



## **Council Minutes**

**May 1, 2018, 7:00 PM**

Council Chamber, Anthony Roman Markham Civic Centre

**Meeting No. 9**

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### **Roll Call**

Mayor Frank Scarpitti, Deputy Mayor Jack Heath, Regional Councillor Jim Jones, Regional Councillor Joe Li, Regional Councillor Nirmala Armstrong, Councillor Valerie Burke, Councillor Alan Ho (arrived at 7:04 PM), Councillor Don Hamilton, Councillor Karen Rea, Councillor Colin Campbell, Councillor Amanda Collucci (arrived at 7:09 PM), Councillor Logan Kanapathi (arrived at 7:33 PM), Councillor Alex Chiu.

### **Staff**

Andy Taylor, Chief Administrative Officer  
Catherine Conrad, City Solicitor and Acting Director of Human Resources  
Trinela Cane, Commissioner of Corporate Services  
Brenda Librecz, Commissioner of Community and Fire Services  
Brian Lee, Acting Commissioner of Development Services  
Joel Lustig, Treasurer  
Martha Pettit, Deputy City Clerk  
Alida Tari, Acting Manager, Access & Privacy  
John Wong, Technology Support Specialist  
Bryan Frois, Chief of Staff  
Andrea Berry, Senior Manager, Corporate Communications & Community Engagement  
Shane Manson, Senior Manager, Revenue & Property Taxation, Financial Services

The meeting of Council convened at 7:02 PM on May 1, 2018 in the Council Chamber. Mayor Frank Scarpitti presided.

### **INDIGENOUS LAND ACKNOWLEDGEMENT**

We begin today by acknowledging that we walk upon the traditional territories of Indigenous Peoples and we recognize their history, spirituality, culture, and stewardship of the land. We are grateful to all Indigenous groups for their commitment to protect the land and its resources and we are committed to reconciliation, partnership and enhanced understanding.

**1. DISCLOSURE OF PECUNIARY INTEREST**

- (1) None disclosed.

**2. APPROVAL OF PREVIOUS MINUTES**

Moved by Councillor Colin Campbell  
Seconded by Councillor Valerie Burke

- (1) COUNCIL MINUTES APRIL 23, 2018

- 1) That the Minutes of the Council Meeting held on April 24, 2018, be adopted.  
[Minutes](#)

**Carried**

**3. PRESENTATIONS**

- (1) UNITED WAY TORONTO AND YORK REGION PRESENTATION (12.2.6)

Mr. Daniele Zanotti, President and CEO, United Way Toronto & York Region, provided an update on United Way's work in the community and thanked Council for their support and campaign.

Mayor Frank Scarpitti on behalf of all Members of Council thanked Mr. Daniele Zanotti, for all his work and the great success, and to continue the good work.

Moved by Deputy Mayor Jack Heath  
Seconded by Regional Councillor Jim Jones

- 1) That the presentation of Mr. Daniele Zanotti, President and CEO, United Way Toronto & York Region, be received.

**Carried**

**4. DEPUTATIONS**

There were no deputations.

## 5. COMMUNICATIONS

Moved by Councillor Colin Campbell

Seconded by Councillor Karen Rea

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

9-2018      TEMPORARY EXTENSION APPLICATION (LIQUOR SALES LICENCE)  
FOR FLETCHER'S FIELDS, 2743 19<sup>TH</sup> AVENUE (WARD 2) (3.21)

[Info](#)

Request for a non-objection letter from the City of Markham to extend their existing liquor licence to encompass the south parking lot and grandstand of Fletcher's Fields rugby park at 2743 19<sup>th</sup> Avenue. The proposed extension will be utilized during the Toronto Wolfpack Rugby League Match on May 5, 2018.

**Carried**

## 6. PROCLAMATIONS

(1)            PROCLAMATIONS AND FLAG RAISING REQUESTS (3.4)

Moved by Regional Councillor Jim Jones

Seconded by Regional Councillor Nirmala Armstrong

- 1)      That the following proclamations, issued by the City Clerk in accordance with the City of Markham Proclamation Policy, be received for information purposes:
  - Armenian National Day (May 26, 2018)
  - Franco-Ontarian Day (September 25, 2018)
- 2)      That the following new request for proclamation be approved and added to the Five-Year Proclamations List approved by Council:
  - Innovation Week in the City of Markham (May 7-13, 2018)
- 3)      That the following requests for flags 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:
  - Armenian National Day (May 26, 2018)  
(Organized by Armenian National Community)

- Franco-Ontarian Day (September 25, 2018)  
(Organized by Association francophone de la region de York)

- 4) That the following new request for a 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:

- ALS Double Play 5km Intentional Walk (June 9 - 16, 2018)  
(Organized by ALS Double Play)

**Carried**

**7(A) REPORT NO. 17 GENERAL COMMITTEE MEETING (April 23, 2018)**

Moved by Deputy Mayor Jack Heath

Seconded by Councillor Colin Campbell

That the report of the General Committee Meeting comprised of 4 items be received & adopted, except for Item Nos. 2 and 4 (See Item Nos. 2 and 4).

- (1) 002-S-18 FIRE PUMPER APPARATUS  
PURCHASE AGREEMENT FOR FIVE YEARS (7.12)  
[Report](#)

- 1) That the report entitled “002-S-18 Fire Pumper Apparatus Purchase Agreement for Five Years” be received; and,
- 2) That supply of One (1) Fire Pumper Apparatus be awarded to Safetek Emergency Vehicles (“Safetek”) in the total amount of \$763,722.97 CAD dollars inclusive of HST (\$596,658.57 USD); and,
- 3) That the funds for the Fire Pumper Apparatus award be provided from account 057-6150-18246-005 “Corporate Fleet Replacement-Fire” in the amount of \$840,227.47 CAD dollars; and,
- 4) That the balance remaining in the amount of \$76,504.50 (\$840,227.47 less \$763,722.97) will be returned to original funding source; and,
- 5) That the tendering process be waived in accordance with Purchasing By-Law 2004-341, Part II, Section 7 (1) (e) which states “where the City is acquiring specialized equipment, in which case the sources of supply may be identified based on technical specifications”; and,

- 6) That Safetek be the preferred supplier for four (4) additional years (2019-2022) for fire pumper apparatus; and,
- 7) That the Fire Chief and the Senior Manager of Purchasing & Accounts Payable be authorized to approve annual purchases of new fire pumper apparatus in years 2019-2022 subject to a maximum annual price adjustment that is to be capped based on the percentage change in the posted All-items CPI (Consumer Price Index) for Canada; and further,
- 8) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**Carried**

- (2) THORNHILL VILLAGE LIBRARY  
PARKING LOT RESTORATION  
- 10 COLBORNE STREET, THORNHILL (3.19)  
[Report](#) [Attachment](#)

Councillor Valerie Burke thanked staff and requested that an image of a wheat sheaf be included in the concrete pattern.

Moved by Deputy Mayor Jack Heath  
Seconded by Councillor Colin Campbell

- 1) That the staff report entitled, “Thornhill Village Library Parking Lot Restoration – 10 Colborne Street, Thornhill” be received; and,
- 2) That Council approve the staff recommended option to replace the parking lot surfacing with plain concrete and a drainage system of weeping tiles tied into the storm water system; and,
- 3) That Council approve the potential shortfall to a maximum amount of \$30,000 to be funded from the Life Cycle Replacement and Capital Reserve Fund; and further,
- 4) That staff be authorized and directed to do all things necessary to give effect to this resolution.

**Carried**

(3) DEVELOPMENT CHARGE  
REIMBURSEMENT APPLICATION  
-WISMER COMMONS DEVELOPERS GROUP INC. (7.11)  
[Report](#) [Appendix A](#)

- 1) That the report entitled “Development Charge Reimbursement Application – Wismer Commons Developers Group Inc.” be received; and,
- 2) That Council authorize a City Wide Hard Development Charge reimbursement of \$2,063,899 to the Wismer Commons Developers Group Inc. for the construction of intersections, the Roy Rainey Bridge and storm sewers on lands located within the Wismer community, as set out in this report; and,
- 3) That Council authorize Area Specific Development Charge reimbursements of \$1,901,687 from the Wismer and Mount Joy reserves, to the Wismer Commons Developers Group Inc. for the construction of storm and sanitary sewers on lands located within the Wismer community, as set out in this report; and,
- 4) That Council authorize the Mayor and Clerk to execute a Development Charge Reimbursement Agreement for an immediate reimbursement totalling \$3,149,232 to the Wismer Commons Developers Group Inc. comprised of \$2,063,899 for City Wide Hard and \$1,085,333 for Area Specific Development Charges; and further,
- 5) That the Mayor and Clerk be authorized to execute an Area Specific Development Charge Reimbursement Agreement relating to the Mount Joy area for \$816,354 (\$1,901,687 - \$1,085,333), in accordance with the City’s Development Charge Credit and Reimbursement Policy, with the Wismer Commons Developers Group Inc., or their successors in title, to the satisfaction of the Treasurer and City Solicitor.

**Carried**

(4) MUNICIPAL ACCOMMODATION TAX (MAT)  
CONSULTATION (7.0)  
[Presentation](#) [Report](#)

Discussion on the matter ensued with staff providing clarification on the start of the implementation date, the creation of the Municipal Services Corporation (MSC) and how the funds collected will be used.

Moved by Deputy Mayor Jack Heath  
Seconded by Councillor Alan Ho

- 1) That the presentation by Mr. Shane Manson, Senior Manager, Revenue & Property Taxation and Mr. Stephen Chait, Director, Economic Growth, Culture & Entrepreneurship entitled “Municipal Accommodation Tax (MAT) Stakeholder Consultation Feedback,” be received; and,
- 2) That the report entitled Municipal Accommodation Tax (MAT) Consultation be received; and,
- 3) That Council receive the information and feedback obtained during the consultation process undertaken with stakeholders and the hotel industry regarding the four percent (4%) Municipal Accommodation Tax (MAT) in the City of Markham; and,
- 4) That Council approve a four percent (4%) Municipal Accommodation Tax on all Markham hotels with a target implementation date of January 1<sup>st</sup>, 2019; and,
- 5) That Council approve a four percent (4%) Municipal Accommodation Tax on all Short-term rental providers, subject to Council’s future direction on short-term rental licensing requirements; and;
- 6) That staff report back with the business case for the purpose of creating a Municipal Services Corporation (MSC), which will operate as the City of Markham’s New Destination Marketing Organization and report back to Council in September 2018; and,
- 7) **That staff be directed to identify the tourist related Capital Projects that are funded by the Municipal Accommodation Tax in September 2018; and further,**
- 8) That staff be authorized and directed to do all things necessary to give effect to these resolutions.

**Carried by a recorded vote (11:2)**

YEAS: Councillor Valerie Burke, Councillor Alan Ho, Councillor Karen Rea, Regional Councillor Nirmala Armstrong, Regional Councillor Jim Jones, Mayor Frank Scarpitti, Deputy Mayor Jack Heath, Regional Councillor

Joe Li, Councillor Amanda Collucci, Councillor Logan Kanapathi, Councillor Alex Chiu. (11)

NAYS: Councillor Don Hamilton, Councillor Colin Campbell. (2)

Council consented to amend the recommendation by adding the following clause:

**"That staff be directed to identify the tourist related Capital Projects that are funded by the Municipal Accommodation Tax in September 2018; and further, "**

## **8. MOTIONS**

### **(1) CONGRATULATORY NOTE**

Moved by Councillor Alan Ho

Seconded by Regional Councillor Nirmala Armstrong

That the rules of procedure be waived in order to add a congratulatory motion regarding the birth of His Royal Highness Prince Louis of Cambridge.

Carried  
(Carried by a 2/3 vote of Council present)

Moved by Councillor Valerie Burke

Seconded by Councillor Karen Rea

Be it resolved that the Mayor send congratulations on behalf of the City of Markham to His Royal Highness Duke of Cambridge; and Her Royal Highness The Duchess of Cambridge on the birth of their baby, Louis Arthur Charles, His Royal Highness Prince Louis of Cambridge.

Carried

## **9. NOTICE OF MOTION TO RECONSIDER**

There were no notices of motions to reconsider.



**10. NEW/OTHER BUSINESS****(1) NEW/OTHER BUSINESS - 2018 ADDITIONAL COUNCIL AND STANDING COMMITTEE MEETING DATES: (16.0)**

Moved by Councillor Karen Rea

Seconded by Councillor Don Hamilton

- 1) That this matter be deferred to the May 7, 2018 General Committee meeting.

Carried

Council consented to amend the recommendation as follows:

"That the following meeting dates be added to the 2018 Council and Standing Committee meeting Calendar:

- Monday July 16, 2018 from 9 am to 3pm - General Committee/Development Services Committee
- **Monday July 16, 2018 at 7:00 pm Council meeting**
- Monday July 23, 2018 from 9 am to 3pm - General Committee/Development Services Committee
- **Monday July 23, 2018 at 7:00 pm Council meeting"**

Staff advised they would report back on the nature of the items to be brought forward at the above-noted meetings.

**(2) NEW/OTHER BUSINESS – UPDATE ON ART SCULPTURE CHARITY (6.0)**

Councillor Alan Ho requested an update on the art sculpture Charity. Catherine Conrad, City Solicitor and Acting Director of Human Resources provided an update on the court proceedings and advised that the motion for the injunction was heard in court on May 1, 2018 and the judge has reserved his decision until next week. The judge has ordered that the sculpture not be moved until his decision has been made.

**11. ANNOUNCEMENTS**

There were no announcements.

**12. BY-LAWS**

Moved by Councillor Alex Chiu

Seconded by Councillor Logan Kanapathi

That By-laws 2018-34 to 2018-35 be given three readings and enacted.

**Three Readings**

BY-LAW 2018-34     20 FRED VARLEY DRIVE C/O TRIBUTE (UNIONVILLE) LIMITED  
PART LOT CONTROL BY-LAW

A by-law to designate part of a certain plan of subdivision not subject to Part Lot Control, Parts 1 to 18, on Reference Plan 65R-37749, being part of Block E, Plan 7566 known as 20 Fred Varley Drive

[By-law](#)

**Carried**

BY-LAW 2018-35     ROAD DEDICATION BY-LAW

A by-law to dedicate certain lands as part of the highways of the City of Markham:

1. Part of Lot 14, Plan 2382, designated as Part 1, Plan 65R-10684 - John Street.
2. Part of Block 8, Plan M-2909, designated as Part 1, Plan 65R-34810 - Allstate Parkway.
3. That Part of Block 3, Plan 65M-2909, designated as Part 2, Plan 65R-33618 - Centurian Drive.

[By-law](#)

**Carried**

**13. CONFIDENTIAL ITEMS**

Moved by Deputy Mayor Jack Heath

Seconded by Councillor Alan Ho

Council consented to not resolve into private session to discuss the following confidential matters:

**Carried**

- (1) MINUTES OF CONFIDENTIAL COUNCIL MEETING  
APRIL 3, 2018 (16.0)  
[Section 239 (2) (b) (c) (e)]

**Council May 1, 2018**

- (2) PERSONAL MATTERS ABOUT AN IDENTIFIABLE INDIVIDUAL, INCLUDING MUNICIPAL OR LOCAL BOARD EMPLOYEES (BOARDS/COMMITTEES RESIGNATIONS AND APPOINTMENTS) (16.24)  
[Section 239 (2) (b)]

**Carried**

The confidential items were approved by Council as follows:

1. MINUTES OF CONFIDENTIAL COUNCIL MEETING  
APRIL 24, 2018 (16.0)  
Minutes

Moved by Deputy Mayor Jack Heath  
Seconded by Councillor Alan Ho

- 1) That the Confidential Council minutes dated April 24, 2018 be confirmed.

**Carried****COUNCIL MAY 1, 2018**

2. APPOINTMENTS TO BOARDS/COMMITTEES (16.24)

Moved by Deputy Mayor Jack Heath  
Seconded by Regional Councillor Nirmala Armstrong

- 1) That the following persons be appointed to the Box Grove Community Centre Board:

<b>Name</b>	<b>Term</b>
Angelica Gutierrez	November 30, 2020
Nimisha Patel	November 30, 2020
Amber D'Aguiar	November 30, 2020

**Carried**

**14. CONFIRMATORY BY-LAW**

Moved by Councillor Amanda Collucci  
Seconded by Councillor Colin Campbell

That By-law 2018-36 be given three readings and enacted.

**Three Readings**

BY-LAW 2018-36    A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE COUNCIL  
MEETING OF MAY 1, 2018.

By-law

**Carried**

**15. ADJOURNMENT**

Moved by Councillor Alex Chiu  
Seconded by Councillor Valerie Burke

That the Council Meeting be adjourned at 8:45 PM.

**Carried**

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Martha Pettit  
Deputy Clerk

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Frank Scarpitti  
Mayor