



COUNCIL MINUTES

October 8, 2013, 7:00 p.m.

Council Chamber, Anthony Roman Markham Civic Centre

Meeting No. 22

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
Jim Baird, Commissioner of Development Services
Catherine Conrad, City Solicitor
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
Bill Snowball, Fire Chief
Kimberley Kitteringham, City Clerk
Martha Pettit, Deputy Clerk
Stephen Huycke, Public Service & Records Coordinator

The regular meeting of Council convened at 7:02 p.m. on October 8, 2013 in the Council Chamber. Mayor Frank Scarpitti presided.

1. DISCLOSURE OF PECUNIARY INTEREST

- (1) None declared.

2. MINUTES

- (1) COUNCIL MINUTES
- SEPTEMBER 24, 30 AND OCTOBER 1, 2013
[Sept 24](#) [Sept 30](#) [Oct 1](#)

Moved by Councillor Alex Chiu
Seconded by Deputy Mayor Jack Heath

- 1) That the Minutes of the Council Meeting held on September 24, 30 and October 1, 2013, be adopted.

CARRIED

3. PRESENTATIONS

- (1) FIRE PREVENTION WEEK
- OCTOBER 6 TO 12, 2013 (3.4)

Bill Snowball, Fire Chief, provided a verbal update on recent activities in the Fire Services Department and spoke in support of the Fire Prevention Week, October 6 to 12, 2013.

Moved by Councillor Alex Chiu
Seconded by Councillor Howard Shore

That the verbal presentation by Bill Snowball, Fire Chief, on recent activities in the Fire Services Department and the Fire Prevention Week, October 6 to 12, 2013, be received.

CARRIED

4. DELEGATIONS

- (1) DELEGATIONS REGARDING THE PROPOSED RECOMMENDATION TITLED "DEFERRAL OF SPECIAL COUNCIL MEETING ON OCTOBER 15 AND 16, 2013 TO CONSIDER A MOTION REGARDING THE MARKHAM SPORTS, ENTERTAINMENT AND CULTURAL CENTRE" (6.0)
(Item No. 3, Report No. 41)

The following individuals addressed Council regarding the proposed recommendation titled "Deferral of Special Council Meeting on October 15 And 16, 2013 to Consider a Motion Regarding the Markham Sports, Entertainment and Cultural Centre":

1. Robert Ede - In opposition to the proposed recommendation.
2. Jim Kwan - In opposition to the proposed recommendation.
3. Donna Bush - In opposition to the proposed recommendation.
4. Karen Rea, Markham Village City Ratepayers Association - In opposition to the proposed recommendation.
5. Norman Manara - In opposition to the proposed recommendation.
6. Mike Gannon, Unionville Ratepayers Group - In opposition to the proposed recommendation.

(See Item No. 3, Report No. 41 for Council's decision on this matter)

5. PETITIONS

There were no petitions.

**6(a) REPORT NO. 38 - DEVELOPMENT SERVICES COMMITTEE
(September 24, 2013)**

Moved by Regional Councillor Jim Jones
Seconded by Councillor Don Hamilton

That Report No. 38 – Development Services Committee comprised of 2 items be received and adopted, except Item No. 2. (See following Item No. 2)

**(1) TORONTO AND REGION CONSERVATION AUTHORITY
– THE LIVING CITY POLICIES (DRAFT) AND
CONSERVATION ONTARIO WHITEPAPER ON
WATERSHED MANAGEMENT FUTURES FOR ONTARIO (10.0)**
[Report](#)

- 1) That the report and staff presentation entitled “Toronto and Region Conservation Authority – The Living City Policies (Draft) and Conservation Ontario Whitepaper on Watershed Management Futures for Ontario” dated September 24, 2013, be received; and,
- 2) That the TRCA, Conservation Ontario and Ministry of Municipal Affairs and Housing be forwarded a copy of the City’s staff report; and,
- 3) That TRCA be requested to address the matters identified in this report prior to approval of the document; and,
- 4) That the Ministry of Municipal Affairs and Housing be advised:
 - a) of Markham’s interest in participating in discussions relating to the Conservation Ontario Whitepaper on Watershed Management Futures for Ontario and any matters relating to jurisdictional changes to the implementation of natural heritage system planning; and,
 - b) that Markham does not support the delegation of authority from municipal councils to conservation authorities for policy interpretation of natural heritage matters identified in the *Planning Act*; and further,
- 5) That staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

(2) APPROVAL OF THE CONTINUATION
OF THE MARKHAM DESIGNATED HERITAGE
PROPERTY GRANT PROGRAM (16.11)
[Report](#)

Moved by Regional Councillor Jim Jones

Seconded by Councillor Don Hamilton

- 1) That the report entitled “Approval of the Continuation of the Markham Designated Heritage Property Grant Program”, dated September 24, 2013, be received; and,
- 2) That the Markham Designated Heritage Property Grant Program Guidelines (attached as Appendix “B” to this report), be approved for an additional three year period (2014-2016); and,
- 3) That a by-law be adopted to implement the program generally in the form attached as Appendix “C” to this report; and,
- 4) That the existing reserve fund entitled “Designated Heritage Property Grants” continue to be used as the funding source for the program; and,
- 5) That the Designated Heritage Property Grant Reserve Fund be allocated \$90,000 in funding for the three year period (2014-2016) from a transfer of \$90,000 from the Heritage Loan Reserve Fund; and further,
- 6) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

(By-law 2013-159)

CARRIED

**6(b) REPORT NO. 39 - DEVELOPMENT SERVICES PUBLIC MEETING
(September 23, 2013)**

Moved by Regional Councillor Jim Jones

Seconded by Councillor Don Hamilton

That Report No. 39 – Development Services Public Meeting comprised of 3 items be received and adopted.

- (1) INFORMATION REPORT
WYKLAND ESTATES INC.
ZONING BY-LAW AMENDMENT APPLICATION
TO REZONE CERTAIN LANDS WITHIN
DRAFT PLAN OF SUBDIVISION 19TM-10002
WEST OF CORNELL CENTRE BLVD, SOUTH OF 16TH AVE.
(ZA.13-114562) (10.5, 10.7)
[Memo](#) [Report](#)

- 1) That the report dated September 10, 2013, entitled “Information Report, Wykland Estates Inc., Zoning By-law Amendment application to rezone certain lands within draft plan of subdivision 19TM-10002, West of Cornell Centre Blvd, south of 16th Ave., File No: ZA.13-114562.” be received; and,
- 2) That the Record of the Public Meeting held on September 23, 2013, with respect to the proposed amendment to the Zoning By-law, be received; and,
- 3) That the application by Wykland Estates Inc. to amend the City’s By-law 177-96, as amended, be approved; and further,
- 4) That the proposed amendment to the City’s Zoning By-law 177-96, as amended, be enacted without further notice.

CARRIED

- (2) INFORMATION REPORT
CORNELL ROUGE DEVELOPMENT CORP.
ZONING BY-LAW AMENDMENT APPLICATION
TO REZONE CERTAIN LANDS WITHIN
DRAFT PLAN OF SUBDIVISION 19TM-08002
NORTH OF HIGHWAY 7, WEST OF DONALD COUSENS PARKWAY
(ZA.13-116402) (10.5, 10.7)
[Memo](#) [Report](#)

- 1) That the deputation by Daniel Wong, regarding the application by Cornell Rouge Development Corp., be received; and,
- 2) That the report dated September 10, 2013, entitled “Information Report, Cornell Rouge Development Corp., Zoning By-law Amendment application to rezone certain lands within draft plan of subdivision 19TM-08002, North of Highway 7, west of Donald Cousens Parkway, File No: ZA.13-116402” be received; and,
- 3) That the Record of the Public Meeting held on September 23, 2013, with respect to the proposed amendment to the Zoning By-law, be received; and,
- 4) That the application by Cornell Rouge Development Corp. to amend the City’s By-law 177-96, as amended, be approved; and further,
- 5) That the proposed amendment to the City’s Zoning By-law 177-96, as amended, be enacted without further notice.

CARRIED

- (3) INFORMATION REPORT
APPLICATION FOR ZONING AMENDMENT
TO PERMIT NEW RESIDENTIAL LOTS
5 ROUGE ST. (JOSEPH DIMARTINO)
(ZA 13 113809) (10.5)
[Memo](#) [Report](#)

- 1) That the Development Services Committee report dated September 10, 2013, entitled “Information Report Application for Zoning Amendment to permit new residential lots, 5 Rouge St. (Joseph Dimartino) (ZA 13 113809) be received; and,
- 2) That the Record of the Public Meeting held on September 23, 2013, with respect to the proposed amendments to By-law 1229, as amended, be received; and,
- 3) That the application by Joseph Dimartino to amend By-law 1229, as amended, be approved; and further,

- 4) That the proposed amendment to By-law 1229, as amended, be enacted without further notice.
(By-law 2013-160)

CARRIED

6(c) REPORT NO. 40 - DEVELOPMENT SERVICES COMMITTEE (October 1, 2013)

Moved by Regional Councillor Jim Jones
Seconded by Councillor Carolina Moretti

That Report No. 40 – Development Services Committee comprised of 3 items be received and adopted, except Item Nos. 2 and 3. (See following Item Nos. 2 and 3)

- (1) RECOMMENDATION REPORT
UPPER UNIONVILLE INC.
FUTURE DEVELOPMENT BLOCK 992, PLAN 19TM – 10003
NORTHEAST CORNER OF 16TH AVENUE AND KENNEDY ROAD
APPLICATIONS FOR OFFICIAL PLAN/SECONDARY PLAN
AND ZONING BY-LAW AMENDMENTS AND
DRAFT PLAN OF SUBDIVISION
(OP/ZA/SU 12 110185) (10.3, 10.4, 10.5, 10.7)
[Report](#)

- 1) That the report dated October 1, 2013 and entitled “RECOMMENDATION REPORT, Upper Unionville Inc., Future Development Block 992, Plan 19TM – 10003, Northeast corner of 16th Avenue and Kennedy Road, Applications for Official Plan/Secondary Plan and Zoning By-law amendments and Draft Plan of Subdivision, File No.: OP/ZA/SU 12 110185”, be received; and,
- 2) That the application submitted by Upper Unionville Inc. to amend the Official Plan, and the Berczy Village Secondary Plan be approved and that the draft Official Plan Amendment attached as Appendix “A”, be finalized and adopted without further notice; and,
- 3) That the notice of adoption of the Official Plan/Secondary Plan Amendment be forwarded to the Region of York; and,
- 4) That the application submitted by Upper Unionville Inc. to amend Zoning By-laws 304-87, as amended and 177-96, as amended, be approved and the draft Zoning By-law amendment attached as Appendix “B”, be finalized and enacted without further notice; and,
- 5) That draft plan of subdivision 19TM-12012 submitted by Upper Unionville Inc., be draft approved subject to the conditions outlined in Appendix “C”; and,

- 6) That the Mayor and Clerk be authorized to enter into a No Presale Agreement with the Owner of Plan 19TM-12012 which agreement shall be registered on title, committing the Owner to:

Not enter into any agreements of purchase and sale with end users for the lands, until such time as:

- a. the City of Markham approves a transfer of servicing allocation to this development that is not dependent upon the construction of infrastructure;

or,

- b. i. York Region has advised in writing that it is no earlier than twelve (12) months prior to the expected completion of all water and wastewater infrastructure required to support the Region's capacity assignment pertaining to the City of Markham allocation used for the subject development and,

- ii. The Council of the City of Markham has allocated, within the limit of the Regional capacity assignment, adequate available water and waste water servicing capacities to the subject development;

or,

- c. the Regional Commissioner of Environmental Services and the City of Markham confirm servicing capacity for this development by a suitable alternative method and the City of Markham allocates the capacity to this development.

AND

Not enter into any agreements of purchase and sale with non end users for the subject lands unless the agreement of purchase and sale contains a condition that requires the purchaser and any subsequent purchasers to enter into a separate agreement with the City of Markham. This agreement shall be registered on title, committing the new Owner to the same terms as set out in items a, b and c above; and,

- 7) That the Owner enter into an indemnity agreement with the Region of York. The agreement shall save harmless the Region from any claim or action as a result of the Region releasing conditions and pre-conditions of draft approval and shall be registered on title; and further,
- 8) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

(2) FUTURE URBAN AREA SUBWATERSHED STUDIES (5.0)
[Report](#)

Moved by Regional Councillor Jim Jones

Seconded by Councillor Carolina Moretti

- 1) That the report entitled “Future Urban Area Subwatershed Studies” dated October 1, 2013, be received; and,
- 2) That the tendering process for the Future Urban Area Subwatershed Studies and the terrestrial environment advisor be waived in accordance with Purchasing By-Law 2004-341, Part II, Section 7 (1) (h) in order to expedite the completion of the Subwatershed Studies; and,
- 3) That the Future Urban Area Subwatershed Studies be awarded to AMEC Environment & Infrastructure at a cost of \$2,016,165.00 (including 10% contingency and HST impact) subject to confirmation of funding by the Future Urban Area landowners; and,
- 4) That the terrestrial environment advisory assignment be awarded to North South Environmental at an upset limit of \$61,056.00 (including HST impact) subject to confirmation of funding by the Future Urban Area landowners; and,
- 5) That the final cost of the subwatershed studies and the terrestrial environment advisory assignment be included in a future Area Specific Development Charges by-law for the Future Urban Area and the appropriate development charges credit be provided to the upfronting landowners; and,
- 6) That a new capital project be created in the Engineering Department in the amount of \$2,077,221.00 to be funded by the Future Urban Area landowners; and,
- 7) That staff report back on a Future Urban Area landowners funding agreement, to be executed prior to the commencement of any work; and further,
- 8) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED BY A RECORDED VOTE (12:1)
(See following recorded vote)

YEAS: Mayor Frank Scarpitti, Deputy Mayor Jack Heath, Regional Councillor Jim Jones, Regional Councillor Gord Landon, Regional Councillor Joe Li, Councillor Howard Shore, Councillor Don Hamilton, Councillor Carolina Moretti, Councillor Colin Campbell, Councillor Alan Ho, Councillor Logan Kanapathi, Councillor Alex Chiu. (12)

NAYS: Councillor Valerie Burke. (1)

(3) FUTURE URBAN AREA SERVICING STUDIES (5.0)
[Report](#)

Moved by Regional Councillor Jim Jones
Seconded by Councillor Carolina Moretti

- 1) That the report entitled “Future Urban Area Servicing Studies” dated October 1, 2013, be received; and,
- 2) That the tendering process for the Future Urban Area Servicing Studies be waived in accordance with Purchasing By-Law 2004-341, Part II, Section 7 (1) (h) in order to expedite the completion of the Servicing Studies; and,
- 3) That the Water Servicing Study for the Future Urban Area be awarded to Genivar Consultants at a cost of \$96,419.43 including HST impact subject to confirmation of funding by the Future Urban Area landowners; and,
- 4) That the Wastewater Servicing Study for the Future Urban Area be awarded to XCG Consultants at a cost of \$134,538.12 including HST impact subject to confirmation of funding by the Future Urban Area landowners; and,
- 5) That the Environmental Assessment Coordination Study for the Future Urban Area be awarded to Amos Environment + Planning at a cost of \$94,423.61 including HST impact subject to confirmation of funding by the Future Urban Area landowners; and,
- 6) That the final cost of the studies be included in a future Area Specific Development Charges by-law for the Future Urban Area and the appropriate development charges credit be provided to the upfronted landowners; and,
- 7) That three new projects be created in the Engineering Department 2013 Capital Budget for the above 3 projects to be funded by the Future Urban Area landowners; and,
- 8) That staff report back on a Future Urban Area landowners funding agreement, to be executed prior to the commencement of any work; and further,

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

CARRIED BY A RECORDED VOTE (12:1)

(See following recorded vote)

YEAS: Mayor Frank Scarpitti, Deputy Mayor Jack Heath, Regional Councillor Jim Jones, Regional Councillor Gord Landon, Regional Councillor Joe Li, Councillor Howard Shore, Councillor Don Hamilton, Councillor Carolina Moretti, Councillor Colin Campbell, Councillor Alan Ho, Councillor Logan Kanapathi, Councillor Alex Chiu. (12)

NAYS: Councillor Valerie Burke. (1)

6(d) REPORT NO. 41 GENERAL COMMITTEE (October 7, 2013)

Moved by Councillor Carolina Moretti
Seconded by Councillor Colin Campbell

That Report No. 41 – General Committee comprised of 3 items be received and adopted. (Item Nos. 1 to 3 were separated – See following Item Nos. 1 to 3)

(1) WINTER OPERATIONS SERVICE STANDARDS REVIEW (5.10)

[Presentation](#) [Report](#) [Attachment](#)

Moved by Councillor Carolina Moretti
Seconded by Councillor Colin Campbell

- 1) That the presentation by Paul Ingham, Director Operations, titled "Winter Operations Service Standards Review", be received; and,
- 2) That the staff report titled "Winter Operations Service Standards Review" be received; and,
- 3) That Operations be authorized to increase the number of hired tandem units from 19 to 20, effective November 16, 2013, to meet service standards for road inventory increases related to growth for a total estimated annual cost of \$73,150, inclusive of HST; and,
- 4) That Operations be authorized to increase the number of hired sidewalk plowing units from 24 to 26, effective December 1, 2013, to meet service standards for sidewalk inventory increases related to growth for a total estimated annual cost of \$90,933, inclusive of HST; and,

- 5) That Operations be authorized to increase the number of hired loader units from 28 to 35, effective December 1, 2013, to increase service levels for rear lane snow clearing for a total estimated annual cost of \$81,879, inclusive of HST; and,
- 6) That the 2014 Operating Budget for hired tandems, loaders and sidewalk plowing be increased by \$245,963, inclusive of HST to cover both standby and operating costs for additional units identified above and the 2013 Operating Budget will be impacted by \$62,203, inclusive of HST; and,
- 7) That Operations staff continue to offer the City's existing "Windrow Removal Program" to pre-qualified residents; and,
- 8) That Operations staff engage York Region Operations staff to improve coordination of road and sidewalk winter maintenance activities on Regional roads throughout the City; and,
- 9) That Operations staff continue work with Canada Post to improve winter maintenance activities at Canada Post super mailboxes located within the City's rights of way; and,
- 10) That Operations, Information Technology Services and the Corporate Communications and Community Engagement staff expand the current mobile application and web information to include information for residents and businesses about the City's service standards, storm status updates and related storm information, and,
- 11) That the Operations and Corporate Communications and Community Engagement Departments commence work on an enhanced awareness and education campaign as soon as possible; and,
- 12) That the Contact Centre enhance its current services during severe winter storm events to better serve City residents and businesses; and,
- 13) That Operations, Development Services and Financial Services collaborate in sourcing emerging technologies for consideration of a future pilot project to be located in City's expanding intensified development locations and report back to Council on options and costs associated with implementation of a pilot project in a to be determined high-density new development area; and further,
- 14) That staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

(2) MARKHAM SPORTS, ENTERTAINMENT & CULTURAL CENTRE
- AGREEMENT WITH REMINGTON (6.0)

Moved by Councillor Carolina Moretti
Seconded by Councillor Colin Campbell

- 1) That the following motion adopted at the June 26, 2013 Council meeting be reported out to the public:

"That at the June 26, 2013 Council meeting, Council authorized the execution of an enforceable agreement with Remington whereby the City will acquire title to 6 acres of land adjacent to Highway 407 if the Markham Sports, Entertainment & Cultural Centre proceeds."

CARRIED

(3) DEFERRAL OF SPECIAL COUNCIL MEETING ON
OCTOBER 15 AND 16, 2013 TO CONSIDER A MOTION REGARDING THE
MARKHAM SPORTS, ENTERTAINMENT AND CULTURAL CENTRE (6.0)

Note: On October 29, 2013, Council consented to revise the motion, moved by Councillor Alex Chiu and seconded by Councillor Alan Ho on October 8, 2013, to read as follows:

"That the Special Council meeting scheduled for October 15 and 16, 2013 to consider a Motion regarding the Markham Sports, Entertainment and Cultural Centre, **be deferred to a date towards the end of November 2013 to allow continued negotiations.**"

Moved by Councillor Alex Chiu
Seconded by Councillor Alan Ho

- 1) ~~That the Special Council meeting scheduled for October 15 and 16, 2013 to consider a Motion regarding the Markham Sports, Entertainment and Cultural Centre, be deferred to a date to be determined at the end of November, 2013, to allow continued negotiations.~~

CARRIED BY A RECORDED (7:6)

(See following recorded vote) (7:6)

(See following to bring the matter forward for consideration)

Recorded vote (7:6):

YEAS: Councillor Howard Shore, Councillor Carolina Moretti, Mayor Frank Scarpitti, Regional Councillor Gord Landon, Councillor Alan Ho, Councillor Logan Kanapathi, Councillor Alex Chiu.

NAYS: Councillor Valerie Burke, Councillor Don Hamilton, Regional Councillor Joe Li, Regional Councillor Jim Jones, Deputy Mayor Jack Heath, Councillor Colin Campbell. (6)

Motion to bring the matter forward for consideration:

Moved by Councillor Valerie Burke

Seconded by Councillor Howard Shore

That Council consider the item titled "Deferral of Special Council Meeting on October 15 and 16, 2013 to Consider a Motion Regarding the Markham Sports, Entertainment and Cultural Centre" immediately following the delegations with respect thereto.

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 Logan Kanapathi

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

Referred to Commissioner of Development Services

63-2013 STEPHEN J. D'AGOSTINI, THOMSON ROGERS (5.0)

(Items 2 and 3, Report No. 40)

[Letter](#)

- Providing comments regarding the items “Future Urban Area Subwatershed Studies” and “Future Urban Area Servicing Studies”, on behalf of Colebay Investments Inc., Highcove Investments Inc., Firwood Holdings Inc., Major McCowan Developments Limited, Sumerlane Realty Corp., Brentwood Estates Inc., Markham MMM North Development Corp. and Markham MMM South Development Corp., all of whom own land in North Markham located in the concession bordered by Major MacKenzie Drive, Elgin Mills Road East, McCowan Road and HWY 48.

CARRIED

10. PROCLAMATIONS

(1) PROCLAMATION AND FLAG RAISING REQUESTS (3.4)

Moved by Deputy Mayor Jack Heath

Seconded by Councillor Alex Chiu

- 1) That the following proclamations issued by the City Clerk in accordance with the City of Markham Proclamation Policy be received for information purposes:
 - Blue Shirt Day – Ontario Stop Workplace Bullying and Harassment Day (October 18, 2012)
 - Local Government Week (October 20 to 26, 2013); and,
- 2) That the following new request for flag to be raised at the Anthony Roman Markham Civic Centre flagpole be approved and added to the Five-Year List of Request to Raise Flag approved by Council:
 - Blue Flag for Blue Shirt Day – Ontario Stop Workplace Bullying and Harassment Day (October 18, 2013); and further,

- 3) That the following new request for proclamation be approved and added to the Five-Year Proclamations List approved by Council:
- Waste Reduction Week (October 21 to 25, 2013).

CARRIED

11. NEW/OTHER BUSINESS

Council consented to add New/Other Business Item No. 13.

Moved by Councillor Alan Ho
Seconded by Deputy Mayor Jack Heath

That New/Other Business Item No. 1 be received and adopted.

CARRIED

Moved by Councillor Alex Chiu
Seconded by Councillor Howard Shore

That New/Other Business Item Nos. 2 to 12 be received and adopted.

CARRIED

- (1) NOTICES OF PROPOSED SALE -
- A 2.5 METRE STRIP OF LAND FROM BLOCK 186, PLAN 65M-3358
COMPRISING 395.4 SQUARE METRES
LOCATED BETWEEN MOSS CREEK BOULEVARD
AND WILLOW HEIGHTS BOULEVARD,
SOUTH OF OAKFORD ROAD (8.5 & 10.7)

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

- 1) That the notice of proposed sale for the City of Markham owned lands legally described as a 2.5 metre strip of land from Block 186, Plan 65M-3358, comprising 395.4 square metres, located between Moss Creek Boulevard and Willow Heights Boulevard, south of Oakford Road, be confirmed.
(Item No. 6, Report No. 32 – June 26, 2013 Council Meeting)

CARRIED

Catherine Conrad, City Solicitor, provided a verbal confirmation for New/Other Business Item No. 1 regarding the legal description for the Notice of Proposed Sale of Surplus Real Property.

- (2) MINUTES OF THE SEPTEMBER 23, 2013
GENERAL COMMITTEE (16.0)
[Minutes](#)

- 1) That the Minutes of the September 23, 2013 General Committee be confirmed.

CARRIED

Note: This matter was referred from the October 7, 2013 General Committee meeting to the Council meeting this date for consideration.

- (3) MINUTES OF THE JUNE 19, 2013
THE FRIENDS OF THE MARKHAM MUSEUM
FOUNDATION BOARD (16.0)
[Minutes](#)

- 1) That the Minutes of the June 19, 2013 The Friends of the Markham Museum Foundation Board be received for information purposes.

CARRIED

Note: This matter was referred from the October 7, 2013 General Committee meeting to the Council meeting this date for consideration.

- (4) MINUTES OF THE AUGUST 21, 2013
ANIMAL CARE COMMITTEE (16.0)

[Minutes](#)

- 1) That the Minutes of the August 21, 2013 Animal Care Committee be received for information purposes.

CARRIED

Note: This matter was referred from the October 7, 2013 General Committee meeting to the Council meeting this date for consideration.

- (5) MINUTES OF THE SEPTEMBER 26, 2013
INFORMATION, COMMUNICATION AND
TECHNOLOGY SUB-COMMITTEE (16.0)

[Minutes](#)

- 1) That the Minutes of the September 26, 2013 Information, Communications and Technology Sub-Committee be received for information purposes.

CARRIED

Note: This matter was referred from the October 7, 2013 General Committee meeting to the Council meeting this date for consideration.

- (6) MINUTES OF THE AUGUST 13, 2013
PUBLIC REALM ADVISORY COMMITTEE (16.0)

[Minutes](#)

- 1) That the Minutes of the August 13, 2013 Public Realm Advisory Committee be received for information purposes.

CARRIED

Note: This matter was referred from the October 7, 2013 General Committee meeting to the Council meeting this date for consideration.

- (7) MINUTES OF THE AUGUST 27, 2013
RBC MARKHAM MILLIKEN MILLS
CHILDREN'S FESTIVAL COMMITTEE (16.0)

[Minutes](#)

- 1) That the Minutes of the August 27, 2013 RBC Markham Milliken Mills Children's Festival Committee be received for information purposes.

CARRIED

Note: This matter was referred from the October 7, 2013 General Committee meeting to the Council meeting this date for consideration.

- (8) MINUTES OF THE AUGUST 22, 2013
SENIORS HALL OF FAME
AWARDS COMMITTEE (16.0)

[Minutes](#)

- 1) That the Minutes of the August 22, 2013 Seniors Hall of Fame Awards Committee be received for information purposes.

CARRIED

Note: This matter was referred from the October 7, 2013 General Committee meeting to the Council meeting this date for consideration.

- (9) MINUTES OF THE JUNE 19, 2013
ADVISORY COMMITTEE ON ACCESSIBILITY COMMITTEE (16.0)

[Minutes](#)

- 1) That the Minutes of the June 19, 2013 Advisory Committee on Accessibility be received for information purposes.

CARRIED

Note: This matter was referred from the October 7, 2013 General Committee meeting to the Council meeting this date for consideration.

(10) MINUTES OF THE SEPTEMBER 16, 2013
VICTORIA SQUARE COMMUNITY
CENTRE BOARD (16.0)

[Minutes](#)

- 1) That the Minutes of the September 16, 2013 Victoria Square Community Centre Board be received for information purposes.

CARRIED

Note: This matter was referred from the October 7, 2013 General Committee meeting to the Council meeting this date for consideration.

(11) MINUTES OF THE JUNE 24, 2013
VARLEY MCKAY ART FOUNDATION OF MARKHAM
ANNUAL MEETING OF MEMBERS (16.0)

[Minutes](#)

- 1) That the Minutes of the June 24, 2013 Varley McKay Art Foundation of Markham Annual Meeting of Members be received for information purposes.

CARRIED

Note: This matter was referred from the October 7, 2013 General Committee meeting to the Council meeting this date for consideration.

(12) CANADIAN WOMEN'S HOCKEY LEAGUE
- REQUEST FOR MARKHAM TO HOST THE
2014 AND 2015 CLARKSON CUP (12.2.6)

[Report](#)

- 1) That report Canadian Women's Hockey League – Request for Markham to Host Clarkson Cup be received; and,
- 2) That Council approve that the City of Markham host the Clarkson Cup in 2014 and 2015; and,
- 3) That Council approve that for 2014 and 2015 that \$10,000 be added to the Recreation operating budget; and,

- 4) That Council approve that use of Centennial Arena for the 5 day period is at no cost; and further,
- 5) That staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

Note: This matter was referred from the October 7, 2013 General Committee meeting to the Council meeting this date for consideration.

(13) ROUGE NATIONAL URBAN PARK (8.6, 10.0)

Deputy Mayor Jack Heath announced that discussions with Parks Canada regarding the Rouge National Urban Park are in progress and a report is anticipated to be brought before Council by the end of 2013.

12. BY-LAWS

Moved by Councillor Alex Chiu

Seconded by Regional Councillor Gord Landon

That By-laws 2013-159 and 2013-160 be given three readings and enacted.

Three Readings

BY-LAW 2013-159 A BY-LAW TO ESTABLISH A DESIGNATED HERITAGE
PROPERTY GRANT PROGRAM (2014-2016)
(Item No. 3, Report No. 38)

[By-law](#)

CARRIED

BY-LAW 2013-160 JOSEPH DIMARTINO, 5 ROUGE STREET, ZONING BY-LAW
AMENDMENT

- A by-law to amend By-law 1229, as amended, to facilitate the creation of two new building lots and the construction of two new single detached dwellings fronting James Scott Road.

(Item No. 3, Report No. 39)

[By-law](#)

CARRIED

Regional Councillor Gord Landon left the meeting prior to the "In-Camera Items Section" of the Council Agenda and he was not in attendance for the remainder of the meeting.

13. IN-CAMERA ITEMS

Moved by Councillor Don Hamilton

Seconded by Councillor Carolina Moretti

That, in accordance with Section 239 of the *Municipal Act*, Council resolve into an in-camera session to discuss the following matters: (8:42 p.m.)

- (1) MINUTES OF IN-CAMERA COUNCIL MEETING
- JUNE 26, 2013 (16.0)
[Section 239 (2) (b) (f)]

DEVELOPMENT SERVICES COMMITTEE – September 24, 2013

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

GENERAL COMMITTEE – October 7, 2013

- (3) GENERAL COMMITTEE IN-CAMERA MINUTES
- SEPTEMBER 23, 2013 (16.0)
[Section 239 (2) (b) (c) (d) (f)]
- (4) GENERAL COMMITTEE IN-CAMERA MINUTES
APRIL 22, MAY 6 AND JUNE 17, 2013 (16.0)
[Section 239 (2) (d) (f)]

- (5) PERSONAL MATTERS ABOUT AN IDENTIFIABLE INDIVIDUAL, INCLUDING MUNICIPAL OR LOCAL BOARD EMPLOYEES (BOARD/COMMITTEE APPOINTMENTS) (16.24)
[Section 239 (2) (b)]
- (6) PERSONAL MATTERS ABOUT AN IDENTIFIABLE INDIVIDUAL, INCLUDING MUNICIPAL OR LOCAL BOARD EMPLOYEES AND LITIGATION OR POTENTIAL LITIGATION, INCLUDING MATTERS BEFORE ADMINISTRATIVE TRIBUNALS, AFFECTING THE MUNICIPALITY OR LOCAL BOARD (UNIONVILLE BUSINESS IMPROVEMENT AREA MATTER) (3.0)
[Section 239 (2) (b) (e)]
- (7) PERSONAL MATTERS ABOUT AN IDENTIFIABLE INDIVIDUAL, INCLUDING MUNICIPAL OR LOCAL BOARD EMPLOYEES (PARK RENAMING IN WARD 2)
[Section 239 (2) (b)]

COUNCIL - October 8, 2013

- (8) A PROPOSED OR PENDING ACQUISITION OR DISPOSITION OF LAND BY THE MUNICIPALITY OR LOCAL BOARD (WARD 5)
[Section 239 (2) (c)]

CARRIED

Moved by Deputy Mayor Jack Heath
Seconded by Councillor Colin Campbell

That Council rise from in-camera session and report. (10:15 p.m.)

CARRIED

Council reported out the items as follows:

- (1) MINUTES OF IN-CAMERA COUNCIL MEETING
- JUNE 26, 2013 (16.0)

Moved by Councillor Alex Chiu

Seconded by Councillor Valerie Burke

- 1) That the Council In-camera Minutes dated June 26, 2013 be confirmed.

CARRIED

- (2) OMB REFERRAL SUBMITTED TO THE
MINISTRY OF MUNICIPAL AFFAIRS AND HOUSING
THOMSON ROGERS LAWYERS, ON BEHALF OF
TRINISON MANAGEMENT CORPORATION
PROPOSAL TO REVOKE MINISTER'S ZONING ORDER
ONTARIO REGULATION 104/72 (AIRPORT FREEZE) ON
ELEVEN PROPERTIES WITHIN THE CITY OF MARKHAM
(ZA 13 115291) (8.0)

Moved by Councillor Carolina Moretti

Seconded by Regional Councillor Joe Li

- 1) That the report dated September 24, 2013, titled "CONFIDENTIAL REPORT, OMB Referral submitted to the Ministry of Municipal Affairs and Housing by Thomson Rogers Lawyers, on behalf of Trinison Management Corporation, Proposal to Revoke Minister's Zoning Order, Ontario Regulation 104/72 (Airport Freeze) on Eleven Properties within the City of Markham, File No. ZA 13 115291", be received; and,
- 2) That the City of Markham inform the Ministry of Municipal Affairs and Housing that it has no objection to the Minister's Zoning Order, Ontario Regulation 104/72 (Airport Freeze) "MZO", being revoked on all eleven properties subject to File No. ZA 13 115291, if the Province and Region of York deem it acceptable; and,
- 3) That in the event the MZO for lands at 10566 Highway 48 is revoked, the Owner of that property be required to remove any storage trailers from the property that do not conform to the City of Markham's Zoning By-laws and Official Plan; and,
- 4) That Council direct Staff not to attend the Ontario Municipal Board (OMB) Hearing regarding the OMB referral, submitted to the Ministry of Municipal Affairs and Housing by Thomson Rogers Lawyers, on behalf of Trinison Management Corporation; and,

- 5) That a copy of the Council resolution with respect to this matter be forwarded to the OMB; and further,
- 6) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

(3) GENERAL COMMITTEE IN-CAMERA MINUTES
- SEPTEMBER 23, 2013 (16.0)

Moved by Councillor Alan Ho
Seconded by Councillor Logan Kanapathi

- 1) That the General Committee In-camera Minutes dated September 23, 2013, be confirmed.

CARRIED

(4) GENERAL COMMITTEE IN-CAMERA MINUTES
- APRIL 22, MAY 6, JUNE 17, 2013 (16.0)

Moved by Councillor Howard Shore
Seconded by Councillor Don Hamilton

- 1) That the General Committee In-camera Minutes dated April 22, May 6 and June 17, 2013, be confirmed.

CARRIED

(5) BOARD/COMMITTEE APPOINTMENTS (16.24)

Moved by Councillor Alan Ho

Seconded by Councillor Colin Campbell

- 1) That the following appointments to the German Mills Meadow and Natural Habitat Liaison Committee be confirmed:

<u>Name</u>	<u>Representation</u>	<u>Term</u>
Pat McCann-Smith	National Spiritual Assembly of the Baha'is of Canada	November 30, 2014
Joseph Coleman	Bayview Golf and Country Club	November 30, 2014
Bob James	Settlers Park Ratepayers Association	November 30, 2014
Kimberly Seymour	Settlers Park Ratepayers Association	November 30, 2014
Bernard Sze	Community at Large	November 30, 2014

CARRIED

(6) UNIONVILLE BUSINESS IMPROVEMENT AREA MATTER (UBIA) (3.0)

Council consented to not report out on this matter at this time.

(7) PERSONAL MATTERS ABOUT AN IDENTIFIABLE INDIVIDUAL, INCLUDING MUNICIPAL OR LOCAL BOARD EMPLOYEES (PARK RENAMING IN WARD 2) (5.0)

Moved by Councillor Howard Shore

Seconded by Councillor Valerie Burke

- 1) That the confidential memorandum dated October 7, 2013 from the Commissioner of Community and Fire Services and confidential memorandum dated October 7, 2013 from Councillor Howard Shore providing background information regarding the parking naming in Ward 2; and,
- 2) That the correspondence from the Azrieli Foundation dated October 5, 2013 – Request for Renaming” be received;
- 3) That “Tamarack Park East”, located at 59A Tamarack Drive, be renamed “Felix Opatowski Park”; and,

- 4) That “Tamarack Park West, located 121 Tamarack Drive be renamed “Benjamin Thorne Park; and,
- 5) That an historical plaque be placed in Benjamin Thorne Park to recognize the important contribution that Benjamin Thorne made to the establishment of the Thornhill community; and further,
- 6) That an interpretive monument be placed in Felix Opatowski Park to recognize the life and contributions of Mr. Opatowski and to pay tribute to the six million souls who perished during the atrocities of the Holocaust, including 1.5 million children as the re-naming of a park – a living organism – could not be a more fitting and appropriate way to pay tribute to those who survived and to carry on their collective memory.

CARRIED

(8) A PROPOSED OR PENDING ACQUISITION OR DISPOSITION
OF LAND BY THE MUNICIPALITY OR LOCAL BOARD (WARD 5)

Moved by Councillor Colin Campbell
Seconded by Regional Councillor Jim Jones

- 1) That staff be authorized to proceed as directed by Council on October 8, 2013 regarding a proposed or pending acquisition or disposition of land by the municipality or local board (Ward 5).

CARRIED

14. CONFIRMATORY BY-LAW

Moved by Councillor Alex Chiu
Seconded by Councillor Valerie Burke

That By-law 2013-161 be given three readings and enacted.

Three Readings

BY-LAW 2013-161 A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE COUNCIL
MEETING OF OCTOBER 8, 2013.
[By-law](#)

CARRIED

15. ADJOURNMENT

Moved by Councillor Alex Chiu

Seconded by Regional Councillor Jim Jones

That the Council Meeting be adjourned at 10:16 p.m.

CARRIED

KIMBERLEY KITTERINGHAM
CITY CLERK

FRANK SCARPITTI
MAYOR

(Signed)