

Council Meeting Minutes

Meeting Number: 24
November 20, 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 Chris Nearing, Fire Chief Bryan Frois, Manager, Executive Operations & Strategic Initiatives Joseph Silva, Treasurer Kimberley Kitteringham, City Clerk Martha Pettit, Deputy City Clerk Frank Clarizio, Director, Engineering Giulio Cescato, Director of Planning & Urban Design Catherine Conrad, Counsel Victoria Chai, Assistant City Solicitor	Mark Visser, Senior Manager Financial Strategy & Investments Mary Creighton, Director, Recreation Services Alice Lam, Director, Operations Stephanie DiPerna, Director, Building Standards Loy Cheah, Senior Manager, Transportation Manzora Nero, Engineer, Capital Works Laura Chong, Project Manager, Transportation Richard Ehrlund, Supervisor, Municipal Law Enforcement Rajeeth Arulanantham, Election and Committee Coordinator Barton Leung, Senior Planner, Planning & Urban Design Emil Bautista, Technology Support Specialist

Alternate formats for this document are available upon request

1. CALL TO ORDER

The meeting of Council convened at 1:10 PM on November 20, 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.

Council observed a moment of silence in honour of Frank Ashmore Reesor, a long-time resident of the City of Markham. Flags at all facilities are flying at half-mast in his honour.

2. DISCLOSURE OF PECUNIARY INTEREST

There were no disclosures of pecuniary interest.

3. APPROVAL OF PREVIOUS MINUTES

3.1 COUNCIL MINUTES - NOVEMBER 6, 2024

Moved by Councillor Isa Lee

Seconded by Councillor Keith Irish

1. That the Minutes of the Council Meeting held on November 6, 2024, be adopted.

Carried

4. PRESENTATIONS

There were no presentations.

5. DEPUTATIONS

There were no deputations.

6. COMMUNICATIONS

6.1 COMMUNICATION FROM BARRY NELSON RE: ITEM 7.2.1 - CYCLING FACILITY SELECTION TOOL (CITY WIDE) (5.10)

Moved by Councillor Reid McAlpine
Seconded by Councillor Juanita Nathan

1. That the communication regarding Item 7.2.1 "Cycling Facility Selection Tool (City-Wide) " from Barry Nelson be received and referred to staff.

(Item 7.2.1)

Carried

7. REPORT OF STANDING COMMITTEE

7.1 REPORT NO. 43 DEVELOPMENT SERVICES PUBLIC MEETING (NOVEMBER 5, 2024)

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

7.1.1 PUBLIC MEETING INFORMATION REPORT, ARBUTUS REAL ESTATE LTD. AT 7441 TO 7455 VICTORIA PARK AVENUE AND 200 TO 248 STEELCASE ROAD EAST, APPLICATION FOR ZONING BY-LAW AMENDMENT

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

1. That the report entitled "PUBLIC MEETING INFORMATION REPORT, Arbutus Real Estate Ltd., Application for Zoning By-law Amendment to permit creative industrial uses and food and beverage production, processing and warehousing uses, with accessory office and retail, and ancillary restaurant uses (Ward 8), File No. PLAN 24 187368", be received; and,
2. That the Record of the Public Meeting held on November 5, 2024 with respect to the proposed Zoning By-law Amendment application, be received; and,

3. That the application by Arbutus Real Estate Ltd., for a proposed Zoning By-law Amendment (PLAN 24 187368), 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

7.2 REPORT NO. 44 DEVELOPMENT SERVICES COMMITTEE (NOVEMBER 12, 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 3):

Carried

7.2.1 CYCLING FACILITY SELECTION TOOL (CITY WIDE) (5.10)

Moved by Regional Councillor Jim Jones

Seconded by Regional Councillor Joe Li

1. That the Staff report titled “Cycling Facility Selection Tool (City-wide)” be received; and,
2. That the Cycling Facility Selection Tool be endorsed; and,
3. That staff be directed to plan, design and implement in-boulevard multi-use paths or cycle tracks that take into consideration financial, operational and maintenance impacts, available funding and the criteria outlined in the Cycling Facility Selection Tool; and,
4. That the Director of Engineering, in consultation with the Director of Operations and the City Treasurer, be authorized to update the Cycling Facility Selection Tool from time to time, to accommodate changing needs and practices; and further,
5. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

7.2.2 2025 BUILDING BY-LAW CHANGES (10.13)

Moved by Regional Councillor Jim Jones

Seconded by Regional Councillor Joe Li

1. That the report titled “2025 Building By-law Changes” dated November 12, 2024 be received; and,
2. That By-law 2023-177 as amended be repealed and the attached “By-law respecting Construction, Demolition, Change of Use Permits and Inspections,” attached as Appendix ‘A’, be enacted; and,
3. That the by-law come into force and take effect on January 1, 2025; and further,
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

7.2.3 CORNELL CENTRE SECONDARY PLAN UPDATE – DRAFT POLICY FRAMEWORK (10.4)

Moved by Regional Councillor Jim Jones

Seconded by Regional Councillor Joe Li

1. That the report entitled "Cornell Centre Secondary Plan Update – Draft Policy Framework" dated November 12, 2024, be received; and,
2. **That the written correspondence from Shannon Sigouin be received; and,**
3. That the Draft Cornell Centre Secondary Plan be released for public consultation; and,
4. That Staff be authorized to schedule a statutory public meeting on the draft Cornell Centre Secondary Plan, attached as Appendix ‘A’ to this staff report; and further,
5. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

8. MOTIONS

There were no motions.

9. NOTICE OF MOTION TO RECONSIDER

There were no notices of motion to reconsider.

10. NEW/OTHER BUSINESS

10.1 BILL 212, REDUCING GRIDLOCK, SAVING YOU TIME ACT, 2024 (CITY-WIDE)

Moved by Regional Councillor Jim Jones

Seconded by Deputy Mayor Michael Chan

1. That the staff report titled “Bill 212, Reducing Gridlock, Saving You Time Act, 2024 (City-wide) be received; and,
2. That Council request the Province to allow municipalities to determine the appropriateness of implementing bicycle lanes on municipal road networks without the need for Provincial approval and that the City of Markham be exempt from the bike lane regulations of Bill 212; and,
3. That, notwithstanding Recommendation #2, Council request the Province to provide clarification on the following matters pertaining to Schedule 4 of Bill 212:
 - a. A formal procedure outlining the process and requirements that municipalities are to follow when submitting relevant projects for review; and,
 - b. A formal identification of which classifications of road are affected by the proposed legislation, given that:
 - i. the proposed legislation allows the Minister to exempt public highways or classes of highways at their discretion; and,
 - ii. media comments from provincial officials indicate that bicycle lanes should not be on primary roads, and instead be placed on secondary roads; and,
 - c. What technical criteria the Ministry of Transportation is using to determine whether a project “*would unduly diminish the orderly movement of motor vehicle traffic*”; and,

- d. If road lane reductions for road safety considerations are exempt from the Ministry's review; and,
 - e. What type of traffic information is being requested from the municipality, by the Ministry, to inform their review of proposed and existing bicycle lanes;
 - f. Whether a municipality is permitted to remove a travel lane to provide for an on-road facility other than a dedicated bicycle lane such as a parking lane or urban road shoulders; and,
 - g. Whether the Province will fully reimburse the municipality for all associated costs incurred for existing bicycle lanes or active projects that are not approved by the Ministry; and,
4. That staff submit this resolution to the Ministry of Transportation on November 20, 2024 through the Environmental Registry of Ontario to meet the commenting deadline for Bill 212; and further; and,
 5. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

11. ANNOUNCEMENTS

Councillor Nathan announced that she will be attending the Federation of Canadian Municipalities "Partnerships for Municipal Innovation - Women in Leadership Project" in Cambodia from November 21 – 30. This project strengthens networks of elected female officials and enhances gender-responsive public services with a focus on increasing their leadership and decision-making roles in local government.

12. BY-LAWS - THREE READINGS

Moved by Councillor Karen Rea

Seconded by Councillor Amanda Collucci

That By-laws 2024-202 to 2024-207 be given three readings and enacted.

Carried

Three Readings

- 12.1 BY-LAW 2024-202, A BY-LAW TO AMEND BY-LAW 1229, AS AMENDED (TO ADD A SITE SPECIFIC EXCEPTION) (30 HERITAGE HOLDINGS LTD.)

Being a By-law to amend By-law 1229, as amended. The purpose of this By-law is to add ‘Motor Vehicle Establishment’ and ‘Motor Vehicle Repair Garage’ as additional permitted uses under the current Industrial ‘M’ Zone, to facilitate the development of a new three storey commercial building for a Motor Vehicle Sales and Service establishment. (30 Heritage Holdings LTD. 229 Steeles Avenue West, Vaughan, Ontario L4J1A1)
(Item 7.2.1, Report No. 35 Development Services Public Meeting, September 24, 2024)

Carried

- 12.2 BY-LAW 2024-203, OFFICIAL PLAN AMENDMENT NO. 58 - CITY INITIATED OFFICIAL PLAN AMENDMENT FOR THE MARKHAM ROAD – ANGUS GLEN LANDOWNER'S GROUP INC. (WARD 6) (10.3)

Being a By-law to adopt a City initiated Official Plan Amendment No. 58 to Amendment No. 1 to the Angus Glen Secondary Plan (OPA 47) into the City of Markham Official Plan, 2014.
(Item 7.1.1, Report No. 40 Development Services Public Meeting, October 22, 2024)

Carried

- 12.3 BY-LAW 2024-204, A BY-LAW TO DESIGNATE PART OF A CERTAIN PLAN OF SUBDIVISION NOT SUBJECT TO PART LOT CONTROL - BERCZY WARDEN HOLDINGS INC.

Being a By-law to designate part of a certain plan of subdivision not subject to Part Lot Control (west of Warden Avenue, north of Major Mackenzie Drive East). This by-law is to exempt the subject block from the part lot control provisions of the Planning Act, R.S.O. 1990, c. P.13, as amended. The By-law is to facilitate the conveyance of 53 townhouse dwelling units with maintenance easements and for the creation of side door access easements to service 8 single-detached dwelling units. (Berczy Warden Holdings Inc., Lots 18-21, 23, 41, 43 and 44 and Blocks 73-75, 105, 106 and 117 to 120, Plan 65M-4794)

Carried

- 12.4 BY-LAW 2024-205, OFFICIAL PLAN AMENDMENT NO. 271 - 2690622 ONTARIO INC. (KINGDOM-MARKHAM CENTRE 4121 HIGHWAY 7)

Being a By-Law to adopt Amendment No. 271 to the City of Markham Official Plan 1987, as amended.

[2690622 Ontario Inc. (Kingdom – Markham Centre) 4121 Highway 7]
(Item 7.2.2, Report No. 35 Development Services Public Meeting, October 9, 2024)

Carried

- 12.5 BY-LAW 2024-206, BEING A BY-LAW RESPECTING CONSTRUCTION, DEMOLITION, CHANGE OF USE PERMITS AND INSPECTIONS

Being a By-law that repeals By-law 2023-177 and to enact a new building by-law for the issuance of permits and related matters respecting Construction, Demolition, Change of Use Permits and Inspections.

(Item 7.2.2)

Carried

- 12.6 BY-LAW 2024-207, A BY-LAW TO AMEND BY-LAW 2024-120 BEING A BY-LAW TO DESIGNATE “SUMMERFELDT-TOOLE HOUSE” 4075 ELGIN MILLS ROAD EAST

Being a By-law to Amend Heritage By-law 2024-120 West of Warden Avenue, north of Major Mackenzie Drive East. The purpose of this By-law is to Amend the legal description contained in By-law 2024-120 in response to an R-Plan deposited for the property.

(Romandale Farms Limited, 4075 Elgin Mills Road East, Markham)

Carried

13. CONFIDENTIAL ITEMS

Moved by Councillor Andrew Keyes

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 1:49 PM:

Carried

Council resumed in Open Session at 2:36 PM and passed the following resolutions:

13.1 COUNCIL

13.1.1 CONFIDENTIAL COUNCIL MINUTES - NOVEMBER 6, 2024 [MUNICIPAL ACT, SECTION 239 (2) (e)(f)]

Moved by Regional Councillor Alan Ho
Seconded by Councillor Isa Lee

1. That the confidential Council minutes of the Council Meeting held on November 6, 2024, be adopted.

Carried

13.1.2 APPOINTMENTS TO BOARDS/COMMITTEES (16.24) [MUNICIPAL ACT, 2001, Section 239 (2) (b)] (DESTINATION MARKHAM CORPORATION)

Moved by Councillor Andrew Keyes
Seconded by Deputy Mayor Michael Chan

1. That the confidential report entitled “Destination Markham Corporation, Board of Directors Appointments” be received; and further,
2. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

13.2 DEVELOPMENT SERVICES COMMITTEE - OCTOBER 29, 2024

13.2.1 CONFIDENTIAL REQUEST FOR DIRECTION RE SETTLEMENT WITH ARYEH CONSTRUCTION LIMITED, 8293 – 8303 WARDEN AVE (8.0)

Moved by Regional Councillor Jim Jones
Seconded by Councillor Reid McAlpine

1. That the confidential report entitled “Confidential – Request for Direction re Settlement with Aryeh Construction Limited, 8293 – 8303 Warden Ave” be received; and further,

2. That Staff be authorized and directed to do all things necessary to give effect to these resolutions.

Carried

13.3 REQUEST FOR DIRECTION - 9781 MARKHAM ROAD LIMITED PARTNERSHIP(WARD 5), FILE NO. PLAN 21 140476 (10.5)

Moved by Councillor Karen Rea

Seconded by Regional Councillor Jim Jones

1. That the confidential report entitled “Request for Direction RE: 9781 Markham Road Limited Partnership” be received; and further,
2. That staff be authorized and directed to take the actions recommended by this report.

Carried

14. CONFIRMATORY BY-LAW - THREE READINGS

Moved by Councillor Ritch Lau

Seconded by Councillor Reid McAlpine

That By-law 2024-201 be given three readings and enacted.

Three Readings

BY-LAW 2024-201 A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE COUNCIL MEETING OF NOVEMBER 20, 2024.

Carried

15. ADJOURNMENT

Moved by Councillor Isa Lee

Seconded by Councillor Keith Irish

That the Council meeting of November 20, 2024 be adjourned at 2:39 PM.

Carried

Kimberley Kitteringham

City Clerk

Frank Scarpitti

Mayor