

Council Meeting Minutes

Meeting No. 10 May 31, 2022, 1:00 PM Live streamed

Roll Call	Mayor Frank Scarpitti Regional Councillor Jack Heath Regional Councillor Joe Li Regional Councillor Jim Jones Councillor Keith Irish Councillor Alan Ho	Councillor Reid McAlpine Councillor Andrew Keyes Councillor Amanda Collucci Councillor Isa Lee
Regrets	Deputy Mayor Don Hamilton Councillor Khalid Usman	Councillor Karen Rea
Staff	Andy Taylor, Chief Administrative Officer Trinela Cane, Commissioner, Corporate Services	Martha Pettit, Deputy City Clerk John Wong, Technology Support Specialist II Hristina Giantsopoulos, Election/Council
	Arvin Prasad, Commissioner, Development Services Morgan Jones, Commissioner,	& Committee Coordinator Sumon Acharjee, Chief Information Officer
	Community Services Claudia Storto, City Solicitor and Director of Human Resources Adam Grant, Fire Chief Michael Toshakovski, Deputy City	Chris Rickett, Director, Economic Development, Culture and Entrepreneurship Shane Manson, Senior Manager, Revenue & Property Taxation
	& Urban Design Frank Clarizio, Director, Engineering Joel Lustig, Treasurer	Alice Lam, Director, Operations Mark Visser, Senior Manager, Strategy, Innovation & Investments Kevin Ross, Manager, Development Finance & Payroll
	Bryan Frois, Manager, Executive Operations & Strategic Initiatives Kimberley Kitteringham, City Clerk	Shannon Neville, Senior Financial Analyst, Development Finance Clement Messere, Senior Planner Rob Cole, Manager, Applications

1. CALL TO ORDER

The meeting of Council convened at 1:08 PM on May 31, 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.

2. DISCLOSURE OF PECUNIARY INTEREST

Regional Councillor Joe Li declared a conflict with respect to Item 7.2 (b) as he is the Chair of the 31st World Hakka Conference.

3. APPROVAL OF PREVIOUS MINUTES

3.1 COUNCIL MINUTES - MAY 17, 2022

Moved by Councillor Andrew Keyes Seconded by Councillor Alan Ho

1. That the Minutes of the Council Meeting held on May 17, 2022, be adopted.

Carried

3.2 SPECIAL COUNCIL MINUTES - MAY 24, 2022

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

1. That the Minutes of the Special Council Meeting held on May 24, 2022, be adopted.

4. **PRESENTATIONS**

There were no presentations.

5. **DEPUTATIONS**

5.1 DEPUTATION - CELEBRATE MARKHAM GRANT PROGRAM - APRIL 1, 2022 - MARCH 31, 2023 - (2022-2023) FUNDING APPROVALS AND ANNUAL PROGRAM REVIEW (7.6)

Chris Rickett, Director, Economic Growth, Culture and Entrepreneurship, provided an update with respect to Item No. 8.2.7. and the request from organizers of the Thursday Nights at the Bandstand event for additional funding.

Bill Dawson, event organizer, addressed Council and advised they are planning to relaunch the series, which started in 2009, but due to the short timeline and increasing costs are requesting additional support from the City to cover costs related to street closure, security and insurance via Celebrate Markham.

Niina Felushko, Chair of the Unionville BIA, spoke in favor of the event and expressed concerns related to the hard road closure for the event and its impact on business and residents.

Moved by Councillor Andrew Keyes Seconded by Regional Councillor Jack Heath

1. That the deputations from Bill Dawson and Niina Felushko be received.

Carried

(See Item No. 8.2.7, Report 22 for Council's decision on this matter.)

6. COMMUNICATIONS

6.1 17-2022 - SPECIAL OCCASION LIQUOR PERMIT APPLICATION -MARKHAM VILLAGE BIA (WARD 4) (3.21)

Moved by Regional Councillor Joe Li Seconded by Councillor Andrew Keyes

1. That the request for the City of Markham for a Special Occasion Liquor permit be received and approved, subject to the following:

- a. Compliance with all applicable by-laws, regulations and City requirements with respect to temporary facilities; and,
- b. That Paid Duty officers be retained by The Duchess of Markham and Main's Mansion Restaurant and Bar during the Markham Village Music Festival from Friday, June 17, 2022, 4:00 pm to Saturday, June 18, 2022, 2:00 am; and,
- c. That a road closure permit be obtained from the City of Markham to close the street as required for the Markham Village Music Festival; and further,
- d. That a fire inspection for all premises be arranged 3 weeks prior to the festival. An inspection fee is applicable.

6.2 18-2022 LIQUOR LICENCE APPLICATION - PHO XIN CHAO (WARD 1) (3.21)

Moved by Regional Councillor Joe Li Seconded by Councillor Andrew Keyes

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

Carried

6.3 19-2022 LIQUOR LICENCE APPLICATION - A-OK CAFE (WARD 4) (3.21)

Moved by Regional Councillor Joe Li Seconded by Councillor Andrew Keyes

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

Carried

6.4 20-2022- SUPPLEMENTARY MEMORANDUM FROM THE COMMISSIONER OF DEVELOPMENT SERVICES - 4551 ELGIN MILLS DEVELOPMENTS LTD., MAJOR KENNEDY DEVELOPMENTS LTD., AND MAJOR KENNEDY SOUTH DEVELOPMENTS LTD.,

At the request of the applicant, the related By-law 2022-74 was deferred.

Moved by Regional Councillor Jim Jones Seconded by Councillor Keith Irish

 That the supplementary memorandum dated May 31, 2022 from the Commissioner of Development Services on "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) ", be received.

(By-law 2022-74)

Carried

6.5 21-2022 - COMMUNICATION - CITY OF MARKHAM'S PROPOSED COMMUNITY BENEFITS CHARGE BY-LAW (7.11)

Moved by Councillor Reid McAlpine Seconded by Regional Councillor Jim Jones

 That the communication dated May 30, 2022 from Ira T. Kagan, Kagan Shastri Lawyers, regarding the "City of Markham's Proposed Community Benefits Charge By-Law" be received.

(See Item 8.2.8, Report No. 22 for Council's decision on this matter)

Carried

7. **PROCLAMATIONS**

7.1 PROCLAMATION AND FLAG RAISING REQUESTS (3.4)

Council consented to vote on Item 7.1.2 (b) - Hakka Heritage Week, separately as Regional Councillor Joe Li declared a conflict with the item as he is the Chair of the 31st World Hakka Conference. Regional Councillor Joe Li did not participate or vote on item 7.1.2 (b).

Moved by Councillor Alan Ho Seconded by Councillor Isa Lee

- 1. That the following proclamations, issued by the City Clerk in accordance with the City of Markham Proclamation Policy, be received for information purposes:
 - a. Armenian National Day May 28, 2022
 - b. Brain Injury Awareness Month June 2022
 - c. Pride Month June 2022
 - d. World Sickle Cell Day June 19, 2022
 - e. ALS Awareness Week June 5-11, 2022
 - f. National Injury Prevention Day July 5, 2022
- 2. That the following new request for proclamation, issued by the City Clerk in accordance with the City of Markham Proclamation Policy, be received and added to the Five-Year Proclamations List approved by Council:
 - a. National Indigenous People's Month June 2022
- 3. That the following requests for flag to be raised at the Anthony Roman Markham Civic Centre flagpole, approved by the City Clerk in accordance with the City of Markham Community Flag Raisings & Flag Protocol Policy, be received for information purposes:
 - a. Armenian National Day May 28, 2022 (Organized by Armenian National Community)
 - ALS Awareness Week June 5-11, 2022 (Organized by ALS Double Play)
 - c. Pride Week June 22-29, 2022 (Organized by The City of Markham)
 - d. *Philippine Week June 5-12, 2022 (Organized by Markham Federation of Filipino Canadians)
- 4. That the following new request for flag to be raised at the Anthony Roman Markham Civic Centre flagpole be approved and added to the Five-Year List of Request to Raise Flag approved by Council:
 - a. National Indigenous People's Week June 1-8, 2022 (Organized by The City of Markham)
 - b. *Treaty 13 June 21, 2022 (Organized by the City of Markham)

Moved by Councillor Alan Ho Seconded by Councillor Isa Lee

- 2. That the following new request for proclamation, issued by the City Clerk in accordance with the City of Markham Proclamation Policy, be received and added to the Five-Year Proclamations List approved by Council:
 - b. Hakka Heritage Week last week of June 2022 (June 24-30, 2022)

Carried

8. **REPORT OF STANDING COMMITTEE**

8.1 REPORT NO. 21 - DEVELOPMENT SERVICES COMMITTEE (MAY 16, 2022)

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 2):

Carried

8.1.1 RECOMMENDATION REPORT UNIONVILLE SPECIAL POLICY AREA UPDATE FILE NO.: PLAN 21 139260 (WARDS 3 & 4) (10.0)

- 1. That the deputation by Christiane Bergauer-Free regarding the "Unionville Special Policy Area Boundary Update", be received; and,
- 2. That the staff report entitled "Recommendation Report, Unionville Special Policy Area Boundary Update" dated May 16, 2022, be received; and,
- 3. That the proposed Special Policy Area boundaries and the Special Policy Area Justification Report be endorsed by Council and forwarded to the Toronto and Region Conservation Authority and the Province of Ontario (Minister of Municipal Affairs and Housing &

Minister of Northern Development, Mines, Natural Resources and Forestry) for their endorsement and approval; and,

- 4. That upon obtaining the endorsement of the changes to the Special Policy Area boundaries from the Toronto and Region Conservation Authority and the Province, the draft Official Plan Amendment, attached hereto as Appendix 'B', be finalized, brought to Council for adoption, and forwarded to York Region for approval; and,
- 5. That upon approval of the Official Plan Amendment by York Region, the Zoning By-law Amendment, attached hereto as Appendix 'C', to amend the Special Policy Area overlay on zoning by-laws 1229, 11-72, 122-72, 134-79, 304-87 and 177-96, as amended, be finalized and brought forward to a future Council meeting to be enacted without further notice; and further,
- 6. That staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

8.1.2 MARKHAM PUBLIC ART 2022 WORK PLAN AND ACTIVITIES (10.16)

Moved by Regional Councillor Jim Jones Seconded by Councillor Keith Irish

- 1. That the Markham Public Art 2022 Work Plan be approved; and,
- 2. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

8.2 REPORT NO. 22 - GENERAL COMMITTEE (MAY 24, 2022)

Moved by Regional Councillor Jack Heath Seconded by Councillor Andrew Keyes

That the report of the General Committee be received & adopted, save and except for Item Nos. 8.2.7 and 8.2.8:

8.2.1 2022 TAX RATES AND LEVY BY-LAW (7.0)

Moved by Regional Councillor Jack Heath Seconded by Councillor Andrew Keyes

1. That the report dated May 21, 2022 entitled "2022 Tax Rates and Levy By-law" be received; and,

2. That a by-law to provide for the levy and collection of property taxes totalling \$786,656,638 required by the City of Markham, the Regional Municipality of York, Province of Ontario (Education) and Business Improvement Areas, in a form substantially similar to Appendix A (attached), satisfactory to the City Solicitor and provides for the mailing of notices and requesting payment of taxes for the year 2022, as set out as follows, be approved; and,

TAX LEVYING BODY	2022 TAX LEVY AMOUNT
City of Markham	\$169,403,513
Region of York	\$364,684,559
Province of Ontario (Education)	\$252,114,705
Markham Village BIA	\$239,640
Unionville BIA	\$214,221
Total	\$786,656,638

3. That staff be authorized to levy against Markham Stouffville Hospital and Seneca College the annual levy pursuant to Section 323 of the *Municipal Act*, *2001*, as outlined in Section 9 of the attached by-law once the required information is received from the Ministry of Training, Colleges and Universities; and,

4. That the attached by-law be passed to authorize the 2022 Tax Rates and Levy By-law; and further,

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

(By-law 2022-73)

8.2.2 CANCELLATION, REDUCTION OR REFUND OF TAXES UNDER SECTIONS 357 AND 358 OF THE MUNICIPAL ACT, 2001 (7.3)

Moved by Regional Councillor Jack Heath Seconded by Councillor Andrew Keyes

- 1. That the Report for the Cancellation, Reduction or Refund of Taxes under Sections 357 and 358 of the *Municipal Act, 2001* be received; and,
- 2. That taxes totalling approximately \$374,170 be adjusted under Section 357 and 358 of the *Municipal Act, 2001* of which the City's portion is estimated to be \$75,148; and,
- 3. That the associated interest be cancelled in proportion to the tax adjustments; and,
- 4. That the Treasurer be directed to adjust the Collector's Roll accordingly; and further,
- 5. That staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

8.2.3 TAX WRITE-OFFS IN ACCORDANCE WITH SECTION 354 OF THE MUNICIPAL ACT, 2001 (7.3)

Moved by Regional Councillor Jack Heath Seconded by Councillor Andrew Keyes

- 1. That the report entitled Tax Write-offs in Accordance with Section 354 of the *Municipal Act*, 2001 be received; and,
- 2. That taxes for 2021 totalling \$129,347 as set out in this report, of which the City's portion is \$30,849 be written-off pursuant to Section 354 of the *Municipal Act*, 2001; and,
- 3. That the City of Markham's portion of the taxes be charged to the Tax Write-off Account 820-820-7040; and,
- 4. That the Treasurer be directed to remove these amounts from the Collector's Roll; and,

- 5. That the associated interest be cancelled in proportion to the tax adjustments; and further,
- 6. That staff be authorized to and directed to do all things necessary to give effect to this resolutions.

8.2.4 DEVELOPMENT CHARGES DECEMBER 31, 2021 RESERVE BALANCES AND ANNUAL ACTIVITY OF THE ACCOUNTS (7.11)

Moved by Regional Councillor Jack Heath Seconded by Councillor Andrew Keyes

- 1. That the report titled "Development Charges December 31, 2021 Reserve Balances and Annual Activity of the Accounts" be received by Council as required under Section 43(1) of the *Development Charges Act, 1997, as amended*; and,
- 2. That staff be directed to do all things necessary to give effect to this report.

Carried

8.2.5 047-T-22 SUPPLY AND DELIVERY OF FOUR (4) THREE TON FLATBEDS EQUIPPED WITH PLOWS (7.0)

Moved by Regional Councillor Jack Heath Seconded by Councillor Andrew Keyes

- 1. That the report entitled "047-T-22 Supply and Delivery of Four (4) Three Ton Flatbeds Equipped with Plows" be received; and,
- 2. That the contract for the supply and delivery of four (4) three ton flatbeds equipped with plows be awarded to the lowest priced bidder, Downtown Autogroup, in the total amount of \$471,410.40, inclusive of HST; and,
- That the award in the amount of \$471,410.40 be funded from project #22170 Corporate Fleet Replacement – Non-Fire (account 057-6150-22170-005) with a budget available of \$386,180.00 and,
- 4. That the budget shortfall in the amount of \$85,230.40 (\$471,410.40 \$386,180.00) be funded from the Life Cycle Replacement and Capital Reserve Fund; and further,

8.2.6 TREE PRESERVATION BY-LAW REVIEW AND UPDATE (2.0)

Moved by Regional Councillor Jack Heath Seconded by Councillor Andrew Keyes

- 1. That the report and presentation entitled "Tree Preservation By-law Review and Update" be received; and,
- 2. That the written communication from Valerie Burke be received; and,
- 3. That the recommendations for amendments to the Tree Preservation By-law and related processes in this report be approved in principle; and,
- 4. That staff report back to Committee with additional recommendations that provide for the protection of hedges; and further,
- 5. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

8.2.7 CELEBRATE MARKHAM GRANT PROGRAM - APRIL 1, 2022 -MARCH 31, 2023 - (2022-2023) FUNDING APPROVALS AND ANNUAL PROGRAM REVIEW (7.6)

Chris Rickett, Director, Economic Growth, Culture and Entrepreneurship, provided an update on the Celebrate Markham Grant Program and the request from organizers of the Thursday Nights at the Bandstand event for additional funding.

It was recommended that an additional funding of \$20,000 on top of the \$10,000 already allocated via Celebrate Markham be granted as a onetime request due to the pandemic and short timelines in organizing and securing sponsorship support for the event. Moved by Councillor Reid McAlpine Seconded by Regional Councillor Jim Jones

- That the report titled, "Celebrate Markham Grant Program April 1, 2022 - March 31, 2023 (2022-23) - Funding Approvals and Annual Program Review" be received; and,
- 2. That Council approve the recommendations of the Interdepartmental Staff Review Committee in Attachment 2, which includes 66 Celebrate Markham applicants, totaling \$309,150; and,
- 3. That the one-time-carry forward funds totaling \$207,425 from the 2021-2022 Funding Cycle be allocated to the 2022-2023 Funding Cycle in accordance with the Community Grant Application funding envelopes as follows:
 - a. Culture Events Programs \$51,050
 - b. Major Community Events \$89,500
 - c. Seniors' Clubs \$32,650
 - d. Sport Events \$34,225; and,
- 4. That the remaining **\$134,275** from the 2021-2022 Funding Cycle be returned as a surplus to the 2022 operating budget; and,
- 5. That Celebrate Markham Interdepartmental Review Committee be assigned delegated authority to review and approve additional applications using the 2022 operating budget surplus funds in the Sports Events category in the amount of \$31,525 and any unused funds be returned to source at the end of the 2023-2024 Funding Cycle; and,
- 6. That the unused funds totaling \$134,275 from the 2021-2022 Funding Cycle be returned to source at the end of the 2022-2023 Funding Cycle as follows:
 - a. Culture Events Programs \$3,550
 - b. Major Community Events \$79,500
 - c. Seniors' Clubs \$19,700; and,
- 7. That City staff provide up to an additional \$20,000 to support Thursday Nights at the Bandstand for four performances in July and August 2022, and,

- That Markham Arts Council receive a net amount of \$23,400 (Celebrate Markham Grant of \$30,000 less the final loan repayment in 2022 in the amount of \$6,600 for their annual programs and activities) conditional on receiving and approving 2021/22 audited financial statements; and,
- That the unused 2020 and 2021 Canada Day funds in the amount of \$89,550 be allocated to the 2022 Canada Day event and any remaining funds be returned to the original funding source; and further,
- 10. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried as Amended

Council consented to amend the resolution by adding the following clauses:

- That the unused funds totaling \$134,275 from the 2021-2022 Funding Cycle be returned to source at the end of the 2022-2023 Funding Cycle as follows:
 - a. Culture Events Programs \$3,550
 - b. Major Community Events \$79,500
 - c. Seniors' Clubs \$19,700; and,
- That City staff provide up to an additional \$20,000 to support Thursday Nights at the Bandstand for four performances in July and August 2022, and,

Moved by Councillor Andrew Keyes Seconded by Regional Councillor Jack Heath

 That Council consider the matter of "Celebrate Markham Grant Program - April 1, 2022 - March 31, 2023 (2022-2023) Funding Approvals and Annual Program Review immediately following the Presentations with respect thereto.

Council had before it the following original recommendation for consideration:

- That the report titled, "Celebrate Markham Grant Program April 1, 2022 - March 31, 2023 (2022-23) - Funding Approvals and Annual Program Review" be received; and,
- 2. That Council approve the recommendations of the Interdepartmental Staff Review Committee in Attachment 2, which includes 66 Celebrate Markham applicants, totaling \$309,150; and,
- 3. That the one-time-carry forward funds totaling \$207,425 from the 2021-2022 Funding Cycle be allocated to the 2022-2023 Funding Cycle in accordance with the Community Grant Application funding envelopes as follows:
 - 1. Culture Events Programs \$51,050
 - 2. Major Community Events \$89,500
 - 3. Seniors' Clubs \$32,650
 - 4. Sport Events \$34,225; and,
- 4. That the remaining \$154,275 from the 2021-2022 Funding Cycle be returned as a surplus to the 2022 operating budget; and,
- 5. That Celebrate Markham Interdepartmental Review Committee be assigned delegated authority to review and approve additional applications using the 2022 operating budget surplus funds in the Sports Events category in the amount of \$31,525 and any unused funds be returned to source at the end of the 2023-2024 Funding Cycle; and,
- That Markham Arts Council receive a net amount of \$23,400 (Celebrate Markham Grant of \$30,000 less the final loan repayment in 2022 in the amount of \$6,600 for their annual programs and activities) conditional on receiving and approving 2021/22 audited financial statements; and,
- That the unused 2020 and 2021 Canada Day funds in the amount of \$89,550 be allocated to the 2022 Canada Day event and any remaining funds be returned to the original funding source; and further,
- 8. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

8.2.8 2022 DEVELOPMENT CHARGES BACKGROUND STUDY & COMMUNITY BENEFITS CHARGES (7.11)

Moved by Councillor Reid McAlpine Seconded by Regional Councillor Jim Jones

- 1. That the report on the "2022 Development Charges Background Study and Community Benefits Charges" be received; and,
- 2. That the communication dated May 30, 2022 from Ira T. Kagan, Kagan Shastri Lawyers, regarding the "City of Markham's Proposed Community Benefits Charge By-Law" be received and referred to staff; and,
- 3. That Council determine that no further public meeting is required, pursuant to Section 12 of the *Development Charges Act 1997*, as amended; and,
- 4. That Council approve the Development Charge Background Study prepared by Hemson Consulting Ltd. dated May 2022; and,
- 5. That Council affirm its intention to ensure that the increase in the need for services to service anticipated development will be met; and,
- 6. That Council affirm its intention that development related to post 2031 capacity identified in the Background Study shall be paid for by development charges or other similar charges; and,
- That Council affirm its intention that infrastructure related to post 2031 development identified in the background study shall be paid for by development charges or similar charges; and,
- 8. That Council recognizes that there are operating costs associated with the implementation of the capital program; and,
- 9. That Council approve the policy changes as outlined in this report; and,
- That Council enact the City Wide Hard, City Wide Soft and Area Specific Development Charges by-laws, effective June 17th, 2022; and,
- 11. That Council affirm its intention that the future excess capacity identified in the Development Charges Background Study, dated May

2022, prepared by Hemson Consulting Ltd. shall be paid for by the development charges; and,

- 12. That staff be authorized to increase the Capital Administration Fees to 9% of the project costs, to be effective for capital works from January 1, 2023 and beyond; and,
- That Council acknowledges the consultations held with the development industry regarding the Community Benefits Charge Strategy as contemplated in the *Planning Act*; and,
- 14. That Council receive and approve the Community Benefits Charges Strategy; and,
- That Council enact the Community Benefits Charge by-law effective May 31st, 2022; and,
- That these recommendations, including the implementing by-laws, be forwarded to the May 31st, 2022 Council meeting for adoption; and further,
- 17. That staff be directed to do all things necessary to give effect to this report.

Carried as Amended

(By-laws 2022-48 to 2022-72)

Council had before it the following original recommendation for consideration:

- 1. That the report on the "2022 Development Charges Background Study and Community Benefits Charges" be received; and,
- 2. That Council determine that no further public meeting is required, pursuant to Section 12 of the *Development Charges Act 1997*, as amended; and,
- 3. That Council approve the Development Charge Background Study prepared by Hemson Consulting Ltd. dated May 2022; and,
- 4. That Council affirm its intention to ensure that the increase in the need for services to service anticipated development will be met; and,

- 5. That Council affirm its intention that development related to post 2031 capacity identified in the Background Study shall be paid for by development charges or other similar charges; and,
- That Council affirm its intention that infrastructure related to post 2031 development identified in the background study shall be paid for by development charges or similar charges; and,
- 7. That Council recognizes that there are operating costs associated with the implementation of the capital program; and,
- 8. That Council approve the policy changes as outlined in this report; and,
- That Council enact the City Wide Hard, City Wide Soft and Area Specific Development Charges by-laws, effective June 17th, 2022; and,
- That Council affirm its intention that the future excess capacity identified in the Development Charges Background Study, dated May 2022, prepared by Hemson Consulting Ltd. shall be paid for by the development charges; and,
- That staff be authorized to increase the Capital Administration Fees to 9% of the project costs, to be effective for capital works from January 1, 2023 and beyond; and,
- 12. That Council acknowledges the consultations held with the development industry regarding the Community Benefits Charge Strategy as contemplated in the *Planning Act*; and,
- 13. That Council receive and approve the Community Benefits Charges Strategy; and,
- That Council enact the Community Benefits Charge by-law effective May 31st, 2022; and,
- 15. That these recommendations, including the implementing by-laws, be forwarded to the May 31st, 2022 Council meeting for adoption; and further,
- 16. That staff be directed to do all things necessary to give effect to this report.

8.3 REPORT NO. 23 - DEVELOPMENT SERVICES COMMITTEE (MAY 30, 2022)

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 3):

Carried

8.3.1 RECOMMENDATION REPORT DESIGNATED HERITAGE PROPERTY GRANT APPLICATIONS 2022 (10.0)

- 1. That the report titled, "Designated Heritage Property Grant Applications -2022", dated May 30, 2022, be received; and,
- 2. That Designated Heritage Property Grants for 2022 be approved in the amounts noted for the following properties, totaling \$30,000.00, provided that the applicants comply with eligibility requirements of the program:
 - a. 16 George Street, Markham Village-up to \$2,797.90, for the installation of historically appropriate new windows on the heritage portion of the house of the rear two storey tail;
 - b. 28 Church Street, Markham Village- up to \$5,000.00 for the installation of historically appropriate new windows on the heritage portion of the house;
 - c. 309 Main Street North, Markham Village-up to \$1,308.40 for the reconditioning/restoration of the existing historic windows;
 - d. 15 Bewell Drive, Box Grove –up to \$5,000.00 for the installation of historically appropriate new windows in the heritage portion of the house;
 - e. 33 Dickson Hill Road, Dickson Hill-up to \$2,797.90 for the restoration of the historic front entrance door, transom and sidelights;
 - f. 26 Colborne Street, Thornhill-up to \$2,797.90 for the restoration of the historic wooden siding of the west wall of the house;

- g. 8 Alexander Hunter Place, Markham Heritage Estates-up to
 \$7,500.00 for the installation of a traditional cedar shingle roof;
- h. 23 Victoria Avenue, Unionville-up to \$2,797.90 for the installation of historically authentic wooden louvred shutters; and,
- 3. That the grant request to fund repairs to the south facing reproduction veranda of 1 Millbrook Gate, which is not visible from the public realm, be denied; and,
- 4. That the grants be funded through the Designated Heritage Property Grant Project Fund, Account 620-101-5699-22009 (\$30,000.00 available for 2022); and further,
- 5. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

8.3.2 RECOMMENDATION REPORT COMMERCIAL FACADE IMPROVEMENT GRANT PROGRAM 2022 - MULTIPLE PROPERTIES IN THE CITY (10.0)

- 1. That the report titled, "Commercial Façade Improvement Grant Program for 2022", dated May 30, 2022, be received; and,
- That the recommended grants be awarded proportionally based on the \$25,000.00 of funding available for 2022 through the Commercial Facade Improvement Grant Program Fund, Account 620-101-5699-22010; and,
- 3. That Council supports the following grant requests:
 - a. The proposed reconditioning of the historic windows at 136 Main St. Unionville subject to the applicant obtaining a Building/Heritage Permit for the proposed work (up to a maximum of \$4,759.38);
 - b. The painting in historic colours of 154 Main St. Unionville subject to the applicant obtaining a Heritage Permit for the proposed work (up to a maximum of \$1,154.23);

- c. The repair of the storefront cornice and the replacement of the storefront windows at 159 Main St. Unionville subject to the applicant obtaining a Heritage/Building Permit for the proposed work (up to a maximum of \$1,575.94);
- d. The installation of historically appropriate new windows at 166 Main St. Unionville subject to the applicant obtaining a Heritage Permit and entering into a Façade Easement Agreement for any grant amount exceeding \$5,000.00 (up to a maximum of \$8,755.22);
- e. The installation of historically appropriate new windows at 9899 Markham Road (up to a maximum of \$8,755.22); and,
- 4. That the grants be funded through the Commercial Facade Improvement Grant Program Fund, Account 620-101-5699-22010 (\$25,000.00 available for 2022); and further,
- 5. That staff be authorized and directed to do all things necessary to give effect to this resolution.

8.3.3 VICTORIA SQUARE BOULEVARD - PROJECT STATUS UPDATE (10.0)

- 1. That the report entitled "Victoria Square Boulevard Project Status Update" be received; and,
- 2. That the tendering process for the additional design and relocation of additional existing utilities on Victoria Square Boulevard (Phase 1) be waived, in accordance with 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 Part II Section 11.2 "Requests for Tenders, Requests for Proposals and requests for Quotations may not be required for goods and services to be provided by any of the following (a) Hydro Electric Corporations and (b) Utilities; and,
- 3. That Purchase Order PD-19403 issued to Ainley Group be increased by \$269,679.01, inclusive of HST, to cover the additional design work

required to change the Active Transportation Facility from an MUP to separated sidewalks and cycle tracks; and,

- 4. That the contingency Purchase Order PD-19404 issued to Ainley Group for the detailed design of Victoria Square Boulevard reconstruction be increased by \$26,967.90, inclusive of HST, to cover any additional design work required for the project and that authorization to approve expenditures of this contingency amount up to the specified limit be in accordance with the Expenditure Control Policy; and,
- That the 2018 Engineering Capital Account 18059 (Victoria Square Boulevard Design) be increased to cover the additional design work in the amount of \$296,646.91, inclusive of HST, and be funded from City Wide Hard Development Charges Reserve; and,
- 6. That staff be authorized to increase the purchase orders to the various utility companies (Alectra, Rogers Cable Communications Inc., Bell Canada, and Enbridge Gas Distribution Inc.) as identified in the financial consideration section, for the relocation of their facilities in the amount of \$568,970.21, inclusive of HST; and,
- 7. That a 10% contingency in the amount of \$56,897.02, inclusive of HST, be established to cover any additional costs to deliver the utility relocation work for Phase 1, and that authorization to approve expenditures of this contingency amount up to the specified limit, be in accordance with the Expenditure Control Policy; and,
- 8. That the Engineering Department Capital Administration Fee in the amount of \$74,644.85, inclusive of HST, be transferred to revenue account 640-998-8871 (Capital Admin Fees); and,
- That the 2021 Engineering Capital Account 21213 (Victoria Square Boulevard – Phase 1 Utility Relocation) be increased to cover the additional utility costs in the amount of \$700,512.08, inclusive of HST, and be funded from City Wide Hard Development Charges Reserve; and,
- That the 2022 Engineering Capital Account 22031 (Victoria Square Boulevard – Culvert Construction) be increased to cover the additional culvert construction costs in the amount of \$344,584.80, inclusive of HST, and be funded from City Wide Hard Development Charges Reserve; and,

- 11. That the incremental estimated amount of \$175,709 be included in the 2024 operating budget for cycle track, MUP and sidewalk maintenance, subject to confirmation at time of construction award and Council approval; and further,
- 12. 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 was no notice of motion to reconsider.

11. NEW/OTHER BUSINESS

There were no new / other business.

12. ANNOUNCEMENTS

There were no announcements.

13. BY-LAWS - THREE READINGS

Moved by Councillor Amanda Collucci Seconded by Regional Councillor Jim Jones

That By-laws 2022-46 to 2022-73 be given three readings and enacted; save and except for By-law 2022-74.

13.1 BY-LAW 2022-46 1240889 ARISTA HOMES (BOXGROVE EAST) INC., PART LOT CONTROL

A by-law to designate part of a certain plan of subdivision not subject to Part Lot Control, Part Block 1 on Registered Plan 65M-4141, designated to include Part 82 on Reference Plan 65R-39637, west side of Donald Cousens Parkway, north of Copper Creek Drive.

Carried

13.2 BY-LAW 2022-47 - 2023 TEMPORARY BORROWING BY-LAW

A By-law to authorize temporary borrowing to meet the expenditures of the City of Markham until taxes are collected and other revenues received.

(Item 8.1.1, Report 19, May 17, 2022 Council Meeting)

Carried

13.3 BY-LAW 2023-48 A BY-LAW TO ESTABLISH COMMUNITY BENEFITS CHARGES FOR THE CORPORATION OF THE CITY OF MARKHAM

(Item 8.2.8, Report 22)

Carried

13.4 BY-LAW 2022-49 A BY-LAW TO ESTABLISH CITY-WIDE HARD SERVICES DEVELOPMENT CHARGES FOR THE CORPORATION OF THE CITY OF MARKHAM

(Item 8.2.8, Report 22)

Carried

13.5 BY-LAW 2022-50 A BY-LAW TO ESTABLISH CITY-WIDE SOFT SERVICES DEVELOPMENT CHARGES FOR THE CORPORATION OF THE CITY OF MARKHAM

(Item 8.2.8, Report 22)

13.6 BY-LAW 2022-51 A BY-LAW TO ESTABLISH AREA SPECIFIC DEVELOPMENT CHARGES BY-LAW FOR THE YONGE STEELES CORRIDOR AREA 1B DEVELOPMENT AREA OF THE CITY OF MARKHAM

(Item 8.2.8, Report 22)

Carried

13.7 BY-LAW 2022-52 A BY-LAW TO ESTABLISH AREA SPECIFIC DEVELOPMENT CHARGES BY-LAW FOR THE ARMADALE AREA 5 DEVELOPMENT AREA OF THE CITY OF MARKHAM

(Item 8.2.8, Report 22)

Carried

13.8 BY-LAW 2022-53 A BY-LAW TO ESTABLISH AREA SPECIFIC DEVELOPMENT CHARGES BY-LAW FOR THE ARMADALE NE AREA 7 DEVELOPMENT AREA OF THE CITY OF MARKHAM

(Item 8.2.8, Report 22)

Carried

13.9 BY-LAW 2022-54 A BY-LAW TO ESTABLISH AREA SPECIFIC DEVELOPMENT CHARGES BY-LAW FOR PD 1-7 AREA 9 DEVELOPMENT AREA OF THE CITY OF MARKHAM

(Item 8.2.8, Report 22)

Carried

13.10 BY-LAW 2022-55 A BY-LAW TO ESTABLISH AREA SPECIFIC DEVELOPMENT CHARGES BY-LAW FOR RODICK/MILLER ROAD PLANNING DISTRICT AREA 17 DEVELOPMENT AREA OF THE CITY OF MARKHAM

(Item 8.2.8, Report 22)

13.11 BY-LAW 2022-56 A BY-LAW TO ESTABLISH AREA SPECIFIC DEVELOPMENT CHARGES BY-LAW FOR MOUNT JOY AREA 23 DEVELOPMENT AREA OF THE CITY OF MARKHAM

(Item 8.2.8, Report 22)

Carried

13.12 BY-LAW 2022-57 A BY-LAW TO ESTABLISH AREA SPECIFIC DEVELOPMENT CHARGES BY-LAW MARKHAM CENTRE – SOUTH UNIONVILLE – HELEN AVENUE AREA 42A-1 DEVELOPMENT AREA OF THE CITY OF MARKHAM

(Item 8.2.8, Report 22)

Carried

13.13 BY-LAW 2022-58 A BY-LAW TO ESTABLISH AREA SPECIFIC DEVELOPMENT CHARGES BY-LAW MARKHAM CENTRE AREA 42B DEVELOPMENT AREA OF THE CITY OF MARKHAM

(Item 8.2.8, Report 22)

Carried

13.14 BY-LAW 2022-59 A BY-LAW TO ESTABLISH AREA SPECIFIC DEVELOPMENT CHARGES BY-LAW MARKHAM CENTRE - CLEGG AREA 42B-2 DEVELOPMENT AREA OF THE CITY OF MARKHAM

(Item 8.2.8, Report 22)

Carried

13.15 BY-LAW 2022-60 A BY-LAW TO ESTABLISH AREA SPECIFIC DEVELOPMENT CHARGES BY-LAW MARKHAM CENTRE – HOTEL AREA 42B-4 DEVELOPMENT AREA OF THE CITY OF MARKHAM

(Item 8.2.8, Report 22)

Carried

13.16 BY-LAW 2022-61 A BY-LAW TO ESTABLISH AREA SPECIFIC DEVELOPMENT CHARGES BY-LAW MARKHAM CENTRE – SOUTH

HIGHWAY 7 AREA 42B-6 DEVELOPMENT AREA OF THE CITY OF MARKHAM

(Item 8.2.8, Report 22)

Carried

13.17 BY-LAW 2022-62 A BY-LAW TO ESTABLISH AREA SPECIFIC DEVELOPMENT CHARGES BY-LAW MARKHAM CENTRE – SCIBERRAS AREA 42B-8 DEVELOPMENT AREA OF THE CITY OF MARKHAM

(Item 8.2.8, Report 22)

Carried

13.18 BY-LAW 2022-63 A BY-LAW TO ESTABLISH AREA SPECIFIC DEVELOPMENT CHARGES BY-LAW MARKHAM CENTRE – EAST PRECINCT AREA 42B-9 DEVELOPMENT AREA OF THE CITY OF MARKHAM

(Item 8.2.8, Report 22)

Carried

13.19 BY-LAW 2022-64 A BY-LAW TO ESTABLISH AREA SPECIFIC DEVELOPMENT CHARGES BY-LAW CATHEDRAL AREA 46 DEVELOPMENT AREA OF THE CITY OF MARKHAM

(Item 8.2.8, Report 22)

Carried

13.20 BY-LAW 2022-65 A BY-LAW TO ESTABLISH AREA SPECIFIC DEVELOPMENT CHARGES BY-LAW YORK DOWNS AREA 47B DEVELOPMENT AREA OF THE CITY OF MARKHAM

(Item 8.2.8, Report 22)

Carried

13.21 BY-LAW 2022-66 A BY-LAW TO ESTABLISH AREA SPECIFIC DEVELOPMENT CHARGES BY-LAW 404 NORTH EMPLOYMENT LANDS AREA 49 DEVELOPMENT AREA OF THE CITY OF MARKHAM

13.22 BY-LAW 2022-67 A BY-LAW TO ESTABLISH AREA SPECIFIC DEVELOPMENT CHARGES BY-LAW FUTURE URBAN AREA - AREA 50A DEVELOPMENT AREA OF THE CITY OF MARKHAM

(Item 8.2.8, Report 22)

Carried

13.23 BY-LAW 2022-68 A BY-LAW TO ESTABLISH AREA SPECIFIC DEVELOPMENT CHARGES BY-LAW FUTURE URBAN AREA – EMPLOYMENT BLOCK AREA 50A-1 DEVELOPMENT AREA OF THE CITY OF MARKHAM

(Item 8.2.8, Report 22)

Carried

13.24 BY-LAW 2022-69 A BY-LAW TO ESTABLISH AREA SPECIFIC DEVELOPMENT CHARGES BY-LAW FUTURE URBAN AREA – ROBINSON GLEN - AREA 50A-2 DEVELOPMENT AREA OF THE CITY OF MARKHAM

(Item 8.2.8, Report 22)

Carried

13.25 BY-LAW 2022-70 A BY-LAW TO ESTABLISH AREA SPECIFIC DEVELOPMENT CHARGES BY-LAW FUTURE URBAN AREA – BERCZY GLEN - AREA 50A-3 DEVELOPMENT AREA OF THE CITY OF MARKHAM

(Item 8.2.8, Report 22)

Carried

13.26 BY-LAW 2022-71A BY-LAW TO ESTABLISH AREA SPECIFIC DEVELOPMENT CHARGES BY-LAW FUTURE URBAN AREA – ANGUS

GLEN - AREA 50A-4 DEVELOPMENT AREA OF THE CITY OF MARKHAM

(Item 8.2.8, Report 22)

Carried

 13.27 BY-LAW 2022-72 A BY-LAW TO ESTABLISH AREA SPECIFIC DEVELOPMENT CHARGES BY-LAW FUTURE URBAN AREA – ROBINSON GLEN-SOUTH - AREA 50A-5 DEVELOPMENT AREA OF THE CITY OF MARKHAM

(Item 8.2.8, Report 22)

Carried

13.28 BY-LAW 2022-73 A BY-LAW TO PROVIDE FOR THE LEVY AND COLLECTION OF SUMS REQUIRED BY THE CORPORATION OF THE CITY OF MARKHAM FOR THE YEAR 2022 AND TO PROVIDE FOR THE MAILING OF NOTICES REQUIRING PAYMENT OF TAXES FOR THE YEAR 2022

(Item 8.2.8, Report 22)

Carried

13.29 BY-LAW 2022-74 MAJOR KENNEDY DEVELOPMENTS LIMITED, MAJOR KENNEDY SOUTH DEVELOPMENTS LIMITED, 4551 ELGIN MILLS DEVELOPMENTS LIMITED, 4551 ELGIN MILLS ROAD EAST, 10225-10227 KENNEDY ROAD AND 4638 MAJOR MACKENZIE DRIVE EAST, ZONING BY-LAW AMENDMENT

At the request of the applicant, By-law 2022-74 was deferred.

Postponed

14. CONFIDENTIAL ITEMS

Moved by Councillor Andrew Keyes Seconded by Councillor Isa Lee

That, in accordance with Section 239 (2) of the *Municipal Act*, Council resolve into a private session to discuss the following confidential matters at 3:23 PM:

- 14.1 COUNCIL
 - 14.1.1 CONFIDENTIAL COUNCIL MINUTES MAY 17, 2022 [Section 239 (2) (a) (b) (c) (e) (f)] (16.0)
 - 14.1.2 PERSONAL MATTERS ABOUT AN IDENTIFIABLE INDIVIDUAL, INCLUDING MUNICIPAL OR LOCAL BOARD EMPLOYEES (APPOINTMENTS & RESIGNATIONS TO BOARDS/COMMITTEE) (16.24)Section 239 (2) (b)
 - 14.1.3 SECURITY OF THE PROPERTY OF THE MUNICIPALITY OR LOCAL BOARD (UPDATE ON SECURITY ACTIVITY OF CITY ASSET) [Section 239 (2)(a)]
- 14.2 REPORT FROM DEVELOPMENT SERVICES COMMITTEE MAY 31, 2022
 - 14.2.1 A PROPOSED OR PENDING ACQUISITION OR DISPOSITION OF LAND BY THE CITY OR LOCAL BOARD; (WARD 6) [Section 239 (2)(c)]

Carried

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

That Council rise from Confidential session at 3:20 PM.

Carried

The following Confidential items were approved by Council:

- 14.1 COUNCIL
 - 14.1.1 CONFIDENTIAL COUNCIL MINUTES MAY 17, 2022 AND SPECIAL COUNCIL MEETING OF MAY 24, 2022 [Section 239 (2) (a) (b) (c) (e) (f)] (16.0)

Moved by Councillor Isa Lee Seconded by Councillor Andrew Keyes

 That the confidential Council minutes of the Council Meeting held on May 17, 2022 and the Special Council meeting held on May 24, 2022, be adopted.

Carried

14.1.2 PERSONAL MATTERS ABOUT AN IDENTIFIABLE INDIVIDUAL, INCLUDING MUNICIPAL OR LOCAL BOARD EMPLOYEES (APPOINTMENTS & RESIGNATIONS TO BOARDS/COMMITTEE) (16.24)Section 239 (2) (b)

Moved by Regional Councillor Joe Li Seconded by Councillor Amanda Collucci

1. That the following persons be appointed to the <u>Advisory Committee on</u> <u>Accessibility</u> with an expiry as indicated:

Babak Esmaeilzadeh-Faal	November 30, 2025
Lee Perry	November 30, 2025

2. That the following persons be appointed to the <u>German Mills</u> <u>Community Centre Board</u> with an expiry as indicated::

Denise Devlin Li	June 30, 2024
Tracy Nwonyimi	June 30, 2024
Ameet Khanderia	June 30, 2024
Florence Wang	June 30, 2024
Athena Hui	June 30, 2023
Erin Cattral	June 30, 2023
Kathy Branny	June 30, 2023
Lorena Zuniga	June 30, 2023
Eileen Carter	June 30, 2023

3. That the following persons be appointed to the <u>Race Relations</u> <u>Committee</u> with an expiry as indicated:

Satya Arora	November 30, 2025
Jas Atwal	November 30, 2025
Nayani Nandakumar	November 30, 2025

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14.1.3 SECURITY OF THE PROPERTY OF THE MUNICIPALITY OR LOCAL BOARD (UPDATE ON SECURITY ACTIVITY OF CITY ASSET) [Section 239 (2)(a)]

Moved by Regional Councillor Jack Heath Seconded by Councillor Alan Ho

1. That the confidential update on the security of the property of the municipality or local board (Update on Security Activity of City Asset), be received.

Carried

14.2 REPORT FROM DEVELOPMENT SERVICES COMMITTEE - MAY 30, 2022

14.2.1 A PROPOSED OR PENDING ACQUISITION OR DISPOSITION OF LAND BY THE CITY OR LOCAL BOARD; (WARD 6) [Section 239 (2)(c)]

Moved by Regional Councillor Jim Jones Seconded by Councillor Keith Irish

- That the confidential report on a proposed or pending Acquisition or disposition of land by the City or local board Koch-Wideman House -10062 Highway 48 (Ward 6), be received; and,
- 2. That the vacant heritage house known as the "Koch-Wideman House" be declared eligible for relocation to the lot at 14 Heritage Corners Lane in Markham Heritage Estates instead of the Reverend Jenkins House, due to its cultural heritage significance and as an example of a Georgian Tradition plank on plank Farmhouse belonging to an early Mennonite Family; and,
- 3. That the Koch-Wideman House be designated under Part IV of the *Ontario Heritage Act* and the subject of a Heritage Conservation Easement Agreement with the City, once relocated to Markham Heritage Estates; and further,
- 4. That staff be authorized and directed to do all things necessary to give effect to this resolution.

Note: Please see Item 15 for public report.

15. REPORTING OUT OF CONFIDENTIAL REPORT

Attached public report for:

 14.2.1 . A PROPOSED OR PENDING ACQUISITION OR DISPOSITION OF LAND BY THE CITY OR LOCAL BOARD; KOCH-WIDEMAN HOUSE - 10062 HIGHWAY 48 (WARD 6) (8.7) [Section 239 (2)(c)]

16. CONFIRMATORY BY-LAW - THREE READINGS

Moved by Councillor Isa Lee Seconded by Councillor Amanda Collucci

That By-law 2022-75 be given three readings and enacted.

Three Readings

BY-LAW 2022-75 A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE COUNCIL MEETING OF MAY 31, 2022.

Carried

17. ADJOURNMENT

Moved by Councillor Andrew Keyes Seconded by Councillor Isa Lee

That the Council meeting be adjourned at 3:23 p.m.

Carried

Kimberley Kitteringham City Clerk Frank Scarpitti Mayor