



Council Minutes

March 1, 2017, 7:00 PM

Council Chamber, Anthony Roman Markham Civic Centre

Meeting No. 3

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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, Councillor Amanda Collucci, Councillor Logan Kanapathi, Councillor Alex Chiu.

Staff

Andy Taylor, Chief Administrative Officer
Catherine Conrad, City Solicitor and Acting Director of Human Resources
Regan Hutcheson, Manager, Heritage Planning
Trinela Cane, Commissioner of Corporate Services
Brenda Librecz, Commissioner of Community and Fire 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

The meeting of Council convened at 7:02 PM on March 1, 2017 in the Council Chamber.
Mayor Frank Scarpitti presided.

Mayor Frank Scarpitti advised of the passing of former Mayor of Markham Don Cousens on February 23, 2017, and spoke of his many accomplishments. Mayor Scarpitti, on behalf of Council, extended sincere condolences to Mr. Cousens' family. Council observed a moment of silence in honour of Don Cousens.

Mayor Scarpitti thanked staff for their work on the special memorial tribute held this date at the Markham Civic Centre and Angus Glen Community Centre for the public to pay their respects and express condolences.

1. DISCLOSURE OF PECUNIARY INTEREST

(1) None declared.

2. APPROVAL OF PREVIOUS MINUTES

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

Moved by Councillor Alex Chiu

Seconded by Councillor Logan Kanapathi

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

Carried

3. PRESENTATIONS

There were no presentations.

4. DEPUTATIONS

- (1) DEPUTATIONS
- DEMOLITION PERMIT APPLICATION DP 16135847
27 CHURCH STREET (10.13. 16.11)

Moved by Regional Councillor Nirmala Armstrong

Seconded by Councillor Logan Kanapathi

That the rules of procedure be waived to allow for Felicite Dibi, applicant, to make a deputation to Council this date, although she previously made a deputation at the February 27, 2017 Development Services Committee regarding the Demolition Permit Application for 27 Church Street.

Carried by a 2/3 vote of Council Members present

The following individuals provided deputations to Council:

- Felicite Dibi, applicant, spoke in opposition to the proposed recommendation.
 - Graham Dewar, spoke in support of the proposed recommendation
- (See Item No. 1, Report No. 8 for Council's decision on this matter)

5. COMMUNICATIONS

Moved by Councillor Alex Chiu

Seconded by Councillor Karen Rea

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

Received

9-2017 LIQUOR LICENCE APPLICATION FOR THAI ONE ON, 7750 KENNEDY ROAD, SUITE 01 (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 AND FLAG RAISING REQUESTS (3.4)

Moved by Councillor Colin Campbell

Seconded by Regional Councillor Joe Li

- 1) That the following proclamations, issued by the City Clerk in accordance with the City of Markham Proclamation Policy, be received for information purposes:
 - Epilepsy Awareness Month (March 2017)
 - Purple Day (Epilepsy Awareness) (March 26, 2017)
 - Public - Rail Safety Week (April 24 to 30, 2017)
 - Philippine Week (June 4 to 12, 2017)
 - Trinidad and Tobago Independence Day (August 31, 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:
 - Flag of Philippine (June 4 to 12, 2017)
 - Flag of Trinidad and Tobago (August 31, 2017)

Carried

**7(A) REPORT NO. 6 - DEVELOPMENT SERVICES COMMITTEE
(February 13, 2017)**

Moved by Regional Councillor Jim Jones
Seconded by Councillor Don Hamilton

That Report No. 6 - Development Services Committee comprised of 2 items be received and adopted.

**(1) INTERPRETIVE PLAQUE PROGRAM
FOR MARKHAM VILLAGE HERITAGE
CONSERVATION DISTRICT PROPERTIES - COLOUR (16.11)**
[Report](#)

- 1) That the report titled "Interpretive Plaque Program for Markham Village Heritage Conservation District Properties - Colour," dated February 13, 2017, be received; and,
- 2) That Council endorse a black background colour for the Markham Village Conservancy interpretive plaques in the central Markham Village and Vinegar Hill neighbourhoods of the Markham Village Heritage Conservation District; and further,
- 3) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

**(2) AGRICULTURAL ADVISORY
COMMITTEE MINUTES**
- April 7, 2016, May 4, 2016 October 6, 2016 and December 1, 2016 (16.34)
[Apr. 7](#) [Appendix A - Terms of Reference](#) [May 4](#) [Oct. 6](#) [Dec. 1](#)

- 1) That the minutes of the Agricultural Advisory Committee meetings held April 7, 2016, May 4, 2016, October 6, 2016 and December 1, 2016, be received for information purposes; and,
- 2) That the following recommendation from the April 7, 2016 Agricultural Advisory Committee minutes be endorsed:

"That revised Agricultural Advisory Committee Terms of Reference be approved as amended, attached as Appendix A."

Carried

7(B) REPORT NO. 7 - GENERAL COMMITTEE (February 21, 2017)

Moved by Deputy Mayor Jack Heath

Seconded by Councillor Colin Campbell

That Report No. 7 - General Committee comprised of 3 items be received and adopted.

(1) 2017 PROPERTY TAX RATIOS (7.3)

[Presentation](#)

- 1) The presentation entitled "Property Tax Ratios" be received; and,
- 2) Council support setting the Region-wide tax ratios to "revenue neutral" such that the relative tax burden of each property class in York Region is the same after the reassessment as it was before the reassessment; and,
- 3) This resolution be forwarded to the Regional Municipality of York; and,
- 4) That staff be directed to provide an update at the March 6, 2017 General Committee meeting regarding the York Region report that will be considered at the York Region Committee of the Whole meeting on March 9, 2017 relative to the 2017 – 2020 tax ratio policy; and further,
- 5) Staff be authorized to and directed to do all things necessary to give effect to this resolution.

Carried

(2) VACANT UNIT PROPERTY
TAX REBATE PROGRAM (7.0)

[Report](#)

- 1) That the report entitled Vacant Unit Property Tax Rebate Program be received; and,
- 2) That Council authorize Staff to undertake a business consultation process with the local business community to discuss the vacancy rebate program; and,
- 3) That Staff be directed to participate in ongoing discussions with the Region of York and area municipalities; and,
- 4) That Staff report back to Council on the final recommendations that will be made to Regional Council; and,

- 5) That staff be directed to draft a resolution for York Region requesting that latest deadline to provide a Council resolution to the Minister of Finance be extended to November 30, 2017; and further,
- 6) That staff be authorized and directed to do all things necessary to give effect to these resolutions.

Carried

(3) ICE ALLOCATION - REQUEST FOR
EXPANSION OF HOCKEY LEAGUE
BY THORNHILL COMMUNITY
HOCKEY LEAGUE AND MARKHAM
ISLANDERS (6.1)

[Report](#)

- 1) That the report entitled "Ice Allocation - Request for Expansion of Hockey League by Thornhill Community Hockey League and Markham Islanders" be received for information; and,
- 2) That Council approve Staff recommendation to not support the request by Thornhill Community Hockey League (TCHL) to expand to include a competitive hockey program; and,
- 3) That Council approve Staff recommendation to not support the request by Markham Islanders Hockey League to expand to include a house league hockey program; and further,
- 4) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

**7(C) REPORT NO. 8 - DEVELOPMENT SERVICES COMMITTEE
(February 27, 2017)**

Moved by Regional Councillor Jim Jones

Seconded by Regional Councillor Nirmala Armstrong

That Report No. 8 - 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 (10.13, 16.11)
[Memo](#)

Moved by Regional Councillor Jim Jones

Seconded by Regional Councillor Nirmala Armstrong

Whereas the applicant was present at the meeting and when asked, gave her consent to postpone Council's decision on the demolition permit application for 27 Church Street to April 25, 2017;

Now therefore be it resolved:

- 1) That Council postpone the consideration of the demolition permit application for 27 Church Street to allow for further discussion with the applicant.

Carried

Council consented to not adopt the following recommendation from the February 27, 2017 Development Services Committee meeting:

- "1) That the correspondence from Dianne More, Donna K., Ruth Winterfield, and Alan Gardiner regarding a demolition permit application for 27 Church Street, Markham Village, provided to Development Services Committee on February 27, 2017, be received; and,
- 2) That the staff memo dated February 27, 2017 regarding a demolition permit application for 27 Church Street, Markham Village, be received; and,

Whereas Heritage Markham and Heritage Staff in their report of December 5, 2016 recommended that the demolition permit for the existing dwelling at 27 Church Street in Markham Village be denied, and that owner instead consider the construction of a complementary addition; and,

Whereas the Development Services Committee requested the applicant to extend the demolition permit timeline to:

- Allow the applicant to obtain a professional report and opinion on the integrity of the existing house and the presence of mold;
- Continue to work with Heritage Section Staff to explore designs for a complementary addition;
- Provide to the Clerk copies of the original home inspection report, if available, to be distributed to the Members of Council.
- Allow Heritage Staff to report back to the Development Services Committee; and,

Whereas the applicant extended the demolition permit timeline until March 1, 2017; and,

Whereas the applicant has provided a Property Inspection Report on the condition of 27 Church Street, Markham Village; and,

- 3) That Council does not support the demolition of the existing dwelling at 27 Church Street in Markham Village and recommends that the owner restore the existing dwelling and construct a complementary addition; and further,
- 4) That Staff be authorized and directed to do all thing necessary to give effect to this resolution."

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) HERITAGE PERMIT APPLICATION
SHAKIBA DILMAGHANI AND MASSOOD MASHDI
149 JOHN STREET, THORNHILL
DRIVEWAY ENTRANCE GATE (16.11)
[Memo](#)

Moved by Councillor Amanda Collucci

Seconded by Councillor Valerie Burke

- 1) That the matter regarding a Heritage Permit Application for a driveway entrance gate at 149 John Street, Thornhill, be postponed to the April 11, 2017 Council meeting.

Carried

- (2) VACANT UNIT PROPERTY TAX REBATE PROGRAM (7.0)

Moved by Councillor Amanda Collucci

Seconded by Councillor Valerie Burke

Whereas the Province of Ontario has provided municipalities broad flexibility for 2017 and future years to tailor the vacant unit property tax rebate program to reflect community needs and circumstances, while considering the interests of local businesses; and,

Whereas municipalities can implement changes by notifying the Minister of Finance of their intent to utilize this flexibility and providing details of the proposed changes along with a Council resolution; and,

Whereas municipalities wishing to utilize the flexibility available to them must submit details of the proposed changes to the Minister along with a Council resolution by March 1, 2017, April 1, 2017 or July 1, 2017; and,

Whereas in two-tiered municipalities, any program changes to be implemented will be an upper-tier municipal decision; and,

Now therefore be it resolved:

- 1) That Markham City Council request the Regional Municipality of York ask the Minister of Finance for an extension to the Province's prescribed period to November 30, 2017 to allow for additional public input; and,

- 2) That a copy of this resolution be circulated to all municipalities within the Regional Municipality of York.

Carried

11. ANNOUNCEMENTS

There were no announcements

12. BY-LAWS

There were no by-laws.

13. CONFIDENTIAL ITEMS

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

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

Development Services Committee - February 13, 2017

- (2) LITIGATION OR POTENTIAL LITIGATION, INCLUDING MATTERS BEFORE ADMINISTRATIVE TRIBUNALS, AFFECTING THE MUNICIPALITY OR LOCAL BOARD - MINOR VARIANCE APPEAL
- 61 FAIRWAY HEIGHTS DRIVE (WARD 1) (8.0)
[Section 239 (2) (e)]

Council - March 1, 2017

- (3) PERSONAL MATTERS ABOUT AN IDENTIFIABLE INDIVIDUAL, INCLUDING MUNICIPAL OR LOCAL BOARD EMPLOYEES (BOARDS/COMMITTEES RESIGNATIONS AND APPOINTMENTS) (16.24)
[Section 239 (2) (b)]

The confidential items were approved by Council as follows:

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

Moved by Councillor Alex Chiu
Seconded by Deputy Mayor Jack Heath

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

Carried

- (2) MINOR VARIANCE APPLICATION APPEAL
EFAT BAHERI & FERYDOON DOULATSHAHI
61 FAIRWAY HEIGHTS DRIVE
A/59/16 (8.0)

Moved by Councillor Valerie Burke
Seconded by Councillor Alan Ho

- 1) That the confidential report titled “Minor Variance Application Appeal, Efata Baheri & Ferydoon Doulatshahi, 61 Fairway Heights Drive, A/59/16” 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 side yard setback, building height, eaves encroachment, and building depth, 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 approves the variances:
- a) The variances apply only to the proposed development as long as it remains;
- b) That the variances apply only to the subject development, in substantial conformity with the plan(s) submitted with the application dated March 12, 2016 (see Appendix A), to the satisfaction of the Director of Planning and Urban Design or designate;
- c) That a siting/grading plan of the property shall be submitted to the City for review and approval, and that the Secretary-Treasurer receives written confirmation that this condition has been fulfilled to the satisfaction of the Director of Engineering or designate;

- d) That through the City's review and approval of the siting/grading plan, the owner demonstrates that:
 - i. the existing drainage pattern within the property will not be altered in such a way as to cause any adverse impact on the existing drainage from the site to abutting properties; and
 - ii. there is no negative impact to any abutting property respecting surface water drainage,and that the Secretary-Treasurer receives written confirmation that this condition has been fulfilled to the satisfaction of the Director of Engineering or designate; and,
- e) Submission of a Tree Assessment and Preservation Plan, prepared by a qualified arborist in accordance with the City's Streetscape Manual (2009), as amended, to be reviewed and approved by the City, and that 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, and that any detailed siting/grading plan required as a condition of approval reflects the Tree Assessment and Preservation Plan; and,
- f) That the Tree Preservation Plan include the requirement to plant a cedar hedge a minimum of 1.8 m in length along both of the side lot lines near the rear projections, to provide for the privacy of the neighbouring residences, and that the Secretary-Treasurer receive written confirmation that this condition has been fulfilled to the satisfaction of the Director of Planning and Urban Design or designate; and,
- g) That prior to the commencement of construction or demolition, tree protection be erected around all trees on site, including street trees, to the satisfaction of the Director of Planning and Urban Design or their designate, in accordance with the City's Streetscape Manual (2009) as amended, be inspected by City Staff, and that the Secretary-Treasurer receive written confirmation that this condition has been fulfilled to the satisfaction of the Director of Planning and Urban Design or designate; and,
- h) That tree replacements and other plantings be provided and/or tree replacement fees be paid to the City if required in accordance with the Tree Assessment and Preservation Plan, and that the Secretary-Treasurer receive written confirmation that this condition has been fulfilled to the satisfaction of the Director of Planning and Urban Design or designate; and further,

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

Carried

(3) BOARDS/COMMITTEES RESIGNATIONS AND APPOINTMENTS (16.24)

Moved by Councillor Don Hamilton

Seconded by Regional Councillor Joe Li

- 1) That the resignation of Allan Lee from the Environmental Advisory Committee be received with regret for information purposes and that a letter of appreciation be forwarded by Mayor Frank Scarpitti; and,
- 2) That the resignations of Parveen Jhinga, Simin Jahedi, Stacey Sniderman, and Elizabeth Mensher from the Board of Management of the Unionville Business Improvement Area be received with regret for information purposes and that a letters of appreciation be forwarded by Mayor Frank Scarpitti; and,
- 3) That Dave Tucci be appointed to the Board of Management of the Unionville Business Improvement Area for the term ending on November 30, 2018; and further,
- 4) That the following recommendation from the February 22, 2017 Board of Management of the Unionville Business Improvement Area meeting be endorsed:

"That the three (3) other vacancies remain vacant for the term ending on November 30, 2018"

Carried

14. CONFIRMATORY BY-LAW

Moved by Councillor Alex Chiu

Seconded by Councillor Logan Kanapathi

That By-law 2017-7 be given three readings and enacted.

Three Readings

BY-LAW 2017-7 A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE COUNCIL MEETING OF MARCH 1, 2017.

[By-law](#)

Carried

15. ADJOURNMENT

Moved by Councillor Alex Chiu

Seconded by Councillor Valerie Burke

That the Council Meeting be adjourned at 7:55 PM.

Carried

Kimberley Kitteringham
City Clerk

(Signed)

Frank Scarpitti
Mayor