



Council Minutes

March 10, 2015, 7:00 PM

Council Chamber, Anthony Roman Markham Civic Centre

Meeting No. 8

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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 Amanda Collucci, Councillor Logan Kanapathi, Councillor Alex Chiu.

Regrets

Councillor Colin Campbell.

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
John Wong, Technology Support Specialist
Kimberley Kitteringham, City Clerk
Martha Pettit, Deputy City Clerk
Raj Raman, Mayor's Chief of Staff
Fred Rich, Manager, Strategy and Insurance Risk
Kishor Soneji, Senior Accountant
Sandra Skelcher, Acting Manager, Financial Report and Payroll
Pheobe Fu, Director, Asset Management

The regular meeting of Council convened at 7:07 PM on March 10, 2015 in the Council Chamber. Mayor Frank Scarpitti presided.

1. DISCLOSURE OF PECUNIARY INTEREST

- (1) None declared.

2. MINUTES

- (1) COUNCIL MINUTES – FEBRUARY 24, 2015
[Minutes](#)

Moved by Councillor Alex Chiu

Seconded by Councillor Logan Kanapathi

- 1) That the Minutes of the Council Meeting held on February 24, 2015, be adopted.

Carried

3. PRESENTATIONS

There were no presentations.

4. DELEGATIONS

- (1) DELEGATION REGARDING TREE PRESERVATION BY-LAW
- MARION MATTHIAS (2.0)

Marion Matthias spoke in favour of the City of Markham's Tree Preservation By-law.

- (2) DELEGATION REGARDING RECOMMENDATION FROM
THE LICENSING COMMITTEE HEARING FOR
16 ORCHARD STREET – SCOTT KAVANAGH (2.0)

Scott Kavanagh spoke of the reasons for the application to remove a tree located at 16 Orchard Street.

(See New/Other Business Item No. 3 for Council's decision on this matter)

5. PETITIONS

There were no petitions.

6(a) REPORT NO. 13 - GENERAL COMMITTEE (March 2, 2015)

Moved by Deputy Mayor Jack Heath
Seconded by Councillor Valerie Burke

That Report No. 13 – General Committee comprised of 4 items be received and adopted.

(1) 2014 YEAR END REVIEW OF OPERATIONS (7.4)

[Presentation](#) [Report](#) [Appendix 1-12](#)

- 1) That the presentation by Ms. Andrea Tang, Manager, Financial Planning entitled “City of Markham 2014 Year End Review of Operations,” be received; and,
 - 2) That the report entitled “2014 Year End Review of Operations” be received; and,
 - 3) That the City’s 2014 net unfavourable variance of (\$1.348M) be funded from the Corporate Rate Stabilization Reserve as per the following breakdown:

a.	City’s day-to-day operating surplus	\$3.078M
b.	Year end accounting accruals and other adjustments	(\$2.262M)
c.	Winter maintenance unfavourable variance	(\$2.330M)
d.	Projected Ontario Ice Storm Assistance Program recovery net of 2014 ice storm related expenditures	<u>\$0.166M</u>
	Total	<u>(\$1.348M)</u>
- ; and further,
- 4) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

(2) DEVELOPMENT CHARGES REIMBURSEMENT
APPLICATION – RICE COMMERCIAL GROUP (7.11)

[Report](#) [Appendix A](#)

- 1) That the report entitled “Development Charges Reimbursement – Rice Commercial Group” be received; and,
- 2) That Council authorize a City Wide Hard Development Charge reimbursement not exceeding \$734,595, to the Rice Commercial Group for the construction and property costs for a 4th Lane on Honda Boulevard and the construction of an oversized watermain along the Woodbine By-pass; and,
- 3) That Council authorize a future City Wide Hard Development Charge reimbursement not exceeding \$82,805 to the Rice Commercial Group for the construction of an oversized watermain along Honda Boulevard, provided that the said watermain oversizing is included in the next update of the Development Charges Background Study due by 2018; and,
- 4) That the Mayor and Clerk be authorized to execute a Development Charge Reimbursement Agreement, if required, in accordance with the City’s Development Charge Credit and Reimbursement Policy, with the Rice Commercial Group, or their successors in title to the satisfaction of the Treasurer and City Solicitor; and further,
- 5) That staff be directed to do all things necessary to give effect to this report.

Carried

(3) SUMMARY OF 2014 REMUNERATION
& EXPENSES FOR COUNCILLORS AND
APPOINTEES TO BOARDS (7.0)

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

- 1) That the report titled “Summary of 2014 Remuneration & Expenses for Councillors and Appointees to Boards” be received; and,
- 2) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

(4) CIVIC CENTRE PEDESTRIAN AND
PARKING LOT IMPROVEMENTS
SCOPE AND TIMING (5.0)

[Presentation](#)

- 1) That the presentation by Ms. Phoebe Fu, Director, Asset Management entitled “Civic Centre Pedestrian and Parking Lot Scope and Timing,” be received; and,
- 2) That Council authorize staff be to proceed with the work outlined in the presentation at the Civic Centre; and further,
- 3) That staff be 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 Councillor Valerie Burke

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

Received

16-2015 LIQUOR LICENCE APPLICATION FOR ME VA ME KITCHEN EXPRESS,
169 ENTERPRISE BOULEVARD (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

- 17-2015 LIQUOR LICENCE APPLICATION FOR RICH II FINE CUISINE, 4350 STEELES AVENUE EAST, UNIT 1A (WARD 8) (3.21)

[Info](#)

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

(Change of ownership and application of a liquor licence for indoor areas previously licenced).

Carried

- 18-2015 ROAD CLOSURE REQUEST – SHOPPERS DRUG MART RUN FOR WOMEN (3.5)

[Info](#)

The following roads will be closed on April 25, 2015 from 5:00 am to 12:00 noon to facilitate the event:

- Carlton Road between Main Street Unionville and south of Pomander Road.

Carried

- 19-2015 COMMUNICATION - 139 LONGWATER CHASE (NEW/OTHER BUSINESS ITEM NO. 2) (2.0)

[Communication](#)

Providing comments with respect to the recommendation from the February 24, 2015 Licensing Committee for 139 Longwater Chase.

Carried

10. PROCLAMATIONS

There were no proclamations.

11. NEW/OTHER BUSINESS

- (1) RECOMMENDATION FROM THE FEBRUARY 24, 2015
LICENSING COMMITTEE HEARING
(86 WRENWOOD COURT) (2.0)

Moved by Deputy Mayor Jack Heath
Seconded by Councillor Valerie Burke

- 1) That the following recommendation of the Licensing Committee from the Hearing held on February 24, 2015 be approved and adopted:
 - "a. That the application to remove two Blue Spruce trees at 86 Wrenwood Court, Markham, be denied; and,
 - b. That staff offer their expertise with respect to a reasonable pruning of the two Blue Spruce trees."

Carried

- (2) RECOMMENDATION FROM THE FEBRUARY 24, 2015
LICENSING COMMITTEE HEARING
(139 LONGWATER CHASE) (2.0)

Moved by Deputy Mayor Jack Heath
Seconded by Councillor Don Hamilton

- 1) That the following recommendation of the Licensing Committee from the Hearing held on February 24, 2015 be approved and adopted:
 - "a) That the application to remove a Honey Locust tree at 139 Longwater Chase, Markham, be denied."

Deferred
(See following to defer the matter)

Moved by Deputy Mayor Jack Heath
Seconded by Councillor Don Hamilton

That the recommendation of the Licensing Committee from the Hearing held on February 24, 2015 regarding 139 Longwater Chase be deferred to the March 31, 2015 Council meeting to allow the applicant and Operations Department Staff to be in attendance.

Carried

(3) RECOMMENDATION FROM THE FEBRUARY 24, 2015
LICENSING COMMITTEE HEARING
(16 ORCHARD STREET) (2.0)

Moved by Deputy Mayor Jack Heath
Seconded by Councillor Valerie Burke

- 1) That the following recommendation of the Licensing Committee from the Hearing held on February 24, 2015 be approved and adopted:
 - "a) That the application to remove an American Elm tree at 16 Orchard Street, Markham, be denied; and,
 - b) That if the applicants choose the option involving a Minor Variance, the Committee of Adjustment fees be waived and that the application be expedited to the extent that is reasonable; and further,
 - c) That the recommendations are based on the unique characteristics of this case only and are neither intended to be precedent setting nor to be used as a basis for future cases."

Carried

Council consented to delete the following proposed Clause b):

- "b) That if the applicants chose the option involving a Minor Variance, the Licensing Committee urges that the Committee of Adjustment fees be waived and that the application be expedited to the extent that is reasonable;"

and replace with the following Clause b):

- "b) That if the applicants choose the option involving a Minor Variance, the Committee of Adjustment fees be waived and that the application be expedited to the extent that is reasonable;"

Council directed that staff report back on the designation of Heritage Trees.

12. BY-LAWS

Moved by Councillor Alex Chiu
Seconded by Regional Councillor Joe Li

That By-laws 2015-28, 2015-30 to 2015-33 be given three readings and enacted.

Three Readings

BY-LAW 2015-28 2015 WATER/WASTEWATER RATE (EFFECTIVE APRIL 1, 2015)
A by-law to amend By-law No. 2002-276, being a by-law to impose fees or charges for services or activities provided or done by the City of Markham.
(New/Other Business Item No. 1 – February 24, 2015 Council meeting)
[By-law](#)

Carried

BY-LAW 2015-29 ROAD DEDICATION BY-LAW (WITHDRAWN)
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

Withdrawn

BY-LAW 2015-30 A BY-LAW TO DESIGNATE A PROPERTY AS BEING OF CULTURAL HERITAGE VALUE OR INTEREST (THE FRANCIS PIKE HOUSE, 7170 HIGHWAY 7)
[By-law](#)

Carried

BY-LAW 2015-31 BEST HOMES CANADA, SOUTH UNIONVILLE COMMUNITY,
HOLD REMOVAL BY-LAW
[By-law](#)
A by-law to amend By-law 177-96, as amended, to permit construction of three single detached and two semi-detached dwellings, north of Helen Avenue and east of Unity Gardens Drive.

Carried

BY-LAW 2015-32 A BY-LAW TO REPEAL PART LOT CONTROL EXEMPTION BY-LAW 2014-164, BRIARLANE DEVELOPMENTS INC.
(Legal description contained in the by-law is inaccurate)
[By-law](#)

Carried

BY-LAW 2015-33 BRIARLANE DEVELOPMENTS INC., PART LOT CONTROL EXEMPTION BY-LAW
[By-law](#)
A by-law to designate part of a certain plan of subdivision not subject to Part Lot Control, Lot 152 and Block 157, Plan 65M-4375, north of Riverlands Avenue, east of Bur Oak Avenue and north of Church Street.

Carried

13. IN-CAMERA ITEMS

Council consented to add a proposed or pending acquisition or disposition of land matter by the municipality or local board in Ward 2 as Item No. 3 of the In-Camera Agenda.

Moved by Regional Councillor Jim Jones
Seconded by Councillor Logan Kanapathi

That, in accordance with Section 239 (2) of the *Municipal Act*, Council resolve into an in-camera session to discuss the following matters (8:04 PM):

Carried

- (1) MINUTES OF IN-CAMERA COUNCIL MEETING
- FEBRUARY 24, 2015 (16.0)
[Section 239 (2) (a) (b) (c) (e)]

General Committee – March 2, 2015

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

Council – March 10, 2015

- (3) A PROPOSED OR PENDING ACQUISITION OR DISPOSITION OF LAND BY THE MUNICIPALITY OR LOCAL BOARD (WARD 2)
[Section 239 (2) (c)]

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

That Council rise from the in-camera session. (8:07 PM)

Carried

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

- (1) MINUTES OF IN-CAMERA COUNCIL MEETING
- FEBRUARY 24, 2015 (16.0)

Moved by Councillor Alex Chiu
Seconded by Councillor Alan Ho

- 1) That the Council In-camera Minutes dated February 24, 2015 be confirmed.

Carried

(2) BOARD/COMMITTEE APPOINTMENTS (16.24)

Moved by Regional Councillor Nirmala Armstrong

Seconded by Councillor Don Hamilton

- 1) That the following persons be appointed to the Seniors Advisory Committee:

Name	Term
Vincent Cheung	November 30, 2018
Diane Gabay	November 30, 2018
Laila Jiwa	November 30, 2018
Devendra Mishra	November 30, 2017
Sajeda Shirazi	November 30, 2017; and,

- 2) That the following persons be appointed to the Mayor's Seniors Hall of Fame Awards Committee:

Name	Term
Yash Kapur	November 30, 2018

Carried

(3) A PROPOSED OR PENDING ACQUISITION OR DISPOSITION OF LAND BY THE MUNICIPALITY OR LOCAL BOARD (WARD 2) (8.0)

- 1) That staff be authorized to proceed as directed by Council on March 10, 2015 regarding a proposed or pending acquisition or disposition of land matter by the municipality or local board in Ward 2.

14. CONFIRMATORY BY-LAW

Moved by Councillor Alex Chiu

Seconded by Councillor Don Hamilton

That By-law 2015-34 be given three readings and enacted.

Three Readings

BY-LAW 2015-34 A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE COUNCIL MEETING OF MARCH 10, 2015.

[By-law](#)

Carried

15. ADJOURNMENT

Moved by Councillor Alex Chiu
Seconded by Councillor Valerie Burke

That the Council Meeting be adjourned at 8:09 PM.

Carried

Kimberley Kitteringham
City Clerk

(Signed)

Frank Scarpitti
Mayor