

## Electronic Council Meeting Minutes

**Meeting No. 8**  
**May 26, 2020, 1:00 PM**  
**Live streamed**

Roll Call	Mayor Frank Scarpitti	Councillor Reid McAlpine
	Deputy Mayor Don Hamilton	Councillor Karen Rea
	Regional Councillor Jack Heath	Councillor Andrew Keyes
	Regional Councillor Joe Li	Councillor Amanda Collucci
	Regional Councillor Jim Jones	Councillor Khalid Usman
	Councillor Keith Irish	Councillor Isa Lee
	Councillor Alan Ho	
Staff	Andy Taylor, Chief Administrative Officer	Kimberley Kitteringham, City Clerk
	Trinela Cane, Commissioner, Corporate Services	Martha Pettit, Deputy City Clerk
	Brenda Librecz, Commissioner, Community & Fire Services	John Wong, Technology Support Specialist II
	Arvin Prasad, Commissioner, Development Services	Hristina Giantsopoulos, Elections & Council/Committee Coordinator
	Claudia Storto, City Solicitor and Director of Human Resources	Mark Visser, Sr Manager Strategy Innovation & Investments, Financial Services
	Brian Lee, Director, Engineering	Francesco Santaguida, Assistant City Solicitor
	Biju Karumanchery, Director, Planning & Urban Design	Claudia Marsales, Sr Manager, Waste Management & Environment
	Joel Lustig, Treasurer	Phoebe Fu, Director, Environmental Services
	Bryan Frois, Chief of Staff	Shane Manson, Senior Manager, Revenue & Property Taxation,
	Hersh Tencer, Senior Manager, Real Property, Legal Services	Brad Roberts, Manager, Zoning & Special Projects

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

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## **1. CALL TO ORDER**

The meeting of Council convened at 1:05 pm on May 26, 2020. 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 Scarpitti recognized the recent passing of former City staff person Gary Sellars who served in the Planning Department for more than 31 years. A moment of silence was observed.

Council recessed at 3:20 pm and reconvened at 3:44 pm.

Moved by Councillor Andrew Keyes  
Seconded by Councillor Khalid Usman

1. That Council recess at 3:20 pm.

**Carried**

## **2. DISCLOSURE OF PECUNIARY INTEREST**

None disclosed.

## **3. APPROVAL OF PREVIOUS MINUTES**

### **3.1 COUNCIL MINUTES MAY 12, 2020**

Moved by Councillor Keith Irish  
Seconded by Councillor Karen Rea

1. That the Minutes of the Council Meeting held on May 12, 2020, be adopted.

**Carried**

#### 4. PRESENTATIONS

There were no presentations.

#### 5. DEPUTATIONS

##### 5.1 DEPUTATION - UNIONVILLE BIA OPERATING BUDGET (7.4)

Sara Sterling, Executive Director of the Unionville Business Improvement Area, addressed Council on this matter.

Moved by Councillor Reid McAlpine  
Seconded by Deputy Mayor Don Hamilton

1. That the deputation of Sara Sterling, Executive Director of the Unionville Business Improvement Area, be received.

(See Item 8.3.2, Report 15 for Council's decision on this matter.)

**Carried**

##### 5.2 DEPUTATION - RECOMMENDATION REPORT: BERCZY WARDEN HOLDINGS INC. DRAFT PLAN APPLICATION (10.7, 10.5)

Mustafa Ghassan, Delta Urban Inc. addressed Council on this matter.

Moved by Deputy Mayor Don Hamilton  
Seconded by Regional Councillor Jack Heath

1. That the deputation of Mustafa Ghassan, Delta Urban Inc., be received.

(See Items 8.1.1 and 8.1.2, Report 12 for Council's decision on this matter.)

**Carried**

##### 5.3 DEPUTATION - COMMUNICATION - COMMITTEE OF ADJUSTMENT PROCEDURAL BY-LAW AMENDMENT (10.12)

Elizabeth Brown addressed Council on this matter.

Moved by Councillor Karen Rea  
Seconded by Councillor Keith Irish

1. That the deputation of Elizabeth Brown be received.

(See Item 11.1, New/ Other Business for Council's decision on this matter.)

**Carried**

## 6. COMMUNICATIONS

- 6.1 9-2020 - INFORMATION MEMORANDUM, RECOMMENDATION REPORT: BERCZY ELGIN HOLDINGS INC. APPLICATIONS FOR A DRAFT PLAN OF SUBDIVISION AND ZONING BYLAW AMENDMENT (ELGIN MILLS ROAD EAST (WARD 2) FILE NOS.: SU/ZA 18 235522)

AND RECOMMENDATION REPORT: BERCZY WARDEN HOLDINGS INC. APPLICATIONS FOR DRAFT PLAN OF SUBDIVISION AND ZONING BYLAW AMENDMENT (10348 WARDEN AVENUE (WARD 2) FILE NOS.: ZA/SU 18 235516) (10.7, 10.5)

Moved by Regional Councillor Jim Jones

Seconded by Councillor Keith Irish

1. That the Memorandum dated May 26, 2020 from the Commissioner, Development Services providing additional information with respect to select questions raised at the Development Services Committee (DSC) on April 21, 2020 on Recommendation Report: Berczy Elgin Holdings Inc. Applications for a Draft Plan of Subdivision and Zoning Bylaw Amendment (Elgin Mills Road East (Ward 2) File Nos.: SU/ZA 18 235522) and *Recommendation Report: Berczy Warden Holdings Inc. Applications for Draft Plan of Subdivision and Zoning Bylaw Amendment (10348 Warden Avenue (Ward 2) File Nos.: ZA/SU 18 235516*, be received.

(See Items 8.1.1 and Item 8.1.2, Report 12 for Council's decision on this matter.)

**Carried**

- 6.2 10-2020 MEMORANDUM - HOLD REMOVAL BY-LAW, H & W DEVELOPMENT CORPORATION, 9 CLEGG ROAD AND 8 CEDARLAND DRIVE, FILE: HOLD 20 109182 (10.5)

Moved by Councillor Isa Lee

Seconded by Regional Councillor Joe Li

1. That the Memorandum dated May 26, 2020 from the Commissioner, Development Services regarding the application for H & W Development Corporation, 9 Clegg Road And 8 Cedarland Drive, recommending the approval of the proposed Hold Removal By-law, be received.

(By-law 2020-43)

**Carried**

### 6.3 11-2020 COMMUNICATION - COMMITTEE OF ADJUSTMENT PROCEDURAL BY-LAW AMENDMENT (10.12)

Moved by Councillor Karen Rea

Seconded by Councillor Keith Irish

1. That the email from Daniel O'Kopniak providing comments be received.

**Carried**

## 7. PROCLAMATIONS

### 7.1 PROCLAMATION AND FLAG RAISING REQUESTS (3.4)

Moved by Regional Councillor Jim Jones

Seconded by Councillor Andrew Keyes

1. That the following proclamation, issued by the City Clerk in accordance with the City of Markham Proclamation Policy, be received for information purposes:
  - a. World Sickle Cell Day - June 19, 2020
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. Apraxia Awareness Day - May 14, 2020
3. That the following new request for proclamation, be approved and added to the Five-Year Proclamations List approved by Council:
  - a. *Pride Month - June 2020*

**Carried**

## 8. REPORT OF STANDING COMMITTEE

### 8.1 REPORT NO. 12 - DEVELOPMENT SERVICES COMMITTEE (APRIL 21, 2020)

Moved by Regional Councillor Jim Jones

Seconded by Councillor Keith Irish

That the report of the Development Services Committee be received & adopted.  
(Items 1 to 2):

**Carried**

#### 8.1.1 RECOMMENDATION REPORT BERCZY ELGIN HOLDINGS INC. APPLICATIONS FOR A DRAFT PLAN OF SUBDIVISION AND ZONING BY-LAW AMENDMENT TO FACILITATE THE CREATION OF APPROXIMATELY 788 RESIDENTIAL UNITS,

TWO SCHOOL BLOCKS OR PARTS THEREOF AND ONE PARK  
BLOCK ON THE SUBJECT PROPERTY KNOWN MUNICIPALLY AS  
3575 ELGIN MILLS ROAD EAST (WARD 2) FILE NO'S.: SU/ZA 18  
235522 (10.7, 10.5)

Moved by Regional Councillor Jim Jones

Seconded by Councillor Keith Irish

1. That the staff report dated April 21, 2020 titled  
“RECOMMENDATION REPORT, Berczy Elgin Holdings Inc.,  
Applications for a Draft Plan of Subdivision and Zoning By-law  
Amendment to facilitate the creation of approximately 788 residential  
units, two school blocks or parts thereof and one park block on the  
subject property known municipally as 3575 Elgin Mills Road East  
(Ward 2),” be received; and,
2. That the record of the Public Meeting held on March 26, 2019,  
regarding the Applications for a Draft Plan of Subdivision and Zoning  
By-law Amendment by Berczy Elgin Holdings Inc. on the subject  
property known municipally as 3575 Elgin Mills Road East (Ward 2),  
be received; and,
3. 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,

4. That the application submitted by Berczy Elgin Holdings Inc. to amend Zoning By-law 304-87, as amended, be approved and the draft by-law attached as Appendix 'A' be finalized and brought forward to a future Council meeting to be enacted without further notice; and,
5. That Draft Plan of Subdivision 19TM-18010 be approved, subject to the conditions set out in Appendix B of this report; and,
6. 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 in Appendix B, as may be amended by the Director of Planning and Urban Design or his designate; and,
7. That draft plan approval for Draft Plan of Subdivision 19TM-18010 will lapse after a period of three (3) years from the date of Council approval in the event that a subdivision agreement is not executed within that period; and,
8. That servicing allocation for 788 units be assigned to Draft Plan of Subdivision 19TM-18010; and,
9. That Council authorize a City Wide Hard Development Charge credit not exceeding \$1,560,196 to DG Berczy Elgin Holdings Inc. relating to their portion of the construction and property costs associated with roads identified as Street 2 (from Elgin Mills Road to south limit of subdivision) and Street 1 (Elgin Mills Road to south limit of subdivision) within the plan of subdivision; and,
10. That the Mayor and Clerk be authorized to execute a Development Charge Credit Agreement, if required, in accordance with the City's Development Charge Credit and Reimbursement Policy, with DG Berczy Elgin Holdings Inc., or their successors in title to the satisfaction of the Treasurer and City Solicitor; and further,
11. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**Carried**

8.1.2 RECOMMENDATION REPORT APPLICATIONS FOR DRAFT PLAN OF SUBDIVISION AND ZONING BY-LAW AMENDMENT BY BERCZY WARDEN HOLDINGS INC. TO FACILITATE THE CREATION

OF APPROXIMATELY 894 RESIDENTIAL UNITS AND MIXED USES ON THE LANDS KNOWN MUNICIPALLY AS 10348 WARDEN AVENUE (WARD 2) FILE NO'S.: ZA/SU 18 235516 (10.7, 10.5)

Moved by Regional Councillor Jim Jones

Seconded by Councillor Keith Irish

1. That the staff report dated April 21, 2020 titled "Recommendation Report, Applications for Draft Plan of Subdivision and Zoning By-law Amendment by Berczy Warden Holdings Inc. to facilitate the creation of approximately 894 residential units and mixed uses on the lands known municipally as 10348 Warden Avenue (Ward 2)" be received; and,
2. That the record of the Public Meeting held on March 26, 2019, regarding the Draft Plan of Subdivision and Zoning By-law Amendment applications by Berczy Warden Holdings Inc. on the Subject Property known municipally as 10348 Warden Avenue, be received; and,
3. That the communications submitted by Delta Urban Inc. on behalf of Wageman Nominee Limited be received; and,
4. 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,
5. That the application submitted by Berczy Warden Holdings Inc. to amend Zoning By-law 304-87, as amended, be approved and the draft by-law attached as Appendix 'A' be finalized and brought forward to a future Council meeting to be enacted without further notice; and,
6. That Draft Plan of Subdivision 19TM-18009 be approved, subject to the conditions set out in Appendix B of this report;



7. 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 in Appendix B, as may be amended by the Director of Planning and Urban Design, or his designate; and,
8. That draft plan approval for Plan of Subdivision 19TM-18009 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,
9. That servicing allocation for 894 units be assigned to Draft Plan of Subdivision 19TM-18009; and,
10. That Council authorize a City Wide Hard Development Charge credit not exceeding \$4,881,562 to DG Berczy Warden Holdings Inc. relating to their portion of the construction and property costs associated with roads identified as Street 2 (from north limit of subdivision road to 145m west of Warden Avenue) and Street 3 (from north limit of subdivision to south limit of subdivision) and Street 1 (from east limit of subdivision to west limit of subdivision) within the plan of subdivision, and,
11. That the Mayor and Clerk be authorized to execute a Development Charge Credit Agreement, if required, in accordance with the City Development Charge Credit and Reimbursement Policy, with DG Berczy Warden Holdings Inc., or their successors in title to the satisfaction of the Treasurer and City Solicitor; and,
12. **That the timing of the conveyance of the external storm water management pond lands be to the satisfaction of the Director of Engineering and the City Solicitor; and further,**
13. That Staff be authorized and direction to do all things necessary to give effect to this resolution.

**Carried as Amended**

Council consented to add the following clause:

**"That the timing of the conveyance of the external storm water management pond lands be to the satisfaction of the Director of Engineering and the City Solicitor;"**

Council had before it the following original recommendation for consideration:

1. That the staff report dated April 21, 2020 titled “Recommendation Report, Applications for Draft Plan of Subdivision and Zoning By-law Amendment by Berczy Warden Holdings Inc. to facilitate the creation of approximately 894 residential units and mixed uses on the lands known municipally as 10348 Warden Avenue (Ward 2)” be received; and,
2. That the record of the Public Meeting held on March 26, 2019, regarding the Draft Plan of Subdivision and Zoning By-law Amendment applications by Berczy Warden Holdings Inc. on the Subject Property known municipally as 10348 Warden Avenue, be received; and,
3. **That the communications submitted by Delta Urban Inc. on behalf of Wagem Nominee Limited be received; and,**
4. 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,
5. That the application submitted by Berczy Warden Holdings Inc. to amend Zoning By-law 304-87, as amended, be approved and the draft by-law attached as Appendix ‘A’ be finalized and brought forward to a future Council meeting to be enacted without further notice; and,
6. That Draft Plan of Subdivision 19TM-18009 be approved, subject to the conditions set out in Appendix B of this report;
7. 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 in Appendix B, as may be amended by the Director of Planning and Urban Design, or his designate; and,
8. That draft plan approval for Plan of Subdivision 19TM-18009 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,

9. That servicing allocation for 894 units be assigned to Draft Plan of Subdivision 19TM-18009; and,
  10. **That Council authorize a City Wide Hard Development Charge credit not exceeding \$4,881,562 to DG Berczy Warden Holdings Inc. relating to their portion of the construction and property costs associated with roads identified as Street 2 (from north limit of subdivision road to 145m west of Warden Avenue) and Street 3 (from north limit of subdivision to south limit of subdivision) and Street 1 (from east limit of subdivision to west limit of subdivision) within the plan of subdivision, and,**
  11. **That the Mayor and Clerk be authorized to execute a Development Charge Credit Agreement, if required, in accordance with the City Development Charge Credit and Reimbursement Policy, with DG Berczy Warden Holdings Inc., or their successors in title to the satisfaction of the Treasurer and City Solicitor; and further,**
  12. That Staff be authorized and direction to do all things necessary to give effect to this resolution.
- 8.2 REPORT NO. 14 - DEVELOPMENT SERVICES COMMITTEE (MAY 11, 2020)

Moved by Regional Councillor Jim Jones

Seconded by Councillor Keith Irish

That the report of the Development Services Committee be received & adopted.  
(Items 1 to 2):

**Carried**

- 8.2.1 PRELIMINARY REPORT BUR OAK (ARH) DEVELOPMENTS INC. APPLICATION TO AMEND THE OFFICIAL PLAN TO INCREASE THE FLOOR SPACE INDEX (FSI) FROM 1.75 TO 2.2 TO ALLOW A 20-STOREY APARTMENT BUILDING AT 1709 BUR OAK AVENUE (WARD 4) FILE NO: PLN 20 130579 (10.3)

Moved by Regional Councillor Jim Jones

Seconded by Councillor Keith Irish

1. That the report titled “Preliminary Report, Bur Oak (ARH) Developments Inc., Application to amend the Official Plan to increase the Floor Space Index (FSI) from 1.75 to 2.2 to allow a 20-storey apartment building at 1709 Bur Oak Avenue (Ward 4), File No: PLN 19 130579”, be received; and,
2. That the deputation made by Elizabeth Brown, Markham Village Sherwood Conservation Area Residents Association, be received; and,
3. That a statutory public meeting for the application submitted by Bur Oak (ARH) Developments Inc. at 1709 Bur Oak Avenue be scheduled for a date to be determined following the completion of the Markham Road-Mount Joy Secondary Plan design charrette and a community information meeting; and,
4. That the postage costs for issuing notices for the community information meeting for the application be funded through the Corporate Services Commission; and further,
5. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**Carried**

**8.2.2 HIGHWAY 404 NORTH COLLECTOR ROADS, MUNICIPAL CLASS ENVIRONMENTAL ASSESSMENT STUDY COMPLETION (WARD 2) (5.7)**

Moved by Regional Councillor Jim Jones  
Seconded by Councillor Keith Irish

1. That the staff report entitled “Highway 404 North Collector Roads Municipal Class Environmental Assessment, Study Completion (Ward 2)”, be received; and,
2. That the preferred alternative for Highway 404 North Collector Roads as set out in the Environmental Study Report be endorsed; and,
3. That staff be authorized to issue a Notice of Study Completion for the project and make the Environmental Study Report available for public review for a period of 30 days commencing May 2020; and,
4. That the Mayor and Clerk be authorized to enter into agreements with the TC PipeLines, LP (TransCanada Pipelines) and/or Enbridge Gas

regarding the municipal rights-of-way and municipal underground services crossing their pipelines, in a form satisfactory to the Chief Administrative Officer and the City Solicitor; 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. 15 GENERAL COMMITTEE (MAY 19, 2020)

Moved by Regional Councillor Jack Heath

Seconded by Councillor Andrew Keyes

That the report of the General Committee be received & adopted, save and except for Item No. 8.3.2.

(See Item No. 8.3.2 for Council's decision on this matter).

**Carried**

#### 8.3.1 YORK REGION - TRANSFER OF PART III PROSECUTIONS TO THE REGIONAL MUNICIPALITY OF YORK (13.4)

Moved by Regional Councillor Jack Heath

Seconded by Councillor Andrew Keyes

1. Whereas the Province entered into a Memorandum of Understanding and a Local Side Agreement with The Regional Municipality of York and the nine local municipalities with an effective date of June 30, 1999, for the operation of the Provincial Offences Court, the prosecution of charges laid using the process under Parts I and II of the Provincial Offences Act, and the transfer of records, files, assets, revenue and financial arrangements, and,
2. Whereas the Province intends to transfer the prosecution of charges laid using the Part III process under the Provincial Offences Act, along with all records, files and assets, through amending agreements to the Memorandum of Understanding and the Local Side Agreement;
3. Now therefore be it resolved that: The Council of the City of Markham hereby delegates authority to The Regional Municipality of

York to execute amending agreements with the Province to amend the Memorandum of Understanding and the Local Side Agreement on behalf of the City of Markham, subject to the review of the final agreements by and to the satisfaction of the City Solicitor.

**Carried**

### 8.3.2 2020 UNIONVILLE BUSINESS IMPROVEMENT AREA AND MARKHAM VILLAGE BUSINESS IMPROVEMENT AREA OPERATING BUDGETS (7.4)

Moved by Regional Councillor Jack Heath  
Seconded by Councillor Andrew Keyes

1. That the report titled “2020 Unionville Business Improvement Area and Markham Village Business Improvement Area Operating Budgets” dated May 19, 2020 be received; and,
2. That the 2020 Operating Budget in the amount of \$214,221 for the Unionville Business Improvement Area (UBIA) be approved; and,
3. That the 2020 Operating Budget in the amount of \$309,951 for the Markham Village Business Improvement Area (MBIA) be approved; and,
4. That the Special Tax Rate levy, in the amount of \$214,221 for the UBIA members and \$239,640 for the MBIA members be included in the 2020 Tax Levy By-law; and further,
5. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**Carried**

### 8.3.3 2020 TAX RATES AND LEVY BY-LAW (7.3)

Moved by Regional Councillor Jack Heath  
Seconded by Councillor Andrew Keyes

1. That the report dated May 19th, 2020 entitled “2020 Tax Rates and Levy By-law” be received; and,

2. That a by-law to provide for the levy and collection of property taxes totalling \$757,117,957 required by the City of Markham, the Regional Municipality of York, Province of Ontario (Education) and Business Improvement Areas, in a form substantially similar to Appendix A (attached), satisfactory to the City Solicitor and provides for the mailing of notices and requesting payment of taxes for the year 2020, as set out as follows, be approved; and,

TAX LEVYING BODY	2020 TAX LEVY AMOUNT
City of Markham	\$163,032,116
Region of York	\$341,430,831
Province of Ontario (Education)	\$252,201,149
Markham Village BIA	\$239,640
Unionville BIA	\$214,221
Total	\$757,117,957

3. That staff be authorized to levy against Markham Stouffville Hospital and Seneca College the annual levy pursuant to Section 323 of the Municipal Act, 2001, as outlined in Section 9 of the attached by-law once the required information is received from the Ministry of Training, Colleges and Universities; and,
4. That the attached by-law be passed to authorize the 2020 Tax Rates and Levy By-law; and further,
5. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

(By-law 2020-44)

**Carried**

#### 8.3.4 SINGLE USE PLASTIC REDUCTION STRATEGY - PHASE 1 (5.1)

Moved by Regional Councillor Jack Heath

Seconded by Councillor Andrew Keyes

1. That the report entitled “Single Use Plastic Reduction Strategy – Phase 1” be received; and,
2. That the presentation entitled “Single Use Plastic Reduction Strategy - Phase 1 - Presentation” be received; and,
3. That the Memorandum – Styrofoam Recycling Program Cost Analysis (Single Use Plastics Program) be received; and,
4. That the Waste and Environmental Management Department undertake a review of all municipal facilities for opportunities to eliminate or reduce non-essential single use plastic (“SUP”) products and collaborate with the appropriate staff to source alternative products; and,
5. That a community-wide education program be implemented to raise awareness of the SUP issue and provide options for SUP reduction; and,
6. That effective October 20, 2020 (Waste Reduction Week) non-food packaging Styrofoam be banned from curbside collection; and,
7. That staff report back on the results of Phase 1 actions and outline Phase 2 recommendations regarding the implementation of a potential municipal by-law or other methods to reduce plastic retail shopping bags and polystyrene convenience food containers from distribution in Markham including the estimated financial impact and legal implications associated with the implementation and enforcement of a by-law; and,
8. That a copy of this report and recommendations be forwarded to York Region and the local municipalities for their information; and further,
9. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**Carried**

#### 8.3.5 AMO REQUEST FOR PREFERRED MUNICIPAL BLUE BOX TRANSITION TIMING (5.1)



Moved by Regional Councillor Jack Heath

Seconded by Councillor Andrew Keyes

1. That the Report entitled “AMO request for Preferred Municipal Blue Box Transition Timing ” be received; and,
2. That the City of Markham jointly with York Region and the Local Municipalities support 2025 as the preferred Blue Box transition date (year 3) of the transition process; and,
3. That the City of Markham elect to continue to provide Blue Box collection services to residents (post transition) on behalf of the product producers should both parties arrive at mutually agreeable commercial terms; and,
4. That the City of Markham reserve the option to amend Markham’s transition date and collection service preference at any time if it is determined to be financially and operationally beneficial to the City; and,
5. That staff be directed to report back in the fall of 2020 after release of the Provincial Blue Box regulations; and,
6. That the City Clerk be directed to forward a copy of this resolution to the Association of Municipalities of Ontario, York Region and Local Municipalities; and the Ontario Ministry of the Environment, Conservation and Park; and further,
7. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**Carried**

#### 8.3.6 PILOT PRIVATE PLUMBING PROTECTION PROGRAM (5P) UPDATE (5.7)

Moved by Regional Councillor Jack Heath

Seconded by Councillor Andrew Keyes

1. That the report titled “Pilot Private Plumbing Protection Program (5P) Update” be received; and,

2. That Staff be authorized to extend the Private Plumbing Protection Program (project #18324) for an additional two years starting on May 1, 2020 until April 30, 2022; and,
3. That the two year program extension be funded by the remaining funds allocated to the original pilot program through the Stormwater Fee Reserve; and,
4. That the consulting engineering services required to support the two year extended program be continued with R.V. Anderson & Associates Limited with the remaining funds under their existing purchase order PO PD18054 and PD18073; and,
5. That By-law 2018-20 be repealed and replaced in its entirety with the Private Plumbing Protection Rebate By-law 2020-45 substantially in the form attached as Appendix “A” to this Staff report; and,
6. That Staff report back to Council after the two year extension period to assess the further extension of the program; and further,
7. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

(By-law 2020-45)

**Carried**

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

Moved by Regional Councillor Jim Jones

Seconded by Councillor Keith Irish

That the report of the Development Services Committee be received & adopted.  
(Items 1 and 2):

**Carried**

8.4.1 RECOMMENDATION REPORT, DEMOLITION PERMIT APPLICATION, ACCESSORY BUILDING, 31 WALES AVENUE, MARKHAM VILLAGE HERITAGE CONSERVATION DISTRICT, WARD 4, FILE NO. 20 112282 DP (16.11, 10.12)

Moved by Regional Councillor Jim Jones

Seconded by Councillor Keith Irish

1. That the staff report entitled “Recommendation Report, Demolition Permit Application, Accessory Building, 31 Wales Avenue, Markham Village Heritage Conservation District, Ward 4, File No. 20 112282 DP”, dated May 25, 2020 be received; and,
2. That Council endorse the demolition of the frame accessory building at 31 Wales Avenue, with the conditions that the applicant consult and comply with any requirements of the City’s Urban Design staff to address the protection of mature trees during demolition, and that the owner advertise the heritage materials for salvage in a local newspaper, to the satisfaction of the Manager of Heritage Planning; and further,
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**Carried**

8.4.2 RECOMMENDATION REPORT DEMOLITION PERMIT APPLICATION FOR A BUILDING LISTED ON THE MARKHAM REGISTER OF PROPERTY OF CULTURAL HERITAGE VALUE OR INTEREST, SUMMERFELDT-STICKLEY HOUSE 10536 MCCOWAN ROAD, WARD 6 FILE NO. 20110958 DP (16.11, 10.13)

Moved by Regional Councillor Jim Jones

Seconded by Councillor Keith Irish

1. That the report titled “Recommendation Report, Demolition Permit Application for a Building Listed on the Markham Register of Property of Cultural Heritage Value or Interest, Summerfeldt-Stickley House, 10536 McCowan Road, Ward 6”, File No. 20 110958 DP, dated May 25, 2020, be received; and,
2. That Council approve the demolition of the vacant listed heritage building known as the Summerfeldt-Stickley House on the basis of its advanced state of disrepair and the unlikely possibility of repairs being undertaken based on the applicant’s structural review by a qualified engineering consultant; and,

3. That as conditions of demolition approval, the owner be required to provide at their sole cost a Markham Remembered commemorative plaque to interpret the history of the property, and place it near the front of the property, and the owner be required to advertise in a local newspaper the availability of the building for potential salvage of materials that could be used elsewhere, both to the satisfaction of the Manager of Heritage Planning; and further,
4. 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 were no notices of motions.

## **11. NEW/OTHER BUSINESS**

### **11.1 COMMITTEE OF ADJUSTMENT PROCEDURAL BY-LAW AMENDMENT REPORT FILE #: PR 20 112899 (10.12)**

**Note: This matter was referred directly to Council from the May 25, 2020 Development Services Committee meeting.**

Brad Roberts, Manager of Zoning and Special Projects delivered a presentation. Discussion on this matter ensued.

Moved by Councillor Karen Rea

Seconded by Councillor Keith Irish

1. That the report titled “Committee of Adjustment Procedural By-law Amendment File #: PR 20 112899”, be received; and,
2. That the deputations of Ian Free and Christiane Bergauer-Free at the May 25, 2020 Development Services Committee; be received; and,
3. That the communications submitted by Ian Free and Christiane Bergauer-Free at the May 25, 2020 Development Services Committee; be received; and,

4. That Staff be directed to reconvene Committee of Adjustment meetings to consider applications utilizing electronic meeting participation; and,
5. That the amendment to Bylaw 2014-170 (A By-law to Establish a Procedure for the Committee of Adjustment of the City of Markham) in Attachment B - **revised to incorporate Council direction to maintain mailing and signage and to keep the 120 m notice radius be enacted as amended, based on comments made at this meeting; and further,**
6. 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 revising the following clause from:

That the amendment to Bylaw 2014-170 (A By-law to Establish a Procedure for the Committee of Adjustment of the City of Markham) as attached in Appendix 'B' be enacted and further,

to:

That the amendment to Bylaw 2014-170 (A By-law to Establish a Procedure for the Committee of Adjustment of the City of Markham) in Attachment B **be revised to incorporate Council direction to maintain mailing and signage; and to keep the 120m radius, be enacted as amended, based on comments made at this meeting; and further,**

Council had before it the following original resolution for consideration:

1. That the report titled "Committee of Adjustment Procedural By-law Amendment File #: PR 20 112899", be received; and,
2. **That the deputations of Ian Free and Christiane Bergauer-Free at the May 25, 2020 Development Services Committee; be received and,**
3. **That the communications submitted by Ian Free and Christiane Bergauer-Free at the May 25, 2020 Development Services Committee; be received.**
4. That Staff be directed to reconvene Committee of Adjustment meetings to consider applications utilizing electronic meeting participation; and,

5. That the amendment to Bylaw 2014-170 (A By-law to Establish a Procedure for the Committee of Adjustment of the City of Markham) as attached in Appendix 'B' be enacted and further,
6. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

(By-law 2020-47)

## **12. ANNOUNCEMENTS**

There were no announcements.

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

Moved by Councillor Amanda Collucci

Seconded by Councillor Khalid Usman

1. That By-laws 2020-41 to 2020-45 and 2020-47 be given three readings and enacted.

**Carried**

### **Three Readings**

- 13.1 BY-LAW 2020-41 A BY-LAW TO AMEND BY-LAW 2013-113 - A BY-LAW TO DELEGATE AUTHORITY TO CONDUCT CERTAIN REAL PROPERTY TRANSACTIONS

**Carried**

- 13.2 BY-LAW 2020-42 2124123 ONTARIO LIMITED, PART LOT CONTROL EXEMPTION BY-LAW

**Carried**

- 13.3 BY-LAW 2020-43 H & W DEVELOPMENT CORPORATION, 9 CLEGG ROAD AND 8 CEDARLAND DRIVE, HOLD REMOVAL BY-LAW

**Carried**

- 13.4 BY-LAW 2020-44 2020 TAX RATES AND LEVY BY-LAW

**Carried**

- 13.5 BY-LAW 2020-45 A BY-LAW TO ESTABLISH A PROGRAM TO PROVIDE REBATES FOR THE PRIVATE PLUMBING PROTECTION PROGRAM TO REDUCE THE RISK OF BASEMENT FLOODING

**Carried**

- 13.6 BY-LAW 2020-47 A BY-LAW TO AMEND THE PROCEDURE FOR THE COMMITTEE OF ADJUSTMENT OF THE CITY OF MARKHAM

**Carried as Amended**

Councillor Karen Rea left the meeting.

#### **14. CONFIDENTIAL ITEMS**

Councillor Andrew Keyes requested that an additional item regarding an identifiable individual be added to the confidential agenda. This request was later withdrawn.

Moved by Councillor Isa Lee

Seconded by Councillor Reid McAlpine

That, in accordance with Section 239 (2) of the *Municipal Act*, Council resolve into a private session to discuss the following confidential matters at 5:10 PM:

##### **14.1 GENERAL COMMITTEE**

14.1.1 THE SECURITY OF THE PROPERTY OF THE MUNICIPALITY OR LOCAL BOARD (WARD 8) (8.2) [Section 239 (2) (a)]

14.1.2 A PROPOSED OR PENDING ACQUISITION OR DISPOSITION OF LAND BY THE MUNICIPALITY OR LOCAL BOARD (WARD 2) (8.6) [Section 239 (2) (c)]

##### **14.2 DEVELOPMENT SERVICES COMMITTEE (MAY 25, 2020)**

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

**Carried**

1. That Council rise from confidential session at 7:48 PM.

**Carried**

The Confidential items were approved by Council as follows:

#### 14.1 GENERAL COMMITTEE

##### 14.1.1 THE SECURITY OF THE PROPERTY OF THE MUNICIPALITY OR LOCAL BOARD (WARD 8) (8.2) [Section 239 (2) (a)]

Moved by Councillor Isa Lee

Seconded by Councillor Khalid Usman

1. That the confidential presentation on the security of the property of the municipality or local board (Ward 8) be received; and,
2. That staff be authorized and directed to do all things necessary to give effect to this resolution.

**Carried**

##### 14.1.2 A PROPOSED OR PENDING ACQUISITION OR DISPOSITION OF LAND BY THE MUNICIPALITY OR LOCAL BOARD (WARD 2) (8.6) [Section 239 (2) (c)]

Moved by Councillor Alan Ho

Seconded by Councillor Khalid Usman

1. That the confidential presentation on a proposed or pending acquisition or disposition of land by the municipality or local board (Ward 2) be received; and,
2. That staff be authorized and directed to do all things necessary to give effect to this resolution.

**Carried**



14.2 DEVELOPMENT SERVICES COMMITTEE (MAY 25, 2020)

14.2.1 LITIGATION OR POTENTIAL LITIGATION, INCLUDING  
MATTERS BEFORE ADMINISTRATIVE TRIBUNALS, AFFECTING  
THE MUNICIPALITY OR LOCAL BOARD; [SECTION 239 (2) (e)]

Moved by Councillor Reid McAlpine

Seconded by Regional Councillor Jack Heath

1. That the confidential report on litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board and advice that is subject to solicitor-client privilege, including communications necessary for that purpose; Litigation Update - 1771107 ONTARIO INC. be received for information; and,
2. That staff be authorized and directed to do all things necessary to give effect to this resolution.

**Carried**

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

Moved by Deputy Mayor Don Hamilton

Seconded by Councillor Isa Lee

That By-law 2020-46 be given three readings and enacted.

Three Readings

BY-LAW 2020-46 A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE  
COUNCIL MEETING OF MAY 26, 2020.

**Carried**

**16. ADJOURNMENT**

Moved by Councillor Isa Lee

Seconded by Councillor Keith Irish

That the Council meeting be adjourned at 8:02 p.m.

**Carried**

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Kimberley Kitteringham

City Clerk

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Frank Scarpitti

Mayor