



Council Minutes

February 13, 2017, 7:00 PM

Council Chamber, Anthony Roman Markham Civic Centre

Meeting No. 2

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 Amanda Collucci, Councillor Logan Kanapathi, Councillor Alex Chiu.

Regrets

Councillor Colin Campbell.

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
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 7:09 PM on February 13, 2017 in the Council Chamber.
Mayor Frank Scarpitti presided.

Moved by Councillor Valerie Burke
Seconded by Councillor Alan Ho

That Council recess at 10:28 PM and reconvene at 10:38 PM.

Carried

1. DISCLOSURE OF PECUNIARY INTEREST

(1) None declared.

2. MINUTES**(1) COUNCIL MINUTES - JANUARY 30, 2017**[Minutes](#)

Moved by Councillor Alex Chiu

Seconded by Councillor Valerie Burke

- 1) That the Minutes of the Council Meeting held on January 30, 2017, be adopted.

Carried

3. PRESENTATIONS

There were no presentations.

4. DELEGATIONS**(1) DELEGATIONS**

- MOTION ENTITLED "REQUEST THE GOVERNMENT OF ONTARIO TO IMPLEMENT A FOREIGN BUYER'S TAX ACROSS THE PROVINCE OF ONTARIO SIMILAR TO THE CITY OF VANCOUVER" (13.2)

The following individuals addressed Council and spoke in support of the proposed motion entitled "Request the Government of Ontario to Implement a Foreign Buyer's Tax Across the Province of Ontario Similar to the City of Vancouver":

1. Donna Dougan
2. Heather Dougan
3. Reuben Tang
4. Geoff Pyne
5. Ricardo Mashregi
6. Alena Gotz
7. Christiane Bergauer-Free
8. Tammy Armes
9. Mayrose Gregorios
10. Elizabeth Brown

(See Motion Item No. 1 for Council decision on this matter)

5. PETITIONS

There were no petitions.

6(a) REPORT NO. 4 - GENERAL COMMITTEE (February 6, 2017)

Moved by Deputy Mayor Jack Heath

Seconded by Regional Councillor Joe Li

That Report No. 4 - General Committee comprised of 5 items be received and adopted, except Item Nos. 1, 2 and 4. (See following Item Nos. 1, 2, and 4)

(1) MUNICIPAL ELECTION CANDIDATE CONTRIBUTION REBATE PROGRAM (14.0)

[Report](#)

Moved by Deputy Mayor Jack Heath

Seconded by Regional Councillor Joe Li

- 1) That the report and presentation entitled “Municipal Election Candidate Contribution Rebate Program” be received; and,
- 2) That Markham’s Municipal Election Candidate Contribution Rebate Program be maintained with the following amendments endorsed, in principle, with:
 - a) A requirement that all campaign contributors to apply to the City of Markham for the issuance of a contribution rebate and the deadline for all contributors to apply be 90 days after the candidate’s financial filing deadline; and,
 - b) Confirmation that all contributions made to a candidate between the date on which a candidate files a nomination form and the end of the candidate’s campaign period are eligible for a contribution rebate; and,
- 3) That the remaining deficit of \$116,766 from the 2014 Municipal Election Candidate Contribution Rebate Program be funded from the Corporate Rate Stabilization Reserve; and further,

- 4) That staff be authorized and directed to do all things necessary to give effect to this resolution.
(By-law 2017-4 has been postponed)

Carried by a recorded vote (10:1)
(See following recorded vote)

YEAS: Councillor Valerie Burke, Councillor Alan Ho, Councillor Karen Rea, Regional Councillor Nirmala Armstrong, Regional Councillor Jim Jones, Mayor Frank Scarpitti, Deputy Mayor Jack Heath, Regional Councillor Joe Li, Councillor Amanda Collucci, Councillor Logan Kanapathi. (10)

NAYS: Councillor Don Hamilton. (1)

ABSENT: Councillor Colin Campbell, Councillor Alex Chiu. (2)

- (2) 2017 COUNCIL AND STANDING COMMITTEE
MEETING CALENDAR (SEPTEMBER - DECEMBER) (16.0)
[Report](#) [Calendar](#) [Approved Calendar](#)

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

- 1) That the 2017 Council and Standing Committee Meeting Calendar for September-December be adopted; and,
- 2) That the February 28, 2017 Council meeting be re-scheduled to March 1, 2017 at 7:00 PM.

Carried as amended

(3) AWARD OF RFP 239-R-16 CONTRACT
ADMINISTRATION AND CONSTRUCTION
INSPECTION SERVICES FOR WEST
THORNHILL FLOOD CONTROL
IMPLEMENTATION PROJECT
– PHASES 2B, 2C & 2D (7.12)

[Report](#) [Attachment](#)

- 1) That the report entitled “Award of RFP 239-R-16 Contract Administration and Construction Inspection Services for West Thornhill Flood Control Implementation Project – Phases 2B, 2C & 2D” be received; and,
- 2) That the contract for Proposal 239-R-16 Contract Administration and Construction Inspection Services for West Thornhill Flood Control Implementation Projects – Phases 2B, 2C & 2D be awarded to the highest ranked, lowest priced Bidder, R.V. Anderson Associates Limited, in the amount of \$955,481.64, inclusive of HST; and,
- 3) That a 10% contingency in the amount of \$95,548.16, 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 contract administration services award for Phase 2B in the amount of \$314,065.55 as outlined under the financial considerations section of this report be funded from the capital project 058-6150-17201-005 “West Thornhill Flood Control Construction - Phase 2B”, and the remaining budget of \$124,244.45 will be returned to the original funding source; and,
- 5) That Phase 2C in the amount of \$403,011.02 and Phase 2D in the amount of \$333,953.22 as outlined under the financial considerations section of this report be requested as part of the 2018 and 2019 Capital budget process, subject to Council approval; and,
- 6) That the Purchase Order for future Phases 2C & 2D be updated to reflect the actual construction time required based on the final design; and further,
- 7) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

(4) PROCEDURAL BY-LAW
AMENDMENTS (2.1)
[Material](#)

Moved by Deputy Mayor Jack Heath
Seconded by Regional Councillor Joe Li

- 1) That the attached Procedural By-law be adopted; and,
- 2) That staff be requested to review Schedules "B" and "C" attached to the Procedural By-law and report back to General Committee.
(By-law 2017-5)

Carried

Council consented to add the following as Resolution No. 2 to the proposed recommendation regarding the Procedural By-law:

- "2) That staff be requested to review Schedules "B" and "C" attached to the Procedural By-law and report back to General Committee."

(5) FOLLOW UP - LETTER REGARDING THE
PUBLIC LIBRARY OPERATING GRANT (7.6)
[Memo](#) [Letter](#)

- 1) That the memo dated December 21, 2016 from Brenda Librecz, Commissioner of Community & Fire Services be received; and,
- 2) That the letter from Alfred Kam, Chair, Markham Public Library Board be received and endorsed by Council; and,
- 3) That the Council of the Corporation of the City of Markham supports the Public Libraries' request to the Province to increase its annual grants to libraries and to allow adequate operating budget for all libraries no matter the size or location; and further,
- 4) That a copy of this resolution be forwarded to the Premier of Ontario, the Minister of Culture, Markham's local MP's, MPP's, and the Markham Library Board.

Carried

**6(B) REPORT NO. 5 - DEVELOPMENT SERVICES COMMITTEE
(February 13, 2017)**

Moved by Regional Councillor Jim Jones
Seconded by Councillor Don Hamilton

That Report No. 5 - Development Services Committee comprised of 3 items be received and adopted, except Item No. 3. (See following Item No. 3)

(1) REQUEST FOR DEMOLITION
SINGLE DETACHED DWELLING
30 B ROUGE STREET, MARKHAM VILLAGE (16.11 & 10.13)
[Report](#)

- 1) That the staff report entitled “Request for Demolition-Single Detached Dwelling, 30 B Rouge Street, Markham Village,” dated February 13, 2017, be received; and,
- 2) That Council endorse the proposed demolition of the existing single detached dwelling at 30 B Rouge Street located within 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) ELIGIBILITY OF REVEREND JENKINS HOUSE
FOR RELOCATION TO MARKHAM HERITAGE ESTATES
11022 KENNEDY ROAD (16.11)
[Report](#)

- 1) That the staff report entitled “Eligibility of Reverend Jenkins House for Relocation to Markham Heritage Estates dated February 13, 2017 ” be received; and,
- 2) That the Heritage Markham Committee recommendation of December 14, 2016 indicating that Heritage Markham does not support the relocation of the Reverend Jenkins House from its current site and the owners are requested to take immediate action to protect and stabilize the building on-site be received; and,
- 3) That as recommended by Heritage Section Staff, the Reverend Jenkins House at 11022 Kennedy Road be declared eligible for relocation to Markham Heritage Estates, due to its cultural heritage value, its threatened state, the absence of either short or long-term uses by the owner, and the length of time before development will occur in the area; and,

- 4) That the structure of the Reverend Jenkins House be partially restored and structurally stabilized in its current location so that it may be relocated to Markham Heritage Estates as an intact building; and,
- 5) That the Manager of Real Property and Heritage Section Staff investigate potential means to secure at-risk heritage buildings, including making land available for the relocation of threatened heritage buildings, and report back to Development Services Committee as soon as possible, no later than September, 2017; and further,
- 6) That staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

(3) NEW BUSINESS
MARKHAM – RICHMOND HILL BOUNDARY IN LANGSTAFF (10.0)

Moved by Regional Councillor Jim Jones
Seconded by Councillor Don Hamilton

Whereas the current boundary between the City of Markham and the Town of Richmond Hill in the Langstaff area (between Yonge Street and Bayview Avenue) corresponds to the north limit of Highway 7 as it existed on January 1, 1971; and,

Whereas Highway 7 was re-aligned further north to accommodate the Highway 407 right of way;

Now therefore be it resolved:

- 1) That City staff be directed to consult with the Town of Richmond Hill on a proposed adjustment to the boundary between the City of Markham and the Town of Richmond Hill between Yonge Street and Bayview Avenue, to correspond with the centre-line of the current location of Highway 7, north of Highway 407; and,
- 2) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

7. MOTIONS

- (1) REQUEST THE GOVERNMENT OF ONTARIO TO IMPLEMENT A FOREIGN BUYER'S TAX ACROSS THE PROVINCE OF ONTARIO SIMILAR TO THE CITY OF VANCOUVER (13.2)

Moved by Councillor Karen Rea

Seconded by Councillor Alan Ho

Whereas housing prices have seen a significant increase in the past couple of years;

Whereas residents (especially young residents) are experiencing difficulty entering the housing market due to a lack of affordable homes;

Whereas there has been an increase in foreign buyers purchasing properties and upon closing, many of these homes are unoccupied;

Whereas some buyers are not living or working in Markham and/or paying Provincial or Federal income tax;

Whereas Canada Mortgage and Housing is maintaining its “red warning” for the country’s real estate market with prices in around Vancouver and Toronto among its top concerns;

Whereas the City of Toronto has passed a motion for their City Manager and the Province to examine the possibility of the City of Toronto levying an additional land transfer tax on purchase and/or sale of homes to non-Canadian residents (i.e. foreign nationals who are not Canadian citizens or permanent residents of Canada);

Whereas the City of Vancouver has approved a 15% property charge on foreign buyers since August 2016;

Whereas the implementation of a foreign buyer’s tax across the Province would help to cool an overinflated market and ensure that one problem is not just redirected to another area;

Now therefore be it hereby resolved:

- 1) That the City of Markham Council request the Government of Ontario to implement a foreign buyers tax across the Province of Ontario similar to the City of Vancouver; and,

- 2) That a copy of this motion be sent to the Honourable Kathleen Wynne, Premier of Ontario, the Honourable Bill Mauro, Minister of Municipal Affairs and Housing; the Honourable Patrick Brown, Leader of the Progressive Conservative Party; the Honourable Andrea Horwath, Leader of the New Democratic Party; and all MPP's in the Province of Ontario; and,
- 3) That a copy of this Motion be sent to all Ontario Municipalities for their consideration; and further,
- 4) That a copy be sent to the Association of Municipalities of Ontario (AMO) and Federation of Canadian Municipalities (FCM).

Motion lost by a recorded vote (8:4)

(See following recorded vote)

(See following to consider the matter)

Note: The notice of this motion was given to Council on January 30, 2017.

NAYS: Councillor Don Hamilton, Regional Councillor Nirmala Armstrong, Regional Councillor Jim Jones, Mayor Frank Scarpitti, Deputy Mayor Jack Heath, Regional Councillor Joe Li, Councillor Amanda Collucci, Councillor Alex Chiu. (8)

YEAS: Councillor Valerie Burke, Councillor Alan Ho, Councillor Karen Rea, Councillor Logan Kanapathi. (4)

ABSENT: Councillor Colin Campbell (1)

Moved by Councillor Karen Rea
Seconded by Councillor Alan Ho

That Council consider the proposed motion entitled "Request the Government of Ontario to Implement a Foreign Buyer's Tax Across the Province of Ontario Similar to the City of Vancouver" immediately following the delegations with respect thereto.

Carried

(2) FOOD WASTE REDUCTION (5.0)

Moved by Councillor Alan Ho

Seconded by Councillor Valerie Burke

Whereas it is estimated that one in eight Canadians struggle to put food on the table, and more than 850,000 Canadians turn to food banks every month - One-third of them children (Food Banks Canada - Hunger Count Report, 2015); and,

Whereas about 170,000 tonnes of edible food - equivalent to about 300 million meals - end up in Canadian landfills every year (National Zero Waste Council, Fall 2015); and,

Whereas the reported cost of Canada's annual food waste is approximately \$31 billion (VMC International, 2014); and,

Whereas the City of Markham has already committed to addressing food security for its residents with the Greenprint, Markham's Community Sustainability Plan's Food Security Priority and subsequently by adopting the Markham Food Charter. Both of which focus on increasing community and local food production opportunities and supporting education and engagement including food waste issues through the Markham Homegrown Program – Workshops, Community and Allotment Gardens, and increasing the viability of local commercial food growing and processing; and,

Whereas the City of Markham has committed to expanding the zero waste program in the City's facilities and in the community;

Now therefore be it hereby resolved:

- 1) That Council recognize local organizations that have already made a demonstrable effort to reduce food waste and promote local food security in the City of Markham; and,
- 2) That Council work with the Sustainability and Asset Management Department and Environmental Services under their Waste Management group and other partners such as York Region and local non profit organizations to promote programming/education outreach to achieve two key outcomes:
 - 1) increase food waste awareness through a comprehensive public education program aimed at Members of Markham Council and City Staff, members of the public, and local businesses; and,
 - 2) an expansion of the City of Markham's food waste diversion initiatives; and,

- 3) That Council support the National Zero Waste Council's proposed federal tax incentive for nutritious food donations and urge the Government of Canada to implement tax incentives for local businesses to donate nutritious food to charitable organizations, thereby reducing unnecessary food waste, decreasing disposal costs, reducing the environmental impact of food waste, and addressing the issue of hunger and poverty in our communities; and further,
- 4) That a copy of this resolution be forwarded to the Federation of Canadian Municipalities (FCM), requesting that FCM urge the Government of Canada to implement tax incentives for food producers, suppliers, and retailers to donate unsold edible food.

Carried by a recorded vote (12:0)
(See following recorded vote)

Note: The notice of this motion was given to Council on January 30, 2017.

Council consented to add the following as Paragraph No. 5 to the proposed motion entitled "Food Waste Reduction":

"Whereas the City of Markham has committed to expanding the zero waste program in the City's facilities and in the community;"

YEAS: Councillor Valerie Burke, Councillor Alan Ho, Councillor Don Hamilton, Councillor Karen Rea, Regional Councillor Nirmala Armstrong, Regional Councillor Jim Jones, Mayor Frank Scarpitti, Deputy Mayor Jack Heath, Regional Councillor Joe Li, Councillor Amanda Collucci, Councillor Logan Kanapathi, Councillor Alex Chiu. (12)

ABSENT: Councillor Colin Campbell. (1)

8. NOTICES OF MOTIONS

There were no notices of motions.

9. 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

4-2017 LIQUOR LICENCE APPLICATION FOR LION PAVILION HOT POT, 8380 KENNEDY ROAD, SUITE C 7, 9, 11 AND 13 (WARD 3) (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 not previously licenced).

Carried

5-2017 LIQUOR LICENCE APPLICATION FOR QJD PEKING DUCK (MARKHAM) RESTAURANT LTD., 7095 WOODBINE AVENUE (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

6-2017 COMMUNICATIONS REGARDING THE MOTION ENTITLED "REQUEST THE GOVERNMENT OF ONTARIO TO IMPLEMENT A FOREIGN BUYER'S TAX ACROSS THE PROVINCE OF ONTARIO SIMILAR TO THE CITY OF VANCOUVER" (13.2)

(Motion Item No. 1)

[Communications](#) [Addendum Communications](#)

Communications providing comments regarding the motion entitled "Request the Government of Ontario to implement a foreign buyer's tax across the Province of Ontario similar to the City of Vancouver" received as follows:

1. Rebecca Wu
2. Moshe Dobner
3. Richard Sung
4. Dan Johnstone
5. Mike Gannon
6. Steve Lusk
7. John Stoneman
8. Margaret and Ray Cowan
9. Evelyn Johnston

-
10. Don Hobson
 11. Marg Ferguson
 12. Simon Jay
 13. Tom and Sharon Little
 14. D. Chen
 15. Phil
 16. Frank and Michelle Perry
 17. Susan Keeble
 18. David Atherton
 19. Sheryl Wright
 20. Brian Cloke
 21. Yue Zhang
 22. Donald Symonds
 23. Ina-Marie Dobner
 24. Debra Thomson
 25. Darlene Marcellus
 26. Todd Patterson
 27. Jim Walker
 28. Mike Winer
 29. Yu Fu
 30. Anne and Bruce Grubbe
 31. Martin Wallace
 32. Paul J. Larocque
 33. Debbie Reynolds
 34. Kamal Lee
 35. Barbara and George Trendos
 36. Victoria Tomev
 37. Shao Sun
 38. Sandra Moriarty
 39. Ian Vaudry
 40. Jan Hughes
 41. Catherine and Peter Steele
 42. Stephen Saunders
 43. David Allison
 44. Sturt Young
 45. P. Crisologo
 46. Roger Correia
 47. Angie Karas
 48. Beth & Gunter Langhorst
 49. Al Eppich
 50. Jackie Sheridan
 51. Patrick Young
 52. Linda G.
 53. Ed Bulgin
 54. Alacoe MacTavish
 55. Tom Ka Leung Chan
 56. David Sweeney
 57. John Campbell

58. Piat Allison
59. Jun Liu
60. Siobhan Covington, President, Old Markham Village Ratepayers Association.
61. Comments received through Councillor Karen Rea's website
62. Tom Ioannidis
63. Hans Boehnke
64. Debbie and Bill Burton
65. Michael Hayes
66. Lee Anne Kuyt
67. Paul Cicchini Jr.
68. Elisabeth and Anthony Tan
69. Brenda Swenor
70. Flora Li
71. Steven Allman
72. Elenora Pecchia
73. Larry Cerqua, President, Toronto Real Estate Board and Ray Ferris, President, Ontario Real Estate Association
74. Christiane Bergauer-Free and Ian Free
75. Kevin Li
76. Elizabeth Brown
77. Luyan (Ryan) Yan
78. Paul Dean

Carried

- 7-2017 LIQUOR LICENCE APPLICATION FOR T AND B CHINESE CUISINE INC.,
3989 HIGHWAY 7 EAST (WARD 3) (3.21)

[Info](#)

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

(New premises and application of a new liquor licence for indoor areas).

Carried

- 8-2017 COMMUNICATION REGARDING THE MOTION ENTITLED
"PROCEDURAL BY-LAW AMENDMENTS" (2.1)
(Item No. 4, Report No. 4)

[Communication](#)

Communication received from Jobert Sevileno, providing comments regarding the motion entitled "Procedural By-Law Amendments".

Carried

10. PROCLAMATIONS

(1) PROCLAMATION AND FLAG REQUESTS (3.4)

Moved by Regional Councillor Nirmala Armstrong

Seconded by Councillor Logan Kanapathi

- 1) That the following proclamations, issued by the City Clerk in accordance with the City of Markham Proclamation Policy, be received for information purposes:
 - Canada Flag Day (February 15, 2017)
 - Pakistan National Day (March 23, 2017); and,
- 2) That the following new request for proclamation be approved and added to the Five-Year Proclamations List approved by Council:
 - International Women's Day (March 8, 2017)
- 3) 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 for Canada Flag Day (February 15, 2017)
 - Flag for Pakistan National Day (March 23, 2017).

Carried

11. NEW/OTHER BUSINESS

There was no new/other business.

12. BY-LAWS

Moved by Councillor Alex Chiu

Seconded by Councillor Logan Kanapathi

That By-law 2017-4 be postponed; and,

That By-law 2017-5 be given three readings and enacted.

Three Readings

BY-LAW 2017-4 A BY-LAW TO AUTHORIZE THE PAYMENT OF REBATES TO ELIGIBLE INDIVIDUALS WHO MAKE CONTRIBUTIONS TO CANDIDATES FOR AN OFFICE ON THE CITY OF MARKHAM MUNICIPAL COUNCIL
(Clause 1, Report No. 4)

Postponed

BY-LAW 2017-5 A BY-LAW TO GOVERN THE PROCEEDINGS OF COUNCIL AND COMMITTEES OF COUNCIL
(Clause 4, Report No. 4) (Repeals By-law 2001-1)
By-law

Carried

13. IN-CAMERA ITEMS

Council consented to add a confidential matter regarding an advice that is subject to solicitor-client privilege, including communications necessary for that purpose (Ward 1) as In-Camera Item No. 5.

Moved by Councillor Don Hamilton

Seconded by Councillor Karen Rea

That, in accordance with Section 239 (2) of the Municipal Act, Council resolve into an in-camera session to discuss the following matters (11:07 PM):

- (1) MINUTES OF IN-CAMERA COUNCIL MEETING
-JANUARY 30, 2017 (16.0)
[Section 239 (2) (b) (c) (e)]

General Committee - February 6, 2017

- (2) ANIMAL CARE COMMITTEE IN-CAMERA MINUTES - DECEMBER 14, 2016 (16.0)
[Section 239 (2) (b)]
- (3) A PROPOSED OR PENDING ACQUISITION OR DISPOSITION OF LAND BY THE MUNICIPALITY OR LOCAL BOARD - MARKHAM VILLAGE "TOWN SQUARE" CONCEPT (WARD 4) (10.0)
[Section 239 (2) (c)]

Development Services Committee - February 13, 2017

- (4) LITIGATION OR POTENTIAL LITIGATION, INCLUDING MATTERS BEFORE ADMINISTRATIVE TRIBUNALS, AFFECTING THE MUNICIPALITY OR LOCAL BOARD - CF/OT BUTTONVILLE PROPERTIES (WARD 2) (8.0)
[Section 239 (2) (e)]

Council - February 13, 2017

- (5) ADVICE THAT IS SUBJECT TO SOLICITOR-CLIENT PRIVILEGE, INCLUDING COMMUNICATIONS NECESSARY FOR THAT PURPOSE (WARD 1) (10.0)
[Section 239 (2) (f)]

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

That Council rise from the in-camera session. (11:50 PM)

Carried

The in-camera items were approved by Council as follows:

- (1) MINUTES OF IN-CAMERA COUNCIL MEETING
- JANUARY 30, 2017 (16.0)

Moved by Councillor Amanda Collucci
Seconded by Councillor Logan Kanapathi

- 1) That the Council In-camera Minutes dated January 30, 2017 be confirmed.

Carried

- (2) ANIMAL CARE COMMITTEE IN-CAMERA MINUTES
- DECEMBER 14, 2016 (16.0)

Moved by Councillor Valerie Burke

Seconded by Councillor Alan Ho

- 1) That the Animal Care Committee in-camera minutes dated December 14, 2016 be received for information purposes; and,
- 2) That the following recommendation from the December 14, 2016 Animal Care Committee meeting be endorsed:

"That Council remove Pushprup Brar from the Animal Care Committee."

Carried

- (3) A PROPOSED OR PENDING ACQUISITION OR DISPOSITION OF LAND BY THE MUNICIPALITY OR LOCAL BOARD - MARKHAM VILLAGE "TOWN SQUARE" CONCEPT (WARD 4) (10.0)

Moved by Councillor Karen Rea

Seconded by Regional Councillor Nirmala Armstrong

- 1) That the confidential staff presentation on the Markham Village Town Square Concept dated January 23, 2017, be received; and,
- 2) That staff be authorized to proceed as directed by Council on February 13, 2017.

Carried

- (4) LEGAL ADVICE REGARDING AN APPEAL BY
CF/OT BUTTONVILLE PROPERTIES LP
OF AN APPLICATION FOR OFFICIAL PLAN AMENDMENT
& NEW SECONDARY PLAN FOR BUTTONVILLE AIRPORT LANDS
2833 16TH AVENUE, MARKHAM, FILE OP 11 115381 (8.0)

Moved by Regional Councillor Jim Jones

Seconded by Deputy Mayor Jack Heath

- 1) That the confidential report titled "Legal Advice Regarding an Appeal by CF/OT Buttonville Properties LP of an Application for Official Plan Amendment & New Secondary Plan for Buttonville Airport Lands, 2833 16th Avenue, Markham, File OP 11 115381," be received; and,

- 2) That the City Solicitor or her designate be directed to attend the OMB hearing to support the settlement of the appeal by CF/OT Buttonville Properties LP, including the approval of an amendment to the 1987 Official Plan, and a draft Secondary Plan for the Buttonville West Planning District, conditional on Minutes of Settlement being executed by the Appellant, the Region of York, and the City; and further,
- 3) That staff be authorized to proceed as directed by Council on February 13, 2017.

Carried

- (5) ADVICE THAT IS SUBJECT TO SOLICITOR-CLIENT PRIVILEGE, INCLUDING COMMUNICATIONS NECESSARY FOR THAT PURPOSE (WARD 1) (10.0)

Council consented to not report out on this matter.

14. CONFIRMATORY BY-LAW

Moved by Councillor Logan Kanapathi
Seconded by Councillor Karen Rea

That By-law 2017-6 be given three readings and enacted.

Three Readings

BY-LAW 2017-6 A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE COUNCIL MEETING OF FEBRUARY 13, 2017.

Carried

15. ADJOURNMENT

Moved by Councillor Logan Kanapathi
Seconded by Councillor Valerie Burke

That the Council Meeting be adjourned at 11:52 PM.

Carried

Kimberley Kitteringham
City Clerk

Frank Scarpitti
Mayor

(Signed)