



Council Minutes

December 13, 2016, 7:00 PM

Council Chamber, Anthony Roman Markham Civic Centre

Meeting No. 19

Alternate formats for this document are available upon request

Roll Call

Mayor Frank Scarpitti, 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.

Regrets

Deputy Mayor Jack Heath, Regional Councillor Jim Jones.

Staff

Andy Taylor, Chief Administrative Officer
Catherine Conrad, City Solicitor and Acting Director of Human Resources
Jim Baird, Commissioner of Development Services
Trinela Cane, Commissioner of Corporate Services
Brenda Librecz, Commissioner of Community and Fire Services
Joel Lustig, Treasurer
Raj Raman, Mayor's Chief of Staff
Kimberley Kitteringham, City Clerk
Martha Pettit, Deputy City Clerk
John Wong, Technology Support Specialist
Andrea Tang, Senior Manager of Financial Planning

The meeting of Council convened at 7:13 PM on December 13, 2016 in the Council Chamber.
Mayor Frank Scarpitti presided.

1. DISCLOSURE OF PECUNIARY INTEREST

(1) None declared.

2. MINUTES

(1) COUNCIL MINUTES - NOVEMBER 29, 2016

[Minutes](#)

Moved by Councillor Alex Chiu

Seconded by Councillor Alan Ho

- 1) That the Minutes of the Council Meeting held on November 29, 2016, be adopted.

Carried

3. PRESENTATIONS

(1) WILLIAM BERCZY (12.2.6)

Mayor Frank Scarpitti advised the City of Markham will unveil the statue of William Berczy as part of the Canada 150 celebrations in 2017, and mentioned some of the many accomplishments of Mr. Berczy. He noted that William Berczy's birthday was December 10th and he would have been 272 years old.

(2) TWINNING WITH NORDLINGEN, GERMANY (10.16)

Councillor Valerie Burke displayed a photograph provided by Aksel Rinck, Head of Museum, Nordlingen, Germany. The photo depicts the cabinet Mr. Rinck donated to the City of Nordlingen to store all the documents relating to the twinning of City of Markham with Nordlingen, Germany.

(3) JACK PALEY, WWII VETERAN - RECIPIENT OF THE FRENCH LÉGION D'HONNEUR MEDAL (12.2.6)

Council formally recognized Jack Paley, WWII Veteran, recipient of the French Légion d'Honneur Medal.

Mayor Frank Scarpitti introduced Marc Trouyet, Consul General of France in Toronto, who was in attendance. Mr. Trouyet provided a brief history of the French Légion d'Honneur Medal and the importance of Jack Paley's contributions to ensure the freedom of France.

Mr. Trouyet presented Jack Paley with the medal while Council looked on. Mr. Paley provided a brief comment remarking how lucky he felt to have survived WWII and to be a member of the Markham community today.

4. DELEGATIONS

- (1) DELEGATIONS - REQUEST FOR DEMOLITION
– SINGLE DETACHED DWELLING
27 CHURCH STREET, MARKHAM VILLAGE FELICITÉ DIBI (10.13)

Moved by Councillor Alan Ho

Seconded by Councillor Colin Campbell

That the following delegations with respect to the demolition of 27 Church Street be received:

- Felicite Dibi, applicant, spoke in support of the proposed recommendation.
 - Mario Almeida, applicant's contractor, spoke in support of the recommendation.
- (See Item No. 3, Report No. 49 for Council's decision on this matter)

Carried

- (2) DELEGATIONS - 2017 BUDGET (7.4 & 7.5)

Moved by Councillor Alan Ho

Seconded by Councillor Colin Campbell

That the following delegations with respect to the 2017 Budget be received:

- Shelly Srivastav, enquired about the budget process.
 - Peter Miasek, spoke in support of the proposed 2017 Budget.
- (See Item No. 1, Report No. 47 for Council's decision on this matter)

Carried

5. PETITIONS

There were no petitions.

6(A) REPORT NO. 47 - GENERAL COMMITTEE (November 28, 2016)

Moved by Councillor Logan Kanapathi

Seconded by Councillor Amanda Collucci

That Report No. 47 - General Committee comprised of 2 items be received and adopted.

(1) 2017 BUDGET (7.4 & 7.5)

[Presentation](#) [Report](#) [Appendices](#)

Councillor Logan Kanapathi, Chair of Budget Committee, provided comments about the success of the 2017 Budget Committee meetings. He thanked members of the Budget Committee and staff for their support and hard work.

Mayor Frank Scarpitti, on behalf of Council, thanked members of the Budget Committee and staff for their efforts.

Moved by Councillor Logan Kanapathi

Seconded by Councillor Amanda Collucci

- 1) That the report dated November 28, 2016 entitled, “2017 Budget” and presentation be received; and,
- 2) That Council approve a 3.46% property tax rate increase to the City’s tax levy, which includes an infrastructure investment of 0.5%; and,
- 3) That Council approve the 2017 Primary Operating Budget for City services of \$201,774,678 and Library of \$13,614,879 to a total of \$215,389,557 (excluding the 2016 surplus/deficit) which includes a 3.46% property tax rate increase, of which the principal components are detailed in Appendices 1 and 2; and,
- 4) That the gross operating expenditures of \$215,389,557, (excluding the 2016 surplus/deficit), be funded from the following sources:

	<u>2017 Budget \$</u>
Taxation Levies	149,878,594
Payments-in-lieu of Taxes	1,209,007
Grant & Subsidy Revenues	1,640,829
General Revenues (Investment Income, Fines, Permits, Penalty & Interest)	30,790,807
User Fees & Service Charges, Rentals and Sales	26,617,761
Other Income/Recoveries	<u>5,252,559</u>
Total Revenues	<u>215,389,557</u>
; and,	

- 5) That Council approve the remaining 2017 Capital Budget of \$69,457,500 for a total of \$81,474,100 of which the projects are detailed in Appendix 3; and,
- 6) That the incremental transfer from the Operating Budget to the Life-cycle Replacement and Capital Reserve (“the Reserve”) be increased by 2% annually for inflation; and,
- 7) That the \$510,000 currently in the operating budget (which was previously transferred to the Library reserve for years 2003-2012) be redirected to the Reserve since the Library transfer is no longer required; and
- 8)
 - a) That the Ramp-up reserve fund the remaining Emerald Ash Borer costs of \$7,046,000; and,
 - b) That the 2013 Council approved infrastructure surcharge of \$590,000 for the Emerald Ash Borer program be redirected to the Reserve; and,
- 9)
 - a) That the Ramp-up reserve fund the remaining ice storm costs of \$605,000; and,
 - b) That Council approved infrastructure surcharge for ice storm costs totalling \$625,000 be redirected to the Reserve; and,
- 10) That Council approve the 2017 Planning & Design Operating Budget totalling \$9,150,651, (excluding the 2016 surplus/deficit), the principal components of which are detailed in Appendix 4; and,
- 11) That Council approve the 2017 Engineering Operating Budget totalling \$7,355,144, (excluding the 2016 surplus/deficit), the principal components of which are detailed in Appendix 5; and,
- 12) That Council approve the 2017 Building Standards Operating Budget totalling \$8,801,488, (excluding the 2016 surplus/deficit), the principal components of which are detailed in Appendix 6; and,
- 13) And That Council approve the 2017 Waterworks Operating Budget totalling \$121,173,184 (excluding the 2016 adjustment), the principal components of which are detailed in Appendix 7; and,
- 14) That upon finalization of the 2016 audited financial statements, the 2017 Operating, Planning & Design, Engineering, Building Standards, and Waterworks Operating Budgets be adjusted to reflect the 2016 operating results; and,
- 15) That a copy of the Budgets be made available to the public through the Clerk’s Department, the City website and each of the Markham Public Libraries; and,

- 16) That the “Additional Financial Disclosure Requirements Pursuant to Ontario Regulation 284/09” be received for information purposes; and,
- 17) That this report be brought forward to Council on Tuesday, December 13, 2016; and further,
- 18) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried by a recorded vote (9:2)
(See following recorded vote)

YEAS: Councillor Valerie Burke, Councillor Alan Ho, Councillor Karen Rea, Regional Councillor Nirmala Armstrong, Mayor Frank Scarpitti, Regional Councillor Joe Li, Councillor Amanda Collucci, Councillor Logan Kanapathi, Councillor Alex Chiu. (9)

NAYS: Councillor Don Hamilton, Councillor Colin Campbell. (2)

ABSENT: Regional Councillor Jim Jones, Deputy Mayor Jack Heath. (2)

(2) 2017 WATER WASTEWATER
RATE INCREASE (5.3)
[Report](#)

Moved by Councillor Logan Kanapathi
Seconded by Councillor Amanda Collucci

- 1) That the report entitled “2017 Water/Wastewater Rate Increase” be received; and
- 2) That the 2017 City of Markham’s (“City”) water/wastewater rate increase be equivalent to the Region of York’s (“Region”) monetary increase of \$0.2135 per cubic metre (m³) based on Region’s approved increase of 9%; and
- 3) That in addition to the Region’s increase, the 2017 water/wastewater rate increase includes a surcharge of \$0.0669/m³; and
- 4) That effective April 1, 2017, the water/wastewater rate will be \$3.8555/m³, an increase of \$0.2804/m³, equivalent to a 7.8% increase compared to prior year; and further,

- 5) That Staff be authorized and directed to do all things necessary to give effect to this resolution.
(By-law 2016-40)

Carried by a recorded vote (7:4)
(See following recorded vote)

YEAS: Councillor Valerie Burke, Councillor Alan Ho, Mayor Frank Scarpitti, Regional Councillor Joe Li, Councillor Amanda Collucci, Councillor Logan Kanapathi, Councillor Alex Chiu. (7)

NAYS: Councillor Don Hamilton, Councillor Karen Rea, Regional Councillor Nirmala Armstrong, Councillor Colin Campbell. (4)

ABSENT: Regional Councillor Jim Jones, Deputy Mayor Jack Heath. (2)

6(B) REPORT NO. 48 - GENERAL COMMITTEE (November 14, 2016)

- (1) 2017 INTERIM SPENDING AUTHORITY PENDING
APPROVAL OF BUDGET (7.9)
[Report](#)

Note: As the 2017 Budget was approved by Council on December 13, 2016, Council consented to not adopt this recommendation from the November 14, 2016 General Committee meeting as it is no longer required.

- 1) That the report titled “2017 Interim Spending Authority Pending Approval of Budget”, be received; and,
- 2) That Council approve 50% of the City’s 2016 Operating, Waterworks, Planning & Design, Building Standards and Engineering budgets equal to \$172,817,913 as a pre-budget approval for 2017 operating expenditures; and,
- 3) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**6(C) REPORT NO. 49 - DEVELOPMENT SERVICES COMMITTEE
(December 5, 2016)**

Moved by Councillor Don Hamilton

Seconded by Regional Councillor Nirmala Armstrong

That Report No. 49 - Development Services Committee comprised of 7 items be received and adopted, except Item Nos. 1 and 3. (See following Item Nos. 1 and 3)

- (1) COMMENTS ON THE PROVINCE'S
2016 REVIEW OF THE ONTARIO MUNICIPAL BOARD
PR 16 – 138801 (10.0)
[Report](#)

Moved by Councillor Don Hamilton

Seconded by Regional Councillor Nirmala Armstrong

- 1) That the Staff report entitled “Comments on The Province’s Review of the Ontario Municipal Board”, dated December 5th, 2016, be received; and,
- 2) That Council endorse the Staff recommendations in this report and submit it to the Province as the City of Markham’s comments on the Province’s review of the Ontario Municipal Board (“OMB”) with the following additional clauses:
 - "That consistent with the Markham Council resolution dated October 17, 2016, the Province be requested to develop an open and transparent process to review potential minor boundary changes associated with the Greenbelt Plan, with the definition of precise limits of the Greenbelt boundary to be established through the approval process for municipal Secondary Plans, and including potential rights of appeal to the Ontario Municipal Board."
 - "That no appeal to a municipality’s refusal to amend a new secondary plan be permitted for five years, to recognize the community effort and involvement in developing these plans."; and,
- 3) That Staff report back to Development Services Committee, on any changes made by the Province to the OMB and/or the planning appeal regime, to provide an overview of the changes and to outline potential operational impacts to the Legal Services and Planning and Urban Design Departments, including possible changes to work flow, processes, and resource allocation; and,

- 4) That the Clerk be directed to forward a copy of this report to the Minister of Municipal Affairs, the Attorney General of Ontario, Markham Riding MPP's and the Region of York; and further,
- 5) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

Council consented to add the following as an additional clause to Resolution No. 2.

- "- That no appeal to a municipality's refusal to amend a new secondary plan be permitted for five years, to recognize the community effort and involvement in developing these plans."; and,

- (2) RECOMMENDATION REPORT
WISMER MARKHAM (COMMERCIAL) DEVELOPMENTS INC.
C/O ASPEN RIDGE HOMES
APPLICATION FOR SITE PLAN APPROVAL
FOR A CONDOMINIUM TOWNHOUSE AND
MID-RISE RESIDENTIAL DEVELOPMENT (PHASE 1)
AT 1735 BUR OAK AVENUE
(SOUTH-WEST CORNER OF BUR OAK AVENUE AND MARKHAM ROAD)
FILE NO: SC 13 125328 (10.6)
[Report](#)

- 1) That the report titled "Recommendation Report, Wismer Markham (Commercial) Developments Inc. c/o Aspen Ridge Homes, Application for Site Plan Approval for a condominium townhouse and mid-rise residential development (Phase 1) at 1735 Bur Oak Avenue (south-west corner of Bur Oak Avenue and Markham Road), File No: SC 13 125328," be received; and,
- 2) That the Site Plan application (SC 13 125328) submitted by Wismer Markham (Commercial) Developments Inc. c/o Aspen Ridge Homes, to facilitate a condominium townhouse and mid-rise development (Phase 1) be endorsed in principle, subject to the conditions in Appendix 'A'; and,
- 3) That this endorsement shall lapse and site plan approval will not be issued, after a period of three (3) years commencing on December 5th, 2016 in the event the site plan agreement is not executed within that time period; and,

- 4) That Council assign servicing allocation for 32 townhouse units and 81 midrise units (Phase 1) to the proposed development and advise York Region; and,
- 5) That the City reserves the right to revoke or reallocate servicing allocation should this development not proceed in a timely manner; and further,
- 6) That Staff be authorized to do all things necessary to give effect to this resolution.

Carried

(3) REQUEST FOR DEMOLITION
– SINGLE DETACHED DWELLING
27 CHURCH STREET, MARKHAM VILLAGE
FELICITÉ DIBI (10.13)
[Report](#) [Correspondence](#)

- 1) That the correspondence dated December 13, 2016 from Evelin Ellison, Ward I (South) Thornhill Residents, provided to Council on December 13, 2016, be received; and,
- 2) That the deputation by Felicité Dibi, applicant, regarding the request for demolition for 27 Church Street, Markham Village, provided to the Development Services Committee on December 5, 2016 be received; and,
- 3) That the staff report entitled “Request for Demolition-Single Detached Dwelling, 27 Church Street, Markham Village, Felicité Dibi” dated December 5, 2016 be received; and,
- 4) Whereas the applicant has agreed to waive the demolition permit deadline, that the proposed demolition of the existing single detached dwelling at 27 Church Street located within the Markham Village Heritage Conservation District be deferred to allow the applicant to obtain a professional certification regarding mold and building integrity, and to continue working with heritage staff for appropriate development; and,
- 5) That the applicant be requested to forward a copy of the original home inspection report, if available, to the Clerk for distribution to Members of Council; and,
- 6) That staff report back to Development Services Committee on this matter; and further,

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

Carried

(See following call the question)

(See following to consider the matter)

Council consented to:

- Receive the correspondence dated December 13, 2016 from Evelin Ellison, Ward I (South) Thornhill Residents, on the demolition of 27 Church Street. (See Resolution No. 1)
- Request the applicant forward a copy of the original home inspection report, if available, to the Clerk for distribution to Members of Council. (See Resolution No. 5)

Call the question:

Moved by Regional Councillor Nirmala Armstrong

Seconded by Councillor Amanda Collucci

That Council call the question on the matter of the demolition of 27 Church Street.

Carried by a 2/3 vote of Members of Council present

Motion to consider the matter:

Moved by Councillor Karen Rea

Seconded by Councillor Don Hamilton

That Council consider the matter on the demolition of 27 Church Street immediately following the delegations with respect thereto.

Carried

- (4) AWARD OF PROPOSAL 231-R-16
CONSULTING SERVICES FOR DEVELOPMENT
OF A NEW COMPREHENSIVE ZONING BY-LAW: PHASE 3B
OF NEW COMPREHENSIVE ZONING BY-LAW PROJECT (10.5, 7.12)
[Report](#)

- 1) That the report entitled “Award of Proposal 231-R-16: Consulting Services for Development of New Comprehensive Zoning By-Law: Phase 3B of New Comprehensive Zoning By-law Project” be received; and,

- 2) That the Contract for Proposal 231-R-16: Consulting Services for Development of New Comprehensive Zoning By-law (Phase 3B), be awarded to Meridian Planning Consultants, the highest ranked, lowest priced bidder in the amount of \$525,425.55 inclusive of HST; and,
- 3) That a contingency in the amount of \$52,542.56 (10%), inclusive of HST impact to cover any additional project costs be approved, and that authorization be granted to approve expenditures of this contingency amount up to the specified limit in accordance with the Expenditure Control Policy; and,
- 4) That the award and contingency amounts be funded from the Planning & Urban Design account for Markham's New Comprehensive Zoning By-law – Project #16001 in the amount of \$577,968.11 (\$525,425.55 + 52,542.56), inclusive of HST impact; and,
- 5) That the remaining budget in Project #15016, “Consolidated Zoning By-law Program - Phase 2 of 4” in the amount of \$340,486 be returned to the original funding source; and,
- 6) That the remaining budget in Project #16001 ‘Consolidated Zoning By-law Program - Phase 3 of 4’ in the amount of \$42,880.89 be returned to the original funding source; and,
- 7) That funding be reduced by \$430,000 from the 2017 capital budget request, from \$668,000 to \$238,000 from Project #17029 “Consolidated Zoning By-law Program - Year 4 of 4” subject to Council approval of the 2017 capital budget; and further,
- 8) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

- (5) REMINGTON GROUP INC.
(MARKET VILLAGE MARKHAM)
4390 STEELES AVENUE EAST
APPLICATION FOR SITE PLAN APPROVAL
FOR A COMMERCIAL DEVELOPMENT
FILE NO: SC 07 128831 (10.6)

[Memo](#)

- 1) That the staff memorandum dated December 5, 2016, titled “Remington Group Inc. (Market Village Markham); 4390 Steeles Avenue East, Application for site plan approval for a commercial development; File No: SC 07 128831,” be received; and,
- 2) That the presentation by representatives of the Remington Group, be received; and,
- 3) That Development Services Committee affirm its endorsement, in principle, of the subject application, subject to the conditions endorsed by Committee on January 25, 2016 (Appendix ‘A’); and,
- 4) That Whereas the City’s new 2014 Official Plan designates as Mixed Use Midrise the three properties comprised of Market Village, Pacific Mall and Kennedy Corners, and further identifies them as being included within the Milliken Centre Secondary Plan Area; and,

Whereas the Official Plan also identifies this area as a potential Secondary Hub, to reflect its relationship to potential higher order transit facilities;

Therefore, in this context, Council supports, in principle, the potential mixed-use intensification of these properties consistent with in this policy framework and subject to the appropriate Secondary Plan review, development applications, necessary technical studies and reports, and required infrastructure improvements; and further,

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

Carried

(6) STEERING COMMITTEE
(STEELES AVENUE CORRIDOR
- MUTUAL BOUNDARY BETWEEN THE
CITY OF TORONTO AND THE CITY OF MARKHAM) (16.24)

- 1) That a Steering Committee, Co-chaired by a Member of Markham City Council and a Member of Toronto City Council and including other Members of Council and representatives from other levels of government and public agencies as appropriate, be formed to address transportation, transit, planning and economic development opportunities and issues of mutual interest along the Steeles Avenue Corridor which forms the mutual boundary between the City of Toronto and the City of Markham.

Carried

(7) GREATER TORONTO & HAMILTON AREA (GTHA)
MAYORS AND CHAIRS REPORT ON THE
GOVERNMENT OF ONTARIO'S
CO-ORDINATED LAND USE PLANNING REVIEW (10.0)
[Communications](#)

- 1) That the communication from Hazel McCallion, Ex-officio Advisor to the Premier on issues within the Greater Toronto and Hamilton Area, forwarding the report on the Governments of Ontario's Co-ordinated Land Use Planning Review including the Proposed Growth Plan for the Greater Golden Horseshoe and the Proposed Greenbelt Plan, be received and endorsed; and,
- 2) That the Mayor's office, on behalf of the Council of the City of Markham, write a letter of endorsement to the Premier and the Minister of Municipal Affairs, copied to the local MPPs and Hazel McCallion.

Carried

**6(D) REPORT NO. 50 - DEVELOPMENT SERVICES PUBLIC MEETING
(December 6, 2016)**

Moved by Councillor Don Hamilton
Seconded by Councillor Alex Chiu

That Report No. 50 - Development Services Public Meeting comprised of 1 item be received and adopted.

(1) DEVELOPMENT FEE AND
BUILDING FEE BY-LAWS UPDATE (2017) (10.0)
[Report](#) [Attachment A](#) [Attachment B](#) [Attachment B - Revised Table 1](#)
[Update Memo](#)

- 1) That the Record of the Public Meeting held on December 6, 2016, with respect to the proposed amendments to the Development and Building Fee By-laws be received; and,
- 2) That the memorandum dated December 13, 2016 entitled "Development Fee and Building Fee By-laws Update (2017)" be received; and,
- 3) That the Minor Variance fees in the Development Fee By-law be changed as shown in Table 1 of this memorandum; and,
- 4) That the amendment to the "Tariff of Fees for Processing Planning Applications," By-law 211-83, substantially in the form attached as Attachment "A", be enacted; and,
- 5) That By-law 2015-166 be repealed and the attached "By-law respecting Construction, Demolition and Change of Use Permits and Inspections," attached as Attachment "B", be enacted; and,
- 6) That the By-laws come into force and take effect on January 1, 2017; and,
- 7) That staff, prior to full implementation of e-plan by Building Standards, be authorized to increase all fees in the By-law respecting Construction, Demolition and Change of Use Permits and Inspections by up to 2% for administrative costs and to increase the credit card limit for building applications to \$60,000; and,

- 8) That Staff be authorized to update the Payment Acceptance Policy accordingly; and further,
 - 9) That Staff be authorized and directed to do all thing necessary to give effect to this resolution.
- (By-laws 2016-148 and 2016-149)

Carried

6(E) REPORT NO. 51 - GENERAL COMMITTEE (December 12, 2016)

Moved by Councillor Alan Ho
Seconded by Councillor Colin Campbell

That Report No. 51 - General Committee comprised of 8 items be received and adopted, except Item Nos. 1 and 8. (See following Item Nos. 1 and 8)

- (1) PROPOSED ACQUISITION OF
55 PARKWAY AVENUE (8.6)
[Presentation](#)

Council discussed the intent of the acquisition of 55 Parkway Avenue and the proposed uses for this property.

Moved by Councillor Karen Rea
Seconded by Regional Councillor Nirmala Armstrong

- 1) That the presentation entitled “Proposed Acquisition of 55 Parkway Avenue”, be received; and,
- 2) That Council approve the execution of an Agreement of Purchase and Sale by the Chief Administrative Officer, being an agreement between the City and York Catholic District School Board dated October 27, 2016 (the “Agreement of Purchase and Sale”) for the acquisition of Part of Lots 12 and 13, Concession 8 (Markham), designated as Part 2 on Plan R-2894, being a 6 acre parcel of land on Parkway Avenue; and,
- 3) That the Chief Administrative Officer be delegated the authority to waive the Council approval condition and the due diligence condition in the Agreement of Purchase and Sale and complete the transaction pursuant to the terms and conditions outlined in this presentation, provided that the results of the due diligence are satisfactory to the Chief Administrative Officer, in his sole and absolute discretion, with the required documents being in a form satisfactory to the City Solicitor, failing which the transaction shall be terminated; and,

- 4) That subject to the completion of the acquisition of the property, staff be authorized to demolish the existing buildings on the property; and,
- 5) That the intent of this acquisition is not to create a 6 acre park; and,
- 6) That, subject to completion of the acquisition of the property, the City consider retaining a portion of land for park purposes and/or sportsfield(s), together with a small parking lot, if appropriate, declare the balance of the lands surplus and offer the surplus land for sale, either to York Region, Markhaven Home for Seniors or like organizations that provide a form of housing or care for seniors, or the open market; and,
- 7) That any portion of land that is retained by the City for parkland, be appropriately funded from cash-in lieu payments from higher density redevelopment in the Highway 48 corridor and the east end of Markham; and,
- 8) That any sale of land that is declared surplus be completed on the basis of a minimum of cost recovery of the City's costs of acquisition for the lands sold; and,
- 9) That funds for the acquisition in the amount of \$21,000,000, including due diligence work, purchase price, land transfer tax, demolition costs and contingency be made available from the Land Acquisition Reserve Account; and,
- 10) That the proceeds of any sale of surplus land, plus the allocation of cash-in-lieu to any part of the lands retained for park or sportsfield purposes, shall not be less than the cost to acquire the entire parcel; and further,
- 11) That staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried by a recorded vote (9:2)

(See following recorded vote)

(See following call the question)

Recorded vote (9:2):

YEAS: Councillor Valerie Burke, Councillor Karen Rea, Regional Councillor Nirmala Armstrong, Mayor Frank Scarpitti, Regional Councillor Joe Li, Councillor Colin Campbell, Councillor Amanda Collucci, Councillor Logan Kanapathi, Councillor Alex Chiu. (9)

NAYS: Councillor Alan Ho, Councillor Don Hamilton. (2)

ABSENT: Regional Councillor Jim Jones, Deputy Mayor Jack Heath. (2)

Call the question:

Moved by Regional Councillor Nirmala Armstrong

Seconded by Councillor Don Hamilton

That Council call the question on the matter of the proposed acquisition of 55 Parkway Avenue.

Carried by a 2/3 vote of Members of Council present

Council consented to not adopt the following recommendation from the December 12, 2016 General Committee meeting:

- "1) That the presentation entitled "Proposed Acquisition of 55 Parkway Avenue", be received; and,
- 2) That Council approve the execution of an Agreement of Purchase and Sale by the Chief Administrative Officer, being an agreement between the City and York Catholic District School Board dated October 27th, 2016 (the "Agreement of Purchase and Sale") for the acquisition of Part of Lots 12 and 13, Concession 8 (Markham), designated as Part 2 on Plan R-2894, being a 6 acre parcel of land on Parkway Avenue; and,
- 3) That the Chief Administrative Officer be delegated the authority to waive the Council approval condition and the due diligence condition in the Agreement of Purchase and Sale and complete the transaction pursuant to the terms and conditions outlined in this presentation, provided that the results of the due diligence are satisfactory to the Chief Administrative Officer, in his sole and absolute discretion, with the required documents being in a form satisfactory to the City Solicitor, failing which the transaction shall be terminated; and,
- 4) That subject to the completion of the acquisition of the property, staff be authorized to demolish the existing buildings on the property; and,
- 5) That subject to completion of the acquisition of the property, the City consider retaining a portion of land for park purposes and/or sportsfield(s), together with a small parking lot, if appropriate, declare the balance of the lands surplus and offer the surplus land for sale, either to York Region, Markham Home for Seniors or like organizations that provide a form of housing or care for seniors, or the open market; and,
- 6) That any portion of land that is retained by the City for parkland, be appropriately funded from cash-in lieu payments from higher density redevelopment in the Highway 48 corridor; and,

- 7) That any sale of land that is declared surplus be completed on the basis of a minimum of cost recovery of the City's costs of acquisition for the lands sold; and,
- 8) That funds for the acquisition in the amount of \$21,000,000, including due diligence work, purchase price, land transfer tax, demolition costs and contingency be made available from the Land Acquisition Reserve Account; and further,
- 9) That staff be authorized and directed to do all things necessary to give effect to this resolution."

(2) CITY-WIDE STREAM EROSION MASTER
STUDY IMPLEMENTATION PLAN (5.3)

[Report](#)

- 1) That the report entitled "City-Wide Stream Erosion Master Study Update Implementation Plan" be received; and,
- 2) That Council endorse new Categories D and E into the Guidelines to restore the erosion sites within private properties as set out in the report; and,
- 3) That the recommended 5-year implementation plan with the approach for securing of easements, entering into cost sharing agreements, conducting inspection and maintenance of erosion restoration work within private property and cost sharing policy as set out in this report be endorsed; and,
- 4) That Council authorize the Mayor and Clerk to execute cost-sharing agreements with private property owners or agencies having jurisdiction, in a form satisfactory to the City Solicitor and the Commissioner of Community and Fire Services, and in accordance with the process and criteria established in this report; and,
- 5) That Staff advise TRCA of erosion sites that fall outside of the City's implementation plan that may be considered as part of TRCA's Erosion Management Program; and further,
- 6) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

(3) TRANSFER OF UNCLAIMED
REFUNDABLE SECURITY DEPOSITS (7.0)
[Report](#)

- 1) That the report titled "Transfer of Unclaimed Refundable Security Deposits" be received; and,
- 2) That the Treasurer be authorized to transfer unclaimed security deposits, up to the amount of \$1,739,367.81, representing deposits placed prior to December 31, 2007, to the Corporate Rate Stabilization Reserve; and,
- 3) That the cost of \$6,003.84 (exclusive of HST) incurred in placing the Public Notice, be offset against the security deposits to be placed in the City's reserve; and,
- 4) That the Treasurer be authorized to release any of these security deposits from the Corporate Rate Stabilization Reserve in the event of a future, eligible, refund claim; and further,
- 5) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

(4) PROJECT MANAGEMENT
COORDINATION AND REPORTING (5.0)
[Report](#)

- 1) That the report entitled "Project Management Coordination and Reporting" be received; and,
- 2) That the "Major Project Status Tracking" Dashboard report (Attachment "A") be received; and,
- 3) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

(5) STATUS OF CAPITAL PROJECTS
AS OF SEPTEMBER 30, 2016 (7.0)

[Report](#) [Attachments](#)

- 1) That the report dated November 29, 2016 entitled “Status of Capital Projects as of September 30, 2016” be received; and,
- 2) That the amount of \$6,342,509 from the closure of capital projects be transferred to the sources of funding as listed on Exhibit A; and,
- 3) That the closure of projects as outlined in Exhibit B and C be approved; and,
- 4) That the Non-Development Charge Capital Contingency Project be topped up from the Life-Cycle Replacement and Capital Reserve Fund by \$444,075 to the approved amount of \$250,000; and,
- 5) That the Engineering Capital Contingency Project be topped up, from the City-Wide Hard Development Charges Reserve, by \$45,299 to the approved amount of \$100,000; and,
- 6) That the Design Capital Contingency Project be topped up, from the Development Charges Reserve, by \$44,644 to the approved amount of \$100,000; and,
- 7) That the Waterworks Capital Contingency Project be topped up, from the Waterworks Stabilization/Capital Reserve, by \$14,974 to the approved amount of \$100,000; and,
- 8) That the funding for 11093 Warden Ave (Elson Miles Farm), in the amount of \$15,240,666, be changed from the Parks Cash in Lieu 5% Reserve Fund to the Land Acquisition Reserve Fund; and,

- 9) That the following in-year new capital projects, subsequent to the approval of the 2016 capital projects, be received:

Project Number	Name	Budget	Funding Source
16274	Markham Village Arena Brine Pump Replacement	\$14,895	Non-DC Capital Contingency
16278	Cornell Community Centre Pool Dectron Air Handling	\$18,200	Non-DC Capital Contingency
16281	Clatworthy Community Centre Support Columns	\$47,519	Non-DC Capital Contingency
16285	Fire Stations 92 and 95 Fire Alarm Systems	\$8,000	Non-DC Capital Contingency
16282	Replacement of Milliken Mills Soccer Dome Subfloor	\$160,000	Life-Cycle Replacement & Capital Reserve Fund

; and further,

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

Carried

(6) **MARKHAM CELEBRATES CANADA 150 (3.5)**
[Presentation](#)

- 1) That Council endorse Markham's plan to celebrate Canada's 150th Anniversary in 2017; and,
- 2) That Council establish a Canada 150 Celebrate Committee with the following subcommittees and direct staff to create appropriate terms of reference:
 - a) Canada 150 International Partnership Subcommittee – the hosting of Markham's Partnership and Sister Cities with Nordlingen represented by Deputy Mayor Jack Heath, Regional Councillor Nirmala Armstrong, Councillor Valerie Burke and Councillor Karen Rea; Cary, North Carolina, represented by Regional Councillor Nirmala Armstrong Councillor Alan Ho and Councillor Alex Chiu; and Friendship City represented by Regional Councillor Joe Li and Regional Councillor Nirmala Armstrong and Councillor Logan Kanapathi, and,
 - b) Canada 150 Neighbourhood Engagement Subcommittee - outreach and engage all neighbourhoods; and
 - c) Interdepartmental Committee of staff to support the implementation of Markham's Canada 150 Plan; and,

- 3) That All Members of Council be appointed to the Canada 150 Neighbourhood Engagement Subcommittee; and
- 4) That staff be directed to report back in the first quarter of 2017 on the composition of the Canada 150 Celebrate Committee and the Canada 150 International Partnership Subcommittee; and,
- 5) That Council appoint Mayor Frank Scarpitti as the contact for Federation of Canadian Municipalities' Canada 150 Community Leaders Network, with estimated time commitment of less than 2 hours per month per member.

Carried

(7) NAMING OF THE NEW COMMUNITY CENTRE
AND LIBRARY IN SOUTH EAST MARKHAM (3.19)
[Report](#)

- 1) That the report "Naming of the New Community Centre and Library in South East Markham" be received; and,
- 2) That Council approve "Aaniin Community Centre and Library" as the name for the new centre in South East Markham; and,
- 3) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

(8) PROCLAMATION OF HINDU HERITAGE MONTH (3.4)

Moved by Regional Councillor Nirmala Armstrong

Seconded by Councillor Logan Kanapathi

- 1) That the proclamation of November 2017 as Hindu Heritage Month in the City of Markham be approved and added to the Five-Year Proclamations List approved by Council

Carried as amended
(See following to amend)

Moved by Regional Councillor Nirmala Armstrong

Seconded by Regional Councillor Joe Li

That the recommendation from the December 12, 2016 General Committee meeting with respect to the establishment of a committee for the Hindu Heritage Month, with Regional Councillor Nirmala Armstrong, Regional Councillor Joe Li and Councillor Logan Kanapathi, be deleted.

Carried
(See following to reconsider the matter)

Moved by Regional Councillor Nirmala Armstrong

Seconded by Regional Councillor Joe Li

That the recommendation regarding Hindu Heritage Month, adopted by Council earlier this date, be reconsidered to allow for the discussion related to the establishment of a committee.

Carried by a 2/3 vote of Members of Council present

7. MOTIONS

There were no motions.

8. NOTICES OF MOTIONS

(1) NANKING MASSACRE (12.2.6)

Moved by Councillor Alan Ho

Seconded by Regional Councillor Joe Li

Whereas December 13, 1937 was the start of the Nanking Massacre lasting a horrific 6 weeks; and,

Whereas more than 200,000 people suffered death at the hands of the Japanese Imperial Army, both soldiers and civilians; and,

Whereas such an event is directly counter to the Canadian values of humanity and social justice; and,

Whereas Markham has the highest percentage of residents of Chinese origin in Canada; and,

Whereas this atrocity in the East has been largely unknown to many in Canada; and,

Whereas December 13 should provide an opportunity for our Markham community to remember and to reflect upon this dark chapter of history; and,

Whereas a Commemorative Day would be a reminder of a historical atrocity in the hope of preventing similar war crimes in the future; and,

Whereas we will be following in the footsteps of both the Federal and Provincial governments in recognizing this date;

Now therefore be it resolved:

That Markham City Council proclaim December 13th every year as Nanking Massacre Commemorative Day in the City of Markham.

9. COMMUNICATIONS

There were no communications.

10. PROCLAMATIONS

There were no proclamations.

11. NEW/OTHER BUSINESS

- (1) RECOMMENDATION FROM THE NOVEMBER 22, 2016
LICENSING COMMITTEE HEARING (9 PENNY CRESCENT) (2.0)

Moved by Regional Councillor Joe Li
Seconded by Councillor Valerie Burke

- 1) That the following recommendation of the Licensing Committee from the Hearing held on November 22, 2016 approved and adopted:
 - "1) That the application to remove two honeylocust trees located on the property of 9 Penny Crescent, Markham, be denied; and,
 2. That City Operations Staff be requested to visit the site and offer advice on pruning."

Carried

Council noted that Clause No. 2 of the recommendation regarding City Staff visiting the site and offering advice on pruning will not be a standard for the City of Markham going forward.

- (2) BENGAL GLOBAL BUSINESS SUMMIT IN KOLKATA, INDIA
- JANUARY 20 TO 21, 2017 (11.12)
[Info](#)

Moved by Regional Councillor Nirmala Armstrong
Seconded by Councillor Alan Ho

- 1) That Council authorize Regional Councillor Joe Li to attend the Bengal Global Business Summit being held in Kolkata, India from January 20 to 21, 2017; and,

- 2) That the cost of travel and overnight accommodations at approximately \$3,000 be funded through the discretionary budget to be determined by the Treasurer.

Carried

12. BY-LAWS

Moved by Councillor Logan Kanapathi
Seconded by Councillor Amanda Collucci

That By-laws 2016-140 to 2016-149 and 2016-151 be given three readings and enacted.

Three Readings

BY-LAW 2016-140 2017 WATER/WASTEWATER RATES (EFFECTIVE APRIL 1, 2017).
A by-law to amend By-law 2002-276, being a by-law to impose fees or charges for services or activities provided or done by the City of Markham.

(Item No. 2, Report No. 47)

[By-law](#)

Carried

BY-LAW 2016-141 CORNELL ROUGE DEVELOPMENT CORPORATION, NORTH OF HIGHWAY 7 AND WEST OF DONALD COUSENS PARKWAY, AMENDMENT TO THE IN FORCE OFFICIAL PLAN (REVISED 1987), AS AMENDED

A by-law to adopt Official Plan Amendment No. 244 to the in force Official Plan (Revised 1987), as amended, to permit townhouse dwellings and a neighbourhood park.

(Item No. 1, Report No. 39 - November 1, 2016 Council Meeting)

[OPA](#)

Carried

BY-LAW 2016-142 CORNELL ROUGE DEVELOPMENT CORPORATION, NORTH OF HIGHWAY 7 AND WEST OF DONALD COUSENS PARKWAY, ZONING BY-LAW AMENDMENT

A by-law to amend By-law 304-87, as amended, and By-law 177-96, as amended, to permit townhouse dwellings and a neighbourhood park.

(Item No. 1, Report No. 39 - November 1, 2016 Council Meeting)

[By-law](#)

Carried

BY-LAW 2016-143 AURIGA DEVELOPMENTS INC., NORTH OF HIGHWAY 7 AND WEST OF DONALD COUSENS PARKWAY, AMENDMENT TO THE IN FORCE OFFICIAL PLAN (REVISED 1987), AS AMENDED
A by-law to adopt Official Plan Amendment No. 245 to the in force Official Plan (Revised 1987), as amended, to permit single detached dwellings, townhouse dwellings and a community park.
(Item No. 2, Report No. 39 - November 1, 2016 Council Meeting)
[OPA](#)

Carried

BY-LAW 2016-144 AURIGA DEVELOPMENTS INC., NORTH OF HIGHWAY 7 AND WEST OF DONALD COUSENS PARKWAY, ZONING BY-LAW AMENDMENT
A by-law to amend By-law 304-87, as amended, and By-law 177-96, as amended, to permit single detached dwellings, townhouse dwellings and a community park.
(Item No. 2, Report No. 39 - November 1, 2016 Council Meeting)
[By-law](#)

Carried

BY-LAW 2016-145 KYMBERVILLE CAPITAL INC., NORTH OF HIGHWAY 7 AND EAST OF BUR OAK AVENUE, AMENDMENT TO THE IN FORCE OFFICIAL PLAN (REVISED 1987), AS AMENDED
A by-law to adopt Official Plan Amendment No. 246 to the in force Official Plan (Revised 1987), as amended, to permit the lands to be developed for townhouses and stacked townhouses.
(Item No. 3, Report No. 45 - November 29, 2016 Council Meeting)
[OPA](#)

Carried

BY-LAW 2016-146 KYMBERVILLE CAPITAL INC., NORTH OF HIGHWAY 7 AND EAST OF BUR OAK AVENUE, ZONING BY-LAW AMENDMENT
A by-law to amend By-law 177-96, as amended, to permit the lands to be developed for townhouses and stacked townhouses.
(Item No. 3, Report No. 45 - November 29, 2016 Council Meeting)
[By-law](#)

Carried

BY-LAW 2016-147 FIRST MARKHAM PLACE PROPERTIES INC., 3265 AND 3275 HIGHWAY 7 EAST, ZONING BY-LAW AMENDMENT

A by-law to amend By-law 165-80, as amended, to add a supermarket or food store to the list of permitted uses on the subject property.

(Item No. 1, Report No. 36 - October 17, 2016 Council Meeting)

[By-law](#)

Carried

BY-LAW 2016-148 A BY-LAW RESPECTING CONSTRUCTION, DEMOLITION, CHANGE OF USE PERMITS AND INSPECTIONS (BUILDING BY-LAW)

(Repeals By-law 2015-166)

(Item No. 1, Report No. 50)

[By-law](#)

Carried

BY-LAW 2016-149 A BY-LAW TO AMEND BY-LAW 211-83, AS AMENDED, A BY-LAW TO PRESCRIBE A TARIFF OF FEES FOR THE PROCESSING OF PLANNING APPLICATIONS (2017 FEES)

(Item No. 1, Report No. 50)

[By-law](#)

Carried

BY-LAW 2016-151 TINGLAI HUANG, 15 OAKCREST AVENUE, ZONING BY-LAW AMENDMENT

A by-law to amend By-law 122-72, as amended, to facilitate a severance to create two building lots, the demolition of the existing dwelling and the construction of two new two-storey dwellings, one on each lot.

(Item No. 1, Report No. 33 - September 27, 2016 Council Meeting)

[By-law](#)

Carried

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
- NOVEMBER 15 AND 16, 2016 (16.0)
[Section 239 (2) (a) (b) (c) (d) (e) (f)]

Development Services Committee - December 5, 2016

- (2) LITIGATION OR POTENTIAL LITIGATION, INCLUDING MATTERS BEFORE ADMINISTRATIVE TRIBUNALS, AFFECTING THE MUNICIPALITY OR LOCAL BOARD - ONTARIO MUNICIPAL BOARD - 5 DRAKEFIELD ROAD (WARD 4)
[Section 239 (2) (e)]

Council - December 13, 2016

- (3) PERSONAL MATTERS ABOUT AN IDENTIFIABLE INDIVIDUAL, INCLUDING MUNICIPAL OR LOCAL BOARD EMPLOYEES
(BOARD/COMMITTEE APPOINTMENTS & RESIGNATIONS (16.24)
[Section 239 (2) (b)]

General Committee - December 12, 2016

- (4) LABOUR RELATIONS OR EMPLOYEE NEGOTIATIONS
(COLLECTIVE BARGAINING) (11.0)
[Section 239 (2) (d)]

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

- (1) MINUTES OF IN-CAMERA COUNCIL MEETING
- NOVEMBER 15 AND 16, 2016 (16.0)

Moved by Councillor Amanda Collucci

Seconded by Councillor Karen Rea

- 1) That the Council In-camera Minutes dated November 15 and 16, 2016 be confirmed.

Carried

- (2) MINOR VARIANCE APPLICATION APPEAL
MARINA BALALAYKINA
5 DRAKEFIELD ROAD
A/44/16 (8.0)

Moved by Councillor Karen Rea

Seconded by Councillor Valerie Burke

- 1) That the confidential report titled “Minor Variance Application Appeal, Marina Balalaykina, 5 Drakefield Road, A/44/16” be received; and,
- 2) That Council direct the City Solicitor and Staff to attend the Ontario Municipal Board Hearing to support the Committee of Adjustment’s decision to deny the requested minor variance to increase the net floor area ratio to 49.9 percent; and further,
- 3) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

- (3) BOARD/COMMITTEE APPOINTMENTS & RESIGNATIONS (16.24)

Moved by Councillor Amanda Collucci

Seconded by Councillor Colin Campbell

- 1) That the following persons be appointed to the Senior’s Advisory Committee:

Name	Term
Muhammad Alam	November 30, 2019
Patricia Anderson	November 30, 2019
Satya Arora	November 30, 2020
Mithan Lal Kansal	November 30, 2020
Anthony Ko	November 30, 2020
Kamla Malhotra	November 30, 2019
Almas Mawani	November 30, 2019
Arul Rajasingam	November 30, 2020
Ramma Chabra	November 30, 2019; and,

- 2) That the following persons be appointed to the Public Realm Advisory Committee:

Name	Term
Jade Law	November 30, 2019
Stephen Lusk	November 30, 2020
Chuan Li	November 30, 2020; and,

- 3) That the following persons be appointed to the Animal Care Committee with a term start date of January 1, 2017:

Name	Term
Kar Pak Ng	November 30, 2015
Janet Andrews	November 30, 2016
Sherry Klein	November 30, 2016; and,

- 4) That the following person be re-appointed to the Cemetery Board:

Name	Term
John Byer	November 30, 2019; and,

- 5) That the resignation of Farzana Jiwani from the Markham Public Library Board be received with regret for information purposes and that a letter of appreciation be forwarded by Mayor Frank Scarpitti; and further,

- 6) That Regional Councillor Nirmala Armstrong be appointed to the Varley-McKay Art Foundation of Markham with a term ending November 30, 2018.

Carried

(4) LABOUR RELATIONS OR EMPLOYEE NEGOTIATIONS
(COLLECTIVE BARGAINING) (11.0)

Moved by Councillor Logan Kanapathi
Seconded by Councillor Amanda Collucci

- 1) That the restricted/confidential report dated December 5, 2016 regarding labour relations or employee negotiations (collective bargaining) be received; and,
- 2) That staff be authorized to proceed as directed by Council on December 13, 2016.

Carried

Mayor Frank Scarpitti noted this is the last Council meeting of the year. He thanked all Members of Council for their commitment and dedication throughout the year of 2016, and congratulated City staff on another amazing year.

14. CONFIRMATORY BY-LAW

Moved by Regional Councillor Joe Li

Seconded by Regional Councillor Nirmala Armstrong

That By-law 2016-150 be given three readings and enacted.

Three Readings

BY-LAW 2016-150 A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE COUNCIL MEETING OF DECEMBER 13, 2016.

[By-law](#)

Carried

15. ADJOURNMENT

Moved by Councillor Logan Kanapathi

Seconded by Councillor Valerie Burke

That the Council Meeting be adjourned at 11:16 PM.

Carried

Kimberley Kitteringham
City Clerk

(Signed)

Frank Scarpitti
Mayor