



COUNCIL MINUTES

June 26, 2013, 7:00 p.m.

Council Chamber, Anthony Roman Markham Civic Centre

Meeting No. 16

Alternate formats for this document are available upon request

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
Brenda Librecz, Commissioner of Community and Fire Services
Trinela Cane, Commissioner of Corporate Services
Alan Brown, Director of Engineering
Joel Lustig, Treasurer
John Wong, Technology Support Specialist
Dennis Flaherty, Director of Communications and Community Relations
Kimberley Kitteringham, City Clerk
Martha Pettit, Deputy Clerk
Stephen Huycke, Public Service & Records Coordinator

The regular meeting of Council convened at 7:07 p.m. on June 26, 2013 in the Council Chamber. Mayor Frank Scarpitti presided.

1. DISCLOSURE OF PECUNIARY INTEREST

- (1) Regional Councillor Jim Jones disclosed an interest with respect to Item 3, Report No. 34 regarding "Award of Request for Proposal 019-R-13 Supply and Delivery of Soft Drinks and Related Equipment" as his son is an employee of Pepsi and did not take part in the consideration or discussion of or vote on the question of the approval of such matter.
- (2) Councillor Valerie Burke disclosed an interest with respect to New/Other Business Item No. 4 regarding "Thornhill Revitalization" as she has a family owned business in the Thornhill area and did not take part in the consideration or discussion of or vote on the question of the approval of such matter.

2. MINUTES**(1) COUNCIL MINUTES – JUNE 17, 2013**[Minutes](#)

Moved by Councillor Alex Chiu

Seconded by Councillor Howard Shore

- 1) That the Minutes of the Council Meeting held on June 17, 2013, be adopted.

CARRIED

3. PRESENTATIONS

There were no presentations.

4. DELEGATIONS

- (1) DELEGATIONS REGARDING THE ITEM TITLED
"MARKHAM MUP (MULTI USE PATHWAY)
16TH AVENUE TO BOB HUNTER MEMORIAL PARK" (6.3)

The following individuals addressed Council:

1. Tupper Wheatley, Milne Park Conservation Association, spoke in support of the proposed recommendation.
2. Maureen Cowan, Sherwood South Ratepayers Community Group, provided comments.

(See Item No. 11. Report No. 32 for Council's decision on this matter)

5. PETITIONS

There were no petitions.

6(A) REPORT NO. 31 – GENERAL COMMITTEE (June 17, 2013)

Moved by Councillor Carolina Moretti

Seconded by Councillor Howard Shore

That Report No. 31 – General Committee comprised of 3 items be received and adopted, except Items No. 1 and 2. (See following Item Nos. 1 and 2)

(1) ANIMAL SERVICES DELIVERY MODEL (2.8)

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

Moved by Councillor Carolina Moretti

Seconded by Councillor Howard Shore

- 1) That the Animal Care Committee Special Report entitled “The Future of Markham Animal Services: Priorities for Action to 2016” be received for information; and,
- 2) That Option 2 – “Enhanced Status Quo” of the DPRA report entitled “Study of Animal Service Delivery Model” be adopted and implemented; and,
- 3) That Staff be authorized to enter into a contract with the OSPCA for the provision of animal services for a period of two years with an option for 2 two year extensions (if agreeable to both parties); and,
- 4) That the “Customer Loyalty Card Program” outlined in this report be adopted and implemented in Markham as a licensing incentive; and,
- 5) That Staff report back in the Fall of 2013 regarding the implementation strategy for the Storefront Operation, including 2014 budget requirements; and,
- 6) That staff be directed to report back to Committee a year after the contract with the OSPCA is signed with a status report on whether or not the OSPCA is fulfilling the requirements of the contract to the satisfaction of the City of Markham; and further,
- 7) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

(2) FIRE SERVICES AUTOMATIC AID PILOT
PROJECT WITH THE CITY OF VAUGHAN &
TOWN OF RICHMOND HILL (7.15)

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

Moved by Councillor Carolina Moretti

Seconded by Councillor Howard Shore

- 1) That the report entitled, "Fire Services Automatic Aid Pilot Project with the City of Vaughan and the Town of Richmond Hill" dated May 27, 2013 be received; and,
- 2) That the City of Markham participate in a two-year Fire Services Automatic Aid Pilot Project with City the of Vaughan and the Town of Richmond Hill; and,
- 3) That the Fire Chief be authorized to enter into discussions to develop an Automatic Aid Agreement with the City of Vaughan and the Town of Richmond Hill; and,
- 4) That the Fire Chief advise the Markham Professional Firefighters Association formally of Markham's intent to take part in the pilot project; and,
- 5) That the Fire Chief report back on the results and provide recommendations following the two-year pilot; and,
- 6) That the Fire Chief also pursue other collaborations within the Region of York that would be beneficial to the fire services in Markham; and,
- 7) That this report be circulated to City of Vaughan and the Town of Richmond Hill; and,
- 8) That the Fire Chief be directed to report back on the potential of entering into an agreement regarding Fire Services Automatic Aid with the City of Toronto, City of Pickering or Town of Whitchurch-Stouffville, including an outline of any possible implications; and further,
- 9) That staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

Council consented to the following:

- Delete the word "...Pilot..." after the words "...Fire Services Automatic Aid..." in Resolution No. 8.
- Delete the words "...Town of Whitchurch-Stouffville and outlining any possible implications" and replace with the revised words "...Town of Whitchurch-Stouffville, including an outline of any possible implications" in Resolution No. 8.

(3) TENNIS CLUBS POLICY (6.0)

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

- 1) That the report entitled "Tennis Clubs Policy" be received; and,
- 2) That Council approve in principle the draft policy, with direction to staff to bring forward a final policy in September, 2013 after further review and consultation with existing Tennis Clubs; and,
- 3) That the following recommendation be referred to the Chief Administrative Officer for review and consultation with the Ward Councillor:
"That the demolition of the Clubhouse building at Duncan Park for an upset limit of \$20,000 inclusive of HST to be funded from the Life Cycle Replacement and Capital Reserve"; and,
- 4) That establishment of a new capital project for the demolition be referred to the Chief Administrative Officer; and,
- 5) That during the planning phases of new parks, particularly in Wards 7 & 8, public tennis courts be considered; and,
- 6) That the deputation from Mike Gannon be received; and,
- 7) That staff report back on with a recommendation report regarding the Tennis Club Policy in the Fall 2013; and further,
- 8) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

**6(B) REPORT NO. 32 – DEVELOPMENT SERVICES COMMITTEE
(June 18, 2013)**

Moved by Regional Councillor Jim Jones
Seconded by Councillor Don Hamilton

That Report No. 32 – Development Services Committee comprised of 11 items be received and adopted, except Item Nos. 1 and 11. (See following Item Nos. 1 and 11)

- (1) STATUS UPDATE
JAMES CAMPBELL HOUSE RELOCATION
26 ALBERT STREET
MARKHAM VILLAGE HERITAGE CONSERVATION DISTRICT (16.11)
[Memo](#)

Moved by Regional Councillor Jim Jones
Seconded by Councillor Don Hamilton

- 1) That the Memorandum entitled “Status Update, James Campbell House Relocation, 26 Albert Street, Markham Village Heritage Conservation District,” dated June 18, 2013, be received; and,
- 2) That as recommended by Heritage Markham, Council declare the James Campbell House eligible for relocation to Markham Heritage Estates, but only as an intact structure; and,
- 3) That staff be directed to continue to work with the prospective purchaser on a proposal to relocate the building to Markham Heritage Estates and report back to Council on lot selection and the applicant’s financial capability, budget and project schedule; and
- 4) That in the event there is a bonafide offer to purchase a building lot in Markham Heritage Estates during Council’s summer recess, that authority be delegated to the Chief Administrative Officer to approve, execute and complete the purchase subject to confirmation from the Finance Department that the purchaser has the financial capability to complete the transaction; and,
- 5) That Council express its appreciation to the Markham Village Conservancy for their generous offer of financial assistance toward the building’s preservation and relocation; and further,
- 6) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

- (2) REQUEST BY CORNELL ROUGE
DEVELOPMENT CORPORATION FOR A
STREET NAME CHANGE FROM ARBORETUM DRIVE
TO WILLIAM FORSTER ROAD (10.14)

[Memo](#)

- 1) That the request by Cornell Rouge Development Corporation to rename Arboretum Drive to William Forster Road be approved; and,
- 2) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

(By-law 2013-125)

CARRIED

- (3) RECOMMENDATION REPORT
PROPOSED GENERAL HOUSEKEEPING
ZONING BY-LAW AMENDMENTS RESPECTING
VARIOUS PROVISIONS IN THE CITY OF MARKHAM
ZONING BY-LAWS
(ZA 12-107844 AND ZA 12-109460) (10.5)

[Report](#)

DSC Page 109

- 1) That the report dated June 18, 2013 entitled “RECOMMENDATION REPORT, Proposed General Housekeeping Zoning By-law Amendments respecting Various Provisions in the City of Markham Zoning By-laws, File Numbers: ZA 12-107844 and ZA 12-109460”, be received; and,
- 2) That the record of the Public Meeting held on May 21, 2013, regarding the proposed general Zoning By-law amendments, be received; and,
- 3) That the General Housekeeping Zoning By-law amendments, respecting various provisions in the City of Markham Zoning By-laws, be approved and the draft by-laws attached as Appendix ‘A’ be finalized and enacted without further notice; and further,
- 4) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

(4) RECOMMENDATION REPORT
MACKENZIE BUILDERS AND DEVELOPERS LTD.
APPLICATIONS FOR DRAFT PLAN OF SUBDIVISION
AND BY-LAW AMENDMENT, SOUTHWEST CORNER OF
MAJOR MACKENZIE DRIVE EAST AND MINGAY AVENUE
(SU 12 – 130894 AND ZA 12 – 130894) (10.7, 10.5)
[Report](#)

- 1) That the report dated June 18, 2013, entitled “Recommendation Report, Mackenzie Builders and Developers Ltd., Applications for Draft Plan of Subdivision Approval and Zoning By-law Amendment, Southwest corner of Major Mackenzie Drive East and Mingay Avenue, File Numbers SU 12-130894 and ZA12-130894”, be received; and,
- 2) That the record of the Public Meeting held on December 11, 2012, regarding the applications for approval of Draft Plan of Subdivision and implementing Zoning By-law be received; and,
- 3) That draft plan of subdivision 19TM-12005 submitted by Mackenzie Builders and Developers Ltd., be draft approved subject to the conditions outlined in Appendix ‘A’; and,
- 4) 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,
- 5) That the application submitted by Mackenzie Builders and Developers Ltd. to amend Zoning By-laws 304-87 and 177-96, as amended, be approved and the draft by-laws attached as Appendix ‘B’ be finalized and enacted without further notice; and,
- 6) That 2011/2012 servicing allocation for 27.5 single detached units (101.75 population), 12 semi-detached units (36.24 population) and 32 townhouse dwelling units (90.24 population) be granted to Mackenzie Builders and Developers Ltd. (for plan of subdivision 19TM-12005 as well as two additional single detached part lots) and to Wismer Markham Developments Inc. (for five additional single detached part lots), in accordance with the June 26, 2012 Servicing Allocation Update Report; and,
- 7) That the Town reserves the right to revoke or reallocate the servicing allocation should the development not proceed in a timely manner; and,

- 8) That the Region of York be advised of the servicing allocation for this development; and,
- 9) That the draft plan approval for plan of subdivision 19TM-12005 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 further,
- 10) That Staff be authorized and directed to do all things necessary to give effect to this resolution.
(By-laws 2013-126 and 2013-127)

CARRIED

- (5) RECOMMENDATION REPORT
MAHAMEVNA BHAVANA ASAPUWA TORONTO
APPLICATIONS FOR AMENDMENTS TO THE
OFFICIAL PLAN, MINISTER'S ZONING ORDER
AND ZONING BY-LAW TO PERMIT A PLACE OF WORSHIP
AT 11175 KENNEDY ROAD
(OP 12 117122 AND ZA 12 117122) (10.3, 10.5)
[Report](#)

- 1) That the report titled "RECOMMENDATION REPORT, Mahamevna Bhavana Asapuwa Toronto Applications for Amendments to the Official Plan, Minister's Zoning Order and Zoning By-law to permit a Place of Worship at 11175 Kennedy Road," and dated June 18, 2013 be received; and,
- 2) That the applications by Mahamevna Bhavana Asapuwa Toronto to amend the Official Plan and Zoning By-law to permit a Place of Worship at 11175 Kennedy Road be approved; and,
- 3) That the proposed amendment to the Minister's Zoning Order (MZO) for such purposes, be endorsed; and,
- 4) That the Recommendation Report be forwarded to the Ministry of Municipal Affairs and Housing (MMAH); and,
- 5) That the proposed amendment to the Official Plan be adopted and forwarded to the Region of York for approval; and,

- 6) That the proposed amendment to City by-law 304-87, as amended, be enacted after the proposed Official Plan Amendment is approved by the Region of York; and further,
- 7) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

(6) RECOMMENDATION REPORT
GRANDFIELD HOMES (OAKFORD) LIMITED
APPLICATIONS FOR DRAFT PLAN OF SUBDIVISION
AND ZONING BY-LAW AMENDMENT TO PERMIT
48 SINGLE DETACHED RESIDENTIAL UNITS
BLOCK 226, PLAN 65M-3526 AND BLOCK 77, PLAN 65M-3559
(SU 12 120199 & ZA 12 120199) (10.7, 10.5)
[Report](#)

- 1) That the petition signed by 43 residents in support of the revised proposal; and the written submission from John Lee, on behalf of the North Willow Heights Neighbourhood Residential Community, in opposition to the proposal by Grandfield Homes, be received; and,
- 2) That the depositions by John Lee, Vincent Pun, Lisa Huang, Antonio Taormina, and King Chen, regarding the proposal by Grandfield Homes, be received; and,
- 3) That the Staff Report entitled “RECOMMENDATION REPORT, Grandfield Homes (Oakford) Limited, Applications for Draft Plan of Subdivision and Zoning By-law Amendment to permit 48 single detached residential units, Block 226, Plan 65M-3526 and Block 77, Plan 65M-3559, File No. SU 12 120199 & ZA 12 120199” be received; and,
- 4) That the record of the Public Meeting held on February 19, 2013 regarding the Draft Plan of Subdivision and implementing Zoning By-law Amendment be received; and,
- 5) 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’ to this report, as may be amended by the Director of Planning and Urban Design, or his designate; and,

- 6) That the application submitted by Grandfield Homes (Oakford) Limited to amend the Zoning By-law 177-96, as amended, be approved and that the draft by-law attached as appendices 'B' & 'C' be finalized and enacted without further notice; and,
- 7) That 2011/2012 servicing allocation for 48 single detached units (177.6 population) be granted to plan of subdivision 19TM-12009, in accordance with the June 26, 2012 staff report on servicing allocation; and,
- 8) That the City reserves the right to revoke or reallocate the servicing allocation should the development not proceed in a timely manner; and,
- 9) That the 2.5 metre strip of land from Block 77, Plan 65M-3559 comprising 940 square metres as shown on Attachment No. 5 be declared surplus to municipal purposes pursuant to By-law 178-96 and conveyed to the applicant at fair market value in the opinion of the Manager of Real Property; and,
- 10) That the applicant provide to the City the 30% payment of the required subdivision processing fee in accordance with the City's Fee By-law (By-law 211-83, as amended by By-law 2012-244); and,
- 11) That the applicant be requested to provide additional playground features to the park at a suggested value of \$30-50,000, in consultation with the community and the Manager of Parks and Open Space Development; and further,
- 12) That Staff be authorized and directed to do all things necessary to give effect to this resolution.
(By-law 2013-128)

CARRIED

(7) MARKHAM CENTRE PARKLAND FUNDING
AND DELIVERY AGREEMENT (10.0)

[Report](#)

- 1) That correspondence from Lyn Townsend of Townsend and Associates regarding Markham Centre parkland Funding and Delivery Agreement, be received; and,
- 2) That the report titled “Markham Centre Parkland Funding and Delivery Agreement” dated June 18, 2013 be received; and,
- 3) That the Mayor and Clerk be authorized and directed to enter into the Markham Centre Parkland Funding and Delivery Agreement, generally in the form attached hereto, and amendments thereto, with the Trustee of the Markham Centre Landowners Group and landowners within Markham Centre, in a form satisfactory to the Commissioner of Development Services and the City Solicitor; and,
- 4) That the staff be authorized to engage a Trustee to manage the trust account and transactions as described in this report, to be funded from the Parkland Delivery Fund, and that the Mayor and Clerk be authorized and directed to execute a contract with the Trustee; and,
- 5) That the competitive purchasing process for the engagement of the Trustee be waived in accordance with Purchasing By-law 2004-341, Part II, Section 7.1 (h) which states; “where it is necessary or in the best interests of the City to acquire Professional Services from a preferred supplier or from a supplier who has a proven track record with the City in terms of pricing, quality and service” to engage the Trustee; and further,
- 6) That staff be authorized and directed to do all things necessary to give effect to the recommendations set out in this report, including execution of documents.

CARRIED

(8) MARKHAM CENTRE MOBILITY HUB STUDY
REVISED SCOPE OF WORK (5.14)

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

- 1) That the report titled “Markham Centre Mobility Hub Study, Revised Scope of Work” be received; and,
- 2) That the following be referred to the Unionville Subcommittee:
"That Purchase Order PD 11314 issued to Arup Canada Inc. for contract 167-T-11 (Markham Centre Mobility Hub/Station – Consulting Services) be increased by \$290,765.00, inclusive of HST, (from \$369,197 to \$659,962) to cover the proposed expanded scope of work as detailed in this report, and be funded from Capital Account 640-101-5699-10577 (Markham Centre Mobility Hub)"; and,
- 3) That the Unionville Subcommittee and the Chief Administrative Officer be authorized to approve proceeding with the study and to approve the funding, during Council’s summer recess; and,
- 4) That staff provide regular updates to Development Services Committee on the progress of the Markham Centre Mobility Hub Study; and,
- 5) That Metrolinx be requested to fund a portion of the study; and further,
- 6) That staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

(9) TEMPORARY ROAD CLOSURE OF A SECTION
OF CORNELL CENTRE BOULEVARD
FROM 16TH AVENUE TO RIVERLANDS AVENUE (5.10)

[Report](#)

- 1) That the June 18, 2013 report entitled ‘Temporary Road Closure of a Section of Cornell Centre Boulevard from 16th Avenue to Riverlands Avenue’ be received; and,
- 2) That temporary closure of Cornell Centre Boulevard, from 16th Avenue to Riverlands Avenue be approved to facilitate the construction of municipal services infrastructure and reconstruction of Cornell Centre Boulevard, for a forecast period from Monday July 1, 2013 to Friday November 1, 2013 subject to conditions listed in this report; and further,

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

CARRIED

(10) RE-CONSTRUCTION AND TEMPORARY ROAD CLOSURE
OF VILLAGE PARKWAY BETWEEN HIGHWAY 7
AND LANDMARK COURT (5.10)

[Report](#)

- 1) That the report titled 'Re-construction and Temporary Road Closure of Village Parkway between Highway 7 and Landmark Court' dated June 18, 2013 be received; and,
- 2) That Council authorize the Mayor and Clerk to execute construction agreement(s) for re-construction of Village Parkway, from Highway 7 to Landmark Court with the Times Group/Unionville Development Corp (Lee) and/or North Avenue 7 Developers Group Inc. and/or any other parties having jurisdiction, in a form satisfactory to the Chief Administrative Officer and the City Solicitor; and,
- 3) That temporary road closure of Village Parkway between Highway 7 and Landmark Court be approved to facilitate the re-construction of Village Parkway and installation of underground services for a forecast period from Monday July 5, 2013 to Monday October 28, 2013, subject to conditions listed in this report; and,
- 4) That an exemption to the City's Noise Control By-Law 2003-137 be made to extend the hours of work from 7:00 AM to 9:00 PM on weekdays and from 7:00 AM to 7:00 PM on weekends and holidays during the road closure period; and further,
- 5) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

- (11) MARKHAM MUP (MULTI USE PATHWAY)
16TH AVENUE TO BOB HUNTER MEMORIAL PARK (6.3)
[Resolution](#) [Presentation](#)

Moved by Councillor Carolina Moretti

Seconded by Councillor Alan Ho

- 1) That the deputations by Tupper Wheatley, representing the Milne Dam Conservation Association, and Elizabeth Tan regarding the Markham Multi Use Pathway be received; and,
- 2) That the June 18, 2013 presentation from Schollen and Company Inc. be received; and,
- 3) That staff be authorized to proceed with the tender of Phase 1 MUP construction for Area 2, 3 & 4 (from Carlton Rd & Main St Unionville through Milne Dam Conservation Area to Drakefield Road), and report back on bid pricing and award of tender; and,
- 4) That staff report back to Council or CAO with respect to tender price/award and final scope of work for Phase 1, including Options 1 and 2 for the Main Street/Carlton Road crossing and an approach to improve the accessibility of the parking lot at the Milne Dam Conservation Area; and,
- 5) That staff ensure the accessibility loop be properly maintained; and,
- 6) That staff report back with an update on Phase II works and outstanding issues (i.e. signage, entrance features, landscaping, maintenance requirements, etc.); and further,
- 7) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED BY A UNANIMOUS RECORDED VOTE (13:0)

(See following recorded vote)

(See following to consider the matter)

Council consented to delete the words "...Options 2 and 3..." and replace with the revised words "...Options 1 and 2..." contained in Resolution No. 4.

YEAS: Councillor Valerie Burke, Councillor Howard Shore, Councillor Don Hamilton, Councillor Carolina Moretti, 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.

Moved by Deputy Mayor Jack Heath
Seconded by Councillor Carolina Moretti

That Council consider the item titled "Markham Mup (Multi Use Pathway) 16th Avenue to Bob Hunter Memorial Park" immediately following the delegations with respect thereto.

CARRIED BY A 2/3 VOTE OF MEMBERS PRESENT

**6(C) REPORT NO. 33 – DEVELOPMENT SERVICES PUBLIC MEETING
(June 18, 2013)**

Moved by Regional Councillor Jim Jones
Seconded by Councillor Don Hamilton

That Report No. 33 – Development Services Public Meeting comprised of 1 item be received and adopted.

- (1) PRELIMINARY REPORT
8310 WOODBINE DEVELOPMENTS INC.
8310 WOODBINE AVENUE
SOUTHWEST CORNER OF WOODBINE AVENUE AND LANARK ROAD
APPLICATIONS FOR ZONING BY-LAW AMENDMENT AND
SITE PLAN APPROVAL TO PERMIT A ONE STOREY OFFICE BUILDING
(ZA/SC 12 119142) (10.5, 10.6)
[Report](#)

- 1) That the Development Services Commission report dated May 7, 2013 entitled “Preliminary Report, 8310 Woodbine Developments Inc., 8310 Woodbine Avenue, Southwest corner of Woodbine Avenue and Lanark Road, Applications for Zoning By-law Amendment and Site Plan Approval to permit a one storey office building, File No.: ZA/SC 12 119142”, be received; and,
- 2) That the Record of the Public Meeting held on June 18, 2013, with respect to the application by 8310 Woodbine Developments Inc., for an amendment to Zoning By-law 165-80, as amended, be received; and further,

- 3) That Zoning By-law Amendment application (ZA 12 119142) by 8310 Woodbine Inc. for an amendment to Zoning By-law 165-80, as amended, be approved; and further,
- 4) That the proposed Zoning By-law Amendment to amend By-law 165-80, as amended, be enacted without further notice.
(By-law 2013-129)

CARRIED

6(D) REPORT NO. 34 – GENERAL COMMITTEE (June 24, 2013)

Moved by Councillor Carolina Moretti

Seconded by Councillor Colin Campbell

That Report No. 34 – General Committee comprised of 7 items be received and adopted, except Item Nos. 2, 3, 4 and 7. (See following Item Nos. 2, 3, 4 and 7)

(1) APPOINTMENT OF THE INTEGRITY
COMMISSIONER (9.0)

[Report](#)

- 1) That the verbal introduction by Ms. Trinela Cane, Commissioner, Corporate Services be received; and,
- 2) That the report entitled “Request for Proposal 003-R-13 for Integrity Commissioner Services for Council” be received; and,
- 3) That the contract for Integrity Commissioner Services for Council be awarded to ADR Chambers Inc. in an annual retainer amount of \$20,710 (inclusive of HST) and additional services; and,
- 4) That the contract be awarded for an initial term of one year with the option to renew for up to five (5) additional one (1) year terms; and,
- 5) That Staff be authorized to bring forward a by-law for Council’s consideration to appoint ADR Chambers Inc., and to fulfill the role of Integrity Commissioner; and,
- 6) That the retainer fee of \$10,355 (inclusive of HST) for the period from July to December 2013 and one time training cost of \$1,526 be funded from the existing Operating Budget account 840-841-7849 (Corporate Contingency); and,

- 7) That Staff be authorized to monitor the 2013 expenses and any necessary adjustments will be considered as part of the 2014 Operating Budget process; and further,
- 8) That Staff be authorized and directed to do all things necessary to give effect to this resolution.
(By-law 2013-135)

CARRIED

(2) MINUTES OF THE MAY 13, 2013
COMMUNICATIONS COMMITTEE & INFORMATION
TECHNOLOGY SUB-COMMITTEE (16.0)
[Minutes](#)

Moved by Councillor Carolina Moretti
Seconded by Councillor Colin Campbell

- 1) That the Minutes of the May 13, 2013 Communications Committee and Information Technology Sub-Committee be received for information purposes; and,
- 2) That Council endorse the resolution passed at the May 13, 2013 Communications & ITS Sub-Committee meeting:

“That the Communications & Information Technology Sub-Committee be renamed the Information, Communication and Technology Sub-Committee.”

CARRIED

(3) PROJECT #019-R-13 SUPPLY AND DELIVERY
OF SOFT DRINKS AND RELATED EQUIPMENT (7.12)
[Report](#)

Moved by Councillor Carolina Moretti
Seconded by Councillor Colin Campbell

- 1) That the report entitled “Award of Request for Proposal 019-R-13 Supply and Delivery of Soft Drinks and Related Equipment” be received; and,

- 2) That Request for Proposal 019-R-13 for the Supply and Delivery of Soft Drinks and Related Equipment be awarded to the highest ranked / highest revenue return bidder, PepsiCo Beverages Canada for a term of five (5) years with financial returns as per Attachment “A”; and,
- 3) That the Director of Recreation and Senior Manager of Purchasing & Accounts Payable in consultation with the City Solicitor be authorized to approve the final terms and conditions of the agreement; and,
- 4) That the \$5,000.00 annual revenue towards beverage exclusivity be credited to Corporate Items – Other Revenue (Operating Budget account 890 890 9397) and the \$10,000.00 signing bonus be transferred to Life Cycle Replacement & Capital Reserve Fund (account 087 2800 200); and,
- 5) That the \$5,000.00 annual sponsorship revenue be allocated as follows: \$2,500.00 credited to the Markham Theatre Corporate Sponsorship (Operating Budget account 530 534 8831) and \$2,500.00 towards the Tony Roman Memorial Hockey Tournament as outlined in financial consideration section of the report; and,
- 6) That a commission amount of thirty percent (30%) of Annual Gross Sales in the estimated annual amount of \$33,540.00 be credited to the Vending Machine Operating Budgets accounts for Recreation, Library and Roads; and,
- 7) That the Director of Recreation and Senior Manager of Purchasing & Accounts Payable be authorized to extend the contract for an additional five (5) years subject to annual increases of 2% in each year commencing in year 6 of this agreement; and further,
- 8) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

(Regional Councillor Jim Jones abstained due to conflict)

Regional Councillor Jim Jones disclosed an interest and did not participate in the discussion of or vote on this matter.

(4) AWARD OF TENDER 155-T-13
CONVERSION OF EXISTING HPS COBRA-HEAD
LUMINAIRES WITH LED LUMINAIRES (7.12)
[Report](#)

Moved by Councillor Carolina Moretti

Seconded by Councillor Colin Campbell

- 1) That the report entitled “Award of Tender 155-T-13 Conversion of Existing HPS Cobra-Head Luminaires with LED Luminaires” be received; and,
- 2) That the contract for tender 155-T-13 to supply and install 12,276 LED luminaires be awarded to the lowest priced bidder, Fellmore Electrical Contractors Limited in the amount of \$4,604,060.78 inclusive of HST; and,
- 3) That a contingency amount of \$460,406.08 inclusive of HST, be established to cover any additional expenditure in accordance with the Expenditure Control Policy; and,
- 4) That the contract for tender 155-T-13 Provisional Items for the Factory Installed Part-Night and Constant Light Input (CLO) Dimmers, Factory Installed Wireless Addressable Dimming Control Modules, hosting the Monitoring Central Management System for Dimming Control Modules, and supply and installation of 500 units of House Shield be awarded to the lowest priced bidder, Fellmore Electrical Contractors Limited in the amount of \$1,568,373.84, inclusive of HST; and,
- 5) That a contingency amount of \$156,837.38 inclusive of HST, be established to cover any additional expenditure in accordance with the Expenditure Control Policy; and,
- 6) That the Staff be authorized to award the contract for part-time contract administration services to Laurilliam Lighting Technologies Inc. in the amount of \$39,584.64 inclusive of HST, in accordance with Part II (7) (I) (h) of the Purchasing By-law; and,
- 7) That a contingency amount of \$4,000.00 inclusive of HST, be established to cover any additional expenditure in accordance with the Expenditure Control Policy; and,

- 8) That Staff be authorized to retain a qualified consulting firm in accordance with the City's purchasing by-law to provide inspection services during LED conversion program for an upset limit of \$148,000.00 inclusive of HST; and,
- 9) That the payback for the base LED conversion project be approved at 6.7 years and the provisional items be approved at 10.1 years and the combined project be approved at 7.3 years; and,
- 10) That a By-Law be enacted to allow for the dimming of streetlights for 5 hours per night (midnight to 5.00 a.m.) at the locations where pedestrian activity permits; and,
- 11) That the award be funded from the Project 058-6150-13346-005 Streetlights – LED Conversion of Cobra Head Fixtures; and,
- 12) That a Public Communication Plan be developed in consultation with Corporate Communications & Community Engagement Department and Sustainability Office; and,
- 13) That for all subdivision and site plans that do not have an approved streetlight plan that LED luminaires be required; and,
- 14) That all City standards be adjusted accordingly; and further,
- 15) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

(5) 2014 BUDGET SCHEDULE (7.0)
[Report](#)

- 1) That the report dated June 24, 2013 entitled "2014 Budget Schedule" be received; and,

- 2) That the Budget Sub-Committee meetings to review the proposed 2014 Budget be approved for the dates and times below:

Meeting #1 – Tuesday, October 8th (1:00 p.m. to 4:00 p.m. – Canada Room)

Meeting #2 – Friday, October 11th (9:00 a.m. to 12:00 p.m. – Canada Room)

Meeting #3 – Tuesday, October 15th (1:00 p.m. to 4:00 p.m. – Canada Room)

Meeting #4 – Friday, October 18th (9:00 a.m. to 12:00 p.m. – Canada Room)

Meeting #5 – Friday, October 25th (9:00 a.m. to 12:00 p.m. – Canada Room)

Meeting #6 – Friday, November 1st (9:00 a.m. to 12:00 p.m. – Canada Room)

Meeting #7 – Friday, November 8th (9:00 a.m. to 12:00 p.m. – Council Chamber); and,

- 3) That the draft presentation on the proposed 2014 Budget (based on the budget status following the October 18th Budget Sub-Committee meeting) for the public meeting be presented at the October 21st General Committee meeting; and,
- 4) That a public meeting be held at the Civic Centre in the Council Chamber on Thursday, October 24, 2013 at 7:00 pm to receive public feedback on the 2014 Budget; and further,
- 5) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

(6) ROAD OCCUPANCY BY-LAW (5.10)

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

- 1) That the report entitled "Road Occupancy By-law" be received; and,
- 2) That the proposed Road Occupancy By-law included as Appendix "A" be enacted to regulate the use, alteration and occupancy of highways within the City of Markham; and,
- 3) That By-laws 191-89 (Fouling of Streets), 68-92 (Trees on Highways) 158-93 (Curb Cuts), and 2002-276 (Fees- Road Occupancy Section) be repealed; and,

- 4) That the Director of Operations be authorized to set future increases annually based on the change in the Consumer Price Index (Toronto All Items December-December) with such increases effective January 1 and rounded to the nearest half dollar; and further,
- 5) That Staff be authorized and directed to do all things necessary to give effect to this resolution.
(By-law 2013-136)

CARRIED

- (7) TO2015 PAN AM/PARAPAN AM GAMES
– STATUS UPDATE (6.0)
[Presentation](#) [Report](#) [Attach A](#) [Attach B](#) [Attach C](#) [Attach D](#)

Moved by Councillor Carolina Moretti
Seconded by Councillor Colin Campbell

- 1) That the report TO2015 Pan Am/Parapan Am Games – Status Update be received; and,
- 2) That Council approve the participation of the City of Markham in the TO2015 Municipal Designation Program at a Gold Level, based on the City's role as a major Games location and the requirements of the Facility Agreement at a maximum cost of \$250,000 and the Community Engagement Strategy for a cost of \$50,000 to be funded from corporate sponsorship and fundraising initiatives; and,
- 3) That Council support the Pan Am 2 Year Countdown event on Wednesday, July 10, 2013 to be held at the Markham Civic Centre be funded to a maximum of \$15,000 will be funded from Project #12465 'Pan Am – Building Demolition'; and,
- 4) That Council endorse the permanent name recommended by the Federal government (Attachment D), satisfying the requirements within the agreement that all permanent facility signage must be bilingual, English and French, at the Markham Pan Am Centre as follows:

Markham Pan Am Centre

A Legacy of the Pan and Parapan American Games

Centre Panaméricain de Markham

Un Legs Des Jeux Panaméricains et Parpanaméricains

- 5) That Council approve the Terms of Reference for the Markham Pan Am Host Advisory Committee (Attachment B) with the Mayor chairing the Committee and the Chair of Economic Development as a member and that the Mayor with the support of the CAO and Commissioner of Community & Fire Services finalize the appointments based on the categories in the terms of reference; and,
- 6) That Council approve the Terms of Reference for the Markham Pan Am Community Activation and Legacy Committee (Attachment C) and request that each Councillor provide three names for consideration based on the areas outlined in the membership list to be forwarded to the City Clerk for consideration and appointment by the end of September 2013 in accordance to the Markham Board and Committee Appointment Policy; and,
- 7) That Council thank all participants that attended the Community Workshop (Attachment A) and the suggestions provided be reviewed by the Markham Pan Am Community Activation and Legacy Committee; and,
- 8) That Council authorize the hiring of a contract position to facilitate the marketing, sport development plan and start up of the Pan Am Facility funded to a maximum of \$115,000 per annum to start January 2014 to be funded from the existing Personnel Ramp-Up Reserve for the Markham Pan Am Centre; and further,
- 9) 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

- (1) TO CREATE A PERMANENT, SEARCHABLE
VOTING RECORD FOR MEMBERS OF COUNCIL (16.23)

Note: This notice of motion will be considered by Council on September 17, 2013.

Moved by Councillor Howard Shore
Seconded by Councillor Don Hamilton

Whereas the City of Markham is committed to the principle of Open Government, which promotes transparency, accountability and accessibility of good governance and fosters a culture of collaboration and improved service to the public; and,

Whereas a complete and comprehensive record of each elected representatives' voting is essential to the principle of accountability; and,

Whereas a complete and accurate attendance record for all elected members of Council is fundamental to good governance; and,

Whereas the City of Markham has the technology available to readily record all members' votes on all items; and,

Now therefore be it resolved:

- 1) That the Commissioner of Corporate Services report to General Committee no later than October 21, 2013 with recommendations regarding the required logistics of recording, compiling and reporting of a Voting Record for each individual Member of Council.

9. COMMUNICATIONS

Moved by Councillor Alex Chiu

Seconded by Councillor Howard Shore

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

Referred to all Members of Council

50-2013 LIQUOR LICENCE APPLICATION FOR SUSHI KIKU, 230 COMMERCE VALLEY DRIVE EAST, SUITE 11 (WARD 2) (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 previously licenced).

CARRIED

51-2013 SPECIAL OCCASION LIQUOR PERMIT FOR GREEK ORTHODOX COMMUNITY OF MARKHAM (Ward 6) (3.21)

[Letter](#)

- Requesting an approval from the City of Markham to designate their Annual Greek Summer Festival being held from July 19 to 21 and 26 to 28, 2013 at 11359 Warden Avenue as an event of "Municipal Significance". The City's designation is a requirement of the Alcohol and Gaming Commission of Ontario (AGCO) to support the application of a Special Occasion Liquor Permit.

CARRIED

Received

52-2013 MINUTES OF THE MARKHAM SUB-COMMITTEE – JUNE 20, 2013
(PROPOSED SECONDARY SCHOOL SITE EXCHANGE IN CORNELL BETWEEN PUBLIC AND CATHOLIC SCHOOL BOARDS AND THE POTENTIAL ACCOMMODATION OF SOCCER FIELDS WITHIN THESE SCHOOL SITES) (10.0)

[Minutes](#)

CARRIED

- 53-2013 2223156 ONTARIO INC. (GABRIELE GROUP OF COMPANIES), 150 BULLOCK DRIVE – MEMORANDUM FROM THE COMMISSIONER OF DEVELOPMENT SERVICES (10.5)
- Providing an update on this application and recommending the enactment of the zoning by-law with respect thereto.
(By-law 2013-137)
[Memo](#)

CARRIED

Council consented to delete the words "...140 Bullock Drive..." and replace with the revised words "...150 Bullock Drive...".

- 54-2013 ANNETTE CACOROVSKI (16.0)
- Providing comments with respect to the June 26, 2013 In-Camera Council Meeting.
[Email](#)

CARRIED

10. PROCLAMATIONS

(1) PROCLAMATION REQUESTS (3.4)

Moved by Councillor Alex Chiu

Seconded by Councillor Logan Kanapathi

- 1) That the following proclamations issued by the City Clerk in accordance with the City of Markham Proclamation Policy be received for information purposes:
 - International Day Against Drug Abuse and Illicit Trafficking (June 26, 2013)
 - Ontario Family Fishing Events (July 6 to 14, 2013)

CARRIED

11. NEW/OTHER BUSINESS

- (1) AWARD OF TENDER # 009-T-13
BIRCHMOUNT ROAD / DENISON STREET
INTERSECTION IMPROVEMENTS (7.12 & 5.10)
[Report](#)

Alan Brown, Director of Engineering provided a verbal update on options for turn lanes.

Moved by Regional Councillor Gord Landon
Seconded by Councillor Alex Chiu

- 1) That the report entitled “Award of Tender # 009-T-13 Birchmount Road / Denison Street Intersection Improvements” be received; and,
- 2) That the contract for Tender # 009-T-13 Birchmount Road / Denison Street Intersection Improvements be awarded to the lowest priced compliant bidder, Ashland Paving in the amount of \$452,931.04 inclusive of HST; and,
- 3) That a contingency in the amount of \$45,293.10 inclusive of HST, be established to cover additional construction costs, and staff be authorized to approve the expenditure of this contingency in accordance with the City of Markham’s Expenditure Control Policy; and,
- 4) That the Engineering Department Capital Administration Fee in the amount of \$59,786.90, inclusive of HST, be transferred to reserve account # 640-998-8871 “Capital Administration Fess”; and,
- 5) That the project cost be funded from Account # 083-5350-9291-005 (Intersection improvements) in the amount of \$558,011.04; and,
- 6) That the remaining funds in account # 083-5350-9291-005 “Intersection Improvements” in the amount of \$192,990.20 be returned to the original funding source; and further,
- 7) That Staff be authorized and directed to take all steps necessary to give effect to this resolution.

CARRIED

(2) STOUFFVILLE GO ENVIRONMENTAL ASSESSMENT (EA) STUDY (5.14)
[Memo](#)

Moved by Regional Councillor Jim Jones

Seconded by Regional Councillor Gord Landon

Whereas in the Metrolinx's Big Move (2009) and Next Wave (November 2012) documents, full day, 2 way service expansion for the Stouffville GO Line corridor is to be from Union station to Mount Joy station as part of the 15 year plan for Regional Rapid Transit; and,

Whereas Markham Council on May 1, 2012 requested GO Transit to consider electrification for this corridor and establish a steering committee and working group; and,

Whereas GO Transit is undertaking an Environmental Assessment (EA) study area for this line from Kennedy station to Unionville station; and,

Whereas staff have requested GO Transit to revise their study Terms of Reference to include, Unionville station to Mount Joy station and a 2031 horizon year for the Environmental Assessment Study;

Now therefore be it resolved:

- 1) That GO Transit be requested to expand the scope of work and study area of their EA study to include the Unionville station to Mount Joy station section; and,
- 2) That GO Transit be requested to extend the Environmental Assessment study time horizon to 2031 to be consistent with the provincial growth horizon and to ensure transit requirements in this corridor can be defined; and,
- 3) That GO Transit consider the electrification for this corridor; and,
- 4) That GO Transit review anti-whistling requirements in this corridor as part of this Environmental Assessment study;
- 5) That Gary McNeil, President of GO Transit, Robert Prichard, Chair of Metrolinx and Bill Fisch, Chair of Region of York be advised accordingly.

CARRIED

- (3) DECLARATION OF SURPLUS PROPERTY
PART LOT 6, PLAN 2196,
DESIGNATED PARTS 1 AND 2, PLAN 65R-34305 (8.5)

*Notices of Proposed Sale
Town of Markham
Proposed Sale of Surplus Real Property
(Pursuant to By-law 178-96)*

Moved by Deputy Mayor Jack Heath
Seconded by Councillor Don Hamilton

- 1) That the notice of proposed sale for the City owned lands legally described as follows be confirmed:
"Part of Lot 6, Plan 2196, designated as Parts 1 and 2, Plan 65R-34305,
City of Markham, Regional Municipality of York."
(By-law 2013-133)

CARRIED

- (4) MEETINGS REGARDING THORNHILL REVITALIZATION
(PUBLIC INFORMATION MEETING – JULY 9, 2013, 7:00 PM)
(SPECIAL COUNCIL MEETING – JULY 9, 2013, 8:00 PM) (10.0)

Council was advised of the following meetings:

A Public Information Meeting has been scheduled for July 9, 2013, 7:00 p.m., Council Chamber, regarding Thornhill Revitalization.

A Special Council Meeting has been scheduled for July 9, 2013, 8:00 p.m., Council Chamber, regarding Thornhill Revitalization.

(Councillor Valerie Burke abstained due to conflict)

Councillor Valerie Burke disclosed an interest and did not participate in the discussion of or vote on this matter.

Council consented to add this item to the Council In-camera Agenda for this date to obtain legal advice under the authority of The Municipal Act, Section 239 (2) (f).
(See In-camera Item No. 10 for Council's decision on this matter)

12. BY-LAWS

Moved by Regional Councillor Gord Landon

Seconded by Councillor Alan Ho

That By-laws 2013-121 to 2013-133 and 2013-135 to 2013-137 be given three readings and enacted.

Three Readings

BY-LAW 2013-121 FRONTIER GROUP OF COMPANIES INC., 11192 WOODBINE AVENUE, ZONING BY-LAW AMENDMENT – DELETING BY-LAW
- A by-law to amend 304-87, as amended, to delete the lands from By-law 304-87, as amended, so they may be incorporate into By-law 177-96, as amended, to permit business office use.

(Item No. 1, Report No. 30 – Approved by Council on June 17, 2013)

[By-law](#)

CARRIED

BY-LAW 2013-122 FRONTIER GROUP OF COMPANIES INC., 11192 WOODBINE AVENUE, ZONING BY-LAW AMENDMENT – IMPLEMENTING BY-LAW

- A by-law to amend By-law 177-96, as amended, to permit business office use.

(Item No. 1, Report No. 30 – Approved by Council on June 17, 2013)

[By-law](#)

CARRIED

BY-LAW 2013-123 LINDVEST PROPERTIES (CORNELL) LIMITED, SOUTH OF HIGHWAY 7, EAST OF 9TH LINE, ZONING BY-LAW AMENDMENT – DELETING BY-LAW

- A by-law to amend by-law 304-87, as amended, to delete the lands from by-law 304-87, as amended, so they may be incorporated into By-law 177-96, as amended, to permit a residential development.

(Item No. 2, Report No. 23 – Approved by Council on May 13, 2013)

[By-law](#)

CARRIED

BY-LAW 2013-124 LINDVEST PROPERTIES (CORNELL) LIMITED, SOUTH OF HIGHWAY 7, EAST OF 9TH LINE, ZONING BY-LAW AMENDMENT – IMPLEMENTING BY-LAW

- A by-law to amend by-law By-law 177-96, as amended, to permit a residential development.

(Item No. 2, Report No. 23 – Approved by Council on May 13, 2013)

[By-law](#)

CARRIED

BY-LAW 2013-125 A BY-LAW TO RENAME ARBORETUM DRIVE TO WILLIAM FORSTER ROAD

(Item No. 2, Report No. 32)

[By-law](#)

CARRIED

BY-LAW 2013-126 MACKENZIE BUILDERS AND DEVELOPERS LTD., SOUTHWEST CORNER OF MAJOR MACKENZIE DRIVE EAST AND MINGAY AVENUE, ZONING BY-LAW AMENDMENT – DELETING BY-LAW

- A by-law to amend By-law 304-87, as amended, to delete the lands from By-law 304-87, as amended, so they may be incorporated into By-law 177-96, as amended, to permit a residential development.

(Item No. 4, Report No. 32)

[By-law](#)

CARRIED

BY-LAW 2013-127 MACKENZIE BUILDERS AND DEVELOPERS LTD., SOUTHWEST CORNER OF MAJOR MACKENZIE DRIVE EAST AND MINGAY AVENUE, ZONING BY-LAW AMENDMENT – IMPLEMENTING BY-LAW

- A by-law to amend By-law 177-96, as amended, to permit a residential development.

(Item No. 4, Report No. 32)

[By-law](#)

CARRIED

BY-LAW 2013-128 GRANDFIELD HOMES (OAKFORD) LIMITED, BLOCK 226, PLAN 65M-3526 AND BLOCK 77, PLAN 65M-3559, WEST OF WOODBINE AVENUE AND NORTH OF 16TH AVENUE AND SOUTH OF MAJOR MACKENZIE DRIVE, ZONING BY-LAW AMENDMENT – IMPLEMENTING BY-LAW
- A by-law to amend By-law 177-96, as amended, to permit residential development and introduce site specific development standards.
(Item No. 6, Report No. 32)
[By-law](#)

CARRIED

BY-LAW 2013-129 8310 WOODBINE DEVELOPMENTS INC., 8310 WOODBINE AVENUE, ZONING BY-LAW AMENDMENT
- A by-law to amend By-law 165-80, as amended, to permit an office building.
(Item No. 1, Report No. 33)
[By-law](#)

CARRIED

BY-LAW 2013-130 UPPER UNIONVILLE INC., BLOCK 593, PLAN 65M-4325 AND BLOCK 100, PLAN 65M-3886, PART OF LOTS 16 & 17, CONCESSION 6, REMOVAL OF HOLDING (H) PROVISION
- A by-law to amended By-law 177-96, as amended, to permit the development of residential dwellings, west of The Bridle Walk and north of Wilfred Murison Avenue.
[By-law](#)

CARRIED

BY-LAW 2013-131 KYLEMORE COMMUNITIES (WEST VILLAGE) LTD., 9 AND 15 STOLLERY POND CRESCENT, ANGUS GLEN WEST VILLAGE, REMOVAL OF HOLDING (H) PROVISION
- A by-law to amend By-law 177-96, as amended, to permit the development of residential condominium.
[By-law](#)

CARRIED

BY-LAW 2013-132 EMERY THE ESSENTIAL LAND CORPORATION, 550 BUR OAK AVENUE, PART OF BLOCK 12, PLAN 65M-3632, REMOVAL OF HOLDING (H) PROVISION

- A by-law to amend By-law 177-96, as amended, to permit the development of residential condominium.

[By-law](#)

CARRIED

BY-LAW 2013-133 A BY-LAW TO DECLARE SURPLUS, A PORTION OF THE FORMER HELEN AVENUE TURNING CIRCLE, MORE PARTICULARLY DESCRIBED AS PART LOT 6, PLAN 2196, DESIGNATED PARTS 1 AND 2, PLAN 65R-34305.

[By-law](#)

CARRIED

BY-LAW 2013-135 APPOINTMENT OF INTEGRITY COMMISSIONER (ADR CHAMBERS INC.)

(Item No. 1, Report No. 34)

[By-law](#)

CARRIED

BY-LAW 2013-136 A BY-LAW TO REGULATE THE USE, ALTERATION, AND OCCUPANCY OF HIGHWAYS WITHIN THE CITY OF MARKHAM

(Item No. 6, Report No. 34)

[By-law](#)

CARRIED

BY-LAW 2013-137 2223156 ONTARIO INC. (GABRIELE GROUP OF COMPANIES), 150 BULLOCK DRIVE, ZONING BY-LAW AMENDMENT

- A by-law to amend By-law 1229, as amended, to allow additional uses on the subject property.

(Communication No. 53-2013)

[By-law](#)

CARRIED

Council consented to delete the words "...140 Bullock Drive..." and replace with the revised words "...150 Bullock Drive...".

13. IN-CAMERA ITEMS

Moved by Councillor Carolina Moretti

Seconded by Regional Councillor Joe Li

That, in accordance with Section 239 (2) of the Municipal Act, Council resolve into an in-camera session to discuss the following matters (7:59 p.m.):

COUNCIL – June 26, 2013

- (1) RESTRICTED IN-CAMERA COUNCIL MEETING MINUTES
- APRIL 30 AND MAY 1, 2013 (16.0)
[Section 239 (2) (d)]

GENERAL COMMITTEE- June 17, 2013

- (2) ADVICE THAT IS SUBJECT TO SOLICITOR-CLIENT PRIVILEGE,
INCLUDING COMMUNICATIONS NECESSARY FOR THAT PURPOSE
(MARKHAM SPORTS, ENTERTAINMENT AND CULTURAL CENTRE) (6.0)
[Section 239 (f)]

DEVELOPMENT SERVICES COMMITTEE- June 18, 2013

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

GENERAL COMMITTEE- June 24, 2013

- (4) PERSONAL MATTERS ABOUT AN IDENTIFIABLE INDIVIDUAL, INCLUDING
MUNICIPAL OR LOCAL BOARD EMPLOYEES. (BOARD/COMMITTEE
APPOINTMENT) (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)]

- (6) A PROPOSED OR PENDING ACQUISITION OR DISPOSITION OF LAND BY THE MUNICIPALITY OR LOCAL BOARD. (WARD 3) (6.0 and 8.6)
[Section 239 (2) (c)]
- (7) A PROPOSED OR PENDING ACQUISITION OR DISPOSITION OF LAND BY THE MUNICIPALITY OR LOCAL BOARD. (WARD 4) (8.6)
[Section 239 (2) (c)]

COUNCIL – June 26, 2013

- (8) A PROPOSED OR PENDING ACQUISITION OR DISPOSITION OF LAND BY THE MUNICIPALITY OR LOCAL BOARD (WARD 6) (8.0)
[Section 239 (2) (c)]
- (9) PERSONAL MATTERS ABOUT AN IDENTIFIABLE INDIVIDUAL, INCLUDING MUNICIPAL OR LOCAL BOARD EMPLOYEES. (MARKHAM SPORTS, ENTERTAINMENT & CULTURAL CENTRE) (6.0)
[Section 239 (2) (b)]
- (10) ADVICE THAT IS SUBJECT TO SOLICITOR-CLIENT PRIVILEGE, INCLUDING COMMUNICATIONS NECESSARY FOR THAT PURPOSE (THORNHILL REVITALIZATION) (10.0)
[Section 239 (2) (f)]

Moved by Councillor Carolina Moretti
Seconded by Councillor Don Hamilton

That Council rise from the in-camera session and report. (9:02 p.m.)

CARRIED

The items were reported out as follows:

- (1) RESTRICTED IN-CAMERA COUNCIL MEETING MINUTES
- APRIL 30 AND MAY 1, 2013 (16.0)

Moved by Councillor Alex Chiu

Seconded by Councillor Logan Kanapathi

- 1) That the Restricted In-camera Council meeting minutes dated April 30 and May 1, 2013, be confirmed.

CARRIED

- (2) ADVICE THAT IS SUBJECT TO SOLICITOR-CLIENT PRIVILEGE,
INCLUDING COMMUNICATIONS NECESSARY FOR THAT PURPOSE
(MARKHAM SPORTS, ENTERTAINMENT AND CULTURAL CENTRE) (6.0)

Moved by Regional Councillor Gord Landon

Seconded by Councillor Alan Ho

Whereas Council directed that a second opinion be sought from an outside legal source to provide advice on whether the City should release the records referenced in the motion presented at its meeting of February 12, 2013 to the Public; and,

Whereas Alex Cameron, a partner with the firm of Fasken Martineau and an expert on access to information and privacy issues, was retained by the City to provide this advice; and,

Whereas the second legal opinion, which is a privileged and confidential document, has been received by Markham Council; and,

Whereas the decision to release the records in question is currently under appeal to the Information and Privacy Commission of Ontario; and,

Now therefore be it resolved that:

The City of Markham reaffirms the position not to disclose any of the documents or background material related to the Markham Sports, Entertainment and Cultural Centre that were subject of a motion at the February 12, 2013 Council meeting, except in accordance with the Municipal Freedom of Information and Protection of Privacy Act.

CARRIED BY A RECORDED VOTE (11:2)

(See following recorded vote)

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

NAYS: Regional Councillor Joe Li, Regional Councillor Jim Jones. (2)

(3) CONFIDENTIAL REPORT
MINOR VARIANCE APPEAL
HANI AND LEILA FADALI
17 WILDROSE CRESCENT
A/06/13 (8.0)

Moved by Regional Councillor Jim Jones
Seconded by Councillor Don Hamilton

- 1) That the report titled "Confidential Report, Minor Variance Appeal, Hani and Leila Fadali, 17 Wildrose Crescent, A/06/13" be received; and,
- 2) That Council direct the City Solicitor and Staff not to attend the Ontario Municipal Board hearing in respect of the conditions imposed by the Committee of Adjustment on its approval of the application for minor variance respecting 17 Wildrose Crescent; and,
- 3) That a copy of this Council Resolution be forwarded to Metrolinx; and further,
- 4) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

(4) BOARD/COMMITTEE APPOINTMENT (16.24)

Moved by Councillor Alex Chiu

Seconded by Councillor Alan Ho

- 1) That the following appointment to the Main Street Unionville Committee be confirmed:

	Representation	Term End Date
Charles Deacon	Unionville Villagers Association	November 30, 2014

CARRIED

(5) BOARD/COMMITTEE RESIGNATION (16.24)

Moved by Councillor Carolina Moretti

Seconded by Councillor Valerie Burke

- 1) That the resignation of Ellakiya Sivapalan from the RBC Markham-Milliken Children's Festival Committee be received with regret for information purposes and that a letter of appreciation be forwarded by Mayor Frank Scarpitti.

CARRIED

(6) A PROPOSED OR PENDING ACQUISITION OR DISPOSITION OF LAND BY THE MUNICIPALITY OR LOCAL BOARD (WARD 3) (6.0 & 8.6)

Moved by Councillor Don Hamilton

Seconded by Regional Councillor Gord Landon

- 1) That staff be authorized to proceed as directed by Council on June 26, 2013 regarding a proposed or pending acquisition or disposition of land by the municipality or local board (Ward 3).

CARRIED BY A RECORDED VOTE (9:4)

(See following recorded vote)

YEAS: Councillor Howard Shore, Councillor Don Hamilton, Councillor Carolina Moretti, Mayor Frank Scarpitti, Deputy Mayor Jack Heath, Regional Councillor Gord Landon, Councillor Alan Ho, Councillor Logan Kanapathi, Councillor Alex Chiu. (9)

NAYS: Councillor Valerie Burke, Regional Councillor Joe Li, Regional Councillor Jim Jones, Councillor Colin Campbell. (4)

- (7) A PROPOSED OR PENDING ACQUISITION OR DISPOSITION OF LAND BY THE MUNICIPALITY OR LOCAL BOARD. (WARD 4) (8.6)

Moved by Councillor Carolina Moretti

Seconded by Regional Councillor Gord Landon

- 1) That staff be authorized to proceed as directed by Council on June 26, 2013 regarding a proposed or pending acquisition or disposition of land by the municipality or local board (Ward 4).

CARRIED BY A RECORDED VOTE (11:2)

(See following recorded vote)

YEAS: Councillor Howard Shore, Councillor Don Hamilton, Councillor Carolina Moretti, 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)

NAYS: Councillor Valerie Burke, Regional Councillor Joe Li. (2)

- (8) A PROPOSED OR PENDING ACQUISITION OR DISPOSITION OF LAND BY THE MUNICIPALITY OR LOCAL BOARD (Ward 6) (8.0)

Moved by Councillor Carolina Moretti

Seconded by Deputy Mayor Jack Heath

- 1) That staff be authorized to proceed as directed by Council on June 26, 2013 regarding a proposed or pending acquisition or disposition of land by the municipality or local board (Ward 6).

CARRIED

- (9) PERSONAL MATTERS ABOUT AN IDENTIFIABLE INDIVIDUAL, INCLUDING MUNICIPAL OR LOCAL BOARD EMPLOYEES. (MARKHAM SPORTS, ENTERTAINMENT & CULTURAL CENTRE) (6.0)

Moved by Councillor Alex Chiu

Seconded by Councillor Howard Shore

- 1) That staff be authorized to proceed as directed by Council on June 26, 2013 regarding a personal matter about an identifiable individual, including municipal or local board employees (Markham Sports, Entertainment & Cultural Centre).

CARRIED

- (10) ADVICE THAT IS SUBJECT TO SOLICITOR-CLIENT PRIVILEGE, INCLUDING COMMUNICATIONS NECESSARY FOR THAT PURPOSE (THORNHILL REVITALIZATION) (10.0)

Moved by Regional Councillor Jim Jones

Seconded by Councillor Don Hamilton

- 1) That the legal advice from the City Solicitor that is subject to solicitor-client privilege, including communications necessary for that purpose regarding Thornhill Revitalization be received.

CARRIED

(Councillor Valerie Burke abstained due to conflict)

Councillor Valerie Burke disclosed an interest and did not participate in the discussion of or vote on this matter.

Moved by Councillor Colin Campbell

Seconded by Councillor Howard Shore

- 2) That New/Other Business Item No. 4 providing information for the meetings being held on July 9, 2013 regarding Thornhill Revitalization be received.
(See New/Other Business Item No. 4 for more information)

CARRIED

(Councillor Valerie Burke abstained due to conflict)

Councillor Valerie Burke disclosed an interest and did not participate in the discussion of or vote on this matter.

14. CONFIRMATORY BY-LAW

Moved by Councillor Alex Chiu
Seconded by Councillor Alan Ho

That By-law 2013-134 be given three readings and enacted.

Three Readings

BY-LAW 2013-134 A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE COUNCIL
MEETING OF JUNE 26, 2013.

[By-law](#)

CARRIED

15. ADJOURNMENT

Moved by Councillor Alex Chiu
Seconded by Councillor Valerie Burke

That the Council Meeting be adjourned at 9:19 p.m.

CARRIED

KIMBERLEY KITTERINGHAM
CITY CLERK

(Signed)

FRANK SCARPITTI
MAYOR