



COUNCIL MINUTES

May 13, 2013, 7:00 p.m.

Council Chamber, Anthony Roman Markham Civic Centre

Meeting No. 11

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 Alan Ho, Councillor Logan Kanapathi, Councillor Alex Chiu.

REGRETS

Councillor Colin Campbell.

STAFF

Andy Taylor, Chief Administrative Officer
Lisa Riegel, Assistant City Solicitor
Andrea Wilson-Peebles, Assistant 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 Clerk
Stephen Huycke, Public Services & Records Coordinator
Alan Brown, Director of Engineering

The regular meeting of Council convened at 7:09 p.m. on May 13, 2013 in the Council Chamber. Mayor Frank Scarpitti presided.

1. DISCLOSURE OF PECUNIARY INTEREST

- (1) Councillor Valerie Burke disclosed an interest with respect to New/Other Business Item No. 1 regarding the Site Plan Application for Bell Mobility Inc. Telecommunications Tower at 7 Harlech Court, by nature of a family owned business in the Thornhill area, and did not take part in the discussion of, or vote on the question of the approval of this matter.

2. MINUTES**(1) COUNCIL MINUTES – APRIL 30 AND MAY 1, 2013**[Minutes](#)

Moved by Councillor Alex Chiu

Seconded by Councillor Valerie Burke

- 1) That the Minutes of the Council Meeting held on April 30 and May 1, 2013, be adopted.

CARRIED

3. PRESENTATIONS

There were no presentations.

4. DELEGATIONS**(1) DELEGATIONS REGARDING THE ITEM TITLED "CONTRACT EXTENSION (045-T-09) FOR CATHODIC PROTECTION OF IRON WATERMAINS" (7.12)**

Moved by Regional Councillor Gord Landon

Seconded by Councillor Logan Kanapathi

That the following delegations in opposition to the proposed item titled "Contract Extension (045-T-09) for Cathodic Protection of Iron Watermains" and in support of a competitive tendering process be received:

1. Richard Hoy, President, Global Cathodic Protection Inc.
 2. Laurie Belgrave Sookhoo, Galaxy Plastics Ltd.
 3. Rod Lane, Distribution Brunet
- (See Item No. 3, Report No 22 for Council's decision on this matter)

CARRIED

- (2) DELEGATIONS REGARDING THE MOTION TITLED
"THE CITY OF MARKHAM TO SUPPORT BILL 41
– PRESERVING EXISTING COMMUNITIES ACT" (13.0)

Moved by Regional Councillor Gord Landon
Seconded by Councillor Logan Kanapathi

That the following delegations in support of the proposed motion titled "The City of Markham to Support Bill 41 - Preserving Existing Communities Act" be received:

1. Karen Rea.
 2. Eileen Liasi.
- (See Motion Item No. 1 for Council's decision on this matter)

CARRIED

- (3) DELEGATION REGARDING THE ITEM TITLED
"RECOMMENDATION REPORT
FLATO TOWERS (SKS) INC.
SITE PLAN APPLICATION TO FACILITATE A
15 STOREY MIXED USE BUILDING AT 9582 HIGHWAY 48
(SC 12 124456)" (10.6)

Moved by Regional Councillor Gord Landon
Seconded by Councillor Logan Kanapathi

That the delegation of Donna Bush in support of the proposed item titled "Recommendation Report Flato Towers (SKS) Inc. Site Plan Application to Facilitate a 15 Storey Mixed Use Building at 9582 Highway 48 (SC 12 124456)" be received.
(See Item No. 4, Report No. 23 for Council's decision on this matter)

CARRIED

- (4) DELEGATION REGARDING THE MOTION TITLED
"CITY OF MARKHAM TO HOLD
COMMUNITY CONSULTATION ON
METROLINX FUNDING TOOLS" (5.0)

Moved by Regional Councillor Gord Landon
Seconded by Councillor Logan Kanapathi

That the delegation of Eileen Liasi in support of the proposed motion titled "City of Markham to Hold Community Consultation on Metrolinx Funding Tools" be received.
(See Motion Item No. 2 for Council's decision on this matter)

CARRIED

5. PETITIONS

There were no petitions.

6(A) REPORT NO. 22 - GENERAL COMMITTEE (May 6, 2013)

Moved by Councillor Carolina Moretti
Seconded by Councillor Valerie Burke

That Report No. 22 – General Committee comprised of 8 items be received and adopted.

- (1) POWERSTREAM DEFERRED INTEREST (7.0)
[Report](#)

- 1) That the City continue to defer \$7,573,868.14 of interest owed by PowerStream to the City of Markham, at a rate of 4.03%, until October 31, 2018; and,
- 2) That staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

(2) 2013 TAX RATES AND LEVY BY-LAW (7.3)

[Report](#)

- 1) That a by-law to provide for the levy and collection of property taxes totalling \$559,314,452 required by the City of Markham, Regional Municipality of York, Boards of Education and Business Improvement Areas in a form substantially similar to Appendix A (attached) and satisfactory to the City Solicitor and to provide for the mailing of notices requesting payment of taxes for the year 2013, as set out as follows, be approved;

City of Markham:	\$121,302,388
Region of York:	\$240,150,641
School Boards:	\$197,440,114
Old Markham BIA:	\$215,327
Unionville BIA:	\$205,982
Total	<hr/> \$559,314,452; and, <hr/>

- 2) That staff be authorized to levy against Markham Stouffville Hospital and Seneca College the annual levy pursuant to Section 323 of the *Municipal Act* as outlined in Section 9 of the attached bylaw once the required information is received from the Minister of Training, Colleges and Universities; and further,
- 3) That staff be authorized and directed to do all things necessary to give effect to this resolution.
(By-law 2013-58)

CARRIED

(3) CONTRACT EXTENSION (045-T-09)
FOR CATHODIC PROTECTION OF
IRON WATERMAINS (7.12)[Report](#) [Attachment](#)

- 1) That the report “Contract Extension (045-T-09) for Cathodic Protection of Iron Watermains” be received; and,
- 2) That contract 045-T-09 for Cathodic Protection of Iron Watermains be extended for a further one-year term from May 1, 2013 to April 30, 2014 to C.P. Systems (same itemized pricing as 2009) for an estimated annual amount of \$420,909 inclusive of HST; and,

- 3) That a contingency amount of \$42,090 inclusive of HST be established and that Director of Environment Services be authorized to approve expenditure of this contingency amount up to the specified limit in accordance with the Expenditure Control Policy; and,
- 4) That in accordance with Purchasing By-Law 2004-341, Part II, Section 7 (1)(c), Non-Competitive Procurement, whereby “When the extension of an existing contract would prove more cost-effective and beneficial”, the tendering process be waived; and,
- 5) That this project be funded from the Waterworks Department’s Capital Account 053 6150 13705 005 (2013) Cathodic Protection of Iron Watermains, as shown in the financial consideration section; and further,
- 6) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

(4) APPOINTMENT OF MEMBERS TO THE
SUB-COMMITTEE TO REVIEW UNIQUE
CATERER’S MENU (16.23 & 7.12)

- 1) That the following Members of Council be appointed to the Sub-Committee to Review Unique Caterer's Menu:
 - Regional Councillor Jim Jones
 - Councillor Valerie Burke
 - Councillor Carolina Moretti
 - Councillor Alex Chiu

CARRIED

(5) BADMINTON IN MARKHAM
BUILDING THE PAN AM LEGACY (6.0)
[Presentation](#)

- 1) That the presentation by Mr. Philip Chow, President of Markham Badminton Federation entitled “Badminton In Markham Building the Pan Am Legacy,” be received; and,
- 2) That Councillor Don Hamilton and Councillor Colin Campbell be appointed as the Council liaison representatives for the T02015 Pan Am Ops. Committee.

CARRIED

(6) STATUS UPDATE ON CAPITAL AND SUSTAINABLE
NEIGHBOURHOOD RETROFIT ACTION PLAN (SNAP)
PROJECTS IN THE DON RIVER WATERSHED (10.0)

[Report](#) [Attachment A](#) [Attachment B](#) [Attachment C](#)
[Letter from Bayview Glen Residents Association](#) [Memo](#)

- 1) That the staff report entitled “Status Update on Capital and Sustainable Neighbourhood Retrofit Action Plan (SNAP) projects in the Don River Watershed” be received; and,
- 2) That the Memorandum dated May 3, 2013 from Brenda Librecz, Commissioner of Community & Fire Services be received; and,
- 3) That Council approve elimination of Item # 7 from the May 11, 2010 Council resolution and direct staff to continue working with the TRCA and other relevant stakeholders to meet the overall objectives of the Don River Watershed Implementation Guide; and further,
- 4) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

(7) LAZENBY COURT & RODICK ROAD
PROPOSED PARKING PROHIBITION (2.17 & 5.12)

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

- 1) That the staff report entitled “Lazenby Court & Rodick Road Proposed Parking Prohibition”, be received; and,
- 2) That Schedule “C” of Parking By-law 2005-188, be amended by prohibiting parking on the east side of Lazenby Court, from 8am - 2pm, Sundays only, between the north property line of #3 Lazenby Court and the property line between #18 and #19 Lazenby Court; and,
- 3) That Schedule “C” of Parking By-law 2005-188, be amended by prohibiting parking at any time, on the east side of Rodick Road, between 16th Avenue to the north property line of #2141 Rodick Road; and,
- 4) That Schedule “C” of Parking By-law 2005-188, be amended by deleting Rodick Road, between the south property line of #2133 Rodick Road and the north property line of #2137 Rodick Road; and,

- 5) That the Operations Department be directed to install and maintain the appropriate regulatory signs at the subject locations; and,
- 6) That the cost of materials and installation for the traffic signs and pavement markings be funded from capital project # 11305 (Traffic Operational Improvements) in the amount of \$1,000; and,
- 7) That the Parking Control Department be directed to enforce the parking prohibition upon approval of the By-law amendment and installation of the regulatory signs; and further,
- 8) That staff be authorized and directed to do all things necessary to give effect to this resolution.
(By-law 2013-59)

CARRIED

(8) COMMUNITY AND ALLOTMENT
GARDEN PILOT PROJECTS (5.7)
[Presentation](#) [Report](#) [Correspondence](#)

- 1) That the correspondence from Rebecca Ratcliffe-Pound, Brissette and Celeste Gagnon Smale be received; and,
- 2) That the presentation by Katie Burns, Sustainability Coordinator entitled “Community and Allotment Garden Pilot Projects,” be received; and,
- 3) That the report titled Community and Allotment Garden Pilot Projects and dated April 9, 2013 be received; and,
- 4) That the Community and Allotment Garden Guiding Principles and draft Community and Allotment Garden Manual be endorsed to pilot in 2013; and,
- 5) That staff in the Sustainability Office be authorized to pilot the draft Community and Allotment Garden Manual with the residents of the Fairtree and Cornell communities; and,
- 6) That staff in the Sustainability Office be authorized to seek partners and sponsors for the Community and Allotment Garden pilot projects; and,

- 7) That \$25,000 will be funded from Project #9345 Greenprint Community Sustainability Plan (account#230-101-5399-9345) to support the development and implementation of new community and allotment gardens subject to the approvals outlined in the draft Community and Allotment Garden Manual; and,
- 8) That \$250,000 will be funded from Project#9350 Kirkham Drive Park – Two Soccer Fields (account#81-5350-9350-005) for the first phase basic community garden including walkways, parking and water and servicing subject to the approvals outlined in the draft Community and Allotment Garden Manual; and,
- 9) That staff in the Sustainability Office report back at the end of 2013 with a finalized Community and Allotment Garden Manual and a strategy for city-wide implementation; and further,
- 10) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

6(B) REPORT NO. 23 - DEVELOPMENT SERVICES COMMITTEE (May 7, 2013)

Moved by Regional Councillor Jim Jones

Seconded by Councillor Don Hamilton

That Report No. 23 – Development Services Committee comprised of 6 items be received and adopted.

- (1) MASTER PLAN AND STATUS UPDATE REPORT
APPLICATION BY CF/OT BUTTONVILLE PROPERTIES LP
FOR OFFICIAL PLAN AMENDMENT & NEW SECONDARY PLAN
FOR THE BUTTONVILLE AIRPORT LANDS
2833 16TH AVENUE, MARKHAM
CONC 3 PT LOTS 13-15
(OP 11 115381) (10.3, 10.4)

[Report](#)

- 1) That the report dated May 7, 2013, entitled “MASTER PLAN AND STATUS UPDATE REPORT”; Application by CF/OT Buttonville Properties LP for Official Plan Amendment & New Secondary Plan for the Buttonville Airport lands, 2833 16th Avenue, Markham, CONC 3 PT LOTS 13-15, File OP 11 115381” be received; and,
- 2) That the Record of the Public Meeting held on January 28, 2013, with respect to the application by CF/OT Buttonville Properties LP for an Official Plan Amendment & New Secondary Plan for the Buttonville Airport Redevelopment Area, and to consult stakeholders on the planning and design of the proposed Allstate Parkway and Renfrew Drive extensions north to 16th Avenue under the Municipal Class Environmental Assessment, 2011 be received; and,
- 3) That Council approve in principle, the vision and master plan for the Buttonville Airport Redevelopment Area; and,
- 4) That City Staff, in consultation with the Region of York, prepare the draft Official Plan Amendment and new Secondary Plan for the Buttonville Airport lands, upon the acceptance of the Traffic Impact Study (TIS) to the satisfaction of the Director of Engineering, Region of York and the Ministry of Transportation of Ontario; and,
- 5) That staff negotiate the execution of a Linkage Agreement between the City and the Owner in conjunction with the finalization of the Secondary Plan to ensure that an approximate job to residential population ratio of 3:1 is maintained, and that the residential component of the plan does not outpace the non residential component at any phase of the development; and,

- 6) That Staff report back to Development Services Committee on the Official Plan Amendment and Secondary Plan, including development phasing provisions in relation to land uses and required transportation capacity improvements; and further,
- 7) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

- (2) RECOMMENDATION REPORT
LINDVEST PROPERTIES (CORNELL) LIMITED
APPLICATION FOR ZONING BY-LAW AMENDMENT
TO PERMIT STACKED TOWNHOUSE DEVELOPMENTS
ON THREE PARCELS OF LAND AND THE REZONING OF
SINGLE AND SEMI-DETACHED RESIDENTIAL LOTS
SOUTH OF HIGHWAY 7, EAST OF NINTH LINE
CORNELL COMMUNITY
(ZA.11-115332 AND SC.12-115332) (10.5)
[Report](#)

- 1) That the correspondence and map from Shana Hajee, representing the residents on Maryterance Court in support of the application by Lindvest, be received; and,
- 2) That the staff report dated May 7, 2013, entitled “Recommendation Report, Lindvest Properties (Cornell) Limited, Applications for Zoning By-law Amendment to permit stacked townhouse developments on three parcels of land and the rezoning of single and semi-detached lots, South side of Highway 7, east of 9th Line, Cornell Community, File Numbers: ZA.11-115332 and SC.12-115332” be received; and,
- 3) That the record of the Public Meeting held on June 19, 2012, with respect to the proposed amendment to the Zoning By-law, be received; and,
- 4) That the application submitted by Lindvest Properties (Cornell) Limited to amend the Zoning By-law be approved and the draft implementing Zoning By-law Amendment attached as Appendix ‘B’ be finalized and enacted; and,
- 5) That, upon site plan approval, unrestricted servicing allocation for 250 (population 567.5) stacked townhouses and 1.5 single detached units (5.55 population) and 1 semi-detached unit (3.02 population) be granted to Block 6, Lot 1, 2 and part lot 7 from the total allocation for the Cornell Secondary Plan, assigned in accordance with the January 11, 2011 staff report on servicing allocation; and,

- 6) That the Town reserves the right to revoke or reallocate the servicing allocation should the development not proceed in a timely manner; and,
- 7) That the Region of York be advised of the servicing allocation for this development; and further,
- 8) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

- (3) RECOMMENDATION REPORT
UPPER UNIONVILLE INC.
SCHOOL BLOCK 593 AND LOTS 259 TO 264, INCLUSIVE, PLAN 65M- 4325
NORTH OF WILFRED MURISON AVENUE, WEST OF THE BRIDLE WALK
APPLICATION FOR DRAFT PLAN OF SUBDIVISION APPROVAL
(SU 12 118875) (10.7)

[Report](#)

- 1) That the report dated May 7, 2013 and entitled “RECOMMENDATION REPORT, Upper Unionville Inc., School Block 593 and Lots 259 to 264, inclusive, Plan 65M- 4325, North of Wilfred Murison Avenue, west of The Bridle Walk, Application for Draft Plan of Subdivision Approval, File No.: SU 12 118875”, be received; and,
- 2) That draft plan of subdivision 19TM-12013 submitted by Upper Unionville Inc., be draft approved subject to the conditions outlined in Appendix ‘A’; and,
- 3) That servicing allocation for a population of 185.6 persons (42 single detached units and 10 semi-detached units) be granted to plan of subdivision 19TM-12013 and Block 100, Plan 65M-3886 from the City of Markham 2011/2012 Servicing Allocation distribution; and,
- 4) That the City reserves the right to revoke or reallocate the servicing allocation should the development not proceed in a timely manner; and,
- 5) That the Region of York be advised of the servicing allocation for this development; and,
- 6) That the applicant provide to the City the 30% payment of the required subdivision processing fees in accordance with the City’s Fee By-law (By-law 211-83, as amended by By-law 2011-235); and further,

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

CARRIED

- (4) RECOMMENDATION REPORT
FLATO TOWERS (SKS) INC.
SITE PLAN APPLICATION TO FACILITATE A
15 STOREY MIXED USE BUILDING AT 9582 HIGHWAY 48
(SC 12 124456) (10.6)

[Report](#)

- 1) That the report dated May 7, 2013 titled “RECOMMENDATION REPORT, Flato Towers (SKS) Inc., Site plan application to facilitate a 15-storey mixed use building at 9582 Highway 48, File No: SC 12 124456,” be received; and,
- 2) That the Site Plan application (SC 12 124456) submitted by Flato Towers (SKS) Inc. to facilitate a 15-storey mixed use building at 9582 Highway 48 be endorsed in principle, subject to the conditions attached as Appendix ‘A’; and,
- 3) That Site Plan Approval (SC 12 124456) be delegated to the Director of Planning and Urban Design or his designate, with input and updates involving the Ward Councillor, to be issued following execution of a site plan agreement; and,
- 4) That site plan endorsement shall lapse after a period of three (3) years from the date of endorsement in the event that a site plan agreement is not executed within that period; and,
- 5) That pre-2011 servicing allocation for a population of 276.9 people (122 apartment units) be assigned to the proposed development with the additional servicing allocation for a population of 147.6 people (65 apartment units) to be obtained through the Region of York under their “Sustainable Development Through LEED” Program; and,
- 6) That prior to the Director of Planning and Urban Design approving the site plan, the applicant shall submit to the City final confirmation of the 35% (65 units) servicing allocation credits from the Region of York under their “Sustainable Development Through LEED” Program; and,
- 7) That the City reserves the right to revoke to revoke or reallocate servicing allocation should the development not proceed in a timely manner; and further,
- 8) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

(5) MARKHAM CIVIC AND BUSINESS MISSION
TO GERMANY, SEPTEMBER, 2013 (10.16)

[Report](#)

- 1) That the deputation by Donna Bush regarding Markham's business missions, be received; and,
- 2) That the report entitled "Markham Civic and Business Mission to Germany, September, 2013" be received; and,
- 3) That Markham participate in the City of Noerdlingen's "Historisches Stadtmauerfest" (Historic Wall Festival) taking place on September 6-8th; and,
- 4) That the City engage in a business and investment-focused program in Munich immediately following the visit to Noerdlingen; and,
- 5) That the City be represented by a three person delegation composed of Mayor Frank Scarpitti, Councillor Carolina Moretti, Chair of the Economic Development Committee, and one Economic Development professional staff, C. Kakaflikas (Manager Special Projects); and,
- 6) That the total cost of the "International Investment Attraction Program" not exceed \$34,000 and be funded from within the 2013 International Investment Attraction Operating Budget (account #610-9985811); and further,
- 7) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

(6) POLICY ON CONSTRUCTION OF
MUNICIPAL SERVICES FOR PRIVATE LANDOWNERS (5.0)

[Report](#)

- 1) That the May 7, 2013 report entitled "Policy on Construction of Municipal Services for Private Landowners", be received; and,
- 2) That Council adopt a policy to permit minor extension of municipal services for private landowners, at no cost to the City, within the City's urban boundary where the works cannot be undertaken under the Ontario *Municipal Act, 2001* (the "Act"); and,

- 3) That Council authorize the Mayor and Clerk to execute construction agreements with private landowners to give effect to the policy in Recommendation 2), in a form satisfactory to the Chief Administrative Officer and the City Solicitor and subject to the conditions outlined in this report and the corresponding report dated March 5, 2013 (Attachment '1'); and,
- 4) That Council authorize the Mayor and Clerk to execute a Construction Agreement with the landowner(s) of 6810-14th Avenue for the design, construction, and assumption of a municipal sanitary sewer on 14th Avenue, at no cost to the City, in a form satisfactory to the Chief Administrative Officer and the City Solicitor and subject to the conditions outlined in this report; and,
- 5) That staff be authorized to endeavour to collect from benefitting property owner(s), their share of the cost of infrastructure installed by upfronting property land owner(s), on the condition that the upfronting property owner(s) agree to save Markham harmless if Markham is not successful in collecting the contributions from benefitting property owner(s); 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. 24 - DEVELOPMENT SERVICES PUBLIC MEETING
(May 7, 2013)**

Moved by Regional Councillor Jim Jones
Seconded by Councillor Don Hamilton

That Report No. 24 – Development Services Public Meeting comprised of 2 items be received and adopted.

- (1) PRELIMINARY REPORT
2223156 ONTARIO INC.
(GABRIELE GROUP OF COMPANIES)
ZONING AMENDMENT TO PERMIT A
PRIVATE SCHOOL WITH A DAYCARE COMPONENT
AS AN ADDITIONAL USE ON THE SUBJECT PROPERTY
AND TO PERMIT A MINIMUM OF 245 PARKING SPACES
TO ACCOMMODATE THE PROPOSED AND EXISTING USES
(ZA 12-117562) (10.5)
[Report](#)

- 1) That the Development Services Commission report dated April 9, 2013 entitled “PRELIMINARY REPORT, 2223156 Ontario Inc. (Gabriele Group of Companies), Zoning Amendment to permit a private school with a daycare component as an additional use on the subject property and to permit a minimum of 245 parking spaces to accommodate the proposed and existing uses, File ZA 12-117562” be received; and,
- 2) That the record of the Public Meeting held on May 7, 2013, with respect to the proposed Zoning By-law Amendment by 2223156 Ontario Inc. (Gabriele Group of Companies) to permit a private school with a daycare component as an addition use on the subject property and to permit a reduction to onsite parking requirements, File ZA 12-117562 be received; and,
- 3) That the Zoning By-law Amendment application (ZA 12-117562) by 2223156 Ontario Inc. (Gabriele Group of Companies). to amend Zoning By-law 1229, as amended, be approved; and further,
- 4) That the proposed amendment to Zoning By-law 1229, as amended, be enacted without further notice.

CARRIED

- (2) PRELIMINARY REPORT
8 STEELCASE HOLDING CORPORATION
OFFICIAL PLAN AMENDMENT & ZONING AMENDMENT
TO PERMIT A REAL ESTATE OFFICE USE AT
8 STEELCASE ROAD WEST
(OP 13 130659 & ZA 13 130659) (10.3, 10.5)

Report

- 1) That the report titled “PRELIMINARY REPORT, 8 Steelcase Holding Corporation, Official Plan Amendment & Zoning Amendment to permit a real estate office use at 8 Steelcase Road West, File Nos. OP 13 130659 & ZA 13 130659”, dated April 9, 2013, be received; and,
- 2) That the Record of the Public Meeting held on May 7, 2013, with respect to the proposed Official Plan Amendment & Zoning Amendment to permit a real estate office use at 8 Steelcase Road West, File Nos. OP 13 130659 & ZA 13 130659, be received; and,
- 3) That the applications by Gatzios Planning & Development Consultants Inc., on behalf of 8 Steelcase Holding Corporation, to amend the Official Plan and City By-law 108-81, as amended, be approved; and,
- 4) That the proposed amendment to the Official Plan be adopted and forwarded to the Region of York for approval; and
- 5) That the proposed amendment to City By-law 108-81, as amended, be enacted without further notice; and,
- 6) That this By-law does not come into effect until after the 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.

(By-laws 2013-62 and 2013-63)

CARRIED

(See following amendments)

Council consented to revise the proposed recommendation to allow for the Official Plan Amendment to be sent to the Region of York for approval, prior to discussion on the matter.

7. MOTIONS

- (1) THE CITY OF MARKHAM TO SUPPORT BILL 41
– PRESERVING EXISTING COMMUNITIES ACT (13.0)

Jim Baird, Commissioner of Development Services, provided a brief outline of the purpose of Bill 41 for clarification of Members of Council. Andrea Wilson-Peebles, Assistant City Solicitor, provided further clarification on the requirements of the municipality should Bill 41 be passed by the Province.

Discussion on the matter ensued.

Moved by Councillor Howard Shore
Seconded by Councillor Don Hamilton

Whereas municipalities are required to approve Official Plans containing the goals, objectives and policies established primarily to manage and direct physical change and the effects on the social, economic and natural environment of the municipality or part of it; and,

Whereas municipalities rely on these plans when determining the allocation of capital investment within the community to provide infrastructure to service future growth according to those plans; and,

Whereas the introduction of intensification in areas not identified for such purposes in the Official Plan may require changes to long term infrastructure planning at additional costs to the municipality and subtract from, and limit a municipalities' ability to implement the policies of that plan; and,

Whereas the Planning Act treats appeals of municipal planning decisions to the OMB as de novo hearings and allows the OMB to substitute its decisions for those taken by democratically elected municipal councils; and,

Whereas it is manifestly undemocratic for an appointed board such as the OMB to substitute its opinions for the considered judgment of elected councillors and professional city staff on matters affecting municipalities; and,

Whereas municipal councillors make determinations on issues of planning based on direct and personal knowledge of the community, its challenges, potential and opportunities that are not restricted to the boundaries of the Planning Act, such as strategic plans, including Markham's Growth Alternative to 2031; and,

Whereas Bill 41, "Preserving Existing Communities Act, 2013" is currently before the Provincial Legislature; and,

Whereas Bill 41 proposed to amend the Places to Grow Act, 2005 to provide that certain municipal decisions rejecting development proposals that would involve intensification in areas designated Stable Residential or Parks and Open Space not be subject to appeal to the Ontario Municipal Board; and,

Now therefore be it resolved:

- 1) That the Province of Ontario be advised that the City of Markham support the principles of Bill 41; and,
- 2) That the Province of Ontario be requested to ensure that where the municipality has an Official Plan, approved by the Province which conforms with the requirements of the Province's Places to Grow Act, that where a development application is submitted to the municipality requesting an Official Plan amendment to enable development within areas designated Stable Residential or Parks and Open Space, which Council deems not in conformity with its Official Plan, the development application shall have no right of appeal to the Ontario Municipal Board and the decision of Council shall be final; and,
- 3) That, despite subsection 22(7) of the Planning Act, there be no appeal permitted in respect of the official plan policies of a municipality or a planning board, adopted to conform to the growth management population, intensification and employment targets and policies as set out in the Provincial Growth Plan for the Greater Golden Horseshoe area and related regulations and Provincial policies; and further,
- 4) That copies of this Resolution be sent to the Minister of Municipal Affairs and Housing, all local members of Provincial Parliament, GTA municipalities, registered ratepayer associations in the City of Markham, Markham Action Group for Improved Community, the Large Urban Mayors Caucus of Ontario (LUMCO) and the Association of Municipalities of Ontario (AMO).

CARRIED BY A RECORDED VOTE (10:2)

(See following recorded vote)

(See following amendments)

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 Alan Ho. (10)

NAYS: Councillor Logan Kanapathi, Councillor Alex Chiu. (2)

ABSENT: Councillor Colin Campbell.

Council consented to delete the following paragraphs, prior to the discussion on the matter:

"Whereas Bill 41 proposes to amend the Places to Grow Act, 2005 to provide that certain municipal decisions rejecting development proposals that would involve intensification in the plan not be subject to appeal to the Ontario Municipal Board; and,

- 2) That the Province of Ontario be requested to ensure that where the municipality has an Official Plan, approved by the Province which conforms with the requirements of the Province's Places to Grow Act, that where a development application is submitted to the municipality requesting an Official Plan amendment to enable development, which Council deems not in conformity with its Official Plan, the development application shall have no right of appeal to the Ontario Municipal Board and the decision of Council shall be final;"

and replaced with the following revised proposed paragraph (revisions are underlined):

"Whereas Bill 41 proposed to amend the Places to Grow Act, 2005 to provide that certain municipal decisions rejecting development proposals that would involve intensification in areas designated Stable Residential or Parks and Open Space not be subject to appeal to the Ontario Municipal Board.

- 2) That the Province of Ontario be requested to ensure that where the municipality has an Official Plan, approved by the Province which conforms with the requirements of the Province's Places to Grow Act, that where a development application is submitted to the municipality requesting an Official Plan amendment to enable development within areas designated Stable Residential or Parks and Open Space, which Council deems not in conformity with its Official Plan, the development application shall have no right of appeal to the Ontario Municipal Board and the decision of Council shall be final;"

Note: The notice for this motion was given to Council at its meeting held on April 30 and May 1, 2013.

(2) CITY OF MARKHAM TO HOLD
COMMUNITY CONSULTATION ON
METROLINX FUNDING TOOLS (5.0)

[Memo](#) [AttA](#) [AttB](#)

Alan Brown, Director of Engineering, provided a brief clarification on the process and recommendation as outlined in the staff memo.

Discussion on the matter ensued.

Moved by Councillor Howard Shore

Seconded by Deputy Mayor Jack Heath

- 1) That the staff update memo dated May 13, 2013 on the Metrolinx Funding Strategy be received; and,
- 2) That Council not endorse any specific funding options until such time as the funding strategy is released on May 27, 2013 and Metrolinx provides further details including cost impact on residents and businesses, and a full review of revenue and expenditure options; and,
- 3) That Metrolinx arrange work sessions with Regions/Municipalities and additional public consultation sessions to review their draft Funding Strategy; and further,
- 4) That Staff report back to Development Services Committee as soon as possible with comments on Metrolinx's Funding Strategy.

CARRIED

(See following amendments)

(See following motion which was withdrawn)

Council consented to revise the proposed Resolution No. 4 from "...this fall..." to "...as soon as possible...", prior to discussion on the matter.

The following motion which was given to Council at its meeting held on April 30 and May 1, 2013 was withdrawn with the consent of the mover and seconder:

"Moved by Councillor Howard Shore

Seconded by Deputy Mayor Jack Heath

Whereas Metrolinx is the provincial agency responsible for coordinating, and integrating all modes of transportation in the Greater Toronto and Hamilton Area (GTHA); and,

Whereas on June 1, 2013, Metrolinx is required to submit its transportation investment strategy, including proposals for revenue generation tools to fund its \$34 billion "next wave" capital projects, to the Province and municipal councils. Combined with its first phase of investment of \$16 billion, a total of \$50 billion will be spent to address transportation related congestion expected to result from the additional population growth anticipated in the GTHA over the next two decades; and,

Whereas on April 2, 2013 Metrolinx released a 'short list' of proposed investment funding tools for consultation that will help decide how transit expansion is funded in the years ahead; and,

Whereas Metrolinx is developing an investment strategy to help finance The Big Move and the next wave of projects including the Downtown Relief Line, and the Yonge Subway Extension into York Region, and major changes to the GO Transit rail network, municipal transit projects, roads and highways and green transportation options, such as cycling and walking; and,

Whereas the delivery of The Big Move is critical to the City of Markham's ability to accommodate the Provincial Growth Plan in accordance with its growth management strategy known as Markham's Growth Alternative to 2031 and the resulting increase in transportation demand; and,

Whereas Markham's Transportation Strategic Plan builds on Metrolinx's The Big Move, indicating that a sustainable transportation system to accommodate growth is contingent on planned rapid transit improvements and behaviour shifts and that Markham's proposed approach is to tie development levels in growth areas to transit infrastructure and modal shares; and,

Whereas Markham's Transportation Strategic Plan concluded that all stakeholders, including the public, need to be part of the solution; and,

Now therefore be it resolved:

- 1) That the City of Markham provide for a Special General Committee evening meeting to allow for community input and consultation; and,
- 2) That the City of Markham hold a Special Meeting of Council no later than May 22, 2013 to formally express its preferred funding tools to Metrolinx prior to its Board of Directors meeting on May 28, 2013.

WITHDRAWN"

8. NOTICES OF MOTIONS

There were no notices of motions.

9. COMMUNICATIONS

Moved by Councillor Alex Chiu

Seconded by Councillor Carolina Moretti

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

Received

31-2013 ONTARIO MUNICIPAL BOARD (OMB) DECISION – FRANGIAN HOLDINGS LIMITED, 7089 YONGE STREET, 11 AND 15 GRANDVIEW AVENUE (13.13)

[Decisions](#)

Summary from the City Solicitor:

On April 12, 2013 the OMB issued a decision regarding the settlement for the Frangian Holdings Limited appeal at 7089 Yonge Street and 11 & 15 Grandview Avenue. The appellant appealed from Council's refusal to approve official plan and zoning by-law amendments to permit a 21 storey tower, including 17 residential storeys on top of a 4 storey retail/office mixed use podium, and 8 townhouse units. Following settlement discussions, the City and the appellant sought the OMB's approval of differently configured 21 storey tower and a strata park over the lands previously proposed to be developed with the 8 townhouse units.

In addition to the City and the appellant, the other parties to the appeal were Liberty (World on Yonge) and Mr. F. Riazzi for 2272897 Ontario Inc (the Kia dealership at 7079 Yonge Street). There were also 2 participants who made statements to the OMB regarding the need for the Yonge subway extension prior to the approval of further development on Yonge Street.

Mr. Riazzi indicated that he intended to object to the settlement but neither his lawyer nor his planner were in attendance at the hearing to present arguments or evidence against the settlement. Furthermore, Mr. Riazzi did not notify the OMB or the other parties that he intended to oppose the application, prior to his statement to the OMB. The Board's procedural order required the appellant to give notice of the settlement 15 days before the hearing, and required any party that intended to object, to be prepared to do so on the April 5th hearing date. The Board dismissed his request to put the matter over to a hearing in July.

Legal counsel for Liberty indicated to the Board member that his client was concerned about being repaid for front-ending the Dudley sewer extension, but that the City and the appellant had satisfied these concerns. Liberty's representative explained that the proposed zoning by-law amendment included a hold symbol which required execution of a site plan agreement as a condition of lifting the hold, and that therefore Liberty had no further objections.

The Board member considered the evidence from the appellant's planner in support of the development, and approved the official plan amendment and zoning by-law amendment presented by the City and appellant.
(See By-laws 2013-55 and 2013-56 approved by OMB)

CARRIED

Referred to all Members of Council

32-2013 ROAD CLOSURE REQUEST – MAIN STREET MARKHAM FARMERS' MARKET AND SCIENCE RENDEZVOUS (3.5)

[Info](#)

The following road will be closed each Saturday from May 18 to September 28, 2013 between 6:00 a.m. and 2:00 p.m. to facilitate the event:

- Robinson Street.

Note: Science Rendezvous was held on May 11, 2013 from 6:00 a.m. to 4:00 p.m.

CARRIED

33-2013 ROAD CLOSURE REQUEST – 5K COLOUR VIBE (3.5)

[Info](#)

The following roads will be closed on July 27, 2013 from 6:30 a.m. to 12:30 p.m. to facilitate the event:

- Elgin Mills east of McCowan Ave to west of Hwy 48.

Alternate route:

- 19th Concession (north of Elgin Mills)

- Major MacKenzie Drive (south of Elgin Mills)

CARRIED

- 34-2013 LIQUOR LICENCE APPLICATION FOR ARTISAN SOUTHSIDE BISTRO AND BAR, 6061 HIGHWAY #7 EAST, SUITE F (WARD 7) (3.21)

[Info](#)

- Forwarding a request for the City of Markham to complete the Municipal Information Form.
(Expansion of existing liquor licence for outdoor areas).

CARRIED

- 35-2013 SPECIAL OCCASION LIQUOR PERMIT APPLICATION – UNIONVILLE FESTIVAL (3.21) (WARD 3)

[Info](#)

- Requesting an approval from the City of Markham to designate the "Unionville Festival" being held on June 1 and 2, 2013 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 Unionville Festival Committee for the application of a Special Occasion Liquor Permit to be utilized on June 1, 2013 from 12:00 noon to 8:00 p.m., at Crosby Memorial Community Centre, 210 Main Street Unionville.

CARRIED

- 36-2013 LIQUOR LICENCE APPLICATION FOR YAMAMOTO JAPANESE CUISINE, 7131 KENNEDY ROAD, UNIT E1 (WARD 8) (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 and outdoor areas previously licenced).

CARRIED

- 37-2013 ROAD CLOSURE REQUEST – ROYALTY AUTO SPA (3.5)

[Info](#)

The following roads will be closed on May 26, 2013 from 8:00 a.m. to 5:00 p.m. to facilitate the event:

- 160 to 268 Don Park Road.

CARRIED

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

No attachment

Moved by Councillor Alex Chiu

Seconded by Regional Councillor Gord Landon

- 1) That the following proclamations issued by the City Clerk in accordance with the City of Markham Proclamation Policy be received for information purposes:
 - Jumpstart Day (May 25, 2013)
 - Pride Week (June 15 to 23, 2013)
 - Markham Fair Week (September 30 to October 6, 2013)
 - English as a Second Language Week (October 20 to 26, 2013); and,
- 2) That the following requests for flag to be raised at the Anthony Roman Markham Civic Centre flagpole approved by the City Clerk in accordance with the City of Markham Community Flag Raisings & Flag Protocol Policy be received for information purposes:
 - Armenian Flag (May 28, 2013)
 - Pride Week Rainbow Flag (June 15 to 23, 2013).

CARRIED

11. NEW/OTHER BUSINESS

- (1) UPDATE RECOMMENDATION REPORT TO
DEVELOPMENT SERVICES COMMITTEE
APPLICATION FOR SITE PLAN APPROVAL BY
BELL MOBILITY INC. TO PERMIT A 40 METRE HIGH FLUSHMOUNT
STYLE TELECOMMUNICATIONS TOWER WITHIN A 48 M² FENCED
COMPOUND AT 7 HARLECH COURT
(SC 11 129769) (10.6)
[Report](#) [DraftLetter](#)

Discussion on the matter ensued.

Moved by Councillor Howard Shore

Seconded by Councillor Carolina Moretti

- 1) That the written submissions from 96 residents and the research document submitted by Councillor Howard Shore to the May 7, 2013 Development Services Committee regarding the proposed Bell Mobility Inc. Telecommunications Tower at 7 Harlech Court, be received; and,
- 2) That the depositions to the May 7, 2013 Development Services Committee by Brian Gordon in support, and Arthur Donin in opposition, regarding the proposed Bell Mobility Inc. Telecommunications Tower at 7 Harlech Court, be received; and,
- 3) That the report dated May 7, 2013, entitled "Update Recommendation Report to Development Services Committee, Application for Site Plan Approval by Bell Mobility Inc. to permit a 40 metre high flushmount style telecommunications tower within a 48 m² fenced compound at 7 Harlech Court, File SC 11 129769" and the draft Letter of Non-concurrence to Industry Canada dated May 13, 2013, be received; and,
- 4) That the Site Plan Application submitted by Bell Mobility Inc. to permit a 40 metre high flushmount style telecommunications tower within a 48 m² fenced compound at 7 Harlech Court, File SC 11 129769, be denied; and,
- 5) That the Mayor be directed to issue a Letter of Non-concurrence to Industry Canada requesting that Industry Canada not approve the proposed tower at 7 Harlech Court, as it is inconsistent with the recently endorsed study for revitalization of this area;

- 6) That Markham explore the use of alternatives to cell phone towers (such as Distributed Antenna Systems) in conjunction with the telecommunications industry; 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 (11:0)

(Councillor Valerie Burke abstained due to conflict)

(See following recorded vote)

(See following amendments)

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

YEAS: 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 Alan Ho, Councillor Logan Kanapathi, Councillor Alex Chiu. (11)

ABSENT: Councillor Colin Campbell. (1)

CONFLICT: Councillor Valerie Burke. (1)

Council consented to add the following paragraph to the proposed recommendation, prior to discussion on the matter:

"That the Site Plan Application submitted by Bell Mobility Inc. to permit a 40 metre high flushmount style telecommunications tower within a 48 m² fenced compound at 7 Harlech Court, File SC 11 129769, be denied;"

12. BY-LAWS

That By-laws 2013-57 to 2013-60 and 2013-62 to 2013-67 be given three readings and enacted.

Moved by Councillor Logan Kanapathi

Seconded by Regional Councillor Gord Landon

That By-laws 2013-57 to 2013-60 be given three readings and enacted.

Ontario Municipal Board (OMB) Approved By-laws

BY-LAW 2013-55 A BY-LAW TO ASSIGN OFFICIAL PLAN AMENDMENT NO. 208 APPROVED BY ONTARIO MUNICIPAL BOARD (OMB), FRANGIAN HOLDINGS LIMITED, 7089 YONGE STREET, 11 AND 15 GRANDVIEW AVENUE.

[OP](#)

(See Communication No. 31-2013)

(By-law 2013-58 approved by OMB - For information only to facilitate the assignment of a by-law number)

BY-LAW 2013-56 A BY-LAW TO AMEND BY-LAW 2237, AS AMENDED, AMENDMENT APPROVED BY ONTARIO MUNICIPAL BOARD (OMB), FRANGIAN HOLDINGS LIMITED, 7089 YONGE STREET, 11 AND 15 GRANDVIEW AVENUE.

[By-law](#)

(See Communication No. 31-2013)

(By-law 2013-59 approved by OMB - For information only to facilitate the assignment of a by-law number)

Three Readings

BY-LAW 2013-57 A BY-LAW TO DESIGNATE A PROPERTY AS BEING OF CULTURAL HERITAGE VALUE OR INTEREST – JOHN KOCH FARMHOUSE, 12 HERITAGE CORNERS LANE

[By-law](#)

CARRIED

BY-LAW 2013-58 2013 TAX RATES AND LEVY BY-LAW

By-law

- A by-law to provide for the levy and collection of sums required by The Corporation of the City of Markham for the year 2013 and to provide for the mailing of notices demanding payment of taxes for the year 2013.
(Item No. 2, Report No. 22)

CARRIED

BY-LAW 2013-59 LAZENBY COURT & RODICK ROAD PARKING PROHIBITION

By-law

- A by-law to amend Parking By-law 2005-188.
(Item No. 7, Report No. 22)

CARRIED

BY-LAW 2013-60 ROAD DEDICATION BY-LAW

By-law

- A by-law to dedicate certain lands as part of the highways of the Town of Markham (Part of Block 300, Plan 65M-3364, designated as Part 1, Plan 65R-33971 and Part of Block 301, Plan 65M-3364, designated as Part 2, Plan 65R-33971 - Holst Avenue).

CARRIED

BY-LAW 2013-62 8 STEELCASE HOLDING CORPORATION, 8 STEELCASE ROAD WEST, OFFICIAL PLAN AMENDMENT

OP

- A by-law to adopt Official Plan Amendment No. 209 to permit a real estate office use.
(Item No. 1, Report No. 24)

CARRIED

BY-LAW 2013-63 8 STEELCASE HOLDING CORPORATION, 8 STEELCASE ROAD WEST, IMPLEMENTING BY-LAW

By-law

- A by-law to amend By-law 108-81, as amended, to permit a real estate office use.

(Item No. 1, Report No. 24)

CARRIED

BY-LAW 2013-64 MARKHAM SUITES NOMINEE INC., 8500 WARDEN AVENUE, MARKHAM CENTRE, DELETING BY-LAW

By-law

- A by-law to amend By-law 165-80, as amended, to delete the subject lands from the designated area of By-law 165-80, as amended, so that they may be incorporated into By-law 2004-196, as amended, to permit the conversion of the long-term stay wing of the hotel (the lower building adjoining Warden Avenue with an overhead connection to the main hotel building) to residential use.

(Item No. 6, Report No. 21)

CARRIED

BY-LAW 2013-65 MARKHAM SUITES NOMINEE INC., 8500 WARDEN AVENUE, MARKHAM CENTRE, IMPLEMENTING BY-LAW

By-law

- A by-law to amend By-law 2004-196, as amended, to permit the conversion of the long-term stay wing of the hotel (the lower building adjoining Warden Avenue with an overhead connection to the main hotel building) to residential use.

(Item No. 6, Report No. 21)

CARRIED

BY-LAW 2013-66 MARKHAM SUITES NOMINEE INC., 8500 WARDEN AVENUE, MARKHAM CENTRE, DELETING BY-LAW

By-law

- A by-law to amend By-law 165-80, as amended, to delete the subject lands from the designated area of By-law 165-80, as amended, so that they may be incorporated into By-law 2004-196, as amended, to permit the construction of a 475 unit condominium apartment building(s) in the south portion of the property between the main hotel and Clegg Road.

(Item No. 6, Report No. 21)

CARRIED

BY-LAW 2013-67 MARKHAM SUITES NOMINEE INC., 8500 WARDEN AVENUE,
MARKHAM CENTRE, IMPLEMENTING BY-LAW
By-law

- A by-law to amend By-law 2004-196, as amended, to permit the construction of a 475 unit condominium apartment building(s) in the south portion of the property between the main hotel and Clegg Road.

CARRIED

13. IN-CAMERA ITEMS

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

- (1) MINUTES OF IN-CAMERA COUNCIL MEETING
- APRIL 30 AND MAY 1, 2013
[Section 239 (2) (a) (b) (c) (d) (e) (f)]

DEVELOPMENT SERVICES COMMITTEE- May 7, 2013

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

CARRIED

The items were reported out as follows:

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

Moved by Regional Councillor Jim Jones

Seconded by Councillor Don Hamilton

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

CARRIED

- (2) CONFIDENTIAL REPORT
CONSENT TO SEVER APPEAL
229 AND 231 CARLTON ROAD
I & J BERTA CONSTRUCTION LIMITED
B/47/12 AND B/48/12 (8.0)

Moved by Regional Councillor Jim Jones

Seconded by Councillor Don Hamilton

- 1) That the report titled "CONFIDENTIAL REPORT, Consent to Sever Appeal, 229 and 231 Carlton Road, I & J Berta Construction Limited, B/47/12 and B/48/12" be received; and,
- 2) That Council direct staff not to attend the Ontario Municipal Board (OMB) Hearing regarding the decision of the Committee of Adjustment to approve a Consent to Sever application to create two new lots from two existing lots located at 229 and 231 Carlton Road; and further,
- 3) That staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

- (3) OMB REFERRAL SUBMITTED TO THE
MINISTRY OF MUNICIPAL AFFAIRS AND HOUSING
AIRD & BERLIS LLP, ON BEHALF OF
NORTH MARKHAM LANDOWNER'S GROUP
PROPOSAL TO REVOKE MINISTER'S ZONING ORDER
ONTARIO REGULATION 104/72 (AIRPORT FREEZE)
ON NINE PROPERTIES WITHIN THE CITY OF MARKHAM
(ZA 12 126313) (10.5, 8.0)

Moved by Regional Councillor Jim Jones

Seconded by Councillor Don Hamilton

- 1) That the report dated May 7, 2013, titled "CONFIDENTIAL REPORT, OMB Referral submitted to the Ministry of Municipal Affairs and Housing by Aird & Berlis LLP, on behalf of North Markham Landowners Group, Proposal to Revoke Minister's Zoning Order, Ontario Regulation 104/72 (Airport Freeze) on Nine Properties within the City of Markham, File No. ZA 12 126313", be received; and,
- 2) That Council direct staff not to attend the Ontario Municipal Board (OMB) Hearing regarding the OMB referral, submitted to the Ministry of Municipal Affairs and Housing by Aird & Berlis LLP, on behalf of North Markham Landowners Group; and,
- 3) That a copy of the Council resolution of March 6, 2013 with respect to this matter, together with the related staff Recommendation Report, be forwarded to the OMB; 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 Valerie Burke

That By-law 2013-61 be given three readings and enacted.

Three Readings

BY-LAW 2013-61 A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE COUNCIL
MEETING OF MAY 13, 2013.

By-law

CARRIED

15. ADJOURNMENT

Moved by Councillor Alex Chiu

Seconded by Councillor Alan Ho

That the Council Meeting be adjourned at 9:03 p.m.

CARRIED

KIMBERLEY KITTERINGHAM
CITY CLERK

(Signed)

FRANK SCARPITTI
MAYOR