



COUNCIL MINUTES

November 26, 2013, 7:00 p.m.

Council Chamber, Anthony Roman Markham Civic Centre

Meeting No. 26

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
Kimberley Kitteringham, City Clerk
Alida Tari, Council/Committee Coordinator
Graham Seaman, Senior Manager, Sustainability Office

The regular meeting of Council convened at 7:04 p.m. on November 26, 2013 in the Council Chamber. Mayor Frank Scarpitti presided.

1. DISCLOSURE OF PECUNIARY INTEREST

- (1) Councillor Valerie Burke disclosed an interest with respect to In-camera Item No. 4 regarding "Board/Committee Appointments - Thornhill Area Revitalization Working Group" 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 – NOVEMBER 8 AND 12, 2013
[Nov8](#) [Nov12](#)

Moved by Councillor Alex Chiu
Seconded by Councillor Carolina Moretti

- 1) That the Minutes of the Council Meetings held on November 8 and 12, 2013, be adopted.

CARRIED

3. PRESENTATIONS

There were no presentations.

4. DELEGATIONS

There were no delegations.

5. PETITIONS

There were no petitions.

6(a) REPORT NO. 47 - GENERAL COMMITTEE (November 18, 2013)

Moved by Councillor Carolina Moretti

Seconded by Councillor Valerie Burke

That Report No. 47 – General Committee comprised of 11 items be received and adopted, except Item No. 10. See following Item No. 10

(1) STORMWATER FUNDING (5.5)**Presentation**

- 1) That the presentation provided by Rob Muir, Manager of Stormwater, entitled "Stormwater Funding" be received; and,
- 2) That the annual fee revenue target be set at \$6.5 M for the five year project cycle and that the funding requirement be updated every five years to reflect updated project costs estimates, Gas Tax allocation, inflation, growth, administration costs, and revenue collection; and,
- 3) That stormwater fees be charged to all properties with a water account and that staff be authorized to develop the billing system with PowerStream, and to negotiate a contract for account management, billing, revenue collection, and customer support; and,
- 4) That stormwater fee revenue be collected by sector in proportion to city-wide runoff contributions of 60% residential and 40% non-residential; and,
- 5) That the fee flat fee for residential and multi-residential properties units be set at \$36 per unit per year for the first 5 years; and,
- 6) That the variable fee for non-residential properties be set based on a rate of \$21/\$100,000 current value assessment; and,
- 7) That staff report back in q1 2014 on an implementation plan and communications strategy for implementation of the city-wide fee; and further,
- 8) That staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

(2) MINUTES OF THE OCTOBER 28, 2013
BUDGET SUB-COMMITTEE (16.0)

[Minutes](#)

- 1) That the Minutes of the October 28, 2013 Budget Sub-Committee be received for information purposes; and,
- 2) That the following 2014 Celebrate Markham Grants be pre-approved:
 - Tony Roman Hockey Tournament - \$5.4K
 - Chinese New Year Celebration - \$10K
 - Black History Month - \$3K
 - Tamil Heritage/Thai Pongal/Tamil New Year Celebration - \$4K

CARRIED

(3) 2014 E3 INITIATIVES (7.0)

[Report](#)

- 1) That the report dated November 18, 2013 entitled “2014 E3 Initiatives” be received; and,
- 2) That the following new user fees as per Appendix A be implemented effective January 1, 2014:
 - Mortgage Account Administrative Fee
 - Property Tax Overdue Notice Fee
 - Noise Exemption Fee
 - Fence Exemption Fee; and,
- 3) That the following new licence fees as per Appendix A be implemented effective May 1, 2014:
 - Wildlife Licence Fee
 - Food Truck Licence Fee; and,
- 4) That the Director of each respective department be authorized to set future increases annually for only those above user and licence fees based on the change in the Consumer Price Index (Toronto All Items September -September) with such increases effective January 1 and rounded to the nearest half dollar; and,

- 5) That the following user fee and licence fee increases as per Appendix B be implemented effective January 1, 2014:
- Street banner installation
 - Film permits
 - User and licence fees, as per Appendix C, increase by 3.6% in addition to the CPI increase of 1.4% for a total increase of 5%
 - Parking fees at Milne Dam Conservation Park as outlined in Table A with the adult fee to be lowered to \$4.00 and senior's fee lowered to \$3.00 for one year and that staff report back to General Committee after the one year period
 - Picnic site permit fees at Milne Dam Conservation Park as outlined in Table B
 - Sportsfield and artificial turf permit fees as outlined in Table C
 - Legal Department fees; and,
- 6) That 75% (\$721k) of the annual operating budget savings of \$961k from the conversion of LED luminaires be transferred to pay back the capital investment and 25% (\$240k) be incorporated as a reduction to the streetlight hydro operating base budget; and,
- 7) That the financial implications from the 2014 E3 initiatives as outlined in the report totaling \$873k be incorporated into the 2014 Operating Budget; and,
- 8) That By-law 2002-276, a by-law to impose fees and charges for services or activities provided or done by the City of Markham, be amended to reflect the increase in rates; and,
- 9) That By-law 2002-284, a by-law to impose fees and charges for licences provided by the City of Markham, be amended to reflect the increase in rates; and further,
- 10) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

(4) INTERIM SPENDING AUTHORITY
PENDING APPROVAL OF THE 2014
UNIONVILLE AND MARKHAM VILLAGE
BUSINESS IMPROVEMENT AREAS (B.I.A.) BUDGETS (7.4)
[Report](#)

- 1) That the report dated November 18, 2013, entitled “Interim Spending Authority Pending Approval of the 2014 Unionville and Markham Village Business Improvement Areas (B.I.A.) Budgets” be received; and,
- 2) That Council approve 50% of the 2013 Operating Budget equivalent to the amounts of \$118,008 and \$152,104 for the Unionville B.I.A. (UBIA) and Markham Village B.I.A. (MBIA) respectively as pre-budget approval for the 2014 operating expenditures; and further,
- 3) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

(5) TEMPORARY BORROWING BY-LAW 2014 (7.0)
[Report](#)

- 1) That the report “Temporary Borrowing By-law 2014” be received; and,
- 2) That a by-law be brought forward for council approval to authorize the temporary borrowing, if required, of an amount not to exceed \$147,242,732 from January 1, 2014 to September 30, 2014 and \$73,621,366 from October 1, 2014 to December 31, 2014 to meet the expenditures of the municipality until taxes are collected and other revenues are received; and,
- 3) That the Treasurer report to council in advance of borrowing, if temporary borrowing is required; and further,
- 4) That staff be authorized and directed to do all things necessary to give effect to this resolution.
(By-law 2013-184)

CARRIED

(6) INTERIM SPENDING AUTHORITY
PENDING APPROVAL OF 2014 BUDGET (7.0)
[Report](#)

- 1) That the report “Interim Spending Authority pending approval of 2014 Budget”, be received; and,
- 2) That Council approve 50% of the 2013 Operating, Waterworks, Planning & Design, Building Standards and Engineering budgets equal to \$147,242,732 as a pre-budget approval for 2014 operating expenditures; and further,
- 3) Staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

(7) WORKPLACE SAFETY AND INSURANCE BOARD
EXCESS WORKERS COMPENSATION INSURANCE (7.0)
[Report](#)

- 1) That the report “Workplace Safety and Insurance Board (WSIB) Excess Workers Compensation Insurance” be received; and,
- 2) That the City discontinue the purchase of WSIB Excess Workers Compensation Insurance as of January 1, 2014; and,
- 3) That a new WSIB Excess Compensation Reserve Fund be created to fund potential WSIB benefits and administration costs arising out of a single WSIB incident in excess of \$1 million; and,
- 4) That the WSIB Excess Workers Compensation Insurance budget of \$185,000 (2014 proposed budget), included in the Corporate Insurance Premium Account, be annually transferred into the WSIB Excess Compensation Reserve Fund and a 8.1% inflation escalation be added annually to the transfer; and further,
- 5) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

(8) CONTRACT INCREASE 247-R-11
WEST THORNHILL FLOOD CONTROL
IMPLEMENTATION TO INCLUDE
THE WATERMAIN REPLACEMENT DESIGN (7.12)
[Report](#)

- 1) That the report “Contract Increase 247-R-11 West Thornhill Flood Control Implementation to include the Watermain Replacement Design” be received; and,
- 2) That the contract for the preliminary and detailed watermain replacement design for the Bayview Glen area (“Phase 1 - North”) and the preliminary watermain replacement design for the Grandview area (Phase 2) and Canadiana Drive (“Phase 1 - South”) be awarded to R.V. Anderson Associates Ltd. in the amount of \$169,267.58 inclusive of HST; and,
- 3) That a new 2013 Waterworks capital project be established for the West Thornhill Flood Control Implementation Watermain Replacement Design Phase 1 and Phase 2 and be funded in the amount of \$169,267.58 from the Waterworks Stabilization/Capital Reserve; and,
- 4) That the tender process be waived in accordance with Purchasing By-Law 2004-341, Part II, Section 7 Non Competitive Procurement, item 1 (c), which states “When the extension of an existing contract would prove more cost-effective and beneficial”; and further,
- 5) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

(9) 2014 STANDING COMMITTEE/ COUNCIL
MEETING SCHEDULE (16.0)
[Calendar](#)

- 1) That the 2014 Standing Committee/Council Meeting Schedule be approved.

CARRIED

(10) PROPOSED 2014 WATER/WASTEWATER
RATE INCREASE AND 2014 WATERWORKS
OPERATING BUDGET (7.4)

[Report](#)

Moved by Deputy Mayor Jack Heath

Seconded by Councillor Carolina Moretti

- 1) That the staff presentation provided at the November 26, 2013, 6:00 p.m., public meeting on the proposed 2014 Water/Wastewater Rate Increase be received; and,
- 2) That the following be referred to the December 2, 2013 General Committee meeting:

"That the report dated November 18, 2013 entitled "Proposed 2014 Water/Wastewater Rate Increase and 2014 Waterworks Operating Budget" be received; and,

That the 2014 City of Markham's ("City") water/wastewater rate increase be equivalent to the Region of York's ("Region") monetary increase of \$0.1799 per cubic metre (m³) based on the Region's approved increase of 10%; and,

That in addition to the Region's increase, the 2014 water/wastewater rate increase include a surcharge of \$0.0474/m³; and,

That effective April 1, 2014, the 2014 water/wastewater rate will be \$3.0649/m³, an increase of \$0.2273/m³, equivalent to a 8.0% increase compared to prior year; and,

That Council approve the 2014 Waterworks budget that totals \$96,505,681, (excluding the 2013 surplus/deficit), the principal components of which are detailed in Appendix 1; and further,

That Staff be authorized and directed to do things necessary to give effect to this resolution."

CARRIED AS AMENDED

(11) MINUTES OF THE OCTOBER 2, 2013
PUBLIC ART ADVISORY COMMITTEE (16.0)
[Minutes](#)

- 1) That the Minutes of the October 2, 2013 Public Art Advisory Committee be received for information purposes; and,
- 2) That Council endorse the following recommendation passed at the October 2, 2013 Public Art Advisory Committee Meeting:

"That the Markham Public Art Advisory Committee recommend to Markham Council that the art work proposal entitled "Top Garden" for the Markham Southeast Community Centre be accepted as proposed; and,

That the Markham Public Art Advisory Committee recommend to Markham Council that public art for the Pan Am Centre be reviewed by the Markham Public Art Advisory Committee."

CARRIED

**6(b) REPORT NO. 48 - DEVELOPMENT SERVICES COMMITTEE
(November 19, 2013)**

Moved by Regional Councillor Jim Jones
Seconded by Councillor Don Hamilton

That Report No 48 – Development Services Committee comprised of 4 items be received and adopted.

(1) INTENTION TO DESIGNATE A PROPERTY
UNDER PART IV OF THE ONTARIO HERITAGE ACT
THE ARTHUR WAGG HOUSE
10539 KENNEDY ROAD (16.11.3)
[Report](#)

- 1) That the report dated November 19, 2013, entitled "Intention to Designate a Property under Part IV of the *Ontario Heritage Act*, Arthur Wagg House, 10539 Kennedy Road" be received; and,
- 2) That as recommended by Heritage Markham, the Arthur Wagg House – 10539 Kennedy Road, be approved for designation under Part IV of the *Ontario Heritage Act* as a property of cultural heritage value or interest; and,

- 3) That the Clerk's Department be authorized to publish and serve Council's Notice of Intention to Designate as per the requirements of the *Ontario Heritage Act*; and,
- 4) That if there are no objections to the designation in accordance with the provisions of the *Ontario Heritage Act*, the Clerk be authorized to place a designation by-law before Council for adoption; and,
- 5) That if there are any objections in accordance with the provisions of the *Ontario Heritage Act*, the Clerk be directed to refer the proposed designation to the Ontario Conservation Review Board; and,
- 6) That the application to demolish the Arthur Wagg House be denied; and further,
- 7) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

(2) RECOMMENDATION REPORT
KYLEMORE COMMUNITIES (WEST VILLAGE) LTD.
9 AND 15 STOLLERY POND CRESCENT
ANGUS GLEN WEST VILLAGE
APPLICATIONS FOR ZONING BY-LAW AMENDMENT
AND SITE PLAN APPROVAL TO PERMIT PHASE 2 OF A
RESIDENTIAL APARTMENT CONDOMINIUM DEVELOPMENT
(ZA/SC 12 109301) (10.5, 10.6)
[Report](#)

- 1) That the report dated November 5, 2013, entitled "RECOMMENDATION REPORT, Kylemore Communities (West Village) Ltd., 9 and 15 Stollery Pond Crescent, Angus Glen West Village, Applications for Zoning By-law Amendment and Site Plan Approval to permit Phase 2 of a residential apartment condominium development, File No.: ZA/SC 12 109301", be received; and,
- 2) That the application submitted by Kylemore Communities (West Village) Ltd. to amend Zoning By-law 177-96, as amended, be approved and the draft Zoning By-law amendment attached as Appendix "A", be finalized and enacted without further notice; and,
- 3) That the application submitted by Kylemore Communities (West Village) Ltd. for site plan approval be endorsed in principle for Phase 2, subject to the conditions outlined in Appendix "B"; and,

- 4) That site plan approval for Phase 2 be delegated to the Director of Planning and Urban Design or designate, to be issued following execution of a site plan agreement. Site Plan Approval is issued only when the Director or designate has signed the plans; and,
- 5) That the site plan endorsement shall lapse after a period of three (3) years from the date of endorsement in the event that a site plan agreement is not executed within that period; and,
- 6) That servicing allocation for a population of 127.12 persons (56 apartment units) be granted to Kylemore Communities for Phase 2 from the City of Markham 2013 Servicing Allocation distribution; and,
- 7) That the City reserves the right to revoke or reallocate the servicing allocation should the development not proceed in a timely manner; and,
- 8) That the Region of York be advised of the servicing allocation for this development; and further,
- 9) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

(3) HERITAGE EASEMENT AGREEMENTS
FOR HERITAGE PROPERTY TAX REDUCTION PROGRAM (16.11)
[Report](#)

- 1) That the Mayor and Clerk be authorized to execute Heritage Easement Agreements with the property owners identified on Schedule “A” attached to the report dated November 19, 2013, and any other documents required to give effect thereto, in a form satisfactory to the City Solicitor; and,
 - 2) That Staff be authorized and directed to do all things necessary to give effect to this resolution.
- (By-law 2013-185)

CARRIED

- (4) RECOMMENDATION REPORT
DIGRAM DEVELOPMENTS INC.
MAJOR MACKENZIE DRIVE EAST
PART OF LOT 20, CONCESSION 8
DRAFT PLAN OF SUBDIVISION AND
REVISED ZONING BY-LAW AMENDMENT APPLICATIONS
TO PERMIT A 76 UNIT COMMON ELEMENT CONDOMINIUM
TOWNHOUSE DEVELOPMENT
(SU 12 113735 AND ZA12 113735) (10.7, 10.5
[Report](#)

- 1) That the report dated November 19, 2013, entitled “Recommendation Report, Digram Developments Inc., Major MacKenzie Drive East, Part of Lot 20, Concession 8, Draft Plan of Subdivision and revised Zoning By-law Amendment applications to permit a 76 unit Common Element Condominium Townhouse Development, File Nos.: SU 12 113735 and ZA 12 113735”, be received; and,
- 2) That the record of the Public Meeting held on June 11, 2013, regarding the applications for approval of Draft Plan of Subdivision and Zoning By-law Amendment be received; and,
- 3) That Draft Plan of Subdivision 19TM-02011 submitted by Digram Developments Inc. be draft approved subject to the conditions outlined in Appendix ‘A’; and,
- 4) That the Director of Planning and Urban Design, or his designate be delegated authority to issue draft approval, subject to the conditions set out in Appendix ‘A’ as may be amended by the Director of Planning and Urban Design; and,
- 5) That, in accordance with Section 34(17) of the Planning Act R.S.O. 1990, an additional Public Meeting not be held regarding the future minor land exchanges between Digram Developments and the owner of the adjoining lands to the east (Primont Homes); and,
- 6) That the revised application submitted by Digram Developments Inc. to amend Zoning By-law 177-96, as amended, be approved and the draft by-law attached as Appendix ‘B’ be finalized and enacted without further notice; and,
- 7) That 2011/2012 servicing allocation for 76 townhouse units (214.32 population) be granted to Digram Developments Inc. for Plan of Subdivision 19TM-02011 in accordance with the June 26, 2012 Servicing allocation Update Report; and,
- 8) That the City reserves the right to revoke or reallocate the servicing allocation should the development not proceed in a timely manner; and,

- 9) That the Region of York be advised of the servicing allocation for this development; and,
- 10) That the draft plan approval for Plan of Subdivision 19TM-02011 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,
- 11) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

7. MOTIONS

There were no motions.

8. NOTICES OF MOTIONS

There were no notices of motions.

9. COMMUNICATIONS

Moved by Councillor Alex Chiu
Seconded by Councillor Colin Campbell

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

Referred to all Members of Council

67-2013 LIQUOR LICENCE APPLICATION FOR SYMPOSIUM CAFE, 9990
KENNEDY ROAD, BUILDING E, UNIT 1 (WARD 6) (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

68-2013 ROAD CLOSURE REQUEST – MARKHAM SANTA CLAUS PARADE (3.5)
[Info](#)

- The following roads will be closed on November 30, 2013 to facilitate the event:
 - Hwy 7 north of Main St North Markham Parkway Ave (0900 hr – 1300 hr)
 - Hwy 7 east of Wooten Way to west of Hwy 48 (0800 hr – 1300 hr)
 - Wooten Way west of Hwy 7 (0800 hr – 1300 hr)
 - Wideman street north of Hwy 7 (0800 hr – 1300 hr)
 - Christman Court south of Hwy 7 (0800 hr – 1300 hr)
 - Savannah cres north of Hwy 7 (0800 hr – 1300 hr)
 - Jerman Street north of Hwy 7 (0800 hr – 1300 hr)
 - Thomson Court West of Main street (0900 hr – 1300 hr)
 - Washington street north of Hwy 7 (0800 hr – 1300 hr)
 - Albert Street & Hwy 7 (08:00 hr - 1300 hr)
 - Centre Street east of Main street (0900 hr – 1300 hr)
 - Robinson Street west of Main Street (0900 hr – 1300 hr)
 - Albert Street north of Hwy 7 (0800 hr – 1300 hr)
 - Dublin Street west of Main Street (0900 hr – 1300 hr)
 - Robinson Street east of Main St Markham to George St (0700 hr – 1300 hr)
 - Wilson Street west of Main street (0900 hr – 1300 hr)
 - Bullock Drive west of Main Street (0900 hr – 1300 hr)
 - Parkway Avenue east of Main Street (0900 hr – 1300 hr)
 - Ramona Blvd west of George Street (0900 hr - 1300 hr)
 - Reeves Drive (0930 hr – 11:00 hr)
 - Station Street west of Main Street (1000 hr – 1300 hr)
 - Beech St west of Main Street (1000 hr – 1300 hr)
 - Eby Way west of Main Street (1000 hr – 1300 hr)
 - Springdale Ave west of Main Street (1000 hr – 1300 hr)
 - Gleason Ave east of Main Street (1000 hr – 1300 hr)
 - Peter Street, south of 16th Ave (1000 hr – 1300 hr)
 - David Street west of Main St (1000 hr – 1300 hr)
 - Pilkey Lane east of Main St (1000 hr – 1300 hr)
 - Elizabeth Street, south of 16th Avenue (1000 hr – 1300 hr)
 - Quarry Stone Ave south of 16th Ave (Local traffic only) (1000 hr – 1300 hr)
 - 16th Ave east of Mingay Avenue (1000 hr – 1300 hr)
 - Heritage Corners north of 16th Ave (Local traffic only) (1000 hr – 1300 hr)
 - Main St N east of Deer Park Lane (1000 hr – 1300 hr)
 - Main St N, east & west of 16th Avenue (1000 hr – 1300 hr)
 - Main St. N, north of Bur Oak Ave (1000 hr – 1300 hr).

CARRIED

69-2013 ROAD CLOSURE REQUEST – FESTIVAL OF LIGHTS AND PICTURE WITH SANTA (3.5)

[Info](#)

- The following roads will be closed on November 29, 2013 from 3:00 pm to 10:00 pm to facilitate the Festival of Lights event:
 - Main Street Markham North from Hwy 7 to south of Parkway Ave
 - Access east from Main Street Markham is closed to Centre Street and Robinson Street East
 - Access west to Main Street Markham North is closed to Dublin Street, Robinson Street West and Wilson Street
- The following roads will be closed on November 30, 2013 from 12:00 noon to 4:00 pm to facilitate the Picture with Santa event:
 - Robinson Street West from Main Street Markham North to Water Street.

CARRIED

70-2013 ROAD CLOSURE REQUEST – SOUTH EAST BREAKING CEREMONY (3.5)

[Info](#)

- The following roads will be closed on December 1, 2013 from 11:30 am to 4:10 pm to facilitate the ceremony:
 - Middlefield Rd from Hwy 14th to Highglen Avenue.

71-2013 MINISTER OF CITIZENSHIP AND IMMIGRATION OF ONTARIO - CALLING NOMINATIONS FOR THE 2014 VOLUNTEER SERVICE AWARDS (13.0)

[Letter](#)

(Deadline for submissions is January 25 of each year)

CARRIED

72-2013 MEMO REGARDING THE HOLD REMOVAL BY-LAW FOR ANAGNI HOMES (PHASE 2), 9506 HIGHWAY 48 (10.0)

[Memo](#)

- Commissioner Development Services Commission provided information and clarification regarding the application submitted by Anagni Homes (Phase 2), 9506 Highway 48, and outlined the reasons for recommending that the Hold (H) provision be lifted with respect thereto.
(By-law 2013-189)

CARRIED

73-2013 MEMO REGARDING THE HOLD REMOVAL BY-LAW FOR RULAND PROPERTIES INC. (THE REMINGTON GROUP), 7980 BIRCHMOUNT ROAD (10.0)

[memo](#)

- Commissioner Development Services Commission provided information and clarification regarding the application submitted by Ruland Properties Inc. (The Remington Group), 7980 Birchmount Road, and outlined the reasons for recommending that the Hold (H) provision be lifted with respect thereto.
(By-law 2013-190)

CARRIED

10. PROCLAMATIONS

(1) PROCLAMATION REQUESTS (3.4)

Moved by Councillor Alex Chiu

Seconded by Councillor Howard Shore

- 1) 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 of Persons with Disabilities (December 3, 2013).

CARRIED

11. NEW/OTHER BUSINESS

- (1) 2387279 ONTARIO INC.
50 TRAVAIL ROAD
- SUPPORT FOR FIT PROGRAM (5.7)

Moved by Regional Councillor Jim Jones

Seconded by Regional Councillor Joe Li

Whereas Council at its meeting held on October 3, 2012 directed staff to forward the completed "Prescribed Form/Template: Municipal Council Resolution" and any other documentation for renewable energy projects that meet the approved criteria as determined by City staff for a motion to support specific projects as per the Feed-In-Tariff Program, as required by the Ontario Power Authority to Council; and,

Whereas 2387279 Ontario Inc. (the "Applicant") proposes to construct and operate a 200 KW rooftop solar PV array (the Project) on 50 Travail Road (the "Lands") in the City of Markham under the Province's FIT Program; and,

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

Whereas pursuant to the rules governing the FIT Program (the "FIT Rules"), Applications whose Projects receive the formal support of Local Municipalities will be awarded Priority Points, which may result in the Applicant being offered a FIT Contract prior to other persons applying for FIT Contracts; and,

Now therefore be it resolved:

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

CARRIED

- (2) MEMO REGARDING THE HOLD REMOVAL BY-LAW FOR MARKHAM FREE METHODIST CHURCH, 22 ESNA PARK DRIVE (10.0)

[Memo](#)

Moved by Councillor Alex Chiu

Seconded by Councillor Carolina Moretti

- 1) That the memorandum dated November 26, 2013 titled "Hold Removal By-law and Deferral of Cash-in-lieu of Parkland, Markham Free Methodist Church, 22 Esna Park Drive, Planning File: ZA 13 115455" be received; and,
- 2) That By-law 2013-187 to lift the Holding (H) provisions be enacted; and,
- 3) That Council approve the deferral of the cash in lieu subject to the applicant agreeing in the site plan agreement to be registered on title, to provide security, to the satisfaction of the Chief Administrative Officer; and further,
- 4) That staff be authorized and directed to do all things necessary to give effect to this resolution.
(By-law 2013-187)

CARRIED

- (3) 2014 FESTIVAL OF LIGHTS, PICTURE WITH SANTA AND SANTA CLAUS PARADE (3.5)

Council was advised of the following special events and celebrations taking place over this weekend in the City of Markham:

- Festival of Lights, November 29, 2013.
- Markham Santa Claus Parade, November 30, 2013.
- Picture with Santa, November 30, 2013.
- Southeast Community Centre and Library groundbreaking ceremony, December 1, 2013.
- Markham's Sports Day Celebration, November 29 to December 1, 2013.

Further information related to the above events and celebrations is available at the City of Markham's website.

12. BY-LAWS

Moved by Councillor Carolina Moretti

Seconded by Councillor Alex Chiu

That By-laws 2013-182 to 2013-187, 2013-189 and 2013-190 be given three readings and enacted.

Three Readings

BY-LAW 2013-182 A BY-LAW TO RENAME PART OF HUBNER AVENUE, PLAN 65M-4325, DESIGNATED AS PART 2, PLAN 65R-34451, TO WILLIAM BARTLETT DRIVE

(In-camera Item No. 2 – October 29, 2013 Council Meeting)

[By-law](#)

CARRIED

BY-LAW 2013-183 A BY-LAW TO RENAME CARDREW DRIVE, PLAN 65M-3759, TO PAPER BIRCH DRIVE.

[By-law](#)

CARRIED

BY-LAW 2013-184 2014 TEMPORARY BORROWING BYLAW

- To authorize temporary borrowing to meet the expenditures of the City of Markham until taxes are collected and other revenues received.

(Item No. 5, Report No. 47)

[By-law](#)

CARRIED

BY-LAW 2013-185 A BY-LAW TO AUTHORIZE THE EXECUTION OF HERITAGE EASEMENT AGREEMENTS (88 MAIN STREET SOUTH MARKHAM AND 155 MAIN STREET UNIONVILLE)

(Item No. 3, Report No. 48)

[By-law](#)

CARRIED

BY-LAW 2013-186 ARISTA HOMES (UPPER 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, Blocks 559 and 560, Plan 65M-4325, north of 16th Avenue and east of Kennedy Road.

CARRIED

BY-LAW 2013-187 MARKHAM FREE METHODIST CHURCH, 22 ESNA PARK DRIVE, HOLD REMOVAL BY-LAW

By-law

- A by-law to amend By-law 108-81, as amended, to allow for the use of the existing industrial building for the purpose of a place of worship and accessory uses.

CARRIED

BY-LAW 2013-189 ANAGNI HOMES (PHASE 2), 9506 HIGHWAY 48, CONCESSION 7, PART LOT 17, HOLD REMOVAL BY-LAW

By-law

- A by-law to amend By-law 177-96, as amended, to permit the development of an 18-storey mixed use development.
(Communication No. 72-2013)

CARRIED

BY-LAW 2013-190 RULAND PROPERTIES INC. (THE REMINGTON GROUP), 7980 BIRCHMOUNT ROAD, HOLD REMOVAL BY-LAW

By-law

- A by-law to amend By-law 2004-196, as amended, to permit the lands to be developed in accordance with the applicable zone standards and the project plans approved by the City of Markham.
(Communication No. 73-2013)

CARRIED

13. IN-CAMERA ITEMS

Council consented to not resolve into in-camera session and to report out Item Nos. 1, 2 and 4, as proposed, at open Council session.

Moved by Councillor Carolina Moretti
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 Item No. 3. (7:23 p.m.)

CARRIED

- (1) MINUTES OF IN-CAMERA COUNCIL MEETING
- NOVEMBER 12, 2013 (16.0)
[Section 239 (2) (a) (b) (c) (d) (e) (f) (g)]

GENERAL COMMITTEE – November 18, 2013

- (2) A PROPOSED OR PENDING ACQUISITION OR DISPOSITION OF LAND BY THE
MUNICIPALITY OR LOCAL BOARD (WARD 7) (8.6)
[Section 239 (2) (c)]

COUNCIL – November 26, 2013

- (3) THE SECURITY OF THE PROPERTY OF THE MUNICIPALITY OR LOCAL
BOARD (LEASE AGREEMENT) (5.0)
[Section 239 (2) (a)]
- (4) PERSONAL MATTERS ABOUT AN IDENTIFIABLE INDIVIDUAL, INCLUDING
MUNICIPAL OR LOCAL BOARD EMPLOYEES
(BOARD/COMMITTEE APPOINTMENTS) (16.24)
[Section 239 (2) (b)]

Moved by Deputy Mayor Jack Heath
Seconded by Councillor Valerie Burke

That Council rise from in-camera session and report. (7:28 p.m.)

CARRIED

Council reported out the items as follows:

- (1) MINUTES OF IN-CAMERA COUNCIL MEETING
- NOVEMBER 12, 2013 (16.0)

Moved by Councillor Alex Chiu

Seconded by Councillor Howard Shore

- 1) That the Council In-camera Minutes dated November 12, 2013 be confirmed.

CARRIED

- (2) ACQUISITION OF SOUTHEAST
COMMUNITY CENTRE SITE (8.6)
[Report](#)

Moved by Councillor Logan Kanapathi

Seconded by Councillor Alan Ho

- 1) That the report titled “Acquisition of Southeast Community Centre Site” dated November 5th, 2013, be received; and,
- 2) That the acquisition costs for the Southeast Community Centre Site be funded 90% (\$4,606,213) from Development Charge Reserves and 10% (\$511,802) from the Non-DC Growth Reserve Fund.

CARRIED

(3) ADDITIONAL SOLAR PHOTOVOLTAIC
ROOFTOP LEASES WITH POWERSTREAM (5.0)

Moved by Regional Councillor Jim Jones

Seconded by Regional Councillor Gord Landon

- 1) That the confidential report titled: "Additional Solar Photovoltaic Roof Top Leases with PowerStream" be received; and,
- 2) That Council authorize the Mayor and Clerk to execute roof top leases with PowerStream for the installation of Solar Photovoltaic for three City of Markham facilities, with rates and terms to the satisfaction of the Chief Administrative Officer, and in a form satisfactory to the City Solicitor; and further,
- 3) That Staff be authorized and directed to take the actions set out in this report.

CARRIED

(4) BOARD/COMMITTEE APPOINTMENTS
- THORNHILL AREA REVITALIZATION WORKING GROUP (16.24)

Moved by Councillor Howard Shore

Seconded by Councillor Alex Chiu

- 1) That the following persons be appointed to the Thornhill Area Revitalization Working Group:

Residential Representatives

Name	Term
Brian Gordon	November 30, 2014
Michael Lee	November 30, 2014
Larry Newstadt	November 30, 2014
Arnold Rose	November 30, 2014
Srdjana Jaksic	November 30, 2014

Business Representatives:

Name	Term
Brian Magee	November 30, 2014
Michael Dankevych	November 30, 2014
Angela Papapetrov	November 30, 2014
Paul Zammit	November 30, 2014
Lorne Kumer	November 30, 2014

CARRIED

(Councillor Valerie Burke abstained due to conflict)

14. CONFIRMATORY BY-LAW

Moved by Councillor Alan Ho
Seconded by Councillor Logan Kanapathi

That By-law 2013-188 be given three readings and enacted.

Three Readings

BY-LAW 2013-188 A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE COUNCIL
MEETING OF NOVEMBER 26, 2013.
[By-law](#)

CARRIED

15. ADJOURNMENT

Moved by Deputy Mayor Jack Heath
Seconded by Councillor Valerie Burke

That the Council Meeting be adjourned at 7:30 p.m.

CARRIED

KIMBERLEY KITTERINGHAM
CITY CLERK

(Signed)

FRANK SCARPITTI
MAYOR