

## Council Meeting Minutes

**Meeting Number: 9**  
**March 1, 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	Giulio Cescato, Director of Planning & Urban Design
	Trinela Cane, Commissioner, Corporate Services	Mark Visser, Acting Treasurer
	Arvin Prasad, Commissioner, Development Services	Alida Tari, Manager, Access & Privacy
	Claudia Storto, City Solicitor and Director of Human Resources	John Wong, Technology Support Specialist II
	Adam Grant, Fire Chief	Hristina Giantsopoulos, Election/Council & Committee Coordinator
	Alice Lam, Acting Commissioner, Community Services	Darryl Lyons, Deputy Director, Planning & Urban Design
	Bryan Frois, Manager, Executive Operations & Strategic Initiatives	Clement Messere, Senior Planner
	Kimberley Kitteringham, City Clerk	Peter Wokral, Senior Heritage Planner
	Frank Clarizio, Director, Engineering	

**Alternate formats for this document are available upon request**

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### **1. CALL TO ORDER**

The meeting of Council convened at 1:11 PM on March 1, 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**

Councillor Lau declared a conflict with respect to Items 8.2.2 and 13.6 as he lives in close proximity to the proposed applications.

Councillor McApline declared a conflict with respect to confidential Item 14.1.2 (144 Main Street) as a friend is an employee of Smart Centres, the owner of the site, and has been advised by the Integrity Commissioner to declare a conflict.

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

### **3.1 COUNCIL MINUTES - FEBRUARY 22, 2023**

Moved by Regional Councillor Jim Jones  
Seconded by Regional Councillor Alan Ho

1. That the Minutes of the Council Meeting held on February 22, 2023, be adopted.

**Carried**

### **3.2 SPECIAL COUNCIL MINUTES - FEBRUARY 24, 2024**

Moved by Regional Councillor Jim Jones  
Seconded by Regional Councillor Alan Ho

1. That the Minutes of the Special Council Meeting held on February 24, 2023, be adopted.

**Carried**

## **4. PRESENTATIONS**

There were no presentations.

## 5. DEPUTATIONS

### 5.1 DEPUTATION - DISSOLUTION OF ANIMAL CARE COMMITTEE (16.34)

Areez Remtualla, Chair of Animal Care Advisory Committee, addressed Council and spoke in opposition of dissolving the Animal Care Advisory Committee. The City Clerk provided a high level overview of all the accomplishments relative to animal services by City staff and members of the Animal Care Advisory Committee.

Moved by Councillor Karen Rea

Seconded by Councillor Amanda Collucci

1. That Council waive the rules of the procedural by-law and permit the deputation request from Areez Remtualla regarding the dissolution of the Animal Care Advisory Committee.

**Carried by Two Thirds Vote**

Moved by Councillor Amanda Collucci

Seconded by Regional Councillor Joe Li

1. That the deputation from Areez Remtualla be received.

**Carried**

### 5.2 DEPUTATION - CONFIDENTIAL ITEM 14.1.2 - 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

Mr. & Mrs. Kemper addressed Council with respect to item 14.1.2 Street RR Inc. C/O Smart Centres Inc. and stated their concerns with the proposed development application that is being considered at the Ontario Land Tribunal (OLT).

Moved by Councillor Karen Rea

Seconded by Councillor Andrew Keyes

1. That the deputation from Mr. & Mrs. Kemper be received.

**Carried**

## **6. COMMUNICATIONS**

### **6.1 3-2023 ONTARIO LAND TRIBUNAL (OLT) DECISION MADE - ZONING BY-LAW - 2695 ELGIN MILLS ROAD EAST**

Moved by Councillor Ritch Lau

Seconded by Regional Councillor Alan Ho

1. That the summary from the City Solicitor regarding 3-2023 Ontario Land Tribunal (OLT) Decision Made - Zoning By-law - 2695 Elgin Mills Road East be received.

**Carried**

### **6.2 4-2023 LIQUOR LICENCE APPLICATION - LAZ AUTHENTIC CUISINE INC. (WARD 4) (3.21)**

Moved by Councillor Karen Rea

Seconded by Councillor Isa Lee

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. 8 DEVELOPMENT SERVICES COMMITTEE PUBLIC MEETING (FEBRUARY 27, 2023)**

#### **8.1.1 PUBLIC MEETING INFORMATION REPORT, DON VALLEY NORTH LEXUS (WEINS CANADA INC.), APPLICATION FOR ZONING BY-LAW AMENDMENT TO PERMIT A NEW TWO-STOREY CAR DEALERSHIP WITH AN AUTO SERVICING DRIVE-THRU FACILITY, AN UNDERGROUND PARKING GARAGE,**

Moved by Regional Councillor Joe Li

Seconded by Regional Councillor Jim Jones

1. That the report entitled "Public Meeting Information Report, Don Valley North Lexus (Weins Canada Inc.), Application for Zoning

By-law Amendment to permit a new two-storey car dealership with an auto servicing drive-thru facility, an underground parking garage, and outdoor surface parking for the display and storage of vehicles at 3120 Steeles Avenue East (Ward 8), File Number PLAN 22 262232”, be received; and,

2. That the Record of the Public Meeting held on February 27, 2023 with respect to the proposed Zoning By-law Amendment application, be received; and,
3. That the application by Don Valley North Lexus (Weins Canada Inc.) for a proposed Zoning By-law Amendment, (PLAN 22 262232) be approved and the draft Zoning By-law Amendment be finalized and enacted without further notice; and further,
4. That staff be authorized and directed to do all things necessary to give effect to this resolution.

**Carried**

8.2 REPORT NO. 9 DEVELOPMENT SERVICES COMMITTEE (FEBRUARY 28, 2023)

Moved by Regional Councillor Jim Jones

Seconded by Regional Councillor Joe Li

1. That the report of the Development Services Committee be received & adopted, save and except Items 8.2.2, 8.2.3 and 8.2.5. (Items 1 to 5):

**Carried**

8.2.1 RECOMMENDATION REPORT, MON SHEONG FOUNDATION, APPLICATION FOR SITE PLAN APPROVAL TO FACILITATE THE DEVELOPMENT OF AN EIGHT-STOREY LIFE LEASE BUILDING (PHASE 1) LOCATED ALONG THE NORTH SIDE OF APPLE CREEK BOULEVARD, EAST OF WOODBINE AVENUE,

Moved by Regional Councillor Jim Jones

Seconded by Regional Councillor Joe Li

1. That the report titled, “RECOMMENDATION REPORT, Mon Sheong Foundation, Application for Site Plan Approval to facilitate the development of an eight-storey life lease building (Phase 1) located along the north side of Apple Creek Boulevard,

east of Woodbine Avenue, municipally known as 36 Apple Creek Boulevard (Ward 2), File No. SPC 22 115049”, be received; and,

2. That the Site Plan application (SPC 22 115049) submitted by Mon Sheong Foundation be endorsed in principle, subject to the conditions in Appendix ‘A’, and that Site Plan Approval be delegated to the Director of Planning and Urban Design or designate; and,
3. That Site Plan Endorsement shall lapse and Site Plan Approval will not be issued after a period of three (3) years from the date of endorsement in the event that the Site Plan Agreement is not executed within that time period; and further,
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**Carried**

**8.2.2 RECOMMENDATION REPORT, 2795886 ONTARIO INC.,  
APPLICATION FOR ZONING BY-LAW AMENDMENT TO PERMIT  
107 DWELLING UNITS AT RUSSELL DAWSON ROAD, (WARD 2)  
FILE NO. PLAN 21 136184 (10.5)**

Councillor Ritch Lau declared a conflict of interest and did not speak participate in the discussion or vote on this matter.

Moved by Regional Councillor Jim Jones

Seconded by Regional Councillor Joe Li

1. That the report dated February 28, 2023, titled,  
“RECOMMENDATION REPORT, 2795886 Ontario Inc.,  
Application for Zoning By-law Amendment to permit 107  
dwelling units at Russell Dawson Road, File No. PLAN 21 136184  
(Ward 2)”, be received; and,
2. **That the deputations made by Janice Cheung, Alex Siu, Bin Wei, Crystal Yi, Brian Ma, Yuou Zhang, and Doug Denby at the February 28th Development Services Committee meeting be received; and,**
3. **That the correspondence from David Li and Kevin Yip received on February 27, 2023 be received; and,**

4. That the amendment to Zoning By-law 177-96, 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,
5. That Council assign servicing allocation for a maximum of 107 dwelling units; and,
6. That York Region be advised that servicing allocation for 107 dwelling units has been granted; and,
7. That the City reserves the right to revoke or reallocate servicing allocation should the development not proceed in a timely manner; and further,
8. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**Carried**

**8.2.3 MINOR HERITAGE PERMIT APPLICATION – FRONT YARD  
LANDSCAPE ALTERATIONS - 145 JOHN STREET, THORNHILL  
HERITAGE CONSERVATION DISTRICT (WARD 1) (10.0, 16.11)**

Moved by Regional Councillor Jim Jones

Seconded by Regional Councillor Joe Li

1. That the February 28, 2023, report titled, “Minor Heritage Permit Application – Front Yard Landscape Alterations - 145 John Street, Thornhill Heritage Conservation District (Ward 1)”, be received; and,
2. **That deputations made by Homeira Shahsavand, Vincent Santamaura, David Jordan, Masood Mashadi, Barry Nelson, and Evelin Ellison at the February 28th Development Services Committee meeting be received; and,**
3. **That the correspondence received from Homeira Shahsavand, David Jordan, Joan Honsberger, Valerie Burke, Valerie Tate, and Diane Berwick be received; and further,**
4. That the Minor Heritage Permit Application – Front Yard Landscape Alterations - 145 John Street, **be approved subject to vehicle parking not being permitted on the area surrounding the legal driveway.**

**Carried**

**8.2.4 CITY OF MARKHAM COMMENTS ON MUNICIPAL REPORTING  
ON PLANNING MATTERS - PROPOSED MINISTER'S  
REGULATION UNDER THE PLANNING ACT (10.0)**

Moved by Regional Councillor Jim Jones

Seconded by Regional Councillor Joe Li

1. That the report dated February 28, 2023 titled “City of Markham Comments on Municipal Reporting on Planning Matters - Proposed Minister's Regulation under the Planning Act” be received; and,
2. That the City generally support the intent of the proposed Minister’s regulation on Municipal Reporting on Planning Matters; and,
3. That the Province consult with municipalities on the necessary resourcing and timelines to implement reporting requirements and revise the starting date of the development application reporting requirements; and,
4. That the Province consult with the municipalities to review and revise the annual compliance cost and consider funding to assist municipalities in implementing the reporting requirements; and,
5. That the Province clarify that the municipality that creates the requested data be responsible for its submission to avoid duplication between upper and lower-tier municipalities; and,
6. That the Province expand their monitoring program to include information on Affordable Housing and Inclusionary Zoning; and,
7. That the Province clarify several terms to help understand the type of data required including downstream planning approval status and existing and under construction water and wastewater trunk lines; and,
8. That this report be forwarded to the Ministry of Municipal Affairs and Housing and Region of York as the City’s comments on Municipal Reporting on Planning Matters - Proposed Minister's Regulation under the Planning Act; and further,



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

**Carried**

#### 8.2.5 MUNICIPAL HOUSING PLEDGE (10.0)

Moved by Regional Councillor Jim Jones

Seconded by Regional Councillor Joe Li

1. That the report dated February 28, 2023 titled “Municipal Housing Pledge” be received; and,
2. That the City support the pledge to meet the Municipal Housing Target by undertaking actions as outlined in Appendix B of this report in an effort to facilitate the construction of 44,000 new housing units by 2031; and,
3. That the Province be requested to provide financial support to facilitate achievement of the municipal housing target given the need for additional resources and hard and soft infrastructure to support accelerated growth; and,
4. That staff be directed to prepare a letter for the Mayor to the Minister of Municipal Affairs and Housing **to be considered at the March 21, 2023 Development Services Committee**, and to be sent by March 22, 2023, outlining Council’s pledge; and further,
5. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**Carried as Amended**

### 9. MOTIONS

There were no motions.

### 10. NOTICE OF MOTION TO RECONSIDER

There were no notices of motion to reconsider.

### 11. NEW/OTHER BUSINESS

There was no new/other business.

## 12. ANNOUNCEMENTS

There were no announcements.

## 13. BY-LAWS - THREE READINGS

Item 13.6 (By-law 2023-56) was voted on separately as Councillor Ritch Lau declared a conflict.

Moved by Regional Councillor Alan Ho  
Seconded by Deputy Mayor Michael Chan

That By-law 2023-47, and By-laws 2023-53 to 2023-55 be given three readings and enacted.

**Carried**

Moved by Regional Councillor Alan Ho  
Seconded by Deputy Mayor Michael Chan

That By-law 2023-56 be given three readings and enacted.

**Carried**

### **Three Readings**

#### 13.1 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.  
(By-Law deferred from Council Meeting Number 7, February 22, 2023)

**Carried**

#### 13.2 A BY-LAW 2023-51 TO AMEND BY-LAWS 304-87 AND 177-96, AS AMENDED

A by-Law to amend By-laws 304-87 and 177-96 as amended, being a by-law to rezone the subject lands in order to permit the development of a convention centre, office building, and hotel.

(By-law 2023-51 as approved by OLT)  
(For information only to facilitate the assignment of a By-law number)

#### 13.3 BY-LAW 2023-53 A BY-LAW TO DESIGNATE PART OF A CERTAIN PLAN OF SUBDIVISION NOT SUBJECT TO PART LOT CONTROL

A by-law applies to Block 1 on Registered Plan 65M-4712, and the purpose of this By-law is to exempt the identified Block from the part lot control provisions of the Planning Act, R.S.O. 1990, c. P.13, as amended. Block 1 is located east of McCowan Road and north of 16th Avenue. The identified Block will allow for the creation of 10 Semi-Detached dwelling units, and 68 Townhouse dwelling units.

**Carried**

**13.4 BY-LAW 2023-54 A BY-LAW TO DESIGNATE PART OF A CERTAIN PLAN OF SUBDIVISION NOT SUBJECT TO PART LOT CONTROL**

A by-law that applies to Blocks 121 – 124, 126 – 129, 133 – 135, 138, 139, 169, 170 and 177 on Registered Plan 65M-4693. The purpose of this By-law is to exempt the subject blocks from the part lot control provisions of the Planning Act, R.S.O. 1990, c. P.13, as amended. The effect of this By-law is to allow for the conveyance of 83 freehold townhouse dwelling units. The lands are located on the west side of Kennedy Road, north of 16th Avenue.

**Carried**

**13.5 BY-LAW 2023-55 A BY-LAW TO AMEND BY-LAW 2150, AS AMENDED AND TO AMEND BY-LAW 177-96, AS AMENDED**

A by-law that applies to a parcel of land with an approximate area of 0.15 hectares (0.37 acres), which is located north of Kirk Drive and west of Thornheights Road. The subject lands are zoned Second Density Single Family Residential (R2A) Zone under By-law 2150, as amended.

**Carried**

**13.6 BY-LAW 2023-56 A BY-LAW TO AMEND BY-LAW 177-96, AS AMENDED**

A by-law that applies to a parcel of land with an approximate area of 2.4 hectares (5.93 acres), which is located at the southwest corner of Woodbine Avenue and Russell Dawson Road. The subject lands are zoned Open Space Two (OS2) Zone under By-law 177-96, as amended.

(Item 8.2.2, Report No. 9 Development Services Committee)

Councillor Ritch Lau had declared a conflict and did not vote on this matter.

**Carried**

## 14. CONFIDENTIAL ITEMS

Moved by Councillor Juanita Nathan

Seconded by Regional Councillor Alan Ho

That, in accordance with Section 239 (2) of the Municipal Act, Council resolve into a private session to discuss the following confidential matters at 3:10 pm:

**Carried**

The following Confidential items were approved by Council:

### 14.1 COUNCIL

#### 14.1.1 CONFIDENTIAL COUNCIL MINUTES - FEBRUARY 22, 2023, Section 239 (2) (a)(b)(c)(e)(f)(h)]

1. That the confidential Council minutes of the Council Meeting held on February 22, 2023 be adopted.

#### 14.1.2 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

NOTE: UPON APPROVAL BY COUNCIL, THE FOLLOWING  
RESOLUTION WILL BE REPORTED OUT AT THE OPEN COUNCIL  
MEETING THIS DATE, MARCH 1, 2023:

1. That the confidential verbal update from the City Solicitor be received; and,
2. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

### 14.2 REPORT FROM DEVELOPMENT SERVICES COMMITTEE - FEBRUARY 28, 2023

#### 14.2.1 LITIGATION OR POTENTIAL LITIGATION, INCLUDING MATTERS BEFORE ADMINISTRATIVE TRIBUNALS, AFFECTING THE MUNICIPALITY OR LOCAL BOARD (WARD 1) [SECTION 239 (2) (E)]; REQUEST FOR DIRECTION REPORT TIMBERCREEK FOUR QUADRANT GP2 INC. OLT OP AND ZB APPEAL

1. That the confidential report titled, “Request For Direction Report, Timbercreek Four Quadrant GP2 Inc., 1107656 Ontario Inc. OLT Appeal of the Official Plan and Zoning By-law Amendment applications to permit five mixed use buildings at 288, 298, and 300 John Street (Ward 1), City of Markham File No. PLAN 20 130784”, be received; and,
2. That the City Solicitor, or designate, and any necessary Staff or external witnesses or counsel, as required, be directed to attend the Ontario Land Tribunal in opposition to the appeal on the basis outlined in this confidential report; and further,
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

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

Moved by Councillor Andrew Keyes

Seconded by Regional Councillor Joe Li

That By-law 2023-52 be given three readings and enacted.

Three Readings

BY-LAW 2023-52 - A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE COUNCIL MEETING OF MARCH 1, 2023.

**Carried**

**16. ADJOURNMENT**

Moved by Councillor Isa Lee

Seconded by Councillor Keith Irish

That the Council meeting be adjourned at 4:29 PM.

**Carried**

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Kimberly Kitteringham

City Clerk

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Frank Scarpitti

Mayor