

Council Meeting Minutes

Meeting Number: 7
February 22, 2023, 1:00 PM
Live streamed

Roll Call	Mayor Frank Scarpitti	Councillor Reid McAlpine
	Deputy Mayor Michael Chan	Councillor Karen Rea
	Regional Councillor Jim Jones	Councillor Andrew Keyes
	Regional Councillor Joe Li	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	Bryan Frois, Manager, Executive Operations & Strategic Initiatives
	Trinela Cane, Commissioner, Corporate Services	Mark Visser, Acting Treasurer
	Arvin Prasad, Commissioner, Development Services	Kimberley Kitteringham, City Clerk
	Eddy Wu, Director, Environmental Services	Martha Pettit, Deputy City Clerk
	Claudia Storto, City Solicitor and Director of Human Resources	John Wong, Technology Support Specialist II
	Alice Lam, Acting Commissioner, Community Services	Hristina Giantsopoulos, Election/Council & Committee Coordinator
	Giulio Cescato, Director, Planning & Urban Design	Regan Hutcheson, Manager, Heritage
	Frank Clarizio, Director, Engineering	Stephanie DiPerna, Director, Building Standards

Alternate formats for this document are available upon request

1. CALL TO ORDER

The meeting of Council convened at 1:06 PM on February 22, 2023. 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.

2. DISCLOSURE OF PECUNIARY INTEREST

There were no disclosures of pecuniary interest.

3. APPROVAL OF PREVIOUS MINUTES

3.1 COUNCIL MINUTES - FEBRUARY 8, 2023

Moved by Deputy Mayor Michael Chan

Seconded by Regional Councillor Joe Li

1. That the Minutes of the Council Meeting held on February 8, 2023, be adopted.

Carried

4. PRESENTATIONS

There were no presentations.

5. DEPUTATIONS

There were no deputations.

6. COMMUNICATIONS

6.1 2-2023 LIQUOR LICENCE APPLICATION - PIG AND CHICK KOREAN RESTAURANT (WARD 3) (3.21)

Moved by Councillor Reid McAlpine

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

7. PROCLAMATIONS

There were no proclamations.

8. REPORT OF STANDING COMMITTEE

8.1 REPORT NO. 7 GENERAL COMMITTEE (FEBRUARY 21, 2023)

Moved by Councillor Keith Irish

Seconded by Deputy Mayor Michael Chan

That the report of the General Committee be received & adopted. (Items 1 to 2):

Carried

8.1.1 299-T-22 WEST THORNHILL PHASE 4B - STORM SEWERS REPLACEMENT

Moved by Councillor Keith Irish

Seconded by Deputy Mayor Michael Chan

1. That the report entitled “299-T-22 West Thornhill – Phase 4B Storm Sewer Upgrades” be received; and,
2. That the contract for West Thornhill – Phase 4B Storm Sewer Upgrades be awarded to the lowest priced Bidder, GFL Infrastructure Group in the amount of \$8,503,297.26, inclusive of HST; and,
3. That a 10% contingency in the amount of \$850,329.73, inclusive of HST, be established to cover any additional construction costs 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 construction award in the amount of \$9,353,626.98 (\$8,503,297.26 + \$850,329.73) be funded from the account 058-6150-23029-005 “West Thornhill Flood Control Implementation - Phase 4B Construction”; as outlined under the financial considerations section in this report; and,
5. That the remaining funds from this tender relating to project #23029 “West Thornhill Flood Control Implementation - Phase 4B Construction” in the amount \$4,077,728.02 be returned to the Stormwater Fee Reserve; and,

6. That a 5-year moratorium be placed on any major servicing and utility installation along restored areas of the following streets:
 1. Romfield Circuit (from Stornoway Cres to Kindale Way);
 2. Stornoway Crescent (from Romfield Circuit to House # 30 Stornoway Crescent);
 3. Baymark Road (from Romfield Circuit to Hester Court);
 4. Fleance Drive (from Baymark Road to 160m east);
 5. Dunsinane Drive (from Baymark Road to 42m east);
 6. Rothsay Road (from Baymark Road to 20m east); and further,
7. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

8.1.2 A POSITION, PLAN, PROCEDURE, CRITERIA OR INSTRUCTION TO BE APPLIED TO ANY NEGOTIATIONS CARRIED ON OR TO BE CARRIED ON BY OR ON BEHALF OF THE MUNICIPALITY OR LOCAL BOARD; (8.0) [SECTION 239 (2) (k)]

Moved by Councillor Keith Irish

Seconded by Deputy Mayor Michael Chan

1. That the update on the status of the MZO and proposed amendment for the property known municipally as 36 Apple Creek Boulevard and 8885 Woodbine Avenue be received; and,
2. That the Director of Planning and Urban Design be directed to write to the Province to seek clarity on the designs being proposed as part of the amendment to the MZO for the property known municipally as 36 Apple Creek Boulevard and 8885 Woodbine Avenue; and,
3. That the Director of Planning and Urban Design engage with the Province on a protocol for informing senior staff and Council of proposed amendments to an MZO and report back to Council on those discussions; 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 motion to reconsider.

11. NEW/OTHER BUSINESS

11.1 2023 WATER/WASTEWATER RATE REPORT (16.0)

Moved by Councillor Andrew Keyes

Seconded by Councillor Isa Lee

1. That the minutes from the February 13th, 2023 Water/Wastewater Rate Public Consultation meeting be received; and,
2. That the 2023 City of Markham's ("City") water/wastewater rate be increased by 3.8% or \$0.1774/m³ from \$4.6163/m³ to \$4.7937/m³ effective April 1, 2023; and further,
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

11.2 3-2023 REMOVAL OF HERITAGE DESIGNATION BY-LAW ON PROPERTY TO BE CONVEYED TO THE YORK REGION, 7739 9th LINE, BOX GROVE COMMUNITY

Moved by Councillor Juanita Nathan

Seconded by Councillor Karen Rea

1. That the designation By-law 2020-67 be amended by removing it from the lands to be dedicated to York Region, identified as Parts 1 and 4 on the attached Site Plan, as required in the condition for consent application File CNST 21 135584; and,
2. That staff be authorized and directed to do all things necessary to give effect to the former resolution.

Carried

11.3 4-2023 PARTIAL REMOVAL OF MODERN CONSTRUCTION ON A PROPERTY DESIGNATED UNDER PART IV OF THE ONTARIO HERITAGE ACT, 11172 WARDEN AVE., THE CLAYTON SCHOOLHOUSE

Moved by Councillor Amanda Collucci
Seconded by Councillor Reid McAlpine

1. That the February 16, 2023, memorandum titled, “Partial Demolition of Modern Construction Components on a Property Designated under Part IV of the *Ontario Heritage Act*, 11127 Warden Avenue, Former Clayton Schoolhouse”, be received; and,
2. That Council has no objection to the removal of non-heritage construction damaged by fire at 11172 Warden Ave; and,
3. That as per the recommendation of both Heritage Markham and City staff, the historic solid brick walls of the former Clayton Schoolhouse be protected from the elements and temporarily stabilized, in consultation with City staff, so that the historic building may be restored; and further,
4. That staff be authorized and directed to do all things necessary to give effect to the former resolution.

Carried

11.4 COUNCIL APPOINTMENTS TO ADVISORY COMMITTEES AND BOARDS (ABCS)

Moved by Regional Councillor Joe Li
Seconded by Regional Councillor Alan Ho

1. That the following Councillors be appointed to Markham Advisory Boards and Committees for the 2022-2026 Term:

Advisory Committee on Accessibility

Regional Councillor Alan Ho

Councillor Ritch Lau

Box Grove Community Centre Board

Councillor Juanita Nathan

Canada Day Celebration Organizing Committee

Mayor Frank Scarpitti

Councillor Amanda Collucci

Cedar Grove Community Centre Board

Councillor Juanita Nathan

Cycling & Pedestrian Advisory Committee

Councillor Reid McAlpine

Councillor Ritch Lau

Doors Open Markham Organizing Committee

Regional Councillor Allan Ho

Councillor Reid McAlpine

Environmental Advisory Committee

Councillor Amanda Collucci

Councillor Ritch Lau

Flato Markham Theatre Advisory Board

Regional Councillor Jim Jones

Friends of the Markham Museum Board

Councillor Andrew Keyes

Councillor Karen Rea

German Mills Community Centre Board

Councillor Keith Irish

German Mills Meadow & Natural Habitat Liaison Committee

Councillor Keith Irish

Heintzman House Community Centre Board

Councillor Keith Irish

Heritage Markham Committee

Councillor Keith Irish

Councillor Reid McAlpine

Councillor Karen Rea

Markham-Milliken Children's Festival Organizing Committee

Councillor Juanita Nathan

Councillor Isa Lee

Markham Village Train Station Community Centre Board

Councillor Karen Rea

Mayor's Youth Council

Councillor Isa Lee

Councillor Juanita Nathan

Public Library Board

Deputy Mayor Michael Chan

Councillor Ritch Lau

Race Relations Committee

Councillor Juanita Nathan

Varley-McKay Art Foundation of Markham

Deputy Mayor Michael Chan

Councillor Reid McAlpine

Victoria Square Community Centre Board

Councillor Ritch Lau

and,

2. That the following Councillors be appointed to Markham Business Improvement Areas (BIAs) for the 2022-2026 Term; and,

Markham Village Business Improvement Area (MVBIA)

Councillor Karen Rea

Unionville Business Improvement Area (UBIA)

Deputy Mayor Michael Chan

Councillor Reid McAlpine

and,

3. That the Terms of Reference for the following Committees be revised to specify a quarterly meeting schedule: Advisory Committee on Accessibility, Cycling & Pedestrian Advisory Committee, Environmental Advisory Committee, and Race Relations Committee; and,
4. That the Terms of Reference for the German Mills Meadow & Natural Habitat Liaison Committee be revised to specify one annual meeting; and,
5. That the Terms of Reference for all Markham Advisory Boards and Committees noted in clauses 1 and 2 be updated to reflect the number of Council appointments; and,
6. That the following Councillors be appointed to Markham Corporations for the 2022-2026 Term;

Destination Markham Corporation (DMC)

Mayor Frank Scarpitti

Deputy Mayor Michael Chan (*appointed on February 8, 2023)

Councillor Amanda Collucci

Councillor Andrew Keyes

Councillor Isa Lee

Markham Enterprises Corporation (MEC)

All Members of Council

Regional Councillor Jim Jones (Chair)

Councillor Amanda Collucci (Vice-Chair)

and,

7. That the following Committees be dissolved and that Council extend its sincere thanks to all citizen appointees and City staff liaisons of these Committees for their previous contributions to Markham;

Animal Care Committee

In lieu of this Committee, the City will host an annual public roundtable to solicit public opinion regarding Animal Care issues.

Appointment Committee

Not required at this time.

Development Charges Committee

Any issues that arise relative to this matter will be dealt with by General Committee (Budget Sub-Committee).

Fire Response Task Force

Not required at this time.

Markham Sports Hall of Fame Committee

Not required at this time.

Rouge Park Implementation Task Force

Not required at this time.

Seniors Advisory Committee

In lieu of this Committee, the City will invite the board members of local seniors clubs to attend an annual roundtable to provide public input on Senior's issues.

Storm Water Management Liaison Committee

Not required at this time.

Waste Diversion Committee

Any issues that arise will be addressed at General Committee (Environmental & Sustainability Section).

and further,

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

Carried

11.5 COUNCIL APPOINTMENT TO TRCA REGIONAL WATERSHED
ALLIANCE SUB-COMMITTEE APPOINTMENT

Moved by Councillor Amanda Collucci

Seconded by Councillor Ritch Lau

1. That Councillor Reid McAlpine be appointed as the City of Markham's representative to the Toronto and Region Conservation Authority's (TRCA) Regional Watershed Alliance Sub-Committee.

Carried

12. ANNOUNCEMENTS

There were no announcements.

13. BY-LAWS - THREE READINGS

Council consented to defer By-law 2023-47 to the next Council meeting.

Moved by Councillor Ritch Lau

Seconded by Councillor Isa Lee

That By-laws 2023-37 to 2023-46 and 2023-48 to 2023-49 be given three readings and enacted.

Carried

Three Readings

13.1 BY-LAW 2023-37 A BY-LAW TO AMEND BY-LAW 2002-276

A By-law to amend By-law No. 2002-276, being a by-law to impose fees or charges for services or activities provided or done by the City of Markham.

Carried

13.2 BY-LAW 2023-38 A BY-LAW TO AMEND BY-LAW 304-87

A By-law to amend By-law 304-87, as amended.

Carried

13.3 BY-LAW 2023-39 AN AMENDMENT TO BY-LAW 2023-19

An Amendment to By-law 2023-19, being a By-law to provide for the Delegation of Approval Authority pursuant to the Planning Act and Condominium Act.

Carried

13.4 BY-LAW 2023-40 A BY-LAW TO ESTABLISH STREETS LAID
ACCORDING TO PLAN OF SUBDIVISION

A by-law to establish streets laid out according to Plan of Subdivision 65M-4367 as a public highway Part of East ¾ of Lot 18, Concession 7 (2162246 Ontario Inc.) City of Markham, Regional Municipality of York.

Carried

13.5 BY-LAW 2023-41 A BY-LAW TO ESTABLISH STREETS LAID
ACCORDING TO PLAN OF SUBDIVISION

A by-law to establish streets laid out according to Plan of Subdivision 65M-4621 as a public highway Part of Lot 19, Concession 6 (Kalexia Developments Corp.) City of Markham, Regional Municipality of York.

Carried

13.6 BY-LAW 2023-42 TO AMEND BY-LAW 2005-188

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

Carried

13.7 BY-LAW 2023-43 A BY-LAW TO AMEND BY-LAW 2017-104

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

Carried

13.8 BY-LAW 2023-44 A BY-LAW TO AMEND BY-LAW 2005-188

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

Carried

13.9 BY-LAW 2023-45 A BY-LAW TO AMEND BY-LAW 2005-188

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

Carried

13.10 BY-LAW 2023-46 A BY-LAW TO AMEND BY-LAW 2005-188

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

Carried

13.11 BY-LAW 2023-47 A BY-LAW TO AMEND BY-LAW 2005-188

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

Deferred

13.12 BY-LAW 2023-48 A BY-LAW TO AMEND BY-LAW 2017-104

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

Carried

13.13 BY-LAW 2023-49 A BY-LAW TO AMEND STOP BY-LAW 106-71

To add “compulsory stop signs” at specific intersections within the City of Markham.

Carried

14. CONFIDENTIAL ITEMS

Council consented to not go into private session to consider the following matters:

14.1 COUNCIL

14.1.1 CONFIDENTIAL COUNCIL MINUTES - FEBRUARY 8, 2023 (16.0)
[Section 239 (2) (a)(b)(c)(e)(f)(h)]

Moved by Councillor Reid McAlpine

Seconded by Councillor Keith Irish

1. That the confidential Council minutes of the Council Meeting held on February 8, 2023, be adopted.

Carried

14.2 REPORT FROM GENERAL COMMITTEE - FEBRUARY 21, 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 Keith Irish
Seconded by Councillor Isa Lee

1. That the confidential report entitled “Reporting Out of Real Property Acquisitions – 7755 Bayview Avenue and 120 South Town Centre Boulevard” be received; and,
2. That the foregoing resolutions and this report be reported out in the public Council meeting on this date.

Carried

Note: Please see Item 15.1 for public report.

Moved by Councillor Juanita Nathan
Seconded by Regional Councillor Joe Li

That, in accordance with Section 239 (2) of the Municipal Act, Council resolve into a private session to discuss the following confidential matter at 2:02 pm:

Carried

14.2.2 ADVICE THAT IS SUBJECT TO SOLICITOR-CLIENT PRIVILEGE, INCLUDING COMMUNICATIONS NECESSARY FOR THAT PURPOSE; (8.0) [SECTION 239(2) (f)]

15. REPORTING OUT OF CONFIDENTIAL REPORT

Attached public report for:

15.1 3.2.1 A PROPOSED OR PENDING ACQUISITION OR DISPOSITION OF LAND BY THE CITY OR LOCAL BOARD; (8.6) [SECTION 239 (2) (c)]

16. CONFIRMATORY BY-LAW - THREE READINGS

Moved by Councillor Ritch Lau
Seconded by Councillor Juanita Nathan

That By-law 2023-36 be given three readings and enacted.

Three Readings

BY-LAW 2023-36 A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE COUNCIL MEETING OF FEBRUARY 22, 2023.

No attachment

Carried

17. ADJOURNMENT

Moved by Councillor Isa Lee

Seconded by Councillor Keith Irish

That the Council meeting be adjourned at 3:04 PM.

Carried

Kimberly Kitteringham

City Clerk

Frank Scarpitti

Mayor