

Council Meeting Minutes

Meeting Number: 6
February 28, 2024, 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 Arvin Prasad, Commissioner, Development Services Claudia Storto, City Solicitor and Director of People Services Morgan Jones, Commissioner, Community Services Bryan Frois, Manager, Executive Operations & Strategic Initiatives Joseph Silva, Treasurer Sumon Acharjee, Chief Information Officer Kimberley Kitteringham, City Clerk Martha Pettit, Deputy City Clerk	Hristina Giantsopoulos, Election/Council & Committee Coordinator Darryl Lyons, Deputy Director, Planning & Urban Design Frank Clarizio, Director, Engineering Giulio Cescato, Director of Planning & Urban Design Mark Visser, Senior Manager Financial Strategy & Investments Mary Creighton, Director, Recreation Services Eddy Wu, Director, Environmental Services Michael Toshakovski, Deputy City Solicitor Evan Manning, Senior Planner, Heritage John Wong, Technology Support Specialist II

Alternate formats for this document are available upon request

1. CALL TO ORDER

The meeting of Council convened at 1:06 PM on February 28, 2024. 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.

Mayor Scarpitti, on behalf of Council, acknowledged that today was Pink Shirt Day which started in Canada in 2007, and is now held on the last Wednesday of February. Pink Shirt Day is dedicated to raise awareness against bullying, discrimination, homophobia, transphobia and transmisogyny around the world. Mayor Scarpitti noted that many Members of Council and staff present at the meeting were wearing pink shirts in recognition of this day.

2. DISCLOSURE OF PECUNIARY INTEREST

There were no disclosures of pecuniary interest.

3. APPROVAL OF PREVIOUS MINUTES

3.1 SPECIAL COUNCIL MINUTES - JANUARY 29, 2024

Moved by Councillor Andrew Keyes

Seconded by Councillor Isa Lee

1. That the Minutes of the Special Council Meeting held on January 29, 2024, be adopted.

Carried

3.2 COUNCIL MINUTES - FEBRUARY 14, 2024

Moved by Regional Councillor Jim Jones

Seconded by Regional Councillor Joe Li

1. That the Minutes of the Council Meeting held on February 14, 2024, be adopted.

Carried

4. PRESENTATIONS

4.1 WORLD COUNCIL ON CITY DATA ISO37120 CERTIFICATION - CITY OF MARKHAM PLATINUM CERTIFICATION (12.2.6)

Dr. Patricia Carney, President & CEO, WCCD, and Eleanor Schoeffel, Coordinator – City Certification, WCCD, were present in the Council Chambers to provide a presentation on the criteria and key indicators for the qualification of platinum certification, noting that this is the 5th year in a row that the City of Markham has been certified for this level. Andy Taylor, Chief Administrative Officer, highlighted the significant progress that has been made at the City since the first year of qualification.

Moved by Deputy Mayor Michael Chan
Seconded by Regional Councillor Jim Jones

1. That the report dated February 28, 2024, titled “The World Council on City Data WCCD ISO 37120 Platinum Certification” be received, and further,
2. That the formal presentation of the World Council on City Data (WCCD), ISO 37120 Platinum Certification to the City of Markham be received.

Carried

5. DEPUTATIONS

There were no deputations.

6. COMMUNICATIONS

There were no communications.

7. PROCLAMATIONS

7.1 PROCLAMATION AND FLAG RAISING REQUESTS (3.4)

Mayor Scarpitti vacated the Chair and Deputy Mayor Chan assumed the Chair for this portion of the meeting.

Moved by Mayor Frank Scarpitti
 Seconded by Councillor Isa Lee

Whereas the Little Native Hockey League (Little NHL) was created to allow Ontario's First Nation children to play hockey and represent their communities; and

Whereas the four pillars of the Little NHL are sportsmanship, respect, citizenship and education; and

Whereas the Little Native Hockey League is celebrating its 50th anniversary; and

Whereas the City of Markham, supported by Destination Markham Corporation, has been selected by the Little NHL as the host city for the Little NHL 2024 Hockey Tournament, Cultural Festival, and Gala Celebration; and,

Whereas the 2024 Little NHL Tournament is the largest tournament to date with 246 teams, including a record number of girls teams, attracting First Nation players and families from across Ontario, showcasing their outstanding talent and passion for the sport of hockey and celebrating First Nation youth;

Now therefore be it resolved:

1. That the City of Markham proclaims March as "Little Native Hockey League Month" celebrating the 50th anniversary of the tournament and its outstanding legacy; and further,
2. That the City of Markham encourages residents, schools, businesses, and community organizations to actively support the Little Native Hockey League Tournament, Cultural Festival and Gala.

Carried Unanimously

Mayor Scarpitti advised that the City of Markham is hosting the 50th Anniversary of the Little Native Hockey League (NHL) inviting over 4,000 Indigenous families to the event during March Break.

Mayor Scarpitti resumed the Chair.

8. REPORT OF STANDING COMMITTEE

- 8.1 REPORT NO. 6 DEVELOPMENT SERVICES COMMITTEE (FEBRUARY 20, 2024)

Moved by Regional Councillor Jim Jones

Seconded by Regional Councillor Joe Li

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

Carried

8.1.1 RECOMMENDATION REPORT, DESIGNATION OF PRIORITY
PROPERTIES – PHASE VII (16.11.3)

Moved by Regional Councillor Jim Jones

Seconded by Regional Councillor Joe Li

1. That the Staff report, dated February 20, 2024, titled, "RECOMMENDATION REPORT, Designation of Priority Properties – Phase VII", be received; and,
2. **That the deputation from Greg Sommer made at the February 20, 2024 Development Services Committee be received; and,**
3. That the June 14, 2023, recommendation from the Heritage Markham Committee, in support of the designation of the following properties under Part IV, Section 29 of the *Ontario Heritage Act* (in accordance with Appendix 'B'), be received as information:
 - 7855 Highway 7 East (Ward 5): "Nighswander-Topper House"; and,
 - 10762 McCowan Road (Ward 6): "Peach's United Church"; and,
 - 4075 Elgin Mills Road East (Ward 6): "Summerfeldt-Toole House"; and,
 - 5060 Elgin Mills Road East (Ward 6): "John Peach House"; and,
 - 5650 Fourteenth Avenue (Ward 7): "Schoolhouse School Section"; and,
 - 46 Timbermill Crescent (Ward 4): "Jacob Wismer House"; and,

4. That Council state its intention to designate 7855 Highway 7 East (Ward 5) under Part IV, Section 29 of the *Ontario Heritage Act* in recognition of its cultural heritage significance; and,
5. That Council state its intention to designate 10762 McCowan Road (Ward 6) under Part IV, Section 29 of the *Ontario Heritage Act* in recognition of its cultural heritage significance; and,
6. That Council state its intention to designate 4075 Elgin Mills Road East (Ward 6) under Part IV, Section 29 of the *Ontario Heritage Act* in recognition of its cultural heritage significance; and,
7. That Council state its intention to designate 5060 Elgin Mills Road East (Ward 6) under Part IV, Section 29 of the *Ontario Heritage Act* in recognition of its cultural heritage significance; and,
8. That Council state its intention to designate 5650 Fourteenth Avenue (Ward 7) under Part IV, Section 29 of the *Ontario Heritage Act* in recognition of its cultural heritage significance; and,
9. That Council state its intention to designate 46 Timbermill Crescent (Ward 4) under Part IV, Section 29 of the *Ontario Heritage Act* in recognition of its cultural heritage significance; and,
10. 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,
11. That if there are any objections in accordance with the provisions of the *Ontario Heritage Act*, the matter return to Council for further consideration; and further,
12. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

8.1.2 RECOMMENDATION REPORT, OBJECTIONS TO NOTICES OF INTENTION TO DESIGNATE – PHASE V PROPERTIES (16.11.3)

Moved by Regional Councillor Jim Jones

Seconded by Regional Councillor Joe Li

1. That the Staff report, dated February 20, 2024, titled "RECOMMENDATION REPORT, Objection to Notice of Intention to Designate – Phase V Properties", be received; and,
2. **That the deputation from Chris Uchiyama made at the February 20, 2024 Development Services Committee be received; and,**
3. That the written objection to designation under the *Ontario Heritage Act* as submitted on behalf of the property owner of 10737 Victoria Square Blvd (Ward 2), be received as information; and,
4. That Council affirm its intention to designate 10737 Victoria Square (Ward 2) under Part IV, Section 29 of the *Ontario Heritage Act* in recognition of its cultural heritage significance; and,
5. That the Clerk's Department be authorized to place a designation by-law before Council for adoption; and,
6. That the Clerk's Department be authorized to publish and serve notice of Council's adoption of the designation by-law as per the requirements of the *Ontario Heritage Act*; and further,
7. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

8.2 REPORT NO. 7 GENERAL COMMITTEE (FEBRUARY 27, 2024)

Moved by Councillor Keith Irish

Seconded by Councillor Andrew Keyes

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

Carried

8.2.1 289-T-23 MARKHAM VILLAGE PHASE 1A - STORM SEWERS AND WATERMAIN UPGRADES (7.12)

Moved by Councillor Keith Irish

Seconded by Councillor Andrew Keyes

1. That the report entitled “289-T-23 Markham Village Phase 1A - Storm Sewers and Watermain Upgrades” be received; and,
2. That the contract for be awarded to the lowest priced Bidder, Drainstar Contracting Ltd. in the amount of \$18,746,673.19, inclusive of HST; and,
3. That a 15% contingency in the amount of \$2,812,000.98 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 \$21,558,674.17 (\$18,746,673.19 + \$2,812,000.98) be funded from the account 058-6150-23468-005 “Markham Village Flood Control Phase 1A - Construction” as outlined under the Financial Considerations Section in this report; and,
5. That funding of \$350,000.00 be retained in the account for other services as described under Financial Considerations Section; and,
6. That the remaining funds from this tender relating to project #23468 “Markham Village Flood Control Phase 1A - Construction” in the amount \$53,543.83 (\$21,962,218.00 - \$21,558,674.17-\$350,000.00) be returned to the Stormwater Fee Reserve; and,
7. That a 5-year moratorium be placed on any major servicing and utility installation along restored areas of the following streets:
 - i. Church Street (from Maple Street to 9th Line); and,
 - ii. Jack Court; and,
 - iii. Judy Court; and,
 - iv. Jill Court; and,
 - v. Sir Isaac Gate; and,
 - vi. King Arthur Court; and,
 - vii. Rose Way; and further,

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

Carried

8.2.2 REQUEST FOR APPROVAL OF REVISED TERMS OF REFERENCE FOR MARKHAM ACCESSIBILITY ADVISORY COMMITTEE (16.34)

Moved by Councillor Keith Irish

Seconded by Councillor Andrew Keyes

1. That the report titled “Request for Approval of Revised Terms of Reference for Markham Accessibility Advisory Committee” be received; and,
2. That the name of the “Markham Advisory Committee on Accessibility” be changed to the “Markham Accessibility Advisory Committee”; and,
3. That the revised Terms of Reference for the Markham Accessibility Advisory Committee be approved in substantial conformity with the Terms of Reference attached as Appendix A; 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

There was no new or other business.

12. ANNOUNCEMENTS

There were no announcements.

13. BY-LAWS - THREE READINGS

Moved by Regional Councillor Alan Ho

Seconded by Councillor Ritch Lau

That By-laws 2024-28 to 2024-41 be given three readings and enacted.

Carried

Three Readings

- 13.1 BY-LAW 2024-28, A BY-LAW TO DESIGNATE A PROPERTY AS BEING OF CULTURAL HERITAGE VALUE OR INTEREST “ARMSTRONG HOUSE” - 45 CAPTAIN ARMSTRONG’S LANE

The Armstrong House is recommended for designation under Part IV, Section 29 of the Ontario Heritage Act as a property of cultural heritage value or interest.

Carried

- 13.2 BY-LAW 2024-29, A BY-LAW TO DESIGNATE A PROPERTY AS BEING OF CULTURAL HERITAGE VALUE OR INTEREST “ARTHUR AND SARAH SPOFFORD HOUSE” - 11520 KENNEDY ROAD

The Arthur and Sarah Spofford House is recommended for designation under Part IV, Section 29 of the Ontario Heritage Act as a property of cultural heritage value or interest.

Carried

- 13.3 BY-LAW 2024-30, A BY-LAW TO DESIGNATE A PROPERTY AS BEING OF CULTURAL HERITAGE VALUE OR INTEREST “FRANCIS AND MARY WALKER HOUSE” - 10725 KENNEDY ROAD

The Francis and Mary Walker House is recommended for designation under Part IV, Section 29 of the Ontario Heritage Act as a property of cultural heritage value or interest.

Carried

- 13.4 BY-LAW 2024-31, A BY-LAW TO DESIGNATE A PROPERTY AS BEING OF CULTURAL HERITAGE VALUE OR INTEREST “FRED AND EMMA BETZ HOUSE” - 75 DICKSON HILL ROAD

The Fred and Emma Betz House is recommended for designation under Part IV, Section 29 of the Ontario Heritage Act as a property of cultural heritage value or interest.

Carried

- 13.5 BY-LAW 2024-32, A BY-LAW TO DESIGNATE A PROPERTY AS BEING OF CULTURAL HERITAGE VALUE OR INTEREST “FREDERICK AND LAURA REESOR HOUSE” - 7846 HIGHWAY 7 EAST

The Frederick and Laura Reesor House is recommended for designation under Part IV, Section 29 of the Ontario Heritage Act as a property of cultural heritage value or interest.

Carried

- 13.6 BY-LAW 2024-33, A BY-LAW TO DESIGNATE A PROPERTY AS BEING OF CULTURAL HERITAGE VALUE OR INTEREST “JOHN AND JANE PINGLE HOUSE” - 10060 KENNEDY ROAD

The John and Jane Pingle House is recommended for designation under Part IV, Section 29 of the Ontario Heritage Act as a property of cultural heritage value or interest.

Carried

- 13.7 BY-LAW 2024-34, A BY-LAW TO DESIGNATE A PROPERTY AS BEING OF CULTURAL HERITAGE VALUE OR INTEREST “MCKINNON HOMESTEAD” - 4044 ELGIN MILLS ROAD EAST

The McKinnon Homestead is recommended for designation under Part IV, Section 29 of the Ontario Heritage Act as a property of cultural heritage value or interest.

Carried

- 13.8 BY-LAW 2024-35, A BY-LAW TO DESIGNATE A PROPERTY AS BEING OF CULTURAL HERITAGE VALUE OR INTEREST “ROBERT ARMSTRONG HOUSE” - 5467 NINETEENTH AVENUE

The Robert Armstrong House is recommended for designation under Part IV, Section 29 of the Ontario Heritage Act as a property of cultural heritage value or interest.

Carried

13.9 BY-LAW 2024-36, A BY-LAW TO DESIGNATE A PROPERTY AS BEING OF CULTURAL HERITAGE VALUE OR INTEREST “SILVER SPRINGS FARMHOUSE” -7960 REESOR ROAD

The Silver Springs Farmhouse is recommended for designation under Part IV, Section 29 of the Ontario Heritage Act as a property of cultural heritage value or interest.

Carried

13.10 BY-LAW 2024-37, A BY-LAW TO DESIGNATE A PROPERTY AS BEING OF CULTURAL HERITAGE VALUE OR INTEREST “THOMAS AND SARAH HASTY HOUSE” - 11482 MCCOWAN ROAD

The Thomas and Sarah Hasty House is recommended for designation under Part IV, Section 29 of the Ontario Heritage Act as a property of cultural heritage value or interest.

Carried

13.11 BY-LAW 2024-38, A BY-LAW TO DESIGNATE A PROPERTY AS BEING OF CULTURAL HERITAGE VALUE OR INTEREST “VICTORIA SQUARE UNITED CHURCH AND METHODIST CHAPEL” - 10720 VICTORIA SQUARE BOULEVARD

The Victoria Square United Church and Methodist Chapel is recommended for designation under Part IV, Section 29 of the Ontario Heritage Act as a property of cultural heritage value or interest.

Carried

13.12 BY-LAW 2024-39, A BY-LAW TO DESIGNATE A PROPERTY AS BEING OF CULTURAL HERITAGE VALUE OR INTEREST “WILLIAM AND ANNA MUSTARD HOUSE” - 11303 WARDEN AVENUE

The William and Anna Mustard House is recommended for designation under Part IV, Section 29 of the Ontario Heritage Act as a property of cultural heritage value or interest.

Carried

13.13 BY-LAW 2024-40, A BY-LAW TO DESIGNATE A PROPERTY AS BEING OF CULTURAL HERITAGE VALUE OR INTEREST “WILLIAM AND MARY ANN FRISBY HOUSE” - 2992 ELGIN MILLS ROAD EAST

The William and Ann Frisby House is recommended for designation under Part IV, Section 29 of the Ontario Heritage Act as a property of cultural heritage value or interest.

Carried

13.14 BY-LAW 2024-41, A BY-LAW TO DESIGNATE A PROPERTY AS BEING OF CULTURAL HERITAGE VALUE OR INTEREST “WILLIAM AND SARAH REYNOLDS HOUSE” - 7482 HIGHWAY 7 EAST

The William and Sarah Reynolds House is recommended for designation under Part IV, Section 29 of the Ontario Heritage Act as a property of cultural heritage value or interest.

Carried

14. CONFIDENTIAL ITEMS

Moved by Councillor Juanita Nathan
Seconded by Councillor Keith Irish

That, in accordance with Section 239 (2) of the *Municipal Act*, Council resolve into a private session to discuss the following confidential matters at 1:56 PM.

Carried

Council resumed in open session and approved the following at 2:50 PM:

14.1 COUNCIL

14.1.1 CONFIDENTIAL COUNCIL MINUTES - FEBRUARY 14, 2024
[MUNICIPAL ACT, 2001, Section 239 (2) (e)]

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

1. That the confidential Council minutes of the Council Meeting held on February 14, 2023 be adopted.

Carried

14.1.2 ONTARIO LAND TRIBUNAL APPEAL - 9704 MCCOWAN ROAD
 REGARDING DEVELOPMENT CHARGES

Moved by Councillor Amanda Collucci
 Seconded by Councillor Karen Rea

1. That the confidential presentation regarding the Ontario Land Tribunal Appeal - 9704 McCowan Road regarding Development Charges (Sher Markham Inc) be received; and further,
2. That staff be directed and authorized to do all things necessary to give effect to this resolution.

Carried

15. CONFIRMATORY BY-LAW - THREE READINGS

Moved by Councillor Isa Lee
 Seconded by Councillor Keith Irish

That By-law 2024-27 be given three readings and enacted.

Three Readings

BY-LAW 2024-27, A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE
 COUNCIL MEETING OF FEBRUARY 28, 2024.

No attachment

Carried

16. ADJOURNMENT

That the Council meeting be adjourned at 2:51 PM.

Kimberley Kitteringham

City Clerk

Frank Scarpitti

Mayor