



Electronic Revised Council Meeting Agenda

Revised Items are Italicized.

Meeting No. 9
June 9, 2020, 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.

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.

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 - MAY 26, 2020

1. That the Minutes of the Council Meeting held on May 26, 2020, be adopted.

4. PRESENTATIONS

5. DEPUTATIONS

6. COMMUNICATIONS

6.1 *12-2020 COMMUNICATION - CONSTRUCTION OF THE EAST MARKHAM WORKS YARD AT 10192 NINTH LINE (5.0)*

Memorandum dated June 4, 2020 from the Director of Sustainability & Asset Management on

"Construction of the East Markham Works Yard at 10192 Ninth Line", providing information requested at the General Committee meeting on Monday, June 1, 2020.

1. That the memorandum entitled "Construction of the East Markham Works Yard at 10192 Ninth Line – General Committee June 1, 2020 Follow Up" be received.
(See Item 8.2.3, Report 17 for Council's decision on this matter.)

7. PROCLAMATIONS

8. REPORT OF STANDING COMMITTEE

8.1 REPORT NO. 16 - DEVELOPMENT SERVICES COMMITTEE (MAY 25, 2020)

Please refer to your May 25, 2020 Development Services Committee Agenda for reports.

Mayor and Members of Council:

That the report of the Development Services Committee be received & adopted. (Items 1 to 5):

8.1.1 COMMERCIAL FAÇADE IMPROVEMENT GRANT PROGRAM FOR 2020 (16.11)

1. That the report entitled "Commercial Façade Improvement Grant Program for 2020", dated May 25, 2020 be received; and,
2. That Council supports a matching grant of up to \$10,000.00 for the re-conditioning of the historic wooden tongue and groove exterior cladding and the replication of the wooden recessed paneled entrance doors for 10137 Woodbine Ave.; and,
3. That the identified grants be funded from the Commercial Façade Improvement Program Account (620-101-5699-20018) which has a budget of \$20,000.00 for the year 2020; and,
4. That the remaining budget of \$10,000 (\$20,000-\$10,000) be returned to the original funding source; and further,
5. That staff be authorized and directed to do all things necessary to give effect to this resolution.

8.1.2 DESIGNATED HERITAGE PROPERTY GRANT APPLICATIONS - 2020 (16.11)

1. That the report entitled "Designated Property Grant Applications -2020", dated May 25, 2020, be received; and,
2. That Designated Property Grants for 2020 be approved in the amounts noted for the following properties, totaling \$24,940.53, provided that the applicants comply with eligibility requirements of the program;
 - a. 15 Colborne Street, Thornhill-up to \$2,774.15 for repairs to the cedar shingle roof and the brick chimney as already approved by the City;

- b. 17 Euclid Street, Unionville- up to \$1,694.48 for the installation of two historically authentic wooden second storey windows;
 - c. 8 David Gohn Circle, Markham Heritage Estates-up to \$7,500.00 for installation of a new cedar shingle roof;
 - d. 10 David Gohn Circle, Markham Heritage Estates –up to \$5,000.00 for the reconstruction of brick veneered dummy chimneys;
 - e. 16 George Street, Markham Village-up to \$5,000.00 for repairs to the floor deck and railings of the historic veranda and re-conditioning of more of the historic windows;
 - f. 309 Main Street North, Markham Village-up to \$2,971.90 for the reconditioning of three historic wooden windows.
- 3. That the grants be funded through the Designated Heritage Property Grant Project Fund, Account 620-101-5699-20017 (\$30,000.00 available for 2020); and,
 - 4. That the remaining budget in the amount of \$5,059.47 (\$30,000 - \$24,940.53), as well as any un-used budget on approved projects, be returned to the original funding source; and further,
 - 5. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

8.1.3 PROPOSED AMENDMENTS TO BY-LAW 2005-104 - A BY-LAW TO PROHIBIT THE USE OF LAND OR THE ERECTION OF BUILDINGS UNLESS MUNICIPAL SERVICES ARE AVAILABLE (5.0)

- 1. That the report entitled “Proposed Amendments to By-law 2005-104 - A *By-law to Prohibit the Use of Land or the Erection of Buildings unless Municipal Services are Available*”, be received; and,
- 2. **That the proposed amendments to By-law 2005-104 as outlined in Attachment 'A' of the report be enacted; and further,**
- 3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

(By-law 2020-48)

8.1.4 YONGE NORTH SUBWAY EXTENSION INTENSIFICATION ANALYSIS (10.0)

- 1. That the report dated May 25, 2020 entitled “Yonge North Subway Extension Intensification Analysis” be received; and,
- 2. That this report be officially forwarded to Metrolinx for consideration and input to the initial business case for the Yonge North Subway Extension; and,
- 3. That Metrolinx be invited to Development Services Committee to present the development of their initial business case prior to **finalization and adoption** by their Board; and,

4. That upon approval of the initial Metrolinx business plan by their Board, Markham staff report to Development Services Committee on the scope of a Yonge Corridor Secondary Plan and appropriate funding; and further,
5. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

8.1.5 FEASIBILITY STUDY AND DETAILED DESIGN OF FLOOD REDUCTION WORK FOR LANDS LOCATED IN THE LITTLE ROUGE CREEK SUBWATERSHED WEST OF MCCOWAN ROAD (WARD 6) (5.0)

1. That the report entitled "Feasibility Study and Detailed Design of Floodplain Reduction Works for Lands Located in the Little Rouge Creek Subwatershed West of McCowan Road (Ward 6)" be received; and,
2. That staff be directed to work with the owners of the lands municipally known as 11142 McCowan Road, Markham and 11270 McCowan Road, Markham ("Adjacent Land Owners") and cost share the fees for completing the technical studies and detailed design components of the flood reduction work, and,
3. That the Adjacent Land Owners upfront the City's share of the cost for completing the technical studies and the detailed design components of the project in the amount of approximately \$87,380, inclusive of HST impact, and that the City reimburse the Adjacent Land Owners through a future Capital Budget, tentatively in 2023, and,
4. That the Mayor and Clerk be authorized to execute a Cost Sharing Agreement with the Adjacent Land Owners for the feasibility study, detailed design cost and other matters relating to the project in a form satisfactory to the Commissioner of Development Services and the City Solicitor; and further,
5. That staff be authorized and directed to do all things necessary to give effect to this resolution.

8.2 REPORT NO. 17- GENERAL COMMITTEE (JUNE 1, 2020)

Please refer to your June 1, 2020 General Committee Agenda for reports.

Mayor and Members of Council:

That the report of the General Committee be received & adopted, save and except for Item 8.2.4.

(See Item 8.2.4. for Council's decision on this matter).

8.2.1 EXTERNAL AUDIT SERVICES CONTRACT EXTENSION (7.0)

1. That the report entitled "External Audit Services Contract Extension" be received; and,
2. That the contract for the five year fiscal period commencing with the 2020 audit and ending with the 2024 audit be awarded to KPMG LLP Chartered

Accountants in annual amount of \$91,737.00 inclusive of HST with a 1% increase in years 2–5 (2021 – 2024); and,

3. That the contract include examination and review of the records and conduct audit of the financial statements prepared in accordance with Canadian accounting standards for the public sector of The Corporation of the City of Markham, The Corporation of the City of Markham Trust Fund, City of Markham Public Library Board, Old Markham Village Business Improvement Area (MBIA), and Unionville Business Improvement Area (UBIA); and,
4. That the contract include examination and review of the records and conduct audit of the financial statements prepared in accordance with Canadian accounting standards for not-for-profit organizations (“ASNPO”) Varley-McKay Art Foundation, The Friends of Markham Museum Foundation, and The Markham Foundation for Performing Arts and Destination Markham Corporation; and,
5. That the contract include examination and review of the records and conduct audit of the financial statements prepared in accordance with International Financial Reporting Standards (“IFRS”) of Markham District Energy Inc. (MDEI) and Markham Enterprises Corporation (MEC); and,
6. That the contract include the preparation of income tax returns for MDEI and MEC; and,
7. That the tendering process be waived in accordance with Purchasing By-Law 2017-8, Part II, Section 11.1, (c) which states “when the extension of an existing contract would prove more cost-effective or beneficial” & (h) where it is necessary or in the best interests of the City to acquire Professional Services from a supplier who has a proven track record with the City in terms of pricing, quality and service; and,
8. That the award for the audit for fiscal years 2020 to 2024 be funded from the respective annual operating budget as identified under financial considerations; and further,
9. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

8.2.2 QUALITY MANAGEMENT SYSTEM - MANAGEMENT REVIEW (5.3)

1. That the report titled “Quality Management System Management Review” be received; and,
2. That Council, as the Owner of the City’s drinking water system, acknowledge and support the outcome and action items identified from the Management Review; and further,
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

8.2.3 CONSTRUCTION OF THE EAST MARKHAM WORKS YARD AT 10192 NINTH LINE (5.0)

1. That the presentation entitled “Construction of the East Markham Works Yard at 10192 Ninth Line” be received; and,
2. That after the draft reference plan prepared by E.R. Garden Limited (File No. 20-7618) attached as Attachment No. 1 to this presentation (the “Draft R-Plan”) is deposited on title, the proposed declaration of the following lands as surplus to municipal purposes be added to a public agenda of a Council meeting: the lands described as Part of Lots 21 & 22, Concession 8, Markham, shown as Part 1 on the Draft R-Plan (being approximately 648.8m² (0.16 Acres); and,
3. That subject to recommendation #2, the lands described as Part of Lots 21 & 22, Concession 8, Markham, shown as Part 1 on the Draft R-Plan, be declared surplus to municipal purposes and conveyed to The Regional Municipality of York for road widening purposes; and,
4. That the Mayor and Clerk be authorized to execute agreement(s) with The Regional Municipality of York, in a form satisfactory to the Director of Operations, Director of Sustainability & Asset Management and the City Solicitor, required for the development of a works yard on the lands municipally known as 10192 9th Line; and,
5. That Council award the following tenders:
 - a. Tender 078-T-20 Construction of the East Markham Works Yard be awarded to the lowest priced bidder, Orin Contractors Corp. in the amount of \$11,494,687.42 inclusive of HST
 - b. Tender 117-T-20 Supply and Installation of the Office Trailer be awarded to the lowest priced bidder, City Core Construction Inc., in the amount of \$421,795.20 inclusive of HST; and,
6. That a 5% contingency in the amount of \$595,824.13 (\$574,734.37 + \$21,089.76) inclusive of HST, be established for each contract to cover any additional construction costs and that authorization to approve expenditures of this contingency amount up to the specified limit be in accordance with the Expenditure Control Policy; and,
7. That the cost of \$12,512,306.75 (\$11,494,687.42 + \$421,795.20 + \$574,734.37 + \$21,089.76) be funded from project #19288 Design and Construction of Works Yard (account # 056-5350-19288-005) with budget available of \$6,440,000.00; and,
8. That shortfall in the amount of \$6,072,306.75 (\$12,512,306.75 - \$6,440,000.00) be funded from the Development Charges Reserve Fund \$5,920,499.08 or 97.5% and Non-DC Growth Reserve \$151,807.67 or 2.5%; and further,
9. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

8.2.4 DIGITAL MARKHAM STRATEGY UPDATE (7.13)

1. That the presentation entitled "Digital Markham Strategy Update" be received; and,

2. That staff be directed to do all things necessary to advance the implementation of the Digital Markham Strategy; and,
3. That staff report back to Committee annually; and,
4. **That Committee of Adjustment meetings be live-streamed; and further,**
5. That staff be authorized and directed to do all things necessary to give effect to this resolution.

8.3 *REPORT NO. 18 - DEVELOPMENT SERVICES COMMITTEE (JUNE 8, 2020)*

Please refer to your June 8, 2020 Development Services Committee Agenda for reports.

Mayor and Members of Council:

That the report of the Development Services Committee be received & adopted, save and except for Item No. 8.3.1.

See Item No. 8.3.1 for Council's decision on this matter.

8.3.1 *TRAFFIC OPERATIONAL CHANGES IN RESPONSE TO COVID-19 (5.10)*

1. That the Report entitled “Traffic Operational Changes in Response to COVID-19” be received; and,
2. **That the deputations of Peter Miasek, Steven Glassman, and David Rawcliffe be received; and,**
3. **That the communications submitted by David Rawcliffe, Peter Miasek, Elisabeth Tan, and Steven Glassman be received; and,**
4. That Council approve a traffic management **pilot project** to restrict access to local traffic only on Main Street Unionville between Fred Varley Drive and Carlton Road until October 31, 2020 **in consultation with the Unionville Business Improvement Area (UBIA); and,**
5. **That Council endorse the Villages and Valley Walking and Cycling Loop proposal and direct staff to proceed with its implementation in consultation with the relevant Ward councillors; and,**
6. **That Council endorse the closure of Enterprise Boulevard from Andre de Grasse Street to Main Street Unionville on weekends to provide additional space for cycling and direct staff to proceed with its implementation in consultation with Downtown Markham business owners; and,**
7. **That staff be directed to explore additional opportunities for similar walking and cycling loop routes and potential weekend street closures for cycling activity in Thornhill and Milliken Mills; and,**

8. That staff be directed to explore opportunities to establish designated cycling spaces at municipally-owned facilities; and,
9. That Council approve the preliminary budget for implementing the Main Street Unionville No Through Traffic pilot project estimated at \$10,000; the Villages and Valley Walking and Cycling Loop estimated at \$6,000; weekend closures of Enterprise Boulevard (costs to be determined); and other opportunities for loops and cycling spaces (costs to be determined), to be funded from account #640-101-5699-20032 Active Transportation Awareness Program to a maximum of \$65,000; and further,
10. That staff be authorized and directed to do all things necessary to give effect to this resolution.

8.3.2 *CELEBRATE MARKHAM GRANT PROGRAM – APRIL 1, 2020 – MARCH 31, 2021 (2020-21)*

FUNDING APPROVALS AND ANNUAL PROGRAM REVIEW (10.16, 7.6)

1. That the report titled, “Celebrate Markham Grant Program – April 1, 2020 - March 31, 2021 (2020-21) - Funding Approvals and Annual Program Review” be received; and,
2. That Council approve the recommendations of the Interdepartmental Staff Review Committee to fund 53 Celebrate Markham applicants, totaling \$184,500, as included in Attachment 1 and identified in Attachments 2, 3, 4 and 5; and further,
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

9. MOTIONS

10. NOTICE OF MOTION TO RECONSIDER

11. NEW/OTHER BUSINESS

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

12. ANNOUNCEMENTS

13. BY-LAWS - THREE READINGS

That By-laws 2020-48 to 2020-50 be given three readings and enacted.

Three Readings

- 13.1 BY-LAW 2020-48 A BY-LAW TO AMEND BY-LAW 2005-104 BEING A BY-LAW TO PROHIBIT THE USE OF LAND OR THE ERECTION OR USE OF BUILDINGS OR STRUCTURES UNLESS MUNICIPAL SERVICES ARE AVAILABLE

(Item 8.1.3, Report 16)

- 13.2 BY-LAW 2020-49 LINDVEST PROPERTIES (CORNELL) LIMITED, PART LOT CONTROL EXEMPTION BY-LAW

A by-law to designate part of a certain plan of subdivision not subject to Part Lot Control, Blocks 2 and 8, Registered Plan 65M-4458, located south and west sides of Lindcrest Manor, south of Highway 7 and east of 9th Line.

- 13.3 BY-LAW 2020-50 WOODBINE CACHET WEST INC., PART LOT CONTROL EXEMPTION BY-LAW

A by-law to designate part of a certain plan of subdivision not subject to Part Lot Control, Part of Blocks 1 and 2, PLAN 65M-3250, more particularly described as Parts 3, 4 and 5, 65R37441, located at 351 Hillmount Road.

14. CONFIDENTIAL ITEMS

- 14.1 APPROVAL OF CONFIDENTIAL COUNCIL MINUTES - MAY 26, 2020 (10.0)

- 14.2 GENERAL COMMITTEE

- 14.2.1 LITIGATION OR POTENTIAL LITIGATION, INCLUDING MATTERS BEFORE ADMINISTRATIVE TRIBUNALS, AFFECTING THE MUNICIPALITY OR LOCAL BOARD (5.5) [Section 239 (2) (e)] AND

A POSITION, PLAN, PROCEDURE, CRITERIA OR INSTRUCTION TO BE APPLIED TO ANY NEGOTIATIONS CARRIED ON OR TO BE CARRIED ON BY OR ON BEHALF OF THE MUNICIPALITY OR LOCAL BOARD [Section 239 (2) (k)]

Note: This matter was referred directly to Council from the June 1, 2020 General Committee meeting.

- 14.3 *DEVELOPMENT SERVICES COMMITTEE*

- 14.3.1 *ADVICE THAT IS SUBJECT TO SOLICITOR-CLIENT PRIVILEGE, INCLUDING COMMUNICATIONS NECESSARY FOR THAT PURPOSE; [SECTION 239 (2) (f)] LPAT – CADILLAC FAIRVIEW– BUTTONVILLE AIRPORT (8.0)*

Note: This matter was referred directly to Council from the June 8, 2020 Development Services Committee meeting.

15. CONFIRMATORY BY-LAW - THREE READINGS

That By-law 2020-51 be given three readings and enacted.

Three Readings

BY-LAW 2020-51 A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE COUNCIL MEETING OF JUNE 9, 2020.

16. ADJOURNMENT