



Council Minutes

October 17, 2017, 7:00 PM

Council Chamber, Anthony Roman Markham Civic Centre

Meeting No. 13

Alternate formats for this document are available upon request

Roll Call

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

Regrets

Deputy Mayor Jack Heath, Regional Councillor Joe Li.

Staff

Andy Taylor, Chief Administrative Officer
Lisa Riegel, Assistant City Solicitor
Andrea Wilson-Peebles, Assistant City Solicitor
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
Stephen Chait, Director of Economic Growth, Culture & Entrepreneurship
Claudia Marsales, Senior Manager, Waste Management and Environment

The meeting of Council convened at 7:14 PM on October 17, 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 - SEPTEMBER 26, 2017
[Minutes](#)

Moved by Councillor Alex Chiu

Seconded by Councillor Valerie Burke

- 1) That the Minutes of the Council Meeting held on September 26, 2017, be adopted.

Carried

3. PRESENTATIONS

- (1) YORK UNIVERSITY WASTE WIKI ENVIRONMENTAL LEADERSHIP AWARD
- SMART TEXTILE DIVERSION STRATEGY (12.2.6)

Claudia Marsales, Senior Manager, Waste Management and Environment, provided a summary of the award. She introduced Markham's Waste Management staff and guests in attendance:

Staff

Phoebe Fu, Director of Environmental Services
Claudia Marsales, Senior Manager, Waste Management
Michael DiPasquale, Diversion Programs
Kimberley Dunsmoor, Community Outreach Assistant
Juliana Aparicio, Waste Operations
Terina Tam, Waste Co-op Student
Asma Nabhani, Waste Co-op Student
Abison Vijayakanthan, Waste Co-op Student

Guests

Scott Ebenhardt, Diabetes Canada
Ryan Michaels, Diabetes Canada
Dr. Calvin Lakhan, York University

Dr. Calvin Lakhan, Faculty of Environmental Studies at York University, presented the Waste Wiki Environmental Leadership Award to Council. This award recognizes the City of Markham's SMART Textile Diversion Strategy, which demonstrates leadership in environmental performance and best practices in promoting diversion.

Council thanked Members of the Waste Diversion Committee:

Deputy Mayor Jack Heath, Chair
Regional Councillor Joe Li
Councillor Valerie Burke
Councillor Karen Rea
Councillor Logan Kanapathi

Councillor Valerie Burke acknowledged Deputy Mayor Jack Heath as a strong advocate for this program.

4. DEPUTATIONS

- (1) DEPUTATION - LICENSING COMMITTEE HEARING
RECOMMENDATION - 69 ROSEMOUNT AVENUE (2.0)

Moved by Councillor Alex Chiu

Seconded by Councillor Logan Kanapathi

- 1) That the deputation of Farhad Shamshirzan in support of the proposed recommendation from the Licensing Committee Hearing for 69 Rosemount Avenue and the request for Council to waive the need for replacement of two trees or to provide a cash-in-lieu of \$300.00 per tree be received.
(See New/Other Business Item No. 2 for Council's decision on this matter)

Carried

(2) DEPUTATIONS - PUBLIC ART
TITLED "CHARITY" ON CRESCENT PARK LANE (6.0)

Council consented to waive the rules of procedure to allow Danny Da Silva to speak again at Council this date as he had spoken at the September 25, 2017 Development Services Committee meeting.

Moved by Councillor Alex Chiu

Seconded by Councillor Logan Kanapathi

- 1) That the following deputations in support of removing the public art titled "Charity" on Crescent Park Lane from its current location be received:

- Danny Da Silva
- Mayrose Gregorios
- Tammy Armes

(See Item No. 4, Report No. 39 for Council decision on this matter)

Carried

(3) DEPUTATION
- REPORT OF THE AUDITOR GENERAL
(VENDOR MANAGEMENT AUDIT) (7.0)

Moved by Councillor Alex Chiu

Seconded by Councillor Logan Kanapathi

- 1) That the deputation of Mayrose Gregorios enquiring about a whistle-blower policy and conflict of interest policy related to the report from Auditor General (Vendor Management Audit) be received.

(See Item No. 3, Report No. 40 for Council decision on this matter)

Carried

(4) DEPUTATION
- APPLICATION BY 14TH AVENUE INVESTMENTS INC. (10.5)

Moved by Councillor Alex Chiu

Seconded by Councillor Logan Kanapathi

- 1) That the deputation of Daniel Durigon, Perlane Group, providing a summary of the application by 14th Avenue Investments Inc. and welcoming any questions if necessary, be received.

(See Item No. 2, Report No. 39 for Council's decisions on this matter)

Carried

5. COMMUNICATIONS

Moved by Councillor Don Hamilton

Seconded by Councillor Alan Ho

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

Received

30-2017 LIQUOR LICENCE APPLICATION FOR GOOD CATCH BOIL HOUSE, 179 ENTERPRISE BOULEVARD (WARD 3) (3.21)

[Info](#)

Forwarding a request for the City of Markham to complete the Municipal Information Form.

(Existing premises with indoor liquor licence and the application is for outdoor areas only).

Carried

6. PROCLAMATIONS

(1) PROCLAMATION AND FLAG RAISING REQUESTS (3.4)

Moved by Regional Councillor Nirmala Armstrong

Seconded by Regional Councillor Jim Jones

- 1) That the following proclamations, issued by the City Clerk in accordance with the City of Markham Proclamation Policy, be received for information purposes:
 - World Mental Health Day (October 10, 2017)
 - World Polio Day (October 24, 2017)
 - Child Care Worker & Early Childhood Educator Appreciation Day (October 25, 2017).
 - Turkish Republic Day (October 27, 2017); 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:
 - Flag for World Polio Day (October 24, 2017)
(Organized by Markham Unionville Rotary Club)
 - Flag for Turkish Republic Day (October 27, 2017)
(Organized by the Federation of Canadian Turkish Associations and Turkish Federation Community Foundation Associations)

Carried

**7(A) REPORT NO. 39 - DEVELOPMENT SERVICES COMMITTEE
(September 25, 2017)**

Moved by Councillor Colin Campbell
Seconded by Councillor Alan Ho

That Report No. 39 - Development Services Committee comprised of 5 items be received and adopted, except Item No. 4. (See following Item No. 4)

**(1) CONCEPTUAL MASTER PLAN FOR THE
FUTURE URBAN AREA – COMMUNITY STRUCTURE PLAN
AND KEY POLICY DIRECTION (10.0)**

[Report](#) [Appendix A](#) [Sept. 11 DSC Presentation](#)
[Memo](#)

- 1) That correspondence from Catherine Lyons of Goodmans, regarding the Conceptual Master Plan for the Future Urban Area, be received and,
- 2) That the report dated September 11, 2017 entitled “Conceptual Master Plan for the Future Urban Area – Community Structure Plan and Key Policy Direction” and staff presentation be received; and,
- 3) That the memorandum dated October 17, 2017 entitled "Addendum to Development Services Committee September 25, 2017 report entitled [Conceptual Master Plan for the Future Urban Area – Community Structure Plan and Key Policy Direction]" be received; and,

- 4) That the Conceptual Master Plan for the Future Urban Area, attached as Appendix 'A' to the report dated September 11, 2017 entitled "Conceptual Master Plan for the Future Urban Area – Community Structure Plan and Key Policy Direction", be endorsed as the basis for the review and approval of statutory secondary plans for the Future Urban Area lands; with the exception of the core linkage section (proposed ecological corridor), until such time as a workshop is held and a resolution is achieved on this issue; and further,
- 5) That staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

- (2) RECOMMENDATION REPORT
14TH AVENUE INVESTMENTS INC.
C/O BARRON PLANNING CONSULTING
ZONING BY-LAW AMENDMENT TO PERMIT
A 1 STOREY INDUSTRIAL BUILDING
AT 2875 14TH AVENUE, SOUTH SIDE OF 14TH AVENUE
BETWEEN WOODBINE AVENUE AND HIGHWAY 404 (WARD 8) (10.5)
[Report](#)

- 1) That correspondence from Paul W. McGuigan of BRL Realty Limited, regarding the application by 14th Avenue Investments Inc., be received; and,
 - 2) That the deputations by Paul W. McGuigan of BRL Realty Limited, representing the property owner at 7604-7620 Woodbine Avenue, and Adrian Frank of Devine Park LLP, representing the applicant regarding the application by 14th Avenue Investments Inc., be received; and,
 - 3) That the report titled "RECOMMENDATION REPORT, 14th Avenue Investments Inc., C/O Barron Planning Consulting, Zoning By-law Amendment to permit a 1 storey industrial building at 2875 14th Avenue, south side of 14th Avenue between Woodbine Avenue and Highway 404 (Ward 8), File No. ZA 17 149540", be received; and,
 - 4) That the application by 14th Avenue Investments Inc., to amend Zoning By-laws 28-82 and 2284-68, as amended, attached as Appendix 'A', be forwarded to Council for approval 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.
- (By-law 2017-89)

Carried

(3) COMMENTS ON PROPOSED
REGIONAL NATURAL HERITAGE SYSTEM
FOR THE GREATER GOLDEN HORSESHOE
AND IMPLEMENTATION PROCEDURES FOR THE
AGRICULTURAL SYSTEM IN ONTARIO'S
GREATER GOLDEN HORSESHOE (10.0)
[Report](#) [Memo](#)

- 1) That the staff report entitled "Comments on Proposed Regional Natural Heritage System for the Greater Golden Horseshoe and Implementation Procedures for the Agricultural System in Ontario's Greater Golden Horseshoe" dated September 25, 2017, be received; and,
- 2) That the memorandum dated October 17, 2017 entitled "Addendum to Development Services Committee September 25, 2017 report entitled [Comments on Proposed Regional Natural Heritage System for the Greater Golden Horseshoe and Implementation Procedures for the Agricultural System in Ontario's Greater Golden Horseshoe]" be received;
- 3) That this staff report including the memorandum and Council resolution be forwarded to the Ministry of Natural Resources and Forestry (MNRF), Ontario Ministry of Agricultural, Food and Rural Affairs (OMAFRA) and Region of York as Council's comments on EBR registry postings 013-1014 and 013-0968; and further,
- 4) That staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

- (4) DONATION OF SCULPTURE OF ‘CHARITY’
BY ROMANDALE FARMS LIMITED – STATUS UPDATE
(PUBLIC ART TITLED “CHARITY”
ON CRESCENT PARK) (6.0)
[Memo](#) [Attachment](#)

Moved by Councillor Colin Campbell

Seconded by Regional Councillor Nirmala Armstrong

- 1) That the deputations from Raymond Chan, Vic Lam, Joanna So, Danny Da Silva, Robert Mok, Teresa Zhang, and Stephen Ng, regarding public art titled “Charity” on Crescent Park Lane be received; and,
- 2) That the “Charity” sculpture be removed from its current location, upon Final Acceptance (in accordance with the terms of the agreement) and receipt of ownership of the sculpture by the City, or as otherwise agreed with the Donor; and,
- 3) That the sculpture remain on site until a suitable location is found; and further,
- 4) That staff report back on an alternate location for the sculpture by the end of 2017.

Carried as amended by a recorded vote

(See following recorded vote) (10:1)

(See following call the question)

(See following to delete Recommendation No. 3 which was lost)

(See following amendment for Recommendation No. 2)

(See following to consider the matter)

Recorded vote for the proposed recommendation, as amended (10:1):

YEAS: Councillor Valerie Burke, Councillor Alan Ho, Councillor Don Hamilton, Councillor Karen Rea, Regional Councillor Nirmala Armstrong, Regional Councillor Jim Jones, Councillor Colin Campbell, Councillor Amanda Collucci, Councillor Logan Kanapathi, Councillor Alex Chiu. (10)

NAYS: Mayor Frank Scarpitti. (1)

ABSENT: Deputy Mayor Jack Heath, Regional Councillor Joe Li. (2)

Discussion on the matter ensued.

Call the question:

Moved by Councillor Alan Ho

Seconded by Councillor Colin Campbell

That Council call the question on the matter of the public art "Charity".

(Carried by a 2/3 vote of Members of Council present)

Deletion of the proposed Recommendation No. 3:

Moved by Councillor Alan Ho

Seconded by Councillor Amanda Collucci

That the following proposed Recommendation No. 3 be deleted:

"3) That the sculpture remain on site until a suitable location is found;"

Lost by a recorded vote (7:4)

(See following recorded)

NAYS: Councillor Don Hamilton, Regional Councillor Nirmala Armstrong, Mayor Frank Scarpitti, Councillor Colin Campbell, Councillor Logan Kanapathi, Councillor Alex Chiu. (6)

ABSTAIN: Regional Councillor Jim Jones abstained; therefore, the vote is recorded as a negative vote. (1)

YEAS: Councillor Valerie Burke, Councillor Alan Ho, Councillor Karen Rea, Councillor Amanda Collucci. (4)

ABSENT: Deputy Mayor Jack Heath, Regional Councillor Joe Li. (2)

Amendment to the proposed recommendation for Recommendation No. 2:

Moved by Councillor Colin Campbell

Seconded by Councillor Logan Kanapathi

That the words "...in accordance with the terms of the agreement..." be inserted after the words "...upon final acceptance..." in Recommendation No. 2.

Carried

Motion to pull forward the matter for consideration:

Moved by Councillor Alan Ho

Seconded by Councillor Alex Chiu

That Council consider the matter related to the public art "Charity" immediately following the deputations with respect thereto.

Carried

(5) FLATO MARKHAM THEATRE
STRATEGIC PLAN 2017-2021 (6.2)

[Presentation](#) [Report](#) [Appendix A](#) [Appendix B](#) [Appendix C](#)
[Memo](#)

- 1) That the report and presentation titled Flato Markham Theatre Strategic Plan 2017-2021 be received and approved in principle; and,
- 2) That the memorandum dated October 10, 2017 titled "Follow-Up Information Regarding Flato Markham Theatre Strategic Plan" be received; and,
- 3) That the new brand identity/logo design be received and that staff report back with information and options; and further,
- 4) That Staff be authorized and directed to do all things necessary to give effect to these resolutions.

Carried

7(B) REPORT NO. 40 - GENERAL COMMITTEE (October 2, 2017)

Moved by Councillor Colin Campbell

Seconded by Councillor Alex Chiu

That Report No. 40 - General Committee comprised of 7 items be received and adopted, except Item Nos. 1 and 7. (See Item following Item Nos 1 and 7)

(1) RETAIL BUSINESS HOLIDAYS ACT APPLICATION (13.4)

Moved by Councillor Colin Campbell

Seconded by Councillor Alex Chiu

- 1) That the presentation from Jonathan Wheatle, Manager, Strategic Economic Initiative, York Region regarding the *Retail Business Holiday Act*, be received; and,
- 2) 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.

Postponed

(See following to postpone)

Moved by Councillor Karen Rea

Seconded by Regional Councillor Jim Jones

That the recommendation from the October 2, 2017 General Committee meeting entitled "Retail Business Holiday Act" be postponed to the November 1, 2017 Council meeting.

Carried

**(2) REPORT OF THE AUDITOR GENERAL
- PROPERTY TAX REVENUE AUDIT - FOLLOW UP (7.0)**
[Presentation](#) [Report](#)

- 1) That the presentation provided by Veronica Bila, Audit Manager, City of Markham, titled "Property Tax Revenue Audit - Follow Up" be received; and,
- 2) That the report prepared by Geoff Rodrigues, CPA, CA, CIA, CRMA, ORMP, MNP LLP, Auditor General, City of Markham, titled "Property Tax Revenue Audit - Follow Up" be received and approved; and further,

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

Carried

(3) REPORT OF THE AUDITOR GENERAL
- VENDOR MANAGEMENT AUDIT (7.0)
[Presentation](#) [Report](#)

GC page 40

- 1) That the presentation provided by Veronica Bila, Audit Manager and Mike Risavy, Senior Auditor, City of Markham, titled "Vendor Management Audit" be received; and,
- 2) That the report prepared by Geoff Rodrigues, CPA, CA, CIA, CRMA, ORMP, MNP LLP, Auditor General, City of Markham, titled "Vendor Management Audit" be received and approved; and further,
- 3) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

(4) APPOINTMENT TO THE
TORONTO AND REGION CONSERVATION AUTHORITY (TRCA)
REGIONAL WATERSHED ALLIANCE 2017 – 2021 (16.24)
[Letter](#)

- 1) That Deputy Mayor Jack Heath be appointed to the Toronto and Region Conservation Authority (TRCA) Regional Watershed Alliance (RWA) 2017 – 2021.

Carried

(5) MINUTES OF THE AUGUST 2 AND SEPTEMBER 27, 2017
ENVIRONMENTAL ISSUES COMMITTEE (16.0)
[Aug 2 minutes](#) [Sept 27 minutes](#) [Funding Report](#)

- 1) That the minutes of the August 2 and September 27, 2017 Environmental Issues Committee meetings be received for information purposes; and,

- 2) That the following recommendation from the September 27, 2017 Environmental Issues Committee meeting be endorsed:
- "1) That the report entitled "Markham Environmental Sustainability Fund (MESF) Funding Applications," be received; and,
 - 2) That the funding application by James Robinson Public School for an Interactive Virtual Tour of the universally accessible schoolyard, for \$5,000.00 be approved; and,
 - 3) That funding application by the Toronto and Region Conservation Authority, in partnership with the Markham Museum, for a pollinator awareness and planning project, for \$8,200.00 be approved; and,
 - 4) That funding application by Ontario Streams for a Stream Rehabilitation Project, for \$5,190.50, be approved; and,
 - 5) That funding application by St. Michael Academy School for one outdoor classroom (Site #2), for a total of \$5,000.00 be approved; and,
 - 6) That the funds totalling \$23,390.50 be provided from the Markham Environmental Sustainability Fund (MESF), account #87 2800168; and further,
 - 7) That staff be authorized and directed to do all things necessary to give effect to this resolution."

Carried

(6) ONTARIO MINISTRY OF ENVIRONMENT AND CLIMATE CHANGE – MUNICIPAL GHG CHALLENGE FUND - GRANT APPLICATIONS (5.7)

[Report](#)

- 1) That the report, "Ontario Ministry of Environment and Climate Change – Municipal GHG Challenge Fund - Grant Applications", be received; and,
- 2) That the Director, Sustainability & Asset Management be authorized to submit applications to the Ontario Ministry of Environment and Climate Change – Municipal GHG Challenge Fund for the following projects:

- a. Decorative LED streetlight retrofit
 - b. Capture and conversion of natural gas CO2 emissions from a district energy facility into algae based useful products in partnership with Markham District Energy and Pond Technologies
 - c. Intelligent Buildings - Central Building Automation System, Facility Recommissioning, Analytics and Live Energy Display for Large City Facilities
 - d. Net Zero Energy Emissions for new and existing homes in partnership with Alectra and Enbridge
 - e. Community Battle of the Buildings
 - f. Smart Textile Recycling; and,
- 3) That the Mayor and Clerk be authorized to enter into funding agreements(s) with the Province in a form satisfactory to the CAO and City Solicitor; and,
- 4) That the Mayor and Clerk be authorized to enter into partnership agreements(s), where applicable, for the above noted projects in a form satisfactory to the CAO and City Solicitor; and,
- 5) That Markham's proposed internal funding of \$1,263,000 for all projects noted is from existing budgets or reserves as shown on Table # 1; and further,
- 6) That staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

(7) ELECTION OF YORK REGION CHAIR (13.4)
[Proposed motion](#)

Mayor Frank Scarpitti advised the proposed York Region's motion has been withdrawn by the York Regional Chair.

Moved by Councillor Colin Campbell
Seconded by Councillor Alex Chiu

- 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.

Postponed

Moved by Councillor Karen Rea
Seconded by Regional Councillor Jim Jones

That the recommendation from the October 2, 2017 General Committee meeting entitled "Election of York Region Chair" be postponed to the November 14, 2017 Council meeting.

Carried

**7(C) REPORT NO. 41 - DEVELOPMENT SERVICES COMMITTEE
(October 16, 2017)**

Moved by Councillor Alex Chiu
Seconded by Councillor Alan Ho

That Report No. 41 - Development Services Committee comprised of 1 item be received and adopted.

(1) TRAVEL TO CHINA (10.16)

- 1) That Markham City Council approve the extension of Mayor Frank Scarpitti's Business Mission to Japan by one day (to December 3, 2017) to allow him to attend the WLF (Wu Lin Feng) martial arts competition in Zhengzhou, China; and,
- 2) That Markham City Council authorize Regional Councillor Nirmala Armstrong and Councillors Karen Rea, Amanda Collucci and Alan Ho to join an organized tour of China from November 25 – December 3, 2017 and act as representatives of the City of Markham; and,

- 3) That the organized tour costs be personally paid for by the participating Members of Council; and,
- 4) That the November 27, 2017 Development Services Committee meeting and the November 28, 2017 Council meeting be cancelled; and further,
- 5) That a meeting of the Development Services Committee be booked for December 5, 2017 from 3:00 PM to 6:00 PM.

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

Moved by Councillor Colin Campbell

Seconded by Councillor Amanda Collucci

- 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 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,

4. 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."

Postponed
(See following to postpone)

Moved by Councillor Colin Campbell
Seconded by Councillor Amanda Collucci

That the recommendation of the Licensing Committee from the Hearing held on September 28, 2017 regarding 4 Hedgewood Drive be postponed to the November 14, 2017 Council meeting, as requested by the applicant.

Carried

(2) RECOMMENDATION FROM THE SEPTEMBER 28, 2017
LICENSING COMMITTEE HEARING (69 ROSEMOUNT AVENUE) (2.0)

Moved by Councillor Logan Kanapathi
Seconded by Councillor Valerie Burke

- 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 the honey locust tree closest to the driveway at 69 Rosemount Drive, Markham, be approved; and,
 2. That staff be directed to verify that two trees were recently planted on the property and that in staff's opinion they satisfy the intent of the by-law and failing that, the applicants provide for two replacement trees 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,
 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)

Moved by Councillor Colin Campbell
Seconded by Regional Councillor Jim Jones

That the following Clause 2 be deleted:

- "2. That the applicants provide for two replacement trees 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 replaced with the following revised Clause 2:

- "2. That staff be directed to verify that two trees were recently planted on the property and that in staff's opinion they satisfy the intent of the by-law and failing that, the applicants provide for two replacement trees 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;"

Carried

11. ANNOUNCEMENTS

There were no announcements.

12. BY-LAWS

Moved by Councillor Alex Chiu
Seconded by Councillor Alan Ho

That By-laws 2017-89 to 2017-91 be given three readings and enacted.

Three Readings

BY-LAW 2017-89 14TH AVENUE INVESTMENTS INC., 2875 14TH AVE, ZONING BY-LAW AMENDMENT

A By-law to amend By-laws 2884-68 and 28-82, as amended, to facilitate the development of a one storey industrial building for industrial uses, including a motor vehicle repair and service uses, and the introduction of site-specific site provisions
(Item No. 2, Report No. 39)

[By-law](#)

Carried

BY-LAW 2017-90 OAK RIDGES HOMES 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, Blocks 587 and 588, Plan 65M-4325; and Parts 3, 4 and 5, Plan 65R-33971.

By-law

Carried

BY-LAW 2017-91 ROAD DEDICATION BY-LAW (RIVERLANDS AVENUE)

A by-law to dedicate certain lands as part of the highways of the City of Markham (Part of Block 118 on Plan 65M-4375, designated as Part 1 on Plan 65R-37216; Part of Block 248 on Plan 65M-4306, designated as Part 2 on Plan 65R-37216; Part of Lot 12, Concession 9, designated as Part 3 on Plan 65R-37216; Part of Lot 31, on Plan 65-4526, designated as Part 6 on Plan 65R-37216 - Riverlands Avenue.

By-law

Carried

13. CONFIDENTIAL ITEMS

Moved by Regional Councillor Jim Jones

Seconded by Councillor Alan Ho

That, in accordance with Section 239 (2) of the *Municipal Act*, Council resolve into a private session to discuss the following confidential matter as Item No. 4 of the confidential agenda (8:10 PM):

- (4) ADVICE THAT IS SUBJECT TO SOLICITOR-CLIENT PRIVILEGE, INCLUDING COMMUNICATIONS NECESSARY FOR THAT PURPOSE (PUBLIC ART "CHARITY") (6.0)
[Section 239 (2) (f)]

Moved by Councillor Alan Ho

Seconded by Councillor Valerie Burke

That Council rise from the private session and re-convene the regular session. (8:58 PM)

Carried

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

Council - October 17, 2017

- (1) GENERAL COMMITTEE CONFIDENTIAL MINUTES
- SEPTEMBER 18, 2017 (16.0)
[Section 239 (2) (b) (c) (f)]
- (2) PERSONAL MATTERS ABOUT AN IDENTIFIABLE INDIVIDUAL, INCLUDING
MUNICIPAL OR LOCAL BOARD EMPLOYEES (APPOINTMENT TO
BOARD/COMMITTEE) (16.24)
[Section 239 (2) (b)]
- (3) A PROPOSED OR PENDING ACQUISITION OR DISPOSITION OF LAND BY THE
MUNICIPALITY OR LOCAL BOARD (WARD 4) (8.6)
[Section 239 (2) (c)]

Carried

The confidential items were approved by Council as follows:

- (1) GENERAL COMMITTEE CONFIDENTIAL MINUTES
- SEPTEMBER 18, 2017 (16.0)

Moved by Councillor Logan Kanapathi

Seconded by Councillor Alan Ho

- 1) That the General Committee confidential minutes dated September 18, 2017 be confirmed.

Carried

(2) APPOINTMENTS TO BOARDS/COMMITTEES (16.24)

Moved by Councillor Karen Rea

Seconded by Regional Councillor Nirmala Armstrong

- 1) That the following persons be appointed to the Box Grove Community Centre Board:

<u>Name</u>	<u>Term</u>
Rajadurai Karunakaran	November 30, 2019
Ernesto Imbrogno	November 30, 2019; and,

- 2) That the following person be appointed to the Cemetery Board:

<u>Name</u>	<u>Term</u>
Roshan Irani	November 30, 2019; and further,

- 3) That the following person be appointed to the German Mills Community Centre Board:

<u>Name</u>	<u>Term</u>
Lorena Zuniga	November 30, 2020.

Carried

(3) REPORTING OUT OF REAL PROPERTY ACQUISITION
- 55 PARKWAY AVENUE (8.6)

[Report](#)

Moved by Councillor Karen Rea

Seconded by Councillor Colin Campbell

- 1) That the report entitled "Reporting Out Of Real Property Acquisition - 55 Parkway Avenue" be received; and,
- 2) That Staff be authorized and directed to take the actions set out in this report.

Carried

(4) ADVICE THAT IS SUBJECT TO SOLICITOR-CLIENT PRIVILEGE, INCLUDING COMMUNICATIONS NECESSARY FOR THAT PURPOSE (PUBLIC ART "CHARITY") (6.0)

See Item No. 4, Report No. 39 for Council's decision on this matter.

14. CONFIRMATORY BY-LAW

Moved by Councillor Alex Chiu
Seconded by Councillor Alan Ho

That By-law 2017-92 be given three readings and enacted.

Three Readings

BY-LAW 2017-92 A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE COUNCIL
MEETING OF OCTOBER 17, 2017.
[By-law](#)

Carried

15. ADJOURNMENT

Moved by Councillor Alex Chiu
Seconded by Councillor Valerie Burke

That the Council Meeting be adjourned at 9:46 PM.

Carried

Kimberley Kitteringham
City Clerk
(Signed)

Frank Scarpitti
Mayor