



## **Council Minutes**

**March 22, 2016, 7:00 PM**

Council Chamber, Anthony Roman Markham Civic Centre

Meeting No. 4

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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 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  
Brenda Librecz, Commissioner of Community and Fire Services  
Joel Lustig, Treasurer  
Dennis Flaherty, Director of Communications and Community Relations  
Raj Raman, Mayor's Chief of Staff  
Kimberley Kitteringham, City Clerk  
Martha Pettit, Deputy City Clerk  
John Wong, Technology Support Specialist  
Alan Brown, Director of Engineering  
Ron Blake, Senior Development Manager  
Andrea Wilson-Peebles, Assistant City Solicitor

The meeting of Council convened at 7:08 PM on March 22, 2016 in the Council Chamber. Mayor Frank Scarpitti presided.

### **1. DISCLOSURE OF PECUNIARY INTEREST**

(1) None declared.

## **2. MINUTES**

### **(1) COUNCIL MINUTES – MARCH 1, 2016** [Minutes](#)

Moved by Councillor Alex Chiu

Seconded by Councillor Valerie Burke

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

**Carried**

A moment of silence was observed for:

- The victims of Belgium terrorist attacks.
- Former City of Toronto Mayor and Councillor Rob Ford.
- Former City of Markham employee Jim Kennedy.

## **3. PRESENTATIONS**

There were no presentations.

#### 4. DELEGATIONS

(1) DELEGATIONS AND PRESENTATION FROM STAFF  
(TRUCK ACCESS ROUTE) (5.12)

[Presentation](#)

The following individuals addressed Council regarding the truck access routes for 75 Fred Varley – Tribute development:

1. Doug Worsley requested that Mayor Frank Scarpitti be included for the Director of Engineering to consult for parking restrictions associated with the Tribute development.
2. Christl Reeh noted she does not support using Eureka Street as a construction access route and expressed her concerns about the safety of the residents and workers. She submitted a petition signed by the residents.
3. Paul Jamieson noted he does not support using Eureka Street as a construction access route and expressed his concerns about the safety of the residents.

Alan Brown, Director of Engineering, provided a PowerPoint presentation outlining the Construction Management Plan and schedule for the Tribute application highlighting the truck access routes (Main Street, Eureka Street, Sciberras Road and Fred Varley Drive) and the safety measures that would be undertaken on Eureka Street during construction of the Tribute development.

Council directed that Tribute use Sciberras Road, Fred Varley Drive and Main Street as the primary route, and Eureka Street as a relief or secondary route. Council directed that staff continue to discuss with Tribute issues related to the truck routes including the backing up of trucks onto Fred Varley, Fred Varley staging area, heavy load restrictions/exemptions, additional signage when trucks are using Eureka Street and a 24/7 contact for Tribute.

(See Item No. 1, Report No. 7 for Council's decision on this matter)

## 5. PETITIONS

There were no petitions.

### 6(A) REPORT NO. 7 - DEVELOPMENT SERVICES COMMITTEE (March 1, 2016)

Moved by Regional Councillor Jim Jones

Seconded by Councillor Don Hamilton

That Report No. 7 – Development Services Committee comprised of 1 item be received and adopted.

(1) EUREKA STREET AND FRED VARLEY DRIVE  
PROPOSED TEMPORARY PARKING PROHIBITION (5.12)  
[Report](#) [Revised Attachment A](#)

- 1) That the report entitled “Eureka Street and Fred Varley Drive Proposed Temporary Parking Prohibition,” be received; and,
- 2) That Schedule “C” of Parking By-law 2005-188 be amended to temporarily restrict parking on Eureka and Fred Varley Drive as defined in the report; and,
- 3) That the Operations Department be directed to install the appropriate signs to temporarily restrict the parking along on Fred Varley Dr and on Eureka Street as defined in the report; and,
- 4) That the Parking Control Department be directed to enforce the parking prohibition upon installation of the signs and passing of the by-law; and,
- 5) That the Director of Engineering be authorized to modify or extend temporary parking restrictions, signage or no truck stopping associated with 20 Fred Varley Drive construction activities on surrounding roads in consultation with Director of Operations and the Ward Councillor and the Mayor; and,
- 6) That the cost incurred by the City of Markham to revise the parking be recovered from Tribute (Unionville) Limited; and
- 7) That staff continue to negotiate with Tribute (Unionville) Limited to reach a compromise solution with respect to the use of Eureka Street as a relief route only; and further,

- 8) That staff be authorized and directed to do all things necessary to give effect to this resolution.  
(By-law 2016-29)

**Carried**

Council consented to amend the proposed recommendation from the March 1, 2016 Development Services Committee meeting as follows:

Resolution No. 5:

Add the words "...and the Mayor" to the end of the paragraph.

Resolution No. 7:

Add the following as Resolution No. 7:

- "7) That staff continue to negotiate with Tribute (Unionville) Limited to reach a compromise solution with respect to the use of Eureka Street as a relief route only;"

**6(B) REPORT NO. 8 - DEVELOPMENT SERVICES COMMITTEE (March 7, 2016)**

Moved by Regional Councillor Jim Jones

Seconded by Councillor Don Hamilton

That Report No. 8 – Development Services Committee comprised of 1 item be received and adopted.

- (1) RECOMMENDATION REPORT  
EBRAHIM JAVADY TORABI  
REVISED OFFICIAL PLAN & ZONING BY-LAW AMENDMENT  
APPLICATIONS TO PERMIT SIX (6) SEMI-DETACHED DWELLINGS  
AT 2968 ELGIN MILLS ROAD EAST  
FILE NOS. OP 14 109571 & ZA 14 109571 (10.3, 10.5)

[Report](#)

- 1) That the deputation by John Yew, regarding the applications by Ebrahim Javady Rorabi at 2968 Elgin Mills Road East, be received; and,
- 2) That the report titled "RECOMMENDATION REPORT, Ebrahim Javady Toraby Revised Official Plan & Zoning By-law Amendment Applications to permit six (6) semi-detached dwellings at 2968 Elgin Mills Road East, File Nos. OP 14 109571 & ZA 14 109571" dated March 7, 2016, be received; and,

- 3) That the revised applications submitted by Ebrahim Javady Toraby, to amend the in force Official Plan (Revised 1987), as amended, the Markham Official Plan 2014 (not yet in force), Zoning By-laws 83-73 and 177-96, as amended, to permit six (6) semi-detached dwellings at 2968 Elgin Mills Road East be approved; and,
- 4) That the proposed amendment to the in force Markham Official Plan (Revised 1987), as amended, attached as Appendix 'A', and a corresponding amendment to the Markham Official Plan 2014 (partially approved on October 29, 2015), attached as Appendix 'B', be forwarded to Council for adoption; and,
- 5) That the proposed amendments to Zoning By-laws 83-73 and 177-96, as amended, attached as Appendix 'C', be forwarded to Council for approval and enacted without further notice; and,
- 6) That parkland dedication be provided as cash-in-lieu of parkland prior to Site Plan approval; and,
- 7) That Council authorize servicing allocation for six (6) semi-detached units (18.12 population) from the current servicing allocation reserve; and,
- 8) That the City reserves the right to revoke or reallocate the servicing allocation should the development not proceed in a timely manner; and,
- 9) That the Region of York be advised of the servicing allocation for this development; and further,
- 10) That Staff be authorized and directed to do all things necessary to give effect to this resolution.  
(By-laws 2015-31 to 2016-33)

**Carried**

**6(C) REPORT NO. 9 - GENERAL COMMITTEE (March 21, 2016)**

Moved by Deputy Mayor Jack Heath

Seconded by Councillor Colin Campbell

That Report No. 9 – General Committee comprised of 11 items be received and adopted, except Item Nos. 5 and 9. (See following Item Nos. 5 and 9)

(1) AWARD OF CONSTRUCTION TENDER  
207-T-15 WEST THORNHILL – PHASE 2A  
STORM SEWER AND WATERMAIN REPLACEMENT (7.12)  
[Report](#) [Attachment A](#) [Attachment B](#)

- 1) That the report entitled “Award of Construction Tender 207-T-15 West Thornhill – Phase 2A Storm Sewer and Watermain Replacement” be received; and,
- 2) That the contract for Tender 207-T-15 West Thornhill – Phase 2A Storm Sewer and Watermain Replacement be awarded to the lowest priced Bidder, Dagmar Construction Inc., in the amount of \$7,012,054.74, inclusive of HST; and,
- 3) That a 10% contingency in the amount of \$701,205.47, 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 construction award in the amount of \$7,713,260.21 be funded from the following capital projects; 1) 058-6150-16210-005 “West Thornhill Flood Control Construction - Phase 2A” and 2) 053-5350-16246-005 “Watermain Construction and Replacement Program” as outlined under the financial considerations section in this report; and,
- 5) That the budget remaining in project #16246 “Watermain Construction and Replacement Program” in the amount of \$29,377.66 will be returned to the original funding source; and,
- 6) That a 5-year moratorium be placed on any major servicing and utility installation along restored areas including Grandview Avenue (Elspeth Place to Almond Ave), Brightbay Crescent, Courtham Avenue, Rayneswood Crescent, Pinevale Road and Elspeth Place; and further,
- 7) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**Carried**

(2) REQUEST FOR PROPOSAL 078-R-15 JANITORIAL  
AND CARPET CLEANING SERVICES FOR  
VARIOUS CITY LOCATIONS (7.12)

[Report](#)

- 1) That the report “Request for Proposal 078-R-15 Janitorial and Carpet Cleaning Services for Various City Locations” be received; and,
- 2) That Request for Proposal 078-R-15 for Janitorial and Carpet Cleaning Services be awarded to the highest ranked / lowest priced bidder, National Cleaning Contractors in the annual amount of \$376,914.62 inclusive of HST impact; and,
- 3) That staff be authorized to extend the contract for four (4) additional years (2017-2021) at the same itemized pricing, subject to the supplier performance; and,
- 4) That the contract be funded from various City Department’s Operating Budgets; and,
- 5) That this report be taken to March 22<sup>nd</sup>, 2016 Council meeting; and further,
- 6) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**Carried**

(3) AWARD OF RFP 271-R- 15 CONTRACT  
ADMINISTRATION AND CONSTRUCTION  
INSPECTION SERVICES FOR WEST THORNHILL  
FLOOD CONTROL IMPLEMENTATION PROJECTS  
– PHASES 2A & 1C (7.12)

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

- 1) That the report entitled “Award of RFP 271-R-15 Contract Administration and Construction Inspection Services for West Thornhill Flood Control Implementation Projects – Phases 2A & 1C” be received; and,
- 2) That the contract for Proposal 271-T-15 Contract Administration and Construction Inspection Services for West Thornhill Flood Control Implementation Projects – Phases 2A & 1C be awarded to the highest ranked, second lowest priced Bidder, R.V. Anderson Associates Limited, in the amount of \$496,112.56, inclusive of HST; and,



- 3) That a 10% contingency in the amount of \$49,611.25, 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 in the amount of \$545,723.81 be funded from the following capital projects; 1) 058-6150-16210-005 “West Thornhill Flood Control Construction - Phase 2A” and 2) 053-5350-16246-005 “Watermain Construction and Replacement Program” as outlined under the financial considerations section of this report; and further,
- 5) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**Carried**

(4) AWARD OF 047-S-16 JOINT PORTAL  
HOSTING AND MANAGED SERVICES (7.12)  
[Report](#)

- 1) That the report entitled “Award of 047-S-16 Joint Portal Hosting and Managed Services” be received; and,
- 2) That the contract for Joint Portal Hosting and Managed Services P-15-118 through the Region of York be awarded to the sole bidder, Compugen Inc., in the total amount of \$1,550,076 inclusive of HST for a five (5) year term;
  - a. Year 1: \$303,751 inclusive of HST
  - b. Year 2: \$306,834 inclusive of HST
  - c. Year 3: \$309,965 inclusive of HST
  - d. Year 4: \$313,147 inclusive of HST
  - e. Year 5: \$316,379 inclusive of HST; and,
- 3) That the contract for the Joint Portal Hosting and Managed Services be shared equally (50/50) between the Regional Municipality of York and the City of Markham on 50% cost sharing basis; and,
- 4) That Markham’s share of the contract for Joint Portal Hosting and Managed Services in the total amount of \$775,038.00 inclusive of HST be funded annually from the Computer Software Agreement account (account # 400-400-5361);
  - a. Year 1: \$151,876 inclusive of HST
  - b. Year 2: \$153,417 inclusive of HST
  - c. Year 3: \$154,982 inclusive of HST
  - d. Year 4: \$156,573 inclusive of HST
  - e. Year 5: \$158,190 inclusive of HST; and,

- 5) That a purchase order in the amount of \$775,038 inclusive of HST be issued to Regional Municipality of York to cover the City's 50% contribution of the Joint Portal Hosting and Managed Services; and,
- 6) That this report be taken to March 22, 2016 Council meeting; and further,
- 7) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**Carried**

(5) SUMMARY OF 2015 REMUNERATION  
AND EXPENSES FOR COUNCILLORS AND  
APPOINTEES TO BOARDS (7.0)

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

Moved by Deputy Mayor Jack Heath  
Seconded by Councillor Colin Campbell

- 1) That the report titled "Summary of 2015 Remuneration and Expenses for Councillors and Appointees to Boards" be received; and,
- 2) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**Carried**

(6) WASHINGTON STREET PROPOSED PARKING PROHIBITION (2.17)

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

- 1) That the report entitled "Washington Street Proposed Parking Prohibition," be received; and,
- 2) That Schedule "C" of Parking By-law 2005-188 be amended to restrict parking on the east side of Washington Street, between Highway 7 and Joseph Street; and,
- 3) That the Operations Department be directed to install the appropriate signs at the subject locations, funded through the Operations Department account # 061-5350-15238-005; and,

- 4) That the Parking Control Department be directed to enforce the parking prohibition upon installation of the signs and passing of the by-law; and further,
- 5) That staff be authorized and directed to do all things necessary to give effect to this resolution.

(By-law 2016-36)

**Carried**

(7) INSTALLATION AND OPERATION OF A  
DOME AT MOUNT JOY ARTIFICIAL TURF FIELD (6.3)

[Memo](#) [Extract](#) [Report](#)

GC page 121

- 1) That the memorandum dated March 14, 2016 titled "Follow Up: Installation and Operation of a Dome at Mount Joy Artificial Turf Field", be received; and,
- 2) That Council approve the execution of a lease agreement with Ed Skrobal – NewCo. over a 20 year period from October 2016 to April 2035 to acquire, install, operate and maintain a dome at Mount Joy Artificial Turf field annually for 7 months October 1<sup>st</sup> to April 30<sup>th</sup>; and,
- 3) That the funding for the installation of the services, to a maximum amount of \$195,000 be up fronted by the City from the Life Cycle Replacement and Capital Reserve fund to be repaid by NewCo. through the annual lease payment; and,
- 4) That NewCo. to pay the City an annual land lease payment of \$35,000 indexed by 2% annually for the term of the lease agreement with NewCo; and,
- 5) That Council authorize the Mayor and Clerk to execute an agreement with NewCo. in a form satisfactory to the City Solicitor and the Chief Administrative Officer for the acquisition, installation, operation, and maintenance of the dome at Mount Joy Artificial Turf Field; and further,
- 6) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**Carried**

(8) ESTABLISHMENT OF COUNCIL COMMITTEE FOR THE  
RECRUITMENT OF DEPUTY FIRE CHIEF (16.24)

[Memo](#)

- 1) That the memorandum dated March 10, 2016 titled "Establishment of Council Committee for the Recruitment of Deputy Fire Chief" be received; and,
- 2) That the following Senior Staff be appointed to a recruitment committee: Andy Taylor, Chief Administrative Officer, Fire Chief Dave Decker, Brenda Librecz, Commissioner of Community & Fire Services and Human Resource Representative to undertake the recruitment of Deputy Fire Chief; and further,
- 3) That the following Council Members be appointed to a recruitment committee: Mayor Frank Scarpitti, Regional Councillor Nirmala Armstrong, Councillor Alan Ho, Councillor Colin Campbell and Councillor Alex Chiu to undertake the recruitment of the Deputy Fire Chief.

**Carried**

(9) CELEBRATE MARKHAM GRANT PROGRAM  
– APRIL 1, 2016 - MARCH 31, 2017 - FUNDING APPROVALS (7.6)

[Report](#)

Moved by Deputy Mayor Jack Heath

Seconded by Councillor Colin Campbell

- 1) That the report titled, "Celebrate Markham Grant Program – April 1, 2016 - March 31, 2017 Funding Approvals" be received; and,
- 2) That Council approve the recommendations of the Interdepartmental Staff Review Committee to fund 34 Celebrate Markham applicants, totaling \$137,500, as identified in Attachments 1, 2, 3 and 4; and,

- 3) That the following Celebrate Markham grants be approved for the Cultural Events and Programs Category (as per Attachment 1):
- i) Markham Federation of Filipino Canadians be awarded \$3,500 for Independence Day Celebration;
  - ii) Vedic Cultural Centre Organization be awarded \$2,500 for South Asian Heritage Month Celebration at the Vedic Centre;
  - iii) Unionville Theatre Company be awarded \$4,500 for 2017 Live Theatre Production at Flato Theatre, subject to providing an Outcome/Financial report on the Celebrate Markham grant provided in the previous funding cycle from January 1 to March 31, 2016 for the 2016 Little Mermaid production;
  - iv) Unionville Village Conservancy & Stiver Mill Farmers' Market be awarded \$4,500 for Stiver Mill Farmers' Market;
  - v) Unionville Presents Thursday Nights at the Bandstand be awarded \$5,000 for Summer Live/Free Concert Series - Thursday Night Unionville Millennium Bandstand;
  - vi) Cherish Integrated Services be awarded \$4,000 for Cherish's One and Only Artfest;
  - vii) Markham Concert Band be awarded \$4,000 for Unionville Concert Sundays;
  - viii) The Society for Thornhill Preservation be awarded \$5,000 for the Thornhill Wheatsheaf Festival;
  - ix) Sing Fai Sports Club be awarded \$2,500 for opening ceremonies at the Sing Fai Asian Community Games;
  - x) Markham Fair & East York Agricultural Society be awarded \$4,500 for Markham Fair Harvest Moon Festival; and,
- 4) That the following Celebrate Markham grants be approved for the Major Community Festivals Category (as per Attachment 2):
- i) Markham Jazz Festival be awarded \$10,000 for Markham Jazz Festival;
  - ii) Markham Rotary Club Foundation be awarded \$5,000 for Markham RibFest;
  - iii) Markham Village Music Festival be awarded \$10,000 for Markham Village Music Festival on Main Street and Morgan Park;
  - iv) Power Unit Youth Organization be awarded \$10,000 for Night It Up!;
  - v) Federation of Chinese Canadians in Markham be awarded \$10,000 for Taste of Asia Festival, subject to providing an Outcome/Financial report on the Celebrate Markham grant provided in the 1<sup>st</sup> funding cycle under the new Program for the 2016 Lunar New Year event;
  - vi) Unionville Festival be awarded \$10,000 for the Unionville Festival 2016; and,

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- 5) That the following Celebrate Markham grants be approved for the Seniors' Clubs Category (as per Appendix 3):
- i) Middlefield Seniors' Wellness Club be awarded \$2,000 for Middlefield Seniors';
  - ii) Angus Glen Older Adults be awarded \$3,000 for Club Sound Equipment;
  - iii) Markham Sunglow Seniors be awarded \$1,000 for Seniors Healthy Life;
  - iv) Markham XiangHe Club be awarded \$1,000 for Happy and Healthy Seniors;
  - v) Boxgrove Seniors be awarded \$1,000 for Enhancing the Life of Seniors;
  - vi) Paradise Senior Association of Markham be awarded \$1,000 for Seniors' Social Activities - Victoria Park Square;
  - vii) Markham United Senior and Family Association be awarded \$1,000 for Physical and Emotional Wellness Program;
  - viii) Seniors' Enrichment Centre be awarded \$1,000 for Celebrating SEC;
  - ix) Armadale Punjabi Seniors be awarded \$1,000 for Summer Mela;
  - x) Seniors' Association be awarded \$1,000 for Seniors Winter Activities Ward 6;
  - xi) Canada One Network be awarded \$2,000 for Canada One Seniors; and
  - xii) Markham Tamil Seniors be awarded \$1,000 for Meetings at Armadale CC; and,
- 6) That the following Celebrate Markham grants be approved for the Sport Events Category (as per Appendix 4):
- i) Pickleball Association of Ontario (PAO) be awarded \$2,000 for PAO annual Provincial Championship;
  - ii) MUMBA Basketball be awarded \$5,000 for MUMBA Basketball Ontario Provincial Cup;
  - iii) Markham District Baseball Association be awarded \$5,000 for Ontario Baseball Association Provincial Championships;
  - iv) Markham Speed Skating Club be awarded \$2,000 for Angus Glen CC Regional Race Meet;
  - v) Table Tennis Canada be awarded \$10,000 for 2016 International Table Tennis Federation North American Olympic Qualification Tournament; and,
- 7) That Tourism Markham/Information Markham be awarded \$2,500 for website design/content and be integrated with the "Destination Markham" Strategic Initiative by 2017; and,

- 8) That subject to approval by Council, this Staff report showing recommended applications be posted on the Celebrate Markham website for applicant's and the public's information, along with Council's resolution; and,
- 9) That an additional Celebrate Markham application intake be held in April/May 2016 to address transition to the new system for the period October 1, 2016 to March 31, 2017; and,
- 10) That the remaining funds be held until the end of 2016 and be used to assist with transitioning to the revised Celebrate Markham Program, including funding grants resulting from the additional application intake to be held in April/May 2016 and to improve processing applications as noted in recommendation 11 below; and,
- 11) That Staff investigate the use of software and development of an improved website to better manage application processing, as well as improve the efficiency, tracking and reporting on Celebrate Markham applications using remaining 2016 Program funds, or funds identified as part of the 2017 budget process; and further,
- 12) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**Carried**

(10) MARKHAM TENNIS CLUBHOUSE RECONSTRUCTION (5.0)

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

- 1) That the report "Markham Tennis Clubhouse Reconstruction" be received; and,
- 2) That Council approve reconstruction of the Markham Tennis Clubhouse to a maximum cost of \$150,000; and,
- 3) That the reconstruction cost be equally shared by the City and Markham Tennis Club, with maximum contribution of \$75,000 from the Markham Tennis Club; and,
- 4) That the City provide an interest free loan to the Markham Tennis Club equivalent to 50% of the reconstruction cost to a maximum amount of \$75,000 to be paid back in 20 years with no interest; and,
- 5) That the Markham Tennis Club commence repayment of the loan in May 1, 2017, the first year the clubhouse will be ready for use; and,

- 6) That Council authorize the Mayor and Clerk to execute an agreement with the Club in a form satisfactory to the City Solicitor and Chief Administrative Officer for the repayment related to the reconstruction of the clubhouse; and further,
- 7) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**Carried**

(11) CANADA 150 COMMUNITY INFRASTRUCTURE PROGRAM (7.6)

[Report](#)

- 1) That the report, “Canada 150 Community Infrastructure”, be received; and,
- 2) That the City of Markham proceed with *Rehabilitation of Veterans Square and Cenotaph in Historic Markham Village – Phase 1*, and enter into a contribution agreement for federal funding up to a total of \$950,000 under the Canada 150 Community Infrastructure Program; and,
- 3) That the *Rehabilitation of Veterans Square and Cenotaph in Historic Markham Village – Phase 1* be funded from project #16034 “Markham Village Library Square – Phase 1 Construction” in the amount of \$1,933,400 which consists of the following funding sources:  
Development Charges in the amount of \$885,060, and  
Non-DC Growth in the amount of \$98,340; and  
Canada 150 grant of up to \$950,000, subject to eligible cost conditions; and,
- 4) That the City of Markham proceed with *Improvement of Main Entrance to Thornhill Community Centre with Benjamin Thorne Tribute*, and enter into a contribution agreement for federal funding up to a total of \$133,571 under the Canada 150 Community Infrastructure Program; and,
- 5) That the *Improvement of Main Entrance to Thornhill Community Centre with Benjamin Thorne Tribute* be funded from project #15112 “Culture Public Art” and project #16078 “Culture Public Art Program” in the amount of \$500,571 which consists of the following funding sources:  
\$150,000 to be funded from capital project #15112 “Culture Public Art”  
\$350,571 to be funded from capital project #16078 “Culture Public Art Program” which includes Canada 150 grant of up to \$133,571, subject to eligible cost conditions; and,



- 6) That the Mayor and City Clerk be authorized to execute both contribution agreements, in a form and content satisfactory to the City Solicitor and Commissioner of Community & Fire Services and the Commissioner of Development Services; and,
- 7) That the Culture Department undertake a call and/or direct commission as per the process identified in the Public Art Policy to commission an artist to design the Benjamin Thorne monument; and,
- 8) That Staff proceed with tendering, and tender award as required for Phase 1 of the Veterans Square and Cenotaph rehabilitation and associated landscape works; and,
- 9) That the Culture Department undertake a national competition call as per the process identified in the Public Art Policy to commission an artist to redesign the Markham Cenotaph, with support from the Markham District Veterans Association (MDVA); and,
- 10) That the Chief Administrative Officer be delegated the authority to award the construction tender to the successful bidder provided that the project is within budget or can be made to come within budget through selected scope changes and/or corresponding price adjustments and/or budget allocation changes; and,
- 11) That the Director of Planning and Urban Design, or designate, be delegated authority for Site Plan Approval, if required; and further,
- 12) 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 Deputy Mayor Jack Heath

Seconded by Councillor Alex Chiu

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

### Received

5-2016

ONTARIO MUNICIPAL BOARD (OMB) DECISION - KING DAVID INC.,  
10340, 10350 AND 10370 WOODBINE AVENUE (13.13)

[OMB Decision](#)

#### Summary from the City Solicitor:

On March 21, 2015, the Ontario Municipal Board issued its decision respecting the appeal by King David Inc (the "Appellant") respecting the City's failure to make a decision regarding applications for Official Plan and Zoning By-law Amendments, draft plan of subdivision and site plan (the "Applications") at 10340, 10350, 10370 Woodbine Avenue, which lands are bounded by Donald Buttress Boulevard and Pope John Paul II Square to the south, Woodbine Avenue to the east, and Anthony Roman Avenue to the north. The Cathedral of the Transfiguration is located in the centre of the lands. The Applications permit a mixed residential and commercial development, a place of worship. The lands will be developed in three phases, with phase 1 consisting of two 4-storey buildings with a total of 206 residential units, and 24 ground floor commercial units.

The Board heard expert land use planning evidence from Bob Forhan, the Appellant's planning consultant. Several area residents also participated in the hearing. The City did not call any expert evidence.

The Board allowed the appeal and approved phase 1 of the application. Phases 2 and 3 will be case managed by the Board, and City staff will bring forward confidential recommendation reports as the Appellant proceeds with further development on the site.

(By-laws 2016-27 and 2016-28)

**Carried**

## 10. PROCLAMATIONS

### (1) PROCLAMATION AND FLAG RAISING REQUESTS (3.4)

Moved by Councillor Alex Chiu

Seconded by Councillor Valerie Burke

- 1) That the following proclamation, issued by the City Clerk in accordance with the City of Markham Proclamation Policy, be received for information purposes:
  - Pakistan National Day (March 23, 2016)
  - Greek Independence Day (March 25, 2016)
  - Epilepsy Awareness Month (March 2016)
  - Purple Day (Epilepsy Awareness) (March 26, 2016)
  - World Autism Awareness Day (April 2, 2016)
  - National Wildlife Week (April 10 to 16, 2016)
  - Be Kind to Animals Week (May 8 to 14, 2016)
  - Israel's Independence Day (May 12, 2016)
  - Multiple Sclerosis Awareness Day (May 25, 2016)
  - Philippine Week (June 5 to 12, 2016)
  - World Polio Day (October 21, 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:
  - Flag of Pakistan (March 23, 2016)
  - Flag of Greece (March 21 to 25, 2016)
  - Autism Ontario's Flag (April 4, 2016)
  - Flag of Israel (May 12, 2016)
  - Multiple Sclerosis Flag (May 25, 2016)
  - Philippine Flag (June 5 to 12, 2016)
  - End Polio Now Flag (October 21, 2016); and further,
- 3) That the following new request for proclamation be approved and added to the Five-Year Proclamations List approved by Council:
  - Be a Donor Month (April 2016)

**Carried**

**11. NEW/OTHER BUSINESS**

- (1) NATIONAL ZERO WASTE  
COUNCIL MEMBERSHIP APPOINTMENT (5.1)  
[Memo](#) [Report](#)

Moved by Regional Councillor Nirmala Armstrong  
Seconded by Councillor Valerie Burke

- 1) That the memorandum dated March 7, 2016 from the Commissioner of Community and Fire Services providing additional information concerning the composition of members for the National Zero Waste Council be received; and,
- 2) That the report entitled "National Zero Waste Council Membership Appointment" be received; and,
- 3) That the City of Markham joins Canada's National Zero Waste Council; and,
- 4) That Deputy Mayor Jack Heath be appointed to represent Markham as a member of the National Zero Waste Council; and further,
- 5) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**Carried**

- (2) ONTARIO MUNICIPAL BOARD (OMB) REFORMATION SUMMIT  
- MAY 14, 2016 (10.0)

Council was advised of the Ontario Municipal Board (OMB) Reformation Summit being held in Markham on May 14, 2016.

## 12. BY-LAWS

**(By-laws 2016-27 and 2016-28 were approved by OMB)**

**(For information only to facilitate the assignment of a by-law number)**

BY-LAW 2016-27 KING DAVID INC., 10340, 10350 AND 10370 WOODBINE AVENUE, AMENDMENT TO THE IN FORCE OFFICIAL PLAN (REVISED 1987), AS AMENDED APPROVED BY ONTARIO MUNICIPAL BOARD (OMB)

A by-law to adopt an Official Plan Amendment 233 to the in force Official Plan (Revised 1987), as amended, to permit residential and commercial development.

(Communication No. 5-2016)

[OPA](#)

BY-LAW 2016-28 KING DAVID INC., 10340, 10350 AND 10370 WOODBINE AVENUE, ZONING BY-LAW AMENDMENT APPROVED BY ONTARIO MUNICIPAL BOARD (OMB)

A by-law to amend By-law 304-87, as amended and 177-96, as amended, to permit residential and commercial development.

(Communication No. 5-2016)

[By-law](#)

Moved by Councillor Alex Chiu

Seconded by Councillor Logan Kanapathi

That By-laws 2016-29 to 2016-33, 2016-35 and 2016-36 be given three readings and enacted.

### Three Readings

BY-LAW 2016-29 A BY-LAW TO AMEND PARKING BY-LAW 2005-188 (EUREKA STREET AND FRED VARLEY DRIVE TEMPORARY PARKING PROHIBITION)

(Item No. 1, Report No. 7)

[By-law](#)

**Carried**

- BY-LAW 2016-30     PRISTINE HOMES (GREENSBOROUGH) INC., PART LOT CONTROL EXEMPTION BY-LAW  
A by-law to designate part of a certain plan of subdivision not subject to Part Lot Control, Blocks 34 and 35, Registered Plan 65M-4334, north of Donald Cousens Parkway and south of Major Mackenzie Drive East and west of 9<sup>th</sup> Line, within the Greensborough Community.  
[By-law](#)  
**Carried**
- BY-LAW 2016-31     EBRAHIM JAVADY TORABI, 2968 ELGIN MILLS ROAD EAST, AMENDMENT TO THE IN FORCE OFFICIAL PLAN (REVISED 1987), AS AMENDED  
A by-law to adopt an Official Plan Amendment No. 234 to the in force Official Plan (Revised 1987), as amended, to permit the development of semi-detached dwellings.  
(Item No. 1, Report No. 8)  
[OPA](#)  
**Carried**
- BY-LAW 2016-32     EBRAHIM JAVADY TORABI, 2968 ELGIN MILLS ROAD EAST, AMENDMENT TO THE NEW COUNCIL ADOPTED OFFICIAL PLAN (2014)  
A by-law to adopt an Official Plan Amendment No. 8 to the new Council adopted Official Plan (2014), as amended, to permit the development of semi-detached dwellings.  
(Item No. 1, Report No. 8)  
[OPA](#)  
**Carried**
- BY-LAW 2016-33     EBRAHIM JAVADY TORABI, 2968 ELGIN MILLS ROAD EAST, ZONING BY-LAW AMENDMENT  
A by-law to amend By-laws 83-73 and 177-96, amended, to permit the development of semi-detached dwellings.  
(Item No. 1, Report No. 8)  
[By-law](#)  
**Carried**

BY-LAW 2016-35 NEAMSBY INVESTMENTS INC., PART LOT CONTROL EXEMPTION BY-LAW

A by-law to designate part of a certain plan of subdivision not subject to Part Lot Control, Part of Block 16, Plan M-1915, Designated as Parts 1 to 4 inclusive and Parts 7 to 14 inclusive, Plan 65R-31689 and Parts 5 to 9 inclusive, Plan 65R-26070, north-east corner of Warden Avenue and Denison Street.

[By-law](#)

**Carried**

BY-LAW 2016-36 A BY-LAW TO AMEND PARKING BY-LAW 2005-188 (PARKING RESTRICTION ON THE EAST SIDE OF WASHINGTON STREET, BETWEEN HIGHWAY 7 AND JOSEPH STREET)

(Item No. 6, Report No. 9)

[By-law](#)

**Carried**

### **13. IN-CAMERA ITEMS**

Moved by Councillor Alan Ho

Seconded by Regional Councillor Jim Jones

That, in accordance with Section 239 (2) of the Municipal Act, Council resolve into an in-camera session to discuss the following matters (8:39 PM):

#### **Council – March 22, 2016**

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

#### **Development Services Committee – March 7, 2016**

- (2) LITIGATION OR POTENTIAL LITIGATION, INCLUDING MATTERS BEFORE ADMINISTRATIVE TRIBUNALS, AFFECTING THE MUNICIPALITY OR LOCAL BOARD  
(CF/OT BUTTONVILLE PROPERTIES, 2833 16<sup>TH</sup> AVENUE, WARD 2) (8.0)  
[Section 239 (2) (e)]

**General Committee – March 21, 2016**

- (3) PERSONAL MATTERS ABOUT AN IDENTIFIABLE INDIVIDUAL, INCLUDING MUNICIPAL OR LOCAL BOARD EMPLOYEES (BOARD/COMMITTEE APPOINTMENT) (16.24)  
[Section 239 (2) (b)]
- (4) PERSONAL MATTERS ABOUT AN IDENTIFIABLE INDIVIDUAL, INCLUDING MUNICIPAL OR LOCAL BOARD EMPLOYEES (13.7)  
[Section 239 (2) (b)]
- (5) PROPOSED OR PENDING ACQUISITION OR DISPOSITION OF LAND BY THE MUNICIPALITY OR LOCAL BOARD (WARD 2) (8.6)  
[Section 239 (2) (c)]

Moved by Regional Councillor Jim Jones  
Seconded by Councillor Amanda Collucci

That Council rise from the in-camera session. (10:45 PM)

**Carried**

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

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

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

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

**Carried**



- (2) LEGAL ADVICE REGARDING AN APPLICATION BY  
CF/OT BUTTONVILLE PROPERTIES LP FOR  
OFFICIAL PLAN AMENDMENT & NEW SECONDARY PLAN  
FOR THE BUTTONVILLE AIRPORT LANDS  
2833 16<sup>TH</sup> AVENUE, MARKHAM  
FILE OP 11 115381 (10.3, 10.4)

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

- 1) That the confidential report titled “Legal Advice Regarding an Application by CF/OT Buttonville Properties LP for Official Plan Amendment & New Secondary Plan for the Buttonville Airport Lands, 2833 16<sup>th</sup> Avenue, Markham, File OP 11 115381,” be received; and,
- 2) That Council endorse the Proposed Settlement attached as Appendix A of this Report, subject to the satisfactory resolution of the matters set out in this Report; and,
- 3) That staff be authorized to negotiate the content of the Secondary Plan Amendment with the applicant, in consultation with the applicable public agencies and in accordance with this Report; and,
- 4) That Council authorize the City Solicitor or her designate to execute minutes of settlement satisfactory to the City Solicitor and the Commissioner of Development Services to ensure that the applicant and other parties to the appeal support the proposed settlement and conditions described in this Report at the Ontario Municipal Board; and,
- 5) That the City Solicitor or her designate be directed to attend the OMB hearing to support the settlement of the applicant’s appeal, as described in this Report; and,
- 6) That Staff report back regarding any agreement reached between Ministry of Transportation, Region of York and City of Markham regarding transportation requirements for Phase 1 and related funding sources; and,
- 7) That staff report back to Council regarding the final minutes of settlement executed before the Ontario Municipal Board, and the proposed Secondary Plan Amendment; and further,
- 8) That staff be authorized to do all things necessary to give effect to this resolution.

**Carried**

(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 Children's Festival Committee:

<b>Name</b>	<b>Term</b>
Susan Samuel	November 30, 2019
Adriana Scali	November 30, 2019
Masud Sethi	November 30, 2017
Shelly Srivastav	November 30, 2017
Saadia Zakki	November 30, 2018.

**Carried**

- (4) PERSONAL MATTERS ABOUT AN IDENTIFIABLE INDIVIDUAL, INCLUDING MUNICIPAL OR LOCAL BOARD EMPLOYEES (13.7)  
[Section 239 (2) (b)]

Council consented to not report out on this matter at this time.

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

No action was taken by Council on this matter.

**14. CONFIRMATORY BY-LAW**

Moved by Councillor Alex Chiu  
Seconded by Councillor Alan Ho

That By-law 2016-34 be given three readings and enacted.

**Three Readings**

BY-LAW 2016-34     A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE COUNCIL  
MEETING OF MARCH 22, 2016.

[By-law](#)

**Carried**

**15. ADJOURNMENT**

Moved by Councillor Alex Chiu  
Seconded by Councillor Valerie Burke

That the Council Meeting be adjourned at 10:47 PM.

**Carried**

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Kimberley Kitteringham  
City Clerk

(Signed)

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Frank Scarpitti  
Mayor