

Council Meeting Minutes

Meeting Number: 14
May 3, 2023, 1:00 PM
Live streamed

Roll Call	Mayor Frank Scarpitti Deputy Mayor Michael Chan Regional Councillor Jim Jones Regional Councillor Joe Li Regional Councillor Alan Ho Councillor Keith Irish Councillor Ritch Lau	Councillor Reid McAlpine Councillor Karen Rea Councillor Andrew Keyes Councillor Amanda Collucci Councillor Juanita Nathan Councillor Isa Lee
Staff	Andy Taylor, Chief Administrative Officer Trinela Cane, Commissioner, Corporate Services Claudia Storto, City Solicitor and Director of People Services Bryan Frois, Manager, Executive Operations & Strategic Initiatives Kimberley Kitteringham, City Clerk Frank Clarizio, Director, Engineering Giulio Cescato, Director of Planning & Urban Design	Mark Visser, Acting Treasurer Eddy Wu, Acting Commissioner, Community Services Martha Pettit, Deputy City Clerk John Wong, Technology Support Specialist II Hristina Giantsopoulos, Election/Council & Committee Coordinator Darryl Lyons, Deputy Director, Planning & Urban Design Alice Lam, Director, Operations

Alternate formats for this document are available upon request

1. CALL TO ORDER

The meeting of Council convened at 1:10 PM on May 3, 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 disclosure of pecuniary interests.

3. APPROVAL OF PREVIOUS MINUTES

3.1 COUNCIL MINUTES - APRIL 19, 2023

Moved by Councillor Juanita Nathan
Seconded by Councillor Reid McAlpine

1. That the Minutes of the Council Meeting held on April 19, 2023, be adopted.

Carried

3.2 SPECIAL COUNCIL MINUTES - APRIL 25, 2023

Moved by Councillor Andrew Keyes
Seconded by Councillor Isa Lee

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

Carried

4. PRESENTATIONS

There were no presentations.

5. DEPUTATIONS

There were no deputations.

6. COMMUNICATIONS

6.1 10-2023 LIQUOR LICENCE APPLICATION - DELIGHT RESTAURANT & BBQ (WARD 6) (3.21)

Moved by Councillor Amanda Collucci
 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

7.1 PROCLAMATION AND FLAG RAISING REQUESTS (3.4)

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

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. National Youth Week, May 1, 2023 to May 7, 2023
 - b. ALS Awareness Week, June 11, 2023 to June 17, 2023
 - c. Brain Injury Awareness Month, June, 2023
2. That the following new requests for proclamation be approved and added to the Five-Year Proclamations List approved by Council:
 - a. Science Rendezvous Day, May 13
 - b. Vietnam's National Day, September 2
 - c. Tamil Memorial Day, May 18, 2023

Carried

8. REPORT OF STANDING COMMITTEE

8.1 REPORT NO. 17 GENERAL COMMITTEE (APRIL 25, 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 THE MECP – MARKHAM DISTRIBUTION SYSTEM - DRINKING WATER INSPECTION REPORT (5.3)

Moved by Councillor Keith Irish

Seconded by Deputy Mayor Michael Chan

1. That the report entitled “The MECP – Markham Distribution System – Drinking Water Inspection Report, February 08, 2023” be received; and,
2. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

8.1.2 BUILDING MARKHAM'S FUTURE TOGETHER (BMFT) (16.23)

Moved by Councillor Keith Irish

Seconded by Deputy Mayor Michael Chan

1. That the report entitled Building Markham’s Future Together (BMFT) 2020 – 2023 Strategic Plan Update be received; and,
2. That Markham Council endorse a three-year extension of the current Building Markham’s Future Together (BMFT) 2020-2023 Strategic Plan; and,
3. That the current strategic plan be renamed Building Markham’s Future Together (BMFT) 2020-2026; and,
4. That staff undertake a consultation process with Members of Council and community to review current priorities and propose potential goals and actions to be added to the strategic plan pending council endorsement; and,
5. That communications go out to the public regarding the extension of the current strategic plan; 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. 18 DEVELOPMENT SERVICES COMMITTEE (MAY 2, 2023)

That the report of the Development Services Committee be received & adopted.
(Items 1 to 6):

8.2.1 GROUND SIGN VARIANCE – EBENEZER UNITED CHURCH 5000 STEELES AVENUE EAST APPLICATION NO. SP 22 257706 (WARD 8) (2.16, 16.11)

Moved by Regional Councillor Jim Jones

Seconded by Regional Councillor Joe Li

1. That the ground sign variance application by Ebenezer United Church at 5000 Steeles Avenue East, Application No. SP 22 257706 (Ward 8), be approved, subject to it being used to display the dates and times of services and programs only; and,
2. That Staff be authorized to do all things necessary to give effect to this resolution.

Carried

8.2.2 INFORMATION REPORT – DESIGNATION OF PRIORITY PROPERTIES LISTED ON THE CITY OF MARKHAM'S REGISTER OF PROPERTIES OF CULTURAL HERITAGE VALUE OR INTEREST IN RESPONSE TO BILL 23 (16.11.3)

Moved by Regional Councillor Jim Jones

Seconded by Regional Councillor Joe Li

1. That the Staff report, dated May 2, 2023, titled "Information Report, Designation of Priority Properties Listed on the City of Markham's Register of Properties of Cultural Heritage Value or Interest in response to Bill 23", be received; and,
2. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

8.2.3 RECOMMENDATION REPORT, 2814712 ONTARIO LTD. (VICTOR HUANG) C/O MALONE GIVEN PARSONS LTD. (ROHAN SOVIG), APPLICATIONS FOR OFFICIAL PLAN AND ZONING BY-LAW AMENDMENTS TO PERMIT 14 TOWNHOUSE DWELLINGS AT 347 MAIN STREET NORTH, MARKHAM VILLAGE (WARD 4),

Moved by Regional Councillor Jim Jones

Seconded by Regional Councillor Joe Li

1. That the staff report, dated May 2, 2023, titled “Recommendation Report, 2814712 Ontario Ltd. (Victor Huang) c/o Malone Given Parsons Ltd. (Rohan Sovig), Applications for Official Plan and Zoning By-law Amendments to permit 14 townhouse dwellings at 347 Main Street North, Markham Village (Ward 4), File Nos. OP/ZA 19 123553”, be received; and,
2. **That the deputation from Chris Rogge be received; and,**
3. **That the written submissions from YCC 149 and Donna Knight dated May 1, 2023, be received; and,**
4. That the Heritage Markham Committee recommendation to deny the Official Plan and Zoning By-law applications to permit 14 townhouses dwellings at 347 Main Street North, be received as information; and,
5. That the Official Plan application submitted by 2814712 Ontario Ltd. (Victor Huang) c/o Malone Given Parsons Ltd. (Rohan Sovig) to amend the City’s Official Plan be approved and the draft Official Plan Amendment, attached hereto as Appendix A be finalized and brought forward to a future Council meeting to be enacted without further notice; and,
6. That the Zoning By-law amendment application submitted by 2814712 Ontario Ltd. (Victor Huang) c/o Malone Given Parsons Ltd. (Rohan Sovig) to amend the City’s Zoning By-law 1229, as amended, attached hereto as Appendix B, be finalized and brought forward to a future Council meeting to be enacted without further notice; and,
7. **That clauses be added to the purchase and sale agreements indicating that on-street parking is very limited in the immediate area and outdoor storage is not permitted; and,**
8. That there is no objection to the demolition of the existing building on the property; and further,
9. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

8.2.4 AUTHORITY TO PROVIDE DEVELOPMENT CHARGE CREDITS AND/OR REIMBURSEMENTS FOR THE CONSTRUCTION OF THE GREENWAY CROSSING ON STREET D/STONEY HILL BLVD (“NORTH GREENWAY CROSSING”) AND THE GREENWAY CROSSING ON STREET E/ VINE CLIFF BLVD (“SOUTH GREENWAY CROSSING”)

Moved by Regional Councillor Jim Jones

Seconded by Regional Councillor Joe Li

1. That the report entitled “Authority to Provide Development Charge Credits and/or Reimbursements for the Construction of the Greenway Crossing on Street D/Stoney Hill Blvd (“North Greenway Crossing”) and the Greenway Crossing on Street E/Vine Cliff Blvd (“South Greenway Crossing to the Trustee of Berczy Glen Landowners Group Inc. (Ward 2)” be received; and,
2. That Council authorize Development Charge Credits and/or Reimbursements not exceeding \$12,020,000 for the North Greenway Crossing and \$12,900,000 for the South Greenway Crossing to the Trustee of Berczy Glen Landowners Group Inc. (“Trustee”), an increase from the previously approved \$8,000,000 for each crossing, for the design, contract administration, construction, and maintenance costs, until Assumption, associated with the construction of the North Greenway Crossing and the South Greenway Crossing that will service the Berczy Glen Secondary Plan in the City’s Future Urban Area (FUA) as follows:
 - a. North Greenway Crossing - City Wide Hard Development Charges to a maximum of \$12,020,000 (increased from \$8,000,000); and,
 - b. South Greenway Crossing - City Wide Hard Development Charges to a maximum of \$12,900,000 (increased from \$8,000,000); and,
3. 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., or their successors in title to the

satisfaction of the Treasurer and the City Solicitor, or their respective delegates; and,

4. That all of the above credits and/or reimbursements shall exclude HST and interest and shall be indexed in accordance with the City's Development Charge Credit & Reimbursement Policy; and further,
5. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

8.2.5 COMMENTS ON THE HELPING HOMEBUYERS, PROTECTING TENANTS ACT, 2023 (BILL 97) AND ASSOCIATED CHANGES (10.0)

Moved by Regional Councillor Jim Jones

Seconded by Regional Councillor Joe Li

1. That the report dated May 2, 2023 titled "Comments on the Helping Homebuyers, Protecting Tenants Act, 2023 (Bill 97) and Associated Changes" be received; and,
2. That the City not support the proposed changes to the *Planning Act* that would:
 - A. **Exclude office, institutional, commercial and retail uses not associated with manufacturing or warehousing from the definition of "employment area", and,**
 - B. Authorize the Minister to exempt planning approvals for uses permitted by a Minister's Zoning Order from complying with provincial or local policies; and,
 - C. Enable appeal rights to individuals and public bodies when an interim control bylaw is initially passed; and,
3. **That the City requests the Minister to provide additional flexibility in the Community Infrastructure and Housing Accelerator tool (Section 34.1 of the Planning Act) or provide a new authority that enables municipalities to pass a zoning bylaw that facilitates affordable housing projects and rental housing and economic development opportunities that cannot be appealed to the Ontario Land Tribunal; and,**

4. That the City support proposed changes to the Planning Act that would:
 - A. Postpone the start date for planning application fee refunds to July 1, 2023, and request more information about the exemption provision; and,
 - B. Prescribe areas where the exemption from site plan control for residential developments containing 10 or less units does not apply, and requests further exemptions as outlined in this report including for proposed development that is adjacent to residential areas; and,**
5. That the City not support the proposed changes to the Development Charges Act that would extend the exemption of development charges for additional residential units to rural areas; and,
6. That the City support the proposed changes to the Building Code Act, 1992 to freeze Provincial Building Code Registration and Service Fees; and,
- 7. That Markham City Council support the Associated Registry postings with proposals to strengthen tenant's rights and protections, assist prospective homebuyers, and facilitate new housing development changes that strengthen protection for homebuyers and tenants; and,**
8. That this report be forwarded to the Ministry of Municipal Affairs and Housing, **Association of Municipalities of Ontario (AMO), and Ontario's Big City Mayors** as the City of Markham comments on the Helping Homebuyers, Protecting Tenants Act, 2023 and Associated Changes; and further,
9. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried as Amended

Council consented to amend clause #2 a) from:

2. That the City not support the proposed changes to the Planning Act that would:
 - a.) Exclude institutional and commercial uses (including office and retail

uses) not associated with manufacturing or warehousing from the definition of “employment area”; and,

to

2. That the City not support the proposed changes to the Planning Act that would:

a.) **Exclude office, institutional, commercial and retail uses** not associated with manufacturing or warehousing from the definition of “employment area”, and,

Council consented to amend clause # 3) from:

3. That the City requests the Minister to provide additional flexibility in the Community Infrastructure and Housing Accelerator tool (Section 34.1 of the Planning Act) or provide a new authority that enables municipalities to pass a zoning bylaw that facilitates affordable and rental housing and economic development opportunities that cannot be appealed to the Ontario Land Tribunal; and,

to

3. That the City requests the Minister to provide additional flexibility in the Community Infrastructure and Housing Accelerator tool (Section 34.1 of the Planning Act) or provide a new authority that enables municipalities to pass a zoning bylaw that facilitates affordable **housing** projects and rental housing and economic development opportunities that cannot be appealed to the Ontario Land Tribunal; and,

Council had before it the following original recommendation for consideration:

1. That the report dated May 2, 2023 titled “Comments on the Helping Homebuyers, Protecting Tenants Act, 2023 (Bill 97) and Associated Changes” be received; and,
2. That the City not support the proposed changes to the Planning Act that would:
 - a. Exclude institutional and commercial uses (including office and retail uses) not associated with manufacturing or warehousing from the definition of “employment area”; and,
 - b. Authorize the Minister to exempt planning approvals for uses permitted by a Minister’s Zoning Order from complying with provincial or local policies; and,
 - c. Enable appeal rights to

individuals and public bodies when an interim control bylaw is initially passed; and,

3. That the City requests the Minister to provide additional flexibility in the Community Infrastructure and Housing Accelerator tool (Section 34.1 of the Planning Act) or provide a new authority that enables municipalities to pass a zoning bylaw that facilitates affordable and rental housing and economic development opportunities that cannot be appealed to the Ontario Land Tribunal; and,
4. That the City support proposed changes to the Planning Act that would:
 - a. Postpone the start date for planning application fee refunds to July 1, 2023, and request more information about the exemption provision; and,
 - b. Prescribe areas where the exemption from site plan control for residential developments containing 10 or less units does not apply, and requests further exemptions as outlined in this report including for proposed development that is adjacent to residential areas; and,
5. That the City not support the proposed changes to the Development Charges Act that would extend the exemption of development charges for additional residential units to rural areas; and,
6. That the City support the proposed changes to the Building Code Act, 1992 to freeze Provincial Building Code Registration and Service Fees; and,
7. That Markham City Council support the Associated Registry postings with proposals to strengthen tenant's rights and protections, assist prospective homebuyers, and facilitate new housing development changes that strengthen protection for homebuyers and tenants; and,
8. That this report be forwarded to the Ministry of Municipal Affairs and Housing, Association of Municipalities of Ontario (AMO), and Ontario's Big City Mayors as the City of Markham comments on the Helping Homebuyers, Protecting Tenants Act, 2023 and Associated Changes; and further,
9. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

8.2.6 ACTIVE SCHOOL TRAVEL PILOT RESULTS & NEXT STEPS (5.12, 13.6, 16.34)

Moved by Regional Councillor Jim Jones

Seconded by Regional Councillor Joe Li

1. That the staff report titled “Active School Travel Pilot - Results & Next Steps” be received; and,
2. That Active School Travel measures be implemented at three Markham elementary schools in 2023 in partnership with the York Region school boards, with Markham’s contribution of \$10,000 to be funded from the 2023 Cycling & Pedestrian Advisory Committee Budget (#23094); and further,
3. 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

There was no new/other business.

12. ANNOUNCEMENTS

There were no announcements.

13. BY-LAWS - THREE READINGS

Moved by Councillor Ritch Lau

Seconded by Regional Councillor Joe Li

That By-laws 20203-73 to 2023-80 be given three readings and enacted.

Carried

Three Readings

13.1 BY-LAW 2023-73 A BY-LAW TO AMEND BY-LAW 2005-188

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

Carried

13.2 BY-LAW 2023-74 A BY-LAW TO AMEND STOP BY-LAW 106-71

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

Carried

13.3 BY-LAW 2023-75 A BY-LAW TO AMEND BY-LAW 2005-188

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

Carried

13.4 BY-LAW 2023-76 A BY-LAW TO AMEND STOP BY-LAW 106-71

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

Carried

13.5 BY-LAW 2023-77 A BY-LAW TO AMEND BY-LAW 2005-188

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

Carried

13.6 BY-LAW 2023-78 A BY-LAW TO AMEND BY-LAW 2017-104

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

Carried

13.7 BY-LAW 2023-79 A BY-LAW TO AMEND STOP BY-LAW 106-71

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

Carried

13.8 BY-LAW 2023-80 A BY-LAW TO AMEND BY-LAW NO. 2017-5

A By-law to amend By-Law No. 2017-5, being a by-law to govern the proceedings of Council and Committees of Council.

Carried

14. CONFIDENTIAL

Moved by Regional Councillor Jim Jones

Seconded by Councillor Juanita Nathan

That the rules of procedure be waived to add an additional item to the closed session agenda that deals with personal matters about an identifiable individual, including municipal or local board employees / labour relations or employee negotiations/ advice that is subject to solicitor-client privilege, including communications necessary for that purpose (11.0) [Municipal Act, 2001, Section 239 (2) (b) (d) (f)]

Carried by Two Thirds Vote

Moved by Regional Councillor Joe Li

Seconded by Councillor Karen Rea

That, in accordance with Section 239 (2) of the *Municipal Act*, Council resolve into a private session to discuss the following confidential matters at 1:27 PM:

Carried

14.1 COUNCIL

Council reconvened in Open Session at 2:01 PM and passed the following resolutions:

14.1.1 CONFIDENTIAL COUNCIL MINUTES - APRIL 19, 2023

Moved by Councillor Andrew Keyes

Seconded by Councillor Reid McAlpine

1. That the confidential Council minutes of the Council Meeting held on April 19, 2023, be adopted.

Carried

14.1.2 BOARD/COMMITTEE APPOINTMENTS (16.24)

Moved by Councillor Keith Irish
 Seconded by Councillor Andrew Keyes

1) That the following persons be appointed to the German Mills
 Community Centre Board for the term expiry noted below:

Grace Leung June 30, 2024
 Bilal Shafiq June 30, 2025

Carried

15. CONFIRMATORY BY-LAW - THREE READINGS

Moved by Councillor Ritch Lau
 Seconded by Regional Councillor Jim Jones

That By-law 2023-72 be given three readings and enacted.

Three Readings

BY-LAW 2023-72 - A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE
 COUNCIL MEETING OF MAY 3, 2023.

Carried

16. ADJOURNMENT

Moved by Councillor Juanita Nathan
 Seconded by Councillor Amanda Collucci

That the Council meeting be adjourned at 2:03 PM.

Carried

Kimberley Kitteringham

City Clerk

Frank Scarpitti

Mayor