

# Electronic Council Meeting Minutes

**Meeting No. 6**  
**April 12, 2022, 2:00 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 Morgan Jones, Commissioner, Community Services Claudia Storto, City Solicitor and Director of Human Resources Joel Lustig, Treasurer Bryan Frois, Manager, Executive Operations & Strategic Initiatives	Kimberley Kitteringham, City Clerk Alida Tari, Manager, Access & Privacy John Wong, Technology Support Specialist II Hristina Giantsopoulos, Election/Council & Committee Coordinator Eddy Wu, Director, Environmental Services Darryl Lyons, Senior Manager, Policy & Research T'Jon Trudge, Technology Support Specialist

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

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## 1. CALL TO ORDER

The meeting of Council convened at 2:09 PM on April 12, 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.

Mayor Frank Scarpitti announced that the Markham community will be donating \$25,000 to support relief effort in Ukraine. Of this, \$5,000 will be given to the Markham Rotary Club Foundation to support medical supplies for Ukraine; and \$20,000 will be donated to the Ukrainian Red Cross. The Mayor acknowledged that the funds are from proceeds of the annual Chinese New Year dinner and thanked Regional Councillor Joe Li, Ward 2 Councillor Alan Ho, Ward 6 Councillor Amanda Collucci and Ward 8 Councillor Isa Lee for their support.

The Mayor also advised that various organizations are working towards a Hospice program in Markham and that an announcement will be forthcoming in the next few months.

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

None disclosed.

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

### **3.1 COUNCIL MINUTES - MARCH 29, 2022**

Moved by Councillor Isa Lee

Seconded by Councillor Keith Irish

1. That the Minutes of the Council Meeting held on March 29, 2022, be adopted.

**Carried by Recorded Vote (8:5)**

**(See following for Recorded Vote)**

**Recorded Vote (8:5):**

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

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

**4. PRESENTATIONS**

There were no presentations.

**5. DEPUTATIONS**

There were no deputations.

**6. COMMUNICATIONS**

There were no communications.

**7. PROCLAMATIONS**

7.1 PROCLAMATIONS (3.4)

Moved by Councillor Alan Ho

Seconded by Councillor Andrew Keyes

1. That the following new request for proclamation be approved and added to the Five-Year Proclamations List approved by Council:
  - a. World IBD Day - May 19, 2022
  - b. The Longest Day of SMILES® - June 19, 2022
  - c. 25th Anniversary TD Markham Jazz Festival - August 13 - 21 , 2022

**Carried**

**8. REPORT OF STANDING COMMITTEE**

8.1 REPORT NO. 15 - GENERAL COMMITTEE (APRIL 4, 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 8.1.4:

**Carried**

8.1.1 242-T-21 WEST THORNHILL PHASE 3C - STORM SEWERS AND WATERMAIN REPLACEMENT (7.12)

Moved by Regional Councillor Jack Heath

Seconded by Councillor Khalid Usman

1. That the report entitled “Award of Construction Tender 242-T-21 West Thornhill – Phase 3C Storm Sewers and Cast Iron Watermain Upgrades” be received; and,
2. That the contract for Tender 242-T-21 West Thornhill – Phase 3C Storm Sewers and Cast Iron Watermain Upgrades be awarded to the lowest priced Bidder, GFL Infrastructure Group, in the amount of \$15,762,313.46, inclusive of HST; and,
3. That a 10% contingency in the amount of \$1,576,231.35 inclusive of HST, be established to cover any additional construction costs and that authorization to approve expending of this contingency amount up to the specified limit be in accordance with the Expenditure Control Policy; and,
4. That the construction award in the amount of \$17,338,544.80 (\$15,762,313.46 + \$1,576,231.35) be funded from the following capital projects:
  1. 058-6150-22190-005 “West Thornhill Flood Control Implementation - Phase 3C Construction”; and,
  2. 053-5350-22204-005 “CI Watermain Replacement – West Thornhill Phase 3C – Construction & CA” as outlined under the financial considerations section in this report; and,
5. That the shortfall of \$1,070,646.86 in project #22190 “West Thornhill Flood Control Implementation - Phase 3C Construction” be funded from the Stormwater Fee Reserve and shortfall of \$1,687,191.65 in project #22204 “CI Watermain Replacement – West Thornhill Phase 3C – Const. & CA” be funded from Waterworks Reserve; and,
6. That a 5-year moratorium be placed on any major servicing and utility installation along restored areas including Glen Cameron Road (from Henderson Ave to Yonge St), Clark Avenue (40 m west of Willowdale Blvd to Henderson Ave), Mira Road, Lilian Avenue (from Clark Ave

to Pheasant Valley Crt), and Pheasant Valley Crt including Cul-de-sac; and further,

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

**Carried**

8.1.2 REQUEST FOR PROPOSAL 216-R-21 CUSTODIAL SUPPLIES  
(YORK PURCHASING COOPERATIVE CONTRACT (CRFP-06-2021)  
FOR RECREATION SERVICES AND FIRE AND EMERGENCY (7.0)

Moved by Regional Councillor Jack Heath

Seconded by Councillor Khalid Usman

1. That the report entitled “Request for Proposal 216-R-21 Custodial Supplies (York Purchasing Cooperative Contract (CRFP-06-2021) for Recreation Services and Fire and Emergency” be received; and,
2. That the contract for Request for Proposal 216-R-21 Custodial Supplies (York Purchasing Cooperative Contract (CRFP-06-2021) for Recreation Services and Fire and Emergency Services be awarded to the highest ranked, second lowest bidder, Swish Maintenance Limited for a term of three (3) years and four (4) months in the total estimated amount of \$1,543,333 inclusive of HST; and,
  - April 1, 2022- March 31, 2023 - \$463,000
  - April 1, 2023- March 31, 2024 - \$463,000
  - April 1, 2024- March 31, 2025 - \$463,000
  - April 1, 2025- July 31, 2025 - \$154,333

**Total: \$1,543,333**

3. That the contract include an option for the City (in its sole discretion) to extend the contract for up to two (2) additional one (1) year terms. All pricing will be firm for the first sixteen (16) months of the contract and prices in years two, three, four and five will be subject to Consumer Price Index (CPI) increases (All-Items Ontario March) to a maximum of 3%; and,
4. That the Director of Recreation, Fire Chief, and Senior Manager of Procurement & Accounts Payable be authorized to extend the contract for an additional two (2) one year periods subject to Council’s

approval of the annual operating budget, vendor performance, and an increase based on the CPI (All-Items Ontario March) to a maximum of 3%; and

5. That the award be funded from the various operating budgets within the Recreation Services and Fire and Emergency Services annual operating budget, subject to Council approval of the 2023-2025 operating budgets; and,
6. The remaining estimated budget of \$37,000 will be required if actual quantities are higher than estimated. Staff will monitor the expenditure and future operating budgets will be adjusted accordingly, subject to Council approval of the 2023-2025 operating budgets; and further,
7. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**Carried**

#### 8.1.3 PILOT PRIVATE PLUMBING PROTECTION REBATE PROGRAM UPDATE (5.7)

Moved by Regional Councillor Jack Heath

Seconded by Councillor Khalid Usman

1. That the report titled “Private Plumbing Protection Rebate Program Update” be received; and,
2. That Staff be authorized to extend the Private Plumbing Protection Rebate Program for an additional five years from May 1, 2022 to April 30, 2027; and,
3. That project 18324 5P - Pilot Private Plumbing Protection Program be increased from \$1,370,000 to \$2,249,744 for the five-year program extension with the additional \$879,744.00 funded through the Stormwater Fee Reserve; and,
4. That the consulting engineering services required to support the five-year program extension be continued with R.V. Anderson & Associates Limited with the remaining funds under their existing contract; and,
5. That the tendering process for the additional consulting engineering services required to support the five-year program extension 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

6. That Staff report back to Council after the five-year extension period to assess the further extension of the program; and further,
7. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**Carried**

#### 8.1.4 AODA IMPACTS TO PLAYGROUND REPLACEMENTS (7.0)

Moved by Regional Councillor Jack Heath

Seconded by Councillor Khalid Usman

1. That the report “Replacement of City Playgrounds for AODA (*Accessibility for Ontarians with Disabilities Act*) Compliance” be received; and,
2. That Council endorse the “Replacement of City Playgrounds for AODA Compliance” plan for an estimated amount of \$935,817 in 2023, \$977,643 in 2024, \$917,923 in 2025 and \$571,441 in 2026 plus related Consulting and Contingency for a total of \$3,751,613 to address the AODA playgrounds compliant timelines from 2023 to the end of 2026; and,
3. That the Playground Replacement for AODA Compliance be funded from the Facility Ramp Up Reserve, subject to Council approval of future budgets; and,
4. That the incremental operating budget for engineered wood fiber top-up be increased in the amount of \$4,554 in 2024, \$9,522 in 2025, \$14,766 in 2026 and \$18,124 in 2027 respectively subject to Council approval; and,
5. That as part of the 2023 Capital Budget Pre-Approval process, staff will present for Council consideration:
  1. A 2023 capital project with a proposed budget of \$935,817 in accordance with the Playground Replacement for AODA Compliance program; and,

2. A 2023 capital project with a proposed budget of \$170,141 to engage the services of an external consultant to prepare site drawings and specifications for tender, project oversight and contract administration as well as inspections over four years; and,
6. That staff provide an additional cost analysis to address **or advance** the replacement of all remaining City playgrounds for AODA compliance by the end of 2026; and further,
7. That staff be authorized and directed to do all things necessary to give effect to this resolution.

**Carried as Amended**

Council consented to amend clause # 6 from:

6. That staff provide an additional cost analysis to address the replacement of all remaining City playgrounds for AODA compliance by the end of 2026; and further,

to:

6. That staff provide an additional cost analysis to address **or advance** the replacement of all remaining City playgrounds for AODA compliance by the end of 2026; and further,

Council had before it the following original recommendation for consideration:

1. That the report “Replacement of City Playgrounds for AODA (*Accessibility for Ontarians with Disabilities Act*) Compliance” be received; and,
2. That Council endorse the “Replacement of City Playgrounds for AODA Compliance” plan for an estimated amount of \$935,817 in 2023, \$977,643 in 2024, \$917,923 in 2025 and \$571,441 in 2026 plus related Consulting and Contingency for a total of \$3,751,613 to address the AODA playgrounds compliant timelines from 2023 to the end of 2026; and,
3. That the Playground Replacement for AODA Compliance be funded from the Facility Ramp Up Reserve, subject to Council approval of future budgets; and,



4. That the incremental operating budget for engineered wood fiber top-up be increased in the amount of \$4,554 in 2024, \$9,522 in 2025, \$14,766 in 2026 and \$18,124 in 2027 respectively subject to Council approval; and,
5. That as part of the 2023 Capital Budget Pre-Approval process, staff will present for Council consideration:
  1. A 2023 capital project with a proposed budget of \$935,817 in accordance with the Playground Replacement for AODA Compliance program; and,
  2. A 2023 capital project with a proposed budget of \$170,141 to engage the services of an external consultant to prepare site drawings and specifications for tender, project oversight and contract administration as well as inspections over four years; and,
6. **That staff provide an additional cost analysis to address the replacement of all remaining City playgrounds for AODA compliance by the end of 2026; and further,**
7. That staff be authorized and directed to do all things necessary to give effect to this resolution.

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

Moved by Councillor Keith Irish  
 Seconded by Councillor Reid McAlpine

That the report of the Development Services Committee be received & adopted; save and except for Item No. 8.2.2:

**Carried**

8.2.1 REQUEST FOR DEMOLITION DETACHED ACCESSORY BUILDING 36 JOHN STREET, THORNHILL HERITAGE CONSERVATION DISTRICT (10.0)

Moved by Councillor Keith Irish  
 Seconded by Councillor Reid McAlpine

1. That the report entitled “Request for Demolition - Detached Accessory Building/Shed, 36 John Street, Thornhill Heritage Conservation District”, dated April 11, 2022 be received; and,
2. That Council supports the proposed demolition of the existing detached accessory building/shed at 36 John Street located within the Thornhill Conservation District; and further,
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**Carried**

#### 8.2.2 CITY OF MARKHAM COMMENTS ON THE DRAFT YORK REGION OFFICIAL PLAN (10.0)

Moved by Councillor Keith Irish

Seconded by Councillor Reid McAlpine

1. That the staff report entitled, “City of Markham Comments on the draft York Region Official Plan” dated April 11, 2022, be received; and,
2. That Council requests that:
  - a. The delineations of the Langstaff GO and Royal Orchard Subway Major Transit Station Areas (MTSA) in Appendix 2 of the draft Regional Official Plan (ROP) be revised to add adjacent lands from the Langstaff-Longbridge Subway MTSA, that has been moved from Yonge Street to a new Bridge Station in the selected Yonge North Subway Extension alignment, as shown in Figure 1; and,
  - b. All MTSAs in Markham be identified as protected Major Transit Station Areas to enable implementation of inclusionary zoning; and,
  - c. Map 1A be updated to reflect Regional Council approved employment area conversion request M3 1628740 Ontario Inc. and 1628741 Ontario Inc. (Tucciarone) in the Cathedral Employment Area, from Employment Area to a Community Area; and,
  - d. The Markham Centre employment area mapping west of Warden Avenue in the draft ROP be amended to reflect the in-effect

employment designations of Official Plan Amendment (OPA) 21 to the 1987 Markham Official Plan as shown in Figure 4; and,

- e. That the draft Regional Official Plan be amended to define purpose-built rental and request York Region to provide programs and incentives to support achievement of the targets.
- f. The affordable housing targets be further reviewed in consultation with local municipalities and supported with Regional programs and incentives; and,
- g. The new definition of affordable housing be revised to provide municipalities the flexibility to use local average market rent, where available, and if there are local official plan policies to support this to be more reflective of local market conditions;
- h. The two parcels shown in Figure 3 be removed from the new community area designation in Map 1C of the draft ROP; and,
- i. The following changes be made to the draft Regional Official Plan policies to further strengthen phasing in existing and new community areas:
  - i. Policy 2.2.5 be updated so that infrastructure required to support growth to 2051 be phased based on the direction in the Region's intensification hierarchy;
  - ii. Policy 4.2.2.4 be revised so that local municipal population and intensification targets as identified in Tables 1 and 6 of the draft ROP be used in the criteria for approval of secondary plans in new community areas;
  - iii. Policy 4.2.2.4 (h) i. be deleted given the uncertainty on how the policy will be implemented;
  - iv. Policy 6.2.3 be revised to clarify the Region will work with local municipalities to co-ordinate the required Regional transportation and servicing infrastructure, especially for new community areas and including the approved Minister's Zoning Orders.
- j. Regional staff work with City staff to address the matters highlighted from the November 9, 2021, Markham Council resolution on the Region's Water and Wastewater Master Plan Update; and,

- k. The Future Urban Area lands identified in Markham in Map 1B of the draft ROP be removed and maintained as agricultural system in Map 1, as these lands are not needed to accommodate growth to 2051; and,
  - l. A new policy be added, or an existing policy be revised, to encourage area-specific community energy plans to be developed for secondary plans and major development; and,
3. That the Region review the potential implications of the 2021 Census on the forecasts being assigned to local municipalities in the draft Regional Official Plan; and,
  4. That Markham Council not support the request by Cornell Rouge Development Corporation, Varlese Brothers et al to convert 17.0 hectares north of Highway 7 and west of Reesor Rd (M4), and the request by Norfinch Group (M7) to convert 0.75 hectares at the southwest corner of Highway 7 and Reesor Rd from employment area to non-employment area uses; and,
  5. That this staff report, figures and appendices be forwarded to York Region as the City of Markham's comments on the draft ROP; and further,
  6. That staff be authorized and directed to do all things necessary to give effect to this resolution.

**Carried**

### 8.2.3 ACTIVE SCHOOL TRAVEL AND SCHOOL STREET TEST PROGRAMS (10.0)

Moved by Councillor Keith Irish  
 Seconded by Councillor Reid McAlpine

1. That the staff report titled "Active School Travel & School Street Test Programs" be received; and,
2. That the School Street Test Program be approved and, as part of this pilot, the temporary, full road closure of Stricker Avenue between

Hammersly Boulevard and Fred McLaren Boulevard be approved;  
and,

3. That the City contributes \$3,500 from project #21025 Cycling & Pedestrian Advisory Committee to the School Street Test Program;  
and,
4. That staff report back on expanding the Active School Travel Program beyond this pilot; and further,
5. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**Carried**

## 9. MOTIONS

Moved by Regional Councillor Joe Li

Seconded by Councillor Alan Ho

1. That the rules of procedure be waived in order to introduce a motion to support a donation from the Chinese New Year Dinner proceeds to the humanitarian aid to Ukraine.

**Carried by Two Thirds Vote**

### 9.1 HUMANITARIAN RELIEF EFFORT FOR UKRAINE (13.0)

Moved by Regional Councillor Joe Li

Seconded by Councillor Alan Ho

1. That the Markham community support the humanitarian relief effort for Ukraine with a donation of \$25,000 from the proceeds of the Chinese New Year Dinner fund.

**Carried Unanimously by Recorded Vote (13-0)**

**(See following for 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)

**10. NOTICE OF MOTION TO RECONSIDER**

There were no notices of motion to reconsider.

**11. NEW/OTHER BUSINESS**

There was no new / other business.

**12. ANNOUNCEMENTS**

There were no announcements.

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

Moved by Councillor Karen Rea

Seconded by Councillor Amanda Collucci

That By-laws 2022-26 and 2022-27 be given three readings and enacted.

**Carried**

**Three Readings**

**13.1 BY-LAW 2022-26 ANGUS GLEN VILLAGE LTD., MAJOR MACKENZIE DRIVE EAST, 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 1, Registered Plan 65M-4698 located on the south side of Major Mackenzie Drive East, between Prospector's Drive and Angus Glen Boulevard.

**Carried**

**13.2 BY-LAW 2022-27 CONLON AND VOPNI, 36 WASHINGTON STREET, ZONING BY-LAW AMENDMENT**

A Bylaw to amend By-law 1229, as amended, to delete the existing commercial uses, and to permit a proposed severance of the property and new single detached infill dwelling.

(Item 8.4.1, Report No. 13, March 29, 2022 Council Meeting)

**Carried**

#### **14. CONFIDENTIAL ITEMS**

Council consented to not resolve into confidential session.

##### **14.1 DEVELOPMENT SERVICES COMMITTEE - APRIL 11, 2022**

###### **14.1.1 LITIGATION OR POTENTIAL LITIGATION, INCLUDING MATTERS BEFORE ADMINISTRATIVE TRIBUNALS, AFFECTING THE MUNICIPALITY OR LOCAL BOARD; MINOR VARIANCE APPLICATION - 15 FIERHELLER COURT, (WARD 6) [SECTION 239 (2) (e)]**

Moved by Councillor Amanda Collucci

Seconded by Regional Councillor Jim Jones

1. That the confidential report titled, "ONTARIO LAND TRIBUNAL (OLT) APPEAL: Minor Variance Application Appeal, Sun Hua, 15 Fierheller Court, Ward 6", be received; and,
2. That the confidential resolution be reported out at a future public Council meeting upon direction of the City Solicitor; and,
3. That staff do all things necessary to give effect to this resolution.

**Carried**

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

Moved by Councillor Keith Irish

Seconded by Regional Councillor Jack Heath

That By-law 2022-28 be given three readings and enacted.

Three Readings

BY-LAW 2022-28 A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE  
COUNCIL MEETING OF APRIL 12, 2022.

**Carried**

**16. ADJOURNMENT**

Moved by Councillor Isa Lee

Seconded by Councillor Keith Irish

That the Council meeting be adjourned at 2:52 p.m.

**Carried**

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Kimberley Kitteringham  
City Clerk

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Frank Scarpitti  
Mayor