



Council Minutes

February 10, 2015, 7:00 PM

Council Chamber, Anthony Roman Markham Civic Centre

Meeting No. 6

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
John Wong, Technology Support Specialist
Kimberley Kitteringham, City Clerk
Martha Pettit, Deputy City Clerk
Carlie Turpin, Public Services & Records Coordinator
Mark Visser, Senior Manager, Financial Strategy and Investments

The regular meeting of Council convened at 7:05 PM on February 10, 2015 in the Council Chamber. Mayor Frank Scarpitti presided.

1. DISCLOSURE OF PECUNIARY INTEREST

- (1) None declared.

2. MINUTES**(1) COUNCIL MINUTES – JANUARY 27, 2015**[Minutes](#)

Moved by Councillor Alex Chiu

Seconded by Councillor Logan Kanapathi

- 1) That the Minutes of the Council Meeting held on January 27, 2015, be adopted.

Carried

3. PRESENTATIONS

There were no presentations.

4. DELEGATIONS

- (1) DELEGATIONS REGARDING THE MOTION TO
MAKE ALL REPORTS RELATED TO THE GTA ARENA PUBLIC,
INCLUDING THE SCOPE OF WORK ASKED
FOR FROM EACH CONSULTANT
(MARKHAM SPORTS ENTERTAINMENT AND CULTURAL CENTRE) (6.0)

Moved by Councillor Don Hamilton

Seconded by Councillor Alan Ho

That the following delegations regarding the motion titled "Make All Reports Related to the GTA Arena Public, Including the Scope of Work Asked for from Each Consultant" be received:

1. Marilyn Ginsburg, representing the Grandview Area Residents Association (in support of the proposed motion)
2. Mike Gannon, representing the Unionville Ratepayers Association (in support of the proposed motion)
3. Robert Mok (in support of the proposed motion)
4. Jim Kwan (withdrawn delegation)
5. Robert Ede (in support of the proposed motion)
6. Stephen Kotyck (in support of the proposed motion)
7. Gord Walter (in support of the proposed motion)
8. Harvey A. Thomson (in support of the proposed motion)
9. Eileen Liasi, on behalf of German Mills Residents Association (in support of the proposed motion)

10. Shyamalee Pitigala (in support of the proposed motion)
 11. Mike Papapetrou (not present when name was called)
 12. Tammy Armes (in support of the proposed motion)
 13. Mayrose Gregorios (in support of the proposed motion)
 14. Miriam Ku (in support of the proposed motion)
- (See Motion No. 1 for Council's decision on this matter)

Carried

Council received the delegations regarding the motion titled "Make All Reports Related to the GTA Arena Public, Including the Scope of Work Asked for from Each Consultant" immediately following the By-laws Section of the Council Agenda.

- (2) DELEGATION REGARDING THE ITEM TITLED
"2014 INVESTMENT PERFORMANCE REVIEW" (7.0)
(Item No. 1, Report No. 8)

Moved by Deputy Mayor Jack Heath
Seconded by Councillor Don Hamilton

That the delegation from Michael Gannon, representing the Markham Citizens Coalition for Responsive Government, regarding the item titled "2014 Investment Performance Review" providing comments for Markham Enterprises Corporation (MEC) and Markham District Energy Inc. (MDEI) be received and referred to staff for a report back to General Committee.

Carried

5. PETITIONS

There were no petitions.

6(a) REPORT NO. 8 – GENERAL COMMITTEE (February 2, 2015)

Moved by Deputy Mayor Jack Heath
Seconded by Councillor Colin Campbell

That Report No. 8 – General Committee comprised of 4 items be received and adopted.

- (1) 2014 INVESTMENT PERFORMANCE REVIEW (7.0)
[Report](#) [Attachment 1](#)

- 1) That the report dated February 2, 2015 entitled "2014 Investment Performance Review" be received; and,

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

Carried

(2) AMENDMENTS TO MARKHAM VILLAGE
BUSINESS IMPROVEMENT AREA BY-LAW (3.11 & 3.12)
[Report](#) [Appendix A](#) [Appendix B](#)

- 1) That the report titled “Amendments to Business Improvement Area By-laws” be received; and,
- 2) That By-law 279-86 establishing the “Markham Village Business Improvement Area” commonly referred to as the "Markham Village BIA (MBIA)" By-law be repealed in its entirety and the attached by-law, noted as Appendix “A” to this report, be enacted; and,
- 3) That Staff be directed to undertake a comprehensive review, including consultation with the Board of Management of the MBIA to determine further governance improvements and report back prior to the end of the 4th quarter of 2015; and further,
- 4) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

(By-law 2015-21)

Carried

(3) PROPOSED ALL-WAY STOP CONTROLS
- COX BOULEVARD & CIRCA DRIVE;
SOUTH PARK ROAD & TIMES AVENUE (5.12)
[Report](#) [Attachment A](#) [Attachment B](#) [Attachment C](#)

- 1) That the report entitled “Proposed All-way Stop Controls – Cox Boulevard & Circa Drive; South Park Road & Times Avenue”, be received; and,
- 2) That Schedule 12 of Traffic By-law 106-71, pertaining to compulsory stops, be amended to include all approaches to the intersection of Cox Boulevard & Circa Drive; and,
- 3) That Schedule 12 of Traffic By-law 106-71, pertaining to compulsory stops, be amended to include all approaches to the intersection of South Park Road & Times Avenue; and,

- 4) That the Operations Department be directed to install the appropriate signs and pavement markings at the subject locations; and,
 - 5) That the cost of materials and installation for the traffic signs and pavement markings be funded from capital project #14228 (Traffic Operational Improvements) in the amount of \$1,000; and,
 - 6) That York Regional Police be requested to enforce the all-way stop control upon installation of these stop signs and passing of the By-law; and further
 - 7) That staff be authorized and directed to do all things necessary to give effect to this resolution.
- (By-law 2015-22)

Carried

(4) **PROPOSED NORTHBOUND LEFT TURN
RESTRICTION AT NINTH LINE & BERCZY GATE (5.12)**
[Report](#) [Attachment A](#) [Attachment B](#) [Attachment C](#)

- 1) That the report entitled “Proposed Northbound Left Turn Restriction at Ninth Line & Berczy Gate,” be received; and,
- 2) That the petition submitted by Mr. Gord Walter, President of the Sherwood Amber Glen Ratepayers Association for a northbound left turn restriction on weekdays between 7 AM and 9 AM at the intersection of Ninth Line and Berczy Gate be received; and,
- 3) That the Region of York be requested to implement a northbound left turn restriction at the intersection of Ninth Line and Berczy Gate, weekdays, between 7 AM and 9 AM; and,
- 4) That York Region be requested to review the intersection of Ninth Line and Church Street for consideration to provide a northbound advance left turn signal combined with an advance straight through movement; and,
- 5) That Markham staff request York Region Transit to review their transit route in an effort to capture more students travelling from the southeast part of Markham that attend Markham District High School by increasing their routes and/or provide for additional buses; and,

- 6) That Markham staff be directed to contact the York Region District School Board and investigate the possibility of providing a school bus for students coming from the southeast part of Markham attending Markham District High School; and,
- 7) That the deputation from Gord Walter, Sherwood Amber Glen Ratepayers Association be received; and,
- 8) That Markham staff be requested to report back to General Committee regarding their recommendation; and further,
- 9) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

6(b) REPORT NO. 9 – DEVELOPMENT SERVICES COMMITTEE (February 3, 2015)

Moved by Regional Councillor Jim Jones

Seconded by Councillor Don Hamilton

That Report No. 9 – Development Services Committee comprised of 2 items be received and adopted.

- (1) ELIGIBILITY OF JOSEPH WIDEMAN HOUSE
FOR RELOCATION TO MARKHAM HERITAGE ESTATES
10015 HIGHWAY 48 (16.11)
[Report](#)

- 1) That as recommended by Heritage Markham, the Joseph Wideman House at 10015 Highway 48 be declared eligible for relocation to Markham Heritage Estates, due to its cultural heritage value or interest, threatened state, the absence of either short or long-term uses by the owner, and the length of time before development will occur in the area; and,
- 2) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

- (2) SIGN VARIANCE FOR MARKHAM VILLAGE ESSO
IMPERIAL OIL LIMITED
5965 HIGHWAY 7
MARKHAM VILLAGE HERITAGE CONSERVATION DISTRICT
FILE NO. 14 138540 SP (2.16, 16.11)

[Report](#)

- 1) That the staff report titled “Sign Variance for Markham Village Esso, Imperial Oil Limited, 5965 Highway 7, Markham Village Heritage Conservation District” dated February 3, 2015, be received; and,
- 2) That the application for a sign variance (14 138540 SP) be approved for a maximum ground sign face of 6.04 square metres for each side of the two proposed ground signs and that internal illumination be permitted only for the electronic gas price number component of each sign; and further,
- 3) That staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

7. MOTIONS

- (1) MAKE ALL REPORTS RELATED TO THE GTA ARENA PUBLIC,
INCLUDING THE SCOPE OF WORK ASKED
FOR FROM EACH CONSULTANT
(MARKHAM SPORTS ENTERTAINMENT AND CULTURAL CENTRE) (6.0)
[Staff Presentation](#)

Moved by Councillor Karen Rea
Seconded by Councillor Don Hamilton

Whereas a number of reports pertaining to the proposed GTA Centre Arena was commissioned by the City of Markham; and,

Whereas these reports continue to be unavailable for Markham Residents to review; and,

Whereas the release of these reports would not divulge any information on issues that warrant being kept confidential; and,

Whereas all meetings held at Markham Council could be public. The Municipal Act does not mandate Council to go in camera for any reason other than a request within the Freedom of Information;

Now therefore be it resolved:

- 1) That all such reports, slide show presentations and related documents be immediately released to the public, including the scope of work requested and including those authored by:
 - (1) Miller Thompson - Power Point presentation
 - (2) KPMG Reports
 - Markham Sports Entertainment and Cultural Centre Project Highlights
 - Assisting the Town of Markham in pursuing a Sports and Entertainment facility as a public private partnership
 - (3) Weir Foulds
 - How to make this a Municipal Capital Facility
 - How the potential Centre transaction might be structured
 - (4) BDR - Opinion Letter and Report presentation
 - (5) Professor Daniel Mason and Professor Brad Humphries
 - Review and analysis of the financial forecast and purported economic benefits by both consultants and the proponents of the GTA Centre
 - (6) Town of Markham- Economic Opportunity - Stephen Chait
 - (7) Raymond James - 27 pages and 42 pages
 - (8) Barry Lyons - Consulting Opinion on the benefits of the proposed GTA Centre
 - (9) Ron Carinci - the minutes of the meeting
 - (10) Fasken Martineau - 2nd legal opinion
 - (11) Any other documents or reports that were provided and that are not included in the above

MOTION WAS RULED OUT OF ORDER

(See following for the ruling on the proposed motion to be out of order)

(See following for staff presentation)

(See following for request to Information & Privacy Commission of Ontario)

(See following to consider the matter)

Ruling on the proposed motion to be out of order:

Mayor Frank Scarpitti ruled the proposed motion titled "Make all reports related to the GTA Arena public, including the scope of work asked for from each consultant" to be out of order as it contravenes with Municipal Freedom of Information & Protection of Privacy Act (MFIPPA) and City of Markham's Council Code of Conduct. There was no challenge to this ruling from Members of Council.

Staff Presentation:

Kimberley Kitteringham, City Clerk, provided a PowerPoint presentation titled "Municipal Freedom of Information & Protection of Privacy Act (MFIPPA) Overview". The presentation outlined the purposes of the Act, the exemptions and access rights of Council and staff recommendations in regard to the release of the documents.

Request to Information & Privacy Commission of Ontario (IPC)

Moved by Councillor Don Hamilton

Seconded by Councillor Valerie Burke

That staff be requested to write to the Information & Privacy Commission of Ontario (IPC) to urge them to render an expeditious decision with respect to the two outstanding appeals.

Carried

Motion to consider the matter:

Moved by Councillor Don Hamilton

Seconded by Councillor Logan Kanapathi

That Council consider the motion titled "Make all reports related to the GTA Arena public, including the scope of work asked for from each consultant" immediately following the delegations with respect thereto.

Carried

Note:

The notice of this motion was given to Council at its meeting held on January 27, 2015.

8. NOTICES OF MOTIONS

There were no notices of motions.

9. COMMUNICATIONS

Moved by Councillor Colin Campbell

Seconded by Councillor Alex Chiu

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

Received

9-2015 LIQUOR LICENCE APPLICATION FOR THE MILL BAR AND GRILL INC.,
139 MAIN STREET UNIONVILLE, SUITES 107 AND 108 (WARD 3) (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 and outdoor areas previously licenced).

Carried

10-2015 LIQUOR LICENCE APPLICATION FOR HALIBUT HOUSE FISH AND
CHIPS, 3-27 WOOTTEN WAY NORTH, SUITE 27A (WARD 4) (3.21)

[Info](#)

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

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

Carried

11-2015 LIQUOR LICENCE APPLICATION FOR CINEPLEX CINEMAS MARKHAM
& VIP, 179 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 and outdoor areas).

Carried

12-2015 COMMUNICATIONS REGARDING MAKE ALL REPORTS RELATED TO THE GTA ARENA PUBLIC, INCLUDING THE SCOPE OF WORK ASKED FOR FROM EACH CONSULTANT (MARKHAM SPORTS ENTERTAINMENT AND CULTURAL CENTRE) (6.0)

[Communications](#) [AdditionalCommunications](#)

(See Motion No. 1 for Council's decision on this matter)

Communications providing comments regarding the motion titled "Make All Reports Related to the GTA Arena Public, Including the Scope of Work Asked for from Each Consultant":

1. Janis and Bill Corrigall
2. Rod Snyder
3. Sharon Fazzari
4. Frank Fazzari
5. Andrew Laidlaw
6. Chris Madsen
7. Grace Lam
8. Kenneth Smith
9. Hal Sudworth
10. JD Faria
11. Donald Symonds
12. Dave Ramsumair
13. Tunde Adebajo
14. Ron and Martha Haffey
15. Al Falcao
16. Patel
17. Carol Poce
18. Ralph Strutt
19. Peter Dienstmann
20. Linda Parson
21. Robert Hodgson
22. Catherine Renwick
23. Jo-Anne Jackson
24. Sally
25. Patrick T. O'Toole
26. Michael Sedore
27. Barry Raine
28. Richard Sung
29. David Tong
30. LB Duffy
31. Ibsung
32. Dale Barretto
33. Robin Banerjee
34. Thomas C. Thevarajah
35. Helen Murray
36. N. R. Srinivasan
37. Jim and Elaine Dunlop

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38. Marilyn Riley
 39. Kenneth Yu
 40. Bing Yuan
 41. Alexander Masterton
 42. Salman Dadabhoy
 43. Joseph DF Lee
 44. Paul and Cathy Binhammer
 45. Mark Scarrow
 46. Dickens Chan
 47. Najmu Jamaly
 48. Ione Hardcastle
 49. Larry Durst
 50. Amit Gore
 51. Taketo Murata
 52. Nayden Naydenov
 53. Colin de Souza
 54. Gary Pastor
 55. Roger Miller
 56. Paul Woolston
 57. Mimi Lai
 58. Linda
 59. Doleep
 60. Francis and Pauline Wijeyesekera
 61. Rose Cohen
 62. Chelsia Wang
 63. William Siu
 64. Marcia Miller
 65. John Veveridge
 66. John J. Cairns
 67. Sandy Koteles
 68. Pat Esaw
 69. Max Saliba
 70. Reg and Nancy Rowe
 71. Cory Mandel
 72. Irene Mandel
 73. Chunni Lue
 74. Joseph Bucciol
 75. Jim Parsons
 76. Phyllis Chen
 77. Doug Coulter
 78. Trevor Payne
 79. Mihaela Ceausu
 80. John F. Marshall
 81. Rosemary Ducker
 82. Judie Grisdale
 83. Joan Shields
 84. Barbara Scollick
 85. Russell E. Conwath

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86. Bob and Carolyn Davison
 87. George Dely
 88. Carla Gutierrez
 89. Hugh Wallace
 90. Ken Bushell
 91. Vincent Lin
 92. Victor Ma
 93. Stephen Dow and Denyse Belanger-Dow
 94. Rick Mori
 95. Donna Smith and Alexander Smith
 96. Nikolaus Jaeger
 97. Roy O'Neill
 98. Margaret Rataj
 99. David Ferguson
 100. John Higgins
 101. John Park
 102. Doreen Porter
 103. Tom Davies
 104. Lolette Kuby
 105. Albert Worth
 106. Tim Fook Ho
 107. Shafic Kara
 108. Elaine G. Pastor and Andrew J. Pastor
 109. Victoria Tomev
 110. Peter Peterson
 111. Gail Shultz
 112. Stephen Wai
 113. Mary Smissen
 114. Ted
 115. Peeter Vanker
 116. Heidi Lynch
 117. Gordon MacBride
 118. Gloria Lam
 119. Lou Bortolin
 120. Elfriede Weigand and Peter Weigand
 121. Keith Yim
 122. Julie Kong and Ivan Yang
 123. John W. Lovatsis
 124. Vida Bridgeman and Dorothy Young
 125. Jeanette Rogers
 126. Gilles Dore and Dolores Dore
 127. Heather Sanham and Bill Sanham
 128. Sami Hamam
 129. Evan Franklin
 130. Bernard D'Souza
 131. Catherine and Simon
 132. Joe Ciurria
 133. Michael and Jeannie Wong

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134. John Leonard
 135. Pascal Tang
 136. Ina-Marie and Moshe Dobner
 137. Catherine and Peter Steele
 138. Elia Vigna
 139. Rita Hughes (Hubert)
 140. Joseph Toth
 141. David Bradshaw
 142. Earl Bulger
 143. Vaughn Hibbits
 144. Philip Dehne and Lynn Levy
 145. Nik Rider
 146. Shyamalee Pitigala
 147. Brian and Helen Allen
 148. Pam Dewar
 149. Norman Dewar
 150. R. P. Cinq-mars
 151. Brian Dahlback
 152. Bob Ho
 153. Sam Malyala
 154. Elizabeth Blakley
 155. King Wu
 156. Celia and Anthony D'Souza
 157. Frank Zeppieri
 158. Karol Kowalski
 159. Kai Yu
 160. David Patterson
 161. Roger and Lorna Jones
 162. David Day
 163. Jennifer Gu
 164. Allan Tse
 165. Eugene Toh
 166. Michael Lee
 167. Kathy Dahlback
 168. Hedy Bulger
 169. Harry Chu
 170. Dina Nazamodeen
 171. Al Eppich
 172. Manyee Tjang
 173. Doug Thorburn
 174. Naser Abedi
 175. Andy Levy
 176. Lambertus Dekkema and Janna Dekkema
 177. Arzu Sule
 178. Michelle Bell-Smith
 179. Denise Herbert
 180. Casey K. Tjang
 181. Marcia Paci

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182. Patrick Lai
 183. George and Lorna Barkey
 184. Albert Mui
 185. Nardine West
 186. Leslie Chisholm
 187. Eira Keay
 188. Bill Mark
 189. Pravin Desai
 190. Cheryl and John Flint
 191. Jan Edward
 192. Stacie Ahwai-Chang
 193. Andrew Samlall
 194. Stephen Wilton
 195. Jessica Wong
 196. Ellen Novack
 197. Bruno Volpe
 198. J. D. Green
 199. Normand Breton
 200. Mitch Satov
 201. Gopal Makan
 202. Anthony Francis
 203. Joseph Filice
 204. Rita and Vito Montisano
 205. Myron Y Huang
 206. Robert France
 207. William E. Goss
 208. Carole and James Peel
 209. JR
 210. Joan Embury
 211. Barbaras
 212. Sylvia Kong
 213. Kevin Kong
 214. Sew Fong
 215. Hallex Kong
 216. Shirley & Christopher Restituto
 217. Louise Alvarez
 218. Harland and Moira Lindsay
 219. Alick Siu

- 13-2015 LIQUOR LICENCE APPLICATION FOR NOVITA ITALIAN CUISINE, 25 COCHRANE DRIVE (WARD 2) (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 and outdoor areas previously licenced).

10. PROCLAMATIONS

- (1) PROCLAMATION REQUESTS (3.4)

Moved by Councillor Logan Kanapathi

Seconded by Councillor Alan Ho

- 1) That the following new request for proclamation be approved and added to the Five-Year Proclamations List approved by Council:

- Social Work Week (March 2 to 8, 2015)

Carried

11. NEW/OTHER BUSINESS

- (1) PRELIMINARY REPORT
1820266 ONTARIO INC. (TIMES GROUP INC.)
4002/4022 HIGHWAY 7 (NORTH-EAST CORNER OF HIGHWAY 7
AND VILLAGE PARKWAY)
APPLICATIONS FOR OFFICIAL PLAN AND ZONING BY-LAW
AMENDMENTS TO PERMIT A TOWNHOUSE DEVELOPMENT
FILE NOS.: OP/ZA 14 117506 (10.3, 10.5)

[Minutes](#) [UpdateMemo](#)

Moved by Councillor Alan Ho

Seconded by Councillor Don Hamilton

- 1) That the staff memorandum dated February 10, 2015 regarding applications by 1820266 Ontario Inc. (Times Group Inc.) to permit a townhouse development at 4002/4022 Highway 7 (north-east corner of Highway 7 and Village Parkway), be received; and,

- 2) That the Unionville Sub-Committee meeting minutes dated February 3, 2015 be received; and,
- 3) That staff be directed to continue to negotiate the built form along Highway 7 with the Times Group, and further,
- 4) That staff report back to Development Services Committee as soon as possible on the outcome of the discussions with the applicant.

Carried

12. BY-LAWS

Moved by Councillor Alex Chiu

Seconded by Councillor Valerie Burke

That By-laws 2015-21 and 2015-22 be given three readings and enacted.

Three Readings

BY-LAW 2015-21 A BY-LAW TO DESIGNATE AN AREA IN THE MAIN STREET MARKHAM BUSINESS DISTRICT AS AN IMPROVEMENT AREA AND TO ESTABLISH A BOARD OF MANAGEMENT FOR THE BUSINESS IMPROVEMENT AREA [MAIN STREET MARKHAM BUSINESS DISTRICT IMPROVEMENT AREA (MBIA)]
(REPEALS BY-LAW 279-86)
(Item No. 2, Report No. 8)
[by-law](#)

Carried

BY-LAW 2015-22 A BY-LAW TO AMEND TRAFFIC BY-LAW 106-71 (COMPULSORY STOPS AT THE INTERSECTION OF COX BOULEVARD & CIRCA DRIVE)
(Item No. 3, Report No. 8)
[By-law](#)

Carried

13. IN-CAMERA ITEMS

Moved by Councillor Colin Campbell

Seconded by Regional Councillor Joe Li

That, in accordance with Section 239 (2) of the *Municipal Act*, Council resolve into an in-camera session to discuss the following matters (10:00 PM):

Council – February 10, 2015

- (1) MINUTES OF IN-CAMERA COUNCIL MEETING
- JANUARY 27, 2015 (16.0)
[Section 239 (2) (a) (b) (c) (e)]
- (2) PERSONAL MATTERS ABOUT AN IDENTIFIABLE INDIVIDUAL, INCLUDING
MUNICIPAL OR LOCAL BOARD EMPLOYEES (BOARD APPOINTMENTS)
[Section 239 (2) (b)]
- (3) PERSONAL MATTERS ABOUT AN IDENTIFIABLE INDIVIDUAL, INCLUDING
MUNICIPAL OR LOCAL BOARD EMPLOYEES (BOARD APPOINTMENTS)
[Section 239 (2) (b)]

Development Services Committee – February 3, 2015

- (4) LITIGATION OR POTENTIAL LITIGATION, INCLUDING MATTERS BEFORE
ADMINISTRATIVE TRIBUNALS, AFFECTING THE MUNICIPALITY OR LOCAL
BOARD (OMB - WARD 1) (8.0)
[Section 239 (2) (e)]
- (5) LITIGATION OR POTENTIAL LITIGATION, INCLUDING MATTERS BEFORE
ADMINISTRATIVE TRIBUNALS, AFFECTING THE MUNICIPALITY OR LOCAL
BOARD (OMB - WARD 8) (8.0)
[Section 239 (2) (e)]

Council – February 10, 2015

- (6) A PROPOSED OR PENDING ACQUISITION OR DISPOSITION OF LAND BY THE
MUNICIPALITY OR LOCAL BOARD (WARD 3) (8.0)
[Section 239 (2) (c)]

Carried

Moved by Regional Councillor Jim Jones

Seconded by Councillor Alan Ho

That Council rise from the in-camera session. (10:26 PM)

Carried

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

- (1) MINUTES OF IN-CAMERA COUNCIL MEETING
- JANUARY 27, 2015 (16.0)

Moved by Councillor Alex Chiu

Seconded by Councillor Amanda Collucci

- 1) That the Council In-camera Minutes dated January 27, 2015 be confirmed.

Carried

- (2) APPOINTMENT OF MEMBERS TO THE
BOARD OF MANAGEMENT FOR THE
MAIN STREET MARKHAM BUSINESS
IMPROVEMENT AREA (MBIA) (16.24)

Moved by Councillor Colin Campbell

Seconded by Councillor Karen Rea

- 1) That Council appoint the following individuals as Directors of the Board of Management for the Main Street Markham Business Improvement Area (MBIA) for a term to expire November 30, 2018:

Paul Cicchini
Daniel Imbrogno
Wil Pialagitis
Bezhad Safati
Susan Taylor
Tim Whyte
Shaun Kelly

Carried

(3) APPOINTMENT OF MEMBERS TO THE
BOARD OF MANAGEMENT FOR THE
MAIN STREET UNIONVILLE BUSINESS
IMPROVEMENT AREA (UBIA) (16.24)

Moved by Regional Councillor Jim Jones

Seconded by Councillor Don Hamilton

- 1) That Council appoint the following individuals as Directors of the Board of Management for the Main Street Unionville Business Improvement Area (UBIA) for a term to expire November 30, 2018:

Larry Mariani
Parveen Jhingan
Ryan McLachlan
Elisabeth Mensher
Tony Lamanna
Sarah Iles
Simin Jahedi
Rob Kadlovski
Stacey Sniderman

Carried

(4) CONFIDENTIAL MEMORANDUM
MINOR VARIANCE APPEAL
8190 BAYVIEW AVENUE
FIRST CAPITAL (BAYVIEW) CORPORATION
File A/41/14 (8.0)

Moved by Regional Councillor Jim Jones

Seconded by Councillor Don Hamilton

- 1) That the confidential Staff memorandum titled “Minor Variance Appeal, 8190 Bayview Avenue, First Capital (Bayview) Corporation., File A/41/14” dated February 10, 2015, be received; and,
- 2) That Council direct Staff not to attend the Ontario Municipal Board (“OMB”) Hearing regarding the decision of the Committee of Adjustment to deny the requested minor variance, providing the applicant agrees to: a) request the OMB to implement the Staff recommended conditions of approval submitted to the Committee of Adjustment, and, b) continue to work with Planning & Urban Design Staff through the Site Plan Control application process to ensure that the drive-through facility complies with the Council endorsed Drive-through Facilities Design Guidelines; and further,

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

Carried

- (5) LITIGATION OR POTENTIAL LITIGATION, INCLUDING MATTERS BEFORE ADMINISTRATIVE TRIBUNALS, AFFECTING THE MUNICIPALITY OR LOCAL BOARD (OMB - WARD 8) (8.0)
[Section 239 (2) (e)]

Moved by Councillor Alex Chiu

Seconded by Councillor Logan Kanapathi

- 1) That the litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board matter (OMB - Ward 8) be referred to the February 23, 2015 General Committee In-camera Meeting; and,
- 2) That Regional Councillor Jim Jones, Chair of Development Services Issues, be the Chair of the meeting when this matter is being considered.

Carried

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

Moved by Councillor Colin Campbell

Seconded by Councillor Logan Kanapathi

- 1) That the confidential memorandum dated February 10, 2015 from the Commissioner of Community and Fire Services regarding a proposed or pending acquisition or disposition of land by the municipality or local board matter in Ward 3 be received; and,
- 2) That staff be authorized to proceed as directed by Council on February 10, 2015.

14. CONFIRMATORY BY-LAW

Moved by Councillor Alex Chiu

Seconded by Councillor Valerie Burke

That By-law 2015-23 be given three readings and enacted.

Three Readings

BY-LAW 2015-23 A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE COUNCIL
MEETING OF FEBRUARY 10, 2015.

[By-law](#)

Carried

15. ADJOURNMENT

Moved by Councillor Alex Chiu

Seconded by Councillor Valerie Burke

That the Council Meeting be adjourned at 10:29 PM.

Carried

Kimberley Kitteringham
City Clerk

(Signed)

Frank Scarpitti
Mayor