



## **COUNCIL MINUTES**

**December 10, 2013, 1:00 p.m.**

Council Chamber, Anthony Roman Markham Civic Centre

Meeting No. 28

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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 Colin Campbell, Councillor Alan Ho, Councillor Logan Kanapathi, Councillor Alex Chiu.

### **REGRETS**

Councillor Carolina Moretti.

### **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  
Kimberley Kitteringham, City Clerk  
Martha Pettit, Deputy City Clerk  
Andrea Tang, Manager, Financial Planning  
Stephen Huycke, Public Services and Record Coordinator  
Carlie Turpin, Legislative Coordinator  
Peter Loukes, Director, Environmental Services

The regular meeting of Council convened at 1:04 p.m. on December 10, 2013 in the Council Chamber. Mayor Frank Scarpitti presided.

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

- (1) Councillor Valerie Burke disclosed an interest with respect to Item No. 5, Report No. 50 and By-law 2013-221 regarding the adoption of Revised Draft City of Markham Official Plan (Related to the Thornhill Revitalization Area and former Canac Kitchens site specifically), 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. MINUTES****(1) COUNCIL MINUTES – NOVEMBER 26, 2013**[Minutes](#)

Moved by Councillor Alex Chiu

Seconded by Councillor Howard Shore

- 1) That the Minutes of the Council Meeting held on November 26, 2013, be adopted.

**CARRIED**

**3. PRESENTATIONS**

There were no presentations.

**4. DELEGATIONS**

- (1) ANDREW FERANCIK - DELEGATION REGARDING  
5 OAKCREST AVENUE (10.5)  
(Item No. 5, Report No. 50)

Moved by Councillor Alex Chiu

Seconded by Councillor Valerie Burke

That the delegation of Andrew Ferancik, Walker, Nott, Dragicevic Associates Ltd., regarding the setback requirement for the application submitted Philip K. H. Eng, owner of 5 Oakcrest Avenue, be received.

(See Item No. 5, Report No. 50 for Council decision on this matter)

**CARRIED**

(2) DELEGATIONS REGARDING THE  
REVISED DRAFT OFFICIAL PLAN (10.0)

Moved by Councillor Alex Chiu

Seconded by Councillor Valerie Burke

That the following delegations regarding the Revised Draft Official Plan be received:

1. Marion Matthias, on behalf of Ward One Thornhill South Residents Inc. and Bayview Glen Residents Association, provided comments related to Thornhill areas.
2. Jim Kwan provided comments related to second suites.
3. Heather Reading enquired about the lands near the Hampton Green Condominiums Markham.
4. Mike Everard, on behalf of Catholic Cemeteries Archdiocese of Toronto, requested that consideration of the employment land redesignation application by Catholic Cemeteries be deferred.

(See Item No. 6, Report No. 50 for Council decision on this matter)

(3) GORD WALTER (12.2.6)

Moved by Councillor Alex Chiu

Seconded by Councillor Valerie Burke

That the delegation of Gord Walter, on behalf of Sherwood Amber-Glen Ratepayers Association, to thank Council and staff for their hard work in 2013 and extend best wishes to everyone for the holiday season be received.

**CARRIED**

On behalf of Council, Mayor Frank Scarpitti took the opportunity to wish everyone happy holidays.

**5. PETITIONS**

There were no petitions.

**6(a) REPORT NO. 49 - GENERAL COMMITTEE (December 2, 2013)**

Moved by Regional Councillor Joe Li

Seconded by Councillor Colin Campbell

That Council Report No. 49 – General Committee comprised of 13 items be received and adopted, except Item Nos. 9 and 13. (See following Item Nos. 9 and 13)

(1) MINUTES OF THE NOVEMBER 13 AND  
NOVEMBER 25, 2013  
ENVIRONMENTAL ISSUES COMMITTEE (16.0)  
[Nov. 13](#) [Nov. 25](#)  
[Funding Applications](#)

- 1) That the Minutes of the November 13 and November 25, 2013 Environmental Issues Committee be received for information purposes; and,
- 2) That the following recommendation from the November 13 and November 25, 2013 Environmental Issues Committee meetings be endorsed:
  - a) November 13:  
That the funding application from Eddy Wu, Manager, Operations and Maintenance, Waterworks, for \$5,000, for a portable water bottle fill-up station, be approved; and,  
  
That the funding application from Toronto and Region Conservation Authority for \$10,000, for a Environmental Sustainability Geotour, be approved, subject to working with Markham Museum staff; and,
  - b) November 25:  
That the funding application from Laurie Canning, Manager, Fleet and Supplies, for \$8,737, for a natural gas vehicle conversion, be approved; and,
  - c) That the funds come from the Markham Environmental Sustainability Fund (MESF), account #87 2800 168, and further,
  - d) That Staff be authorized to do all things necessary to give effect to the above.

**CARRIED**

(2) AWARD OF CONTRACT 133-R-12 LABOUR AND  
EMPLOYMENT LAW LEGAL SERVICES (7.12)

[Report](#)

- 1) That the report entitled “Award of Contract 133-R-12 Labour and Employment Law Legal Services” be received; and,
- 2) That Contract 133-R-12 for Labour and Employment Law Legal Services be awarded to each of the two highest ranked bidders, Hicks Morley Hamilton Stewart Storie B&S and Filion Wakely Thorup Angeletti LLP for a one (1) year term with an option to renew for four (4) additional years for the total amount of \$363,545.00 over five (5) years between both firms (inclusive of HST) (fixed hourly rates for five years):
  - a) 2014 - \$72,709.00 (inclusive of HST)
  - b) 2015 - \$72,709.00 (inclusive of HST)
  - c) 2016 - \$72,709.00 (inclusive of HST)
  - d) 2017 - \$72,709.00 (inclusive of HST)
  - e) 2018 - \$72,709.00 (inclusive of HST)Total: \$363,545.00 (inclusive of HST); and,
- 3) That the fees for Labour and Employment Law Legal Services for Contract 133-R-12 be funded from account #200-205-5620 “Labour and Employment Consulting Service” in the total amount of \$363,545 (inclusive of HST, \$72,709.00 per year), subject to Council approval of the 2014 to 2018 Operating budgets; and,
- 4) That Hicks Morley Hamilton Stewart Storie B&S be designated as the preferred vendor for the City’s Labour Law Legal Services needs for an initial one year contract term with the Director, Human Resources having the authority to renew the contract for successive one year terms to a maximum of a five year term; and,
- 5) That Filion Wakely Thorup Angeletti LLP be designated as the preferred vendor for the City’s Employment Law Legal Services needs for an initial one year contract term with the Director, Human Resources having the authority to renew the contract for successive one year terms to a maximum of a five year term; 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  
– JANUARY 1, 2014 (7.11)

[Report](#)

- 1) That the report titled “Development Charges Indexing – January 1, 2014” be received; and,
- 2) That Council approve an increase in development charges of 0.3%, 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 CHARGE REIMBURSEMENT  
APPLICATION – MARKHAM STOUFFVILLE HOSPITAL (7.11)

[Report](#)

- 1) That the report entitled “Development Charge Reimbursement Application – Markham Stouffville Hospital” be received; and,
- 2) That Council authorize a City Wide Hard Development Charge reimbursement of \$209,622 to the Markham Stouffville Hospital for the construction of traffic signals on Church Street at Country Glen Road to be paid from the City Wide Hard Development Charge Reserve; and,
- 3) That Council approve an amendment to the Development Charge Credit and Reimbursement Policy to provide approval authority to the Treasurer for all amounts under \$500,000; and further,
- 4) That Staff be directed to do all things necessary to give effect to this report.

**CARRIED**

(5) WATER AND WASTEWATER SYSTEM  
FINANCIAL PLAN (5.3 & 7.4)

[Report](#)

- 1) That the report entitled “Water and Wastewater System Financial Plan” prepared in accordance with the Safe Drinking Water Act and Ontario Regulation 453/07 be received; and,
- 2) That Council, as the Owner and Operating Authority of the City of Markham’s Drinking Water System, approve the Corporation of the City of Markham’s “Water and Wastewater System Financial Plan”, which indicates that the Markham drinking water and wastewater system is financially viable; and,
- 3) That Council authorize Staff to submit the “Water and Wastewater System Financial Plan” to the Ministry of Municipal Affairs and Housing on or before expiry of the current licence on February 11, 2014; and further,
- 4) That Staff be authorized and directed to do all things necessary to give effect to this resolution

**CARRIED**

(6) MARKHAM ENTERPRISES CORPORATION  
EQUITY INJECTION (7.0)

[Report](#)

- 1) That the report entitled “Markham Enterprises Corporation Equity Injection” be received; and,
- 2) That the City of Markham subscribe for additional Markham Enterprises Corporation shares, over the next four years, up to a maximum of \$17.1 million, to facilitate a Markham Enterprises Corporation equity injection into PowerStream for their core business funding requirements, with the purchase to be funded through the City’s Lifecycle Replacement & Capital Reserve Fund; and,
- 3) That the City of Markham’s commitment to subscribe for Markham Enterprises Corporation shares, up to a maximum of \$20.511 million, to facilitate a Markham Enterprises Corporation equity injection into PowerStream for their solar business, be extended to December 31, 2014; and,

- 4) That the Mayor and Clerk be authorized to execute such documents as are necessary to give effect to this resolution, in a form satisfactory to the City Solicitor; and further,
- 5) That Staff be directed to do all things necessary to give effect to this report.

**CARRIED**

(7) CONTRACT EXTENSION FOR ROUTINE  
AND EMERGENCY SEWER  
AND WATERMAIN REPAIRS (5.4 & 7.12)  
[Report](#)

- 1) That the report entitled “Contract Extension for Routine & Emergency Sewer and Watermain Repairs” be received; and,
- 2) That the contract for Routine & Emergency Sewer and Watermain Repairs be extended to Finch Paving (1993) Inc. for an additional six (6) months (January 1, 2014 to June 30, 2014) with a contractual value totaling \$473,183, inclusive of HST at the same 2013 itemized pricing; and,
- 3) That the tendering process be waived in accordance with Purchasing By-Law 2004-341, Part II, Section 7 (1) (c) which states “when the extension of an existing contract would prove more cost-effective or beneficial”; and,
- 4) That funds be provided from the 2014 Operating Budget accounts as listed in the Financial Considerations section in the amount of \$473,183, subject to Council approval of the 2014 operating budget; and further,
- 5) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**CARRIED**



(8) DEVELOPMENT CHARGE REFUND  
– ANGUS GLEN VILLAGE LIMITED (7.11)  
[Report](#)

- 1) That the report entitled “Development Charge Refund – Angus Glen Village Ltd.” be received; and,
- 2) That Council authorize staff to refund Angus Glen Village Ltd. the amount of \$617,468 representing amounts paid into Area Specific Development Charge Account 47A for a local crossing (bridge) which is being built by Angus Glen at their cost; and,
- 3) That Council authorize staff to refund Angus Glen Village Ltd. the amount of \$15,273 representing amounts paid into Area Specific Development Charge Account 47A for a sanitary sewer connection on 16<sup>th</sup> Avenue which was built by Angus Glen at their cost; and,
- 4) That Council authorize the payments to be made subsequent to the execution of the Amended Subdivision Agreement for Angus Glen West Village Phase I; and further,
- 5) That staff be directed to do all things necessary to give effect to this report.

**CARRIED**

(9) PROPOSED 2014 WATER/WASTEWATER  
RATE INCREASE AND 2014 WATERWORKS  
OPERATING BUDGET (5.3 & 7.4)  
[Memorandum](#) [Appendix A](#) [Report](#)  
[Dec. 10 Presentation](#)

Discussion on the matter ensued.

Moved by Regional Councillor Joe Li  
Seconded by Councillor Colin Campbell

- 1) That the presentation dated December 10, 2013 titled "2014 Proposed Water/Wastewater Rates (Supplemental Information)" and the memorandum dated December 2, 2013 from Andrea Tang, Manager of Financial Planning be received; and,
- 2) That the minutes from the public meeting held on November 26, 2013 with respect to the 2014 Water and Wastewater Rate Increase be received (Appendix A to the memorandum); and,

- 3) That the report dated November 18, 2013 entitled “Proposed 2014 Water/Wastewater Rate Increase and 2014 Waterworks Operating Budget” be received; and,
- 4) That the 2014 City of Markham’s (“City”) water/wastewater rate increase be equivalent to the Region of York’s (“Region”) monetary increase of \$0.1799 per cubic metre (m<sup>3</sup>) based on the Region’s approved increase of 10%; and,
- 5) That in addition to the Region’s increase, the 2014 water/wastewater rate increase include a surcharge of \$0.0474/m<sup>3</sup>; and,
- 6) That effective April 1, 2014, the 2014 water/wastewater rate will be \$3.0649/m<sup>3</sup>, an increase of \$0.2273/m<sup>3</sup>, equivalent to a 8.0% increase compared to prior year; and,
- 7) That Council approve the 2014 Waterworks budget that totals \$96,505,681, (excluding the 2013 surplus/deficit), the principal components of which are detailed in Appendix 1; and further,
- 8) That Staff be authorized and directed to do things necessary to give effect to this resolution.  
(By-law 2014-201)

**CARRIED BY RECORDED VOTES**

(See following recorded votes)

Recorded vote for the adoption of Resolution Nos. 1 to 4 (12:0):

YEAS: Councillor Valerie Burke, Councillor Howard Shore, Councillor Don Hamilton, Regional Councillor Joe Li, Regional Councillor Jim Jones, Mayor Frank Scarpitti, Deputy Mayor Jack Heath, Regional Councillor Gord Landon, Councillor Colin Campbell, Councillor Alan Ho, Councillor Logan Kanapathi, Councillor Alex Chiu. (12)

ABSENT: Councillor Carolina Moretti.

Recorded vote for the adoption of Resolution No. 5 (10:2):

YEAS: Councillor Valerie Burke, Councillor Howard Shore, Councillor Don Hamilton, Regional Councillor Joe Li, Regional Councillor Jim Jones, Mayor Frank Scarpitti, Regional Councillor Gord Landon, Councillor Alan Ho, Councillor Logan Kanapathi, Councillor Alex Chiu. (10)

NAYS: Deputy Mayor Jack Heath, Councillor Colin Campbell. (2)

ABSENT: Councillor Carolina Moretti.

Recorded vote for the adoption of Resolution Nos. 6 to 8 (12:0):

YEAS: Councillor Valerie Burke, Councillor Howard Shore, Councillor Don Hamilton, Regional Councillor Joe Li, Regional Councillor Jim Jones, Mayor Frank Scarpitti, Deputy Mayor Jack Heath, Regional Councillor Gord Landon, Councillor Colin Campbell, Councillor Alan Ho, Councillor Logan Kanapathi, Councillor Alex Chiu. (12)

ABSENT: Councillor Carolina Moretti.

(10) 2014 CAPITAL BUDGET (7.5)

[Report](#)

- 1) That the report dated December 2, 2013 entitled, “2014 Capital Budget” be received; and,
- 2) That the following changes to the 2014 Capital Budget be approved:
  - a) Capital Project #14035 “Miller Avenue – Woodbine to Rodick Reconstruction – Design” be increased by \$101,800 from \$508,000 to \$609,800, to be funded from the Waterworks Stabilization/Capital Reserve; and,
  - b) Capital Project #14323 “Watermain Construction and Replacement Program” with budget of \$676,300 be deleted from the 2014 Capital Budget; and,
  - c) A new capital project, “Smart City Forum”, in the amount of \$10,000, be added to the 2014 Capital Budget, to be funded from the 2014 Operating Non-Life Cycle funds; and,
  - d) Additional funding in the amount of \$54,800 be added to the 2013 approved capital project #13343 “Streetlights – Markham Heritage Estates Subdivision” from \$73,100 to \$127,900, to be funded from the 2014 Capital Budget (2014 Operating Non-Life Cycle funds \$39,800 and 2014 Operating Life Cycle funds \$15,000); and,
- 3) That Council approve the 2014 Capital Budget which totals \$119,879,300 as outlined in Appendices 1, 2 and 3; and further,
- 4) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**CARRIED**

(11) CONTRACT EXTENSION FOR THE  
SUPPLY & DELIVERY OF E10  
GASOLINE WITH THE YORK REGION  
BUYERS CO-OPERATIVE CT-09-02 (7.12)

[Report](#)

- 1) That the report entitled “Contract Extension for the Supply & Delivery of E10 Gasoline with the York Region Buyers Co-operative CT-09-02” be received; and,
- 2) That the contract for the supply & delivery of E10 Gasoline be extended to Valero Energy Inc. (formerly – Ultramar Ltd.) at a per litre rate of \$1.05/litre inclusive of all taxes (HST, Provincial Road Tax, Federal Excise Tax) based on the November 27<sup>th</sup>, 2013 daily rack price, totaling \$466,358, inclusive of all taxes; and,
- 3) That the contract term be for one (1) year effective January 1, 2014 through to December 31, 2014, subject to Council approval of the 2014 operating budget; and,
- 4) That the Tender process be waived in accordance with the Purchasing By-Law 2004-341, Part II, Section 7 Non Competitive Procurement item 1 (c), which states; “when the extension of an existing contract would prove more cost-effective or beneficial;”; and,
- 5) That the 2014 estimated cost of award be provided within the Operations Department Operating Budget for Gasoline, account 750-752-4300; and further,
- 6) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**CARRIED**

(12) PROVINCIAL DEVELOPMENT  
CHARGES REVIEW 2013 (7.11)

[Report](#)

- 1) That the report entitled “Provincial Development Charges Review 2013” be received; and,
- 2) That Council recommend a revision to the Development Charges Act, 1997, to remove the 10% discount applied to services such as recreation, libraries, park development and transit; and,
- 3) That Council recommend a revision to the Development Charges Act, 1997, to change the requirement to calculate 10-year historic average service levels; and,

- 4) That Council recommend a revision to the Development Charges Act, 1997, to allow for the usage of a flexible methodology in the calculation of the service levels; and,
- 5) That Council recommend a revision to the Development Charges Act, 1997, to include waste management, administrative buildings and hospitals as services that are eligible for development charges; and,
- 6) That Council recommend a revision to the Development Charges Act, 1997, to amend the definition of capital cost to allow for the recovery of computer equipment; and,
- 7) That Council authorize staff to prepare and submit these recommendations, with supporting evidence, for improving the Development Charges Act, 1997 to the Ministry of Municipal Affairs and Housing by January 10, 2014, with a copy to the Municipal Finance Officers Association; and,
- 8) That a letter in support of the recommended changes to the Development Charges Act, 1997 be forwarded to the Premier of Ontario and the Minister of Municipal Affairs and Housing by the Mayor; and further,
- 9) That Staff be directed to do all things necessary to give effect to this report.

**CARRIED**

(13) DEVELOPMENT OF A PARKS  
SIGNAGE SYSTEM (6.3)  
[Presentation](#)

Moved by Regional Councillor Joe Li  
Seconded by Councillor Colin Campbell

- 1) That the presentation dated December 2, 2013, entitled "Development of a Parks Signage System" provided by Linda Irvine, Manager, Parks and Open Space Development be received; and,
- 2) That Council approve the proposed design direction as presented to General Committee on December 2, 2013 in principal; and,

- 3) That Staff undertake the following next steps:
  - a) Confirmation of sign technical specifications.
  - b) Release Request for Quotation to confirm Supplier and Cost of Production.
  - c) Production of a limited number of signs based on current available funding (pilot) in 2014.
  - d) Identify new parks to be signed (all parks built or in design since 1998).
  - e) Undertake inventory of parks requiring new signage by Operations Department.
  - f) Prepare phased-in multi-year sign replacement program commencing in 2015; and,
- 4) That staff be directed to present the development of park signage concepts to the Heritage Markham Committee for their input; and,
- 5) That staff be directed to report back to General Committee; and further,
- 6) That Staff be directed to do all things necessary to give effect to this recommendation.

**CARRIED BY A RECORDED VOTE (12:0)**

(See following recorded vote)

YEAS: Councillor Valerie Burke, Councillor Howard Shore, Councillor Don Hamilton, Regional Councillor Joe Li, Regional Councillor Jim Jones, Mayor Frank Scarpitti, Deputy Mayor Jack Heath, Regional Councillor Gord Landon, Councillor Colin Campbell, Councillor Alan Ho, Councillor Logan Kanapathi, Councillor Alex Chiu. (12)

ABSENT: Councillor Carolina Moretti.

**6(b) REPORT NO. 50 - DEVELOPMENT SERVICES COMMITTEE  
(December 3, 2013)**

Moved by Regional Councillor Jim Jones  
Seconded by Councillor Don Hamilton

That Report No. 50 – Development Services Committee comprised of 7 items be received and adopted, except Item Nos. 3, 5 and 6. (See following Item Nos. 3, 5 and 6)

**(1) MAIN STREET MARKHAM COMMITTEE MINUTES**

- September 18, 2013  
- October 16, 2013 (16.34)  
[Sept. 18](#) [Oct. 16](#)

- 1) That the minutes of the Main Street Markham Committee meetings held September 18 and October 16, 2013, be received for information purposes: and,
- 2) That the following recommendation from the October 16, 2013 minutes be endorsed:

"That the Main Street Markham Committee would like to maintain the current membership of the Main Street Markham Committee until the end of the current Council term to ensure continuity of the current work being undertaken on the street but would also welcome the addition of new members to increase the expertise on the Committee and contribution to the vision for the street."

**CARRIED**

**(2) ACCEPTANCE FOR MAINTENANCE  
OF PLANS OF SUBDIVISION  
REGISTERED PLAN NUMBERS 65M-4195  
65M-4196, 65M-4007, 65M-3809, 65R-27886  
65M-3057, 65M-4066, 65M-3969, 65M-4263  
65M-3807, 65M-4219, 65M-4256, 65R-32390  
PARTS 1 TO 5, 65M-4215, AND 65M-4217 (10.7)  
[Report](#)**

- 1) That the report entitled "Acceptance for Maintenance of Plans of Subdivision" Registered Plan Numbers 65M-4195, 65M-4196, 65M-4007, 65M-3809, 65R-27886, 65M-3057, 65M-4066, 65M-3969, 65M-4263, 65M-3807, 65M-4219, 65M-4256, 65R-32390 Parts 1 to 5, 65M-4215, and 65M-4217 be received; and,

- 2) That the municipal services in Subdivision Registered Plan numbers 65M-4195, 65M-4196, 65M-4007, 65M-3809, 65R-27886, 65M-3057, 65M-4066, 65M-3969, 65M-4263, 65M-3807, 65M-4219, 65M-4256, 65R-32390 Parts 1 to 5, 65M-4215, and 65M-4217 be Accepted for Maintenance; and,
  - 3) That by-laws be enacted by Council to accept these subdivisions and to establish each of the roads within the residential subdivisions as a public highway of the Town of Markham; and,
  - 4) That the Community Services Commission accepts the responsibility for operating and maintaining the infrastructure within the subdivisions as part of the Town's system; and,
  - 5) That the Acceptance for Maintenance Period commence September 1, 2013; and,
  - 6) That acceptance of the subdivisions to be taken into consideration in future operation budgets; and,
  - 7) That the by-law to amend schedule '12' of Traffic By-law #106-71, by including compulsory stops to the indicated streets, be approved; and,
  - 8) That the by-law to amend Schedule 'A' of the Speed By-law #105-71, by including a maximum speed of 40 kilometers per hour for the streets indicated, be approved; and,
  - 9) That the by-law to amend schedule 'F' of the speed by-law #105-71, by including a maximum speed of 50 kilometers per hour for the streets indicated, be approved; and,
  - 10) That the by-law to amend Schedule 'C' of the Parking of Vehicles By-law #2005-188, by including prohibited parking on the streets indicated, be approved; and,
  - 11) That the Mayor and Clerk be authorized to execute the necessary releases from the terms of the Subdivision Agreements, subject to confirmation from the Director of Engineering that the final two year guarantee periods have been completed; and further,
  - 12) That Staff be authorized and directed to do all things necessary to give effect to this resolution.
- (By-law 2013-202 to 2013-218)

**CARRIED**



- (3) STATUS OF LETTER OF CREDIT  
AND APPLICATION FEES – 26 ALBERT STREET  
MARKHAM VILLAGE (16.11)

[Memo](#)

Moved by Regional Councillor Jim Jones

Seconded by Councillor Don Hamilton

- 1) That the deputation by Karen Rea regarding 26 Albert Street, be received; and,
- 2) That the staff memorandum dated December 3, 2013 titled "Status of Letter of Credit and Application Fees - 26 Albert Street, Markham Village" be received; and further,
- 3) That \$8,200 from the Letter of Credit relating to 26 Albert Street, drawn upon and cashed by the City of Markham, be returned to the applicant at this time.

**CARRIED BY A RECORDED VOTE (7:4)**

YEAS: Councillor Don Hamilton, Regional Councillor Jim Jones, Mayor Frank Scarpitti, Deputy Mayor Jack Heath, Councillor Colin Campbell, Councillor Logan Kanapathi, Councillor Alex Chiu. (7)

NAYS: Councillor Valerie Burke, Councillor Howard Shore, Regional Councillor Gord Landon, Councillor Alan Ho. (4)

ABSENT: Regional Councillor Joe Li, Councillor Carolina Moretti.

- (4) RECOMMENDATION REPORT  
DEL RIDGE (GOLDEN) INC.  
(ORIGINALLY SUBMITTED BY FOREST BAY HOMES)  
APPLICATIONS TO AMEND THE SECONDARY PLAN  
AND ZONING BY-LAW AND FOR SITE PLAN APPROVAL  
TO PERMIT A 6-STOREY 136 UNIT RESIDENTIAL CONDOMINIUM  
APARTMENT BUILDING AT 7400 MARKHAM ROAD  
(OP 11 115740, ZA 11 115740 AND SC 11 115740) (10.4, 10.5, 10.6)  
[Report](#)

DSC page 126

- 1) That the report dated December 3<sup>rd</sup>, 2013 titled “RECOMMENDATION REPORT, Del Ridge (Golden) Inc. (originally submitted by Forest Bay Homes), Applications to amend the Secondary Plan and Zoning By-law and for Site Plan Approval to permit a 6-storey 136 unit residential condominium apartment building at 7400 Markham Road, File Nos: OP 11 115740, ZA 11 115740 and SC 11 115740”, be received; and,
- 2) That the record of the Public Meeting held on February 21<sup>st</sup>, 2012 regarding the applications originally submitted by Forest Bay Homes (OP 11 115740 and ZA 11 115740) to amend the Secondary Plan (PD 24-2) for part of the Armadale Planning District and to amend Zoning By-law 90-81, as amended, be received; and,
- 3) That the record of the Public Meeting held on December 3<sup>rd</sup>, 2013 regarding the revised applications submitted by Del Ridge (Golden) Inc. (OP 11 115740 and ZA 11 115740) to amend the Secondary Plan (PD 24-2) for part of the Armadale Planning District and to amend Zoning By-law 90-81, as amended, be received; and,
- 4) That the Official Plan Amendment (OPA) application (OP 11 115740) submitted by Del Ridge (Golden) Inc. to amend Secondary Plan (PD 24-2) for part of the Armadale Planning District, as amended, to permit a 6-storey 136 unit residential condominium apartment building at 7400 Markham Road, be approved, and the draft Secondary Plan amendment attached as Appendix ‘A’ be finalized and adopted without further notice; and,
- 5) That adoption of the OPA application (OP 11 115740) submitted by Del Ridge (Golden) Inc. to amend Secondary Plan (PD 24-2) for part of the Armadale Planning District, to permit a 6-storey 136 unit condominium apartment building at 7400 Markham Road be reflected in the draft City of Markham Official Plan, currently under review; and,

- 6) That the application (ZA 11 115740) submitted by Del Ridge (Golden) Inc. to amend Zoning By-law 90-81, as amended, to permit a 6-storey residential condominium apartment building at 7400 Markham Road, be approved, and the draft Zoning By-law amendment attached as Appendix 'B' be finalized and enacted without further notice; and,
- 7) That the Site Plan application (SC 11 115740) submitted by Del Ridge (Golden) Inc. to facilitate a 6-storey 136 unit residential condominium building be endorsed in principle, subject to conditions attached as Appendix 'C'; and,
- 8) That this endorsement shall lapse and site plan approval will not be issued, after a period of three years commencing on December 3, 2013 in the event the site plan agreement is not executed within that time period; and,
- 9) That Site Plan Approval be delegated to the Director of Planning and Urban Design or his designate, to be issued following execution of a site plan agreement. The Site Plan is only approved when the Director or his designate has signed the site plan; and,
- 10) That the Site Plan Agreement include a cash contribution of \$150,000 for public art; and,
- 11) That the City's 2009 Policy, requiring all High Density residential developments to achieve at least LEED Silver, be waived, subject to the implementation of the sustainability initiatives outlined in this report, to the satisfaction of the Commissioner of Development Services; and,
- 12) That 2011/2012 servicing allocation for all 136 apartment units be assigned by the City of Markham, subject to the implementation of the sustainability initiatives outlined in this report, to the satisfaction of the Commissioner of Development Services; and,
- 13) That the City reserves the right to revoke or reallocate servicing allocation should the development not proceed in a timely manner; and,
- 14) That the Mayor and Clerk be authorized to execute a Section 37 Agreement with the Owner; and,
- 15) That a By-law to remove the Holding (H) provision, on the subject lands, be adopted by Council upon execution of the Site Plan Agreement, to the satisfaction of the Commissioner of Development Services and City Solicitor; and further,
- 16) That Staff be authorized to do all things necessary to give effect to this resolution. (By-laws 2013-219 and 2013-220)

**CARRIED**

- (5) RECOMMENDATION REPORT  
PHILIP K. H. ENG (OWNER)  
5 OAKCREST AVENUE  
ZONING BY-LAW AMENDMENT TO  
PERMIT ONE NEW DETACHED DWELLING  
(ZA 13 131319) (10.5)  
[Report](#)

Discussion on the matter ensued.

Moved by Regional Councillor Jim Jones

Seconded by Councillor Don Hamilton

- 1) That the report dated December 3, 2013 titled “RECOMMENDATION REPORT, Philip K. H. Eng (Owner), 5 Oakcrest Avenue, Zoning by-law amendment to permit one new detached dwelling” be received; and,
- 2) That the zoning amendment application (ZA 13 131319) be approved and the draft zoning by-law amendment attached as Appendix ‘A’, which incorporates the modifications as discussed in this report, be finalized and enacted; and further,
- 3) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**CARRIED**

- (6) ADOPTION OF REVISED DRAFT OFFICIAL PLAN  
- ADDITIONAL COMMENTS AND STAFF RESPONSE (10.0)

*Dec. 3 Memo Link:*

[Memo](#)

*Nov. 19 Report Links:*

[Report](#) [Appendix B](#) [Appendix C](#) [Appendix C – Correspondence](#)

[Appendix D](#) [Appendix E](#) [Appendix F](#)

*Appendix 'A' to Nov. 19 Report– Revised Draft Official Plan Dated Nov. 2013 Links:*

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Moved by Regional Councillor Jim Jones

Seconded by Councillor Don Hamilton

- 1) That the deputations at the Development Services Committee meeting held on December 3, 2013 by Mike Everard, representing Catholic Cemeteries Archdiocese of Toronto; Don Given of Malone Given Parson, representing TACC, North Markham Landowners Group, and Mark Lichtblau; Catherine Lyons of Goodmans representing Minotar Holdings; and Allan Rubin, representing Markham Airport, regarding the revised draft Official Plan be received; and,
- 2) That staff be directed to include Site A within the 'Deferral Area' of the employment land designation in the new Official Plan for Box Grove Hill Developments (OP 13-108173); and,
- 3) That staff be directed to replace the current Map 7 of the Official Plan with the revised Map 7 as presented by Catherine Lyons on December 3, 2013, regarding revisions to the Greenbelt Plan Natural Heritage System for the Minotar lands north of Major Mackenzie Drive and west of McCowan Road; and,

- 4) That in the event the OMB decision on Phase I of the ROP/ROPA3 hearing determines that additional lands are required for inclusion in the urban expansion area, the Region be requested to amend the urban expansion area for Markham, as identified in Regional Official Plan Amendment 3 (ROPA3) to include the properties at:
- 5172 Major Mackenzie Drive;
  - 10066 McCowan Road;
  - 10144 McCowan Road;
  - 10192 McCowan Road;
  - 10228 McCowan Road;
  - 10272 McCowan Road; and
  - The property immediately to the north of 10272 McCowan Road; and
- That the Markham Official Plan be amended to be consistent with the revised boundary of the urban expansion area identified in ROPA3; and,
- 5) That consideration of the employment land redesignation application by Catholic Cemeteries be deferred and that staff be directed to work with the applicant to find a mutually agreeable solution to the Catholic Cemeteries requirements on/or before two (2) years from December 10, 2013; and, in the event that staff and Catholic Cemeteries do not arrive at a mutually agreeable solution within said time frame, staff is directed to process the current application OPA/13/116842; and,
- 6) That the memorandum titled "Adoption of Revised Draft Official Plan – Additional Comments and Staff Response" dated December 3, 2013 be received; and,
- 7) That the report entitled “Revised Draft Official Plan – Public Release and Adoption” dated November 19, 2013, be received; and,
- 8) That the Revised Draft Official Plan dated November, 2013, attached under separate cover as Appendix ‘A’ to the November 19, 2013 report, including the proposed revisions outlined in the December 3, 2013 memorandum, be adopted as Markham’s new Official Plan; and,
- 9) That upon adoption by Council, the new Official Plan be forwarded to the Region of York for approval; and further
- 10) That staff be authorized and directed to do all things necessary to give effect to this resolution.
- (By-law 2013-221)

**CARRIED AS AMENDED BY RECORDED VOTES**

(Councillor Valerie Burke abstained due to conflict related to the Thornhill Revitalization Area and former Canac Kitchens site specifically)  
(See following recorded votes)  
(See following amendments)

Resolution Nos. 1, 2, 4, 6, 7, 9 and 10 (11:0):

YEAS: Councillor Valerie Burke, Councillor Howard Shore, Councillor Don Hamilton, Regional Councillor Jim Jones, Mayor Frank Scarpitti, Deputy Mayor Jack Heath, Regional Councillor Gord Landon, Councillor Colin Campbell, Councillor Alan Ho, Councillor Logan Kanapathi, Councillor Alex Chiu. (11)

ABSENT: Councillor Carolina Moretti, Regional Councillor Joe Li.

Resolution No. 3 (10:1):

YEAS: Councillor Howard Shore, Councillor Don Hamilton, Regional Councillor Jim Jones, Mayor Frank Scarpitti, Deputy Mayor Jack Heath, Regional Councillor Gord Landon, Councillor Colin Campbell, Councillor Alan Ho, Councillor Logan Kanapathi, Councillor Alex Chiu. (10)

NAYS: Councillor Valerie Burke. (1)

ABSENT: Regional Councillor Joe Li, Councillor Carolina Moretti.

Resolution No. 5 (11:0):

Moved by Regional Councillor Jim Jones

Seconded by Deputy Mayor Jack Heath

That the following amendment regarding Catholic Cemeteries be added as Resolution No. 5:

- "5) That consideration of the employment land redesignation application by Catholic Cemeteries be deferred and that staff be directed to work with the applicant to find a mutually agreeable solution to the Catholic Cemeteries requirements on/or before two (2) years from December 10, 2013; and, in the event that staff and Catholic Cemeteries do not arrive at a mutually agreeable solution within said time frame, staff is directed to process the current application OPA/13/116842;"

**CARRIED (11:0)**

(See following recorded vote)

YEAS: Councillor Valerie Burke, Councillor Howard Shore, Councillor Don Hamilton, Regional Councillor Jim Jones, Mayor Frank Scarpitti, Deputy Mayor Jack Heath, Regional Councillor Gord Landon, Councillor Colin Campbell, Councillor Alan Ho, Councillor Logan Kanapathi, Councillor Alex Chiu. (11)

ABSENT: Councillor Carolina Moretti, Regional Councillor Joe Li.

Resolution No. 8 (10:0):

YEAS: Councillor Howard Shore, Councillor Don Hamilton, Regional Councillor Jim Jones, Mayor Frank Scarpitti, Deputy Mayor Jack Heath, Regional Councillor Gord Landon, Councillor Colin Campbell, Councillor Alan Ho, Councillor Logan Kanapathi, Councillor Alex Chiu. (10)

CONFLICT: Councillor Valerie Burke (Related to the Thornhill Revitalization Area and former Canac Kitchens site specifically).

ABSENT: Councillor Carolina Moretti, Regional Councillor Joe Li.



(7) HIGHWAY 7 - VIVA H3 PROJECT  
- SIDEWALK INSTALLATION (5.10)  
[Report](#)

- 1) That the report entitled “Highway 7 - VIVA H3 Project - Sidewalk Installation” be received; and
- 2) That Staff be authorized to issue a purchase order to York Region Rapid Transit Corporation in the amount of \$495,558.00 inclusive of HST, for the construction of the following new sidewalks along Highway 7 (from Highway 404 to Town Centre Boulevard); South Town Centre Boulevard and Cedarland Drive as part of VIVA H3 project; and,
- 3) That the tender process be waived in accordance with Purchasing By-Law 2004-341, Part II, Section 7 Non Competitive Procurement Item 1 (g) which states “where it is in the City’s best interest not to solicit a competitive bid”; and,
- 4) That the Engineering Capital Administration Fee in the amount of \$37,166.85 inclusive of HST be transferred to revenue account 640-998-8871 (Capital Administration Fees); and,
- 5) That funding for the sidewalk construction be funded from account 083-5350-12051-005 (Sidewalk Program) in the amount of \$532,724.85, inclusive of HST impact; and further,
- 6) That staff be authorized and directed to do all things necessary to give effect to this resolution.

**CARRIED**

**6(c) REPORT NO. 51 - GENERAL COMMITTEE (December 9, 2013)**

Moved by Councillor Alan Ho

Seconded by Councillor Logan Kanapathi

That Report No. 51 – General Committee comprised of 2 items be received and adopted, except Item No. 1. (See following Item No. 1)

(1) PROPOSED MARKHAM COUNCIL  
CODE OF CONDUCT (REVISED) (16.23)

[CodeofConduct Presentation](#)

[Memo RevisedCodeofConduct](#)

[AdoptedCodeofConduct](#)

Discussion on the matter ensued.

Moved by Councillor Alan Ho

Seconded by Regional Councillor Gord Landon

- 1) That the memo dated December 10, 2013 from the City Clerk providing information regarding the suggestions and amendments made at the December 9, 2013 General Committee meeting be received; and,
- 2) That the words "brother and sister, including half brother and sister" be eliminated from the definition of Family; and,
- 3) That the statements such as "All Members will" and "Members will" be amended to "Members are expected to" with matters not having to adhere to legislation; and,
- 4) That the presentation provided by Kimberley Kitteringham, City Clerk, entitled "Proposed Markham Council Code of Conduct (Revised)", be received; and,
- 5) That Staff arrange a training and education session with Members of Council and the Integrity Commissioner on the Code of Conduct to be held in January, 2014; and,
- 6) That Markham City Council adopt the proposed revised Council Code of Conduct to come into effect on February 1, 2014 subject to a training and education session having taken place with the Mayor, Members of Council and the Integrity Commissioner; and,

- 7) That information on the Code of Conduct and the associated complaint submission process be placed on the City's website; and further,
- 8) That Staff report back to the General Committee on the Code of Conduct in February, 2015 with any required revisions.

**CARRIED BY A RECORDED VOTE (10:0)**

(See following recorded vote)

(See following motion which was lost)

Council consented to the following:

- Insert the sentence "Such items are confidential to the Member to the extent as covered by law.", after the end of first sentence under in the definition of "Constituents Records".
- That Resolution No. 8 be revised to note that Staff report back to the General Committee on the Code of Conduct in February, 2015 with any required revisions.

Recorded vote (10:0):

YEAS: Councillor Valerie Burke, Councillor Howard Shore, Councillor Don Hamilton, Regional Councillor Jim Jones, Mayor Frank Scarpitti, Deputy Mayor Jack Heath, Regional Councillor Gord Landon, Councillor Colin Campbell, Councillor Alan Ho, Councillor Alex Chiu. (10)

ABSENT: Councillor Carolina Moretti, Regional Councillor Joe Li, Councillor Logan Kanapathi.

Motion which was lost:

Moved by Councillor Colin Campbell

Seconded by Councillor Alan Ho

That investigations regarding sitting Members of Council not be accepted six months prior to an election.

MOTION LOST

(2) REQUEST FOR PROPOSALS: RE-USE OF 160 DUDLEY AVENUE (ST. LUKES CATHOLIC SCHOOL) (7.12)

[Memorandum](#)

- 1) That the memorandum dated December 4, 2013 from David Pearce, Manager of Real Property, be received; and,
- 2) That Staff recommend that the City release a Request for Proposal for the adaptive re-use of the former St. Lukes Catholic School; and further,

- 3) That Staff report back in January, 2014 on the results of the Request for Proposal process and any recommended proposals.

**CARRIED**

**6(d) REPORT NO. 52 – DEVELOPMENT SERVICES PUBLIC MEETING  
(December 9, 2013)**

Moved by Regional Councillor Jim Jones

Seconded by Councillor Don Hamilton

That Report No. 52 – Development Services Public Meeting comprised of 1 item be received and adopted.

- (1) DEVELOPMENT FEE AND  
BUILDING FEE BY-LAWS UPDATE (2014) (10.0)  
[Summary](#) [Background Info](#) [Report](#)

- 1) That the Record of the Public Meeting held on December 9, 2013, with respect to the proposed amendments to the Development and Building Fee By-laws be received; and,
- 2) 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,
- 3) That By-law 2011-236 be repealed and the attached “By-law respecting Construction, Demolition and Change of Use Permits and Inspections,” attached as Attachment “B”, be enacted; and further,
- 4) That the By-laws come into force and take effect on January 1, 2014.  
(By-laws 2013-225 and 2013-226)

**CARRIED**

**7. MOTIONS**

There were no motions.

## 8. NOTICES OF MOTIONS

There were no notices of motions.

## 9. COMMUNICATIONS

Moved by Councillor Alex Chiu  
Seconded by Councillor Alan Ho

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

### Referred to all Members of Council

74-2013 LIQUOR LICENCE APPLICATION FOR VICTORIAN TEA ROOM, 7713 YONGE STREET, MAIN FLOOR (WARD 1) (3.21)

#### [Info](#)

- Forwarding a request for the City of Markham to complete the Municipal Information Form.  
(Change of ownership and application of a liquor licence for indoor areas not previously licenced).

**CARRIED**

75-2013 COMMUNICATIONS REGARDING THE PROPOSED CITY OF MARKHAM REVISED OFFICIAL PLAN (10.0)

#### [Communications](#)

1. Correspondence dated December 8, 2013 Maria Gatzios, Planning + Development Consultants Inc., providing comments on behalf of North Markham 404 GP Ltd. (Parcel A), 11160 Woodbine Avenue Ltd. (Parcels B & C) and Rice Commercial Group (Parcel D), landowners within the 404 North Business Park.
2. Correspondence dated December 8, 2013 Maria Gatzios, Planning + Development Consultants Inc., providing comments on behalf 8 Steelcase Holding Corporation, landowners of 8 Steelcase Road West.
3. Correspondence dated December 8, 2013 from Jeffrey E. Streisfield, Land Lawyer & Land Development Manager, providing comments on behalf of Norfinch Group Inc., owners of plaza located at 8051-8055 Yonge Street.
4. Correspondence dated December 8, 2013 from Jeffrey E. Streisfield, Land Lawyer & Land Development Manager, providing comments on behalf of Scardred 7 Company Ltd., landowners of 4038 Highway 7.

5. Correspondence dated December 6, 2013 from Jeremy Warson, Infrastructure Ontario, providing comments respecting the property known as 8359 Reesor Road.
6. Correspondence dated December 2, 2013 from Rosemarie L. Humphries, Humphries Planning Group Inc., providing comments on behalf of Terra Gold (McCowan) Properties Inc., owners of 9329 McCowan Road.
7. Correspondence dated December 9, 2013 from Evelin Ellison, providing comments on behalf of Ward One Thornhill South Residents Inc.
8. Correspondence dated December 9, 2013 from Julius De Ruyter, PMG Planning Consultants, providing comments on behalf of Forest Bay Homes Ltd., owners of 359 Elson Street.
9. Correspondence dated December 9, 2013 from Michael Bissett, Bousfield Inc., providing comments on behalf of Dundee Realty Corporation, owners of 60 Columbia Way.
10. Correspondence dated December 8, 2013 from Anna Maria Dimilta, owner of lands know as Part of Lot 31, Concession 6, providing comments.
11. Correspondence dated December 8, 2013 from Dominic Dimilta, Rocco Dimilta and Antonio Dimilta, owners of 4584 19<sup>th</sup> Avenue, providing comments.
12. Correspondence dated December 9, 2013 from Julius De Ruyter, PMG Planning Consultants, providing comments on behalf of Norfinch Construction (Toronto) Limited, landowners for the property located at the southwest corner of Reesor Road and Highway 7.
13. Correspondence dated December 9, 2013 from Jason Park, Dentons Canada LLP, providing comments on behalf of 4716 Elgin Mills Markham Ltd., Kennedy MM Markham Ltd., Markham MMM North Development Corp. and Markham MMM South Development Corp., landowners of the four properties in the northwest of the City of Markham.
14. Correspondence dated December 9, 2013 Maria Gatzios, Planning + Development Consultants Inc., providing comments on behalf Berczy Glen Landowners Group (BGLG), landowners of Concession Block 4, west of Warden Avenue and south of Elgin Mills Road East.

**CARRIED**

## **10. PROCLAMATIONS**

There were no proclamations.

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

Moved by Regional Councillor Gord Landon  
Seconded by Regional Councillor Jim Jones

That New/Other Business Item Nos. 1, 2 and 4 to 11 be received and adopted.  
(See following for Item No. 3)

- (1) 2387276 ONTARIO INC.  
61 TELSON ROAD  
- SUPPORT FOR FIT PROGRAM (5.7)

Whereas Council at its meeting held on October 3, 2012 directed staff to forward the completed "Prescribed Form/Template: Municipal Council Resolution" and any other documentation for renewable energy projects that meet the approved criteria as determined by City staff for a motion to support specific projects as per the Feed-In-Tariff Program, as required by the Ontario Power Authority to Council; and,

Whereas 2387276 Ontario Inc. (the "Applicant") proposes to construct and operate a 100 KW rooftop solar PV system (the Project) on 61 Telson Road (the "Lands") in the City of Markham under the Province's FIT Program; and,

Whereas the Applicant has requested that Council of the City of Markham indicate by resolution Council's support for the construction and operation of the Project on the Property; and,

Whereas pursuant to the rules governing the FIT Program (the "FIT Rules"), Applications whose Projects receive the formal support of Local Municipalities will be awarded Priority Points, which may result in the Applicant being offered a FIT Contract prior to other persons applying for FIT Contracts; and,

Now therefore be it resolved:

- 1) That Council of the City of Markham supports the construction and operation of the Project on the Lands; and,
- 2) That this resolution's sole purpose is to enable the Applicant to receive Priority Points under the FIT Program and may not be use for the purpose of any other form of municipal approval in relation to the Application or Project or any other purpose.

**CARRIED**

- (2) DELRIDGE (GOLDEN) INC.  
7400 MARKHAM ROAD  
- SUPPORT FOR FIT PROGRAM (5.7)

Whereas Council at its meeting held on October 3, 2012 directed staff to forward the completed "Prescribed Form/Template: Municipal Council Resolution" and any other documentation for renewable energy projects that meet the approved criteria as determined by City staff for a motion to support specific projects as per the Feed-In-Tariff Program, as required by the Ontario Power Authority to Council; and,

Whereas DelRidge (Golden) Inc.(the "Applicant") proposes to construct and operate a 325 KW rooftop solar PV array (the Project) on 7400 Markham Road (the "Lands") in the City of Markham under the Province's FIT Program; and,

Whereas the Applicant has requested that Council of the City of Markham indicate by resolution Council's support for the construction and operation of the Project on the Property; and,

Whereas pursuant to the rules governing the FIT Program (the "FIT Rules"), Applications whose Projects receive the formal support of Local Municipalities will be awarded Priority Points, which may result in the Applicant being offered a FIT Contract prior to other persons applying for FIT Contracts; and,

Now therefore be it resolved:

- 1) That Council of the City of Markham supports the construction and operation of the Project on the Lands; and,
- 2) That this resolution's sole purpose is to enable the Applicant to receive Priority Points under the FIT Program and may not be use for the purpose of any other form of municipal approval in relation to the Application or Project or any other purpose.

**CARRIED**



(3) REGIONAL MUNICIPALITY OF YORK  
– REGIONAL COUNCIL COMPOSITION (CITY OF VAUGHAN) (13.4)  
[Report](#)

Moved by Regional Councillor Jim Jones

Seconded by Deputy Mayor Jack Heath

- 1) That the report titled “Regional Municipality of York– Regional Council Composition (City of Vaughan)” be received;
- 2) That the correspondence from Denis Kelly, Regional Clerk, attached as Attachment “A” be received;
- 3) That Markham City Council consent to the adoption of a Regional Municipality of York by-law changing the composition and size of Regional Council by increasing the number of members elected from the City of Vaughan from four (4) to five (5);
- 4) That the City Clerk be requested to forward Council’s decision on this to the Regional Clerk; and further,
- 5) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**CARRIED BY A RECORDED VOTE (10:0)**

(See following recorded vote)

YEAS: Councillor Valerie Burke, Councillor Howard Shore, Councillor Don Hamilton, Regional Councillor Jim Jones, Mayor Frank Scarpitti, Deputy Mayor Jack Heath, Regional Councillor Gord Landon, Councillor Colin Campbell, Councillor Alan Ho, Councillor Alex Chiu. (10)

ABSENT: Councillor Carolina Moretti, Regional Councillor Joe Li, Councillor Logan Kanapathi.

- (4) GRASSHOPPER SOLAR FIT PROJECTS INC.  
201 BENTLEY STREET  
- SUPPORT FOR FIT PROGRAM (5.7)

Whereas Council at its meeting held on October 3, 2012 directed staff to forward the completed "Prescribed Form/Template: Municipal Council Resolution" and any other documentation for renewable energy projects that meet the approved criteria as determined by City staff for a motion to support specific projects as per the Feed-In-Tariff Program, as required by the Ontario Power Authority to Council; and,

Whereas Grasshopper Solar FIT Projects Inc. (the "Applicant") proposes to construct and operate a 24 KW rooftop solar PV array (the Project) on 201 Bentley Street (the "Lands") in the City of Markham under the Province's FIT Program; and,

Whereas the Applicant has requested that Council of the City of Markham indicate by resolution Council's support for the construction and operation of the Project on the Property; and,

Whereas pursuant to the rules governing the FIT Program (the "FIT Rules"), Applications whose Projects receive the formal support of Local Municipalities will be awarded Priority Points, which may result in the Applicant being offered a FIT Contract prior to other persons applying for FIT Contracts; and,

Now therefore be it resolved:

- 1) That Council of the City of Markham supports the construction and operation of the Project on the Lands; and,
- 2) That this resolution's sole purpose is to enable the Applicant to receive Priority Points under the FIT Program and may not be use for the purpose of any other form of municipal approval in relation to the Application or Project or any other purpose.

**CARRIED**

- (5) GRASSHOPPER SOLAR FIT PROJECTS INC.  
231 BENTLEY STREET  
- SUPPORT FOR FIT PROGRAM (5.7)

Whereas Council at its meeting held on October 3, 2012 directed staff to forward the completed "Prescribed Form/Template: Municipal Council Resolution" and any other documentation for renewable energy projects that meet the approved criteria as determined by City staff for a motion to support specific projects as per the Feed-In-Tariff Program, as required by the Ontario Power Authority to Council; and,

Whereas Grasshopper Solar FIT Projects Inc. (the "Applicant") proposes to construct and operate a 24 KW rooftop solar PV array (the Project) on 231 Bentley Street (the "Lands") in the City of Markham under the Province's FIT Program; and,

Whereas the Applicant has requested that Council of the City of Markham indicate by resolution Council's support for the construction and operation of the Project on the Property; and,

Whereas pursuant to the rules governing the FIT Program (the "FIT Rules"), Applications whose Projects receive the formal support of Local Municipalities will be awarded Priority Points, which may result in the Applicant being offered a FIT Contract prior to other persons applying for FIT Contracts; and,

Now therefore be it resolved:

- 1) That Council of the City of Markham supports the construction and operation of the Project on the Lands; and,
- 2) That this resolution's sole purpose is to enable the Applicant to receive Priority Points under the FIT Program and may not be use for the purpose of any other form of municipal approval in relation to the Application or Project or any other purpose.

**CARRIED**

- (6) GRASSHOPPER SOLAR FIT PROJECTS INC.  
381 BENTLEY STREET, 385 BENTLEY STREET, 331 AMBER STREET  
- SUPPORT FOR FIT PROGRAM (5.7)

Whereas Council at its meeting held on October 3, 2012 directed staff to forward the completed "Prescribed Form/Template: Municipal Council Resolution" and any other documentation for renewable energy projects that meet the approved criteria as determined by City staff for a motion to support specific projects as per the Feed-In-Tariff Program, as required by the Ontario Power Authority to Council; and,

Whereas Grasshopper Solar FIT Projects Inc. (the "Applicant") proposes to construct and operate a 300 KW rooftop solar PV array (the Project) on 381 Bentley Street, 385 Bentley Street, 331 Amber Street (the "Lands") in the City of Markham under the Province's FIT Program; and,

Whereas the Applicant has requested that Council of the City of Markham indicate by resolution Council's support for the construction and operation of the Project on the Property; and,

Whereas pursuant to the rules governing the FIT Program (the "FIT Rules"), Applications whose Projects receive the formal support of Local Municipalities will be awarded Priority Points, which may result in the Applicant being offered a FIT Contract prior to other persons applying for FIT Contracts; and,

Now therefore be it resolved:

- 1) That Council of the City of Markham supports the construction and operation of the Project on the Lands; and,
- 2) That this resolution's sole purpose is to enable the Applicant to receive Priority Points under the FIT Program and may not be use for the purpose of any other form of municipal approval in relation to the Application or Project or any other purpose.

**CARRIED**

- (7) GRASSHOPPER SOLAR FIT PROJECTS INC.  
400 BENTLEY STREET  
- SUPPORT FOR FIT PROGRAM (5.7)

Whereas Council at its meeting held on October 3, 2012 directed staff to forward the completed "Prescribed Form/Template: Municipal Council Resolution" and any other documentation for renewable energy projects that meet the approved criteria as determined by City staff for a motion to support specific projects as per the Feed-In-Tariff Program, as required by the Ontario Power Authority to Council; and,

Whereas Grasshopper Solar FIT Projects Inc. (the "Applicant") proposes to construct and operate a 250 KW rooftop solar PV array (the Project) on 400 Bentley Street (the "Lands") in the City of Markham under the Province's FIT Program; and,

Whereas the Applicant has requested that Council of the City of Markham indicate by resolution Council's support for the construction and operation of the Project on the Property; and,

Whereas pursuant to the rules governing the FIT Program (the "FIT Rules"), Applications whose Projects receive the formal support of Local Municipalities will be awarded Priority Points, which may result in the Applicant being offered a FIT Contract prior to other persons applying for FIT Contracts; and,

Now therefore be it resolved:

- 1) That Council of the City of Markham supports the construction and operation of the Project on the Lands; and,
- 2) That this resolution's sole purpose is to enable the Applicant to receive Priority Points under the FIT Program and may not be use for the purpose of any other form of municipal approval in relation to the Application or Project or any other purpose.

**CARRIED**

- (8) GRASSHOPPER SOLAR FIT PROJECTS INC.  
401 BENTLEY STREET  
- SUPPORT FOR FIT PROGRAM (5.7)

Whereas Council at its meeting held on October 3, 2012 directed staff to forward the completed "Prescribed Form/Template: Municipal Council Resolution" and any other documentation for renewable energy projects that meet the approved criteria as determined by City staff for a motion to support specific projects as per the Feed-In-Tariff Program, as required by the Ontario Power Authority to Council; and,

Whereas Grasshopper Solar FIT Projects Inc. (the "Applicant") proposes to construct and operate a 75 KW rooftop solar PV array (the Project) on 401 Bentley Street (the "Lands") in the City of Markham under the Province's FIT Program; and,

Whereas the Applicant has requested that Council of the City of Markham indicate by resolution Council's support for the construction and operation of the Project on the Property; and,

Whereas pursuant to the rules governing the FIT Program (the "FIT Rules"), Applications whose Projects receive the formal support of Local Municipalities will be awarded Priority Points, which may result in the Applicant being offered a FIT Contract prior to other persons applying for FIT Contracts; and,

Now therefore be it resolved:

- 1) That Council of the City of Markham supports the construction and operation of the Project on the Lands; and,
- 2) That this resolution's sole purpose is to enable the Applicant to receive Priority Points under the FIT Program and may not be use for the purpose of any other form of municipal approval in relation to the Application or Project or any other purpose.

**CARRIED**

- (9) GRASSHOPPER SOLAR FIT PROJECTS INC.  
421 BENTLEY STREET  
- SUPPORT FOR FIT PROGRAM (5.7)

Whereas Council at its meeting held on October 3, 2012 directed staff to forward the completed "Prescribed Form/Template: Municipal Council Resolution" and any other documentation for renewable energy projects that meet the approved criteria as determined by City staff for a motion to support specific projects as per the Feed-In-Tariff Program, as required by the Ontario Power Authority to Council; and,

Whereas Grasshopper Solar FIT Projects Inc. (the "Applicant") proposes to construct and operate a 100 KW rooftop solar PV array (the Project) on 421 Bentley Street (the "Lands") in the City of Markham under the Province's FIT Program; and,

Whereas the Applicant has requested that Council of the City of Markham indicate by resolution Council's support for the construction and operation of the Project on the Property; and,

Whereas pursuant to the rules governing the FIT Program (the "FIT Rules"), Applications whose Projects receive the formal support of Local Municipalities will be awarded Priority Points, which may result in the Applicant being offered a FIT Contract prior to other persons applying for FIT Contracts; and,

Now therefore be it resolved:

- 1) That Council of the City of Markham supports the construction and operation of the Project on the Lands; and,
- 2) That this resolution's sole purpose is to enable the Applicant to receive Priority Points under the FIT Program and may not be use for the purpose of any other form of municipal approval in relation to the Application or Project or any other purpose.

**CARRIED**

- (10) SUPPORT OF FEED-IN-TARIFF PROGRAM (FIT)  
FOR THE PROVINCE OF ONTARIO (5.7)

Whereas capitalized terms not defined herein have the meanings ascribed to them in the FIT Rules, Version 3.0; and,

Whereas the Province's FIT Program encourages the construction and operation of rooftop solar PV array generation projects (the "Projects"); and,

Whereas one or more Projects may be constructed and operated in the City of Markham; and,

Whereas pursuant to the FIT Rules, Version 3.0, Applications whose Projects receive the formal support of Local Municipalities will be awarded Priority Points, which may result in these Applicants being offered a FIT Contract prior to other Persons applying for FIT Contracts; and,

Now therefore be it resolved:

- 1) That Council of the City of Markham supports the construction and operation of rooftop solar PV array Projects anywhere in the City of Markham; and,
- 2) That this resolution's sole purpose is to enable the participants in the FIT Program to receive Priority Points under the FIT Program and may not be used for the purpose of any other form of municipal approval in relation to the Application or Projects or any other purpose; and further,
- 3) That this resolution shall expire twelve (12) months after its adoption by Council.

**CARRIED**

## **12. BY-LAWS**

Moved by Councillor Alex Chiu

Seconded by Councillor Valerie Burke

That By-laws 2013-193 to 2013-220, 2013-222, 2013-223, 2013-225 and 2013-226 be given three readings and enacted.

**CARRIED**

Moved by Councillor Alex Chiu

Seconded by Councillor Valerie Burke

That By-law 2013-192 be given three readings and enacted.

**CARRIED**

Moved by Councillor Alex Chiu

Seconded by Councillor Colin Campbell

That By-law 2013-221 be given three readings and enacted.

**CARRIED**

(Councillor Valerie Burke abstained due to conflict related to the Thornhill Revitalization Area and former Canac Kitchens site specifically)

**Three Readings****BY-LAW 2013-192 ROAD DEDICATION BY-LAW (MEADOWVIEW AVENUE)**[By-law](#)

- A by-law to dedicate certain lands as part of the highways of the City of Markham (Part of Lot 18, Plan 10327, designated as Part 10, Plan 65R-32918)

**CARRIED****BY-LAW 2013-193 ROAD DEDICATION BY-LAW (LANE AND IAN BARON AVENUE)**[By-law](#)

- A by-law to dedicate certain lands as part of the highways of the City of Markham (Block 21, Plan 65M-4258 - Lane: Block 22, Plan 65M-4258 - Ian Baron Avenue; Blocks 19 And 20, Plan 65M-4400 - Ian Baron Avenue; Block 22, Plan 65M-4400 - Lane)

**CARRIED****BY-LAW 2013-194 A BY-LAW TO RENAME IAN BARON AVENUE TO UNITY GARDENS DRIVE**[By-law](#)

- Part of Lot 2, Plan 2196, designated as Parts 3 and 4, Plan 65R-33608 and Part of Lot 3, Plan 2196, designated as Part 2, Plan 65R-18880, save and except Parts 8 and 10, Plan 65R-26116  
(Item No. 1, Report No. 43 – October 29, 2013 Council Meeting)

**CARRIED****BY-LAW 2013-195 PACE DEVELOPMENT INC. PART LOT CONTROL EXEMPTION BY-LAW**[By-law](#)

- A by-law to designate part of a certain plan of subdivision not subject to Part Lot Control, Blocks 1 to 6, Plan 65M-4390, west of Highway 48 between Bur Oak Avenue and Edward Jeffreys Avenue.

**CARRIED****BY-LAW 2013-196 UPPER UNIONVILLE INC., PART LOT CONTROL EXEMPTION BY-LAW**[By-law](#)

- A by-law to designate part of a certain plan of subdivision not subject to Part Lot Control, Blocks 101, 102 and 103, Plan 65M-3886, north of 16<sup>th</sup> Avenue, east of Kennedy Road.

**CARRIED**



BY-LAW 2013-197 A BY-LAW TO AMEND BY-LAW 2002-276, A BY-LAW TO IMPOSE FEES AND CHARGES FOR SERVICES OR ACTIVITIES PROVIDED OR DONE BY THE CITY OF MARKHAM (2014 E3 INITIATIVES USE FEES)

[By-law](#)

(Item No. 3, Report No. 47 – November 26, 2013 Council Meeting)

**CARRIED**

BY-LAW 2013-198 WYKLAND ESTATES INC., SOUTH OF 16TH AVENUE, WEST OF CORNELL CENTRE BLVD., ZONING BY-LAW AMENDMENT

[By-law](#)

- A by-law to amend By-law 177-96, as amended, to facilitate the development of the lands for single detached, semi-detached and townhouse units.

(Item No. 1, Report No. 39 – October 8, 2013 Council Meeting)

**CARRIED**

BY-LAW 2013-199 CORNELL ROUGE DEVELOPMENT CORP., SOUTH OF 16TH AVENUE, WEST OF DONALD COUSENS PARKWAY, CORNELL COMMUNITY, ZONING BY-LAW AMENDMENT

[By-law](#)

- A by-law to amend By-law 177-96, as amended, to amend driveway widths, rear yard setbacks to permit double car garages on the subject lots.

(Item No. 2, Report No. 39 – October 8, 2013 Council Meeting)

**CARRIED**

BY-LAW 2013-200 DIGRAM DEVELOPMENTS INC., MAJOR MACKENZIE DRIVE EAST PART OF LOT 20, CONCESSION 8, zoning by-law amendment

[By-law](#)

- A by-law to amend By-law 177-96, as amended, to facilitate minor land exchanges between abutting land owners for the orderly development of the Greensborough Planning District.

(Item No. 4, Report No. 48 – November 26, 2013 Council Meeting)

**CARRIED**

BY-LAW 2013-201 2014 WATER/WASTEWATER RATE

[By-law](#)

- A by-law to amend By-law No. 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. 9, Report No. 49)

**CARRIED**

BY-LAW 2013-202 A BY-LAW TO ESTABLISH STREETS LAID OUT ACCORDING TO PLAN OF SUBDIVISION 65M-3057 AS PUBLIC HIGHWAY (SCHICKEDANZ BROS. LIMITED)

[By-law](#)

- Part of Lot 21, Concession 4 (Heritage Hill Drive).  
(Item No. 2, Report No. 50)

**CARRIED**

BY-LAW 2013-203 A BY-LAW TO ESTABLISH STREETS LAID OUT ACCORDING TO PLAN OF SUBDIVISION 65M-3807 AS PUBLIC HIGHWAY (MERIN INVESTMENTS (MARKHAM) INC.)

[By-law](#)

- Lot 1 and Parts of Lots 2, 3, 4 and 5, Block C, Plan 18 and Part of West Half of Lot 9, Concession 8 (Torrance Road and James Walker Court)  
(Item No. 2, Report No. 50)

**CARRIED**

BY-LAW 2013-204 A BY-LAW TO ESTABLISH STREETS LAID OUT ACCORDING TO PLAN OF SUBDIVISION 65M-3809 AS PUBLIC HIGHWAY (MACKENZIE BUILDERS & DEVELOPERS LTD.)

[By-law](#)

- Part of the West Half of Lot 20, Concession 7 (Begonia Street, Hammersly Boulevard, Hermitage Boulevard, Fred McLaren Boulevard, Florelle Drive, Greenspire Avenue, Hyacinth Street, Roy Rainey Avenue and Beacon Point Street)  
(Item No. 2, Report No. 50)

**CARRIED**

BY-LAW 2013-205 A BY-LAW TO ESTABLISH STREETS LAID OUT ACCORDING TO PLAN OF SUBDIVISION 65M-3969 AS PUBLIC HIGHWAY (MACKENZIE BUILDERS & DEVELOPERS LTD.)

[By-law](#)

- Part of the West Half of Lot 20, Concession 7 (Hammersly Boulevard)  
(Item No. 2, Report No. 50)

**CARRIED**

BY-LAW 2013-206 A BY-LAW TO ESTABLISH STREETS LAID OUT ACCORDING TO PLAN OF SUBDIVISION 65M-4007 AS PUBLIC HIGHWAY (DOVCOM REALTY INC.)

[By-law](#)

- Part of Lot 19, Concession 7 (Locust Terrace and Lane A)  
(Item No. 2, Report No. 50)

**CARRIED**

BY-LAW 2013-207 A BY-LAW TO ESTABLISH STREETS LAID OUT ACCORDING TO PLAN OF SUBDIVISION 65M-4195 AS PUBLIC HIGHWAY (THE CROWN OF MARKHAM INC.)

[By-law](#)

- Part of Lots 23 and 24, Concession 3 (Reflection Road, Count Crystan Avenue and George Heenan Street)  
(Item No. 2, Report No. 50)

**CARRIED**

BY-LAW 2013-208 A BY-LAW TO ESTABLISH STREETS LAID OUT ACCORDING TO PLAN OF SUBDIVISION 65M-4196 AS PUBLIC HIGHWAY (THE CROWN OF MARKHAM INC.)

[By-law](#)

- Part of Lots 23 and 24, Concession 3 (Anthony Roman Avenue, Alsop Avenue, Reflection Road and George Heenan Street)  
(Item No. 2, Report No. 50)

**CARRIED**

BY-LAW 2013-209 A BY-LAW TO ESTABLISH STREETS LAID OUT ACCORDING TO PLAN OF SUBDIVISION 65M-4215 AS PUBLIC HIGHWAY .(NINTH LINE DEVELOPMENTS LIMITED)

[By-law](#)

- Part of Lot 19, Concession 8 (Darren Hill Trail, Desjardin Drive and Sedore Street)  
(Item No. 2, Report No. 50)

**CARRIED**

BY-LAW 2013-210 A BY-LAW TO ESTABLISH STREETS LAID OUT ACCORDING TO PLAN OF SUBDIVISION 65M-4217 AS PUBLIC HIGHWAY (NINTH LINE DEVELOPMENTS LIMITED)

[By-law](#)

- Part of Lot 19, Concession 8 (Stoney Creek Drive and Swan Park Road)  
(Item No. 2, Report No. 50)

**CARRIED**

BY-LAW 2013-211 A BY-LAW TO ESTABLISH STREETS LAID OUT ACCORDING TO PLAN OF SUBDIVISION 65M-4219 AS PUBLIC HIGHWAY (1473092 ONTARIO LIMITED)

[By-law](#)

- Part of Lots 17 and 18, Concession 9 (Duncan Road, Garden Trail Road and Paper Birch Drive)

(Item No. 2, Report No. 50)

**CARRIED**

BY-LAW 2013-212 A BY-LAW TO ESTABLISH STREETS LAID OUT ACCORDING TO PLAN OF SUBDIVISION 65M-4256 AS PUBLIC HIGHWAY (CORNELL ROUGE DEVELOPMENT CORP.)

[By-law](#)

- Part of Lots 11 and 12, Concession 9 (Cornell Rouge Boulevard, Rustle Woods Avenue, Red Brick Road, Honey Glen Avenue, Rivertree Street and Harvest Field Road)

(Item No. 2, Report No. 50)

**CARRIED**

BY-LAW 2013-213 A BY-LAW TO ESTABLISH STREETS LAID OUT ACCORDING TO PLAN OF SUBDIVISION 65M-4263 AS PUBLIC HIGHWAY (MACKENZIE BUILDERS & DEVELOPERS LTD.)

[By-law](#)

- Part of 19, Concession 7 (Fred McLaren Boulevard and Greenspire Avenue)

(Item No. 2, Report No. 50)

**CARRIED**

BY-LAW 2013-214 A BY-LAW TO ESTABLISH STREETS AS PUBLIC HIGHWAY BEING PART OF BLOCK 179, 65M-3610

[By-law](#)

- Part of Lot 19 and Part of the West Half of Lot 20, Concession 7, designated as Parts 3, 4, 5, 6, 7, 8 and 9, Plan 65R-27886 (Roy Rainey Avenue)

(Item No. 2, Report No. 50)

**CARRIED**

**BY-LAW 2013-215 A BY-LAW TO AMEND PARKING BY-LAW 2005-188**By-law

- To prohibit parking (Related to registered plan numbers 65M-4195, 65M-4196, 65M-4007, 65M-3809, 65R-27886, 65M-3057, 65M-4066, 65M-3969, 65M-4263, 65M-3807, 65M-4219, 65M-4256, 65R-32390, PARTS 1 TO 5, 65M-4215, AND 65M-4217)  
(Item No. 2, Report No. 50)

**CARRIED****BY-LAW 2013-216 A BY-LAW TO AMEND SPEED BY-LAW 105-71 (40 km per hour)**By-law

- To define a maximum of 40 km per hour (Related to registered plan numbers 65M-4195, 65M-4196, 65M-4007, 65M-3809, 65R-27886, 65M-3057, 65M-4066, 65M-3969, 65M-4263, 65M-3807, 65M-4219, 65M-4256, 65R-32390, PARTS 1 TO 5, 65M-4215, AND 65M-4217)  
(Item No. 2, Report No. 50)

**CARRIED****BY-LAW 2013-217 A BY-LAW TO AMEND SPEED BY-LAW 105-71 (50 km per hour)**By-law

- To define a maximum speed of 50 km per hour on Betty Roman Boulevard from Markham By-Pass to Reflection Avenue.  
(Item No. 2, Report No. 50)

**CARRIED****BY-LAW 2013-218 A BY-LAW TO AMEND TRAFFIC BY-LAW 106-71**By-law

- To add compulsory stops (Related to registered plan numbers 65M-4195, 65M-4196, 65M-4007, 65M-3809, 65R-27886, 65M-3057, 65M-4066, 65M-3969, 65M-4263, 65M-3807, 65M-4219, 65M-4256, 65R-32390, PARTS 1 TO 5, 65M-4215, AND 65M-4217)  
(Item No. 2, Report No. 50)

**CARRIED****BY-LAW 2013-219 DEL RIDGE (GOLDEN) INC. (ORIGINALLY SUBMITTED BY FOREST BAY HOMES), 7400 MARKHAM ROAD, OFFICIAL PLAN AMENDMENT**OP

- A by-law to adopt Official Plan Amendment No. 214, to permit a condominium apartment building.  
(Item No. 4, Report No. 50)

**CARRIED**

BY-LAW 2013-220 DEL RIDGE (GOLDEN) INC. (ORIGINALLY SUBMITTED BY FOREST BAY HOMES), 7400 MARKHAM ROAD, ZONING BY-LAW AMENDMENT

[By-law](#)

- A by-law to amend By-law 90-81, as amended. The effect of the By-law is that a six (6) storey, 136 unit residential condominium apartment building will be permitted on the subject lands.

(Item No. 4, Report No. 50)

**CARRIED**

BY-LAW 2013-221 A BY-LAW TO ADOPT "PLANNING MARKHAM'S FUTURE, CITY OF MARKHAM OFFICIAL PLAN, PART I"

[By-law](#) [AddendumDoc](#)

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(Item No. 6, Report No. 50)

**CARRIED**

(Councillor Valerie Burke abstained due to conflict related to the Thornhill Revitalization Area and former Canac Kitchens site specifically)

BY-LAW 2013-222 SUPERIOR DEVELOPERS, PART LOT CONTROL EXEMPTION BY-LAW

[By-law](#)

- A by-law to designate part of a certain plan of subdivision not subject to Part Lot Control, Part of Block 18, 65M-4258, designed as Part 2 on Plan 65R-34638, south of Ian Baron Avenue, east of Harry Cook Drive.

**CARRIED**

BY-LAW 2013-223 ROAD DEDICATION BY-LAW (SOUTH UNIONVILLE AVENUE)

[By-law](#)

- A by-law to dedicate certain lands as part of the highways of the City of Markham (Block 127, Plan 65M-3397 and Part of Lot 6 and Part of Unnamed Road Allowance, Plan 2196, designated as Parts 2, 4, 8, 10, 13, 15, 20 and 22, Plan 65R-27219).

**CARRIED**

BY-LAW 2013-225 A BY-LAW RESPECTING CONSTRUCTION, DEMOLITION AND CHANGE OF USE PERMITS AND INSPECTIONS (BUILDING BY-LAW)

(Repeals By-law 2011-236)

(Item No. 1, Report No. 52)

[By-law](#)

**CARRIED**

BY-LAW 2013-226 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)

(Item No. 1, Report No. 52)

[By-law](#)

**CARRIED**

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

Council consented to not resolve into an in-camera session and to report out the following items, as proposed, at open Council session:

- (1) MINUTES OF IN-CAMERA COUNCIL MEETING  
- NOVEMBER 26, 2013 (16.0)  
[Section 239 (2) (a) (b) (c) (d) (e) (f) (g)]

### **GENERAL COMMITTEE – December 2, 2013**

- (2) A PROPOSED OR PENDING ACQUISITION OR DISPOSITION OF LAND BY THE MUNICIPALITY OR LOCAL BOARD (WARD 5) (8.7)  
[Section 239 (2) (c)]
- (3) PERSONAL MATTERS ABOUT AN IDENTIFIABLE INDIVIDUAL, INCLUDING MUNICIPAL OR LOCAL BOARD EMPLOYEES (BOARD/COMMITTEE APPOINTMENTS) (16.24)  
[Section 239 (2) (b)]
- (4) PERSONAL MATTERS ABOUT AN IDENTIFIABLE INDIVIDUAL, INCLUDING MUNICIPAL OR LOCAL BOARD EMPLOYEES (BOARD/COMMITTEE RESIGNATION) (16.24)  
[Section 239 (2) (b)]

- (5) THE SECURITY OF THE PROPERTY OF THE MUNICIPALITY OR LOCAL BOARD (LEASE AGREEMENT) (7.12)  
[Section 239 (2) (a)]

**DEVELOPMENT SERVICES COMMITTEE – December 3, 2013**

- (6) LITIGATION OR POTENTIAL LITIGATION, INCLUDING MATTERS BEFORE ADMINISTRATIVE TRIBUNALS, AFFECTING THE MUNICIPALITY OR LOCAL BOARD (OMB - WARD 2) (8.0)  
[Section 239 (2) (e)]

**GENERAL COMMITTEE – December 9, 2013**

- (7) PERSONAL MATTERS ABOUT AN IDENTIFIABLE INDIVIDUAL, INCLUDING MUNICIPAL OR LOCAL BOARD EMPLOYEES (BOARD/COMMITTEE APPOINTMENTS) (16.24)  
[Section 239 (2) (b)]
- (8) LITIGATION OR POTENTIAL LITIGATION, INCLUDING MATTERS BEFORE ADMINISTRATIVE TRIBUNALS, AFFECTING THE MUNICIPALITY OR LOCAL BOARD (CONTRACT NEGOTIATION) (7.12)  
[Section 239 (2) (e)]

Moved by Councillor Alex Chiu  
Seconded by Regional Councillor Jim Jones

That In-camera Item Nos. 1 to 8 be received and adopted.

- (1) MINUTES OF IN-CAMERA COUNCIL MEETING  
- NOVEMBER 26, 2013 (16.0)

- 1) That the Council In-camera Minutes dated November 26, 2013 be confirmed.

**CARRIED**



(2) PROPOSED LAND EXCHANGE FOR  
THE REALIGNMENT OF CORNELL CENTRE BOULEVARD (8.7)

- 1) That the confidential report entitled “Proposed Land Exchange for the Realignment of Cornell Centre Boulevard” be received; and,
- 2) That pursuant to By-law 178-96, the City declare Parts 2 and 4, shown in blue on Attachment No. 3, legally described as Part of Road Allowance between Lots 15 and 16, Concession 9, City of Markham, Regional Municipality of York, surplus to municipal purposes; and further,
- 3) That subject to the results of Recommendation No. 2, above, the City enact a by-law to stop up and close Parts 2 and 4 on Attachment 3, legally described as Part of Road Allowance between Lots 15 and 16, Concession 9, City of Markham, Regional Municipality of York; and further,
- 4) That staff be authorized to proceed as directed by Council on December 10, 2013.

**CARRIED**

(3) BOARD/COMMITTEE APPOINTMENTS (16.24)

- 1) That the following appointments to the Agricultural Advisory Committee be confirmed:

<b>Name</b>	<b>Term</b>
Lynne Koss	November 30, 2016
Jay Reesor	November 30, 2016
Richard Reesor	November 30, 2016
Ligia DeFliippis	November 30, 2016
- 2) That the following re-appointments to the Achievement & Civic Recognition Advisory Committee be confirmed:

<b>Name</b>	<b>Term</b>
Tammy Mok	November 30, 2014
Harvey Rogers	November 30, 2014
Kenneth Wade	November 30, 2014
- 3) That the following re-appointment to the Cemetery Board be confirmed:

<b>Name</b>	<b>Term</b>
John Byer	November 30, 2016

- 4) That the following appointments to the Cycling & Pedestrian Advisory Committee be confirmed:

<b>Name</b>	<b>Start Date</b>	<b>Term</b>
Zain Khan	January 1, 2014	November 30, 2016
Gordon Cole	January 1, 2014	November 30, 2017
Dan Gilligan	January 1, 2014	November 30, 2017
Gordon Lawson	January 1, 2014	November 30, 2016
David Rawcliffe	January 1, 2014	November 30, 2016

- 5) That the following appointment to the Animal Care Committee be confirmed:

<b>Name</b>	<b>Start Date</b>	<b>Term</b>
Trudie Ross	January 1, 2014	November 30, 2016

- 6) That the following appointments to the Advisory Committee on Accessibility be confirmed:

<b>Name</b>	<b>Start Date</b>	<b>Term</b>
Keith Irish	January 1, 2014	November 30, 2016
Brendan Faulkner	January 1, 2014	November 30, 2016
Sidney Polak	January 1, 2014	November 30, 2016
Robert Hunn	January 1, 2014	November 30, 2016
Joan Jenkyn	January 1, 2014	November 30, 2015

- 7) That the following appointments to the Main Street Markham Committee be confirmed:

<b>Name</b>	<b>Start Date</b>	<b>Term</b>
Jason McCauley	January 1, 2014	November 30, 2016
Phil Howes	January 1, 2014	November 30, 2016
Helen Walter	January 1, 2014	November 30, 2016

(4) BOARD/COMMITTEE RESIGNATION (16.24)

- 1) That the resignation of Rodney Yee from the Markham Environmental Advisory Committee be received with regret for information purposes and that a letter of appreciation be forwarded by Mayor Frank Scarpitti.

**CARRIED**

(5) THE SECURITY OF THE PROPERTY OF THE  
MUNICIPALITY OR LOCAL BOARD (WARD 7) (7.12)

- 1) That the confidential report dated November 21, 2013 from the Chief Administrative Officer and Manager, Real Property regarding the security of the property of the municipality or local board in Ward 7 be received; and,
- 2) That staff be authorized to proceed as directed by Council on December 10, 2013.

**CARRIED**

(6) CONFIDENTIAL REPORT  
CONSENT AND MINOR VARIANCE APPLICATION APPEAL  
PATRICK KO & CHRISTINA MA  
1 MILMAR COURT, B/11/13, A/97/13 & A/98/13 (8.0)

- 1) That the report titled “Confidential Report, Consent and Minor Variance Application Appeal, Patrick Ko & Christina Ma, 1 Milmar Court, B/11/13, A/97/13 & A/98/13” be received; and,
- 2) That Council direct the City Solicitor and Staff to attend the Ontario Municipal Board Hearing to:
  - a. support the Committee of Adjustment’s decision to deny the requested consent and minor variances;
  - b. request that the applicant be required as a condition of severance approval, in the event that the Ontario Municipal Board sees merit in the consent application. to make arrangements satisfactory to the Chief Building Official, the Director of Engineering, the Director of Operations, and the Treasurer respecting the servicing of the retained parcel and severed parcel, which arrangements shall include but not be limited to matters related to location of sewer hook ups, and payment by the applicant of its proportionate share of the cost of extending the sanitary sewer to Milmar Court; and further,
- 3) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**CARRIED**

## (7) BOARD/COMMITTEE APPOINTMENTS (16.24)

- 1) That the following appointments to the Markham Environmental Advisory Committee be confirmed:

<b>Name</b>	<b>Start Date</b>	<b>Term</b>
Diane Ross	January 1, 2014	November 30, 2016
Jocelyn Cheung	January 1, 2014	November 30, 2016
Amol Rao	January 1, 2014	November 30, 2016
Vern Ricksen Tam	January 1, 2014	November 30, 2016

- 2) That the following appointments to the Heritage Markham Committee be confirmed:

<b>Name</b>	<b>Start Date</b>	<b>Term</b>
Anthony Farr	February 1, 2014	November 30, 2016
Templar Tsang-Trinaistich	February 1, 2014	November 30, 2016
Graham Dewar	February 1, 2014	November 30, 2016

- 3) That the following re-appointment to the Agricultural Advisory Committee be confirmed:

<b>Name</b>	<b>Term</b>
Ruth Brock	November 30, 2016

- 4) That the following re-appointment to the Public Realm Advisory Committee be confirmed:

<b>Name</b>	<b>Term</b>
Omar Bhatti	November 30, 2016

- 5) That the following appointments to the Race Relations Committee be confirmed:

<b>Name</b>	<b>Start Date</b>	<b>Term</b>
Maggie Quirt	January 1, 2014	November 30, 2016
Grace Permaul	January 1, 2014	November 30, 2016
Osman Akhtar	January 1, 2014	November 30, 2016
Jaqueline Sang	January 1, 2014	November 30, 2016
Moises Calo (re-appointment)	January 1, 2014	November 30, 2016

- 6) That the following appointments to the Flato Markham Theatre Advisory Board be confirmed:

<b>Name</b>	<b>Start Date</b>	<b>Term</b>
Sophia Sun	January 1, 2014	November 30, 2016
Roger Feng	January 1, 2014	November 30, 2016
Anne Gilligan	January 1, 2014	November 30, 2016
Aleem Israel	January 1, 2014	November 30, 2016

- 7) That the following appointments to the Public Art Advisory Committee be confirmed:

<b>Name</b>	<b>Start Date</b>	<b>Term</b>
Frankie Ip	January 1, 2014	November 30, 2016
Taleen Der Haroutiounian	January 1, 2014	November 30, 2016
Stephen Lusk	January 1, 2014	November 30, 2016

- 8) That Council declare the position of Si Ming (Steven) Lu on the Race Relations Committee vacant.

**CARRIED**

(8) **TERMINATION OF CONTRACTS 046-T-13  
(ASPHALT MAINTENANCE) AND  
053-T-13 (CONCRETE MAINTENANCE) (7.12)**

- 1) That the confidential report entitled “Termination of Contracts 046-T-13 (Asphalt Maintenance) and 053-T-13 (Concrete Maintenance)” be received; and,
- 2) That Staff be authorized to terminate the following contracts with Serve Construction Ltd. - Contract 046-T-13 (Asphalt Maintenance) and Contract 053-T-13 (Concrete Maintenance); and,
- 3) That Staff be authorized to negotiate a one year contract for asphalt maintenance with Road Mill (the second lowest priced bidder for 046-T-13 (Asphalt Maintenance) and a one year contract for concrete maintenance with Miwel Construction (the second lowest bidder for 053-T-13 (Concrete Maintenance) pursuant to Section 7(1)(g) of the City’s *Purchasing By-law*, or (if negotiations are unsuccessful) issue a new tender to the market for asphalt maintenance and concrete maintenance for 2014 (with the option for the City to renew for 2015 and 2016); and further,
- 4) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**CARRIED**

**14. CONFIRMATORY BY-LAW**

Moved by Councillor Alex Chiu  
Seconded by Councillor Alan Ho

That By-law 2013-224 be given three readings and enacted.

**Three Readings**

BY-LAW 2013-224 A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE COUNCIL  
MEETING OF DECEMBER 10, 2013.  
[By-Law](#)

**CARRIED**

**15. ADJOURNMENT**

Moved by Councillor Alex Chiu  
Seconded by Councillor Colin Campbell

That the Council Meeting be adjourned at 4:05 p.m.

**CARRIED**

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KIMBERLEY KITTERINGHAM  
CITY CLERK

(Signed)

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FRANK SCARPITTI  
MAYOR