



Council Minutes

February 27, 2018, 7:00 PM

Council Chamber, Anthony Roman Markham Civic Centre

Meeting No. 3

Roll Call

Mayor Frank Scarpitti, Deputy Mayor Jack Heath, Regional Councillor Jim Jones, Regional Councillor Joe Li (arrived 7:20 PM), Regional Councillor Nirmala Armstrong, Councillor Valerie Burke, Councillor Alan Ho, Councillor Don Hamilton (arrived 7:10 PM), Councillor Karen Rea, Councillor Amanda Collucci, Councillor Logan Kanapathi, Councillor Alex Chiu.

Regrets

Councillor Colin Campbell

Staff

Andy Taylor, Chief Administrative Officer
Catherine Conrad, City Solicitor and Acting Director of Human Resources
Trinela Cane, Commissioner of Corporate Services
Biju Karumanchery, Acting Commissioner of Development Services
Brenda Librecz, Commissioner of Community and Fire Services
Joel Lustig, Treasurer
Kimberley Kitteringham, City Clerk
Martha Pettit, Deputy City Clerk
John Wong, Technology Support Specialist
Bryan Frois, Chief of Staff

The meeting of Council convened at 7:06 PM on February 27, 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 declared.

2. APPROVAL OF PREVIOUS MINUTES

- (1) COUNCIL MINUTES FEBRUARY 13, 2018

Moved by Councillor Alex Chiu

Seconded by Councillor Alan Ho

- 1) That the Minutes of the Council Meeting held on February 13, 2018, be adopted.
[Minutes](#)

Carried

3. PRESENTATIONS

There were no presentations.

4. DEPUTATIONS

There were no deputations.

5. COMMUNICATIONS

Moved by Regional Councillor Nirmala Armstrong

Seconded by Councillor Karen Rea

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

Received

3-2018 LIQUOR LICENSE: APPLICATION FOR TORONTO MARRIOTT
MARKHAM, 170 ENTERPRISE BLVD. (WARD 3) (3.21)

[Info](#)

Request for the City of Markham to complete the Municipal Information Form.
(New liquor licence for indoor and outdoor areas)

Carried

4-2018 LIQUOR LICENSE: APPLICATION FOR 2546696 ONTARIO INC., 5990 16TH
AVENUE (WARD 4) (3.21)

[Info](#)

Request for the City of Markham to complete the Municipal Information Form.
(New liquor licence for indoor areas)

Carried

6. PROCLAMATIONS

Moved by Councillor Logan Kanapathi
Seconded by Councillor Valerie Burke

(1) PROCLAMATIONS AND FLAG RAISING REQUESTS. (3.4)

- 1) That the following proclamations, issued by the City Clerk in accordance with the City of Markham Proclamation Policy, be received for information purposes:
 - International Women's Day (March 8, 2018)
 - Pakistan National Day (March 23, 2018)
 - National Wildlife Week (April 8 - 14, 2018)
 - Animal Health Week (September 30 – October 7, 2018)
 - Feral Cat Day (October 16, 2018)
- 2) That the following new request for proclamation be approved and added to the Five-Year Proclamations List approved by Council:
 - Holi Gala (March 10, 2018)
- 3) That the following request for a 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:
 - Pakistan National Day (March 25, 2018)
(Organized by Canadian of Pakistani Origin)

Carried

7(A) REPORT NO. 6 - DEVELOPMENT SERVICES COMMITTEE (FEBRUARY 12, 2018)

That the report of the Development Services Committee be received & adopted. (Items 1 to 3):

Moved by Regional Councillor Jim Jones
Seconded by Councillor Amanda Collucci

(1) RECOMMENDATION REPORT
EVALUATION OF MARKHAM DESIGN
REVIEW PANEL PILOT PROJECT (10.8)

[Report](#)

- 1) That the report titled “Evaluation of Markham Design Review Panel Pilot Project” be received; and,
- 2) That Council authorize the permanent establishment of a Markham Design Review Panel to act as an advisory body to assist City staff in design matters during the development approval process of large and complex higher density development in key locations in Regional Centres, Key Development Areas, Local Centres and Corridors, and including higher density development applications that may be identified in other locations by the Director of Planning and Urban Design; and,
- 3) That Council authorize a maximum annual budget of \$10,000, to be included in the Planning and Urban Design Department Operating Budget for the Design Review Panel, to be funded from development application fees; and further,
- 4) That staff be authorized and directed to do all things necessary to give effect to this resolution

Carried

(2) COMMUNITY HERITAGE ONTARIO
REQUEST TO HOST ONTARIO
HERITAGE CONFERENCE 2020 (16.11)

[Report](#)

- 1) That the staff report titled “Community Heritage Ontario, Request to Host the Ontario Heritage Conference 2020”, dated February 12, 2018, be received; and,
- 2) That the Director of Economic Growth, Culture and Entrepreneurship be authorized to develop and submit a proposal to Community Heritage Ontario to host the 2020 Ontario Heritage Conference; and,
- 3) That if Markham is awarded the 2020 Ontario Heritage Conference, culture and economic development staff be authorized to create a Local Organizing Committee consisting of municipal staff, Heritage Markham members, individuals from local heritage groups and organizations and other appropriate community stakeholders; and further,
- 4) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

(3) RECOMMENDATION REPORT

WEMAT ONE LTD., BLOCK 1, PLAN 65M-2665
SOUTH SIDE OF HIGHWAY 7, BETWEEN HIGHWAY 404
AND COMMERCE VALLEY DRIVE EAST, APPLICATION
FOR OFFICIAL PLAN AMENDMENT TO EXPAND THE
RANGE OF EMPLOYMENT USES PERMITTED, WARD 8
FILE NO. OP 13 113480 (10.3)

[Report](#)

- 1) That the report dated February 12, 2018 entitled “RECOMMENDATION REPORT, Wemat One Ltd., Block 1, Plan 65M-2665, South side of Highway 7, between Highway 404 and Commerce Valley Drive East, Application for Official Plan Amendment to expand the range of employment uses permitted”, be received; and,
- 2) That the Official Plan Amendment application submitted by Wemat One Ltd. to amend the 2014 Official Plan as partially approved on Oct 30/15, May 26/16, Mar 10/17, April 21/17 and Nov 24/17 be approved, and that the draft Official Plan Amendment attached as Appendix ‘A’ be finalized and enacted without further notice; and further,
- 3) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

7(B) REPORT NO. 7 - GENERAL COMMITTEE (FEBRUARY 20, 2018)

That Report No. 7 – General Committee comprised of 4 items be received and adopted, except Item No. 2. (See following Item No. 2)

(1) NEW PROVINCIAL BLUE BOX PROGRAM CHANGES (5.1)

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

Moved by Deputy Mayor Jack Heath

Seconded by Councillor Logan Kanapathi

- 1) That the presentation by Ms. Claudia Marsales, Senior Manager, Waste Management entitled “New Provincial Blue Box Program Changes,” be received; and,
- 2) That the report entitled “New Provincial Blue Box Program Changes” be received and referred back to the Waste Diversion Subcommittee; and,

- 3) That the Province of Ontario be requested to delay the implementation of the proposed Provincial Blue Box Program changes and funding to allow for proper consultation with all municipalities and negotiations be considered to achieve an equivalent or improved level of service; and,
- 4) That a Special Council Workshop be scheduled to further consider the proposed Provincial Blue Box Changes; and further,
- 5) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

(2) MUNICIPAL ACCOMMODATION TAX (MAT) *7.3)
Presentation Report

Moved by Deputy Mayor Jack Heath
Seconded by Councillor Logan Kanapathi

- 1) That the report “Municipal Accommodation Tax” be received; and,
- 2) That staff be authorized to engage with stakeholders and the hotel industry regarding the potential of a 4% Municipal Accommodation Tax (MAT) in the City of Markham; and,
- 3) That the City’s portion of the Municipal Accommodation Tax (MAT) revenue be directed towards the Life Cycle Replacement and Capital Reserve Fund as a funding source to support the replacement and rehabilitation requirements of the City’s tourism-related infrastructure; and,
- 4) That staff be directed to develop the business case for the purpose of creating a Municipal Services Corporation (MSC), which will operate as the City of Markham’s New Tourism Organization; and,
- 5) That subsequent to the consultation with stakeholders, staff report back to Council with further details related to the potential implementation of a Municipal Accommodation Tax (MAT) in the City of Markham; and further,
- 6) That staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

(3) YORK UNIVERSITY CAMPUS COMMITTEE (16.0)
[Report](#)

Moved by Deputy Mayor Jack Heath

Seconded by Councillor Logan Kanapathi

- 1) That the report entitled “York University Markham Campus Committee”, be received; and,
- 2) That the quorum requirements for York University Markham Campus Committee be amended from a majority of the Members to four (4) Members of Council; and further,
- 3) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

(4) EMERALD ASH BORER PROGRAM NEXT STEPS (5.0)
[Report](#)

Moved by Deputy Mayor Jack Heath

Seconded by Councillor Logan Kanapathi

- 1) That the staff report entitled “Emerald Ash Borer Program Next Steps” be received; and,
- 2) That the remaining funds in the amount of \$1,569,036 in the Emerald Ash Borer (EAB) capital project of which:
 - a) \$489,732 (31%) be allocated for use in years 2018 to 2020 to inspect, monitor, and oversee the contractor warranties for the 10,500 trees planted in years 2016 and 2017 and;
 - b) \$50,800 (3%) be used from the remaining funds to provide provision for the resources for the watering of 7,259 trees past their warranty period in years 2018 and 2019, should the weather deem this necessary. If the funds are not used for annual watering then they will be returned back to the Life Cycle Replacement and Capital Reserve Fund and;
 - c) \$58,275 (4%) be used from the remaining funds for tree injections for 525 living Ash trees in years 2018 and 2019 and;
 - d) That the remaining funds of \$970,229 (\$1,569,036 - \$489,732 - \$50,800 - \$58,275) be returned to the Life Cycle Replacement and Capital Reserve Fund and further;

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

Carried

**7(C) REPORT NO. 8 - DEVELOPMENT SERVICES PUBLIC MEETING
(FEBRUARY 20, 2018)**

That the report of the Development Services Public Meeting be received & adopted.
(Items 1 and 2):

Moved by Regional Councillor Jim Jones
Seconded by Councillor Don Hamilton

- (1) PRELIMINARY REPORT
NOBLEE HOMES CORPORATION
APPLICATION FOR ZONING BY-LAW AMENDMENT
TO AMEND DEVELOPMENT STANDARDS TO
FACILITATE THE SEVERANCE AND FUTURE
CONSTRUCTION OF TWO NEW SINGLE-DETACHED DWELLINGS
AT 4671 14TH AVENUE (WARD 8)
FILE NO. ZA 17 167005 (10.5)

[Report](#)

- 1) That the Development Services Commission report dated February 12, 2018, entitled "Preliminary Report, Noble Homes Corporation, Application for Zoning By-law Amendment to amend development standards to facilitate the severance and future construction of two new single-detached dwellings at 4671 14th Avenue (Ward 8), File No. ZA 17 167005" be received; and,
- 2) That the Record of the Public Meeting held on February 20, 2018 with respect to the proposed Zoning By-law Amendment application, be received; and,
- 3) That the written submission from Sonia Luk, Markham resident expressing concerns be received; and,
- 4) That the application by Noble Homes Corporation for a proposed Zoning By-law Amendment (ZA 17 167005) be approved and the draft Zoning By-law Amendment be finalized and enacted without further notice; and further,
- 5) That staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

- (2) REQUEST FOR COVERAGE OF POSTAGE COSTS
FOR ADDITIONAL PUBLIC INFORMATION MEETING
RE: 2404099 ONTARIO LIMITED (JD DEVELOPMENT GROUP)
APPLICATIONS FOR A ZONING BY-LAW AMENDMENT
AND SITE PLAN APPROVAL TO PERMIT
265 FOUR STOREY STACKED TOWNHOUSE UNITS
AND TWO COMMERCIAL UNITS AT 7190 & 7200 MARKHAM ROAD
(SOUTH WEST CORNER OF MARKHAM RD. AND
DENISON STREET IN WARD 7)
FILE NOS. ZA/SC 17 109850 (10.5 & 10.6)

- 1) That Council endorse the cost of postage for notices to hold an additional Public Information meeting for the applications submitted by JD Development Group on behalf of 2404099 Ontario Limited for a Zoning By-law Amendment and Site Plan approval at 7190 & 7200 Markham Road (Ward 7) be funded through Corporate Services Commission.

Carried

8. MOTIONS

There were no motions.

9. NOTICE OF MOTION TO RECONSIDER

There we no notices of motions to reconsider.

10. NEW/OTHER BUSINESS

- (1) HOLD REMOVAL BY-LAW
YONGE GRANDVIEW CORP.
7089 YONGE STREET, 11 & 15 GRANDVIEW AVENUE
(NORTH EAST CORNER OF YONGE STREET AT GRANDVIEW AVENUE)
FILE NO. ZA 17 182948 (WARD 1) (10.5)

[Memo](#)

Moved by Councillor Valerie Burke

Seconded by Regional Councillor Jim Jones

- 1) That the memorandum titled "Hold Removal, Yonge Grandview Corp., 7089 Yonge Street, 11 & 15 Grandview Avenue (Northeast corner of Yonge Street at Grandview Avenue) File No. ZA 17 182948, dated February 27, 2018 be received;

- 2) That the application submitted Yonge Grandview Corp., to amend Zoning By-law 2237, as amended by Site Specific Zoning By-law 2013-56, to remove the Hold provision be approved;
- 3) And that Staff be authorized and directed to do all things necessary to give effect to this resolution.

(By-law 2018-14)

Carried

(2) SPECIAL COUNCIL MEETING, MARCH 5, 2018

Moved by Regional Councillor Jim Jones

Seconded by Regional Councillor Nirmala Armstrong

- 1) That a special council meeting be called for March 5, 2018 to deal with a confidential property acquisition.

Carried

(3) REVISED COUNCIL MEETING DATE: MAY 15, 2018

Moved by Councillor Logan Kanapathi

Seconded by Councillor Alan Ho

- 1) That the Council Meeting scheduled on May 16, 2018 be rescheduled to May 15, 2018 at 1:00 pm.

Carried

11. ANNOUNCEMENTS

There were no announcements.

12. BY-LAWS

Moved by Councillor Logan Kanapathi

Seconded by Councillor Karen Rea

That By-laws 2018-11 to 2018-12 and 2018-14 be given three readings and enacted.

Carried

Three Readings

- BY-LAW 2018-11 ROAD DEDICATION BY-LAW (BETTY ROMAN BOULEVARD)
A by-law to dedicate certain lands as part of the highways of the City of Markham (Part of Lot 24, Concession 3, designated as Part 5, Plan 65R-31886 – Betty Roman Boulevard).
[By-law](#)
Carried
- BY-LAW 2018-12 WEMAT ONE LIMITED, BLOCK 1, REGISTERED PLAN 65M-2665, SOUTH OF HIGHWAY 7 AND WEST OF HIGHWAY 404, AMENDMENT TO THE IN FORCE OFFICIAL PLAN (REVISED 2014), AS AMENDED
A by-law to adopt an Official Plan Amendment to the in force Official Plan (Revised 2014), as amended, to provide for additional employment uses on the subject lands under its current “Business Park Office Priority Employment” land use designation
(Item No. 3, Report No. 6)
[By-law](#)
Carried
- BY-LAW 2018-14 DEVRON DEVELOPMENTS, INC. (YONGE GRANDVIEW CORP.), 7089 YONGE STREET, 11 AND 15 GRANDVIEW AVENUE, HOLD REMOVAL BY-LAW
A by-law to amend By-law 2237, as amended, to allow a 25 storey mixed use high density residential and retail/commercial development.
[By-law](#)
Carried

13. CONFIDENTIAL ITEMS

Moved by Deputy Mayor Jack Heath
Seconded by Councillor Karen Rea

That, in accordance with Section 239 (2) of the *Municipal Act*, Council resolve into a private session to discuss the following confidential matters (7:13 PM):

- (1) MINUTES OF CONFIDENTIAL COUNCIL MEETING
FEBRUARY 13, 2018 (16.0)
[Section 239 (2) (b) (c) (e)]

Development Services Committee February 12, 2018

- (2) LITIGATION OR POTENTIAL LITIGATION, INCLUDING MATTERS BEFORE ADMINISTRATIVE TRIBUNALS, AFFECTING THE MUNICIPALITY OR LOCAL BOARD – 2471330 ONTARIO INC. AND 2471331 ONTARIO INC. – 28 AND 30 SCIBERRAS ROAD (WARD 3) (8.0)
[Section 239 (2) (e)]
- (3) LITIGATION OR POTENTIAL LITIGATION, INCLUDING MATTERS BEFORE ADMINISTRATIVE TRIBUNALS, AFFECTING THE MUNICIPALITY OR LOCAL BOARD – ONTARIO MUNICIPAL BOARD – 310 MAIN STREET NORTH (WARD 4) (8.0)
[Section 239 (2) (e)]

General Committee February 20, 2018

- (4) A PROPOSED OR PENDING ACQUISITION OR DISPOSITION OF LAND BY THE MUNICIPALITY OR LOCAL BOARD (WARD 8) (8.0)
[Section 239 (2) (c)]

Moved by Councillor Amanda Collucci
Seconded by Councillor Alex Chiu

That Council rise from the confidential session. (7:42 PM)

Carried

The confidential items were approved by Council as follows:

- (1) MINUTES OF IN-CAMERA COUNCIL MEETING
- FEBRUARY 13, 2018 (16.0)

Moved by Councillor Alex Chiu
Seconded by Regional Councillor Joe Li

- 1) That the Council In-camera Minutes dated February 13, 2018 be confirmed.

Carried

DEVELOPMENT SERVICES COMMITTEE – FEBRUARY 12, 2018

- (2) CONSENT TO SEVER APPLICATIONS OMB APPEAL
2471330 ONTARIO INC. AND 2471331 ONTARIO INC.
28 AND 30 SCIBERRAS ROAD (WARD 3)
B/15/17 AND B/16/17 (8.0)

Moved by Councillor Don Hamilton

Seconded by Regional Councillor Joe Li

- 1) That the confidential report titled “Consent to Sever Applications OMB Appeal, 2471330 Ontario Inc. and 2471331 Ontario Inc., 28 and 30 Sciberras Road (Ward 3), B/15/17 and B/16/17” be received; and,
- 2) That Council direct the City Solicitor and Staff not to attend the Ontario Municipal Board hearing regarding the decision of the Committee of Adjustment to approve the consent to sever applications, provided that the applicant agrees to request the OMB to impose the staff recommended conditions of approval set out in Appendix D of this report in the event that the OMB allows the severance applications; and,
- 3) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

- (3) ONTARIO MUNICIPAL BOARD APPEAL OF
COMMITTEE OF ADJUSTMENT DECISION A/63/17
310 MAIN STREET NORTH, MARKHAM VILLAGE, WARD 4 (8.0)

Moved by Councillor Karen Rea

Seconded by Regional Councillor Joe Li

- 1) That the report titled “Ontario Municipal Board Appeal of Committee of Adjustment Decision A/63/17, 310 Main Street North, Markham Village, Ward 4, dated February 12, 2018, be received; and,
- 2) That Council ratify the appeal of the decision of the Committee of Adjustment (A/63/17) with respect to 310 Main Street North, Markham Village, to approve a minor variance application to permit the expansion of the legal non-conforming use of an automobile service garage, in a residential zone of the Markham Village Heritage Conservation District, and instruct the City Solicitor and staff to attend the Ontario Municipal Board hearing in support of the appeal; and,
- 3) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

GENERAL COMMITTEE – FEBRUARY 20, 2018

- (4) A PROPOSED OR PENDING ACQUISITION OR DISPOSITION OF LAND
BY THE MUNICIPALITY OR LOCAL BOARD (WARD 8) (8.0)

Moved by Deputy Mayor Jack Heath

Seconded by Regional Councillor Joe Li

- 1) That the matter on the proposed or pending acquisition or disposition of land by the municipality or local board in Ward 8 be referred to the March 5, 2018 General Committee.

Carried

14. CONFIRMATORY BY-LAW

Moved by Councillor Alex Chiu

Seconded by Councillor Valerie Burke

That By-law 2018-13 be given three readings and enacted.

Three Readings

BY-LAW 2018-13 A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE COUNCIL
MEETING OF FEBRUARY 13, 2018.

[By-law](#)

Carried

15. ADJOURNMENT

Moved by Councillor Alex Chiu

Seconded by Councillor Valerie Burke

That the Council Meeting be adjourned at 7:45 PM.

Carried

Kimberley Kitteringham
City Clerk
(Signed)

Frank Scarpitti
Mayor