



Council Minutes

September 27, 2016, 7:00 PM

Council Chamber, Anthony Roman Markham Civic Centre

Meeting No. 14

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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
Biju Karumanchery, Director of Planning and Urban Design
Trinela Cane, Commissioner of Corporate Services
Brenda Librecz, Commissioner of Community and Fire Services
Raj Raman, Mayor's Chief of Staff
Dennis Flaherty, Director of Communications and Community Relations
Kimberley Kitteringham, City Clerk
Martha Pettit, Deputy City Clerk
John Wong, Technology Support Specialist

The meeting of Council convened at 7:07 PM on September 27, 2016 in the Council Chamber.
Mayor Frank Scarpitti presided.

1. DISCLOSURE OF PECUNIARY INTEREST

(1) None declared.

2. MINUTES**(1) COUNCIL MINUTES - SEPTEMBER 13, 2016**[Minutes](#)

Moved by Councillor Alex Chiu

Seconded by Councillor Valerie Burke

- 1) That the Minutes of the Council Meeting held on September 13, 2016, be adopted.

Carried

3. PRESENTATIONS

There were no presentations.

4. DELEGATIONS**(1) DELEGATIONS - P.A.R.C.E.L. INC., 28 LANGSTAFF RD (10.5)**

The following individuals addressed Council regarding the application to permit a medical office and pharmacy on a temporary basis at 28 Langstaff Road East:

1. Roger Altobelli, Geofocus Construction Group, on behalf of P.A.R.C.E.L Inc., spoke in support of the application.
2. Sam Balsamo, Condor Properties, spoke in opposition to the application.
3. Esmaeil Taeb, P.A.R.C.E.L Inc., spoke in support of the application.
4. Dr. Bijan Pardis, Director, P.A.R.C.E.L Inc., spoke in support of the application.
(See Item No. 1, Report No. 32 for Council's decision on this matter)

**(2) DELEGATION REGARDING RECOMMENDATION
FROM THE AUGUST 23, 2016
LICENSING COMMITTEE HEARING
(125 TILMAN CIRCLE) (2.0)**

Jacquie Cushing Dill addressed Council and spoke in support of the removal of a honeylocust tree at 125 Tilman Circle.

(See New/Other Business Item No. 3 for Council's decision on this matter)

5. PETITIONS

There were no petitions.

6(A) REPORT NO. 32 - DEVELOPMENT SERVICES COMMITTEE (September 19, 2016)

Moved by Regional Councillor Jim Jones

Seconded by Councillor Don Hamilton

That Report No. 32 - Development Services Committee comprised of 1 item be received and adopted.

- (1) RECOMMENDATION REPORT, P.A.R.C.E.L. INC.,
ZONING BY-LAW AMENDMENT APPLICATION
TO PERMIT A MEDICAL OFFICE AND PHARMACY
ON A TEMPORARY BASIS AT 28 LANGSTAFF ROAD EAST
File No. ZA 15 156923 (10.5)
[Report](#)

Sam Balsamo, Condor Properties, owner of an abutting property, appeared before Council and advised he is in support of the report recommendation. He expressed concern that if this use were to be allowed at this location, Council would be setting a precedent and ignoring the City's established zoning policy for this area.

Council Members commended the applicant on the good work that is undertaken at the medical facility, but cited concerns with non-compliance with the zoning for the area and the numerous Building and Fire Code violations that were filed against the property. Council Members noted that the extensive work required to remedy the Code violations does not support the idea of the facility being a temporary use.

Moved by Regional Councillor Jim Jones

Seconded by Councillor Don Hamilton

- 1) That the report titled "Recommendation Report, P.A.R.C.E.L. Inc., Zoning By-law Amendment Application to permit a medical office and pharmacy on a temporary basis at 28 Langstaff Road East, File No. ZA 15 156923" dated September 19, 2016, be received; and,
- 2) That the Zoning By-law Amendment Application to permit a medical office and pharmacy on a temporary basis at 28 Langstaff Road East, File No. ZA 15 156923 be denied; and further,

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

Carried by a recorded vote (11:1)

(See following recorded vote)

YEAS: Councillor Valerie Burke, Councillor Don Hamilton, Councillor Karen Rea, Regional Councillor Nirmala Armstrong, Regional Councillor Jim Jones, Mayor Frank Scarpitti, , Regional Councillor Joe Li, Councillor Colin Campbell, Councillor Amanda Collucci, Councillor Logan Kanapathi, Councillor Alex Chiu. (11)

NAYS: Deputy Mayor Jack Heath. (1)

ABSENT: Councillor Alan Ho. (1)

**6(B) REPORT NO. 33 - DEVELOPMENT SERVICES PUBLIC MEETING
(September 20, 2016)**

Moved by Regional Councillor Jim Jones

Seconded by Councillor Don Hamilton

That Report No. 33 - Development Services Public Meeting comprised of 1 item be received and adopted.

- (1) PRELIMINARY REPORT
APPLICATION BY TINGLAI HUANG
FOR A ZONING BY-LAW AMENDMENT TO
FACILITATE THE SEVERANCE OF 15 OAKCREST AVENUE
TO CREATE ONE ADDITIONAL BUILDING LOT
FILE NO. ZA 16 168731 (10.5)

[Report](#)

- 1) That the report dated June 20, 2016 titled “PRELIMINARY REPORT, application by Tinglai Huang for a Zoning By-law Amendment to facilitate the severance of 15 Oakcrest Avenue to create one additional building lot (File No. ZA 16 168731)”, be received; and,
- 2) That the Record of the Public Meeting held on September 20, 2016, with respect to the proposed Zoning By-law Amendment to facilitate the severance of 15 Oakcrest Avenue to create one additional building lot (File No. ZA 16 168731), be received; and,

- 3) That the application by Tinglai Huang to amend the zoning by-law to facilitate severance of 15 Oakcrest Avenue to create one additional building lot (File No. ZA 16 168731), be approved; and,
- 4) That the proposed amendment to the Zoning By-law 122-72, as amended, be enacted without further notice; and further,
- 5) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

6(C) REPORT NO. 34 - GENERAL COMMITTEE (September 26, 2016)

Moved by Deputy Mayor Jack Heath

Seconded by Councillor Colin Campbell

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

- (1) APPOINTMENT OF MEMBERS TO THE MARKHAM
MAYOR'S YOUTH COUNCIL
FOR THE PERIOD OF SEPTEMBER 2, 2016 TO JUNE 30, 2017 (16.24)
[Report](#)

- 1) That the Report Appointment of Members to the Markham Mayor's Youth Council for the period of September 2, 2016 to June 30, 2017 be received; and,
- 2) That the following Appointments of Members to the Markham Mayor's Youth Council be confirmed for the term September 2, 2016 to June 30, 2017:

Name	Residential Ward	School	Grade
Jaemin Han	2	Unionville H.S	9
Julia Ip	3	Markham District H.S	10
Kaitlin Mak	4	Bur Oak H.S.	11
Megan Niu	4	Marc Garneau C.I.	10
Justin Jen	4	St. Augustine C.H.S.	11
Jessica Duncan	5	Markham District H.S.	10
Joyce Chan	5	Unionville H.S.	10
Vanessa Chan	2	Bayview S.S	11
Jeffrey Zhang	3	Bayview S.S	11
Victor Wang	6	Pierre Elliott Trudeau H.S.	9
Karthik Ganapathiraju	6	Pierre Elliott Trudeau H.S.	9
Aman Mathur	7	Markville S.S.	10
Jennifer Chen	7	Markham District H.S.	10

Nicholas Vadivelu	8	Marc Garneau C.I.	10
Leo Xu	3	Bayview S.S	11
Olivia Chan	4	Greensborough	7
Janice Xu	6	Bayview S.S	10
Vivian Liu	5	Thornhill S.S	9
Hayley Banks	4	Markham District	11
Ashley Vadivelu	8	Markville S.S	9
Ashlee Jiang	2	PACE	11
Lindsay Lee	7	Markham District	11
Jake Tyler Koszczewski	4	Markham District	10
Jessica Li	6	Bayview S.S	11
Benny Lam	5	Bur Oak High School	11

; and further,

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

Carried

(2) MINUTES OF THE AUGUST 10, 2016
ENVIRONMENTAL ISSUE COMMITTEE (16.0)

[Minutes](#) [TreesForTomorrow](#) [MESF](#)

- 1) That the minutes of the August 10, 2016 Environmental Issues Committee meeting be received for information purposes; and,
- 2) That the following recommendations regarding “Markham Trees for Tomorrow Funding” adopted at the August 10, 2016 Environmental Issues Committee be endorsed:
 - "1. That the report entitled "Markham Trees for Tomorrow Fund: Funding Report 2016," be received; and,
 2. That the funding application for 10,000 Trees for the Rouge in the amount of \$19,000, for their 27th Annual Wildlife Habitat Restoration Project in the Southeast section of Milne Park be approved; and,
 3. That the funding application for Friends of the Rouge Watershed in the amount of \$19,500 to support their 2016 Restoration Project proposal to restore more than 2 hectares of new forest cover by planting 3,500 trees and 1,000 shrubs at 3 sites in the Rouge Watershed be approved; and,
 4. That the funding application for Evergreen in the amount of \$24,000, for their Watershed Champions: Community Greening Initiative, be approved; and,

5. That the funding application for LEAF (Local Enhancement and Appreciation of Forests) in the amount of \$16,700 to support LEAF's Backyard Tree Planting Program be approved; and,
 6. That the total amount of \$79,200 be funded from the 2016 Markham Trees for Tomorrow Capital Project account #700-101-5399-16171; and further,
 7. That staff be authorized and directed to do all things necessary to give effect to this resolution"; and further,
- 3) That the following recommendations regarding "Markham Environmental Sustainability Fund (MESF) Funding" adopted at the August 10, 2016 Environmental Issues Committee be endorsed:
- "1. That the report entitled "Markham Environmental Sustainability Fund (MESF), Funding Application Spring 2016," be received; and,
 2. That the funding application by Unionville Public School for an Outdoor Classroom initiative, for \$5,000, be approved; and,
 3. That the funding application by the Markham Sustainability Office for the Glencrest Park Revitalization project, for \$10,000, be approved; and,
 4. The funding application by Re-Play Ontario for a Sports Equipment Reuse Program, for \$10,000, be received; and,
 5. That the funding application by Canadian Urban Transit Research & Innovation Consortium (CUTRIC) for an Electric School Bus Feasibility Study, for \$10,000, not be approved due to concerns with the efficiency and effectiveness of the study, including technology concerns and lack of School Board participation; and,
 6. That the funds totalling \$15,000 be provided from the 2016 Markham Environmental Sustainability Fund (MESF), account #87 2800168; and further,
 7. That staff be authorized and directed to do all things necessary to give effect to this resolution."

Carried

(3) **MULTI-RESIDENTIAL BULK
COLLECTION SERVICES REPORT (5.1)**
[Report](#)

- 1) That the report entitled “Multi-residential Bulk Collection Services Update” be received; and,
- 2) That Staff be authorized to include multi-residential bulk collection services (including the multi-residential collection system enhancements outlined in this report) in the collection contract with Miller Waste Systems, in a form satisfactory to the Commissioner, Community & Fire Services and the City Solicitor; and,
- 3) That the Mayor and City Clerk be authorized to execute the multi-residential bulk collection services contract with Miller Waste Systems, in a form satisfactory to the Commissioner, Community & Fire Services and the City Solicitor; and,
- 4) That the Diversion Sub Committee develop a multi-residential diversion program including expanded on site diversion opportunities for textiles, electronics and household goods; and further,
- 5) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

7. MOTIONS

There were no motions.

8. NOTICES OF MOTIONS

There were no notices of motions.

9. COMMUNICATIONS

There were no communications.

10. PROCLAMATIONS

(1) PROCLAMATION AND FLAG RAISING REQUESTS (3.4)

[Info](#)

Moved by Councillor Alex Chiu

Seconded by Councillor Valerie Burke

- 1) That the following proclamations, issued by the City Clerk in accordance with the City of Markham Proclamation Policy, be received for information purposes:
 - Prostate Cancer Month (September 2016)
 - German Pioneers Day (October 11, 2016; and,
- 2) That the following new request for proclamation, issued by the City Clerk in accordance with the City of Markham Proclamation Policy, be received and added to the Five-Year Proclamations List approved by Council:
 - Markham Group of Artists Month (October 2016); and further,
- 3) That the following request for flag to be raised at the Anthony Roman Markham Civic Centre flagpole, approved by the City Clerk in accordance with the City of Markham Community Flag Raisings & Flag Protocol Policy, be received for information purposes:
 - German Pioneers Day (October 11, 2016).

Carried

11. NEW/OTHER BUSINESS

- (1) RECOMMENDATION FROM THE AUGUST 18, 2016
LICENSING COMMITTEE HEARING
(6007 16TH AVENUE) (2.0)

Moved by Deputy Mayor Jack Heath
Seconded by Councillor Don Hamilton

- 1) That the following recommendation of the Licensing Committee from the Hearing held on August 18, 2016 be approved and adopted:
 - "1. That the application to remove a Norway spruce tree at 6007 16th Avenue, Markham, be denied; and,
 2. That City Operations Staff be requested to advise the applicant on proper trimming and lightening of the branches for the Norway spruce tree."

Deferred
(See following to defer)

Moved by Deputy Mayor Jack Heath
Seconded by Councillor Don Hamilton

That the recommendation of the Licensing Committee from the Hearing held on August 18, 2016 regarding the removal a Norway spruce tree at 6007 16th Avenue be deferred.

Carried

- (2) RECOMMENDATION FROM THE AUGUST 22, 2016
LICENSING COMMITTEE HEARING
(12 SHIELDMARK CRESCENT) (2.0)

Moved by Deputy Mayor Jack Heath
Seconded by Councillor Don Hamilton

- 1) That the following recommendation of the Licensing Committee from the Hearing held on August 22, 2016 approved and adopted:
 - "1. That the application to remove a katsura tree at 12 Shieldmark Crescent, Markham, be approved, with the following condition:
 - a) That the applicants provide for one replacement tree at the subject property in a size and native species deemed appropriate by staff, by 2017, or provide a cash-in-lieu payment of \$300.00 per tree; and,

2. That the recommendations are based on the unique characteristics of this case only and are neither intended to be precedent setting nor to be used as a basis for future cases."

Deferred

(See following to defer)

Moved by Deputy Mayor Jack Heath
Seconded by Councillor Don Hamilton

That the recommendation of the Licensing Committee from the Hearing held on August 22, 2016 regarding the removal a katsura tree at 12 Shieldmark Crescent be deferred.

Carried

(3) RECOMMENDATION FROM THE AUGUST 23, 2016
LICENSING COMMITTEE HEARING
(125 TILMAN CIRCLE) (2.0)

Moved by Councillor Don Hamilton
Seconded by Councillor Logan Kanapathi

- 1) That the following recommendation of the Licensing Committee from the Hearing held on August 23, 2016 be approved and adopted:
 - "1. That the application to remove a honeylocust tree at 125 Tilman Circle, Markham, be denied."

Deferred

(See following to defer)

(See following to consider the matter)

Moved by Councillor Don Hamilton
Seconded by Councillor Logan Kanapathi

That the recommendation of the Licensing Committee from the Hearing held on August 23, 2016 regarding the removal a honeylocust tree at 125 Tilman Circle be deferred until the home owner provides the City of Markham with an opinion from an independent certified arborist as to the need for the removal of the tree for safety reasons; and,

That in the event the removal of the tree is necessary for safety reasons, staff provide an outline to Council regarding the potential costs and tree types associated with the replanting of new trees.

Carried

Moved by Councillor Karen Rea
Seconded by Councillor Don Hamilton

That Council consider the recommendation of the Licensing Committee from the Hearing held on August 23, 2016 regarding the removal a honeylocust tree at 125 Tilman Circle immediately following the delegation with respect thereto.

Carried

12. BY-LAWS

Moved by Councillor Amanda Collucci
Seconded by Councillor Karen Rea

That By-laws 2016-101 to 2016-104 be given three readings and enacted.

Three Readings

BY-LAW 2016-101 A BY-LAW TO CLOSE A PORTION OF CORNELL ROUGE BOULEVARD
(Part of Lots 13 and 14, Concession 9, more particularly described as Block 99, Plan 65M-4093 and Part of Block 173 on Plan 65M-4014, described as Part 1, Plan 65R-36403, are hereby stopped up and closed)
[By-law](#)

Carried

BY-LAW 2016-102 ROAD DEDICATION BY-LAW (DELRAY DRIVE AND FIMCO CRESCENT)
A by-law to dedicate certain lands as part of the highways of the City of Markham (Part of Lot 20, Concession 8, Block 53, Plan 65M-4333 - Delray Drive)
[By-law](#)

Carried

BY-LAW 2016-103 GENNARO BRUNO, 22 AND 24 RIVER BEND ROAD, ZONING BY-LAW AMENDMENT
A by-law to amend By-law 122-72, as amended, to facilitate a severance to create two additional building lots, the demolition of the two existing dwellings and the construction of four new two-storey dwellings, one on each lot.
(Item No. 1, Report No. 27 - June 28, 2016 Council Meeting)
[By-law](#)

Carried

BY-LAW 2016-104 ROAD DEDICATION BY-LAW (WILLIAM FORSTER ROAD)

A by-law to dedicate certain lands as part of the highways of the City of Markham (Part of Lots 12 and 13, Concession 9, designated as Part 12, Plan 65R-34812 -William Forster Road)

[By-law](#)

Carried

13. IN-CAMERA ITEMS

Council consented to not resolve into in-camera session to discuss the following matters:

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

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

- (1) RESIGNATIONS TO
BOARDS/COMMITTEES (16.24)

Moved by Deputy Mayor Jack Heath
Seconded by Councillor Alex Chiu

- 1) That the resignation of Amol Rao 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 resignation of Brendan Faulkner from the Advisory Committee on Accessibility be received with regret for information purposes and that a letter of appreciation be forwarded by Mayor Frank Scarpitti; and,
- 3) That the resignation of Claire Chester from the Markham Public Library Board be received with regret for information purposes and that a letter of appreciation be forwarded by Mayor Frank Scarpitti; and further,

- 4) That the resignation of Ivan Cheung from the Public Realm Advisory Committee be received with regret for information purposes and that a letter of appreciation be forwarded by Mayor Frank Scarpitti.

Carried

- (2) REPORTING OUT OF REAL PROPERTY
ACQUISITION - 11106 WARDEN AVENUE (8.6)
[Report](#)

Moved by Deputy Mayor Jack Heath
Seconded by Councillor Alex Chiu

- 1) That the report entitled “Reporting Out Of Real Property Acquisitions – 11106 Warden Avenue” be received; and,
- 2) That that Staff be authorized and directed to take the actions set out in this report.

Carried

14. CONFIRMATORY BY-LAW

Moved by Councillor Logan Kanapathi
Seconded by Regional Councillor Joe Li

That By-law 2016-105 be given three readings and enacted.

Three Readings

BY-LAW 2016-105 A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE COUNCIL
MEETING OF SEPTEMBER 27, 2016.
[By-law](#)

Carried

15. ADJOURNMENT

Moved by Councillor Alex Chiu

Seconded by Regional Councillor Nirmala Armstrong

That the Council Meeting be adjourned at 9:23 PM.

Carried

Kimberley Kitteringham
City Clerk

Frank Scarpitti
Mayor

(Signed)