

Electronic Council Meeting Minutes

Meeting No. 11
June 23, 2020, 2:30 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	John Wong, Technology Support Specialist II
	Trinela Cane, Commissioner, Corporate Services	Hristina Giantsopoulos, Elections & Council/Committee Coordinator
	Brenda Librecz, Commissioner, Community & Fire Services	Catherine Biss, Chief Executive Officer, Markham Public Library
	Arvin Prasad, Commissioner, Development Services	Dave Decker, Fire Chief
	Claudia Storto, City Solicitor and Director of Human Resources	Phoebe Fu, Director, Environmental Services
	Brian Lee, Director, Engineering	Morgan Jones, Director, Operations
	Biju Karumanchery, Director, Planning and Urban Design	Meg West, Manager of Business Planning and Projects
	Joel Lustig, Treasurer	Regan Hutcheson, Manager - Heritage
	Bryan Frois, Chief of Staff	Rob Grech, Manager, Stormwater, Environmental Services
	Mary Creighton, Director, Recreation Services	Janet Ashfield
	Kimberley Kitteringham, City Clerk	Mona Nazif, Senior Manager HR Client Services
	Martha Pettit, Deputy City Clerk	Andrea Cecchetto, Director, Service Excellence, Markham Public Library

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1. CALL TO ORDER

The meeting of Council convened at 2:42 PM on June 23, 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 recognized Brenda Librecz, Commissioner, Community and Fire Services and Dave Decker, Fire Chief, on the occasion of their retirement with the City of Markham at the end of the month. Commissioner Librecz retires after 32 years in the municipal sector with the past 12 with the City of Markham. Fire Chief Decker retires with 32 years of service at the City of Markham. It was noted that this recognition takes place on International Public Service Day.

On behalf of Council, Mayor Frank Scarpitti and Andy Taylor, Chief Administrative Officer, expressed appreciation for their dedicated service and leadership. Commissioner Librecz and Fire Chief Decker conveyed their respective gratitude for the recognition from Council and staff.

Mayor Frank Scarpitti invited the public to celebrate National Indigenous History Month by participating in a free, live and interactive online drumming and singing session tomorrow, June 24, 2020.

2. DISCLOSURE OF PECUNIARY INTEREST

None disclosed.

3. APPROVAL OF PREVIOUS MINUTES

3.1 COUNCIL MINUTES - JUNE 9, 2020 AND JUNE 11, 2020 SPECIAL COUNCIL MEETING

Moved by Councillor Keith Irish
Seconded by Councillor Isa Lee

1. That the Minutes of the June 9, 2020 Council Meeting and June 11, 2020 Special Council meeting be adopted.

Carried

4. PRESENTATIONS

There were no presentations.

5. DEPUTATIONS

5.1 DEPUTATIONS - SWAN LAKE WATER QUALITY IMPROVEMENT PROGRAM (5.0)

The following addressed Council on this matter:

1. Lloyd Robertson
2. Darrell Heffernan
3. Fred Peters

(See Item 8.2.2, Report 19 for Council's decision on this matter.)

Moved by Councillor Andrew Keyes

Seconded by Regional Councillor Jack Heath

1. That the rules of procedure be waived in order to allow Mr. Fred Peters to address Council, as he previously addressed the General Committee on the Swan Lake Water Quality Improvement Program.

Carried by Two Thirds Vote

6. COMMUNICATIONS

6.1 13-2020 COMMUNICATIONS - HOLD REMOVAL BY-LAW, MAIN STREET RESIDENCE (UNIONVILLE) INC., 34 MAIN STREET, PHASE 2 (10.5)

Moved by Councillor Reid McAlpine

Seconded by Deputy Mayor Don Hamilton

1. That the memorandum dated June 23, 2020 from the Commissioner, Development Services regarding a Hold Removal By-Law, Main Street

Residence (Unionville) Inc., 34 Main Street, Phase 2, recommending the approval of the proposed Hold Removal By-law, be received.

(By-law 2020-63)

Carried

6.2 14-2020 LOCAL PLANNING APPEAL TRIBUNAL (LPAT) DECISION
- SIXTEENTH LAND HOLDINGS INC., 4134 16TH AVENUE/ PART OF
LOTS 16, 17 AND 18, CONCESSION 5 (13.13)

Summary from Francesco Santaguida, Assistant City Solicitor:

On October 29, 2019, the Local Planning Appeal Tribunal (the LPAT) approved a settlement between the City of Markham, Sixteenth Land Holdings Inc. (the “Appellant”), and other parties with respect to appeals by Sixteenth Land Holdings Inc. from the City’s failure to make a decision regarding applications for an official plan amendment, zoning by-law amendment, and draft plan of subdivision for the lands known as the “York Downs Golf Course”, legally described as Part of Lots 16, 17 and 18, Concession 5, City of Markham, Regional Municipality of York, and with the municipal address (in 2019) of 4134 16th Avenue.

The settlement permits the redevelopment of the York Downs Golf Course in two large residential subdivisions of 2,279 residential units consisting of 1,039 single detached dwellings, 671 townhouses, 72 back-to-back townhouses, 387 mid-rise condominium units and 110 mixed-use units. The settlement also includes parkland, valley land, stormwater management blocks, a woodlot block and an elementary school block.

The LPAT approved the draft plan of subdivision, official plan amendment, and a zoning by-law amendment to incorporate lands into the designated area of By-law 177-96 (the New Urban Area By-law), to permit the development outlined above. This official plan amendment and zoning by-law amendment require assignment of a number for municipal tracking purposes.

(By-laws 2020-65 and 2020-66)

Moved by Councillor Amanda Collucci
 Seconded by Regional Councillor Joe Li

1. That the Local Planning Appeal Tribunal (LPAT) Decision - Sixteenth Land Holdings Inc., 4134 16th Avenue/ Part Of Lots 16, 17 And 18, Concession 5, be received.

Carried

7. PROCLAMATIONS

7.1 PROCLAMATION AND FLAG RAISING REQUESTS (3.4)

Moved by Councillor Khalid Usman
 Seconded by Councillor Karen Rea

1. That the following proclamation, issued by the City Clerk in accordance with the City of Markham Proclamation Policy, be received for information purposes:
 - a. National Injury Prevention Day - July 6, 2020.

Carried

8. REPORT OF STANDING COMMITTEE

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

Moved by Regional Councillor Jim Jones
 Seconded by Councillor Keith Irish

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

Carried

8.1.1 RECOMMENDATION REPORT DESIGN, CONSTRUCTION AND FINANCING OF THE PARK IN THE GALLERIA DEVELOPMENT BY TIMES GROUP (6.3)

Moved by Regional Councillor Jim Jones
 Seconded by Councillor Keith Irish

1. That the report dated June 8, 2020 to Development Services Committee, titled 'Design, Construction and Financing of the Park in The Galleria Development by Times Group' be received; and,
2. That Council approve the request by Times Group to finance the cost of design, construction, and contract administration of this park identified as Plan 65M-3226, Part 1 of Part of Block 45 (0.41 ha/ 1.01 ac) in draft plan of subdivision 19TM-96008, 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 this park up to a maximum of \$419,271.77; 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 this park; and further,
5. That staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

8.1.2 ROYAL ORCHARD BOULEVARD RAMPS JURISDICTIONAL TRANSFER (WARD 1) (5.10)

Moved by Regional Councillor Jim Jones

Seconded by Councillor Keith Irish

1. That the Report entitled "Royal Orchard Boulevard Ramps Jurisdictional Transfer (Ward 1)" be received; and
2. That The Regional Municipality of York ("York Region") be requested to initiate the transfer of jurisdiction process of the Royal Orchard Boulevard ramps at Bayview Avenue to the City in accordance with the Regional Road Assumption Policy; and
3. That Staff be directed to report back on work with York Region staff to identify the necessary steps including legal, financial, environmental and operational actions to effect the transfer of jurisdiction of the Royal Orchard Boulevard ramps at Bayview Avenue to the City; and further

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

Carried

8.2 REPORT NO. 19 - GENERAL COMMITTEE (JUNE 15, 2020)

Moved by Regional Councillor Jack Heath

Seconded by Councillor Andrew Keyes

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

Carried

8.2.1 057-S-20 SUPPLY AND DELIVERY OF TWO (2) STREET SWEEPERS (7.12)

Moved by Regional Councillor Jack Heath

Seconded by Councillor Andrew Keyes

1. That the report entitled "057-S-20 Supply and Delivery of Two (2) Street Sweepers" be received; and,
2. That the contract for the supply and delivery of two (2) Tymco brand, model DST-6 regenerative (waterless, dustless) type street sweepers be awarded to The Equipment Specialists Inc. (an authorized Tymco dealer), in the amount of \$814,080.00, inclusive of HST; and,
3. That the costs of \$814,080.00 be funded from account 057-6150-19207-005 (Corporate Fleet Replacement) with a budget available of \$726,240.00; and,
4. That the budget shortfall in the amount of \$87,840.00 (\$814,080.00 - \$726,240.00 or \$43,920 per unit) be funded from the Life Cycle Replacement and Capital Reserve Fund; and,
5. That the tendering process be waived in accordance with Purchasing By-Law 2017-18, Part II, Section 11 (1) (b) which states, where there is only one source of supply for the goods to be purchased and (e) "where the City is acquiring specialized vehicles in which case the sources of supply may be identified based on technical specifications prepared by the User Department"; and,

6. That the units being replaced (1234 and 1235) be sold upon delivery of the new units in accordance with Purchasing By-Law 2017-8, Part V, Disposal of Personal Property. Proceeds will be posted to account 890 890 9305 (Proceeds from the Sale of Other Fixed Assets); and further,
7. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

8.2.2 SWAN LAKE WATER QUALITY IMPROVEMENT PROGRAM (5.0)

Moved by Councillor Andrew Keyes

Seconded by Councillor Karen Rea

1. That the presentation, titled “Swan Lake Water Quality Improvement Program” be received; and,
2. That the deputations of Fred Peters, Gordon Landon, Carly Carrigan, Madeleine Nevins, Martin Silver, Cindy Fowler, Rain Geiger, Andrew Fuyarchuk, be received; and
3. That the communications submitted by Fred Peters and Mark Henschel be received; and,
4. That Council approve the following Swan Lake Water Quality Program:
 - a. Continue annual water quality monitoring; and,
 - b. Continue with the annual geese control and review additional options relating to vegetation, tree planting and strobe lights with regard to geese control and report back in the fall 2020 with recommendations; and,
 - c. Undertake the sediment analysis in fall 2020 which will provide data related to the frequency and dosage of the chemical treatment and will provide direction on the service level and timing of future treatments; and,
 - d. Undertake a chemical treatment commencing in 2021 based on the results of the sediment analysis; and further,

- e. Introduce a new fish management program in 2021.
- 5. That Staff report back in 2021 with an overall water quality (with service levels) and park improvement program that will be sustainable into the future; and,
- 6. That Staff report back on this matter to General Committee through the Markham Sub-Committee with the participation of the Friends of Swan Lake; and,
- 7. That Council direct staff to contact the private property owners who own a portion of Swan Lake to obtain financial contribution to the Swan Lake Water Quality Improvement Program; and further,
- 8. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

Moved by Councillor Andrew Keyes

Seconded by Councillor Karen Rea

- 1. That Council consider the matter of "Swan Lake Water Quality Improvement Program" immediately following Deputations with respect thereto.

Carried

8.3 REPORT NO. 20 -DEVELOPMENT SERVICES COMMITTEE (JUNE 22, 2020)

Moved by Regional Councillor Jim Jones

Seconded by Councillor Amanda Collucci

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

Carried

8.3.1 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)

Adam Marmo, the owner of the property under discussion, called into the meeting and provided comments.

Council deferred the matter to the July 14, 2020 Council meeting.

Moved by Regional Councillor Jim Jones

Seconded by Regional Councillor Jack Heath

1. That the matter "Intention to Designate a Property Under Part IV of the Ontario Heritage Act Joseph & Leah Pipher Farmhouse and Smokehouse 33 Dickson Hill Road", be deferred to the July 14, 2020 Council meeting, and,
2. That this matter be put on the July 8, 2020 Heritage Markham Committee meeting agenda for discussion, and further;
3. That staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

Council had before it the following recommendation for consideration which was deferred to the July 14, 2020 Council meeting:

1. That the staff report titled "Intention to Designate a Property under Part IV of the Ontario Heritage Act, Joseph & Lean 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.

9. MOTIONS

There were no motions.

10. NOTICE OF MOTION TO RECONSIDER

There was no notice of motion to reconsider.

11. NEW/OTHER BUSINESS

11.1 NEW/ OTHER BUSINESS - PROPOSED CURBSIDE SERVICES AT MARKHAM PUBLIC LIBRARY (3.19)

Moved by Councillor Keith Irish

Seconded by Regional Councillor Jack Heath

Based on the rationale outlined in this memorandum and the rigorous consideration of safety identified in the Library's curbside service plan, the Board recommends that the City approve the implementation of curbside service. The Board therefore recommends to Council:

1. That Curbside service be implemented at Markham Public Library, effective July 6; and further,
2. That this service will be implemented in a phased-in approach as outlined in the attached MPL's CURBSIDE SERVICE PLAN, and contingent on:
 - a. Board, Provincial and City of Markham approvals/directions, and,
 - b. Health and safety measures and protocols are in place, in compliance with York Region Public Health recommendations.

Carried

11.2 NEW/OTHER BUSINESS - DECLARATION OF SURPLUS LAND, 10192 NINTH LINE, PART OF LOTS 21 AND 22, CONCESSION 8, DESIGNATED AS PART 1 (8.6)

Notice of Proposed Conveyance

City of Markham

Proposed Conveyance of Surplus Real Property

(Pursuant to By-law 178-96)

Moved by Councillor Andrew Keyes

Seconded by Councillor Keith Irish

1. That the notice of proposed sale for the City owned lands legally described as Part of Lots 21 and 22, Concession 8, designated as Part 1, Plan 65R-38955, City of Markham, Regional Municipality, be confirmed.

(Item 8.2.3, Report 17, June 9, 2020 Council Meeting)

Carried

12. ANNOUNCEMENTS

There were no announcements.

13. BY-LAWS - THREE READINGS

Moved by Councillor Khalid Usman
Seconded by Councillor Alan Ho

That By-laws 2020-56 to 2020-63 be given three readings and enacted.

Carried

Three Readings

13.1 BY-LAW 2020-56 AURELIO FILICE, 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 7 on Registered Plan 65M-4447, 112, 114, 116, 118 and 120 Ian Baron Avenue.

Carried

13.2 BY-LAW 2020-57 A BY-LAW TO ESTABLISH STREETS LAID OUT ACCORDING TO PLAN OF SUBDIVISION 65M-4434 AS A PUBLIC HIGHWAY BLOCK 136, PLAN 65M-3114, (ANGUS GLEN DEVELOPMENT LTD.)

(Parkstone Road and Saddleworth Road, and the Lanes (Blocks 38 and 39), inclusive)

Carried

13.3 BY-LAW 2020-58 ROAD DEDICATION BY-LAW (LANE)

A by-law to dedicate certain lands as part of the highways of the City of Markham (Part Lot 1, Plan 2196, designated as Parts 2 and 9, Plan 65R-33243, and Part Lot 2, Plan 2196 designated as Parts 1, 3 and 11, Plan 65R-36044 - Lane)

Carried

13.4 BY-LAW 2020-59 A BY LAW TO AMEND PARKING BY-LAW 2005-188

To amend Schedule C of the Parking By-law pertaining to “Prohibited Parking” (65M-4434).

Carried

13.5 BY-LAW 2020-60 A BY-LAW TO AMEND TRAFFIC BY-LAW 106-71

To add compulsory stops at specific intersections within the City of Markham (65M-4434).

Carried

13.6 BY-LAW 2020-61 ROAD DEDICATION BY-LAW

A by-law to dedicate certain lands as part of the highways of the City of Markham (Part of Block 76, Plan 65M-4257, designated as Parts 1 and 2, Plan 65R-38949)

Carried

13.7 BY-LAW 2020-62 2456965 ONTARIO INC. (TIMES GROUP INC.), SOUTHEAST CORNER OF HIGHWAY 7 EAST AND VERDALE CROSSING, HOLD REMOVAL BY-LAW

Carried

13.8 BY-LAW 2020-63 MAIN STREET RESIDENCE (UNIONVILLE) INC., 34 MAIN STREET, PHASE 2, HOLD REMOVAL BY-LAW

(Item 6.1, Communications)

Carried

13.9 BY-LAW 2020-65 SIXTEENTH LAND HOLDINGS INC., 4134 16TH AVENUE/ PART OF LOTS 16, 17 AND 18, CONCESSION 5, OFFICIAL PLAN AMENDMENT (REVISED 2014), AS AMENDED,

A by-law to adopt an Official Plan Amendment to the in-force Official Plan (Revised 2014), as amended, to permit a new residential and mixed use development.

(By-law 2020-65 and By-law 2020-60 approved by LPAT)
(For information only to facilitate the assignment of a By-law number)
 (Communication 14-2020)

13.10 BY-LAW 2020-66 SIXTEENTH LAND HOLDINGS INC., 4134 16TH AVENUE/ PART OF LOTS 16, 17 AND 18, CONCESSION 5, ZONING BY-LAW AMENDMENT

A By-law to amend By-law 177-96, as amended to permit a residential development.

(By-law 2020-65 and By-law 2020-60 approved by LPAT)
(For information only to facilitate the assignment of a By-law number)
 (Communication 14-2020)

14. CONFIDENTIAL ITEMS

The were no confidential items.

15. CONFIRMATORY BY-LAW - THREE READINGS

Moved by Councillor Isa Lee
 Seconded by Councillor Keith Irish

That By-law 2020-64 be given three readings and enacted.

Three Readings

BY-LAW 2020-64 A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE
 COUNCIL MEETING OF JUNE 23, 2020.

Carried

16. ADJOURNMENT

Moved by Councillor Isa Lee
 Seconded by Councillor Keith Irish

That the Council meeting be adjourned at 5:34 p.m.

Carried

Kimberley Kitteringham
 City Clerk

Frank Scarpitti
 Mayor