

Electronic Council Meeting Minutes

Meeting No. 8
May 26, 2021, 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	Martha Pettit, Deputy City Clerk
	Trinela Cane, Commissioner, Corporate Services	Francesco Santaguida, Assistant City Solicitor
	Morgan Jones, Commissioner of Community Services	Hristina Giantsopoulos, Election/Council & Committee Coordinator
	Claudia Storto, City Solicitor and Director of Human Resources	Eddy Wu, Director, Environmental Services
	Adam Grant, Fire Chief	Claudia Marsales, Senior Manager Waste Management & Environment
	Biju Karumanchery, Acting Commissioner, Development Services	Michael Dipasquale, Supervisor, Waste Management
	Joel Lustig, Treasurer	Margaret Wouters, Senior Manager, Policy & Research
	Bryan Frois, Chief of Staff	Alex Moore, Senior Manager, Procurement & Accounts Payable
	Meg West, Manager of Business Planning and Projects	Shane Manson, Senior Manager, Revenue & Property Taxation
	Kimberley Kitteringham, City Clerk	Terence Tang, Technology Support Specialist II

Alternate formats for this document are available upon request

1. CALL TO ORDER

The meeting of Council convened at 1:09 PM on May 26, 2021 in the Council Chamber. Mayor Frank Scarpitti presided.

Councillor Amanda Collucci arrived at 1:14 PM.

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 the passing of former Ward 8 Councillor Alex Chiu and all the accomplishments he achieved during his 33 years of municipal service on Markham City Council. A virtual condolence book is available online for the public at <https://yourvoicemarkham.ca/virtual-condolence-book-alex-chiu>

A moment of silence was observed.

2. DISCLOSURE OF PECUNIARY INTEREST

None disclosed.

3. APPROVAL OF PREVIOUS MINUTES

3.1 COUNCIL MINUTES - MAY 4, 2021

Moved by Councillor Khalid Usman

Seconded by Councillor Karen Rea

1. That the Minutes of the Council Meeting held on May 4, 2021, be adopted.

Carried

4. PRESENTATIONS

4.1 CANADIAN ASSOCIATION OF MUNICIPAL ADMINISTRATORS (CAMA) AWARD OF EXCELLENCE AND LEADERSHIP (12.2.6)

Brenda Orchard, CAMA Board Member, was in attendance and presented the Canadian Association of Municipal Administrators (CAMA) Environment Award of Excellence and Leadership for the "Taking the Lead" - Markham Targets Single-Use Plastics Initiative (Over 100,000 Population Category).

The following staff were recognized by Council on this initiative:

- Eddy Wu, Director, Environmental Service
- Claudia Marsales, Senior Manager, Waste and Environmental Services
- Michael DiPasquale, Supervisor, Waste Management
- Juliana Aparicio, Waste Operations Assistant, Environmental Services
- Kimberley Dunsmoor, Supervisor, Waste Diversion Programs
- Holena Newton, Water Conservation Program Specialist

On behalf of Council, Mayor Scarpitti recognized the efforts of all City staff and Markham residents in achieving this success.

Moved by Regional Councillor Joe Li

Seconded by Regional Councillor Jack Heath

1. That the Canadian Association of Municipal Administrators (CAMA) Award of Excellence and Leadership for the "Taking the Lead" - Markham Targets Single-Use Plastics Initiative, be received.

Carried

4.2 INTERNATIONAL ASSOCIATION OF BUSINESS COMMUNICATORS AWARD (12.2.6)

The Mayor acknowledged Corporate awards the City received from the International Association of Business Communicators (IABC) and thanked the teams involved in the 2018 Municipal Elections for winning the IABC - Gold Quill Award; and the Corporate Communications team for winning the IABC Toronto Awards for the "COVID 19" and "Protect Your Pipes! F.O.G. Clogs" campaigns.

Moved by Councillor Andrew Keyes
 Seconded by Councillor Keith Irish

1. That the International Association of Business Communicators Gold Quill Award for the 2018 Municipal Elections campaign; be received; and,
2. That the International Association of Business Communicators Toronto Awards for the "COVID 19" and "Protect Your Pipes! F.O.G. Clogs" campaigns, be received.

Carried

5. DEPUTATIONS

There were no deputations.

6. COMMUNICATIONS

- 6.1 5-2021 LIQUOR LICENCE APPLICATION - 2528095 ONTARIO INC.
 (WARD 7) (3.21)

Moved by Councillor Reid McAlpine
 Seconded by Councillor Khalid Usman

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

Carried

- 6.2 6-2021 MEMORANDUM - 274-R-20 INTEGRITY COMMISSIONER
 SERVICES FOR CITY COUNCIL (16.23)

Moved by Councillor Reid McAlpine
 Seconded by Councillor Khalid Usman

1. That the memo dated May 26, 2021 from Kimberley Kitteringham, City Clerk and Martha Pettit, Deputy Clerk on "274-R-20 Integrity Commissioner Services for City Council"; be received.

(See Item 8.1.1, Report No. 14 for Council's decision on this matter.)

Carried**7. PROCLAMATIONS****7.1 PROCLAMATIONS (3.4)**

Moved by Regional Councillor Jim Jones

Seconded by Councillor Isa Lee

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. Indigenous Peoples History Month - June 2021
 - b. Indigenous People Day - June 21, 2021
 - c. National Injury Prevention Day - July 5, 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. Menstrual Health Day - May 28, 2021

Carried**8. REPORT OF STANDING COMMITTEE****8.1 REPORT NO. 14 - GENERAL COMMITTEE (APRIL 26, 2021)**

Moved by Regional Councillor Jack Heath

Seconded by Councillor Khalid Usman

That the report of the General Committee be received & adopted. (1 Item only):

Carried

- 8.1.1 274-R-20 INTEGRITY COMMISSIONER SERVICES FOR CITY COUNCIL

Moved by Regional Councillor Jack Heath

Seconded by Councillor Khalid Usman

1. That the report entitled “Integrity Commissioner Services for City Council” be received; and,
2. That staff provide a memorandum for the May 26, 2021 Council meeting on "274-R-20 Integrity Commissioner Services for City Council"; providing additional information regarding:
 - a. The options available for the provision of Integrity Commissioner (IC) Services in Ontario; and,
 - b. The expertise of ADR Chambers and the process they will undertake when reviewing complaints received regarding potential contraventions of Markham’s Code of Conduct; and,
3. That the contract for 274-R-20 Integrity Commissioner Services for City Council be awarded to the highest ranked/lowest priced bidder, ADR Chambers Inc. for a term of five (5) years in an annual retainer amount of \$17,299.20 inclusive of HST; and,
 - a. July 2021-June 2022 - \$17,299.20
 - b. July 2022-June 2023 - \$17,299.20
 - c. July 2023-June 2024 - \$17,299.20
 - d. July 2024-June 2025 - \$17,299.20
 - e. July 2025-June 2026 - \$17,299.20

Total \$86,496.00

4. That staff be authorized to issue an additional purchase order to ADR Chambers Inc. in an annual amount of \$6,023.80 to be utilized for investigations, additional meetings, workshops, and presentations on an as required basis; and,
5. That the contract include an option for the City (in its sole discretion) to extend the contract for up to five (5) one (1) year terms, subject to a CPI increase (all-item Ontario) to a maximum of 2%; and,
6. That the Commissioner, Corporate Services be authorized to exercise this option to extend the contract for such additional one (1) year

terms on behalf of the City and execute any required documentation in a form satisfactory to the City Solicitor; and,

7. That the contract be funded from the 840-841-7899 (Integrity Commissioner) in the amount of \$23,323.00 (\$17,299.00 + \$6,023.80) and any future years be subject to Council approval of the annual operating budget;
8. That this item be placed on the May 26, 2021 Council Meeting Agenda; and,
9. That a Council workshop be arranged in the Fall; and further,
10. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

8.2 REPORT NO. 16 - GENERAL COMMITTEE (MAY 10, 2021)

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

8.2.1 2021 TAX RATES AND LEVY BY-LAW (7.3)

Moved by Regional Councillor Jack Heath

Seconded by Councillor Amanda Collucci

1. That the report dated May 10th, 2021 entitled "2021 Tax Rates and Levy By-law" be received; and,
2. That a by-law to provide for the levy and collection of property taxes totalling \$765,868,900 required by the City of Markham, the Regional Municipality of York, Province of Ontario (Education) and Business Improvement Areas, in a form substantially similar to Appendix A (attached), satisfactory to the City Solicitor and provides for the mailing of notices and requesting payment of taxes for the year 2021, as set out as follows, be approved; and,

TAX LEVYING BODY	2021 TAX LEVY AMOUNT
City of Markham	\$164,739,938
Region of York	\$350,366,218
Province of Ontario (Education)	\$250,387,964
Markham Village BIA	\$160,559
Unionville BIA	\$214,221
Total	\$765,868,900

3. That staff be authorized to levy against Markham Stouffville Hospital and Seneca College the annual levy pursuant to Section 323 of the *Municipal Act, 2001*, as outlined in Section 9 of the attached by-law once the required information is received from the Ministry of Training, Colleges and Universities; and,
4. That the attached by-law be passed to authorize the 2021 Tax Rates and Levy By-law; and further,
5. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

(By-law 2021-34)

Carried

8.2.2 THE MECP – MARKHAM DISTRIBUTION SYSTEM – DRINKING WATER INSPECTION REPORT, FEBRUARY 03, 2021 (5.3)

Moved by Regional Councillor Jack Heath
Seconded by Councillor Amanda Collucci

1. That the report entitled “The MECP – Markham Distribution System – Drinking Water Inspection Report, February 03, 2021” be received; and further,

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

Carried

8.2.3 OPERATIONS WINTER MAINTENANCE UPDATES (5.10)

Moved by Regional Councillor Jack Heath

Seconded by Councillor Amanda Collucci

1. That the report titled “Operations Winter Maintenance Updates” be received; and,
2. That the existing practice for not clearing snow on non-asphalt pathways be continued; and,
3. That the staff recommendations for the 2021 – 2022 winter season for park pathway clearing be adopted; and,
4. That the estimated cost of \$121,711.29 for clearing pathways City-wide be funded from the existing 2021-2022 winter maintenance operating budget; and,
5. That the staff recommendations for the development of 3-4 potential key skating surfaces throughout the City at an estimated one-time cost of \$27,624.00 to be funded from the existing 2021-2022 Parks Facility Maintenance operating budget be adopted; and,
6. That staff review an increased level of service and costs for secondary roads and local roads, a reduction in the speed limit on these roads and an update on the sidewalk completion project; and,
7. That staff prepare a memo that provides an outline of pathway maintenance similar to that of sidewalk maintenance, the maintenance of narrow sidewalks, a listing of all City pathways, and a review for an additional outdoor ice-skating surface at Aaniin Community Centre or Milliken Mills Community Centre; and further,
8. That staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

8.3 REPORT NO. 17 - DEVELOPMENT SERVICES COMMITTEE (MAY 25, 2021)

Moved by Regional Councillor Jim Jones

Seconded by Councillor Keith Irish

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

Carried

8.3.1 RECOMMENDATIONS REGARDING REFERRED MARKHAM
EMPLOYMENT CONVERSION REQUESTS – 2041 REGIONAL
MUNICIPAL COMPREHENSIVE REVIEW (10.0)

Moved by Regional Councillor Jim Jones

Seconded by Councillor Keith Irish

1. That the report entitled “Recommendations Regarding Referred Markham Employment Conversion Requests – 2041 Regional Municipal Comprehensive Review ” dated May 25, 2021 be received; and,
2. That Markham Council support the request by 1628740 Ontario Inc and 1628741 Ontario Inc (Tucciarone) (M3) to convert the 1.0 hectare lands at 2718 and 2730 Elgin Mills Road, and Parts 2 and 6, Plan 65R-37723 from employment area to non-employment area uses, and that the lands not be mapped as employment area in the Regional Official Plan; and,
3. That Markham Council not support the request by Markham Woodmills Developments (Smart Centres) (M8) to convert 1.9 hectares of their lands at the northeast corner of Highway 404 and Elgin Mills Road from employment area to non-employment area uses and that the lands be mapped as employment area in the Regional Official Plan; and,
4. That Markham Council not support the request by the Wemat Group (M11) to convert 17.1 hectares at the southwest corner of Highway 404 and Highway 7 from employment area to non-employment area uses as part of the current municipal comprehensive review, and that

the lands be mapped as employment area in the Regional Official Plan; and,

5. That Markham Council request the Region to continue to defer a decision on the request by Cornell Rouge Development Corporation, Varlese Brothers et al to convert 17.9 hectares north of Highway 7 and west of Reesor Rd (M4), and the request by Norfinch Group (M7) to convert 0.75 hectares at the southwest corner of Highway 7 and Reesor Road from employment area to non-employment area uses until, at latest, the release of the draft Regional Official Plan; and,
6. That Markham Council request Regional Council to initiate the next municipal comprehensive review no later than 3 years following adoption of the new Regional Official Plan; and,
7. That this staff report be forwarded to York Region as the City of Markham's recommendations on the employment conversion requests referred back to Markham by Regional Council on October 22, 2020; and further,
8. That staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

8.3.2 127-S-21 VICTORIA SQUARE BOULEVARD RECONSTRUCTION PHASE 1 (UTILITY BUDGET REQUEST AND AWARD) (5.0, 7.0)

Moved by Regional Councillor Jim Jones
Seconded by Councillor Keith Irish

1. That the report entitled "127-S-21 Victoria Square Boulevard Reconstruction Phase 1 (Utility Budget Request and Award)" be received; and
2. That staff be authorized to issue purchase orders to the various utility companies (Alectra, Rogers Cable Communications Inc., Bell Canada, and Enbridge Gas Distribution Inc.) as identified in the financial consideration section, for the relocation of their facilities in the amount of \$717,281.71, inclusive of HST; and
3. That a 10% contingency in the amount of \$71,728.17, inclusive of HST, be established to cover any additional costs to deliver the utility

relocation work for Phase 1, 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 tendering process for the relocation of existing utilities for Victoria Square Boulevard (Phase 1) project be waived, in accordance with Purchasing By-Law 2017-8, Part II, Section 11.2, Non-Competitive Procurement which states “Request for Tenders, Requests for Proposals and Requests for Quotations may not be required for goods and services to be provided by (a) Hydro Electric Corporations and (b) Utilities”; and
5. That the Engineering Department Capital Administration Fee in the amount of \$89,327.69, inclusive of HST, be transferred to revenue account 640-998-8871 (Capital Admin Fees); and
6. That a new 2021 Engineering Capital Budget (Victoria Square Boulevard – Phase 1 Utility Relocation) be created for the utility relocation work for Phase 1 of the Victoria Square Boulevard reconstruction Project, in the amount of \$878,337.57, inclusive of HST, and to be funded from the Citywide Hard Development Charges Reserve; and further,
7. 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 were no notices of motion to reconsider.

11. NEW/OTHER BUSINESS

11.1 NEW/ OTHER BUSINESS - DECLARATION OF SURPLUS LANDS – 0
UNITY GARDENS (8.6)

Moved by Deputy Mayor Don Hamilton
 Seconded by Councillor Alan Ho

1. That the notice of proposed sale for the City owned lands legally described as PT LT 2 PL 2196 Markham, designated as Parts 15 and 16, Plan 65R-31952; S/T Ease Over PTS 2 & 3 PL 65R27668, as in YR623430(Partially released BY YR1946337 & YR1962278), S/T Ease as in YR1657121.; City of Markham, be confirmed.

(In-Camera Item No. 14.3.1, December 10, 2019 Council Meeting)

Carried

11.2 BOULEVARD GRASS MAINTENANCE (5.0)

Council consented to add the following item to the agenda.

Regional Councillor Jack Heath raised concerns related to grass maintenance on City and Region boulevards. Morgan Jones, Commissioner, Community Services, gave a brief overview of the on the City's process and policy on grass cutting on City boulevards. An update will be provided to Members of Council.

11.3 ROAD SURFACE ASSESSMENT (5.10)

Council consented to add the following item to the agenda.

Regional Councillor Heath inquired when the last road assessment was conducted and requested for an update on the status of City roads. Morgan Jones, Commissioner, Community Services, advised that the City's overall road network is in good condition and will provide an update of the Road Rehabilitation Program inclusive of current Pavement Condition Indexing this fall.

12. ANNOUNCEMENTS

There were no announcements.

13. BY-LAWS - THREE READINGS

Moved by Councillor Karen Rea

Seconded by Councillor Amanda Collucci

That By-laws 2021-34 to 2021-35 be given three readings and enacted.

Carried

Three Readings

13.1 BY-LAW 2021-34 2021 TAX RATES AND LEVY BY-LAW

Being a by-law to provide for the levy and collection of sums required by The Corporation of the City of Markham for the year 2021 and to provide for the mailing of notices requiring payment of taxes for the year 2021.

Carried

13.2 BY-LAW 2021-35 A BY-LAW TO TO AMEND BYLAW 2018-77 (BEING A BY-LAW TO ADDRESS IN-FILL CONSTRUCTION ACTIVITIES)

Carried

14. CONFIDENTIAL ITEMS

Moved by Deputy Mayor Don Hamilton

Seconded by Regional Councillor Jim Jones

That, in accordance with Section 239 (2) of the *Municipal Act*, Council resolve into a private session to discuss the following confidential matters at 2:19 PM:

14.1 COUNCIL

14.1.1 COUNCIL CONFIDENTIAL MINUTES - MAY 4, 2021
(16.0) [Section 239 (2) (f)]

14.1.2 APPOINTMENTS AND RESIGNATIONS TO
BOARDS/COMMITTEES - APPOINTMENT OF
MEMBER TO THE UNIONVILLE BUSINESS

IMPROVEMENT AREA (UBIA) (16.24) [SECTION 239 (2)(b)]

14.1.3 ADVICE THAT IS SUBJECT TO SOLICITOR-CLIENT PRIVILEGE, INCLUDING COMMUNICATIONS NECESSARY FOR THAT PURPOSE; (10-20 FINCHAM AVENUE) (8.0) [Section 239 (2) (f)]

14.2 GENERAL COMMITTEE (MAY 10, 2021)

14.2.1 A PROPOSED OR PENDING ACQUISITION OR DISPOSITION OF LAND BY THE CITY OR LOCAL BOARD (WARD 7) (8.6) [Section 239 (2) (c)]

14.3 A PROPOSED OR PENDING ACQUISITION OR DISPOSITION OF LAND BY THE CITY OR LOCAL BOARD (8.6) [Section 239 (2) (c)]

Carried

That Council rise from Confidential session at 3:36 PM

The following Confidential items were approved by Council:

14.1 COUNCIL

14.1.1 COUNCIL CONFIDENTIAL MINUTES - MAY 4, 2021 (16.0) [Section 239 (2) (f)]

Moved by Councillor Amanda Collucci

Seconded by Councillor Alan Ho

1. That the confidential Council minutes dated May 4, 2021 be confirmed.

Carried

14.1.2 APPOINTMENTS AND RESIGNATIONS TO BOARDS/COMMITTEES - APPOINTMENT OF MEMBER TO THE UNIONVILLE BUSINESS IMPROVEMENT AREA (UBIA) (16.24) [SECTION 239 (2)(b)]

Moved by Councillor Reid McAlpine
 Seconded by Regional Councillor Jim Jones

1. That the letter from the Main Street Unionville Business Improvement Area (UBIA) Board Executives dated February 22, 2021 be received; and,
2. That the letter from Sylvia Morris dated February 22, 2021 be received; and further,
3. That Council appoint Sylvia Morris as a Director of the Board of Management for the Main Street UBIA with a term expiry of November 14, 2022.

Carried

- 14.1.3 ADVICE THAT IS SUBJECT TO SOLICITOR-CLIENT PRIVILEGE, INCLUDING COMMUNICATIONS NECESSARY FOR THAT PURPOSE; (10-20 FINCHAM AVENUE) (8.0) [Section 239 (2) (f)]

Moved by Councillor Karen Rea
 Seconded by Regional Councillor Jack Heath

1. That the confidential update regarding advice that is subject to solicitor-client privilege, including communications necessary for that purpose; (10-20 Fincham Avenue), be received.

Carried

14.2 GENERAL COMMITTEE (MAY 10, 2021)

- 14.2.1 A PROPOSED OR PENDING ACQUISITION OR DISPOSITION OF LAND BY THE CITY OR LOCAL BOARD (WARD 7) (8.6) [Section 239 (2) (c)]

Moved by Councillor Keith Irish
 Seconded by Councillor Andrew Keyes

1. That the confidential report and the confidential update memo regarding a proposed or pending acquisition or disposition of land by the city or local board (Ward 7), be received; and,

2. That Staff be authorized and directed to take the actions set out in this report.

Carried

14.3 A PROPOSED OR PENDING ACQUISITION OR DISPOSITION OF LAND BY THE CITY OR LOCAL BOARD (8.6) [Section 239 (2) (c)]

Moved by Councillor Keith Irish

Seconded by Councillor Andrew Keyes

1. That the confidential memo dated May 26, 2021 on a proposed or pending acquisition or disposition of land by the city or local board, be received, and;
2. That staff be authorized and directed to take the actions during the confidential session on this date.

Carried

15. CONFIRMATORY BY-LAW - THREE READINGS

Moved by Councillor Isa Lee

Seconded by Councillor Alan Ho

That By-law 2021-36 be given three readings and enacted.

Three Readings

BY-LAW 2021-36 A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE COUNCIL MEETING OF MAY 26, 2021.

Carried

16. ADJOURNMENT

Moved by: All Members of Council*

Seconded by: All Members of Council*

That the Council meeting be adjourned at 3:39 p.m.

Carried

**In recognition of former Councillor Alex Chiu, who regularly moved the motion to adjourn.*

Kimberley Kitteringham

City Clerk

Frank Scarpitti

Mayor