

## Electronic Council Meeting Minutes

**Meeting No. 7**  
**April 26, 2022, 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	John Wong, Technology Support Specialist II
	Morgan Jones, Commissioner, Community Services	Hristina Giantsopoulos, Election/Council & Committee Coordinator
	Claudia Storto, City Solicitor and Director of Human Resources	T'Jon Trudge, Technology Support Specialist
	Adam Grant, Fire Chief	Stephen Lue, Senior Manager, Development, Planning & Urban Design
	Biju Karumanchery, Director, Planning & Urban Design	Darryl Lyons, Senior Manager, Policy & Research
	Frank Clarizio, Director, Engineering	Alice Lam, Director, Operations
	Joel Lustig, Treasurer	Sabrina Bordone, Manager, Development, Planning & Urban Design
	Bryan Frois, Manager, Executive Operations & Strategic Initiatives	Joanne Kinya Baker, Diversity, Equity & Inclusion Specialist
	Kimberley Kitteringham, City Clerk	Mona Nazif, Senior Manager HR Client Services

**Alternate formats for this document are available upon request**

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## **1. CALL TO ORDER**

The meeting of Council convened at 1:08 PM on April 26, 2022. 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.

On behalf of Council, Mayor Frank Scarpitti recognized the recent passing of Dr. Earle Byrnes Shouldice, son of Dr. Edward Shouldice who founded the Shouldice Hospital in Thornhill. Dr. Shouldice guided the evolution of his father's medial practice into an abdominal hernia centre of excellence and dedicated himself to delivering the highest standard of patient care. Flags had been lowered at the Civic Centre and a moment of silence was observed in his honour.

## **2. DISCLOSURE OF PECUNIARY INTEREST**

None disclosed.

## **3. APPROVAL OF PREVIOUS MINUTES**

### **3.1 COUNCIL MINUTES - APRIL 12, 2022**

Moved by Councillor Alan Ho

Seconded by Councillor Andrew Keyes

1. That the Minutes of the Council Meeting held on April 12, 2022, be adopted.

**Carried**

## **4. PRESENTATIONS**

There were no presentations.

## 5. DEPUTATIONS

### 5.1 DEPUTATION - PROVINCIAL BRIDGE STATION TRANSIT ORIENTED COMMUNITY PROPOSAL - PROGRAM AGREEMENT-IN-PRINCIPLE (13.2)

Moved by Regional Councillor Jim Jones

Seconded by Councillor Keith Irish

1. That the deputation of Barry Nelson be received.

**Carried**

(Item 8.3.1, Report No. 18)

## 6. COMMUNICATIONS

### 6.1 14-2022 SPECIAL OCCASION PERMIT - 2022 MARKHAM FAIR (WARD 6) (3.21)

Moved by Councillor Amanda Collucci

Seconded by Councillor Alan Ho

1. That the request for the City of Markham for a Special Occasion Permit be received and approved, subject to compliance with all applicable by-laws, regulations and City requirements for special occasion permits with respect to temporary facilities, and further;
2. That the City of Markham recognize the Markham Fair as an event of "Municipal Significance".

**Carried**

### 6.2 15-2022 COMMUNICATIONS - DIVERSITY ACTION PLAN (12.0)

Moved by Councillor Isa Lee

Seconded by Regional Councillor Joe Li

1. That the communication from Andrew Yu on the Diversity Action Plan be received.

(Item 8.2.2, Report 17)

**Carried**

## 7. PROCLAMATIONS

### 7.1 PROCLAMATIONS (3.4)

Moved by Councillor Reid McAlpine

Seconded by Councillor Keith Irish

1. That the following new requests for proclamation be approved and added to the Five-Year Proclamations List approved by Council:

- a. International Dark Sky Week - April 22-30, 2022

to promote community-friendly lighting and support healthy nighttime environments, money and energy savings, and our heritage of dark skies.

- b. World Ocean Day, June 8, 2022

- to recognize the 30th anniversary of World Oceans Day and support national and international efforts to protect 30% of the ocean by 2030.

- c. *National Accessibility Awareness Week 2022, May 29-June 4, 2022*

- *to raise awareness of non-evident disabilities, offer accessibility and inclusion practices and highlight local supports and services.*

2. *That the following proclamations, issued by the City Clerk in accordance with the City of Markham Proclamation Policy, be received for information purposes:*

- a. *Philippine Week - June 5 -12, 2022*

- b. *Philippines Independence Day - June 12, 2022*

**Carried**

## 8. REPORT OF STANDING COMMITTEE

### 8.1 REPORT NO. 16 - DEVELOPMENT SERVICES COMMITTEE (APRIL 11, 2022)

Moved by Regional Councillor Jim Jones

Seconded by Councillor Keith Irish

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

**Carried**

8.1.1 RECOMMENDATION REPORT 2310601 ONTARIO INC.  
APPLICATIONS FOR OFFICIAL PLAN AND ZONING BY-LAW  
AMENDMENTS TO PERMIT A 1,081 UNIT INDEPENDENT LIVING  
RETIREMENT HOME COMPLEX AT 3912 AND 3928 HIGHWAY 7  
EAST (WARD 3) (10.3, 10.5)

Moved by Regional Councillor Jim Jones

Seconded by Councillor Keith Irish

1. That the report titled, "RECOMMENDATION REPORT, 2310601 Ontario Inc., Applications for Official Plan and Zoning By-law Amendments to permit a 1,081 unit independent living retirement home complex at 3912 and 3928 Highway 7 East (Ward 3), File No. PLAN 20 123727", be received; and,
2. That the Official Plan Amendment application submitted by 2310601 Ontario Inc., be approved and that the draft Official Plan Amendment, attached hereto as Appendix 'A', be finalized and brought forward to a future Council meeting to be adopted without further notice; and,
3. That the Zoning By-law Amendment application submitted by 2310601 Ontario Inc., be approved and that the draft Zoning By-law Amendment, attached hereto as Appendix 'B', be finalized and brought forward to a future Council meeting to be enacted without further notice; and,
4. That the Site Plan Application (SPC 21 115121) submitted by 2310601 Ontario Inc. be delegated to the Director of Planning and Urban Design, or a designate, and that Site Plan Approval not be issued prior to the execution of a Site Plan Agreement; and further,
5. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

(By-laws 2022-29 and 2022-30)

**Carried by Recorded Vote (11-2)**

**(See Following Recoded Vote)**

**Recorded Vote (11:2):**

**YEAS:** Councillor Keith Irish, Councillor Alan Ho, Councillor Reid McAlpine, Regional Councillor Jim Jones, Mayor Frank Scarpitti, Regional Councillor Jack Heath, Regional Councillor Joe Li, Councillor

Andrew Keyes, Councillor Amanda Collucci, Councillor Khalid Usman,  
Councillor Isa Lee **(11)**

**NAYS:** Councillor Karen Rea, Deputy Mayor Don Hamilton **(2)**

## 8.2 REPORT NO. 17 - GENERAL COMMITTEE (APRIL 19, 2022)

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 Nos. 8.2.2 and 8.2.3:

**Carried**

### 8.2.1 2021 DRAFT CONSOLIDATED FINANCIAL STATEMENTS (7.0)

Moved by Regional Councillor Jack Heath

Seconded by Councillor Khalid Usman

1. That the presentation titled “2021 Consolidated Financial Statements” be received; and,
2. That the report titled “2021 Consolidated Financial Statements” be received; and,
3. That Council approve the draft Consolidated Financial Statements of The Corporation of the City of Markham (the City), including Community Boards, Business Improvement Areas (BIAs), Destination Markham Corporation and Investment in Markham Enterprises Corporation (MEC), for the fiscal year ended December 31, 2021; and,
4. That Council authorize Staff to publish the final audited Statements for the fiscal year ended December 31, 2021 upon receiving the Independent Auditors’ Report; and,
5. That the KPMG LLP Audit Findings Report for the year ended December 31, 2021 be received; and further,
6. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**Carried**

### 8.2.2 DIVERSITY ACTION PLAN (12.0)

1. That the report entitled “City of Markham Diversity and Anti-Black Racism Action Plans” be received; and,
2. That the written submission from Dr. Mary Anne Chambers and deputations from Edward Lau and John Yeh at the April 19, 2022 General Committee meeting **and the written submission by Andrew Yu at the April 26, 2022 Council meeting**, be received; and,
3. That Council approve the City of Markham Diversity and Anti-Black Racism Action Plans (Attachment 1); and further,
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**(Carried Unanimously by Recorded Vote)**

**(See Following Recorded Vote)**

#### **Recorded Vote (13:0):**

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

### 8.2.3 MONTHLY PARKING PERMIT FEES INCREASE (7.0)

Moved by Regional Councillor Jack Heath

Seconded by Councillor Khalid Usman

1. That the presentation entitled “Parking Permits and Fee Increases” be received; and,
2. That the fee increase to \$57.00/month for overnight monthly parking permits be approved, effective June 1, 2022; and further,
3. That Staff be authorized to do all things necessary to give effect to this resolution.

**Carried**

8.2.4 2022 UNIONVILLE BUSINESS IMPROVEMENT AREA AND  
MARKHAM VILLAGE BUSINESS IMPROVEMENT AREA  
OPERATING BUDGETS (7.4)

Moved by Regional Councillor Jack Heath

Seconded by Councillor Khalid Usman

1. That the report titled “2022 Unionville Business Improvement Area and Markham Village Business Improvement Area Operating Budgets” dated April 26, 2021 be received; and,
2. That the 2022 Operating Budget in the amount of \$400,000 for the Unionville Business Improvement Area (UBIA) be approved; and,
3. That the 2022 Operating Budget in the amount of \$330,910 for the Markham Village Business Improvement Area (MVBIA) be approved; and,
4. That the Special Tax Rate levy, in the amount of \$214,221 for the UBIA members and \$239,640 for the MBIA members be included in the 2022 Tax Levy By-law; and further,
5. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**Carried**

8.2.5 078-R-15 JANITORIAL EXTENSION REPORT, 2022 (7.0)

Moved by Regional Councillor Jack Heath

Seconded by Councillor Khalid Usman

1. That the report entitled “078-R-15 Janitorial Cleaning Services for Various City Locations Contract Extension” be received; and,
2. That the contract for Janitorial Cleaning Services for various City locations be extended for two (2) years with National Cleaning Contractors from April 2022 to March 2024 in the annual amount of \$586,031.66 per year (inclusive of HST); and,
3. That the shortfall of \$160,554.01 anticipated on the regular janitorial cleaning services award be absorbed through the Parks operating budget in the amount of \$134,974.42 by reductions from personnel budgets, and the remaining shortfall of \$25,579.59 be adjusted through the 2023 operating budget process pending Council approval; and,



4. That the contract for additional janitorial cleaning services due to COVID-19 pandemic in the amount of \$62,405.81 per year inclusive of HST be awarded to National Cleaning Contractors; and,
5. That the additional cleaning requirements arising as a direct result of COVID-19 in the amount of \$62,405.81 inclusive of HST be charged to the COVID-19 cost centre and be funded from the COVID-19 Reserve as part of the 2022 year-end process; and,
6. That the Director, Sustainability and Asset Management and Senior Manager, Procurement and Accounts Payable be authorized to approve other additional enhanced cleaning requirements during this extension; and,
7. 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,
8. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**Carried**

8.2.6 THE ONTARIO MINISTRY OF ENVIRONMENTAL,  
CONSERVATION AND PARKS (MECP) - MARKHAM DRINKING  
WATER DISTRIBUTION SYSTEM MARKHAM INSPECTION  
REPORT, JANUARY 19, 2022 (5.3)

Moved by Regional Councillor Jack Heath

Seconded by Councillor Khalid Usman

1. That the report entitled "The MECP – Markham Distribution System – Drinking Water Inspection Report, January 19, 2022" be received; and,
2. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**Carried**

8.3 REPORT NO. 18 - DEVELOPMENT SERVICES COMMITTEE (APRIL 25,  
2022)

Moved by Regional Councillor Jim Jones

Seconded by Councillor Keith Irish

That the report of the Development Services Committee be received & adopted.

(1 Item only):

**Carried**

### 8.3.1 PROVINCIAL BRIDGE STATION TRANSIT ORIENTED COMMUNITY PROPOSAL - PROGRAM AGREEMENT-IN- PRINCIPLE (13.2)

Moved by Regional Councillor Jim Jones

Seconded by Councillor Keith Irish

Whereas City staff and officials have been meeting with the Province of Ontario to resolve objections by Markham Council pertaining to the Transit Oriented Community (TOC) as proposed by Infrastructure Ontario at the Yonge North Subway Extension (YNSE) Bridge Station; and,

Whereas an enhanced Minister's Zoning Order was issued on April 14, 2022 which the City of Markham rejects; and,

Whereas Bill 109 amended the Planning Act on April 14, 2022 reducing the parkland requirements in provincial TOCs; and,

Whereas the Province of Ontario is requesting that the City of Markham enter into a TOC Agreement in Principle ("AIP") which is to be executed by April 29, 2022 and sets out the implementation of the TOC processes and future requirements.

NOW THEREFORE BE IT RESOLVED THAT:

1. The City of Markham advise the Province of Ontario that the City does not agree with the AIP as it is inconsistent with the City's interests, priorities, and concerns and will therefore not execute it in its current form; and,
2. City staff be directed to continue negotiating the AIP with the Province to ensure that critical elements of the City's interests are addressed in the AIP; and further,
3. City staff be directed to report back to Council on the outcome of the negotiations; and further,

4. **That this resolution be shared with the Premier of Ontario, the Minister of Infrastructure, Minister of Transportation, York Region, City of Richmond Hill, City of Vaughan and Local MPPs, and further,**
5. That staff be authorized and directed to do all things necessary to give effect to this resolution.

**Carried as Amended**

Council consented to add the following clause:

- That this resolution be shared with the Premier of Ontario, the Minister of Infrastructure, Minister of Transportation, York Region, City of Richmond Hill, City of Vaughan and Local MPPs.

Council had before it the following original resolution for consideration:

Whereas City staff and officials have been meeting with the Province of Ontario to resolve objections by Markham Council pertaining to the Transit Oriented Community (TOC) as proposed by Infrastructure Ontario at the YNSE Bridge Station; and,

Whereas an enhanced Minister's Zoning Order was issued on April 14, 2022 which the City of Markham rejects; and,

Whereas Bill 109 amended the Planning Act on April 14, 2022 reducing the parkland requirements in provincial TOCs; and,

Whereas the Province of Ontario is requesting that the City of Markham enter into a TOC Agreement in Principle ("AIP") which is to be executed by April 29, 2022 and sets out the implementation of the TOC processes and future requirements.

**NOW THEREFORE BE IT RESOLVED THAT:**

1. The City of Markham advise the Province of Ontario that the City does not agree with the AIP as it is inconsistent with the City's interests, priorities, and concerns and will therefore not execute it in its current form; and,

2. Staff be directed to continue negotiating the AIP with the Province to ensure that critical elements of the City's interests are addressed in the AIP; and further,
3. Staff be directed to report back to Council on the outcome of the negotiations.

## 9. MOTIONS

Moved by Councillor Karen Rea

Seconded by Deputy Mayor Don Hamilton

That the rules of procedure be waived in order to introduce a motion regarding the Minister's Zoning Order - Transit Oriented Communities.

**Carried by Two Thirds Vote**

### 9.1 MINISTER'S ZONING ORDER - TRANSIT ORIENTED COMMUNITIES

Moved by Councillor Karen Rea

Seconded by Councillor Keith Irish

Whereas an enhanced Minister's Zoning Order was issued on April 14, 2022, which the City of Markham rejects; and,

Whereas the City of Markham supports increasing housing supply within the context of a complete community;

Now therefore be it resolved that:

1. City staff be directed to forward a request to the Minister of Municipal Affairs and Housing to revoke the Minister's Zoning Order that was issued on April 14, 2022 in relation to the Transit Oriented Communities and to provide a copy of this resolution to the Minister; and,
2. That a copy of this resolution be sent to the Honourable Doug Ford, Premier of Ontario, the Leader of the Opposition, the Leaders of the Liberal and Green Parties, and all MPPs of York Region, York Region, City of Vaughan, City of Richmond Hill, and City of Toronto.

**Carried by Recorded Vote (12:0)**

**(See following Recorded Vote)**

**Recorded Vote (12:0):**

YEAS: Councillor Keith Irish, Councillor Alan Ho, Councillor Reid McAlpine, Councillor Karen Rea, Regional Councillor Jim Jones, Deputy Mayor Don Hamilton, Mayor Frank Scarpitti, Regional Councillor Jack Heath, Councillor Andrew Keyes, Councillor Amanda Collucci, Councillor Khalid Usman, Councillor Isa Lee **(12)**

ABSENT: Regional Councillor Li

**10. NOTICE OF MOTION TO RECONSIDER**

There was no notice of motion.

**11. NEW/OTHER BUSINESS****11.1 SPECIAL DEVELOPMENT SERVICES COMMITTEE MEETING**

Moved by Regional Councillor Jim Jones

Seconded by Councillor Andrew Keyes

1. That a Special Development Services Committee Information meeting be scheduled regarding the Bridge Station Transit Oriented Communities.

**Carried**

**12. ANNOUNCEMENTS**

There were no announcements.

**13. BY-LAWS - THREE READINGS**

Moved by Councillor Karen Rea

Seconded by Regional Councillor Jack Heath

That By-laws 2022-29 to 2022-32 be given three readings and enacted.

**Carried**

### **Three Readings**

- 13.1 BY-LAW 2022-29 2310601 ONTARIO INC., 3912 AND 3928 HIGHWAY 7 EAST, OFFICIAL PLAN AMENDMENT (REVISED 2014), AS AMENDED

A by-law to adopt an Official Plan Amendment to the in force Official Plan (Revised 2014), as amended, to permit the development of a shared housing large scale facility.

(Item No. 8.1.1, Report No. 16)

**Carried**

- 13.2 BY-LAW 2022-30 2310601 ONTARIO INC., 3912 AND 3928 HIGHWAY 7 EAST, ZONING BY-LAW AMENDMENT

A By-law to amend By-law 177-96, as amended, to permit an independent living retirement home complex.

(Item No. 8.1.1, Report No. 16)

**Carried**

- 13.3 BY-LAW 2022-31 METROPIA MINTO (SIXTEETH) HOLDINGS INC., PART LOT CONTROL EXEMPTION BY-LAW

A by-law to designate part of a certain plan of subdivision not subject to Part Lot Control, Blocks 136, 141, 142, 144, 145, 149, 151, 152 and 178, Registered Plan 65M-4693.

**Carried**

- 13.4 BY-LAW 2022-32 K16 URBAN DEVELOPMENT INC. (FORMERLY UPTOWN GREEN GARDEN INC.), 9332 KENNEDY ROAD, HOLD REMOVAL BY-LAW

**Carried**

## **14. CONFIDENTIAL ITEMS**

Council consented to not resolve into confidential session.

14.1 GENERAL COMMITTEE - APRIL 19, 2022

14.1.1 PROPOSED OR PENDING ACQUISITION OF LAND BY CITY OR  
LOCAL BOARD (WARD 1); [SECTION 239 (2)(c)]

Moved by Councillor Keith Irish

Seconded by Councillor Andrew Keyes

1. That the confidential report on a proposed or pending acquisition of land by City of Local Board (Ward 1); be received, and,
2. That staff be authorized and directed to do all things necessary to give effect to this resolution.

**Carried**

**15. CONFIRMATORY BY-LAW - THREE READINGS**

Moved by Councillor Alan Ho

Seconded by Councillor Isa Lee

That By-law 2022-33 be given three readings and enacted.

Three Readings

BY-LAW 2022-33 A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE  
COUNCIL MEETING OF APRIL 26, 2022.

**Carried**

**16. ADJOURNMENT**

Moved by Councillor Keith Irish

Seconded by Councillor Isa Lee

That the Council meeting be adjourned at 3:26 PM.

**Carried**

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Kimberley Kitteringham  
City Clerk

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Frank Scarpitti  
Mayor