

Electronic Special Council Meeting Minutes

Meeting Number: 2
November 22, 2022, 9:30 AM
Live streamed

Roll Call	Mayor Frank Scarpitti Deputy Mayor Michael Chan Regional Councillor Joe Li Regional Councillor Jim Jones Regional Councillor Alan Ho Councillor Keith Irish Councillor Ritch Lau	Councillor Reid McAlpine Councillor Karen Rea Councillor Andrew Keyes Councillor Amanda Collucci Councillor Juanita Nathan Councillor Isa Lee
Staff	Andy Taylor, Chief Administrative Officer Trinela Cane, Commissioner, Corporate Services Arvin Prasad, Commissioner, Development Services Eddy Wu, Acting Commissioner of Community Services Claudia Storto, City Solicitor and Director of Human Resources Adam Grant, Fire Chief Bryan Frois, Manager, Executive Operations & Strategic Initiatives Mark Visser, Acting Treasurer Frank Clarizio, Director, Engineering Mary Creighton, Director, Recreation Services Kimberley Kitteringham, City Clerk Martha Pettit, Deputy City Clerk Alida Tari, Manager, Access & Privacy John Wong, Technology Support Specialist II Hristina Giantsopoulos, Election/Council & Committee Coordinator	Regan Hutcheson, Manager, Heritage Chris Rickett, Director, Economic Development, Culture and Entrepreneurship Stephen Lue, Acting Senior Manager, Development, Planning & Urban Design Maggie Cheung-Madar, Assistant City Solicitor Darryl Lyons, Acting Director of Planning & Urban Design Duran Wedderburn, Manager, Policy Tony Iacobelli, Manager, Natural Heritage Nhat-Anh Nguyen, Senior Manager, Development & Environmental Engineering, Municipal Inspections Stephanie DiPerna, Director, Building Standards Sabrina Bordone, Development Manager, Central District Alice Lam, Director of Operations John Yeh, Strategy & Innovation Ronji Borooah, City Architect

Sumon Acharjee, Chief Information
Officer

Mattson Meere, Project Manager, Urban
Design
Lawrence Yip, Project Supervisor,
Urban Design
Richard Fournier, Senior Manager, Parks
& Open Space Development

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1. CALL TO ORDER

The meeting of Council convened at 9:42 AM on Tuesday, November 22, 2022. Mayor Frank Scarpitti presided.

Due to technical issues, Council recessed from 9:55 AM to 10:15 AM to allow time to resolve the issue.

Council recessed for lunch at 12:48 PM and reconvened at 1:32 PM.

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 Mississaugas of the Credit peoples. We share the responsibility with the caretakers of this land to ensure the dish is never empty and to restore relationships that are based on peace, friendship, and trust. We are committed to reconciliation, partnership and enhanced understanding.

2. DISCLOSURE OF PECUNIARY INTEREST

There were no disclosures of pecuniary interest.

3. DEPUTATIONS

3.1 DEPUTATION - COMMENTS ON THE MORE HOMES BUILT FASTER ACT, 2022 (BILL 23) AND ASSOCIATED REGISTRY POSTINGS (2.0)

Moved by Councillor Keith Irish
Seconded by Regional Councillor Jim Jones

That the deputation by Doug Denby be received.

Carried

See item No. 5 for the Council decision on this matter.

3.2 DEPUTATION: BRIEFING NOTE: PROVINCIAL DECISION - 2022 YORK REGION OFFICIAL PLAN (Item No. 6) (10.0)

Moved by Councillor Keith Irish
Seconded by Regional Councillor Jim Jones

That the deputation by Catherine Lyons, Goodman LLP, representing Minotar Holdings Inc. be received.

Carried

See item No. 6 for the Council decision on this matter.

3.3 DEPUTATION: REQUEST FOR DEMOLITION

STORRY-APPLETON BARNs AND NON-HERITAGE HOUSE, GARAGE AND SHED
10504 KENNEDY ROAD, WARD 6 (10.13)

Moved by Regional Councillor Jim Jones
Seconded by Councillor Keith Irish

That the deputation by Michael Montgomery be received.

Carried

See item No. 7 for the Council decision on this matter.

4. COMMUNICATIONS

4.1 33-2022 COMMUNICATION - COMMENTS ON THE MORE HOMES BUILT FASTER ACT (BILL 23) (2.0)

Moved by Councillor Amanda Collucci
Seconded by Councillor Andrew Keyes

1. That the written communications dated November 21, 2022 regarding "Comments from the More Homes Built Faster Act, 2022 (Bill 23) and Associated Registry Postings", from the following, be received:
 - a. Peter Sorrento

- b. Michael Gannon
 - c. Heather Leslie
 - d. Sebastian Selerno
 - e. Aldo Cavarra
 - f. Lisa Kustin
2. And That Staff forward a copy of the staff report to Peter Sorrento to provide him with further information on the matter.

Carried

4.2 34-2022 COMMUNICATION - REQUEST FOR DEMOLITION

Moved by Regional Councillor Joe Li

Seconded by Councillor Amanda Collucci

1. That the written communication dated November 21, 2022 regarding "Request for Demolition" from Paul Shaw be received.

Carried

5. COMMENTS ON THE MORE HOMES BUILT FASTER ACT, 2022 (BILL 23) AND ASSOCIATED REGISTRY POSTINGS (2.0)

Arvin Prasad, Commissioner of Development Services, introduced the Staff Comments on the *More Homes Built Faster Act, 2022 (Bill 23)* and the Registry Postings. Mr. Prasad advised the proposed legislation will have significant implications on the City's finances, governance, community amenities, as well as the planning approval framework.

Darryl Lyons, Acting Director of Planning & Urban Design, introduced the staff presenters.

Duran Wedderburn, Manager, Policy, presented an overview of Bill 23, and the implications the Bill will have on planning.

Mattson Meere, Project Manager, Parks Planning, presented the implications Bill 23 will have on parkland.

Mark Visser, Acting Treasurer, presented the financial implications of Bill 23.

Council Members discussed the implications of Bill 23.

Moved by Regional Councillor Jim Jones

Seconded by Councillor Keith Irish

1. That the report dated November 22, 2022 titled "Comments on the More Homes Built Faster Act, 2022 (Bill 23) and Associated Registry Postings" be received; and,
2. That the Province of Ontario be requested to immediately halt the passage of Bill 23; and,
3. That the Province of Ontario be requested to appoint Members, including municipal representatives, to the Housing Supply Action Plan Implementation Team in order to develop a meaningful partnership between the Province and stakeholders in order to expeditiously deliver attainable and affordable housing units; and,
4. That the City of Markham request that the Province appoint Markham Mayor Frank Scarpitti to the Housing Supply Action Plan Implementation Team; and,
5. That the City of Markham not support the proposed changes to the Planning Act; and,
6. That the City of Markham not support the proposed changes to the Development Charges Act, except for the following:
 - a. Provisions for affordable and purpose built rental housing where there is no net impact on municipal finance as the City of Markham has already exempted previous subsidized housing projects; and,
 - b. DC By-law expiry updated from every 5 years to every 10 years; and,
 - c. Requiring municipalities to allocate or spend at least 60% of development charges reserve balance of water, wastewater and roads at the start of each year; and,
7. That the City of Markham not support the proposed changes to the Ontario Heritage Act, except for the following:
 - a. Requiring the Clerk of a municipality to ensure that the information included in the register is accessible to the public on the municipality's website; and,
 - b. Requiring that non-designated property to be added to the register must meet the criteria for determining whether the property is of cultural heritage value or interest if such criteria is prescribed; and,
 - c. Enabling the council of a municipality to amend or repeal a heritage conservation district plan; and,

8. That the City of Markham not support the proposed changes to the Conservation Authorities Act; and,
9. That the City of Markham not support the proposed changes to the Greenbelt Act; and,
10. That the City of Markham request York Region confirm the following:
 - a. Conveyance of sewage flows to the York Durham Trunk Sanitary Sewer (YDSS) from municipalities located in the upper parts of the Region, as recommended by the Province's York Region Wastewater Advisory Panel, will not impact growth and approvals of developments in Markham that are located in the YDSS service area; and,
 - b. Improvements needed to the YDSS on 16th Avenue and 9th Line to support growth from municipalities located in the upper parts of the Region and from Markham; and,
 - c. That York Region will continue to assign sufficient sanitary allocation to Markham to not impede growth in Markham; and,
 - d. That infrastructure projects identified to support growth in Markham will not be deferred or removed from the Region's Water and Wastewater Master Plan; and,
11. That the City of Markham request that the Province extend the consultation period on Bill 23 and the Associated Registry Posting to provide more opportunities for public engagement and consultation given the magnitude and impact of the proposed changes; and,
12. That City of Markham staff be directed to prepare a report outlining an implementation plan, should the Province not extend the commenting period and approve Bill 23 and the Associated Registry Postings; and,
13. That this resolution and report be forwarded to the Premier of Ontario, York Region Members of Provincial Parliament, the Minister of Citizenship and Multiculturalism, the Minister of Environment, Conservation and Parks, the Minister of Infrastructure, the Minister of Municipal Affairs and Housing, the Minister of Natural Resources and Forestry, the Minister of Tourism, Culture and Sport, leaders of the Opposition, and to the Region of York, as the City of Markham's comments on Bill 23 and the Associated Registry Postings; and,
14. That this report be forwarded to the Association of Municipalities of Ontario (AMO), the Association of Municipal Managers, Clerks and Treasurers of

Ontario (AMCTO), and the Federation of Canadian Municipalities (FCM); and further,

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

Carried by Recorded Vote (13-0)

(See following Recorded Vote)

Carried

Recorded Vote (13-0):

YEAS: Councillor Keith Irish, Regional Councillor Alan Ho, Councillor Reid McAlpine, Councillor Karen Rea, Councillor Ritch Lau, Regional Councillor Joe Li, Mayor Frank Scarpitti, Deputy Mayor Michael Chan, Regional Councillor Jim Jones, Councillor Andrew Keyes, Councillor Amanda Collucci, Councillor Juanita Nathan, and Councillor Isa Lee (13)

NAYS: None (0)

6. BRIEFING NOTE: PROVINCIAL DECISION - 2022 YORK REGION OFFICIAL PLAN (10.0)

Moved by Regional Councillor Jim Jones

Seconded by Councillor Isa Lee

That the matter relating to the Briefing Note: Provincial Decision – 2022 York Region Official Plan be brought forward for consideration immediately following the deputation with respect thereto.

Carried

Moved by Regional Councillor Jim Jones

Seconded by Councillor Keith Irish

That Item No. 6, Briefing Note: Provincial Decision - 2022 York Region Official Plan be received, and deferred to a future Development Services Committee meeting.

Carried

7. REQUEST FOR DEMOLITION

STORRY-APPLETON BARN AND NON-HERITAGE HOUSE, GARAGE AND SHED

10504 KENNEDY ROAD, WARD 6 (10.13)

Moved by Councillor Amanda Collucci

Seconded by Councillor Juanita Nathan

That the matter relating to the Storry-Appleton Barns and Non-Heritage House, Garage and Shed be brought forward for consideration immediately following the deputation with respect thereto.

Carried

Moved by Councillor Amanda Collucci

Seconded by Councillor Isa Lee

1. That the December 12, 2022, report titled, “Request for Demolition – Storry-Appleton Barns and Non-Heritage House, Garage and Shed, 10504 Kennedy Road, Ward 6, File: DP 22 256887”, be received; and,
2. That the Heritage Markham Committee recommendation to not support the demolition and to explore other opportunities to conserve the Barns, be received as information; and,
3. That Council supports the proposed demolition of the existing structures located at 10504 Kennedy Road, subject to the owner advertising the barn structures for salvage or relocation for two weeks in the local newspaper or appropriate social media and that as part of a future development application, the history of this site be commemorated through the provision and installation of an interpretive plaque; and further,
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

8. CONFIRMATORY BY-LAW

Three Readings

8.1 BY-LAW 2023-2

Moved by Councillor Ritch Lau

Seconded by Councillor Juanita Nathan

That By-law 2023-2 be given three readings and enacted.

Carried

9. ADJOURNMENT

Moved by Regional Councillor Alan Ho

Seconded by Councillor Karen Rea

That the November 22, 2022 Special Council Meeting adjourn at 5:09 PM.

Carried

Kimberley Kitteringham

City Clerk

Frank Scarpitti

Mayor