

Council Meeting Minutes

Meeting Number: 10
April 17, 2024, 1:00 PM
Live streamed

Roll Call	Mayor Frank Scarpitti Deputy Mayor Michael Chan Regional Councillor Jim Jones Regional Councillor Joe Li Regional Councillor Alan Ho Councillor Keith Irish	Councillor Ritch Lau Councillor Reid McAlpine Councillor Karen Rea Councillor Andrew Keyes Councillor Juanita Nathan Councillor Isa Lee
Regrets	Councillor Amanda Collucci	
Staff	Andy Taylor, Chief Administrative Officer Trinela Cane, Commissioner, Corporate Services Arvin Prasad, Commissioner, Development Services Claudia Storto, City Solicitor and Director of People Services Morgan Jones, Commissioner, Community Services Bryan Frois, Manager, Executive Operations & Strategic Initiatives Joseph Silva, Treasurer Kimberley Kitteringham, City Clerk Martha Pettit, Deputy City Clerk Hristina Giantsopoulos, Election/Council & Committee Coordinator Frank Clarizio, Director, Engineering Giulio Cescato, Director of Planning & Urban Design	Graham Seaman, Director, Sustainability & Asset Management Stephanie DiPerna, Director, Building Standards Andrea Cecchetto, Library Director, Service Excellence Dana Honsberger, Project Manager, Facilities Assets Jay Pak, Sr. Manager, Financial Planning & Reporting Kishor Soneji, Manager, Financial Reporting Soran Sito, Manager, Environmental, Engineering Denisa Necula, Brownfield Environmental Technologist Stafford Hughes, Technology Support Specialist II

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1. CALL TO ORDER

The meeting of Council convened at 1:14 PM on April 17, 2024. Mayor Frank Scarpitti presided.

INDIGENOUS LAND ACKNOWLEDGEMENT

We begin today by acknowledging the traditional territories of Indigenous peoples and their commitment to stewardship of the land. We acknowledge the communities in circle. The North, West, South and Eastern directions, and Haudenosaunee, Huron- Wendat, Anishnabeg, Seneca, Chippewa, and the Mississaugas of the Credit peoples. We share the responsibility with the caretakers of this land to ensure the dish is never empty and to restore relationships that are based on peace, friendship, and trust. We are committed to reconciliation, partnership and enhanced understanding.

Council observed a moment of silence in recognition of the recent passing of William (Bill) Burnett, former Markham Hydro Commissioner and retired teacher from various schools within the City of Markham.

2. DISCLOSURE OF PECUNIARY INTEREST

There were no disclosures of pecuniary interest.

3. APPROVAL OF PREVIOUS MINUTES

3.1 COUNCIL MINUTES - APRIL 3, 2024

Moved by Councillor Isa Lee

Seconded by Councillor Keith Irish

1. That the Minutes of the Council Meeting held on April 3, 2024, be adopted.

Carried

4. PRESENTATIONS

There were no presentations.

5. DEPUTATIONS

There were no deputations.

6. COMMUNICATIONS

6.1 TEMPORARY EXTENSION APPLICATION (LIQUOR SALES LICENCE) FOR MARKHAM VILLAGE MUSIC FESTIVAL (WARD 4) (3.21)

Moved by Councillor Karen Rea
 Seconded by Councillor Andrew Keyes

That the request to extend the existing liquor licences for the outdoor areas for the duration of the Markham Village Music Festival (Friday, June 14, 2024 to Saturday June 15, 2024) for the following locations/times be approved:

Patio extensions for Friday, June 14, 2024: 4pm to 11pm & Saturday, June 15, 2024: 11am to 11pm:

- Inspire Restaurant, 144 Main Street Markham N, Markham, ON
- FujiSan, 144 Main Street Markham N, Markham, ON
- Azyun Restaurant, 144 Main Street Markham N, Markham, ON
- Main Street Greek, 60 Main Street Markham N, Markham, ON
- Laz Authentic Cuisine Inc 48 Main Street Markham N
- Folco's Restaurant, 42 Main Street N, Markham, ON
- Khau Gully, 39 Main St. Markham N, Markham, ON

Patio extensions for Friday, June 14, 2024: 4pm to 2am & Saturday, June 15, 2024, 11am to 11pm:

- The Duchess of Markham, 53 Main Street Markham N, Markham, ON
- Main's Mansion Restaurant and Bar, 144 Main Street Markham N, Markham, ON

Carried

7. PROCLAMATIONS

There were no proclamations.

8. REPORT OF STANDING COMMITTEE

8.1 REPORT NO. 14 DEVELOPMENT SERVICES PUBLIC MEETING (APRIL 2, 2024)

Moved by Regional Councillor Jim Jones
 Seconded by Regional Councillor Joe Li

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

Carried

8.1.1 PUBLIC MEETING INFORMATION, APPLICATION BY ROBERT AND DEBORAH TIBERIO AT 196 AND 198 LANGSTAFF ROAD

FOR TEMPORARY USE ZONING BY-LAW AMENDMENT
APPLICATION TO PERMIT OUTDOOR STORAGE, ENCLOSED
STORAGE AND BUSINESS OFFICE USES ON

Moved by Regional Councillor Jim Jones

Seconded by Regional Councillor Joe Li

1. That the written submissions by Helen Lepek and Nick Seretis, be received; and,
2. That the “PUBLIC MEETING INFORMATION REPORT – Temporary Zoning By-law Amendment application to permit outside storage, enclosed storage and business office uses on 196 and 198 Langstaff Road, (Ward 1), (File PLAN 23 145149), submitted by Deborah and Robert Tiberio, be received; and,
3. That the Record of the Public Meeting held on April 2, 2024, with respect to the proposed Temporary Zoning By-law Amendment application for 196 and 198, submitted by submitted by Deborah and Robert Tiberio. (File PLAN 23 23 145149), be received; and,
4. That the Temporary Zoning By-law Amendment application for 196 and 198, submitted by submitted by Deborah and Robert Tiberio. (File PLAN 23 23 145149), be approved and the implementing Temporary Zoning By-law Amendment be finalized and adopted without further notice; and further,
5. That staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

8.2 REPORT NO. 15 DEVELOPMENT SERVICES COMMITTEE (APRIL 9, 2024)

Moved by Councillor Ritch Lau

Seconded by Councillor Juanita Nathan

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

Carried

8.2.1 ENVIRONMENTAL POLICIES AND PROCEDURES FOR LAND
CONVEYANCE TO THE CITY, AND MANAGEMENT OF EXCESS
SOIL (10.0)

Moved by Councillor Ritch Lau

Seconded by Councillor Juanita Nathan

1. That the staff report titled “Environmental Policies and Procedures for Land Conveyance to the City, and Management of Excess Soil” be received; and,
2. That Council adopt the revised Environmental Policy and Procedures for the Conveyance of Land to the City (“Land Conveyance Policy”) in substantial conformity with the Land Conveyance Policy set out in Attachment “A”; and,
3. That Council adopt the Policy and Procedures for Managing Excess Soil (“Excess Soil Policy”) in substantial conformity with the Excess Soil Policy set out in Attachment “B”; and,
4. That the Director of Engineering be authorized to waive the Environmental Site Assessments (ESA), including Record of Site Condition (RSC) and/or restrictions in the Certificate of Property Use (CPU), as set out in the Land Conveyance Policy and outlined in this report; and further,
5. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

8.3 REPORT NO. 16 GENERAL COMMITTEE (APRIL 16, 2024)

Moved by Councillor Keith Irish

Seconded by Regional Councillor Joe Li

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

Carried

8.3.1 AWARD OF RFP 009-R-24 CONSULTING SERVICES FOR CIPP WATERMAIN REHABILITATION DESIGN (7.12)

Moved by Councillor Keith Irish

Seconded by Regional Councillor Joe Li

1. That the report entitled “Award of RFP 009-R-24 Consulting Services for CIPP Watermain Rehabilitation Design” be received; and,

2. That Contract 009-R-24 Consulting Services for CIPP Watermain Rehabilitation detailed design be awarded to the highest ranked / lowest priced Bidder, Accardi Schaeffers & Associates Ltd. in the amount of \$308,827.35, inclusive of HST; and,
3. That a 10% contingency in the amount of \$30,882.74 inclusive of HST, be established to cover any additional designs costs and that authorization to approve expenditures of the contingency amount up to the specified limit be in accordance with the Expenditure Control Policy; and,
4. That the award for detailed design services in the amount of \$339,710.09 (\$308,827.35 + \$30,882.74) be funded from the account 053-6150-24262-005 “CI Watermain Rehabilitation Design”, with an available budget of \$466,600; and,
5. That remaining funding of \$126,889.91 (\$466,600.00 less \$339,710.09) be returned to the original funding source; and,
6. That the contract administration services (inclusive of 10% contingency) be awarded to Accardi Schaeffers & Associates Ltd in the amount of \$362,959.20 subject to Council adoption of the 2025 capital budget request; and,
7. That the future Purchase Order for contract administration be updated to reflect the actual construction time required based on the final design; and further,
8. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

8.3.2 059-S-24 SUPPLY & DELIVERY OF TWO SINGLE AXLE TRUCKS AND ONE TANDEM AXLE TRUCK (7.12)

Moved by Councillor Keith Irish

Seconded by Regional Councillor Joe Li

1. That the report entitled “059-S-24 Supply & Delivery of Two Single Axle Trucks and One Tandem Axle Truck” be received; and,
2. That the contracts for the supply and delivery of two single axle trucks be awarded as follows:

- a. Supply and delivery of two trucks and chassis to Premier Truck Group in the amount of \$314,439.44 inclusive of HST; and,
 - b. Supply, installation, delivery and upfit of the winter control equipment on these two trucks and chassis to Viking Cives in the amount of \$413,420.35 inclusive of HST; and,
 - c. That the total award amount for two trucks of \$727,859.79 (\$314,439.44 + \$413,420.35) inclusive of HST be funded from capital project #23020 (057-6150-23470-005 Corporate Fleet Replacement – Non-Fire) with available budget of \$582,400; and,
3. That the budget shortfall for the single axle trucks (project #23020) in the amount of \$145,459.79 (\$582,400.00 - \$727,859.79) be funded from the Life Cycle Replacement and Capital Reserve Fund; and,
 4. That the contracts for the supply and delivery of one tandem axle truck be awarded as follows:
 - a. Supply and delivery of one truck and chassis to Premier Truck Group in the amount of \$207,171.66 inclusive of HST; and,
 - b. Supply, installation, delivery and upfit of the winter control equipment on this truck and chassis to Viking Cives in the amount of \$213,075.26, inclusive of HST; and,
 - c. That the total award amount of \$420,246.93 (\$207,171.66 + \$213,075.26) inclusive of HST be funded from capital project #24230 (057-6150-24230-005 Corporate Fleet Replacement – Non-Fire) with available budget of \$428,402.75; and,
 5. That the budget remaining for the tandem axle truck (project #24230) in the amount of \$8,155.82 (\$428,402.75 - \$420,246.93) be returned to the original funding source; and,
 6. That the tendering process be waived in accordance with Purchasing By-Law 2017-18, Part II, Section 11.1 (f) where, for any reason, a Quotation issued by the City does not result in a successful Contract Award; and further,
 7. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

8.3.3 OPERATIONAL TRANSITION OF THE VICTORIA SQUARE
SATELLITE COMMUNITY CENTRE TO THE CITY OF MARKHAM -
RECREATION SERVICES (6.6)

Moved by Councillor Keith Irish

Seconded by Regional Councillor Joe Li

1. That the report entitled “Operational Transition of the Victoria Square Community Centre to the City of Markham – Recreation Services” be received; and,
2. That the transfer of the management of the Victoria Square Community Centre to the City of Markham – Recreation Services be approved; and,
3. That the Victoria Square Community Centre Board be dissolved, and that Council extend its sincere thanks to all Victoria Square Community Centre Board members, past and present, for the unwavering commitment they have demonstrated towards ensuring the community centre’s smooth operation; and further,
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

8.3.4 2023 CONSOLIDATED FINANCIAL REPORTS (7.0)

Moved by Councillor Keith Irish

Seconded by Regional Councillor Joe Li

1. That the presentation titled “2023 Consolidated Financial Statements” be received; and,
2. That the report titled “2023 Consolidated Financial Statements” be received; and,
3. That Council approve the draft Consolidated Financial Statements of The Corporation of the City of Markham (the City), including Community Boards, Business Improvement Areas (BIAs), Destination Markham Corporation and Investment in Markham Enterprises Corporation (MEC), for the fiscal year ended December 31, 2023; and,

4. That Council authorize Staff to publish the final audited Statements for the fiscal year ended December 31, 2023 upon receiving the Independent Auditors' Report; and,
5. That the KPMG LLP Audit Findings Report for the year ended December 31, 2023 be received; and further,
6. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

8.3.5 BLUE BOX END OF LIFE MANAGEMENT (10.0)

Moved by Councillor Keith Irish

Seconded by Regional Councillor Joe Li

WHEREAS under Ontario Regulation 391/2, Blue Box producers are fully accountable and financially responsible for their products and packaging once they reach their end of life and are disposed of, for 'eligible' sources only; and,

WHEREAS 'ineligible' sources, which producers are not responsible for, include business improvement areas, places of worship, daycares, camp grounds, public-facing and internal areas of municipal-owned buildings, and not-for-profit organizations, such as shelters and food banks; and,

WHEREAS should a municipality continue to provide services to the 'ineligible' sources, the municipality will be required to oversee the collection, transportation, and processing of the recycling, assuming 100% of the costs.

Therefore, be it resolved:

1. That the Council of the City of Markham hereby request that the province amend Ontario Regulation 391/21, Blue Box so that producers are responsible for the end-of-life management of recycling products from all sources as stated above; and,
2. That Council hereby request the support of all Ontario Municipalities; and,
3. This resolution be forwarded to the Honourable Doug Ford, Premier of Ontario, the Honourable Andrea Khanjin, Minister of the Environment, Conservation and Parks, Leader of the

opposition, Leaders of the Liberal and Green Parties and all City of Markham MPP's; and further,

4. That a copy of this Motion to be sent to the Association of Municipalities of Ontario (AMO).

Carried

8.3.6 THORNHILL SUB-COMMITTEE PUBLIC MEETING (APRIL 9, 2024) - STATUTORY NOTICE EXCEPTION

Moved by Councillor Keith Irish

Seconded by Regional Councillor Joe Li

1. That the statutory notice for a future Development Services Statutory Public Meeting be expanded to a 500-metre radius for the Baha'i National Centre item and include property owners in the City of Toronto within the statutory notice requirements (120 metres) for the Baha'i National Centre item; and further,
2. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried as Amended

Council consented to amend the resolution by replacing the wording "the May 14, 2024 Development Services Public Meeting" to "a future Development Services Statutory Public Meeting".

8.3.7 MINUTES OF THE NOVEMBER 27, 2023 ADVISORY COMMITTEE ON ACCESSIBILITY (16.0)

Moved by Councillor Keith Irish

Seconded by Regional Councillor Joe Li

1. That the minutes and notes of the November 27, 2023 meeting of the Advisory Committee on Accessibility be received for information purposes; and,
2. That Council increase the number of times the Advisory Committee on Accessibility meets from 4 to up to 10 times per year, to allow for the Committee to fulfill its legislative requirements; and further,

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

Carried as Amended

Council consented to amend the resolution by replacing the wording “from 4 to 10 times per year” to “from 4 to up to 10 times per year”.

9. MOTIONS

There were no motions.

10. NOTICE OF MOTION TO RECONSIDER

There were no notices of motions to reconsider.

11. NEW/OTHER BUSINESS

There was no new/other business.

12. ANNOUNCEMENTS

There were no announcements.

13. BY-LAWS - THREE READINGS

Moved by Regional Councillor Alan Ho
Seconded by Councillor Reid McAlpine

That By-law 2020-69 to By-law 2024-72 be given three readings and enacted.

Carried

Three Readings

- 13.1 BY-LAW 2024-69, A BY-LAW TO DESIGNATE PART OF A CERTAIN PLAN OF SUBDIVISION NOT SUBJECT TO PART LOT CONTROL (BLOCK 250, 261 TO 269, REGISTERED PLAN 65M-4686)

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: Block 250, and Blocks 261 to 269, inclusive on Registered Plan 65M-4686, City of Markham.

Carried

- 13.2 BY-LAW 2024-70, A BY-LAW TO AMEND BY-LAW 2551, AS AMENDED (196 AND 198 LANGSTAFF ROAD EAST, LOT 67, REGISTERED PLAN 2386)

The By-law amendment is to permit outdoor storage and business offices at 196 and 198 Langstaff Road East for a temporary period until water and sanitary sewer services are made available to the Langstaff community and servicing allocation has been granted to allow redevelopment in accordance with the approved Langstaff Gateway Secondary Plan and the required approvals for redevelopment have been obtained. (196 and 198 Langstaff Road East, Lot 67, Registered Plan 2386) [Report No. 14, Development Services Public Meeting, April 2, 2024] [Item 8.1.1]

Carried

- 13.3 BY-LAW 2024-71, A BY-LAW TO AMEND BY-LAW 177-96, AS AMENDED (TO ADD USES AND REZONE AN OPEN SPACE ZONE TO A MAJOR COMMERCIAL ZONE) - 404 MAJOR MAC WEST DEVELOPMENT LIMITED (PLAN 23 116352)

The by-law amendment applies to the property on the west side of Markland Street, north of Major Mackenzie Drive East to add a motor vehicle sales establishment and motor vehicle repair garage as permitted uses on the property. (PLAN 23 116352) [Report No. 12, Development Services Meeting, March 26, 2024]

Carried

- 13.4 BY-LAW 2024-72, A BY-LAW TO AMEND BY-LAW 108-81, AS AMENDED (TO ADD A USE AND SITE-SPECIFIC EXCEPTION) (DIGRAM DEVELOPMENTS INC.) (PLAN M1707 PT, PLAN 23 1178400)

The by-law amendment applies to the west side of Woodbine Avenue and north of John Street, municipally known as 7528, 7530 and 7550 Woodbine Avenue to add a commercial self-storage facility with site-specific parking provisions.

Carried

14. CONFIRMATORY BY-LAW - THREE READINGS

Moved by Councillor Juanita Nathan

Seconded by Councillor Keith Irish

That By-law 2024-68 be given three readings and enacted.

Three Readings

BY-LAW 2024-68 A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE
COUNCIL MEETING OF APRIL 17, 2024.

No attachment

Carried

15. ADJOURNMENT

Moved by Regional Councillor Jim Jones

Seconded by Councillor Juanita Nathan

That the Council meeting of April 17, 2024 be adjourned at 1:33 PM.

Carried

Kimberley Kitteringham

City Clerk

Frank Scarpitti

Mayor