King David Objection Letter re. Clera Holdings Inc Applications.pdf
Importance: High

From: Bart Ryan <
Sent: Tuesday, November 10, 2020 11:08 AM
To: Kitteringham, Kimberley <
Cc: Blake, Ronald; Michael Melling; Meaghan McDermid; Rokos,; Bob Forhan
Subject: Romandale Farms Limited and King David Inc Objection Letter re. Clara Holdings Inc. Applications (File No. PLAN 19 123509 and SPC 19 123509)

CAUTION: This email originated from a source outside the City of Markham. DO NOT CLICK on any links or attachments, or reply unless you recognize the sender and know the content is safe.

Greetings Ms. Kitteringham:

Please find attached a letter prepared by RJ Forhan and Associates on behalf of King David Inc. and Romandale Farms Limited. The letter is with regards to item 8.1.2 in today's (November 10, 2020) Council agenda specific to the applications by Clera Holdings Inc. for zoning by-law amendment and site plan approval; File No. PLAN 19 123509 and SPC 19 123509. Please include the letter as part of the agenda and circulate the letter to members of Council prior to the meeting.

Thank you,

Bart Ryan RPP, MCIP, MPL
Associate Planner

RJ Forhan and Associates Inc
29 Queens Quay East Suite 607
Toronto Ontario M5E 0A4

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RJ Forhan and Associates Inc.
29 Queens Quay East, Suite 607
Toronto, Ontario, M5E 0A4

November 10, 2020

Kimberley Kitteringham,
City Clerk, Markham Civic Centre
101 Town Centre Blvd
Markham, ON L3R 9W3

Re: Clera Holdings Inc Zoning Bylaw Amendment and Site Plan Applications
Cathedral Community Secondary Plan Area
File No. PLAN 19 123509 and SPC 19 123509

Dear Ms. Kitteringham:

RJ Forhan and Associates (RJFA) are the planning consultants for Romandale Farms Limited (Romandale) and King David Inc. (King David). Romandale is responsible for the creation of Cathedraltown and also prepared the Cathedral Community Secondary Plan, approved by Markham in 1997, and amended in 2004, and the Cathedral Community Design Plan, approved by Markham in 2005, and amended in 2009. King David is the owner of the lands surrounding the Cathedral of the Transfiguration known as the Cathedral Piazza.

In a letter dated September 15, 2020, to Ron Blake, Markham planning staff, RJ Forhan and Associates Inc. advised that three planning applications within the employment area of the Cathedral Community Secondary Plan, were not in our view good planning, or in the public interest. The three applications included Flato Developments, LePoris Construction, and Clera Holdings.

The Clera Holdings Inc. applications for zoning by-law amendment and site plan is being considered for approval by Markham Council on November 10, 2020. RJ Forhan and Associates Inc. have reviewed the Markham staff report recommending approval of the Clera Holdings Inc. applications. Romandale and King David Inc. object to the approval of the applications by Markham Council for the following planning reasons:

The Site Planning and Urban Design is inappropriate and contrary to the Vision, Intent, Planning Policies and Guidelines contained in the Region of York Official Plan and the Markham Official Plan, as well as the Cathedral Community- Community Design Plan.

Specifically, the application proposes buildings that do not front on the street and locates parking prominently in front of buildings. As such, the proposed application does not conform to:

1. Section 5.2 of the Region of York;
2. Policies 6.1.2.2, 6.1.3.1, 6.1.3.2, 6.1.3.3, 6.1.4.2, 6.1.8.6, 6.1.8.7, 8.5.1.6, and 9.5.4, of the Markham Official Plan;
3. Section 3.6 of the Cathedral Community - Community Design Plan.



The proposed siting of buildings and parking as proposed in the Clera applications, is a vestige of the autocentric planning of the past, and frankly needs to stop. Approvals of these types of applications diminishes the integrity of the Plans and policies in place that support compact form, pedestrian oriented and scale, transit supportive, and place making. It is irresponsible for Markham planning staff to state in its report "While buildings 'B,' 'C,' and 'D' have a driveway and parking in front, the site is not anticipated to generate large amounts of pedestrian traffic. Setting these buildings back from the street frontage to provide for some parking in the front was felt to provide a balanced approach..." and because "the Owner did not support moving buildings 'B,' 'C,' and 'D' to the street because they are of the opinion that having parking in front of the buildings would contribute to street animation and provide better access to the site." Responsible planners know that street animation does not come from parking lots. This thinking and opinion goes against everything the planning profession is trying to achieve for planning in its urban areas, and municipal Council's are trying to achieve in planning for urban areas through their Official Plans.

Please contact the undersigned if you would like to discuss to the above concerns.

Sincerely,

A handwritten signature in black ink, appearing to read 'Bob Forhan', is written in a cursive style.

Bob Forhan, RPP

C.c. client
Ron Blake (Markham)
Michael Melling (Davies Howe)
Meaghan McDermid (Davies Howe)



Report to: Development Services Committee

Meeting Date: October 26, 2020

SUBJECT: RECOMMENDATION REPORT, Corbett Land Strategies Inc., on behalf of Emix Ltd., Applications to amend the Official Plan and Zoning By-law to add commercial uses including a Commercial self-storage Facility at 8400 Woodbine Avenue, west side of Woodbine Avenue, north of Perth Avenue (Ward 8) File Nos. PLAN 19 132742 and PLAN 20 110587

PREPARED BY: Rick Cefaratti, MCIP, RPP
Senior Planner, West District, (Ext. 3675)

REVIEWED BY: Ron Blake, MCIP, RPP
Senior Development Manager, (Ext. 2600)

RECOMMENDATION:

1. THAT the report dated October 26, 2020, entitled “RECOMMENDATION REPORT, Corbett Land Strategies Inc., on behalf of Emix Ltd., Applications to amend the Official Plan and Zoning By-law to add commercial uses including a Commercial self-storage Facility at 8400 Woodbine Avenue, west side of Woodbine Avenue, north of Perth Avenue (Ward 8) File Nos. PLAN 19 132742 and PLAN 20 110587”, be received;
2. THAT the Official Plan Amendment application submitted by Corbett Land Strategies Inc., on behalf of Emix Ltd., to amend the 2014 Official Plan, be approved by Council, and that the draft Official Plan Amendment attached as Appendix ‘A’ be finalized and adopted by Council;
3. THAT the amendment to Zoning By-law 165-80, as amended, be approved and the draft implementing Zoning By-law, attached as Appendix ‘B’, be finalized and enacted, without further notice;
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 ‘B’ to this report, before the second anniversary of the day on which the by-law was approved by Council;
5. AND THAT Staff be authorized and directed to do all things necessary to give effect to this resolution.

PURPOSE:

This report recommends approval of the Official Plan Amendment and Zoning By-law Amendment applications to broaden the range of permitted uses on the subject lands to include a commercial self-storage facility, restaurants a banquet hall, and a warehouse.

BACKGROUND:

Property and Area Context

The 1.24 ha. (3.07 ac.) subject property is located on the northwest corner of Woodbine Avenue and Perth Avenue. The property also has road frontage on the east side of Cochrane Drive. The site contains a large retail warehouse style, three storey commercial building with a gross floor area of 10,509 m² (113,119 ft²). Parking is provided on a surface lot surrounding the building. Existing uses operating within the building include a furniture outlet and an immigration office. Located to the north are various commercial operations. To the south, across Perth Avenue, is a hotel (Comfort Inn) and other commercial uses. An application for Site Plan approval, for a seven (7) storey, dual branded (Home 2 and True) hotel building and a four storey office building on the Comfort Inn property was endorsed in principle by Development Services Committee in April of 2019, and the associated site plan agreement is with the owner for execution. To the east, across Woodbine Avenue, are various commercial uses including an appliance store. To the west, across Cochrane Drive, are industrial uses and an office building (see Figures 1, 2 and 3).

Application Status

Applications submitted in support of the proposal include a site specific amendment to the 2014 Official Plan and a Zoning By-law Amendment.

- The application for a Zoning by-law Amendment was deemed complete on September 20, 2019.
- The application for an Official Plan Amendment was deemed complete on April 6, 2020.
- The Statutory Public Meeting for the Official Plan and Zoning By-law Amendment applications was held (electronically) on June 2, 2019.
- All of the proposed alterations to the existing building are internal and an application for Site Plan approval is not required.

Proposal

The owner is proposing to renovate a portion of the first floor at the front of the building, and the second and third floors of the existing three (3) storey building for a commercial self-storage facility. The existing immigration office use will continue to occupy most of the first floor. The remaining portion, and all of the space on the second and third floors is now vacant and is proposed to be converted to provide space for self-storage lockers. There are no external changes proposed for the existing building. In addition, the existing zoning is very specific as to the types of retail uses permitted, therefore the owner is also proposing to broaden permission for retail store type uses as well as to permit restaurants, a banquet hall and a warehouse as a large area within the building is currently vacant.

Conformity with Provincial Policy and York Region Official Plan

The proposal to establish a Commercial self-storage Facility and additional uses on the subject property conforms to the applicable provincial policy framework, including the Provincial Policy Statement and the Provincial Growth Plan for the Greater Golden Horseshoe. In addition, this proposal conforms to the 'Urban Area' land use designation and policies of the Regional of York Official Plan which provides for a wide range of commercial and industrial uses on the subject property.

Official Plan

2014 Official Plan

The subject lands are designated Commercial in the 2014 Markham Official Plan (as partially approved on November 24, 2017 and updated by the LPAT on April 9, 2018). The designation provides for a broad range of commercial uses including large format retail, complementary retail, service, and office uses, as well as restaurants, banquet halls, financial institutions, light manufacturing, processing and warehousing. Staff note that lands designated 'Commercial' form part of the City's 'Employment Area' as shown on Map 1 – Markham Structure. The Official Plan does not provide for a commercial self-storage facility use, therefore an Official Plan Amendment is required.

Site Specific Official Plan Policy for a Commercial self-storage Facility

The draft Official Plan amendment, as shown in Appendix 'A', proposes to provide for a Commercial self-storage Facility use within the existing building on the subject property.

ZONING

These lands are currently zoned SC1 – Special Commercial One Zone under By-law 165-80, as amended, which permits very specific commercial uses including business or professional offices, lumber and building supplies outlets, sales of home improvement products, personal service shops, book stores, banks, hotels and motels, pet stores and supplies, furniture sales and repair, commercial schools as well as recreational and entertainment facilities.

The draft Zoning By-law Amendment as shown in Appendix 'B' proposes to add the following uses on the subject property:

- Commercial self-storage Facility
- Retail stores
- Restaurants
- Banquet Hall
- Warehouse

In addition, the owner is proposing the following site specific parking rate be applied to the proposed Commercial self-storage Facility use:

- 0.81 spaces per 100 m² Gross Floor Area (GFA)

All other uses will be subject to the minimum parking rates required under the City's Parking Standards By-law (28-97).

OPTIONS/ DISCUSSION:

Issues identified in the Preliminary Report and at the Public Meeting

Preliminary Report

Several matters for consideration were identified in the April 21, 2020 preliminary report including:

Building Standards Department

The Zoning section indicated that 5% of the total parking spaces are required to be accessible spaces, whereas only 2% of the total parking spaces are currently accessible spaces.

Engineering

A Parking Study was reviewed by Transportation Engineering staff, and it was determined the current on-site parking supply of 188 spaces is sufficient to accommodate the proposed Commercial self-storage Facility and existing Immigration consulting office. However, the Study did not include an analysis for the other commercial uses proposed such as a retail store, a restaurant or a banquet hall.

Public Meeting

The Statutory Public Meeting was held electronically on June 2, 2020. Comments made at the Public Meeting included:

- Whether there is sufficient parking to support all the additional uses being requested;
- Whether the Parking Study needs to be revised to consider additional uses on the property;
- Whether there will be any restrictions on the amount of space in the building that may be occupied by a future banquet hall or restaurant; and,
- Appropriateness of permitting a Commercial self-storage Facility and additional commercial uses on the subject property;

These issues are addressed as follows:

Proposed commercial uses can be accommodated on a limited basis.

Transportation Planning staff support the Parking Study's findings that the commercial self-storage facility only requires parking at a rate of 0.81 spaces per 100 m² of GFA (76 spaces). However, the floor area to accommodate all other uses on the property, both existing and proposed, will be limited by the ability of each use to provide the required amount of parking from the remaining balance (112 spaces) in accordance with the Parking Standards By-law. In order to address the high parking demands for restaurants and banquet halls (parking required at a rate of 1 space per 9 m²), Staff recommends that the total combined floor area for restaurants and banquet hall uses be limited to a maximum of 10% of the gross floor area of the existing building (1,000 m²) to ensure there are no future parking deficiencies. Staff have advised the applicant of these limitations.

In light of the Zoning Section's comments that a minimum of 5% of the total parking be accessible spaces, it is recommended that prior to the establishment of any additional uses on the subject property, the pavement markings on the parking lot be revised to meet the minimum amount of accessible spaces required on-site.

Proposed Uses Are Appropriate

Staff are of the opinion that the proposed additional uses (commercial self-storage facility, retail store, restaurant, banquet hall and warehouse) can be supported on the subject property.

The proposed interior renovation of part of the first floor, all of the second and third floors of the existing underutilized warehouse style building for commercial storage use purposes will provide an adaptive reuse of this building from previous uses that existed on the property that are no longer considered viable. The existing business office for immigration services on the first floor will not be impacted. The Commercial self-storage Facility will provide a low intensity land use within the existing building until future redevelopment of the site is proposed, in accordance with the 'Commercial' polices of the Official Plan, and will contribute to the existing mix and range of commercial and employment uses in the area.

There is an increasing demand for commercial self-storage facilities across the Greater Toronto Area (GTA), including in the City of Markham. This increased demand is due, in large part, to the market dynamics of the GTA where both older generations of residents are downsizing and younger family households are moving into smaller homes, and require additional storage space than they can accommodate on their properties. The increased demand for these facilities also comes from employment area customers that need additional storage space to grow their business operations.

The subject property is located at the edge of lands designated for Employment uses. Due to its proximity to employment and commercial areas and its access to a comprehensive transportation network (Woodbine Avenue, Perth Avenue, Cochrane Drive, Highway 7 East, Highway 404), the proposed Commercial self-storage Facility will provide storage space opportunities for both local businesses within the employment and commercial areas, and for residential customers requiring self-storage who will access the site from Woodbine Avenue.

The additional commercial uses proposed through the Zoning By-law Amendment application will be compatible with the surrounding developments in the area, and will add flexibility to address the difficulty the owner has recently experienced in maintaining full occupancy of the building.

CONCLUSION:

Based on the discussion above, Staff recommend adoption of the proposed Official Plan amendment attached as Appendix 'A', and approval of the proposed Zoning By-law Amendment attached as Appendix 'B'.

FINANCIAL CONSIDERATIONS

Not applicable.

HUMAN RESOURCES CONSIDERATIONS

Not applicable.

ALIGNMENT WITH STRATEGIC PRIORITIES:

The proposed applications have been reviewed in the context of the City's Strategic Priorities of Transportation and Municipal Services.

BUSINESS UNITS CONSULTED AND AFFECTED:

These applications have been circulated to various departments and external agencies and their comments have been addressed.

RECOMMENDED BY:

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

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

ATTACHMENTS:

Figure 1 – Location Map
Figure 2 – Area Context/Zoning
Figure 3 – Air Photo
Figure 4 – Site Plan

APPENDICES:

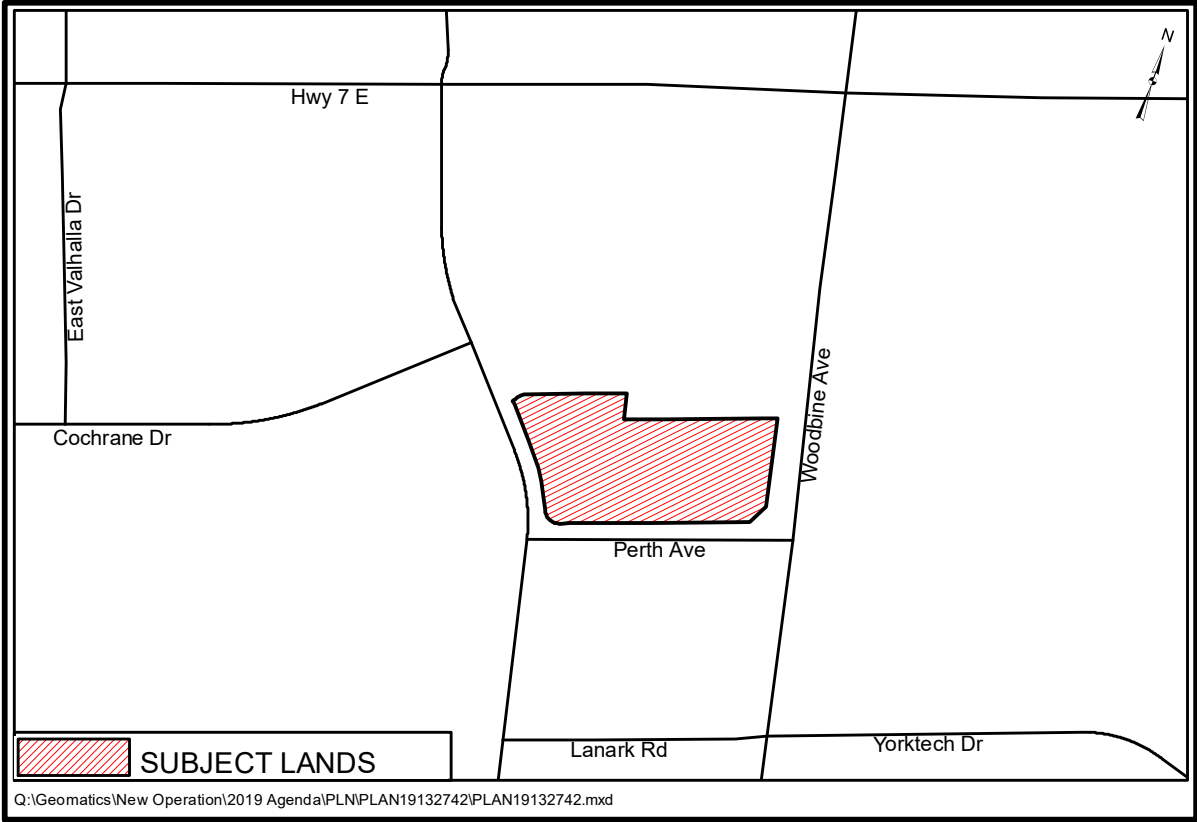
Appendix 'A' – Draft OPA
Appendix 'B' – Draft ZBA

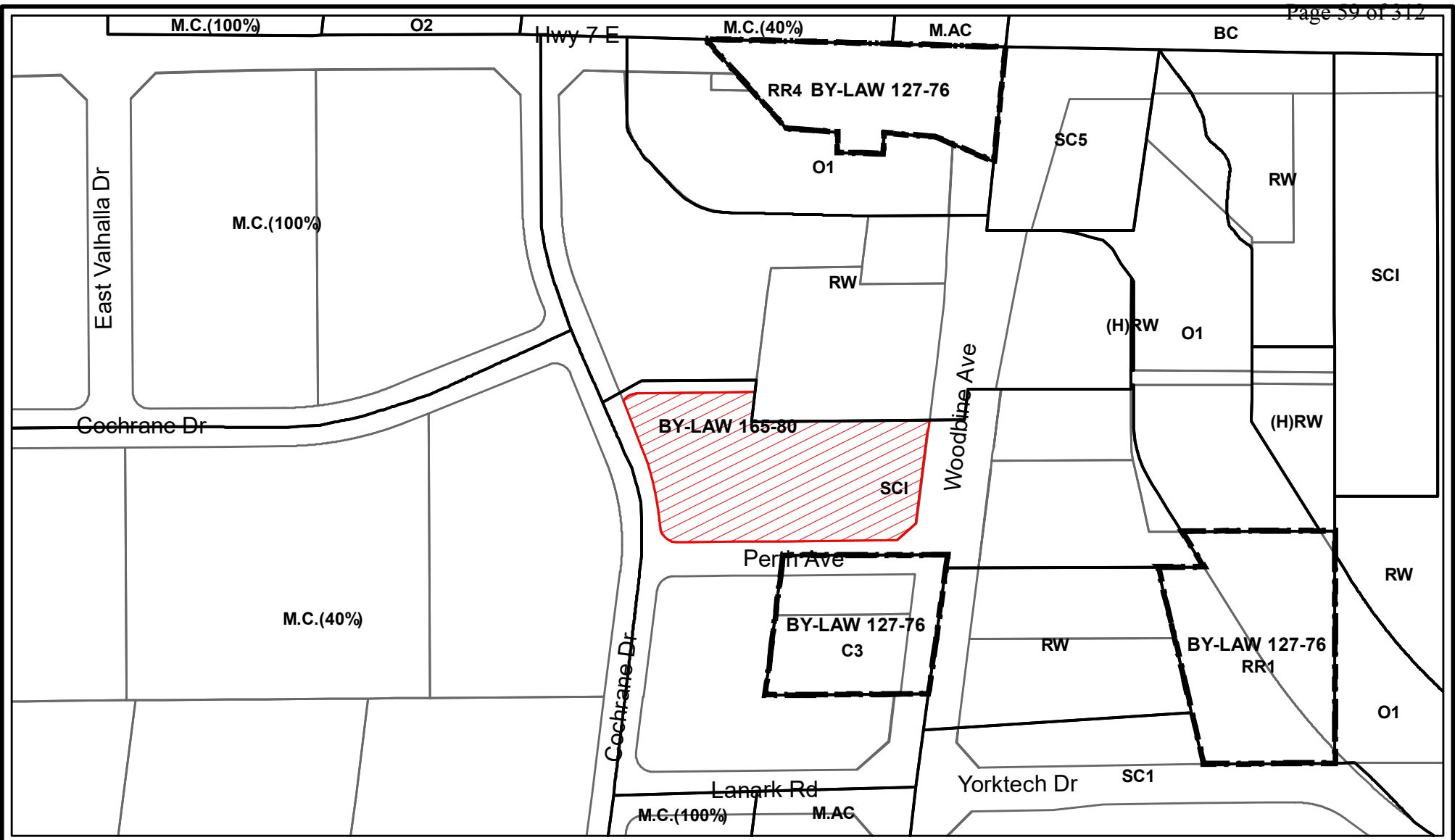
OWNER:

Emix Ltd.
C/O Christian Hepfer
63 Wingold Avenue
Toronto, ON
Phone: (416) 480-0006
Email: chepfer@emixprop.com

APPLICANT/AGENT:

Corbett Land Strategies Inc.
C/O John Corbett
483 Dundas Street West
Oakville, Ontario L6M 1L9
Phone (289) 725-9229
Email: john@corbettlandstrategies.ca






AREA CONTEXT / ZONING

APPLICANT: Corbett Land Strategies Inc.
8400 Woodbine Avenue

FILE No. PLAN19-132742 & PLAN20-110587

 SUBJECT LANDS



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Date: 27/01/2020



AERIAL PHOTO (2019)

APPLICANT: Corbett Land Strategies Inc.
8400 Woodbine Avenue

FILE No. PLAN19-132742 & PLAN20-110587

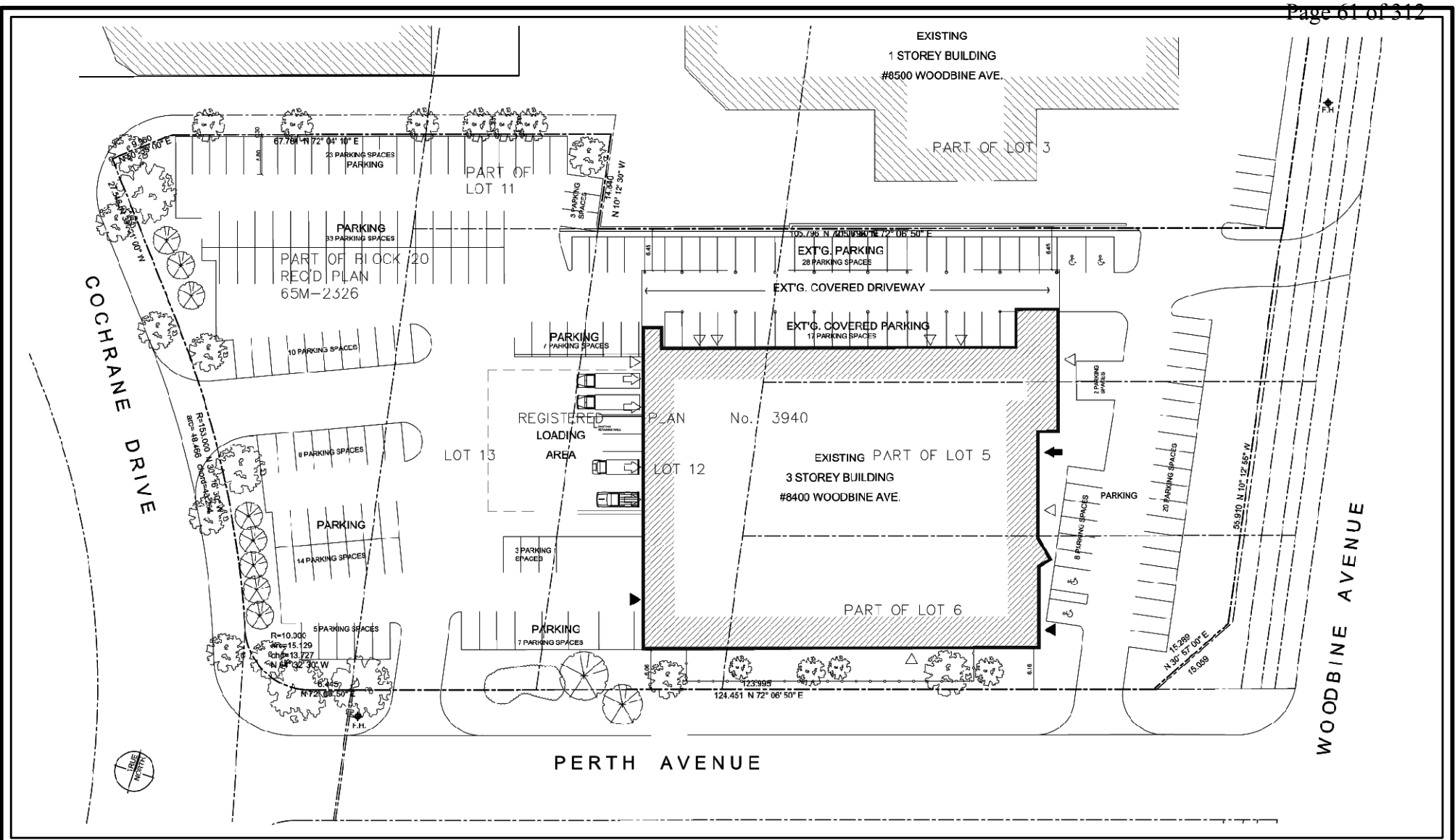
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 SUBJECT LANDS

Date: 27/01/2020

FIGURE No. 3





SITE PLAN

APPLICANT: Corbett Land Strategies Inc.
8400 Woodbine Avenue

FILE No. PLAN19-132742 & PLAN20-110587

--- SUBJECT LANDS

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Date: 27/01/2020

Appendix 'A'

CITY OF MARKHAM

OFFICIAL PLAN AMENDMENT NO. XXX

To amend the City of Markham Official Plan 2014, as amended.

(OPA Emix Ltd. 8400 Woodbine Avenue .docx)

(October 2020)

CITY OF MARKHAM
OFFICIAL PLAN AMENDMENT NO. XXX

To amend the City of Markham Official Plan 2014, as amended.

This Official Plan Amendment was adopted by the Corporation of the City of Markham, By-law No. ----20xx-xx---- in accordance with the Planning Act, R.S.O., 1990 c.P.13, as amended, on the 14th day of October, 2020.

Kimberley Kitteringham
City Clerk

Frank Scarpitti
Mayor



By-law 2020------

Being a by-law to adopt Amendment No. XXX
to the City of Markham Official Plan 2014, as amended

THE COUNCIL OF THE CORPORATION OF THE CITY OF MARKHAM,
IN ACCORDANCE WITH THE PROVISIONS OF THE PLANNING ACT,
R.S.O., 1990 HEREBY ENACTS AS FOLLOWS:

1. THAT Amendment No. xx to the City of Markham Official Plan is hereby adopted.
2. THAT this by-law shall come into force and take effect on the date of the final passing thereof.

READ A FIRST, SECOND AND THIRD TIME AND PASSED THIS 27th
DAY OF October, 2020.

Kimberley Kitteringham
City Clerk
(Signed)

Frank Scarpitti
Mayor

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PART I - INTRODUCTION

(This is not an operative part of Official Plan Amendment No.xxxxxxxxxxx)

PART I - INTRODUCTION

1.0 GENERAL

- 1.1** PART I - INTRODUCTION, is included for information purposes and is not an operative part of this Official Plan Amendment.
- 1.2** PART II - THE OFFICIAL PLAN AMENDMENT, constitutes Official Plan Amendment No. XXX to the City of Markham Official Plan 2014, as amended. Part II is an operative part of this Official Plan Amendment.

2.0 LOCATION

This Amendment applies to 2.24 hectares (3.07 acres) of land municipally known as 8400 Woodbine Avenue as shown on Figure 9.20.1. The property is located on the northwest corner of Woodbine Avenue and Perth Avenue with additional road frontage on the east side of Cochrane Drive. The property is also located within the Woodbine/404 Planning District.

3.0 PURPOSE

The purpose of this Official Plan Amendment is to provide for a Commercial Storage Facility use within the existing three storey warehouse style building on the subject property.

4.0 BASIS OF THIS OFFICIAL PLAN AMENDMENT

This amendment will facilitate the establishment of a Commercial Self-Storage Facility within the existing building. The current layout of the existing warehouse style building makes it suitable to establish facilities to store goods. In addition, due to the site's proximity to employment and commercial areas and its access to a comprehensive transportation network (Woodbine Avenue, Perth Avenue, Cochrane Drive, Highway 7 East, Highway 404), the proposed Commercial Self-Storage Facility will provide storage space opportunities for both local businesses within the employment and commercial areas, and for residential customers requiring self-storage who will access the site from Woodbine Avenue.

PART II - THE OFFICIAL PLAN AMENDMENT

(This is an operative part of Official Plan Amendment No. xxxxxxxxxxxxxxxxx)

PART II - THE OFFICIAL PLAN AMENDMENT

1.0 Section 9.20 of the Official Plan 2014, as amended, is hereby amended by:

- a) Amending Section 9.20.1 to add a reference to a new Section 9.20.8 in Figure 9.20.1 as follows:

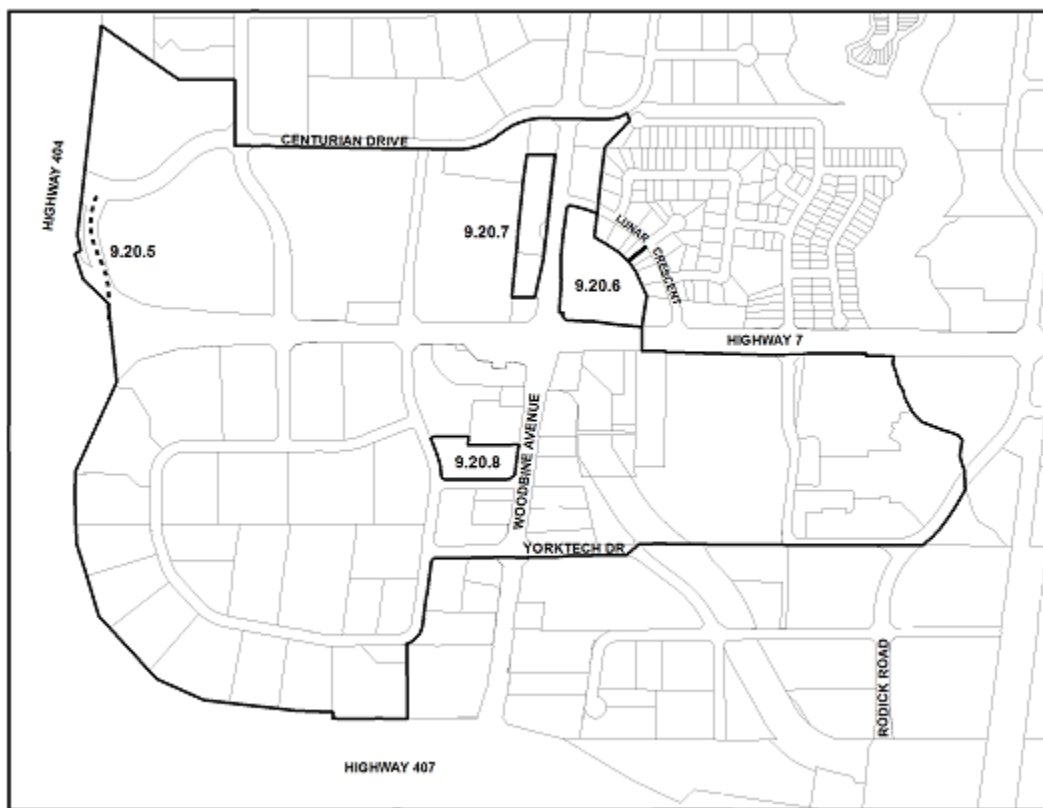


Figure 9.20.1

- b) Adding a new subsection 9.20.8 and Figure 9.20.8 as follows:

“ 8400 Woodbine Avenue

- 9.3.15 A Commercial Self-Storage Facility shall be permitted within the existing building on the ‘Commercial’ lands at 8400 Woodbine Avenue as shown in Figure 9.20.8.

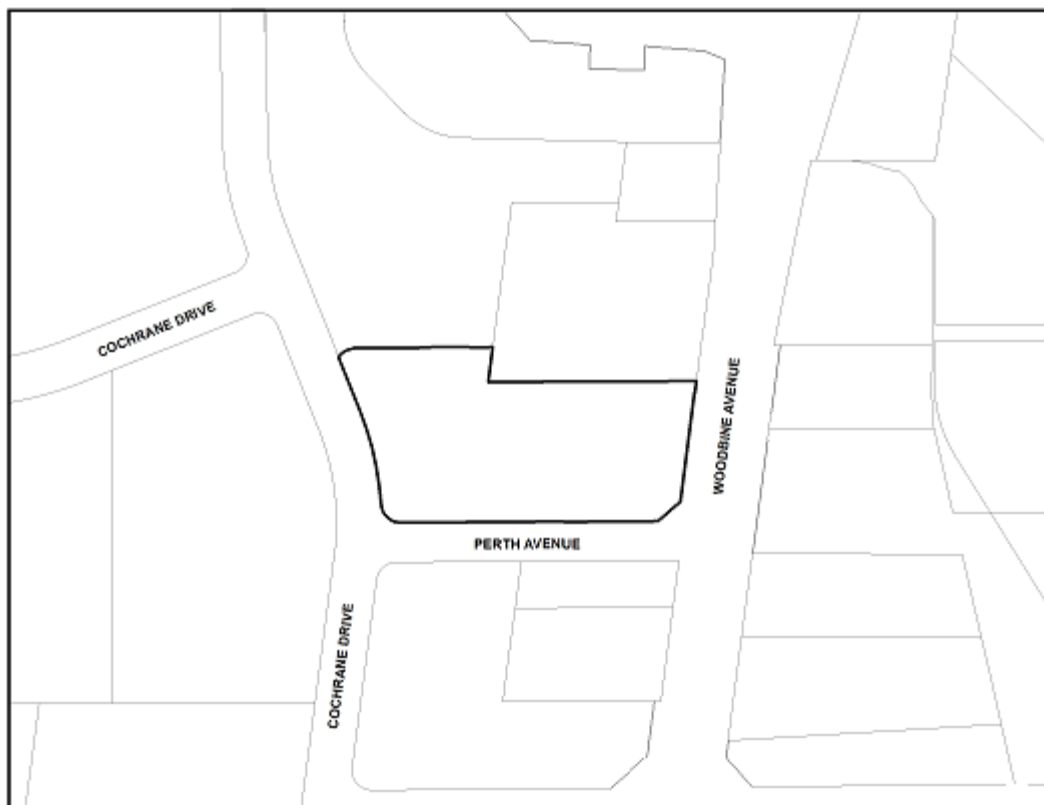


Figure 9.20.8”

2.0 IMPLEMENTATION AND INTERPRETATION

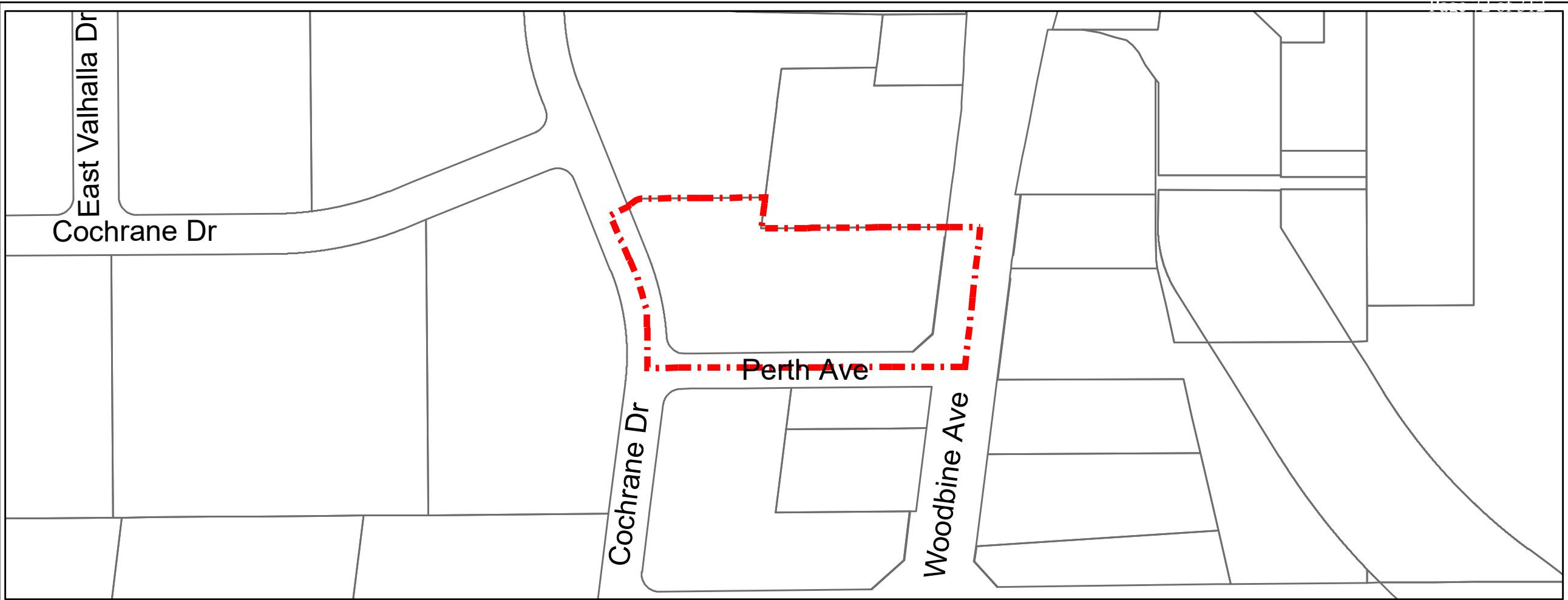
The provisions of the Official Plan, as amended, regarding the implementation and interpretation of the Plan, shall apply in regard to this Amendment, except as specifically provided for in this Amendment.

This Amendment shall be implemented by an amendment to the Zoning By-law and Site Plan approval and other Planning Act approvals, in conformity with the provisions of this Amendment.

This Amendment to the City of Markham Official Plan 2014, as amended, is exempt from approval by the Region of York. Following adoption of the Amendment, notice of Council’s decision will be given in accordance with the Planning Act, and the decision of Council is final, if a notice of appeal is not received before or on the last day for filing an appeal.

Prior to Council’s decision becoming final, this Amendment may be modified to incorporate technical amendments to the text and associated figure(s) and schedule(s). Technical amendments are those minor changes that do not affect the policy or intent of the Amendment. The notice provisions of Section 10.7.5 of the 2014 Markham Official Plan, as amended, shall apply.

(OCTOBER 2020)



SCHEDULE "A" TO BY-LAW 165-80

AMENDING BY-LAW 2020- DATED



BOUNDARY OF AREA COVERED BY THIS SCHEDULE

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.



Emix.By_law.App.B.docx

A By-law to amend By-law 165-80, as amended

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

1. By-law 165-80, as amended, is hereby further amended as follows:

- 1.1 By adding the following subsection to Section 7 – EXCEPTIONS

Exception 7.119	Emix Ltd. 8400 Woodbine Avenue	Parent Zone SC1
File PLAN 19 132742		Amending By- law 2020-XX
Notwithstanding any other provisions of By-law 165-80, the following provisions shall apply to the land shown on Schedule "A" attached to this By-law 2020-XX. All other provisions, unless specifically modified/amended by this section, continue to apply to the lands subject to this section.		
7.119.1 Only Permitted Uses		
The following are the only permitted uses:		
a)	All of the uses permitted in Section 6.6.1 (SC1 – Special Commercial 1 Zone)	
b)	Commercial Self-Storage Facility	
c)	Retail Store	
d)	Restaurant	
e)	Banquet Hall	
f)	Warehouse	
7.119.2 Special Zone Standards		
The following specific Zone Standards shall apply:		
a)	Parking Standard for a Commercial Storage Facility – 0.81 spaces per 100 square metres of net floor area.	
b)	Maximum Gross Floor Area for Restaurants and Banquet Halls – 10%	
7.119.3 Special Zone Provisions		
a)	A Commercial Self-Storage Facility shall only be permitted within the existing building.	

2. All other provisions of By-law 165-80, as amended, not consistent with the provisions of this by-law shall continue to apply.

Read a first, second and third time and passed on October 27th, 2020.

Kimberley Kitteringham
City Clerk

Frank Scarpitti
Mayor



EXPLANATORY NOTE

BY-LAW 2020-_____

A By-law to amend By-law 165-80, as amended

8400 Woodbine Avenue

Lands Affected

The proposed by-law amendment applies to a 1.24 ha. (3.07 ac.) property on the northwest corner of Woodbine Avenue and Perth Avenue, municipally known as 8400 Woodbine Avenue.

Existing Zoning

By-law 165-80, as amended, currently zones the subject lands as SC1 – Special Commercial One Zone.

Purpose and Effect

The purpose and effect of this By-law is to add more uses on the property including a commercial self-storage facility, a retail stores, restaurants, a banquet hall and a warehouse.

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.



Report to: Development Services Committee

Meeting Date: October 14, 2020

SUBJECT: RECOMMENDATION REPORT
 Applications for Zoning By-law Amendment and Site Plan Approval submitted by Clera Holdings Inc. on Block 81, Registered Plan 65M-4033 (west side of Woodbine Avenue, south of Elgin Mills Road East) to facilitate a commercial development (Ward 2)
 File No. PLAN 19 123509 and SPC 19 123509

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

REVIEWED BY: Ron Blake, MCIP, RPP, ext. 2600, Senior Manager, Development

RECOMMENDATION:

1. That the report titled “Applications for Zoning By-law Amendment and Site Plan Approval submitted by Clera Holdings Inc. on Block 81, Registered Plan 65M-4033 (west side of Woodbine Avenue, south of Elgin Mills Road East) to facilitate a commercial development(Ward 2)” be received; and
2. That Zoning By-law Amendment application (PLAN 19 123509) submitted by Clera Holdings Inc. be approved and the implementing by-law attached as Appendix ‘B’ be finalized and enacted without further notice; and
3. That in accordance with the provisions of subsections 45 (1.4) of the Planning Act, R.S.O. 1990, c.P.13, as amended, the Owners shall through this Resolution, be permitted to apply to the Committee of Adjustment for a variance from the provisions of the accompanying Zoning By-law, before the second anniversary of the day on which the by-law was approved by Council; and
4. That the Site Plan application (SPC 19 123509) submitted by Clera Holdings Inc., to facilitate the development of two one-storey buildings and two two-storey commercial buildings with a GFA of 3,697 m² (Ward 2) be endorsed in principle, subject to the conditions in Appendix ‘A’; and
5. That this endorsement shall lapse and site plan approval will not be issued, after a period of three (3) years commencing on October 14, 2020 in the event that the site plan agreement is not executed within that time period; and
6. That Site Plan Approval be delegated to the Director of Planning and Urban Design or designate, to be issued following execution of a site plan agreement. The Site Plan is only approved when the Director or designate has signed the site plan; and

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

EXECUTIVE SUMMARY:

The site has an area of approximately 1.39 ha. (3.4 ac.). It is located on the west side of Woodbine Avenue south of Elgin Mills Road (the “subject lands”). This report recommends the approval of an application for a Zoning By-law Amendment, to refine the permitted uses and development standards for a proposed commercial development with four buildings and a total GFA of 3,697 m² (42,700 ft²). The proposed development includes offices, retail, restaurants, and a child care centre. The report also recommends endorsement in principle of the site plan approval application. While this site plan application meets the criteria for staff delegation of site plan approval, members of Development Services Committee proposed a number of revisions at the June 11, 2020 Public Meeting, which have not been incorporated into the site plan. Staff have therefore included a specific recommendation for endorsement in principle of the site plan.

The owner will be required to construct a natural wildlife corridor abutting the subject lands to the west, as required by OMB Minutes of Settlement dated December 18, 2006.

PURPOSE:

The purpose of this report is to provide an overview, evaluation and recommendation of the applications for zoning by-law amendment (the “Application”) and Site Plan Approval submitted by Clera Holdings Inc. (the “Owner”). The report details the applicable policies and requirements in the Official Plan.

LOCATION AND AREA CONTEXT:

The lands subject to the proposed zoning by-law amendment are located on the west side of Woodbine Avenue, south of Elgin Mills Road (see Figure 1). The lands have an area of approximately 13,865 m² (149,239 ft²) with a frontage of approximately 215 m (705 ft) on Woodbine Avenue. The site was previously used for agricultural purposes and is currently vacant (see Figure 3).

The surrounding land uses are as follows (see Figure 2):

- | | |
|--------|---|
| North: | Gas station and Elgin Mills Road East. |
| East: | Woodbine Avenue and low rise residential lands. |
| South: | Vacant lands designated “Business Park Employment” and “Greenway” |

West: Vacant lands designated “Greenway”, “Business Park Employment”, and “Service Employment” which are the subject of subdivision and rezoning applications.

BACKGROUND:

In 2006, the previous owners of the abutting lands to the west [2705 and 2755 Elgin Mills Road East, which are currently owned by Leporis Construction Inc. and subject to current development applications (file numbers ZA 16 137567 and SU 16 137567) appealed Draft Plan of Subdivision 19T-95075 (covering the subject lands and additional lands on the east side of Woodbine Avenue, see Figure 7) and the related by-laws to the Ontario Municipal Board (OMB). The primary reason for the appeal related to a wildlife and stream corridor designated in the 2004 amendments to the Cathedral Town Secondary Plan, covering a small part of the subject lands but located mostly on the abutting property to the west. The parties entered mediation, which was successful and a settlement was reached. The Minutes of Settlement were issued by the OMB on December 18, 2006. The Minutes of Settlement establish certain conditions requiring preservation of the natural wildlife corridor as part of the development of the subject lands and the Leporis lands to the west, which are summarized in the Options/Discussion section below.

Process to Date

The Zoning By-law amendment application was submitted on July 9, 2019 to establish site specific development standards including the front yard setback, parking depth, and landscaping as well as to permit a child care centre and a restaurant use on the second floor. The ZBA application was deemed complete on July 30, 2019.

The site plan application was submitted on September 6, 2019 as File No. SPC 19 123509 (See Figure 5). Delegation By-law 2002-202 states that the Director of Planning and Urban Design is delegated authority to approve a site plan for new retail and commercial development with a total GFA of less than 4,700 m². However, because Development Services Committee proposed several revisions to the site plan at the June 11, 2020 Public Meeting, which have not been incorporated, staff have included a specific recommendation regarding endorsement in principle of the site plan application by Development Services Committee.

Electronic Public Meeting

An electronic statutory Public Meeting was held on June 11, 2020. The comments made at the public meeting are summarized in the Options/ Discussion section below.

Next Steps

If the zoning application is approved staff recommend enacting the Zoning By-law Amendment at an upcoming Council meeting. If the site plan application is endorsed in principle, the owner will enter into a site plan agreement with the City and site plan approval will follow.

PROPOSAL:

The applicant is proposing a retail and office development, including restaurants and a child care centre, with a total gross floor area (GFA) of 3,697 m² (39,794 ft²) in four buildings as follows (see Figure 5):

Building 'A':	2 storeys, 1090 m ² (11,733 ft ²)
Building 'B':	2 storeys, 769 m ² (8,277 ft ²)
Building 'C':	1 storey, 1,012 m ² (10,990 ft ²)
Building 'D':	1 storey, 826 m ² (8,891 ft ²)

184 parking spaces are proposed plus 8 bicycle parking spaces. The northerly vehicle access is proposed to be the existing driveway to the abutting gas station on the north side of the proposed development. This driveway straddles the mutual property line and is intended to serve both properties. The southerly vehicle access would be from an extension of the existing municipal road stub abutting the subject lands to the south.

PROVINCIAL POLICY CONFORMITY

The proposed development conforms to the applicable provincial policy framework, including the Growth Plan for the Greater Golden Horseshoe and the Provincial Planning Statement as well as the land use designation and policies of the Regional Official Plan.

OFFICIAL PLAN AND ZONING BY-LAW:

Official Plan 2014

The subject lands are designated "Employment Area – Service Employment" under the 2014 Official Plan (as partially approved on November 24, 2017 and further updated on April 9, 2018) (see Figure 4). Lands designated "Service Employment" are intended to accommodate uses that serve and support other business uses and employees, but which are not provided for in other 'Employment Lands'. Some of these uses may also serve residents.

The "Service Employment" designation provides for office uses as a main use and limits retail to a maximum of 50% of the total gross floor area of each building or 3,000 m², whichever is less. It also restricts retail uses to a maximum of 3,000 m² of GFA per premises for office supply and computer supply stores and 1,000 m² of GFA for all other retail uses. Restaurants and child care centres are permitted as discretionary uses subject to a site specific zoning by-law amendment. A child care centre may only be permitted as part of an office building.

The proposed uses are provided for by the Official Plan with limits that will be discussed further in the Options/Discussion section of this report.

Zoning By-law 177-96

The subject lands are zoned "Business Corridor (BC*309*370) Zone" by By-law 177-96, as amended. The BC*309*370 Zone permits a range of commercial and employment uses including retail stores, business offices and restaurants. Child care centres are not permitted

and restaurants are permitted only in the first storey of an office building or as an accessory use to a hotel or trade and convention centre.

The Owner proposes to rezone the site from BC*309*370 Zone to a site specific BC*309*370*A Zone, as summarized in Table 1.

TABLE 1

Zone Standard	Existing	Proposed
Restaurants	Permitted as an accessory use only in an office building, hotel, trade and convention centre, or a building with recreational establishments	Permitted, maximum 20% of the total gross floor area, other restrictions in the "Existing" column removed
Child care centres	Not permitted	Permitted in a building with offices
Retail	Permitted, maximum net floor area is 6,000 m ²	In order to comply with 2014 OP provisions, the proposed zoning by-law would permit a maximum 1,000 m ² per premises, maximum 50% of each multi-tenant building or 3,000 m ² , whichever is less Maximum 3,000 m ² per property
Retail, office or computer supply		In accordance with 2014 OP, uses permitted to a maximum 3,000 m ² per premises, maximum 50% of each multi-tenant building or 3,000 m ² , whichever is less and a maximum 3,000 m ² per property
Supermarket	Not permitted	Permitted, maximum 1,000 m ² per premises, maximum 50% of each multi-tenant building or 3,000 m ² , whichever is less Maximum 3,000 m ² per property
Front yard (minimum)	6.0 m	5.0 m
Front yard (maximum)	19 m	26 m
Front yard parking area depth (maximum)	12.0 m	18.5 m
Landscaping adjacent to front lot line (minimum)	6.0 m	3.0 m
Landscaping adjacent to north lot line	3.0 m	Driveways can cross landscaping strip

OPTIONS/ DISCUSSION:**Statutory Public Meeting**

An electronic statutory public meeting was held on June 11, 2020. One written submission has been received regarding the proposal, which is summarized below. There were no comments from the public at the public meeting. Committee members made several comments about the proposed zoning by-law amendment, including:

- A request for a grocery store on the site;
- A request to relocate the buildings up to the street with parking behind to create a pedestrian oriented site, similar to the commercial development at 8570-8630 Woodbine Avenue;
- The owner was requested to prepare drawings showing how the site would look with buildings being brought up to the street;
- Alternatively, some members proposed that the building be located in the middle of the property;
- Include a second storey on all buildings;
- Architectural style should complement that of the Leporis and Flato development sites to the west; and
- Minimize fencing between the subject lands and the wildlife corridor.

A letter was received from RJ Forhan and Associates on behalf of Romandale and King David Inc. A number of points were raised including the following that are relevant to the Clera Holdings site:

- The proposed plan is not consistent with the Cathedral Community Design Plan;
- Parking should be concealed and buildings should be at the street edge;
- The built form does not meet the architectural character of the Community Design Plan; and
- Include pedestrian connections between streets.

Urban Design Comments

Staff have considered the above comments and have discussed them with the owner. Urban Design staff are satisfied with the building locations and heights proposed by the owner. Building 'A' addresses the corner of Woodbine Avenue and the proposed east-west municipal road and provides parking in the rear (see Figure 5). While Buildings 'B', 'C', and 'D' have a driveway and parking in the front, this site is not anticipated to generate large amounts of pedestrian traffic. Setting these buildings back from the street frontage to provide for some parking in the front was felt to provide a balanced approach, which would encourage the main commercial frontages to face Woodbine Avenue. If there is no parking in the front then the retailers may focus their interior activities to the west side which could detract from the Woodbine Avenue frontage. The applicant has stated that the commercial units will rely on visibility from Woodbine Avenue to attract customers.

As described in the Statutory Public Meeting section, the owner was asked to prepare drawings showing buildings being brought up to the street. The owner did not support moving buildings B, C and D to the street because they are of the opinion that having parking in front of the buildings would contribute to street animation and provide better access to the site. The applicant has not submitted drawings illustrating a concept with buildings B, C and D located at the street.

Staff are working with the owners of all three development sites (Clera Holdings, Flato, and Leporis) to encourage complementary architecture between the three developments. However, the owners of the Flato and Leporis sites have not yet submitted site plan applications, while the Clera proposal is significantly more advanced. Staff are satisfied with the architectural style of the Clera proposal and will continue to work with the applicants to the west to provide for complimentary architectural styles.

Regarding the proposal to incorporate a grocery store (called a supermarket by the zoning by-law), a supermarket is considered a retail use by the Official Plan and as such is permitted subject to the same size restrictions as other retail uses. The proposed site plan could accommodate a small supermarket. A supermarket has been included as a permitted use in the draft zoning by-law, subject to the same size restrictions as other retail uses.

There are constraints associated with the request to minimize fencing between the site and the wildlife corridor. Because of a grade change between the subject lands and the wildlife corridor of as much as two metres, a retaining wall has been proposed in the grading design in the vicinity of Building 'D', which would need to be topped with a chain link fence for safety reasons. This would continue the existing retaining wall and chain link fence along the west property line of the Esso property. A chain link fence is also located at the bottom of the slope between the parking lot and the wildlife corridor. The owner has indicated that this fence is intended to discourage people from climbing the slope and that they are agreeable to removing it. As part of the site plan process, Engineering staff have asked the owner to consult with a geotechnical engineer to confirm if an alternative to a retaining wall could be implemented. This matter must be resolved to the Director of Planning and Urban Design's satisfaction, as a condition of site plan endorsement.

Cathedral Community Design Plan

The Cathedral Community Design Plan was prepared to guide urban design in the Cathedral community. It contains urban design guidelines intended to create a distinct, vibrant, and urbanized community with the Cathedral of the Transfiguration at its core. The subject lands are part of the Cathedral community. In staff's opinion the proposed development is consistent with the intent of the Cathedral CDP.

The guidelines state that buildings should be designed to minimize the impact of parking and servicing/loading on the street. As stated in the Statutory Public Meeting section of this report, Building 'A' is sited to directly address the street edge at the corner of Woodbine Avenue and the proposed east-west road. The impact of the parking in front of the other buildings is softened through the use of a landscape buffer including two rows of trees and a variety of shrubs providing visual screening. Walkways are proposed between the buildings on the site and connecting the buildings to the municipal sidewalk. Further discussion on the relationship between the buildings and the street can be found in the Urban Design Comments section above.

In accordance with the Community Design Plan, the proposed buildings are designed to have a creative use of materials, colour and texture on their facades. The variety of materials include stone, brick, and stucco with storefront windows and doors. The façades

are visually broken up by columns and the rooflines feature cornices above the signage and decorative pediments. Rooftop mechanical units are screened from view.

Planning Comments

As described in the Proposal section of this report, the owner is proposing a commercial development including retail, office, and restaurant space and a child care centre with 3,697 m² (39,794 ft²) of GFA in four buildings.

As discussed previously, the “Service Employment” designation of the 2014 Official Plan provides for restaurants and child care centres as discretionary uses subject to a site specific zoning by-law amendment. The policies of the “Service Employment” designation restrict retail uses to a maximum of either 50% of the total GFA of a building or 3,000 m², whichever is less. The maximum amount of retail floor area per premises is 1,000 m² unless it is an office or computer supply store, in which case the maximum is 3,000 m². The maximum GFA of retail on a property is 3,000 m².

To implement these policies, the proposed zoning limits retail to a maximum of 1,000 m² or up to 3,000 m² for office or computer supply stores, up to a maximum of 50% of the Gross Floor Area of each multiple-unit building. The child care centre is proposed in Building ‘A’, which includes 189.5 m² of office space on the second floor. The owner proposes to locate a restaurant on the second floor of Building B, which also contains commercial units on the first floor. The second floor has a GFA of 298.6 m² (3213.6 ft²). To limit the parking impact that restaurants have on shopping centres, Markham’s Parking By-law 28-97 restricts restaurants to 20% of the total gross floor area of the subject site. It is the opinion of staff that incorporating the same restriction into the zoning would ensure that the site will serve the surrounding employment uses as intended while leaving sufficient floor space for a mix of other uses.

Staff support the proposed zoning by-law amendment application with the above restrictions incorporated into the zoning by-law.

Site Plan Endorsement

The timing of the restoration of the wildlife corridor discussed in the Background section of this report is triggered by the development of the subject lands. The Minutes of Settlement state that if the wildlife corridor has not been constructed before the development of Block 81, Registered Plan 65M-4033 (the subject lands), Clera Holdings shall construct the wildlife corridor in its entirety prior to or as a condition of site plan approval. To allow the construction of the wildlife corridor, the Minutes of Settlement require the abutting landowner to grant licenses and/or easements to Clera Holdings and/or the City, as required, and to enter into a cost sharing agreement. The applicant has informed staff that they are working with Leporis (the landowners to the west of the wildlife corridor) on the construction of the wildlife corridor. The owner must design the corridor in accordance with the OMB Minutes of Settlement, including a detailed natural channel design, plant species, and fencing. It must be constructed before the Site Plan securities are released back to the owner and this requirement is included in the conditions of site plan endorsement.

Other site plan issues to be resolved as part of the ongoing site plan process include:

1. Mutual driveway easement required for north driveway to be a condition of site plan endorsement.
2. Resolve any issues resulting from the review of technical studies including the Environmental Site Assessment, Environmental Impact Study, Functional Servicing and Stormwater Management Report, and Noise Report.
3. Resolve any issues relating to the site layout, including traffic circulation, animation of building frontages facing Woodbine Avenue, and the child care centre outdoor play area.
4. Confirm any outstanding financial obligations, including but not limited to cash in lieu of parkland dedication and tree replacement/compensation.

Resolution of these matters to the satisfaction of the Director of Planning and Urban Design are required as conditions of site plan endorsement.

FINANCIAL CONSIDERATIONS:

Not applicable.

HUMAN RESOURCES CONSIDERATIONS:

Not applicable.

ALIGNMENT WITH STRATEGIC PRIORITIES:

The proposed applications are being reviewed in the context of the City's Strategic Priorities of Safe Sustainable and Complete Community.

BUSINESS UNITS CONSULTED AND AFFECTED:

The application has been circulated to various City departments and external agencies and no concerns were identified.

RECOMMENDED BY:

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

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

ATTACHMENTS:

Figure 1: Location map

Figure 2: Area Context/Zoning

Figure 3: Aerial Photo 2019

Figure 4: Official Plan Land Use

Figure 5: Proposed Site Plan

Figure 6: Draft Plan of Subdivision 19T-95075

Figure 7: Building A and B East Elevation

Figure 8: Building C East Elevation and Building D South Elevation

APPENDICES:

Appendix 'A': Site Plan Conditions

AGENT:

Sandra Wiles

28 Brookbank Court

Markham, Ontario L3P 6K8

Tel.: 416-458-2257

APPENDIX 'A'
SITE PLAN CONDITIONS
CLERA HOLDINGS INC.
BLOCK 81, REGISTERED PLAN 65M-4033
SPC 19 123509

That prior to site plan endorsement:

1. The Owner satisfy all City departments and Region of York technical requirements to the satisfaction of the Director of Planning and Urban Design.
2. The Owner resolve any issues resulting from the review of technical studies including the Planning Rationale, Environmental Site Assessment, Environmental Impact Study, Functional Servicing and Stormwater Management Report, and Noise Report to the satisfaction of the Director of Planning and Urban Design.
3. The Owner resolve any issues relating to the site layout, including traffic circulation, animation of building frontages facing Woodbine Avenue, and the child care centre outdoor play area to the satisfaction of the Director of Planning and Urban Design.

That the Owner enter into a Site Plan Agreement with the City, containing all standard and special provisions and requirements of the City and external agencies, including but not limited to:

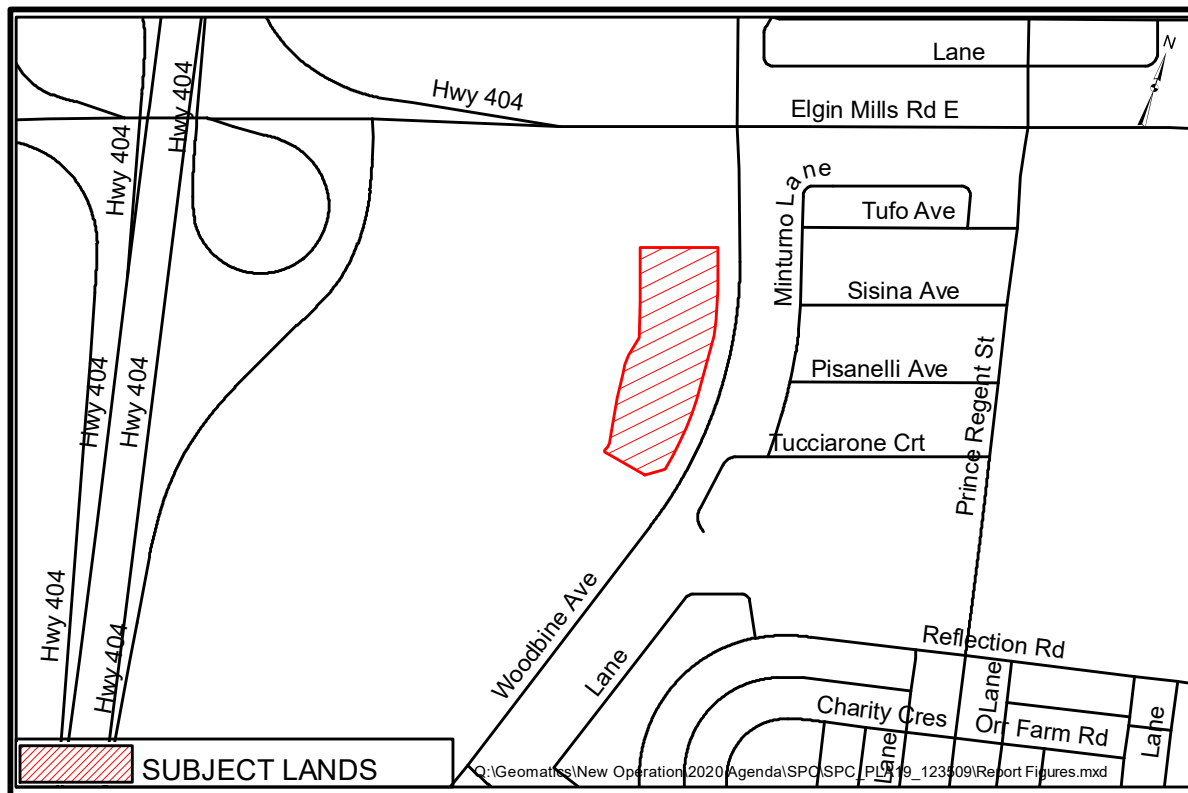
1. Provisions for the payment by the Owner of all applicable fees, recoveries, development charges, cash in lieu of parkland, tree replacement/ compensation, and any other financial obligations and securities.
2. Provisions to ensure all Region of York requirements are satisfied.

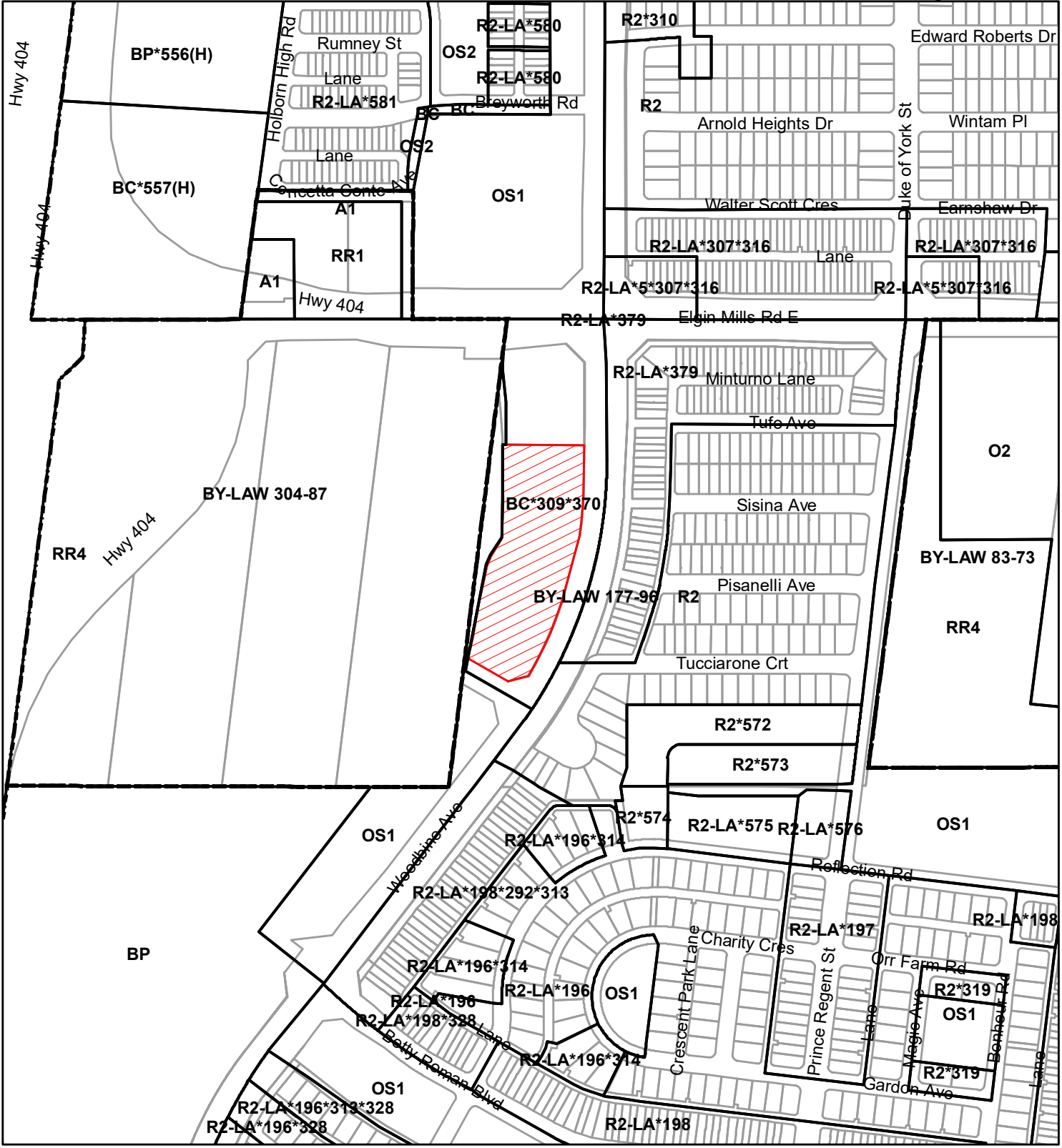
That prior to execution of the Site Plan Agreement:

1. That the Owner consult with a geotechnical engineer to confirm if an alternative to a retaining wall along the west property can be implemented, to the satisfaction of the Director of Planning and Urban Design.
2. That the Owner enter into a mutual driveway easement with the owners of the abutting lands to the north for the north driveway, to the satisfaction of the Director of Planning and Urban Design.

That prior to the release of financial securities in the Site Plan Agreement:

1. That the Owner agrees to construct the natural wildlife corridor in its entirety as required by the Minutes of Settlement of Ontario Municipal Board Case No. PL060690, dated December 18, 2006, to the satisfaction of the Director of Planning and Urban Design.





AREA CONTEXT / ZONING

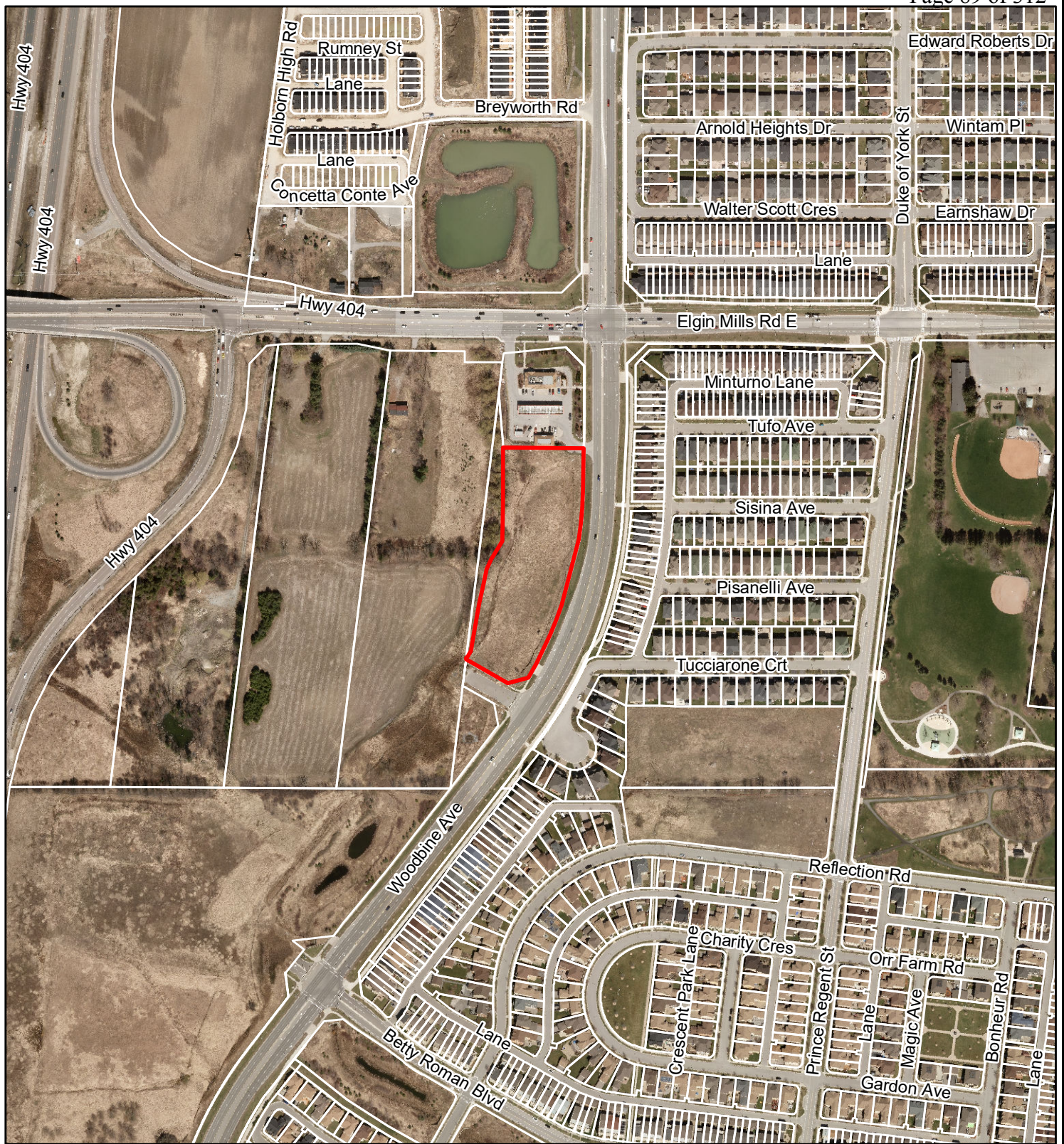
APPLICANT: Clera Holdings Inc.
Woodbine Avenue

FILE No. SPC PLA19123509

 SUBJECT LANDS

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DATE: 14/04/2020



AERIAL PHOTO (2019)

APPLICANT: Clera Holdings Inc.
Woodbine Avenue

FILE No. SPC PLA19123509

 SUBJECT LANDS

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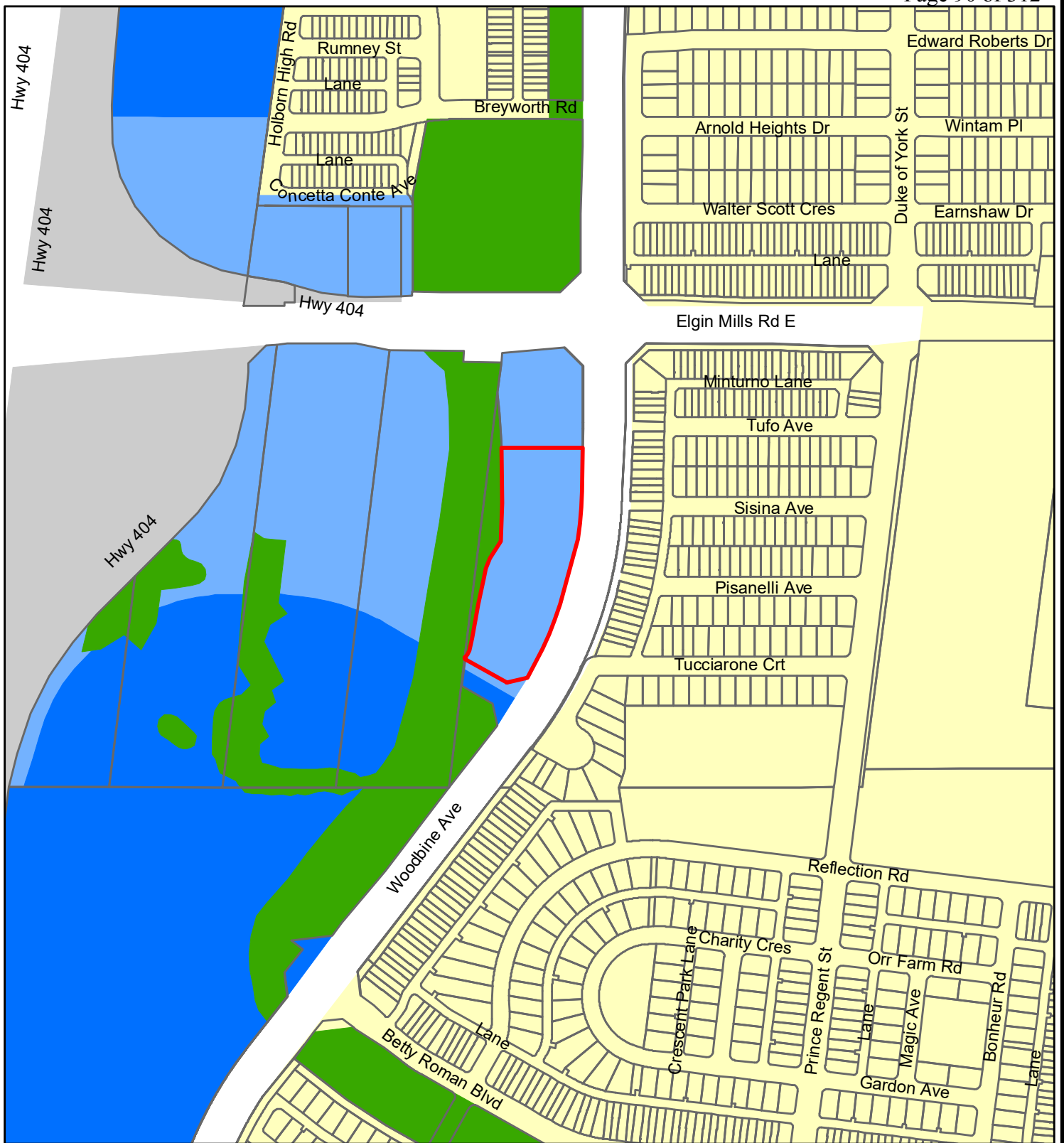
DEVELOPMENT SERVICES COMMISSION

Drawn By: RT

Checked By: MR

FIGURE No. 3





OFFICIAL PLAN LAND USE

APPLICANT: Clera Holdings Inc.
Woodbine Avenue

FILE No. SPC PLA19123509

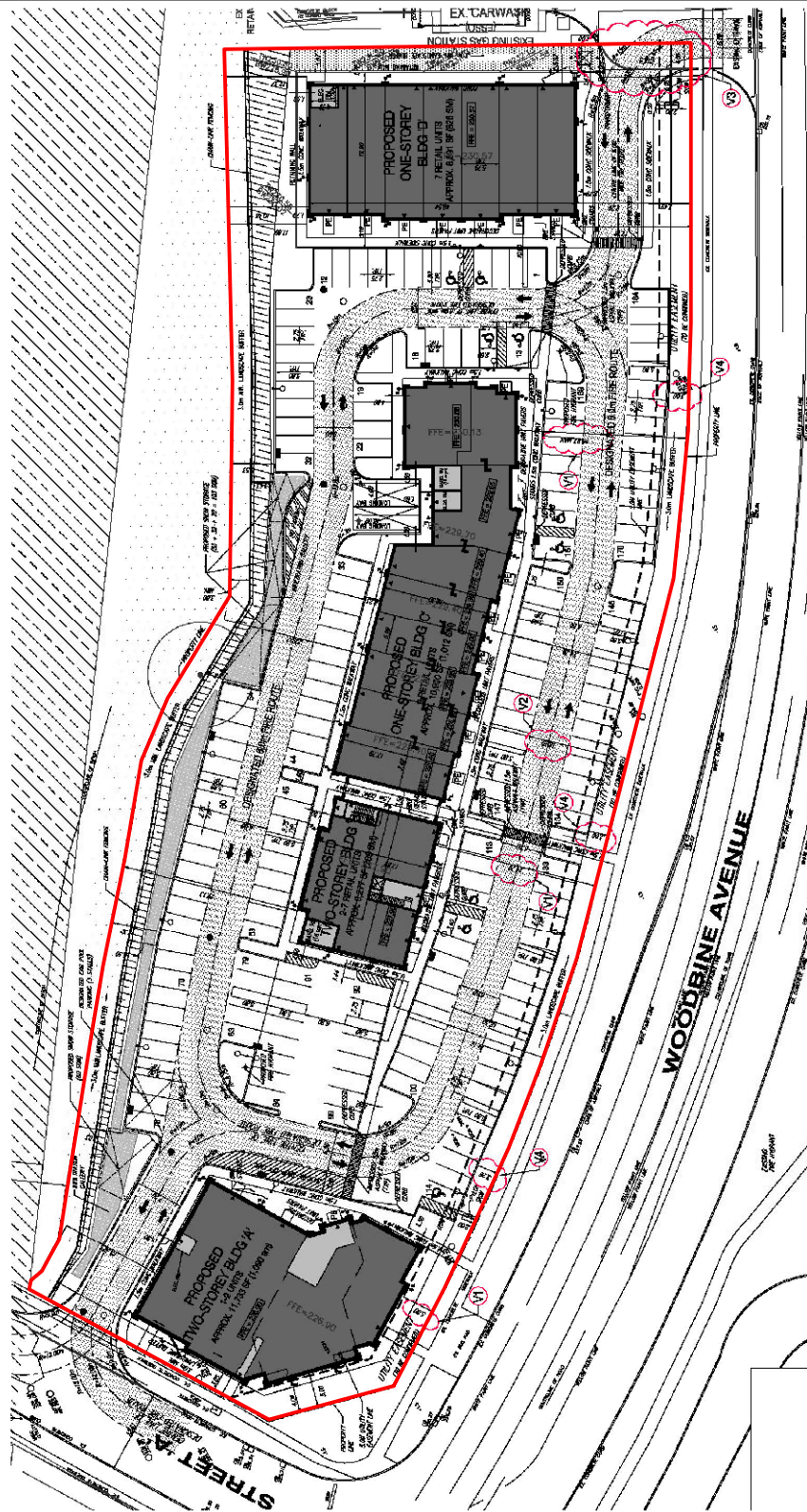
- Business Park Employment
- Service Employment
- Residential Low Rise

- Transportation and Utilities
- Greenway
- SUBJECT LANDS



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DATE: 14/04/2020



PROPOSED SITE PLAN

APPLICANT: Clera Holdings Inc.
Woodbine Avenue

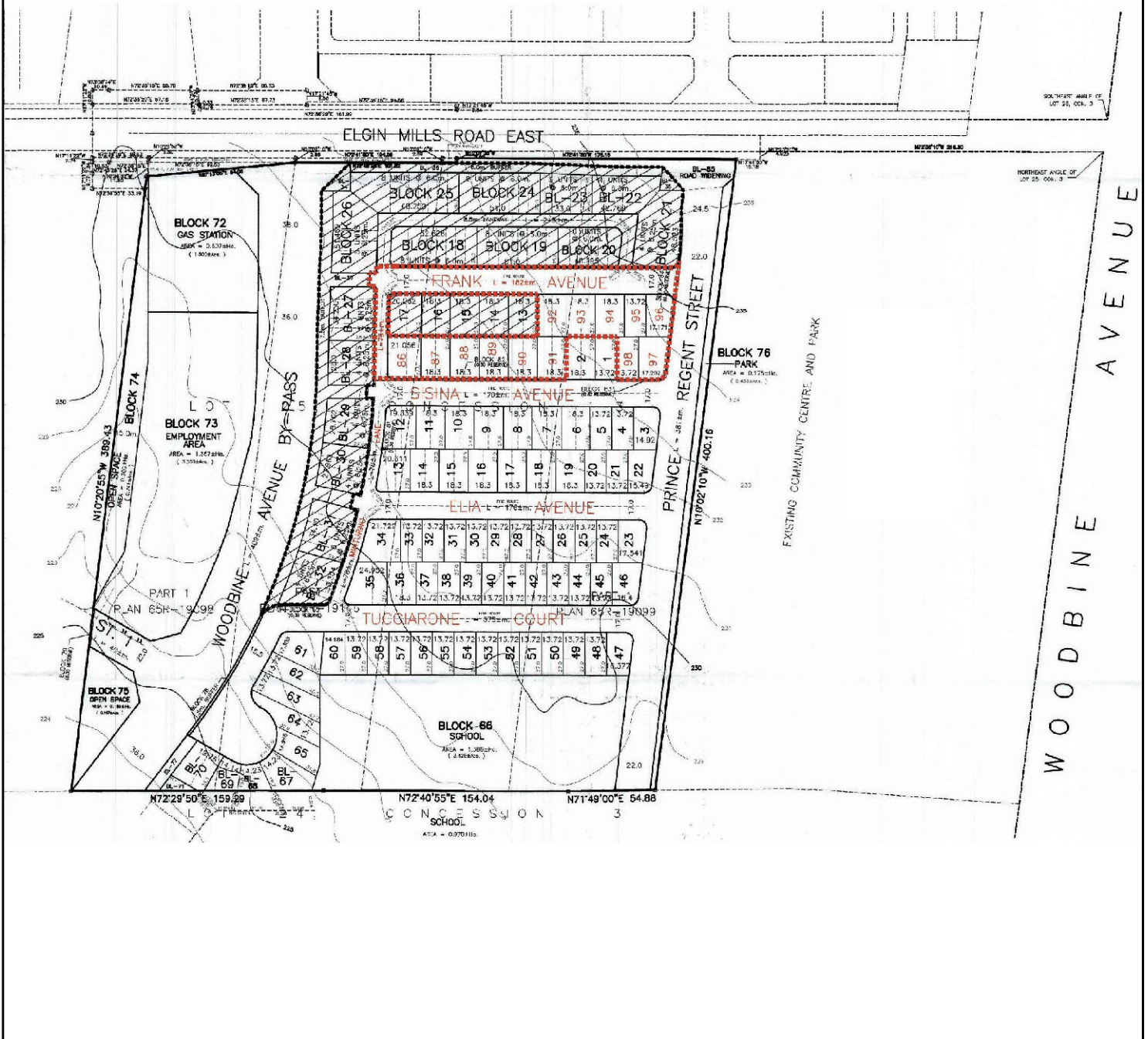
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 SUBJECT LANDS



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DATE: 14/04/2020



DRAFT PLAN OF SUBDIVISION 19T-95075

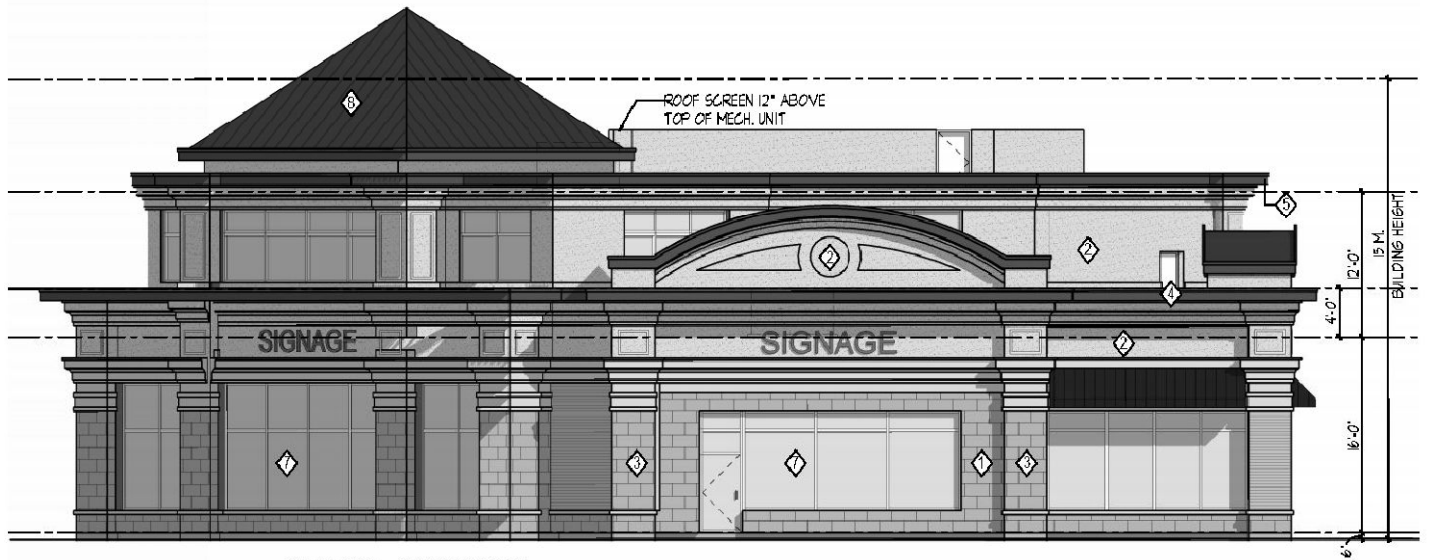
APPLICANT: Clera Holdings Inc.
Woodbine Avenue

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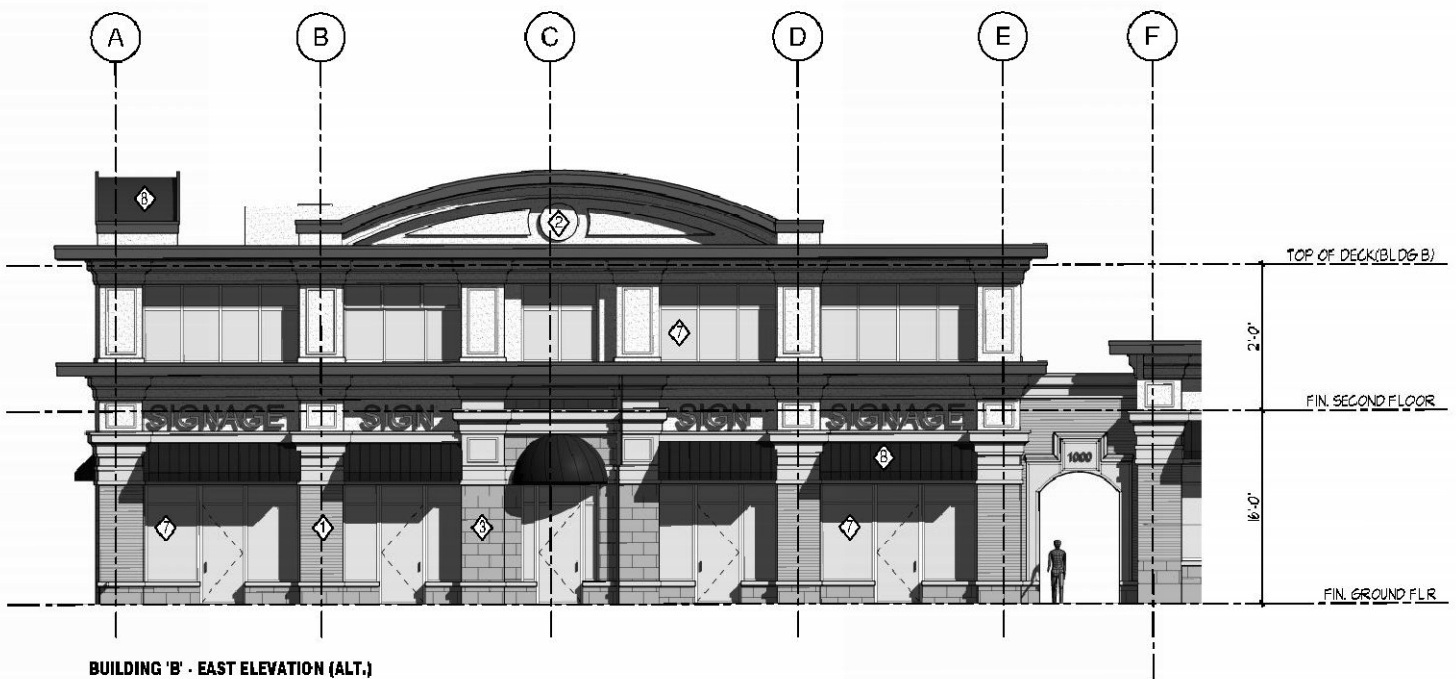
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DATE: 14/04/2020





BUILDING 'A' - EAST ELEVATION



BUILDING 'B' - EAST ELEVATION (ALT.)

BUILDING A: EAST ELEVATION BUILDING B: EAST ELEVATION

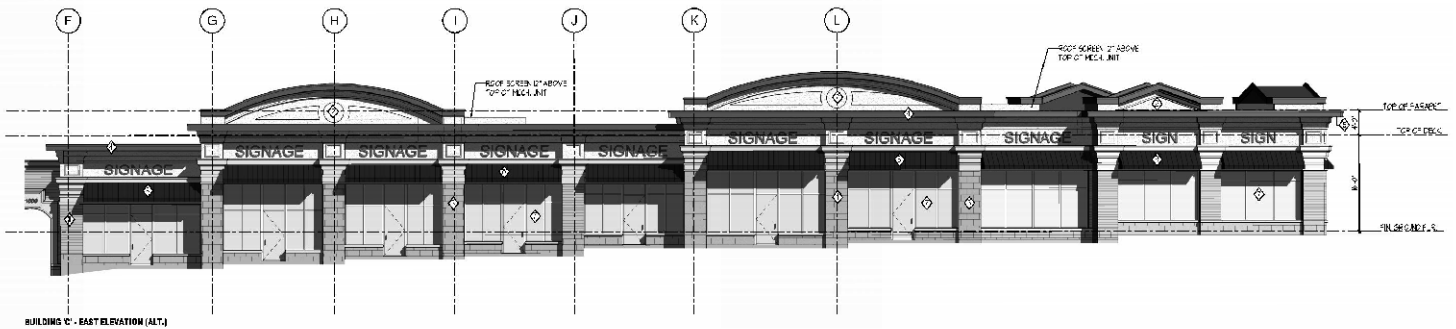
APPLICANT: Clera Holdings Inc.
Woodbine Avenue

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DATE: 14/04/2020





BUILDING C - EAST ELEVATION (ALT.)



BUILDING D - SOUTH ELEVATION

BUILDING C: EAST ELEVATION BUILDING D: SOUTH ELEVATION

APPLICANT: Clera Holdings Inc.
Woodbine Avenue

FILE No. SPC PLA19123509

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DATE: 14/04/2020





BY-LAW 2020-_____

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

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

1. That By-law 177-96, as amended, is hereby further amended as it applies to the lands outlined on Schedule 'A' as follows:

- 1.1 By rezoning the lands outlined on Schedule 'A' attached hereto

from:

Business Corridor*309*370 (BC*309*370) Zone

to:

Business Corridor*309*370*666 (BC*309*370*666) Zone

- 1.2 By adding the following subsections to Section 7 – EXCEPTIONS:

Exception 7.666	Clera Holdings Inc. Block 81, 65M-4033 Woodbine Avenue	Parent Zone BC
File PLAN 19 123509		Amending By-law 2020-
Notwithstanding any other provisions of this By-law, the following provisions shall apply to the land denoted by the symbol *A on the schedules to this By-law. All other provisions, unless specifically modified/amended by this section, continue to apply to the lands subject to this section.		
7.666.1 Additional Permitted Uses		
Notwithstanding any provisions of this By-law, the following uses shall be permitted in addition to the permitted uses in Table A4:		
a)	<i>Child care centre</i>	
b)	<i>Supermarket</i>	
7.666.2 Special Zone Standards		
The following special zone standards shall apply:		
a)	The provisions of Table A4, Special Provision 5 and 6 shall not apply	
b)	Minimum required <i>front yard</i> – 5.0 m	
c)	Maximum <i>front yard</i> – 26.0 m	
d)	Maximum <i>depth</i> of the <i>parking area</i> in the <i>front yard</i> – 18.5 m	
e)	Minimum required width of <i>landscaping</i> adjacent to <i>front lot line</i> – 3.0 m	
f)	Driveways and ramps that provide access to the lot from the street are permitted to cross required <i>landscaping</i>	
g)	A maximum of 20% of the total <i>gross floor area</i> of all buildings may be devoted to <i>restaurants</i> and <i>take-out restaurants</i>	
h)	Child care centres are only permitted in a building containing a minimum of 180 m ² of <i>business office use</i>	

i)	<p><i>Retail stores and supermarkets</i> are only permitted subject to the following:</p> <ul style="list-style-type: none"> i. A <i>retail store</i> shall be limited to a maximum <i>gross floor area</i> of 1,000 m² per <i>premises</i> unless the <i>retail store</i> is an office supply or computer supply store which may have a maximum <i>gross floor area</i> of up to 3,000 m² per <i>premises</i> ii. A <i>supermarket</i> shall be limited to a maximum <i>gross floor area</i> of 1,000 m² per <i>premises</i> iii. Maximum of 50% of the <i>gross floor area</i> of each multiple-unit <i>building</i> or 3,000 m² per multiple-unit <i>building</i>, whichever is less iv. Maximum of 3,000 m² of <i>gross floor area</i>
----	---

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

Kimberley Kitteringham
City Clerk

Frank Scarpitti
Mayor



EXPLANATORY NOTE

**BY-LAW 2020-
A By-law to amend By-law 177-96, as amended**

**Clera Holdings Inc.
Block 81, Registered Plan 65M-4033
PLAN 19 123509**

Lands Affected

The proposed by-law amendment applies to a parcel of land with an approximate area of 1.4 hectares (3.4 acres), which is located south of Elgin Mills Road and west of Woodbine Avenue.

Existing Zoning

The subject lands are zoned Business Corridor*309*370 (BC*309*370) Zone under By-law 177-96, as amended.

Purpose and Effect

The purpose and effect of this By-law is to rezone the subject lands under By-law 177-96, as amended as follows:

from:

Business Corridor*309*370 (BC*309*370) Zone

to:

Business Corridor*309*370*A (BC*309*370*666) Zone;

in order to permit a commercial development on the lands.

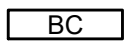
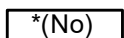
Note Regarding Further Planning Applications on this Property

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



SCHEDULE "A" TO BY-LAW 2020-AMENDING BY-LAW 177-96 DATED

 BOUNDARY OF AREA COVERED BY THIS SCHEDULE

 BUSINESS CORRIDOR
 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.

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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



Report to: General Committee

Meeting Date: November 2, 2020

SUBJECT: Tender 049-T-20 Grass Cutting and Maintenance Services
(Renewal Years 2021-2023)

PREPARED BY: David Plant, Sr. Manager – Operations - Parks, Horticulture
& Forestry Ext 4893
Melita Lee, Senior Buyer, Ext 2239

RECOMMENDATION:

1. That the report entitled “Tender 049-T-20 Grass Cutting and Maintenance Services (Renewal Years 2021- 2023)” be received; and,
2. That the contract for Tender 049-T-20 Grass Cutting and Maintenance Services be awarded to the lowest priced bidder, Markham Property Services Ltd., for an additional three (3) years (2021– 2023), with a CPI increase in 2022 and 2023 as follows;
 - 2021 - \$218,574.98 (inclusive of HST)
 - 2022 - \$218,574.98 (inclusive of HST)*
 - 2023 - \$218,574.98 (inclusive of HST)*

* 2022 and 2023 are subject to an annual price increase based on the Consumer Price Index for All Items - Canada for the twelve (12) month period ending December 31 in the applicable year; and,
3. That the estimated 2021 costs of \$218,574.98 be funded from account 730-730-5399 (Contracted Services), subject to Council approval of the 2021 operating budget; and,
4. That the purchase orders for years 2022 and 2023 be adjusted for growth and/or price escalation, subject to Council approval of the respective year’s budgets; and further,
5. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

PURPOSE:

The purpose of this report is to extend the contract for grass cutting and maintenance services for three (3) additional years.

BACKGROUND:

The contract is for 86.792 hectares (446 locations) of boulevard grass cutting and maintenance services throughout the City with a total of 15 cuts per season.

Staff awarded Tender 049-T-20 to the lowest priced bidder (Markham Property Services Ltd) in 2020 for a one (1) year term. The Tender had an option to renew for three (3) additional years at the same terms, conditions and subject to contractor's performance.

Under this report, staff are requesting approval to extend the contract for three (3) additional years. The 2021 pricing will be the same 2020 itemized pricing and 2022/23 will be subject to CPI.

Markham Property Services Ltd. has provided satisfactory services thus far and continue to work with Parks staff to address scheduling work to complete the services as required. Parks recommends moving forward with the option to renew the contract for future years.

Tender Information (049-T-20)

Bid closed on	March 16, 2020
Number picking up bid document	19
Number responding to bid	7

FINANCIAL CONSIDERATIONS

On April 19th, 2020, the initial staff award for year 1 (2020 season) of 049-T-20 Grass Cutting and Maintenance Services identified 2021 budget impacts. Subject to Council approval for the amendments previously identified, year 2 (2021 season), will not require further budget amendments.

HUMAN RESOURCES CONSIDERATIONS

Not applicable

ALIGNMENT WITH STRATEGIC PRIORITIES:

This project aligns with providing municipal services in a cost effective manner.

BUSINESS UNITS CONSULTED AND AFFECTED:

Finance and Operations (Parks)

RECOMMENDED BY:

David Plant
Senior Manager, Parks,
Horticulture & Forestry

Morgan Jones
Director, Operations

ATTACHMENTS:

Not applicable



2021 COUNCIL & COMMITTEE MEETINGS

January 2021

Sun	Mon	Tue	Wed	Thu	Fri	Sat
					1 New Year's Day	2
3	4	5 Birthday of Guru Gobindh Singh (Sikh)	6	7 Christmas Day (Orthodox)	8	9
10	11	12	13	14	15	16
17	18 General Committee 9:30 am - 1:00 pm	19 7:00 pm Planning Public Meeting	20 Bodhi Day (Buddhist)	21	22	23
24	25 Development Serv. Ctte 9:30 am - 1:00 pm	26 Council 1:00 pm – 4:30 pm	27	28	29	30
31						



2021 COUNCIL & COMMITTEE MEETINGS

February 2021

Sun	Mon	Tue	Wed	Thu	Fri	Sat
	1 General Committee 9:30 am - 1:00 pm	2 7:00 pm Planning Public Meeting	3	4	5	6
7	8 Development Serv. Ctte 9:30 am - 1:00 pm	9 Council 1:00 pm – 4:30 pm	10	11	12 Chinese New Year	13
14	15 Family Day Nirvana Day (Buddhist)	16 General Committee 9:30 am - 1:00 pm 7:00 pm Planning Public Meeting	17	18	19	20
21	22 Development Serv. Ctte 9:30 am - 1:00 pm	23 Council 1:00 pm – 4:30 pm	24	25	26	27
28						



2021 COUNCIL & COMMITTEE MEETINGS

March 2021

Sun	Mon	Tue	Wed	Thu	Fri	Sat
	1 General Committee 9:30 am - 1:00 pm	2 7:00 pm Planning Public Meeting	3	4	5	6
7	8 Development Serv. Ctte 9:30 am - 1:00 pm	9 Council 1:00 pm – 4:30 pm	10	11	12	13
14	15 March Break	16 March Break	17 March Break	18 March Break	19 March Break	20
21	22 General Committee 9:30 am - 1:00 pm	23 7:00 pm Planning Public Meeting	24	25	26	27 Passover Begins At Sunset (Jewish)
28 Passover	29 Passover	30 Development Serv. Ctte 9:30 am - 1:00 pm	31 Council 1:00 pm – 4:30 pm			



2021 COUNCIL & COMMITTEE MEETINGS

April 2021

Sun	Mon	Tue	Wed	Thu	Fri	Sat
				1	2 Good Friday	3 Passover
4 Easter Sunday Passover ends	5 Easter Monday	6 General Committee 9:30 am - 1:00 pm 7:00 pm Planning Public Meeting	7	8	9	10
11	12 Ramadan Begins at Sunset (Muslim)	13 Ramadan	14 Khalsa Day - Vaisakhi (Sikh)	15	16	17
18	19 Development Serv. Ctte 9:30 am - 1:00 pm	20 Council 1:00 pm – 4:30 pm	21	22	23	24
25	26 General Committee 9:30 am - 1:00 pm	27 7:00 pm Planning Public Meeting	28	29	30 Holy Friday (Orthodox)	



2021 COUNCIL & COMMITTEE MEETINGS

May 2021

Sun	Mon	Tue	Wed	Thu	Fri	Sat
						1
2 Easter (Orthodox)	3 Development Serv. Ctte 9:30 am - 1:00 pm	4 Council 1:00 pm – 4:30 pm	5	6	7	8
9	10 General Committee 9:30 am - 1:00 pm	11 7:00 pm Planning Public Meeting	12 Eid-Al-Fitr Begins at Sunset (Muslim)	13 Eid-Al-Fitr	14	15
16 Shavuot Begins at Sunset (Jewish)	17 Shavuot	18 Shavuot	19 Buddha Day (Buddhist)	20	21	22
23	24 Victoria Day	25 Development Serv. Ctte 9:30 am - 1:00 pm	26 Council 1:00 pm – 4:30 pm	27	28	29
30	31 General Committee 9:30 am - 1:00 pm					



2021 COUNCIL & COMMITTEE MEETINGS

June 2021						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
		1 7:00 pm Planning Public Meeting	2	3 FCM Conference (tentative)	4 FCM Conference (tentative)	5 FCM Conference (tentative)
6 FCM Conference (tentative)	7 Development Serv. Ctte 9:30 am - 1:00 pm	8 Council 1:00 pm – 4:30 pm	9	10 FCM Conference (tentative)	11 FCM Conference (tentative)	12 FCM Conference (tentative)
13 FCM Conference (tentative)	14 General Committee 9:30 am - 1:00 pm	15 7:00 pm Planning Public Meeting	16	17	18	19
20	21 Development Serv. Ctte 9:30 am - 1:00 pm	22 Council 1:00 pm – 4:30 pm	23	24	25	26
27	28	29	30			



2021 COUNCIL & COMMITTEE MEETINGS

July 2021

Sun	Mon	Tue	Wed	Thu	Fri	Sat
				1 Canada Day	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19 Eid-Al-Adha Begins at Sunset (Muslim)	20 Eid-Al-Adha	21	22	23	24
25	26	27	28	29	30	31



2021 COUNCIL & COMMITTEE MEETINGS

August 2021

Sun	Mon	Tue	Wed	Thu	Fri	Sat
1	2 Civic Holiday	3	4	5	6	7
8	9	10	11	12	13	14
15 AMO Conference	16 AMO Conference	17 AMO Conference	18 AMO Conference	19	20	21
22	23	24	25	26	27	28
29	30	31				



2021 COUNCIL & COMMITTEE MEETINGS

September 2021

Sun	Mon	Tue	Wed	Thu	Fri	Sat
			1	2	3	4
5	6 Labour Day Rosh Hashanah Begins at Sunset (Jewish)	7 Rosh Hashanah	8 Rosh Hashanah	9	10 Ganesh Chaturthi (Hindu)	11
12	13 General Committee 9:30 am - 1:00 pm	14 7:00 pm Planning Public Meeting	15 Yom Kippur Begins at Sunset (Jewish)	16 Yom Kippur	17	18
19	20 Sukkot Begins at Sunset (Jewish)	21 Sukkot	22 Sukkot	23	24	25
26	27 Development Serv. Ctte 9:30 am - 1:00 pm	28 Council 1:00 pm – 4:30 pm	29	30		



2021 COUNCIL & COMMITTEE MEETINGS

October 2021

Sun	Mon	Tue	Wed	Thu	Fri	Sat
					1	2
3	4 General Committee 9:30 am - 1:00 pm	5 7:00 pm Planning Public Meeting	6	7	8	9
10	11 Thanksgiving Day	12 Development Serv. Ctte 9:30 am - 1:00 pm	13 Council 1:00 pm – 4:30 pm	14	15	16
17	18 General Committee 9:30 am - 1:00 pm	19 7:00 pm Planning Public Meeting	20	21	22	23
24	25 Development Serv. Ctte 9:30 am - 1:00 pm	26 Council 1:00 pm – 4:30 pm	27	28	29	30
31						



2021 COUNCIL & COMMITTEE MEETINGS

November 2021

Sun	Mon	Tue	Wed	Thu	Fri	Sat
	1 General Committee 9:30 am - 1:00 pm	2 7:00 pm Planning Public Meeting	3	4 Diwali (Hindu)	5	6
7	8 Development Serv. Ctte 9:30 am - 1:00 pm	9 Council 1:00 pm – 4:30 pm	10	11 Remembrance Day	12	13
14	15 General Committee 9:30 am - 1:00 pm	16 7:00 pm Planning Public Meeting	17	18	19 Birthday Of Guru Nanak Dev Sahib (Sikh)	20
21	22 Development Serv. Ctte 9:30 am - 1:00 pm	23 Council 1:00 pm – 4:30 pm	24	25	26	27
28	29 General Committee 9:30 am - 1:00 pm	30 7:00 pm Planning Public Meeting				



2021 COUNCIL & COMMITTEE MEETINGS

December 2021						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
			1	2	3	4
5	6 Development Serv. Ctte 9:30 am - 1:00 pm	7 Council 1:00 pm – 4:30 pm	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25 Christmas Day
26 Boxing Day	27	28	29	30	31	



Report to: General Committee

Meeting Date: November 2, 2020

SUBJECT: 2021 Water/Wastewater Rate
PREPARED BY: Asif Aziz, Senior Financial Analyst

RECOMMENDATION:

- 1) THAT the presentation entitled “2021 Water/Wastewater Rate Public Consultation Meeting” be received and approved for presentation at the November 12th Public Consultation meeting;
- 2) AND THAT the report entitled “2021 Water/Wastewater Rate” be received;
- 3) AND THAT Staff be authorized to hold an electronic public meeting on November 12th, 2020 at 6:30 p.m. to gather resident feedback on the principle of, increasing the 2021 water/wastewater rate by the same percentage as the Region of York’s wholesale rate and present two scenarios:
 - a. Scenario 1: Increase of 0%
 - b. Scenario 2: Increase of 2.9%, which is consistent with the Region of York’s wholesale rate increase for 2021, as tabled at Regional Council in the Region’s Water and Wastewater Financial Sustainability Plan from October 2015.
- 4) AND THAT feedback received at the public meeting along with the proposed 2021 water/wastewater rate tentatively scheduled to be put forward for consideration of Council on December 9th, 2020;
- 5) AND THAT Staff be authorized and directed to do all things necessary to give effect to this resolution.

EXECUTIVE SUMMARY:

The City is proposing to increase the 2021 water/wastewater rate by the same percentage as the Region of York’s wholesale rate once it is approved by Regional Council. A report is being tabled to Regional Council in December.

On November 13th, 2019, Council approved a rate increase, effective April 1, 2020, of \$0.3500/m³ (from \$4.4680/m³ to \$4.8180/m³) or 7.8%. This increase included an increase of 9% on the wholesale rate from the Region. In response to the COVID-19 pandemic both the City and Region waived the scheduled increases.

As a result, the City’s portion of the 2020 rate increase which was waived will need to be recovered in the 2021 rate or phased in, in future years, to ensure that there is adequate funding in the Waterworks Reserve to sustain future replacement and rehabilitation requirements of the City’s water and wastewater infrastructure for the next 25 years.

PURPOSE:

The purpose of the report is to receive direction on the proposed 2021 water/wastewater rate and obtain approval to hold an electronic public meeting on November 12^h, 2020 at 6:30 p.m. to discuss the 2021 proposed water/wastewater rate increase.

BACKGROUND:

Markham owns and operates the water distribution and wastewater collection systems, and purchases its water supply and wastewater treatment from the Region of York (Region). The Region purchases water from the City of Toronto and Region of Peel. The Region's current wholesale rate is \$3.0743/m³ and Markham's current rate is \$4.4680/m³. Revenues are used to fund Regional purchases (i.e., water and wastewater costs), Waterworks day-to-day operations and capital expenditures.

On November 13th, 2019, Council approved a rate increase, effective April 1, 2020, of \$0.3500/m³ (from \$4.4680/m³ to \$4.8180/m³) or 7.8%. This increase included an increase of 9% on the wholesale rate from the Region.

Subsequently in March 2020, due to the COVID-19 pandemic, in an effort to provide relief to the residents and businesses of Markham, Council waived the scheduled increase of \$0.3500/m³, or 7.8%, to the 2020 water/waste water rate. In April 2020, Regional Council also waived its scheduled increase of \$0.2767/m³ or 9% resulting in no increase to the Region's 2020 wholesale rate.

In March 2020, Staff indicated to Council, that waiving the increase to the 2020 rate, by both the City and Region, would result in an unfavourable variance of \$1.0M to the 2020 Waterworks operating budget. It is anticipated the shortfall will be recovered in the future.

In May 2020, Staff reported back to Council, that due to the mandated closure to non-essential businesses, there was an expected reduction on water consumption resulting in an additional \$2.6M unfavourable variance, for a total unfavourable variance of \$3.6M (\$1.0M + \$2.6M). The forecasted reduction in consumption was based on very limited pandemic data. Therefore, assumptions were made by Staff that included an increase in residential consumption as there would be more people working from home, and a significant reduction in non-residential consumption due to mandated closure of non-essential businesses.

Since then, data related to water consumption during the pandemic has become available, showing that the reduction in consumption was not as severe as initially thought. Staff are now projecting a favourable variance in the range of \$0.7M to \$1.3M. Both non-residential and residential consumption have been higher than what was forecasted and presented to Council in May. To date residential consumption has been higher than budget, this increase has more than offset the reduction in non-residential consumption to budget, resulting in a net consumption increase to budget during the pandemic period.

The City's portion of the 2020 rate increase which was waived will need to be recovered in the 2021 rate or phased in, in future years, to ensure that there is adequate funding in the

Waterworks Reserve to sustain future replacement and rehabilitation requirements of the City's water and wastewater infrastructure for the next 25 years.

In 2015, the Region completed a water rate study to determine the rates required to: build adequate reserves for future asset rehabilitation and replacement; maintain existing assets; cover day-to-day operations; eliminate the need to issue rate-supported debt; and achieve full cost recovery pricing by 2021. The outcome of the water rate study was an increase of 9% from 2016 to 2020 and 2.9% for 2021. Due to the pandemic, the Region waived the 9% increase scheduled for 2020, and is updating the water rate study. A report will be tabled at Regional Council in December, with a proposed wholesale rate for 2021 and future year increases.

Accordingly, Staff have prepared two scenarios:

1. No increase to Region's wholesale rate and the City's water/wastewater rate
 - If this is the case, the deferred 2020 and 2021 increase will need to be recovered in a future year, or phased in over multiple years
2. Regional increase to the wholesale rate of 2.9%, matched with an increase to the City's water/wastewater rate of 2.9%
 - 2.9% is the increase approved by Regional Council in 2015
 - Incorporates full recovery of 2020 waived rate increase

If the Region's rate increase differs from the scenarios above, the City plans to match the Region's increase.

It is Markham's practice to hold a public meeting before passing an amendment to the Fee By-law for a water/wastewater rate change. The electronic public meeting will be held November 12th, 2020 at 6:30 p.m. to discuss the 2021 proposed water/wastewater rate change.

Notice of the public meeting will be posted on the "City Page" in local newspapers, the City website, electronic information boards in City facilities and through social media. Councillors will receive copies of the notice to send to residents.

Staff propose to provide information on the feedback received at the public meeting along with the proposed 2021 water/wastewater rate tentatively scheduled for consideration of Council at the December 9th Council meeting.

OPTIONS/ DISCUSSION:
Water/Wastewater Rate

Markham's water/wastewater rate is comprised of the following 4 components:

- A. Regional wholesale rate
- B. Non-revenue water
- C. Operational expenditure
- D. Reserve contribution

A. Region's Wholesale Rate Increase

The Region provides water supply and wastewater treatment to the nine municipalities within the Region. On October 15, 2015, the Region approved annual rate increases for water and wastewater user rates effective April 1, 2016 through April 1, 2021.

In response to the COVID-19 pandemic the Region waived the 9% increase scheduled for April 1, 2020 and held its rate at the previous year's level. A report will be tabled to Regional Council in December with a proposed wholesale rate for 2021 and future year increases.

Year	<u>Approved</u> <u>October 15, 2015</u>		<u>Revised due to COVID-</u> <u>19 Pandemic</u>	
	Starting Year	Wholesale Rate (\$/m ³)	Increase from Prior Year	Wholesale Rate (\$/m ³)
April 1, 2016	2.3741	9.0%	2.3741	9.0%
April 1, 2017	2.5876	9.0%	2.5876	9.0%
April 1, 2018	2.8205	9.0%	2.8205	9.0%
April 1, 2019	3.0743	9.0%	3.0743	9.0%
April 1, 2020	3.3510	9.0%	3.0743	0.0%
April 1, 2021	3.4468	2.9%	TBD	TBD

The Region's increases support the following ongoing requirements including:

- Building adequate reserves for future asset rehabilitation and replacement
- Maintaining existing assets
- Covering day-to-day operations
- Elimination of the need to issue rate-supported debt; and
- Achieving full cost recovery pricing in 2021.

Scenario 1: Based on the Region's assumed change of 0% for 2021, the Region's wholesale rate will not increase and remain at \$3.0743/m³.

Scenario 2: Based on the Region's assumed increase of 2.9% for 2021, the Region's wholesale rate will increase by \$0.0892/m³ from \$3.0743/m³ to \$3.1635/m³.

As per the City's policy, the City will match the Region's monetary increase once it is approved by Regional Council.

B. Non-Revenue Water

For every 1,000 litres of water that Markham buys from the Region, it is budgeted to sell only 890 litres. This unsold water is known as non-revenue water (NRW). The most frequent occurrences of non-revenue water are through system leakage and watermain breaks, metering inaccuracies, system flushing to maintain water quality and other uses such as fire fighting and unauthorized uses.

Scenario 1: Based on the Region's assumed change of 0%, the NRW component will not change and will remain at \$0.3800/m³.

Scenario 2: Based on the Region's assumed increase of 2.9%, the NRW component will be increased from \$0.3800/m³ to \$0.3911/m³, an increase of \$0.0110/m³ from 2020.

The City will increase the NRW component by the same percentage increase as the Regions wholesale rate increase, once it is approved by Regional Council.

C. Operational Expenditure

The Operational Expenditure component is required in order to fund the operations and maintenance of the water and wastewater systems.

Scenario 1 and 2: The rate for this component will be increased by \$0.0170/m³, or 3.8%, from \$0.4450/m³ to \$0.4620/m³ to cover operational increases such as cost of living adjustment, collective bargaining agreements and contract escalation.

The increase to this component includes the recovery of the 2020 increases that were waived and the 2021 increases to operations.

D. Reserve Contribution

The Reserve Contribution component addresses the ongoing replacement and rehabilitation requirements for Waterworks infrastructure and other Waterworks related capital assets.

Scenario 1: The rate for this component will be decreased by \$0.0170/m³, or -3%, from \$0.5687/m³ to \$0.5517/m³. The reduction to this component is required to match the Region's overall rate change of 0%. In doing so, both the 2020 and 2021 increases to this component are being deferred, and will need to be recovered in a future year or phased in over multiple years.

Scenario 2: The rate for this component will be increased by \$0.0124/m³, or 2.2%, from \$0.5687/m³ to \$0.5811/m³. The increase to this component includes the full recovery of the 2020 increases that were waived.

2021 Water/Wastewater Rate Increase by Component Summary

Below is a summary of the proposed changes by component for Scenario 1 (change of 0%) and Scenario 2 (increase of 2.9%):

A		B=D-A	C=B/A	D=A+B	E=G-A	F=E/A	G=A+E
		1. Rate with Region @ 0.0%			2. Rate with Region @ 2.9%		
	2020 Rate \$/m ³	Increase \$/m ³	% Increase	2021 Proposed Rate \$/m ³	Increase \$/m ³	% Increase	2021 Proposed Rate \$/m ³
A. Region's Wholesale Rate	3.0743	0.0000	0.0%	3.0743	0.0892	2.9%	3.1635
B. Non-Revenue Water	0.3800	0.0000	0.0%	0.3800	0.0110	2.9%	0.3910
C. Operating Expenditures	0.4450	0.0170	3.8%	0.4620	0.0170	3.8%	0.4620
D. Reserve Contribution	0.5687	-0.0170	-3.0%	0.5517	0.0124	2.2%	0.5811
City's Water/Wastewater Rate	4.4680	0.0000	0.0%	4.4680	0.1296	2.9%	4.5976

FINANCIAL CONSIDERATIONS

It is proposed that the 2021 water/wastewater rate increase by the same percentage as the Region's wholesale rate once it is approved by Regional Council.

In advance of the Region approval of the wholesale rate Staff have prepared the two scenarios below:

Scenario 1: Assumes that the 2021 water/wastewater rate will not increase and remain at \$4.4680/m³. In doing so both, the 2020 and 2021, increases to component D are being deferred and will need to be recovered in a future year or phased in over multiple years.

Scenario 2: Assumes that the 2021 water/wastewater rate will increase by \$0.1296/m³ (2.9%) from \$4.4680/m³ to \$4.5976/m³. The increase incorporates full recovery of the 2020 increases that were waived.

Impact to Residents & ICI Customers

Based on an average household water consumption of 208 m³ per year and assuming an increase of 2.9%, there will be an increase of approximately \$27 to an average total annual household bill.

$$\begin{aligned} 2020: & \$4.4680 \times 208 \text{ m}^3 = \$929 \text{ (A)} \\ 2021: & \$4.5976 \times 208 \text{ m}^3 = \$956 \text{ (B)} \\ \text{Increase in 2021} & \qquad \qquad \$27 \text{ (C = B - A)} \end{aligned}$$

The impact to the top 10 ICI customers, including manufacturers, office buildings and hospitality providers, will range from \$9,000 to \$13,000 per year.

HUMAN RESOURCES CONSIDERATIONS

Not applicable

ALIGNMENT WITH STRATEGIC PRIORITIES:

Not applicable

BUSINESS UNITS CONSULTED AND AFFECTED:

Environmental Services have reviewed this report and their comments have been incorporated.

RECOMMENDED BY:

Phoebe Fu
Director, Environmental Services

Joel Lustig
Treasurer

Andy Taylor
Chief Administrative Officer

Trinela Cane
Commissioner, Corporate Services

ATTACHMENTS:

2021 Water and Wastewater Rate Public Consultation Meeting Presentation



**City of Markham
2021 Water/Wastewater Rate
Public Consultation Meeting
November 12, 2020**

Agenda

1. About Markham's Waterworks Department
2. Markham Water/Wastewater System
3. COVID-19 Pandemic Impact and Markham's Historical Water/Wastewater Rate
4. 2020 Comparative Municipal Water/Wastewater Rates (\$/m³)
5. Components of the 2021 Water/Wastewater Rate
6. Summary of 2021 City's Water/Wastewater Rate
7. Impact to Residents and Top 10 Institutional, Commercial and Industrial Customers
8. Reserve Balance
9. Recommendations
10. Next Steps

1. About Markham's Environmental Services Department

- Manages 81% of the City's Right-of-Way assets valued at \$6.45 billion including water (1,079 km watermains), wastewater (919 km sanitary sewers), stormwater, bridges, culverts, streetlights, watercourses and erosion sites
- Markham's water and wastewater assets are valued at \$3.67 billion out of the \$6.45 billion total Right-of-Way assets
- Responsible for waste management and environmental stewardship initiatives



1. About Markham's Environmental Services Department

- Provides water service to more than 83,000 residential and ICI customers with consumption close to 30M m³ annually
- Drinking water in Ontario is required to meet strict water quality standards. Markham's Drinking Water Quality Management Standard (DWQMS) adopts a risk management approach to operate the system, monitor and report on water quality and respond to emergencies.
 - We continuously monitor water quality in-part through use of an on-line chlorine analyser
 - We continuously monitor our 5 sanitary pumping stations through remote operation and monitoring equipment (Supervisory Control and Data Acquisition - SCADA)
- The Ministry of Environment regularly audits and inspects our DWQMS, our operations and any associated documentation. In 2019, the Ministry renewed Markham's Drinking Water License for another 5 years.

1. About Markham's Environmental Services Department

Promotion of Markham's tap water, water efficiency/conservation and source water protection

- “Get to Know H2O” goes virtual! School outreach program to date – 76 presentations to 2,000 students
- F.O.G. Clogs - Protect Your Pipes! Campaign won Gold in Promotion & Education from the Municipal Waste Association!
 - Average 55% decrease in residential sewer backup calls received by the City of Markham Contact Centre
 - Over 200k commercial views by residents (social media, website, Cineplex)



1. About Markham's Environmental Services Department

- Proactive capital program to manage water assets
 - Leak detection and associated repairs (metallic watermain only)
 - Cathodic protection (ductile/cast iron watermain)
 - Watermain replacement program
 - Curb box and water meter replacement
 - Life cycle condition assessment



2. Markham's Water/Wastewater System

- Markham does not own or operate a water filtration plant or a wastewater treatment plant (water distribution and wastewater collection only system)
- Markham purchases water through York Region (YR) and YR provides Markham with wastewater treatment services. The purchase price for the water includes the Region's cost for water filtration and wastewater treatment services.
- York Region:
 - ✓ Purchases water from the City of Toronto and from the Region of Peel. The source is Lake Ontario.
 - ✓ Pumps water into reservoirs to provide adequate supply and maintain system pressure.
 - ✓ Conveys wastewater to their jointly owned treatment facility (in Durham) that treats and releases the water back to Lake Ontario.

3. COVID-19 Pandemic Impact

- In 2019, pre-pandemic, the Region approved an increase of 9% to the wholesale rate and the City approved a rate increase of 7.8% to the 2020 water / wastewater rate
- Due to the COVID-19 pandemic both the Region and City waived their scheduled increases and held their rates at the 2019 levels
 - Waiving of the City's portion of the 2020 rate increase results in the need for the City to recover the forgone increase in the future
- Region is undertaking a reserve study and a report will be tabled at Regional Council in December with a proposed rate for 2021 and future year increases
 - In 2015, YR Council approved rates from 2016 to 2021 which included an increase of 2.9% in 2021
- Staff have prepared two scenarios:
 1. No increase to Region's wholesale rate and City's water/wastewater rate
 - the deferred 2020 and 2021 increase will need to be recovered in a future year or phased in over multiple years
 2. Region increase to wholesale rate of 2.9%, matched with an increase to the City's water/wastewater rate of 2.9%
 - 2.9% is the increase approved by Regional Council in 2015
 - incorporates full recovery of 2020 waived rate increase
- If the Region's rate increase differs from the scenarios above, the City plans to match the Region's increase

3. Markham's Historical Water/Wastewater Rate

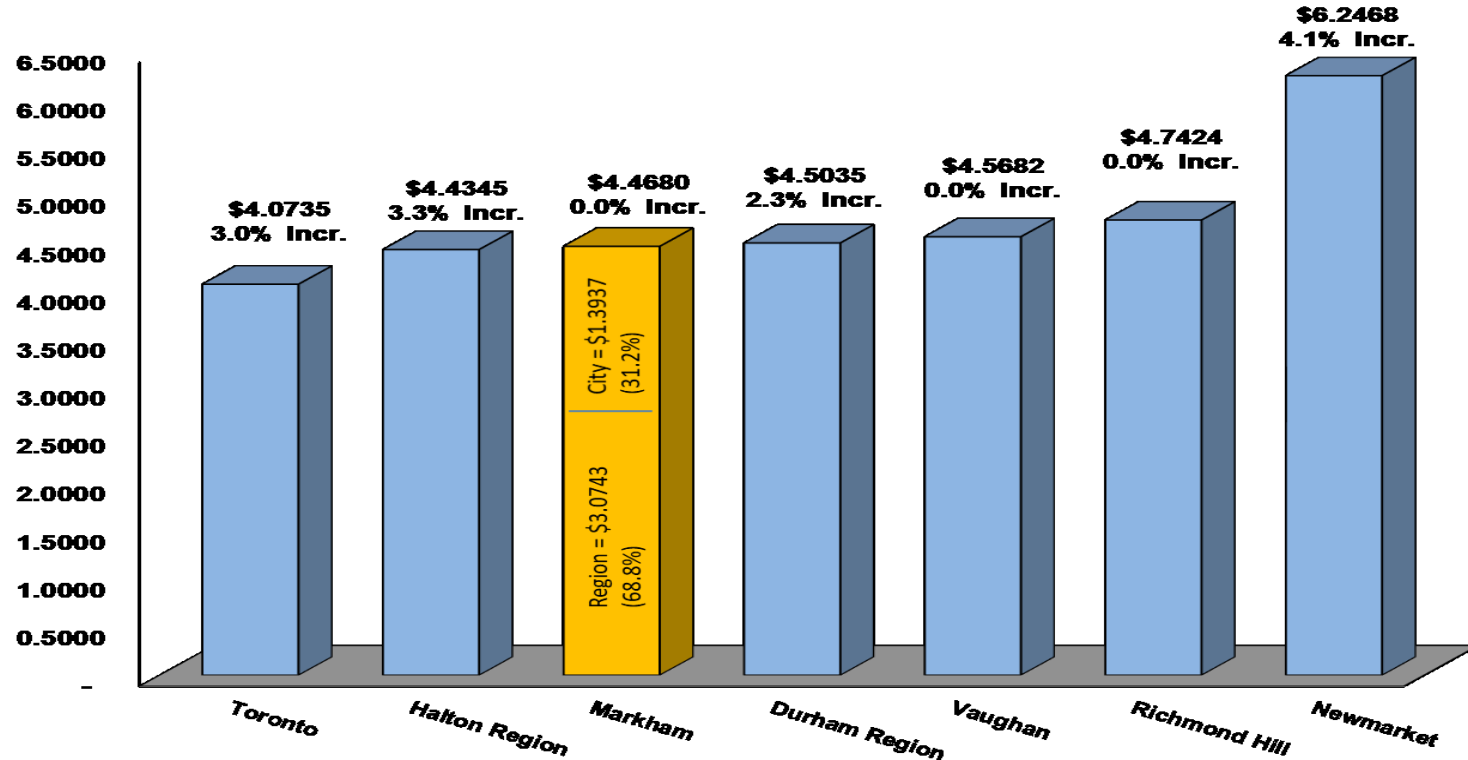
	2016	2017	2018	2019	Original 2020	Actual 2020
Wholesale Rate Increase	9.0%	9.0%	9.0%	9.0%	9.0%	0.0%
Markham's Water/Wastewater Rate Increase*	7.8%	7.8%	7.5%	7.8%	7.8%	0.0%
Markham Water/Wastewater Rate (\$/m ³)*	\$3.5751	\$3.8555	\$4.1442	\$4.4680	\$4.8180	\$4.4680

**Includes Region's wholesale rate increase*

Markham's water/wastewater rate increases have historically ranged from 7.5% to 7.8%. This includes the Region's wholesale rate increase.

Both the City and Region waived the 2020 increases in response to the COVID-19 pandemic

4 2020 Comparative Municipal Water/Wastewater Rates (\$/m³)



% increase refers to 2020 vs. 2019 rate increase

4. Components of the Water/Wastewater Rate

Markham customers pay a per cubic metre rate (1,000 litres) for their water use. Included in this charge is;

- A. **Region Wholesale Rate** – The actual cost Markham pays to buy water from YR
- B. **Non-Revenue Water** – Cost of water that is used but not billed to the customer
- C. **Operating Expenditures** – Funding needed to operate, upkeep and maintain the water and wastewater systems
- D. **Reserve Contribution** – Funding used for long term infrastructure rehabilitation and replacement

5. Components of the Water/Wastewater Rate

Based on the two scenarios modeled the City's 2021 Water/Wastewater rate is:

	2020 Rate \$/m ³	1. Rate with Region @ 0.0%			2. Rate with Region @ 2.9%		
		Increase \$/m ³	% Increase	2021 Proposed Rate \$/m ³	Increase \$/m ³	% Increase	2021 Proposed Rate \$/m ³
A. Region's Wholesale Rate	3.0743	0.0000	0.0%	3.0743	0.0892	2.9%	3.1635
B. Non-Revenue Water	0.3800	0.0000	0.0%	0.3800	0.0110	2.9%	0.3910
C. Operating Expenditures	0.4450	0.0170	3.8%	0.4620	0.0170	3.8%	0.4620
D. Reserve Contribution	0.5687	-0.0170	-3.0%	0.5517	0.0124	2.2%	0.5811
City's Water/Wastewater Rate	4.4680	0.0000	0.0%	4.4680	0.1296	2.9%	4.5976

Scenario 1: Increase of \$0.0000/m³ or 0.0%
Scenario 2: Increase of \$0.1296/m³ or 2.9%

5. Components of the Water/Wastewater Rate

A. York Region Wholesale Rate

➤ York Region:

- ✓ Purchases water from the City of Toronto and from the Region of Peel. The source is Lake Ontario.
- ✓ Pumps water into reservoirs to provide adequate supply and maintain system pressure.
- ✓ Conveys wastewater to their jointly owned treatment facility (in Durham) that treats and releases the water back to Lake Ontario.

5. Components of the Water/Wastewater Rate

A. York Region Wholesale Rate

In October 2015, YR Council adopted a strategy to move towards financial sustainability and recommended rate increases to support the following requirements:

- ✓ Build adequate reserves for future asset rehabilitation and replacement
- ✓ Maintain existing assets
- ✓ Cover day to day operations
- ✓ Eliminate the need to issue rate-supported debt
- ✓ Achieve full cost recovery pricing in 2021

5. Components of the Water/Wastewater Rate

A. York Region Wholesale Rate

The Region approved annual rate increases for wholesale rate effective April 1, 2016 through April 1, 2021.

In response to the COVID-19 pandemic the Region waived the 9% increase scheduled on April 1, 2020 and held its rate at the previous year's level.

A report will be tabled at Regional Council in December with a proposed wholesale rate for 2021 and future year increases.

Year	<u>Approved</u> <u>October 15, 2015</u>		<u>Revised due to COVID-19</u> <u>Pandemic</u>		
	<u>Starting</u>	<u>Wholesale Rate (\$/m³)</u>	<u>Increase from Prior Year</u>	<u>Wholesale Rate (\$/m³)</u>	<u>Increase from Prior Year</u>
April 1, 2016	2.3741	2.3741	9.0%	2.3741	9.0%
April 1, 2017	2.5876	2.5876	9.0%	2.5876	9.0%
April 1, 2018	2.8205	2.8205	9.0%	2.8205	9.0%
April 1, 2019	3.0743	3.0743	9.0%	3.0743	9.0%
April 1, 2020	3.3510	3.0743	9.0%	3.0743	0.0%
April 1, 2021	3.4468	TBD	2.9%	TBD	TBD

5. Components of the Water/Wastewater Rate

A. York Region Wholesale Rate

The Region's assumed water and wastewater (also known as the Region's wholesale rate) blended rate increase of 0.0% and 2.9%, includes the wholesale water rate increases from the City of Toronto and Region of Peel. These increases are passed on to the City.

	Region's 2020 Wholesale			Region's 2021 Wholesale		% of Total Rate
	\$/m ³	% Increase	\$ Increase/m ³	\$/m ³		
1. Water and Wastewater Rate	3.0743	0.0%	0.0000	3.0743	69%	
2. Water and Wastewater Rate	3.0743	2.9%	0.0892	3.1635	69%	

Scenario 1: Increase of \$0.0000/m³ or 0.0%
Scenario 2: Increase of \$0.0892/m³ or 2.9%

5. Components of the Water/Wastewater Rate

	Description	Scenario 1 2021 Rate \$/m ³	Scenario 2 2021 Rate \$/m ³
✓ A. Region's Wholesale Rate	The actual cost Markham pays to buy water from YR	3.0743	3.1635
B. Non-Revenue Water	Cost of water that is used but not billed to the customer	0.3800	0.3910
C. Operating Expenditures	Funding needed to operate, upkeep and maintain the water and wastewater systems	0.4620	0.4620
D. Reserve Contribution	Funding used for long term infrastructure rehabilitation and replacement	0.5517	0.5811
City's Water/Wastewater Rate		4.4680	4.5976

5. Components of the Water/Wastewater Rate

B. Non-Revenue Water

For every 1,000 litres of water that Markham buys from YR, it is budgeted to sell only 890 litres. This unsold water is known as **Non Revenue Water (NRW)**.

The additional 110 litres or 11% of the purchased water is for:

1. System leakage and watermain breaks (76 L)
2. Meter inaccuracies – on YR supply meters and customer meters (15 L)
3. Operational Water - System flushing to maintain water quality and other uses such as fire fighting (16 L)
4. Unauthorised Use - Water theft or illegal connections (3 L)

5. Components of the Water/Wastewater Rate

B. Non-Revenue Water

Best Practices

- Markham's budget of 11% NRW is considered a well managed system
- The International Water Association established a global benchmark for water agencies known as the Infrastructure Leakage Index (ILI) where;
- $ILI = \text{Actual System Leakage} / \text{Allowable System Leakage}$;
- Allowable System Leakage represents the minimum expected leakage of the system based on best management practices. An ILI close to 1 is considered 'World Class'.
- Markham's 2019 ILI is 1.25

5. Components of the Water/Wastewater Rate

B. Non-Revenue Water

Based on a Region's assumed increase of 0.0% and 2.9%, the NRW component of the 2021 Water Rate will increase by the same percentages

	City's 2020 NRW Component			City's 2021 NRW Component		% of Total Rate
	\$/m ³	% Increase	\$ Increase/m ³	\$/m ³		
1. Water and Wastewater Rate	0.3800	0.0%	0.0000	0.3800	9%	
2. Water and Wastewater Rate	0.3800	2.9%	0.0110	0.3910	9%	

Scenario 1: Increase of \$0.0000/m³ or 0.0%
Scenario 2: Increase of \$0.0110/m³ or 2.9%

5. Components of the Water/Wastewater Rate

	Description	Scenario 1 2021 Rate \$/m³	Scenario 2 2021 Rate \$/m³
✓ A.	Region's Wholesale Rate The actual cost Markham pays to buy water from YR	3.0743	3.1635
✓ B.	Non-Revenue Water Cost of water that is used but not billed to the customer	0.3800	0.3910
C.	Operating Expenditures Funding needed to operate, upkeep and maintain the water and wastewater systems	0.4620	0.4620
D.	Reserve Contribution Funding used for long term infrastructure rehabilitation and replacement	0.5517	0.5811
	City's Water/Wastewater Rate	4.4680	4.5976

5. Components of the Water/Wastewater Rate

C. Operating Expenditures

The Operating Expenditures component is required to pay for operations and maintenance of the water and wastewater systems. Rate increase includes operational increases such as cost of living adjustments, collective agreements and contract escalations.

	City's 2020			City's 2021	
	Operating Component	% Increase	\$ Increase/m ³	Operating Component	% of Total Rate
1. Water and Wastewater Rate	0.4450	3.8%	0.0170	0.4620	10%
2. Water and Wastewater Rate	0.4450	3.8%	0.0170	0.4620	10%

Scenario 1 & 2: Increase of \$0.0170m³ or 3.8%

5. Components of the Water/Wastewater Rate

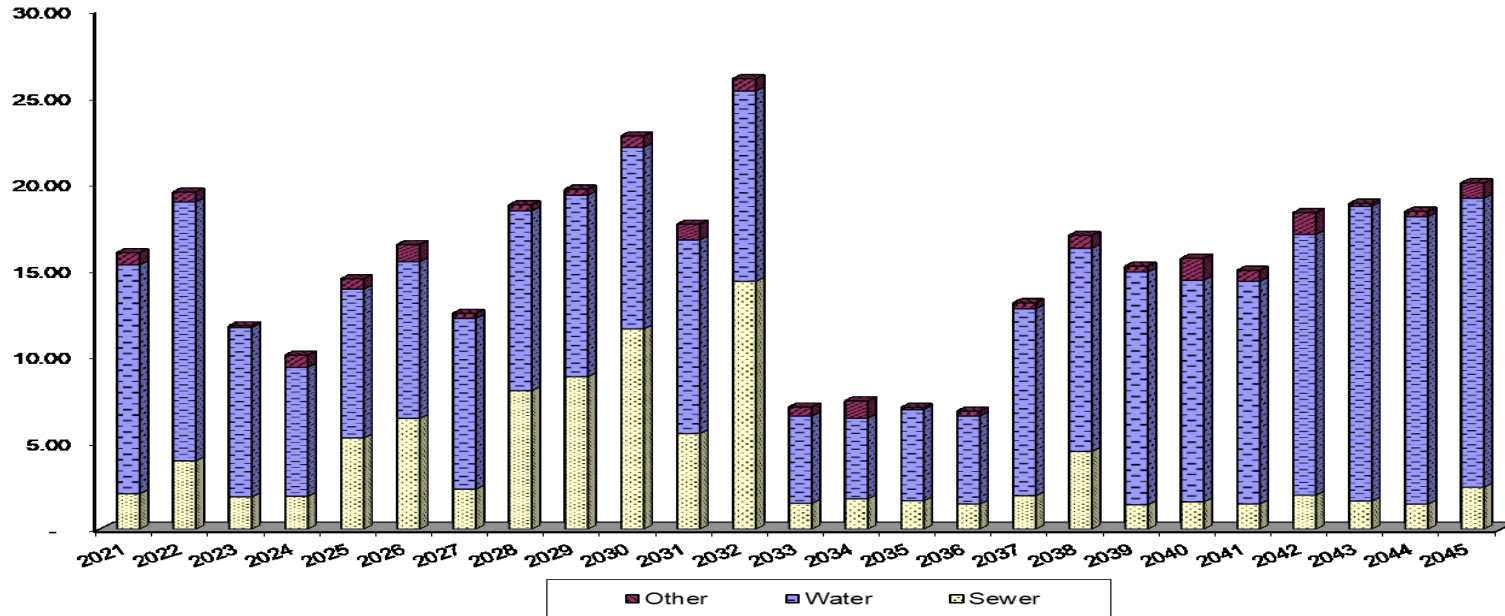
	Description	Scenario 1 2021 Rate \$/m ³	Scenario 2 2021 Rate \$/m ³
✓ A. Region's Wholesale Rate	The actual cost Markham pays to buy water from YR	3.0743	3.1635
✓ B. Non-Revenue Water	Cost of water that is used but not billed to the customer	0.3800	0.3910
✓ C. Operating Expenditures	Funding needed to operate, upkeep and maintain the water and wastewater systems	0.4620	0.4620
D. Reserve Contribution	Funding used for long term infrastructure rehabilitation and replacement	0.5517	0.5811
City's Water/Wastewater Rate		4.4680	4.5976

5. Components of the Water/Wastewater Rate

D. Reserve Contribution

- The City implemented the Water & Wastewater Reserve Study with the purpose of addressing the ongoing replacement and rehabilitation requirements for Waterworks infrastructure and other Waterworks related capital assets, such as Fleet, Facilities and ITS infrastructure, over their useful lives.
- The Reserve Study is updated annually to:
 - Establish the water and wastewater rate
 - Ensure that there is adequate funding in the Waterworks Reserve to sustain future replacement and rehabilitation requirements of the City's water and wastewater infrastructure for the next 25 years

D. Reserve Contribution 25-Year Projected Life Cycle Expenditures – By Component



Total projected expenditures of \$385M (Average \$15.4M/year) for the next 25 years or \$523M inflated dollars (Average \$20.9M inflated dollars/year)

5. Components of the Water/Wastewater Rate

D. Reserve Contribution

- Transfer to Reserves = Sales – Purchases – Operations
- The Reserve Contribution component ensures there is adequate funding in the Waterworks Reserve to sustain replacement and rehabilitation requirements for the next 25 years
- In scenario 1, the 2020 and 2021 increases, to this component are being deferred and will need to be recovered in a future year or phased in over multiple years
- Scenario 2 incorporates full recovery of 2020 rate increase which was waived

	City's 2020		City's 2021		% of Total Rate
	Transfer to Reserve \$/m ³	% Increase	\$ Increase/m ³	Transfer to Reserve \$/m ³	
1. Water and Wastewater Rate	0.5687	-3.0%	-0.0170	0.5517	12%
2. Water and Wastewater Rate	0.5687	2.2%	0.0124	0.5811	12%

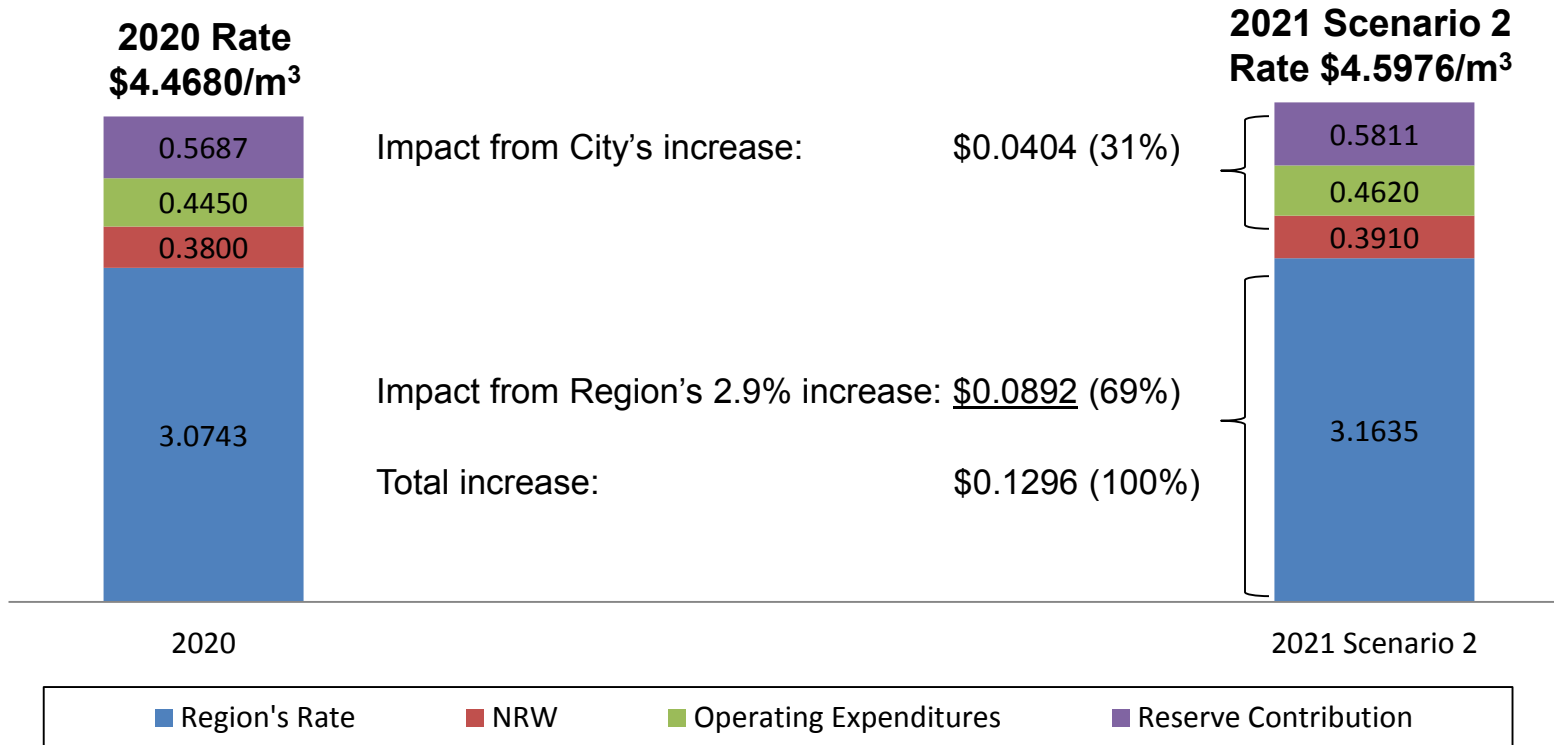
Scenario 1: Decrease of \$0.0170/m³ or -3.0%
Scenario 2: Increase of \$0.0124/m³ or 2.2%

5. Components of the Water/Wastewater Rate

	Description	Scenario 1 2021 Rate \$/m ³	Scenario 2 2021 Rate \$/m ³
✓ A. Region's Wholesale Rate	The actual cost Markham pays to buy water from YR	3.0743	3.1635
✓ B. Non-Revenue Water	Cost of water that is used but not billed to the customer	0.3800	0.3910
✓ C. Operating Expenditures	Funding needed to operate, upkeep and maintain the water and wastewater systems	0.4620	0.4620
✓ D. Reserve Contribution	Funding used for long term infrastructure rehabilitation and replacement	0.5517	0.5811
City's Water/Wastewater Rate		4.4680	4.5976

Scenario 1: Increase of \$0.0000/m³ or 0.0%
Scenario 2: Increase of \$0.1296/m³ or 2.9%

6. Summary of 2021 Scenario 2 Water/Wastewater Rate



6. Summary of 2021 Proposed Water/Wastewater Rate

Markham's portion of the rate increase is necessary in order to:

- Fund the day-to-day operations of the Waterworks department
- Fund the future replacement of existing assets over the next 25 years
- Avoid higher rate increases in the future

7. Impact to Residents and Top 10 Institutional, Commercial, Industrial (ICI) Customers

Based on Scenario 2 a 2.9% increase to the 2021 water/wastewater rate of \$4.5976/m³
Rate increase of \$0.1296/m³ (Region's rate increase of \$0.0892/m³, City's increase \$0.0404/m³)

Year over Year Impact to Residents

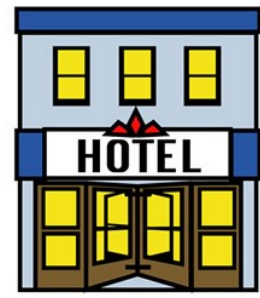
Year	Water Rate	Average Consumption	Average Water Bill
2020 (A)	\$4.4680/m ³	208 m ³ per year	\$929
2021 (B)	\$4.5976/m ³	208 m ³ per year	\$956
Difference (C=B-A)	2.9% Increase		\$27

7. Impact to Top 10 Institutional, Commercial, Industrial (ICI) Customers

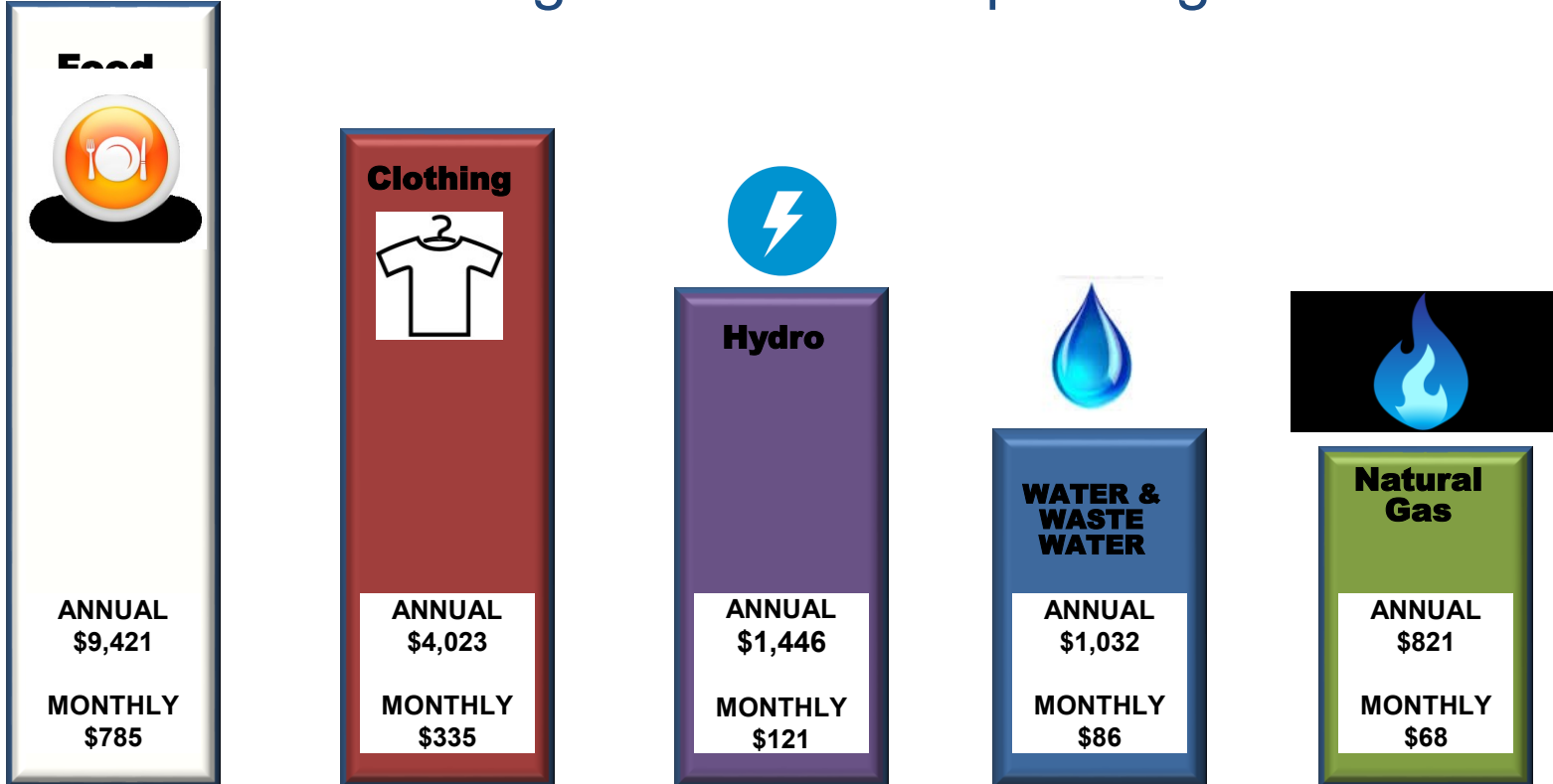
Based on Scenario 2 a 2.9% increase to the 2021 water/wastewater rate of \$4.5976m³
Rate increase of \$0.1296/m³ (Region's rate increase of \$0.0892/m³, City's increase \$0.0404/m³)

Increase ranges from \$9,000 to \$13,000 per year

(Top 10 list includes manufacturers, office buildings and hospitality providers)



Average Household Spending



Source (excluding water & wastewater): Statistics Canada 2016 Household Spending – Ontario (adjusted for inflation)

8. Reserve Balance

	Scenario 1		Scenario 2
	2020 Year-End Forecast	2021 Proposed Budget	2021 Proposed Budget
Opening Balance	61.85	67.06	67.06
Transfer to Capital	(12.68)	(15.72)	(15.72)
Interest Income	0.70	0.70	0.70
Transfer from closed capital projects	0.57	0.50	0.50
Transfer to Reserve	16.62	16.14	17.00
Waterworks Reserve Ending Balance	67.06	68.68	69.54

Scenario 1 & 2: Projected Reserve Balance represents 1.8% of the total replacement cost of \$3.67B for waterworks infrastructure

9. Recommendations

That the following, which is tentatively schedule to be put forward for consideration of Council on December 9th:

1. THAT the minutes from the Thursday November 12th, 2020, 2021 Water/Wastewater Rate Public Consultation meeting be received;
2. AND THAT the 2021 City of Markham's ("City") water/wastewater rate be increased by the same percentage increase as the Region or York's wholesale rate, once it is approved by Regional Council, effective April 1, 2021;
3. AND THAT Staff be authorized and directed to do all things necessary to give effect to this resolution.

10. Next Steps

- Council Decision – Tentatively scheduled for Wednesday December 9, 2020
- Implementation of 2021 Water/Wastewater Rate - April 1, 2021



Swan Lake Park

Parks Operations and Parks Refresh Draft Plan

November 2, 2020

Operations Department



Agenda

- Background/Purpose Parks Refresh Plan
- Citywide park improvement/refresh criteria
- Parks service level standards Citywide
- Parks capital lifecycle replacements Citywide
- Swan Lake Park/Laura and Alf Weaver Park
 - Current Amenities
 - Outcomes of public and third party consultation
- Park Refresh Plan – Initiatives
- Parks Refresh Timelines
- Next Steps



Background/Purpose – Parks Refresh Plan

At the June 23rd, 2020 Council meeting, Environmental Services staff presented the Swan Lake Water Quality Improvement Program.

Council asked staff to report back:

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

The purpose of this meeting is to obtain feedback from the Friends of Swan Lake on a Park Refresh Plan prior to developing both Capital and Operating budget requests for Capital for consideration in the 2021/22 budget cycle.



Citywide Park Improvement/Refresh Criteria

- Citywide park improvements are intended to enhance missing or resident group desired amenities in existing parks to make the park more relevant to users, subject to yearly budget approvals and maximum spending limits.
- Citywide park improvements include pollinator, tree and wetland garden plantings, benches, games tables and where not present small shade structures subject to yearly budget approvals and maximum spending limits.
- Citywide park improvements are considered to be “light touches” and do not include large scale projects. Parks operating budgets cover the needs of over 200 parks in all 8 wards. New initiatives and changes in all parks are subject to available funds.
- Citywide park improvements do not include regular maintenance activities such as pathway repairs, horticultural garden renovations, enhanced grass maintenance or lifecycle related replacements.



Parks Service Level Standards Citywide

Parks grass cutting per Council approved service level of 12-14 day cycle Citywide. Includes cutting parks, pathway allowances, City boulevards, facilities, naturalized area perimeters.

Waste receptacle servicing varies by location and park use and type of container. Litter and debris pick-up year round is the second most time consuming task for Operations staff next to grass cutting in summer months of operation.





Parks Service Level Standards Citywide

Parks pathway resurfacing is a yearly Citywide program which addresses trip edges greater than 2.0cm meeting Provincial Legislation O.Reg. 239/02. Minimum Maintenance Standards. Replacements are based on yearly condition assessments in all parks and priority rated subject to approved budgets.



Horticultural bed rejuvenation is yearly Citywide program to address overgrown beds no longer performing as intended and replace with low maintenance options using pollinators where possible. Priority rated subject to approved budgets.





Parks Capital Lifecycle Replacements

Playground structures along with the site specific safety surfaces are replaced based on condition assessment and CSA compliance. Similar assets include splash pads and exercise equipment.



Parks assets are refurbished or replaced based on condition assessment. Assets included are gazebos, stairs, sports field lighting, fences, court surfacing, gates and bollards, City furniture and fountains.





Swan Lake Park/Laura and Alf Weaver Park





Swan Lake Park/Laura & Alf Weaver Park

- Swan Lake was formed through quarrying activities performed in the 1970s and 1980s and has been developed in sections related to residential development over the last 15+ years.
- Laura and Alf Weaver Park was completed in 2018 following public consultation adding an additional playground, tennis courts and skate spot literally across the road from Swan Lake Park.
The area on the west side of Swan Lake was completed in 2019.
- The section of the park from Williamson Road to the Amica site was previously a naturalized area until development in 2019. The City conducted a comprehensive pruning, removal and clean-up in the spring of 2020 to address the change in use.
- Plantings in the naturalized area on the north side occurred in the summer of 2020 adding to previous pollinator plantings.



Swan Lake Park/Laura & Alf Weaver Park Combined Amenities

	Swan Lake Park	Laura and Alf Weaver Park
Total area:	5.6 hectares	1.6 hectares
Total pathways:	2250m	750m
Splash Pad:	1	
Play Structures:	1	1
Benches:	24	16
Gazeebos:	1	1
Observation Dock:	1	
Bridges:	3	



Public Consultation Swan Lake Park/Laura and Alf Weaver Park

Public consultation for Laura & Alf Weaver Park took place on March 29, 2016 which included feedback on the newest section of Swan Lake Park. The meeting had the following outcomes.

- Residents felt the southeast corner of Swan Lake Park should be naturalized
- Residents were in favor of a playground for Laura and Alf Weaver Park and requested a rubberized surface the same as Swan Lake Park
- Residents were in favor of tennis courts provided that they were located close to Williamson Road citing parking concerns
- Residents were in favor of a skateboard facility and basketball courts. It was noted that basketball was supported at local schools
- Residents requested buffers on north and south sides of park to act as wildlife corridors between this park and Swan Lake Park.



Third Party Consultation - TRCA

- Successful shoreline improvement projects provided by the Toronto and Region Conservation Authority (TRCA) for review. Design consultation project for Swan Lake shoreline improvements will be submitted to Council in 2021 seeking approval for consideration in 2022. Design stage will include invasive plant reduction and replacement strategy. Shoreline improvement construction projects dependent upon design outcomes and subject to future budget approvals.
- Consultation to investigate the introduction of fish species will be part of the water quality assessment exercise and not part of the Park Refresh program.





Parks Refresh Plan - Initiatives

- 1. Pollinator Plantings** – add to existing naturalized areas and create new sites to plant and naturalize.
- 2. Rain Garden** – plant the bio swale on Williamson Road with plant materials suited to wet areas as a demonstration garden
- 3. Understory Plantings** – introduce new native species of trees on the periphery of the woodlots and in naturalized areas
- 4. Invasive Species Strategy** – treatment (Hypena moth) and removal of Dog Strangling Vine. Address Black locust close to walkways to reduce risk from thorns. Understand the long term strategy to address removal of Manitoba Maple and Black Locust understanding that they comprise valuable canopy.
- 5. Shoreline Improvements** – engage the TRCA for the design stage of modifications to establish options to consider.
- 6. Education and Outreach Opportunities** – signage, aimed at education and engagement. Community group events (once allowable) for planting and maintenance opportunities



Initiatives 1&2 – Pollinator and Rain Garden

Overview of Options

- Additional pollinator plantings in northeast area, new area on west side of pond
Newly created Rain Garden in swale along Williamson Road

Cost

\$3.0K to \$4.0K over 2 years to be funded through Parks Renaissance and Parks Horticulture budgets subject to approval



PROS

- Pollinator and Rain Gardens:
 - create habitat for birds, insects and small mammals
 - support healthy ecosystems that clean air, stabilize soils, manage ground water and protect from severe weather
 - provide colour and natural beauty

CONS

- Pollinator and Rain Gardens:
 - are not widely understood and can appear to be areas which are simply neglected rather than places that are providing homes for insects and birds.
 - are not interactive and can be damaged by human interaction, sometimes rain gardens can be fenced to provide a clear delineation.

Staff Recommend this option for implementation in 2021 subject to budget approval.



Initiative 3 – Understory/New Plantings



Overview of Option

- Introduce favorable tree and shrub species well in advance of decline or removal of existing trees
- Mitigate canopy loss to a lesser degree through restorative plantings which are proactive

Cost

\$1.0K over 2 years to be funded through Trees for Tomorrow budgets subject to approval.

PROS

- Generally use smaller container grown stock with higher survivability, while also planting whips in select areas to compete with certain species seed beds
- Select species to add to diversity, ecosystem support and habitat creation.

CONS

- May be damaged when removing existing large trees

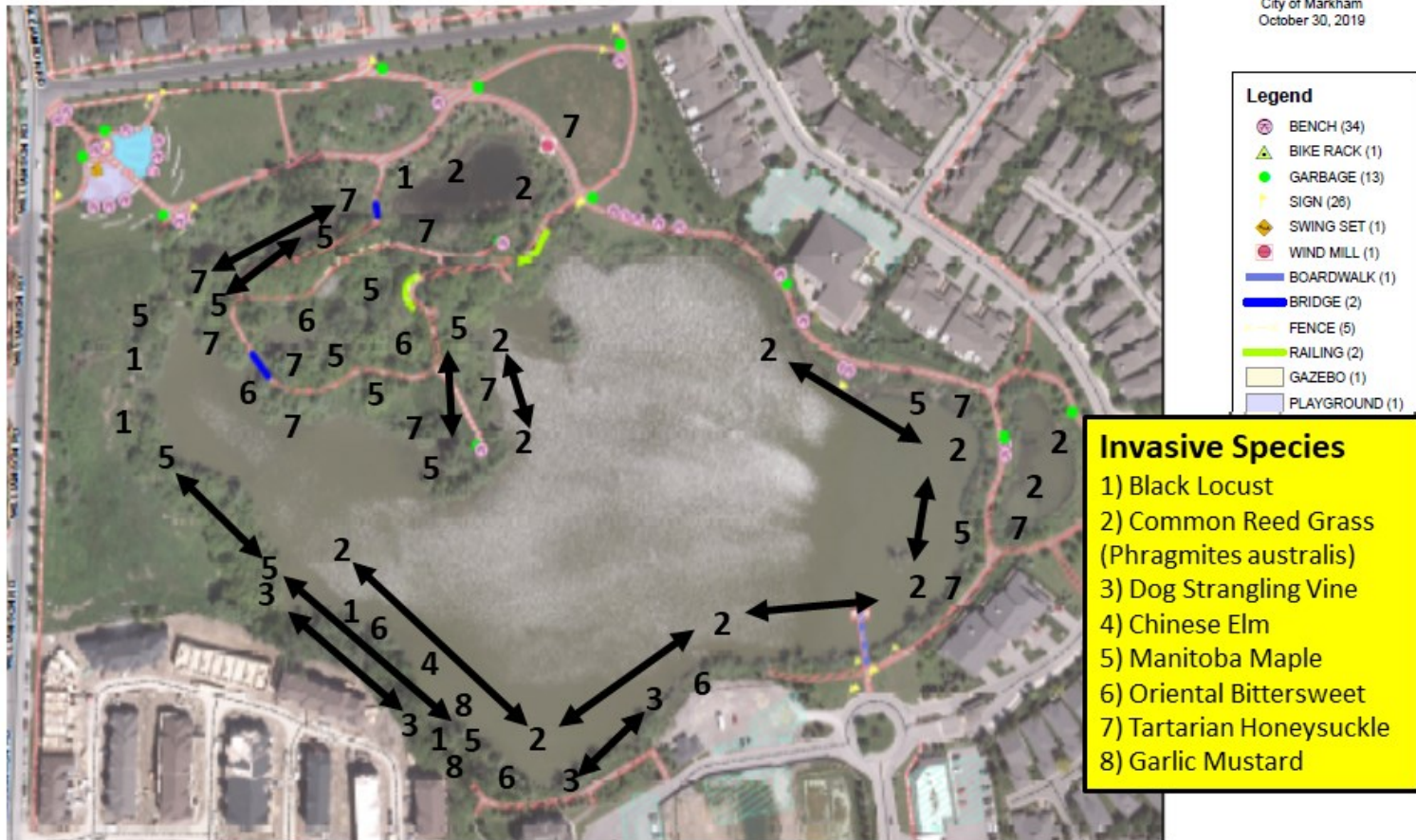
Staff recommend this option for 2021 implementation subject to budget approval.



Invasive Species – Friends of Swan Lake Map

Invasive Species in Swan Lake Park – June 2020

Working Map of Park Features
Around Swan Lake
City of Markham
October 30, 2019





Initiative 4 – Invasive Species



Overview of Option

- Identify species and degree of impact to prioritize removal strategy
- Long term strategy subject to shoreline improvement design plan (common reed grass)
- Use biocontrol agent Hypena moth for control of dog strangling vine
- Reduce contact with black locust trees

Cost

\$2.5K over 2 years to be funded through Parks Operations operating budgets subject to approval.

PROS

- Promotes growth of more productive species without restrictions
- Reduces the spread of plants to non infected areas
- Generally considered to be environmentally friendly

CONS

- Is not 100% effective and requires continued efforts
- Not always practical due to location
- Invasive species may be identified as technically invasive but also serve an urban environmental purpose
- This would be an ongoing initiative

Staff recommend further review commencing 2021 subject to budget approval.



Initiative 5 – Shoreline Improvements



Summer 2011



Overview of Option

- Improve the current vegetation in areas around the lake subject to design construction costs
- Requires multi-year implementation 2022-2023 (pending budget approval) with proposed works to align with water quality initiative

Cost

\$35K design consultation 2022, construction costs/timing pending design outcome 2022-2023 subject to budget approvals.

PROS

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

CONS

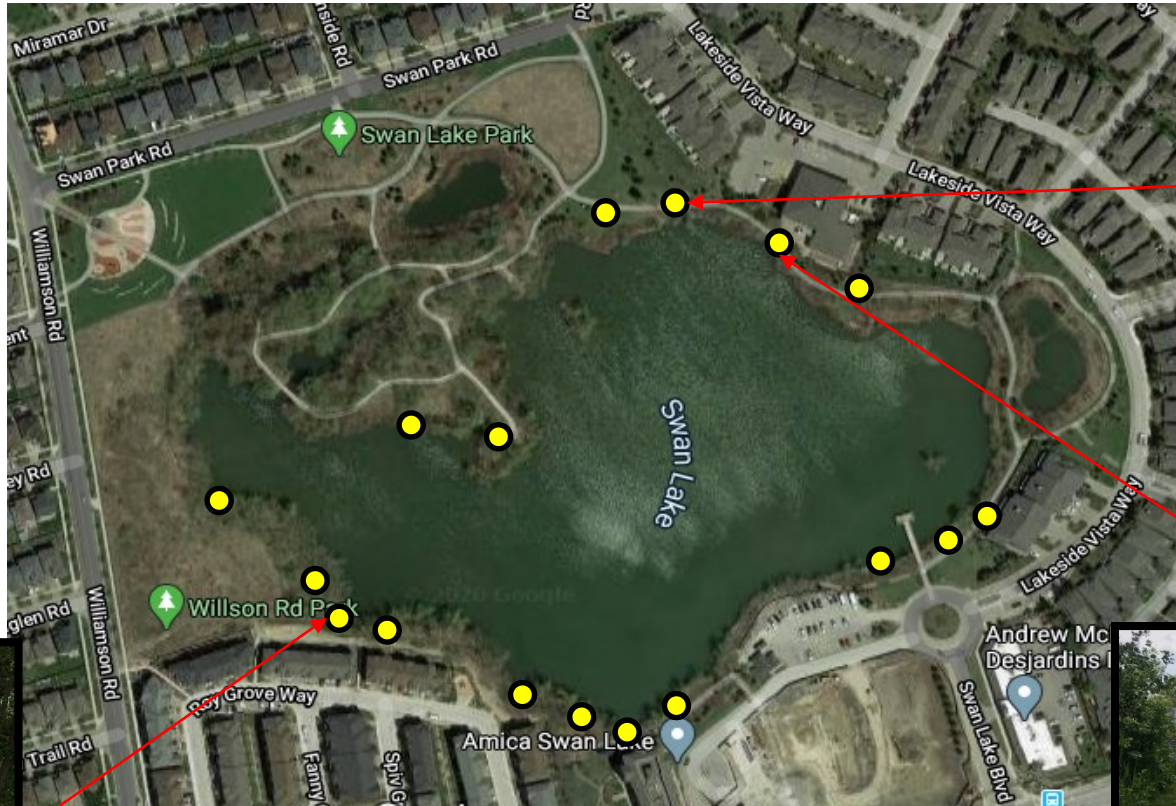
- Could not be implemented in the short term
- Has no significant impact on migratory geese
- May increase the number of geese in surrounding parks/open spaces

Staff Recommend TRCA design consultation 2022 subject to budget approval



Potential Shoreline Improvement Opportunities

Access Points from Land to Water



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



Initiative 6- Education and Outreach

Overview of Option

- Multi-language or pictorial signage can be provided to provide more information to the public to increase understanding of natural habitats
- Promote understanding of species diversity
- Provide resource links for further information ie. TRCA, MNR
- Engagement with community groups

Cost

\$1.5K over 2 years to be funded through Parks Operating budgets subject to budget approval.



PROS

- Low cost option that can be implemented immediately
- Recommended by TRCA

CONS

- n/a

Staff recommend for further review in 2021 subject to budget approvals



Summary – Parks Refresh Initiatives - Swan Lake Park

Option #	Title	Evaluation	Cost
#1	Pollinator Plantings	Capacity in existing and newly identified areas to add valuable green infrastructure	\$1.0K – \$1.5K 2021 \$.5K - \$.75K 2022
#2	Wetland Garden	Swale area on Williamson Road is an ideal location	\$2.0K - \$2.5K 2022
#3	Understory/New Plantings	Can be a yearly program commencing in 2021	\$.5K 2021 \$.5K 2022
#4	Invasive Species	Species evaluation required for long term strategy	\$1.0K 2021 \$1.5K 2022
#5	Habitat Modifications	Requires design consultation before plan consideration	\$35K design plan consultation TRCA 2022
#6	Education and Outreach	Lots of opportunity for outdoor education	\$.75K 2021 \$.75k 2022



Questions?



FOCUSED ON RESTORING SWAN LAKE AND SWAN LAKE PARK

FROM THIS



BACK TO THIS



Park Refresh Program and Community Goals

Markham General Committee – Item 9.1

November 2, 2020

OVERVIEW

A. Support for Park Refresh Recommendations

Recommend support of program outlined with two changes

- 1) TRCA shoreline review (\$35k) should be undertaken in 2021, rather than delayed to 2022. Shoreline improvement impacts geese management, invasive species management and public access
- 2) Request program to address pedestrian safety and accessibility issues plus public parking at the traffic circle on Swan Lake Blvd

B. Request initiation of discussions on a “Park Improvement Program” including long term role and objectives for Swan Lake and Swan Lake Park

Markham Council

Minutes of Meeting held Tuesday, June 23, 2020

4. **That Council approve the following Swan Lake Water Quality Program:**
 - a. Continue annual water quality monitoring; and,
 - b. Continue with the annual geese control and review additional options relating to vegetation, tree planting and strobe lights with regard to geese control and report back in the fall 2020 with recommendations; and,
 - c. Undertake the sediment analysis in fall 2020 which will provide data related to the frequency and dosage of the chemical treatment and will provide direction on the service level and timing of future treatments; and,
 - d. Undertake a chemical treatment commencing in 2021 based on the results of the sediment analysis; and further,
 - e. Introduce a new fish management program in 2021.
5. **That Staff report back in 2021 with an overall water quality (with service levels) and park improvement program that will be sustainable into the future; and,**
6. **That staff report back on this matter to General Committee through the Markham Sub-Committee with the participation of the Friends of Swan Lake Park; and**

Council Minutes - Item #4 (2020)

Substantive and Critical Processes Underway

a) Three major and essential remediation initiatives are underway

- 1) Enhanced Goose Management Program launched
 - Supported by 25+ community volunteers
- 2) Sediment testing and planning for Phoslock in March 2021 underway
- 3) Park Refresh Program initiated

b) Traffic Circle safety and accessibility issues need to be addressed

Council Minutes Item #5 – Two Components (2021)

- 1) “Water Quality (with service levels) - Underway**
 - Our understanding - staff working on a Feb. presentation
 - Friends of Swan Lake Park is preparing an outline of our recommendations for consideration by Council

- 2) Park Improvement Program – Request Initiation**
 - Recommend discussion on community role of park
 - Discussions on specific goals

Community Role Impacts Program Goals

1) What Does “Natural Spaces, Wildlife Places” Mean for Swan Lake Park?

- Is Swan Lake Park a nature preserve or is public engagement encouraged?
- Are we passive or proactive in supporting wildlife?



TRCA: Restoration of Wildlife Habitat



- Terrestrial log tangles:**
Habitat for small mammals.
- Aquatic log tangles:**
Habitat for fish and other aquatic species.
- Bat box**
- Turtle nesting area:**
Turtles prefer sand and fine gravel to lay their eggs.
- Snake hibernaculum:**
Underground chamber filled with rubble and brush where snakes can overwinter.
- Basking log:**
Cold-blooded animals, such as turtles, need heat from the sun to maintain their body temperature and metabolic function.
- Grebe platform:**
A floating platform on which birds can build their nests.
- Raptor pole:**
Viewing/hunting perch for birds of prey.
- Bird box**

Swan Lake is a popular Birding site. Over 70 species recorded.

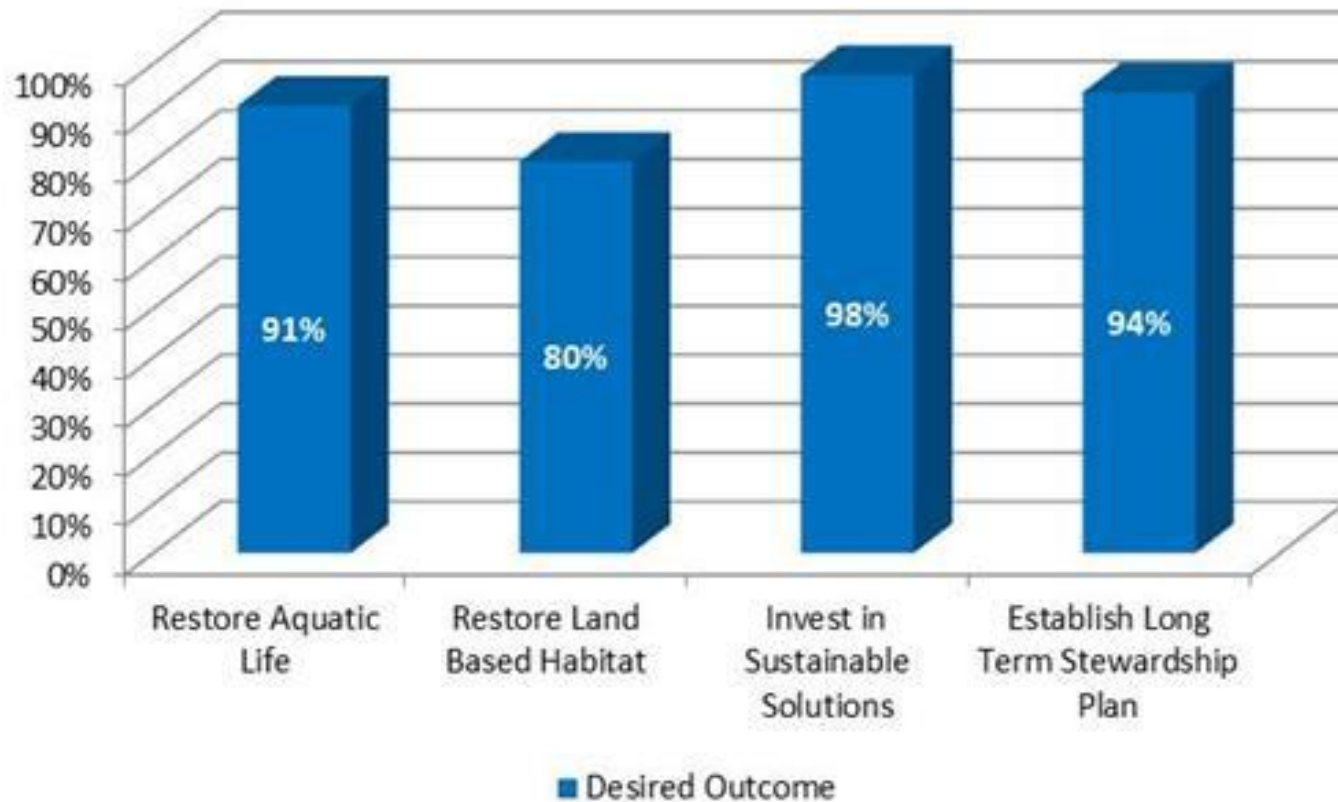
Should we install Osprey nests?

2) What are the Community Goals for Swan Lake?



- Original 1993 plan for Swan Lake included paddle sports and sports fishing.
- Should these be the community goals for Swan Lake?

Survey of Residents Supports Improvement to Aquatic and Land Based Habitat (March 2020)



Water Quality Continues to Deteriorate

September 17, 2019
Light Green Algae Bloom

October 9, 2020
Dark Solid Green



Phoslock treatment in March 2021 essential to regain control of Swan Lake!

What Are We Trying to Accomplish?

Containment?

- Address containment of bacteria
- Minimize impact of Invasive Plants
- Initiate restoration of shoreline



October 2020

Restore & Sustain?

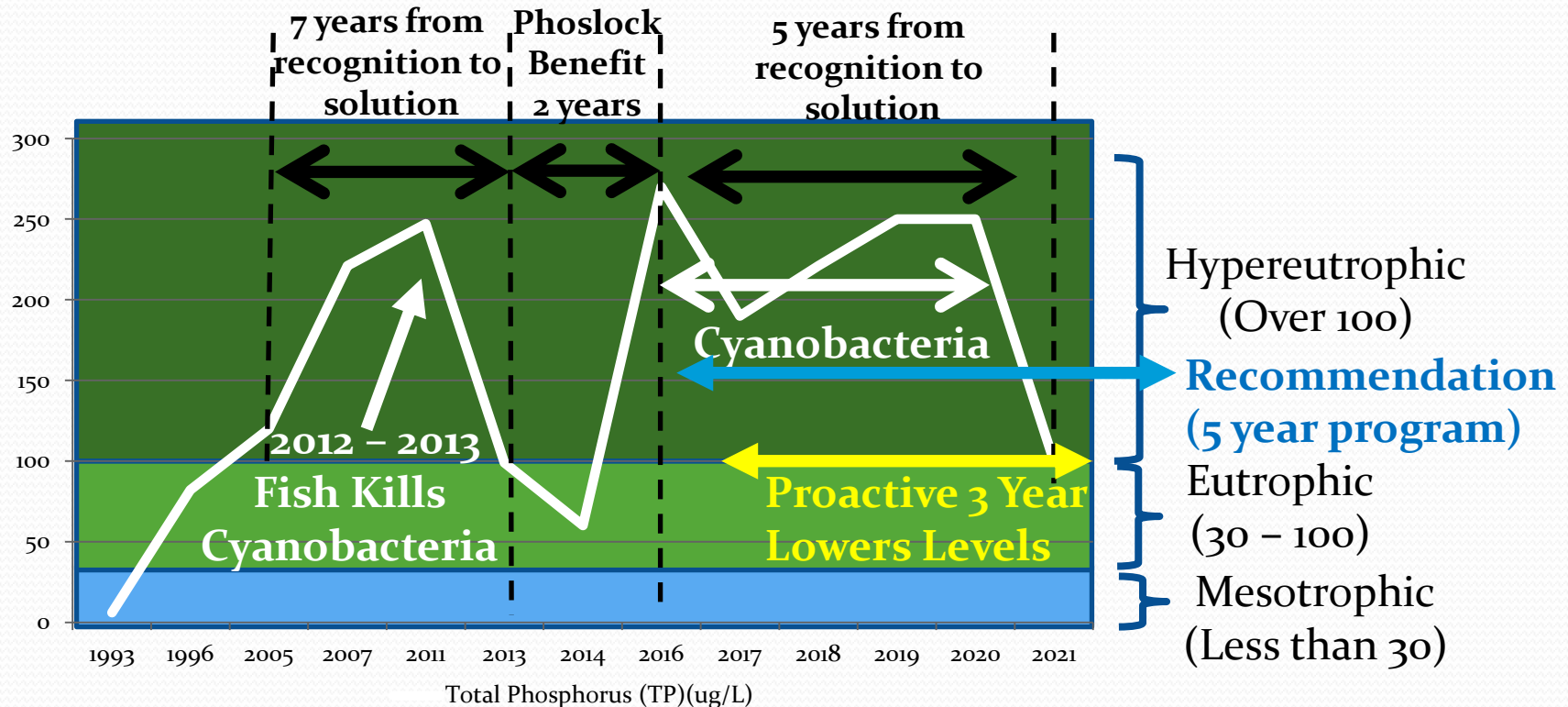
- Water quality, fish, water based plants
- Wildlife habit, community access



1995

Need discussion on community role and objectives

Community Objectives and Water Quality Goals



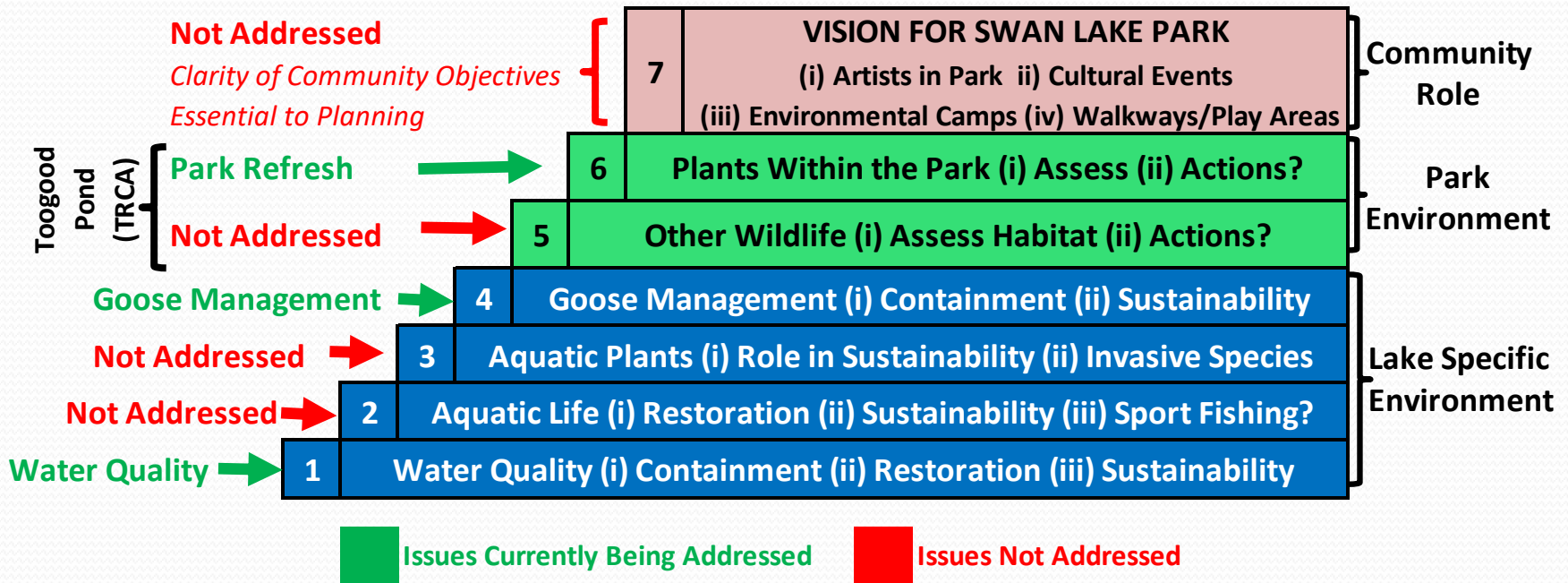
- Staff proposal objectives to target 150 – will minimize cyanobacteria risk but not adequate to support healthy aquatic environment
- **If community goal is a healthy aquatic environment and public access to water sports, it will require lower levels of phosphorus and improved water access**

Park Improvement Program

Define Goals – Address Missing Elements

- Clarity on community role will determine whether our objectives are containment or restoration and whether we should be addressing the missing elements

Current Initiatives to Address Issues in Swan Lake Park (Nov. 2, 2020)



Initiate “Park Improvement” Discussions (2021)

- 1) Initiate a Council level discussion on the community role and goals for Swan Lake and Swan Lake Park relative to the original objectives
- 2) Identify areas where community objectives will impact goals for operational programs such as:
 - a) Water quality goals
 - b) Lake access for fishing
 - c) Lake access for water based sports
 - d) Habitat restoration objectives
- 3) **Outcome: Policy of Containment or Restoration?**
 - a) A Council approved policy for Swan Lake and Swan Lake Park
 - b) Identification of programs required to fulfill these objectives



FOCUSED ON RESTORING SWAN LAKE AND SWAN LAKE PARK

FROM THIS



BACK TO THIS



Thank You For Your Support!



MEMORANDUM

To: Mayor and Members of Council

From: Morgan Jones, Director of Operations

Prepared by: Alice Lam, Sr. Manager, Roads, Survey and Utility Division, Operations
David Plant, Sr. Manager, Parks, Horticulture and Forestry Division, Operations

Date: November 2, 2020

Re: **Maintenance of Regional Roads and Boulevards**

RECOMMENDATIONS

1. That the memorandum entitled “Maintenance of Regional Roads and Boulevards” dated November 2, 2020 be received; and,
2. That staff recommend winter maintenance service provision remain as is at this time; and,
3. That staff recommend improved coordination in the operating field amongst front line supervisors to enhance winter maintenance service provision; and,
4. That staff recommend City residents and Council continue to utilize the City’s Contact Centre to generate work orders for both the City and the Region for the following issues:
 - a. Dead animal removal
 - b. Pot hole repair
 - c. Fallen tree removal
 - d. Debris removal
 - e. Grass cutting; and,
5. That staff recommend further investigation of the City’s and the Region’s contracts to explore possible options in grass cutting download or upload; and,
6. That staff recommend requesting the Region to consider increasing their cutting cycles to align to the City’s; and further,
7. That staff be authorized and directed to do all things necessary to give effect to this resolution.

PURPOSE

The purpose of this memorandum to Mayor and Council is a follow up to the General Committee meeting of July 6, 2020 in which Councillor Karen Rea issued a motion seconded by Councillor Andrew Keyes requesting staff to investigate a list of potential services the City of Markham may consider taking over from the Region of York. Potential services discussed at the July 6, 2020 meeting centred on boulevard grass cutting, winter snow removal, pothole repair, debris and dead animal removal, with the Region being responsible for all costs incurred by the City to undertake these activities.

BACKGROUND

Over the past four months, staff connected with their colleagues at the Region as well as internal City of Markham staff to consider all impacts of potential downloading of service provision. Discussions considered identified issues of current service delivery, opportunity for service level improvements, logistical impacts of both downloading and uploading services, staffing level impacts, legal and financial implications.

Within the Operations Department, the identified services are primarily undertaken by two divisions; Operations Roads, Survey and Utility and Operations Parks, Horticulture and Forestry. Generally, all hard surface issues reside with the Roads, Survey and Utility Division and all soft surfaces or often called 'Green' surfaces reside with the Parks, Horticulture and Forestry Division.

HARD SURFACE ISSUES

Council identified their dissatisfaction with an apparent lack of response from the Region for many calls such as dead animals, potholes, winter maintenance on Regional roads as well as sidewalks plowed in during winter operations. When calls are directed to the Region either by residents or Council it often takes more time to address issues versus the response times provided by City staff.

Standards for roadway maintenance activities such as pothole repair and winter maintenance are regulated by the Province and set out in O. Reg. 239/02: Minimum Maintenance Standard Act. Road classification and service levels currently differ between both agencies. The majority of the Regional roads require higher levels of service related to response time due to traffic volume and speed limit, while the majority of the City roads have lower traffic volumes and speed resulting in different service levels and response times. The City currently has one operations yard with a new east yard expected to be operational in early 2021. In order to manage the Regional road network, additional yard space, staff, and resources such as winter material will need to be increased significantly.

The Region and the City have existing contracts with different vendors. These contracts contain different specifications including standby and operating pricing as well as liquidated damages all based on meeting the respective Council approved service levels in both agencies. Such contracts may need to be renegotiated or terminated if the proposed changes in responsibilities are implemented. Contract negotiations with each existing vendors will pose significant challenges for each agency and could have a significant financial consequences. If such contracts need to be terminated, there may be legal challenges. Staff at the Region and the City would need to conduct a fulsome review of the existing contracts to determine the parties' position, which will require much more time and discussion between staff from both the Region and the City.

Maintaining Regional roads will have further legal implications for the City. The City would be exposed to additional claims relating to the failure to complete pothole repairs, removal of dead animals and winter maintenance on Regional roads in accordance with applicable standards. The Regional roads are also a higher class of roads with higher volume and speed limitations which is associated with more claims often related to more severe automobile accidents. The City could ask the Region to provide an indemnity to the City relating to such claims but it is unlikely that the Region would agree. The Region would not want to be responsible for claims caused by the City's own failure to carry out its obligations. Any claims naming the City relating to Regional roads would increase the City's insurance premiums.

SOFT SURFACE ISSUES

Council has identified their dissatisfaction with an apparent lack of response from the Region for calls such as grass cutting on regional roads, fallen trees, debris and litter. When calls are directed to the Region either by residents or Council it often takes more time to address versus the response times provided by City staff.

Grass cutting service levels currently differ between both agencies. The Region reduced their service level from 14 cuts to 12 cuts yearly, compared to the City service level of 15 cuts. The Region pays their contractor \$185.00/ha for cutting 106 ha in Markham and \$24.00/ha for litter picking for a combined rate of \$209.00/ha. The City has 87 ha to maintain and pays our contractor \$165.00/ha which is cutting and litter picking combined.

The City service level of 15 cuts (every 2 weeks) exceeds the Regional level by 3 cuts making coordination and timing of cutting extremely challenging. Combining services with the Region's contractor is cost prohibitive at this time and it appears to be in the City's best interest to renew the contract with the City's existing vendor to continue to leverage the existing pricing.

IMMEDIATE IMPROVMENTS TO SERVICE DELIVERY

In the past four months, staff from both the Region and the City initiated a process which shares on-call rotations and contact numbers amongst front line supervisory and 24/7 patrol staff. While early in the process staff are observing much timelier and coordinated responses from the Region of York for after hour calls for summer and fall related issues. Debris, dead animal, grass cutting and tree issues have been promptly dealt with including those raised by City Ward Councillors. Staff will continue to monitor and will further observe winter maintenance issues commencing Q4 2020 through to spring 2021.

RECOMMENDATIONS

Issue Description	Recommendation	Comments
Winter maintenance download	<ul style="list-style-type: none"> • Staff recommend winter service provision remain as is at this time • Staff recommend improved coordination in the operating field amongst front line supervisors to enhance service provision 	<ul style="list-style-type: none"> • Increased liability relating to claims, lack of facilities required to stage equipment and staffing increases impact this issue • On call standby staff rotations have been shared amongst Supervisory staff for both agencies
Dead animal removal	<ul style="list-style-type: none"> • Staff recommend City residents and Council continue to utilize the City's Contact Centre generating work orders for both the City and the Region. 	<ul style="list-style-type: none"> • On call standby staff rotations have been shared amongst Supervisory staff for both agencies
Pot hole repair	<ul style="list-style-type: none"> • Staff recommend City residents and Council continue to utilize the City's Contact Centre generating work orders for both the City and the Region. 	<ul style="list-style-type: none"> • On call standby staff rotations have been shared amongst Supervisory staff for both agencies
Fallen tree removal	<ul style="list-style-type: none"> • Staff recommend City residents and Council continue to utilize the City's Contact Centre generating work orders for both the City and the Region 	<ul style="list-style-type: none"> • On call standby staff rotations have been shared amongst Supervisory staff for both agencies
Debris removal	<ul style="list-style-type: none"> • Staff recommend City residents and Council continue to utilize the City's Contact Centre generating work orders for both the City and the Region 	<ul style="list-style-type: none"> • On call standby staff rotations have been shared amongst Supervisory staff for both agencies
Grass cutting download/upload	<ul style="list-style-type: none"> • Staff recommend City residents and Council continue to utilize the City's Contact Centre generating work orders for both the City and the Region • Staff recommends further investigation of both contracts to explore possible options 	<ul style="list-style-type: none"> • On call standby staff rotations have been shared amongst Supervisory staff for both agencies • Engage Finance and Purchasing staff in both agencies to explore this issue for possible implementation in 2021

Align grass cutting schedules and service levels	<ul style="list-style-type: none"> Staff recommend requesting the Region consider increasing their cutting cycles to align to the City's 	<ul style="list-style-type: none"> Staff have requested the Region explore this issue and will report back Q1 2021
Differing service levels between both agencies	<ul style="list-style-type: none"> Service levels for both the Region and the City are dictated by Provincial Regulation ON. 239/02 specific to winter maintenance, pothole repair, streetlights and sidewalks Service levels for grass cutting, dead animal removal, debris and fallen trees are typically respective Council driven. 	<ul style="list-style-type: none"> City of Markham service levels are outlined in the chart below.

CITY OF MARKHAM SERVICE LEVELS

Winter Maintenance	2 – 16 hours
Dead Animals	Within 24 hours
Pot Holes	1 – 30 days per MMS requirement based on highway class
Grass Cutting	Boulevard grass cutting-15 cuts/year
Fallen Trees	Within 24 hours
Debris	Mobilization is dictated by severity, quantity and location

24/7 CONTACT INFORMATION

	City of Markham	York Region	City of Toronto	Ministry of Transportation
Contact Number	905.477.5530	1.877.464.9675	311	511
Email Address	customerservice@markham.ca	accessyork@york.ca	311@toronto.ca	mtinfo@ontario.ca
Afterhours Emergency	905.477.7000	1.877.464.9675 Ext. 75200	311	511

APPENDIX

Attachment A – “Roads Map by Owner” PDF

Vaughan

Vaughan

Richmond Hill

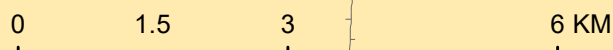
Whitchurch-Stouffville

Pickering

City of Toronto

Roads by Owner

- MTO (404, 407, Hwy 48)
- Region of York
- City of Markham
- City of Toronto (Steeles Ave)
- Private Road





Report to: Development Service Committee

Meeting Date: October 13th, 2020

SUBJECT: **PRELIMINARY REPORT**
 Application for Zoning By-Law Amendment to permit a commercial self-storage facility at 30 Heritage Road (Ward 4).
 File No. PLAN 20 106216

PREPARED BY: Aqsa Malik, Planner I, East District, Ext. 2230

REVIEWED BY: Stacia Muradali, MCIP, RPP, Acting Manager, East District, Ext. 2008

RECOMMENDATION:

- That the report titled “PRELIMINARY REPORT Application for Zoning By-Law Amendment to permit a commercial self-storage facility at 30 Heritage Road (Ward 4). File No. PLAN 20 106216” be received.

PURPOSE:

This report provides preliminary information on a Zoning By-law Amendment application submitted by 30 Heritage Development Limited Partnership Inc to permit a commercial self-storage facility at 30 Heritage Road. This report contains general information in regards to applicable Official Plan or other policies as well as other issues identified by Staff to date. The report should not be taken as Staff’s opinion or recommendation on the application.

BACKGROUND:

The 1.22 ha (3.01 ac) subject property municipally known as 30 Heritage Road is located at the northeast corner of Heritage Road and McCowan Road (Figures 1, 2 and 3). The site is currently developed with a two storey industrial building occupied by *First Student Canada*, which is a contractor of school bus transportation services. The majority of the site is predominantly asphalt paved parking to accommodate the storage of school buses, with a landscaped strip of land along the McCowan Road and Heritage Road frontages. Vehicular access is provided via a driveway onto Heritage Road. Access to McCowan Road is limited to right-in and right-out movements.

The surrounding area includes the following:

- Markville Mall is located west of the subject site (across McCowan Road);
- Commercial uses are located north of the subject site;
- Markham Centennial Community Centre, Markham Centennial Bocce Club and Centennial GO Station are located northwest of the subject site at McCowan Road and Bullock Drive;
- Wesley Christian Academy abuts the subject property to the east, with industrial and automotive service facilities located further east along Heritage Road; and
- A one-storey commercial plaza is located south of the subject site (across Heritage Road).

Application deemed complete

The Zoning By-law Amendment application was deemed complete on July 13th, 2020.

Next Steps

- Statutory Public Meeting tentatively scheduled for November 3rd, 2020;
- Future Recommendation Report respecting the Zoning By-law Amendment and concurrent Site Plan application;
- Approval and enactment of the Zoning By-law (subject to Council decision);
- Site plan endorsement (if Zoning By-law amendment is approved); and
- Consent application to sever the land.

Proposed Self-Storage Facility

The applicant has submitted a Zoning By-Law Amendment (ZBA) application to permit a commercial self-storage facility as an additional use on the subject property. The proposed by-law amendment includes site-specific development standards related to building setbacks, lot coverage, landscape requirement and parking. The commercial self-storage facility is proposed to be located on the north portion of the subject property, which is undeveloped. The existing industrial building is proposed to be maintained. The proposed self-storage facility will have Gross Floor Area (GFA) of approximately 12,654.19 m² (136,208.55 ft²) and will be six stories tall with a height of approximately 25.25 m (82.84 ft) (Figure 4 and 5). The proposal also includes reductions in setbacks including a front yard setback of 7.0 m (23 ft), a side yard setback (north) of 3.0 m (9.84 ft) and (south) of 6.1 m (20.01 ft) and a rear yard setback of 3.0 m (9.84 ft). The proposal includes a 3.0 m (9.84 ft) landscape strips width adjoining McCowan road and adjoining the north and east property lines and the commercial self-storage facility will provide three internal loading docks and 13 surface parking spaces.

The applicant has also submitted a site plan application which is currently under review. A consent application has also been submitted to sever the north portion of the subject property to accommodate the proposal and to establish required easements. The consent application however, will not advance until Development Services Committee has made a decision on this Zoning By-law Amendment application.

Conformity with Provincial Policy and Region of York Official Plan

The proposed development conforms to the applicable provincial policy framework as well as the land use designation and policies of the Regional of York Official Plan.

Official Plan and Zoning

Official Plan

The subject lands are designated “Mixed Use Mid Rise” in the 2014 Official Plan [as partially approved on November 24, 2017 and further updated on April 9, 2018 (the “2014 Official Plan”)]. This designation provides for mid-rise intensification opportunities adjacent to transit routes along arterial and major collector roads to address the needs of Markham residents. New buildings in this designation incorporate a range development typology including multi-storey to mid-rise buildings, which may include a mix of retail, office, and residential buildings. The designation provides for a minimum building height of three storeys and a maximum building height of eight storeys. In addition to the above noted designation, the site is also within the Markville Key

Development Area (Section 9.14.4 of the 2014 Official Plan), which provides for office, retail, service, entertainment and recreational uses, and a variety of higher density housing types. A commercial self-storage facility is not provided for under these designations. Until an updated secondary plan is approved for Markville, the provisions of the Official Plan (Revised 1987), as amended will continue to apply to the subject land:

The subject lands are designated “Major Commercial Area” in the City’s In-Force Official Plan. This designation provides for a large-scale multi-use, multi-purpose centre or area offering a diverse range of retail, service, and community, institutional and recreational uses. Lands in this designation may be zoned to permit “commercial self-storage warehouses” subject to the provisions of the 1987 Official Plan.

Zoning

The subject lands are zoned “Industrial (M)” under By-law 1229, as amended (Figure 2). The Zoning By-law permits industrial uses such as manufacturing and warehousing. It also permits commercial uses, including banks, offices, car washing establishments and health clubs. A site specific zoning amendment is required to permit a commercial self-storage warehouse on the site and to implement site specific development standards such as reduced building setbacks, and reduced parking for the proposed development.

OPTIONS/ DISCUSSION:

Matters identified through the detailed review of this application will be discussed in a future staff recommendation report. The following is a preliminary list of matters raised for consideration to date:

- Assessment of the appropriateness of the proposed commercial self-storage facility use on the site and compatibility with adjacent land uses;
- to assess the appropriateness of the proposed development standards, including reduced setbacks along the north and east property lines, and resultant built form, with respect to building setbacks, and height;
- assess the appropriateness of the proposed parking reduction from 462 parking spaces to 13 parking spaces and resolution of any issues resulting from the review of the parking justification submitted by the applicant;
- Resolution of any issues resulting from the review of technical studies including, but not limited to, storm water management and servicing reports, tree preservation plan;
- The concurrent site plan application review will examine the building siting, elevations, landscaping, sustainable measures, circulation of traffic, and location of bike stands.

FINANCIAL CONSIDERATIONS

Not applicable.

HUMAN RESOURCES CONSIDERATIONS

Not applicable.

ALIGNMENT WITH STRATEGIC PRIORITIES:

The applications will be reviewed in the context of the City's strategic priorities of Growth Management and Municipal Services.

BUSINESS UNITS CONSULTED AND AFFECTED:

The application has been circulated to various City departments and external agencies and is currently under review. If the application is approved, any requirements where appropriate will be incorporated into the proposed amendment.

RECOMMENDED BY:

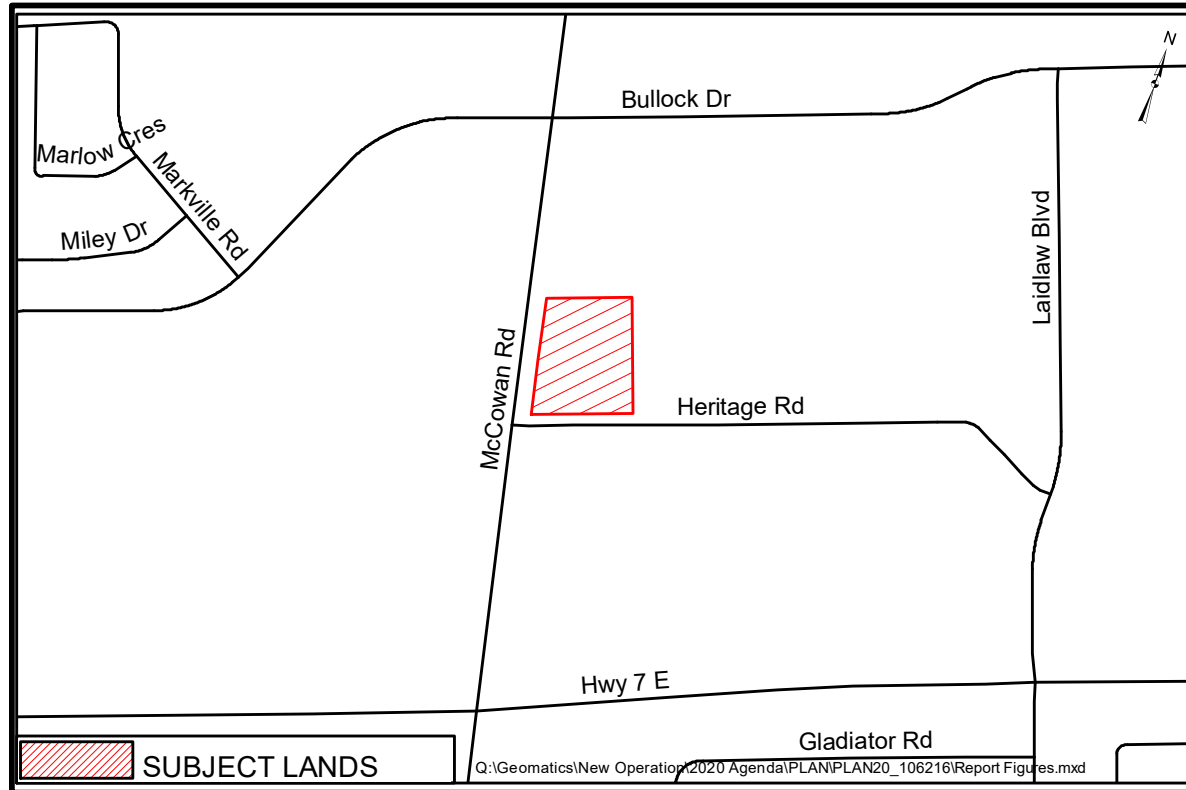
Biju Karumanchery, M.C.I.P., R.P.P.
Director, Planning and Urban Design

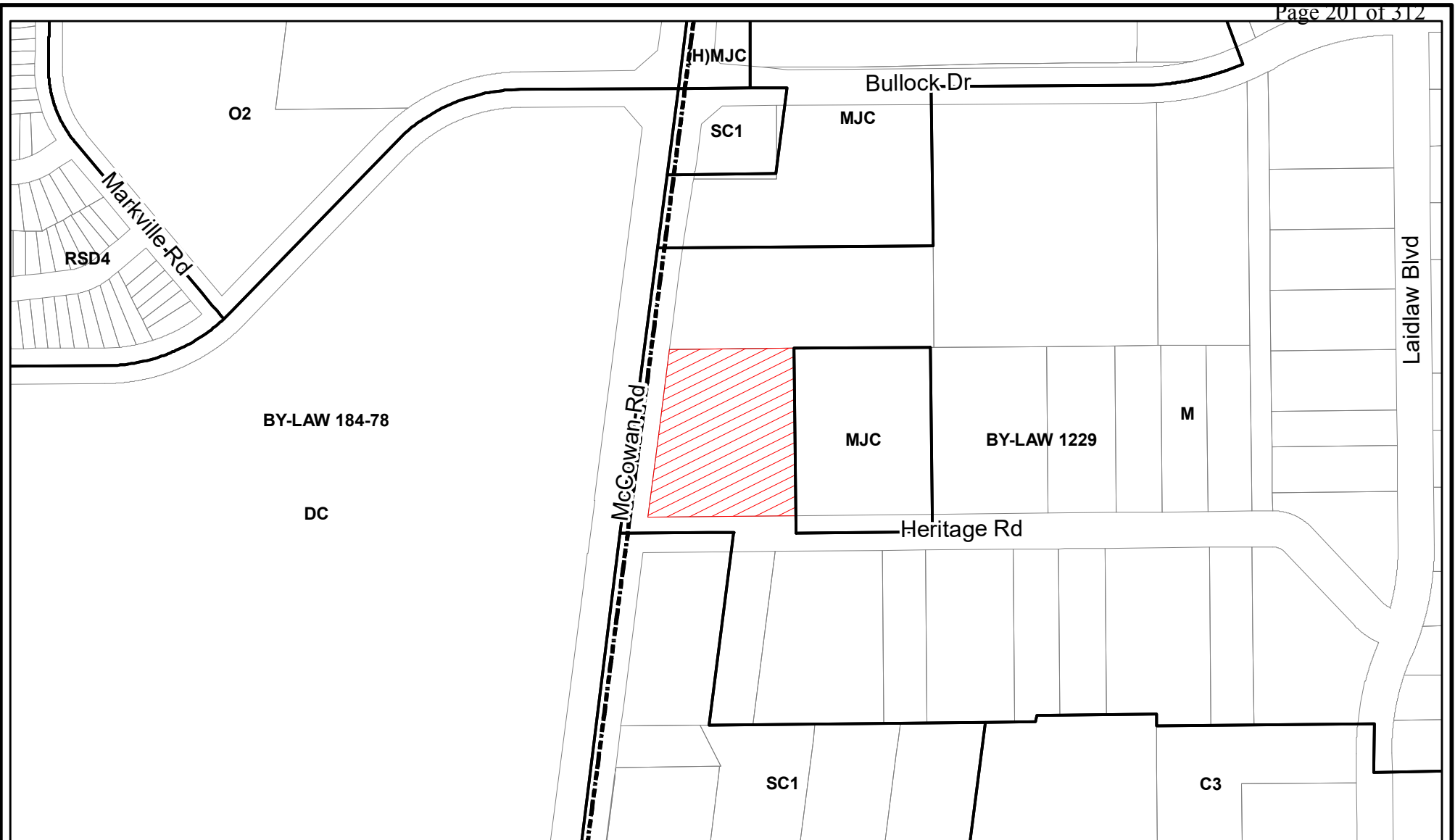
Arvin Prasad, M.C.I.P., R.P.P.
Commissioner of Development Planning

ATTACHMENTS:

Figure 1 – Location Map
Figure 2 – Area Context/Zoning
Figure 3 – Aerial Photo
Figure 4 – Site Plan
Figure 5 – Building Elevations
Figure 6 – Proposed Severance Plan

Matthew Cory
Malone Given Parsons
140 Renfrew Drive,
Markham, Ontario L3R 6B3
Tel: (905) 513-0170 ex. 135
Email: jle@mgp.ca





AREA CONTEXT/ZONING

APPLICANT: 30 Heritage Developments Ltd.
30 Heritage Road

FILE No. PLAN20106216

Q:\Geomatics\New Operation\2020 Agenda\PLAN\PLAN20_106216\Report Figures.mxd

MARKHAM DEVELOPMENT SERVICES COMMISSION

Drawn By: RT

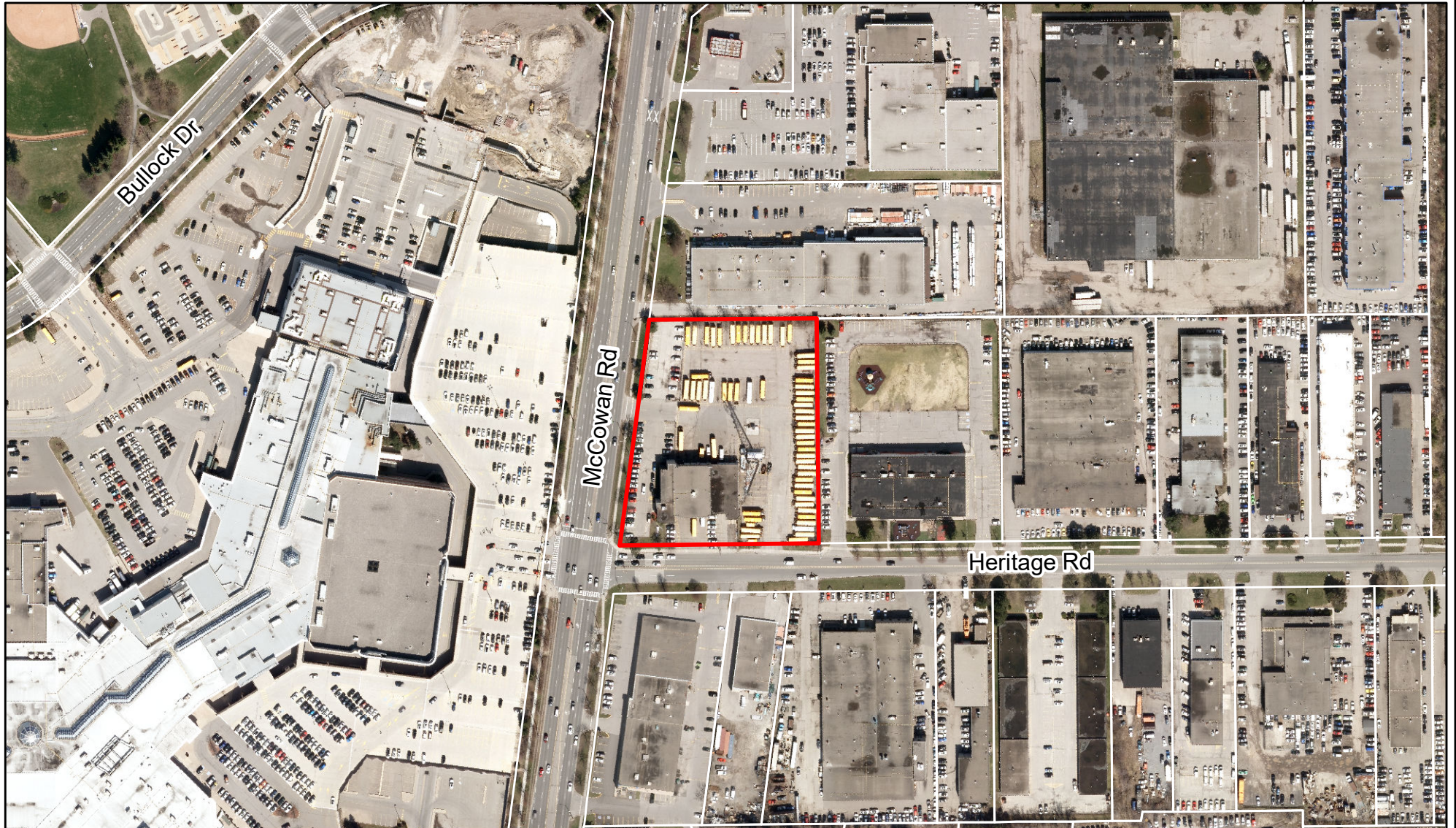
Checked By: AM

DATE: 10/07/2020

FIGURE No. 3

 SUBJECT LANDS





AERIAL PHOTO 2019

APPLICANT: 30 Heritage Developments Ltd.
30 Heritage Road

FILE No. PLAN20106216

Q:\Geomatics\New Operation\2020 Agenda\PLAN\PLAN20_106216\Report Figures.mxd

MARKHAM DEVELOPMENT SERVICES COMMISSION

Drawn By: RT

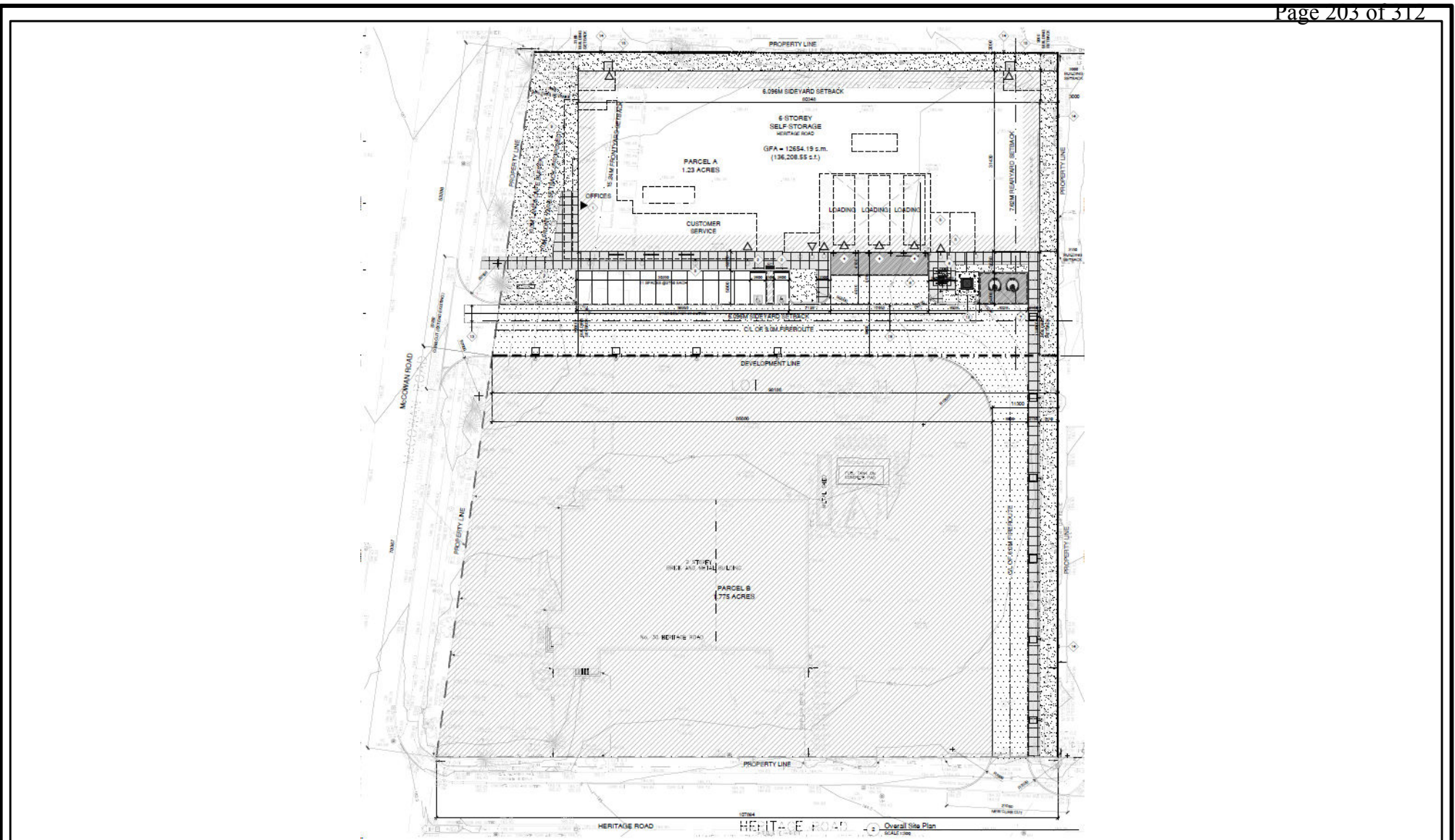
Checked By: AM

DATE: 10/07/2020

FIGURE No. 2

 SUBJECT LANDS





SITE PLAN

APPLICANT: 30 Heritage Developments Ltd.
30 Heritage Road

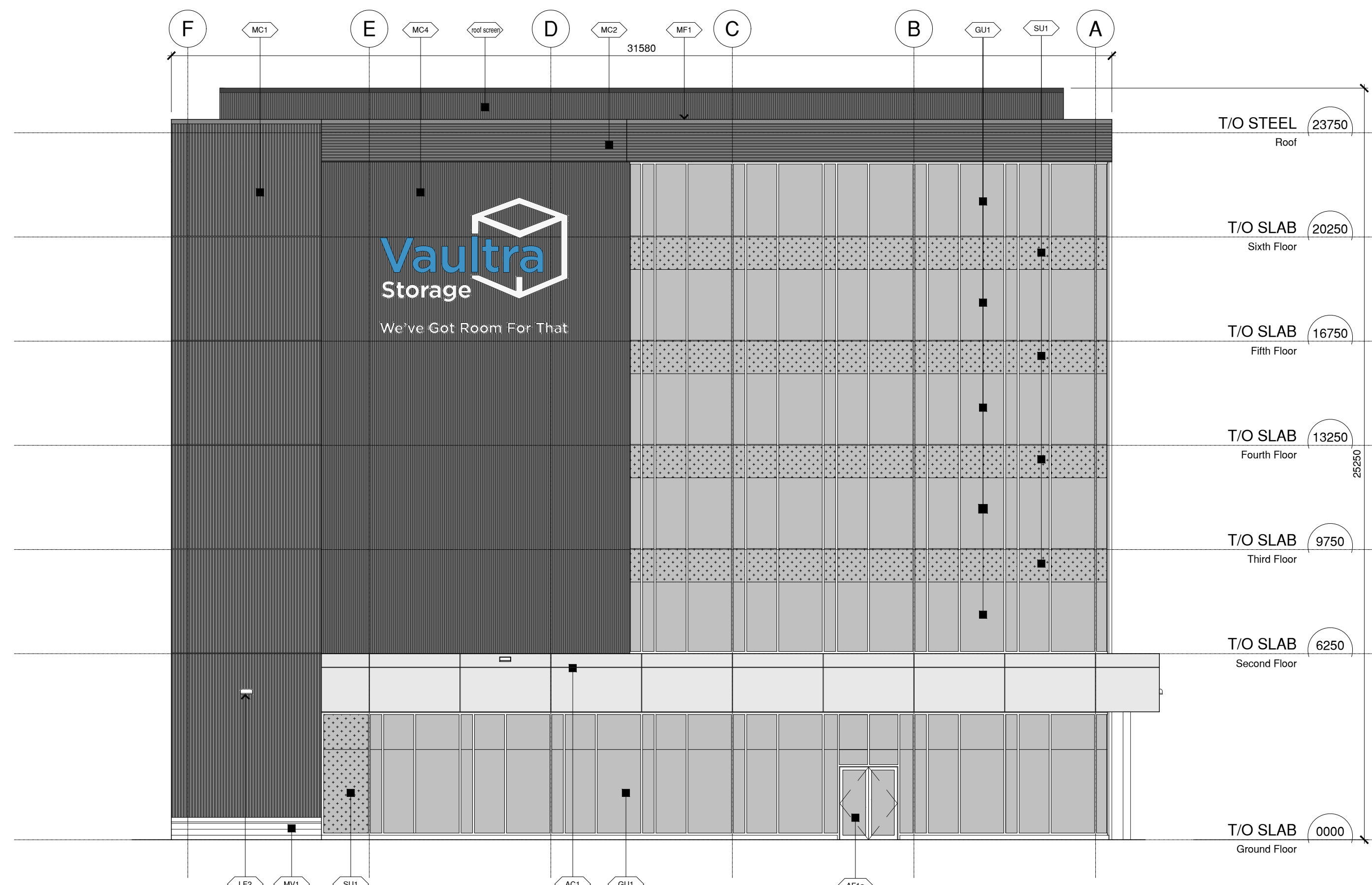
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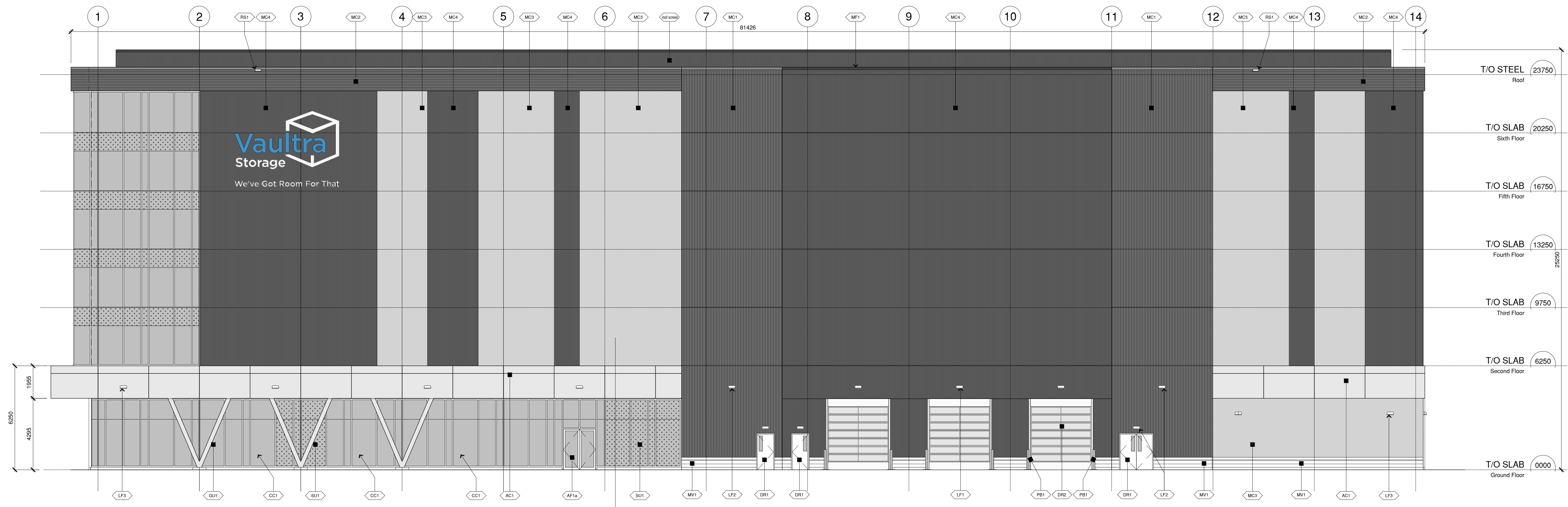


COLOUR AND FINISH SAMPLES FOR ALL EXTERIOR COMPONENTS TO BE PROVIDED FOR REVIEW AND APPROVAL BY ARCHITECT.

- DRAWING NOTES**
- RESERVED.
 - REFER TO SHEET A0.1 FOR MATERIAL AND ASSEMBLY TYPES SCHEDULE FOR EXTERIOR CLADDING INFORMATION.
 - REFER TO SHEETS A2.0 - A2.6 FOR LAYOUT AND CONFIGURATION OF ALL EXTERIOR CLADDING COMPONENTS.
 - COLOUR OF METAL CLOSURES, TRIMS AND FLASHINGS SHALL MATCH THAT OF ADJACENT MATERIAL UNLESS NOTED OTHERWISE.
 - COLOUR OF LOUVERS, GRILLES AND VENTS SHALL MATCH THAT OF ADJACENT MATERIAL UNLESS NOTED OTHERWISE.
 - REFER TO ELECTRICAL FOR EXTERIOR WALL MOUNTED LIGHTING FIXTURES.
 - REFER TO MECHANICAL FOR ROOF TOP MOUNTED EQUIPMENT.



2 West Elevation
SCALE 1:125



1 South Elevation
SCALE 1:125



Pearce McCluskey Architects
2203 Durwin Drive • Mississauga, Ontario • L5L 1X2
www.pmarchitects.ca 1.905.607.2444

This drawing is not to be used for construction unless signed by partner in charge. Contractors must verify all dimensions and be responsible for same; report any discrepancies to the architect before commencing the work. Prints are not to be scaled. All drawings and related documents are the sole copyright property of the architects and must be returned upon request. Any reproduction of drawings and related documents in part or in whole is forbidden without the architects written permission.

ISSUED for SITE PLAN CONTROL 05JUN2020
City of Markham Development Services

Heritage Self-Storage
New Self-Storage Facility
30 Heritage Road
Markham | Ontario
City of Markham File No: XXXXXX

South + West Elevations

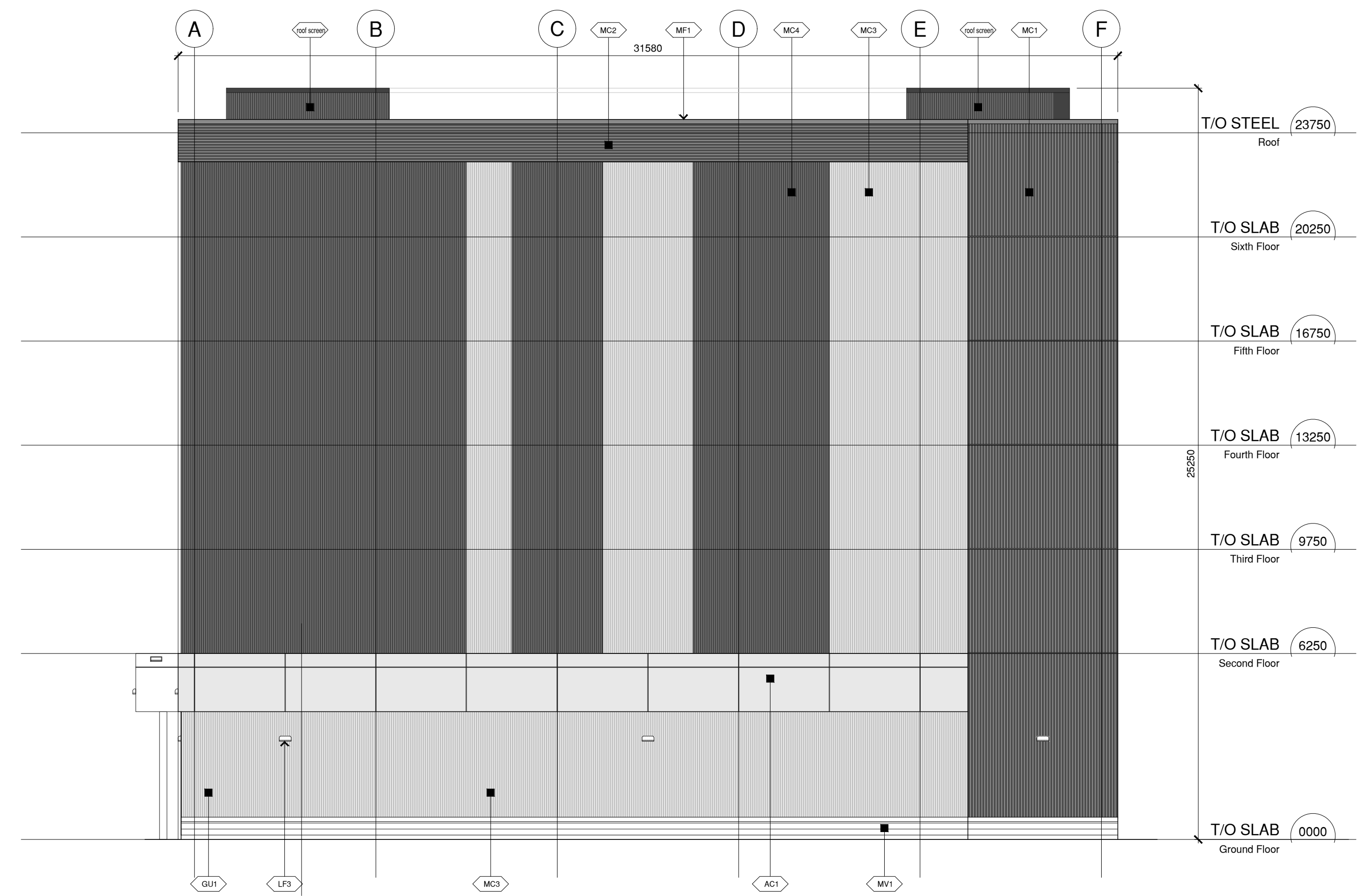
Project Number:
19058

Drawn By: KRM
Checked By: -
Date: Apr 2020
Scale: 1:125
Sheet Number:

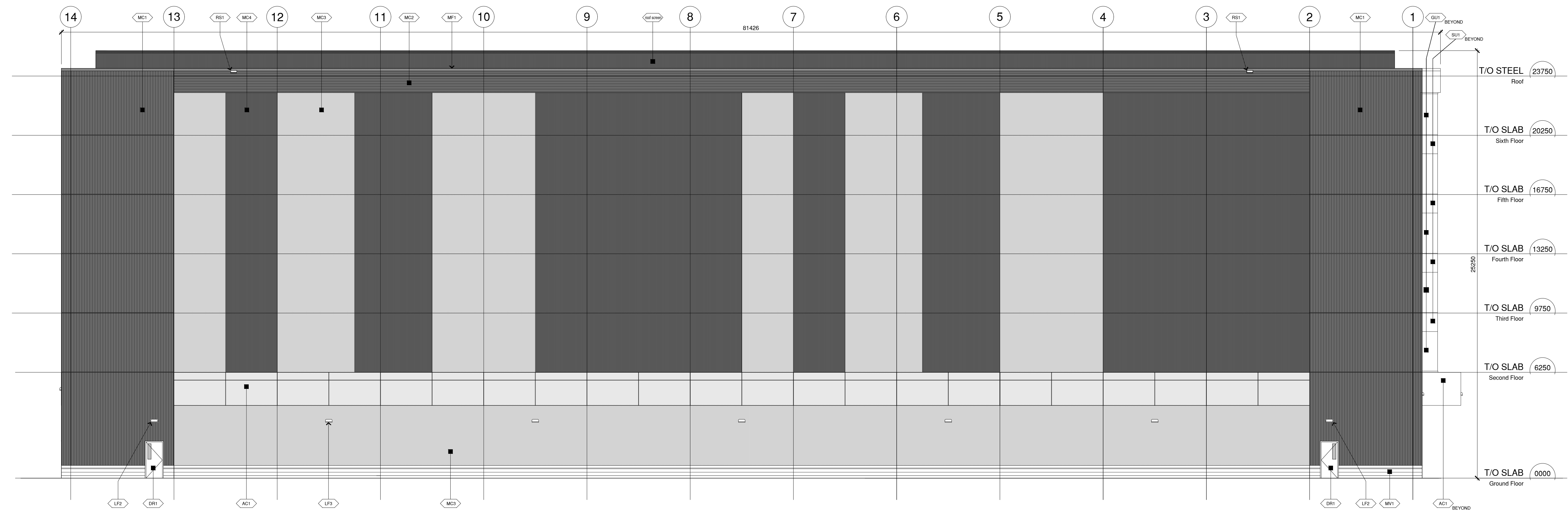
A3.0

COLOUR AND FINISH SAMPLES FOR ALL EXTERIOR COMPONENTS TO BE PROVIDED FOR REVIEW AND APPROVAL BY ARCHITECT.

- DRAWING NOTES**
- RESERVED.
 - REFER TO SHEET A0.1 FOR MATERIAL AND ASSEMBLY TYPES SCHEDULE FOR EXTERIOR CLADDING INFORMATION.
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 - REFER TO ELECTRICAL FOR EXTERIOR WALL MOUNTED LIGHTING FIXTURES.
 - REFER TO MECHANICAL FOR ROOF TOP MOUNTED EQUIPMENT.



2 East Elevation
SCALE 1:125



1 North Elevation
SCALE 1:125



Pearce McCluskey Architects
2203 Durwin Drive • Mississauga, Ontario • L5L 1X2
www.pmarchitects.ca 1.905.607.2444

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ISSUED for SITE PLAN CONTROL 05JUN2020
City of Markham Development Services

Heritage Self-Storage
New Self-Storage Facility
30 Heritage Road
Markham | Ontario
City of Markham File No: XXXXXX

North + East Elevations

Project Number:
19058

Drawn By: KRM
Checked By: -
Date: Apr 2020
Scale: 1:125
Sheet Number:

A3.1



PRELIMINARY SEVERANCE PLAN

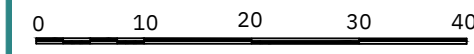
PART OF LOT 11
CONCESSION 7
(GEOGRAPHIC TOWNSHIP OF MARKHAM)
CITY OF MARKHAM
REGIONAL MUNICIPALITY OF YORK

Subject Lands - 1.22 ha

DRAFT
FOR DISCUSSION PURPOSES ONLY



SCALE(m):



Prepared For:
30 Heritage Developments
Limited Partnership Inc.

MGP Malone
Given
Parsons.

Date: August 25, 2020
MGP File: 19-2833



Report to: Development Services Committee

Meeting Date: October 13, 2020

SUBJECT: PRELIMINARY REPORT, 254632 Ontario Inc., Application for a Zoning By-law Amendment to permit motor vehicle and auto parts sales as well as outdoor storage of vehicles at 120 Doncaster Avenue (Ward 1) File No. PLAN 20 115420

PREPARED BY: Rick Cefaratti, MCIP, RPP
Senior Planner, West District, (Ext. 3675)

REVIEWED BY: Ron Blake, MCIP, RPP
Senior Development Manager (Ext. 2600)

RECOMMENDATION:

THAT the report dated October 13, 2020 titled “PRELIMINARY REPORT, 254632 Ontario Inc., Application for a Zoning By-law Amendment, to permit motor vehicle and auto parts sales as well as outdoor storage of vehicles at 120 Doncaster Avenue (Ward 1) File No. PLAN 20 115420”, be received.

PURPOSE:

This report provides preliminary information on an application for a Zoning By-law Amendment, to permit motor vehicle and auto parts sales, as well as outdoor storage of vehicles at 120 Doncaster Avenue (the subject property). This report contains general information in regards to the applicable Official Plan and other policies including relevant issues, but it should not be taken as Staff’s opinion on the application.

BACKGROUND:

Subject Land and Area Context

The 0.8 ha. (1.97 ac.) subject property municipally known as 120 Doncaster Avenue is located on the north side of Doncaster Avenue, west of Henderson Avenue and east of Yonge Street (see Figures 1, 2 and 3). To the north of the subject property is the CN Rail Corridor with low density a residential neighbourhood further north across the rail tracks. The lands located to the south across Doncaster Avenue include Grandview Park, a mix of limited commercial and industrial uses contained within existing industrial buildings, and Henderson Avenue Public School. The surrounding properties to the east and west of the subject property also contain industrial buildings with a mix of limited commercial and industrial uses. There is an existing 1,349 m² (14,520.51 ft²) industrial building on the property.

Application status

The application to amend the Zoning By-law was deemed complete on June 26, 2020.

Next Steps

1. A Statutory Public Meeting is tentatively scheduled for November 3, 2020;
2. Recommendation Report on the Zoning By-law amendment at a future date;
3. If the Zoning By-law Amendment application is approved, an application for Site Plan approval will be required for the proposed development;

PROPOSAL:

The applicant is proposing a motor vehicle sales and repair facility with accessory auto parts sales. The proposal includes indoor and outdoor storage, display and a sales area for motor vehicles (see Figure 4).

The applicant is proposing an amendment to the Zoning By-law to add motor vehicle sales, motor vehicle part sales and outdoor storage of vehicles, as permitted uses on the subject property.

CONFORMITY WITH PROVINCIAL POLICY AND YORK REGION OFFICIAL PLAN

The proposed development conforms to the applicable provincial policy framework as well as the land use designation and policies of the Regional of York Official Plan.

OFFICIAL PLAN AND ZONINGMarkham Official Plan

The 2014 Official Plan (partially approved on November 24, 2017, and further updated on April 9, 2018) designates the subject property as Service Employment, which provides for a range of service and retail uses together with light industrial, warehousing and office uses. The Service Employment land use policies specifically provide for motor vehicle sales and repair, retail sales of automotive parts and limited outdoor storage or display of motor vehicles as discretionary uses accessory to a permitted use, subject to a site specific development application for zoning approval.

Zoning By-law

The subject property is zoned Industrial (M) under By-law 2053, as amended by By-law 280-81, which permits industrial uses including motor vehicle repair, motor vehicle body shops, warehousing, manufacturing, assembly and storage of goods within enclosed buildings. Retail sales accessory to a permitted industrial use on the same lot are also permitted. A motor vehicle sales establishment is not a permitted use. Outdoor storage yards for vehicles are a prohibited use. Consequently, a Zoning By-law amendment is required to add the above noted uses on the 'subject property'.

OPTIONS/ DISCUSSION:

The following is a summary of comments raised to date. Other matters that are identified through the detailed review of this application and public meeting (s) will be discussed in a future recommendation report if required.

Encroachment of Right-of-Way

The existing paved parking area at the front of the 'subject property' encroaches into the right-of-way for Doncaster Avenue (see Figure 3). In the event that the existing parking area within the encroachment area is removed, the Site Plan illustrates that 61 parking spaces can still be provided on site, which would comply with the minimum parking required for the proposal under Parking Standards By-law 28-97. The restoration of the boulevard will be addressed through the site plan approval process.

Internal Department Comments

The Development Engineering, Transportation Planning, Operations, Fire and Waste Management departments have indicated that they have no objections to the proposed rezoning.

The Waterworks Department has commented that while they have no objections to the Zoning By-law amendment application, they are requesting the submission of a CCTV (Closed Circuit Television) Report and video for the existing sanitary service line to the City prior to any approvals being granted on this proposal.

FINANCIAL CONSIDERATIONS:

Not applicable.

HUMAN RESOURCES CONSIDERATIONS:

Not applicable.

ALIGNMENT WITH STRATEGIC PRIORITIES:

The application is being evaluated in the context of the City's strategic priority of growth management.

BUSINESS UNITS CONSULTED AND AFFECTED:

The applications have been circulated to various City departments and external agencies and no concerns or objections have been raised to date.

RECOMMENDED BY:

Biju Karumanchery
Director of Planning and Urban Design

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

ATTACHMENTS:

Figure 1 – Location Map
Figure 2 – Air Photo
Figure 3 – Area Context/Zoning
Figure 4 – Site Plan

OWNER:

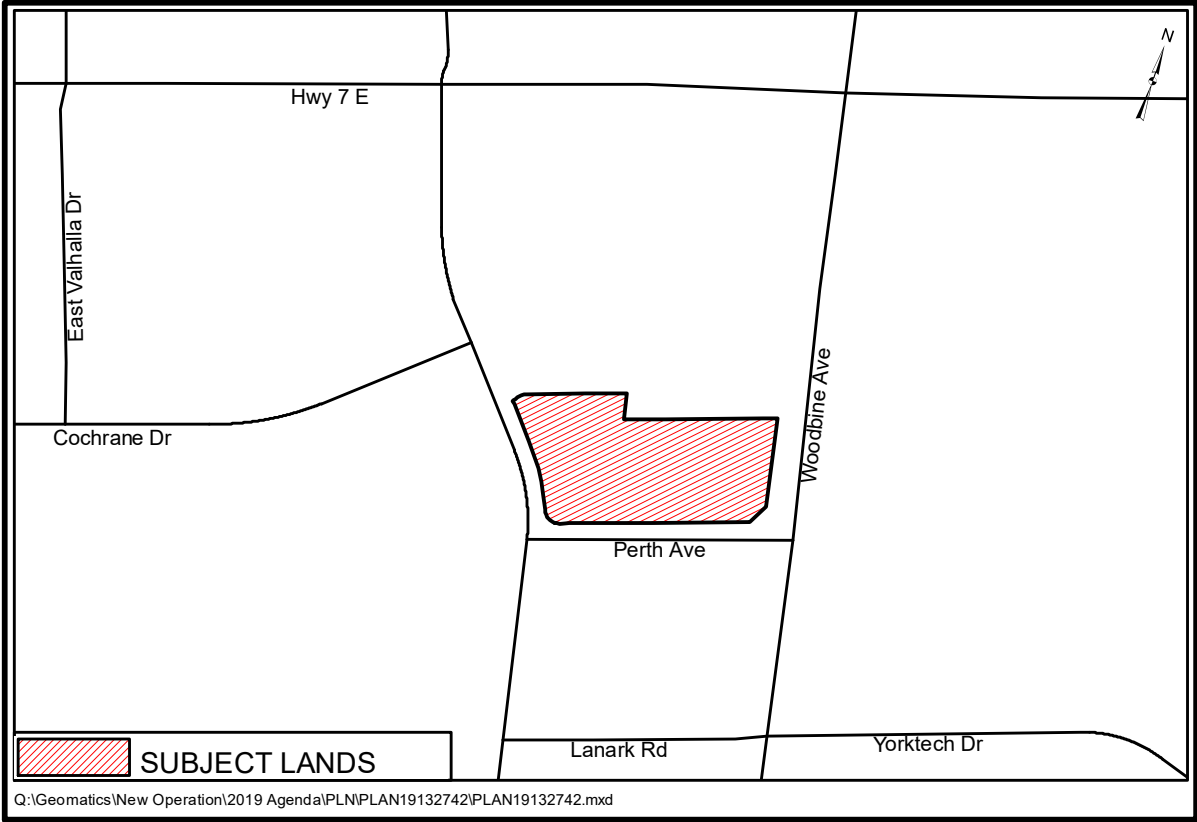
2546432 Ontario Inc.
(Brian Hoecht)
7200 Yonge Street
Thornhill, ON
Phone: (905) 881-5002
Email: bhoecht@northyorkchrysler.com

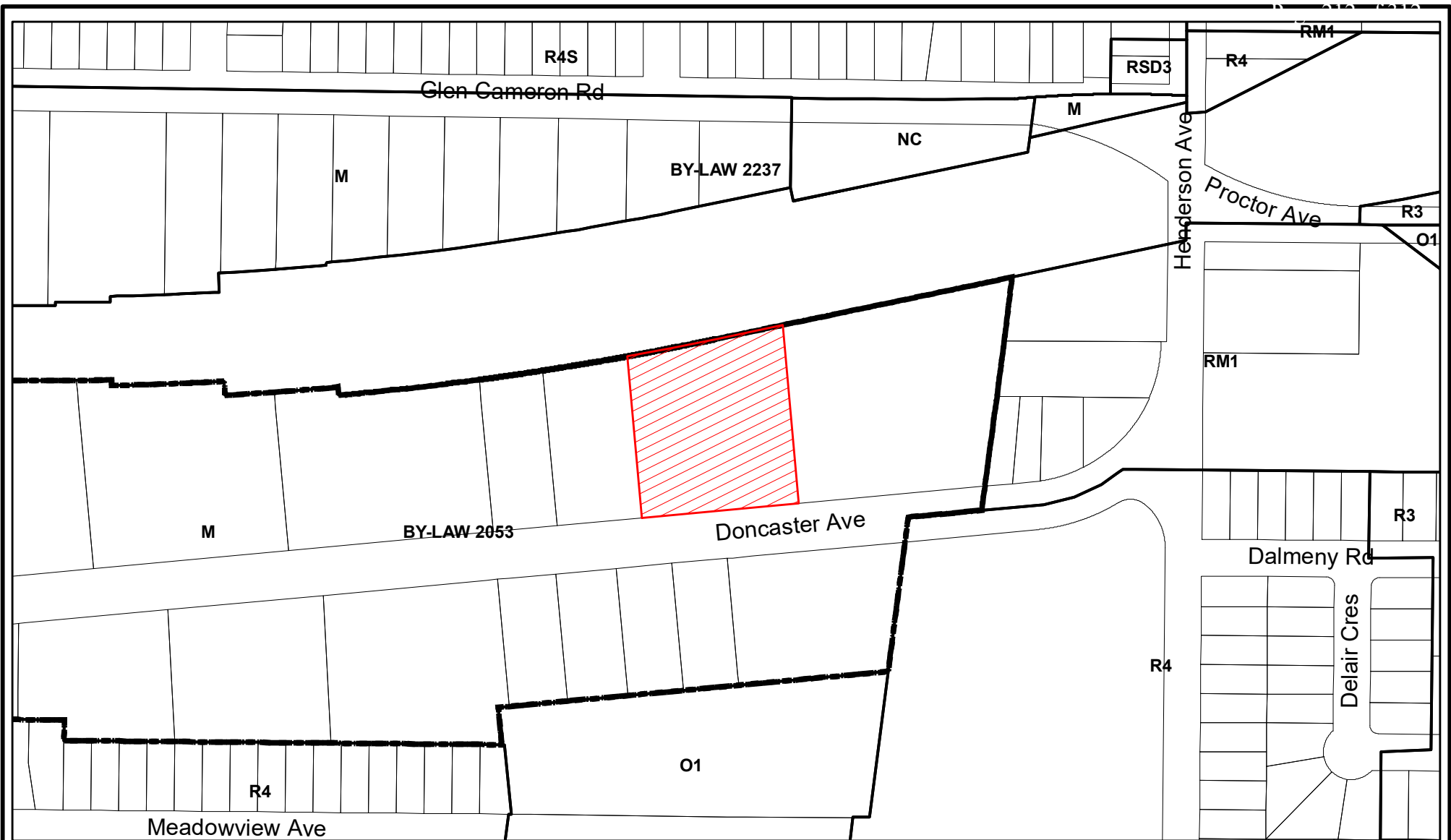
APPLICANT/AGENT:

Malone Given Parsons Ltd.
(Rohan Sovig)
140 Renfrew Drive Suite 201
Markham, Ontario L3R 6B3

Phone (905) 513-0170 Ext. 146

Email: jrsovic@mgp.ca





AREA CONTEXT / ZONING

APPLICANT: 254632 Ontario Inc. (Brian Hoecht) c/o Malone Given Parsons Ltd.
 (Rohan Sovig)
 120 Doncaster Avenue

FILE No. PLAN 20 115420

 SUBJECT LANDS



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AERIAL PHOTO (2019)

APPLICANT: 254632 Ontario Inc. (Brian Hoecht) c/o Malone Given Parsons Ltd.
 (Rohan Sovig)
 120 Doncaster Avenue

FILE No. PLAN 20 115420

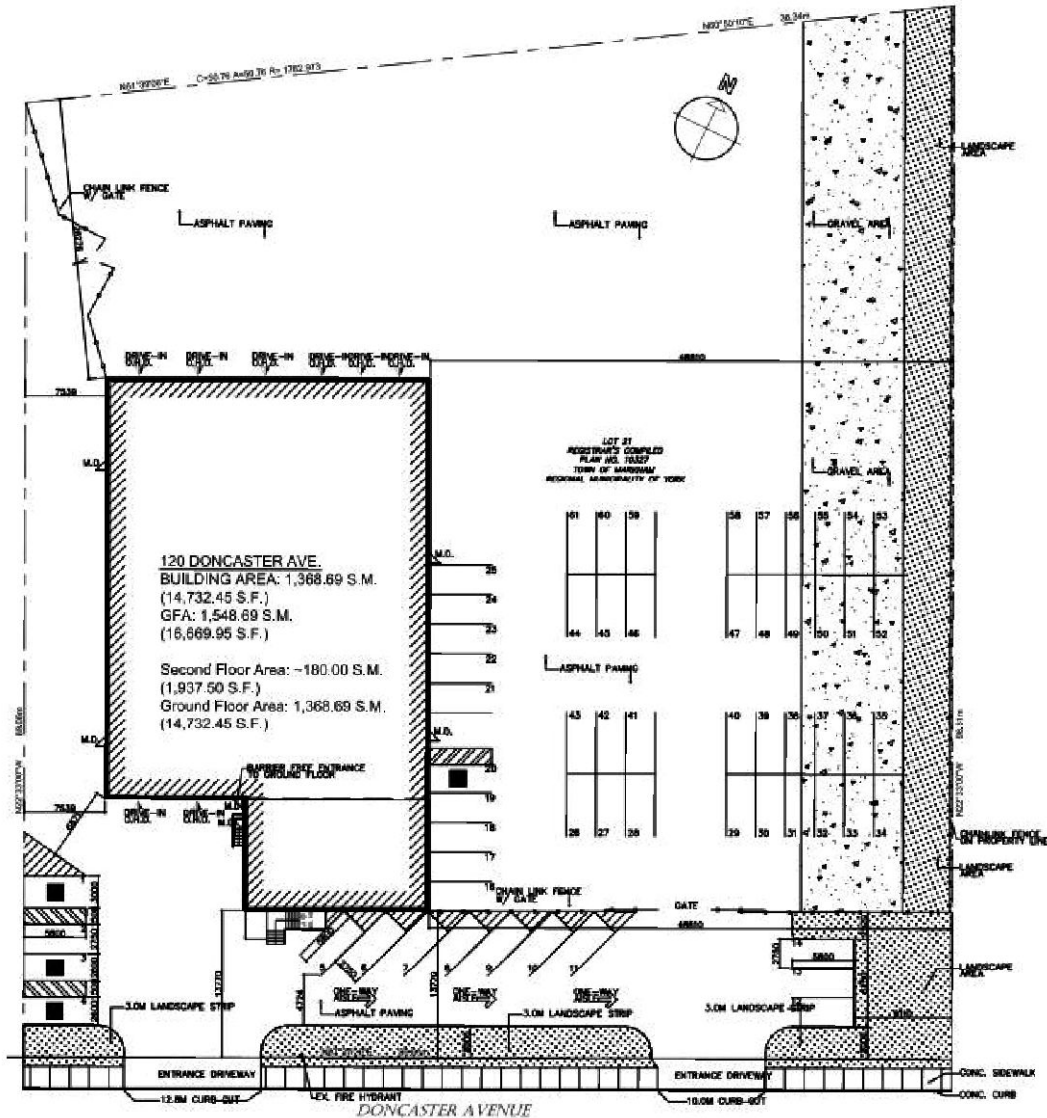
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-  SUBJECT LANDS
-  Existing pavement encroachment into Doncaster Avenue right-of-way



DATE: 16/09/2020

FIGURE No. 3



SITE PLAN

APPLICANT: 254632 Ontario Inc. (Brian Hoecht) c/o Malone Given Parsons Ltd.
 (Rohan Sovig)
 120 Doncaster Avenue

FILE No. PLAN 20 115420

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Report to: Development Services Committee

Meeting Date: November 9, 2020

SUBJECT: City Initiated Extension of Temporary Use Zoning By-law to permit outdoor patios and associated structures
FILE NO.: PR-20-115253
WARD: City Wide
PREPARED BY: Brad Roberts – Manager of Zoning and Special Projects

RECOMMENDATION:

1. That the report titled “City Initiated Extension of Temporary Use Zoning By-law to permit outdoor patios and associated structures” be received;
2. That the City wide temporary zoning by-law to permit new or expansions to existing outdoor patios and associated structures be approved;
3. That authority to act on behalf of Council to grant municipal authorizations required by the Alcohol and Gaming Commission of Ontario (“AGCO”) for temporary extension of a liquor license be delegated to the City Clerk;
4. That the fee for the processing of requests to the City for the temporary extension of liquor licenses be waived in 2021;
5. That existing approved temporary new, or temporary expansions to existing patios located on private property are granted temporary expansions until December 31, 2021;
6. And 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 the extension of temporary permissions to establish new, or extend existing patios, and to permit the establishment of tents, canopies, and other structures within temporary patio areas.

BACKGROUND:

In response to the COVID-19 emergency, and following the Province moving from Stage 1 to Stage 2 of the COVID-19 recovery, on June 11, 2020, Council passed a temporary zoning by-law to permit the expansion of outdoor patios, and outdoor sales and display on a temporary basis, to assist with the reopening of local businesses (the “Temporary Patio Expansion By-law”). The Temporary Patio Expansion By-law came into effect on July 2, 2020 and will expire on December 31, 2020

To date, the City has processed 57 applications under the Temporary Patio Expansion By-law. Three of these applications included the execution of Road Occupancy Permits (ROP) to permit the patio extensions into municipal boulevards, while one included the execution of a Permission to Enter (PTE) to permit a patio on other municipal property.

ROP and PTE agreements exist for a variety of reasons within the City, primarily to facilitate works on private lands that need the use of municipal property or boulevards for staging of construction, or to facilitate maintenance of private property. It is the practice of the City's Operations Department to only begin issuing ROP and PTE agreements in mid-April, based on weather, and all ROP and PTE agreements expire on November 1st to allow for snow clearing operations. Based on inspections of the above noted approved sites, the four patio expansions subject to ROP or PTE agreements have been removed from City property.

OPTIONS/ DISCUSSION:

Due to the ongoing nature of the emergency and the need to support businesses through this challenging economic time Staff are proposing a new temporary use by-law to be passed under Section 39 of the *Planning Act*. The new Temporary Patio Expansion By-law would authorize the continued use of existing temporary patios on private property, along with permitting the establishment of new temporary outdoor patios until December 31, 2021. Staff are also proposing modifications to allow associated structures such as tents and canopies to assist in the operation of outdoor patios through adverse seasonal weather.

While the City's Temporary Patio Expansion By-law amended the zoning provisions to permit patios without generating additional parking requirements, it did not include provisions exempting tents or canopies from complying with the required zoning provisions. To assist these businesses in creating a more hospitable environment on their patios, Staff are proposing to permit the establishment of temporary structures, such as tents or canopies, within permitted patio expansions subject to compliance with the Building and Fire Codes, and a requirement to provide a minimum 1.2 metre setback from the lot line abutting a street. A number of safety and technical requirements associated with the use of a tent or canopy in a temporary patio area have been outlined in Appendix 'A'.

The Operations Department has determined that extending ROP and PTE agreements for temporary patios during the winter operating months from November 1, 2020 to mid-April, 2021 is not feasible. The area of encroachment associated with the boulevard patios is necessary to allow snow to be plowed from both the road and sidewalk to ensure safe passage for both vehicles and pedestrians during winter months. The cost increase associated with modified snow clearing operations, along with the potential damage to City equipment, potential damage to the furniture of the businesses, and the potential safety risks associated with snow clearing in close proximity to restaurant patrons prohibit the extension of ROP and PTE agreements through the winter. As is normal practice, subject to favourable shoulder season weather, and at the discretion of the Director of Operations, the City will consider ROP and PTE applications for extended patios starting in mid-April, 2021. Any ROP or PTE agreements for patio extensions executed in 2021 will expire on November 1, 2021, as per the practice of the department.

Following Council's approval of temporary patio expansions in June of 2020, the Engineering Department, in collaboration with the Operations Department, and some

restaurant owners on Main Street Unionville, installed temporary traffic control measures to re-route pedestrian traffic, and facilitate a larger boulevard patios for some establishments on the east side of Main Street. As the installation and maintenance of the traffic control measures represented a cost to the City, Staff did not, and have not committed to the installation in 2021 or beyond. Staff are recommending the withholding of any decision on renewing the temporary traffic control measures until there is an opportunity to provide a full assessment of the cost.

Concurrent with the Temporary Patio Expansion By-law, Council also passed a by-law to permit outdoor sales and display on June 11, 2020. Staff only received one inquiry regarding outdoor sales and display, and the subject site already permitted the use. As outdoor sales and display are also not exempt from the Planning Act requirement for notice, public meeting, and appeal, Staff are not proposing to extend this temporary by-law.

On July 2, 2020, the Province enacted O. Reg 345/20 under the *Emergency Management and Civil Protection Act*, which amended a number of sections of the *Planning Act* related to the temporary establishment of additional outdoor patio or restaurant space. The regulation removed the requirement for public notice, the requirement for holding a public meeting, and the timeline and ability to file an appeal for temporary by-laws having the effect of extending patios. Based on this change, public notice, and a public meeting are not required for Council to pass the proposed by-law extension. Furthermore, the effective date of the new by-law is the date it is passed by Council.

FINANCIAL CONSIDERATIONS AND TEMPLATE:

While passing the initial temporary patio by-law in June, 2020, Council authorized the Director of Building Standards, the Director of Planning and Urban Design, the Director of Operations, the City Clerk, and the Chief Fire Prevention Officer to waive the City's fees associated with the review of temporary patio expansions, the review of ROP and PTE agreements, and issuance of extension of liquor licenses for existing licensed establishments. With the exception of the authority by the City Clerk to waive fees which expires at the end of 2020, these resolutions would continue to apply to any new application received in 2021 for a temporary patio expansion. Staff are proposing to extend the authority for the City Clerk to waive fees through 2021. Based on the number of patio applications received in 2020, it is not anticipated that new applications will generate a significant financial impact.

Given the nature and potential volumes associated with review of building permits for temporary structures in temporary patio areas, Staff are not seeking to exempt the application of fees for any required building permits.

HUMAN RESOURCES CONSIDERATIONS

N/A

ALIGNMENT WITH STRATEGIC PRIORITIES:

The proposed extension of temporary by-laws and the provision of additional exemptions align with the corporate goal of Engaged, Diverse, Thriving and Vibrant City.

BUSINESS UNITS CONSULTED AND AFFECTED:

Building Department, Clerks Department, Fire Department, Legal Services, Operations Department

RECOMMENDED BY:

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

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

ATTACHMENTS:

Appendix 'A' – Technical Requirements
Scheduled 'A' – Draft By-law Temporary Zoning By-law

File path:

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Appendix 'A'

Snow and Walkway Safety:

Outdoor patios and walkways surrounding them, including sidewalks within the municipal boulevard should be cleared of snow and salted as required in a timely manner. Operators should regularly inspect tent structures to ensure they are safely secured to the ground and to remove any snow accumulation on the structure.

Ontario Building Code:

Under the Building Code, the following requirements apply to tents, canopies and structures:

1. Individual tents greater than 60 square metres in area require a building permit and are subject to standards set out in the Building Code, including but not limited to a clearance of 3m to adjacent buildings.
2. Individual tents assembled closer than 3m to each other to form a group having a sum total area greater than 60 square metres also require permits and are subject to similar standards.
3. Tents other than those noted above are exempt from the requirement for a permit and are exempt from complying with the Building Code.
4. Accessory structures greater than 10m² in area require permits.
5. Additions, canopies or porch enclosures are subject to permits and the Building Code.

Fire Code:

The technical specifications and safety requirements for tents and heaters are further regulated by the Fire Code. Given the varying regulations regarding heating sources that could be used by business operators within temporary tents or buildings, it is recommended that any business owner looking to include a heat source within a temporary tent or structure consult with and follow all safety specifications, or should consult an expert prior to commencing their operation.

1. The Fire Code requires that all tents, regardless of area and including those that that don't require a building permit, to be flame proofed in accordance with NFPA 705.
2. Smoking and open flame devices cannot be used in tents. Any open flame device is required to be accessible for firefighting purposes.
3. Fuel fired (eg. natural gas & propane) heaters can be used provided they are approve by the Technical Standards and Safety Authority (TSSA) for their particular use.
4. The manufacturer's installation instructions are to be strictly implemented for all heater use within tents.

5. The electrical system and equipment in a tent, including electrical fuses and switches are to be inaccessible to the public.

Use of tents or canopies under Stage 2 of the Provincial Recovery Plan:

O. Reg 263/20 was enacted to regulate the operations of businesses, including restaurants, under Stage 2 of the Province's Recovery Plan. Schedule 2 of the O. Reg outlines standards associated with using a tent, roof, canopy, or awning over outdoor dining areas. These standards include a requirement for "two full sides" to be open to be considered outdoor dining under Stage 2 of the recovery. Under Stage 3 of the Provincial Recovery Plan, indoor dining is permitted, and there is no requirement for tents to be open on any side. Any approval by the City of a tent, canopy, or other temporary structure over a temporary patio must comply with any additional Provincial requirements.

Schedule “A”



BY-LAW 2020-XXXX

A By-law to amend By-laws 1229, 1442, 1507, 1767, 1912, 2053, 2150, 2237, 2284-68, 2402, 2489, 2551, 2571, 2612, 11-72, 122-72, 77-73, 83-73, 84-73, 119-73, 151-75, 88-76, 127-76, 250-77, 145-78, 162-78, 163-78, 184-78, 72-79, 91-79, 118-79, 134-79, 153-80, 165-80, 72-81, 90-81, 108-81, 193-80, 221-81, 28-82, 194-82, 196-82, 47-85, 304-87, 19-94, 177-96, 28-97, and 2004-196, as amended

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

1. That By-laws **1229, 1442, 1507, 1767, 1912, 2053, 2150, 2237, 2284-68, 2402, 2489, 2551, 2571, 2612, 11-72, 122-72, 77-73, 83-73, 84-73, 119-73, 151-75, 88-76, 127-76, 250-77, 145-78, 162-78, 163-78, 184-78, 72-79, 91-79, 118-79, 134-79, 153-80, 165-80, 72-81, 90-81, 108-81, 193-80, 221-81, 28-82, 194-82, 196-82, 47-85, 304-87, 19-94, 177-96, 28-97, and 2004-196**, as amended, is hereby further amended as follows:

“1.1 By-laws 1229, 1442, 1507, 1767, 1912, 2053, 2150, 2237, 2284-68, 2402, 2489, 2551, 2571, 2612, 11-72, 122-72, 77-73, 83-73, 84-73, 119-73, 151-75, 88-76, 127-76, 250-77, 45-78, 162-78, 163-78, 184-78, 72-79, 91-79, 118-79, 134-79, 153-80, 165-80, 72-81, 90-81, 108-81, 193-80, 221-81, 28-82, 194-82, 196-82, 47-85, 304-87, 19-94, 28-97, 177-96, and 2004-196, as amended, are hereby amended, and the provisions in this By-law shall apply to all lands within the City of Markham. All other provisions of these By-laws, unless specifically modified/amended by this Section, shall continue to apply.

1.2 Special Zone Standards

Outdoor patios accessory to an existing permitted *restaurant* may be located within a *parking area, parking space, or drive aisle* subject to the following:

- a) There shall be no restriction on the maximum area of an *outdoor patio*;
- b) Notwithstanding a) above, an *outdoor patio* located within a *parking area* shall not occupy no more than the greater of:
 - i) 4 Parking spaces, or
 - ii) 33% of the provided parking spaces for the use;

-
- c) The *outdoor patio* area associated with a *restaurant* shall be exempt from requirements for provision of *parking spaces*;
 - d) The *outdoor patio* does not occupy any required fire route;
 - e) The *outdoor patios* does not occupy *accessible parking spaces*;
 - f) The *outdoor patio* shall not be used to provide entertainment such as performances, music, and dancing;
 - g) The *outdoor patio* may be located in a *yard* abutting a residential *zone* when located in an existing *parking area*;
 - h) The *outdoor patios* shall be setback a minimum of 11.8 metres from a residential *zone*; *and*
 - i) Notwithstanding any other provision within the By-law, temporary tents, canopies, or other temporary *structures* are permitted over any temporary patio authorized under this by-law subject to the following setbacks:
 - i) A minimum 1.2 metre setback to any *lot line* abutting a street
 - ii) A minimum 1.2 metres from any other municipal walkway.
2. This By-law shall be in force until December 31st, 2021.

Read a first, second, and third time and passed on XXXXXX

Kimberley Kitteringham
City Clerk

Frank Scarpitti
Mayor



EXPLANATORY NOTE

BY-LAW 2020 - XXX _____

A By-law to amend By-law 2020-XX, as amended

City of Markham

Lands Affected

This by-law amendment applies to all the lands governed by By-law 1229, 1442, 1507, 1767, 1912, 2053, 2150, 2237, 2284-68, 2402, 2489, 2551, 2571, 2612, 11-72, 122-72, 77-73, 83-73, 84-73, 119-73, 151-75, 88-76, 127-76, 250-77, 145-78, 162-78, 163 78, 184-78, 72-79, 91-79, 118-79, 134-79, 153-80, 165-80, 72-81, 90-81, 108-81, 193-80, 221-81, 28-82, 194-82, 196-82, 47-85, 304-87, 19-94, 28-97, 177-96, and 2004-196, as amended, as amended.

Purpose and Effect

The purpose and effect of the By-law amendment is to add additional special zone standards for outdoor patios within the geographic boundaries governed by By-laws 1229, 1442, 1507, 1767, 1912, 2053, 2150, 2237, 2284-68, 2402, 2489, 2551, 2571, 2612, 11-72, 122-72, 77-73, 83-73, 84-73, 119-73, 151-75, 88-76, 127-76, 250-77, 145-78, 162-78, 163 78, 184-78, 72-79, 91-79, 118-79, 134-79, 153-80, 165-80, 72-81, 90-81, 108-81, 193-80, 221-81, 28-82, 194-82, 196-82, 47-85, 304-87, 19-94, 28-97, 177-96, and 2004-196, as amended. This by-law will act to replace by-law 2020-52 allowing the continued operation of existing temporary patios, and patio expansions, while also permitting new temporary patios, and the use of temporary structures such as tents within temporary patio areas until December 31st, 2021.



Report to: Development Services Committee

Meeting Date: November 9, 2020

SUBJECT: Appeal of Heritage Permit Application for a Fence
3 Victoria Lane, Unionville, File: HE 20 125034 (Ward 3)

PREPARED BY: Regan Hutcheson, Manager, Heritage Planning, ext. 2080

REVIEWED BY: Ron Blake, Senior Development Manager, ext. 2600

RECOMMENDATION:

- 1) That the Report titled “Appeal of a Heritage Permit Application for a Fence, 3 Victoria Lane, Unionville, File: HE 20 125034 (Ward 3)” dated November 9, 2020 be received;
- 2) That the Heritage Markham Committee resolution of September 9, 2020 recommending denial of the Heritage Permit for the unauthorized chain link fence from a heritage perspective, be received as information;
- 3) That the Heritage Permit application HE 20 125034 in support of a chain link fence at 3 Victoria Lane be approved subject to the submission of the Heritage Permit application fee for unauthorized work;
- 4) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

PURPOSE:

The purpose of this report is to seek direction as to whether a Heritage Permit application in support of a chain link fence installed by the owners of 3 Victoria Avenue without the City’s approval should be approved or denied.

BACKGROUND:

A heritage permit application has been submitted for a chain link rear yard fence
A Heritage Permit application has been submitted for the installation of a rear yard fence by the owner of 3 Victoria Lane, which is located in the residential portion of the Unionville Heritage Conservation District (See Location Map Figure 1). The fence is located between the subject property (a modern infill dwelling) and 31 Victoria Avenue (a historic dwelling c. 1885) as well as along the south side of the Victoria Avenue pedestrian pathway leading to the adjacent valley open space.

As the properties are located in the Unionville Heritage Conservation District, they are designated under Part V of the Ontario Heritage Act. Therefore, alterations to the exterior of the properties, including the installation of fences, are subject to review and approval by the Municipality to ensure that the proposed work complies with the City’s by-laws and heritage policies.

Heritage permits are required for fencing in heritage conservation districts

Fences in Markham are regulated by the Fence By-law (277-97, as amended) which is enforced by the By-law Enforcement Department. The installation of a fence does not require a permit (except in heritage conservation districts), but does require the owner to comply with the provisions of the Fence By-law. The Fence By-law states that “*any division fence constructed or repaired within an area designated as a heritage conservation district pursuant to part V of the Ontario Heritage Act is subject to all requirements for obtaining a permit pursuant to such legislation*” (Section 13.1).

In a heritage conservation district, a Heritage Permit is required for the installation of a fence. Each Heritage District Plan provides guidance on appropriate fence designs. New fences are typically approved by Heritage Planning Staff if in conformity with the policies and guidelines of the Heritage District Plan.

The owner of 3 Victoria Lane erected a rear yard chain link fence without obtaining approval

In August of 2020, a complaint was received by staff regarding the installation of a new 5 foot high black chain link fence along the property boundary at 3 Victoria Lane, including how it negatively impacted the historic character of the Unionville Heritage Conservation District (See Figure 2 - Aerial View). The fence was installed without the approval of the City or the support of the neighboring property owner (31 Victoria Ave). The applicant had been advised by the local Ward Councillor to obtain a heritage permit for the fence before commencing any work. (See Figure 3 - Photographs of the chain link fence).

In response to By-law Enforcement, the owners of the property submitted a Heritage Permit seeking approval for the fence.

By-law Enforcement staff advised the owners of 3 Victoria Lane to either remove the fence, or seek approval by submitting a Heritage Permit to the City. A Heritage Permit application was submitted on August 18, 2020 seeking retroactive approval for the chain link fence.

The Heritage District Plan provides guidance on appropriate fences

The Unionville Heritage Conservation District Plan contains guidelines on the types of fences which are appropriate for front, as well as for rear yards (see Appendix ‘A’). The District Plan identifies chain link fences as being inappropriate for front yards due to their modern appearance and lack of compatibility with the heritage district context, but the Plan is silent on whether a chain link fence is appropriate for rear yards.

For rear yard situations, the Plan indicates that wooden fences are preferred with a straight board fence or a board-on-board fence identified as appropriate styles. In cases where rear yard fences are adjacent to a street and are visible, the Plan recommended that “special attention should be paid to ensure that the fencing treatment is compatible with the heritage context of the district”.

In Markham’s two newest heritage district plans - Thornhill Heritage Conservation District Plan (2007) and Buttonville Heritage Conservation District Plan (2011) - the

guidelines for backyard fencing indicate that wooden fences are preferred, but “*if a chain link fence is used, it should be black or dark green in colour*”. These Plans appear to assume the use of chain link would be in a back yard situation where visibility from the public realm would be minimal. The Markham Village Heritage District Plan (1989) provides no guidance on rear yard fencing, but does indicate “*fencing is an integral part of establishing the heritage character of an area and an important visual element in the streetscape. Modern chain link fences do not, for example, help create a heritage character*”.

The Heritage Permit was referred to Heritage Markham for comment

Most heritage permit applications are addressed by Heritage Planning staff if the work complies with approved policies or practice. As the policies and guidelines for fences contained in the Unionville Heritage District Plan do not address the appropriateness of chain link fences in side and rear yards, this matter was sent to Heritage Markham Committee on September 9, 2020 for its advice. The Committee reviewed the application and recommended denial because the fence was deemed to be visible from the public realm and therefore inappropriate for maintaining the heritage character of the District. (See Appendix ‘B’ for Heritage Markham Recommendation)

In making this recommendation, the members of the Committee were also aware that the owner of 31 Victoria Avenue had submitted an application to install a heritage compatible wooden painted picket fence on the shared property boundary between the two properties. (See Figure 4 – Location and Image of wooden picket fence by owner of 31 Victoria Avenue)

The applicant has chosen to seek approval of the chain link fence

In response to Heritage Markham’s recommendation that the Heritage Permit be denied, the applicant has elected to seek approval for the chain link fence from Council.

OPTIONS/ DISCUSSION:

There is limited policy direction as to the utilization of chain link for rear yards in Unionville

As noted, the Unionville Heritage Conservation District Plan is silent on the use of chain link fencing in the rear yard, although the Plan notes that wooden fences are preferred. Both of the City’s newer heritage conservation district plans (Thornhill and Buttonville) do allow black or dark green chain link in the rear yard. These particular colours significantly reduce the visibility of the fence, especially when installed in conjunction with vegetation.

Black chain link fencing has also been used as a barrier to the train tracks in the heart of the District near the historic Unionville train station and Stiver Mill (See Figure 5).

The chain link fence is visible from the public pedestrian realm

Although the black chain link fence is not readily visible from Victoria Avenue or Victoria Lane, it is visible from the public realm of the pedestrian pathway that connects the end of Victoria Avenue to the trails of the adjacent Denby Valley and Bruce’s Creek.

The chain link is also visible in the rear/side yard of the adjacent neighbour's property (31 Victoria Ave) which is a significant cultural heritage resource.

Is the chain link fencing considered detrimental to the heritage character of the Unionville Heritage Conservation District?

Staff always prefer the use of wooden fences in all of our heritage conservation districts as it is a natural material and generally complementary to the district character.

However, upon review of all the information related to this specific situation, the use of chain link fencing is considered acceptable for the following reasons:

- Chain link is not identified as the preferred type of rear yard fencing in this area, but it is not prohibited and is permitted in other heritage conservation districts in the City. It has also been installed along parts of the railway ROW in the District for public safety;
- Dark colour chain link fencing often visually disappears especially if vegetation is planted adjacent to it.
- The use of chain link fencing appears visually less intrusive adjacent to the vegetation found along the City's pedestrian pathway than would a solid wood board fence. Chain link will allow existing vegetation to grow through the openings.
- The chain link fencing cannot be seen from Victoria Lane or Victoria Avenue.
- Although a chain link fence may not be the type of fence the owner of the historic house at 31 Victoria Avenue prefers, this fence is not negatively impacting any heritage attributes and the owner can apply for other types of fencing to be installed along the mutual property boundary.

Options for consideration

The Development Services Committee could recommend the complete removal of the unauthorized chain link fence or approve it in its entirety. Alternatively, the Committee could also recommend that the portions of the fence most visible from the public realm, such as the portion that is adjacent to the pedestrian pathway be removed due to its higher visibility while permitting the portions of the fence on the mutual property boundary to remain.

If Committee supports the staff recommendation to accept the chain link fence in its entirety, a condition of the approval should be the submission of the \$581 fee for the processing of a Heritage Permit for unauthorized work after the work is completed.

FINANCIAL CONSIDERATIONS

Not applicable.

HUMAN RESOURCES CONSIDERATIONS

If the Heritage Permit is denied by Council, By-law Enforcement would be responsible for ensuring the removal of the fence.

ALIGNMENT WITH STRATEGIC PRIORITIES:

Not applicable.

BUSINESS UNITS CONSULTED AND AFFECTED:

Reviewed by the Heritage Markham Committee.

RECOMMENDED BY:

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

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

ATTACHMENTS:

- | | |
|--------------|--|
| Figure 1 | Location map |
| Figure 2 | Location of chain link fence |
| Figure 3 | Photographs of chain link fence |
| Figure 4 | Location and Design of wooden picket fence proposed by owner of 31 Victoria Ave. |
| Figure 5 | Photograph of existing black chain link fence around railway tracks |
| Appendix 'A' | Fence guidelines from Unionville Heritage Conservation District Plan |
| Appendix 'B' | Heritage Markham Extract of September 9, 2020 |

Figure 1- Location Map

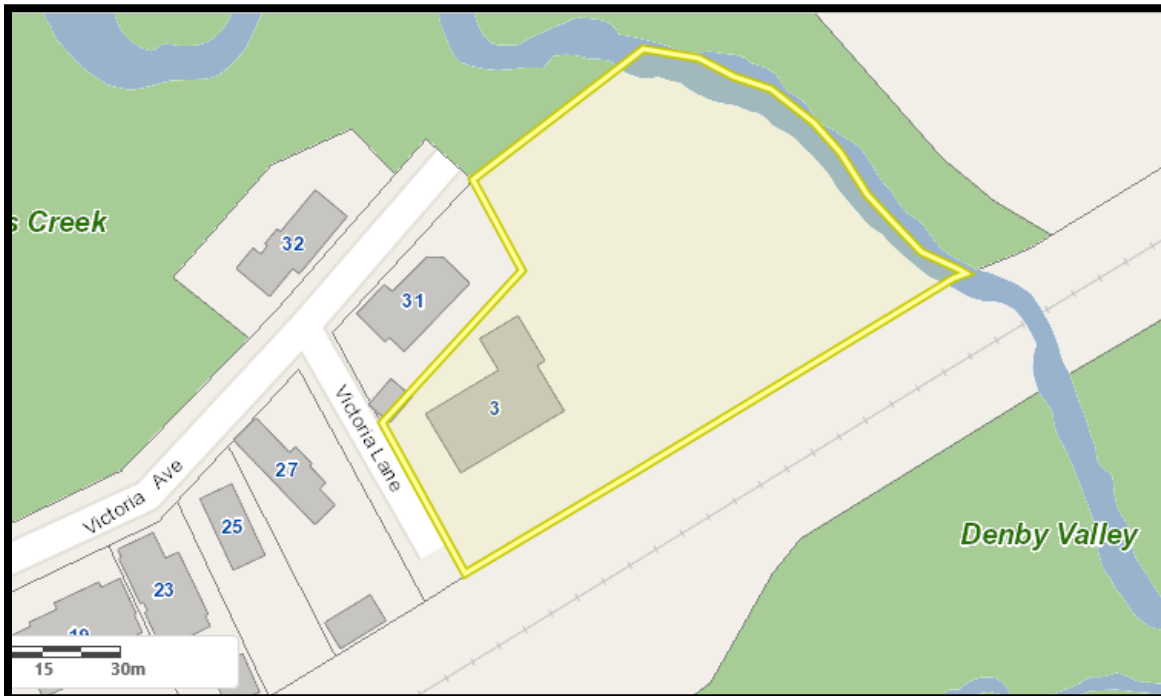


Figure 2- Location of chain link fence



Figure 3 –Photographs of the chain link fence



Looking south showing the east boundary between 31 Victoria Ave and 3 Victoria Lane



Looking south across the property at 31 Victoria Ave to the fence in the distance



Close up view of the fence near the pedestrian pathway



Figure 4- Location and Image of wooden picket fence proposed by owner of 31 Victoria Ave.



Figure 5- Photograph of existing chain link fence around railway tracks



Appendix A- Fence Guidelines from Unionville Heritage Conservation District Plan

9.7 Landscape Features

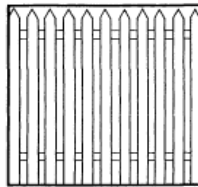
9.7.2.1 front yard fencing - appropriate

Front yard fences are traditional landscape features found in the District. Picket fences were used frequently in historical Unionville and while there are different varieties, only a few are common to the area. Low, cast iron fencing, was also found in Unionville, although considerably rarer.

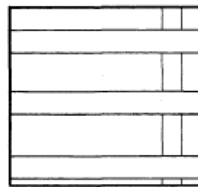
In all cases, it is encouraged that fencing be sensitive to the heritage character of the District.

Guidelines

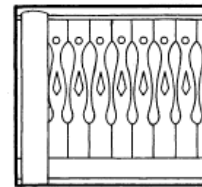
1. Traditional wood picket fences (3 ft. high) are encouraged as a front yard landscaping treatment in the District.
2. Low, cast iron fences (less than 2 ft.) are appropriate for landscape bed border treatment.
3. Where historic fences or hedges exist, they should be retained.



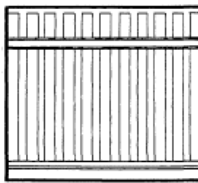
Appropriate: pointed picket



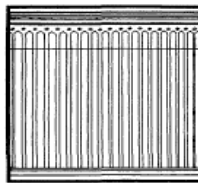
Appropriate: open horizontal



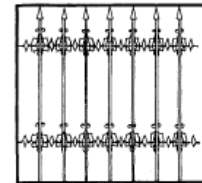
Appropriate: decorative picket, turn of the century



Appropriate: plain picket



Appropriate: sturdy decorative

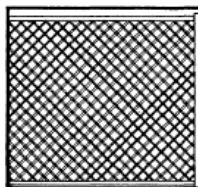


Appropriate: low, cast iron

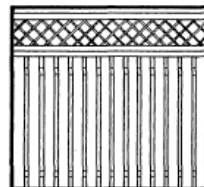
9.7 Landscape Features

9.7.2.2 front yard fencing - inappropriate

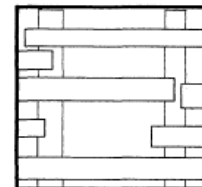
While traditional wood picket fencing is encouraged in the District, the examples of modern fencing at right are not compatible with the Heritage District context and should be avoided.



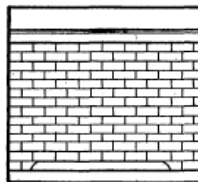
Inappropriate: chain link



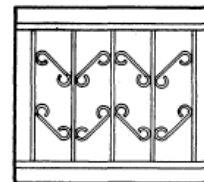
Inappropriate: pressure treated wood



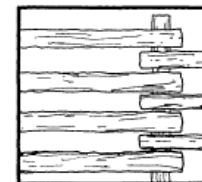
Inappropriate: abstract fence



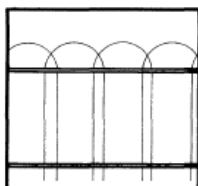
Inappropriate: brick or stone walls



Inappropriate: wrought iron



Inappropriate: cedar rail



Appendix A- Fence Guidelines from Unionville Heritage Conservation District Plan

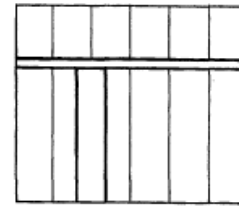
9.7 Landscape Features

9.7.3 backyard fences

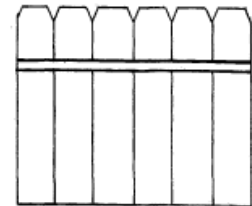
As a result of the historic lot plan of Unionville, it is often the case that rear yard fencing runs along the street, and is visible. In these cases in particular, special attention should be paid to ensuring that the fencing treatment is compatible with the Heritage District context. The general rule that simplicity is preferred should apply with regard to rear yard fencing in the District.

Guidelines

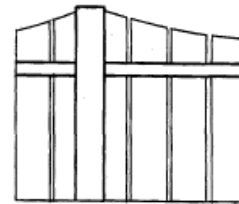
1. Wooden fences are preferred in the District. A straight board fence or a board on board fence are appropriate styles.
2. Where historic fences or hedges exist, they should be retained.



Clean straight fence top



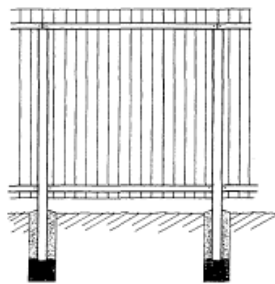
Dog-eared fence top



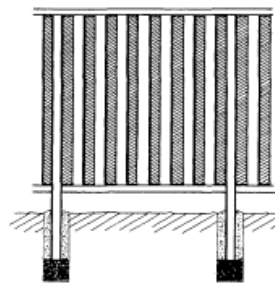
Beveled fence top (shallow curve only)



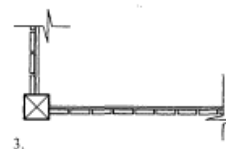
Fence top flush with stringer



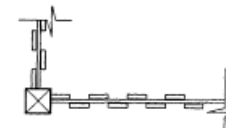
1.



2.



3.



4.

1. **Far left:** Straight board fence with regular placement of boards, showing ground connection.
2. **Second from left:** Board-on-board fence showing alternating placement of boards and ground connection.
3. **Top:** plan of straight board fence, corresponding to fence section at far left.
4. **Bottom:** plan of board on board fence corresponding to fence section second from left.

Appendix B- Heritage Markham Extract of September 9, 2020

6. PART FOUR - REGULAR

6.1 HERITAGE PERMIT APPLICATION

3 VICTORIA LANE AND 31 VICTORIA AVENUE UNAUTHORIZED CHAIN LINK FENCE AND PROPOSED WOODEN PICKET FENCE (16.11)

FILE NUMBERS: HE 20 125034 & HE 20 125580

Councillor Reid McAlpine declared a conflict on this item. (He is a neighbour and friend of the applicants.)

Regan Hutcheson, Manager, Heritage Planning, addressed the Committee and summarized the details outlined in the staff memorandum.

Shanta Sundarason, owner of 31 Victoria Avenue, addressed the Committee and expressed concerns with the unauthorized chain link fence installed at 3 Victoria Lane, including the incompatibility of the fence with the character of the Unionville Heritage Conservation District as well as its high visibility from the neighbouring property and public realm. Ms. Sundarason requested that the Committee express its objection to the heritage permit application submitted by the applicant and recommend the removal of the fence.

There was discussion regarding the retroactive timing of the heritage permit application submitted for the chain link fence at 3 Victoria Lane. Members of the Committee expressed concerns regarding the applicant's installation of the fence prior to seeking approval from the City and without consultation with the neighbouring property owner. Concerns were also expressed regarding the visibility of the chain link fence from the pedestrian pathway and right-of-way as well as the mature vegetation removed along the pathway to install the fence.

Recommendation:

1. That the heritage permit application seeking permission to install a new wooden picket fence along the mutual property line of 31 Victoria Ave. and 3

Victoria Lane be approved from a heritage perspective and subject to complying with the City's Fence By-law; and,

2. That the heritage permit seeking approval for the chain link fence installed without approval be denied from a heritage perspective and that the existing chain link fence be removed.

Carried

Development Services Committee Communications – Monday, November 9, 2020 – Item # 10.1
– Appeal of Heritage Permit Application – 3 Victoria Lane, Unionville

Communication 1

From: LFKhadiyev <[REDACTED]>

Sent: November 5, 2020 3:28 PM

To: Wokral, Peter <pwokral@markham.ca>

Subject: Appeal of HeritagePermit Application for a Fence 3 Victoria Lane, Unionville.

CAUTION: This email originated from a source outside the City of Markham. DO NOT CLICK on any links or attachments, or reply unless you recognize the sender and know the content is safe.

Dear Mayor Scarpitti and Deputy Mayor Hamilton and Markham Councillors,
I am writing to you today in regards to item 10.1 on the Development Services Committee agenda for November 9th – Appeal of Heritage Permit Application for a Fence 3 Victoria Lane, Unionville.

I walk down Victoria Avenue in Unionville very often.

I was shocked to notice a very tall chain-link fence go up on the property of number 31.

You can see this fence on the property of #31 from as far back as the junction of Victoria Lane and Victoria Avenue and beyond. It is highly visible from the road and pathway and is not in keeping with the heritage district and the historic nature of the home that is surrounds.

I love the history and the nature of my city, and I am sure we have to respect all by-laws that protect them.

That is why I have confidence that Markham Council will ensure that this fence is removed.

Sincerely,

Lyudmila Khadiyeva

Development Services Committee Communications – Monday, November 9, 2020 – Item # 10.1
– Appeal of Heritage Permit Application – 3 Victoria Lane, Unionville

Communication 2

From: Daver S. Bonab <[REDACTED]>
Sent: November 6, 2020 10:55 AM
To: Mayor Scarpitti <MayorScarpitti@markham.ca>; Deputy Mayor, Don Hamilton – Markham <DHamilton@markham.ca>; Regional Councillor, Jack Heath - Markham <jheath@markham.ca>; Councillor, Amanda Collucci - Markham <ACollucci@markham.ca>; Councillor, Andrew Keyes - Markham <AKeyes@markham.ca>; Councillor, Keith Irish - Markham <KIrish@markham.ca>; Councillor, Alan Ho - Markham <Alan.ho@markham.ca>; Councillor, Khalid Usman - Markham <KUsman@markham.ca>; Councillor, Karen Rea - Markham <KRea@markham.ca>; Councillor, Reid McAlpine - Markham <RMcAlpine@markham.ca>; Regional Councillor, Joe Li - Markham <JLi3@markham.ca>; Regional Councillor, Jim Jones - Markham <jjones@markham.ca>; Councillor, Isa Lee - Markham <ILee@markham.ca>; Wokral, Peter <pwokral@markham.ca>; shanta@thegivingtreeunionville.ca
Subject: Chain Fence Victoria Lane Unionville

CAUTION: This email originated from a source outside the City of Markham. DO NOT CLICK on any links or attachments, or reply unless you recognize the sender and know the content is safe.

Dear Mayor Scarpitti and Deputy Mayor Hamilton and Markham Councillors,
As a resident of the Heritage District of Unionville and a person who also works in Unionville, I walk down Victoria Avenue in Unionville very often.

Recently I realized a metal fence installed on the Victoria Lane toward the ravine.

It is highly visible from the road and pathway and is not in keeping with the heritage district and the historic nature of our community.

It is a blight on our public realm and not consistent with our Heritage Conservation District Plan which clearly states that 'Fencing is an integral part of establishing the heritage character of an area and an important visual element in the streetscape.

I have confidence that Markham Council will ensure that this fence is removed.

Sincerely,
Unionville resident,
Daver S. Bonab

Development Services Committee Communications – Monday, November 9, 2020 – Item # 10.1
– Appeal of Heritage Permit Application – 3 Victoria Lane, Unionville

Communication 3

From: Heather Bator <[REDACTED]>
Sent: November 6, 2020 11:22 AM
To: Mayor Scarpitti <MayorScarpitti@markham.ca>; Deputy Mayor, Don Hamilton – Markham <DHamilton@markham.ca>; Regional Councillor, Jack Heath - Markham <jheath@markham.ca>; Councillor, Amanda Collucci - Markham <ACollucci@markham.ca>; Councillor, Andrew Keyes - Markham <AKeyes@markham.ca>; Councillor, Keith Irish - Markham <KIrish@markham.ca>; Councillor, Alan Ho - Markham <Alan.ho@markham.ca>; Councillor, Khalid Usman - Markham <KUsman@markham.ca>; Councillor, Karen Rea - Markham <KRea@markham.ca>; Councillor, Reid McAlpine - Markham <RMcAlpine@markham.ca>; Regional Councillor, Joe Li - Markham <JLi3@markham.ca>; Regional Councillor, Jim Jones - Markham <jjones@markham.ca>; Councillor, Isa Lee - Markham <ILee@markham.ca>; Wokral, Peter <pwokral@markham.ca>
Subject: Victoria Avenue, Unionville.
Importance: High

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Dear Mayor Scarpitti and Deputy Mayor Hamilton and Markham Councillors,

I take many walks down Victoria Avenue in Unionville which is so peaceful and beautiful.

I was shocked to notice a very tall chain-link fence go up on the property of number 31, which is quite out of place in this beautiful Heritage neighbourhood.

You can see this fence on the property of #31 from as far back as the junction of Victoria Lane and Victoria Avenue and beyond. It is highly visible from the road and pathway and is not in keeping with the Heritage district and the historic nature of the home that is surrounds.

It is a blight on our public realm and not consistent with our Heritage Conservation District Plan which clearly states that ‘Fencing is an integral part of establishing the Heritage character of an area and an important visual element in the streetscape. Modern chain-link fences do not, for example, help create a Heritage character. “ They look cheap and disgusting! How has this been allowed to happen in a Heritage neighbourhood.

I have confidence that Markham Council will ensure that this fence is removed immediately.

Sincerely,

Heather Bator

Concerned Unionville Resident

Development Services Committee Communications – Monday, November 9, 2020 – Item # 10.1
 – Appeal of Heritage Permit Application – 3 Victoria Lane, Unionville

Communication 4

From: Marion Blum <[REDACTED]>
 Date: Nov. 6, 2020 12:50 p.m.
 Subject: Chain Link Fence on Victoria
 To: Mayor Scarpitti <MayorScarpitti@markham.ca>, "Deputy Mayor, Don Hamilton – Markham" <DHamilton@markham.ca>, "Regional Councillor, Jack Heath - Markham" <jheath@markham.ca>, "Councillor, Amanda Collucci - Markham" <ACollucci@markham.ca>, "Councillor, Andrew Keyes - Markham" <AKeyes@markham.ca>, "Councillor, Keith Irish - Markham" <KIrish@markham.ca>, "Councillor, Alan Ho - Markham" <Alan.ho@markham.ca>, "Councillor, Khalid Usman - Markham" <KUsman@markham.ca>, "Councillor, Karen Rea - Markham" <KRea@markham.ca>, "Councillor, Reid McAlpine - Markham" <RMcAlpine@markham.ca>, "Regional Councillor, Joe Li - Markham" <JLi3@markham.ca>, "Regional Councillor, Jim Jones - Markham" <jjones@markham.ca>, "Councillor, Isa Lee - Markham" <ILee@markham.ca>, "Wokral, Peter" <pwokral@markham.ca>
 Cc:

Dear Mayor Scarpitti and Deputy Mayor Hamilton and Markham Councillors,

I walk down Victoria Avenue in Unionville very often.

I was shocked to notice a very tall chain-link fence go up on the property of number 31.

You can see this fence on the property of #31 from as far back as the junction of Victoria Lane and Victoria Avenue and beyond. It is highly visible from the road and pathway and is not in keeping with the heritage district and the historic nature of the home that is surrounds.

It is a blight on our public realm and not consistent with our Heritage Conservation District Plan which clearly states that ‘Fencing is an integral part of establishing the heritage character of an area and an important visual element in the streetscape. Modern chain-link fences do not, for example, help create a heritage character. ‘

I have confidence that Markham Council will ensure that this fence is removed.

Sincerely,

Marion Blum and Steve Lusk

Development Services Committee Communications – Monday, November 9, 2020 – Item # 10.1
 – Appeal of Heritage Permit Application – 3 Victoria Lane, Unionville

Communication 5

From: Tom Owen [REDACTED]
 Date: Nov. 6, 2020 2:13 p.m.
 Subject: Fence Issues - 3 Victoria Lane, Unionville
 To: Mayor Scarpitti <MayorScarpitti@markham.ca>, "Deputy Mayor, Don Hamilton – Markham" <DHamilton@markham.ca>, "Regional Councillor, Jack Heath - Markham" <jheath@markham.ca>, "Councillor, Amanda Collucci - Markham" <ACollucci@markham.ca>, "Councillor, Andrew Keyes - Markham" <AKeyes@markham.ca>, "Councillor, Keith Irish - Markham" <KIrish@markham.ca>, "Councillor, Alan Ho - Markham" <Alan.ho@markham.ca>, "Councillor, Khalid Usman - Markham" <KUsman@markham.ca>, "Councillor, Karen Rea - Markham" <KRea@markham.ca>, "Councillor, Reid McAlpine - Markham" <RMcAlpine@markham.ca>, "Regional Councillor, Joe Li - Markham" <JLi3@markham.ca>, "Regional Councillor, Jim Jones - Markham" <jjones@markham.ca>, "Councillor, Isa Lee - Markham" <ILee@markham.ca>, "Wokral, Peter" <pwokral@markham.ca>
 Cc:

Dear Mayor Scarpitti and Councillors

I have recently been made aware of an outstanding issue with an illegal fence installed at the above residence. My understanding that all development work, including fences, must be reviewed and approved by the City. My understanding that the proper procedures were not followed by the resident, and that the fence was built without submitting the proper request for review and has not been agreed to by City staff.

Further to the lack of procedure, it is also my understanding that the Heritage Markham Committee has recommended unanimously to remove this fence as it does not comply with the objective of only building structures that compliment a heritage style and design.

A modern fence installed in a Heritage Community, without the requisite permission, not only flies in the face of compliance but shows a lack of respect for the community. In light of this, I request that City staff be directed to find this fence in violation of the appropriate city ordinances and is out of character with the community it has been installed in.

Please protect the residents of Markham, ensure that ALL residents comply with the rules, and protect the lovely heritage of Unionville. This fence should be removed.

Thank you

Tom Owen

Development Services Committee Communications – Monday, November 9, 2020 – Item # 10.1 – Appeal
of Heritage Permit Application – 3 Victoria Lane, Unionville

Communication 6

From: peggy cheng <[REDACTED]>

Date: Nov. 6, 2020 11:33 p.m.

Subject: support the removal of the fence

To: Mayor Scarpitti <MayorScarpitti@markham.ca>,"Deputy Mayor, Don Hamilton – Markham"
<DHamilton@markham.ca>,"Regional Councillor, Jack Heath - Markham"
<jheath@markham.ca>,"Councillor, Amanda Collucci - Markham" <ACollucci@markham.ca>,"Councillor,
Andrew Keyes - Markham" <AKeyes@markham.ca>,"Councillor, Keith Irish - Markham"
<KIrish@markham.ca>,"Councillor, Alan Ho - Markham" <Alan.ho@markham.ca>,"Councillor, Khalid
Usman - Markham" <KUsman@markham.ca>,"Councillor, Karen Rea - Markham"
<KRea@markham.ca>,"Councillor, Reid McAlpine - Markham" <RMcAlpine@markham.ca>,"Regional
Councillor, Joe Li - Markham" <JLi3@markham.ca>,"Regional Councillor, Jim Jones - Markham"
<jjones@markham.ca>,"Councillor, Isa Lee - Markham" <ILee@markham.ca>,"Wokral, Peter"
<pwokral@markham.ca>

Cc:

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Dear Mayor Scarpitti and Deputy Mayor Hamilton and Markham Councillors,

I walk down Victoria Avenue in Unionville very often.

I was shocked to notice a very tall chain-link fence go up on the property of number 31.

The fence on the property of #31 from as far back as the junction of Victoria Lane and Victoria Avenue and beyond. It is highly visible from the road and pathway and is not in keeping with the heritage district and the historic nature of the home that is surrounded.

It is a blight on our public realm and not consistent with our Heritage Conservation District Plan which clearly states that ‘Fencing is an integral part of establishing the heritage character of an area and an important visual element in the streetscape. Modern chain-link fences do not, for example, help create a heritage character. ‘

I have confidence that Markham Council will ensure that this fence is removed.

Sincerely,

Development Services Committee Communications – Monday, November 9, 2020 – Item # 10.1 – Appeal
of Heritage Permit Application – 3 Victoria Lane, Unionville

Communication 7

From: Winnie [REDACTED]
Date: Nov. 7, 2020 6:28 a.m.
Subject: #3 Victoria Lane
To: Mayor Scarpitti <MayorScarpitti@markham.ca>, "Deputy Mayor, Don Hamilton – Markham"
<DHamilton@markham.ca>, "Regional Councillor, Jack Heath - Markham"
<jheath@markham.ca>, "Councillor, Amanda Collucci - Markham" <ACollucci@markham.ca>, "Councillor,
Andrew Keyes - Markham" <AKeyes@markham.ca>, "Councillor, Keith Irish - Markham"
<KIrish@markham.ca>, "Councillor, Alan Ho - Markham" <Alan.ho@markham.ca>, "Councillor, Khalid
Usman - Markham" <KUsman@markham.ca>, "Councillor, Karen Rea - Markham"
<KRea@markham.ca>, "Councillor, Reid McAlpine - Markham" <RMcAlpine@markham.ca>, "Regional
Councillor, Joe Li - Markham" <JLi3@markham.ca>, "Regional Councillor, Jim Jones - Markham"
<jjones@markham.ca>, "Councillor, Isa Lee - Markham" <ILee@markham.ca>, "Wokral, Peter"
<pwokral@markham.ca>
Cc:

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Dear Mayor Scarpitti and Councillors,

I am writing to you today in regards to item 10.1 on the Development Services Committee agenda for [November 9th](#) – Appeal of Heritage Permit Application for a Fence [3 Victoria Lane](#), Unionville.

I do not support the appeal from [#3 Victoria Lane](#) to keep the fence and that it must be removed, in line with the unanimous vote taken at the Heritage Markham Committee to have the fence removed.

Sincerely,
York Region Resident
Winnie Lee

Development Services Committee Communications – Monday, November 9, 2020 – Item # 10.1 – Appeal
of Heritage Permit Application – 3 Victoria Lane, Unionville

Communication 8

From: john garofalo [REDACTED]
Sent: Friday, November 6, 2020 9:12 PM
To: Clerks Public <clerkspublic@markham.ca>
Subject: 3 Victoria Lane fence removal

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To Markham heritage committee

My name is John Garofalo I live at 3 Eureka st. I have seen this fence walking my 2 dogs and can't understand how it got there,dose this owner know someone I don't ,I'm sure this would not pass at my house. I live by the rules and the law ,when I moved here I was aware of the heritage community and its charm.I always hoped that no one new to the area would change its charm no matter how small the change was.I have a new house being built next to me ,I asked the carpenter if he would change the roof line the house might look better ,he said it would never pass inspection. That was the right move had to keep with tradition.So now we have the owner of 3 Victoria St who thinks he can do what ever ,well no way. You start with one person getting what he wants leads to everyone doing the same.Maybe I can stucco my house now never liked wood.this resident must remove the fence and start from scratch with his neighbour , remember the other side of the fence is not Mexico.

Development Services Committee Communications – Monday, November 9, 2020 – Item # 10.1 – Appeal of Heritage Permit Application – 3 Victoria Lane, Unionville

Communication 9

From: John Mayo <[REDACTED]>

Date: Nov. 6, 2020 6:16 p.m.

Subject: Unionville Heritage Conservation District Plan - Victoria Ave

To: Mayor Scarpitti <MayorScarpitti@markham.ca>,"Deputy Mayor, Don Hamilton – Markham" <DHamilton@markham.ca>,"Regional Councillor, Jack Heath - Markham" <jheath@markham.ca>,"Councillor, Amanda Collucci - Markham" <ACollucci@markham.ca>,"Councillor, Andrew Keyes - Markham" <AKeyes@markham.ca>,"Councillor, Keith Irish - Markham" <KIrish@markham.ca>,"Councillor, Alan Ho - Markham" <Alan.ho@markham.ca>,"Councillor, Khalid Usman - Markham" <KUsman@markham.ca>,"Councillor, Karen Rea - Markham" <KRea@markham.ca>,"Councillor, Reid McAlpine - Markham" <RMcAlpine@markham.ca>,"Regional Councillor, Joe Li - Markham" <JLi3@markham.ca>,"Regional Councillor, Jim Jones - Markham" <jjones@markham.ca>,"Councillor, Isa Lee - Markham" <ILee@markham.ca>,"Wokral, Peter" <pwokral@markham.ca>

Cc:

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Dear Mayor Scarpitti and Councillors,

I am writing with reference to a property on Victoria Avenue in Unionville. I notice that the owners of #31 have erected a clearly visible chain-link fence along the length of one side of the property and this seems completely at odds with the heritage nature of this area.

The Unionville Heritage Conservation District Plan states that “front yard and backyard fence treatment should be consistent with the guidelines found in section 9.7.” The plan clearly encompasses Victoria Avenue, describing it in section **9.1 Streetscapes** as “the most representative example of a vernacular streetscape in the District,” and has guidelines for what is appropriate in that area. Under section **9.7.3 backyard fences**, the plan says “A straight board fence or a board on board fence are appropriate styles,” and includes drawings of a number of suggested treatments. Elsewhere it is specifically stated that chain-link fencing is “inappropriate.”

I have every confidence that Markham Council will ensure that the terms of the Heritage Conservation plan are upheld and that this chain-link fence, which disregards the plans guidelines, will be removed.

Sincerely,

John Mayo

Development Services Committee Communications – Monday, November 9, 2020 – Item # 10.1 – Appeal of Heritage Permit Application – 3 Victoria Lane, Unionville

Communication 10

From: christl reeh [REDACTED]

Date: Nov. 7, 2020 8:34 p.m.

Subject: Black Chain Link Fence at the east end of Victoria Avenue, in Unionville

To: Mayor Scarpitti <MayorScarpitti@markham.ca>, "Deputy Mayor, Don Hamilton – Markham" <DHamilton@markham.ca>, "Regional Councillor, Jack Heath - Markham" <jheath@markham.ca>, "Councillor, Amanda Collucci - Markham" <ACollucci@markham.ca>, "Councillor, Andrew Keyes - Markham" <AKeyes@markham.ca>, "Councillor, Keith Irish - Markham" <KIrish@markham.ca>, "Councillor, Alan Ho - Markham" <Alan.ho@markham.ca>, "Councillor, Khalid Usman - Markham" <KUsman@markham.ca>, "Councillor, Karen Rea - Markham" <KRea@markham.ca>, "Councillor, Reid McAlpine - Markham" <RMcAlpine@markham.ca>, "Regional Councillor, Joe Li - Markham" <JLi3@markham.ca>, "Regional Councillor, Jim Jones - Markham" <jjones@markham.ca>, "Councillor, Isa Lee - Markham" <ILee@markham.ca>, "Wokral, Peter" <pwokral@markham.ca>

Cc:

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Dear Mayor Scarpitti and Councillors,

this morning I biked along Victoria Ave. toward the conservation area and walking paths for the first time in a few months. I met many walkers along the way.

I was horrified to see an industrial looking chainlink fence, painted black. What a stark contrast to the soft scape of the rest of the avenue - a real sore spot.

I understand this fence which looks like a stretched 'z', was put up without a permit. That is a pity, as I imagine the staff that would issue the permit might ask 'why this fence?'. There doesn't seem to be an obvious reason. A cedar hedge already separates #31 on its east side from the remainder of that land to the creek.

Then shrubs and bushery that used to run along the south side of the walkway just past the last house on the same side, and before the bridge, have been removed, exposing that same ugly fence which ends just before the creek.

Doesn't the City also request from all of us to seek permission before removal of any plants, let alone trees from City property? So many trees are planted in Markham each year for a better environment, why cut any of them down, and in this case unnecessarily and illegally?

Said fence with its odd line separates #31 Victoria Avenue from its south side neighbour, then divides that one's property from the east side land, before it comes along the walkway. What is its purpose? Keep animals in? Out?

Even with the removal of the shrubs along the walkway deer would have trouble cutting through the remaining stems and branches let alone having an adult do the same. The shrub/tree barrier to my mind was sufficient to keep animals away from the walking path, and provide visual privacy if that is a concern if that was its purpose.

A picket fence would be a lot kinder to this heritage area, although that would still look out of place in the

Development Services Committee Communications – Monday, November 9, 2020 – Item # 10.1 – Appeal
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generally open concept of the whole street.

This thought process still begs the question, why did the owner not get a permit, which would have undoubtedly caused a reasonable discussion as to its use and look? What is the owner afraid of? Not get his/her way?

Long-time Unionville Resident

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of Heritage Permit Application – 3 Victoria Lane, Unionville

Communication 11

From: Winnie Fung <[REDACTED]>

Date: Nov. 7, 2020 10:47 p.m.

Subject: Fence on Victoria Ave.

To: Mayor Scarpitti <MayorScarpitti@markham.ca>

Cc: "Deputy Mayor, Don Hamilton – Markham" <DHAMILTON@markham.ca>, "Regional Councillor, Jack Heath - Markham" <jheath@markham.ca>, "Councillor, Amanda Collucci - Markham" <ACollucci@markham.ca>, "Councillor, Andrew Keyes - Markham" <AKeyes@markham.ca>, "Councillor, Keith Irish - Markham" <KIrish@markham.ca>, "Councillor, Alan Ho - Markham" <Alan.ho@markham.ca>, "Councillor, Khalid Usman - Markham" <KUsman@markham.ca>, "Councillor, Karen Rea - Markham" <KRea@markham.ca>, "Councillor, Reid McAlpine - Markham" <RMcAlpine@markham.ca>, "Regional Councillor, Joe Li - Markham" <JLi3@markham.ca>, "Regional Councillor, Jim Jones - Markham" <jjones@markham.ca>, "Councillor, Isa Lee - Markham" <ILee@markham.ca>, "Wokral, Peter" <pwokral@markham.ca>

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walk down Victoria Avenue in Unionville very often.

I was shocked to notice a very tall chain-link fence go up on the property of number 31.

You can see this fence on the property of #31 from as far back as the junction of Victoria Lane and Victoria Avenue and beyond. It is highly visible from the road and pathway and is not in keeping with the heritage district and the historic nature of the home that is surrounded.

It is a blight on our public realm and not consistent with our Heritage Conservation District Plan which clearly states that 'Fencing is an integral part of establishing the heritage character of an area and an important visual element in the streetscape. Modern chain-link fences do not, for example, help create a heritage character. "

I have confidence that Markham Council will ensure that this fence is removed.

Sincerely,

Winnie Fung, Unionville Resident

Development Services Committee Communications – Monday, November 9, 2020 – Item # 10.1 – Appeal of Heritage Permit Application – 3 Victoria Lane, Unionville

Communication 12

From: Paul Marsh <[REDACTED]>

Date: Nov. 8, 2020 12:42 p.m.

Subject: Fence on #3 Victoria Lane

To: Mayor Scarpitti <MayorScarpitti@markham.ca>,"Deputy Mayor, Don Hamilton – Markham" <DHamilton@markham.ca>,"Regional Councillor, Jack Heath - Markham" <jheath@markham.ca>,"Councillor, Amanda Collucci - Markham" <ACollucci@markham.ca>,"Councillor, Andrew Keyes - Markham" <AKeyes@markham.ca>,"Councillor, Keith Irish - Markham" <KIrish@markham.ca>,"Councillor, Alan Ho - Markham" <Alan.ho@markham.ca>,"Councillor, Khalid Usman - Markham" <KUsman@markham.ca>,"Councillor, Karen Rea - Markham" <KRea@markham.ca>,"Councillor, Reid McAlpine - Markham" <RMcAlpine@markham.ca>,"Regional Councillor, Joe Li - Markham" <JLi3@markham.ca>,"Regional Councillor, Jim Jones - Markham" <jjones@markham.ca>,"Councillor, Isa Lee - Markham" <ILee@markham.ca>,"Wokral, Peter" <pwokral@markham.ca>

Cc:

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Item 10.1 on the Development Services Committee agenda for November 9th – Appeal of Heritage Permit Application for a Fence 3 Victoria Lane, Unionville

Dear Mayor and Councillors,

We are writing in regard to the Appeal of the Heritage Permit Application for a Fence at #3 Victoria Lane in Unionville. We have lived in the Unionville heritage district for over 20 years and we deeply value the beautiful natural settings of the ravine and trail system that is an integral part of our historic neighbourhood. Unionville heritage district is a gem of a place within the City of Markham that attracts thousands of visitors year-round. As a Unionville resident, we are proud that the City has established heritage policies, guidelines and the advisory committee to help protect the interest and character of our neighbourhood.

However, we are dismayed to witness the erosion of the City's interest to properly apply these heritage policies, guidelines and uphold the recommendations of the Heritage Markham Committee. The fence at #3 Victoria Lane is one of the latest examples that the City should demonstrate that it is consistently applying and following all the rules it established. The chain-link fence at #3 Victoria Lane was installed without a heritage permit which has resulted in a fence that is unsightly, unfit within the heritage district and it contravenes the City's heritage policies and Fence by-law. To worsen the situation, the extension of this illegal fence has destroyed areas of natural greenery and habitat; greatly segregating and impeding the natural flow of wildlife. As such, the City should uphold the decision of the Heritage Markham Committee and request the chain-link fence to be taken down. By allowing the fence to

Development Services Committee Communications – Monday, November 9, 2020 – Item # 10.1 – Appeal
of Heritage Permit Application – 3 Victoria Lane, Unionville

remain on the joint property line, the City is essentially favouring the owner of #3 and removing the rights of #31 owner to have any say in the matter, even though the fence is a “shared” matter.

We urge the City to deny the appeal for the fence to remain, as it sets a dangerous precedent that unlawful installations can take place and the City will not apply its own established policies and guidelines. Further, should the City choose not to follow the recommendation of the Heritage Markham Committee, the City is diminishing the Committee’s role to make meaningful decisions that reflect the interests of the local community.

Regards,

Paul and Shirley Marsh

Development Services Committee Communications – Monday, November 9, 2020 – Item # 10.1 – Appeal
of Heritage Permit Application – 3 Victoria Lane, Unionville

Communication 13

On November 8, 2020 at 4:18:42 PM EST, WRYCRAFT <[REDACTED]> wrote:

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Dear Mayor Scarpitti, Deputy Mayor Hamilton and Councillors,

I would like you all to know that I am shocked, angered and appalled that such a fence has been erected in this beautiful heritage area.

Please ensure that this is removed and if necessary, replaced with something in keeping with this area.

I have lived in Unionville for years and this is the first time I have seen such a blight around a historic home.

And it was erected without a permit - even when the owner was told to apply for one before hand.

He obviously knew his permit would be denied and hence chose to ignore the advice of our local councillor.

I hope that you will all abide by the rules for our heritage areas that if a fence is visible to the public realm that it cannot be a chain-link fence.

Sincerely

Jean Wrycraft

Unionville Resident

Development Services Committee Communications – Monday, November 9, 2020 – Item # 10.1 – Appeal of Heritage Permit Application – 3 Victoria Lane, Unionville

Communication 14

From: Michael Gannon <[REDACTED]>

Sent: Sunday, November 08, 2020 5:55 PM

To: Mayor Scarpitti <MayorScarpitti@markham.ca>; Deputy Mayor, Don Hamilton – Markham <DHAMILTON@markham.ca>; Regional Councillor, Jack Heath - Markham <jheath@markham.ca>; Councillor, Amanda Collucci - Markham <ACollucci@markham.ca>; Councillor, Andrew Keyes - Markham <AKeyes@markham.ca>; Councillor, Keith Irish - Markham <KIrish@markham.ca>; Councillor, Alan Ho - Markham <Alan.ho@markham.ca>; Councillor, Khalid Usman - Markham <KUsman@markham.ca>; Councillor, Karen Rea - Markham <KRea@markham.ca>; Councillor, Reid McAlpine - Markham <RMcAlpine@markham.ca>; Regional Councillor, Joe Li - Markham <JLi3@markham.ca>; Regional Councillor, Jim Jones - Markham <jjones@markham.ca>; Councillor, Isa Lee - Markham <ILee@markham.ca>; Wokral, Peter <pwokral@markham.ca>; Clerks Public <clerkspublic@markham.ca>; Clerks Public <clerkspublic@markham.ca>

Subject: Deputation re Nov 9 DSC Item 10.1

This is a written deputation requesting that the appeal to allow the wrought iron fence at #3 Victoria Lane be denied. The owner was warned by the ward councillor, also a close neighbour, before installation, that a permit was required, yet still went ahead without a permit. That kind of arrogance should not be rewarded. Oops sorry, is exactly what the Heritage process is designed to forestall. Heritage committee has already denied the permit. The fact that a wrought iron fence is not specifically excluded for rear yards, as mentioned by staff, is not relevant, as that conversation could, and should have taken place if the permit was applied for, prior to installation.

Regards

Mike Gannon

Director URA

[REDACTED]

From: Michael Gannon <[REDACTED]>

Sent: Sunday, November 08, 2020 6:26 PM

To: Mayor Scarpitti <MayorScarpitti@markham.ca>; Deputy Mayor, Don Hamilton – Markham <DHAMILTON@markham.ca>; Regional Councillor, Jack Heath - Markham <jheath@markham.ca>; Councillor, Amanda Collucci - Markham <ACollucci@markham.ca>; Councillor, Andrew Keyes - Markham <AKeyes@markham.ca>; Councillor, Keith Irish - Markham <KIrish@markham.ca>; Councillor, Alan Ho - Markham <Alan.ho@markham.ca>; Councillor, Khalid Usman - Markham <KUsman@markham.ca>; Councillor, Karen Rea - Markham <KRea@markham.ca>; Councillor, Reid McAlpine - Markham <RMcAlpine@markham.ca>; Regional Councillor, Joe Li - Markham <JLi3@markham.ca>; Regional Councillor, Jim Jones - Markham <jjones@markham.ca>; Councillor, Isa Lee - Markham <ILee@markham.ca>; Wokral, Peter <pwokral@markham.ca>; Clerks Public <clerkspublic@markham.ca>; Clerks Public <clerkspublic@markham.ca>

Subject: Re: Deputation re Nov 9 DSC Item 10.1

Development Services Committee Communications – Monday, November 9, 2020 – Item # 10.1 – Appeal
of Heritage Permit Application – 3 Victoria Lane, Unionville

Apologies, corrected version reflecting chain link fence, not wrought iron.

This is a written deputation requesting that the appeal to allow the wrought iron fence at #3 Victoria Lane be denied. The owner was warned by the ward councilor, also a close neighbour, before installation, that a permit was required, yet still went ahead without a permit. That kind of arrogance should not be rewarded. Oops sorry, is exactly what the Heritage process is designed to forestall. Heritage committee has already denied the permit. The fact that a chain link fence is not specifically excluded for rear yards, as mentioned by staff, is not relevant, as that conversation could, and should have taken place if the permit was applied for, prior to installation.

Regards

Mike Gannon

Director URA



Development Services Committee Communications – Monday, November 9, 2020 – Item # 10.1 – Appeal
of Heritage Permit Application – 3 Victoria Lane, Unionville

Communication 15

On Nov. 8, 2020 6:35 p.m., Bev Dutoff <[REDACTED]> wrote:

Good Evening Councillors,

I was on a trail walk this weekend in beautiful Unionville and landed on Victoria Avenue, a true gem of a street for the locals and tourists. I was shocked as I left the wooded area and came upon an unexpected site...a chain link fence against the heritage backdrop. I spoke briefly with my neighbour and understand that this eyesore went in with no permit. This is unacceptable and I urge the City to respect its heritage standards and ensure that developments in the heritage area comply with the requirement to harmonize with their environment. Our heritage district matters to us and I hope that decision makers understand that the unique character of Unionville is made up of many individual decisions to comply with requirements.

Bev

Development Services Committee Communications – Monday, November 9, 2020 – Item # 10.1 – Appeal of Heritage Permit Application – 3 Victoria Lane, Unionville

Communication 16

On Nov. 8, 2020 7:34 p.m., NATALIE HALLIDAY <[REDACTED]> wrote:

Dear Mayor Scarpitti and Councillors,

I am writing to you today in regards to item 10.1 on the Development Services Committee agenda for November 9th – Appeal of Heritage Permit Application for a Fence 3 Victoria Lane, Unionville.

I have walked along Victoria Avenue on hundreds of occasions over the years that I have lived in Markham.

I have always admired the homes and especially the end house, #31 Victoria Avenue.

The vista and the greenery has always been so open, peaceful and beautiful.

I often spot deer grazing in the yard of #31 and the green space that abuts the ravine.

One morning in July, I noticed a hedge go up between the properties - #31 and its neighbor. It looked very strange as the plants looked half dead and were planted in a haphazard manner.

The next time I was on my walk in the area, I noticed something even crazier.

A black chain link fence had been erected.

The owner of #31 Victoria Avenue happened to be outside watering his garden and so I made a comment about the fence. At first I tried to sound polite as I was unsure who had erected it.

When I found out that it was his neighbor, I felt sad and anger.

This beautiful street is filled with history from years gone by.

This little piece of heaven at the end of Victoria Avenue has been destroyed by the installation of something that I now understand to have been erected without a permit (even though the home owner was advised to apply for a permit prior to the installation), no consultation with the neighbors, trespassing onto the property of #31 to install this illegal fence and then now having the audacity to appeal a unanimous vote by the Heritage Markham Committee to have it removed.

And, on top of all this, I now see that City staff is recommending to go against the Heritage Markham Committee's unanimous vote, and recommend that the fence be allowed.

This is truly unbelievable. Anyone who visits the area will notice the truly ugly and out of place fencing that has no place on this quaint street.

I was under the impression that the Heritage of Markham is protected so well. That it is respected and admired.

Hundreds of people visit the area to walk and to admire these specific properties and spaces. They are constantly photographed and painted by artists who sit along the lane.

It is in the City's best interest to ensure that situations like this, inappropriate fences, are disallowed and that heritage is maintained and protected.

Mayor Scarpitti, you have always referred to Unionville as a 'Rare Historical Gem'. You need to step in and ensure all of it is preserved and protected.

Development Services Committee Communications – Monday, November 9, 2020 – Item # 10.1 – Appeal
of Heritage Permit Application – 3 Victoria Lane, Unionville

The fence that surrounds the yard of #31 Victoria Avenue is so openly visible to 'the world that wanders by' and is stark, bleak, and completely out of place in height, design and finish. I appeal to your good senses to ensure that this fence is removed and the appeal denied.

Sincerely,

Markham Resident

Development Services Committee Communications – Monday, November 9, 2020 – Item # 10.1 – Appeal
of Heritage Permit Application – 3 Victoria Lane, Unionville

Communication 17

On Nov. 8, 2020 7:38 p.m., Eva Lam <[REDACTED]> wrote:

Dear Mayor Scarpitti and Councillors,

I am writing to you today in regards to item 10.1 on the Development Services Committee agenda for November 9th – ***Appeal of Heritage Permit Application for a Fence 3 Victoria Lane, Unionville.***

I understand there have been some challenges regarding a fence that has been erected between #31 Victoria Avenue and #3 Victoria Lane. Specifically a black chain linked fence installed without a permit and counter to the Heritage Markham Committee.

I am a proud Unionville resident and would like to maintain the charm our historic area presents. I hope that Mayor Scarpitti and our Councillors agree and will follow the guidance provided by the Heritage Markham Committee.

Sincerely,
Eva Lam

[REDACTED]

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of Heritage Permit Application – 3 Victoria Lane, Unionville

Communication 18

On Nov. 8, 2020 9:04 p.m., Siglinde Majumder <[REDACTED]> wrote:

Siglinde Majumder, [REDACTED]

Dear Mayor Scarpitty, Deputy Mayor and Markham Councillors.

I have walked down Victoria Avenue in Unionville often, especially in the fall.

I was shocked to see a very tall chain-link fence on the property of number 31.

This fence does not do this beautiful area any justice.

One can see it from the road and pathway. It is not keeping with the heritage district nature of the home that it surrounds.

It is the biggest eye sore for all residents who are most familiar with this area and it is not consistent with the Heritage Conservation District Plan which clearly states that "Fencing is an integral part of establishing and keeping the character of an area and of a very important visual element in the streetscape. Modern chain-link fences do not, for example help to keep the heritage character."

I have full confidence that Markham Council will ensure that this fence be removed.

Sincerely,

Siglinde Majumder

Development Services Committee Communications – Monday, November 9, 2020 – Item # 10.1 – Appeal
of Heritage Permit Application – 3 Victoria Lane, Unionville

Communication 19

On Nov. 8, 2020 8:42 p.m., Nick Pandit [REDACTED] > wrote:

Dear Mayor & Markham Councillors,

I write to you concerning the **NEW INDUSTRIAL** black chain-link fence that has been erected at the south-east corner of Victoria Avenue and Victoria Lane.

To be sure, it is not in keeping with the aesthetic values - or guidelines - for any "heritage village property."

Presently, what ALL users see when they go to the adjacent park is a metal barrier that is usually used to cage large animals.

Is such a structure really necessary?

The fence displays a disregard for cultural and historical aesthetics. Put another way, it is not in keeping with the preservation of the historic makeup of this unique area.

Additionally, as this fence is clearly visible from all the adjacent pathways - to all the users - I request that a less obtrusive method be found to segregate the residential and municipal properties. Hopefully, the new method will be one that is less "industrial" and less aggressive.

Like you, I am sure that you too want to help safeguard this established area for generations to come.

Therefore, by not allowing the placement of such an invasive structure you will help to preserve the historic character of Unionville.

Development Services Committee Communications – Monday, November 9, 2020 – Item # 10.1 – Appeal
of Heritage Permit Application – 3 Victoria Lane, Unionville

In closing, I look forward to your support in helping to have this disfigurement removed.

Sincerely,

Nick Pandit

[REDACTED]

[REDACTED]

Development Services Committee Communications – Monday, November 9, 2020 – Item # 10.1 – Appeal
of Heritage Permit Application – 3 Victoria Lane, Unionville

Communication 20

On Nov. 8, 2020 7:43 p.m., Paul Morrison <[REDACTED]> wrote:

There is a property at #31 Victoria Avenue in Unionville which we have always admired. A little while ago, the owner of the adjoining property (actually on Victoria Lane) put up a chain-link fence between the two properties, without a permit, actually trespassing onto #31's property to install this fence. This was done even though the Heritage Markham Committee, on hearing that he had no permit, voted unanimously to have him apply for a permit and/or remove the fence. In the process, the neighbour also destroyed a stretch of the intervening city shrubbery, significantly changing the appearance of #31. The fence in its present form is unsightly, and can in fact be seen from a number of locations on the street.

Apparently, City staff are now recommending to go against the Heritage Markham Committee's unanimous vote, and recommend that the fence be allowed. This is bizarre, as the fencing is functional, contemporary, highly visible, and totally incompatible with the ambiance of this quaint street.

Victoria Avenue is part of what makes Unionville "the jewel of Markham", and the city should ensure that Unionville is protected, and that home-owners not be permitted to erect structures that are totally out of keeping with the atmosphere of our beautiful village. The rules have been enforced successfully elsewhere in the village, so why not in this case?

If the argument is made that the fence is only the concern of the property owner who put it up, this is simply not true. The esthetic and economic value of the neighbouring properties will be affected adversely if this eyesore is allowed to remain in its present form. If the fence is absolutely necessary it should be done to acceptable Heritage standards. We hope that common sense prevails, and that the appeal of the fence owner is denied.

Sincerely,

J. Paul and Brenda Morrison

Station Lane,

Unionville

Development Services Committee Communications – Monday, November 9, 2020 – Item # 10.1 – Appeal
of Heritage Permit Application – 3 Victoria Lane, Unionville

Communication 21

On Nov. 8, 2020 7:43 p.m., Klaus Rossler <[REDACTED]> wrote:

The honourable Mayor Frank Scarpitti and Councillors,

On a recent walk on one of my favorite trails I noticed a newly erected chain-link fence in the vicinity of 31 Victoria Street. Upon further investigation I learned that the Heritage Committee had requested that the fence be torn down and replaced with one that meets the approved standards of such committee.

It is my understanding that the proper procedures were not followed by the respective property owner which appears to be the case of "build first and ask questions later". This type of behaviour only encourages others to do the same as they might get away with it. I have now learned that the property owner in question has launched an appeal which will be heard at the Development Services Committee on Nov 9th, 2020.

I am appealing to all members of such committee to turn down the appeal and to enforce the original decision of the Heritage Committee. After all, we have rules and regulations that deal with such matters and they should be obeyed by everybody. The illegally erected fence does change the character of that part of Victoria Street with its charming bridge and the surrounding forest.

Please make the right decision and have the existing fence removed.

With best regards

Klaus Rossler

CITY OF MARKHAM

OFFICIAL PLAN AMENDMENT NO. XXX

To amend the City of Markham Official Plan 2014, as amended.

(Emix Ltd., 8400 Woodbine Avenue)

(October 2020)

CITY OF MARKHAM
OFFICIAL PLAN AMENDMENT NO. XXX

To amend the City of Markham Official Plan 2014, as amended.

This Official Plan Amendment was adopted by the Corporation of the City of Markham, By-law No. ----20xx-xx---- in accordance with the Planning Act, R.S.O., 1990 c.P.13, as amended, on the 10th day of November, 2020.

Kimberley Kitteringham
City Clerk

Frank Scarpitti
Mayor



By-law 2020------

Being a by-law to adopt Amendment No. XXX
to the City of Markham Official Plan 2014, as amended

THE COUNCIL OF THE CORPORATION OF THE CITY OF MARKHAM,
IN ACCORDANCE WITH THE PROVISIONS OF THE PLANNING ACT,
R.S.O., 1990 HEREBY ENACTS AS FOLLOWS:

1. THAT Amendment No. xx to the City of Markham Official Plan 2014,
as amended, attached hereto, is hereby adopted.
2. THAT this by-law shall come into force and take effect on the date of
the final passing thereof.

READ A FIRST, SECOND AND THIRD TIME AND PASSED THIS 10th
DAY OF November, 2020.

Kimberley Kitteringham
City Clerk
(Signed)

Frank Scarpitti
Mayor

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PART I - INTRODUCTION

(This is not an operative part of Official Plan Amendment No.xxx)

PART I - INTRODUCTION

1.0 GENERAL

- 1.1** PART I - INTRODUCTION, is included for information purposes and is not an operative part of this Official Plan Amendment.
- 1.2** PART II - THE OFFICIAL PLAN AMENDMENT, constitutes Official Plan Amendment No. XXX to the City of Markham Official Plan 2014, as amended. Part II is an operative part of this Official Plan Amendment.

2.0 LOCATION

This Amendment applies to 2.24 hectares (3.07 acres) of land municipally known as 8400 Woodbine Avenue as shown on Figure 9.20.1 within the Woodbine/404 district. The subject property is located on the northwest corner of Woodbine Avenue and Perth Avenue with additional road frontage on the east side of Cochrane Drive. .

3.0 PURPOSE

The purpose of this Official Plan Amendment is to modify Section 9.20 to add a new site-specific policy to provide for a commercial storage facility use on the subject property.

4.0 BASIS OF THIS OFFICIAL PLAN AMENDMENT

This amendment will facilitate the renovation of an existing warehouse style building on the subject property to a commercial storage facility. The current layout of the existing building makes it suitable to store goods. In addition, due to the site's proximity to employment and commercial areas and access from a comprehensive transportation network (Woodbine Avenue, Perth Avenue, Cochrane Drive, Highway 7 East, and Highway 404), the proposed commercial storage facility will provide storage space opportunities for both local businesses within the employment and commercial areas, and for residential customers requiring self-storage who will access the site from Woodbine Avenue.

PART II - THE OFFICIAL PLAN AMENDMENT

(This is an operative part of Official Plan Amendment No.xxx)

PART II - THE OFFICIAL PLAN AMENDMENT

1.0 Section 9.20 of the Official Plan 2014, as amended, is hereby amended by:

- a) Amending Section 9.20.1 to add a reference to a new Section 9.20.8 in Figure 9.20.1 as follows:

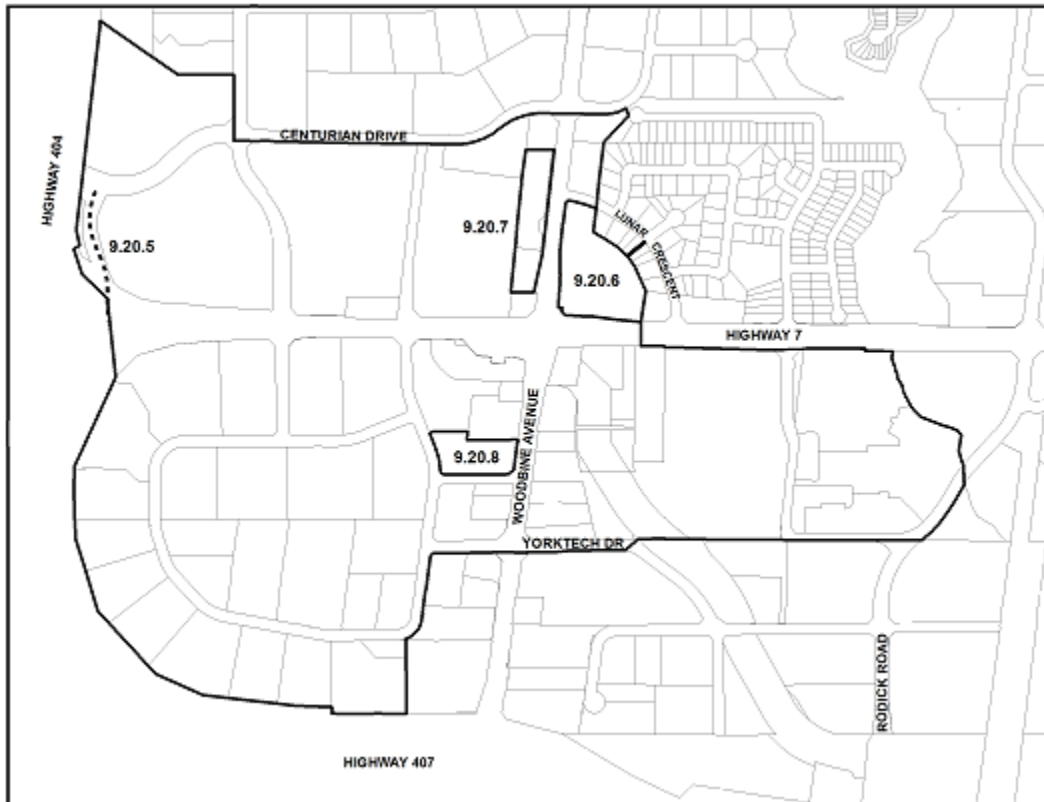


Figure 9.20.1

- b) Adding a new subsection 9.20.8 and Figure 9.20.8 as follows:

“9.20.8 8400 Woodbine Avenue

A commercial storage facility shall be permitted on the ‘Commercial’ lands at 8400 Woodbine Avenue as shown in Figure 9.20.8.

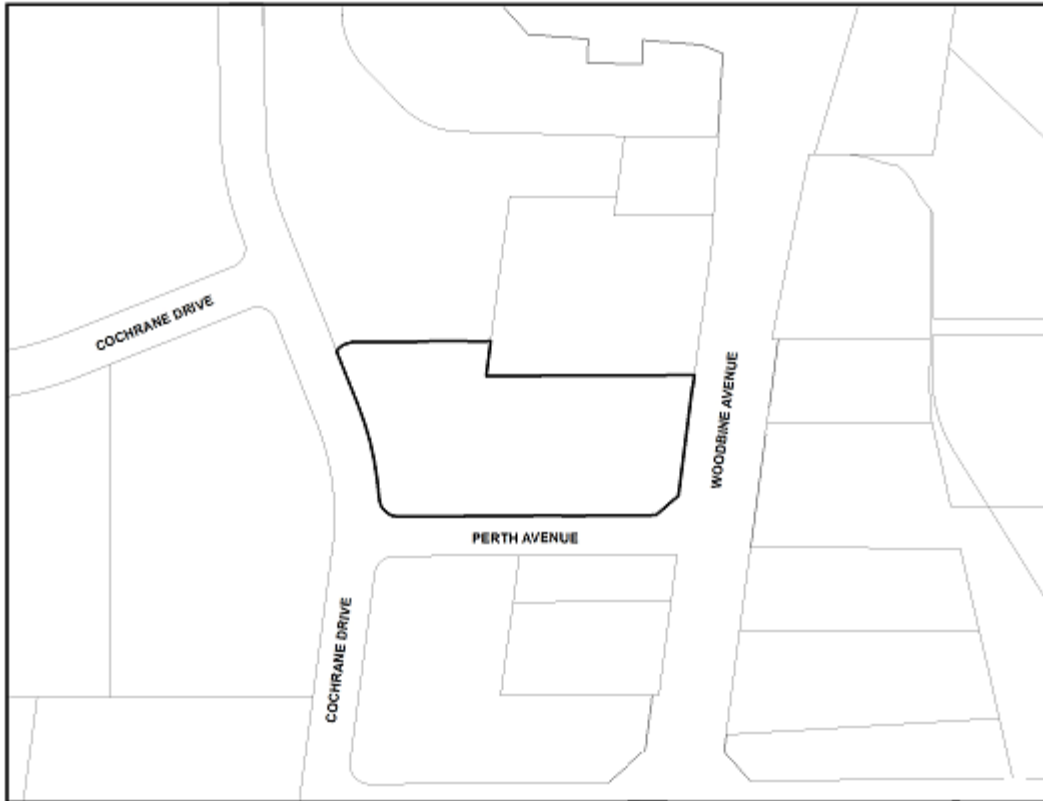


Figure 9.20.8”

2.0 IMPLEMENTATION AND INTERPRETATION

The provisions of the Official Plan, as amended, regarding the implementation and interpretation of the Plan, shall apply in regard to this Amendment, except as specifically provided for in this Amendment.

This Amendment shall be implemented by an amendment to the Zoning By-law and Site Plan approval and other Planning Act approvals, in conformity with the provisions of this Amendment.

This Amendment to the City of Markham Official Plan 2014, as amended, is exempt from approval by the Region of York. Following adoption of the Amendment, notice of Council’s decision will be given in accordance with the Planning Act, and the decision of Council is final, if a notice of appeal is not received before or on the last day for filing an appeal.

Prior to Council’s decision becoming final, this Amendment may be modified to incorporate technical amendments to the text and associated figure(s) and schedule(s). Technical amendments are those minor changes that do not affect the policy or intent of the Amendment. The notice provisions of Section 10.7.5 of the 2014 Markham Official Plan, as amended, shall apply.



By-law 2020-xx

A By-law to amend By-law 165-80, as amended

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

1. By-law 165-80, as amended, is hereby further amended as follows:

- 1.1 By adding the following subsection to Section 7 – EXCEPTIONS

Exception 7.119	Emix Ltd. 8400 Woodbine Avenue	Parent Zone SC1
File PLAN 19 132742		Amending By- law 2020-XX
Notwithstanding any other provisions of By-law 165-80, the following provisions shall apply to the land shown on Schedule "A" attached to this By-law 2020-XX. All other provisions, unless specifically modified/amended by this section, continue to apply to the lands subject to this section. For the purpose of this exception, any terms italicized refer to the defined terms within By-law 165-80 as amended.		
7.119.1 Only Permitted Uses		
The following are the only permitted uses:		
a)	All of the uses permitted in Section 6.6.1 (SC1 – Special Commercial 1 Zone)	
b)	Commercial Self-Storage Facility	
c)	<i>Retail Store</i>	
d)	<i>Restaurant</i>	
e)	Banquet Hall	
f)	<i>Warehouse</i>	
7.119.2 Special Zone Standards		
The following specific Zone Standards shall apply:		
a)	Parking standard for a commercial self-storage facility – 0.81 spaces per 100 square metres of <i>net floor area</i>	
b)	Maximum <i>gross floor area</i> for <i>restaurants</i> and banquet halls – 1000 square metres	
c)	Commercial self-storage facilities shall only be permitted within the existing building	

2. All other provisions of By-law 165-80, as amended, not consistent with the provisions of this by-law shall continue to apply.

Read a first, second and third time and passed on November 10, 2020.

Kimberley Kitteringham
City Clerk

Frank Scarpitti
Mayor



EXPLANATORY NOTE

BY-LAW 2020-_____

A By-law to amend By-law 165-80, as amended

8400 Woodbine Avenue

Lands Affected

The proposed by-law amendment applies to a 1.24 ha. (3.07 ac.) property on the northwest corner of Woodbine Avenue and Perth Avenue, municipally known as 8400 Woodbine Avenue.

Existing Zoning

By-law 165-80, as amended, currently zones the subject lands as SC1 – Special Commercial One Zone.

Purpose and Effect

The purpose and effect of this By-law is to add more uses on the property including a commercial self-storage facility, retail stores, restaurants, a banquet hall and a warehouse.

Note Regarding Further Planning Applications on this Property

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



BY-LAW 2020-_____

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

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

1. That By-law 177-96, as amended, is hereby further amended as it applies to the lands outlined on Schedule 'A' as follows:

- 1.1 By rezoning the lands outlined on Schedule 'A' attached hereto

from:

Business Corridor*309*370 (BC*309*370) Zone

to:

Business Corridor*309*370*666 (BC*309*370*666) Zone

- 1.2 By adding the following subsections to Section 7 – EXCEPTIONS:

Exception 7.666	Clera Holdings Inc. Block 81, 65M-4033 Woodbine Avenue	Parent Zone BC
File PLAN 19 123509		Amending By-law 2020-
Notwithstanding any other provisions of this By-law, the following provisions shall apply to the land denoted by the symbol *A on the schedules to this By-law. All other provisions, unless specifically modified/amended by this section, continue to apply to the lands subject to this section.		
7.666.1 Additional Permitted Uses		
Notwithstanding any provisions of this By-law, the following uses shall be permitted in addition to the permitted uses in Table A4:		
a)	<i>Child care centre</i>	
b)	<i>Supermarket</i>	
7.666.2 Special Zone Standards		
The following special zone standards shall apply:		
a)	The provisions of Table A4, Special Provision 5 and 6 shall not apply	
b)	Minimum required <i>front yard</i> – 5.0 m	
c)	Maximum <i>front yard</i> – 26.0 m	
d)	Maximum <i>depth</i> of the <i>parking area</i> in the <i>front yard</i> – 18.5 m	
e)	Minimum required width of <i>landscaping</i> adjacent to <i>front lot line</i> – 3.0 m	
f)	Driveways and ramps that provide access to the lot from the street are permitted to cross required <i>landscaping</i>	
g)	A maximum of 20% of the total <i>gross floor area</i> of all buildings may be devoted to <i>restaurants</i> and <i>take-out restaurants</i>	
h)	Child care centres are only permitted in a building containing a minimum of 180 m ² of <i>business office use</i>	
i)	<i>Retail stores</i> and <i>supermarkets</i> are only permitted subject to	

	<p>the following:</p> <ul style="list-style-type: none">i. A <i>retail store</i> shall be limited to a maximum <i>gross floor area</i> of 1,000 m² per <i>premises</i> unless the <i>retail store</i> is an office supply or computer supply store which may have a maximum <i>gross floor area</i> of up to 3,000 m² per <i>premises</i>ii. A <i>supermarket</i> shall be limited to a maximum <i>gross floor area</i> of 1,000 m² per <i>premises</i>iii. Maximum of 50% of the <i>gross floor area</i> of each multiple-unit <i>building</i> or 3,000 m² per multiple-unit <i>building</i>, whichever is lessiv. Maximum of 3,000 m² of <i>gross floor area</i>
--	--

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

Kimberley Kitteringham
City Clerk

Frank Scarpitti
Mayor



EXPLANATORY NOTE

BY-LAW 2020-

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

**Clera Holdings Inc.
Block 81, Registered Plan 65M-4033
PLAN 19 123509**

Lands Affected

The proposed by-law amendment applies to a parcel of land with an approximate area of 1.4 hectares (3.4 acres), which is located south of Elgin Mills Road and west of Woodbine Avenue.

Existing Zoning

The subject lands are zoned Business Corridor*309*370 (BC*309*370) Zone under By-law 177-96, as amended.

Purpose and Effect

The purpose and effect of this By-law is to rezone the subject lands under By-law 177-96, as amended as follows:

from:

Business Corridor*309*370 (BC*309*370) Zone

to:

Business Corridor*309*370*A (BC*309*370*666) Zone;

in order to permit a commercial development on the lands.

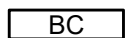
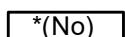
Note Regarding Further Planning Applications on this Property

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



SCHEDULE "A" TO BY-LAW 2020-AMENDING BY-LAW 177-96 DATED

 BOUNDARY OF AREA COVERED BY THIS SCHEDULE

 BUSINESS CORRIDOR
 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\PLAN\PLAN19_123509\Schedule A.mxd

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

TO AMEND STOP BY-LAW 106-71 65M-4498

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

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

COLUMN 1	COLUMN 2	COLUMN 3
<u>INTERSECTION</u>	<u>FACING TRAFFIC</u>	<u>LOCATION OF STOP SIGN</u>
Tralee Court and Stollery Pond Crescent	Southbound on Tralee Court	East side of Tralee Court, on the north side of Stollery Pond Crescent
Block 31 Laneway and Stollery Pond Crescent	Southbound on Laneway	East side of Block 31 Laneway, on the north side of Stollery Pond Crescent

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

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

KIMBERLEY KITTERINGHAM
TOWN CLERK

FRANK SCARPITTI
MAYOR



By-law 2020-xx

TO AMEND STOP BY-LAW 106-71 65M-4613

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

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

COLUMN 1	COLUMN 2	COLUMN 3
<u>INTERSECTION</u>	<u>FACING TRAFFIC</u>	<u>LOCATION OF STOP SIGN</u>
New Yorkton Avenue and Yorkton Boulevard	Westbound on New Yorkton Avenue	North side of New Yorkton Avenue, on the east side of Yorkton Boulevard
Yorkton Boulevard and New Yorkton Avenue	Southbound on Yorkton Boulevard	West side of Yorkton Boulevard, on the north side of New Yorkton Avenue
Yorkton Boulevard and New Yorkton Avenue	Northbound on Yorkton Boulevard	East side of Yorkton Boulevard, on the south side of New Yorkton Avenue

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

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

KIMBERLEY KITTERINGHAM
TOWN CLERK

FRANK SCARPITTI
MAYOR



By-law 2020-xx

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

WHEREAS Block 161 and Reserve Block 168, Plan 65M-4619, were conveyed to The City of Markham, Regional Municipality of York for public use.

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

1. THAT Block 161, Plan 65M-4619 in the City of Markham, Regional Municipality of York is hereby established and laid out as part of public highways of the City of Markham and named Bousfield Gate.
2. THAT Reserve Block 168, Plan 65M-4619 in the City of Markham, Regional Municipality of York is hereby established and laid out as part of public highways of the City of Markham and named Kirkham Drive.

Read a first, second, and third time and passed on November 10, 2020.

Kimberley Kitteringham
City Clerk

Frank Scarpitti
Mayor

BLK 168

Denison St

Kirkham Dr

BLK 161





By-law 2020-xx

TO AMEND PARKING BY-LAW 2005-188 65M-4429

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

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

COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4
<u>LOCATION</u>	<u>SIDE(S)</u>	<u>BETWEEN</u>	<u>PROHIBITED TIME OR DAYS</u>
Nipigon Avenue	South	Harbord Street and 25 West of Ivanhoe Drive	Anytime
Cherna Avenue	North	Harbord Street and Block 49	Anytime
London Plane Drive	East	Nipigon Avenue and Block 51	Anytime

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

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

DAY OF _____, 2020.

KIMBERLEY KITTERINGHAM
TOWN CLERK

FRANK SCARPITTI
MAYOR



By-law 2020-xx

TO AMEND PARKING BY-LAW 2005-188 65M-4085 and 65M-4086

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

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

COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4
<u>LOCATION</u>	<u>SIDE(S)</u>	<u>BETWEEN</u>	<u>PROHIBITED TIME OR DAYS</u>
Angus Glen Boulevard	West side	107 Glengordon Crescent and 265 Angus Glen Boulevard	Anytime
Angus Glen Boulevard	East side	266 Angus Glen Boulevard and 270 Angus Glen Boulevard	Anytime
Glengordon Crescent	South side	Lane D and 267 Angus Glen Boulevard	Anytime
Glengordon Crescent	North side	107 Glengordon Crescent and 77 Glengordon Crescent	Anytime
Glengordon Crescent	West side	77 Glengordon Crescent and 33 Glengordon Crescent	Anytime
Glengordon Crescent	South side	33 Glengordon Crescent and 193 Angus Glen Boulevard	Anytime
Glengordon Crescent	South side	South side across from 85 Glengordon Crescent and East side across from 69 Glengordon Crescent	Anytime
Dunganon Drive	North side	259 Angus Glen Boulevard and 22 Glengordon Crescent	Anytime
Dunganon Drive	West side	22 Glengordon Crescent and 62 Glengordon Crescent	Anytime

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

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

DAY OF _____, 2020.

KIMBERLEY KITTERINGHAM
TOWN CLERK

FRANK SCARPITTI
MAYOR



By-law 2020-xx

TO AMEND PARKING BY-LAW 2005-188 65M-4241

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

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

COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4
<u>LOCATION</u>	<u>SIDE(S)</u>	<u>BETWEEN</u>	<u>PROHIBITED TIME OR DAYS</u>
Royal West Road	South	52 Royal West Road and Flankage of 52 Royal West Road	Anytime
Royal West Road	West	45 Royal West Road and north side across from 52 Royal West Road	Anytime
Royal West Road	South	78 Royal West Road and Flankage of 78 Royal West Road	Anytime
Royal West Road	East	85 Royal West Road and north side across from 78 Royal West Road	Anytime

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

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

DAY OF _____, 2020.

KIMBERLEY KITTERINGHAM
TOWN CLERK

FRANK SCARPITTI
MAYOR



By-law 2020-xx

TO AMEND PARKING BY-LAW 2005-188 65M-4357

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

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

COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4
<u>LOCATION</u>	<u>SIDE(S)</u>	<u>BETWEEN</u>	<u>PROHIBITED TIME OR DAYS</u>
Berkshire Crescent	South	266 Angus Glen Blvd and 28 Berkshire Crescent	Anytime
Berkshire Crescent	West	28 Berkshire Crescent and 16 Berkshire Crescent	Anytime
Berkshire Crescent	North	16 Berkshire Crescent and 254 Angus Glen Boulevard	Anytime
Stollery Pond Crescent	South	278 Angus Glen Blvd and 38 Stollery Pond Crescent	Anytime
Stollery Pond Crescent	West	38 Stollery Pond Crescent and 14 Stollery Pond Crescent	Anytime
Stollery Pond Crescent	North	14 Stollery Pond Crescent and 240 Angus Glen Boulevard	Anytime

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

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

DAY OF _____, 2020.

KIMBERLEY KITTERINGHAM
TOWN CLERK

FRANK SCARPITTI
MAYOR



By-law 2020-xx

TO AMEND PARKING BY-LAW 2005-188 65M-4496

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

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

COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4
<u>LOCATION</u>	<u>SIDE(S)</u>	<u>BETWEEN</u>	<u>PROHIBITED TIME OR DAYS</u>
Luzon Avenue	North	10m east of Block 43 and 10m west of Block 42	Anytime
Luzon Avenue	South	Decast Crescent (east leg) and Decast Crescent (west leg)	Anytime
Villa Ada Drive	West	Copper Creek Drive and 15m north of Luzon Avenue	Anytime
Villa Ada Drive	East	Copper Creek Drive and 15m north of Luzon Avenue	Anytime
Agatha Gamble Street	West	Luzon Avenue and Decast Crescent	Anytime
Decast Crescent (east leg)	West	Copper Creek Drive and Decast Crescent (north leg)	Anytime
Decast Crescent (north leg)	South	Decast Crescent (west leg) and Decast Crescent (east leg)	Anytime
Decast Crescent (west leg)	East	Copper Creek Drive and Decast Crescent (north leg)	Anytime

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

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

DAY OF _____, 2020.

KIMBERLEY KITTERINGHAM
TOWN CLERK

FRANK SCARPITTI
MAYOR



By-law 2020-xx

TO AMEND PARKING BY-LAW 2005-188 65M-4498

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

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

COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4
<u>LOCATION</u>	<u>SIDE(S)</u>	<u>BETWEEN</u>	<u>PROHIBITED TIME OR DAYS</u>
Tralee Court	West and South	Stollery Pond Crescent and Block 31 Laneway	Anytime

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

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

DAY OF _____, 2020.

KIMBERLEY KITTERINGHAM
TOWN CLERK

FRANK SCARPITTI
MAYOR



By-law 2020-xx

TO AMEND PARKING BY-LAW 2005-188 65M-4613

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

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

COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4
<u>LOCATION</u>	<u>SIDE(S)</u>	<u>BETWEEN</u>	<u>PROHIBITED TIME OR DAYS</u>
Yorkton Boulevard	East	Royal Aberdeen Road and 140m north of New Yorkton Avenue	Anytime
Yorkton Boulevard	West	120m north of New Yorkton Avenue and 140m north of New Yorkton Avenue	Anytime
Yorkton Boulevard	West	20m north of New Yorkton Avenue and 20m south of New Yorkton Avenue	Anytime
Yorkton Boulevard	West	20m north of Royal Aberdeen Road and 20m south of Royal Aberdeen Road	Anytime
New Yorkton Avenue	North	Kennedy Road and 85m west of Kennedy Road	Anytime
New Yorkton Avenue	North	Yorkton Boulevard and 60m east of Yorkton Boulevard	Anytime
New Yorkton Avenue	South	Yorkton Boulevard and Kennedy Road	Anytime

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

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

DAY OF _____, 2020.

KIMBERLEY KITTERINGHAM
TOWN CLERK

FRANK SCARPITTI
MAYOR



By-law 2020-xx

TO AMEND BY-LAW 2017-104
65M-4613

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

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

<u>COLUMN 1</u> <u>HIGHWAY</u>	<u>COLUMN 2</u> <u>FROM</u>	<u>COLUMN 3</u> <u>TO</u>
New Yorkton Avenue	In Its Entirety	In Its Entirety

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

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

KIMBERLEY KITTERINGHAM
TOWN CLERK

FRANK SCARPITTI
MAYOR



By-law 2020-xx

TO AMEND STOP BY-LAW 106-71 65M-4085 and 65M-4086

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

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

COLUMN 1	COLUMN 2	COLUMN 3
<u>INTERSECTION</u>	<u>FACING TRAFFIC</u>	<u>LOCATION OF STOP SIGN</u>
Glengordon Crescent and Angus Glen Boulevard	Eastbound on Glengordon Crescent	South side of Glengordon Crescent, on the West side of Angus Glen Boulevard
Dungannon Drive and Angus Glen Boulevard	Eastbound on Dungannon Drive	South side of Dungannon Drive, on the West side of Angus Glen Boulevard
Dungannon Drive and Glengordon Crescent	Southbound on Dungannon Drive	West side of Dungannon Drive, on the North side of Glengordon Crescent
Royal County Down Crescent and Angus Glen Boulevard (North intersection)	Eastbound on Royal County Down Crescent North	South side of Royal County Down North, on the West side of Angus Glen Boulevard
Royal County Down Crescent and Angus Glen Boulevard (South intersection)	Eastbound on Royal County Down Crescent North	South side of Royal County Down North, on the West side of Angus Glen Boulevard
Ernie Amsler Court and Royal County Down Crescent	Westbound on Ernie Amsler Court	North Side of Ernie Amsler Court, on the east side Royal County Down Crescent
Lane D and Glengordon Crescent	Northbound on Lane D	East side of Lane D, on the south side Glengordon Crescent
Lane D and Dungannon Drive	Southbound on Lane D	West side of Lane D, on North side of Dungannon Drive
Lane C and Lane D	Eastbound on Lane C	South side of Lane C, on the west side of Lane D
Lane C and Glengordon Crescent	Southbound on Lane C	West side of Lane C, on North side of Glengordon Crescent
Lane B and Angus Glen Boulevard	Eastbound on Lane B	South side of Lane B, on the West side of Angus Glen Boulevard

Lane B and Dungannon Drive	Westbound on Lane B	North side of Lane B, on East side of Dungannon Drive
Lane A and Angus Glen Boulevard	Eastbound on Lane A	South side of Lane A, on West side of Angus Glen Boulevard
Lane A and Lane B	Southbound on Lane A	West side of Lane A, on North side of Lane B

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

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

KIMBERLEY KITTERINGHAM
TOWN CLERK

FRANK SCARPITTI
MAYOR



By-law 2020-xx

TO AMEND STOP BY-LAW 106-71
65M-4204

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

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

COLUMN 1	COLUMN 2	COLUMN 3
<u>INTERSECTION</u>	<u>FACING TRAFFIC</u>	<u>LOCATION OF STOP SIGN</u>
Royal West Road and Angus Glen Boulevard	Eastbound on Royal West Road	South side of Royal West Road, on the West side of Angus Glen Boulevard

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

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

KIMBERLEY KITTERINGHAM
TOWN CLERK

FRANK SCARPITTI
MAYOR



By-law 2020-xx

TO AMEND STOP BY-LAW 106-71 65M-4241

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

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

COLUMN 1	COLUMN 2	COLUMN 3
<u>INTERSECTION</u>	<u>FACING TRAFFIC</u>	<u>LOCATION OF STOP SIGN</u>
Royal West Road and Royal West Road	Southbound on Royal West Road	West side of Royal West Road, on the North side of Royal West Road

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

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

KIMBERLEY KITTERINGHAM
TOWN CLERK

FRANK SCARPITTI
MAYOR



By-law 2020-xx

TO AMEND STOP BY-LAW 106-71 65M-4357

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

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

COLUMN 1	COLUMN 2	COLUMN 3
<u>INTERSECTION</u>	<u>FACING TRAFFIC</u>	<u>LOCATION OF STOP SIGN</u>
Stollery Pond Crescent and Angus Glen Boulevard (North Intersection)	Westbound on Stollery Pond Crescent	North side of Stollery Pond Crescent, on the East side of Angus Glen Boulevard
Stollery Pond Crescent and Angus Glen Boulevard (South Intersection)	Westbound on Stollery Pond Crescent	North side of Stollery Pond Crescent, on the East side of Angus Glen Boulevard
Berkshire Crescent and Angus Glen Boulevard (North Intersection)	Westbound on Berkshire Crescent	North side of Berkshire Crescent, on the East side of Angus Glen Boulevard
Berkshire Crescent and Angus Glen Boulevard (South Intersection)	Westbound on Berkshire Crescent	North side of Berkshire Crescent, on the East side of Angus Glen Boulevard
Block 79 Laneway and Stollery Pond Crescent	Northbound on Block 79 Laneway	East side of Block 79 Laneway, on the south side of Stollery Pond Crescent
Block 79 Laneway and Berkshire Crescent	Southbound on Block 79 Laneway	West side of Block 79 Laneway, on the north side of Berkshire Crescent
Block 80 Laneway and Berkshire Crescent (North Intersection)	Northbound on Block 80 Laneway	East side of Block 80 Laneway, on the south side of Berkshire Crescent
Block 80 Laneway and Berkshire Crescent (South Intersection)	Southbound on Block 80 Laneway	West side of Block 80 Laneway, on the north side of Berkshire Crescent
Block 81 Laneway and Berkshire Crescent	Northbound on Block 81 Laneway	East side of Block 81 Laneway, on the south side of Berkshire Crescent
Block 81 Laneway and Stollery Pond Crescent	Southbound on Block 81 Laneway	West side of Block 81 Laneway, on the north side of Stollery Pond Crescent

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

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

KIMBERLEY KITTERINGHAM
TOWN CLERK

FRANK SCARPITTI
MAYOR



By-law 2020-xx

TO AMEND STOP BY-LAW 106-71 65M-4429

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

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

COLUMN 1	COLUMN 2	COLUMN 3
<u>INTERSECTION</u>	<u>FACING TRAFFIC</u>	<u>LOCATION OF STOP SIGN</u>
Cherna Avenue at Harbord Street	Eastbound on Cherna Avenue	South side of Cherna Avenue, on the west side of Harbord Street
Cherna Avenue at Block 49	Westbound on Cherna Avenue	North side of Cherna Avenue, on the east side of Block 49
Nipigon Avenue at Ivanhoe Drive	Eastbound on Nipigon Avenue	South side Nipigon Avenue, on the west side Ivanhoe Drive
Nipigon Avenue at Harbord Street	Eastbound on Nipigon Avenue	South side of Nipigon Avenue, on the west side of Harbord Street
Nipigon Avenue at Ivanhoe Drive	Westbound on Nipigon Avenue	North side Nipigon Avenue, on the east side Ivanhoe Drive
Nipigon Avenue at Kennedy Road	Westbound on Nipigon Avenue	North side of Nipigon Avenue, on the east side Kennedy Road
Ivanhoe Drive at Nipigon Avenue	Northbound on Ivanhoe Drive	East side of Ivanhoe Drive, on the south side Nipigon Avenue
Ivanhoe Drive at 16 th Avenue	Southbound on Ivanhoe Drive	West side of Ivanhoe Drive, on the north side of 16 th Avenue
London Plane Drive at Nipigon Avenue	Northbound on London Plane Drive	East side of London Plane Drive, on the south side of Nipigon Avenue
London Plane Drive at Block 51	Southbound on London Plane Drive	West side of London Plane Drive, on the North side of Block 51
Block 49 at Beckett Avenue	Northbound on Block 49	East side of Block 49, on the south side of Beckett Avenue
Block 49 at Nipigon Avenue	Southbound on Block 49	West side of Block 49, on the north side of Nipigon Avenue

Block 50 at Beckett Avenue	Northbound on Block 50	East side of Block 50, on the south side of Beckett Avenue
Block 50 at Cherna Ave	Southbound on Block 50	West side of Block 50, on the north side of Cherna Avenue
Block 51 at Harbord Street	Eastbound on Block 51	South side of Block 51, on the west side of Harbord Street
Block 51 at Ivanhoe Drive	Westbound on Block 51	North side of Block 51, on the east side Ivanhoe Drive
Block 52 at Nipigon Avenue	Northbound on Block 52	East side of Block 52, on the south side of Nipigon Avenue
Block 52 at Block 51	Southbound on Block 52	West side of Block 52, on the north side of Block 51
Block 53 at Cherna Avenue	Northbound on Block 53	East side of Block 53, on the south side of Cherna Avenue
Block 53 at Block 49	Westbound on Block 53	North side of Block 53, on the east side of Block 49

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

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

 KIMBERLEY KITTERINGHAM
 TOWN CLERK

 FRANK SCARPITTI
 MAYOR



By-law 2020-xx

TO AMEND STOP BY-LAW 106-71 65M-4496

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

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

COLUMN 1	COLUMN 2	COLUMN 3
<u>INTERSECTION</u>	<u>FACING TRAFFIC</u>	<u>LOCATION OF STOP SIGN</u>
Luzon Avenue and Decast Crescent	Eastbound on Luzon Avenue	South side of Luzon Avenue, on the West side of Decast Crescent
Luzon Avenue and Villa Ada Drive	Westbound on Luzon Avenue	North side of Luzon Avenue, on the east side of Villa Ada Drive
Luzon Avenue and Villa Ada Drive	Eastbound on Luzon Avenue	South side of Luzon Avenue, on the west side of Villa Ada Drive
Luzon Avenue and Decast Crescent	Westbound on Luzon Avenue	North side of Luzon Avenue, on the East side of Decast Crescent
Villa Ada Drive and Decast Crescent	Northbound on Villa Ada Drive	East side of Villa Ada Drive, on the south side of Decast Crescent
Villa Ada Drive and Copper Creek Drive	Southbound on Villa Ada Drive	West side of Villa Ada Drive, on the north side of Copper Creek Drive
Agatha Gamble Street and Decast Crescent	Northbound on Agatha Gamble Street	East side of Agatha Gamble Street, on the south side of Decast Crescent
Agatha Gamble Street and Luzon Avenue	Southbound on Agatha Gamble Street	West side of Agatha Gamble Street, on the north side of Luzon Avenue
Decast Crescent and Copper Creek Drive (East leg)	Southbound on Decast Crescent	West side of Decast Crescent, on the north side of Copper Creek Drive
Decast Crescent and Copper Creek Drive (West leg)	Southbound on Decast Crescent	West side of Decast Crescent, on the north side of Copper Creek Drive
Block 42 and Decast Crescent	Northbound on Block 42	East side of Block 42, on the south side of Decast Crescent

Block 42 and Luzon Avenue	Southbound on Block 42	West side of Block 42, on the north side of Luzon Avenue
Block 43 and Decast Crescent	Northbound on Block 43	East side of Block 43, on the south side of Decast Crescent
Block 43 and Luzon Avenue	Southbound on Block 43	West side of Block 43, on the north side of Luzon Avenue

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

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

KIMBERLEY KITTERINGHAM
TOWN CLERK

FRANK SCARPITTI
MAYOR



By-law 2020-xx

A by-law to establish streets laid out according
to Plan of Subdivision 65M-4085 as a public highway
Lot 24 and Blocks B and C,
Registered Plan 6037 and
Part of Lots 19 and 20, Concession 5
(Angus Glen Village Ltd., Trustee)
City of Markham, Regional Municipality of York

Whereas by plan of subdivision registered in the Land Registry Office for the Land Titles Division of York Region (No. 65) as No. 65M-4085, the streets laid out in accordance with the said plan of subdivision have been dedicated for highway purposes;

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

1. That the streets named Angus Glen Boulevard, Ernie Amsler Court, Dungannon Drive, Glengordon Crescent, Berkshire Crescent and Royal County Down Crescent, and the Lanes (Blocks B and C) and the Walkway (Block 143), inclusive, as laid out and dedicated in accordance with the Plan of Subdivision registered in the Land Registry Office for the Land Titles Division of York Region (No. 65) as Plan No. 65M-4085 is hereby adopted for public use and declared to be and form part of the City of Markham highway system.

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

Kimberley Kitteringham
City Clerk

Frank Scarpitti
Mayor



By-law 2020-xx

A by-law to establish streets laid out according
to Plan of Subdivision 65M-4086 as a public highway
Part of Lots 19 and 20, Concession 5
(Angus Glen Village Ltd. Trustee)
City of Markham, Regional Municipality of York

Whereas by plan of subdivision registered in the Land Registry Office for the Land Titles Division of York Region (No. 65) as No. 65M-4086, the streets laid out in accordance with the said plan of subdivision have been dedicated for highway purposes;

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

1. That the streets named, Glengordon Crescent, Dungannon Drive and Stollery Pond Crescent, and the Lanes namely Lane A, Lane B, Lane C and Lane D, inclusive, as laid out and dedicated in accordance with the Plan of Subdivision registered in the Land Registry Office for the Land Titles Division of York Region (No. 65) as Plan No. 65M-4086 is hereby adopted for public use and declared to be and form part of the City of Markham highway system.

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

Kimberley Kitteringham
City Clerk

Frank Scarpitti
Mayor



By-law 2020-xx

A by-law to establish streets laid out according
to Plan of Subdivision 65M-4204 as a public highway
Part of Lot 20, Concession 5
(Angus Glen Village Ltd.)
City of Markham, Regional Municipality of York

Whereas by plan of subdivision registered in the Land Registry Office for the Land Titles Division of York Region (No. 65) as No. 65M-4204, the streets laid out in accordance with the said plan of subdivision have been dedicated for highway purposes;

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

1. That the street named, Royal West Road, inclusive, as laid out and dedicated in accordance with the Plan of Subdivision registered in the Land Registry Office for the Land Titles Division of York Region (No. 65) as Plan No. 65M-4204 is hereby adopted for public use and declared to be and form part of the City of Markham highway system.

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

Kimberley Kitteringham
City Clerk

Frank Scarpitti
Mayor



By-law 2020-xx

A by-law to establish streets laid out according
to Plan of Subdivision 65M-4241 as a public highway
Part of Lot 20, Concession 5
(Angus Glen Village Ltd.)
City of Markham, Regional Municipality of York

Whereas by plan of subdivision registered in the Land Registry Office for the Land Titles Division of York Region (No. 65) as No. 65M-4241, the streets laid out in accordance with the said plan of subdivision have been dedicated for highway purposes;

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

1. That the street named, Royal West Road, inclusive, as laid out and dedicated in accordance with the Plan of Subdivision registered in the Land Registry Office for the Land Titles Division of York Region (No. 65) as Plan No. 65M-4241 is hereby adopted for public use and declared to be and form part of the City of Markham highway system.

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

Kimberley Kitteringham
City Clerk

Frank Scarpitti
Mayor



By-law 2020-xx

A by-law to establish streets laid out according
to Plan of Subdivision 65M-4357 as a public highway
Part of Lots 19 and 20, Concession 5
(Angus Glen Village Ltd.)
City of Markham, Regional Municipality of York

Whereas by plan of subdivision registered in the Land Registry Office for the Land Titles Division of York Region (No. 65) as No. 65M-4357, the streets laid out in accordance with the said plan of subdivision have been dedicated for highway purposes;

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

1. That the streets named Berkshire Crescent (both sections) and Stollery Pond Crescent, and the Lanes (Blocks 79, 80, and 81), inclusive, as laid out and dedicated in accordance with the Plan of Subdivision registered in the Land Registry Office for the Land Titles Division of York Region (No. 65) as Plan No. 65M-4357 is hereby adopted for public use and declared to be and form part of the City of Markham highway system.

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

Kimberley Kitteringham
City Clerk

Frank Scarpitti
Mayor



By-law 2020-xx

A by-law to establish streets laid out according
to Plan of Subdivision 65M-4429 as a public highway
Part of West Half of Lot 16, Concession 6
(Upper Unionville Inc.)
City of Markham, Regional Municipality of York

Whereas by plan of subdivision registered in the Land Registry Office for the Land Titles Division of York Region (No. 65) as No. 65M-4429, the streets laid out in accordance with the said plan of subdivision have been dedicated for highway purposes;

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

1. That the streets named Cherna Avenue, Nipigon Avenue, Ivanhoe Drive and London Plane Drive, and the Lanes (Blocks 49, 50, 51, 52 and 53), inclusive, as laid out and dedicated in accordance with the Plan of Subdivision registered in the Land Registry Office for the Land Titles Division of York Region (No. 65) as Plan No. 65M-4429 is hereby adopted for public use and declared to be and form part of the City of Markham highway system.

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

Kimberley Kitteringham
City Clerk

Frank Scarpitti
Mayor



By-law 2020-xx

A by-law to establish streets laid out according to Plan of Subdivision 65M-4496 as a public highway
Block 62, Registered Plan 65M-3908 and
Block 292, Registered Plan 65M-4008
(Box Gove North Inc. and Box Grove Hill Developments Inc.)
City of Markham, Regional Municipality of York

Whereas by plan of subdivision registered in the Land Registry Office for the Land Titles Division of York Region (No. 65) as No. 65M-4496, the streets laid out in accordance with the said plan of subdivision have been dedicated for highway purposes;

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

1. That the streets named Agatha Gamble Street, Decast Crescent, Luzon Avenue and Villa Ada Drive, and the Lanes (Blocks 42 and 43), inclusive, as laid out and dedicated in accordance with the Plan of Subdivision registered in the Land Registry Office for the Land Titles Division of York Region (No. 65) as Plan No. 65M-4496 is hereby adopted for public use and declared to be and form part of the City of Markham highway system.

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

Kimberley Kitteringham
City Clerk

Frank Scarpitti
Mayor



By-law 2020-xx

A by-law to establish streets laid out according
to Plan of Subdivision 65M-4498 as a public highway
Part of Lot 20, Concession 5
(Angus Glen Village Ltd.)
City of Markham, Regional Municipality of York

Whereas by plan of subdivision registered in the Land Registry Office for the Land Titles Division of York Region (No. 65) as No. 65M-4498, the streets laid out in accordance with the said plan of subdivision have been dedicated for highway purposes;

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

1. That the street named Tralee Court, and the Lane (Block 31), inclusive, as laid out and dedicated in accordance with the Plan of Subdivision registered in the Land Registry Office for the Land Titles Division of York Region (No. 65) as Plan No. 65M-4498 is hereby adopted for public use and declared to be and form part of the City of Markham highway system.

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

Kimberley Kitteringham
City Clerk

Frank Scarpitti
Mayor



By-law 2020-xx

A by-law to establish streets laid out according to Plan of Subdivision 65M-4613 as a public highway
Part of Lot 1, Registered Plan 3555,
Lots 6 and 7, Registered Plan 4113,
Part of Block 53, Registered Plan 65M-4065 and
Part of the East Half of Lot 16 and Part of Lot 17, Concession 5
(Kylemore Communities (Yorkton) Ltd.)
City of Markham, Regional Municipality of York

Whereas by plan of subdivision registered in the Land Registry Office for the Land Titles Division of York Region (No. 65) as No. 65M-4613, the streets laid out in accordance with the said plan of subdivision have been dedicated for highway purposes;

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

1. That the streets named Yorkton Boulevard and New Yorkton Avenue, inclusive, as laid out and dedicated in accordance with the Plan of Subdivision registered in the Land Registry Office for the Land Titles Division of York Region (No. 65) as Plan No. 65M-4613 is hereby adopted for public use and declared to be and form part of the City of Markham highway system.

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

Kimberley Kitteringham
City Clerk

Frank Scarpitti
Mayor



BY-LAW 2020-XXXX

A By-law to amend By-laws 1229, 1442, 1507, 1767, 1912, 2053, 2150, 2237, 2284-68, 2402, 2489, 2551, 2571, 2612, 11-72, 122-72, 77-73, 83-73, 84-73, 119-73, 151-75, 88-76, 127-76, 250-77, 145-78, 162-78, 163-78, 184-78, 72-79, 91-79, 118-79, 134-79, 153-80, 165-80, 72-81, 90-81, 108-81, 193-80, 221-81, 28-82, 194-82, 196-82, 47-85, 304-87, 19-94, 177-96, 28-97, and 2004-196, as amended

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

1. That By-laws **1229, 1442, 1507, 1767, 1912, 2053, 2150, 2237, 2284-68, 2402, 2489, 2551, 2571, 2612, 11-72, 122-72, 77-73, 83-73, 84-73, 119-73, 151-75, 88-76, 127-76, 250-77, 145-78, 162-78, 163-78, 184-78, 72-79, 91-79, 118-79, 134-79, 153-80, 165-80, 72-81, 90-81, 108-81, 193-80, 221-81, 28-82, 194-82, 196-82, 47-85, 304-87, 19-94, 177-96, 28-97, and 2004-196**, as amended, is hereby further amended as follows:

“1.1 By-laws 1229, 1442, 1507, 1767, 1912, 2053, 2150, 2237, 2284-68, 2402, 2489, 2551, 2571, 2612, 11-72, 122-72, 77-73, 83-73, 84-73, 119-73, 151-75, 88-76, 127-76, 250-77, 45-78, 162-78, 163-78, 184-78, 72-79, 91-79, 118-79, 134-79, 153-80, 165-80, 72-81, 90-81, 108-81, 193-80, 221-81, 28-82, 194-82, 196-82, 47-85, 304-87, 19-94, 28-97, 177-96, and 2004-196, as amended, are hereby amended, and the provisions in this By-law shall apply to all lands within the City of Markham. All other provisions of these By-laws, unless specifically modified/amended by this Section, shall continue to apply.

1.2 Special Zone Standards

Outdoor patios accessory to an existing permitted *restaurant* may be located within a *parking area*, *parking space*, or drive aisle subject to the following:

- a) There shall be no restriction on the maximum area of an *outdoor patio*;
- b) Notwithstanding a) above, an *outdoor patio* located within a *parking area* shall not occupy no more than the greater of:
 - i) 4 Parking spaces, or
 - ii) 33% of the provided parking spaces for the use;
- c) The *outdoor patio* area associated with a *restaurant* shall be exempt from requirements for provision of *parking spaces*;
- d) The *outdoor patio* does not occupy any required fire route;
- e) The *outdoor patios* does not occupy *accessible parking spaces*;
- f) The *outdoor patio* shall not be used to provide entertainment such as performances, music, and dancing;
- g) The *outdoor patio* may be located in a *yard* abutting a residential *zone* when located in an existing *parking area*;

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- h) The *outdoor patios* shall be setback a minimum of 11.8 metres from a residential *zone*; *and*
 - i) Notwithstanding any other provision within the By-law, temporary tents, canopies, or other temporary *structures* are permitted over any temporary patio authorized under this by-law subject to the following setbacks:
 - i) A minimum 1.2 metre setback to any *lot line* abutting a street
 - ii) A minimum 1.2 metres from any other municipal walkway.
2. This By-law shall be in force until December 31st, 2021.

Read a first, second, and third time and passed on XXXXXX

Kimberley Kitteringham
City Clerk

Frank Scarpitti
Mayor



EXPLANATORY NOTE

BY-LAW 2020 - XXX _____

A By-law to amend By-law 2020-XX, as amended

City of Markham

Lands Affected

This by-law amendment applies to all the lands governed by By-law 1229, 1442, 1507, 1767, 1912, 2053, 2150, 2237, 2284-68, 2402, 2489, 2551, 2571, 2612, 11-72, 122-72, 77-73, 83-73, 84-73, 119-73, 151-75, 88-76, 127-76, 250-77, 145-78, 162-78, 163 78, 184-78, 72-79, 91-79, 118-79, 134-79, 153-80, 165-80, 72-81, 90-81, 108-81, 193-80, 221-81, 28-82, 194-82, 196-82, 47-85, 304-87, 19-94, 28-97, 177-96, and 2004-196, as amended, as amended.

Purpose and Effect

The purpose and effect of the By-law amendment is to add additional special zone standards for outdoor patios within the geographic boundaries governed by By-laws 1229, 1442, 1507, 1767, 1912, 2053, 2150, 2237, 2284-68, 2402, 2489, 2551, 2571, 2612, 11-72, 122-72, 77-73, 83-73, 84-73, 119-73, 151-75, 88-76, 127-76, 250-77, 145-78, 162-78, 163 78, 184-78, 72-79, 91-79, 118-79, 134-79, 153-80, 165-80, 72-81, 90-81, 108-81, 193-80, 221-81, 28-82, 194-82, 196-82, 47-85, 304-87, 19-94, 28-97, 177-96, and 2004-196, as amended. This by-law will act to replace by-law 2020-52 allowing the continued operation of existing temporary patios, and patio expansions, while also permitting new temporary patios, and the use of temporary structures such as tents within temporary patio areas until December 31st, 2021.