



Report to: General Committee

Report Date: August 25, 2009

SUBJECT:	Delegation of Authority to Chief Administrative Officer during the annual summer recess as per By-Law 4-2000
PREPARED BY:	Alex Moore, Ext. 4711

RECOMMENDATION:

- 1) THAT the report entitled "Delegation of Authority to Chief Administrative Officer during the annual summer recess as per By-Law 4-2000" be received.

And that Staff be authorized and directed to do all things necessary to give effect to this resolution.

PURPOSE:

To inform Council of items authorized (Attachments "A" and "B") by the Chief Administrative Officer during the annual Council summer break between the last meeting in June or July and the next regular Council meeting as per By-law 4-2000.

ATTACHMENT "A"

Delegation under By-law 4-2000 authorizes the Chief Administrative Officer to award any required contracts greater than \$350,000 for the annual Council summer break between the last meeting in June or July, as the case may be, and the next regular Council meeting By-law which are in compliance with the Town's Purchasing By-law and which are within budget as approved by Council;

Community & Fire Services

Preferred supplier	• 014-T-09 Concrete Maintenance
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Development Services

Lowest priced bidder	<ul style="list-style-type: none">• 051-T-09 Birchmount Road Extension – Phase 1 Enterprise Drive to CN Rail• 155-T-09 Civic Centre – Paver Replacement
Preferred Supplier	<ul style="list-style-type: none">• 200-S-09 - Warden Avenue Reconstruction – MacPherson Street to Apple Creek Boulevard (Sidewalk and Illumination works only)• 197-S-09 – Major Mackenzie Drive (Woodbine Ave to Kennedy Road) Sidewalk, multi-use pathway and Illumination

ATTACHMENT "B"

Delegation under By-law 4-2000 authorizes the Chief Administrative Officer the authority to call public meetings, grant site approval, grant draft plan approvals and extensions to draft plan approvals, initiate special advertising and be authorized to act on any general administrative issues that may be necessary in the absence of Council during the summer recess.

Development Services

1.	• 22 Pavillion St. - Request to demolish non-heritage building designated under the Ontario Heritage Act.
2.	• 100 John St. - Request to demolish non-heritage building designated under the Ontario Heritage Act.
3.	• 28 Peter St. - Request to demolish non-heritage building designated under the Ontario Heritage Act.
4.	• 237 Main St. - Request to demolish heritage shed designated under the Ontario Heritage Act.
5.	• 17 Victoria Ave. - Request to demolish non-heritage building designated under the Ontario Heritage Act.
6.	• Endorsement in principle – site plan application to permit commercial / retail development at 9650 Highway 48, at N/W corner of Bur Oak Ave. and Highway 48.
7.	• Authorization to call a Public Meeting - Wynberry Developments Inc. (Phase 3), Proposed draft plan of subdivision and implementing zoning by-law amendments.
8.	• Authorization to call a Public Meeting - Amica (Swan Lake) Corporation, Applications for Official Plan and Zoning By-law amendment to permit a 4-storey retirement home at 6380 – 16 th Avenue, east of Highway 48.

ATTACHMENT: Copies of the reports as listed in Attachments "A" and "B".

RECOMMENDED BY:



Barb Cribbett,
Treasurer



Andy Taylor,
Commissioner, Corporate Services



STAFF AWARD REPORT

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(OUTSIDE CRITERIA)

To:	John Livey, Chief Administrative Officer
Re:	014-T-09 Concrete Maintenance
Date:	June 29, 2009
Prepared by:	Morgan Jones, Acting District Manager East, ext. 2285 Patti Malone, Senior Buyer, ext. 2239

RECOMMENDATION

Recommended Supplier	VTA Construction (Preferred Supplier)	
Current Budget Available	\$ 3,714,528.00	Various Accounts (see Financial Attachment)
Less cost of Award	\$ 815,400.00	*
Budget Remaining after this award	\$ 2,899,128.00	**

*Staff is requesting cancellation of the Purchase Order with VGN in the amount of \$769,600 and transferring this amount to a Purchase Order with VTA construction with an additional amount of \$45,800 to the budget upset limit of \$815,400. Therefore, no additional funds required as per budget. However, VTA unit cost is approx 35% higher and staff will be required to reduce the qty of concrete work to meet budgetary requirements.

**The remaining balance of \$2,899,128.00 will be used for road maintenance, interlocking repairs, parking lot repairs and Waterworks operating requirements as budgeted for within these accounts.

Staff's request is in accordance with By-Law 4-2000 which reads:

"... that the Chief Administrative Officer be authorized to award any required contracts greater than \$350,000 for the annual Council Summer break between the last meeting in June or July, as the case may be, and the next regular Council meeting which are in compliance with the Town's Purchasing By-law and which are within budget as approved by Council".

PURPOSE

To obtain approval for Staff to take the necessary steps to alleviate any further delay in completion of the concrete maintenance program and award the contract for a one (1) year term to the third lowest priced supplier on contract 014-T-09.

BACKGROUND

The contract for the concrete maintenance, contract No. 014-T-09, was tendered on February 2, 2009 and advertised through the Electronic Tendering Network and awarded to VGN Construction Limited (VGN) on May 13, 2009 through Council approval. From May 13th to June 10th, 2009 VGN performed no work and continued to delay the start of the concrete maintenance program. After commencement of work on June 11th and review of work completed, it is Staff recommendation to terminate the contract with VGN due to operational deficiencies.

CONTRACT DEFAULT AND TERMINATION PROVISIONS

Due to operational inefficiencies with the contractor and as allowed under the Town's General Terms and Conditions (which form part of the tender), the Town recommends terminating the contract on the basis that the contractor has failed to execute the work with skill and diligence and as such, the Town has provided 10 days written notice to the contractor as required within the Town's General Terms & Conditions.

OPTIONS/DISCUSSIONS

The Town has since spoken to the 2nd lowest bidder under contract 014-T-09 (Peltar) who have confirmed that they cannot commit to this work as their current workload precludes them from accepting any additional work. Therefore, staff is recommending proceeding with the 3rd lowest priced bidder (VTA Construction) who was the Town's concrete maintenance contractor from 2006-2008 and has the ability to provide a crew to complete this program in 2009.

Since, the contract for the concrete maintenance work is required prior to the work for the asphalt maintenance and pavement preservation (overlay program) the delays and lack of performance from VGN have also caused a delay for the asphalt maintenance and pavement preservation. These delays have created an emergency situation which needs to be resolved as quickly as possible.

FINANCIAL ATTACHMENT

Account Name	Account #	Budget Amount	Spent to Date	Committed	Budget Available	Amount to Allocate to this Project	Budget Remaining
Boulevard Repairs - Annual	700-10153999167	\$52,000.00	\$0.00	\$0.00	\$52,000.00	\$10,000.00	\$42,000.00
Localized Repairs - Curb and Sidewalk	050-6150-9170-005	\$520,200.00	\$0.00	\$0.00	\$520,200.00	\$370,200.00	\$150,000.00
Parking Lots	050-6150-9171-005	\$506,100.00	\$700.00	\$3,000.00	\$502,400.00	\$15,200.00	\$490,900.00
Hardtop Maintenance - Asphalt Repairs	700-502-5304	\$600,000.00	\$0.00	\$0.00	\$600,000.00	\$200,000.00	\$400,000.00
Sidewalk Requests	083-5350-9302-005	\$2,000,000.00	\$72.00	\$0.00	\$1,999,928.00	\$200,000.00	\$1,800,000.00
Waterworks Watermain Breaks Roads Dept. Services	760-100-5401	\$20,000.00	\$0.00	\$0.00	\$20,000.00	\$10,000.00	\$10,000.00
Waterwork Water Supply Residential Services Roads Dept. Services	760-111-5401	\$4,000.00	\$0.00	\$0.00	\$4,000.00	\$2,000.00	\$2,000.00
Waterworks Water Supply ICI Services Roads Dept. Services	760-112-5401	\$4,000.00	\$0.00	\$0.00	\$4,000.00	\$2,000.00	\$2,000.00
Waterworks Hydrants Road Dept. Services	760-115-5401	\$4,000.00	\$0.00	\$0.00	\$4,000.00	\$2,000.00	\$2,000.00
Waterworks Sewer Breaks Roads Dept Services	760-500-5401	\$2,000.00	\$0.00	\$0.00	\$2,000.00	\$1,000.00	\$1,000.00
Waterworks Waste Water Residential Services Roads Dept. Services	760-511-5401	\$2,000.00	\$0.00	\$0.00	\$2,000.00	\$1,000.00	\$1,000.00
Waterworks Waste Water ICI Services Roads Dept. Services	760-512-5401	\$4,000.00	\$0.00	\$0.00	\$4,000.00	\$2,000.00	\$2,000.00
Totals		\$3,718,300.00	\$772.00	\$3,000.00	\$3,714,528.00	\$815,400.00	\$2,899,128.00



STAFF AWARD REPORT

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(OUTSIDE CRITERIA)

To:	John Livey, Chief Administrative Officer
Re:	051-T-09 Birchmount Road Extension – Phase I Enterprise Drive to CN Rail
Date:	July 23, 2009
Prepared by:	Alberto S. Lim, Capital Works Engineer. Ext: 2860 Robert Slater, Senior Construction Buyer. Ext: 3189

RECOMMENDATION

Recommended Supplier	B. Gottardo Construction - (Lowest Priced Supplier)	
Current Budget Available	\$ 3,365,720.17	083-5350-7629-005 Birchmount Road Extension Phase I
Less cost of award	\$ 3,129,397.00	Construction (Excluding GST)
	\$ 450,000.00	Construction Contingency (15%)
	\$ 3,579,397.00	Total award (Excluding GST)
	\$ 45,000.00	Engineering Dept Project Management Fees (as per Jan. 19, 2009 Gen. Committee Report)
	\$ 3,624,397.00	Total Project Cost
Shortfall after this award	(\$ 258,676.83)	*

* The shortfall in the amount of \$258,676.83 will be funded from account 083-5350-8047-005 as approved by Council on February 10, 2009 (Confidential Report).

Staff further recommends that in accordance with By-Law 4-2000 which reads:

"... that the Chief Administrative Officer be authorized to award any required contracts greater than \$350,000 for the annual Council Summer break between the last meeting in June or July, as the case may be, and the next regular Council meeting which are in compliance with the Town's Purchasing By-law and which are within budget as approved by Council"

PURPOSE:

To obtain approval to award the contract for the completion of the Birchmount Road Extension Phase I from Enterprise Drive to CN Rail including rectification of deficiencies and refurbishment of all previously completed works.

BACKGROUND:

As indicated and approved in the Council Report dated February 10, 2009 (Attached), staff requested authorization to negotiate the completion of the Contract 004-T-07 under the Performance Bond provided by Federation and to retender the balance of the outstanding works. It was further requested that Purchasing be authorized to pre-qualify a minimum of three (3) contractors for the tendering process as per Purchasing By-Law 2004-341. However, subsequent to the January 19, 2009 General Committee Report and the February 10, 2009 Council resolution authorizing staff to proceed with the re-tendering of the outstanding works on Birchmount in accordance with the Town's purchasing by-law, Federation informed the Town that the Bonding Company had decided that they will be re-tendering the project, recommending a contractor and requesting the Town enter into a contract with the preferred contractor to finalize the outstanding works.

Under the terms and conditions of the performance bond, Federation had four (4) options to address the default contract. The selection of the "preferred" option is at the sole discretion of the Federation. On March 23, 2009 Federation advised the Town that it will exercise "Option 3" of the terms and conditions of the performance bond which stipulated that Federation obtain a bid or bids for the completion of the outstanding works and deficiencies and request that the Town enter into a contract with the selected bidder and to make available sufficient funds to cover the Federation's obligations in accordance with the terms and conditions of the original contract document and performance bond.

The Town, on behalf of Federation, prepared the tender for completion of outstanding works and deficiencies and Federation, in turn, provided the Town with a list of bidders to be invited to pick up the tender. The bids have been reviewed, and Federation is now recommending that the Town enter into a contract directly with B. Gottardo Construction to complete the outstanding works and deficiencies on the Birchmount Road Extension.

BID INFORMATION:

Advertised	By Invitation
Bids Closed on	June 29, 2009
Number invited to pick up tender documents	10
Number of bidders that picked up tender documents	8
Number of bidders that attended the mandatory site meeting	7
Number responding to tender	4

DETAILED PRICING INFORMATION

Contractors	Prices (exclusive of GST)
B Gottardo Construction	\$3,129,397.00
Dagmar Construction	\$4,122,306.33
Kapp Construction	\$4,240,748.97
Miwel Construction Ltd.	\$3,726,385.10

The bids have been verified for accuracy and compliance with the tender terms and conditions. Purchasing has reviewed the references of the recommended bidder and is satisfied with these references. Both the Town and the Bonding Company were satisfied with the list of contractors included in this invitation. The Town has previously conducted a pre-qualification process for similar projects for which Gottardo was pre-qualified.

Note: The Town's estimate to complete these works was \$3,300,000.00 (excluding contingency) which included deficiencies remaining on the contract.

FINANCIAL CONSIDERATIONS:

As per the February 10, 2009 Council Report, staff has been authorized to proceed with the works with partial funding from Capital Account #83-5350-7629-005 with the shortfall being funded from Capital Account # 83-5350-8047-005. The Town will claim against the bond any costs it incurs over and above the original contract price, including any costs related to the rectification of deficiencies and cost increases due to the re-tender of the works.



STAFF AWARD REPORT

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(OUTSIDE CRITERIA)

To:	John Livey, Chief Administrative Officer
Re:	155-T-09 Civic Centre Paver Replacement Project
Date:	July 22, 2009
Prepared by:	Scott Grieve, Parks Coordinator Ext. 2875 Tony Casale, Senior Buyer Ext. 3190

RECOMMENDATION

Recommended Supplier	Mopal Construction (Lowest Priced Supplier)	
Current Budget Available	\$ 530,000.00	081-6150-9332-005 Civic Centre Interlock replacement
Less cost of award	\$ 484,838.00	Price inclusive of PST, exclusive of GST
	\$ 45,000.00	Contingency
	\$ 529,838.00	Total Award
Budget Remaining after this award	\$ 162.00	*

*Upon completion of the project, any remaining balance will returned to the original funding source.

Staff further recommends that in accordance with By-Law 4-2000 which reads:

"... that the Chief Administrative Officer be authorized to award any required contracts greater than \$350,000 for the annual Council Summer break between the last meeting in June or July, as the case may be, and the next regular Council meeting which are in compliance with the Town's Purchasing By-law and which are within budget as approved by Council"

PURPOSE

To obtain approval to award the contract for construction of the Civic Centre Paver Replacement project.

BACKGROUND

The scope of Work encompasses the construction of hard and soft landscape elements associated with the Civic Centre Paver Replacement project.

The work is to include, but is not limited to the following:

- Removal of existing precast unit paving
- Saw cutting of asphalt drive and removal of existing curb
- Removal of sub grade granular as required to accommodate paver depth increase from 60mm to 100mm
- Removal of sub grade granular as required to accommodate new sod area soil depth per details
- Supply and Installation of new sub grade granular material and
- Supply and Installation of new curbing and curb cut aprons
- Supply and Installation of new precast unit paving
- Supply and Installation of new topsoil and sod where indicated
- Supply and Install new asphalt where previously removed.

The expected schedule for this work will be broken into two (2) phases to ensure continued access to the Town's Civic Centre with phase one to be completed by September 15, 2009 and phase 2 to be completed by October 30, 2009

BID INFORMATION

Advertised	By Invitation
Bids closed on	July 17th, 2009
Number picking up bid documents	6
Number responding to bid	4

Due to the importance, high visibility, and the need to insure a high level of installation in a timely and efficient manner. Staff received approval to pre-qualify 6 proponents for this project.

PRICE SUMMARY

Supplier	Price inclusive of PST, exclusive of GST
Mopal Construction Ltd	\$ 484,838.00
Rutherford Contracting Ltd	\$ 550,539.54
Gateman Milloy Inc.	\$ 603,499.07
Lomco Limited	\$ 740,465.00



**STAFF AWARD REPORT
(OUTSIDE CRITERIA)**

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To:	John Livey, Chief Administrative Officer
Re:	200-S-09 - Warden Avenue Reconstruction – MacPherson Street to Apple Creek Boulevard (Sidewalk and Illumination works only)
Date:	July 23, 2009
Prepared by:	Alain Cachola, Manager, Capital Administration. Ext: 2711 Robert Slater, Senior Construction Buyer. Ext: 3189

RECOMMENDATION

Recommended Supplier	Region of York (Preferred Supplier)	
Current Budget Available (as of June 10, 2009)	\$1,578,550.61 \$ 785,159.81	083-6150-7752-005 (Sidewalk Request) 083-6150-7276-005 (Illumination Request)
Less cost of award	\$ 259,262.40 \$ 399,589.20 \$ 658,851.59 \$ 13,177.03 \$ 672,028.62	Sidewalk works (including ROY fees) Illumination works (including ROY fees) Total Cost of Award (excluding GST) Engineering Capital Admin Fees (2.0%) Total Project Cost
Budget Remaining after this award	\$1,314,102.97 \$ 377,578.83	083-6150-7752-005 (Sidewalk Request)* 083-6150-7276-005 (Illumination Request)*

* The remaining balance of funds for both 083-6150-7752-005 and 083-6150-7276-005 will be used for the construction of the sidewalk and illumination projects for 2009.

Staff further recommends: THAT the Request For Quotation process be waived in accordance with Purchasing By-Law 2004-341, Part II, Section 7 (1) - (h) where if necessary or in the best interests of the Town to acquire non-standard items from a preferred supplier or from a supplier who has a proven track record with the Town in terms of pricing, quality and service.

Staff further recommends that in accordance with By-Law 4-2000:

"...the Chief Administrative Officer be authorized to award any required contracts greater than \$350,000 for the annual Council summer break between the last meeting in June or July as the case may be, and the next regular Council meeting, which are in compliance with the Town's Purchasing By-Law and which are within budget as approved by Council"

PURPOSE

The purpose of this report is to obtain approval to issue a Purchase Order to the Region of York for the design, for contract administration and construction of the sidewalk and illumination on Warden Avenue from MacPherson Street to Apple Creek Boulevard, for work completed in 2007 and payment of invoices to the Region.

BACKGROUND and DISCUSSION

Council endorsed the Region of York's Environmental Assessment (EA) for the Warden Avenue improvements in June of 2001 which included the provision of continuous sidewalk and illumination on both sides of Warden Avenue. In August of 2005, the Region of York proceeded to re-construct and widen Warden Avenue as part of their 10 Year Capital Program.

Staff requested Region of York incorporate the design, contract administration and construction of the sidewalk and illumination on Warden Avenue from McPherson Street to Apple Creek Boulevard as part of their Warden Avenue public contract tender process. This method is more efficient and economical to Markham compared to installing the sidewalk and illumination after the Region reconstructs the road. The cost to construct and administer the sidewalk and illumination construction is to be reimbursed to the Region by the Town on a cost recoverable basis. The Region tendered the project under their Purchasing By-law and awarded the project accordingly.

200-S-09 - Warden Avenue Reconstruction – MacPherson Street to Apple Creek Boulevard (Sidewalk and Illumination works only)

Both sections, Warden Ave from Hwy 407 to Apple Creek Blvd and Warden Ave from McPherson Street to Hwy 407, were tendered by the Region, tender ref: 05-100 and 05-110, and were awarded to the lowest bidders (Dufferin Construction and Brennan Paving).

Staff established a sidewalk account 083-6150-7752-005 under the 2007 Capital Budget with a budget of \$1,663,445.00 to cover all cost associated with the construction of sidewalk in year 2007. The cost to construct sidewalks on both sides of Warden Avenue from McPherson Street to Apple Creek Boulevard is to be funded from this account.

Staff established a illumination account 083-6150-7276-005 under the 2006 Capital Budget with a budget of \$2,064,700.00 to cover all cost associated with the illumination works in year 2006. The cost to provide illumination on both sides of Warden Avenue from McPherson Street to Apple Creek Boulevard is to be funded from this account.

Staff requests a Purchase Order in the amount of \$658,851.59 to the Region of York to pay for the outstanding invoices owed to the Region for the cost to install sidewalk and illumination on Warden Avenue from McPherson Street to Apple Creek Boulevard.



STAFF AWARD REPORT

(OUTSIDE CRITERIA)

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To:	John Livey, Chief Administrative Officer
Re:	197-S-09 – Major Mackenzie Drive (Woodbine Ave to Kennedy Road) Sidewalk, multi-use pathway and Illumination
Date:	July 23rd, 2009
Prepared by:	Alick Wong, Manager, Infrastructure and Capital Works, Ext. Robert Slater, Senior Construction Buyer, Ext, 3189

RECOMMENDATION

Recommended Supplier	Region of York (Preferred Supplier)	
Current Budget Available	\$ 1,577,050.61	Account # 83-6150-7752-005 Sidewalk Requests
	\$ 1,243,260.41	Account # 083-5350-8114-005 Cycling Lanes/Pathways
	\$ 466,700.07	Account # 083-5350-8400-005 Town wide illumination
	\$ 3,287,011.09	Total
Less cost of award	\$ 374,494.23	Account # 083-6150-7752-005 Sidewalk Requests
	\$ 404,667.42	Account # 083-5350-8114-005 Cycling Lanes/Pathways
	\$ 351,421.20	Account # 083-5350-8400-005 Town wide illumination
	\$ 169,587.43	15% Contingency
	\$ 169,587.43	15% ROY Design, CA, Eng. Fee
	\$ 29,395.15	2% Internal Department Fee
	\$ 1,499,152.86	Total project cost (all exclusive of GST)
Remaining Budget Amounts	\$ 1,080,471.26	Account # 083-6150-7752-005 Sidewalk Requests*
	\$ 706,671.41	Account # 083-5350-8114-005 Cycling Lanes/Pathways*
	\$ 715.56	Account # 083-5350-8400-005 Town wide Illumination*

* The remaining budgets within these accounts will be used for further sidewalk and illumination works as budgeted for within each account.

Staff further recommends: THAT the Request For Quotation process be waived in accordance with Purchasing By-Law 2004-341, Part II, Section 7 (1) - (h) where if necessary or in the best interests of the Town to acquire non-standard items or Consulting and Professional Services from a preferred supplier or from a supplier who has a proven track record with the Town in terms of pricing, quality and service.

Staff further recommends that in accordance with By-Law 4-2000 which reads:

“... that the Chief Administrative Officer be authorized to award any required contracts greater than \$350,000 for the annual Council Summer break between the last meeting in June or July, as the case may be, and the next regular Council meeting which are in compliance with the Town’s Purchasing By-law and which are within budget as approved by Council”

PURPOSE

To issue a purchase order to the Region of York to pay for the design and construction costs for the installation of sidewalk, multi-use pathway and street lights along Major Mackenzie Drive from Woodbine Avenue to Kennedy Road.

197-S-09 – Major Mackenzie Drive (Woodbine Ave to Kennedy Road) Sidewalk, multi-use pathway and Illumination

BACKGROUND

The Region of York tendered the widening and reconstruction of Major Mackenzie Drive from Woodbine Ave to Kennedy Road in 2008. It is the Town of Markham's responsibility to provide new sidewalk, multi-use pathways along Regional roads and also to provide new street lights between intersections along Regional roads. Markham staffs have previously requested the Region of York to incorporate the design and construction of the new sidewalk, multi-use pathway and also the design and construction of new street illumination between intersections as part of the Region's road widening program. The Region tendered the project under their Purchasing By-law and awarded the project (T-07-03 Road Improvements, Major Mackenzie Drive, Woodbine Avenue to Prospectors Drive) to the lowest bidder (Kapp Contracting Inc.) accordingly. The costs to install the new sidewalk, multi-use pathway and new street lights will be up-fronted by the Region of York who is to be reimbursed by the Town of Markham on a cost recoverable basis.

A sidewalk account (083-6150-7752-005) with the amount of \$1,663,445.00 was created in the 2007 Capital Budget to cover all costs associated with the construction of sidewalks that year. This account is proposed to be used to fund the new sidewalk along Major Mackenzie Drive. The Region of York has prepared a cost summary for the sidewalk using actual tendered prices. The total cost for the sidewalk works is \$496,579.35 which consists of \$309,019.60 sidewalk construction cost, \$65,474.63 to widen the two bridges to accommodate the sidewalk, \$112,348.26 (which includes contingency, Regional design, inspection and administration) together with \$10,521.35 for the Town of Markham internal fee.

In addition, an illumination account (083-5350-8400-005) in the amount of \$598,377.00 was created in the 2008 Capital Budget to cover all costs associated with the provision of new street lights in 2008. It is proposed to use this account to fund the new (Town of Markham) street lights along Major Mackenzie Drive. The Region of York has prepared a cost for the new street lights using actual tendered prices. The total cost for the illumination works is \$465,984.51 which consists of \$351,421.20 for the illumination construction cost, \$105,426.36 (which includes contingency, Regional design, inspection and administration), together with \$9,136.95 Town of Markham internal fee.

Staff request a purchase order in the amount of \$1,469,757.71 be issued to the Region of York to cover the costs of sidewalk, multi-use pathway and illumination costs along Major Mackenzie Drive from Woodbine Ave to Kennedy Road.



MEMORANDUM

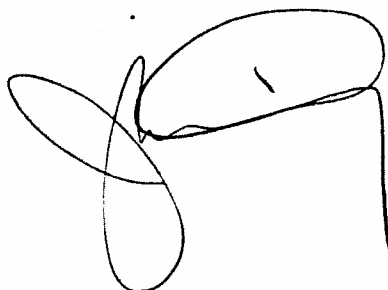
TO: Regan Hutcheson, Manager of Heritage Planning

FROM: John Livey, Chief Administrative Officer

DATE: July 3, 2009

SUBJECT: Demolition Permit
22 Pavillion St., Unionville Heritage Conservation District
#09 116106 00000DP

The approval of the demolition permit #09 116106 00000DP for the existing single detached dwelling located at 22 Pavillion St. Unionville is hereby authorized and Staff is directed to do all things necessary to give effect to this approval.





MEMORANDUM

TO: John Livey, Chief Administrative Officer

FROM: Biju Karumanchery, Senior Development Manager *BK.*

PREPARED BY: Peter Wokral, Heritage Planner

DATE: July 2, 2009

SUBJECT: Demolition of Two Non-Heritage Designated Buildings
28 Peter St., Markham Village Heritage Conservation District and
100 John St., Thornhill Heritage Conservation District

RECOMMENDATION:

THAT the CAO approve the demolition of the single detached, non-heritage garage located at 28 Peter St. in the Markham Village Heritage Conservation District and a single detached non-heritage dwelling located at 100 John St. in the Thornhill Heritage Conservation District subject to the respective owners of each property entering into Site Plan agreements with the Town to construct new structures on their respective properties.

PURPOSE:

The purpose of the report is to permit the demolition of two non-heritage structures located in two different heritage conservation districts to allow the construction of proposed replacement structures for which the owners have already submitted Site Plan Control applications.

BACKGROUND:

The owners of both properties require a permit to demolish the existing structure on their property

The owner of 28 Peter St. needs to demolish an existing non-heritage single car garage constructed in 1955 in order to construct a proposed new detached two car garage and the owner of 100 John St. needs to demolish an existing one storey single detached non-heritage dwelling constructed in 1961 in order to construct a proposed new single detached two storey house. The respective owners have submitted site plan applications for new structures to be built on the respective properties and are close to obtaining Site Plan Approval. Both owners wish to take

advantage of the summer season to commence construction of their new buildings as soon as possible.

The properties are located within heritage conservation districts.

As both properties are designated under Part V of the Ontario Heritage Act, a review by Heritage Markham is required and the approval of Council or its designate is necessary to permit the demolition of the existing non-heritage structures located on their properties. Heritage Markham reviewed the Site Plan applications for both properties and had no objection to the demolition of either of the existing non-heritage structures.

OPTIONS/ DISCUSSION:

The Ontario Heritage Act requires Council to consider all demolition applications.

Since Council has delegated its authority to the CAO to act on any general administrative issues that are necessary in the absence of Council during the summer break, it is felt that the demolition of the existing non-heritage detached garage at 28 Peter St. in Markham Village and the demolition of the existing non-heritage single detached dwelling at 100 John St. in Thornhill can be approved by the CAO. Although the subject buildings are not considered to possess cultural heritage value, they are located within the Markham Village and Thornhill Heritage Conservation District respectively. According to the Ontario Heritage Act [section 42(1)], an owner is required to obtain a permit from the municipality to:

1. alter any part of the property other than the interior
2. erect, demolish or remove any building or structure on the property or permit the erection, demolition or removal.

The Act does allow a municipality to delegate its power to grant permits for the alteration of property situated in a heritage conservation district to an employee or official of the municipality. Markham Council has approved such a by-law delegating its power for the approval of alterations to the Manager of Heritage Planning. However, upon consultation with Legal staff, the delegation of "alterations" to staff does not include the authority to consider applications for demolition or removal which are addressed under Part IV and V of the Act, and where no delegation provisions apply in these circumstances.

Therefore, all applications for demolition of buildings and structures within heritage conservation districts, whether of cultural heritage value or not, must be considered by Council or its official designate.

The proposed demolition of the buildings can be supported

A review of the existing garage located at 28 Peter St. and the existing house located at 100 John St. by the Heritage Markham Committee and Heritage Section Staff has determined that the structures have no cultural heritage value, and that there is no objection to their demolition.

FINANCIAL CONSIDERATIONS AND TEMPLATE: (external link)

None

HUMAN RESOURCES CONSIDERATIONS

Not Applicable

A handwritten signature in black ink, appearing to be 'J. S. J.', is located in the bottom right area of the page.

ALIGNMENT WITH STRATEGIC PRIORITIES:

Not Applicable

BUSINESS UNITS CONSULTED AND AFFECTED:

The demolition requests were reviewed by Heritage Markham, Council's advisory committee on heritage matters.

DOCUMENT:

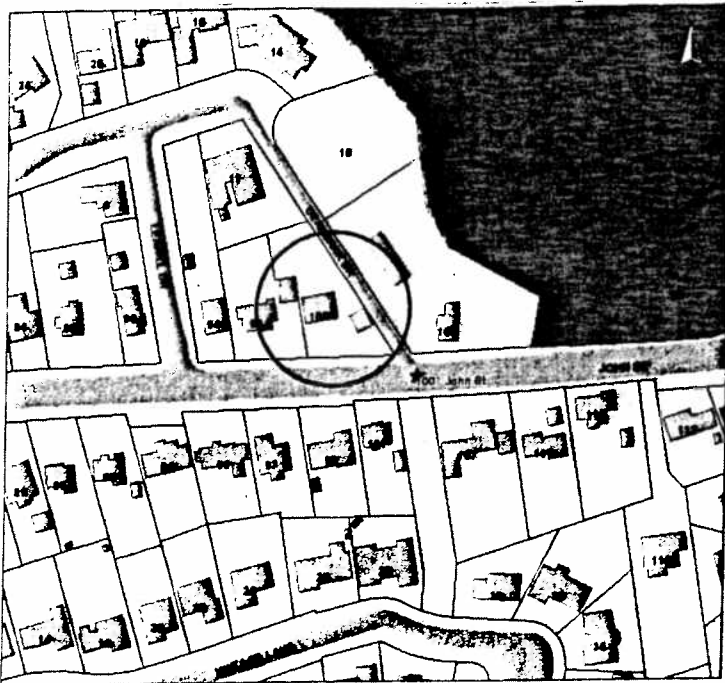
Q:\Development\Heritage\PROPERTY\PAVILION\22\CAO DEMOLITION MEMO 2009.doc

ATTACHMENTS:

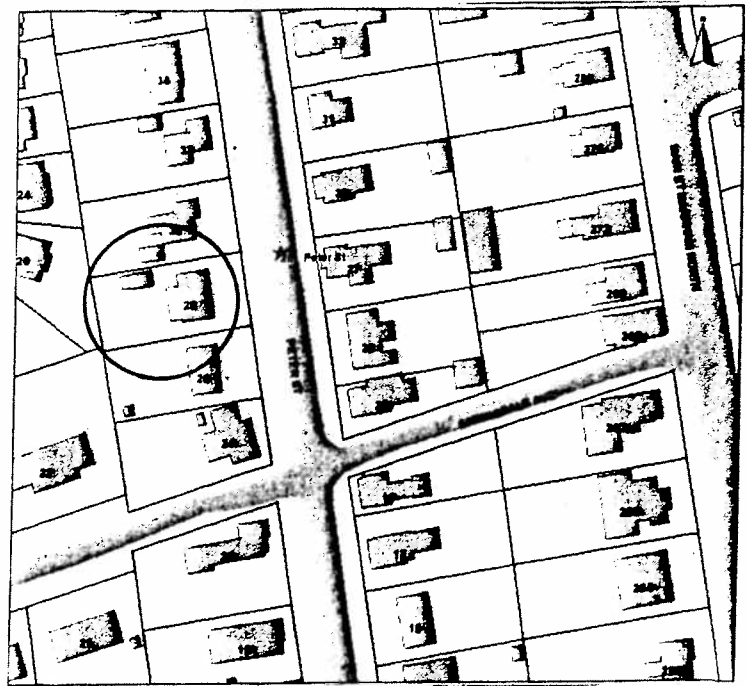
Appendix 'A' – Photographs of the buildings

FIGURE 1

LOCATION MAPS



100 John St. in Thornhill

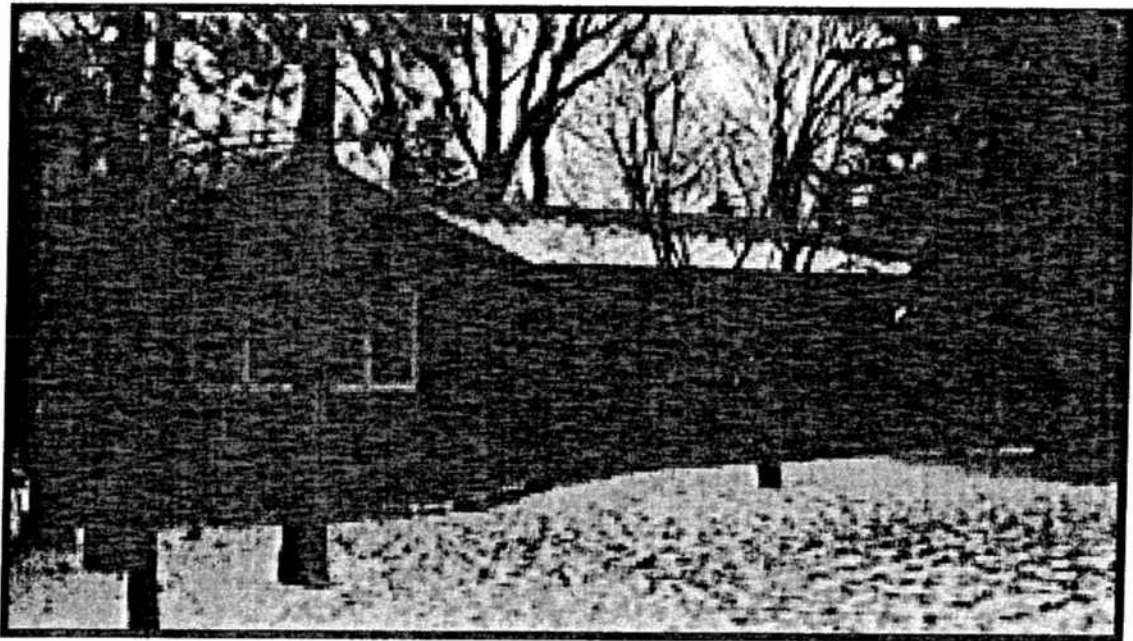


28 Peter St. in Markham Village

APPENDIX A



Existing non-heritage detached garage at 28 Peter St., Markham Village



Existing non-heritage single detached one storey dwelling at 100 John St., Thornhill



MEMORANDUM

TO: Regan Hutcheson, Manager of Heritage Planning

FROM: John Livey, Chief Administrative Officer

DATE: July 3, 2009

SUBJECT: Demolition of the single detached garage at 28 Peter St. Markham Village
Heritage Conservation District
The Demolition of the single detached dwelling at 100 John St. Thornhill
Heritage Conservation District

The approval of the demolition of the single detached garage located at 28 Peter St. Markham Village and the single detached dwelling at 100 John St. Thornhill is here-by authorized subject to the owners of each respective property obtaining Site Plan Approval to construct new structures on their respective properties, and Staff is directed to do all things necessary to give effect to these approvals.



MEMORANDUM

TO: Regan Hutcheson, Manager of Heritage Planning

FROM: John Livey, Chief Administrative Officer

DATE: July 23, 2009

SUBJECT: Demolition of the single detached garage at 237 Main St.
Unionville Heritage Conservation District

The approval of the demolition of the single detached garage located at 237 Main St. Unionville is here-by authorized subject to the owner obtaining Site Plan Approval to construct a new detached two car garage with a second storey loft, and Staff is directed to do all things necessary to give effect to this approval.

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MEMORANDUM

TO: Regan Hutcheson, Manager of Heritage Planning

FROM: John Livey, Chief Administrative Officer

DATE: August 27, 2009

SUBJECT: Demolition of the single detached dwelling at 17 Victoria Avenue
Unionville Heritage Conservation District

The approval of the demolition of the single detached dwelling located at 17 Victoria Avenue Unionville is here-by authorized, and Staff is directed to do all things necessary to give effect to this approval.

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MEMORANDUM

Sept 4/09 Met with
Councilor Cardena Moretta
- she is okay with
the plans, but would
like adjustments to
amount of Blue
on BMO

TO: Valerie Shuttleworth, Director of Planning and Urban Design

FROM: John Livey, Chief Administrative Officer

DATE: September 3, 2009

SUBJECT: Request for Site Plan Endorsement in Principle
Wisner Commons
9650 48 Hwy Markham
CON 7 PT LT 18 65R23185 PT OF PT 23 65R27486 PT 4
File Number: SC 09-114744

The request for site plan endorsement in principle for the above-noted application to construct a commercial / retail development consisting of four (4) buildings with a total GFA of 3,176.46 m² (34,190 ft²) and 228 parking spaces on the 1.98 ha (4.9 acres) site, is hereby ***endorsed in principle***, subject to the conditions outlined in the attached memo.

Staff is authorized and directed to do all things necessary to give effect to this resolution.


\\MARKHAM.CA\APPS\AMANDADOCS\PLANNING\SAVEPATH\24313366016.DOC

A handwritten signature in black ink, consisting of a large, stylized 'J' or 'L' shape with a loop at the top and a long vertical stroke extending downwards.



MEMORANDUM

TO: John Livey, Chief Administrative Officer

FROM: Biju Karumanchery, Senior Development Manager 

PREPARED BY: Doris Cheng, Senior Planner – East District

DATE: September 1, 2009

SUBJECT: Request to schedule a statutory Public Meeting
Wynberry Developments Inc (Phase 3)
Proposed draft plan of subdivision and implementing zoning by-law amendment
Wismer Commons Community
File Numbers ZA 09-119148 and SU 01-119048

The purpose of this memorandum is to request authorization to schedule a statutory Public Meeting. The draft information report scheduled for the September 22, 2009 Development Services Meeting regarding the above noted applications are attached for further information.

RECOMMENDATIONS:

1. THAT the report the report dated September 22, 2009 entitled "Information Report, Wynberry Developments Inc. (Phase 3), Proposed draft plan of subdivision and implementing zoning by-law amendments, East of Mingay Avenue and north of Edward Jeffreys Avenue, File Numbers ZA 09-119148-002 and SU 01-119048" be received;
2. THAT the CAO provide staff with the authorization to schedule a statutory Public Meeting for Wynberry Developments Inc. (Phase 3) for a proposed draft plan of subdivision and implementing zoning by-law amendment in the Wismer Commons Community;
3. AND THAT Staff be authorized and directed to do all things necessary to give effect to this resolution.





MEMORANDUM

TO: Biju Karumanchery, Senior Development Manager

FROM: John Livey, Chief Administrative Officer

DATE: September 3, 2009

SUBJECT: Request to schedule a Statutory Public Meeting
Amica (Swan Lake) Corporation
Application for Official Plan Amendment and Zoning By-law Amendment
6380 16th Avenue, Swan Lake

THAT the request for a Statutory Public Meeting to be held to consider the Official Plan Amendment and Zoning By-law Amendment applications submitted by Amica (Swan Lake) Corporation for the proposed 4-storey retirement home at 6380 16th Avenue is here-by authorized, and Staff is directed to do all things necessary to give effect to this approval.

