



Council Minutes

October 13 and 14, 2015, 7:00 PM

Council Chamber, Anthony Roman Markham Civic Centre

Meeting No. 20

Alternate formats for this document are available upon request

Roll Call

Mayor Frank Scarpitti, Deputy Mayor Jack Heath, Regional Councillor Jim Jones, Regional Councillor Joe Li, Regional Councillor Nirmala Armstrong, Councillor Valerie Burke, Councillor Alan Ho, Councillor Don Hamilton, Councillor Karen Rea, Councillor Colin Campbell, Councillor Amanda Collucci, Councillor Logan Kanapathi, Councillor Alex Chiu.

Staff

Andy Taylor, Chief Administrative Officer
Catherine Conrad, City Solicitor
Jim Baird, Commissioner of Development Services
Trinela Cane, Commissioner of Corporate Services
Joel Lustig, Treasurer
Dennis Flaherty, Director of Communications and Community Relations
John Wong, Technology Support Specialist
Raj Raman, Mayor's Chief of Staff
Kimberley Kitteringham, City Clerk
Martha Pettit, Deputy City Clerk
Carlie Turpin, Public Services & Records Coordinator
Shane Manson, Senior Manager, Revenue & Property Tax
Peter Loukes, Director of Environmental Services
Moe Hosseini-Ara, Director, Culture
Mavis Urquhart, Manager of Policy Planning and Program Delivery
Mary Creighton, Director of Recreation Services

The regular meeting of Council convened at 7:07 PM on October 13, 2015 in the Council Chamber. Mayor Frank Scarpitti presided.

At 11:45 PM on October 13, 2015, Council passed a motion to waive Section 3.28 of Procedural By-law 2001-1 allowing the meeting to continue further than 12:01 a.m. on October 14, 2015. The motion moved by Councillor Alex Chiu and seconded by Councillor Alan Ho was carried by a two-thirds vote of the Members present.

1. DISCLOSURE OF PECUNIARY INTEREST

- (1) None declared.

2. MINUTES

- (1) COUNCIL MINUTES
- SEPTEMBER 28 AND OCTOBER 1, 2015
[Sept 28](#) [Oct 1](#)

Moved by Councillor Alex Chiu

Seconded by Councillor Valerie Burke

- 1) That the Minutes of the Council Meetings held on September 28 and October 1, 2015, be adopted.

Carried

3. PRESENTATIONS

- (1) GERMAN PIONEERS DAY
- OCTOBER 13, 2015 (12.2.6)

October 13, 2015 has been proclaimed as "German Pioneers Day" in the City of Markham.

Lorne Smith, City of Markham's Historian, provided a presentation on German Pioneers Day. A short video showcasing the celebration of Canada Day and the 40th Anniversary of the Berzcy memorial at Wallerstein, Germany, was shown. Mayor Frank Scarpitti, on behalf of Council, presented a certificate of appreciation to Heinz Nitschke for producing the video.

Council recognized Lorne Smith for receiving the 2015 "Portraits of Giving" Honour.

Moved by Councillor Colin Campbell

Seconded by Councillor Don Hamilton

That the presentation by Lorne Smith, City of Markham's Historian and Heinz Nitschke with respect to the "German Pioneers Day" be received.

Carried

4. DELEGATIONS

- (1) DELEGATION - PROPOSED MOTION TITLED
"RE-DEVELOPMENT OF THE UNIONVILLE HOME SOCIETY AREA" (10.0)

The following individuals addressed Council regarding the proposed motion titled "Re-Development of the Unionville Home Society Area":

1. Glenn Crosby, New Unionville Home Society, in opposition to the proposed motion.
 2. Christl Reeh, in support of the proposed motion.
 3. Art Ashton, in support of the proposed motion.
 4. Christine Gerwlvch, in support of the proposed motion.
 5. Paul Jamieson, in support of the proposed motion.
- (See Motion Item No. 1 for Council's decision on this matter)

- (2) DELEGATION – PROPOSED RECOMMENDATION TITLED
"CELEBRATE MARKHAM GRANT PROGRAM REVIEW
- COMMUNITY FEEDBACK AND IMPLEMENTATION REPORT (7.6)

Kristian Alexander, Music Director, Kindred Spirits Orchestra, addressed Council regarding the item titled "Celebrate Markham Grant Program Review- Community Feedback and Implementation Report". He thanked Council for their support in the past and requested financial support for 2016 in order to continue delivering their programs. (See Item No. 2, Report No. 44 for Council's decision on this matter)

5. PETITIONS

There were no petitions.

6(a) REPORT NO. 43 - DEVELOPMENT SERVICES COMMITTEE (October 5, 2015)

Moved by Regional Councillor Jim Jones

Seconded by Councillor Don Hamilton

That Report No. 43 – Development Services Committee comprised of 3 items be received and adopted.

- (1) RECOMMENDATION REPORT
WYKLAND ESTATES INC.
(MATTAMY CORNELL CENTRE)
APPLICATIONS FOR OFFICIAL PLAN AMENDMENT
DRAFT PLAN OF SUBDIVISION (19TM-14010) AND
ZONING BY-LAW AMENDMENT TO CREATE DEVELOPMENT
BLOCKS FOR A HIGH SCHOOL, ELEMENTARY SCHOOL,
PUBLIC PARK AND MIXED RESIDENTIAL USES ON LANDS
NORTH OF HIGHWAY 7, EAST OF BUR OAK AVENUE
FILE NUMBERS: OP / ZA / SU 14 135999 (10.3, 10.7 & 10.5)
[Report](#)

- 1) That the report dated October 5, 2015 titled “Recommendation Report, Wykland Estates Inc. (Mattamy Cornell Centre) Applications for Official Plan Amendment, Draft Plan of Subdivision (19TM-14010) and Zoning By-law Amendment to create development blocks for a high school, elementary school, public park and mixed residential uses on lands north of Highway 7, east of Bur Oak Avenue (File Numbers: OP / ZA / SU 14 135999)” be received; and,
- 2) That the record of the Public Meeting held on April 21, 2015, relating to the applications for Official Plan Amendment, Draft Plan of Subdivision (19TM-14010) and Zoning By-law Amendment Approval by Wykland Estates Inc. (Mattamy Cornell Centre), be received; and,
- 3) That the Official Plan Amendment application submitted by Wykland Estates Inc. (Mattamy Cornell Centre), to amend the Cornell Secondary Plan be approved and that the draft Official Plan Amendment attached as Appendix ‘A’, be finalized and adopted without further notice; and,
- 4) That the application submitted by Wykland Estates Inc. (Mattamy Cornell Centre) to amend Zoning By-laws 304-87 and 177-97, as amended be approved and the draft by-law attached as Appendix ‘B’ be finalized and enacted without further notice; and,

- 5) That Draft Plan of Subdivision 19TM-14010 submitted by Wykland Estates Inc. (Mattamy Cornell Centre), be draft approved subject to the conditions set out in Appendix 'C'; and,
- 6) That the Director of Planning and Urban Design, or his designate be delegated authority to issue draft approval, subject to the conditions set out in Appendix 'C' as may be amended by the Director of Planning and Urban Design; and,
- 7) That the draft plan approval for plan of subdivision 19TM-14010 will lapse after a period of three (3) years commencing on the date of issuance of draft plan approval, in the event that a subdivision agreement is not executed within that period; and further,
- 8) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

(2) INDIA BUSINESS MISSION
JANUARY 30 - FEBRUARY 9, 2016 (10.16)
[Report](#)

- 1) That the report entitled "India Business Mission, January 30 - February 9, 2016" be received; and,
- 2) That Markham collaborate with local businesses and partners to develop, promote and execute a business mission to India; and,
- 3) That the City be represented by a four person delegation composed of the Mayor and the Chair of the Economic Development Committee, and two Economic Development professional staff, C. Kakaflikas (Manager Special Projects) and Huyen Hare (Senior Business Development Officer); and,
- 4) That the total cost of the "India Business Mission 2016" not exceed \$47,600 and be expensed from within Economic Development's 2016 operating budget (Acc.# 610-9985811 International Investment Attraction Program); and,
- 5) That Regional Councillors Li and Armstrong be approved to participate in the India business mission at their own expense; and,

- 6) That the City will up-front the cost for approved business mission participation by Council members, who wish, upon request, with reimbursement through payroll deduction, in compliance with Canada Revenue Agency (CRA) guidelines; and further,
- 7) That the City promote relationships with businesses which have best practices and ethical policies with respect to the treatment of workers (especially the avoidance of child labour) and to the environment; and,
- 8) That an attendance report be provided for City representatives at mission events; and further,
- 9) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

(3) SUPPLEMENT TO INFORMATION REPORT:
MARKHAM'S PARTICIPATION IN THE CONFEDERATION
OF GREATER TORONTO CHINESE BUSINESS ASSOCIATION (CGTCBA)
2015 CHINA TRADE MISSION DATED JULY 7, 2015 (10.16)
[Report](#)

- 1) That the Supplement to the Information Report dated July 7, 2015 entitled "Markham's Participation in the Confederation of Greater Toronto Chinese Business Association (CGTCBA) 2015 China Trade Mission" dated July 7, 2015 be received; and,
- 2) That Regional Councillor Armstrong be approved to participate in the China business mission at her own expense; and,
- 3) That the City will up-front the cost for Regional Councillor Armstrong to participate in the approved business mission, upon request, with reimbursement through payroll deduction, in compliance with Canada Revenue Agency (CRA) guidelines; and further,
- 4) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

6(b) REPORT NO. 44 - GENERAL COMMITTEE (October 7, 2015)

Moved by Deputy Mayor Jack Heath

Seconded by Councillor Colin Campbell

That Report No. 44 – General Committee comprised of 2 items be received and adopted, except Item No. 2. (See following Item No. 2)

(1) FIRST MARKHAM PLACE CONDOMINIUMS
YRCC910, YRCC922, YRC926
– REQUEST FOR CITY WASTE MANAGEMENT
SERVICES OR WASTE GRANT (5.1)
[Report](#)

- 1) That the report entitled “First Markham Place Condominiums YRCC910, YRCC922, YRC926 – Request for City waste management services or waste grant rebate” be received and referred back to staff; and,
- 2) That the deputations from Joseph Tsang, May Chan, Joyce Ho, Pat Hui, Phyllis Tsang and Ruby Liu be received; and,
- 3) That Council request York Region give consideration to accepting 3-stream materials generated from Condominiums YRCC910, YRCC922, YRC926 if delivered to the Miller Waste Earl Turcotte Transfer station as Markham residential waste; and,
- 4) That a copy of this report is forwarded to York Region for their consideration; and,
- 5) That staff be directed to report back to a future General Committee meeting; and further,
- 6) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

- (2) CELEBRATE MARKHAM
GRANT PROGRAM REVIEW
- COMMUNITY FEEDBACK AND
IMPLEMENTATION REPORT (7.6)
[Presentation](#) [Report](#) [Attachment 1](#) [Attachment 2](#)
[Attachment 3](#) [Attachment 4](#) [Attachment 5](#)

Moved by Deputy Mayor Jack Heath
Seconded by Councillor Colin Campbell

- 1) That the presentation by Mr. Moe Hosseini-Ara, Director, Culture entitled “Celebrate Markham Program Community Feedback & Implementation Plan”, be received; and,
- 2) That the report titled, “Celebrate Markham Grant Program Review – Community Feedback and Implementation Report”, incorporating the comments of Council and community stakeholders, be received; and further,
- 3) That the following Celebrate Markham recommendations, as approved in principle by Council on June 15, 2015, be adopted:
 - i) That Council adopt the following Vision for the Celebrate Markham Grant Program:

Celebrate Markham is a transparent, inclusive and sustainable grant program that reflects Council’s vision for Markham as a City that enhances art & culture, active living, community engagement and social cohesion through the support of events and programs that: 1) bring the community together or 2) attract visitors to the City as a vibrant destination; and,
 - ii) That revised general criteria for Celebrate Markham Grant Program eligibility (Part A) and detailed criteria for the individual funding streams (Part B), as shown on Attachments 1 and 2 to this report, which take into account Council and stakeholder feedback, be incorporated into the Celebrate Markham Grant Program application and evaluation process, subject to any minor changes, as required; and,

- iii) That the \$370,000 budget (total amount based on council direction in June 2015) be allocated to the following funding streams along with funding caps per applicant:
 - a. Cultural Events & Programs = \$76,000 (maximum \$5,000 per applicant)
 - b. Major Community Festivals = \$100,000 (maximum \$10,000 per applicant)
 - c. Sports Events = \$40,000 (maximum \$10,000 per applicant)
 - d. Seniors' Clubs = \$40,000 (maximum \$3,000 per applicant)
 - e. City led events = \$84,000
 - f. Unallocated/Reserve - \$30,000 amount pending decisions to be made on 2iv) by Council; and,
- iv) That decisions regarding funding for the Markham Arts Council (MAC) be brought forward as part of a separate report to Council; and,
- v) That in a given funding cycle, any unallocated funds within a funding stream be re-allocated to remaining streams with qualified applications and should there be no additional qualified applications in other funding streams, the surplus funds be returned to source; and,
- vi) That the Culture Department lead and administer the Celebrate Markham Grant Program by establishing a Staff Grant Review Committee, consisting of Staff from various Departments including: Recreation; Finance; Corporate Communications & Community Engagement, Human Resources, Economic Development and Culture to review, evaluate and make recommendations on funding applications on an annual basis; and,
- vii) That the Staff Grant Review Committee provide a Celebrate Markham Grant Program update report on an annual basis; and,
- viii) That all future funding requests for related programs and events from community and cultural groups be directed to the Celebrate Markham Program to be reviewed and decided upon through the Council approved Celebrate Markham process, as approved by Council; and,
- ix) That mandatory reporting of outcomes and financials be incorporated as part of the application criteria requirements to ensure that groups receiving funding achieve their outcomes and that the granted funds are used appropriately; and,
- x) That Celebrate Markham Grant funding envelope be set at \$370,000 in 2016 and until the population reaches 370,000, after which the funding formula of \$1/capita be used to calculate the budget; and,

- xi) That the funding envelope based upon a \$1.00 per capita formula be reviewed and updated every 2 years in accordance with Region of York population statistics; and,
 - xii) That as part of the transition to the new Celebrate Markham Grant Program, the application process be opened October 26, 2015, for proposed Projects to be executed in the first three (3) months of 2016 (January, February, March), and that the application process be closed 4 weeks thereafter; and,
 - xiii) That also as part of the transition to the new Celebrate Markham Program, a second funding cycle be held to allocate the remaining funding, with the application process opened for 8 weeks starting October 26, 2015, for proposed Projects to be executed from April 1st 2016 to March 31st, 2017; and,
 - xiv) That commencing April 2017, the new Celebrate Markham Grant Program, as described in this report, be fully in effect with applications accepted over an 8 week period, based upon an annual April 1st to March 31st funding cycle, and,
 - xv) That Staff be authorized and directed to do all things necessary to give effect to this resolution; and,
- 4) That the City of Markham support Kindred Spirits Orchestra (KSO) in the amount of \$30,000 for one year from January 1 to December 31, 2016, subject to submission by Kindred Spirits Orchestra of a completed application, and financial statements for 2013, 2014 as prepared by KSO's external auditor, and approved by the KSO Board and year-to-date September 30, 2015 (or most current) financial statements, as approved by the KSO Board; and,
 - 5) That Staff report back on the results of the Staff analysis of the application and submitted financial information; and,
 - 6) That the Celebrate Markham program funding envelope contained in Resolution No. 3, Section x, be increased in 2016 to \$400,000; and further,
 - 7) That staff report back to General Committee on the feasibility of per capita funding for Kindred Spirits Orchestra.

Carried as amended by recorded votes

(See following to amend)

(See following recorded votes)

(See following to consider the matter)

Amendment to the proposed recommendation - Resolution No. 3, Section i):

Council consented to delete the following proposed paragraph:

"Celebrate Markham is a transparent, inclusive and sustainable grant program that reflects Council's vision for Markham as a City that enhances art & culture, active living, community engagement and social cohesion through the support of events and programs that bring the community together and attracts visitors to the City as a vibrant destination;"

and replace with the following paragraph:

"Celebrate Markham is a transparent, inclusive and sustainable grant program that reflects Council's vision for Markham as a City that enhances art & culture, active living, community engagement and social cohesion through the support of events and programs that: 1) bring the community together or 2) attract visitors to the City as a vibrant destination;"

Amendment to the proposed recommendation – Adding Resolution Nos. 4, 5 & 6

Moved by Councillor Don Hamilton

Seconded by Councillor Valerie Burke

That the following paragraph be added as Resolution Nos. 4, 5 and 6 to the proposed recommendation:

- "4) That the City of Markham support Kindred Spirits Orchestra (KSO) in the amount of \$30,000 for one year from January 1 to December 31, 2016, subject to submission by Kindred Spirits Orchestra of a completed application, and financial statements for 2013, 2014 as prepared by KSO's external auditor, and approved by the KSO Board and year-to-date September 30, 2015(or most current) financial statements, as approved by the KSO Board; and,
- 5) That Staff report back on the results of the Staff analysis of the application and submitted financial information; and,
- 6) That the Celebrate Markham program funding envelope contained in Resolution No. 3, Section x, be increased in 2016 to \$400,000;"

Carried

Amendment to the proposed recommendation – Adding Resolution No. 7

Moved by Councillor Valerie Burke

Seconded by Regional Councillor Nirmala Armstrong

That the following paragraph be added as Resolution No. 6 to the proposed recommendation:

- "7) That staff report back to General Committee on the feasibility of per capita funding for Kindred Spirits Orchestra."

Carried

Recorded vote for Resolution Nos. 4, 5 and 6 (8:5)

YEAS: Councillor Valerie Burke, Councillor Alan Ho, Councillor Don Hamilton, Regional Councillor Nirmala Armstrong, Regional Councillor Jim Jones, Deputy Mayor Jack Heath, Councillor Colin Campbell, Councillor Alex Chiu. (8)

NAYS: Councillor Karen Rea, Mayor Frank Scarpitti, Regional Councillor Joe Li, Councillor Amanda Collucci, Councillor Logan Kanapathi (5)

Recorded vote for Resolution No. 7 (10:3)

YEAS: Councillor Valerie Burke, Councillor Alan Ho, Councillor Don Hamilton, Regional Councillor Nirmala Armstrong, Regional Councillor Jim Jones, Deputy Mayor Jack Heath, Regional Councillor Joe Li, Councillor Colin Campbell, Councillor Amanda Collucci, Councillor Alex Chiu. (10)

NAYS: Councillor Karen Rea, Mayor Frank Scarpitti, Councillor Logan Kanapathi. (3)

Recorded vote for Resolution Nos. 1 to 3 (13:0)

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 Colin Campbell, Councillor Amanda Collucci, Councillor Logan Kanapathi, Councillor Alex Chiu.

Moved by Councillor Don Hamilton

Seconded by Councillor Logan Kanapathi

That Council consider the item titled "Celebrate Markham Grant Program Review - Community Feedback and Implementation Report" immediately following the delegation with respect thereto.

Carried

7. MOTIONS

(1) PROPOSED RE-DEVELOPMENT OF THE UNIONVILLE HOME SOCIETY AREA (10.0)

Regional Councillor Jim Jones provided verbal information related to the proposed re-development of the Unionville Home Society Area motion. He clarified that what he is recommending is a design charrette process focussed on creating an Elder Friendly Community on the subject lands.

Moved by Deputy Mayor Jack Heath

Seconded by Regional Councillor Jim Jones

- 1) That the proposed motion titled "Proposed Re-Development of the Unionville Home Society Area" be referred to the Commissioner of Development Services to report back to the Development Services Committee with a memorandum outlining the design charrette process including all of the parties and a collaborative approach.

Carried

(See following to consider the matter)

Moved by Regional Councillor Jim Jones

Seconded by Regional Councillor Joe Li

That Council consider the proposed motion titled "Proposed Re-Development of the Unionville Home Society Area" immediately following the delegations with respect thereto.

Carried

Council did not consider the following proposed motion, as consented by Regional Councillor Jim Jones and Regional Councillor Joe Li:

"Whereas due to the new "provincial growth plan" has mandated that the Region of York will provide for additional growth from its 2014 population of 1,133,000 to a 2041 population of 1,790,000; and,

Whereas the Region of York has indicated that Markham will grow to a population of between 536,500 (no urban expansion) and 541,500; and,

Whereas this is an increased population of over 190,000 new residents over the next 25 years; and,

Whereas Markham is the leader in York Region in Transit Supported and Transit Dependent Development (TDD); and,

Whereas the ever growing number of baby boomer retirees, here are some important facts that need to be considered to accommodate these needs (first); and,

Whereas the Unionvilla Site is served by YRT transit today and Provincial and Regional initiatives will improve the service in the future if the densities exist to support additional transit; and,

Whereas these lands have always functioned as a seniors style campus, adjacent to walkable Main Street Unionville, with low auto usage and "Aging in Place Planning" so that residents of this special area who desire to downsize can remain within the community and stay close to their village; and,

Whereas there is a community park dedicated by former resident Anna Russell that should continue to be an important place in the community; and,

Whereas there is a tremendous opportunity to study lands bounded by Highway 7, Main Street Unionville, Fred Varley Drive, and the western boundary of Unionvilla Homes Society lands, Highway 7 to Sciberras Drive, south to Rouge Valleyland and then east to Stouffville GO railway tracks; and,

Whereas knowing that we are faced with unprecedented growth in actual numbers, including growth in the number of elderly residents, it is our duty to ensure that future development is transit supportive and also supportive of this growing segment of the population;

Now therefore be it resolved:

- 1) That staff prepare a report for Council to consider how the Unionvilla lands in the study area can be developed as an Elder Friendly Community, fully integrated with Main Street Unionville, Highway 7, with an increase in density so it can help to support a Smart Track enhanced transit station stop at Highway 7 to serve this new community and the larger area, and further that staff investigate the title of the park property to determine how the park lands can become a City Park."

Note: The notice of this motion was given to Council at its meeting held on September 28, 2015.

(2) PROPERTY TAXATION CLASS FOR
RESIDENTIAL CONDOMINIUM TOWNHOMES AND
RESIDENTIAL CONDOMINIUM APARTMENTS (7.1)

Moved by Regional Councillor Nirmala Armstrong
Seconded by Councillor Karen Rea

Whereas on October 9, 2007 Markham Council endorsed the creation of a Condominium Working Group to identify issues/options with respect to services received and taxes paid by residential condominium owners and resolved to advocate for legislative change at the Provincial level; and,

Whereas on March 9, 2010 the Condominium Working Group recommended that Council support the creation of new property classes for residential condominium townhomes and for residential condominium apartments in Ontario; and,

Whereas the resolution of the March 9, 2010 Markham Council resolution contained a clause requesting the Province of Ontario to amend legislation and any necessary regulation(s) to create a new property class for residential townhome condominiums and a new property assessment class for residential apartment condominiums; and,

Whereas a letter incorporating the March 9, 2010 Markham Council resolution was sent to the Premier of Ontario, the Minister of Finance, the Minister of Municipal Affairs, the Minister of Public Infrastructure Renewal, and the Canadian Condominium Institute (CCI); and,

Whereas on March 22nd, 2010 Markham received a letter from the Premier of Ontario acknowledging the Council resolution regarding condominiums and welcome Council's input on this or any other issue of provincial concern; and,

Whereas to date, the Province of Ontario has provided no amending legislation that would permit two new property classes for both residential condominium townhomes and residential condominium apartments in Ontario; and,

Whereas to date, the Province of Ontario has provided no amending legislation that would enable or permit municipalities to levy a tax rate, which is less than the residential tax rate, for both residential condominium townhomes and residential condominium apartments in Ontario;

Now therefore be it resolved:

- 1) That Markham City Council request that the Province of Ontario investigate the feasibility of establishing a separate property taxation class for both residential condominium townhomes and residential condominium apartments in Ontario.

Carried

Note: The notice of this motion was given to Council at its meeting held on September 28, 2015.

8. NOTICES OF MOTIONS

There were no notices of motions.

9. COMMUNICATIONS

Moved by Councillor Alex Chiu
Seconded by Councillor Karen Rea

That Council receive and consent to the disposition of communications in the following manner:

Received

55-2015 MINISTER OF CITIZENSHIP, IMMIGRANT AND INTERNATIONAL TRADE CALLING NOMINATIONS FOR THE 2015 JUNE CALLWOOD OUTSTANDING ACHIEVEMENT AWARD FOR VOLUNTARISM IN ONTARIO (13.2)

[Letter](#)

The award recognizes exceptional leadership, innovation and creativity in voluntarism and community service. Deadline for nominations is December 5, 2015.

Carried

56-2015 COMMUNICATION – PROPOSED MOTION TITLED
"RE-DEVELOPMENT OF THE UNIONVILLE HOME SOCIETY AREA"
(10.0)

[Communication](#)

Letter dated October 13, 2015 received from Don Given, President, Malone Given
Parsons Ltd., providing comments.
(Motion Item No. 1)

Carried

10. PROCLAMATIONS

(1) PROCLAMATION REQUESTS (3.4)

Moved by Councillor Amanda Collucci

Seconded by Councillor Alan Ho

- 1) That the following proclamations, issued by the City Clerk in accordance with the
City of Markham Proclamation Policy, be received for information purposes:
 - Lupus Awareness Month (October 2015)
 - Holocaust Education Week (November 2 to 9, 2015).

Carried

11. NEW/OTHER BUSINESS

There was no new/other business.

12. BY-LAWS

Moved by Regional Councillor Joe Li
Seconded by Deputy Mayor Jack Heath

That By-laws 2015-136 and 2015-137 be given three readings and enacted.

Three Readings

BY-LAW 2015-136 2444664 ONTARIO INC., 22 OAKCREST AVENUE, ZONING BY-LAW AMENDMENTS

A by-law to amend By-laws 304-87, as amended and 122-72, as amended, in order to facilitate a severance to create one additional building lot. (Item No. 2, Report No. 42 – September 28, 2015 Council Meeting)

[By-law](#)

Carried

BY-LAW 2015-137 ROAD DEDICATION BY-LAW (ESNA PARK DRIVE)

A by-law to dedicate certain lands as part of the highways of the City of Markham (Part of Lot 1, Concession 4, designated as Parts 5, 6, 7, 8, 9, 10, 11, 12 and 13, Plan 65R-13175)

[By-law](#)

Carried

13. IN-CAMERA ITEMS

Council did not consent to the introduction of a new item during the in-camera session regarding advice that is subject to solicitor-client privilege, including communications necessary for that purpose on a legal matter.

Moved by Councillor Don Hamilton
Seconded by Regional Councillor Nirmala Armstrong

That, in accordance with Section 239 (2) of the *Municipal Act*, Council resolve into an in-camera session to discuss the following matters (11:40 PM on October 13, 2015):

- (1) MINUTES OF IN-CAMERA COUNCIL MEETING
- SEPTEMBER 28, 2015 (16.0)
[Section 239 (2) (a) (b) (c) (e) (f)]

General Committee – October 7, 2015

- (2) ADVICE THAT IS SUBJECT TO SOLICITOR-CLIENT PRIVILEGE,
INCLUDING COMMUNICATIONS NECESSARY FOR THAT PURPOSE
(INFORMATION AND PRIVACY COMMISSIONER [IPC] OF ONTARIO -
APPEAL UPDATE - MARKHAM SPORTS, ENTERTAINMENT AND CULTURAL
CENTRE [ARENA] DOCUMENTS) (6.0)
[Section 239 (2) (f)]

Moved by Councillor Valerie Burke

Seconded by Councillor Amanda Collucci

That Council rise from the in-camera session. (12:32 AM on October 14, 2015)

Carried

The in-camera items were approved by Council as follows:

- (1) MINUTES OF IN-CAMERA COUNCIL MEETING
- SEPTEMBER 28, 2015 (16.0)

Moved by Councillor Don Hamilton

Seconded by Regional Councillor Joe Li

- 1) That the Council In-camera Minutes dated September 28, 2015 be confirmed.

Carried

- (2) ADVICE THAT IS SUBJECT TO SOLICITOR-CLIENT PRIVILEGE, INCLUDING COMMUNICATIONS NECESSARY FOR THAT PURPOSE (INFORMATION AND PRIVACY COMMISSIONER [IPC] OF ONTARIO - APPEAL UPDATE - MARKHAM SPORTS, ENTERTAINMENT AND CULTURAL CENTRE [ARENA] DOCUMENTS) (6.0)
[RJReport](#) [RJReport-Short Version](#)

Moved by Deputy Mayor Jack Heath
Seconded by Councillor Karen Rea

- 1) That The Corporation of the City of Markham waive solicitor-client privilege on the two documents from Raymond James, dated January 2011 and titled "Town of Markham – Markham Arena Opportunity", related to the Markham Sports, Entertainment and Cultural Centre (Arena).

Carried by a recorded vote (6:4)
(See following recorded vote)

YEAS: Councillor Valerie Burke, Councillor Don Hamilton, Councillor Karen Rea, Regional Councillor Nirmala Armstrong, Deputy Mayor Jack Heath, Regional Councillor Joe Li. (6)

NAYS: Councillor Alan Ho, Mayor Frank Scarpitti, Councillor Colin Campbell, Councillor Amanda Collucci. (4)

ABSENT: Regional Councillor Jim Jones, Councillor Logan Kanapathi, Councillor Alex Chiu. (3)

14. CONFIRMATORY BY-LAW

Moved by Councillor Don Hamilton
Seconded by Councillor Amanda Collucci

That By-law 2015-138 be given three readings and enacted.

Three Readings

BY-LAW 2015-138 A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE COUNCIL MEETING OF OCTOBER 13 AND 14, 2015.
[By-law](#)

Carried

15. ADJOURNMENT

Moved by Councillor Valerie Burke

Seconded by Councillor Alan Ho

That the Council Meeting be adjourned at 12:40 AM on October 14, 2015.

Carried

Kimberley Kitteringham
City Clerk

Frank Scarpitti
Mayor

(Signed)