Electronic Council Meeting Minutes

Meeting No. 12
July 14, 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	Hersh Tencer, Senior Manager, Real Property, Legal Services
	Trinela Cane, Commissioner, Corporate Services	Christina Kakaflikas, Acting Director, Econ Growth, Culture & Entreneurship
	Arvin Prasad, Commissioner, Development Services	Ronald Blake, Senior Manager, Development, Planning & Urban Design
	Claudia Storto, City Solicitor and Director of Human Resources	Margaret Wouters, Senior Manager, Policy & Research
	Phoebe Fu, Director, Environmental Services	Regan Hutcheson, Manager, Heritage
	Biju Karumanchery, Director, Planning & Urban Design	Trudy Jay, Supervisor, Provincial Offences Officer
	Brian Lee, Director, Engineering	Peter Wokral, Senior Planner, Planning & Urban Design
	Joel Lustig, Treasurer	Shane Manson, Senior Manager, Revenue & Property Taxation
	Bryan Frois, Chief of Staff	Rob Grech, Manager, Stormwater, Environmental Services
	Kimberley Kitteringham, City Clerk	Raymond Law, Sr. Mgr, Business, Fleet & Public Realm, Operations
	Martha Pettit, Deputy City Clerk	Meg West, Manager of Business Planning and Projects
	John Wong, Technology Support Specialist II	Mona Nazif, Senior Manager HR Client Services
	Hristina Giantsopoulos, Elections & Council/Committee Coordinator	
	Ronji Borooah, City Architect	
	Francesco Santaguida, Assistant City Solicitor	

Mike Killingsworth, Deputy City Clerk, By-Law Enforcement, Licencing and Regulatory Services	Kevin Ross, Manager, Development Finance & Payroll Mark Visser, Sr Manager Strategy Innovation & Investments Matthew Vetere, Manager, Tax & Assessment Policy Mark Goldsworthy, Tree Preservation Technician

Note: This Council meeting recessed and reconvened on July 16, 2020.
Alternate formats for this document are available upon request.

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1. CALL TO ORDER

The meeting of Council convened at 1:08 p.m. on July 14, 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.

Council recessed at 3:30 p.m. and reconvened at 3:48 p.m.

Council recessed at 7:32 p.m. and reconvened on July 16, 2020 at 10:07 a.m. noting that this meeting is a continuation of the July 14, 2020 Council meeting.

The Clerk conducted the July 16, 2020 Roll Call:

Roll Call:

- Mayor Frank Scarpitti
- Deputy Mayor Don Hamilton
- Regional Councillor Jack Heath
- Regional Councillor Joe Li
- Regional Councillor Jim Jones
- Councillor Keith Irish

- Councillor Alan Ho
- Councillor Reid McAlpine
- Councillor Karen Rea
- Councillor Andrew Keyes
- Councillor Amanda Collucci
- Councillor Khalid Usman
- Councillor Isa Lee

Staff:

- Andy Taylor, Chief Administrative Officer
- Trinela Cane, Commissioner, Corporate Services
- Arvin Prasad, Commissioner, Development Services
- Claudia Storto, City Solicitor and Director of Human Resources
- Brian Lee, Director, Engineering
- Biju Karumanchery, Director, Planning and Urban Design
- Joel Lustig, Treasurer
- Bryan Frois, Chief of Staff
- Kimberley Kitteringham, City Clerk
- Martha Pettit, Deputy City Clerk
- John Wong, Technology Support Specialist II
- Hristina Giantsopoulos, Elections & Council/Committee Coordinator
- Meg West, Manager of Business Planning and ProjectsFrancesco Santaguida, Assistant City Solicitor
- Regan Hutcheson, Manager - Heritage
- Peter Wokral, Senior Planner, Planning & Urban Design
- Ronji Borooah, City Architect
- Christina Kakaflikas, Acting Director, Economic Growth, Culture & Entrepreneurship

- Morgan Jones, Director, Operations
- Shane Manson, Senior Manager, Revenue & Property Taxation

Council recessed at 10:16 a.m. and reconvened at 10:22 a.m. on July 16, 2020 due to technical difficulties.

Moved by Regional Councillor Jack Heath
Seconded by Councillor Reid McAlpine

That Council recess at 7:32 p.m. and reconvene on July 16, 2020 at 10:00 a.m.

Carried

Moved by Councillor Keith Irish
Seconded by Deputy Mayor Don Hamilton

That Council recess at 10:16 a.m. and reconvene at 10:22 a.m. on July 16, 2020 due to technical difficulties.

Carried

2. DISCLOSURE OF PECUNIARY INTEREST

None disclosed.

3. APPROVAL OF PREVIOUS MINUTES

3.1 COUNCIL MINUTES - JUNE 23, 2020

Moved by Councillor Keith Irish
Seconded by Councillor Isa Lee

1. That the Minutes of the Council Meeting held on June 23, 2020, be adopted.

Carried

4. PRESENTATIONS

There were no presentations.

5. DEPUTATIONS

5.1 DEPUTATIONS: MINUTES OF THE 2020 RACE RELATIONS COMMITTEE (16.0)

The following addressed addressed Council on this matter.

1. Andrew Yu
2. Marty Molengraaf

Moved by Regional Councillor Jack Heath
Seconded by Councillor Isa Lee

1. That the deputation of Andrew Yu be received.

Carried

Moved by Councillor Khalid Usman
Seconded by Councillor Isa Lee

1. That the deputation of Marty Molengraaf be received, and;
2. That his communication be referred to the next Race Relations Committee meeting.

(See Item No. 8.3.2, Report 22 for Council's decision on this matter.)

Carried

5.2 DEPUTATIONS: CONFIDENTIAL ITEM 14.2.1 ADVICE THAT IS SUBJECT TO SOLICITOR-CLIENT PRIVILEGE, INCLUDING COMMUNICATIONS NECESSARY FOR THAT PURPOSE; LPAT APPEAL – GARDEN HOMES, 73 MAIN STREET SOUTH MARKHAM

The following addressed Council on this matter:

1. Sal Crimi, applicant, provided comments.
2. Martin Buckingham, on behalf of The Vinegar Hill Ratepayers Association, provided comments.
3. Joseph Virgilio, representing the applicant, provided comments.
4. Claudette Grange, provided comments.

Moved by Councillor Karen Rea
Seconded by Councillor Andrew Keyes

1. That the deputations by Sal Crimi, applicant, Martin Buckingham, on behalf of The Vinegar Hill Ratepayers Association, Joseph Virgilio, representing the applicant, and Claudette Grange be received.

(See Item No. 14.2.1 for Council's decision on this matter.)

Carried

5.3 DEPUTATIONS - - RECOMMENDATION FROM THE JULY 7, 2020 LICENSING COMMITTEE HEARING (11 KERRIGAN CRESCENT) (2.0)

Josephine Repa addressed requesting approval to remove a Linden Tree from her backyard property.

Moved by Councillor Isa Lee
Seconded by Councillor Keith Irish

1. That the deputation of Josephine Repa be received.

(See Item No. 11. 3, New/ Other Business for Council's decision on this matter.)

Carried

5.4 DEPUTATION - RECOMMENDATION REPORT, ONEPIECE IDEAL (MS) DEVELOPMENTS INC., APPLICATIONS FOR OFFICIAL PLAN AMENDMENT, ZONING BY-LAW AMENDMENT, AND SITE PLAN APPROVAL (WARD 3) FILE NOS: PLAN 19 142690 AND SC 15 119946 (10.3, 10.5 and 10.7)

Shanta Sundarason addressed Council and provided comments.

6. COMMUNICATIONS

6.1 15-2020 LIQUOR LICENCE APPLICATION - SUSHI UMI (WARD 8) (3.21)

Moved by Councillor Andrew Keyes
Seconded by Councillor Khalid Usman

1. That the request for the City of Markham to complete the Municipal Information Form be received for information.

Carried

6.2 16-2020 LIQUOR LICENCE APPLICATION - SITAARA RESTAURANT (WARD 7) (3.21)

Moved by Councillor Andrew Keyes
Seconded by Councillor Khalid Usman

1. That the request for the City of Markham to complete the Municipal Information Form be received for information.

Carried

6.3 17-2020 LIQUOR LICENCE APPLICATION - LOS CHICOS BRASH (WARD 4) (3.21)

Moved by Councillor Andrew Keyes
Seconded by Councillor Khalid Usman

1. That the request for the City of Markham to complete the Municipal Information Form be received for information.

Carried

6.4 18-2020 LIQUOR LICENCE APPLICATION - KOI SAKANA RAMEN (WARD 2) (3.21)

Moved by Councillor Andrew Keyes
Seconded by Councillor Khalid Usman

1. That the request for the City of Markham to complete the Municipal Information Form be received for information.

Carried

6.5 19-2020 CITY OF MARKHAM FEEDBACK ON THE DRAFT YORK REGION CLIMATE CHANGE ACTION PLAN (5.0)

Moved by Councillor Andrew Keyes
Seconded by Councillor Khalid Usman

1. That the memo titled “Draft York Region Climate Change Action Plan” from City Staff be **approved** and forwarded to York Region.

Carried as Amended

Council consented to amend the resolution from:

"That the memo titled “Draft York Region Climate Change Action Plan” from City Staff be received and forwarded to York Region."

to:

"That the memo titled “Draft York Region Climate Change Action Plan” from City Staff be **approved** and forwarded to York Region."

6.6 20-2020 COMMUNICATIONS - CONFIDENTIAL ITEM 14.2.1 ADVICE THAT IS SUBJECT TO SOLICITOR-CLIENT PRIVILEGE, INCLUDING COMMUNICATIONS NECESSARY FOR THAT PURPOSE; LPAT APPEAL – GARDEN HOMES, 73 MAIN STREET SOUTH MARKHAM

1. Email dated July 9, 2020 from Donna Fanjoy providing comments.
2. *Email dated July 9, 2020 from Sami Kanafani providing comments.*
3. *Email dated July 10, 2020 from Rebecca Shaw and Bryan Madryga providing comments.*
4. *Email dated July 10, 2020 from Dixie White providing comments.*
5. *Email dated July 10, 2020 from Frank and Jane Ding providing comments.*
6. *Email dated July 10, 2020 from Rupi Manget providing comments*
7. *Email dated July 11, 2020 from Jim Lane providing comments.*
8. *Email dated July 12, 2020 from Shruti Singh providing comments.*
9. *Email dated July 13, 2020 from Vinti Sansanwal providing comments.*
10. *Email dated July 13, 2020 from Scott Duncan providing comments.*
11. *Email dated July 13, 2020 from Neena Gupta providing comments.*
12. *Email dated July 13, 2020 from Sean, Lisa, Alyssa and Abby Hough providing comments.*

13. *Email dated July 13, 2020 from Joseph Ping Kit Ho providing comments.*
14. *Email dated July 13, 2020 from Vinti Sansanwal providing comments.*
15. *Email dated July 13, 2020 from Shanshan and Jisheng Sun providing comments.*
16. *Email dated July 13, 2020 from Patrick Li and Jacey Chen providing comments.*
17. *Email dated July 13, 2020 from Heather, Jeff, Jacob and Erik de Waal providing comments.*
18. *Email dated July 13, 2020 from Di Wu providing comments.*
19. *Email dated July 13, 2020 from David Poon providing comments.*
20. *Email dated July 13, 2020 from Tanya and Edgar De Souza l providing comments.*
21. *Email dated July 13, 2020 from Jaari Puusaari providing comments.*
22. *Email dated July 13, 2020 from Alexandra Lehecka providing comments.*
23. *Email dated July 13, 2020 from Judy Leung providing comments.*
24. *Email dated July 13, 2020 from Mary Brown providing comments.*
25. *Email dated July 13, 2020 from Joan Williams and Dave Fletcher providing comments.*
26. *Email dated July 13, 2020 from Ernie Schirru & Carol Schirru providing comments.*
27. *Petition received July 13, 2020 to reject the proposed Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision for 73 Main Street South, Markham.*
28. *Email dated July 14, 2020 from Heng Zhang providing comments.*
29. *Email dated July 14, 2020 from Petra & Steve Simmons providing comments.*
30. *Email dated July 14, 2020 from Abdy Electriciteh providing comments.*
31. *Email dated July 16, 2020 from Martin Buckingham providing comments.*

Moved by Councillor Andrew Keyes
Seconded by Councillor Khalid Usman

1. That the Communications on confidential item 14.2.1 on
2. LPAT Appeal - Garden Homes, 73 Main Street South, Markham be received; and,
3. That the petition on confidential item 14.2.1 on LPAT Appeal Garden Home, 73 Main Street South, Markham, be received.

(See Item 14.2.1, for Council's decision on this matter.)

Carried

7. PROCLAMATIONS

There were no proclamations.

8. REPORT OF STANDING COMMITTEE

8.1 REPORT NO. 20 - DEVELOPMENT SERVICES COMMITTEE (JUNE 22, 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 CITY OF MARKHAM COMMENTS ON YORK REGION'S DRAFT MTSAS FOR INCLUSION IN THE REGIONAL OFFICIAL PLAN (10.3)

Moved by Regional Councillor Jim Jones
Seconded by Councillor Keith Irish

1. That the staff report entitled "City of Markham Comments on York Region's Draft MTSAs for Inclusion in the Regional Official Plan" dated June 22, 2020 be received; and,
2. **That the memorandum dated July 13, 2020 to the Development Services Committee entitled "City of Markham Comments on**

York Region's Draft MTSAs for Inclusion in the Regional Official Plan – Supplementary Information" be incorporated to the City of Markham's comments to the Region; and,

3. That Council support the comments and recommendations regarding the draft major transit stations areas (MTSAs), provided in Appendix 'B' and Appendix 'C' to this report; and,

4. That Council request York Region to bring forward a Regional Official Plan Amendment to implement MTSAs and include inclusionary zoning policies in advance of completion of the Municipal Comprehensive Review and adoption of a new Regional Official Plan to enable local municipalities to require the provision of affordable housing in MTSAs as soon as possible; and,

5. That the report entitled "City of Markham Comments on York Region's Draft MTSAs for Inclusion in the Regional Official Plan" dated June 22, 2020, be forwarded to York Region as Markham Council's input on the Region's draft MTSAs; and,

6. That Council request a detailed plan from York Region for the proposed extension of the Highway 7 Rapidway from Town Centre Boulevard BRT Station to Cornell Terminal; and,

7. That staff be directed to report back to Development Services Committee at its July 13, 2020 meeting with further information on the identified matters; and further,

8. 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 adding the following clause:

- **That the memorandum dated July 13, 2020 to the Development Services Committee entitled "City of Markham Comments on York Region's Draft MTSAs for Inclusion in the Regional Official Plan – Supplementary Information" be incorporated to the City of Markham's comments to the Region; and,**

Council had before it the following original recommendation for consideration:

1. That the staff report entitled "City of Markham Comments on York Region's Draft MTSAs for Inclusion in the Regional Official Plan" dated June 22, 2020 be received; and,

2. That Council support the comments and recommendations regarding the draft major transit stations areas (MTSAs), provided in Appendix 'B' and Appendix 'C' to this report; and,

3. That Council request York Region to bring forward a Regional Official Plan Amendment to implement MTSAs and include inclusionary zoning policies in advance of completion of the Municipal Comprehensive Review and adoption of a new Regional Official Plan to enable local municipalities to require the provision of affordable housing in MTSAs as soon as possible; and,

4. That the report entitled "City of Markham Comments on York Region's Draft MTSAs for Inclusion in the Regional Official Plan" dated June 22, 2020, be forwarded to York Region as Markham Council's input on the Region's draft MTSAs; and,

5. **That Council request a detailed plan from York Region for the proposed extension of the Highway 7 Rapidway from Town Centre Boulevard BRT Station to Cornell Terminal; and,**

6. **That staff be directed to report back to Development Services Committee at its July 13, 2020 meeting with further information on the identified matters; and further,**

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

8.1.2 RECOMMENDATION REPORT DESIGN, CONSTRUCTION AND FINANCING OF PARKS IN THE YORKTON DEVELOPMENT PHASE 2 BY KYLEMORE COMMUNITIES

(YORKTON) LTD. (6.3)

Moved by Regional Councillor Jim Jones
Seconded by Councillor Keith Irish

1. That the report dated June 22, 2020 to Development Services Committee, titled 'Design, Construction and Financing of the Yorkton Community Phase 2 Parks by Kylemore Communities (Yorkton) Ltd' be received; and,

2. That Council approve the request by Kylemore Communities (Yorkton) Ltd to finance the cost of design, construction, and contract administration of these parks identified as Plan 65M-4613, Block 2 (0.37ha/0.9ac) and Block 5 (0.07ha/0.16ac) in draft plan of subdivision 19TM-04009, subject to the conditions identified in Attachment A; and,

3. That Council authorize the reimbursement of the cost of design, construction, and contract administration of these parks up to a maximum of $614,272.93; and,

4. That Council authorize the execution of an agreement by the Mayor and Clerk for the construction and reimbursement of the cost of design, construction, and contract administration of these parks in a form satisfactory to the Commissioner of Development Services and City Solicitor, or their respective designates; 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. 21- DEVELOPMENT SERVICES COMMITTEE (JUNE 29, 2020)

Moved by Regional Councillor Jim Jones
Seconded by Councillor Keith Irish

That the report of the Development Services Committee be received & adopted, save and except for Item No. 8.2.2.

See Item No. 8.2.2 for Council's decision on this matter.

Carried

8.2.1 ONTARIO HERITAGE CONFERENCE 2020 - CANCELLATION OF EVENT (16.11)

Moved by Regional Councillor Jim Jones
Seconded by Councillor Keith Irish

1. That the staff report titled "Ontario Heritage Conference 2020, Cancellation of the Event", dated June 29, 2019, be received; and,

2. That the Markham Local Organizing Committee be disbanded and the Committee members noted in Appendix A be thanked for their commitment and involvement in the planning and organization of the three day conference: and further,

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

Carried

8.2.2 RECOMMENDATION REPORT LINDWIDE DEVELOPMENTS (CORNELL) LIMITED PROPOSED DRAFT PLAN OF SUBDIVISION AND ZONING BY-LAW AMENDMENT APPLICATIONS TO PERMIT 79 SINGLE DETACHED DWELLINGS, 270 TOWNHOUSE DWELLINGS,

162 STACKED TOWNHOUSE DWELLINGS, HIGH RISE RESIDENTIAL AND EMPLOYMENT USES, ON THE SOUTH SIDE OF HIGHWAY 7 AND WEST SIDE OF DONALD COUSEN'S PARKWAY, (WARD 5) FILES SU/ZA 18 154617 (10.7, 10.5)

Moved by Regional Councillor Jim Jones
Seconded by Councillor Keith Irish

1. That the report titled "RECOMMENDATION REPORT, Lindwide Developments (Cornell) Limited, Proposed Draft Plan of Subdivision and Zoning By-law Amendment applications to permit 79 single detached dwellings, 270 townhouse dwellings, 162 stacked townhouse dwellings, high rise residential and employment uses, on the south side of Highway 7 and west side of Donald Cousen's Parkway, (Ward 5), Files SU/ZA 18 154617", be received; and,

2. That the record of the Public Meeting held on November 13, 2018, regarding the Applications for a Draft Plan of Subdivision and Zoning By-law Amendment by Lindwide Developments (Cornell) Limited for lands on the south side of Highway 7 and west side of Donald Cousen's Parkway (19TM-18002), be received; and,

3. That the draft Zoning By-law Amendment application (ZA 18 154617) submitted by Lindwide Development (Cornell) Limited be approved,

and that the draft Zoning By-law Amendment attached as Appendix 'A' to amend Zoning By-laws 304-87 and 177-96, both as amended, be brought forward to a future Council meeting and enacted without further notice once the by-law has been finalized; 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 Draft Plan of Subdivision 19TM-18002 submitted by Lindwide Developments (Cornell) Limited, be approved subject to the conditions outlined in Appendix 'B'; and,

6. **That Lindwide Developments (Cornell) Limited be directed to work with staff and external agencies, as appropriate, to explore a southerly east-west trail system within the subdivision to be linked to the existing trail system to the west and to the Rouge Park to the east, to the satisfaction of the Commissioner of Development Services, prior to the execution of the subdivision agreement, with appropriate clauses regarding this trail system included in such agreement if necessary, and,**

7. That the Director of Planning and Urban Design, or his designate, be delegated authority to issue draft Plan of Subdivision approval, subject to the conditions set out in Appendix 'B' and as may be amended by the Director of Planning and Urban Design; and,

8. That the draft plan approval for Draft Plan of Subdivision 19TM-18002 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,

9. That the approval of the draft plan of subdivision be conditional on Lindwide Developments (Cornell) Limited scoping or withdrawing all or parts of the existing Local Planning Appeal Tribunal appeals related to the 2014 Markham Official Plan with respect to this subject property to the satisfaction of the City Solicitor, or her designate; and,

10. That Council assign servicing allocation for up to 507 dwelling units for Draft Plan of Subdivision 19TM-18002; and,

11. That the recommendation from the Heritage Markham Committee on April 8, 2018 indicating that the municipal heritage committee does not support the proposed Zoning Amendment and Draft Plan of Subdivision applications because they do not appropriately consider the retention of the Abram Reesor and Frank Albert Reesor Houses as per the cultural heritage policies of the City's Official Plan, be received as information; and further,

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

(By-law 2020-74)

Carried as Amended

Moved by Councillor Andrew Keyes
Seconded by Regional Councillor Jack Heath

6) That Lindwide Developments (Cornell) Limited be directed to work with staff and external agencies, as appropriate, to explore a southerly east-west trail system within the subdivision to be linked to the existing trail system to the west and to the Rouge Park to the east, to the satisfaction of the Commissioner of Development Services, prior to the execution of the subdivision agreement, with appropriate clauses regarding this trail system included in such agreement if necessary.

Carried

Council had before it the following original recommendation for consideration:

1. That the report titled "RECOMMENDATION REPORT, Lindwide Developments (Cornell) Limited, Proposed Draft Plan of Subdivision and Zoning By-law Amendment applications to permit 79 single detached dwellings, 270 townhouse dwellings, 162 stacked townhouse dwellings, high rise residential and employment uses, on the south side of Highway 7 and west side of Donald Cousen's Parkway, (Ward 5), Files SU/ZA 18 154617", be received; and,

2. That the record of the Public Meeting held on November 13, 2018, regarding the Applications for a Draft Plan of Subdivision and Zoning By-law Amendment by Lindwide Developments (Cornell) Limited for

lands on the south side of Highway 7 and west side of Donald Cousen's Parkway (19TM-18002), be received; and,

3. That the draft Zoning By-law Amendment application (ZA 18 154617) submitted by Lindwide Development (Cornell) Limited be approved, and that the draft Zoning By-law Amendment attached as Appendix 'A' to amend Zoning By-laws 304-87 and 177-96, both as amended, be brought forward to a future Council meeting and enacted without further notice once the by-law has been finalized; 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 Draft Plan of Subdivision 19TM-18002 submitted by Lindwide Developments (Cornell) Limited, be approved subject to the conditions outlined in Appendix 'B'; and,

6. That the Director of Planning and Urban Design, or his designate, be delegated authority to issue draft Plan of Subdivision approval, subject to the conditions set out in Appendix 'B' and as may be amended by the Director of Planning and Urban Design; and,

7. That the draft plan approval for Draft Plan of Subdivision 19TM-18002 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 the approval of the draft plan of subdivision be conditional on Lindwide Developments (Cornell) Limited scoping or withdrawing all or parts of the existing Local Planning Appeal Tribunal appeals related to the 2014 Markham Official Plan with respect to this subject property to the satisfaction of the City Solicitor, or her designate; and,**

9. That Council assign servicing allocation for up to 507 dwelling units for Draft Plan of Subdivision 19TM-18002; and,

10. That the recommendation from the Heritage Markham Committee on April 8, 2018 indicating that the municipal heritage committee does not support the proposed Zoning Amendment and Draft Plan of

Subdivision applications because they do not appropriately consider the retention of the Abram Reesor and Frank Albert Reesor Houses as per the cultural heritage policies of the City's Official Plan, be received as information; and further,

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

(By-law 2020-74)

8.2.3 JULY 1, 2020 DEVELOPMENT CHARGE RATE INDEXING (10.0)

Moved by Regional Councillor Jim Jones
Seconded by Councillor Keith Irish

1. That the staff memo entitled "July 1, 2020 Development Charge Rate Indexing" be received; and,
2. That staff bring forward a report to the July 14, 2020 Council meeting to determine the best approach to suspend the Development Charge Indexing rate increase of 1.2% effective July 1, 2020 for the balance of this calendar year and adding the July 1, 2020 indexing rate to the January 1, 2021 rate; and further,
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

8.3 REPORT NO. 22 - GENERAL COMMITTEE (JULY 6, 2020)

That the report of the General Committee be received & adopted, save and except for Item Nos. 8.3.1 and 8.3.2.

See Item Nos. 8.3.1 and 8.3.2 for Council's decision.

8.3.1 MINUTES OF THE MARCH 2, 2020 RACE RELATIONS COMMITTEE (16.0)

Moved by Regional Councillor Jack Heath
Seconded by Councillor Khalid Usman

1. That the minutes of the March 2, 2020 Race Relations Committee meeting be received for information purposes; and,

2. That **Council endorse the Race Relations Committee recommendation** that Markham City Council take appropriate action to ensure that Coronavirus (COVID-19) does not become an excuse for expression of xenophobia against identifiable racial and cultural groups of the City of Markham.

Carried

Council consented to amend clause 2 as follows:

2. That **Council endorse the Race Relations Committee recommendation** that Markham City Council take appropriate action to ensure that Coronavirus (COVID-19) does not become an excuse for expression of xenophobia against identifiable racial and cultural groups of the City of Markham.

Council had before it the following original recommendation for consideration:

1. That the minutes of the March 2, 2020 Race Relations Committee meeting be received for information purposes; and,

2. That the Race Relations Committee recommends that Markham City Council take appropriate action to ensure that Coronavirus (COVID-19) does not become an excuse for expression of xenophobia against identifiable racial and cultural groups of the City of Markham.

8.3.2 MINUTES OF THE JUNE 29, 2020 RACE RELATIONS COMMITTEE (16.0)

Moved by Regional Councillor Jack Heath
Seconded by Councillor Khalid Usman

1. **That the minutes of the June 29, 2020 Race Relations Committe meeting be received; and,**

2. **That the Race Relations Committee's motion providing advice to assist the City to combat racism and discrimination be referred to staff.**

Carried

Council had before it the following original recommendation for consideration:

1. That the minutes of the June 29, 2020 Race Relations Committee meeting be received for information purposes; and,

2. That the Race Relations Committee (RRC) of the City of Markham supports the Statement from Mayor Frank Scarpitti on June 3, 2020 titled "When enough is not enough".

    The RRC agrees with the Mayor's assertion that "We can always do more". Accordingly, the RRC strongly recommends the following advice to assist the City combat racism and discrimination:

    1. Representation matters. We recommend to the Mayor and Council that City staff, community services, and other hired and appointed roles reflect the diversity of the city. All communities in Markham deserve to see themselves represented in Markham's institutions and systems. We further recommend that the Mayor and Council advocate for the same in the four publicly-funded school boards that serve residents of Markham.

    2. We recommend that the Mayor and Council ensure Markham Bylaw Enforcement officers reflect the diversity in proportion to the population that it represents, and that all Markham Bylaw Enforcement officers receive ongoing training in Anti Racism (including Anti-Black Racism and Anti-Indigenous Racism), bias-free enforcement, conflict de-escalation, cultural awareness, emotional intelligence, understanding of the community served, courtesy, respect, and service.

    3. We recommend that the Mayor and Regional Councillors advocate the following before York Region Council and the York Region Police Services Board: that Regional Council and YRPSB ensure York Regional Police officers reflect the

diversity in proportion to the population that it represents, and that all York Regional Police officers receive ongoing training in Anti Racism (including Anti-Black Racism and Anti-Indigenous Racism), bias-free policing, conflict de-escalation, cultural awareness, emotional intelligence, understanding of the community served, courtesy, respect, and service. The York Regional Police service should be comprised of officers who reflect the diversity of the communities that they serve across York Region, and should undertake proactive measures to build community trust in police.

4. We recommend that the Mayor and Regional Councillors advocate before York Region Council that York Region Public Health collect disaggregated, race-based public health data (including on COVID-19 cases), and report on public health concerns that disproportionally impact racialized groups.

5. We recommend that the City of Markham initiate the development, through professional research, a Made-for-Markham Municipal Action Plan Against Anti-Black Racism that identifies specific policy solutions within the City's jurisdiction towards eliminating Anti-Black Racism, including that of a systemic nature. Using Markham's Diversity Action Plan "Everyone Welcome" and the Inclusion Charter as foundation, through consultation in safe spaces with community groups and community members, this study's scope should include:

    - Measures to support Black employment, job training and employment security.
    - Measures to support Black entrepreneurs and Black-owned businesses
    - Measures to ensure an equitable experience while obtaining housing by members of the Black community, both in rental and in homeownership
    - Programs that address recreational needs of Black students and Black senior citizens
    - Measures to support food security, especially in cooperation with Black-focused non-profit community organizations

- Measures to support and improve the quality of mental health services for members of the Black community
- Public education programs to eliminate racism, including Anti-Black Racism
- Other actions within City Council's mandate that address and stand against Anti-Black Racism

The Made-for-Markham Municipal Action Plan Against Anti-Black Racism can serve as a model for future initiatives against other forms of racism, as well as a reference document for the update of Markham's Diversity Action Plan.

6. Upon updating, Markham's Diversity Action Plan should include a scheduled update cycle to ensure that it will continue to reflect the growing and relative needs of all communities in Markham.

We love our City and our communities. We declare that creating change is not simply driven by making a few statements, rather, it is through continuous intentional work. The diverse communities in this City need policies to be implemented that reflect the sentiments behind the Mayor's statements on diversity and inclusion. Accordingly, we believe the above recommendations represent steps that would, as stated by the Mayor, "create a new reality for the Black community, and create an environment that is free of racism and full of respect for one another".

8.3.3 STATUS OF CAPITAL PROJECTS AS OF APRIL 30, 2020 (7.0)

Moved by Regional Councillor Jack Heath
Seconded by Councillor Khalid Usman

1. That the report dated July 6, 2020 titled “Status of Capital Projects as of April 30, 2020” be received; and,

2. That the Projects Completed within Scope with Surplus Funds and the Projects Completed within Scope without Surplus Funds as identified on Exhibit B be approved for closure and funds in the amount of $3,469,003 be transferred to the original sources of funding as identified on Exhibit B; and,

3. That the Projects Closed and Deferred to a Future Year and the Projects Closed and Not Initiated as identified on Exhibit C be approved for closure and funds in the amount of $1,310,027 be transferred to the original sources of funding as identified in Exhibit C; and,

4. That the surplus funds of $7,230,071 from open capital projects be returned to the original sources of funding as identified on Exhibit D; and,

5. That the deferral of 28 projects as outlined on Exhibit E be approved; and,

6. That the Non-Development Charge Capital Contingency Project be topped up from the Life Cycle Replacement and Capital Reserve Fund by $734,748 to the approved amount of $250,000; and,

7. That the Engineering Capital Contingency Project be topped up from the City-Wide Hard Development Charges Reserve by $46,461 to the approved amount of $100,000; and,

8. That the Design Capital Contingency Project be topped up from the Development Charges Reserve by $37,344 to the approved amount of $100,000; and,

9. That the Waterworks Capital Contingency Project be topped up from the Waterworks Stabilization/Capital Reserve by $174,717 to the approved amount of $100,000; and,

10. That the Non-DC Capital Contingency funded amount of $26,659 for infrastructure design within West Thornhill Phase 3 (Capital project

16211) be returned to the Life Cycle Replacement & Capital Reserve Fund and be replaced with funding from the Stormwater Fee Reserve Fund; and,

11. That the funding sources for the East Markham Works Yard land (Capital project 19282) in the amount of $12,736,000 be changed from Development Charges Reserves and the Non-DC Growth Reserve to the Land Acquisition Reserve; and,

12. That the following new capital project, initiated subsequent to the approval of the 2020 capital budget, be approved:

20301 – Emergency Boardwalk Repairs at Unionville and Campbell Court – Budget of $60,000 funded from the Non-DC Capital Contingency; and further,

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

Carried

8.3.4 WATER AND WASTEWATER ASSET OWNERSHIP AGREEMENT (5.3)

Moved by Regional Councillor Jack Heath
Seconded by Councillor Khalid Usman

1. That the report "Water and Wastewater Asset Ownership Agreement" be received; and,

2. That the Mayor and Clerk be authorized to execute an agreement between the City and The Regional Municipality of York (the "Region") to govern the ownership of water and wastewater assets as described in this report, provided that the form of such agreement is satisfactory to the Commissioner of Community & Fire Services and the City Solicitor; and,

3. That the Director of Environmental Services be authorized to accept the conveyance and to convey ownership of minor water and wastewater assets to and from the Region to the satisfaction of the Director of Environmental Services; and further,

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

Carried

8.3.5 "THE BEST OF THE BEST 2" MARKHAM'S DIVERSION STRATEGY (2020-2023) (5.1)

Moved by Regional Councillor Jack Heath
Seconded by Councillor Khalid Usman

1. That the presentation entitled “The Best of the Best 2” Markham’s Diversion Strategy 2020-2023 be received; and,
2. That Council endorse “The Best of the Best 2” Markham’s Diversion Strategy 2020-2023 and the initiatives and programs outlined in the strategy that form the basis of Markham’s multi-year plan to attain 85% municipal diversion; and,
3. That staff report back to Council concerning any anticipated financial impacts for initiatives and program improvements and updates on strategy implementation; and,
4. That a copy of the presentation be forwarded to York Region and the Local municipalities for their information; and further,
5. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

8.4 REPORT NO. 23 - DEVELOPMENT SERVICES COMMITTEE (JULY 13, 2020)

Moved by Regional Councillor Jim Jones
Seconded by Councillor Keith Irish

That the report of the Development Services Committee be received & adopted, save and except Item No. 8.4.5.

See Item No. 8.4.5 for Council's decision on this matter.

Carried

8.4.1 HERITAGE MARKHAM COMMITTEE MINUTES – JUNE 10, 2020 (16.11)

Moved by Regional Councillor Jim Jones
Seconded by Councillor Keith Irish

1. That the minutes of the Heritage Markham Committee meeting held June 10, 2020, be received for information purposes; and,

2. That the following resolution from the June 10, 2020 Heritage Markham Committee meeting minutes be endorsed:

> "That Heritage Markham Committee recommend to Council that the Appointment Committee for Heritage Markham Committee appointments be comprised of the Mayor and Regional Councillor, a minimum of one Heritage Markham Councillor, and a Heritage Planner."

Carried

8.4.2 ADVISORY COMMITTEE ON ACCESSIBILITY MINUTES –JUNE 29, 2020 (16.0)

Moved by Regional Councillor Jim Jones
Seconded by Councillor Keith Irish

1. That the minutes of the June 29, 2020 Advisory Committee on Accessibility meeting be received for information purposes; and,

2. That the following resolution from the June 29, 2020 Advisory Committee on Accessibility meeting minutes be endorsed:

> "That the Advisory Committee on Accessibility support the City in providing a letter of endorsement to the Markham Fair to receive a grant on making their entrance doors more accessible; and,
>
> That a representative from the Markham Fair come to a future Advisory Committee on Accessibility meeting to speak to the Committee about its other accessibility concerns."

Carried

8.4.3 TEMPORARY USE ZONING BY-LAW 1938540 ONTARIO LTD., 9286 KENNEDY ROAD FILE NO. PLAN 19 256209 (WARD 6) (10.5)

Moved by Regional Councillor Jim Jones
Seconded by Councillor Keith Irish

1. That the memorandum entitled "Temporary Use Zoning By-law 1938540 Ontario Ltd., 9286 Kennedy Road File No. PLAN 19 256209 (Ward 6)", dated July 13, 2020 be received;

2. That the attached Zoning By-law to permit the continued use of an existing portable classroom for a period of three years commencing on the date of passage on the 1938540 Ontario Ltd. lands at 9286 Kennedy Road, be approved; and,

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

(By-law 2020-79)

Carried

8.4.4 CITY OF MARKHAM COMMENTS ON PROPOSED AMENDMENT 1 TO A PLACE TO GROW: GROWTH PLAN FOR THE GREATER GOLDEN HORSESHOE, 2019 AND PROPOSED LAND NEEDS ASSESSMENT METHODOLOGY (10.0)

Moved by Regional Councillor Jim Jones
Seconded by Councillor Keith Irish

1. That the report entitled, "City of Markham Comments on Proposed Amendment 1 to A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019, and Proposed Land Needs Assessment Methodology", dated July 13, 2020, be received; and,

2. That this report be forwarded to the Ministry of Municipal Affairs and Housing, and York Region, as the City of Markham's comments on proposed Amendment 1 to A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019 and proposed Land Needs Assessment Methodology; and,

3. That the Province reconsider the extension of the Growth Plan forecasts to 2051 or provide municipalities with the ability to carefully

phase urban boundary expansions to ensure that development happens in a comprehensive, logical manner; and,

4. That the Province be advised that in order to maintain the integrity of the Growth Plan as a comprehensive framework for sustainable growth management, the City does not support the proposed changes to policies 2.2.1 and 5.1.4 which would allow the use of higher growth forecasts than those contained in Growth Plan Schedule 3; and,

5. That the Province be advised that the City does not support the proposed changes to policy 2.2.5.10 c) that would allow the conversion of employment lands in a Provincially Significant Employment Zone located within a Major Transit Station Area until the next Municipal Comprehensive Review; and,

6. That the Province clarify that employment area conversions that can be undertaken "until the next Municipal Comprehensive Review" includes a Municipal Comprehensive Review (MCR) that is in-process (e.g. York Region's 2041 MCR). An alternate solution is to include a specific date for when the policy is no longer operative such as the date of conformity for upper- and single-tier municipalities (July 1, 2022); and,

7. That the Province provide specific guidance and support to municipalities regarding required engagement with indigenous communities; and,

8. That the City work with the Province and the Region to improve coordination of development approvals and identify tools and strategies to support the provision of affordable housing, through measures such as:

    a. expand inclusionary zoning to apply more broadly throughout the municipality; and

    b. clarify or revise the Community Benefit Charge framework so it that it does not apply to 'affordable units' but continues to apply to 'market units' within a proposed development that is subject to inclusionary zoning; and further,

9. That staff be authorized and directed to do all things necessary to give effect to the resolution.

Carried

8.4.5 RECOMMENDATION REPORT ONE PIECE IDEAL (MS) DEVELOPMENTS INC. APPLICATIONS FOR OFFICIAL PLAN AMENDMENT, ZONING BY-LAW AMENDMENT, AND SITE PLAN APPROVAL TO PERMIT A 47-STOREY,

RESIDENTIAL MIXED-USE BUILDING WITH A TOTAL OF 362 UNITS ON THE PHASE 1 (WESTERLY) PARCEL OF 28 MAIN STREET (WARD 3) FILE NOS: PLAN 19 142690 AND SC 15 119946 (10.3, 10.5 and 10.7)

Ronji Borooah, City Architect, provided a presentation on July 14, 2020.

Discussion on this matter ensued and was referred to the confidential agenda for advice from the City Solicitor.

Council consented to allow Shanta Sundarason to appear as a deputant on this matter on July 14, 2020 when the matter was discussed.

Discussion on this matter continued on July 16, 2020 during the public portion of the meeting.

1. That the report dated May 11, 2020 titled "RECOMMENDATION REPORT, OnePiece Ideal (MS) Developments Inc., Applications for Official Plan Amendment, Zoning By-law Amendment, and Site Plan Approval to permit a 47-storey, residential mixed-use building with a total of 362 units on the Phase 1 (westerly) parcel of 28 Main Street (Ward 3)", be received; and,

2. **That the applications submitted by OnePiece Ideal (MS) Developments Inc. for Official Plan Amendment (PLAN 19 142690), Zoning By-law Amendment (PLAN 19 142690), and Site Plan Approval (SC 15 119946) to permit a 47-storey, residential mixed-use building with a total of 362 units on the Phase 1 (westerly) parcel of 28 Main Street (Ward 3)", not be approved.**

Carried by Recorded Vote (8:5)

(See Following Recorded Vote)

Recorded Vote (8:5)

YEAS: Councillor Keith Irish, Councillor Reid McAlpine, Councillor Karen Rea, Regional Councillor Jim Jones, Deputy Mayor Don

Hamilton, Mayor Frank Scarpitti, Regional Councillor Jack Heath, Councillor Andrew Keyes **(8)**

NAYS: Councillor Alan Ho, Regional Councillor Joe Li, Councillor Amanda Collucci, Councillor Khalid Usman, Councillor Isa Lee **(5)**

Moved by Regional Councillor Jim Jones
Seconded by Regional Councillor Jack Heath

1. That a call on the question be made once the speakers list is exhausted.

Carried by Two Thirds Vote

8.4.6 DESIGN AND FINANCING OF PRELIMINARY FILL IMPORT AND GRADING WORKS AT BLODWEN DAVIES PARK (6.3 & 7.0)

Moved by Regional Councillor Jim Jones
Seconded by Councillor Keith Irish

1. That the report dated July 13, 2020 to Development Services Committee, titled 'Design and Financing of Preliminary Fill Import and Grading Works at Blodwen Davies Park' be received; and,

2. That Council approve the request by Humbold Properties to finance and be reimbursed for the cost of design and construction of this park identified as Parts 2, 3, 4, 5 Plan 65R-32345 (1.79 ha/ 4.428 ac) up to the total amount of $435,990.72, inclusive of HST subject to the following conditions:

   A. The cost of the fill and grading works in the amount of $396,355.20, inclusive of HST;

   B. A 10% contingency in the amount of $39,635.52, inclusive of HST, 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;

C. Be reimbursed based on invoices paid for costs approved by the Manager, Parks and Open Space Development associated with the design and construction for the base park development. No interest on such invoices shall be payable by the City.

D. Reimbursement terms are as follows:

a. Humbold Properties may invoice the City for 100% of approved costs provided that:

i. At least 60 days from the date of publication of Substantial Performance has expired;

ii. Proof of publication has been submitted with the invoice;

iii. No liens have been registered in regard to this contract;

iv. The constructed work has reached Total Completion to the City's satisfaction;

v. The Engineering Consultant has issued to the City a Total Completion Certificate; and

3. That internal capital administration fee in the amount of $39,239.16 be approved for the administration of this project; and,

4. That a new 2020 Design project be established for the design, construction and internal contract administration of the preliminary fill import and grading works at Blodwen Davies Park for $475,229.88 ($396,355.20 + $39,635.52 + $39,239.16), funded $427,706.89 (90%) from Development Charges Reserve and $47,522.99 (10%) from the Parks Cash-in-Lieu Account; and,

5. That Humbold Properties not receive any credit towards the parks component of development charges for future development phases of subdivisions within the Upper Greensborough community; and,

6. That Council authorize the execution of an agreement by the Mayor and Clerk for the construction and reimbursement of the cost of design, construction, and contract administration of this project in a form satisfactory to the Commissioner of Development Services and City Solicitor, or their respective designates; and further,

7. That staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

8.4.7 RESULTS OF THE PUBLIC CONSULTATION SURVEY REGARDING THE PLAY STRUCTURE IN WISMER PERCY REESOR PARKETTE (6.3)

Moved by Regional Councillor Jim Jones
Seconded by Councillor Keith Irish

1. That the report titled "Results of the Public Consultation Survey Regarding the Play Structure in Wismer Percy Reesor Parkette" be received; and,
2. That the deputation by Sean Tsao be received; and,
3. That the play structure in the Wismer Percy Reesor Parkette be retained at its current location based on the results of the public consultation survey; and,
4. That buffering measures such as a wood privacy fence and/or buffer planting be installed, where feasible, in consultation with the adjacent residents and the Ward Councillor, at a maximum cost of $15,000 from funding available in Design project 17227 - Wismer Percy Reesor St. Parkette – Design and Construction; and further,
5. That staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

8.4.8 ROUGE VALLEY TRAIL PHASE 4A (MARKHAM ROAD TO TUCLOR LANE) – CHANGE OF SCOPE (WARD 4) (5.0)

Moved by Regional Councillor Jim Jones
Seconded by Councillor Keith Irish

1. That the Staff report entitled "Rouge Valley Trail Phase 4A (Markham Road to Tuclor Lane – Change of Scope (Ward 4)", be received; and
2. That the change of paving materials be approved to increase long term durability of the trail as outlined in this report; and

3. That Purchase Order PD 18232 issued to Orin Contractors Corporation, for the construction of Rouge Valley Trail Phase 4A (Markham Road to Tuclor Lane & 14th Avenue to Treeline Crt) be increased by $154,522.56, inclusive of HST, to cover the change of scope for the project; and

4. That a contingency in the amount of $15,452.26, inclusive of HST be established to cover any additional construction requirements and that authorization to approve expenditures of this contingency amount up to the specified limit be in accordance with the Expenditure Control Policy; and

5. That the additional Engineering Department Contract Administration Fee in the amount of $10,198.49, be approved to cover the additional effort from Staff to administer the project; and

6. That the 2018 Engineering Department Capital Account 18049 (Rouge Valley Trail Multi-Use Pathway Phase 4 of 5) be increased by $180,173.31 ($154,522.56 + $15,452.26 + $10,198.49), inclusive of HST, from $1,615,757.00 to $1,795,930.31, and funded from the following sources;

   a. Development Charges (DC) Reserve Fund (65%): $117,112.65

   b. Non-DC Growth Reserve Fund (35%): $63,060.66; and further,

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

Carried

8.4.9 DEVELOPMENT CHARGE REIMBURSEMENT APPLICATION (DENISON STREET STRUCTURE) & CULVERT INFRASTRUCTURE WORKS (7.11 & 5.0)

Moved by Regional Councillor Jim Jones
Seconded by Councillor Keith Irish

1. That the report entitled “Development Charge Reimbursement Application (Denison Street Structure) & Culvert Infrastructure Works – Village of Fairtree by Forest Bay Homes Ltd. (Ward 7)” be received; and,

2. That Council authorize City Wide Hard Development Charge DC reimbursement not exceeding $2,278,117, to Forest Bay Homes Ltd. for the construction of the Denison Street Structure and associated infrastructure, external to the planof subdivision, as set out in this report, and all in accordance with the City's Development Charge Credit and Reimbursement Policy; and,

3. That Council authorize the Development Charge reimbursement of any completed works to date, subject to the approval of the Director of Engineering and the Treasurer; and,

4. That the Mayor and Clerk be authorized to execute a Development Charge Reimbursement Agreement, if necessary, in accordance with the City's Development Charge Credit and Reimbursement Policy, with Forest Bay Homes Ltd., or their successors in title, to the satisfaction of the Treasurer and City Solicitor; and,

5. That Council authorize a payment not exceeding $1,205,560, to Forest Bay Homes Ltd. for the change in scope associated with the culvert infrastructure work on Denison Street; and,

6. That the payment for the culvert infrastructure work be funded from the Development Charges Citywide Hard Reserve; and,

7. That the Mayor and Clerk be authorized to execute an Agreement, with Forest Bay Homes Ltd., or their successors in title, in respect of the City's payment of the cost of the culvert infrastructure work on Denison Street to the satisfaction of the Treasurer and City Solicitor; and further,

8. That staff be directed to do all things necessary to give effect to this report.

Carried

9. MOTIONS

There were no motions.

10. NOTICE OF MOTION TO RECONSIDER

There were no notices of motion to reconsider.

11. NEW/OTHER BUSINESS

11.1 NEW/ OTHER BUSINESS - INTENTION TO DESIGNATE A PROPERTY UNDER PART IV OF THE ONTARIO HERITAGE ACT JOSEPH & LEAH PIPHER FARMHOUSE AND SMOKEHOUSE 33 DICKSON HILL ROAD (16.11.3)

Moved by Councillor Karen Rea
Seconded by Councillor Andrew Keyes

1. That the staff report titled "Intention to Designate a Property under Part IV of the Ontario Heritage Act, Joseph & Leah Pipher Farmhouse and Smokehouse, 33 Dickson Hill Road", dated June 22, 2020, be received; and,

2. That as recommended by Heritage Markham, the Joseph & Leah Pipher Farmhouse and Smokehouse-33 Dickson Hill Road be approved for designation under Part IV of the Ontario Heritage Act as a property of cultural heritage value or interest; and,

3. **That a Site Plan Approval Application will not be required for the proposed addition and alterations to the property currently identified in Building Permit Application # 20 119406 000 00 HP; and,**

4. That the Clerk's Department be authorized to publish and serve Council's Notice of Intention to Designate as per the requirements of the Ontario Heritage Act; and,

5. That if there are no objections to the designation in accordance with the provisions of the Ontario Heritage Act, the Clerk be authorized to place a designation by-law before Council for adoption; and,

6. That if there are any objections in accordance with the provisions of the Ontario Heritage Act, the Clerk be directed to refer the proposed designation to the Ontario Conservation Review Board; and,

7. That if the designation is referred to the Conservation Review Board, Council authorize the City Solicitor and appropriate staff to attend any hearing held by the Board in support of Council's decision to designate the property; and further,

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

Carried as Amended

Council consented to amended clause 3 to:

3. That a Site Plan Approval Application will not be required for the proposed addition and alterations to the property currently identified in Building Permit Application # 20 119406 000 00 HP.

Council had before it the following recommendation for consideration from the June 23, 2020 Council meeting:

1. That the staff report titled "Intention to Designate a Property under Part IV of the Ontario Heritage Act, Joseph & Leah Pipher Farmhouse and Smokehouse, 33 Dickson Hill Road", dated June 22, 2020, be received; and,

2. That as recommended by Heritage Markham, the Joseph & Leah Pipher Farmhouse and Smokehouse-33 Dickson Hill Road be approved for designation under Part IV of the Ontario Heritage Act as a property of cultural heritage value or interest; and,

3. That the recommended approach to address concerns identified by the owner in Appendix 'B' of this report be endorsed by Markham Council; and,

4. That the Clerk's Department be authorized to publish and serve Council's Notice of Intention to Designate as per the requirements of the Ontario Heritage Act; and,

5. That if there are no objections to the designation in accordance with the provisions of the Ontario Heritage Act, the Clerk be authorized to place a designation by-law before Council for adoption; and,

6. That if there are any objections in accordance with the provisions of the Ontario Heritage Act, the Clerk be directed to refer the proposed designation to the Ontario Conservation Review Board; and,

7. That if the designation is referred to the Conservation Review Board, Council authorize the City Solicitor and appropriate staff to attend any hearing held by the Board in support of Council's decision to designate the property; and further,

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

11.2 NEW/ OTHER BUSINESS - DEVELOPMENT CHARGE INDEXING FOLLOW-UP (10.0)

Moved by Regional Councillor Jim Jones
Seconded by Councillor Keith Irish

1. That the report entitled, "Development Charge Indexing Follow-Up", dated July 14, 2020, be received; and,

2. That Council delegate authority to the Treasurer, at his discretion and on a temporary basis up to December 31, 2020, to enter into agreements permitted under Section 27 of the *Development Charges Act, 1997* to mitigate the effects of the indexing of development charge rates on July 1, 2020; and,

3. That Council approve an administration fee in the amount of $1,500, exclusive of HST, to cover the City's financial and legal costs associated with the review and administration of these agreements; and further,

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

Carried

11.3 NEW/ OTHER BUSINESS - RECOMMENDATION FROM THE JULY 7, 2020 LICENSING COMMITTEE HEARING (11 KERRIGAN CRESCENT) (2.0)

Moved by Councillor Karen Rea
Seconded by Councillor Amanda Collucci

That the following recommendation of the Licensing Committee from the Hearing held on July 7, 2020, be approved and adopted:

1. That the application to remove one (1) linden tree at 11 Kerrigan Crescent, Markham, be denied; and,

2. That the recommendation is based on the unique characteristics of this case only and is not intended to be precedent setting nor to be used as a basis for future cases.

Carried

Moved by Councillor Isa Lee
Seconded by Councillor Keith Irish

1. That Council consider the matter of "Recommendation from the July 7, 2020 Licensing Committee Hearing (11 Kerrigan Crescent)" immediately following Deputations with respect thereto.

Carried

11.4 NEW/ OTHER BUSINESS - DESTINATION MARKHAM CORPORATION UPDATE / REQUEST FOR FUNDING APPROVAL AND DELEGATED AUTHORITY APPROVAL (7.0)

Moved by Councillor Khalid Usman
Seconded by Councillor Andrew Keyes

1. That the report "Destination Markham Corporation Update / Request for Funding Approval and Delegated Authority Approval" be received; and,
2. That Council approve the Contribution Agreement between Destination Markham Corporation (DMC) and Tourism Industry Association of Ontario (TIAO) for FedDev Regional Economic Recovery and Relief Fund (RRRF) funding, in a form approved by the City Solicitor, and the expenditure by DMC of the RRRF funding substantially in accordance with the budget set out in this report; and,
3. That Council delegate authority to the CAO of the City of Markham to approve DMC budgets, contracts and expenditures up to a value of $100,000, as more particularly set out in this report; and further,
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

11.5 NEW/ OTHER BUSINESS - MOTION ON ANTI-BLACK RACISM STRATEGY (16.0)

After vacating the Chair the Mayor put forward a motion to waive the rules and introduced the following motion. Deputy Mayor Don Hamilton took over the chair.

Moved by Mayor Frank Scarpitti
Seconded by Councillor Reid McAlpine

1. That the rules of procedure be waived in order to add an item of new business regarding a motion on Anti-Black Racism Strategy.

Carried by Two Thirds Vote

Moved by Mayor Frank Scarpitti
Seconded by Regional Councillor Jim Jones

WHEREAS the City of Markham is made up of a diverse community, underpinning the City's values and inspiring its objective of developing a sense of belonging for all;

WHEREAS in 1989, the City of Markham established the Race Relations Committee, with leaders from Markham's Black community, to consult with the community to advise Council on matters involving race relations, ethnocultural equity and other related issues and to
recommend to Council appropriate policies and procedures which will enhance race relations and ethnocultural equity in the City, among other things;

WHEREAS the City of Markham has made an ongoing effort to support diversity and inclusion within the organization and broader community through adoption of the Markham Diversity Action Plan, *Everyone Welcome*, in 2010, as well as prioritizing an update of the Diversity
Action Plan in the City's Strategic Plan for this term of Council;

WHEREAS the City of Markham became a member of the Coalition of Municipalities against Racism and Discrimination in 2010, which has since evolved into the Coalition of Inclusive Municipalities;

WHEREAS the City of Markham affirmed its commitment to inclusion by supporting the Inclusion Charter for York Region and developing the Markham Inclusion Charter to reinforce the City's pledge to inclusivity in 2018; and

WHEREAS we recognize there is a need to do more to support diversity and inclusion, combat anti-Black racism, and to promote equality.

NOW THEREFORE BE IT RESOLVED:

THAT the Council of the City of Markham endorse the strategy to combat Anti-Black Racism and we undertake the following actions that underscore the need to listen, learn, understand and act.

THAT The City of Markham update its Diversity Action Plan – *Everyone Welcome* and that as one of the first steps the City will begin the consultation process with members of the Black community; and,

THAT City of Markham Council and staff receive training on anti-Black racism; and,

THAT the City of Markham will undertake an equity audit, beginning with our Human Resources Department that is responsible for employee relations and recruitment; and,

THAT the City establish a Mayor's Anti-Black Racism Youth Liaison Committee; and,

THAT the City appoint a Special Advisor to provide advice and guidance on measures to address anti-Black racism; and,

THAT staff be directed to consult with the Region of York, York Regional Police, school boards and other area municipalities to identify opportunities to collaborate on initiatives to combat anti-Black racism and discrimination and to support diversity and inclusion.

Carried Unanimously on Recorded Vote

(See following Recorded Vote)

Recorded Vote (13-0)

YEAS: Councillor Keith Irish, Councillor Alan Ho, Councillor Reid McAlpine, Councillor Karen Rea, Regional Councillor Jim Jones, Deputy Mayor Don Hamilton, Mayor Frank Scarpitti, Regional Councillor Jack Heath, Regional Councillor Joe Li, Councillor Andrew Keyes, Councillor Amanda Collucci, Councillor Khalid Usman, Councillor Isa Lee (13)

12. ANNOUNCEMENTS

There were no announcements.

13. BY-LAWS - THREE READINGS

Moved by Councillor Reid McAlpine
Seconded by Councillor Karen Rea

That By-laws 2020-67 to 2020-77 and 2020-79 be given three readings and enacted.

Carried

Three Readings

13.1 BY-LAW 2020-67 CULTURAL HERITAGE BY-LAW (BISHOP-REESOR HOUSE)

A by-law to designate a property as being of Cultural Heritage Value or Interest Bishop-Reesor House.

(Item No. 8.1.1, Report 42, November 26, 2019 Council meeting)

Carried

13.2 BY-LAW 2020-68 CULTURAL HERITAGE BY-LAW (THOMAS H. BRUELS HOUSE)

A by-law to designate a property as being of Cultural Heritage Value or Interest Thomas H. Bruels House.

(Item No. 8.2.2. Report 18, April 30, 2019 Council meeting)

Carried

13.3 BY-LAW 2020-69 CULTURAL HERITAGE BY-LAW (JAMES CAMPBELL HOUSE)

A by-law to designate a property as being of Cultural Heritage Value or Interest James Campbell House.

(Item No. 8.1.1. Report 16, April 16, 2019 Council meeting)

Carried

13.4 BY-LAW 2020-70 CULTURAL HERITAGE BY-LAW (BROWN'S CORNERS UNITED CHURCH)

A by-law to designate a property as being of Cultural Heritage Value or Interest Brown's Corners United Church.

(Item No. 8.1.2. Report 16, April 16, 2019 Council meeting)

Carried

13.5 BY-LAW 2020-71 CULTURAL HERITAGE BY-LAW (ELIAS HAMILTON HOUSE)

A by-law to designate a property as being of Cultural Heritage Value or Interest Elias Hamilton House.

(Item No. 8.1.3. Report 16, April 16, 2019 Council meeting)

Carried

13.6 BY-LAW 2020-72 CULTURAL HERITAGE BY-LAW (THOMAS LOWNSBROUGH HOUSE)

A by-law to designate a property as being of Cultural Heritage Value or Interest Thomas Lownsbrough House.

(Item No. 8.1.3. Report 14, April 2, 2019 Council meeting)

Carried

13.7 BY-LAW 2020-73 PRIMONT (CORNELL 2), 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, Block 10, Registered Plan 65M-4656.

Carried

13.8 BY-LAW 2020-74 LINDWIDE PROPERTIES (CORNELL) INC., SOUTH SIDE OF HIGHWAY 7 EAST, WEST SIDE OF DONALD COUSENS PARKWAY, ZONING BY-LAW AMENDMENT

A By-law to amend By-law 304-87, as amended, and By-law 177-96, as amended, to permit a plan of subdivision.

(Item 8.2.2 , Report 21)

Carried

13.9 BY-LAW 2020-75 A BY-LAW TO AMEND BY-LAW 2015-93 (BEING A BY-LAW TO IMPLEMENT AN ADMINISTRATIVE MONETARY PENALTY SYSTEM IN MARKHAM)

Carried

13.10 BY-LAW 2020-76 A BY-LAW TO AMEND BY-LAW 2016-84 (BEING A BY-LAW TO IMPLEMENT AN ADMINISTRATIVE MONETARY PENALTY SYSTEM FOR NON-PARKING OFFENCES)

Carried

13.11 BY-LAW 2020-77 41 ELM STREET, PART LOT CONTROL EXEMPTION BY-LAW

A by-law to designate part of a certain plan of subdivision not subject to Part Lot Control, 41 Elm Street Lot 17, inclusive, Registered Plan 4292.A by-law to designate part of a certain plan of subdivision not subject to Part Lot Control, 41 Elm Street Lot 17, inclusive, Registered Plan 4292.

Carried

13.12 BY-LAW 2020-79 TEMPORARY USE BY-LAW UNIONVILLE MONTESSORI, 9286 KENNEDY ROAD

A By-law to amend By-law 304-87, as amended, to permit a school portable on the property.

(Item No. 8.4.3, Report No. 23)

Carried

14. CONFIDENTIAL ITEMS

Moved by Regional Councillor Jack Heath
Seconded by Regional Councillor Jim Jones

That the following items be added to the confidential agenda on July 14, 2020:

1. Personal Matters about an Identifiable Individual, including Municipal or Local Board Employees (16.24) [Section 239 (2) (b)]; and,

2. Advice that is subject to Solicitor-Client Privilege, including Communications Necessary for that Purpose; Recommendation Report - One Piece Ideal (MS) Developments Inc. Application [Section 239 (2) (f)]

Carried

Moved by Councillor Alan Ho
Seconded by Councillor Khalid Usman

That, in accordance with Section 239 (2) of the ***Municipal Act***, Council resolve into a private session to discuss the following confidential matters at 6:05 pm on July 14, 2020:

14.1 COUNCIL

14.1.1 PERSONAL MATTERS ABOUT AN IDENTIFIABLE INDIVIDUAL, INCLUDING MUNICIPAL OR LOCAL BOARD EMPLOYEES (BOARD/ COMMITTEE APPOINTMENTS) (16.24) [Section 239 (2) (b)]

14.2 DEVELOPMENT SERVICES COMMITTEE - JUNE 29, 2020

14.2.1 ADVICE THAT IS SUBJECT TO SOLICITOR-CLIENT PRIVILEGE, INCLUDING COMMUNICATIONS NECESSARY FOR THAT PURPOSE; LPAT APPEAL – GARDEN HOMES, 73 MAIN STREET SOUTH MARKHAM [SECTION 239 (2) (f)]

14.3 GENERAL COMMITTEE - JULY 6, 2020

14.3.1 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 (5.1) [Section 239 (2) (k)]

14.3.2 A PROPOSED OR PENDING ACQUISITION OR DISPOSITION OF LAND BY THE MUNICIPALITY OR LOCAL BOARD (WARD 4) (8.6) [Section 239 (2) (c)]

14.4 PERSONAL MATTERS ABOUT AN IDENTIFIABLE INDIVIDUAL, INCLUDING MUNICIPAL OR LOCAL BOARD EMPLOYEES (16.24) [Section 239 (2) (c)];

14.5 ADVICE THAT IS SUBJECT TO SOLICITOR-CLIENT PRIVILEGE, INCLUDING COMMUNICATIONS NECESSARY FOR THAT PURPOSE; RECOMMENDATION REPORT - ONE PIECE IDEAL (MS) DEVELOPMENTS INC. APPLICATION [Section 239 (2) (f)]

Carried

That Council rise from Confidential session at 7:20 pm on July 14, 2020.

The following Confidential items were approved by Council on July 14, 2020:

14.1 COUNCIL

14.1.1 PERSONAL MATTERS ABOUT AN IDENTIFIABLE INDIVIDUAL, INCLUDING MUNICIPAL OR LOCAL BOARD EMPLOYEES (BOARD/ COMMITTEE APPOINTMENTS) (16.24) [Section 239 (2) (b)]

Moved by Regional Councillor Jack Heath
Seconded by Regional Councillor Joe Li

1) That the following person be appointed to the Heritage Markham Committee:

Name	Term Expiry
• Lake Trevelyan	November 30, 2023

Carried

14.2 DEVELOPMENT SERVICES COMMITTEE - JUNE 29, 2020

14.2.1 ADVICE THAT IS SUBJECT TO SOLICITOR-CLIENT PRIVILEGE, INCLUDING COMMUNICATIONS NECESSARY FOR THAT PURPOSE; LPAT APPEAL – GARDEN HOMES, 73 MAIN STREET SOUTH MARKHAM [SECTION 239 (2) (f)]

This matter was not discussed at the July 14, 2020 Council meeting.

14.3 GENERAL COMMITTEE - JULY 6, 2020

14.3.1 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 (5.1) [Section 239 (2) (k)]

Moved by Councillor Karen Rea
Seconded by Councillor Isa Lee

1. That the confidential report on 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 be received; and,

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

Carried

14.3.2 A PROPOSED OR PENDING ACQUISITION OR DISPOSITION OF LAND BY THE MUNICIPALITY OR LOCAL BOARD (WARD 4) (8.6) [Section 239 (2) (c)]

Moved by Councillor Keith Irish
Seconded by Councillor Andrew Keyes

1. That the confidential report on a proposed or pending acquisition or disposition of land by the municipality or local board (Ward 4) be received; and,

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

Carried

14.4 PERSONAL MATTERS ABOUT AN IDENTIFIABLE INDIVIDUAL, INCLUDING MUNICIPAL OR LOCAL BOARD EMPLOYEES (BOARD/ COMMITTEE APPOINTMENTS) (16.24) [Section 239 (2) (b)]

Moved by Regional Councillor Jack Heath
Seconded by Regional Councillor Jim Jones

1. That Mary-Anne Chambers be appointed as Special Advisor to the Anti-Black Racism Strategy.

Carried

14.5 ADVICE THAT IS SUBJECT TO SOLICITOR-CLIENT PRIVILEGE, INCLUDING COMMUNICATIONS NECESSARY FOR THAT PURPOSE; RECOMMENDATION REPORT - ONE PIECE IDEAL (MS) DEVELOPMENTS INC. APPLICATION (0) [SECTION 239 (2) (f)]

There was nothing to report out on this matter.

See Item No. 8.4.5, Report No. 23 for Council's decision on this matter.

Council reconvened on July 16, 2020 and considered the following item on the confidential Council agenda during the public session of the meeting:

14.2 DEVELOPMENT SERVICES COMMITTEE - JUNE 29, 2020

14.2.1 ADVICE THAT IS SUBJECT TO SOLICITOR-CLIENT PRIVILEGE, INCLUDING COMMUNICATIONS NECESSARY FOR THAT PURPOSE; LPAT APPEAL – GARDEN HOMES, 73 MAIN STREET SOUTH MARKHAM [SECTION 239 (2) (f)]

Discussion on this matter ensued during the public session of the meeting on July 16, 2020.

Brian Lee, Director, Engineering provided clarification on the specifics of the design. Regan Hutcheson, Manager - Heritage, Planning & Urban Design, provided further clarification on the Heritage aspects of the application and advised that staff are in support of the application. Claudia Storto, City Solicitor and Director, Human Resources, provided advice on the process and options available for Council to consider.

Discussion on the matter ensued with concerns expressed on the proposed density of the plan.

1. That the confidential report on advice that is subject to Solicitor-Client privilege, including communications necessary for that purpose; LPAT Appeal – Garden Homes, 73 Main Street South Markham, be received; and,
2. **That the application of Garden Homes, 73 Main Street South Markham as submitted, be denied; and,**

3. **That Council does not support the proposed staff recommendations; and further,**
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

(Carried by Recorded Vote 7:6)

(See following Recorded Vote)

Recorded Vote (7:6)

YEAS: Councillor Alan Ho, Councillor Reid McAlpine, Councillor Karen Rea, Regional Councillor Jim Jones, Deputy Mayor Don Hamilton, Regional Councillor Jack Heath, Councillor Andrew Keyes **(7)**

NAYS: Councillor Keith Irish, Mayor Frank Scarpitti, Regional Councillor Joe Li, Councillor Amanda Collucci, Councillor Khalid Usman, Councillor Isa Lee **(6)**

Moved by Deputy Mayor Don Hamilton
Seconded by Regional Councillor Jim Jones

That the rules of procedure be waived in order to add an item to the confidential agenda on July 16, 2020 regarding personal matters about an identifiable individual, including municipal or local board employees.

Carried

That, in accordance with Section 239 (2) of the *Municipal Act*, Council resolve into a private session to discuss the following confidential matter at 11:16 am on July 16, 2020:

14.6 PERSONAL MATTERS ABOUT AN IDENTIFIABLE INDIVIDUAL, INCLUDING MUNICIPAL OR LOCAL BOARD EMPLOYEES (10.3, 10.5, 10.7) [Section 239 (2) (b)]

Moved by Regional Councillor Jack Heath
Seconded by Regional Councillor Joe Li

That Council rise from Confidential session at 11:45 am on July 16, 2020.

Carried

14.6 PERSONAL MATTERS ABOUT AN IDENTIFIABLE INDIVIDUAL, INCLUDING MUNICIPAL OR LOCAL BOARD EMPLOYEES (10.3, 10.5, 10.7) [Section 239 (2) (b)]

There was nothing to report out on this matter.

15. CONFIRMATORY BY-LAW - THREE READINGS

Moved by Councillor Keith Irish
Seconded by Councillor Isa Lee

That By-law 2020-78 be given three readings and enacted.

Three Readings

BY-LAW 2020-78 - A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE COUNCIL MEETING OF JULY 14 AND 16, 2020.

Carried

16. ADJOURNMENT

Moved by Councillor Isa Lee
Seconded by Councillor Keith Irish

That the Council meeting be adjourned at 11:45 am on July 16, 2020.

Carried

Kimberley Kitteringham
City Clerk

Frank Scarpitti
Mayor