



Council Minutes

June 27, 2017, 7:00 PM

Council Chamber, Anthony Roman Markham Civic Centre

Meeting No. 10

Alternate formats for this document are available upon request

Roll Call

Deputy Mayor Jack Heath, Regional Councillor Jim Jones, Regional Councillor Joe Li (left at 9:40 PM), 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 (arrived at 7:24 PM), Councillor Alex Chiu.

Regrets

Mayor Frank Scarpitti.

Staff

Andy Taylor, Chief Administrative Officer
Catherine Conrad, City Solicitor and Acting Director of Human Resources
Jim Baird, Commissioner of Development Services
Trinela Cane, Commissioner of Corporate Services
Brenda Librecz, Commissioner of Community and Fire Services
Joel Lustig, Treasurer
Brian Lee, Director of Engineering
Kimberley Kitteringham, City Clerk
Martha Pettit, Deputy City Clerk
John Wong, Technology Support Specialist
Chris Alexander, Acting Manager of By-law & Regulatory Services

The meeting of Council convened at 7:11 PM on June 27, 2017 in the Council Chamber.
Deputy Mayor Jack Heath presided.

Moved by Councillor Amanda Collucci
Seconded by Councillor Karen Rea

That Council recess at 8:31 PM and reconvene at 8:37 PM.

Carried

1. DISCLOSURE OF PECUNIARY INTEREST

- (1) None declared.

2. APPROVAL OF PREVIOUS MINUTES

- (1) COUNCIL MINUTES - JUNE 13, 2017
[Minutes](#)

Moved by Councillor Alex Chiu

Seconded by Regional Councillor Jim Jones

- 1) That the Minutes of the Council Meeting held on June 13, 2017, be adopted.

Carried

Councillor Alex Chiu introduced and welcomed 7th Milliken Scouts Group of Scouts Canada to the Council meeting. The scouts wished Canada a Happy 150th Birthday and Council reminded everyone of the celebrations the City has planned for Canada Day at Milne Park.

3. PRESENTATIONS

There were no presentations.

4. DEPUTATIONS

- (1) DEPUTATIONS - WHISTLE CESSATION ON STOUFFVILLE GO LINE
– JUNE 2017 PROGRESS UPDATE (WARDS 3, 4, 5 & 8) (5.12)

The following individuals addressed Council and spoke in support of whistle cessation on Stouffville GO line:

- Shanta Sundarason
- Ioulia Khadiyev
- Rosemary Lam

5. COMMUNICATIONS

Moved by Councillor Alan Ho

Seconded by Councillor Don Hamilton

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

Received

23-2017 NOMINATIONS FOR THE 2018 COUNCIL AWARD (12.2.6)

[Letter](#)

The College of Physicians and Surgeons of Ontario is accepting nominations for the 2018 Council Award. The Council Award honours outstanding Ontario physicians who have demonstrated excellence and embody society's vision of an ideal physician. The deadline for receipt of nominations is October 2, 2017.

Carried

24-2017 ONTARIO MEDAL FOR GOOD CITIZENSHIP NOMINATIONS (13.2)

[Letter](#)

Minister of Citizenship and Immigration calling nominations for the 2017 Ontario Medal for Good Citizenship to honour Ontarians who, through exceptional, long-term efforts, have made outstanding contributions to community life. The deadline for nominations is July 17, 2017.

Carried

25-2017 SPECIAL OCCASION LIQUOR PERMIT FOR GREEK ORTHODOX COMMUNITY OF MARKHAM (WARD 6) (3.21)

[Info](#)

Requesting an approval from the City of Markham to designate their Annual Greek Summer Festival being held from July 21 to 23 and July 28 to 30, 2017 at 11359 Warden Avenue as an event of Municipal Significance. The City's designation is a requirement of the Alcohol and Gaming Commission of Ontario (AGCO) to support the application of a Special Occasion Liquor Permit.

Carried

- 26-2017 MEMORANDUM - HOLD REMOVAL BY-LAW, 2426483 ONTARIO LTD. (WYVIEW GROUP), 3972 HIGHWAY 7, (WEST SIDE OF VILLAGE PARKWAY, NORTH OF HIGHWAY 7) (WARD 3), FILE NO. ZA 16 150875 (10.5)

[Memo](#)

Memorandum dated June 27, 2017 from the Commissioner of Development Services providing an updated regarding the application for 2426483 Ontario Ltd. (Wyview Group), 3972 Highway 7, and recommending the approval of the proposed Hold Removal By-law with respect thereto.
(By-law 2017-68)

Carried

- 27-2017 MEMORANDUM - HOLD REMOVAL BY-LAW, WYKLAND ESTATES INC. (MATTAMY CORNELL CENTRE), PROPOSED 6-STOREY MIXED USE BUILDING CONTAINING 100 APARTMENT UNITS AND 5 NON-RESIDENTIAL UNITS, AS WELL AS A 6 UNIT STACKED TOWNHOUSE BUILDING AT THE SOUTHEAST CORNER OF BUR OAK AVENUE AND RUSTLE WOODS AVENUE - CORNELL CENTRE, PLANNING FILE: ZA 17 135999 (WARD 5) (10.5)

[Memo](#)

Memorandum dated June 27, 2017 from the Commissioner of Development Services providing an updated regarding the application for Wykland Estates Inc. and recommending the approval of the proposed Hold Removal By-law with respect thereto.
(By-law 2017-69)

Carried

- 28-2017 MEMORANDUM - HOLD REMOVAL BY-LAW, 2124123 ONTARIO LTD. (FORMERLY SCARDRED COMPANY LIMITED), 3940 HIGHWAY 7 (NORTH SIDE OF HIGHWAY 7, WEST OF VILLAGE PARKWAY), WARD 3, FILE NO. ZA 17 165364 (10.5)

[Memo](#)

Memorandum dated June 27, 2017 from the Commissioner of Development Services providing an updated regarding the application for 2124123 Ontario Ltd. (Formerly Scardred Company Limited), 3940 Highway 7 and recommending the approval of the proposed Hold Removal By-law with respect thereto.
(By-law 2017-77)

6. PROCLAMATIONS**(1) PROCLAMATION AND FLAG RAISING REQUESTS (3.4)**

Moved by Councillor Alex Chiu

Seconded by Councillor Amanda Collucci

- 1) That the following proclamations, issued by the City Clerk in accordance with the City of Markham Proclamation Policy, be received for information purposes:
 - Franco-Ontarian Day (September 25, 2017);
 - National Seniors Day (October 1, 2017);
 - Wrongful Conviction Day (October 2, 2017; and,
- 2) That the following requests for flag to be raised at the Anthony Roman Markham Civic Centre flagpole, approved by the City Clerk in accordance with the City of Markham Community Flag Raisings & Flag Protocol Policy, be received for information purposes:
 - Franco-Ontarian Flag (September 25, 2017)
(Organized by the Association of Francophones in the York Region Inc.)
 - National Seniors Day Flag (October 1, 2017)
(Organized by Senior's Hall of Fame Committee & CHATS)

Carried

**7(A) REPORT NO. 32 - DEVELOPMENT SERVICES COMMITTEE
(June 12, 2017)**

Moved by Regional Councillor Joe Li

Seconded by Councillor Colin Campbell

That Report No. 32 - Development Services Committee comprised of 4 items be received and adopted.

**(1) VENTURELAB ANNUAL GENERAL MEETING
AND NEW BY-LAWS (10.16)**

[Presentation](#)

- 1) That the presentation by Jeremy Laurin, CEO, VentureLAB, regarding VentureLAB Annual General Meeting and new By-laws, be received; and,
- 2) That the proposed By-law amendments respecting VentureLAB, be endorsed.

Carried

(2) COMMERCIAL FAÇADE IMPROVEMENT
GRANT PROGRAM FOR 2017 (16.11)

[Report](#)

- 1) That the report entitled “Commercial Façade Improvement Grant Program for 2017”, dated June 12, 2016, be received; and,
- 2) That Council supports a matching grant of up to \$ 10,452.50 for the replication of the missing front porch at 48 Washington Street based on surviving physical evidence and appropriate period design, provided the owner enters into a Heritage Conservation Easement Agreement with the City, removes existing grandfathered inappropriate commercial signage, and obtains a building permit and/or site plan approval for the proposed front porch; and,
- 3) That Council authorizes the Mayor and Clerk to enter into a Façade Easement Agreement with the owners of 48 Washington Street for any grant amount exceeding \$5,000.00 (required for grant assistance over \$5,000.00); and,
- 4) That the identified grant be funded from the Commercial Façade Improvement Program Account 620-101-5699-17034 which has a budget of \$25,000.00 for the year 2017; and,
- 5) That the unallocated funds from the 2017 Commercial Façade Improvement Grant Program totaling \$14,547.50 be transferred to the 2017 Designated Heritage Property Grant Program (Account 620-101-5699-17031); and further
- 6) That staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

(3) DESIGNATED HERITAGE PROPERTY
GRANT APPLICATIONS - 2017 (16.11)
[Report](#)

- 1) That the report entitled “Designated Heritage Property Grant Applications -2017” dated June 12, 2017, be received; and,
- 2) That Designated Heritage Property Grants for 2017 be approved in the amounts noted for the following properties, totaling \$44,547.00, provided that the applicants comply with eligibility requirements of the program;
 1. 19 George Street, Markham-up to \$5,000.00 for the replication or restoration of the front porch;
 2. 248 Main Street North, Markham-\$3,366.85 for the restoration of the wooden decorative gable elements and repair of concrete front porch;
 3. 30 Washington Street, Markham-\$5,000.00 for the restoration of the wooden exterior cladding and decorative elements;
 4. 36 Peter Street, Markham-\$5,000.00 for the replication of missing gable decorations and corbels;
 5. 10 David Gohn Circle, Markham Heritage Estates-\$7,500.00 for the replacement of the cedar shingle roof;
 6. 23 Victoria Avenue, Unionville-\$3,842.00 for the production of faux gable end chimneys;
 7. 12 David Gohn Circle, Markham Heritage Estates-\$7,500.00 for the production of faux gable end chimneys and replacement of the cedar shingle roof;
 8. 22 George Street, Markham-\$3,220.50 for the repair of the historic windows, production of new storm windows, cleaning and repair of brick walls;
 9. 15 Church Lane, Thornhill-\$1,400.00 for the replication of wooden crosses at the top of the manse gables and church bell cote;
 10. 309 Main Street North, Markham-\$1,521.88 for the re-conditioning of the historic wooden windows and production of new storm windows;
 11. 370 Main Street North, Markham, \$1,195.77 for the installation of a historically appropriate front door and picture windows; and,
- 3) That Council does not support the grant request for the replacement of the shingle roof for the accessory building at 6 David Gohn Circle because it is not a heritage building; and,
- 4) That Council does not support the grant request to make structural improvements to the floor at 17 Mill Street , because the work is not visible to the public, is not required for the long term preservation of the building, and it proposes to demolish the existing stone foundation which is a heritage attribute of the property; and,

- 5) That Council does not support the grant request to recondition the windows at 99 Y.M.C.A. Boulevard because it could be perceived as rewarding poor stewardship of the building as it was restored in 2008, but has been left vacant and unprotected from the elements and vandalism; and,
- 6) That the grants be funded through the Designated Heritage Property Grant Project Fund, Account 620-101-5699-17031 (\$30,000.00 available for 2017); and,
- 7) That the amount of grant assistance recommended for approval, in excess of the \$30,000.00 available for 2017 Designated Heritage Property Grant program, be funded through remaining funds from the 2017 Commercial Façade Improvement/Signage Replacement Grant program Project Fund, 620-101-5699-17034 (\$14,547.50 remaining); and,
- 8) That any grant monies allocated to the 2017 Program that are not utilized be returned to the Heritage Loan Fund Reserve (87-2800-125) as per Council policy; and further,
- 9) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

- (4) LETTER OF CREDIT
26 ALBERT STREET, MARKHAM VILLAGE
(WARD 4) (7.0, 16.11)

[Memo](#)

- 1) That the deputation by Michael Crabtree, owner of 26 Albert Street, be received; and,
- 2) That the memorandum dated May 23, 2017 entitled "Letter of Credit - 26 Albert Street, Markham Village" be received.

Carried

7(B) REPORT NO. 33 - GENERAL COMMITTEE (June 19, 2017)

Moved by Councillor Karen Rea

Seconded by Regional Councillor Joe Li

That Report No. 33 - General Committee comprised of 3 items be received and adopted, except Item No. 3. (See following Item No. 3)

(1) 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

(2) REQUEST FOR PROPOSAL 002-R-17
SUPPLY & DELIVERY OF CUSTODIAL SUPPLIES
(YORK REGION BUYERS COOPERATIVE
RFP 2017-23-P) (7.9)

[Report](#)

- 1) That the report “Request for Proposal 002-R-17 Supply & Delivery of Custodial Supplies (York Region Buyers Cooperative RFP 2017-23-P)” be received; and,
- 2) That Request for Proposal 002-R-17 contract for the supply & delivery of custodial supplies (Paper, Soap, Chemicals and Protective Personal Equipment) be awarded to the highest ranked / lowest priced supplier, Swish Maintenance Limited in the estimated annual amount of \$400,000 inclusive of HST impact; and,

- 3) That Request for Proposal 002-R-17 contract for the supply & delivery of custodial supplies (bags, equipment and miscellaneous items) be awarded to the highest ranked / lowest priced supplier, Mr. Chemical Limited in the estimated annual amount of \$100,000 inclusive of HST; and,
- 4) That the term of the contract be from June 1, 2017 to March 31, 2020 at the same itemized pricing; and,
- 5) That the contract be funded from various accounts within the Recreation and Fire & Emergency Services annual operating budget, subject to Council approval of the 2018 to 2019 operating budgets; and,
- 6) That the Director of Recreation and Senior Manager, Purchasing & Accounts Payable be authorized to extend the contract for two (2) additional years (April 1, 2020 – March 31, 2022) subject to the supplier performance, price mutually agreed upon with the suppliers and York Region Buyers Cooperative and subject to Council approval of the 2020 to 2022 operating budgets; and further,
- 7) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

- (3) NOISE CONTROL BY-LAW
REVIEW AND UPDATE (2.10)
[Report](#) [Appendix A](#) [Appendix B](#) [Appendix C](#)
[Update Memo](#)

Chris Alexander, Acting Manager of By-law & Regulatory Services, provided clarification on the update memo included in the revised agenda.

Moved by Councillor Valerie Burke
Seconded by Regional Councillor Jim Jones

- 1) That the Noise Control By-law Review and Update Report be received; and,
- 2) That the update memorandum dated June 26, 2017 be received; and,
- 3) That the Noise Control By-law 2003-137 attached as Appendix “A” be rescinded; and,
- 4) That Noise Control By-law 2003-137 prohibit construction noise prior to 9 a.m. and after 5:00 p.m. on Saturdays; and,

- 5) That the draft Noise Control By-law attached as Appendix “B” be approved and placed on the next Markham City Council agenda for adoption; and further,
- 6) That Staff be authorized and directed to do all things necessary to give effect to this resolution.
(By-law 2017-74)

Carried

**7(C) REPORT NO. 34 - DEVELOPMENT SERVICES PUBLIC MEETING
(June 20, 2017)**

Moved by Regional Councillor Jim Jones
Seconded by Councillor Don Hamilton

That Report No. 34 - Development Services Committee comprised of 3 items be received and adopted.

- (1) PRELIMINARY REPORT
APPLICATION BY 2504373 ONTARIO INC.
FOR A ZONING BY-LAW AMENDMENT
TO FACILITATE THE RENOVATION AND
EXPANSION TO THE EXISTING SINGLE DETACHED DWELLING
TO ACCOMMODATE COMMERCIAL USES INCLUDING
MEDICAL OFFICE, RESTAURANT AND RETAIL USES
NORTH OF ENTERPRISE BOULEVARD/UNIONVILLE GATE
ON THE EAST SIDE OF MAIN STREET
37 MAIN STREET (WARD 3)
FILE NO: ZA 16 178440 (10.5)
[Report](#)

- 1) That the report dated May 23, 2017 titled “PRELIMINARY REPORT, Application by 2504373 Ontario Inc. for a Zoning By-law Amendment to facilitate the renovation and expansion to the existing single detached dwelling to accommodate commercial uses including medical office, restaurant and retail uses north of Enterprise Boulevard/Unionville Gate, on the east side of Main Street (File No. ZA 16 178440)”, be received; and,

- 2) That the Record of the Public Meeting held on June 20, 2017, with respect to the proposed Zoning By-law Amendment to facilitate the renovation and expansion to the existing single detached dwelling to accommodate commercial uses including medical office, restaurant and retail uses north of Enterprise Boulevard/Unionville Gate, on the east side of Main Street (File No. ZA 16 178440), be received; and,
- 3) That the application by 2504373 Ontario Inc. to amend the zoning by-law to facilitate the renovation and expansion to the existing single detached dwelling to accommodate commercial uses including medical office, restaurant and retail uses north of Enterprise Boulevard/Unionville Gate, on the east side of Main Street (File No. ZA 16 178440), be approved; and,
- 4) That the proposed amendment to Zoning By-laws 304-87 and 177-96, as amended, be 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

- (2) PRELIMINARY REPORT
CADILLAC FAIRVIEW CORPORATION LTD.
APPLICATION FOR ZONING BY-LAW AMENDMENT
TO PERMIT A MOTOR VEHICLE SALES ESTABLISHMENT
AND ACCESSORY MOTOR VEHICLE SERVICE STATION
AND MOTOR VEHICLE REPAIR GARAGE, AND INCORPORATE
PREVIOUSLY APPROVED MINOR VARIANCES AT
MARKVILLE MALL SHOPPING CENTRE
5000 HIGHWAY 7 (WARD 3)
FILE NO. ZA 17 156158 (10.5)
[Report](#)

- 1) That the written submissions from Theresa Winkler, Claudette Hughes, Radoslaw Kalkowski, Mark Cardoza, Sona Lalwani, Francis, John and Linda Mark, and Mary Caporusso of the Unionville Ratepayers Association, regarding the application by Cadillac Fairview Corporation Ltd., Markville Mall, be received; and,
- 2) That the deputations by Mary Caporusso of the Unionville Ratepayers Association, Debbie Rolland, Reid McAlpine of the Unionville Residents Association, and Alick Siu, regarding the application by Cadillac Fairview Corporation Ltd., Markville Mall, be received; and,

- 3) That the Development Services Commission report dated June 12, 2017, entitled “Preliminary Report, Cadillac Fairview Corporation Ltd., Application for Zoning By-law Amendment to permit a motor vehicle sales establishment and accessory motor vehicle service station and motor vehicle repair garage, and incorporate previously approved minor variances at Markville Mall Shopping Centre, 5000 Highway 7 (Ward 3), File No. ZA 17 156158” be received; and,
- 4) That the Record of the Public Meeting held on June 20, 2017 with respect to the proposed Zoning By-law Amendment application, be received; and,
- 5) That the application by Cadillac Fairview Corporation Ltd. for a proposed Zoning By-law Amendment (ZA 17 156158) be approved and the draft Zoning By-law Amendment be finalized and enacted without further notice; and further,
- 6) That staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

- (3) PRELIMINARY REPORT
KYLEMORE COMMUNITIES (YORKTON) LIMITED
ZONING BY-LAW AMENDMENT APPLICATION
TO PERMIT 132 TOWNHOUSE UNITS
AT 9350-9392 KENNEDY ROAD AVENUE
(WEST SIDE OF KENNEDY ROAD AND
NORTH OF 16TH AVENUE AT BECKETT AVENUE), WARD 6
FILE NO: ZA 17 154127 (10.5)

[Report](#)

- 1) That the report dated May 23, 2017 titled “PRELIMINARY REPORT, Kylemore Communities (Yorkton) Limited, Zoning By-law Amendment Application to permit 132 Townhouse units at 9350-9392 Kennedy Road Avenue (West side of Kennedy Road and north of 16th Avenue at Beckett Avenue), Ward 6”, be received; and,
- 2) That the Record of the Public Meeting held on June 20, 2017 with respect to the proposed Zoning By-law Amendment application, be received; and,

- 3) That the application by Kylemore Communities (Yorkton) Limited for a proposed Zoning By-law Amendment (ZA 17 154127) to increase the permitted building height, reduce the minimum setback to a public street and to increase the maximum permitted height of the finished first floor, be approved and the draft Zoning By-law Amendment be finalized and enacted without further notice; 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. 35 - DEVELOPMENT SERVICES COMMITTEE
(June 26, 2017)**

Moved by Councillor Alex Chiu
Seconded by Councillor Logan Kanapathi

That Report No. 35 - Development Services Committee comprised of 6 items be received and adopted, except Item Nos. 1 and 5. (See following Item Nos. 1 and 5)

- (1) CYCLING AND PEDESTRIAN ADVISORY
COMMITTEE (CPAC) MINUTES
- MAY 18, 2017 (16.34)
[Minutes](#) [Memo](#)

Moved by Regional Councillor Nirmala Armstrong
Seconded by Councillor Valerie Burke

- 1) That the deputations by Peter Miasek representing CPAC, and Afraj Gill, of Dropbike, regarding matters within the minutes of the CPAC meeting, be received; and,
- 2) That the memorandum dated June 27, 2017 from the Director of Engineering titled "Bike Sharing" be received; and,
- 3) That staff be requested to bring forward an information report regarding bike sharing technology, and opportunities for bike sharing in the City of Markham, for consideration by Development Services Committee; and further,
- 4) That the minutes of the Cycling and Pedestrian Advisory Committee (CPAC) meeting held May 18, 2017, be received for information purposes.

Carried

- (2) DEMOLITION PERMIT APPLICATION
AND INTENTION TO DESIGNATE A PROPERTY
UNDER PART IV OF THE ONTARIO HERITAGE ACT
NAME: ALEXANDER MCPHERSON HOUSE
ADDRESS: 31 VICTORY AVENUE
OWNER: 31 VICTORY DEVELOPMENT INC.
FILE NO. 17 165027 DP (16.11.3 & 10.13)

[Report](#)

- 1) That the report titled “Demolition Permit Application and Intention to Designate a Property under Part IV of the Ontario Heritage Act, Name: Alexander McPherson House, Address: 31 Victory Avenue”, dated June 26, 2017, be received; and,
- 2) That Council refuse the Demolition Permit Application for the Alexander McPherson House at 31 Victory Avenue on the basis of its cultural heritage value or interest; and,
- 3) That as recommended by Heritage Markham, the Alexander McPherson House at 31 Victory Avenue 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.

Carried

- (3) COMMENTS ON BILL 139
THE *BUILDING BETTER COMMUNITIES AND
CONSERVING WATERSHEDS ACT*
FILE: ZA 17 164737 (10.0)

[Report](#)

- 1) That the report entitled “Comments on Bill 139, The *Building Better Communities and Conserving Watersheds Act*”, be received; and,
- 2) That Council endorse this Staff report and submit it to the Province, along with the Council resolution, as the City of Markham’s comments on Schedule 3 of Bill 139; and,
- 3) That Staff be directed to participate in any public hearings regarding Bill 139 by providing feedback to the Province in accordance with the comments set out in this Report; and,
- 4) That the Staff report be forwarded to the Association of Municipalities of Ontario (AMO); and further
- 5) That Staff report back to Development Services Committee once Bill 139 receives Royal Assent.

Carried

- (4) ROUGE VALLEY TRAIL (MUP)
– OPERATION & MAINTENANCE PLAN
AND LIFE CYCLE COST SUMMARY – WARD 3, 4 & 7 (6.3)

[Report](#)

- 1) That the report entitled “Rouge Valley Trail (MUP) – Operation & Maintenance Plan and Life Cycle Cost Summary” be received; and,
- 2) That Operation & Maintenance Plan and Life Cycle Cost Summary as identified in Attachment ‘A’ to this report be approved for Operations and Environmental Services Department budgeting purposes; and further,
- 3) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

(5) WHISTLE CESSATION ON STOUFFVILLE GO LINE
– JUNE 2017 PROGRESS UPDATE (WARDS 3, 4, 5 & 8) (5.12)
[Report](#)

Moved by Regional Councillor Nirmala Armstrong

Seconded by Councillor Don Hamilton

- 1) That the report dated June 26, 2017 entitled “Whistle Cessation on Stouffville GO Line – June 2017 Progress Update (Wards 3, 4, 5 & 8)” be received; and,
- 2) That the Mayor and Clerk be authorized to enter into agreements and/or memoranda of understanding with Metrolinx and York Region for construction of crossing safety features and implementation of whistle cessation at 13 crossings on the Stouffville GO Line, in a form satisfactory to the City Solicitor and the Chief Administrative Officer; and,
- 3) That the Mayor and Clerk be authorized to enter into At-Grade Crossing Modification Agreements, Crossing Agreements or similar agreements (as required) with Metrolinx for modification of the existing crossings to incorporate new crossing safety features and to implement whistle cessation at 13 crossings on the Stouffville GO Line, in a form satisfactory to the City Solicitor and the Chief Administrative Officer; and,
- 4) That the Mayor and Clerk be authorized to enter into the Metrolinx Liability/ Insurance/Indemnity Agreement or similar agreement (as required), which requires the road authorities to obtain insurance and assume full responsibility/liability for any claims, damages, etc., resulting from incidents that arise from or would not have arisen but for whistle cessation, in a form satisfactory to the City Solicitor and the Chief Administrative Officer (CAO); and,
- 5) That the City of Markham immediately contact the Province of Ontario and Metrolinx with an urgent request to eliminate any trains, including special purpose trains, through Markham any earlier than the 5:15 AM southbound train from Lincolnville Station and any later than the 7:18 PM northbound train from Union Station, until such time as whistle cessation is in effect; and,
- 6) That a copy of this recommendation be sent to all MPPs in Markham; and further,
- 7) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried as amended

(See following recorded vote for Resolution No. 4) (10:2)

(See following to amend the proposed recommendation)

(See following to consider the matter)

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

NAYS: Regional Councillor Joe Li, Councillor Colin Campbell. (2)

ABSENT: Mayor Frank Scarpitti

Moved by Regional Councillor Nirmala Armstrong
Seconded by Councillor Don Hamilton

That the following be added as Resolution Nos. 5 and 6 to the proposed recommendation:

- "5) That the City of Markham immediately contact the Province of Ontario and Metrolinx with an urgent request to eliminate any trains, including special purpose trains, through Markham any earlier than the 5:15 AM southbound train from Lincolnville Station and any later than the 7:18 PM northbound train from Union Station, until such time as whistle cessation is in effect; and,
- 6) That a copy of this recommendation be sent to all MPPs in Markham;"

Carried

Moved by Regional Councillor Jim Jones
Seconded by Councillor Logan Kanapathi

That Council consider the whistle cessation on Stouffville GO line matter immediately following the deputations with respect thereto.

Carried

(6) BUSINESS MISSION TO JAPAN
NOVEMBER 25 – DECEMBER 2 2017 (10.16)

- 1) That Council approve Councillor Colin Campbell to join the Business Mission to Japan November 25 – December 2, 2017.

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) RICE GROUP
11258 WOODBINE AVENUE
ZA 16 106902 (10.5)

Moved by Councillor Alan Ho

Seconded by Regional Councillor Nirmala Armstrong

- 1) 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 Zoning By-law 2017-65, before the second anniversary of the day on which the by-law was approved by Council.

(By-law 2017-65)

Carried

(See following to consider)

Moved by Regional Councillor Jim Jones

Seconded by Regional Councillor Nirmala Armstrong

That Council consider the Rice Group matter immediately following the consideration of the Holborn Group matter.

Carried

(2) SPECIAL DEVELOPMENT SERVICES COMMITTEE MEETINGS
- SEPTEMBER 12 AND DECEMBER 4, 2017(16.0)

Moved by Regional Councillor Jim Jones
Seconded by Councillor Karen Rea

- 1) That the following Special Development Services Committee meeting dates be approved:
 - September 12, 2017, 7:00 PM (7 Town Crier Lane matter).
 - December 4, 2017, 7:00 PM (Comprehensive Zoning By-Law Project).

Carried

(3) FUNDING AND AUTHORIZATION FOR
INTERNATIONAL TRAVEL TO ATTEND
“BELT AND ROAD” SUMMIT IN HONG KONG
AND SOUTHERN CHINA, SEPT. 10-13, 2017 (10.16)
[Presentation](#)

This matter was postponed directly from the June 26, 2017 Development Services Committee meeting.

Councillor Alan Ho and Regional Councillor Jim Jones were nominated to attend. There are sufficient funds for one participant to attend. Joel Lustig, Treasurer, provided a presentation on the AMO and FCM conference expenses for the last five years.

Moved by Councillor Valerie Burke
Seconded by Councillor Amanda Collucci

- 1) That funding be provided for one Markham Council member to participate in the forthcoming “Belt and Road” Summit in Hong Kong and Southern China from September 10 to 13, 2017.

Carried

(See following motion which was lost)

Moved by Councillor Valerie Burke
Seconded by Councillor Colin Campbell

That the Region of York be requested to fund a Markham Regional Councillor to participate in the forthcoming “Belt and Road” Summit in Hong Kong and Southern China from September 10 to 13, 2017.

Lost

- (4) 1659139 ONTARIO INC. (HBNG HOLBORN GROUP)
BLOCKS 299, 300 AND 301, PLAN 65M-4026
NORTH OF ELGIN MILLS ROAD, WEST OF WOODBINE AVENUE
APPLICATIONS FOR OFFICIAL PLAN AND
ZONING BY-LAW AMENDMENTS, AND
DRAFT PLAN OF SUBDIVISION APPROVAL
FILE NO.'S: OP 13 116651 AND ZA/SU 15 116651
(WARD 2) (10.3 AND 10.5)
[Memo](#)

Moved by Councillor Alan Ho

Seconded by Councillor Colin Campbell

- 1) That the memorandum dated June 27, 2017 titled, "1659139 Ontario Inc. (HBNG Holborn Group), Blocks 299, 300 and 301, Plan 65M-4026, North of Elgin Mills Road, west of Woodbine Avenue, Applications for Official Plan and Zoning By-law amendments, and Draft Plan of Subdivision Approval", be received; and,
- 2) That the attached Official Plan Amendment be adopted and the attached Zoning By-law Amendments be enacted; and further,
- 3) 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 within two years of its approval by Council.
(By-law 2017-78 and 2017-79)

Carried

(See following to consider the matter)

Moved by Councillor Colin Campbell

Seconded by Councillor Alex Chiu

That Council consider the Holborn Group matter immediately following the consideration of Report No. 33 from General Committee.

Carried

11. ANNOUNCEMENTS

- (1) PAUL HARRIS AWARD
OF ROTARY CLUB OF MARKHAM UNIONVILLE (12.2.6)

Council congratulated Andy Taylor, Chief Administrative Officer, on receiving the Paul Harris Award from Rotary Club of Markham Unionville.

12. BY-LAWS

Moved by Councillor Don Hamilton
Seconded by Regional Councillor Nirmala Armstrong

That Council consider By-law 2017-77 immediately following the consideration of the Communication Section of the Council Agenda; and,

That By-law 2017-77 be given three readings and enacted.

Carried

Moved by Councillor Alan Ho
Seconded by Councillor Colin Campbell

That By-laws 2017-78 and 2017-79 be given three readings and enacted.

Carried

(See following to consider)

Moved by Councillor Colin Campbell
Seconded by Councillor Alex Chiu

That Council consider By-laws 2017-78 and 2017-79 immediately following the consideration of Report No. 33 from General Committee.

Carried

Moved by Councillor Alan Ho
Seconded by Regional Councillor Nirmala Armstrong

That By-law 2017-65 be given three readings and enacted

Carried
(See following to consider)

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

That Council consider By-law 2017-65 immediately following the consideration of By-laws 2017-78 and 2017-79.

Carried

Moved by Councillor Don Hamilton
Seconded by Councillor Alex Chiu

That By-laws 2017-64, 2017-66 to 2017-74 and 2017-76 be given three readings and enacted.

Moved by Councillor Don Hamilton
Seconded by Councillor Alex Chiu

That By-laws 2017-80 and 2017-81 be given three readings and enacted

Carried

Three Readings

BY-LAW 2017-64 A BY-LAW TO APPOINT DEPUTY FIRE CHIEFS FOR THE CORPORATION OF THE CITY OF MARKHAM (ADAM GRANT AND CHRIS NEARING)

[By-law](#)

Carried

BY-LAW 2017-65 RICE GROUP, 11258 WOODBINE AVENUE, ES HONDA BOULEVARD, ZONING BY-LAW AMENDMENT
A by-law to amend By-law 177-96, as amended, to facilitate the development of a two storey office building.
(New/Other Business Item No. 1)

[By-law](#)

Carried

- BY-LAW 2017-66 PETER AND GRACE CASAGRANDE, 69 AND 71 CHATELAINE DRIVE, HOLD REMOVAL BY-LAW
A by-law amended By-law 90-81, as amended, to permit the construction of two single family detached dwellings, west of Chatelaine Drive, south of Highway 407, east of Markham Road.
[By-law](#)
Carried
- BY-LAW 2017-67 CORINNE MARTON, 65 AND 67 CHATELAINE DRIVE, HOLD REMOVAL BY-LAW
A by-law to amend By-law 90-81, as amended, to permit the construction of two single detached dwellings, west of Chatelaine Drive, south of Highway 407, east of Markham Road.
[By-law](#)
Carried
- BY-LAW 2017-68 2426483 ONTARIO LTD (WYVIEW GROUP), 3972 HIGHWAY 7 EAST, HOLD REMOVAL BY-LAW
A by-law to amend By-law 118-79, as amended, to permit the development of apartment buildings and townhouses, west of Village Parkway and north of Highway 7.
(Communication No. 26-2017)
[By-law](#)
Carried
- BY-LAW 2017-69 WYKLAND ESTATES INC. (MATTAMY CORNELL CENTRE), BLOCK 28, PLAN 65M 4526, HOLD REMOVAL BY-LAW
A by-law to amend By-law 177-96, as amended, to permit the property to be developed with a mixed use apartment building, southeast corner of Bur Oak Avenue and Rustle Woods Avenue.
(Communication No. 27-2017)
[By-law](#)
Carried
- BY-LAW 2017-70 SHINING HILL HOMES (JOHN) INC., 360 JOHN STREET, PART LOT CONTROL EXEMPTION BY-LAW
A by-law to designate part of a certain plan of subdivision not subject to Part Lot Control, Plan 2382, Part Lots 6 and 13, 65R-36877, Part 1, Bock 15, north of John Street, east of Bayview Avenue and west of Aileen Road.
[By-law](#)
Carried

- BY-LAW 2017-71 ROAD DEDICATION BY-LAW (MARKLAND STREET)
A by-law to dedicate certain lands as part of the highways of the City of Markham (Part of Lots 17 and 18, Concession 3, designated as Parts 6, 7, 9 and 10, Plan 65R-28479 and Parts 1, 2, 3, Plan 65R-37124 - Markland Street)
[By-law](#)
Carried
- BY-LAW 2017-72 AURELIO FILICE, 105 IAN BARON AVENUE, PART LOT CONTROL EXEMPTION BY-LAW
A by-law to designate part of a certain plan of subdivision not subject to Part Lot Control, Parts 1, 2 and 3, on Reference Plan 65R-36904, being part of Lot 6, Plan 2196, south of Ian Baron Avenue, east of Harry Cook Drive.
[By-law](#)
Carried
- BY-LAW 2017-73 A BY-LAW TO ADOPT MARKHAM'S EMERGENCY MANAGEMENT PROGRAM AND EMERGENCY RESPONSE PLAN
(Repeals By-law 2011-229)
(Item No. 2, Report No. 30 - June 13, 2017 Council Meeting)
[By-law](#)
Carried
- BY-LAW 2017-74 A BY-LAW TO REGULATE NOISE IN THE CITY OF MARKHAM (NOISE BY-LAW)
(Repeals Noise By-law 2003-137)
(Item No. 3, Report No. 33)
[By-law](#)
Carried
- BY-LAW 2017-76 KYLEMORE COMMUNITIES (YORKTON) LIMITED, 9350 TO 9392 KENNEDY ROAD, ZONING BY-LAW AMENDMENT
A by-law to amend By-law 177-96, as amended, to permit townhouse units.
(Item No. 3, Report No. 34)
[By-law](#)
Carried

- BY-LAW 2017-77 2124123 ONTARIO LTD. (FORMERLY SCARDRED COMPANY LIMITED), 3940 HIGHWAY 7, HOLD REMOVAL BY-LAW
A by-law to amend By-law 118-79, as amended, to remove the Hold (H) provision from the subject lands to permit them to be developed with townhouses.
(Communication No. 28-2017)
[By-law](#)
Carried
- BY-LAW 2017-78 1695139 ONTARIO INC. (HBNG HOLBORN GROUP), BLOCKS 299, 300 AND 301, PLAN 65M-4026, NORTH OF ELGIN MILLS ROAD AND WEST OF WOODBINE AVENUE BY-PASS, AMENDMENT TO THE NEW COUNCIL ADOPTED OFFICIAL PLAN (2014), AS AMENDED
A by-law to adopt an Official Plan Amendment No. 12 to the new Council adopted Official Plan (2014), as amended, to permit residential development.
(Item No. 2, Report No. 43 - November 15, 2016 Council Meeting)
(New/Other Business Item No. 4)
[By-law](#)
Carried
- BY-LAW 2017-79 1695139 ONTARIO INC. (HBNG HOLBORN GROUP), BLOCKS 299, 300 AND 301, PLAN 65M-4026, NORTH OF ELGIN MILLS ROAD AND WEST OF WOODBINE AVENUE BY-PASS, ZONING BY-LAW AMENDMENT
A by-law to amend by-law 177-96, as amended, to permit residential development.
(New/Other Business Item No. 4)
[By-law](#)
Carried
- BY-LAW 2017-80 TIMES GROUP CORPORATION, BLOCKS 45 AND BLOCK 49, PLAN 65M-3226, SOUTH OF HIGHWAY 7, BETWEEN SOUTH PARK ROAD AND SADDLECREEK DRIVE, AMENDMENT TO THE IN FORCE OFFICIAL PLAN (REVISED 1987), AS AMENDED
A by-law to adopt an Official Plan Amendment No. 249 to the in force Official Plan (Revised 1987), as amended, to permit residential development.
(Confidential Item No. 13)
[By-law](#)
Carried

BY-LAW 2017-81 TIMES GROUP CORPORATION, BLOCKS 45 AND BLOCK 49, PLAN 65M-3226, SOUTH OF HIGHWAY 7, BETWEEN SOUTH PARK ROAD AND SADDLECREEK DRIVE, ZONING BY-LAW AMENDMENT

A by-law to amend by-law 177-96, as amended, to permit residential development.

(Confidential Item No. 13)

[By-law](#)

Carried

13. CONFIDENTIAL ITEMS

Moved by Councillor Don Hamilton

Seconded by Regional Councillor Nirmala Armstrong

That, in accordance with Section 239 (2) of the *Municipal Act*, Council resolve into a private session to discuss the following confidential matters (9:06 PM):

- (1) MINUTES OF CONFIDENTIAL COUNCIL MEETING
- JUNE 13, 2017 (16.0)
[Section 239 (2) (a) (b) (c) (d) (e) (f)]

Council - June 27, 2017

- (2) PERSONAL MATTERS ABOUT AN IDENTIFIABLE INDIVIDUAL, INCLUDING MUNICIPAL OR LOCAL BOARD EMPLOYEES (APPOINTMENTS TO BOARD/COMMITTEE) (16.24)
[Section 239 (2) (b)]

General Committee - June 19, 2017

- (3) PERSONAL MATTERS ABOUT AN IDENTIFIABLE INDIVIDUAL, INCLUDING MUNICIPAL OR LOCAL BOARD EMPLOYEES (WARD 6) (7.0, 16.11)
[Section 239 (2) (b)]
- (4) ADVICE THAT IS SUBJECT TO SOLICITOR-CLIENT PRIVILEGE, INCLUDING COMMUNICATIONS NECESSARY FOR THAT PURPOSE (SOLICITOR CLIENT PRIVILEGE) (7.13)
[Section 239 (2) (f)]
- (5) A PROPOSED OR PENDING ACQUISITION OR DISPOSITION OF LAND BY THE MUNICIPALITY OR LOCAL BOARD (WARD 4) (8.7)
[Section 239 (2) (c)]
- (6) A PROPOSED OR PENDING ACQUISITION OR DISPOSITION OF LAND BY THE MUNICIPALITY OR LOCAL BOARD (WARD 2) (8.0)
[Section 239 (2) (c)]

Carried

Development Services Committee - June 26, 2017

- (7) DEVELOPMENT SERVICES COMMITTEE CONFIDENTIAL MINUTES
- May 8, 2017 (10.0)
[Section 239 (2) (e) (c) (e) (e)]
- (8) PERSONAL MATTERS ABOUT AN IDENTIFIABLE INDIVIDUAL, INCLUDING MUNICIPAL OR LOCAL BOARD EMPLOYEES
HERITAGE COMMITTEE CONFIDENTIAL MINUTES
- May 10, 2017 (16.11)
[Section 239 (2) (b)]
- (9) LITIGATION OR POTENTIAL LITIGATION, INCLUDING MATTERS BEFORE ADMINISTRATIVE TRIBUNALS, AFFECTING THE MUNICIPALITY OR LOCAL BOARD - MINOR VARIANCE APPLICATION APPEAL - 14 GEORGE STREET (WARD 4) (8.0)
[Section 239 (2) (e)]

- (10) LITIGATION OR POTENTIAL LITIGATION, INCLUDING MATTERS BEFORE ADMINISTRATIVE TRIBUNALS, AFFECTING THE MUNICIPALITY OR LOCAL BOARD - MINOR VARIANCE APPLICATION APPEAL - 217 CHURCH STREET (WARD 4) (8.0)
[Section 239 (2) (e)]
- (11) LITIGATION OR POTENTIAL LITIGATION, INCLUDING MATTERS BEFORE ADMINISTRATIVE TRIBUNALS, AFFECTING THE MUNICIPALITY OR LOCAL BOARD - MINOR VARIANCE APPLICATION APPEAL - 252 CHURCH STREET (WARD 4) (8.0)
[Section 239 (2) (e)]
- (12) LITIGATION OR POTENTIAL LITIGATION, INCLUDING MATTERS BEFORE ADMINISTRATIVE TRIBUNALS, AFFECTING THE MUNICIPALITY OR LOCAL BOARD - MINOR VARIANCE APPLICATION APPEAL - 17 TOWNE COURT (WARD 3) (8.0)
[Section 239 (2) (e)]

Council - June 27, 2017

- (13) LITIGATION OR POTENTIAL LITIGATION, INCLUDING MATTERS BEFORE ADMINISTRATIVE TRIBUNALS, AFFECTING THE MUNICIPALITY OR LOCAL BOARD - MINOR VARIANCE APPLICATION APPEAL - TIMES GROUP (WARD 8) (8.0)
[Section 239 (2) (e)]

Moved by Councillor Alex Chiu
Seconded by Councillor Amanda Collucci

That Council rise from the private session. (10:23 PM)

Carried

The confidential items were approved by Council as follows:

- (1) MINUTES OF CONFIDENTIAL COUNCIL MEETING
- JUNE 13, 2017 (16.0)

Moved by Regional Councillor Jim Jones

Seconded by Councillor Alan Ho

- 1) That the Council Confidential Minutes dated June 13, 2017 be confirmed.

Carried

- (2) APPOINTMENTS AND RESIGNATIONS TO
BOARDS/COMMITTEES (16.24)

Moved by Regional Councillor Jim Jones

Seconded by Councillor Alan Ho

- 1) That the following persons be appointed to the Markham-Milliken Children's Festival Committee:

Name	Term
Melissa Nicholas	November 30, 2018
Sean Wong	November 30, 2018; and,

- 2) That the following person be appointed to the Heritage Markham Committee:

Name	Term
Maria Cerone	November 30, 2019; and,

- 3) That the following persons be re-appointed to the Flato Markham Theatre Advisory Board:

Name	Term
Aleem Israel	November 30, 2020
Anne Gilligan	November 30, 2019
Sophia Sun	November 30, 2019; and,

- 4) That the following person be re-appointed to the Advisory Committee on Accessibility:

Name	Term
Keith Irish	November 30, 2018
Robert Hunn	November 30, 2019
Tammy Mok	November 30, 2019; and

- 5) That the following persons be appointed/re-appointed to the Environmental Advisory Committee:

Name	Term
Karl Lyew	November 30, 2020
Carrie Sally	November 30, 2019
Diane Ross	November 30, 2020
Karl Fernandes	November 30, 2020; and,

- 6) That the following person be re-appointed to the Senior's Hall of Fame Awards Committee:

Name	Term
Pearl Mantell	November 30, 2020; and,

- 7) That the following person be re-appointed to the Main Street Markham Committee:

Name	Term
Jason McCauley	November 30, 2020; and,

- 8) That the resignation of Shichun Chen from the Public Realm Advisory Committee be received with regret for information purposes and that a letter of appreciation be forwarded by Mayor Frank Scarpitti; and further,

- 9) That the resignation of Atif Ahmad from the Markham Public Library Board be received with regret for information purposes and that a letter of appreciation be forwarded by Mayor Frank Scarpitti.

Carried

- (3) CONFIDENTIAL REPORT – PROPERTY MATTER,
RELOCATION OF THE REVEREND JENKINS HOUSE
TO MARKHAM HERITAGE ESTATES
JINGHUI (CATHERINE) LU, APPLICANT
FINANCIAL CAPABILITY OF APPLICANT/
LOT SELECTION (7.0, 16.11)

Moved by Regional Councillor Jim Jones
Seconded by Councillor Alan Ho

- 1) That the report titled “Confidential Report – Property Matter, Relocation of the Reverend Jenkins House to Markham Heritage Estates, Jinghui (Catherine) Lu, Applicant, Financial Capability of Applicant/Lot Selection”, dated June 19, 2017, be received; and,
- 2) That Parts 1 and 7, Plan 65M-2761, City of Markham, Regional Municipality of York (2 and 14 Heritage Corners Lane, Markham Heritage Estates) be declared surplus to the City’s needs; and,
- 3) That notice of the proposed sale of the above lands be placed on the next Council agenda, or subsequent date; and further,
- 4) That staff be authorized to proceed as directed by Council on June 27, 2017.

Carried

- (4) ADVICE THAT IS SUBJECT TO SOLICITOR-CLIENT PRIVILEGE, INCLUDING COMMUNICATIONS NECESSARY FOR THAT PURPOSE (SOLICITOR CLIENT PRIVILEGE) (7.13)

Moved by Regional Councillor Jim Jones
Seconded by Councillor Alan Ho

- 1) That the confidential report regarding an advice that is subject to solicitor-client privilege, including communications necessary for that purpose (solicitor client privilege); be received; and,
- 2) That staff be authorized to proceed as directed by Council on June 27, 2017.

Carried

(5) A PROPOSED OR PENDING ACQUISITION OR DISPOSITION OF LAND BY THE MUNICIPALITY OR LOCAL BOARD (WARD 4) (8.7)

Moved by Regional Councillor Jim Jones

Seconded by Councillor Alan Ho

- 1) That the confidential report regarding a proposed or pending acquisition or disposition of land by the municipality or local board (Ward 4) be received; and,
- 2) That staff be authorized to proceed as directed by Council on June 27, 2017.

Carried

(6) A PROPOSED OR PENDING ACQUISITION OR DISPOSITION OF LAND BY THE MUNICIPALITY OR LOCAL BOARD (Ward 2) (8.0)

Moved by Regional Councillor Jim Jones

Seconded by Councillor Alan Ho

- 1) That the confidential presentation regarding a proposed or pending acquisition or disposition of land by the municipality or local board (Ward 2) be received; and,
- 2) That staff be authorized to proceed as directed by Council on June 27, 2017.

Carried

(7) DEVELOPMENT SERVICES COMMITTEE
CONFIDENTIAL MINUTES
- MAY 8, 2017 (10.0)

Moved by Regional Councillor Jim Jones

Seconded by Councillor Alan Ho

- 1) That the minutes of the Development Services Committee confidential meeting held May 8, 2017, be confirmed.

Carried

- (8) HERITAGE MARKHAM COMMITTEE
CONFIDENTIAL MINUTES
MAY 10, 2017 (16.11)

Moved by Regional Councillor Jim Jones

Seconded by Councillor Alan Ho

- 1) That the minutes of the Heritage Markham Committee confidential meeting held May 10, 2017 be received for information purposes.

Carried

- (9) MINOR VARIANCE APPLICATION APPEAL
RICK & CHRISTINE O'DELL
14 GEORGE STREET
MARKHAM VILLAGE HERITAGE CONSERVATION DISTRICT
FILE A/202/16 (WARD 4) (8.0)

Moved by Councillor Don Hamilton

Seconded by Regional Councillor Nirmala Armstrong

- 1) That the confidential report titled "Minor Variance Application Appeal, Rick & Christine O'Dell c/o The Gregory Design Group, 14 George Street, Markham Village Heritage Conservation District, File A/202/16", 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 approve the minor variances related to a proposed addition to an existing heritage dwelling and the construction of an accessory building in the rear yard, provided the applicant agrees to request the OMB to impose the staff recommended condition of approval set out below:

- a) That the variances apply only to the development as long as it remains;
 - b) 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;
 - i. That the variances apply to the subject development, in substantial conformity with the plan(s) attached as 'Appendix A' to this Staff Report and dated January 31, 2017, to the satisfaction of the Director of Planning & Urban Design or designate,
 - ii. That the applicant obtain Site Plan Endorsement for the proposed development;
 - iii. That the applicant enter into a Heritage Conservation Easement with the City of Markham, to the satisfaction of the Director of Planning and Urban Design and the City Solicitor; and further,
- 3) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried by recorded vote (8:3)
(See following recorded vote)

YEAS: Councillor Alan Ho, Councillor Don Hamilton, Regional Councillor Nirmala Armstrong, Regional Councillor Jim Jones, Deputy Mayor Jack Heath, Councillor Colin Campbell, Councillor Amanda Collucci, Councillor Alex Chiu. (8)

NAYS: Councillor Valerie Burke, Councillor Karen Rea, Councillor Logan Kanapathi. (3)

ABSENT: Mayor Frank Scarpitti, Regional Councillor Joe Li. (2)

- (10) MINOR VARIANCE APPLICATION APPEAL
LINGANRAJ NADARAJALINGAM
217 CHURCH STREET, MARKHAM- A/207/16
(WEST OF 9TH LINE & NORTH OF CHURCH STREET), WARD 4 (8.0)

Moved by Regional Councillor Jim Jones

Seconded by Councillor Alan Ho

- 1) That the confidential report titled “Minor Variance Application Appeal, Linganraj Nadarajalingam, 217 Church Street - A/207/16 (West of 9th Line & north of Church Street)” 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 floor area ratio, 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; and,
 - a) That the variances apply only to the proposed development as long as it remains;
 - b) That the Secretary-Treasurer receive written confirmation from the Director of Planning and Urban Design or designate that the following conditions have been fulfilled to his or her satisfaction:
 - i. That the appellant submits a revised site plan indicating the circular portion of the proposed driveway will be constructed with porous unit pavers in an effort to soften its visual appearance on the street;
 - ii. That the variance applies only to the subject development, in substantial conformity with revised plans approved by the Director of Planning and Urban Design or designate;
 - iii. That a Tree Assessment and Preservation Plan, prepared by a qualified arborist in accordance with the City’s Streetscape Manual (2009), as amended, shall be submitted for review and approval by the City, and that any detailed Siting, Lot Grading and Servicing Plan required as a condition of approval reflects the recommendations of the Tree Assessment and Preservation Plan;
 - iv. That prior to the commencement of construction or demolition, tree protection be erected around all trees on site, including street trees, 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 their designate;

- v. That arrangements for tree replacements and other plantings be made, if required, in accordance with the Tree Assessment and Preservation plan;
 - c) That a Siting, Lot Grading and Servicing Plan designed and stamped by a Professional Engineer/Ontario Land Surveyor/Landscape Architect shall be submitted to the Director of Engineering for review and approval and that the Secretary-Treasurer receive written confirmation from the Director of Engineering or designate that this condition has been fulfilled to his/her satisfaction;
 - d) That a six (6) foot solid wood privacy fence be installed at the back fence line; and further,
- 3) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

(11) MINOR VARIANCE APPLICATION APPEAL
SANDEEP SINGH
252 CHURCH STREET, MARKHAM- A/130/16
(WEST OF 9TH LINE & NORTH OF CHURCH STREET), WARD 4 (8.0)

Moved by Regional Councillor Jim Jones
Seconded by Councillor Alan Ho

- 1) That the confidential report titled “Minor Variance Application Appeal, Sandeep Singh, 252 Church Street, Markham - A/130/16 (West of 9th Line & north of Church Street), Ward 4” 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 variance related to building height, and require the removal of a proposed circular driveway and reduction of the height of the attic space above the garage by 1 metre, as a condition of approval of the variance for an increase in the maximum floor area ratio from 45 percent to 48 percent

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 Secretary-Treasurer receive written confirmation from the Director of Planning and Urban Design or designate that the following conditions have been fulfilled to his or her satisfaction:
 - i. That the variances apply only to the subject development, in substantial conformity with the plan(s) attached as “Appendix B” to this Staff Report, to the satisfaction of the Director of Planning and Urban Design or designate;
 - ii. That a Tree Assessment and Preservation Plan, prepared by a qualified arborist in accordance with the City’s Streetscape Manual (2009), as amended, shall be submitted for review and approval by the City, and that any detailed Siting, Lot Grading and Servicing Plan required as a condition of approval reflects the recommendations of the Tree Assessment and Preservation Plan;
 - iii. That prior to the commencement of construction or demolition, tree protection be erected around all trees on site, including street trees, 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 their designate;
 - iv. That arrangements for tree replacements and other plantings be provided, if required, in accordance with the Tree Assessment and Preservation plan;
 - c) That the attic above the garage not to be used as a habitable space;
 - d) That a Siting, Lot Grading and Servicing Plan designed and stamped by a Professional Engineer/Ontario Land Surveyor/Landscape Architect shall be submitted to the Director of Engineering for review and approval and that the Secretary-Treasurer receive written confirmation from the Director of Engineering or designate that this condition has been fulfilled to his/her satisfaction; and further,
- 3) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

- (12) MINOR VARIANCE APPLICATION APPEAL
XUE MING YU
17 TOWNE COURT, MARKHAM
(SOUTH OF POMANDER ROAD AND
WEST OF MAIN STREET UNIONVILLE), WARD 3
A/196/16 (8.0)

Moved by Regional Councillor Jim Jones
Seconded by Councillor Alan Ho

- 1) That the confidential report titled “Minor Variance Application Appeal, Xue Ming Yu, 17 Towne Court, Markham (south of Pomander Road and west of Main Street Unionville), Ward 3, A/196/16” 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 related to side yard setback, rear yard setback, building height, front yard setback and lot coverage, 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;
 - e) That the variances apply only to the proposed development as long as it remains;
 - f) That the Secretary-Treasurer receive written confirmation from the Director of Engineer and Planning and Urban Design or designate that the following conditions have been fulfilled to their satisfaction:
 - i. That the variances apply only to the subject development, in substantial conformity with the plan(s) attached as “Appendix A” to this Report received by the City on March 8th, 2017;
 - i. That a Tree Assessment and Preservation Plan, prepared by a qualified arborist in accordance with the City’s Streetscape Manual (2009), as amended, shall be submitted for review and approval by the City, and that any detailed Siting, Lot Grading and Servicing Plan required as a condition of approval reflects the recommendations of the Tree Assessment and Preservation Plan;
 - ii. That prior to the commencement of construction or demolition, tree protection be erected around all trees on site, including street trees, in accordance with the City’s Streetscape Manual (2009) as amended, and inspected by City Staff;
 - iii. That arrangements for tree replacements and other plantings be made, if required, in accordance with the Tree Assessment and Preservation plan;

- iv. That subject to the review and approval of a detailed Siting, Lot Grading and Servicing Plan designed and stamped by a Professional Engineer/Ontario Land Surveyor/Landscape Architect, the owner demonstrates that there is no negative impact along any abutting property respecting surface water drainage;
 - v. That subject to the review and approval of a detailed Siting, Lot Grading and Servicing 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, do not extend into the existing easement on the south side of the property; and further,
- 3) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

- (13) **TIMES GROUP**
BLOCK 45 AND PART OF BLOCK 49, PLAN 65M-3226
SOUTH OF HIGHWAY 7, BETWEEN OF SOUTH PARK ROAD
AND SADDLECREEK DRIVE
APPLICATIONS FOR OFFICIAL PLAN
AND ZONING BY-LAW AMENDMENTS
FILE NO.'S: OP 13 131100 AND ZA 14 131100
(WARD 8) (10.3 AND 10.5)

Moved by Regional Councillor Jim Jones

Seconded by Councillor Alan Ho

- 1) That the confidential memorandum dated June 27, 2017 titled, "Times Group Corporation, Block 45 and Part of Block 49, Plan 65M-3226, South of Highway 7, between of South Park Road and Saddlecreek Drive, Applications for Official Plan and Zoning By-law amendments", be received; and,
- 2) That the attached 1987 Official Plan Amendment be adopted and the attached Zoning By-law Amendment be enacted; and,
- 3) That the proposed modifications to the 2014 Official Plan attached hereto be endorsed by Council and forwarded to the Ontario Municipal Board for approval; and further,

- 4) 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 within two years of its approval by Council.
(By-laws 2017-80 and 2017-81)

Carried

14. CONFIRMATORY BY-LAW

Moved by Councillor Amanda Collucci
Seconded by Councillor Don Hamilton

That By-law 2017-75 be given three readings and enacted.

Three Readings

BY-LAW 2017-75 A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE COUNCIL
MEETING OF JUNE 27, 2017.
[By-law](#)

Carried

15. ADJOURNMENT

Moved by Councillor Alex Chiu
Seconded by Councillor Valerie Burke

That the Council Meeting be adjourned at 11:01 PM.

Carried

Kimberley Kitteringham
City Clerk
(Signed)

Jack Heath
Deputy Mayor