



## **Council Minutes**

**May 27, 2014, 7:00 PM**

Council Chamber, Anthony Roman Markham Civic Centre

Meeting No. 12

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**Alternate formats for this document are available upon request**

### **Roll Call**

Deputy Mayor Jack Heath, Regional Councillor Jim Jones, Regional Councillor Gord Landon, Regional Councillor Joe Li, Councillor Valerie Burke, Councillor Howard Shore, Councillor Don Hamilton, Councillor Carolina Moretti, Councillor Colin Campbell, Councillor Alan Ho, Councillor Logan Kanapathi, Councillor Alex Chiu.

### **Regrets**

Mayor Frank Scarpitti.

### **Staff**

Andy Taylor, Chief Administrative Officer  
Catherine Conrad, City Solicitor  
Jim Baird, Commissioner of Development Services  
Trinela Cane, Commissioner of Corporate Services  
Brenda Librecz, Commissioner of Community and Fire Services  
Joel Lustig, Treasurer  
John Wong, Technology Support Specialist  
Dennis Flaherty, Director of Communications and Community Relations  
Bill Wiles, Manager of Enforcement and Regulatory Services  
Kimberley Kitteringham, City Clerk  
Martha Pettit, Deputy City Clerk

The regular meeting of Council convened at 7:17 PM on May 27, 2014 in the Council Chamber. Deputy Mayor Jack Heath presided.

**1. DISCLOSURE OF PECUNIARY INTEREST**

- (1) Councillor Valerie Burke disclosed an interest with respect to Motion Item No. 1 and Communication No. 29-2014 titled "Final Recommendation Report Regarding Thornhill Revitalization Study" as she has a family owned business in the Thornhill area and did not take part in the discussion or vote on this matter.
- (2) Councillor Valerie Burke disclosed an interest with respect to Notices of Motion Item No. 1 titled "Area of Thornhill Covered by By-Law 77-73" as she has a family owned business in the Thornhill area.

**2. MINUTES**

- (1) COUNCIL MINUTES  
MAY 8 AND 15, 2014  
[May 8](#) [May 15](#)

Moved by Councillor Alex Chiu

Seconded by Councillor Logan Kanapathi

- 1) That the Minutes of the Council Meetings held on May 8 and 15, 2014, be adopted.

**Carried**

**3. PRESENTATIONS**

There were no presentations.

#### **4. DELEGATIONS**

- (1) DELEGATIONS - NOTICE OF MOTION TITLED "FINAL RECOMMENDATION REPORT REGARDING THORNHILL REVITALIZATION STUDY" (10.0)

The following individuals addressed Council regarding the motion titled "Final Recommendation Report Regarding Thornhill Revitalization Study":

1. Alena Gotz, Resident, in support of the proposed motion.
2. Lorne Kumer, Thornhill Area Revitalization Working Group, in opposition to the proposed motion.
3. Paul Zammit, Real Estate Ltd., in opposition to the proposed motion.
4. Brian Magee, Raywal Cabinets, in opposition to the proposed motion.
5. Mike Papapetrou, in opposition to the proposed motion.
6. Michael Dankevvy, Thornhill Area Revitalization Working Group, in opposition to the proposed motion.
7. Susan Eaton, AE Auto Plus, in opposition to the proposed motion.
8. Andrew Eaton, AE Auto Plus, in opposition to the proposed motion.
9. Angela Papapetrou, Auto Trust Technician, in opposition to the proposed motion.
10. Gail Gardner, Resident, in opposition to the proposed motion.
11. Willem Tiemersma, Willand Ltd., in opposition to the proposed motion.
12. Brian Gordon, in support of the proposed motion.
13. Michael Lee, Thornhill Area Revitalization Working Group, in support of the proposed motion.
14. Arnie Rose, delegation read by Michael Lee, Thornhill Area Revitalization Working Group, in support of the proposed motion.
15. Srdjana Jaksic, Thornhill Area Revitalization Working Group, in support of the proposed motion.

(See Motion Item No. 1 for Council's decision on this matter)

#### **5. PETITIONS**

There were no petitions.

**6(A) REPORT NO. 22 - DEVELOPMENT SERVICES COMMITTEE  
(May 20, 2014)**

Moved by Councillor Colin Campbell  
Seconded by Regional Councillor Gord Landon

That Report No. 22 – Development Services Committee comprised of 4 items be received and adopted.

(1) LANGSTAFF GATEWAY SECONDARY PLAN  
IMPLEMENTATION STATUS REPORT (10.4)  
[Report](#)

- 1) That the staff report entitled “Langstaff Gateway Secondary Plan Implementation Status Report” be received; and,
- 2) That Council approve the Langstaff Gateway Memorandum of Agreement principles as outlined in this report; and,
- 3) That staff be directed to finalize the Memorandum of Agreement with Condor Properties (The Owner), in accordance with the Agreement principles to the satisfaction of the Commissioner of Development Services and the City Solicitor; and,
- 4) That Council authorize the Mayor and Clerk to execute a Memorandum of Agreement and any subsequent amendments for the implementation of the Langstaff Gateway Secondary Plan, with the Owner, in a form satisfactory to the Commissioner of Development Services and the City Solicitor; and,
- 5) That the Owner provides financial reimbursement in accordance with the MOA, to the satisfaction of the Commissioner of Development Services and the City Treasurer, at the time of execution of the Agreement; and,
- 6) That staff be authorized to engage the Thornhill Sub-committee, (comprised of Mayor Scarpitti ex officio, Deputy Mayor Heath ex-officio, Regional Councillor Jones, Councillor Burke and Councillor Shore); and,
- 7) That the Thornhill Sub-committee proceedings include discussions with other landowners; and,
- 8) That City staff be authorized to initiate a process, as outlined in this report, to review and approve Terms of Reference and review the Background Studies to be undertaken by qualified professionals engaged by the Owner, as required by the Secondary Plan prior to the precinct plan and development approvals, in consultation with the Thornhill Sub-committee and the Owner; and,

- 9) That staff, in consultation with the Thornhill Sub-committee, report back to Development Services Committee on status of the Background Studies and Precinct Plan; and further,
- 10) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**Carried**

(2) RECOMMENDATION REPORT  
GLOBAL UNIONVILLE DEVELOPMENT INC.  
APPLICATIONS FOR OFFICIAL PLAN AND  
ZONING BY-LAW AMENDMENTS TO PERMIT A  
HIGH DENSITY RESIDENTIAL DEVELOPMENT  
AT 28 MAIN STREET UNIONVILLE AND THE  
ASSOCIATED DECLARATION OF SURPLUS LANDS IN THE VICINITY  
(FILE NOS. OP/ZA 12 122739) (10.3, 10.5, 8.0)  
[Report](#)

- 1) That the report dated May 20, 2014 titled “RECOMMENDATION REPORT, Global Unionville Developments Inc., Applications for Official Plan and Zoning By-law Amendments to permit a high density residential development at 28 Main Street Unionville, and the associated Declaration of Surplus Lands in the vicinity, Files Nos. OP/ZA 12 122739” be received; and,
- 2) That in accordance with By-law 178-96, the lands legally described as Part of Lot 9, Concession 5 (Markham), depicted as Parts 1, 2, 4, 5 and 9 on the Draft Reference Plan prepared by R. Avis. Surveying Inc., attached hereto as Figure 6, being approximately 1,569 m<sup>2</sup> (0.387 ac) (the “City-Owned Lands”), be declared surplus to municipal purposes, subject to no objections from City Departments; and,
- 3) That subject to Recommendation #2 above, the City enact a by-law to stop up and close that portion of Enterprise Blvd, legally described as Part of Lot 9, Concession 5 (Markham), depicted as Parts 2, 3, 5, 7, 8, 9 and 10 on the Draft Reference Plan prepared by R. Avis. Surveying Inc., attached hereto as Figure 6, being approximately 421.7 m<sup>2</sup> (0.104 ac) (the “Road Allowance Lands”); and,
- 4) That subject to Recommendations #2 and #3 above, Mayor and Clerk be authorized to execute an Agreement of Purchase and Sale with Global Unionville Development Inc. (the “Applicant”) for the sale to the Applicant of the City-Owned Lands, at a purchase price approved by the Chief Administrative Officer, containing the conditions set out in this report, in a form satisfactory to the City Solicitor and Chief Administrative Officer; and,

- 5) That the application submitted by Global Unionville Development Inc. to amend the Markham Centre Secondary Plan (OPA 21), as amended, be approved and that the draft Official Plan Amendment attached as Appendix 'A' be finalized and adopted after the Applicant enters into an Agreement of Purchase and Sale with the City for the acquisition of the City-Owned Lands; and,
- 6) That the application submitted by Global Unionville Development Inc. to amend Zoning By-law 122-72, as amended, and By-law 2004-196, as amended, be approved, and the proposed Zoning By-law Amendments be brought forward to Council for enactment once the Applicant has completed the acquisition of City-Owned Lands; executed the Section 37 agreement; determined final parking ratios; and finalized the necessary site details and financial arrangements relating to shared access and private driveway arrangements with the neighbouring landowner to the north [Main Street Residence (Unionville) Inc.] through the site plan process; and,
- 7) In the event that financial and access arrangements cannot be satisfactorily concluded with the neighbouring landowner to the north, as described in Recommendation #6 above, then at the request of Global Unionville Development Inc. the proposed Zoning By-law Amendments be brought forward to Council for enactment, subject to the Applicant demonstrating alternative access arrangements to the satisfaction of the Director of Engineering; and,
- 8) That the modeling forecasts for Markham Centre be updated to reflect the increased residential unit count resulting from the approval of the proposed development; and,
- 9) That the Mayor and Clerk be authorized to execute a Section 37 Agreement with the Applicant to the satisfaction of the Commissioner of Development Services and the Chief Administrative Officer; and,
- 10) That the zoning by-law include holding provisions addressing Transportation Demand Management, to be removed in each phase when the Director of Engineering is satisfied that transportation capacity is available; and further,
- 11) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**Carried**

(3) MARKHAM CENTRE VIVA RAPIDWAY  
NEXT PHASE H3.4 PROJECT (5.14)

[Report](#)

- 1) That the May 20, 2014 report titled “Markham Centre VIVA Rapidway Next Phase H3.4 Project”, be received; and,
- 2) That the general configuration of a local municipal street and the Rapidway on the Civic Mall/Simcoe Promenade from Birchmount Road to Sciberras Road, as outlined in this report and shown on the sketches attached as Attachment ‘B’, be endorsed; and,
- 3) That the Mayor and Clerk be authorized to execute an agreement with Ruland Properties Inc. for the conveyance by Ruland Properties Inc. to the City of lands required for a local municipal street and the Rapidway on the Civic Mall/Simcoe Promenade (total width approximately 33.8 metres, subject to detailed design) from Birchmount to Sciberres Road, in a form satisfactory to the Chief Administrative Officer and the City Solicitor; and,
- 4) That staff be authorized to convey property interests to the Regional Municipality of York for the Transit Rapidway, including station locations, between Warden Avenue and Sciberras Road to the satisfaction of the City Solicitor and the Chief Administrative Officer; and,
- 5) That the Mayor and Clerk be authorized to amend the existing “Permission to Enter and Construct the Transit Rapidway” agreement or enter into a new agreement with the Regional Municipality of York and other parties having jurisdiction to establish the parties’ obligations, pertaining to construction of the expanded Rapidway on municipal rights-of-way or City owned lands associated with the H3.4 Project, in a form satisfactory to the Chief Administrative Officer and the City Solicitor; and,
- 6) That the Mayor and Clerk be authorized to amend the existing “License To Operate And Maintain Transit Rapidways” agreement or enter into a new agreement with the Regional Municipality of York and other parties having jurisdiction for the operation and maintenance of the VIVA Rapidway on the expanded Rapidway associated with the H3.4 Project, in a form satisfactory to the Chief Administrative Officer and the City Solicitor; and,
- 7) That the Mayor and Clerk be authorized to execute a construction agreement with Ruland Properties Inc. for construction of the municipal street (including road, bridge crossings, cycling facilities, sidewalks, boulevards, landscaping, underground services and public utilities,) on the Civic Mall/Simcoe Promenade, in a form satisfactory to the Chief Administrative Officer and the City Solicitor; and further,

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

**Carried**

(4) **HIGHWAY 48 FLOW CONTROL CONTRIBUTION (5.0)**

[Report](#)

- 1) That the staff report entitled “Highway 48 Flow Control Contribution” be received; and,
- 2) That staff be directed to refund the surplus amount of the Flow Control Contribution to the original owners who contributed to this project; and,
- 3) That staff be directed to retain five (5)% of the Flow Control Contribution to cover staff administration cost; and,
- 4) That the Treasurer be authorized to refund the payments, as detailed in this report, from the Non-DC Growth Reserve Fund; and further,
- 5) That staff be authorized and directed to do all things necessary to give effect to this resolution.

**Carried**

**6(B) REPORT NO. 23 - GENERAL COMMITTEE (May 26, 2014)**

Moved by Councillor Carolina Moretti

Seconded by Regional Councillor Joe Li

That Report No. 23 – General Committee comprised of 10 items be received and adopted.

(1) **MINUTES OF THE APRIL 8, 2014  
SENIORS ADVISORY COMMITTEE (16.0)**

[Minutes](#) [Terms of Reference](#)

- 1) That the minutes of the April 8, 2014 Seniors Advisory Committee meeting be received for information purposes; and,
- 2) That Council endorse the revised Terms of Reference as recommended at the April 8, 2014 Seniors Advisory Committee meeting.

**Carried**



(2) 082-R-14 SUPPLY AND DELIVERY OF SERVER  
HARDWARE AND VMWARE SOFTWARE (7.12)  
[Report](#)

- 1) That the report entitled “082-R-14 Supply and Delivery of Server Hardware and VMware Software” be received; and,
- 2) That the contract for “Supply and Delivery of Server Hardware and VMware Software” be awarded to the highest ranked, lowest priced bidder, Compugen Inc., in the total amount of \$478,111 inclusive of HST for a term of six years to expire on December 31, 2020; and,
- 3) That the total award of \$478,111 inclusive of HST be funded from the Primary Data Centre Server Replacement Project (Account #049- 5350-14409-005); and,
- 4) That the recommended bidder, Compugen Inc. be designated as preferred vendor for City’s Server Hardware and VMware Software product for the term of this contract; and,
- 5) That Staff be authorized to amend the purchase order amounts in years 2014 – 2020 to accommodate business needs for the purchase of the identified Server Hardware and VMware software products through Capital and Operating Budgets as approved by Council during the annual budget process; and further,
- 6) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**Carried**

(3) DEVELOPMENT CHARGES INDEXING -  
JULY 1, 2014 (7.11)  
[Report](#)

- 1) That the report titled “Development Charges Indexing – July 1, 2014” be received; and,
- 2) That Council approve an increase in development charges of 0.6%, effective January 1, 2014; and further,
- 3) That staff be directed to do all things necessary to give effect to this report.

**Carried**

(4) DEVELOPMENT CHARGES DECEMBER 31, 2013  
RESERVE BALANCES AND ANNUAL ACTIVITY OF  
THE ACCOUNTS (7.11)

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

- 1) That the report titled “Development Charges December 31, 2013 Reserve Balances and Annual Activity of the Accounts” be received by Council as required under Section 43(1) of the Development Charges Act, 1997.

**Carried**

(5) DEVELOPMENT CHARGE DEFERRAL –  
CORNERSTONE CHRISTIAN COMMUNITY CHURCH (7.11)

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

- 1) That the report titled “Development Charge Deferral – Cornerstone Christian Community Church” be received; and,
- 2) That Council authorize the Mayor and Clerk to execute an agreement with the Cornerstone Community Church for a deferral of the payment of the City Wide Hard Development Charges for up to three years, relating to the construction of a the Cornerstone Centre at 9642 9<sup>th</sup> Line, to the satisfaction of the City Solicitor; and,
- 3) That the agreement provide that the City Wide Hard Development Charges to be deferred be fully secured; and,
- 4) That City Wide Hard Development Charges in the amount of \$486,908.53 paid at building permit issuance be refunded subsequent to the execution of the deferral agreement; and,
- 5) That the agreement provide that the deferred payment of the City Wide Hard Development Charges be indexed at the higher of (1) Bank of Canada Prime Business Rate or (2) Toronto Non-residential Building Construction Price index; and,
- 6) That Council authorize City staff to execute a service level agreement with the Cornerstone Community Church in a form satisfactory to the City Solicitor and CAO; and,
- 7) That the Treasurer and Commissioner of Community and Fire Services be authorized to approve Development Charge Deferrals that comply with the guidelines as outlined in the “Community Use Facilities – Criteria and Conditions for Deferral of Development Charges”, up to a value of \$500,000; and further,

- 8) That staff be directed to do all things necessary give effect to these recommendations.

**Carried**

(6) AWARD OF CONTRACT 034-T-14  
KENNEDY ROAD SEWAGE PUMPING  
STATION UPGRADE (7.12)

[Report](#)

- 1) That the report entitled “Award of Contract 034-T-14 Kennedy Road Sewage Pumping Station Upgrade” be received; and,
- 2) That the Contract for Kennedy Road Sewage Pumping Station Upgrade be awarded to the lowest priced bidder, BGL Contractors Corp., in the total amount of \$355,549.44 inclusive of HST; and,
- 3) That a contingency in the amount of \$35,554.94 (10%), 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 award be funded from the Waterworks project for Sanitary Sewer Construction/Replacement Program - Annual (account 053 6150 10329 005) in the amount of \$391,104.38, inclusive of HST; and,
- 5) That the funding shortfall in the amount of \$121,832.68 be funded from the Waterworks Stabilization/Capital Reserve; and further,
- 6) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**Carried**

(7) MUNICIPAL FUNDING AGREEMENT FOR  
FEDERAL GAS TAX (7.0)

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

- 1) That the report dated April 30, 2014 entitled “Municipal Funding Agreement for Federal Gas Tax” be received; and,

- 2) That a By-Law be enacted granting authority to the Mayor and Clerk to sign the “Municipal Funding Agreement for the Transfer of Federal Gas Tax Funds” between the Association of Municipalities of Ontario (AMO) and the City of Markham (City); and further,
- 3) That Staff be authorized and directed to do all things necessary to give effect to this resolution.  
(By-law 2014-72)

**Carried**

(8) UNIONVILLE THEATRE COMPANY  
REQUEST FOR FINANCIAL ASSISTANCE (7.6)  
[Report](#) [Attachment](#)

- 1) That the report dated April 28, 2014 entitled “Unionville Theatre Company Request for Financial Assistance” be received; and,
- 2) That Council not approve a gift or loan in the amount of \$35,000 to the Unionville Theatre Company; and further,
- 3) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**Carried**

(9) ENVIRONMENTAL MANAGEMENT PLAN FOR  
THE ABANDONED FUEL DISTRIBUTION  
SYSTEM IN THORNHILL (5.0)  
[Report](#) [Attachments](#)

- 1) That the report titled “Environmental Management Plan for the Abandoned Fuel Distribution System in Thornhill” be received; and,
- 2) That the Mayor and Clerk be authorized to execute the Environmental Management Plan (“EMP”) generally in the form attached to this report as “Attachment B” and approved by the City Solicitor; and further,
- 3) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**Carried**

(10) SEWER USE BY-LAW UPDATE AND  
EFFLUENT COMPLIANCE PROGRAM (5.5)

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

- 1) That the report entitled “Sewer Use By-law Update and Effluent Compliance Program”, dated May 26 2014, be received; and,
- 2) That Council enact the proposed Sewer Use By-law, as described in this report and in the form set out in Attachment “A”; and,
- 3) That Council repeal the current Sewer By-law (No. 436-86), as amended; and,
- 4) That Council receive the information on Markham’s Sanitary Sewer Effluent Compliance Program and the two-tier Sewer Use Compliance Collaboration with the Region of York; and further,
- 5) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

(By-law 2014-71)

**Carried**

**7. MOTIONS**

(1) FINAL RECOMMENDATION REPORT REGARDING  
THORNHILL REVITALIZATION STUDY (10.0)

Moved by Councillor Howard Shore

Seconded by Deputy Mayor Jack Heath

Whereas the Thornhill Revitalization Working Group Terms of Reference were adopted by Council on March 1, 2011; and,

Whereas Town Hall meetings were held on April 27, 2011 and April 25, 2011; and,

Whereas a Public Information meeting was held on January 23, 2013; and,

Whereas at the Council meeting of March 23, 2013 key recommendations of the Working Group were adopted, including: in the Thornlea Revitalization Area, excluding the former Canac site, a prohibition of manufacturing, assembly and warehousing, other than where no Certificate of Approval is required from the Ministry of the Environment, and prohibiting auto body repair shops in the new Official Plan; and,

Whereas the Study Recommendations adopted by Markham Council in March 2013, identified opportunities to attract a wider range of new employment uses, that are in keeping with the Markham 2020 Economic Competitiveness Strategy; and,

Whereas at a Special Council meeting of July 9, 2013 the Working Group was expanded to include five community representatives and five business representatives as well as all four Regional Councillors and Chaired by the Ward Councillor; and,

Whereas the following clauses in the City –initiated draft amendment to By-law 77-73 were referred to the Revised Thornhill Area Revitalization Working Group for a report back to the Development Services Committee by October 2013:

1. Permits offices, personal services, financial institutions, commercial schools, and retail and restaurant uses, but restricts industrial uses to existing uses only;
2. Prohibits all outdoor storage, auto body and auto repair, service stations and car washes, hotels, funeral homes, night clubs, and new commercial storage uses;
3. Permits day nurseries, places of worship, private schools, and motor vehicle sales establishments, veterinary clinic, and indoor storage of motor vehicles on a site-specific basis subject to previous zoning by-law amendments; and;

Whereas it is recognized that current, existing businesses operating lawfully shall have their current zoning uses and rights preserved and protected; and,

Whereas staff have presented a new and revised draft zoning By-law and draft Official Plan Amendment to address the concerns;

Now therefore be it resolved:

- 1) That staff present final recommendations to the Development Services Committee of June 17, 2014, which shall include:
  - a. Proposed Zoning By-law and Official Plan Amendment, which shall expressly include language toward site-specific zoning to address the concerns of existing businesses in the auto body maintenance and repair sector as well as those in the manufacturing sector;
  - b. Clear definitions of outdoor storage and how it relates to auto body/repair;
  - c. Terms of Reference for the establishment of a Business Improvement Area, designation of the Study area as a Community Improvement Plan area or combination thereof; and,

- 2) That a Statutory Public Meeting be called for June 17, 2014; and further,
- 3) That any decision of Development Services Committee be referred directly to the June 24, 2014 meeting of Council.

**Motion lost by a recorded vote (10:1)**

(Councillor Valerie Burke abstained due to conflict noted below)

(See following recorded vote)

(See following to consider the matter)

Councillor Valerie Burke disclosed an interest with respect to Motion Item No. 1 titled "Final Recommendation Report Regarding Thornhill Revitalization Study" as she has a family owned business in the Thornhill area and did not take part in the discussion or vote on this matter.

Recorded vote:

Nays: Councillor Don Hamilton, Councillor Carolina Moretti, Regional Councillor Joe Li, Regional Councillor Jim Jones, Deputy Mayor Jack Heath, Regional Councillor Gord Landon, Councillor Colin Campbell, Councillor Alan Ho, Councillor Logan Kanapathi, Councillor Alex Chiu.  
(10)

Yeas: Councillor Howard Shore. (1)

Conflict: Councillor Valerie Burke. (1)

Absent: Mayor Frank Scarpitti. (1)

Motion to move the matter forward for consideration:

Moved by Councillor Don Hamilton

Seconded by Councillor Carolina Moretti

That Council consider the motion titled "Final Recommendation Report Regarding Thornhill Revitalization Study" immediately following the delegations with respect thereto.

Carried

Note: The notice of this motion titled "Final Recommendation Report Regarding Thornhill Revitalization Study" was given to Council at its meeting held on May 15, 2014.

## 8. NOTICES OF MOTIONS

### (1) AREA OF THORNHILL COVERED BY BY-LAW 77-73 (10.0)

Moved by Regional Councillor Jim Jones

Seconded by Regional Councillor Gord Landon

Whereas this part of Thornhill is and has been in transition for a number of years and contains a wide range of low density employment lands with at least one landowner under contract to sell; and,

Whereas the ongoing and protracted process between local businesses and residents to reach a satisfactory agreement for land use has been unsuccessful and has caused a great deal of discord in the area; and,

Whereas there is the possibility that with a comprehensive and sophisticated level of urban planning, all stakeholders could see their land use priorities realized to their satisfaction; and,

Whereas these lands are in a very strategic location with frontage on Green Lane/John Street, and abutting two rail lines, one of which is the Go Line from Richmond Hill to Union Station, as well as being contiguous to, or a short distance from low and medium density residential uses; and,

Whereas the Go Line from Richmond Hill has been identified as a line to be converted into quiet Electric or High Efficiency Diesel Commuter Trains running at frequent intervals; and,

Whereas this line has the potential, with new drive train technology, to have a number of new stops added at Elgin Mill Road, Major Mackenzie Road, 16<sup>th</sup> Ave, Green Lane/John Street, Steeles Ave, Finch Ave, Eglinton Ave, Bloor Street and Queen Street; and,

Whereas this 85+ Acres is a strategic parcel for residential infill and intensification, as well as for a significant increase in non-industrial employment opportunities for the residents of Markham; and,

Whereas there are few locations of this size in the GTA available for both residential intensification and non-industrial employment opportunities, leading to the conclusion that these lands should be thoroughly studied with the intent of having a Comprehensive Secondary Plan; and,



Whereas for proper urban planning, it is extremely important that prior to any new development occurring a comprehensive road network and land use plan be established; and,

Whereas it is in the interest of the City, local businesses, and local residents to have this plan cover all of the relevant lands and have an interactive process involving landowners, ratepayers, GO, YRT and VIVA and professional world class urban design consultants;

Now therefore be it resolved:

- 1) That Staff engage consultants determined by Staff to be necessary, such as urban design architects, transportation planners and engineers, landscape architects to complete a secondary plan study for the lands shown on the attached Appendix; and,
- 2) That staff report back on the cost of the studies referred to above with options for recovery of those costs.

Councillor Valerie Burke disclosed an interest with respect to Notices of Motion Item No. 1 titled "Area of Thornhill Covered by By-Law 77-73" as she has a family owned business in the Thornhill area.

Note: The Notice of Motion titled "Area of Thornhill Covered by By-Law 77-73" will be considered by Council on June 11, 2014.

## 9. COMMUNICATIONS

Council consented to add the correspondences from Srdjana Jaksic and Brian Gordon under Communication No. 29-2014.

Moved by Regional Councillor Jim Jones

Seconded by Regional Councillor Joe Li

That Communication Nos. 25-2014, 26-2014 and 28-2014 to 30-2014 be received.

**Carried**

(Councillor Valerie Burke abstained due to conflict  
on Communication No. 29-2014)

Council consented to replace the words "...Friday June 20, 2014 from 2:00 PM to Saturday June 21, 2014 8:00 PM..." with the words "...Friday June 20, 2014 from 3:00 PM to Saturday June 21, 2014 11:00 PM..." contained in Communication No. 27-2014.

Moved by Councillor Colin Campbell

Seconded by Councillor Alan Ho

That Communication No. 27-2014 be received.

**Carried**

### **Received**

25-2014 CITY OF OSHAWA – CANADA POST RESIDENTIAL DELIVERY SERVICES (13.5.2)

#### [Letter](#)

Forwarding their request to endorse the resolution regarding Canada Post's announcement to replace all door-to-door mail delivery with community mailbox delivery.

**Carried**

**Referred to all Members of Council**

26-2014 ROAD CLOSURE REQUEST – MARKHAM JAZZ FESTIVAL (3.5)

[Info](#)

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

Roads to be closed

- Main Street Unionville to south of Carlton Rd.
- Fred Varley Drive west of Main Street Unionville.
- Main Street Unionville from Concession Rd.

Dates and times of road closure

- August 15, 2014 – 5:00 PM TO 11:00 PM.
- August 16, 2014 – 11:00 AM TO 11:00 PM.

**Carried**

27-2014 TEMPORARY EXTENSION APPLICATION FOR LIQUOR SALES LICENCE – MARKHAM VILLAGE BIA (WARDS 4 AND 5) (3.21)

[Info](#)

Requesting an approval from the City of Markham to extend their existing liquor licence for the outdoor areas created by using the sidewalks located directly in front of the establishment while the street is closed to vehicular traffic. The proposed extension will be utilized in conjunction with the events as follows:

Markham Village Music Festival

(Friday June 20, 2014 4:00 PM to 11:00 PM)

(Saturday June 21, 2014 11:00 AM to 9:00 PM)

- Marca on Main, 96 Main Street North Markham
- Liberty Burgers & Wings, 144 Main Street North Markham
- Main's Mansion Restaurant and Bar, 144 Main Street North Markham
- Al Dente Restaurant, 39 Main Street North Markham
- Folco's Restaurant, 42 Main Street North Markham
- Rawlicious Restaurant, 116 Main Street North Markham

Markham Village Music Festival

(Friday June 20, 2014 4:00 PM to Saturday June 21, 2014 2:00 AM)

(Saturday June 21, 2014 11:00 AM to 9:00 PM)

- The Duchess of Markham, 53 Main Street North Markham \*\*\*

**\*\*\*Note:** The approval to extend the patio from Friday June 20, 2014 4:00 PM to Saturday June 21, 2014 2:00 AM for the Duchess of Markham is subject to the following conditions:

1. Over-night road closure has been approved by the City of Markham for Friday June 20, 2014 from 3:00 PM to Saturday June 21, 2014 11:00 PM to facilitate the Markham Village Music Festival.
2. Hiring (and confirmation) of a pay duty officer from 10:00 PM to 2:00 AM for each establishment operating past 11:00 PM.
3. Provision of stable and secure fence enclosure, with a minimum 0.91 m height, for any licenced patio areas established on municipal property.
4. Inspection and approval of fence enclosure by City Staff.
5. No amplified music past 11:00 PM.

Unity Festival

(Sunday July 20, 2014 (11:00 AM to 6:00 PM)

- Marca on Main, 96 Main Street North Markham
  - Liberty Burgers & Wings, 144 Main Street North Markham
  - The Duchess of Markham, 53 Main Street North Markham
  - Main's Mansion Restaurant and Bar, 144 Main Street North Markham
  - Al Dente Restaurant, 39 Main Street North Markham
  - Folco's Restaurant, 42 Main Street North Markham
  - Rawlicious Restaurant, 116 Main Street North Markham

Markham Auto Classic

(Sunday September 7, 2014, 11:00 AM to 6:00 PM)

- Marca on Main, 96 Main Street North Markham
- Liberty Burgers & Wings, 144 Main Street North Markham
- The Duchess of Markham, 53 Main Street North Markham
- Main's Mansion Restaurant and Bar, 144 Main Street North Markham
- Al Dente Restaurant, 39 Main Street North Markham
- Folco's Restaurant, 42 Main Street North Markham
- Rawlicious Restaurant, 116 Main Street North Markham

**Carried**

- 28-2014      COMMUNICATION - GLOBAL UNIONVILLE DEVELOPMENT INC., 28 MAIN STREET UNIONVILLE (10.3, 10.5, 8.0)  
(See Item No. 2, Report No. 22)

Letter

Tatiana Di Giacinto, Rockport Group, property owner to the north of Global Unionville Development Inc., 28 Main Street Unionville, providing comments.

**Carried**

- 29-2014      COMMUNICATIONS - NOTICE OF MOTION TITLED "FINAL RECOMMENDATION REPORT REGARDING THORNHILL REVITALIZATION STUDY" (10.0)  
(See Motion Item No. 1)

Communications Addendum Communications

Communications providing comments regarding the notice of motion titled "Final Recommendation Report Regarding Thornhill Revitalization Study" received as follows:

1. Dave Fantini, F.D.M. Contracting Co. Ltd.
2. Gerald S. Swinkin, Blake, Cassels & Graydon LLP, on behalf of Raywal Limited Partnership, owner of 68 Green Lane.
3. Bob Lanthier, Chemline Plastics Limited, 55 Guardsman Road.
4. Barry A. Horosko, Brattys Barristers and Solicitors, on behalf of Granite Real Estate Investment Trust, located at 67 Green Lane.
5. Lorne Kumer, Michael Dankevych, Brian Magee, Angela Papapetrou and Paul Zammit, Members of Thornhill Area Revitalization Working Group.
6. Arnie Rose.
7. Angela and Michael Papapetrou, Owners/Auto Trust Technicians, 79 Green Lane.
8. Mario Morassutti, Property Manager and Part Owner, 47 Guardsman Road.
9. Duane Hoo, Can-Jam Motorsports, 41 Guardsman Road.
10. Stewart Hoo, Can-Jam Motorsports, 41 Guardsman Road.
11. Kevin Hoo, Can-Jam Motorsports, 41 Guardsman Road.
12. Srdjana Jaksic.
13. Brian Gordon.

**Carried**

(Councillor Valerie Burke abstained due to conflict noted below)

Councillor Valerie Burke disclosed an interest with respect to Communication No. 29-2014 "Final Recommendation Report Regarding Thornhill Revitalization Study" as she has a family owned business in the Thornhill area and did not take part in the discussion or vote on this matter.

**30-2014 ROAD CLOSURE REQUEST – UNIONVILLE FESTIVAL (3.5)**

[June 7](#) [June 8](#)

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

Saturday, June 7, 2014 – 6:00 AM to 8:00 PM

- Main Street Unionville north from Concession Road to south of Carlton Road.
- No access from Main Street Unionville east onto Carlton Road.
- No access from Main Street Unionville west onto Fred Varley Drive and Carlton Road.
- Main Street Unionville north from Highway 7 to south of Bridle Trail.
- Fred Varley Drive west from Main Street to east of Fonthill Boulevard.
- Fred Varley Drive west of EJ Lennox Way east of plaza driveway -will have limited access for residents.
- Carlton Road west of Wembley Avenue to Chamberry Cres.
- No access from Main Street Unionville east onto Eckardt Avenue, Maple Lane, Victoria Avenue, Carlton Road.
- No access from Main Street Unionville west onto Pavilion Street, Euclid Street, Station Lane, Fred Varley Drive, Main Street Lane (west), Carlton Road (east & west).
- No access from Main Street Unionville east onto Library Lane, The Bridle Trail.
- No access from Main Street Unionville west onto Toogood Pond Park.

Sunday, June 8, 2014 – 8:30 AM to 5:00 PM

- Main Street - Carlton Rd to Station Lane.
- Fred Varley - Fronthill Blvd to Main Street Unionville.
- Concessions Rd - Carlton Rd. to Main Street Unionville.

**Carried**

## **10. PROCLAMATIONS**

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

Moved by Councillor Alex Chiu

Seconded by Councillor Logan Kanapathi

- 1) That the following proclamation, issued by the City Clerk in accordance with the City of Markham Proclamation Policy, be received for information purposes:
  - Armenian National Day (May 28, 2014); 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:
  - Armenian Flag (May 28, 2014).

**Carried**

## **11. NEW/OTHER BUSINESS**

- (1) DECLARATION OF SURPLUS LANDS  
GLOBAL UNIONVILLE DEVELOPMENT INC. (10.3, 10.5, 8.0)

Moved by Councillor Alan Ho

Seconded by Regional Councillor Gord Landon

Notices of Proposed Sale

City of Markham

Proposed Sale of Surplus Real Property

(Pursuant to By-law 178-96)

- 1) That the notice of proposed sale for the City of Markham's lands legally described as follows be confirmed:

"Part of Lot 9, Concession 5 (Markham), depicted as Parts 1, 2, 4, 5 and 9 on the Draft Reference Plan prepared by R. Avis. Surveying Inc., Project No. 1616-15, Drawing No. 1616-15R (GRID –NAD 83), being approximately 1,569 m<sup>2</sup> (0.387 ac) (the "City-Owned Lands")."

(Item No. 2, Report No. 22)

**Carried**

**12. BY-LAWS**

Moved by Councillor Don Hamilton

Seconded by Regional Councillor Jim Jones

That By-law 2014-69, 2014-71 and 2014-72 be given three readings and enacted.

**Carried**

(See following to consider the proposed by-laws)

Moved by Councillor Don Hamilton

Seconded by Councillor Carolina Moretti

That Council consider the proposed By-law Nos. By-law 2014-69, 2014-71 and 2014-72 immediately following the deputations regarding Thornhill Revitalization Study.

**Carried**

**Three Readings**

BY-LAW 2014-69 HONDA CANADA INC. AND 11160 WOODBINE AVENUE LIMITED, 180 HONDA BOULEVARD, HOLD REMOVAL BY-LAW  
A by-law to amend By-law 177-96, as amended, to permit future employment development(s) on the subject lands.

[By-law](#)

**Carried**

BY-LAW 2014-71 A BY-LAW TO ENACT RULES AND REGULATIONS FOR THE INSTALLATION AND CONNECTION OF PRIVATE SEWERS TO SEWAGE WORKS, AND THE DISCHARGE OF SEWAGE, STORM WATER AND LAND DRAINAGE WITHIN THE SERVICED AREA OF THE CITY OF MARKHAM (SEWER USE BY-LAW)  
(Repeals Sewer By-law No. 436-86)  
(Item No. 10, Report No. 23)

[By-law](#)

**Carried**



BY-LAW 2014-72     A BY-LAW TO AUTHORIZE THE MAYOR AND CLERK TO SIGN THE “MUNICIPAL FUNDING AGREEMENT FOR THE TRANSFER OF FEDERAL GAS TAX FUNDS” BETWEEN THE ASSOCIATION OF MUNICIPALITIES OF ONTARIO (AMO) AND THE CITY OF MARKHAM (CITY)  
(Item No. 7, Report No. 23)  
[By-law](#)

**Carried**

### **13.     IN-CAMERA ITEMS**

Moved by Regional Councillor Joe Li  
Seconded by Councillor Carolina Moretti

That, in accordance with Section 239 (2) of the *Municipal Act*, Council resolve into an in-camera session to discuss the following new business item (9:24 PM):

- (1)     PERSONAL MATTERS ABOUT AN IDENTIFIABLE INDIVIDUAL,  
INCLUDING MUNICIPAL OR LOCAL BOARD EMPLOYEES  
(UNIONVILLE BUSINESS IMPROVEMENT AREA) (16.24)  
[Section 239 (2) (b)]

**Carried by a 2/3 vote of members present**

Moved by Councillor Don Hamilton  
Seconded by Regional Councillor Jim Jones

That Council rise from the in-camera session. (9:33 PM)

**Carried**

The in-camera new business item was approved by Council as follows:

- (1) PERSONAL MATTERS ABOUT AN IDENTIFIABLE INDIVIDUAL,  
INCLUDING MUNICIPAL OR LOCAL BOARD EMPLOYEES  
(UNIONVILLE BUSINESS IMPROVEMENT AREA) (16.24)

Moved by Councillor Don Hamilton

Seconded by Regional Councillor Jim Jones

Whereas Council may, pursuant to subsection 204(12) of the Municipal Act, appoint a person to fill a vacancy on a board of management for the unexpired portion of the term and the appointed person is not required to be a member of the improvement area;

Now therefore be it resolved:

- 1) That Council, in accordance with subsection 204(12) of the Municipal Act, appoint Andrew Black to the Unionville Business Improvement District Board of Management (the “Board”) until November 30, 2014, to fill the current vacancy on the Board.

**Carried**

#### **14. CONFIRMATORY BY-LAW**

Moved by Regional Councillor Gord Landon

Seconded by Councillor Alan Ho

That By-law 2014-70 be given three readings and enacted.

#### **Three Readings**

BY-LAW 2014-70 A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE COUNCIL MEETING OF MAY 27, 2014.

[By-law](#)

**Carried**

**15. ADJOURNMENT**

Moved by Councillor Don Hamilton

Seconded by Councillor Carolina Moretti

That the Council Meeting be adjourned at 9:34 PM.

**Carried**

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Kimberley Kitteringham  
City Clerk

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Jack Heath  
Deputy Mayor

(Signed)