



Council Minutes

November 14, 2017, 7:00 PM

Council Chamber, Anthony Roman Markham Civic Centre

Meeting No. 17

Alternate formats for this document are available upon request

Roll Call

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

Staff

Andy Taylor, Chief Administrative Officer
Catherine Conrad, City Solicitor and Acting Director of Human Resources
Brian Lee, Acting Commissioner of Development Services
Trinela Cane, Commissioner of Corporate Services
Brenda Librecz, Commissioner of Community and Fire Services
Joel Lustig, Treasurer
Sally Campbell, Manager, Development, Planning & Urban Design
Bryan Frois, Mayor's Chief of Staff
Kimberley Kitteringham, City Clerk
Martha Pettit, Deputy City Clerk
John Wong, Technology Support Specialist
Andrea Berry, Senior Manager, Corporate Communications & Community Engagement
Erynn Sally, Media Relations Co-ordinator

The meeting of Council convened at 7:00 PM on November 1, 2017 in the Council Chamber.
Mayor Frank Scarpitti presided.

1. DISCLOSURE OF PECUNIARY INTEREST

(1) None declared.

2. APPROVAL OF PREVIOUS MINUTES

- (1) COUNCIL MINUTES
- NOVEMBER 1, 2017
 - NOVEMBER 6, 2017 (1:00 PM)
 - NOVEMBER 6, 2017 (7:00 PM)
- [Nov. 1](#) [Nov 6-1:00 pm](#) [Nov 6-7:00 pm](#)

Moved by Councillor Alex Chiu

Seconded by Councillor Valerie Burke

- 1) That the Minutes of the Council Meetings held on November 1, November 6 (1:00 pm) and November 6 (7:00 pm), 2017, be adopted.

Carried

3. PRESENTATIONS

There were no presentations.

4. DEPUTATIONS

- (1) DEPUTATION - RECOMMENDATION FROM
LICENSING COMMITTEE HEARING (4 HEDGEWOOD DRIVE) (2.0)

Andrea McWhirter, appellant, appeared before Council and requested that the requirement for a replacement tree or cash-in-lieu be waived.

(See New/Other Business Item No. 3 for Council's decision on this matter)

- (2) DEPUTATIONS - APPLICATION FOR 605918 ONTARIO LTD. AT 8651 9TH LINE,
IN CORNELL CENTRE (WARD 5) (10.7, 10.3)

The following individuals addressed Council and spoke in objection to the staff report recommendation:

1. Eira Keay
2. Deb Burton
3. John Himanen
4. B. Sampson
5. Sam Priestley

Niomie Massey – on behalf of the applicant addressed Council and provided details regarding the application.

(See Item No 2, Report No. 45 for Council's decision on this matter)

5. COMMUNICATIONS

Moved by Deputy Mayor Heath
Seconded by Councillor Alex Chiu

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

Received

34-2017 COMMUNICATIONS REGARDING APPLICATION FOR
605918 ONTARIO LTD. AT 8651 9TH LINE, IN CORNELL CENTRE
(WARD 5) (10.7, 10.3)
[Correspondence](#)

1. Email dated November 13th, 2017 from Kathryn Wright, providing comments.
2. Email dated November 13th, 2017 from Fred & Donna Kendall, providing comments.
3. Email dated November 13th, 2017 from Cathy Harvey, providing comments.
4. Email dated November 13th, 2017 from Esther Attard & Andrew Cotton, providing comments.
5. Email dated November 13th, 2017 from Donald Wood, providing comments.
6. Email dated November 13th, 2017 from Mike Gannon, providing comments.
7. Email dated November 14th, 2017 from Joely McEwen, providing comments.
8. Email dated November 14th, 2017 from Joan Wood, providing comments.
9. Email dated November 14th, 2017 from Marc Arakill, providing comments.
10. Email dated November 14th, 2017 from Jeff McLeod, providing comments.
11. Email dated November 14th, 2017 from Donna Dougan, providing comments.
12. Letter dated November 14th, 2017 from the Box Grove Connected Residents Association, providing comments.

Carried

6. PROCLAMATIONS

(1) PROCLAMATION AND FLAG RAISING REQUESTS (3.4)

Moved by Regional Councillor Nirmala Armstrong
Seconded by Councillor Joe Kanapathi

- 1) That the following new request for proclamation be approved and added to the Five-Year Proclamations List approved by Council:
 - Human Rights Day (December 10, 2017); and,

- 2) 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:
 - Human Rights Day Flag (December 9, 2017)
(Organized by Markham Race Relations Committee); and further,
- 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:
 - Complex Regional Pain Syndrome/Reflex Sympathetic Dystrophy Syndrome (CRPS/RSD) Awareness Day (November 6, 2017).

Carried

7(A) REPORT NO. 45 - DEVELOPMENT SERVICES COMMITTEE
(October 30, 2017)

Moved by Regional Councillor Jim Jones
Seconded by Councillor Don Hamilton

That Report No. 45 - Development Services Committee comprised of 4 items be received and adopted, except Items 1 and 2. (See following Item Nos. 1 and 2)

(1) ADMINISTRATIVE AMENDMENT TO
CITY OF MARKHAM SPEED LIMIT BY-LAW 105-71 (5.12)
[Memo Attachment A](#)

Moved by Regional Councillor Jim Jones
Seconded by Councillor Don Hamilton

- 1) That the memorandum dated October 30, 2017 entitled "Administrative Amendment to City of Markham Speed Limit By-Law 105-71" be received; and,
- 2) That the memorandum dated November 14, 2017 entitled "City of Markham Speed Limit By-law 105-71 - Supplemental Information" be received; and further,
- 3) That an amendment to the Speed Limit By-law is necessary in order to align with the Ontario Highway Traffic Act (R.S.O. 1990), correct various errors, and provide an updated, accurate and consolidated legal document. Therefore, City staff recommends that Council repeal Speed Limit By-law 105-71 and replace it with the proposed 2017 Speed Limit By-law, as per Attachment "A".

Carried

- (2) RECOMMENDATION REPORT
605918 ONTARIO LTD.
PROPOSED DRAFT PLAN OF SUBDIVISION 19TM-16009
AND OFFICIAL PLAN AMENDMENT APPLICATIONS
FOR MIXED USE, MID/HIGH RISE BUILDINGS
AT 8651 9TH LINE, IN CORNELL CENTRE (WARD 5)
SU 16 117108, OP 16 117108 (10.7, 10.3)
[Report](#)

Sally Campbell, Manager, Development, Planning & Urban Design, provided a presentation outlining the details of the staff report, as presented at the Development Services Committee meeting held on October 30, 2017. Discussion on the matter ensued.

Moved by Councillor Colin Campbell
Seconded by Regional Councillor Nirmala Armstrong

- 1) That the report entitled “RECOMMENDATION REPORT, 605918 Ontario Ltd. Proposed Draft Plan of Subdivision 19TM-16009 and Official Plan Amendment applications for mixed use, mid/high rise buildings at 8651 9th Line, in Cornell Centre (ward 5), Files SU/OP 16 117108”, be received; and,
- 2) That the record of the Public Meeting held on April 10, 2017, regarding the applications for Draft Plan of Subdivision 19TM-16009 and Official Plan Amendment, be received;
- 3) That the depositions by Eira Keay, Deb Burton, John Himanen, B. Sampson, Sam Priestley and Niomie Massey (on behalf of the applicant) be received; and that the written correspondence from Jeff McLeod, Donna Dougan and Nimisha Patel on behalf of Box Grove Connected be received, and,
- 4) That Draft Plan of Subdivision 19TM-16009 submitted by 605918 Ontario Ltd., be draft approved subject to the conditions outlined in Appendix ‘A’; and,
- 5) 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 ‘A’ as may be amended by the Director of Planning and Urban Design, including the addition of TRCA conditions; and,
- 6) That the draft plan approval for Plan of Subdivision 19TM- 16009 will lapse after a period of five (5) years from the date of Council approval in the event that a subdivision agreement is not executed within that period; and,
- 7) That the Official Plan Amendment application submitted by 605918 Ontario Ltd. to amend the Cornell Secondary Plan (2008) be approved, and that the draft Official Plan Amendment attached as Appendix ‘B’ be finalized and enacted without further notice; and,

- 8) That the City Clerk advise the Region of York that the Official Plan Amendment application submitted by 605918 Ontario Ltd. has been approved, and that the City has no objection to the Region of York removing the subject lands from Deferral 2 Area in the Cornell Secondary Plan (2008); and,
- 9) That prior to approval of a Zoning By-law Amendment application on the subject lands, staff hold a design charrette to inform the urban built form including elements such as building location, height, massing, streetscape, etc. for the wider area between Highway 7 and Rustle Woods Avenue and between 9th Line and Bur Oak Avenue, and further,
- 10) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried as amended by a recorded vote (8:5)

(See following for recorded vote)

(See following to amend)

(See following to consider the matter)

(See following to reconsider the matter)

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 Alan Ho Councillor Don Hamilton, Councillor Karen Rea, Deputy Mayor Jack Heath (5)

Moved by Regional Councillor Jones

Seconded by Councillor Colin Campbell

That an additional clause be added as #9 and that the remaining clauses be renumbered accordingly:

9. That prior to approval of a Zoning By-law Amendment application on the subject lands, staff hold a design charrette to inform the urban built form including elements such as building location, height, massing, streetscape, etc. for the wider area between Highway 7 and Rustle Woods Avenue and between 9th Line and Bur Oak Avenue, and further,

Carried by recorded vote (10:3)

(See following recorded vote)

YEAS: Councillor Alan Ho, Regional Councillor Nirmala Armstrong, Regional Councillor Jim Jones, Mayor Frank Scarpitti, Deputy Mayor Jack Heath, Regional Councillor Joe Li, Councillor Colin Campbell, Councillor

Amanda Collucci, Councillor Logan Kanapathi, Councillor Alex Chiu.
(10)

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

The recommendation as amended was carried by a recorded vote, after which Council immediately requested reconsideration in order to clarify the intent of the motion. See following for resolution that was reconsidered.

Moved by Councillor Colin Campbell

Seconded by Regional Councillor Nirmala Armstrong

- 1) That the report entitled “RECOMMENDATION REPORT, 605918 Ontario Ltd. Proposed Draft Plan of Subdivision 19TM-16009 and Official Plan Amendment applications for mixed use, mid/high rise buildings at 8651 9th Line, in Cornell Centre (ward 5), Files SU/OP 16 117108”, be received; and,
- 2) That the record of the Public Meeting held on April 10, 2017, regarding the applications for Draft Plan of Subdivision 19TM-16009 and Official Plan Amendment, be received; and,
- 3) That Draft Plan of Subdivision 19TM-16009 submitted by 605918 Ontario Ltd., be draft approved subject to the conditions outlined in Appendix ‘A’; and,
- 4) 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 ‘A’ as may be amended by the Director of Planning and Urban Design, including the addition of TRCA conditions; and,
- 5) That the draft plan approval for Plan of Subdivision 19TM- 16009 will lapse after a period of five (5) years from the date of Council approval in the event that a subdivision agreement is not executed within that period; and,
- 6) That prior to consideration of the Official Plan Amendment application submitted by 605918 Ontario Ltd. to amend the Cornell Secondary Plan (2008) being approved, staff hold a design charrette as part of the secondary plan for the entire area of Cornell Centre, and that the draft Official Plan Amendment attached as Appendix ‘B’ be finalized and enacted without further notice; and,
- 7) That the City Clerk advise the Region of York that the Official Plan Amendment application submitted by 605918 Ontario Ltd. has been approved, and that the City has no objection to the Region of York removing the subject lands from Deferral 2 Area in the Cornell Secondary Plan (2008); and further,
- 8) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried as amended on a recorded vote (8:5)
(See following for recorded vote)

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 Alan Ho Councillor Don Hamilton, Councillor Karen Rea, Deputy Mayor Jack Heath (5)

Moved by Councillor Colin Campbell
Seconded by Councillor Amanda Collucci

That Council waive the rules of procedure in order to reconsider Item 7(A) 2 of Report No. 45 of the Development Services Committee.

Carried by a 2/3 vote

Moved by Councillor Karen Rea
Seconded by Deputy Mayor Jack Heath

That Council consider the applications for a Draft Plan of Subdivision and Official Plan Amendment by 605918 Ontario Ltd. immediately following the deputations with respect thereto.

Carried

(3) RECOMMENDATION REPORT
CORRADO GAZZE HOLDINGS LIMITED
C/O CREATIVE HOME SOLUTIONS
ZONING BY-LAW AMENDMENT AND
SITE PLAN CONTROL APPLICATION TO PERMIT A
PROPOSED SIX-STOREY 117 UNIT CONDOMINIUM
APARTMENT BUILDING AT 9700 9TH LINE, WARD 5
FILES ZA 16 124169 AND SC 16 124169 (10.5, 10.6)
[Report](#)

- 1) That the report titled “RECOMMENDATION REPORT, Corrado Gazze Holdings Limited c/o Creative Homes Solutions, Zoning By-law Amendment and Site Plan Control application to permit a proposed six-storey 117 unit condominium apartment building at 9700 9th Line, Ward 5, Files ZA 16 124169 and SC 16124169”, dated October 16, 2017, be received; and,
- 2) That the record of the Public Meeting held on April 12th, 2016 regarding the Official Plan and Zoning By-law Amendment applications submitted by Corrado Gazze Holdings Limited (OP/ZA 15 124169), be received; and,
- 3) That the Zoning By-law Amendment (ZA 16 124169) submitted by Corrado Gazze Holdings Limited c/o Creative Homes Solutions to amend By-laws 304-87, as amended and 177-96, as amended, be approved, and the draft Zoning By-law Amendment attached as Appendix ‘A’ be finalized and adopted without further notice; and,
- 4) That the Site Plan application (SC 16 124169) submitted Corrado Gazze Holdings Limited c/o Creative Homes Solutions to facilitate a development consisting of a six-storey condominium apartment building be endorsed in principle, subject to the conditions attached as Appendix ‘B’; and,
- 5) That Site Plan Approval (SC 16 124169) be delegated to the Director of Planning and Urban Design or his designate; not to be issued prior to the execution of a site plan agreement and Section 37 Agreement; and,
- 6) That site plan endorsement shall lapse after a period of three (3) years from the date of endorsement in the event that a site plan agreement is not executed within that period; and,
- 7) That the City’s 2009 Policy requiring all medium and high density residential developments to achieve at least LEED Silver, be waived, subject to the implementation of the sustainability initiatives outlined in this report, to the satisfaction of the Commissioner of Development Services; and further,
- 8) That Staff be authorized to do all things necessary to give effect to this resolution.

Carried

(4) RECOMMENDATION REPORT
NATIONAL HOMES (OLD KENNEDY) INC.
APPLICATIONS FOR DRAFT PLAN OF SUBDIVISION
AND ZONING BY-LAW AMENDMENT TO PERMIT
SIXTY-NINE (69) TOWNHOUSE UNITS AND
SEVEN (7) LIVE-WORK UNITS
AT 146 OLD KENNEDY ROAD (WARD 8)
FILE NOS. SU/ZA 16 138057 (10.7, 10.5)
[Report](#)

- 1) That the report titled “National Homes (Old Kennedy) Inc., Applications for Draft Plan of Subdivision and Zoning By-law Amendment to permit sixty-nine (69) townhouse units and seven (7) live-work units at 146 Old Kennedy Road (Ward 8), File Nos. SU/ZA 16 138057”, be received; and,
- 2) That the record of the Public Meeting held on May 2, 2017 regarding the proposed Draft Plan of Subdivision and implementing Zoning By-law Amendment, be received; and,
- 3) That Draft Plan of Subdivision 19TM-16012 (SU 16 138057) be approved subject to the conditions of draft approval set out in Appendix ‘A’ of this report; and,
- 4) That the Director of Planning and Urban Design or his designate, be delegated authority to issue draft plan approval, subject to the conditions set out in Appendix ‘A’, as may be amended by the Director of Planning and Urban Design or his designate; and,
- 5) That the Zoning By-law Amendment application (ZA 16 138057) submitted by National Homes (Old Kennedy) Inc., be approved and the draft implementing Zoning By-law, attached as Appendix ‘B’, be finalized and enacted without further notice, once the Parking Justification Report has been reviewed to staff’s satisfaction; and,
- 6) That servicing allocation for sixty-nine (69) townhouse units and seven (7) live-work units be assigned to this project subject to receiving a letter from the Trustee for the Landowner’s Group confirming the Applicant is in good standing; and,
- 7) That the City reserves the right to revoke or reallocate servicing allocation should the development not proceed in a timely manner; and,
- 8) That the draft approval for plan of subdivision 19TM-16012 will lapse after a period of three (3) years commencing on the date of issuance of draft plan approval, in the event that a subdivision agreement is not executed within that period; and further,
- 9) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

7(B) REPORT NO. 46 - GENERAL COMMITTEE (November 6, 2017)

Moved by Deputy Mayor Heath

Seconded by Councillor Colin Campbell

That the report of the General Committee be received and adopted. (Items 1 to 6):

(1) 2018 INTERIM SPENDING AUTHORITY
PENDING APPROVAL OF BUDGET (7.0)

[Report](#)

- 1) That the report titled “2018 Interim Spending Authority Pending Approval of Budget”, be received; and,
- 2) That Council approve 50% of the City’s 2017 Operating, Waterworks, Planning & Design, Building Standards and Engineering budgets equal to \$180,935,012 as a pre-budget approval for 2018 operating expenditures; and further,
- 3) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

(2) 2018 INTERIM SPENDING AUTHORITY PENDING
APPROVAL OF UNIONVILLE AND
MARKHAM VILLAGE IMPROVEMENT AREAS BUDGETS (7.0)

[Report](#)

- 1) That the report titled “2018 Interim Spending Authority Pending Approval of Unionville and Markham Village Business Improvement Area Budgets”, be received; and,
- 2) That Council approve 50% of the 2017 Operating Budget equivalent to the amounts of \$134,758 for the Unionville BIA (UBIA) and \$182,830 for the Markham Village BIA (MBIA) as pre-budget approval for 2018 operating expenditures; and further,
- 3) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

(3) 2018 TEMPORARY BORROWING BY-LAW 2018 (7.0)

[Report](#)

- 1) That the report titled “2018 Temporary Borrowing By-law” be received; and,
- 2) That a by-law be brought forward for Council approval to authorize the temporary borrowing, if required, of amounts not to exceed \$180,652,512 from January 1, 2018 to September 30, 2018 and \$90,326,256 from October 1, 2018 to December 31, 2018 to meet the expenditures of the municipality until taxes are collected and other revenues are received; and,
- 3) That the Treasurer report to Council in advance of borrowing, if temporary borrowing is required; and further,
- 4) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

(4) 2018 INTERIM TAX LEVY REPORT (7.3)

[Report](#)

- 1) That the report “2018 Interim Tax Levy By-law” be received; and,
- 2) That Council authorize an interim tax levy for 2018; and,
- 3) That the attached by-law be passed to authorize the 2018 interim tax levy; and further,
- 4) That staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

(5) TAX WRITE-OFFS IN ACCORDANCE WITH SECTION 354 OF THE MUNICIPAL ACT, 2001 (7.3)[Report](#)

- 1) That taxes totalling \$157,110 as set out in this report, of which the estimated City’s portion is \$39,999 be written off pursuant to the provisions of Section 354 of the Municipal Act, 2001; and,
- 2) That the Treasurer be authorized to remove the taxes from the Collector’s Roll; and,
- 3) That the Markham portion of the taxes be charged to Tax Write-off Account 820-820-7040; and,

- 4) That the Treasurer be authorized to write-off all outstanding taxes annually for the property located at:
 - i. 7001 Reesor Rd;
 - ii. 0 Major Mackenzie Dr E;
 - iii. 11091 Warden Ave; and,
- 5) That the associated interest be cancelled in proportion to the tax adjustments; and further,
- 6) That staff be authorized to and directed to do all things necessary to give effect to this resolution.

Carried

(6) NOTICE AND POSTAGE FOR NON STATUTORY MEETINGS (10.0)

- 1) That a maximum of 400 notices be funded through the Corporate Services Commission for the Special Development Services Committee meeting scheduled for November 21, 2017, and that the notices be sent out by the Clerks Department.

Carried

7(C) REPORT NO. 47 - DEVELOPMENT SERVICES PUBLIC MEETING
(November 7, 2017)

Moved by Regional Councillor Jim Jones
Seconded by Councillor Don Hamilton

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

- (1) PRELIMINARY REPORT
NEAMSBY INVESTMENTS INC.
APPLICATIONS FOR OFFICIAL PLAN
AND ZONING BY-LAW AMENDMENTS
TO PERMIT A TWO-STOREY BUILDING
FOR RECREATIONAL AND ATHLETIC PURPOSES
AT 1443 DENISON STREET (WARD 8)
FILE NOS. OP/ZA 17 148679 (10.3, 10.5)
[Report](#)

- 1) That the written submission from Tom Wridolin regarding the application by Neamsby Investments Inc. at 1443 Denison Street, be received; and,

- 2) That the Development Services Commission report dated September 11, 2017, entitled “Preliminary Report, Neamsby Investments Inc., Applications for Official Plan and Zoning By-law Amendments to permit a two-storey building for recreational and athletic purposes at 1443 Denison Street (Ward 8), File Nos. OP/ZA 17 148679”, be received; and,
- 3) That the Record of the Public Meeting held on November 7, 2017 with respect to the proposed Official Plan and Zoning By-law Amendment applications, be received; and,
- 4) That the applications by Neamsby Investments Inc. for proposed Official Plan and Zoning By-law Amendments (OP/ZA 17 148679) be approved and the draft implementing Official Plan and Zoning By-law Amendments be finalized and enacted without further notice; and further,
- 5) That staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

7(D) REPORT NO. 48 - DEVELOPMENT SERVICES COMMITTEE
(November 13, 2017)

Moved by Regional Councillor Joe Li
Seconded by Regional Councillor Nirmala Armstrong

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

(1) LAKE TO LAKE CYCLING ROUTE
AND WALKING TRAIL
-ADDITIONAL BUDGET REQUEST (WARDS 1 AND 8) (6.3)
[Report](#)

- 1) That the report entitled “Lake to Lake Cycling Route and Walking Trail – Additional Budget Request (Wards 1 and 8)” be received; and,
- 2) That a Purchase Order be issued to the Region of York in the amount of \$1,803,230.27, inclusive of HST, to be funded from Capital Project # 17047 “MUP – Lake to Lake Cycling Route and Walking Trail” in the amount of \$1,415,700.00; and,
- 3) That the Engineering Department Capital Administration Fee in the amount of \$38,677.47, inclusive of HST, be charged to revenue account 640-998-8871 (Capital Admin Fees); and,
- 4) That the shortfall in the amount of \$426,207.74 (\$1,415,700.00 -\$1,803,230.27-\$38,677.47) will be funded from the Development Charges Reserve in the amount of \$277,035.03 and Gas Tax Reserve in the amount of \$149,172.71; and further,
- 5) 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 notices of motion to reconsider.

10. NEW/OTHER BUSINESS

- (1) DECLARATION OF SURPLUS LANDS ADJACENT TO
DIGRAM DEVELOPMENTS MARKHAM INC.'S
TOWNHOUSE CONDOMINIUM DEVELOPMENT AT
6232 16TH AVENUE (BLOCK 25, 65M-3796) (8.7)
[Map](#)

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

Moved by Councillor Colin Campbell
Seconded by Regional Councillor Nirmala Armstrong

- 1) That the notice of proposed sale for the City owned lands legally described as Part of Block 28, on Registered Plan 65M-3796, designated as Part 1, 65R-36947 City of Markham, Regional Municipality of York, be confirmed.
(In-Camera Item No. 6 - November 1, 2017 Council Meeting)

Carried

(2) ELECTION OF YORK REGION CHAIR (13.4)

[Region's Proposed motion](#)

- 1) That Markham City Council reaffirm its previous support for the Province of Ontario in terms of the passage of enabling legislation providing for election of the York Region Chair by general vote.

Withdrawn

(See following to withdraw)

Moved by Regional Councillor Jim Jones

Seconded by Regional Councillor Nirmala Armstrong

That the motion regarding the Election of the York Region Chair be withdrawn.

Carried

(3) RECOMMENDATION FROM THE SEPTEMBER 28, 2017
LICENSING COMMITTEE HEARING (4 HEDGEWOOD DRIVE) (2.0)

Moved by Councillor Don Hamilton

Seconded by Regional Councillor Jim Jones

- 1) That the following recommendation of the Licensing Committee from the Hearing held on September 28, 2017 be approved and adopted:
 - "1. That the application to remove a sugar maple tree at 4 Hedgewood Drive, Markham, be denied; and,
 2. That the application to remove a red oak tree at 4 Hedgewood Drive, Markham, be approved; and,
 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 as amended

(See following to amend)

(See following to consider the matter)

Moved by Councillor Don Hamilton

Seconded by Regional Councillor Jim Jones

That the following proposed Recommendation No. 3 from the September 28, 2017 Licensing Committee Hearing meeting be deleted in its entirety:

3. That the applicant provide for one replacement tree to a Markham park or natural area project, in a size and native species deemed appropriate by staff, by 2018, or provide a cash-in-lieu payment of \$300.00 per tree; and further,

Carried

Moved by Councillor Don Hamilton
Seconded by Regional Councillor Jim Jones

That Council consider Item 10 (3) under New/Other Business, Recommendation from the September 28, 2017 Licensing Committee Hearing (4 Hedgewood Drive) immediately following the deputation with respect thereto.

Carried

- (4) RETAIL BUSINESS HOLIDAYS ACT APPLICATION (13.4)
[Letter](#)

Moved by Councillor Karen Rea
Seconded by Regional Councillor Nirmala Armstrong

That the Region of York be advised that the City of Markham does not support the Region's proposed exemptions to the Retail Holidays Business Act, exempting all retail businesses on statutory holidays save and except for Christmas Day.

Carried by a recorded vote (8:5)
(See following recorded vote)

YEAS: Councillor Valerie Burke, Councillor Karen Rea, Regional Councillor Nirmala Armstrong, Mayor Frank Scarpitti, Councillor Colin Campbell, Councillor Amanda Collucci, Councillor Logan Kanapathi, Councillor Alex Chiu. (8)

NAYS: Councillor Alan Ho, Councillor Don Hamilton, Regional Councillor Jim Jones, Deputy Mayor Jack Heath, Regional Councillor Joe Li (5)

Council consented to not consider the following recommendation postponed from the November 1, 2017 Council meeting:

- 1) That the letter dated October 20, 2017 from York Region providing information regarding the Holiday Shopping By-law be received; and,
- 2) That the presentation from Jonathan Wheatle, Manager, Strategic Economic Initiative, York Region regarding the *Retail Business Holiday Act*, be received; and further,

- 3) That the exemptions to the holiday closures under the *Retail Business Holiday Act* be referred to the Province of Ontario for their direction and further clarification.

11. ANNOUNCEMENTS

12. BY-LAWS

Moved by Councillor Alex Chiu
Seconded by Councillor Alan Ho

That By-laws 2017-99 to 2017-108 and 2017-110 be given three readings and enacted.

Three Readings

BY-LAW 2017-99 ROAD DEDICATION BY-LAW (VERDALE CROSSING, BIRCHMOUNT ROAD AND ENTERPRISE BOULEVARD)

A by-law to dedicate certain lands as part of the highways of the City of Markham (Blocks 53, and 60 Plan 65M-4060 - Verdale Crossing; Block 26, Plan 65M-4294, Part of the west half of Lot 9, Concession 5, designated as Parts 1 and 5, Plan 65R-34150 and Part of the east half and the west half of Lot 8, Concession 5, designated as Parts 8 and 14, Plan 65R-27985 - Birchmount Road; Part of the east half and the west half of Lot 8, Concession 5, designated as Part 10, Plan 65R-27985 - Enterprise Boulevard)

[By-law](#)

Carried

BY-LAW 2017-100 WYKLAND ESTATES INC., 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 10 and 11, Registered Plan 65M-4406 designated as Parts 17, 18, 19 and 20, Plan 65R-35490, north of Highway 7 East, south of 16th Avenue, and west of Reesor Road.

[By-law](#)

Carried

- BY-LAW 2017-101 A BY-LAW TO AMEND BY-LAW 2002-311, A BY-LAW TO APPOINT DEPUTY CLERKS FOR THE CITY OF MARKHAM
(Appointment of Vanessa Rhodes)
[By-law](#)
Carried
- BY-LAW 2017-102 2018 TEMPORARY BORROWING BY-LAW
A by-law to authorize temporary borrowing to meet the expenditures of the City of Markham until taxes are collected and other revenues received in 2018.
(Item No. 3, Report No. 46)
[By-law](#)
Carried
- BY-LAW 2017-103 A BY-LAW TO PROVIDE FOR AN INTERIM TAX LEVY IN 2018
(Item No. 4, Report No. 46)
[By-law](#)
Carried
- BY-LAW 2017-104 A BY-LAW TO AUTHORIZE SPEED LIMITS IN THE CITY OF MARKHAM
(Repeal Speed By-law 105-71)
(Item No. 1, Report No. 45)
[By-law](#)
Carried
- BY-LAW 2017-105 A BY-LAW TO APPROVE THE EXPROPRIATION OF LAND IN FEE SIMPLE, IN THE CITY OF MARKHAM
(Part of Lots 40, 41, 42 and 43 in Block M on Registered Plan 173 designated as Parts 5, 6, 7, 8, 9 and 11 on Reference Plan 65R-36046, in the City of Markham, Regional Municipality of York being part of PIN 02936-0377 [LT])
[By-law](#)
Carried
- BY-LAW 2017-106 CORRADO GAZZE HOLDINGS LIMITED, C/O CREATIVE HOME SOLUTIONS, 9700 9TH LINE, ZONING BY-LAW AMENDMENT
A by-law to amend By-law 304-87, as amended, and By-law 177-96, as amended, to permit the use of the lands for a midrise condominium apartment building.
(Item No. 3, Report No. 45)
[By-law](#)
Carried

BY-LAW 2017-107 605918 ONTARIO LTD., 8651 9TH LINE, AMENDMENT TO THE IN FORCE OFFICIAL PLAN (REVISED 1987), AS AMENDED
A by-law to adopt an Official Plan Amendment to the in force Official Plan (Revised 1987), as amended, to allow mixed use, mid/high rise buildings.

(Item No. 2, Report No. 45)

[By-law](#)

Carried

BY-LAW 2017-108 NATIONAL HOMES (OLD KENNEDY) INC., 146 OLD KENNEDY ROAD, ZONING BY-LAW AMENDMENT
A by-law to amend By-law 177-96, as amended, to permit the lands to be developed with townhouses and some live-work units.

(Item No. 4, Report No. 45)

[By-law](#)

Carried

BY-LAW 2017-110 ROAD DEDICATION BY-LAW (POPE JOHN PAUL II SQUARE)
A by-law to dedicate certain lands as part of the highways of the City of Markham (Part of Block 121, Plan 65M-4252, designated as Part 1, Plan 65R-37392 – Pope John Paul II Square)

[By-law](#)

Carried

13. CONFIDENTIAL ITEMS

Moved by Councillor Karen Rea

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 (11:33 PM)

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

Development Services Committee - October 30, 2017

- (2) LITIGATION OR POTENTIAL LITIGATION, INCLUDING MATTERS BEFORE ADMINISTRATIVE TRIBUNALS, AFFECTING THE MUNICIPALITY OR LOCAL BOARD – ONTARIO MUNICIPAL BOARD – YONGE STEELES CORRIDOR SECONDARY PLAN (WARD 1) (8.0)
[Section 239 (2) (e)]

General Committee - November 6, 2017

- (3) PERSONAL MATTERS ABOUT AN IDENTIFIABLE INDIVIDUAL, INCLUDING MUNICIPAL OR LOCAL BOARD EMPLOYEES (PROPERTY FOR TAX SALE) (7.3)
[Section 239 (2) (b)]

New Business – November 14, 2017

- (4) A PROPOSED OR PENDING ACQUISITION OR DISPOSITION OF LAND BY THE MUNICIPALITY OR LOCAL BOARD (2780 19th AVENUE) (8.6)
[Section 239 (2) (c)]

Moved by Councillor Alex Chiu

Seconded by Councillor Logan Kanapathi

That Council rise from the private session. (11:40 PM)

Carried

The confidential items were approved by Council as follows:

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

Moved by Councillor Alex Chiu

Seconded by Councillor Amanda Collucci

- 1) That the Council Meeting confidential minutes dated November 1, 2017 be confirmed.

Carried

DEVELOPMENT SERVICES COMMITTEE - October 30, 2017

2. REQUEST FOR PARTY STATUS IN AN
ONTARIO MUNICIPAL BOARD APPEAL OF THE
CITY OF VAUGHAN YONGE STEELES CORRIDOR SECONDARY PLAN (8.0)

Moved by Councillor Valerie Burke

Seconded by Councillor Alan Ho

- 1) That the report titled “Request for Party Status in Ontario Municipal Board Appeal of the City of Vaughan Yonge Steeles Corridor Secondary Plan” be received; and,
- 2) That City Staff be authorized to seek party status on the limited basis described in this report, in the appeal of the City of Vaughan Yonge Steeles Corridor Secondary Plan; and,
- 3) That Council direct the City Solicitor and Staff to attend the Ontario Municipal Board hearing to ensure that the City of Markham's interests with respect to development potential within Markham are protected; and,
- 4) That Staff be authorized and directed to do all things necessary to give effect to this resolution, and further;
- 5) That the foregoing resolutions be reported out at a future public Council meeting.

Carried

GENERAL COMMITTEE - November 6, 2017

3. PROPERTY FOR TAX SALE AUTHORIZATION (7.3)

Moved by Deputy Mayor Heath

Seconded by Councillor Colin Campbell

- 1) That the confidential report entitled “Properties for Tax Sale Authorization” be received; and,
- 2) That staff be authorized to proceed as directed by Council on November 14, 2017."

Carried

NEW BUSINESS – November 14, 2017

4. REPORTING OUT OF REAL
PROPERTY ACQUISITION
- 2780 19TH AVENUE (8.6)
[Report](#)

Moved by Councillor Alan Ho

Seconded by Regional Councillor Jim Jones

- 1) That the report entitled “Reporting Out of Real Property Acquisition – 2780 19th Avenue” be received; and,

- 2) That Staff be authorized and directed to take the actions set out in this report; and,
- 3) That the report entitled “Reporting Out of Real Property Acquisition – 2780 19th Avenue” and the forgoing resolutions be reported out in the public Council meeting on November 14th, 2017.

Carried

14. CONFIRMATORY BY-LAW

Moved by Councillor Alex Chiu
Seconded by Councillor Karen Rea

That By-law 2017-109 be given three readings and enacted.

Three Readings

BY-LAW 2017-109 A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE COUNCIL MEETING OF NOVEMBER 14, 2017.

[By-law](#)

Carried

15. ADJOURNMENT

Moved by Councillor Alex Chiu
Seconded by Councillor Valerie Burke

That the Council Meeting be adjourned at 11:42 PM.

Carried

Kimberley Kitteringham
City Clerk
(Signed)

Frank Scarpitti
Mayor