

Council Meeting Minutes

Meeting Number: 22
September 12, 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
	Councillor Keith Irish	Councillor Juanita Nathan
	Councillor Ritch Lau	Councillor Isa Lee
Regrets	Regional Councillor Alan Ho	
Staff	Andy Taylor, Chief Administrative Officer	Martha Pettit, Deputy City Clerk
	Trinela Cane, Commissioner, Corporate Services	Alida Tari, Manager, Access & Privacy
	Arvin Prasad, Commissioner, Development Services	John Wong, Technology Support Specialist II
	Claudia Storto, City Solicitor and Director of Human Resources	Hristina Giantsopoulos, Election/Council & Committee Coordinator
	Chris Nearing, Fire Chief	Chris Rickett, Director, Economic Development, Culture and Entrepreneurship
	Morgan Jones, Commissioner, Community Services	Joseph Silva, Treasurer
	Bryan Frois, Manager, Executive Operations & Strategic Initiatives	Evan Manning, Heritage Planner
	Frank Clarizio, Director, Engineering	
	Giulio Cescato, Director of Planning & Urban Design	
	Mark Visser, Senior Manager Financial Strategy & Investments	

Alternate formats for this document are available upon request

1. CALL TO ORDER

The meeting of Council convened at 1:28 PM on September 12, 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 JUNE 28, 2023

Moved by Councillor Isa Lee

Seconded by Councillor Keith Irish

1. That the Minutes of the Council Meeting held on June 28, 2023, be adopted.

Carried

3.2 SPECIAL COUNCIL MINUTES JULY 17, 2023 AND JULY 27, 2023

Moved by Councillor Karen Rea

Seconded by Councillor Juanita Nathan

1. That the Minutes of the Special Council Meetings held on July 17, 2023, and July 27, 2023 be adopted.

Carried

4. PRESENTATIONS

There were no presentations.

5. DEPUTATIONS

There were no deputations.

6. COMMUNICATIONS

6.1 ONTARIO LAND TRIBUNAL (OLT) DECISION MADE - GLEN ROUGE HOMES (KENNEDY) INC. 7647 KENNEDY ROAD (WARD 8) (10.5) (10.7)

Moved by Councillor Reid McAlpine

Seconded by Councillor Amanda Collucci

1. That the communication from the City Solicitor regarding the Ontario Land Tribunal (OLT) decision for Glen Rouge Homes (Kennedy) Inc. 7647 Kennedy Road (Ward 8) be received.

Carried

6.2 ONTARIO LAND TRIBUNAL (OLT) DECISION MADE - MARKHAM MAIN STREET RR INC. C/O SMARTCENTRES INC. 134, 136, 140, 144 & 152 MAIN STREET NORTH AND 12 WILSON STREET (WARD 4) (10.5) (10.7)

Moved by Councillor Karen Rea

Seconded by Councillor Andrew Keyes

1. That the communication from the City Solicitor regarding the Ontario Land Tribunal (OLT) decision for Ontario Land Tribunal (Olt) Decision Made - Markham Main Street Rr Inc. C/O Smartcentres Inc. 134, 136, 140, 144 & 152 Main Street North and 12 Wilson Street (Ward 4) be received.

Carried

6.3 SPECIAL OCCASION PERMIT – DTM MUSIC NIGHTS (WARD 3) (3.21)

Moved by Regional Councillor Joe Li

Seconded by Regional Councillor Jim Jones

1. That the request for the City of Markham for a Special Occasion Permit be received; and,
2. That the City of Markham recognize the DTM Music Nights as an event of "Municipal Significance"; and further,
3. That authority to act on behalf of Council to grant municipal authorizations required by the Alcohol and Gaming Commission of

Ontario (“AGCO”) for all future events of Municipal Significance be delegated to the City Clerk.

Carried

7. PROCLAMATIONS

7.1 PROCLAMATION AND FLAG RAISING REQUESTS (3.4)

Moved by Deputy Mayor Michael Chan

Seconded by Regional Councillor Jim Jones

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 COACHES WEEK, SEPTEMBER 16 TO 24, 2023 (3.4)
 - b. NATIONAL FOREST WEEK, SEPTEMBER 17 - 23, 2023 (3.4)
 - c. RAIL SAFETY WEEK, SEPTEMBER 18 TO 24, 2023 (3.4)
 - d. PULMONARY FIBROSIS AWARENESS MONTH, SEPTEMBER, 2023 (3.4)
 - e. CHERISH INTEGRATED SERVICES DAY, SEPTEMBER 21, 2023 (3.4)
 - f. TEST YOUR SMOKE ALARM DAY, SEPTEMBER 28, 2023 (3.4)
 - g. LOCAL GOVERNMENT WEEK, OCTOBER 15 TO 21, 2023 (3.4)
 - h. CHILD CARE WORKER AND EARLY CHILDHOOD EDUCATOR APPRECIATION DAY, OCTOBER 17, 2023 (3.4)
2. That the following new requests for proclamation be approved and added to the Five-Year Proclamations List approved by Council:
 - a. GLOBAL ISMAILI CIVIC DAY, SEPTEMBER 24, 2023 (3.4)
 - b. CHILDREN’S GRIEF AWARENESS DAY, NOVEMBER 16, 2023. (3.4)
3. 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. PULMONARY FIBROSIS AWARENESS, SEPTEMBER 13, 2023
(3.4) (Organized by the Canadian Pulmonary Fibrosis Foundation)

Carried

8. REPORT OF STANDING COMMITTEE

8.1 REPORT NO. 30 DEVELOPMENT SERVICES PUBLIC MEETING (SEPTEMBER 5, 2023)

Moved by Regional Councillor Joe Li
Seconded by Regional Councillor Jim Jones

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

Carried

8.1.1 PUBLIC MEETING INFORMATION REPORT, 2859715 ONTARIO LTD. (SKYHAWK HOLDINGS), APPLICATION FOR ZONING BY-LAW AMENDMENT TO PERMIT A FOOD MANUFACTURING AND MEAT PROCESSING USE FOR THE PURPOSES OF REPACKAGING AND PROCESSING FOOD PRODUCTS FOR

Moved by Regional Councillor Joe Li
Seconded by Regional Councillor Jim Jones

1. That the report entitled “PUBLIC MEETING INFORMATION REPORT, Application for Zoning By-law Amendment to permit a meat manufacturing and meat processing use, 555 Alden Road, Ward 8, File No. PLAN 23 120492”, be received, and,
2. That the Record of the Public Meeting held on September 5, 2023 with respect to the proposed Zoning By-law Amendment application, be received, and,
3. That the application by 2859715 Ontario Ltd / Skyhawk Holdings, for a proposed Zoning By-law Amendment (PLAN 23 120492) be approved and the draft implementing 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. 31 DEVELOPMENT SERVICES COMMITTEE MEETING
(SEPTEMBER 11, 2023)

Moved by Regional Councillor Jim Jones

Seconded by Regional Councillor Joe Li

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

Carried

8.2.1 RECOMMENDATION REPORT OBJECTIONS TO NOTICES OF
INTENTION TO DESIGNATE – PHASE I PROPERTIES (16.11.3)

Moved by Regional Councillor Jim Jones

Seconded by Regional Councillor Joe Li

1. That the Staff report, dated September 11, 2023, titled "RECOMMENDATION REPORT, Objections to Notices of Intention to Designate – Phase I Properties", be received; and,
2. That the written objections to designation under the *Ontario Heritage Act* as submitted by or on behalf of the property owners of 5474 19th Avenue (Ward 6), 7822 Highway 7 East (Ward 5), and 53 Dickson Hill Road (Ward 5), be received as information; and,
3. That Council affirm its intention to designate 5474 19th Avenue (Ward 6), 7822 Highway 7 East (Ward 5), and 53 Dickson Hill Road (Ward 5) under Part IV, Section 29 of the *Ontario Heritage Act* in recognition of their cultural heritage significance; and,
4. That the Clerk's Department be authorized to place designation by-laws before Council for adoption; and,
5. That the Clerk's Department be authorized to publish and serve notice of Council's adoption of the designation by-laws as per the requirements of the *Ontario Heritage Act*; and further,

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

Carried

8.2.2 RECOMMENDATION REPORT DESIGNATION OF PRIORITY PROPERTIES – PHASE II (16.11.3)

Moved by Regional Councillor Jim Jones

Seconded by Regional Councillor Joe Li

1. That the Staff report, dated September 11, 2023, titled, "RECOMMENDATION REPORT, Designation of Priority Properties – Phase II", be received; and,
2. That the written submissions from Aird Berlis, Jennifer Gallichan, and Paul Oberst be received; and,
3. That the deputations from Eileen Costello of Aird Berlis, Paul Oberst, and Daniel Kunjumon be received; and,
4. That the consideration to designate 2972 Elgin Mills Rd be deferred to the October 17, 2023 Development Services Committee; and,
5. That the consideration to designate 10224 Highway 48 be deferred to January 2024; and,
6. That the June 14, 2023, recommendation from the Heritage Markham Committee, in support of the designation of 2 Legacy Drive (Ward 7), 81 Dickson Hill Road (Ward 5), 2972 Elgin Mills Road (Ward 2), 4130 Nineteenth Avenue (Ward 6), 4159 Nineteenth Avenue (Ward 6), 6772 Fourteenth Avenue (Ward 6), 7880 Highway 7 (Ward 5), 10159 McCowan Road (Ward 6), 10224 Highway 48 (Ward 6), 10387 McCowan Road (Ward 6), under Part IV, Section 29 of the Ontario Heritage Act (in accordance with Appendix 'B'), be received as information; and,
7. That Council state its intention to designate 2 Legacy Drive (Ward 7), 81 Dickson Hill Road (Ward 5), 4130 Nineteenth Avenue (Ward 6), 4159 Nineteenth Avenue (Ward 6), 6772 Fourteenth Avenue (Ward 6), 7880 Highway 7 (Ward 5), 10159 McCowan Road (Ward 6), 10387 McCowan Road (Ward 6), under Part IV,

Section 29 of the Ontario Heritage Act in recognition of their cultural heritage significance; and,

8. That the Clerk's Department be authorized to publish and serve Council's Notice of Intention to Designate as per the requirements of the Ontario Heritage Act; and,
9. That if there are no objections to the designation in accordance with the provisions of the Ontario Heritage Act, the Clerk's Department be authorized to place a designation by-law before Council for adoption; and,
10. That if there are any objections in accordance with the provisions of the Ontario Heritage Act, the matter will return to Council for further consideration; and further,
11. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

8.2.3 MEMORANDUM, COUNCIL APPROVAL FOR PARKLAND DEDICATION EXEMPTION: 45 SCIBERRAS ROAD (CSNT 21 116608 & B/003/21), 50 & 52 NELSON ROAD (SPC 21 140484 & SPC 21 142835) AND 10988 & 10990 WARDEN AVENUE (SPC 21 119856 & PLAN 21 119856) (6.3, 10.0)

Moved by Regional Councillor Jim Jones

Seconded by Regional Councillor Joe Li

1. That the memorandum titled, "Council Approval for Parkland Dedication Exemption: 45 Sciberras Road (CSNT 21 116608 & B/003/21), 50 & 52 Nelson Road (SPC 21 140484 & SPC 21 142835) and 10988 & 10990 Warden Avenue (SPC 21 119856 & PLAN 21 119856)", be received; and,
2. That the Commissioner of Development Services or the Director of Planning and Urban Design be authorized to approve parkland dedication exemptions for the applications identified in this memo; and,
3. That the Parkland Dedication By-law be amended to authorize the Commissioner of Development Services or the Director of Planning and Urban Design to consider and approve any future

requests for exemption of parkland dedication obligations based on criteria arising from similar contexts and elements as the three subject applications; and further,

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

Carried

8.2.4 REQUEST FOR TRAFFIC CONTROL SIGNALS AT HIGHWAY 7 EAST AND MAYOR ROMAN DRIVE (WARD 3) (5.12)

Moved by Regional Councillor Jim Jones

Seconded by Regional Councillor Joe Li

1. That the September 11, 2023 report entitled, “Request for Traffic Control Signals at Highway 7 East and Mayor Roman Drive (Ward 3)”, be received; and,
2. That York Region be requested to approve the signalization of the intersection of Highway 7 East and Mayor Roman Drive, at the owner’s (2310601 Ontario Inc.) expense; and,
3. That the City Clerk send a copy of this report and Council resolution to York Region; and further,
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

8.2.5 RECOMMENDATION REPORT, YUE GONG, 1000038852 ONTARIO INC., APPLICATION FOR ZONING BY-LAW AMENDMENT TO PERMIT THE STORAGE AND SALES OF FIREARMS AND AMMUNITION, ACCESSORY RETAIL USES, AND ASSOCIATED OFFICE USES AT 44 RIVIERA DRIVE

Moved by Regional Councillor Jim Jones

Seconded by Regional Councillor Joe Li

1. That the report, dated September 11, 2023 titled, “RECOMMENDATION REPORT, Yue Gong, 1000038852 Ontario Inc., Application for Zoning By-law Amendment to permit the storage and sales of firearms and ammunition, accessory retail

uses, and associated office uses at 44 Riviera Drive, File No. PLAN 22 266738 (Ward 8)”, be received; and,

2. That the Record of the Public Meeting held on May 23, 2023, with respect to the proposed application for Zoning By-law Amendment submitted by Evans Planning for File No. PLAN 22 266738, be received; and,
3. That the amendment to Zoning By-law 28-82, as amended, be approved and the draft site-specific implementing Zoning By-law, attached hereto as Appendix “A”, 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

8.2.6 MARKHAM AND VAUGHAN AUTO MOBILITY DEMONSTRATION ZONE (10.16)

Moved by Regional Councillor Jim Jones

Seconded by Regional Councillor Joe Li

1. That the report entitled “Markham and Vaughan Auto Mobility Demonstration Zone” be received; and,
2. That City staff be authorized to enter into an agreement with the Province of Ontario and the City of Vaughan to develop and implement the Auto Mobility Demonstration Zone; and,
3. That City staff receive delegated authority from Council to undertake and implement automotive and mobility demonstration projects as part of the Auto Mobility Demonstration Zone; and,
4. That City staff provide regular status reports to the Development Services Committee; and further,
5. That City 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 Keith Irish

Seconded by Councillor Juanita Nathan

That By-laws 2023-122 to 2023-128 be given three readings and enacted.

Carried

Three Readings

- 13.1 BY-LAW 2023-119, A BY-LAW TO AMEND ZONING BY-LAW 193-81, AND ZONING BY-LAW 177-96, AS AMENDED

By-law 2023-119 as approved by OLT, for information only to facilitate the assignment of a by-law number.

- 13.2 BY-LAW 2023-120, MARKHAM MAIN STREET RR INC. 134, 136, 140, 144 & 152 MAIN STREET NORTH AND 12 WILSON STREET, OFFICIAL PLAN AMENDMENT

By-law 2023-120 as approved by OLT, for information only to facilitate the assignment of a by-law number.

- 13.3 BY-LAW 2023-121, A BY-LAW TO AMEND BY-LAW 1229, AS AMENDED

By-law 2023-121 as approved by OLT, for information only to facilitate the assignment of a by-law number.

- 13.4 BY-LAW 2023-122, A BY-LAW TO AMEND BY-LAW 2005-188

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

- 13.5 BY-LAW 2023-123, A BY-LAW TO AMEND BY-LAW 2017-104

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

13.6 BY-LAW 2023-124, A BY-LAW TO AMEND BY-LAW 2017-104

13.7 BY-LAW 2023-125, A BY-LAW TO AMEND STOP BY-LAW 106-71

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

13.8 BY-LAW 2023-126, A BY-LAW TO DESIGNATE PART OF A CERTAIN PLAN OF SUBDIVISION NOT SUBJECT TO PART LOT CONTROL

A By-law to designate part of a certain plan of subdivision not subject to Part Lot Control. The lands affected are 71-120 Stauffer Crescent (Primont Homes). This by-law applies Blocks 15, 16 and 17 (inclusive), Registered Plan 65M-4656 and Blocks 15, 16 and 17 (inclusive), Registered Plan 65M-4674 which is located on the west side of Stauffer Crescent, west of Donald Cousens Parkway and north of Highway 7 East. The effect of this by-law is to allow for the conveyance of twenty-three (23) townhouse dwelling units.

13.9 BY-LAW 2023-127, A BY-LAW TO DEDICATE CERTAIN LANDS AS PART OF THE HIGHWAYS OF THE CITY OF MARKHAM

A By-law to dedicate Block 268, Plan 65M-65M-3078, designated as Part 6, Plan 65R-37109 to be established and laid out as part of the public highways of the City of Markham and named Deib Crescent.

13.10 BY-LAW 2023-128, A BY-LAW TO AMEND BY 28-82, AMENDED

A By-law amendment applies to a parcel of land with an approximate area of 0.308 hectares (0.76 acres), which is located north of Riviera Drive and east of Rodrick Road. The subject lands are zoned Select Industrial with Controlled Storage -0.3 ha (MCS3) under By-law 28-82, as amended. The effect of this By-law is to permit Retail Uses up to a maximum of 15% of the total Gross Floor Area of buildings on site, Business Office Uses, the storage and sale of ammunition and to provide site specific parking standards.

14. CONFIDENTIAL ITEMS

Moved by Deputy Mayor Michael Chan

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 matters at 1:39 PM:

Carried

Council reconvened in open session at 2:13 PM and passed the following resolutions:

14.1 COUNCIL

14.1.1 CONFIDENTIAL COUNCIL MINUTES - JUNE 28, 2023

[MUNICIPAL ACT, 2001, Section 239 (2) (a)(b)(c)(e)(f)]

Moved by Councillor Amanda Collucci

Seconded by Councillor Keith Irish

1. That the confidential Council minutes of the Council Meeting held on June 28, 2023, be adopted.

Carried

14.1.2 CONFIDENTIAL SPECIAL COUNCIL MINUTES JULY 27, 2023

[MUNICIPAL ACT, 2001, Section 239 (2) (e)(h)]

Moved by Regional Councillor Joe Li

Seconded by Councillor Ritch Lau

1. That the confidential Minutes of the Special Council Meeting held on July 27, 2023 be adopted.

Carried

14.1.3 APPOINTMENTS TO BOARDS/ COMMITTEES (16.24)

[MUNICIPAL ACT, 2001, Section 239 (2) (b)]

Moved by Councillor Isa Lee

Seconded by Councillor Ritch Lau

1. Advisory Committee on Accessibility:

That the following individuals be appointed to the Advisory Committee on Accessibility:

Satya Arora	November 30, 2026
Stephanie Mak	November 30, 2027
Yoyo Chen	November 30, 2027
Jewell Lofsky	November 30, 2026

Carried

14.2 DEVELOPMENT SERVICES COMMITTEE - SEPTEMBER 11, 2023

14.2.1 UPDATE REPORT (2) - REQUEST FOR DIRECTION RE: ONTARIO LAND TRIBUNAL APPEAL BY TIMBERCREEK FOUR QUADRANT GP2 INC., OFFICIAL PLAN AND ZONING BY-LAW AMENDMENT APPLICATIONS AT 288, 298, AND 300 JOHN STREET (WARD 1) (10.3, 10.5)

(LITIGATION OR POTENTIAL LITIGATION, INCLUDING MATTERS BEFORE ADMINISTRATIVE TRIBUNALS, AFFECTING THE MUNICIPALITY OR LOCAL BOARD;) [MUNICIPAL ACT, 2001, Section 239 (2) (e)]

Moved by Councillor Keith Irish

Seconded by Regional Councillor Jim Jones

1. That the confidential legal report titled “UPDATE REPORT(2) - REQUEST FOR DIRECTION re: Ontario Land Tribunal Appeal by Timbercreek Four Quadrant GP2 Inc., Official Plan and Zoning By-law Amendment applications at 288, 298, and 300 John Street (Ward 1)” be received; and,
2. That Staff be authorized to do all things necessary to give effect to this resolution.

Carried

14.2.2 REQUEST FOR DIRECTION RE ONTARIO LAND TRIBUNAL RE 16 & 18 GRANDVIEW BOULEVARD PURSUANT TO SUBSECTIONS 42(10) AND 42(12) OF THE PLANNING ACT (8.0)
(LITIGATION OR POTENTIAL LITIGATION, INCLUDING MATTERS BEFORE ADMINISTRATIVE TRIBUNALS, AFFECTING THE MUNICIPALITY OR LOCAL BOARD;) [MUNICIPAL ACT, 2001, Section 239 (2) (e)]

Moved by Councillor Karen Rea

Seconded by Councillor Juanita Nathan

1. That the Confidential Report entitled “Request for Direction re Ontario Land Tribunal appeal by the owner of 16 & 18 Grandview Boulevard pursuant to subsections 42(10) and 42(12) of the Planning Act against the City requirement for payment of cash-in-lieu of parkland dedication” be received; and,
2. That Staff be authorized to do all things necessary to give effect to these Resolutions.

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

Moved by Councillor Amanda Collucci

Seconded by Councillor Ritch Lau

That By-law 2023-118 be given three readings and enacted.

Three Readings

BY-LAW 2023-118 A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE
COUNCIL MEETING OF SEPTEMBER 12, 2023.

Carried**16. ADJOURNMENT**

Moved by Councillor Isa Lee

Seconded by Councillor Keith Irish

That the Council meeting of September 12, 2023 be adjourned at 2:16 PM.

Carried

Kimberley Kitteringham

City Clerk

Frank Scarpitti

Mayor