



Council Minutes

November 1, 2017, 7:00 PM

Council Chamber, Anthony Roman Markham Civic Centre

Meeting No. 14

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 (left at 8:10 pm), Councillor Colin Campbell, Councillor Logan Kanapathi.

Regrets

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
Kimberley Kitteringham, City Clerk
Martha Pettit, Deputy City Clerk
John Wong, Technology Support Specialist

The meeting of Council convened at 7:08 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 - OCTOBER 17, 2017
[Minutes](#)

Moved by Councillor Logan Kanapathi
Seconded by Councillor Valerie Burke

- 1) That the Minutes of the Council Meeting held on October 17, 2017, be adopted.

Carried

3. PRESENTATIONS

There were no presentations.

4. DEPUTATIONS

There were no deputations.

5. COMMUNICATIONS

Moved by Councillor Colin Campbell
Seconded by Deputy Mayor Jack Heath

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

Received

31-2017

MEMORANDUM
HOLD REMOVAL BY-LAW"
RULAND PROPERTIES INC. (THE REMINGTON GROUP)
8, 10 & 18 ROUGE VALLEY DRIVE WEST
PLANNING FILE: ZA 17 154828 (10.5)

[Memo](#)

Update memorandum dated November 1, 2017 entitled " Hold Removal By-law, Ruland Properties Inc. (The Remington Group), 8, 10 & 18 Rouge Valley Drive West , Planning File: ZA 17 154828.
(By-law 2017-94)

Carried

- 32-2017 LIQUOR LICENCE APPLICATION FOR CINEPLEX CINEMAS MARKHAM & VIP, 179 ENTERPRISE BOULEVARD, SUITE 5 (WARD 3) (3.21)

[Info](#)

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

Carried

- 33-2017 LIQUOR LICENCE APPLICATION FOR TERRE ROUGE CRAFT KITCHEN, 162 ENTERPRISE BOULEVARD, UNIT 1 (WARD 3) (3.21)

[Info](#)

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

Carried

6. PROCLAMATIONS

There were no proclamations.

7(A) REPORT NO. 42 - DEVELOPMENT SERVICES COMMITTEE (October 16, 2017)

Moved by Regional Councillor Jim Jones

Seconded by Councillor Don Hamilton

That Report No. 42 - Development Services Committee comprised of 2 items be received and adopted, except Item No. 1. (See following Item No. 1)

- (1) MILLIKEN CENTRE SECONDARY PLAN UPDATE AND
DRAFT DEVELOPMENT CONCEPT (10.4)

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

Moved by Regional Councillor Jim Jones

Seconded by Councillor Don Hamilton

- 1) That the written submission from Rosemarie Humphries on behalf of Chris and Louis Balkos, regarding the Milliken Centre Secondary Plan Update and Draft Development Concept, be received; and,

- 2) That deputations by Jim Karygiannis, Councillor for the City of Toronto, Mary-Flynn Guglietti of McMillan LLP, representing Pacific Mall, and Pat Dimilta, regarding the Milliken Centre Secondary Plan Update and Draft Development Concept, be received; and,
- 3) That the report dated October 16, 2017 entitled “Milliken Centre Secondary Plan Update and Draft Development Concept” be received; and,
- 4) That the Draft Development Concept for the Milliken Centre Secondary Plan, attached as Figure 2 to the report dated October 16, 2017 entitled “Milliken Centre Secondary Plan Update and Draft Development Concept” be released for public comment as input towards the preparation of the Draft Secondary Plan for Milliken Centre and guide consideration of planning applications within Milliken Centre; and,
- 5) That staff work with the City of Toronto and all stakeholders such as the Milliken District and Milliken Advisory Committee in the preparation of the Secondary Plan; and further,
- 6) That staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

(2) MARKHAM MUSEUM STRATEGIC PLAN (6.7)

[Report](#) [Appendix A](#)

- 1) That the presentation by John Linton, TCI Management Consultants, and the deputation by Randy Barber, representing the Friends of the Museum Board, regarding the Strategic Plan, be received; and,
- 2) That the report entitled, “Markham Museum Strategic Plan”, be received and approved; and,
- 3) That the Museum’s vision and mission statements be endorsed; and,
- 4) That Staff bring forward an annual business plan and cost estimates in support of implementing the Strategic Plan recommendations; and further,
- 5) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

7(B) REPORT NO. 43 - GENERAL COMMITTEE (October 23, 2017)

Moved by Deputy Mayor Jack Heath

Seconded by Councillor Colin Campbell

That Report No. 43 - General Committee comprised of 7 items be received and adopted, except Item Nos. 1, 2, 4 and 7. (See following Item Nos. 1, 2, 4 and 7)

(1) CITY OF MARKHAM OLDER ADULT STRATEGY (6.0)

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

Moved by Deputy Mayor Jack Heath

Seconded by Councillor Colin Campbell

- 1) That the presentation entitled "Markham's Older Adult Strategy" be received; and,
- 2) That the report entitled "City of Markham Older Adult Strategy" be received; and
- 3) That Council approve the City of Markham Older Adult Strategy (Attachment 1); and,
- 4) That Council support in principle an Ability-To-Pay model and direct staff to undertake further analysis to determine impact on all users and report back; and,
- 5) That Council support staff to undertake partnership opportunities with York Region, Province of Ontario (Ministry of Seniors Affairs) and other stakeholders to improve coordination of Older Adult Services in Markham; and,
- 6) That Council approve the age of 65+ as a definition of older adults across all City of Markham programs and services; and further,
- 7) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

(2) YORK REGION COMMUNICATIONS (13.4)

Moved by Deputy Mayor Jack Heath

Seconded by Councillor Colin Campbell

- 1) That the following communications from York Region be received for information purposes:
 - Public Health within an Integrated Health System: Response to the Recommendations of the Minister's Expert Panel on Public Health. [Region Report](#) [Ministers Expert Panel Report](#)
 - [Letter](#) dated October 20, 2017 from York Region Clerk providing information on Public Health within an Integrated Health System: Response to the Recommendations of the Minister's Expert Panel on Public Health.; and,
- 2) That the City of Markham does not support the Expert Panel on Public Health recommendations including the separation of Public Health from the York Region structure; and,
- 3) That Markham Council support York Regional Staff in their response to the recommendations made by the Minister of Health and Long-Term Care's Expert Panel on Public Health; and,
- 4) That the Regional Chair be requested to arrange a meeting with the Minister of Health and Long-Term Care to outline the Region's concerns regarding the Expert Panel on Public Health's recommendations; and further,
- 5) That the Minister of Health and Long-Term Care be requested to hold a province-wide public consultation if they decide to proceed with the Expert Panel on Public Health's proposed recommendations.

Carried

Council consented to not consider the following recommendation from the October 23, 2017 General Committee meeting:

- "2) That the City of Markham supports York Region's position requesting the Province to not act on any of the recommendations outlined in the Ministers Expert Panel on Public Health recommendations."

(3) TERMS OF USE OF THE MARKHAM PAN AM CENTRE
FOR THE MARKHAM SPORTS HALL OF FAME (6.0)

[Report](#)

- 1) The report titled "Terms of Use of the Markham Pan Am Centre for the Markham Sport Hall of Fame" be received, and;
- 2) That Council approve an Addendum to the Markham Sport Hall of Fame - Terms of Reference for the Terms of Use of the Markham Pan Am Centre as outlined in Attachment 1, and further;
- 3) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

(4) DIGITAL MARKHAM STRATEGY – DETAILED IMPLEMENTATION
PLAN AND FUNDING STRATEGY (7.13)

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

Moved by Deputy Mayor Jack Heath

Seconded by Councillor Colin Campbell

- 1) That the presentation entitled "Digital Markham Strategy" be received; and,
- 2) That the report entitled "Digital Markham Strategy – Detailed Implementation Plan and Funding Strategy" be received; and,
- 3) That Staff proceed with the implementation and deliverables planned to December 31, 2018 as outlined in the report; and,
- 4) That Staff provide an annual update to General Committee on the outcomes of the implementation of the roadmap and future plans, including funding requirements; and further,
- 5) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

(5) VACANT UNIT PROPERTY TAX REBATE CONSULTATION REPORT (7.0)

[Report](#)

- 1) That the report entitled Vacant Unit Property Tax Rebate Consultation Report be received; and,
- 2) That Council receive the information on the comprehensive consultation process that was undertaken with the local business community to review the vacancy rebate program; and,
- 3) That Council endorse the elimination of the Vacant Unit Property Tax Rebate program effective for tax year 2018; and,
- 4) That Council endorse a Targeted Vacant Unit Property Tax Rebate Program that is only for “New Commercial / Industrial Development” for a four (4) year period, effective January 1st 2018; and,
- 5) That staff be authorized to send a copy of this resolution to the Region of York; and further,
- 6) That staff be authorized and directed to do all things necessary to give effect to these resolutions.

Carried

(6) IN-BOULEVARD CYCLE TRACK ANNUAL MAINTENANCE POLICY (5.10)

[Report](#)

- 1) That the staff report entitled, In-Boulevard Cycle Track Annual Maintenance Policy, be received; and,
- 2) That the Operations and Maintenance level of service for In-Boulevard Cycle Tracks as identified in Attachment ‘B’ be endorsed for the 2017-2018 and 2018-2019 winter seasons; and,
- 3) That staff monitor the maintenance condition of the Highway 7 cycle tracks over the 2017-2018 and 2018-2019 winter seasons and report back in 2019 on the potential need to revise the maintenance level of service and policy and the associated budget implications; and,
- 4) That the Operations Department 2018 operating budget be increased by \$143,850 to cover the annual operations and maintenance requirements for the Highway 7 cycle tracks and wider sidewalks; and,

- 5) That the Mayor and Clerk be authorized to execute an agreement with the Regional Municipality of York ("York Region") to govern the operations and maintenance of infrastructure within the Highway 7 boulevard including cycle track, streetscaping components from Town Centre Boulevard to Sciberras Road, provided that the form and content of such agreement are satisfactory to the Chief Administrative Officer and the City Solicitor; and further,
- 6) That staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

(7) RECRUITMENT FOR THE POSITION OF THE
COMMISSIONER OF DEVELOPMENT SERVICES (11.0)

Moved by Deputy Mayor Jack Heath

Seconded by Councillor Colin Campbell

- 1) That a Committee be established for the purpose of interviewing candidates for the position of the Commissioner of Development Services; and,
- 2) That the following be appointed: the Chair and Vice Chair of Development Services Committee; Mayor Frank Scarpitti; Regional Councillor Nirmala Armstrong; Andy Taylor, Chief Administrative Officer and a representative from the Human Resources department.

Carried

Council consented to add Regional Councillor Nirmala Armstrong to the Committee for the purpose of interviewing candidates for the position of the Commissioner of Development Services.

**7(C) REPORT NO. 44 - DEVELOPMENT SERVICES COMMITTEE
(OCTOBER 30, 2017)**

Moved by Regional Councillor Jim Jones
Seconded by Councillor Don Hamilton

That Report No. 44 - Development Services Committee comprised of 1 item be received and adopted.

**(1) NEW BUSINESS
2017 NATIONAL CONFERENCE FOR THE CANADIAN COUNCIL
ON PUBLIC PRIVATE PARTNERSHIPS (CCPPP) (10.0)**

- 1) That Council approve the attendance of Regional Councillor Jim Jones to attend the 2017 National Conference for the Canadian Council on Public Private Partnerships (CCPPP) being held November 6 -7, 2017 in Toronto at a cost of \$1,500 (plus HST); and,
- 2) That the funding in the amount of \$1,500 (plus HST) be funded from account 110-110-5200 (Council Conferences).

Carried

8. MOTIONS

There were no motions.

9. NOTICE OF MOTION TO RECONSIDER

There was no notice of motion to reconsider.

10. NEW/OTHER BUSINESS

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

Moved by Deputy Mayor Jack Heath
Seconded by Councillor Colin Campbell

That the following proposed recommendation be postponed to the November 14, 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.

Carried

11. ANNOUNCEMENTS

There were no announcement.

12. BY-LAWS

Moved by Councillor Colin Campbell
Seconded by Councillor Karen Rea

That By-laws 2017-93 and 2017-94 be given three readings and enacted.

Three Readings

BY-LAW 2017-93 A BY-LAW TO AMEND BY-LAW 2016-69, BEING A BY-LAW OF THE CITY OF MARKHAM TO DESIGNATE CERTAIN LANDS AS A MUNICIPAL CAPITAL FACILITY
(Delete reference to "(b) the date the MCF Agreement is signed")
[By-law](#)

Carried

BY-LAW 2017-94 RULAND PROPERTIES INC. (THE REMINGTON GROUP), 8, 10 & 18 ROUGE VALLEY DRIVE WEST, HOLD REMOVAL BY-LAW
A by-law to amend By-law 2004-196, as amended, to permit a high-density development accommodating 545 residential condominium units and ancillary retail uses.

[By-law](#)

Carried

13. CONFIDENTIAL ITEMS

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

That, in accordance with Section 239 (2) of the *Municipal Act*, Council resolve into a private session to discuss the following confidential matters (8:11 PM):

- (1) MINUTES OF CONFIDENTIAL COUNCIL MEETING
- OCTOBER 17, 2017 (16.0)
[Section 239 (2) (b) (c) (f)]

Council - November 1, 2017

- (2) PERSONAL MATTERS ABOUT AN IDENTIFIABLE INDIVIDUAL, INCLUDING MUNICIPAL OR LOCAL BOARD EMPLOYEES (APPOINTMENT TO BOARD/COMMITTEE) (16.24)
[Section 239 (2) (b)]
- (3) LITIGATION OR POTENTIAL LITIGATION, INCLUDING MATTERS BEFORE ADMINISTRATIVE TRIBUNALS, AFFECTING THE MUNICIPALITY OR LOCAL BOARD – MINOR VARIANCE APPEAL - 1895881 ONTARIO CORP., 20 BUR OAK AVENUE (WARD 6) (8.0)
[Section 239 (2) (e)]

General Committee - October 23, 2017

- (4) PERSONAL MATTERS ABOUT AN IDENTIFIABLE INDIVIDUAL, INCLUDING MUNICIPAL OR LOCAL BOARD EMPLOYEES (PROPERTIES FOR TAX SALE - REGISTRATION) (7.3)
[Section 239 (2) (b)]
- (5) PERSONAL MATTERS ABOUT AN IDENTIFIABLE INDIVIDUAL, INCLUDING MUNICIPAL OR LOCAL BOARD EMPLOYEES (PROPERTIES FOR TAX SALE - UPDATE) (7.3)
[Section 239 (2) (b)]

- (6) A PROPOSED OR PENDING ACQUISITION OR DISPOSITION OF LAND BY THE MUNICIPALITY OR LOCAL BOARD (PROPERTY MATTER) (8.7)
[Section 239 (2) (c)]

Carried

Development Services Committee - October 30, 2017

- (7) LITIGATION OR POTENTIAL LITIGATION, INCLUDING MATTERS BEFORE ADMINISTRATIVE TRIBUNALS, AFFECTING THE MUNICIPALITY OR LOCAL BOARD – ONTARIO MUNICIPAL BOARD – 2014 OFFICIAL PLAN – ADDITIONAL MODIFICATIONS (8.0)
[Section 239 (2) (e)]

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

That Council rise from the private session. (8:33 PM)

Carried

The confidential items were approved by Council as follows:

- (1) MINUTES OF CONFIDENTIAL COUNCIL MEETING
- OCTOBER 17, 2017 (16.0)

Moved by Deputy Mayor Jack Heath
Seconded by Councillor Alan Ho

- 1) That the Council Confidential Minutes dated October 17, 2017 be confirmed.

Carried

(2) APPOINTMENTS TO BOARDS/COMMITTEES (16.24)

Moved by Regional Councillor Nirmala Armstrong

Seconded by Regional Councillor Jim Jones

- 1) That the following persons be appointed to the Markham Public Library Board:

<u>Name</u>	<u>Term</u>
Ivy Ho	November 30, 2018
Aida Da Silva	November 30, 2018
Margret McGrory	November 30, 2018; and,

- 2) That the following persons be appointed to the Animal Care Committee:

<u>Name</u>	<u>Term</u>
Judy Postello	November 30, 2020
Aviva Harari	November 30, 2020

- 3) That the following person be appointed to the Heintzman House Community Centre Board:

<u>Name</u>	<u>Term</u>
Sheneth Fernando	November 30, 2020

Carried

- (3) MINOR VARIANCE APPEAL**
1895881 ONTARIO CORP.
20 BUR OAK AVENUE, WARD 6
FILE NO. A/65/17 (8.0)

Moved by Regional Councillor Nirmala Armstrong

Seconded by Councillor Don Hamilton

- 1) That the confidential report titled “Minor Variance Appeal, 1895881 Ontario Corp., 20 Bur Oak Avenue, Ward 6, File No. A/65/17”, dated September 25, 2017, be received; and,
- 2) That Council direct Staff not to attend the Ontario Municipal Board (“OMB”) hearing regarding the decision of the Committee of Adjustment to approve the requested minor variance application, provided that the applicant requests the OMB to impose the following condition:

1. That the variances apply only to the proposed development as long as it remains; and further,
- 3) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

(4) PROPERTIES READY FOR TAX SALE REGISTRATION (7.3)

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

- 1) That the confidential report entitled “Properties Ready for Tax Sale Registration” be received; and,
- 2) That the Treasurer commence the registration process under Section 373 of the Municipal Act, 2001 for the subject properties listed in Appendix “A” to this report; and,
- 3) That staff report back after the mandatory one year period expires to report on the properties that will proceed to tax sale; and,
- 4) That staff be authorized and directed to do all things necessary to give effect to this resolution; and further,
- 5) That Staff be authorized and directed to take the actions set out in this report.

Carried

(5) PROPERTIES FOR TAX SALE - UPDATE (7.3)

Moved by Councillor Don Hamilton
Seconded by Councillor Alan Ho

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

Carried

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

Moved by Deputy Mayor Jack Heath

Seconded by Regional Councillor Jim Jones

- 1) That the confidential report entitled “Declaration of Surplus Lands adjacent to Digram Developments Markham Inc.’s Townhouse Condominium Development at 6232 16th Avenue (Block 25, 65M-3796)” be received; and,
- 2) That in accordance with By-law 178-96 the City declare certain lands described as Part of Block 28, on Registered Plan 65M-3796, designated as Part 1, 65R-36947 City of Markham, Regional Municipality of York, as surplus, being lands originally set out as a reserve, shown as the “Subject Property” on Attachments No. 1 and 2 to this report; and further,
- 3) That staff be authorized and directed to do all things necessary to give effect to the foregoing.

Carried

(7) 2014 CITY OF MARKHAM OFFICIAL PLAN
PART 1 – PROPOSED FURTHER MODIFICATIONS
RECOMMENDED FOR APPROVAL BY THE
ONTARIO MUNICIPAL BOARD (10.3)

Moved by Regional Councillor Jim Jones

Seconded by Councillor Don Hamilton

- 1) That the confidential report entitled “2014 City of Markham Official Plan, Part I – Proposed Further Modifications Recommended for Approval by the Ontario Municipal Board” dated October 30, 2017, be received; and,
- 2) That the proposed modifications to the 2014 City of Markham Official Plan – Part 1, as outlined in Appendix ‘A’ of the report entitled “2014 City of Markham Official Plan, Part I – Proposed Further Modifications Recommended for Approval by the Ontario Municipal Board” dated October 30, 2017, be endorsed, and forwarded to the Ontario Municipal Board for approval; and,

- 3) That staff be authorized to make minor amendments to the proposed modifications to the 2014 City of Markham Official Plan – Part 1, as outlined in Appendix ‘A’ provided they are consistent with the intent of the proposed modifications to be forwarded to the Ontario Municipal Board for approval, and subject to the approval of the Commissioner of Development Services and City Solicitor; and,
- 4) That the intent of Section 3.1.1.3 of the 2014 City of Markham Official Plan – Part 1, as set out in Appendix ‘B’ be endorsed; and,
- 5) That the Mayor and Clerk be authorized to execute Minutes of Settlement with the Berczy Glen Landowners Group and the Toronto and Region Conservation Authority in a form satisfactory to the Commissioner of Development Services and the City Solicitor; and,
- 6) That staff and legal counsel be authorized and directed to do all things necessary to give effect to this resolution.

Carried

14. CONFIRMATORY BY-LAW

Moved by Councillor Logan Kanapathi
Seconded by Councillor Don Hamilton

That By-law 2017-95 be given three readings and enacted.

Three Readings

BY-LAW 2017-95 A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE COUNCIL MEETING OF NOVEMBER 1, 2017.
[By-law](#)

Carried

15. ADJOURNMENT

Moved by Councillor Logan Kanapathi

Seconded by Councillor Valerie Burke

That the Council Meeting be adjourned at 8:35 PM.

Carried

Kimberley Kitteringham
City Clerk
(Signed)

Frank Scarpitti
Mayor