



Report to: General Committee

Date Report Authored: 10/02/2014

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**SUBJECT:** Management of Publication Dispensing Boxes within Markham Road Allowances

**PREPARED BY:** Robert Marinzel, Technical Coordinator, Operations  
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**RECOMMENDATION:**

- 1) That the report entitled 'Management of Publication Dispensing Boxes within Markham Road Allowances' be received;
- 2) And that By-law 2013-136, Road Occupancy, be amended to provide for the regulation of Publication Dispensing Boxes within City of Markham rights of way including revised Road Occupancy Fees for associated services;
- 3) And that Policy 2013-136-02 Publication Dispensing Box Policy be approved by Council;
- 4) And that the Director of Operations be authorized to amend the Publication Dispensing Box Policy as he/she may deem necessary to enhance the regulation of publication dispensing boxes;
- 5) And that the Operations Department work with the Public Realm Advisory Committee to develop a standard for publication dispensing infrastructure that complements other street furniture initiatives;
- 6) And that publication dispensing box permit fees be increased from \$25 to \$50 for the first 50 boxes placed by an applicant and \$100 for each additional box thereafter;
- 7) And that the 2014 Operating Budget be amended to include the projected incremental revenues for the increased publication dispensing boxes permit fees;
- 8) And that staff work with The Regional Municipality of York to develop an agreement outlining each parties' obligations with respect to the management of publication dispensing boxes within the Regional rights-of-way within the boundaries of the City of Markham;
- 9) And that the Mayor and Clerk be authorized to execute an Agreement with The Regional Municipality of York outlining each parties' obligations with respect to management of publication dispensing boxes within the regional rights-of-way within the boundaries of the City of Markham, in a form and content satisfactory to the Chief Administrative Officer and the City Solicitor;
- 10) And that staff be authorized and directed to do all things necessary to give effect to this resolution.

**EXECUTIVE SUMMARY:**

Not applicable

**PURPOSE:**

To improve the management program associated with the review, approval and placement of publication boxes within city boundaries.

**BACKGROUND:**

Concerns have been raised by the Public Realm Advisory Committee and Council regarding the appearance and placement of publication boxes. As the municipal right-of-way forms an important part of the public realm, publication boxes have an impact on the look and function of any street. As development intensification continues, management of third party components placed within the public right-of-way will increase in importance.

Issues related to inappropriately placed publication boxes may include:

- Impede pedestrian movement
- Complicate snow clearing
- Create visual pollution and damage other infrastructure
- Create litter when papers are discarded, or as empty boxes are used as trash receptacles
- Reflect neglect when abandoned or poorly maintained
- Obstruct sightlines, creating unsafe road conditions

Current Inventory:

There are 95 locations in Markham containing 225 boxes. As shown below, the majority of locations are in non-Markham jurisdictions (see map, Attachment ‘A’):

City of Toronto (Steeles Ave)            11 locations – 37 boxes  
 York Region                                    42 locations – 100 boxes  
 City of Markham                                42 locations – 88 boxes

Newspaper Box Locations by Ward	Ward 1	Ward 2	Ward 3	Ward 4	Ward 5	Ward 6	Ward 7	Ward 8	Total
Locations	19	7	9	6	5	14	7	28	95
Boxes	55	12	18	9	9	31	19	72	225

Historically, Markham has collected fees and administered placement of boxes on Regional roads and on the north side of Steeles Ave as per the Newspaper Box Policy 1998.

**OPTIONS/ DISCUSSION:**

Greater enforcement and stricter technical box placement criteria, such as preventing boxes from being placed in designated heritage areas, will reduce the overall number of locations where publication boxes are permitted. See Attachment 'B' Revised Publication Box Policy, section 5 item D - 1 for a complete list of criteria to be used to assess box placement. Further consultation between the Public Realm Committee, York Region and the Operations Department will be required to create a standard to develop and implement support infrastructure (housing corrals/hitching posts etc.) that will compliment both proposed and existing street furniture.

Region of York:

The Region does not have a policy for the management of publication dispensing boxes within Regional rights-of-way. The Region has opted to allow each member municipality to manage boxes on their behalf.

On September 7, 2005, Regional Council approved a resolution to enter into an Agreement to allow the Town of Richmond Hill to administer publication box placement on Regional road allowances and further resolved that;

*“Staff enter into discussions with the remaining local municipalities to consider a similar Agreement on the licensing of newspaper boxes on Regional road allowances within each local municipality and report on the outcome of these discussions”*

Currently, the Town of Richmond Hill is the only municipality to enter a written agreement with the Region regarding the management of boxes. No further Agreements have been executed with other municipalities in the Region.

The Region is in the process of implementing a comprehensive street furniture policy relating to transit stops and the VIVA corridor. Provisions for paid publication boxes have been included at some of the VIVA stations. These provisions do not, however, make allowances for free publications which make up the majority of boxes managed by the City of Markham.

Markham staff will endeavor to negotiate and finalize an Agreement with the Region of York to formalize the management of boxes within the Regional right-of-way as is suggested in the existing 1998 policy.

City of Toronto:

The City of Toronto has a comprehensive by-law for managing publication distribution within their jurisdiction. Through dialogue with Transportation Services, Public Realm Section, it has been agreed that all boxes within the Steeles Avenue corridor will be managed by the City of Toronto. A list of locations not currently meeting the City of Toronto's by-law criteria has been provided and commitments have been made by the

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City of Toronto to ensure non-compliant boxes are removed. Markham will monitor box status to ensure follow-through by the City of Toronto.

City of Markham:

Applying the new technical criteria for box placement will reduce the 84 locations currently within the Markham boundary (excluding Steeles Avenue) to 46 (including boxes in the Region's rights-of way). Markham will work with each vendor to have all non-compliant boxes removed or relocated. It is anticipated that some new locations may be added to accommodate a portion of the non-compliant boxes.

Staff will undertake an in-house education campaign to familiarize outdoor staff with policy details and encourage participation in identifying boxes that deteriorate or have been placed without proper permitting. An annual conditions survey will also be undertaken to ensure compliance is maintained.

**FINANCIAL CONSIDERATIONS AND TEMPLATE: (external link)**

The current annual permitting fee of \$25 per box has not increased since 1998. Staff propose that the permitting fee be increased to \$50 for the first 50 boxes placed by an applicant and \$100 for each additional box thereafter. This fee is in line with other surveyed Ontario municipalities which range from \$25 to \$103. The current budget for publication boxes permit revenues is \$5,000. An additional \$2,000 is expected through the fee increase and will be incorporated in the 2014 Operating Budget. Staff will monitor this revenue and amend future budgets accordingly.

**HUMAN RESOURCES CONSIDERATIONS**

Not applicable

**ALIGNMENT WITH STRATEGIC PRIORITIES:**

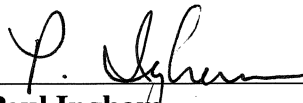
This report aligns with the following areas of strategic focus: Growth Management, Transportation / Transit and the Environment

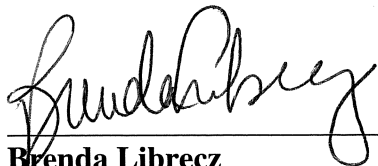
**BUSINESS UNITS CONSULTED AND AFFECTED:**

The Clerks Department, By-law Enforcement and Licensing Department and Legal Department have been consulted in the preparation of this report.

**RECOMMENDED**

**BY:**

  
Paul Ingham,  
Director, Operations

  
Brenda Librecz  
Commissioner of  
Community and Fire  
Services

**ATTACHMENTS:**

Attachment 'A' Map - Publication dispensing boxes recommended location status

Attachment 'B' Revised Publication Box Policy

Attachment 'C' Road Occupancy By-law Revisions