

Council Minutes

Electronic Meeting No. 6

April 28, 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	Scott Chapman, Election and Committee Coordinator
	Trinela Cane, Commissioner, Corporate Services	Dave Decker, Fire Chief, Fire and Emergency Services
	Brenda Librecz, Commissioner, Community & Fire Services	Adam Grant, Deputy Fire Chief, Fire and Emergency Services
	Arvin Prasad, Commissioner, Development Services	Claudia Marsales, Sr Manager Waste Management & Environment
	Claudia Storto, City Solicitor and Director of Human Resources	Christina Kakaflikas, Acting Director, Economic Growth, Culture & Entrepreneurship
	Brian Lee, Director, Engineering	Mark Visser, Sr Manager Strategy Innovation & Investments
	Biju Karumanchery, Director, Planning & Urban Design	Kevin Ross, Manager, Development Finance & Payroll
	Joel Lustig, Treasurer	Kishor Soneji, Senior Accountant
	Bryan Frois, Chief of Staff	Alex Moore, Sr. Manager, Procurement & Accounts Payable
	Andrea Berry, Sr. Manager, Corp Comm & Community Engagement	Francesco Santaguida, Assistant City Solicitor
	Kimberley Kitteringham, City Clerk	Lisa Riegel, Assistant City Solicitor
	Martha Pettit, Deputy City Clerk	Jacqueline Chan, Assistant City Solicitor
	John Wong, Technology Support Specialist II	Don De Los Santos, Manager, Small Business Centre

Alternate formats for this document are available upon request

1. CALL TO ORDER

The meeting of Council convened at 1:07 PM on April 28, 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 advised Council that April 28 is the National Day of Mourning which recognizes those who lost their lives while on the job and recognized all frontliners who continue to provide service during the COVID-19 pandemic. Council also recognized the victims and families of the recent tragedy in Nova Scotia, including RCMP Constable Heidi Stevenson who was killed in the line of duty.

A moment of silence was observed.

2. DISCLOSURE OF PECUNIARY INTEREST

Councillor Reid McAlpine disclosed an interest with respect to Item No. 8.3.2 (Celebrate Markham Action Plan) and did not take part in the discussion or vote on this matter, as he has incurred expenses related to the planning and preparation of the 2020 Unionville Festival by the Unionville Festival Board.

3. APPROVAL OF PREVIOUS MINUTES

3.1 COUNCIL MINUTES - MARCH 10, 2020 AND SPECIAL COUNCIL MEETING OF MARCH 27, 2020

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

1. That the Minutes of the March 10, 2020 Council Meeting and March 27, 2020 Special Council meeting be adopted.

Carried

4. PRESENTATIONS

There were no presentations.

5. DEPUTATIONS

- 5.1 DEPUTATION - CITY OF MARKHAM COMMENTS ON BILL 108
PROPOSED REGULATORY MATTERS – COMMUNITY BENEFITS
AUTHORITY, DEVELOPMENT CHARGES ACT AND BUILDING CODE
ACT (7.0)

That the deputation of Peter Miasek on “City of Markham Comments on Bill 108 Proposed Regulatory Matters – Community Benefits Authority, Development Charges Act and Building Code Act” be received.

(See Item 8.2.10, Report 11 for Council's decision on this matter.)

Moved by Regional Councillor Jim Jones

Seconded by Councillor Keith Irish

That the deputation of Peter Miasek be received.

Carried

6. COMMUNICATIONS

- 6.1 8-2020 MEMORANDUM - HOLD REMOVAL BY-LAW ANGUS GLEN
VILLAGE LTD. 4071, 4073 AND 4289 MAJOR MACKENZIE DRIVE EAST

Moved by Councillor Alan Ho

Seconded by Councillor Amanda Collucci

1. That the memorandum entitled “Hold Removal By-law Angus Glen Village Ltd., 4071, 4073 and 4289 Major Mackenzie Drive East, File No. HOLD 20 112414, dated April 28, 2020 be received;
2. That the attached Zoning By-law to remove the holding provision from zoning of the Angus Glen Village (Brownstones) lands at 4071, 4073 and 4289 Major Mackenzie Drive East, be approved;

3. That servicing allocation for one hundred seventy three (173) dwelling units be assigned to the subject development;
4. That the City reserves the right to revoke or reallocate servicing allocation should the development not proceed in a timely manner; and further;
5. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

(By-law 2020-34)

Carried

7. PROCLAMATIONS

7.1 PROCLAMATION AND FLAG RAISING REQUESTS (3.4)

Moved by Councillor Khalid Usman

Seconded by Councillor Andrew Keyes

1. That the following proclamations, issued by the City Clerk in accordance with the City of Markham Proclamation Policy, be received for information purposes:
 - a. Pakistan National Day - March 23, 2020
 - b. National Wildlife Week - April 6 - 10, 2020
 - c. Human Values Day - April 24, 2020
 - d. Be Kind to Animals Week - May 3 - 9, 2020
 - e. RETT Syndrome Awareness Month - October, 2020
 - f. Animal Health Week - October 4 -10, 2020
2. That the following new request for proclamation be approved and added to the Five-Year Proclamations List approved by Council:
 - a. Be Kind To One Another Days: Celebrating Super Heroes 2020 - May 18-24, 2020

Carried

8. REPORT OF STANDING COMMITTEE

8.1 REPORT NO. 10 - DEVELOPMENT SERVICES COMMITTEE (MARCH 9, 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 8.1.2:

Carried

8.1.1 GROUND SIGN VARIANCE – MARKHAM SUBARU 9401
MARKHAM ROAD APPLICATION NO. 19.112248.000.00. SP (10.13, 2.16)

Moved by Regional Councillor Jim Jones

Seconded by Councillor Keith Irish

1. That the ground sign variance application by Markham Subaru at 9401 Markham Road, Application No. 19.112248.000.00.SP, BE DENIED; and,
2. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

8.1.2 RECOVERY OF PAYMENT FOR CONSTRUCTION OF STORM AND
SANITARY SEWER SYSTEM ON HOUGHTON BOULEVARD
(WARD 4) (5.5)

Moved by Regional Councillor Jim Jones

Seconded by Councillor Keith Irish

1. That the report entitled “Recovery of Payment for Construction of Storm and Sanitary Sewer System on Houghton Boulevard (Ward 4)” be received; and,
2. That the Finance Department recover the total project cost of \$387,250.00 for the installation of storm and sanitary sewers and service connections to the property line (including construction costs,

engineering and contract administration fees) for the subject properties equally and that the following items be approved; and,

- a. Council enacts a Local Sewer Fee By-Law pursuant to Section 391 of the *Municipal Act 2001* for the recovery of costs associated with the storm and sanitary sewer installation substantially in the form attached as per Attachment 'A' – Local Sewer Fee By-law;
 - b. Costs per lot be paid either as a one-time payment or annual payment up to a maximum of 10 years accruing interests at the same rate as the York Region 10 Year Debenture Rate, 3.00% starting in 2020 and ending in 2029;
 - c. There will be no interest payable if the costs per lot are paid in full with a one-time payment by **June 30, 2020**;
 - d. The collected funds for the storm and sanitary local sewers be reimbursed to the Life Cycle Replacement and Capital Reserve Fund; and further,
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

(By-law 2020-29)

Carried as Amended

Council consented to amend clause 2 (c) from:

There will be no interest payable if the costs per lot are paid in full with a one-time payment by **May 21, 2020**;

to

There will be no interest payable if the costs per lot are paid in full with a one-time payment by **June 30, 2020**;

8.2 REPORT NO. 11 - GENERAL COMMITTEE (APRIL 20, 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 items 8.2.9 . 8.2.10 and 8.2.12:

Carried

8.2.1 2019 CONSOLIDATED FINANCIAL STATEMENTS (7.0)

Moved by Regional Councillor Jack Heath

Seconded by Councillor Andrew Keyes

1. That the presentation titled “2019 Consolidated Financial Statements” be received; and,
2. That the report titled “2019 Consolidated Financial Statements” be received; and,
3. That Council approve the draft Consolidated Financial Statements of The Corporation of the City of Markham (the City), including Community Boards, Business Improvement Areas (BIAs) , and Investment in Markham Enterprises Corporation (MEC), for the fiscal year ended December 31, 2019; and,
4. That Council authorize Staff to publish the final audited Statements for the fiscal year ended December 31, 2019 upon receiving the Independent Auditors’ Report; and,
5. That the KPMG LLP Audit Findings Report for the year ended December 31, 2019 be received; and,
6. That this matter be forwarded to Council for adoption on April 28, 2020; and further,
7. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

8.2.2 2019 YEAR-END RESULTS OF OPERATIONS (7.0)

Moved by Regional Councillor Jack Heath

Seconded by Councillor Andrew Keyes

1. That the report titled “2019 Year-End Review of Operations” be received; and,

2. That the City's 2019 net favourable variance of \$3.04M be transferred to the Corporate Rate Stabilization Reserve; and further,
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

8.2.3 DEVELOPMENT CHARGES DECEMBER 31, 2019 RESERVE BALANCES AND ANNUAL ACTIVITY OF THE ACCOUNTS (7.11)

Moved by Regional Councillor Jack Heath
Seconded by Councillor Andrew Keyes

1. That the report titled "Development Charges December 31, 2019 Reserve Balances and Annual Activity of the Accounts" be received by Council as required under Section 43(1) of the *Development Charges Act, 1997, as amended*; and,
2. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

8.2.4 DEVELOPMENT CHARGE INTEREST POLICY (7.11)

Moved by Regional Councillor Jack Heath
Seconded by Councillor Andrew Keyes

1. That the report entitled "Development Charge Interest Policy" be received; and,
2. That the "Development Charge Interest Policy", attached as Appendix A, be adopted by Council; and further,

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

Carried

8.2.5 060-T-20 THORNHILL COMMUNITY CENTRE PARKING LOT LIGHT POLES REPLACEMENT (7.12)

Moved by Regional Councillor Jack Heath
 Seconded by Councillor Andrew Keyes

1. That the report entitled “Tender 060-T-20 Thornhill Community Centre Parking Lot Light Poles Replacement” be received; and,
2. That the contract for "Tender 060-T-20 Thornhill Community Centre Parking Lot Light Poles Replacement” be awarded to the lowest priced bidder, CM Lighting Maintenance Ltd., in the amount of \$151,113.60, inclusive of HST; and,
3. That the estimated cost of \$18,000 (including HST) for temporary light towers starting from January 2020 until completion of project in October 1, 2020 along with the above tender award for a total cost of \$169,113.60 be funded from the Life Cycle Replacement & Capital Reserve; and further,
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution

Carried

8.2.6 AWARD OF CONSTRUCTION TENDER 014-T-20 BAYVIEW GLEN NORTH AND LAURELEAF ROAD CAST IRON WATERMAIN REPLACEMENT (7.12)

Moved by Regional Councillor Jack Heath
 Seconded by Councillor Andrew Keyes

1. That the report entitled “Award of Construction Tender 014-T-20 Bayview Glen North and Laureleaf Road Cast Iron Watermain Replacement” be received; and,
2. That the contract for Tender 014-T-20 Bayview Glen North and Laureleaf Road Cast Iron Watermain Replacement be awarded to the lowest priced Bidder, Sam Rabito Construction Ltd. in the amount of \$5,656,644.04, inclusive of HST; and,

3. That a 3% contingency in the amount of \$169,699.32 inclusive of HST, be established to cover any additional construction costs and that authorization to approve expenditures of this contingency amount up to the specified limit be in accordance with the Expenditure Control Policy; and,
4. That the construction award in the amount of \$5,826,343.36 (\$5,656,644.04 + \$169,699.32) be funded from the capital project 053-6150-20257 “CI Watermain Replacement – Construction & CA” with budget available of \$5,447,381.00; and,
5. That the shortfall of \$378,962.36 be funded through Waterworks Stabilization/Capital Reserve; and further,
6. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

8.2.7 AWARD OF CONTRACT 023-R-20 PLUMBING SERVICES FOR VARIOUS CITY OF MARKHAM LOCATIONS ON AN AS REQUIRED BASIS (7.12)

Moved by Regional Councillor Jack Heath
Seconded by Councillor Andrew Keyes

1. That the report “Award of Contract #023-R-20 Plumbing Services for various City of Markham locations on an as required basis” be received; and,
2. That the contract be awarded to the highest ranked / lowest priced bidder, Saunders Plumbing and Heating Inc. in the estimated annual amount of \$120,000.00 inclusive of HST; and,
3. That Staff be authorized to extend the contract for three (3) additional years (2021-2023) in the estimated annual amount of \$120,000 inclusive of HST, subject to supplier performance; and,
4. That the contract be funded from various City Departments’ operating budgets on an as-required basis; and,

5. That the award amounts in 2021 to 2023 be subject to Council approval of the respective annual operating budgets and that the award amounts be amended to reflect changes to the various departments' budget accounts as approved by Council during the annual budget process; and further,
6. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

8.2.8 ANNUAL WATER QUALITY REPORT (JANUARY-DECEMBER 2019) (5.3)

Moved by Regional Councillor Jack Heath

Seconded by Councillor Andrew Keyes

1. That as the COVID-19 declared emergency suspended General Committee gatherings, Council acknowledge that the report titled "Annual Water Quality Report (January-December 2019)" was delivered to Council through a Monday March 30, 2020 email from Brenda Librecz Commissioner, Community and Fire Services to meet provincial regulation 170/03 (under the Safe Drinking Water Act, 2002); and,
2. That as Council resumes the report titled "Annual Water Quality Report (January-December 2019)" as required by Schedule 22 of Ontario Regulation 170/03, under the *Safe Drinking Water Act, 2002*, enclosed herein be officially received; and,
3. That the Annual 2019 Regulatory Water Quality Report (Attachment "A"), containing information for the Ministry of the Environment, Conservation and Parks (MECP) on water supply and quality as required by Section 11 of Ontario Regulation 170/03, under the *Safe Drinking Water Act, 2002*, be received; and,
4. That Council acknowledge that staff posted the Annual 2019 Detailed Regulatory Water Quality Report on the City's website and that it has been made available electronically and in hard copy version by February 28, 2020 as per regulations; and further,
5. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

**8.2.9 YORK REGION DISTRICT SCHOOL BOARD – FLATO MARKHAM
THEATRE SHARED FACILITY AGREEMENT (6.2)**

Moved by Regional Councillor Jack Heath

Seconded by Councillor Andrew Keyes

1. That the report entitled, “York Region District School Board – Flato Markham Theatre Shared Facility Agreement” be received; and,
2. That the Mayor and Clerk be authorized to execute an agreement, including any amendments to the agreement, between the City and York Region District School Board (“YRDSB”) for the shared use, operation, maintenance and repair of portions of the Unionville High School site, the Flato Markham Theatre and the Markham Civic Centre site, provided the form of such agreement is satisfactory to the Commissioner of Corporate Services and the City Solicitor; and,
3. That Staff be authorized to increase the Operating Budget by \$44,000 to reimburse YRDSB for utility costs based on metered heating and cooling usage at the Theatre; and further,
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

**8.2.10 CITY OF MARKHAM COMMENTS ON BILL 108 PROPOSED
REGULATORY MATTERS – COMMUNITY BENEFITS
AUTHORITY, DEVELOPMENT CHARGES ACT AND BUILDING
CODE ACT (7.0)**

Moved by Regional Councillor Jim Jones

Seconded by Councillor Keith Irish

1. That the report entitled, “City of Markham Comments on Bill 108 Proposed Regulatory Matters – Community Benefits Authority, Development Charges Act and Building Code Act”, dated April 20, 2020, be received; and,

2. That this report, including the recommendations from the City of Markham on Bill 108 Proposed Regulatory Matters, be forwarded to the Minister of Municipal Affairs and Housing and to the Regional Municipality of York; and,
3. That the City of Markham supports the following:
 - a. The proposal for the regulation under the Development Charges Act, 1997;
 - b. The community benefits proposed to be included within the community benefits charge regulation;
 - c. The proposal for a public notice to be provided prior to the enactment of a community benefits by-law;
 - d. The proposed application of an interest rate on refunds in the event of a successful appeal to a community benefits by-law; and,
 - e. The proposal to add the community benefits charge authority to the applicable law list under the Building Code;
4. That the City of Markham request that the Province:
 - a. Provide municipalities with wide latitude to determine what community facilities can be supported through community benefits charges;
 - b. Amend the Community Benefits Charge legislation to allow a municipality to require the conveyance of parkland in lieu of payment of a community benefits charge;
 - c. **Provide municipalities with a mechanism to purchase land for parkland purposes based on the appraised value of land as parkland and not the land value of a proposed development;**
 - d. Implement an escalating Community Benefits Charge collection limit tied to density to allow municipalities to be able to provide a minimum of 0.8 hectares of parkland per 1,000 residents, and that the maximum limit of the Community Benefits Charge eligible to be collected be set at 50% of the value of the fully developed land;
 - i. **If the maximum limit of the Community Benefits Charge is increased, as recommended, the City of Markham supports a lower percentage cap for purpose-built rental housing**

and affordable housing as determined by the applicable municipal official plans;

- e. Given the ongoing emergency situation and scale of work required to implement a Community Benefits Charge regime, increase the timeline for implementation of a Community Benefits Charge by-law be the later of, (1) two years from the date the community benefits regulation comes into effect or, (2) the expiration of the current Development Charge by-laws;
 - f. Allow municipalities to fully recover the capital cost of Development Charges without the requirement of preparing a background study until the development charge by-law is next updated; and,
 - g. Allow municipalities to utilize the community benefits charge by-law and the parkland dedication provisions of the Planning Act for specific types of developments, i.e. allow the municipality to specify the types of development that would be subject to a CBC vs. parkland dedication provisions; and,
5. **That staff provide an update on a communication strategy to educate and engage the public on Bill 108 at a future General Committee meeting; and further,**
6. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried As Amended by Recorded Vote

(See following Recorded Vote)

Council consented to add the following clauses:

c) Provide municipalities with a mechanism to purchase land for parkland purposes based on the appraised value of land as parkland and not the land value of a proposed development;

d (i) If the maximum limit of the Community Benefits Charge is increased, as recommended, the City of Markham supports a lower percentage cap for purpose-built rental housing and affordable housing as determined by the applicable municipal official plans;

Council consented to refer the update on a communications strategy back to staff:

That staff provide an update on a communication strategy to educate and engage the public on Bill 108 at a future General Committee meeting; and further,

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)

NAYS: (0)

Council had before it the following original recommendation for consideration:

1. That the report entitled, “*City of Markham Comments on Bill 108 Proposed Regulatory Matters – Community Benefits Authority, Development Charges Act and Building Code Act*”, dated April 20, 2020, be received; and,
2. That this report, including the recommendations from the City of Markham on Bill 108 Proposed Regulatory Matters, be forwarded to the Minister of Municipal Affairs and Housing and to the Regional Municipality of York; and,
3. That the City of Markham supports the following:
 - a. The proposal for the regulation under the *Development Charges Act, 1997*;
 - b. The community benefits proposed to be included within the community benefits charge regulation;
 - c. The proposal for a public notice to be provided prior to the enactment of a community benefits by-law;
 - d. The proposed application of an interest rate on refunds in the event of a successful appeal to a community benefits by-law; and,

- e. The proposal to add the community benefits charge authority to the applicable law list under the Building Code;
- 4. **That staff provide a communication strategy to educate and engage the public on Bill 108 to the Council Meeting on April 28, 2020; and,**
- 5. That the City of Markham request that the Province:
 - a. Provide municipalities with wide latitude to determine what community facilities can be supported through community benefits charges;
 - b. Amend the Community Benefits Charge legislation to allow a municipality to require the conveyance of parkland in lieu of payment of a community benefits charge;
 - c. Implement an escalating Community Benefits Charge collection limit tied to density to allow municipalities to be able to provide a minimum of 0.8 hectares of parkland per 1,000 residents, and that the maximum limit of the Community Benefits Charge eligible to be collected be set at 50% of the value of the fully developed land;
 - d. Given the ongoing emergency situation and scale of work required to implement a Community Benefits Charge regime, increase the timeline for implementation of a Community Benefits Charge by-law be the later of, (1) two years from the date the community benefits regulation comes into effect or, (2) the expiration of the current Development Charge by-laws;
 - e. Allow municipalities to fully recover the capital cost of Development Charges without the requirement of preparing a background study until the development charge by-law is next updated; and,
 - f. Allow municipalities to utilize the community benefits charge by-law and the parkland dedication provisions of the *Planning Act* for specific types of developments, i.e. allow the municipality to specify the types of development that would be subject to a CBC vs. parkland dedication provisions; and further,
- 6. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Moved by Deputy Mayor Don Hamilton
 Seconded by Councillor Reid McAlpine

1. That the matter on "*City of Markham Comments on Bill 108 Proposed Regulatory Matters – Community Benefits Authority, Development Charges Act and Building Code Act*" be brought forward immediately after Deputations.

Carried

8.2.11 COVID-19 - FINANCIAL IMPACT UPDATE (7.0)

Moved by Regional Councillor Jack Heath
 Seconded by Councillor Andrew Keyes

1. That the presentation entitled COVID-19 – Financial Impact Update be received; and,
2. That the by-law amendments on the April 20th General Committee agenda be considered at the April 28th Council meeting; and,
3. That the City Treasurer report back to General Committee in May providing a financial forecast based on various scenarios; and further,
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

(By-laws 2020-30 - 2020-33)

Carried

8.2.12 DESTINATION MARKHAM CORPORATION UPDATE / ANNUAL GENERAL MEETING (AGM) MATTERS (7.0)

Discussion on this matter ensued.

Moved by Regional Councillor Jack Heath
 Seconded by Councillor Andrew Keyes

1. That the report “Destination Markham Corporation Update / Annual General Meeting Matters” be received; and,
2. That the Mayor and City Clerk be authorized to execute an Agreement between the City of Markham and Destination Markham Corporation, substantially in the form attached to the report as “Attachment 1”, subject to the form and content of the agreement being satisfactory to the Chief Administrative Officer and the City Solicitor; and,
3. That Destination Markham Corporation By-Law No. 1, substantially in the form attached to the report as “Attachment 2”, be approved; and,
4. That the following eight (8) individuals be appointed to the Board of Directors of Destination Markham Corporation, to serve as independent Directors for a term of four (4) years: Ms. Aarti Patel, Mr. Chuck Thibeault, Mr. David Miller, Mr. Herman Grad, Mr. Hiren Prabhakar, Ms. Kate Seaver, Mr. Shafik Jiwani, and Ms. Susan Mandryk; and,
5. That the following four (4) members of Council be appointed to the Board of Directors of Destination Markham Corporation, to serve as non-independent Directors for the term of Council: Mayor Frank Scarpitti, Councillor Andrew Keyes, Councillor Amanda Collucci, and Councillor Khalid Usman; and,
6. That KPMG be approved as the auditor for Destination Markham Corporation; and,
7. That the Mayor and City Clerk be authorized to execute operational agreements of mutual interest, as required, between the City of Markham and Destination Markham Corporation, subject to the form and content of such agreements being satisfactory to the Chief Administrative Officer and the City Solicitor; and further,
8. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

Moved by Regional Councillor Jack Heath

Seconded by Councillor Andrew Keyes

Council consented to vote on Clauses 4 and 5 separately.

4. That the following eight (8) individuals be appointed to the Board of Directors of Destination Markham Corporation, to serve as independent Directors for a term of four (4) years: Ms. Aarti Patel, Mr. Chuck Thibeault, Mr. David Miller, Mr. Herman Grad, Mr. Hiren Prabhakar, Ms. Kate Seaver, Mr. Shafik Jiwani, and Ms. Susan Mandryk; and,

5. That the following four (4) members of Council be appointed to the Board of Directors of Destination Markham Corporation, to serve as non-independent Directors for the term of Council: Mayor Frank Scarpitti, Councillor Andrew Keyes, Councillor Amanda Collucci, and Councillor Khalid Usman;

Carried

8.3 REPORT NO. 12 - DEVELOPMENT SERVICES COMMITTEE MEETING (APRIL 21, 2020)

Moved by Regional Councillor Jim Jones

Seconded by Councillor Keith Irish

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

Carried

8.3.1 RECOMMENDATION REPORT DEMOLITION OF NON-HERITAGE PORTIONS OF A PROPERTY DESIGNATED UNDER PART IV OF THE ONTARIO HERITAGE ACT 10225 KENNEDY ROAD ROBINSON GLEN SECONDARY PLAN AREA, WARD 6 (16.11 & 10.13)

Moved by Regional Councillor Jim Jones

Seconded by Councillor Keith Irish

1. That the report titled “Recommendation Report, Demolition of Non-Heritage Portions of a Property Designated Under Part IV of the Ontario Heritage Act, 10225 Kennedy Road, Robinson Glen Secondary Plan Area, Ward 6, File No. 19 102709 DP”, dated April 21, 2020, be received; and,
2. That Council endorse the demolition of the non-heritage portions of the dwelling known as the Homer Wilson Farmhouse; and,
3. That the non-heritage portions of the building be carefully removed with manual demolition of selected areas adjoining the heritage building, to ensure no accidental damage by machine operation occurs; and,
4. That a plan or description of how any openings (windows and doors) in the heritage building are to be secured once the non-heritage portions of the building have been removed be provided by the applicant, prior to the issuance of the demolition permit, to the satisfaction of the Manager of Heritage Planning; and,
5. That any issues with openings, roofing, rain gutters/downspouts, soffits and fascia be addressed to ensure that the heritage building remains in stable condition until its future restoration occurs; and further,
6. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

8.3.2 CELEBRATE MARKHAM ACTION PLAN (10.16)

Councillor Reid McAlpine declared a conflict and did not vote on this matter.

Moved by Regional Councillor Jim Jones

Seconded by Councillor Keith Irish

1. That the presentation entitled "Celebrate Markham Action Plan", be received; and,
2. That staff be authorized to approve urgent funding allocations under the Celebrate Markham Grant Program for events scheduled between

April 1 and mid-July 2020 not exceeding the event amounts approved for the 2019-2020 funding cycle; and further,

3. That staff be directed to report back with an interim status report on the 2020-2021 Celebrate Markham Action Plan by the end of May 2020.

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 WHISTLE CESSATION (PACKAGES 1, 2 AND 3) – PROJECT AND FINANCIAL UPDATE (WARDS 3, 4, 5 & 8) (5.12)

Discussion on this matter ensued.

Moved by Deputy Mayor Don Hamilton

Seconded by Councillor Reid McAlpine

1. That the Staff report entitled “Whistle Cessation (Packages 1, 2 and 3) – Project and Financial Update (Wards 3, 4, 5 & 8)”, be received; and
2. That Purchase Order PD 18118 issued to Grascan Construction Ltd., for the construction of Whistle Cessation Package 2 be increased by \$877,259.88, inclusive of HST, to cover the project overrun and delay claims for the project; and
3. That Purchase Order PD 18210 issued to Grascan Construction Ltd., for the construction of Whistle Cessation Package 3 be increased by \$102,194.95, inclusive of HST, to cover the delay claim for the project; and
4. That the additional Engineering Department Capital Administration Fee in the amount of \$102,432.34, inclusive of HST, be approved to cover the additional effort from Staff to administer the project; and

5. That the additional project costs in the amount of \$1,081,887.17 (\$877,259.88 + \$102,194.95 + \$102,432.34) be funded from the following sources;
 - a. Project 16053 Anti-Whistling - Stouffville GO Line (\$412.60)
 - b. Project 17038 Anti-Whistling 2017 (73,658.00)
 - c. Regional Municipality of York (\$170,094.42)
 - d. Ramp Up Reserve (\$837,722.15); and
6. That the 2017 Engineering Department Capital Account 17038 (Anti-Whistling 2017) be increased by \$1,007,816.57, inclusive of HST, from \$5,433,414.50 to \$6,441,231.07, as identified in recommendations 5c and 5d; and
7. That Staff continue to review the final cost sharing summary of the project with Regional Municipality of York, and if required, the CAO be authorized to approve the final project cost; and
8. That the Regional Municipality of York be requested to pay its share of the project overrun and delay claim in the amount of \$170,094.42; and,
9. **That the City of Markham write to the Minister of Transportation requesting that the Province provide the City of Markham a greater financial contribution to this initiative as the City's whistle cessation implementation has enabled Metrolinx in increased service on the Stouffville Line, and established best practices in whistle cessation on the Metrolinx network, and further,**
10. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried as Amended

Council consented to add the following clause:

That the City of Markham write to the Minister of Transportation requesting that the Province provide the City of Markham a greater financial contribution to this initiative as the City's whistle cessation implementation has enabled Metrolinx in increased service on the Stouffville Line, and established best practices in whistle cessation on the Metrolinx network, and further,

12. ANNOUNCEMENTS

Mayor Frank Scarpitti announced that on April 29, 2020, the City of Markham, together with IBM, will be formally launching the artificial intelligence-driven virtual agent “IBM Watson Assistant for Citizens” to offer 24-hour customer service for residents looking for COVID-19 information.

The Mayor also announced that the second Mayor’s Meet Up will be held on April 29, 2020 at 6:00 pm via Zoom and invited members of Council and residents to participate in the event.

13. BY-LAWS - THREE READINGS

Moved by Councillor Andrew Keyes
Seconded by Councillor Khalid Usman

1. That By-law 2020-28 to 2020-34 be given three readings and enacted.

Carried

Three Readings

13.1 BY-LAW 2020-28 ROAD DEDICATION BY-LAW

A by-law to dedicate certain lands as part of the highways of the City of Markham (Part Lot 19, Concession 8, designated as Part 18, Plan 65R-30379 - Carl Tipe Court).

Carried

13.2 BY-LAW 2020-29 HOUGHTON BOULEVARD STORM AND SANITARY SEWER SYSTEM FEE BY-LAW

Being a By-law to levy the actual cost of construction, technical support and administration fees of the storm and sanitary sewers on Houghton Boulevard.

(Report 10, Item 8.1.2)

Carried

13.3 BY-LAW 2020-30 A BY-LAW TO AMEND BY-LAW 2002-276 BEING A BY-LAW TO IMPOSE FEES OR CHARGES FOR SERVICES OR ACTIVITIES PROVIDED OR DONE BY THE CITY OF MARKHAM (WATER RATE)

(Report 11, Item 8.2.11)

Carried

- 13.4 BY-LAW 2020-31 A BY-LAW TO AMEND BY-LAW 2018-116, BEING A BY-LAW TO IMPOSE A TAX IN RESPECT OF THE PURCHASE OF TRANSIENT ACCOMMODATION WITHIN THE BOUNDARIES OF THE CITY OF MARKHAM

(Report 11, Item 8.2.11)

Carried

- 13.5 BY-LAW 2020-32 A BY-LAW TO AMEND BY-LAW 2019-100, BEING A BY-LAW TO IMPOSE AN ANNUAL STORMWATER FEE ON ALL PROPERTY WITHIN THE CITY OF MARKHAM, SAVE AND EXCEPT THOSE NOTED AS EXEMPT IN BY-LAW 2019-100

(Report 11, Item 8.2.11)

Carried

- 13.6 BY-LAW 2020-33 A BY-LAW TO AMEND BY-LAW 2002-276 BEING A BY-LAW TO IMPOSE FEES OR CHARGES FOR SERVICES OR ACTIVITIES PROVIDED OR DONE BY THE CITY OF MARKHAM

(Report 11, Item 8.2.11)

Carried

- 13.7 BY-LAW 2020- 34 ANGUS GLEN VILLAGE LTD., 4071, 4073 AND 4289 MAJOR MACKENZIE DRIVE EAST, HOLD REMOVAL BY-LAW

Carried

14. CONFIDENTIAL ITEMS

There were no confidential items.

15. CONFIRMATORY BY-LAW - THREE READINGS

Moved by Councillor Isa Lee
Seconded by Councillor Keith Irish

That By-law 2020-35 be given three readings and enacted.

Three Readings

BY-LAW 2020-35 A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE
COUNCIL MEETING OF APRIL 28, 2020.

Carried

16. ADJOURNMENT

Moved by Councillor Isa Lee
Seconded by Councillor Keith Irish

That the Council meeting be adjourned at 3:22 p.m.

Carried

Kimberley Kitteringham
City Clerk

Frank Scarpitti
Mayor