

Electronic Council Meeting Minutes

Meeting Number: 4
December 13, 2022, 1:00 PM
Live streamed

Roll Call	Mayor Frank Scarpitti	Councillor Reid McAlpine
	Deputy Mayor Michael Chan	Councillor Karen Rea
	Regional Councillor Joe Li	Councillor Andrew Keyes
	Regional Councillor Jim Jones	Councillor Amanda Collucci
	Regional Councillor Alan Ho	Councillor Juanita Nathan
	Councillor Keith Irish	Councillor Isa Lee
	Councillor Ritch Lau	
Staff	Andy Taylor, Chief Administrative Officer	Hristina Giantsopoulos, Election/Council & Committee Coordinator
	Trinela Cane, Commissioner, Corporate Services	Mark Visser, Acting Treasurer
	Arvin Prasad, Commissioner, Development Services	Chris Rickett, Director, Economic Development, Culture and Entrepreneurship
	Claudia Storto, City Solicitor and Director of People Services	Stephen Lue, Acting Senior Manager, Development, Planning & Urban Design
	Adam Grant, Fire Chief	Darryl Lyons, Senior Manager, Policy & Research
	Mary Creighton, Acting Commissioner, Community Services	Bessie Mok, Manager, Compensation & Benefits
	Frank Clarizio, Director, Engineering	Brad Roberts, Manager, Zoning & Special Projects
	Bryan Frois, Manager, Executive Operations & Strategic Initiatives	Darius Chung, Senior Buyer
	Kimberley Kitteringham, City Clerk	John Yeh, Manager, Strategy & Innovation
	Martha Pettit, Deputy City Clerk	Geoff Day, Senior Planner II
	John Wong, Technology Support Specialist II	Hailey Miller, Planner II

Alternate formats for this document are available upon request

1. CALL TO ORDER

The meeting of Council convened at 1:18 PM on December 13, 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 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.

Council observed a moment of silence in recognition of the passing of prominent Community Members including Louise Brill, Pamela McLennan, Dorothy Gilbert and Ken Robertson, retired City of Markham Fire Services, Platoon Chief. Flags at all City facilities have been lowered.

Council consented to observe a moment of silence in recognition of the lives lost during the Nanjing Massacre.

2. DISCLOSURE OF PECUNIARY INTEREST

Councillor Rea declared a conflict on Item 14.1.3 from the Confidential agenda as she has ongoing litigation in this matter.

Deputy Mayor Chan declared a conflict on Item 8.2.4 as he is part owner of an insurance brokerage impacted by the subject matter.

Councillor Reid McAlpine declared a conflict on Item 14.2.6 Smart Centres as he has a close friend who is an employee of Smart Centres.

3. APPROVAL OF PREVIOUS MINUTES

3.1 COUNCIL MINUTES - NOVEMBER 8, 2022

Moved by Councillor Andrew Keyes

Seconded by Councillor Amanda Collucci

1. That the Minutes of the Council Meeting held on November 8, 2022, be adopted.

Carried

3.2 INAUGURAL COUNCIL MINUTES - NOVEMBER 15, 2022

Moved by Deputy Mayor Michael Chan
 Seconded by Regional Councillor Jim Jones

1. That the Minutes of the Inaugural Council Meeting held on November 15, 2022, be adopted.

Carried

3.3 SPECIAL COUNCIL MINUTES - NOVEMBER 22, & DECEMBER 1, 2022

Moved by Councillor Keith Irish
 Seconded by Councillor Ritch Lau

1. That the Minutes of the Special Council Meeting held on November 22, and December 1, 2022, be adopted.

Carried

4. PRESENTATIONS

There were no presentations.

5. DEPUTATIONS

There were no deputations.

6. COMMUNICATIONS

6.1 33-2022 LIQUOR LICENCE APPLICATION - YONG HE ALL DAY BREAKFAST (WARD 8) (3.21)

Moved by Councillor Isa Lee
 Seconded by Regional Councillor Alan Ho

1. That the request for the City of Markham to complete the Municipal Information Form be received for information and be processed accordingly.

Carried

6.2 34-2022 LIQUOR LICENCE APPLICATION - WHOLE SHEEP FEAST RESTAURANT (WARD 8) (3.21)

Moved by Councillor Isa Lee
 Seconded by Councillor Karen Rea

1. That the request for the City of Markham to complete the Municipal Information Form be received for information and be processed accordingly.

Carried

6.3 35-2022 LIQUOR LICENCE APPLICATION - WATERCOLOUR RESTAURANT (WARD 3) (3.21)

Moved by Councillor Reid McAlpine

Seconded by Deputy Mayor Michael Chan

1. That the request for the City of Markham to complete the Municipal Information Form be received for information and be processed accordingly.

Carried

6.4 36-2022 LOCAL PLANNING APPEAL TRIBUNAL (LPAT) DECISION MADE - LEPORIS CONSTRUCTION INC., AND KING DAVID INC.

Moved by Regional Councillor Alan Ho

Seconded by Councillor Ritch Lau

1. That the summary from the City Solicitor be received for information purposes.

Carried

6.5 37-2022 COMMUNICATION - CITY OF MARKHAM RESPONSE TO BILL 109 AND AMENDMENTS TO PLANNING ACT

Moved by Regional Councillor Jim Jones

Seconded by Councillor Keith Irish

1. That the communication dated December 12, 2022, regarding "City of Markham Response to Bill 109 and Amendments to the Planning Act" from The Building Industry and Land Development Association (BILD) be received.

Carried

6.6 38 -2022 COUNCIL MEMORANDUM MODIFIED BILL 109

Moved by Regional Councillor Jim Jones
 Seconded by Councillor Keith Irish

1. That the Memorandum be received for information and be processed accordingly.

Carried

7. PROCLAMATIONS

7.1 PROCLAMATION AND FLAG RAISING REQUESTS (3.4)

Moved by Councillor Juanita Nathan
 Seconded by Deputy Mayor Michael Chan

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. Tamil Heritage Month - January 2023

2. 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. Tamil Heritage Month - January 7 - 14, 2023

Carried

8. REPORT OF STANDING COMMITTEE

8.1 REPORT NO.36 DEVELOPMENT SERVICES COMMITTEE (NOVEMBER 29, 2022)

Moved by Deputy Mayor Michael Chan
 Seconded by Regional Councillor Joe Li

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

Carried

8.1.1 AWARD OF RFP 200-R-22 CONSULTING ENGINEERING SERVICES FOR THE DETAILED DESIGN OF THE MARKHAM

CENTRE TRAILS (PHASE 3) AND ROUGE VALLEY TRAIL (PHASE 4B) (7.12)

Moved by Deputy Mayor Michael Chan

Seconded by Regional Councillor Joe Li

1. That the report entitled “Award of RFP 200-R-22 - Consulting Engineering Services for the Detailed Design of the Markham Centre Trails (Phase 3) and Rouge Valley Trail (Phase 4B)” be received; and,
2. That the contract for consulting engineering services for the detailed design of the Markham Centre Trails (Phase 3) and Rouge Valley Trail (Phase 4B) be awarded to the highest ranked, 2nd lowest priced bidder, Aquafor Beech Limited in the amount of \$523,201.08, inclusive of HST; and,
3. That a 10% contingency in the amount of \$52,320.11 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 \$69,796.91, be transferred to revenue account 640-998-8871 (Capital Administration Fee); and,
5. That the cost in the amount of \$645,318.10 (\$523,201.08 + \$52,320.11 + \$69,796.91) be funded from accounts 083-5350-22033-005 and 083-5350-22034-005 with budget available of \$1,068,200.00; and,
6. That the remaining budget in the amount of \$150,000.00 be used for permits, indigenous consultation and fees related to the acquisition of land for Rouge Valley Trails (Phase 4B); and,
7. That the remaining budget in the amount of \$272,881.91 be returned to the original funding source in the amount of \$177,373.24 to DC and \$95,508.67 to Non-DC fund; and further,
8. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

8.2 REPORT NO. 37 - GENERAL COMMITTEE (DECEMBER 6, 2022)

Moved by Councillor Andrew Keyes

Seconded by Councillor Karen Rea

That the report of the General Committee be received & adopted. (Items 1 to 9):
save and except Item # 8.2.4.

Carried

8.2.1 CONTRACTS #197-SS-22 SUPPLY, DELIVERY, INSTALLATION AND STORAGE OF OFFICE FURNITURE THROUGH THE GOVERNMENT OF ONTARIO VOR ARRANGEMENT (TENDER# 13685) AND #198-S-22 SUPPLY AND DELIVERY OF SEATING FURNITURE (7.12)

Moved by Councillor Andrew Keyes

Seconded by Councillor Karen Rea

1. That the report entitled “Contracts 197-S-22 Supply, Delivery, Installation and Storage of Office Furniture through the Government of Ontario VOR arrangement (Tender 13685) and #198-S-22 Supply and Delivery of Seating Furniture”, be received; and,
2. That the Supply, Delivery Installation and Storage of Office Furniture through the Government of Ontario VOR arrangement (Tender 13685) be awarded to POI Business Interiors (“POI”), the local authorized dealer of Steelcase furniture, for an initial term of 14 months (December 1, 2022 – January 31, 2024) in the amount of \$87,500.00 inclusive of HST impact, and for up to two (2) additional one-year optional terms (February 1, 2024 – January 31, 2026) in the amount of \$150,000.00 (\$75,000 annual upset limit); and,
3. That pricing for POI be fixed in the initial term and adjustments for each optional year be based on the Consumer Price Index (CPI) Ontario All-Items (July to July); and,
4. That the Supply and Delivery of Seating Furniture be awarded to NUA Office Inc. (“NUA”), the local authorized dealer of Allsteel furniture, to an annual upset limit of \$50,000 inclusive of HST impact, for an initial term of one (1) year and up to four (4)

additional one-year optional terms, totaling \$250,000 inclusive of HST impact; and,

5. That pricing for NUA be adjusted, based on manufacturer's price increase for products and Consumer Price Index (CPI) Ontario All-Items (July to July) for services, subject to City's approval and,
6. That the initial terms awarded to POI and NUA be funded from capital project Corporate Accommodation, GL account 750-101-5399-22074; and,
7. That the amount to fund the additional optional terms be requested as part of the annual capital budget process, subject to Council approval; and,
8. That the tendering process be waived in accordance with Purchasing By-Law 2017-8, Part II, Section 11.1 (g) & (h), which state "where it is in the City's best interest not to solicit a competitive Bid" and "where it is in the best interests of the City to acquire non-standard items or Professional Services from a supplier who has a proven track record with the City in terms of pricing, quality and service"; and,
9. That the CAO be authorized to execute agreements with POI and NUA in forms satisfactory to the City Solicitor; and,
10. That the CAO be authorized to extend the contract with POI for up to two (2) additional one-year terms and with NUA for up to four (4) additional one-year terms; and further,
11. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

8.2.2 STATUS OF CAPITAL PROJECTS AS OF SEPTEMBER 30, 2022 (7.5)

Moved by Councillor Andrew Keyes

Seconded by Councillor Karen Rea

1. That the report dated December 6, 2022 titled "Status of Capital Projects as of September 30, 2022" be received; and,
2. That the Projects Completed within Scope with Surplus Funds and the Projects Completed within Scope without Surplus Funds, as

identified on Exhibit B, be approved for closure and funds in the amount of \$751,973 be transferred to the original sources of funding as identified on Exhibit B; and,

3. That the Projects Closed and Not or Partially Initiated, as identified on Exhibit C, be approved for closure and funds in the amount of \$66,100 be transferred to the original sources of funding as identified in Exhibit C; and,
4. That the Non-Development Charge Capital Contingency Project be topped up from the Life Cycle Replacement and Capital Reserve Fund by \$1,751,105 to the approved amount of \$250,000; and,
5. That the Engineering Capital Contingency Project be topped up from the Development Charges - City-Wide Hard Reserve by \$56,316 to the approved amount of \$100,000; and,
6. That the Design Capital Contingency Project be topped up from the Development Charges – Parks Development Reserve by \$46,220 to the approved amount of \$100,000; and,
7. That the Waterworks Capital Contingency Project be topped up from the Waterworks Stabilization/Capital Reserve by \$9,616 to the approved amount of \$100,000; and,
8. That the following new capital projects, initiated subsequent to the approval of the 2022 capital budget, be received:
 1. Project 22343 – John Street Bridge Expansion Joint Replacement – Budget of \$50,371 to be funded from the Non-DC Capital Contingency.
 2. Project 22345 – High Frequency Rail Project - Markham Station – Budget of \$87,396 to be funded 50% by DCA and 50% by York Region.
 3. Project 22352 – Thornhill Fitness Spa Dectron Unit – Budget of \$66,000 to be funded from the Non-DC Capital Contingency.
 4. Project 22353 – South Unionville Underground Storage Tank - Design – Budget of \$102,040 to be funded from Gas Tax; and further,
9. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

8.2.3 APPOINTMENT OF MEMBERS TO THE MARKHAM MAYORS
YOUTH COUNCIL (16.24)

Moved by Councillor Andrew Keyes

Seconded by Councillor Karen Rea

1. That the Report "Appointment of Members to the Markham Mayor's Youth Council" for the period of September 7, 2022 to June 30, 2023 be received; and,
2. That the following Appointments of Members to the Markham Mayor's Youth Council be confirmed for the term September 7, 2022 to June 30, 2023; and further,

Name	School	Grade	Ward
Sabine Cuesta	St. Robert Catholic High School	9	1
Silken Cheung-Ege	St. Brother Andre Catholic High School	9	4
Christian Matros	St. Robert Catholic High School	9	1
Varna Venkatesh	Markville Secondary School	9	6
Benjamin Kim	Huron Heights Secondary School	9	8
Zoe Chakraborty	St. Robert Catholic High School	10	1
Jin Zhou	Thornhill Secondary School	10	1
Melody Cao	Bayview Secondary School	10	2
Mehrava Afshani	Bayview Secondary School	10	2
Hadia Rasool	Markham District High School	10	7
Arya Waza	Father Michael McGivney Catholic High School	10	7
Aiden Ma	St. Robert Catholic High School	11	1
Elyssa Qi	St. Augustine Catholic High School	11	2
Anjani Sharma	St. Augustine Catholic High School	11	3

Tom Zheng	Crescent School	11	3
Jiabei He	Bill Hogarth Secondary School	11	5
Callista Chan	St. Augustine Catholic High School	11	6
Karina Florea	Thornhill Secondary School	12	1
Stephanie Sheng	Bayview Secondary School	12	2
Eric Gao	Unionville High School	12	3
Allen Wang	Unionville High School	12	3
Enya Law	Bill Hogarth Secondary School	12	5
Gloria Huang	Bill Hogarth Secondary School	12	5
Isabelle Cai	Unionville High School	12	5
Rachel Zhang	Pierre Elliott Trudeau High School	12	5

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

Carried

8.2.4 AWARD OF PROPOSAL 031-R-22 CITY OF MARKHAM GROUP BENEFITS PROVIDER (YORK COOP CRFP2021-02) (7.0)

Deputy Mayor Chan declared a conflict on this matter and did not participate in the discussion or vote on this matter.

Moved by Councillor Andrew Keyes

Seconded by Councillor Karen Rea

1. That the report “Award of Proposal 031-R-22 City of Markham Group Benefits Provider (York Coop #CRFP2021-02)” be received; and,
2. That Award of Proposal 031-R-22 City of Markham Services Group Benefits Provider (York Coop # CRFP2021-02)”, Part A - Group Benefits – Accidental Death and Dismemberment be awarded to Industrial Alliance for a five (5) year contract term (January 1, 2023 – December 31, 2027) with an option for five additional one (1) year terms, in the estimated 2023 amount of \$30,411 exclusive of tax, to be funded from account 030 220 0034 Accidental Death and Dismemberment; and,
3. That Award of Proposal 031-R-22 City of Markham Group Benefits Provider (York Coop #CRFP2021-02)”, Part B - Group Benefits – Health, Dental, Life and Long Term Disability) be awarded to Sun Life Financial of Canada for a five (5) year contract term, (January 1, 2023 – December 31, 2027), with an option for five additional one (1) year terms, in the estimated 2023 amount of \$627,688 exclusive of tax (excluding the cost of ASO funded Extended Health and Dental claims of approximately \$6M), to be funded from various benefit accounts as described in the report; and,
4. That the Chief Administrative Officer (CAO) and City Solicitor and Director of People Services be authorized to execute an agreement with Industrial Alliance for the provision of the Group Benefits – Accidental Death and Dismemberment), in a form satisfactory to the City Solicitor and Director of People Services; and,
5. That the Chief Administrative Officer (CAO) and City Solicitor and Director of People Services be authorized to execute an agreement with Sun Life Financial of Canada for the provision of the Group Benefits – Health, Dental, Life and Long Term Disability), in a form satisfactory to the City Solicitor and Director of People Services; and,
6. That Staff be authorized to amend the award amounts in years 2028-2032 to reflect changes to the budget accounts approved by Council during the annual budget process; and further,

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

Carried

8.2.5 CITYWIDE MULTI-PHASE SANITARY SYSTEM DOWNSPOUT DISCONNECTION PROGRAM - ANNUAL PROGRESS UPDATE (5.3)

Moved by Councillor Andrew Keyes

Seconded by Councillor Karen Rea

1. That the report entitled “Citywide Multi-Phase Sanitary System Downspout Disconnection Program – Wrap-up Report” be received; and,
2. That the Citywide Multi-Phase Sanitary System Downspout Disconnection Program (DDP) has been successfully completed by investigating and disconnecting downspouts that connected to the sanitary sewer system within the high risk of basement flooding area in Thornhill, Unionville and Markham Village; and,
3. That the staff recommends to conclude the current DDP for the already identified high risk of basement flooding area in Thornhill, Unionville and Markham Village; and further,
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

8.2.6 INDEPENDENT ELECTRICITY SYSTEM OPERATOR EXPEDITED LONG-TERM RELIABILITY REQUEST FOR PROPOSALS ("E-LT1 RDP") MUNICIPAL SUPPORT RESOLUTION (5.0)

Moved by Councillor Andrew Keyes

Seconded by Councillor Karen Rea

1. That the report “Independent Electricity System Operator Expedited Long-Term Reliability Request for Proposals (“E-LT1 RFP”) Municipal Support Resolution” be received; and,
2. That Markham City Council support the Alectra/Convergent proposed Battery Energy Storage Systems at 7970 Markham Road

(Ward 7) and 3430 14th Ave (Ward 8) by issuing a Municipal Support Resolutions for the E-LT1-RFP in the form shown in Appendix A; and,

3. That the Director of Sustainability & Asset Management be delegated the signing authority for any additional Municipal Support Resolutions requested for the E-LT1-RFP or similar on behalf of the City of Markham; and further,
4. That staff be authorized to do all things necessary to give effect to this resolution.

Carried

8.2.7 QUALITY MANAGEMENT SYSTEM MANAGEMENT REVIEW (5.3)

Moved by Councillor Andrew Keyes

Seconded by Councillor Karen Rea

1. That the report titled “Quality Management System Management Review” be received; and,
2. That Council, as the Owner of the City’s drinking water system, acknowledge and support the outcome and action items identified from the Management Review; and further,
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

8.2.8 REQUEST FOR PROPOSAL 188-R-22 THORNLEA POOL MAINTENANCE (3.0)

Moved by Councillor Andrew Keyes

Seconded by Councillor Karen Rea

1. That the report entitled “Request for Proposal 188-R-22 Thornlea Pool Maintenance” be received; and,
2. That the contract for Services be awarded to the sole bidder, PPL Aquatic, Fitness & Spa Group Inc. for a term of two (2) years in the total amount of \$425,336.44 inclusive of HST as per the following; and,

- January 1, 2023- December 31, 2023 - \$212,668.22
- January 1, 2024- December 31, 2024 - \$212,668.22

Total: \$425,336.44

3. That the contract include an option for the City (in its sole discretion) to extend the contract for up to three (3) additional one (1) year terms. Pricing will be firm for the first two years of the contract and prices in years three, four and five will be subject to Consumer Price Index (CPI) increase (All-Items Ontario March) to a maximum of 4%; and,
4. That the Director of Recreation and Senior Manager of Procurement & Accounts Payable be authorized to extend the contract for an additional three (3) one year periods subject to Council's approval of the annual operating budget, vendor performance, and an increase based on the CPI (All-Items Ontario March) to a maximum of 4%; and,
5. That the award be funded from the Recreation Service facility maintenance account 501-911-5314, subject to Council approval of the 2023-2027 operating budgets; and,
6. The annual shortfall of \$25,668.22 be captured as part of the 2023 contract escalations and adjusted accordingly, subject to Council approval of the 2023-2027 operating budgets; and further,
7. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

8.2.9 CONSULTING SERVICES TO SECURE ACCESS TO COMMUNITY DATA INSIGHTS AND ANALYSIS (7.12)

Moved by Councillor Andrew Keyes

Seconded by Councillor Karen Rea

1. That the report entitled "Consulting Services to Secure Access to Community Data Insights and Analysis" be received; and,
2. That the tendering process for consulting services to secure access to community data insights and analysis" be waived in accordance with Purchasing By-Law 2017-8, Part II, Section 11.1 Non

Competitive Procurement, item (b) which states, “Where there is only one source of supply for the goods to be purchased”; and,

3. That the contract for consulting services be awarded to Environics Analytics for a five (5) year term in the amount of \$387,507.00 inclusive of HST; and,
 - \$74,862 Year 1 (2023)
 - \$76,155 Year 2 (2024)
 - \$77,475 Year 3 (2025)
 - \$78,821 Year 4 (2026)
 - \$80,194 Year 5 (2027)
 - **Total \$387,507**
4. That the 2023-2027 award amounts be funded from the 2023 Capital Project - City of Markham Environics Analytics, and operating accounts 610 998 5808 (Business Development), 998 100 5630 (Library), and 500 998 5630 (Recreation) subject to Council approval of the annual budget; and further,
5. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

8.3 REPORT NO.38 DEVELOPMENT SERVICES PUBLIC MEETING (DECEMBER 6, 2022)

Moved by Councillor Keith Irish
Seconded by Councillor Ritch Lau

That the report of the Development Services Public Meeting be received & adopted. (Items 1 to 2):

Carried

8.3.1 CITY OF MARKHAM'S RESPONSE TO BILL 109 - MORE HOMES FOR EVERYONE ACT, 2022 (10.0)

Moved by Councillor Keith Irish
Seconded by Councillor Ritch Lau

1. **That the deputations by Barry Nelson, Alena Gotz, Aileen-Willowbrook Ratepayer Association (AWRA), and Evelin Ellison, regarding the “City of Markham’s Response to Bill 109 - More Homes for Everyone Act, 2022 File No. PR 22 260697”, be received; and,**
2. **That the written submission by BiLD regarding “City of Markham’s Response to Bill 109 - More Homes for Everyone Act, 2022 File No. PR 22 260697”, be received; and,**
3. That the report dated November 29, 2022, titled “City of Markham’s Response to Bill 109 - More Homes for Everyone Act, 2022 File No. PR 22 260697”, be received; and,
4. That the record of the Public Meeting held on December 6, 2022 with respect to the proposed City-initiated Official Plan Amendment, Site Plan Delegation By-law and Pre Application Consultation By-law (File No. PR 22 260697), to establish new Official Plan policies, site plan delegation and pre-application consultation procedures be received; and,
5. That the City-initiated Official Plan Amendment to amend certain Section 9 policies, Section 10.4 and Section 10.6 of the in force 2014 Official Plan, as amended, be forwarded directly to Council, for adoption; and,
6. That the City-initiated Site Plan Delegation By-law to designate the Director of Planning and Urban Design, or delegate as its delegated officer, employee or agent of the municipality to approve site plans, be forwarded directly to Council, for enactment; and,
7. That the City-initiated Pre-Application Consultation By-law to implement the new policy changes in the draft Official Plan Amendment related to the Pre-Application Consultation and Complete Application processes, be forwarded directly to Council on, for enactment; and further,
8. 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 Ritch Lau

1. **That the deputations by Barry Nelson, and Alena Gotz, Aileen-Willowbrook Ratepayer Association (AWRA), regarding the Development Fee and Building By-laws be received; and,**
2. **That the written submission by BiLD regarding the Development Fee and Building By-laws be received; and,**
3. That the Record of the Public Meeting held on December 6, 2022, with respect to the proposed amendments to the Development Fee and Building By-laws be received; and,
4. That the amendment to By-law 211-83, as amended, “Tariff of Fees for the Processing of Planning Applications,” substantially in the form attached as Appendix ‘A’, be enacted; and,
5. That By-law 2021-114 as amended be repealed and the attached “By-law respecting Construction, Demolition, Change of Use Permits and Inspections,” attached as Appendix ‘B’, be enacted; and,
6. That the By-laws come into force and take effect on January 1, 2023; and further,
7. That Staff be authorized and directed to do all thing necessary to give effect to this resolution

Carried

8.4 REPORT NO. 39 DEVELOPMENT SERVICES COMMITTEE MEETING
 (DECEMBER 12, 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 10): save and except Items # 8.4.7 and 8.4.8.

Carried

8.4.1 PROPOSED DEMOLITION 7861 HIGHWAY 7, LOCUST HILL,
 ROUGE NATIONAL URBAN PARK, WARD 5 (16.11 & 10.13)

Moved by Regional Councillor Jim Jones

Seconded by Councillor Keith Irish

1. That the December 12, 2022, staff report titled, “Proposed Demolition, 7861 Highway 7, Locust Hill, Rouge National Urban Park, Ward 5”, be received; and,
2. That Markham Council provides the following feedback on the proposed demolition of 7861 Highway 7, the Nighswander Tenant House:
 - Due to the advance state of decay and deterioration that has occurred over many years as a result of a lack of maintenance, poor stewardship, vacancy and abandonment, regrettably, the demolition of the building appears to be the most reasonable course of action; and,
 - The potential salvage and re-purposing of heritage elements from the property is supported; and,
 - The introduction of heritage interpretive features to celebrate and inform visitors of the former Nighswander buildings is also supported, and could include a Markham Remembered interpretive panel; and,
3. That Markham Council requests that with regard to other cultural heritage resources within the National Urban Park, Parks Canada at minimum maintain the heritage features/attributes of the cultural heritage assets it has committed to invest in to support re-occupancy or during regular maintenance of the assets; and,
4. That Markham Council encourages Parks Canada to protect and maintain those cultural heritage assets located in the Markham area of the Rouge National Urban Park of which the City has previously provided financial investments in support of their maintenance and conservation; and further,
5. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

8.4.2 NOTICE OF INTENTION TO DEMOLISH - SINGLE DETACHED DWELLING, 83 JOHN STREET, THORNHILL HERITAGE CONSERVATION DISTRICT, WARD 1 (16.11 & 10.13)

Moved by Regional Councillor Jim Jones

Seconded by Councillor Keith Irish

1. **That the Deputations by Valerie Burke, Evelin Ellison, Barry Nelson, and Doug Denby regarding the staff report “Notice of Intention to Demolish – Single Detached Dwelling, 83 John Street, Thornhill Heritage Conservation District, Ward 1,” be received; and further,**
2. **That the demolition of 83 John Street be approved on the condition that the Applicant work with Heritage Planning Staff on a revised plan that incorporates elements of the existing heritage home into the new home.**

Carried

8.4.3 RECOMMENDATION REPORT THE REGIONAL MUNICIPALITY OF YORK, APPLICATION FOR ZONING BY-LAW AMENDMENT TO PERMIT TEMPORARY OUTDOOR STORAGE FOR NEW VEHICLES AT 350 YORKTECH DRIVE (WARD 8), FILE NO. PLAN 21 147736 (10.5)

Moved by Regional Councillor Jim Jones

Seconded by Councillor Keith Irish

1. That the report titled, “RECOMMENDATION REPORT, The Regional Municipality of York, Application for Zoning By-law Amendment to permit temporary outdoor storage for new vehicles at 350 Yorktech Drive (Ward 8), File No. PLAN 21 147736”, be received; and,
2. That the Zoning By-law Amendment application submitted by The Regional Municipality of York be approved and the draft Zoning By-law Amendment, attached hereto as Appendix ‘A’, be finalized and enacted without further notice; and further,
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

8.4.4 GROUND SIGN VARIANCE - DON VALLEY NORTH (GENESIS)
7537 WOODBINE AVENUE APPLICATION NO. 22.114379.000.00.SP
(10.13 & 2.16)

Moved by Regional Councillor Jim Jones

Seconded by Councillor Keith Irish

1. That the ground sign variance application by Don Valley North (Genesis) at 7537 Woodbine Avenue, Application No. 22.114379.000.00.SP, be approved; and,
2. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

8.4.5 HERITAGE PERMIT APPLICATION FOR REPLACEMENT
WINDOWS, 307 MAIN STREET NORTH, MARKHAM VILLAGE,
FILE: HE 22 260674 (WARD 4) (16.13)

Moved by Regional Councillor Jim Jones

Seconded by Councillor Keith Irish

1. That the December 12, 2022, Report titled, “Heritage Permit Application for Replacement Windows, 307 Main Street North, Markham Village, File: HE 22 260674 (Ward 4)”, be received; and,
2. That the Heritage Permit application HE 22 260674 seeking approval for the installation of replacement attic windows be denied; and further,
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

8.4.6 AUTHORITY TO PROVIDE DEVELOPMENT CHARGE (DC)
CREDITS AND/OR REIMBURSEMENTS FOR THE CONSTRUCTION
OF A TRUNK SANITARY SEWER BY THE LANDOWNERS IN THE

BERCZY GLEN SECONDARY PLAN AREA AND THE TRUSTEE OF
BERCZY GLEN LANDOWNERS GROUP INC. (WARD 2 AND 6)

Moved by Regional Councillor Jim Jones

Seconded by Councillor Keith Irish

1. That the report entitled “Authority to provide Development Charge (DC) Credits and/or Reimbursements for the Construction of a Trunk Sanitary Sewer by the Landowners in the Berczy Glen Secondary Plan Area and the Trustee of Berczy Glen Landowners Group Inc. (Wards 2 and 6)” be received; and,
2. That Council authorize Development Charge Credits and/or Reimbursements not exceeding \$21,985,407.00 to the Trustee of Berczy Glen Landowners Group Inc. (“Trustee”) for the design, contract administration, and construction costs associated with the construction of a trunk sanitary sewer (Trunk Sanitary Sewer) that will service the Berczy Glen Secondary Plan, Angus Glen Secondary Plan, and Employment block in the City’s Future Urban Area (FUA) and lands external to the FUA with such credits being:
 - a. Area Specific Development Charges to a maximum of \$21,357,548 and,
 - b. City Wide Hard Development Charges to a maximum of \$627,859; and,
3. That Council authorize an Area-Specific Development Charge Credit and/or Reimbursement not exceeding \$3,518,308.00 to Berczy Warden Holdings Inc. (“DG Group”) for the design, contract administration, and construction costs associated with the construction of a trunk sanitary sewer (Trunk Sanitary Sewer) that will service the Berczy Glen Secondary Plan and Employment block in the FUA; and,
4. That Council authorize an Area-Specific Development Charge Credit and/or Reimbursement not exceeding \$598,000.00 to Monarch Berczy Glen Developments Limited (“Monarch Berczy”) for the design, contract administration, and construction costs associated with the construction of a trunk sanitary sewer (Trunk Sanitary Sewer) that will service the Berczy Glen Secondary Plan and Employment block in the FUA; and,

5. That Council authorize an Area-Specific Development Charge Credit and/or Reimbursement not exceeding \$742,500.00 to Mattamy Walmark Development Limited, Mattamy (Monarch) Limited, E.M.K. Construction Limited and, Treelawn Construction Limited (collectively “Mattamy Walmark”) for the design, contract administration, and construction costs associated with the construction of a trunk sanitary sewer (Trunk Sanitary Sewer) that will service the Berczy Glen Secondary Plan and the Employment block in the FUA; and,
6. That the Mayor and Clerk be authorized to execute Development Charge Credit and/or Reimbursement Agreements, if required, in accordance with the City’s Development Charge Credit and Reimbursement Policy, with the Trustee of Berczy Glen Landowners Group Inc. and with DG Group, or their successors in title to the satisfaction of the Treasurer and the City Solicitor, or their respective delegates; and,
7. That the Mayor and Clerk be authorized to execute Development Charge Credit and/or Reimbursement Agreements, if required, in accordance with the City’s Development Charge Credit and Reimbursement Policy, with Monarch Berczy and with Mattamy Walmark, or their successors in title to the satisfaction of the Treasurer and the City Solicitor, or their respective delegates; and,
8. That all of the above credits and/or reimbursements shall be the absolute value of the credits and/or reimbursements, and that HST and interest shall not be credited and/or reimbursed; and further,
9. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

8.4.7 RECOMMENDATION REPORT THORNHEIGHTS HOMES INC.,
APPLICATION FOR ZONING BY-LAW AMENDMENT TO PERMIT
FIVE SINGLE DETACHED DWELLINGS AT 16 KIRK DRIVE, FILE
NO. PLAN 21 115669 (WARD 1) (10.5)

Moved by Councillor Keith Irish

Seconded by Councillor Reid McAlpine

That this matter be referred back to the Development Services Committee meeting on January 17, 2023.

Carried

Council had the following original recommendation for consideration:

1. **That the deputations by Jane Winstanley, Valerie Burke, Evelin Ellison, and Cos Provenzano “RECOMMENDATION REPORT, Thornheights Homes Inc., Application for Zoning By-law Amendment to permit five single detached dwellings at 16 Kirk Drive, File No. PLAN 21 115669 (Ward 1)”, be received; and,**
2. That the report dated December 12, 2022, titled, “RECOMMENDATION REPORT, Thornheights Homes Inc., Application for Zoning By-law Amendment to permit five single detached dwellings at 16 Kirk Drive, File No. PLAN 21 115669 (Ward 1)”, be received; and,
3. That the amendment to Zoning By-law 2150, 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,
4. That Council assign servicing allocation for a maximum of five single detached dwellings; and,
5. That York Region be advised that servicing allocation for five single detached dwellings has been granted; and,
6. 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,
7. **That the Applicant be required to add additional landscaping on the eastern portion of the site near the last unit; and,**

8. **That a condition be added to the purchase of sale agreements prohibiting the paving of the front yard; and,**
9. **That the Local Councillor and staff continue to work with the Applicant on the elevation and design of the proposal; and further,**
10. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

8.4.8 RECOMMENDATION REPORT LIFETIME 8200 WARDEN AVENUE GP INC. (LIFETIME DEVELOPMENTS) APPLICATIONS FOR OFFICIAL PLAN AMENDMENT, ZONING BY-LAW AMENDMENT, AND DRAFT PLAN OF SUBDIVISION TO PERMIT A HIGH RISE RESIDENTIAL MIXED-USE DEVELOPMENT AT THE SOUTHWEST

Moved by Councillor Isa Lee

Seconded by Councillor Ritch Lau

PLEASE NOTE: This matter was referred to the Confidential session of the meeting in order to receive Solicitor advice. Upon completion of the Confidential session Council made the following motion in regard to this matter:

1. That this matter be deferred to a future Development Services Committee meeting.

Carried

Council had the following original recommendation for consideration:

1. That the December 12, 2022, report titled, “Lifetime 8200 Warden Avenue GP Inc. (Lifetime Developments), Applications for Official Plan Amendment, Zoning By-law Amendment, and Draft Plan of Subdivision to permit a high rise residential mixed-use development at the southwest corner of Cedarland Drive and Warden Avenue, Markham Centre (Ward 8), File No. PLAN 20 123292 (Previous File No. ZA 18 108856)”, be received; and,
2. That the Official Plan Amendment application submitted by Lifetime 8200 Warden Avenue GP Inc. (Lifetime Developments), 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 Lifetime 8200 Warden Avenue GP Inc. (Lifetime Developments), 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 Draft Plan of Subdivision 19TM-20004 be approved, subject to the conditions set out in Appendix 'C' 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 'C', as may be amended by the Director of Planning and Urban Design or designate; and,
6. That Draft Plan Approval for Plan of Subdivision 19TM-20004 will lapse after a period of three (3) years from the date of issuance in the event that a Subdivision Agreement is not executed within that period; and,
7. That servicing allocation for 1,962 units be assigned to Draft Plan of Subdivision 19TM-20004; and,
8. 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,
9. That any future application(s) for Site Plan Approval submitted by Lifetime 8200 Warden Avenue GP Inc. (Lifetime Developments) be delegated to the Director of Planning and Urban Design, or their designate, and that Site Plan Approval not be issued prior to the execution of a Site Plan Agreement; and further,
10. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

8.4.9 COMMENTS ON THE MORE HOMES BUILT FASTER ACT, 2022 (BILL 23) AND ASSOCIATED REGISTRY POSTINGS - PART 2 (10.0)

Moved by Regional Councillor Jim Jones
 Seconded by Councillor Keith Irish

1. **That the Deputation by Barry Nelson regarding “Comments on the *More Homes Built Faster Act*, 2022 (Bill 23) and Associated Registry Postings - Part 2” be received; and,**
2. That the report dated December 12, 2022 titled “Comments on the *More Homes Built Faster Act*, 2022 (Bill 23) and Associated Registry Postings - Part 2” be received; and,
3. That this report be forwarded to the Minister of Municipal Affairs and Housing and Natural Resources and Forestry, and York Region as the City of Markham’s comments on the *More Homes Built Faster Act*, 2022 (Bill 23) and Associated Registry Postings; and,
4. That the Province undertake an extensive review and public engagement program, should a new integrated province-wide policy planning document be released; and,
5. That the Province meet with municipalities to develop a transition plan should the Parkway Belt West Plan be revoked; and,
6. That any development of an ecological off-setting program by the Province be based on the TRCA model and ensure the long term protection of provincially significant features; and,
7. That Council not endorse the changes to the definition of ‘watercourse’ and ‘other areas’ in the proposed regulation under the *Conservation Authorities Act*; and,
8. **That the City request the Province refrain from selling any land in the Parkway Belt West Plan until it is planned and zoned; and,**
9. **That higher order transit infrastructure be protected along the entire Parkway West Belt Lands; and,**
10. **That the Milne Conservation Area lands continue to be designated and protected as a part of the City of Markham Greenway System if the Parkway Belt West Plan is revoked; and further,**
11. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

8.4.10 REVISED PROCEDURES FOR PROCESSING HERITAGE PERMIT APPLICATIONS UNDER THE ONTARIO HERITAGE ACT (10.0 & 16.11)

Moved by Regional Councillor Jim Jones

Seconded by Councillor Keith Irish

1. That the report dated December 12, 2022, titled, “Revised Procedures for Processing Heritage Permit Applications under the *Ontario Heritage Act*”, be received; and,
2. That the proposed by-law titled, “A By-Law to Establish Procedures For Processing Permit Applications under the *Ontario Heritage Act*” attached to this report as Appendix “A”, be adopted; and,
3. That By-law 2002-276, as amended, being a by-law to impose fees or charges for services or activities provided or done by the City, be further amended to reflect the Heritage Permit application fees as noted in Appendix “B” attached to this report; and further,
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

9. MOTIONS

There were no motions.

10. NOTICE OF MOTION TO RECONSIDER

There were no notices of motions.

11. NEW/OTHER BUSINESS

There was no new/ other business.

12. ANNOUNCEMENTS

There were no announcements.

13. BY-LAWS - THREE READINGS

Moved by Regional Councillor Alan Ho

Seconded by Councillor Juanita Nathan

That By-laws 2023-4 to 2023-6 and By-laws 2023-8 to By-law 2023-21 be given three readings and enacted.

Carried

Three Readings

13.1 BY-LAW 2023-5 GEMTERRA (WOODBINE) INC., PART LOT CONTROL EXEMPTION BY-LAW

A by-law to designate part of a certain plan of subdivision not subject to Part Lot Control, Block 1, Registered Plan 65M-4678, located on the west side of Woodbine Avenue, within the Buttonville Heritage Conservation District, and municipally known as 9074, 9076, 9078, 9080, 9082, 9084, 9086, 9088, 9090, 9092, 9094, 9096, 9098, 9100, 9102, 9104 Woodbine Avenue and 2, 6, 8, 10, 12, 14, 16, 18, 20, 22, 24, 26, 28, 30, 32, 34, 36, 38 Yans Way.

Carried

13.2 BY-LAW 2023-6 ALAI DEVELOPMENTS INC. (ALAWN LAI), 88 LEE AVENUE, HOLD REMOVAL BY-LAW

A By-law to amend By-law 193-81, as amended, to permit the development of 12 lots for single detached dwellings.

Carried

13.3 BY-LAW 2023-7 LEPORIS CONSTRUCTION INC., AND KING DAVID INC., 2705 & 2755 ELGIN MILLS ROAD, ZONING BY-LAW AMENDMENTS APPROVED BY THE LOCAL PLANNING APPEAL TRIBUNAL (LPAT)

A By-Law to amend By-Law 2021-28, as amended, approved by the Local Planning Appeal Tribunal July 29, 2022.

(By-law 2023-7 as approved by LPAT)

(For information only to facilitate the assignment of a by-law number)

Carried

13.4 BY-LAW 2023-8 HERITAGE BY-LAW TO AMEND BY-LAW 177-98

A By-Law to amend By-Law 177-98 being a By-Law to designate The Nicholson Hagerman House, 4438 Fourteenth Ave.

Carried

13.5 BY-LAW 2023-9 HERITAGE BY-LAW TO AMEND BY-LAW 2001-120

A By-Law to amend By-Law 2001-120 being a By-Law to designate The William Wonch House, 10077 Woodbine Avenue.

Carried

13.6 BY-LAW 2023-10 HERITAGE BY-LAW TO AMEND BY-LAW 2001-172

A By-Law to amend By-Law 2001-172 being a By-Law to designate The Adam Clendenen House, 9516 9th Line (also known as 9642 9th Line).

Carried

13.7 BY-LAW 2023-11 HERITAGE BY-LAW TO AMEND BY-LAW 2001-193

A By-Law to amend By-Law 2001-193 being a By-Law to designate The Alexander Bradburn House, 8083 Warden Avenue.

Carried

13.8 BY-LAW 2023-12 HERITAGE BY-LAW TO AMEND BY-LAW 2002-168

A By-Law to amend By-Law 2002-168 being a By-Law to designate The William Read House, 9899 Highway #48.

Carried

13.9 BY-LAW 2023-13 HERITAGE BY-LAW TO AMEND BY-LAW 2002-200

A By-Law to amend By-Law 2002-200 being a By-Law to designate The Jonathan Gowland House, 9486 McCowan Road.

Carried

13.10 BY-LAW 2023-14 HERITAGE BY-LAW TO AMEND BY-LAW 2002-8

A By-Law to amend By-Law 2002-8 being a By-Law to designate The Wilmot Brumwell House, 10381 Woodbine Avenue.

Carried

13.11 BY-LAW 2023-15 HERITAGE BY-LAW TO AMEND BY-LAW 2003-238

A By-Law to amend By-Law 2003-238 being a By-Law to designate The Josephus Reesor Tenant House, 7447 9th Line.

Carried

13.12 BY-LAW 2023-16 HERITAGE BY-LAW TO AMEND BY-LAW 307-83

A By-Law to amend By-Law 307-83 being a By-Law to designate The Ambrose Noble House, 9251 Highway 48 North.

Carried

13.13 BY-LAW 2023-17 A BY-LAW TO AMEND BY-LAW 211-83, AS AMENDED (A BY-LAW TO PRESCRIBE A TARIFF OF FEES FOR THE PROCESSING OF PLANNING APPLICATIONS)

A By-law to amend By-law 211-83, as amended (a By-law to prescribe a tariff of fees for the processing of planning applications).

Carried

13.14 BY-LAW 2023-18 BEING A BY-LAW RESPECTING CONSTRUCTION, DEMOLITION, CHANGE OF USE PERMITS AND INSPECTIONS

By-law respecting construction, demolition, change of use permits and inspections. By-law repeals and replaces By-law 2021-114.

Carried

13.15 BY-LAW 2022-19 SITE PLAN DELEGATION BY-LAW

A Delegation By-law Being a By-law to provide for the Delegation of Approval Authority pursuant to the Planning Act and Condominium Act.

Carried

13.16 BY-LAW 2023-20 PROCESSION PERMIT PROCESSING UNDER
ONTARIO HERITAGE ACT

A By-law to establish procedures for processing permit applications under the Ontario Heritage Act.

Carried

13.17 BY-LAW 2023-21 HERITAGE PERMIT FEE BYLAW

A By-law to amend By-law 2022-276, being a By-law to impose fees or charges for services or activities provided or done by the City of Markham.

Carried

14. CONFIDENTIAL ITEMS

Council consented to add an additional item to the confidential session regarding Bill 109 in order to receive Solicitor Advice.

Moved by Councillor Amanda Collucci

Seconded by Regional Councillor Jim Jones

That, in accordance with Section 239 (2) of the *Municipal Act*, Council resolve into a private session to discuss the following confidential matters at 1:52PM.

Carried

Council reconvened in Open Session at 4:08PM and passed the following resolutions:

14.1 COUNCIL

14.1.1 CONFIDENTIAL COUNCIL MINUTES - SEPTEMBER 13, 2022 AND
SPECIAL COUNCIL MINUTES OF DECEMBER 1, 2022 [Section 239
(2) (a)(c)(e)]

Moved by Regional Councillor Alan Ho

Seconded by Councillor Isa Lee

1. That the confidential Council minutes of the Council Meeting held on September 13, 2022 be adopted.

Carried

Moved by Deputy Mayor Michael Chan

Seconded by Councillor Ritch Lau

1. That the confidential Council minutes of the Special Council meeting held on December 1, 2022 be adopted.

Carried

14.1.2 PERSONAL MATTERS ABOUT AN IDENTIFIABLE INDIVIDUAL, INCLUDING MUNICIPAL OR LOCAL BOARD EMPLOYEES (APPOINTMENTS & RESIGNATIONS TO BOARDS/COMMITTEE) (16.24) [Section 239 (2) (b)]

Moved by Councillor Andrew Keyes

Seconded by Councillor Isa Lee

1. That the following persons be appointed to the Advisory Committee on Accessibility for the term noted below:

<u>Name</u>	<u>Term</u>
Christina Lee	November 30, 2025
Andrew Lawlor	November 30, 2025

Carried

14.1.3 VERBAL UPDATE FROM CITY SOLICITOR ON A LITIGATION MATTER [Section 239 (2) (e)]

Councillor Rea declared a conflict on this matter as it involves ongoing litigation. She left the meeting room during the discussion on this matter.

Moved by Councillor Keith Irish

Seconded by Councillor Reid McAlpine

That the verbal update from the City Solicitor be received.

Carried

14.2 REPORT FROM DEVELOPMENT SERVICES COMMITTEE - DECEMBER 12, 2022

14.2.1 LITIGATION OR POTENTIAL LITIGATION, INCLUDING MATTERS BEFORE ADMINISTRATIVE TRIBUNALS, AFFECTING THE MUNICIPALITY OR LOCAL BOARD (WARD 3) [Section 239 (2)]

(e)] - DIGRAM DEVELOPMENTS HELEN INC. ONTARIO LAND TRIBUNAL APPEALS FOR OFFICAL PLAN AMENDMENT,

Moved by Regional Councillor Jim Jones

Seconded by Councillor Keith Irish

1. That the December 12, 2022 report titled “CONFIDENTIAL UPDATE REPORT, Digram Developments Helen Inc., Ontario Land Tribunal Appeals for Official Plan Amendment, Zoning By-law Amendment, and Draft Plan of Subdivision at 55, 63, and 83 Helen Avenue (Ward 3), File Nos. PLAN 19 137397 and SU/ZA 17 135415”, be received.

Carried

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

Moved by Councillor Reid McAlpine

Seconded by Councillor Amanda Collucci

1. That the Confidential Report titled, “UPDATE REGARDING 7647 KENNEDY ROAD OLT APPEALS City of Markham File No. PLAN/SPC 20 136196”, be received; and further,
2. That Staff be authorized and directed to 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 8) [Section 239 (2) (e)] - OLT APPEAL - WEST SIDE OF SOUTH PARK ROAD, SOUTH OF HIGHWAY 7, WITHIN BLOCKS 46 AND PART OF

Moved by Regional Councillor Joe Li

Seconded by Councillor Isa Lee

1. That the confidential report titled, “REQUEST FOR DIRECTION REPORT, 1107656 Ontario Inc. (Times Group), OLT Appeal of

the Official Plan and Zoning By-law Amendment applications to permit six high rise apartment buildings on the west side of South Park Road, south of Highway 7, within Blocks 46 and Part of Block 49, Plan 65M-3226 (Ward 8), City of Markham File No. PLAN 20 128679, Ontario Land Tribunal File No. OLT-22-003831”, be received; and further,

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

Carried

14.2.4 LITIGATION OR POTENTIAL LITIGATION, INCLUDING MATTERS BEFORE ADMINISTRATIVE TRIBUNALS, AFFECTING THE MUNICIPALITY OR LOCAL BOARD (WARD 8) [Section 239 (2) (e)] - OLT APPEAL - 3505 AND 3555 HIGHWAY 7 E. BY 3555 HIGHWAY 7 DEVELOPMENT LTD. C/O BRIVIA GROUP

Moved by Councillor Isa Lee

Seconded by Deputy Mayor Michael Chan

1. That the Confidential Report titled, “REQUEST FOR DIRECTION, 3555 Highway 7 Development Ltd. c/o Brivia Group, Ontario Land Tribunal Appeals for Official Plan and Zoning By-law Amendment Applications, 3505 and 3555 Highway 7 E (Ward 8), File No. PLAN 21 106315”, be received; and further,
2. That Staff be authorized and directed to do all things necessary to give effect to these resolutions.

Carried

14.2.5 LITIGATION OR POTENTIAL LITIGATION, INCLUDING MATTERS BEFORE ADMINISTRATIVE TRIBUNALS, AFFECTING THE MUNICIPALITY OR LOCAL BOARD (WARD 4) [SECTION 239 (2) (e)] - OLT APPEAL - 26 HONEYBOURNE CRES. (10.12)

Moved by Regional Councillor Jim Jones

Seconded by Deputy Mayor Michael Chan

1. That the report titled, “REQUEST FOR DIRECTION 26 Honeybourne Crescent (Ward 4) Ontario Land Tribunal Appeal for Minor Variance”, be received; and further,
2. That Staff do all things necessary to give effect to these resolutions.

Carried

14.2.6 LITIGATION OR POTENTIAL LITIGATION, INCLUDING MATTERS BEFORE ADMINISTRATIVE TRIBUNALS, AFFECTING THE MUNICIPALITY OR LOCAL BOARD (WARD 4) [SECTION 239 (2) (e)] - OLT APPEAL - 134, 136, 140, 144, AND 152 MAIN ST. N. AND 12 WILSON ST. BY MARKHAM MAIN

Councillor McAlpine declared a conflict on this matter as as he has a close friend who is an employee of Smart Centres. He left the meeting room during the discussion on this matter.

Moved by Councillor Karen Rea
Seconded by Councillor Keith Irish

1. That the December 12, 2022, Confidential Report titled, Request for direction Markham main street rr inc. c/o smartcentres inc. Ontario land tribunal appeals for official plan and zoning by-law amendment applications, 1234, 136, 140, 144, and 152 main street north, and 12 wilson street (ward 4) be received; and further,
2. That Staff be authroized and directed to do all things necessary to give effect to these resolutions..

Carried

14.2.7 ADDITIONAL ITEM - ADVICE FROM CITY SOLICITOR REGARDING BILL 109 [Section 239 (2)(f)]

Moved by Regional Councillor Jim Jones
Seconded by Councillor Keith Irish

That the verbal update from the City Solicitor regarding Bill 109 be received.

Carried

15. CONFIRMATORY BY-LAW - THREE READINGS

Moved by Councillor Isa Lee

Seconded by Councillor Keith Irish

That By-law 2023-4 be given three readings and enacted.

Three Readings

BY-LAW 2023-4 A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE
COUNCIL MEETING OF DECEMBER 13, 2022

Carried

16. ADJOURNMENT

That the Council meeting be adjourned at 4:19 PM.

Kimberley Kitteringham

City Clerk

Frank Scarpitti

Mayor