



Council Minutes

April 25, 2017, 7:00 PM

Council Chamber, Anthony Roman Markham Civic Centre

Meeting No. 6

Alternate formats for this document are available upon request

Roll Call

Mayor Frank Scarpitti, Deputy Mayor Jack Heath, Regional Councillor Jim Jones, Regional Councillor Joe Li, Regional Councillor Nirmala Armstrong, Councillor Valerie Burke, Councillor Alan Ho, Councillor Don Hamilton, Councillor Karen Rea, Councillor Colin Campbell (left at 8:51 PM), Councillor Amanda Collucci (arrived at 8:19 PM), Councillor Logan Kanapathi, Councillor Alex Chiu.

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
Joel Lustig, Treasurer
Raj Raman, Mayor's Chief of Staff
Kimberley Kitteringham, City Clerk
Martha Pettit, Deputy City Clerk
John Wong, Technology Support Specialist
Don De Los Santos, Coordinator, Culture and Economic Development
Stephen Chait, Director, Culture and Economic Development

The meeting of Council convened at 7:05 PM on April 25, 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 - APRIL 11, 2017**[Minutes](#)

Moved by Councillor Alex Chiu

Seconded by Councillor Logan Kanapathi

- 1) That the Minutes of the Council Meeting held on April 11, 2017, be adopted.

Carried

3. PRESENTATIONS**(1) PUBLIC RAIL SAFETY PLEDGE (12.2.6)**

Mayor Frank Scarpitti announced City of Markham's participation in the Public Rail Safety Pledge. All Members of Council signed the pledge to promote rail safety.

See following to introduce the matter

Moved by Councillor Colin Campbell

Seconded by Deputy Mayor Jack Heath

That the rules of procedure be waived to introduce a matter regarding the Public Rail Safety Pledge.

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

Council observed a moment of silence in recognition of the atrocities currently taking place in Chechnya against the Lesbian, Gay, Bisexual and Transgender (LGBT) Community.

4. DEPUTATIONS

- (1) DELEGATION BY DAVID MCBETH REGARDING
SMART COMMUTE - MARKHAM,
RICHMOND HILL PRESENTATION (5.10)

David McBeth addressed Council and provided comments regarding the cycling promotion on Highway No. 7.

5. COMMUNICATIONS

Moved by Councillor Alex Chiu
Seconded by Councillor Don Hamilton

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

Received

- 13-2017 TEMPORARY EXTENSION APPLICATION (LIQUOR SALES LICENCE)
FOR OLD COUNTRY INN RESTAURANT, 198 MAIN STREET (WARD 3)
(3.21)

[Info](#)

Requesting an approval from the City of Markham to extend their existing liquor licence for the patio areas at 198 Main Street Unionville. The proposed extension will be utilized on June 2, 3 and 4, 2017, in conjunction with the Unionville Festival.

Carried

- 14-2017 LIQUOR LICENCE APPLICATION FOR WINE HOUSE, 505 HIGHWAY 7
(WARD 8) (3.21)

[Info](#)

Forwarding a request for the City of Markham to complete the Municipal Information Form.
(Change of ownership and application of a liquor licence for indoor areas previously licenced).

Carried

6. PROCLAMATIONS**(1) PROCLAMATION REQUESTS (3.4)**

Moved by Regional Councillor Nirmala Armstrong

Seconded by Councillor Karen Rea

- 1) That the following proclamation, issued by the City Clerk in accordance with the City of Markham Proclamation Policy, be received for information purposes:
 - National Youth Week (May 1 to 7, 2017)

Carried

7(A) REPORT NO. 16 - GENERAL COMMITTEE (April 3, 2017)

Moved by Deputy Mayor Jack Heath

Seconded by Councillor Colin Campbell

That Report No. 16 - General Committee comprised of 1 item be received and adopted.

(1) SECTION 37 ALLOCATION POLICY (7.0)

[Presentation](#) [Memo](#)

- 1) That the presentation entitled “Section 37 Allocation Policy”, provided to General Committee on April 3, 2017, be received; and,
- 2) That the memorandum dated April 11, 2017 responding to the questions and concerns raised at the April 3, 2017 General Committee meeting be received; and,
- 3) That Council approve the “Section 37 Allocation Policy” principles as outlined in this presentation with the amendment to combine the 20% City-Wide Public Realm Projects; and 20% City-Wide projects endorsed by Council in principle without an identified funding source; and,
- 4) That a Section 37 reserve be created to track the collections and expenditures related to Section 37; and,
- 5) That Staff be authorized and directed to prepare a policy implementing the principles, to the satisfaction of the Chief Administrative Officer; and further,
- 6) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

**7(B) REPORT NO. 17 - DEVELOPMENT SERVICES COMMITTEE
(April 10, 2017)**

Moved by Regional Councillor Jim Jones

Seconded by Councillor Don Hamilton

That Report No. 17 - Development Services Committee comprised of 6 items be received and adopted, except Item No. 4. (See following Item No. 4)

(1) SMART COMMUTE - MARKHAM,
RICHMOND HILL PRESENTATION (5.10)
[Presentation](#)

- 1) That the presentation provided by Wincy Tsang, Acting Manager, Smart Commute - Markham, Richmond Hill Transportation Management Association (TMA) entitled "Smart Commute - Markham, Richmond Hill Presentation", at the April 10th 2017 Development Services Committee, be received; and,
- 2) That staff be authorized to issue a purchase order to Smart Commute - Markham, Richmond Hill in the amount of \$75,000; and,
- 3) That the Regional Municipality of York, the Town of Richmond Hill and Smart Commute - Markham, Richmond Hill be advised accordingly; and further,
- 4) That staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

(2) RECOMMENDATION REPORT
2080552 ONTARIO INC. (ALWAN LAI)
APPLICATION FOR DRAFT PLAN OF SUBDIVISION
TO PERMIT THIRTEEN (13) SINGLE-DETACHED DWELLINGS
ON THE NORTH SIDE OF LEE AVENUE BETWEEN
NOBLE STREET AND BRIMLEY ROAD
FILE NO. SU 14 244871 (10.7)
[Report](#)

- 1) That the report titled "Recommendation Report, 2080552 Ontario Inc. (Alawn Lai), Application for Draft Plan of Subdivision to permit thirteen (13) single-detached dwellings on the north side of Lee Avenue between Noble Street and Brimley Road, File No. SU 14 244871", be received; and,

- 2) That the record of the Public Meeting held on October 5, 2016 regarding the proposed Draft Plan of Subdivision be received; and,
- 3) That draft plan of subdivision 19TM-14013 (SU 14 244871) be approved subject to the conditions of draft approval set out in Appendix 'A' of this report; and,
- 4) That the Director of Planning and Urban Design or his designate, be delegated authority to issue draft plan approval, subject to the conditions set out in Appendix 'A', as may be amended by the Director of Planning & Urban Design or his designate; and,
- 5) That Council assign servicing allocation for thirteen (13) single-detached dwelling units and advise York Region; and,
- 6) That draft plan approval for plan of subdivision 19TM-14013 will lapse after a period of three (3) years from the date of issuance in the event that a subdivision is not executed within that period; and further,
- 7) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

(3) **ENHANCED PROPERTY STANDARDS
FOR THE PROTECTION AND MAINTENANCE OF
HERITAGE ATTRIBUTES OF HERITAGE PROPERTIES (16.11)**
[Report](#)

- 1) That the staff report entitled "Enhanced Property Standards for the Protection and Maintenance of Heritage Attributes of Heritage Properties", be received; and,
- 2) That the draft by-laws, attached as Appendices "B" and "C" to this report amending the Property Standards By-law and the Keep Markham Beautiful By-law, introducing enhanced property and maintenance standards for designated and listed heritage properties as prepared by staff and reviewed and supported by the Heritage Markham Committee, be approved; and,
- 3) That information regarding the passing of the By-laws be communicated to the public using established channels, and the City's website be updated with the information on the enhanced property standards; and further,
- 4) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

(By-laws 2017-26 & 2017-27)

Carried

- (4) CELEBRATE MARKHAM GRANT PROGRAM
– APRIL 1, 2017 - MARCH 31, 2018 (CYCLE 4)
- FUNDING APPROVALS AND ANNUAL PROGRAM REVIEW (7.6)
[Report](#) [Attach 1](#) [Attach 2](#) [Attach 3](#) [Attach 4](#) [Attach 5](#)

Moved by Regional Councillor Jim Jones

Seconded by Councillor Don Hamilton

- 1) That the report titled, “Celebrate Markham Grant Program – April 1, 2017 - March 31, 2018 (Cycle 4) - Funding Approvals and Annual Program Review” be received; and,
- 2) That Council approve the recommendations of the Interdepartmental Staff Review Committee to fund 52 Celebrate Markham applicants, totaling \$249,475, out of the \$256,000 available for Celebrate Markham community grant applications, as identified in Attachments 1, 2, 3 and 4; and,
- 3) That the following Celebrate Markham grants, totaling \$85,875 (maximum \$5,000 per applicant), be approved for the Cultural Events and Programs Category (as per Attachment 1):
 - i) High Notes Avante receive \$4,500 for their Gala for Mental Health event;
 - ii) Indian-Canadian Organization receive \$2,000 for their Holi Celebration, Family Picnic, and Diwali Celebration;
 - iii) Vedic Cultural Centre Arya Samaj receive \$3,500 for their South Asian Heritage Month Celebration;
 - iv) Unionville Village Conservancy receive \$5,000 for the Stiver Mill Farmers’ Market;
 - v) Unionville Presents Thursday Nights at the Bandstand receive \$5,000 for their Summer Concert Series;
 - vi) Seniors’ Extravaganza receive \$2,875 for their annual event at the Markham Theatre;
 - vii) Markham Federation of Filipino Canadians in Markham receive \$3,500 for their Philippine Independence Day Celebration;
 - viii) Ontario Band Association receive \$4,500 for their OBA Concert Band Festival (2018 event);

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- ix) Markham Concert Band receive \$4,000 for their Unionville Concert Sunday Series;
 - x) Unionville Theatre Company receive \$4,500 for their 2018 Show (Pending Title) conditional on receiving and approving the Project Outcome/Financial Report for their 2017 Live Theatre Production at the Flato Markham Theatre;
 - xi) Cherish Integrated Services receive \$4,000 for their One and Only Artfest 2017;
 - xii) Sing Fai Sports Club receive \$2,000 for their All Community Games Opening Ceremony;
 - xiii) Canada One Family Network receive \$4,500 for the Age of Literati - The Great Wall (art display and performance) conditional on receiving and approving the Project Outcome/Financial Report for their 2016 Canada One Seniors program;
 - xiv) Social Services Network of York Region receive \$4,000 for their Parade and Art Exhibition conditional on providing proof of confirmed/approved venue for the program;
 - xv) Markham Symphony Orchestra receive \$4,000 for their Orchestra Concert at the Flato Markham Theatre conditional on providing proof of confirmed/approved venue for the program;
 - xvi) Centre for Tamil Heritage and Culture receive \$4,500 for their Markham Thai Pongal - Tamil Vizha and Thriu Vizha (2018 event) conditional on receiving and approving the Project Outcome/Financial Report for their 2016 and 2017 Thai Pongal Vizha;
 - xvii) Markham African Caribbean Canada Organization receive \$4,500 for their Black History Month (2018 event) conditional on receiving and approving the Project Outcome/Financial Report for their 2017 Black History month event and securing the Markham Theatre for the event venue;
 - xviii) WushuOntario receive \$4,500 for their 2017 2nd International Martial Arts Festival and National Wushu Team Selections;
 - xix) Rugby Ontario receive \$4,500 for their Rugby Ontario Minor Festival;
 - xx) Canada China Association for Economy, Culture, Education, and Technology Exchanges receive \$5,000 for their 2017 Panda Cup International Table Tennis Tournament;

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- xxi) Kindred Spirits Orchestra (KSO) receive \$5,000 for their annual concert series and programs conditional on receiving and approving year-ended December 31, 2016 actual financial statements, as approved by the KSO Board; and,
 - 4) That the following Celebrate Markham grants, totaling \$89,000 (maximum \$10,000 per applicant), be approved for the Major Community Festivals Category (as per Attachment 2):
 - i) Markham Village Festival Corp. receive \$10,000 for the Markham Village Music Festival conditional on receiving and approving the Project Outcome/Financial Report for the 2016 Markham Village Music Festival (including a 2016 compilation engagement);
 - ii) Markham Rotary Club Foundation receive \$5,000 for the Markham Ribfest 2017;
 - iii) Unionville Festival receive \$10,000 for their annual festival/parade conditional on receiving and approving the Project Outcome/Financial Report for the 2016 Unionville Festival (including a 2016 compilation engagement);
 - iv) Markham Fair (Markham and East York Agricultural Society) receive \$7,000 for their Harvest Moon festival conditional on receiving and approving the Project Outcome/Financial Report for the 2016 Harvest Moon festival;
 - v) The Giving Tree Unionville receive \$2,000 for their BEFIT Unionville festival and Kairos Blanket Exercise;
 - vi) Markham Jazz Festival receive \$10,000 for the Markham Jazz Festival conditional on receiving and approving the Project Outcome/Financial Report for the 2016 Markham Jazz Festival (including a 2016 compilation engagement);
 - vii) Indo-Canada Arts Council receive \$10,000 for Diwali RazzMatazz conditional on providing proof of confirmed/approved venue for activities;
 - viii) Power-Unit Youth Organization receive \$10,000 for Night It Up! conditional on receiving and approving the Project Outcome/Financial Report for the 2016 Night It Up! (including a 2016 compilation engagement);
 - ix) Federation of Chinese Canadians in Markham receive \$10,000 for the TD Taste of Asia festival conditional on receiving and approving the Project Outcome/Financial Report for the 2016 TD Taste of Asia festival (including a 2016 compilation engagement);

- x) The Society for the Preservation of Historic Thornhill receive \$10,000 for the Thornhill Village Wheatsheaf Festival conditional on receiving and approving the Project Outcome/Financial Report for the 2016 Thornhill Village Wheatsheaf festival (including a 2016 compilation engagement);
 - xi) Unionville B.I.A. receive \$8,000 for the Unionville Olde Tyme Christmas conditional on receiving and approving the Project Outcome/Financial Report for the 2016 Unionville Olde Tyme Christmas (including a 2016 compilation engagement); and,
- 5) That the following Celebrate Markham grants, totaling \$26,000 (maximum \$3,000 per applicant), be approved for the Seniors Clubs Category (as per Attachment 3):
- i) Middlefield Seniors' Wellness Club receive \$3,000 for their Yoga for Seniors program;
 - ii) Greensborough Tamil Seniors' Wellness Club receive \$2,000 for their annual programs and activities conditional on providing proof of confirmed/approved venue for activities;
 - iii) Fengcai Senior Activity Centre receive \$1,000 for their annual programs and activities;
 - iv) Markham Ward 6 Seniors Association receive \$1,000 for their Winter programs and activities conditional on providing proof of confirmed/ approved venue for activities and on receiving and approving the Project Outcome/ Financial Report for their 2016 Seniors Winter Activities Ward 6;
 - v) Markham Tamil Seniors Association Canada receive \$2,000 for their annual programs and activities conditional on receiving and approving the Project Outcome/Financial Report for their 2016 Meetings at Armadale Community Centre;
 - vi) Milliken on the Move Older Adults' Club Corp. (MOTM) receive \$3,000 for their Sports Tournament, Volunteer Recognition and Equipment costs;
 - vii) Markham United Senior and Family Association receive \$1,000 for their Physical & Emotional Wellness Program conditional on receiving and approving the Project Outcome/Financial Report for their 2016 Physical & Emotional Wellness Program;

- viii) Paradise Senior Association Markham receive \$2,000 for their annual programs and activities;
 - ix) Angus Glen Older Adults Club (AGOAC) receive \$3,000 for their equipment costs conditional on receiving and approving the Project Outcome/Financial Report for their 2016 Sound Equipment;
 - x) Boxgrove Senior's Community Wellness Club receive \$2,000 for their annual programs and activities;
 - xi) Unionville Home Society receive \$3,000 for their Spring/Summer project: In Celebration of Canada 150 – Stories and Garden project;
 - xii) Dorcas Senior Interest Club receive \$3,000 for their annual programs and activities; and,
- 6) That the following Celebrate Markham grants, totaling \$48,600 (maximum \$10,000 per applicant), be approved for the Sports Events Category (as per Attachment 4):
- i) Markham Tennis Club receive \$5,000 for the 2017 Ontario Tennis Association Outdoor Junior Provincials for U18 Boys & Girls;
 - ii) MUMBA Basketball receive \$3,600 for the 2017 Ontario Cup Provincial Championships for Juvenile Boys conditional on receiving and approving the Project Outcome/Financial Report for the 2017 Ontario Basketball Provincial Cup for U12 Major Atom Girls;
 - iii) Badminton Ontario receive \$10,000 for the 2017 Pan American Junior Championships;
 - iv) Ontario Table Tennis Association receive \$7,500 for the Canadian Championships;
 - v) Water Polo Canada receive \$6,500 for the National Championship League (NCL) 19U Eastern Conference Championships conditional on receiving and approving the Project Outcome/Financial Report for the 2017 Senior's National Championship (including a 2016 compilation engagement);
 - vi) Table Tennis Canada receive \$10,000 for the 2017 Women's World Cup;
 - vii) Pickleball Association of Ontario receive \$2,000 for the PAO Annual Provincial Championship

- viii) National Rhythmic Gymnastics Centre receive \$4,000 for their 2017 Salut Cup International; and,
- 7) That subject to approval by Council, recommended applications be posted on the Celebrate Markham website for applicants' and the public's information, along with Council's resolution; and,
- 8) That as previously approved by Council, \$84,000 continue to be set aside for City-led events; and,
- 9) That Markham Arts Council receive a net amount of \$23,400 (Celebrate Markham Grant of \$30,000 less 2017 loan repayment of \$6,600 for a remaining balance owing of \$33,000 as of December 31, 2017) for their annual programs and activities conditional on receiving and approving 2016 audited financial statements; and,
- 10) That for 2017 up to an additional \$5,000 of the 2017 budget for Celebrate Markham be used towards the purchase of software and development of an improved website to better manage application processing, as well as improve the efficiency, tracking and reporting on Celebrate Markham applications (such application forms to be in a form approved by the City Solicitor); and,
- 11) That \$2,000 be considered in the 2018 Culture and Economic Development department operating budget for the annual maintenance and licensing of the solution contained in recommendation No. 10; and,
- 12) That the \$400,000 budget (total amount based on Council direction in October 2015) be maintained until the population reaches 400,000, after which the funding formula of \$1 per capita be used to calculate the budget; and,
- 13) That the funding envelope based upon a \$1.00 per capita formula be reviewed and updated every 2 years in accordance with Region of York population statistics; and,
- 14) That the remaining funds of \$1,525 will be included as part of the 2017 year end results of operations; and,
- 15) That staff report back on the criteria for Celebrate Markham, following the 2016-2017 season; and further,
- 16) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

(5) PROPOSED ALL-WAY STOP CONTROL
– GOLDEN AVENUE & BRANDO AVENUE / CONNERY CRESCENT (5.10)
[Report](#)

DSC page 308

- 1) That the report entitled “Proposed All-way Stop Control – Golden Ave & Brando Avenue / Connery Crescent”, be received; and,
- 2) That Schedule 12 of Traffic By-law 106-71, pertaining to compulsory stops, be amended to include all approaches to the intersection of Golden Avenue & Brando Avenue / Connery Crescent; and,
- 3) That the Operations Department be directed to install the appropriate signs and pavement markings at the subject locations; and,
- 4) That the cost of materials and installation for the traffic signs and pavement markings be funded from capital project # 083-5350-17162-005; and,
- 5) That York Region Police be requested to enforce the all-way stop control upon installation of the regulatory signs and passing of the By-law amendment; and further,
- 6) That staff be authorized and directed to do all things necessary to give effect to this resolution.
(By-law 2017-24)

Carried

(6) NEW BUSINESS
CONFERENCE ATTENDANCE (11.12)

- 1) That the attendance of Councillor Karen Rea at the Road Price Leadership Summit in Toronto, on May 12, 2017 at a cost of approximately \$225.00, be approved; and,
- 2) That staff be directed to develop a policy for Council members’ attendance at seminars, conferences, and on-line education.

Carried

7(C) REPORT NO. 18 - GENERAL COMMITTEE (April 18, 2017)

Moved by Deputy Mayor Jack Heath

Seconded by Councillor Alan Ho

That Report No. 18 - General Committee comprised of 7 items be received and adopted.

(1) REPORT OF THE AUDITOR GENERAL -
CASH HANDLING AUDIT (7.0)

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

- 1) That the presentation provided by Geoff Rodrigues, CPA, CA, CIA, CRMA, ORMP, MNP LLP, Auditor General, City of Markham, titled "Report of the Auditor General – Cash Handling 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 "City of Markham – Cash Handling Audit" be received; and,
- 3) That staff be directed to review implementing cashless transactions throughout the Corporation; and further,
- 4) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

(2) 2016 CONSOLIDATED
FINANCIAL STATEMENTS AND
RESERVE AND RESERVE FUND
ANALYSIS (7.0)

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

- 1) That the report titled “2016 Consolidated Financial Statements and Reserve & Reserve Fund Analysis” be received; and
- 2) That Council approve the draft Consolidated Financial Statements of The Corporation of the City of Markham (the City), the City of Markham Public Library (the Library), Community Boards, Business Improvement Areas (BIAs) , and Investment in Markham Enterprises Corporation (MEC), for the fiscal year ended December 31, 2016; and,

- 3) That Council authorize Staff to issue the final audited Consolidated Financial Statements for the fiscal year ended December 31, 2016 upon receiving the Independent Auditors' Report; and,
- 4) That the KPMG LLP Audit Finding Report for the year ended December 31, 2016 be received; and,
- 5) That this matter be forwarded to Council for adoption on April 25, 2017; and,
- 6) That the Waste management process reserve (account 086-2700110) be closed and the balance of \$27,882.79 transferred to the Lifecycle replacement and capital reserve fund; and,
- 7) That the Partnership reserve (account 086-2700830) be closed and the balance of \$15,612.00 transferred to the Lifecycle replacement and capital reserve fund; and,
- 8) That the Anti-whistling reserve (account 086-2700870) be closed and the balance of \$506.17 transferred to the Lifecycle replacement and capital reserve fund; and,
- 9) That the Road resurfacing reserve fund (account 087-2800132) be closed and the balance of \$5,734.16 transferred to the City-wide hard deferred reserve fund; and,
- 10) That the Tree replacement reserve fund (account 087-2800150) be closed and the balance of \$6,271.00 transferred to the Trees for tomorrow reserve fund; and,
- 11) That the Waterworks reserve fund (account 087-2800165) be closed and the balance of \$239,080.10 transferred to the Waterworks stabilization reserve; and further,
- 12) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

(3) AWARD OF CONSTRUCTION TENDER

271-T-16 - PHASE 2B STORM

SEWER REPLACEMENT (5.4)

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

- 1) That the report entitled "Award of Construction Tender 271-T-16 West Thornhill – Phase 2B Storm Sewer and Watermain Replacement" be received; and,
- 2) That the contract for Tender 271-T-16 West Thornhill – Phase 2B Storm Sewer Replacement be awarded to the lowest priced Bidder, Lancorp Construction Co Ltd., in the amount of \$7,525,712.37, inclusive of HST; and,

- 3) That a 10% contingency in the amount of \$752,571.24, inclusive of HST, be established to cover any additional construction costs and that authorization to approve expenditures of this contingency amount up to the specified limit be in accordance with the Expenditure Control Policy; and,
- 4) That the construction award in the amount of \$8,278,283.61 be funded from the capital project 058-6150-17201-005 “West Thornhill Flood Control Construction - Phase 2B” as outlined under the financial considerations section in this report; and,
- 5) That the Chief Administrative Officer be authorized to execute an agreement with York Region District School Board and any related documents to acquire a permanent easement (the “Required Easement”) over the lands described as Part of Lot 26, Registrar’s Compiled Plan 10327, Markham, being Part 1 on Plan 65R-37026, in a form satisfactory to the Chief Administrative Officer and City Solicitor; and,
- 6) That funding for the acquisition of the Required Easement in the amount of \$472,501.22 (inclusive of legal costs, Land Transfer Tax, HST and contingency) be funded from the capital project account # 058-6150-17201-005 “West Thornhill Flood Control Construction - Phase 2B” as outlined under the financial considerations section in this report; and,
- 7) That the Manager of Real Property be authorized to execute any agreements and/or documents with third parties required to obtain permission to construct the West-Thornhill - Phase 2B Storm Sewer and Watermain Replacement in a form satisfactory to the Manager of Real Property and the City Solicitor; and,
- 8) That the budget remaining in project #17201 “West Thornhill Flood Control Construction - Phase 2B” in the amount of \$448,505.17 will be returned to the original funding source; and further,
- 9) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

(4) CITYWIDE MULTI-PHASE SANITARY
SYSTEM DOWNSPOUT DISCONNECTION
PROGRAM – ANNUAL PROGRESS UPDATE
AND PHASE 5 DETAILS (5.3)

[Report](#) [Attachments](#)

- 1) That the report entitled "Citywide Multi-phase Sanitary System Downspout Disconnection Program- Annual Progress Update and Phase 5 Details" be received; and,
- 2) That Council approve the Phase 5 of 5 program area covering 1,894 properties as follows:

Thornhill Area:

- i. Area bounded by Normark Drive to the north, East Don River to the east, Colonsay Road to the south, and Normark Drive & Inverlochy Boulevard to the west;
- ii. Area bounded by John Street & Chumleigh Crescent to the north, Don Mills Road & Hwy 404 to the east, Simonston Boulevard to the south, and German Mills Settlers Park & Bercy Park to the west;

Unionville Area:

- iii. Area bounded by Carlton Road & Krieghoff Avenue to the north, Main Street Unionville & railway track to the east, Highway 7 & Vasselle Crescent to the south, and Warden Avenue to the west; and,
- 3) That the project be funded in the amount of \$181,000 from the 2017 Capital Project #17221 "Sanitary System Downspout Disconnection Program- Phase 5 of 5"; and,
 - 4) That total funding of \$442,382 be returned to original funding source from the following projects:
 - \$133,600 from project #14313 "Sanitary System Downspout Disconnection Program – Phase 2 of 5"
 - \$84,452 from project #15294 "Sanitary System Downspout Disconnection Program - Ph 3 of 5"
 - \$224,330 from project #16238 "Sanitary System Downspout Disconnection Program-Phase 4 of 5"; and further,
 - 5) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

(5) CONTRACT EXTENSION FOR
116-T-16 GRASS CUTTING
AND MAINTENANCE SERVICES (7.9)

[Report](#)

- 1) That the report entitled “Contract Extension # 116-T-16 for Grass Cutting and Maintenance Services” be received; and,
- 2) That the current contract #116-T-16 for Grass Cutting and Maintenance Boulevard Services of 21.98 ha which expires on December 31, 2018 be extended with Ontario Inc. o/a Clarington Contracting Services from January 1, 2019 to December 31, 2021 at an annual cost of \$43,112.16, inclusive of HST;
 - 2019 - \$43,112.16
 - 2020 - \$43,112.16
 - 2021 - \$43,112.16; and,
- 3) That contract # 116-T-16 for Grass Cutting and Maintenance Services of Boulevards be increased by an additional 80.02 ha with Ontario Inc. o/a Clarington Contracting Services for five (5) years at the following prices (inclusive if HST);
 - 2017 - \$165,529.38
 - 2018 - \$165,529.38
 - 2019 - \$174,119.50
 - 2020 - \$174,119.50
 - 2021 - \$174,119.50; and,
- 4) That the tendering process be waived in accordance with Purchasing By- Law 2004-341, Part II, Section 7 (1) (c) which states “when the extension of an existing contract would prove more cost-effective or beneficial”; and,
- 5) And that funds be provided from 730-730-5399 Contract Services Weed Removal in the amount of \$165,529.38 for the increased 2017 award amount; and,
- 6) That Staff be authorized to adjust the purchase orders in 2018-2021 based on the approved budget in each of these years, subject to Council approval of the 2018-2021 operating budget; and,
- 7) That staff be directed to report back on the budget implications to change the grass cutting service levels for those parks with playing fields to a weekly cutting schedule for the remaining components of the park (non sport fields), and that the non residential boulevards retain the current sport field maintenance practices; and further,
- 8) That staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

(6) CONTRACT EXTENSION FOR
162-T-13 PAVEMENT PRESERVATION
AND SURFACE TREATMENT (7.9)
[Report](#)

- 1) That the report entitled “Contract Extension 162-T-13 Pavement Preservation and Surface Treatment” be received”; and,
- 2) That contract 162-T-13 Pavement Preservation and Surface Treatment be extended with Miller Paving Limited for an additional one (1) year (2017) in the amount of \$671,655 and at the same 2016 itemized pricing with a CPI adjustment (Canada All-items); and,
- 3) That the Director, Operations and Senior Manager Purchasing be authorized to extend the contract for a further four (4) years (2018 – 2021) subject to Council approval of the annual budget and a annual CPI (Canada All-items) adjustment; and,
- 4) That the tendering process be waived in accordance with Purchasing By-Law 2004-341, Part II, Section 7 (1) (c) which states “when the extension of an existing contract would prove more cost-effective or beneficial”; and,
- 5) That the funds for the 2017 award be provided from the budget accounts as listed in the Financial Considerations in the amount of \$671,655 inclusive of HST impact; and further,
- 6) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

(7) LITTER PREVENTION (5.1)

Whereas the City of Markham is committed to being a sustainability leader and is committed to sustainable environmental practices as outlined in its Council approved Greenprint Sustainability Plan and Best of the Best Roadmap to 80% Diversion; and,

Whereas to meet our sustainability goals, the City must be bold and imaginative and not be afraid to make the tough decisions to move the City forward now and in the future; and,

Whereas the City of Markham and York Region provide integrated solid waste services to its residents that are designed to continually increase waste diversion, improve services to our residents, and support Markham's revised diversion target of 85%; and,

Whereas York Region requires the local municipalities to collect recyclables loose in Blue Boxes and prohibits the collection of recyclables in plastic bags which would reduce the amount of windblown litter and associated costs; and,

Whereas allowing residents to use bags for recyclables has many documented benefits such as allowing a higher volume of recyclables to be diverted at the curb, contains recyclables in our parks and public spaces; and reduces blue box litter on our streets; and,

Whereas York Region's 2014 report 'Assessment of the Installation of a Bag Breaker at the York Region Waste Management Facility' estimated Markham spends \$103,033 a year on litter clean-up; and all the local municipalities combined spend an estimated \$352,641 per year; and,

Whereas a tinted blue clear bag or paper bag recycling option would reduce the amount of recyclables in the residue stream, protect recyclables from inclement weather, prevent material from blowing onto residential streets as litter, increase participation and diversion and reduce clean-up costs; and,

Now therefore be it hereby resolved:

- 1) That Council respectfully requests that York Region and City of Markham under their respective Waste Management departments report back on all options and costs for permitting residents to use tinted blue clear bag or paper bag recycling option in town home units, single family homes, multi-residential units and public spaces thereby reducing processing residue, increasing diversion and eliminating blue box litter; and,
- 2) That this Motion be circulated to all York Region municipalities.

Carried

**7(D) REPORT NO. 19 - DEVELOPMENT SERVICES COMMITTEE
(April 24, 2017)**

Moved by Regional Councillor Jim Jones
Seconded by Councillor Don Hamilton

That Report No. 19 - Development Services Committee comprised of 1 item be received and adopted.

- (1) REQUEST TO DEMOLISH- SINGLE DETACHED DWELLING
DEMOLITION PERMIT APPLICATION DP 16135847
27 CHURCH STREET
MARKHAM VILLAGE HERITAGE CONSERVATION DISTRICT (16.11)
[Report](#)

- 1) That the staff memo and presentation dated April 24th, 2017 regarding a demolition permit application for 27 Church Street, Markham Village, be received; and,
- 2) That the demolition permit application for the existing dwelling at 27 Church Street in Markham Village be approved, subject to the applicant obtaining site plan approval for a new detached dwelling designed to comply with the policies and guidelines of the Markham Village Heritage Conservation District Plan, to the satisfaction of City staff; and further,
- 3) That Staff be authorized and directed to do all thing necessary to give effect to this resolution.

Carried by a recorded vote (8:4)
(See following recorded vote)

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

NAYS: Councillor Valerie Burke, Councillor Don Hamilton, Councillor Karen Rea, Deputy Mayor Jack Heath. (4)

ABSENT: Councillor Amanda Collucci. (1)

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) MARKHAM – RICHMOND HILL BOUNDARY IN LANGSTAFF (10.0)**

Moved by Regional Councillor Jim Jones

Seconded by Deputy Mayor Jack Heath

That the rules of procedure be waived to introduce an item related to Markham – Richmond Hill Boundary in Langstaff.

Motion to introduce lost as 2/3 vote was not obtained

11. ANNOUNCEMENTS**(1) PASSING OF COUNCILLOR RON MOESER, CITY OF TORONTO (12.2.6)**

Deputy Mayor Jack Heath announced the passing of Councillor Ron Moeser, City of Toronto, on April 18, 2017. Markham Council extended sincere condolences to Councillor Moeser's family and friends.

12. BY-LAWS

Moved by Councillor Alex Chiu

Seconded by Deputy Mayor Jack Heath

That By-laws 2017-23 to 2017-27 be given three readings and enacted.

Three Readings

BY-LAW 2017-23 A BY-LAW TO APPOINT A TREASURER FOR THE CORPORATION
OF THE CITY OF MARKHAM
(Repeals By-law 2010-5)
[By-law](#)

Carried

BY-LAW 2017-24 A BY-LAW TO AMEND TRAFFIC BY-LAW 106-71 (ALL-WAY
STOP CONTROL - GOLDEN AVENUE & BRANDO
AVENUE/CONNERY CRESCENT)
(Item No. 5, Report No. 17)
[By-law](#)

Carried

BY-LAW 2017-25 A BY-LAW TO DEEM CERTAIN LANDS NOT TO BE A
REGISTERED PLAN OF SUBDIVISION
(Jeyanathan Poothappillai and Sumithra Jeyanathan, south of 16th
Avenue and west of McCowan Road, Block 26 Plan 65M-2892, and Block
27, Plan 65M-2892)
[By-law](#)

Carried

BY-LAW 2017-26 A BY-LAW TO ESTABLISH STANDARDS FOR THE
MAINTENANCE AND OCCUPANCY OF PROPERTY IN THE CITY
OF MARKHAM - PROPERTY STANDARDS BY-LAW
(Repeals Property Standards By-law 248-1999)
(Item No. 3, Report No. 17)
[By-law](#)

Carried

BY-LAW 2017-27 A BY-LAW TO REGULATE AND PRESCRIBE STANDARDS FOR THE MAINTENANCE OF PRIVATE PROPERTY AND MUNICIPAL BOULEVARDS WITHIN THE CITY OF MARKHAM - KEEP MARKHAM BEAUTIFUL (MAINTENANCE) BY-LAW
(Repeals Keep Markham Beautiful By-law 2012-119, Abandoned and Vacant Buildings By-law 73-89, Street Numbering of Properties By-law 56-92 and Standing Water By-law 2003-122)
(Item No. 3, Report No. 17)
[By-law](#)

Carried

13. CONFIDENTIAL ITEMS

Council consented to add a litigation matter as Item No. 7 on the confidential agenda. See following Item No. 7.

Moved by Councillor Colin Campbell
Seconded by Councillor Don Hamilton

That, in accordance with Section 239 (2) of the *Municipal Act*, Council resolve into a private session to discuss the following confidential matters (8:01 PM):

- (1) MINUTES OF CONFIDENTIAL COUNCIL MEETING
 - APRIL 11, 2017 (16.0)
 [Section 239 (2) (a) (b) (c) (e) (f)]

Development Services Committee - April 10, 2017

- (2) LITIGATION OR POTENTIAL LITIGATION, INCLUDING MATTERS BEFORE ADMINISTRATIVE TRIBUNALS, AFFECTING THE MUNICIPALITY OR LOCAL BOARD - CANADIAN TIRE PROPERTIES INC., 7650 MARKHAM ROAD (WARD 7) (8.0)
 [Section 239 (2) (e)]

General Committee - April 18, 2017

- (3) THE SECURITY OF THE PROPERTY OF THE MUNICIPALITY OR LOCAL BOARD (REPORT OF AUDITOR GENERAL) (7.0)
 [Section 239 (2) (a)]

- (4) PERSONAL MATTERS ABOUT AN IDENTIFIABLE INDIVIDUAL, INCLUDING MUNICIPAL OR LOCAL BOARD EMPLOYEES (APPOINTMENTS TO BOARDS/COMMITTEE) (16.24)
[Section 239 (2) (b)]
- (5) A PROPOSED OR PENDING ACQUISITION OR DISPOSITION OF LAND BY THE MUNICIPALITY OR LOCAL BOARD (REAL PROPERTY ACQUISITIONS) (8.6)
[Section 239 (2) (c)]

Council - April 25, 2017

- (6) THE SECURITY OF THE PROPERTY OF THE MUNICIPALITY OR LOCAL BOARD (SHARED USE AGREEMENT) (8.2)
[Section 239 (2) (a)]
- (7) LITIGATION OR POTENTIAL LITIGATION, INCLUDING MATTERS BEFORE ADMINISTRATIVE TRIBUNALS, AFFECTING THE MUNICIPALITY OR LOCAL BOARD (ONTARIO MUNICIPAL BOARD APPEAL) (8.0)
[Section 239 (2) (e)]

Moved by Councillor Valerie Burke

Seconded by Councillor Logan Kanapathi

That Council rise from the private session. (8:53 PM)

Carried

The confidential items were approved by Council as follows:

- (1) MINUTES OF CONFIDENTIAL COUNCIL MEETING
- APRIL 11, 2017 (16.0)

Moved by Councillor Alex Chiu

Seconded by Regional Councillor Nirmala Armstrong

- 1) That the Council Confidential Minutes dated April 11, 2017 be confirmed.

Carried

- (2) CONSENT APPLICATION APPEAL
CANADIAN TIRE PROPERTIES INC.
7650 MARKHAM RD
B/14/16 (8.0)

Moved by Councillor Logan Kanapathi

Seconded by Councillor Alex Chiu

- 1) That the confidential report titled “Consent Application Appeal, Canadian Tire Properties Inc., 7650 Markham Road, File B/14/16” be received; and,
- 2) That Council direct the City Solicitor and Staff not to attend the Ontario Municipal Board (“OMB”) hearing regarding the decision of the Committee of Adjustment to approve the requested consent application, provided that the applicant requests the OMB to impose the following conditions:
 - a) Payment of all outstanding realty taxes and local improvement charges owing to date against both the subject and retained parcels;
 - b) Submission to the Secretary-Treasurer of the required transfer to effect the severances applied for under File B/14/14, in duplicate, conveying the subject land, and issuance by the Secretary-Treasurer of the certificate required under subsection 53(42) of the Planning Act;
 - c) Submission to the Secretary-Treasurer of seven white prints of a deposited reference plan showing the subject land, which conforms substantially to the application as submitted on August 16th, 2016 and prepared by Schaeffers Dzaldov Bennett Ltd and dated January 4, 2016;
 - d) Submission of a parking calculation for the existing commercial development, to the satisfaction of the Director of Building Standards, and that the Secretary-Treasurer receives written confirmation that this condition has been fulfilled to the satisfaction of the Director Building Standards;
 - e) Obtain minor variance approval if a parking reduction is required, prior to issuance of the certificate by the Secretary-Treasurer, and that the Secretary-Treasurer receives written confirmation that this condition has been fulfilled to the satisfaction of the Director of Planning and Urban Design;
 - f) Submission of a Solicitor’s Certificate certifying that upon registration of the required transfers to effect the severance applied for under File B/14/16, title to Part 1 in the Draft Reference Plan submitted with File B/14/16 will merge with title to the lands to the north-west municipally known as 5659 to 5933 14th Avenue, all to the satisfaction of the Director of Planning and Urban Design;
 - g) That Draft Plan of Subdivision 19TM-16002 (SU 16 130764) for the lands to the north-west (5659 to 5933 14th Avenue), be red-lined to incorporate the severed parcel (Part 1) on the Draft Reference Plan submitted with File B/14/16, to the satisfaction of the Director of Planning and Urban Design or his designate, and that the Secretary-Treasurer receives written

- confirmation that this condition has been fulfilled to the satisfaction of the Director of Planning and Urban Design;
- h) That Zoning By-law Amendment application (ZA 16 130764) for the lands to the north-west (5659 to 5933 14th Avenue) be revised to include the severed parcel (Part 1) on the Draft Reference Plan submitted with File B/14/16, to the satisfaction of the Director of Planning and Urban Design or his designate, and that the Secretary-Treasurer receives written confirmation that this condition has been fulfilled to the satisfaction of the Director of Planning and Urban Design;
 - i) That Subsection 50(3) or 50(5) of the Planning Act shall apply to any subsequent conveyance of, or transaction involving the parcel of land that is the subject of this consent; and
 - j) That the Secretary-Treasurer receives written confirmation from the Regional Municipality of York confirming that the conditions indicated in their letter dated their letter dated August 29, 2016 have been fulfilled to the satisfaction of the Regional Municipality of York.

Carried

(3) REPORT OF THE AUDITOR GENERAL
CASH HANDLING AUDIT (7.0)

Moved by Councillor Logan Kanapathi
Seconded by Deputy Mayor Jack Heath

- 1) That the confidential presentation provided by Geoff Rodrigues, CPA, CA, CIA, CRMA, ORMP, MNP LLP, Auditor General, City of Markham, titled "Report of the Auditor General – Cash Handling Audit – Confidential Report Finding #3" be received; and,
- 2) That the confidential report prepared by Geoff Rodrigues, CPA, CA, CIA, CRMA, ORMP, MNP LLP, Auditor General, City of Markham, titled "City of Markham – Cash Handling Audit – Confidential Report" be received; and further,
- 3) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

(4) APPOINTMENTS TO BOARDS/COMMITTEES (16.24)

Moved by Councillor Karen Rea

Seconded by Councillor Alan Ho

- 1) That the following person be appointed to the Canada Day Committee:

Name

Nancy Siu Ling Yang

Term

November 30, 2020

Carried

(5) REPORTING OUT OF REAL PROPERTY
ACQUISITIONS – 311-313 HELEN AVENUE (8.6)

[Report](#)

Moved by Councillor Don Hamilton

Seconded by Councillor Amanda Collucci

- 1) That the report entitled “Reporting Out of Real Property Acquisitions – 311 – 313 Helen Avenue” be received; and,
- 2) That Staff be authorized and directed to take the actions set out in this report.

Carried

(6) THE SECURITY OF THE PROPERTY OF THE MUNICIPALITY
OR LOCAL BOARD (SHARED USE AGREEMENT) (8.2)

Moved by Councillor Valerie Burke

Seconded by Deputy Mayor Jack Heath

- 1) That the confidential report dated April 18, 2017 regarding the security of the property of the municipality or local board (shared use agreement) be received; and,
- 2) That staff be authorized to proceed as directed by Council on April 25, 2017.

Carried

- (7) LITIGATION OR POTENTIAL LITIGATION, INCLUDING MATTERS BEFORE ADMINISTRATIVE TRIBUNALS, AFFECTING THE MUNICIPALITY OR LOCAL BOARD (ONTARIO MUNICIPAL BOARD APPEAL) (8.0)

Council consented to not report out on this matter.

14. CONFIRMATORY BY-LAW

Moved by Councillor Alex Chiu

Seconded by Councillor Amanda Collucci

That By-law 2017-28 be given three readings and enacted.

Three Readings

BY-LAW 2017-28 A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE COUNCIL MEETING OF APRIL 25, 2017.

By-law

Carried

15. ADJOURNMENT

Moved by Councillor Alex Chiu

Seconded by Councillor Valerie Burke

That the Council Meeting be adjourned at 8:57 PM.

Carried

Kimberley Kitteringham
City Clerk
(Signed)

Frank Scarpitti
Mayor