

Electronic Council Meeting Minutes

Meeting No. 19
December 14, 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 Biju Karumanchery, Director, Planning & Urban Design Joel Lustig, Treasurer Bryan Frois, Chief of Staff Kimberley Kitteringham, City Clerk Martha Pettit, Deputy City Clerk Francesco Santaguida, Assistant City Solicitor Terence Tang Hristina Giantsopoulos, Election/Council & Committee Coordinator Scott Chapman, Manager, Elections Loy Cheah, Senior Manager, Transportation	Rob Muir, Manager, Stormwater John Yeh, Manager, Strategy & Innovation Nhat-Anh Nguyen, Senior Mng Development & Environmental Engineering Regan Hutcheson, Manager - Heritage, Planning & Urban Design Amanda Crompton, Planner II, Planning & Urban Design Mary Caputo, Manager, Planning & Urban Design Marty Rokos, Senior Planner, Development, Planning & Urban Design Lawrence Yip, Senior Planner, Urban Design Claudia Marsales, Sr Manager Waste Management & Environment Lisa Chen, Sr. Manager, Financial Planning & Reporting Mark Visser, Sr Manager Strategy Innovation & Investments

Morgan Jones, Commissioner of
Community Services
Adam Grant, Fire Chief
Frank Clarizio, Director, Engineering
Chris Bullen, Manager, By-Law
Services
Shane Manson, Senior Manager,
Revenue & Property Taxation
Stephanie DiPerna, Director, Building
Standards
Evan Manning, Planner, Heritage

Kevin Ross, Manager, Development
Finance & Payroll
Alex Moore, Sr. Manager, Procurement
& Accounts Payable
Alice Lam, Director, Operations
Daphne Ross, Manager, Environmental
Services
Samson Wat, Senior Project Engineer
Michelle Sawh, Director Admin &
Operational Support, Markham Public
Library
Jeff Baker, Supervisor, Licensing &
Business Standards
Christy Lehman, Supervisor, Animal
Care
Anthony Fabrizi, Assistant Manager,
By-law
Grace Lombardi, Acting Supervisor,
Municipal Law Enforcement

Alternate formats for this document are available upon request

1. CALL TO ORDER

The meeting of Council convened at 1:08 PM on December 14, 2021. Mayor Frank Scarpitti presided.

INDIGENOUS LAND ACKNOWLEDGEMENT

We begin today by acknowledging the traditional territories of Indigenous peoples and their commitment to stewardship of the land. We acknowledge the communities in circle. The North, West, South and Eastern directions, and Haudenosaunee, Huron-Wendat, Anishnabeg, Seneca, Chippewa, and the current treaty holders Mississaugas of the Credit peoples. We share the responsibility with the caretakers of this land to ensure the dish is never empty and to restore relationships that are based on peace, friendship, and trust. We are committed to reconciliation, partnership and enhanced understanding.

Council recessed at 4:05 pm and reconvened at 4:21 pm.

2. DISCLOSURE OF PECUNIARY INTEREST

The following Councillors declared a conflict of interest with respective items and did not take part in the discussion or vote on the respective matter:

- Councillor Keith Irish declared a conflict with respect to Item No. 8.4.3 regarding the matter on " Licensing of Private Transportation Companies (PTCs) and Associated Amendments to the Mobile Licensing By-law", as his son is an iOS Developer for Uber and did not take part in the discussion or vote on this matter.
- Councillor Reid McAlpine declared a conflict with respect to Item No. 14.2.2 regarding "Litigation or Potential Litigation, Including Matters Before Administrative Tribunals, Affecting The Municipality or Local Board; Advice that is subject to Solicitor-Client Privilege, Including Communications Necessary for that Purpose (Ward 3); Request For Direction Regarding 3 Victoria Lane OLT Appeal"; as the OLT appeal involves his neighbors and did not take part in the discussion or vote on this matter.
- Councillor Karen Rea declared a conflict with respect to Item No. 14.2.3 regarding "Litigation or Potential Litigation, Including Matters Before Administrative Tribunals, Affecting The Municipality or Local Board; (Ward 4) advice that is subject to Solicitor-Client Privilege including Communications Request for Direction Regarding 7 Town Crier Lane OLT Appeal" as she has outstanding litigation on this matter and did not take part in the discussion or vote on this matter.
- Mayor Frank Scarpitti declared a conflict with respect to Item No. 14.4.2 regarding "labour relations or employee negotiations", as a family member is in the process of purchasing a unit within one of the potential buildings impacted by the recommendations; and did not take part in the discussion or vote on this matter.

3. APPROVAL OF PREVIOUS MINUTES

3.1 COUNCIL MINUTES - NOVEMBER 23, 2021

Moved by Councillor Isa Lee

Seconded by Councillor Alan Ho

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

Carried

3.2 BUDGET COMMITTEE MEETING MINUTES - OCTOBER 13, 20, 22 AND NOVEMBER 2, 2021

Moved by Councillor Amanda Collucci

Seconded by Councillor Andrew Keyes

1. That the Minutes of the Budget Committee Meeting held on October 13, 20, 22 and November 2, 2021, be adopted.

Carried

4. PRESENTATIONS

There were no presentations.

5. DEPUTATIONS

5.1 DEPUTATIONS - GTA WEST CORRIDOR (413 HIGHWAY) (5.10)

Moved by Regional Councillor Joe Li

Seconded by Regional Councillor Jim Jones

1. That the deputations of Peter Miasek and Sherry Draisey be received.

Carried

(See Item 11.2, New/Other Business for Council's decision on this matter.)

5.2 DEPUTATIONS - LOBBYIST REGISTRY (9.0)

Moved by Regional Councillor Joe Li

Seconded by Regional Councillor Jim Jones

1. That the deputation of Duff Conacher on the Lobbyist Registry, be received.

Carried

(See Item 8.4.4, Report 43 for Council's decision on this matter.)

5.3 DEPUTATIONS - MINUTES OF THE MARKHAM SUB-COMMITTEE (16.0)

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 item 8.4.6 related to the Swan Lake Water Quality Management Plan.

Carried by Two Thirds Vote

Moved by Regional Councillor Joe Li

Seconded by Regional Councillor Jim Jones

1. That the deputation of Fred Peters be received.

Carried

(See Item 8.4.6, Report 43 for Council's decision on this matter.)

6. COMMUNICATIONS

6.1 21-2021 COMMUNICATIONS - HOLD REMOVAL BY-LAW - 9781 MARKHAM ROAD LIMITED PARTNERSHIP (LIBERTY DEVELOPMENT CORPORATION) , 9781 MARKHAM ROAD, MARKHAM, FILE: HOLD 21 127147

Moved by Councillor Andrew Keyes

Seconded by Councillor Karen Rea

1. That the Memorandum dated December 14, 2021 from the Commissioner of Development Services; on the Hold Removal By-law, 9781 Markham Road Limited Partnership (Liberty Development Corporation), 9781 Markham Road, Markham; be received; and,
2. That the Holding (H) provision be removed only for the Phase 1 land as shown on Appendix '2'; and,
3. That the sustainability measures attached as Appendix '1' to this memorandum be endorsed in lieu of LEED Silver certification for the proposed Phase 1 development; and,
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

(By-law 2021- 122)

Carried

6.2 22-2021 COMMUNICATIONS - GTA WEST CORRIDOR (413 HIGHWAY)
(5.10)

Moved by Regional Councillor Jim Jones

Seconded by Councillor Reid McAlpine

That the following communications providing comments regarding GTA West Corridor (413 Highway) be received for information purposes:

1. Gloria Marsh, York Region Environmental Alliance
2. Stuart Cumner and Patricia Hektor
3. Michelle Meandro
4. Louisa Santoro

(See Item 11.2, New/Other Business for Council's decision on this matter.)

Carried

Moved by Councillor Keith Irish

Seconded by Regional Councillor Joe Li

That the following communications providing comments regarding GTA West Corridor (413 Highway) be received for information purposes:

1. Angela Grella
2. Dan O'Reilly
3. Tony Malfara
4. Tom Chan
5. Corie Bonnaffon, Grandview Area Residents Association

(See Item 11.2, New/Other Business for Council's decision on this matter.)

Carried

6.3 23-2021 COMMUNICATIONS - LOBBYIST REGISTRY (9.0)

Moved by Councillor Reid McAlpine

Seconded by Councillor Khalid Usman

That the following communications providing comments be received for information purposes:

1. Andrew Yu
2. Alex Greco, Public Affairs Association of Canada Ontario Chapter
3. Corie Bonnaffon, Grandview Area Residents Association

(See Item 8.4.4, Report 43 for Council's decision on this matter.)

Carried

6.4 24-2021 COMMUNICATIONS - MINUTES OF THE MARKHAM SUB-COMMITTEE

Moved by Regional Councillor Joe Li

Seconded by Regional Councillor Jim Jones

That the written submission by Fred Peters be received for information purposes.

Carried

(See Item 8.4.6, Report 43 for Council's decision on this matter.)

7. PROCLAMATIONS

7.1 PROCLAMATIONS (3.4)

Moved by Councillor Isa Lee

Seconded by Councillor Alan Ho

1. That the following proclamations, issued by the City Clerk in accordance with the City of Markham Proclamation Policy, be received for information purposes:
 1. World AIDS Day - December 1, 2021
 2. Human Rights Day - December 10, 2021

Carried

8. REPORT OF STANDING COMMITTEE

8.1 REPORT NO. 40 - GENERAL COMMITTEE (NOVEMBER 29, 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 8.1.1:

Carried

8.1.1 COYOTE RESPONSE AND CO-EXISTENCE STRATEGY (2.8)

Moved by Regional Councillor Jack Heath

Seconded by Councillor Khalid Usman

1. That the report entitled Proposed City of Markham *Coyote Response and Co-existence Strategy* be received; and,
2. That Markham City Council approve the proposed *Coyote Response and Co-existence Strategy* outlined in Attachment “F”; and,
3. That the *Coyote Response and Co-existence Strategy* be amended to remind residents of the importance of not leaving young children unattended in yards, playgrounds, naturalized areas, etc.; and,
4. That the *Coyote Response and Co-existence Strategy* be further amended to reflect that staff have the discretion to use lethal intervention at any stage of the proposed *Incident Escalation Framework* should circumstances warrant it; and,
5. That the City host a Public Information Meeting in the first quarter of 2022 to obtain public input into the proposed *Coyote Response and Co-existence Strategy*; and,
6. That Council request the Minister of Northern Development, Mines, Natural Resources and Forestry to formally review the complex issue of human/coyote conflict in Ontario and to develop a comprehensive, Province-wide solution and public relations campaign, complete with marketing materials to address same; and,
7. That Council direct staff to investigate the feasibility of partnering with a post-secondary institution in Ontario to conduct research on the effects of urbanization on coyotes, human/coyote conflicts in an urban

setting and best practices and evidence based approaches to address related issues; and,

8. That Staff review the *Coyote Response and Co-existence Strategy* on a regular basis to ensure the information included is relevant and in compliance with evolving research and legislation; and,
9. That staff be directed to increase the fine for people feeding wildlife in Markham to the legislated maximum of \$500.00; and,
10. That a copy of this resolution be sent to all municipalities in the Greater Toronto Hamilton Area (GTHA) and in York Region, the Association of Municipalities of Ontario (AMO), the Association of Municipal Managers, Clerks, and Treasurers of Ontario (AMCTO); the Toronto Region Conservation Authority (TRCA), Rouge **National Urban** Park , and local MPPs; and further,
11. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried as Amended

Council had before it the following original resolution for consideration:

1. That the report entitled Proposed City of Markham *Coyote Response and Co-existence Strategy* be received; and,
2. That Markham City Council approve the proposed *Coyote Response and Co-existence Strategy* outlined in **Attachment “F”**; and,
3. **That the *Coyote Response and Co-existence Strategy* be amended to remind residents of the importance of not leaving young children unattended in yards, playgrounds, naturalized areas, etc.; and,**
4. **That the *Coyote Response and Co-existence Strategy* be further amended to reflect that staff have the discretion to use lethal intervention at any stage of the proposed *Incident Escalation Framework* should circumstances warrant it; and,**
5. **That the City host a Public Information Meeting in the first quarter of 2022 to obtain public input into the proposed *Coyote Response and Co-existence Strategy*; and,**
6. That Council request the **Minister of** Northern Development, Mines, Natural Resources and Forestry to formally review the complex issue

of human/coyote conflict in Ontario and to develop a comprehensive, Province-wide solution **and public relations campaign, complete with marketing materials** to address same; and,

7. That Council direct staff to investigate the feasibility of partnering with a post-secondary institution in Ontario to conduct research on the effects of urbanization on coyotes, human/coyote conflicts in an urban setting and best practices and evidence based approaches to address related issues; and,
8. That Staff review the *Coyote Response and Co-existence Strategy* on a regular basis to ensure the information included is relevant and in compliance with evolving research and legislation; and,
9. **That staff be directed to increase the fine for people feeding wildlife in Markham to the legislated maximum of \$500.00; and,**
10. That a copy of this resolution be sent to **all municipalities in the Greater Toronto Hamilton Area (GTHA) and in York Region**, the Association of Municipalities of Ontario (AMO), the Association of Municipal Managers, Clerks, and Treasurers of Ontario (AMCTO); the Toronto Region Conservation Authority (TRCA), **Rouge Park, and local MPPs**; and further,
11. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

8.1.2 MUNICIPAL CAPITAL FACILITY - REESOR PARK TENNIS DOME (7.3) (8.2)

Moved by Regional Councillor Jack Heath

Seconded by Councillor Khalid Usman

1. That the report entitled “Municipal Capital Facilities - Reesor Park Seasonal Tennis Bubbles” be received; and,
2. That, further to the City entering into a lease agreement (the “**Lease**”) with Premier Racquet Clubs Markham Corp. (the “**Tenant**”) for that part of the lands municipally known as 73 Wootton Way N, Markham, depicted in Appendix “A” (the “**Reesor Park Tennis Bubbles Lands**”), a by-law be passed pursuant to Section 110 of the *Municipal Act, 2001* in a form substantially similar to the draft by-law attached as Appendix “B” to:

- a) Authorize the City to enter into a Municipal Capital Facility Agreement (the “**MCF Agreement**”), and any and all associated or related agreements, with the Tenant for the provision of municipal capital facilities at the Reesor Park Tennis Bubbles Lands; and
 - b) Exempt the Reesor Park Tennis Bubbles Lands from taxation for municipal, regional and education purposes. Tax exemption is to be effective from the later of the following dates: (i) the commencement date of the lease; (ii) the date the Municipal Capital Facility Agreement is signed; (iii) or the date the tax exemption by-law is enacted; and,
- 3. That further to the City and The Tenant entering into the Lease, Council declares that the Reesor Park Tennis Bubbles Lands are for the purposes of the municipality and are for public use as more particularly set out in the Lease; and,
 - 4. That subject to the by-law described in Recommendation #2 being passed, the City Clerk be directed to give written notice of the by-law to the Minister of Education, and also provide a written notice of the contents of the by-law to the Municipal Property Assessment Corporation, the Secretary of any affected school board(s) and the clerk of the Region of York; and further,
 - 5. That staff be authorized and directed to do all things necessary to give effect to these resolutions.

(By-law 2021-118)

Carried

8.1.3 Q3 STATUS OF CAPITAL PROJECTS AS OF SEPTEMBER 30, 2021 (7.5)

Moved by Regional Councillor Jack Heath
Seconded by Councillor Khalid Usman

- 1. That the report dated November 29, 2021 titled “Status of Capital Projects as of September 30, 2021” be received; and,
- 2. That the Projects Completed within Scope with Surplus Funds and the Projects Completed within Scope without Surplus Funds, as identified on Exhibit B, be approved for closure and funds in the amount of

\$1,914,897 be transferred to the original sources of funding as identified on Exhibit B; and,

3. That the Projects Closed and Not or Partially Initiated, as identified on Exhibit C, be approved for closure and funds in the amount of \$856,389 be transferred to the original sources of funding as identified in Exhibit C; and,
4. That the Non-Development Charge Capital Contingency Project be topped up from the Life Cycle Replacement and Capital Reserve Fund by \$486,404 to the approved amount of \$250,000; and,
5. That the Engineering Capital Contingency Project be topped up from the Development Charges - City-Wide Hard Reserve by \$224,966 to the approved amount of \$100,000; and,
6. That the Design Capital Contingency Project be topped up from the Development Charges – Parks Development Reserve by \$33,634 to the approved amount of \$100,000; and,
7. That the Waterworks Capital Contingency Project be topped up from the Waterworks Stabilization/Capital Reserve by \$54,020 to the approved amount of \$100,000; and,
8. That the Staff approved draws from Other Reserves as part of the Capital Contingency process in the amount of \$339,967 be received; and,
9. That a new Theatre capital project titled, “Technical Audio Visual Equipment” be established with a budget of \$59,907, funded \$30,215 from the Ramp-Up Reserve and \$29,692 from an external grant; and further,
10. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

8.1.4 2022 INTERIM PROPERTY TAX LEVY REPORT (7.3)

Moved by Regional Councillor Jack Heath

Seconded by Councillor Khalid Usman

1. That the report “2022 Interim Tax Levy By-law” be received; and,
2. That Council authorize an interim tax levy for 2022; and,

3. That the attached by-law be passed to authorize the 2022 interim tax levy; and further,
4. That staff be authorized and directed to do all things necessary to give effect to this resolution.

(By-law 2021-119)

Carried

8.1.5 SCHOOL CROSSING GUARD PROGRAM CONTRACT EXTENSION (7.9)

Moved by Regional Councillor Jack Heath

Seconded by Councillor Khalid Usman

1. That the report entitled “ School Crossing Guard Program Contract Extension (City Wide)” be received; and,
2. That the tendering process be waived in accordance with the City’s Purchasing By-law # 2017-8, Part II, Section 11.1(c), Non Competitive Procurement which states, “when the extension of an existing Contract would prove more cost-effective or beneficial”; and,
3. That the contract for school crossing guard services be extended with Staffing Services Inc. for two (2) years from September 2022 to June 2024 in the estimated amount of \$1,437,507.30 (inclusive of HST); and,
 - \$ 718,753.65 September 2022 – June 2023
 - \$ 718,753.65 September 2023 – June 2024
 - \$1,437,507.30 Total (Incl. of HST)
4. That the award be funded from Operating Budget # 740-998-5642 “School Crossing Guards”; and,
5. That the Director of Engineering and Senior Manager, Procurement & Accounts Payable be authorized to exercise the option to renew the contract for two (2) additional years at the same rate subject to Council approval of the annual Operating Budgets; and,
6. That staff be authorized to amend the award amounts to reflect changes to the crossing guard operating budget account as approved by Council during the annual budgeting process; and further,

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

Carried

8.1.6 066-T-21 SHADE STRUCTURE AND RUBBERIZED SURFACE AT ARMADALE PARK (6.6) (7.9)

Moved by Regional Councillor Jack Heath

Seconded by Councillor Khalid Usman

1. That the report entitled “Tender 066-T-21 Shade Structure and Rubberized Surface at Armadale Park” be received; and,
2. That the contract for Tender 066-T-21 Shade Structure & Rubberized Surface at Armadale Park be awarded to the lowest priced bidder, Landco Group Inc. in the amount of \$369,010.25, inclusive of HST; and,
3. That a 5% contingency in the amount of \$18,450.51 inclusive of HST, be established to cover any additional construction costs and that authorization to approve expending of the contingency amount up to the specified limit be in accordance with the Expenditure Control Policy; and,
4. That the estimated costs of \$387,460.77 (\$369,010.25 + \$18,450.51) be funded from accounts as listed in the Financial Considerations section with budget available of \$283,500.00; and,
5. That the budget shortfall in the amount of \$103,960.77 (\$387,460.77 - \$283,500.00) be funded from the Development Charges - City-Wide Soft Reserve in the amount of \$93,564.69 (90%) and Non-DC Growth in the amount of \$10,396.08 (10%); and further,
6. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

8.1.7 174-T-21 PLAY EQUIPMENT REPLACEMENT AND SITE WORK AT VARIOUS PARKS (7.9)

Moved by Regional Councillor Jack Heath

Seconded by Councillor Khalid Usman

1. That the report entitled “Tender 174-T-21 Play Equipment Replacement & Site Work at Various Parks” be received; and,
2. That the contract for Tender Play Equipment Replacement & Site Work at Various Parks be awarded to the lowest priced bidder, J. Hoover Ltd. in the amount of \$515,822.68, inclusive of HST; and,
3. That a 5% contingency in the amount of \$25,791.13 inclusive of HST, be established to cover any additional construction costs and that authorization to approve expending of the contingency amount up to the specified limit be in accordance with the Expenditure Control Policy; and,
4. That the estimated costs of \$541,613.82 (\$515,822.68 + \$25,791.13) be funded from project #21130 Play Structure Replacement with budget available of \$378,720.00; and,
5. That the budget shortfall in the amount of \$162,893.82 (\$541,613.82 - \$378,720.00) be funded from the Life Cycle Capital and Replacement Reserve; and further,
6. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

8.1.8 201-S-21 AUTOMATED MATERIAL HANDLING EQUIPMENT FOR MILLIKEN MILLS, UNIONVILLE, AND THORNHILL COMMUNITY CENTRE LIBRARIES (7.9)

Moved by Regional Councillor Jack Heath

Seconded by Councillor Khalid Usman

1. That the report entitled “ 201-S-21 Automated Material Handling Equipment for Milliken Mills, Unionville and Thornhill Community Centre Libraries” be received; and,
2. That staff be authorized to award a contract to Bibliotheca Canada Inc. for Milliken Mills Branch for one (1) flex AMH System 5-bin sorter with one (1) patron return and one (1) staff induction station in the amount of \$177,321.67 (including freight, installation, training and HST impact); and,
3. That staff be authorized to award a contract to Bibliotheca Canada Inc. for Unionville Branch for two (2) self-check kiosks and Thornhill

Community Centre Branch for two (2) self-check kiosks and one (1) flex AMH System 9-bin sorter with one (1) patron return and one (1) staff induction station in the amount of \$308,424.01 (including freight, installation, training and HST impact); and,

4. That the tendering process be waived in accordance with Purchasing By-Law 2017-8, Part II, Section 11.1 (b) Non Competitive Procurement, “Where there is only one source of supply for the goods to be purchased; and,
5. That the capital costs for Milliken Mills Branch be funded from capital project 20139, Milliken Mills Community Centre Lobby Enhancement, GL account 500-101-5399-20139, which has an available budget of \$280,000.00; and,
6. That the remaining budget in the amount of \$102,678.33 (\$280,000.00 – \$177,321.67) shall remain in the capital project 20139, Milliken Mills Community Centre Lobby Enhancement, to fund the budget shortfall of the construction works required for the Milliken Mills Community Centre Lobby Enhancement via separate procurement process RFT 133-T-21; and,
7. That the capital costs for Unionville Branch and Thornhill Community Centre Branch be funded from capital project 20282, ITS – Library Bibliotheca (3M), GL account 049-6150-20282-005, with an available budget of \$465,043.20; and,
8. That the remaining budget in the amount of \$156,619.19 (\$465,043.20 - \$308,424.01) remain in the project budget 20282, ITS – Bibliotheca (3M), to fund the media lab equipment at Thornhill Community Centre Branch; and,
9. That the net operating impact for maintenance cost of \$13,872.49 inclusive of HST be charged to the ITS Computer Hardware Acct #400-404-5460 following the expiry of the one year warranty period (mid 2023), which will be addressed during the 2023 operating budget process; and further,
10. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

8.1.9 133-T-21 MILLIKEN LOBBY ENHANCEMENT (7.9)

Moved by Regional Councillor Jack Heath

Seconded by Councillor Khalid Usman

1. That the report entitled “Tender 133-T-21 Milliken Mills Lobby Enhancement” be received; and,
2. That the contract for Tender 133-T-21 Milliken Mills Lobby Enhancement be awarded to the lowest priced bidder, Fina Construction Ltd. in the amount of \$540,128.05 inclusive of HST; and,
3. That a 8% contingency in the amount of \$43,210.24 inclusive of HST, be established to cover any additional construction costs and that authorization to approve expending of the contingency amount up to the specified limit be in accordance with the Expenditure Control Policy; and,
4. That the capital cost of \$583,338.29 (\$540,128.05 + \$43,210.24) be funded from capital project GL account 500-101-5399-20139 – Milliken Mills Lobby Enhancement, as summarized in the Financial Considerations section, with budget available of \$306,940.00; and,
5. That the budget shortfall in the amount of \$276,398.29 (\$583,338.29 - \$306,940.00) be funded from the favourable budget available in the amount of \$102,678.00 for the sorter component under the same project and the remaining shortfall in the amount of \$173,720.29 from the Facility Ramp Up Reserve Contingency, with a current balance of \$28,686,848; and further,
6. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

8.2 REPORT NO.41 - DEVELOPMENT SERVICES PUBLIC MEETING
(NOVEMBER 30, 2021)

Moved by Councillor Keith Irish

Seconded by Regional Councillor Jim Jones

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

Carried

8.2.1 2022 DEVELOPMENT FEE, BUILDING, AND CITY-WIDE FEE BY-LAWS (10.0)

Moved by Councillor Keith Irish

Seconded by Regional Councillor Jim Jones

1. That the Deputation by Gabe Di Martino, Trinity Point & BiLD, regarding the proposed amendments to the Development and Building Fee By-laws be received; and,
2. That the written submission from Victoria Mortelliti, and Gabe Di Martino, BiLD, regarding the proposed amendments to the Development and Building Fee By-laws be received; and,
3. That the Record of the Public Meeting held on November 30, 2021, with respect to the proposed amendments to the Development and Building Fee By-laws be received; and,
4. That the amendment to By-law 211-83, as amended, "Tariff of Fees for the Processing of Planning Applications," substantially in the form attached as Appendix 'A', be enacted; and,
5. That By-law 2020-140, as amended be repealed and the attached "By-law respecting Construction, Demolition and Change of Use Permits and Inspections," attached as Appendix 'B', be enacted; and,
6. That the By-laws come into force and take effect on January 1, 2022; and further,
7. That Staff be authorized and directed to do all thing necessary to give effect to this resolution.

(By-laws 2021-113 and 2021-114)

Carried

8.3 REPORT NO. 42 - DEVELOPMENT SERVICES COMMITTEE (DECEMBER 6, 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 to 4):

Carried

8.3.1 RECOMMENDATION REPORT HERITAGE PERMIT APPLICATION
4450 HIGHWAY 7 EAST UNIONVILLE EXTERIOR PAINTING FILE
NO. HE 21 140321 (10.0)

Moved by Regional Councillor Jim Jones

Seconded by Councillor Keith Irish

1. That the report dated December 6, 2021, titled "Recommendation Report, Heritage Permit Application, 4450 Highway 7 East, Unionville, Exterior Painting File: HE 21 140321, Ward 3", be received; and,
2. That the painting of the original brick surface is not supported and the Heritage Permit application be denied; and,
3. That the paint be removed from the brick surface; and further,
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

8.3.2 RECOMMENDATION REPORT 2697416 ONTARIO INC
APPLICATIONS TO AMEND THE ZONING BY-LAW AND FOR
DRAFT PLAN OF SUBDIVISION TO ALLOW INDUSTRIAL
DEVELOPMENT AT 5560 14TH AVENUE FILE NO. PLAN 20 116893
AND FILE NO. PLAN 21 116893 (10.5)

Moved by Regional Councillor Jim Jones

Seconded by Councillor Keith Irish

1. That the report dated December 6, 2021 and titled "RECOMMENDATION REPORT, Applications for Zoning By-law Amendment and Draft Plan of Subdivision submitted by 2697415

Ontario Inc. to permit a 2-storey multi-unit industrial building at 5560 14th Avenue (Ward 7), File No. PLAN 20 116893”, be received; and,

2. That the record of the Public Meeting held on October 5, 2021 respecting the Zoning By-law Amendment and Draft Plan of Subdivision submitted by 2697415 Ontario Inc. to permit a 2-storey multi-unit industrial building at 5560 14th Avenue (Ward 7), be received; and,
3. That the Zoning By-law Amendment application (PLAN 20 116893) submitted by 2697415 Ontario Inc. to permit a 2-storey multi-unit industrial building at 5560 14th Avenue (Ward 7) be approved and enacted by Council at a later date, without further notice, once the by-law has been finalized; and,
4. That the Draft Plan of Subdivision 19TM-21008 (PLAN 20 116893) be approved, subject to Council’s approval of the Zoning Bylaw Amendment (PLAN 20 116893) and the conditions set out in Appendix ‘B’ of this report; and,
5. That the Director of Planning and Urban Design or his designate, be delegated authority to issue Draft Plan Approval, subject to the conditions set out in Appendix “B” of this report as may be amended by the Director of Planning and Urban Design or his designate; and,
6. That Draft Plan Approval for Plan of Subdivision 19TM-21008 will lapse after a period of three (3) years from the date of issuance in the event that a Subdivision Agreement is not executed within that period; and,
7. That in accordance with the provision of subsection 45 (1.4) of the Planning Act R.S.O. 1990, c P13, as amended, the Owner shall through this Resolution, be permitted to apply to the Committee of Adjustment for variances from the provisions of Zoning By-law 177-96, before the second anniversary of the day on which the by-law was approved by Council; and further,
8. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

8.3.3 RECOMMENDATION REPORT APPLICATIONS FOR A DRAFT PLAN OF SUBDIVISION AND ZONING BY-LAW AMENDMENT SUBMITTED BY 4551 ELGIN MILLS DEVELOPMENT LTD. AND MAJOR KENNEDY SOUTH DEVELOPMENTS LTD. TO FACILITATE THE CREATION OF

APPROXIMATELY 2,305 GROUND ORIENTED DWELLING UNITS, FUTURE MIXED USE AND RESIDENTIAL DEVELOPMENT BLOCKS, PARKS, SCHOOLS, STORMWATER MANAGEMENT FACILITIES, OPEN SPACE, GREENWAY PROTECTION AND THE SUPPORTING ROAD NETWORK ON THE SUBJECT LANDS KNOWN MUNICIPALLY AS 4551 ELGIN MILLS ROAD EAST, 10225-10227 KENNEDY ROAD, AND 4638 MAJOR MACKENZIE DRIVE EAST (WARD 6) (10.5, 10.7)

Moved by Regional Councillor Jim Jones

Seconded by Councillor Keith Irish

1. That the staff report dated December 6, 2021 titled “Recommendation Report, 4551 Elgin Mills Developments Ltd., Major Kennedy Developments Ltd., and Major Kennedy South Developments Ltd., Applications for a Draft Plan of Subdivision and Zoning By-law Amendment to permit a residential subdivision including mixed use multi-storey development blocks at 4551 Elgin Mills Road East, 10225 – 10227 Kennedy Road and 4638 Major Mackenzie Drive East (Ward 6), File No.: PLAN 20 113780,” be received; and,
2. That in accordance with the provisions of subsections 45 (1.4) of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, the Owners shall through this Resolution, be permitted to apply to the Committee of Adjustment for a variance from the provisions of the accompanying Zoning By-law, before the second anniversary of the day on which the by-law was approved by Council; and,
3. That the application submitted by 4551 Elgin Mills Developments Ltd., Major Kennedy Developments Ltd., and Major Kennedy South Developments Ltd. to amend Zoning By-law 304-87, as amended, be approved and the draft Zoning By-law attached hereto as Appendix ‘A’, be finalized and brought forward to a future Council meeting to be enacted without further notice; and,
4. That Draft Plan of Subdivision 19TM-20002 be approved in principle, subject to the conditions set out in Appendix ‘B’ of this report and be

brought forward to a future Council meeting once all outstanding matters have been resolved to staff's satisfaction; and,

5. That the Director of Planning and Urban Design or his designate, be delegated authority to issue Draft Plan Approval, subject to the conditions set out in Appendix 'B', as may be amended by the Director of Planning and Urban Design or his designate; and,
6. That Draft Plan Approval for Draft Plan of Subdivision 19TM-20002 will lapse after a period of three (3) years from the date of Council approval in the event that a subdivision agreement is not executed within that period; and,
7. That servicing allocation for 2,084 units be assigned to Draft Plan of Subdivision 19TM-20002; and further,
8. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

8.3.4 PROPOSED STRATEGY FOR ADVANCING MARKETING AND DEVELOPMENT OF THE MIX INNOVATION DISTRICT (10.16)

Moved by Regional Councillor Jim Jones

Seconded by Councillor Keith Irish

1. That the Report dated November 22, 2021 entitled "The Markham Innovation District (MiX) Next Steps" be received; and,
2. That Council approve the terms of reference for the Consultant work necessary to initiate the development of the MiX; and,
3. That the award of the contract for the Lead Consultant be awarded to Urban Strategies Inc. in the amount of \$136,000.00 inclusive of HST impact; and,
4. That the tendering process for the Lead Consultant be waived in accordance with the City's Purchasing By-law # 2017-8, Part II, Section 11.1(c), Non Competitive Procurement which states, "when the extension of an existing Contract would prove more cost-effective or beneficial"; and,
5. That Staff undertake a formal procurement process for the various sub-consultants (Development Model, Servicing Study, and Market

Guidance Study) as per the Purchasing Bylaw # 2017-8 with the awards not to exceed \$285,000.00; and,

6. That the cost for the Lead Consultant and Sub-Consultant in the amount of \$421,000.00 (\$136,000.00 + \$285,000.00) be funded from the Markham Innovation Exchange budget account 610-101-5699-20290 with a budget available of \$460,000.000; and,
7. That the remaining balance in the amount of \$39,000.00 (\$460,000.00 - \$421,000.00) remain in the account until completion of the project; and further,
8. That Staff be directed to do all things necessary to give effect to this resolution.

Carried

8.4 REPORT NO. 43 - GENERAL COMMITTEE (DECEMBER 7, 2021)

Moved by Regional Councillor Jack Heath

Seconded by Councillor Reid McAlpine

That the report of the General Committee be received & adopted save and except for Item Nos. 8.4.2; 8.4.3 and 8.4.4:

Carried

8.4.1 EXTENSION OF CONTRACT 022-R-14 FOR THE SUPPLY, INSTALLATION AND MAINTENANCE OF WATER METERS (5.3, 7.9)

Moved by Regional Councillor Jack Heath

Seconded by Councillor Reid McAlpine

1. That the report “Extension of Contract 022-R-14 for the Supply, Installation and Maintenance of Water Meters” be received; and,
2. That the contract for the supply, installation and maintenance of water meters be extended for 4 years and 11 month term from February 1, 2022 to December 31, 2026 in the estimated annual contract amount of \$1,662,952.36, inclusive of HST; and,
 - February 2022 – December 2022 - \$1,524,373.00 (11 months)
 - January 2023 – December 2023 - \$1,662,952.36*

- January 2024 – December 2024 - \$1,662,952.36*
 - January 2025 – December 2025 - \$1,662,952.36*
 - January 2026 – December 2026 - \$1,662,952.36*
 - Total \$8,176,182.44
 - *Subject to an annual increase based on the Consumer Price Index (Ontario All-items); and
3. That Staff be authorized to amend the award amounts in years 2022-2026 to reflect changes to the Capital and Operating Budget accounts as approved by Council during the annual budget process; and,
 4. That the tendering process be waived in accordance with the City's Purchasing By-law # 2017-8, Part II, Section 11.1(c), Non Competitive Procurement which states, "when the extension of an existing Contract would prove more cost-effective or beneficial"; and further,
 5. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

8.4.2 ELECTION CONTRIBUTION REBATE PROGRAM (9.0)

Moved by Regional Councillor Jack Heath

Seconded by Councillor Reid McAlpine

1. That the presentation entitled "Municipal Election Contribution Rebate Program" dated December 7, 2021 be received; and,
2. That the City of Markham's Election Candidate Contribution Rebate Program's (CCRP) enabling by-law (By-law 2018-17) be amended to:
 - a) Restrict rebates to Markham voters and **Permanent Residents of Canada residing in Markham;**
 - b) Lower the maximum rebate cap per person from \$350 to \$150;
3. That the rebate application form **confirm that the applicant is an eligible voter in Markham or a Permanent Resident of Canada residing in Markham; and,**

4. That any future changes to the CCRP be proposed within two years of the previous municipal election at the latest; and,
5. That the Province of Ontario be requested to expand eligibility for political contribution income tax credits to include contributions made to municipal election candidates; and further,
6. That staff be authorized and directed to do all things necessary to give effect to this resolution.

(By-law 2021-121)

Carried as Amended

Council had before it the following amendment to clause 2(a) and a new 2(b) for consideration:

2. That the City of Markham's Election Candidate Contribution Rebate Program's (CCRP) enabling by-law (By-law 2018-17) be amended to:
 - a) Restrict rebates to Markham voters **and Permanent Residents of Canada residing in Markham; and**
 - b) **That they are not the owner of, an employee of, or a consultant of, a land development company.**

A separate recorded vote for Clause 2(a) and 2(b) was requested.

On clause 2(a):

2. That the City of Markham's Election Candidate Contribution Rebate Program's (CCRP) enabling by-law (By-law 2018-17) be amended to:
 - a) Restrict rebates to Markham voters **and Permanent Residents of Canada residing in Markham; and**

Carried by Recorded Vote (7-6)

See below for Recorded Vote

Recorded Vote (7-6) on Clause 2a:

YEAS: Councillor Keith Irish, Councillor Reid McAlpine, Councillor Karen Rea, Mayor Frank Scarpitti, Regional Councillor Jack Heath, Councillor Khalid Usman, Councillor Isa Lee (7)

NAYS: Councillor Alan Ho, Regional Councillor Jim Jones, Deputy Mayor Don Hamilton, Regional Councillor Joe Li, Councillor Andrew Keyes, Councillor Amanda Collucci (6)

On clause 2(b):

2. That the City of Markham's Election Candidate Contribution Rebate Program's (CCRP) enabling by-law (By-law 2018-17) be amended to:

b. That they are not the owner of, an employee of, or a consultant of, a land development company.

LOST on a Recorded Vote (11-2)

See below for Recorded Vote

Recorded Vote (11-2) on Clause 2b:

YEAS: Councillor Reid McAlpine, Regional Councillor Jack Heath (2)

NAYS: Councillor Keith Irish, Councillor Alan Ho, Councillor Karen Rea, Regional Councillor Jim Jones, Deputy Mayor Don Hamilton, Mayor Frank Scarpitti, Regional Councillor Joe Li, Councillor Andrew Keyes, Councillor Amanda Collucci, Councillor Khalid Usman, Councillor Isa Lee (11)

Council had before it the following original recommendation for consideration:

1. **That the presentation entitled "Municipal Election Contribution Rebate Program" dated December 7, 2021 be received; and,**

2. That the City of Markham's Election Candidate Contribution Rebate Program's (CCRP) enabling by-law (By-law 2018-17) be amended to:
 1. Restrict rebates to Markham voters;
 2. Lower the maximum rebate cap per person from \$350 to \$150;
3. **That any future changes to the CCRP be proposed within two years of the previous municipal election at the latest; and,**
4. **That the Province of Ontario be requested to expand eligibility for political contribution income tax credits to include contributions made to municipal election candidates; and further,**
5. That staff be authorized and directed to do all things necessary to give effect to this resolution.

(By-law 2021-121)

8.4.3 LICENSING OF PRIVATE TRANSPORTATION COMPANIES (PTCs) AND ASSOCIATED AMENDMENTS TO THE MOBILE LICENSING BY-LAW (2.0)

Councillor Keith Irish declared a conflict on the matter on " Licensing of Private Transportation Companies (PTCs) and Associated Amendments to the Mobile Licensing By-law", as his son is an iOS Developer for Uber and did not take part in the discussion or vote on the matter.

Moved by Regional Councillor Jack Heath
Seconded by Councillor Reid McAlpine

1. That the presentation by Jeff Baker, Supervisor of Business Licensing and Standards dated December 7, 2020 and entitled "Regulation of Private Transportation Companies (PTCs) in Markham" be received; and,
2. That the memorandum entitled "Supplementary Memo – Follow-Up to the March 2, 2020 General Committee Regarding the Licensing of Private Transportation Companies (PTC's)" be received; and;
3. That the report dated March 2, 2020, entitled "Licensing of Private Transportation Companies (PTCs) and Associated Amendments to the Mobile Licensing By-law" be received; and,

4. That the email dated November 22, 2021 from Jake Brockman, on behalf of Uber Canada, providing comments regarding the Licensing of PTCs be received; and,
5. That the proposed amendments to the Mobile Licensing By-law 2012-92 to add a Schedule 8 (relating to the regulation of PTCs) attached as Appendix “F” be adopted; and,
6. That the proposed amendments to Schedule 6 of the Mobile Licensing By-law 2012-92 (relating to the Licensing, Regulation and Governing of Taxicab Brokers, Owners and Drivers) attached as Appendix “G” be adopted; and,
7. That the proposed amendments to Schedule 4 of the Mobile Licensing By-law 2012-92 (relating to the Licensing and Regulation of Owners and Drivers of Limousines) attached as Appendix “H” be adopted; and,
8. That the proposed amendments to By-law 2012-92 take effect on April 1, 2022; and,
9. That the proposed amendments to the Licensing, Permit and Fees By-law 2012-137 be adopted; and,
10. That staff report back on the **implementation program in the fall of 2023** with an update; and further,
11. That staff be authorized and directed to do all things necessary to give effect to this resolution.

(By-law 2021-124)

Carried as Amended

Council consented to amend clause 10 from:

10. That staff report back on the regulation of PTCs in the second quarter of 2023 with an update; and further,

to:

10. That staff report back on the **implementation program in the fall of 2023** with an update; and further,

Council had before it the following original recommendation for consideration:

1. **That the presentation by Jeff Baker, Supervisor of Business Licensing and Standards dated December 7, 2020 and entitled “Regulation of Private Transportation Companies (PTCs) in Markham” be received; and,**
2. **That the memorandum entitled “Supplementary Memo – Follow-Up to the March 2, 2020 General Committee Regarding the Licensing of Private Transportation Companies (PTC’s)” be received; and;**
3. That the report dated March 2, 2020, entitled “Licensing of Private Transportation Companies (PTCs) and Associated Amendments to the Mobile Licensing By-law” be received; and,
4. **That the email dated November 22, 2021 from Jake Brockman, on behalf of Uber Canada, providing comments regarding the Licensing of PTCs be received; and,**
5. That the proposed amendments to the Mobile Licensing By-law 2012-92 to add a Schedule 8 (relating to the regulation of PTCs) attached as **Appendix “F”** be adopted; and,
6. That the proposed amendments to Schedule 6 of the Mobile Licensing By-law 2012-92 (relating to the Licensing, Regulation and Governing of Taxicab Brokers, Owners and Drivers) attached as **Appendix “G”** be adopted; and,
7. That the proposed amendments to Schedule 4 of the Mobile Licensing By-law 2012-92 (relating to the Licensing and Regulation of Owners and Drivers of Limousines) attached as **Appendix “H”** be adopted; and,
8. **That the proposed amendments to By-law 2012-92 take effect on April 1, 2022; and,**
9. **That the proposed amendments to the Licensing, Permit and Fees By-law 2012-137 be adopted; and,**
10. **That staff report back on the regulation of PTCs in the second quarter of 2023 with an update; and further,**
11. That staff be authorized and directed to do all things necessary to give effect to this resolution.

(By-law 2021-124)

8.4.4 LOBBYIST REGISTRATION AND DISCLOSURE SYSTEMS IN ONTARIO (9.0)

Discussion on this matter ensued. Council deferred the matter to the second quarter of 2023.

1. That the matter of the Lobbyist Registration and Disclosure Systems in Ontario be deferred to Q2 of 2023.

(Carried by Recorded Vote (8-5))
(See following Recorded Vote)

(Recorded Vote (8-5))

YEAS: Councillor Alan Ho, Regional Councillor Jim Jones, Mayor Frank Scarpitti, Regional Councillor Joe Li, Councillor Andrew Keyes, Councillor Amanda Collucci, Councillor Khalid Usman, Councillor Isa Lee **(8)**

NAYS: Councillor Keith Irish, Councillor Reid McAlpine, Councillor Karen Rea, Deputy Mayor Don Hamilton, Regional Councillor Jack Heath **(5)**

Council had before it the following original recommendation which was not considered at the meeting:

1. That the presentation by Kimberley Kitteringham, City Clerk & Director of Legislative Services and Corporate Communications entitled “Lobbyist Registration & Disclosure Systems in Ontario” be received; and,
2. **That Council approve the implementation of a Lobbyist Registry in principle; and,**
3. **That, in the preparation of the proposed Lobbyist Registry, staff undertake a best practice review and broadly consult with stakeholders including Members of Council, BiLD, the Public Affairs Association of Canada (PAAC), and the public; and,**

4. That staff report back to General Committee in the first quarter of 2022 on:
 - **a proposed Lobbyist Registry system for Markham;**
 - a proposed Lobbyist Registry By-law;
 - an online Lobbyist Registry process;
 - a proposed *Lobbyist Code of Conduct*;
 - the appointment of a Lobbyist Registrar for Markham – including **but not limited to** the feasibility & costs associated with adding Lobbyist Registrar duties to those already performed by the City's Integrity Commissioner; and further,
5. That staff be authorized to do all things necessary to give effect to this resolution.

8.4.5 DELEGATION OF APPOINTMENT OF CHIEF BUILDING OFFICIAL, DEPUTIES AND INSPECTORS (10.13)

Moved by Regional Councillor Jack Heath

Seconded by Councillor Reid McAlpine

1. That by-law 2021-120, respecting the appointment of a Chief Building Official, Deputy Chief Building Officials and to delegate Council authority to appoint inspectors to the Chief Building Official, for the enforcement of the Building Code Act, 1992 and Building Code be approved; and,
2. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

(By-law 2021-120)

Carried

8.4.6 MINUTES AND NOTES OF THE NOVEMBER 16, 2021 MARKHAM SUB-COMMITTEE (16.0)

Moved by Councillor Andrew Keyes

Seconded by Deputy Mayor Don Hamilton

Council consented to re-open the matter for consideration.

Carried

Discussion on this matter ensued. Councillor Andrew Keyes proposed amendments to the resolution before Council.

Rob Muir, Manager, Stormwater, provided comments on the proposed amendments.

Moved by Councillor Andrew Keyes

Seconded by Councillor Karen Rea

1. That the minutes and notes of the November 16, 2021 Markham Sub-Committee meeting be received for information purposes; and,
2. That the report entitled “Swan Lake Water Quality Management Plan” be received; and,
3. That Staff implement the Plan presented as Option 1 including proposed Core and new Complementary measures beginning in 2023; and,
4. That an additional \$2.35M over 25 years be reflected in the 2022 Lifecycle Reserve Update; and,
5. That an additional \$10K be added to the 2022 Budget for geese relocation, and fish management at Swan Lake; and,
6. **That staff be given discretion to advance three low-cost programs (<\$90k) into Phase 1 (initial 5 years), including: i) Research into chloride solutions ii) planting submerged plants iii) incorporation of the fish management plan and fish stocking**
7. That Staff report back annually on water quality results and evaluation of adapted Core and Complementary measures for consideration in Phase 2 of the strategy through the Markham Sub Committee with the participation of the Friends of Swan Lake Park in today's **presentation and other concerns, including high level lake water flow analysis; and,**

8. That staff report back to the Markham Sub Committee within the next 6 months (before the end of June) to discuss suggestions in Friends of Swan Lake Park **in today's presentation and other concerns that have arisen; and further,**
9. **That staff be directed to consider longer-term actions to achieve and maintain restoration; and further,**
10. 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

Council had before it the following proposed amendments for consideration:

6. That staff be given discretion to advance three low-cost programs (<\$90k) into Phase 1 (initial 5 years), including:

- i) **Research into chloride solutions**
- ii) **planting submerged plants**
- iii) **incorporation of the fish management plan and fish stocking**

and:

9. That staff be directed to consider longer-term actions to achieve and maintain restoration; and further,

Carried

Council had before it the following original recommendation for consideration:

1. That the minutes and notes of the November 16, 2021 Markham Sub-Committee meeting be received for information purposes; and,
2. That the report entitled "Swan Lake Water Quality Management Plan" be received; and,

3. That Staff implement the Plan presented as Option 1 including proposed Core and new Complementary measures beginning in 2023; and,
4. That an additional \$2.35M over 25 years be reflected in the 2022 Lifecycle Reserve Update; and,
5. That an additional \$10K be added to the 2022 Budget for geese relocation, and fish management at Swan Lake; and,
6. That Staff report back annually on water quality results and evaluation of adapted Core and Complementary measures for consideration in Phase 2 of the strategy through the Markham Sub Committee with the participation of the Friends of Swan Lake Park; and,
7. That staff report back to the Markham Sub Committee within the next 6 months (before the end of June) to discuss suggestions in Friends of Swan Lake Park in today's presentation and other concerns that have arisen; 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 were no notices of motions.

11. NEW/OTHER BUSINESS

11.1 NEW/ OTHER BUSINESS - 2022 WATER/WASTEWATER RATE (16.0)

Moved by Councillor Amanda Collucci

Seconded by Councillor Andrew Keyes

1. That the minutes from the November 18, 2021, 2022 Water/Wastewater Rate Public Consultation meeting be received; and,

2. That the 2022 City of Markham's ("City") water/wastewater rate be increased by 3.3% or \$0.1483/m³ from \$4.4680/m³ to \$4.6163/m³ effective April 1, 2022; and,
3. That the Reserve Recovery incremental rate increase be phased in over a 4-year period at \$0.0196/m³ annually from 2023 to 2026; and further,
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

(By-law 2021-112)

Carried

11.2 NEW/ OTHER BUSINESS - GTA WEST CORRIDOR (413 HIGHWAY) (5.10)

Moved by Regional Councillor Jim Jones

Seconded by Councillor Amanda Collucci

CONTEXT AND HISTORY

1. Whereas the Province of Ontario initiated an Environment Assessment process in 2007 for the planning and construction of the proposed Highway 413; and,
2. Whereas the final recommendation of the Stage 1 Provincial Environmental Assessment (2012) was to first put in place the transportation system management components, rapid transit, freight rail improvements and expansion of existing highways prior to construction of a new expressway; and,
3. Whereas the Stage 2 Environmental Assessment (new expressway) undertaken by the previous provincial government was shelved because of strong objections by an Expert Panel in the fields of rural development, renewable cities, agriculture, environment, and efficient transportation who sounded alarms over predicted irreversible ecological harm caused by the uncontrolled, low density urban sprawl enabled by the Corridor; and,
4. Whereas the current Provincial Government revived the \$6+ billion Highway 413 proposal in 2018, saying it could relieve congestion issues in the fast-growing Toronto suburbs and boost Ontario's economy; and,
5. Whereas concerned citizens of Markham and a significant number of reputable organizations have demanded cancellation of the Highway 413

project, including: Environmental Defense, the David Suzuki Foundation, the Federation of Urban Neighborhoods, Gravel Watch, Halton Environmental Network, National Farmers' Union-Ontario, Rescue Lake Simcoe Coalition, Sustainable Vaughan, Concerned Citizens of King Township (CCKT), Transport Action Ontario, Greenbelt Council, the Wilderness Committee and Sustainable Mississauga; as well as formal opposition of Councils from the municipalities of Halton Hills, Caledon, Orangeville, Vaughan, Brampton, Mississauga, King and the City of Toronto; and,

6. Whereas the Federal Government has decided to conduct an Impact Assessment study for the proposed Highway 413; and,

AGRICULTURE

7. Whereas Ontario farming and food processing together employ one million persons and generate over \$35 billion economic benefits annually; and,
8. Whereas the Greater Golden Horseshoe is the third largest agricultural producer in North America after California and Chicago; and,
9. Whereas the Province of Ontario is proposing to develop the Highway 413 by razing 809 hectares of pristine farmlands, some of which are Class A and Class B farmlands and many of which will immediately cease to be farmed and other lands which over time will be developed for non-agricultural uses; and,
10. Whereas the Minister of Agriculture, Food and Rural Affairs has not completed an Agricultural Impact Assessment for the proposed Highway 413; and,

NATURAL ENVIRONMENT

11. Whereas the proposed Highway 413 will cut across 85 waterways, and destroy protected Greenbelt lands including 7 entire woodlots, 220 important wetlands and valley land features, 10 different species-at-risk and hundreds of acres of vulnerable wildlife habitat; and,
12. Whereas the Greenbelt Plan's permission for new infrastructure which negatively impacts key natural heritage features, key hydrologic features or key hydrologic areas requires determination that there is "no reasonable alternative" and that this has not been established through a planning process; and,
13. Whereas the Toronto and Region Conservation Authority (TRCA), which is the regulatory authority for developments in flood plains, wetlands, and valley

lands, has also raised concerns about the potential impact of the proposed Highway 413 as well as the streamlined Environmental Assessment process; and,

GREENHOUSE GASES

14. Whereas the City of Markham has taken reasonable measures to mitigate against climate change to reduce greenhouse gas emissions (GHGs); and,
15. Whereas responding to the climate emergency requires immediate re-evaluation of all transportation plans as GHGs from transportation is the highest single source of emissions; and,
16. Whereas the Province must take immediate measures to decrease GHGs through alternatives such as increasing public transit, including the necessary local public transit networks, to enable broad access to the higher order transit including high-speed electric trains; and,

INDUCED DEMAND AND ROAD ALTERNATIVES

17. Whereas the Highway 407 was created as a truck by-pass in order to relieve congestion on Highway 401, but the Highway 407 was tolled, thereby limiting the amount of relief provided by the Highway 407; and,
18. Whereas it is well known that, as new road capacity (lane-km) is constructed, traffic demand grows to fill this capacity by the phenomenon known as “induced demand”, resulting in roads that are as congested as they were prior to the expansion of the road; and,
19. Whereas several reasonable highway network management alternatives to the proposed Highway 413 exist and were recommended by the Expert Panel, including possible subsidies or congestion pricing that would shift truck traffic to the under-utilized Highway 407; and,

TRANSIT ALTERNATIVES AND TRANSIT ORIENTED COMMUNITIES

20. Whereas the proposed Highway 413 will allocate limited Provincial funds to the movement of vehicular traffic instead of much needed transit investments for complete transit-oriented communities; and,
21. Whereas transit investments and good land use planning decisions are vital to creating complete transit-oriented communities which are economically vibrant, where people and goods are moved seamlessly, and where multiple modes of transportation support the community including a focus on active transportation; and,

22. Whereas the proposed Highway 413 will lead to greater demand for development with more than 13,350 hectares of Whitebelt lands in the Greater Golden Horseshoe (Caledon and Vaughan) being impacted, leading to greater urban sprawl and development that is not supportive of transit investment; and,
23. Whereas analysis has shown (<https://ontario.transportation.ca>) that investment in various unfunded rapid transit projects, including GO Transit, 407 Transitway and LRT/BRT projects which can move 4-10 times the number of people as the proposed Highway 413, for the same invested dollars; and,
24. Whereas the 407 Transitway has been planned for decades but has no approved funding for its construction; and,
25. Whereas the City of Markham has consistently supported development of the transit-oriented communities,' to support long term inter-regional transportation solutions and to enhance integration of our existing communities and supported rail integrated communities along both the GO Transit rail lines and the 407 rail transitway; and,
26. Whereas [Uncontrolled urban growth](#) threatens these resources and is widely seen to embed unsustainable infrastructure maintenance costs, deepen traffic congestion problems, increase transportation-related emissions of greenhouse gases and smog precursors, and reinforce social divisions; and,
27. Whereas planning and infrastructure decisions affect the shape of communities for decades, even centuries to come; and,
28. Whereas Transit Oriented Communities (TOC) positively contribute toward a more environmentally friendly and economically sustainable communities, reduce the reliance on car-dependent trips for all members of the community, therefore reducing Vehicle Kilometers Travelled (VKT) and reducing the high costs of auto ownership thus contributing to achieving affordable housing outcomes; and,
29. Whereas strategic land-use planning requires public policy that communicates TOCs as integral to a community's long-term vision with supportive official plan and zoning provisions that facilitate density and mixed land use; and,

NOW THEREFORE, BE IT RESOLVED:

1. That the Council of the City of Markham does not support the proposed Highway 413 at this time; and,

2. That the Council of the City of Markham continues to support an integrated GTHA rail transit network which includes high speed rapid rail transit running beside the Highway 407 (407 Transitway); and,
3. That the Council of the City of Markham fully supports a complete Federal Environmental Impact Study pursuant to s.9(1) of the Impact Assessment Act (I.A.A.), prior to any advancement of the proposed Highway 413 project; and,
4. That the Council of the City of Markham requests that the Province undertake an economic evaluation and time travel analysis of Highway 407 versus the proposed Highway 413 including the potential for congestion and non-peak hour pricing or other highway management alternatives; and,
5. That if the proposed Highway 413 does not proceed, that the funding allocated for the proposed Highway 413 should be redirected to provide for rapid transit in the Regions of York and Peel such as investment in the 407 Transitway, improved GO service on the Kitchener and Milton lines, a new GO transit line to Bolton; and,
6. That the Council of the City of Markham recommends that the Province undertake a comprehensive economic benefits analysis of the potential for TOCs along the 407 Transitway, GO Rail Transit Network and new LRT/BRT lines versus the cost of urban sprawl triggered by the proposed Highway 413; and,
7. That the Province undertake an integrated review of the Provincial Growth Plan for the Greater Golden Horseshoe and the Metrolinx Regional Transportation Plan to develop a sustainable communities strategy to provide consistent and comprehensive policies for achieving affordable housing near TOC stations including policies to achieve the Province's goal of 50 percent of all new housing over the next 30 years being within 800-1,000 metres of rapid rail transit station or high frequency (15 minutes or less, peak hour) bus transit; and,
8. That the Province must also update its affordable housing program to recognize the relationship between housing affordability and transit including the positive role of housing near rail transit TOC stations to improve the operational efficiency of the Provincial investment in mass rail transit; and,
9. That Ontarians need serious, transparent, and accountable infrastructure planning processes, based on clear and consistent rules designed to advance the environmental, social, and economic sustainability of their communities; and,

10. That a copy of this resolution be provided to the Regions of York, Peel and Halton, the Cities of Richmond Hill, Vaughan, Brampton, Mississauga, Toronto and the Towns of Milton, Caledon, and Halton Hills; and further,
11. That this Resolution be forwarded to:
 1. Doug Ford, Premier of Ontario;
 2. Peter Bethlenfalvy, Minister of Finance;
 3. Caroline Mulroney, Minister of Transportation;
 4. Kinga Surman, Minister of Infrastructure and Transit-Oriented Communities;
 5. David Piccini, Minister of Environment and Climate Change;
 6. Stan Cho, Associate Minister of Transportation (GTA);
 7. Steve Clark, Minister of Municipal Affairs and Housing;
 8. Lisa Thompson, Minister of the Agriculture, Food and Rural Affairs;
 9. Victor Fedeli, Minister of Economic Development, Job Creation and Trade;
 10. Andrea Horwath, Leader of the Official Opposition & Ontario NDP Party;
 11. Steven Del Duca, Leader of the Ontario Liberal Party;
 12. All Members of Federal Parliament in the Regional Municipality of York and Peel;
 13. All Members of Provincial Parliament in the Regional Municipality of York and Peel;
 14. All Members of Regional Council in the Regional Municipality of York and Peel;
 15. All City Clerks in the Regional Municipalities of York and Peel;
 16. Rt Hon. Justin Trudeau, Prime Minister of Canada;
 17. Chrystia Freeland, Federal Minister of Finance;
 18. Hon Omar Alghabra, Federal Minister of Transport;
 19. Hon Marie Claude Bibeau, Minister of Agriculture and Agri-Food;
 20. Melanie Joly, Federal Minister of Economic Development;

21. Dominic Leblanc, Federal Minister of Infrastructure and Communities;
22. Jonathan Wilkinson, Federal Minister of Natural Resources;
23. Steven Guilbeault, Federal Minister of Environment and Climate Change;
24. Wayne Emmerson, Chairman and CEO, York Region;
25. John Mackenzie, CEO, Toronto And Region Conservation Authority;
26. Phil Verster, President and CEO, Metrolinx;

(Carried by Recorded Vote)

(See following Recorded Vote)

A separate recorded vote for Clause 1 requested:

1. That the Council of the City of Markham does not support the proposed Highway 413 at this time;

(Recorded Vote for Clause 1 (11-2):

YEAS: Councillor Keith Irish, Councillor Alan Ho, Councillor Reid McAlpine, Councillor Karen Rea, Regional Councillor Jim Jones, Deputy Mayor Don Hamilton, Regional Councillor Jack Heath, Regional Councillor Joe Li, Councillor Amanda Collucci, Councillor Khalid Usman, Councillor Isa Lee **(11)**

NAYS: Mayor Frank Scarpitti, Councillor Andrew Keyes **(2)**

(Recorded Vote for Clauses 2-11 (13-0):

YEAS: Councillor Keith Irish, Councillor Alan Ho, Councillor Reid McAlpine, Councillor Karen Rea, Regional Councillor Jim Jones, Deputy Mayor Don Hamilton, Regional Councillor Jack Heath, Mayor Frank Scarpitti, Regional Councillor Joe Li, Councillor Andrew Keyes, Councillor Amanda Collucci, Councillor Khalid Usman, Councillor Isa Lee **(13)**

NAYS: **(0)**

11.3 NEW/ OTHER BUSINESS - 2022 OPERATING AND CAPITAL BUDGET (7.0)

Councillor Amanda Collucci, Budget Committee Chair, thanked staff and the Budget Committee for all their work in preparing the 2022 Operating and Capital Budget.

Moved by Councillor Amanda Collucci

Seconded by Councillor Andrew Keyes

1. That the report dated December 14, 2022 titled, “2022 Operating and Capital Budgets” be received; and,
2. That Council approve the 2022 Primary Operating Budget for City services of \$253,146,615, (excluding the 2022 surplus/deficit), as detailed in Appendix 1; and,
3. That Council approve a \$3,150,000 transfer from the Corporate Rate Stabilization to provide funding for the remaining 2021 budget shortfall in the 2022 Primary Operating Budget; and,
4. That Council approve the remaining 2022 Capital Budget of \$106,050,749 (\$95,546,449 + \$10,504,300) for a total of \$110,263,500 (\$106,050,749 + \$4,212,751 pre-approved), as per projects detailed in Appendix 2; and,
5. That Council approve the 2022 Planning & Design Operating Budget totalling \$12,828,142, as detailed in Appendix 3; and,
6. That Council approve the 2022 Engineering Operating Budget totalling \$10,161,738, as detailed in Appendix 4; and,
7. That Council approve the 2022 Building Standards Operating Budget totalling \$9,880,206, as detailed in Appendix 5; and,
8. That Council approve the 2022 Waterworks Operating Budget totalling \$137,438,127 (excluding the 2021 surplus/deficit), as detailed in Appendix 6; and,
9. That Council approve a Community Improvement Project for \$6,244,700 and a Public Art Acquisition project for \$4,259,600; and,
10. That upon finalization of the 2021 audited financial statements, 2022 operating budgets be adjusted to reflect 2021 operating results; and,
11. That a copy of the budgets be made available to the public through the Clerk’s Department, the City website and each of the Markham Public Libraries; and,

12. That the restated budget as detailed in Appendix 7, “Additional Financial Disclosure Requirements Pursuant to Ontario Regulation 284/09” be adopted; and further,
13. That the minutes from the Budget Committee and Budget Public Consultation meetings on December 1, 3 and 8, 2021 be received; and,
14. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

11.4 NEW/ OTHER BUSINESS - REQUEST FOR RESOLUTION RELATED TO 311 CALLS USING THE CITY OF MARKHAM TELEPHONE EXCHANGE

Moved by Councillor Andrew Keyes

Seconded by Councillor Khalid Usman

1. That the correspondence from the Regional Municipality of Durham dated October 5, 2021, requesting a Markham City Council resolution related to 311 routing be received; and,
2. That Markham City Council has no objection to the routing of 311 dialed calls originating from the overlap that exists between the City of Markham and the geographical area of the Regional Municipality of Durham provided that where callers (customers, residents, and businesses) of the Region of Durham dial 311 erroneously from within these exchanges, they will be given an option of being transferred to Markham’s Contact Centre; and further,
3. That staff be authorized 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 Deputy Mayor Don Hamilton

Seconded by Regional Councillor Jim Jones

That By-laws 2021-111 to 2021-122 and 2021-124 be given three readings and enacted.

Carried**Three Readings****13.1 BY-LAW 2021-111 PART LOT CONTROL**

A by-law to designate part of a certain plan of subdivision not subject to Part Lot Control, Block 153, Registered Plan 65M-4619; northwest quadrant of the intersection of Denison Street and Kirkham Drive.

Carried**13.2 BY-LAW 2021-112 2022 WATER/ WASTEWATER RATES (EFFECTIVE APRIL 1, 2022)**

A by-law to amend By-law No. 2002-276, being a by-law to impose fees or charges for services or activities provided or done by the City of Markham.

(New/Other Business Item 11.1)

Carried**13.3 BY-LAW 2021-113 A BY-LAW TO AMEND BY-LAW 211-83, AS AMENDED (A BY-LAW TO PRESCRIBE A TARIFF OF FEES FOR THE PROCESSING OF PLANNING APPLICATIONS)**

(Report No. 41, Item 8.2.1)

Carried**13.4 BY-LAW 2021-114 BEING A BY-LAW RESPECTING CONSTRUCTION, DEMOLITION, CHANGE OF USE PERMITS AND INSPECTIONS**

(Report No. 41, Item 8.2.1)

Carried**13.5 BY-LAW 2021-115 CORNELL ROUGE DEVELOPMENT CORP., 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 117, 118, 119, 120, 121 on Registered Plan 65M-4544.

Carried

- 13.6 BY-LAW 2021-116 A BY-LAW TO TO AMEND BY-LAW 2015-93, BEING A BY-LAW TO IMPLEMENT AN ADMINISTRATIVE MONETARY PENALTY SYSTEM IN MARKHAM (FOR PARKING)

Carried

- 13.7 BY-LAW 2021-117 A BY-LAW TO AMEND BY-LAW 2005-188 BEING A BY-LAW TO GOVERN AND CONTROL THE PARKING OF VEHICLES IN THE CITY OF MARKHAM (AMENDMENTS TO PARKING BY-LAW)

Carried

- 13.8 BY-LAW 2021-118 A BY-LAW OF THE CITY OF MARKHAM TO DESIGNATE CERTAIN LANDS AS A MUNICIPAL CAPITAL FACILITY.

(Item 8.1.2, Report 40)

Carried

- 13.9 BY-LAW 2021-119 A BY-LAW TO PROVIDE FOR AN INTERIM TAX LEVY IN 2022

(Item 8.1.4, Report 40)

Carried

- 13.10 BY-LAW 2021-120 BEING A BY-LAW TO APPOINT A CHIEF BUILDING OFFICIAL, DEPUTY CHIEF BUILDING OFFICIALS, AND BUILDING INSPECTORS PURSUANT TO THE BUILDING CODE ACT, 1992, S.O. 1992, C. 23, AS AMENDED

(Item 8.4.5, Report 43)

Carried

- 13.11 BY-LAW 2021-121 A BY-LAW TO AMEND BY-LAW 2018-17, BEING A BY-LAW TO AUTHORIZE THE PAYMENT OF REBATES TO ELIGIBLE INDIVIDUALS WHO MAKE CONTRIBUTIONS TO CANDIDATES FOR AN OFFICE ON MARKHAM CITY COUNCIL

(Item 8.4.2, Report 43)

Carried as Amended

**13.12 BY-LAW 2021-122 9781 MARKHAM ROAD LIMITED PARTNERSHIP ,
9781 MARKHAM ROAD, HOLD REMOVAL BY-LAW**

A By-law to amend By-law 177-96, as amended, to remove the Holding provision from Phase 1 of the proposed development comprised of two, 23 -storey mixed use buildings.

(Item 6.1, Communications)

Carried

**13.13 BY-LAW 2021-124 A BY-LAW TO AMEND BY-LAW NO. 2012-137, BEING
A BY-LAW TO IMPOSE FEES OR CHARGES FOR LICENCES AND
PERMITS ISSUED BY THE CITY OF MARKHAM**

(Item 8.4.3, Report 43)

Carried

14. CONFIDENTIAL ITEMS

Moved by Councillor Khalid Usman

Seconded by Councillor Amanda Collucci

That, in accordance with Section 239 (2) of the *Municipal Act*, Council resolve into a private session to discuss the following confidential matters at 5:13 pm:

14.1 COUNCIL

**14.1.1 APPROVAL OF CONFIDENTIAL COUNCIL MINUTES -
NOVEMBER 23, 2021 [Section 239 (2) (b) (c) (e) (f)] (16.0)**

**14.1.2 APPOINTMENTS AND RESIGNATIONS TO
BOARDS/COMMITTEES (16.24) [SECTION 239 (2)(b)]**

**14.1.3 APPROVAL OF CONFIDENTIAL BUDGET COMMITTEE MEETING
MINUTES - DECEMBER 3, 2021 [Section 239 (2) (b) (c) (e) (f)] (16.0)**

**14.1.4 APPROVAL OF CONFIDENTIAL BUDGET COMMITTEE MEETING
MINUTES - OCTOBER 13, 2021 [Section 239 (2) (b) (c) (e) (f)] (16.0)**

14.2 DEVELOPMENT SERVICES COMMITTEE - DECEMBER 6, 2021

- 14.2.1 LITIGATION OR POTENTIAL LITIGATION, INCLUDING MATTERS BEFORE ADMINISTRATIVE TRIBUNALS, AFFECTING THE MUNICIPALITY OR LOCAL BOARD; (WARD 4) [Section 239 (2) (e)] ADVICE THAT IS SUBJECT TO SOLICITOR-CLIENT PRIVILEGE INCLUDING COMMUNICATIONS
- 14.2.2 LITIGATION OR POTENTIAL LITIGATION, INCLUDING MATTERS BEFORE ADMINISTRATIVE TRIBUNALS, AFFECTING THE MUNICIPALITY OR LOCAL BOARD; [Section 239 (2)(e)] ADVICE THAT IS SUBJECT TO SOLICITOR-CLIENT PRIVILEGE, INCLUDING COMMUNICATIONS
- 14.2.3 LITIGATION OR POTENTIAL LITIGATION, INCLUDING MATTERS BEFORE ADMINISTRATIVE TRIBUNALS, AFFECTING THE MUNICIPALITY OR LOCAL BOARD; (WARD 4) [Section 239 (2) (e)] ADVICE THAT IS SUBJECT TO SOLICITOR-CLIENT PRIVILEGE INCLUDING COMMUNICATIONS
- 14.3 GENERAL COMMITTEE - DECEMBER 7, 2021
 - 14.3.1 A PROPOSED OR PENDING ACQUISITION OR DISPOSITION OF LAND BY THE CITY OR LOCAL BOARD; (WARD 8)(8.6) [Section 239 (2)(c)]
 - 14.3.2 A PROPOSED OR PENDING ACQUISITION OR DISPOSITION OF LAND BY THE CITY OR LOCAL BOARD; (WARD 2)(8.6) [Section 239 (2) (c)]
- 14.4 NEW/ OTHER BUSINESS
 - 14.4.1 INFORMATION EXPLICITLY SUPPLIED IN CONFIDENCE TO THE MUNICIPALITY OR LOCAL BOARD BY CANADA, A PROVINCE OR TERRITORY OR A CROWN AGENCY OF ANY OF THEM (WARD 1) (13.2) [Section 239 (2) (h)]
 - 14.4.2 LABOUR RELATIONS AND EMPLOYEE NEGOTIATIONS [Section 239 (2) (d)]

Carried

Moved by Councillor Khalid Usman

Seconded by Councillor Isa Lee

That Council rise from Confidential session at 6:43 PM

Carried

The following Confidential items were approved by Council:

14.1 COUNCIL

14.1.1 APPROVAL OF CONFIDENTIAL COUNCIL MINUTES - NOVEMBER 23, 2021 [Section 239 (2) (b) (c) (e) (f)] (16.0)

Moved by Regional Councillor Jack Heath

Seconded by Regional Councillor Joe Li

1. That the confidential Council minutes of November 23, 2021 Council meeting, be adopted.

Carried

14.1.2 APPOINTMENTS AND RESIGNATIONS TO BOARDS/COMMITTEES (16.24) [SECTION 239 (2)(b)]

Moved by Regional Councillor Jim Jones

Seconded by Deputy Mayor Don Hamilton

- 1) That the following persons be appointed to the Animal Care Committee with a term expiry as indicated:

NAME	TERM EXPIRY
Filandro Fernandes	November 30, 2024
Curtis Bekking	November 30, 2024
Cathy McKnight	November 30, 2024

- 2) That the following person be re-appointed to the Seniors Advisory Committee with a term expiry as indicated:

NAME	TERM EXPIRY
Diane Gabay	November 14, 2022

3) That the resignation of Nadine Pinto from the Environmental Advisory Committee be received with regret for information purposes and that a letter of appreciation be forwarded by Mayor Frank Scarpitti.

Carried

14.1.3 APPROVAL OF CONFIDENTIAL BUDGET COMMITTEE MEETING MINUTES - DECEMBER 3, 2021 [Section 239 (2) (b) (c) (e) (f)] (16.0)

Moved by Councillor Amanda Collucci

Seconded by Councillor Andrew Keyes

1. That the confidential minutes of December 3, 2021 Budget Committee meeting, be adopted.

Carried

14.1.4 APPROVAL OF CONFIDENTIAL BUDGET COMMITTEE MEETING MINUTES - OCTOBER 13, 2021 [Section 239 (2) (b) (c) (e) (f)] (16.0)

Moved by Councillor Amanda Collucci

Seconded by Councillor Andrew Keyes

1. That the confidential minutes of October 13, 2021 Budget Committee meeting, be adopted.

Carried

14.2 DEVELOPMENT SERVICES COMMITTEE - DECEMBER 6, 2021

14.2.1 LITIGATION OR POTENTIAL LITIGATION, INCLUDING MATTERS BEFORE ADMINISTRATIVE TRIBUNALS, AFFECTING THE MUNICIPALITY OR LOCAL BOARD; (WARD 4) [Section 239 (2) (e)] ADVICE THAT IS SUBJECT TO SOLICITOR-CLIENT PRIVILEGE INCLUDING COMMUNICATIONS

Moved by Councillor Karen Rea

Seconded by Councillor Andrew Keyes

1. That the confidential report on litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; (Ward 4), and, advice that is subject to solicitor-client privilege including communications necessary for that purpose; Request for Direction regarding 11 and 15 Grandview Boulevard (Ward 4) OLT Appeal,” be received; and,
2. That Staff do all things necessary to give effect to these resolutions.

Carried

14.2.2 LITIGATION OR POTENTIAL LITIGATION, INCLUDING MATTERS BEFORE ADMINISTRATIVE TRIBUNALS, AFFECTING THE MUNICIPALITY OR LOCAL BOARD; [Section 239 (2)(e)] ADVICE THAT IS SUBJECT TO SOLICITOR-CLIENT PRIVILEGE, INCLUDING COMMUNICATIONS

Councillor Reid McAlpine declared a conflict with respect to this matter as the OLT appeal involves his neighbors; and did not take part in the discussion or vote on this matter.

Moved by Deputy Mayor Don Hamilton

Seconded by Councillor Andrew Keyes

1. That this report entitled “Confidential Report re OLT Appeal of Heritage Permit Application for a Fence 3 Victoria Lane, Unionville (Ward 3)” be received; and,
2. That the City Solicitor be directed to oppose the Ontario Land Tribunal Appeal of the Heritage Permit conditions for 3 Victoria Lane required by Council at its meeting of November 10, 2020; and,
3. That the City Solicitor be directed to retain an external land use planner or architect with heritage expertise to defend Council’s position; and,
4. That the foregoing resolutions be reported out in the public Council meeting on December 14, 2021; and further,

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

Carried

14.2.3 LITIGATION OR POTENTIAL LITIGATION, INCLUDING MATTERS BEFORE ADMINISTRATIVE TRIBUNALS, AFFECTING THE MUNICIPALITY OR LOCAL BOARD; (WARD 4) [Section 239 (2) (e)] ADVICE THAT IS SUBJECT TO SOLICITOR-CLIENT PRIVILEGE INCLUDING COMMUNICATIONS

Councillor Karen Rea declared a conflict with respect to this item as she had an outstanding litigation on this matter and did not take part in the discussion or vote on this matter.

Moved by Regional Councillor Jim Jones

Seconded by Councillor Keith Irish

1. That the confidential report on litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; (Ward 4) and, advice that is subject to solicitor-client privilege including communications necessary for that purpose; Request for Direction regarding 7 Town Crier Lane OLT Appeal,” be received; and,
2. That Staff do all things necessary to give effect to these resolutions.

Carried

14.3 GENERAL COMMITTEE - DECEMBER 7, 2021

14.3.1 A PROPOSED OR PENDING ACQUISITION OR DISPOSITION OF LAND BY THE CITY OR LOCAL BOARD; (WARD 8)(8.6) [Section 239 (2)(c)]

Moved by Councillor Karen Rea

Seconded by Councillor Isa Lee

2. That the report entitled “Reporting Out of Real Property Acquisitions – 55 and 85 Torbay Road” be received; and,

3. That Staff be authorized and directed to take the actions set out in this report; and further,
4. That the report entitled “Reporting Out of Real Property Acquisitions - 55 and 85 Torbay Road” and the foregoing resolutions be reported out at the next public Council meeting.

Carried

Note: Please see Item 15 for public report.

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

Moved by Councillor Alan Ho

Seconded by Councillor Khalid Usman

1. That the report entitled “Reporting Out of Real Property Acquisition – 2743 19th Avenue, Markham” be received; and,
2. That Staff be authorized and directed to take the actions set out in this report; and further,
3. That the report entitled “Reporting Out of Real Property Acquisition – 2743 19th Avenue, Markham” and the foregoing resolutions be reported out at the next public Council meeting.

Carried

Note: Please see Item 15 for public report.

14.4 NEW/ OTHER BUSINESS

14.4.1 INFORMATION EXPLICITLY SUPPLIED IN CONFIDENCE TO THE MUNICIPALITY OR LOCAL BOARD BY CANADA, A PROVINCE OR TERRITORY OR A CROWN AGENCY OF ANY OF THEM (WARD 1) (13.2) [Section 239 (2) (h)]

Moved by Regional Councillor Jim Jones

Seconded by Councillor Keith Irish

1. That the confidential presentation dated December 14, 2021 on information explicitly supplied in confidence to the municipality or local board by Canada, a province or territory or a Crown agency of any of them, be received; and,
2. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

14.4.2 LABOUR RELATIONS OR EMPLOYEE NEGOTIATIONS [Section 239 (2) (d)]

Mayor Frank Scarpitti declared a conflict with respect to this item as a family member is in the process of purchasing a unit within one of the potential buildings impacted by the recommendations; and did not take part in the discussion or vote on this matter.

Moved by Councillor Amanda Collucci

Seconded by Councillor Isa Lee

1. That the confidential report be received; and,
2. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

15. REPORTING OUT OF CONFIDENTIAL REPORTS

Attached public reports for :

- 15.1 14.3.1 A PROPOSED OR PENDING ACQUISITION OR DISPOSITION OF LAND BY THE CITY OR LOCAL BOARD; (WARD 8)(8.6) [Section 239 (2)(c)]
- 15.2 14.3.2. A PROPOSED OR PENDING ACQUISITION OR DISPOSITION OF LAND BY THE CITY OR LOCAL BOARD; (WARD 2)(8.6) [Section 239 (2) (c)]

16. CONFIRMATORY BY-LAW - THREE READINGS

Moved by Councillor Isa Lee

Seconded by Councillor Keith Irish

That By-law 2021-123 be given three readings and enacted.

Three Readings

BY-LAW 2021-123 - A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE
COUNCIL MEETING OF DECEMBER 14, 2021

Carried

17. ADJOURNMENT

Moved by Councillor Isa Lee

Seconded by Councillor Keith Irish

That the Council meeting be adjourned at 6:56 pm.

Carried

Kimberley Kitteringham
City Clerk

Frank Scarpitti
Mayor