

Council Minutes

May 13, 2015, 7:00 PM

Council Chamber, Anthony Roman Markham Civic Centre Meeting No. 13

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.

Regrets

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
Raj Raman, Mayor's Chief of Staff
Dennis Flaherty, Director of Communications and Community Relations
John Wong, Technology Support Specialist
Kimberley Kitteringham, City Clerk
Martha Pettit, Deputy City Clerk

The regular meeting of Council convened at 7:08 PM on May 13, 2015 in the Council Chamber. Mayor Frank Scarpitti presided.

Council observed a moment of silence to commemorate the 70^{th} Anniversary of the Liberation of the Netherlands, and extended gratitude for all those that served and those that sacrificed their lives during the conflict.

1. DISCLOSURE OF PECUNIARY INTEREST

Councillor Valerie Burke disclosed an interest with respect to Item 5, Report No. 23, Designated Heritage Property Grant Applications - 2015, by nature of being the owner of 26 Colborne Street, and did not take part in the discussion of or vote on the question of the approval of this matter.

2. MINUTES

(1) COUNCIL MINUTES – APRIL 28, 2015 <u>Minutes</u>

Moved by Councillor Alan Ho Seconded by Regional Councillor Joe Li

1) That the Minutes of the Council Meeting held on April 28, 2015, be adopted.

Carried

3. PRESENTATIONS

There were no presentations.

4. **DELEGATIONS**

(1) DELEGATION

REGARDING THE ITEM TITLED

"HAPPY LIFE WEALTH MANAGEMENT

- NAMING RIGHTS FOR THE PAN AM FITNESS CENTRE" (6.6)

Moved by Councillor Amanda Collucci Seconded by Regional Councillor Nirmala Armstrong

That the delegation of Eric Luo, Happy Life Wealth Management Inc., in support of the proposed recommendation regarding the item titled "Happy Life Wealth Management - Naming Rights for the Pan Am Fitness Centre" be received.

(See Item No. 2, Report No. 25 for Council's decision on this matter)

(2) DELEGATIONS REGARDING THE ITEM TITLED "REPORT FROM INTEGRITY COMMISSIONER CODE OF CONDUCT COMPLAINT ABOUT FORMER COUNCILLOR HOWARD SHORE" (16.23)

Moved by Regional Councillor Jim Jones Seconded by Councillor Amanda Collucci

That the following delegations providing comments with respect to the matter titled "Report from Integrity Commissioner - Code of Conduct Complaint about Former Councillor Howard Shore" be received:

- 1. Paul Glionna
- 2. Gerald Diner
- 3. Ricardo Mashregi, on behalf of Marilyn Ginsburg
- 4. Alena Gotz
- 5. Eileen Liasi
- 6. Jack B. Siegel, Blaney McMurtry LLP, on behalf of Howard Shore.

(See In-camera Item No. 4 for Council's decision on this matter)

Carried

(3) DELEGATION REGARDING THE ITEM TITLED "TRANSPORTATION OF DANGEROUS GOODS" (13.0)

Moved by Regional Councillor Jim Jones Seconded by Councillor Amanda Collucci

That the delegation of Ricardo Mashregi, representing the Grandview Area Residents Association, in support of the proposed recommendation titled "Transportation of Dangerous Goods" be received.

(See Item No. 7, Report No. 23 for Council's decision on this matter)

Carried

5. PETITIONS

There were no petitions.

6(a) REPORT NO. 23 - DEVELOPMENT SERVICES COMMITTEE (May 5, 2015)

Moved by Regional Councillor Jim Jones Seconded by Councillor Colin Campbell

That Report No. 23 – Development Services Committee comprised of 7 items be received and adopted, except Item Nos. 5 and 7.

(1) MAIN STREET MARKHAM COMMITTEE MINUTES

- March 25, 2015 (16.0)

Minutes Terms of Reference

- 1) That the minutes of the Main Street Markham Committee meeting held March 25, 2015, be received for information purposes; and,
- 2) That Council endorse the Terms of Reference as revised and approved at the March 25, 2015 Main Street Markham Committee meeting.

Carried

(2) AGRICULTURAL ADVISORY COMMITTEE MINUTES

- December 4, 2014
- March 5, 2015 (16.34)

December 4 March 5

- 1) That the minutes of the Agricultural Advisory Committee meeting held December 4, 2014 and March 5, 2015, be received for information purposes; and,
- 2) That the resolution passed at the December 4, 2014 Agricultural Advisory Committee be supported by Council:

"Whereas the Agricultural Advisory Committee have identified a potential opportunity to reduce potential road conflicts with farm vehicles and enhance overall safety through 'Share the Road' signage; and,

Whereas 'Share the Road' criteria have been prepared to identify appropriate locations for signage; and,

Whereas 'Share the Road' signage funding has been confirmed by the Operations, Business and Technical Services department within the Community and Fire Services Commission for the installation of up to 7 signs; and,

Now Therefore Be It Resolved That the Agricultural Advisory Committee recommends Council support the installation of 7 'Share the Road' signs along 19th Avenue and Elgin Mills Road at the following locations:

- 1. Elgin Mills Road at the south-east corner of McCowan Road (eastbound)
- 2. Elgin Mills Road at the north-west corner of 9th Line (westbound)
- 3. Elgin Mills Road at the south-east corner of Reesor Road (eastbound)
- 4. Elgin Mills Road at the north-west corner of Reesor Road (westbound)
- 5. South side of 19th Avenue between Hwy 48 and 9th Line (eastbound)
- 6. 19th Avenue at the south-east corner of Reesor Road (eastbound)
- 7. 19th Avenue at the north-west corner of Reesor Road (westbound)."

Carried

- (3) SIGN VARIANCE FOR STARKS BARBER COMPANY 177 MAIN STREET UNIONVILLE HERITAGE CONSERVATION DISTRICT FILE NO. 14 129517 SP (16.11, 2.16) Report
 - 1) That the staff report titled "Sign Variance for Starks Barber Company, 177 Main Street, Unionville Heritage Conservation District" dated May 5, 2015, be received; and,
 - 2) That the application for a Sign Variance (14 129517 SP) be approved for one wall sign with an area of 3.71 square metres on the condition that the variance apply for the existing Starks Barber Company sign only and will not apply to any future signage on the property; and further,
 - 3) That staff be authorized and directed to do all things necessary to give effect to this resolution.

(4) REQUEST FOR DEMOLITION ATTACHED NON-HERITAGE ACCESSORY BUILDING/GARAGE 9900 MARKHAM ROAD FILE NO. 15 151951 DP (16.11, 10.13) Report

- 1) That Council receive the report titled "Request for Demolition Attached Non-Heritage Accessory Building/Garage, 9900 Markham Road, File No. 15 151951 DP"; and,
- 2) That Council endorse the demolition of the attached accessory building/garage at 9900 Markham Road subject to the owner removing the structure in a sensitive manner to avoid damage to the heritage building, and if any damage does occur or exposed openings are created by the removal of the addition, the owner address those issues to the satisfaction of the Manager, Heritage Planning; and further,
- 3) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

(5) DESIGNATED HERITAGE PROPERTY GRANT APPLICATIONS - 2015 (16.11) Report

Moved by Regional Councillor Jim Jones Seconded by Councillor Colin Campbell

- 1) That the staff report dated May 5, 2015 entitled "Designated Heritage Property Grant Applications -2015", be received; and,
- 2) That Designated Heritage Property Grants for 2015 be approved in the amounts noted for the following properties, totaling \$51,656.25, provided that the applicants comply with eligibility requirements of the program;
 - 1. 230 Main Street N. Markham Village- \$536.75 for the patching of the hole in the cedar roof left by the removal of a non-heritage chimney:
 - 2. 300 Main Street N. Markham Village-\$565.00 to restore and repaint the siding of the detached historic barn in original or historic colours;
 - 3. 322 Main Street N. Markham Village-\$5,000.00 to replicate deteriorated exterior features such as the shutters, windows, front door and some historic exterior cladding;
 - 4. 20 George Street Markham Village-\$5,000.00 for the restoration and reconditioning of the historic wooden windows and re-pointing of the stone foundation and brick walls;

- 5. 30 Peter Street Markham Village-\$3,084.50 for the replication of missing decorative gable decorations and veranda trim based on an archival photograph;
- 6. 6 David Gohn Circle Markham Heritage Estates-\$5,000.00 for the replacement of the existing cedar shingle roof with a new cedar shingle roof;
- 7. 22 David Gohn Circle Markham Heritage Estates-\$5,000.00 for the replacement of the existing cedar shingle roof with a new cedar shingle roof;
- 8. 527 William Forster Road Markham-\$2,470.00 for the restoration of the historic front veranda and repair of historic wooden windows;
- 9. 137 Main Street Unionville-\$5,000.00 for the replacement of a concrete veranda deck with a historically correct wooden veranda deck;
- 10. 154 Main Street Unionville-\$5,000.00 for the re-painting of the exterior in documented historic colours, the restoration of the wooden gothic window, repair of decorative bargeboards, and replacement of aluminum storm windows with historically appropriate wooden storm windows;
- 11. 27 Victoria Avenue Unionville-\$5,000.00 for the underpinning of the historic masonry foundation;
- 12. 11 Euclid Street, Unionville-\$5,000.00 for the historic remodeling of the existing enclosed front porch;
- 13. 26 Colborne Street Thornhill-\$5,000.00 for the exposure and restoration of the underlying historic wooden clapboard exterior; and,
- That the grants be funded through the Designated Heritage Property Grant Project Fund, Account 620-101-4299-15018 (\$30,000.00 available for 2015); and,
- That the amount of grant assistance recommended for approval, in excess of the \$30,000.00 available for 2015 Designated Heritage Property Grant program, be funded through remaining funds from the 2015 Commercial Façade Improvement/Signage Replacement Grant program Fund, #620-101-4299-15021 (\$20,332.12 remaining) and unused funds from commercial grant commitments from previous years; and further,
- 5) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

(Councillor Valerie Burke abstained due to conflict noted below)

Councillor Valerie Burke disclosed an interest with respect to Item 5, Report No. 23, Designated Heritage Property Grant Applications - 2015, by nature of being the owner of 26 Colborne Street, and did not take part in the discussion of or vote on the question of the approval of this matter.

(6) COMMERCIAL FAÇADE IMPROVEMENT GRANT PROGRAM FOR HERITAGE DISTRICTS 2015 (16.11) Report

- 1) That the report entitled "Commercial Façade Improvement Grant Program for Heritage Districts 2015", dated May 5, 2015, be received; and,
- 2) That the identified applications for the Commercial Façade Improvement Grant Program be approved, provided that the applicants comply with the eligibility requirements of the program; and,
- 3) That 154 Main St. Unionville receive \$5,579.38 of grant assistance from the Commercial Façade Improvement Grant Program; and,
- 4) That Council authorizes the Mayor and Clerk to enter into a Façade Easement Agreement with the owner(s) of 154 Main St. Unionville (required for grant assistance over \$5,000.00); and,
- 5) That Council consider the property at 9899 Markham Road as an eligible commercial property for the 2015 Commercial Façade Improvement Grant Program; and,
- 6) That 9899 Hwy 48 receive \$7,288.50 (25% of the value of the completed work) of grant assistance from the Commercial Façade Improvement Grant Program subject to obtaining a heritage permit for the completed works; and,
- 7) That the grants be funded from the Heritage Façade Improvement Program Account 620-101-5699-15021 which has a budget of \$33,200.00 and that the remaining funds of \$20,332.12 be transferred to the 2015 Designated Heritage Property Grant Project Fund, Account 620-101-5699-15018 to fund grant requests exceeding the \$30.000.00 allocation for the 2015 Designated Heritage Property Grant program; and,
- 8) That the eligibility requirements of the Commercial Façade Improvement /Signage Replacement Grant program be revised to consider heritage properties designated under Part IV of the Ontario Heritage Act, in commercial use, outside of the City's Heritage Conservation Districts boundaries, eligible for grant assistance, provided that all other eligibility requirements of the program are met; and further,
- 9) That staff be authorized and directed to do all things necessary to give effect to this resolution.

(7) TRANSPORTATION OF DANGEROUS GOODS (13.0)

Discussion on the matter ensued.

Moved by Regional Councillor Jim Jones Seconded by Councillor Colin Campbell

Whereas this is Emergency Preparedness Week in the City of Markham; and,

Whereas this municipality takes the safety of its residents very seriously; and,

Whereas the City of Markham maintains a high level of preparedness for its ability to respond to an emergency; and,

Whereas within the City there are major rail lines that draw significant amounts of rail traffic travelling through densely populated areas of the municipality; and,

Whereas there are serious concerns being raised by municipalities across Canada with the substantial increase in the transportation of dangerous goods, especially crude oil and in light of the Lac Megantic tragedy in 2013;

Now therefore be it resolved:

- 1) That this Council calls on the Federal Government, the regulator of rail transportation in Canada, to require that rail cars transporting dangerous goods be routed outside of densely populated urban areas, such as the City of Markham; and,
- 2) That the timetable requiring safety features of those rail cars be significantly reduced and the latest state of the art technology and best safety features be included to ensure highest rail safety in Canada; and,
- 3) That City of Markham request the Federal government to provide information on the goods being transported through municipalities in Canada on a real time basis in order to allow emergency preparedness staff to be able to better respond to an accident; and
- 4) That the rail operators/authorities be requested to ensure train speeds are followed as declared on April 15, 2015; and further,

That this motion be forwarded to Stephen Harper, Prime Minister of Canada, Lisa Raitt, Federal Minister of Transport, Steven Del Duca, Provincial Minister of Transportation, FCM, AMO, all York Region MPs, all York Region MPPs, York Region Chair, and all York Region municipalities.

Carried by recorded votes

(See following recorded votes) (See following amendments)

Recorded vote for Resolution No. 1 (8:2)

YEAS: Councillor Valerie Burke, Councillor Alan Ho, Councillor Karen Rea,

Regional Councillor Nirmala Armstrong, Regional Councillor Jim Jones, Mayor Frank Scarpitti, Regional Councillor Joe Li, Councillor Amanda

Collucci. (8)

NAYS: Deputy Mayor Jack Heath, Councillor Colin Campbell. (2)

ABSENT: Councillor Don Hamilton, Councillor Logan Kanapathi, Councillor Alex

Chiu. (3)

Recorded vote for Resolution Nos. 2, 3, 4 and 5 (9:1)

YEAS: Councillor Valerie Burke, Councillor Alan Ho, Councillor Karen Rea,

Regional Councillor Nirmala Armstrong, Regional Councillor Jim Jones, Mayor Frank Scarpitti, Deputy Mayor Jack Heath, Regional Councillor

Joe Li, Councillor Amanda Collucci. (9)

NAYS: Councillor Colin Campbell. (1)

ABSENT: Councillor Don Hamilton, Councillor Logan Kanapathi, Councillor Alex

Chiu. (3)

Council consented to delete the following proposed Resolution Nos. 2, 3 and 4:

"2) That the timetable requiring improved safety features of those rail cars be significantly reduced; and,

That information on the goods being transported through municipalities in Canada be provided on a more timely and fulsome basis in order to allow emergency preparedness staff to be able to better respond to an accident; and further,"

4) That this motion be forwarded to Prime Minister Stephen Harper, Minister of Transportation, Lisa Raitt, FCM, AMO, all York Region MPs, York Region Chair, and all York Region municipalities.

and replace with the following Resolution Nos. 2, 3, 4 and 5:

- "2) That the timetable requiring safety features of those rail cars be significantly reduced and the latest state of the art technology and best safety features be included to ensure highest rail safety in Canada; and,
- 3) That City of Markham request the Federal government to provide information on the goods being transported through municipalities in Canada on a real time basis in order to allow emergency preparedness staff to be able to better respond to an accident; and
- 4) That the rail operators/authorities be requested to ensure train speeds are followed as declared on April 15, 2015; and further,
- That this motion be forwarded to Stephen Harper, Prime Minister of Canada, Lisa Raitt, Federal Minister of Transport, Steven Del Duca, Provincial Minister of Transportation, FCM, AMO, all York Region MPs, all York Region MPPs, York Region Chair, and all York Region municipalities."

6(b) REPORT NO. 24 - DEVELOPMENT SERVICES PUBLIC MEETING (May 5, 2015)

Moved by Regional Councillor Jim Jones Seconded by Regional Councillor Nirmala Armstrong

That Report No. 24 – Development Services Public Meeting comprised of 5 items be received and adopted.

- (1) PRELIMINARY REPORT
 AGS CONSULTANTS LIMITED
 ZONING BY-LAW AMENDMENT APPLICATION
 TO EXTEND PERMISSIONS FOR TEMPORARY USES
 AT 201, 203 AND 205 LANGSTAFF ROAD EAST AND
 3 AND 5 ESSEX AVENUE (FILE NO.: ZA 15 145517) (10.5)
 Report
 - 1) That the report dated March 24, 2015 titled "PRELIMINARY REPORT, AGS Consultants Ltd., Zoning By-law Amendment application to extend permissions for temporary uses at 201, 203 and 205 Langstaff Road East and 3 and 5 Essex Avenue (File No.: ZA 15 145517)", be received; and,

- 2) That the Record of the Public Meeting held on May 5, 2015, with respect to the proposed Zoning By-law Amendment application to extend permissions for temporary uses at 201, 203 and 205 Langstaff Road East and 3 and 5 Essex Avenue (File No.: ZA 15 145517)", be received; and,
- 3) That the application by AGS Consultants Limited, to amend Zoning By-law 2551, as amended, be approved; and,
- 4) That the proposed amendment to Zoning By-law 2551, as amended, be enacted without further notice; and further,
- 5) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

(2) PRELIMINARY REPORT
AGS CONSULTANTS LIMITED
ZONING BY-LAW AMENDMENT APPLICATION
TO EXTEND PERMISSION FOR TEMPORARY USES
AT 21 ESSEX AVENUE

(FILE NO.: ZA 15 145546) (10.5)

Report

- 1) That the report dated March 24, 2015 titled "PRELIMINARY REPORT, AGS Consultants Limited, Zoning By-law Amendment application to extend permission for temporary uses at 21 Essex Avenue (File No. ZA 15 145546)", be received; and,
- 2) That the Record of the Public Meeting held on May 5, 2015, with respect to the proposed Zoning By-law Amendment application to extend permission for temporary uses at 21 Essex Avenue (File No. ZA 15 145546)", be received; and,
- 3) That the application by AGS Consultants Limited, to amend Zoning By-law 2551, as amended, be approved; and,
- 4) That the proposed amendment to Zoning By-law 2551, as amended, be enacted without further notice; and further,
- 5) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

(3) PRELIMINARY REPORT
SARENA PROPERTIES LTD.
197 AND 199 LANGSTAFF ROAD EAST
APPLICATION FOR A ZONING BY-LAW AMENDMENT
TO PERMIT TEMPORARY OUTDOOR STORAGE OF NEW VEHICLES
FILE NO.: ZA 13 117272 (10.5)

Report

- 1) That the report dated January 13, 2015 titled "PRELIMINARY REPORT, Sarena Properties Ltd., 197 and 199 Langstaff Road East, Application for a Zoning Bylaw Amendment to permit temporary outdoor storage of new vehicles, File No. ZA 13 117272", be received; and,
- 2) That the Record of the Public Meeting held on May 5, 2015, with respect to the proposed Zoning By-law Amendment application to permit temporary outdoor storage of new vehicles at 197 and 199 Langstaff Road East, be received; and,
- 3) That the application by Sarena Properties Ltd., to amend Zoning By-law 2551, as amended, be approved; and,
- 4) That the proposed amendment to Zoning By-law 2551, as amended, be enacted without further notice; and further,
- 5) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

- (4) PRELIMINARY REPORT
 ROBERT AND DEBORAH TIBERIO
 ZONING BY-LAW AMENDMENT APPLICATION
 TO EXTEND PERMISSION FOR TEMPORARY USES
 AT 196 AND 198 LANGSTAFF ROAD EAST
 (FILE NO.: ZA 15 145042) (10.5)
 Report
 - That the report dated March 24, 2015 titled "PRELIMINARY REPORT, Robert and Deborah Tiberio, Zoning By-law Amendment application to extend permission for temporary uses at 196 and 198 Langstaff Road East (File No. ZA 15 145042)", be received; and,
 - 2) That the Record of the Public Meeting held on May 5, 2015, with respect to the proposed Zoning By-law Amendment application to extend permission for temporary uses at 196 and 198 Langstaff Road East (File No. ZA 15 145042)", be received; and,

- 3) That the application by Robert and Deborah Tiberio, to amend Zoning By-law 2551, as amended, be approved; and,
- 4) That the proposed amendment to Zoning By-law 2551, as amended, be enacted without further notice; and further,
- 5) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

(5) PRELIMINARY REPORT
109-117 LANGSTAFF INV. LTD.
ZONING BY-LAW AMENDMENT APPLICATION
TO PERMIT TEMPORARY OUTDOOR STORAGE
AT 109 AND 117 LANGSTAFF ROAD EAST
(FILE NO.: ZA 14 131774) (10.5)
Report

- That the report dated March 24, 2015 titled "PRELIMINARY REPORT, 109-117 Langstaff Inv. Ltd., Zoning By-law Amendment application to permit temporary outdoor storage at 109 and 117 Langstaff Road East (File No. ZA 14 131774)", be received; and,
- 2) That the Record of the Public Meeting held on May 5, 2015, with respect to the proposed Zoning By-law Amendment application to permit temporary outdoor storage and business offices at 109 and 117 Langstaff Road East (File No. ZA 14 131774)", be received; and,
- 3) That the application by Rueter Scargall Bennett LLP, on behalf of 109 117 Langstaff Inv. Ltd., to amend Zoning By-law 2551, as amended, be approved; and,
- 4) That the proposed amendment to Zoning By-law 2551, as amended, be enacted without further notice; and further,
- 5) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

6(c) REPORT NO. 25 - GENERAL COMMITTEE (May 11, 2015)

Moved by Deputy Mayor Jack Heath Seconded by Councillor Colin Campbell

That Report No. 25 – General Committee comprised of 3 items be received and adopted, except Item No. 2. (See following Item No. 2)

(1) DEVELOPMENT CHARGES DECEMBER 31, 2014 RESERVE BALANCES AND ANNUAL ACTIVITY OF THE ACCOUNTS (7.11)

Presentation Report Attachment

- 1) That the presentation by Mr. Mark Visser, Senior Manager, Financial Strategy & Investments entitled "Development Charges Cash Flow Update," be received; and,
- 2) That the report titled "Development Charges December 31, 2014 Reserve Balances and Annual Activity of the Accounts" be received by Council as required under Section 43(1) of the *Development Charges Act, 1997*; and,
- 3) The correspondence from Eileen Liasi, Thornhill resident, be received.

Carried

(2) HAPPY LIFE WEALTH MANAGEMENT
- NAMING RIGHTS FOR THE PAN AM FITNESS CENTRE (6.6)
Report

Moved by Deputy Mayor Jack Heath Seconded by Councillor Colin Campbell

- 1) That the report titled Happy Life Wealth Management Inc. Naming Rights for the Markham Pan Am Fitness Centre be received; and,
- That the City of Markham enter into an interior naming rights agreement with Happy Life Wealth Management Inc. to re-name the fitness centre located in the Markham Pan Am Centre (the "Markham Pan Am Fitness Centre") as the "HAPPY LIFE FITNESS CENTRE", the new name to be branded and utilized in all promotional, administrative, and legal functions, operations and communications associated with Markham Pan Am Fitness Centre; and,

- That an interior naming rights term of five years, and an annual interior naming rights fee of \$50,000 payable by Happy Life Wealth Management Inc. (subject to an increase each year during the term of this agreement to reflect the change in the Consumer Price index [Toronto All items September September, with such increases effective January 1st rounded off to the nearest dollar), be approved; and,
- 4) That the remaining interior naming rights terms as outlined in the report be approved; and,
- 5) That the Mayor and Clerk be authorized to execute an interior naming rights agreement ("Naming Rights Agreement" agreement with Happy Life Wealth Management Inc, in accordance with the terms set out in the report, and in a form satisfactory to the CAO and City Solicitor; and,
- 6) That the 2015 funds from the Naming Rights be deposited into account 870 870 9254 (Pan Am Hosting and Celebration); and,
- 7) That the proceeds from Naming Rights for the payment terms 2016, 2017, 2018 and 2019 be deposited into account 890 890 9254 (General Sponsorship); and further,
- 8) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

(See following to consider the matter)

Moved by Councillor Alan Ho Seconded by Deputy Mayor Jack Heath

That Council consider the matter titled "Happy Life Wealth Management Inc. - Naming Rights for the Markham Pan Am Fitness Centre" immediately following the delegation with respect thereto.

(3) 001-T-15 CONCRETE MAINTENANCE AND 002-T-15 ASPHALT MAINTENANCE (7.12) Report

- 1) That the report entitled "001-T-15 Concrete Maintenance and 002-T-15 Asphalt Maintenance be received"; and,
- That the contract 001-T-15 for Concrete Maintenance be awarded to the second lowest priced qualified Bidder, VBN Paving Limited for one year, with an option to renew for an additional three years, at one year increments with prices fixed for the first three years of the contract term and with a CPI index for the fourth year, based on the percentage change in the posted All-items CPI (Consumer Price Index) for Canada for the previous twelve (12) month period December to December (not exceeding a 3% increase), in the estimated total amount \$4,942,938.75 inclusive of HST, and per year as follows:
 - 2015 \$1,226,535.67
 - 2016 \$1,226,535.67
 - 2017 \$1,226,535.67
 - 2018 \$1,263,331.74; and,
- That the contract 002-T-15 for Asphalt Maintenance be awarded to the lowest priced qualified Bidder, IPAC Paving Limited, with an option to renew for an additional three years, at one year increments with prices fixed for the first three years of the contract term and with a CPI index for the fourth year, based on the percentage change in the posted All-items CPI (Consumer Price Index) for Canada for the previous twelve (12) month period December to December (not exceeding a 3% increase), in the estimated total amount \$2,671,447.02 inclusive of HST, and per year as follows:
 - 2015 \$662,890.08
 - 2016 \$662,890.08
 - 2017 \$662,890.08
 - 2018 \$682,776.78; and,
- 4) That the award be funded from Operations Department 2015 Operating and Capital Budgets accounts as detailed in the Financial Considerations Section; and,
- 5) That a 115 day construction inspector be hired to monitor the Asphalt Maintenance contract for 2015 at a cost of \$20,645, to be funded from the 2015 capital project # 15204 (Parking Lots Localized Repairs) and 2015 capital project # 15227 (Paving Pathways/Facilities & Stairways Repairs); and,
- That Staff be authorized to amend the award amount in 2016 and 2017 and 2018 to reflect changes to Operations Department Operating and Capital budget accounts based upon volume changes, subject to Council approval of the 2016/2017/2018 budgets; and,

- 7) That the Director of Operations and Senior Manager of Purchasing be authorized to reallocate funds within the overall Asphalt/Concrete Maintenance Program budget; and,
- 8) That the remaining funds in the amount of \$50,847.00 for 001-T-15 Concrete Maintenance be returned to the original funding source, and that the remaining funds of \$20,534.00 for 002-T-15 Asphalt Maintenance be returned to the original funding source; and further,
- 9) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

7. MOTIONS

There were no motions.

8. NOTICES OF MOTIONS

There were no notices of motions.

9. COMMUNICATIONS

Moved by Councillor Amanda Collucci Seconded by Councillor Valerie Burke

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

Received

28-2015

ROAD CLOSURE REQUEST – MAIN STREET FARMER'S MARKET & SCIENCE RENDEZVOUS (3.5)

Info

Main Street Markham Farmers' Market

132 to 138 Robinson Street will be closed on each Saturday from May 16 to October 10, 2015 between 6:00 AM and 2:00 PM to facilitate the event.

Main Street Markham Farmers' Market and Science Rendezvous

132 to 138 Robinson Street is scheduled to be closed on Saturday May 9, 2015 between 6:00 AM and 4:00 PM to facilitate the event.

29-2015 ROAD CLOSURE REQUEST – TORCH RELAY (3.5)

Info

The following roads will be closed on June 27, 2015 from 4:00 PM to 9:00 PM to facilitate the event:

- Town Centre Blvd between Cox Blvd. and Wallis Way.

Carried

30-2015 ONTARIO MEDAL FOR GOOD CITIZENSHIP NOMINATIONS (13.2)

Minister of Citizenship and Immigration calling nominations for the 2015 Ontario Medal for Good Citizenship to honour Ontarians who, through exceptional, long-term efforts, have made outstanding contributions to community life. The deadline for nominations is July 17, 2015.

Carried

31-2015 COMMUNICATIONS REGARDING THE ITEM TITLED "REPORT FROM INTEGRITY COMMISSIONER CODE OF CONDUCT COMPLAINT ABOUT FORMER COUNCILLOR HOWARD SHORE" (16.23)

Communication received from the following individuals:

- Marilyn Ginsburg
- Alena Gotz

Carried

10. PROCLAMATIONS

(1) FLAG RAISING REQUEST (3.4)

Moved by Regional Councillor Joe Li Seconded by Councillor Karen Rea

- 1) That the following new request for flag to be raised at the Anthony Roman Markham Civic Centre flagpole be approved and added to the Five-Year List of Request to Raise Flag approved by Council:
 - Walk For Values Flag (May 31, 2015)

11. NEW/OTHER BUSINESS

(1) NOTICE OF PROPOSED SALE

- PART 5, PLAN 65R-24463

(5 HERITAGE CORNERS LANE, MARKHAM HERITAGE ESTATES) (7.0)

Notice of Proposed Sale City of Markham Proposed Sale of Surplus Real Property (Pursuant to By-law 178-96)

Moved by Councillor Amanda Collucci Seconded by Councillor Colin Campbell

1) That the notice of proposed sale for the City of Markham owned lands legally described as follows be confirmed:

"Part 5, Plan 65R-24463, City of Markham, Regional Municipality of York (5 Heritage Corners Lane, Markham Heritage Estates)" (In-Camera Item No. 5 - April 28, 2015 Council Meeting)

Carried

(2) CONFIRMATION OF MAY 7, 2015 SPECIAL COUNCIL MEETING (16.0) 2015-65

Moved by Regional Councillor Nirmala Armstrong Seconded by Councillor Amanda Collucci

- 1) That the Special Council Meeting held on May 7, 2015 be confirmed; and,
- 2) That By-law 2015-65, a by-law to confirm the proceedings of the Special Council Meeting of May 7, 2015, be given three readings and enacted.

Carried

The confirmation of the May 7, 2015 Special Council Meeting for Community Recognition is required as a result of quorum being lost prior to adjournment.

The following individuals were recognized:

- 1. SMART COMMUTE 2014 AWARD RECOGNITIONS
 - AMD Canada: Smart Commute Employer of the Year Award for York Region
 - Honda Canada: Smart Commute Rising Star Award

- 2. LARA CHEBARO
 - CANADA'S OUTSTANDING PRINCIPALS of 2015 AWARD
- 3. DANIEL DING
 - 2015 ONTARIO SECONDARY SCHOOL TEACHERS' FEDERATION (OSSTF/FEESO) STUDENT ACHIEVEMENT AWARD
- 4. JOSEPH CALABRIA
 - "WATER COOLING IN COMPUTERS" BRONZE MEDAL WINNER
- 5. EMILY LAU
 - SUPER-SPONGE BRONZE MEDAL WINNER
- 6. DANIELLE D'SOUZA
 - "PEEL PAPER" PROJECT SILVER MEDAL WINNER
- 7. AIDAN AIRD
 - "THE MULTI-FUNCTIONAL WATER WHEEL CART FOR DEVELOPING NATIONS" GOLD MEDAL WINNER AND RECIPIENT OF THE COURNOYEA/PAZ-SOLDAN PEER AWARD
- 8. NICOLE ZHAO
 - "IDENTIFICATION OF CARBAMAZEPINE DEGRADERS" GOLD MEDAL WINNER
- 9. CHEN CHEN AND CAROLINE LOU
 - "INVESTIGATING THE EFFECT OF BIOCHAR ON PARSLEY PLANT GROWTH" GOLD MEDAL WINNERS
- 10. HANZHEN LIN
 - MARKHAM DISTRICT HIGH SCHOOL GRADE 12 STUDENT

11. 2015 MARKHAM DISTRICT ENERGY SUSTAINABILITY BURSARY AWARDS CEREMONY

- Diana Dragomir, Father Michael McGivney Catholic Academy
- Nicole Politis, St. Augustine Catholic High School
- Vincent Simpatico, St. Brother Andre Catholic High School
- Ushpreet Mehta, St. Robert Catholic High School
- Alexander Crupi-Nisperos, Bill Crothers Secondary School
- Malvin Lo, Bur Oak Secondary School
- Safa Ansar, Markham District High School
- Joshua Mak, Markville Secondary School
- Abineaga Muralitharan, Middlefield Collegiate Institute
- Gary Yuen, Milliken Mills High School
- Edith Lam, Pierre Elliott Trudeau High School
- Mia Sams, Thornhill Secondary School
- Blair Cai, Thornlea Secondary School
- Wyanne Li, Unionville High School

12. JOSEPH BLANDISI

- NEW JERSEY DEVILS TEAM MEMBER

13. PAUL POIRIER

- SILVER MEDAL WINNER IN SKATE CANADA 2014

14. DALLYSSA HUGGINS

- PENTATHLON CHAMPION OF THE 2015 NEW BALANCE INDOOR NATIONALS

15. JERSEY BISHOP

- CANADIAN SWIM TRIALS & TEAM CANADA ACHIEVEMENTS

16. 2015 ONTARIO SCOTTIES TOURNAMENT OF HEARTS

17. MARKHAM SPEED SKATERS

- Bennett Lai
- Eugene Wong
- Justin Liew
- Claire Liew

18. BILL CROTHERS SECONDARY SCHOOL CHEER STUNT GROUP

- NATIONAL CHAMPIONSHIP, ADVANCE SENIOR STUNT GROUP

19. BROTHER ANDRE CARDINALS

- GOLD MEDALLISTS OF THE 2015 AAA/AAAA ONTARIO FEDERATION OF SCHOOL ATHLETIC ASSOCIATIONS (OFSAA) HOCKEY CHAMPIONSHIP

First Name	<u>Last Name</u>	<u>Title</u>
Branko	Mihaljevic	Coach

Dave	Turner	Coach
Paul	Titanic	Coach
Alec	Mizzi	Player
Andrew	Schmidt	Player
Andrew	Vigliatore	Player
Ayden	Hughes	Player
Billy	O'Neil	Player
Brandon	Sutch	Player
Connor	Gregga	Player
Cory	Vigneux	Player
Cristian	Giorgio	Player
Damien	Heinle	Player
Daniel	Giorgio	Player
Danny	Valerio	Player
David	Matheson	Player
Emilio	Gallenero	Player
Giancarlo	Da-Re	Player
James	Yantsis	Player
Jonathan	Yantsis	Player
Kyle	Randorf	Player
Liam	McMahon	Player
Liam	Timewell	Player
Michael	Palladino	Player
Michael	Pellegrini	Player
Nicholas	Turco	Player
Nicholas	Varsamis	Player
Nolan	Regan	Player

20. MEMBERS OF TRISTAR GYMNASTICS

- Makenna Lau
- Morgan Tong
- Alyssa Capogna
- Kristen Owen
- Alana Ricketts
- Abigail Lam
- Annelle Sciberras
- Iuly Gershcovich
- Natalya Korchagina
- Brittnee Habbib
- Annelle Sciberras

21. ARJUNPAL KHATTRA

- YOUNG HERO AWARD FOR BRAVERY

12. BY-LAWS

Moved by Councillor Valerie Burke Seconded by Deputy Mayor Jack Heath

That By-laws 2015-66 to 2015-72 and 2015-74 to 2015-77 be given three readings and enacted.

Three Readings

BY-LAW 2015-66

ROAD DEDICATION BY-LAW (PLAN 65M-4364)

A by-law to dedicate certain lands as part of the highways of the City of Markham (Part of Lot 25, 26, 58, 59, 96, 97, 105, 106, 121, 126, 127, 144 and 145, Plan 65M-4364, designated as Part 3, 4, 15, 16, 19, 20, 23, 24, 36, 43, 44, 45 and 46, Plan 65R-35007 - Lane)

By-law

Carried

BY-LAW 2015-67

ROAD DEDICATION BY-LAW (PLAN 3940)

A by-law to dedicate certain lands as part of the highways of the City of Markham (1 Foot Reserve, Plan 3940, lying west of Perth in the City of Markham – Perth Avenue)

By-law

Carried

BY-LAW 2015-68

CORNELL ROUGE DEVELOPMENT CORPORATION, CON 9 PT LOTS 11 TO 15, NORTH OF HIGHWAY 7 EAST, WEST OF DONALD COUSENS PARKWAY, ZONING BY-LAW AMENDMENTS

A by-law to amend By-law 304-87, as amended and 177-97, as amended, to permit the development of single detached dwellings, fronting on a realigned section of Cornell Centre Boulevard, to be renamed William Forster Road.

(Item No. 1, Report No. 21 – April 28, 2015 Council Meeting) By-law

Carried

BY-LAW 2015-69

HUMBOLD PROPERTIES LIMITED, PART LOT CONTROL EXEMPTION BY-LAW

A by-law to designate part of a certain plan of subdivision not subject to Part Lot Control, south of Donald Cousens Parkway and east of Delray Drive, Block 23, 65M-4450.

By-law

BY-LAW 2015-70 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, south of Donald Cousens Parkway and east of Delray Drive, Block 9, 65M-4445.

By-law

Carried

BY-LAW 2015-71 CORNELL ROUGE DEVELOPMENT CORPORATION, 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 Donald Cousens Parkway and south of Pearl Lake Road, Lots 45 and 46 and Blocks 215 and 216, Plan 65M-4354.

By-law

Carried

BY-LAW 2015-72 CORNELL ROUGE DEVELOPMENT CORPORATION, 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 Donald Cousens Parkway and south of Riverlands Avenue, Block 70, 65M-4257.

By-law

Carried

BY-LAW 2015-74 A BY-LAW TO CHANGE A CERTAIN STREET NAME IN THE CITY OF MARKHAM (A PORTION OF CORNELL CENTRE BOULEVARD TO RIVERLANDS AVENUE)

(A portion of Cornell Centre Boulevard, described as Part of Lot 12, Concession 9, designated as Part 3, Plan 65R-34812, be changed to Riverlands Avenue)

By-law

Carried

BY-LAW 2015-75 A BY-LAW TO PERMANENTLY STOP-UP AND CLOSE PORTIONS OF CORNELL CENTRE BOULEVARD

(Described as Part of Lots 13 and 14, Concession 9, designated as Parts 1 and 2, Plan 65R-35088)

By-law

BY-LAW 2015-76

A BY-LAW TO TEMPORARILY STOP-UP AND CLOSE PORTIONS OF CORNELL CENTRE BOULEVARD (MAY 1, 2015 TO OCTOBER 25, 2015)

(Existing portion of Cornell Centre Boulevard from south of the new Cornell Centre Boulevard to north of Rustle Woods Avenue, and legally described as Part of Lots 12 and 13, Concession 9, designated as Parts 1 and 5, Plan 65R-34812)

By-law

Carried

BY-LAW 2015-77

ROAD DEDICATION BY-LAW

A by-law to dedicate certain lands as part of the highways of the City of Markham as follows:

- 1. Block 81, Plan 65M-4001 Castlemore Avenue
- 2. Block 180, Plan 65M-3610 Castlemore Avenue
- 3. Part of Lot 19, Concession 7, designated as Parts 18, 20, 23, 28, 31, 34, 37, 40 and 41, Plan 65R-32389 Castlemore Avenue.
- 4. Part of Lot 19, Concession 7, designated as Parts 19, 21, 22, 24, 25, 26 and 27, Plan 65R-32389 Furrow Street
- 5. Part of Lot 19, Concession 7, designated as Parts 29 and 30, Plan 65R-32389 Greenspire Avenue.
- 6. Part of Lot 19, Concession 7, designated as Parts 32 and 33, Plan 65R-32389 Begonia Street.
- 7. Part of Lot 19, Concession 7, designated as Parts 35 and 36, Plan 65R-32389 Hyacinth Avenue.
- 8. Part of Lot 19, Concession 7, designated as Parts 38 and 39, Plan 65R-32389 Beacon Point Street.
- 9. Part of Lot 17, Concession 7, designated as Parts 21 and 29, Plan 65R-21556 Roy Rainey Avenue

By-law

13. IN-CAMERA ITEMS

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 (8:29 PM):

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

General Committee – May 11, 2015

- (2) PERSONAL MATTERS ABOUT AN IDENTIFIABLE INDIVIDUAL, INCLUDING MUNICIPAL OR LOCAL BOARD EMPLOYEES (BOARD/COMMITTEE APPOINTMENTS) (16.24)
 [Section 239 (2) (b)]
- (3) THE SECURITY OF THE PROPERTY OF THE MUNICIPALITY OR LOCAL BOARD (WARD 1) (7.12) [Section 239 (2) (a)]
- (4) PERSONAL MATTERS ABOUT AN IDENTIFIABLE INDIVIDUAL, INCLUDING MUNICIPAL OR LOCAL BOARD EMPLOYEES (REPORT OF THE INTEGRITY COMMISSIONER REGARDING CONTRAVENTION OF THE CODE OF CONDUCT BY FORMER WARD COUNCILLOR HOWARD SHORE) (16.23) [Section 239 (2) (b)]

Council – May 13, 2015

(5) PERSONAL MATTERS ABOUT AN IDENTIFIABLE INDIVIDUAL, INCLUDING MUNICIPAL OR LOCAL BOARD EMPLOYEES (BOARD/COMMITTEE APPOINTMENTS) (16.24) [Section 239 (2) (b)]

Moved by Regional Councillor Jim Jones Seconded by Councillor Valerie Burke

That Council rise from the in-camera session. (10:06 PM)

Carried

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

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

Moved by Regional Councillor Joe Li Seconded by Councillor Don Hamilton

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

Carried

(2) BOARD/COMMITTEE APPOINTMENTS (16.24)

Moved by Regional Councillor Jim Jones Seconded by Deputy Mayor Jack Heath

1) That the following persons be appointed to the <u>Doors Open Markham Committee:</u>

<u>Name</u> <u>Term</u>

Alan Lok November 30, 2018 Kenny Ng November 30, 2018

Carried

(3) REQUEST FOR PROPOSAL 004-R-14 RE-USE AND LEASING OF 160 DUDLEY AVENUE (FORMER ST. LUKES CATHOLIC SCHOOL) (7.12)

Moved by Councillor Valerie Burke Seconded by Regional Councillor Nirmala Armstrong

1) That the confidential report "Request for Proposal 004-R-14 Re-Use and Leasing of 160 Dudley Ave. (former St. Lukes School)" be received; and,

- 2) That Request for Proposal 004-R-14 Re-Use and Leasing of 160 Dudley Ave. (former St. Lukes School) be awarded to the highest ranked bidder, Cyrus Community Centre for a ten (10) year term; and,
- 3) That staff be authorized to proceed as directed by Council on May 13, 2015.

(4) REPORT FROM INTEGRITY COMMISSIONER
CODE OF CONDUCT COMPLAINT ABOUT
FORMER COUNCILLOR HOWARD SHORE (16.23)
ICReport JBSiegelLetter JBSiegelAttachment

Moved by Deputy Mayor Jack Heath Seconded by Regional Councillor Jim Jones

- 1) That the report from Donald R. Cameron, Q.C., Integrity Commissioner for the City of Markham, dated April 20, 2015 be received; and,
- 2) That, as recommended by the Integrity Commissioner, former Councillor Howard Shore is reprimanded for contraventions of sections 12.1 and 17.2 as outlined in complaints Nos. 8, 9 and 10 in the Integrity Commissioner's report dated April 20, 2015; and,
- That, as required by subsection 223.6(3) of the <u>Municipal Act</u>, the Integrity Commissioner's report be made available to the public via the City website; and,
- 4) That the letter from Mr. Jack B. Siegel regarding the Integrity Commissioner Complaint Reference number MIC-001-1214 be received; and further,
- 5) That staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried by a unanimous recorded vote (11:0)

(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. (11)

ABSENT: Councillor Logan Kanapathi, Councillor Alex Chiu. (2)

(5) BOARD/COMMITTEE APPOINTMENTS (16.24)

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

1) That the following person be appointed to the <u>Race Relations Committee:</u>

Name Term

Aamir Sadiq November 30, 2017; and,

2) That the following persons be appointed to the <u>Main Street Markham Committee:</u>

Name Term

Gordon Walters

Churchill Piggott

Christine Mathews

November 30, 2018

November 30, 2017

November 30, 2018.

Carried

14. CONFIRMATORY BY-LAW

Moved by Councillor Alan Ho Seconded by Councillor Karen Rea

That By-law 2015-73 be given three readings and enacted.

Three Readings

BY-LAW 2015-73 A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE COUNCIL

MEETING OF MAY 13, 2015.

By-law

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Moved by Councillor Amanda Collucci Seconded by Councillor Valerie Burke

That the Council Meeting be adjourned at 10:15 PM.

		Carried
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Kimberley Kitteringham City Clerk	Frank Scarpitti Mayor	
(Signed)		