



Council Minutes

(Special Meeting)

October 16, 2018, 10:00 AM

Council Chamber, Anthony Roman Markham Civic Centre

Meeting No. 15

Roll Call

Mayor Frank Scarpitti, Deputy Mayor Jack Heath, Regional Councillor Jim Jones, Regional Councillor Nirmala Armstrong, Regional Councillor Joe Li, Councillor Valerie Burke, Councillor Alan Ho, Councillor Don Hamilton, Councillor Karen Rea, Councillor Amanda Collucci, Councillor Khalid Usman.

Regrets

Councillor Colin Campbell, Councillor Alex Chiu

Staff

Andy Taylor, Chief Administrative Officer
Catherine Conrad, City Solicitor and Acting Director of Human Resources
Trinela Cane, Commissioner of Corporate Services
Arvin Prasad, Commissioner of Development Services
Phoebe Fu, Director, Environmental Services
Joel Lustig, Treasurer
Kimberley Kitteringham, City Clerk
Michael Killingsworth, Deputy City Clerk, By-Law Enforcement, Licensing & Regulatory Services
Josh Machesney, Acting Council/Committee Coordinator
John Wong, Technology Support Specialist
Bryan Frois, Chief of Staff
Andrea Berry, Senior Manager, Corporate Communications & Community Engagement
Heather Hogan, Coordinator, Legislative Services & Communications
Erynn Sally, Media Relations Coordinator

The Special Meeting of Council convened at 10:07 AM on October 16, 2018 in the Council Chamber. Mayor Frank Scarpitti presided.

1. DISCLOSURE OF PECUNIARY INTEREST

None disclosed.

2. DEPUTATIONS

There were no deputations.

3. PRESENTATION**(1) PRESENTATION - CANNABIS BY-LAW****Presentation**

Kimberley Kitteringham, City Clerk, and Michael Killingsworth, Deputy City Clerk, By-Law Enforcement, Licensing & Regulatory Services provided a powerpoint presentation regarding a proposed By-law to prohibit the smoking or vaporizing of recreational cannabis in public places in Markham.

Moved by Councillor Amanda Collucci

Seconded by Councillor Karen Rea

- 1) That the October 16, 2018 presentation entitled “A By-law to Prohibit the Smoking or Vaporizing Recreational Cannabis in Public Places in the City of Markham” be received; and,
- 2) **That the Markham City Council adopt Municipal Option 2 – a City By-law to prohibit the smoking or vapourizing of recreational cannabis in public places Markham.**

Carried by a recorded vote (11:0)

(See following recorded vote)

Recorded vote (11:0):

YEAS: Councillor Valerie Burke, Councillor Alan Ho, Councillor Don Hamilton, Councillor Karen Rea, Regional Councillor Nirmala Armstrong, Regional Councillor Jim Jones, Mayor Frank Scarpitti, Deputy Mayor Jack Heath, Regional Councillor Joe Li, Councillor Amanda Collucci, Councillor Khalid Usman.

ABSENT: Councillor Colin Campbell, Councillor Alex Chiu

4. BY-LAW

Moved by Regional Councillor Nirmala Armstrong

Seconded by Regional Councillor Jim Jones

That By-law 2018-135 be given three readings and enacted.

Three Readings

BY-LAW 2018-135 CANNABIS BY-LAW

A By-law to prohibit the smoking or vapourizing of recreational cannabis in public places in the City of Markham.

[By-law](#)

Carried as amended, by a recorded vote (11:0)

(See following recorded vote)

(See amendments below)

(See following motion to further review cannabis restrictions)

Recorded vote (11:0):

YEAS: Councillor Valerie Burke, Councillor Alan Ho, Councillor Don Hamilton, Councillor Karen Rea, Regional Councillor Nirmala Armstrong, Regional Councillor Jim Jones, Mayor Frank Scarpitti, Deputy Mayor Jack Heath, Regional Councillor Joe Li, Councillor Amanda Collucci, Councillor Khalid Usman.

ABSENT: Councillor Colin Campbell, Councillor Alex Chiu

Council consented to amend Sections 3.1 and 4.2 of the By-law from:

"3.1 In addition to the prohibitions set out in the Smoke-Free Ontario Act, S.O. 1994, c.10 as amended from time to time, no person shall smoke or vaporize Cannabis, or hold or otherwise use lit Cannabis in any Public Place, including but not limited to the following:

- a) the Anthony Roman Centre;
- b) municipal parks;
- c) any other location or area owned by the City;
- d) public parking lots, including those of arenas, community centres, libraries, parks, pools, trails, and any other City owned facilities;
- e) roads and highways;
- f) sidewalks and municipal boulevards;
- g) schools, daycare facilities, and other child care facilities;
- h) shopping centres or retail establishments; and

i) commercial or business premises, including associated parking lots."

"4.2 This By-law does not apply to a person who is entitled to possess Cannabis pursuant to a medical document issued pursuant to the *Access to Cannabis for Medical Purposes Regulations*, SOR/2016-230."

To read as follows:

"3.1 In addition to the prohibitions set out in the Smoke-Free Ontario Act, S.O. 1994, c.10 as amended from time to time, no person shall smoke or vaporize Cannabis, or hold or otherwise use lighted Cannabis in any Public Place, including but not limited to the following:

- a) the Anthony Roman Centre;**
- b) parks, trails and natural areas in the City;**
- c) public and private parking lots;**
- d) facilities owned by the City of Markham, including arenas, community centres, libraries, parks, and pools;**
- e) roads, sidewalks and municipal boulevards;**
- f) all schools, daycare facilities, and other child care facilities; and,**
- g) all retail, commercial and business establishments, including but not limited to shopping malls."**

"4.2 This By-law does not apply to a person who is entitled to possess Cannabis pursuant to a medical document issued pursuant to the Access to Cannabis for Medical Purposes Regulations, SOR/2016-230 or successor legislation or regulations."

Motion to further review cannabis restrictions:

Moved by Regional Councillor Nirmala Armstrong
Seconded by Councillor Khalid Usman

That staff review the following and report back to Markham City Council:

- a) Further restrictions on cannabis use inside residences where children are present;
- b) Increasing the age limit of cannabis use in the City of Markham; and,
- c) Additional restrictions on the use of medical cannabis in the City.

Carried

5. CONFIRMATORY BY-LAW

Moved by Councillor Khalid Usman
Seconded by Councillor Valerie Burke

That By-law 2018-136 be given three readings and enacted.

Three Readings

BY-LAW 2018-136 A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE SPECIAL
COUNCIL MEETING OF OCTOBER 16, 2018.

[By-law](#)

Carried

6. ADJOURNMENT

Moved by Councillor Alan Ho
Seconded by Regional Councillor Joe Li

That the Special Council Meeting be adjourned at 11:43 AM.

Carried

Kimberley Kitteringham
City Clerk
(Signed)

Frank Scarpitti
Mayor