

Council Meeting Minutes

Meeting No. 12
June 28, 2022, 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	Trinela Cane, Commissioner, Corporate Services Arvin Prasad, Commissioner, Development Services Morgan Jones, Commissioner, Community Services Claudia Storto, City Solicitor and Director of Human Resources Adam Grant, Fire Chief Biju Karumanchery, Director, Planning & Urban Design Frank Clarizio, Director, Engineering 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 Eddy Wu, Director, Environmental Services Chris Rickett, Director, Economic Development, Culture and Entrepreneurship Darryl Lyons, Senior Manager, Policy & Research Erica Alligood, Election/Council & Committee Coordinator Brad Roberts, Manager, Zoning & Special Projects Alice Lam, Director, Operations

Alternate formats for this document are available upon request

1. CALL TO ORDER

The meeting of Council convened at 1:07 PM on June 28, 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 advised of the sudden passing of Nanthee Veluppillai, Building Inspector II with the Building Standards Department, and on behalf of Council, expressed condolences to his family and friends. Nanthee was a Professional Engineer and worked with the City of Markham for 27 years as a Building Inspector and contributed to the safety of the built form having inspected a good portion of the buildings in Markham. A moment of silence was observed and official flags at Markham Civic Centre were lowered in his honour.

Councillor Reid McAlpine arrived at 1:35 pm.

Councillor Amanda Collucci left at 2:30 pm.

2. DISCLOSURE OF PECUNIARY INTEREST

None disclosed.

3. APPROVAL OF PREVIOUS MINUTES

3.1 COUNCIL MINUTES - JUNE 14, 2022

Moved by Councillor Andrew Keyes

Seconded by Councillor Amanda Collucci

1. That the Minutes of the Council Meeting held on June 14, 2022, be adopted.

Carried

4. PRESENTATIONS

There were no presentations.

5. DEPUTATIONS

5.1 DEPUTATION - IMPLEMENTATION OF DIGITAL BRIDGE OVERPASS BANNER SIGNS IN MARKHAM (7.0)

Tony Romanelli of RCC Media addressed Council and presented illumination photos and video clips of existing digital signs that RCC Media have installed in other municipalities and responded to questions from Council.

Moved by Regional Councillor Joe Li

Seconded by Regional Councillor Jack Heath

1. That the deputation of Tony Romanelli of RCC Media Inc. be received.

Carried

(See Item 8.2.4, Report 26 for Council's decision on this matter.)

5.2 DEPUTATION - FESTIVALS AND CELEBRATE MARKHAM (7.6)

Judi McIntyre addressed Council to request additional funds under the Celebrate Markham program on behalf of the following four Markham Festivals: Unionville Olde Tyme Christmas; Markham Village Music Festival; Taste of Asia and TD Markham Jazz Festival. She advised the Festivals are being held in a post-pandemic environment and that the operating costs associated with the events have substantially increased - especially as it relates to security, production, and road closures. She requested, on behalf of the organizers for the four Festivals, additional funding in the amount of \$30,000 to be divided between the four festivals.

Moved by Councillor Reid McAlpine

Seconded by Deputy Mayor Don Hamilton

1. That the rules of procedure be waived in order to allow a deputation from Judi McIntyre to address Council on a new item related to Festivals and Celebrate Markham.

Carried by Two Thirds Vote

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

6. COMMUNICATIONS

6.1 24-2022 MEMORANDUM FROM COMMISSIONER OF DEVELOPMENT SERVICES - HOLD REMOVAL BY-LAW; FOREST BAY HOMES

WEST SIDE OF KIRKHAM DRIVE, NORTH OF STEELES AVENUE EAST, BLOCK 150, PLAN 65M-4619, HOLD 22 244158 (WARD 7) (10.5)

Moved by Councillor Keith Irish

Seconded by Councillor Karen Rea

1. That the Memorandum titled, "Hold Removal By-law, Forest Bay Homes, West side of Kirkham Drive, north of Steeles Avenue East, Block 150, Plan 65M-4619, HOLD 22 244158 (Ward 7)", dated June 27, 2022, be received; and,
2. That the attached Zoning By-law to remove the Holding provision from the zoning of the subject lands, known as Block 150, Plan 65M-4619, be approved; and further,
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

(By-law 2022-83)

Carried

6.2 25-2022 SPECIAL OCCASION PERMIT - CHAMPAGNE AND GAME (WARD 4) (3.21)

Moved by Councillor Karen Rea

Seconded by Deputy Mayor Don Hamilton

1. That the request for the City of Markham for a Special Occasion Permit for Champagne and Game to be held on August 13, 2022 at 5pm - 10 pm at 60 Main Street North, #3, Markham, L3P 1X5 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 Champagne and Game as an event of "Municipal Significance".

Carried

6.3 MEMORANDUM - ADDITIONAL INFORMATION ON THE IMPLEMENTATION OF DIGITAL BRIDGE OVERPASS BANNER SIGNS IN MARKHAM (7.0)

Moved by Regional Councillor Jack Heath
Seconded by Councillor Alan Ho

1. That the memorandum dated June 24, 2022 from the Director of Legislative Services & City Clerk, and Acting Senior Manager, Corporate Communications and Community Engagement regarding "Implementation of Digital Bridge Overpass Banner Signs in Markham", be received.

Carried

(See Item 8.2.4, Report 26 for Council's decision on this matter.)

7. PROCLAMATIONS

7.1 PROCLAMATION AND FLAG RAISING REQUEST (3.4)

Moved by Councillor Isa Lee
Seconded by Councillor Reid McAlpine

1. That the following new request 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 and added to the Five-Year List of Request to Raise Flag approved by Council:
 - a. Hakka Heritage Week - June 17 to 26, 2022 (Organized by the Hakka Canadian Association)

Carried**8. REPORT OF STANDING COMMITTEE****8.1 REPORT NO. 25 - DEVELOPMENT SERVICES COMMITTEE (JUNE 13, 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 and 2):

Carried**8.1.1 AN OVERVIEW OF STORMWATER MANAGEMENT PONDS AND UNDERGROUND TANKS (10.0)**

Moved by Regional Councillor Jim Jones
 Seconded by Councillor Keith Irish

1. That the deputations by Dave Dsiewiecki, Don Given, Katya Servallo, and Dave Hardy regarding U/G tanks be received; and,
2. That the U/G tanks proposed for the two draft approved plans of subdivision in the FUA Robinson Glen Secondary Plan be permitted, subject to successful negotiations of parkland credits and the appropriate financial contribution to the City to offset the additional future operating and maintenance costs of U/G tanks; and,
3. That the type, design and specifications of the U/G tanks proposed in the Robinson Glen Secondary Plan be to the satisfaction of Director of Engineering and Director of Environmental Services; and,
4. That the design of the proposed uses on top of the U/G tanks in the Robinson Glen Secondary Plan be to the satisfaction of Directors of Planning, Engineering, Environmental Services and Operations; and,
5. That proposals for U/G tanks be reviewed on a case by case basis by Engineering and Planning Departments, in consultation with Environmental Services Department, to ensure that the proposed location is appropriate and the proposed type of U/G tank meets the City's specifications and criteria; and,

6. That the Engineering Department, in consultation with Planning and Environmental Services Departments, procures the services of a professional engineering consultant to assist in the development of appropriate criteria of acceptance for the consideration of U/G tanks, along with the acceptable uses above the facilities, along with the necessary specifications on U/G tank facilities; and,
7. That developers proposing to install U/G tanks in lieu of open stormwater ponds must provide the City with a financial contribution to offset the additional future costs to maintain and operate the U/G tanks and staff be authorized to negotiate the financial contribution from the developers; and further,
8. That the Planning Department be authorized to determine the applicability of parkland credits for proposed uses on top of U/G tanks and negotiate the appropriate parkland credit for proposed parks deemed suitable to be located on top of U/G tanks.

Carried

8.1.2 HIGHWAY 404 MID-BLOCK CROSSING NORTH OF 16TH AVENUE
- PROJECT UPDATE AND UTILITY RELOCATIONS (WARD 2)
(10.0)

Moved by Regional Councillor Jim Jones

Seconded by Councillor Keith Irish

1. That the report entitled “Highway 404 Mid-Block Crossing, North of 16th Avenue – Project Update and Utility Relocations (Ward 2)”, be received; and,
2. That the tendering process for the relocation of existing utilities for the Highway 404 Mid-Block Crossing North of 16th Avenue, be waived in accordance with Purchasing By-Law 2017-8, Part II, Section 7 Non-Competitive Procurement item 11.2 which states “Requests for Tenders, Requests for Proposals and Requests for Quotation may not be required for goods and services provided by any of the following:
(b) utilities; and,
3. That Staff be authorized to issue a Purchase Order to the Regional Municipality of York (“York Region”), in the amount of \$929,994.59, inclusive of HST, for Markham’s share of the cost for utility relocation work; and,

4. That the Engineering Department Capital Administration Fee in the amount of \$17,547.07, be transferred to revenue account 640-998-8871 (Capital Administration Fees); and,
5. That Markham's portion of the project cost in the amount of \$947,541.66 (\$929,994.59 + \$17,547.07), be funded from capital project #22030 (Highway 404 Mid-Block Crossing, North of 16th Avenue – Utility Relocation) with an available budget of \$2,282,700 as outlined in this report; and,
6. That the remaining balance in capital project #22030 in the amount of \$1,335,158.34 (\$2,282,700.00 - \$947,541.66) be returned to the original funding source; and further,
7. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

8.2 REPORT NO. 26 - GENERAL COMMITTEE (JUNE 20, 2022)

That the report of the General Committee be received & adopted, save and except for Item No. 8.2.4:

8.2.1 009-T-22 YONGE & GRANDVIEW PARK - CONSTRUCTION (8.2)

Moved by Regional Councillor Jack Heath

Seconded by Councillor Khalid Usman

1. That the report entitled "009-T-22 Yonge & Grandview Park - Construction" be received; and,
2. That staff be authorized to award a contract to Quality Property Services, the lowest priced bidder, in the total amount of \$590,483.80 inclusive of HST; and,
3. That a contingency in the amount of \$47,238.70 (8%) inclusive of HST established to cover any additional project costs be approved, and that authorization be granted to approve expenditures of this contingency amount up to the specified limit in accordance with the Expenditure Control Policy; and,
4. That the Urban Design Capital Administration Fee in the amount of \$57,395.03 be approved; and,

5. That the award, contingency and capital administration amounts in the total amount of \$695,117.53 (\$590,483.80 + \$47,238.70 + \$57,395.03) be funded from capital project 21023 Yonge & Grandview Park – Construction, GL account 081-5350-21023-005, which has an available budget of \$645,106.00; and,
6. That the shortfall of \$50,011.53 (\$645,106.00 - \$695,117.53) be funded from the City-wide Soft Development Charges in the amount of \$45,010.38 (90%) and the Parks Cash-in-Lieu in the amount of \$5,001.15 (10%); and further,
7. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

8.2.2 002-R-22 MARKHAM VILLAGE FLOOD CONTROL
IMPLEMENTATION - PHASE 1 DESIGN STORM/ SANITARY
SEWERS AND CAST IRON WATERMAIN UPGRADES (5.6)

Moved by Regional Councillor Jack Heath

Seconded by Councillor Khalid Usman

1. That the report entitled “002-R-22 Consulting Engineering Services for Markham Village Flood Control Implementation - Phase 1 Storm/ Sanitary Sewers and Cast Iron Watermain Upgrades” be received; and,
2. That the detailed design work under contract 002-R-22 Consulting Engineering Services for Markham Village Flood Control Implementation - Phase 1 Storm/ Sanitary Sewers and Cast Iron Watermain Upgrades (inclusive of Phases 1A, 1B, and 1C) be awarded to the highest ranked, second lowest priced Bidder, R.V. Anderson Associates Limited, in the amount of \$1,204,735.62, inclusive of HST; and,
3. That a 20% contingency in the amount of \$240,947.12, inclusive of HST, be established to cover any additional construction costs and that authorization to approve expenditures of this contingency amount up to the specified limit be in accordance with the Expenditure Control Policy; and,
4. That the Consulting Engineering Services for detailed design award in the amount of \$1,445,682.75 (\$1,204,735.62 + \$240,947.12) be

funded from the capital project 058-6150-22193-005 “Markham Village Flood Control Implementation Phase 1 - Design”; and,

5. That the remaining budget of \$569,217.25 in capital project 058-6150-22193-005 “Markham Village Flood Control Implementation Phase 1 - Design” will not be required from the Stormwater Fee Reserve; and,
6. That the contract administration services (inclusive of 10% contingency) be awarded to R.V. Anderson Associates Limited for:Phase 1A in the amount of \$586,094.66 (\$532,813.32 + \$53,281.33),Phase 1B in the amount of \$621,153.01 (\$564,684.56+ \$56,468.46), and,Phase 1C in the amount of \$660,382.10 (\$660,347.37 + \$60,034.74), be requested as part of the 2024, 2025, and 2026 Capital budget process, subject to Council approval; and,
7. That the future Purchase Order for contract administration of Phases 1A, 1B, and 1C be updated to reflect the actual construction time required based on the final design; and further,
8. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

8.2.3 207-T-21 FAIRTREE CRICKET PITCH LIGHTING PURCHASE AND INSTALLATION (7.9)

Moved by Regional Councillor Jack Heath

Seconded by Councillor Khalid Usman

1. That the report entitled “Tender 207-T-21 Fairtree Cricket Pitch Lighting Installation” be received; and,
2. That the contract for Tender 207-T-21 Fairtree Cricket Pitch Lighting Installation be awarded to the lowest priced bidder, Nadelec Contracting Inc. in the amount of \$386,118.14, inclusive of HST; and,
3. That a 10% contingency in the amount of \$38,611.81 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 \$424,729.96 (\$386,118.14 + \$38,611.81) be funded from accounts as listed in the Financial Considerations section with budget available of \$227,915.00; and,
5. That the budget shortfall in the amount of \$196,814.96 (\$424,729.96 - \$227,915.00) be funded from the Development Charges - City-Wide Soft Reserve in the amount of \$177,133.46 (90%) and Non-DC Growth in the amount of \$19,681.50 (10%); and further,
6. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

8.2.4 IMPLEMENTATION OF DIGITAL BRIDGE OVERPASS BANNER SIGNS IN MARKHAM (7.0)

Kimberley Kitteringham, Director of Legislative Services and City Clerk, reviewed the Memorandum to Council on this matter. Tony Romanelli of RCC Media responded to questions from Council.

Moved by Councillor Khalid Usman
Seconded by Councillor Andrew Keyes

1. That the Report entitled “Implementation of Digital Bridge Overpass Banner Signs in Markham” be received; and,
2. **That the memorandum dated June 24, 2022 from the Director of Legislative Services & City Clerk, and Acting Senior Manager, Corporate Communications and Community Engagement regarding "Implementation of Digital Bridge Overpass Banner Signs in Markham", in response to inquiries made at the June 20, 2022 General Committee meeting, be received; and,**
3. **That the recommendation be approved; and,**
4. That Staff be authorized to complete negotiations and finalize a Digital Sign Agreement with RCC Media Inc. for the installation and maintenance of Digital Overpass Banner Signs on CN railway bridges in Markham, to the satisfaction of the Commissioner of Corporate Services and the City Solicitor; and,

5. That the Mayor and City Clerk be authorized to sign the agreement with RCC Media Inc., and any amendment thereto approved by the Commissioner of Corporate Services and the City Solicitor; and,
6. That Staff report back within 2 years of the signing of the agreement with RCC Media Inc. with a status report; and,
7. That the deputations from Nancy Coldham, Valerie Burke, James Deframboise and Evelin Ellison be received; and further,
8. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried by Recorded Vote (11-1)

(See following Recorded Vote)

Carried

Recorded Vote (11-1):

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 Joe Li, Councillor Andrew Keyes, Councillor Khalid Usman, Councillor Isa Lee **(11)**

NAYS: Regional Councillor Jack Heath **(1)**

ABSENT FOR THE VOTE: Councillor Amanda Collucci

Council had before it the following original recommendation for consideration:

1. That the Report entitled “Implementation of Digital Bridge Overpass Banner Signs in Markham” be received; and,
2. **That the recommendation be approved in principle and that staff return to a future Committee meeting or to Council by July 14, 2022 with responses to the inquiries made; and,**
3. That Staff be authorized to complete negotiations and finalize a Digital Sign Agreement with RCC Media Inc. for the installation and maintenance of Digital Overpass Banner Signs on CN railway bridges

in Markham, to the satisfaction of the Commissioner of Corporate Services and the City Solicitor; and,

4. That the Mayor and City Clerk be authorized to sign the agreement with RCC Media Inc., and any amendment thereto approved by the Commissioner of Corporate Services and the City Solicitor; and,
5. That Staff report back within **2** years of the signing of the agreement with RCC Media Inc. with a status report; and,
6. **That the deputations from Nancy Coldham, Valerie Burke, James Deframboise and Evelin Ellison be received; and further,**
7. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

8.3 REPORT NO. 27 - DEVELOPMENT SERVICES PUBLIC MEETING (JUNE 27, 2022)

Moved by Regional Councillor Jim Jones

Seconded by Councillor Keith Irish

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

Carried

8.3.1 PATIO EXTENSION REPORT (10.0)

Moved by Regional Councillor Jim Jones

Seconded by Councillor Keith Irish

1. That the Memorandum titled, "Patio Extension Program, City File PR-20-115253", be received; and,
2. That the city-wide Temporary Zoning By-law to permit new or expansions to existing outdoor patios, and outdoor sales and display in the Heritage Main Street Markham area, be approved; and,
3. That authority to act on behalf of Council to grant municipal authorizations required by the Alcohol and Gaming Commission of Ontario for the temporary extension of a liquor license be delegated to the City Clerk; and,

4. That Council grant the City's processing fees for the temporary extension of liquor license requests be waived until December 31, 2023; and,
5. That temporary new or temporary expansions to existing patios, which have been approved since June 30, 2020, and located on a private property, be granted temporary approval of their extension until December 31, 2023; and further,
6. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

(By-law 2022-91)

Carried

9. MOTIONS

There were no motions.

10. NOTICE OF MOTION TO RECONSIDER

There was no notice of motion to reconsider.

11. NEW/OTHER BUSINESS

11.1 SEEKING AUTHORIZATION FOR COUNCILLOR(S) ATTENDANCE AT 2022 ONTARIO HERITAGE CONFERENCE (10.16)

Moved by Regional Councillor Jack Heath

Seconded by Regional Councillor Jim Jones

1. That the memorandum dated June 28, 2022 from the Chief Administrative Officer on "Seeking Authorization for Councillor(s) Attendance at 2022 Ontario Heritage Conference"; be received; and,
2. That Council authorize the attendance of Councillor Karen Rea and Councillor Reid McAlpine at the Ontario Heritage Conference in Brockville, Ontario on June 16-18, 2022; and cover related costs (registration, travel, accommodation) incurred at the Ontario Heritage Conference at a maximum cap of \$2,000; and further,

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

Carried

11.2 FESTIVALS AND CELEBRATE MARKHAM (7.6)

Chris Rickett, Director, Economic Growth, Culture and Entrepreneurship, responded to questions from Council regarding the request for additional funding for the four festivals and noted that under the policy, staff do not have the authority to provide additional grants.

The organizers were requested to provide financial statements for the four festivals; Unionville Olde Tyme Christmas; Markham Village Music Festival; Taste of Asia and TD Markham Jazz Festival; for staff to review and staff to report back to Council and provide options.

Moved by Councillor Karen Rea

Seconded by Councillor Reid McAlpine

1. That the deputation of Judi McIntyre regarding Festivals and Celebrate Markham be received; and,
2. That the request for additional funding for four the Festivals (Unionville Olde Tyme Christmas; Markham Village Music Festival; Taste of Asia and TD Markham Jazz Festival); be referred to staff for review and for staff to provide options to Council; and further,
3. That staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

12. ANNOUNCEMENTS

12.1 31ST WORLD HAKKA CONFERENCE - MARKHAM

Mayor Frank Scarpitti recognized the 31st World Hakka Conference which was held in Markham on June 24-26, 2022, which gathered around 1,500 Hakka's from all over the world. It was the first-ever World Hakka Conference held in Canada and the Mayor congratulated Regional Councillor Joe Li , co-Chair of the World Hakka Conference, for the success of the event. The Mayor also expressed

appreciation to Ken Ng for working with the Hakka Conference organizers together with the Taste of Asia.

12.2 CANADA DAY CELEBRATIONS

Mayor Frank Scarpitti provided an update on the preparations for the Canada Day celebrations to be held at Markham Centre, which includes a line up of events, entertainment and fireworks. Trinela Cane, Commissioner, Corporate Services provided an overview of the action-packed day planned with fun for the whole family from entertainment, food trucks, children's activities and fireworks to cap the evening and noted that the celebration also marks the 10th anniversary of Markham becoming a City.

Details are available online at markham.ca/CanadaDay

13. BY-LAWS - THREE READINGS

Moved by Councillor Khalid Usman
Seconded by Councillor Karen Rea

That By-laws 2022-81 to 2022-89 and 2022-91 and 2022-92 be given three readings and enacted.

Carried

Three Readings

13.1 BY-LAW 2022-81 ARISTA HOMES (BOXGROVE EAST) 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; Part of Block 1 on Registered Plan 65M-4141, designated as Parts 1, 2, 3, 4, 5 and 6 on Reference Plan 65R-39837, north side of Copper Creek Drive and west of Donald Cousens Parkway.

Carried

13.2 BY-LAW 2022-82 CORNELL ROUGE DEVELOPMENT CORPORATION, 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 4, 5 and 6 (inclusive), Registered Plan 65M-4656, located west of Donald Cousens Parkway and south of Rustle Woods Avenue.

Carried

13.3 BY-LAW 2022-83 FOREST BAY HOMES, WEST SIDE OF KIRKHAM DRIVE, NORTH OF STEELES AVENUE EAST, HOLD REMOVAL BY-LAW

A By-law to amend By-law 90-81, as amended, to permit a 59 unit common element condominium townhouse development on the subject lands.

(Communications 6.1)

Carried

13.4 BY-LAW 2022-84 METROPIA MINTO (SIXTEENTH) HOLDINGS INC., WEST SIDE OF KENNEDY ROAD, WHERE KENNEDY ROAD AND BUR OAK AVENUE INTERSECT, 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 117, 118, 130, 131, 146, 147, and 148 on Registered Plan 65M-4693, located on the west side of Kennedy Road, where Kennedy Road and Bur Oak Avenue intersect.

Carried

13.5 BY-LAW 2022-85 PRISTINE HOMES (BOXGROVE) INC., 6869 14TH AVENUE, 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 4, 5 and 6 on Registered Plan 65M-4699, located on the south side of 14th Avenue and west of Box Grove By-Pass.

Carried

13.6 BY-LAW 2022-86 ROAD DEDICATION (FERRAH STREET)

A by-law to dedicate certain lands as part of the highways of the City of Markham (Block BX, Plan M1475, designated as Parts 7 and 8, Plan 65R-38799 - Ferrah Street)

Carried

13.7 BY-LAW 2022-87 2697415 ONTARIO INC., 5560 14TH AVENUE, ZONING BY-LAW AMENDMENT

A By-law to amend By-law 90-81, as amended, and, to amend By-law 177-96, as amended, to permit a multi-unit industrial building on the subject property.

(Item 8.3.2, Report 42, December 14, 2021 Council Meeting)

Carried

- 13.8 BY-LAW 2022-88 BEING A BY-LAW TO APPOINT A MUNICIPAL ELECTION JOINT COMPLIANCE AUDIT COMMITTEE FOR THE CORPORATION OF THE CITY OF MARKHAM

(Item 14.1.3, June 14, 2022 Council Meeting)

Carried

- 13.9 BY-LAW 2022-89 A BY-LAW TO AUTHORIZE THE EXPROPRIATION OF LAND LEGALLY DESCRIBED LOT 76, PLAN 9001, CITY OF MARKHAM, BEING THE WHOLE OF PIN 03003-0003(LT)

(Item 14.2.3)

Carried

- 13.10 BY-LAW 2022-91 - A BY-LAW TO AMEND BY-LAWS 1229, 1442, 1507, 1767, 1912, 2053, 2150, 2237, 2284-68, 2402, 2489, 2551, 2571, 2612, 11-72, 122-72, 77-73, 83-73, 84-73, 119-73, 151-75, 88-76, 127-76, 250-77, 145-78, 162-78, 163-78, 184-78, 72-79, 91-79, 118-79, 134-79, 153-80, 165-80, 72-81, 90-81, 108-81, 193-80, 221-81, 28-82, 194-82, 196-82, 47-85, 304-87, 19-94, 177-96, 28-97, and 2004-196, as amended to add additional special zone standards for outdoor patios within the geographic boundaries.

(Item 8.3.1, Report No. 27)

Carried

- 13.11 BY-LAW 2022-92 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

Carried

14. CONFIDENTIAL ITEMS

Moved by Regional Councillor Joe Li
 Seconded by Regional Councillor Jim Jones

That, in accordance with Section 239 (2) of the *Municipal Act*, Council resolve into a private session to discuss the following confidential matters at 3:07 PM:

14.1 COUNCIL

14.1.1 CONFIDENTIAL COUNCIL MINUTES [Section 239 (2) (a) (b) (c) (e) (f)] (16.0)

14.2 REPORT OF GENERAL COMMITTEE - JUNE 20, 2022

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

14.2.2 PROPOSED DISPOSITION OF REAL PROPERTY OF THE CITY OR LOCAL BOARD (WARD 1); (8.1) [Section 239 (2)(a)]

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

14.2.4 A PROPOSED OR PENDING ACQUISITION OR DISPOSITION OF LAND BY THE MUNICIPALITY OR LOCAL BOARD - RELOCATION OF KOCH-WIDEMAN HOUSE OT MARKHAM HERITAGE ESTATES (WARD 6); (8.6)[Section 239 (2)(c)]

14.3 NEW/ OTHER BUSINESS

14.3.1 A PROPOSED OR PENDING ACQUISITION OR DISPOSITION OF LAND BY THE MUNICIPALITY OR LOCAL BOARD - (WARD 5) (8.6)[Section 239 (2)(c)]

14.4 REPORT OF DEVELOPMENT SERVICES COMMITTEE - JUNE 27, 2022

14.4.1 LITIGATION OR POTENTIAL LITIGATION, INCLUDING MATTERS BEFORE ADMINISTRATIVE TRIBUNALS, AFFECTING THE MUNICIPALITY OR LOCAL BOARD;

14.4.2 LITIGATION OR POTENTIAL LITIGATION, INCLUDING MATTERS BEFORE ADMINISTRATIVE TRIBUNALS, AFFECTING THE MUNICIPALITY OR LOCAL BOARD (WARD 1) [SECTION 239 (2) (e)] (10.5)

14.4.3 LITIGATION OR POTENTIAL LITIGATION, INCLUDING
MATTERS BEFORE ADMINISTRATIVE TRIBUNALS, AFFECTING
THE MUNICIPALITY OR LOCAL BOARD; [Section 239 (2) (e)] (10.4,
13.13) ANGUS GLEN SECONDARY PLAN ONTARIO LAND
TRIBUNAL APPEAL UPDATE

Carried

Moved by Councillor Keith Irish
Seconded by Councillor Andrew Keyes

That Council rise from Confidential session at 3:33 PM

Carried

The following Confidential items were approved by Council:

14.1 COUNCIL

14.1.1 CONFIDENTIAL COUNCIL MINUTES [Section 239 (2) (a) (b) (c) (e)
(f)] (16.0)

Moved by Councillor Alan Ho
Seconded by Councillor Reid McAlpine

1. That the confidential Council minutes of the Council Meeting held on June 14, 2022, be adopted.

Carried

14.2 REPORT OF GENERAL COMMITTEE - JUNE 20, 2022

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

Moved by Regional Councillor Joe Li
Seconded by Councillor Isa Lee

1. That the confidential presentation on the proposed or pending acquisition of land by City or local board; (Ward 8) be received; and,

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

Carried

14.2.2 PROPOSED DISPOSITION OF REAL PROPERTY OF THE CITY OR LOCAL BOARD (WARD 1); (8.1) [Section 239 (2)(a)]

Moved by Councillor Keith Irish

Seconded by Councillor Khalid Usman

1. That the confidential report on the proposed disposition of real property of the City or 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

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

Moved by Councillor Isa Lee

Seconded by Councillor Karen Rea

1. That the confidential report on the proposed acquisition of land by the city or local board (Ward 8); be received, and,
2. That staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

14.2.4 A PROPOSED OR PENDING ACQUISITION OR DISPOSITION OF LAND BY THE MUNICIPALITY OR LOCAL BOARD - RELOCATION OF KOCH-WIDEMAN HOUSE OT MARKHAM HERITAGE ESTATES (WARD 6); (8.6)[Section 239 (2)(c)]

Moved by Councillor Karen Rea

Seconded by Councillor Alan Ho

1. That the confidential report on the proposed or pending acquisition of disposition of land by the City or local board - Relocation of Koch-

Wideman House at Markham Heritage Estates (Ward 6); be received, and,

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

Carried

14.3 NEW/ OTHER BUSINESS

14.3.1 A PROPOSED OR PENDING ACQUISITION OR DISPOSITION OF LAND BY THE MUNICIPALITY OR LOCAL BOARD - (WARD 5) (8.6)[Section 239 (2)(c)]

Moved by Councillor Andrew Keyes

Seconded by Regional Councillor Jack Heath

1. That the confidential report on a proposed or pending acquisition or disposition of land by the municipality or local board (Ward 5); be received;
2. That in accordance with By-law 178-96, the lands described as Parts 1 and 2, on Registered Plan 65R-39921, City of Markham, Regional Municipality of York, being 0.149 acres (the “**Subject Property**”), be declared surplus;
3. That staff be authorized and directed to do all things necessary to give effect to the foregoing.

Carried

14.4 REPORT OF DEVELOPMENT SERVICES COMMITTEE - JUNE 27, 2022

14.4.1 LITIGATION OR POTENTIAL LITIGATION, INCLUDING MATTERS BEFORE ADMINISTRATIVE TRIBUNALS, AFFECTING THE MUNICIPALITY OR LOCAL BOARD;

[Section 239 (2) (e)] (8.0) UPDATE ON THE CITY OF VAUGHAN'S YONGE/STEELES CORRIDOR SECONDARY PLAN, ONTARIO LAND TRIBUNAL ("OLT") APPEALS

Moved by Regional Councillor Jim Jones

Seconded by Councillor Alan Ho

1. That the confidential report on litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board (Ward 8) – Update on the City of Vaughan's Yonge/Steeles Corridor Secondary Plan, Ontario Land Tribunal ("OLT") appeals, 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 LITIGATION OR POTENTIAL LITIGATION, INCLUDING MATTERS BEFORE ADMINISTRATIVE TRIBUNALS, AFFECTING THE MUNICIPALITY OR LOCAL BOARD (WARD 1) [SECTION 239 (2) (e)] (10.5)

Moved by Regional Councillor Jim Jones

Seconded by Councillor Khalid Usman

1. That the confidential report on litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board (Ward 1) – OLT Appeal – 36-38 Steeles Avenue E. and 37-49 Highland Park Blvd., be received; and,
2. That Council direct the City Solicitor, or designate, and Staff to attend the Ontario Land Tribunal (“OLT”) in opposition to the appeal on the basis as outlined in this confidential report; and further,
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

14.4.3 LITIGATION OR POTENTIAL LITIGATION, INCLUDING MATTERS BEFORE ADMINISTRATIVE TRIBUNALS, AFFECTING THE MUNICIPALITY OR LOCAL BOARD; [Section 239 (2) (e)] (10.4, 13.13) ANGUS GLEN SECONDARY PLAN ONTARIO LAND TRIBUNAL APPEAL UPDATE

Moved by Councillor Alan Ho

Seconded by Regional Councillor Jack Heath

1. That the confidential report regarding litigation or potential litigation, including matters before administrative tribunals, affecting the

municipality or local board; Angus Glen Secondary Plan Ontario Land Tribunal Appeal Update; be received, and,

2. That staff be authorized and directed to do all things necessary to give effect to these resolutions.

Carried

15. CONFIRMATORY BY-LAW - THREE READINGS

Moved by Regional Councillor Joe Li
Seconded by Councillor Reid McAlpine

That By-law 2022-90 be given three readings and enacted.

Three Readings

BY-LAW 2022-90 - A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE COUNCIL MEETING OF JUNE 28, 2022

Carried

16. ADJOURNMENT

Moved by Councillor Isa Lee
Seconded by Councillor Keith Irish

That the Council meeting be adjourned at 3:39 PM.

Carried

Kimberley Kitteringham
City Clerk

Frank Scarpitti
Mayor