



## **Council Minutes**

**June 11, 2014, 7:00 PM**

Council Chamber, Anthony Roman Markham Civic Centre

**Meeting No. 13**

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**Alternate formats for this document are available upon request**

### **Roll Call**

Mayor Frank Scarpitti, Deputy Mayor Jack Heath, Regional Councillor Jim Jones, Regional Councillor Gord Landon, Regional Councillor Joe Li, Councillor Valerie Burke, Councillor Howard Shore, Councillor Don Hamilton, Councillor Carolina Moretti, Councillor Colin Campbell, Councillor Alan Ho, 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  
John Wong, Technology Support Specialist  
Dennis Flaherty, Director of Communications and Community Relations  
Mark Visser, Senior Manager, Financial Strategies & Investments  
Raj Raman, Mayor's Chief of Staff  
Martha Pettit, Deputy City Clerk  
Alida Tari, Council/Committee Coordinator

The regular meeting of Council convened at 7:14 PM on June 11, 2014 in the Council Chamber. Mayor Frank Scarpitti presided.

## **1. DISCLOSURE OF PECUNIARY INTEREST**

- (1) Councillor Valerie Burke disclosed an interest with respect to Motion Item No. 1 titled "Area of Thornhill Covered by By-Law 77-73" as she has a family owned business in the Thornhill area and did not take part in the discussion or vote on this matter.

**2. MINUTES****(1) COUNCIL MINUTES – MAY 27, 2014**[Minutes](#)

Moved by Councillor Alex Chiu

Seconded by Councillor Carolina Moretti

- 1) That the Minutes of the Council Meeting held on May 27, 2014, be adopted.

**Carried**

Council consented to replace the word "Abstained" under "Recorded Vote" with the word "Conflict" in Page 15 of the Council Minutes dated May 27, 2014.

**3. PRESENTATIONS**

There were no presentations.

**4. DELEGATIONS**

- (1) DELEGATION - BY-LAW 2014-78  
(ADMINISTRATIVE AMENDMENTS TO  
WATER METER BY-LAW 2012-242) (5.3)

Moved by Councillor Logan Kanapathi

Seconded by Regional Councillor Joe Li

That the delegation of Barbara Sampson with respect to the proposed By-law 2014-78, a by-law to amend Water Meter By-law 2012-242 related to enforcement purposes, be received.

**Carried**

(2) DELEGATIONS - MOTION TITLED "AREA OF THORNHILL COVERED BY BY-LAW 77-73"(10.0)

Moved by Councillor Logan Kanapathi  
Seconded by Regional Councillor Joe Li

That the following delegations regarding the motion titled "Area of Thornhill Covered by By-Law 77-73" be received:

1. Mike Papapetrou, Auto Trust Technician, in support of the proposed motion.
2. Brian Magee, on behalf of Michael Dankev, in support of the proposed motion.
3. Brian Magee, Raywal Cabinets/Green Lane Business Group, in support of the proposed motion.
4. Lorne Kumer, Granite REIT, in support of the proposed motion.
5. Srdjana Jaksic, on behalf of Brian Gordon, provided comments.
6. Angela Papapetrou, in support of the proposed motion.
7. Angela Papapetrou, on behalf of Sam and Jas Sehota of Birkshire Automobiles, in support of the proposed motion.
8. Willem Tiemersma, resident/business owner of Willand Ltd., in support of the proposed motion.
9. Alena Gotz, in support of the proposed motion in principle.
10. Srdjana Jaksic, requested that Council defer the proposed motion until September 2014.

**Carried**

**5. PETITIONS**

There were no petitions.

**6(A) REPORT NO. 24 - GENERAL COMMITTEE (June 9, 2014)**

Moved by Councillor Carolina Moretti

Seconded by Councillor Alan Ho

That Report No. 24 – General Committee comprised of 5 items be received and adopted.

(1) STATUS OF CAPITAL PROJECTS  
AS OF APRIL 30, 2014 (7.5)

[Report](#) [Attachments](#)

- 1) That the report entitled “Status of Capital Projects as of April 30, 2014” be received; and,
- 2) That the amount of \$4,823,179 from the closure of capital projects be transferred to the sources of funding as listed on Exhibit A; and,
- 3) That the closure of projects as outlined in Exhibit B and C be approved; and,
- 4) That the Non-DC Capital Contingency Project be topped up, from the Life Cycle Replacement and Capital Reserve, by \$362,143 to the approved amount of \$250,000; and,
- 5) That the Engineering Capital Contingency Project be topped up, from the City-Wide Hard Development Charges (DC) Reserve, by \$69,078 to the approved amount of \$100,000; and,
- 6) That the Design Capital Contingency Project be topped up, from the Development Charges (DC) Reserve, by \$74,475 to the approved amount of \$100,000; and,
- 7) That the Waterworks Capital Contingency Project be topped up, from the Waterworks Stabilization/Capital Reserve, by \$46,666 to the approved amount of \$100,000; and,
- 8) That the shortfall of \$139,233.06 from the Award of Tender 079-T-14 8100 Warden Data Centre Retrofit be funded from the appropriate surplus funds being returned from closed capital projects; and,

- 9) That the funding for the following parcels of land be changed to the corresponding reserves; and further,

Parcel	Original Funding	Recommended Funding
16 Main Street, Unionville (Pan Am Site)	General Portfolio Investment Balance	Land Acquisition Reserve Fund 50.8% Development Charges Reserves 44.3% Non-DC Growth Reserve Fund 4.9%
Karachi Drive (former site for South East Community Centre & Library)	Development Charges Reserves 90% Non-DC Growth Reserve Fund 10%	Parks 5% Cash-in-lieu Reserve Fund 76.5% Land Acquisition Reserve Fund 23.5%
YMCA Blvd (NW corner of Kennedy Rd and 407)	Development Charges Reserves 90% Non-DC Growth Reserve Fund 10%	Land Acquisition Reserve Fund
160 Dudley Ave (former St. Luke's Catholic School land)	Parks 5% Cash-in-lieu Reserve Fund	Land Acquisition Reserve Fund

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

**Carried**

- (2) ONTARIO ICE STORM  
ASSISTANCE PROGRAM –  
EXPRESSION OF INTEREST (5.7)  
[Report](#) [Attachments](#)

- 1) That the report dated June 11<sup>th</sup>, 2014 entitled “Ontario Ice Storm Assistance Program – Expression of Interest” be received; and,
- 2) That the City submit an expression of interest for assistance under the Ontario Ice Storm Assistance Program with evidence to support ice damage and estimates of ice storm costs by June 16, 2014; and,
- 3) That the Treasurer or his delegate be authorized to submit claims on behalf of the City; and further,
- 4) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**Carried**

## (3) AWARD OF TENDER 079-T-14

8100 WARDEN DATA CENTRE RETROFIT (7.12)

[Report](#)

- 1) That the report entitled “Award of Tender 079-T-14 8100 Warden Data Centre Retrofit” be received; and,
- 2) That the contract for the 8100 Warden Data Centre Retrofit be awarded to the lowest priced bidder, Climatemp Systems (2009) Ltd., in the amount of \$580,192.78 inclusive of HST impact; and,
- 3) That a contingency in the amount of \$58,019.28 (10%), inclusive of HST impact be established to cover any additional construction costs and that the Director of Asset Management be authorized to approve expenditures of this contingency amount up to the specified limit in accordance with the Expenditure Control Policy; and,
- 4) That the award be funded from the ITS Capital Account 049-6900-14083-005 “IT Disaster Recovery (Business Continuity)”;
- 5) That the funding shortfall in the amount of \$139,233.06 be funded from the appropriate surplus funds being returned from closed capital projects as identified in the report titled “Status of Capital Projects as of April 30<sup>th</sup>, 2014”; and further,
- 6) That staff be authorized and directed to do all things necessary to give effect to this resolution.

**Carried**

## (4) AWARD OF CONTRACT 285-R-13,

MARKHAM PUBLIC LIBRARY MATERIAL AND  
PROCESSING SERVICES (7.12)[Report](#)

- 1) That the report entitled “Award of Contract 285-R-13 Markham Public Library Material & Processing Services” be received; and,
- 2) That contract 285-R-13 include the Annual Library collection and Opening Day collection for South East Branch scheduled to open in Q4 2015; and,

- 3) That contract 285-R-13 be awarded to the highest ranked and lowest priced bidder Library Services Centre (“LSC”) for English and French materials in the total amount of \$6,343,475.62 inclusive of HST for a period of four (4) years, seven months for the following:

Section A: Annual Collection for the seven (7) current branches

- English & French materials
  - o 2014 June – December \$ 749,164.71
  - o 2015 January – December \$1,130,133.33
  - o 2016 January – December \$1,130,133.33
  - o 2017 January – December \$1,152,736.00
  - o 2018 January – December \$1,175,790.72

Section B: Opening Day Collection for South East Branch Q4 2015

- English & French materials \$1,005,517.53; and,

- 4) That contract 285-R-13 be awarded to the highest ranked and second lowest priced bidder Library Services Centre (“LSC”) for multilingual materials (Asian and European language materials) in the amount of \$1,556,226.92 inclusive of HST for a period of four (4) years, seven months for the following:

Section A: Annual Collection for the seven (7) current branches

- Multilingual materials – Asian and European language materials
  - o 2014 June – December \$185,674.41
  - o 2015 January – December \$280,094.40
  - o 2016 January – December \$280,094.40
  - o 2017 January – December \$285,696.29
  - o 2018 January – December \$291,410.22

Section B: Opening Day Collection for South East Branch Q4 2015

- Multilingual materials – Asian and European language materials \$233,257.20; and,

- 5) That contract 285-R-13 be awarded to the highest ranked and lowest priced bidder Chinese Publications for Canadian Libraries Ltd. ("CPCL") for Chinese only multilingual materials in the amount of \$1,792,628.43 for a period of four (4) years, seven months for the following:

Section A: Annual Collection for the seven (7) current branches

- Multilingual materials – Chinese only
  - o 2014 June – December \$218,212.46
  - o 2015 January – December \$329,178.84
  - o 2016 January – December \$329,178.84
  - o 2017 January – December \$332,470.63
  - o 2018 January – December \$335,795.34

Section B: Opening Day Collection for South East Branch Q4 2015

- Multilingual materials – Chinese only \$247,792.32; and,
- 6) That the award for the seven (7) current branches from June – December 2014 in the amount of \$1,153,051.58 (\$749,164.71 + \$185,674.41 + \$218,212.46) inclusive of HST be funded from account # 076-5350-14172-005 - Library Collections as detailed in the Financial Considerations; and,
- 7) That the award for the seven (7) current branches from year 2015 – 2018 (January –December) be funded from the respective years' capital budget accounts, subject to Council approval of the annual capital budgets; and,
- 8) That the Library Board be permitted on a one-time basis only to expend the remaining balance of \$192,490.42 in the 2014 Library Capital Budget account #076-5350-14172-005 "Library Collections" on additional French and multilingual materials to meet annual Library collection requirements; and,
- 9) That the award for the Southeast Branch Opening day collection in the amount of \$1,486,567.05 (\$1,005,517.53 + \$233,257.20 + \$247,792.32) inclusive of HST be funded from account #070-5350-13892-005 - SECC&L - Library Collection as detailed in the Financial Considerations; and,
- 10) That the remaining balance in the amount of \$833,932.95 be returned to original funding source from the Opening Day Library Collections – South East, Account #070-5350-13892-005 - SECC&L - Library Collection; and,
- 11) That the Director of Administration for the Markham Public Library, have the authority to re-allocate contract amounts to the Library collection accounts (listed in financial considerations section) within the budget limit of each account to adapt to publishing trends, change in material formats and community needs; and,



- 12) That Staff be authorized to amend the purchase order amounts in years 2015 – 2018 to reflect potential changes to the Markham Public Library operating budget accounts as approved by Council during the annual budgeting process; and further,
- 13) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**Carried**

(5) NEW BUILDING CANADA PLAN -  
INFRASTRUCTURE FUND APPLICATION (5.0)  
[Report](#) [Attachments](#)

- 1) That the report “New Building Canada Plan - Infrastructure Fund Application” be received; and,
- 2) That staff be authorized to apply for infrastructure funding for Markham’s flood control program to the Ministry of Infrastructure as soon as applications are formally accepted; and,
- 3) That a copy of this staff report and Council’s approval, be forwarded to the Ministry of Infrastructure, signaling that Markham’s Flood Control Program is a priority and that Markham intends to apply for funding for it under the New Building Canada Plan – Infrastructure Fund; and,
- 4) That staff report back on how to allocate the funds if a favourable response is received from the Ministry of Infrastructure; and further,
- 5) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**Carried**

**6(B) REPORT NO. 25 - DEVELOPMENT SERVICES COMMITTEE  
(June 10, 2014)**

Moved by Regional Councillor Jim Jones  
Seconded by Councillor Don Hamilton

That Report No. 25 – Development Services Committee comprised of 6 items be received and adopted.

- (1) HUMAN SERVICES PLANNING BOARD  
OF YORK REGION (HSPB-YR):  
COLLABORATIVE ADVOCACY: CREATING THE  
CONDITIONS TO INCREASE THE SUPPLY OF PRIVATE  
MARKET RENTAL HOUSING OPTIONS (10.0)  
[Presentation](#)

- 1) That the presentation provided by Regional Councillor John Taylor, Town of Newmarket, Co-Chair, Human Services Planning Board entitled "Human Services Planning Board of York Region (HSPB-YR)" be received; and,
- 2) That the City of Markham endorse the “Make Rental Happen” plan of the Human Services Planning Board of York Region (HSPB-YR).

**Carried**

- (2) INFORMATION REPORT  
APPLICATION FOR SITE PLAN APPROVAL  
BY NORTH MARKHAM 404 GROUP LTD.  
TO PERMIT A 51,000 M<sup>2</sup> WAREHOUSE AND  
OFFICE DEVELOPMENT ON THE WEST SIDE OF HONDA BOULEVARD  
NORTH OF THE WOODBINE BY-PASS, SOUTH OF THE EXISTING  
HONDA CANADA PLANT, WITHIN THE HIGHWAY 404  
NORTH PLANNING DISTRICT (PRE 14 119 122) (10.6)  
[Report](#)

- 1) That the report titled “INFORMATION REPORT: Application for Site Plan Approval by North Markham 404 Group Ltd., to permit a 51,000 m<sup>2</sup> warehouse and office development on the west side of Honda Boulevard, north of the Woodbine By-pass, south of the existing Honda Canada Plant, within the Highway 404 North Planning District;”, be received; and,

- 2) That the Mayor and Clerk be authorized to enter into a Road Construction and Conveyance Agreement, registered on title against the lands at the Owner's expense securing the timing and construction of the roads, including the provision of financial securities to guarantee construction of the roads to the satisfaction of the Director of Engineering and City Solicitor; and further,
- 3) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**Carried**

(3) PROPOSED GENERAL HOUSEKEEPING  
BY-LAW AMENDMENTS RESPECTING  
VARIOUS PROVISIONS IN THE CITY OF MARKHAM  
ZONING BY-LAWS  
(FILE NUMBERS: ZA 12-107844 AND ZA 12-109460) (10.5)  
[Memo](#)

- 1) That the Memorandum dated June 10, 2014, regarding “Proposed General Housekeeping By-law Amendments respecting Various Provisions in the City of Markham Zoning By-laws, File Numbers: ZA 12-107844 and ZA 12-109460”, be received; and,
- 2) That the Draft Zoning By-law amendment, to amend the Height definitions in the City of Markham Zoning By-laws, be deferred; and,
- 3) That the Draft Zoning By-law amendment, to amend the Lot Coverage definitions in the City of Markham Zoning By-laws, be approved, as per the attached Appendix ‘A’, and be finalized and enacted without further notice; and further,
- 4) That staff be authorized and directed to do all things necessary to give effect to this resolution.  
(By-law 2014-83)

**Carried**

(4) SERVICING ALLOCATION UPDATE (5.3, 5.5)

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

- 1) That the report dated June 10, 2014, titled “Servicing Allocation Update”, be received; and,
- 2) That Council authorize Staff to distribute “Current” and 2015 allocation to those developments proceeding to a building permit within a reasonable time frame at either Site Plan Endorsement Stage, Draft Plan of Subdivision Approval stage or other stage of lot creation and to notify the Region of York of servicing allocation distribution; and,
- 3) That Council authorize Staff to distribute 2017/18 allocation and any additional allocation distributed to Markham by the Region to those developments ready to proceed; and,
- 4) That Council authorizes Staff to submit to the Region the tracking and monitoring report attached as Attachment D; and,
- 5) That Staff report back to Committee upon finalization of the Region’s Guidelines for their new Sustainable Development through LEED program and their Servicing Incentive Program and Markham’s own Sustainable Guidelines and Standards; and further,
- 6) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**Carried**

(5) RECOMMENDATION REPORT

CABOTO MEADOWS INC.

311 & 313 HELEN AVENUE

DRAFT PLAN OF SUBDIVISION APPLICATION

TO PERMIT A TOTAL OF 14 NEW DWELLINGS AND

TWO PART LOTS FRONTING ONTO THE CABOTO TRAIL EXTENSION

FILE NOS. OP/ZA & SU 13 127998 (10.7)

[Report](#)

- 1) That the report entitled “RECOMMENDATION REPORT, Caboto Meadows Inc., 311 & 313 Helen Avenue, Draft Plan of Subdivision application to permit a total of 14 new dwellings and two part lots fronting onto the Caboto Trail extension, File Nos. OP/ZA & SU 13 127998,” be received; and,

- 2) That the Director of Planning and Urban Design, or his designate, be delegated authority to issue draft plan approval, subject to conditions set out in Appendix 'A', as may be amended by the Director of Planning and Urban Design or his designate; and,
- 3) That Council authorize servicing allocation for 15.5 semi-detached units (47 population) and 0.5 single-detached units (2 population), and that the Owner provide a clearance letter from the Trustee of the South Unionville Landowners Group, confirming that there is adequate servicing allocation for 15.5 semi-detached units (47 population) and 0.5 single-detached units (2 population) within the servicing allocation assigned to South Unionville; and,
- 4) That the City reserves the right to revoke or reallocate the servicing allocation should the development not proceed in a timely manner; and,
- 5) That the draft plan approval for plan of subdivision 19TM-13006 will lapse after a period of three (3) years from the date of issuance in the event that a subdivision agreement is not executed within that period; and further,
- 6) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**Carried**

(6) MAIN STREET MARKHAM NORTH  
HIGHWAY 7 TO STATION STREET  
PARKING BY-LAW AMENDMENT (5.12)  
[Report](#)

- 1) That the report entitled "Main Street Markham North, Highway 7 to Station Street, Parking By-Law Amendment" be received; and,
- 2) That Schedule 'C' of Parking by-law 2005-188, be amended by rescinding any existing parking restrictions on Main Street Markham North, between Highway 7 and Station Street; and,
- 3) That Schedule 'C' of Parking by-law 2005-188, be amended by prohibiting parking at specified locations on Main Street Markham North, between Highway 7 and Station Street; and,

- 4) That Schedule 'D' of Parking by-law 2005-188, be amended by rescinding any existing parking restrictions on Main Street Markham North, between Highway 7 and Station Street; and,
- 5) That Schedule 'D' of Parking by-law 2005-188, be amended by restricting parking at specified locations on Main Street Markham North, between Highway 7 and Bullock Drive; and,
- 6) That staff monitor the parking demands with the BIA and report back if any further parking restrictions are required; and further,
- 7) That staff be authorized and directed to do all things necessary to give effect to this resolution.  
(By-laws 2014-81 and 2014-82)

**Carried**

## **7. MOTIONS**

- (1) AREA OF THORNHILL COVERED BY BY-LAW 77-73 (10.0)  
[Appendix - Area Map](#)

Discussion on the matter ensued.

Moved by Regional Councillor Jim Jones

Seconded by Regional Councillor Gord Landon

Whereas this part of Thornhill is and has been in transition for a number of years and contains a wide range of low density employment lands with at least one landowner under contract to sell; and,

Whereas the ongoing and protracted process between local businesses and residents to reach a satisfactory agreement for land use has been unsuccessful and has caused a great deal of discord in the area; and,

Whereas there is the possibility that with a comprehensive and sophisticated level of urban planning, all stakeholders could see their land use priorities realized to their satisfaction; and,

Whereas these lands are in a very strategic location with frontage on Green Lane/John Street, and abutting two rail lines, one of which is the Go Line from Richmond Hill to Union Station, as well as being contiguous to, or a short distance from low and medium density residential uses; and,

Whereas the Go Line from Richmond Hill has been identified as a line to be converted into quiet Electric or High Efficiency Diesel Commuter Trains running at frequent intervals; and,

Whereas this line has the potential, with new drive train technology, to have a number of new stops added at Elgin Mill Road, Major Mackenzie Road, 16<sup>th</sup> Ave, Green Lane/John Street, Steeles Ave, Finch Ave, Eglinton Ave, Bloor Street and Queen Street; and,

Whereas this 85+ Acres is a strategic parcel for residential infill and intensification, as well as for a significant increase in non-industrial employment opportunities for the residents of Markham; and,

Whereas there are few locations of this size in the GTA available for both residential intensification and non-industrial employment opportunities, leading to the conclusion that these lands should be thoroughly studied with the intent of having a Comprehensive Secondary Plan; and,

Whereas for proper urban planning, it is extremely important that prior to any new development occurring a comprehensive road network and land use plan be established; and,

Whereas it is in the interest of the City, local businesses, and local residents to have this plan cover all of the relevant lands and have an interactive process involving landowners, ratepayers, GO, YRT and VIVA and professional world class urban design consultants;

Now therefore be it resolved:

- 1) That staff be directed to report back on an estimated cost for the studies, timing and potential financial resources; and,
- 2) That Staff engage consultants determined by Staff to be necessary, such as urban design architects, transportation planners and engineers, landscape architects to complete a secondary plan study for the lands shown on the attached Appendix.

**Carried by a recorded vote (8:4)**

(See following recorded vote)

(Councillor Valerie Burke abstained due to conflict noted below)

YEAS: Councillor Don Hamilton, Councillor Carolina Moretti, Regional Councillor Joe Li, Regional Councillor Jim Jones, Regional Councillor Gord Landon, Councillor Colin Campbell, Councillor Logan Kanapathi, Councillor Alex Chiu. (8)

NAYS: Councillor Howard Shore, Mayor Frank Scarpitti, Deputy Mayor Jack Heath, Councillor Alan Ho. (4)

CONFLICT: Councillor Valerie Burke (1)

Councillor Valerie Burke disclosed an interest with respect to Motion Item No. 1 titled "Area of Thornhill Covered by By-Law 77-73" as she has a family owned business in the Thornhill area and did not take part in the discussion or vote on this matter.

Council consented to the following:

Delete the following proposed recommendation:

- "1) That Staff engage consultants determined by Staff to be necessary, such as urban design architects, transportation planners and engineers, landscape architects to complete a secondary plan study for the lands shown on the attached Appendix; and,
- 2) That staff report back on the cost of the studies referred to above with options for recovery of those costs."

and replace with the following revised proposed recommendation:

- "1) That staff be directed to report back on an estimated cost for the studies, timing and potential financial resources; and,
- 2) That Staff engage consultants determined by Staff to be necessary, such as urban design architects, transportation planners and engineers, landscape architects to complete a secondary plan study for the lands shown on the attached Appendix."

Note: The motion titled "Area of Thornhill Covered by By-Law 77-73" was given to Council at its meeting held on May 27, 2014.

## **8. NOTICES OF MOTIONS**

There were no notices of motions.



## 9. COMMUNICATIONS

Moved by Councillor Alex Chiu

Seconded by Councillor Colin Campbell

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

### Referred to all Members of Council

31-2014 LIQUOR LICENCE APPLICATION FOR CONGEE QUEEN, 230  
COMMERCE VALLEY DRIVE EAST (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 areas previously licenced).

**Carried**

32-2014 SPECIAL OCCASION LIQUOR PERMIT FOR GREEK ORTHODOX  
COMMUNITY OF MARKHAM (WARD 6) (3.21)

[Letter](#)

Requesting an approval from the City of Markham to designate their Annual Greek Summer Festival being held from July 18 to 20 and 25 to 27, 2014 at 11359 Warden Avenue as an event of Municipal Significance. The City's designation is a requirement of the Alcohol and Gaming Commission of Ontario (AGCO) to support the application of a Special Occasion Liquor Permit.

**Carried**

33-2014 SPECIAL OCCASION LIQUOR PERMIT FOR MARKHAM FAIR (WARD 4)  
(3.21)

[Letter](#)

Requesting an approval from the City of Markham to designate the Markham Fair being held from October 2 to 5, 2014 at 10801 McCowan Road as an event of Municipal Significance. The City's designation is a requirement of the Alcohol and Gaming Commission of Ontario (AGCO) to support the application of a Special Occasion Liquor Permit.

**Carried**

- 34-2014 LIQUOR LICENCE APPLICATION FOR TANGERINE EXPRESS HAKKA CUISINE, 7393 MARKHAM ROAD, UNITS 86 & 87 (WARD 7) (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**

- 35-2014 ROAD CLOSURE REQUEST – NIGHT IT UP (3.5)

[Info](#)

The following roads will be closed to facilitate the event during the dates and times noted:

Road Closure

- Town Centre Blvd between Wallis Way and Cox Blvd - both sides

Date and time:

- Friday July 11, 2014 (6:30 PM to 11:59 PM)
- Saturday July 12, 2014 (2:30 PM to 11:59 PM)
- Sunday July 13, 2014 (2:30 PM to 8:00 PM)

**Carried**

**Received**

- 36-2014 MEMORANDUM - HOLD REMOVAL BY-LAW FOR H & W DEVELOPMENT CORPORATION, PHASE 2, 33 CLEGG ROAD AND 38 CEDARLAND DRIVE (10.0)

[Memo](#)

Memorandum dated June 11, 2014 from the Commission of Development Services providing information regarding the application for H & W Development Corporation, Phase 2, 33 Clegg Road and 38 Cedarland Drive, and recommending the enactment of the proposed Hold Removal By-law with respect thereto.

(By-law 2014-80)

## **10. PROCLAMATIONS**

### **(1) PROCLAMATION REQUESTS (3.4)**

Moved by Councillor Alex Chiu

Seconded by Councillor Don Hamilton

- 1) That the following new requests for proclamation, issued by the City Clerk in accordance with the City of Markham Proclamation Policy, be received and added to the Five-Year Proclamations List approved by Council:
  - Recreation & Parks Month (June 2014)
  - National Health & Fitness Day (June 7, 2014); and,
- 2) That the following proclamation, issued by the City Clerk in accordance with the City of Markham Proclamation Policy, be received for information purposes:
  - International Day Against Drug Abuse and Illicit Trafficking (June 26, 2014).

**Carried**

## **11. NEW/OTHER BUSINESS**

### **(1) DEVELOPMENT CHARGE DEFERRAL REQUEST**

- MON SHEONG FOUNDATION (7.11)

[Report](#) [Attachments](#)

This matter was referred from the June 9, 2014 General Committee meeting.

Andy Taylor, Chief Administrative Officer, provided a verbal update on the status of the development charge deferral for Mon Sheong Foundation.

Mark Visser, Senior Manager, Financial Strategies & Investments, provided a verbal estimate of the indexed rate for the development charge deferral.

Moved by Councillor Alex Chiu

Seconded by Regional Councillor Gord Landon

- 1) That the report titled “Development Charge Deferral Request – Mon Sheong Foundation” be received; and,

- 2) That Council approve the Development Charge Deferral request; and that the Mayor and Clerk be authorized and directed to enter into an agreement with the applicant to secure the following terms of approval:
  - (a) Phased payment with a defined timeline of not more than three years for full payment of the development charges.
  - (b) Payment of 25% of the total City development charges due for 1 and 2 Sun Yat-Sen Avenue on the issuance of the building permit for the above grade/structural works, with payment of the remaining 75% in three equal annual installments commencing twelve months after issuance of the above grade/structural building permit.
  - (c) Refund of 75% of the Area Specific and City Wide Hard development charges paid at the issuance of the below grade building permit which amounts to \$417,529 (75% of the \$556,705 paid).
  - (d) Provision of security in a form satisfactory to the Treasurer to secure the outstanding development charges obligation; and further,
- 3) That staff be directed to do all things necessary to give effect to these recommendations.

**Carried by a unanimous recorded vote (13:0)**

(See following recorded vote)

(See following to consider the matter)

YEAS: Mayor Frank Scarpitti, Deputy Mayor Jack Heath, Regional Councillor Jim Jones, Regional Councillor Gord Landon, Regional Councillor Joe Li, Councillor Valerie Burke, Councillor Howard Shore, Councillor Don Hamilton, Councillor Carolina Moretti, Councillor Colin Campbell, Councillor Alan Ho, Councillor Logan Kanapathi, Councillor Alex Chiu.  
(13)

Council consented to delete the following proposed recommendation regarding the development charge deferral for Mon Sheong Foundation:

- "1) That the report titled "Development Charge Deferral Request – Mon Sheong Foundation" be received; and,
- 2) That the Development Charge Deferral request in respect of the construction of a Seniors Care Facility at 1 and 2 Sun Yat-Sen Avenue by the Mon Sheong Foundation not be approved; and,

- 3) That, should Council approve the Development Charge Deferral request, the Mayor and Clerk be authorized and directed to enter into an agreement with the applicant to secure the following terms of approval:
- (a) Phased payment with a defined timeline of not more than three years for full payment of the development charges.
  - (b) Payment of 25% of the total City development charges due for 1 and 2 Sun Yat-Sen Avenue on the issuance of the building permit for the above grade/structural works, with payment of the remaining 75% in three equal annual installments commencing twelve months after issuance of the above grade/structural building permit.
  - (c) Refund of 75% of the Area Specific and City Wide Hard development charges paid at the issuance of the below grade building permit which amounts to \$417,529 (75% of the \$556,705 paid).
  - (d) The development charges be calculated and paid at the higher of (1) the rate that is in effect at the time of payment, (2) the indexed rate from the date of building permit issuance, (3) the rate in effect at building permit issuance plus accrued interest at the Bank of Canada Prime Business Rate or (4) the rate in effect at building permit issuance plus the average cost of borrowing through the Region of York, if applicable.
  - (e) Provision of security in a form satisfactory to the Treasurer to secure the outstanding development charges obligation, in the amount of 110% of outstanding development charges (based on a 3 year term) to protect against any increase in the rates; and further,
- 4) That staff be directed to do all things necessary to give effect to these recommendations."

and replace with the following revised proposed recommendation:

- "1) That the report titled "Development Charge Deferral Request – Mon Sheong Foundation" be received; and,
- 2) That Council approve the Development Charge Deferral request; and that the Mayor and Clerk be authorized and directed to enter into an agreement with the applicant to secure the following terms of approval:
  - (a) Phased payment with a defined timeline of not more than three years for full payment of the development charges.

- (b) Payment of 25% of the total City development charges due for 1 and 2 Sun Yat-Sen Avenue on the issuance of the building permit for the above grade/structural works, with payment of the remaining 75% in three equal annual installments commencing twelve months after issuance of the above grade/structural building permit.
  - (c) Refund of 75% of the Area Specific and City Wide Hard development charges paid at the issuance of the below grade building permit which amounts to \$417,529 (75% of the \$556,705 paid).
  - (d) Provision of security in a form satisfactory to the Treasurer to secure the outstanding development charges obligation; and further,
- 3) That staff be directed to do all things necessary to give effect to these recommendations."

Moved by Councillor Alex Chiu

Seconded by Regional Councillor Jim Jones

That Council consider the item titled "Development Charge Deferral Request - Mon Sheong Foundation" immediately following the Presentation Section of the Council Agenda.

Carried

- (2) SPECIAL DEVELOPMENT SERVICES COMMITTEE MEETING  
- JUNE 16, 2014, 7:00 PM  
(KING DAVID INC., 10340, 10350 AND 10370 WOODBINE AVENUE) (16.0)

Moved by Councillor Alan Ho

Seconded by Deputy Mayor Jack Heath

- 1) That a Special Meeting of Development Services Committee be held on June 16, 2014, 7:00 pm, to discuss the matter of King David Inc., 10340, 10350 and 10370 Woodbine Avenue.

**Carried by a 2/3 vote of Council Members present**

(3) DEVELOPMENT CHARGE POLICES REVIEW (7.11)

Moved by Deputy Mayor Jack Heath

Seconded by Regional Councillor Gord Landon

- 1) That staff review the policies with respect to deferral and/or exemption of development charges for affordable housing projects and non-profit health care facilities.

**Carried by a 2/3 vote of Council Members present**

**12. BY-LAWS**

Moved by Councillor Alex Chiu

Seconded by Councillor Logan Kanapathi

That By-laws 2014-73 to 2014-77 and 2014-80 to 2014-83 be given three readings and enacted.

**Carried**

Moved by Councillor Alex Chiu

Seconded by Councillor Logan Kanapathi

That By-law 2014-78 be given three readings and enacted.

**Carried**

**Three Readings**

BY-LAW 2014-73     ARISTA HOMES UNIONVILLE 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, Lots 78, 79, 260 to 264 inclusive, 272, 273, 297 and 298; and Blocks 340 to 348 inclusive, 353, 361, 385 and 386, Plan 65M-4398, east of Kennedy Road and north of 16<sup>th</sup> Avenue in the Berczy Village Secondary Plan area.

**Carried**

- BY-LAW 2014-74    VISPANIA HOME 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, Lots 1, 2, 162, 163, 175, 176, 186, 187, 234, 235, 236, 246, 247, 310, 315, 316, 317, 323 and 324; and Blocks 325 to 333 inclusive, 356, 357 and 362, Plan 65M-4398, east of Kennedy Road and north of 16<sup>th</sup> Avenue in the Berczy Village Secondary Plan area.  
**Carried**
- BY-LAW 2014-75    MATTAMY (WYKLAND) LIMITED, 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, Block 1, Plan 65M-4406, west of Cornell Centre Boulevard and north of Highway 7, in the Cornell Community.  
**Carried**
- BY-LAW 2014-76    ROAD DEDICATION BY-LAW (ANNINA CRESCENT)  
[By-law](#)  
A by-law to dedicate certain lands as part of the highways of the City of Markham (Block 184, Plan 65M-3246 - Annina Crescent)  
**Carried**
- BY-LAW 2014-77    PRISTINE HOMES (GREENSBOROUGH) 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, Blocks 34 and 35, Plan 65M-4334, north of Donald Cousens Parkway, south of Major Mackenzie Drive East and west of 9<sup>th</sup> Line, within the Greensborough community.  
**Carried**
- BY-LAW 2014-78    A BY-LAW TO AMEND WATER METER BY-LAW 2014-242 (ADMINISTRATIVE AMENDMENTS)  
[By-law](#)  
**Carried**



- BY-LAW 2014-80     H & W DEVELOPMENT CORPORATION, PHASE 2, 33 CLEGG ROAD AND 38 CEDARLAND DRIVE, HOLD REMOVAL BY-LAW  
[By-law](#)  
A by-law to amend By-law 2004-196, as amended, to permit construction of the second phase of the proposed apartment development.  
(Communication No. 36-2014)  
**Carried**
- BY-LAW 2014-81     A BY-LAW TO AMEND PARKING BY-LAW 2005-188, SCHEDULE "C" PERTAINING TO "NO PARKING" (MAIN STREET MARKHAM NORTH HIGHWAY 7 TO STATION STREET PARKING RESTRICTIONS).  
(Item No. 6, Report No. 25)  
[By-law](#)  
**Carried**
- BY-LAW 2014-82     A BY-LAW TO AMEND PARKING BY-LAW 2005-188, SCHEDULE "D" PERTAINING TO "RESTRICTED PARKING" (MAIN STREET MARKHAM NORTH HIGHWAY 7 TO STATION STREET PARKING RESTRICTIONS).  
(Item No. 6, Report No. 25)  
[By-law](#)  
**Carried**
- BY-LAW 2014-83     GENERAL HOUSEKEEPING ZONING BY-LAW AMENDMENTS (LOT COVERAGE).  
(Item No. 3, Report No. 25)  
[By-law](#)  
**Carried**

**13. IN-CAMERA ITEMS**

Moved by Councillor Don Hamilton

Seconded by Councillor Alex Chiu

That, in accordance with Section 239 (2) of the *Municipal Act*, Council resolve into an in-camera session to discuss the following matters (9:51 PM):

- (1) MINUTES OF IN-CAMERA COUNCIL MEETING  
- MAY 15 AND 27, 2014 (16.0)  
[Section 239 (2) (b) (c) (d) (e) (f)]

**General Committee – June 9, 2014**

- (2) PERSONAL MATTERS ABOUT AN IDENTIFIABLE INDIVIDUAL, INCLUDING MUNICIPAL OR LOCAL BOARD EMPLOYEES  
(BOARD/COMMITTEE APPOINTMENTS AND RESIGNATIONS) (16.24)  
[Section 239 (2) (b)]
- (3) A PROPOSED OR PENDING ACQUISITION OR DISPOSITION OF LAND BY THE MUNICIPALITY OR LOCAL BOARD (WARD 4) (7.0 & 16.11)  
[Section 239 (2) (c)]
- (4) PERSONAL MATTERS ABOUT AN IDENTIFIABLE INDIVIDUAL, INCLUDING MUNICIPAL OR LOCAL BOARD EMPLOYEES AND ADVICE THAT IS SUBJECT TO SOLICITOR-CLIENT PRIVILEGE, INCLUDING COMMUNICATIONS NECESSARY FOR THAT PURPOSE  
(MEMBER OF A BOARD/COMMITTEE) (3.0)  
[Section 239 (2) (b) (f)]

**Development Services Committee – June 10, 2014**

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

- (6) LITIGATION OR POTENTIAL LITIGATION, INCLUDING MATTERS BEFORE ADMINISTRATIVE TRIBUNALS, AFFECTING THE MUNICIPALITY OR LOCAL BOARD (WARD 7) (8.0)  
[Section 239 (2) (e)]

**Carried**

Moved by Regional Councillor Jim Jones  
Seconded by Councillor Valerie Burke

That Council rise from the in-camera session. (10:03 PM)

**Carried**

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

- (1) MINUTES OF IN-CAMERA COUNCIL MEETING  
- MAY 15 AND 27, 2014 (16.0)

Moved by Regional Councillor Jim Jones  
Seconded by Regional Councillor Gord Landon

- 1) That the Council In-camera Minutes dated May 15 and 27, 2014 be confirmed.

**Carried**

## (2) BOARD/COMMITTEE APPOINTMENTS AND RESIGNATIONS (16.24)

Moved by Regional Councillor Jim Jones

Seconded by Regional Councillor Gord Landon

- 1) That the following appointments to the Markham Village Train Station Community Centre Board be confirmed:

<u>Name</u>	<u>Term</u>
Dianne More	May 31, 2015
Ken Rudy	May 31, 2015
Donna Wigmore	May 31, 2015
Mari Lin Van Zetten	May 31, 2015
Theo Rothe	May 31, 2015
Dorothy Gilbert	May 31, 2015
Linaire Armstrong	May 31, 2015
Annette Ali	May 31, 2015
Ina Campbell	May 31, 2015
Mathew Harris	May 31, 2015
Karen Harris	May 31, 2015; and,

- 2) That the resignation of Muhammad Zahid Rashid from the Markham Environmental Advisory Committee be received with regret for information purposes and that a letter of appreciation be forwarded by Mayor Frank Scarpitti; and,
- 3) That the resignation of Rosemary Donegan from the Varley-McKay Art Foundation of Markham be received with regret for information purposes and that a letter of appreciation be forwarded by Mayor Frank Scarpitti; and further,
- 4) That the resignation of Roger Feng from the Markham Theatre Advisory Board be received with regret for information purposes and that a letter of appreciation be forwarded by Mayor Frank Scarpitti.

**Carried**

- (3) PROPERTY MATTER RELOCATION OF THE  
JAMES BRANDER HOUSE TO MARKHAM  
HERITAGE ESTATES JACOB VAN HALTEREN,  
APPLICANT FINANCIAL CAPABILITY OF  
APPLICANT/LOT SELECTION (7.0 AND 16.11)

Moved by Regional Councillor Jim Jones

Seconded by Regional Councillor Gord Landon

- 1) That the report on financial capability and lot selection for the applicant, Jacob Van Halteren, to purchase a lot and relocate and restore the James Brander House at Markham Heritage Estates be received; and,
- 2) That Lot 34, Plan 65M-2761, City of Markham, Regional Municipality of York (2 Alexander Hunter Place, Markham Heritage Estates) be declared surplus to the City's needs; and,
- 3) That notice of the proposed sale of the above lands be placed on the next Council agenda, or subsequent date; and,
- 4) That the Mayor and Clerk be authorized to execute an Agreement of Purchase and Sale between Jacob Van Halteren and the City of Markham including any other documentation required to give effect to these recommendations in a form satisfactory to the City Solicitor; and further,
- 5) That Staff be authorized and directed to take the actions set out in this report.

**Carried**

(4) PERSONAL MATTERS ABOUT AN IDENTIFIABLE INDIVIDUAL  
FROM THE UNIONVILLE BUSINESS IMPROVEMENT AREA (3.0)

Moved by Regional Councillor Jim Jones

Seconded by Regional Councillor Gord Landon

- 1) That staff be directed to bring back a report with recommendations to amend By-law 169-83 to establish an appropriate governance model and appropriate control mechanisms in respect of the UBIA/Board of Management ("Board") and that the following be addressed in the report:
  - i) the vision/goals/objectives of the UBIA;
  - ii) the membership eligibility of the UBIA;
  - iii) the appointment of Directors to the Board;
  - iv) the roles/responsibilities of the Board;
  - v) Board vacancies;
  - vi) the roles/responsibilities of the Chair, Vice-Chair, Secretary and Treasurer;
  - vii) signing authority;
  - viii) the procedures to be followed for Board meetings/Membership meetings, including:
    - (a) agendas;
    - (b) minutes (including the requirement for the minutes to reflect whether quorum is established, the times each meeting item is discussed, and the time quorum is lost (if applicable));
    - (c) quorum;
    - (d) voting procedures;
    - (e) delegations;
    - (f) conflict of interest;
    - (g) delegations;
    - (g) exceptions to the open meeting requirement, as set out in Section 239 of the *Municipal Act*;
  - ix) City approval of employee /independent contractor appointments;
  - x) ownership of UBIA assets;
  - xi) insurance provided by the City;
  - xii) services provided by the City; and,
- 2) That Larry Mariani be appointed to the Unionville Business Improvement Area Board of Directors for a term to expire November 30, 2014.

**Carried**

- (5) CONFIDENTIAL REPORT  
MINOR VARIANCE APPEAL  
5697 MAJOR MACKENZIE DRIVE EAST  
MACKENZIE BUILDERS AND DEVELOPERS LTD.  
FILE A/191/13 (8.0, 10.12)

Moved by Regional Councillor Jim Jones  
Seconded by Regional Councillor Gord Landon

- 1) That the report titled “Minor Variance Appeal, 5697 Major Mackenzie Drive East, Mackenzie Builders and Developers Ltd., File A/191/13”, dated June 10, 2014, 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 appellant agrees to request the OMB to implement the staff recommended conditions of approval submitted to the Committee of Adjustment; and further,
- 3) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**Carried**

- (6) CONFIDENTIAL REPORT  
MINOR VARIANCE APPEAL  
7025 MARKHAM ROAD, COR-LOTS DEVELOPMENTS LTD.  
FILE A/19/14 (8.0, 10.12)

Moved by Regional Councillor Jim Jones  
Seconded by Regional Councillor Gord Landon

- 1) That the report titled “Minor Variance Appeal, 7025 Markham Road, Cor-Lots Developments Ltd., File A/19/14”, dated June 10, 2014, 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 Appellant agrees to request the OMB to impose the staff recommended conditions of approval submitted to the Committee of Adjustment; and further,
- 3) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**Carried**

**14. CONFIRMATORY BY-LAW**

Moved by Councillor Alex Chiu

Seconded by Councillor Valerie Burke

That By-law 2014-79 be given three readings and enacted.

**Three Readings**

BY-LAW 2014-79     A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE COUNCIL  
MEETING OF JUNE 11, 2014.

[By-law](#)

**Carried**

**15. ADJOURNMENT**

Moved by Councillor Alex Chiu

Seconded by Councillor Logan Kanapathi

That the Council Meeting be adjourned at 10:06 PM.

**Carried**

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Martha Pettit  
Deputy City Clerk

(Signed)

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Frank Scarpitti  
Mayor