

Council Meeting Minutes

Meeting No. 14
September 13, 2022, 1:00 PM
Live streamed

Roll Call	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 Andrew Keyes Councillor Amanda Collucci Councillor Khalid Usman Councillor Isa Lee
Regrets	Mayor Frank Scarpitti	Councillor Karen Rea
Staff	Andy Taylor, Chief Administrative Officer Trinela Cane, Commissioner, Corporate Services Arvin Prasad, Commissioner, Development Services Claudia Storto, City Solicitor and Director of Human Resources Adam Grant, Fire Chief Alice Lam, Acting Commissioner, Community Services Frank Clarizio, Director, Engineering 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	Hristina Giantsopoulos, Election/Council & Committee Coordinator Sumon Acharjee, Chief Information Officer Chris Rickett, Director, Economic Development, Culture and Entrepreneurship Stephen Lue, Senior Manager, Development, Planning & Urban Design Maggie Cheung-Madar, Assistant City Solicitor Darryl Lyons, Senior Manager, Policy & Research Sabrina Bordone, Manager, Development, Planning & Urban Design Carlson Tsang, Senior Planner Mark Visser, Senior Manager, Strategy, Innovation & Investments Stacia Muradali, Manager, Development, Planning & Urban Design Jay Pak, Senior Manager, Financial Planning & Reporting

Alternate formats for this document are available upon request

1. CALL TO ORDER

The meeting of Council convened at 1:08 PM on September 13, 2022. Deputy Mayor Don Hamilton presided.

INDIGENOUS LAND ACKNOWLEDGEMENT

We begin today by acknowledging the traditional territories of Indigenous peoples and their commitment to stewardship of the land. We acknowledge the communities in circle. The North, West, South and Eastern directions, and Haudenosaunee, Huron-Wendat, Anishnabeg, Seneca, Chippewa, and the current treaty holders Mississaugas of the Credit peoples. We share the responsibility with the caretakers of this land to ensure the dish is never empty and to restore relationships that are based on peace, friendship, and trust. We are committed to reconciliation, partnership and enhanced understanding.

On behalf of Council, Deputy Mayor Don Hamilton expressed condolences to the family and friends of Constable Andrew Hong, a 22-year veteran of the Toronto Police Service, who died at a tragic incident on September 12, 2022. A moment of silence was observed.

The Deputy Mayor reminded all that a book of condolence in memory of Queen Elizabeth II is located in the Markham Civic Centre – Great Hall. Members of the public are encouraged to attend and sign it between 3 PM to 8 PM until September 16, 2022.

2. DISCLOSURE OF PECUNIARY INTEREST

None disclosed.

3. APPROVAL OF PREVIOUS MINUTES

3.1 COUNCIL MINUTES - JULY 14, 2022

Moved by Councillor Khalid Usman
Seconded by Councillor Alan Ho

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

Carried

4. PRESENTATIONS

There were no presentations.

5. DEPUTATIONS

There were no deputations.

6. COMMUNICATIONS

6.1 30-2022 COMMUNICATION -CITY OF MARKHAM PARKLAND ACQUISITION STUDY - PARKS PLAN, PARKLAND ACQUISITION STRATEGY AND PARKLAND DEDICATION BY-LAW (10.0)

See Item No. 8.2.1, Report 33 for Council's decision on this matter.

Moved by Councillor Isa Lee

Seconded by Councillor Amanda Collucci

1. That the written communication dated September 13, 2022, regarding "City of Markham Parkland Acquisition Study - Parks Plan, Parkland Acquisition Strategy and Parkland Dedication By-Law"; from the following, be received:
 - a. Maria Gatzios, Gatzios Planning + Development Consultants; and,
 - b. Signe Leisk, Cassels Brock & Blackwell LLP.

Carried

6.2 31-2022 COMMUNICATIONS - MINISTER'S ZONING ORDER: CITY OF MARKHAM - 3565 19TH AVENUE (10.5)

Note: This matter was originally Item No. 11.2 under "New/Other Business" in the Revised Council Agenda.

Arvin Prasad, Commissioner, Development Services advised that on September 9, 2022, the Ministry of Municipal Affairs and Housing filed O. Reg. 482/22, which applies to lands municipally known as 3565 19th Avenue.

Moved by Councillor Andrew Keyes

Seconded by Councillor Keith Irish

1. That the Minister's Zoning Order: City of Markham - 3565 19th Avenue from the Ministry of Municipal Affairs and Housing; be received.

Carried

7. PROCLAMATIONS

7.1 PROCLAMATION AND FLAG RAISING REQUESTS (3.4)

Moved by Councillor Khalid Usman

Seconded by Councillor Andrew Keyes

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

- a. Prostate Cancer Awareness Month - September 2022
- b. Pulmonary Fibrosis Awareness Month - September 2022
- c. National Coaches Week - September 17 to 25, 2022
- d. Rail Safety Week - September 19 to 25, 2022
- e. Cherish Integrated Services Day - September 21, 2022
- f. Show Your Local Love Day - September 23, 2022
- g. Franco-Ontarian Day - September 25, 2022
- h. Markham Fair Week - September 25 to October 2, 2022
- i. Rett Syndrome Awareness Month - October 2022
- j. International Wrongful Conviction Day - October 2, 2022
- k. Child Care Worker and Early Childhood Educator Appreciation Day - October 18, 2022

2. That the following new requests for proclamation, issued by the City Clerk in accordance with the City of Markham Proclamation Policy, be received and added to the Five-Year Proclamations List approved by Council:

- a. Jamaica's 60th Anniversary of Independence - August 4, 2022
- b. Independence Day of Pakistan - August 14, 2022
- c. World Alzheimer's Month - September 2022

- d. Macedonian Heritage Month - September 2022
- e. Macedonian Heritage Day - September 8, 2022
- f. Professional House Cleaners Day - September 17, 2022
- g. National Forest Week - September 18 to 24, 2022
- h. National British Home Child Day - September 8, 2022
- i. National Children's Grief Awareness Day - November 17, 2022

3. That the following 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 for information purposes:

- a. Franco-Ontarian Day - September 25, 2022 (Organized by Association of Francophone in the York Region)

4. That the following new requests for flag to be raised at the Anthony Roman Markham Civic Centre flagpole be approved and added to the Five-Year List of Request to Raise Flag approved by Council:

- a. Jamaica's 60th Anniversary of Independence - August 4, 2022 (Organized by Markham African Caribbean Canadian Association)
- b. Independence Day of Pakistan - August 14, 2022 (Organized by the City of Markham)
- c. National Day of the Republic of Indonesia - August 21 2022 (Organized by Consulate General of the Republic of Indonesia in Toronto)
- d. Vietnam's National Day - September 2, 2022 (Organized by Canada Vietnam Society)
- e. Macedonian Heritage Month - September 21-28, 2022 (Organized by Macedonian Diaspora)

Carried

8. REPORT OF STANDING COMMITTEE

8.1 REPORT NO. 32 - GENERAL COMMITTEE (SEPTEMBER 6, 2022)

Moved by Councillor Amanda Collucci
Seconded by Regional Councillor Jack Heath

That the report of the General Committee be received & adopted. (Items 1 to 5):

Carried

8.1.1 2023 CAPITAL BUDGET PRE-APPROVAL (7.5)

Moved by Councillor Amanda Collucci

Seconded by Regional Councillor Jack Heath

1. That the report dated September 6, 2022 entitled, “2023 Capital Budget Pre-Approval” be received; and,
2. That Council approve the 2023 Capital Budget pre-approvals, which total \$48,879,300 as outlined in Appendices 1 and 2; and,
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

8.1.2 026-T-18 ROAD REHABILITATION PROGRAM - RESTORATION OF CONCRETE CURB AND SIDEWALK CONTRACT EXTENSION (5.10)

Moved by Councillor Amanda Collucci

Seconded by Regional Councillor Jack Heath

1. That the report entitled “026-T-18 Road Rehabilitation Program – Restoration of Concrete Curb and Sidewalk Contract Extension” be received; and,
2. That the contract for Restoration of Concrete Curb and Sidewalk be extended for one (1) additional year (from January 1 – December 31, 2023) to De Ferrari Construction Limited in the estimated value of \$2,402,562.58 inclusive of HST and subject to Consumer Price Index (CPI) All-items Canada from December 2021 to December 2022; and,
3. That the award be funded from the capital accounts for the annual Asphalt program subject to Council approval of the 2023 capital budget; and,
4. That the tendering process be waived in accordance with Purchasing By-Law 2017-8, Part II, Section 11. Non-Competitive Procurement, items 11.1 (c) and (g), which state:

- a. When the extension of an existing Contract would prove more cost-effective or beneficial; and
 - b. Where it is in the City's best interest not to solicit a competitive bid; and,
5. That the 2022 contract shortfall in the estimated amount of \$203,472.68 inclusive of HST be funded from Life Cycle Replacement and Reserve Fund; and further,
 6. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

8.1.3 EXTENSION AND ALIGNMENT OF RECYCLING DEPOT SERVICE CONTRACTS (5.1)

Moved by Councillor Amanda Collucci

Seconded by Regional Councillor Jack Heath

1. That the report entitled "Extension and Alignment of Recycling Depot Service Contracts" be received; and,
2. That the tendering process be waived in accordance with the City's Purchasing By-law # 2017-8, Part II, Section 11.1(c), Non Competitive Procurement which states, "when the extension of an existing Contract would prove more cost-effective or beneficial"; and,
3. That the recycling depot service contracts be extended with The Recycle People Corporation for three (3) years from January 1, 2023 to December 31, 2025 in the annual amount of \$349,874.70 (Incl. of HST) relating specifically to the three (3) separate contracts below;
 - \$ 103,226.24 – Recycling Collection and Marketing (201-Q-17)
 - \$ 33,518.00 – Styrofoam Densifier (048-S-20)
 - \$ 213,130.46 – Recycling Depot Staffing (019-S-19)
 - \$ 349,874.70 – Total Amount for 2023

4. That the 2023 Operating Budget be adjusted by \$32,389.75 (\$349,874.70 - \$317,484.95 = \$32,389.75) as outlined in Financial Considerations, subject to Council approval of the 2023 Operating Budget; and,
5. That the award amounts in 2024 and 2025 be adjusted for price based upon the Consumer Price Index for All-Items Ontario (May to May) and Council approval of the 2024 and 2025 Operating Budgets; and,
6. That the Chief Administrative Officer be authorized to extend all three contracts for an additional fourth (4th) year in 2026, at the same terms and conditions by mutual agreement between the City and the contractor, should the blue box program transition process be delayed; and further,
7. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

8.1.4 MINUTES OF THE MAY 11, 2022 MARKHAM SUB-COMMITTEE SWAN LAKE MEETING (16.0)

Moved by Councillor Amanda Collucci

Seconded by Regional Councillor Jack Heath

1. That the deputation from Fred Peters and the Friends of Swan Lake Park Presentation, “Action Plan For Restoration of Swan Lake and Swan Lake Park” be received; and,
2. That the minutes of the May 11, 2022 Markham Sub-Committee Swan Lake Meeting be received; and,
3. That General Committee endorse the recommendation from the May 11, 2022 Markham Sub-Committee Meeting:
 - That the staff report and presentation on the “Swan Lake- 2021 Water Quality Status and Updates” be received; and,
 - That the FOSLP presentation “Action Plan For Restoration of Swan Lake and Swan Lake Park” and York University presentation on the research it is proposing on the use charcoal filter system to remove nutrients and chloride be received and referred to staff; and further,

- That Markham Sub-Committee request that staff report back on the feasibility, and implications of designating Swan Lake and Swan Lake Park a natural heritage asset, as part of the Official Plan update;
4. That staff review and report back to Committee on the feasibility and costs of the following:
 - Chloride Removal;
 - Oxygen Enhancement; and,
 - Survey of Lower Level Aquatic Life;
 5. That Council approve a budget request for technical analysis of Swan Lake to assess the feasibility and cost of proposed diversions and pond inlet modifications to determine if the infrastructure within and downstream of Swan Lake can support proposed changes; and,
 6. That this recommendation be forwarded to the 2023 Budget Committee for consideration; and further,
 7. That staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

8.1.5 011-T-22 WINTER ROAD MAINTENANCE CONTRACT UPDATE
(5.10)

Moved by Councillor Amanda Collucci

Seconded by Regional Councillor Jack Heath

1. That presentation entitled “Tender 011-T-22 Winter Road Maintenance Services” be received; and,
2. That Council adopts plowing all local roads at 7.5cm and Senior Windrow to be completed in four (4) hours, be awarded for twelve (12) winter seasons (November 16, 2024 – April 15, 2036) in the estimated annual amount of \$7,802,885.98 (inclusive of HST); and,
3. That the estimated budget shortfall of \$1,665,086 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 further;

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

Carried

8.2 REPORT NO. 33 - SPECIAL DEVELOPMENT SERVICES COMMITTEE
(SEPTEMBER 6, 2022)

Moved by Councillor Keith Irish

Seconded by Regional Councillor Joe Li

That the report of the Special Development Services Committee be received & adopted. (One item only):

Carried

8.2.1 CITY OF MARKHAM PARKLAND ACQUISITION STUDY - PARKS PLAN, PARKLAND ACQUISITION STRATEGY AND PARKLAND DEDICATION BY-LAW (10.0)

Moved by Councillor Keith Irish

Seconded by Regional Councillor Joe Li

1. That the deputations by Maria Gatzios, Gatzios Planning, and Evelin Ellison, Ward One (South) Thornhill Resident Inc. at the September 12, 2022 Development Services Committee meeting regarding the City of Markham - Parkland Acquisition Strategy Study, be received; and,
2. That the written submissions by BiLD, Jeffrey Streisfield, Land Law, **Maria Gatzios, Gatzios Planning + Development Consultants; and Signe Leisk, Cassels Brock & Blackwell LLP** regarding the City of Markham - Parkland Acquisition Strategy Study be received; and,
3. That the report entitled, "City of Markham - Parkland Acquisition Strategy Study - Staff Recommendation Report", be received; and,
4. That the "City of Markham – Parks Plan" be endorsed; and,
5. That the "City of Markham – Parkland Acquisition Strategy Report" be endorsed; and,

6. That the “City of Markham – New Parkland Dedication By-law” be endorsed; and,
7. That a copy of this report be forwarded to York Region; and,
8. That these recommendations, including the implementing by-law, be forwarded to the September 13th, 2022 Council meeting for adoption; and further,
9. That staff be authorized and directed to do all things necessary to give effect to this resolution.

(By-law 2022-102)

Carried

8.3 REPORT NO. 34 - DEVELOPMENT SERVICES PUBLIC MEETING
(SEPTEMBER 6, 2022)

Moved by Councillor Reid McAlpine

Seconded by Councillor Isa Lee

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

Carried

8.3.1 PUBLIC MEETING INFORMATION REPORT, 34, 36, AND 38
EUREKA STREET ZONING BY-LAW AMENDMENT TO REZONE A
PORTION OF SUBJECT LANDS TO PERMIT A PARK USE TO BE
COMBINED WITH EXISTING ANNA RUSSELL PARKETTE TO
CREATE A NEW 0.62 HA MUNICIPAL PARK (WARD 3) FILE NO.:
22 243326 (10.5)

Moved by Councillor Isa Lee

Seconded by Councillor Amanda Collucci

1. That the report entitled “PUBLIC MEETING INFORMATION REPORT, Application for Zoning By-law Amendment to rezone portions of 34, 36 & 38 Eureka Street for parkland purposes, PLAN 22 243326 (Ward 3)” be received; and,
2. That the Record of the Public Meeting held on September 6, 2022, with respect to the proposed Zoning By-law Amendment application, be received; and,

3. That the application by Minto Communities Inc. (Anderson Marques) c/o Malone Given Parsons Ltd. (Lauren Capilongo) for a proposed Zoning By-law Amendment be finalized and enacted without further notice; and further,
4. That staff be authorized and directed to do all things necessary to give effect to this resolution.

(By-law 2022-104)

Carried

8.4 REPORT NO. 35 - DEVELOPMENT SERVICES COMMITTEE (SEPTEMBER 12, 2022)

Moved by Councillor Isa Lee

Seconded by Councillor Amanda Collucci

That the report of the Special Development Services Committee be received & adopted, save and except for Item No. 8.4.5:

Carried

8.4.1 REVISION TO A LEGAL DESCRIPTION OF A DESIGNATION BY-LAW, 45 STOLLERY POND CRESCENT ("THE STIVER-STOLLERY HOUSE"), WARD 6 (10.0)

Moved by Councillor Isa Lee

Seconded by Councillor Amanda Collucci

1. That the staff report titled, "Revision to a Legal Description of a Designation By-law, 45 Stollery Pond Crescent, Former Address: 4075 Major Mackenzie Drive ("The Stiver-Stollery House"), Ward 6", dated September 12, 2022, be received; and,
2. That the legal description as contained within the previously approved Heritage Designation By-law 4-95 be amended to reflect the property's current legal description; and further,
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

(By-law 2022-110)

Carried

8.4.2 GIBSON DRIVE AND HOOD ROAD PROPOSED ALL-WAY STOP
(WARD 8) (5.10, 5.12)

Moved by Councillor Isa Lee

Seconded by Councillor Amanda Collucci

1. That the report entitled “Gibson Drive & Hood Road Proposed All-way Stop (Ward 8)” be received; and,
2. That Schedule 12 of Traffic By-law 106-71, pertaining to compulsory stops, be amended to include all approaches to the intersection of Gibson Drive & Hood Road; and,
3. That the Operations Department be directed to install the appropriate signs and pavement markings at the subject location; and,
4. That the cost of materials and installation for the traffic signs and pavement markings in the amount of \$1,000, be funded from capital project #083-5350-22049-005 (Traffic Operational Improvements); and,
5. That York Region Police be requested to enforce the all-way stop control upon installation of these stop signs and passing of the By-law; and further,
6. That staff be authorized and directed to do all things necessary to give effect to this resolution.

(By-law 2022-111)

Carried

8.4.3 RECOMMENDATION REPORT, WEINS CANADA INC.,
APPLICATIONS FOR OFFICIAL PLAN AND ZONING BY-LAW
AMENDMENT TO PERMIT AN AUTOMOTIVE SERVICE
BUILDING AT 205 TORBAY ROAD (WARD 8), FILE NO. PLAN 20
119485 (10.5)

Moved by Councillor Isa Lee

Seconded by Councillor Amanda Collucci

1. That the report titled, “RECOMMENDATION REPORT, Weins Canada Inc., Applications for Official Plan and Zoning By-law Amendment to permit an automotive service building at 205 Torbay Road (Ward 8), File No. PLAN 20 119485”, be received; and
2. That the Official Plan Amendment application submitted by Weins Canada Inc., be approved and that the draft Official Plan Amendment, attached hereto as Appendix ‘A’, be finalized and brought forward to a future Council meeting to be adopted without further notice; and,
3. That the Zoning By-law Amendment application submitted by Weins Canada Inc., be approved and that the draft Zoning By-law Amendment, attached hereto as Appendix ‘B’, be finalized and brought forward to a future Council meeting to be enacted without further notice; and,
4. That the Site Plan Application (SPC 20 119485) submitted by Weins Canada 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,
5. 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 further,
6. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

(By-laws 2022-106 and 2022-107)

Carried

8.4.4 RECOMMENDATION REPORT APPLICATIONS FOR DRAFT PLAN OF SUBDIVISION AND ZONING BY-LAW AMENDMENT SUBMITTED BY KENNEDY MM MARKHAM LTD. TO FACILITATE A RESIDENTIAL AND MIXED USE DEVELOPMENT AT 10537 KENNEDY ROAD (WARD 6) FILE: PLAN 20 129597 (10.5)

Moved by Councillor Isa Lee

Seconded by Councillor Amanda Collucci

1. That the report dated September 12, 2022, titled “RECOMMENDATION REPORT, Applications for Draft Plan of Subdivision and Zoning By-law Amendment submitted by Kennedy MM Markham Ltd. to facilitate a residential and mixed use development at 10537 Kennedy Road (Ward 6) File: PLAN 20 129597”, be received; and,
2. 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 Owners 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,
3. That the Zoning By-law Amendment application submitted by Kennedy MM Markham Ltd. to amend Zoning By-laws 304-87 and 177-96, both as amended, be approved and the Zoning By-law, attached hereto as Appendix ‘A’, be approved; and,
4. That Draft Plan of Subdivision 19TM-20007 be approved, subject to the conditions set out in Appendix ‘B’ of this report; and,
5. That the Director of Planning and Urban Design, or designate, be delegated authority to issue Draft Plan Approval, subject to the conditions set out in Appendix ‘B’, as may be amended by the Director of Planning and Urban Design, or designate; and,
6. That Draft Plan Approval for Draft Plan of Subdivision 19TM-20007 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
7. That servicing allocation for 171 units be assigned to Draft Plan of Subdivision 19TM-20007; and further,
8. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

(By-law 2022-109)

Carried

8.4.5 RECOMMENDATION REPORT FLATO UPPER MARKHAM VILLAGE INC, DRAFT PLAN OF SUBDIVISION APPLICATION TO CREATE DEVELOPMENT, ROAD, PARK, AND SERVICING BLOCKS TO ALLOW RESIDENTIAL DEVELOPMENT AT 5474 and 5662 19TH AVENUE (FILE NO.: PLAN 22 114368) (10.7)

Moved by Councillor Amanda Collucci

Seconded by Regional Councillor Jim Jones

1. That the deputation by Paul McDowell, Willowgrove Inc. regarding Flato Upper Markham Village Inc., Draft Plan of Subdivision application to create development, road, park, and servicing blocks to permit a residential development at 5474 and 5662 19th Avenue (Ward 6) File No. PLN 22 114368”, be received; and,
2. That the written submissions by York Region (2 letters), Jennifer Chase, Mr. Tin, Ainsley Bonomo, and Cindy Kelly regarding, Flato Upper Markham Village Inc., Draft Plan of Subdivision application to create development, road, park, and servicing blocks to permit a residential development at 5474 and 5662 19th Avenue (Ward 6) File No. PLN 22 114368”, be received; and,
3. That the report dated September 12, 2022 and titled, “RECOMMENDATION REPORT, Flato Upper Markham Village Inc., Draft Plan of Subdivision application to create development, road, park, and servicing blocks to permit a residential development at 5474 and 5662 19th Avenue (Ward 6) File No. PLN 22 114368”, be received; and,
4. That the record of the Public Meeting held on June 27, 2022, for Draft Plan of Subdivision 19TM-22003, submitted by Flato Upper Markham Village Inc., be received; and,
5. That Council approve the Draft Plan of Subdivision 19TM-22003, submitted by Flato Upper Markham Village Inc., be subject to the conditions attached as Appendix ‘A’; and,
6. That registration of the Draft Plan does not occur until the availability of municipal services, and/or an appropriate interim servicing design or servicing arrangements have been confirmed to the satisfaction of the Director of Engineering; and,

7. That Council assign servicing allocation for 246 single detached dwellings, 213 townhouses and 423 apartment units either from the existing allocation from York Region or request additional allocation from York Region as the proposed development was zoned through a Minister's Zoning Order and it's sanitary capacity allocation was not accounted for in the existing allocation; and,
8. That the Mayor and Clerk be authorized to execute agreements with the Town of Whitchurch-Stouffville, The Regional Municipality of York and/or the applicant as needed, relating to servicing and inter-jurisdictional matters associated with the proposed subdivision, provided that such agreements are satisfactory to the Commissioner of Development Services and the City Solicitor; and further,
9. 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 for Recorded Vote)

(Recorded Vote (9:2)):

YEAS: Councillor Keith Irish, Councillor Alan Ho, Regional Councillor Jim Jones, Deputy Mayor Don Hamilton, Regional Councillor Joe Li, Councillor Andrew Keyes, Councillor Amanda Collucci, Councillor Khalid Usman, Councillor Isa Lee **(9)**

NAYS: Councillor Reid McAlpine, Regional Councillor Jack Heath **(2)**

ABSENT: Mayor Frank Scarpitti, Councillor Karen Rea

8.4.6 RECOMMENDATION REPORT APPLICATION FOR ZONING BY-LAW AMENDMENT SUBMITTED BY THE REGIONAL MUNICIPALITY OF YORK TO FACILITATE THE DEVELOPMENT OF A ROAD OPERATIONS AND SNOW MANAGEMENT FACILITY AT 10988-10990 WARDEN AVENUE (WARD 2) FILE: PLAN 21 119856 (10.5)

Moved by Councillor Isa Lee

Seconded by Councillor Amanda Collucci

1. That the staff report, dated September 12, 2022, titled “RECOMMENDATION REPORT, Application for Zoning By-law Amendment submitted by the Regional Municipality of York to facilitate the development of a road operations and snow management facility at 10988 to 10990 Warden Avenue (Ward 2), File No.: PLAN 20 119856”, be received; and,
2. That the application submitted by the Regional Municipality of York to amend Zoning By-law 304-87, as amended, be approved and the draft Zoning By-law attached hereto as Appendix ‘A’, be finalized and brought forward to a future Council meeting to be enacted without further notice; and,
3. 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 Regional Municipality of York 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 further,
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

8.4.7 RECOMMENDATION REPORT, STEELCASE ROAD WEST HOLDINGS INC., APPLICATION FOR ZONING BY-LAW AMENDMENT TO PERMIT THREE INDUSTRIAL WAREHOUSE BUILDINGS AT 1 STEELCASE ROAD WEST, FILE NO. PLAN 21 143519 (WARD 8)

Moved by Councillor Isa Lee

Seconded by Councillor Amanda Collucci

1. That the report dated September 12, 2022, titled, “Steelcase Road West Holdings Inc., Application for Zoning By-law Amendment to permit three industrial warehouse buildings at 1 Steelcase Road West, File No. PLAN 21 143519 (Ward 8)”, be received; and,
2. That the amendment to Zoning By-law 108-81, as amended, be approved and the draft site-specific implementing Zoning By-law,

attached as Appendix ‘A’, be finalized and enacted without further notice; and,

3. That in accordance with the provisions of subsection 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 Zoning By-law attached as Appendix ‘A’ to this report, before the second anniversary of the day on which the By-law was approved by Council; and further,
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

(By-law 2022-112)

Carried

8.4.8 160-R-22 DESTINATION MARKHAM CORPORATION TOURISM STRATEGIC MASTER PLAN (6.5, 10.16)

Moved by Councillor Isa Lee

Seconded by Councillor Amanda Collucci

1. That the report entitled “160-R-22 Destination Markham Corporation Tourism Strategic Master Plan” be received; and,
2. That the contract for Services be awarded to the highest ranked, lowest priced bidder, CBRE Limited in the total amount of \$139,103 inclusive of HST; and,
3. That the contract awarded in the amount \$139,103 be funded from the “Tourism Relief Grant” account 960-960-5630 with available budget of \$200,000; and,
4. That the amount of \$60,897 (\$200,000 - \$139,1013) will remain in the project for any additional costs that maybe incurred within the project; and further,
5. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

8.4.9 CELEBRATE MARKHAM MAJOR COMMUNITY FESTIVALS ADDITIONAL FUNDING REQUEST (6.5)

Moved by Councillor Isa Lee

Seconded by Councillor Amanda Collucci

1. That the deputation by Christie Day regarding “Celebrate Markham Major Community Festivals Funding Additional Funding Request” be received; and,
2. That the report titled “Celebrate Markham Major Community Festivals Funding Additional Funding Request” be received; and,
3. That the unallocated Celebrate Markham Community Grant Program funding of \$134,275 be carried forward to the 2023-34 Celebrate Markham funding stream; and further,
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

8.4.10 TRADE AND INVESTMENT MISSION TO WEB SUMMIT CONFERENCE (10.16)

Moved by Councillor Isa Lee

Seconded by Councillor Amanda Collucci

1. That the report entitled “Trade and Investment Mission to Web Summit Conference” be received; and,
2. That the City engage in a trade and investment-focused program as part of the Web Summit Conference in Lisbon, Portugal on November 1st to 4th; and,
3. That the City be represented by a six person delegation comprised of up to four staff, the Mayor, the Chair or Vice-Chair of the Economic Development Committee or other Members of Council (maximum of two) ; and,
4. That the total cost of the “Trade and Investment Mission to Web Summit Conference” not exceed \$46,000 and be funded from within the International Investment Attraction Operating Budget; and further,

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

Carried

8.4.11 RECOMMENDATION REPORT 4077 & 4101 HWY 7 - KINGDOM MC (SHERIDAN) OPA & ZBA MIXED USE PHASED DEVELOPMENT (WARD 3) FILE NO.: PLAN 19 140215 (10.3, 10.5)

Moved by Councillor Khalid Usman

Seconded by Councillor Amanda Collucci

1. That the deputation by Doug Denby regarding 2690622 Ontario Inc. (Kingdom - Markham Centre), Applications for Official Plan and Zoning By-law Amendments to permit a phased high-density residential development at 4077 and 4101 Highway 7 and Alignment with the Development Concept for the Markham Centre Secondary Plan Update (Ward 3) File No. PLAN 20 140215”, be received; and,
2. That the report titled, “2690622 Ontario Inc. (Kingdom - Markham Centre), Applications for Official Plan and Zoning By-law Amendments to permit a phased high-density residential development at 4077 and 4101 Highway 7 and Alignment with the Development Concept for the Markham Centre Secondary Plan Update (Ward 3) File No. PLAN 20 140215”, be received; and,
3. That the Development Concept, dated July 5, 2022, for the Markham Centre Secondary Plan Update Study, as it relates to the lands owned by 2690622 Ontario Inc. (Kingdom - Markham Centre), be endorsed; and,
4. That the Official Plan Amendment application submitted by 2690622 Ontario Inc. (Kingdom - Markham Centre), be approved and the draft Official Plan Amendment, attached as Appendix ‘A’, be finalized and brought to a future Council meeting for adoption without further notice; and,
5. That the Zoning By-law Amendment application submitted by 2690622 Ontario Inc. (Kingdom - Markham Centre), be approved and the draft Zoning By-law Amendment, attached as Appendix ‘B’, be finalized and brought to a future Council meeting for enactment without further notice; and,

6. 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,
7. That the application for Site Plan Approval (SPC 20 134065) submitted by 2690622 Ontario Inc. (Kingdom - Markham Centre) for the Phase 2 lands be brought back to the Development Services Committee, and that Site Plan Approval not be issued prior to the execution of a Site Plan Agreement; and,
8. That the easterly portion of the subject lands, municipally known as 4121 Highway 7, be added to this recommended approval in order to facilitate the Proposed Development and that no further public notice be required; and further,
9. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

8.4.12 MILLIKEN CENTRE SECONDARY PLAN UPDATE (10.4)

Moved by Councillor Isa Lee

Seconded by Councillor Amanda Collucci

1. That the depositions by Randy Peddigrew, The Remington Group Inc., Marshall Smith, KLM Planning Partners Inc., and Maria Gatzios, Gatzios Planning + Development Consultants Inc. be received, and,
2. That the presentation titled "Milliken Centre Secondary Plan Update", be received; and further,
3. That the next steps included in the "Milliken Centre Secondary Plan Update" presentation be endorsed.

Carried

9. MOTIONS

There were no motions.

10. NOTICE OF MOTION TO RECONSIDER

There was no notice of motions.

11. NEW/OTHER BUSINESS

11.1 UPDATE TO THE DEVELOPMENT CHARGE BORROWING/ LENDING POLICY (7.0)

Moved by Councillor Andrew Keyes

Seconded by Councillor Keith Irish

1. That the report dated September 13, 2022 entitled “Update to the Development Charge Borrowing/Lending Policy” be received; and,
2. That the attached Development Charge Borrowing/Lending Policy be approved; and further,
3. That staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

12. ANNOUNCEMENTS

There were no announcements.

13. BY-LAWS - THREE READINGS

Moved by Regional Councillor Joe Li

Seconded by Councillor Reid McAlpine

That By-laws 2022-100 to 2022-104 and 2022-106 to 2022-112 be given three readings and enacted.

Carried

Three Readings

13.1 BY-LAW 2022-100 MATTAMY (BERCZY GLEN) LIMITED, PART LOT CONTROL BY-LAW

A by-law to designate part of a certain plan of subdivision not subject to Part Lot Control, Blocks 111 to 122 (inclusive) on Registered Plan 65M-4708, on the east side of Victoria Square Boulevard, south of Elgin Mills Rd E.

Carried

13.2 BY-LAW 2022-101 MATTAMY WALMAK DEVELOPMENTS LIMITED, PART LOT CONTROL BY-LAW

A by-law to designate part of a certain plan of subdivision not subject to Part Lot Control, Blocks 39 and 40 (inclusive) on Registered Plan 65M-4709, Blocks 39 and 40 are located on the east side of Victoria Square Boulevard, south of Elgin Mills Rd E.

Carried

13.3 BY-LAW 2022-102 PARKLAND DEDICATION BY-LAW

A By-law to require the conveyance of land or the payment of cash-in-lieu for park or other public recreational purposes.

(Item No. 8.2.1, Report 33)

Carried

13.4 BY-LAW 2022-103 ENTERPRISE BOULEVARD INC., NORTH SIDE OF ENTERPRISE BOULEVARD, IMMEDIATELY EAST OF THE METROLINX-GO STOUFFVILLE RAIL CORRIDOR, ZONING BY-LAW AMENDMENT

A By-law to amend By-law 2004-196, as amended by By-law 2012-152, to revise site specific development standards, to facilitate the construction of a high density development.

(Item No. 8.3.1, Report No. 30, July 14, 2022 Council meeting)

Carried

13.5 BY-LAW 2022-104 MINTO COMMUNITIES INC., 34 EUREKA STREET AND PARTS OF 36 AND 38 EUREKA STREET, ZONING BY-LAW AMENDMENT

A By-law to amend By-law 122-72, as amended, and to amend By-law 177-96, as amended, in order to facilitate the development of public parkland.

(Item No. 8.3.1, Report 34)

Carried

13.6 2022-106 WEINS CANADA INC., 205 TORBAY ROAD, OFFICIAL PLAN AMENDMENT (REVISED 2014), AS AMENDED

A by-law to adopt an Official Plan Amendment to the in force Official Plan (Revised 2014), as amended, to provide for a motor vehicle repair facility on the subject property.

(Item No. 8.4.3, Report No. 35)

Carried

13.7 BY-LAW 2022-107 WEINS CANADA INC., 205 TORBAY ROAD, ZONING BY-LAW AMENDMENT

A By-law to amend By-law 108-81, as amended, to implement an automotive service building.

(Item No. 8.4.3, Report No. 35)

Carried

13.8 BY-LAW 2022-108 2690622 ONTARIO INC. - KINGDOM - MARKHAM CENTRE, 4077 AND 4101 HIGHWAY 7, 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 incorporate site-specific height and density provisions to accommodate the proposed development.

(Item No. 8.4.11, Report No. 35)

Carried

13.9 BY-LAW 2022-109 KENNEDY MM MARKHAM LTD., 10537 KENNEDY ROAD, 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 a residential and mixed use development.

(Item No. 8.4.4, Report No. 35)

Carried

13.10 BY-LAW 2022-110 A BY-LAW TO AMEND BY-LAW 4-95 BEING A BY-LAW TO DESIGNATE THE FRANCIS STIVER HOUSE, 4075 MAJOR MACKENZIE ROAD EAST

(Item No. 8.4.1, Report No. 35)

Carried

13.11 BY-LAW 2022-111 A BY-LAW TO AMEND TRAFFIC BY-LAW 106-71

To add compulsory stops at specific intersections within the City of Markham.

(Item No. 8.4.2, Report No. 35)

Carried

13.12 BY-LAW 2022-112 STEELCASE ROAD WEST HOLDINGS INC., 1 STEELCASE ROAD WEST, ZONING BY-LAW AMENDMENT

A By-law to amend By-law 108-81, as amended, to permit three industrial warehouse buildings on the subject lands.

(Item No. 8.4.7, Report No. 35)

Carried

14. CONFIDENTIAL ITEMS

Moved by Councillor Alan Ho

Seconded by Councillor Khalid Usman

That, in accordance with Section 239 (2) of the *Municipal Act*, Council resolve into a private session to discuss the following confidential matters at 1:38 PM:

14.1 COUNCIL

14.1.1 CONFIDENTIAL COUNCIL MINUTES

14.2 NEW/ OTHER BUSINESS

14.2.1 THE SECURITY OF THE PROPERTY OF THE CITY OR LOCAL BOARD; 2023 CAPITAL BUDGET PRE-APPROVAL (7.13) [239 (2)(a)]

14.2.2 LITIGATION OR POTENTIAL LITIGATION, INCLUDING MATTERS BEFORE ADMINISTRATIVE TRIBUNALS, AFFECTING THE MUNICIPALITY OR LOCAL BOARD; (WARD 4) [Section (2)(e)]; (8.0)

14.2.3 LITIGATION OR POTENTIAL LITIGATION, INCLUDING MATTERS BEFORE ADMINISTRATIVE TRIBUNALS, AFFECTING THE MUNICIPALITY OR LOCAL BOARD; (WARD 3) [Section (2)(e)]; (10.3)(10.5); OLT APPEAL - 53, 63, 83 HELEN AVENUE

Carried

Moved by Councillor Khalid Usman

Seconded by Councillor Amanda Collucci

1. That Council rise from Confidential session at 2:45 PM

Carried

The following Confidential items were approved by Council:

14.1 COUNCIL

14.1.1 CONFIDENTIAL COUNCIL MINUTES

Moved by Regional Councillor Jack Heath

Seconded by Councillor Isa Lee

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

Carried

14.2 NEW/ OTHER BUSINESS

14.2.1 THE SECURITY OF THE PROPERTY OF THE CITY OR LOCAL BOARD; 2023 CAPITAL BUDGET PRE-APPROVAL (7.13) [239 (2)(a)]

Moved by Councillor Alan Ho

Seconded by Regional Councillor Jim Jones

1. That the confidential report on the security of the property of the City or local Board - 2023 Capital Budget Pre-Approval 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 LITIGATION OR POTENTIAL LITIGATION, INCLUDING MATTERS BEFORE ADMINISTRATIVE TRIBUNALS, AFFECTING THE MUNICIPALITY OR LOCAL BOARD; (WARD 4) [Section (2)(e)]; OLT APPEAL: 45 PRINGLE AVENUE (WARD 4) MINOR VARIANCE FILE NO: A/086/21 (8.0)

Moved by Regional Councillor Jim Jones

Seconded by Regional Councillor Joe Li

1. That the confidential report and presentation on litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; (Ward 4) - “OLT APPEAL: 45 Pringle Avenue (Ward 4), Minor Variance, File No: A/086/21”, be received; and,
2. That staff proceed as directed at the September 13, 2022 Council meeting; and further,
3. That Staff do all things necessary to give effect to these resolutions.

Carried

14.2.3 LITIGATION OR POTENTIAL LITIGATION, INCLUDING MATTERS BEFORE ADMINISTRATIVE TRIBUNALS, AFFECTING THE MUNICIPALITY OR LOCAL BOARD; (WARD 3) [Section (2)(e)]; (10.3)(10.5); OLT APPEAL - 53, 63, 83 HELEN AVENUE

Moved by Councillor Reid McAlpine

Seconded by Councillor Keith Irish

1. That the confidential report and presentation on litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; (Ward 3) OLT Appeal - 55, 63, and 83 Helen Avenue, 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 Jim Jones

Seconded by Councillor Khalid Usman

That By-law 2022-105 be given three readings and enacted.

Three Readings

BY-LAW 2022-105 A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE COUNCIL MEETING OF SEPTEMBER 13, 2022.

No attachment

Carried

16. ADJOURNMENT

Moved by Regional Councillor Joe Li

Seconded by Councillor Isa Lee

That the Council meeting be adjourned at 2:51 pm.

Carried

Kimberley Kitteringham

City Clerk

Don Hamilton

Deputy Mayor