



Council Minutes

June 23, 2015, 7:00 PM

Council Chamber, Anthony Roman Markham Civic Centre

Meeting No. 16

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
Brenda Librecz, Commissioner of Community and Fire Services
Joel Lustig, Treasurer
Dennis Flaherty, Director of Communications and Community Relations
Raj Raman, Mayor's Chief of Staff
Kimberley Kitteringham, City Clerk
Martha Pettit, Deputy City Clerk
Meg West, Manager, Strategic Initiatives
Martin Frowen, Technology Support Coordinator

The regular meeting of Council convened at 7:01 PM on June 23, 2015 in the Council Chamber. Mayor Frank Scarpitti presided.

1. DISCLOSURE OF PECUNIARY INTEREST

- (1) None declared.

2. MINUTES**(1) COUNCIL MINUTES – JUNE 15 AND 16, 2015**[Minutes](#)

Moved by Councillor Alex Chiu

Seconded by Councillor Valerie Burke

- 1) That the Minutes of the Council Meeting held on June 15 and 16, 2015, be adopted.

Carried

3. PRESENTATIONS**(1) BUILDING MARKHAM'S FUTURE TOGETHER 2015 TO 2019 UPDATE (16.23)**

[Report](#) [Appendix A](#) [Appendix B](#)
[Appendix C](#) [Appendix D](#)

This matter was referred from the June 22, 2015 General Committee meeting.

Meg West, Manager, Strategic Initiatives, provided an on-line demonstration of the Community Engagement Tool.

Moved by Councillor Alan Ho

Seconded by Councillor Colin Campbell

That the on-line demonstration of the Community Engagement Tool provided by Meg West, Manager, Strategic Initiatives, be received.

Carried

Moved by Deputy Mayor Jack Heath

Seconded by Councillor Colin Campbell

- 1) That the report entitled Building Markham's Future Together (BMFT) - Council's Strategic Plan 2015 to 2019 - Summary of findings from the Training and Education Sessions and Proposed Public Engagement Program be received; and,
- 2) That the summary of the Council Training and Education Sessions held on April 20, 2015, April 24, 2015 and May 13, 2015 as outlined in Appendices A, B, C and D attached be endorsed; and further,

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

Carried

4. DELEGATIONS

- (1) DELEGATION REGARDING THE ITEM TITLED
KYLEMORE COMMUNITIES (YORKTON) LIMITED
OFFICIAL PLAN, DRAFT PLAN OF SUBDIVISION AND
ZONING BY-LAW AMENDMENT APPLICATIONS TO PERMIT
132 TOWNHOUSE UNITS AT 9350 TO 9392 KENNEDY ROAD
FILE NOS. OP, SU, & ZA 14 132762 (10.3, 10.7 & 10.5)

Moved by Councillor Alex Chiu
Seconded by Councillor Alan Ho

That the delegation of Thomas West expressing opposition and concerns related to the proposed recommendation for the application submitted by Kylemore Communities (Yorkton) Limited, 9350 to 9392 Kennedy Road, be received.

(See Item No. 3, Report No. 37 for Council's decision on this matter)

Carried

- (2) DELEGATION REGARDING THE ITEM TITLED
PROPOSED EXTENSION OF NOTIFICATION PERIOD
FOR MINOR VARIANCES AND EXPANSION OF
CIRCULATION BOUNDARIES FOR COMMITTEE OF ADJUSTMENT
APPLICATIONS AND STATUTORY PUBLIC MEETINGS (10.12)

Moved by Councillor Alex Chiu
Seconded by Councillor Alan Ho

That the delegation of Mayrose Gregorios in support of the proposed extension of notification period for minor variances and expansion of circulation boundaries for committee of adjustment applications and statutory public meetings be received.

(See Item No. 5, Report No. 37 for Council's decision on this matter)

Carried

5. PETITIONS

There were no petitions.

6(a) REPORT NO. 33 - GENERAL COMMITTEE (June 15, 2015)

Moved by Deputy Mayor Jack Heath

Seconded by Councillor Colin Campbell

That Report No. 33 – General Committee comprised of 1 item be received and adopted.

(1) AQUATIC LEADERSHIP PROGRAM - A PARTNERSHIP BETWEEN CITY OF MARKHAM AND YORK REGION DISTRICT SCHOOL BOARD (6.0)

[Report](#)

- 1) The report titled “Aquatic Leadership Program – A Partnership between City of Markham and York Region District School Board” be received; and,
- 2) That Council approve the Aquatic Leadership Program partnership between the City of Markham and York Region District School Board as described in the report; and,
- 3) That the Commissioner of Community and Fire Services be delegated authority to execute the Aquatic Leadership Program partnership Memorandum of Understanding with York Region District School Board, based on approval by the City Solicitor; 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. 34 - DEVELOPMENT SERVICES COMMITTEE (June 16 2015)

Moved by Regional Councillor Jim Jones

Seconded by Councillor Don Hamilton

That Report No. 34 – Development Services Committee comprised of 3 items be received and adopted.

(1) MUNICIPAL CLASS ENVIRONMENTAL ASSESSMENT
FOR MIDLAND AVENUE EXTENSION
(FROM STEELES AVENUE TO OLD KENNEDY ROAD) (5.7)
[Presentation](#)

- 1) That the deputations by Deacon Timothy Young of the Logos Baptist Church, Andrew Madden, representing the Developers Group, and Pat Dimilta, representing the owners of 103, 113 and 123 Old Kennedy Road, regarding the Municipal Class Environmental Assessment for Midland Avenue Extension, be received; and,
- 2) That the June 16, 2015 presentation by Masongsong & Associates / Poulos & Chung entitled "Municipal Class Environmental Assessment for Midland Avenue Extension (from Steeles Avenue to Old Kennedy Road)" be received; and,
- 3) That the preferred alignment and cross-section for the Midland Ave from Steeles Ave to Old Kennedy Road (Option #3) be endorsed; and,
- 4) That staff be authorized to file the Environmental Study Report (ESR) for the Midland Ave extension from Steeles Ave to Old Kennedy Road with the Ministry of the Environment and Climate Change for the 30 day public review period; and,
- 5) That staff be directed to work with the Developers Group Trustee and Pat Dimilta of Dimilta Bros. Investment Group, to address the impacts to 103, 113 and 123 Old Kennedy Road; and further,
- 6) That staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

- (2) REQUEST FOR DEMOLITION
287 MAIN ST. N. MARKHAM VILLAGE (16.11, 10.13)
[Report](#)

- 1) That Council endorse the demolition of the non-heritage single detached dwelling and detached accessory building at 287 Main St. N. located within the Markham Village Heritage Conservation District; and,
- 2) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

- (3) MEMORANDUM
PROPOSED REVOCATION OF
MINISTER'S ZONING ORDER (MZO)
ONTARIO REGULATION 104/72 (AIRPORT FREEZE)
ON LANDS GENERALLY LOCATED WEST OF HIGHWAY 48,
SOUTH OF 19TH AVENUE, EAST OF KENNEDY ROAD
AND NORTH OF MAJOR MACKENZIE DRIVE (10.5)
[Memo](#)

- 1) That the memorandum entitled, "MEMORANDUM: Proposed Revocation of Minister's Zoning Order (MZO), Ontario Regulation 104/72 (Airport Freeze), on lands generally located west of Highway 48, south of 19th Avenue, east of Kennedy Road and north of Major Mackenzie Drive" be received; and,
- 2) That a copy of this memo be forwarded to the Ministry of Municipal Affairs and Housing (MMAH), along with a covering letter informing the Ministry:
 - i) That the City of Markham has no objection to the revocation of the MZO on the lands generally located west of Highway 48, south of 19th Avenue, east of Kennedy Road and north of Major Mackenzie Drive (Figure 1), and;
 - ii) That the City of Markham requests a comprehensive list of all MZO amendments approved by the Ministry affecting the subject lands; and further,
- 3) That Staff be authorized and directed to do all things necessary to give effect to this resolution

Carried

**6(c) REPORT NO. 35 - DEVELOPMENT SERVICES PUBLIC MEETING
(June 16, 2015)**

Moved by Councillor Karen Rea

Seconded by Councillor Colin Campbell

That Report No. 35 – Development Services Public Meeting Item No. 1 be received and referred back to the Development Services Committee meeting in September 2015.

- (1) REQUEST TO CALL A PUBLIC MEETING
162 MAIN STREET NORTH, MARKHAM VILLAGE
1377402 ONTARIO INC.
FILE: ZA 15 147635 (10.5)
[Memo](#)

Moved by Councillor Karen Rea

Seconded by Councillor Colin Campbell

- 1) That the written submission from Joseph Cimer, agent for the applicant, dated June 16, 2015, regarding the application for 162 Main Street North, Markham, be received; and,
- 2) That the deputation by Gord Walter regarding the application for 162 Main Street North, Markham, be received; and,
- 3) That the Development Services Commission report dated June 16, 2015, entitled “Preliminary Report, 1377402 Ontario Inc., Application for Zoning By-law Amendment to permit Professional Office use, 162 Main Street North Markham Village, File No. ZA 15 147635,” be received; and,
- 4) That the Record of the Public Meeting held on June 16, 2015 with respect to the proposed Zoning By-law Amendment application, be received; and,
- 5) That the application by 1377402 Ontario Inc. for a proposed Zoning By-law Amendment (ZA 15 147635), be approved and the draft implementing Zoning By-law Amendment be finalized and enacted to permit professional offices, excluding medical offices other than an office use by a single practitioner at any one time, and residential use including single, duplex, semi-detached, triplex, four-plex, and apartment dwellings; and further,
- 6) That staff be authorized and directed to do all things necessary to give effect to this resolution.

Referred
(See following to refer)

Moved by Councillor Karen Rea
Seconded by Councillor Colin Campbell

That the item titled "162 Main Street North, Markham Village, 1377402 Ontario Inc., File: ZA 15 147635" be referred back to the Development Services Committee meeting in September 2015.

Carried

6(d) REPORT NO. 36 - GENERAL COMMITTEE (June 22, 2015)

Moved by Deputy Mayor Jack Heath
Seconded by Councillor Colin Campbell

That Report No. 36 – General Committee comprised of 6 items be received and adopted, except Item Nos. 1, 2 and 3. (See following Item No. 1, 2 and 3)

- (1) ANIMAL STOREFRONT
(CAT ADOPTION AND EDUCATION CENTRE) (2.8)
[Report](#)

Moved by Deputy Mayor Jack Heath
Seconded by Councillor Colin Campbell

- 1) That the report entitled “Animal Storefront (Cat Adoption and Education Centre)” be received; and,
- 2) That a Cat Adoption and Education Centre (CAEC) be opened in the Thornhill Community Centre and Library; and,
- 3) That the operating costs associated with the CAEC in the amount of \$99,191 be funded from account 310-320-5370 (Animal Control); and,
- 4) That the cost for retrofitting the CAEC in the amount of \$115,150.00 be funded from a new capital project called, “Cat Adoption and Education Centre”; and,
- 5) That the shortfall associated with the capital start-up costs in the amount of \$35,150.00 be funded from the Non-Development Charge Capital Contingency; and,

- 6) That staff be authorized to enter into a contract with the Ontario Society for the Prevention of Cruelty to Animals for the provision of managing the CAEC for a term of three years, in a form satisfactory to the City Clerk and City Solicitor; and,
- 7) That staff report back to Council within three years of the opening of the CAEC with an assessment of the storefront operation; and,
- 8) That staff be directed to pursue with the Ontario Society for the Prevention of Cruelty to Animals (OSPCA) a possible adoption fee revenue sharing arrangement; and further,
- 9) That staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried by a unanimous recorded vote (13:0)

(See following recorded vote)

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.
(13)

(2) JESUS THE KING MELKITE CATHOLIC CHURCH
– NOISE EXEMPTION REQUEST (2.10)

[Report](#)

Moved by Deputy Mayor Jack Heath

Seconded by Councillor Colin Campbell

- 1) That the report entitled “Jesus the King Melkite Catholic Church-Noise Exemption Request” be received; and,
- 2) That Council grant a noise exemption from Section 3.2 of the City of Markham’s Noise By-law 2003-137 to Jesus the King Melkite Catholic Church to allow for amplified sound until 11:00 p.m. on Friday July 31, 2015 and Saturday August 1, 2015 and until 10:00 p.m. on Sunday August 2, 2015; and,
- 3) That staff be directed to work with the festival organizers to consider potential alternative solution for their festival in 2016; and,

- 4) That staff be directed to monitor the 2015 festival in terms of residential impact; and further,
- 5) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried by a recorded vote (11:2)

(See following recorded vote)

YEAS: Councillor Alan Ho, Councillor Don Hamilton, Councillor Karen Rea, Regional Councillor Nirmala Armstrong, Regional Councillor Jim Jones, Mayor Frank Scarpitti, Regional Councillor Joe Li, Councillor Colin Campbell, Councillor Amanda Collucci, Councillor Logan Kanapathi, Councillor Alex Chiu. (10)

NAYS: Councillor Valerie Burke, Deputy Mayor Jack Heath. (2)

(3) MINUTES OF THE JUNE 17, 2015
ENVIRONMENTAL ISSUES COMMITTEE (16.0)
[Minutes](#) [Report](#)

- 1) That the minutes of the June 17, 2015 Environmental Issues Committee meeting be received for information purposes; and,
- 2) That the below recommendations from the report entitled “Markham Environmental Sustainability Fund (MESF) Funding Applications, Spring 2015” adopted at the June 17, 2015 Environmental Issues Committee be endorsed:
 - (a) That the Spring 2015 MESF funding applications be approved:
 - i) Ontario Streams East Don River Rehabilitation Initiative request for \$5,742.00
 - ii) The Living City Foundation, TRCA – Creating Habitat Through the Seasons request for \$8,300
 - iii) TRCA on behalf of Pomona Mills Park Conservationists (PMPC) – River Elbow Community Planting request for \$1,469; and,
 - (b) That the funds be provided from the 2015 Markham Environmental Sustainability Fund (MESF), account #87 2800168; and further,
 - (c) That Staff be authorized to do all things necessary to give effect to the above.

Carried

(4) AWARD OF PROPOSAL 058-R-14 SUPPLY
AND IMPLEMENTATION OF ELECTRONIC
DEVELOPMENT PLAN SERVICE DELIVERY SYSTEM (7.12)
[Report](#)

- 1) That the report entitled “Award of Proposal 058-R-14 Supply and Implementation of Electronic Development Plan Service Delivery System” be received; and,
- 2) That the contract for Supply and Implementation of Electronic Plan Service Delivery System from Proposal 058-R-14 be awarded to the highest ranked/lowest priced bidder, Avolve Software Corporation in the amount of \$949,664.12 (inclusive of HST), of which \$659,203.32 is for the software and implementation costs and \$290,460.80 is for four years of support and maintenance; and,
- 3) That the software and implementation costs for 058-R-14 be funded from account #084-5350-14070-005 Supply and Implementation of Electronic Plan Service Delivery System in the amount of \$659,203.32 (inclusive of HST); and,
- 4) That the software support and maintenance fee in the amount of \$290,460.80 (inclusive of HST) over a four year term be funded from #400-404-5361 Computer Hardware, in the amounts of;

Year 2 (2017) - \$70,472.67
Year 3 (2018) - \$71,882.12
Year 4 (2019) - \$73,319.85
Year 5 (2020) - \$74,786.16
Total - \$290,460.08; and,
- 5) That Avolve Software Corporation be designated as the preferred vendor for the City’s electronic plan service needs for the five year term of this contract; and,
- 6) That the Chief Information Officer be authorized to approve the annual support and maintenance from year six onwards subject to approval of the annual Operating Budget; and,
- 7) That Report “058-R-14 for Supply and Implementation of Electronic Plan Service Delivery System” be included as part of the June 23 Council Meeting agenda; further,
- 8) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

(5) CONTRACT EXTENSION FOR WINTER
MAINTENANCE CONTRACTS: (095-T-08)
SUPPLY AND OPERATION OF TANDEM/SINGLE
AXLE COMBINATION PLOWS AND (032-T-08)
SIDEWALK WINTER MAINTENANCE (7.12)
[Report](#)

- 1) That the report entitled “Contract Extension for Winter Maintenance Contracts: (095-T-08) Supply and Operation of Tandem/Single Axle Combination Plows and (032-T-08) Sidewalk Winter Maintenance” be received; and,
- 2) That Contract (095-T-08) Supply and Operation of Tandem/Single Axle Combination Plows be extended to D. Crupi & Sons Limited for an additional three (3) years (November 1, 2015 to April 1st, 2018) as per the original 2008 contract term in the estimated annual contractual value of \$1,896,955.00 inclusive of HST; and,
- 3) That Staff be authorized to extend Contract (095-T-08) Supply and Operation of Tandem/Single Axle Combination Plows D. Crupi & Sons Limited for a further five (5) years (November 1, 2018 to April 1st, 2023) at the sole discretion of the City in the estimated annual contractual value of \$1,896,955 .00 inclusive of HST; and,
- 4) That Contract (032-T-08) Sidewalk Winter Maintenance be extended to VTA Construction Ltd. and De Ferrari Construction Limited for an additional three (3) years (November 1, 2015 to April 1st, 2018) as per the original 2008 contract term in the estimated annual contractual value of \$ 2,088,234.00 inclusive of HST; and,
- 5) That Staff be authorized to extend Contract (032-T-08) Sidewalk Winter Maintenance be extended to VTA Construction Ltd. and De Ferrari Construction Limited to VTA Construction Ltd. and De Ferrari Construction Limited for a further five (5) years (November 1, 2018 to April 1st, 2023) at the sole discretion of the City in the estimated annual contractual value of \$2,088,234.00 inclusive of HST; and,
- 6) That the tendering process be waived for recommendations # 3 and 5 in accordance with Purchasing By-Law 2004-341, Part II, Section 7 (1) (c) which states “when the extension of an existing contract would prove more cost-effective or beneficial”; and,
- 7) That the 2016 – 2023 budgets and the corresponding purchase orders be adjusted for a price escalation allowance based on the Consumer Price Index (CPI), Canada All-items (March to March); and,

- 8) That the 2016 – 2023 budgets and the corresponding purchase orders be adjusted for growth (increase in kilometers of roadway) based on the Council approved service levels; and,
- 9) That funds be provided from the Accounts identified in the Financial Considerations section in the annual amount of \$ 3,985,189.00 (\$1,896,955.00+ \$2,088,234.00) inclusive of HST; and further,
- 10) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

(6) ENBRIDGE FRANCHISE AGREEMENT - RENEWAL (8.2)

[Report](#) [Attachment A](#) [Attachment B](#)

- 1) That the report entitled “Enbridge Franchise Agreement - Renewal”, dated June 15, 2015, be received; and,
- 2) That Council approve the form of the Franchise Agreement and draft By-law attached hereto and authorize the submission thereof, and any other documents required, to the Ontario Energy Board for approval pursuant to the provisions of Section 9 of the *Municipal Franchises Act*; and,
- 3) That Council request the Ontario Energy Board to make an order dispensing with the assent of the municipal electors of the Franchise Agreement and attached draft By-law, pursuant to the provisions of Section 9 of the *Municipal Franchises Act*; and,
- 4) That the Mayor and Clerk be authorized to enter into the Franchise Agreement with Enbridge Gas Distribution Inc. to give effect to the forgoing, said agreement to be in a form and content satisfactory to the Chief Administrative Officer and the City Solicitor; and further,
- 5) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

(By-law 2015-118)

Carried

6(e) REPORT NO. 37 - DEVELOPMENT SERVICES COMMITTEE (June 23 2015)

Moved by Regional Councillor Jim Jones

Seconded by Councillor Don Hamilton

That Report No. 37 – Development Services Committee comprises of 5 items be received and adopted, except Item Nos. 3, 4 and 5. (See following Item Nos. 3, 4 and 5)

- (1) 2014 CITY OF MARKHAM OFFICIAL PLAN
PART I – PROPOSED FURTHER MODIFICATIONS
RECOMMENDED FOR APPROVAL BY THE
ONTARIO MUNICIPAL BOARD (10.0)
[Report](#) [Appendix A](#)

- 1) That correspondence from Jeffrey E. Streisfield of Land Law, representing Scared 7 Company Ltd., and from John A.R. Dawson of McCarthy Tetrault, representing the Infrastructure Ontario, regarding proposed modifications to the 2014 City of Markham Official Plan, be received; and,
- 2) That the report entitled “2014 City of Markham Official Plan, Part I – Proposed Further Modifications Recommended for Approval by the Ontario Municipal Board” dated June 23, 2015, be received; and,
- 3) That the proposed modifications to the 2014 City of Markham Official Plan – Part 1, as outlined in Appendix ‘A’ of the report entitled “2014 City of Markham Official Plan, Part I – Proposed Further Modifications Recommended for Approval by the Ontario Municipal Board” dated June 23, 2015, be endorsed, and forwarded to the Ontario Municipal Board for approval; and further,
- 4) That staff and legal counsel be authorized and directed to do all things necessary to give effect to this resolution.

Carried

(2) KYLEMORE YORKTON PHASE II
COMMUNITY DESIGN PLAN (10.0)

[Report Appendix A](#)

- 1) That the staff report titled “Kylemore Yorkton Phase II Community Design Plan”, dated June 23, 2015, be received; and,
- 2) That the *Kylemore Communities, Yorkton Phase II, Community Design Brief (Community Design Plan, “CDP”)*, prepared by RN Design be endorsed; and,
- 3) That the *Community Design Plan* be used in the evaluation of all development applications within the Kylemore Yorkton Phase II Community; and,
- 4) That the Director of Planning and Urban Design be authorized to approve any future required revisions to the *CDP*; and further,
- 5) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

(3) RECOMMENDATION REPORT
KYLEMORE COMMUNITIES (YORKTON) LIMITED
OFFICIAL PLAN, DRAFT PLAN OF SUBDIVISION AND
ZONING AMENDMENT APPLICATIONS TO PERMIT
132 TOWNHOUSE UNITS AT 9350 TO 9392 KENNEDY ROAD
FILE NOS. OP, SU, & ZA 14 132762 (10.3, 10.7 & 10.5)

[Report](#)

Moved by Councillor Amanda Collucci
Seconded by Councillor Colin Campbell

- 1) That the report titled “Recommendation Report, Kylemore Communities (Yorkton) Limited, Official Plan, Draft Plan of Subdivision and Zoning Amendment Applications to permit 132 townhouse units at 9350 to 9392 Kennedy Road” dated June 23, 2015, be received; and,
- 2) That the applications submitted by Kylemore Communities (Yorkton) Limited, to amend the in force Official Plan (Revised 1987), as amended, the Markham Official Plan 2014 (not yet in force), Zoning By-laws 304-87 and 177-96, as amended, to permit a 132 unit townhouse development at 9350 to 9392 Kennedy Road be approved; and,

- 3) That the proposed amendment to the in force Markham Official Plan (Revised 1987), as amended, attached as Appendix 'B', and a corresponding amendment to the Markham Official Plan 2014 (not yet in force), attached as Appendix 'C' be forwarded to Council for adoption; and,
- 4) That the zoning by-law include an (H) provision on the lands at the southwest corner of Street A and Kennedy Road, to be removed when the applicant has entered into a subdivision agreement and site plan agreement to address matters pertaining to tree preservation, building siting and potential future access integration with the property to the south, to the satisfaction of the Director of Planning and Urban Design, or his designate; and,
- 5) That the proposed amendments to Zoning By-laws 304-87 and 177-96, as amended, attached as Appendix 'D', be forwarded to Council for approval and enacted without further notice; 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 'A' as may be amended by the Director of Planning and Urban Design; and further,
- 7) That Council hereby determines that the giving of further notice is not required for the Official Plan, Draft of Subdivision and Zoning By-Law Amendment applications for 9350 to 9392 Kennedy Road, File Nos. OP, SU & ZA 14 132762. (By-laws 2015-119 to 2015-121)

Carried

(See following to consider the matter)

Council consented to add the following as Resolution No. 4 to the proposed recommendation:

- "4) That the zoning by-law include an (H) provision on the lands at the southwest corner of Street A and Kennedy Road, to be removed when the applicant has entered into a subdivision agreement and site plan agreement to address matters pertaining to tree preservation, building siting and potential future access integration with the property to the south, to the satisfaction of the Director of Planning and Urban Design, or his designate;"

Moved by Regional Councillor Jim Jones

Seconded by Councillor Logan Kanapathi

That Council consider the item titled "Recommendation Report, Kylemore Communities (Yorkton) Limited, Official Plan, Draft Plan of Subdivision and Zoning Amendment Applications to permit 132 townhouse units at 9350 to 9392 Kennedy Road" immediately following the delegation with respect thereto.

Carried

- (4) DEMOLITION PERMIT APPLICATION
HISTORIC BARN, 24 MAPLE LANE
UNIONVILLE HERITAGE CONSERVATION DISTRICT
FILE NO. 14 133286 DP (16.11, 10.13)
[Report](#)

Moved by Regional Councillor Jim Jones

Seconded by Councillor Don Hamilton

- 1) That correspondence from John Shepley, and submissions by Jinli Ding from JHL Engineering Inc. and Cy Wong and Associates, regarding 24 Maple Lane, be received; and,
- 2) That the staff report titled “Demolition Permit Application, Historic Barn, 24 Maple Lane, Unionville Heritage Conservation District” dated June 16, 2015, be received; and,
- 3) That the application for a Demolition Permit (14 133286 DP) be approved, on the condition that the materials be salvaged for re-use on site, or for sale; and further,
- 4) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried by a recorded vote (11:2)
(See following recorded vote)

- YEAS: Councillor Alan Ho, Councillor Don Hamilton, Councillor Karen Rea, Regional Councillor Nirmala Armstrong, Regional Councillor Jim Jones, Deputy Mayor Jack Heath, Regional Councillor Joe Li, Councillor Colin Campbell, Councillor Amanda Collucci, Councillor Logan Kanapathi, Councillor Alex Chiu. (11)
- NAYS: Councillor Valerie Burke, Mayor Frank Scarpitti. (2)

(5) **INFORMATION REPORT**
PROPOSED EXTENSION OF NOTIFICATION PERIOD
FOR MINOR VARIANCES AND EXPANSION OF
CIRCULATION BOUNDARIES FOR COMMITTEE OF ADJUSTMENT
APPLICATIONS AND STATUTORY PUBLIC MEETINGS (10.12)
[Report](#)

- 1) That the report entitled “Proposed Extension of Notification Period for Minor Variances and Expansion of Circulation Boundaries for Committee of Adjustment Applications and Statutory Public Meetings” be received as the Planning Staff response to the information requested by Development Services Committee; and,
- 2) That the circulation boundaries be increased to 120 metres for Committee of Adjustment applications and to 200 metres for Statutory Public meetings; and,
- 3) That the notification period for Committee of Adjustment applications be expanded to 14 days; and,
- 4) That double-sided signs be used for Committee of Adjustment applications; and,
- 5) That all Heritage Estates property owners be notified of Committee of Adjustment minor variance applications within Heritage Estates; and,
- 6) That staff ensure clearer maps are utilized in notice letters; and further,
- 7) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

7. MOTIONS

There were no motions.

8. NOTICES OF MOTIONS

There were no notices of motions.

9. COMMUNICATIONS

Moved by Councillor Alex Chiu

Seconded by Regional Councillor Joe Li

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

Received

- 48-2015 TEMPORARY EXTENSION APPLICATION (LIQUOR SALES LICENCE) FOR JAKES ON MAIN PUB & GRILLE, 202 MAIN STREET UNIONVILLE (WARD 3) (3.21)

[Info](#)

Requesting an approval from the City of Markham to extend their existing liquor licence for the patio areas at 202 Main Street Unionville. The proposed extension will be utilized on August 14, 15 and 16, 2015 (ending at 11:00 pm on August 16), in celebration with the Markham Jazz Festival.

Carried

- 49-2015 MEMORANDUM REGARDING THE PROPOSED HOLD REMOVAL BY-LAW FOR LINDVEST (CORNELL) PROPERTIES LTD., SOUTH SIDE OF HIGHWAY 7 EAST AND EAST SIDE OF 9TH LINE (10.5)

[Memo](#)

Memorandum dated June 23, 2015 from the Commissioner of Development Services providing information regarding the proposed Hold Removal By-law for Lindvest (Cornell) Properties Ltd. and recommending the approval of the proposed Hold Removal By-law.

(By-law 2015-101)

Carried

- 50-2015 LIQUOR LICENCE APPLICATION FOR CHANCE BAR AND LOUNGE, 28 SOUTH UNIONVILLE AVENUE, UNIT 1058 (WARD 3) (3.21)

[Info](#)

Forwarding a request for the City of Markham to complete the Municipal Information Form.

(New premises and application of a new liquor licence for indoor areas).

Carried

- 51-2015 MEMORANDUM REGARDING THE HOLD REMOVAL BY-LAW FOR PAGNELL HOMES INC. AND OSTRYA HOMES LTD., 10 ROUGE BANK DRIVE AND 2, 6 AND 8 PAGNELLO COURT (10.5)

[Memo](#)

Memorandum dated June 23, 2015 from the Commissioner of Development Services providing information regarding the application for Pagnell Homes Inc. and Ostrya Homes Ltd. and recommending the approval of the Hold Removal By-law with respect thereto.
(By-law 2015-117)

Carried

10. PROCLAMATIONS

There were no proclamations.

11. NEW/OTHER BUSINESS

- (1) SOLEXICA SOLAR MARKHAM GP
171 ESNA PARK DRIVE
- SUPPORT FOR FIT PROGRAM (5.7)

Moved by Councillor Valerie Burke
Seconded by Councillor Don Hamilton

Whereas capitalized terms not defined herein have the meanings ascribed thereto in the FIT Contract, Version 3.1; and,

Whereas Solexica Solar Markham GP (the “Supplier”) has entered into a FIT Contract to construct and operate a 200kW Roof Top Solar PV Array Facility (the “Project”) on 171 Esna Park Drive (the “Lands”) in the City of Markham (the “Local Municipality”) under the Province’s FIT Program; and,

Whereas the Supplier previously requested that the Council of the Local Municipality (“Council”) indicate by resolution Council’s support for the construction and operation of the Project on the Lands or all Projects with the same Renewable Fuel anywhere in the Local Municipality, and Council did provide such support in a prior resolution; and,

Whereas the Supplier has requested that the Council indicate, by a resolution dated no earlier than June 10, 2015 (the “New Resolution”), Council’s continued support for the construction and operation of the Project on the Lands; and,

Whereas where a New Resolution is received in respect of a Project, the Supplier will be recognized as fulfilling the requirements under Section 2.4(d)(vii) of the FIT Contract, which may result in the Supplier being offered Notice to Proceed in accordance with the terms of the Supplier's FIT Contract; and,

Now therefore be it resolved:

- 1) That Council of the City of Markham supports the construction and operation of the Project on the Lands; and,
- 2) That this resolution's sole purpose is to enable the Supplier to achieve Notice to Proceed under its FIT Contract and may not be used for the purpose of any other form of municipal approval in relation to the FIT Contract or Project or for any other purpose.

Carried

- (2) SPN LP 10
80 WHITEHALL DRIVE
- SUPPORT FOR FIT PROGRAM (5.7)

Moved by Councillor Valerie Burke

Seconded by Councillor Don Hamilton

Whereas capitalized terms not defined herein have the meanings ascribed to them in the FIT Rules, Version 4.0; and,

Whereas SPN LP 10 (the "Applicant") proposes to construct and operate a Rooftop Solar Project (the "Project") on 80 Whitehall Drive (the "Lands") in the City of Markham under the Province's FIT Program; and,

Whereas the Applicant has requested that Council of the City of Markham indicate by resolution Council's support for the construction and operation of the Project on the Property; and,

Whereas pursuant to the FIT Rules, Version 4.0, Applications whose Projects receive the formal support of Local Municipalities will be awarded Priority Points, which may result in the Applicant being offered a FIT Contract prior to other Persons applying for FIT Contracts; and,

Now therefore be it resolved:

- 1) That Council of the City of Markham supports the construction and operation of the Project on the Lands; and,
- 2) That this resolution's sole purpose is to enable the Applicant to receive Priority Points under the FIT Program and may not be used for the purpose of any other form of municipal approval in relation to the Applications or Project, or for any other purpose.

Carried

- (3) SPN LP 10
120 TRAVAIL ROAD
- SUPPORT FOR FIT PROGRAM (5.7)

Moved by Councillor Valerie Burke
Seconded by Councillor Don Hamilton

Whereas capitalized terms not defined herein have the meanings ascribed to them in the FIT Rules, Version 4.0; and,

Whereas SPN LP 10 (the "Applicant") proposes to construct and operate a Rooftop Solar Project (the "Project") on 120 Travail Road (the "Lands") in the City of Markham under the Province's FIT Program; and,

Whereas the Applicant has requested that Council of the City of Markham indicate by resolution Council's support for the construction and operation of the Project on the Property; and,

Whereas pursuant to the FIT Rules, Version 4.0, Applications whose Projects receive the formal support of Local Municipalities will be awarded Priority Points, which may result in the Applicant being offered a FIT Contract prior to other Persons applying for FIT Contracts; and,

Now therefore be it resolved:

- 1) That Council of the City of Markham supports the construction and operation of the Project on the Lands; and,
- 2) That this resolution's sole purpose is to enable the Applicant to receive Priority Points under the FIT Program and may not be used for the purpose of any other form of municipal approval in relation to the Applications or Project, or for any other purpose.

Carried

- (4) SPN LP 10
140 DUFFIELD DRIVE
- SUPPORT FOR FIT PROGRAM (5.7)

Moved by Councillor Valerie Burke
Seconded by Councillor Don Hamilton

Whereas capitalized terms not defined herein have the meanings ascribed to them in the FIT Rules, Version 4.0; and,

Whereas SPN LP 10 (the "Applicant") proposes to construct and operate a Rooftop Solar Project (the "Project") on 140 Duffield Drive (the "Lands") in the City of Markham under the Province's FIT Program; and,

Whereas the Applicant has requested that Council of the City of Markham indicate by resolution Council's support for the construction and operation of the Project on the Property; and,

Whereas pursuant to the FIT Rules, Version 4.0, Applications whose Projects receive the formal support of Local Municipalities will be awarded Priority Points, which may result in the Applicant being offered a FIT Contract prior to other Persons applying for FIT Contracts; and,

Now therefore be it resolved:

- 1) That Council of the City of Markham supports the construction and operation of the Project on the Lands; and,
- 2) That this resolution's sole purpose is to enable the Applicant to receive Priority Points under the FIT Program and may not be used for the purpose of any other form of municipal approval in relation to the Applications or Project, or for any other purpose.

Carried

- (5) SPN LP 10
200 KONRAD CRESCENT
- SUPPORT FOR FIT PROGRAM (5.7)

Moved by Councillor Valerie Burke
Seconded by Councillor Don Hamilton

Whereas capitalized terms not defined herein have the meanings ascribed to them in the FIT Rules, Version 4.0; and,

Whereas SPN LP 10 (the "Applicant") proposes to construct and operate a Rooftop Solar Project (the "Project") on 200 Konrad Crescent (the "Lands") in the City of Markham under the Province's FIT Program; and,

Whereas the Applicant has requested that Council of the City of Markham indicate by resolution Council's support for the construction and operation of the Project on the Property; and,

Whereas pursuant to the FIT Rules, Version 4.0, Applications whose Projects receive the formal support of Local Municipalities will be awarded Priority Points, which may result in the Applicant being offered a FIT Contract prior to other Persons applying for FIT Contracts; and,

Now therefore be it resolved:

- 1) That Council of the City of Markham supports the construction and operation of the Project on the Lands; and,
- 2) That this resolution's sole purpose is to enable the Applicant to receive Priority Points under the FIT Program and may not be used for the purpose of any other form of municipal approval in relation to the Applications or Project, or for any other purpose.

Carried

- (6) SPN LP 10
2650 JOHN STREET
- SUPPORT FOR FIT PROGRAM (5.7)

Moved by Councillor Valerie Burke
Seconded by Councillor Don Hamilton

Whereas capitalized terms not defined herein have the meanings ascribed to them in the FIT Rules, Version 4.0; and,

Whereas SPN LP 10 (the "Applicant") proposes to construct and operate a Rooftop Solar Project (the "Project") on 2650 John Street (the "Lands") in the City of Markham under the Province's FIT Program; and,

Whereas the Applicant has requested that Council of the City of Markham indicate by resolution Council's support for the construction and operation of the Project on the Property; and,

Whereas pursuant to the FIT Rules, Version 4.0, Applications whose Projects receive the formal support of Local Municipalities will be awarded Priority Points, which may result in the Applicant being offered a FIT Contract prior to other Persons applying for FIT Contracts; and,

Now therefore be it resolved:

- 1) That Council of the City of Markham supports the construction and operation of the Project on the Lands; and,
- 2) That this resolution's sole purpose is to enable the Applicant to receive Priority Points under the FIT Program and may not be used for the purpose of any other form of municipal approval in relation to the Applications or Project, or for any other purpose.

Carried

- (7) 8 STEELCASE HOLDING CORPORATION
8 STEELCASE ROAD WEST
OFFICIAL PLAN AND ZONING BY-LAW AMENDMENT
APPLICATIONS TO INCREASE THE MAXIMUM GROSS
FLOOR AREA PERMITTED FOR A BUSINESS OFFICE USE
AT 8 STEELCASE ROAD WEST FROM 1,755 M² TO 2,500 M²
FILE NO'S. OP/ZA 14 108789 (10.5)

[Memo](#)

Moved by Regional Councillor Joe Li

Seconded by Councillor Alex Chiu

- 1) That the staff memorandum dated June 23, 2015 regarding applications made by 8 Steelcase Holding Corporation to increase the maximum gross floor area permitted for a business office use, at 8 Steelcase Road West from 1,755 m² to 2,500 m², be received; and,
- 2) That Council having considered the matter, hereby determine that the change in the application as reflected in the amending Zoning By-Law as presented at the Public Meeting of February 17, 2015, is minor; and,
- 3) That Section 34(17) of the Planning Act provides for Council to determine if further notice is required when a change is made in a proposed by-law after the holding of a Public Meeting; and further,
- 4) That Council hereby determines that the giving of further notice is not required for the Zoning By-Law Amendment application for 8 Steelcase Road West, File Number ZA 14 108789.

(By-laws 2015-102 to 2015-104)

Carried

- (8) APPOLLO UNION LIMITED PARTNERSHIP I
155 SHIELDS COURT
- SUPPORT FOR FIT PROGRAM (5.7)

Moved by Councillor Valerie Burke

Seconded by Councillor Colin Campbell

Whereas capitalized terms not defined herein have the meanings ascribed to them in the FIT Rules, Version 4.0; and,

Whereas Appollo Union Limited Partnership I (the "Applicant") proposes to construct and operate a Rooftop Solar Project (the "Project") on 155 Shields Court (the "Lands") in the City of Markham under the Province's FIT Program; and,

Whereas the Applicant has requested that Council of the City of Markham indicate by resolution Council's support for the construction and operation of the Project on the Property; and,

Whereas pursuant to the FIT Rules, Version 4.0, Applications whose Projects receive the formal support of Local Municipalities will be awarded Priority Points, which may result in the Applicant being offered a FIT Contract prior to other Persons applying for FIT Contracts; and,

Now therefore be it resolved:

- 1) That Council of the City of Markham supports the construction and operation of the Project on the Lands; and,
- 2) That this resolution's sole purpose is to enable the Applicant to receive Priority Points under the FIT Program and may not be used for the purpose of any other form of municipal approval in relation to the Applications or Project, or for any other purpose.

Carried

- (9) YORK CATHOLIC DISTRICT SCHOOL BOARD
6160 16TH AVENUE EAST
- SUPPORT FOR FIT PROGRAM (5.7)

Moved by Councillor Valerie Burke

Seconded by Councillor Colin Campbell

Whereas capitalized terms not defined herein have the meanings ascribed to them in the FIT Rules, Version 4.0; and,

Whereas York Catholic District School Board (the "Applicant") proposes to construct and operate a Rooftop Solar Project (the "Project") on 6160 16th Avenue East (the "Lands") in the City of Markham under the Province's FIT Program; and,

Whereas the Applicant has requested that Council of the City of Markham indicate by resolution Council's support for the construction and operation of the Project on the Property; and,

Whereas pursuant to the FIT Rules, Version 4.0, Applications whose Projects receive the formal support of Local Municipalities will be awarded Priority Points, which may result in the Applicant being offered a FIT Contract prior to other Persons applying for FIT Contracts; and,

Now therefore be it resolved:

- 1) That Council of the City of Markham supports the construction and operation of the Project on the Lands; and,
- 2) That this resolution's sole purpose is to enable the Applicant to receive Priority Points under the FIT Program and may not be used for the purpose of any other form of municipal approval in relation to the Applications or Project, or for any other purpose.

Carried

(10) SUPPORT OF FEED-IN TARIFF PROGRAM (FIT)
FOR THE PROVINCE OF ONTARIO (5.7)

Moved by Councillor Valerie Burke

Seconded by Councillor Colin Campbell

Whereas capitalized terms not defined herein have the meanings ascribed to them in the FIT Rules, Version 4.0; and,

Whereas the Province's FIT Program encourages the construction and operation of Rooftop Solar generation projects (the "Projects"); and,

Whereas one or more Projects may be constructed and operated in the City of Markham; and,

Whereas pursuant to the FIT Rules, Version 4.0, Applications whose Projects receive the formal support of Local Municipalities will be awarded Priority Points, which may result in the Applicant being offered a FIT Contract prior to other Persons applying for FIT Contracts; and,

Now therefore be it resolved:

- 1) That Council of the City of Markham supports the construction and operation of the Projects anywhere in the City of Markham; and,
- 2) That this resolution's sole purpose is to enable the participants in the FIT Program to receive Priority Points under the FIT Program and may not be used for the purpose of any other form of municipal approval in relation to the Application or Projects, or for any other purpose; and further,
- 3) That this resolution shall expire twelve (12) months after its adoption by Council.

Carried

- (11) TO2015 PAN AM/PARAPAN AM GAMES
- JUNE 2015 STATUS UPDATE (6.0)
[Report](#) [Attachment A](#) [Attachment B](#)

Moved by Councillor Amanda Collucci

Seconded by Councillor Alan Ho

- 1) That the report TO2015 Pan Am/Parapan Am Games – June 2015 Status Update be received; and,
- 2) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

This matter was referred from the June 22, 2015 General Committee meeting.

- (12) QUEBEC CITY AVAC INSTALLATION TOUR (5.7)
[Report](#)

Moved by Councillor Alex Chiu

Seconded by Regional Councillor Joe Li

- 1) That the report entitled “Quebec City AVAC Installation Tour” be received; and
- 2) That the five members of the AVAC Feasibility Working Group to attend the tour of Quebec City’s AVAC installation scheduled for September 2015; and,
- 3) That the cost of the tour be funded from MESF - AVAC Feasibility funds to a maximum of \$4,000; and further,
- 4) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

Council consented to replacing the word "...four..." with the word "...five..." before the words "...members of the AVAC Feasibility Working Group..."

This matter was referred from the June 22, 2015 General Committee meeting.

- (13) MEMORANDUM - 1820266 ONTARIO INC. (TIMES GROUP INC.)
4002/4022 HIGHWAY 7, APPLICATIONS FOR
OFFICIAL PLAN AND ZONING BY-LAW AMENDMENTS
TO PERMIT A TOWNHOUSE DEVELOPMENT (10.3 AND 10.5)

[Memo](#)

Moved by Regional Councillor Jim Jones

Seconded by Councillor Logan Kanapathi

- 1) That the memo from the City Solicitor entitled "1820266 Ontario Inc. (Times Group Inc.), 4002/4022 Highway 7, applications for Official Plan and Zoning By-law Amendments to permit a townhouse development" be received; and,
- 2) That the Mayor and Clerk be authorized to execute an Agreement with 1820266 Ontario Inc., or other document as necessary to implement these recommendations, to the satisfaction of the Chief Administrative Officer and the City Solicitor on the terms recommended by Legal Services in the above memo, or that the Mayor and Clerk be authorized to execute another document satisfactory to the Chief Administrative Officer and City Solicitor that provides a similar level of assurance, as a condition of Council's approval of the applications for the Official Plan and Zoning By-law Amendments referred to above; and further,
- 3) That the implementing by-laws not be signed until Resolution #2 has been complied with to the satisfaction of the City Solicitor, including but not limited to registration of an agreement on title, if applicable.

(By-laws 2015-114 to 2015-116)

Carried

- (14) 1820266 ONTARIO INC. (TIMES GROUP INC.),
4002/4022 HIGHWAY 7 (10.3 & 10.5)

Moved by Regional Councillor Jim Jones

Seconded by Councillor Don Hamilton

- 1) That the proposed amendment to the Official Plan (Revised 1987), as amended, be adopted and forwarded to York Region for approval;
- 2) That the corresponding amendment to the Official Plan (2014) be adopted and forwarded to York Region for endorsement and the Ontario Municipal Board for approval;
- 2) That the proposed amendment to Zoning By-law 118-79, as amended, be enacted without further notice after the Official Plan (Revised 1987), as amended, is approved by York Region and comes into effect.
(By-laws 2015-114 to 2015-116)

Carried

- (15) IMPACT OF FESTIVALS ON RESIDENTIAL NEIGHBOURHOODS (3.5)

Moved by Councillor Valerie Burke

Seconded by Deputy Mayor Jack Heath

- 1) That staff report back on ways to mitigate impacts of festivals on residential neighbourhoods.

Carried

- (16) RETIREMENT OF DAVID PEARCE (11.0)

Council was advised by Andy Taylor, Chief Administrative Officer that David Pearce, Manager, Real Property, will be retiring in August 2015. Mayor and Members of Council thanked David for his dedicated years of service with the City of Markham.

(17) ACKNOWLEDGEMENT OF CITY STAFF (11.0)

Mayor and Members of Council thanked City Staff for the accomplishments achieved in the short period since the 2014 Inaugural Meeting of Council until this last meeting of Council before summer recess.

12. BY-LAWS

Moved by Regional Councillor Joe Li

Seconded by Regional Councillor Nirmala Armstrong

That By-laws 2015-97 to 2015-109, 2015-111, 2015-112 and 2015-114 to 2015-123 be given three readings and enacted; and,

That By-law 2015-113 be referred back to the Development Services Committee meeting in September 2015.

Three Readings

BY-LAW 2015-97 MICHAEL AND VERONICA LARKIN, PLAN 65M-3733, BLOCKS 100 AND 101, PART LOT CONTROL EXEMPTION BY-LAW
A by-law to designate part of a certain plan of subdivision not subject to Part Lot Control, west of McCowan Road and north of 16th Avenue.

[By-law](#)

Carried

BY-LAW 2015-98 FORNAX CONSTRUCTION LTD., BLOCK 100, REGISTERED PLAN 65M-3713, PART LOT CONTROL EXEMPTION BY-LAW
A by-law to designate part of a certain plan of subdivision not subject to Part Lot Control, west of Williamson Road, south of Miramar Drive and north of Maple Ridge Crescent.

[By-law](#)

Carried

BY-LAW 2015-99 PINES INTERNATIONAL INC., PART OF LOTS 1 AND 2, REGISTERED PLAN 2196, DESIGNATED AS PARTS 1, 2, 3, 4 AND 5, PLAN 65R-35672, PART LOT CONTROL EXEMPTION BY-LAW
A by-law to designate part of a certain plan of subdivision not subject to Part Lot Control, east of Kennedy Road and north of Helen Avenue.

[By-law](#)

Carried

BY-LAW 2015-100 CALLOWAY REIT (WOODSIDE) INC., 3155 HIGHWAY 7 EAST,
ZONING BY-LAW AMENDMENT

A by-law to amend By-law 165-80, as amended, to permit larger format supermarket of food store.

[By-law](#)

Carried

BY-LAW 2015-101 LINDVEST (CORNELL) PROPERTIES LTD., SOUTH SIDE OF
HIGHWAY 7 EAST AND EAST SIDE OF 9TH LINE, BLOCK 1,
DRAFT PLAN 19TM-06012, HOLD REMOVAL BY-LAW

A by-law to amend By-law 177-96, as amended, to remove Hold provisions on the subject lands to permit residential development, south of Highway 7 East, and east of 9th Line within the Cornell Community.
(Communication No. 49-2015)

[By-law](#)

Carried

BY-LAW 2015-102 8 STEELCASE HOLDING CORPORATION, 8 STEELCASE ROAD
WEST, AMENDMENT TO THE IN FORCE OFFICIAL PLAN
(REVISED 1987), AS AMENDED

A by-law to adopt Official Plan Amendment No. 228 to the in force Official Plan (Revised 1987), as amended, to increase the maximum gross floor area permitted for a business office use

(New/Other Business No. 7 – June 23, 2015 Council Meeting)

[By-law](#)

Carried

BY-LAW 2015-103 8 STEELCASE HOLDING CORPORATION, 8 STEELCASE ROAD
WEST, AMENDMENT TO THE NEW COUNCIL ADOPTED
OFFICIAL PLAN (2014)

A by-law to adopt Official Plan Amendment No. 5 to the new Council adopted Official Plan (2014), as amended, to increase the maximum gross floor area permitted for a business office use.

(New/Other Business No. 7 – June 23, 2015 Council Meeting)

[By-law](#)

Carried

- BY-LAW 2015-104 8 STEELCASE HOLDING CORPORATION, 8 STEELCASE ROAD WEST, ZONING BY-LAW AMENDMENT (2014)
A by-law to amend By-law 108-81, as amended, to increase the maximum gross floor area permitted for a business office use.
(New/Other Business No. 7 – June 23, 2015 Council Meeting)
[By-law](#)
Carried
- BY-LAW 2015-105 1038715 ONTARIO LTD. (UNIONVILLE MONTESSORI SCHOOL), 9286 KENNEDY ROAD, ZONING BY-LAW AMENDMENT
A by-law to amend By-law 304-87, as amended, to permit a school portable on the property for three years.
(Item No. 2, Report No. 31 – June 15, 2015 Council Meeting)
[By-law](#)
Carried
- BY-LAW 2015-106 RAJALEDCHUMY AND THANUSHA KAYILASANATHAN, 7 ALAI CIRCLE , HOLD REMOVAL BY-LAW
A by-law to amend By-law 193-81, as amended, to remove Hold provisions on the subject lands to permit the development of a single detached dwelling.
[By-law](#)
Carried
- BY-LAW 2015-107 ROAD DEDICATION BY-LAW (MARKLAND STREET)
A by-law to dedicate certain lands as part of the highways of the City of Markham, Parts of Lots 17 and 18, Concession 3, designated as Parts 1 and 2 on Plan 65R-35661.
[By-law](#)
Carried
- BY-LAW 2015-108 ROAD DEDICATION BY-LAW (ANTHONY ROMAN AVENUE AND PRINCE REGENT STREET)
A by-law to dedicate certain lands as part of the highways of the City of Markham, Part of Lot 23, Concession 3, designated as Parts 2, 3, 4 and 5, Plan 65R-32850 (Anthony Roman Avenue), Part of Lot 23, Concession 3, designated as Part 6 and 9, Plan 65R-32850 (Prince Regent Street) and Part of Lot 24, Concession 3, designated as Part 6, Plan 65R-30615 (Prince Regent Street).
[By-law](#)
Carried

BY-LAW 2015-109 2391004 ONTARIO LTD. (BELLPORT HOMES), 6845 - 6853, 6869 AND 6889 14TH AVENUE, ZONING BY-LAW AMENDMENTS

A by-law to amend By-law 194-82, as amended and By-law 177-96, as amended, to permit residential development.

(Item No. 4, Report No. 30 – June 15, 2015 Council Meeting)

[By-law](#)

Carried

BY-LAW 2015-111 DIGRAM DEVELOPMENTS INC., PART LOT CONTROL EXEMPTION BY-LAW

A by-law to designate part of a certain plan of subdivision not subject to Part Lot Control, Block 1, 65M-4454, north of Donald Cousens Parkway and west of Major Mackenzie Drive East.

[By-law](#)

Carried

BY-LAW 2015-112 ROAD DEDICATION BY-LAW (EASTVALE DRIVE, FERNCLIFFE CRESCENT AND ELSON STREET)

A by-law to dedicate certain lands as part of the highways of the City of Markham, Part of Lots 1 and 2, Concession 8, designated as Block 111, 65M-3530 (Eastvale Drive), Part of Lots 1, 2 and 3, Concession 8, designated as Block 7, Plan 65M-3616 (Eastvale Drive), Part of Lots 1 and 2, Concession 8, designated as Blocks 103 and 112, Plan 65M-3530 (Ferncliffe Crescent) and Part of Lots 1, 2 and 3, Concession 8, designated as Blocks 5 and 6, Plan 65M-3616 (Elson Street)

[By-law](#)

Carried

BY-LAW 2015-113 1377402 ONTARIO LTD., 162 MAIN STREET MARKHAM NORTH, ZONING BY-LAW AMENDMENT

A by-law to amend By-law 1229, as amended, and By-law 28-97, as amended, to permit the existing heritage dwelling to be used for business office uses, as well as a range of residential uses.

(No. 1, Report No. 35 – June 23, 2015 Council Meeting)

Referred

BY-LAW 2015-114 1820266 ONTARIO INC. (TIMES GROUP INC.), 4002/4022 HIGHWAY 7, AMENDMENT TO THE IN FORCE OFFICIAL PLAN (REVISED 1987), AS AMENDED
A by-law to adopt Official Plan Amendment No. 229 to the in force Official Plan (Revised 1987), as amended, to permit townhouse development.
(New/Other Business Item No. 14 – June 23, 2015 Council Meeting)
[By-law](#)

Carried

BY-LAW 2015-115 1820266 ONTARIO INC. (TIMES GROUP INC.), 4002/4022 HIGHWAY 7, AMENDMENT TO THE NEW COUNCIL ADOPTED OFFICIAL PLAN (2014)
A by-law to adopt Official Plan Amendment No. 6 to the new Council adopted Official Plan (2014), as amended, to permit townhouse development.
(Item No. 1, Report No. 26 – May 26, 2015 Council Meeting)
(New/Other Business Item No. 14 – June 23, 2015 Council Meeting)
[By-law](#)

Carried

BY-LAW 2015-116 1820266 ONTARIO INC. (TIMES GROUP INC.), 4002/4022 HIGHWAY 7, ZONING BY-LAW AMENDMENT
A by-law to amend By-law 118-79, as amended, to permit townhouse development.
(Item No. 1, Report No. 26 – May 26, 2015 Council Meeting)
(New/Other Business Item No. 14 – June 23, 2015 Council Meeting)
[By-law](#)

Carried

BY-LAW 2015-117 PAGNELL HOMES INC. AND OSTRYA HOMES LTD., 10 ROUGEBANK DRIVE, AND 2, 6 AND 8 PAGNELLO COURT, HOLD REMOVAL BY-LAW
A by-law to amend By-law 177-96, as amended, to permit the construction of single detached dwellings on the subject lands.
(Communication No. 51-2015 – June 23, 2015 Council Meeting)
[By-law](#)

Carried

BY-LAW 2015-118 A BY-LAW TO AUTHORIZE A FRANCHISE AGREEMENT BETWEEN THE CORPORATION OF THE CITY OF MARKHAM AND ENBRIDGE GAS DISTRIBUTION INC.

(Item No. 6, Report No. 36 - June 23 Council Meeting)

[By-law](#)

Carried

BY-LAW 2015-119 KYLEMORE COMMUNITIES (YORKTON) LIMITED, 9350 TO 9392 KENNEDY ROAD, AMENDMENT TO THE IN FORCE OFFICIAL PLAN (REVISED 1987), AS AMENDED

A by-law to adopt Official Plan Amendment No. 230 to the in force Official Plan (Revised 1987), as amended, to permit a townhouse development, a public park and the retention of a single detached heritage dwelling.

(Item No. 3, Report No. 37)

[By-law](#)

Carried

BY-LAW 2015-120 KYLEMORE COMMUNITIES (YORKTON) LIMITED, 9350 TO 9392 KENNEDY ROAD, AMENDMENT TO THE NEW COUNCIL ADOPTED OFFICIAL PLAN (2014)

A by-law to adopt Official Plan Amendment No. 7 to the new Council adopted Official Plan (2014), as amended, to permit a townhouse development, a public park and the retention of a single detached heritage dwelling.

(Item No. 3, Report No. 37)

[By-law](#)

Carried

BY-LAW 2015-121 KYLEMORE COMMUNITIES (YORKTON) LIMITED, 9350 TO 9392 KENNEDY ROAD, ZONING BY-LAW AMENDMENTS

A by-law to amend By-law 304-87, as amended, and By-law 177-96, as amended, to permit a townhouse development, a public park and the retention of a single detached heritage dwelling.

(Item No. 3, Report No. 37)

[By-law](#)

Carried

BY-LAW 2015-122 2283288 ONTARIO LIMITED (SHELL CANADA LIMITED), 8510 WOODBINE AVENUE, ZONING BY-LAW AMENDMENT
A by-law to amend By-law 165-80 as amended, to permit additional uses on the property.

(In-camera Item No. 7 - June 23, 2015 Council Meeting)

[By-law](#)

Carried

BY-LAW 2015-123 BOX GROVE HILL DEVELOPMENT INC., NORTH OF COPPER CREEK DRIVE, BETWEEN NINTH LINE AND DONALD COUSENS PARKWAY, ZONING BY-LAW AMENDMENT
A by-law to amend By-law 177-96, as amended, to permit townhouses and live-work units.

(In-Camera Item No. 8 - June 23, 2015 Council Meeting)

[By-law](#)

Carried

13. IN-CAMERA ITEMS

Council consented add an In-Camera matter as Item No. 9 on a proposed or pending acquisition or disposition of land by the municipality or local board (Ward 2).

Moved by Councillor Alan Ho

Seconded by Councillor Valerie Burke

That, in accordance with Section 239 (2) of the Municipal Act, Council resolve into an in-camera session to discuss the following matters (8:49 PM):

- (1) MINUTES OF IN-CAMERA COUNCIL MEETING
- MAY 26, 2015 (16.0)
[Section 239 (2) (a) (b) (c) (e) (f)]

General Committee – June 22, 2015

- (2) GENERAL COMMITTEE IN-CAMERA MINUTES
- JUNE 15, 2015 (16.0)
[Section 239 (2) (a) (c)]

- (3) PERSONAL MATTERS ABOUT AN IDENTIFIABLE INDIVIDUAL, INCLUDING MUNICIPAL OR LOCAL BOARD EMPLOYEES (BOARD/COMMITTEE APPOINTMENTS) (16.24)
[Section 239 (2) (b)]
- (4) THE SECURITY OF THE PROPERTY OF THE MUNICIPALITY OR LOCAL BOARD (WARD 5) (8.7)
[Section 239 (2) (a)]
- (5) A PROPOSED OR PENDING ACQUISITION OR DISPOSITION OF LAND BY THE MUNICIPALITY OR LOCAL BOARD (WARD 4) (8.6)
[Section 239 (2) (c)]

Development Services Committee – June 23, 2015

- (6) LITIGATION OR POTENTIAL LITIGATION, INCLUDING MATTERS BEFORE ADMINISTRATIVE TRIBUNALS, AFFECTING THE MUNICIPALITY OR LOCAL BOARD (VALLEYMEDE BUILDING AMA CORPORATION - WARD 8) (8.0)
[Section 239 (2) (e)]
- (7) LITIGATION OR POTENTIAL LITIGATION, INCLUDING MATTERS BEFORE ADMINISTRATIVE TRIBUNALS, AFFECTING THE MUNICIPALITY OR LOCAL BOARD (SHELL CANADA LIMITED C/O 2283288 ONTARIO LIMITED, 8510 WOODBINE AVENUE - WARD 2) (8.0)
[Section 239 (2) (e)]
- (8) LITIGATION OR POTENTIAL LITIGATION, INCLUDING MATTERS BEFORE ADMINISTRATIVE TRIBUNALS, AFFECTING THE MUNICIPALITY OR LOCAL BOARD (BOX GROVE HILL DEVELOPMENTS INC.) (WARD 5) (8.0)
[Section 239 (2) (e)]
- (9) A PROPOSED OR PENDING ACQUISITION OR DISPOSITION OF LAND BY THE MUNICIPALITY OR LOCAL BOARD (WARD 2) (8.7)
[Section 239 (2) (c)]

Moved by Regional Councillor Jim Jones
Seconded by Councillor Colin Campbell

That Council rise from the in-camera session. (10:21 PM)

Carried

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

(1) MINUTES OF IN-CAMERA COUNCIL MEETING
- MAY 26, 2015 (16.0)

Moved by Regional Councillor Jim Jones
Seconded by Councillor Alan Ho

- 1) That the Council In-camera Minutes dated May 26, 2015 be confirmed.

Carried

(2) GENERAL COMMITTEE IN-CAMERA MINUTES
- JUNE 15, 2015 (16.0)

Moved by Regional Councillor Jim Jones
Seconded by Councillor Alan Ho

- 1) That the General Committee in-camera minutes dated June 15, 2015 be confirmed.

Carried

(3) BOARD/COMMITTEE APPOINTMENTS (16.24)

Moved by Regional Councillor Nirmala Armstrong
Seconded by Deputy Mayor Jack Heath

- 1) That the following person be appointed to the Heritage Markham Committee:

<u>Name</u>	<u>Term</u>
Evelin Ellison	November 30, 2018

Carried

- (4) DECLARATION OF SURPLUS AND STOP UP AND CLOSE LANDS IN CORNELL ROUGE DEVELOPMENT CORP.'S PHASE 3 RESIDENTIAL SUBDIVISION (PLAN 65M-4093) (8.7)

Moved by Councillor Colin Campbell

Seconded by Councillor Amanda Collucci

- 1) That the confidential report entitled "Declaration of Surplus and Stop Up and Close Lands in Cornell Rouge Development Corp.'s Phase 3 Residential Subdivision (Plan 65M-4093)" be received; and,
- 2) That in accordance with By-law 178-96 the City declare certain lands described as Parts of Block 102 and Lane X, on Registered Plan 65M-4093, designated as Parts 1, 2, 3 and 4 on Reference Plan 65R-35644, City of Markham, Regional Municipality of York, as surplus, being lands originally set out for small hydro notches shown on Attachments No. 1 and 2 to this report; and,
- 3) That subject to No. 2, above, the Mayor and Clerk be authorized to execute an Agreement of Purchase and Sale with Cornell Rouge Development Corp. for a nominal sum (\$1.00) to effect the re-conveyance of the surplus hydro notches, set out on Attachments No. 1 and 2 to this report; and,
- 4) That subject to No. 2 above, the City enact a By-law to stop up and close the lands described as Parts of Block 102 (Lane X) on Registered Plan 65M-4093, and designated as Parts 1, 2, 3 and 4 on Reference Plan 65R-35644, City of Markham, Regional Municipality of York, as set out in Attachment No. 3 to this report; and,
- 5) That the above recommendations be reported out at the next or subsequent public meeting; and further,
- 6) That staff be authorized and directed to do all things necessary to give effect to the foregoing.

Carried

(5) A PROPOSED OR PENDING ACQUISITION OR DISPOSITION OF LAND BY THE MUNICIPALITY OR LOCAL BOARD (WARD 4) (8.7)

Moved by Councillor Karen Rea

Seconded by Councillor Colin Campbell

- 1) That the verbal updated provided by Catherine Conrad, City Solicitor, regarding a matter on a proposed or pending acquisition or disposition of land by the municipality or local board in Ward 4 be received; and,
- 2) That staff be authorized to proceed as directed by Council on June 23, 2015.

Carried

(6) VALLEYMEDE BUILDING AMA CORPORATION
LEGAL ADVICE REGARDING SETTLEMENT OF APPEALS
APPLICATIONS FOR OFFICIAL PLAN AND ZONING BY-LAW
AMENDMENTS TO PERMIT 422 RESIDENTIAL UNITS COMPRISED
OF TWO, 6-STOREY APARTMENT BUILDINGS AND MULTIPLE-UNIT
STACKED TOWNHOUSES AT 5112, 5122 AND 5248 14TH AVENUE
AND 7768, 7778, 7788 AND 7798 MCCOWAN ROAD
FILE NOS. OP/ZA 12 117316 (8.0)

Moved by Councillor Alex Chiu

Seconded by Councillor Logan Kanapathi

- 1) That the confidential report dated June 23, 2015 titled “Legal advice regarding settlement of appeals, Applications for Official Plan and Zoning By-law Amendments to permit 422 residential units comprised of two, 6-storey apartment buildings and multiple-unit stacked townhouses at 5112, 5122 and 5248 14th Avenue and 7768, 7778, 7788 and 7798 McCowan Road, File Nos. OP/ZA 12 117316” be received; and,
- 2) That the City Solicitor or her designate be directed to attend the OMB hearing to support the settlement of the appeal by Valleymede Building AMA Corporation (the “Applicant”), as described in this report; and,
- 3) That staff be authorized to negotiate the content of the Official Plan Amendment and Zoning By-law Amendment with the Applicant, in consultation with applicable public agencies and in accordance with this Report; and,

- 4) That Council authorize the City Solicitor or her designate to execute Minutes of Settlement satisfactory to the City Solicitor to ensure that the applicant supports the proposed settlement and conditions described in this Report at the Ontario Municipal Board; and further,
- 5) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried by a recorded vote (8:5)
(See following recorded vote)

YEAS: 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. (8)

NAYS: Councillor Valerie Burke, Councillor Alan Ho, Councillor Don Hamilton, Councillor Karen Rea, Regional Councillor Nirmala Armstrong. (5)

(7) **RECOMMENDATION REPORT**
ZONING BY-LAW AMENDMENT AND
SITE PLAN APPLICATIONS BY SHELL CANADA LIMITED
C/O 2283288 ONTARIO LIMITED TO ADD ADDITIONAL
USES AND AMEND DEVELOPMENT STANDARDS AT
8510 WOODBINE AVENUE
ZA 14 114185 & SC 15 114185 (10.5 & 10.6)

Moved by Councillor Alan Ho
Seconded by Regional Councillor Joe Li

- 1) That the confidential report dated June 23, 2015, titled "Recommendation Report - Zoning By-law Amendment and Site Plan applications by Shell Canada Limited c/o 2283288 Ontario Limited to add additional uses and amend development standards at 8510 Woodbine Avenue FILE NO'S: ZA 14 114185 & SC 15 114185", be received; and,
- 2) That the record of the Public Meeting held on February 17, 2015, regarding the application for the Zoning By-law amendment (File No. SC 14 114185), be received; and,
- 3) That the application submitted by Shell Canada Limited c/o 2283288 Ontario Limited to amend Zoning By-law 165-80 as amended, be approved and the draft by-law attached as Appendix 'A' be finalized and enacted without further notice; and,

- 4) That the Site Plan Application (File No. SC 15 114185) submitted by Shell Canada Limited c/o 2283288 Ontario Limited to permit the development of a 2,500m² (+/- 27,000ft²) commercial development, be endorsed in principle, subject to conditions attached in Appendix 'D'; and,
- 5) That Site Plan endorsement and approval be delegated to the Director of Planning and Urban Design or designate, to be issued following execution of a Site Plan Agreement. (Site Plan Approval is issued only when the Director has signed the plan); and,
- 6) That the site plan endorsement shall lapse after a period of three (3) years from the date of endorsement in the event that a Site Plan Agreement is not executed within that period; and,
- 7) That the proposed modifications to the 2014 City of Markham Official Plan – Part 1 contained in Appendix 'C' be endorsed by Council and forwarded to the Ontario Municipal Board for approval; and,
- 8) That these recommendations be made public upon Council's endorsement of the proposed modifications attached as Appendix 'C'; and further,
- 9) That Staff be authorized and directed to do all things necessary to give effect to this resolution.
(By-law 2015-122)

Carried

- (8) RECOMMENDATION REPORT
BOX GROVE HILL DEVELOPMENT INC.
DRAFT PLAN OF SUBDIVISION AND
ZONING BY-LAW AMENDMENT APPLICATIONS
TO PERMIT TOWNHOUSES AND LIVE-WORK UNITS
ON THE NORTH SIDE OF COPPER CREEK DRIVE
BETWEEN NINTH LINE AND THE DONALD COUSENS PARKWAY
(PART OF LOT 8, CONCESSION 9)
FILE NOS: SU/ZA 14 109086 (10.7, 10.5)

Moved by Councillor Logan Kanapathi
Seconded by Regional Councillor Jim Jones

- 1) That the confidential staff report titled "RECOMMENDATION REPORT, Box Grove Hill Developments Inc. Draft Plan of Subdivision and Zoning By-law Amendment applications to permit townhouses and live-work units on the north side of Copper Creek Drive, between Ninth Line and Donald Cousens Parkway (Part of Lot 8, Concession 9), File Nos: SU/ZA 14 109086", be received; and,

- 2) That the record of the Public Meeting held on June 17th, 2014 relating to the applications for Draft Plan of Subdivision and Zoning By-law Amendment submitted by Box Grove Hill Developments Inc. for the land located on the north side of Copper Creek Drive, between Ninth Line and Donald Cousens Parkway (Part of Lot 8, Concession 9), be received; and,
- 3) That the Zoning By-law amendment application (ZA 14 109086) submitted by Box Grove Hill Development to amend Zoning By-law 177-96, as amended, be approved and that the draft By-law attached as Appendix 'A' be finalized and enacted without further notice; and,
- 4) That Draft Plan of Subdivision 19TM-14002 (SU 14 109086) be approved subject to the conditions of draft approval set out in Appendix 'B' of this report; and,
- 5) That the draft plan approval for plan of subdivision 19TM-14002 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,
- 6) That Official Plan Amendment 223 (OPA 223) is in full force and effect prior to the enactment of the draft zoning by-law attached as Appendix 'A' and prior to issuance of draft plan approval (19TM-14002); and further,
- 7) That Staff be authorized and directed to do all things necessary to give effect to this resolution.
(By-law 2015-123)

Carried

- (9) A PROPOSED OR PENDING ACQUISITION OR DISPOSITION OF LAND BY THE MUNICIPALITY OR LOCAL BOARD (WARD 2) (8.7)

Moved by Regional Councillor Jim Jones

Seconded by Councillor Colin Campbell

- 1) That the verbal updated provided by David Pearce, Manager, Real Property, regarding a matter on a proposed or pending acquisition or disposition of land by the municipality or local board in Ward 2 be received ; and,
- 2) That staff be authorized to proceed as directed by Council on June 23, 2015.

Carried

14. CONFIRMATORY BY-LAW

Moved by Councillor Alex Chiu

Seconded by Councillor Valerie Burke

That By-law 2015-110 be given three readings and enacted.

Three Readings

BY-LAW 2015-110 A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE COUNCIL MEETING OF JUNE 23, 2015.

[By-law](#)

Carried

15. ADJOURNMENT

Moved by Councillor Alex Chiu

Seconded by Councillor Logan Kanapathi

That the Council Meeting be adjourned at 10:31 PM.

Carried

Kimberley Kitteringham
City Clerk

(Signed)

Frank Scarpitti
Mayor