

Electronic Council Meeting Minutes

Meeting No. 4
March 9, 2021, 1:00 PM
Live streamed

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 Joel Lustig, Treasurer Bryan Frois, Chief of Staff Mary Creighton, Director, Recreation Services Meg West, Manager of Business Planning and Projects Martha Pettit, Deputy City Clerk Alida Tari, Manager, Access & Privacy	Hristina Giantsopoulos, Election/Council & Committee Coordinator Rob Cole, Acting Chief Information Officer Graham Seaman, Director, Sustainability & Asset Management Catherine Biss, Chief Executive Officer, Markham Public Library Michelle Sawh, Director Admin & Operational Support, Markham Public Library Andrea Cecchetto, Director, Service Excellence, Markham Public Library Lisa Chen, Sr. Manager, Financial Planning & Reporting Janet Ashfield, Manager, HR - Employment & Labour Relations, Health & Safety Regan Hutcheson, Manager - Heritage, Planning & Urban Design

Alternate formats for this document are available upon request

1. CALL TO ORDER

The meeting of Council convened at 1:18 pm on March 9, 2021. 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 Frank Scarpitti advised that former Ward 7 Councillor Michael Popovich recently passed away. Mr. Popovich served on the Markham Council for two terms, from 1983 to 1988. Council observed a moment of silence.

2. DISCLOSURE OF PECUNIARY INTEREST

None.

3. APPROVAL OF PREVIOUS MINUTES

3.1 COUNCIL MINUTES - FEBRUARY 23, 2021

Moved by Councillor Alan Ho

Seconded by Councillor Khalid Usman

1. That the Minutes of the Council Meeting held on February 23, 2021, be adopted.

Carried

4. PRESENTATIONS

There were no presentations.

5. DEPUTATIONS

5.1 DEPUTATION - LIBRARY CLOSURES (3.19, 11.0)

Rayanne Lees, Vice President, CUPE 905 requested to address Council on a matter not listed on the Council agenda. As per Council Procedural By-law Section 4.16 (j), a deputant wishing to appear on a matter not listed on the Agenda shall require the consent of two-thirds of Members present.

Council resolved into confidential session at 1:28 pm to receive advice that is subject to solicitor-client privilege, including communications necessary for that purpose [Section 239 (2) (f)(i)]

(See Item 14.0)

Moved by Regional Councillor Jim Jones

Seconded by Regional Councillor Jack Heath

1. That Council waive the rules of procedure to allow for a deputation on a matter not listed on the Council agenda.

Lost

6. COMMUNICATIONS

There were no communications.

7. PROCLAMATIONS

7.1 PROCLAMATIONS (3.4)

Moved by Councillor Reid McAlpine

Seconded by Councillor Amanda Collucci

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. Epilepsy Awareness Month - March, 2021
 - b. Purple Day (Epilepsy Awareness) - March 26, 2021
 - c. Apraxia Awareness Day - May 14, 2021

2. That the following new request for proclamation, issued by the City Clerk in accordance with the City of Markham Proclamation Policy, be received and added to the Five-Year Proclamations List approved by Council:
 - a. World Down Syndrome Day - March 21, 2021

Carried

8. REPORT OF STANDING COMMITTEE

8.1 REPORT NO. 6 - DEVELOPMENT SERVICES COMMITTEE (FEBRUARY 22, 2021)

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 HERITAGE MARKHAM COMMITTEE TERMS OF REFERENCE AND BY-LAW (2021) (16.11)

Moved by Regional Councillor Jim Jones
Seconded by Councillor Keith Irish

1. That the staff report entitled “Heritage Markham Committee Terms of Reference and By-law (2021)”, dated February 22, 2021, be received;
2. That the By-law, attached as Appendix A, be enacted by Council;
3. That the Heritage Markham Committee Terms of Reference, attached as Appendix ‘B, as amended; be approved;
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

(By-law 2021-18)

Carried

8.2 REPORT NO. 7 - GENERAL COMMITTEE (MARCH 1, 2021)

Moved by Regional Councillor Jack Heath

Seconded by Councillor Khalid Usman

That the report of the General Committee be received & adopted. (Save and except for Item 8.2.2):

Carried

8.2.1 2020 YEAR-END RESULTS OF OPERATIONS (7.0)

Moved by Regional Councillor Jack Heath

Seconded by Councillor Khalid Usman

1. That the report titled “2020 Year-End Review of Operations” be received; and,
2. That a COVID-19 Reserve be established from the Safe Restart Agreement funding to be used to offset COVID-19 operating impacts; and,
3. That the City’s 2020 COVID-19 net favourable variance of \$2.21M be allocated as follows:
 - a. \$1.30M COVID provision for future tax adjustments;
 - b. \$0.91M transfer to the COVID-19 Reserve;
4. That the City’s 2020 net operations favourable variance of \$7.60M be transferred as follows, as per the approved Financial Planning and Budgeting Policy:
 - a. \$3.60M one-time funding to replenish the Corporate Rate Stabilization Reserve;
 - b. \$0.79M to the Corporate Rate Stabilization Reserve to achieve a balance equal to 15% of the local tax levy;
 - c. \$3.21M to the Life Cycle Capital Replacement and Capital Reserve Fund; and further,
5. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

8.2.2 CANADA HEALTHY COMMUNITIES INITIATIVE (7.6)

Andy Taylor, Chief Administrative Officer, provided an update on the project submission.

Moved by Regional Councillor Jack Heath

Seconded by Councillor Khalid Usman

1. That the presentation titled "Canada Healthy Communities Initiative" be received for information; and,
2. That the Committee support the Franklin Carmichael Park - Multi-Purpose Outdoor Hard Surface project for the City's Round One submission.

Carried

8.2.3 DEVELOPMENT CHARGE DEFERRAL – ST. MARY AND ST. SAMUEL THE CONFESSOR COPTIC ORTHODOX CHURCH (7.11)

Moved by Regional Councillor Jack Heath

Seconded by Councillor Khalid Usman

1. That the report entitled, “Development Charge Deferral - St. Mary and St. Samuel The Confessor Coptic Orthodox Church”, dated March 1, 2021, be received;
2. That the Mayor and Clerk be authorized and directed to enter into an agreement with the applicant to secure the following terms of approval:
 - a. The development charges be deferred for a period not longer than three (3) years from the date of building permit issuance, following which the charges will become payable,
 - b. The development charges payable be calculated at the rate in effect at building permit issuance or in accordance with the provisions of prevailing Development Charge By-laws at the time of payment;
 - c. That no interest be charged on the outstanding balance if paid within three years of the building permit being issued;

- d. In accordance with Section 32(1) of *The Development Charges Act, 1997 as amended*, should the development charges remain unpaid after the amount becomes payable, the amount unpaid shall be added to the tax roll and collected in the same manner as taxes,
 - e. That the fees applicable to a DC Deferral be waived,
- 3. That the recommendation of a deferral, if so granted, be forwarded to the Regional Clerk of York for consideration on the treatment of the Regional Development Charges;
 - 4. That staff review the applicability of charging Development Charges to not-for-profit daycare facilities in the review of the Development Charge By-law and recommend that the Region also investigate the application of Development Charges for not-for-profit daycares; and further,
 - 5. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

9. MOTIONS

There were no motions.

10. NOTICE OF MOTION TO RECONSIDER

There was no notice of motion to reconsider.

11. NEW/OTHER BUSINESS

There were no new / other business.

12. ANNOUNCEMENTS

There were no announcements.

13. BY-LAWS - THREE READINGS

Moved by Councillor Andrew Keyes

Seconded by Councillor Karen Rea

That By-laws 2021-18 and 2021-19 be given three readings and enacted.

Carried

Three Readings

13.1 BY-LAW 2021-18 A BY-LAW IN RESPECT TO THE MANDATE AND OPERATION OF THE CITY'S MUNICIPAL HERITAGE COMMITTEE

Carried

13.2 BY-LAW 2021-19 A BY-LAW TO STOP UP AND CLOSE A PORTION OF ENTERPRISE BOULEVARD DESCRIBED AS PART OF LOT 9, CONCESSION 5, DESIGNATED AS PARTS 9, 11, 15, 17, 19, 21, AND 23 ON PLAN 65R-39258

Carried

14. CONFIDENTIAL ITEMS

Moved by Deputy Mayor Don Hamilton

Seconded by Councillor Keith Irish

That, in accordance with Section 239 (2) of the Municipal Act, Council resolve into a private session at 1:28 PM immediately following "Presentations" to receive advice that is subject to solicitor-client privilege, including communications necessary for that purpose [Section 239 (2) (f) and 239 (2) (i)]; related to a request for deputation on a matter not listed on the Agenda.

Carried

Moved by Regional Councillor Jim Jones

Seconded by Regional Councillor Jack Heath

1. That Council rise from Confidential session at 2:20 PM.

Carried

A motion to waive the rules of procedure to allow for a deputation on a matter not listed on the Council agenda took place during open session.

(See Item 5.1)

Council consented to not resolve into confidential session. The following Confidential item was approved by Council:

14.1 GENERAL COMMITTEE - MARCH 1, 2021

14.1.1 ADVICE THAT IS SUBJECT TO SOLICITOR-CLIENT PRIVILEGE, INCLUDING COMMUNICATIONS NECESSARY FOR THAT PURPOSE; REPORTING OUT OF LEASE (8.2) [SECTION 239 (2) (f)]

Moved by Regional Councillor Jack Heath

Seconded by Councillor Khalid Usman

1. That the report entitled "Reporting out of Lease - 7100 Birchmount Road" be received; and,
2. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

Note: Please see Item 15 for public report

14.2 NEW/ OTHER BUSINESS

14.2.1 ADVICE THAT IS SUBJECT TO SOLICITOR-CLIENT PRIVILEGE, INCLUDING COMMUNICATIONS NECESSARY FOR THAT PURPOSE (3.19, 11.0) [SECTION 239 (2) (f) (i)]

See Item 5.1

15. REPORTING OUT OF CONFIDENTIAL REPORT

Attached public report for :

14.1.1 ADVICE THAT IS SUBJECT TO SOLICITOR-CLIENT PRIVILEGE,
INCLUDING COMMUNICATIONS NECESSARY FOR THAT PURPOSE;
REPORTING OUT OF LEASE (8.2) [SECTION 239 (2) (f)]

16. CONFIRMATORY BY-LAW - THREE READINGS

Moved by Regional Councillor Jim Jones

Seconded by Regional Councillor Joe Li

That By-law 2021-20 be given three readings and enacted.

Three Readings

BY-LAW 2021-20 - A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE
COUNCIL MEETING OF MARCH 9, 2021.

Carried

17. ADJOURNMENT

Moved by Councillor Isa Lee

Seconded by Councillor Keith Irish

That the Council meeting be adjourned at 2:41 p.m.

Carried

Martha Pettit

Deputy Clerk

Frank Scarpitti

Mayor