



COUNCIL MINUTES

February 12 and 13, 2013, 7:00 p.m.

Council Chamber, Anthony Roman Markham Civic Centre

Meeting No. 4

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
Brenda Librecz, Commissioner of Community and Fire Services
Trinela Cane, Commissioner of Corporate Services
Joel Lustig, Treasurer
John Wong, Technology Support Specialist
Dennis Flaherty, Director of Communications and Community Relations
Martha Pettit, Acting City Clerk
Stephen Huycke, Acting Deputy Clerk
Robert Muir, Senior Stormwater Management Engineer
Peter Loukes, Director, Environmental Services
Gary Adamkowski, Director, Asset Management

The regular meeting of Council convened at 7:12 p.m. on February 12, 2013 in the Council Chamber. Mayor Frank Scarpitti presided.

At 11:40 p.m. on February 12, 2013, Council passed a motion to waive Section 3.28 of Procedural By-law 2001-1 allowing the meeting to continue further than 12:01 a.m. on February 13, 2013. The motion moved by Councillor Alex Chiu and Councillor Howard Shore was carried by a two-thirds vote of the Members present.

1. DISCLOSURE OF PECUNIARY INTEREST

- (1) None declared.

2. MINUTES**(1) COUNCIL MINUTES – JANUARY 29 AND 30, 2013**[Minutes](#)

Moved by Councillor Alex Chiu

Seconded by Councillor Valerie Burke

- 1) That the Minutes of the Council Meeting held on January 29 and 30, 2013, be adopted.

CARRIED

Council consented to revise the wording regarding "Robbie Burns Day" contained in the Council minutes dated January 29 and 30, 2013 as follows:

Delete the words "Council recognized Bobbie Burns Day" and replace with the words "Council wished our Canadian-Scottish community a very happy Robbie Burns Day."

3. PRESENTATIONS**(1) STAFF PRESENTATION REGARDING
WATER SYSTEMS MANAGEMENT –
STORMWATER FUNDING OPTIONS (5.5)**

(New/Other Business Item No. 2)

[Presentation](#)

Robert Muir, Senior Stormwater Management Engineer, provided a PowerPoint presentation outlining the stormwater projects undertaken by the City to date, and reviewed some of the key recommendations from the November 8, 2012 Special General Committee meeting.

(See New/Other Business No. 2 for Council's decision on this matter)

(See Delegation No. 1)

4. DELEGATIONS

Council consented to hear the delegations in the order as outlined below:

(1) **DELEGATIONS REGARDING
WATER SYSTEMS MANAGEMENT –
STORMWATER FUNDING OPTIONS (5.5)**

Council heard the following delegations regarding the item titled "Water Systems Management – Stormwater Funding Options":

1. Hanan Jibry and Rob Watters provided a joint delegation – In support of the 100% City wide stormwater funding option.
2. Marilyn Ginsburg, representing Grandview Residents Association – Provided comments.
3. Toinette Bezant, representing Thornhill Flood and Stormwater Liaison Committee and the Bayview Glen Residents Association – In support of the 100% City wide stormwater funding option.
4. Karen Rea, representing Markham Village City Ratepayers – In support of the 100% City wide stormwater funding option.
5. Donna Bush – Provided comments.
6. Evelin Ellison, representing Ward One Thornhill South Residents Inc. – Provided comments.
7. Eileen Liasi, representing German Mills Residents Association – In support of the 100% City wide stormwater funding option.

Moved by Regional Councillor Jim Jones
Seconded by Councillor Don Hamilton

That Council hear delegations regarding the item titled "Water Systems Management – Stormwater Funding Options" immediately following the staff presentation on the same matter.

CARRIED

(See New/Other Business Item No. 2 for Council's decision on this matter)
(See Presentation No. 1 for staff presentation)

- (2) DELEGATIONS REGARDING
MADE ALL REPORTS RELATED TO THE GTA ARENA PUBLIC (6.0)
(Motion No. 1)

Council heard the following delegations regarding the item titled "Made All Reports Related to the GTA Arena Public":

1. Robert Mok – In support
2. Grace Sonoda – Not in attendance
3. Marilyn Ginsburg, representing Grandview Residents Association – In support
4. Donna Bush – In support
5. Karen Rea, representing Markham Village City Ratepayers – In support
6. Annette Cacorovski – In support
7. Stephen Kotyck – In support

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

- (3) DELEGATIONS
REGARDING THE APPLICATIONS SUBMITTED BY GEMINI URBAN DESIGN
(HOUGHTON) CORPORATION FOR DRAFT PLAN OF SUBDIVISION, ZONING
AMENDMENT AND DRAFT PLAN OF CONDOMINIUM, 11 & 15 HOUGHTON
BOULEVARD & 55 JOSEPH STREET (10.6, 10.5 AND 10.20)
(New/Other Business No. 1)

Council heard the following delegations regarding the item titled "Applications Submitted by Gemini Urban Design (Houghton) Corporation for Draft Plan of Subdivision, Zoning Amendment and Draft Plan of Condominium, 11 & 15 Houghton Boulevard & 55 Joseph Street":

1. Jennifer Churchill – Spoke of auxillary parking spots and requested that they be removed from the plan.
2. Charlotte Wilson – In objection to the proposed development.
3. Karen Rea, Markham Village City Ratepayers – Requested the matter be referred back to staff.
4. Scott Bentley – In objection to the proposed zoning amendment.
5. Shannon Bentley - In objection to the proposed development.
6. John Wannop – In support of the proposed development.

(See New/Other Business No. 1 for Council's decision on this matter)

5. PETITIONS

There were no petitions considered.

6(A) REPORT NO. 5 - GENERAL COMMITTEE (February 4, 2013)

Council consented to separate Item Nos. 1, 3 and 5.

Moved by Councillor Carolina Moretti

Seconded by Councillor Alan Ho

That Report No. 5 – General Committee comprised of 6 items be received and adopted, except Item Nos. 1, 3 and 5. (See following Item Nos. 1, 3 and 5)

- (1) 2013 PROPOSED WATER/WASTEWATER
RATE INCREASE AND 2013 WATERWORKS OPERATING BUDGET (7.4)
[Report](#)

Moved by Deputy Mayor Jack Heath

Seconded by Regional Councillor Jim Jones

- 1) That the report dated February 4, 2013 entitled “Proposed 2013 Water/Wastewater Rate Increase and 2013 Waterworks Operating Budget” be received; and,
- 2) That Staff be authorized to hold a public meeting on February 12, 2013 at 6:30 p.m. on the proposed 2013 water/wastewater rate increase; and further,
- 3) That the following recommendation from the February 4, 2013 General Committee meeting be referred to the February 25, 2013 General Committee meeting:

"That the 2013 City of Markham's ("City") water/wastewater rate increase be equivalent to the Region of York's ("Region") monetary increase of \$0.1637 per cubic metre (m³) based on Region's approved increase of 10%; and,

That in addition to the Region's increase, the 2013 water/wastewater rate increase includes a surcharge of \$0.0462/m³; and,

That effective April 1, 2013, the 2013 water/wastewater rate will be \$2.8376/m³, an increase of \$0.2099/m³; and,

That Council approve the 2013 Waterworks budget that totals \$89,789,481, (excluding the 2012 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

(2) **CASTAN AVENUE & RAY STREET
PROPOSED ALL-WAY STOP CONTROL (5.12)**
[Report](#)

- 1) That the report entitled "Castan Avenue & Ray Street Proposed All-way Stop Control", be received; and,
- 2) That Schedule 12 (Compulsory Stops) of Traffic By-law 106-71 be amended to include the intersection of Castan Avenue and Ray Street; and,
- 3) That the Operations Department be directed to install the appropriate signs and pavement markings at the subject locations; and,
- 4) That the cost of materials and installation for the traffic signs and pavement markings be funded from capital project # 11305 (Traffic Operational Improvements) in the amount of \$500; and,
- 5) That York Region Police be requested to enforce the all-way stop control upon installation of these stop signs and passing of the By-law; and further,
- 6) That staff be authorized and directed to do all things necessary to give effect to this resolution.

(By-law 2013-13)

CARRIED

(3) GERMAN MILLS ROAD
PROPOSED PARKING PROHIBITION (5.12)
[Report](#)

Moved by Councillor Carolina Moretti

Seconded by Councillor Alan Ho

- 1) That the staff report entitled “German Mills Road Proposed Parking Prohibition”, be received; and,
- 2) That Schedule “C” of Traffic By-law 2005-188, be amended by including the west and north side of German Mills Road, between the property line of 15/17 and 19/31 German Mills Road; and,
- 3) That Schedule “C” of Traffic By-law 2005-188, be amended by including the east and south side of German Mills Road, between the property line of 14/16 and east property line of # 32 German Mills Road; and,
- 4) That the Operations Department be directed to install and maintain the appropriate regulatory signs at the subject locations; and,
- 5) That the cost of materials and installation for the traffic signs and pavement markings be funded from capital project # 11305 (Traffic Operational Improvements) in the amount of \$500; and,
- 6) That the Parking Control Department be directed to enforce the parking prohibition upon approval of the By-law amendment and installation of the regulatory signs; and further,
- 7) That staff be authorized and directed to do all things necessary to give effect to this resolution.

(By-law 2013-14)

CARRIED

(4) THORNHILL REFRIGERATION
PLANT RENOVATIONS (6.0)
[Report](#) [Attachment](#)

- 1) That the report dated January 25, 2013 entitled “Thornhill Refrigeration Plant Renovations” be received; and,

- 2) That the contract for the refrigeration system be awarded to Cimco Refrigeration in the amount of \$490,890.24 inclusive of HST; and,
- 3) That the funds for this award be provided from account 500-101-5399-12198 “Thornhill Refrigeration Plant Renovations” in the amount of \$490,890.24; and,
- 4) That the tendering process be waived for the refrigeration system in accordance with Purchasing By-Law 2004-341, Part II, Section 7, 1(b), where there is only one source of supply for the goods to be purchased; and further,
- 5) That staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

- (5) MARKHAM TO SUPPORT LOCAL CHARITIES
IN HOSTING A JOINT FUNDRAISING EVENT
– APRIL 25, 2013 (7.0)
[Report + Attachment A](#) [Attachment B](#)

Moved by Councillor Carolina Moretti

Seconded by Councillor Alan Ho

- 1) That the report entitled “Markham to support local charities in hosting a joint fundraising event – April 25, 2013” be received; and,
- 2) That this joint fundraising event be for two to three organizations sharing the same venue, entertainment, and program book; and,
- 3) That a Steering Committee be comprised of the Mayor as Honourary Chair, Regional Councillor Gord Landon as Chair, and Councillors Carolina Moretti, Alan Ho, and Logan Kanapathi as Advisors; and,
- 4) That all finances for the event be through the City’s Finance Department for the purposes of centralizing accounting, reporting on donations, and transparency; and,
- 5) That the City’s Corporate Communications and Community Engagement Department assist in designing and printing tickets, posters, and program books, and promoting the event; and,

- 6) That the promotion, printing, and entertainment costs be paid for by sponsorship revenue found by Councillors; and,
- 7) That all participating organizations be responsible for selling tickets and finding their own sponsors; and further,
- 8) That all net profit (or deficit) from Councillor sponsorship funds after promotion, printing, and entertainment costs, be split to all participating groups.

CARRIED

(6) CANADA DAY COMMITTEE APPOINTMENT (16.24)

- 1) That Councillor Carolina Moretti be re-appointed as the Chair of the Canada Day Committee.

CARRIED

6(B) REPORT NO. 6 - DEVELOPMENT SERVICES COMMITTEE (February 5, 2013)

Moved by Regional Councillor Jim Jones

Seconded by Councillor Don Hamilton

That Report No. 6 – Development Services Committee comprised of 1 item be received and adopted.

**(1) T&T SUPERMARKET
7070 WARDEN AVENUE, 8339 KENNEDY ROAD
EXEMPTION UNDER THE RETAIL BUSINESS HOLIDAYS ACT (10.16)
[Correspondence](#)**

- 1) That the deputation by Tina Lee, representing T&T Supermarket Inc., be received; and,
- 2) That the correspondence dated January 16, 2013 from Cindy Lee, Chief Executive Officer, T&T Supermarket Inc. requesting the City of Markham support and endorse the application to the Regional Municipality of York for the exemption under the Retail Business Holidays Act for 7070 Warden Avenue and 8339 Kennedy Road locations be received; and further,

- 3) That the Region of York be advised that the City of Markham supports and endorsed the request of T&T Supermarket Inc. for exemption under the Retail Business Holidays Act for 7070 Warden Avenue and 8339 Kennedy Road locations.

CARRIED BY A RECORDED VOTE (9:4)

(See following recorded vote)

- YEAS: Councillor Don Hamilton, Councillor Carolina Moretti, Regional Councillor Joe Li, Regional Councillor Jim Jones, Deputy Mayor Jack Heath, Regional Councillor Gord Landon, Councillor Alan Ho, Councillor Logan Kanapathi, Councillor Alex Chiu. (9)
- NAYS: Councillor Valerie Burke, Councillor Howard Shore, Mayor Frank Scarpitti, Councillor Colin Campbell. (4)

7. MOTIONS

- (1) MADE ALL REPORTS RELATED TO THE GTA ARENA PUBLIC (6.0)

A lengthy discussion ensued.

Moved by Councillor Logan Kanapathi
Seconded by Councillor Don Hamilton

Whereas a number of reports pertaining to the proposed GTA Centre arena were commissioned by the City without Council's knowledge or authorization; and,

Whereas these reports continue to be withheld from Markham taxpayers; and,

Whereas the release of these reports would not expose proprietary information or divulge matters that warrant them being kept secret; and,

Now therefore be it resolved:

- 1) That all such reports and related documentation be immediately released to the public, including those authored by:
1. Miller Thomson Slide Deck – Markham Live – Jan 24, 2011
 2. KPMG Reports
 - a. Markham Sports Entertainment and Cultural Centre Project Highlights
 - b. Assisting the Town of Markham in Pursuing a Sports and Entertainment Facility as a Public-Private Partnership
 3. Weir Foulds – Client-Privileged Communications

- a. Assisting the Mayor and Town Staff how to make this a Municipal Capital Facility
 - b. Memorandum – How the potential Centre transaction might be structure
 4. BDR – 4 page memorandum –Sensitivity Analysis
 - a. Re – Model developed by the Town of Markham regarding the possible Markham participation in “Project Live”
 5. Prof Daniel Mason/Prof Brad Humphreys – A review
 - a. New Arena Development in Markham
 6. Town of Markham – Economic Opportunity - Stephen Chait
 - a. Exploratory Economic Impact Analysis of a Major Sports/Event Arena in Markham Centre
 7. Raymond James – Markham Arena Opportunity – 40 pages
 - a. Mainly a slide deck presentation; and,
- 2) That Council be advised of the cost, funding source(s) and authorization for the work.

MOTION DEFERRED BY A RECORDED VOTE (8:5)

(See following recorded vote)

(See following deferral motion)

Motion deferred by a recorded vote (8:5):

YEAS: Councillor Valerie Burke, Councillor Don Hamilton, Councillor Carolina Moretti, Regional Councillor Joe Li, Regional Councillor Jim Jones, Mayor Frank Scarpitti, Deputy Mayor Jack Heath, Councillor Logan Kanapathi. (8)

NAYS: Councillor Howard Shore, Regional Councillor Gord Landon, Councillor Colin Campbell, Councillor Alan Ho, Councillor Alex Chiu. (5)

Deferral motion:

Moved by Councillor Logan Kanapathi

Seconded by Councillor Don Hamilton

That the motion titled "Made All Reports Related to the GTA Arena Public" be deferred and that a second opinion be sought from an outside legal source to provide advice on whether the City should release the records to the public referenced in the motion.

CARRIED

Note: The notice of this motion was given to Council on January 29, 2013, moved by Regional Councillor Jim Jones and seconded by Regional Councillor Joe Li.

8. NOTICES OF MOTIONS

There were no notices of motions.

9. COMMUNICATIONS

Moved by Councillor Colin Campbell

Seconded by Councillor Alex Chiu

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

Received

5-2013

COMMUNICATIONS RECEIVED – PROVIDING COMMENTS REGARDING THE MOTION TITLED “MADE ALL REPORTS RELATED TO THE GTA ARENA PUBLIC” (6.0):

(Motion No. 1)

[Communications](#)

1. Elisabeth Tan
2. Donna Day
3. Dhimo Lad
4. Shafic Kara
5. Joe Ciurria
6. W. E. Goss
7. David Smith
8. Ben Mok
9. Roger Shoreman
10. Tony Hsiung
11. Donna Bush
12. Don and Kathy Hobson
13. Samuel Chang
14. Margaret and Rod MacKenzie
15. The Perry Family

CARRIED

- 6-2013 COMMUNICATIONS RECEIVED – PROVIDING COMMENTS REGARDING THE APPLICATIONS SUBMITTED BY GEMINI URBAN DESIGN (HOUGHTON) CORPORATION FOR DRAFT PLAN OF SUBDIVISION, ZONING AMENDMENT AND DRAFT PLAN OF CONDOMINIUM, 11 & 15 HOUGHTON BOULEVARD & 55 JOSEPH STREET (10.6, 10.5 AND 10.20):

[Communications](#)

1. Ken Slater & Gary Bensky, Gemini Urban Design & Wycliffe Homes.
2. Charlotte Wilson
3. Robin Banerjee & Amanda Helderman
4. Robert Young
5. Cameron Wilson
6. Scott Bentley
7. Shannon Bentley
8. Susan Taylor

CARRIED

- 7-2013 COMMUNICATION RECEIVED – PROVIDING COMMENTS REGARDING WATER SYSTEMS MANAGEMENT - STORMWATER FUNDING OPTIONS (5.5)

[Communication](#)

1. Jeff Morris, President, Unionville Ratepayers Association

10. PROCLAMATIONS**(1) PROCLAMATION AND FLAG RAISING REQUESTS (3.4)**

Moved by Councillor Alex Chiu

Seconded by Councillor Carolina Moretti

- 1) That the following proclamation issued by the City Clerk in accordance with the City of Markham Proclamation Policy be received for information purposes:
 - Red Cross Month (March 2013)
 - Pakistan National Day (March 23, 2013)
 - Philippine Week (June 9 to 16, 2013); and,
- 2) That the following new request for proclamation be deferred to the February 26, 2013 Council meeting:
 - Lyme Disease Awareness Month (May 2013); and further,
- 3) That the following request for flag to be raised at the Anthony Roman Markham Civic Centre flagpole approved by the City Clerk in accordance with the City of Markham Community Flag Raisings & Flag Protocol Policy be received for information purposes:
 - Philippine Flag (June 9 to 16, 2013)

CARRIED AS AMENDED

11. NEW/OTHER BUSINESS

- (1) RECOMMENDATION REPORT
GEMINI URBAN DESIGN (HOUGHTON) CORPORATION
DRAFT PLAN OF SUBDIVISION, ZONING AMENDMENT
AND DRAFT PLAN OF CONDOMINIUM FOR
10 SINGLE DETACHED DWELLINGS AT
11 & 15 HOUGHTON BOULELVAR D & 55 JOSEPH STREET
(SU 12 131249, ZA 12 131249 & CU 12 131249) (10.6, 10.5, 10.20)
[Report](#) [Revised By-law](#)

Moved by Councillor Colin Campbell
Seconded by Regional Councillor Gord Landon

- 1) That correspondence from Jennifer and Len Churchill regarding the application by Gemini Urban Design (Houghton) Corporation be received; and,
- 2) That the deputations at the December 11, 2012 Development Services Committee by Robin Banerjee and John Wannop regarding the application by Gemini Urban Design (Houghton) Corporation, be received; and,
- 3) That the report titled "RECOMMENDATION REPORT, Gemini Urban Design (Houghton) Corporation, Draft Plan of Subdivision, Zoning Amendment and Draft Plan of Condominium for 10 single detached dwellings at 11 & 15 Houghton Boulevard & 55 Joseph Street, Files SU 12 131249, ZA 12 131249 & CU 12 131249," dated November 20, 2012 be received; and,
- 4) That the record of the Public Meeting held on June 19, 2012, regarding the application for approval of Draft Plan of Subdivision be received; and,
- 5) That draft plan of subdivision 19TM-12001 submitted by Gemini Urban Design (Houghton) Corporation, be draft approved subject to the conditions outlined in Appendix 'A' and subject to the deletion of one lot, for a maximum of 9 lots, and the elimination of the 2 visitor parking spaces;
- 6) That the application by Gemini Urban Design (Houghton) Corporation to amend Zoning By-law 1229, as amended, be approved, incorporating the appropriate revisions to reflect a 9 lot plan approved by Council this date; and,
- 7) That Council authorize servicing allocation for 8 single detached units (29.6 population) within the current servicing allocation reserve; and,
- 8) That the Town 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 Staff be authorized and directed to do all things necessary to give effect to this resolution; and further,
- 11) That the draft plan approval for plan of subdivision 19TM-12001, as amended, 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.

CARRIE AS AMENDED BY A RECORDED VOTE (9:4)

(See following recorded vote)

(See following to amend)

(See following to resolve into an in-camera session)

Carried as amended by a recorded vote (9:4)

YEAS: Councillor Howard Shore, Councillor Don Hamilton, Councillor Carolina Moretti, Regional Councillor Joe Li, Regional Councillor Jim Jones, Mayor Frank Scarpitti, Deputy Mayor Jack Heath, Councillor Logan Kanapathi, Councillor Alex Chiu. (9)

NAYS: Councillor Valerie Burke, Regional Councillor Gord Landon, Councillor Colin Campbell, Councillor Alan Ho. (4)

Motion to amend:

Moved by Councillor Carolina Moretti

Seconded by Regional Councillor Jim Jones

That the following Resolution Nos. 5, 6, 7 and 11 be deleted in their entirety:

- "5) That draft plan of subdivision 19TM-12001 submitted by Gemini Urban Design (Houghton) Corporation, be draft approved subject to the conditions outlined in Appendix 'A'; and,
- 6) That the application by Gemini Urban Design (Houghton) Corporation to amend Zoning By-law 1229, as amended, be approved and the draft by-law attached as Appendix 'B' , be finalized and enacted without further notice; and,
- 7) That Council authorize servicing allocation for 9 single detached units (33.3 population) within the current servicing allocation reserve; and,

- 11) That the draft plan approval for plan of subdivision 19TM-12001 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 replaced with the following revised Resolution Nos. 5, 6, 7 and 11 instead:

- 5) That draft plan of subdivision 19TM-12001 submitted by Gemini Urban Design (Houghton) Corporation, be draft approved subject to the conditions outlined in Appendix 'A' and subject to the deletion of one lot, for a maximum of 9 lots, and the elimination of the 2 visitor parking spaces;
- 6) That the application by Gemini Urban Design (Houghton) Corporation to amend Zoning By-law 1229, as amended, be approved, incorporating the appropriate revisions to reflect a 9 lot plan approved by Council this date; and,
- 7) That Council authorize servicing allocation for 8 single detached units (29.6 population) within the current servicing allocation reserve; and,
- 11) That the draft plan approval for plan of subdivision 19TM-12001, as amended, 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.

AMENDMENT CARRIED BY A RECORDED VOTE (8:5)

YEAS: Councillor Howard Shore, Councillor Don Hamilton, Councillor Carolina Moretti, Regional Councillor Joe Li, Regional Councillor Jim Jones, Mayor Frank Scarpitti, Deputy Mayor Jack Heath, Councillor Alex Chiu. (8)

NAYS: Councillor Valerie Burke, Regional Councillor Gord Landon, Councillor Colin Campbell, Councillor Alan Ho, Councillor Logan Kanapathi. (5)

Motion to resolve into an in-camera session to seek legal advice:

Moved by Councillor Carolina Moretti
Seconded by Councillor Logan Kanapathi

That in accordance with The Municipal Act [Section 239 (2) (f)] and the City of Markham Procedural By-law 2001-1, Council resolve into an in-camera session to seek legal advice on this matter.

(12:18 a.m. on February 13, 2013)

CARRIED

Moved by Councillor Alan Ho
Seconded by Deputy Mayor Jack Heath

That Council rise from the in-camera session and re-convene in open session.
(12:37 a.m. on February 13, 2013)

CARRIED

(2) WATER SYSTEMS MANAGEMENT
PRESENTATION #4 STORMWATER FUNDING OPTIONS (5.5)
[Presentation](#)

Moved by Councillor Colin Campbell
Seconded by Councillor Carolina Moretti

- 1) That the presentation by Robert Muir, Senior Stormwater Management Engineer regarding the Water System Management - Stormwater Funding Options be received; and,
- 2) That the City's flood control strategy adopt a 100-year level of service target for City-wide storm drainage systems, subject to technical feasibility and approvals as part of future Class Environmental Assessments (EA) which shall consider different levels of protection; and,
- 3) That the City's flood control strategy adopt a 5 year level of service target for Don Mills Channel drainage system based on its original design and consider other options, subject to technical feasibility and approval as part of a future Class EA; and,
- 4) That the City adopt a 30 year implementation timeframe for its flood control strategy; and,
- 5) That the flood control strategy implement City-wide flood risk reduction projects, prioritized on the basis of identified risk and cost-effectiveness of solutions; and,
- 6) That the flood control strategy be updated on a 5 year cycle considering projects identified in completed technical studies and updated budget requirements; and,
- 7) That funding responsibility shall be a 100% City-wide infrastructure responsibility, paid for by City-wide fees; and,
- 8) That staff proceed with City-wide Public Information Meetings with the City-wide funding option noted above; and,

- 9) That Canada Gas Tax Funding be considered to offset the cost of the above options; and further,
- 10) That staff report back on the details of the Public Information Meetings, with recommendations on the funding mechanisms to be used to generate the city wide fees and an overall citywide stormwater strategy based on the recommendations noted above, and an imminent timeframe for implementation.

CARRIED AS AMENDED BY RECORDED VOTES

(See following recorded votes)

(10:1 for Resolution Nos. 1 to 6, 9 and 10)

(8:3 for Resolution Nos. 7 and 8)

(See following to amend)

Regional Councillor Gord Landon and Councillor Alex Chiu were absent during the consideration of this matter.

Council consented to separate the matter for amendment and voting purposes as follows:

Carried as amended recorded vote (10:1) for Resolution Nos. 1 to 6, 9 and 10:

YEAS: Councillor Valerie Burke, Councillor Howard Shore, Councillor Don Hamilton, Councillor Carolina Moretti, Regional Councillor Joe Li, Regional Councillor Jim Jones, Mayor Frank Scarpitti, Deputy Mayor Jack Heath, Councillor Colin Campbell, Councillor Logan Kanapathi. (10)

NAYS: Councillor Alan Ho. (1)

ABSENT: Regional Councillor Gord Landon, Councillor Alex Chiu. (2)

Carried as amended recorded vote (8:3) for Resolution Nos. 7 and 8:

YEAS: Councillor Valerie Burke, Councillor Howard Shore, Councillor Don Hamilton, Regional Councillor Joe Li, Regional Councillor Jim Jones, Deputy Mayor Jack Heath, Councillor Alan Ho, Councillor Logan Kanapathi (8)

NAYS: Councillor Carolina Moretti, Mayor Frank Scarpitti, Councillor Colin Campbell. (3)

ABSENT: Regional Councillor Gord Landon, Councillor Alex Chiu. (2)

Resolution No. 1:

Adopted as proposed.

Resolution Nos. 2 and 3:

Council consented to replace the word "...consider..." with the word "...adopt..." in Resolution Nos. 2 and 3.

Resolution Nos. 4, 5 and 6:

Adopted as proposed.

Resolution Nos. 7 and 8 amendments:

Moved by Councillor Howard Shore

Seconded by Councillor Valerie Burke

That the following proposed Resolution No. 7 be deleted in its entirety:

- "7) That staff proceed with City Wide public consultation on the following flood control funding options:
- a) 100% City-wide fees
 - b) 100% Local Charges
 - c) 75% Local Charges and 25% City-wide fee"; and,

That the following be inserted as Resolution Nos. 7 and 8 instead:

- "7) That funding responsibility shall be a 100% City-wide infrastructure responsibility, paid for by City-wide fees; and,
- 8) That staff proceed with City-wide Public Information Meetings with the City-wide funding option noted above; and,"

AMENDMENT CARRIED BY A RECORDED VOTE (9:2)
(See following recorded vote)

YEAS: Councillor Valerie Burke, Councillor Howard Shore, Councillor Don Hamilton, Regional Councillor Joe Li, Regional Councillor Jim Jones, Deputy Mayor Jack Heath, Councillor Colin Campbell, Councillor Alan Ho, Councillor Logan Kanapathi, Councillor Alex Chiu. (9)

NAYS: Councillor Carolina Moretti, Mayor Frank Scarpitti. (2)

ABSENT: Regional Councillor Gord Landon, Councillor Alex Chiu. (2)

Resolution No. 9:

Adopted as proposed.

Resolution No. 10:

Council consented to delete the following proposed Resolution No. 10:

- "10) That staff report back following public consultation and recommend a funding option for the flood control strategy."

and replace it with the following revised Resolution No. 10:

- "10) That staff report back on the details of the Public Information Meetings, with recommendations on the funding mechanisms to be used to generate the city wide fees and an overall citywide stormwater strategy based on the recommendations noted above, and an imminent timeframe for implementation."

Council consented to delete the following proposed resolution:

- "That staff meet with the Thornhill Liaison Committee prior to the City Wide public consultations;"

12. BY-LAWS

Moved by Deputy Mayor Jack Heath

Seconded by Councillor Colin Campbell

That By-laws 2013-13 to 2013-15 and By-law 2013-17 be given three readings and enacted; and,

That By-law 2013-12 be deferred.

CARRIED

Three Readings

BY-LAW 2013-12 GEMINI URBAN DESIGN (HOUGHTON) CORPORATION, 11 & 15 HOUGHTON BOULEVARD & 55 JOSEPH STREET, IMPLEMENTING BY-LAW

- A by-law to amend By-law 1229, as amended, to permit the construction of single detached dwellings and restrict development from occurring within the environmental buffer area.

(New/Other Business Item No. 1)

DEFERRED

BY-LAW 2013-13 TO AMEND TRAFFIC BY-LAW 106-71 (CASTAN AVENUE & RAY STREET ALL-WAY STOP CONTROL)
(Item No. 2, Report No. 5)

By-law

CARRIED

BY-LAW 2013-14 TO AMEND PARKING BY-LAW 2005-188 (GERMAN MILLS ROAD PARKING PROHIBITION)
(Item No. 3, Report No. 5)

By-law

CARRIED

BY-LAW 2013-15 A BY-LAW TO DESIGNATE A PROPERTY AS BEING OF CULTURAL HERITAGE VALUE OR INTEREST - REESOR-GROVE FARMHOUSE, 6330 SIXTEENTH AVENUE

By-law

CARRIED

BY-LAW 2013-17 TO AMEND CEMETERY BY-LAW 2012-178
(Administrative amendments from the Provincial Registrar)

By-law

CARRIED

13. IN-CAMERA ITEMS

Moved by Councillor Carolina Moretti

Seconded by Councillor Logan Kanapathi

In accordance with The Municipal Act [Section 239 (2) (f)] and the City of Markham Procedural By-law 2001-1, Council resolve into an in-camera session to seek legal advice regarding the item titled "Applications Submitted by Gemini Urban Design (Houghton) Corporation for Draft Plan of Subdivision, Zoning Amendment and Draft Plan of Condominium, 11 & 15 Houghton Boulevard & 55 Joseph Street".

(12:18 a.m. on February 13, 2013)

(See New/Other Business No. 1)

CARRIED

There were no discussions during the in-camera session for the following items:

COUNCIL – February 12, 2013

- (1) A MATTER IN RESPECT OF WHICH A COUNCIL, BOARD, COMMITTEE OR OTHER BODY MAY HOLD A CLOSED MEETING UNDER ANOTHER ACT
[Section 239 (2) (g)]
(MINUTES OF IN-CAMERA COUNCIL MEETING – JANUARY 29, 2013)

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

Council reported out the items as follows:

- (1) MINUTES OF IN-CAMERA COUNCIL MEETING
- JANUARY 30, 2013

Moved by Councillor Howard Shore
Seconded by Councillor Alan Ho

- 1) That the Council In-camera Minutes dated January 30, 2013 be confirmed.

CARRIED

(2) CANADA DAY COMMITTEE APPOINTMENTS (16.24)

Moved by Councillor Carolina Moretti

Seconded by Councillor Don Hamilton

- 1) That the following persons be appointed to the Canada Day Committee:

	<u>Term end date</u>
Antonette DiNovo	November 30, 2014
Angela Fu	November 30, 2014
Lauren Matunin	November 30, 2015
Mandy Ou	November 30, 2015
Perry Chan	November 30, 2015
Rocky Chen	November 30, 2013
Catherine Johnson	November 30, 2013
Zhouyu Yang	November 30, 2013
Allan Bell	November 30, 2014
Nicole DiNovo	November 30, 2014

CARRIED

14. CONFIRMATORY BY-LAW

Moved by Councillor Howard Shore

Seconded by Councillor Logan Kanapathi

That By-law 2013-16 be given three readings and enacted.

Three Readings

BY-LAW 2013-16 A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE COUNCIL MEETING OF FEBRUARY 12, 2013.

By-law

CARRIED

15. ADJOURNMENT

Moved by Councillor Logan Kanapathi
Seconded by Councillor Carolina Moretti

That the Council Meeting be adjourned at 2:12 a.m. on February 13, 2013.

CARRIED

MARTHA PETTIT
ACTING CITY CLERK

FRANK SCARPITTI
MAYOR

(Signed)