



Council Minutes

January 30, 2018, 7:00 PM

Council Chamber, Anthony Roman Markham Civic Centre

Meeting No. 1

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 7:06 PM), Regional Councillor Nirmala Armstrong, Councillor Valerie Burke, Councillor Alan Ho Councillor Don Hamilton (arrived at 7:07 PM), Councillor Karen Rea (arrived at 7:07 PM), Councillor Colin Campbell, Councillor Amanda Collucci (arrived at 7:15 PM), Councillor Logan Kanapathi (arrived at 7:15 PM).

Regrets

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

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

Murray Boyce, Senior Project Coordinator, Planning & Urban Design

Charlie Turpin, Manager, Elections, Legislative Services Department

Emma Girard, Communications Advisor

The meeting of Council convened at 7:04 PM on January 30, 2018 in the Council Chamber.

Mayor Frank Scarpitti presided.

1. DISCLOSURE OF PECUNIARY INTEREST

(1) Regional Councillor Joe Li disclosed an interest with respect to Item No. 5 (Liquor License: Application For Li Dynasty Indian Hakka Chinese Cuisine, 9750 Markham Road) by nature of his spouse owning the restaurant, and did not take part in the discussion or vote on this matter.

2. APPROVAL OF PREVIOUS MINUTES

- (1) COUNCIL MINUTES - DECEMBER 12, 2017

[Minutes](#)

Moved by Councillor Colin Campbell

Seconded by Councillor Valerie Burke

- 1) That the Minutes of the Council Meeting held on December 12, 2017, be adopted.

Carried

3. PRESENTATIONS

There were no presentations.

4. DEPUTATIONS

There were no deputations.

5. COMMUNICATIONS

Moved by Deputy Mayor Jack Heath

Seconded by Regional Councillor Jim Jones

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

Received

- 1-2018 LIQUOR LICENSE: APPLICATION FOR LI DYNASTY INDIAN HAKKA CHINESE CUISINE, 9750 MARKHAM ROAD (WARD 6) (3.21)

[Info](#)

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

Carried

Regional Councillor Joe Li disclosed an interest and did not take part in the discussion or vote on this matter.

6. PROCLAMATIONS

Moved by Councillor Alan Ho

Seconded by Regional Councillor Joe Li

(1) PROCLAMATION AND FLAG RAISING REQUESTS (3.4)

No attachment

- 1) That the following proclamations, issued by the City Clerk in accordance with the City of Markham Proclamation Policy, be received for information purposes:
 - Canada Flag Day (February 15, 2018)
 - Heritage Week (February 19 – 25, 2018)
 - Day of Mourning for Workers Killed or Injured on the Job (April 28, 2018)
 - Philippine Week (June 10 – 17, 2018)
 - Trinidad and Tobago National Day (August 31, 2018); and,
- 2) That the following new request for proclamation be approved and added to the Five-Year Proclamations List approved by Council:
 - National Cupcake Day (February 26, 2018); and,
- 3) That the following new request for proclamation, issued by the City Clerk in accordance with the City of Markham Proclamation Policy, be received and added to the Five-Year Proclamations List approved by Council:
 - Day of Remembrance and Action on Islamophobia (January 29, 2018); and,
- 4) That the following requests 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:
 - Canada Flag Day (February 15, 2018)
(Organized by Proud To Be Canadian From Sea To Sea)
 - Prince of Wales Prize Flag (Heritage Week – February 19 – 25, 2018)
(Organized by The City of Markham)
 - Flag for Day of Mourning for Workers Killed or Injured on the Job (April 28, 2018)
(Organized by The City of Markham)
 - Flag of Philippines (June 10 - 17, 2018)
(Organized by Markham Federation of Filipino Canadians)
 - Flag of Trinidad and Tobago (August 31, 2018)
(Organized by Dianne Ojar); and further;

- 5) That the following new request for flag to be raised at the Anthony Roman Markham Civic Centre flagpole be approved and added to the Five-Year List of Request to Raise Flag approved by Council:
- Flag for the 70th Anniversary of Sri Lanka's Independence Day (February 3, 2018)
(Organized by the Consulate General of Sri Lanka).

Note: Following the Council meeting, the request for flag raising for the 70th Anniversary of Sri Lanka's Independence Day was amended to **February 17, 2018**, as requested by the organizer.

Carried

7(A) REPORT NO. 1 - GENERAL COMMITTEE (January 22, 2018)

Please bring your January 22, 2018
General Committee Agenda

To the Mayor and Members of Council:

That Report No. 1 - General Committee comprised of 2 items be received and adopted.

- (1) ROGERS HOMETOWN HOCKEY:
HOCKEY CELEBRATION WEEKEND (12.2.6)
[Presentation](#)

Presentation Provided at Meeting

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

- 1) That the presentation titled “Rogers Hometown Hockey: Hockey Celebration Weekend” be received; and.
- 2) That Markham Council endorses the Rogers Hometown Hockey Celebration; and,
- 3) That the project will be funded from the Culture and Economic Development Operating Fund, Account Number 610-998-5811 “International Investment and Attraction” in the amount of \$20,000, towards the development and execution of the event; and,
- 4) That Rogers Hometown Hockey Week be proclaimed in the City of Markham from Monday February 26th to Sunday March 4th, 2018; and,
- 5) That Rogers Hometown Hockey Jersey Day be celebrated by official proclamation in the City of Markham on Friday March 2nd, 2018; and,

- 6) That the City agree to host, in conjunction with Rogers Media Inc. and The Remington Group Inc., the Rogers "Hometown Hockey" event to be held in Markham from March 2, 2018 to March 4, 2018; and,
- 7) That the Mayor and Clerk be authorized to execute an agreement with Rogers Media Inc. and The Remington Group Inc. and any other documents required to implement the foregoing resolutions in a form satisfactory to the City Solicitor; and further,
- 8) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

- (2) USE OF CORPORATE RESOURCES FOR ELECTION PURPOSES (14.0)
[Presentation](#) [Policy](#)

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

Discussion on this matter ensued.

- 1) That the presentation by Ms. Carlie Turpin entitled, "Use of Corporate Resources for Election Purposes," be received; and,
- 2) That Section 8 of the, "Business Conference and Expense Policy," be repealed; and,
- 3) That the Policy titled, "Use of Corporate Resources for Election Purposes Policy," as amended at the January 22, 2018 General Committee meeting as follows:
 - Members of Council be restricted to 6/11 of their annual discretionary budget from January 1st to May 1st in a Municipal Election year; and,
 - Include "By-Election in Section 3.3"; and
 - Delete Section 3.5.5 "All expenses related to ward or community meetings and business cards"; and,
 - Include a clause stating that with respect to a current Member of Council who is not registered as a candidate effective July 27, 2018 at 2:01 PM none of the restrictions noted in Section 3.5 in the policy apply; be adopted; and,
- 4) That Human Resources staff be directed to amend the employment contracts of Councillors' Assistants by deleting the prohibition with respect to working on councillors' political campaigns as long as such work is performed during non-working hours and outside of the City of Markham offices and the existing Councillors' Assistants be so advised; and further,

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

Carried

7(B) REPORT NO. 2 – DEVELOPMENT SERVICES COMMITTEE (January 29, 2018)

Please bring your January 29, 2018
Development Services Committee Agenda

To the Mayor and Members of Council:

That Report No. 2 - Development Services Committee comprised of 1 item be received and adopted.

- (1) RECOMMENDATION REPORT
UNIONVILLE HOME SOCIETY
REGIONAL MUNICIPALITY OF YORK AND MINTO COMMUNITIES
4300 HIGHWAY 7
NORTH SIDE OF HIGHWAY 7 BETWEEN THE GO TRANSIT RAIL
LINE AND SCIBERRAS ROAD, WARD 3
APPLICATIONS FOR OFFICIAL PLAN AND ZONING BY-LAW
AMENDMENTS AND SITE PLAN APPROVAL FOR RESIDENTIAL
AND INSTITUTIONAL DEVELOPMENTS
FILES: OP 17 178335, ZA 17 178335 AND SC 17 178335 (10.3, 10.5 & 10.6
[Report](#)

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

- 1) That the report dated January 29, 2018 titled “RECOMMENDATION REPORT, Unionville Home Society, Regional Municipality of York and Minto Communities, 4300 Highway 7, North side of Highway 7 between the GO Transit rail line and Sciberras Road, Ward 3, Applications for Official Plan and zoning by-law amendments and site plan approval for residential and institutional developments, Files OP 17 178335, ZA 17 178335 and SC 17 178335;” be received; and,
- 2) That Official Plan and Zoning by-law amendments (OP/ZA 17 178335) be finalized and forwarded to Council for adoption/approval; and,
- 3) That the presentation by the architect for the York Region affordable rental apartment building (SC 17 178335), be received; and,
- 4) That the site plan application for the York Region affordable rental apartment building (SC 17 178335), be endorsed in principle; and,

- 5) That final site plan approval for the York Region affordable rental apartment building (SC 17 178335), be delegated to the Director of Planning and Urban Design, or his designate, to be issued (Site Plan Approval is issued only when the Director or his designate has signed the site plan “approved”) when the following conditions have been met:
 - The Owner has entered into a site plan agreement with the City agreeing to construct the development in accordance with plans approved by the City and in accordance with the requirements of the City and public agencies as outlined in Appendix ‘A’; and,
 - Staff has reported back to Development Services Committee on parking improvements for the Wyndham Garden and Unionville Home Society developments; and,
- 6) That site plan endorsement shall lapse after a period of three (3) years from the date of endorsement in the event the site plan agreement is not executed within that period; and,
- 7) That staff be directed to report back at the earliest opportunity on potential expansion of the Anna Russell Parkette; and,
- 8) That the correspondence dated January 28, 2018 from Ian Free, Christiane Bergauer-Free, Tristan Bergauer-Free in opposition be received; and further,
- 9) That staff be authorized to do all things necessary to give effect to this resolution.

Carried

8. MOTIONS

There were no motions.

9. NOTICES OF MOTIONS TO RECONSIDER

There were no notices of motions to reconsider.

10. NEW/OTHER BUSINESS

- (1) DECLARATION OF SURPLUS LANDS ADJACENT TO ROBERT WEST LANE (8.6)

[Map](#)

Moved by Councillor Valerie Burke
Seconded by Councillor Karen Rea

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

- 1) That the notice of proposed sale for the City owned lands legally described as Part of Lot 31, Concession 1, shown as Part 1 on Registered Plan Plan 65R-10487 (the "Robert West Lane"); City of Markham, Regional Municipality of York, be confirmed.
(In-Camera Item No. 4 – December 12, 2017 Council Meeting)

Carried

- (2) RECOMMENDATION FROM THE JANUARY 8, 2018 LICENSING COMMITTEE HEARING (1 LANDMARK COURT) (2.0)

No attachment

Moved by Councillor Valerie Burke
Seconded by Councillor Logan Kanapathi

Recommendation:

- 1) That the following recommendation of the Licensing Committee from the Hearing held on January 8, 2018, be approved and adopted:
- "1. That the application to remove two crab apple trees at 1 Landmark Court, Markham, be denied."

Carried

(3) RECOMMENDATION FROM THE JANUARY 8, 2018
LICENSING COMMITTEE HEARING (23 LEIGHLAND DRIVE) (2.0)

No attachment

Moved by Councillor Alan Ho
Seconded by Councillor Colin Campbell

Recommendation:

- 1) That the following recommendation of the Licensing Committee from the Hearing held on January 8, 2018, be approved and adopted:
 - "1. That the application to remove a blue spruce tree at 23 Leighland Drive, Markham, be approved; and,
 2. Upon removal of the tree the applicant shall plant one (1) tree, with a minimum 20cm diameter at breast height at the time of planting, anywhere on the subject site by September 30, 2018; the species to be deemed appropriate by staff; and further,
 3. That the recommendations are based on the unique characteristics of this case only and are neither intended to be precedent setting nor to be used as a basis for future cases."

Carried

11. ANNOUNCEMENTS

There were no announcements.

12. BY-LAWS

Moved by Councillor Amanda Collucci
Seconded by Regional Councillor Jim Jones

That By-laws 2018-1 and 2018-2 be given three readings and enacted.

Carried

Three Readings

BY-LAW 2018-1 CORNELL ROUGE DEVELOPMENT CORP. PART LOT CONTROL EXEMPTION BY-LAW
A by-law to designate part of a certain plan of subdivision not subject to Part Lot Control, Lots 12 to 29 (inclusive), Registered Plan 65M-4513, east side of William Forster Road and west of Donald Cousens Parkway.
[By-law](#)

Carried

BY-LAW 2018-2 FIRST MARKHAM PLACE PROPERTIES INC., 3265 AND 3275 HIGHWAY 7 EAST, HOLD REMOVAL BY-LAW
A by-law to amend By-law 165-80, as amended, to permit a supermarket.
[By-law](#)

Carried**13. CONFIDENTIAL ITEMS**

Moved by Regional Councillor Jim Jones
Seconded by Regional Councillor Nirmala Armstrong

That, in accordance with Section 239 (2) of the *Municipal Act*, Council resolve into an in-camera session to discuss the following confidential matters (7:21 PM):

General Committee - January 22, 2018

- (1) THE SECURITY OF THE PROPERTY OF THE MUNICIPALITY OR LOCAL BOARD (WARD 8) (8.2)
[Section 239 (2) (a)]
- (2) THE SECURITY OF THE PROPERTY OF THE MUNICIPALITY OR LOCAL BOARD (WARD 4) (6.0)
[Section 239 (2) (a)]

Council - January 30, 2018

- (3) LITIGATION OR POTENTIAL LITIGATION, INCLUDING MATTERS BEFORE ADMINISTRATIVE TRIBUNALS, AFFECTING THE MUNICIPALITY OR LOCALBOARD – 2014 OFFICIAL PLAN, PART 1 – OMB SETTLEMENT HEARING (10.3)
[Section 239 (2) (e, f)]

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

That Council rise from the confidential session. (8:02 PM)

Carried

The confidential items were approved by Council as follows:

GENERAL COMMITTEE - JANUARY 22, 2018

1. THE SECURITY OF THE PROPERTY OF THE MUNICIPALITY OR LOCAL BOARD (WARD 8) (8.2)

Moved by Councillor Logan Kanapathi
Seconded by Regional Councillor Joe Li

- 1) That the confidential report regarding the security of the property of the municipality or local board be received; and,
- 2) That staff be authorized to proceed as directed by Council on January 30, 2018.

Carried

2. THE SECURITY OF THE PROPERTY OF THE MUNICIPALITY OR LOCAL BOARD (WARD 4) (6.0)

Moved by Councillor Alan Ho
Seconded by Councillor Karen Rea

- 1) That the presentation by Ms. Mary Creighton, Director, Recreation regarding a security of the property of the municipality or local board matter in Ward 4 be received; and,
- 2) That staff be authorized to proceed as directed by Council on January 30, 2018."

Carried

COUNCIL - JANUARY 30, 2018**3. 2014 CITY OF MARKHAM OFFICIAL PLAN, PART 1 – OMB SETTLEMENT HEARING (10.3)**

Moved by Regional Councillor Jim Jones

Seconded by Councillor Don Hamilton

Recommendation:

- 1) That the confidential report entitled “2014 City of Markham Official Plan, Part I – OMB Settlement Hearing” dated January 30, 2018, be received;
- 2) That the proposed minor amendments to the Council endorsed modifications to the 2014 City of Markham Official Plan – Part 1, as outlined in Appendix ‘A’ of the report entitled “2014 City of Markham Official Plan, Part I – OMB Settlement Hearing” dated January 30, 2018, be endorsed, and forwarded to the Ontario Municipal Board for approval;
- 3) That the intent of Sections 3.1.2.17 and 3.3.3.9 of the 2014 City of Markham Official Plan – Part 1, as set out in Appendix ‘B’ be endorsed;
- 4) That the Mayor and Clerk be authorized to execute Minutes of Settlement with:
 - a. the Berczy Glen Landowners Group and the Toronto and Region Conservation Authority; and,
 - b. the North Markham Landowners Group Inc. and Angus Glen North West;in a form satisfactory to the Acting Commissioner of Development Services and the City Solicitor; and,
- 5) That staff and legal counsel be authorized and directed to do all things necessary to give effect to this resolution.

Carried

14. CONFIRMATORY BY-LAW

Moved by Councillor Karen Rea

Seconded by Councillor Alan Ho

That By-law 2018-3 be given three readings and enacted.

Three Readings

BY-LAW 2018-3 A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE COUNCIL MEETING OF JANUARY 30, 2018.

[By-law](#)

Carried

15. ADJOURNMENT

Moved by Councillor Logan Kanapathi
Seconded by Councillor Valerie Burke

That the Council Meeting be adjourned at 8:03 PM.

Carried

Kimberley Kitteringham
City Clerk
(Signed)

Frank Scarpitti
Mayor