



## **COUNCIL MINUTES**

**March 19, 2013, 7:00 p.m.**

Council Chamber, Anthony Roman Markham Civic Centre

Meeting No. 8

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**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 Alex Chiu.

### **REGRETS**

Councillor Logan Kanapathi

### **STAFF**

Andy Taylor, Chief Administrative Officer

Catherine Conrad, City Solicitor

Jim Baird, Commissioner of Development Services

Brenda Librecz, Commissioner of Community and Fire Services

Trinela Cane, Commissioner of Corporate Services

Joel Lustig, Treasurer

John Wong, Technology Support Specialist

Dennis Flaherty, Director of Corporate Communications

Martha Pettit, Acting City Clerk

Stephen Huycke, Acting Deputy Clerk

The regular meeting of Council convened at 7:14 p.m. on March 19, 2013 in the Council Chamber. Mayor Frank Scarpitti presided.

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

- (1) Councillor Valerie Burke disclosed an interest with respect to Item 4, Report No. 14 regarding Thornhill Revitalization Area Land Use Study, by nature of a family owned business in the 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 – MARCH 6, 2013

#### [Minutes](#)

Moved by Deputy Mayor Jack Heath

Seconded by Councillor Alex Chiu

- 1) That the Minutes of the Council Meeting held on March 6, 2013, be adopted.

**CARRIED**

## 3. PRESENTATIONS

There were no presentations.

## 4. DELEGATIONS

### (1) MORTEZA JAFARI (3.4)

#### [Proclamation](#)

- Addressed Council regarding the proclamation of Persian New Year (Nowruz). He highlighted some of the festivities and Councillor Howard Shore read out the proclamation.

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

### (2) MARION MATTHIAS (9.2 AND 9.0)

- Addressed Council regarding the City of Markham Ward Boundary Review and Federal Electoral Districts Proposal for the Province of Ontario. She spoke in opposition to the proposed recommendation for the City of Markham Ward Boundary Review and in support of re-naming the ridings outlined in proposed recommendation for the Federal Electoral Districts Proposal for the Province of Ontario.

(See Item No. 1, Report No. 12 and

Item No. 1, Report No. 13 for Council's decision on these matters)

### (3) EVELIN ELLISON (9.2)

- Addressed Council regarding the City of Markham Ward Boundary Review and spoke in opposition to the proposed recommendation.

(See Item No. 1, Report No. 12 for Council's decision on this matter)

- (4) DELEGATIONS REGARDING  
SITE PLAN CONTROL APPROVAL  
AND COMMUNITY DESIGN GUIDELINES FOR  
THE HUGHSON DRIVE COMMUNITY (HUGHSON DRIVE,  
LUNAR DRIVE, ANKARA COURT, POLARIS DRIVE AND  
ATHENS DRIVE [WEST END])  
(SD 10 110091) (10.0, 10.7)

Moved by Councillor Alan Ho

Seconded by Regional Councillor Gord Landon

- 1) That the following delegation in objection to the proposed Site Plan Control Approval and Community Design Guidelines for the Hughson Drive Community be received:
1. Christopher Zadel (on behalf of his grandmother Maria Murgaski)
  2. Helen Antonopoulos
  3. Connie Stephenson
  4. Ted Wootton
  5. Josephine Ho Lung
  6. Edith Wootton
  7. Jeremy Tio
  8. Sophie Vretos
  9. Shang-Hung Pan
  10. John Vretos
  11. Rosemary Torelli
  12. Jenny Tsilfidis
  13. Danny Chu
  14. Qiang Zhu (not in attendance when called)
  15. Andrew Wu

(See Item No. 5, Report No. 14 for Council's decision on this matter)

**CARRIED**

- (5) KAREN REA (9.2)  
- Addressed Council regarding the City of Markham Ward Boundary Review and enquired about the boundary for Main Street Markham.

(See following to hear the delegation)

Moved by Councillor Don Hamilton  
Seconded by Councillor Carolina Moretti

That Council suspend the rules of procedure to hear an additional delegation from Karen Rea regarding the City of Markham Ward Boundary Review.  
(See Item No. 1, Report No. 12 for Council's decision on this matter)

**CARRIED**

(2/3 Vote was requested & obtained)

## 5. PETITIONS

- (1) PETITION REGARDING  
SITE PLAN CONTROL APPROVAL  
AND COMMUNITY DESIGN GUIDELINES FOR  
THE HUGHSON DRIVE COMMUNITY (HUGHSON DRIVE,  
LUNAR DRIVE, ANKARA COURT, POLARIS DRIVE AND  
ATHENS DRIVE [WEST END])  
(SD 10 110091) (10.0, 10.7)

[Petition](#)

Moved by Councillor Alan Ho  
Seconded by Regional Councillor Gord Landon

- 1) That the petition signed by approximately 37 area residents forwarding their objection to the proposed Site Plan Control Approval and Community Design Guidelines for the Hughson Drive Community be received.

(See Item No. 5, Report No. 14 for Council's decision on this matter)

**CARRIED**

**6(A) REPORT NO. 12 - GENERAL COMMITTEE (February 25, 2013)**

Moved by Councillor Carolina Moretti

Seconded by Councillor Alex Chiu

That Report No. 12 – General Committee comprised of 1 item be received and adopted.

- (1) WARD BOUNDARY REVIEW 2012-2013:  
FINAL REPORT & OPTIONS TO REDIVIDE  
THE CITY'S WARD BOUNDARIES (9.2)  
[OptionD1-approved by GC on Feb. 25](#)  
[Report](#) [Attachment A](#) [Attachment B-F](#)

- 1) That the staff report entitled "Ward Boundary Review 2012-2013: Final Report & Options to Redivide the City's Ward Boundaries" be received; and,
- 2) That the report of Dr. Robert J. Williams, entitled "Final Report 2012-2013 Ward Boundary Review" (Attachment "A") be received; and,
- 3) That Council select in accordance with Section 222 of the *Municipal Act, 2001*, Option D1 to redivide the City's ward boundaries, with the amended Ward numbering as amended at the February 25, 2013 General Committee meeting; and,
- 4) That a by-law to redivide the City's ward boundaries be passed; and,
- 5) That the City Clerk be directed to give public notice of the passing of the by-law in accordance with Subsection 222(4) of the *Municipal Act, 2001*; and,
- 6) That staff be directed to undertake all steps required to implement the selected ward boundary configuration, including appearances necessary for that purpose before the Ontario Municipal Board or a court of competent jurisdiction; and,
- 7) That staff be directed to report back on any significant population variance between each of the City's wards following the 2018 municipal election; and further,
- 8) That staff be authorized and directed to do all things necessary to give effect to this resolution.  
(By-law 2013-29)

**CARRIED BY A RECORDED VOTE (9:3)**

(See following recorded vote)

(See following motion which was not considered)

(See following motion which was out of order)

(See following motion for recognition of Dr. Williams and Staff)

Recorded vote:

YEAS: Mayor Frank Scarpitti, Deputy Mayor Jack Heath, Regional Councillor Jim Jones, Regional Councillor Gord Landon, Regional Councillor Joe Li, Councillor Don Hamilton, Councillor Carolina Moretti, Councillor Alan Ho, Councillor Alex Chiu. (9)

NAYS: Councillor Valerie Burke, Councillor Howard Shore, Councillor Colin Campbell. (3)

ABSENT: Councillor Logan Kanapathi. (1)

Motion which was not considered

Moved by Councillor Colin Campbell

Seconded by Councillor Alan Ho

That Council adopt Option D3 attached to the staff report entitled “Ward Boundary Review 2012-2013: Final Report & Options to Redivide the City’s Ward Boundaries”.

As the proposed recommendation was carried by a recorded vote, Council consented to not consider the motion moved by Councillor Colin Campbell and seconded by Councillor Alan Ho regarding the adoption of Option D3.

Motion which was out of order

Moved by Councillor Howard Shore

Seconded by Deputy Mayor Jack Heath

That the number of wards be increased from 8 to 10 and that the Thornhill area be represented by two Ward Councillors in the City of Markham.

The motion moved by Councillor Howard Shore and seconded by Deputy Mayor Jack Heath was declared by the Chair to be out of order.

Recognition of Dr. Williams and Staff:

Moved by Deputy Mayor Jack Heath

Seconded by Regional Councillor Jim Jones

- 1) That Council extend its recognition to Dr. Robert J. Williams, City of Markham Ward Boundary Review Consultant, Stephen Huycke, Acting Deputy Clerk and Clerk's Department Staff for their extensive hard work on the ward boundary review year-long project.

**CARRIED**

**6(B) REPORT NO. 13 - GENERAL COMMITTEE (March 18, 2013)**

Moved by Councillor Carolina Moretti

Seconded by Councillor Valerie Burke

That Report No. 13 – General Committee comprised of 6 items be received and adopted.

(1) INFORMATION REPORT- UPDATE ON  
THE FEDERAL ELECTORAL DISTRICTS  
PROPOSAL FOR THE PROVINCE OF ONTARIO (9.0)

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

- 1) That the report entitled “Information Report – Update on the Federal Electoral Districts Proposal for the Province of Ontario” be received; and,
- 2) That the Federal Electoral Boundaries Commission for the Province of Ontario be requested to re-name the riding of "Markham-Stouffville" to "Markham-Stouffville-Rouge Valley; and,
- 3) That the Federal Electoral Boundaries Commission for the Province of Ontario be requested to re-name the riding of "Vaughan-Thornhill-Markham" to "Thornhill"; and further,
- 4) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**CARRIED**

(2) PROPERTY TAX RATIOS (7.3)

[Presentation](#) [Report](#)

- 1) That the presentation by Mr. Paul Wealleans, Director, Taxation entitled “Property Tax Ratios,” be received; and,
- 2) That the report entitled “Property Tax Ratios” be received; and,
- 3) That Council support setting tax ratios in 2013 to achieve Region-wide “revenue neutrality” such that the relative tax burden of each property class is the same after the reassessment as it was before the reassessment; and,

- 4) That this resolution be forwarded to the Region of York; and further,
- 5) That staff be authorized to and directed to do all things necessary to give effect to this resolution.

**CARRIED**

(3) CITYWIDE MULTI-PHASE SANITARY  
SYSTEM DOWNSPOUT DISCONNECTION  
PROGRAM – FINANCIAL ASSISTANCE PLAN (5.3)  
[Report](#) [Attachment A](#) [Attachment B](#) [Attachment C](#)

- 1) That the report entitled “Citywide Multi-phase Sanitary System Downspout Disconnection Program – Financial Assistance Plan” be received; and,
- 2) That Council, acknowledge the commencement of the Citywide Multi-phase Sanitary System Downspout Disconnection Program, which is an extension of the Pilot Sanitary System Downspout Disconnection Program completed in 2010; and,
- 3) That Council, approve the financial assistance plan for the Citywide Multi-phases Sanitary System Downspout Disconnection Program; and,
- 4) That the cost for Phase 1 of the Program totaling \$518,510 of which \$251,931 be funded in 2013 from capital project #11382 Downspout Disconnection Program and the remaining amount of \$266,579 be requested as part of the 2014 capital budget process; and further,
- 5) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**CARRIED**

(4) PARTNERSHIP WITH UNIONVILLE MILLIKEN  
SOCCER ASSOCIATION – MILLIKEN MILLS  
SOCCER DOME, ROOM EXPANSION (6.4)  
[Report](#)

- 1) That the report “Partnership with Unionville Milliken Soccer Association - Milliken Mills Soccer Dome, Room Expansion” be received; and,
- 2) That Council approves the partnership with the Unionville Milliken Soccer Association, for the room expansion at Milliken Mills Soccer Dome; and,

- 3) That the cost for the expansion in the amount of \$30,000 be funded 50% from the Unionville Soccer Club and 50% from the City; and,
- 4) That the City's portion in the amount of \$15,000 be funded from the Recreation Facilities Development Charge Reserve in amount of \$13,500 (90%) and Life Cycle Replacement and Capital Reserve Fund in the amount of \$1,500 (10%); and further,
- 5) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**CARRIED**

(5) LED STREETLIGHTING- STATUS UPDATE (5.19)

[Presentation](#)   [Report](#)

- 1) That the presentation by Mr. Bill Smelser, President and CEO, Laurilliam Lighting Technologies Inc. entitled "LED Streetlighting – Status Update," be received; and,
- 2) That the report entitled "LED Streetlighting - Status Update" be received; and,
- 3) That the Council endorse the use of light emitting diode (LED) technology as an alternate to high pressure sodium (HPS) for all City streetlights; and,
- 4) That the staff be authorized to proceed with the procurement tender for the supply and installation of LED luminaires to convert the existing HPS cobra-head style luminaires; and,
- 5) That the staff be authorized to include provisional items in the procurement tender for part-time and constant light output dimming (CLO) and monitoring options; and,
- 6) That the Chief Administration Officer be authorized to award the supply and installation contract(s), if the contract(s) are within budget; and,
- 7) That the selected LED luminaires, LED performance standards and specifications be adopted as City Standards; and,
- 8) That the City apply for the grant for the LED retrofit project from the SaveOnEnergy program administered by the Ontario Power Authority (OPA); and,

- 9) That the Commissioner of Community & Fire Services or her designate be delegated authority, to complete and sign the OPA's SaveOnEnergy application form and, if approved, such agreements and other instruments and documents necessary or advisable to obtain the grant; and further,
- 10) That staff be authorized and directed to do all things necessary to give effect to this resolution.

**CARRIED**

(6) EMERALD ASH BORER MANAGEMENT PLAN UPDATE (5.0)

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

- 1) That the staff report entitled 'Emerald Ash Borer Management Plan Update' be received, and;
- 2) That Operations staff implement an Emerald Ash Borer Management Plan that aligns with the recommendations outlined in the draft 'City of Markham Emerald Ash Borer Management Strategy', prepared by the Davey Resource Group, included in Attachment 'B' of report, and;
- 3) That Operations staff continue to engage the services of Davey Resource Group to provide their expertise in the development of the City's tree species selection and wood lot data collection initiatives, and;
- 4) That the Operations Department continue to celebrate and promote tree planting initiatives such as; National Tree Day, National Forest Week, Trees for Tomorrow, Trees for Life, Urban Tree Canopy Coalition, etc., and;
- 5) That the Operations Department report back to Council on an annual basis to provide updates on the Emerald Ash Borer Management Plan, including annual budget considerations, 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. 14 - DEVELOPMENT SERVICES COMMITTEE (March 19, 2013)**

Council consented to separate Item Nos. 4 and 5.

Moved by Regional Councillor Jim Jones

Seconded by Councillor Don Hamilton

That Report No. 14 – Development Services Committee comprised of 6 items be received and adopted, except Item Nos. 4 and 5. (See following Item Nos. 4 and 5)

(1) SMART COMMUTE - MARKHAM/RICHMOND HILL  
2013 BUSINESS PLAN (5.10)

[Presentation](#)

- 1) That the presentation provided by Flo McLellan, Program Director, Smart Commute – Markham / Richmond Hill Transportation Management Association (TMA) entitled “Smart Commute – Markham / Richmond Hill 2013 Business Plan”, at the March 19, 2013 Development Services Committee, be received; and,
- 2) That the funding allowance for Smart Commute – Markham / Richmond Hill Transportation Association (TMA) in the amount of \$75,000, funded under the 2013 Capital Account No. 640-101-5699-10060, be approved; and,
- 3) That the Regional Municipality of York, the Town of Richmond Hill and Smart Commute – Markham / Richmond Hill be advised accordingly; and,
- 4) That the Mayor and Clerk be authorized to execute an amended Memorandum of Understanding (MOU) to the satisfaction of the CAO and City Solicitor; and further,
- 5) That staff be authorized and directed to do all things necessary to give effect to this resolution.

**CARRIED**

(2) CYCLING AND PEDESTRIAN  
ADVISORY COMMITTEE (CPAC)  
2013 BUSINESS PLAN (6.3)

[Presentation](#)

- 1) That the presentation provided by Peter Miasek, Vice-Chair, Markham Cycling and Pedestrian Advisory Committee (CPAC) entitled “Cycling and Pedestrian Advisory Committee (CPAC) - 2013 Business Plan”, at the March 19, 2013 Development Services Committee meeting, be received; and,
- 2) That the funding allowance for Markham’s Cycling and Pedestrian Advisory Committee (CPAC) in the amount of \$25,000, funded under the 2013 Capital Account No. 640-101-5699-6138, be approved; and further,
- 3) That staff be authorized and directed to do all things necessary to give effect to this resolution.

**CARRIED**

(3) RECOMMENDATION REPORT  
2145312 ONTARIO INC.  
1 STEELCASE ROAD WEST  
WEST OF WOODBINE AVENUE, SOUTH OF STEELCASE ROAD WEST  
APPLICATIONS FOR OFFICIAL PLAN AND ZONING BY-LAW AMENDMENTS  
TO PERMIT A MIXED USE  
COMMERCIAL/OFFICE DEVELOPMENT  
FILE NO.’S: OPA AND ZA 12 115839 (10.3, 10.5)

[Report](#)

- 1) That the deputation and correspondence from Barry A. Horosko, Brattys, Barristers and Solicitors, on behalf of Liberty Development, regarding 2145312 Ontario Inc., provided at the March 19, 2013 Development Services Committee meeting, be received; and,
- 2) That the report entitled “RECOMMENDATION REPORT, 2145312 Ontario Inc., 1 Steelcase Road West, West of Woodbine Avenue, south of Steelcase Road West, Applications for Official Plan and Zoning By-law Amendments to permit a mixed use commercial/office development, File No.’s: OPA and ZA 12 115839” be received; and,
- 3) That the application submitted by 2145312 Ontario Inc. to amend the Official Plan, be approved and that the draft Official Plan Amendment attached as Appendix “B”, further amended to permit an initial Phase 1A wherein up to 20,000 m<sup>2</sup> of retail space would be permitted, provided that 7,500 m<sup>2</sup> of office uses is provided, be finalized and adopted without further notice; and,

- 4) That the notice of adoption of the Official Plan Amendment be forwarded to the Region of York for final approval of the Official Plan Amendment; and,
- 5) That the application submitted by 2145312 Ontario Inc. to amend Zoning By-law 108-81, as amended, be approved and the draft by-law attached as Appendix “C”, further amended to permit an initial Phase 1A wherein up to 20,000 m<sup>2</sup> of retail space would be permitted, provided that 7,500 m<sup>2</sup> of office uses is provided, be finalized and enacted without further notice; and further,
- 6) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**CARRIED**

(4) INFORMATION REPORT  
THORNHILL REVITALIZATION AREA  
LAND USE STUDY: SUMMARY AND DISCUSSION OF THE  
RECOMMENDATIONS OF THE WORKING GROUP AND  
CITY STAFF/CONSULTANT  
FILE PR 11 127722 (10.0)  
[Report](#)

- 1) That the depositions by Arnie Rose, representing the Thornlea Revitalization Working Group, Brian Gordon, Mike Papetrou, Alena Gotz, Duane Hoo, and Sam Balsamo representing Condor Properties, be received; and,
- 2) That the written submission by Alena Gotz, dated March 19, 2013, Marilyn Ginsberg, representing the Grandview Area Residents Association (read by Regional Councillor Joe Li), and Manuel Der Maroutiounian (read by Brian Gordon) be received; and,
- 3) That the report entitled: “INFORMATION REPORT, Thornhill Revitalization Area Land Use Study: Summary and Discussion of the Working Group and City Staff/Consultant Recommendations; File PR 11 127722,” be received; and,
- 4) That the new Draft Official Plan policies pertaining to the Thornlea Revitalization Area be based on the points of agreement between the City Staff /Consultant recommendations and the recommendations of the Working Group; and,

- 5) That the Development Services Committee and Council provide the following direction to staff:
- a) In the Thornlea Revitalization Area, excluding the former Canac site, prohibit manufacturing, assembly and warehousing, other than where no Certificate of Approval is required from the Ministry of the Environment, and prohibiting auto-body repair shops in the new Official Plan;
  - b) On the former Canac Kitchens property, provide for mixed use residential redevelopment (e.g. ground-oriented residential with at grade commercial, retail and office uses along John Street and Green Lane):
    - a. That automobile-oriented land uses, such as gas stations, non-accessory parking lots, and other drive-through uses not be accommodated;
    - b. That to protect the residential characteristics of the area, commercial development be limited to the following:
      - i) Low intensity and pedestrian oriented commercial uses, such as professional offices and small retail or commercial businesses.
      - ii) Any new residential development in this area must be pedestrian friendly and provide for a small-scale central area where residents could find benches, shading, and perhaps a visual attraction all could be proud of; and further,
- 6) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**CARRIED**  
**(Councillor Valerie Burke abstained)**

Councillor Valerie Burke having previously disclosed an interest did not participate in the vote on the matter regarding the Thornhill Revitalization Area Land Use Study.

- (5) RECOMMENDATION REPORT  
INTRODUCTION OF SITE PLAN CONTROL APPROVAL  
AND COMMUNITY DESIGN GUIDELINES FOR  
THE HUGHSON DRIVE COMMUNITY (HUGHSON DRIVE,  
LUNAR DRIVE, ANKARA COURT, POLARIS DRIVE AND  
ATHENS DRIVE [WEST END])  
(SD 10 110091) (10.0, 10.7)  
[Report](#) [Council Extract](#) [Subcommittee Minutes](#) [Communications](#)

Moved by Councillor Alan Ho

Seconded by Regional Councillor Gord Landon

- 1) That the correspondence from Michael and Jacqueline Baranowsky; Anne Chang; Jeremy Tio, and a form letter signed by approximately 32 area residents, regarding the proposal for Site Plan Control in the Hughson Drive area, be received; and,
- 2) That the deputations by Jeremy Tio, Freda Chu, Andrew Wu, Christopher Zadel on behalf of Maria Murgaski, Jenny Tsikfidis, Georgia Leung, John Vretos, and Daniel Ho Lung, regarding Site Plan Control in the Hughson Drive area, be received; and further,
- 3) That the introduction of Site Plan Control Approval and Community Design Guidelines for the Hughson Drive Community not be supported.

**CARRIED BY A RECORDED VOTE (8:4)**

(See following recorded vote)

(See following to consider the matter)

Recorded vote:

YEAS: Deputy Mayor Jack Heath, Regional Councillor Jim Jones, Regional Councillor Gord Landon, Regional Councillor Joe Li, Councillor Don Hamilton, Councillor Colin Campbell, Councillor Alan Ho, Councillor Alex Chiu. (8)

NAYS: Mayor Frank Scarpitti, Councillor Valerie Burke, Councillor Howard Shore, Councillor Carolina Moretti. (4)

ABSENT: Councillor Logan Kanapathi.

Motion to consider the matter:

Moved by Regional Councillor Jim Jones

Seconded by Councillor Colin Campbell

That Council suspend the rules of procedure to allow for the consideration of the item regarding the Site Plan Control Approval and Community Design Guidelines for the Hughson Drive Community immediately following the delegations with respect thereto. (See Delegation Item No. 4 and Petition Item No. 1)

**CARRIED**

(2/3 Vote was requested &amp; obtained)

- (6) ENBRIDGE GAS DISTRIBUTION INC.  
EB-2012-0451 - GREATER TORONTO AREA (GTA) PROJECT  
ONTARIO ENERGY BOARD NOTICE OF APPLICATION (10.0)  
[Letter Communication](#)

- 1) That the correspondence from Salim Alibhai, Manager Engineering, Roads Branch, Region of York, providing comments, be received; and,
- 2) That the deputation by Sam Balsamo representing Condor Properties be received; and,
- 3) That the Enbridge Gas Distribution Inc. ("Enbridge") EB-2012-0451 - Greater Toronto Area ("GTA") Project Ontario Energy Board (the "Board") Notice of Application be received; and,
- 4) That Enbridge Gas Distribution Inc. be invited to the April 9, 2013 meeting of the Development Services Committee to provide a presentation on the routing of the proposed GTA gas distribution pipeline through the City of Markham; and,
- 5) That the March 14, 2013, letter from the Director of Engineering in respect to Markham's response to the Ontario Energy Board and intervenor status be received; and,
- 6) That Enbridge Gas Distribution Inc. be requested to submit a construction staging communication and signage plan to the satisfaction of the Director of Engineering; and,
- 7) That the City of Markham reserve the right to require Enbridge to find an alternative alignment if the proposed pipeline conflicts with Markham's future infrastructure and land use; and further,

- 8) That the City of Markham reserve the right to provide to the OEB any additional comments arising from the Enbridge presentation at the April 9, 2013 DSC meeting and subsequently also arising from any future details received from Enbridge regarding the alignment and grade of the proposed pipeline through Markham.

**CARRIED**

## **7. MOTIONS**

There were no motions.

## **8. NOTICES OF MOTIONS**

There were no notices of motions.

## **9. COMMUNICATIONS**

Moved by Regional Councillor Gord Landon

Seconded by Councillor Carolina Moretti

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

### **Referred to all Members of Council**

11-2013 ROAD CLOSURE REQUEST – CANADA DAY CELEBRATIONS (3.5)

#### [Info](#)

The following roads will be closed on July 1, 2013 to facilitate the Canada Day Celebrations:

#### 3:00 pm to 4:30 pm

- McCowan Road from Bullock Drive to South Unionville Avenue
- McCowan Road and Heritage Rd
- Hwy. 7 – east and west of McCowan Road

#### 8:30 pm to 11:30 pm

- McCowan Road north of South Unionville Avenue –rolling closures

**CARRIED**

12-2013 ROAD CLOSURE REQUEST – 10 K TREES FOR THE ROUGE (3.5)

[Info](#)

The following road will be closed on April 28, 2013 from 8:00 am to 2:30 pm:

- Reesor Road (between Steeles Ave and 14<sup>th</sup> Ave)

**CARRIED**

13-2013 LIQUOR LICENCE APPLICATION FOR THE MARLEIGH RETIREMENT RESIDENCE, 34 MAIN STREET (WARD 3) (3.21)

[Info](#)

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

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

**CARRIED**

14-2013 STAFF MEMORANDUM PROVIDING ADDENDUM INFORMATION REGARDING THE ITEM TITLED “CITYWIDE MULTI-PHASE SANITARY SYSTEM DOWNSPOUT DISCONNECTION PROGRAM – FINANCIAL ASSISTANCE PLAN” (5.3)

(Item No. 3, Report No. 13)

[Memo](#)

**CARRIED**

## 10. PROCLAMATIONS

(1) PROCLAMATION AND FLAG RAISING REQUESTS (3.4)

[New Request Info](#)

Moved by Councillor Howard Shore

Seconded by Councillor Colin Campbell

- 1) That the following proclamations issued by the City Clerk in accordance with the City of Markham Proclamation Policy be received for information purposes:

- Holocaust Memorial Day (April 8, 2013)
- Israel Independence Day (April 16, 2013)
- Girls Rights Week (April 29 to May 3, 2013)
- Italian Heritage Month (June 2013); and,

- 2) That the following request for flag to be raised at the Anthony Roman Markham Civic Centre flagpole approved by the City Clerk in accordance with the City of Markham Community Flag Raisings & Flag Protocol Policy be received for information purposes:
  - Flag of Israel (April 16, 2013); and,
- 3) That the following new requests for proclamation be approved and added to the Five-Year Proclamations List approved by Council:
  - Keep Markham Beautiful Month (April 2013)
  - World Autism Awareness Day (April 2, 2013)
  - National Caregiver Day (April 5, 2013)
  - Barbershop Harmony Week (April 7 to 13, 2013)
  - National Youth Week (May 1 to 7, 2013)
  - Persian New Year (Nowruz) (First day of spring 2013); and further,
- 4) That the following new request for flag to be raised at the Anthony Roman Markham Civic Centre flagpole be approved and added to the Five-Year List of Request to Raise Flag approved by Council:
  - Autism Flag (April 2, 2013).

**CARRIED**

(See following to consider the matter)

Moved by Councillor Howard Shore  
Seconded by Councillor Colin Campbell

That Council suspend the rules of procedure to allow for the consideration of the proclamation and flag requests immediately following the delegation with respect to the Persian New Year.

(See Delegation Item No. 1)

**CARRIED**

(2/3 Vote was requested & obtained)

**11. NEW/OTHER BUSINESS**

- (1) DRAFT OFFICIAL PLAN 2012  
PUBLIC CONSULTATION OVERVIEW (10.0)  
[Report](#) [Figure 1](#) [Appendix A](#) [Appendix B](#) [Appendix C](#) [Appendix D](#) [Correspondence](#)

Moved by Regional Councillor Jim Jones

Seconded by Councillor Don Hamilton

- 1) That correspondence from Patricia A. Foran, Aird & Berlis; Piper Morley, Aird & Berlis; Paul Young; Andrea A. Gabor, Urban Strategies Inc.; Rosemarie L. Humphries, Humphries Planning Group Inc.; Vania Ottoborgo, 1659139 Ontario Inc. (Holborn), and John Amello, provided at the March 19, 2013 Development Services Committee, be received;
- 2) That a statutory Public Meeting to consider the Draft Official Plan be scheduled for April 23, 2013, preceded by an Open House on April 11, 2013; and,
- 3) That applications for employment land conversions be considered at a DSC meeting in May 2013 for Committee and Council direction on whether removal of the lands from the employment land supply is appropriate; and further,
- 4) That staff be authorized and directed to do all things necessary to give effect to this resolution.

**CARRIED**

**12. BY-LAWS**

Moved by Councillor Don Hamilton

Seconded by Councillor Alex Chiu

That By-law 2013-29 be given three readings and enacted.

**CARRIED**

Moved by Councillor Alex Chiu

Seconded by Councillor Don Hamilton

That By-laws 2013-30 to 2013-37 be given three readings and enacted.

**CARRIED**

**Three Readings**

BY-LAW 2013-29     A by-law to establish ward boundaries for the City of Markham.

[By-law](#)

(Item No. 1, Report No. 12)

**CARRIED**

BY-LAW 2013-30     A BY-LAW TO DESIGNATE A PROPERTY AS BEING OF  
CULTURAL HERITAGE VALUE OR INTEREST – JARVIS-FAIRTY  
HOUSE, 6350 STEELES AVENUE

[By-law](#)

**CARRIED**

BY-LAW 2013-31     ROAD DEDICATION BY-LAW

[By-law](#)

- A by-law to dedicate certain lands as part of the highways of the Town  
of Markham:

(Block 53, Plan 65M-4233 - Begonia Street;

Block 54, Plan 65M-4233 - Furrow Street;

Block 105, Plan 65M-4341 - Furrow Street;

Block 115, Plan 65M-3809 - Greenspire Avenue;

Block 117, Plan 65M-3809 - Begonia Street;

Block 119, Plan 65M-3809 - Hyacinth Street;

Block 121, Plan 65M-3809 - Beacon Point Street;

THAT Block 123, Plan 65M-3809 - Roy Rainey Avenue)

**CARRIED**

- BY-LAW 2013-32     NINTH LINE DEVELOPMENTS LIMITED, PART LOT CONTROL EXEMPTION BY-LAW, 65M-4217  
[By-law](#)  
- A by-law to designate part of a certain plan of subdivision not subject to Part Lot Control, Part of Block 18, Plan 65M-4217, designated as Parts 37 to 51 both inclusive, Pan 65R-32905.  
**CARRIED**
- BY-LAW 2013-33     NINTH LINE DEVELOPMENTS LIMITED, PART LOT CONTROL EXEMPTION BY-LAW, 65M-4237  
[By-law](#)  
- A by-law to designate part of a certain plan of subdivision not subject to Part Lot Control, Part of Block 256, Plan 65M-4237, designated as Parts 12, 13 and 15 to 26 inclusive, Plan 65R-32905.  
**CARRIED**
- BY-LAW 2013-34     CROWN OF MARKHAM INC., PART LOT CONTROL EXEMPTION BY-LAW, 65M-4314  
[By-law](#)  
- A by-law to designate part of a certain plan of subdivision not subject to Part Lot Control, Blocks 25, 26, 27 and 28, Plan 65M-4314.  
**CARRIED**
- BY-LAW 2013-35     WYNBERRY DEVELOPMENTS INC., PART LOT CONTROL EXEMPTION BY-LAW, 65M-4247  
[By-law](#)  
- A by-law to designate part of a certain plan of subdivision not subject to Part Lot Control, Block 14, Plan 65M-4247.  
**CARRIED**
- BY-LAW 2013-36     ARISTA HOMES (UPPER UNIONVILLE) INC., PART LOT CONTROL EXEMPTION BY-LAW, 65M-4325  
[By-law](#)  
- A by-law to designate part of a certain plan of subdivision not subject to Part Lot Control, Lots 27, 28, 29, 52, 53 and 505 and Blocks 554, 555, 556, 568 and 573, Plan 65M-4325.  
**CARRIED**

BY-LAW 2013-37 DIGRAM DEVELOPMENTS INC., PART LOT CONTROL EXEMPTION BY-LAW, 65M-4334

[By-law](#)

- A by-law to designate part of a certain plan of subdivision not subject to Part Lot Control, Block 36, Plan 65M-4334.

**CARRIED**

**13. IN-CAMERA ITEMS**

Moved by Councillor Don Hamilton

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 (9:33 p.m.):

**COUNCIL – March 19, 2013**

- (1) MINUTES OF IN-CAMERA COUNCIL MEETING  
- MARCH 6, 2013  
[Section 239 (2) (b) (c) (e) (f)]

**GENERAL COMMITTEE – March 4, 2013**

- (2) ADVICE THAT IS SUBJECT TO SOLICITOR-CLIENT PRIVILEGE INCLUDING COMMUNICATIONS NECESSARY FOR THAT PURPOSE  
[Section 239 (2) (f)]
- (3) LITIGATION OR POTENTIAL LITIGATION, INCLUDING MATTERS BEFORE ADMINISTRATIVE TRIBUNALS, AFFECTING THE MUNICIPALITY OR LOCAL BOARD  
[Section 239 (2) (e)]

**GENERAL COMMITTEE – March 18, 2013**

- (4) A PROPOSED OR PENDING ACQUISITION OR DISPOSITION OF LAND BY THE MUNICIPALITY OR LOCAL BOARD.  
[Section 239 (2) (c)]

- (5) LABOUR RELATIONS OR EMPLOYEE NEGOTIATIONS.  
[Section 239 (2) (d)]
- (6) A PROPOSED OR PENDING ACQUISITION OR DISPOSITION OF LAND BY THE MUNICIPALITY OR LOCAL BOARD.  
[SECTION 239 (2) (d)]

**DEVELOPMENT SERVICES COMMITTEE – March 19, 2013**

- (7) DEVELOPMENT SERVICES COMMITTEE IN-CAMERA MINUTES  
- MARCH 5, 2013  
[Section 239 (2) (e) (f)]
- (8) ROUGE PARK IMPLEMENTATION TASK FORCE IN-CAMERA MINUTES  
- MARCH 12, 2013  
[Section 239 (2) (c)]
- (9) A PROPOSED OR PENDING ACQUISITION OR DISPOSITION OF LAND BY THE MUNICIPALITY OR LOCAL BOARD  
[Section 239 (2) (c)]

Moved by Regional Councillor Gord Landon  
Seconded by Councillor Alan Ho

That Council rise from the in-camera session and report. (10:06 p.m.)

**CARRIED**

Council reported out the items as follows:

- (1) MINUTES OF IN-CAMERA COUNCIL MEETING  
- MARCH 6, 2013 (16.0)

Moved by Councillor Alex Chiu  
Seconded by Councillor Valerie Burke

- 1) That the Council In-camera Minutes dated March 6, 2013 be confirmed.

**CARRIED**

(2) CLOSED MEETING INVESTIGATOR REPORTS (13.2)  
[Report](#)

Moved by Regional Councillor Gord Landon  
Seconded by Councillor Alex Chiu

- 1) That the confidential staff report entitled “Closed Meeting Investigator Reports” dated February 27, 2013 be received; and,
- 2) That the confidential memorandum dated March 19, 2013 from the City Solicitor and Acting City Clerk be received; and,
- 3) That the revised report from Amberley Gavel Ltd., City of Markham Closed Meeting Investigator, regarding the Mayor's Days be released in its entirety; and further,
- 4) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**CARRIED**

(3) FRANGIAN HOLDINGS LTD.  
LEGAL ADVICE REGARDING SETTLEMENT OF APPEALS  
APPLICATIONS FOR OFFICIAL PLAN AND ZONING BY-LAW AMENDMENTS  
TO PERMIT A HIGH DENSITY MIXED USE RESIDENTIAL AND COMMERCIAL  
DEVELOPMENT AT 7089 YONGE STREET AND 11 & 15 GRANDVIEW AVENUE,  
THORNHILL,  
FILE NOS. OP 10-131003 AND ZA 10-131004 (10.3 and 10.5)

Moved by Councillor Valerie Burke  
Seconded by Councillor Alan Ho

- 1) That the confidential report dated March 14, 2013 titled “Legal advice regarding settlement of appeals, Applications for Official Plan and Zoning By-law Amendments to permit a high density mixed use residential and commercial development at 7089 Yonge Street and 11 & 15 Grandview Avenue, Thornhill, File Nos. OP 10-131003 and ZA 10-131004,” be received, and,
- 2) That the City Solicitor or her designate be directed to attend the OMB hearing to support the settlement of the appeal by Frangian Holdings Ltd., as described in this report; and further,
- 3) That staff be authorized and directed to do all things necessary to give effect to this resolution.

**CARRIED**

(4) PROPERTIES READY FOR TAX SALE REGISTRATION (7.3)

Moved by Councillor Carolina Moretti  
Seconded by Councillor Howard Shore

- 1) That the confidential report entitled "Properties Ready for Tax Sale Registration" be received; and
- 2) That staff be authorized to proceed as directed by Council on March 19, 2013.

**CARRIED**

(5) CONTRACT AWARD FOR GRASS CUTTING  
& MAINTENANCE SERVICES (7.12)

Moved by Regional Councillor Gord Landon  
Seconded by Councillor Alex Chiu

- 1) That the confidential report entitled "Contract Award 289-Q-12 for Additional Grass Cutting and Maintenance Service" be received; and,
- 2) That the contract for the additional grass cutting and maintenance services be awarded to Markham Property Services Ltd for \$107,684.47 with an option to renew for additional 2 years (at one year intervals) at the same terms and conditions at the sole discretion of the City; and further,
- 3) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**CARRIED**

(6) A PROPOSED OR PENDING ACQUISITION OR DISPOSITION OF LAND BY THE  
MUNICIPALITY OR LOCAL BOARD (7.3)

Moved by Regional Councillor Gord Landon  
Seconded by Councillor Alex Chiu

- 1) That staff be authorized to proceed with respect to a proposed or pending acquisition or disposition of land by the municipality or local board as directed by Council on March 19, 2013.

**CARRIED**

- (7) DEVELOPMENT SERVICES COMMITTEE  
IN-CAMERA MINUTES  
- MARCH 5, 2013 (10.0)

Moved by Regional Councillor Jim Jones

Seconded by Councillor Don Hamilton

- 1) That the minutes of the Development Services Committee in-camera meeting, held March 5, 2013, be confirmed.

**CARRIED**

- (8) ROUGE PARK IMPLEMENTATION  
REVIEW TASK FORCE  
IN-CAMERA MINUTES  
- MARCH 12, 2013 (16.0)

Moved by Deputy Mayor Jack Heath

Seconded by Regional Councillor Joe Li

- 1) That the in-camera minutes of the Rouge Park Implementation Review Task Force meeting held on March 12, 2013, be received for information purposes.

**CARRIED**

- (9) A PROPOSED OR PENDING ACQUISITION OR DISPOSITION OF LAND BY THE  
MUNICIPALITY OR LOCAL BOARD (10.0)

Moved by Deputy Mayor Jack Heath

Seconded by Regional Councillor Gord Landon

- 1) That the confidential report dated March 15, 2013 from the Chief Administrative Officer and Senior Manager, Sustainability, regarding a proposed or pending acquisition or disposition of land by the municipality or local board; be received; and,
- 2) That staff be authorized to proceed as directed by Council on March 19, 2013.

**CARRIED**

**14. CONFIRMATORY BY-LAW**

Moved by Councillor Alex Chiu

Seconded by Councillor Carolina Moretti

That By-law 2013-38 be given three readings and enacted.

**Three Readings**

BY-LAW 2013-38    A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE COUNCIL  
MEETING OF MARCH 19, 2013.

[By-law](#)

**CARRIED**

**15. ADJOURNMENT**

Moved by Councillor Alex Chiu

Seconded by Councillor Valerie Burke

That the Council Meeting be adjourned at 10:14 p.m.

**CARRIED**

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MARTHA PETTIT  
ACTING CITY CLERK

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FRANK SCARPITTI  
MAYOR

(Signed)