



## **Council Minutes**

**May 31 and June 1, 2016, 7:00 PM**

Council Chamber, Anthony Roman Markham Civic Centre

Meeting No. 9

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**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 Don Hamilton, Councillor Karen Rea, Councillor Colin Campbell, Councillor Amanda Collucci, Councillor Logan Kanapathi, Councillor Alex Chiu.

### **Regrets**

Councillor Alan Ho.

### **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  
Martha Pettit, Deputy City Clerk  
Alida Tari, Council/Committee Coordinator  
John Wong, Technology Support Specialist  
Hersh Tencer, Manager, Real Property

The meeting of Council convened at 7:08 PM on May 31, 2016 in the Council Chamber. Mayor Frank Scarpitti presided.

Council welcomed Grade 6 student Natalie Conrad to the meeting.

At 11:43 PM on May 31, 2016, Council passed a motion to waive Section 3.28 of Procedural By-law 2001-1 allowing the meeting to continue further than 12:01 a.m. on June 1, 2016. The motion moved by Councillor Valerie Burke and Councillor Alex Chiu was carried by a two-thirds vote of the Members present.

**1. DISCLOSURE OF PECUNIARY INTEREST**

- (1) None declared.

**2. MINUTES**

- (1) COUNCIL MINUTES – MAY 17 AND 18, 2016  
[Minutes](#)

Moved by Councillor Alex Chiu

Seconded by Deputy Mayor Jack Heath

- 1) That the Minutes of the Council Meeting held on May 17 and 18, 2016, be adopted.

**Carried**

**3. PRESENTATIONS**

There were no presentations.

**4. DELEGATIONS**

- (1) DELEGATION  
- SCARDRED 7 COMPANY LIMITED – 2124123 ONTARIO LIMITED  
3940 HIGHWAY 7 (NORTH SIDE, WEST OF VILLAGE PARKWAY)  
APPLICATIONS FOR OFFICIAL PLAN AND ZONING BY-LAW  
AMENDMENTS TO PERMIT A TOWNHOUSE DEVELOPMENT  
FILE NOS.: OP/ZA 15 128977 (10.3, 10.5)

Moved by Councillor Alex Chiu

Seconded by Councillor Don Hamilton

That the delegation by Jeffrey Streisfield, Land Lawyer & Land Development Manager, Land Law, representing the applicant, in support of the application submitted by Scardred 7 Company Limited – 2124123 Ontario Limited, 3940 Highway 7, be received.  
(See Item No. 1, Report No. 20 for Council's decision on this matter)

**Carried**

- (2) DELEGATIONs  
- REQUEST TO DEMOLISH  
SINGLE DETACHED DWELLING  
DEMOLITION PERMIT DP 16 115753  
38 JOHN STREET  
THORNHILL HERITAGE CONSERVATION DISTRICT (16.11)

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

That the following delegations regarding the item titled “Request to Demolish Single Detached Dwelling, Demolition Permit DP 16 115753, 38 John Street, Thornhill Heritage Conservation District” be received:

1. Moe Zaker, in support of the demolition permit application.
  2. Ken Webster, in opposition to the demolition permit application.
  3. Marion Matthias, in opposition to the demolition permit application.
  4. Tony Farr, in opposition to the demolition permit application.
- (See Item No. 2, Report No. 20 for Council’s decision on this matter)

- (3) DELEGATIONS  
- NINTH LINE TRUCK RESTRICTION (5.10)

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

That the following delegations regarding the item titled “Ninth Line Truck Restriction” be received:

1. Norm Pemberton, on behalf of Sherwood Amberglen Ratepayers Association, in support of the truck restriction on Ninth Line.
  2. Dan McGarry, in support of the truck restriction on Ninth Line.
- (See Item No. 6, Report No. 20 for Council’s decision on this matter)

**Carried**

## **5. PETITIONS**

There were no petitions.

**6(A) REPORT NO. 20 - DEVELOPMENT SERVICES COMMITTEE (May 24, 2016)**

Moved by Councillor Don Hamilton

Seconded by Regional Councillor Nirmala Armstrong

That Report No. 20 – Development Services Committee comprised of 6 items be received and adopted, except Item Nos. 1, 2 and 6. (See following Item Nos. 1, 2 and 6)

- (1) RECOMMENDATION REPORT  
SCARDRED 7 COMPANY LIMITED – 2124123 ONTARIO LIMITED  
3940 HIGHWAY 7 (NORTH SIDE, WEST OF VILLAGE PARKWAY)  
APPLICATIONS FOR OFFICIAL PLAN AND ZONING BY-LAW  
AMENDMENTS TO PERMIT A TOWNHOUSE DEVELOPMENT  
FILE NOS.: OP/ZA 15 128977 (10.3, 10.5)  
[Applicant Presentation](#) [Report](#) [Communications](#)

Moved by Councillor Don Hamilton

Seconded by Regional Councillor Jim Jones

- 1) That the presentation by Jeffrey Streisfield, representing the applicant, 2124123 Ontario Limited, regarding Scardred 7 Company Limited / 2124123 Ontario Limited, 3940 Highway 7, be received; and,
- 2) That the deputation by David McBeth regarding Scardred 7 Company Limited / 2124123 Ontario Limited, 3940 Highway 7, be received; and,
- 3) That the written submission from Ken Wrightman, regarding Scardred 7 Company Limited / 2124123 Ontario Limited, 3940 Highway 7, be received; and,
- 4) That the staff report dated May 24, 2016, titled “RECOMMENDATION REPORT, Scardred 7 Company Limited, 3940 Highway 7 (north side, west of Village Parkway), Applications for Official Plan and zoning by-law amendments to permit a townhouse development,” be received; and,
- 5) That the applications be approved; and further,
- 6) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**Carried by a recorded vote (7:5)**  
(See following to consider the matter)

YEAS: Councillor Don Hamilton, Regional Councillor Nirmala Armstrong, Regional Councillor Jim Jones, Mayor Frank Scarpitti, Regional Councillor Joe Li, Councillor Colin Campbell, Councillor Alex Chiu. (7)

NAYS: Councillor Valerie Burke, Councillor Karen Rea, Deputy Mayor Jack Heath, Councillor Amanda Collucci, Councillor Logan Kanapathi. (5)

ABSENT: Councillor Alan Ho. (1)

Moved by Councillor Don Hamilton

Seconded by Regional Councillor Jim Jones

That Council consider the item regarding the application submitted by Scardred 7 Company Limited – 2124123 Ontario Limited, 3940 Highway 7, immediately following the delegation with respect thereto.

Carried

- (2) REQUEST TO DEMOLISH  
SINGLE DETACHED DWELLING  
DEMOLITION PERMIT DP 16 115753  
38 JOHN STREET  
THORNHILL HERITAGE CONSERVATION DISTRICT (16.11)  
[Report](#)

Note: This matter was deferred subject to the applicant providing their written consent to defer the decision on the demolition application to the September 13, 2016 Council meeting.

Moved by Deputy Mayor Jack Heath

Seconded by Regional Councillor Jim Jones

- 1) That the written submissions from Ken Webster, Rob Armstrong, Diane Berwick, and A. Farr, regarding Demolition Permit for 38 John Street, Thornhill, be received; and,
- 2) That the depositions by Marion Matthias, Ken Webster, Barry Nelson, representing the Executive of the Society for Preservation of Historic Thornhill (SPOHT), Diane Berwick, Anthony Farr, and Olana Alcock, regarding Demolition Permit for 38 John Street, Thornhill, be received; and,

- 3) That the report entitled “Request to Demolish Single Detached Dwelling, Demolition Permit DP 16 115753, 38 John Street, Thornhill Heritage Conservation District”, dated May 24, 2016, be received; and,
- 4) That Council does not support the demolition but is prepared to consider an application that incorporates the first 20 feet of the existing dwelling as a distinct component and an addition that complies with the policies and guidelines of the Thornhill Heritage District Plan; and further,
- 5) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**Deferred by a recorded vote (9:3)**

(See following recorded vote)

(See following motion to defer)

(See following to consider the matter)

YEAS: Councillor Don Hamilton, Regional Councillor Nirmala Armstrong, Regional Councillor Jim Jones, Mayor Frank Scarpitti, Deputy Mayor Jack Heath, Councillor Colin Campbell, Councillor Amanda Collucci, Councillor Logan Kanapathi, Councillor Alex Chiu. (9)

NAYS: Councillor Valerie Burke, Councillor Karen Rea, Regional Councillor Joe Li. (3)

ABSENT: Councillor Alan Ho. (1)

Moved by Deputy Mayor Jack Heath

Seconded by Regional Councillor Jim Jones

That the item titled “Request to Demolish Single Detached Dwelling, Demolition Permit DP 16 115753, 38 John Street, Thornhill Heritage Conservation District” be referred back to Heritage Markham and Heritage Staff, and deferred to the September 13, 2016 Council meeting, subject to the applicant providing their written consent to defer the decision on the demolition application to the September 13, 2016 Council meeting.

Carried

Council consented to forward the decision on the demolition application to the June 28, 2016 Council meeting if a written consent from the applicant is not achieved.

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

That Council consider the item titled “Request to Demolish Single Detached Dwelling, Demolition Permit DP 16 115753, 38 John Street, Thornhill Heritage Conservation District” immediately following the delegations with respect thereto.

Carried

(3) REVISION TO THE GUIDELINES FOR THE  
IMPLEMENTATION OF SECTION 37 BENEFITS (10.0)  
[Report](#)

- 1) That the report entitled “Revision to the Guidelines for the Implementation of Section 37 Benefits” be received; and,
- 2) That the Guidelines for the Implementation of Section 37 Benefits be amended to allow for the collection of Section 37 contributions through the approval of developments under four storeys in height, for the sole purpose of funding public art; and further,
- 3) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

(4) MARKHAM CENTRE JOINT  
MOBILITY HUB STUDY (5.10)  
[Report](#)

- 1) That the May 24, 2016 Report entitled “Markham Centre Joint Mobility Hub Study” be received; and,
- 2) That the Markham Centre Joint Mobility Hub Study (Phase 1), to be led by Metrolinx, be endorsed; and,
- 3) That staff be authorized to finalize the Phase 1 Study Terms of Reference, and cost sharing with Metrolinx; and,
- 4) That the CAO and Commissioner of Development Services be authorized to enter into a Memorandum of Understanding with Metrolinx and York Region Rapid Transit Corporation/York Region for the Markham Centre Joint Mobility Hub Study Phase 1 and cost sharing; and,

- 5) That Markham's share of the Phase 1 Mobility Hub Study at \$71,232 (inclusive of HST) be finalized by the Commissioner of Development Services and funded under the Planning Capital Account # 640-101- 5699-10577 (Mobility Hub Study); and,
- 6) That the consulting assignment and purchase orders PD11314 and PD11315 for Arup Canada Inc. for the Mobility Hub Study be closed; and,
- 7) That staff be authorized to retain on a sole source basis an architect to a maximum amount of \$101,760 (inclusive of HST Impact) in accordance with the Purchasing By-Law 2004-341, Part II, Section 7 Non Competitive Procurement Item: Item (h) where it is necessary or in the best interests of the City to acquire non-standard items or Consulting and Professional Services from a preferred supplier or from a supplier who has a proven track record with the City in terms of pricing, quality and service and funded from the Planning Capital Account # 640-101- 5699-10577 (Mobility Hub Study); and,
- 8) That a \$50,880 (inclusive of HST Impact) allowance for the Transportation and Servicing analysis be provided and funded from Account # 640-101-5699-10577, as part of the Phase 1 Study; and,
- 9) That a 10% contingency be established in the amount of \$22,387.20 (inclusive of HST), to cover any additional costs related to the Joint Study, Architect Fee Allowance and Transportation & Servicing Studies, funded from Planning Capital Account #640-101-5699-10577 (Mobility Hub Study); and,
- 10) That a Staff Recovery in the amount of \$9,000 be funded from Planning Capital Account #640-101-5699-10577 (Mobility Hub Study); and,
- 11) That staff update Council throughout the study process; and further,
- 12) That staff be authorized and directed to do all things necessary to give effect to this resolution.

**Carried**

(5) WHISTLE CESSATION ON STOUFFVILLE GO LINE  
– PROGRESS UPDATE (5.12)

[Report](#)

- 1) That the May 24, 2016 report “Whistle Cessation on Stouffville Go Line – Progress Update” be received; and,
- 2) That York Region be requested to implement a 24-hour anti-whistling by-law for their 6 Regional road grade crossings on the Stouffville GO Line from Kennedy Road (South) to Major Mackenzie Drive East; and,
- 3) That York Region be requested to budget \$2.20M in their 2017 budget year for their assessed cost of crossing upgrades for anti-whistling on the Stouffville Line, and,
- 4) That Metrolinx be requested to budget \$1.94M in their 2017 budget year for their share of grade crossing upgrades on the Stouffville Line; and,
- 5) That Staff provide a further progress update in Fall 2016; and further,
- 6) That Staff be authorized and directed to do all things to give effect to this resolution.

**Carried**

(6) NINTH LINE TRUCK RESTRICTION (5.10)  
[Presentation](#)

Note: This matter has been deferred for two weeks to allow staff to seek further information from York Region.

Moved by Councillor Amanda Collucci  
Seconded by Regional Councillor Jim Jones

- 1) That the written submission from Eira Keay, Norm and Dianne Pemberton, Jamie Taylor, Joanne Jackson, and Phil Diamond, regarding Ninth Line Truck Restrictions, be received; and,
- 2) That the presentation provided by Brian Titherington, Director, Roads and Traffic Operations, Region of York entitled "Ninth Line Truck Restriction" be received; and,

- 3) That the truck ban from Highway 7 and 16<sup>th</sup> Avenue be re-instated and the section of Ninth Line between Highway 7 and Highway 407 also include a truck ban; and,
- 4) That any signs that have been removed stating truck route be re-installed; and,
- 5) That any future development along Donald Cousens Parkway require that developers include a clause of caution of possible noise and heavy volume of traffic in their purchase agreements; and,
- 6) That the Markham's Regional Councillors bring this back to the region and support the truck ban on Ninth Line and re-iterate that the Donald Cousens Parkway is Markham's by-pass, and it should be used for what it was intended for.

**Deferred by a recorded vote (8:4)**

(See following recorded vote)

(See following to defer)

(See following to consider the matter)

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

NAYS: Councillor Valerie Burke, Councillor Karen Rea, Regional Councillor Nirmala Armstrong, Councillor Colin Campbell. (4)

ABSENT: Councillor Alan Ho. (1)

Moved by Councillor Amanda Collucci  
Seconded by Regional Councillor Jim Jones

That the proposed recommendation titled "Ninth Line Truck Restriction" be deferred for two weeks to allow staff to seek further information from York Region.

Carried

Motion to consider the matter:

Moved by Deputy Mayor Jack Heath  
Seconded by Councillor Karen Rea

That Council consider the item titled "Ninth Line Truck Restriction" immediately following the delegations with respect thereto.

Carried

**6(B) REPORT NO. 21 - GENERAL COMMITTEE (May 30, 2016)**

Moved by Deputy Mayor Jack Heath

Seconded by Councillor Colin Campbell

That Report No. 21 – General Committee comprised of 8 items be received and adopted, except Item No. 8. (See following Item No. 8)

(1) AUDITOR GENERAL SERVICES  
FOUR YEAR AUDIT PLAN (11.0)

[Presentation](#)

- 1) That the presentation by Mr. Geoff Rodrigues, CPA, CA, CIA, CRMA, ORP, Auditor General, City of Markham entitled “Auditor General Services Four Year Audit Plan,” be received; and,
- 2) That the four year audit plan be endorsed.

**Carried**

(2) 001-S-16 JOINT RADIO OPERATING SYSTEM (7.12)

[Report](#)

- 1) That the report entitled “001-S-16 Joint Radio Operating System” be received; and,
- 2) That the contract 001-S-16 for a joint radio operating system be awarded through the Region of York to the highest ranked, lowest priced supplier, Motorola Solutions Canada Inc. in the total amount of \$483,833.90, inclusive of HST for nine years (2016-2024);

2016 – \$26,212.66

2017 – \$54,580.52

2018 – \$54,648.21

2019 – \$65,555.18

2020 – \$65,702.78

2021 – \$55,091.37

2022 – \$55,254.29

2023 – \$55,425.46

2024 – \$51,363.42

Total - \$483,833.90; and,

- 3) That the contract for the joint radio operating system be shared among the nine Regional Municipality of York participants; and,

- 4) That a purchase order in the amount of \$483,833.90 inclusive of HST be issued to the Regional Municipality of York to cover the City's contribution to the joint radio operating system; and,
- 5) That the award be funded from Fire Department operating account 420 785 5354 York Regional Radio System; and,
- 6) That Staff be authorized to amend the purchase order amount in each year of the contract to reflect changes to the Fire Departments Operating budget accounts based on the City's proportionate share of the total equipment across the nine participants; and further,
- 7) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**Carried**

(3) REVISED DEVELOPMENT CHARGE  
CREDIT AND REIMBURSEMENT PROCESS (7.11)  
[Report](#) [Appendix A](#)

- 1) That the report entitled "Revised Development Charge Credit and Reimbursement Process" be received; and,
- 2) That the Development Charge Credit and Reimbursement Policy, as amended, in Appendix A and noted in this report, be received and adopted by Council; and,
- 3) That Council delegate authority to Development Services Committee to approve development charge credits and/or reimbursements recommended to Committee through Recommendation Reports for development applications; and further,
- 4) That staff be authorized and directed to do all things necessary to give effect to this resolution.

**Carried**

(4) 2016 UNIONVILLE BUSINESS IMPROVEMENT  
AREA AND MARKHAM VILLAGE BUSINESS  
IMPROVEMENT AREA OPERATING BUDGETS (7.4)

[Report](#) [Exhibits I-IV](#)

- 1) That the report entitled “2016 Unionville Business Improvement Area and Markham Village Business Improvement Area Operating Budgets” dated May 16, 2016 be received; and,
- 2) That the 2016 Operating Budget in the amount of \$250,617 for the Unionville Business Improvement Area (UBIA) be approved; and,
- 3) That the 2016 Operating Budget in the amount of \$345,623 for the Markham Village Business Improvement Area (MBIA) be approved; and,
- 4) That the Special Tax Rate levy, in the amount of \$205,982 for the UBIA members and \$239,322 for the MBIA members be included in the 2016 Tax Levy By-law; and further,
- 5) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**Carried**

(5) AWARD OF CONTRACT 049-R-16:  
2016 SANITARY SEWER SYSTEM  
REHABILITATION AND UPGRADE PROGRAM (7.12)

[Report](#)

- 1) That the report entitled “Award of Contract 049-R-16 2016 Sanitary Sewer System Rehabilitation and Upgrade Program be received; and,
- 2) That Contract ‘A’ for Sanitary Sewer Spot Repairs, Cured in Place Pipe (“CIPP”) Lining & Manhole Repairs be awarded to the highest ranked and lowest priced bidder D.M. Robichaud Associates Ltd., in the total amount of \$196,761.51 inclusive of HST; and,
- 3) That Contract ‘B’ for Sanitary Sewer Testing and Grouting / Lateral Joint Sealing be awarded to the highest ranked and lowest priced bidder D.M. Robichaud Associates Ltd., in the total amount of \$380,034.93, inclusive of HST; and,
- 4) That a contingency in the amount of \$17,303.88 (3%), inclusive of HST , be established to cover any additional 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,

- 5) That the award in the total amount of \$594,100.32 (\$196,761.51 + \$380,034.93 + \$17,303.88) be funded from the Waterworks capital budget for Sanitary Sewer System Upgrade Program (account 053-6150-16237-005) with a current budget available of \$526,662.00; and,
- 6) That the budget shortfall in the amount of \$67,438.32 inclusive of HST be funded from the Waterworks Capital Contingency account; and further,
- 7) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**Carried**

(6) 2016 PROPERTY TAX RATES AND LEVY BY-LAW (7.3)

[Report](#)

- 1) That the report dated May 30<sup>th</sup>, 2016 entitled “2016 Tax Rates and Levy By-law” be received; and,
- 2) That a by-law to provide for the levy and collection of property taxes totalling \$639,005,036 required by the City of Markham, The Regional Municipality of York, Boards of Education and Business Improvement Areas, in a form substantially similar to Appendix A (attached), satisfactory to the City Solicitor and provides for the mailing of notices and requesting payment of taxes for the year 2016, as set out as follows, be approved:

Taxation Category	2016 Levy Amount
City of Markham	\$139,379,878
Region of York	\$280,122,691
School Boards	\$219,057,163
Markham Village BIA	\$239,322
Unionville BIA	\$205,982
Total	\$639,005,036

;and,

- 3) That staff be authorized to levy against Markham Stouffville Hospital and Seneca College the annual levy pursuant to Section 323 of the Municipal Act, 2001, as outlined in Section 9 of the attached by-law once the required information is received from the Minister of Training, Colleges and Universities; and,

- 4) That the attached by-law be passed to authorize the 2016 Tax Rates and Levy By-law; and further,
- 5) That staff be authorized and directed to do all things necessary to give effect to this resolution.  
(By-law 2016-61)

**Carried**

(7) QUALITY MANAGEMENT SYSTEM  
OPERATIONAL PLAN AND QMS  
POLICY ENDORSEMENT (5.3)

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

- 1) That the report “Quality Management System Operational Plan and QMS Policy Endorsement” be received; and,
- 2) That Council, as the Owner of the City’s drinking water system, acknowledges and endorses the revisions made to the City’s Quality Management System (QMS) Operational Plan and QMS Policy; and further,
- 3) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**Carried**

**(8) FORT MCMURRAY (7.6)**

- 1) That Council congratulate Merlyn Selvanayagam, Merlyn's Unique Caterers and Councillor Colin Campbell for their efforts in organizing the staff BBQ held on Thursday May 19, 2016 that raised \$3,666.00; and,
- 2) That the City of Markham donate \$1,500.00 to the Canadian Red Cross for the Alberta Fires relief fund to bring the total donation to over \$5,000.00, to be funded from an account approved by the Chief Administrative Officer.

**Carried**

Council consented to delete the following proposed recommendation:

“That the City of Markham donate \$1,500.00 to the Canadian Red Cross for the Alberta Fires relief fund to be funded from an account approved by the Chief Administrative Officer.”

and replace with the following recommendation:

“That Council congratulate Merlyn Selvanayagam, Merlyn's Unique Caterers and Councillor Colin Campbell for their efforts in organizing the staff BBQ held on Thursday May 19, 2016 that raised \$3,666.00; and,

That the City of Markham donate \$1,500.00 to the Canadian Red Cross for the Alberta Fires relief fund to bring the total donation to over \$5,000.00, to be funded from an account approved by the Chief Administrative Officer”

**7. MOTIONS**

There were no motions.

**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

21-2016 MEMORANDUM REGARDING THE HOLD REMOVAL BY-LAW FOR LINDVEST (CORNELL) PROPERTIES LIMITED, 6937 HIGHWAY 7 EAST (10.5)

#### [Memo](#)

Memorandum dated May 31, 2016 from the Commissioner of Development Services providing information regarding the application for Lindvest (Cornell) Properties Limited, 6937 Highway 7 East, and recommending the enactment of the proposed hold removal by-law with respect thereto.  
(By-law 2016-59)

**Carried**

22-2016 COMMUNICATIONS - NINTH LINE TRUCK RESTRICTION (5.10)  
(See Item No. 6, Report No. 20)

#### [Communication](#)

Communications providing comments regarding the item titled "Ninth Line Truck Restriction" received as follows:

1. Chelsea Clark, email dated May 21, 2016.
2. Pat Owen, email dated May 22, 2016.
3. Irene and Peter Reid, letter sent via email dated May 22, 2016.
4. Chris Dewar, email dated May 23, 2016.
5. Murray and Paulette King, email dated May 23, 2016.
6. Elyse Floyd, email dated May 23, 2016.
7. Eric Tuori, email dated May 23, 2016.
8. Kerri McIntosh, email dated May 23, 2016.
9. Keith and Simone Johnson, email dated May 23, 2016.
10. Glenda Hutton, email dated May 23, 2016.
11. Lorna Aselin, email dated May 23, 2016.
12. Mark Bozzo, email dated May 23, 2016.
13. Harry and Fiona Veening, email dated May 23, 2016.
14. Doris Kersta, email dated May 23, 2016.
15. Gord Walter, email dated May 23, 2016.
16. Susan and Peter Peel, email dated May 23, 2016.
17. Sandra Mallory, email dated May 24, 2016.
18. Suzanne Gostlin, email dated May 24, 2016.
19. Dan McGarry, email dated May 24, 2016.
20. Anne Cairns, email dated May 25, 2016.

**Carried**

23-2016 ROAD CLOSURE REQUEST – MARKHAM VILLAGE MUSIC FESTIVAL (3.5)

[Info](#)

The following roads will be closed over-night from Friday June 17, 2016, 3:00 PM to Saturday June 18, 2016 11:30 PM to facilitate the Markham Village Music Festival, subject to the conditions approved by Council on May 15, 2012 are met to the satisfaction of City of Markham Staff:

- Main Street North from north of Hwy 7 to Parkway Avenue/Bullock Drive
- Wilson Street @ Main Street Local
- Robinson Street East and West @ Main Street Markham North
- Centre Street @ Main Street Markham North
- Dublin Street @ Main Street North

**Carried**

24-2016 ROAD CLOSURE REQUEST – UNIONVILLE FESTIVAL (3.5)

[Info](#)

The following roads will be closed to facilitate the Unionville Festival during the dates and times noted:

Saturday, June 4, 2016 (8:00 AM to 6:30 PM)

- Main Street Unionville north from GO Railway Tracks to Library Lane
- No access from Main Street Unionville east onto:
  - Carlton Road
  - Victoria Avenue
  - Concession Road
- No access from Main Street Unionville west onto:
  - Fred Varley Drive
  - Carlton Road
- Main Street Unionville north from Pavillion to south of Bridle Trail – (Saturday, June 4 - Parade 8:00 AM – 11:00 AM)
- Fred Varley Drive west from Main Street Unionville to east of Fonthill Boulevard
- Fred Varley Drive west of EJ Lennox Way east of plaza driveway - will have limited access for residents
- Carlton Road from Pomander Rd to Chamberry Cres
- No access from Main Street Unionville east onto:
  - Eckardt Avenue (limited access for residents only 11:00 AM - 6:30 PM)
  - Maple Lane (limited access for residents only 11:00 AM - 6:30 PM)
  - Victoria Avenue (8:00 AM - 6:30 PM)
- No access from Main Street Unionville west onto (9:00 AM - 11:00 AM during parade only):
  - Pavilion Street
  - Euclid Street
  - Station Lane
  - Fred Varley Drive
  - Main Street Lane (west)

- No access from Main Street Unionville east onto:
  - Library Lane (No access 8:00 AM - 11:00 AM only for the parade)
  - The Bridle Trail (No access 8:00 AM - 11:00 AM only for the parade)
- No access from Main Street Unionville west onto:
  - Toogood Pond Park

Sunday, June 5, 2016 (8:00 AM – 6:30 PM)

- Main Street Unionville, from Station Lane to south of Carlton Rd
- Fred Varley Drive, Main Street Unionville to Fonthill (controlled access to residents of EJ Lennox)
- Victoria Ave (controlled access for residents)

Sunday, June 5, 2016 Funky 5K & 2K Walk (8:15 AM – 9:15 AM)

- Start at Main Street south of Carlton Rd
- Head south on Main Street to Euclid, go west on Euclid to Eureka
- South on Eureka to Pavillion, east on Pavillion to Main Street
- North on Main Street to Eckhardt Street, east on Eckhardt Street
- Go east on Eckhardt Street to Austin Drive Park
- Enter the park and run the path around the pond closer to the mall, back to Eckhardt Street and back to Main St.

Note: 2K walk will do the same route less Eckhardt and Austin Drive Park – then will return back up to Main Street after Pavillion Street.

**Carried**

## **10. PROCLAMATIONS**

### **(1) PROCLAMATION AND FLAG RAISING REQUESTS (3.4)** [Info](#)

Moved by Councillor Valerie Burke

Seconded by Councillor Logan Kanapathi

- 1) That the following proclamation, issued by the City Clerk in accordance with the City of Markham Proclamation Policy, be received for information purposes:
  - Pride Week (June 11 to 19, 2016); and,
- 2) 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:
  - Pride flag (June 12 to 19, 2016).

**Carried**

**11. NEW/OTHER BUSINESS****(1) 2016 COUNTRY MUSIC ASSOCIATION OF  
ONTARIO AWARDS (12.2.6)**

Regional Councillor Nirmala Armstrong thanked Mayor and Members of Council and staff for their support in hosting the 2016 Country Music Association of Ontario Awards at the Flato Markham Theatre.

**(2) VISUALIZING A CULTURE FOR STRANGERS:  
CHINESE EXPORT PAINTINGS FROM THE NINETEENTH CENTURY (12.2.6)**

Deputy Mayor Jack Heath advised he attended the official opening of “Visualizing a Culture for Strangers: Chinese Export Paintings from the Nineteenth Century” at the Varley Art Gallery of Markham.

**(3) CITY OF MARKHAM AND  
TOWN OF RICHMOND HILL MUNICIPAL BOUNDARY REALIGNMENT (9.2)**

Moved by Regional Councillor Jim Jones

Seconded by Deputy Mayor Jack Heath

That staff be directed to provide a report outlining the procedures involved regarding the realignment of the municipal boundary between the City of Markham and Town of Richmond Hill in the Langstaff area.

**Carried**

Carried by a 2/3 vote of Council Members present

## 12. BY-LAWS

Moved by Councillor Alex Chiu

Seconded by Councillor Karen Rea

That By-laws 2016-56 to 2016-59 and 2016-61 be given three readings and enacted.

### Three Readings

BY-LAW 2016-56 A BY-LAW TO DESIGNATE A PROPERTY AS BEING OF CULTURAL HERITAGE VALUE OR INTEREST (WILLIAM MERGEN HOUSE)

[By-law](#)

**Carried**

BY-LAW 2016-57 CABOTO MEADOWS (PHASE 2), SOUTH OF CABOTO TRAIL AND EAST OF GLENBAR GARDENS, OFFICIAL PLAN AMENDMENT (1987)

A by-law to adopt Official Plan Amendment No. 238 to the in force Official Plan (Revised 1987), as amended, to permit two single-detached dwellings, south of Caboto Trail and east of Glenbar Gardens (Item No. 1, Report No. 13 – April 19, 2016 Council Meeting)

[OPA](#)

**Carried**

BY-LAW 2016-58 CABOTO MEADOWS (PHASE 2), SOUTH OF CABOTO TRAIL AND EAST OF GLENBAR GARDENS, ZONING BY-LAW AMENDMENT

A by-law to amend By-law 304-87, as amended and By-law 177-96, as amended, to permit two single-detached dwellings, south of Caboto Trail and east of Glenbar Gardens

(Item No. 1, Report No. 13 – April 19, 2016 Council Meeting)

[By-law](#)

**Carried**

BY-LAW 2016-59 LINDVEST PROPERTIES (CORNELL) LIMITED, 6937 HIGHWAY 7 EAST, HOLD REMOVAL BY-LAW

A by-law to amend By-law 177-96, as amended by By-law 2013-124, to remove the Holding (H) provision to permit the construction of stacked townhouse dwellings, southeast corner of Highway 7 East and Stoney Stanton Drive.

(Communication No. 21-2016)

[By-law](#)

**Carried**

BY-LAW 2016-61    2016 TAX RATES AND LEVY BY-LAW  
(Item No. 6, Report No. 21)  
[By-law](#)

**Carried**

### **13.    IN-CAMERA ITEMS**

Moved by Councillor Colin Campbell  
Seconded by Councillor Amanda Collucci

That, in accordance with Section 239 (2) of the *Municipal Act*, Council resolve into an in-camera session to discuss the following matters (10:12 PM on May 31, 2016):

- (1)    MINUTES OF IN-CAMERA COUNCIL MEETING  
      - MAY 17, 2016 (16.0)  
      [Section 239 (2) (b) (c) (e) (f)]

#### **General Committee – May 30, 2016**

- (2)    PERSONAL MATTERS ABOUT AN IDENTIFIABLE INDIVIDUAL, INCLUDING MUNICIPAL OR LOCAL BOARD EMPLOYEES (REPORT OF INTEGRITY COMMISSIONER REGARDING CODE OF CONDUCT COMPLAINT ABOUT WARD 2 COUNCILLOR ALAN HO) (16.23)  
      [Section 239 (2) (b)]
- (3)    PERSONAL MATTERS ABOUT AN IDENTIFIABLE INDIVIDUAL, INCLUDING MUNICIPAL OR LOCAL BOARD EMPLOYEES (APPOINTMENTS TO BOARDS/COMMITTEES) (16.24)  
      [Section 239 (2) (b)]

#### **Council – May 31, 2016**

- (4)    A PROPOSED OR PENDING ACQUISITION OR DISPOSITION OF LAND BY THE MUNICIPALITY OR LOCAL BOARD (WARD 2) (8.6)  
      [Section 239 (2) (c)]

**Carried**

Moved by Councillor Valerie Burke  
Seconded by Regional Councillor Jim Jones

That Council rise from the in-camera session. (12:51 AM on June 1, 2016)

**Carried**

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

- (1) MINUTES OF IN-CAMERA COUNCIL MEETING  
- MAY 17, 2016 (16.0)

Moved by Councillor Colin Campbell  
Seconded by Regional Councillor Joe Li

- 1) That the Council In-camera Minutes dated May 17, 2016 be confirmed.

**Carried**

- (2) REPORT FROM INTEGRITY COMMISSIONER  
CODE OF CONDUCT COMPLAINT ABOUT  
COUNCILLOR ALAN HO (16.23)  
[Report](#)

Moved by Councillor Don Hamilton  
Seconded by Councillor Karen Rea

- 1) That the report from Ben Drory, J.D., M.B.A., Q.Med, Q.Arb, of ADR Chambers, Integrity Commissioner for the City of Markham, dated May 13, 2016 be received; and,
- 2) That staff be authorized and directed to do all things necessary to give effect to this resolution.

**Carried by a recorded vote (10:2)**  
(See following recorded vote)

(See following proposed recommendation which was lost by a tie vote)

Recorded vote for Resolution No. 1 (10:2):

YEAS: Councillor Valerie Burke, Councillor Don Hamilton, Councillor Karen Rea, Regional Councillor Jim Jones, Mayor Frank Scarpitti, Deputy Mayor Jack Heath, Regional Councillor Joe Li, Councillor Colin Campbell, Councillor Amanda Collucci, Councillor Alex Chiu. (10)

NAYS: Regional Councillor Nirmala Armstrong, Councillor Logan Kanapathi. (2)

ABSENT: Councillor Alan Ho. (1)

Proposed recommendation which was lost by a tie vote (6:6):

The proposed recommendation in the Integrity Commissioner report by Ben Drory dated May 13, 2016 was lost by a tie recorded vote as follows:

YEAS: Councillor Valerie Burke, Councillor Don Hamilton, Councillor Karen Rea, Councillor Colin Campbell, Councillor Amanda Collucci, Councillor Logan Kanapathi. (6)

NAYS: Regional Councillor Nirmala Armstrong, Regional Councillor Jim Jones, Mayor Frank Scarpitti, Deputy Mayor Jack Heath, Regional Councillor Joe Li, Councillor Alex Chiu. (6)

ABSENT: Councillor Alan Ho. (1)

(3) APPOINTMENTS TO BOARDS/COMMITTEES (16.24)

Moved by Deputy Mayor Jack Heath

Seconded by Regional Councillor Joe Li

- 1) That the following persons be appointed the Environmental Advisory Committee:

<u>Name</u>	<u>Term</u>
Cornel Campbell	November 30, 2019
Elvis Nurse	November 30, 2018
Anna Li	November 30, 2019; and,

- 2) That the following person be appointed the Advisory Committee on Accessibility:

<u>Name</u>	<u>Term</u>
Jason Tung	November 30, 2019.

**Carried**

(4) A PROPOSED OR PENDING ACQUISITION OR DISPOSITION OF  
LAND BY THE MUNICIPALITY OR LOCAL BOARD (WARD 2) (8.6)

Moved by Councillor Colin Campbell

Seconded by Councillor Alex Chiu

- 1) That the confidential presentation regarding a proposed or pending acquisition or disposition of land by the municipality or local board in Ward 2 be received; and,
- 2) That staff be authorized to proceed as directed by Council on May 31 and June 1, 2016.

**Carried**

**14. CONFIRMATORY BY-LAW**

Moved by Councillor Alex Chiu

Seconded by Councillor Valerie Burke

That By-law 2016-60 be given three readings and enacted.

**Three Readings**

BY-LAW 2016-60 A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE COUNCIL  
MEETING OF MAY 31, 2016.

[By-law](#)

**Carried**

**15. ADJOURNMENT**

Moved by Councillor Alex Chiu

Seconded by Councillor Valerie Burke

That the Council Meeting be adjourned at 12:57 AM on June 1, 2016.

**Carried**

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Martha Pettit  
Deputy City Clerk

(Signed)

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Frank Scarpitti  
Mayor