

Council Meeting Minutes

Meeting No. 13

July 14, 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	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 Adam Grant, Fire Chief Michael Toshakovski, Deputy City Solicitor Biju Karumanchery, Director, Planning & Urban Design Joel Lustig, Treasurer Bryan Frois, Manager, Executive Operations & Strategic Initiatives Mary Creighton, Director, Recreation Services Hersh Tencer, Senior Manager, Real Property, Legal Services Kimberley Kitteringham, City Clerk	Darryl Lyons, Senior Manager, Policy & Research Shane Manson, Senior Manager, Revenue & Property Taxation Alex Moore, Senior Manager, Procurement & Accounts Payable Brad Roberts, Manager, Zoning & Special Projects Catherine Biss, Chief Executive Officer, Markham Public Library Claudia Marsales, Senior Manager Waste Management & Environment Graham Seaman, Director, Sustainability & Asset Management Jason Tsien, Senior Manager, Business Development, Recreation Services Jennifer Wong, Sustainability Coordinator Justin Mott, Technician, Planning & Urban Design Kishor Soneji, Senior Accountant Stacia Muradali, Manager, Development, Planning & Urban Design

Loy Cheah, Senior Manager, Transportation	Stephanie DiPerna, Director, Building Standards
Raj Raman, Senior Manager Projects, Financial Services	Sabrina Bordone, Manager, Development, Planning & Urban Design
Alida Tari, Manager, Access & Privacy	
John Wong, Technology Support Specialist II	Sara Tam, Manager, Business Planning & Innovation, Community Services
Hristina Giantsopoulos, Election/Council & Committee Coordinator	Rick Cefaratti, Senior Planner II, Planning & Urban Design
Sumon Acharjee, Chief Information Officer	Rob Cole, Manager, Applications, Information Technology Services
Chris Rickett, Director, Economic Development, Culture and Entrepreneurship	Rob Tadmor, Coordinator, Geomatics/GIS Advocate
Stephen Lue, Acting Senior Manager, Development, Planning & Urban Design	Clement Messere, Senior Planner
	Shu Min Gao, Manager, System Engineering, Environmental Services

Alternate formats for this document are available upon request

1. CALL TO ORDER

The meeting of Council convened at 1:05 PM on July 14, 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 on behalf of Council recognized the recent passing of two City of Markham staff members. Steve Squires, Sign Technician, Operations Roads, began working for the City of Markham in 1993. He was the creative force behind the Operations Roads Sign Shop team beyond his core service of supporting the requirements of all regulatory, warning, street name and park naming signs. Dave Leslie was with

Markham Fire & Emergency Services, where he served as a First Class Firefighter since 1994. Firefighter Leslie spent the majority of his time with MFES on Battalion 1, beginning his career in Milliken at Station 94. He also worked at 91, 92, 96 and 99 with many crews and eventually made his way to Battalion 4 in 2017. A moment of silence was observed and official flags at the Markham Civic Centre were lowered in their honour.

Regional Councillor Jim Jones left the meeting at 3:29 PM.

Council recessed at 4:20 PM.

Council reconvened at 4:53 PM.

2. DISCLOSURE OF PECUNIARY INTEREST

None disclosed.

3. APPROVAL OF PREVIOUS MINUTES

3.1 COUNCIL MINUTES. JUNE 28, 2022

Moved by Regional Councillor Joe Li

Seconded by Councillor Andrew Keyes

1. That the Minutes of the Council Meeting held on June 28, 2022, be adopted.

Carried

4. PRESENTATIONS

4.1 WORLD COUNCIL ON CITY DATA ISO37120 CERTIFICATION 2022 (12.2.6)

Dr. Patricia McCarney, President & CEO, WCCD and Justine Hamilton-Arvisais, Manager, City Relations and Special Projects, WCCD delivered a virtual presentation.

Moved by Regional Councillor Jack Heath

Seconded by Councillor Khalid Usman

1. That the report dated July 14, 2022 titled “World Council on City Data, ISO 37120 Certification” be received, and,

2. That the formal virtual presentation of the World Council on City Data (WCCD), ISO 37120 Platinum Certification to the City of Markham be received.

Carried

5. DEPUTATIONS

5.1 DEPUTATION - JUNE 28, 2022 COUNCIL MINUTES

Jim Karygiannis addressed Council and requested a delay in the expropriation of the property to April 2023. Hersh Tencer, Senior Manager, Real Property, provided an overview of the timelines of the project and noted that this is a critical project for the community.

Moved by Regional Councillor Jim Jones

Seconded by Councillor Keith Irish

That the deputation of Jim Karygiannis be received.

Carried

5.2 DEPUTATION - BOXGROVE COMMUNITY PARK - PAGNELLO COURT

Councillor Khalid Usman inquired if the request related to Boxgrove Community Park along Pagnello Court was added to the agenda. Kimberley Kitteringham, Director, Legislative Services and Communications and City Clerk noted that the residents were advised that the matter was not on the agenda and that it was referred to staff.

Saqib Qureshi and Nimisha Patel addressed Council and spoke against the design of Boxgrove Community Park, located along Pagnello Court, which recently opened in Spring 2022. Mr. Qureshi and Ms. Patel stated concerns relative to safety, noise, traffic and parking.

Moved by Councillor Amanda Collucci

Seconded by Regional Councillor Jim Jones

1. That the rules of procedure be waived in order to allow deputations regarding Boxgrove Community Park in Pagnello Court, an item not on the agenda, to address Council.

Carried by Two Thirds Vote

Moved by Councillor Khalid Usman

Seconded by Councillor Amanda Collucci

1. That the deputation of Saqib Quereshi and Nimisha Patel be received.

Carried

6. COMMUNICATIONS

- 6.1 27-2022 MEMORANDUM FROM COMMISSIONER OF DEVELOPMENT SERVICES - DRAFT PLAN CONDITIONS OWNER: YEUGENIY KIN, 10-20 FINCHAM INC. 10-20 FINCHAM AVENUE, MARKHAM FILE: PLAN 21 147883 (10.0)

(See Item 8.1.1, Report No. 28 for Council's decision on this matter.)

Council suggested that the conditions include a no warning clause regarding the busy intersection.

Moved by Councillor Karen Rea

Seconded by Councillor Andrew Keyes

1. That Draft Plan of Subdivision 19TM-21018 be approved in principle, subject to the conditions set out in Appendix 'A' of this memo; and,
2. That the Director of Planning and Urban Design or his designate, be delegated authority to issue Draft Plan Approval, subject to the conditions set out in Appendix 'A', as may be amended by the Director of Planning and Urban Design or his designate; and,
3. That Draft Plan Approval for Draft Plan of Subdivision 19TM-21018 will lapse after a period of three (3) years from the date of Council approval in the event that a subdivision agreement is not executed within that period; and,
4. That servicing allocation for 15 units be assigned to Draft Plan of Subdivision 19TM-21018; and further;
5. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

- 6.2 28-2022 SUPPLEMENTARY MEMO FROM COMMISSIONER OF DEVELOPMENT SERVICES - 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 (10.5, 10.7)

Moved by Regional Councillor Jim Jones

Seconded by Councillor Keith Irish

1. That the supplementary memorandum dated July 14, 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 2022-99)

Carried

- 6.3 29-2022 MEMORANDUM FROM COMMISSIONER OF DEVELOPMENT SERVICES - CONDITIONS OF DRAFT PLAN APPROVAL - HUNTER (MEY) LAM C/O 4031 SIXTEENTH AVENUE (UNIONVILLE) INC., 4031 16TH AVENUE, FILE NO.: PLAN 22 116814 (19TM-22005) (10.7)

(Item No. 8.4.1, Report No. 31)

Moved by Councillor Reid McAlpine

Seconded by Deputy Mayor Don Hamilton

1. That the Draft Plan of Subdivision 19TM-22005 be approved in principle, subject to the conditions set out in Appendix 'A' of this memorandum; and,
2. That the Director of Planning and Urban Design or his designate, be delegated authority to issue Draft Plan Approval, subject to the conditions set out in Appendix 'A', as may be amended by the Director of Planning and Urban Design or his designate; and,

3. That Draft Plan Approval for Draft Plan of Subdivision 19TM-22005 will lapse after a period of three (3) years from the date of Council approval in the event that a Subdivision Agreement is not executed within that period; and,
4. That servicing allocation for seven units be assigned to Draft Plan of Subdivision 19TM-22005; and further,
5. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

7. PROCLAMATIONS

None.

8. REPORT OF STANDING COMMITTEE

8.1 REPORT NO. 28 - DEVELOPMENT SERVICES PUBLIC MEETING (MAY 24, 2022)

Moved by Councillor Karen Rea

Seconded by Councillor Andrew Keyes

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

Carried

8.1.1 PUBLIC MEETING INFORMATION REPORT 10-20 FINCHAM AVENUE SUBDIVISION APPLICATION TO CREATE ONE CONDOMINIUM LOT AND A FREEHOLD LOT TO ACCOMMODATE THE DEVELOPMENT OF 14 TOWNHOUSE UNITS AND ONE SINGLE DETACHED HOUSE FILE NO.: PLAN 21 147883 (10.0)

Moved by Councillor Karen Rea

Seconded by Councillor Andrew Keyes

1. That the written submission by Paul Wantabe, regarding a Draft Plan of Subdivision application to develop 14 town-house dwellings of common element condominium tenure, and a single detached dwelling

(Ward 4), (File No. PLAN 21 147883)” at 10-20 Fincham Avenue, submitted by 10-20 Fincham Inc. (Yeugeniy Kin) be received; and,

2. That the deputations by Christian Rogge, Ray Chu, Peter Wantanabe, and Paul Toyonaga, regarding a Draft Plan of Subdivision application to develop 14 town-house dwellings of common element condominium tenure, and a single detached dwelling (Ward 4), (File No. PLAN 21 147883)” at 10-20 Fincham Avenue, submitted by 10-20 Fincham Inc. (Yeugeniy Kin) be received; and,
3. That the “PRELIMINARY INFORMATION REPORT – a Draft Plan of Subdivision application to develop 14 town-house dwellings of common element condominium tenure, and a single detached dwelling (Ward 4), (File No. PLAN 21 147883)” at 10-20 Fincham Avenue, submitted by 10-20 Fincham Inc. (Yeugeniy Kin) be received; and,
4. That the Record of the Public Meeting held on May 24, 2022, with respect to the proposed Application for Draft Plan of Subdivision submitted by 10-20 Fincham Inc. (Yeugeniy Kin) for 10-20 Fincham Avenue, be received; and,
5. That the Application by 10-20 Fincham Inc. (Yeugeniy Kin), for the proposed Draft Plan of Subdivision (File No. PLAN 21 147883), be approved; and,
6. That Staff be directed to bring forward to the Development Services Committee the site plans for the single detached dwelling and townhouses, and look into addressing traffic concerns on Fincham and 16th Avenue related to students attending St. Brother Andre Catholic High School being dropped off and pick up at this intersection; 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. 29 - DEVELOPMENT SERVICES COMMITTEE (JULY 5, 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

**8.2.1 AWARD OF PROPOSAL 080-R-21 CONSULTING SERVICES -
SUPPLY, IMPLEMENTATION AND ONGOING SUPPORT OF A
DRUPAL WEB DEVELOPMENT AND MANAGED SERVICE
SOLUTION (7.9, 7.12)**

Moved by Regional Councillor Jim Jones

Seconded by Councillor Keith Irish

1. That the report entitled “Award of Proposal 080-R-21 Consulting Services – Supply, Implementation and Ongoing Support of a Drupal Web Development and Managed Service Solution; and,
2. That the contract for Consulting Services – Supply, Implementation and Ongoing Support of a Drupal Web Development and Managed Service Solution (One-time - implementation, training and Year 1 software subscription license, hosting, support & maintenance) be awarded to the highest ranked/second lowest priced bidder, OPIN Software Inc. in the amount of \$411,846.05 inclusive of HST; and,
3. That a contingency in the amount of \$32,947.68 inclusive of HST be established to cover any additional project costs, 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 capital costs (\$411,846.05 + \$32,947.68) for implementation, training and Year-1 software subscription license, support & maintenance to the upset limit amount of \$444,793.73 be funded from capital project 21186, Portal Platform, GL account 400-101-5399-21186 with an available budget of \$447,700.00; and,
5. That a capital budget of \$150,000.00 inclusive of HST be approved to cover additional project costs for quality assurance and technical consulting to support the project implementation; and,
6. That a capital budget of \$130,000.00 inclusive of HST be approved to cover the costs of additional resources to migrate content from the existing portal to the new portal; and,

7. That the budget shortfall in the amount of \$277,093.73 (\$150,000.00 + \$130,000.00 less budget remaining of \$2,906.27 from Recommendation #4) in capital project 21186 be funded from Life Cycle Replacement and Capital Reserve; and,
8. That a capital budget of \$203,500.00 inclusive of HST be approved to cover the Tivoli support for the existing portal platform for 2 years; and,
9. That the budget for Tivoli support of the existing portal platform in the amount of \$203,500.00 be funded from Ramp up Reserve; and,
10. That the cost of the software subscription license, hosting, support and maintenance fee for five (5) years (2024-2028) in the amount of \$638,544.00 inclusive of HST and \$510,835.20 for the four (4) additional optional years (2029-2032) be funded from GL account 400-400-5361 with current annual budget of \$180,306.00 and subject to Council approval of the 2023-2032 operating budgets in the amounts of;
 - a. Year 2 (2024) - \$ 127,708.80
 - b. Year 3 (2025) - \$ 127,708.80
 - c. Year 4 (2026) - \$ 127,708.80
 - d. Year 5 (2027) - \$ 127,708.80
 - e. Year 6 (2028) - \$ 127,708.80
 - f. Year 7 (2029) - \$ 127,708.80*
 - g. Year 8 (2030) - \$ 127,708.80*
 - h. Year 9 (2031) - \$ 127,708.80*
 - i. Year 10 (2032) - \$ 127,708.80* Total - \$1,149,379.20The years identified assume Year 1 maintenance begins in 2023 and is subject to change* Optional Year Renewal
11. That the Chief Information Officer and Senior Manager Procurement & Accounts Payable be authorized to execute the additional renewal years for the life cycle of the project (at the sole discretion of the City); and,

12. That OPIN Software Inc be designated as the preferred vendor for the City's Drupal service needs and for Drupal hardware and software products for the term of this contract; and,
13. That the purchase orders may be adjusted to acquire additional software to support growth and/or future Drupal portal platform upgrade or integration related projects, subject to the Expenditure Control Policy and budget approval; and,
14. That the Chief Information Officer and Senior Manager, Procurement & Accounts Payable be authorized to approve any new purchases related to this contract needed due to growth and/or Drupal portal platform upgrade due to change in technology or system integration with other applications related to the project during the term of this contract; subject to the Expenditure Control Policy and budget approval; and further,
15. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

8.2.2 REQUEST FOR APPROVAL OF STREET NAMES FOR SUBDIVISION BY MINOTAR HOLDINGS INC. AND HAL-VAN 5.5 INVESTMENTS LTD. IN THE ROBINSON GLEN SECONDARY PLAN AREA (6.3, 10.14)

Moved by Regional Councillor Jim Jones

Seconded by Councillor Keith Irish

1. That Development Services Committee approve the proposed street names "Forementon Street", "Thorncliffe Drive", "Hawkswood Drive", "Eaglecrest Street" and "Lenora Drive"; and further,
2. That Staff add the street names listed above into the City's street and park name reserve list.

Carried

8.2.3 ENTERPRISE BOULEVARD INC. (METROPIA NORTH) AND ALIGNMENT WITH THE DEVELOPMENT CONCEPT FOR THE MARKHAM CENTRE SECONDARY PLAN UPDATE (WARD 3) (10.3, 10.5)

Moved by Regional Councillor Jim Jones

Seconded by Councillor Keith Irish

1. That the report titled, “Enterprise Boulevard Inc. (Metropia North) and Alignment with the Development Concept for the Markham Centre Secondary Plan Update (Ward 3)”, be received; and,
2. That the Development Concept, dated July 5, 2022, for the Markham Centre Secondary Plan Update Study, as it relates to the lands owned by Enterprise Boulevard Inc. (Metropia North), be endorsed; and,
3. That a staff recommendation report for the applications submitted by Enterprise Boulevard Inc. (Metropia North) under File PLAN 20 113948 be brought to a future Development Services Committee; and further,
4. That staff be authorized and directed to all things necessary to give effect to this resolution.

Carried

8.3 REPORT NO. 30 - DEVELOPMENT SERVICES COMMITTEE (JULY 11, 2022)

Moved by Regional Councillor Jim Jones

Seconded by Councillor Keith Irish

That the report of the Development Services Committee Meeting be received & adopted. (Items No. 1 to 4):

Carried

8.3.1 RECOMMENDATION REPORT - ENTERPRISE BOULEVARD INC. APPLICATIONS FOR OFFICIAL PLAN AND ZONING BY-LAW AMENDMENTS TO PERMIT A HIGH DENSITY DEVELOPMENT WITH A MAXIMUM 1,350 RESIDENTIAL UNITS ON THE NORTH SIDE OF ENTERPRISE BOULEVARD, IMMEDIATELY EAST OF THE

METROLINX-GO STOUFFVILLE RAIL CORRIDOR (WARD 3), FILE NO. PLAN 20 113948 (10.3, 10.5)

Moved by Regional Councillor Jim Jones

Seconded by Councillor Keith Irish

1. That the report titled, "RECOMMENDATION REPORT, Enterprise Boulevard Inc., Applications for Official Plan and Zoning By-law Amendments to permit a high density development with a maximum of 1,350 residential units on the north side of Enterprise Boulevard, immediately east of the Metrolinx-GO Stouffville rail corridor (Ward 3), PLAN 20 113948", be received; and,
2. That the Official Plan Amendment application submitted by Enterprise Boulevard Inc., be approved and the draft Official Plan Amendment, attached as Appendix 'A', be finalized and brought forward to a future Council meeting to be adopted without further notice; and,
3. That the Zoning By-law Amendment application submitted by Enterprise Boulevard Inc., be approved and the draft Zoning By-law Amendment, attached as Appendix 'B', be finalized and brought forward to a future Council meeting to be enacted without further notice; and,
4. That in accordance with the provisions of subsections 45 (1.4) of the Planning Act, R.S.O. 1990, c.P.13, as amended, the Owner shall through this Resolution, be permitted to apply to the Committee of Adjustment for a variance from the provisions of the accompanying Zoning By-law, before the second anniversary of the day on which the by-law was approved by Council; and,
5. That a revised residential parking ratio of a minimum 0.6 spaces per unit to a maximum of 1.0 spaces per unit be included in the provisions of the draft Zoning By-Law Amendment; and,
6. That the application for Site Plan Application (SPC 21 137365) submitted by Enterprise Boulevard Inc. be delegated to the Director of Planning and Urban Design, or a designate, and that Site Plan Approval not be issued prior to the execution of a Site Plan Agreement; and further,
7. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

(By-law 2022-96)

Carried

8.3.2 TENDER 011-T-22 WINTER ROAD MAINTENANCE SERVICES FOR PART A - SINGLE AND TANDEM AXLE AND WINDROW UNITS AND PART B - LOADERS COMMENCING NOVEMBER 2024 (5.10)

Moved by Regional Councillor Jim Jones

Seconded by Councillor Keith Irish

1. That the report entitled “Tender 011-T-22 Winter Road Maintenance Services for Part A – Single and Tandem Axle and Windrow Units, Part B – Loaders Commencing November 2024” be received; and,
2. That the contract for Winter Road Maintenance Services for Part A – Single and Tandem Axle and Windrow Units (Option 1) be awarded to the lowest priced bidder, D. Crupi & Sons Limited for twelve (12) winter seasons (November 16, 2024 – April 15, 2036) in the estimated annual amount of \$4,819,862.40 (inclusive of HST); and,
3. That the contract for Winter Road Maintenance Services for Part B – Loaders be awarded to the lowest priced bidder, Melrose Paving Co. Ltd. for twelve (12) winter seasons (November 16, 2024 – March 31, 2036) in the estimated annual amount of \$2,577,917.02 (inclusive of HST); and,
4. That the 2025-2036 operating budgets and (starting in the 2nd winter season) the purchase orders be adjusted for growth and a price adjustment based on the Consumer Price Index (CPI) for All Items Ontario for the twelve (12) month period ending March 31 in the applicable year up to a maximum of 4%. CPI shall be applied to 100% on the operating rate and 50% on the standby rate; and,
5. That the funds be provided from the various operating budget accounts outlined in the Financial Considerations section in the estimated annual amount of \$7,397,779.42 for the 1st winter season award amounts subject to budget approvals; and,
6. That the estimated budget shortfall of \$1,612,314 be phased in over a 3-year period commencing in 2023 and be included as part of the 2023-2025 operating budgets, subject to Council approval of the 2023-2025 operating budgets ; and,
7. That staff report back, at a future General Committee meeting, with more detail on the Part A: Winter Road Services Utilizing Single and Tandem Axle Windrow Units, Options 1-7, including the tax rate increase that would be required for each option, and on a modified

Option 5, which includes increasing the service level plowing on local roads with no sidewalks and senior windrow removal within the current 8 hour window; and further,

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

Carried

8.3.3 REQUEST FOR PROPOSAL 077-R-22 CITYWIDE PARKING STRATEGY (2.17, 7.12)

Moved by Regional Councillor Jim Jones

Seconded by Councillor Keith Irish

1. That the report entitled “Request for Proposal 077-R-22 Citywide Parking Strategy” be received; and,
2. That the contract for the Citywide Parking Strategy be awarded to the highest ranked, lowest priced bidder, WSP Canada Inc. in the amount of \$500,771.14, inclusive of HST; and,
3. That a 10% contingency in the amount of \$50,077.11 inclusive of HST, be established to cover any additional consulting services to deliver the study and that authorization to approve expenditures of the contingency amount up to the specified limit be in accordance with the Expenditure Control Policy; and,
4. That the Engineering Department Capital Administration fee in the amount of \$67,506.94, be transferred to revenue account 640-998-8871 (Capital Administration Fee); and,
5. That the cost in the amount of \$618,355.19 (\$500,771.14 + \$50,077.11 + \$67,506.94) be funded from account 640 101 5399 22051 with budget available of \$566,100; and,
6. That the budget shortfall in the amount of \$55,255.19 (\$618,355.19 - \$566,100.00) be funded from the Non-DC Growth Reserve in the amount of \$42,213.51 and from Development Charges (DC) in the amount of \$10,041.68; and further,
7. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

8.3.4 ATTENDANCE AT MARKHAM DISTRICT ENERGY STRATEGIC RETREAT (10.16)

Moved by Regional Councillor Jim Jones

Seconded by Councillor Keith Irish

1. That Council permit Mayor Frank Scarpitti, Regional Councillor Jack Heath, Councillor Karen Rea, and Councillor Amanda Collucci to attend the Markham District Energy (MDE) Strategic Retreat, on July 12 and 13, 2022, with all expenses to be covered by MDE.

Carried

8.4 REPORT NO. 31 - 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 only):

Carried

8.4.1 PUBLIC MEETING INFORMATION REPORT 4031 SIXTEENTH AVENUE (UNIONVILLE) INC. 4031 16th AVENUE APPLICATION FOR DRAFT PLAN OF SUBDIVISION TO FACILITATE SEVEN SINGLE DETACHED DWELLING LOTS ACCESSED BY A PRIVATE LANE AND THE CONVEYANCE OF OPEN

SPACE AND PARKLAND BLOCKS. (WARD 3) FILE NO.: 22 116814 (10.7)

Note: At the July 27, 2022 Development Services Public meeting, Committee requested staff to bring back the conditions of the draft plan approval to Council. Please see Item No. 6.3 for the conditions of the draft plan approval.

Moved by Regional Councillor Jim Jones

Seconded by Councillor Keith Irish

1. That the application by 4031 Sixteenth Avenue (Unionville) Inc. for a proposed Draft Plan of Subdivision be received; and,
2. 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

11.1 NEW/ OTHER BUSINESS: DECLARATION OF SURPLUS LANDS – DAYLIGHTING TRIANGLE AT BUR OAK AVENUE AND HIGHWAY 7 (WARD 5) (8.6)

Moved by Councillor Andrew Keyes

Seconded by Councillor Alan Ho

1. That the notice of proposed sale for the City owned lands legally 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 confirmed.

(In-Camera Item No. 14.3.1, June 28, 2022 Council Meeting)

Carried

11.2 NEW/ OTHER BUSINESS - MOTION ON AFFORDABLE HOUSING (10.0)

Moved by Regional Councillor Jack Heath

Seconded by Councillor Reid McAlpine

WHEREAS, on February 25, 2021, York Region Council adopted the following motion: “That in order to support the acceleration of Affordable Housing in York Region, York Regional Council asks all lower tier municipalities to pass a resolution in support, in principle, of the provision by each municipality either directly or through partnership, of 2 acres of land over the next 5 years for Housing York Inc. or a not-for-profit or for-profit site dedicated to support

affordable housing as deemed appropriate by the municipality, and provide a decision to York Region by May 30, 2021,” and

WHEREAS, the need for affordable housing has never been higher in the GTA than it is today, and

WHEREAS, one of the major issues in regard to housing affordability is the price and availability of land, and

WHEREAS, there are suitable public lands available in the City of Markham, some of which were acquired decades ago, and

WHEREAS, some Markham-owned lands could be available for affordable housing, therefore

1. BE IT RESOLVED THAT Markham Council, in response to the York Region resolution of February 25, 2021, instruct staff to report back in **Q2 2023** on criteria, available lands, and opportunities to partner with Housing York Inc., not-for-profit organizations, or for-profit organizations dedicated to supporting affordable housing.

Carried as Amended

Council had before it the following original recommendation for consideration:

WHEREAS, on February 25, 2021, York Region Council adopted the following motion: “That in order to support the acceleration of Affordable Housing in York Region, York Regional Council asks all lower tier municipalities to pass a resolution in support, in principle, of the provision by each municipality either directly or through partnership, of 2 acres of land over the next 5 years for Housing York Inc. or a not-for-profit or for-profit site dedicated to support affordable housing as deemed appropriate by the municipality, and provide a decision to York Region by May 30, 2021,” and

WHEREAS, the need for affordable housing has never been higher in the GTA than it is today, and

WHEREAS, one of the major issues in regard to housing affordability is the price and availability of land, and

WHEREAS, there are suitable public lands available in the City of Markham, some of which were acquired decades ago, and

WHEREAS, some Markham-owned lands could be available for affordable housing, therefore

1. **BE IT RESOLVED THAT Markham Council, in response to the York Region resolution of February 25, 2021, instruct staff to report back in Q3 2022 on criteria, available lands, and opportunities to partner with Housing York Inc., not-for-profit organizations, or for-profit organizations dedicated to supporting affordable housing.**

11.3 NEW/ OTHER BUSINESS - ATTENDANCE AT THE HISTORIC CITY WALL FESTIVAL, NORDLINGEN, GERMANY, SEPTEMBER 9-11, 2022 (10.16)

Moved by Councillor Khalid Usman

Seconded by Regional Councillor Jack Heath

1. That Council approve the international travel of two Members of Council and a member of staff, and possibly a third member of Council, to a maximum limit of \$20,000, to attend the Historic City Wall Festival to be held in Nordlingen, Germany from September 9-11, 2022.

Carried

Moved by Councillor Andrew Keyes

Seconded by Councillor Isa Lee

1. That the rules of procedure be waived in order to add an item of new business regarding international travel to Nordlingen, Germany on the occasion of the Historic City Wall Festival on September 9 - 11, 2022.

Carried by Two Thirds Vote

11.4 NEW/ OTHER BUSINESS - MEMORANDUM OF UNDERSTANDING FOR ROUGE NATIONAL URBAN PARK (6.3)

Regional Councillor Jack Heath advised that a Memorandum of Understanding (MOU) between Parks Canada, York Region and the City of Markham is being finalized and a copy is being sent to all Members of Council, MP Helena Jaczek, MP Mary Ng and to York Region. Regional Councillor Jack Heath delivered a presentation and provided an update advising that the details of the MOU will be provided during the confidential session.

Omar McDadi, Superintendent, Rouge National Urban Park addressed Council and extended his thanks and support for the MOU. Graham Seaman, Director,

Sustainability and Asset Management, congratulated all those involved in the project.

Moved by Deputy Mayor Don Hamilton
Seconded by Councillor Amanda Collucci

1. That the confidential draft Memorandum of Understanding between Parks Canada, York Region and the City of Markham be received and referred to staff for a report and recommendations, and that the draft MOU be forwarded to York Region.

Carried

Moved by Councillor Andrew Keyes
Seconded by Councillor Isa Lee

1. That the rules of procedure be waived in order to add an item of new business regarding a Memorandum of Understanding with Parks Canada.

Carried by Two Thirds Vote

12. ANNOUNCEMENTS

There were no announcements.

13. BY-LAWS - THREE READINGS

Moved by Councillor Isa Lee
Seconded by Councillor Reid McAlpine

That By-laws 2022-94 to 2022-99 be given three readings and enacted.

Carried

THREE READINGS

13.1 BY-LAW 2022-94 ROAD DEDICATION BY-LAW (MILL STREET)

A by-law to dedicate certain lands as part of the highways of the City of Markham (Part Lot 6 Block B Plan 18; Part Lot 7 Block B Plan 18; Part Mill Street Plan 173 Lying south of Lot 32 Block M Plan 173; and Part west ½ Lot 9 Concession 8

(Travelled Road), being Mill Street East of Markham Road and north of Rouge Street - Mill Street)

Carried

13.2 BY-LAW 2022-95 ROAD DEDICATION BY-LAW (RAMSGATE COURT)

A by-law to dedicate certain lands as part of the highways of the City of Markham (Block 31, Plan 65M-3800 and Block 110, Plan 65M-3607 - Ramsgate Court)

Carried

13.3 BY-LAW 2022-96 ENTERPRISE BOULEVARD INC., NORTH OF ENTERPRISE BOULEVARD, EAST OF THE METROLINX-GO STOUFFVILLE RAIL CORRIDOR, OFFICIAL PLAN AMENDMENT (REVISED 1987), AS AMENDED

A by-law to adopt an Official Plan Amendment to the in force Official Plan (Revised 1987), as amended, to increase the maximum number of residential units from 981 to 1,350 units; and increase the maximum height of the buildings from 29-storeys to 44-storeys.

(Item No. 8.3.1, Report No. 30)

Carried

13.4 BY-LAW 2022-97 CULTURAL HERITAGE BY-LAW (MCCAULEY-COUPERTHWAITHE HOUSE)

A by-law to designate a property as being of Cultural Heritage Value or Interest - McCauley-Couperthwaite House

(Item No. 8.2.1, Report 4, February 8, 2022 Council meeting)

Carried

13.5 BY-LAW 2022-98 A BY-LAW TO AMEND BY-LAW 2002-276 BEING A BY-LAW TO IMPOSE FEES OR CHARGES FOR SERVICES OR ACTIVITIES PROVIDED OR DONE BY THE CITY OF MARKHAM

Carried

13.6 BY-LAW 2022-99 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

A By-law to amend By-law 304-87, as amended, and to amend By-law 177-96, as amended, to facilitate the development of approximately 2,072 single detached and townhouse units and blocks for future mixed use multi-storey residential development; parks and open space; schools, stormwater management facilities, and the supporting road network on the subject lands.

(Communication Item 6.2)

Carried

14. CONFIDENTIAL ITEMS

Regional Councillor Jack Heath advised that he would like to add an item to the confidential agenda related to information explicitly supplied in confidence to the municipality or local board by Canada, a province or territory or a crown agency of any of them.

Moved by Councillor Alan Ho

Seconded by Regional Councillor Jack Heath

That, in accordance with Section 239 (2) of the Municipal Act, Council resolve into a private session to discuss the following confidential matters at 4:20 PM:

14.1 COUNCIL

14.1.1 CONFIDENTIAL COUNCIL MINUTES - JUNE 28, 2022 [Section 239 (2) (a) (b) (c) (e) (f)] (16.0)

14.2 REPORT FROM DEVELOPMENT SERVICES COMMITTEE - JULY 5, 2022

14.2.1 LITIGATION OR POTENTIAL LITIGATION, INCLUDING MATTERS BEFORE ADMINISTRATIVE TRIBUNALS, AFFECTING THE MUNICIPALITY OR LOCAL BOARD; (WARD 8) [Section 239 (2) (e)] (8.0, 10.5,

10.6) OLT APPEAL - 7647 KENNEDY RD. BY GLEN ROUGE HOMES

14.2.2 LITIGATION OR POTENTIAL LITIGATION, INCLUDING MATTERS BEFORE ADMINISTRATIVE TRIBUNALS, AFFECTING THE MUNICIPALITY OR LOCAL BOARD; [Section 239 (2) (e)] (8.0) OLT APPEAL BY 2456965 ONTARIO INC. (TIMES GROUP) -3851-3863 HIGHWAY 7 AND 8-38 WATER WALK DRIVE

14.3 14.4 NEW/ OTHER BUSINESS

14.3.1 LITIGATION OR POTENTIAL LITIGATION, INCLUDING MATTERS BEFORE ADMINISTRATIVE TRIBUNALS, AFFECTING THE MUNICIPALITY OR LOCAL BOARD; (10.3, 10.5) (WARD 8) [SECTION 239 (2)(e)]

14.3.2 LITIGATION OR POTENTIAL LITIGATION, INCLUDING MATTERS BEFORE ADMINISTRATIVE TRIBUNALS, AFFECTING THE MUNICIPALITY OR LOCAL BOARD; (10.3, 10.5) (WARD 1) [SECTION 239 (2)(e)]

14.3.3 PERSONAL MATTERS ABOUT AN IDENTIFIABLE INDIVIDUAL, INCLUDING CITY OR LOCAL BOARD EMPLOYEES (6.3) (WARDS 1-8) [SECTION 239 (2)(B)]

14.3.4 PERSONAL MATTERS ABOUT AN IDENTIFIABLE INDIVIDUAL, INCLUDING CITY OR LOCAL BOARD EMPLOYEES [SECTION 239 (2)(B)]

14.3.5 A PROPOSED OR PENDING ACQUISITION OR DISPOSITION OF LAND BY THE MUNICIPALITY OR LOCAL BOARD (WARD 1) (7.0) [Section 239 (2) (c)]

14.3.6 INFORMATION EXPLICITLY SUPPLIED IN CONFIDENCE TO THE MUNICIPALITY OR LOCAL BOARD BY CANADA, A PROVINCE OR TERRITORY OR A CROWN AGENCY OF ANY OF THEM; [SECTION 239 (2) (H)]

Carried

Moved by Councillor Khalid Usman
Seconded by Councillor Isa Lee

That Council rise from Confidential session at 6:23 PM.

Carried

The following Confidential items were approved by Council:

14.1 COUNCIL

14.1.1 CONFIDENTIAL COUNCIL MINUTES - JUNE 28, 2022 [Section 239 (2) (a) (b) (c) (e) (f)] (16.0)

Moved by Councillor Karen Rea

Seconded by Councillor Isa Lee

1. That the confidential Council minutes of the Council Meeting held on June 28, 2022, be adopted.

Carried

14.2 REPORT FROM DEVELOPMENT SERVICES COMMITTEE - JULY 5, 2022

14.2.1 LITIGATION OR POTENTIAL LITIGATION, INCLUDING MATTERS BEFORE ADMINISTRATIVE TRIBUNALS, AFFECTING THE MUNICIPALITY OR LOCAL BOARD; (WARD 8) [Section 239 (2) (e)] (8.0, 10.5, 10.6) OLT APPEAL - 7647 KENNEDY RD. BY GLEN ROUGE HOMES

Moved by Councillor Isa Lee

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 8) OLT Appeal - 7647 Kennedy Road by Glen Rouge Homes, be received; and,
2. That staff be authorized and directed to do all things necessary to give effect to these resolutions.

Carried

14.2.2 LITIGATION OR POTENTIAL LITIGATION, INCLUDING MATTERSBEFORE ADMINISTRATIVE TRIBUNALS, AFFECTING THE MUNICIPALITY OR LOCAL BOARD; [Section239 (2) (e)] (8.0)

OLT APPEAL BY 2456965 ONTARIO INC. (TIMES GROUP) -3851-3863 HIGHWAY 7 AND 8-38 WATER WALK DRIVE

Moved by Deputy Mayor Don Hamilton

Seconded by Councillor Reid McAlpine

1. That the confidential report on litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board – OLT Appeal by 2456965 Ontario Inc. (Times Group) - 3851-3863 Highway 7 and 8-38 Water Walk Drive be received; and,
2. That the City Solicitor and requisite staff be directed to attend the Ontario Land Tribunal in opposition to the Appeal by 2456965 Ontario Inc.; and further,
3. That staff be authorized and directed to do all things necessary to give effect to these resolutions.

Carried

14.3 NEW/ OTHER BUSINESS

14.3.1 LITIGATION OR POTENTIAL LITIGATION, INCLUDING MATTERS BEFORE ADMINISTRATIVE TRIBUNALS, AFFECTING THE MUNICIPALITY OR LOCAL BOARD; OLT APPEAL –1107656 ONTARIO INC. (TIMES GROUP), BLOCK 46 AND PART OF BLOCK 49 (10.3, 10.5) (WARD 8) [SECTION 239 (2)(e)]

Moved by Councillor Isa Lee

Seconded by Councillor Keith Irish

1. That the confidential report on litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board (Ward 8) – OLT Appeal –1107656 Ontario Inc. (Times Group), Block 46 and Part of Block 49, be received; and be referred to a future Development Services Committee meeting; and,
2. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

14.3.2 LITIGATION OR POTENTIAL LITIGATION, INCLUDING MATTERS BEFORE ADMINISTRATIVE TRIBUNALS, AFFECTING THE MUNICIPALITY OR LOCAL BOARD; OLT APPEAL – TIMBERCREEK FOUR QUADRANT GP2 INC., 288, 298, AND 300 JOHN STREET (10.3, 10.5) (WARD 1) [SECTION 239 (2)(e)]

Moved by Councillor Keith Irish

Seconded by Councillor Karen Rea

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 – Timbercreek Four Quadrant GP2 Inc., 288, 298, and 300 John Street, be received and referred to a future Development Services Committee meeting; and,
2. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

14.3.3 PERSONAL MATTERS ABOUT AN IDENTIFIABLE INDIVIDUAL, INCLUDING CITY OR LOCAL BOARD EMPLOYEES (6.3) (WARDS 1-8) [SECTION 239 (2)(B)]

Moved by Councillor Karen Rea

Seconded by Councillor Isa Lee

1. That the confidential report on personal matters about an identifiable individual, including City or local Board employees (Wards 1-8), be received, and,
2. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

14.3.4 PERSONAL MATTERS ABOUT AN IDENTIFIABLE INDIVIDUAL, INCLUDING CITY OR LOCAL BOARD EMPLOYEES [SECTION 239 (2)(B)]

Moved by Councillor Amanda Collucci

Seconded by Councillor Reid McAlpine

1. That the upper level in the Markham Village Library be named after Alick Siu; and further,
2. That staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

Moved by Councillor Khalid Usman

Seconded by Councillor Isa Lee

1. That the Atrium in the Aaniin Community Centre be named after Amar Erry; and further,
2. That staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

Moved by Councillor Keith Irish

Seconded by Councillor Isa Lee

1. That the East Arena in the Thornhill Community Centre be named after Sylvia Jacobs; and further,
2. That staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

14.3.5 A PROPOSED OR PENDING ACQUISITION OR DISPOSITION OF LAND BY THE MUNICIPALITY OR LOCAL BOARD (WARD 1) (7.0)
[Section 239 (2) (c)]

Moved by Councillor Keith Irish

Seconded by Deputy Mayor Don Hamilton

1. That the confidential presentation regarding the proposed or pending acquisition or disposition of land by the municipality 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 by Recorded Vote (9-2)]

[See following Recorded Vote]

(Recorded Vote (9-2))

YEAS: Councillor Keith Irish, Councillor Reid McAlpine, Councillor Karen Rea, Deputy Mayor Don Hamilton, Mayor Frank Scarpitti, Regional , Councillor Andrew Keyes, Councillor Amanda Collucci, Councillor Khalid Usman, Councillor Isa Lee **(9)**

NAYS: Regional Councillor Joe Li, Councillor Jack Heath **(2)**

ABSENT: Councillor Alan Ho, Regional Councillor Jim Jones

14.3.6 INFORMATION EXPLICITLY SUPPLIED IN CONFIDENCE TO THE MUNICIPALITY OR LOCAL BOARD BY CANADA, A PROVINCE OR TERRITORY OR A CROWN AGENCY OF ANY OF THEM; ROUGE NATIONAL URBANK PARK MOU (6.3) [SECTION 239 (2) (H)]

Moved by Deputy Mayor Don Hamilton

Seconded by Councillor Karen Rea

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

Carried

15. CONFIRMATORY BY-LAW - THREE READINGS

Moved by Councillor Khalid Usman

Seconded by Councillor Isa Lee

That By-law 2022-93 be given three readings and enacted.

Three Readings

BY-LAW 2022-93 - A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE COUNCIL MEETING OF JULY 14, 2022.

Carried

16. ADJOURNMENT

Moved by Councillor Isa Lee

Seconded by Councillor Keith Irish

That the Council meeting be adjourned at 6:37 PM.

Carried

Kimberley Kitteringham
City Clerk

Frank Scarpitti
Mayor