



Electronic Council Meeting

Agenda

Meeting No. 4
March 9, 2021, 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 Council Meeting Agenda

Meeting No. 4

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Closed captioning during the video stream may be turned on by clicking the **[cc]** icon located at the lower right corner of the video screen.

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 - FEBRUARY 23, 2021

6

1. That the Minutes of the Council Meeting held on February 23, 2021, be adopted.

4. PRESENTATIONS

5. DEPUTATIONS

6. COMMUNICATIONS

7. PROCLAMATIONS

7.1. PROCLAMATIONS (3.4)

No Attachment

1. That the following proclamations, issued by the City Clerk in accordance with the City of Markham Proclamation Policy, be received for information purposes:
 - a. Epilepsy Awareness Month - March, 2021
 - b. Purple Day (Epilepsy Awareness) - March 26, 2021
 - c. Apraxia Awareness Day - May 14, 2021
2. That the following new request for proclamation, issued by the City Clerk in accordance with the City of Markham Proclamation Policy, be received and added to the Five-Year Proclamations List approved by Council:
 - a. World Down Syndrome Day - March 21, 2021

8. REPORT OF STANDING COMMITTEE

8.1. REPORT NO. 6 - DEVELOPMENT SERVICES COMMITTEE (FEBRUARY 22, 2021)

Please refer to your February 22, 2021 Development Services Committee Agenda for reports.

Mayor and Members of Council:

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

8.1.1. HERITAGE MARKHAM COMMITTEE TERMS OF REFERENCE AND BY-LAW (2021) (16.11)

18

1. That the staff report entitled “Heritage Markham Committee Terms of Reference and By-law (2021)”, dated February 22, 2021, be received;
2. That the By-law, attached as Appendix A, be enacted by Council;
3. That the Heritage Markham Committee Terms of Reference, attached as Appendix ‘B, **as amended**, be approved;
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.
(By-law 2021-18)

8.2. REPORT NO. 7 - GENERAL COMMITTEE (MARCH 1, 2021)

Please refer to your March 1, 2021 General Committee Agenda for reports.

Mayor and Members of Council:

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

- | | | |
|--------|--|-----|
| 8.2.1. | 2020 YEAR-END RESULTS OF OPERATIONS (7.0) | 47 |
| | <ol style="list-style-type: none"> 1. That the report titled “2020 Year-End Review of Operations” be received; and, 2. That a COVID-19 Reserve be established from the Safe Restart Agreement funding to be used to offset COVID-19 operating impacts; and, 3. That the City’s 2020 COVID-19 net favourable variance of \$2.21M be allocated as follows: <ol style="list-style-type: none"> a. \$1.30M COVID provision for future tax adjustments; b. \$0.91M transfer to the COVID-19 Reserve; 4. That the City’s 2020 net operations favourable variance of \$7.60M be transferred as follows, as per the approved Financial Planning and Budgeting Policy: <ol style="list-style-type: none"> a. \$3.60M one-time funding to replenish the Corporate Rate Stabilization Reserve; b. \$0.79M to the Corporate Rate Stabilization Reserve to achieve a balance equal to 15% of the local tax levy; c. \$3.21M to the Life Cycle Capital Replacement and Capital Reserve Fund; and further, 5. That Staff be authorized and directed to do all things necessary to give effect to this resolution. | |
| 8.2.2. | CANADA HEALTHY COMMUNITIES INITIATIVE (7.6) | 86 |
| | <ol style="list-style-type: none"> 1. That the presentation titled "Canada Healthy Communities Initiative" be received for information; and, 2. That the Committee support the Franklin Carmichael Park - Multi-Purpose Outdoor Hard Surface project for the City's Round One submission. | |
| 8.2.3. | DEVELOPMENT CHARGE DEFERRAL – ST. MARY AND ST. SAMUEL THE CONFESSOR COPTIC ORTHODOX CHURCH (7.11) | 147 |
| | <ol style="list-style-type: none"> 1. That the report entitled, “Development Charge Deferral - St. Mary and St. Samuel The Confessor Coptic Orthodox | |

Church”, dated March 1, 2021, be received;

2. That the Mayor and Clerk be authorized and directed to enter into an agreement with the applicant to secure the following terms of approval:
 - a. The development charges be deferred for a period not longer than three (3) years from the date of building permit issuance, following which the charges will become payable,
 - b. The development charges payable be calculated **at the rate in effect at building permit issuance or in accordance with the provisions of prevailing Development Charge By-laws at the time of payment;**
 - c. **That no interest be charged on the outstanding balance if paid within three years of the building permit being issued;**
 - d. In accordance with Section 32(1) of *The Development Charges Act, 1997 as amended*, should the development charges remain unpaid after the amount becomes payable, the amount unpaid shall be added to the tax roll and collected in the same manner as taxes,
 - e. That the fees applicable to a DC Deferral **be waived,**
3. That the recommendation of a deferral, if so granted, be forwarded to the Regional Clerk of York for consideration on the treatment of the Regional Development Charges;
4. **That staff review the applicability of charging Development Charges to not-for-profit daycare facilities in the review of the Development Charge By-law and recommend that the Region also investigate the application of Development Charges for not-for-profit daycares; and further,**
5. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

9. MOTIONS

10. NOTICE OF MOTION TO RECONSIDER

11. NEW/OTHER BUSINESS

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

time requirement, or an emergency, or time sensitivity".

12. ANNOUNCEMENTS

13. BY-LAWS - THREE READINGS

That By-law 2021-18 and 2021-19 be given three readings and enacted.

Three Readings

- | | | |
|-------|--|-----|
| 13.1. | BY-LAW 2021-18 A BY-LAW IN RESPECT TO THE MANDATE AND OPERATION OF THE CITY'S MUNICIPAL HERITAGE COMMITTEE

(Item 8.1.1, Report 6) | 153 |
| 13.2. | BY-LAW 2021-19 A BY-LAW TO STOP UP AND CLOSE A PORTION OF ENTERPRISE BOULEVARD DESCRIBED AS PART OF LOT 9, CONCESSION 5, DESIGNATED AS PARTS 9, 11, 15, 17, 19, 21, AND 23 ON PLAN 65R-39258 | 155 |

14. CONFIDENTIAL ITEMS

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

- | | |
|---------|---|
| 14.1. | GENERAL COMMITTEE - MARCH 1, 2021 |
| 14.1.1. | ADVICE THAT IS SUBJECT TO SOLICITOR-CLIENT PRIVILEGE, INCLUDING COMMUNICATIONS NECESSARY FOR THAT PURPOSE; REPORTING OUT OF LEASE (8.2) [SECTION 239 (2) (f)] |

15. CONFIRMATORY BY-LAW - THREE READINGS

That By-law 2021-20 be given three readings and enacted.

Three Readings

BY-LAW 2021-20 - A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE COUNCIL MEETING OF MARCH 9, 2021.

No attachment

16. ADJOURNMENT



Electronic Council Meeting Minutes

Meeting No. 3

February 23, 2021, 1:00 PM

Live streamed

Roll Call	<p>Mayor Frank Scarpitti</p> <p>Deputy Mayor Don Hamilton</p> <p>Regional Councillor Jack Heath</p> <p>Regional Councillor Joe Li</p> <p>Regional Councillor Jim Jones</p> <p>Councillor Keith Irish</p> <p>Councillor Alan Ho</p>	<p>Councillor Reid McAlpine</p> <p>Councillor Karen Rea</p> <p>Councillor Andrew Keyes</p> <p>Councillor Amanda Collucci</p> <p>Councillor Khalid Usman</p> <p>Councillor Isa Lee</p>
Staff	<p>Andy Taylor, Chief Administrative Officer</p> <p>Trinela Cane, Commissioner, Corporate Services</p> <p>Arvin Prasad, Commissioner, Development Services</p> <p>Claudia Storto, City Solicitor and Director of Human Resources</p> <p>Biju Karumanchery, Director, Planning & Urban Design</p> <p>Joel Lustig, Treasurer</p> <p>Bryan Frois, Chief of Staff</p> <p>Meg West, Manager of Business Planning and Projects</p> <p>Kimberley Kitteringham, City Clerk</p> <p>Martha Pettit, Deputy City Clerk</p> <p>John Wong, Technology Support Specialist II</p>	<p>Hristina Giantsopoulos, Election/Council & Committee Coordinator</p> <p>Morgan Jones, Director, Operations</p> <p>David Plant, Sr. Mgr, Parks, Horticulture & Forestry</p> <p>Todd Wilkinson, Manager, By-Law Services</p> <p>Christina Kakaflikas, Acting Director, Economic Growth, Culture & Entrepreneurship</p> <p>Eric Lariviere, Manager, Flato Theatre</p> <p>Harvinder Saini, Supervisor, Provincial Offences Officer</p> <p>Jeff Rahim, Supervisor, Licensing & Standards</p> <p>Jeff Madeley, Manager, Financial Services</p> <p>Amanda Samara, Administrative Assistant, Building Standards Dept.</p> <p>Crystal Thorne, Administrative Assistant, Development Services Commission</p>

Alternate formats for this document are available upon request

1. CALL TO ORDER

The meeting of Council convened at 1:10 PM on February 23, 2021. 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.

Mayor Frank Scarpitti recognized the passing of Lucy Anne Poscente, a Thornhill resident and a long-time organizer of the annual Heintzman House Art Show. Council observed a moment of silence.

The Mayor also announced that Markham's 2020 virtual Canada Day celebrations was announced as a winner of a "2021 FEO Achievement Award" and congratulated the Corporate Communications team as well as the Canada Day Committee and Committee Co-Chairs, Councillor Amanda Collucci and Councillor Khalid Usman.

2. DISCLOSURE OF PECUNIARY INTEREST

None disclosed.

3. APPROVAL OF PREVIOUS MINUTES**3.1 COUNCIL MINUTES - FEBRUARY 9, 2021**

Moved by Councillor Andrew Keyes

Seconded by Councillor Isa Lee

1. That the Minutes of the Council Meeting held on February 9, 2021, be adopted.

Carried

4. PRESENTATIONS

4.1 UNITED WAY CHEQUE PRESENTATION (12.2.6)

Samantha Cook of United Way Greater Toronto was in attendance for the cheque presentation. Mayor Frank Scarpitti recognized Amanda Samara and Crystal Thorne, Co-Chairs, and Andy Taylor and Arvin Prasad, Co-Sponsors of the 2020 United Way Campaign and all City of Markham staff who demonstrated their commitment to this great cause.

5. DEPUTATIONS

5.1 DEPUTATIONS - WINTER ACTIVITIES ON PONDS (5.6)

The following addressed Council on this matter:

1. Andrea Winarski
2. Daniel Santos
3. Fred Wong

(See Item 8.2.2, Report 6 for Council's decision on this matter)

6. COMMUNICATIONS

6.1 COMMUNICATIONS - WINTER ACTIVITIES ON PONDS (5.6)

1. Email from Mark Deep dated February 23, 2021 providing comments.
2. Email from Fred Wong dated February 23, 2021 providing comments.

(See Item 8.2.2, Report 6 for Council's decision on this matter)

7. PROCLAMATIONS

None.

8. REPORT OF STANDING COMMITTEE

8.1 REPORT NO. 5 - GENERAL COMMITTEE (FEBRUARY 16, 2021)

Moved by Regional Councillor Jack Heath

Seconded by Councillor Andrew Keyes

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

Carried

8.1.1 SCHOOL CROSSING GUARD PROGRAM CONTRACT EXTENSION (CITY WIDE) (7.4, 7.12)

Moved by Regional Councillor Jack Heath

Seconded by Councillor Andrew Keyes

1. That the report entitled “ School Crossing Guard Program Contract Extension (City Wide)” be received; and,
2. That the contract for school crossing guard services be extended for one (1) year with Staffing Services Inc. from September 2021 to June 2022 in the amount of \$718,753.65 (inclusive of HST); and,
3. That the tendering process be waived in accordance with the City’s Purchasing By-law # 2017-8, Part II, Section 11.1(c), Non Competitive Procurement which states, “when the extension of an existing Contract would prove more cost-effective or beneficial”; and,
4. That the award in the amount of \$718,753.65 inclusive of HST be funded from Operating Budget #740-998-5642 “School Crossing Guards”; and further,
5. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

8.1.2 AWARD OF PROPOSAL 102-R-20 CONSULTING SERVICES -
SUPPLY, IMPLEMENTATION, AND ONGOING SUPPORT OF A
PARKING ENFORCEMENT E-TICKETING AND PAYMENT
SOLUTION (2.17)

Moved by Regional Councillor Jack Heath

Seconded by Councillor Andrew Keyes

1. That the report entitled “Award of Proposal 102-R-20 Consulting Services -Supply, Implementation, and Ongoing Support of a Parking Enforcement E-Ticketing and Payment Solution” be received; and,
2. That the contract 102-R-20 for Supply and Implementation of a Parking Enforcement E-Ticketing and Payment Solution (One time - hardware, implementation and training costs) (Recurring - software licenses, ongoing support and maintenance) be awarded to the highest ranked/lowest priced bidder, Groupe Techna Inc. in the amount of \$210,996.28 inclusive of HST; and,
3. That a contingency in the amount of \$21,099.63 inclusive of HST be established to cover any additional project costs be approved, and that authorization be granted to approve expenditures of this contingency amount up to the specified limit in accordance with the Expenditure Control Policy; and,
4. That staff be authorized to hire a Business Support project resource for 10 months at a cost of \$104,032.82 to support the project implementation; and,
5. That the capital costs be funded from capital project GL account 400-101-5399-20053 and GL account 049-6150-18316-005, with a combined available budget of \$623,745.00; and,
6. That the remaining budget in the amount of \$287,616.27 (\$623,745.00 - 336,128.73) be returned to the original funding source; and,
7. That the contract for software licenses, ongoing support and maintenance costs for 9 years be awarded to Groupe Techna Inc. in the amount of \$385,073.44, inclusive of HST (\$199,001.60 fee for 5 years + \$186,071.84 fee for the 4 renewal options) to be funded from 400-400-5361 with a current annual budget of \$15,526.54, and subject to Council approval of the 2022-2030 operating budgets in the amounts of:

- a. Year 2 (2022) - \$ 39,800.32
- b. Year 3 (2023) - \$ 39,800.32
- c. Year 4 (2024) - \$ 39,800.32
- d. Year 5 (2025) - \$ 39,800.32
- e. Year 6 (2026) - \$ 39,800.32
- f. Year 7 (2027) - \$ 46,517.96 *
- g. Year 8 (2028) - \$ 46,517.96 *
- h. Year 9 (2029) - \$ 46,517.96 *
- i. Year 10 (2030) - \$ 46,517.96 *

Total - \$385,073.44

* Optional Year Renewal

- 8. That the Chief Administrative Officer and Commissioner, Corporate Services be authorized to approve the additional renewal years (Years 7 to 10) on behalf of the City (in its sole discretion), and execute any required documentation in a form satisfactory to the City Solicitor; and,
- 9. That Groupe Techna Inc. be designated as the preferred vendor for the City's Parking Enforcement E-Ticketing and Payment Solution service needs at the sole discretion of the City and for Groupe Techna Inc. software products for the term of this contract; and,
- 10. That the Chief Administrative Officer and Commissioner, Corporate Services be authorized to approve any new purchases related to this contract needed due to growth and/or future Parking Enforcement E-Ticketing and Payment Solution upgrades 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, in a form satisfactory to the City Solicitor and at the sole discretion of the City; and further,
- 11. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

8.2 REPORT NO. 6 - DEVELOPMENT SERVICES COMMITTEE (FEBRUARY 22, 2021)

Moved by Regional Councillor Jim Jones

Seconded by Councillor Alan Ho

That the report of the Development Services Committee be received & adopted (Item 8.2.1).

Carried

8.2.1 DESTINATION MARKHAM CORPORATION 2021 BUSINESS PLAN AND BUDGET (10.16)

Moved by Regional Councillor Jim Jones

Seconded by Councillor Alan Ho

1. That the report “Destination Markham Corporation 2021 Business Plan and Budget” be received; and,
2. That Council approve the “Destination Markham Corporation 2021 Business Plan”; and,
3. That Council approve the Destination Markham Corporation 2021 Budget to a maximum of \$1,236,000; and further,
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

8.2.2 WINTER ACTIVITIES ON PONDS (5.6)

Morgan Jones, Director of Operations outlined the history of activities, reports and resolutions on this matter. Claudia Storto, City Solicitor and Director of Human Resources, advised that legislation and case law has evolved over the years and that the City could be held liable for a variety of potential claims even if it has taken all steps possible to protect the public. On the issue of transferring liability, it will likely not be accepted by the Courts and will leave the City open to liability.

Moved by Councillor Andrew Keyes

Seconded by Councillor Reid McAlpine

1. That the Memorandum dated February 23, 2021 from Morgan Jones on "Toogood Pond - Recreational Use of Natural Ice"; be received, and,
2. **That the deputations from Andrea Winarski, Daniel Santos and Fred Wong, and the written communications from Mark Deep and Fred Wong, be received; and,**
3. **That Staff look into developing 3 - 4 potential key skating surfaces located throughout the City, in addition to artificial public rinks, and report back on potential sites and costs; and,**
4. **That Staff review areas like the area in the vicinity of Milne Pond to determine whether similar issues are encountered and report back in time for the 2021-2022 winter season to see what can be provided for the public to enjoy; and further,**
5. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried as Amended

Council consented to amend the resolution by adding the following clauses:

- 3. That Staff look into developing 3 - 4 potential key skating surfaces located throughout the City, in addition to artificial public rinks, and report back on potential sites and costs; and,**
- 4. That Staff review areas like the area in the vicinity of Milne Pond to determine whether similar issues are encountered and report back in time for the 2021-2022 winter season to see what can be provided for the public to enjoy; and further,**

Council had before it the following original recommendation for consideration:

1. That the Memorandum dated February 23, 2021 from Morgan Jones on "Toogood Pond - Recreational Use of Natural Ice", be received; and,
2. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Moved by Regional Councillor Jack Heath

Seconded by Councillor Andrew Keyes

1. That Council consider the matter of "Winter Activities on Ponds" immediately following Communications with respect thereto.

Carried

9. MOTIONS

There were no motions.

10. NOTICE OF MOTION TO RECONSIDER

There were no notices of motions.

11. NEW/OTHER BUSINESS

There was no new / other business.

12. ANNOUNCEMENTS

There were no announcements.

13. BY-LAWS - THREE READINGS

None.

14. CONFIDENTIAL ITEMS

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

14.1 COUNCIL

14.1.1 APPROVAL OF CONFIDENTIAL COUNCIL MINUTES - FEBRUARY 9, 2021 (10.0)

Moved by Councillor Amanda Collucci

Seconded by Councillor Karen Rea

1. That the confidential Council minutes of February 9, 2021, be adopted.

Carried

14.1.2 APPOINTMENTS AND RESIGNATIONS TO BOARDS/COMMITTEES (16.11) [SECTION 239 (2)(b)]

Moved by Regional Councillor Joe Li

Seconded by Councillor Keith Irish

1. That the following persons be appointed or re-appointed to the Heintzman House Community Centre Board with a term expiry as indicated:

Dorenda McNeil	November 30, 2024
Robert Edmison	November 30, 2024
Chung Seto	November 30, 2024

2. That the following persons be re-appointed to the Race Relations Committee with a term expiry as indicated:

Sujane Kandasmy	November 30, 2024
Edward Choi	November 30, 2024
Faiz Mohyuddin	November 30, 2023

3. That the resignation of Jack Leung and Anisa Anwar from the Friends of the Markham Museum Board be received

with regret for information purposes and that letters of appreciation be forward by Mayor Frank Scarpitti.

Carried

14.1.3 APPOINTMENTS AND RESIGNATIONS

TO BOARDS/COMMITTEES - APPOINTMENT OF MEMBER TO
THE BOARD OF MANAGEMENT FOR THE MAIN STREET
UNIONVILLE BUSINESS IMPROVEMENT AREA (UBIA)
(16.24) [SECTION 239 (2)(b)]

Moved by Councillor Reid McAlpine

Seconded by Deputy Mayor Don Hamilton

1. That Council appoint the following individuals as Directors of the Board of Management for the Main Street Unionville Business Improvement Area (UBIA) with a term expiry as indicated:

Debbie Smrz	November 14, 2022
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Kash Mahmood	November 14, 2022
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2. That the resignation of Rob Kadlovski and Sylvia Morris as Directors of the Board of Management for the Main Street Unionville Business Improvement Area (UBIA) be received with regret for information purposes and that letters of appreciation be forward by Mayor Frank Scarpitti.

Carried

15. CONFIRMATORY BY-LAW - THREE READINGS

Moved by Councillor Alan Ho
Seconded by Councillor Khalid Usman

That By-law 2021-17 be given three readings and enacted.

Three Readings

BY-LAW 2021-17 - A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE
COUNCIL MEETING OF February 23, 2021

Carried

16. ADJOURNMENT

Moved by Councillor Isa Lee
Seconded by Councillor Keith Irish

That the Council meeting be adjourned at 3:08 p.m.

Carried

Kimberley Kitteringham
City Clerk

Frank Scarpitti
Mayor



Report to: Development Services Committee

Meeting Date: February 22, 2021

SUBJECT: Heritage Markham Committee Terms of Reference and By-law (2021)
PREPARED BY: Regan Hutcheson, Manager, Heritage Planning, ext. 2080
REVIEWED BY: Ron Blake, Senior Development Manager, ext. 2600

RECOMMENDATION:

- 1) That the staff report entitled “Heritage Markham Committee Terms of Reference and By-law (2021)”, dated February 22, 2021, be received;
- 2) That the By-law, attached as Appendix A, be enacted by Council;
- 3) That the Heritage Markham Committee Terms of Reference, attached as Appendix ‘B; be approved;
- 4) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

PURPOSE:

To approve a new terms of reference and by-law for the Heritage Markham Committee.

BACKGROUND:

The municipal heritage committee was created in 1975.

The Heritage Markham Committee was established by by-law in 1975 making it one of the oldest advisory committees in the City (By-law 173-75). A procedural by-law in respect to the operation of the Heritage Markham Committee was approved in 1991 (By-law 54-91). This by-law is now quite dated and does not adequately reflect the current procedures or operations of the Committee. The new Markham Official Plan (2014) also provides additional guidance on the roles and responsibilities of the municipal heritage committee.

Direction was provided to draft an updated terms of reference for the Committee

In 2017, Development Services Committee received a staff report on the Heritage Markham Committee focused on the issue of conflict of interest and directed staff to undertake a number of tasks including the preparation of a new terms of reference for the Committee. Staff was directed to ensure that the document better identify the characteristics or attributes desired for committee members so the Appointment Committee would fully understand the desired qualifications when considering candidates, and to address the issue of members who may be employed in a heritage related occupation from a conflict of interest perspective.

OPTIONS/ DISCUSSION:**A new comprehensive terms of reference and by-law have been prepared**

Heritage Section staff, in consultation with Legal and Clerks staff, has drafted a new Heritage Markham Terms of Reference and By-law. The new version would replace Heritage Markham Procedural By-law 54-91.

The new terms of reference document addresses: the committee's mandate, its statutory and non-statutory roles, organizational issues, meeting protocol, annual budget, role of committee members, role of City staff, reporting method and a glossary of terms.

Section 28 (1) of the *Ontario Heritage Act* indicates that the council of a municipality may by by-law establish a municipal heritage committee to advise and assist the council on matters relating to Part IV (individual designation), matters relating to Part V (heritage conservation district designation) and such other heritage matters as the council may specify by by-law. Markham established Heritage Markham Committee through By-law 173-75 to assist and provide advice on matters related to Part IV and V of the Heritage Act, but not any other non-statutory roles. Council did adopt a Heritage Markham procedural by-law in 1991 that does specify other heritage matters and roles, but as previously noted, this by-law is out of date and needs to be replaced.

The new Terms of Reference are not proposed to be part of a new by-law. The new by-law (attached to this report as appendix A) identifies the general function and mandate of the municipal heritage committee. The terms of reference further refine the committee's mandate and purpose, and addresses its operation, roles and responsibilities. Staff suggest keeping the terms of reference as a separate document which would allow it to be amended in the future by Council resolution without the need for a formal by-law amendment.

Sources used to help prepare these documents included the Ministry of Heritage's "*Guide to Establishing and Sustaining an Effective Municipal Heritage Committee*", our current Heritage Markham procedural by-law; information from Legal Services, and other information provided over the years related to Heritage Markham operations; our Official Plan heritage policies; and Terms of Reference documents from other municipal heritage committees such as Ottawa, Kingston and Oakville.

Heritage Markham has reviewed the documents and provided comments

Heritage Markham Committee offered comments on the draft documents on June 10, 2020 and January 13, 2021. See Appendix 'C' for the June 2020 and January 2021 Extracts. Most of the changes were minor edits. The committee did provide feedback on the eligibility of members to chair the meeting and heritage conservation district representation as well as the conflict of interest section. Heritage Markham Committee supports the proposed terms of reference and by-law, as revised.

Key changes proposed for the Heritage Markham Committee

The following are the main changes reflected in the terms of reference:

a) Non Statutory Role – the non-statutory matters upon which the advice of Heritage Markham will be sought are clearly identified (section 1.3).

b) Composition of Committee – the Committee will still consist of 10 citizen members and three members of Council. The desired number of citizen members from each major heritage conservation district (or the associated community around those districts) has been reduced from 3 to 2 (for a total of 6 members from these heritage areas). This will allow for 4 citizen members from anywhere inside or outside the municipality in order to attract the best candidates no matter where they may reside. Notwithstanding the above, Council may choose to deviate from the geographic approach, if necessary (section 2.1)

c) Qualifications – as requested by Council, the characteristics, qualities or skills which are desirable for Heritage Markham Committee members are clearly identified. This information should also assist the Appointment Committee when considering candidates for the Committee. This section also notes that candidates who are employed in a heritage or heritage-related occupation, and who from time to time may have to declare a conflict of interest due to their projects being reviewed by the Committee, will not be disqualified as potential members. (section 2.2)

d) Chair of Heritage Markham – the document clarifies that any member of Heritage Markham may be elected Chair or Vice Chair, including a member of council appointed to the Committee. (section 2.4)

e) Meetings – In accordance with legislation, if circumstances warrant and legislation permits, a Heritage Markham meeting may be held in a manner using technology that would not require members to meet in person. (section 3.1)

f) Consideration of Agenda Items and Deputations – the process is documented to enhance clarity and understanding. (sections 3.5 and 3.6)

g) Conflict of Interest – the former process allowed members who earn their living in a heritage related profession (and may be required to represent their client at Heritage Markham) to declare a conflict of interest but present the application or matter to Committee and answer any technical questions prior to removing themselves from the meeting. This process has been removed in the new Terms of Reference. After careful consideration of Ontario's current conflict of interest legislation, City staff has concluded that any form of presentation could be construed as an "attempt to influence", which would be contrary to the intent of the legislation. A member who has been retained for a matter before the committee is considered to have a conflict of interest and should have another representative appear before the committee if a presentation is required or to answer questions. (section 3.7)

h) Safety and Disruptions – disruptive behaviours are defined and appropriate protocols to ensure a safe meeting are documented. (section 3.10)

i) Roles – the roles and responsibilities of both committee members and staff are clearly defined. (Sections 5 and 6)

j) Reporting Methods – to ensure the recommendations of the Heritage Markham Committee are duly considered and addressed, the reporting methods have been documented.

Recommendation

It is recommended that the By-law, attached as Appendix 'A', be enacted and that the Heritage Markham Terms of Reference, attached as Appendix 'B' be approved.

FINANCIAL CONSIDERATIONS

Not applicable

HUMAN RESOURCES CONSIDERATIONS

Not applicable

ALIGNMENT WITH STRATEGIC PRIORITIES:

Not applicable

BUSINESS UNITS CONSULTED AND AFFECTED:

Clerks and Legal staff were consulted. Heritage Markham Committee was consulted.

RECOMMENDED BY:

Biju Karumanchery, RPP, MCIP
Director, Planning & Urban Design

Arvin Prasad, RPP, MCIP
Commissioner, Development
Services

ATTACHMENTS:

Appendix 'A' – Draft By-law

Appendix 'B' – Heritage Markham Terms of Reference

Appendix 'C' – Heritage Markham Extracts – January 13, 2021 & June 10, 2020

Appendix 'A' – Draft By-law

THE CORPORATION OF THE CITY OF MARKHAM
BY-LAW NUMBER

A By-law in respect to the mandate and operation
of the City's municipal heritage committee
(Heritage Markham)

WHEREAS the Council of the City of Markham is desirous of fostering an interest in and awareness of the City's cultural heritage resources, as well as providing for the protection, conservation, celebration and commemoration of these resources;

AND WHEREAS Council desires to be advised and assisted in this regard by members of the community with an interest, expertise and knowledge in this area;

AND WHEREAS Council of the Town of Markham did enact By-law 173-75 pursuant to Section 28 of the *Ontario Heritage Act* to establish a Local Architectural Conservation Advisory Committee on October 28, 1975, hereinafter referred to as the Heritage Markham Committee;

AND WHEREAS Council did enact By-law 54-91 on February 26, 1991 to adopt a procedural by-law in respect to the operation of the Heritage Markham Committee;

AND WHEREAS the Province of Ontario amended the *Ontario Heritage Act* in 2002 specifying that every local architectural conservation advisory committee established by the council of a municipality before the day subsection 2 (7) of Schedule F to the *Government Efficiency Act, 2002* comes into force is continued as the municipal heritage committee of the municipality;

AND WHEREAS Council deems it appropriate to adopt a new by-law in respect to the mandate and operation of the City's municipal heritage committee;

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

1. That By-law 54-91 – A By-law in respect to the operation of the Town of Markham Local Architectural Conservation Advisory Committee (Heritage Markham) be repealed;
2. That the function of the Heritage Markham Committee is to advise and assist Council in matters relating to the identification, protection, conservation, use and/or management, celebration and commemoration of cultural heritage resources within the City in such a way that their heritage values, attributes and integrity are retained.
3. That subject to the *Ontario Heritage Act*, R.S.O. 1990, c.O.18, as amended from time to time, and to such limitations and restrictions as Council may herein and hereafter impose either by by-law or resolution, the Heritage Markham Committee shall provide advice to Council on:

-
- statutory matters pursuant to the *Ontario Heritage Act* that require the input of a municipal heritage committee, (unless those matters have been delegated to staff through a delegation by-law), and
 - non-statutory matters as identified by Council which involve or affect cultural heritage resources, including but not limited to, review of development and building permit applications and public works; maintaining a heritage register; research, evaluation and classification of properties; protection mechanisms; policy development and review; financial assistance opportunities; and education, promotion and commemoration; and
4. That Terms of Reference for the Heritage Markham Committee shall be adopted to address the mandate and operation of the committee, including but not limited to, the identification of statutory and non-statutory responsibilities, the organization of the committee (such as composition, qualifications, terms of service, officers), the organization of meetings (such as scheduling, sub-committees, agendas, quorum, delegations, conflicts), annual budget, role of committee members, role of City staff and reporting methods.

READ A FIRST, SECOND AND THIRD TIME AND PASSED THIS ____ DAY OF _____, 2021

KIMBERLEY KITTINGHAM, CITY CLERK

FRANK SCARPITTI, MAYOR

Appendix 'B' – Terms of Reference**Heritage Markham Committee
Terms of Reference****Table of Contents**

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Appendix A – Glossary of Terms

Note

The provisions in this terms of reference shall be interpreted in accordance with the Glossary of Terms, attached as Appendix 'A'.

Approved By Council:

Revisions:

1. Mandate of Heritage Markham Committee

1.1 Municipal Heritage Committee

- 1.1.1 As authorized under the *Ontario Heritage Act*, in 1975 Markham Council established, through By-law 173-75, a municipal heritage committee.
- 1.1.2 The name of Markham's municipal heritage committee is 'Heritage Markham'.
- 1.1.3 The Heritage Markham Committee is appointed by and is responsible and accountable to Council for the City of Markham ("Markham Council").
- 1.1.4 Markham Council will consult with the Heritage Markham Committee on matters as required by the *Ontario Heritage Act*, the Markham Official Plan, as specified through the passing of a by-law or resolution, and as set out in this Terms of Reference.
- 1.1.5 The Heritage Markham Committee will be guided by the policies and regulations of the *Ontario Heritage Act*, heritage conservation guidelines endorsed by the Province of Ontario, policies in the Markham Official Plan, individual heritage conservation district plans, and heritage policies adopted by Markham Council.
- 1.1.6 The Heritage Markham Committee is an advisory committee. The role of the Committee is to advise and make recommendations on the identification, protection, conservation, use and/or management, celebration and commemoration of cultural heritage resources. All final decisions rest with Markham Council (or a Standing Committee of Council) except where Council has delegated approval authority to municipal staff or to Heritage Markham.

1.2 Statutory Role

- 1.2.1 Markham Council and City staff will seek the advice of the Heritage Markham Committee on the statutory provisions requiring consultation as provided for in the *Ontario Heritage Act*, as amended, including the following:

Under Part IV of the *Act*, to consult with the Heritage Markham Committee:

- before including a property in the Markham Register of Property of Cultural Heritage Value or Interest or removing the reference to such a property from the register;
- before Council passes an intention to designate a property;
- on an application to alter a designated property;
- on an application to amend or repeal a designation by-law;
- on an application to demolish or remove any of a property's heritage attributes as set out in a by-law or any building or structure on the property;

- before passing a by-law regarding an easement or covenant for the purpose of conservation of property of cultural heritage value or interest;
- before delegating by by-law Council's power to consent to alterations to property to an employee or official of the municipality.

Under Part V of the *Act*, to consult with the Heritage Markham Committee:

- before undertaking a study of any area of the municipality for the purpose of designating one or more heritage conservation districts;
- on an application to erect a building or structure, demolish or remove a building or structure, or demolish or remove any attribute of the property if the demolition or removal would affect a heritage attribute described in the heritage conservation district plan; (the 'erect' reference is from the new changes in 2020 that are to come into force in 2021)
- before delegating by by-law Council's power to grant permits for the alteration of property situated in a heritage conservation district to an employee or official of the municipality.

1.3 Non-Statutory Role

1.3.1 Markham Council and City staff will seek the advice of the Heritage Markham Committee on non-statutory activities and responsibilities including the following, subject to such limitations and restrictions as Council may herein or hereafter impose either by by-law or resolution. Heritage Markham may:

a) Land Use Planning Applications

- Provide advice to the land use planning process where cultural heritage resources are located on or adjacent to properties that are the subject of development applications including, but not limited to, amendments to the official plan and zoning by-laws, plans of subdivision, site plan control review, consent applications, minor variance applications, and heritage permits.
- Provide advice on natural heritage resources/landscapes if they are considered attributes in support of or associated with a cultural heritage resource.

b) Building Permits

- Provide advice through review and comment on building permits, signage permits and demolition permits affecting cultural heritage resources.

c) Public Works

- Render advice and information related to public works affecting cultural heritage resources.

d) Markham Register of Property of Cultural Heritage Value or Interest

- Identify and recommend properties to be added or deleted from the Register.

- Ensure the Register is maintained, accurate, updated as required and available to the public.

e) Evaluation of Cultural Heritage Resources

- Assist in the research, evaluation and classification of properties as to their cultural heritage significance.

f) Research

- Ensure research and inventory projects are undertaken, as required

g) Protection of Cultural Heritage Resources

- Identify and provide advice on properties that warrant designation and/or further protection, under the *Ontario Heritage Act*.
- Offer advice on proposals affecting or impacting cultural heritage resources on properties in Markham owned or under the control of the municipality, other municipalities, the provincial government and the federal government, including the Rouge National Urban Park.
- Offer advice on heritage conservation plans, heritage impact assessments and other similar documents affecting cultural heritage resources.

h) Policy Development

- Provide advice related to the development, implementation and/or review of policy respecting:
 - the Markham Official Plan; and any Secondary Plans, which include cultural heritage resources;
 - Council's strategic and corporate documents which may impact cultural heritage resources;
 - The development of municipal heritage conservation guidelines, policies, plans and programs.
 - Zoning by-laws which may impact cultural heritage resources.
- Recommend strategies, policies and initiatives in support of heritage conservation in Markham.

i) Funding Assistance

- Advise on the need for or availability of fiscal tools, funding, incentives and financial assistance, such as grants, loans or tax reduction programs, to facilitate the maintenance and conservation of protected properties of cultural heritage significance.
- Advise on the allocation of financial assistance related to existing heritage funding assistance programs.

j) Budget

- Assist in the development of an annual Committee budget for submission to Council through the Planning and Urban Design Department's operational budget.

k) Education, Promotion and Commemoration

- Promote public awareness of heritage conservation initiatives and programs, and engage the local community, as appropriate.
- Assist owners of cultural heritage properties in understanding and undertaking appropriate conservation and maintenance practices.
- Advise and/or inform on new legislation or funding initiatives that affect cultural heritage resources.
- Promote the commemoration of existing cultural heritage resources through means such as interpretive signage programs and designated property plaque programs, and the commemoration of significant cultural heritage resources which have been lost or negatively impacted through forms of interpretation, where appropriate.
- Support and advocate for the implementation of communication and educational programs to foster awareness, appreciation and enjoyment of cultural heritage resources such as in the form of newsletters, publications, website information, walking tours, exhibits, heritage awards programs, workshops and heritage celebrations.
- Support and encourage participation in promotional and educational programs offered by other levels of government or other groups related to cultural heritage resources.
- Cooperate with other public agencies and civic organizations and groups interested in the protection and promotion of cultural heritage resources.
- Encourage salvage, re-use or repurposing material that cannot be incorporated into the cultural heritage resource

l) Other

- Undertake such other duties and responsibilities relating to the City's heritage conservation program as may be assigned to it by Council.
- Keep Council informed of Committee plans and activities through Committee minutes, recommendations and an annual report, as necessary.
- Evaluate the effectiveness of the Committee examining accomplishments, both quantitative and qualitative, as well as areas requiring improvement.

2. Organization of the Committee

2.1 Composition

- 2.1.1 The Heritage Markham Committee will be comprised of ten (10) citizen members appointed by Council and three (3) members of Council. The Mayor and Deputy Mayor are ex-officio members of the Committee.
- 2.1.2 If possible, the citizen members should be selected on a geographic basis as follows:
- Thornhill Heritage Conservation District or Thornhill community (2 members)
 - Markham Village Heritage Conservation District or Markham Village community (2 members)
 - Unionville Heritage Conservation District or Unionville community (2 members)
 - Members at Large (4 members)

Notwithstanding the above, Council may choose to deviate from this geographic approach, at its discretion.

- 2.1.3 If possible, the Council members on the Heritage Markham Committee should be the Ward Councillors who represent the three largest heritage conservation districts.

2.2 Qualifications

- 2.2.1 A member of the Heritage Markham Committee should possess a demonstrated interest, expertise and/or knowledge of heritage matters based on their profession, education or life experiences. A member should express a dedication and commitment to Markham's heritage conservation program.
- 2.2.2 Qualities or skills which are desirable for Heritage Markham Committee members include those with an interest or experience in:
- Local community history
 - Heritage legislation, matters and programs
 - Heritage related research
 - Historical architecture, design or trades
 - Restoration, conservation and construction approaches
 - Interpreting heritage guidelines and plans
 - Understanding of municipal procedures and legislation
- 2.2.3 The City will consider other approaches to find potential candidates for Heritage Markham Committee, such as contacting professional/heritage organizations,

recommended candidates, etc. in addition to traditional notices in the newspaper in order to address the specialized skill set desired for committee members.

- 2.2.4 Those responsible for recommending candidates for the Heritage Markham Committee through the appointment process will be guided by the identified qualifications, characteristics and attributes desired for Committee members.
- 2.2.5 Those responsible for recommending candidates for the Heritage Markham Committee will not disqualify those candidates who are employed in a heritage or heritage-related occupation (i.e heritage architect, contractor, lawyer, real estate agent) and from time to time may have a conflict of interest, but may enquire as to the extent to which a candidate expects to be undertaking local work involving heritage properties and whether there are others in their employment who could represent clients at the Committee if the candidate was to be appointed to the Committee.
- 2.2.6 Heritage Markham Committee members act in the capacity of volunteers to the municipality.

2.3 Term

- 2.3.1 Members of the Heritage Markham Committee will typically be appointed by Council for a three (3) year term.
- 2.3.2 Appointments will be staggered to prevent representatives from a specific area of the City from leaving the Committee at the same time. This will also ensure continuity of experience and succession planning.
- 2.3.3 If a member of the Heritage Markham Committee ceases to be a member, then any appointment of a replacement member will be only for the balance of such term, if practical.
- 2.3.4 Members of the Heritage Markham Committee will continue in their role until a successor is appointed by Council. If the member chooses to leave at the end of their identified term, the position will be declared vacant until Council appoints a new member.
- 2.3.5 Members are eligible for re-appointment upon expiry of their term provided that no member is appointed for more than two (2) consecutive terms (total of six years). The member must take a leave from the committee for a minimum of one year prior to re-applying. Council may, at its discretion, waive this requirement.

2.4 Chair/Vice Chair

- 2.4.1 The Heritage Markham Committee will elect a chairperson (Chair) and a vice-chairperson (Vice Chair) from all members, annually at its first meeting of the year, or as soon as practicable. The Manager, Heritage Planning will conduct the elections of Chair and Vice Chair positions. Once the Chair and Vice Chair are elected, the Chair will preside over the remainder of the meeting.

- 2.4.2 The Chair and Vice Chair will retain the position until a successor for each position is elected.
- 2.4.3 The Chair (or Vice Chair) is responsible for the effective and respectful operation of the Heritage Markham Committee. They will ensure that the Committee's discussions and recommendations are within the scope of the Committee's mandate and that the focus of dialogue and debate is from a heritage perspective.
- 2.4.4 Additional responsibilities and duties of the Chair, including meeting protocols (i.e. voting and motions) is provided for in the City's Procedural By-law and any City guidelines for advisory committees, boards and committees. Where the document is silent on a matter, Robert's Rules of Order would apply.
- 2.4.5 If both the Chair and Vice Chair are not present within fifteen minutes after the time for the meeting to begin, the Manager, Heritage Planning will call the meeting to order and will preside for the election of an Acting Chair. While presiding, the Acting Chair will have all the Chair's rights, duties and responsibilities.
- 2.4.6 The Chair (or designate) is the official spokesperson for the Heritage Markham Committee and will represent the Committee at official events, functions and other meetings, when required. See section 3.12 regarding media requests.

3. Meetings

3.1 Schedule

- 3.1.1 The Heritage Markham Committee will generally meet a minimum of twelve (12) times per year, usually once a month. Additional meetings may be held as required with proper notification.
- 3.1.2 The date and time of the regular meetings will be held on a consistent day, time and location throughout the year (i.e. the second Wednesday of each month beginning at 7:15 pm at the Markham Civic Centre). Established meeting dates will not be changed unless circumstances warrant special consideration.
- 3.1.3 If circumstances warrant and in accordance with applicable legislation, a Heritage Markham Committee meeting may be held in a manner using technology that would not require members to meet in-person.

3.2 Sub-Committees

- 3.2.1 The Heritage Markham Committee may appoint a sub-committee from its members to investigate, organize and report on any matter related to the Committee's mandate.
- 3.2.2 In addition to any other sub-committees, on an annual basis, the Heritage Markham Committee will form the following sub-committees to meet as required:
- an Architectural Review Sub-Committee comprised of a minimum of three (3) members to address issues and applications requiring detailed analysis, review and consultation with an applicant or proponent. Depending on the issues

under discussion, other members of the main Committee are welcome to attend and participate.

- A Building Evaluation Sub-Committee comprised of two (2) members and two (2) members of Heritage Section staff to evaluate and classify cultural heritage resources.

3.2.3 Decisions of sub-committees can be made by voting or by consensus.

3.3 Agendas

3.3.1 Meetings of the Heritage Markham Committee will have a formal agenda prepared by the Clerks Department.

3.3.2 The Heritage Markham Committee agenda package will include the minutes from the previous meeting and memorandum from staff on each agenda item. The agenda package will be sent to Committee members at least five (5) days prior to the next Committee meeting.

3.3.3 Members of the Heritage Markham Committee may submit agenda items for inclusion on the agenda.

3.3.4 The Heritage Markham Committee agenda will be posted on the City website.

3.2.4 If required, a Heritage Markham Committee Addendum Agenda comprised of time-sensitive additional items for the Committee's consideration may be prepared. The Committee will determine at its meeting if the Addendum Agenda will be considered.

3.4 Quorum and Attendance

3.4.1 The quorum for the Heritage Markham Committee will seven (7) members being in attendance.

3.4.2 As soon as there is a quorum present, the Chair will call the meeting to order. Where a quorum is not present within fifteen minutes after the hour fixed for a meeting, the Clerk will record the names of the members present. In the absence of a quorum, the meeting may continue, however no motion or recommendation may be made or passed.

3.4.3 Absenteeism and late arrivals by members will be subject to the City's Procedural By-law and any City guidelines for advisory committees, boards and committees.

3.5 Consideration of Agenda Items

3.5.1 The Chair will introduce the item on the agenda and ask Heritage Section staff to provide a brief overview, including the suggested staff recommendation for the Committee's consideration.

3.5.2 The Chair will invite those who have asked to provide a deputations to speak (See 3.6). The Chair will ask the applicant or their representative if they wish to provide any

commentary on the item. Members will be afforded the opportunity to ask questions to those providing commentary on the application or matter. The merits of the application or matter will not be discussed at this time.

- 3.5.3 Discussion of the merits of an application or matter is confined to the members with the support of staff. The Chair will moderate and facilitate discussion and, as a courtesy, will wait until all members have made their comments before adding their own. The Chair will maintain a list of members who have signaled that they wish to speak or ask questions, and the Chair will recognize members in the order in which they signaled their request.
- 3.5.4 The Chair will seek a motion from the members to address the item under consideration. No member will discuss the merits of a motion before it is on the table (moved and seconded). Once discussion has concluded, the Chair will put to a vote the motion and announce the result.
- 3.5.5 Recorded votes are not permitted. Members are required to vote by a show of hands and if a member abstains from voting, the member's vote is considered in the negative. The Chair will vote with other members upon all motions.
- 3.5.6 A tie vote is deemed to be negative and the motion is lost.

3.6 Deputations

- 3.6.1 Applicants and others may make deputations to the Heritage Markham Committee. Applicants may choose not to make a deputation, but instead make themselves available to answer any questions from the Committee when the item is being considered.
- 3.6.2 Deputations should be pre-arranged with staff and will be reflected in the agenda. A request for a deputation once the agenda has been published will only be permitted at the discretion of the Heritage Markham Committee members.
- 3.6.3 The priority in which deputations are heard by the Heritage Markham Committee and the amount of time allocated to the presentation will be as outlined in the City's Procedural By-law and any City guidelines for advisory committees, boards and committees.
- 3.6.4 After a deputation is made to the Heritage Markham Committee and all questions from members are addressed, the individual making the deputation will return to the public gallery and is to remain silent being cognizant that it is now time for the Committee to discuss the issue and make their recommendation. Necessary decorum dictates that all opinions must be respected and speaking from the audience is inappropriate.

3.7 Conflict of Interest

- 3.7.1 Heritage Markham Committee members are subject to will abide by the *Municipal Conflict of Interest Act*.
- 3.7.2 Heritage Markham Committee members will be responsible to seek their own legal advice as to whether they have a conflict of interest with any matter before the

Committee. The Act refers to both direct and indirect "pecuniary interests". City staff will not provide advice on this matter.

- 3.7.3 The conflict and the nature of the conflict will be declared at the beginning of the meeting and prior to any consideration of the matter on the agenda. Prior to the matter being considered by the Committee, the member with the identified conflict will leave the meeting table and sit in the public gallery area until consideration of the matter is completed. The declaration of a conflict of interest does not affect quorum at the meeting.
- 3.7.4 A Heritage Markham Committee member who has been retained for a matter that is before the Committee is considered to have a conflict of interest and should have another representative appear before the Committee if a presentation is required or to answer questions.
- 3.7.5 Heritage Markham Committee members will not use their status on the Committee for personal, economic or political gain.

3.8 Compensation

- 3.8.1 Citizen members of the Heritage Markham Committee will serve without compensation other than reimbursement of approved expenses incurred while performing duties on behalf of the Committee.

3.9 Other Meetings

- 3.9.1 Heritage Markham Committee members may through a Committee resolution be appointed to represent the Heritage Markham Committee on other committees or working groups created by the municipality or others.
- 3.9.2 Heritage Markham Committee members may wish to attend an information session offered by Heritage Section staff immediately prior to a Heritage Markham Committee meeting. Attendance is voluntary and members can seek further clarification from staff on any agenda issues or applicable policies. The merits of an application or matter will not be discussed and no decisions will be made.

3.10 Safety/Disruptions

- 3.10.1 If at any time prior to, during or after the meeting, the safety of members of the Heritage Markham Committee or others in attendance is at risk, building security personnel (or local police) can be summoned by the Chair or City staff to address the situation and may involve removal of the person from the premises.
- 3.10.2 If a member of the Heritage Markham Committee or others in attendance at the meeting are being disruptive to the operations of the committee, that person will be warned by the Chair to cease the disruptive behavior, and failing to do so, will be asked to leave the meeting room. If they fail to leave, they may be removed from the meeting premises by building security personnel.

Disruptive behaviours may include:

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- The use of un-parliamentary or offensive language, including any expressions or statements in debate or in questions that attribute false or undeclared motives to another person, charge another person with being dishonest, be abusive or insulting, or cause disorder;
 - Making a noise or disturbance that prevents others from being able to participate in the meeting;
 - Interruption of a person who is speaking, except if a Member wishes to raise a matter of privilege or a point of order; or
 - Ignoring or disobeying the Chair's decision on questions of order or rules of procedure or interpretation of the Committee's by-law(s) or terms of reference.

3.11 Adjournment of Meetings

3.11.1 Unless otherwise determined by a resolution of the Heritage Markham Committee, the meeting will adjourn no later than 11:00 p.m.

3.11.2 If there is unfinished business on the agenda at the time of adjournment, the Committee shall reconvene at an hour, date and place identified in a resolution detailing where the unfinished business will be considered which may include a special meeting or the next regularly scheduled Heritage Markham meeting.

3.12 Media Requests

3.12.1 All media requests will be coordinated through the City's Corporate Communications Department.

3.13 Procedural Matters

3.13.1 Procedural matters for the Heritage Markham Committee will be subject to the City's Procedural By-law and any City guidelines for advisory committees, boards and committees, unless otherwise specified in this terms of reference.

4. Annual Budget

4.1 The Heritage Markham Committee will develop and recommend an annual budget in a form satisfactory to the Director of Planning and Urban Design.

4.2 The annual budget will identify expenses associated with the operation of the Heritage Markham Committee, and may include among others matters, public education, special events, memberships, meeting refreshments, resource materials and training for members.

4.3 The annual budget allocation will be included as part of the Planning and Urban Design Department's operational budget, and will be administered by the Manager, Heritage Planning, or designate.

5. Role of Committee Members

-
- 5.1 Heritage Markham Committee members will attend all scheduled meetings and will notify the Chair or the designated municipal staff liaison if they are unable to attend a meeting.
 - 5.2 Heritage Markham Committee members will read and possess a good understanding of all information supplied to them. If clarification is required on any material provided, the member will consult with staff from the Heritage Section. Members should be familiar with municipal, provincial and federal legislation, policies and programs that apply to cultural heritage resources.
 - 5.3 Heritage Markham Committee members will disclose any conflicts of interest at the beginning of meetings, and adhere to any municipal code of conduct, the City's Procedural By-law and any City guidelines for advisory committees, boards and committees.
 - 5.4 Heritage Markham Committee members will actively participate in and contribute to committee discussion and debate, in a respectful manner and focus their comments on heritage matters currently before the committee.
 - 5.5 Heritage Markham Committee members will endeavor to participate in staff organized site visits to properties identified on the committee agenda, if possible, and as required. When attending site visits, members will conduct themselves in a respectful manner as representatives of the City of Markham, and focus their comments on heritage related matters. Members will not visit private property without the owner's consent. Viewing properties from the public right-of-way is permissible.
 - 5.6 Heritage Markham Committee members will undertake training, as required, to perform and enhance their role as a committee member with expenses to be covered through the Committee's budget.
 - 5.7 Newly appointed Heritage Markham Committee members will undertake an orientation session with Heritage Section staff preferably prior to the member's first Heritage Markham meeting.
 - 5.8 Heritage Markham Committee members will promote and support the protection and conservation of cultural heritage resources and the mandate of the municipal heritage committee.
 - 5.9 Heritage Markham Committee members may assist in the identification and/or recruitment of future candidates for appointment consideration by the City.
 - 5.10 Heritage Markham Committee members as individual appointees do not possess any authority or responsibilities, and the exercise of power is only through the recommendations and/or resolutions of the municipal heritage committee. Any observations or remarks related to Committee business or interpretation of Committee decisions (past or present) from a member (or a former member) are personal comments and should be qualified as such when speaking with others. Members (or former members) are cautioned not to represent themselves as possessing special knowledge or insight as to how the Committee will address a matter.

6. Role of City Staff

6.1 Clerks Department

- 6.1.1 The Clerks Department will be responsible for agenda production and delivery, the recording of Committee minutes, the preparation and distribution of Heritage Markham Committee extracts for each agenda item (for both internal and external recipients) and the forwarding of the Heritage Markham Committee minutes to Council to be received for information purposes.
- 6.1.2 The Heritage Markham Committee recording clerk possesses no voting privileges.
- 6.1.3 The Clerks Department will be responsible for maintaining a permanent record of the previous minutes of Heritage Markham Committee meetings.
- 6.1.4 The Clerks Department will be responsible for the administration of notices of intention to designate properties, appeals related to the notices and the registration of designation by-laws.

6.2 Planning and Urban Design Department – Heritage Section

- 6.2.1 Staff from the Heritage Section of the Planning and Urban Design Department will attend Heritage Markham Committee meetings and provide the Committee with professional planning and heritage advice, technical and procedural assistance, research, and administrative support. Staff will prepare information memos, including suggested recommendations, for Heritage Markham's consideration as part of the agenda package. At the meeting, staff will provide an introduction and overview of agenda items, unless the Committee determines the presentation is not required. Staff will also assist the Committee in educational and outreach projects, if possible.
- 6.2.2 Heritage Section staff will attend sub-committee meetings of the Heritage Markham Committee (i.e. Architectural Review Sub-Committee, Building Evaluation Sub-Committee), as required, and prepare notes from these meetings.
- 6.2.3 Heritage Section staff possesses no voting privileges.
- 6.2.4 Heritage Section staff will ensure that other staff and departments of the municipality, whose responsibilities and actions may impact cultural heritage resources, are aware of the status of these resources, the review and approval process related to alterations, and the role of the Heritage Markham Committee.
- 6.2.5 Heritage Section staff from the Heritage Section of the Planning and Urban Design Department will ensure that Heritage Markham Committee recommendations are forwarded to the appropriate staff at the City, or others as necessary, for consideration and/or action. This will include facilitating the recommendations of the Committee through the preparation of staff reports (see 7.2.2 and 7.3.1).

-
- 6.2.6 Heritage Section staff will prepare a Heritage Markham annual budget for consideration by the Heritage Markham Committee. Staff will administer the budget once approved by Council.
 - 6.2.7 Heritage Section staff will maintain correspondence, files and records related to the operations and activities of the Heritage Markham Committee.
 - 6.2.8 Heritage Section staff will conduct the elections of Heritage Markham Committee officers on an annual basis.
 - 6.2.9 Heritage Section staff will conduct an orientation session with new members of the Heritage Markham Committee, as required.

7. Reporting Method

7.1 Heritage Markham Recommendations

- 7.1.1 A recommendation on an application or issue approved by the Heritage Markham Committee, will be forwarded to the appropriate municipal department (or to the **Committee of Adjustment**) for attention. If, there are outstanding heritage issues to be addressed, the applicant or proponent will be given the opportunity to modify the application or project. If the issue is satisfactorily addressed, Council approval of the heritage recommendation may not be necessary due to staff's delegated approval authority (see 7.3).
- 7.1.2 If unresolved issues continue to exist (i.e. conflict between what the Heritage Markham Committee has recommended and what the applicant or proponent wishes to undertake), the matter can be forwarded to the Development Services Committee and Council in the form of a staff report for a decision. There, the applicant or proponent may present their case for consideration.

7.2 Development Services Committee/Council

- 7.2.1 The minutes of the Heritage Markham Committee will be forwarded to Council through the Development Services Committee. The minutes are received as information.
- 7.2.2 Development applications (or other matters) that involve a cultural heritage resource and require Development Services Committee/Council approval will include the Heritage Markham Committee's recommendation and advice as part of the staff report. If the Heritage Markham recommendation is contrary to the staff recommendation on the matter, the Heritage Markham Committee's position/recommendation will be noted in the Recommendation section of the staff report and 'received as information' so that Council is aware of the advice from its municipal heritage committee, in addition to the staff recommendation.
- 7.2.3 The Council representatives on the Heritage Markham Committee may also assist in conveying the Committee's issues and recommendations to other members of Council.

7.3 Committee of Adjustment

- 7.3.1 Committee of Adjustment applications such as minor variance or consent (land division) that involve a cultural heritage resource will include the Heritage Markham Committee's recommendation and advice as part of the staff report.

7.4 Delegated Approvals

- 7.4.1 As per By-law 2007-67, the Manager, Heritage Planning, or designate, is delegated Council's approval authority respecting the granting of consents and approvals for alterations to individually designated properties and properties in heritage conservation districts, including the authority to attach terms and conditions. If the Manager, Heritage Planning has any concerns regarding an application, it will be forwarded to the Heritage Markham Committee for review and if necessary, Development Services Committee/Council for resolution.
- 7.4.2 The requirement for consultation and review with the Heritage Markham Committee for alterations of individually designated properties and properties located within heritage conservation districts that are compliant with accepted policies and guidelines is delegated to the Manager, Heritage Planning, or designate.
- 7.4.3 The Heritage Markham Committee will be informed of any staff approvals for information purposes on the next available Committee agenda.
- 7.4.4 Delegation authority to the Manager, Heritage Planning to approve on behalf of Council does not include the authority to refuse an application to alter a designated property, or the authority to consider applications for demolition or removals of individually designated properties or properties in heritage conservation districts.

Appendix 'A' – Glossary of Terms

"Act" refers to the *Ontario Heritage Act*

"Agenda" refers to a list of items to be considered at a meeting arranged in the order in which they are intended to be addressed.

"Adjourn" refers to officially ending the meeting.

"Chair" refers to the person who presides at the meeting. The Vice-Chair assumes this responsibility in the absence of the Chair.

"Committee" refers to the Heritage Markham Committee.

"Committee of Adjustment" refers to an appointed committee which is authorized by Council to grant minor variances from the zoning by-law and grant consents for land severances.

"Council" refers to The Council of the City of Markham.

"Cultural Heritage Resources" refers to built heritage resources (which include significant buildings, structures, monuments, installations or remains associated with architectural, cultural, social, political, economic or military history noted as being important to our community, and may be identified through designation, heritage easement or listing) and cultural heritage landscapes (defined geographical areas of heritage significance that have been modified by human activities and are valued by the a community, examples include heritage conservation districts, villages, parks, main streets, and cemeteries).

"Designated Property" refers to property that is protected pursuant to the Ontario Heritage Act either individually or as part of a heritage conservation district.

"Deputation" refers to a presentation by one or more individuals regarding a specific agenda item.

"Development Services Committee" refers to a standing committee of Council at which Heritage Markham matters are usually addressed.

"Heritage Conservation Plan" refers to a document that details how a specific cultural heritage resource can be conserved.

"Heritage Easement Agreement" refers to a legal document offering additional protections for a cultural heritage resource. It conveys to its holder the legal right to be involved in decisions concerning the future of a property.

"Heritage Impact Assessment" refers to a study to determine if any cultural heritage resources are impacted by a specific proposed development or site alteration, and how the resource can be conserved or the impacts mitigated.

"Heritage Markham" refers to Markham's municipal heritage committee pursuant to the *Ontario Heritage Act*

"Member" refers to a member of the Heritage Markham Committee.

"Minutes" refers to the official record of the Heritage Markham meeting.

"Motion" refers to a formal proposal or recommendation placed before the Committee by one Member (the mover of the motion) for debate and decision.

"Move" refers to formally proposing a motion or an amendment. The person who proposes the motion or amendment is called the "mover". To discuss a specific motion, it must be "moved" and "seconded".

"Order" refers to the behavior in a meeting which allows Members to conduct business without disruption.

"Order, call the meeting to" refers to an announcement by the Chair to indicate that the meeting is about to start. Also, can be a way for the Chair to enforce discipline at the meeting if rules have been broken.

"Quorum" refers to the minimum number of Members who must be present at a meeting to make the proceedings valid.

"Register of Property of Cultural Heritage Value or Interest" or **"Register"** refers to the Markham Register of Property of Cultural Heritage Value or Interest maintained pursuant to the *Ontario Heritage Act* as an inventory of individually designated properties, properties in heritage conservation districts and listed properties.

"Second" refers to formally endorsing a motion or amendment after it has been "moved". The person who formally endorsed the motion or amendment is referred to as the "seconder". To discuss a specific motion, it must be "moved" and "seconded".

"Show of Hands" refers to the usual manner in which votes are cast. Those for and those against the motion are asked to raise their hands. The hands are counted, the result announced by the Chair, and the motion is declared either carried or lost.

"Vote, tie" refers to an equal number of votes for and against a motion.

Appendix ‘C’ – Heritage Markham Extracts
HERITAGE MARKHAM
EXTRACT

DATE: January 26, 2021

TO: R. Hutcheson, Manager of Heritage Planning

EXTRACT CONTAINING ITEM # 7.1 OF THE FIRST HERITAGE MARKHAM
COMMITTEE MEETING HELD ON JANUARY 13, 2021

7.1 REQUEST FOR FEEDBACK

**DRAFT HERITAGE MARKHAM TERMS OF REFERENCE AND
BY-LAW (16.11)**

Regan Hutcheson, Manager of Heritage Planning presented the revised draft to the Heritage Markham Terms of Reference, and explained where changes had occurred since the last version.

Committee reviewed and discussed the most recent revisions to the draft Heritage Markham Terms of Reference. Committee’s comments included:

- changing the suggested number of representatives from each of the three largest heritage conservation districts from one to two citizen members as some members felt that local knowledge was important;
- supporting the ability of councillors to be chair (or vice chair) of the committee, but not limiting the chair position only to members of Council;
- accepting the revised policy on conflict of interest, but reiterating the desire to not discourage professionals in heritage related occupations from applying as members as they do provide useful and practical experience and knowledge.

Recommendation:

That Heritage Markham Committee supports the proposed Heritage Markham Terms of Reference and By-law (January 2021 draft), with the following amendments, with additions bolded and omissions strikethrough:

- 1) 2.1.2 - If possible, the citizen members ~~will~~ **should** be selected on a geographic basis as follows:

- Thornhill Heritage Conservation District or Thornhill Community (4 2 Members);
- Markham Village Heritage Conservation District or Markham Village Community (4 2 Members);
- Unionville Heritage Conservation District or Unionville Community (4 2 Members);
- Members at large (7 4 Members).

Notwithstanding the above, Council may choose to deviate from this geographic approach, if necessary.

- 2) 2.4.1 - The Heritage Markham Committee will elect a chair person (Chair) and a vice-chair person (Vice Chair) **from all the members**, annually at its first meeting of the year, or as soon as practicable. The Manager, Heritage Planning will conduct the elections of Chair and Vice Chair positions. Once the Chair and Vice Chair are elected, the Chair will preside over the remainder of the meeting.
- 3) Clause 2.4.2 to be omitted from the Terms of Reference;
~~2.4.2 The Chair will be one of the members of Council appointed to the Heritage Markham Committee as elected by the entire Committee. The Vice Chair will be elected by all the members and may be any member of the Committee.~~
- 4) 3.4.1 -The quorum for the Heritage Markham Committee will be **seven (7)** members being in attendance.
- 5) 3.74 - A Heritage Markham Committee member ~~who earns their living in a heritage-related occupation and/or~~ who has been retained for a matter that is before the Committee is considered to have a conflict of interest and should have another representative appear before Committee if a presentation is required or to answer questions.
- 6) **Citizen** members of Heritage Markham Committee will serve without compensation other than reimbursement of approved expenses incurred while performing duties on behalf of the Committee.

Carried

June 10, 2020 Heritage Markham Extract

7.3 REQUEST FOR FEEDBACK

DRAFT HERITAGE MARKHAM TERMS OF REFERENCE AND BY-LAW (16.11)

Extracts: R. Hutcheson, Manager of Heritage Planning

Regan Hutcheson, presented the draft Heritage Markham Terms of Reference which staff had been directed by Council to develop.

Committee provided the following feedback on the draft Terms of Reference:

1. Mandate of Heritage Markham

- Suggested that natural landscaping be included under the mandate;
- Noted that natural landscaping is covered under the Heritage Conservation Guidelines, which is referenced under 1.1.5;
- Staff agreed to consider including natural landscaping in the Terms of Reference;

1.3 Non-Statutory Role

- Add a bullet under k) Education, Promotion and Commemoration, as follows:
 - Encourage salvage, reuse, or repurposing material that cannot be incorporated into the cultural heritage resource.

2.4 Chair/Vice-Chair

- Correct the spelling of Vice-Chair in 2.4.5 (the “e” in Vice is missing);
- Correct the numbering – the last bullet should read 2.4.6 instead of 2.4.5.
- Add after the Chair “or his designate” in 2.4.6.

3.1 Meetings

- Add the word “generally” before the word meet in 3.1.1.

3.2 Sub-Committee

- Add a clause to this section on how Sub-Committees make decisions, suggesting that decisions can be made by voting on the item or by consensus;

3.7 Conflict of Interest

- The Committee discussed the reasons for and against allowing Committee Members to represent their clients at Heritage Markham Committee meetings;
- The Committee requested that the approval of this section be deferred to a future meeting;
- Staff were asked to obtain advice from the City Solicitor on whether a Committee Member could be prohibited from representing their client at Heritage Markham Committee meetings without being challenged under any other legislation.

A Committee Member suggested that this item is not urgent in nature and should not be discussed until the Committee starts to meet in person again at Civic Centre. Staff will seek advice from the Clerk's Office on this matter.

Recommendation:

That Heritage Markham Committee supports the proposed Heritage Markham Terms of Reference and By-Law (June 20, 2020 draft) as amended, and excluding section 3.7 Conflict of Interest (which is deferred for further consultation).

Carried

Recommendation:

That Heritage Markham Committee recommend to Council that the Appointment Committee for Heritage Markham Committee appointments be comprised of the Mayor and Regional Councillor, a minimum of one Heritage Markham Councillor, and a Heritage Planner.

Carried

Recommendation:

That the Heritage Markham Committee recommends that the discussion on the draft Heritage Markham Committee Terms of Reference -Section 3.7 Conflict of Interest be deferred to a suitable time.

Carried

2020 Year-End Review of Operations

General Committee
March 1st, 2021

2020 Year-End Review of Operations

Primary Operating Budget

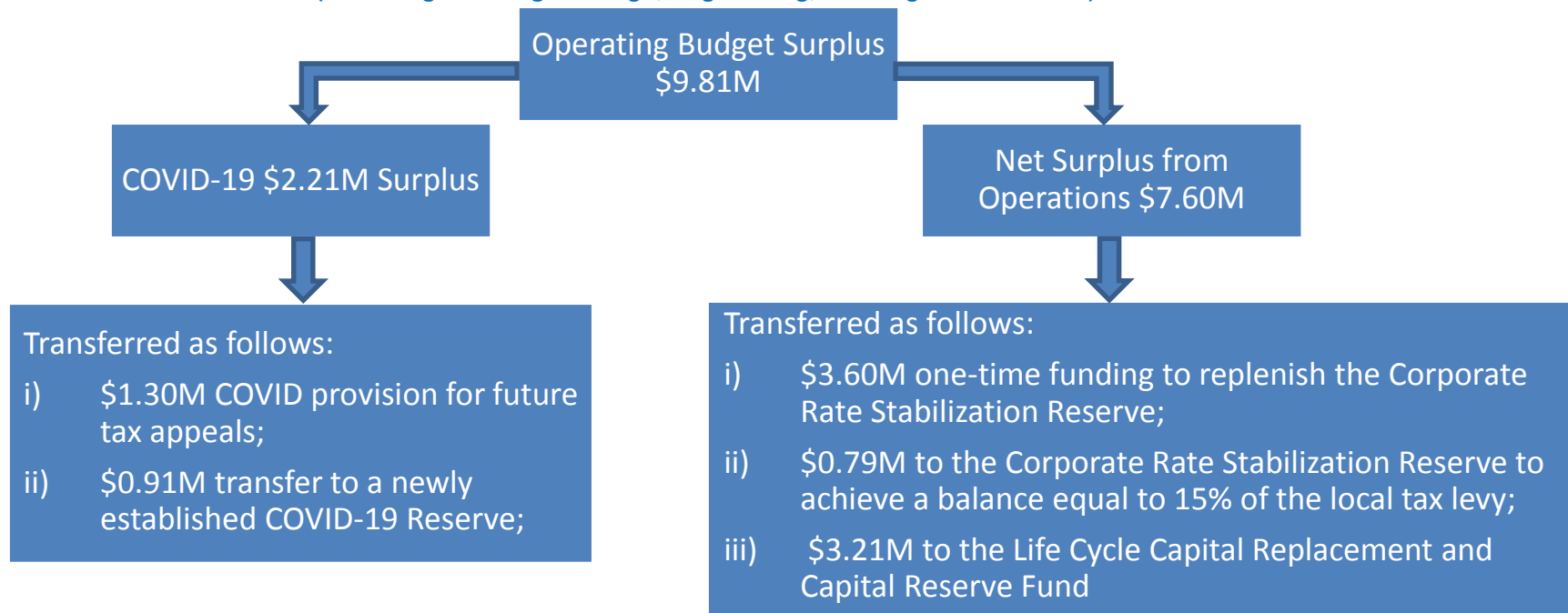
(excluding Planning & Design, Engineering, Building & Waterworks)

	Actual	Budget	Variance Fav./(Unfav.)	
Revenues (A)	\$224.08M	\$240.83M	(\$16.75M)	93.0%
Personnel (B)	\$123.93M	\$140.00M	\$16.07M	88.2%
Non-Personnel (C)	<u>\$ 77.71M</u>	<u>\$ 88.56M</u>	<u>\$10.85M</u>	
Surplus excluding winter maintenance (D) = A-(B+C)	\$ 22.43M	\$ 12.27M	\$10.17M	
Year-End Accounting Accruals & Other Adjustments (E)	<u>\$3.00M</u>	<u>\$1.94M</u>	<u>(\$1.06M)</u>	
Subtotal (F) = D-E	\$19.44M	\$10.33M	\$9.11M	
Winter Maintenance (G)	<u>\$9.63M</u>	<u>\$10.33M</u>	<u>\$0.70M</u>	
Net Surplus including winter maintenance (H) = F-G	\$9.81M	\$0.0M	\$9.81M	

2020 Year-End Review of Operations

Primary Operating Budget Surplus Allocation

(excluding Planning & Design, Engineering, Building & Waterworks)



2020 Year-End Review of Operations – Planning & Urban Design

(\$ in millions)

	Actual	Budget	Variance Fav/(Unfav)	% of YTD Budget
Revenues (A)	\$16.03M	\$10.57M	\$5.46M	151.7%
Personnel (B)	\$4.86M	\$6.03M	\$1.17M	87.4%
Non-Personnel (C)	<u>\$3.84M</u>	<u>\$3.92M</u>	<u>\$0.08M</u>	
Surplus (D) = A-(B+C)	\$7.33M	\$0.62M	\$6.71M	

A contribution of \$9.87M (Planning \$7.33M and Engineering \$2.54M) will be made to the Planning & Engineering Development Fee Reserve increasing the balance from (\$0.52M) to \$9.10M

2020 Year-End Review of Operations – Engineering

(\$ in millions)

	Actual	Budget	Variance Fav/(Unfav)	% of YTD Budget
Revenues (A)	\$10.32M	\$8.79M	\$1.53M	117.4%
Personnel (B)	\$4.95M	\$5.70M	\$0.75M	90.1%
Non-Personnel (C)	<u>\$2.83M</u>	<u>\$2.95M</u>	<u>\$0.12M</u>	
Surplus/(Deficit) (D) = A-(B+C)	\$2.54M	\$0.14M	\$2.40M	

A contribution of \$9.87M (Planning \$7.33M and Engineering \$2.54M) will be made to the Planning & Engineering Development Fee Reserve increasing the balance from (\$0.52M) to \$9.10M

2020 Year-End Review of Operations – Building

(\$ in millions)

	Actual	Budget	Variance Fav/(Unfav)	% of YTD Budget
Revenues (A)	\$5.41M	\$7.14M	(\$1.73M)	75.8%
Personnel (B)	\$5.95M	\$6.28M	\$0.33M	95.3%
Non-Personnel (C)	<u>\$3.13M</u>	<u>\$3.25M</u>	<u>\$0.12M</u>	
(Deficit)/Surplus (D) = A-(B+C)	(\$3.67M)	(\$2.39M)	(\$1.28M)	

A draw from the Building Reserve of \$3.67M results in a decrease in the reserve balance from \$10.36M to \$6.37M

2020 Year-End Review of Operations – Waterworks

(\$ in millions)

	Actual	Budget	Variance Fav/(Unfav)	% of YTD Budget
Water & Sewer Billing (A)	\$137.10M	\$139.26M	(\$2.16M)	
Contracted Municipal Services (B)	<u>\$103.94M</u>	<u>\$109.35M</u>	<u>\$5.41M</u>	
Net Sales & Purchases of Water (C) = A-B	\$33.16M	\$29.90M	\$3.26M	110.9%
Other Revenues (D)	\$1.10M	\$1.41M	(\$0.32M)	77.5%
Personnel (E)	\$7.76M	\$8.02M	\$0.26M	89.6%
Non-Personnel (F)	<u>\$6.31M</u>	<u>\$7.68M</u>	<u>\$1.37M</u>	
Surplus (G) = C+D -(E+F)	\$20.19M	\$15.62M	\$4.57M	

A contribution to the reserve of \$20.19M (budget of \$15.62M plus an additional contribution of \$4.57M) will be made to the Waterworks Reserve increasing the balance from \$61.85M to \$69.67M

Next Steps

- The 2020 draft consolidated financial statements will be presented to General Committee in April 2020. The year-end results presented in this report are subject to change based on the results of the external audit.



Report to: General Committee

Report Date: March 1, 2021

SUBJECT: 2020 Year-End Results of Operations
PREPARED BY: Lisa Chen, Senior Manager, Financial Planning and Reporting
Jay Pak, Senior Business Analyst

RECOMMENDATION:

- 1) THAT the report titled “2020 Year-End Review of Operations” be received;
- 2) THAT a COVID-19 Reserve be established from the Safe Restart Agreement funding to be used to offset COVID-19 operating impacts;
- 3) THAT the City’s 2020 COVID-19 net favourable variance of \$2.21M be allocated as follows:
 - a. \$1.30M COVID provision for future tax adjustments;
 - b. \$0.91M transfer to the COVID-19 Reserve;
- 4) THAT the City’s 2020 net operations favourable variance of \$7.60M be transferred as follows, as per the approved Financial Planning and Budgeting Policy:
 - a. \$3.60M one-time funding to replenish the Corporate Rate Stabilization Reserve;
 - b. \$0.79M to the Corporate Rate Stabilization Reserve to achieve a balance equal to 15% of the local tax levy;
 - c. \$3.21M to the Life Cycle Capital Replacement and Capital Reserve Fund; and further,
- 5) THAT Staff be authorized and directed to do all things necessary to give effect to this resolution.

EXECUTIVE SUMMARY:

Council approved the 2020 annual operating budget of \$410.52M on December 10, 2020 which includes the City's primary operating budget, Planning & Design operating budget, Engineering operating budget, Building Standards operating budget and Waterworks operating budget.

This report provides an overview of the 2020 year-end operating results comparing actuals to the annual operating budget including impacts related to the ongoing COVID-19 pandemic.

a) Primary Operating Budget (Appendix 1)

(Excludes Planning & Design, Engineering, Building Standards and Waterworks)

The 2020 variance is summarized below:

(\$ in millions)	<u>2020</u>		<u>Variance</u>	<u>% of</u>
	<u>Actual</u>	<u>Budget</u>	<u>fav./(unfav.)</u>	<u>Budget</u>
Revenues	\$224.08	\$240.83	(\$16.75)	93.0%
Expenses	<u>201.64</u>	<u>228.56</u>	<u>26.92</u>	88.2%
Subtotal	\$22.43	\$12.27	\$10.17	
Year-End Accounting Accruals & Other Adjustments	<u>3.00</u>	<u>1.94</u>	<u>(1.06)</u>	
Surplus excluding winter maintenance	19.44	10.33	9.11	
Winter Maintenance	<u>\$9.63</u>	<u>\$10.33</u>	<u>\$0.70</u>	
Net surplus including winter maintenance	\$9.81	(\$0.00)	\$9.81	

The major variances are outlined in the chart below:

Revenues	Fav. / (Unfav.)	
Recreation Services revenue	(\$17.90)	M
Theatre, Art Centre and Museum revenue	(\$3.50)	M
Property Tax Penalty & Interest	(\$2.84)	M
Fines, licence and permits	(\$1.81)	M
Library Programs & Fines	(\$0.76)	M
Supplemental Taxes	(\$0.73)	M
Property taxes & Payments in Lieu (PILs)	\$0.62	M
Investment income	\$3.03	M
Safe Restart Funding - Phase 1	\$6.66	M
Other	\$0.48	M
Total	(\$16.75)	M

Expenditures	Fav. / (Unfav.)	
Salaries & benefits	\$16.07	M
Utilities and Streetlight hydro	\$3.78	M
Professional services/office supplies/training/travel	\$1.63	M
Maintenance, repairs, materials & supplies	\$1.98	M
Corporate contingency	\$2.66	M
Contract service agreements	\$1.40	M
Communications, promotion & advertising	\$0.83	M
Property Tax adjustments	\$0.57	M
COVID Expenses	(\$1.22)	M
Other	(\$0.78)	M
Total	\$26.92	M

Due to the impact of the COVID-19 pandemic, the results projected throughout the year were split into two categories: COVID-19 related impacts and Business as Usual (BAU).

The 2020 Primary Operating Budget surplus is comprised of the following components:

(\$ in millions)		Variance fav./ (unfav.)
COVID-19 Surplus Net of Safe Restart Phase 1 Funding		\$2.21
Business as usual	\$7.96	
Year-end accounting accruals & other adjustments	(1.06)	
Winter maintenance	<u>0.70</u>	
Net Surplus from Operations		<u>\$7.60</u>
Net surplus - Primary Operating Budget		<u>\$9.81</u>

COVID-19 including Safe Restart Phase 1 funding = Favourable variance \$2.21M
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The year-end surplus includes COVID-19 related impacts due to cancelled programs, closed facilities, foregone property tax late payment charges, reduced user fees, fines and licence collection and additional COVID related expenses.

The impact of the strategic actions implemented by senior management and staff reduced the COVID-19 related shortfall. When combining the impact of COVID, the mitigating actions of senior management and staff, Phase 1 safe-restart funding of \$6.66M, the COVID-19 surplus is \$2.21M.

The COVID-19 pandemic has resulted in a slowdown of the Canadian economy and has created significant financial pressures to most business sectors. This unprecedented environment of economic uncertainty has directly and immediately impacted various business throughout the City of Markham. The current property assessment values of many non-residential properties may not represent the negative financial impact of COVID-19 and the substantial decrease in revenue or business closures, which could result in inaccurate property assessments and tax levies moving forward into the 2021 taxation year and beyond.

As a result, Staff anticipate a number of non-residential property owners will seek to reduce their tax burden through the assessment appeal process. In order to fund the potential future impact of reductions, staff recommend a provision amount be set in the amount of \$1.3M, which is equivalent to the 2020 tax adjustment annual budget. The remaining \$0.91M is recommended to be transferred to the new COVID-19 Reserve to mitigate future COVID-19 impacts. Together with the \$2.81M Phase 2 funding received in January 2021, the reserve balance will be \$3.72M.

Business as Usual = Favourable variance \$7.96M

In addition to COVID-19 related impacts, the year-end operations includes several recurring non-COVID related items, which potentially generate a surplus at year-end. These items included corporate contingency, salary gapping and investment income.

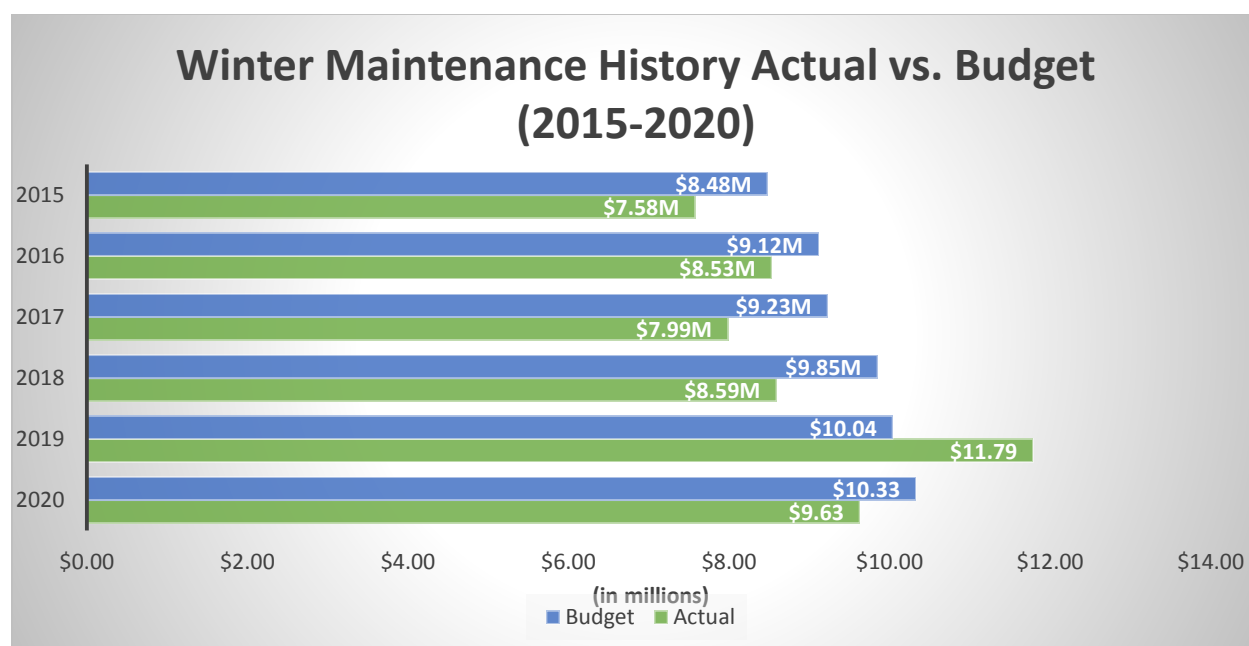
Year-end accounting accruals and other adjustments = Unfavourable variance (\$1.06M)

The 2020 year-end accounting accruals and other adjustments totaled \$3.00M against a budget of \$1.94M resulting in an unfavourable variance of (\$1.06M), (\$0.93M) of which is due to the vacation accrual, and other employee related accruals (\$0.13M). The year-end accounting accruals and other adjustments include severance, salary continuance payments, firefighter sick leave payouts, post-employment benefits and salary accruals.

Winter maintenance = Favourable variance \$0.70M

The 2020 actual winter maintenance expenditures totaled \$9.63M against a budget of \$10.33M, resulting in a favourable variance of \$0.70M.

The exhibit below compares the 6 year historical actuals vs. budget for winter maintenance expenses from 2015-2020.



As the exhibit above shows, the actuals compared to budget have fluctuated over the past 6 years. In 2020 the actual costs were \$9.63M compared to a budget of \$10.33M. Actual costs were higher than in the period 2015-2018 but lower than 2020 and is impacted by a range of

external factors including, but not limited to, the amount of snowfall and the number of snow events which require City roads to be cleared or salted.

The chart below shows the number of salting events per calendar year for the past 6 years. Note that these do not include plowing or sidewalk clearing events.

Year	Primary Roads	Local Roads	Total
2016	37	10	47
2017	49	9	58
2018	44	8	42
2019	51	17	52
2020	38	13	68
6 Year Average	43	10	53

The City's winter maintenance budget includes personnel expenditures, salt and sand purchases as well as five service contracts:

1. Supply and operation of tandem/single combination plow to sand and plow the City's primary road network;
2. Supply and operation of loaders to assist in the snow removal in cul-de-sacs, wide corners and rear lanes;
3. Grader rentals to remove snow on the City's local road networks;
4. Sidewalk snow removal; and
5. Windrow snow clearing services for eligible applicants

The following chart provides details of the \$0.70M favourable variance:

<u>Description</u>	<u>Actual</u>	<u>Budget</u>	<u>Variance Fav./(Unfav.)</u>	
			<u>Hours</u>	<u>\$M</u>
Sidewalk (per unit of equipment)	257 hrs	334 hrs	78 hrs	0.35
Tandem (per unit of equipment)	236 hrs	282 hrs	46 hrs	0.21
Graders and windrows (per unit of equipment)	140 hrs	108 hrs	(32) hrs	(0.26)
Loader (per unit of equipment)	105 hrs	154 hrs	49 hrs	0.26
Salt & Sand	23,823 tonnes	20,710 tonnes	(3,113) tonnes	0.12
Part-time & overtime costs				(0.08)
Other winter maintenance costs				0.10
Winter maintenance favourable variance				0.70

As costs continue to increase based on growth and contract escalations, Staff will continue to monitor the trends to determine whether future adjustments to the winter maintenance budget are necessary.

b) Planning & Design (Appendix 2)

Actual \$7.33M – Budget \$0.62M = Favourable variance \$6.71M

Planning & Design incurred a surplus of \$7.33M against a budgeted surplus of \$0.62M. The favourable variance of \$6.71M was mainly due to a higher volume of application volumes and favourable personnel variances from an average of seven temporary net vacancies.

c) Engineering (Appendix 3)

Actual \$2.54M – Budget \$0.14M = Favourable variance \$2.40M

Engineering incurred a surplus of \$2.54M against a budgeted surplus of \$0.14M. The favourable variance of \$2.40M was primarily due to higher engineering fees than budgeted.

d) Planning & Engineering Development Fee Reserve (Appendix 4)

The 2020 budget anticipated a surplus of \$0.62M for Planning and a surplus of \$0.14M for Engineering totaling \$0.76M.

The Planning & Design and Engineering departments ended the year with a favourable surplus of \$6.71M and a surplus of \$2.40M respectively. A transfer to the Reserve of \$9.87M will increase the balance from a negative \$0.52M to \$9.10M. The year-end balance includes in-year interest adjustments and capital project funding transfers.

e) Building Standards (Appendix 5)

Actual (\$3.67M) – Budget (\$2.39M) = Unfavourable variance (\$1.28M)

The Building Standards department incurred a deficit of (\$3.67M) against a budgeted deficit of (\$2.39M). The unfavourable variance of \$1.28M was mainly due to a delay in application volumes resulting in lower Building permit fees than budgeted.

A draw from the Reserve of \$3.67M will be made decreasing the balance from \$10.36M to \$6.37M (see Appendix 6). The year-end balance includes in-year interest adjustments and capital project funding transfers.

f) Waterworks (Appendix 7)

Actual \$20.19M – Budget \$15.62M = Favourable variance \$4.57M

The Waterworks department incurred a surplus of \$20.19M against a budgeted surplus of \$15.62M. The main drivers for the favourable variance of \$4.57M were as follows:

- Higher than budgeted consumption and lower non-revenue water (9.5% actual consumption vs 11% budgeted) resulted in a net favourable variance of \$3.43M. The City and Region also came to an agreement regarding additional rebates for water only accounts resulting in a favourable variance of \$0.73M (includes a rebate for prior years in the amount of \$0.33M). The favourable variance was partially offset by (\$0.90M) from the decision by both the City and Region to not increase the sales and purchase price as planned on April 1. The net water sales and purchase variance is \$3.26M favourable.

-
- Lower revenues resulting in an unfavourable variance of (\$0.32M) due primarily to lower water meter installation fees and hydrant water sales
 - Lower non-personnel costs resulting in a favourable variance of \$1.37M due to lower operating and water, sewer and roadwork materials and supplies cost from few watermain breaks
 - Lower personnel costs resulting in a favourable variance of \$0.26M due to temporary vacancies

A transfer of \$20.19M will be made to the Reserve increasing the balance from \$61.85M to \$69.67M (see Appendix 8).

The 2020 draft consolidated financial statements will be presented to General Committee in April 2021. The year-end results presented in this report are subject to change based on the results of the external audit.

PURPOSE:

The purpose of this report is to provide the 2020 year-end actual results of operations versus the 2020 operating budget.

BACKGROUND:

Operating Budget Controls and Monitoring Process

On a monthly basis, Finance Staff distribute operating statements to all department Directors. As well, Finance Staff review the results of operations department by department. Based on pre-established variance thresholds, departments are contacted for explanations and to determine mitigating strategies, if required. As well, Finance Staff meet with Directors every quarter to review the department operating results. Finance Staff will advise the Executive Leadership Team (ELT) immediately should significant variances arise

Due to the impact of the COVID-19 pandemic, the results projected throughout the year were split into two distinctive categories: COVID-19 related impacts and Business as Usual (BAU).

The 2020 Primary Operating Budget surplus is comprised of the following components:

(\$ in millions)	Variance fav./ (unfav.)
COVID-19 Surplus Net of Safe Restart Phase 1 Funding	\$2.21
Business as usual	\$7.96
Year-end accounting accruals & other adjustments	(1.06)
Winter maintenance	<u>0.70</u>
Net Surplus from Operations	<u>\$7.60</u>
Net surplus - Primary Operating Budget	<u>\$9.81</u>

COVID-19 related impacts were to be mitigated by the Safe Restart Funding – Phase 1 for \$6.66M. Based on the year-end results from COVID related items including the closure of Recreation, Culture and Library facilities, late payment charges on Penalty & Interest, forgone supplemental taxes and reduced finance user fees, reduced collection of parking fines and licences & permits, and additional COVID related expenses, the impact of COVID-19 related impacts was \$4.45M resulting in a \$2.21M COVID impact surplus.

From the \$2.21 surplus, staff recommend \$1.30M be set aside as a provision to offset future tax adjustments, and the remaining \$0.91M be allocated to a new COVID-19 reserve to mitigate future pandemic related impacts.

In the BAU category, the net surplus from operations was favourable to budget by a total of \$7.60M mainly due to higher investment income \$3.03M, Corporate Contingency \$2.66M, higher than budgeted salary gapping \$1.75M, as well as other smaller one-time items totaling \$0.16M.

The combination of the COVID-19 surplus of \$2.11M and net operations surplus of \$7.60M, the year-end result of operations is a \$9.81M surplus.

The next section of the report provides a variance analysis by:

1. City's primary operating budget by Commission/Department; and
2. City's primary operating budget by major accounts

DISCUSSION:

1. CITY'S PRIMARY OPERATING BUDGET BY COMMISSION/DEPARTMENT

Net results (revenues less expenses) for the twelve months ended December 31, 2020 by each Commission and Department, summarized by personnel expenditures, non-personnel expenditures and revenues, are provided in Appendices 9 to 14.

The following table is a summary of all commissions' year-end December results excluding year-end accounting accruals and other adjustments and winter maintenance:

<u>Commission</u>	<u>YTD Dec 2020</u>		<u>Variance</u>
	<u>Actual</u>	<u>Budget</u>	<u>fav./(unfav.)</u>
CAO's Office, Human Resources and Legal	\$ 4.93	\$ 6.02	\$ 1.09
Community & Fire Services (excl. winter maintenance)	\$ 99.98	\$ 100.70	\$ 0.72
Corporate Services	\$ 22.12	\$ 22.32	\$ 0.20
Development Services	\$ 7.23	\$ 7.18	\$ (0.05)
Mayor & Council	\$ 2.75	\$ 2.98	\$ 0.23
Corporate Items	\$(156.46)	\$(149.54)	\$ 6.92
Net Expense/ (Revenue)	\$ (19.44)	\$ (10.33)	\$ 9.11

Explanations for variances greater than \$0.10M by each Commission and Department are provided below.

CAO's Office, Human Resources, Legal and Sustainability Office (Appendix 9)

<u>Department</u>	<u>YTD Dec 2020</u>		Variance
	<u>Actual</u>	<u>Budget</u>	<u>fav./(unfav.)</u>
CAO's Office	0.61	0.79	\$ 0.18
Human Resources	2.56	3.20	\$ 0.64
Legal	1.76	2.03	\$ 0.27
Net Expense	\$ 4.93	\$ 6.02	\$ 1.09

CAO's Office (Actual \$0.61M – Budget \$0.79M = Variance \$0.18M)

Favourable variance of \$0.18M is mainly due to a year-to-date average of one temporary net vacancy and lower professional fees incurred.

Human Resources (Actual \$2.56M – Budget \$3.20M = Variance \$0.64M)

Favourable variance of \$0.64M is mainly due to a year-to-date average of two temporary net vacancies \$0.24M and delay of expenses related to recruitment hiring including advertising and health and safety training and legal fees for union bargaining \$0.40M.

Legal (Actual \$1.76M – Budget \$2.03M = Variance \$0.27M)

Favourable variance of \$0.27M is mainly due to an increase in revenues from site plan and subdivision agreements.

Community and Fire Services – excluding winter maintenance (Appendix 10)

<u>Department</u>	<u>YTD Dec 2020</u>		Variance
	<u>Actual</u>	<u>Budget</u>	<u>fav./(unfav.)</u>
Operations	24.37	26.11	\$ 1.74
Fire Services	40.01	39.30	\$ (0.71)
Library	10.25	13.54	\$ 3.29
Recreation Services	15.38	10.91	\$ (4.47)
Environmental Services	0.87	0.95	\$ 0.08
Waste	8.68	9.22	\$ 0.54
Commissioner's Office	0.42	0.67	\$ 0.25
Net Expense	\$ 99.98	\$ 100.70	\$ 0.72

Operations (Actual \$24.37M – Budget \$26.11M = Variance \$1.74M)

Favourable variance mainly due to part-time savings of \$1.28M (partially offset by redeployments from Recreation of \$0.68M), contracted services in Parks \$0.23M, utility locates \$0.19M, vehicle fuel and parts \$0.16M, and sportsfield maintenance \$0.16M partially offset by streetlight hydro (\$0.20M) and tipping fees (\$0.10M). These variances are primarily driven by reduced activity from the COVID-19 pandemic.

Fire Services (Actual \$40.01M – Budget \$39.30M = Variance (\$0.71M))

Unfavourable variance mainly due to YTD overcomplement of 4 net positions (\$0.23M) and overtime & shift premiums (\$0.38M).

Library (Actual \$10.25M – Budget \$13.54M = Variance \$3.29M)

Favourable variance mainly due to part-time savings \$3.30M, year-to-date average of six temporary net vacancies, program expenses and materials \$0.08M, maintenance and cleaning costs \$0.08M, and courier/delivery \$0.06M, partially offset by lost revenue of (\$0.76M) related to the closure of facilities and cancellation of programs from the COVID-19 pandemic.

Recreation (Actual \$15.38M – Budget \$10.91M = Variance (\$4.47M))

Unfavourable variance due to cancellation of program registration fees and membership revenues (\$12.47M) and facility rentals (\$5.26M), partially offset by part-time savings \$7.06M, year-to-date average of five temporary net vacancies and savings from redeployments \$1.27M, utilities \$1.97M, operating materials and supplies \$0.82M, contract service agreements \$0.65M and facility maintenance \$0.67M. These variances are due to the closure of facilities and cancellation of programs from the COVID-19 pandemic. Of note, an additional \$0.68M of part time savings from redeployments were captured in the Operations results above.

Waste (Actual \$8.68M – Budget \$9.22M = Variance \$0.54M)

Favourable variance mainly due to lower municipal facility, garbage and recycling collection charges \$0.13M and lower blue box and green bins for resale \$0.11M due to the COVID-19 pandemic, and a high than budgeted recovery from York Region \$0.31M.

Commissioner's Office (Actual \$0.42M – Budget \$0.67M = Variance \$0.25M)

Favourable variance mainly due to vacant commissioner position starting in July 2020.

Corporate Services (Appendix 11)

<u>Department</u>	<u>YTD Dec 2020</u>		<u>Variance</u>	
	<u>Actual</u>	<u>Budget</u>	<u>fav./(unfav.)</u>	
Legislative Services & Corporate				
Communications	5.95	4.67	\$	(1.28)
Financial Services	4.22	4.41	\$	0.19
ITS	8.07	8.99	\$	0.92
Sustainability & Asset Management	3.49	3.83	\$	0.34
Commissioner's Office	0.39	0.42	\$	0.03
<u>Net Expense</u>	\$ 22.12	\$ 22.32	\$	0.20

Legislative Services & Corporate Communications (Actual \$5.95M – Budget \$4.67M = Variance (\$1.28M))

Unfavourable variance mainly due to lower volume of parking fines (\$1.06M) and business licenses (\$0.60M) as a result of school and business closures from the COVID-19 pandemic,

partially offset by a year-to-date average of seven temporary net vacancies and savings from redeployments \$0.47M.

Financial Services (Actual \$4.22M – Budget \$4.41M = Variance \$0.19M)

Favourable variance mainly due to an average of three temporary net vacancies \$0.23M and savings in other contract services \$0.15M, partially offset by property tax overdue notice fees (\$0.25M) based on Council decision to waive penalty and interest charges on property taxes in 2020 in response to the COVID-19 pandemic and full year salary gapping (\$0.03M).

ITS (Actual \$8.07M – Budget \$8.99M = Variance \$0.92M)

Favourable variance mainly due to an average of six temporary net vacancies \$0.79M, and lower training seminar expenses \$0.06M.

Sustainability & Asset Management (Actual \$3.49M – Budget \$3.83M = Variance \$0.34M)

Favourable variance mainly due to a year-to-date average of three temporary net vacancies \$0.30M.

Development Services (Appendix 12)

<u>Department</u>	<u>YTD Dec 2020</u>		<u>Variance</u>	
	<u>Actual</u>	<u>Budget</u>	<u>fav./(unfav.)</u>	
Culture & Economic Development	4.06	3.73	\$	(0.33)
Traffic Operations	1.37	1.70	\$	0.33
Commissioner's Office	1.80	1.75	\$	(0.05)
Net Expense	\$ 7.23	\$ 7.18	\$	(0.05)

Culture & Economic Development (Actual \$4.06M – Budget \$3.73M = Variance (\$0.33M))

Unfavourable variance mainly due to Theatre ticket sales, charges and rentals (\$2.42M), and Art Centre and Museum program fees (\$1.08M), partially offset by part time salaries \$0.86M, an average of three temporary net vacancies and savings from redeployments \$0.62M, professional services (eg. artist fees) \$0.63M, discretionary advertising \$0.43M, operating materials and supplies \$0.16M, utilities \$0.13M, printing and office supplies \$0.08M and travel \$0.06M. The primary reason for the variances is due to the closure of facilities and cancellation of programs from the COVID-19 pandemic.

Traffic Operations (Actual \$1.37M – Budget \$1.70M = Variance \$0.33M)

Favourable variance mainly due to professional services (school crossing guards) \$0.27M related to the closure of schools from the COVID-19 pandemic.

Mayor and Council (Appendix 13)

<u>Department</u>	<u>YTD Dec 2020</u>		<u>Variance</u>	
	<u>Actual</u>	<u>Budget</u>	<u>fav./(unfav.)</u>	
Mayor & Council	\$ 2.75	\$ 2.98	\$	0.23
Net Expense	\$ 2.75	\$ 2.98	\$	0.23

Mayor and Council includes personnel costs for all Members of Council and Councillor assistants, non-personnel and Councillor discretionary budgets. The year end favourable variance is mainly driven by unspent discretionary budgets.

Corporate Items (Appendix 14)

<u>Department</u>	<u>YTD Dec 2020</u>		<u>Variance</u>
	<u>Actual</u>	<u>Budget</u>	<u>fav./ (unfav.)</u>
Corporate Items	\$ (156.46)	\$ (149.54)	\$ 6.92
Net Revenue	\$ (156.46)	\$ (149.54)	\$ 6.92

Favourable variance mainly due to Phase 1 Safe Restart Funding \$6.66M, higher investment income totaling \$3.03M from a higher interest rate \$1.67M and portfolio balance \$1.36M, lower than budgeted corporate contingency of \$2.66M, utilities and streetlight hydro budgeted savings \$0.84M and property tax adjustments \$0.57M. These are partially offset by property tax penalty and interest (\$2.84M), COVID related expenses (\$1.22M), year-end accounting adjustments (\$1.06M), insurance premiums (\$0.52M) and financial administrative fees (\$0.34M).

2. CITY'S PRIMARY OPERATING BUDGET BY MAJOR ACCOUNTS

(excl. year-end accounting accruals and other adjustments and winter maintenance)

<u>(\$ in millions)</u>	<u>2020</u>		<u>Variance</u>	<u>% of Budget</u>
	<u>Actual</u>	<u>Budget</u>	<u>fav./ (unfav.)</u>	
Revenues	\$224.08	\$240.83	(\$16.75)	93.0%
Expenses	<u>201.64</u>	<u>228.56</u>	<u>26.92</u>	88.2%
Surplus excluding winter maintenance	\$22.43	\$12.27	\$10.16	

The 2020 actual operating results, excluding year-end accounting accruals and other adjustments and winter maintenance, against budget netted a favourable variance of \$10.16M (revenue of (\$16.75M) unfavourable + expenses favourable of \$26.92M) and the breakdown is as follows:

a) REVENUES

At the end of 2020, revenues totalled \$224.08M against a budget of \$240.83M resulting in an unfavourable variance of (\$16.75M) (93.0% of budget).

<u>Revenues</u>	<u>Actual</u>	<u>Budget</u>	<u>Fav./ (Unfav.)</u>
Property Taxation Revenues	\$ 166.56 M	\$ 166.67 M	(\$ 0.11 M)
General Revenues	\$ 33.57 M	\$ 34.56 M	(\$ 0.99 M)
User Fees & Service Charges	\$ 9.69 M	\$ 32.14 M	(\$ 22.45 M)
Grant & Subsidy Revenues	\$ 9.01 M	\$ 1.94 M	\$ 7.07 M
Other Income	\$ 5.25 M	\$ 5.52 M	(\$ 0.27 M)
Net Variance	\$ 224.08 M	\$ 240.83 M	(\$ 16.75 M)

Property Taxation Revenues (Actual \$166.56M – Budget \$166.67M = Variance (\$0.11M))
 Property taxation revenues were unfavourable by \$0.11M mainly due to supplemental taxes (\$0.73M) partially offset by tax levies \$0.44M and payments-in-lieu \$0.18M.

For 2020, the total outstanding tax receivable for all years as of December 31st, 2020 was \$35.7 million or 5.0% of total taxes levied, meaning the City collected 95% of all taxes levied. For comparison, prior year collections were 2020: 96.4%, 2018: 96.4%, 2017: 96.1%, 2016: 95.7%.

General Revenues (Actual \$33.57M – Budget \$34.56M = Variance (\$0.99M))
 The general revenues budget includes investment income (budget \$24.69M), interest and penalties on property taxes (budget \$4.28M), parking fines (budget \$3.40M), and business, taxi, marriage and other licenses (budget \$2.19M).

General revenues also include Alectra interest and dividends (budget of \$13.66M) with a corresponding transfer in expenditures to the Life Cycle Replacement and Capital Reserve Fund. At year-end, a net \$1.00M is retained in the Operating Budget from Alectra interest and dividends.

General revenues totaled \$33.57M at the end of December against a budget of \$34.56M. The main drivers for the unfavourable variance of \$0.99M are interest and penalties on property taxes (\$2.84M), parking fines (\$1.00M), and tow truck, marriage and taxi licenses (\$0.81M) partially offset by investment income totaling \$3.03M from a higher interest rate \$1.67M and portfolio balance \$1.36M.

User Fees and Service Charges (Actual \$9.69M – Budget \$32.14M = Variance (\$22.45M))
 The user fees and services charges budget of \$32.14M includes revenues from programs offered by Recreation, Culture and Library departments and service fees such as new property tax account set-up fees, ownership change administrative fees and utility permit fees (budget \$21.33M), and facility rentals for arenas, pools, gym and halls (budget \$10.16M).

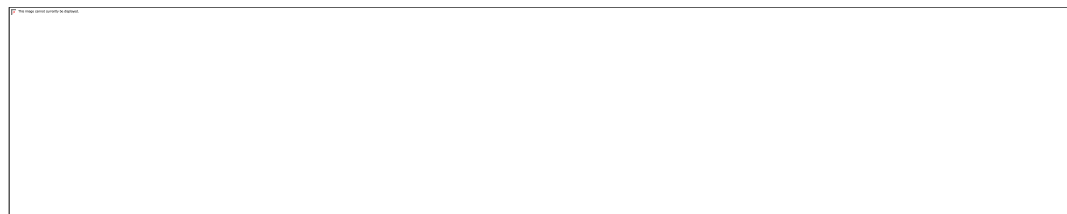
User fees and service charges were unfavourable by (\$22.45M), the main drivers of which were unfavourable Recreation user fees and rentals (\$17.90M), Theatre, Museum and Arts Centres user fees and rentals (\$3.50M) and Library programs and fines (\$0.76M) due to the closure of facilities and cancellation of programs from the COVID-19 pandemic.

Grants & Subsidy Revenues (Actual \$9.01M – Budget \$1.94M = Variance \$7.07M)
 The budget includes provincial and federal grants of \$1.94M. The favourable variance of \$7.07M resulted primarily from Safe Restart Funding - Phase 1 of \$6.66M, and from the receipt of one-time federal and provincial grants offset by corresponding expenses.

Other Income (Actual \$5.25M – Budget \$5.52M = Variance (\$0.27M))
 The unfavourable variance of (\$0.27M) is mainly due to miscellaneous department recoveries.

b) PERSONNEL EXPENDITURES

In 2020, personnel expenditures were favourable by \$16.07M or 88.5% of the year end budget.



In 2020, there was an average of 53 net temporary vacancies resulting in a favourable variance of \$2.78M. There were also part-time savings of \$14.00M. This was partially offset by full year budgeted salary gapping of (\$0.45M) netting a favourable variance of \$16.33M.

Overtime and other personnel costs were unfavourable by (\$0.26M).

c) NON-PERSONNEL EXPENDITURES

In 2020, non-personnel expenditures were favourable by \$10.85M (95.16% of budget).

<u>Non Personnel Items</u>	<u>Actual</u>	<u>Budget</u>	<u>Fav./(Unfav.)</u>
Materials & Supplies	\$ 4.29 M	\$ 5.83 M	\$ 1.54 M
Procured Services	\$ 32.27 M	\$ 40.07 M	\$ 7.80 M
Transfers to Reserves	\$ 39.03 M	\$ 37.30 M	(\$ 1.73 M)
Other Expenditures	\$ 2.12 M	\$ 5.36 M	\$ 3.24 M
Total	\$ 77.71 M	\$ 88.56 M	\$ 10.85 M

Materials & Supplies (Actual \$4.29M – Budget \$5.83M = Variance \$1.54M)

Materials & supplies budget of \$5.83M includes facility maintenance supplies, uniforms, recreation and other program supplies (budget \$2.76M), vehicle supplies such as fuel and repair parts (budget \$1.78M), and printing and office supplies (budget \$0.44M).

The favourable variance of \$1.54M is primarily due to operating materials and supplies \$1.31M (eg. uniforms, equipment and program expenses), vehicle fuel (gas and diesel) and parts \$0.19M and printing and office supplies \$0.18M.

Purchased Services (Actual \$32.27M – Budget \$40.07M = Variance \$7.80M)

Purchased services budget of \$40.07M includes utilities and streetlight hydro (budget \$11.30M), waste collection (budget \$12.01M), maintenance & repairs (\$5.72M), professional services such as Theatre artist/entertainer fees, school crossing guards and external legal services (budget \$3.04M), insurance (\$2.71M), communications (\$1.45M) and promotion and advertising (budget \$1.37M).

Purchased Services were favourable \$7.80M mainly due to:

- \$2.91M favourable in utilities and streetlight hydro primarily due to lower than budgeted usage related to the closure of facilities from the COVID-19 pandemic
- \$2.20M favourable in professional fees, communications, training, and travel related expenses (excl. office supplies of \$0.44M which is included under materials & supplies)
- \$1.33M contract service agreements (facility maintenance contracts)
- \$0.91M favourable in maintenance and repairs (streetlight and facility maintenance)
- \$0.61M promotion and advertising

Transfers to Reserves (Actual \$39.03M – Budget \$37.30M = Variance (\$1.73M)

The majority of funds transferred are directed to the Life Cycle and Capital Reserve Fund.

Other Expenditures (Actual \$2.12M – Budget \$5.36M = Variance \$3.24M)

Other expenditures budget of \$5.36M includes contingency expense and non-personnel ramp ups \$2.68M and property tax adjustments \$1.27M. Variance of \$3.24M is mainly due to lower corporate contingency expenditures of \$2.66M and property tax adjustments \$0.57M.

Year-End Accounting Accruals and Other Adjustments

Year-end accounting accruals and other adjustments = Unfavourable variance (\$1.06M)

The 2020 year-end accounting accruals and other adjustments totaled \$3.00M against a budget of \$1.94M resulting in an unfavourable variance of (\$1.06M), (\$0.93M) of which is due to the vacation accrual, and other employee related accruals (\$0.13M). The year-end accounting accruals and other adjustments include severance, salary continuance payments, firefighter sick leave payouts, post-employment benefits and salary accruals.

Winter Maintenance

The 2020 actual winter maintenance expenditures totaled \$9.63M against a budget of \$10.33M, resulting in a favourable variance of \$0.70M.

The City's winter maintenance budget includes personnel expenditures, salt and sand purchases as well as five service contracts:

1. Supply and operation of tandem/single combination plow to sand and plow the City's primary road network;
2. Supply and operation of loaders to assist in the snow removal in cul-de-sacs, wide corners and rear lanes;
3. Grader rentals to remove snow on the City's local road networks;
4. Sidewalk snow removal; and
5. Windrow snow clearing services for eligible applicants

FINANCIAL CONSIDERATIONS:

The Council approved Financial Planning and Budgeting Policy states any year-end operating surplus will first be transferred to the Corporate Rate Stabilization Reserve to achieve a level equivalent to 15% of local tax revenues, secondly to replenish the expenditures in the

Environmental Land Reserve Fund and finally transferred to the Life Cycle Replacement and Capital Reserve Fund. Due to the circumstances surrounding COVID-19 in 2020, there are several additional transfers to be considered.

The 2020 operating surplus is separated into two components:

1. The 2020 COVID-19 net favourable variance of \$2.21M be allocated as follows:
 - a. \$1.30M provision for future tax appeals;
 - b. \$0.91M transfer to the COVID Reserve
2. The City's 2020 business as usual operating net favourable variance of \$7.60M be transferred as follows:
 - a. \$3.60M one-time funding to replenish the Corporate Rate Stabilization Reserve;
 - b. \$0.79M to the Corporate Rate Stabilization Reserve to achieve a balance equal to 15% of the local tax levy;
 - c. \$3.21M to the Life Cycle Capital Replacement and Capital Reserve Fund; and further,

The audited 2020 draft consolidated financial statements will be presented to General Committee in April 2021. The year-end results presented in this report are subject to change based on the results of the external audit.

RECOMMENDED

Joel Lustig
Treasurer

Trinela Cane
Commissioner, Corporate Services

ATTACHMENTS:**[Appendices 1 to 14](#)**

Appendix 1 – Primary Operating Budget - Financial Results for the Twelve Months Ended December 31, 2020

Appendix 2 – Planning & Design Operating Budget - Financial Results for the Twelve Months Ended December 31, 2020

Appendix 3 – Engineering Operating Budget - Financial Results for the Twelve Months Ended December 31, 2020

Appendix 4 – Planning and Engineering Development Fee Reserve Balance for the Twelve Months Ended December 31, 2020

Appendix 5 – Building Standards Operating Budget - Financial Results for the Twelve Months Ended December 31, 2020

Appendix 6 – Building Fee Reserve Balance for the Twelve Months Ended December 31, 2020

Appendix 7 – Waterworks Operating Budget - Financial Results for the Twelve Months Ended December 31, 2020

Appendix 8 – Waterworks Reserve Balance at December 31, 2020

Appendix 9 – Variances by Commission and Department for the Twelve Months Ended December 31, 2020 – CAO's Office, Human Resources and Legal

Appendix 10 – Variances by Commission and Department for the Twelve Months Ended December 31, 2020 – Community and Fire Services

Appendix 11 – Variances by Commission and Department for the Twelve Months Ended December 31, 2020 – Corporate Services

Appendix 12 – Variances by Commission and Department for the Twelve Months Ended December 31, 2020 – Development Services

Appendix 13 – Variances by Commission and Department for the Twelve Months Ended December 31, 2020 – Mayor and Council

Appendix 14 – Variances by Commission and Department for the Twelve Months Ended December 31, 2020 – Corporate Items

APPENDIX 1

CITY OF MARKHAM
Operating Budget
(Including Library, excluding Planning & Design, Engineering, Waterworks and Building Standards)
Financial Results for the Twelve Months December 31, 2020
(in millions of dollars)

	2020 Actual	2020 Budget	Variance fav./ (unfav.)	Annual Budget	% of YTD Budget
Revenues					
Property Taxation Revenues	166.56	166.67	(0.11)	166.67	
General Revenues	33.57	34.56	(0.99)	34.56	
User Fees & Service Charges	9.69	32.14	(22.45)	32.14	
Grant & Subsidy Revenues	9.01	1.94	7.07	1.94	
Other Income	5.25	5.52	(0.27)	5.52	
Revenues Total	224.08	240.83	(16.75)	240.83	93.0%
Expenditures					
Salaries & Benefits	123.93	140.00	16.07	141.27	
Material & Supplies	4.29	5.83	1.54	5.83	
Procured Services	32.27	40.07	7.80	40.15	
Transfers to Reserves	39.03	37.30	(1.73)	39.23	
Other Expenditures	2.12	5.36	3.24	4.02	
Expenditures Total	201.64	228.56	26.92	230.50	88.2%
Year-End Accounting Accruals & Other Adjustments	3.00	1.94	(1.06)		
Surplus not including winter maintenance	19.44	10.33	9.11	10.33	
Winter Maintenance	9.63	10.33	0.70	10.33	
Surplus including winter maintenance	9.81	(0.00)	9.81	(0.00)	

APPENDIX 3

CITY OF MARKHAM
Planning & Design Operating Budget
Financial Results for the Twelve Months December 31, 2020
(in millions of dollars)

	2020 Actual	2020 Budget	Variance fav./(unfav.)	Annual Budget	% of YTD Budget
Revenues					
Planning & Design Fees	16.03	10.57	5.46	10.57	
Revenues Total	16.03	10.57	5.46	10.57	151.7%
Expenditures					
Salaries & Benefits	4.86	6.03	1.17	6.03	
Material & Supplies	0.01	0.04	0.03	0.04	
Procured Services	3.83	3.88	0.05	3.88	
Expenditures Total	8.70	9.95	1.25	9.95	87.4%
Surplus/(Deficit) Before Transfer to/Draw (from) Reserve	7.33	0.62	6.71	0.62	
Transfer to Reserve	7.33	0.62	6.71	0.62	
Surplus After Transfer to Reserve	0.00	0.00	0.00	0.00	

APPENDIX 4

CITY OF MARKHAM
Engineering Operating Budget
Financial Results for the Twelve Months December 31, 2020
(in millions of dollars)

	2020	2020	Variance	Annual	% of
	Actual	Budget	fav./((unfav.))	Budget	YTD Budget
Revenues					
Engineering Fees	10.32	8.79	1.53	8.79	
Revenues Total	10.32	8.79	1.53	8.79	117.4%
Expenditures					
Salaries & Benefits	4.95	5.70	0.75	5.70	
Material & Supplies	0.00	0.03	0.03	0.03	
Procured Services	2.83	2.92	0.09	2.92	
Expenditures Total	7.79	8.65	0.87	8.65	90.1%
Surplus/(Deficit) Before Transfer to/Draw (from) Reserve	2.54	0.14	2.40	0.14	
Transfer to Reserve	2.54	0.14	2.40	0.14	
Surplus After Transfer to Reserve	0.00	0.00	0.00	0.00	

APPENDIX 5

CITY OF MARKHAM
Planning & Engineering Development Fee Reserve Balance
Financial Results for the Twelve Months December 31, 2020
(in millions of dollars)

	2020 Budget	2020 Actual
Opening Balance at January 1, 2020	(0.52)	(0.52)
Transfer to Capital and Interest Charges	(0.30)	(0.25)
Transfer to/Draw (from) Reserves		
Planning & Design	0.62	7.33
Engineering	0.14	2.54
Planning & Engineering Reserve Ending Balance	(0.06)	9.10

APPENDIX 6

CITY OF MARKHAM
Building Standards Operating Budget
Financial Results for the Twelve Months December 31, 2020
(in millions of dollars)

	2020 Actual	2020 Budget	Variance fav./((unfav.))	Annual Budget	% of YTD Budget
Revenues					
Building Permits	5.25	7.07	(1.82)	7.07	
Other Revenues	0.16	0.07	0.09	0.07	
Revenues Total	5.41	7.14	(1.73)	7.14	75.8%
Expenditures					
Salaries & Benefits	5.95	6.28	0.33	6.28	
Material & Supplies	0.02	0.07	0.05	0.07	
Procured Services	3.11	3.18	0.07	3.18	
Expenditures Total	9.08	9.53	0.45	9.53	95.3%
Surplus/(Deficit) Before Tr	(3.67)	(2.39)	(1.28)	(2.39)	
Transfer to Reserve	(3.67)	(2.39)	(1.28)	(2.39)	
Surplus After Transfer to I	0.00	0.00	0.00	0.00	

APPENDIX 7

CITY OF MARKHAM
Building Fee Reserve Balance
Financial Results for the Twelve Months December 31, 2020
(in millions of dollars)

	2020 Budget	2020 Actual
Opening Balance at January 1, 2020	10.36	10.36
Transfer to Capital and Interest Income	(0.32)	(0.32)
Projected Transfer to/Draw (from) Reserves	(2.39)	(3.67)
Building Reserve Ending Balance	7.65	6.37

APPENDIX 8

CITY OF MARKHAM
Waterworks Operating Budget
Financial Results for the Twelve Months December 31, 2020
(in millions of dollars)

	2020 Actual	2020 Budget	Variance fav./ (unfav.)	Annual Budget	% of YTD Budget
Sales & Purchases of Water					
Water Revenue					
Water & Sewer Billing	137.10	139.26	(2.16)	139.26	
Water Expenditure					
Contracted Municipal Services	103.94	109.35	5.41	109.35	
Net Sales & Purchases of Water	33.16	29.90	3.26	29.90	110.9%
Other Revenues Total	1.10	1.41	(0.32)	1.41	77.5%
Other Expenditures					
Salaries & Benefits	7.76	8.02	0.26	8.02	
Non Personnel Expenditures	6.31	7.68	1.37	7.68	
Expenditures Total	14.07	15.70	1.63	15.70	89.6%
Surplus Before Transfer to Reserve	20.19	15.62	4.57	15.62	
Transfer to Reserve	20.19	15.62	(4.57)	15.62	
Surplus After Transfer to Reserve	0.00	0.00	0.00	0.00	

APPENDIX 9

CITY OF MARKHAM
Waterworks Reserve Balance

Financial Results for the Twelve Months December 31, 2020
(in millions of dollars)

	2020 Budget	2020 Actual
Opening Balance - January 1, 2020	61.85	61.85
Transfer to 2020 Capital	(12.68)	(13.69)
Interest Income	0.70	0.60
Transfer from Closed Capital Projects	0.00	0.72
Transfer to Reserve	15.62	20.19
Waterworks Reserve Ending Balance	65.49	69.67

APPENDIX 10**CITY OF MARKHAM****Variances by Commission and Department****CAO'S Office, Human Resources and Legal Department****Financial Results for the Twelve Months December 31, 2020**

(in millions of dollars)

Department	Fav./ (Unfav.)			
	Personnel	Non-Personnel	Revenue	Total
CAO'S OFFICE	0.10	0.08	0.00	0.18
HUMAN RESOURCES	0.24	0.40	0.00	0.64
LEGAL DEPT.	0.05	0.06	0.16	0.27
Total	0.39	0.54	0.16	1.09

APPENDIX 11

CITY OF MARKHAM
Variances by Commission and Department
Community and Fire Services
Financial Results for the Twelve Months December 31, 2020
(in millions of dollars)

Department	Fav./ (Unfav.)			
	Personnel	Non-Personnel	Revenue	Total
OPERATIONS	1.34	0.66	(0.26)	1.74
FIRE SERVICES	(0.59)	0.02	(0.14)	(0.71)
LIBRARY	3.69	0.36	(0.76)	3.29
RECREATION SERVICES	8.53	4.90	(17.90)	(4.47)
ENVIRONMENTAL SERVICES	0.07	0.01	-	0.08
WASTE	0.04	0.20	0.30	0.54
COMMISSIONER'S OFFICE	0.18	0.07	-	0.25
Total Excl. Winter Maintenance	13.26	6.22	(18.76)	0.72
WINTER MAINTENANCE	(0.08)	0.87	(0.09)	0.70
Total	13.18	7.09	(18.85)	1.42

APPENDIX 12

CITY OF MARKHAM
Variances by Commission and Department
Corporate Services
Financial Results for the Twelve Months December 31, 2020
(in millions of dollars)

Department	Fav./ (Unfav.)			
	Personnel	Non-Personnel	Revenue	Total
LEGISLATIVE SERVICES & CORPORATE COMMUNICATIONS	0.39	0.71	(2.38)	(1.28)
FINANCIAL SERVICES	0.23	0.30	(0.34)	0.19
ITS DEPARTMENT	0.79	0.13	-	0.92
SUSTAINABILITY & ASSET MANAGEMENT	0.30	(0.66)	0.70	0.34
COMMISSIONER'S OFFICE	0.01	0.02	-	0.03
Total	1.72	0.50	(2.02)	0.20

APPENDIX 13

CITY OF MARKHAM
Variances by Commission and Department
Development Services
Financial Results for the Twelve Months December 31, 2020
(in millions of dollars)

Department	Fav./ (Unfav.)			
	Personnel	Non-Personnel	Revenue	Total
CULTURE & ECONOMIC DEVELOPMENT	1.47	1.67	(3.47)	(0.33)
TRAFFIC OPERATIONS	0.10	0.23	-	0.33
COMMISSIONER'S OFFICE	(0.09)	0.04	-	(0.05)
Total	1.48	1.94	(3.47)	(0.05)

APPENDIX 14

CITY OF MARKHAM
Variances by Commission and Department
Mayor & Council
Financial Results for the Twelve Months December 31, 2020
(in millions of dollars)

	Fav./ (Unfav.)			
Department	Personnel	Non-Personnel	Revenue	Total
MAYOR & COUNCIL	0.13	0.10	-	0.23
Total	0.13	0.10	-	0.23

APPENDIX 14

CITY OF MARKHAM
Variances by Commission and Department
Corporate Items
Financial Results for the Twelve Months December 31, 2020
(in millions of dollars)

Department	Fav./ (Unfav.)			
	Personnel	Non-Personnel	Revenue	Total
CORPORATE ITEMS	(0.91)	0.48	7.34	6.92
Total	(0.91)	0.48	7.34	6.92



Canada Healthy Communities Initiative Proposed Markham Projects

**General Committee Meeting
March 1, 2021**



Overview of Program

- Healthy Communities Initiative is a \$31 million federal investment program designed to transform public spaces in response to COVID-19.
- The initiative supports communities as they create and adapt public spaces, and programming and services for public spaces to respond to ongoing needs arising from COVID-19 over the next two years.
- The initiative will fund small-scale physical, social, and digital infrastructure projects to create safer, more vibrant and inclusive communities.
- Community Foundations of Canada (CFC) and its network are working alongside the Canadian Urban Institute (CUI) and other partners to evaluate and approve projects for funding.



Overview of Program

- The Healthy Communities Initiative will provide funding to a broad range of organizations:
 - Municipalities and municipally-owned corporations
 - Charities
 - Indigenous communities
 - Non-profits
- Healthy Communities Initiative Themes:
 - Create and adapt safe and vibrant public spaces
 - Improve mobility options
 - Provide innovative digital solutions to connect people and improve health



Overview of Program

- Healthy Communities Initiative projects will:
 - respond to identified needs arising from impacts of COVID-19;
 - create and adapt public spaces, and programming and services for public spaces in the public interest;
 - demonstrate consideration of and connections with the community;
 - serve the general public or a community disproportionately impacted by COVID-19; and,
 - fall within the three Healthy Communities Initiative theme areas.



Overview of Program

- **Project Timeline – Round One** - Apply by March 9, 2021. All applicants will receive results by April 30, 2021. Applicants that did not receive funding in Round One can apply to Round Two but no guaranteed funding.
- **Round Two** – Apply between May 14, 2021 and June 25, 2021. Applicants will receive results by August 13, 2021.
- **Funding Range:** \$5,000 and \$250,000
- **Approved Expenses:** Incurred prior to June 30, 2022
- **Number of Submissions** – There will be two rounds of funding. Markham can submit one application per round.
- **Evaluation:** Criteria includes the project rationale, community engagement, outcomes and project implementation and readiness



Markham's Approach

1. Promote funding opportunity to various community groups, charities, and non-profits to maximize funding for potential projects
 - Results:
 - A number of community organizations plan to apply
 - Some groups have reached out to Markham staff for advice/support
2. City of Markham engaged Markham Council and Staff for projects
 - Results:
 - A list of projects generated that may be submitted by the city, its municipally-owned corporations, and associated charities/non-profits
 - March 1 General Committee will provide direction to staff to proceed



Summary of Projects

Name	Theme	Budget
Franklin Carmichael Park – Multi Purpose Outdoor Hard Surface	Digital Solutions and Safe and vibrant public spaces	\$250,000
Kirkham Community Allotment Garden Expansion & Pilot Food Forest in South Markham	Safe and vibrant Public Space	\$250,000
CN Railroad Bridge Public Art Project	Safe and vibrant Public Space	\$40,000
Pop up Park Program	Safe and vibrant Public Space	\$178,000
Install PXOs (ladder crosswalks and signage)	Improved Mobility Options	\$75,000
Sunday street closures from June to September	Improved Mobility Options	\$75,000



Discussion

Canada Healthy Communities Initiative Summary of Proposed Markham Projects

Project: Franklin Carmichael Park – Multi Purpose Outdoor Hard Surface

Attachment: See detailed proposal attached separately

Construct a multi-purpose outdoor hard surface court to accommodate sports, including basketball, ball hockey and four square-- spring through fall -- with the ability to easily convert the space and/or a portion of it to a large outdoor ice rink in winter.

Thornhill's Franklin Carmichael Park, located at 277 Green Lane, is a 2.02 hectare (5 acre) grassed residential area park with a soccer field, small playground and parking lot. It serves a community of approximately 4,103 single family homes with 11,500 residents* (*Average Ontario family size, 2018: 2.9) in the eastern part of Ward 1.

Support this Thornhill community by making better use of this public park by adapting a small portion of it as a means of responding to the ongoing needs of residents arising from COVID-19. Increase use of this park and create a safer, more vibrant and inclusive community that brings people together in a meaningful way for physical exercise while building community spirit, collaboration and well-being.

Project: Kirkham Community Allotment Garden Expansion & Pilot Food Forest for South Markham

Attachment: See Community Group Proposal on Food Forest attached separately

Some facts about food security:

Prior to the Pandemic

- 1 / 8 Canadian households experienced food security issues
- In York Region = 24,700 households (7%) affected
- Food insecurity disproportionately affects black & indigenous households

In 2021 Canadians will pay an extra \$695 (3-5% increase) for food on average
Research indicates that the pandemic & climate change are key factors

The current form of Kirkham is essentially a pilot project that began in 2014 with minor enhancements. Markham has yet to move ahead with the original concept for a larger scale garden program built out on this property. There is an ongoing waitlist each season (4-8 names), but over 2020/21 the waiting list for garden plots has significantly increased (currently at 30 households). Phase 1 expansion of Kirkham Garden: 25 additional plots, with fence and a composting area.

This proposal also makes the case for a public, accessible, and local food forest on City property in partnership with a youth-led, volunteer-run residents' group.

Food insecurity is a growing concern facing our communities, and it is incumbent on us as a community to institute solutions to ensure no resident is left behind. The food forest is an effective garden solution that offers a return on investment in different fields like food access, environmental benefits, social equity and community engagement. We are proposing to partner with the City of Markham to plant the South Markham Food Forest and to see it come into fruition.

Project: CN Railroad Bridge Public Art Project

Attachment: See detailed community proposal attached separately

The beautification for the two rail bridges located at Hwy. 48 and 14th Ave. Visual Art students from UHS (nearest public arts school) and Middlefield Collegiate Institute (nearest public high school) will participate in the design process working with their teachers, Shane Clodd and Sandra Liau, and a diverse group of professional guest artists.

Project: Pop Up Park Program

Staff Proposed Project

This successful program provided much-needed outdoor activities to Markham residents last year. The project proposes a program that would offer 1.5 – 2 hours Recreation based programs in local parks across Markham for children ages 5 -12. There would be 20 Pop Park programs per day (10 each morning and afternoon). The teams would consist of part time summer students who would travel throughout the city to designated park locations. The program would be pre-registered and there would be a nominal fee (\$2 per day) for registration, last year's program was free but we had a lot of no shows.

Project: Pedestrian cross-overs (PXO)

Staff Proposed Project

Level 2 Type D pedestrian cross-overs will be installed at 25 elementary school locations with adjacent community amenities, such as playground, parks, and sports fields. These permanent installations create safer road crossing conditions for families and their children to access the school and adjacent amenities.

Project: Sunday Street Closure

Staff Proposed Project

Sunday closures on a street to support local community active lifestyle programming during Summer months. It will help showcase local talent and amenities. Building upon the Enterprise Blvd road closures in 2020, this project is planned to become an annual event. Example - Unionville Main Street slow street - this project consists of traffic calming measures and expansion of the street boulevards to create a calmer and safer condition for pedestrians and cyclists during Summer. This Main Street is a busy tourist attraction during the Summer months. This builds upon similar measures applied in 2020 and is to become an annual occurrence.

Summary Table

Project Name	Funder's Requirements						Project Budget*
	Needs arising from COVID	Public space or programming in public spaces	Community engaged in project	General public or groups impacted by COVID-19	Complete budget	Funders Theme	
Franklin Carmichael Park – Multi Purpose Outdoor Hard Surface	Yes	Public Space	Yes	General Public	Yes	Safe and vibrant Public Space	\$250,000*
Kirkham Community Allotment Garden Expansion & Pilot Food Forest in South Markham	Yes	Public Space	Yes	General Public	Yes	Safe and vibrant Public Space	\$250,000*
CN Railroad Bridge Public Art Project	Yes	Public Space	Yes	General Public	Yes	Safe and vibrant Public Space	\$40,000*
Pop up Park Program	Yes	Programming in public space	Yes	Groups – youth	Yes	Safe and vibrant Public Space	\$178,000
Install PXOs (ladder crosswalks and signage)	Yes	Programming in public space	Yes	General Public	Yes	Improved Mobility Options	\$75,000
Sunday street closures from June to September	Yes	Programming in public space	Yes	General Public	Yes	Improved Mobility Options	\$75,000

*Budget: One time construction cost – but does not include lifecycle impacts and annualize operating and maintenance costs.



Canada Healthy Communities Initiative

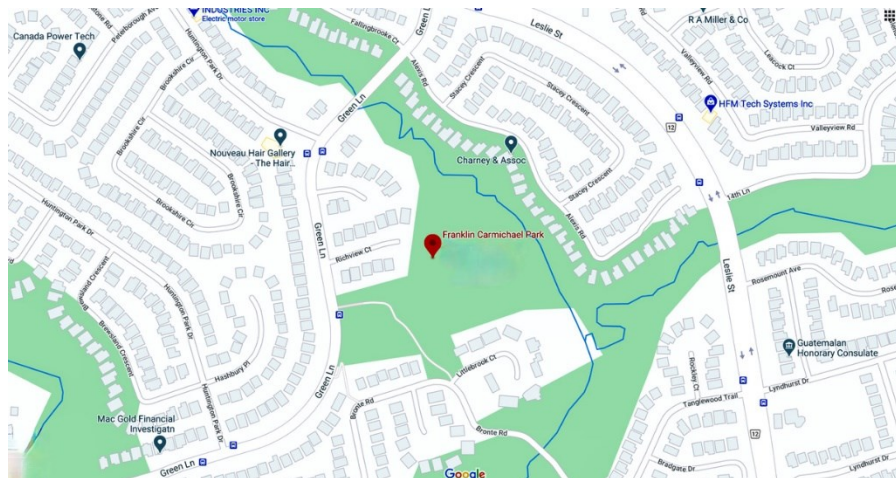
Proposal for Ward 1 Thornhill



Canada Healthy Communities Proposal for Ward 1 Thornhill

- **Situation:**

- Thornhill's **Franklin Carmichael Park**, located at 277 Green Lane, is a 2.02 hectare (5 acre) grassed residential area park with a soccer field, small playground and parking lot.
- It serves a community of approximately 4,103 residences, within a one-kilometre radius, representing 11,900 residents* in the eastern part of Ward 1.
- From the viewpoint of structured recreation and other public amenities, the neighbourhood is deficient relative to its population.



*Average Ontario family size, 2018: 2.9



Canada Healthy Communities Proposal for Ward 1 Thornhill

- **Target:**

- Support this Thornhill community by making better use of this public park by adapting a small portion of it as a means of responding to the ongoing needs of residents arising from COVID-19.
- Increase use of this park and create a safer, more vibrant and inclusive community that brings people together in a meaningful way for physical exercise while building community spirit, collaboration and well-being.



Canada Healthy Communities Proposal for Ward 1 Thornhill

- **Proposal:**

- Construct a multi-purpose outdoor hard surface court to accommodate sports such as basketball, ball hockey, and four square - *spring through fall* -- with the ability to easily convert the space to a large outdoor ice rink in winter.
- Note: this area of the park already has City of Markham supplied water service to facilitate an ice rink; installation of a light standard to illuminate the playing surface year-round



A Food Forest for South Markham

**A Youth-Led Initiative for the South Markham Community
Our Proposal to Plant a Food Forest in a Public Park**



JANUARY 2021

Written by:

The South Markham Food Security Initiative (Shannon Cabrio, Michael Chen, Sarphina Chui, Shivi Darubra, Jessica Jansz, Manav Kainth, and Vikash Nanthakumar)

Executive Summary

During July-August 2020, a group of 7 university graduates and young working professionals connected virtually to address the issue of food access within South Markham. The Markham residents had initial conversations about creating community gardens, which led to the vision of re-imagined public parks with food forests. The COVID-19 pandemic showed Canadians that the issues of isolation, food access, rising costs of living and racial inequities were real and unignorable. These issues also affected Markham residents. With the support of the “South Markham Connects” pilot program (funded through United Way), the youth called themselves the “South Markham Food Security Initiative” and wrote the proposal that you are reading now. Through our research and consultation with community agencies and residents, we also learned that a food forest can also connect to the Markham’s [Food Charter](#) and the [Greenprint Sustainability Plan](#). This proposal includes a backgrounder on South Markham, youth-led community consultations and support letters written by local community agencies. This proposal makes the case for a public, accessible and local food forest on a park jointly created by the City of Markham and our youth-led, volunteer-run residents’ group.

We thank South Markham Connects for providing support to us to be able to write this proposal and conduct community consultations. We thank SMC’s Paul Newton for his support and his mentorship throughout our group’s development. In addition, we thank the residents who participated in our consultations. Finally, we would also like to thank the community non-profits organizations who gave their time and provided feedback on our idea. Their feedback has been invaluable to our members who wrote this proposal.

Our Roles and Responsibilities

We see ourselves working in partnership and to be consulted by the City on the design and implementation of the South Markham Food Forest. As a volunteer-run community residents’ group, we would be responsible for the maintenance of the food forest in partnership with local service groups and community agencies.

About the South Markham Food Security Initiative:

Launched in July 2020, the SMFSI is a youth-led residents’ group seeking to work in partnership with the Markham municipality to create a public and accessible food forest where people from all walks of life can access food and engage with their local South Markham community. A barrier-free food forest brings benefits to residents’ mental health, well-being, and food access. The food forest space would provide opportunities to form intergenerational connections. The food forest would enhance the local biodiversity, draw down carbon emissions and improve the environment in South Markham.

Critical Information and Background of South Markham

For the purpose of this food forest proposal, South Markham is defined within the boundaries of Warden Avenue (West) to Markham Road (East) and 14th Avenue (North) to Steeles Avenue (South). It includes the neighbourhoods of Milliken Mills West, Milliken Mills East and Middlefield. It is located above the City of Toronto, north of Scarborough.

Based on a Needs Assessment and Asset Analysis conducted in South Markham (2020), the stakeholders at the time identified community strengths and challenges that they faced. The top 5 community strengths and assets include the existence of:

- Community services, cultural groups and recreational spaces.
- Active community members who care, support and are interested in community building.
- Community centres and libraries as hubs for youth, seniors and families.
- Coordination of services and partnership development.
- A diverse community made of various cultures, religions, languages and lived experiences.

Some identified community challenges include the need for:

- Accessible, affordable and reliable transportation.
- Decent work, skills-building and training opportunities.
- Accessible space for events, community discussions and gatherings.
- Better communication in multiple languages, accessible signage and various mediums.
- Better access to mental health services.
- Community building through a robust racial equity lens.

History of South Markham

Since the 1980s, South Markham has been home to diverse immigrant communities. According to Statistics Canada (2016), 92% of the population identified as a visible minority, with 42% identifying as Chinese and 35% as South Asian. Two-thirds of the population were immigrants, and 85% of these immigrants were born in Asia.

Food Security Statistics

Food insecurity is defined as ‘all people, at all times, have physical and economic access to sufficient, safe and nutritious food that meets their dietary needs and food preferences for an active and healthy life.’² Every two years, the Canadian Community Health Survey (CCHS) uses the Household Food Security Survey Module (HFSSM) to evaluate income-related household food security in Canada¹, focusing on the household’s ability to afford the food it needs. According to the York Region’s food bank, there has been a 26% spike in food bank demands in 2019.³ This shows the increased food insecurity we witness within our community. Food banks

have been facing higher demand during the COVID-19 pandemic, which suggests food insecurity has worsened in 2020.

Benefits

A food forest provides local residents with economic, social, environmental, community and health benefits. Here are some examples of what trees can do for residents and the environment.

Economic Benefits

- **Energy conservation** through natural cooling and sheltering.
- **Increased property value** in close proximity to improved green spaces.
- **Reduced healthcare costs** as a result of inclusive green areas.

Social Benefits

- **Reduction in crime** in urban areas with presence of vegetation.
- The presence of trees **creates a system of informal surveillance and security**.
- Provides residents with a **sense of ownership** of their local areas.
- Encourages neighbours out of their homes and into public and open spaces, creating opportunities for **informal social contact**.
- When youth view green spaces, they perform significantly better on tests, experience reduced physiological stress levels, and **enhanced psychological well-being**.

Environmental Benefits

- Supports pollinator and wildlife habitats
- The trees drawdown carbon emissions and produces fresh air
- Trees intercept and absorb stormwater runoff, preventing flooding and erosion
- The tree canopies provides shade
- Native plants support biodiversity
- A food forest provides an additional feature for residents to engage in their parks.

Community Benefits

- **More inclusive neighbourhoods** by providing a chance for people to connect and bond. A food forest provides an inclusive gathering place for people of all ages and cultural backgrounds. This is especially valuable to a diverse city like Markham.
- Opportunities to learn from others and share knowledge on gardening and cooking.
- Healthier diets due to eating locally grown fresh fruits and vegetables.
- Opportunities to grow cultural-specific fruits and vegetables to meet the needs of a multicultural audience.

- **Easy access to affordable food.** Especially valuable to lower-income residents.
- Food skill development through sharing ideas from various cultures. Valuable to a culturally and ethnically diverse city with residents from South Asian, Southeast Asian and East Asian diasporas.
- Enhanced environmental awareness; people learn that growing food locally means less use of fossil fuels compared to importing food.

General Health and Physical Wellbeing

- **Hospital patients who can view trees recover quicker** than patients with no exposure to trees and natural activities.
- **Seniors experienced improved physical health** when they spent time outside engaging in gardening activities.
- **People are more productive and less stressed** with the presence of plants in their homes.
- **Trees protect us from urban air pollution**, reducing the severity of respiratory illnesses like asthma & combat heart disease.

Mental Health

- **Trees combat depression!** Garden walking is used to help treat depression in adults and has been shown to increase memory span, reduce pain and stress, improve self-esteem, improve attention and other emotional and behavioural benefits.
- **Veterans with PTSD treated with rehabilitation involving nature experiences** have an **improved** emotional and social quality of life, giving more positive mood effects.
- Reduces the effects of dementia.
- Natural landscapes (forests and parks) and the availability of public spaces used for general entertainment **aid in treating attention deficit disorders** including ADD/ADHD.
- Correlations between the use of open spaces and reduced stress, **reduced psychological distress, depression symptoms, clinical anxiety, and mood disorders in adults.**
- **These all lead to greater happiness and life satisfaction.**

Case Study

There are numerous food forests (also referred to as “edible food gardens”) throughout Canada, and plenty in the province of Ontario. Here, we would like to highlight a few case studies to further state the needs for one. But it is to also state that we are not trying to start a new movement, but joining and reinforcing a movement that is already started in other municipalities, yet to be joined by Markham.

Sudbury Food Forest [Source: Keown, M. K]

Managed by the Sudbury Shared Harvest organization, they created their first food forest in 2017, housing 40 varieties of fruits and vegetables in about 8,000 square feet of cultivated land.



- **Sudbury Shared Harvest is planning on establishing at least one food forest in each ward and each would be small to sustain the city as a whole.**

The land is open to the public. Food is being harvested whenever a volunteer or worker is there to supervise.

Some of the products being grown include apple, cherry, and plum trees; saskatoon berries; strawberries; gooseberries; asparagus; rhubarb; currants; three varieties of raspberries.

- Everything in the forest is drought-resistant
- The food forest is designed not to require watering after the first two years
- All of the plants can survive the harsh colds

Kitchener Community Gardens

The City of Kitchener currently has 35 community gardens. These gardens are maintained by volunteers and are strictly for public – not commercial – use. These operate on city-owned land and guides are available for residents to start their own community garden project. These are great for neighbourhood bonding and helps to build safe, inclusive communities.

Waterloo Community Gardens

Similar to Kitchener, the region of Waterloo has a number of community gardens available to residents. Additionally, Waterloo also has community school gardens, which also help to promote positive well-being, healthy food education, outdoor education opportunities and academic success.

Community Engagement Framework

First, we would like to point out that there is a widespread excitement from all of the consultations to the idea of a food forest added to Markham. All of the participants in the consultations are excited to use the products that will be grown. There is also a shared understanding, knowledge, and appreciation of Markham's need for more access to nutritious food. This food forest can directly benefit residents who can not access it themselves due to socioeconomic, physical limitations, or financial restrictions. But it is not without benefits that will extend to the rest of the Markham community.

Community Feedback

The community <i>agencies</i> we consulted	The community <i>groups</i> we consulted
<ul style="list-style-type: none"> - The York Region Food Network - Cornerstone Church's Food Pantry - Centre for Immigrant & Community Services 	<ul style="list-style-type: none"> - Wilclay Women's Group - Island Breeze Seniors Group - CICS Immigrant Youth Centre

Every group gave us a consensus of further acknowledgment that food security needs to be addressed in Markham. If they did not know about it, we provided them with knowledge and resources on the statistics of food insecurity in South Markham for an agreement that something needs to be done in addition to the relief programs already offered by local government and community agencies. Below are summarized notes from the consultations and meetings.

Reasons to Approve a Food Forest:

- The inclusion of available fruits and vegetables for those who need it will provide an improved diet for those who can not afford adequate food and are now missing that necessary part of their diet.
 - It allows more people to have access to locally-grown and healthy food.
 - They would not need to worry about waiting in long lines at grocery stores nor additional costs to live a healthier lifestyle.
 - It is an alternative to the bulk of non-perishable food donations from food banks.
- Low maintenance, as the food forest plants, will keep growing and self-sustains itself.
- The more food forests we have, the better it is for the community.
 - It will add many benefits to the community that holds the food forest.
 - As some consultants who said they would not need to take food, they stated that they would still go to admire its beauty and, therefore, add to Markham's community aesthetics and social capital.
 - Residents said they would make an event of going with their family to make a special meal together.
 - There was also interest in the youth to volunteer there.
 - Residents said it would bring a fresh start and addition to the growth of Markham.
- It would benefit the mental health of those around the food forest greatly.
- Environmental Drawdown and Environmental Education
- It is a cultural piece of the community's needs that would include the city's involvement, producing societal benefits.
 - It is about more than just feeding people in need; while that is a great benefit, other benefits are included in the proposal's *benefits* tab.
- Even in the winter, it can be accessible and harvestable (including kale, leeks, and garlic, which can all be harvested in the winter). With the inclusion of an expert, there can be even more activities and food-related programming during the winter months. There can even be a fire pit included in the winter.
- It is crucial to be connected with the land and connect with local seasonality, knowing what food groups can grow in York Region.
- It encourages a conversation on food access, and food security, resulting in increased knowledge on the subject and more efforts to solve it.
- There is an opportunity for diverse cultures and multiple generations of families to come and gather together.
- Importance of community engagement through:
 - Foraging, walking, cooking classes, discussions on the benefits of some weeds, tasting, and a list of more engagement that can happen in the partnership with York Region Food Network

Community Suggestions

- Adjustment to the garden for the wintertime –
 - (1) Adding winter activities, including winter foraging, harvesting winter plants, *(this will require the experience of an expert)*, and the inclusion of a fire pit.
 - (2) Possible idea: Creating an adjacent greenhouse during the winter
 - (3) Storing some of the preservable vegetables during the winter
- We would need these areas to be wheel-chair accessible and volunteers available to assist those who can not harvest the fruit themselves.
- Potential partnerships with nearby schools; bundling garden activities with school students to spread awareness of the program's existence.
- There were complaints about the lack of diversity in the available plants.
 - *We acknowledge that a food forest will not grow every root, vegetable, or fruit, (such as tropical fruits or foods that cannot grow in Ontario) but more people say that more benefits outweigh these critiques.*
- It will require maintenance and accessibility provided by the city and volunteers.
 - It would need to be plowed in the winter
 - A resident said that it would need to be promoted (like other City programs and services) so they can benefit the people they are meant to help.

Forming Community Partnerships

We foresee working with the support of the non-profit agencies that we consulted for their expertise and with service groups to maintain the food forest. For example, York Region Food Network can provide education and training for maintenance of an edible food garden. Another agency like the Centre for Immigrant & Community Services can also assist with gathering youth and seniors to work on the maintenance of the food forest. Additionally, we will also reach out to service groups such as the Scouts and Girl Guides and nearby schools to assist with the maintenance of the food forest once it is planted.

Budget Planning

Funding Sources

The South Markham Food Security Initiative would like to work in partnership with the City of Markham to start a food forest on underutilized city parks in South Markham. As a community group, we are eligible to apply for several grants. However, we would like to work with the city to establish permissions to plant on city property.

Once permission is granted, we are eligible to apply for grants including: Nature's Path (Gardens For Good), Ontario Trillium Foundation, Canada Post Community Foundation, EcoAction Community Funding Program (Government of Canada), Community Conservation Action Program (Wildlife Habitat Canada) and the Trillium ROOTS Community Support Fund.

Municipalities can apply for: the TD Friends of the Environment Foundation Grant, Municipalities for Climate Innovation Program (Federation of Canadian Municipalities).

As much as and wherever possible, the SMFSI would seek in-kind donations from local community agencies and apply for grants to offset the cost of the food forest planting.

City Costs

Below is a list of possible city costs that we have identified that we would ask the City to contribute to this project because our vision is to plant a food forest on public park lands. This is not an exhaustive list.

- Land and maintenance
- Building permits and locates
- Water supply
- Soil testing
- Site preparation
- Shed and other storage
- Fencing or other delineation like shrubs
- Tools, hoses, hand tools, wheelbarrows
- Plot construction and/or raised beds for additional vegetables

SWOT Analysis

<p>Strengths</p> <ul style="list-style-type: none"> - Convenient food access to residents - Enhanced psychological well-being - More inclusive neighbourhoods that encourage social contact and bonding - Protection from air pollution - Healthier diets due to eating locally grown fresh fruits and vegetables - Benefits to Markham's reputation as an innovative, forward-looking city - After 2 years, food forest is self sustaining and requires less maintenance 	<p>Weaknesses</p> <ul style="list-style-type: none"> - High initial costs to create food forest for resident groups - Challenge of finding location that is accessible to many residents - Challenge of maintaining food forest throughout year, without volunteers - Increased cost to city's parks department - Challenge of sharing food supply with animals - Less space for public gathering
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Threats <ul style="list-style-type: none"> - Food forests exist in other Ontario and Canadian municipalities - Increasing cost of city-owned land - Effects of changing climate to biodiversity of food forest - Some varieties of fruit trees could be susceptible to insects and diseases 	Opportunities <ul style="list-style-type: none"> - Partnering with schools, community centres, service groups and places of worship for shared tree maintenance - Expanding food forests to other parks in Markham - Establishing a formal network of volunteers across the city - Greater awareness and education on sustainable food production - Creation of volunteer opportunities for local high school students and youth - Meeting the Greenprint Sustainability Plan of reaching 30% tree canopy and vegetation coverage
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Letters of Support

We asked for and received letters from community organizations and local residents voicing their support for our youth-led, public food forest. Please refer to the Appendix for the attached support letters.

Markham Council Priorities

The South Markham Food Forest connects to the following sustainability priorities found in the Greenprint Sustainability Plan (2011).

Greenprint Sustainability Priorities	South Markham Food Forest Connections
1 - Social Equity <ul style="list-style-type: none"> ● Objective: Greater resident involvement in community stewardship ● Objective: Promote greater youth involvement in decision making and participation 	<ul style="list-style-type: none"> ● Local service and resident groups can volunteer to maintain the food forest located within their neighbourhood park. ● The South Markham Food Forest initiative is spearheaded by the young professionals of the South Markham Food Security Initiative and supported by an agency with youth involvement.
2 - Identity and Culture <ul style="list-style-type: none"> ● Objective: Promote and celebrate all that makes Markham great 	<ul style="list-style-type: none"> ● Markham can demonstrate that it continues to start innovative solutions that solve environmental, food security and energy issues.
3 - Individual Health <ul style="list-style-type: none"> ● Objective: Promote and support the 	<ul style="list-style-type: none"> ● Markham citizens can rediscover their local neighbourhood park. They can


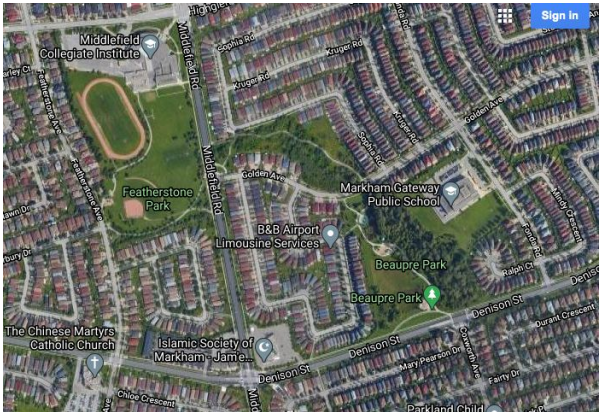
physical and mental health of Markham citizens	harvest their own food and spend time in nature.
<p>5 - Food Security</p> <ul style="list-style-type: none"> • Objective: Support education and engagement in the local food system • Objective: Significantly increase food production opportunities 	<ul style="list-style-type: none"> • Through partnerships with agencies like the York Region Food Network and the Centre for Immigrant & Community Services, the proposed food forest can meet the objective for education and engagement in the local food system. “Individuals and community groups can coordinate the sharing of knowledge and resources among gardeners and small-scale food growers through networking opportunities and workshop events” (Page 63). • “Individuals and community groups can help to plan and establish community gardens and other food-growing opportunities wherever possible on vacant municipal and private land” (Page 64).
<p>6 - Access and Mobility</p> <ul style="list-style-type: none"> • Objective: Connect communities 	<ul style="list-style-type: none"> • The food forest is a food garden within a park that meets this objective. “Individuals and community groups can steward greenways, public lands, and power line right-of-ways by patrolling for litter and path obstructions, planting native plants, and partnering to establish food gardens” (Page 73).
<p>7 - Education and Skills</p> <ul style="list-style-type: none"> • Objective: Facilitate lifelong learning and skills development 	<ul style="list-style-type: none"> • Growing food is a topic under the sustainability curriculum listed on Page 81. • The food forest within a park can also be an “outdoor classroom” as mentioned under Systems Thinking and Ecosystems Integrity on page 82.
<p>11 - Ecosystem Integrity</p> <ul style="list-style-type: none"> • Objective: Increase biodiversity • Objective: Reach 30% tree canopy and vegetation coverage Town-wide • Objective: Develop and support wildlife habitat 	<ul style="list-style-type: none"> • Planting native fruit and nut trees ensures that the forest is self-sustaining and provides habitat for pollinators. • Planting native fruit and nut trees achieves Markham’s goal of reaching

	<p>tree canopy and vegetation coverage.</p> <ul style="list-style-type: none">● Planting native flowers, fruit trees and vegetation ensures that there is additional habitat for pollinators and wildlife.
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Our Vision for an Accessible Food Forest

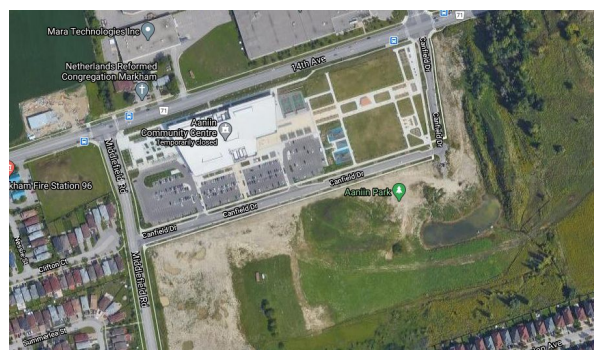
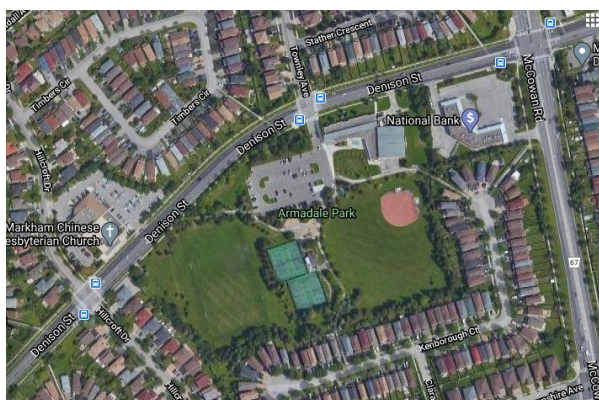
Re-imagined Park Locations

Our team looked at possible locations for the South Markham Food Forest by re-imagining current public parks as possible sites for urban municipal nut and fruit trees. We looked at accessibility and benefits to the surrounding community. At the same time, we acknowledge that the City’s internal Public Realm, Parks and Forestry departments may already have long-term plans for these parks. We hope that our input will go into these decisions.

<p>Middlefield Corners</p> <p>Our team chose Middlefield Corners because there are no other current recreational uses than as a walkthrough. It is located in the middle of a residential area. This can be an optimal place to plant fruit and nut trees for the surrounding community. There are potential opportunities for the local schools and service groups to take care of the food forest.</p>	<p>Beaupre Park</p> <p>Our team chose this park because it is located in a residential area with adjacent schools and places of worship. There would be an opportunity for local residents and students to access this food forest. This food forest would add to the existing children’s play areas. There are potential opportunities for the local schools and service groups to take care of the food forest.</p>
	
<p>Armada Park</p> <p>Our team chose this park because it is in the centre of the South Markham boundaries and is accessible by local transit and car.</p>	<p>Aaniin Park</p> <p>This was chosen because it was located near a major community centre and high schools. It is located at a major intersection (14th</p>

Armada Park is close to Armada Community Centre, which also houses a community kitchen. The food forest could benefit the seniors and young families living in the area and using the community centre programs and services. There are potential opportunities for the seniors and service groups to take care of the food forest.

Avenue and Middlefield Road.) There is also an open space. It would benefit the community because the adjacent community centre is already a community hub. This food forest could provide food that could be cooked in the Aaniin Community Centre's teaching kitchen. There are potential opportunities for local schools and service groups to take care of the food forest.



Possible Native Trees, Shrubs and Plants

Based on the Sudbury Shared Harvest's Delki Dozzi Food Forest Plant Guide, this is a list of native trees, shrubs and plants that they included in their food forest. We would plan for these trees, shrubs and plants to be included in our vision of the food forest including cultural specific vegetables that can be grown in our climate.

Edible Fruit and Vegetation	Pollinator Plant (* denotes that it is NOT edible)
Apple (<i>Malus pumila</i>)	*Baptisia - Blue False Indigo (<i>Baptisia australis</i>) and Yellow Wild Indigo (<i>Baptisia sphaerocarpa</i>)
Asparagus (<i>Asparagus officinalis</i>)	Bee Balm, also known as wild bergamot (<i>Monarda didyma</i>)
Black Chokeberry, not to be confused with Chokecherry. (<i>Photinia melanocarpa</i> , also known as <i>Aronia melanocarpa</i>)	Blue Vervain, also known as Wild Hyssop. (<i>Verbena hastata</i>)
Buffaloberry, also known as Soapberry, Foam berry, Soppolallie (<i>Shepherdia</i>)	*Butterflyweed, also known as Milkweed (<i>Asclepias tuberosa</i>)

canadensis)	
Catnip, also known as Catmint (Nepata cataria)	*Comfrey (Symphytum species)
Cherry (Saskatchewan dwarf sour cherry) (Prunus x kerrasis)	Echinacea or Purple Coneflower (Echinacea purpurea)
Cherry Plum (Prunus cerasifera)	*Lupine, perennial (Lupinus perennis)
Chives (Allium schoenoprasum)	*Prairie Coneflower (Ratibida columnifera)
Currant, Red, Pink (a variety of red currant) and Black(Ribes rubrum ; Ribes nigrum)	*Purple Prairie clover (Dalea purpurea)
Garlic Chives (Allium tuberosum)	Silver Sage, also known as Prairie Sage (Artemesia ludoviciana)
Good King Henry (Chenopodium bonus-henricus)	*Wild Columbine (Aquilegia canadensis)
Gooseberry (Ribes hirtellum)	
Haskap, also known as Honeyberry (Lonicera caerulea)	
High bush cranberry (Viburnum trilobum)	
Hosta (Hosta species)	
Oregano (Origanum species)	
Pear (Pyrus species)	
Plum (Prunus salicina)	
Raspberry (Rubus species)	
Rhubarb (Rheum rhabarbarum)	
Saskatoon berry, also known as Serviceberry (Amelanchier alnifolia)	
Sea Buckthorn, also known as Seaberry (Hippophae rhamnoides)	
Strawberry, everbearing/day-neutral	
Sunchoke, also known as Jerusalem Artichoke (Helianthus tuberosus)	
Sweet cicely (Myrrhis odorata)	

Thyme (<i>Thymus serpyllum</i>)	
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Sustainability

Maintenance of a food forest is specially required within the first 1-3 years of planting the trees and shrubs. Our group is composed of local youth and community members and we would take on the maintenance of the trees. We would enter in partnerships with local non-profit agencies (e.g. Centre for Immigrant & Community Services, York Region Food Network) and service groups (e.g. Scouts groups, Knights of Columbus, Guide groups) to assist with the planned and future maintenance for the food forest. This is so that the burden and costs of maintenance do not fall onto the City's Parks and Forestry departments.

Next Steps

Our next steps include submitting this proposal to our Ward 7 and 8 councillors and the Markham Environmental Advisory Council for review. We wish to work with the city council to start the process of planting and creating a food forest in a public park in South Markham.

Conclusion

Food insecurity is a growing concern facing our communities, and it is incumbent on us as a community to institute solutions to ensure no resident is left behind. The food forest is an effective garden solution that offers a return on investment in different fields like food access, environmental benefits, social equity and community engagement. During this COVID-19 pandemic period, it is an ideal time to set this plan in motion. We are a passionate youth-led group with community and resident support. The quarantine time presented us with a unique opportunity where we wanted to plan for a better and unified South Markham. We are proposing to partner with the City of Markham to plant the South Markham Food Forest and to see it come into fruition.

References

- Arora Research. (2020). Needs assessment and analysis. South Markham Connects.
- Gelkopf, M., I. Hasson-Ohayon, M. Bikman, and S. Kravetz. 2013. Nature adventure rehabilitation for combat-related posttraumatic chronic stress disorder: A randomized control trial. *Psychiatry Res.* 209 (3): 485–493. [Section B]
- Goodwin, Duncan. “Trees, People and Cities.” *The Horticulturist*, vol. 21, no. 2, 2012, pp. 9–13. JSTOR, www.jstor.org/stable/45198055. Accessed 10 Nov. 2020. [Section B]
- Hall C and Knuth M. An update of the literature supporting the well-being benefits of plants: A review of the emotional and mental health benefits of plants. *Journal of Environmental Horticulture*. March 2019; 37(1). [Section B]
- Keown, M. K. (2019, Sept 13). Sudbury’s Food Forests thriving. *SUDBURY STAR*. Retrieved from <https://www.thesudburystar.com/news/local-news/sudburys-food-forests-thriving>
- Kuo, F E and Sullivan, W C (2001). Environment and Crime in the Inner City: Does Vegetation reduce Crime? *Environment and Behavior*, 33 (3), 343-367. [Section B]
- Sudbury Shared Harvest. (2020.) Delki Dozzi Food Forest Plant Guide. Retrieved from <https://sudburysharedharvest.ca/edible-forest-gardens>
- Ulrich, R S (1984). View Through A Window May Influence Recovery From Surgery. *Science*. 224, 420-421. [Section B]
- Ulrich, R S et al (1991). Stress Recovery During Exposure to Natural and Urban Environments. *Journal of Environmental Psychology*, 11, 201-230. [Section B]

Appendix

Please see the attached support letters we received in support of this food forest initiative.

Letter of Support from the York Region Food Network

Letter of Support from the Centre for Immigrant & Community Services

Letter of Support from the Cornerstone Food Pantry

Letter of Support from interested resident, Jill Kelly



Food for Health – Food for All

November 23, 2020

To Whom It May Concern:

I am writing on behalf of York Region Food Network (YRFN) in support of the South Markham Food Security Initiative's food forest project.

YRFN is a respected regional hub for food security, working towards the vision of Food for Health – Food for All. YRFN drives change through education and advocacy, and we connect and empower people to access healthy food. We operate community food programs as a way to build food skills, social networks and connect residents to local food. YRFN is also the home of the York Region Food Council, a multi-disciplinary collaboration of food system actors that work together to create and support initiatives that foster food sovereignty and community development.

YRFN believes it is crucial to have community spaces where people can come together to learn about food and food sovereignty, and engage in practices that build community. Launched in July 2020, the South Markham Food Security Initiative (SMFSI) is a youth-led group that seeks partnership with the municipality in order to create an accessible food forest in South Markham. As an organization that has coordinated and managed urban agriculture projects in York Region since the mid-1990s, YRFN supports SMFSI's proposal to develop a food forest. Based on consultations that YRFN has conducted, community members want more community gardens and urban agriculture spaces in their communities to learn about food growing, to form social connections within their neighbourhoods and to gain the physical and mental health benefits that come with being outdoors. SMFSI's proposed food forest would benefit residents' mental health, create opportunities for people to better connect with the environment and encourage people to form social and intergenerational connections within their own neighbourhood. SMFSI is committed to addressing climate change and championing sustainable practices. This project offers countless opportunities to the residents of Markham and it align with the City of Markham's Greenprint Sustainability Plan and the Markham Food Charter.

YRFN would love to see SMFSI's proposed food forest become a reality. We would be happy to offer SMFSI in-kind support for this project in the form of consultation and materials.

Please feel free to reach out to me with any questions.

Sincerely,

Kate Greavette
Executive Director

**Head Office**

2330 Midland Avenue,
Toronto, ON M1S 5G5
Tel: 416-292-7510
Fax: 416-292-9120

Toronto Integrated Service Centre

402-3850 Finch Avenue
East, Toronto
ON M1T 3T6
Tel: 416-293-4565

LINC Centre

501-4002 Sheppard
Avenue East, Toronto
ON M1S 4R5
Tel: 416-299-8118

North York Centre

1761 Sheppard Ave.
East, Ground Floor,
Toronto, ON M2J 0A5
Tel: 416-493-7510

Woodside Square LINC Centre

202-1571 Sandhurst
Circle, Toronto
ON M1V 1V2
Tel: 416-292-6558

Immigrant Youth Centre

2-5284 Highway 7 East
Markham, ON L3P 1B9
Tel: 905-294-8868

Markham South Welcome Centre

Unit 8, 7220 Kennedy
Road, Markham
ON L3R 7P2
Tel: 905-479-7926
Fax: 905-479-2603

Immigrant Women Resource Centre

Unit 5, 7220 Kennedy
Road, Markham
ON L3R 7P2
Tel: 905-415-9763

Email:

info@cicscanada.com

Website:

www.cicscanada.com

Markham City Council
101 Town Centre Blvd
Markham, ON L3R 9W3

January 11th, 2021

Dear Markham City Council,

I am writing on behalf of the Centre for Immigrant and Community Services (CICS) in support of the South Markham Food Security Initiative's (SMFSI) food forest project.

CICS is a multi-service agency serving and helping newcomers integrate into all spheres of Canadian society. We provide diverse, professional and innovative services to help accomplish this vision. Within York Region and Toronto, CICS provides services including Early Year, Children and Youth, Family, Senior, Employment, Language and Training, Settlement as well as Community and Volunteer Engagement programs. We also manage a Community Garden at our Scarborough head office to produce organic community-grown food, volunteer projects, as well as workshops for the community.

As a result of COVID-19, CICS continues to support and empower newcomers, recent immigrants, and low-income families experiencing social and economic hardship in these challenging times. We responded quickly to emerging COVID-19 needs in our community by, for example, starting a Food Pantry. Due to the loss of income, household food insecurities have emerged as a critical and deepen need. It has been reported that one in four people (25%) are not eating for an entire day. As the numbers continue to increase, our weekly pantry food demands now exceed weekly food supplies.

To gain a comprehensive understanding of resident needs, CICS has been active in studying the South Markham demographics through our involvement in numerous community research projects. As per our findings, it is crucial to address the issues of food insecurity and inequities in the immediate and foreseeable future. To address this issue, we believe a sustainable solution would be to plant a public food forest. There are food forests in Toronto and Ottawa, Sudbury, Guelph and Kingston. It may be time for Markham to consider having a food forest as well.

CICS believes in SMFSI's public food forest initiative. Not only does this address the needs for local food production, it has environmental benefits such as increasing biodiversity and sustainability. A food forest also acts as a gathering place for marginalized groups such as immigrants, youth and seniors to interact with one another without the stigma that often comes with receiving social benefits. We foresee this benefitting residents' physical and mental health, creating opportunities for people to connect with the environment, and encouraging residents to form social and intergenerational connections within their own neighborhoods within the City of Markham.

We would love to see SMFSI's proposed food forest become a reality in South Markham and are happy to provide SMFSI with continued support of consultation and mentorship.

Please feel free to reach out to me with any questions.

Sincerely,

A handwritten signature in dark ink that reads 'Ally Lui'.

Ally Lui
Program Director, Youth and Family Services
Centre for Immigrant and Community Services
7220 Kennedy Road, Unit 8, Markham, ON L3R 7P2
905-479-7926 ext. 3222 | Direct: 905-305-4124



9680 Ninth Line, Markham, ON L6B 1A8
905-294-3554 ext 3663
pantry@cornerstonechurch.ca
<https://cornerstonechurch.ca/food>

November 27, 2020

To the City of Markham,

Cornerstone Pantry is a food bank running out of Cornerstone Christian Community Church supporting Markham Stouffville residents in need. Since we started in 2015, we have seen a steady increase of food requests from families every year. However with the COVID-19 pandemic, requests have increased at least **6-fold** and the year is not even over yet!

I am writing this as a testament that we need to find more ways to address the issue of food insecurity, which is why we are excited to hear about the South Markham Food Security Initiative proposal for a community garden. We fully support this initiative as it would offer great health benefits to families in our community.

Kindest regards,

A handwritten signature in black ink, appearing to read "Tina Li".

Tina Li
Cornerstone Food Pantry Committee Member

December 1, 2020

South Markham Food Security Initiative

Attn: Michael Chen

Dear Michael,

I'm writing in support of your group's initiative to establish a community food forest in south Markham.

Having experience facilitating a number of community greening projects across the City, I know first hand both the social and environmental benefits this type of project will enable.

This initiative will provide the community with publicly accessible food and a place to socialize and gather, while also providing viable habitat for a diversity of wildlife.

I fully support this project and look forward to watching it grow.

Sincerely,
Jill Kelly
Markham resident

Rail Bridge Artwork Proposal



- 3. Project Overview**
- 4. CN Bridge Stakeholders**
- 5. Material and Media Option 1**
- 6. Material and Media Option 2**
- 7 - 8. Material and Media Option 3**
- 9. Material and Media Option 4**
- 10. Material and Media Option 5**
- 11. Proposed Process - Community Engagement - Overview**
- 12. Proposed Process - Community Engagement - Artist Team**
- 13. Proposed Process - Alignment to Markham's Key Values**
- 14. Proposed Process - Alignment to Markham's Public Art Policy**
- 15. Proposed Process - Themes**
- 16. Conclusion - Key Objectives**
- 17. Conclusion - Statement**



On October 19, 2020, Councilor Usman contacted Unionville High School's Visual Art Department to discuss possible beautification options for the two rail bridges located at Hwy. 48 and 14th Ave. The CN quote for a new paint job for the bridges was considered high. If monies are spent to beautify the existing structure it was thought an artwork could be created for the same or lower cost that both beautifies and reflects the community and Markham's values.

This presentation outlines our initial research into the feasibility and possible directions for such a project.

Visual Arts Students from Unionville High School have a recognized history of producing beautiful community artworks. The artistry of the students are present in various locations through Markham. [Click here to learn about our program.](#)

- Bridges' advertising space is leased from CN to RCC Media
- Fabrication and installation cost via RCC Media is \$3,000 per banner
- Rental of North facing rail bridge is \$3,000 to \$ 5,000 per month
- South facing rail bridge advertising spaces are leased from RCC Media to the city of Markham

Materials - Option 1: Temporary Vinyl Wrap

Vinyl wrap design adhered to concrete walls using [3M rough surface / concrete vinyl](#)

Duration: Approximately one to two years.



Vinyl wrap on wood hoarding substrate created by UHS students.



Vinyl wrap on wooden frame created by UHS students

Materials - Option 2: Vinyl Wrap on Metal Substrate

Vinyl wrap design adhered to metal substrate.

Metal substrate would be connected to concrete wall.

Metal substrate can be cut into any shape with matching vinyl wrap overlay.

Duration: Five years +



Vinyl graphic wraps on metal traffic boxes by UHS students

Materials - Option 2: Vinyl Wrap on Metal Substrate



Vinyl wrap sample on metal substrate. Artistry, created by UHS students, to illustrate material concept.

Materials - Option 2: Vinyl Wrap on Metal Substrate



Vinyl wrap sample on metal substrate. Artistry created by UHS students, to illustrate material concept.





Light boxes of various sizes and shape, ranging in depth from 2" to 12" can be a fixed to the concrete walls.

RGB LED lights can be inserted into each box and programmed.

Laser cut metal shapes can be inserted within each light box creating dynamic designs illustrating the illusion of space and depth.



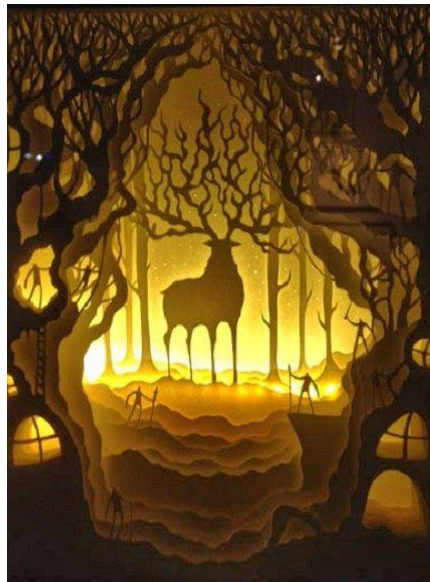
Inserts can include vinyl wraps of various transparency and or etched plexiglass. Anything can in inserted into these forms.

Light boxes can be a fixed to the underside of the bridge for a surround effect.

Duration: Permanent

Materials - Option 3: Examples

These examples of shadow boxes are of paper cutouts, but illustrate the proposed concept.



RGB LED lights provide a variety of colours and moods. Colours can be changed according to season as well as celebrate or commemorate an event.

Materials - Option 3: Light Box with Metal Inserts



Light box sample with metal inserts. Artistry, created by UHS students, to illustrate material concept.

Materials - Option 3: Light Box with Metal Inserts



Light box sample with metal inserts. Artistry, created by UHS students, to illustrate material concept.

Materials - Option 3: Light Box with Metal Inserts



Light box sample with metal inserts. Artistry, created by UHS students, to illustrate material concept.

Materials - Option 4: Etched Plexiglass or Tempered Glass



An example of etched clear plexiglass designs with LED lit edge.

Materials - Option 4: Etched Plexiglass or Tempered Glass



Etched plexiglass or tempered glass sample.
Artistry, created by UHS students, to illustrate
material concept.

Materials - Option 4: Etched Plexiglass or Tempered Glass



Etched plexiglass or tempered glass sample. Artistry, created by UHS students, to illustrate material concept.



Etched glass can be edge lit using RGB LEDs creating a variety of colour

Materials - Option 5: Mural Painting

Similar to the Henderson Bridge mural by James Ruddle, a mural painter or team of muralists would paint directly on the concrete, provided the walls have not been coated with anti-graffiti sealant. Although students can design the mural they will not be allowed to participate in its painting due to health and safety restrictions. The Henderson Bridge commission was approximately \$20,000 and required one week of painting.



Visual Art students from UHS (nearest public arts school) and Middlefield Collegiate Institute (nearest public high school) will participate in the design process working with their teachers, Shane Clodd and Sandra Liau, and a diverse group of professional guest artists.

Artists representing Ward 7's demographic would be hired to work virtually with students to ensure the community and the city of Markham's values are reflected within the artwork's narrative and corresponding visuals. The ethnicity of the guest artists and teachers would be as follows: Indigenous (Shawnee, Lakota, Potawatomi, Ojibwe and Algonquin) Anishinaabe, Black / Trans / LGBTQ +, European, East Asian and South Asian.

Suggested Community Artist Team:

[Syrus Marcus Wade](#) (Black / Trans, Artist, Social Advocate & Educator)

[Donald Chretien](#) (Anishinaabe Artists & Educator)

[Philip Cote](#) (Anishinaabe Artist)

[Ann Yu-Kyung Choi](#) (East Asian) Published Author & Educator

Proposed Process - Alignment to Markham's Values

City of Markham's Key Values

Mission Statement: “Markham is Canada’s most diverse community, with a rich cultural heritage, outstanding community planning services, and vibrant local environment.”

Accessibility and Diversity: “Everyone is welcome at the City of Markham! That’s why we’re committed to being an accessible and diverse city.”

Economic Development: “Markham is at the center of the 2nd largest tech cluster in Canada. Markham is York Region’s innovation hub and a key player in Ontario’s innovation corridor. Markham drives technology, innovation and talent.”

Descriptors: Sustainability, Innovation, Technology, Diversity, Accessibility, Inclusivity, Talent, Community, Vibrance, and Livability

Proposed Process - Alignment to Public Art Policy

Public Art: In the City Council-approved Markham Public Art Master Plan 2020-2024, Public Art is defined as an original work in any medium that meets all the following criteria:

Created by one or more Professional Artists; is relevant to its site and context; has been planned and executed with the specific intention of being sited or staged in a public space.

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

- 1) Inspire people to live in, work in, visit and invest in Markham
- 2) Celebrate the diverse cultures and heritage in Markham from multiple points of view
- 3) Connect residents to Markham's built and natural environment.

Possible Themes:

Potential (where individual and collective potential is achieved)

- The power of self-expression and collaboration
- The importance of a supporting and nurturing environment/community

Community Transformation (change makers)

- Diversity, increased advocacy/recognition of minority groups, a high importance placed on equity and equality

Connections (human and technological)

- Increased connectedness during a time of separation
- A transformation in the digital/tech world

Light and Energy (power and passion)

- A dynamic, inspirational artwork that uplift spirits and convey a relevant message unique to Markham's community

Identity and Culture (the individual & collective)

- Personal and collective values, beliefs, heritage, language, lived experiences, etc, and its effects on the community (and vice versa)

Conclusion - Project's Objectives

Alignment with Public Art Criteria:

1) Inspire people to live in, work in, visit and invest in Markham

How: Similar to the Chicago “BEAN” and the Toronto sign, the artwork will be an identifiable landmark and gateway feature unique to Markham. Artwork becomes a symbol visually displaying our collective values that serve as an affirmation and a vision of a future Markham. Technologies used within the artwork (possible lights and sensors) in addition to the artwork’s design and fabrication processes highlight Markham as a high tech capital. Designed by high school students, the work highlights our region’s amazing public education system.

2) Celebrate the diverse cultures and heritage in Markham from multiple points of view

How: Develop and implement an authentic co-creation process representative of individuals who call Markham home. Celebrate our human collective capital (intellectual, creative, lived experiences and cultural) harnessed and focused through a lens of diversity and equity.

3) Connect residents to Markham’s built and natural environment.

How: Beautify the existing structure. The finished rail bridge artwork would bring a sense of energy and beauty to this corner of Markham. The transformation of old into new.

Conclusion - Statement

The rail bridge artwork will channel and celebrate energy and life engaging people both locally and abroad. Similar to the Chicago Bean or the Toronto sign, the artwork will be a gateway landmark, an identifiable feature representing Markham. A symbol embodying our values as a community of students, leaders, learners, and innovators, it will serve as an affirmation of Markham's vision of limitless potential.

Using a diversity and equity lens, an authentic co-creation process will be applied. Underrepresented voices will be heard and understood by leveraging our human collective capital. Technologies such as RGB LED lighting, cutting edge design, and fabrication processes highlight Markham's tech capital status.

The artwork embodies Markham's vibrancy as represented through an inclusive process, depicted in the brilliant artistry of our young innovative and talented artists. Markham's maturation in synthesizing the best ideas and practices that the world has to offer is rendered as a magical experience.

Thank You



Report to: Council

Meeting Date: March 1, 2021

SUBJECT: Development Charge Deferral – St. Mary and St. Samuel the Confessor Coptic Orthodox Church

PREPARED BY: Shannon Neville, Financial Analyst, Development Finance (ext. 2659)
Kevin Ross, Manager, Development Finance & Payroll (ext. 2126)

RECOMMENDATION:

1. That the report entitled, “*Development Charge Deferral – St. Mary and St. Samuel the Confessor Coptic Orthodox Church*”, dated March 1, 2021, be received;
2. That staff do not recommend the approval of a development charge deferral for construction at 9377 McCowan Road to convert a single detached dwelling unit owned by St. Mary and St. Samuel the Confessor Coptic Orthodox Church, to a daycare facility operated by Forever Blessed Child Care Inc.;
3. That in the event Council grants a development charge deferral, the Mayor and Clerk be authorized and directed to enter into an agreement with the applicant to secure the following terms of approval:
 - a. The development charges be deferred for a period not longer than three (3) years from the date of building permit issuance, following which the charges will become payable,
 - b. The development charges payable be calculated at the rate in effect at building permit issuance and be subject to annually accrued interest at The Bank of Canada Prime Business Rate,
 - c. In accordance with Section 32(1) of *The Development Charges Act, 1997 as amended*, should the development charges remain unpaid after the amount becomes payable, the amount unpaid shall be added to the tax roll and collected in the same manner as taxes,
 - d. That the fees applicable to a DC Deferral be charged,
4. That the recommendation of a deferral, if so granted, be forwarded to the Regional Clerk of York for consideration on the treatment of the Regional Development Charges; and,
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 present a request for financial relief by way of a deferral of the City Wide Hard Development Charges to St. Mary and St. Samuel the Confessor Coptic Orthodox Church, in respect to the conversion of a single detached dwelling unit to a daycare facility to be operated by Forever Blessed Child Care Inc.

BACKGROUND:

St. Mary and St. Samuel the Confessor Coptic Orthodox Church (“the Church”) received a building permit for the construction of the Church in 2013. At that time, a single detached dwelling, also owned by the Church, was located on the same property (Appendix A). In April 2020, the City’s Building Department accepted an application to convert the dwelling to a daycare facility (“the Facility”). The application was made by Forever Blessed Child Care Inc.; a not-for-profit organization that will be operating the Facility.

Staff assessed the proposed conversion in accordance with the Development Charge (DC) By-laws and provided credits commensurate with the residence being converted into a non-residential use. The DC credits reduced the soft services charge to zero and the hard services charge to \$11,144.27, which is the total City DC for the proposed conversion. The Regional DC, after application of the appropriate credits, resulted in a charge of \$89,309.51 for a total development charge of \$100,453.78. The school boards levied no DCs for the proposed conversion on the basis of a new exemption in their Provincial Regulations for licensed child care facilities.

After receiving the DC statement, the Church approached the City expressing concern over the amount levied due to current financial constraints, and requested an exemption of development charges. As an exemption cannot be applied under the *Development Charges Act, 1997 as amended* (“DCA”), staff considered a deferral of DCs to assist the Church with current cash flow limitations.

The City is permitted to enter into a deferral agreement pursuant to section 27(1) of the DCA, which states:

“a municipality may enter into an agreement with a person who is required to pay a development charge providing for all or any part of a development charge to be paid before or after it would otherwise be payable”.

The authority for deferral of development charges are included in the City’s Community Use Policy and the DC Deferral Policy.

Staff reviewed the Community Use Policy which allows for an indefinite deferral of DCs (so long as the use doesn’t change), if a proposed development can reduce future capital and/or operating costs to the municipality or Region, by providing a community use to residents/businesses. In this case, a daycare is not considered a community use, as it is not a service provided by the City or Region. As such, staff are not in a position to recommend a “community use” deferral.

Staff then assessed whether the development met the criteria as specified in the DC Deferral Policy. The policy contemplates deferral if a development meets the following criteria:

- 1) Affordable & Special Needs Housing – defined as housing that is eligible to receive applicable Federal, Provincial, and Regional affordable and special needs housing program funding; or
- 2) Servicing Constraints – development unable to be completed due to servicing constraints that are outside of the applicant’s control; or

- 3) Multi-phased construction (for land based DCs) – development will be built in phases and future phases have no executed agreement (i.e. site plan) or building permit applications; or
- 4) Developments that require more than one Building Permit – development that will utilize more than one building permit during construction; or
- 5) Purpose-Built (High Density) Rental Buildings – development must be a minimum of four (4) storeys, and should also be eligible for a similar deferral from the Region.

The proposed daycare facility does not meet any of the above criteria, and therefore staff are also not in a position to offer a deferral of development charges under the DC Deferral Policy. The Church's request for assistance is based on limited cash flow, which is consistent with a deferral approved by Council for St. Barsaumo Syriac Orthodox Church in September 2010, and Mon Sheong Foundation in May 2014. In both cases, staff did not recommend a deferral of DCs, however Council deemed it appropriate at the time to offer a deferral to the applicant.

OPTIONS/ DISCUSSION:

Applicable Charges

The Church or applicant is required to pay development charges to the City and Region prior to the issuance of the building permit to construct the Facility. The current development charges, levied at prevailing rates, total \$100,453.78 as detailed in the chart below. Note O. Reg 371/19 exempts licensed child care facilities from Educational DCs (EDCs), therefore EDCs were not levied.

Jurisdiction	Type of Charge	Rate (A)	GFA (m ²) (B)	Total DCs (C) [(A) x (B)]	Credits (D)	Total DC's Due (E) [(C) - (D)]
City of Markham	Hard	\$ 108.56	604.18	\$ 65,589.78	\$ 54,445.51	\$ 11,144.27
	Soft	\$ 12.77	604.18	\$ 7,715.38	\$ 7,715.38	\$ -
Total City of Markham Charges						\$ 11,144.27
Region of York		\$ 253.71	604.18	\$ 153,286.51	\$ 63,977.00	\$ 89,309.51
York Region District School Board						\$ -
York Catholic District School Board						\$ -
Total School Board Charges						\$ -
TOTAL DEVELOPMENT CHARGES DUE						\$ 100,453.78

As seen in the chart above, the Regional development charges account for approximately 90% of the applicable charges, with the City making up the remainder.

Deferral

The Church has requested relief from both the City and Regional DCs to assist with cash flow. As an exemption is not allowed under the *DCA*, a deferral is the only option that could provide some relief to the Church's current financial limitations. If Council

favourably considers a deferral of DCs, the Region may be better equipped to reciprocate and provide a similar deferral.

Below are two options available for the payment of the Church's DCs.

Option 1 – Payment at Permit Issuance

As the proposed conversion to a child care facility does not qualify for a DC deferral under the policies in force, the Church will be required to pay the development charges at the issuance of the building permit. Under this option the Region will not contemplate a deferral of their charges as the City has not provided one.

Option 2 – Grant a DC Deferral

In the event that Council deems it appropriate to approve a DC deferral, staff propose the following terms be included in the agreement to be entered into between the Church and the City:

1. The DCs be deferred to a period not longer than three (3) years from the date the building permit is issued, following which the charges will become payable
2. The DCs payable be calculated at the rate in effect at building permit issuance, and be subject to annually accrued interest at The Bank of Canada Prime Business Rate Interest, and
3. In accordance with Section 32(1) of the *DCA*, should the development charge remain unpaid after the amount becomes payable, the amount unpaid shall be added to the tax roll of the Church and collected in the same manner as taxes.

If Council approves a deferral of DCs, the Region will be in a better position to provide a similar payment option.

FINANCIAL CONSIDERATIONS:

The deferral of development charges is essentially a cash flow issue which results in a delay in the receipt of the funds by the City. If Council agrees to defer the DCs, instead of \$11,144.27 being collected at building permit issuance, the charges will be collected three years from the date of permit issuance, plus accrued interest.

It is worth noting that the City will be updating its DC by-laws by December 2022. Should Council grant a deferral as per Option 2 above, DCs will be collected once the new by-laws are in place (i.e. 2024); however the amount levied will be based on the rates in effect under the current DC by-laws so the Church will be insulated from any increase instituted under the new by-laws.

Consistent with the DC Deferral Policy, if a deferral is approved for the Church, they will be required to pay an administration fee for the Legal and Finance Department's costs incurred relating to the review, preparation and administration of the development charge deferral agreement. The fee will be structured in the following manner:

- An application fee of \$1,085.50 plus HST to review the development charge deferral request;

-
- A fee equivalent to 1.0% of the value of the deferral request, to a maximum of \$10,856.00 plus HST payable upon execution of the deferral agreement. 1.0% of the Church's deferral request is \$111.44, therefore this fee will be applied plus HST.
 - A Legal fee for the preparation of the DC deferral agreement in the amount of \$2,500.00 plus HST

HUMAN RESOURCES CONSIDERATIONS

Not Applicable.

ALIGNMENT WITH STRATEGIC PRIORITIES:

Not Applicable.

BUSINESS UNITS CONSULTED AND AFFECTED:

Not Applicable.

RECOMMENDED BY:

Joel Lustig
Treasurer

Trinela Cane
Commissioner, Corporate Services

ATTACHMENTS:

Appendix A – Site Map of St. Mary & St. Samuel the Confessor Coptic Orthodox Church



LANDMARKS_6000

SLRN_6000

PARKS_6000

 Building Footprints

■ Ponds

Creeks

Rivers

☐ Parcel (MPAC)

- Park Facilities

Parks

 <all other values>

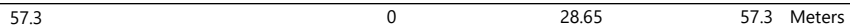
 Under Development

1: 1,128



Notes

9377 McCowan Road



NAD_1983_UTM_Zone_17N
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This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION



By-law 2021-xx

A BY-LAW IN RESPECT TO THE MANDATE AND OPERATION OF THE CITY'S MUNICIPAL HERITAGE COMMITTEE (Heritage Markham)

WHEREAS the Council of the City of Markham is desirous of fostering an interest in and awareness of the City's cultural heritage resources, as well as providing for the protection, conservation, celebration and commemoration of these resources;

AND WHEREAS Council desires to be advised and assisted in this regard by members of the community with an interest, expertise and knowledge in this area;

AND WHEREAS Council of the Town of Markham did enact By-law 173-75 pursuant to Section 28 of the *Ontario Heritage Act* to establish a Local Architectural Conservation Advisory Committee on October 28, 1975, hereinafter referred to as the Heritage Markham Committee;

AND WHEREAS Council did enact By-law 54-91 on February 26, 1991 to adopt a procedural by-law in respect to the operation of the Heritage Markham Committee;

AND WHEREAS the Province of Ontario amended the *Ontario Heritage Act* in 2002 specifying that every local architectural conservation advisory committee established by the council of a municipality before the day subsection 2 (7) of Schedule F to the *Government Efficiency Act, 2002* comes into force is continued as the municipal heritage committee of the municipality;

AND WHEREAS Council deems it appropriate to adopt a new by-law in respect to the mandate and operation of the City's municipal heritage committee;

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

1. That By-law 54-91 – A By-law in respect to the operation of the Town of Markham Local Architectural Conservation Advisory Committee (Heritage Markham) be repealed;
2. That the function of the Heritage Markham Committee is to advise and assist Council in matters relating to the identification, protection, conservation, use and/or management, celebration and commemoration of cultural heritage resources within the City in such a way that their heritage values, attributes and integrity are retained;
3. That subject to the *Ontario Heritage Act*, R.S.O. 1990, c.O.18, as amended from time to time, and to such limitations and restrictions as Council may herein and hereafter impose either by by-law or resolution, the Heritage Markham Committee shall provide advice to Council on:
 - statutory matters pursuant to the *Ontario Heritage Act* that require the input of a municipal heritage committee, (unless those matters have been delegated to staff through a delegation by-law), and
 - non-statutory matters as identified by Council which involve or affect cultural heritage resources, including but not limited to, review of development and building permit applications and public works; maintaining a heritage register; research, evaluation and classification of properties; protection mechanisms; policy development and review;

financial assistance opportunities; and education, promotion and commemoration; and

4. That Terms of Reference for the Heritage Markham Committee shall be adopted to address the mandate and operation of the committee, including but not limited to, the identification of statutory and non-statutory responsibilities, the organization of the committee (such as composition, qualifications, terms of service, officers), the organization of meetings (such as scheduling, sub-committees, agendas, quorum, delegations, conflicts), annual budget, role of committee members, role of City staff and reporting methods.

Read a first, second, and third time and passed on the 9th day of March, 2021.

Kimberley Kitteringham
City Clerk

Frank Scarpitti
Mayor

Q:\Development\Heritage\HERITAGE MARKHAM FILES\Terms of Reference and By-law\DSC report 2021\HM By-law 2021.docx



By-law 2021-xx

A by-law to close a portion of Enterprise Boulevard
described as Part of Lot 9, Concession 5,
designated as Parts 9, 11, 15, 17, 19, 21, and 23 on Plan 65R-39258
City of Markham, Regional Municipality of York

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

- 1. That the lands described as Part of Lot 9, Concession 5, designated as Parts 9,
11, 15, 17, 19, 21, and 23 on Plan 65R-39258 are hereby stopped up and closed.

Read a first, second, and third time and passed on March 9, 2021.

Kimberley Kitteringham
City Clerk

Frank Scarpitti
Mayor

