

## Council Meeting Minutes

**Meeting Number: 6**  
**February 8, 2023, 1:00 PM**  
**Live streamed**

Roll Call	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
Regrets	Mayor Frank Scarpitti	
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 Bryan Frois, Manager, Executive Operations & Strategic Initiatives Frank Clarizio, Director, Engineering Kimberley Kitteringham, City Clerk	Martha Pettit, Deputy City Clerk John Wong, Technology Support Hristina Giantsopoulos, Election/Council & Committee Coordinator Giulio Cescato, Director, Planning & Urban Design Regan Hutcheson, Manager, Heritage Mark Visser, Acting Treasurer Stephanie DiPerna, Director, Building Standards Darryl Lyons, Deputy Director, Planning & Urban Design Ned Sirry, Manager, Client Service Delivery

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### 1. CALL TO ORDER

The meeting of Council convened at 1:04 PM on February 8, 2023. Deputy Mayor Michael Chan 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.

Deputy Mayor Chan noted the recent passing of Markham resident, Robert Hunn, a long serving member of Markham's Accessibility Advisory Committee and an advocate for accessibility improvements. Council observed a moment of silence.

Council also observed a moment of silence in recognition of the tragic earthquake in Turkey and Syria that has resulted in more than 11,000 lives lost.

Deputy Mayor Chan welcomed the Grade 10 Civics Class from Amberson High School to today's Council meeting.

## **2. DISCLOSURE OF PECUNIARY INTEREST**

There were no disclosures of pecuniary interest.

## **3. APPROVAL OF PREVIOUS MINUTES**

### **3.1 COUNCIL MINUTES - JANUARY 25, 2023**

Moved by Councillor Keith Irish

Seconded by Councillor Isa Lee

1. That the Minutes of the Council Meeting held on January 25, 2023, be adopted.

**Carried**

## **4. PRESENTATIONS**

There were no presentations.

## **5. DEPUTATIONS**

### **5.1 PROCLAMATION - SAVESOIL DAY (3.4)**

Cavita Sharma appeared before Council to bring attention to SaveSoil Day which Council proclaimed on March 21, 2023. Ms. Sharma asked for Council's assistance in spreading education and awareness about this movement.

Moved by Councillor Reid McAlpine  
Seconded by Councillor Juanita Nathan

That the deputation from Cavita Sharma regarding the proclamation of SaveSoil Day be received.

**Carried**

## **6. COMMUNICATIONS**

### **6.1 1-2023 ONTARIO LAND TRIBUNAL (OLT) DECISION MADE - GARDEN HOMES (MARKHAM) INC.**

Moved by Councillor Karen Rea  
Seconded by Regional Councillor Alan Ho

That the communication from the City Solicitor regarding the Ontario Land Tribunal (OLT) Decision Made RE: Garden Homes Markham, 73 Main Street South be received.

**Carried**

## **7. PROCLAMATIONS**

### **7.1 PROCLAMATION AND FLAG RAISING REQUESTS (3.4)**

Moved by Regional Councillor Joe Li  
Seconded by Councillor Amanda Collucci

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. International Holocaust Remembrance Day - January 27, 2023
  - b. Black History Month - February 2023
  - c. National 211 Day - February 11, 2023
  - d. World Thinking Day - February 22, 2023
  - e. World Spay Day - February 28, 2023

- f. Epilepsy Awareness Month - March 2023
  - g. Purple Day (Epilepsy Awareness) - March 26, 2023
  - h. National Wildlife Week - April 4 to April 8, 2023
  - i. Day Of Mourning For Workers Killed Or Injured On The Job - April 28, 2023
  - j. Be Kind To Animals Week - May 3 to May 9, 2023
  - k. World Turtle Day - May 23, 2023
  - l. Canadian Environment Week - June 5 to June 11, 2023
  - m. India Independence Day - August 15, 2023
  - n. Animal Health Week - October 1 to October 7, 2023
  - o. National Feral Cat Day - October 16, 2023
2. That the following new requests for proclamation be approved and added to the Five-Year Proclamations List approved by Council:
- a. Amyloidosis Awareness Month - March 2023
  - b. Neuromyelitis Optica Spectrum Disorder Awareness Month - March 2023
  - c. SaveSoil Day - March 21, 2023
  - d. World Down Syndrome Day - March 21, 2023
3. That the following requests 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. Black History Month - February 13 - February 28, 2023
  - b. India Independence Day - August 15, 2023
  - c. Armenian Independence Day - May 28, 2023
4. That the following request for flags to be flown at half-mast at all municipal facilities, approved by the City Clerk in accordance with the City of Markham Community Flag Raisings & Flag Protocol Policy, be received for information purposes:

- a. Day Of Mourning For Workers Killed Or Injured On The Job - April 28, 2023

**Carried**

## **8. REPORT OF STANDING COMMITTEE**

### **8.1 REPORT NO. 5 DEVELOPMENT SERVICES COMMITTEE (JANUARY 31, 2023)**

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 4):

**Carried**

#### **8.1.1 MENU BOARD SIGN VARIANCE – 2048833 ONTARIO INCORPORATED 8310 MCCOWAN ROAD APPLICATION NO. 22.261422.000.00.SP (2.16, 10.13)**

Moved by Regional Councillor Jim Jones

Seconded by Councillor Keith Irish

1. That the menu board sign variance application by 2048833 Ontario Incorporated at 8310 McCowan Road, Application No. 22.261422.000.00.SP, BE APPROVED subject to the following conditions:
  - a. That the proposed menu board sign be restricted to a maximum height of 2.5 metres and a maximum sign area of 2.0 square metres; and,
  - b. Where two (2) menu board signs are provided on-site, zero (0) pre-menu boards be permitted in association with the drive-through service facility; and,
2. That the location of the second menu board sign is such that it is visible only by those using the drive through, and is not visible from any arterial road; and further,
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**Carried**

8.1.2 STREAMLINING DEVELOPMENT APPROVALS THROUGH A COMMUNITY PLANNING PERMIT SYSTEM (10.0)

Moved by Regional Councillor Jim Jones

Seconded by Councillor Keith Irish

1. That the report dated January 31, 2023 entitled "Streamlining Planning Approvals through a Community Planning Permit System" be received; and,
2. That the report dated January 31, 2023 entitled "Streamlining Planning Approvals through a Community Planning Permit System" be forwarded to the Ministry of Municipal Affairs and Housing as per the terms of the Audit and Accountability Fund – Intake 3 Fund; and,
3. That staff be directed to evaluate the findings of the study entitled "Final Report: Streamlining Planning Approvals Through a Community Planning Permit System" and report back to Development Services Committee with potential options for a Community Planning Permit System including a work program and required resources; and further,
4. That staff be authorized and directed to do all things necessary to give effect to this resolution.

**Carried**

8.1.3 APPROVAL OF THE CONTINUATION OF THE DESIGNATED HERITAGE PROPERTY GRANT PROGRAM, 2023-2025 (16.11)

Moved by Regional Councillor Jim Jones

Seconded by Councillor Keith Irish

1. That the January 31, 2023, report titled, "Approval of the Continuation of the Designated Heritage Property Grant Program, 2023-2025", be received; and,
2. That a by-law be adopted to implement the Designated Heritage Property Grant Program (2023-2025) generally in the form attached as Appendix "A" to this report; and,

3. That the existing reserve fund titled, “Designated Heritage Property Grant Reserve Fund”, continue to be used as the funding source for the program; and,
4. That the Designated Heritage Property Grant Program be allocated \$30,000 per year in funding for a three year period (2023 to 2025) for a total of \$90,000 from the following source:
  - a. A transfer of \$90,000 from the Heritage Loan Reserve Fund, which has a current balance of \$134,375; and,
5. That By-law 175-81, as amended, (A By-law to Establish a Heritage Fund) be amended as per Appendix “C” to this report; and further,
6. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**Carried**

8.1.4 MAIN STREET UNIONVILLE REVITALIZATION – PROJECT UPDATE AND SCOPE ADJUSTMENT, WARD 3 (7.9, 10.0)

Moved by Regional Councillor Jim Jones

Seconded by Councillor Keith Irish

1. That the report entitled “ Main Street Unionville Revitalization – Project Update and Scope Adjustment, Ward 3, be received; and,
2. That Purchase Order PD-21263 issued to CIMA Canada be increased by \$239,207.23 inclusive of HST, to cover the additional design work and communication efforts required for the project, and to be funded from Capital Account 22338 (Main Street Unionville Reconstruction); and,
3. That the contingency Purchase Order PD-21264 issued to CIMA Canada be increased by \$35,881.08 inclusive of HST, to cover any additional design work required for the project and that authorization to approve expenditures of this contingency amount up to the specified limit be in accordance with the Expenditure Control Policy, and to be funded from Capital Account 22338 (Main Street Unionville Reconstruction); and,

4. That the Engineering Department Capital Administration Fee in the amount of \$25,238.22 inclusive of HST, be transferred to revenue account 640-998-8871 (Capital Admin Fees); and,
5. That the Engineering Capital Account # 083-5350-22338-005 (Main Street Unionville Reconstruction) be increased to include the scope adjustment, as identified in this report in the amount of \$1,363,000 inclusive of HST, to be funded from the following reserves:
  - a. Life Cycle Fund - \$86,100; and,
  - b. Development Charges Reserve (DC Reserve) / Community Benefits Charge (CBC) / Tax- \$36,600; and,
  - c. Waterworks Reserve (WW Reserve) - \$161,500; and,
  - d. Stormwater Reserve (SW Reserve) - \$175,600; and,
  - e. York Region - \$833,500; and,
  - f. Tax/Canada Community Building Fund (CCBF) - \$28,700; and,
  - g. Private Property - \$41,000; and further,
6. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**Carried**

## 8.2 REPORT NO. 6 GENERAL COMMITTEE (FEBRUARY 7, 2023)

Moved by Councillor Juanita Nathan

Seconded by Councillor Ritch Lau

That the report of the General Committee be received & adopted.

**Carried**

### 8.2.1 261-T-22 REHABILITATION OF SUSPENDED WATERMAIN (5.3)

Moved by Councillor Juanita Nathan

Seconded by Councillor Ritch Lau

1. That the report entitled “261-T-22 Rehabilitation of Suspended Watermain” be received” be received; and,



2. That the contract for the rehabilitation of suspended watermain be awarded to the lowest priced Bidder, Avertex Utility Solutions Inc., in the amount of \$912,082.00, inclusive of HST; and,
3. That a 10% contingency in the amount of \$91,208.20 inclusive of HST, be established to cover any additional construction costs and that authorization to approve expending of this contingency amount up to the specified limit be in accordance with the Expenditure Control Policy; and,
4. That the construction award in the amount of \$1,003,290.20 (912,082.00 + \$91,208.20) be funded from capital project #22206 “Suspended Watermain Insulation Replacement/ Rehabilitation” with available budget of \$638,569.56; and,
5. That the budget shortfall of \$364,720.64 be funded from the Waterworks Reserve; and further,
6. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**Carried**

#### 8.2.2 BLUE BOX TRANSITION CONFIDENTIALITY AGREEMENT(3.0)

Moved by Councillor Juanita Nathan

Seconded by Councillor Ritch Lau

1. That the CAO be authorized to execute Circular Materials Ontario’s Registration Forms and Confidentiality Agreements (in a form satisfactory to the City Solicitor) in order for Staff to obtain documents related to blue box Collection RFPs and blue box transition; and,
2. 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 motion to reconsider.

## 11. NEW/OTHER BUSINESS

### 11.1 COUNCIL COMMITTEE APPOINTMENTS

Moved by Regional Councillor Jim Jones

Seconded by Regional Councillor Joe Li

That the following Council Committee appointments be made:

#### 1. Council Committee Appointments

Chairs of Standing Committees

##### General Committee:

##### **Finance & Administrative**

Chair: Keith Irish

Vice Chair: Michael Chan

##### **Community Services**

Chair: Isa Lee

Vice Chair: Juanita Nathan

##### **Environment & Sustainability**

Chair: Amanda Collucci

Vice Chair: Ritch Lau

##### **Land, Building & Parks**

Chair: Andrew Keyes

Vice Chair: Keith Irish

##### Development Services Committee

##### **Planning- Development & Policy**

Chair: Jim Jones

Vice Chair: Joe Li

(Chair Development Services Public Statutory Meetings: Joe Li)

**Culture & Economic Development**

Chair: Alan Ho

Vice Chair: Amanda Collucci

**Engineering -Transportation & Infrastructure**

Chair: Karen Rea

Vice Chair: Reid McAlpine

**2. Development Services Subcommittees****Markham Subcommittee**

Chair: Regional Councillor Alan Ho

Members: Councillor Karen Rea  
Councillor Andrew Keyes  
Councillor Amanda Collucci

**Milliken Subcommittee**

Chair: Regional Councillor Joe Li

Members: Councillor Isa Lee  
Councillor Juanita Nathan  
Councillor Ritch Lau

**Thornhill Subcommittee**

Chair: Regional Councillor Jim Jones

Members: Councillor Keith Irish  
Councillor Isa Lee  
Councillor Andrew Keyes

**Unionville Subcommittee**

Chair: Deputy Mayor Michael Chan

Members: Councillor Reid McAlpine  
Councillor Isa Lee

Councillor Amanda Collucci

Note: Mayor Frank Scarpitti

Deputy Mayor Michael Chan

Regional Councillor Jim Jones

Chair of Development Services Committee

Regional Councillor Joe Li

Vice Chair of Development Services

are ex-officio members of all DSC subcommittees.

### **Development Services Policy Subcommittee**

Chair: Mayor Frank Scarpitti

Vice Chair: Councillor Reid McAlpine (Vice Chair Transportation)

Members: Regional Councillor Jim Jones (Chair DSC)

Regional Councillor Joe Li (Vice Chair DSC)

Councillor Keith Irish (Chair GC)

Deputy Mayor Michael Chan (Vice Chair GC)

Councillor Karen Rea (Chair Transportation)

### **3. Additional Appointment:**

#### **Destination Markham Board**

Deputy Mayor Michael Chan

**Carried**

## **12. ANNOUNCEMENTS**

There were no announcements.

## **13. BY-LAWS - THREE READINGS**

Moved by Councillor Andrew Keyes

Seconded by Councillor Ritch Lau

That By-laws 2023-25 to 2023-27 and By-laws 2023-30 to 2023-35 be given three readings and enacted.

**Carried**

**Three Readings**

13.1 BY-LAW 2023-25 SADDLECREEK DRIVE AT GALLERIA PARKWAY ALL WAY STOP

A By-Law to amend Traffic By-Law 106-71

(Item 8.1.1, Report 1, Council January 25, 2023)

**Carried**

13.2 BY-LAW 2023-26 HERITAGE BY-LAW TO DESIGNATE GRANT PROGRAM

13.3 BY-LAW 2023-27 HERITAGE BY-LAW TO ESTABLISH HERITAGE FUND

A BY-LAW TO AMEND BY-LAW 175-81, AS AMENDED, BEING, A BY-LAW TO ESTABLISH A HERITAGE FUND

(Item 8.1.3)

**Carried**

13.4 BY-LAW 2023-28 GARDEN HOMES (MARKHAM) INC, 73 MAIN STREET SOUTH, ZONING BY-LAW APPROVED BY ONTARIO LAND TRIBUNAL (OLT)

A By-law to amend by-law 1229, as amended (to delete lands from the designated area of By-Law 1229) and bylaw 177-96 as amended (to incorporate lands into the designated area of by-law 177-96)

(Communication No. 1-2023)

**(By-law 2023-28 as approved by OLT)**

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

13.5 BY-LAW 2023-29 GARDEN HOMES (MARKHAM) INC, 73 MAIN STREET SOUTH, OFFICIAL PLAN AMENDMENT APPROVED BY ONTARIO LAND TRIBUNAL (OLT)

A by-law to adopt an Official Plan Amendment to the in force Official Plan (Revised 2014), as amended, to permit townhouse dwelling up to three storeys in heights and to facilitate a development consisting of fourteen residential dwellings on the subject lands.

(Communication No. 1-2023)

**(By-law 2023-29 as approved by OLT)**

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

13.6 BY-LAW 2023-30 A BY-LAW TO AMEND BY-LAW 122-72, 14 RIVER BEND ROAD

A By-law to amend by-law 122-72 as amended, being a by-law to rezone the subject lands and incorporate site specific development standards.

**Carried**

13.7 BY-LAW 2023-31 A BY-LAW TO AMEND BY-LAW 122-72, 15 RIVER BEND ROAD

A By-law to amend by-law 122-72 as amended, being a by-law to rezone the subject lands and incorporate site specific development standards.

**Carried**

13.8 BY-LAW 2023-32 A BY-LAW TO AMEND BY-LAW 122-72, 4 SABISTON DRIVE

A By-law to amend by-law 122-72 as amended, being a by-law to rezone the subject lands and incorporate site specific development standards.

**Carried**

13.9 BY-LAW 2023-33 A BY-LAW TO AMEND PARKING BY-LAW 2005-188

To add “prohibited parking” at specific intersections within the City of Markham.

**Carried**

13.10 BY-LAW 2023-34 A BY-LAW TO AMEND BY-LAW 105-71

To authorize speed limits at specific intersections within the City of Markham.

**Carried**

13.11 BY-LAW 2023-35 A BY-LAW TO AMEND BY-LAW 106-71

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

**Carried**

#### **14. CONFIDENTIAL ITEMS**

Moved by Councillor Amanda Collucci

Seconded by Councillor Reid McAlpine

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

**Carried**

Council reconvened in Open Session at 1:56 PM and passed the following resolutions:

##### 14.1 COUNCIL

##### 14.1.1 LITIGATION OR POTENTIAL LITIGATION, INCLUDING MATTERS BEFORE ADMINISTRATIVE TRIBUNALS, AFFECTING THE MUNICIPALITY OF LOCAL BOARD;

Moved by Councillor Amanda Collucci

Seconded by Councillor Ritch Lau

1. That the Commissioner Corporate Services and Chief Information Officer be authorized to execute the “Mutual Termination Agreement” dated December 15, 2022 between The Corporation of the City of Markham (the “City”) and Verint Americas Inc. (“Verint”), provided the agreement is in a form satisfactory to the City Solicitor; and,
2. That Staff be authorized and directed to take the actions set out in this report.

**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 Karen Rea

Seconded by Councillor Reid McAlpine

That Paul Tiefenbach be re-appointed to the Heritage Markham Committee with a term ending November 30, 2025.

**Carried**

14.1.3 CONFIDENTIAL COUNCIL MINUTES - DECEMBER 13, 2022  
[Section 239 (2) (a)(b)(c)(e)(f)]

Moved by Councillor Isa Lee

Seconded by Councillor Andrew Keyes

1. That the confidential Council minutes of the Council Meeting held on January 25, 2023 be adopted.

**Carried**

14.2 REPORT FROM GENERAL COMMITTEE - FEBRUARY 7, 2023

14.2.1 A PROPOSED OR PENDING ACQUISITION OR DISPOSITION OF LAND BY THE CITY OR LOCAL BOARD; (8.6) [SECTION 239 (2)(c)];

Moved by Councillor Karen Rea

Seconded by Councillor Keith Irish

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

**Carried**

**15. CONFIRMATORY BY-LAW - THREE READINGS**

Moved by Councillor Juanita Nathan

Seconded by Councillor Amanda Collucci

That By-law 2023-24 be given three readings and enacted.

Three Readings

BY-LAW 2023-24 - A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE COUNCIL MEETING OF FEBRUARY 8, 2023.

**Carried**

**16. ADJOURNMENT**



Moved by Councillor Ritch Lau

Seconded by Regional Councillor Joe Li

That the Council meeting of February 8, 2023 be adjourned.

**Carried**

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Kimberley Kitteringham

City Clerk

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Michael Chan

Deputy Mayor