

Electronic Council Meeting Minutes

Meeting No. 17
October 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	Adam Grant, Fire Chief, Fire & Emergency Services
	Trinela Cane, Commissioner, Corporate Services	Meg West, Manager of Business Planning and Projects
	Arvin Prasad, Commissioner, Development Services	Graham Seaman, Director, Sustainability & Asset Management
	Claudia Storto, City Solicitor and Director of Human Resources	Francesco Santaguida, Assistant City Solicitor
	Biju Karumanchery, Director, Planning & Urban Design	Hersh Tencer, Senior Manager, Real Property, Legal Services
	Joel Lustig, Treasurer	Lisa Chen, Sr. Manager, Financial Planning & Reporting
	Bryan Frois, Chief of Staff	Veronica Siu, Senior Financial Analyst
	Kimberley Kitteringham, City Clerk	Alice Lam, Sr. Mgr, Roads, Survey & Utility
	Martha Pettit, Deputy City Clerk	Margaret Wouters, Senior Manager, Policy & Research
	John Wong, Technology Support Specialist II	Loy Cheah, Senior Manager, Transportation
	Hristina Giantsopoulos, Elections & Council/Committee Coordinator	Aqsa Malik, Planner I

Alternate formats for this document are available upon request

1. CALL TO ORDER

The meeting of Council convened at 1:06 PM on October 14, 2020 in the Council Chamber. 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.

2. DISCLOSURE OF PECUNIARY INTEREST

None disclosed.

3. APPROVAL OF PREVIOUS MINUTES

3.1 COUNCIL MINUTES - SEPTEMBER 30, 2020

Moved by Councillor Reid McAlpine

Seconded by Councillor Alan Ho

1. That the Minutes of the Council Meeting held on September 30, 2020, be adopted.

Carried

4. PRESENTATIONS

There were no presentations.

5. DEPUTATIONS

There were no deputations.

6. COMMUNICATIONS

There were no communications.

7. PROCLAMATIONS

7.1 PROCLAMATIONS (3.4)

Moved by Regional Councillor Jack Heath
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. Waste Reduction Week - October 19-23, 2020

Carried

8. REPORT OF STANDING COMMITTEE

8.1 REPORT NO. 25 - DEVELOPMENT SERVICES COMMITTEE (SEPTEMBER 14, 2020)

Moved by Regional Councillor Jim Jones
Seconded by Councillor Keith Irish

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

Carried

- 8.1.1 RECOMMENDATION REPORT, ANGUS GLEN VILLAGE LTD.,
4071, 4073 AND 4289 MAJOR MACKENZIE DRIVE EAST, SOUTH
SIDE OF MAJOR MACKENZIE DRIVE,

WEST OF KENNEDY ROAD, ZONING BY-LAW AMENDMENT
APPLICATION TO REVISE THE DEVELOPMENT STANDARDS
FOR 173 TOWNHOUSES PROPOSED ON THE SUBJECT LANDS,
FILE NO. ZA 18 154612 (WARD 6) (10.5)

Moved by Regional Councillor Jim Jones
Seconded by Councillor Keith Irish

1. That the report dated September 14, 2020 entitled
“RECOMMENDATION REPORT, Angus Glen Village Ltd., 4071,
4073 and 4289 Major Mackenzie Drive East, south side of Major
Mackenzie Drive, west of Kennedy Road, Zoning By-law Amendment
to revise the development standards for 173 townhouses proposed on
the subject lands, File No. ZA 18 154612 (Ward 6)”, be received; and,
2. That the amendment to By-law 177-96, as amended, be approved and
the draft implementing Zoning By-law, attached as Appendix ‘A’, be
finalized and enacted, without further notice, subject to the Toronto
and Region Conservation Authority confirming that their technical
requirements have been addressed; and,
3. That Markham Council requests York Region to approve the
signalization of the centrally located intersection, that serves as the
principal access to Major Mackenzie Drive East, at the **Land** Owner’s
expense; and,
4. That in accordance with the provisions of subsection 45(1.4) of the
Planning Act, R.S.O. 1990, c.P.13, as amended, the owner shall,
through this Resolution, be permitted to apply to the Committee of
Adjustment for a variance from the provisions of the zoning by-law
attached as Appendix ‘A’ to this report, before the second anniversary
of the day on which the by-law was approved by Council; and further,
5. That Staff be authorized and directed to do all things necessary to give
effect to this resolution.

Carried as Amended

Council consented to amend clause 3 from:

3. That Markham Council requests York Region to approve the
signalization of the centrally located intersection, that serves
as the principal access to Major Mackenzie Drive East, at
the Owner’s expense; and,

to:

3. That Markham Council requests York Region to approve the
signalization of the centrally located intersection, that serves

as the principal access to Major Mackenzie Drive East, at the **Land** Owner's expense; and

8.2 REPORT NO. 27 - DEVELOPMENT SERVICES COMMITTEE (SEPTEMBER 29, 2020)

Moved by Regional Councillor Jim Jones

Seconded by Councillor Keith Irish

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

Carried

8.2.1 ROAD SAFETY UPDATE -TRAFFIC SAFETY AUDIT RESULTS
(CITY-WIDE) (5.10)

Moved by Regional Councillor Jim Jones

Seconded by Councillor Keith Irish

1. That the report entitled "Road Safety Update - Traffic Safety Audit Results (City-wide)" and presentation entitled "Traffic Safety Audit Results", be received; and
2. That the deputation of Peter Miasek on behalf of the Cycling and Pedestrian Advisory Committee (CPAC) be received; and,
3. That the deputation of Elisabeth Tan, resident, be received; and,
4. That the communications submitted by Cosimo Crupi on behalf of the Unionville Cycling Club be received; and,
5. That staff be directed to proceed with the development of a City-wide Road Safety Plan with priority initiatives to be directed towards the Denison Street and Main Street Markham corridors; and,
6. That staff be directed to explore new traffic calming measures to address vehicle speed and traffic infiltration on City streets, and to report back prior to conducting pilot projects; and
7. That staff be directed to evaluate and, where feasible, incorporate the principles of Vision Zero into the Road Safety Plan; and,

8. That staff be directed to investigate and develop appropriate branding and communications for the Road Safety Plan; and,
9. That staff be directed to develop a short-term and long-term comprehensive public education program that aligns with the principles of the Road Safety Plan; and,
10. That the City Clerk send a copy of this report and Council resolution to York Region; and further
11. That staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

**8.2.2 RECOMMENDATION REPORT EVANS PLANNING INC.
PROPOSED ZONING BY-LAW AMENDMENT APPLICATION FOR
TWO SEMI-DETACHED LOTS**

**AND ONE RESIDUAL LOT AT 12 AND 16 DEER PARK LANE
(NORTH OF DEER PARK LANE, WEST OF ELIZABETH STREET).
WARD 4 (10.5)**

Moved by Regional Councillor Jim Jones
Seconded by Councillor Keith Irish

1. That the report dated September 29, 2020 titled
“RECOMMENDATION REPORT Evans Planning Inc. Proposed
Zoning By-law Amendment application for two semi-detached lots
and one residual lot at 12 and 16 Deer Park Lane (north of Deer Park
Lane, west of Elizabeth Street). Ward 4”, be received; and,
2. That the record of the Public Meeting held on November 19, 2019
regarding the Zoning By-Law Amendment application submitted by
Gil & Marina Scholyar c/o Evans Planning be received; and,
3. That the Zoning By-law Amendment application submitted by Gil &
Marina Scholyar c/o Evans Planning to amend By-law 1229, as
amended, be approved, and that the Zoning By-law Amendment
attached as Appendix ‘A’ be finalized and enacted without further
notice; and,
4. That Council assign servicing allocation for up to 5 residential units
for the proposed development; and further,

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

(By-law 2020-93)

Carried

8.3 REPORT NO. 28 - GENERAL COMMITTEE (OCTOBER 5, 2020)

Moved by Regional Councillor Jack Heath

Seconded by Councillor Amanda Collucci

That the report of the General Committee be received & adopted. (Items 1 to 3):

Carried

8.3.1 2021 CAPITAL BUDGET PRE-APPROVAL (REVISED) (7.5)

Moved by Regional Councillor Jack Heath

Seconded by Councillor Amanda Collucci

1. That the report dated October 5, 2020 titled, “2021 Capital Budget Pre-Approval (Revised)” be received; and,
2. That Council approve the 2021 Capital Budget Pre-Approval, which totals \$8,694,600 as outlined in Appendices 1 and 2; and further,
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

8.3.2 CONTRACT EXTENSION FOR WIDE AREA NETWORK (WAN) CONNECTIVITY AND INTERNET SERVICES (7.13)

Moved by Regional Councillor Jack Heath

Seconded by Councillor Amanda Collucci

1. That the report entitled “Contract Extension for Wide Area Network (WAN) Connectivity and Internet Services” be received; and,

2. That the contract for WAN Services and Internet Services be extended for two (2) years (October 1, 2020 - September 30, 2022) to Rogers Communications at 11.6% discounted rate, in the amount of \$577,814.44, inclusive of HST, broken down as follows;

- October 1, 2020 – December 31, 2020 \$ 72,226.81
- January 1, 2021 – December 31, 2021 \$288,907.22
- January 1, 2022 – September 30, 2022 \$216,680.41

Total (2 years) \$577,814.44; and,

3. That the contract for Internet Services with higher bandwidth (increasing from 500Mbps to 600Mbps) be extended for two years (October 1, 2020 - September 30, 2022) to Bell Canada at the existing 2019 rate, in the amount of \$79,006.46 inclusive of HST, broken down as follows;

- October 1, 2020 – December 31, 2020 \$ 9,875.81
- January 1, 2021 – December 31, 2021 \$ 39,503.23
- January 1, 2022 – September 30, 2022 \$ 29,627.42

Total (2 years) \$ 79,006.46; and,

4. That the WAN Services from Rogers and the two Internet Services from Rogers and Bell be funded from operating budget account# 400-404-5108 in the amount of \$656,820.90 (inclusive of HST) over a two (2) year period; and,
5. That the tendering process be waived in accordance with Purchasing Bylaw 2017-8, Part II, Section 7 (1) (c) which states “when the extension of an existing contract would prove more cost-effective or beneficial”; and further,
6. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

8.3.3 CONTRACT # 043-S-20 TO OPERATE AND MAINTAIN THE COMBINED HEAT AND POWER SYSTEM AT ANGUS GLEN COMMUNITY CENTRE (7.12)

Moved by Regional Councillor Jack Heath
Seconded by Councillor Amanda Collucci

1. That the report entitled “Contract # 043-S-20 To Operate and Maintain the Combined Heat and Power System at Angus Glen Community Centre” be received; and,
2. That the Operation and Maintenance of the Angus Glen Combined Heat and Power System be awarded to Markham District Energy Inc. (“MDE”) to an annual upset limit of \$167,904.00 inclusive of HST impact for a period of five (5) years (2020 – 2024), totaling \$839,520.00 inclusive of HST impact (excluding adjustment to CPI) over that five (5) year period; and,
3. That years 2 – 5 (2021-2024) be adjusted based on the Consumer Price Index (CPI) Ontario All-Items (January to January); and,
4. That the 2020 award be funded from operating budget account 504-921-5314 “Service Agreements Facility Maintenance”; and,
5. That the tendering process be waived in accordance with Purchasing By-Law 2017-8, Part II, Section 11.1 (h), which states “where it is in the best interests of the City to acquire non-standard items or Professional Services from a supplier who has a proven track record with the City in terms of pricing, quality and service;” and,
6. That the Mayor and Clerk be authorized to execute the agreement with Markham District Energy Inc, in a form approved by the CAO and the City Solicitor; and,
7. That the CAO be authorized to extend the contract for an additional five (5) years (2025-2029) subject to Council’s approval of the annual operating budget; and further,
8. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

8.4 REPORT NO. 29 - DEVELOPMENT SERVICES COMMITTEE (OCTOBER 13, 2020)

Moved by Regional Councillor Jim Jones

Seconded by Regional Councillor Jack Heath

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

Carried

8.4.1 EMPLOYMENT LAND CONVERSION REQUESTS: THE WEMAT GROUP (COMMERCE VALLEY); MARKHAM WOODMILLS DEVELOPMENTS INC. (SMARTCENTRES); 1628740 ONTARIO INC. AND 1628741 ONTARIO INC. (TUCCIARONE);

AND CORNELL ROUGE DEVELOPMENT CORPORATION, VARLESE BROTHERS ET AL, AND NORFINCH CONSTRUCTION (CORNELL) (10.0)

Moved by Regional Councillor Jim Jones

Seconded by Regional Councillor Jack Heath

M11 THE WEMAT GROUP

Whereas York Region is undertaking an Official Plan Review through a municipal comprehensive review (MCR) process for a 2051 planning horizon; and,

Whereas the Growth Plan for the Greater Golden Horseshoe, 2019, requires upper-tier municipalities, in consultation with lower-tier municipalities, to designate all employment areas in official plans and protect them for appropriate employment uses over the long term; and,

Whereas City of Markham Council passed a resolution on February 25, 2020 to postpone consideration of the employment conversion request by The Wemat Group (17.1 hectares) for lands located at the southwest corner of Highway 7 and Highway 404 to allow for the submission of an appropriate revised development concept plan prior to ultimate consideration of the conversion request by York Region Council; and,

Whereas City of Richmond Hill Council on February 26, 2020 passed a resolution indicating their interest in considering a municipally initiated conversion of employment lands within the south-eastern part of the Beaver Creek Business Park for mixed-use development and support for the conversion requests submitted by Parkway Hotels and Convention Centre Inc. and Crestpoint Real Estate Inc. in this area; and,

Whereas a Regional Committee of the Whole meeting is scheduled for October 15, 2020, to consider a Regional staff report seeking decisions on employment conversion requests and endorsement of employment area mapping to be included in the Regional Official Plan; and,

Whereas one of the recommendations in the October 15, 2020, Regional staff report 'Proposed Employment Area Mapping and Employment Conversions', is for Regional Council to not approve the employment conversion request submitted by The Wemat Group, and to map the lands as an employment area in the Regional Official Plan;

Therefore now be it resolved:

1. That Regional Council be requested to defer consideration of the employment conversion request M11 The Wemat Group to allow the City of Markham to undertake a joint study with the City of Richmond Hill, in consultation with landowners and York Region, to confirm the appropriate mix of uses on these and surrounding lands, taking into account the potential conversion of employment lands on the north side of Highway 7 in Richmond Hill; and,
2. That Regional Council be requested to initiate a municipal comprehensive review process within three years of adoption of a new Regional Official Plan in order to revisit the M11 The Wemat Group and related employment conversions in the area that are deferred as part of the current municipal comprehensive review process; and further,
3. That Markham staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

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

M8 MARKHAM WOODMILLS DEVELOPMENT INC.

Whereas York Region is undertaking an Official Plan Review through a municipal comprehensive review (MCR) process for a 2051 planning horizon; and,

Whereas the Growth Plan for the Greater Golden Horseshoe, 2019, requires upper-tier municipalities, in consultation with lower-tier municipalities, to designate all employment areas in official plans and protect them for appropriate employment uses over the long term; and,

Whereas City of Markham Council passed a resolution on February 25, 2020 to not support the employment land conversion request submitted by M8 Markham Woodmills Developments Inc. (1.9 hectares) located at the northeast corner of Highway 404 and Elgin Mills Road; and that staff be directed to work with the landowner to identify a broader range of potential non-residential uses for the subject lands; and,

Whereas City of Markham Council passed a resolution on February 25, 2020 to support the employment land conversion request submitted by M3 1628740 Ontario Inc. and 1628741 Ontario Inc. (1.0 hectare) located at 2718 and 2730 Elgin Mills Road, subject to confirmation by York Region that no access to the employment lands along Highway 404 immediately to the west of the subject lands is possible from Elgin Mills Road through the subject lands; and that staff be directed to work with the landowner to identify a broader range of potential non-residential uses for the subject lands; and,

Whereas discussions are ongoing with respect to the broader range of potential non-residential uses for the subject lands and access issues; and,

Whereas a Regional Committee of the Whole meeting is scheduled for October 15, 2020, to consider a Regional staff report seeking decisions on employment conversion requests and endorsement of employment area mapping to be included in the Regional Official Plan; and,

Whereas the recommendations in the October 15, 2020 Regional staff report 'Proposed Employment Area Mapping and Employment Conversions', is for Regional Council to not approve the employment

conversion requests submitted by Markham Woodmills Developments Inc (M8), and 1628740 Ontario Inc., 1628741 Ontario Inc. (M3);

Therefore now be it resolved:

1. That Regional Council be requested to defer consideration of the employment conversion request M8 Markham Woodmills Development Inc. until April 2021 to allow the City of Markham to continue to work with the landowner to identify a broader range of non-residential uses for the site and address access issues; and
2. That Regional Council be requested to defer consideration of the employment conversion request M3 1628740 Ontario Inc. and 1628741 Ontario Inc. until April 2021 to allow the City of Markham to continue to identify a broader range of non-residential uses and to address site access issues in coordination with the adjacent landowner identified in Clause 1 of this Resolution; and further,
3. That Markham staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

Moved by Regional Councillor Jim Jones

Seconded by Regional Councillor Jack Heath

**M4 CORNELL ROUGE DEVELOPMENT CORPORATION,
VARLESE BROTHERS ET AL, AND M7 NORFINCH
CONSTRUCTION LTD**

Whereas York Region is undertaking an Official Plan Review through a municipal comprehensive review (MCR) process for a 2051 planning horizon; and,

Whereas the Growth Plan for the Greater Golden Horseshoe, 2019, requires upper-tier municipalities, in consultation with lower-tier municipalities, to designate all employment areas in official plans and protect them for appropriate employment uses over the long term; and,

Whereas City of Markham Council passed a resolution on February 11, 2020, to endorse the Cornell Rouge National Urban Park Gateway Study Final Report as a framework for the creation of a pedestrian-focused

Gateway connecting Cornell Centre and the Rouge National Urban Park; and directed City staff to work with landowners and agencies in a block planning and land use exercise to determine the appropriate land uses, built form and streetscape design to achieve the Gateway vision; and,

Whereas the lands subject to the employment conversion requests by Cornell Rouge Development Corporation, Varlese Brothers et al (17.9 hectares), and Norfinch Construction (0.75 hectares) located north and south of Highway 7 within the Gateway study area, offer a unique opportunity for uses other than strictly employment uses that complement the Rouge National Urban Park and contribute to the development of the Gateway; and,

Whereas City of Markham Council passed a resolution on February 25, 2020 to postpone consideration of the Cornell Rouge Development Corporation, Varlese Brothers et al, and Norfinch Construction requests for conversion of employment lands to non-employment land uses to allow further evaluation through secondary plan [land use] studies; and,

Whereas a Regional Committee of the Whole meeting is scheduled for October 15, 2020, to consider a Regional staff report seeking decisions on employment conversion requests and endorsement of employment area mapping to be included in the Regional Official Plan; and,

Whereas two of the recommendations in the October 15, 2020 Regional staff report 'Proposed Employment Area Mapping and Employment Conversions', are for Regional Council to not approve the employment conversion requests submitted by Cornell Rouge Development Corporation, Varlese Brothers et al, and Norfinch Construction Ltd., and to map the lands as employment areas in the Regional Official Plan;

Therefore now be it resolved:

1. That Regional Council be requested to defer consideration of the employment conversion requests M4 Cornell Rouge Development Corporation, Varlese Brothers et al, and M7 Norfinch Construction Ltd until April 2021 to allow the City of Markham to continue to work with the landowners to confirm appropriate uses for the lands through a land use/built form study for the Cornell Rouge National Urban Park Gateway; and,

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

Carried

9. MOTIONS

There were no motions.

10. NOTICE OF MOTION TO RECONSIDER

There were no notices of motions.

11. NEW/OTHER BUSINESS

11.1 NEW/ OTHER BUSINESS - FEASIBILITY OF PILOTING MICROSOFT 365 CLOUD SERVICE – APPOINTMENT OF EVALUATION USER-GROUP COMMITTEE MEMBERS (7.13)

Moved by Regional Councillor Jack Heath

Seconded by Regional Councillor Joe Li

1. **That Council appoint the following Council members to the Microsoft 365 Cloud Service Pilot Evaluation User-Group Committee: (1) Regional Councillor Jim Jones; (2) Councillor Keith Irish and (3) Councillor Andrew Keyes; and,**
2. **That staff be authorized and directed to do all things necessary to give effect to this resolution.**

Carried

12. ANNOUNCEMENTS

There were no announcements.

13. BY-LAWS - THREE READINGS

Moved by Councillor Isa Lee

Seconded by Councillor Khalid Usman

1. That By-laws 2020-91 to 2020-94 be given three readings and enacted

Carried

Three Readings

- 13.1 BY-LAW 2020-91 A BY-LAW TO ESTABLISH AND MAINTAIN A SYSTEM FOR THE COLLECTION AND DISPOSAL OF REFUSE IN THE CITY OF MARKHAM

Carried

- 13.2 BY-LAW 2020-92 2124123 ONTARIO LIMITED, PART LOT CONTROL EXEMPTION BY-LAW

A by-law to designate part of a certain plan of subdivision not subject to Part Lot Control, Block 1 (inclusive), Registered Plan 65M-4595, located 16-52 William Saville Street, 2-40 Teasel Way, and 3932-3940 Highway 7 East.

Carried

- 13.3 BY-LAW 2020-93 EVANS PLANNING INC., NORTHWEST CORNER OF DEER PARK LANE AND ELIZABETH STREET (LOT 5), ZONING BY-LAW AMENDMENT

A By-law to amend By-law 1229, as amended, to permit a residential re-development.

(Item 8.2.2, Report 27)

Carried

13.4 BY-LAW 2020-94 ROAD DEDICATION BY-LAW (ACTIVE ROAD)

A by-law to dedicate certain lands as part of the highways of the City of Markham, Part Block 45, Plan 65M-3226 designated as Part 7, Plan 65R-37288 and Part Block 45, Plan 65M-3226 designated as Part 2, Plan 65R-38835 - Active Road.

Carried

14. CONFIDENTIAL ITEMS

Council consented to not resolve into confidential session. The following Confidential items were approved by Council in open session:

14.1 GENERAL COMMITTEE - OCTOBER 5, 2020

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

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

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

Ken Davis for a term expiring on November 30, 2023

2) That the resignations of Sabat Ismail and Harmony Law from the Race Relations Committee be received with regret for information purposes and that letters of appreciation be forwarded by Mayor Frank Scarpitti.

Carried

14.1.2 THE SECURITY OF THE PROPERTY OF THE CITY OR LOCAL BOARD – LEASE ASSIGNMENT (8.2) [Section 239 (2) (a)]

Moved by Regional Councillor Jack Heath
Seconded by Councillor Karen Rea

1. That the confidential report on the security of the property of the City or Local Board – Lease Assignment, be received; and,
2. That Staff be authorized and directed to do all things necessary to give effect to the actions set out in this report.

Carried

14.2 DEVELOPMENT SERVICES COMMITTEE - OCTOBER 13, 2020

14.2.1 LITIGATION OR POTENTIAL LITIGATION, INCLUDING MATTERS BEFORE ADMINISTRATIVE TRIBUNALS, AFFECTING THE MUNICIPALITY OR LOCAL BOARD; [SECTION 239 (2) (e)] – LPAT APPEAL – 4389 19th AVENUE (WARD 6) (8.0)

Moved by Regional Councillor Jim Jones

Seconded by Councillor Keith Irish

1. That the confidential report regarding litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; – LPAT Appeal – 4389 19th Avenue (Ward 6) be received; and,
2. That Council direct the City Solicitor and Staff not to attend the Local Planning Appeal Tribunal (“LPAT”) hearing regarding the appeal of the decision of the Committee of Adjustment (the “Committee”) denying the requested minor variance as it relates to a reduction to the interior side yard setback for a partially constructed accessory building, subject to imposing the following conditions of approval as set out below in the event that the LPAT allows the variance:
 - a. The variances apply only to the proposed development as long as it remains;
 - b. That the variances apply only to the subject development, in substantial conformity with the batch stamped plans attached as Appendix “B” to the City of Markham’s Staff Report, and that the Secretary-Treasurer receive written confirmation from the Director of Planning and Urban Design or designate that this condition has been fulfilled to his or her satisfaction;

- c. That a scoped Arborist Report and Tree Assessment and Preservation Plan which includes all trees within 6.0 m (19.69 ft) of the proposed accessory building, be prepared and submitted by a qualified arborist in accordance with the City's Streetscape Manual (2009), as amended, to be reviewed and approved by the Director of Operations or designate, and that the Secretary-Treasurer receive written confirmation that this condition has been fulfilled to his or her satisfaction;
 - d. That tree replacements be provided and/or tree replacement fees be paid to the City, if required by the Director of Operations or designate, in accordance with the Tree Assessment and Preservation Plan, and that the Secretary-Treasurer receive written confirmation that this condition has been fulfilled to his or her satisfaction;
 - e. That prior to the re-commencement of construction or demolition, tree protection be erected and maintained around all trees on site as deemed necessary by the Director of Operations or designate, including street trees, in accordance with the City's Streetscape Manual (2009) as amended, and inspected by City Staff to the satisfaction of the Director of Operations or designate, and that the Secretary-Treasurer receive written confirmation that this condition has been fulfilled to his or her satisfaction; and
 - f. That a Landscape Plan be submitted by the Applicant to ensure that adequate vegetative buffering/screening is planted along the north, and west elevations of the proposed accessory building in accordance with the Landscape Plan, to the satisfaction of the Director of Planning and Urban Design or designate, and that the Secretary-Treasurer receive written confirmation that this condition has been fulfilled to his or her satisfaction; and further;
3. That Staff do all things necessary to give effect to these resolutions.

Carried

15. CONFIRMATORY BY-LAW - THREE READINGS

Moved by Councillor Isa Lee

Seconded by Councillor Andrew Keyes

That By-law 2020-95 be given three readings and enacted.

Three Readings

BY-LAW 2020-95 A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE
COUNCIL MEETING OF OCTOBER 14, 2020.

Carried

16. ADJOURNMENT

Moved by Councillor Isa Lee

Seconded by Councillor Keith Irish

1. That the Council meeting be adjourned at 2:05 p.m.

Carried

Kimberley Kitteringham

City Clerk

Frank Scarpitti

Mayor