



Council Minutes

December 12, 2017, 7:00 PM

Council Chamber, Anthony Roman Markham Civic Centre

Meeting No. 18

Alternate formats for this document are available upon request

Roll Call

Mayor Frank Scarpitti, Regional Councillor Jim Jones, Regional Councillor Joe Li, Regional Councillor Nirmala Armstrong, Councillor Valerie Burke, Councillor Don Hamilton, Councillor Karen Rea, Councillor Colin Campbell, Councillor Logan Kanapathi, Councillor Amanda Collucci, Councillor Alex Chiu.

Regrets

Deputy Mayor Jack Heath, Councillor Alan Ho.

Staff

Andy Taylor, Chief Administrative Officer
Trinela Cane, Commissioner of Corporate Services
Catherine Conrad, City Solicitor and Acting Director of Human Resources
Brian Lee, 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
Ron Blake, Senior Development Manager
Sally Campbell, Manager, Development, Planning & Urban Design
Bryan Frois, Chief of Staff
Andrea Tang, Senior Manager
Mark Visser, Senior Manager Financial Strategy & Investment

The meeting of Council convened at 7:16 PM on December 12, 2017 in the Council Chamber.
Mayor Frank Scarpitti presided.

Moved by Councillor Karen Rea
Seconded by Councillor Valerie Burke

That Council recess at 9:51 PM and reconvene at 10:05 PM.

Carried

1. DISCLOSURE OF PECUNIARY INTEREST

- (1) None declared.

2. APPROVAL OF PREVIOUS MINUTES

- (1) COUNCIL MINUTES NOVEMBER 14, 2017
[Minutes](#)

Moved by Councillor Alex Chiu

Seconded by Councillor Amanda Collucci

- 1) That the Minutes of the Council Meeting held on November 14, 2017, be adopted.

Carried

3. PRESENTATIONS

There were no presentations.

4. DEPUTATIONS

- (1) DEPUTATIONS – APPLICATION BY CITY PARK (TOWN CRIER) HOMES INC.
FOR 7 TOWN CRIER LANE (WARD 4) (10.7, 10.3 & 10.5)

The following individuals addressed Council and spoke in opposition to the proposed recommendation:

1. Harvey A. Thomson
2. Leanne Caradonna
3. Lisa Burgess
4. Kenny Brienza
5. Graham Dewar

(See Item No. 1, Report 52 for Council's decision on this matter)

- (2) DEPUTATIONS - APPLICATION BY FUNG LOY KOK INSTITUTE OF TAOISM.
FOR A ZONING BY-LAW AMENDMENT (10.5)

The following individuals provided deputation to Council:

1. Louis Koutsaris, spoke in opposition to the proposed recommendation.
 2. Chris Farano, responded to questions from Council and provided comments.
 3. Barbara Taylor, spoke in support of the proposed recommendation.
 4. Susan Lundy, spoke in support of the proposed recommendation.
- (See Item No 7(B) (2), Report 50 for Council's decision on this matter)

Moved by Councillor Valerie Burke

Seconded by Councillor Colin Campbell

That Council waive the rules of procedure to allow Barbara Taylor and Susan Lundy to address Council.

Carried by 2/3 vote

5. COMMUNICATIONS

Moved by Regional Councillor Jim Jones

Seconded by Regional Councillor Joe Li

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

Received

35-2017 LIQUOR LICENCE APPLICATION FOR AXIA RESTAURANT, 4300 STEELES AVENUE EAST (WARD 8) (3.21)
[Info](#)
Request for the City of Markham to complete the Municipal Information Form.
(Expansion of existing liquor licence for indoor areas)

Carried

36-2017 COMMUNICATIONS REGARDING APPLICATION FOR CITY PARK (TOWN CRIER) HOMES INC. AT 7 TOWN CRIER LANE (WARD 4) (10.7, 10.3 & 10.5)

[Correspondence](#)

1. Email dated December 9, 2017 from Nancy Simpson, providing comments.
2. Email dated December 11, 2017 from Amanda Helderan, providing comments.
3. Email dated December 11, 2017 from Ruth Winterfield, providing comments.
4. Email dated December 1, 2017 from Jacquie Gardiner, providing comments.
5. Email dated December 10, 2017 from Jacquie Gardiner, providing comments.
6. Email dated December 12, 2017 from Helen Lennon, providing comments.
7. Email dated December 12, 2017 from Roger Carlsen, providing comments.
8. Email dated December 12, 2017 from Stephen Burgess, providing comments.

Carried

37-2017 COMMUNICATIONS REGARDING PROPOSED BY-LAW 2017-123 A BY-LAW TO ESTABLISH AREA SPECIFIC DEVELOPMENT CHARGES FOR BUTTONVILLE AIRPORT AREA 18 DEVELOPMENT AREA OF THE CITY OF MARKHAM

[Correspondence](#)

1. Letter dated December 12, 2017 from John P. Genest, Malone Given Parsons Ltd., providing comments.

Carried

6. PROCLAMATIONS

(1) PROCLAMATIONS AND FLAG RAISING REQUESTS (3.4)

Moved by Regional Councillor Nirmala Armstrong

Seconded by Councillor Valerie Burke

- 1) That the following proclamation, issued by the City Clerk in accordance with the City of Markham Proclamation Policy, be received for information purposes:
 - World Aids Day (December 1, 2017)
 - International Holocaust Remembrance Day (January 27, 2018)
 - National Eating Disorder Awareness Week (February 1 – February 7, 2018)
 - Israel Independence Day (April 19, 2018); and,
- 2) 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:
 - Israel Independence Day (April 19, 2018)
(Organized by Consulate General of Israel Toronto)

Carried

7(A) REPORT NO. 49 - GENERAL COMMITTEE (December 5, 2017)

- (1) 2018 PROPOSED WATER/WASTEWATER RATE
PUBLIC CONSULTATION MEETING
AND
APPROVAL OF 2018 WATER/WASTEWATER RATE (16.0)
[Minutes](#)

Moved by Councillor Logan Kanapathi

Seconded by Councillor Amanda Collucci

That Report 49 - General Committee comprised of 1 item be received and adopted.

- 1) That the minutes of the November 21, 2017 2018 Proposed Water/Wastewater Rate Public Consultation meeting be received; and,
 - 2) That the 2018 City of Markham's ("City") water/wastewater rate of \$0.2887/m³ be increased from \$3.8555/m³ to \$4.1442/m³ effective April 1, 2018; and further,
 - 3) That Staff be authorized and directed to do all things necessary to give effect to this resolution.
- (By-law 2017-137)

Carried by a recorded vote (8:2)

YEAS: Councillor Valerie Burke, Councillor Karen Rea, Regional Councillor Nirmala Armstrong, Regional Councillor Jim Jones, Mayor Frank Scarpitti, Regional Councillor Joe Li, Councillor Amanda Collucci, Councillor Logan Kanapathi. (8)

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

ABSENT: Councillor Alan Ho, Deputy Mayor Jack Heath, Councillor Alex Chiu. (3)

**7(B) REPORT NO. 50 - DEVELOPMENT SERVICES COMMITTEE
(November 13, 2017)**

Moved by Regional Councillor Jim Jones
Seconded by Councillor Don Hamilton

That Report No. 5 - Development Services Committee comprised of 3 items be received and adopted, except Item No. 2. (See following Item No. 2)

- (1) RECOMMENDATION REPORT
APPLICATION FOR ZONING BY-LAW AMENDMENT
BY RIVERWALK MEADOWS INC. TO FACILITATE
A FUTURE SEVERANCE TO CREATE EIGHT RESIDENTIAL LOTS
AT 7605 9TH LINE, 7597 9TH LINE & BLOCK 228, PLAN 65M-3976 (WARD 7)
ZA 17 132402 (10.5)
[Report](#)

- 1) That the report titled "RECOMMENDATION REPORT, Application for Zoning By-law Amendment by Riverwalk Meadows Inc. to facilitate a future severance to create eight residential lots at 7605 9th Line, 7597 9th Line & Block 228, Plan 65M-3976 (Ward 7) File ZA 17 132402" be received; and,

- 2) That the application by Riverwalk Meadows Inc. to amend Zoning By-law 194-82, as amended & Zoning By-law 177-96, as amended, be approved and that the draft by-law 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.
(By-law 2017-114)

Carried

- (2) RECOMMENDATION REPORT
FUNG LOY KOK INSTITUTE OF TAOISM
378 STEELES AVENUE
WEST OF LAURELEAF ROAD
APPLICATION FOR A ZONING BY-LAW AMENDMENT
TO PERMIT OUTDOOR TAOIST TAI CHI
ON THE DRIVEWAY UNDER THE EXISTING
CANTILEVERED BUILDING (PLACE OF WORSHIP)
FILE NO.: ZA 16 124382 (10.5)
[Report](#)

Moved by Regional Councillor Joe Li

Seconded by Councillor Logan Kanapathi

- 1) That the report dated November 13, 2017 titled "RECOMMENDATION REPORT, Fung Loy Kok Institute of Taoism, 378 Steeles Avenue, West of Laureleaf Road, Application for a Zoning By-law Amendment to permit outdoor Taoist Tai Chi on the driveway under the existing cantilevered building (place of worship)" be received; and,
- 2) That the draft amendment to Zoning By-law 1767, as amended, attached to this report as Appendix 'A' be finalized prior to being enacted by Council; and further,
- 3) That staff be authorized and directed to do all things necessary to give effect to this resolution.

Lost by a recorded vote (6:5)

(See following recorded vote)

(See following to bring the matter forward)

NAYS: Councillor Valerie Burke, Councillor Don Hamilton, Councillor Karen Rea, Regional Councillor Jim Jones, Mayor Frank Scarpitti, Councillor Alex Chiu. (6)

YEAS: Regional Councillor Nirmala Armstrong, Regional Councillor Joe Li, Councillor Colin Campbell, Councillor Amanda Collucci, Councillor Logan Kanapathi. (5)

ABSENT: Councillor Alan Ho, Deputy Mayor Jack Heath. (2)

Moved by Councillor Valerie Burke

Seconded by Councillor Logan Kanapathi

That Council consider the matter of Fung Loy Kok Institute of Taoism immediately following the deputations with respect thereto.

Carried

(3) MARKHAM ECONOMIC ALLIANCE
AND TWINNING POLICY (10.16)

[Report](#)

- 1) That the memorandum dated December 7, 2017 entitled “Markham Economic Alliance and Twinning Policy, Supplementary Information” be received; and,
- 2) That the report dated September 25, 2017 entitled “Markham Economic Alliance and Twinning Policy” be received and endorsed; and,
- 3) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

7(C) REPORT NO. 51 GENERAL COMMITTEE (November 20, 2017)

Moved by Regional Councillor Jim Jones

Seconded by Councillor Don Hamilton

That Report No. 51 - General Committee comprised of 2 items be received and adopted.

(1) 2018 COUNCIL AND STANDING COMMITTEE
MEETING CALENDAR (16.0)

[Revised Calendar](#)

- 1) That the 2018 Council and Standing Committee Meeting Calendar be adopted, as amended at the November 20, 2018 General Committee meeting.

Carried

(2) **QUALITY MANAGEMENT SYSTEM
- MANAGEMENT REVIEW (5.3)**

[Report](#) [Attachment A](#)

- 1) That the report titled “Quality Management System – Management Review” be received; and,
- 2) That the Report on Quality Management System to Council from Management Review (Attachment “A”), be received; and,
- 3) That Council, as the Owner of the City’s drinking water system, acknowledge and support the outcome and action items identified from the Management Review; and further,
- 4) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

**7(D) REPORT NO. 52 SPECIAL DEVELOPMENT SERVICES COMMITTEE
(November 21, 2017)**

That Report No. 52 - Special Development Services Committee Report comprised of 1 item be received and adopted, as amended.

- (1) **RECOMMENDATION REPORT
CITY PARK (TOWN CRIER) HOMES INC.
PROPOSED DRAFT PLAN OF SUBDIVISION 19TM-16007
OFFICIAL PLAN AMENDMENT AND
ZONING BY-LAW AMENDMENT APPLICATIONS FOR UP TO
11 SINGLE DETACHED LOTS AND ONE RESIDUAL LOT
AT 7 TOWN CRIER LANE (NORTH OF HWY 7,
EAST OF MAIN STREET MARKHAM). WARD 4
SU 16 175583, OP 16 175583 AND ZA 16 175583 (10.7, 10.3 & 10.5)**
[Report](#)

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

- 1) That the memorandum dated November 23, 2017 entitled “7 Town Crier Lane – Demolition” be received; and,
- 2) That the deputations by Michael Braithwaite, Paul Cicchini, Ruth Winterfield, Laura Galati, Cynthia Hiatt, Stephan DiGiulio, Stephen Burgess, Alexis Whalen, Barb Sampson, Marianne Policelli, Anthony Schultz of Grace Church, Markham,

Jacquie Gardiner, Joanne Sales, and John Webster regarding the applications by City Park (Town Crier) Homes Inc., be received; and,

- 3) That the report entitled “Recommendation Report, City Park (Town Crier) Homes Inc., Proposed Draft Plan of Subdivision 19TM-16007, Official Plan Amendment and Zoning By-law Amendment applications for up to 11 single detached lots and one residual lot at 7 Town Crier Lane, (north of Hwy 7, east of Main Street Markham) Ward 4, Files SU 16 1755583, OP 16 175583 and ZA 16 175583”, be received; and
- 4) That the record of the Public Meeting held on November 22, 2016, regarding the applications for approval of Draft Plan of Subdivision 19TM-16007, and Official Plan and Zoning By-law Amendments, be received; and,
- 5) That the Official Plan Amendment application submitted by City Park (Town Crier) Homes Inc., to amend the 2014 Official Plan (partially approved by the Ontario Municipal Board in Oct 2015, May 2016, March 2017 and April 2017), be approved, and that the draft Official Plan Amendment attached as Appendix ‘A’ be finalized and enacted without further notice; and,
- 6) That the Zoning By-law Amendment application submitted by City Park (Town Crier) Homes Inc., to amend Zoning By-law 1229, as amended, be approved and that subject to the addition of a cap of 5000 ft² on the maximum gross floor area for each dwelling including garage, the draft by-law attached as Appendix ‘B’ be finalized and enacted without further notice; and,
- 7) That in accordance with the provisions of subsection 45(1.4) of the Planning Act, R.S.O. 1990, c.P.13, as amended, the owner shall, through this resolution, be permitted to apply to the Committee of Adjustment for a variance from the provisions of the zoning by-law (Appendix ‘B’) within two years of its approval by Council, **except for lots 1, 2 and 4**; and,
- 8) That Draft Approved Plan of Subdivision 19TM-16007 submitted by City Park (Town Crier) Homes Inc., be draft approved subject to the conditions outlined in Appendix ‘C’; and,
- 9) That the Director of Planning and Urban Design, or his designate be delegated authority to issue draft approval, subject to the conditions set out in Appendix ‘C’ and as may be amended by the Director of Planning and Urban Design; and,
- 10) That the draft plan approval for Plan of Subdivision 19TM- 16007 will lapse after a period of three (3) years from the date of Council approval in the event that a subdivision agreement is not executed within that period; and,
- 11) That Council assign servicing allocation for up to 12 single detached dwellings; and,

- 12) That the existing Class A heritage building, formerly known as the Markham Dairy /Carman Lewis Home be approved for demolition subject to the following requirements being included in the Subdivision Agreement to be undertaken by the proponent:
- a) documentation of the building in the form of a photographic record and measured drawings, and
 - b) creation of a standard City of Markham Remembered plaque displaying graphic and textural description of the site's history and former use to be erected on or near the former site of the building; and
- 13) That, as part of the future Site Plan Control Application, the Owner be required to submit a landscape plan for review and approval, to the satisfaction of the Director of Planning and Urban Design, which plan shall include, but not be limited to, the provision of additional landscaping along the east and south property lines of the subject lands to provide an enhanced buffer between existing and proposed homes; and further,
- 14) That Staff be authorized and directed to do all things necessary to give effect to this resolution.
(By-laws 2017-111 and 2017-112)

Carried by a recorded vote (8:3)

(See following recorded vote)

(See following to bring the matter forward)

YEAS: Regional Councillor Nirmala Armstrong, Regional Councillor Jim Jones, Mayor Frank Scarpitti, Regional Councillor Joe Li, Councillor Colin Campbell, Councillor Amanda Collucci, Councillor Logan Kanapathi, Councillor Alex Chiu. (8)

NAYS: Councillor Valerie Burke, Councillor Don Hamilton, Councillor Karen Rea. (3)

ABSENT: Councillor Alan Ho, Deputy Mayor Jack Heath. (2)

Council consented to the following:

To add the following words at the end of the proposed Resolution No. 7:

"except for lots 1, 2 and 4"

To add a demolition clause at the end of the proposed Resolution No. 12:

"subject to the following requirements being included in the Subdivision Agreement to be undertaken by the proponent:

- a) documentation of the building in the form of a photographic record and measured drawings, and
- b) creation of a standard City of Markham Remembered plaque displaying graphic and textural description of the site's history and former use to be erected on or near the former site of the building; and"

To add the following as Resolution No. 13:

13) That, as part of the future Site Plan Control Application, the Owner be required to submit a landscape plan for review and approval, to the satisfaction of the Director of Planning and Urban Design, which plan shall include, but not be limited to, the provision of additional landscaping along the east and south property lines of the subject lands to provide an enhanced buffer between existing and proposed homes, and further,

Moved by Councillor Karen Rea
Seconded by Councillor Don Hamilton

That Council consider the matter of 7 Town Crier Lane immediately following the deputations with respect thereto.

Carried

7(E) REPORT NO. 53 GENERAL COMMITTEE (December 5, 2017)

Moved by Councillor Logan Kanapathi
Seconded by Councillor Amanda Collucci

That Report No. 53 - General Committee comprised of 9 items be received and adopted, except Item Nos. 3, 7 and 9. (See following Item Nos. 3, 7 and 9)

(1) CITY OF MARKHAM A VISION FOR
SPORT DEVELOPMENT (6.0)
[Presentation](#) [Report](#) [Attachment 1](#)

- 1) That the presentation entitled "A Vision for Sport Development", be received; and,
- 2) That the report entitled "City of Markham, A Vision for Sport Development" be received; and,
- 3) That Council approve the City of Markham A Vision for Sport Development (Attachment 1); and further,

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

Carried

- (2) AWARD OF CONTRACT #206-P-17 – ROSTER OF ELECTRICAL CONTRACTORS FOR SERVICES REQUIRED AT VARIOUS CITY LOCATIONS ON AN AS-REQUIRED BASIS (7.12)
[Report](#)

- 1) That the report “Award of Contract # 206-P-17 – Roster of electrical contractors for services required at various City locations on an as-required basis” be received; and,
- 2) That the contract for Electrical Services at various City locations on an as-required basis for three (3) years (November 2017 to October 2020) be awarded to the three (3) highest ranked bidders, (Igman Electric Ltd., R.A. Graham Electrical Contractors, and RPM Industrial Inc.) in the estimated annual amount of \$493,232.00 inclusive of HST impact; and,
- 3) That the contract be funded from various City Departments’ Operating Budgets on an as required basis; and,
- 4) That the award amounts in 2018 to 2020 be subject to Council approval of the respective year’s operating budgets and that the award amounts be amended to reflect changes to the various departments’ budget accounts as approved by Council during the annual budget process; and,
- 5) That Staff be authorized to issue three (3) purchase orders for each of the three (3) awarded bidders in an annual amount of \$164,410.67; and,
- 6) That Staff be authorized to reallocate purchase order fund commitments among the three (3) awarded bidders based on actual usage within each term of the contract; and further,
- 7) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

(3) 2018 BUDGET (7.0)
[Report](#) [Appendices 1-7](#)

Moved by Councillor Logan Kanapathi
Seconded by Councillor Amanda Collucci

- 1) That the report dated December 5, 2017 entitled, “2018 Budget” be received; and,
- 2) That Council approve a 2.90% property tax rate increase to the City’s tax levy which includes:
2.44% for day-to-day operations and infrastructure investment;
0.46% for Provincial Legislation Bill 148 (Fair Workplaces, Better Jobs Act); and,
- 3) That Council approve the 2018 Primary Operating Budget for City services of \$204,664,482 and Library of \$13,818,779 to a total of \$218,483,261 (excluding the 2017 surplus/deficit) which includes a 2.90% property tax rate increase, of which the principal components are detailed in Appendices 1 and 2; and,
- 4) That the gross operating expenditures of \$218,483,261, (excluding the 2017 surplus/deficit), be funded from the following sources:

	<u>2018 Budget</u>
Taxation Levies	\$155,050,962
Payments-in-lieu of Taxes	\$1,209,007
Grant & Subsidy Revenues	\$2,042,829
General Revenues (Investment Income, Fines, Permits, Penalty & Interest)	\$25,571,588
User Fees & Service Charges, Rentals and Sales	\$29,159,189
Other Income / Recoveries	\$5,449,686
Total Revenues	<u>\$218,483,261</u>
; and,	

- 5) That Council approve the remaining 2018 Capital Budget of \$76,191,300 for a total of \$77,715,300 (\$76,191,300 + \$1,524,000 pre-approved) of which the projects are detailed in Appendix 3; and,
- 6) That Council authorize Staff to purchase the required US dollars (USD) for applicable capital budget projects at the time the budget is approved on an annual basis and to make any budget adjustments necessary due to a variance between the budgeted USD exchange rate and the actual USD exchange rate at the time the USD are purchased; and,
- 7) That Council approve the 2018 Planning & Design Operating Budget totalling \$10,294,001, (excluding the 2017 surplus based on forecast), the principal components of which are detailed in Appendix 4; and,
- 8) That Council approve the 2018 Engineering Operating Budget totalling \$8,088,242, (excluding the 2017 surplus based on forecast), the principal components of which are detailed in Appendix 5; and,

- 9) That Council approve the 2018 Building Standards Operating Budget totalling \$9,956,946, (excluding the 2017 deficit based on forecast), the principal components of which are detailed in Appendix 6; and,
- 10) That Council approve the 2018 Waterworks Operating Budget totalling \$131,634,019 (excluding the 2017 surplus), the principal components of which are detailed in Appendix 7; and,
- 11) That upon finalization of the 2017 audited financial statements, the 2018 Operating, Planning & Design, Engineering, Building Standards, and Waterworks Operating Budgets be adjusted to reflect the 2017 operating results; and,
- 12) That a copy of the Budgets be made available to the public through the Clerk's Department, the City website and each of the Markham Public Libraries; and,
- 13) That the "Additional Financial Disclosure Requirements Pursuant to Ontario Regulation 284/09" be received for information purposes; and,
- 14) That this report be brought forward to Council on Tuesday, December 12, 2017; and further,
- 15) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried by a recorded vote (9:1)
(See following recorded vote)

YEAS: Councillor Valerie Burke, Councillor Don Hamilton, Councillor Karen Rea, Regional Councillor Nirmala Armstrong, Regional Councillor Jim Jones, Mayor Frank Scarpitti, Regional Councillor Joe Li, Councillor Amanda Collucci, Councillor Logan Kanapathi. (9)

NAYS: Councillor Colin Campbell. (1)

ABSENT: Councillor Alan Ho, Deputy Mayor Jack Heath, Councillor Alex Chiu. (3)

(4) STATUS OF CAPITAL PROJECTS AS OF
SEPTEMBER 30, 2017 (7.0)

[Report](#) [Exhibits A-C](#)

- 1) That the report dated November 8, 2017 entitled "Status of Capital Projects as of September 30, 2017" be received; and,
- 2) That the amount of \$1,094,108 from the closure of capital projects be transferred to the sources of funding as listed on Exhibit A; and,
- 3) That the closure of projects as outlined on Exhibit B and C be approved; and,

- 4) That the Non-Development Charge Capital Contingency Project be topped up from the Lifecycle Replacement and Capital Reserve Fund, by \$1,107,941 to the approved amount of \$250,000; and,
- 5) That the Engineering Capital Contingency Project be topped up, from the City-Wide Hard Development Charges Reserve, by \$113,158 to the approved amount of \$100,000; and,
- 6) That the Design Capital Contingency Project be topped up, from the Development Charges Reserve, by \$76, 118 to the approved amount of \$100,000; and,
- 7) That the Planning Capital Contingency Project be topped up, from the Development Charges Reserve, by \$12,217 the approved amount of \$50,000; and,
- 8) That the Waterworks Capital Contingency Project be topped up, from the Waterworks Stabilization/Capital Reserve, by \$366,704 to the approved amount of \$100,000; and,
- 9) That the following in-year 2017 new capital projects, subsequent to the approval of the 2017 capital budget, be received;

Project

<u>Number</u>	<u>Name</u>	<u>Budget</u>	<u>Funding Source</u>
17328	Thornhill CC Flooding Emergency Work	\$66,144	Other External: Insurance Claim
17331	Mt Joy CC Brine Pump Replacement	\$19,843	Non-DC Capital Contingency
17332	Thornhill CC 2nd Flood Emergency Work	\$254,400	Other External: Insurance Claim
17333	Old Unionville Well Building Structure Removal	\$56,000	Waterworks Capital Contingency
17339	Mt Joy CC Dehumidifier Replacement	\$82,000	Non-DC Capital Contingency
17340	Varley Art Gallery HVAC RTU Replacement	\$155,742	Non-DC Capital Contingency
17343	Service Connection Deficiency Repairs	\$50,000	Non-DC Capital Contingency
17345	Corporate GIS Review and Strategy	\$71,232	Non-DC Capital Contingency

; and further,

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

Carried

- (5) UPDATE TO RECORDS RETENTION BY-LAW (12.1)
[Report](#) [Appendix A](#)

- 1) That the report entitled “Update to Records Retention By-law” be received; and,
- 2) That Council adopt the Records Retention By-law, as outlined in Appendix A to this report; and further,
- 3) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

(By-law 2017-151)

Carried

(6) EXTENSION OF DEVELOPMENT CHARGE DEFERRAL
- CORNERSTONE CHRISTIAN COMMUNITY CHURCH (7.11)
[Report](#)

Moved by Councillor Colin Campbell

Seconded by Regional Councillor Nirmala Armstrong

- 1) That the report titled “Extension of Development Charge Deferral – Cornerstone Christian Community Church” be received; and,
- 2) That Council authorize an amendment to the current Development Charge Deferral Agreement with the Cornerstone Christian Community Church dated January 9, 2015, to extend the payment due date of the City Wide Hard development charges from January 9, 2015 to October 1, 2021; and,
- 3) That the Mayor and Clerk be authorized to execute amendments to the Development Charge Deferral 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 give effect to these recommendations.

Carried

(7) 2017 DEVELOPMENT CHARGES BACKGROUND STUDY (7.11)
[Report](#) [Appendix A](#) [Appendix B](#)

Moved by Councillor Colin Campbell

Seconded by Regional Councillor Joe Li

- 1) That the report on the “2017 Development Charges Background Study” be received; and,
- 2) That Council determine that no further public meeting is required, pursuant to Section 12 of the *Development Charges Act 1997*, as amended; and,
- 3) That Council approve the Development Charge Background Study prepared by Hemson Consulting Ltd. dated October 2017; and,
- 4) That Council affirm its intention to ensure that the increase in the need for services to service anticipated development will be met; and,
- 5) That Council affirm its intention that development related to post 2026 capacity identified in the Background Study shall be paid for by development charges or other similar charges; and,

- 6) That Council affirm its intention that infrastructure related to post 2031 development identified in the background study shall be paid for by development charges or similar charges; and,
- 7) That Council recognizes that there are operating costs associated with the implementation of the capital program; and,
- 8) That Council approve the policy changes as outlined in this report; and,
- 9) That Council enact the City Wide Hard, City Wide Soft and Area Specific development charges by-laws, effective on December 13, 2017; and,
- 10) That Council affirm its intention that the future excess capacity identified in the Development Charges Background Study, dated October 2017, prepared by Hemson Consulting Ltd. shall be paid for by the development charges; and,
- 11) That these recommendations, including the implementing by-laws, be forwarded to the December 12, 2017 Council meeting for adoption; and further,
- 12) That staff be directed to do all things necessary to give effect to this report.
(By-laws 2017-116 – 2017-136)
(By-law 2017-153)

Carried

Moved by Councillor Colin Campbell
Seconded by Regional Councillor Joe Li

That Council consider the matter of the 2017 Development Charges Background Study and By-laws following the deputations with respect thereto.

Carried

(8) **USE OF CORPORATE RESOURCES FOR ELECTION PURPOSES (14.0)**
[Presentation](#) [Policy](#)

- 1) That the presentation entitled, “Use of Corporate Resources for Election Purposes,” be received; and,
- 2) That the Policy titled, “Use of Corporate Resources for Election Purposes Policy,” be postponed to the January 22, 2018 General Committee meeting; and,
- 3) That Members of Council be limited to spending up to 25% of their 2018 discretionary budget and limited to one newsletter to the end of February 2018; and further,
- 4) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

**7(F) REPORT NO. 54 - DEVELOPMENT SERVICES COMMITTEE
(December 5, 2017)**

Moved by Regional Councillor Jim Jones

Seconded by Councillor Don Hamilton

That Report No. 54 - Development Services Committee comprised of 2 items be received and adopted.

- (1) HERITAGE EASEMENT AGREEMENT
FOR HERITAGE PROPERTY TAX REDUCTION PROGRAM
ST. VOLODYMYR'S CHURCH AND RECTORY
15 CHURCH LANE, THORNHILL (WARD 1) (16.11.3)
[Report](#)

- 1) That the staff report titled "Heritage Easement Agreement for Heritage Property Tax Reduction Program, St. Volodymyr's Church and Rectory, 15 Church Lane, Thornhill, Ward 1", dated December 5, 2017, be received; and,
- 2) That a by-law be passed to authorize the Mayor and Clerk to execute a Heritage Easement Agreement with the property owners of 15 Church Lane, and any other documents required to give effect thereto, in a form satisfactory to the City Solicitor; and,
- 3) That Staff be authorized to request the owners to relocate the plaque to a more visible spot; and further;
- 4) That Staff be authorized and directed to do all things necessary to give effect to this resolution.
(By-law 2017-138)

Carried

Council consented to add Resolution 3 as follows:

- 3) That Staff be authorized to request the owners to relocate the plaque to a more visible spot; and further;

- (2) ACCEPTANCE FOR MAINTENANCE OF
PLANS OF SUBDIVISION
REGISTERED PLAN NUMBERS: 65M-4303, 65M-4376
65M-4405, 65M-4445, 65R-35775, 65M-4325, 65M-4060
(WARDS 3, 5 AND 6) (10.7)
[Report](#)
- 1) That the report entitled “Acceptance for Maintenance of Plans of Subdivision, Registered Plan Numbers: 65M-4303, 65M-4376, 65M-4405, 65M-4445, 65R-35775, 65M-4325, 65M-4060” be received; and,
 - 2) That the municipal services in Subdivision Registered Plan numbers 65M-4303, 65M-4376, 65M-4405, 65M-4445, 65R-35775, 65M-4325, 65M-4060, be Accepted for Maintenance; and,
 - 3) That the Acceptance for Maintenance Period commence as of September 01, 2017, which is the date the subdivisions were eligible for acceptance; and,
 - 4) That the Community Services Commission accept the responsibility for operating and maintaining the municipal infrastructure within the subdivisions as part of the City’s asset; and,
 - 5) That future operating budgets be adjusted to include the operations and maintenance of the above subdivisions; and,
 - 6) That by-laws as shown on Attachment ‘H’, be enacted by Council to establish each of the roads within the residential subdivisions as a public highway of the City of Markham; and,
 - 7) That the by-law as shown on Attachment ‘I’, to amend Schedule ‘12’ of Traffic By-law #106-71, by including compulsory stops to the indicated streets, be enacted; and,
 - 8) That the by-law as shown on Attachment ‘J’, to amend Schedule ‘A’ of the Speed By-law #2017-104, by including a maximum speed of 40 kilometers per hour for the streets indicated, be enacted; and,
 - 9) That the by-law as shown on Attachment ‘K’, to amend Schedule ‘B’ of the Speed By-law #2017-104, by including a maximum speed of 50 kilometers per hour for the streets indicated, be enacted; and,
 - 10) That the by-law as shown on Attachment ‘L’, to amend Schedule ‘C’ of the Parking of Vehicles By-law #2005-188, by including prohibited parking on the streets indicated, be enacted; and,
 - 11) That the by-law as shown on Attachment ‘M’, to amend Schedule ‘D’ of the Parking of Vehicles By-law #2005-188, by including parking for a restricted period on the streets indicated, be enacted; and,

- 12) That the Mayor and Clerk be authorized to execute the necessary releases from the terms of the Subdivision Agreements, subject to confirmation from the Director of Engineering that the final two year Acceptance for Maintenance Period have been completed; and further,
 - 13) That Staff be authorized and directed to do all things necessary to give effect to this resolution.
- (By-law Nos. 2017-139 – 2017-149)

Carried

7(G) REPORT NO. 55 - DEVELOPMENT SERVICES COMMITTEE PUBLIC MEETING (December 5, 2017)

Moved by Regional Councillor Jim Jones
Seconded by Councillor Don Hamilton

That Report No. 55 - Development Services Committee Public Meeting comprised of 1 item be received and adopted.

- (1) DEVELOPMENT FEE AND BUILDING FEE BY-LAWS UPDATE (2018) (10.0)
[Report](#)
 - 1) That the Record of the Public Meeting held on December 5, 2017, with respect to the proposed amendments to the Development and Building Fee By-laws be received; and,
 - 2) That the amendment to the “Tariff of Fees for Processing Planning Applications,” By-law 211-83, as amended, substantially in the form attached as Attachment "A", be enacted; and,
 - 3) That By-law 2016-148 as amended be repealed and the attached “By-law respecting Construction, Demolition and Change of Use Permits and Inspections,” attached as Attachment “A”, be enacted; and,
 - 4) That the By-laws come into force and take effect on January 1, 2018; and further,
 - 5) That Staff be authorized and directed to do all thing necessary to give effect to this resolution.
- (By-law 2017-150 and 2017-152)

Carried

**7(H) REPORT NO. 56 DEVELOPMENT SERVICES COMMITTEE
(December 11, 2017)**

Moved by Regional Councillor Jim Jones
Seconded by Councillor Don Hamilton

That Report No. 56 - Development Services Committee comprised of 4 items be received and adopted, except Items No. 1 and 4 (See following Items No. 1 and 4)

- (1) ELIGIBILITY OF THE ALFRED READ HOUSE
FOR RELOCATION TO MARKHAM HERITAGE ESTATES
2780 19TH AVENUE, WARD 2 (16.11)
[Report](#)

Discussion on this matter ensued.

Moved by Regional Councillor Jim Jones
Seconded by Councillor Don Hamilton

- 1) That the report entitled “Eligibility of the Alfred Read House for relocation to Markham Heritage Estates, 2780 19th Avenue, Ward 2”, dated December 11, 2017, be received; and,
- 2) That the Alfred Read House not be declared eligible for relocation to Markham Heritage Estates, so that long term preservation of the building on its original site might be achieved through compliance with both the City of Markham’s Property Standards, and Keep Markham Beautiful By-laws; and,
- 3) That as recommended by Heritage Markham, the Alfred Read House be approved for designation under Part IV of the Ontario Heritage Act as a property of cultural heritage value or interest; and,
- 4) That the Clerk’s Department be authorized to publish and serve Council’s Notice of Intention to Designate as per the requirements of the Ontario Heritage Act; and,
- 5) That if there are no objections to the designation in accordance with the provisions of the Ontario Heritage Act, the Clerk be authorized to place a designation by-law before Council for adoption; and,
- 6) That if there are any objections in accordance with the provisions of the Ontario Heritage Act, the Clerk be directed to refer the proposed designation to the Ontario Conservation Review Board; and further,
- 7) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Lost by a recorded vote (5:5)

(See following recorded vote)

(See following motion which was lost)

YEAS: Councillor Valerie Burke, Councillor Don Hamilton, Councillor Karen Rea, Regional Councillor Nirmala Armstrong, Councillor Amanda Collucci. (5)

NAYS: Regional Councillor Jim Jones, Mayor Frank Scarpitti, Regional Councillor Joe Li, Councillor Colin Campbell. (4)

ABSTAINED: Councillor Logan Kanapathi abstained from voting; therefore, it is recorded as a "nay" vote. (1)

ABSENT: Councillor Alan Ho, Deputy Mayor Jack Heath, Councillor Alex Chiu. (3)

Moved by Councillor Logan Kanapathi
Seconded by Regional Councillor Jim Jones

That the matter of 2780 19th Avenue be postponed to the January 29, 2018 Development Services Committee meeting.

Lost

- (2) PROPOSED DEEMING BY-LAW
YORK REGION DISTRICT SCHOOL BOARD (YRDSB)
150 HENDERSON AVENUE
FILE NO: DY 17 180180 (WARD 1) (10.0)
[Report](#)

- 1) That Council enact a by-law to deem lots 68, 69, 70 and 67 (Lot 67 save and except for Part 1, Plan 65R-31545) Registered Plan 2368, City of Markham, Regional Municipality of York, not to be part of a registered plan of subdivision, and that Staff take appropriate action as required under Section 50 of the Planning Act; and,
- 2) That Staff be authorized and directed to do all things necessary to give effect to this resolution.
(By-law 2017-154)

Carried

(3) FOR THE CONVEYANCE OF LAND TO THE
CITY PURSUANT TO THE PLANNING ACT (5.7)
[Report](#)

- 1) That the report entitled “Environmental Policy and Procedures for the Conveyance of Land to the City pursuant to the Planning Act” be received; and,
- 2) That Council adopt the Environmental Policy and Procedures for the Conveyance of Land to the City pursuant the Planning Act in a form substantially similar to the policy and procedures as set out in Attachment “A”; and,
- 3) That the Director of Engineering be authorized to make amendments to the Environmental Policy and Procedures for the Conveyance of Land to the City pursuant to the Planning Act, provided such amendments are satisfactory to the City Solicitor and the Chief Administrative Officer; and further,
- 4) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

(4) NEW BUSINESS
MARIJUANA DISPENSARIES IN MARKHAM (13.1)

Discussion on this matter ensued.

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

Whereas the Hon. Charles Sousa, MPP, Minister of Finance, wrote to Ontario municipalities on October 27, 2017 to outline the Provincial Government’s approach to engaging municipalities on how retail cannabis stores may be located for July 2018, and committing to ongoing dialogue with Association of Municipalities of Ontario (AMO) and with municipalities; and,

Whereas there are a number of outstanding questions regarding the economic and social impact of the establishment of a new legal retail system for cannabis on municipalities;

Now therefore be it resolved:

- 1) That the letter from Hon. Charles Sousa, MPP, Minister of Finance, dated October 27, 2017 regarding the legalization of cannabis be received; and,
- 2) That Markham City Council advise the Hon. Charles Sousa, MPP, Minister of Finance, the Hon. Yasir Naqvi, Attorney General, and the Hon. Bill Mauro, Minister of Municipal

Affairs, that Markham is not a willing host of a cannabis retail location in our community; and,

- 3) That regardless of whether Markham is a willing host of a retail store, the Province be requested to enter into a revenue sharing arrangement with Ontario municipalities, to ensure local governments receive an appropriate share of the revenue generated from cannabis sales to help offset the associated enforcement, public health and social costs that will be incurred by municipalities; and further,
- 4) That a copy of this resolution be forwarded to the Hon. Michael Chan, MPP - Unionville – Markham, and Hon. Helena Jaczek, MPP - Oak Ridges – Markham, York Region and AMO for information.

Carried by a recorded vote (10:0)

Council consented to add the words "...regardless of whether Markham is a willing host of a retail store, ..." in Resolution No. 3.

YEAS: Councillor Valerie Burke, Councillor Don Hamilton, Councillor Karen Rea, Regional Councillor Nirmala Armstrong, Regional Councillor Jim Jones, Mayor Frank Scarpitti, Regional Councillor Joe Li, Councillor Colin Campbell, Councillor Amanda Collucci, Councillor Logan Kanapathi. (10)

ABSENT: Councillor Alan Ho, Deputy Mayor Jack Heath, Councillor Alex Chiu. (3)

8. MOTIONS

(1) NANJING MASSACRE (12.2.6)

Moved by Regional Councillor Joe Li
Seconded by Regional Councillor Jim Jones

Whereas December 13, 1937 was the start of the Nanjing Massacre and this year marks the 80th Anniversary; and,

Whereas more than 300,000 people in Nanjing (comparable to the current population of the City of Markham), including women and young children were tortured, raped, and murdered during the Japanese invasion of China in World War II; and,

Whereas this atrocity in China has been largely unknown to many in Canada as it is rarely discussed but continues to have a deeply felt impact in many Asian societies, including Markham's diverse Asian communities; and,

Whereas honouring the individuals that lost their lives and educating the public of these atrocities is necessary to promote understanding and peace; and,

Whereas Markham is home to a high percentage of residents of Chinese origin in Canada, some of whom recall the atrocities that took place during this dark period; and,

Whereas the Toronto District School Board which is the largest school board in North America, passed a unanimous motion in year 2008, encouraging the teaching of the atrocities of the Nanjing Massacre and Japanese Military Sexual Slavery in their schools; and,

Whereas the City of Toronto issued a proclamation for the 75th Anniversary of the Nanjing Massacre in 2012 and then reaffirmed its recognition on December 2016; and,

Whereas the City of Markham can play a vital role in raising public awareness by affirming its recognition of the Nanjing Massacre, as a crime against humanity, in honour of the men, women and children who died; and,

Whereas the City of Markham encourages the York Region School Board to follow the Toronto District School Board by encouraging the teaching of the atrocities of the Nanjing Massacre and Japanese Military Sexual Slavery in their schools;

Now therefore be it resolved:

- 1) That Markham City Council proclaim December 13, 2017 as the 80th Anniversary of the Nanjing Massacre Day; and,
- 2) That December 13th be proclaimed as Nanjing Massacre Day every year thereafter.

Carried by a recorded vote (11:0)

(See following recorded vote)

(See following to consider the matter)

(See following to bring the matter forward)

YEAS: Councillor Valerie Burke, Councillor Don Hamilton, Councillor Karen Rea, Regional Councillor Nirmala Armstrong, Regional Councillor Jim Jones, Mayor Frank Scarpitti, Regional Councillor Joe Li, Councillor Colin Campbell, Councillor Amanda Collucci, Councillor Logan Kanapathi, Councillor Alex Chiu. (11)

ABSENT: Councillor Alan Ho, Deputy Mayor Jack Heath. (2)

Council consented to add the following as Resolution No. 2 to the proposed motion:

- 2) That December 13th be proclaimed as Nanjing Massacre Day every year thereafter.

Moved by Regional Councillor Joe Li
Seconded by Regional Councillor Jim Jones

That the matter of Nanjing Massacre matter be considered prior to the Deputations Section of the Council agenda.

Carried

Council observed a moment of silence in memory of those affected by the Nanjing Massacre and for everyone to reflect on the importance of world peace.

Note:

The notice of this motion, moved by Councillor Alan Ho and seconded by Regional Councillor Joe Li, was given to Council on December 13, 2016. At the request of the mover and seconder, the motion has been revised for consideration by Council on December 12, 2017.

9. NOTICE OF MOTION TO RECONSIDER

There were no notices of motion to reconsider.

10. NEW/OTHER BUSINESS

- (1) HOLD REMOVAL BY-LAW
KYLEMORE COMMUNITIES (YORKTON) LIMITED
9350-9392 KENNEDY ROAD
(WEST SIDE OF KENNEDY ROAD, NORTH OF 16TH AVENUE)
FILE NO. ZA 17 168139

[Memo](#)

Moved by Regional Councillor Jim Jones
Seconded by Councillor Don Hamilton

- 1) That the memorandum entitled “Hold Removal By-law Kylemore Communities (Yorkton) Limited 9350-9392 Kennedy Road (West side of Kennedy Road, north of 16th Avenue), File No. ZA 17 168139”, dated December 12, 2017 be received; and,

- 2) That the application to remove a Hold provision, which applies to a portion of the development proposal by Kylemore at 9350-9392 Kennedy Road ('Subject Lands'), be approved. (See Figure 1 - Area Context/Zoning and Figure 2 – Site Plan – Area Subject to the Holding Provision); and,
- 3) That staff be authorized and directed to do all things necessary to give effect to this resolution.
(By-law 2017-155)

Carried

11. ANNOUNCEMENTS

- (1) ANNOUNCEMENTS
 - CHRISTMAS SEASON
 - CHRISTMAS MARKET
 - HOMETOWN HOCKEY (12.2.6)

Councillor Valerie Burke thanked Yvonne Lord Buckley for decorating the Council Chambers for the Holiday Season.

Councillor Karen Rea thanked all staff that assisted on the first Christmas Market held at the Civic Centre.

Mayor Frank Scarpitti announced that the City of Markham has been chosen as a location for hometown hockey being held on March 3 and 4, 2018 with further details forthcoming in the New Year.

12. BY-LAWS

Moved by Councillor Colin Campbell
Seconded by Regional Councillor Joe Li

That By-laws 2017-116 to 2017-136 be given three readings and enacted.

Carried

Moved by Councillor Logan Kanapathi
Seconded by Councillor Valerie Burke

That By-laws 2017-111 to 2017-115 and 2017-137 to 2017-155 be given three readings and enacted.

Carried**Three Readings**

BY-LAW 2017-111 CITY PARK (TOWN CRIER) HOMES, 7 TOWN CRIER LANE, AMENDMENT TO THE NEW COUNCIL ADOPTED OFFICIAL PLAN (2014), AS AMENDED

A by-law to adopt Official Plan Amendment No. 13 to the new Council Adopted Official Plan (2014), as amended, to permit the development of a common elements condominium.

(Item No. 1, Report No. 52)

[By-law](#)

Carried

BY-LAW 2017-112 CITY PARK (TOWN CRIER) HOMES, 7 TOWN CRIER LANE, ZONING BY-LAW AMENDMENT

A by-law to amend By-law 1229, as amended, to permit the development of a common elements condominium.

(Item No. 1, Report No. 52)

[By-law](#)

Carried

BY-LAW 2017-113 A BY-LAW TO AMEND BY-LAW 2017-9, A BY-LAW TO APPOINT MUNICIPLAL LAW ENFORCEMENT OFFICERS FOR THE CITY OF MARKHAM

A by-law to appoint employees of “Secured Courier Limited” as Municipal Law Enforcement Officers and Provincial Offences Officers for the purpose of issuing summons.

[By-law](#)

Carried

BY-LAW 2017-114 RIVERWALK MEADOWS INC., 7605 9TH LINE, 7597 9TH LINE & BLOCK 228 PLAN 65M-3976, ZONING BY-LAW AMENDMENT

A by-law to amend By-law 194-82, as amended, and By-law 177-96, as amended, to permit the use of the lands for Single Detached Dwellings.

(Item No. 1, Report No. 50)

[By-law](#)

Carried

BY-LAW 2017-115 2504373 ONTARIO INC., 37 MAIN STREET, UNIONVILLE, ZONING BY-LAW AMENDMENT

A by-law to amend By-law 304-87, as amended, to facilitate the renovation and expansion to the existing single detached dwelling to accommodate commercial uses.

[By-law](#)

Carried

BY-LAW 2017-116 A BY-LAW TO ESTABLISH CITY-WIDE HARD SERVICES DEVELOPMENT CHARGES FOR THE CORPORATION OF THE CITY OF MARKHAM

(Repeals By-law 2013-82)

(Item No. 7, Report No. 53)

[By-law](#)

Carried

BY-LAW 2017-117 A BY-LAW TO ESTABLISH CITY-WIDE SOFT SERVICES DEVELOPMENT CHARGES FOR THE CORPORATION OF THE CITY OF MARKHAM

(Repeals By-law 2013-81)

(Item No. 7, Report No. 53)

[By-law](#)

Carried

BY-LAW 2017-118 A BY-LAW TO ESTABLISH AREA SPECIFIC DEVELOPMENT CHARGES FOR THE YONGE STEELES CORRIDOR AREA 1B DEVELOPMENT AREA OF THE CITY OF MARKHAM

(Repeals By-law 2013-83)

(Item No. 7, Report No. 53)

[By-law](#)

Carried

BY-LAW 2017-119 A BY-LAW TO ESTABLISH AREA SPECIFIC DEVELOPMENT CHARGES FOR THE ARMADALE AREA 5 DEVELOPMENT AREA OF THE CITY OF MARKHAM

(Repeals By-law 2013-85)

(Item No. 7, Report No. 53)

[By-law](#)

Carried

BY-LAW 2017-120 A BY-LAW TO ESTABLISH AREA SPECIFIC DEVELOPMENT CHARGES FOR THE ARMADALE NE AREA 7 DEVELOPMENT AREA OF THE CITY OF MARKHAM
(Repeals By-law 2013-86)
(Item No. 7, Report No. 53)
[By-law](#)

Carried

BY-LAW 2017-121 A BY-LAW TO ESTABLISH AREA SPECIFIC DEVELOPMENT CHARGES FOR PD 1-7 AREA 9 DEVELOPMENT AREA OF THE CITY OF MARKHAM
(Repeals By-law 2015-167)
(Item No. 7, Report No. 53)
[By-law](#)

Carried

BY-LAW 2017-122 A BY-LAW TO ESTABLISH AREA SPECIFIC DEVELOPMENT CHARGES FOR RODICK/MILLER ROAD PLANNING DISTRICT AREA 17 DEVELOPMENT AREA OF THE CITY OF MARKHAM
(Repeals By-law 2013-88)
(Item No. 7, Report No. 53)
[By-law](#)

Carried

BY-LAW 2017-123 A BY-LAW TO ESTABLISH AREA SPECIFIC DEVELOPMENT CHARGES FOR BUTTONVILLE AIRPORT AREA 18 DEVELOPMENT AREA OF THE CITY OF MARKHAM
(Item No. 7, Report No. 53)
(Repeals By-law 2013-89)
(Communication No. 37-2017)
[By-law](#)

Carried

BY-LAW 2017-124 A BY-LAW TO ESTABLISH AREA SPECIFIC DEVELOPMENT CHARGES FOR MOUNT JOY AREA 23 DEVELOPMENT AREA OF THE CITY OF MARKHAM
(Item No. 7, Report No. 53)
[By-law](#)

Carried

BY-LAW 2017-125 A BY-LAW TO ESTABLISH AREA SPECIFIC DEVELOPMENT CHARGES FOR MARKHAM CENTRE – SOUTH UNIONVILLE –

HELEN AVENUE AREA 42A-1 DEVELOPMENT AREA OF THE
CITY OF MARKHAM

(Item No. 7, Report No. 53)

[By-law](#)

Carried

BY-LAW 2017-126 A BY-LAW TO ESTABLISH AREA SPECIFIC DEVELOPMENT
CHARGES FOR MARKHAM CENTRE AREA 42B DEVELOPMENT
AREA OF THE CITY OF MARKHAM

(Item No. 7, Report No. 53)

[By-law](#)

Carried

BY-LAW 2017-127 A BY-LAW TO ESTABLISH AREA SPECIFIC DEVELOPMENT
CHARGES FOR MARKHAM CENTRE – CLEGG AREA 42B-2
DEVELOPMENT AREA OF THE CITY OF MARKHAM

(Item No. 7, Report No. 53)

[By-law](#)

Carried

BY-LAW 2017-128 A BY-LAW TO ESTABLISH AREA SPECIFIC DEVELOPMENT
CHARGES FOR MARKHAM CENTRE – HOTEL AREA 42B-4
DEVELOPMENT AREA OF THE CITY OF MARKHAM

(Item No. 7, Report No. 53)

[By-law](#)

Carried

BY-LAW 2017-129 A BY-LAW TO ESTABLISH AREA SPECIFIC DEVELOPMENT
CHARGES FOR MARKHAM CENTRE – SOUTH HIGHWAY 7 AREA
42B-6 DEVELOPMENT AREA OF THE CITY OF MARKHAM

(Item No. 7, Report No. 53)

[By-law](#)

Carried

BY-LAW 2017-130 A BY-LAW TO ESTABLISH AREA SPECIFIC DEVELOPMENT
CHARGES FOR MARKHAM CENTRE – SCIBERRAS AREA 42B-8
DEVELOPMENT AREA OF THE CITY OF MARKHAM

(Item No. 7, Report No. 53)

[By-law](#)

Carried

BY-LAW 2017-131 A BY-LAW TO ESTABLISH AREA SPECIFIC DEVELOPMENT CHARGES FOR MARKHAM CENTRE – EAST PRECINCT AREA 42B-9 DEVELOPMENT AREA OF THE CITY OF MARKHAM
(Item No. 7, Report No. 53)

[By-law](#)

Carried

BY-LAW 2017-132 A BY-LAW TO ESTABLISH AREA SPECIFIC DEVELOPMENT CHARGES FOR CATHEDREAL AREA 46 DEVELOPMENT AREA OF THE CITY OF MARKHAM
(Item No. 7, Report No. 53)

[By-law](#)

Carried

BY-LAW 2017-133 A BY-LAW TO ESTABLISH AREA SPECIFIC DEVELOPMENT CHARGES FOR YORK DOWNS AREA 47B DEVELOPMENT AREA OF THE CITY OF MARKHAM
(Item No. 7, Report No. 53)

[By-law](#)

Carried

BY-LAW 2017-134 A BY-LAW TO ESTABLISH AREA SPECIFIC DEVELOPMENT CHARGES FOR 404 NORTH EMPLOYMENT LANDS AREA 49 DEVELOPMENT AREA OF THE CITY OF MARKHAM
(Item No. 7, Report No. 53)

[By-law](#)

Carried

BY-LAW 2017-135 A BY-LAW TO ESTABLISH AREA SPECIFIC DEVELOPMENT CHARGES FOR FUTURE URBAN AREA – AREA 50A DEVELOPMENT AREA OF THE CITY OF MARKHAM
(Item No. 7, Report No. 53)

[By-law](#)

Carried

BY-LAW 2017-136 A BY-LAW TO ESTABLISH AREA SPECIFIC DEVELOPMENT CHARGES FOR FUTURE URBAN AREA – ROBINSON GLEN – AREA 50A-2 DEVELOPMENT AREA OF THE CITY OF MARKHAM
(Item No. 7, Report No. 53)

[By-law](#)

Carried

- BY-LAW 2017-137 2018 WATER/WASTEWATER RATES (EFFECTIVE APRIL 1, 2018)
A by-law to amend By-law 2002-276, being a by-law to impose fees or charges for services or activities provided or done by the City of Markham.
(Item No. 1, Report No. 49)
[By-law](#)
Carried
- BY-LAW 2017-138 A BY-LAW TO AUTHORIZE THE EXECUTION OF HERITAGE EASEMENT AGREEMENTS – ST. VOLODYMYR’S UKRAINIAN CATHOLIC CHURCH – 15 CHURCH LANE, THORNHILL
(Item No. 1, Report No. 54)
[By-law](#)
Carried
- BY-LAW 2017-139 A BY-LAW TO ESTABLISH STREETS LAID OUT ACCORDING TO PLAN OF SUBDIVISION 65M-4303 AS A PUBLIC HIGHWAY PART OF LOT 20, CONCESSION 8 (DIGRAM DEVELOPMENTS INC.)
(Jeffrey Nihda Crescent).
(Item No. 2, Report No. 54)
[By-law](#)
Carried
- BY-LAW 2017-140 A BY-LAW TO ESTABLISH STREETS AS PART OF CITY OF MARKHAM HIGHWAY SYSTEM – WYKLAND ESTATES INC.
A by-law to adopt Almira Avenue, Cornell Centre Boulevard, Cornwall Drive, Diamond Jubilee Drive, Lawrence Pilkington Avenue and Morning Dove Drive for public use and declare to be and form part of the City of Markham highway system in accordance with Plan of Subdivision.
(Item No. 2, Report No. 54)
[By-law](#)
Carried
- BY-LAW 2017-141 A BY-LAW TO ESTABLISH STREETS AS PART OF CITY OF MARKHAM HIGHWAY SYSTEM – UPPER UNIONVILLE INC.
A by-law to adopt William Bartlett Drive for public use and declare to be and form part of the City of Markham highway system in accordance with Plan of Subdivision.
(Item No. 2, Report No. 54)
[By-law](#)
Carried

BY-LAW 2017-142 A BY-LAW TO ESTABLISH STREETS AS PART OF CITY OF MARKHAM HIGHWAY SYSTEM – DIGRAM DEVELOPMENTS INC.

A by-law to adopt Cheswick Court and Warton Court for public use and declare to be and form part of the City of Markham highway system in accordance with Plan of Subdivision.

(Item No. 2, Report No. 54)

[By-law](#)

Carried

BY-LAW 2017-143 A BY-LAW TO ESTABLISH STREETS AS PART OF CITY OF MARKHAM HIGHWAY SYSTEM – WYKLAND ESTATES INC.

A by-law to adopt Wilfred Murison Avenue, Old Meadow Lane, Bracknell Avenue, William Berczy Boulevard, Beckett Avenue, Hua Du Avenue, Busch Avenue, Manila Avenue, William Bartlett Drive, Foshan Avenue, Henry Bauer Avenue, Brock Avenue, Holst Avenue, Hubner Avenue, Brunswick Avenue and Orchard Hill Boulevard for public use and declare to be and form part of the City of Markham highway system in accordance with Plan of Subdivision.

(Item No. 2, Report No. 54)

[By-law](#)

Carried

BY-LAW 2017-144 A BY-LAW TO ESTABLISH STREETS AS PART OF CITY OF MARKHAM HIGHWAY SYSTEM – RULAND PROPERTIES INC.

A by-law to adopt Rouge Valley Drive West, Moseby Gate, Bidwell View Gate, Lord Durham Road, Bonnycastle Road, Roseberry Road, Mackenzie's Stand Avenue, Upper Duke Crescent, Verdale Crossing and Birchmount Road, (both portions) for public use and declare to be and form part of the City of Markham highway system in accordance with Plan of Subdivision.

(Item No. 2, Report No. 54)

[By-law](#)

Carried

BY-LAW 2017-145 A BY-LAW TO AMEND TRAFFIC BY-LAW 106-71

To add compulsory stops at specific intersections within the City of Markham.

(Item No. 2, Report No. 54)

[By-law](#)

Carried

- BY-LAW 2017-146 A BY-LAW TO AMEND SPEED BY-LAW 2017-104
To establish a maximum speed limit of 40 kilometres per hour on specific streets within the City of Markham.
(Item No. 2, Report No. 54)
[By-law](#)
Carried
- BY-LAW 2017-147 A BY-LAW TO AMEND SPEED BY-LAW 2017-104
To establish a maximum speed limit of 50 kilometres per hour on specific streets within the City of Markham.
(Item No. 2, Report No. 54)
[By-law](#)
Carried
- BY-LAW 2017-148 A BY-LAW TO AMEND PARKING BY-LAW 2005-188
To amend Schedule C of the Parking By-law pertaining to “Prohibited Parking”.
(Item No. 2, Report No. 54)
[By-law](#)
Carried
- BY-LAW 2017-149 A BY-LAW TO AMEND PARKING BY-LAW 2005-188
To amend Schedule D of the Parking By-law pertaining to “Parking for a Restricted Period”.
(Item No. 2, Report No. 54)
[By-law](#)
Carried
- BY-LAW 2017-150 A BY-LAW RESPECTING CONSTRUCTION, DEMOLITION, CHANGE OF USE PERMITS AND INSPECTIONS (BUILDING BY-LAW)
(Repeals 2016-148)
(Item No. 1, Report No. 55)
[By-law](#)
Carried
- BY-LAW 2017-151 A BY-LAW ESTABLISHING SCHEDULES OF RECORD RETENTION PERIODS FOR ALL RECORDS KEPT BY THE CITY OF MARKHAM
(Repeals By-law 2001-101)
(Item No. 5, Report No. 53)
[By-law](#)
Carried

BY-LAW 2017-152 A BY-LAW TO AMEND BY-LAW 211-83, AS AMENDED, A BY-LAW TO PRESCRIBE A TARIFF OR FEES FOR THE PROCESSING OF PLANNING APPLICATIONS.

(Item No.1, Report No. 55)

[By-law](#)

Carried

BY-LAW 2017-153 A BY-LAW TO REPEAL AREA SPECIFIC DEVELOPMENT CHARGES BY-LAWS IN THE CITY OF MARKHAM

(Repeals By-laws 2013-84, 2013-87 and 2013-96)

(Item No. 7, Report No. 53)

[By-law](#)

Carried

BY-LAW 2017-154 A BY-LAW TO DEEM CERTAIN LANDS NOT BE A REGISTERED PLAN OF SUBDIVISION, YORK REGION DISTRICT SCHOOL BOARD, 150 HENDERSON AVENUE

[By-law](#)

Carried

BY-LAW 2017-155 KYLEMORE COMMUNITIES (YORKTON) LIMITED, 9350 TO 9392 KENNEDY RD, ZONING BY-LAW AMENDMENT

A by-law to amend By-law 177-96, as amended, to remove the Holding provision from the subject lands in order to permit the construction of street townhouses on these lands.

[By-law](#)

Carried

13. CONFIDENTIAL ITEMS

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

- (1) MINUTES OF CONFIDENTIAL COUNCIL MEETING
- NOVEMBER 14, 2017 (16.0)
[Section 239 (2) (b) (c) (e)]

Development Services Committee – November 13, 2017

- (2) LITIGATION OR POTENTIAL LITIGATION, INCLUDING MATTERS BEFORE ADMINISTRATIVE TRIBUNALS, AFFECTING THE MUNICIPALITY OR LOCAL BOARD – MINOR VARIANCE APPEAL – 3 ROSEA COURT (WARD 1) (8.0)

[Section 239 (2) (e)]

- (3) LITIGATION OR POTENTIAL LITIGATION, INCLUDING MATTERS BEFORE ADMINISTRATIVE TRIBUNALS, AFFECTING THE MUNICIPALITY OR LOCAL BOARD – MINOR VARIANCE APPEAL – 51 GAINSVILLE AVENUE (WARD 3) (8.0)

[Section 239 (2) (e)]

General Committee – December 5, 2017

- (4) A PROPOSED OR PENDING ACQUISITION OR DISPOSITION OF LAND BY THE MUNICIPALITY OR LOCAL BOARD (6.0)

[Section 239 (2) (c)]

The confidential items were approved by Council as follows:

- (1) MINUTES OF CONFIDENTIAL COUNCIL MEETING
- NOVEMBER 14, 2017 (16.0)

Moved by Councillor Colin Campbell

Seconded by Councillor Amanda Collucci

- 1) That the Council Confidential Minutes dated November 14, 2017 be confirmed.

Carried

DEVELOPMENT SERVICES COMMITTEE – November 13, 2017

- (2) MINOR VARIANCE APPLICATION APPEAL
HUSSIEN ALI JAWAD
3 ROSEA COURT
A/81/17 (8.0)

Moved by Councillor Don Hamilton

Seconded by Regional Councillor Nirmala Armstrong

- 1) That the confidential report titled “Minor Variance Application Appeal, Hussien Ali Jawad, 3 Rosea Court” 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 deny the minor variances related to front yard setback, rear yard setback, building height and building depth, provided that the applicant agrees to request the OMB to impose the staff

recommended conditions of approval set out below in the event that the OMB approves the variances:

- a) The variances apply only to the proposed development as long as it remains;
- b) That the variances apply only to the subject development, in substantial conformity with the plan(s) submitted with the application dated December 2016 (see Appendix A), to the satisfaction of the Director of Planning and Urban Design or their designate;
- c) That the applicant submits a siting/grading plan of the property to the Director of Engineering or their designate for review and acceptance, with such plan to demonstrate:
 - i. That the existing drainage pattern within the property will not be altered in such a way as to cause any adverse impact on the existing drainage from the site to abutting properties; and
 - ii. That there will be no negative impact to any abutting property respecting surface water drainage;
 - ii That the Secretary Treasurer receives written confirmation that this condition has been fulfilled to the satisfaction of the Director of Engineering or their designate; and,
- d) That the applicant submit a stormwater management report to the Director of Engineering or their designate for review and acceptance, with such report to include a recommendation that would limit post development run-off to pre development levels, and that the Secretary Treasurer receives written confirmation that this condition has been fulfilled to the satisfaction of the Director of Engineering or their designate;
- e) That subject to the review and approval of a detailed siting/ grading plan designed and stamped by a Professional Engineer/Ontario Land Surveyor/Landscape Architect, the owner demonstrates that the entire building envelope, including all foundations, windows, porches, stairs and any other protruding structures, will maintain a minimum distance of 0.6 m from the existing easement on the east side of the property, and that the Secretary-Treasurer receive written confirmation that this condition has been fulfilled to the satisfaction of the Director of Engineering or their designate;
- f) Submission of a Tree Assessment and Preservation Plan, prepared by a qualified arborist in accordance with the City's Streetscape Manual (2009), as amended, which Tree Assessment and Preservation Plan shall reflect the siting/grading plan referred to above, to be reviewed and approved by the Director of Planning and Urban Design or their designate, and that the Secretary-Treasurer receive written confirmation from the Director of Planning and Urban Design or their designate that this condition has been fulfilled to his/her satisfaction, and that the detailed siting/grading plan required as a condition of approval reflects the Tree Assessment and Preservation Plan.

- g) That prior to the commencement of construction or demolition, tree protection be erected around all trees on site, including street trees, to the satisfaction of the Director of Planning and Urban Design or their designate, in accordance with the City's Streetscape Manual (2009) as amended, be inspected by City Staff, and that the Secretary-Treasurer receive written confirmation that this condition has been fulfilled to the satisfaction of the Director of Planning and Urban Design or their designate;
 - h) That arrangements for tree replacements and other plantings be made, if required by and to the satisfaction of the Director of Planning and Urban Design or their designate, in accordance with the Tree Assessment and Preservation Plan, and that the Secretary-Treasurer receive written confirmation that this condition has been fulfilled to the satisfaction of the Director of Planning and Urban Design or their designate; and further,
- 3) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

- (3) MINOR VARIANCE APPLICATION APPEAL
APPLICANT: JAILING WU
APPELLANT: JAILING WU
ADDRESS: 51 GAINSVILLE AVENUE
FILE NO.: A/198/16 (8.0)

Moved by Councillor Don Hamilton
Seconded by Regional Councillor Jim Jones

- 1) That the confidential report titled "Minor Variance Application Appeal, Jailing Wu, 51 Gainsville Avenue, A/198/16" 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 deny the minor variances, provided that the applicant agrees to request the OMB to impose the staff recommended conditions of approval set out below in the event that the OMB allows the variances:
 - a) The variances apply only to the proposed development as long as it remains;
 - b) That the variances apply only to the subject development, in substantial conformity with the plan(s) attached as Appendix AA to the Staff Report dated August 2, 2017, including the elimination of the rooftop patio and associated stairwell, to the satisfaction of the Director of Planning and Urban Design or designate;

- c) Submission of a Tree Assessment and Preservation Plan, prepared by a qualified arborist in accordance with the City's Streetscape Manual (2009), as amended, to be reviewed and approved by the City, and that the Secretary-Treasurer receive written confirmation from the Director of Planning and Urban Design or designate that this condition has been fulfilled to his/her satisfaction;
 - d) That prior to the commencement of construction or demolition, tree protection be erected and maintained around all trees on site as well as any trees in the vicinity, in accordance with the City's Streetscape Manual (2009) as amended, and inspected by City Staff to the satisfaction of the Director of Planning and Urban Design or designate and that the Secretary-Treasurer receive written confirmation that this condition has been fulfilled to the satisfaction of the Director of Planning and Urban Design or designate;
 - e) That tree replacements be provided and/or tree replacement fees be paid to the City if required in accordance with the Tree Assessment and Preservation Plan, and that the Secretary-Treasurer receive written confirmation that this condition has been fulfilled to the satisfaction of the Director of Planning and Urban Design or designate;
 - f) That the height variance applied for be reduced to 25 feet 6 inches to reflect the elimination of the rooftop and associated stairwell to the satisfaction of the Director of Planning; and further,
- 3) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

GENERAL COMMITTEE - December 5, 2017

- (4) DECLARATION OF SURPLUS LANDS
- ROBERT WEST LANE (8.6)

Moved by Councillor Logan Kanapathi
Seconded by Regional Councillor Joe Li

- 1) That the confidential report entitled "Declaration of Surplus Lands – Robert West Lane" be received; and,
- 2) That in accordance with By-law 178-96, a request for declaration that those lands 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, are surplus to municipal purposes, be placed on an upcoming Council agenda; and further,
- 3) That staff be authorized and directed to do all things necessary to give effect to the foregoing.

Carried

14. CONFIRMATORY BY-LAW

Moved by Councillor Logan Kanapathi
Seconded by Councillor Valerie Burke

That By-law 2017-156 be given three readings and enacted.

Three Readings

BY-LAW 2017-156 A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE COUNCIL
MEETING OF DECEMBER 12, 2017.

Carried

15. ADJOURNMENT

Moved by Councillor Logan Kanapathi
Seconded by Councillor Karen Rea

That the Council Meeting be adjourned at 11:57 PM.

Carried

Kimberley Kitteringham
City Clerk
(Signed)

Frank Scarpitti
Mayor