



## Electronic Council Meeting

### Revised Agenda

Meeting No. 5  
March 31, 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](mailto: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](mailto:clerkspublic@markham.ca) providing full name, contact information and item they wish to speak to. Alternatively, you may connect via telephone by contacting the Clerk's office at 905-479-7760 on the day of the meeting.

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

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# Electronic Revised Council Meeting Agenda

## Revised Items are Italicized.

Meeting No. 5  
March 31, 2021, 1:00 PM  
Live streamed

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

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### Pages

#### 1. CALL TO ORDER

##### INDIGENOUS LAND ACKNOWLEDGEMENT

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

#### 2. DISCLOSURE OF PECUNIARY INTEREST

#### 3. APPROVAL OF PREVIOUS MINUTES

##### 3.1. COUNCIL MINUTES - MARCH 9, 2021

12

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

#### 4. PRESENTATIONS

#### 5. DEPUTATIONS

#### 6. COMMUNICATIONS

##### 6.1. 3-2021 - LIQUOR LICENCE APPLICATION - BANG BANG BURRITO

22

## (WARD 2) (3.21)

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

**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. Pakistan National Day - March 23, 2021
  - b. National Wildlife Week - April 6-10, 2021
  - c. Be Kind To Animals Week - May 3-9, 2021
  - d. World Turtle Day - May 23, 2021
  - e. Animal Health Week - October 4-10, 2021
  - f. National Feral Cat Day - October 16, 2021
2. That the following new requests for proclamation be approved and added to the Five-Year Proclamations List approved by Council:
  - a. 150th Anniversary of the Toronto & York Region Labour Council - April 12, 2021
  - b. Personal Support Worker (PSW) Day - May 19, 2021
  - c. Markham Group of Artists Celebrating 40 Years - September 9-16, 2021

**8. REPORT OF STANDING COMMITTEE****8.1. REPORT NO. 8 - DEVELOPMENT SERVICES COMMITTEE (MARCH 8, 2021)**

Please refer to your March 8, 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. FRIENDS OF THE MARKHAM MUSEUM BOARD MINUTES –  
DECEMBER 9, 2020 (16.0)

30

1. That the minutes of the Friends of the Markham Museum Board meeting held December 9, 2020, be received for information purposes.
2. That Council endorse the recommendation from the December 9, 2020 Friends of Markham Museum Board Minutes: “That the Friends of the Markham Museum Board approve the transfer of control of the trust funds held by the City of Markham on behalf of the Markham Historical Society to the benefit of the Friends of the Markham Museum; and, That a copy of this resolution be forwarded to the “members” of the Friends of the Markham Museum.”

8.2. REPORT NO. 9 - GENERAL COMMITTEE (MARCH 22, 2021)

Please refer to your March 22, 2021 General Committee Agenda for reports.

Mayor and Members of Council:

That the report of the General Committee be received & adopted. (Items 1 to 6):

8.2.1. 078-R-15 JANITORIAL CLEANING SERVICES FOR VARIOUS  
CITY LOCATIONS CONTRACT EXTENSION (7.0)

35

1. That the report entitled “078-R-15 Janitorial Cleaning Services for Various City Locations Contract Extension” be received; and,
2. That the contract for Janitorial Cleaning Services for various City locations be extended for one (1) year with National Cleaning Contractors from April 2021 to March 2022 in the 2019 (Pre-COVID) amount of \$441,587.24 (2021 - \$343,022.06 and 2022 - \$98,565.17) (inclusive of HST); and,
3. That the contract for additional janitorial cleaning services due to COVID-19 pandemic in the amount of \$171,088.60 inclusive of HST be awarded to National Cleaning Contractors; and,
4. That the 2021 award amount of \$343,022.06 inclusive of HST be funded from various City Department’s Operating Budgets; and,
5. That the 2022 award amount of \$98,565.17 inclusive of HST be subject to Council approval of the 2022 operating budgets and that the award amount be amended to reflect changes to the various departments’ budget accounts as approved by



Council during the 2022 budget process; and,

6. That the Director, Sustainability and Asset Management and Senior Manager, Procurement and Accounts Payable be authorized to approve additional enhanced cleaning in the event other facilities open during 2021; and,
7. That the additional cleaning requirements arising as a direct result of COVID-19 in the amount of \$171,088.45 (\$99,897.13 + \$71,191.32) inclusive of HST be charged directly to the COVID-19 cost centre and that it be funded from the COVID-19 Reserve by an amount determined as part of the 2021 year-end process; and,
8. 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 further,
9. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

8.2.2. ANNUAL WATER QUALITY REPORT (JANUARY-DECEMBER 2020) (5.0)

40

1. That the report titled "Annual Water Quality Report (January-December 2020)" as required by Schedule 22 of Ontario Regulation 170/03, under the *Safe Drinking Water Act, 2002*, enclosed herein be received; and
2. That the 2020 Annual Water Quality Report (Attachment "A"), containing information for the Ministry of the Environment, Conservation and Parks (MECP) on water supply and quality as required by Section 11 of Ontario Regulation 170/03, under the *Safe Drinking Water Act, 2002*, be received; and,
3. That Council acknowledge that staff posted the 2020 Annual Water Quality Report on the City's website and that it has been made available electronically and in hard copy version by February 28, 2021 as per regulations; and further,
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

8.2.3. AMENDMENT TO BY-LAW 2013-113 TO DELEGATE AUTHORITY TO CONVEY EASEMENTS TO ALECTRA (8.1)

55

1. That the report entitled "Amendment to By-Law 2013-113 to Delegate Authority to Convey Easements to Alectra" be received; and,
2. That By-Law 2013-113 – "A By-Law to Delegate Authority

to Conduct Certain Real Property Transactions” be amended to authorize the Senior Manager of Real Property to:

- a. execute any documents and/or agreements required to convey easements over City-owned lands to Alectra Utilities Corporation (“Alectra”) and/or its affiliates where such easements are required by Alectra to provide services to Cityowned property, provided the form of the easement is satisfactory to the Senior Manager of Real Property and the City Solicitor or his/her designate; and
  - b. to determine the purchase price to be paid by Alectra for easements over City-owned lands as described in resolution #2(a), provided that the purchase price is at least 90% of Fair Market Value; and
  - c. to determine the purchase price paid by Alectra, including a nominal purchase price where the requirement for easements as described in #2(a) are not prompted by third party development or construction
3. That Council adopt the By-law attached as Attachment No.1 of this Report to amend By-Law 2013-113 “A By-Law to Delegate Authority to Conduct Certain Real Property Transactions” at the next Council meeting; and,
  4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

#### 8.2.4. 2021-2022 THORNLEA POOL RESTORATION (3.0)

60

1. That the presentation entitled “2021-2022 Thornlea Pool Restoration” be received; and,
2. That a capital project for Phase 1 and 2 be established in the amount of \$2,307,412. The capital project will include the design and construction as outlined in this presentation; and,
3. That the project be funded from the Lifecycle Reserve; and,
4. That authority be given to the Sr. Manager of Procurement & Accounts Payable to work with the applicable Director to undertake an informal pre-qualification and award process with a minimum of three (3) vendors and consultants to expedite the procurement process when necessary, by allowing a preferred vendor list to be developed, used and released to the market; and,
5. That authority be given to the CAO to award the tenders outlined in recommendation 4; and,
6. That a new contract Project Manager position in the Sustainability and Asset Management Department be funded from this project; and further,

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

8.2.5. TRANSFER PAYMENT AGREEMENT FOR THE PROVINCIAL  
AUDIT AND ACCOUNTABILITY FUND (AAF) (7.0)

77

1. That the report entitled “Transfer Payment Agreement for Provincial Audit and Accountability Fund” be received; and,
2. That the Mayor and Clerk be authorized to execute the Ontario Transfer Payment Agreement with Her Majesty the Queen in right of Ontario as represented by the Minister of Municipal Affairs and Housing (the “Province”) to fund the Plan for Expansion of the Administrative Monetary Penalties System (AMPS) , provided the agreement is in a form satisfactory to the Commissioner of Corporate Services and the City Solicitor; and,
3. That a new capital project named, “Plan for Expansion of the Administrative Monetary Penalties System” be created in the amount of \$110,000.00 to be funded from the Provincial Audit and Accountability Fund; and,
4. That the tendering process be waived in accordance with Purchasing By-Law 2017-8 (Part II, Section 11.1 Non Competitive Procurement, item 1 item 1 (h)); and,
5. That the contract for consulting services for the expansion of the administrative penalties system be awarded to WSCS Consulting Inc. in the amount of \$89,511.25 (inclusive of HST); and,
6. That the remaining balance in the amount of \$20,488.75 be retained within the new capital project for any additional costs related to the project, and that authorization to approve expending of this amount up to the specified limit be in accordance with the Expenditure Control Policy; and further,
7. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

8.2.6. ANIMAL CARE COMMITTEE MINUTES - NOVEMBER 18, 2020,  
DECEMBER 16, 2020 AND JANUARY 20, 2021 (16.34)

83

1. That the minutes of the Animal Care Committee meetings held November 18, 2020, December 16, 2020 and January 20, 2021 be received for information purposes, and,
2. That the Animal Care Committee express its sincere appreciation to Council for approving the Legislative Services Animal Care Model and that it request that staff report back in one year on any impacts on the service level.

8.3. *REPORT NO. 10 - DEVELOPMENT SERVICES COMMITTEE (JANUARY 25, 2021)*

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

8.3.1. *RECOMMENDATION REPORT, NEST (VS) GP INC., APPLICATIONS FOR ZONING BY-LAW AMENDMENT AND DRAFT PLAN OF SUBDIVISION TO PERMIT 12 TOWNHOUSES AT 10165 VICTORIA SQUARE BLVD (WARD 2) (10.5, 10.7)*

101

**Note: At the March 30, 2021 Development Services Committee meeting, staff provided an update memorandum titled “Applications for Zoning By-law Amendment and Draft Plan of Subdivision to permit 12 townhouses at 10165 Victoria Square Blvd (Ward 2)”.**

1. That the report titled “RECOMMENDATION REPORT, Nest (VS) GP Inc., Applications for Zoning By-law Amendment and Draft Plan of Subdivision to permit 12 townhouses at 10165 Victoria Square Blvd (Ward 2)” be received; and,
2. That the deputation from Joan Smith, be received;
3. That at the January 25, 2021 Development Services Committee, staff was directed to report back to a future Development Services Committee meeting on the following:
  - a. The feasibility of the applicant covering all installation connection costs for municipal water and sanitary sewers to the property at 10183 Victoria Square Boulevard, at the time of construction as part of the reconstruction at Victoria Square Boulevard in 2022, and obtaining consent from the property owner; and,
  - b. That staff be directed to discuss with the owner of 10183 Victoria Square Boulevard regarding the connection from the municipal property boundary to the private home and the associated costs, and whether the homeowner will be agreeing to pay for that connection.
4. That the update memorandum dated March 30, 2021 titled “Applications for Zoning By-law Amendment and Draft Plan of Subdivision to permit 12 townhouses at 10165 Victoria Square Blvd (Ward 2)”, to address 3 (a) and 3 (b), be received, and,
5. That staff be directed to continue to work with the applicant

**to install landscaping along the north side of the property line adjacent to 10183 Victoria Square Boulevard;**

6. **That the maintenance of landscaping along the frontage of the development be maintained as part of the condominium development and ensure that the municipal boulevard is maintained;**
7. That the record of the public meeting held on June 18, 2019, regarding the applications by Nest (VS) GP Inc. regarding the Draft Plan of Subdivision and Zoning By-law Amendment Applications to permit 12 townhouses at 10165 Victoria Square Blvd (Ward 2)” be received; and,
8. That the application submitted by Nest (VS) GP Inc. to amend Zoning By-law 304-87, as amended, be approved and the draft by-law attached as Appendix ‘B’ be finalized and brought forward to a future Council meeting to be enacted without further notice; and,
9. That Draft Plan of Subdivision application (SU 19 179147) submitted by Nest (VS) GP Inc. be approved subject to the conditions outlined as Appendix ‘A’ and the pre-conditions outlined in Appendix ‘C’; and,
10. That the Director of Planning and Urban Design, or his designate, be delegated authority to issue draft plan approval, subject to the conditions set out as Appendix ‘A’, as may be amended by the Director of Planning and Urban Design or designate; and,
11. That draft plan approval for Plan of Subdivision 19TM-19002 will lapse after a period of three (3) years from the date of issuance in the event that a subdivision agreement is not executed within that period; and,
12. That Council assign servicing allocation for a maximum of 12 townhouse units; and,
13. That in accordance with the provisions of subsections 45 (1.4) of the Planning Act, R.S.O. 1990, c.P.13, as amended, the Owners shall through this Resolution, be permitted to apply to the Committee of Adjustment for a variance from the provisions of the accompanying Zoning By-law, before the second anniversary of the day on which the by-law was approved by Council; and further,
14. That Staff be authorized and directed to do all things

necessary to give effect to this resolution.

(By-law 2021-26)

## 9. MOTIONS

## 10. NOTICE OF MOTION TO RECONSIDER

## 11. NEW/OTHER BUSINESS

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

### 11.1. 2020 SUMMARY OF REMUNERATION AND EXPENSES FOR COUNCILLORS AND APPOINTEES TO BOARD (7.0) 144

1. That the report titled "2020 Summary of Remuneration and Expenses for Councillors and Appointees to Boards" be received; and further,
2. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

### 11.2. BILL 257, SUPPORTING BROADBAND AND INFRASTRUCTURE EXPANSION ACT, 2021 (7.13) 148

1. That the memorandum on "*Bill 257, Supporting Broadband and Infrastructure Expansion Act, 2021*", be received.

## 12. ANNOUNCEMENTS

## 13. BY-LAWS - THREE READINGS

That By-laws 2021-21 to 2021-24 and 2021-26 be given three readings and enacted.

### Three Readings

- |       |  |     |
|-------|--|-----|
| 13.1. | BY-LAW 2021-21 A BY-LAW TO AMEND PARKING BY-LAW 2005-188 (65M-2742)  | 153 |
| 13.2. | BY-LAW 2021-22 A BY-LAW TO AMEND BY-LAW 2019-83 BEING A BY-LAW TO APPOINT DEPUTY CLERKS FOR THE CORPORATION OF THE CITY OF MARKHAM | 154 |
| 13.3. | BY-LAW 2021-23 B. MCGREGOR DEVELOPMENTS LIMITED, PART LOT CONTROL BY-LAW   | 155 |
| 13.4. | BY-LAW 2021-24 LIVANTE HOLDINGS (VICTORIA SQUARE WOODBINE) INC.; HOLD REMOVAL BY-LAW   | 157 |

A By-law to amend By-law 177-96, as amended, in order to allow a mixed use mid-rise building.

13.5. *BY-LAW 2021-26 NEST (VS) GP INC., PART OF LOT 22, CONCESSION 4, 10165 VICTORIA SQUARE BOULEVARD, ZONING BY-LAW AMENDMENT* 160

A By-law to amend By-law 304-87, as amended, and to amend By-law 177-96, as amended in order to permit a residential development.

(Item 8.3.1, Report 10)

## 14. CONFIDENTIAL ITEMS

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

### 14.1. COUNCIL

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

14.1.2. APPOINTMENTS AND RESIGNATIONS TO BOARDS/COMMITTEES (16.24) [SECTION 239 (2)(b)]

14.1.3. *APPOINTMENTS AND RESIGNATIONS TO BOARDS/COMMITTEES - APPOINTMENT OF MEMBER TO THE BOARD OF MANAGEMENT FOR THE MARKHAM VILLAGE BUSINESS IMPROVEMENT AREA (MVBIA) (16.24) [SECTION 239 (2)(b)]*

### 14.2. NEW/ OTHER BUSINESS

14.2.1. A PROPOSED OR PENDING ACQUISITION OR DISPOSITION OF LAND BY THE CITY OR LOCAL BOARD; SURPLUS LANDS REPORT (8.7) [SECTION 239 (2) (c)]

### 14.3. DEVELOPMENT SERVICES COMMITTEE

14.3.1. *LITIGATION OR POTENTIAL LITIGATION, INCLUDING MATTERS BEFORE ADMINISTRATIVE TRIBUNALS, AFFECTING THE MUNICIPALITY OR LOCAL BOARD – LPAT APPEAL DEVELOPMENT GROUP (100 SAW) INC. (8.0) [Section 239 (2) (e)]*

## 15. CONFIRMATORY BY-LAW - THREE READINGS

That By-law 2021-25 be given three readings and enacted.

Three Readings

BY-LAW 2021-25 - A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE  
COUNCIL MEETING OF MARCH 31, 2021.

No attachment

**16. ADJOURNMENT**





## Electronic Council Meeting Minutes

**Meeting No. 4**

**March 9, 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>Joel Lustig, Treasurer</p> <p>Bryan Frois, Chief of Staff</p> <p>Mary Creighton, Director, Recreation Services</p> <p>Meg West, Manager of Business Planning and Projects</p> <p>Martha Pettit, Deputy City Clerk</p> <p>Alida Tari, Manager, Access &amp; Privacy</p>	<p>Hristina Giantsopoulos, Election/Council &amp; Committee Coordinator</p> <p>Rob Cole, Acting Chief Information Officer</p> <p>Graham Seaman, Director, Sustainability &amp; Asset Management</p> <p>Catherine Biss, Chief Executive Officer, Markham Public Library</p> <p>Michelle Sawh, Director Admin &amp; Operational Support, Markham Public Library</p> <p>Andrea Cecchetto, Director, Service Excellence, Markham Public Library</p> <p>Lisa Chen, Sr. Manager, Financial Planning &amp; Reporting</p> <p>Janet Ashfield, Manager, HR - Employment &amp; Labour Relations, Health &amp; Safety</p> <p>Regan Hutcheson, Manager - Heritage, Planning &amp; Urban Design</p>

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

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**1. CALL TO ORDER**

The meeting of Council convened at 1:18 pm on March 9, 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 advised that former Ward 7 Councillor Michael Popovich recently passed away. Mr. Popovich served on the Markham Council for two terms, from 1983 to 1988. Council observed a moment of silence.

**2. DISCLOSURE OF PECUNIARY INTEREST**

None.

**3. APPROVAL OF PREVIOUS MINUTES****3.1 COUNCIL MINUTES - FEBRUARY 23, 2021**

Moved by Councillor Alan Ho

Seconded by Councillor Khalid Usman

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

**Carried**

**4. PRESENTATIONS**

There were no presentations.

## 5. DEPUTATIONS

### 5.1 DEPUTATION - LIBRARY CLOSURES (3.19, 11.0)

Rayanne Lees, Vice President, CUPE 905 requested to address Council on a matter not listed on the Council agenda. As per Council Procedural By-law Section 4.16 (j), a deputant wishing to appear on a matter not listed on the Agenda shall require the consent of two-thirds of Members present.

Council resolved into confidential session at 1:28 pm to receive advice that is subject to solicitor-client privilege, including communications necessary for that purpose [Section 239 (2) (f)(i)]

(See Item 14.0)

Moved by Regional Councillor Jim Jones

Seconded by Regional Councillor Jack Heath

1. That Council waive the rules of procedure to allow for a deputation on a matter not listed on the Council agenda.

**Lost**

## 6. COMMUNICATIONS

There were no communications.

## 7. PROCLAMATIONS

### 7.1 PROCLAMATIONS (3.4)

Moved by Councillor Reid McAlpine

Seconded by Councillor Amanda Collucci

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

**Carried**

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

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

Moved by Regional Councillor Jim Jones  
Seconded by Councillor Keith Irish

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

**Carried**

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

Moved by Regional Councillor Jim Jones  
Seconded by Councillor Keith Irish

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)

**Carried**

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

Moved by Regional Councillor Jack Heath

Seconded by Councillor Khalid Usman

That the report of the General Committee be received & adopted. (Save and except for Item 8.2.2):

**Carried**

### 8.2.1 2020 YEAR-END RESULTS OF OPERATIONS (7.0)

Moved by Regional Councillor Jack Heath

Seconded by Councillor Khalid Usman

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:
  - 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.

**Carried**

### 8.2.2 CANADA HEALTHY COMMUNITIES INITIATIVE (7.6)

Andy Taylor, Chief Administrative Officer, provided an update on the project submission.

Moved by Regional Councillor Jack Heath

Seconded by Councillor Khalid Usman

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.

**Carried**

### 8.2.3 DEVELOPMENT CHARGE DEFERRAL – ST. MARY AND ST. SAMUEL THE CONFESSOR COPTIC ORTHODOX CHURCH (7.11)

Moved by Regional Councillor Jack Heath

Seconded by Councillor Khalid Usman

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.

**Carried**

**9. MOTIONS**

There were no motions.

**10. NOTICE OF MOTION TO RECONSIDER**

There was no notice of motion to reconsider.

**11. NEW/OTHER BUSINESS**

There were no new / other business.

**12. ANNOUNCEMENTS**

There were no announcements.

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

Moved by Councillor Andrew Keyes

Seconded by Councillor Karen Rea

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

**Carried**

**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

**Carried**

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

**Carried**

**14. CONFIDENTIAL ITEMS**

Moved by Deputy Mayor Don Hamilton

Seconded by Councillor Keith Irish

That, in accordance with Section 239 (2) of the Municipal Act, Council resolve into a private session at 1:28 PM immediately following "Presentations" to receive advice that is subject to solicitor-client privilege, including communications necessary for that purpose [Section 239 (2) (f) and 239 (2) (i)]; related to a request for deputation on a matter not listed on the Agenda.

**Carried**

Moved by Regional Councillor Jim Jones

Seconded by Regional Councillor Jack Heath

1. That Council rise from Confidential session at 2:20 PM.

**Carried**



A motion to waive the rules of procedure to allow for a deputation on a matter not listed on the Council agenda took place during open session.

(See Item 5.1)

Council consented to not resolve into confidential session. The following Confidential item was approved by Council:

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)]

Moved by Regional Councillor Jack Heath

Seconded by Councillor Khalid Usman

1. That the report entitled "Reporting out of Lease - 7100 Birchmount Road" be received; and,
2. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**Carried**

**Note: Please see Item 15 for public report**

14.2 NEW/ OTHER BUSINESS

14.2.1 ADVICE THAT IS SUBJECT TO SOLICITOR-CLIENT PRIVILEGE, INCLUDING COMMUNICATIONS NECESSARY FOR THAT PURPOSE (3.19, 11.0) [SECTION 239 (2) (f) (i)]

See Item 5.1

**15. REPORTING OUT OF CONFIDENTIAL REPORT**

Attached public report for :

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)]

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

Moved by Regional Councillor Jim Jones

Seconded by Regional Councillor Joe Li

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.

**Carried**

**17. ADJOURNMENT**

Moved by Councillor Isa Lee

Seconded by Councillor Keith Irish

That the Council meeting be adjourned at 2:41 p.m.

**Carried**

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Martha Pettit

Deputy Clerk

---

Frank Scarpitti

Mayor



Return completed  
form to:  
Alcohol and Gaming  
Commission of Ontario  
90 SHEPPARD AVE E  
SUITE 200  
TORONTO ON M2N 0A4

Remplir et retourner cette  
formulaire à :  
Commission des alcools  
et des jeux de l'Ontario  
90 AV SHEPPARD E  
BUREAU 200  
TORONTO ON M2N 0A4

## Municipal Information Renseignements municipaux

The information requested below is required in support of all applications for a **new** liquor licence or outdoor areas being added to an **existing** liquor licence.

Les renseignements sont recueillis conjointement à toute demande de **nouveau** permis d'alcool ou d'ajout de zones de plein air à un permis d'alcool existant.

### Section 1 - Application Details

### Section 1 - Détails de la demande

Establishment name / Nom de l'établissement

BANK BANK BURRITO

Establishment tel. no. / N° de tél. de l'établissement

905-534-1191

Contact name / Nom de la personne à contacter

NANCY ACEVEDO

Contact's tel. no. / N° de tél. de la personne à contacter

289-388-2819

Exact location of establishment (not mailing address) / Emplacement exact de l'établissement (non l'adresse postale)

Street Number / Numéro

11087

Street Name / Nom de rue

VICTORIA SQ. BLVD.

Street Type / Genre de rue

Direction / Orientation de rue

Suite/Floor/Apt. / Bureau/étage/app.

Lot/Concession/Route / Lot/concession/route rurale

City/ Town/Municipality / Ville/village/municipalité

MARKHAM

Postal Code / Code postal

L6C 1J4

Does the application for a liquor licence include: / La demande de permis d'alcool porte-t-elle entre autres sur :

☒ indoor areas / des zones intérieures

☐ outdoor areas / des zones de plein air

### Section 2 - Municipal Clerk's official notice of application for a liquor licence in your municipality

### Section 2 - Avis officiel de demande de permis d'alcool dans votre municipalité à l'intention du (de la) secrétaire municipal(e)

Municipal Clerk:

please confirm the "wet/damp/dry" status below.

Secrétaire municipal(e) :

Confirmer le statut de la région ci-dessous.

Name of village, town, township or city where taxes are paid / Nom du village, de la ville ou du canton à qui les impôts sont versés :

(If the area where the establishment is located was annexed or amalgamated, provide the name of the Village, Town, Township or City was known as)

(Si la région où se trouve l'établissement a été annexée ou fusionnée, nom sous lequel le village, la ville ou le canton était connu)

Is the area where the establishment is located: / La vente de boissons alcooliques est-elle autorisée dans la région où se trouve l'établissement?

☐ Wet (for spirits, beer, wine) / Oui (spiritueux, bière, vin)

☐ Damp (for beer and wine only) / Oui (bière et vin seulement)

☐ Dry / Non

#### Note:

Specify concerns regarding zoning, non-compliance with bylaws, or general objections to the application by council or elected municipal representatives, must be clearly outlined, in a separate submission or letter within 30 days of this notification.

#### Remarque :

Toute question particulière concernant le zonage, la non-conformité aux règlements municipaux ou toute objection générale relative à la demande de la part de membres du conseil ou de représentants municipaux élus doit être décrite clairement dans un document distinct ou une lettre à l'intérieur d'une période de 30 jours après la remise du présent avis.

Signature of municipal official / Signature du (de la) représentant(e) municipal(e)

Title / Poste

Address of municipal office / Adresse du bureau municipal

Date



## Liquor Licence Questionnaire

The Corporation of the City of Markham

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

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

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

**Attention:** Public Services Assistant

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

### Liquor Licence Questionnaire Checklist

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

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

### Applicant Contact Information

First Name <b>NANCY</b>		Last Name <b>ACEVEDO</b>	
Street Number <b>2291</b>	Street Name <b>PILGRIM SQ</b>		Suite/Unit Number
City <b>OSHAWA</b>	Postal Code <b>L1L 0C3</b>		Province <b>ONTARIO</b>
Telephone Number <b>289 388 2819</b>	Mobile Number	Email <b>jracecon@gmail.com</b>	

### Restaurant Information

Name of Restaurant <b>BANG BANG BURRITO</b>			
Street Number <b>11057</b>	Street Name <b>VICTORIA SQ. BLVD.</b>		Suite/Unit Number
City <b>MARKHAM</b>	Postal Code <b>L6C 1J4</b>		Province <b>ONTARIO</b>

Page 1 of 2

Rev. Jan/17

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

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

  
Applicant's Signature

\_\_\_\_\_  
Date

Page 2 of 2

Rev. Jan/17

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The Regional Municipality of York  
 17250 Yonge Street, Newmarket, Ontario L3Y 6Z1  
 Health Connection Line: 1-800-361-5653



Food Safety Inspection  
 Report V.4

<b>Facility Inspected:</b> Bang Bang Burrito <b>Site Address:</b> 11087 - Victoria Square Blvd, Markham, ON, Canada <b>Site Phone:</b> (289) 388-2819 <b>Owner/Operator:</b> Nancy Acevedo <b>Attention:</b> Nancy Acevedo	<b>File Number:</b> I-146582 <b>Inspection Date:</b> January 30, 2021 <b>Risk Category:</b> Moderate <b>Legal Name:</b> 50177664 Ontario Inc <b>Legal Address:</b> 11087 - Victoria Square Blvd, Markham, ON, Canada
---	---

<b>Facility Category:</b>	Food General
<b>Inspection Type:</b>	Required
<b>Inspection Subtype:</b>	Compliance Inspection
<b>Actions Taken:</b>	Satisfactory - No Immediate Action Required by PHI, Food Handler Education On Site, Educated Mandatory Food Handler Certification, Proof of Public Health sign posted
<b>Facility Units Inspected:</b>	Bang Bang Burrito-Restaurant
<b>Delivery Method:</b>	Email

Compliance Category  
 Food General

Compliance

## FOOD TEMPERATURE CONTROL

1. Cold holding potentially hazardous food at an internal temperature of 4°C (40°F) and lower YES

walkin3 C  
 Pulled pork 3C IT

# 1 LET'S ROLL

GET IT STARTED!

	VEG	MEAT
<b>BURRITOS</b>		
SMALL	10	13
REGULAR	12	15
MASSIVE	15	18
<b>QUESADILLA</b>	12	15
<b>SOFT TACOS x2</b>	6	8
<b>BURRITO BOWL</b>		
SMALL	10	13
REGULAR <small>(INCLUDES TORTILLA SHEET)</small>	13	16
<b>POUTINE</b>		
SMALL <small>PLAIN</small>	7	9
REGULAR <small>PLAIN</small>	10	12
SIDE GRAVY	1.5	15

# 2 PACK THE PUNCH

MADE FRESH IN HOUSE

<b>CHICKEN TINGA</b>	<b>SLOW COOKED PULLED PORK</b>
<b>BRAISED BEEF</b>	<b>BEER BATTERED FISH</b>
<b>TENDER SLICED STEAK</b>	<b>VEGGIE</b> <small>(SWEET POTATOES ROASTED WITH AGAVE NECTAR AND CUMIN)</small>
<b>CHORIZO SAUSAGE</b>	
<b>XTRA MEAT</b>	4

# 3 GET LOADED

NO EXTRA CHARGE

<b>CHEESE</b>	<b>APPLE SLAW</b>	<b>REFRIED BEANS</b>
<b>LETTUCE</b>	<b>SAUTEE PEPPERS</b>	<b>EDAMAME BEANS</b>
<b>SALSA</b>	<b>RICE</b>	<b>CRUSHED TORTILLA CHIPS</b>
<b>PINEAPPLE SALSA</b>	<b>FIRE ROASTED CORN</b>	<b>GUACAMOLE</b>
<b>PICKLED ONION</b>	<b>PICO DE GALLO</b>	
<b>JALAPENOS</b>	<b>BLACK BEANS</b>	

# 4 GET SAUCED

<b>SOUR CREAM</b>	<b>BANG BANG BURRITO SAUCE</b>	<b>JALAPENO PEAR</b>	<b>GHOST PEPPER</b>	<b>CAROLINA REAPER</b>	<b>LAVA SCORPION</b>
		☠	☠☠	☠☠☠	☠☠☠☠

# TORTILLA CHIPS

COOKED TO ORDER

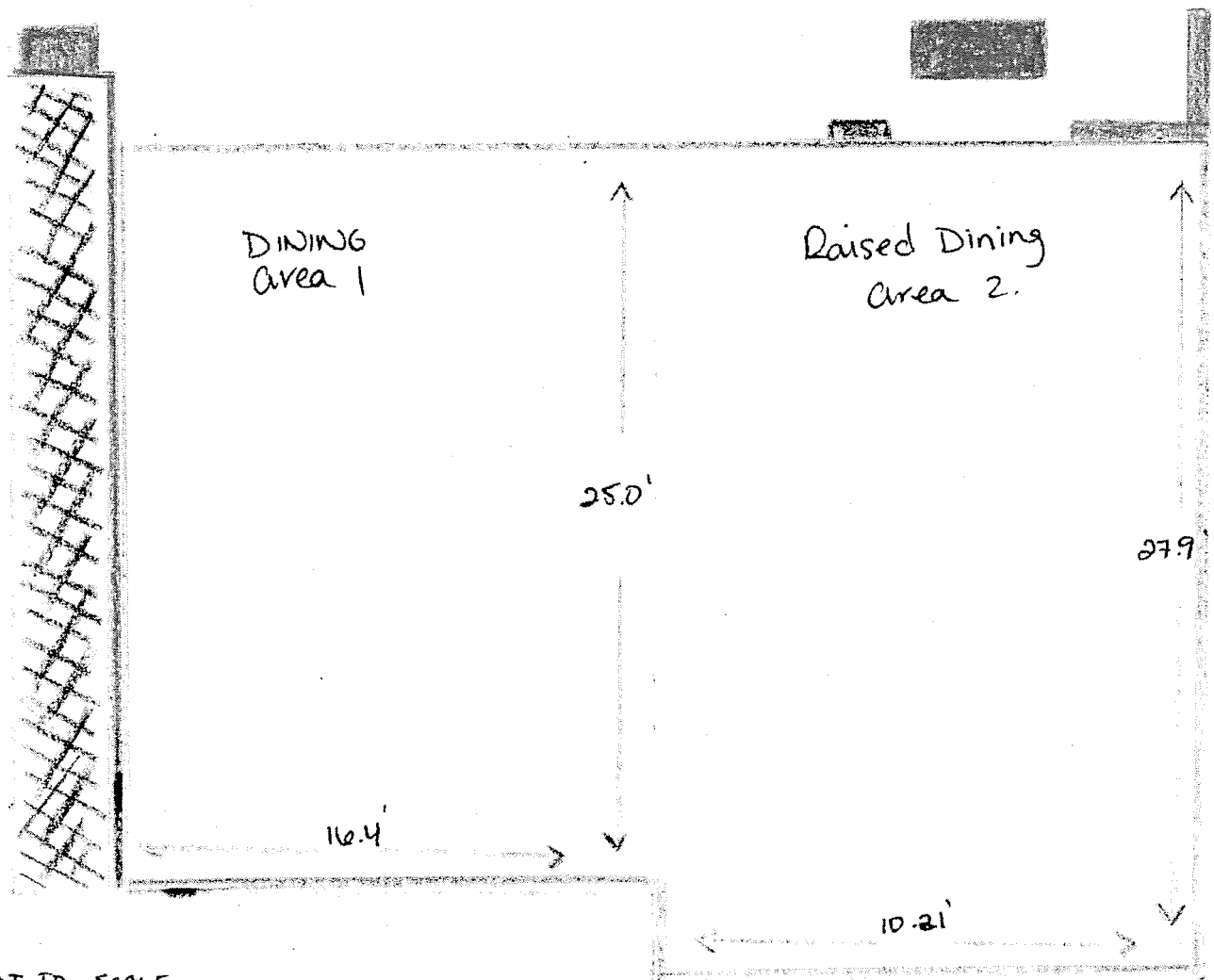
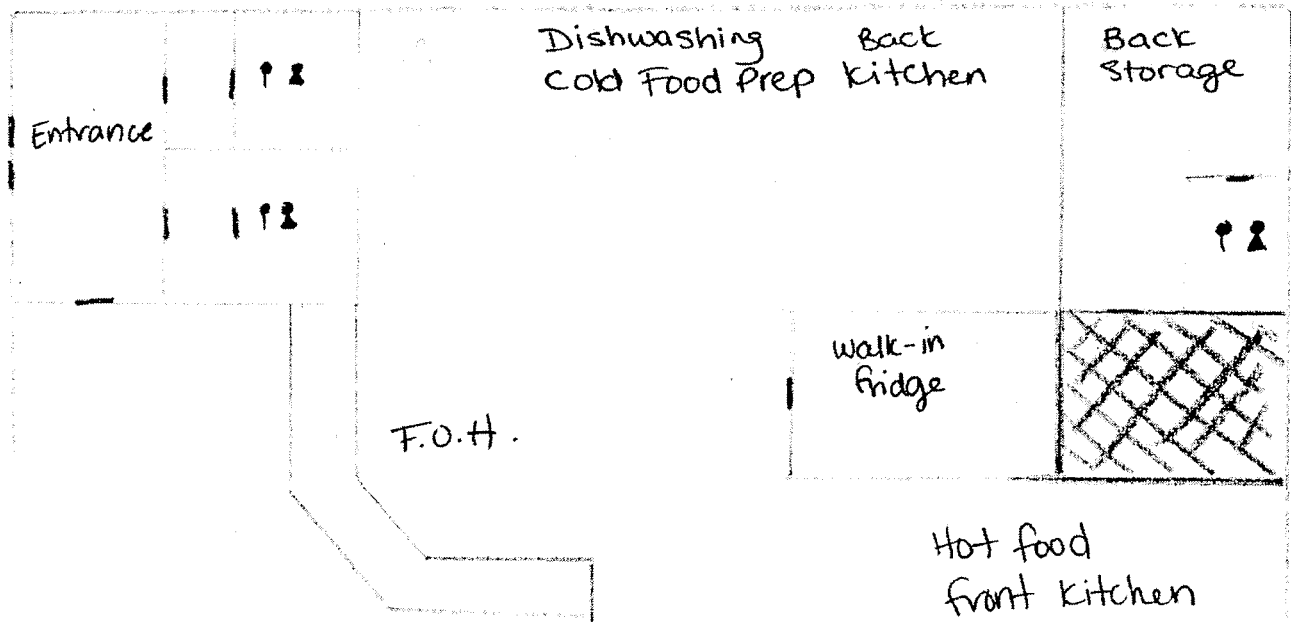
<b>SMALL BAG WITH DIP</b>	6
<b>BIG BAG WITH 2 DIPS</b>	9
<b>XTRA BANG BANG DIP</b>	2
<b>XTRA GUACAMOLE</b>	3
<b>DESSERTS</b>	
<b>CHURRO</b>	2
<b>DEEP FRIED CHEESECAKE</b>	7
<b>SAUCE</b> <small>STRAWBERRY, CHOCOLATE OR CARAMEL</small>	1

# LIQUIDS

<b>JARRITOS / JUICE / CHOCO MILK</b>	3
<b>CAN OF POP / WATER</b>	1.5

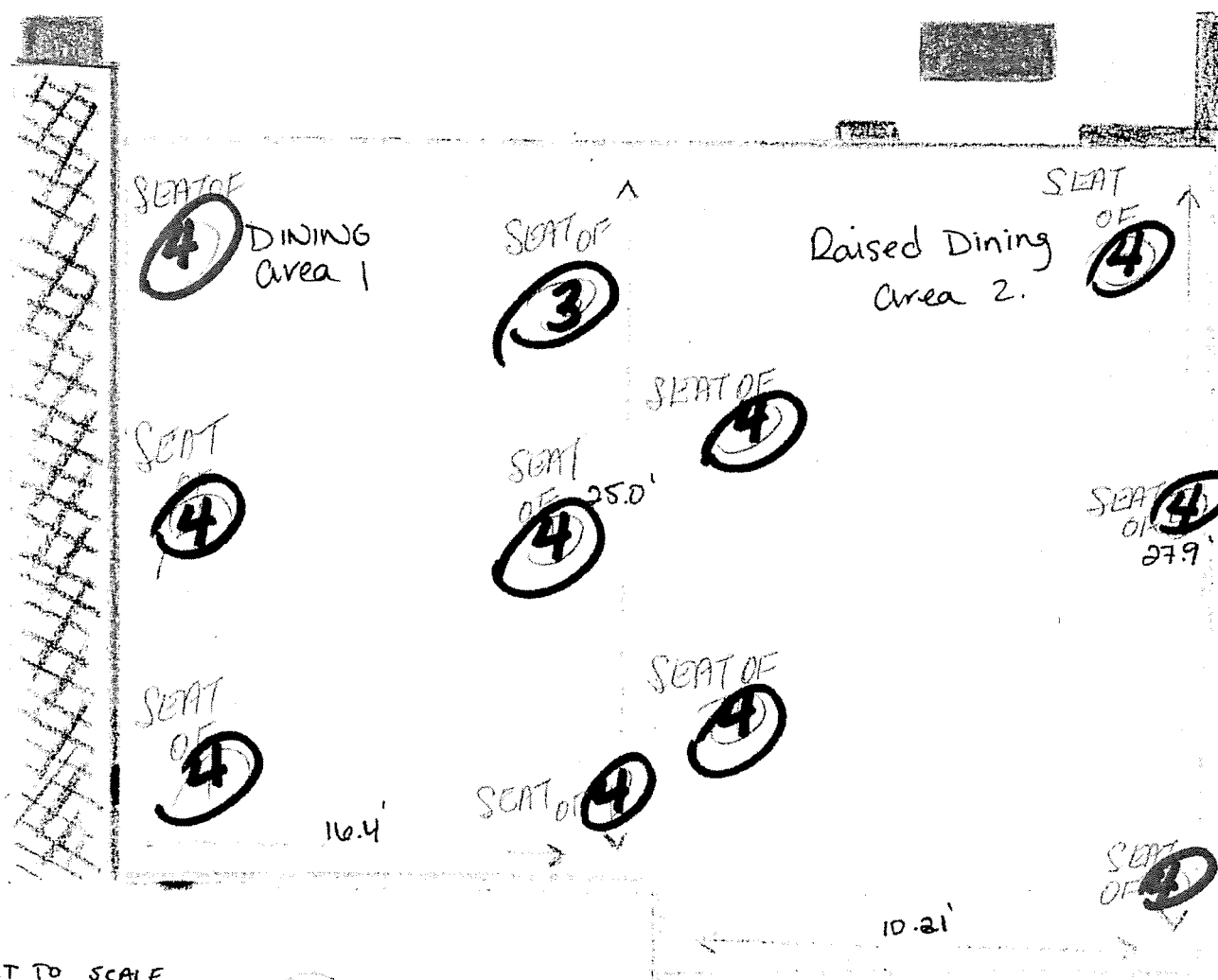
# EXTRAS

<b>GUACAMOLE</b>	3
<b>CHEESE</b>	2
<b>SOUR CREAM / BANG BANG / JALAPENO PEAR / BBQ / GHOST PEPPER / CAROLINA REAPER / LAVA SCORPION</b>	1
<b>XTRA MEAT</b>	4



\* NOT TO SCALE





\* NOT TO SCALE

NOT TO SCALE  
SEATING FOR 43

- door
- ☒ outside
- ☐ alcohol perimeter
- objects
- ♂ ♀ washroom

RAISED DINING IS JUST ONE STEP UP.

RAISED DINING IS JUST 1 STEP UP.

TOTAL OF 43 SEATS

**FRIENDS OF THE MARKHAM MUSEUM BOARD MEETING**  
**Minutes**  
**Meeting No. 89**  
**Electronic Meeting**  
**December 9, 2020, 4:00 p.m.**

<b>In Attendance:</b>	<b>Regrets:</b>
Wendy Kadlovski, Chair	Anisa Anwar
Dianne Azarello	Sue Smitko
Bill Crothers	Councillor Andrew Keyes
Jack Leung	
Anna Masci	
Lorne Smith	
Jill ten Cate	
Councillor Karen Rea	
<i>Staff:</i>	<i>Guests:</i>
Cathy Molloy, Museum Director	
Christina Kakaflikas, Acting Director, Economic Growth, Culture & Entrepreneurship	
Scott Chapman, Corporate Privacy & Records Coordinator	

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

Under the authority of the *COVID-19 Economic Recovery Act, 2020* (Bill 197) and the City of Markham's *Council Procedural By-law 2017-5*, and in consideration of the advice of public health authorities, this meeting was conducted electronically with members of the Friends of the Markham Museum Board and staff participating remotely.

The Friends of the Markham Museum Board meeting convened at 4:04 PM with Wendy Kadlovski serving as Chair.

### **2. DECLARATIONS**

Jack Leung disclosed a conflict with respect to Item #7a on the agenda (2019 Audited Financial Statements) by nature of his employment with the firm commissioned for the audit. Mr. Leung did not participate in the discussion or vote on the question of this matter.

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

There were no additions or changes to the agenda.

Moved by Bill Crothers  
 Seconded by Jill ten Cate

That the agenda for the December 9, 2020 meeting be approved as distributed.

**Carried**

### **4. REGRETS**

Regrets were sent by Sue Smitko.

## **5. APPROVAL OF MINUTES OF THE MEETING HELD MARCH 11, 2020**

Moved by Bill Crothers  
Seconded by Wendy Kadlovski

That the minutes of the Friends of the Markham Museum meeting on March 11, 2020 be approved as distributed.

**Carried**

## **6. BUSINESS ARISING FROM THE MINUTES**

None.

## **7. NEW BUSINESS**

### **a. 2019 Audited Financial Statements of the Friends of the Markham Museum Board**

Jack Leung disclosed a conflict on this item by nature of his employment with the firm commissioned for the audit. Mr. Leung did not participate in the discussion or vote on the question of this matter.

There was no discussion on this matter.

Moved by Bill Crothers  
Seconded by Lorne Smith

That the Friends of the Markham Museum Board approve the circulated audited financial statements.

**Carried**

### **b. Transfer of Control of Trust Funds of the Markham Historical Society**

Bill Crothers clarified the historical practice regarding the disbursement and use of Markham Historical Society trust funds. It was noted that the funds are held by the City and released by Council (as the “members” of the Friends of the Markham Museum) on the recommendation of the Board. It was also noted that requests for the use of the funds are subject to specific disbursement criteria previously established by the Board and limited to matters of heritage research.

Moved by Bill Crothers  
Seconded by Lorne Smith

That the Friends of the Markham Museum Board approve the transfer of control of the trust funds held by the City of Markham on behalf of the Markham Historical Society to the benefit of the Friends of the Markham Museum; and,

That a copy of this resolution be forwarded to the “members” of the Friends of the Markham Museum.

**Carried**

## **8. DIRECTOR'S REPORT**

Cathy Molloy, Museum Director, advised that there are currently no confirmed Museum programming plans for 2021 due to ongoing uncertainty around public health and safety restrictions associated with the COVID-19 pandemic. It was noted that staff are in the process of developing plans for various limited and conditional re-opening scenarios that may be feasible pending further clarity on the status of public health and safety guidelines. It was also noted that any plans proposed for 2021 will be subject to adjustment as the conditions surrounding the pandemic continue to evolve.

## **9. CHAIR'S REPORT**

### **a) Appointment of Secretary**

It was noted that the role of the Secretary will continue to be performed by City of Markham staff. The official appointment of a secretary will be determined at a future meeting.

### **b) Appointment of Treasurer**

The Board consented to appoint Jack Leung to the role of Treasurer.

### **c) Collection Committee**

The Board consented to appoint the following members to the Collection Committee:

- Jill ten Cate (Chair);
- Bill Crothers; and,
- Lorne Smith

### **d) Development Committee**

The Board consented to postpone consideration of this item to its next meeting.

### **e) Book Marketing Committee**

The Board consented to postpone consideration of this item to its next meeting.

### **f) Youth Member**

It was noted that the City has suspended volunteer recruitment at this time in light of the ongoing public health and safety restrictions. The Board consented to postpone consideration of this item to a future meeting.

## **10. SHORT AND LONG TERM GOALS**

Wendy Kadlovski, Chair, invited the Board to consider possible ways to help support the staff, services, and visibility of the Museum during the ongoing programming disruption, as well as potential longer-range initiatives that might be pursued in 2021.

Cathy Molloy, Museum Director, identified potential opportunities for the Board to assist with marketing and book sale activities during the closure provided that participants are

able to observe proper health and safety protocols. Lorne Smith offered to assist with responding to inbound Museum inquiries related to the history of Markham.

#### Speaker Series – Local Authors

There was discussion about the possibility of hosting a virtual speaker series featuring local authors and heritage enthusiasts. Author David Tsubouchi and retired City of Markham Heritage Planner George Duncan were suggested as potential guest speakers.

#### Historic Carriage Collection

There was also discussion regarding potential strategies for promoting awareness of the Museum's historic collection of antique carriages. It was suggested that the Board consider commissioning the production of series of Canadian Heritage Minute-style videos and print media featuring each individual carriage and distributing through the various communications channels of the Museum and City.

The Board discussed the possibility of engaging a professional researcher on a contract basis to perform the necessary background study on the carriages. George Duncan, author and retired City of Markham Heritage Planner, was suggested a potential candidate to perform the research. The Board inquired as to the feasibility of granting the researcher access to the Museum archives in light of existing public health and safety restrictions, and of funding the research using the Markham Historical Society trust funds. It was also suggested that the Board consider opportunities to leverage its partnerships with other heritage associations to assist in the funding and promotion of this initiative.

It was requested that Cathy Molloy, Wendy Kadlovski, Dianne Azarello, and Lorne Smith work together to develop an overall project scope and budget proposal for the Board to consider at a meeting in 2021, including a job description for the proposed research position and projected cost of the research and media production.

#### Speaker Series – Tokyo Summer Olympic Games

There was discussion regarding the possibility of hosting a virtual speaker series with Canadian Olympic Hall of Famer Bill Crothers and Canadian broadcasting icon Lloyd Robertson in anticipation of the Summer Olympic Games in Tokyo (currently scheduled for July 2021). It was suggested that planning for such an event be postponed until the status of the Games is further determined with respect to the global condition surrounding the COVID-19 pandemic.

### **11. MARKHAM HISTORICAL SOCIETY REPORT**

Lorne Smith advised that the Markham Historical Society has issued a new newsletter which will be circulated to the Board. It was noted that the Historical Society has not been actively meeting during the pandemic and will likely continue to suspend programming until the fall of 2021 pending further clarity on public health and safety guidelines.

### **12. OTHER BUSINESS**

Councillor Karen Rea shared with the Board her annual Christmas card prepared for this year featuring a photo and commentary of the Hoover House. The Board discussed the possibility of preparing a holiday card for next year using similar winter scene photos of Museum buildings and artifacts as a revenue and awareness generating initiative.

It was noted that the Museum's existing collections include photos captured by professional photographers, but few featuring evening perspectives. It was suggested that the Board inquire as to the possibility engaging a local professional photographer to donate their time to capture evening photos of the Museum grounds.

### **13. ADJOURNMENT**

Moved by Dianne Azarelo  
Seconded by Jill ten Cate

That the meeting of the Friends of the Markham Museum Board held December 9, 2020 be adjourned at 4:58 PM.

**Carried**



Report to: General Committee

Meeting Date: March 22, 2021

**SUBJECT:** 078-R-15 Janitorial Cleaning Services for Various City Locations Contract Extension

**PREPARED BY:** Jason Ramsaran, Facility Coordinator Ext 3526.  
Flora Chan, Senior Buyer Ext 3189

**RECOMMENDATION:**

- 1) That the report entitled “078-R-15 Janitorial Cleaning Services for Various City Locations Contract Extension” be received; and
- 2) That the contract for Janitorial Cleaning Services for various City locations be extended for one (1) year with National Cleaning Contractors from April 2021 to March 2022 in the 2019 (Pre-COVID) amount of \$441,587.24 (2021 - \$343,022.06 and 2022 - \$98,565.17) (inclusive of HST);
- 3) That the contract for additional janitorial cleaning services due to COVID-19 pandemic in the amount of \$171,088.60 inclusive of HST be awarded to National Cleaning Contractors; and
- 4) That the 2021 award amount of \$343,022.06 inclusive of HST be funded from various City Department’s Operating Budgets; and,
- 5) That the 2022 award amount of \$98,565.17 inclusive of HST be subject to Council approval of the 2022 operating budgets and that the award amount be amended to reflect changes to the various departments’ budget accounts as approved by Council during the 2022 budget process; and
- 6) That the Director, Sustainability and Asset Management and Senior Manager, Procurement and Accounts Payable be authorized to approve additional enhanced cleaning in the event other facilities open during 2021; and
- 7) That the additional cleaning requirements arising as a direct result of COVID-19 in the amount of \$171,088.45 (\$99,897.13 + \$71,191.32) inclusive of HST be charged directly to the COVID-19 cost centre and that it be funded from the COVID-19 Reserve by an amount determined as part of the 2021 year-end process; and
- 8) 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
- 9) That Staff be authorized and directed to do all things necessary to give effect to this resolution.



**PURPOSE:**

To obtain approval to extend the contract for janitorial cleaning services for various city locations for one (1) year from April 2021 to March 2022 at the same (2020/2021) itemized pricing.

**BACKGROUND:**

The City currently has a service contract for regular janitorial cleaning at twenty-seven (27) locations. Due to the pandemic, the City is undertaking the following when it comes to this contract:

1. Locations where pre-COVID cleaning remaining the same
2. Locations where cleaning has been reduced or suspended
3. Locations where cleaning has been enhanced
4. New locations been added for additional cleaning

**1. Locations where pre-COVID cleaning remaining the same**

#	location	Service Level	Pre-Covid Monthly Cost	Covid Monthly Cost	Variance Increase or (Decrease)
1	Civic Centre	Status Quo	\$ 12,574.13	\$ 12,574.13	\$ -
2	Markham Train Station	Status Quo	\$ 792.85	\$ 792.85	\$ -

**2. Locations where cleaning has been reduced or suspended**

#	location	Service Level	Pre-Covid Monthly Cost	Covid Monthly Cost	Variance Increase or (Decrease)
3	Markham Theatre	Reduction	\$ 3,980.64	\$ 1,990.33	\$ (1,990.31)
4	Stiver Mill	Reduction	\$ 354.19	\$ 132.29	\$ (221.90)
5	Old Unionville Library	Suspended	\$ 775.14	\$ -	\$ (775.14)
6	Unionville Train Station	Suspended	\$ 424.80	\$ -	\$ (424.80)
7	Aaniin CC & Library	Suspended	\$ 2,363.15	\$ -	\$ (2,363.15)
8	Womens Institute	Suspended	\$ 538.31	\$ -	\$ (538.31)
					<b>\$ (6,313.61)</b>

**3. Locations where cleaning has been enhanced**

#	location	Service Level	Pre-Covid Monthly Cost	Covid Monthly Cost	Variance Increase or (Decrease)
9	Markham Village Library	Enhanced - additional sanitizing & disinfecting of high touch areas each day	\$ 2,916.42	\$ 3,001.22	\$ 84.80
10	Thornhill Village Library	Enhanced - additional sanitizing & disinfecting of high touch areas each day	\$ 709.01	\$ 793.81	\$ 84.80
11	Unionville Library	Enhanced - additional sanitizing & disinfecting of high touch areas each day	\$ 1,620.92	\$ 1,705.72	\$ 84.80
12	Operation Yard (Miller Ave)	Enhanced - additional sanitizing & disinfecting of high touch areas each day	\$ 1,984.85	\$ 2,432.59	\$ 447.74
13	Central Park Shop	Enhanced - additional sanitizing & disinfecting of high touch areas each day	\$ 372.37	\$ 820.11	\$ 447.74
14	West Parks Shop	Enhanced - additional sanitizing & disinfecting of high touch areas each day	\$ 264.29	\$ 712.03	\$ 447.74
15	8100 Warden Ave	Enhanced - additional sanitizing & disinfecting of high touch areas each day	\$ 3,184.47	\$ 4,789.18	\$ 1,604.71
					<b>\$ 3,202.33</b>

The cost is \$3,202.33 per month or \$38,427.96 annualized for # 9-15

#	location	Service Level	Pre-Covid Monthly Cost	Covid Monthly Cost	Variance Increase or (Decrease)
16-27	Parks Washrooms (x12)	Enhanced - One additional daily cleaning per washroom 7 days/week, - One deep clean per washroom 1 day/week, - 2 additional months of operation in 2021 from April 1 to October 31 (7 months) Note: The current contract includes seasonal daily cleaning of 12 park washrooms from May 14 to October 9 (5 month). recommends the following additional services	\$ 7,887.76	\$ 16,669.07	\$ 8,781.31
					<b>\$ 8,781.31</b>

The cost is \$8,781.31 per month or \$61,469.17 for 7-month period. The total cost for the enhanced cleaning is \$99,897.13 (\$38,427.96 and \$61,469.17). See recommendation 7.

#### 4. New locations been added for additional cleaning – due to COVID-19

The following locations are being added on a month-to-month basis and will be discontinued after the pandemic ends.

LOCATION	Service Level	Pre-Covid Monthly Cost	Covid Monthly Cost	Variance Increase
Fire stations (x8)	Added - Cleaning of all washrooms in all 8 fire stations once per day 7 days/week	\$0.00	\$5,047.30	\$5,047.30
Pan Am Centre	Added - Basic cleaning (was previously done by internal staff)	\$0.00	\$793.73	\$793.73
Markham Village CC	Added - Basic cleaning (was previously done by internal staff)	\$0.00	\$91.58	\$91.58
				<b>\$5,932.61</b>

The cost is \$5,932.61 per month or \$71,191.32 annualized. See recommendation 7.

#### OPTIONS/ DISCUSSION:

The existing contract for janitorial cleaning services was awarded to National Cleaning Contractors in 2016 and is set to expire on March 31, 2021. While preparing to issue a bid to the market, Staff identified benefits in extending the existing contract with National Cleaning Contractors for an additional year (2021/2022).

#### Ongoing pandemic creates uncertainties to reopening of City's facilities

The ongoing COVID-19 pandemic has had significant impacts to the delivery of City services and facility operations. City's cleaning requirements have been revised continuously during the pandemic in response to facility closures, operational changes and staffing changes. While some contracted services were reduced due to closures, additional services were requested.

#### Extending the existing contract for an additional year is recommended

Due to the pandemic impacts, Staff believes it is not an appropriate time to transition the service contract to a new vendor, with possible personnel changes. National Cleaning Contractors has a proven track record, are very familiar with all service locations, and have the resources available to deploy for additional or urgent requirements (e.g. additional cleaning for high-touch areas, emergency cleaning). National Cleaning Contractors has the experience to respond quickly to changing service needs and have been very supportive with each change request during the pandemic. The extension of the current contract will ensure the continuity / consistency of existing services during this uncertain time.

### **Possible changes to future service requirements**

Staff will review and refresh service requirements for the new tender, as we continue to review and plan for any necessary adjustments to the delivery of City services and facility operations, in accordance with recommendations from public health, the Government of Ontario's *COVID-19 response framework: keeping Ontario safe and open* and the City of Markham's *Response, Recovery & Reinvention Plan*.

### **FINANCIAL CONSIDERATIONS:**

#### **1. Contract Extension**

National Cleaning Contractors have agreed to continue provide contracted services at the current 2020/2021 prices.

Note: The following table summarizes the financial impact of this contract extension award for a 12-month period and does not include the additional cleaning expenses due to COVID-19 pandemic.

Budget Available	\$343,022.06	Various operating accounts
Cost of award	\$343,022.06	2021 (Apr-Dec) *
	\$ 98,565.17	2022 (Jan-Mar)**
	\$441,587.24	Total Award (Inclusive of HST)
Budget Remaining	\$ 0	

\*The cost of award is based on 2019 Pre-Covid regular operations. As services at some locations have been reduced, City will be billed based on reduced services required at each location, until regular operations are resumed.

\*\*Subject to Council approval of the 2022-operating budget for the services from January 2022 to March 2022 award.

#### **2. Additional Cleaning requirements due to COVID-19 Pandemic**

The estimated cost of additional cleaning requirements due to the pandemic for contracted locations and new locations in the amount of \$171,088.45 will be charged to the COVID-19 cost centre. At the end of 2021, Finance staff will determine how these COVID related expenses will be funded, and may include external funding received from the COVID-19 Recovery Fund that will be transferred to the COVID-19 Reserve.

### **OPERATING BUDGET AND LIFE CYCLE IMPACT:**

As the cost of award is estimated based on regular operations, there is no incremental impact to the operating budget. There is no incremental impact to the Life Cycle Reserve Study. Any favourable variance due to service suspension or reduction will be reported as part of the 2021 operating budget results.

### **ENVIRONMENTAL CONSIDERATIONS:**

There is no environmental impact with this award.

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**HUMAN RESOURCES CONSIDERATIONS:**

Not applicable. National Cleaning Contractors assumes the responsibility of recruitment, training, deployment of staff, payroll, insurance, workplace safety and other employer requirements.

**LEGAL CONSIDERATIONS:**

The City is subject to the following trade agreements, which apply to public sector procurements above a certain dollar threshold: the Canada-European Union Comprehensive Economic and Trade Agreement (CETA), the Canadian Free Trade Agreement (CFTA), and the Ontario-Quebec Trade and Cooperation Agreement (OQTCA).

The recommended contract extension complies with the trade agreements.

**ALIGNMENT WITH STRATEGIC PRIORITIES:**

This project aligns with Building Markham's Future Together goal of Safe, Sustainable and Complete Community.

**BUSINESS UNITS CONSULTED AND AFFECTED:**

All affected business units have been consulted and have approved going forward with the award.

**RECOMMENDED BY:**

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Graham Seaman  
Director of Sustainability &  
Asset Management      Services

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Trinela Cane,  
Commissioner, Corporate



Report to: General Committee

Meeting Date: March 22, 2021

**SUBJECT:** Annual Water Quality Report (January-December 2020)  
**PREPARED BY:** Helena Frantzke, Ext 2449  
 Water Quality Coordinator, Environmental Services

### **RECOMMENDATION:**

1. That the report titled “Annual Water Quality Report (January-December 2020)” as required by Schedule 22 of Ontario Regulation 170/03, under the *Safe Drinking Water Act, 2002*, enclosed herein be received; and
2. That the 2020 Annual Water Quality Report (Attachment “A”), containing information for the Ministry of the Environment, Conservation and Parks (MECP) on water supply and quality as required by Section 11 of Ontario Regulation 170/03, under the *Safe Drinking Water Act, 2002*, be received; and,
3. That Council acknowledge that staff posted the 2020 Annual Water Quality Report on the City’s website and that it has been made available electronically and in hard copy version by February 28, 2021 as per regulations; and further,
4. And That Staff be authorized and directed to do all things necessary to give effect to this resolution.

### **EXECUTIVE SUMMARY:**

As per Provincial Regulation 170/03, under the *Safe Drinking Water Act, 2002*, the City of Markham is mandated to produce the following two reports:

An annual report summarizing water quality information. This report outlines how the City of Markham receives its water, a description of the drinking water system and the water quality results for the period from January 1, 2020 to December 31, 2020. In addition, this report is required to be made available to the public upon request. The annual report has been posted on the Markham website and is available at the Waterworks Department located at 8100 Warden Avenue. The regulatory requirements for such a report are met in this way and a copy of the report has been enclosed as Attachment “A”, for Council reference.

A report prepared for Council is to be submitted by March 31, 2021. This report is to inform Council on any regulatory requirements that have not been met during the period of January 1, 2020 to December 31, 2020. For each requirement not met, Council is to be informed of what corrective actions were taken. In addition, a summary is to be provided of the quantities and flow rates of the water supplied during the same period. This report enclosed herein ensures that Markham has met all regulatory requirements.

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Markham's customers consumed 30,820,500 m<sup>3</sup> of water over 365 days in 2020. Representative water quality sampling was undertaken throughout the distribution system and analyzed according to O. Reg. 170/03. A total of twelve Adverse Water Quality Incidents (AWQIs) were reported to the MECP. There are two ways that an AWQI can arise, either as a result of sampling or from an on-site observation. Of the 7,222 regulatory samples taken in 2020, eleven samples (0.15%) did not meet regulatory limits outlined in the Ontario's Drinking Water Systems Regulation (O. Reg. 170/03). The remaining one AWQI was reported as an on-site observation during a watermain break repair. For all of the adverse incidents, the City of Markham performed the regulatory notifications and corrective actions to rectify the situation.

**PURPOSE:**

To inform Council, as owners of the drinking water system, on the quality of drinking water provided to the residents of Markham in 2020 through the water distribution system. By doing so, we are meeting the requirements of Schedule 22 of Ontario Regulation 170/03, under the *Safe Drinking Water Act, 2002*.

To provide Council with a summary on the more detailed & technical annual water quality report (included as Attachment "A"). This annual report has been prepared and made available to the public prior to February 28, 2021 via Markham's website and at the Waterworks Department located at 8100 Warden Avenue. This annual report details the drinking water system, sampling activity, corrective actions and any major monetary expenses incurred in 2020.

**BACKGROUND:**

In order to meet regulatory requirements and to strengthen customer confidence in the quality of the City of Markham's drinking water supply, Waterworks prepares annual update reports on the status of drinking water quality.

Enclosed, as Attachment "A", is the 2020 Annual Water Quality Report, which is intended to be a standalone document. This detailed, technical and statistical report summarizes the 2020 water distribution system for: results of lab tests and corrective actions taken, and any major expenses incurred. The Regulation also requires that this report be made available to the public, free of charge, and be posted on the City of Markham's website on or before February 28, 2021.

The 2020 Annual Water Quality Report to Council, contained herein, is intended to inform Council on the performance of the water distribution system over the past year and to provide specific information that meets the Ontario Regulation 170/03 requirements concerning Markham's Drinking Water Distribution System.

**2020 Drinking Water System Information**

The City of Markham's drinking water system is strictly a distribution system. We do not operate any treatment plants and therefore the rated capacity of our system, as requested by the MECP, is not applicable. The Region of York receives treated water from both the City of Toronto and the Region of Peel, stores and distributes it to various Municipalities including Markham, through trunk watermain from York and Toronto.

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The City of Markham purchases its water entirely through the Region of York as the wholesaler, and distributes this water to its residents through metered connections.

**OPTIONS/ DISCUSSION:****Water Supplied During 2020**

The City of Markham customers (including residential, industrial, commercial and institutional) purchased a total of 30,820,500 m<sup>3</sup> of water over 365 days in 2020. This amounts to an average of 2,568,375 m<sup>3</sup>/ month or 84,440 m<sup>3</sup>/day.

In 2020 a total of twelve (12) Adverse Water Quality Incidents (AWQIs) were reported to the MECP. There was one (1) reported AWQI due to an on-site observation during a watermain break repair and there were eleven (11) reported AWQIs, as a result of the 7,222 samples taken, which did not meet the Ontario's Drinking Water Systems Regulation (O. Reg. 170/03).

**2020 On-Site Observation**

In 2020 there were one (1) on-site observation incident reported as adverse water quality incidences during a watermain break repair. Waterworks staff immediately notified the MECP & MOH. The watermain break was repaired, the system was then flushed until acceptable chlorine residuals were established and a water sample was taken and tested for microbial contamination following the repair of the break.

Watermain breaks are only to be reported to MECP when it has been observed that contaminated water may have been directed to users. These observations often occur when there is a severe watermain break resulting in the collapse of the pipe wall and entry of dirt in the watermain. Further, following every watermain repair, regardless of its severity, Waterworks initiates a procedure to test a water sample for microbial contamination.

**2020 Drinking Water Quality Sampling Results**

Ontario's Drinking Water Systems Regulation (O.Reg.170/03) requires all drinking water system owners to collect and test a minimum prescribed number of representative water quality samples for its distribution system. It further requires that drinking water system owners prepare an annual report (in MECP format) on the operation and the quality of drinking water within their jurisdictional boundaries. Markham Waterworks Department has complied with this requirement. For the calendar year January 1, 2020 to December 31, 20; an annual regulatory report was prepared (MECP format) in January 2021 on the Markham Water Distribution System and is enclosed as Attachment "A". This report was posted prior to Feb. 28, 2021 as required by the Regulation.

During the period from January 1, 2020 to December 31, 2020, the total number of water samples collected and tested by Waterworks Operators was 7,222. These samples were tested for the presence of bacteria (*Escheria coli*, Total Coliforms, and Heterotrophic Plate Count), for chemical analysis {Organic parameters, including Trihalomethanes (THM), Haloacetic acids (HAA) and Nitrosodimethylamine (NDMA) and Inorganic

parameters including Lead (Pb), Nitrate (NO<sup>3</sup>) & Nitrite (NO<sup>2</sup>) and all chlorine residuals as required.

Of the 7,222 regulatory samples collected and tested in 2020, eleven samples (0.15%) did not meet regulatory limits outlined in the Ontario's Drinking Water Systems Regulation (O. Reg. 170/03). The table below depicts the total number of AWQIs from all regulatory sampling in 2020.

2020 TOTAL NUMBER OF AWQIs FROM SAMPLING

PARAMETER	# SAMPLES TAKEN (TOTAL 7,222)	REPORTABLE TO MOECC	ADVERSE RESULT (AWQI)
MICROBIOLOGY - Scheduled (Total Coliforms / E. coli)	1,839	Yes	6
MICROBIOLOGY - Scheduled (HPC)	613	Not applicable	Not applicable
MICROBIOLOGY -Unscheduled (Total Coliforms /E. coli /HPC) Watermain Breaks and Adverse Water Quality Incident Resamples	62	Yes	5
CHLORINE	4,554	Yes	0
OTHERS (Organic, Inorganic, Lead, THM, HAA, NO <sub>2</sub> /NO <sub>3</sub> , NDMA)	154	Yes	0

1. Adverse Water Quality – Presence of Bacteria

As part of our weekly regular sampling schedule the required number of samples are taken and tested for microbiological parameters. In 2020 as part of our weekly regular scheduled sampling program 1,839 samples were tested for microbiology parameters, of which six (6) tested positive for the presence of total coliforms (one of the samples had a count of total coliforms and two samples had an overgrowth of target bacteria, total coliform). In addition during our unscheduled microbiology sampling five (5) samples detected the presence of total coliforms, one (1) sample taken after a watermain break repair, two (2) were samples taken upon connection of new watermain to our existing distribution system and two (2) as part of our resampling during corrective action in response to an AWQI.

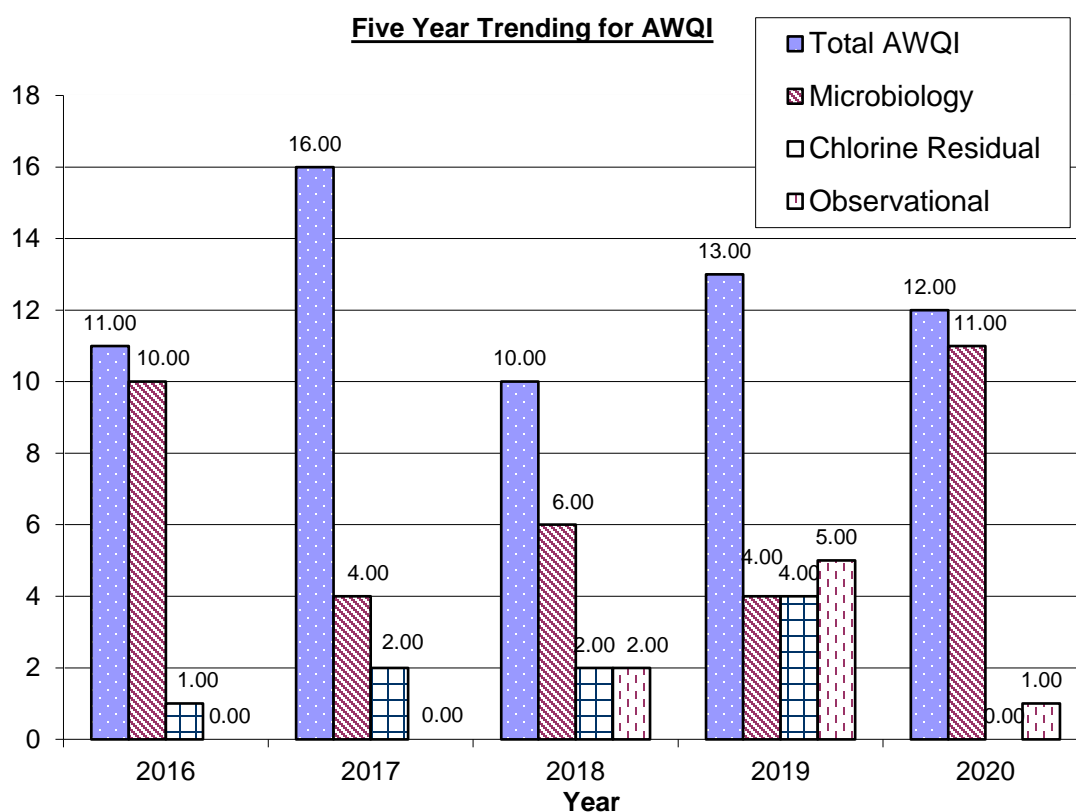
The detection of total coliform in drinking water has had a longstanding history of use as an indicator of drinking water safety. Total coliform bacteria are common in the environment (soil or vegetation) and are generally harmless. Upon being notified by Caduceon Environmental Laboratories that a given sample did not meet the water quality regulations for bacteria, Waterworks staff immediately notified the York Region Medical Officer of Health (MOH) and the MECF Spills Action Centre. Senior staff were informed



of all incidents by email. Immediate and proactive corrective actions were followed as per Standard Operating Procedures for responding to an adverse water quality test result. In such incidents the location which failed is resampled along with one location upstream and one location downstream of the initial location some distance away.

#### 5 Year Trending of Adverse Water Quality Incidents (AWQIs):

The graph below depicts the breakdown of the total number of adverse water quality incidents for the last 5 years (Total AWQIs and the source of the adverse incidents).



#### Lead Sampling

The City of Markham has no known lead public service lines and the city has not encountered any lead issues in City drinking water. As a result the City of Markham has been granted relief from regulatory requirements outlined in Ontario Regulation 170/03 with respect to lead sampling. This includes no lead testing from plumbing servicing of private residences or non-residential buildings and reduced lead testing from distribution locations (20 per year). This reduced sampling was granted beginning in 2019 and extends until the end of 2021, at which time the MECP will review our program. In 2020 staff received four (4) calls from residents with concerns regarding lead in the drinking water, however since March 25, 2020 Waterworks Operators have not entered private

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residences for non-emergency calls. Sampling and testing for lead on private sides is not considered an emergency. Once COVID-19 restrictions are lifted staff will follow up with residents on the list and arrange to sample and test for lead in their homes.

**Conclusions:**

In 2020, the drinking water distributed to the City of Markham residents continued to be of high quality. During the operation of the water distribution system during 2020, there were few adverse water quality incidents, (0.15% of all system samples undertaken) and corrective actions were taken immediately to resolve each incident. The drinking water system is maintained by Waterworks with continual improvements and programs in place to ensure excellent water quality.

**FINANCIAL CONSIDERATIONS**

Not Applicable

**HUMAN RESOURCES CONSIDERATIONS**

Not Applicable

**ALIGNMENT WITH STRATEGIC PRIORITIES:**

The Annual Water Quality Report (January – December 2020) on the drinking water system meets legislative requirements and is consistent with the City's corporate goals of Safe, Sustainable & Complete Community.

**BUSINESS UNITS CONSULTED AND AFFECTED:**

Not Applicable

The undersigned represent the Top Management of City of Markham's Drinking Water Distribution System, and by signing below the Top Management of the Operating Authority has reviewed the deficiencies, decisions and action items identified in the Management Review, and hereby communicating these results to the Owner.

**RECOMMENDED BY:**

Shumin Gao, P. Eng.  
Manager - System Engineering, Environmental Services

Eddy Wu, P. Eng.  
Acting Director, Environmental Services

Andy Taylor  
CAO, City of Markham

**ATTACHMENTS:**

## Annual Water Quality Report (January – December 2020) – Attachment A

The contents of this report include:

1. A description of where the report will be located and made available to the public.
2. A brief description of the drinking water system.
3. A breakdown of major expenses incurred to install, repair or replace required equipment.
4. A summary of adverse water quality reports and corrective actions taken.
5. A summary of water quality testing results for microbiological, inorganic chemical and organic chemical parameters.

The City of Markham has met the Regulation 170/03 submission dates and requirements of reporting for the annual water quality report.



**Annual Water Quality Report (January – December 2020)**

**The Corporation of the City of Markham  
2020 Annual Water Quality Report**

Covering the period from  
January 1, 2020 to December 31, 2020

**In compliance with  
The Ministry of the Environment, Conservation and Parks (MECP)  
Ontario Drinking Water Systems Regulation 170/03**

Dated: March 22, 2021



## CITY OF MARKHAM – WATER SAMPLING PROGRAM

*January 1 to December 31, 2020*

To comply with the Ontario Drinking Water System Regulation, Markham collects and tests water samples throughout its distribution system at a total of 106 locations. The 106 sample locations are strategically selected and evenly distributed to ensure Markham gets the best representation of the water distribution system. The need for additional locations is reviewed annually & in 2020, no additional locations were warranted. Sampling is rotated through the 106 locations and the drinking water is tested for Chlorine residual, Bacteria, Trihalomethanes (THM), Haloacetic Acids (HAA), Nitrites & Nitrates, Lead, Organics & Inorganics in compliance with Ontario Regulation 170/03. The samples are collected by licensed Waterworks operators and analyzed by an accredited and provincially licensed Laboratory.

Waterworks follows rigorous testing and compliance procedures. The City reports any adverse sampling results that occur to the York Region Medical Officer of Health and to the Ministry of Environment, Conservation and Parks (MECP) and immediately undertakes the necessary corrective action. Re-samples are taken following the corrective action(s) and tested until two consecutive samples are within acceptable parameters.

### **Summary of the sampling for 2020 follows:**

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#### **Sampling Program:**

Total Number of Samples collected and tested in 2020= 7,222

#### **Adverse Test Results:**

Total Number of Adverse Water Quality Incidents (AWQI) = 12

#### **Breakdown of Adverse Results:**

Total adverse due to Microbiology Exceedances = 11

Total adverse due to low Chlorine Residual = 0

Total adverse due to Observation during Watermain Break = 1

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The drinking water distributed to the City of Markham residents in 2020 was safe to drink and met all drinking water requirements. During 2020 the operation of the water distribution system, there were very few adverse sample incidents (0.15% of all system samples undertaken) and when these occurred, they were immediately resolved. The drinking water system is maintained by Waterworks with continual improvements and programs in place to ensure water of the highest quality.



## ANNUAL REPORT

<b>Drinking-Water System Number:</b>	220004162
<b>Drinking-Water System Name:</b>	Markham Distribution System
<b>Drinking-Water System Owner:</b>	The Corporation of the City of Markham
<b>Drinking-Water System Category:</b>	Large Municipal Residential System
<b>Period being reported:</b>	January 1, 2020 to December 31, 2020

<p><b><u>Complete if your Category is Large Municipal Residential or Small Municipal Residential</u></b></p> <p><b>Does your Drinking-Water System serve more than 10,000 people? Yes [ x ] No [ ]</b></p> <p><b>Is your annual report available to the public at no charge on a web site on the Internet? Yes [ x ] No [ ]</b></p> <p><b>Location where Summary Report required under O. Reg. 170/03 Schedule 22 will be available for inspection.</b></p> <ul style="list-style-type: none"> <li><a href="http://www.markham.ca">www.markham.ca</a></li> <li>8100 Warden Ave. – Waterworks Department</li> </ul>	<p><b><u>Complete for all other Categories.</u></b></p> <p><b>Number of Designated Facilities served:</b></p> <div style="border: 1px solid black; padding: 2px; width: fit-content;">Not applicable</div> <p><b>Did you provide a copy of your annual report to all Designated Facilities you serve? Yes [ ] No [ ]</b></p> <p><b>Number of Interested Authorities you report to:</b></p> <div style="border: 1px solid black; padding: 2px; width: fit-content;">Not applicable</div> <p><b>Did you provide a copy of your annual report to all Interested Authorities you report to for each Designated Facility? Yes [ ] No [ ]</b></p>
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**Note: For the following tables below, additional rows or columns may be added or an appendix may be attached to the report**

**List all Drinking-Water Systems (if any), which receive all of their drinking water from your system:**

Drinking Water System Name	Drinking Water System Number
Not applicable	

**Did you provide a copy of your annual report to all Drinking-Water System owners that are connected to you and to whom you provide all of its drinking water?**

Yes [ ] No [ ] Not applicable



Indicate how you notified system users that your annual report is available, and is free of charge.

☒ Public access/notice via the web

☒ Public access/notice via Government Office

☐ Public access/notice via a newspaper

☒ Public access/notice via Public Request

☐ Public access/notice via a Public Library

☐ Public access/notice via other method \_\_\_\_\_

**Describe your Drinking-Water System**

The City of Markham's distribution system is an extension of the Toronto and York Region distribution systems. Raw surface water from Lake Ontario is disinfected, treated and tested rigorously by the City of Toronto and Peel Region for microbiological, organic and inorganic parameters prior to reaching the York Region distribution system. Markham is supplied with treated water via feeder mains from Toronto and Peel Region. York Region distribution system acts as a wholesale supplier of water and provides further testing, storage and pressure boosting for the Markham system.

Markham's Distribution System provides treated water to approximately 351,251 residents and is comprised of approximately 1,092 kilometers of various size watermain, 11,239 watermain valves and 8,803 municipal fire hydrants. Markham is a distribution only system, without pumping and storage facilities. Markham's drinking water within the distribution system is tested for standard parameters, in compliance with Ontario Regulation 170/03. The samples are collected by licensed Waterworks operators and analyzed by an accredited and provincially licensed Laboratory.

**List all water treatment chemicals used over this reporting period**

Not applicable; treatment chemicals are introduced at various sources by the City of Toronto, Peel Region and York Region only.

**Were any significant expenses incurred to?**

☒ Install required equipment

☒ Repair required equipment

☒ Replace required equipment

**Please provide a brief description and a breakdown of monetary expenses incurred**

<b>Cathodic Protection of Iron Watermains</b>	<b>= \$272,264</b>
<b>Watermain CIPP Lining (Watermain Rehabilitation)</b>	<b>= \$2,141,904</b>
<b>Water Meter Replacement/Upgrades</b>	<b>= \$979,461</b>
<b>Watermain Replacement</b>	<b>= \$12,230,188</b>
<b>Watermain Replacement Design for 2020</b>	<b>= \$94,144</b>
<b>Curb Box Inspection and Replacement</b>	<b>= \$246,056</b>



**Provide details on the notices submitted in accordance with subsection 18(1) of the Safe Drinking-Water Act or section 16-4 of Schedule 16 of O.Reg.170/03 and reported to Spills Action Centre**

Incident Date and AWQI #	Parameter	Result	Unit of Measure	Corrective Action	Corrective Action Date
July 07, 2020 (AWQI # 150542)	Total Coliform	No Data, Overgrown	cfu/100mL	Flush Mains and Resample	July 07, 2020
July 14, 2020 (AWQI # 150668)	Total Coliform	1	cfu/100mL	Flush Mains and Resample	July 14, 2020
July 21, 2020 (AWQI # 150838)	Total Coliform	No Data, Overgrown	cfu/100mL	Flush Mains and Resample	July 21, 2020
July 28, 2020 (AWQI # 150974)	Total Coliform	1	cfu/100mL	Flush Mains and Resample	July 28, 2020
August 11, 2020 (AWQI # 151330)	Total Coliform	1	cfu/100mL	Flush Mains and Resample	August 11, 2020
August 18, 2020 (AWQI # 151430)	Total Coliform	114	cfu/100mL	Flush Mains and Resample	August 18, 2020
August 19, 2020 (AWQI # 151448)	Total Coliform	1	cfu/100mL	Flush Mains and Resample	August 19, 2020
August 21, 2020 (AWQI # 151499)	Total Coliform	2	cfu/100mL	Flush Mains and Resample	August 21, 2020
August 25, 2020 (AWQI # 151561)	Total Coliform	2	cfu/100mL	Flush Mains and Resample	August 25, 2020
August 28, 2020 (AWQI # 151637)	Total Coliform	21	cfu/100mL	Flush Mains and Resample	August 28, 2020
September 01, 2020 (AWQI # 151741)	On-Site Observational Adverse	n/a	n/a	Repair Watermain Break, Flush Mains and Sample	Sept. 01, 2020
November 03, 2020 (AWQI #152815)	Total Coliform	No Data, Overgrown	cfu/100mL	Flush Mains and Resample	November 03, 2020

**Microbiological testing done under the Schedule 10, 11 or 12 of Regulation 170/03, during this reporting period.**

	Number of Samples	Range of E.Coli Or Fecal Results (min #)-(max #)	Range of Total Coliform Results (min #)-(max #)	Number of HPC Samples	Range of HPC Results (min #)-(max #)
Raw	N/A				
Treated	N/A				
Distribution	1,839	0 - 0	0 – No Data Overgrown	613	0 - >2,000





**Operational testing done under Schedule 7, 8 or 9 of Regulation 170/03 during the period covered by this Annual Report.**

	Number of Grab Samples	Range of Results (min #)-(max #)
<b>Turbidity</b>		
<b>Chlorine</b>	8,760 (Chlorine Analyzer) 4,554 (Grab)	Combined: 0.31mg/L – 1.96 mg/L
<b>Fluoride</b> (If the DWS provides fluoridation)	<b>0.8 mg/L</b>	

***NOTE:** For continuous monitors use 8760*

***NOTE:** Record the unit of measure if it is **not** milligrams per litre.*

**Summary of additional testing and sampling carried out in accordance with the requirement of an approval, order or other legal instrument.**

Date of legal instrument issued	Parameter	Date Sampled	Result	Unit of Measure
N/A				

**Summary of Inorganic parameters tested during this reporting period or the most recent sample results**

Parameter	Sample Date	Result Value	Unit of Measure	Exceedance
Antimony	April 29, 2020	0.0001	mg/L	No
Arsenic	April 29, 2020	0.0008	mg/L	No
Barium	April 29, 2020	0.022	mg/L	No
Boron	April 29, 2020	0.023	mg/L	No
Cadmium	April 29, 2020	<0.000015	mg/L	No
Chromium	April 29, 2020	<0.002	mg/L	No
*Lead	See Summary Below			
Mercury	April 29, 2020	<0.00002	mg/L	No
Selenium	April 29, 2020	<0.001	mg/L	No
Sodium	January 07, 2020	16.2	mg/L	No
Uranium	April 29, 2020	0.00027	mg/L	No
Fluoride	January 07, 2020	0.8	mg/L	No
Nitrite	November 26, 2019	<0.01	mg/L	No
Nitrate	November 26, 2019	0.42	mg/L	No



**\*Summary of Lead testing under Schedule 15.1 during this reporting period**

(applicable to the following drinking water systems; large municipal residential systems, small municipal residential systems, and non-municipal year-round residential systems)

Location Type	Number of Samples	Range of Lead Results (min#) – (max #)	Number of Exceedances
Plumbing	0	n/a	n/a
Distribution	20	<0.00002 mg/L – 0.00163 mg/L	0

The City of Markham was granted relief from regulatory requirements contained in Schedule 15.1 of O. Reg. 170/03. This includes no lead testing from plumbing servicing of private residences, no lead testing from plumbing servicing non-residential buildings and reduced lead testing from distribution locations (10 per period). This reduced sampling was granted for the two periods of sampling in 2020, December 15, 2019 to April 15, 2020 and June 15, 2020 to October 15, 2020.

**Summary of Organic parameters sampled during this reporting period or the most recent sample results**

Parameter	Sample Date	Result Value	Unit of Measure	Exceedance
Alachlor	April 29, 2020	<0.3	ug/L	No
Atrazine + Metabolites	April 29, 2020	<0.5	ug/L	No
Azinphos-methyl	April 29, 2020	<1	ug/L	No
Benzene	April 29, 2020	<0.5	ug/L	No
Benzo(a)pyrene	April 29, 2020	<0.005	ug/L	No
Bromoxynil	April 29, 2020	<0.5	ug/L	No
Carbaryl	April 29, 2020	<3.0	ug/L	No
Carbofuran	April 29, 2020	<1.0	ug/L	No
Carbon Tetrachloride	April 29, 2020	<0.2	ug/L	No
Chlorpyrifos	April 29, 2020	<0.5	ug/L	No
Diazinon	April 29, 2020	<1.0	ug/L	No
Dicamba	April 29, 2020	<10.0	ug/L	No
1,2-Dichlorobenzene	April 29, 2020	<0.5	ug/L	No
1,4-Dichlorobenzene	April 29, 2020	<0.5	ug/L	No
1,2-Dichloroethane	April 29, 2020	<0.5	ug/L	No
1,1-Dichloroethylene	April 29, 2020	<0.5	ug/L	No
Dichloromethane	April 29, 2020	<5.0	ug/L	No
2-4 Dichlorophenol	April 29, 2020	<0.1	ug/L	No
2,4-Dichlorophenoxy acetic acid (2,4-D)	April 29, 2020	<10.0	ug/L	No
Diclofop-methyl	April 29, 2020	<0.9	ug/L	No
Dimethoate	April 29, 2020	<1.0	ug/L	No
Diquat	April 29, 2020	<5.0	ug/L	No
Diuron	April 29, 2020	<5.0	ug/L	No
Glyphosate	April 29, 2020	<25	ug/L	No
Haloacetic Acids (HAA)	Running Annual Average of Quarterly Results	< 5.3	ug/L	No



Malathion	April 29, 2020	<5.0	ug/L	No
Metolachlor	April 29, 2020	<3.0	ug/L	No
Metribuzin	April 29, 2020	<3.0	ug/L	No
Monochlorobenzene	April 29, 2020	<0.5	ug/L	No
Nitrosodimethylamine (NDMA)	Running Annual Average of Quarterly Results	0.001	ug/L	No
Paraquat	April 29, 2020	<1.0	ug/L	No
Pentachlorophenol	April 29, 2020	<0.1	ug/L	No
Phorate	April 29, 2020	<0.3	ug/L	No
Picloram	April 29, 2020	<15.0	ug/L	No
Polychlorinated Biphenyls(PCB)	April 29, 2020	<0.05	ug/L	No
Prometryne	April 29, 2020	<0.1	ug/L	No
Simazine	April 29, 2020	<0.5	ug/L	No
THM (NOTE: show latest annual average)	Running Annual Average of Quarterly Results	11.89	ug/L	No
Terbufos	April 29, 2020	<0.4	ug/L	No
Tetrachloroethylene	April 29, 2020	<0.5	ug/L	No
2,3,4,6-Tetrachlorophenol	April 29, 2020	<0.1	ug/L	No
Triallate	April 29, 2020	<10.0	ug/L	No
Trichloroethylene	April 29, 2020	<0.5	ug/L	No
2,4,6-Trichlorophenol	April 29, 2020	<0.1	ug/L	No
Trifluralin	April 29, 2020	<0.5	ug/L	No
Vinyl Chloride	April 29, 2020	<0.2	ug/L	No
MCPA	April 29, 2020	<10.0	ug/L	No

**List any Inorganic or Organic parameter(s) that exceeded half the standard prescribed in Schedule 2 of Ontario Drinking Water Quality Standards.**

Parameter	Result Value	Unit of Measure	Date of Sample
Fluoride	0.8	mg/L	January 07, 2020



Report to: General Committee

Meeting Date: March 22, 2021

**SUBJECT:** Amendment to By-Law 2013-113 to Delegate Authority to  
Convey Easements to Alectra

**PREPARED BY:** Jacqueline Chan, Assistant City Solicitor

**RECOMMENDATION:**

- 1) THAT the report entitled “Amendment to By-Law 2013-113 to Delegate Authority to Convey Easements to Alectra” be received;
- 2) THAT By-Law 2013-113 – “A By-Law to Delegate Authority to Conduct Certain Real Property Transactions” be amended to authorize the Senior Manager of Real Property to:
  - (a) execute any documents and/or agreements required to convey easements over City-owned lands to Alectra Utilities Corporation (“Alectra”) and/or its affiliates where such easements are required by Alectra to provide services to City-owned property, provided the form of the easement is satisfactory to the Senior Manager of Real Property and the City Solicitor or his/her designate; and
  - (b) to determine the purchase price to be paid by Alectra for easements over City-owned lands as described in resolution #2(a), provided that the purchase price is at least 90% of Fair Market Value; and
  - (c) to determine the purchase price paid by Alectra, including a nominal purchase price where the requirement for easements as described in #2(a) are not prompted by third party development or construction;
- 3) THAT Council adopt the By-law attached as Attachment No.1 of this Report to amend By-Law 2013-113 “A By-Law to Delegate Authority to Conduct Certain Real Property Transactions” at the next Council meeting; and
- 4) THAT Staff be authorized and directed to do all things necessary to give effect to this resolution.

**EXECUTIVE SUMMARY:**

Not Applicable.

**PURPOSE:**

To obtain Council approval to delegate authority to execute documents and/or agreements or to grant permanent easements in favour of Alectra and/or its affiliates over City-owned lands outside of the City-owned rights-of-way.

**BACKGROUND:**

Alectra typically installs its infrastructure within municipal rights-of-ways and gains access to such rights-of-way through its statutory rights.

Occasionally, Alectra may need to install its infrastructure over other City-owned lands that are not rights-of-way. For continued access to these lands, Alectra may require permanent easements to construct, operate, maintain, repair and replace the infrastructure. For example, an easement may be required by Alectra to provide electricity to illuminate a City park. The requirement for such an easement may be prompted by the initial development of the City park or due to relocation of Alectra's infrastructure promoted by third party development. Another example where Alectra may request easements over City lands is where the City signs a standard form known as "Offer to Connect" agreements with Alectra, to provide electrical services to a City-owned facility. This form of standard agreement includes a requirement for the land owner to provide easements to Alectra over the lands being serviced, at nominal consideration, for the purpose of constructing, maintaining, repairing and replacing Alectra's infrastructure required to service such facilities.

**OPTIONS/ DISCUSSION:**

Previously, conveying easements to Alectra over City owned lands required approval from Council, even where such easements are required solely to provide service to City facilities and lands. To improve efficiency, staff recommend that the Senior Manager of Real Property be delegated the authority to convey easements to Alectra where it is necessary to provide electricity service to City-owned lands and facilities. The proposed delegation of authority to the Senior Manager of Real Property will reduce the use of staff time associated with preparing Council reports.

Staff also recommend that the Senior Manager of Real Property be authorized to determine the purchase price paid by Alectra for such easements, provided that the purchase price is at least 90% of Fair Market Value (as such term is already defined in By-Law 2013-113 – "A By-Law to Delegate Authority to Conduct Certain Real Property Transactions"). However, in cases where the requirement for such easements are not prompted by third party development, but are exclusively required by Alectra to service City-owned lands and facilities, staff recommend that the Senior Manager of Real Property be authorized to charge a nominal purchase price. The conveyance of such easements to Alectra at a nominal purchase price may be required by Alectra as a condition of servicing such sites.

**FINANCIAL CONSIDERATIONS**

In the event that easements are required by Alectra to provide service to City facilities through the City's obligation in an Offer to Connect Agreement or was prompted by City development, the City will be responsible for all costs in connection with the conveyance of the easement, including the cost of any reference plans and any legal costs. In all other cases, Alectra shall be responsible for the foregoing costs.

Staff recommend that the Senior Manager of Real Property be authorized to determine the purchase price to be paid by Alectra for easements over City-owned lands, provided that the purchase price is at least 90% of Fair Market Value. However, where the requirement for such easements is not prompted by third party development and construction, staff recommend that the Senior Manager of Real Property be authorized to charge Alectra a nominal purchase price.

**HUMAN RESOURCES CONSIDERATIONS**

Not Applicable.

**ALIGNMENT WITH STRATEGIC PRIORITIES:**

The recommendations in this report align with the strategic goal of Exceptional Services by Exceptional People.

**BUSINESS UNITS CONSULTED AND AFFECTED:**

The Finance Department has reviewed this report and their comments have been incorporated.

**RECOMMENDED BY:**

**Claudia Storto, City Solicitor and Director of Human Resources**  
**Hersh Tencer, Senior Manager of Real Property**

**ATTACHMENTS:**

Attachment No. 1 - Draft By-Law to Amend By-Law 2013-113

## Attachment No.1



## By-law 2021-

### A By-Law to Amend By-Law 2013-113

#### A By-Law to Delegate Authority to Conduct Certain Real Property Transactions

**WHEREAS** Section 23.1 (1) of the *Municipal Act* S.O 2001, c, as amended, provides that a municipal council may delegate its powers and duties under the Municipal Act to officers or employees of the municipality;

**AND WHEREAS** on June 17, 2013, Council enacted By-Law 2013-113 A By-Law to Delegate Authority to Conduct Certain Real Property Transactions;

**AND WHEREAS** Council considers it desirable to amend By-Law 2013-113 to delegate authority to execute agreements and/or documents to grant easements to Alectra Utilities Corporation, and/or its affiliates required to service City-owned lands to the City's Senior Manager, Real Property;

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

1. THAT By-Law 2013-113 A By-Law to Delegate Authority to Conduct Certain Real Property Transactions is amended as follows:

- (a) The following be added as a new Section 2. (j) immediately following section 2. (i):

(i) Easements to Alectra	The authority to execute documents and/or agreements to grant easements over City-owned lands to Alectra Utilities Corporation and/or its affiliates required to service City-owned lands outside of
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	<p>rights-of-way and to determine the purchase price for such easements is delegated to the Manager, provided that:</p> <ul style="list-style-type: none"> <li>(a) The form of such agreements and/or documents are satisfactory to the City Solicitor; and:</li> <li>(b) Subject to the exception noted below, the purchase price is at least 90% of Fair Market Value.</li> </ul> <p>In the event that the requirement for such easement is not prompted by third party development or construction, the Manager, is authorized to agree on a purchase price that is less than 90% of Fair Market Value, including a nominal purchase price.</p>
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Read a first, second, and third time and passed on ,2021

\_\_\_\_\_  
Kimberley Kitteringham

City Clerk

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

Mayor





# 2021-2022 Thornlea Pool Restoration

General Committee

March 22, 2021



# Agenda

1. Background
2. Scope of Work
3. Studies & Condition Assessments
4. Financial Considerations
5. Financial Summary
6. Recommendations



# Thornlea Pool & Gymnasium

8079 Bayview Ave. Thornhill, ON L3T 4N4

Facility Size – 27,700 sq. Ft.

Age of Facility – 49 years

Maintained & Operated by:

- City of Markham Recreation Services

Facility amenities include:

- In-ground lane pool (6 lanes)
- grade-level gymnasium
- locker rooms
- ancillary rooms on level 1 and 2





## Thornlea Pool – Community Benefits

- Only pool in Thornhill area that provides lane and recreation swim opportunities
- 6 lane x 25 m Pool
- Key aquatic amenity used for Aquatic Leadership Training:
  - National Lifeguard Service (NLS)
  - Aquatic Instructor Training
- Home to Markham Mallards – Community Aquatic Swim Club



Aquatic Participation	2015	2016	2017	2018	2019	5 Yr Avg.
Lane Swim & Rec Swims	9,485	10,313	11,675	12,128	10,727	10,866
Instructional Programs	12,434	13,493	14,592	13,683	13,115	13,463
Lifesaving Club of Markham	1,652	1,410	1,308	1,208	1,214	1,359
Camp Swims	2,038	2,269	2,064	2,041	1,720	2,026
Rental Participants	23,705	20,947	17,423	16,384	16,086	18,909
Gymnasium Participation						5 Yr Avg.
Programs	135	295	404	322	383	308
Summer Camp	781	707	613	633	591	654
Total	50,230	49,434	48,079	46,399	43,836	47,596



## Background (1)

- Built in 1972 – Consist of Shared-Use Agreement between York Region District School Board (YRDSB) & Town of Markham
  - Land sold to Town of Markham for \$1.00
  - Town paid for all construction costs with facility.
  - YRDSB had full responsibility for ongoing maintenance, cleaning and chemical monitoring.
  - Town utilized 65% of all operating hours
  - Town paid YRDSB 65% for all operating and capital costs
- 2012 – City of Markham assumed maintenance and operation of facility.
  - Key Benefits: Allows for varied hours of operation which improves the overall level of service offered to community.
  - Assumed full maintenance responsibilities allows the improve energy efficiency through building operations and capital works planning
  - Condition Audit completed prior to transfer.
  - In recognition of the audit findings, the City received a one-time payment of \$150,000 from YRDSB with the agreement that the City would bear all capital and operating costs of the facility moving forward





## Background - Continued (2)

### Facility Maintenance – Contract (2012 – 2019)

- Recreation Services – continual maintenance and operation of Thornlea Pool
- Thornlea Pool & Building is maintained through a 3rd party vendor
  - PPL – Aquatics Fitness & Spa Group – Annual Contract ~\$185K

### Capital & Lifecycle Investment

Year	Number of Capital Projects	Capital & Lifecycle Replacement
2017	3	~\$112K
2018	3	~\$311K
2019	5	~\$89K
Total	11	~\$512K



## Background - Continued (3)

- February 2020
  - SIG (City mechanical contractor) was performing regular maintenance of the Dectron unit (Pool Dehumidifier). When the Dectron was turned back on the unit did not respond. Control board was found to be faulty and sent out for repairs.
- April, 2020
  - Staff reported concrete pieces falling from the pool roof during operational hours.
  - Staff observed loose pieces of concrete falling from the underside of the pool roof.
  - Recreation retained EngineerLink to perform a roof deck soffit condition assessment to determine future fall hazards and to provide remediation options.
  - Staff also raised concerns of corrosion issues on the steel connectors visible at the underside of the pool roof.
  - Recreation Services then connected with Sustainability & Asset Management (SAM) to investigate further issues at Thornlea Pool.
- May 2020
  - Concerned with further underlying issues, SAM retained Consulting Engineers Thornton Tomasetti Canada Inc. to complete a full building condition audit to the building envelope and structure at Thornlea.
- July 2020
  - After receiving the control panel back from the manufacturer and attempts to resolve the issue the City was informed that the Dectron control panel was broken and that the manufacturer no longer supports repairs to this unit. Replacement of the Dectron is required.
- November, 2020
  - Thornton Tomasetti Canada Inc completed Building Envelope and Structural Review
  - Referenced in this presentation as TT Report



# Condition Assessments

Brick Sampling. Spalled brick on lower right of photo too damaged to test



Contractor performing sawcut for probe opening at area of distressed bricks



Thornton Tomasetti Inc. was tasked to complete the following:

## Structural Condition Assessment

- Foundation
- Structural Walls
- Roof Structure

## Building Envelope Condition Assessment

- Façade
- Roof Membrane
- Windows





## Life Safety Items - (URGENT - Prior to Reopening) Phase 1 Items

The following items are urgent and will need to be addressed prior to reopening.

Item No.	Work Items	Description
LS#1 Phase 1	Pool Soffit Repairs (from TT Report)	<ul style="list-style-type: none"><li>• Requirement for netting system to catch falling concrete pieces</li><li>• Repair all corroded connectors between individual precast double tees</li><li>• Anti-carbonation coating on soffit</li></ul>
LS#2 Phase 1	Mechanical Repairs	<ul style="list-style-type: none"><li>• Replacement of Dectron Unit to control humidity within the pool area</li><li>• Includes concrete pad and fencing to provide an enclosure</li></ul>
LS#3 Phase 1	Exterior Wall Repairs (from TT Report)	<ul style="list-style-type: none"><li>• Exterior brick replacement required to fix spalling brick</li><li>• Repointing and crack repair</li></ul>
LS#4 Phase 1	Fire Hydrant (SEE SLIDE 10 for more detail)	<ul style="list-style-type: none"><li>• No fire hydrant was installed within 90m of the building</li><li>• Inspection Order #18 254649 FP was issued, November, 2018 by the City of Markham Fire Department and it ordered that a fire hydrant be installed</li></ul>

Image 1 – Spalled brick and eroded mortar joints along east facade



Image 2 – Concrete spall at underside of precast double-tee above swimming pool area





## URGENT (Work Item LS#4) – Fire Hydrant/Waterline

- Currently water is supplied to the Thornlea Pool site via a water connection from the school;
- As a result of the 2012 agreement to separate the property (school + pool), the City now requires a separate fire hydrant to operate the pool. Nearest hydrant must be within 90 metres per Fire Code;
- Construction of an independent waterline would be in the City's best interest - each property typically requires their own water line;
- Design and construction of the independent waterline and hydrant at the same time will be more cost effective than independently in the future;
- Anticipate a 175m to 275m run with a 4-6 inch water line
- Should this option not be feasible Staff will proceed with design and construction of the fire hydrant line only
- There are many unknowns at this point; property boundry issues, Region of York approval, items that may trigger other building code requirements, YRDSB work constraints
- **Recommendation - Design and construct to meet requirements**



## Secondary Work Requirements – Phase 2 Items

The following items are urgent and will need to be addressed in 24 to 60 months

Item No	Work Items	Description
SWR#1 Phase 2	Concrete Repairs Below Pool (from TT Report)	<ul style="list-style-type: none"><li>Localized concrete repairs</li><li>Crack injection to repair leaks</li></ul>
SWR#2 Phase 2	Repair Leaks Below West Entry (from TT Report)	<ul style="list-style-type: none"><li>Masonry and concrete repairs</li><li>Replacement of ramp pavement</li><li>Slab and sealant flashing</li></ul>
SWR#3 Phase 2	Replace Roof (from TT Report)	<ul style="list-style-type: none"><li>Roof Replacement Required</li><li>Roof is beyond its expected service life</li></ul>
SWR#4 Phase 2	Marquee	<ul style="list-style-type: none"><li>Includes installation of two sided digital marquee with bas and electrical wiring</li></ul>

Image 3 – leak at pipe seal near circuit breakers



Image 4 – Existing HVAC infrastructure with galvanized coating corroded





## Project Plan

- Work be completed in two phases
- Phase 1 (2021) – design and repairs to address the urgent Life Safety Items LS#1 to LS#4 and complete design work for Secondary Work Requirements SWR#1 to SWR#4

### Rationale

1. Minimize building shutdown;
  2. Minimize draining of the pool;
  3. Reduce impact to community users.
- Phase 2 (2022) – construct items listed under Secondary Work Requirements



## Financial Considerations

Work Item No.	Phase	Work Items	Project Cost + Contingency
<b>LS#1</b>	1	Pool Soffit Repairs	\$385,000
<b>LS#2</b>	1	Mechanical Repairs	\$450,000
<b>LS#3</b>	1	Exterior Wall Repair	\$227,664
<b>LS#4</b>	1	Fire Hydrant	\$302,500
<b>SWR#1</b>	2	Concrete Repairs Below Pool	\$41,408
<b>SWR#2</b>	2	Repair Leaks Below West Entry	\$31,484
<b>SWR#3</b>	2	Replace Roofing	\$417,446
<b>SWR#4</b>	2	Marquee	\$87,600
		<b>Totals</b>	<b>\$1,943,102</b>



## Thornlea Pool -Confidence in Cost Estimates

PROJECT STAGE:	Pre-Project Identification	Project Identification	Building Assessment	Detailed Design	Construction
CONFIDENCE IN ESTIMATE:	NO CONFIDENCE + 80%	LOW CONFIDENCE + 60%	LOW TO MEDIUM CONFIDENCE + 30%-50%	MEDIUM TO HIGH CONFIDENCE + 10%-20%	HIGH TO VERY HIGH CONFIDENCE + 0%-10%
UNKNOWN:	• Completed	• Completed	• Completed	<ul style="list-style-type: none"><li>• Design based on Building Condition Assessment has not been completed</li><li>• Detailed Site Conditions not known (i.e. Where the <u>watermain</u> can go, route)</li></ul>	<ul style="list-style-type: none"><li>• Detailed Site Conditions – i.e.. areas of the building that cannot be assessed</li><li>• Market conditions</li><li>• Effects from COVID-19</li><li>• Time of year work will be undertaken</li></ul>
RISKS:				<ul style="list-style-type: none"><li>• Increased cost due to incomplete detailed design and lack of site conditions</li><li>• Longer construction time</li></ul>	<ul style="list-style-type: none"><li>• Weather – can delay or lengthen the schedule.</li><li>• COVID-19 can delay or lengthen schedule due to material production/delivery delays</li><li>• Increase cost due to unforeseen site conditions not discovered design (i.e.. corroded rebar inside concrete)</li></ul>



## Financial Summary by Year

Project Summary by Year	2021 Phase 1	2022 Phase 2	(2021 + 2022) Phase 1 & 2
Total Project Cost (A)	\$1,249,396	\$693,706	\$1,943,102
Confidence/Risk Cost Estimate (10%) (B)	\$124,940	\$69,371	\$194,310
Internal Chargeback (10%) (C)	\$120,000	\$50,000	\$170,000
Total incl. Chargeback & Risk Estimate (D) = (A) + (B) + (C)	\$1,494,336	\$813,076	\$2,307,412

**NOTE:** A new resource will be contracted through SAM Dept. ( 12 months) for a grouping of projects including this one.



## Recommendation

1. THAT the presentation entitled “2021-2022 Thornlea Pool Restoration” be received; and
2. THAT a capital project for Phase 1 and 2 be established in the amount of \$2,307,412. The capital project will include the design and construction as outlined in this presentation; and
3. THAT the project be funded from the Lifecycle Reserve; and
4. THAT authority be given to the Sr. Manager of Procurement & Accounts Payable to work with the applicable Director to undertake an informal pre-qualification and award process with a minimum of three (3) vendors and consultants to expedite the procurement process when necessary, by allowing a preferred vendor list to be developed, used and released to the market; and
5. THAT authority be given to the CAO to award the tenders outlined in recommendation 4; and
6. That a new contract Project Manager position in the Sustainability and Asset Management Department be funded from this project; and
7. THAT Staff be authorized and directed to do all things necessary to give effect to this resolution.





End of Presentation



Report to: General Committee

Meeting Date: March 22, 2021

**SUBJECT:** Transfer Payment Agreement for the Provincial Audit and Accountability Fund (AAF)

**PREPARED BY:** Jerome Callender, Senior Business Operations Analyst – ext. 3679

**RECOMMENDATION:**

1. That the report entitled “Transfer Payment Agreement for Provincial Audit and Accountability Fund” be received; and,
2. That the Mayor and Clerk be authorized to execute the Ontario Transfer Payment Agreement with Her Majesty the Queen in right of Ontario as represented by the Minister of Municipal Affairs and Housing (the “Province”) to fund the Plan for Expansion of the Administrative Monetary Penalties System (AMPS) , provided the agreement is in a form satisfactory to the Commissioner of Corporate Services and the City Solicitor; and,
3. That a new capital project named, “Plan for Expansion of the Administrative Monetary Penalties System” be created in the amount of \$110,000.00 to be funded from the Provincial Audit and Accountability Fund; and,
4. That the tendering process be waived in accordance with Purchasing By-Law 2017-8 (Part II, Section 11.1 Non Competitive Procurement, item 1 item 1 (h)); and,
5. That the contract for consulting services for the expansion of the administrative penalties system be awarded to WSCS Consulting Inc. in the amount of \$89,511.25 (inclusive of HST); and,
6. That the remaining balance in the amount of \$20,488.75 be retained within the new capital project for any additional costs related to the project, and that authorization to approve expending of this amount up to the specified limit be in accordance with the Expenditure Control Policy; and further,
7. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**PURPOSE:**

The purpose of the report is to obtain Council’s authority for:

- a) The Mayor and Clerk to execute the Ontario Transfer Payment Agreement with the Province for the City to receive Provincial funding up to \$110,000 for the development of the Plan for Expansion of the Administrative Monetary Penalties System;
- b) The creation of a new capital project for the Plan for Expansion of the Administrative Monetary Penalties System; and
- c) Approval to award the consulting services to develop the plan for expansion of the Administrative Penalties System as per the terms and conditions of the Audit and Accountability Fund grant

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**BACKGROUND:**

On November 17<sup>th</sup>, 2020 the Province announced a second intake of the provincial Audit and Accountability Fund to help large urban municipalities find service delivery efficiencies.

In order to be eligible for funding, proposed review projects must:

1. Review municipal service delivery expenditures to find efficiencies. The review can take a number of forms including:
  - A line-by-line review of the municipality's entire budget;
  - A review of service delivery expenditures and modernization opportunities; and
  - A review of administrative processes to reduce costs;
2. Result in a final report by the independent third-party reviewer that provides specific and actionable recommendations for cost savings and improved efficiencies; and
3. Be completed by **October 15, 2021**, with a publicly posted independent third-party report that outlines the analysis, findings and actionable recommendations.

The AAF program provides funding to retain independent third party consultants to complete the review. Only third-party service provider fees are eligible for funding. Municipal administrative costs, such as staff time, are not eligible.

At the December 16, 2020 General Committee meeting, Council passed a resolution directing staff to apply to the Province for funding for the following projects:

- 1) Standardized Terms of Reference for studies supporting development application submissions
- 2) Comprehensive review and update of the Development Fee By-law
- 3) Plan for Expansion of the Administrative Monetary Penalties System;

On December 18, 2021 City staff submitted applications for the above projects. Due to the short timeframe for submission, pricing quotes were requested from consulting firms with specific expertise in the relevant areas.

On February 26, 2021, the Ministry of Municipal Affairs and Housing informed the City that it will receive funding of up to \$110,000 **for only one of the proposed projects**: the Plan for the Expansion of the Administrative Monetary Penalties System, including the preparation of a report with actionable recommendations for efficiencies.

**OPTIONS/ DISCUSSION:**

The goal of the Administrative Monetary Penalties System is to create a simple, fair, and cost effective system for dealing with minor by-law infractions. Diverting these minor offences out of the courts frees up court time for more serious matters and reduces the

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backlog of cases currently in the courts. It is also a much more cost effective method of dealing with minor offences compared to the courts.

The AAF project will fund the development of the plan to expand the application of the AMPS program beyond parking offences to include other regulatory by-laws across multiple City departments.

The Province has provided the Ontario Transfer Payment Agreement which sets out the terms of funding. The following is a high level description of the terms:

- The Province will providing funding to the City of up to \$110,000.
- The funding is for the City to retain an independent third party consultant to provide a comprehensive assessment of the City's plan for the expansion of AMPS.
- The report of the findings and recommendations of the third party consultant must be completed and posted on the City's publicly accessible website.
- By October 15, 2021, a final report must be submitted to the Province, which will provide financial information on the project (including financial information on what the municipality paid to the third party consultant with back-up documentation).
- Funding is subject to the Ontario Legislature allocating the necessary funds to make the payments under the Agreement.

Staff recommend the following:

- The Mayor and Clerk be authorized to execute the Ontario Transfer Payment Agreement with the Province for funding an assessment of the development review process.
- A new capital project named, "Plan for Expansion of the Administrative Monetary Penalties System" be created in the amount of \$110,000.00 to be funded from the Provincial Audit and Accountability Fund.
- The City engage WSCS Consulting Inc. to complete the project with the following scope of work:
  - a. Assess current processes for parking offences;
  - b. Assess opportunities to expand the Administrative Monetary Penalties System beyond parking infractions to other bylaw offences;
  - c. Benchmarking against other municipalities that have expanded AMPS, to identify best practices;
  - d. Develop a fully integrated strategy for expansion of the Administrative Monetary Penalties System including cost/benefit analysis, policies, business process maps, optimization of technology tools and implementation plan;
  - e. Preparation of a final report that provides specific and actionable recommendations for cost savings/efficiencies.
  - f. Final report and recommendations to be completed by September 30, 2021.

The terms of the Audit and Accountability Fund grant require municipalities to engage third-party consultants to complete the work. Staff research has shown that there is a very limited number of consultants who have experience with Administrative Monetary Penalties Systems, as they are relatively new. In fact, the City of Markham was one of the first municipalities in Ontario to implement AMPS for parking offences in 2015.

The timelines for project completion are very tight – the final report has to be approved by Council, publicly posted, and submitted to the Province by October 15, 2021. This does not allow sufficient time for an RFI or RFP process to be completed. Accordingly staff are recommending a sole source contract be awarded to WSCS Consulting Inc. (see **Appendix “A”**).

The Principal of WSCS Consulting is Tammy Carruthers. Ms. Carruthers is a Chartered Professional Accountant and former municipal Treasurer, who has significant experience in business process mapping and process design and redesign for projects approved under the Audit and Accountability Fund.

WSCS has undertaken several projects for the City of Markham in past years, and has delivered a quality product, on-time, on-budget in all cases. The WSCS team has a significant amount of municipal experience and completed several Audit and Accountability Fund projects during the first intake of the program.

## **FINANCIAL CONSIDERATIONS**

Staff recommend that a new capital project named, “Expansion of the Administrative Monetary Penalties System” be created in the amount of \$110,000.00 to be funded from the Provincial Audit and Accountability Fund, to be created.

The consulting work for the Plan for Expansion of the Administrative Monetary Penalties System will be charged to the new capital project and subsequently reimbursed by the Province.

Recommended Supplier	WSCS Consulting Inc (Preferred Supplier)	
Available Budget and Account #	\$110,000.00	Account number TBD (Expansion of Administrative Monetary Penalties System project)
Less cost of award	\$89,511.25	WSCS Consulting Inc (inclusive of HST)
Budget Remaining after this award	\$20,488.75	

The remaining balance will be retained with the new capital for any additional costs related to the project and that authorization to approve expending of this amount up to the specified limit be in accordance with the Expenditure Control Policy.

**HUMAN RESOURCES CONSIDERATIONS**

Not applicable

**ALIGNMENT WITH STRATEGIC PRIORITIES:**

The expansion of the AMPS program to encompass other offence categories aligns with several strategic priorities: Exceptional Services by Exceptional People; Safe and Sustainable Community; and Stewardship of Money and Resources.

**BUSINESS UNITS CONSULTED AND AFFECTED:**

Relevant Corporate Services Commission departments were consulted in the preparation of this report and preliminary discussions regarding the potential for AMPS expansion have occurred with Legal Services, Development Services and Community & Fire Services Staff.

**RECOMMENDED BY:**

Kimberley Kitteringham  
City Clerk & Director, Legislative Services  
& Corporate Communications

Trinela Cane  
Commissioner Corporate Services

Attachments:

**Appendix “A” - WSCS Consulting Inc. Company Profile**

## Why WSCS - Our Profile, Qualifications and Experience with the City of Markham

WSCS is an innovative, boutique consulting firm focused on promoting excellence and innovation in the public sector. Our company slogan, WE SEE CLIENTS SUCCEED, typifies our belief that we are partners in the journey towards excellence and innovation in the public sector. You will see our senior consultants throughout the project and you will not get a 'TEMPLATE' type of report. Rather, we will customize our findings based upon the City's reality. We deliver on time and on budget.

Our focus is public sector with the majority of client base in municipal and provincial governments. We have successfully completed 17 full and partial service delivery reviews in the last 3 years, 5 under the Municipal Modernization Program. In a recent news release, WSCS was profiled by the Province of Ontario for its recommendations on service improvements and savings utilizing LEAN Six Sigma approaches (<https://news.ontario.ca/en/release/60109/ontario-supports-modernization-of-small-and-rural-communities>).

### WSCS's has put together a Diverse team Experts in the Municipal Sector for this project:

Tammy Carruthers, BA CPA CGA CFE CICA PMP CLMSSBB CCA MCITP CISA CCP - Project Manager with over 30 years of experience in the public sector and as a consultant who has led the team in over 60 service/business process reviews and built WSCS into a unique, boutique firm that others emulate. She has over 15 years experience in quasi judicial boards including Landlord and Tenant Board (LTB), CRTC, Treasury Board Secretariat and Rent Review Hearings Board. Tammy was a key advisor to the Ontario Standing Committee on the LTB transform.

Kelly Stilling, A+CompTIA, OCP, MCSE, MCDDBA, CCP, IT Consultant is a former municipal councillor and municipal system administrator. With Stardyne Software, he implemented several Enterprise Resource Planning Systems in municipalities across the country.

John Skorobohacz, CDC, BA, CCP, Ontario Municipal Leadership Institute (OMLI) is the former City Manager/CAO as well Clerk with several municipalities including Windsor, Burlington and Midland. John has extensive experience in municipal enforcement and bylaw development.

Angela Gravelle, LSSYB, CCP Change Management Consultant is the Executive Director of the Ontario Municipal Leadership Institute with significant municipal management experience in the Clerk/CAO offices for the City of Burlington and Town of Milton.

Jawad Kassab, LLB, MBA our legal and governance consultant, has extensive experience transforming legal services and processes with Legal Aid Ontario and recently as a consultant with WSCS.

Linda Markell, BA, is a trained adjudicator, mediator and trainer with over 30 years experience in quasi-judicial boards including Ministries of Municipal Affairs/Housing, and Labour.

### Our Experience with the City of Markham



We began our relationship with Markham when we were fortunate to be engaged to undertake a review of the Building and Planning processes across the City in 2013. Here is our history:

**2013 - Building/Planning Process Review and Electronic Plan Submission Assessment** - This project introduced the City to LEAN Six Sigma methodologies and involved consultations across all departments and customers involved in building/planning processes, mapping of those processes and development of a future state. We undertook an evaluation of available electronic plan submission software, analysis of cost/benefit and required specification. We understand that this created a roadmap for the City and considered to be a leader in this area.

**2014 - Counter Customer Services** - Review of all Counter Services in the Clerk's Department, Finance, Recreation resulting in a transformation roadmap and process savings.

**2017-2019 - Human Resources/Payroll - Business Process Analysis** and development of a Responsibility Matrix for HR/Payroll Implementation of ADP. This review was intended to support the City in preparation of its audit by the Auditor General which was very successful.



**Service  
Delivery/Business  
Process Reviews**



**Asset  
Management**



**Process Redesign,  
Policy & Procedure  
Development**



**Fraud Prevention,  
Risk Management  
& Internal Control  
Assessments**



**Long Term  
Financial Planning**



**ERP & Technology  
Procurement,  
Assessments**



**Value for Money  
Audits**



**Training  
Development  
and Delivery**

*We see opportunities....  
our clients see results.*



**Electronic Animal Care Committee  
MINUTES**

**November 18, 2020  
ZOOM  
5:30 PM – 7:30 PM**

<b><u>Members Present</u></b> Valerie Burke, Vice-Chair Janet Andrews Judy Postello Areez Remtulla June Ziola Bernice Royce	<b><u>Regrets</u></b> Denielle Duncan, Chair Vikrum Pain Dr. Esther Attard Aviva Harari Sherry Klein
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<b><u>Staff</u></b> Christy Lehman, Licensing & Animal Services Coordinator Laura Gold, Council/Committee Coordinator
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Item	Discussion	Action
1. <b>Call to Order</b>	The Animal Care Committee convened at 5:35 PM with Valerie Burke in the Chair.	
2. <b>Approval of the Minutes</b>	The October 28, 2020 Animal Care Committee Minutes were updated to reflect that June Ziola, and Judy Postello will prepare the cookbook proposal.  Moved by Janet Andrews Seconded by June Ziola  That the October 28, 2020 Animal Care Committee Minutes be approved as amended.  <div align="right">Carried</div>	



Item	Discussion	Action
<b>3. Business Arising from Minutes</b>	<p>Committee reviewed the action items from the following meeting. The following update was provided:</p> <ul style="list-style-type: none"> <li>Confirmed that Guinea pigs being adopted out are not spayed;</li> <li>Confirmed that a response is provided to people applying to volunteer at the OSPCA;</li> <li>Advised that Christy Lehman will see if the web content author can update the website.</li> </ul>	See if web content author can update website – Christy Lehman
<b>4. Animal Services Update</b>	<p>Christy Lehman, Licensing &amp; Animal Services Coordinator advised that the Legislative Services – Animal Care Model was presented to the Budget Committee on November 17, 2020. The Budget Committee had many questions, and was concerned with the increase in cost of providing the service. The difference in cost is attributed to the OSPCA providing its services at a very low cost for the last decade. The model will continue to be discussed at the November 20, 2020 Budget Committee meeting. Members were encouraged to listen to the meeting via the City’s livestream.</p>	
<b>5. Events</b>	<p><b>Fundraising – Cookbook</b></p> <p>Valerie Burke thanked June Ziola, and Judy Postella for their hard work in preparing the proposal for a fundraising cookbook. The proposal was circulated by email prior to the meeting.</p> <p>Some of the ideas for the cookbook included:</p> <ul style="list-style-type: none"> <li>Including helpful hints about animals;</li> <li>Dividing the cookbook into sections with different types of recipes, suggesting that each section could be a different animal;</li> <li>Suggested pricing the cookbook at \$13.95;</li> <li>Planned to use a publisher to print the cookbooks;</li> <li>Planned to sell the cookbooks over several years;</li> <li>Read that recipes can be taken from other sources, but agreed to do more research on this;</li> <li>Suggested that some of the start-up costs can be covered through donations or sponsorship;</li> <li>Members were asked to provide 10 recipes, and one animal related tip each by the February meeting;</li> </ul>	Research if recipes can be taken from other sources – June Ziola and Judy Postello

Item	Discussion	Action
	<ul style="list-style-type: none"> <li>Suggested the cookbook should be very cute to encourage people to buy it;</li> <li>Suggested the cookbook include a salad section.</li> </ul> <p>Committee provided the following feedback:</p> <ul style="list-style-type: none"> <li>Inquired how much other groups made from creating a fundraising calendar;</li> <li>Suggested that proposed price of the cookbook may be too expensive;</li> <li>Suggested that after the Committee completes its research on whether recipes from other sources can be used in the cookbook, the City's Legal Department should be asked for a legal opinion on the matter;</li> <li>Some Members were unsure if they were going to be able to come-up with 10 original recipes;</li> <li>Suggested asking local businesses to contribute to the cost of the calendar;</li> <li>Thought it was a good project to work on during COVID;</li> <li>Asked if funds from the Animal Care Committee Account can be used towards the start-up cost of the project;</li> <li>Asked if tax receipts could be provided to residents and businesses that donate funds towards the cookbook.</li> </ul> <p>Staff advised that the City can issue a tax receipt for donations over \$25, and that the cheque should be addressed to the Markham Animal Care Committee.</p>	<p>Asked Finance if the Committee can use its funds from its account towards the project – Laura Gold</p>
<p><b>6. New Business</b></p>	<p><b>a) Proclamations</b></p> <p>Areez Remtulla to prepare a table of days the Committee would like to proclaim in 2021. The table should include the name of the day or week, the date(s), and a description of the day or week.</p>	
<p><b>7. Next Meeting Date</b></p>	<p>The next meeting of the Animal Care Committee will be held on December 16, 2020.</p>	
<p><b>8. Adjournment</b></p>	<p>The Animal Care Committee adjourned at 6:40 PM.</p>	

### **ACTION ITEMS**

<b>Action Item</b>	<b>Meeting Date</b>	<b>Person Responsible</b>	<b>Status</b>
Contact the Volunteer Manager regarding the automated response to the volunteer application, as some volunteers said they did not get the response.	February 19, 2020	Christy Lehman	completed
Update the Animal Services page on the City's Website  See if content author can update website	February 19, 2020  November 18, 2020	Christy Lehman June Heather Ziola	June provided Christy Lehman with suggested update to the City's website.  See if content author can update website.
Confirm if the Guinea pigs are spayed.	March 9, 2020	Christy Lehman	completed
Coordinate tour of Shade of Hope and CAEC	March 9, 2020	Christy Lehman	On hold due to the pandemic
Put together Cookbook proposal for the next meeting.	October 28, 2020	Judy Postello, June Ziola, and other Sub-Committee Members	completed
Provide Laura Gold with the 2021 event dates, and proclamation description and dates	November 18, 2020	Areez Remtulla	
Asked Finance if the Committee can use its funds from its account towards the project	November 18, 2020	Laura Gold	
Research if recipes can be taken from other sources	November 18, 2020	June Ziola and Judy Postello	

Animal Care Committee

November 18, 2020

5 | Page



## Electronic Animal Care Committee MINUTES

**December 16, 2020**

**ZOOM**

**5:30 PM – 7:30 PM**

### **Members Present**

Valerie Burke, Vice-Chair  
Janet Andrews  
Judy Postello  
Areez Remtulla  
June Ziola  
Bernice Royce  
Vikrum Pain  
Dr. Esther Attard

### **Regrets**

Denielle Duncan, Chair  
Aviva Harari  
Sherry Klein

### **Staff**

Christy Lehman, Licensing & Animal Services Coordinator  
Laura Gold, Council/Committee Coordinator

<b>Item</b>	<b>Discussion</b>	<b>Action</b>
<b>1. Call to Order</b>	The Animal Care Committee convened at 5:30 PM with Valerie Burke in the Chair.	
<b>2. Approval of the November 18, 2020, Animal Care Committee Minutes</b>	Moved by Bernice Royce Seconded by Areez Remtulla  That the November 18, 2020 Animal Care Committee Minutes be approved as presented. <div style="text-align: right;">Carried</div>	
<b>3. Business Arising From the Minutes</b>	Committee reviewed the list of action items and updated the Action Item Table (view last page of minute document to see table).	
<b>4. Animal Services Program Update</b>	<u>Cat Adoption &amp; Education Centre</u> Christy Lehman, Licensing & Animal Services Coordinator advised that the Cat Adoption & Education Centre remains closed. The OSPCA is	

	<p>working on creating educational programs while the centre remains closed.</p> <p><u>Legislative Services Animal Care Committee Model</u></p> <p>Christy Lehman advised that Council approved bringing animal care enforcement in-house in April 2021. Staff recommended the hiring of one supervisor, four full time officers, and two part time officers. Council approved the hiring of one supervisor, two full time officers, and four part-time officers, which reduced the staffing cost by approximately \$100K, and the service level by approximately 25%. Staff will be monitoring the program and presenting the results to Council in one year's time. A full year is needed to understand what is working and what needs to be changed.</p> <p>The City Contact Centre will now be receiving animal services phone calls. This will allow the City to better understand the issues, and track the Ward the calls are coming from. This information will be presented with the results. After hour phone calls will be forwarded to the supervisor or officers City cell phone.</p> <p>There was a brief discussion on how providing wildlife services is not just the responsibility of pet owners.</p> <p>Committee had the following questions:</p> <ul style="list-style-type: none"> <li>• Can we find out how many people visited the Animal Services web page on the City's website?</li> <li>• Asked if there was something the City could do to be more proactive about the raccoon distemper and rabies breakouts?</li> </ul> <p>Christy Lehman responded that the animal care officers will not be experts on animal related infectious diseases, but the City could focus on education in this regard. For instance, residents could be encouraged to vaccinate their pets, and educated on how raccoons may behave if infected with an infectious disease. Councillors will sometimes include this type of information in their newsletters.</p>	<p><b>See if the the City can track how many people visited the City's Animal Services web page – Christy Lehman/Laura Gold</b></p>
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	<p>Moved by Janet Andrews Seconded by Areez Remtulla</p> <p>That the Animal Care Committee express its sincere appreciation to Council for approving the Legislative Services Animal Care Model; and,</p> <p>Request that staff report back in one year on any impacts on the service level.</p> <p>Carried</p>	
<b>5. Events</b>	<p>a. Fundraising i. Cookbook</p> <p>The Chair thanked June Ziola, Vikrum Pain, and Judy Postello for preparing the cookbook proposal.</p> <p>The following update was provided:</p> <p><b>1) Legal Aspects to Consider Regarding the Cookbook:</b></p> <ul style="list-style-type: none"> <li>• Prohibits the copying of ideas, but cannot copy right the process for developing the idea;</li> <li>• Cannot copyright the ingredients in a recipe;</li> <li>• Should modify the recipe slightly or site where the recipe is from;</li> <li>• Cannot copy an entire cookbook;</li> <li>• Should remove any of the author's commentary from the recipe;</li> <li>• Pictures are copyrighted;</li> <li>• The publishing company has never had any legal challenges with any of the cookbooks it has published.</li> </ul> <p>June Ziola will provide Laura Gold with the info to provide to the City's Legal Department on taking recipes from other sources. Committee suggested that the Clerk request that Legal respond by a specified date.</p> <p><b>2) Price of Cookbook</b></p> <ul style="list-style-type: none"> <li>• A discussion was held regarding the price to charge for the calendar;</li> <li>• Could possibly charge less if have advertisers;</li> <li>• Will do a breakeven analysis showing possible outcomes based on different price points to help the Committee decide the</li> </ul>	<p><b>Provide info to Laura Gold on taking recipes from other sources – June Ziola</b></p> <p><b>Provide information on taking recipes from other sources to the</b></p>

	<p>cookbook price, as Members had different opinion regarding the ideal price point.</p> <p><b>3) Other information about the Cookbook</b></p> <ul style="list-style-type: none"> <li>• It will cost 50 cents to a dollar per cookbook to ship;</li> <li>• Ensure to include vegan recipes;</li> <li>• Areez can help make a recipe vegan;</li> <li>• Members to do their best to submit personalized recipes.</li> </ul>	<p><b>City's Legal Department – Laura Gold</b></p> <p><b>Conduct a breakeven analysis to determine the ideal price of the cookbook - Judy Postello</b></p>
<b>6. New Business</b>	<p><b>b. Animal Services 2021 Budget</b></p> <p>Laura Gold advised that the Committee can use its account to fund the printing of the cookbook, but that it will need to pass a Committee resolution in this regard.</p> <p>Christy Lehman is waiting for a response from the Clerk and Deputy Clerk on being able to spend the \$800 previously allocated to the Committee for printing. They are clarifying if the funds were to be provided to the Committee on a one-time basis or on an annual basis.</p> <p><b>c. Terms of Reference Update</b></p> <p>Valerie Burke advised that Council approved the revised Terms of Reference for the Animal Care Committee at its December 9, 2020 Council Meeting. The only change that it made was remove Christy Lehman's name from the Terms of Reference so that it does not need to be updated every time there is a change in staff.</p> <p>Committee thanked June Ziola and Areez Remtulla for preparing the marked-up version of the Terms of Reference.</p>	
<b>7. Date of the Next Meeting</b>	The next Animal Care Committee meeting will be held on January 20, 2021, 5:30 PM.	
<b>8. Adjournment</b>	The Animal Care Committee adjourned at 6:47 PM	



**ACTION ITEMS**

<b>Action Item</b>	<b>Meeting Date</b>	<b>Person Responsible</b>	<b>Status</b>
Contact the Volunteer Manager regarding the automated response to the volunteer application, as some volunteers said they did not get the response.	February 19, 2020	Christy Lehman	Completed
Update the Animal Services page on the City's Website	February 19, 2020  November 18, 2020	Christy Lehman June Heather Ziola	Completed
Confirm if the Guinea pigs are spayed.	March 9, 2020	Christy Lehman	Completed
Coordinate tour of Shade of Hope and CAEC	March 9, 2020	Christy Lehman	On hold due to the pandemic
Put together Cookbook proposal for the next meeting.	October 28, 2020	Judy Postello, June Ziola, and other Sub-Committee Members	Completed
Provide Laura Gold with the 2021 event dates, and proclamation description and dates	November 18, 2020	Areez Remtulla	Completed
Asked Finance if the Committee can use its funds from its account towards the project	November 18, 2020	Laura Gold	Completed
Research if recipes can be taken from other sources	November 18, 2020	June Ziola, and Judy Postello	Completed

Provide info to Laura Gold on taking recipes from other sources	December 16, 2020	June Ziola	
Provide information on taking recipes from other sources to the City's Legal Department	December 16, 2020	Laura Gold	
Conduct a breakeven analysis to determine the ideal price of the cookbook	December 16, 2020	Judy Postello	
See if the the City can track how many people visited the City's Animal Services web page	December 16, 2020	Christy Lehman/Laura Gold	



## Electronic Animal Care Committee MINUTES

**January 20, 2021  
ZOOM  
5:30 PM – 7:30 PM**

<b><u>Members Present</u></b> Valerie Burke, Vice-Chair Areez Remtulla Aviva Harari (6:20 p.m.) Bernice Royce Dr. Esther Attard Janet Andrews Judy Postello June Ziola Sherry Klein Vikrum Pain	<b><u>Regrets</u></b> Denielle Duncan, Chair
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<b><u>Staff</u></b> Christy Lehman, Licensing & Animal Services Coordinator John Britto, Committee Secretary (PT)
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<b><u>Guest</u></b> Anna Tennyson, Pet Hero (for Item # 2)		
Item	Discussion	Action
<b>1. Call to Order</b>	The Animal Care Committee convened at 5:35 PM with Valerie Burke in the Chair.  Valerie thanked Laura Gold, Council/Committee Coordinator for her help to the Animal Care Committee, and welcomed the return of John Britto, Committee Secretary (PT).	
<b>2. Pet Hero</b>	Ms. Anna Tennyson, Co-Owner & President, Pet Hero made a verbal presentation about an App	

	<p>developed by her that helps pet owners locate lost pets. The Pet Hero App is a free global high-tech cellular animal location rescue app. Neighbours can look out for neighbours' pets by sending out localized phone alerts within their community when a pet goes missing, or when a stray is spotted running down the road or even escaped pet birds in a tree.</p> <p>Ms. Tennyson advised that she encountered issues with promoting the App in the United States of America, especially with the SPCA and the Humane Society. She further advised that she is seeking help from the Committee to promote the App in the City and the wider community.</p> <p>Ms. Tennyson will send related information about the App to John so he can circulate it to the Committee members.</p> <p>Responding to a question from Bernice, Ms. Tennyson advised that the App is currently being widely used in the Philippines and Barbados.</p> <p>Responding to a question from Janet, Ms. Tennyson advised that internationally the current number of users is very low. She further advised that Pet Hero has reached out to the Toronto and Ontario's Humane Society, and is currently reaching out to Markham, being a local resident of the City.</p> <p>Responding to a question from Areez, Ms. Tennyson was not able to provide the exact number of Pet Hero App users in the Philippines, however, she advised that they have partnered with the Pawssion Project, a non-profit organization in the Philippines dedicated to the rescue, rehabilitation and rehoming of dogs in distress. Their efforts helped save 3 different pounds from euthanizing 100+ dogs and cats.</p> <p>Ms. Tennyson gave a brief overview of a worldwide movement called "Stop the killing by 2023" started by her, which is connected with Pet Hero, and is related with responsible pet ownership.</p>	
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	<p>Responding to a question from Christy Lehman, Licensing &amp; Animal Services Coordinator, Ms. Tennyson advised that Pet Hero is not looking for funding, only to publicize the pet tracing free Pet Hero App.</p> <p>Christy Lehman, Licensing &amp; Animal Services Coordinator advised that with the City of Markham bringing Animal Care Services inhouse, she will look into suggesting that the City's Animal Services Officers have the Pet Hero App installed on their mobile devices. Christy also suggested that Ms. Tennyson reach out to the OSPCA, as well and volunteered to provide contacts in Newmarket.</p> <p>Christy also suggested that Ms. Tennyson reach out to pet stores like PetSmart who could assist in promoting the Pet Hero App.</p>	
<p><b>3. Approval of the December 16, 2020, Animal Care Committee Minutes</b></p>	<p>The following amendments were made to the minutes of the December 16, 2020 Animal Care Committee meeting.</p> <p><b>2) Price of Cookbook</b></p> <ul style="list-style-type: none"> <li><del>Recommended charging \$12, which is on the low end of</del> A discussion was held regarding the price <del>recommend by the publisher</del> to be charged for the cookbook;</li> </ul> <p>Moved by Judy Postello Seconded by Bernice Royce</p> <p>That the December 16, 2020 Animal Care Committee Minutes be approved, as amended. Carried</p>	
<p><b>4. Business Arising From the Minutes</b></p>	<p>Committee reviewed the list of action items and updated the Action Item Table (view last page of minute document to see table).</p> <p><b>1) Webpage visits</b></p> <p>Laura Gold, Council/Committee Coordinator advised that the statistics of the visits to the Animal Services Webpage was circulated along with the meeting Agenda for information of the Committee. She further advised that the numbers may need some analysis.</p>	

<b>5. Animal Services Program Update</b>	<u>Cat Adoption &amp; Education Centre</u> Christy Lehman, Licensing & Animal Services Coordinator advised that the CAEC continues to remain closed due to the ongoing COVID-19 pandemic situation and the restrictions imposed on businesses in the province of Ontario.	
<b>6. Events</b>	<p>a. Fundraising</p> <p><b>1) Legal Opinion:</b>          Laura Gold, Council/Committee Coordinator advised that Lisa from the City's Legal Department is still working on providing appropriate legal advice with respect to the production and sale of a Cookbook in an effort to fundraise for the Animal Care Committee.</p> <p><b>2) Breakeven analysis to determine the ideal price of the cookbook</b>          A discussion was held with respect to fixing an ideal price for a copy of each cookbook, taking into consideration printing, taxes and other related components.</p> <p>Valerie advised that the Deputy Clerk confirmed that a limited budget was available from the City for printing of the cookbooks.</p> <p>Areez advised that municipalities are exempt from charging HST.</p> <p>Christy suggested, and volunteered to seek confirmation from the Finance Department on the HST matter.</p> <p>After extensive discussion, it was agreed to keep this matter in abeyance, until appropriate advice is received from the City's Legal Department.</p> <p>b. Events</p> <p>No events have been scheduled for this year due to the ongoing COVID-19 pandemic situation.</p>	
<b>7) New Business</b>	<p>a. Animal Services 2021 budget          This matter was considered at the December 16, 2020 Animal Care Committee meeting.</p>	

	b. Valerie advised that the husband of Terri Daniels (former member of the Animal Care Committee) passed away recently. Valerie volunteered, and the Members agreed to send Terri a Condolence Card.	
<b>8) Communication</b>	a. Cupcakes aren't cancelled: SPCA National Cupcake Day goes virtual – circulated along with the Agenda	
<b>9) Date of the Next Meeting</b>	The next Animal Care Committee meeting will be held on February 17, 2021, 5:30 PM.	
<b>10) Adjournment</b>	The Animal Care Committee adjourned at 6:55 PM	

**ACTION ITEMS**

<b>Action Item</b>	<b>Meeting Date</b>	<b>Person Responsible</b>	<b>Status</b>
Contact the Volunteer Manager regarding the automated response to the volunteer application, as some volunteers said they did not get the response.	February 19, 2020	Christy Lehman	Completed
Update the Animal Services page on the City's Website	February 19, 2020  November 18, 2020	Christy Lehman June Heather Ziola	Completed
Confirm if the Guinea pigs are spayed.	March 9, 2020	Christy Lehman	Completed
Coordinate tour of Shade of Hope and CAEC	March 9, 2020	Christy Lehman	On hold due to the pandemic
Put together Cookbook proposal for the next meeting.	October 28, 2020	Judy Postello, June Ziola, and other Sub-Committee Members	Completed
Provide Laura Gold with the 2021 event dates, and proclamation description and dates	November 18, 2020	Areez Remtulla	Completed
Asked Finance if the Committee can use its funds from its account towards the project	November 18, 2020	Laura Gold	Completed
Research if recipes can be used from other sources	November 18, 2020	June Ziola, and Judy Postello	Completed



Action Item	Meeting Date	Person Responsible	Status
Provide info to Laura Gold on using recipes from other sources	December 16, 2020	June Ziola	Completed
Provide information on using recipes from other sources to the City's Legal Department	December 16, 2020	Laura Gold	Completed
Conduct a breakeven analysis to determine the ideal price of the cookbook	December 16, 2020	Judy Postello	On hold awaiting legal advice from the City's Legal Department
See if the City can track how many people visited the City's Animal Services web page	December 16, 2020	Christy Lehman/Laura Gold	Completed
Find out if Cookbook requires HST	January 20, 2021	Christy Lehman to check with Finance	
Information on Pet Hero App to be circulated when received from Ana Tennyson of Pet Hero.	January 20, 2021	John Britto	
Animal Services Officers to install Pet Hero App on mobile devices.	January 20, 2021	Christy Lehman	



Report to: Development Services Committee

Meeting Date: January 25, 2021

**SUBJECT:** RECOMMENDATION REPORT  
 Nest (VS) GP Inc.  
 Applications for Zoning By-law Amendment and Draft Plan of  
 Subdivision to permit 12 townhouses at 10165 Victoria Square  
 Blvd (Ward 2)  
 File Nos. ZA 19 179145, SU 19 179147

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

**REVIEWED BY:** Stephen Kitagawa, MCIP, RPP, ext. 2600, Acting Manager,  
 West District

**RECOMMENDATION:**

1. That the report titled “RECOMMENDATION REPORT, Nest (VS) GP Inc., Applications for Zoning By-law Amendment and Draft Plan of Subdivision to permit 12 townhouses at 10165 Victoria Square Blvd (Ward 2)” be received;
2. That the record of the public meeting held on June 18, 2019, regarding the applications by Nest (VS) GP Inc. regarding the Draft Plan of Subdivision and Zoning By-law Amendment Applications to permit 12 townhouses at 10165 Victoria Square Blvd (Ward 2)” be received;
3. That the application submitted by Nest (VS) GP Inc. to amend Zoning By-law 304-87, as amended, be approved and the draft by-law attached as Appendix ‘B’ be finalized and brought forward to a future Council meeting to be enacted without further notice;
4. That Draft Plan of Subdivision application (SU 19 179147) submitted by Nest (VS) GP Inc. be approved subject to the conditions outlined as Appendix ‘A’ and the pre-conditions outlined in Appendix ‘C’;
5. That the Director of Planning and Urban Design, or his designate, be delegated authority to issue draft plan approval, subject to the conditions set out as Appendix ‘A’, as may be amended by the Director of Planning and Urban Design or designate;
6. That draft plan approval for Plan of Subdivision 19TM-19002 will lapse after a period of three (3) years from the date of issuance in the event that a subdivision agreement is not executed within that period;
7. That Council assign servicing allocation for a maximum of 12 townhouse units;
8. That in accordance with the provisions of subsections 45 (1.4) of the Planning Act, R.S.O. 1990, c.P.13, as amended, the Owners shall through this Resolution, be

permitted to apply to the Committee of Adjustment for a variance from the provisions of the accompanying Zoning By-law, before the second anniversary of the day on which the by-law was approved by Council; and

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

### **EXECUTIVE SUMMARY:**

The site has an area of approximately 0.42 ha (1.04 ac). It is located on the east side of Victoria Square Boulevard, north of Major Mackenzie Drive and east of Highway 404 (the “subject lands”). This report recommends the approval of a zoning by-law amendment and draft plan of subdivision to facilitate the development of 12 three-storey townhouse units in two blocks. The Carlton Creek valleylands east of the proposed townhouses are proposed to be conveyed to the city and protected from development. A site plan application has also been submitted, which meets the criteria for staff delegation of site plan approval. Staff review of the site plan is ongoing and the owner is in the process of addressing remaining site plan matters.

### **PURPOSE:**

The purpose of this report is to provide an overview, evaluation and recommendation of the applications for zoning by-law amendment and draft plan of subdivision (the “Application”) submitted by Nest (VS) GP Inc. (the “Owner”).

### **BACKGROUND**

#### **Location and Area Context**

The lands subject to the proposed zoning by-law amendment and draft plan of subdivision are located on the east side of Victoria Square Boulevard, north of Major Mackenzie Drive and east of Highway 404 (see Figure 1). The lands have an area of approximately 0.42 ha (1.04 ac) with a frontage of approximately 80.55 m (264.3 ft) on Victoria Square Boulevard. There is a barn and an outbuilding on this parcel (see Figure 3). The rear portion of the site is traversed by the Carlton Creek along the eastern boundary. There is mature vegetation on the subject lands.

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

North:	Low rise residential
East:	Carlton Creek and associated valleylands which bisects the property in a north-south direction, and further east is a low rise residential neighbourhood
South:	Victoria Square Montessori School and a valleylands with mature vegetation

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West: Low rise residential neighbourhood, Sir John. A. MacDonald Public School, and Frisby Park

**Process to Date:**

The zoning by-law amendment (ZBA) and draft plan of subdivision were submitted on January 22, 2019 and deemed complete on March 4, 2019. A site plan application was also submitted on January 22, 2019 (file SPC 19 179145). The application originally included both 10165 and 10197 Victoria Square Boulevard, however the owner has withdrawn the application for the latter. The subject lands now consist solely of 10165 Victoria Square Boulevard.

**Public Meeting**

A statutory Public Meeting was held on June 18, 2019. The comments made at the public meeting are summarized in the Options/Discussion section below.

**Next Steps**

- If the zoning and draft plan of subdivision applications are approved, staff recommend enacting the Zoning By-law Amendment at an upcoming Council meeting.
- Following site plan endorsement, the owner will enter into a site plan agreement with the City and site plan approval will follow (see Figure 6). Delegation By-law 2002-202 states that the Director of Planning and Urban Design is delegated authority to approve a site plan for townhouses. Site plan comments are noted in the Options/Discussion section of this report and will need to be addressed to the satisfaction of the Director of Planning and Urban Design before site plan endorsement.
- Applications for common element condominium and part lot control will need to be submitted in the future.

**Proposed Development:**

The owner proposes to create a 0.33 ha (0.82 ac) development block (Block 1) at 10165 Victoria Square Boulevard (corresponding to part of the table land portion of the site) and a 0.25 ha (0.62 ac) open space block (Block 2) for the valleylands and associated environmental buffers to the east (See Figure 6). All existing structures on the subject property are proposed to be demolished. 12 three-storey townhouses served by a private road with two connections to Victoria Square Boulevard are proposed for Block 1. The townhouse units will be 6.0 to 6.39 metres in width. They include rear yards ranging in depth from 6.67 to 11.38 m, with the exception that the northerly end unit of Block 1 has a rear yard depth of 3.65 m. Further outdoor amenity space is available in Frisby Park, which is directly across the street to the west. Each townhouse will have two parking spaces, one in a garage and one in the driveway. Three parallel visitor parking spaces are proposed on the west side of the private roadway.

Table 1 below summarizes the proposed draft plan of subdivision.

**TABLE 1**

Block	Land Use	Units	Area in hectares (acres)
1	Residential	12	0.333 (0.823)
2	Open Space		0.248 (0.613)
<b>Total</b>		<b>12</b>	<b>0.581 (1.435)</b>

Block 2 of the proposed draft plan of subdivision includes the valleylands associated with Carlton Creek to the east and a buffer area comprised of the greater of the meander belt and floodplain plus a 10 m (32.8 ft) buffer. These lands are proposed to be conveyed to the City for long term protection and naturalization.

The zoning by-law amendment is proposed to rezone the subject lands to protect the valleylands and permit the development of the 12 townhouses (See Appendix 'B'). Proposed site specific development standards include lot frontage, interior side yards, townhouse width, front and rear yards, height, number of units, and visitor parking.

**Official Plan:**

The front (west) portion of the property is designated "Residential Low Rise" in the Official Plan (as partially approved on November 24<sup>th</sup>, 2017 and further updated on April 9<sup>th</sup>, 2018), which provides for low rise built forms including single and semi-detached dwellings, townhouses (excluding back to back townhouse) and small multiplex buildings with up to 6 units.

The balance of the lands are designated "Greenway" to protect valleylands, stream corridors, woodlands, wetlands, agricultural lands, certain naturalized stormwater management facilities and enhancement lands to support ecological linkages to the City's Natural Heritage Network.

Section 3.1.1.3b) of the 2014 Official Plan indicates that refinements to the "Greenway" boundaries may be considered as part of an application pursuant to the Planning Act, without an amendment to the Official Plan, where supported by a subwatershed study, master environmental servicing plan and environmental impact study or equivalent study (See Figure 4). The applicant has submitted a Natural Heritage Evaluation and Meander Belt Width study in support of the application. The Toronto and Region Conservation Authority has updated the floodplain modelling in the area and has no objections to the proposed ZBA and draft plan of subdivision applications.

The proposed residential and open space uses are provided for by the Official Plan.

**Zoning By-law:**

The subject lands are zoned "Rural Residential (RR1) Zone" under By-law 304-87, as amended, which only permits one single detached dwelling, home occupation and private home day care.

The owner proposes to incorporate the subject lands into By-law 177-96, as amended, within appropriate zoning designations to accommodate the proposed development. The

proposed new zone categories are “Residential Two (R2\*666) Zone” and “Open Space One (OS1) Zone

The OS1 Zone is proposed on the valleylands (Block 2) and permits facilities for the control of flooding and erosion, playgrounds, trails, pedestrian bridges, and related accessory buildings and structures.. Table 2 below summarizes the proposed site specific R2 Zone.

**TABLE 2**

<b>Zone Standard</b>	<b>Parent R2 Zone</b>	<b>Proposed R2 Exception Zone</b>
Permitted uses	Single detached dwellings Semi-detached dwellings Duplex dwellings Triplex dwellings Fourplex dwellings Townhouse dwellings Home occupations Home child care	Permitted uses limited to: Townhouse dwellings One accessory dwelling unit within a townhouse dwelling Home occupations Home child care
Minimum lot frontage	5.5 m per interior unit 6.7 m per end unit	75 m for entire subject lands Minimum 6.0 m townhouse unit width All lands in this zone shall be deemed to be one lot
Minimum rear yard	7.5 m	The two northerly units: 0.8 m The three southerly units: 5.5 m All other units: 7.5 m
Minimum front yard	4.5 m	15 m
Maximum front yard	n/a	22 m
Maximum height	11.0 m	13.5 m
Maximum number of dwellings	n/a	12

**OPTIONS/ DISCUSSION:****Statutory Public Meeting:**

A statutory public meeting was held on June 18, 2019. Four written submissions have been received regarding the proposal, as well as two verbal comments at the public meeting. In addition, Committee members made comments about the applications.

Written submissions included the following comments:

- Opposition to more residential development on Victoria Square Boulevard
- Lack of commercial space in the Victoria Square hamlet and desire for more commercial units in the area, e.g. a grocery store
- Traffic concerns
- Loss of green space and walking trails near the creek
- Concern that development may cause flooding and affect well water supply on abutting properties
- Loss of privacy and sunshine

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The following comment was made by residents at the public meeting:

- The architecture does not match the character of the community

Committee members made the following comments at the public meeting:

- Asked staff to work with the applicant to improve the design of the proposal to better fit with the character of the area
- Driveways should be long enough to fit most cars
- Planting in the valley should be spread out across both sides of the watercourse

These comments are responded to in the following subsections.

### **2014 Official Plan provides for Low Rise Residential Uses**

As described in the Proposal section of this report, the owner is proposing 12 townhouse units on the subject lands.

As discussed previously, the “Residential Low Rise” designation of the 2014 Official Plan provides for townhouse dwellings. The surrounding area was designed to be a diverse community with a range of housing types, including detached, semi-detached, townhouse, and apartment style dwellings. Heights are typically two to three storeys, with apartment buildings being up to four storeys.

In considering an application for infill development, section 8.3.2.5 of the Official Plan outlines the following criteria to be considered. These criteria include lot frontages and areas being consistent with the size of existing lots on both sides of the street, retaining and enhancing existing trees and vegetation through street tree planting and on-site landscaping, and sizing driveways to minimize tree loss.

The proposed townhouses are a minimum of 6 m wide and between 11.5 and 15.1 m deep. The rear yards are at least 6.67 m deep, with the exception of the yard of the northerly townhouse unit, which is 3.65 m deep because of the floodplain boundary (see Figure 6). For this unit, outdoor space is provided through a combination of patios, balconies, and rooftop amenity space. The size of outdoor spaces is consistent with the existing townhouses along Victoria Square Boulevard. The area is characterized by a mix of townhouses, single detached, and semi-detached dwelling units. Staff consider the proposed built form to be compatible with the surrounding neighbourhood.

### **The proposed development will have no impact on flooding or on nearby wells**

The applications included a geotechnical report, hydrogeological assessment, and functional servicing report. Engineering staff have reviewed these reports and have provided technical comments but have no major concerns, and the proposed development will not affect the water supply or flooding of the adjacent properties. The TRCA has accepted the floodplain modelling and have no objections to the proposed townhouse dwellings.

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**Opportunities for retail and commercial space in Cathedral Town Community**

A comment was made about the lack of commercial space in the Victoria Square area, specifically a grocery store. The Official Plan policies of the Cathedral area permit commercial or mixed use development at several nearby locations, including:

- Cathedral High Street and surrounding the cathedral;
- North side of Major Mackenzie Drive East;
- Victoria Square Boulevard at Vetmar Road;
- Limited retail permitted in the hamlet of Victoria Square; and
- Limited retail permitted in the employment lands on Elgin Mills Road at Woodbine Avenue.

The zoning in some of the commercial properties in the surrounding area permit a small grocery store. A large format grocery store is permitted on the north side of Major Mackenzie Drive, east of Highway 404.

**Staff are satisfied with the conceptual design of the townhouses**

The proposed townhouses are 3 storeys in height and the proposed maximum height is 13.5 m (see Figure 7). The height is generally consistent with other three storey townhouses along Victoria Square Boulevard. The proposed north unit is smaller and has less depth than the rest of the townhouse units, providing a transition to the abutting property to the north. The roofline slopes downwards at this unit, further reducing its visual scale. Due to the property's downward slope towards the creek the east side of the townhouses will be designed with walk out basements. Although this will result in the east (rear) elevations appearing taller than the other elevations, the east side does not directly face other residential units and will have no negative impacts on the surrounding area.

The proposed townhouses are designed with a variety of materials and colours. The front elevations include front porches projecting in front of single car garages. Some units include second floor balconies facing the street, and both blocks have been visually divided into smaller sections through the massing and materials, increasing the distinctiveness of each unit. To ensure that the proposed units complement existing buildings in the area, Urban Design staff are working with the applicant to present a more unified architectural concept, strengthen the cornice treatment, and provide masonry/concrete construction instead of pre-finished metal panels. These details will be finalized to staff's satisfaction as part of the site plan review process.

**Valleylands will be protected and enhanced and existing valleyland trails will not be affected:**

Block 2 on the proposed draft plan of subdivision will be conveyed to the City to protect and enhance the valleylands (see Figure 5). The existing trail on the east side of Carlton Creek is unaffected by this proposal. Existing trees and vegetation are proposed to be preserved where possible. Dense shrub and tree plantings with diverse species are proposed by the owner in the buffer and in the natural valleyland feature. TRCA staff have no objections to the approval of the ZBA and draft plan of subdivision applications and their remaining technical comments are being addressed through the site plan review process.



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The TRCA is satisfied with the proposed development limits on the draft plan of subdivision.

**Transportation and Engineering:**

The Transportation Impact Study has been reviewed by Transportation Engineering staff, who have worked with the owner to ensure that the site is designed to be functional and safe from a traffic perspective. Staff have no concerns from a traffic standpoint. The Cathedral area has been planned to encourage a balanced transportation mix, including active transportation and public transit. This includes sidewalks and bike lanes throughout the community, existing multi use paths on Woodbine Avenue, planned multi use paths on Victoria Square Boulevard, and future cycling infrastructure on Elgin Mills Road. York Region Transit routes 80 and 24 provide bus service in the area.

The proposed townhouses have not been designed with individual driveways from Victoria Square Boulevard. Instead a single private driveway has been incorporated into the design to minimize access points from the street. In addition to the three proposed visitor parking spaces, on street parking will also be available on Victoria Square Boulevard after it is reconstructed and urbanized.

**Parkland Dedication and Public Art:**

No public parkland is being provided on the subject lands. Parkland dedication requirements will be satisfied through cash in lieu of parkland. The cash in lieu of parkland payment will be required at site plan approval and will be based on an appraisal.

The proposed zoning by-law includes a Section 37 public art contribution of \$1425.00 per unit.

**CONCLUSION:**

It is the opinion of staff that the proposed zoning by-law amendment and draft plan of subdivision applications are appropriate and acceptable. Staff are generally satisfied with the proposed site plan. The townhouses are compatible and complimentary with surrounding development and provide a good transition to surrounding development. It is therefore recommended that the proposed applications be approved subject to the draft plan approval conditions attached as Appendix 'A', the draft zoning by-law attached as Appendix 'B', and the pre-conditions attached as Appendix 'C'.

**FINANCIAL CONSIDERATIONS:**

Not applicable.

**HUMAN RESOURCES CONSIDERATIONS:**

Not applicable.

**ALIGNMENT WITH STRATEGIC PRIORITIES:**

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The proposed applications have been reviewed in the context of the City's Strategic Priority of Safe Sustainable and Complete Community.

**BUSINESS UNITS CONSULTED AND AFFECTED:**

The applications were circulated to various City departments and external agencies and no concerns were identified.

**RECOMMENDED BY:**

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

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

**ATTACHMENTS:**

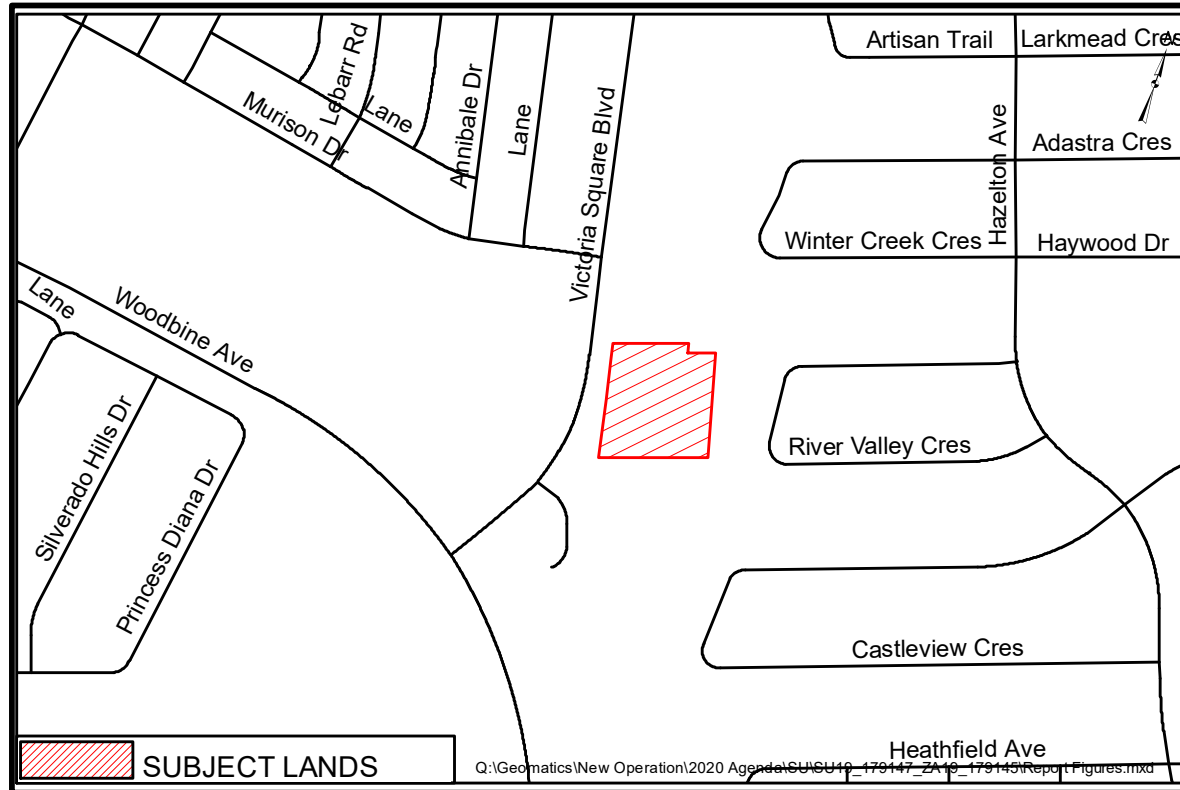
Figure 1: Location map  
Figure 2: Area Context/Zoning  
Figure 3: Aerial Photo 2019  
Figure 4: Official Plan Section 3.1.1  
Figure 5: Proposed Draft Plan of Subdivision  
Figure 6: Proposed Site Plan  
Figure 7: Proposed Elevations

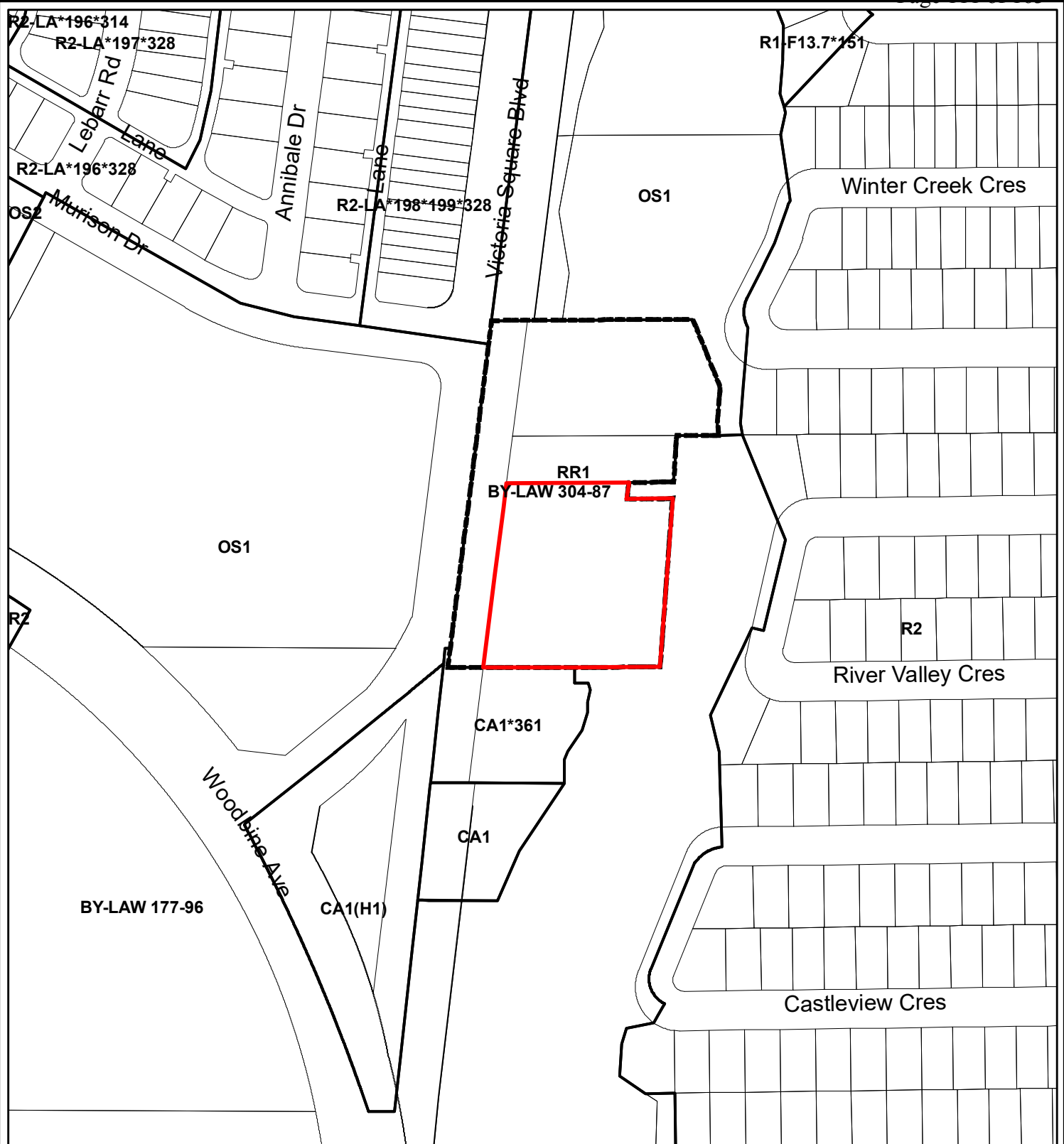
**APPENDICES:**

Appendix 'A': Recommended Conditions of Draft Plan Approval  
Appendix 'B': Draft Zoning By-law Amendment  
Appendix 'C': Recommended Pre-Conditions

**AGENT:**

Billy Tung  
KLM Planning Partners Inc.  
64 Jardin Drive Unit 1B  
Vaughan, Ontario L4K 3P3  
Tel.: 905-669-4055





## AREA CONTEXT / ZONING

APPLICANT: Nest (VS) GP Inc.  
10165 Victoria Square Blvd

FILE No. ZA19 179145 & SU19 179147

 SUBJECT LANDS

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DATE: 15/10/2020



DEVELOPMENT SERVICES COMMISSION

Drawn By: RT

Checked By: MR

FIGURE No. 2





# AERIAL PHOTO 2019

APPLICANT: Nest (VS) GP Inc.  
10165 Victoria Square Blvd

FILE No. ZA19 179145 & SU19 179147

 SUBJECT LANDS

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DATE: 15/10/2020



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FIGURE No. 3



### 3.1.1 General Policies

#### It is the policy of Council:

#### 3.1.1.1 **That** the components of the Greenway System include the following:

- a) Natural Heritage Network lands;
- b) Natural Heritage Network Enhancement Lands;
- c) Rouge Watershed Protection Area lands;
- d) Oak Ridges Moraine Conservation Plan Area lands;
- e) Greenbelt Plan Area lands; and
- f) certain naturalized stormwater management facilities.

To the extent possible, given the limitation of available data, these components are generally identified on Map 4 – Greenway System, Map 5 – Natural Heritage Features and Landforms, Map 6 – Hydrologic Features and Map 7 – Provincial and Federal Policy Areas.

#### 3.1.1.2 **To identify, protect and enhance** Markham's Greenway System as shown on Map 1 – Markham Structure by:

- a) protecting a network of *natural heritage and hydrologic features* (as defined as *key natural heritage features, key hydrologic features, valleylands and woodlands*, and their functions) and associated *vegetation protection zones*, protected agricultural lands and Natural Heritage Network Enhancement Lands, to improve the *biodiversity* and connectivity of natural heritage features and their *ecological function*;
- b) directing permitted development, *redevelopment* and *site alteration* away from *natural heritage and hydrologic features* within the Greenway System;
- c) protecting the *ecological integrity* of the Oak Ridges Moraine;
- d) providing protection for agricultural lands and *ecological features* and functions in the Greenbelt;
- e) providing public access to publicly owned natural areas for nature-based recreation uses, where appropriate, in a manner that respects ecological sensitivities in support of a healthy and active community;
- f) encouraging public acquisition of the Natural Heritage Network lands where possible over the long term; and
- g) encouraging stewardship of privately owned natural areas by private landowners until the lands come into public ownership.

#### 3.1.1.3 **That** the boundaries of the Greenway System and Natural Heritage Network, including the delineation of *natural heritage and hydrologic features* as shown on Map 4 – Greenway System, Map 5 – Natural Heritage Features and Landforms, and Map 6 – Hydrologic Features reflect the most accurate information available and are to be confirmed and may be refined or modified as follows:

- a) confirmation of the boundaries will be undertaken in the field, in consultation with appropriate agencies, and any corresponding changes to the mapping shall be undertaken without amendment to this Plan;
- b) refinements to the boundaries may be considered as part of an application pursuant to the Planning Act, without an amendment to

**Section 3.1.1.2  
subject to  
Area/Site Specific  
Appeal No. 22  
(Issue 281A)**

this Plan, where supported by a *subwatershed* study, master environmental servicing plan, environmental impact study or equivalent study; and

- c) modifications to the boundaries, other than refinements, including the delineation of the boundaries of the Natural Heritage Network Enhancement Lands in accordance with Section 3.1.3.2, may be considered through an amendment to this Plan, where supported by a *subwatershed* study, master environmental servicing plan, environmental impact study or equivalent study.

The outer boundaries of the Oak Ridges Moraine Conservation Plan Area and the Greenbelt Plan Area can only be refined or modified by the Province through amendments to the relevant Provincial Plan or as identified in applicable legislation. Any modifications to these boundaries approved by the Province shall be addressed in accordance with provincial requirements.

**3.1.1.4** **That** where compensation for removal of *natural heritage and hydrologic features* is determined to be appropriate, Council shall:

- a) work with the Province, York Region, the Toronto and Region Conservation Authority and other agencies seeking compensation and encourage all compensation to be located in Markham; and
- b) seek appropriate compensation in accordance with Section 3.2.1 c).

**3.1.1.5** **To coordinate** with Parks Canada, the Province, York Region and the Toronto and Region Conservation Authority efforts to ensure a consistent approach towards the protection of a system of *natural heritage and hydrologic features*.

**3.1.1.6** **To incorporate** the protection and enhancement of the Greenway System as a component of the parks and open space system in accordance with Section 4.3.1.2 and a required secondary plan in accordance with Section 10.1.1.

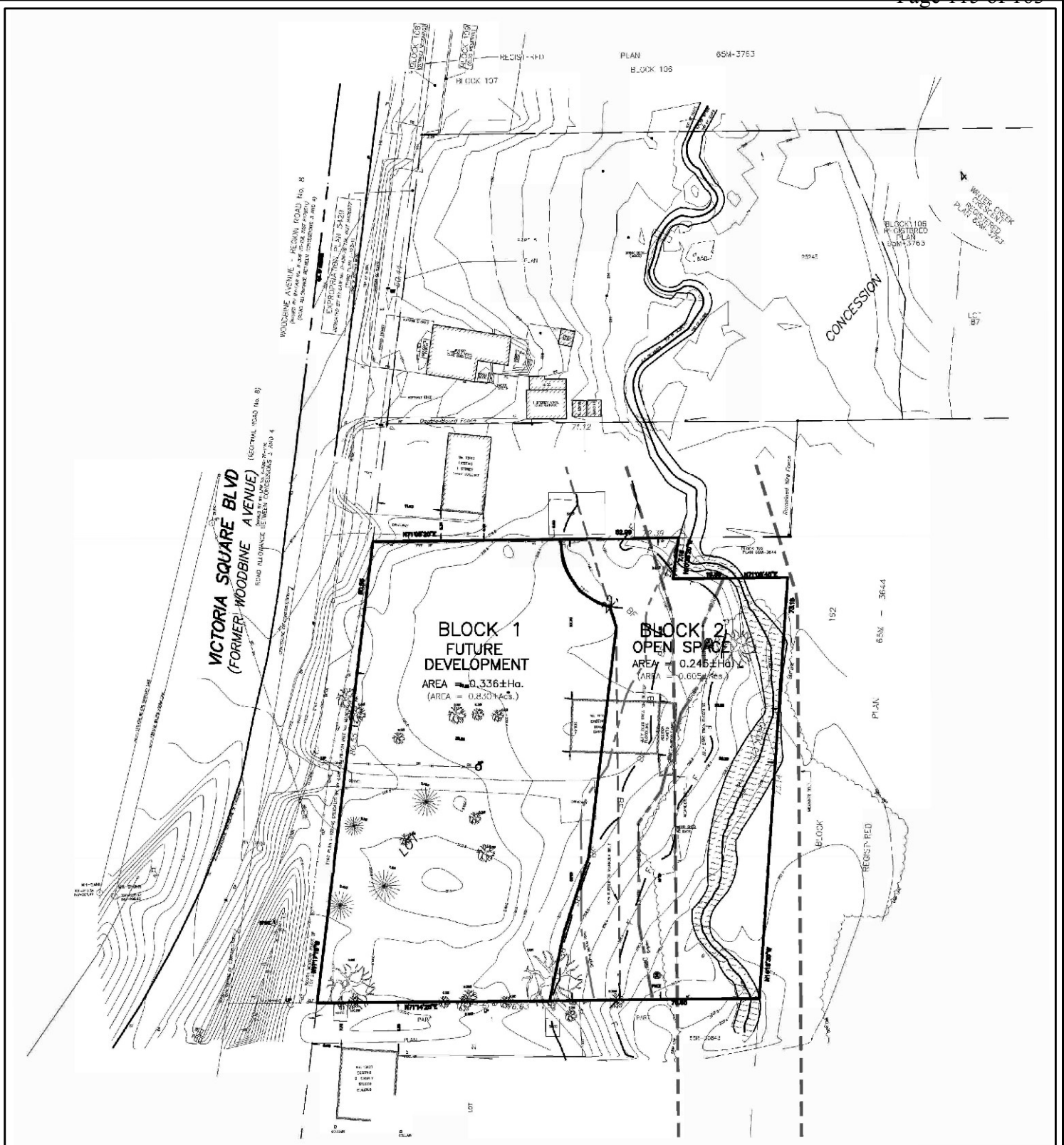
**3.1.1.7** **That** lands within the Greenway System are subject to the policies of this Plan, and where applicable, policies in the Greenbelt Plan, Oak Ridges Moraine Conservation Plan, and Minister's Zoning Order – Airport and other applicable land use policy regulations and/or standards. In the event of conflict among plans, regulations and standards the most restrictive requirements prevail, except in the case of agriculture, mineral aggregates and wayside pits where provincial plans and policies prevail.

**3.1.1.8** **To collaborate** with Parks Canada and the Toronto and Region Conservation Authority, where appropriate, to prepare plans to guide the management of public parks and recreation uses within the Greenway System while safeguarding and enhancing natural features and functions.

**3.1.1.9** **To minimize** the impacts of nature-based recreation infrastructure such as trails, trailheads, foot bridges, parking, signage, picnic facilities, washrooms and interpretative facilities on the *ecological integrity* of the Greenway System.

**3.1.1.10** **To require** minimum *vegetation protection zones*, as identified in Section

**Section 3.1.1.4**  
**subject to Area/Site**  
**Specific Appeal Nos.**  
**22 and 24 (OMB**  
**Hearing Issues 3)**



# PROPOSED DRAFT PLAN OF SUBDIVISION

APPLICANT: Nest (VS) GP Inc.  
10165 Victoria Square Blvd

FILE No. ZA19 179145 & SU19 179147

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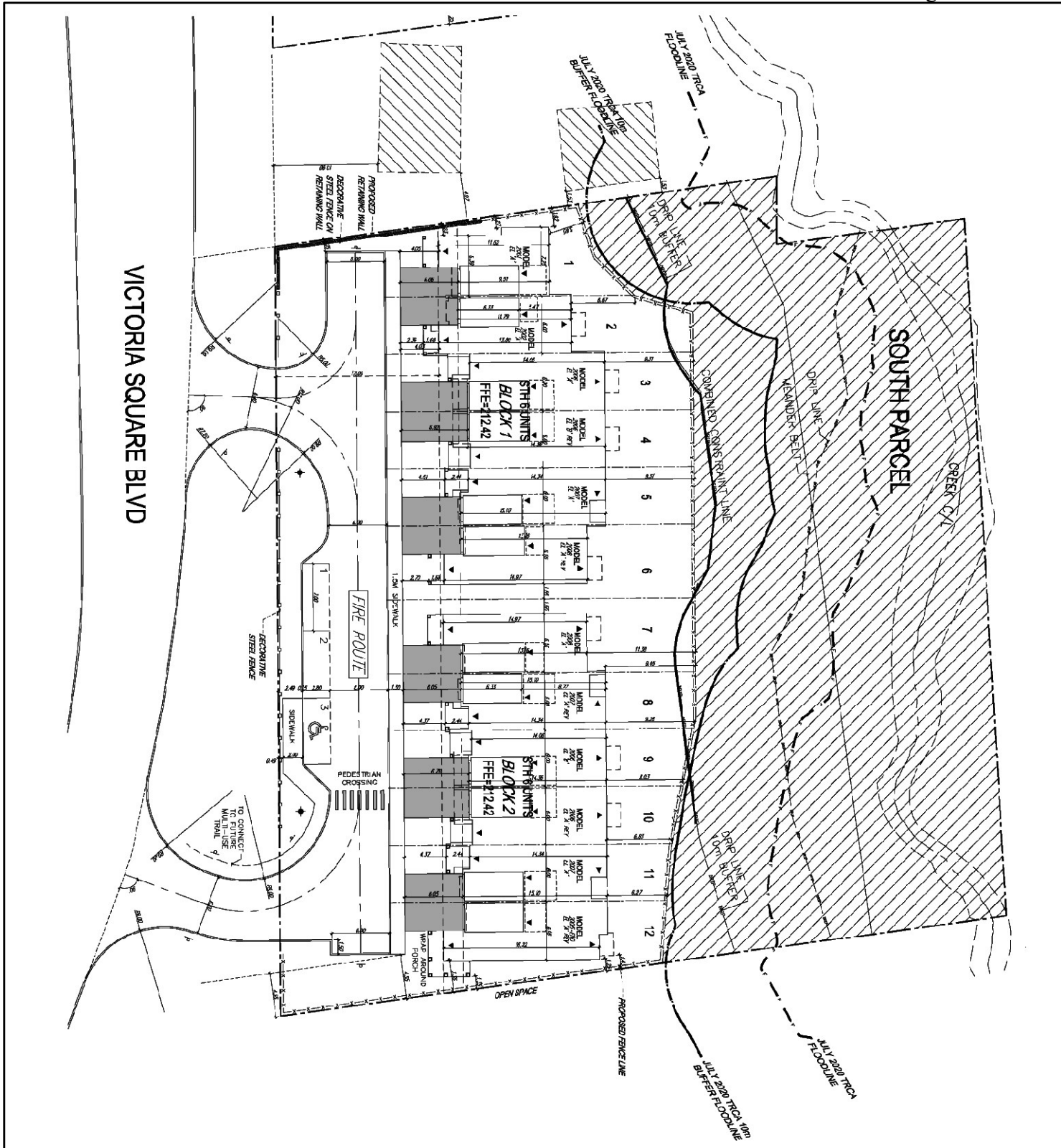
DEVELOPMENT SERVICES COMMISSION

Drawn By: RT

Checked By: MR

FIGURE No. 5





# PROPOSED SITE PLAN

APPLICANT: Nest (VS) GP Inc.  
10165 Victoria Square Blvd

FILE No. ZA19 179145 & SU19 179147

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DATE: 15/10/2020

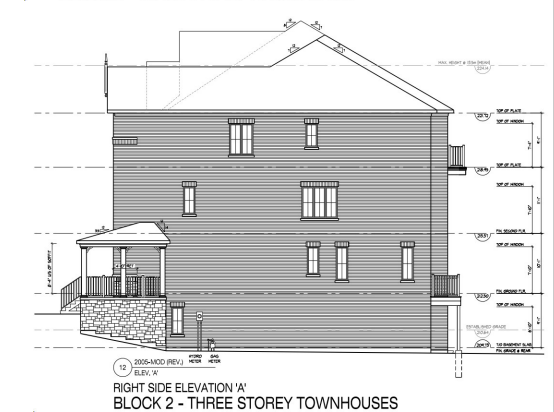
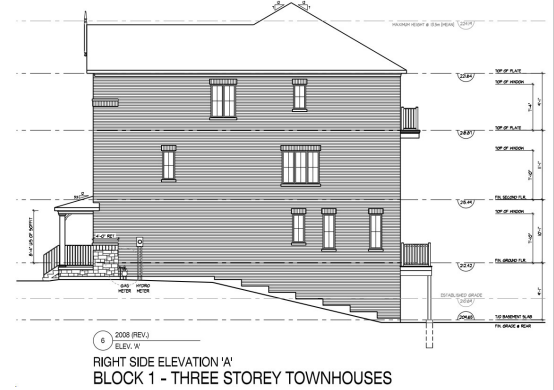
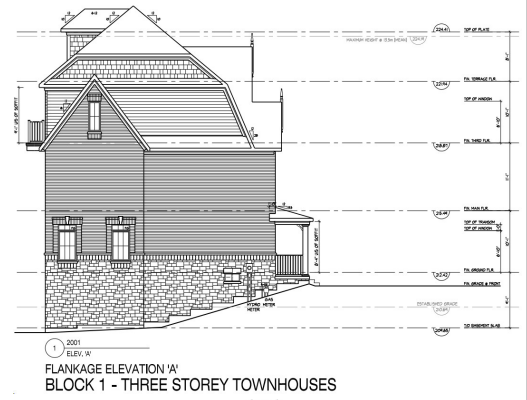
**MARKHAM** DEVELOPMENT SERVICES COMMISSION

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FIGURE No. 6





# PROPOSED ELEVATIONS

APPLICANT: Nest (VS) GP Inc.  
10165 Victoria Square Blvd

FILE No. ZA19 179145 & SU19 179147

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**APPENDIX 'A'****RECOMMENDED CONDITIONS OF DRAFT PLAN APPROVAL  
PLAN OF SUBDIVISION 19TM-19002  
NEST (VS) GP INC.****1. General**

- 1.1 Approval shall relate to a draft plan of subdivision prepared by KLM Planning Partners Inc., identified as Project No. P-2641, dated March 23, 2020, as amended.
- 1.2 This draft approval shall apply for a maximum period of three (3) years from date of issuance by the City unless extended by the City upon application by the Owner.
- 1.3 The Owner shall enter into a subdivision agreement with the City agreeing to satisfy all conditions of the City and Agencies, financial and otherwise, prior to final approval.
- 1.4 Prior to the release for registration of this Draft Plan of Subdivision, the Owner shall prepare and submit to the satisfaction of the City's Director of Engineering and Director of Planning and Urban Design, all required technical reports, studies, and drawings, including but not limited to, functional traffic designs, stormwater management reports, functional servicing reports, design briefs, watermain analysis reports, detailed design drawings, noise studies, etc., to support the draft Plan of Subdivision. The Owner agrees to revise this Draft Plan of Subdivision as necessary to incorporate the design and recommendations of the accepted technical reports, studies, and drawings.
- 1.5 The Owner shall agree in the Subdivision Agreement to implement the designs and recommendations of the accepted technical reports/studies submitted in support of the draft Plan of Subdivision including but not limited to, functional road design, stormwater management reports, functional servicing reports, design briefs, watermain analysis reports, detailed design drawings, noise studies, etc., to the satisfaction of the City's Director of Engineering and Director of Planning and Urban Design, and at no cost to the City.
- 1.6 The Owner acknowledges and agrees that the draft plan of subdivision and associated conditions of draft approval may require revisions, to the satisfaction of the City, to implement or integrate any recommendations from studies required as a condition of draft approval, including, but not limited to, Municipal Class Environmental Assessment, Traffic Impact Study, Internal Functional Traffic Design Study, Transportation Demand Management Plan, Stormwater Management Study (Environmental Master Drainage Plan), Functional Servicing Report, Noise Impact Study, confirmation of alignment of roads with the locations shown in the draft approved plans, as well as any comments and conditions received from municipal departments and external agencies after draft approval is granted.

- 
- 1.7 The Owner shall covenant and agree in the Subdivision Agreement to design and construct all required relocations of, and modifications to existing infrastructure, including but not limited to sewers, watermain, light standards, utilities, and stormwater management facilities to the satisfaction of, and at no cost to, the City.
  - 1.8 The Owner shall agree in the Subdivision Agreement to pay to the City all required fees, in accordance with the City's Fee By-Law 211-83, as amended by Council from time to time.
  - 1.9 The Owner shall agree in the Subdivision Agreement or Pre-Servicing Agreement, whichever comes first, to submit financial security for the draft Plan of Subdivision as required by the City prior to the construction of municipal infrastructure required to service that phase of development.
  - 1.10 The Owner acknowledges and agrees to obtain approval of Site Alteration Plans in accordance with the City's Standards prior to proceeding with any on-site works and more particularly topsoil stripping.
  - 1.11 The Owner acknowledges and understands that prior to release for registration of this draft plan of subdivision, amendments to Zoning By-laws 304-87 and 177-96, as amended, to implement the plan shall have come into effect in accordance with the provisions of the Planning Act.
2. Engineering
    - 2.1 Prior to final approval, the Owner shall satisfy all Engineering Conditions to the satisfaction of the Director of Engineering.
3. Urban Design
    - 3.1 Prior to final approval, the Owner shall satisfy all Urban Design Conditions to the satisfaction of the Director of Planning and Urban Design.
4. Natural Heritage
    - 4.1 The Owner covenants and agrees to convey Open Space Block 2 to the City of Markham in a physical condition to the satisfaction of the City.
    - 4.2 The Owner covenants and agrees to implement the recommendations of the Environmental Impact Study prepared by Beacon Environmental, dated March 2020.
    - 4.3 That prior to final approval of the draft plan, the Owner agrees to prepare and implement a valley buffer restoration plan for Open Space Block 2 to the satisfaction of the Director of Planning and Urban Design. The Owner

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agrees to provide a Letter of Credit in the subdivision agreement to secure the works identified in the ecological restoration plan.

- 4.4 The Owner covenants and agrees to include warning clauses in all agreements of purchase and sale providing notice that:

- “Lands adjacent to this property have been conveyed to the City of Markham for environmental protection purposes. These lands have been planted with trees and shrubs by the developer and will be left in an untouched and naturalized state. Purchasers are advised that building encroachments, dumping of yard waste and removal of grass/vegetation are not permitted on city-owned lands. No fence gates shall be permitted between private property and the natural heritage system.”

5. Fire Department

- 5.1 The Owner shall covenant and agree in the Subdivision Agreement to satisfy the Fire Department as follows:

**Fire Access Routes:**

- a) Fire Access Route must be designed and constructed to support expected load imposed by firefighting equipment and be surfaced with concrete, asphalt or other material designed to permit accessibility under all climactic conditions.
- b) Access routes shall be provided with an overhead clearance of at least 5 meters.
- c) The access for firefighting is unacceptable as a minimum 9 meter inside turning radius must be provided for all changes in direction along the entire fire route.
- d) Should there be a change in gradient along the fire access route; the route shall be designed to have a change in gradient of not more than 1 in 12.5 over a minimum distance of 15m (49ft 3in).
- e) Fire Access Route Signs are required and shall be installed by the Owner subject to Fire Department approval. Indicate the locations of the fire access route sign for review and approval. The signs are to be spaced a maximum of 30m apart on both sides of the fire access route and a maximum of 15m from the street curb. Signs to be set at an angle of not less than 30° and not more than 45° to a line parallel to the flow of traffic and should always be visible to approaching traffic.

- f) The Fire Department will require a Letter of Credit in the amount of \$5,000.00 to ensure completion of the installation of the fire access route signs.

**Hydrant Installation:**

- g) Hydrants will be required and the location of the hydrants and size of water main must be approved by the Fire Department. Hydrants shall be installed with a 100mm storz connection as per City of Markham engineering standards.
- h) The Fire Department will require a Letter of Credit in the amount of \$15,000.00 to ensure completion of the installation of each hydrant.

**Water Supply:**

- i) The size of the water mains and the hydrant locations shall be approved by the Fire Department.
- j) A water supply of at least 5,000 L/min for single family dwellings and 7,000 L/min for townhouse developments shall be available for firefighting purposes.

**Fire Department Access:**

- k) To ensure reliability of access for Fire Department vehicles under all conditions, two means of street access, at least 6m wide and independent of one another are to be provided into the development at all times. Gates, concrete barriers or other types of obstructions will not be permitted at each approved Fire Department access during construction and after hours.
- l) The Fire Department will require a Letter of Credit in the amount of \$20,000.00 to ensure two separate and independent access into the development are clear at all times during construction and after hours.
- m) Access to rear yards shall be provided by means of a 3 meter break between townhouse blocks.
- n) Municipal addresses for townhouses, single family dwellings, etc..., shall be designated and visible from the main street access.

**Firebreak:**

- o) Block #2 shall be designated as a fire break.

**Site Plan Items:**

- p) Indicate the location of the fire access route on the site plan.
- q) Indicate the location of the fire access route signs on the site plan.
- r) Indicate the location of the hydrants on the site plan.

**Underground Servicing Plans:**

- s) One copy of the underground servicing site plan shall be submitted to the Fire Department for review and approval. The underground servicing plan is required to be reviewed and approved prior to the Site Plan Endorsement Stage.

**Final Approval:**

- t) The applicant is to be advised that a meeting will be required with the Fire Department to finalize the location of the hydrants, fire access route signage locations.

**6. York Region****Clauses to be Included in the Subdivision Agreement**

- 6.1 The Owner shall save harmless York Region from any claim or action as a result of water or sanitary sewer service not being available when anticipated.
- 6.2 The Owner shall agree in wording satisfactory to Development Engineering, that approval of the related Site Plan application SP.19.M.0059/SPC 19 179145 from Region is required to be in place before the commencement of any site alteration or construction works for the subject site.
- 6.3 The Owner shall agree in wording satisfactory to Development Engineering, to advise all potential purchasers of the existing and future introduction of transit services in this development. This includes current and potential transit routes, bus stops and shelter locations. This shall be achieved through distribution of information/marketing materials (YRT/Viva route maps, Future Plan maps & providing YRT/Viva website contact information) at sales offices and appropriate notification clauses in purchase agreements. The Owner/consultant is to contact YRT/Viva Contact Centre (tel. 1-866-668-3978) for route maps and the future plan maps.

**Conditions to be Satisfied Prior to Final Approval**



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- 6.4 The road allowances included within the draft plan of subdivision shall be named to the satisfaction of the City of Markham and York Region.
- 6.5 The Owner shall provide to the Region the following documentation to confirm that water and wastewater services are available to the subject development and have been allocated by the City of Markham:
- a) A copy of the Council resolution confirming that the City of Markham has allocated servicing capacity, specifying the specific source of the capacity, to the development proposed within this draft plan, or any phase thereof.
  - b) A copy of an email confirmation by City of Markham staff stating that the allocation to the subject development remains valid at the time of the request for regional clearance of this condition.
- 6.6 The Owner shall provide an electronic set of the final engineering drawings showing the watermains and sewers for the proposed development to the Community Planning and Development Services division and the Infrastructure Asset Management Branch for record.
- 6.7 Prior to final approval, the Owner shall provide landscape drawings to confirm that landscaping shall not interfere with existing bus stops, passenger standing areas or corner sightlines. Bus stops located in front of the employment areas shall be incorporated into the landscape design.
- 6.8 The Owner shall agree in the Letter of Approval to contact Sustainable Mobility to discuss Transportation Demand Management options for the proposed development.
- 6.9 The Owner shall provide a copy of the Subdivision Agreement to the Corporate Services Department, outlining all requirements of the Corporate Services Department.
- 6.10 The Owner shall enter into an agreement with York Region, agreeing to satisfy all conditions, financial and otherwise, of the Regional Corporation; Regional Development Charges are payable in accordance with Regional Development Charges By-law in effect at the time that Regional development charges, or any part thereof, are payable.
7. Toronto and Region Conservation Authority
- 7.1 That **prior to** any development, pre-servicing or site alteration, or registration of this plan or any phase thereof, the applicant shall submit, provide and/or attain the approval from the TRCA for:



- 
- a) Detailed grading, servicing and other engineering plans delineating the updated flood plain limit and buffers to the proposed development to the satisfaction of the TRCA. Where a buffer of less than 10 metres is necessary due to the updated flood plain modeling, demonstrate that a 0.3 m freeboard (vertical buffer) to the flood plain is provided through lot grading within the development block.
  - b) A detailed engineering report stamped by a professional engineer that, in addition to describing the storm drainage system for the proposed development of the subject lands, includes:
    - i. location and description of all outlets and other facilities, grading, site alterations or development which may require a permit pursuant to Ontario Regulation 166/06, the Authority's Development, Interference with Wetlands and Alterations to Shorelines and Watercourse Regulation;
    - ii. confirmation that TRCA's stormwater management criteria (including stormwater quantity and quality control) and the criteria requirements for water balance and erosion control have been met or exceeded;
    - iii. water balance measures with supporting calculations;
    - iv. detail drawings, locations and plans for proposed water balance and Low Impact Development (LID) measures on the appropriate drawings;
    - v. detailed grading plans and site servicing plans;
    - vi. supporting background documentation (e.g. seasonal hydrologic study, infiltration or percolation rates) as appropriate.
  - c) A detailed and comprehensive Erosion and Sediment Control Plan and Erosion and Sediment Control Report, which complies with the TRCA's *Erosion and Sediment Control Guidelines for Urban Construction* (available at <https://trca.ca/planning-permits/procedural-manual-and-technical-guidelines/>);
  - d) Detailed landscape planting plans demonstrating that any existing structures and/or debris within the environmental block (Block 2) will be removed and that the block will be restored and densely planted with appropriate native species in accordance with the approved landscape planting plans.

- 
- 7.2 That the environmental block (Block 2) containing natural feature(s), hazards and associated buffers be placed into an appropriate zoning category (e.g. Open Space), densely planted, and gratuitously dedicated into public ownership to ensure the long term protection of the lands.
- 7.3 That the applicant obtain all Ontario Regulation 166/06 (as amended) permits from the TRCA for all works proposed on the subject property for which permits would be required.
- 7.4 That the draft plan be red-line revised, if necessary, in order to meet the requirements of TRCA's conditions, or in order to meet current established standards in place at time of registration of the Plan or any phase thereof.
- 7.5 That the owner agrees in the subdivision agreement, in wording acceptable to the TRCA:
- a) to carry out, or cause to be carried out, to the satisfaction of the TRCA, the recommendations of the technical reports and analyses to be approved by TRCA;
  - b) to agree to, and implement, the requirements of the TRCA's conditions in wording acceptable to the TRCA;
  - c) to design and implement on-site erosion and sediment controls in accordance with current TRCA standards;
  - d) to maintain all stormwater management and erosion and sedimentation control structures operating in good repair during the construction period, in a manner satisfactory to the TRCA;
  - e) to obtain all necessary TRCA permits pursuant to Ontario Regulation 166/06 (as amended) from the TRCA;
  - f) to include appropriate clauses in all agreements of purchase and sale, for lots or blocks on which infiltration infrastructure (whether structural or passive) is to be located that clearly identifies maintenance responsibilities of the landowner;
  - g) that the environmental block (Block 2) be gratuitously conveyed into public ownership free of all encumbrances into public ownership;
  - h) to provide and install all LID measures identified in the engineering report(s) for the purchaser prior to occupancy to the satisfaction of the City and TRCA;

- i) to undertake restoration and planting enhancements within the environmental block (Block 2) in accordance with approved landscape planting plans and provide appropriate securities and/or letter of credit to the City of Markham.

## 8. Alectra Utilities

8.1 The Owner shall covenant and agree in the Subdivision Agreement to satisfy Alectra Utilities as follows:

- a) The owner, or his agent, for this plan is required to contact Alectra to discuss all aspects of the above project. Alectra will require site plan drawings, draft m-plans, legal plans, architectural design drawings, electrical consultant's drawings, number of units/lots in the subdivision/development and type of the subdivision/development (i.e., single family residential, town homes, condominium town homes, industrial etc.), square footage of the buildings, the required voltage, amperage and building loads, along with the completed and signed Subdivision Application Information Form (SAIF). Alectra will then use this information to determine the type of available service in the area to supply this project and determine the design fee for the subdivision or development.
- b) Once Alectra has received the design fee and requested information, Alectra will prepare the hydro design, obtain the owner's /developer's approval of the design and obtain the required approvals from the local municipality and prepare the cost of the electrical distribution system (EDS) installation. Alectra will provide the owner/developer with an "Offer to Connect" (OTC) agreement which will specify all the details and the responsibilities of each party.
- c) The information on the SAIF must be as accurate as possible to reduce unnecessary customer costs, and to provide a realistic in-service date. The information from the SAIF is also used to allocate/order materials, to assign a technician to the project, and to place the project in the appropriate queue.
- d) All proposed buildings, billboards, signs, and other structures associated with the development must maintain minimum clearances to the existing overhead or underground electrical distribution system as specified by the Ontario Electrical Safety Code and the Occupational Health and Safety Act.
- e) If there are any existing components of Alectra's electrical distribution system on the proposed project site, they will have to be

relocated by Alectra at the Developer's cost. Any conflicts due to driveway locations or clearances to the existing overhead or underground distribution system will have to be relocated by Alectra at the Developer's cost.

9. Canada Post

- 9.1 The owner/developer agrees to include on all offers of purchase and sale, a statement that advises the prospective purchaser that mail delivery will be from a designated Community Mailbox.
- 9.2 The owner/developer will be responsible for notifying the purchaser of the exact Community Mailbox locations prior to the closing of any unit sale.
- 9.3 The owner/developer will consult with Canada Post Corporation to determine suitable locations for the placement of Community Mailbox and to indicate these locations on the appropriate servicing plans.
- 9.4 The owner/developer will provide the following for each Community Mailbox site and include these requirements on the appropriate servicing plans:
  - a) An appropriately sized sidewalk section (concrete pad) to place the Community Mailboxes on.
  - b) Any required walkway across the boulevard.
  - c) Any required curb depressions for wheelchair access.
- 9.5 The owner/developer further agrees to determine and provide a suitable temporary Community Mailbox location(s), which may be utilized by Canada Post until the curbs, sidewalks and final grading have been completed at the permanent Community Mailbox locations. This will enable Canada Post to provide mail delivery to the new homes as soon as they are occupied.
- 9.6 The owner/developer further agrees to provide Canada Post at least 60 days notice prior to the confirmed first occupancy date to allow for the community mailboxes to be ordered and installed at the prepared temporary location.
- 9.7 Further information can be found by visiting the following link to Canada Post's Delivery Standards Manual.  
[https://www.canadapost.ca/cpo/mc/assets/pdf/business/standardsmanual\\_en.pdf?\\_ga=1.255544584.102383918.1446243719](https://www.canadapost.ca/cpo/mc/assets/pdf/business/standardsmanual_en.pdf?_ga=1.255544584.102383918.1446243719)

10. Bell Canada

- 10.1 The Owner acknowledges and agrees to convey any easement(s) as deemed necessary by Bell Canada to service this new development. The Owner further agrees and acknowledges to convey such easements at no cost to Bell Canada.
- 10.2 The Owner agrees that should any conflict arise with existing Bell Canada facilities where a current and valid easement exists within the subject area, the Owner shall be responsible for the relocation of any such facilities or easements at their own cost.

11. External Clearances

- 11.1 Prior to final approval of the draft plan of subdivision, clearance letters, containing a brief statement detailing how conditions have been met, will be required from authorized agencies as follows:
  - a) The Regional Municipality of York Corporate Services Department shall advise that Conditions 6.1 to 6.10 have been satisfied.
  - b) The Toronto and Region Conservation Authority ("TRCA") shall advise that all lands containing natural features, hazards and their associated buffers are zoned for environmental protection, densely planted and gratuitously dedicated into public ownership, free and clear of all encumbrances to the City of Markham and are to the TRCA's satisfaction and that Conditions 7.1 to 7.5 have been satisfied.
  - c) Alectra Utilities shall advise that Condition 8.1 has been satisfied.
  - d) Canada Post shall advise that Conditions 9.1 to 9.7 have been satisfied.
  - e) Bell Canada shall advise that Conditions 10.1 to 10.2 have been satisfied.



BY-LAW 2021-\_\_\_\_\_

**A By-law to amend By-law 304-87, as amended**  
*(to delete lands from the designated areas of By-law 304-87)*  
**and to amend By-law 177-96, as amended**  
*(to incorporate lands into the designated area of By-law 177-96)*

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

- 1. That By-law 304-87, as amended, is hereby further amended by deleting the lands shown on Schedule ‘A’ attached hereto, from the designated areas of By-law 304-87, as amended.
- 2. That By-law 177-96, as amended, is hereby further amended as follows:
  - 2.1 By expanding the designated area of By-law 177-96, as amended, to include additional lands as shown on Schedule “A” attached hereto.
  - 2.2 By zoning the lands outlined on Schedule “A” attached hereto:  
  
from:  
**Rural Residential One (RR1) Zone**  
  
to:  
**Residential Two \*666 (R2\*666) Zone and Open Space One (OS1) Zone**
- 3. By adding the following subsections to Section 7 – EXCEPTIONS:

Exception 7.666	Nest (VS) GP Inc. 10165 Victoria Square Boulevard Part of Lot 22, Concession 4	Parent Zone R2
File ZA 20 000000		Amending By-law 2021- _____
Notwithstanding any other provisions of this By-law, the following provisions shall apply to the land denoted by the symbol *666 on the schedules to this By-law. All other provisions, unless specifically modified/amended by this section, continue to apply to the lands subject to this section.		
7.666.1 Only Uses Permitted		
The following uses are the only permitted uses:		
a)	Dwelling, Townhouse	
b)	One (1) Accessory Dwelling Unit within a Townhouse Dwelling	
c)	Home Occupation	
d)	Home Child Care	
7.666.2 Special Zone Standards		
The following special zone standards shall apply:		
a)	Notwithstanding any further division or partition of any of the lands subject to this By-law, all lands zoned R2*666 shall be deemed to be one <i>lot</i>	
b)	For the purpose of this by-law, any lot line abutting an OS1 zone shall be deemed to be a rear yard.	
c)	Minimum <i>lot frontage</i> – 75 metres	
d)	Minimum north <i>side yard</i> – 1.2 metres	
e)	Minimum south <i>side yard</i> – 1.2 metres	
f)	Minimum width of any townhouse dwelling unit – 6.0 metres	

g)	Minimum <i>rear yard</i> : i) For the two (2) most northerly <i>dwelling units</i> - 0.8 metres ii) For the three (3) most southerly <i>dwelling units</i> - 5.5 metres iii) For all other <i>units</i> – 7.5 metres
h)	Minimum <i>front yard</i> – 15 metres
i)	Maximum <i>front yard</i> – 22 metres
j)	Maximum <i>height</i> – 13.5 metres
k)	Maximum number of townhouse dwelling units – 12
l)	Minimum number of visitor parking spaces – 3

4. A contribution by the Owner to the City for the purposes of public art, in the amount of \$1425.00 per unit in 2020 dollars, to be indexed to the Ontario rate of inflation as per the consumer price index (CPI), in accordance with Section 37 of the Planning Act, as amended, shall be required. Payments shall be collected in accordance with the terms of an agreement to secure for the Section 37 contribution. Nothing in this section shall prevent the issuance of a building permit as set out in Section 8 of the Building Code Act or its successors.

Read and first, second and third time and passed on \_\_\_\_\_, 2021.

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

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



**EXPLANATORY NOTE**

**BY-LAW 2021-\_\_\_\_**  
**A By-law to amend By-law 304-87, as amended**

**Nest (VS) GP Inc.**  
**Part of Lot 22, Concession 4**  
**10165 Victoria Square Boulevard**  
**PLAN 19 179145**

**Lands Affected**

The proposed by-law amendment applies to a parcel of land with an approximate area of 0.58 hectares (1.44 acres), which is located north of Woodbine Avenue and south of Vine Cliff Boulevard.

**Existing Zoning**

The subject lands are zoned Rural Residential One (RR1) Zone under By-law 304-87, as amended.

**Purpose and Effect**

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

from:  
**Rural Residential One (RR1) Zone**

to:  
**Residential Two \*666 (R2\*666) Zone and Open Space One (OS1) Zone;**

in order to permit a residential development on the lands.

**Note Regarding Further Planning Applications on this Property**

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



## **APPENDIX 'C'**

### **RECOMMENDED PRE-CONDITIONS PLAN OF SUBDIVISION 19TM-19002 NEST (VS) GP INC.**

1. The Owner shall satisfy the requirements of the Toronto and Region Conservation Authority (TRCA) identified in the letter from Andrea Lam dated December 15, 2020, to the satisfaction of the Director of Planning and Development in consultation with TRCA.



**TO:** Mayor and Members of Council

**FROM:** Arvin Prasad, Commissioner of Development Services

**PREPARED BY:** Alberto Lim, Senior Capital Works Engineer  
Marty Rokos, Senior Planner

**DATE:** March 30, 2021

**RE:** Nest (VS) GP Inc., **applications for Zoning By-law Amendment and Draft Plan of Subdivision to permit 12 townhouses at 10165 Victoria Square Blvd (Ward 2)**

**File No.: ZA 19 179145, SU 19 179147**

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**RECOMMENDATION:**

1. That the update memorandum titled “Applications for Zoning By-law Amendment and Draft Plan of Subdivision to permit 12 townhouses at 10165 Victoria Square Blvd (Ward 2)” be received.

**PURPOSE:**

This memorandum responds to the Development Services Committee direction to staff on January 25, 2021 to report back to the Committee on the feasibility of municipal water and sewer connections being provided to 10183 Victoria Square Boulevard as well as certain landscaping and maintenance matters raised by DSC.

**BACKGROUND:**

The subject lands are located on the east side of Victoria Square Boulevard, north of Woodbine Avenue (see Figure 1). On January 22, 2019, the owner submitted an application for zoning by-law amendment and draft plan of subdivision to facilitate the development of 12 three-storey townhouse units (see Figure 2). A statutory public meeting was held on June 18, 2019.

On January 25, 2021, Development Services Committee approved the zoning by-law and draft plan of subdivision with conditions. At this meeting, Joan Smith, the owner of the abutting property to the north, 10183 Victoria Square Boulevard, expressed concerns about potential impacts to her well water and the proposed landscape plan. The following was part of the resolution on the subject matter:

3. That staff be directed to report back to a future Development Services Committee meeting on the following:



- a. The feasibility of the applicant covering all installation connection costs for municipal water and sanitary sewers to the property at 10183 Victoria Square Boulevard, at the time of construction as part of the reconstruction at Victoria Square Boulevard in 2022, and obtaining consent from the property owner; and,
  - b. That staff be directed to discuss with the owner of 10183 Victoria Square Boulevard regarding the connection from the municipal property boundary to the private home and the associated costs, and whether the homeowner will be agreeing to pay for that connection.
4. That staff be directed to continue to work with the applicant to install landscaping along the north side of the property line adjacent to 10183 Victoria Square Boulevard;
5. That the landscaping along the frontage of the development be maintained as part of the condominium development and ensure that the municipal boulevard is maintained;

#### **DISCUSSION:**

#### **Local Service Connection (Sanitary and Watermain) to 11083 Victoria Square Boulevard**

Whereas the Committee inquired about the feasibility of the applicant covering all servicing costs for the abutting property to the north, the applicant has advised, as detailed later in this report, that they do not believe it is appropriate to pay for the municipal servicing connections for the neighbouring private property and are not willing to do so. (applicant's detailed response is attached as Appendix 'A').

From Staff's perspective there are two options for providing the local sanitary and watermain service connection for this property. The two options are as follows:

1. Through the City's [Residential Infill Grading and Servicing \(RIGS\) Application Process](#);
2. As part of the City's Victoria Square Reconstruction project.

Note that both options will only bring the service connections from the City right-of-way to the property line. A separate process will be required to bring the service from the property line to the building. The process is discussed further in this memorandum.

The following are the details for the two options:

1. [Residential Infill Grading and Servicing \(RIGS\) Application Process](#)
  - Work to be completed by the City as part of the overall RIGS contract;



- Typical cost for this type of property will be approximately **\$40,500** (\$13,500 for water service and \$27,000 for sanitary service);
- The cost identified above includes construction costs, road restoration costs and fees; and
- Refer to the Construction and Inspection tab of the City's [RIGS Application Process](#) for timing and duration of the service connection work.

## 2. Victoria Square Boulevard Reconstruction Project

- Work to be completed as part of the road reconstruction work;
- Cost for service connection if included with the road reconstruction work will be approximately **\$27,000** (\$9,000 for water service and \$18,000 for sanitary service);
- The cost identified above includes construction costs and fees; and
- The road reconstruction work for this section of Victoria Square Boulevard is scheduled for 2022.

In addition to the items noted above, the following are a list of additional works that may be required to connect to the municipal sewer and watermain:

1. The property owner will be required to make arrangements to extend the sanitary and water services from the property line to the building. There will be additional cost to the property owner for this and a contractor should be able to provide a quote for this work. High level cost estimate for these works is between \$15,000 to \$25,000 depending on the length of the sewer and watermain.
2. There will be costs associated with the connection to the municipal sewer and watermain (plumbing permit fees and water meters). A ¾" water meter is \$583.50 and the residential service connection fee is \$128.
3. There could also be some requirements to upgrade the internal plumbing for the building to connect to the sanitary and water service. A plumbing contractor can make this assessment and confirm the cost.
4. The existing well and septic system will be required to be decommissioned once the building is connected to the municipal sewer and watermain. The City's fee for conversion from septic system to sewer is \$249.
5. Once connected to the municipal sewer and watermain, the property owner will be charged a fee for the water and wastewater based on current City rates.

### **Applicant is unwilling to cover costs for extending services to the property to the north**

The applicant has stated that the proposed townhouse development uses best management practices and water management measures to avoid adverse impacts on the water supply of 11083 Victoria Square Boulevard. This ensures that there will be no impact to Ms.



Smith's property. The applicant is not agreeable to paying for sewer and water connections to 11083 Victoria Square Boulevard.

Engineering staff have reviewed the Hydrogeological Report for the application and the well records for 10183 Victoria Square Boulevard. Staff concur with the conclusions in the Hydrogeological Report and have concluded that the proposed development should not have any impact on Ms. Smith's water supply. No changes to the servicing of 10183 Victoria Square Boulevard are necessary.

**Owner of 11083 Victoria Square Boulevard (Ms. Smith) is unwilling to pay for costs of extending services to this property**

Staff have discussed the proposed townhouse development and servicing options with Joan Smith. Ms. Smith has indicated that she would accept municipal water and sewer connections to her property if the connections are paid for by another party. She is not willing to pay for the connections.

**Landscaping**

The applicant has confirmed that the boulevard and the landscaping along the Victoria Square Boulevard frontage of the development will be maintained as part of the condominium development. This will be incorporated as a condition of condominium approval. An application for draft plan of condominium has not yet been submitted.

The Committee directed staff to work with the applicant to install landscaping along the north side of the property to provide privacy for the abutting property owner. The applicant has advised that a conceptual planting plan showing a proposed row of Black Cedars along the property line, within the abutting property to afford the Owner with control of the cedars over the long term, was presented to Ms. Smith. Ms. Smith indicated to staff that she does not want the landscape screening to be on her property. Staff will continue to work with the applicant to ensure that visual screening is included along the north property line on the Nest side of the property line.

**CONCLUSION:**

Staff are satisfied that the development proposal by Nest (VS) GP Inc. is acceptable. It is not necessary to bring municipal services to 10183 Victoria Square Boulevard.

The abutting property owner to the north, Joan Smith, has been provided with a copy of this memorandum and has been advised that this update memorandum is being brought forward to DSC on this date in the event she chooses to participate.

**ATTACHMENTS:**

Figure 1 – Location Map

Figure 2 – Conceptual Site Plan

Figure 3 – Conceptual Elevations



**APPENDICES:**

Appendix 'A' – Applicant's response to DSC discussion about covering servicing costs for  
10183 Victoria Square Boulevard



## APPENDIX 'A'

**APPLICANT'S RESPONSE TO DSC DISCUSSION ABOUT COVERING  
SERVICING COSTS FOR 10183 VICTORIA SQUARE BOULEVARD**

**From:** Billy Tung <[BTung@KLMPPlanning.com](mailto:BTung@KLMPPlanning.com)>  
**Sent:** Friday, February 12, 2021 6:08 PM  
**To:** Karumanchery, Biju <[bkarumanchery@markham.ca](mailto:bkarumanchery@markham.ca)>  
**Cc:** Rokos, Marty <[MRokos@markham.ca](mailto:MRokos@markham.ca)>; Marshall Smith <[MSmith@klmplanning.com](mailto:MSmith@klmplanning.com)>;  
 Arthur <[arthur@sunrisegroup.ca](mailto:arthur@sunrisegroup.ca)>; Priscilla <[priscilla@sunrisegroup.ca](mailto:priscilla@sunrisegroup.ca)>  
**Subject:** RE: 10165 Victoria Square Boulevard External Servicing Connection

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

Biju and Marty,

Further to the DSC meeting on January 25th, our client reached out to the adjacent owner, Ms. Joan Smith, of 10183 Victoria Square Boulevard to provide a hard copy of the presentation prepared by KLM Planning Partners Inc. shown at the DSC meeting. Along with a copy of that presentation, drawings for the proposed building elevation and fencing treatment were also provided. My colleague, Marshall Smith, has been in contact with Ms. Smith and her friend who is assisting her in this matter to provide answers and clarifications over the past few weeks. In addition to development materials as submitted to the City, a conceptual planting plan showing a proposed row of Black Cedars along the property line, on Ms. Smiths' side was presented stemming from a landscape treatment suggestion from DSC. Ms. Smith indicated that it was not necessary and have confirmed she is satisfied with the as-proposed treatment. Ms. Smith did have a request that during construction the weeping tile currently discharging water to the property line be adjusted to discharge to the base of the proposed retaining wall, to continue the existing condition where water is directed away from her home. Our client has no issues with this request and will incorporate this in the construction works and will continue to work with her.

Below are our responses and clarifications on other questions brought up by members of the DSC:

Q: Will the future condominium corporation maintain the front yard landscaping as well as the municipal boulevard within Victoria Square Blvd?

A: Yes, these areas be maintained by the condominium corporation and will be described in the future condominium documents.

Q: What is the proposed timeline for construction?

A: Our client would like to be able to start construction as soon as possible. If demolition and site prep can occur in the Spring, that would be ideal.



Q: What is the applicant's position regarding providing servicing connections to the adjacent property at 10183 Victoria Square Boulevard (VSB)? Is it appropriate for the applicant to pay for their neighbour's municipal service connection due to potential impacts on their well?

A: Together with our client's civil engineering consultant, we offer the following response:

- 1) Under the 2006 Ontario Building Code (OBC), indirect service connections are not feasible given the different ownership structures between lots (Private residence and Townhouse Condominium). Service connections should be installed directly from municipal infrastructure if feasible. As such, a connection from the proposed townhouse development directly to 10183 VSB is not possible.
- 2) The subject townhouse development of 10167 VSB is self contained and incorporates best management practices (BMPs) and water balance measures. This is a consistent requirement for all development applications within the City and the TRCA's jurisdiction to ensure development proposals do not result in adverse impacts to the surrounding properties. As such, any external impacts to groundwater recharge related to well operation within the 10183 VSB property is expected to be minimal. For greater context, it is the opinion of the applicant's civil engineering consultant that the planned urbanization of Victoria Square Boulevard would have a comparatively larger impact on groundwater recharge within the area given the scale of work.
- 3) We understand that landowners of properties along VSB which are not currently on municipal services are being asked by the City if they would like to establish the connections as part of the planned urbanization efforts for VSB. The costs for these connections are to be paid for by the individual owners. With these factors in mind, any municipal servicing connections to 10183 VSB, should it be desired by the owner, should be paid for by the individual benefitting owner, consistent with the practice for all landowners along VSB, including the applicant.

Given the above considerations, our client does not believe it is appropriate to pay for the municipal servicing connections for the neighbouring private property. They are not in agreement to pay for such external connections.

I trust the above responses and clarifications to DSC's questions will assist in bringing the Recommendation Report back to the February 22<sup>nd</sup> DSC meeting.

Regards,

**Please note that I am working remotely due to the COVID-19 pandemic and can be reached by email and my mobile phone at 416-904-4945.**

**Billy Tung** BES, MCIP, RPP  
PARTNER

**KLM PLANNING PARTNERS INC.**  
Planning | Design | Development

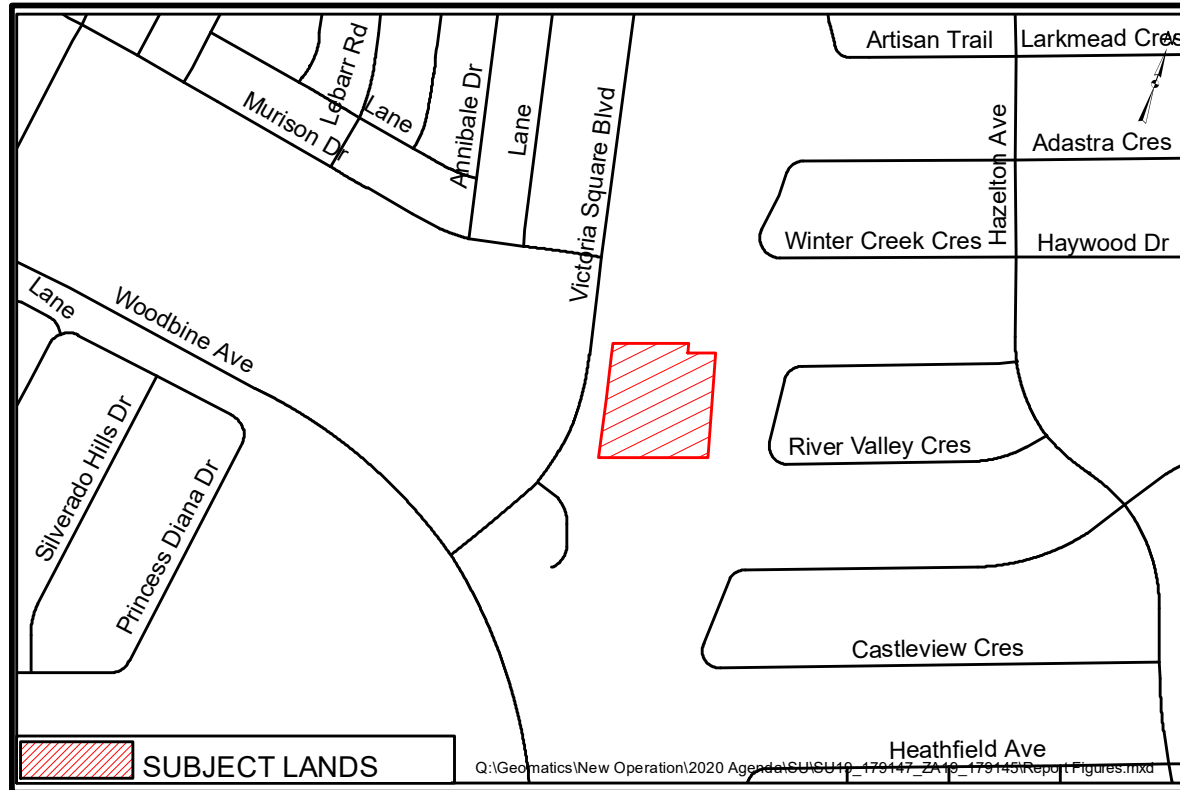


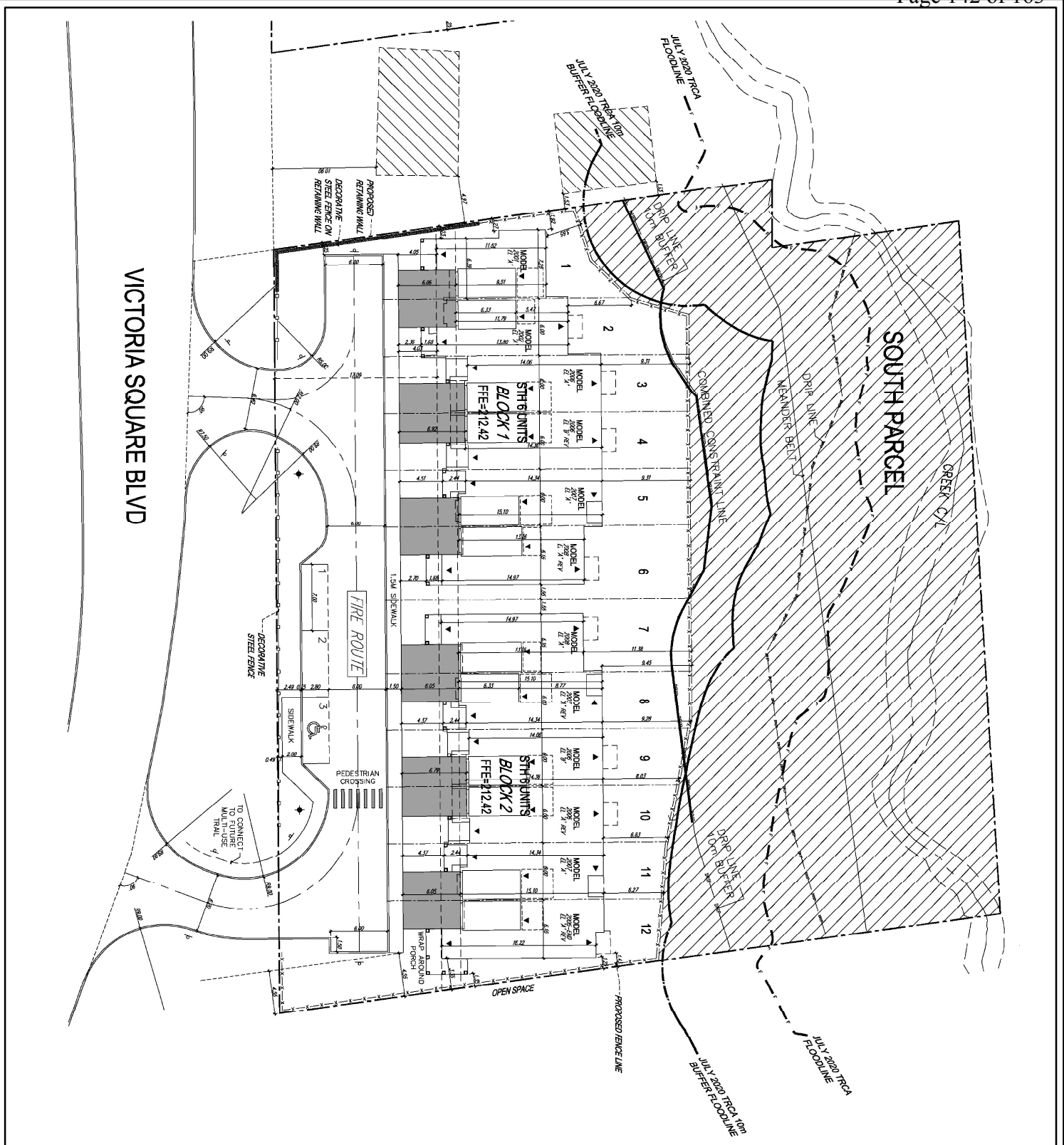


64 Jardin Drive, Unit 1B Concord, Ontario L4K 3P3

T 905.669.4055 (ext. 225) M 416.904.4945 F 905.669.0097 E [btung@klmplanning.com](mailto:btung@klmplanning.com) W [www.klmplanning.com](http://www.klmplanning.com)

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# PROPOSED SITE PLAN

APPLICANT: Nest (VS) GP Inc.  
10165 Victoria Square Blvd

FILE No. ZA19 179145 & SU19 179147

Q:\Geomatics\New Operation\2020 Agenda\SU\SU19\_179147\_ZA19\_179145\Report Figures.mxd

DATE: 15/10/2020

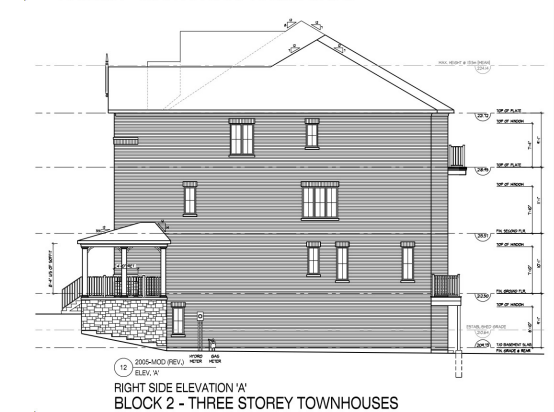
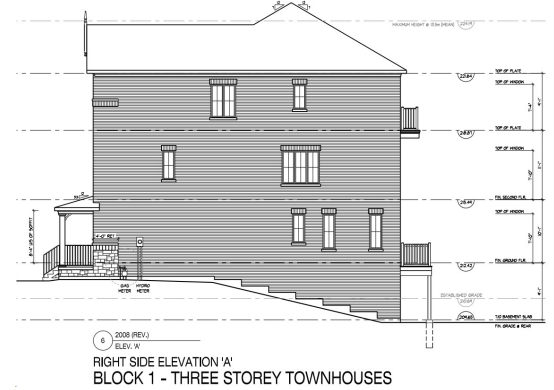
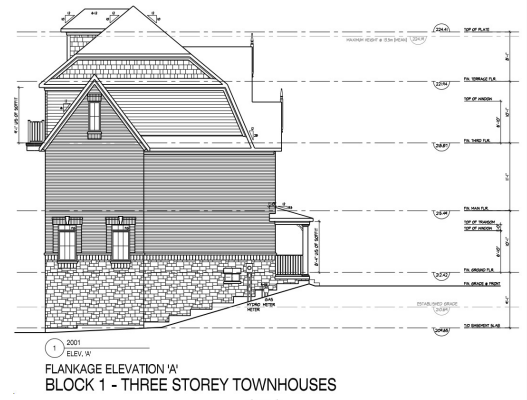


DEVELOPMENT SERVICES COMMISSION

Drawn By: RT

Checked By: MR

FIGURE No. 2



# PROPOSED ELEVATIONS

APPLICANT: Nest (VS) GP Inc.  
10165 Victoria Square Blvd

FILE No. ZA19 179145 & SU19 179147

Q:\Geomatics\New Operation\2020 Agenda\SUI\SU19\_179147\_ZA19\_179145\Report Figures.mxd





Report to: General Committee

Meeting Date: March 22, 2021

---

<b>SUBJECT:</b>	2020 Summary of Remuneration and Expenses for Councillors and Appointees to Boards
<b>PREPARED BY:</b>	Lisa Chen, Senior Manager, Financial Planning & Reporting

---

**RECOMMENDATION:**

1. That the report titled “2020 Summary of Remuneration and Expenses for Councillors and Appointees to Boards” be received; and further,
2. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**PURPOSE:**

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

**BACKGROUND:**

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

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

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

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

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

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

**RECOMMENDED BY:**

Joel Lustig  
Treasurer

Trinela Cane  
Commissioner, Corporate Services

**ATTACHMENTS:**

Appendix A – 2020 Summary of Remuneration and Expenses for Mayor and Council

Appendix B – 2020 Summary of Remuneration and Expenses for Appointees to Local Boards





CITY OF MARKHAM  
SUMMARY OF REMUNERATION AND EXPENSES FOR MAYOR AND COUNCIL  
FOR THE YEAR ENDED DEEMBER 31, 2020

	Mayor Frank Scarpitti	Regional Councillors				Ward Councillors							
		Don Hamilton	Jack Heath	Joe Li	Jim Jones	Keith Irish	Alan Ho	Reid McAlpine	Karen Rea	Andrew Keyes	Amanda Collucci	Khalid Usman	Isa Lee
Councillors Remuneration (Note 1)	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
Local	201,495	98,583	97,502	90,252	92,752	90,252	89,602	90,252	92,702	91,252	92,702	90,252	90,252
Region	60,405	60,405	60,405	60,405	60,405	-	-	-	-	-	-	-	-
Total Remuneration (Note 2)	261,900	158,988	157,907	150,657	153,157	90,252	89,602	90,252	92,702	91,252	92,702	90,252	90,252
Local Discretionary Expenses													
Mileage and Gasoline	2,486	-	136	-	-	329	-	-	233	464	364	-	295
Cell Phone and Computer	-	-	-	-	5,343	-	-	-	-	-	-	-	-
Meetings	29	-	61	-	-	254	-	-	182	162	1,010	143	49
Training, Seminars and Conferences	-	-	71	-	-	-	-	-	-	-	-	-	-
Vehicle Capitalization	12,255	-	-	-	-	-	-	-	-	-	-	-	-
407 ETR	879	-	-	-	-	-	-	-	19	26	-	-	25
Membership Fees and Subscriptions	124	-	-	-	-	-	-	-	111	-	-	-	125
Promotion and Advertising	3,772	5,535	3,051	-	2,657	5,646	7,905	7,375	3,966	3,939	3,639	2,394	5,955
Printing and Office Supplies	-	36	1,494	-	-	729	-	-	1,074	779	181	-	576
Total Discretionary Expenses	19,545	5,571	4,813	-	8,000	6,958	7,905	7,375	5,585	5,370	5,194	2,537	7,025
Other													
Regional & Local Councillor – Newsletters	1,860	-	-	-	6,000	4,861	4,058	2,424	4,711	4,800	2,104	2,099	6,249
Markham Public Library Board Mileage	-	-	-	-	-	-	-	-	-	200	-	-	-
Region Discretionary Expenses (Note 4)	-	-	350	-	-	-	-	-	-	-	-	-	-
TRCA Remuneration & Expenses (Note 4)	-	-	1,594	-	-	-	-	-	-	-	-	-	-
Total Other	1,860	-	1,944	-	6,000	4,861	4,058	2,424	4,711	5,000	2,104	2,099	6,249
Council Directed Expenses (Non - Discretionary)													
Training, Seminars and Conferences	-	-	611	-	-	-	-	611	-	-	-	-	-
Business Mission	1,163	-	-	-	-	-	2,787	-	-	-	-	-	-
Total Council Directed Expenses	1,163	-	611	-	-	-	2,787	611	-	-	-	-	-

Note 1: Does not include applicable benefits  
Note 2: See Details below

DETAILS OF REMUNERATION

	Mayor Frank Scarpitti	Regional Councillors				Ward Councillors							
		Don Hamilton	Jack Heath	Joe Li	Jim Jones	Keith Irish	Alan Ho	Reid McAlpine	Karen Rea	Andrew Keyes	Amanda Collucci	Khalid Usman	Isa Lee
Councillors Remuneration	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
City of Markham	147,445	91,633	83,302	83,302	83,302	83,302	83,302	83,302	83,302	83,302	83,302	83,302	83,302
Markham Enterprises Corporation	-	6,950	-	6,950	9,450	6,950	6,300	6,950	-	7,950	-	6,950	6,950
Markham District Energy Inc.	7,800	-	14,200	-	-	-	-	-	9,400	-	9,400	-	-
Alectra Inc.	46,250	-	-	-	-	-	-	-	-	-	-	-	-
Total Local Remuneration (Note 3)	201,495	98,583	97,502	90,252	92,752	90,252	89,602	90,252	92,702	91,252	92,702	90,252	90,252
Region of York (Note 4)	60,405	60,405	60,405	60,405	60,405	-	-	-	-	-	-	-	-
Total Remuneration	261,900	158,988	157,907	150,657	153,157	90,252	89,602	90,252	92,702	91,252	92,702	90,252	90,252

Note 3: Compensation includes additional work done by members of Council as a result of direction by Council and/or Council controlled entities  
Note 4: All remuneration and expenses related to Region of York are also reported by the Region

## Appendix B

**CITY OF MARKHAM**  
**SUMMARY OF REMUNERATION AND EXPENSES FOR APPOINTEES TO LOCAL BOARDS**  
**FOR THE YEAR ENDED DECEMBER 31, 2020**

<b><u>City of Markham Public Library Board</u></b>	<b><u>Mileage</u></b>
Alick Siu (Chair)	\$300
Ben Hendriks	200
Councillor Andrew Keyes	200
Anthony Lewis	200
David Whetham	200
Edward Choi	200
Iqra Awan	200
Jay Xie	200
Lillian Tolensky	200
Margaret McGrory	200
Pearl Mantell	200
Raymond Chan	200
<b>Total</b>	<b><u><u>\$2,500</u></u></b>

<b><u>Committee of Adjustment</u></b>	<b><u>Honorarium</u></b>
Gregory Knight (Chair)	\$3,000
Arun Prasad	2,500
Jeamie Crispi Reingold	2,500
Kelvin Kwok	2,500
Patrick Samson	2,500
Sally Yan	2,500
Thomas Gutfreund	2,500
<b>Total</b>	<b><u><u>\$18,000</u></u></b>





## Operations Department

Community and Fire Services Commission

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## MEMORANDUM

To: Mayor Scarpitti and Members of Council

Cc: Andy Taylor, Chief Administrative Officer

From: Morgan Jones, Director of Operations  
Claudia Storto, City Solicitor & Director of Human Resources

Date: March 31, 2021

Re: ***Bill 257, Supporting Broadband and Infrastructure Expansion Act, 2021***

---

On March 4, 2021, the Ministry of Infrastructure introduced Bill 257, *Supporting Broadband and Infrastructure Expansion Act, 2021*. The Bill includes new legislation entitled *The Building Broadband Faster Act, 2021*, which aims to make it easier and quicker for telecommunication service providers to expand access to broadband.

Specifically, the *Supporting Broadband and Infrastructure Expansion Act, 2021* is intended to make it easier for telecommunications service providers to use existing electricity assets such as hydro utility poles, as well as municipal rights-of-way, to expand access to broadband while reducing the costs to do so. It also proposes to require utility companies to consider possible joint use of hydro utility poles during their planning process.

Bill 257 also proposes amendments to both the *Planning Act* and *Ontario Energy Board Act*. Following the First and Second Reading of the Bill, it was referred to the Province's Standing Committee for consideration. The Bill was considered on March 25, 26, and 30, 2021.

In addition to the expediency in which this Bill was proposed and referred to the Standing Committee, Staff note the following areas of concern:

- The Act removes the City's autonomy over its own Rights of Way (ROW);
- Non-compliance by the City with any orders issued by the Minister may result in administrative penalties;
- The lack of stakeholder engagement which is not typical in any construction project;
- Provides the Minister the ability to authorize a Contractor to excavate without locates, increasing the potential for damages.

On March 26, 2021, staff submitted a letter to the Standing Committee on the City's behalf expressing the above-noted concerns with Bill 257. The Province is not obligated to respond to the City of Markham and can proceed at its own discretion. The next steps towards the Bill becoming law involve a report to the House, Third Reading and Royal Assent.

### **Proposed Amendments to the *Ontario Energy Board Act* and the *Planning Act***

The *Ontario Energy Board Act* is proposed to be modified to permit the development of, use of or access to electricity infrastructure that is wholly or partly for a purpose other than the generation, transmission, distribution, consumption, sale or demand management of electricity, as specified by Regulation. There are other changes as well to the authorities of the Ontario Energy Board.

The *Planning Act* is proposed to be amended to provide that Minister's Zoning Orders (MZO's) are not required and are deemed to never have been required to be consistent with the Provincial Policy Statement (PPS). However, MZO's related to land in the Greenbelt Area must remain consistent with the PPS. The proposed changes would permit the Minister of Municipal Affairs and Housing to take other considerations into account when making decisions. The commenting period in relation to the *Planning Act* amendments is 30 days - March 4 to April 3, 2021.

#### **Attached:**

- Attachment A: Letter to Standing Committee – The Corporation of the City of Markham's Comments on Bill 257, Supporting Broadband and Infrastructure Expansion Act, 2021



## OPERATIONS DEPARTMENT

Morgan Jones  
Director of Operations  
E-mail: [mjones@markham.ca](mailto:mjones@markham.ca)  
Tel.: (905) 477-7000 ex. 4857

March 26, 2021

Isaiah Thorning, Committee Clerk  
Standing Committee on General Government  
99 Wellesley Street West  
Room 1405, Whitney Block  
Queen's Park  
Toronto, ON

Dear Sir:

**Re: The Corporation of the City of Markham's Comments on  
Bill 257, Supporting Broadband and Infrastructure Expansion Act, 2021**

On behalf of the City of Markham, I submit the following comments with respect to the proposed *Building Broadband Faster Act, 2021* (the "Act") that is being proposed through Bill 257.

It is submitted that the following areas of the Act require clarification from the Province. Such clarification should be set out in the Act, regulations, or policy.

1. What are the limitations to the scope and extent of an order issued by the Minister under s. 15 of the Act ("Minister's Order") and how are cost and inconvenience to a municipality considered?
2. How long can the Minister's Order require that a municipal roadway be closed temporarily?
3. To what extent can a municipal roadway be modified by a utility under a Minister's Order (i.e. either its horizontal and/or vertical alignment)?
4. Can the Minister request the relocation of any existing utility infrastructure, and to what extent (i.e. a service, a mainline, trunk and transmission mains)?
5. What is the definition of "reasonably promptly" with respect to the requirement in s. 14 of the Act that a municipality and the proponent of a designated project shall enter "reasonably promptly" into negotiations for terms of access? How long will the Minister allow the municipality and the proponent to negotiate for?
6. The Act, s. 24 imposes Administrative Penalties on persons who do not comply with the Act, up to a maximum of \$500,000. The Act does not define "person". Does a "person" include a municipality?

7. The Act, s. 21 imposes a 10 day deadline to supply locates. Will there be a warning and grace period after the 10<sup>th</sup> day that locates are not supplied, or will a Minister authorize the Contractor to proceed to dig without locates on the 11<sup>th</sup> day?
8. What is the relationship between the Act and the federal *Telecommunications Act*, which currently has jurisdiction over telecommunication carrier projects?

The City submits that it has the following concerns about the impacts of the following areas of the Act on the City's operations, and recommends the following:

1. The Act, ss. 11 to 20 removes a municipality's autonomy over its right of way. It is important that municipalities have autonomy and the ability to make decisions for their rights of way. The municipality is best placed to make such decisions because the municipality has intimate knowledge of present and future planned projects and can make a knowledgeable decision based on all relevant factors. The City submits that the Minister's authority to order access to a municipality's right of way be limited, and that the municipality should be given an opportunity to deny placement of infrastructure at a certain location if the municipality feels it is not in its best interest. Municipalities must also be given a fair and reasonable amount of time to negotiate terms of access with the proponent and make a decision prior to the Minister stepping in to order access.
2. The Act, s. 15 removes the incentive for a telecommunications company to negotiate a Municipal Access Agreement ("MAA") in good faith with a municipality. MAAs are lengthy agreements that can take a substantial amount of time to negotiate in good faith. Negotiation of terms of access are best left to the private contracting parties who will be doing the work and who will be impacted by the work, namely the telecommunications company and the municipality. The Minister's Order may not include terms that are appropriate for the individual parties. The Minister's authority should be limited and the contracting parties should be given autonomy over their MAAs.
3. Further, a municipality should not be required to compensate a proponent for losses incurred due to a municipality's failure to negotiate an MAA "reasonably promptly", as set out in s. 18. "Reasonably promptly" is undefined and open to interpretation, and this will expose the municipality to costs and litigation where a proponent feels they are owed compensation. Where there are legitimate reasons for a delay in negotiations, a municipality should not be required to compensate a proponent.
4. The Act, s. 21 gives authority to the Minister to allow an entity to excavate without locates. If a Contractor digs without locates, this may result in injuries, loss of life, and damage to or losses of existing services. This may impact existing utility owners and end users. The Minister's authority should be limited to emergency situations, and there should be a grace period after the 10-day time limit has elapsed to allow for locates to be provided.
5. Further, where the Minister has authorized a person to excavate without locates, the Act, s. 21 prevents the utility owner from making a claim against the person who did the excavation work. The Act leaves no recourse for the claimant for damages. Where the excavation work causes damage to property or persons, the impacted parties should have recourse against the entity that performed the excavation, as that entity knowingly took on the risks of doing the work without locates.

6. While the Act, s. 16(2)(1) provides that the terms of the Minister's Order may include notification to the public, the Act appears to remove active stakeholder consultation and engagement. The level of disruption can vary depending on the scope of the project and if this is the case, there will be no opportunity for a municipality to address and/or accommodate conflicts or concerns that are raised.

Yours truly,



Morgan Jones  
Director, Operations



By-law 2021-xx

TO AMEND PARKING BY-LAW 2005-188  
65M-2742

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

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

COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4
<u>LOCATION</u>	<u>SIDE(S)</u>	<u>BETWEEN</u>	<u>PROHIBITED TIME OR DAYS</u>
Fitzgerald Avenue	North	98 Fitzgerald Avenue and 20m east of 88 Fitzgerald Avenue	Anytime

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

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

DAY OF \_\_\_\_\_, 2021.

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

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



# By-law 2021-xx

A by-law to amend By-law 2019-83  
being a by-law to appoint Deputy Clerks  
for the Corporation of the City of Markham

WHEREAS Section 228(2) of the Municipal Act, 2001, permits a Council to appoint Deputy Clerks to perform certain statutory duties;

NOW THEREFORE, THE COUNCIL OF THE CITY OF MARKHAM HEREBY ENACTS AS FOLLOWS:

1. That Section 1 of By-law 2019-83, a by-law to appoint Deputy Clerks for the Corporation of the City of Markham, be amended to add the following names:
  - Todd Wilkinson
  - Trudy Jay
  - Travis Gallyot
2. That this By-law comes into force and takes effect on its passing.

Read a first, second, and third time and passed on \_\_\_\_\_, 2021.

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

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



# By-law 2021-xx

A by-law to designate part of a certain  
plan of subdivision not subject to Part Lot Control

---

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

1. That Section 50(5) of the Planning Act, R.S.O. 1990, P.13 shall not apply to the lands within the part of a registered plan of subdivision designated as follows:

Part of Lot 83 and Blocks 90 and 91 on Registered Plan 65M-3168, being  
Parts 1 through 19 on Reference Plan 65R-38319, City of Markham,  
Regional Municipality of York

2. This By-law shall expire two years from the date of its passage by Council.

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

---

Kimberley Kitteringham  
City Clerk

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Frank Scarpitti  
Mayor





**EXPLANATORY NOTE**

BY-LAW NO: 2021-XXX

Part Lot Control Exemption By-law

B. McGregor Developments Limited  
Block 90, and 91 and Part of Lot 83, Registered Plan 65M-3168  
(Proposed Residential Development)

**Lands Affected**

The proposed by-law amendment applies to Part of Lot 83 and Blocks 90 and 91 on Registered Plan 65M-3168, Parts 1 through 19 on Reference Plan 65R-38319. The proposed development will consist of a seven (7) unit single-detached Common Element Condominium Residential Development located on the north side of 16th Avenue, west of Stonebridge Drive, and municipally known as 57 and 59 Bridlefield Lane.

The purpose of this By-law is to exempt the subject blocks from the part lot control provisions of the Planning Act.

This By-law's effect allows for the conveyance of seven (7) single detached dwelling units.



# By-law 2021-xx

## A By-law to amend By-law 177-96, as amended (Removal of Hold Provision)

---

WHEREAS Section 34 of the Planning Act, R.S.O. 1990, c. P.13, as amended, permits a Council to pass a by-law prohibiting the use of land, buildings or structures within a defined area or areas; and,

WHEREAS Section 36 of the Planning Act, R.S.O. 1990, c. P.13, as amended, permits a Council to pass a by-law to specify the use to which lands, buildings or structures may be put at such time in the future as the holding symbol is removed by amendment to the by-law; and,

WHEREAS Zoning By-law No. 177-96 is the governing By-law of the Corporation of the City of Markham pertaining to the subject lands; and

WHEREAS the Council of the Corporation of the City of Markham has deemed it advisable to amend Zoning By-law No. 177-96; and,

WHEREAS it has been confirmed to Council that all of the conditions required for the removal of the Holding (H) Symbol from the subject lands have been completed to the satisfaction of the City;

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

1. By-law 177-96, as amended, is hereby further amended as follows:
  - 1.1 By removing the Holding (H) provision from the **Community Amenity\*403(H) Zone** for the lands outlined on Schedule 'A' attached hereto.
2. THAT Zoning By-law No. 177-96 is hereby amended to give effect to the forgoing, but shall in all other respects remain in full force and effect.
3. THAT this By-law shall come into effect upon final passing, pursuant to Section 34(21) of the Planning Act, 1990.

Read a first, second and third time and passed on March 31, 2021.

---

Kimberley Kitteringham  
City Clerk

---

Frank Scarpitti  
Mayor



**EXPLANATORY NOTE**

**BY-LAW 2021 - \_\_\_\_\_**

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

**Livante Holdings (Victoria Square Woodbine) Inc.  
Vetmar Avenue  
Block 95, Registered Plan 65M-4328  
(Proposed Mixed Use Mid-Rise Development)**

**Lands Affected**

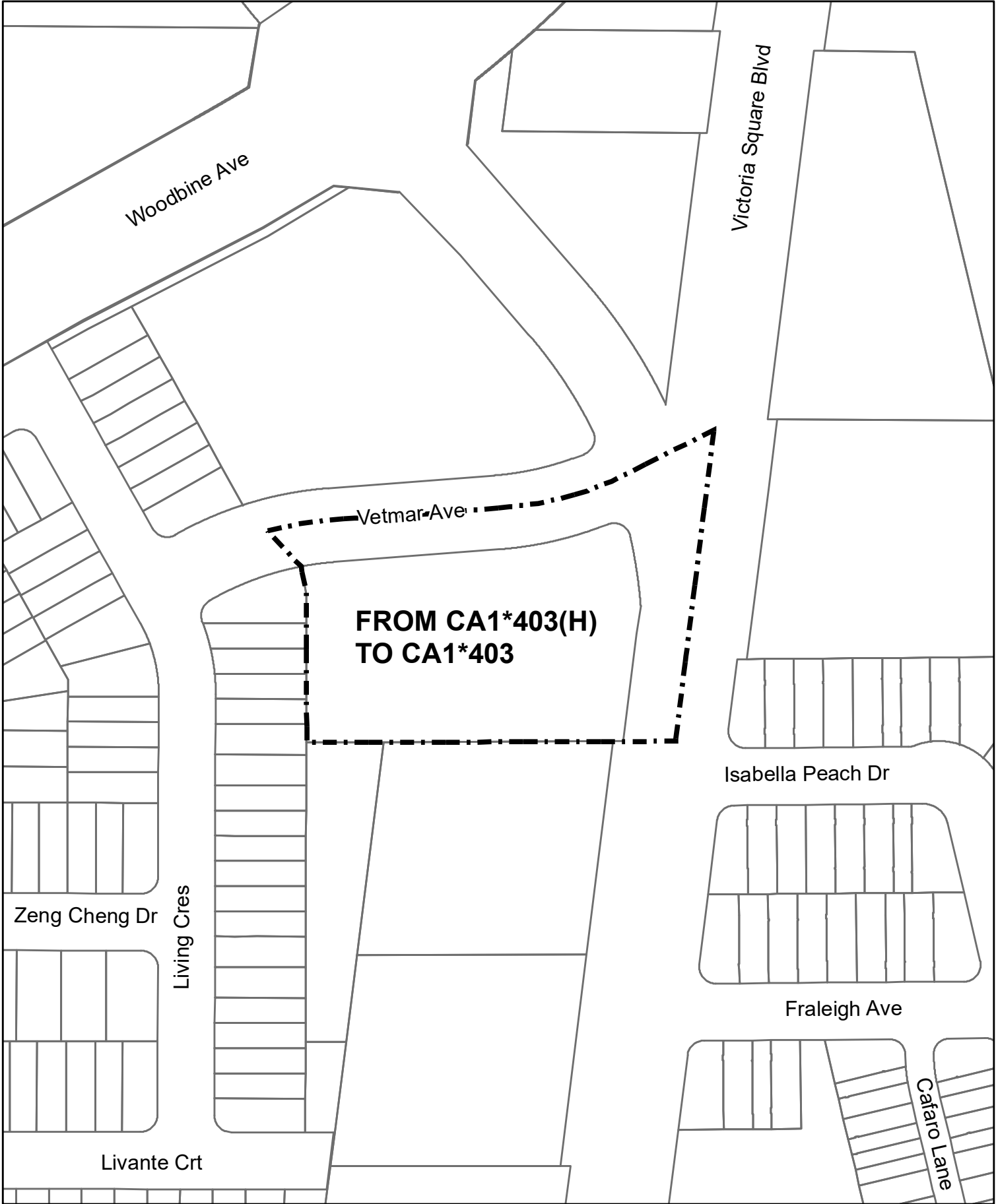
The proposed by-law amendment applies to a block of land (Block 95, Plan 65M-4328) located on the south side of Vetmar Avenue, between Victoria Square Boulevard to the East to the east and Living Crescent to the west.

**Existing Zoning**

The subject lands are zoned Community Amenity\*403 (Holding) [CA\*403(H)] under By-law 177-96. As amended.

**Purpose and Effect**

The purpose and effect of this by-law is to remove the Holding (H) symbol provision from the zoning of the subject lands in order to allow a mixed use mid-rise building on these lands.



**SCHEDULE "A" TO BY-LAW 2021-  
AMENDING BY-LAW 177-96 DATED**

 BOUNDARY OF AREA COVERED BY THIS SCHEDULE

 COMMUNITY AMENITY ONE

 EXCEPTION NUMBER

 HOLDING PROVISION

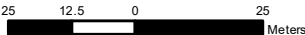


THIS IS NOT A PLAN OF SURVEY. Zoning information presented in this Schedule is a representation sourced from Geographic Information Systems. In the event of a discrepancy between the zoning information contained on this Schedule and the text of zoning by-law, the information contained in the text of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

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DEVELOPMENT SERVICES COMMISSION



Drawn By: RT    Checked By: RC

DATE: 01/03/2021

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



BY-LAW 2021-\_\_\_\_\_

**A By-law to amend By-law 304-87, as amended**  
*(to delete lands from the designated areas of By-law 304-87)*  
**and to amend By-law 177-96, as amended**  
*(to incorporate lands into the designated area of By-law 177-96)*

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

- 1. That By-law 304-87, as amended, is hereby further amended by deleting the lands shown on Schedule ‘A’ attached hereto, from the designated areas of By-law 304-87, as amended.
- 2. That By-law 177-96, as amended, is hereby further amended as follows:
  - 2.1 By expanding the designated area of By-law 177-96, as amended, to include additional lands as shown on Schedule “A” attached hereto.
  - 2.2 By zoning the lands outlined on Schedule “A” attached hereto:  
  
from:  
**Rural Residential One (RR1) Zone**  
  
to:  
**Residential Two \*666 (R2\*666) Zone and Open Space One (OS1) Zone**
- 3. By adding the following subsections to Section 7 – EXCEPTIONS:

Exception 7.666	Nest (VS) GP Inc. 10165 Victoria Square Boulevard Part of Lot 22, Concession 4	Parent Zone R2
File ZA 20 000000		Amending By-law 2021- _____
Notwithstanding any other provisions of this By-law, the following provisions shall apply to the land denoted by the symbol *666 on the schedules to this By-law. All other provisions, unless specifically modified/amended by this section, continue to apply to the lands subject to this section.		
7.666.1 Only Uses Permitted		
The following uses are the only permitted uses:		
a)	Dwelling, Townhouse	
b)	One (1) Accessory Dwelling Unit within a Townhouse Dwelling	
c)	Home Occupation	
d)	Home Child Care	
7.666.2 Special Zone Standards		
The following special zone standards shall apply:		
a)	Notwithstanding any further division or partition of any of the lands subject to this By-law, all lands zoned R2*666 shall be deemed to be one <i>lot</i>	
b)	For the purpose of this by-law, any lot line abutting an OS1 zone shall be deemed to be a rear yard.	
c)	Minimum <i>lot frontage</i> – 75 metres	
d)	Minimum north <i>side yard</i> – 1.2 metres	
e)	Minimum south <i>side yard</i> – 1.2 metres	
f)	Minimum width of any townhouse dwelling unit – 6.0 metres	

g)	Minimum <i>rear yard</i> : i) For the two (2) most northerly <i>dwelling units</i> - 0.8 metres ii) For the three (3) most southerly <i>dwelling units</i> - 5.5 metres iii) For all other <i>units</i> – 7.5 metres
h)	Minimum <i>front yard</i> – 15 metres
i)	Maximum <i>front yard</i> – 22 metres
j)	Maximum <i>height</i> – 13.5 metres
k)	Maximum number of townhouse dwelling units – 12
l)	Minimum number of visitor parking spaces – 3

4. A contribution by the Owner to the City for the purposes of public art, in the amount of \$1425.00 per unit in 2020 dollars, to be indexed to the Ontario rate of inflation as per the consumer price index (CPI), in accordance with Section 37 of the Planning Act, as amended, shall be required. Payments shall be collected in accordance with the terms of an agreement to secure for the Section 37 contribution. Nothing in this section shall prevent the issuance of a building permit as set out in Section 8 of the Building Code Act or its successors.

Read and first, second and third time and passed on March 31, 2021.

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

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



**EXPLANATORY NOTE**

**BY-LAW 2021-\_\_\_\_**  
**A By-law to amend By-law 304-87, as amended**

**Nest (VS) GP Inc.**  
**Part of Lot 22, Concession 4**  
**10165 Victoria Square Boulevard**  
**PLAN 19 179145**

**Lands Affected**

The proposed by-law amendment applies to a parcel of land with an approximate area of 0.58 hectares (1.44 acres), which is located north of Woodbine Avenue and south of Vine Cliff Boulevard.

**Existing Zoning**

The subject lands are zoned Rural Residential One (RR1) Zone under By-law 304-87, as amended.

**Purpose and Effect**

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

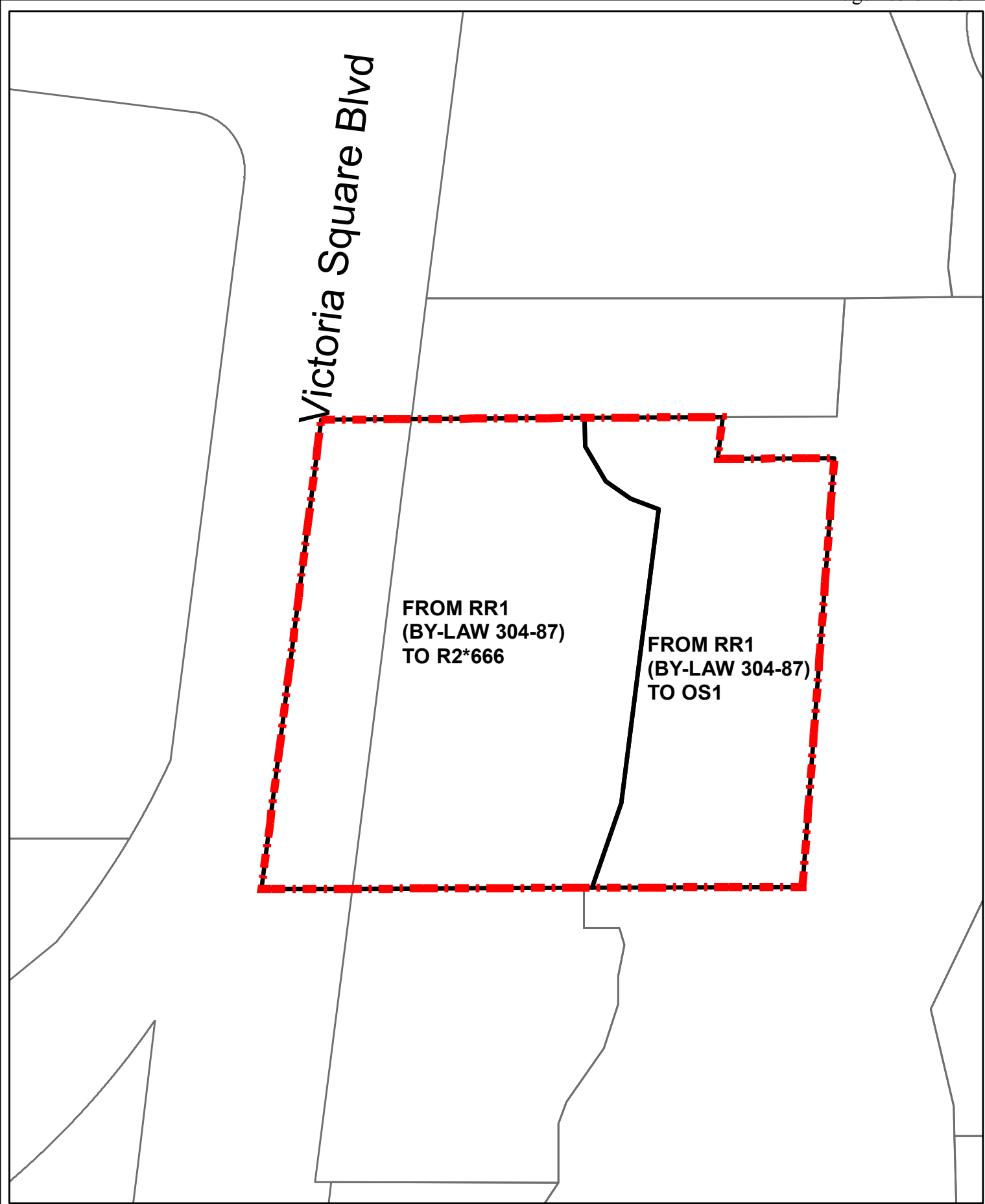
from:  
**Rural Residential One (RR1) Zone**

to:  
**Residential Two \*666 (R2\*666) Zone and Open Space One (OS1) Zone;**

in order to permit a residential development on the lands.

**Note Regarding Further Planning Applications on this Property**

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



# SCHEDULE "A" TO BY-LAW 2020-AMENDING BY-LAWS 304-87 AND 177-96 DATED

- BOUNDARY OF AREA COVERED BY THIS SCHEDULE
- BOUNDARY OF ZONE DESIGNATION(S)
- RR1

RURAL RESIDENTIAL ONE

R2

RESIDENTIAL TWO

OS1

OPEN SPACE ONE

\*(No)

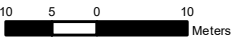
EXCEPTION NUMBER

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DEVELOPMENT SERVICES COMMISSION



Drawn By: RT    Checked By: MR    DATE:08/10/2020

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