



## **Council Minutes**

**February 13, 2018, 7:00 PM**

Council Chamber, Anthony Roman Markham Civic Centre

Meeting No. 2

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**Alternate formats for this document are available upon request**

### **Roll Call**

Mayor Frank Scarpitti, Deputy Mayor Jack Heath, Regional Councillor Jim Jones, Regional Councillor Joe Li (arrived 7:36), Regional Councillor Nirmala Armstrong, Councillor Valerie Burke, Councillor Don Hamilton, Councillor Karen Rea (arrived 7:10), Councillor Amanda Collucci (arrived 7:10), Councillor Alex Chiu.

### **Regrets**

Councillor Alan Ho  
Councillor Colin Campbell  
Councillor Logan Kanapathi

### **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  
Dave Decker, Fire Chief, Fire and Emergency Services  
Graham Seaman, Director, Sustainability & Asset Management  
Kimberley Kitteringham, City Clerk  
Martha Pettit, Deputy City Clerk  
John Wong, Technology Support Specialist  
Bryan Frois, Chief of Staff  
Carlie Turpin, Manager, Elections, Legislative Services Department  
Chris Alexander, Manager, By-Law Enforcement & Regulatory Services  
Mark Visser, Senior Manager, Strategy Innovation & Investments  
Andrea Berry, Senior Manager, Corporate Communications & Community Engagement

The meeting of Council convened at 7:06 PM on February 13, 2018 in the Council Chamber. Mayor Frank Scarpitti presided.

Mayor Scarpitti began the meeting with the introduction of the following Indigenous Land Acknowledgement citing that it is important for the City to continue to make progress on reconciliation with Canada's First Nations and a land acknowledgement is a step in that direction:

*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.*

The Mayor asked that the City Clerk add the Indigenous Land Acknowledgement to all future Council meeting agendas.

## **1. DISCLOSURE OF PECUNIARY INTEREST**

- (1) None declared.

## **2. APPROVAL OF PREVIOUS MINUTES**

- (1) COUNCIL MINUTES JANUARY 30, 2018  
[Minutes](#)

Moved by Councillor Alex Chiu

Seconded by Councillor Don Hamilton

- 1) That the Minutes of the Council Meeting held on January 30, 2018, be adopted.

**Carried**

## **3. PRESENTATIONS**

- (1) 2017 MARKHAM SANTA CLAUS PARADE  
- RECOGNITION OF PARADE WINNERS AND CONTRIBUTORS (12.2.6)  
No attachment

The 45<sup>th</sup> Markham Santa Claus Parade was held on November 25, 2017.

Council recognized the following parade winners:

<b>Categories</b>	<b>1<sup>st</sup> Place Winners</b>	<b>2<sup>nd</sup> Place Winners</b>
Commercial Float	Miller Waste	Costume Rentals
Non-Commercial Float	New Steps for you	Rotary Clubs of Markham
Marching Group	883 Air Cadets Squadron	351 Silver Star Squadron
Band	Philippine Heritage Band	Tian Guo Marching Band
School	Collingwood Collegiate	Fr. Bressani C.H. School
Theme	Markham Fire Department	Town Crier

Council recognized the following individuals for their contributions to the parade:

- Jon Angrove
- Stephanie Bagnarol
- Andrea Berry
- Craig Breen
- Tyler Burns
- Matthew Busato
- Tony Casale
- Mike Conway
- Steve Dahan
- Kevin Dent
- Derrick Doobay
- Tim Dworak
- Tyler Edling
- Brad Fraser
- Pat Fry
- Danny Ho
- Marilyn Huehn
- Yvonne Lord Buckley
- Joel Lustig
- Dean McDermid
- Erika Mieto
- Alex Moore
- Lama Nicolas
- David Plant
- Lloyd Robertson
- Ron Roffey
- Erynn Sally
- Jim Sandiford
- Paolo Scarpelli
- Steve Squires
- Cynthia Szeto
- Andy Taylor
- Mike Vent
- Paul Willis
- Phillip Badanai and Invictus Athletes – Grand Marshalls

#### **4. DEPUTATIONS**

There were no deputations.

#### **5. COMMUNICATIONS**

Moved by Councillor Don Hamilton

Seconded by Councillor Valerie Burke

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

##### **Received**

2-2018            COMMUNICATION – ELECTION SIGN BY-LAW NO. 2002-94  
Item No. 4, Report No. 4  
[Email](#)

#### **6. PROCLAMATIONS**

There were no proclamations.

#### **7(A) REPORT NO. 3 DEVELOPMENT SERVICES COMMITTEE (-January 29, 2018)**

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

- (1)    WUHAN, CHINA  
INTERNAIONAL FRIENDLY CITIES SEMINAR  
APRIL 8-14, 2018 (10.16)  
[Report](#)

Moved by Regional Councillor Jim Jones

Seconded by Councillor Don Hamilton

- 1)    That the report dated January 29, 2018 entitled “Wuhan, China International Friendly Cities Seminar, April 8-14, 2018” be received; and,
- 2)    That the City of Markham be represented by Senior Business Development Officer, Sandra Tam; and,
- 3)    That the total cost of the seminar to a maximum amount of \$3,300.00 be funded from the 2018 Operating budget account #610-998-5201 “Business Travel”, and further,
- 4)    That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**Carried**

- (2) RE-ROUTING OF RAIL FREIGHT TRAFFIC  
MISSING RAIL LINK UPDATE (5.0)  
[Report](#)

Moved by Regional Councillor Jim Jones  
Seconded by Councillor Don Hamilton

- 1) That the staff report entitled “Re-routing of Rail Freight Traffic - Missing Rail Link Update” dated January 29, 2018 be received; and,
- 2) That Metrolinx be advised that the City is supportive of Metrolinx’ Regional Express Rail program and other efforts to enhance GO rail commuter services in the west end, throughout the GTHA and for nearby communities where there is no negative impact or the negative impact can be mitigated; and
- 3) Metrolinx be advised that the City strongly objects to the Missing Rail Link proposal; and,
- 4) Metrolinx be requested to consult with York Region, the Cities of Markham and Vaughan and the Town of Richmond Hill as part of their Freight By-Pass environmental assessment study; and,
- 5) That the Prime Minister, the Premier, Federal and Provincial Transportation Ministers, Metrolinx, York Region, City of Vaughan and Town of Richmond Hill be so advised by written letter through the Office of the Mayor; and further,
- 6) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**Carried**

**7(B) REPORT NO. 4 GENERAL COMMITTEE (FEBRUARY 5, 2018)**

That the report of the General Committee be received and adopted. (Items 1 to 4):

- (1) ALECTRA INC AND GUELPH HYDRO MERGER (13.7)  
[Presentation](#) [Report](#)

Moved by Deputy Mayor Jack Heath  
Seconded by Regional Councillor Joe Li

WHEREAS Markham Enterprises Corporation (“MEC”), a subsidiary of The Corporation of the City of Markham (the “City”) and the City, are parties to the Unanimous Shareholders Agreement for Alectra Inc. (“Alectra”) dated January 31, 2017 (the “Current Alectra Shareholder Agreement”); and,

WHEREAS the Board of Directors of MEC has approved the purchase by Alectra of all of the issued and outstanding shares of Guelph Hydro Electric Systems Inc. (“GHESI”) from Guelph Municipal Holdings Inc. (“GMHI”) in consideration of the issuance to GMHI of Class G Common Shares in the capital of Alectra, and the amalgamation of Alectra Utilities Corporation (“AUC”) with GHESI, both of which at such time will be wholly-owned subsidiaries of Alectra, under Section 174 of the Business Corporations Act (Ontario), to continue as one local distribution company to be called Alectra Utilities Corporation, conditional upon the completion of a merger participation agreement to be entered into between Alectra, AUC, GHESI and GMHI, in accordance with the conditions set out therein; and,

WHEREAS it is desirable to amend the Current Alectra Shareholder Agreement to add GMHI and the Corporation of the City of Guelph as parties thereto (the “New Alectra Shareholder Agreement”); and,

WHEREAS the form of the New Alectra Shareholder Agreement has been provided to the City; and,

WHEREAS management of Alectra and staff of AUC, and their advisors, have provided a review of the key aspects of the New Alectra Shareholder Agreement to the Board of Directors and staff of MEC;

NOW THEREFORE IT IS RESOLVED THAT:

- 1) The City authorizes and approves the New Alectra Shareholder Agreement, substantially in accordance with the form presented to the City, subject to any non-material modifications or amendments as approved by the President & CEO and the General Counsel & Secretary of Alectra, and by the Chief Administrative Officer of the City, and authorizes the City to enter into and deliver the New Alectra Shareholder Agreement in a form satisfactory to the President & CEO and the General Counsel & Secretary of Alectra, and by the Chief Administrative Officer of the City, and to perform, observe and comply with its obligations under such Agreement; and,
- 2) The Mayor and City Clerk are hereby authorized and directed to execute and deliver the New Alectra Shareholder Agreement in accordance with the foregoing resolutions; and,
- 3) The Mayor and City Clerk are hereby authorized and directed to sign and/or dispatch and deliver all other documents, notices, articles, certificates to be signed and/or dispatched or delivered under or in connection with the New Alectra Shareholder Agreement or to take any action deemed necessary in respect of any of the foregoing; and,
- 4) The approvals above are subject to the Chief Administrative Officer being satisfied with the results of the continuing due diligence being conducted by Alectra;

And Further:

- 5) That, given that Alectra intends to review the Board of Directors model and composition within six months, which the City supports, the City requests that Alectra's consultant meet with all shareholders on the matter prior to reporting to the Alectra Board and that Alectra meet with all shareholders within two months after the report has been tabled, and in any event, prior to any additional mergers and major acquisitions.
- 6) That the Alectra Board be requested to make all reasonable efforts to mitigate the forecasted dividend reductions in the early years; and,
- 7) That the Alectra Board be requested to undertake a study to consider imposing a cap on total compensation for senior management; and further,
- 8) That Staff be authorized and directed to do all things necessary to give effect to these recommendations.

**Carried**

- (2) AMENDMENT TO DEVELOPMENT CHARGES  
CREDIT AGREEMENT – ABIDIEN INC. (7.11)  
[Report](#) [Appendix A](#)

Moved by Deputy Mayor Jack Heath

Seconded by Regional Councillor Joe Li

- 1) That the report entitled "Amendment to Development Charges Credit Agreement – Abidien Inc." be received; and,
- 2) That Council authorize an amendment to the current Development Charge Credit Agreement with Abidien Inc. dated January 23, 2006, to increase the reimbursement available to Abidien Inc. by \$659,073.29, by a combination of development charge credits and reimbursement; and,
- 3) That the Mayor and Clerk be authorized to execute amendments to the Development Charge Credit Agreement satisfactory to the City Solicitor and the Treasurer, as set out in this Report; and further,
- 4) That staff be directed to do all things necessary to give effect to this report.

**Carried**

- (3) 2018 MUNICIPAL ELECTION  
AWARD OF PROPOSAL # 179-R-17  
FOR OPTICAL SCAN VOTE TABULATION (PART 1)  
AND ONLINE VOTING SYSTEM (PART 2) (14.0)  
[Report](#)

Moved by Deputy Mayor Jack Heath  
Seconded by Regional Councillor Joe Li

- 1) That the report titled “2018 Municipal Election - Award of Proposal # 179-R-17 for Optical Scan Vote Tabulation (Part 1) and Online Voting System (Part 2) be received; and,
- 2) That the contract for Part 1 - Optical Scan Vote Tabulation including support & services, be awarded to the sole bidder, Election Systems & Software (ES&S), in the amount of \$67,609.34 (inclusive of HST); and,
- 3) That the contract for Part 2 - Online Voting System including support & services, be awarded to the sole bidder, SCYTL Canada Inc., in the amount of \$372,645.12 (inclusive of HST); and,
- 4) That the award for Part 1 & Part 2 be funded from the Contracted Services Election account (#310-311-7882) in the amount of \$440,254.46; and further,
- 5) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**Carried**

- (4) CHANGES TO MARKHAM’S  
ELECTION SIGN BY- LAW (2.16 & 14.0)  
[Report](#) [Attachment A](#) [Attachment B](#) [Presentation](#)

Moved by Deputy Mayor Jack Heath  
Seconded by Regional Councillor Joe Li

- 1) That the report entitled “Changes to Markham’s Election Sign By-law” be received; and
- 2) That the presentation entitled "Changes to Markham's Election Sign By-law" as revised to incorporate comments made at the General Committee meeting on February 5, 2018 be received, and,
- 3) That the “Election Sign By-law” appended to this report as Attachment “A”, incorporating the recommendations of Option 3, be adopted; and further,



- 4) That in addition to the \$250 Markham road, and \$250 Regional road election sign permit fees, that there be a \$25/per sign fine for illegally placed election signs included in the "Election Sign By-law".
- 5) That Staff be authorized and directed to do all things necessary to give effect to this resolution.  
(By-law 2018-8)

**Carried**

**7(C) REPORT NO. 5 DEVELOPMENT SERVICES PUBLIC MEETING  
(FEBRUARY 6, 2018)**

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

- (1) PRELIMINARY REPORT  
AGARWAL INDUSTRIAL HOLDINGS INC.  
ON BEHALF OF AMAZING GRACE BILINGUAL MONTESSORI INC.,  
APPLICATION FOR A MINOR ZONING BY-LAW AMENDMENT  
TO ADD 'CHILD CARE CENTRE' AS A PERMITTED USE TO  
114 ANDERSON AVENUE, EAST OF MARKHAM ROAD  
NORTH OF 16<sup>TH</sup> AVENUE (WARD 5)  
FILE NO. ZA 17 155051 (10.5)  
[Report](#)

Moved by Regional Councillor Jim Jones  
Seconded by Councillor Don Hamilton

- 1) That the report dated December 5, 2017 titled "PRELIMINARY REPORT, Agarwal Industrial Holdings Inc. (Mahesh Agarwal) on behalf of Amazing Grace Bilingual Montessori Inc. (Vivien Kwong), Application for a Minor Zoning By-law Amendment to add 'Child Care Centre' as a Permitted Use to 114 Anderson Avenue" be received; and,
- 2) That the Record of the Public Meeting held on February 6, 2018, with respect to the proposed Zoning By-law Amendment application to add 'Child Care Centre' as an additional permitted use at 114 Anderson Avenue" be received; and,
- 3) That the application submitted by Agarwal Industrial Holdings Inc. (Mahesh Agarwal) on behalf of Amazing Grace Bilingual Montessori Inc. (Vivien Kwong), to amend in-force Zoning By-law 88-76, as amended, be approved; and,
- 4) That the proposed amendment to in-force Zoning By-law 88-76, as amended, be 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**

**7(D) REPORT NO. 6 DEVELOPMENT SERVICES MEETING  
(FEBRUARY 12, 2018)**

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

- (1) ELIGIBILITY OF REVEREND JENKINS HOUSE  
FOR RELOCATION TO MARKHAM HERITAGE ESTATES  
11022 KENNEDY ROAD, WARDS 4 AND 6 (16.11)  
[Report](#)

Moved by Regional Councillor Jim Jones  
Seconded by Councillor Don Hamilton

- 1) That the staff report entitled “Eligibility of Reverend Jenkins House for Relocation to Markham Heritage Estates”, dated February 12, 2018, be received; and,
- 2) That notwithstanding the Markham Heritage Estates Administrative Guidelines and the Markham Official Plan 2014 cultural heritage policies, the Reverend Jenkins House be permitted to be disassembled and replicated at Markham Heritage Estates, utilizing a new post and beam structure provided that all salvageable exterior and interior elements from the original structure are incorporated into the project based on measured drawings of the existing house, to the satisfaction of Heritage Section staff; and further,
- 3) That staff be authorized and directed to do all things necessary to give effect to this resolution.

**Carried**

- (2) REQUEST FOR DEMOLITION  
SINGLE DETACHED DWELLING  
10 DRYDEN COURT, MARKHAM VILLAGE (16.11.3&10.13)  
DP 17 181477  
[Report](#)

Moved by Regional Councillor Jim Jones  
Seconded by Councillor Don Hamilton

- 1) That the staff report entitled “Request for Demolition-Single Detached Dwelling, 10 Dryden Court, Markham Village,” dated February 12, 2018, be received ; and,
- 2) That Council approve the proposed demolition request for the existing single detached, non-heritage, dwelling at 10 Dryden Court located within the Markham Village Heritage Conservation District, subject to the proposed new infill dwelling conforming with policies and guidelines of the Markham Village Heritage Conservation District Plan for new buildings and the City’s Bird Friendly Guidelines; and further,

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

**Carried**

- (3) REQUEST FOR DEMOLITION  
SINGLE DETACHED DWELLING  
26 STATION STREET, MARKHAM VILLAGE (16.11.3&10.13)  
[Report](#)

Moved by Regional Councillor Jim Jones  
Seconded by Councillor Don Hamilton

- 1) That the staff report entitled “Request for Demolition-Single Detached Dwelling, 26 Station Street, Markham Village,” dated February 12, 2018, be received; and,
- 2) That Council deny the proposed demolition request of the existing single detached heritage dwelling at 26 Station Street located within the Markham Village Heritage Conservation District; and further,
- 3) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**Carried**

## **8. MOTIONS**

There were no motions.

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

There were no notice of motion to reconsider.

## **10. NEW/OTHER BUSINESS**

There were no new/ other business.

## **11. ANNOUNCEMENTS**

There were no announcements.

**12. BY-LAWS**

Moved by Councillor Alex Chiu

Seconded by Councillor Valerie Burke

That By-laws 2018-4 to 2018-8 and 2018-10 be given three readings and enacted.

**Carried**

**Three Readings**

BY-LAW 2018-4 ROAD DEDICATION BY-LAW (PENNY CRESCENT)  
A by-law to dedicate certain lands as part of the highways of the City of Markham (Parts 128, 129 and 130, Plan 65R-4213 and Part of Lot 15, Concession 8, designated as Block H, Plan M-1902 – Penny Crescent)

[By-law](#)

**Carried**

BY-LAW 2018-5 WORLD TECH CONSTRUCTION INC., 221 HELEN AVENUE, ZONING BY-LAW AMENDMENT  
A By-law to amend By-law 304-87, as amended, and By-law 177-96, as amended to create one additional building lot.  
(Item No.1, Report No. 38 – September 26, 2017 Council Meeting)

[By-law](#)

**Carried**

BY-LAW 2018-6 UNIONVILLE HOME SOCIETY, 4300 HIGHWAY 7 EAST, 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 permit a proposed apartment building.  
(Item No. 1, Report No. 2 – January 30, 2018 Council Meeting)

[By-law](#)

**Carried**

BY-LAW 2018-7 UNIONVILLE HOME SOCIETY, 4300 HIGHWAY 7 EAST, ZONING BY-LAW AMENDMENT  
A By-law to amend By-law 122-72, as amended, and By-law 177-96, as amended, to permit a proposed apartment building.  
(Item No. 1, Report No. 2 – January 30, 2018 Council Meeting)

[By-law](#)

**Carried**

BY-LAW 2018-8      ELECTION SIGN BY-LAW  
A By-law to regulate election signs and other election advertising devices within the City of Markham  
(Item No. 4, Report No. 4– February 13, 2018 Council Meeting)  
[By-law](#)

**Carried**

BY-LAW 2018-10      ROAD DEDICATION BY-LAW  
A by-law to dedicate certain lands as part of the highways of the City of Markham:  
1. Block 7, Plan 65M-4458 and Block 284, Plan 65M-3840 - Montague's Lane.  
2. Block 8, Plan 65M-4458 and Block 287, Plan 65M-3840 - Lindcrest Manor.  
3. Block 285, Plan 65M-3840 - The Barley Lea Street.  
4. Block 286, Plan 65M-3840 - Lane 3.  
[By-law](#)

**Carried**

### **13. CONFIDENTIAL ITEMS**

Moved by Councillor Don Hamilton  
Seconded by Councillor Amanda Collucci

That, in accordance with Section 239 (2) of the *Municipal Act*, Council resolve into a private session to discuss the following confidential matters (7:47 PM):

- (1) MINUTES OF IN-CAMERA COUNCIL MEETING  
-JANUARY 30, 2018 (16.0)  
[Section 239 (2) (b) (c) (e)]

#### **General Committee February 5, 2018**

- (2) LABOUR RELATIONS OR EMPLOYEE NEGOTIATIONS (COLLECTIVE BARGAINING) (11.0)  
[Section 239 (2) (b)]

Moved by Deputy Mayor Jack Heath  
Seconded by Councillor Amanda Collucci

That Council rise from the confidential session. (7:55 PM)

**Carried**

The confidential items were approved by Council as follows:

- (1) MINUTES OF IN-CAMERA COUNCIL MEETING  
-JANUARY 30, 2018 (16.0)  
[Section 239 (2) (b) (c) (e)]

Moved by Councillor Alex Chiu

Seconded by Councillor Valerie Burke

- 1) That the Council Confidential Minutes dated January 30, 2018 be confirmed.

**Carried**

#### **GENERAL COMMITTEE – FEBRUARY 5, 2018**

- (1) LABOUR RELATIONS OR EMPLOYEE NEGOTIATIONS  
(COLLECTIVE BARGAINING) (11.0)

Moved by Deputy Mayor Jack Heath

Seconded by Regional Councillor Jim Jones

- 1) That staff be authorized to proceed as directed by Council on February 13, 2018 with respect to the Labour Relations or Employee Negotiations (Collective Bargaining) matter.

**Carried**

#### **14. CONFIRMATORY BY-LAW**

Moved by Councillor Alex Chiu

Seconded by Councillor Valerie Burke

That By-law 2018-9 be given three readings and enacted.

#### **Three Readings**

BY-LAW 2018-9      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 7:56 PM.

**Carried**

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Kimberley Kitteringham  
City Clerk

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Frank Scarpitti  
Mayor