



Council Minutes

April 19, 2016, 7:00 PM

Council Chamber, Anthony Roman Markham Civic Centre

Meeting No. 6

Alternate formats for this document are available upon request

Roll Call

Mayor Frank Scarpitti, Deputy Mayor Jack Heath, Regional Councillor Jim Jones, Regional Councillor Joe Li, Regional Councillor Nirmala Armstrong, Councillor Valerie Burke, Councillor Alan Ho, Councillor Don Hamilton, Councillor Karen Rea, Councillor Colin Campbell, 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
Jim Baird, Commissioner of Development Services
Trinela Cane, Commissioner of Corporate Services
Brenda Librecz, Commissioner of Community and Fire Services
Joel Lustig, Treasurer
Dennis Flaherty, Director of Communications and Community Relations
Martha Pettit, Deputy City Clerk
Kiran Saini, Legislative Coordinator
John Wong, Technology Support Specialist

The meeting of Council convened at 7:01 PM on April 19, 2016 in the Council Chamber. Mayor Frank Scarpitti presided.

1. DISCLOSURE OF PECUNIARY INTEREST

(1) None declared.

2. MINUTES**(1) COUNCIL MINUTES – APRIL 5, 2016**[Minutes](#)

Moved by Councillor Alex Chiu

Seconded by Councillor Valerie Burke

- 1) That the Minutes of the Council Meeting held on April 5, 2016, be adopted.

Carried

3. PRESENTATIONS

There were no presentations.

4. DELEGATIONS

There were no delegations.

5. PETITIONS**(1) REGIONAL STONE RETAINING WALL/LANDSCAPING ON
SOUTHEAST CORNER OF TOWN CENTRE BOULEVARD
AND HIGHWAY 7 (5.10)**[Letter+Petition](#)

Moved by Councillor Alan Ho

Seconded by Regional Councillor Nirmala Armstrong

- 1) That the verbal updated provided by Regional Councillor Jim Jones and Jim Baird, Commissioner of Development Services, regarding the Regional stone retaining wall/landscaping on southeast corner of Town Centre Boulevard and Highway 7, be received; and,
- 2) That the letter dated April 5, 2016 from Masoum Jalili, President, York Region Standard Condominium Corporation #1122 and the petition dated April 14, 2016 from owners/tenants of the properties located at 3601 and/or 3621 Highway 7 East, providing their concerns and displeasure with the recent installation of the stone retaining wall, be received.

Carried

6(A) REPORT NO. 12 - DEVELOPMENT SERVICES COMMITTEE (April 11, 2016)

Moved by Regional Councillor Jim Jones

Seconded by Councillor Don Hamilton

That Report No. 12 – Development Services Committee comprised of 7 items be received and adopted, except Item Nos. 1, 4, 5 and 6. (See following Item Nos. 1, 4, 5 and 6)

- (1) DEMOLITION PERMIT APPLICATION
– THREE ACCESSORY BUILDINGS
10 RUGGLES AVENUE
16 112239 DP (16.11, 10.13)
[Report](#)

Moved by Regional Councillor Jim Jones

Seconded by Councillor Don Hamilton

- 1) That the staff report entitled “Demolition Permit Application – Three Accessory Buildings, 10 Ruggles Avenue”, dated April 11, 2016, be received; and,
- 2) That Council approve the demolition permit application for the three accessory buildings on this property designated under Part IV of the Ontario Heritage Act provided that Heritage Markham has no objection; and further,
- 3) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

- (2) CONTINUATION OF INTERPRETIVE PLAQUE
PROGRAM FOR MARKHAM VILLAGE HERITAGE
CONSERVATION DISTRICT PROPERTIES (16.11)
[Report](#)

- 1) That the report titled “Continuation of Interpretive Plaque Program for Markham Village Heritage Conservation District Properties,” dated April 11, 2016, be received; and,
- 2) That Council allocate up to \$6,000 from the Heritage Reserve Fund (Acct. No. 087 2800 115) to provide financial assistance to the Markham Village Conservancy, to fund the continuation of the interpretive plaque program in the Markham Village Heritage Conservation District; and,

- 3) That any funds not used at the completion of this program be returned to the Heritage Reserve Fund (Account No. 087 2800 115); and,
- 4) That Council approve the updated “Guidelines for Interpretive Plaques for Properties of Cultural Heritage Value or Interest in Heritage Conservation Districts” which reflect a modest increase in the City’s contribution to \$175 per plaque due to rising costs; and further,
- 5) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

(3) 2014 CITY OF MARKHAM OFFICIAL PLAN, PART 1
– PROPOSED FURTHER MODIFICATIONS RECOMMENDED
FOR APPROVAL BY THE ONTARIO MUNICIPAL BOARD (10.0)
[Report](#)

- 1) That the report entitled “2014 City of Markham Official Plan, Part I – Proposed Further Modifications Recommended for Approval by the Ontario Municipal Board” dated April 11, 2016, be received; and,
- 2) That the proposed modifications to the 2014 City of Markham Official Plan – Part 1, as outlined in Appendix ‘A’ of the report entitled “2014 City of Markham Official Plan, Part I – Proposed Further Modifications Recommended for Approval by the Ontario Municipal Board” dated April, 2016, be endorsed, and forwarded to the Ontario Municipal Board for approval; and further,
- 3) That staff and legal counsel be authorized and directed to do all things necessary to give effect to this resolution.

Carried

- (4) HERITAGE PERMIT APPLICATION BY
MARIANI'S OF UNIONVILLE LTD. TO PERMIT
VINYL SIDING AND ALUMINUM CLADDING
188 MAIN STREET
UNIONVILLE HERITAGE CONSERVATION DISTRICT
FILE NO. HE 14 119143 (16.11)
[Report](#)

Moved by Regional Councillor Jim Jones
Seconded by Councillor Don Hamilton

- 1) That the deputation by Mr. Mariani, applicant for Heritage Permit Application by Mariani's of Unionville Ltd., 188 Main Street, Unionville, be received; and,
- 2) That the report titled "Heritage Permit Application by Mariani's of Unionville Ltd. to Permit Vinyl and Aluminum Cladding, 188 Main Street, Unionville Heritage Conservation District, File No. HE 14 119143", be received; and,
- 3) That within a five (5) year time span beginning March 29, 2016, the owner be required to remove all modern cladding materials and restore the original wood siding and trim on the heritage building at 188 Main Street if the original wood siding remains in place and is in restorable condition; and,
- 4) That in the event the original wood siding does not remain under existing modern cladding or is in poor condition, subject to the agreement of Heritage Section staff, the owner be required to install replica wood siding based on historic photographic evidence; and,
- 5) That the owner be required to submit a letter of undertaking by September 1, 2016 to the satisfaction of the City Solicitor and the Commissioner of Development Services to confirm his agreement to carry out this work within the specified time frame; and further,
- 6) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

Council consented to revise Resolution No. 5 regarding the Heritage Permit Application by Mariani's of Unionville Ltd., 188 Main Street as follows:

- Add the words "...by September 1, 2016...", after the words "...submit a letter of undertaking..."

(5) CYCLING AND PEDESTRIAN ADVISORY
COMMITTEE (CPAC) MINUTES
- FEBRUARY 18, 2016 (16.34)
[Minutes](#) [Memo](#)

Moved by Regional Councillor Jim Jones
Seconded by Councillor Don Hamilton

- 1) That the minutes of the Cycling and Pedestrian Advisory Committee (CPAC) meeting held February 18, 2016, be received for information purposes; and,
- 2) That the following recommendation from the February 18, 2016 Cycling and Pedestrian Advisory Committee (CPAC) be received:

"That the memo entitled "Markham Cycling Day as a Corporate Event" be received; and,

CPAC approves the recommendations in the memo to transition Markham Cycling Day to Corporate Event status; and,

Funding of \$10,000 from the 2016 approved CPAC budget (Account #083-6900-16039-005) be allocated for the 2016 Markham Cycling Day event; and,

CPAC's recommendation on this matter shall be brought forth at a Council meeting for final approval."

Carried as amended
(See following to amend)

Moved by Councillor Karen Rea
Seconded by Councillor Colin Campbell

That Council receive the recommendation from the the February 18, 2016 Cycling and Pedestrian Advisory Committee (CPAC) regarding the transition of the Markham Cycling Day as a Corporate Event.

Carried

- (6) REQUEST FOR APPROVAL FOR
MARKHAM'S PARTICIPATION IN THE
CANADIAN TRADE MISSION TO
HONG KONG AND SHENZHEN, MAY 16-20
FOR "BELT AND ROAD" SUMMIT
AND ADDITIONAL PROGRAMS (10.16)
[Report](#)

Moved by Regional Councillor Jim Jones
Seconded by Councillor Don Hamilton

- 1) That the Report dated entitled "Request for Approval for Markham's Participation in the Canadian Trade Mission to Hong Kong and Shenzhen, May 16-20 for "Belt and Road" Summit and Additional Programs" be received; and,
- 2) That the City of Markham be represented by one Senior Business Development Officer (Sandra Tam); and,
- 3) That the total cost of the mission not exceed \$4,820.00 and be expensed from within the 2016 Business Travel account 610-998-5201; and,
- 4) That Regional Councillor Jim Jones be authorized to attend the Trade Mission, with a funding source to be determined by the Treasurer in an amount not to exceed \$4,820.00; and,
- 5) That staff report back on Economic Development's initiatives to promote Markham's high standards with respect to green sustainability, climate change, and human rights issues; and further,
- 6) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

Council consented to revise Resolution No. 2 regarding the Canadian Trade Mission to Hong Kong and Shenzhen, May 16-20, 2016 as follows:

- Identify Sandra Tam as the Senior Business Development Officer.

(7) NEW BUSINESS
LARGE URBAN MAYORS CAUCUS OF ONTARIO (11.12)

- 1) That Mayor Frank Scarpitti be authorized to attend the Large Urban Mayors Caucus of Ontario (LUMCO) conference in Ottawa, with funding for two nights' accommodation.

Carried

**6(B) REPORT NO. 13 - DEVELOPMENT SERVICES PUBLIC MEETING
(April 12, 2016)**

Moved by Regional Councillor Jim Jones
Seconded by Councillor Don Hamilton

That Report No. 13 – Development Services Public Meeting comprised of 1 item be received and adopted.

(1) PRELIMINARY REPORT
CABOTO MEADOWS INC.
APPLICATIONS FOR OFFICIAL PLAN
AND ZONING BY-LAW AMENDMENT
TO PERMIT TWO SINGLE-DETACHED DWELLINGS
ON THE SOUTH SIDE OF CABOTO TRAIL
EAST OF GLENBAR GARDENS
FILES NOS. OP/ZA 15 163422 (10.3, 10.5)
[Report](#)

- 1) That the written submission from Irfan S. Dar, regarding the applications by Caboto Meadows Inc. on the south side of Caboto Trail, east of Glenbar Gardens, be received; and,
- 2) That the Development Services Commission report dated March 7, 2016, entitled "Preliminary Report, Caboto Meadows Inc., Applications for Official Plan and Zoning By-law Amendment to permit two single-detached dwellings on the south side of Caboto Trail, east of Glenbar Gardens, File Nos. OP/ZA 15 163422," be received; and,
- 3) That the Record of the Public Meeting held on April 12, 2016 with respect to the proposed Official Plan and Zoning By-law Amendment applications, be received; and,

- 4) That the applications by Caboto Meadows Inc. for a proposed Official Plan and Zoning By-law Amendment (OP/ZA 15 163422), be approved and the draft implementing Official Plan and Zoning By-law Amendments be finalized and 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. 14 - GENERAL COMMITTEE (April 18, 2016)

Moved by Deputy Mayor Jack Heath
Seconded by Councillor Colin Campbell

That Report No. 14 – General Committee comprised of 7 items be received and adopted, except Item No. 5. (See following Item No. 5)

(1) 2015 CONSOLIDATED FINANCIAL STATEMENTS (7.12)

[Presentation](#) [Report](#) [Appendix A](#) [Appendix B](#)

- 1) That the presentation by Ms. Sandra Skelcher, Manager, Financial Reporting & Payroll entitled “2015 Consolidated Financial Statements”, be received; and,
- 2) That the report titled “2015 Consolidated Financial Statements” be received; and,
- 3) That Council approve the draft Consolidated Financial Statements of The Corporation of the City of Markham (the City), the City of Markham Public Library (the Library), Community Boards, Business Improvement Areas (BIAs), and Investment in Markham Enterprises Corporation (MEC), for the fiscal year ended December 31, 2015; and,
- 4) That Council authorize Staff to issue the final audited Consolidated Financial Statements for the fiscal year ended December 31, 2015 upon receiving the Independent Auditors’ Report; and,
- 5) That the KPMG LLP Audit Finding Report for the year ended December 31, 2015 be received; and,
- 6) That this matter be forwarded to Council for adoption on April 19, 2016; and further,

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

Carried

(2) TAX WRITE-OFFS IN ACCORDANCE
WITH SECTION 354 OF THE MUNICIPAL ACT, 2001 (7.1)
[Report](#)

- 1) That taxes totalling \$5,051 as set out in this report, of which the City's portion is \$1,281, be written off pursuant to the provisions of Section 354 of the Municipal Act, 2001; and,
- 2) That the Treasurer be directed to remove the taxes from the Collector's Roll; and,
- 3) That the associated interest be cancelled in proportion to the tax adjustments; and,
- 4) That the Treasurer be directed to authorize the write-off of the municipal tax portion from account 820-820-7040; and further,
- 5) That staff be authorized to and directed to do all things necessary to give effect to this resolution.

Carried

(3) CANCELLATION, REDUCTION OR REFUND
OF TAXES UNDER SECTION 357 & 358
OF THE MUNICIPAL ACT, 2001 (7.1)
[Report](#)

- 1) That the Report for the Cancellation, Reduction or Refund of Taxes under Sections 357 and 358 of the *Municipal Act, 2001* be received; and,
- 2) That taxes totalling approximately \$192,044.27 be adjusted under Section 357 of the *Municipal Act, 2001* of which the City's portion is estimated to be \$43,792.12; and,
- 3) That the associated interest be cancelled in proportion to the tax adjustments; and,
- 4) That the Treasurer be directed to adjust the Collector's Roll accordingly; and further,

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

Carried

(4) CITY OF MARKHAM
OLDER ADULT STRATEGY UPDATE (6.0)
[Presentation](#)

- 1) That the presentation by Mr. Jason Tsien, Community Manager, Recreation and Mr. Peter Thoma, Project Lead Consultant, urbanMetrics inc. entitled “City of Markham Older Adult Strategy Update,” be received, and endorsed in principle.

Carried

(5) TEXTILE RECYCLING SMART BIN PROGRAM (5.2)
[Presentation](#) [Report](#)

Moved by Deputy Mayor Jack Heath
Seconded by Councillor Colin Campbell

- 1) That the presentation by Ms. Claudia Marsales, Senior Manager, Waster & Environmental Management entitled “Textile Recycling Report”; and,
- 2) That the report entitled “Textile Recycling Smart Bin Program” be received; and,
- 3) That Council endorse the Textile Recycling Smart Bin initiatives as outlined in this Report; and,
- 4) That staff investigate placing additional Textile Recycling Smart Bins at Community Centres and that City staff be directed to seek partnerships with two or three major shopping centres to permit the placement of Textile Recycling Smart Bins; and,
- 5) That a copy of this Report be forwarded to York Region and the Local Municipalities, and Markham Public Realm Advisory Committee for their information; and,
- 6) That upon completion of the project, remaining funds will be returned to the original funding sources; and further,

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

Carried

Council consented to revise Resolution No. 4 regarding the textile recycling bin as follows:

Delete the following proposed Resolution No. 4:

"That staff investigate placing additional Salvation Army Smart Bins at Community Centres and that City staff be directed to seek partnerships with two or three major shopping centres to permit the placement of Salvation Army Smart Bin;"

and replace with the following revised Resolution No. 4 instead:

"That staff investigate placing additional Textile Recycling Smart Bins at Community Centres and that City staff be directed to seek partnerships with two or three major shopping centres to permit the placement of Textile Recycling Smart Bins;"

- (6) REPEAL BY-LAW 30-1999 (7.15)
[Report](#) [Attachment A](#) [Attachment B](#)

- 1) That the report dated March 29, 2016 and titled "Repeal By-law 30-1999" be received; and,
- 2) That By-law 30-1999, a by-law with respect to the installation of carbon monoxide detectors in homes, be repealed; and further,
- 3) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

(By-law 2016-44)

Carried

(7) CITYWIDE MULTI-PHASE SANITARY SYSTEM
DOWNSPOUT DISCONNECTION PROGRAM

- ANNUAL PROGRESS UPDATE AND PHASE 4 DETAILS (5.3)

Report

- 1) That the report entitled “Citywide Multi-phase Sanitary System Downspout Disconnection Program – Annual Progress Update and Phase 4 Details” be received; and
- 2) That Council approve the Phase 4 program area covering 2,305 properties as follows:
 - i. Area bounded by Highglen Avenue to the north, Fonda Road & Mindy Crescent to the east, Denison Street to the south, and Middlefield Road to the west;
 - ii. Area bounded by Fairtree Pond to the north, Morningside Creek to the east, Steeles Avenue to the south, and Markham Road to the west;
 - iii) Area bounded by Armstrong Park & Senator Reesor’s Dr to the north, Ninth Line to the east, Highway 407 to the south, and Rouge River to the west;
 - iv) Area bounded by Oak Lea Circle to the north, Ninth Line to the east, Highway 7 to the south, and Rose Way & Reginald Crescent to the west; and,
- 3) That the project be funded in the amount of \$300,000 from the 2016 capital project #16238 Sanitary System Downspout Disconnection Program – Phase 4 of 5; and,
- 4) That the amount of \$533,084 from the 2014 Capital Project #14313 Sanitary System Downspout Disconnection Program – Phase 2 of 5 and \$197,778 from the 2015 Capital Project #15294 Sanitary System Downspout Disconnection Program – Phase 3 of 5 be returned to original funding source; and,
- 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

Moved by Councillor Alex Chiu

Seconded by Councillor Logan Kanapathi

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

Received

12-2016 TEMPORARY EXTENSION APPLICATION (LIQUOR SALES LICENCE)
FOR OLD COUNTRY INN RESTAURANT, 198 MAIN STREET (WARD 3)
(3.21)

[Info](#)

Requesting an approval from the City of Markham to extend their existing liquor licence for the patio areas at 198 Main Street Unionville. The proposed extension will be utilized on June 3, 4 and 5, 2016, in conjunction with the Unionville Festival.

Carried

13-2016 ROAD CLOSURE REQUEST – MARKHAM YOUTH BICYCLE CUP &
ADULT RACE (3.5)

[Info](#)

The following road will be closed on May 7, May 8, and August 21, 2016 from 7:00 am to 5:00 pm to facilitate the event:

- Race starting from Honda Blvd., 300 meters north of Woodbine By-Pass, and ending at the dead end of Honda Boulevard.

Carried

10. PROCLAMATIONS**(1) PROCLAMATION AND FLAG RAISING REQUESTS (3.4)**

Moved by Deputy Mayor Jack Heath

Seconded by Regional Councillor Nirmala Armstrong

- 1) That the following proclamations, issued by the City Clerk in accordance with the City of Markham Proclamation Policy, be received for information purposes:
 - Day of Mourning for Workers Killed or Injured on the Job (April 28, 2016).
 - Armenian National Day (May 28, 2016).
 - Walk for Values (June 19, 2016)
 - Trinidad and Tobago Independence Day (August 31, 2016); and,
- 2) That the following new request for proclamation be approved and added to the Five-Year Proclamations List approved by Council:
 - Bike to Work Day (May 30, 2016); and further,
- 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 of Armenia (May 28, 2016).
 - Flag of Walk for Values (June 11, 2016)
 - Flag of Trinidad and Tobago (August 31, 2016)

Carried

11. NEW/OTHER BUSINESS

There was no new/other business.

12. BY-LAWS

Moved by Councillor Alex Chiu

Seconded by Councillor Amanda Collucci

That By-laws 2016-41, 2016-42 and 2016-44 be given three readings and enacted.

Three Readings

- | | |
|----------------|---|
| BY-LAW 2016-41 | <p>ROAD DEDICATION BY-LAW (JAMES SCOTT ROAD)</p> <p>A by-law to dedicate certain lands as part of the highways of the City of Markham (Part of Lots 1 and 4, Block A, Registered Plan 18, designated as Parts 4, 5 on Plan 65R-34761 and Block 7 (0.3 Reserve) on Plan 65M-3180, designated as Part 6, on Plan 65R-34761)</p> <p><u>By-law</u></p> <p style="text-align: right;">Carried</p> |
| BY-LAW 2016-42 | <p>ROAD DEDICATION BY-LAW (LORNE GLEN STREET)</p> <p>A by-law to dedicate certain lands as part of the highways of the City of Markham (Block 212, Plan 65M-3376 and Block 126, Plan 65M-3536)</p> <p><u>By-law</u></p> <p style="text-align: right;">Carried</p> |
| BY-LAW 2016-44 | <p>A BY-LAW TO REPEAL CARBON MONOXIDE DETECTORS BY-LAW 30-1999</p> <p>(Item No. 6, Report No. 14)</p> <p><u>By-law</u></p> <p style="text-align: right;">Carried</p> |

13. IN-CAMERA ITEMS

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

- (1) MINUTES OF IN-CAMERA COUNCIL MEETING
- APRIL 5, 2016 (16.0)
[Section 239 (2) (a) (b) (c) (d) (e)]

Development Services Committee – April 11, 2016

- (2) LITIGATION OR POTENTIAL LITIGATION, INCLUDING MATTERS BEFORE ADMINISTRATIVE TRIBUNALS, AFFECTING THE MUNICIPALITY OR LOCAL BOARD - 160 SHERWOOD FOREST DRIVE (WARD 4) (8.0)
[Section 239 (2) (e)]

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

- (1) MINUTES OF IN-CAMERA COUNCIL MEETING
- APRIL 5, 2016 (16.0)

Moved by Councillor Karen Rea
Seconded by Regional Councillor Joe Li

- 1) That the Council In-camera Minutes dated April 5, 2016 be confirmed.

Carried

- (2) FURTHER INSTRUCTIONS REGARDING
MINOR VARIANCE APPLICATION APPEAL
GUANG YU WU & LONG QIONG GUO
160 SHERWOOD FOREST DRIVE A/74/15 (8.0)

Moved by Councillor Karen Rea
Seconded by Regional Councillor Joe Li

- 1) That the confidential report titled “Further Instructions Regarding Minor Variance Application Appeal, Guang Yu Wu & Long Qiong Guo, 160 Sherwood Forest Drive, A/74/15”, dated March 4, 2016 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 variance related to Net Floor Area Ratio, front yard encroachment and setbacks for accessory buildings, providing the Applicant agrees to request the OMB to implement the revised conditions of approval set out below:
- 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 plans attached as “Appendix A” to the Staff Report dated September 8, 2015, to the satisfaction of the Director of Planning and Urban Design or designate;
 - c) The Owner shall enter into a Development Agreement with the City to the satisfaction of the Director of Engineering and City Solicitor, which Development Agreement shall be registered on title to the Lands in priority to all mortgages, charges, liens and other encumbrances, and that the Owner shall procure and cause to be executed and registered at its own cost and expense such discharges, postponements, and subordination agreements as may be required by the City in order to provide for the priority of registration for Development Agreement on title to the Lands. The Development Agreement shall provide for matters including but not limited to:
 - i) 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;
 - ii) Subject to the review and approval of the Tree Assessment and Preservation Plan, tree protection fencing be erected and inspected in accordance with the City’s Streetscape Manual (2009);
 - iii) Subject to the review and approval of the Tree Assessment and Preservation Plan, tree replacements be provided and/or tree replacement fees be paid to the City if required;
 - d) Submission and approval of a siting/grading plan of the property, and that the Secretary-Treasurer receive written confirmation that this condition has been fulfilled to the satisfaction of the Director of Engineering or designate;

- e) That subject to the review and approval of a siting/grading plan, the owner demonstrate that the pre-existing drainage pattern within the property will not be altered in such a way as to cause any adverse impact on the naturally occurring drainage from the site, and that the Secretary-Treasurer receive written confirmation that this condition has been fulfilled to the satisfaction of the Director of Engineering or designate;
 - f) That subject to the review and approval of a siting/grading plan, the owner demonstrate that there is no negative impact to any abutting property respecting surface water drainage, and that the Secretary-Treasurer receive written confirmation that this condition has been fulfilled to the satisfaction of the Director of Engineering or designate; and further,
- 3) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

14. CONFIRMATORY BY-LAW

Moved by Councillor Alex Chiu
Seconded by Councillor Alan Ho

That By-law 2016-43 be given three readings and enacted.

Three Readings

BY-LAW 2016-43 A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE COUNCIL MEETING OF APRIL 19, 2016.
[By-law](#)

Carried

15. ADJOURNMENT

Moved by Councillor Alex Chiu

Seconded by Councillor Valerie Burke

That the Council Meeting be adjourned at 7:23 PM.

Carried

Martha Pettit
Deputy City Clerk

Frank Scarpitti
Mayor

(Signed)