

Council Meeting Minutes

Meeting Number: 18
September 25, 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 Kimberley Kitteringham, City Clerk Martha Pettit, Deputy City Clerk Frank Clarizio, Director, Engineering Giulio Cescato, Director of Planning & Urban Design	Mark Visser, Senior Manager Financial Strategy & Investments Eddy Wu, Director, Environmental Services Lee Boudakian, Acting Director, Economic Growth, Culture & Entrepreneurship Maggie Cheung-Madar, Assistant City Solicitor Darryl Lyons, Deputy Director, Planning & Urban Design Rajeeth Arulanantham, Election and Committee Coordinator Sheila Kerz, Manager, Plans Review Jason Yang, Technology Support Specialist II

Alternate formats for this document are available upon request

1. CALL TO ORDER

The meeting of Council convened at 1:11 PM on September 25, 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 announced that the City of Markham had conducted a Signing Ceremony with the Little NHL earlier today and advised they will be coming back to Markham for the next three years.

2. DISCLOSURE OF PECUNIARY INTEREST

Councillor Karen Rea declared a conflict of interest with Item 7.1.8 RE: Recommendation Report, City Park (Town Crier) Homes Inc. At 7 Town Crier Lane, as she is involved in an ongoing legal matter with the applicant.

3. APPROVAL OF PREVIOUS MINUTES

3.1 COUNCIL MINUTES - AUGUST 7, 2024

Moved by Councillor Isa Lee

Seconded by Councillor Keith Irish

1. That the Minutes of the Council Meeting held on August 7, 2024, be adopted.

Carried

4. PRESENTATIONS

There were no presentations.

5. DEPUTATIONS

5.1 DEPUTATION ITEM 7.1.2 - RECOMMENDATION REPORT – OBJECTIONS TO NOTICES OF INTENTION TO DESIGNATE – PHASE X AND XI PROPERTIES (16.11.3)

Gail Yu, appeared before Council to express her opposition to the Heritage Designation for her property located at 15 Victoria Street. She had previously

requested to appear at the Development Services Committee Meeting held on September 17, 2024 on this matter.

Heritage Staff confirmed that this property meets the standards to designate as being of cultural heritage value under the Planning Act.

Moved by Regional Councillor Jim Jones

Seconded by Deputy Mayor Michael Chan

1. That Council waive Section 4.16(a) of the City's Procedural By-law 2017-5 to permit Gail Yu, who spoke on this matter at the Development Services Committee meeting on September 17, 2024, to make a deputation to Markham City Council.

Carried by Two Thirds Vote

Moved by Councillor Ritch Lau

Seconded by Deputy Mayor Michael Chan

1. That the deputation from Gail Yu be received.

Carried

6. COMMUNICATIONS

6.1 LIQUOR LICENCE APPLICATION - BB.Q RESTAURANT (WARD 6) (3.21)

Moved by Councillor Amanda Collucci

Seconded by Regional Councillor Joe Li

1. That the request for the City of Markham to complete the Municipal Information Form be received for information and be processed accordingly.

Carried

6.2 ONTARIO LAND TRIBUNAL (OLT) DECISION - 9331-9399 MARKHAM ROAD (FOURO TOWERS BUILDERS LTD. AND SASSON CONSTRUCTION INC.) (WARD 5) (8.0, 10.0)

Moved by Regional Councillor Jim Jones

Seconded by Deputy Mayor Michael Chan

1. That the communication from the City Solicitor summarizing the OLT Decision in regard to the settlement with 9331-9399 MARKHAM ROAD

(FOURO TOWERS BUILDERS LTD. AND SASSON CONSTRUCTION INC.) (WARD 5) from the City's non-decision regarding a Zoning By-law application and the requirement to assign a By-law number for administrative tracking purposes be received.

Carried

6.3 CORRESPONDENCE - ASSOCIATION OF MUNICIPALITIES OF ONTARIO (AMO) /ONTARIO MEDICAL ASSOCIATION (OMA) - JOINT HEALTH RESOLUTION CAMPAIGN

Moved by Regional Councillor Alan Ho
Seconded by Councillor Andrew Keyes

1. That the correspondence from Ontario Municipal Administrators' Association (OMA) and Association of Municipalities of Ontario (AMO) advocating for a better healthcare system be received; and,
2. That the City of Markham supports the resolution as presented by OMA and AMO; and,
3. That this resolution be forwarded to the Province of Ontario for their consideration; and further,
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

7. REPORT OF STANDING COMMITTEE

7.1 REPORT NO. 33 DEVELOPMENT SERVICES COMMITTEE (SEPTEMBER 17, 2024)

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 Item 7.1.8 and 7.1.9. (Items 1 to 9):

Carried

7.1.1 RECOMMENDATION REPORT – DESIGNATION OF PRIORITY PROPERTIES – PHASE XIII (16.11.3)

Moved by Regional Councillor Jim Jones

Seconded by Regional Councillor Joe Li

1. That the Staff report, dated September 17, 2024, titled, "RECOMMENDATION REPORT, Designation of Priority Properties – Phase XIII", be received; and,
2. 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:
 - 3693 Elgin Mills Road East (Ward 2): "John Doner/Toll House"
 - 4272 Fourteenth Avenue (Ward 8): "John and Sarah Hagerman House"
 - 3812 Nineteenth Avenue (Ward 6): "Wideman-Cober House"
 - 7530 Ninth Line (Ward 7): "Abram and Margaret Raymer House"; and,
3. That Council state its intention to designate 3693 Elgin Mills Road East (Ward 2) under Part IV, Section 29 of the Ontario Heritage Act in recognition of its cultural heritage significance; and,
4. That Council state its intention to designate 4272 Fourteenth Avenue (Ward 8) 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 3812 Nineteenth Avenue (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 7530 Ninth Line (Ward 7) under Part IV, Section 29 of the Ontario Heritage Act in recognition of its cultural heritage significance; and,
7. 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,

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

Carried

7.1.2 RECOMMENDATION REPORT – OBJECTIONS TO NOTICES OF INTENTION TO DESIGNATE – PHASE X AND XI PROPERTIES (16.11.3)

Moved by Regional Councillor Jim Jones

Seconded by Regional Councillor Joe Li

1. That the Staff report, dated September 17, 2024, titled "RECOMMENDATION REPORT, Objections to Notices of Intention to Designate – Phase X and XI Properties", be received; and,
2. That the written objection to designation under the Ontario Heritage Act as submitted by or on behalf of the property owners of 9418 Kennedy Road (Ward 6) and 15 Victoria Street (Ward 2), be received as information; and,
3. That the deputation from Gail Yu and Martin Mazierski be received; and,
4. That Council affirm its intention to designate 9418 Kennedy Road (Ward 6) under Part IV, Section 29 of the Ontario Heritage Act in recognition of its cultural heritage significance; and,
5. That Council affirm its intention to designate 15 Victoria Street (Ward 2) under Part IV, Section 29 of the Ontario Heritage Act in recognition of its cultural heritage significance; and,
6. That the Clerk's Department be authorized to place designation by-laws before Council for adoption; and,

7. 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,
8. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

7.1.3 2024 APPLICATION TO THE GROWING CANADA'S COMMUNITY CANOPIES FUND BY FRIENDS OF THE ROUGE WATERSHED (10.0)

Moved by Regional Councillor Jim Jones

Seconded by Regional Councillor Joe Li

1. That the memorandum dated September 17, 2024, and titled "2024 Application to the Growing Canada's Community Canopies Fund by Friends of the Rouge Watershed" be received; and,
2. That the City of Markham supports the Friends of the Rouge Watershed's application to the Growing Canada's Community Canopies Fund, named "Volunteers Reforesting City of Markham Parklands to Reduce Climate Change, Flooding and Pollution, and Conserve Biodiversity" in the City of Markham; and,
3. That the City of Markham acknowledges that the Friends of the Rouge Watershed is applying for a funding opportunity from the Federation of Canadian Municipalities' Growing Canada's Community Canopies initiative for "Volunteers Reforesting City of Markham Parklands to Reduce Climate Change, Flooding and Pollution, and Conserve Biodiversity", in partnership with the City of Markham. The City of Markham also recognizes that the lifetime contribution from the Growing Canada's Community Canopies Initiative will not exceed \$10 million for tree planting within our municipality, inclusive of a maximum contribution of \$1 million for infrastructure activity costs, and that if approved this project will be counted towards that limit; and further,
4. That staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

7.1.4 ADDITIONAL FUNDING REQUEST FOR LANDSCAPE ARCHITECT CONSULTING SERVICES AT CORNELL COMMUNITY PARK - DESIGN

Moved by Regional Councillor Jim Jones

Seconded by Regional Councillor Joe Li

1. That the report titled Additional Funding Request for Landscape Architect Consulting Services at Cornell Community Park – Design be received; and,
2. That Purchase Order PD 15162 issued to Schollen and Company for the contract administration related to Cornell Community Park be increased by \$213,405.53, inclusive of HST, to cover project costs that were outside the consultant’s initial scope of work; and,
3. That the additional project costs in the amount of \$213,405.53 be funded from the following funding sources;
 - a. Project account# 081-5350-15002-005 Cornell Community Park (\$82,156.89)
 - b. Design Capital Contingency Account (\$118,123.78)
 - c. Non-DC Capital Contingency Account (\$13,124.86); and further,
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

7.1.5 CITYWIDE PARKING STRATEGY – GOVERNANCE STRUCTURE AND FINANCIAL MODEL - PROGRESS UPDATE #2 (5.0)

Moved by Regional Councillor Jim Jones

Seconded by Regional Councillor Joe Li

1. That the report and presentation titled “Citywide Parking Strategy – Governance Structure and Financial Model - Progress Update #2” be received; and,
2. That Council endorse the draft principles on municipal parking governance structure and financial model to support the Citywide Parking Strategy as follows:

- a. Create adaptive area-specific policies, standards, and programs that align with the City's commitment to providing residents, visitors, and businesses with an efficient, safe, equitable, reliable, and convenient transportation system and support the City's transformation into a more sustainable, multimodal, and livable city;
 - b. Balance between revenue optimization and community benefits in meeting the City's strategic objectives;
 - c. Maintain City control over planning, operations, and financial objectives;
 - d. Optimize the integration of parking into the overall transportation network in achieving alternative mobility management services for residents, workers, and visitors;
 - e. Develop parking policies, procedures and guidelines that provide accountability, traceability of decisions, and openness within the parking governance model for residents and visitors;
 - f. Provide public parking services where revenue covers all parking costs with no contribution from the property tax base; and further,
3. That staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

7.1.6 HERITAGE MARKHAM COMMITTEE MOTION - COMPATIBILITY OF THE FUTURE YONGE CORRIDOR SECONDARY PLAN WITH THE THORNHILL HERITAGE CONSERVATION DISTRICT PLAN (16.11)

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

WHEREAS the Thornhill Heritage Conservation District Plan, the Thornhill Yonge Street Study (2005) and the City of Markham's Official Plan (2014) each address ways how cultural heritage resources within and adjacent to the Conservation District are to be protected; and,

WHEREAS the City of Markham is presently studying the Yonge Corridor to determine the land use, parks, infrastructure, and community amenities (including schools) needed to support future growth; and,

WHEREAS the terms of reference for the Yonge Corridor Secondary Plan specifically exclude the Heritage District but require that it ensure compatibility with the Thornhill Heritage Conservation District, namely the distinct character of the heritage buildings, sites and landscapes within the District; and,

Therefore, now be it resolved:

That the maximum height provisions in the Official Plan specific to the Area and Site Policies for the Thornhill Heritage Centre be added to the Thornhill Heritage Conservation District Plan; and further,

That the Heritage Markham Committee supports the final Yonge Corridor Secondary Plan including policies that specifically address development/re-development - including urban design, built form, land uses and appropriate and respectful transitions - adjacent to the boundaries of the Thornhill Heritage Conservation District.

Carried

7.1.7 RECOMMENDATION REPORT, 8350 KENNEDY LTD. (C/O GOLDBERG GROUP) APPLICATIONS FOR OFFICIAL PLAN AND ZONING BY-LAW AMENDMENT TO PERMIT TWO MIXED-USE BUILDINGS CONSISTING OF 28 AND 24 STOREYS AT 8350 KENNEDY ROAD, IN MARKHAM CENTRE (WARD 3) FILE PLAN 23 118558 (10.5, 10.7)

(By-law 2024-170 and By-law 2024-171)

Moved by Regional Councillor Jim Jones

Seconded by Regional Councillor Joe Li

1. That the report dated September 17, 2024, titled, “RECOMMENDATION REPORT, 8350 Kennedy Ltd. (c/o Goldberg Group), Applications for Official Plan and Zoning By-law Amendment to permit two mixed-use buildings consisting of 28 and 24 storeys at 8350 Kennedy Road, in Markham Centre (Ward 3), File PLAN 23 118558”, be received; and,
2. That the deputation from Todd Trudelle be received; and,

3. That the written communication from Michelle and Darryl Smith be received; and,
4. That the Official Plan Amendment application submitted by 8350 Kennedy Ltd. be approved and that the draft Official Plan Amendment, attached hereto as Appendix 'A', be finalized and brought to a future Council meeting for adoption without further notice; and,
5. That the Zoning By-law Amendment application submitted by 8350 Kennedy Ltd. be approved and the draft Zoning By-law, attached hereto as Appendix 'B', be finalized and brought to a future Council meeting for enactment without further notice; and,
6. That servicing allocation for 769 residential units be assigned to the proposed development; and,
7. That the City reserves the right to revoke or reallocate the servicing allocation should the development not proceed within a period of three (3) years from the date that Council assigned servicing allocation; and further,
8. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

7.1.8 RECOMMENDATION REPORT, CITY PARK (TOWN CRIER) HOMES INC. AT 7 TOWN CRIER LANE, APPLICATION FOR DRAFT PLAN OF SUBDIVISION TO CREATE ONE DEVELOPMENT BLOCK TO FACILITATE 25 SINGLE DETACHED DWELLINGS AT 7 TOWN CRIER LANE, NORTH OF HIGHWAY 7 AND EAST OF MARKHAM MAIN STREET (WARD 4) FILE PLAN 24 162092 (RELATED FILE PLAN 23 131107) (10.7)

Councillor Karen Rea declared a pecuniary interest on this matter and did not participate in the vote on this item.

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

1. That the report dated September 17, 2024, 2023 titled, "RECOMMENDATION REPORT, City Park (Town Crier) Homes Inc., Application for Draft Plan of Subdivision to create

one development block to facilitate 25 single detached dwellings at 7 Town Crier Lane, north of Highway 7 and east of Markham Main Street (Ward 4) File PLAN 24 162092 (Related File PLAN 23 131107)”, be received; and,

2. That the Draft Plan of Subdivision 19TM-24001 application be approved in principle subject to conditions attached hereto as Appendix ‘A’; and,
3. That the Director of Planning and Urban Design or designate, be the delegated authority to issue Draft Plan Approval, subject to the conditions set out in Appendix ‘A’, as may be amended by the Director of Planning and Urban Design or designate; and,
4. That Draft Plan approval for Draft Plan of Subdivision 19TM-24001 application lapse after a period of three (3) years from the date of Draft Plan approval by the Director of Planning and Urban Design or designate in the event that a Subdivision Agreement is not executed within that period; and,
5. That servicing allocation for a maximum of 25 units be assigned to Draft Plan of Subdivision 19TM-24001; and,
6. That the City reserves the right to revoke or reallocate servicing allocation should the proposed development not proceed within a period of three (3) years from the date that Council assigned servicing allocation; and further,
7. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

7.1.9 RECOMMENDATION REPORT, DRAFT PLAN OF SUBDIVISION APPLICATION SUBMITTED BY 1628740 AND 1628741 ONTARIO INC. TO PERMIT A 32-UNIT RESIDENTIAL SUBDIVISION AT 2716 AND 2730 ELGIN MILLS ROAD EAST (WARD 2) FILE PLAN 23 150156 (10.7)

Moved by Councillor Ritch Lau

Seconded by Regional Councillor Jim Jones

That the matter of the Draft Plan of Subdivision Application Submitted By 1628740 And 1628741 Ontario Inc. To Permit A 32-Unit Residential

Subdivision At 2716 And 2730 Elgin Mills Road East (Ward 2) File Plan 23 150156 (10.7) be deferred to the Council meeting scheduled on October 9, 2024.

Carried

The following motion as listed on the agenda was not voted on:

1. That the report titled, “RECOMMENDATION REPORT, Draft Plan of Subdivision application submitted by 1628740 and 1628741 Ontario Inc. to permit a 32-unit residential subdivision at 2716 and 2730 Elgin Mills Road East (Ward 2), File PLAN 23 150156”, be received; and,
2. That the deputation and written correspondence from James Stevenson be received; and,
3. That the deputation from Billy Tung be received; and,
4. That the Draft Plan of Subdivision 19TM-23009 be approved in principle, subject to the draft conditions set out in Appendix ‘A’ of this report and be brought forward to a future Council meeting once all outstanding matters have been resolved to the satisfaction of the Director, Planning and Urban Design; and,
5. That the Director of Planning and Urban Design, or designate, be delegated authority to issue Draft Plan Approval, subject to the conditions set out in Appendix ‘A’, as may be amended by the Director of Planning and Urban Design, or designate; and,
6. That Draft Plan Approval for Draft Plan of Subdivision 19TM-23009 will lapse after a period of three years from the date of Council approval in the event that a Subdivision Agreement is not executed within that period; and further,
7. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

7.2 REPORT NO. 34 GENERAL COMMITTEE (SEPTEMBER 24, 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

7.2.1 2024 IN-YEAR CAPITAL ADDITIONS REPORT (7.5)

Moved by Councillor Keith Irish

Seconded by Councillor Andrew Keyes

1. That the report dated September 24, 2024 titled “2024 In-Year Capital Additions” be received; and,
2. That Council approve 18 in-year capital additions to Budget 2024, which total \$9,932,600 as outlined in Appendix 1; and further,
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

7.2.2 APPOINTMENT OF MEMBERS TO THE MARKHAM MAYOR'S YOUTH COUNCIL (16.24)

Moved by Councillor Keith Irish

Seconded by Councillor Andrew Keyes

1. That the Report Appointment of Members to the Markham Mayor’s Youth Council for the period of September 2, 2024 to June 30, 2025 be received; and,
2. That the following Appointments of Members to the Markham Mayor’s Youth Council be confirmed for the term September 2, 2024 to June 30, 2025; and further,

Name	Grade	Ward	School
Christian Matros	11	1	St. Robert CHS
Elisabeth Lum	11	1	Markville Secondary School
Jin Zhou	12	1	Thornhill Secondary School
Kelly Liu	10	2	University of Toronto Schools
Celine Yang	11	2	St. Augustine Catholic High School
Grace Tan	12	2	St. Robert Catholic High School
Melody Cao	12	2	Bayview Secondary School
Sarah Gao	12	2	Bayview Secondary School
Kelly Lee	10	3	St. Robert Catholic High School
Vicky Dai	10	3	St. Augustine Catholic Highschool
Kara Cespedes	11	3	Markville Secondary School
Eloise Nose	10	4	St. Augustine Catholic High School
Will Gao	11	4	Markville Secondary School
Ashnika Lavakumaran	10	5	Bill Hogarth Secondary School

Pranav Sai Thava Ganesh	11	5	Bill Hogarth Secondary School
Joakim Sebastiampillai	11	5	St. Robert High School
Ella Yap	11	6	St. Augustine Catholic High School
Michael Li	11	6	Markville Secondary School
Ivy Chen	11	6	Markville Secondary School
Zoey Rodrigues	11	6	Bill Hogarth Secondary School
Saumya Grover	12	6	Pierre Elliott Trudeau High School
Hadia Rasool	12	7	Markham District High School
Rithikha Kalaiunarbavan	12	7	Middlefield CI
Michelle Jiang	11	8	Unionville High School
Oscar Cheng	11	8	St. Robert Catholic High School

3. 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

There were no new/other business items.

11. ANNOUNCEMENTS

There were no announcements.

12. BY-LAWS - THREE READINGS

Moved by Councillor Juanita Nathan

Seconded by Councillor Amanda Collucci

That By-laws 2024-164 to 2024-172 and By-laws 2024-174 to 2024-183 be adopted.

Carried

Three Readings

- 12.1 BY-LAW 2024-164, A BY-LAW TO AMEND BY-LAW 211-79 BEING A BY-LAW TO DESIGNATE THE BRIARWOOD FARM-JAMES MCLEAN HOUSE, 4031 16TH AVENUE

Being a By-law to designate Briarwood Farm – James McLean House under Part IV, Section 29 of the Ontario Heritage Act as a property of cultural heritage value or interest. (Development Services Report No. 20, May 15, 2024 Council, Item 8.2.1)

Carried

- 12.2 BY-LAW 2024-165, A BY-LAW TO AMEND BY-LAW 2024-98 BEING A BY-LAW TO DESIGNATE GEORGE AND NELLIE FREEMAN HOUSE, 6472 STEELES AVENUE EAST

Being a By-law to designate George and Nellie Freeman House under Part IV, Section 29 of the Ontario Heritage Act as a property of cultural heritage value or interest. (Development Services Report No. 2, January 31, 2024 Council, Item 8.2.2)

Carried

- 12.3 BY-LAW 2024-166, A BY-LAW TO AMEND PARKING BY-LAW 2005-188

Being a By-law to amend Schedule “C” of Parking By-law 2005-188, pertaining to “No Parking” (Denison Street between Coxworth Avenue and Middlefield Road)

Carried

12.4 BY-LAW 2024-167, A BY-LAW TO DESIGNATE PART OF A CERTAIN PLAN OF SUBDIVISION NOT SUBJECT TO PART LOT CONTROL

Being a By-law to facilitate the conveyance of 82 townhouse unit lots along Berzy Green Drive.

(Mattamy Walmark Development Limited, Block 141-153, Plan 65M-4804)

Carried

12.5 BY-LAW 2024-168, A BY-LAW TO DEDICATE CERTAIN LANDS AS PART OF THE HIGHWAYS OF THE CITY OF MARKHAM

Being a By-law to establish that the Part Block is laid out as part of the public highways of the City of Markham and named Normandale Road.

(Part Block 155, Plan M-1971; designated as Part 12, Plan 65R-16445)

Carried

12.6 BY-ALW 2024-169, A BY-LAW TO DEDICATE CERTAIN LANDS AS PART OF THE HIGHWAYS OF THE CITY OF MARKHAM

Being a By-law to establish that the Part Block is laid out as part of the public highways of the City of Markham and named Rustle Woods Avenue.

(Block 95, Plan 65M-4256; designated as Part 1, Plan 65R-41038)

Carried

12.7 BY-LAW 2024-170, A BY-LAW TO DEDICATE CERTAIN LANDS AS PART OF THE HIGHWAYS OF THE CITY OF MARKHAM

Being a By-law to establish that the Part Lot are laid out as part of the public highways of the City of Markham and named Unionville Gate.

(Part Lot 1, Plan 2196, designated as Parts 6, 7 and 13, Plan 65R-30854 and Part Lot 9, Concession 6, designated as Parts 5, 11, 16 and 17, Plan 65R-30854)

Carried

- 12.8 BY-LAW 2024-171, A BY-LAW TO AMEND BY-LAW 122-72, AS AMENDED AND TO AMEND BY-LAW 177-96, AS AMENDED - ZONING BY-LAW - 8350 KENNEDY LTD. (C/O GOLDBERG GROUP)

This is a Zoning By-law to amend by-law 122-72, and 177-96, as amended, in order to implement site specific development standards to permit a mixed-use high-rise development. It applies to a parcel of land located west side of Kennedy Road and south of Highway 7.

8350 Kennedy Limited, 8350 Kennedy Road, (WARD 3) FILE PLAN 23 118558 (Item 7.1.7 and By-law 2024-172)

Carried

- 12.9 A BY-LAW 2024-172 - OFFICIAL PLAN AMENDMENT NO. 270 - 8350 KENNEDY LTD. (C/O GOLDBERG GROUP)

Being a By-Law to adopt Amendment No. 270 to the City of Markham Official Plan 1987, as amended.

8350 Kennedy Limited, 8350 Kennedy Road, (WARD 3) FILE PLAN 23 118558 (Item 7.1.7 and By-law 2024-171)

Carried

- 12.10 BY-LAW 2024-173, ZONING BY-LAW - 9331-9399 MARKHAM ROAD (FOURO TOWERS BUILDERS LTD. AND SASSON CONSTRUCTION INC.) (WARD 5) (8.0, 10.0)

Being a By-law to amend By-law 88-76, as amended (to delete lands from the designated areas of By-laws 88-76) and to amend By-law 177-96, as amended (to incorporate lands into the designated area of By-law 177-96)

(Item 6.3, By-law 2024-173 as approved by OLT)

(For information only to facilitate the assignment of a by-law number)

- 12.11 BY-LAW 2024-174, A BY-LAW TO AMEND BY-LAW 177-96, AS AMENDED [METROPIA MINTO (SIXTEENTH) HOLDINGS INC.]

Being a Zoning By-law to amend by-law 77-96, as amended, to replace lane-based single detached lots with lane-based townhouses. It applies to a parcel of land located on the west side of Kennedy Road, north of 16th Avenue, south of Major Mackenzie Drive East.

(Metropia Minto (Sixteenth) Holdings Inc., Part of Lots 16, 17 and 18, Concession 5, Draft Plan of Subdivision 19TM-16010)

Carried

- 12.12 BY-LAW 20204-175, A BY-LAW TO DESIGNATE A PROPERTY AS BEING OF CULTURAL HERITAGE VALUE OR INTEREST “JAMES AND LYDIA SCOTT HOUSE” 10579 HIGHWAY 48

Being a By-law to designate James and Lydia Scott House, 10579 Highway 48, under Part IV, Section 29 of the Ontario Heritage Act as a property of cultural heritage value or interest. (Development Services Report No. 26, May 29, 2024 Council, Item 8.2.1)

Carried

- 12.13 BY-LAW 20204-176, A BY-LAW TO DESIGNATE A PROPERTY AS BEING OF CULTURAL HERITAGE VALUE OR INTEREST “VICTORIA SQUARE UNITED CHURCH MANSE” 10724 VICTORIA SQUARE BLVD

Being a By-law to designate Victoria Square United Church Manse, 10724 Victoria Square Blvd, under Part IV, Section 29 of the Ontario Heritage Act as a property of cultural heritage value or interest. (Development Services Report No. 26, May 29, 2024 Council, Item 8.2.1)

Carried

- 12.14 BY-LAW 2024-177, A BY-LAW TO DESIGNATE A PROPERTY AS BEING OF CULTURAL HERITAGE VALUE OR INTEREST “ROLPH BOYNTON HOUSE” 10732 VICTORIA SQUARE BLVD

Being a By-law to designate the Rolph Boynton House, 10732 Victoria Square Boulevard, under Part IV, Section 29 of the Ontario Heritage Act as a property of cultural heritage value or interest. (Development Services Report No. 26, May 29, 2024 Council, Item 8.2.1)

Carried

- 12.15 BY-LAW 2024-178, A BY-LAW TO DESIGNATE A PROPERTY AS BEING OF CULTURAL HERITAGE VALUE OR INTEREST “DAVID AND ESTHER GROVE HOUSE” 12 CELEBRITY PLACE

Being a By-law to designate the David and Esther Grove House, 12 Celebrity Place, under Part IV, Section 29 of the Ontario Heritage Act as a property of

cultural heritage value or interest. (Development Services Report No. 26, May 29, 2024 Council, Item 8.2.1)

Carried

- 12.16 BY-LAW 2024-179, A BY-LAW TO DESIGNATE A PROPERTY AS BEING OF CULTURAL HERITAGE VALUE OR INTEREST “REVEREND PETER COBER HOUSE” 6145 SIXTEETH AVENUE

Being a By-law to designate the Reverend Peter Cober House, 6145 Sixteenth Avenue, under Part IV, Section 29 of the Ontario Heritage Act as a property of cultural heritage value or interest. (Development Services Report No. 26, May 29, 2024 Council, Item 8.2.1)

Carried

- 12.17 BY-LAW 2024-180, A BY-LAW TO DESIGNATE A PROPERTY AS BEING OF CULTURAL HERITAGE VALUE OR INTEREST “BROWNSBERGER-HAM HOUSE” 6666 MAJOR MACKKENZIE DRIVE EAST

Being a By-law to designate the Brownsberger-Ham House, 6666 Major Mackenzie Drive East, under Part IV, Section 29 of the Ontario Heritage Act as a property of cultural heritage value or interest. (Development Services Report No. 26, May 29, 2024 Council, Item 8.2.1)

Carried

- 12.18 BY-LAW 2024-181, A BY-LAW TO DESIGNATE A PROPERTY AS BEING OF CULTURAL HERITAGE VALUE OR INTEREST “PEARSE BUNGALOW” (7484 SIXTEENTH AVENUE) “RIGFOOT FARM – THE GEORGE AND CATHERINE MILLER HOUSE” (9318 REESOR ROAD)

Being a By-law to designate the Pearse Bungalow, 7484 Sixteenth Avenue, under Part IV, Section 29 of the Ontario Heritage Act as a property of cultural heritage value or interest. (Development Services Report No. 26, May 29, 2024 Council, Item 8.2.1)

Carried

- 12.19 BY-LAW 2024-182, A BY-LAW TO DESIGNATE A PROPERTY AS BEING OF CULTURAL HERITAGE VALUE OR INTEREST “HAROLD AND RUBY BOYINGTON HOUSE” 8205 MCCOWAN ROAD

Being a By-law to designate the Harold and Ruby Boyington House, 8205 McCowan Road, under Part IV, Section 29 of the Ontario Heritage Act as a property of cultural heritage value or interest. (Development Services Report No. 26, May 29, 2024 Council, Item 8.2.1)

Carried

12.20 BY-LAW 2024-183, A BY-LAW TO DESIGNATE A PROPERTY AS BEING OF CULTURAL HERITAGE VALUE OR INTEREST “ST. PHILIP’S OLD RECTORY” 9418 KENNEDY ROAD

Being a By-law to designate St. Philip’s Old Rectory, 9418 Kennedy Road, under Part IV, Section 29 of the Ontario Heritage Act as a property of cultural heritage value or interest. (Development Services Report No. 33, September 25, 2024 Council, Item 8.1.2)

Carried

13. CONFIDENTIAL ITEMS

Council consented to add an additional item to the Confidential agenda regarding personal matters about an identifiable individual. (See Item 13.4)

Moved by Councillor Karen Rea

Seconded by Councillor Reid McAlpine

That, in accordance with Section 239 (2) of the *Municipal Act*, Council resolve into a private session at 1:35 PM to discuss the following confidential matters:

Carried

Council resumed in open session at 2:21 PM and passed the following resolutions:

13.1 COUNCIL

13.1.1 CONFIDENTIAL COUNCIL MINUTES - AUGUST 7, 2024

Moved by Deputy Mayor Michael Chan

Seconded by Regional Councillor Alan Ho

1. That the confidential Council minutes of the Council Meeting held on August 7, 2024, be adopted.

Carried

13.1.2 VERBAL UPDATE 28 MAIN STREET UNIONVILLE OLT APPEAL
(WARD 3) (8.0)

Moved by Deputy Mayor Michael Chan

Seconded by Councillor Reid McAlpine

1. That the confidential verbal update regarding 28 Main Street Unionville OLT appeal be received; and, further,
2. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

13.1.3 PERSONAL MATTERS ABOUT AN IDENTIFIABLE INDIVIDUAL,
INCLUDING MUNICIPAL OR LOCAL BOARD EMPLOYEES
(BOARD/ COMMITTEE APPOINTMENTS, DESTINATION
MARKHAM BOARD OF DIRECTORS) (16.24)

Moved by Councillor Andrew Keyes

Seconded by Councillor Amanda Collucci

1. That Council accept the resignation of Herman Grad from the Destination Markham Corporation Board of Directors, and thank Mr. Grad for his years of service and contributions to the corporation; and,
2. That Council approve the appointment of Marcos Yu to the Destination Markham Corporation Board of Directors, to serve as an independent Director until April 30, 2025; and further,
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

13.2 DEVELOPMENT SERVICES COMMITTEE - SEPTEMBER 17, 2024

13.2.1 REQUEST FOR DIRECTION REGARDING ONTARIO LAND
TRIBUNAL APPEAL BY METROPIA MINTO (SIXTEENTH)
HOLDINGS 4134 16TH AVENUE (YORK DOWNS EAST) OLT
APPEAL (WARD 6) (8.0)

Moved by Regional Councillor Jim Jones

Seconded by Regional Councillor Joe Li

1. That the Confidential Report entitled “Request for Direction regarding Metropia Minto (Sixteenth) Holdings Inc. at 4134 16th Avenue (York Downs East) - Ontario Land Tribunal appeal of Subdivision Agreement Fees” be received; and further,
2. That Staff be authorized and directed to do all things necessary to give effect to these resolutions.

Carried

13.2.2 REQUEST FOR DIRECTION REGARDING ONTARIO LAND TRIBUNAL APPEAL BY TERRABONA 7115 YONGE LTD. OF THE OFFICIAL PLAN AND ZONING BY-LAW AMENDMENT APPLICATIONS (WARD 1) (8.0, 10.3, 10.5)

Moved by Regional Councillor Jim Jones

Seconded by Regional Councillor Joe Li

1. That the September 17, 2024, Confidential Report titled, “REQUEST FOR DIRECTION REPORT, Ontario Land Tribunal Appeal by TerraBona 7115 Yonge Ltd. of the Official Plan and Zoning By-law Amendment applications to permit a mixed-use development consisting of a 36-storey building with at grade non-residential uses at 7115 Yonge Street and 8 to 14 Grandview Avenue (Ward 1)”, be received; and further,
2. That Staff be authorized and directed to do all things necessary to give effect to these resolutions.

Carried

13.2.3 REQUEST FOR DIRECTION REGARDING ONTARIO LAND TRIBUNAL APPEAL BY HILTON MARKHAM SUITES HOTEL LIMITED (CURRENTLY UNDER APPEAL AT THE ONTARIO LAND TRIBUNAL - OLT - 24-000009) (8.0)

Moved by Regional Councillor Jim Jones

Seconded by Regional Councillor Joe Li

1. That the confidential verbal update regarding the Ontario Land Tribunal Appeal, OLT – 24-000009, Markham Suites Hotel Limited, from the Assistant City Solicitor 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 GENERAL COMMITTEE - SEPTEMBER 24, 2024

13.3.1 PROPOSED ACQUISITION OF LAND; A PROPOSED OR PENDING ACQUISITION OR DISPOSITION OF LAND BY THE CITY OR LOCAL BOARD (WARD 2) (7.0);

Moved by Councillor Keith Irish

Seconded by Councillor Andrew Keyes

1. That the confidential report entitled “Reporting Out Real Property Acquisition – Highway 404 and Elgin Mills Road East, Markham” be received; and,
2. That Staff be authorized and directed to take the actions set out in this report; and further,
3. That the report entitled “Reporting Out Real Property Acquisition – Highway 404 and Elgin Mills Road East, Markham” and the foregoing resolutions regarding the property acquisition be reported out at the next public Council meeting.

Carried

13.4 NOMINATION FOR THOMAS SYMONS AWARD FOR COMMITMENT TO CONSERVATION (16.11)

Mayor Frank Scarpitti vacated the Chair and Deputy Mayor Chan assumed the Chair for this item.

Moved by Councillor Karen Rea

Seconded by Mayor Frank Scarpitti

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

Carried

Mayor Frank Scarpitti resumed the Chair.

14. REPORTING OUT OF CONFIDENTIAL REPORT

14.1 REPORTING OUT REAL PROPERTY ACQUISITION – HIGHWAY 404 AND ELGIN MILLS ROAD EAST, MARKHAM (7.0)

Moved by Councillor Keith Irish

Seconded by Councillor Andrew Keyes

1. That the confidential report entitled “Reporting Out Real Property Acquisition – Highway 404 and Elgin Mills Road East, Markham” be received; and,
2. That Staff be authorized and directed to take the actions set out in this report; and further,
3. That the report entitled “Reporting Out Real Property Acquisition – Highway 404 and Elgin Mills Road East, Markham” and the foregoing resolutions regarding the property acquisition be reported out at the next public Council meeting.

Carried

15. CONFIRMATORY BY-LAW - THREE READINGS

Moved by Councillor Juanita Nathan

Seconded by Regional Councillor Alan Ho

That By-law 2024-163 be given three readings and enacted.

Three Readings

BY-LAW 2024-163 A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE COUNCIL MEETING OF SEPTEMBER 25, 2024.

Carried

16. ADJOURNMENT

Moved by Councillor Isa Lee
Seconded by Councillor Karen Rea

That the Council meeting of September 25, 2024 be adjourned at 2:28 PM.

Carried

Kimberley Kitteringham

City Clerk

Frank Scarpitti

Mayor



Report to: General Committee

Meeting Date: September 24, 2024

SUBJECT: Reporting Out Real Property Acquisition – Highway 404 and Elgin Mills Road East, Markham

PREPARED BY: Michael Toshakovski, Deputy City Solicitor, Ext, 4745
Hersh Tencer, Sr. Manager, Real Property, Ext. 5988

RECOMMENDATION:

- 1) That the report entitled “Reporting Out Real Property Acquisition – Highway 404 and Elgin Mills Road East, Markham” be received;
- 2) That Staff be authorized and directed to take the actions set out in this report; and
- 3) That the report entitled “Reporting Out Real Property Acquisition – Highway 404 and Elgin Mills Road East, Markham” and the foregoing resolutions be reported out at the next public Council meeting.

PURPOSE:

This report provides information on the City’s acquisition of the lands legally described as PART LOT 26, CONCESSION 3, (MKM), DESIGNATED AS PART 4, PLAN 65R-36783, CITY OF MARKHAM (the “Property”).

BACKGROUND:

Council previously ratified the execution of an Agreement of Purchase and Sale to acquire the Property and authorized staff to do all things necessary to complete the transaction.

OPTIONS/ DISCUSSION:

An aerial photograph showing the location of the Property is included as Attachment No. 1. The Property fronts onto Holborn High Road, and is located along the north east corner of Highway 404 and Elgin Mills Road East, Markham and is approximately 7.65 acres in size.

The property was acquired for future municipal purposes and is considered to be a strategic land acquisition.

The transaction was completed on August 19, 2024.

FINANCIAL CONSIDERATIONS

Below is a summary of the Purchase Price, Harmonized Sales Tax and Land Transfer Tax paid for the acquisition of the Property.

(a)	Purchase Price	\$18,887,500.00
(b)	HST	332,420.00
(c)	Land Transfer Tax	374,225.00
	Total	\$19,594,145.00

These funds were paid from Project 24320, Property Acquisition of Highway 404 and Elgin Mills Road East, Markham, and funded by the Land Acquisition Reserve Fund.

HUMAN RESOURCES CONSIDERATIONS

Not Applicable.

ALIGNMENT WITH STRATEGIC PRIORITIES:

Not Applicable.

BUSINESS UNITS CONSULTED AND AFFECTED:

The Finance Department has reviewed and approved this report.

RECOMMENDED BY:

Claudia Storto, City Solicitor and

Director of People Services

ATTACHMENTS:

Attachment No. 1 – Aerial Photo of Highway 404 and Elgin Mills Road East Property

ATTACHMENT NO. 1

AERIAL PHOTO OF HWY 404 & ELGIN MILLS RD. EAST PROPERTY

