



## **Council Minutes**

March 25, 2014, 7:00 PM

Council Chamber, Anthony Roman Markham Civic Centre

Meeting No. 7

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### **ROLL CALL**

Mayor Frank Scarpitti, 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.

### **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  
Sharon Laing, Director of Human Resources  
Rino Mostacci, Director of Planning & Urban Design  
Alan Brown, Director of Engineering  
Dennis Flaherty, Director of Communications and Community Relations  
John Wong, Technology Support Specialist  
Kimberley Kitteringham, City Clerk  
Martha Pettit, Deputy Clerk

The regular meeting of Council convened at 7:05 PM on March 25, 2014 in the Council Chamber. Mayor Frank Scarpitti presided.

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

- (1) None declared.

**2. MINUTES****(1) COUNCIL MINUTES – MARCH 5, 2014**[Minutes](#)

Moved by Councillor Alex Chiu

Seconded by Councillor Valerie Burke

- 1) That the Minutes of the Council Meeting held on March 5, 2014, be adopted.

**Carried****3. PRESENTATIONS**

There were no presentations.

**4. DELEGATIONS****(1) DELEGATION**

- AWARD OF REQUEST FOR PROPOSAL 211-R-13 FOR  
EMPLOYEE SERVICE AWARDS PROGRAM (7.12)

Moved by Councillor Colin Campbell

Seconded by Councillor Carolina Moretti

That the delegation of Robert Mok in opposition to the proposed recommendation  
regarding the Employee Service Awards Program be received.

(See New/Other Business Item No. 1 for Council's decision on this matter)

**Carried****(2) DELEGATION**

- 2013 REMUNERATION AND EXPENSES FOR  
COUNCILLORS AND APPOINTEES TO BOARDS (7.0)

Moved by Councillor Colin Campbell

Seconded by Councillor Carolina Moretti

That the delegation of Marilyn Ginsburg in opposition to the proposed recommendation  
regarding the 2013 Remuneration and Expenses for Councillors and Appointees to  
Boards be received.

(See Item No. 1, Report 10 for Council's decision on this matter)

**Carried**

## 5. PETITIONS

There were no petitions.

### 6(a) REPORT NO. 10 - GENERAL COMMITTEE (March 18, 2014)

Council consented to separate Item No. 1.

Moved by Deputy Mayor Jack Heath

Seconded by Councillor Carolina Moretti

That Report No. 10 – General Committee comprised of 4 items be received and adopted, except Item No. 1. (See following Item No. 1)

- (1) SUMMARY OF 2013 REMUNERATION AND EXPENSES  
FOR COUNCILLORS AND APPOINTEES TO BOARDS (7.0)  
[Report](#) [Attachments](#)

Moved by Regional Councillor Jim Jones

Seconded by Deputy Mayor Jack Heath

- 1) That the report titled “Summary of 2013 Remuneration & Expenses for Councillors and Appointees to Boards” be received; and,
- 2) That the verbal update provided to Council this date by Joel Lustig, Treasurer, regarding the Summary of 2013 Remuneration & Expenses for Councillors and Appointees to Boards be received; and,
- 3) That staff report back if revisions are needed to the Summary of 2013 Remuneration and Expenses for Councillors and Appointees to Boards; and further
- 4) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**Carried as amended**  
(See following to amend)

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

That the Item No. 1, Report No. 10 titled "Summary of 2013 Remuneration & Expenses for Councillors and Appointees to Boards" be amended to add the following as Resolution Nos. 2 and 3:

- "2) That the verbal update provided to Council this date by Joel Lustig, Treasurer, regarding the Summary of 2013 Remuneration & Expenses for Councillors and Appointees to Boards be received; and,
- 3) That staff report back if revisions are needed to the Summary of 2013 Remuneration and Expenses for Councillors and Appointees to Boards;"

Carried

(2) AWARD OF PROPOSAL 101-R-13 CORPORATE  
AUTOMATED VEHICLE LOCATION (AVL) SYSTEM (7.12)  
[Report](#)

- 1) That the report entitled "Award of Proposal 101-R-13 Corporate Automated Vehicle Location (AVL) System" be received; and,
- 2) That the contract for Corporate Automated Vehicle Location (AVL) system from Proposal 101-R-13 be awarded to the highest ranked, lowest priced bidder, Air Automotive Tracking Inc. (AAT), in the amount of \$565,856.83 (inclusive of HST) (hardware, software and labour component totalling \$164,057.47 and warranty, support and maintenance fee component totalling \$401,799.36); and,
- 3) That the hardware, software and labour cost component for 101-R-13 be funded from capital project #9340 "Wireless Data & Voice Communication Strategy Implementation" in the amount of \$164,057.47, and the remaining funds of \$9,531.47 will be returned to the original funding source; and,
- 4) That the warranty, support and maintenance fee component for the hardware and software at \$64,719.36 per year for a four (4) year term starting in 2015, with an option to renew for an additional two years at \$71,460.96 per year for the total amount of \$401,799.36 (inclusive of HST) over a six year term be funded from operating budget account #400-404-5331 "Maintenance for Communication Equipments", subject to Council approval of the 2015 to 2020 Operating Budgets; and,

- 5) That AAT be designated as the preferred vendor for City's Automated Vehicle Location (AVL) product for the term of this contract; and further,
- 6) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**Carried**

(3) 2014 MUNICIPAL ELECTION  
- SPECIAL VOTING PLACES, TIMES AND LOCATIONS (14.0)  
[Report](#) [Attachment](#)

- 1) That the Report entitled "2014 Municipal Election – Special Voting Places, Times & Locations" be received; and,
- 2) That a by-law be adopted to establish special voting hours for institutions and retirement homes as outlined in Attachment "A"; and further,
- 3) That staff be authorized to do all things necessary to give effect to this resolution.  
(By-law 2014-35)

**Carried**

(4) HOLLINGHAM ROAD AND GREYSTONE ROAD PROPOSED ALL-WAY STOP  
CONTROL (5.12)  
[Report](#) [Attachments](#)

- 1) That the report entitled "Hollingham Road & Greystone Road Proposed All-way Stop Control", be received; and,
- 2) That Schedule 12 of Traffic By-law 106-71, pertaining to compulsory stops, be amended to include all approaches to the intersection of Hollingham Road & Greystone Road; and,
- 3) That the Operations Department be directed to install the appropriate signs and pavement markings at the subject locations; and,
- 4) That the cost of materials and installation for the traffic signs and pavement markings be funded from capital project # 14228 (Traffic Operational Improvements) in the amount of \$500; and,

- 5) That York Region Police be requested to enforce the all-way stop control upon installation of these stop signs and passing of the By-law; and further,
- 6) That staff be authorized and directed to do all things necessary to give effect to this resolution.  
(By-law 2014-36)

**Carried**

**6(b) REPORT NO. 11 - DEVELOPMENT SERVICES COMMITTEE  
(March 4, 2014)**

Council consented to separate Item No. 2.

Moved by Regional Councillor Jim Jones  
Seconded by Councillor Don Hamilton

That Report No. 11 – Development Services Committee comprised of 2 items be received and adopted, except Item No. 2. (See following Item No. 2)

**(1) PROPOSED BUTTONVILLE HERITAGE DISTRICT ENTRY  
AND STREET NAME SIGNAGE (2.16, 16.11)**  
[Report](#)

- 1) That the staff report entitled “Proposed Buttonville Heritage District Entry and Street Name Signage” dated March 4, 2014, be received; and,
- 2) That Council endorse the proposed design and location for entry signage, shown on Figures 1 and 2 of the staff report dated March 4, 2014, for the Buttonville Heritage Conservation District; and,
- 3) That Council endorse the proposed design of street name signage, shown on Figure 1 of the staff report dated March 4 , 2014, for the Buttonville Heritage Conservation District; and,
- 4) That approval be granted to the Manager of Operations and the Manager of Heritage Planning to negotiate with other governmental organizations and agencies the final location of the entry signs which are proposed to be located within the Woodbine Avenue right of ways outside the jurisdiction of the City; and,

- 5) That the Mayor and Clerk's Department be authorized to execute any agreements required to permit City owned signage to be installed on the Region of York's Woodbine Avenue right of way, to the satisfaction of the City Solicitor; and,
- 6) That the cost of the supplies required for the entry signage (wooden posts, intecel board, appliqué, stain, etc.) and installation, at an upset cost of \$3,500.00 and any application approval fees payable, be paid for from the Heritage Preservation Account (Reserve) 087-2800115; and further,
- 7) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**Carried**

(2) VICTORIA SQUARE HERITAGE CONSERVATION DISTRICT  
STUDY STEERING COMMITTEE (16.11)  
[Report](#)

Moved by Regional Councillor Jim Jones  
Seconded by Councillor Don Hamilton

- 1) That the staff report titled "Victoria Square Heritage Conservation District Study Steering Committee," dated March 4, 2014, be received; and,
- 2) That a Victoria Square Heritage Conservation District Study Steering Committee be created to assist in the study, comprised of the following members:
  - Ward Councillor (Alan Ho)
  - 1 Regional Councillor (Jim Jones)
  - 2 members of Heritage Markham
  - 2 community representatives selected by the Victoria Square Ratepayer's Association
  - 1 representative selected by the Victoria Square United Church
  - 2 members of Heritage Section staff (non-voting); and further,
- 3) That staff be authorized and directed to do all things necessary to give effect to this resolution.

**Carried**

Council consented to appoint Regional Councillor Jim Jones to the Victoria Square Heritage Conservation District Study Steering Committee.

**6(c) REPORT NO. 12 - DEVELOPMENT SERVICES PUBLIC MEETING  
(March 4, 2014)**

Moved by Regional Councillor Jim Jones  
Seconded by Councillor Don Hamilton

That Report No. 12 – Development Services Public Meeting comprised of 1 item be received and adopted.

- (1) PRELIMINARY REPORT  
CORNELL ROUGE DEVELOPMENT CORP.  
APPLICATIONS FOR SECONDARY PLAN AND  
ZONING BY-LAW AMENDMENT TO DELETE THE  
REQUIREMENT FOR RETAIL USES ON THE GROUND FLOOR  
474 WHITES HILL AVENUE AND 498 CORNELL ROUGE BLVD  
(ZA.13-126059 AND OP.13-134065) (10.4, 10.5)  
[Report](#)

- 1) That the written submission from Karen Gordon and Pauline Smith regarding the proposal by Cornell Rouge Development Corp., be received; and,
- 2) That the Development Services Commission report dated November 19, 2013, titled “Preliminary Report, Cornell Rouge Development Corp., Secondary Plan and Zoning By-law Amendment to delete the requirement for retail uses on the ground floor, 474 White’s Hill Avenue and 498 Cornell Rouge Blvd, File Numbers ZA 13 126059 and OP 13 134065” be received; and,
- 3) That the Record of the Public Meeting held on March 4, 2014 with respect to the proposed Secondary Plan Amendment and Zoning By-law Amendment, be received; and,
- 4) That the applications by Cornell Rouge Development Corp. for a proposed Secondary Plan Amendment (OP 13 134065) and Zoning By-law Amendment (ZA 13 126059) be approved and the draft implementing Official Plan Amendment and Zoning By-law Amendment be finalized and enacted; and further,
- 5) That staff be authorized and directed to do all things necessary to give effect to this resolution.

**Carried**



**6(d) REPORT NO. 13 - DEVELOPMENT SERVICES COMMITTEE  
(March 18, 2014)**

Council consented to separate Item Nos. 2, 4 and 5.

Moved by Regional Councillor Jim Jones

Seconded by Councillor Don Hamilton

That Report No. 13 – Development Services Committee comprised of 6 items be received and adopted, except Item Nos. 2, 4 and 5. (See following Item Nos. 2, 4 and 5)

**(1) REQUEST FOR DEMOLITION  
–DETACHED ACCESSORY BUILDING  
11 EUCLID STREET, UNIONVILLE (10.13)  
[Report](#)**

- 1) That the staff report entitled “Request for Demolition –Detached Accessory Building, 12 Euclid Street Unionville”, dated March 18 2014, be received; and,
- 2) That Council endorse the demolition of the non heritage Accessory Building at 11 Euclid Street located within the Unionville Heritage Conservation District; and further,
- 3) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**Carried**

**(2) GUIDELINES FOR MANAGEMENT OF  
SMALL STREAMS AND HEADWATER DRAINAGE FEATURES (5.7)  
[Report](#)**

Moved by Regional Councillor Jim Jones

Seconded by Councillor Don Hamilton

- 1) That the staff report entitled “Guidelines for Management of Small Streams and Headwater Drainage Features” be received;
- 2) That the City adopt the Toronto and Region Conservation Authority (TRCA) Evaluation, Classification and Management of Headwater Drainage Features (HDFs) Guidelines as the new protocol in evaluation and classification of headwater drainage features; and,

- 3) That City staff be directed to update the Markham Official Plan (Adopted December 2013), and other environmental guidelines to reflect the TRCA's HDFs Guidelines; and further,
- 4) That staff be authorized and directed to do all things necessary to give effect to this resolution.

**Carried**

(3) RECOMMENDATION REPORT  
CITY INITIATED REGULATIONS TO PERMIT  
OUTDOOR PATIOS ON THE PUBLIC RIGHT OF WAY (10.0)  
[Memo](#) [Revised Appendix A](#) [Revised Appendix B](#) [Report](#)

- 1) That the deputations by Paul Cicchini, Sharon Taylor Wood, representing the Unionville BIA, presenting a petition regarding parking on Main Street Unionville, and Zuzana Zila, regarding the proposed Boulevard Patio Policy, be received; and,
- 2) That the memorandum dated March 11, 2014 entitled "Boulevard Patio Policy – Update Memorandum" be received; and,
- 3) That the report dated March 18, 2014, entitled "RECOMMENDATION REPORT City Initiated Regulations to Permit Outdoor Patios on the Public Right of Way", be received; and,
- 4) That an amendment to Section 6.1 of the Road Occupancy By-law 2013-136, included as Appendix 'A' attached to the memorandum dated March 11, 2014, be enacted to regulate outdoor patios in the public right of way; and,
- 5) That the Director of Operations be authorized to finalize Corporate Policy 2013-136-03, included in draft as Appendix 'B' attached to the memorandum dated March 11, 2014, which sets out details of the permitting system that will be subordinate to the Road Occupancy by-law; and,
- 6) That the Director of Planning & Urban Design be authorized to finalize the Outdoor Patio Design Guidelines, included in draft as Appendix 'C' attached to the staff report dated March 18, 2014, which will be appended to the Corporate Policy; and,
- 7) That the Boulevard Patio Policy be amended to enable fence structures to be bolted down; and,

- 8) That the Boulevard Patio Policy be amended to permit patios to be open from 7:00 a.m. to 2:00 a.m., subject to compliance with Liquor License regulations and other applicable laws; and,
- 9) That the Boulevard Patio Encroachment Fee set out in Schedule 'A' to the Road Occupancy By-law, as amended, be waived for 2014 and 2015 for Unionville and Markham Village BIA area businesses, subject to the applicant making a permit application in 2014; and,
- 10) That the Boulevard Patio Policy be amended to reflect that the opening date for patios will be approximately April 1 each year, depending on weather and site conditions; and,
- 11) That staff report back after the 2015 patio season for a review of the policies; and,
- 12) That Staff discuss with York Region opportunities to permit boulevard patios on roads within its jurisdiction, including Yonge Street, and report back to Development Services Committee as soon as possible; and further,
- 13) That Staff be authorized and directed to do all things necessary to give effect to this resolution.  
(By-law 2014-37)

**Carried**

- (4) RECOMMENDATION REPORT, PLAN B HOMES INC. AND 2381423 ONTARIO INC., ZONING AMENDMENT AND DRAFT PLAN OF SUBDIVISION APPLICATIONS TO PERMIT 15 SINGLE DETACHED DWELLINGS AT 6827 14<sup>TH</sup> AVENUE AND 6805 14<sup>TH</sup> AVENUE FILE NOS. ZA 12 127915 & SU 12 127915 (10.5, 10.7)  
[Memo](#) [Report](#)

Moved by Regional Councillor Jim Jones  
Seconded by Councillor Don Hamilton

- 1) That the depositions by Angelica Gutierrez of Box Grove Community Association, Amber Burke, Trish Vrotsos on behalf of Vangy and Paul Vrotsos, Nadia Zuccaro representing Plan B Homes, and Sara Baldwin representing Bellport Homes, regarding Plan B Homes Inc., and 2381423 Ontario Inc., be received; and,

- 2) That the written submissions by Angelica Gutierrez of Box Grove Community Association, Amber Burke, and Trish Vrotsos on behalf of Vangy and Paul Vrotsos regarding Plan B Homes Inc., and 2381423 Ontario Inc., be received; and,
- 3) That the report titled “RECOMMENDATION REPORT, Plan B Homes Inc., and 2381423 Ontario Inc., Zoning Amendment and Draft Plan of Subdivision Applications to permit 15 single detached dwellings at 6827 14<sup>th</sup> Avenue and 6805 14<sup>th</sup> Avenue, File Nos. ZA 12 127915 & SU 12 127915,” dated February 4, 2014 and the Memorandum dated February 25, 2014 from the Director of Engineering, be received; and,
- 4) That the record of the Public Meetings held on April 9, 2013 and September 23, 2013, regarding the applications for approval of a Draft Plan of Subdivision and Zoning By-law Amendment be received; and,
- 5) That Draft Plan of Subdivision 19TM-12007 submitted by Plan B Homes Inc., and 2381423 Ontario Inc., be draft approved subject to the conditions outlined in Appendix ‘A’; and,
- 6) That the Director of Planning and Urban Design, or his designate be delegated authority to issue draft approval, subject to the conditions set out in Appendix ‘A’ as may be amended by the Director of Planning and Urban Design; and,
- 7) That the application submitted by Plan B Homes Inc. and 2381423 Ontario Inc., to remove the properties from the Rural Residential Zoning categories of By-laws 304-87 and 194-82, as amended, and incorporate them into a Residential Two (R2) zone category under By-law 177-96, as amended, be approved and the draft by-law attached as Appendix ‘B’ be finalized and enacted without further notice; and,
- 8) That Council authorize servicing allocation for 14 single detached units (51.8 population) from the current servicing allocation reserve; and,
- 9) That the City reserves the right to revoke or reallocate the servicing allocation should the development not proceed in a timely manner; and,
- 10) That the Region of York be advised of the servicing allocation for this development; and,
- 11) That the draft plan approval for Plan of Subdivision 19TM-12007 will lapse after a period of three (3) years from the date of issuance in the event that a subdivision agreement is not executed within that period; and,

- 12) That staff report back to June 10, 2014 Development Services Committee with the final cost of the sanitary sewer installation along 14<sup>th</sup> Avenue including residents funding commitment to this project; and further,
- 13) That Staff be authorized and directed to do all things necessary to give effect to this resolution.  
(By-law 2014-38)

**Carried**

(5) MAIN STREET MARKHAM SOUTH  
HIGHWAY 407 TO HIGHWAY 7 (5.10)  
[Report](#)

Moved by Regional Councillor Jim Jones  
Seconded by Councillor Don Hamilton

- 1) That the deputations by Phil Richardson, representing the Markham Residents for Responsible Community Planning and presenting a petition with 136 signatures in opposition to the closing of Main Street, and Zuzana Zila, regarding Main Street Markham South, Highway 407 to Highway 7, be received; and,
- 2) That the report entitled “Main Street Markham South, Highway 407 to Highway 7” be received; and,
- 3) That the procurement process for the relocation of existing utilities for Main Street Markham South, Highway 407 to Highway 7, including design review and construction coordination be waived in accordance to Purchasing By-law 2004-341 Part II, Section 7, Non-competitive procurement (item b); and,
- 4) That the Director of Engineering be authorized to finalize the cost sharing of the proposed work with the utility companies, up to a total value of \$715,000.00 (inclusive of HST), in accordance to the Municipal Access Agreement; and,
- 5) That staff be authorized to issue Purchase Orders, for the City’s portion of work, to the various utility companies for the relocation of their existing facilities up to a total value of \$715,000.00, (inclusive of HST) to be funded from Capital Account 083-5350-14055-005 (Main Street Markham, Hwy 407 to Hwy 7); and,
- 6) That the Engineering Department Capital Administration Fee in the amount of \$32,175.00, inclusive of HST, be transferred to revenue account 640-998-8871 (Capital Admin Fees) from Capital Account 083-5350-14055-05 ((Main Street Markham, Hwy 407 to Hwy 7); and,

- 7) That Main Street Markham South, between James Scott Road and Hwy 7 be closed to traffic starting July 2, 2014 to December 31, 2014 to permit the bridge removal and reconstruction; and,
- 8) That staff report back to Committee on May 20, 2014 with the traffic management plan, communication plan, construction schedule and update on consultation with stakeholders; and,
- 9) That staff report back to a future Development Services Committee meeting on the feasibility of creating the centre lane reversible and the implications on same; and,
- 10) That staff be authorized to finalize mitigation measures for the Main Street Markham South residents as identified in the February 12, 2014 Public Liaison Committee (PLC) meeting; and further,
- 11) 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 Resolution No. 9 to the proposed recommendation entitled “Main Street Markham South, Highway 407 to Highway 7”:

- "9) That staff report back to a future Development Services Committee meeting on the feasibility of creating the centre lane reversible and the implications on same;"

(6) FUTURE URBAN AREA LANDOWNERS  
FUNDING AGREEMENT (5.0)

[Report](#)

- 1) That the staff report entitled “Future Urban Area Landowners Funding Agreement” be received; and,
- 2) That Council approve the Future Urban Area (FUA) Funding Agreement principles as outlined in this report; and,
- 3) That Council approve in principle the financial contribution schedule outlined in this report with the funding contribution to be finalized to the satisfaction of the Chief Administrative Officer, Commissioner of Development Services, and Commissioner of Corporate Services; and,

- 4) That staff be directed to finalize the Funding Agreement with the participating landowners' representatives of the FUA in north Markham, in accordance with the Funding Agreement principles and the financial contribution schedule to the satisfaction of the Chief Administrative Officer, Commissioner of Development Services, Commissioner of Corporate Services and the City Solicitor; and,
- 5) That Council authorize the Mayor and Clerk to execute a Landowners Funding Agreement and any subsequent amendments, for the funding of the master planning of the FUA in north Markham, with the participating landowners, in a form satisfactory to the Chief Administrative Officer, Commissioner of Development Services, Commissioner of Corporate Services, and the City Solicitor; and,
- 6) That Council approve in principle the enactment of an Area Specific Development charge bylaw for the FUA in north Markham at the appropriate time, so that participating landowners can recover an equitable share of their upfronted costs from the other non-participating landowners through the applicable Area Specific development charges by-law, in accordance with the *Development Charges Act, 1997, S.O. 1997, c.27*, and City's Development Charge Credit and Reimbursement Policy; and,
- 7) That a maximum 45% of the actual cost of the Phase 1 Subwatershed Studies (Characterisation), at approximately \$382,500.00, be funded from the City Wide Hard development charge reserve as outlined in this report, and staff be granted authority to reimburse these costs through the 2016 Capital Budget, subject to the completion of the subwatershed studies to the satisfaction of City staff, and the landowners' conformance to the Future Urban Area Funding Agreement; and,
- 8) That staff include the \$382,500 City Wide Hard development charge reimbursement in the 2016 Capital Budget; and,
- 9) That the FUA Subwatershed Studies awarded to AMEC Environmental & Infrastructure be increased from \$2,016,165.00 to an upset limit of \$2,367,280.73 (including 10% contingency and HST impact, an increase of \$351,115.73) subject to execution of the Funding Agreement; and,
- 10) That the Water Servicing Study awarded to WSP Canada Inc. (formerly Genivar Consultants) be increased from \$96,419.43 to \$114,059.43 (including 10% contingency and HST impact, an increase of \$17,640.00) subject to execution of the Funding Agreement; and,

- 11) That the Wastewater Servicing Study awarded to XCG Consultants Ltd. be increased from \$134,538.12 to \$293,458.13 (including 10% contingency and HST impact, an increase of \$158,920.01) subject to execution of the Funding Agreement; and,
- 12) That the Environmental Assessment Coordination Study award to Amos Environmental + Planning be increased from \$94,423.61 to \$109,294.31 (including 10% contingency and HST impact, an increase of \$14,870.70) subject to execution of the Funding Agreement; and,
- 13) That two new 2014 Capital Projects be created, with the final amounts subject to the finalization of the Future Urban Area Funding Agreement; and,
  - a. FUA City Dedicated Staff Recovery – in the amount of \$2,184,767.00 to be funded from FUA Landowners Funding Agreement
  - b. FUA TRCA Staff Recovery – in the amount of \$808,500.00 to be funded from the FUA Landowners Funding Agreement; and,
- 14) That the Capital budget account for recommendations 9), 10), 11), and 12) be updated to reflect revised costs and funding sources as detailed in this report; and,
- 15) That Council authorize the Mayor and Clerk to execute a DC Credit/Reimbursement Agreement(s) with the participating landowners for the reimbursement of the City Wide Hard and Area Specific development charges as outlined in this report; and,
- 16) That the development phasing strategy for the FUA allow each participating landowners group (per concession block) to proceed with development in the first phase, with the program for phasing within each concession block to be confirmed, to the satisfaction of Council, in Phasing Plans, Secondary Plans and conditions of approval; and,
- 17) That York Region be requested to interpret or modify its Official Plan to be consistent with Recommendation 16 as required; and further,
- 18) That staff be authorized and directed to do all things necessary to give effect to this resolution.

**Carried**

## **7. MOTIONS**

There were no motions.



## 8. NOTICES OF MOTIONS

There were no notices of motions.

## 9. COMMUNICATIONS

Moved by Councillor Colin Campbell

Seconded by Councillor Logan Kanapathi

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

### Referred to all Members of Council

10-2014 ROAD CLOSURE REQUEST – SHOPPERS DRUG MART RUN FOR WOMEN (3.5)

#### [Info](#)

The following roads will be closed on April 26, 2014 to facilitate the event:

1. Main Street Unionville from Carlton to Fred Varley Drive  
(8:00 am to 10:30 am)
2. Main Street Unionville from Fred Varley Dr to Hwy 7  
(8:00 am to 9:30 am)
3. Carlton Road from the East parking lot entrance to Pomander Rd  
(8:00 am to 10:30 am)
4. Eckhardt Ave  
(8:15 am to 9:30 am)
5. Euclid Street  
(8:15 am to 9:00 am)
6. Eureka Street from Euclid St to Pavillion Street  
(8:15 am to 9:00 am)
7. Pavillion Street  
(8:15 am to 9:00 am)
8. Fred Varley Drive from Main Street to Fonthill Blvd  
(8:15 am to 10:30 am)
9. Fonthill Blvd  
(8:15 am to 10:30 am)
10. Krieghoff Ave from first Fonthill Blvd intersection to the second Fonthill Blvd intersection  
(8:15 am to 10:30 am)
11. Merchant Rd  
(8:15 am to 10:30 am)
12. Pomander Rd from Crosby trail to Carlton Rd  
(8:45 am to 10:30 am)

**Carried**

- 11-2014 LIQUOR LICENCE APPLICATION FOR MORALS VILLAGE, 8333 KENNEDY ROAD, UNITS 1073 & 1075 (WARD 3) (3.21)

[Info](#)

Forwarding a request for the City of Markham to complete the Municipal Information Form.

(New restaurant and application of a new liquor licence for indoor areas).

**Carried**

**Received**

- 12-2014 COMMUNICATIONS - 2013 REMUNERATION & EXPENSES FOR COUNCILLORS AND APPOINTEES TO BOARDS (7.0)

(Item No. 1, Report No. 10)

[Communications](#)

Communications providing comments regarding the proposed recommendation on 2013 remuneration & expenses for Councillors and Appointees to boards received as follows:

1. Marilyn Ginsburg, Director, Markham Citizens Coalition for Responsive Government.
2. Ray Menzies.

**Carried**

- 13-2014 UPDATE MEMORANDUM - OUTDOOR PATIOS ON THE PUBLIC RIGHT OF WAY (10.0)

(Item No. 3, Report No. 13)

[Memo](#)

Memorandum dated March 25, 2014 from Commissioner of Development Services providing information regarding the proposed recommendation on outdoor patios on the public right of way.

**Carried**

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

Moved by Regional Councillor Gord Landon

Seconded by Councillor Alan Ho

- 1) That the following proclamations issued by the City Clerk in accordance with the City of Markham Proclamation Policy be received for information purposes:
  - National Wildlife Week - April 6 to 12, 2014
  - National Volunteer Week - April 6 to 12, 2014
  - World Autism Awareness Day - April 2, 2014
  - Be Kind to Animals Week - May 5 to 11, 2014
  - Pride Week - June 14 to 22, 2014
  - Lupus Awareness Month – October 2014; and,
- 2) That the following requests for flag to be raised at the Anthony Roman Markham Civic Centre flagpole approved by the City Clerk in accordance with the City of Markham Community Flag Raisings & Flag Protocol Policy be received for information purposes:
  - World Autism Awareness Flag (April 2, 2014)
  - Rainbow Flag (June 14 to 22, 2014); and,
- 3) That the following new request for proclamation be approved and added to the Five-Year Proclamations List approved by Council:
  - World Lupus Day - May 10, 2014; and further,
- 4) That the following new request for proclamation issued by the City Clerk in accordance with the City of Markham Proclamation Policy be received and added to the Five-Year Proclamations List approved by Council:
  - Gillian Apps Day – March 22, 2014.

**Carried**

**11. NEW/OTHER BUSINESS**

Council consented to add New/Other Business Item Nos. 4, 5 and 6.

- (1) AWARD OF REQUEST FOR PROPOSAL 211-R-13  
EMPLOYEE SERVICE AWARDS PROGRAM  
- GIFTS AND LAPEL PINS (7.12)  
[Report](#)

Moved by Councillor Don Hamilton  
Seconded by Councillor Carolina Moretti

Whereas City of Markham Council appreciates and values the contribution of City staff;  
and,

Whereas Director Sharon Laing has provided a verbal update to Council this date on the  
Employee Service Awards Program;

Now therefore be it resolved that:

- 1) That the report entitled “Award of Request for Proposal 211-R-13 Employee Service Awards Program – Gifts and Lapel Pins” be received; and,
- 2) That the verbal update provided to Council this date by Director Sharon Laing regarding the Employee Service Awards Program be received; and,
- 3) That the contract for Employee Service Awards Program – Gifts and Lapel Pins (211-R-13) not be awarded; and,
- 4) That staff conduct a comprehensive review of the City’s Employee Service Awards Program and report back to General Committee with recommendations on same; and further,
- 5) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**Carried**

Council consented to not award the contract for Employee Service Awards Program - Gifts and Lapel Pins (211-R-13).

Note: This matter was referred from the March 18, 2014 General Committee meeting.

- (2) 2014 MUNICIPAL ELECTION  
- EARLY (ADVANCE) VOTING OPPORTUNITIES (14.0)  
[Report](#) [Attachments](#)

Moved by Deputy Mayor Jack Heath  
Seconded by Councillor Don Hamilton

- 1) That the Report entitled “2014 Municipal Election – Early Voting Opportunities” be received; and,
- 2) That a by-law be adopted to establish the 2014 early voting dates, times and locations within the City of Markham as outlined in Attachment “A” and as amended by Council this date; and further,
- 3) That staff be authorized to do all things necessary to give effect to this resolution.  
(By-law 2014-39)

**Carried as amended**  
(See following to amend)

Moved by Deputy Mayor Jack Heath  
Seconded by Councillor Don Hamilton

That the date of "October 16, 2014" contained in Section 1 of the proposed early voting by-law be deleted.

Carried

Council consented to approve the following revisions to the proposed early voting by-law:

Section 2 of the by-law:

- In-person early vote shall be held on Saturday, October 18, 2014 and Sunday, October 19, 2014 between the hours of 10:00 AM and 8:00 PM (Instead of 10:00 AM to 6:00 PM)

Section 4 of the by-law:

- On-line (internet) early vote shall be held on Friday, October 17, 2014 starting at 9:00 AM EST and ending at 12 midnight EST on Thursday, October 23, 2014 (Starting date of October 16 has been changed to October 17)

Note: This matter was referred from the March 18, 2014 General Committee meeting.

(3) YORK REGION FUNDING MEMORANDUM OF UNDERSTANDING FOR MARKHAM LEAK DETECTION PROJECT (5.3)  
[Report](#)

Moved by Councillor Alex Chiu

Seconded by Councillor Howard Shore

- 1) That the report “York Region Funding Memorandum of Understanding for Markham Leak Detection Project” be received; and,
- 2) That the Director of Environmental Services be authorized to approve and execute the MOU in a form satisfactory to the City Solicitor; and,
- 3) That the Waterworks 2014 budget for Annual Leak Detection (Project 14301) be increased by \$18,000 from \$162,000 to \$180,000 in order to retain a consultant to complete evaluation of the leak detection program as required under the MOU with a cost sharing agreement of 50% from Markham and 50% from York Region; and,
- 4) That Markham upfront York Region’s funding, funded from the Waterworks Stabilization and Capital Reserve (“Waterworks Reserve”) and the Region’s funding be recovered in accordance to the MOU (75% on effective date of MOU, 15% upon delivery of interim report to the Region and 10% upon delivery of the final report satisfactory to the Region); and,
- 5) That the funding for projects 10335 Water Loss & Leak Detection Phase 1 and 14301 Annual Leak Detection – Phase 2 of 5 be amended to reflect 50% funding from York Region and 50% from Markham and that the York Region’s funds be temporarily up-fronted by Markham’s “Waterworks Reserve” until receipt of funds from York Region; and further,
- 6) That staff be authorized and directed to do all things necessary to give effect to this resolution.

**Carried**

Council consented to add the words "...in a form satisfactory to the City Solicitor" at the end of Resolution No. 2 contained in the proposed recommendation titled “York Region Funding Memorandum of Understanding for Markham Leak Detection Project”.

Note: This matter was referred from the March 18, 2014 General Committee meeting.

(4) MARKET VILLAGE MARKHAM  
AND PACIFIC MALL DEVELOPMENTS (10.6)

Council enquired about the two proposed developments at Market Village Markham and Pacific Mall, northeast corner of Kennedy Road and Steeles Avenue East.

Jim Baird, Commissioner of Development Services advised an update on this matter will be provided at a future Development Services Committee meeting.

(5) ABEYANCE LIST (9.0)

Staff was reminded to report back on items contained in the Abeyance List.

(6) 2014 EARTH HOUR – MARCH 29, 2014 (12.2.6)

Council was reminded of the 2014 Earth Hour being held on March 29, 2014.

## 12. BY-LAWS

Moved by Councillor Alex Chiu  
Seconded by Councillor Carolina Moretti

That By-laws 2014-32 to 2014-39 be given three readings and enacted.

### Three Readings

BY-LAW 2014-32 WYKLAND ESTATES, PART LOT CONTROL EXEMPTION BY-LAW, PLAN 65M-4375

A by-law to designate part of a certain plan of subdivision not subject to Part Lot Control, Lots 1 to 16, Lots 18 to 20, Lots 27 to 29, Lot 84 and Blocks 108 to 116, Plan 65M-4375, west side of Cornell Centre Boulevard, south of 16<sup>th</sup> Avenue.

By-law

**Carried**

- BY-LAW 2014-33     WYKLAND ESTATES, PART LOT CONTROL EXEMPTION BY-LAW, PLAN 65M-4376  
A by-law to designate part of a certain plan of subdivision not subject to Part Lot Control, Lots 19 to 39 and Lot 44, Plan 65M-4376, west side of Cornell Centre Boulevard, south of 16<sup>th</sup> Avenue.  
[By-law](#)  
**Carried**
- BY-LAW 2014-34     ST. MAURICE AND ST. VERENA COPTIC ORTHODOX CHURCH, PART LOT CONTROL EXEMPTION BY-LAW, PLAN 65M-2445  
A by-law to designate part of a certain plan of subdivision not subject to Part Lot Control, Block 1, Plan 65M-2445, north-west corner of Highway 7 and Rodick Road.  
[By-law](#)  
**Carried**
- BY-LAW 2014-35     A BY-LAW TO PROVIDE FOR REDUCED HOURS OF VOTING FOR INSTITUTIONS AND RETIREMENT HOMES FOR THE 2014 MUNICIPAL ELECTION  
(Item No. 3, Report No. 10)  
[By-law](#)  
**Carried**
- BY-LAW 2014-36     A BY-LAW TO AMEND TRAFFIC BY-LAW 106-71 (HOLLINGHAM ROAD & GREYSTONE ROAD PROPOSED ALL-WAY STOP CONTROL)  
(Item No. 4, Report No. 10)  
[By-law](#)  
**Carried**
- BY-LAW 2014-37     A BY-LAW TO AMEND ROAD OCCUPANCY BY-LAW 2013-136 (TO REGULATE OUTDOOR PATIOS IN THE PUBLIC RIGHT OF WAY)  
(Item No. 3, Report No. 13)  
[By-law](#)  
**Carried**



BY-LAW 2014-38 PLAN B HOMES INC., AND 2381423 ONTARIO INC., 6827 14<sup>TH</sup> AVENUE AND 6805 14<sup>TH</sup> AVENUE, ZONING BY-LAW AMENDMENTS

- A by-law amend By-laws 304-87 and 194-82, as amended (to delete lands from the designated area of By-laws 304-87 and 194-92) and to amend By-law 177-96, as amended (to incorporate lands into the designated area of By-law 177-96) to permit the construction of detached dwellings.

(Item No. 4, Report No. 13)

By-law

**Carried**

BY-LAW 2014-39 A BY-LAW TO PROVIDE FOR EARLY (ADVANCE) VOTING TO BE HELD PRIOR TO VOTING DAY FOR THE 2014 MUNICIPAL ELECTION

(New/Other Business Item No. 2)

By-law

**Carried**

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

Moved by Councillor Carolina Moretti

Seconded by Councillor Alan Ho

That, in accordance with Section 239 (2) of the Municipal Act, Council resolve into an in-camera session to discuss the following matters (9:07 PM):

- (1) MINUTES OF IN-CAMERA COUNCIL MEETING - MARCH 5, 2014 (16.0)  
[Section 239 (2) (b) (c) (e) (f)]

**General Committee – March 18, 2014**

- (2) GENERAL COMMITTEE IN-CAMERA MINUTES - MARCH 3, 2014 (16.0)  
[Section 239 (2) (b) (b) (f) (c) (b)]
- (3) A PROPOSED OR PENDING ACQUISITION OR DISPOSITION OF LAND BY THE MUNICIPALITY OR LOCAL BOARD (WARD 4) (7.0 & 16.11)  
[Section 239 (2) (c)]
- (4) PERSONAL MATTERS ABOUT AN IDENTIFIABLE INDIVIDUAL, INCLUDING MUNICIPAL OR LOCAL BOARD EMPLOYEES (BOARD/COMMITTEE APPOINTMENTS) (16.24)  
[Section 239 (2) (b)]
- (5) PERSONAL MATTERS ABOUT AN IDENTIFIABLE INDIVIDUAL, INCLUDING MUNICIPAL OR LOCAL BOARD EMPLOYEES (BOARD/COMMITTEE RESIGNATION) (16.24)  
[Section 239 (2) (b)]

**Development Services Committee – March 18, 2014**

- (6) DEVELOPMENT SERVICES COMMITTEE IN-CAMERA MINUTES - FEBRUARY 25, 2014 (10.0)  
[Section 239 (2) (e, f) (e)]
- (7) A PROPOSED OR PENDING ACQUISITION OR DISPOSITION OF LAND BY THE MUNICIPALITY OR LOCAL BOARD (WARD 4) (8.0)  
[Section 239 (2) (c)]

Moved by Councillor Valerie Burke  
Seconded by Councillor Carolina Moretti

That Council rise from the in-camera session. (9:22 PM)

**Carried**

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

(1) MINUTES OF IN-CAMERA COUNCIL MEETING  
- MARCH 5, 2014 (16.0)

Moved by Regional Councillor Jim Jones  
Seconded by Councillor Colin Campbell

- 1) That the Council In-camera Minutes dated March 5, 2014 be confirmed.

**Carried**

(2) GENERAL COMMITTEE IN-CAMERA MINUTES - MARCH 3, 2014 (16.0)

Moved by Regional Councillor Jim Jones  
Seconded by Councillor Colin Campbell

- 1) That the General Committee in-camera minutes dated March 3, 2014 be confirmed.

**Carried**

(3) PROPERTY MATTER: RELOCATION OF THE JAMES CAMPBELL HOUSE TO  
MARKHAM HERITAGE ESTATES, FINANCIAL CAPABILITY OF  
APPLICANT/LOT SELECTION (7.0 & 16.11)

Moved by Regional Councillor Jim Jones  
Seconded by Councillor Colin Campbell

- 1) That the confidential report on financial capability of the applicant, Greg Knight, to purchase a lot and relocate and restore the James Campbell House at Markham Heritage Estates be received; and,

- 2) That pursuant to By-law 178-96, Lot 8, Plan 65M-2761, City of Markham, Regional Municipality of York (2 Wismer Place, Markham Heritage Estates) be declared surplus to the City's needs and conveyed to the applicant; and,
- 3) That the fourteen (14) day notice period of the proposed sale of the above lands be placed on the next Council agenda, or subsequent date, in accordance with By-law No. 178-96 (Sale of Surplus Real Property); and,
- 4) That the City waive its policy in respect of the limitation on the number of times a person or his or her spouse can purchase a lot in Markham Heritage Estates; and,
- 5) That the Mayor and Clerk be authorized to execute and finalize an Agreement of Purchase and Sale between Greg Knight and the City of Markham together with the transfer/deed of land and any other documentation required to give effect hereto in a form satisfactory to the Chief Administrative Office and the City Solicitor; and further,
- 6) That Staff be authorized and directed to take the actions set out in this report.

**Carried**

(4) BOARD/COMMITTEE APPOINTMENTS (16.24)

Moved by Regional Councillor Jim Jones

Seconded by Councillor Colin Campbell

- 1) That the following appointments to the Box Grove Community Centre Board be confirmed:

<u>Name</u>	<u>Term</u>
Andrew Moonilal	November 30, 2016
Sangeetha Thananayagam	November 30, 2016

**Carried**

(5) BOARD/COMMITTEE RESIGNATION (16.24)

Moved by Regional Councillor Jim Jones

Seconded by Councillor Colin Campbell

- 1) That the resignation of Daniel Gauthier from the Board of Management of the Markham Village Business Improvement Area be received with regret for information purposes and that a letter of appreciation be forwarded by Mayor Frank Scarpitti.

**Carried**

(6) DEVELOPMENT SERVICES COMMITTEE  
IN-CAMERA MINUTES - FEBRUARY 25, 2014 (10.0)

Moved by Regional Councillor Jim Jones

Seconded by Councillor Colin Campbell

- 1) That the minutes of the Development Services Committee in-camera meeting, held February 25, 2014, be confirmed.

**Carried**

(7) A PROPOSED OR PENDING ACQUISITION OR DISPOSITION OF LAND BY THE  
MUNICIPALITY OR LOCAL BOARD MATTER (WARD 4) (8.0)

Moved by Regional Councillor Jim Jones

Seconded by Councillor Colin Campbell

- 1) That the confidential report dated February 18, 2014 from the Commissioner of Development Services and Director of Engineering regarding a proposed or pending acquisition or disposition of land by the municipality or local board matter in Ward 4 be received; and,
- 2) That staff be authorized to proceed as directed by Council on March 25, 2014.

**Carried**

**14. CONFIRMATORY BY-LAW**

Moved by Councillor Alex Chiu

Seconded by Regional Councillor Joe Li

That By-law 2014-40 be given three readings and enacted.

**Three Readings**

BY-LAW 2014-40     A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE COUNCIL  
MEETING OF MARCH 25, 2014.

By-law

**Carried**

**15. ADJOURNMENT**

Moved by Councillor Alex Chiu

Seconded by Councillor Valerie Burke

That the Council Meeting be adjourned at 9:23 PM.

**Carried**

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Kimberley Kitteringham  
City Clerk

(Signed)

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Frank Scarpitti  
Mayor